



Petition No. 201300146, 201300149, 201300151

HEARING & MEETING DATES			
Design Review Board Meeting 3/5/13	Neighborhood Meeting 3/21/13	Planning Commission Hearing 4/16/13	Mayor and City Council Hearing 5/13/13
APPLICANT/PETITIONER INFORMATION			
Property Owners Community Bank	Petitioner Regina Caeli Academy	Representative Robert Donner	
PROPERTY INFORMATION			
Address, Land Lot, and District	2370 & 2380 Holcomb Bridge Road; First District, Second Section		
Frontage and Area	483 feet on Holcomb Bridge Road; 3.08 acres		
Existing Zoning and Use	FC-A (Fulton County –Annexed); vacant home		
Overlay District 2030	Riverbanks Campus Design Guidelines		
Comprehensive Plan; Future Development Map	Holcomb Bridge Road/SR 140 Corridor		
Proposed Zoning	O-P (Office Professional)		
INTENT			

The applicant is requesting a rezoning and conditional use to develop a 19,500 SF private school. The applicant is also requesting several variances.

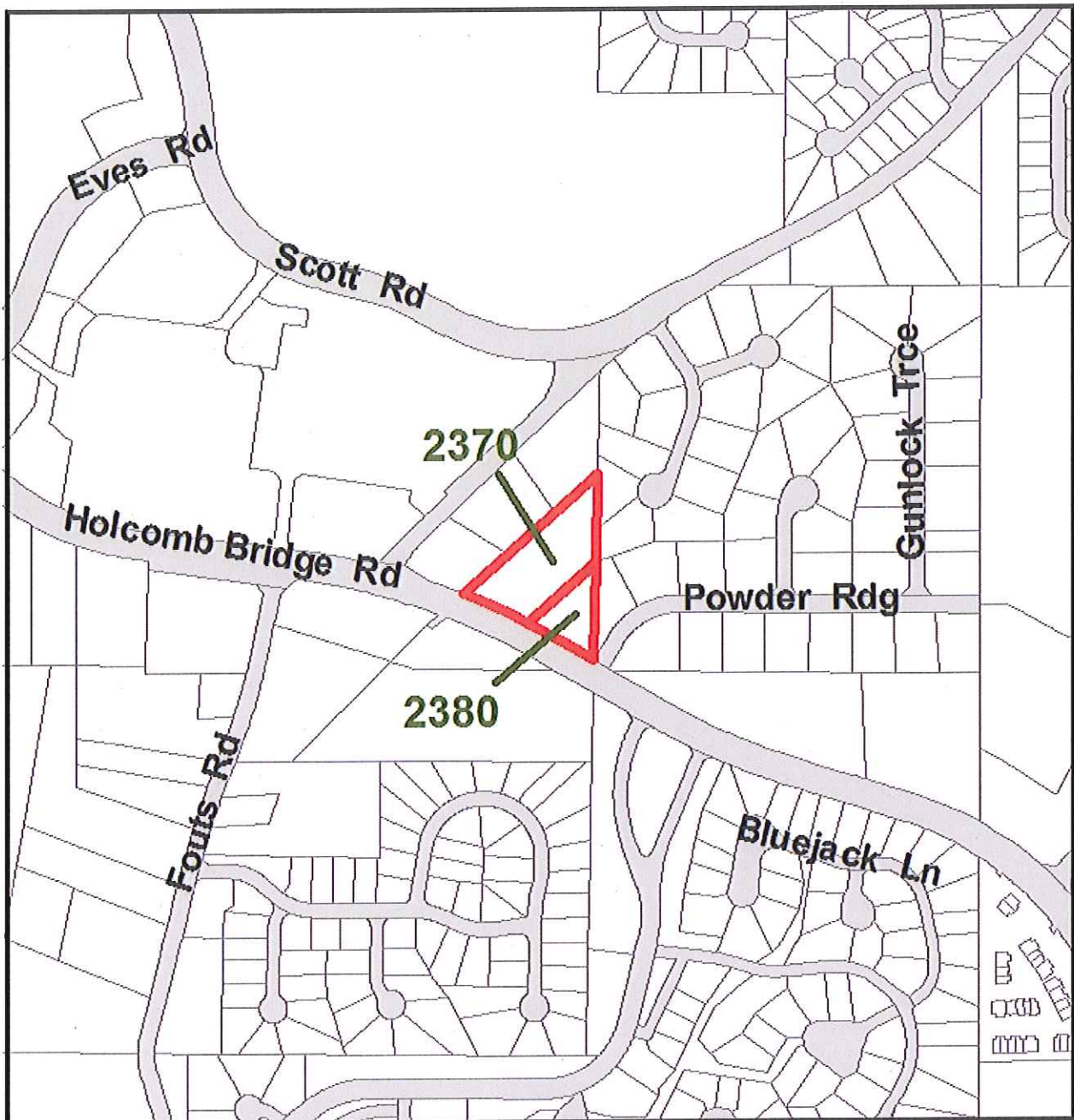
DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

