



**Petition No. 201303065 and CV 201303066**

**HEARING & MEETING DATES**

|                                                  |                                        |                                               |                                                     |
|--------------------------------------------------|----------------------------------------|-----------------------------------------------|-----------------------------------------------------|
| <b>Design Review<br/>Board Meeting</b><br>2/4/14 | <b>Neighborhood Meeting</b><br>2/27/14 | <b>Planning Commission Hearing</b><br>3/18/14 | <b>Mayor and City<br/>Council Hearing</b><br>6/9/14 |
|--------------------------------------------------|----------------------------------------|-----------------------------------------------|-----------------------------------------------------|

**APPLICANT/PETITIONER INFORMATION**

|                                       |                                   |                                     |
|---------------------------------------|-----------------------------------|-------------------------------------|
| <b>Property Owner</b><br>GW Greenwood | <b>Petitioner</b><br>Jason Yowell | <b>Representative</b><br>Steve Rowe |
|---------------------------------------|-----------------------------------|-------------------------------------|

**PROPERTY INFORMATION**

|                                                                    |                                                                  |
|--------------------------------------------------------------------|------------------------------------------------------------------|
| <b>Address, Land Lot,<br/>and District</b>                         | Azalea Drive, Land Lots 378, 379, 380 and 381, First District    |
| <b>Frontage and Area</b>                                           | 927.72 feet on Azalea Dr.; 103.88 feet on Spring Dr.; 8.83 acres |
| <b>Existing Zoning and<br/>Use</b>                                 | R-1 and R-2 (Single family residential); vacant property         |
| <b>Overlay Design<br/>District</b>                                 | Citywide Design                                                  |
| <b>2030<br/>Comprehensive<br/>Plan; Future<br/>Development Map</b> | Suburban Residential                                             |
| <b>Proposed Zoning</b>                                             | R-THA and R-1                                                    |

**INTENT**

The applicant is requesting a rezoning to develop 22 townhomes and 2 single family homes on the property. The applicant is also requesting variances with this application.

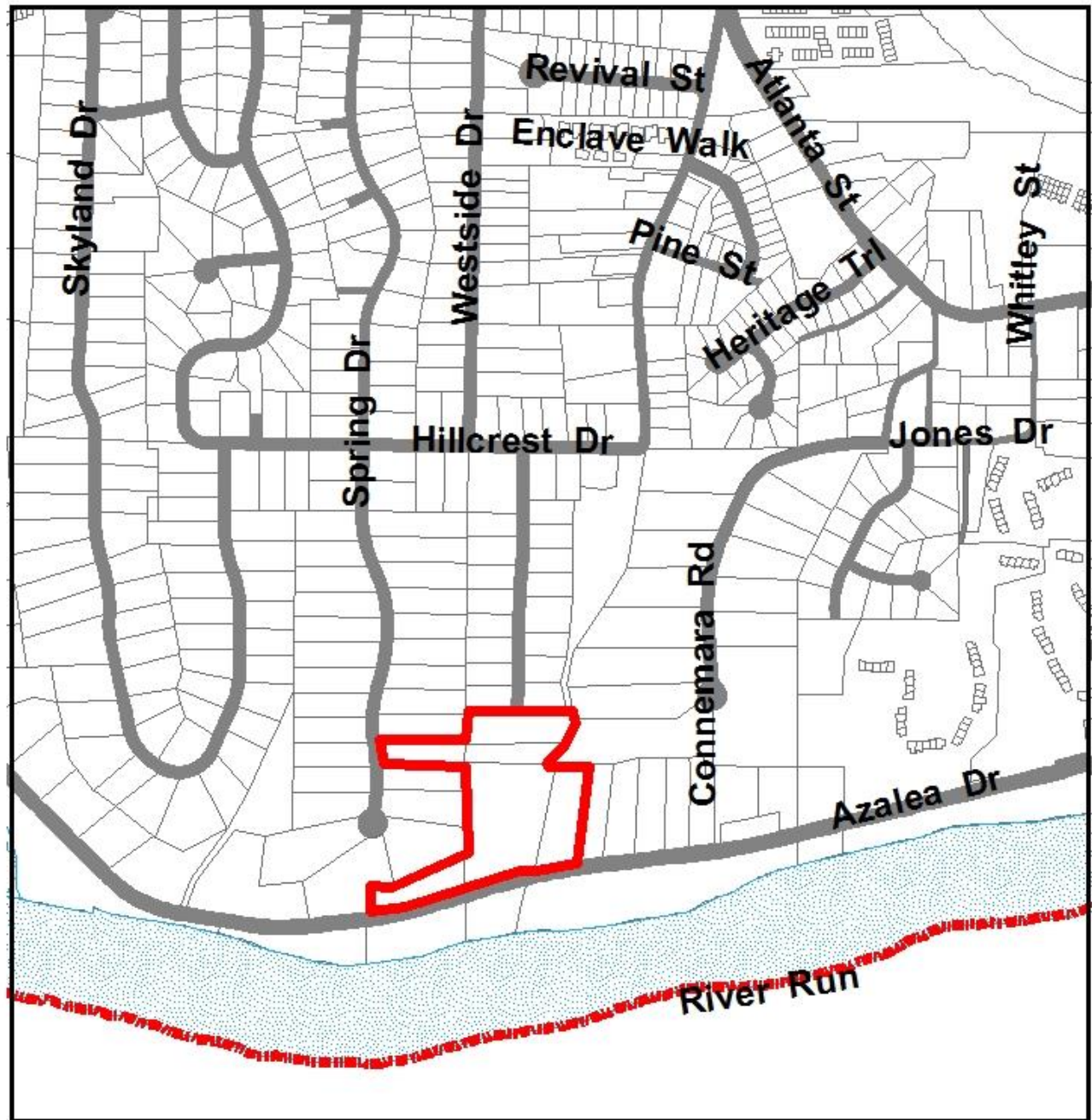
**DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION**

**RZ 201303065 & CV 201303066 - Denial**

## **PLANNING COMMISSION RECOMMENDATION**

The Planning Commission recommended denial during their March 18, 2014 public hearing. They listed the following reasons for denial.

