

TEXT AMENDMENT

12-0005

RZ12-03


Text Amendment to approve the Groveway Community Hybrid Form-Based Code

Brad Townsend stated that before the Commission this evening is a draft hybrid form-base code for the Groveway Community. This was actually initiated with an LCI related to the original Atlanta Regional Commission doing South Atlanta Street. They established Groveway as an area with the current road infrastructure that would be good for some type of different mixed use development. There was then a three-day charrette on this area handled at the Child Development Center for a couple of days. A stakeholder group was put together with that charrette and there were designs put together as to what do they want this place to look like. Once that charrette was finalized there was then money granted from the Atlanta Regional Commission to put together a hybrid form base code.

The ground work for a form base code is one really cares a lot about how the building looks. His concern is not that much as to what is inside the building but it how does it represent to the sidewalk, how does it represent to the street, what kind of height does it have, what kind of changes in the elevation and the exterior, what kinds of windows, doors and things of that nature. That is the true basis of a form base code. The term hybrid is utilized because they still do extremely care about what they put in these buildings. They want to know what the uses are.

So, of the 57 +/- pages what the Commission really breaks down into is on page 11. On page 11 there are three distinct districts for this area. There are the gray areas, which are owned by the city of Roswell, which are the county library, the city parks. Those are not going to change. Those are going to stay just exactly like they are. There is the blue area which is Zion Circle near Mt. Zion Church. That area is identified as residential. Whatever future happens to that the most major component is to be residential. Then there is the blue area. The blue area is really identified as to they really want to mix it up. They want to take whatever happens there today and change it. They want to have some type of assemblage of property. Take for example if one were to assemble this whole block between Hill Street and Oak Street and Myrtle Street and Forrest Street, what would he do once he assembled that whole piece of property. And then they want it to look like the architecture established in this criteria.

They want the architecture of the building to represent an upgrade to the community and that is whether they are dealing with massing, they are dealing with scale, they are dealing with height criteria.

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Once one establishes the different districts pages 9 and 10 talk about the uses that he will allow in those districts.

Brad Townsend stated that at the direction of council, this map doesn't accurately show it, they are also including as a blue district north of Norcross Street, the old Southern Skillet site, the Frazier Street Apartments are going to be included as red in this proposal. Staff has been directed by mayor and city council to include that area also. So, whatever criteria they are looking to put here, they are looking to cross Norcross Street and do the same north of there.

On pages 9 and 10 are the lists of how the buildings are to be used. Council has asked the staff, the analysis that Brad Townsend was where the neighborhood mixed-use district there are 72 uses. Thirty-six of them are required or shown as conditional. That means that they are requiring them to go through a four to six month process to even ask for the use that they want. Council has now given staff direction to pare that down. They need to provide the Council some guidance as to what uses ought to be given to them by right as a permitted use and not required as conditional.

A simple example is why would a printing, blueprinting, publishing, binding use be conditional? It seems pretty much an office, 8 a.m.-5 p.m. type of business. So if they have an office building why would it not be included as a permitted use? That is some of the analysis staff is going to be going through and providing to council when this gets in front of them.

The direction for the Planning Commission this evening if they have been able to go through this. Townsend knows they have had it for a short time, he is not pushing but he has been given a schedule to go by. This will be in front of city council for its first reading on March 12, 2012. That is the schedule that it is currently at. If the Commission has things they feel Townsend should research, things they feel are in the ordinance that don't fit what Roswell has just gone through in its comprehensive plan. Things that they feel are great in this ordinance that need to be included or need to be expanded. Townsend is here to take those notes, to take that information, to pass that on to mayor and city council.

As requested by Lisa DeCarbo, Brad Townsend stated that he passed on the HPC comments; the Design Review Board didn't have a lot of discussion on this item. They didn't say yes or no to it. They did have some concerns like HPC had some concerns related to height in certain areas. Staff is at a process where they are trying to gather as much information as he can and give that recommendation on to council so they can act upon it and make the proper legislation that they want in dealing with this.

The women and gentlemen behind Townsend have a vested interest in this. They probably have had at least 18 months worth of stakeholder meetings in

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dealing with this ordinance. They have discussed it a lot and have gotten as much input as they felt into what word is today. It still has some kinks in it. Staff has actually contracted with an outside architect to look at it and find out if there are any internal inconsistencies. If they are asking for the sidewalk to be this wide, why does the stoop fit like this kind of thing? There are detail things that Townsend professionally is not aware of and couldn't understand but anybody that deals with trying to implement this and says, "Well architecturally, this stoop doesn't work" kind of thing. One does not build them like this.