201300146 - 201300149 - 201300151 - Approval

PLANNING COMMISSION RECOMMENDATION


The Planning Commission recommended approval of the rezoning, conditional use and concurrent variance to setback and buffer during their April 16, 2013 public hearing with the following conditions.

1. The property shall be developed in accordance with the site plan stamped "Received March 21, 2013 City of Roswell Community Development Department."
2. The school shall be limited to a maximum of 200 students.
3. The owner/developer shall install a tree buffer along the eastern property line abutting the single-family homes as agreed to by the applicant. The buffer shall be approved by the Roswell Design Review Board.
4. A combination plat of the two parcels shall be approved and recorded prior to the issuance of a Land Development Permit.
5. The owner/developer shall install a deceleration lane as approved by the Georgia Department of Transportation. The approval by GDOT shall be prior to the issuance of the Land Development Permit.
6. The owner/developer shall dedicate sufficient right-of-way as approved by the Roswell Transportation Department prior to the issuance of the Land Development Permit.



1 in = 500 ft

Location

 2370 & 2380 Holcomb Bridge R

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

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STAFF RECOMMENDED CONDITIONS

It is recommended that this application for rezoning to O-P (Office Professional) with a conditional use and concurrent variances be approved. The application shall be approved with the following conditions.

7. The property shall be developed in accordance with the site plan stamped "Received March 21, 2013 City of Roswell Community Development Department."
8. The school shall be limited to a maximum of 200 students.
9. The owner/developer shall install an eight (8) foot tall fence along the eastern property line abutting the single-family homes. The fence shall be approved by the Roswell Design Review Board.
10. A combination plat of the two parcels shall be approved and recorded prior to the issuance of a Land Development Permit.
11. The owner/developer shall install a deceleration lane as approved by the Georgia Department of Transportation. The approval by GDOT shall be prior to the issuance of the Land Development Permit.
12. The owner/developer shall dedicate sufficient right-of-way as approved by the Roswell Transportation Department prior to the issuance of the Land Development Permit.

BACKGROUND

The property was annexed in from Fulton County in December 1999. The property is zoned FC-A (Fulton County -Annexed).

EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY

SUBJECT PETITION 201300146	Requested Zoning	Proposed Use	Land Area (Acres)	Number of Units	Density (Square Footage per Acre)
	O-P	Private/Special School	3.08	N/A	5,131 SF per acre
Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage or Number of Units	Density (Square Feet or Units Per Acre)
North	FC-A	Single Family Residential	1.17 acres	2 homes	1.7 upa
South	FC-A	Church	12 acres	11,200 SF	933 SF per acre
East	FC-A	Single Family Residential	0.63 acres	1 home	1.6 upa
West	FC-A	Vacant land; and home	4.3 acres	Vacant land; and one house	.71 for the parcel with the home