1. The variance to the stream buffer.
2. The piping of the stream.



1 in = 600 ft

## Location

- Azelea Drive Parcels
- Chattahoochee

Map Source: City of Roswell GIS  
Map Created by: Micah Stryker

Path: M:\Community Development\Micah\GIS\Micah\Azelea Drive\Azelea Drive Location Map.mxd

Prepared by the City of Roswell Department of Community Development for the Mayor and City Council Hearing on June 9, 2014.

## STAFF RECOMMENDED CONDITIONS

The Community Development Department recommends denial of the rezoning from R-1 (Single-family Residential) to R-THA (Fee Simple Townhouse District) and R-1 (Single-family Residential) for a residential development. The Community Development Department also recommends denial of the variance requests.

The reasons for denial are as follows:

1. The variance to the stream buffer.
2. The piping of the stream.
3. Inappropriate design of the property due to the topography of the site.

Should the Mayor and City Council approve this rezoning, prior to that approval, the ARC approval should be completed, the State variance to the buffer and the Army Corps of Engineers approvals should be completed, the steep slopes variance must be approved and all variances shall be approved with the rezoning. If this application is approved, it shall be approved with the following conditions.

1. Due to the Azalea drive access located in a flood zone, RDOT requires a secondary vehicular access that is dedicated as a public road and not blocked by any gate or bollards; and pedestrian trail connectivity with Valley Ridge Drive and/or Connemara Road and/or Spring Drive.
2. A revised site plan adhering to all of the conditions of zoning shall be submitted to the Community Development Department prior to the review by the Design Review Board.
3. The applicant shall dedicate right-of-way along the frontage of Azalea Drive as required by the Roswell Transportation Department. The right-of-way shall be shown on the preliminary and final plats.
4. The existing City of Roswell right-of-way labeled "Chattahoochee Street" that is located on the property shall be abandoned. This abandonment shall be shown on both the preliminary and final plats.
5. A preliminary plat must be approved prior to the submittal of the Land Development Permit.
6. A final plat shall be approved and recorded prior to the issuance of any building permit.
7. The design engineer for the Erosion, Sediment and Pollution Control plans is required to conduct weekly ESPCP inspections and provide a report to the city engineer and owner within 7 days. Repairs and revisions needed as identified by the design engineer are to be made within 2 days of receiving the engineer's report. The weekly reports shall begin once the initial silt fence has been installed and will end once the site is finalized.
8. The walking trail shall be laid out and installed in a manner acceptable to the City Engineer and Director of Transportation.
9. The entire development shall be considered a "critical area" for the purposes of sediment and erosion control plans. Critical area designation requires the use of additional and use of best management practices in series to ensure that back up measures provide for a failsafe design.

10. Roads shall be designed according to city standards for public roads unless relief is specifically granted in writing by the Director of Transportation.
11. There is no guarantee that the number of lots shown on the rezoning site plan will be achieved.

## BACKGROUND

The property is zoned R-1 (Single Family Residential) and is mainly vacant except for the structure which needs to be demolished. The property is located within the river corridor and has submitted plans for their ARC review. The plans are currently under review through ARC.

## EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY

| SUBJECT PETITION<br>201303065               | Requested<br>Zoning | Proposed Use                            | Land<br>Area<br>(Acres) | Number<br>of Units                            | Density<br>(Square<br>Footage per<br>Acre)    |
|---------------------------------------------|---------------------|-----------------------------------------|-------------------------|-----------------------------------------------|-----------------------------------------------|
|                                             | R-THA and<br>R-1    | Residential<br>Development              | 9.71<br>acres           | 24                                            | 2.4 upa                                       |
|                                             |                     |                                         |                         |                                               |                                               |
| Location in relation to<br>subject property | Zoning              | Use                                     | Land<br>Area<br>(Acres) | Square<br>Footage<br>or<br>Number<br>of Units | Density<br>(Square Feet or<br>Units Per Acre) |
| North                                       | R-1                 | Single family homes<br>(Cherokee Hills) | .88 acres               | 2                                             | 2.2 upa                                       |
| South                                       | FC-A                | Property on river                       | 1.1 acres               | N/A                                           | N/A                                           |
| East                                        | R-2                 | Single family homes<br>(Connemara)      | 5.17<br>acres           | 3                                             | .58 upa                                       |
| West                                        | R-1                 | Single family homes<br>(Hugh E Coker)   | 6.76<br>acres           | 6                                             | .88 upa                                       |
|                                             |                     |                                         |                         |                                               |                                               |
|                                             |                     |                                         |                         |                                               |                                               |