So, staff is having someone review this document with that type of eyes so it is somebody that is completely outside the city of Roswell that will give them a fresh look at that. Staff hopes to have at least drafts from that person within a week or two of that.

With all that to say Brad Townsend stated that he is here to try to answer as many questions as he can and write down as many comments as they can go forward. He will take any email and comments that the Commission wishes for him to pass on to mayor and city council. He is willing to take those too at that time.

Brad Townsend stated that floor was open for discussion.

Bryan Chamberlain stated on pages 9 and 10, the uses, specifically as it relates on page 10 they go through mix neighborhood use versus neighborhood residential, institutional residential living and care facilities serving less than 18 persons, conditional. And as one goes all the way down through schools, trade under the category of office/institutional one can see the general relationship of allowable versus conditional. If one goes over to special uses on the right hand side of that same page and he has a totally different look in terms of, as an example schools, trade not allowed in neighborhood residential, conditional and mixed use.

Chamberlain stated that he is lost as to what the difference is between the commercial and the special use. He is sure there was some thought process there but he would really like to know what that is about.

The second item as it relates to the comment about the city of Roswell has contracted an architect to kind of look at things and say, does this make sense? Are there some obvious things that don't work? Chamberlain would say yes, they need to look at that also from a landscaping standpoint, which is a little different discipline.

Some of the areas like the alleyways and the separations, Chamberlain just had the feeling that maybe someone with a better eye for that needs to review it and make sure that they are not setting up traps that people come in and they can't do anything and they get discouraged and in the end the assemblage goes away.

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Cheryl Greenway asked Brad Townsend if he wanted to comment. Townsend stated that he does not know if he has a good answer for Chamberlain. Chamberlain stated that an answer is not needed today. That is just an area that made no sense to him. Townsend stated that he will look into it.

Harvey Smith stated that on that same line, the building uses. What methodology did staff arrive...or how were those categories...he is not going to go through them blow by blow but he just....Brad Townsend stated that they were done by Committee. Harvey Smith stated that is what he meant, the method to the madness not to say. Because the Commission sits here every month and they don't want to run someone through an unnecessary gauntlet and he is sure staff has given that thought. He is just curious about some of these categories. There is a methodology behind it is just his general comment.

Brad Townsend stated that what he can tell Smith is what they will end up at the end of this process, if adopted by mayor and city council is probably closer to an 80-20 split. Eighty percent of what they have listed as uses would be permitted. Twenty percent would probably be conditional. Knowing that the conditional ones have something inherently to them that they are going to want to know and have the public around it have input into.

Harvey Smith clarified that the process to apply for a particular use, if they are trying to be pro-business and they are trying to promote new development in the area, redevelop it, it is Smith's concern that...they are trying to make it user friendly. That is his only comment that he hopes this process and he is sure that the committee has discussed it. But they are not going to make somebody go through this gauntlet to say that he has whatever type of business that may fit or might conform. They are really going to have to apply for some variance just to the use. It is either going to be black and white, they are going to make it user-friendly...

Brad Townsend stated that he thinks that is the objective. He knows that is the goal from the mayor and city council is to make it so more uses are allowed as permitted. And if they come in to develop they get their building permit and go.

Harvey Smith agreed. They are going to see the rules as a game. If they are going to propose a development it is going to be pretty black and white. One either does it or he doesn't or he goes to another part of town to do it. That is what he would like to think and he knows the committee has spent time. Smith thinks that would be a great result out of this whole process. That would be one general comment.

Cheryl Greenway stated that she would like to take that just one little step further. If this is approved, fine tuned and approved, then someone comes and wants to buy and build in this area, they would be able to come to this document to see

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what is allowed or permitted and if they comply with this document then they would not have to come before any committee or would they have to go before the Design Review Board.

Brad Townsend stated that depending on the district, some of the land is in the historic district; some of it is in HPC depending on the district. That would be the only location that they would have to go to would be to the aesthetic review of that. They could be approved administratively for their building to take place. In essence, staff would be able to approve the site plan of the building. It wouldn't need a rezoning if that is the way that it was applied.

