



LS# 13-0001

RZ Case #: RZ12-11
#12120277

CV Case #: CV12-06
#12120278

CU Case #: CU12-05
#13010018

ZONING APPLICATION

TYPE OF REQUEST:

- ☒ Rezoning
☒ Concurrent Variance
☐ Conditional Use
☐ Text Amendment
☐ Other (Explain)

Present Zoning

FULTON COUNTY ANNEXED (FC-A)

Requested Zoning

OFFICE PROFESSIONAL (O-P)

Proposed Use

ASSISTED LIVING

Total Acreage

5.94

PROJECT

TAPESTRY HOUSE EXPANSION

Name of Project

2715 & 2725 HOLCOMB BRIDGE RD.

ALPHARETTA, GA 30022

Property Address/Location

824

1ST

2nd

Suite/Apt. #

City

State

Zip Code

Land Lot

District

Section

Property ID

12 294 00824061
12 294 00824063

APPLICANT/OWNER

RAMSEY JENNINGS CARE OF INSIGNIA SENIOR LIVING

Applicant

THE JENNINGS GROUP

Company

403 GREENVILLE ST.

LAGRANGE, GA 30241

Mailing Address

706 844 5000

Suite/Apt. #

City

State

Zip Code

Phone

Cell Phone

Fax Phone

E-mail

706 844 5002
jenningsgroup@mindspring.com

REPRESENTATIVE

ANDREW SPEER PEACOCK PARTNERSHIP.COM

Contact Name and Company (Owner's Agent or Attorney)

3525 INTERSTATE NORTH PARKWAY

ATLANTA, GA 30328

Contact Mailing Address

404 214 5200

Suite/Apt. #

City

State

Zip Code

Phone

Cell Phone

Fax Phone

E-mail

404 214 5202
andrew@peacockpartnership.com

tim@peacockpartnership.com

I hereby certify that all information provided herein is true and correct

[Signature]
Applicant Signature: Property Owner or Owner's Representative

Date: 12 / 21 / 12

OFFICE USE

Fee: \$ _____

☐ Cash

☐ Check # _____

☐ CC - Visa/

MC

Date: _____ / _____ / _____

☐ Approved

☐ Denied By: _____

Date: _____ / _____ / _____



Application Signature Page

Please complete this Applicant Signature Page for ALL applications. READ CAREFULLY BEFORE SIGNING.

- I understand that failure to supply all required information (per the relevant Applicant Checklists and requirements of the *Roswell Zoning Ordinance*) will result in REJECTION OF THE APPLICATION.
- I understand that preliminary approval of my design plan does not authorize final approval of my zoning or signage request. I agree to arrange sign permitting separately, after approval is obtained.
- I understand that representation associated with this application on behalf of the property owner, project coordinator, potential property owner, agent or such other representative shall be binding.
- I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My signed Campaign Disclosure Statement is included with this Application (required for rezoning only).
- I understand that due to a sewer allocation system controlled by Fulton County, sewerage capacity may not be available. I agree to arrange sewer service separately from this application. The method of sewage disposal that is planned for this property is:

Check one:

☒ Sanitary Sewer

☐ Septic Tank

I respectfully petition that this property be considered as described in this application

From Use District: FULTON COUNTY - ANNEXED To Use District: OFFICE - PROFESSIONAL

Wherefore, applicant prays that the procedures incident to the presentation of this petition be taken, and the property be considered accordingly. Additionally, applicant further acknowledges and fully understands all above statements made by the City of Roswell.

APPLICANT SIGNATURE (REQUIRED FOR ALL APPLICATIONS)

I hereby certify that all information provided herein is true and correct.

Ramsey Jennings
Owner of Property (Signature)

403 Greenville St. 16 Crange, GA 30241
Street Address, City, State, Zip

12/19/12

Date

706 884 5000
Phone

NOTARY

Personally appeared before me the above Owner named Ramsey Jennings who on oath says that he/she is the Applicant for the foregoing, and that all the above statements are true to the best of his/her knowledge.