1 in = 150 ft

Aerial Date: February 2010

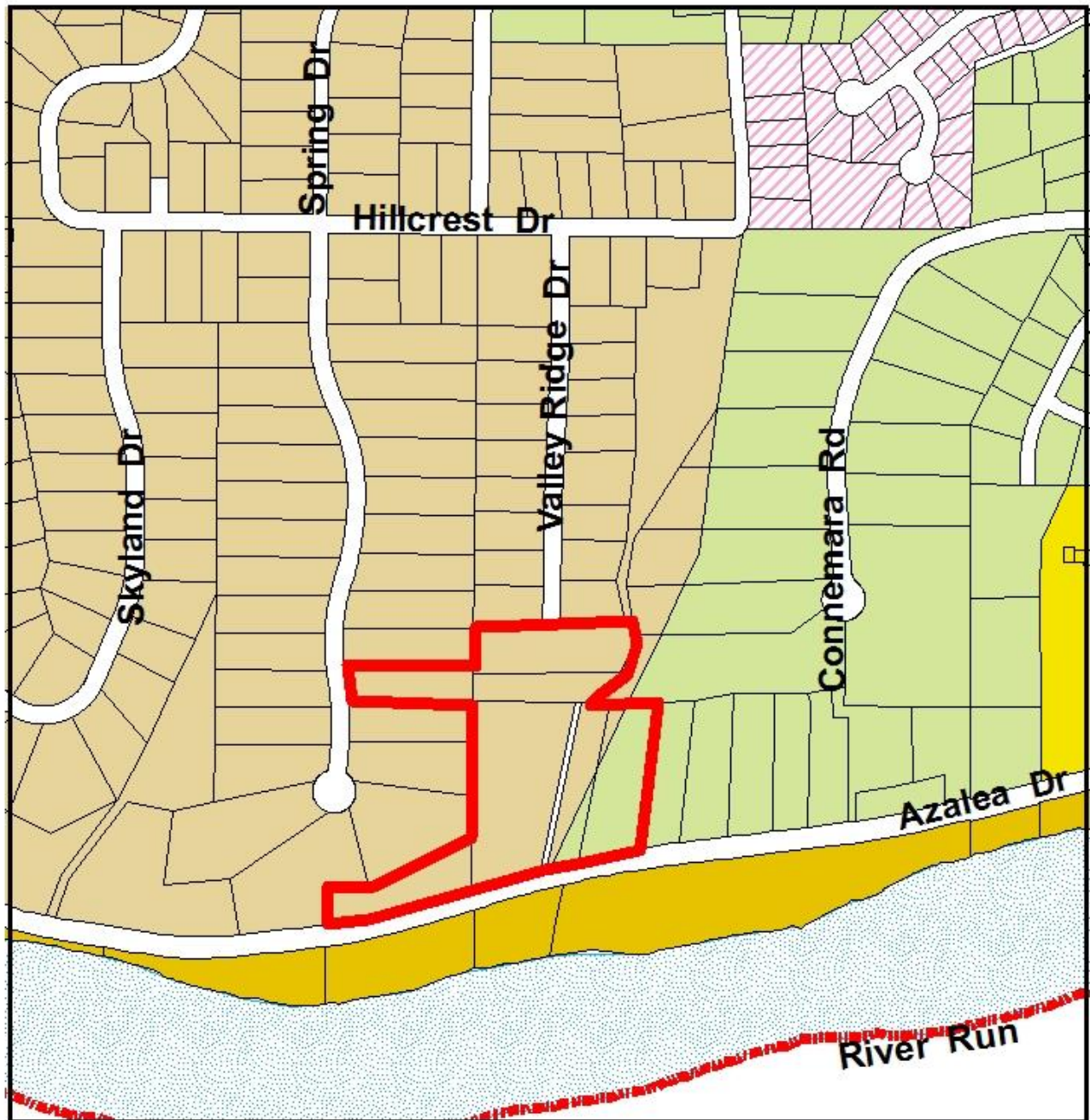
**Aerial**

 Azelea Drive Parcels

Map Source: City of Roswell GIS  
Map Created by: Micah Stryker

Path: M:\Community Development\Micah\GIS\Micah\Azelea Drive\Azelea Drive Aerial Map.mxd