Cheryl Greenway stated that her other question is Brad Townsend talked about on page 11 how that is going to extend and go up through Frazier Street and where the Southern Skillet used to be. Will that be in the final approved package or is that just a general understanding?

Brad Townsend stated that they are going to have a new map that will include that whole area because they want to include a couple of high visibility street corners in that location also to make that criteria for those spots too.

Lisa DeCarbo stated that she just wanted to clarify that anything here that is either a permitted or not a permitted use is easy for folks basically. They don't have to come for a rezoning; they don't have to go through planning and zoning or through the Planning Commission for that. So it would behoove the Commission to pick one side of the fence or the other. But everything will go through Design Review Board or Historic Preservation Commission depending on where within the district.

Brad Townsend stated that is the way it is currently drafted.

Lisa Carbo stated that one of the other things HPC had talked about at their meeting is the small area in the neighborhood mixed use that is actually within their area. Would their requirements supercede this?

Brad Townsend stated that was something that he is dealing with the city's legal department to try to determine which has precedent.

Lisa DeCarbo stated that it seems to her just offhand looking at it that theirs are more restrictive than what the Commission has here. Although not always necessarily more illustrative. In some ways these are much more comprehensive but there are building height limits that are different. DeCarbo stated that Townsend has answered a lot of the questions so far. So, the only time that anything would ever have to come to Planning Commission and all of the way through mayor and city council is if it is conditional use. Brad Townsend stated that was correct.

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Lisa Carbo clarified that basically HPC or DRB would be looking at the questions. There are several places within this where someone has to make design determinations on say other materials or other decorative elements that fulfill the intent. Brad Townsend stated that was correct. DeCarbo clarified that it would be the DRB or the HPC that would be ruling on those questions.

Brad Townsend stated that is were they would be looking at probably pages 16, 17 and 18, which deal with the different types of frontage and make sure that the illustrations here of what they are proposing would comply with that. In building details, building materials and such as well.

Lisa DeCarbo asked if anyone else had any major questions because she has a lot of nit-picky ones that she can either send to Townsend via email. Things like is EIFS an allowed material, is metal siding?

Brad Townsend stated that he would prefer it if DeCarbo put them in a list. That would be fabulous that he can email to the rest of the group his answers and then they can go from there.

Harvey Smith asked Brad Townsend if he has an overlay that shows what portion of the historic district is part of this. Or can he kind of describe it?

Cheryl Greenway asked if staff wanted one of the Commission's maps to use. Greenway stated that once they get through with the city's presentation then she will open it up to the public.

Brad Townsend asked that the Commission not hold him to this, but he is guessing. He thinks it is this particular block that is in the historic district. Then it carves back up in most of the Frazier Street area and the Frazier Street Apartments is in the historic district

Greenway clarified that Frazier Street and the shopping center there would be in the historic district. Brad Townsend stated that was correct.

Greenway asked Lisa DeCarbo if she said that she had drawn it on there. DeCarbo did not speak into the microphone.

Cheryl Greenway stated that if Brad Townsend wanted to look for a little bit on that the Commission could go ahead and listened to public comment and come back to that if he likes.

Harvey Smith stated that was one of those things Townsend could email to the Commission later, too. He was just curious because of the overlay. Townsend stated that he was going to have Jackie Deibel go down and get a map so they actually know it. Cheryl Greenway stated that they could come back to that.

Mark Renier stated that just in looking at this from 30,000 feet they are looking at basically a brand new, complete redevelopment of this area. He doesn't see any, many existing facilities being utilized within this development in terms of any of the existing residential. It seems as though there is a developer or a group of developers that are going to have to come in and take down 5, 10, 15, 20 acres at a time and redevelop those per this plan. They are not looking at one of...

Brad Townsend stated that was the big picture. That is the 30,000 feet.

Mark Renier thanked Brad Townsend.

Cheryl Greenway stated that she does have just one more question. In the drawing, going back to the one Townsend has up here; the concept has an additional road in it. Around like where Zion Circle comes in... At one time she knows they were talking about adding a road. She thought that was still in there. Does Townsend know about that?

Brad Townsend stated that there is a desire for anyone that does assemblage of property to use alley ways for the garbage pickup, etc. If one takes this block it would be, okay put the buildings all the way around the street, parking ends up in the middle, there are a couple of ways to get in kind of design. That is at least the overall look of it. There are no mandated road locations.

