



Petition No. RZ13-01

HEARING & MEETING DATES			
Design Review Board Meeting	Neighborhood Meeting	Planning Commission Hearing	Mayor and City Council Hearing
N/A	3/21/13	4/16/13	5/29/13
APPLICANT/PETITIONER INFORMATION			
Property Owners	Petitioner	Representative	
CORO, Crossville Hardscrabble LLC	Traton Homes	Kevin Moore	
PROPERTY INFORMATION			
Address, Land Lot, and District	940 Hardscrabble Road, Land Lot 188, First District, Second Section		
Frontage and Area	730 feet along Hardscrabble Road; 4.97 acres		
Existing Zoning and Use	R-2 (Single Family Residential)		
Overlay District	Citywide Design Guidelines		
2030 Comprehensive Plan; Future Development Map	Suburban Residential		
Proposed Zoning	Not applicable		
INTENT			

The applicant is requesting a change of conditions from the original approved conditions under case RZ08-17. The condition they are requesting to change is condition number 16. The applicant is requesting to change the condition which required the homes abutting Hardscrabble Road to face the road with the rear along the private drive. The proposed plan indicates the rear of the homes facing Hardscrabble Road.

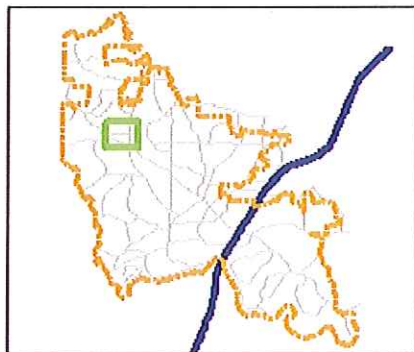
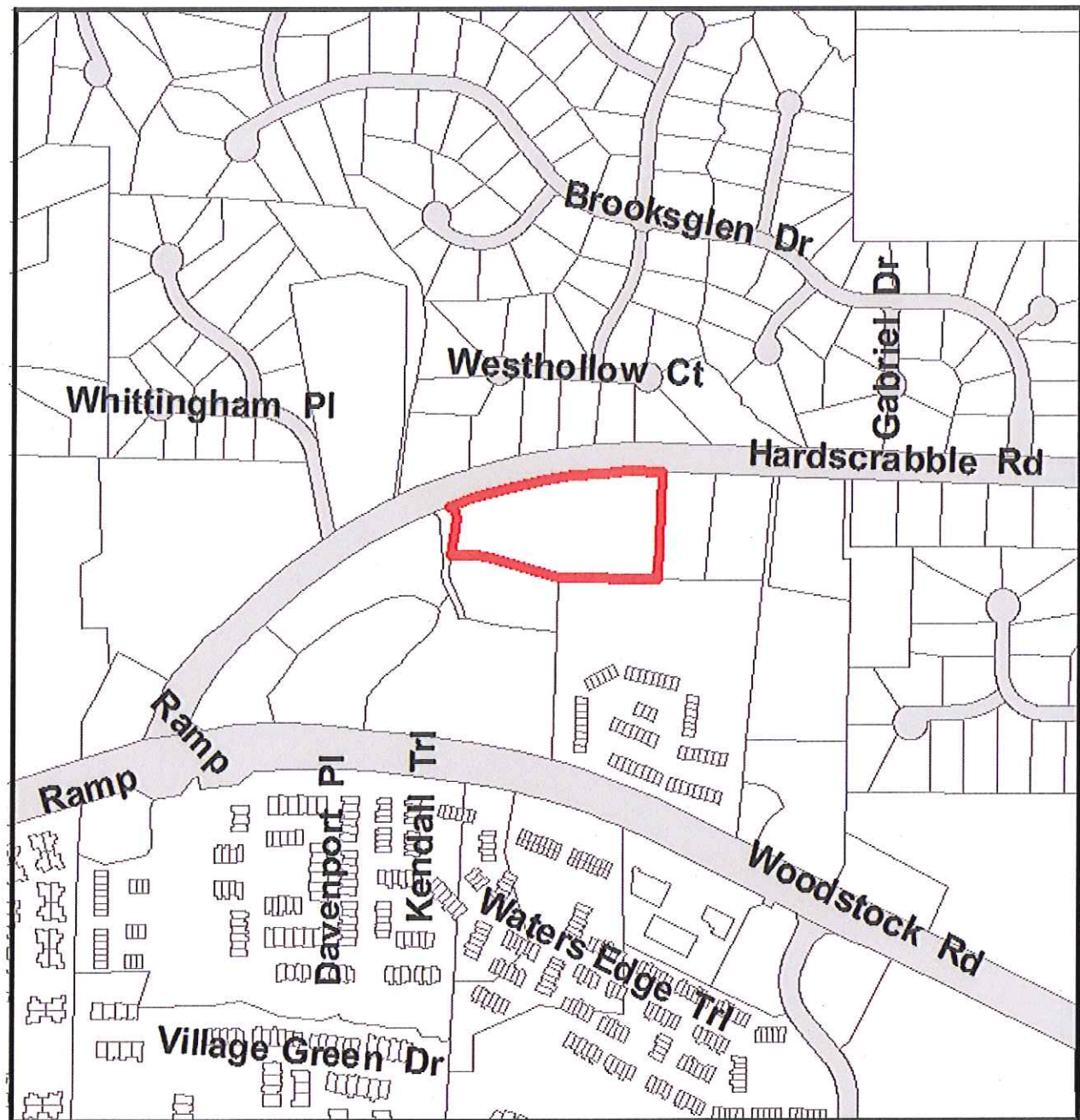
DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