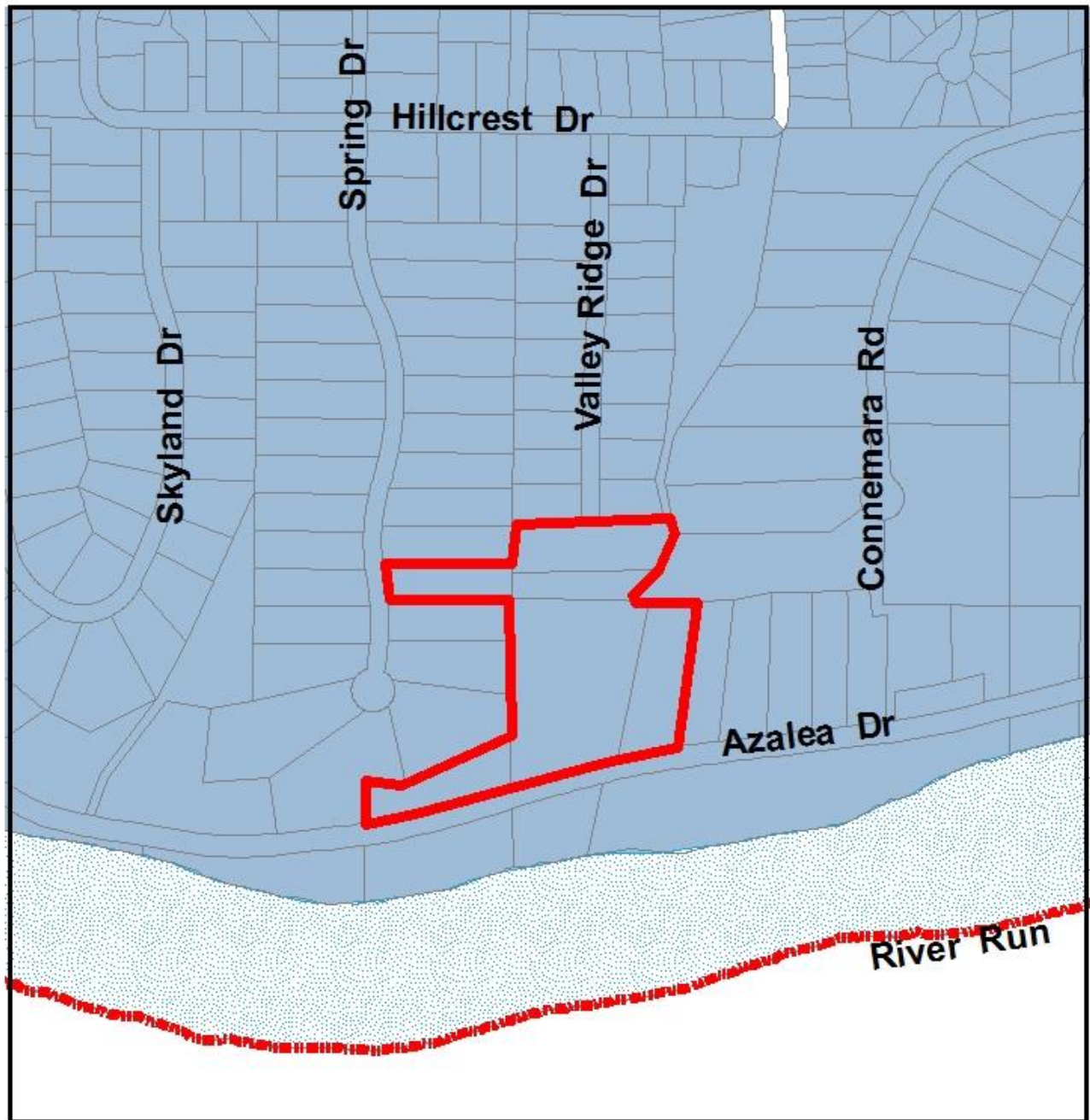
Prepared by the City of Roswell Department of Community Development for the Mayor and City Council Hearing on June 9, 2014.



1 in = 400 ft

## Zoning

-  Azalea Drive Parcels
-  R-1- SINGLE-FAMILY RESIDENTIAL DISTRICT
-  R-2 - SINGLE-FAMILY RESIDENTIAL DISTRICT
-  R-3 - MULTI-FAMILY RESIDENTIAL DISTRICT
-  H-R - HISTORIC ROSWELL DISTRICT
-  (FC-A) - FULTON COUNTY - ANNEXED



1 in = 400 ft

## Future Land Use

- Azalea Drive Parcels
- Suburban Residential

Map Source: City of Roswell GIS  
Map Created by: Micah Stryker

Path: M:\Community Development\Micah\GIS\Micah\Azalea Drive\Azalea Drive Land Use Map.mxd

Prepared by the City of Roswell Department of Community Development for the Mayor and City Council Hearing on June 9, 2014.



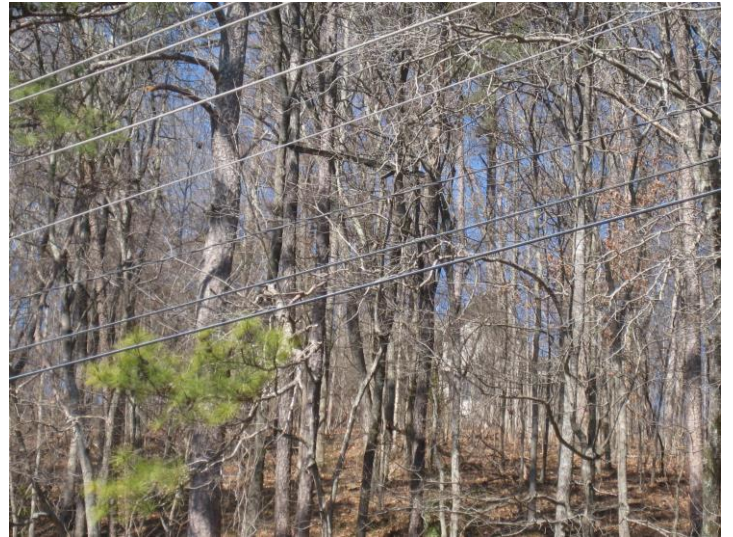
View of the property



View of the property



View of the property



View of the property



View of property to the east



View of property to the northwest



View of property to the south



View of property to the south

View of the  
property



View of the  
property



View of the property



View of the property

**ROSWELL**  
GEORGIA  
SINCE 1945

### NOTICE OF METROPOLITAN RIVER REVIEW APPLICATION

Petition No: River Corridor - RC 201303321  
 Petitioner: Jason Yowell  
 Location: Azalea Drive  
 Land Lots: 378, 379, 380, 381  
 Request: To consider an issuance of a certificate for a development within the Chattahoochee River Corridor for a residential development containing 22 townhomes and 2 Single Family homes.  
 Public Hearing: Mayor & City Council - **June 9, 2014**  
 (Council Chamber) 7:00 p.m.  
 Location: ROSWELL CITY HALL,  
 38 HILL STREET, ROSWELL, GA