Sandra E. Hammarlund
Notary Public (Signature)

12/19/12
Date

01/20/2015
Date Commission Expires

ATTORNEY/AGENT (IF APPLICABLE)

[Signature]
Attorney/Agent (Signature)

5525 INTERSTATE NORTH PKWY ATLANTA GA 30328
Street Address, City, State, Zip

12/19/12

Date

404-916-3154
Phone



Campaign Disclosure Ordinance

Please read the law and complete the **Campaign Disclosure Statement** on the following page if you are requesting a **Rezoning, Concurrent Variance, or Conditional Use**.

GA Citation/Title

GA Code 36-67A-3, Disclosure of campaign contributions

*38069 Code, 36-67A-3

CODE OF GEORGIA TITLE 36. LOCAL GOVERNMENT PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS (Current through 2000 General Assembly)

36-67A-3 Disclosure of campaign contributions.

- a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
 - 1) The name and official position of the local government official to whom the campaign contribution was made; and
 - 2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.
- c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority respective local government showing:
 - 1) The name and official position of the local government official to whom the campaign contribution was made; and
 - 2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government of any of its agencies on the rezoning application.

(Code 1981, 36-67A-3, enacted by Ga. L. 1986, p. 1269, 1; Ga. L. 1991, p. 1365, 1; Ga. L. 1993, p. 91, 36.)

Official Code of Georgia Annotated Copyright 1982 - 2000 State of Georgia.



Planning & Zoning Director Acceptance Stamp

- ☒ Rezoning
- ☒ Concurrent Variance
- ☒ Conditional Use

RECEIVED BY THE CITY OF ROSWELL
ZONING OFFICE Dec. 21, 2012
Date

APPROVED FOR INITIATION OF A ZONING
AMENDMENT TO THE ROWELL ZONING
ORDINANCE AND ZONING MAP BY THE
ZONING DIRECTOR.

Bradford A. Downer
Zoning Director

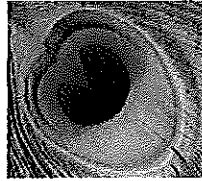
TIME: 2:42 pm DATE: 1-10-2013

THIS APPLICATION SHALL BE CONSIDERED
AND MAY BE REFERRED TO AS REZONING
PETITION NUMBER _____

R212-11

CV12-06

CU12-05



PEACOCK
partnership

12/11/12

City of Roswell Planning and Zoning
38 Hill Street, Suite G-30
Roswell, GA 30075

Written Analysis

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

The surrounding properties are mostly residential with some institutional and office professional mixed in. The proposed project fits well within the mix of residential, office professional and institutional uses. It is also consistent with the Future Land Use Plan.

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

The proposed project will not adversely affect the usability of any of the adjacent properties.

3. *Whether the property to be affected by the proposal has a reasonable economic use as currently zoned.*

The current zoning of 2715 Holcomb Bridge Rd. is specific for a professional office park which would not fit in with the surrounding existing uses. The proposed project is more in fitting with current and future planned usage. 2725 Holcomb Bridge Rd. is currently occupied by an assisted living facility. Current zoning for 2725 Holcomb Bridge Rd. limits any additional construction on the site to an additional two story assisted living building and a total bed count of 75 for the site's development. Due to changing economics and demographics, there is much greater demand for a larger, more updated facility expansion than was approved for the site nearly 14 years ago.

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

No. Due to the nature of the proposed facility, it will not add significant traffic to the area. It is low in utility use and will have zero impact on the local schools.

5. *Whether the proposal is in conformity with the policy intent of the Comprehensive Plan including land use element.*

Yes, the comprehensive plan designates this area as part of the Holcomb Bridge Road/SR 140 Corridor, which intends to create Quality low scale, low-rise mixed-use including office, commercial, recreation and housing; with maximum

5525 Interstate North Pkwy
Atlanta, Georgia 30328
404.214.5200 ph
404.214.5208 fx

flexibility to change over time. Although we are requesting a height and story variance, the building will fit into this aesthetic by limiting the height to 3 stories from the Holcomb Bridge Rd. elevation, tucking the remaining stories into the slope of the property, and keeping them out of street view.

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 proposal.*

There are no existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.