1 in = 200 ft

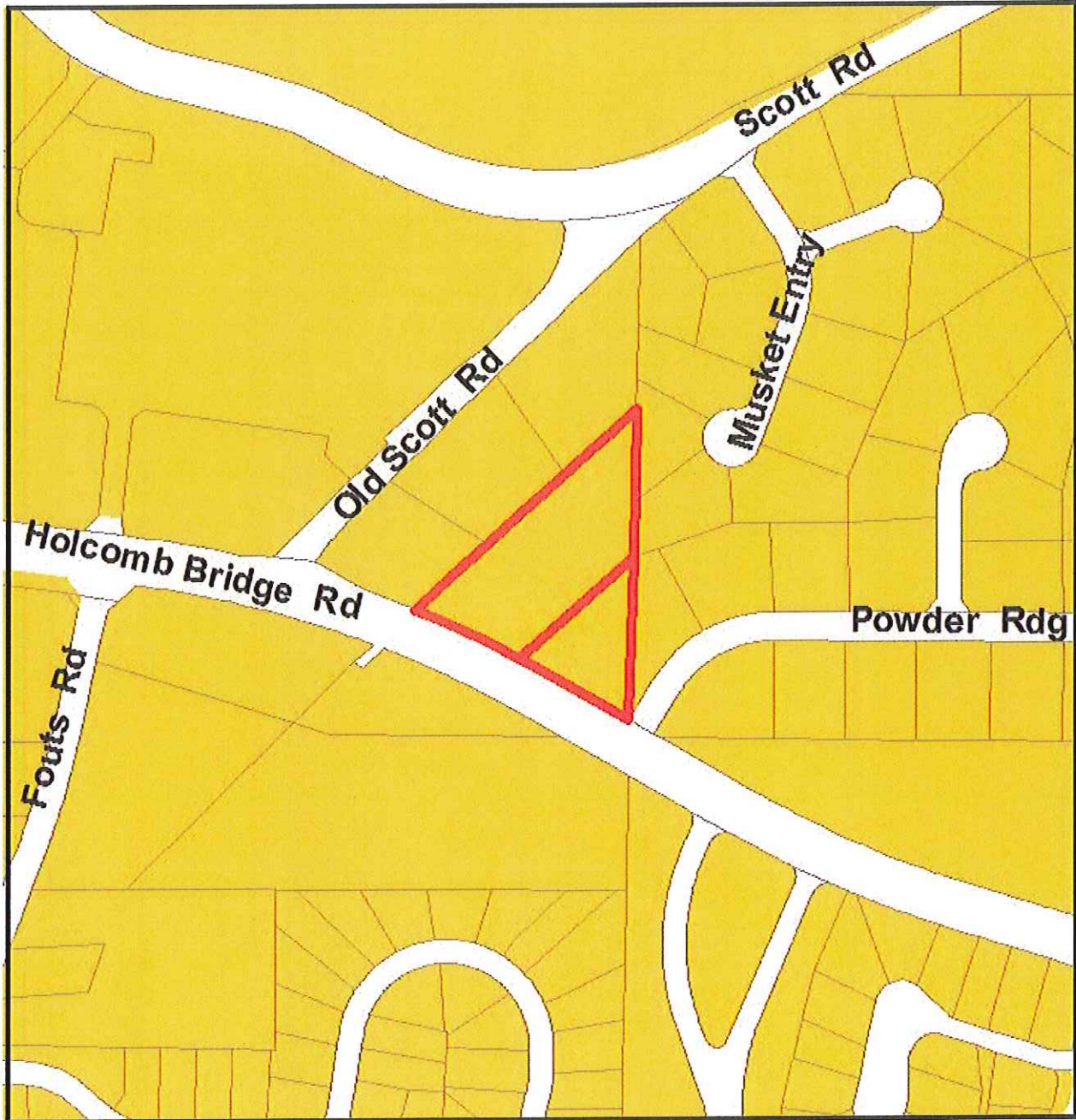
Aerial

2370 & 2380 Holcomb Bridge Rd

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



Aerial Date: February 2010

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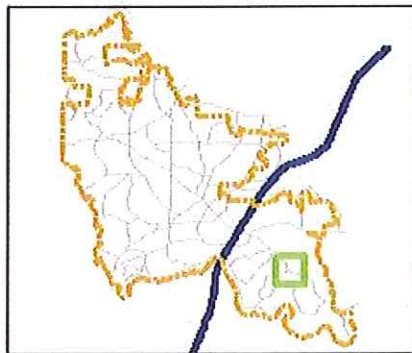
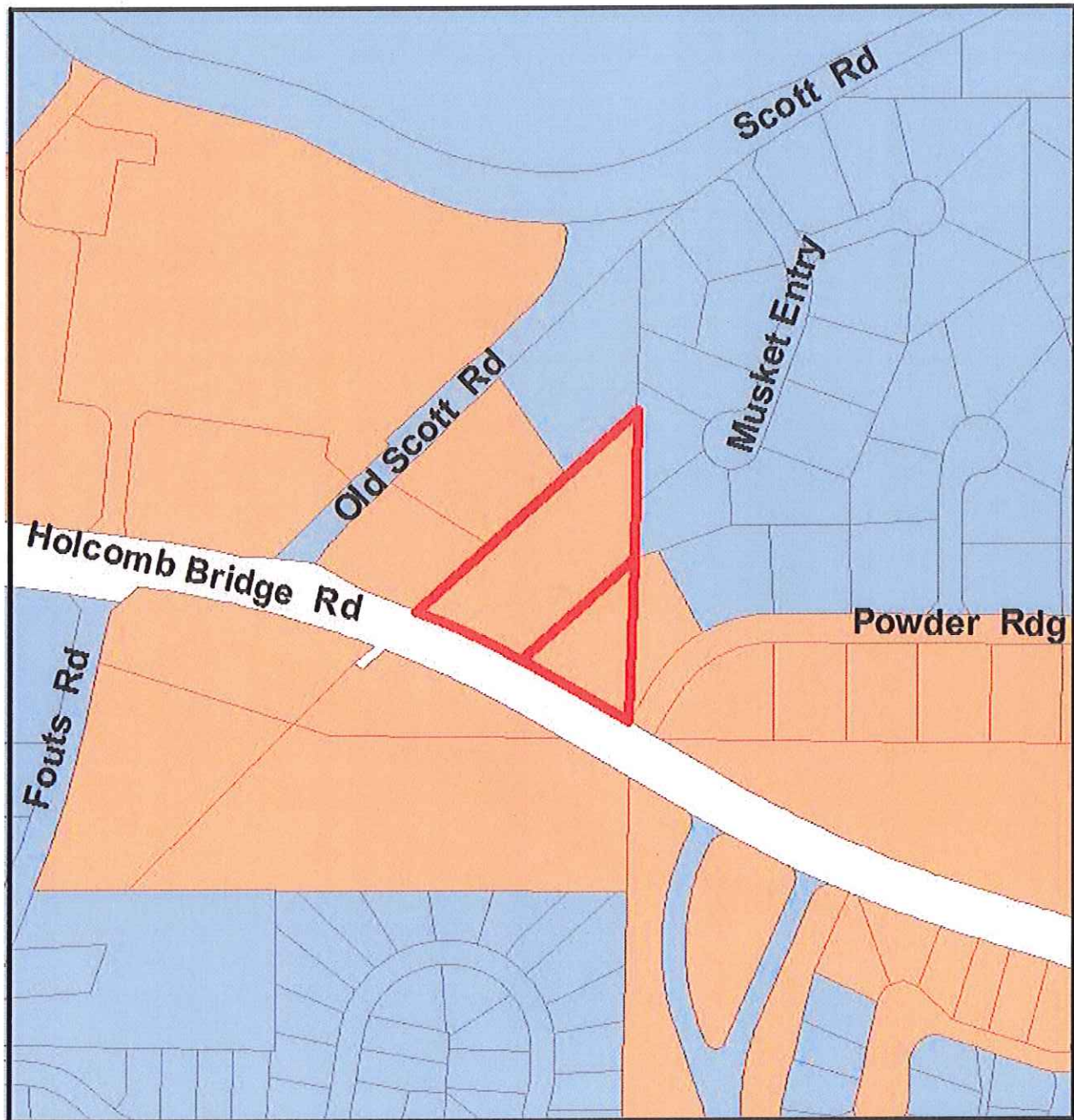


1 in = 300 ft

Zoning




-  2370 & 2380 Holcomb Bridge R
-  (FC-A) - Fulton County - Annexed

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



1 in = 300 ft

Future Land Use

-  2370 & 2380 Holcomb Bridge R
- Character Areas**
-  Holcomb Bridge Road/SR 140
-  Suburban Residential

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

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View of property



View of property



View of the property



View of the property



View across Holcomb Bridge Road



View of property on Old Scott Road



View of Entrance into Riverwood Acres



View of property to the east



View of the property



View of the property



View of the property



NOTICE OF PUBLIC HEARING

Case No: **Rezoning - 201300146**
Concurrent Variance - 201300149
Conditional Use - 201300151

Petitioner: **United Community Bank / Robert Donner**

Location: **2370 & 2380 Holcomb Bridge Rd.**

Land Lot: **730**

Request: Applicant is requesting a change in zoning from FC-A to O-P (Office Professional) with Concurrent Variances to the buffer and setback with a Conditional Use for the purpose of developing a private & special school.