For more information contact the Planning & Zoning Office, 38 Hill St., Ste. G-30, Roswell, GA (770) 641-3774 or [www.roswellgov.com](http://www.roswellgov.com)

**ROSWELL**  
GEORGIA  
SINCE 1945

### NOTICE OF PUBLIC HEARING

Case No: Rezoning - 201303065  
 Concurrent Variance - 201303066  
 Petitioner: Jason Yowell  
 Location: Azalea Dr.  
 Land Lots: 378, 379, 380, 381  
 Request: Applicant is requesting a Rezoning & Concurrent Variances from R-1 (Single Family Suburban Resident District) to R-THA (Feasible Simple Townhouse Medium Density District) for a residential townhouse development  
 Public Hearings: Neighborhood Mtg. - **February 27th, 2014**  
 (Room 220) 7:00 p.m.  
 Planning Commission - **March 18, 2014**  
 (Council Chamber) 7:00 p.m.  
 Mayor & City Council - **June 9, 2014**  
 (Council Chamber) 7:00 p.m.  
 Location: ROSWELL CITY HALL,  
 38 HILL STREET, ROSWELL, GA

For more information contact the Planning & Zoning Office, 38 Hill St., Ste. G-30, Roswell, GA (770) 641-3774 or [www.roswellgov.com](http://www.roswellgov.com)

## **SITE PLAN ANALYSIS**

The proposed site plan indicates 22 townhomes and 2 single family homes (units 23 and 24). Unit number 23 is proposed to be located off of Spring Drive and unit number 24 is proposed to be located off of Valley Ridge Drive. Both of the single family homes are proposed to remain zoned R-1 and each one will contain a lot size of a minimum of 18,000 square feet. The length of the driveways for the proposed development may not meet the standard which would allow for cars to park on the driveway without crossing over the right-of-way.

The 22 townhomes are to be located on the bottom half of the property and the entrance would come off of Azalea Drive. The proposed site plan indicates a 10 foot access from Connemara Road which is to be used for emergency access from Connemara Drive. There are five proposed bio-retention areas located on the site, four of them near Azalea Drive and one near unit 24.

The property is located within the river corridor. The property has been reviewed by the Atlanta Regional Commission and they have sent a final finding of consistent. The Army Corps of Engineers in their letter dated May 2, 2014 have indicated that the proposed project is authorized under NWP 29 and is only valid as long as they meet the standards within the letter. The letter is included in the backup material. The only agency that is outstanding is the Georgia Department of Natural Resources Environmental Protection Division (EPD). This division is reviewing the applicant's request for a variance to the State Waters.

## **DRB/HPC comments and Design Guidelines**

This item was heard by the Design Review Board during their February 4, 2014 meeting. The board had the following comments.

- 1 For the applicant to review chapter 4 in the proposed UDC Design Guidelines.
- 2 Due to the uniqueness of the property, it will require a special design.
- 3 Add pedestrian circulation through the community.
- 4 How is the water element addressed at the road?

## **LANDSCAPE PLAN ANALYSIS**

The tree replacement plan indicates only one specimen tree to be removed from the site. The additional trees to be removed are not of specimen size. The proposed trees for the site include October Glory Red Maple, Lacebark Elm and Shumard Oak. The plan also indicates that the plantings within the landscape strip will be Lacebark Elm.

## **VARIANCE CONSIDERATIONS**

The applicant is requesting several variances with the rezoning application.

1. The applicant is requesting a variance to the steep slope ordinance. The property is located within a steep slope. The City Engineer has been reviewing the steep slope plans. A recommendation related to this variance has been provided by the City Engineer and is included in the staff report.
2. The applicant is requesting a variance to the stream buffer ordinance. There is a stream coming down from the north which is indicated as a flowing stream on the City of Roswell Water Resources Map. There are also two state waters streams, one coming in from the west and one exiting the property to the south. The state waters streams require a 25 foot buffer and the flowing stream requires a 50 foot buffer with a 75 foot impervious setback. The applicant is looking to pipe the stream and has requested a variance through the EPD and the Army Corps of Engineers. The staff does not support this variance.
3. The applicant is requesting a variance to the number of townhomes in a cluster. The definition of townhomes in the ordinance requires three units together. The applicant is requesting a variance to allow for two buildings to only contain two units (units 11 and 12 and 16 and 17). Staff does not support this variance. The definition in the ordinance calls for three units in a townhome building.

# Summary of Steep Slope Analysis by the City Engineer

City Engineer's Report on the request for a variance from the Steep Slope Ordinance

The applicant is requesting a variance from the requirements of City Code Section 7.3.4.C.17 which is also known as "the steep slope ordinance". This report will address a variance using exemption (e) which requires that "exceptional circumstances exist such that a strict adherence to the provision of the steep slope ordinance would result in unnecessary hardship and/or would not further the intent of the article".

