

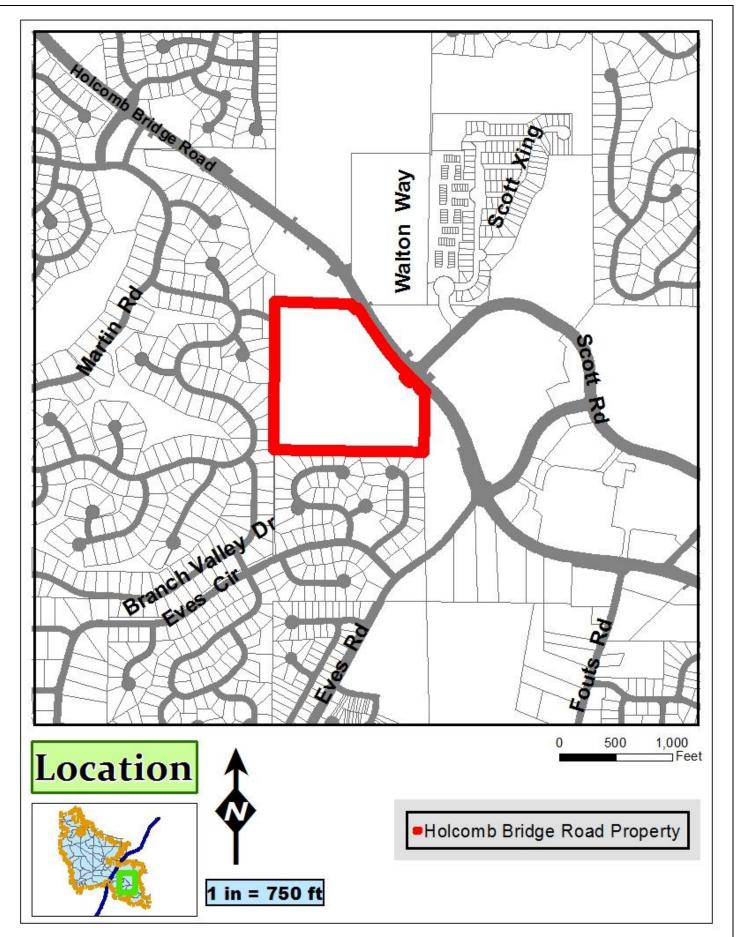
# Petition No. 201400345 and CV 201400475

HEARING & MEETING DATES								
Design Review Board Meeting	Neighborhood Meeting	Planning Commission Hear	ring Mayor and City Council Hearing					
3/4/14	3/13/14 6/17/14		7/14/14					
APPLICANT/PETITIONER INFORMATION								
Property Owner		Petitioner	Representative					
Gary Shirley		ary Shirley	Fred Streck					
PROPERTY INFORMATION								
Address, Land Lot,	Land Lot 677, First District, Second Section							
and District								
Frontage and Area	1,269.73 feet on Holcomb Bridge Road; 34.19 acres							
<b>Existing Zoning and</b>	FC-A/AG-1 (Fulton County - Annexed/Agricultural)/UDC zoning - AG-43							
Use	TC-A/AG-1 (Fulloti County - Alliexed/Agricultural)/ ODC 2011111g - AG-45							
Overlay Design	Citywide Design District							
District								
2030								
Comprehensive	Holcomb Bridge Road SR 140 Corridor							
Plan; Future								
Development Map								
Proposed Zoning	R-PUD (Residential Planned U	nit Development)/PRD (Planned	l Residential Development)					
INTENT								

The applicant is requesting to rezone the property to allow for a 70 unit residential development including single family homes and townhomes.

# DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION RZ 201400345 & CV 201400475 - Denial

PLANNING COMMISSION RECOMMENDATION							
The Planning Commission will hear this case during their regularly scheduled June 17, 2014 public hear	ing.						



Prepared by the City of Roswell Department of Community Development for the Planning Commission Hearing on June 17, 2014.

### STAFF RECOMMENDED CONDITIONS

The Community Development Department recommends denial of this rezoning application and the concurrent variances.

Reasons for denial.