RZ13-01 - Denial of the change to the condition

PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommended approval of the change of conditions during their April 16, 2013 public hearing with the following conditions:

1. The owner/developer shall install similar landscaping to match the landscaping approved by the Design Review Board for the American Family Care corner parcel and the Assisted Living parcel.
2. The 30' streetscape shall not be a separate parcel controlled and maintained by the Home Owner's Association.
3. The buffer shall contain a minimum four (4) foot berm with landscaping.
4. The interior road shall be a private road with a 40' right-of-way.



1 in = 500 ft

Location

 940 Hardscrabble Rd

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 a change to the conditions of zoning be denied. The staff is recommending denial for the following reasons.

1. The original zoning condition was a condition which the original applicant (CORO) agreed to with the Brookfield Country Club Subdivision.
2. The homes facing the road were in order to preserve the look of Hardscrabble Road and the streetscape. All of the existing residential lots on the south side of Hardscrabble Road to the east face Hardscrabble Road.
3. The intent at the time of the original RZ08-17 rezoning was to maintain the single family residential character and integrity on this portion of Hardscrabble Road.

If the Mayor and City Council approve the change of condition request, the request shall be approved with the following conditions.

1. The owner/developer shall install similar landscaping to match the landscaping approved by the Design Review Board for the American Family Care corner parcel and the Assisted Living Parcel.
2. The 30' streetscape buffer shall be a separate parcel controlled and maintained by the Home Owner's Association.
3. The buffer shall contain a minimum four (4) foot berm with landscaping.
4. The interior road shall be dedicated as a private road with a 50' right-of-way.

BACKGROUND

The proposed rezoning is part of the original overall master plan for the Coro development. The original plan was approved under RZ08-17 with the following conditions.

1. The owner/developer shall develop the property in substantial accordance with the site plan prepared by AEC Inc., stamped "Received 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.

The remaining conditions continue after the chart.

EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY

SUBJECT PETITION RZ13-01	Requested Zoning	Proposed Use	Land Area (Acres)	Number of Units	Density (Square Footage per Acre)
	Site Plan Amendment	Single family homes	4.97 acres	14 units	2.8 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	R-1	Single family home and Brookfield West homes	1.3 acres; 3.8 acres	1; 5 homes	.77 upa; and 1.3 upa
South	R-2 and E-2/PV	Single family home and townhomes	1.6 acres ; and 10.58 acres	1 home; and 51 townhomes	0.6 upa; and 4.8 upa
East	E-2	Single family home	1.6 acres	1 home	0.6 upa
West	E-2/PV	Vacant land – to be developed as an Assisted Living facility	3.0 acres	NA	NA

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 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 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. 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 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 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. No more than 5,000 square feet of office/commercial buildings located along SR 92, excluding the office proposed at the corner of Hardscrabble and SR 92, shall receive a certificate of occupancy without providing the internal drive connecting Hardscrabble Road and SR 92.


16. The applicant agrees to the terms in the letter from Brookfield Country Club Homeowners Association dated June 26, 2009. Such terms are subject to the review and approval of the Design Review Board and the City of Roswell Landscape Architect.

17. The Community Development Department shall notify the neighborhoods surrounding the development when any portion of this project goes before the Design Review Board.



