

R283-20 Thomas L. Bisanz/South Atlanta Street
Mr. McGuire said the petitioner was asking the Council to rezone the property from C-2 to C-3 conditional to allow him to build a shopping center that would include a restaurant. Mr. McGuire said the Fire Department requested a review of all plans and the City Engineer recommended an additional 27' of right-of-way along the entire property frontage on State Route 9, changing the total right-of-way to 52'; only one curb cut on South Atlanta Street, and the widening of State Route 9 as required by the Georgia Department of Transportation and the City Engineer. He said the Fulton County Health Department recommended that the project be connected to sanitary sewer and water available to the site. He said the Health Department also requires that the owner of the restaurant obtain a food service permit. He said the Future Land Use Plan indicates the area to be best suited to neighborhood commercial development. He said the Planning Staff recommended approval with the following conditions:

1. That sufficient right-of-way be dedicated to allow for a 52' of right-of-way from the centerline of State Route 9.
2. One curb cut on S. Atlanta Street.
3. Roadway improvements as required by the State Department of Transportation and the City Engineer.
4. That the development be connected to sewer and water lines.
5. That the site be developed to a maximum density of 8,500 sq. ft. of building area per acre.
6. That a 10' buffer be provided along the South property line.
7. That a revised site plan be submitted to the Zoning Office which incorporates all these conditions.
8. That any exterior lighting be of a type and style to ensure that there will be no illumination of adjacent property.
9. That the property be developed substantially in accordance with the Letter of Intent received on April 5, 1983 and a revised Letter of Intent received May 17,

Mr. McGuire stated that the applicant did not agree to conditions 5 and 6. He said the applicant's April 5 letter requested the C-3 zoning to allow him a broader tenant mix. He said the Planning Commission recommended approval. Mr. Wilbanks asked what they proposed in place of Condition #5. Mr. McGuire said they proposed 23,100 sq. ft. Mr. Wilbanks asked if they could still meet the parking requirements, and Mr. McGuire said they could. Mr. Childress asked what kind of restaurant would be located in the development. The petitioner said no specific tenant had been secured, but it would be a quality restaurant. Mr. Carlisle asked if any consideration had been given to the fact that a corner lot would yield less but Mr. McGuire said not specifically. Mr. Carlisle asked what the maximum square footage on the site would be if it remained C-2. Mr. McGuire said it is very close to maximum utilization.

Mr. Bisanz, with Southern Properties, stated that he had provided a site plan to the Council. He said his company asked for C-3 zoning because the C-2 would not allow a restaurant. He said some 3,500 to 4,000 sq. ft. would be allotted to the restaurant which would set the tone for the shopping center. He said the design would be in keeping with colonial style architecture. Mr. White asked if they would apply for a pouring license and Mr. Bisanz said they would. Mr. White noted that the development would be between two churches. Mr. Bisanz said it was his understanding that they had met all distance requirements. Mr. McGuire confirmed this. Mr. Wilbanks asked if they were making the site plan a condition of the zoning and Mr. Bisanz said they would incorporate all conditions except 5 and 6.

Mr. White asked if anyone in the audience would like to comment. Ernest Castor, Windsor Forest, representing the North Fulton Community Planning Council, spoke in favor of the proposal. Mr. Carlisle moved for approval of R283-20 with all conditions as presented with the exception of 5 and 6 and with the addition of site plan and renderings. This was seconded by Mr. Wilbanks. Mr. Temples noted that #5 had to do with the Letter of Intent of April 5; he asked if it should not be amended to May 17. Mr. McGuire said it should be.

Mr. Carlisle agreed to this and the motion was carried unanimously.

City of Roswell

617 Atlanta Street
Roswell, Georgia 30075

(404) 993-9541

RECEIVED

APR 18 1983

REZONING APPLICATION FORM

CITY OF ROSWELL
ZONING AND INSPECTION
DEPARTMENT

(Date)

CITY OF ROSWELL
ZONING AND INSPECTION DEPARTMENT

REZONING HEARING NO.: R283-20

I. DATES: A. PLANNING AND ZONING COMMISSION AT 7:30 P.M. ON May 17, 1983
B. MAYOR AND CITY COUNCIL AT 7:30 P.M. ON June 13, 1983

II. LOCATION 396, 408, 414 South Atlanta Street, Roswell, Georgia
IN LAND LOT(S) 382 and 417

First DISTRICT, Second SECTION, FULTON COUNTY.