- 1. Variance to the steep slopes ordinance.
- 2. Topography of the site.

Should the Mayor and City Council approve the rezoning, it shall be approved with the following conditions.

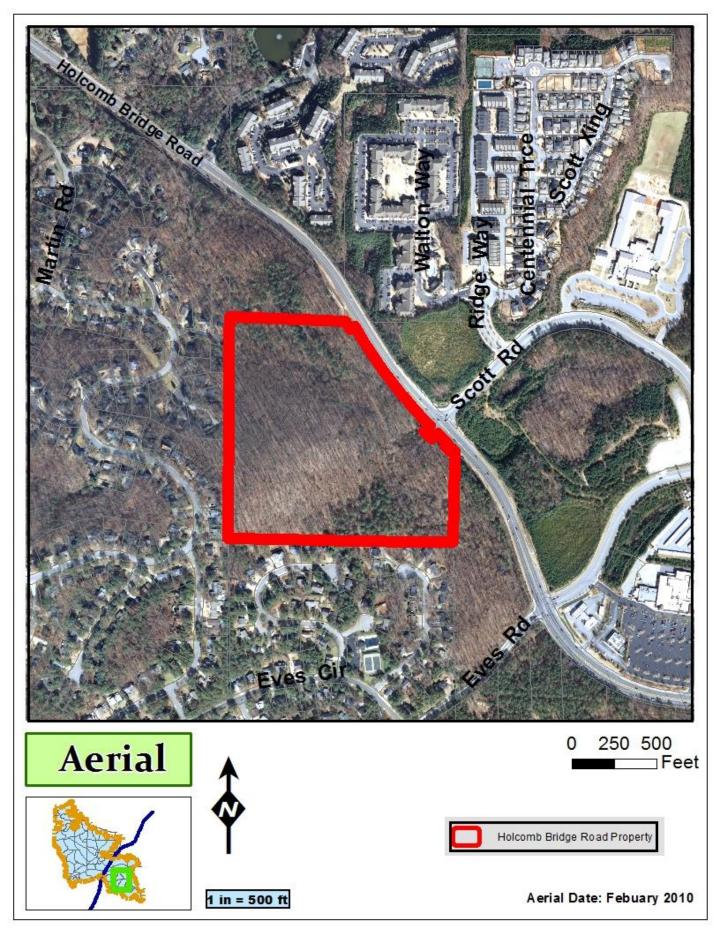
- 1. The subject property shall be developed in substantial accordance with the site plan stamped "Received June 6, 2014 City of Roswell Community Development Department."
- 2. The applicant shall construct full vehicular access to Six Branches Lane as approved by Roswell Department of Transportation.
- 3. The applicant shall install/construct some hard traffic calming measures at two spots. i) at a central location within the new subdivision, ii) on 6 Branches Drive between Martin Rd and 6 Branches Court. The applicant shall submit feasible measures and locations to RDOT for approval before installation/construction.
- 4. The applicant shall construct a westbound left turn lane on Holcomb Bridge Rd to turn left into the main entrance of the development at the intersection of Holcomb Bridge Rd and Scott Rd. GDOT's criteria/approval to be used for lane specifications.
- 5. The applicant shall construct an eastbound right turn lane on Holcomb Bridge Rd to turn right into the main entrance of the development at the intersection of Holcomb Bridge Rd and Scott Rd. GDOT's criteria/approval to be used for lane specifications.
- 6. The applicant shall construct a two lane exit at the main access off Holcomb Bridge Rd. The two lane exit shall be striped as a right-only and a shared through-left.
- 7. There shall be no access from Holcomb Bridge Road for the townhome units located at the northern section of the property. Access shall be achieved within the interior of the development.
- 8. If the rezoning is approved with the emergency access only to Six Branches Lane, then the applicant must submit a signal warrant analysis to the Roswell Department of Transportation prior to the submittal for the preliminary plat. The analysis will be reviewed by the Roswell Department of Transportation to determine whether signalization is required for this intersection. If a traffic signal is required, it must be installed prior to the first certificate of occupancy.
- 9. A preliminary must be approved prior to submittal of a Land Development Permit.
- 10. A final plat shall be approved and recorded prior to the issuance of any building permits.
- 11. The townhomes shall be reviewed and approved by the Design Review Board.
- 12. There is no guarantee that the number of lots shown on the site plan will be achieved.
- 13. 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.
- 14. 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 failsafe design.