The applicant has stated in his application that "Given the current slopes, buffers, and ARC restrictions on the site, the property does not have a reasonable economic use as currently zoned."

For the submittal to the Atlanta Regional Commission (ARC), the applicant was required to provide the city engineer with a steep slope analysis and Concept Erosion and Sediment Control Plans complying with the Georgia Construction General Permit and city sediment and erosion control ordinance. The plans assume that they are able to obtain the necessary permits from the US Army Corps of Engineers, a buffer variance from the State EPD, city stream buffer variance and the steep slope buffer variance addressed in this report.

To better understand the site constraints and proposed impacts, a table of data is summarized below for two scenarios. First table highlights the land available for development without the variances. and the other table summarizes the area of impacts that the proposed development will have on the steep slope buffer which includes areas of overlay shared with other buffers and water resources. Attached to this report is a colored site plan delineating the areas unencumbered by stream buffers in green related to the first scenario and the impacts related to the second scenario.

## Scenario 1: Site without variances

Total Site Area: 8.83 acres

1. 6.65 acres: Site Area encompassing wetlands, impervious setback and stream or steep slope buffers or areas land-locked by those features.
2. 2.43 acres: Total Site available for development excluding land locked areas. This is 27.5% of the total site.
3. Additionally, much of the 2.43 acres is further restricted by a 40 foot landscape buffer.

## Scenario #2: Site with variances requested

Total Site Area: 8.83 acres

Impacted Area: 2.36 acres

1. Steep Slopes Buffer Impacts: 2.36 acres
2. City of Roswell Stream Buffer Impacts: 16,209 SF (0.37 acres) from 25'-50' from stream banks
3. State Stream Buffer Impacts from 0'-25' from stream banks:
  - a. 260 SF exempt for storm drainage
  - b. 14,600 SF (292 LF) impacted under case 391-3-7.05(2)(h)
  - c. 321 SF (16 LF) impacted under case 391-3-7.05(2)(c)
4. Wetland Impacts: 0.22 acres, U.S. Army COE Nationwide Permit required
5. Stream Impacts: 292 LF, U.S. Army COE Nationwide Permit required

Based upon the data above, it is evident that the tract on Azalea Drive is severely impacted by steep slopes and other stream buffers. Therefore, exceptional circumstances exist such that a strict adherence to the provision of the steep slope ordinance would result in unnecessary hardship. This opinion is subject to the applicant

successfully obtaining the necessary permits from the US Army Corps of Engineers and a stream buffer variance from the State EPD.

The applicant has illustrated in a concept erosion and sediment control plan that with careful design, implementation and maintenance of best management practices the site should be able to developed as proposed. The developer should be prepared to have the entire site considered as a “critical area” for the purposes of sediment and erosion control plans. Critical area designation requires the use of additional and use of best management practices in series to ensure that back up measures provide for a failsafe design.

#### DEPARTMENT COMMENTS

---

City of Roswell Environmental  
Department

- Indicate what the arrangement will be for trash pickup. Common dumpster/compactor for development? Would there be pickup for individual units?
  - All stormwater must comply with regulations.
-

City of Roswell Engineering  
Division

- Drainage basins must be delineated for each sediment storage BMP on the plan. Stage/Storage Data should be included with the calculations for the Sd3s and Sd4s. Additional Measures to mitigate for steep slope need to be listed.
- A CO and tire wash should be located wherever the construction road (Cr) ends and pavement leading to a public ROW begins.
- Once those hurdles are crossed, a steep slope variance will need to be approved during the rezoning process per City Code Section 7.3.4. as follows: *"Exemptions to this section shall be as follows: No application for a development permit shall be approved for activity inconsistent with this section (7.3.4 ..b 17 - Steep Slope Ordinance) – unless (e) The city engineer with the approval of the Mayor and City Council grants a variance from the requirements of this article because exceptional circumstances exist such that a strict adherence to the provisions of this article would result in unnecessary hardship and/or would not further the intent of the article."*
- Revise NPDES note to indicate that NOI must be filed 14 days prior to beginning any construction activities and a copy must be provided to the City Engineer. (not 7 days)
- Delineate site on FIRM Map.
- Include City of Roswell Standard Construction Notes from the LDP Permit Packet.
- Under required permits include Water and Sewer Permit from Fulton County and NPDES construction general permit for common development (GAR 100003) from State.
- The clearing and impervious areas listed on the cover sheet do not match the ARC clearing and disturbed areas. 1.4 vs 1.76 ac. impervious and 2.84 vs 3.38 ac. disturbance
- Update Survey to show the 2013 FIRM Map data.
- Check that the 100 year SFHA shown is from the 2013 FEMA Map Data.
- Add the 35 foot MRPA (ARC) buffer to all plans.
- Provide date WSS data was obtained. 1-21-14
- Label the area adjacent to the mail kiosk. Is it a parking space?
- The mail kiosk location is not ADA accessible. Relocate to accessible location. Where is the parking and ADA access for the mail kiosk? Realign the road at mail kiosk to eliminate conflict with sidewalk.
- All private roads must be designed and built to city construction standards.
- Confirm that the 100 year BFE is correct per the 2013 FIRM map.
- Provide dimensions for driveways.
- Street Light shall meet city construction standards in Section 6. Poles are 20 feet high and luminaires are mounted at 16 feet high..
- How will the trail connect up to the site? Stairway, deck? Connect trail to the sidewalk. Show any structures necessary to accomplish this and move the storm drainage so that the structure doesn't encroach on a 20 foot drainage easement.
- Show all drainage easements through the site.
- Provide a 50 foot access/drainage/utility easement along the road for utilities and public access.