1 in = 200 ft

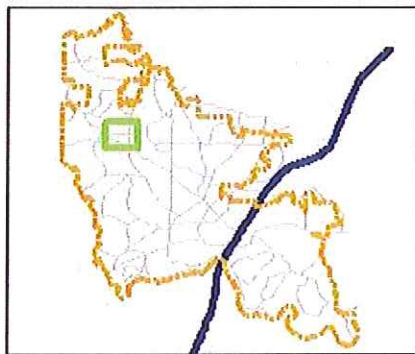
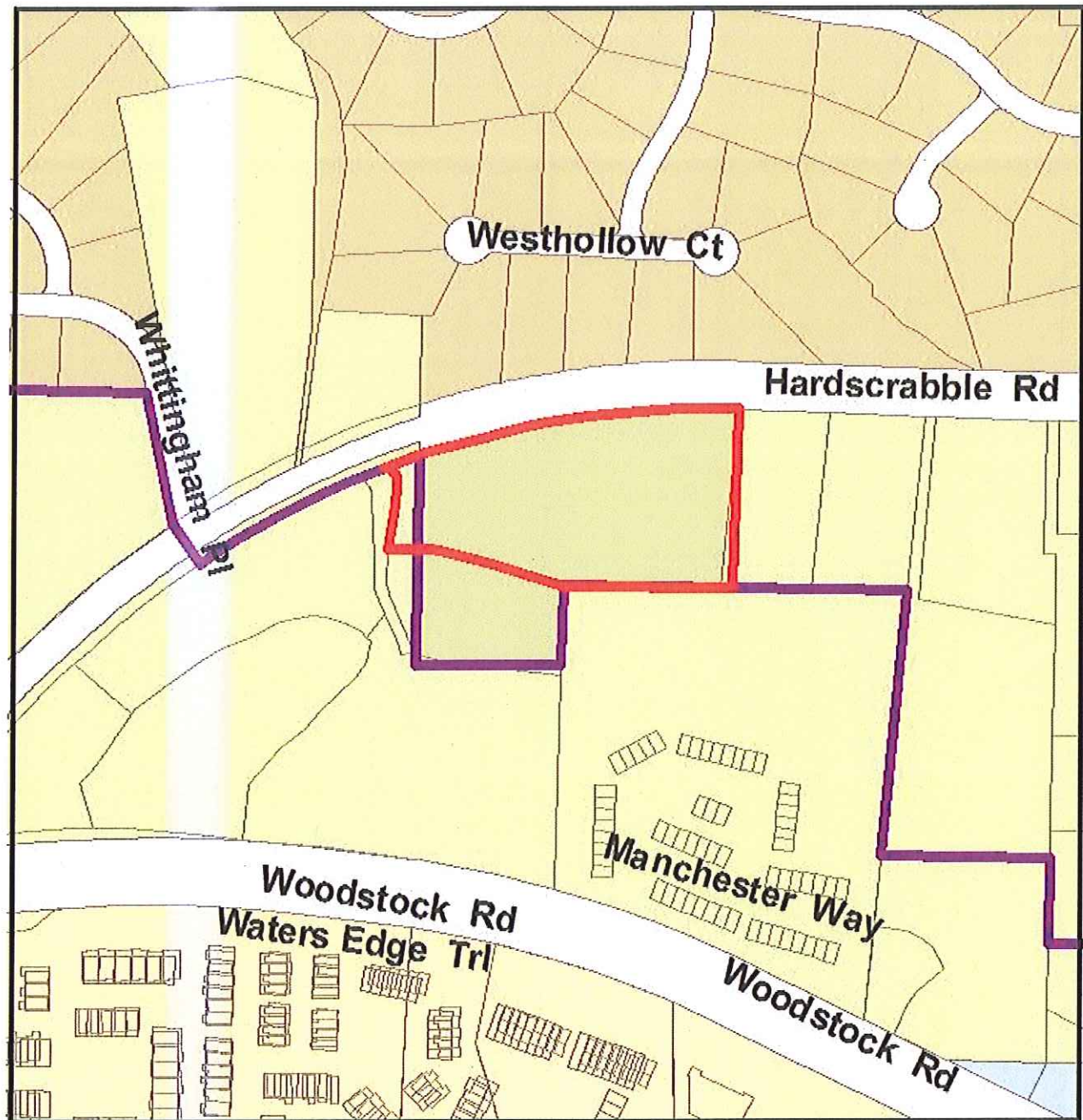
Aerial

 940 Hardscrabble Rd

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

Path: \\Core1\cd\Community Development\Micah\GIS\Micah\940 Hardscrabble\940 Hardscrabble Rd Aerial Map.mxd