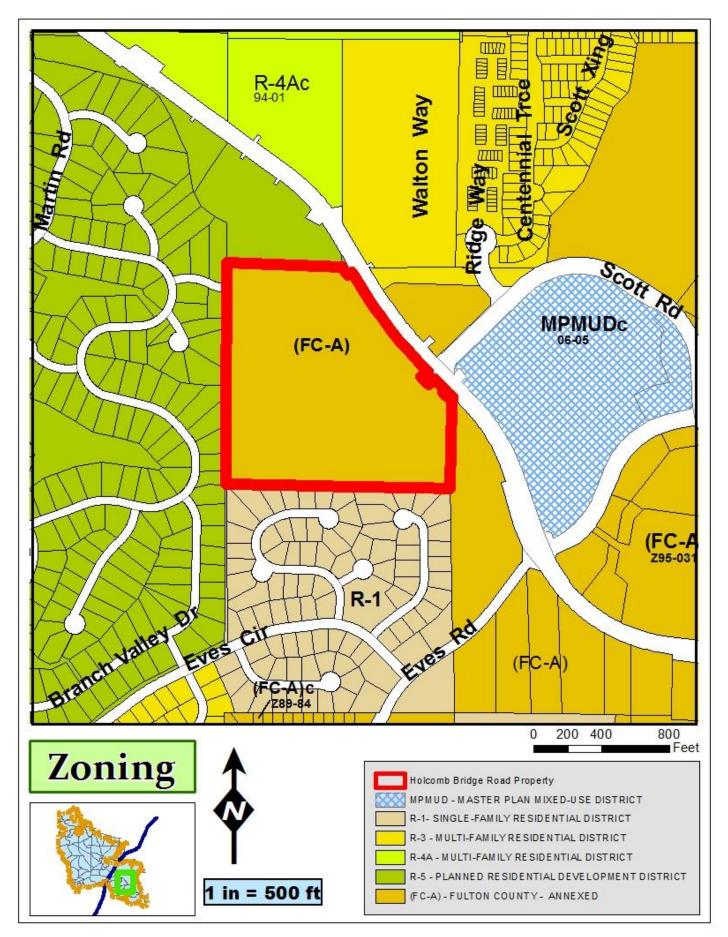
# **BACKGROUND**

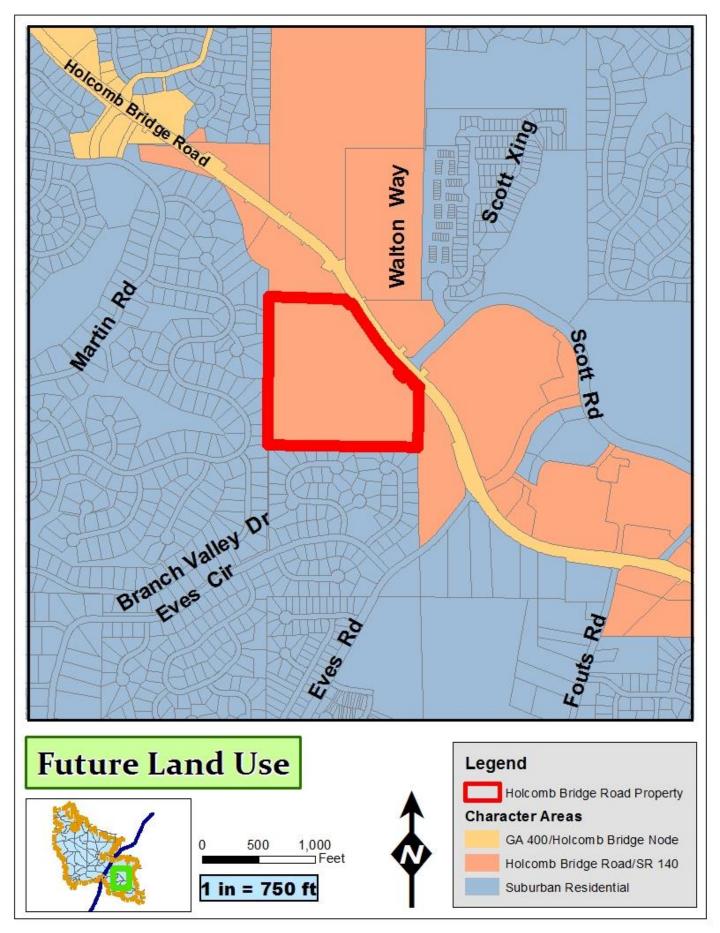
The property is vacant land. It was annexed into the City of Roswell in December 1999.

# EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY

SUBJECT PETITION 201400345	Requested Zoning	Proposed Use	Land Area (Acres)	Number of Units	Density (Square Footage per Acre)
201400343	R-PUD/PRD	Residential Development	34.19	70	2.05 upa
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	O-P, R-3 and R-5	Vacant land and Apartments	8.0 acres; 5.1 acres and 20.5 acres	206 units in apts.	10 upa for apts.
South	R-1	Single family homes (Woodfield)	4.27 acres	10 homes that abut	2.3 upa
East	FC-A/AG-1	Vacant land	8.6 acres	N/A	N/A
West	R-5	Single family homes (Martin's Landing)	5.96 acres	10 homes that abut	1.6 upa





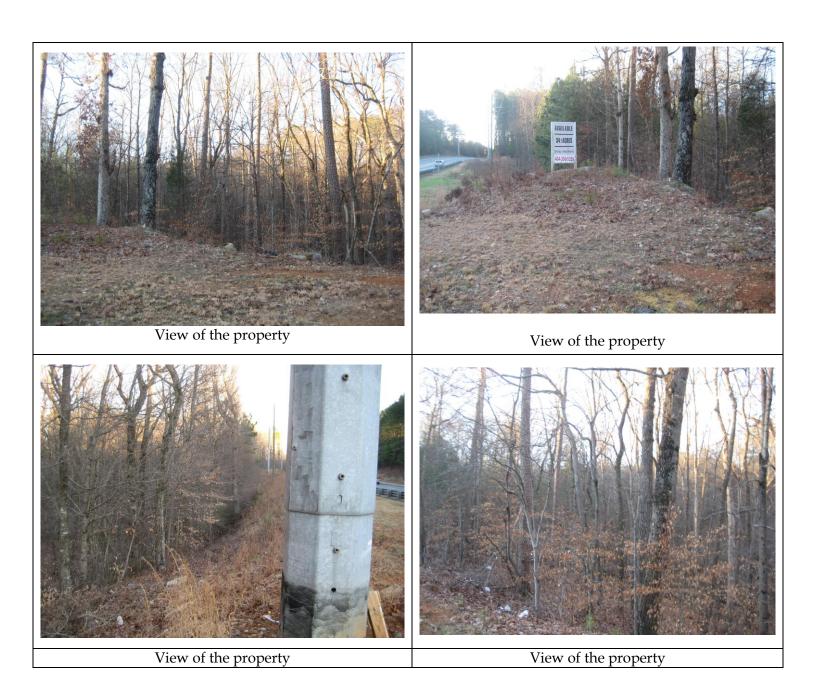






View of property to the west

View of property to the south





### SITE PLAN ANALYSIS FOR THE R-PUD ZONING

The site plan proposes 62 single family homes and 8 townhomes for a total of 70 residential units. The proposed minimum lot size for the single family homes is 5,000 SF. The required minimum lot size in R-PUD is 6,000 SF. Eight of the lots abutting Martin's Landing and Woodfield are proposed to be 12,000 SF. The total acreage of the site is 34.19 acres. There is a forty (40) foot buffer abutting the Martin's Landing and Woodfield subdivisions. The proposed plan indicates a 30' emergency access only to Six Branches Lane.

A steep slope analysis was submitted, and is currently under review by the City Engineer.