Public Hearing:

Neighborhood Mtg. -	Mar. 21, 2013
(Room 220) 7:00 p.m.	
Planning Commission -	Apr. 16, 2013
(Council Chamber) 7:00 p.m.	
Mayor & City Council -	May 13, 2013
(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

SITE PLAN ANALYSIS

The proposed site plan shows a 19,500 SF one-story building to be located on the 3.08 acres. The minimum required parking spaces for the school is 65. The proposed site plan is indicating 65 spaces for the site. The school is proposed for up to 200 students. There will be a play area in the rear of the site. There will be landscape buffers on either side of the property. A variance is requested for the buffers.

DRB/HPC comments and Design Guidelines

This item went before the Design Review Board on March 5, 2013 and the board had the following comments.

1. The board discussed whether the buffers should be undisturbed or landscaped for this proposal.

LANDSCAPE PLAN ANALYSIS

The tree units required for this site is 92.43 units. The existing density factor for the site is 594 units; therefore, no new trees are required to meet density. However, the applicant is proposing to remove 3 specimen trees from the site. There are 21 new trees proposed as replacement. The applicant will be planting 6 Oaks and 15 Red Maple. There was much discussion related to the buffers by the Design Review Board. The applicant is proposing landscape buffers instead of undisturbed buffers.

VARIANCE CONSIDERATIONS

The applicant is requesting the following variances with the application.

1. An O-P zoning requires a fifty foot setback for the building when abutting residential zoned properties. The located of the proposed building is 47' from the eastern building corner to the east property line and 40' from the western building corner to the west property line.
2. The applicant is requesting a variance to the 40' foot natural buffer on the west side of the property. The request is to reduce the 40' natural undisturbed buffer to a 25' landscape buffer.
3. The applicant is requesting a variance to change the 40' natural undisturbed buffer to a 40' landscape buffer on the east side of the property.

DEPARTMENT COMMENTS

City of Roswell Environmental Department	<ul style="list-style-type: none">• Dumpster pad drain is required to be connected to sanitary sewer. Pad is also required to be within 50 feet of a hose bibb for cleaning.• Full compliance with the stormwater ordinance is required. No information was provided to show how water quality treatment would be achieved. Compliance may effect site plan layout.
City of Roswell Engineering Division	<ul style="list-style-type: none">• Rezoning plans and development plans must conform to topography and soil type so as to create the lowest practical erosion potential. No rezoning application shall be considered and no land-disturbing activities shall occur on any slope in excess of twenty-five (25) percent within five hundred (500) feet of any state waters or stream identified on the Water Resources Protection Map, latest version, without the submittal of a Steep Slope and Erodible Soils Evaluation. For purposes of this paragraph, "state waters" excludes channels and drainage ways which have water in them only during and immediately after rainfall events and intermittent streams that based on a field evaluation do not have a discernable flow at the time of the evaluation. Field evaluations shall not be made within forty-eight (48) hours of any rainfall event of 0.10 inches or greater or within seven (7) days of any rainfall event of 0.5 inches or greater. The rainfall measurement shall be based on the City of Roswell rainfall gauge closest to the site. (Not applicable)• This section shall be in addition to other buffer requirements and shall not exempt any sites from any other requirements of The City of Roswell. This section shall also apply to filling activities that occur within five hundred (500) feet of a "state waters" or included streams, as defined herein, when any part of that fill slope exceeds twenty-five (25) percent. Check topo scale. Topography on sheet 1 of 1 differs greatly from city GIS lidar. Property is much steeper than shown. Appears as though topo for smaller parcel was drawn over both parcels. (Not applicable)• Recommend that they obtain Stormwater Concept approval as part of rezoning process for proposed site plan. Stormwater Concept approval will be required for LDP submittal.
Fiscal Impact	<ul style="list-style-type: none">• A fiscal impact analysis was done for this proposal. The analysis indicates revenues for the 2014 year.
Archaeological	<ul style="list-style-type: none">• Not applicable
City of Roswell Fire Department	<ul style="list-style-type: none">• The turning radius appears to be inadequate. We need 50' outside and 30' inside. (The applicant has addressed this issue with Fire.)• A fire flow test must be conducted to determine if there is adequate water available for firefighting. The test must be conducted in accordance with the 2006 edition of the International Fire Code and appendix B.