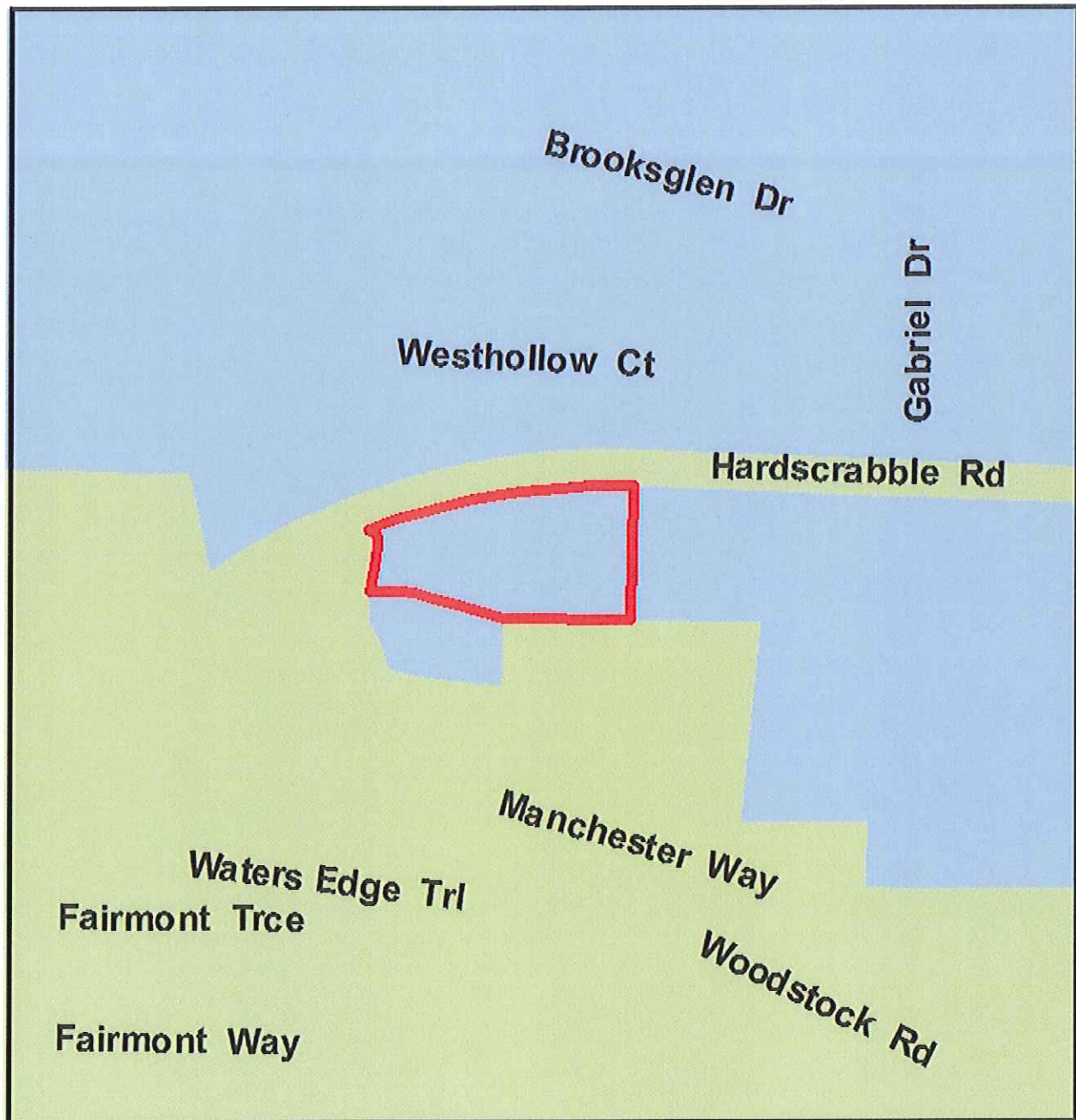
Aerial Date: February 2010



1 in = 300 ft

Zoning

- 940 Hardscrabble Rd
- Parkway Village District
- E-1 - Single-Family Suburban Residential
- E-2 - Single-family Residential
- R-1 - Single-Family Residential
- R-2 - Single-Family Residential



1 in = 400 ft

Future Land Use

- 940 Hardscrabble Rd
- Character Areas**
- Parkway Village District Overlay
- 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 Hardscrabble Road