The rezoning request was submitted under the old zoning ordinance, so the request was for R-PUD (Residential Planned Unit Development District). Under this zoning classification, there are additional requirements according to section 5.12.4 of the zoning ordinance. These requirements are as follows:

- 1. The minimum site area for rezoning to and development with the R-PUD district shall be ten acres.
- 2. Civic and institutional residential uses shall not exceed twenty (20) percent of the total site area of the district.
- 3. Unless topographical or other barriers protect the privacy of existing adjoining uses, principal building and accessory uses and structures shall be setback a distance of at least one hundred (100) feet from the perimeter of the R-PUD district to protect the privacy and amenities of adjacent, existing uses. Structures or buildings located near the perimeter of the development should be permanently screened in a manner that sufficiently protects the privacy and amenities of the adjacent, existing uses.
- 4. A minimum of twenty (20) percent of the total site area of the district shall be open space, greenspace, passive recreation, community recreation, and impervious landscaped areas.

The proposed site plan meets requirement numbers 1 and 4, but does not meet numbers 2 and 3 of these additional requirements under the R-PUD zoning classification.

A traffic study was completed and a full summary has been done by the Roswell Transportation Department under the Department comments.

#### SITE PLAN ANALYSIS FOR THE PRD ZONING UNDER THE UDC

The proposed site plan indicates 8 townhome units and 62 single family homes for a total of 70 residential units. The proposed minimum lot size for the single family homes is 5,000 SF. Eight of the single family homes abutting Martin's Landing and Woodfield have a proposed minimum lot size of 12,000 SF. The total acreage of the site is 34.19 acres. There is a forty (40) foot buffer abutting the Martin's Landing and Woodfield subdivisions. The proposed plan indicates a 30' emergency access only to Six Branches Lane.

A steep slope analysis was submitted, and is currently under review by the City Engineer.

Section 3.5 of the Unified Development Code (UDC) indicates the requirements for a PRD (Planned Residential Development). The proposed rezoning meets the purpose for a PRD under the UDC. Several of these are as follows:

- 1) Provide maximum flexibility and diversification in the development of the property; and
- 2) Encourage efficient use of the land for preservation of sensitive environmental areas such as open space areas and topographical features.

Under section 3.5.4, Development Plan, the single family homes and townhomes proposed for the development are two of the uses allowed within the PRD. This section contains the following:

Uses permitted
Lot dimensions
Coverage
Building setbacks
Building heights
Vehicle access
Permitted building elements
Other minimum requirements

Section 3.5.4 of the UDC has been provided in the backup material.

The PRD is controlled by the site plan and should it be approved it becomes the development plan for the property.

A traffic study was completed and a full summary has been done by the Roswell Transportation Department under the Department comments.

## DRB/HPC comments and Design Guidelines

The application was heard by the Design Review Board during their March 4, 2014 hearing. The board had the following comments.

- 1. More of the townhomes to have garage access from the rear and single family homes on larger lots.
- 2. Use some of the natural aspects of the creek and the land for the development.
- 3. The two sets of townhomes in the front seem to be off on their own.
- 4. The layout of the site plan needs to be re-worked.

### LANDSCAPE PLAN ANALYSIS

This site is fully wooded with mature hardwood trees. The tree survey indicates that there will be 81 specimen trees removed from the site and 33 specimen trees to remain on the site. The recompense for the specimen trees is being divided by a contribution to the tree bank and replanting.

### **VARIANCE CONSIDERATIONS**

The following variances are needed under the R-PUD zoning district.

- 1. A variance to the R-PUD requirement of the 100 foot setback from the perimeter of the R-PUD district for all buildings and structures. This would be from 100′ to 0′.
- 2. A variance to the requirement for civic and institutional residential use requirement of 20% to 0%.
- 3. A variance to the steep slopes ordinance. The steep slope analysis is under review by the City Engineer.

# **DEPARTMENT COMMENTS**

City of Roswell Environmental Department

• A stormwater concept meeting is required. No indication of how stormwater management will be achieved was shown on the plans.

1. Clearly show all delineated waters, stream buffers and top of bank on the rezoning plans including state and steep slope buffers and areas of additional measures. Use hatches if necessary. (See below for more detailed comments regarding the survey and delineation of regulated water resources.)