Bryan Chamberlain stated as a point of observation driving around several of the towns around Roswell that have gone through some of these developments already... as an example, Woodstock on the east side of the railroad tracks, south of Arnold Mill Road has a new development that has taken on some of this flavor. In thinking about those and reading through the detail of this today, Chamberlain thought this did an awfully good job of developing kind of a vision of the spirit of it which really does lend a lot of positive to the growth of this concept for this as well as the rest of the city's zoning code.

Brad Townsend pointed out Oxbo Road, the cemetery, Krispy Kreme, it goes back to Forrest Street, the AT&T building, the block just behind that, goes all the way up and then the Frazier Street Apartments and all of Frazier Street are in the historic district. Jackie Deibel added on that side of the street, on this side it is not.

Cheryl Greenway clarified that the property that is on Norcross Street is not in the historic district but Frazier Street and the shopping center are. Is that what she is understanding?

Jackie Deibel stated that the blue is in... Brad Townsend stated that all of the colors are in. Greenway clarified that all of that is... Townsend stated all of the colors, the blue, the yellows, the greens all of the colors. Jackie Deibel stated that the orange line is the outline of the historic district. So if one is on this side of



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Norcross Street he is in the historic district. If he is on this side of Norcross it is out.

Mark Renier asked how Frazier Street got included or when did that happen. Brad Townsend and Jackie Deibel stated when this district was developed. Renier stated that was after obviously...because those apartments are synthetic stucco and things like that. They must have been brought in, it was obviously annexed in after it was built. Townsend stated that it was when the district was created. When it was initially done in 1988 that was included.

Mark Renier asked what will happen to, once this is adopted, there might be an obvious answer to this question, it sounds kind of stupid but the existing properties, they will be grandfathered in? Townsend stated that was correct. Renier clarified that they won't become non-conforming all of a sudden. They will be grandfathered in and the city is not going to...Brad Townsend stated that the city of Roswell is not taking any uses away from them currently that they have today. Renier stated that some of the residential properties and designs, they are just going to be grandfathered in but anything that is new will have to comply to the new requirements.

Brad Townsend stated that if they choose to come in and use the overlay district that allows them. Today they are existing probably at one or two stories. This actually gets one up to 66 feet. So, that is a five-story type building. If one wants to utilize that he has to leave the overlay which then he has to utilize pushing it to the street with the parking in the back, add the landscaping, provide the public art and then he gets the aesthetic requirements and the material requirements.

Harvey Smith stated that if one pulls any type of permit, would that bring it out of grandfather status. If one made an improvement to his house, is he going to be exempt?

Brad Townsend stated that on page 5 it gives the applicability for additions and improvements, significant additions constituting greater than 50 percent of the floor area or exterior improvements costing more than 50 percent of the property's assessed value. That is kind of the initial criteria the city of Roswell will utilize in making those types of determinations.

Harvey Smith thanked Brad Townsend.

Cheryl Greenway stated that she was going to go ahead and move on to open it up for public comment. She is sure the Commission will have more questions afterwards for Brad Townsend. She assumes she would open this up the same way. She asked for anyone that would like to speak in favor to please come forward and stated his name and address. This is people that are in favor of.

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Ralph Mills
23-45 Oak Street

Ralph Mills stated that he owns 23 through 45 Oak Street, the Shops of Soka. Everyone the Commission sees here are just a few of the probably 40 to 50 people that have literally work on this for 18 months or longer. There has been an extensive amount of time, an extensive amount of incredible attention and care to make this the best place that it can possibly be. Roswell is extremely fortunate that they have an area like this within its, almost the heart of Roswell that they can redevelop and make a city of the future. Staff has been incredible, city council has been incredible, the mayor has been incredible. Everyone including...Mills would like to than everybody for opening their minds to this opportunity. He knows that the Planning Commission has their concerns. He appreciates that, he respects that. Really the people that they are building for, what this plan is for, is for the people that come after them. Many of them probably won't see the full benefit of this but truly just the beginnings of it will be an incredibly exciting place.

Mills stated that he appreciates the Planning Commission's time and efforts and staff and everybody else.

Cheryl Greenway stated that the Commission would like to thank all of the people that have worked so hard on this. She knows there have been a lot of hours put in. She asked if anyone else would like to speak in favor.