7. *An explanation of the existing uses and zoning of subject property.*

Currently, both properties are zoned Fulton County Annexed (FC-A). 2725 Holcomb Bridge Rd. is currently occupied by an assisted living facility. 2715 Holcomb Bridge Rd. is currently unoccupied.

8. *An explanation of the existing uses and zoning of nearby property.*

Most of the nearby properties are zoned Fulton County Annexed (FC-A) and multi-family residential in use. Across Holcomb Bridge Rd. is the Goddard School and Holcomb Bridge Middle School. Both are zoned Fulton County Annexed (FC-A)

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

Current zoning for 2725 Holcomb Bridge Rd. limits any additional construction on the site to an additional two story assisted living building and a total bed count of 75 for the site's development. Due to changing economics and demographics, there is much greater demand for a larger, more updated facility expansion than was approved for the site nearly 14 years ago.

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

Under current zoning restrictions 2715 Holcomb Bridge Rd. is limited to a total of six, 10,000 sq. ft. two story offices. Significant cost in grading would be required on the property to create the previously approved site plan for the office park, and the parking required would create a great deal of impervious surface on the site. 2725 Holcomb Bridge Rd. already has a 30 bed facility that has been in service for over two decades, and is in desperate need to expand. This property is currently limited to an additional two story building and total of 75 beds for both the new and existing facility. This restriction is intended to limit the development density on an already developed property, which is not an issue on a much larger combined plot.

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 current zoning classification does not diminish the value of the property; however, the site specific requirements on each property create difficulties in site development because they are very specific to the exact type of development that can occur. Under these conditions neither site has seen further development over the past 14 years.

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

The proposed project fits perfectly into the future land use classification in this area. Combining the two properties under the O-P classification will bring the sites up to current standards for property development in the City of Roswell as well as improve the value of the site for potential development in the future.

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

2715 Holcomb Bridge Rd. is 2715 Holcomb Bridge Rd. is limited to 10,000 sq. ft. two story offices. Therefore under current restrictions the proposed use is not suitable. 2725 Holcomb Bridge Rd. has an existing assisted living facility in operation on the property; however, the restrictions in place for further development limit the expansion to a point that is not cost effective for the facility.

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

2725 Holcomb Bridge Rd. already has a 30 bed facility that has been in service for over two decades. The proposed is the expansion of an already suitable use for the area and future land use into both properties. In addition, the project will bring the site classification within the standard zoning classifications for the City of Roswell (O-P), versus limiting the property to regulations imposed by Fulton County 14 years ago. This will clean up the restrictions and make the site more suitable for development far into the future.

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

2725 Holcomb Bridge Rd. has been occupied steadily for many years, while 2715 Holcomb Bridge Rd. has been in use sporadically over the years and never developed as intended.

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.*

At this time it cannot be determined as to the efforts in selling the property. The property has been in receivership of a lending institution, and was purchased from the bank.

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

Possible creation of an isolated zoning district is unlikely. O-P classification has already been established along the north side of the property, and future development plans indicate stimulating more office and commercial uses friendly to residential districts along this stretch of the Holcomb Bridge corridor.

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

The proposed use falls into the suitable uses for the current and future use of the area. The proposed rezoning classification brings these sites more into the

scope of the proposed future land use for the area and should help anchor the future development of the surrounding properties to fit this vision.

19. *Whether a 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 zoning with variance approval will not have a negative effect on the development of adjacent or surrounding 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 current site is steeply sloped and well drained. The proposed project is intended to limit impact on the site as much as possible by integrating the building into the current grade of the site as much as possible, limiting site development to the Holcomb Bridge front of the property, and taking the necessary steps to maintain air and water quality.

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

The proposed rezoning classification brings these sites more into the scope of the proposed future land use for the area and should help anchor the future development of the surrounding properties to fit this vision.

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 project is intended to save the natural woods to the rear of the property and limit the street view of the building to the height intended for the proposed zoning and proposed future land use for the area. The residential view of the building will be protected by a buffer as required by the City of Roswell Zoning Ordinance.

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.*

1.21 Acres of O-P. Everything else is FC-A with either commercial, residential, or institutional use.