



To: Mayor and City Council

From: Bradford D. Townsend, Planning and Zoning Director

Date: October 27, 2009

RE: Parkway Village (PV09-02) and Variance Request

Request

Attached is the request for Small Tract Status within the Parkway Village District. This request comes from Marilyn Wankat, represented by Brad Riffel, referred to from here on as 'the applicant.' The applicant is also requesting a variance.

Site Analysis

The property is a 1.15 acre site off of King Road north of Crossville Road. The property is currently zoned R-2 and is within the Parkway Village District. The property has an existing one story building of 7,263 square feet. Currently the property has 16 parking spaces in the front of the building. The proposed site plan would add 13 parking spaces to the rear of the building while removing one (1) from the front.

The property was rezoned in 1988 per RZ88-04 to be used as a day care center. In 1992, the Parkway Village Overlay District was created and approved by Mayor and City Council. One of the conditions of the approval was that the applicant would have to dedicate sufficient right-of-way to the City of Roswell. The applicant provided 12 feet of right-of-way.

Under the current zoning ordinance, day care is not a permissible use in R-2. The owners of the business never needed to seek Small Tract Status because they were a pre-existing non-conforming use. However, they did not renew their business license and it expired on December 31, 2008. Per Section 14.3.3 non-conforming uses cannot be re-established after three (3) months of discontinued use. Day care centers are a permitted use within the Parkway Village District.

Variance Request

- 1.) The applicant would like to reduce the 40' Streetscape as required by Section 12.2.3(a) to 10 feet. There is an existing structure that cannot meet this requirement.

Surrounding Area

The property is surrounded to the north, east, and south by E-2 zoning. The northern property line is part of the boundary of the Parkway Village District. The property to the north is Roswell High School. The property to the west and south are within the Parkway Village District and are being used commercially (Roswell Crossing). The property to the west across King Road is zoned E-1, but is also within the Parkway Village District and is currently being used commercially (Publix Shopping Center).

Environmental Comments

The Public Works/Environmental Department is not opposed to either the Small Tract Status or the variances being requested. However, the following requirements should be met:

Porous concrete shall be replaced with porous asphalt or pavers. All new pavement should be porous. The pavement section that was submitted previously was not acceptable so a section needs to be provided and approved as part of the conditions.

The revised plan meets the rain garden requirements of the Public Works/Environmental Department.

Staff has asked the applicant to incorporate these recommendations into the revised site plan.

Recommendation

Staff recommends approval of this Parkway Village Small Tract Status Request as well as the variance requested with the following conditions:

1. The property shall be developed in accordance with the site plan stamped "Received October 29, 2009 City of Roswell Community Development Department."
2. The applicant must use porous pavement for all additional parking which shall be approved by the Environmental Department prior to the issuance of the Land Disturbance Permit.

Attachments:

Letter of request

Plans

Maps

Minutes from 10/12/09