City of Roswell Transportation Department	<ul style="list-style-type: none"> • Obtain GDOT permit for all proposed work within the state ROW (deceleration lane, driveway, etc) • Provide (or update existing) curb cuts and ADA ramps at the HBR @ Powder Ridge intersection • Provide ADA ramps at the internal parking lot crossing. • Additional comments will be issued at the Land Disturbance submittal (i.e. GDOT ADA ramp detail, striping detail, traffic control detail, pavement section detail, driveway detail, etc.) • Consider making the proposed driveway on Holcomb Bridge Rd/SR 140 full access
Fulton County Department of Water Resources	<ul style="list-style-type: none"> • Anticipated water demand – 1,932 gallons per day
City of Roswell Arborist & Landscape Architect	No comment

CHRONOLOGICAL LISTING OF PLANS SUBMITTED

Site plans submitted February 5, 2013.

Revised plans submitted March 21, 2013 – the applicant changed the buffer request on the east side to show a 40' landscape buffer; the parking and drive area has changed and the stormwater detention and water quality has been improved.

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 requested zoning for a school would be a suitable use for this area. The area is a mix of uses with a church across the street, single family residential, vacant land and commercial.

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

The proposed request for O-P zoning for a school may not adversely affect the existing use of the adjacent properties.

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

The property is vacant land containing a vacant home. The existing zoning of FC-A may not have reasonable economic use as zoned due to the property being located on a major thoroughfare.

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.

The property is located on Holcomb Bridge Road. The request for a school may not cause a burdensome use on the existing streets, transportation facilities, utilities and schools.

5. Whether the zoning proposal is in conformity with the policies and intent of the future development plan.

The Future Development Plan indicates that this property is located in the Holcomb Bridge Road SR 140 Corridor. The vision for this character area is for the development along this corridor to be a mix of uses to allow for residential to integrate with retail and commercial.

6. Whether there are other 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 is located on Holcomb Bridge Road which is a major thoroughfare and the existing uses along the road are a mixture of commercial, residential and office. The current mix of uses give supporting grounds for the proposed rezoning for the private school.

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

The property is zoned FC-A (Fulton County-Annexed) and contains a vacant home on the property.

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 needed to determine the existing value of the subject property as it is currently zoned.

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

As it is currently zoned, the property can be developed under the FC-A/AG-1 zoning from Fulton County.

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

An appraisal would be needed to determine whether the subject property is diminished due to the existing FC-A zoning.

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

The value of the property under the proposed O-P district would have to be determined by an appraisal.

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

A private school is not a permitted use under the current FC-A (Fulton County-Annexed) zoning.

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

The proposed request is to zone the property to O-P (Office Professional) and to allow the conditional use for the private school under that zoning. A conditional use is a "use that would not be appropriate generally or without restriction throughout the particular zoning district and is not automatically permitted by right within a zoning district, but which, if controlled as to number, area, location or relation to the neighborhood, maybe found to be compatible and approved by the governing body within a particular zoning district as provided in certain instances by this ordinance." The proposed request for a conditional use for this property may not be suitable due to the assembly use being incompatible with the neighborhood.

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

The applicant has not indicated how long the property has been vacant.

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 new owners recently purchased the property in order to build a private school..

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

The proposed request for O-P (Office Professional) will not create an isolated zoning district. There is existing commercial and mixed use development in the area.

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 Holcomb Bridge Road corridor is already a mix of uses; the request for a school may blend with the character of the district.

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 request for a school may not be a deterrent to the value or the improvement of the adjacent properties.

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

The applicant will be required to meet all environmental regulations. The applicant has been working with the Engineering division and Stormwater to address drainage issues.

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 for this area is for a mixture of commercial, office and residential uses. A request for a small private school will complement the mixture.

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 requesting a variance to the buffer on the west from 40' to 25'. The properties to the west from on Holcomb Bridge Road and Old Scott Road. The applicant is requesting to allow for the 40' undisturbed buffer on the east be a 40' landscape buffer in order to allow for additional screening abutting the residential neighborhood.

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 undeveloped land in the general vicinity that is currently zoned O-P (Office Professional).