Review of Steep Slope Analysis

- 1. Provide a delineation report of all regulated waters (State and Federal) performed by a qualified person; e.g. an ecologist. Stakes set by the ecologist shall be surveyed and shown on the survey and plans. Top of bank needs to be surveyed for the flowing stream. The buffers on the larger stream do not seem to account for the bank width on the stream.
- 2. Add this note: A proposed condition analysis should be conducted where fill slopes will exceed 4:1 within 500 feet of a water resource. Such as adjacent to Lot 5 in Martin's Landing (Scoville).
- 3. Provide additional cross-sections as needed to clearly delineate the areas in the steep slope stream buffer and area of additional measures. Provide a hatch to clearly show these areas.
- 4. Provide a mitigation plan with additional mitigative measures for areas of additional measures (25 and 30 scores).
- 5. The following k-factors were incorrect based upon the Web Soil Survey.

CaA k=0.37 and PGC2 k=0.32. (Segments in these areas will need rescorings for soils.)

- 6. Please ensure that all cross sections begin at the top of the slope and end at the top of bank or vice versa for slope lengths and sediment delivery scores.
- 7. Set additional nodes on the cross-sections at these locations: Wherever the score changes by 5 points or more for any of the measurements; e.g. at soil lines between k=.32 and k=.28, where the sediment delivery is 300 feet from the resource
- 8. Top of stream banks and other water resources identified in the ecologist's (or other qualified person) report shall be surveyed (field located) and shown on the plans. The buffers for the larger stream as depicted on the survey, do not seem to account for the bank width on the stream.
- 9.Ensure that cross-sections are drawn perpendicular to the contours. Redo Cross Section A Segment 3 and Cross Section D Segment 1.
- 10 Carry Cross Section up to the top of the ridge or saddle to determine slope lengths. Begin segments a and D at the saddle.
- 11. End Cross Section A at the top of the stream bank. Measure 100 foot mark and 300 foot marks from this point and add nodes.
- 12. Add nodes at soil delineation where scores change e.g. GaF/CaA.
- 13. Please contact me if you have any questions and send me revised pdf's before formally submitting. Annotate the comments and include with the revised plans or pdf's

City of Roswell Engineering Division

## Archaeological

## • Not required

# City of Roswell Fire Department

- No comments in reference to rezoning, however, the LDP plans must show compliance with the 2012 edition of the International Fire Code and appendices B, C and D. Fire flow test must be conducted and the calculated GPM at 20 psi for all proposed fire hydrants must be shown on the LDP. A 24 static pressure test must be conducted and the results shown on the plans.
- GDOT permit is required for all work within Holcomb Bridge Road/SR 140 right-of-way.
- A traffic Impact study is required for any development that generates new trips in excess of 750 ADT or 100 PHT, based on the ITE trip generation handbook, 9th edition or later edition. Additional comments may be issued after review of the traffic impact study.
- The City of Roswell recommends deleting the west driveway and access these lots from the interior street only. Verify the proposed driveway has adequate intersection sight distances. Sight distance sketches are required at or prior to Land Disturbance submittal.
- At the intersection with Holcomb Bridge Road/SR 140, the proposed street shall meet the standard specified in section 2.1.4 Grade & Alignment, of the City of Roswell standard manual.
- Left and right turn lanes shall be provided for each access along HBR/SR 140. All turn lanes along HBR/SR 140 shall meet GDOT standard (width, storage, taper, etc).
- The City of Roswell is considering upgrading the existing eastbound left turn lane to Scott Road to the latest GDOT left turn lane standard. Meet with the City of Roswell Transportation Department prior to Land Disturbance submittal to discuss incorporating the City of Roswell project into the proposed site development project.
- 10' wide multi-use with minimum 2' grass strip shall be provided along the entire HBR/SR 140 frontage. The multi-use could be reduced to 8' wide where site constraints make it difficult to provide the 10' wide path.
- Address pedestrian crossing at the HBR/SR 140 @ Scott Road and the new driveway intersection at or prior to land disturbance submittal.
- Provide stub outs for future interparcel access with the adjacent parcels on the east and on the west.
- Traffic calming is recommended for street longer than 600 feet.
- The proposed internal streets shall meet the City of Roswell standard (i.e. 50' right-of-way (or minimum 1' behind sidewalk, whichever is greater); minimum 20' right-of-way miter at intersections or right-of-way parallel to the back of curb; minimum 24' pavement measured from back of curb to back of curb(the maximum is 28'); 5' grass strip and 5' sidewalk each side of the street; 50' cul-de-sac pavement radius measured from the back of curb; minimum 25 MPH design; grades between 12% and 14% shall not exceed 150' in length). The standard manual is posted on the City of Roswell website. A pdf copy could be mailed to the applicant upon request).
- Centerline road profiles are required at or prior to submittal of the land