|                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Archeological                             | <ul style="list-style-type: none"> <li>• Not required</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Fiscal Impact                             | <ul style="list-style-type: none"> <li>• An analysis was completed to assess the fiscal impact of the proposed rezoning over a twenty year period. This analysis assumes a 1% annual inflation factor for the cost of goods and services as well as revenues and property values. Based upon information provided by the applicant, the newly constructed homes are assumed to have an average value of \$550,000 per unit for twenty-four units. The discount rate, an interest rate used in determining the present value of net fiscal impacts (the difference between revenues and expenditures), is assumed at 1.27%, the interest rate at which the City can acquire capital. Based on these assumptions, the proposed development would result in net additional revenue over twenty years with a present value of \$317,214. Of this amount, approximately \$118,000 is one-time permit revenue. On an annual basis, the proposed development is anticipated to generate revenue that would exceed the cost of providing City services.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| City of Roswell Fire Department           | <ul style="list-style-type: none"> <li>• All of the comments are really for the LDP submittal, but I thought would be helpful at this point. I would suggest that the civil engineer become very familiar with the IFC and appendices B, C and D.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| City of Roswell Transportation Department | <ul style="list-style-type: none"> <li>• The existing City of Roswell “Chattahoochee Street” is shown as part of this development. If the street has been acquired from the City of Roswell, show the acquisition documentations or explain.</li> <li>• Provide 20’ trail easement from the end of Chattahoochee Street to the north parcel limit. Provide a 50’ construction easement along the trail easement for future trail construction. Contact RDOT for concept.</li> <li>• Due to the Azalea drive access located in a flood zone, RDOT requires a secondary vehicular access that is dedicated as a public road and not blocked by any gate or bollards; and pedestrian trail connectivity with Valley Ridge Drive and/or Connemara Road and/or Spring Drive.</li> <li>• Provide, along Azalea Drive frontage, 4’ bike lane, 2’ curb &amp; gutter, 5’ grass strip and 5’ sidewalk. Rural section, i.e. no curb and gutter, is allowed, providing it meets the City of Roswell rural section standard, section 2.1.1.C of the City of Roswell construction specifications manual.</li> <li>• The right-of-way along Azalea Drive shall encompass the entire proposed sidewalk plus a minimum 1 foot.</li> <li>• Show/annotate the existing and the final right-of-way from Azalea Drive centerline along the site frontage.</li> <li>• Show/annotate the grade of the proposed driveway centerline profile from its connectivity to Azalea Drive nearest travel lane striping to the final right-of-way line or 40 feet along the driveway centerline, whichever is greater. Per City of Roswell standard construction specifications, section 2.1.6.B., the maximum residential driveway grade within the right-of-way is 8%, when connecting to a collector or arterial.</li> <li>• Verify the proposed driveway meets the City of Roswell driveway specifications, section 2.14 Grade and Alignment, section 2.1.5. Visibility Requirements and section 2.1.6. Driveway Access of the City of Roswell standard Construction specifications manual. This manual is on the City of</li> </ul> |

|                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                | <p>Roswell website <a href="http://www.roswellgov.com">www.roswellgov.com</a>. Alternatively, a pdf copy could be emailed to the applicant upon request.</p> <ul style="list-style-type: none"> <li>• Provide horizontal and vertical sight distance sketches for the proposed driveway. Verify the sight distance is adequate as per AASHTO 2011 or 2004 edition.</li> <li>• Provide road centerline profiles. The City of Roswell maximum local street grade is 14% (section 2.1.4. of the City of Roswell standard manual).</li> <li>• Provide legend or identified the different line types shown on the proposed roads.</li> <li>• The provided street connectivity to Connemara is 10-feet wide. The minimum street width shall be 20-feet wide, in order to accommodate 2-way vehicular traffic or emergency access.</li> <li>• Annotate the width of the proposed streets.</li> <li>• Provide a typical section for the proposed roads.</li> <li>• Verify the proposed unprotected pedestrian crosswalk is safe.</li> </ul> |
| Fulton County                                  | <ul style="list-style-type: none"> <li>• The property is located in the Big Creek Basin. The anticipated sewer demand is 6,318 gallons per day.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| City of Roswell Arborist & Landscape Architect | <ul style="list-style-type: none"> <li>• It appears impact to 25 inch specimen tree north of units 19 and 20 is greater the 25% of the CRZ. Also the 46 inch oak north of unit no. 26 on Spring Drive is impacted.</li> </ul> <p>Recompense required for disturbance greater than 25% of CRZ. Revise as required with recompense or a note stating the amount of area is less than 25%.</p> <ul style="list-style-type: none"> <li>• Provide trees around bio-retention area to satisfy street tree requirement in Section 15.4.4</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

#### CHRONOLOGICAL LISTING OF PLANS SUBMITTED

Original plans submitted - October 2013

Revised landscape plans submitted - January 7, 2014

Revised plans submitted - March 7, 2014

Revised plans submitted - May 2, 2014

## STANDARDS OF REVIEW

---

***1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.***

The proposed development may not be suitable due to the surrounding areas of single family homes adjacent to the site; however, by adding two single family homes as part of the development next to the existing single family homes lends support to the suitability of the project. The remaining portion with townhomes may not be suitable due to the constraints of the property.