View of parcel to the west



View of property to the east



View of abutting parcel



View of the property



View of the property



View of the property



NOTICE OF PUBLIC HEARING

Case No: **Rezoning - RZ13-01**
Petitioner: **Crossville Hardscrabble/Traton Homes**
Location: **940 Hardscrabble Rd.**
Land Lot: **188**
Request: **Property was rezoned in 2009 subject to several conditions of zoning, applicant is requesting an amendment to the site plan and an amendment to one zoning condition.**
Public Hearings: **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 29, 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 applicant is requesting a change of conditions to the original approval under RZ08-17. The proposed site plan indicates the 14 homes to be fronting the interior private drive with the rear of the homes facing Hardscrabble Road. The original condition number 16 relates to a letter dated June 26, 2009 from the Brookfield County Club HOA that lists a number of items which was agreed to by Coro for the entire development. The required approval under RZ08-17 indicated that the "the front of the homes must face Hardscrabble Road."

DRB/HPC comments and Design Guidelines

Not applicable

LANDSCAPE PLAN ANALYSIS

Not applicable

VARIANCE CONSIDERATIONS

Not applicable

DEPARTMENT COMMENTS

City of Roswell Environmental
Department

- No comment

City of Roswell Engineering
Division

- City Construction Standard Specifications (CCSS) apply to private street development per CCSS Section 1.1; unless approved by appeal to Mayor and City Council per City Code Article 7.1.5.
- Please note that sidewalks are required on both sides of the private street per CCSS Section 2.2.4.
- Existing driveway curb cut and its culvert on Hardscrabble shall be removed once access is provided via the private drive to the existing home. The open channel shall be restored and stabilized.

Fiscal Impact

- Not applicable

Archaeological

- Not applicable

City of Roswell Fire Department

- No comment

City of Roswell Transportation
Department

- Provide southbound left turn lane from Hardscrabble Road to Crosscrabble Lane private drive.
- Crosscrabble Lane is labeled as private drive. Provide documentation granting access to this parcel through Crosscrabble Lane
- Provide 4-ft bike lane along Hardscrabble Rd frontage
- Provide a minimum 8-ft wide concrete multi-use with a minimum 2-ft grass buffer along Hardscrabble Rd frontage. 10-ft wide path is preferred
- Provide appropriate ADA ramps at Crosscrabble Lane crossing
- Provide vertical and horizontal sight distance sketches for Crosscrabble Lane driveway at Hardscrabble Road.
- Show all existing driveways and intersections on the opposite side of Hardscrabble Road along the site frontage.

Fulton County Department of
Water Resources

- Fulton County has indicated that this development would use 3,780 gallons of water per day. This property is located within the Little River Basin.

City of Roswell Arborist &
Landscape Architect

- Provide Tree Survey, Protection and Replacement Plans with Land Disturbance Permit submittal.

CHRONOLOGICAL LISTING OF PLANS SUBMITTED

Site plans submitted January 16, 2013.

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 request is to change the condition related to how the homes will be built. The original approval indicated having them front Hardscrabble Road. The applicant is requesting to have them face an interior road with the rear of the homes facing Hardscrabble Road.

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

The proposed change of condition may not adversely affect the existing use of adjacent properties.

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

The request is to change a condition. This is not a rezoning.

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.

This is a change of a condition. It is not a rezoning.

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

The proposed homes are in conformity with the 2030 Comprehensive Plan.

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 existing condition which give support for the denial of this request is the 2009 letter from the Brookfield Country Club HOA.

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

The existing property is zoned R-2 (Single Family Residential) and is vacant.

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.

This is a request to change a condition. It is not a rezoning.

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

The property can be used in accordance with the existing regulations and conditions.

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 request to change a condition will not change the zoning of the property.

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

This is a request to change a condition. The property will remain R-2.

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

The proposed homes are suitable under the existing R-2 zoning.

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

The request is to change a condition. There will be no rezoning of the property.

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

This is a request to change a condition.

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.

This is a request to change a condition.

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

The zoning of the property will not change with this request.

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.

There will be no change in zoning. The applicant is requesting to change a condition related to the approved use on the property.

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 property is already zoned R-2 for single family homes, the request to change a condition will not affect the zoning.

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

This is a request to change a condition.

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.

This request for a change of condition will not affect the overall zoning scheme.

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 request to change this condition is in direct contrast to this item. The original condition has the homes facing Hardscrabble Road to preserve the look of the road and the streetscape.

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.

This is not a rezoning, just a request to change a condition.