City of Roswell Transportation Department

disturbance permit.

- A geometric street centerline data table is required at or prior to the land disturbance submittal. All curves and tangents shall meet the City of Roswell standard.
- Verify the proposed cul-de-sac accommodates emergency vehicle. Provide emergency vehicle turn path at the cul-de-sac using auto turn or similar software or appropriate sketch.

### **Summary of Traffic Impact Study dated March 2014 by URS:**

The proposed development includes 46 single family homes and 54 town homes. The applicant was required per Roswell Zoning Ordinance to conduct a detailed Traffic Impact Study (TIS) since the vehicular trips generated by the proposed development exceeded the minimum thresholds. The applicant was not required and chose not to include a Traffic Signal Warrant Analysis for the development's main entrance at the intersection of Holcomb Bridge Road at Scott Road.

The applicant communicated with Roswell Department of Transportation (RDOT) Staff and certain assumptions and methodology were agreed upon before the study was conducted. This TIS analyzed the following intersections in the morning and evening peak hours for existing, built year 2015 and horizon year 2035, with and without the projected traffic conditions, with a 2% estimated annual growth.

- Holcomb Bridge Road at Eves Road
- Holcomb Bridge Road at Scott Road
- Holcomb Bridge Road at Calibre Creek Pkwy
- Holcomb Bridge Road at Martin Landing Place

The TIS concluded that the proposed development does not degrade the Level of Service (LOS) on existing roadway network to the extent to recommend any kind of mitigations by the applicant.

#### **RDOT conclusions:**

The RDOT Staff reviewed the TIS and is satisfied with accuracy of its contents. However, Staff believes that although the proposed development traffic does not degrade the LOS significantly but still, the additional traffic impacts the overall network by causing some additional delay. Staff is considering the following improvements based on the information provided/analyzed in the TIS and some other obvious traffic concerns.

- As shown on the site plan within the TIS, the applicant intends to make a
  roadway connection to 6 Branches Lane. RDOT highly recommends
  making that connection. This connection will serve as a second access
  for the new development. In general, multiple access points and
  connectivity create safer neighborhoods and benefit the overall roadway
  network as well.
- RDOT does not foresee installation of a traffic signal in future at the main entrance of this development at the intersection of Holcomb Bridge Rd and Scott Rd.
- Applicant should be required to install a westbound left turn lane into the main entrance at the intersection of Holcomb Bridge Rd and Scott Rd.
- Applicant should be required to install an eastbound right turn lane into the main entrance at the intersection of Holcomb Bridge Rd and Scott

Traffic Study

Prepared by the City of Roswell Department of Community Development for the Planning Commission Hearing on June 17, 2014.