---

***2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.***

Due to the many topographical issues on the site, mitigating factors related to the erosion, sedimentation and drainage of the property may have an impact. The property would have to be engineered so that these factors do not cause an adverse impact on Riverside Road.

---

***3. Whether the property to be affected by the zoning proposal may have reasonable economic use as currently zoned.***

The property is currently zoned R-1 (Single Family Residential) for lot sizes of a minimum of 18,000 SF.

---

***4. Whether the zoning proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools.***

Twenty-two townhomes and 2 single family detached homes may cause an excessive or burdensome use of the existing streets. The Transportation Department has requested connectivity to the northeast to allow for a second vehicular access due to the possibility of the flooding of Azalea Drive.

---

***5. Whether the zoning proposal is in conformity with the policies and intent of the 2030 Comprehensive Plan.***

The 2030 Comprehensive Plan indicates Suburban Residential for this area. Under the Suburban Residential character area, the vision continues to foster stable established suburban neighborhoods building on the existing mix of housing types. The neighborhoods are predominately single family with newer master planned developments providing mixed residential housing types (single-family attached, single-family detached, limited multi-family). The request conforms to the policies of the 2030 Comprehensive Plan.

---

***6. Whether there are existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.***

The property contains steep slopes and stream buffer conditions which affect the development of the site. These items indicate that it would be difficult to develop this property due to the hardships based on the topography.

---

***7. Existing use(s) and zoning of subject property.***

The zoning of the subject property is R-1 (Single Family Residential) and contained a vacant structure which was demolished.

---

***8. Existing uses and zoning of nearby property. (See page 5).***

---

---

***9. An explanation of the existing value of the property under the existing zoning and/or overlay district classification.***

An appraisal would be required to determine the existing value of the property under the R-1 zoning.

---

***10. Whether the property can be used in accordance with the existing regulations.***

The property should be developed as single family under the existing regulations; however, the constraints on the property related to the topography would still be a factor.

---

***11. The extent to which the property value of the subject property is diminished by the existing zoning district and/or overlay district classification.***

The applicant has indicated that the value of the property would be diminished by \$650,000 dollars under the current R-1 zoning. An appraisal would have to be completed to determine if the value may be diminished to that capacity.

---

***12. The value of the property under the proposed zoning district and/or overlay district classification.***

The applicant has indicated that the value of the property with the proposed development would be \$900,000.

---

***13. Suitability of the subject property under the existing zoning district and/or overlay district classification for the proposed use.***

The proposed townhomes are not a permitted use under the existing R-1 (RS-18) zoning classification.

---

***14. The suitability of the subject property under the proposed zoning district and/or overlay district classification.***

The proposed development under the R-THA zoning would not be a suitable use; however, the topography of the site is a determining factor due to the steep slopes and stream.

---

***15. The length of time the property has been vacant or unused as currently zoned.***

According to the application that was submitted, the property has been vacant for 15 years.

---

***16. A description of all efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district and/or overlay district.***

The applicant has indicated within the application that the property has been marketed for the last six years as a commercial listing.

---

***17. The possible creation of an isolated zoning district unrelated to adjacent and nearby districts.***

By keeping the single family homes zoned R-1 (RS-18) that area will assist as a buffer between the homes and the townhomes. The zoning of R-THA will create an isolated zoning district next to the R-1(RS-18) and R-2 (RS-12) districts.

---

***18. Possible effects of a change in zoning or overlay district map, or change in use, on the character of a zoning district or overlay district.***

The proposed development will have an extensive effect on the land due to the topography.

---

***19. Whether the proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.***

The proposed development will have an effect on the environment; if approved, mitigating factors related to erosion control and drainage would have to be monitored to keep the environment stable.

---

***20. The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality.***

This site is hindered due to the severe topography of the property. The applicant is requesting variances to the steep slopes on the site and to the stream buffer. The applicant is also requesting a variance to the state waters buffer from the EPD and approval from the Army Corps of Engineers in order to pipe the stream. The impacts on the environment at this time are difficult to determine due to the many agencies that have to grant an approval. Should this project make it through all of the approvals, then mitigating measures related to the erosion and sedimentation would need to be completed to alleviate the impacts from this development.

---

*21. The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme, with due consideration given to whether or not the proposed change will carry out the purposes of these zoning regulations.*

The overall zoning scheme of this area related to the vision in the 2030 Comprehensive Plan indicates Suburban Residential with a mixture of housing types. The proposed development with townhomes does provide a different type of housing; however, the topography of this site and the extensive impact on the required undisturbed buffer, stream buffer and state waters buffer do not lend themselves to the proposed development.

---

*22. The consideration of the preservation of the integrity of residential neighborhoods shall be considered to carry great weight. In those instances in which property fronts on a major thoroughfare and also adjoins an established residential neighborhood, the factor of preservation of the residential area shall be considered to carry great weight.*

The applicant is proposing a 40' buffer and 50' setback for the R-THA zoning abutting the R-1 zoning.

---

*23. The amount of undeveloped land in the general area affected which has the same zoning or overlay district classification as the map change requested.*

There is no vacant property in the general area that is presently zoned R-THA.