

Conditions for rezoning RZ08-17 and CV08-03

Original conditions from the May 11, 2009 City Council approval amended to be included as part of the settlement agreement recommended by staff.

Strike through are to be deleted; Red to be amended.

1. The owner/developer shall develop the property in substantial accordance with the site plan prepared by AEC Inc., stamped "Received ~~May 1~~ **June 23**, 2009 City of Roswell Community Development Department," and as approved by the Design Review Board and consistent with these recommended conditions.
2. Prior to the issuance of a Land Development Permit, the Mayor and City Council shall approve the deceleration and acceleration lanes and the design of the median along Hardscrabble Road as required by the Department of Transportation.
3. The owner/developer shall upgrade all pedestrian signals to provide for countdown pedestrian signals at all four (4) legs of the intersection of Hardscrabble Road/ State Route 92 as approved by the City of Roswell Transportation Department prior to the issuance of a certificate of occupancy for any building in the proposed development.
4. The owner/developer shall provide right-of-way along Hardscrabble Road to accommodate a future median (to be constructed by the owner/developer) from SR 92 to the first full access to the west as required by the City of Roswell Transportation Department and as shown on the revised site plan stamped "Received ~~May 1~~ **June 23**, 2009". (impact fee credit to the developer for the cost of 2/3 of the fee for the installation of the median; the median shall include grass areas).
5. The owner/developer shall install a four (4) foot bike lane along the entire property frontage along Hardscrabble Road as approved by the Roswell Department of Transportation.
6. The owner/developer shall ~~provide an easement for the sidewalk on private property to allow pedestrian access for the public and maintenance by the City~~ **shall install all sidewalk to be located along the total property frontage of Hardscrabble Road and in the public right-of-way** as approved by the Roswell Department of Transportation.
7. The owner/developer shall include structural measures which will treat the Water Quality Volume as defined in the Georgia Stormwater Management Manual prior to discharge into the on-site lake. The treatment measures shall include various

infiltration and vegetation measures as approved by the Environmental/Public Works Department.

8. The treatment measures regarding the infiltration and vegetation shall exclude hydrodynamic separators except as approved by the Environmental/Public Works Department.

9. All new vegetation around the existing lake and within the stream buffer area shall be approved by the Roswell Design Review Board, City of Roswell Landscape Architect and the Environmental/Public Works Department.

10. The facades of all building walls shall be approved by the Design Review Board with special emphasis on the facades facing Highway 92.

11. A division plat of the entire development shall be completed and recorded prior to the issuance of a Land Development Permit. The plat shall show all access points and all other adjacent ROW lanes shall be identified as non-access. An access easement shall be provided for 1010 Hardscrabble Road.

12. A 10' foot no access easement shall be identified on the division plat along Hardscrabble Road on the ~~townhome~~ single family residential portion.

13. The development shall be allowed two ground signs along Highway 92 and two ground signs along Hardscrabble Road. There shall be one sign on Highway 92 for the bank and one sign for the commercial retail area. There shall be one sign on Hardscrabble Road for the institutional residential living and care facility and one sign for the residential ~~cluster-home~~ development. All four ground signs must include the name of the village.

14. There shall be no additional impervious area allowed around the existing single family home site located in the stream buffer without a variance from the City of Roswell Mayor and City Council.

15. The office/commercial buildings located along SR 92 shall not receive a certificate of occupancy without providing access to Hardscrabble Road.

~~16. The applicant shall provide a 75' buffer along the eastern property line adjacent to the townhouse portion of the project. (deleted due to new plan).~~

17. The applicant shall work with the Brookfield Homeowner's Association to provide landscaping along both sides of Hardscrabble Road similar to that shown in the applicant's exhibit A from the letter dated May 11, 2009 and as approved by the Design Review Board and the City of Roswell Landscape Architect.

18. All travel lane width along Hardscrabble Road frontage shall be eleven (11) feet wide as required by the Roswell Department of Transportation. (new condition)

The following variances were also approved.

1. To reduce the streetscape along Hardscrabble Road from 40 feet to 30 feet.
2. A variance to the stream buffer along Highway 92. The stream along the road requires a 100 foot undisturbed buffer and 150 impervious setback.
3. The elimination of the required 175' buffer/setback for Parkway Village.
4. ~~A variance for a front setback reduction for the townhomes along Hardscrabble Road. The required setback in R-3A is 35 feet. The applicant is requesting a variance to allow for a 30 foot front setback.~~ (deleted due to new plan)
5. A variance for the parking. The 13.7 acres within Parkway Village requires 308 parking spaces. The site plan indicates 274- 272 spaces which is 34 36 spaces below.