Rd. RDOT may not support the western curb cut on Holcomb Bridge Rd to access the five lots as shown on the site plan. RDOT may require a left turn restriction out of the main entrance to go west on Holcomb Bridge Rd at the intersection of Holcomb Bridge Rd and Scott Rd. If for some reason, this left turn restriction can't be implemented, RDOT may require a two lane exit at the main entrance. RDOT may require some hard traffic calming measures at two spots. 1) at a central location within the new subdivision, 2) on 6 Branches Drive between Martin Rd and 6 Branches Court. A revised site plan with 62 single family homes and 8 townhomes was submitted on June 6, 2014 after the completion of this traffic study. • The Board of Education reviewed the original plan which had 46 SF homes and 54 townhomes. The Board indicated that there would be anywhere from 4 to 45 new students generated from this development for the River Eves Elementary School, Holcomb Bridge Middle School Fulton County Board of Education and Centennial High School. The elementary school is over capacity even without the proposed development, the middle school is under capacity and the high school is projected to go either way - under or over. • . Street trees cannot be applied toward site density or specimen recompense, see Section 15.4.4 "independent of all other section of this ordinance." • 2. Site density of 30 units per acre must be met, before units can be applied toward specimen recompense, see section 15.3.1 (d) City of Roswell Arborist & 1025.7 SDF + 578.4 specimen units removed = 1604.10 total unitsLandscape Architect required • 3. The existing sanitary sewer easement may be excluded from the gross site area, see Section 15.4.1 (c). • 4. Refer to Article 15 Tree Protection and Article 16 Landscaping in the Zoning Ordinance for all applicable requirements.

### CHRONOLOGICAL LISTING OF PLANS SUBMITTED

Original plans submitted – February 4, 2014. Revised site plan submitted – June 6, 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 proposal for a residential development may be a suitable use due to the surrounding properties which are existing residential neighborhoods; however, the lot size for the proposed residential development does not coincide with the lot sizes of the surrounding neighborhoods. The proposed lot sizes for the development are a minimum of 5,000 SF and 12,000 SF for eight lots abutting Martin's Landing and Woodfield in comparison to the lot sizes in Martin's Landing which range from 13,500 to 37,800 SF and Woodfield which range from 13,000 to 28,700 SF. These lots abut the proposed development.

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

The proposed development may not adversely affect the existing developments, but with the smaller lot sizes, the proposed development does not coincide with the existing lots which are abutting.

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

The property is located on Holcomb Bridge Road which is a major thoroughfare. It is also in the Holcomb Bridge Road SR 140 Corridor character area of the 2030 Comprehensive Plan. An agricultural zoning on this property is not economically feasible.

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.

Holcomb Bridge Road is a state route and currently has approximately 75,000 daily trips. A traffic study was completed by the applicant and has been fully reviewed by the Roswell Transportation Department.

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

The subject property is located in the Holcomb Bridge Road SF 140 Corridor character area of the 2030 Comprehensive Plan. The vision for this character area indicates that the development along this corridor will be a mix of uses to allow for residential to integrate with retail and commercial. The proposed rezoning for single family homes and townhomes conforms to 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.

An agriculture zoning along Holcomb Bridge Road which is a State Route gives supporting grounds for this property to be rezoned to another classification.

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

The subject property is vacant land and it is zoned FC-A (Fulton County – Annexed)/AG-1 (Agricultural). Under the Unified Development Code, the zoning is AG-43.

- 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.

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

The property can be developed under the existing regulations; however, with the property located on a major thoroughfare, the agricultural zoning is not economically feasible.

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 have to be completed to determine if the property is diminished by the existing zoning.

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

An appraisal would have to be completed to determine the value of the property under the proposed R-PUD district.

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

The proposed use for single family homes would be suitable under the existing zoning; however the proposed lot size would not work under the agricultural zoning. Townhomes are not a suitable use under the agricultural zoning.

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

The proposed single family homes and townhomes would be a suitable use under the R-PUD zoning.

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

The property has never been developed.

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 application does not list the efforts taken by the property owner to sell the property under the existing zoning.

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

The proposed residential development would not create an isolated district; due to the surrounding residential homes.

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 effect on the land due to the topography of the site.

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.

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

The site is hindered due to the severe topography of the property. A steep slopes analysis has been done and is under review by the City Engineer. A variance to the steep slopes ordinance is required for the development of this site. Should the property be developed, mitigating measures related to the erosion and sedimentation would need to be completed to alleviate the impacts from the 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 for this area indicates a mix of uses including residential. In the vicinity of the subject property, there are existing single family homes, vacant land, a new retirement residence to be built, apartments and a new residential 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 proposed site plan has a 40′ buffer abutting Martin's Landing and Woodfield; however, under the R-PUD of the zoning ordinance, a variance to the 100′ perimeter setback abutting existing residential is required.

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 area that is currently zoned R-PUD or PRD.