Dave Schmidt
12660 Silver Fox Court

Dave Schmidt stated that to the question of the conditional uses and such. The word hybrid is an important one because getting the form base code was a tough challenge for the city of Roswell to deal with. They have been a Euclidean zoning system for 30 or 40 years and to go to form base code is a big leap. So the hybrid in the early stages really spoke to how they can manage what they are use to, which is uses, but get to form. He thinks over the course of especially the last three or four months they have really moved more toward form and understand that they don't need to be so specific on uses.

Schmidt stated that he encourages today the Commission's recommendations and he thinks what staff is looking at is to make sure the conditions they just don't want to have or they need to put conditional, that they have really zeroed in on that. But the 80 percent of what has been in here Schmidt thinks will likely go to an accepted use.

Schmidt also stated as chairman of the Comprehensive Plan and of the Downtown Development Authority now, they also see this as an opportunity for

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one to think beyond just Grove Way. As they look at the city of Roswell deed they get to redevelopment this becomes a code that can help them in a lot of other places. And that Grove Way, the members who are members of that community took a bold step to say what they wanted for their community but have also given a roadmap to where they can go in the future in other places.

Schmidt asked the Planning Commission to consider it in that vein.

Cheryl Greenway asked if there was anyone else that would like to speak in favor of the text amendment. Seeing no one she asked for anyone that would like to speak against the text amendment to come forward. No one came forward.

Cheryl Greenway asked if there were any other questions or discussions. Greenway started out by mentioning that the road she was talking about is on the drawing for the page 2 on figure 12.4 the Arts Village Concept map. That does show that road coming in there that is why she was wondering if that was definitely on the plans or if it just depends on how it works out.

Brad Townsend stated that it was a concept that made it through this and staff just wanted to give a basis as to where they are going from. It is not going to be mandatory to be made, to be put in.

Cheryl Greenway thanked Brad Townsend. She asked if the Commission has a motion tonight for this, can Townsend still then keep them updated on the changes he was talking about on the permitted uses and then the Commissioners could still email Townsend their responses without have to back to a meeting.

Brad Townsend stated that would be fine.

Cheryl Greenway asked if there were any further questions or discussion from the Commission.

Lisa DeCarbo stated that she does have a couple of more quick questions.

One of the major things that she sees here that differ sharply from the zoning in the rest of the city is they have apartment uses and those are going to be permitted in both districts. Is that something that came out of the neighborhood meetings? Were the stakeholders on board with that? Brad Townsend stated that they were very supportive of this. If one truly gets the form that they are asking for, he gets the amenities that they are looking for, they felt it was appropriate to have a third, fourth or fifth level of an establishment, an apartment.

DeCarbo clarified that they did not have a problem with a five-story building either. Townsend stated that they did not. DeCarbo asked if there was any talk about a minimum unit size in any of these apartments. She knows that is

something...Brad Townsend stated that there was not. DeCarbo asked about in terms of the work force housing. Have they defined what the benchmarks would be for that? The median family income and the fair market rate for the rental. Is that looking at just Roswell proper or all of North Fulton? Has that been fleshed out?

Brad Townsend stated that the details of that are still being worked out. The city has contacted the housing authority and are working with some language that they have provided that the staff feels would be appropriate to determine how that box would fit into the community.

DeCarbo stated that was pretty much it for her. She thanked Brad Townsend.

Cheryl Greenway asked if there were any further questions or discussions. Hearing none she asked for a motion.

Motion

Harvey Smith made a motion to approve the text amendment RZ12-03, the text amendment regarding the Groveway Community Hybrid Form-Based plan.

Mark Renier seconded the motion.

Cheryl Greenway asked Brad Townsend if the Planning Commission needs to put anything with that motion regarding to include additional changes to be made.

Brad Townsend stated that the Commission might want to caveat as described and discussed this evening knowing that there will be amendments that will be transferred back to the Commission for their review prior to adoption by mayor and city council.

Cheryl Greenway asked Harvey Smith if he would be willing to add that to his motion. Smith stated absolutely.

Harvey Smith amended his motion per Brad Townsend's comments. Mark Renier seconded that.

Cheryl Greenway called the question.

The motion to approve RZ12-02 passed 5-1. Lisa DeCarbo abstained from voting.

Cheryl Greenway thanked everyone for their time and stated that they had to be the last item on the agenda.

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