III. PRESENT ZONING C-2 REQUESTED ZONING C-3

IV. ACREAGE 1.855 PROPOSED USE Shopping Center

V. OWNER OF RECORD Wynelle A. Coker 414 South Atlanta Street 396-1139
Margaret P. Lloyd 396 South Atlanta Street 993-8080

VI. PETITIONER Southern Communities, Inc.

7076 Peachtree Industrial Boulevard, Suite 100

Norcross, Georgia 30071 446-2330

THIS PETITION IS BEING SUBMITTED, BY THE UNDERSIGNED PETITIONER / OWNER AS:
CONDITIONAL X UNCONDITIONAL _____ (PLEASE CHECK ONE)

Signed:

Margaret P. Lloyd
(Owner) Margaret P. Lloyd

Wynelle A. Coker
Wynelle A. Coker

Thomas L. Bisanz
(Petitioner) Thomas L. Bisanz, President, Southern Communities, Inc.

MATERIALS CHECKLIST: TWENTY SIX (26) COPIES OF EACH ITEM REQUESTED ARE REQUIRED

☒ \$200.00 Application Fee _____

☒ Legal Description _____

☒ Letter of Intent (Required with conditional zoning request) _____

☒ Boundary Survey (Showing abutting property owners and zoning) _____

☒ Development Plan (Required with conditional zoning request) _____

☒ Rezoning Application Form _____

Signed:

Michael K. McGuire, Zoning Administrator

993-1851

Rezoning Application Form
Southern Communities, Inc., Petitioner

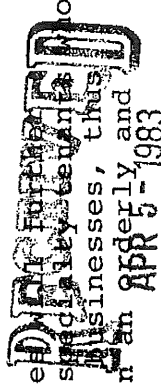
LETTER OF INTENT

It is our intent to develop the 1.855 acre tract located on South Atlanta Street, the subject of this rezoning petition, with a 23,100 sq. ft. specialty shopping center. The shopping center will be of colonial styled architecture having wood frame construction. The exterior will be a combination of brick and painted horizontal wood siding.

The property is currently zoned C-2. The site plan which we have submitted with this rezoning request is the same site plan which is approved by the City of Roswell and which represents the improvements which we intend to construct. We are requesting a C-3 zoning classification merely to facilitate a broader tenant mix. The rezoning classification is conditioned upon our agreement to lease only to the following uses which are permitted in a C-3 Highway Commercial District per Section 855.1 of the City of Roswell Zoning Regulations:

- (5) Banks and other financial institutions.
- (7) Business signs.
- (8) Commercial recreation facilities.
- (11) Office-commercial group projects, subject to the requirements of Article X, Section 1070.
- (15) Restaurants, bars, grills, and similar eating and/or drinking establishments, excluding drive-ins.
- (16) Retail stores or shops, including the making of products sold at retail on the premises, providing such manufacturing is incidental to the retail business or service, occupies less than thirty (30) percent of the total floor area, and employs not more than five (5) operators.
- (20) Personal service establishments such as barber and beauty shops, shoe repair shops, and laundromats.
- (22) Any use permitted in the C-1 and C-2 districts.
- (23) Retail bakery selling bakery products at retail on the premises, providing that:
 - (a) The size of any bakery permitted in this district shall be limited to five thousand (5,000) square feet of area, and the manufacturing employees shall be limited to not more than five (5) operators.
 - (b) The manufacturing is restricted to bakery products, and all bakery products manufactured on the premises will be sold on the premises.

We feel the above-mentioned additional use will enhance our efforts in leasing to small, specialty businesses, thus will serve the surrounding residences and businesses, thus localizing these service establishments in an orderly and aesthetic development.



CITY OF ROSWELL
ZONING AND INSPECTION
DEPARTMENT

APR 5 - 1983

Rezoning Application Form
Southern Communities, Inc., Petitioner

LETTER OF INTENT

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- (15) Restaurants, bars, grills, and similar eating and/or drinking establishments, excluding drive-ins.
- (22) Any use permitted in C-1(6) - business service establishments, such as blueprinting, duplicating and accounting; C-1(19) - tailor, dressmaking and millinery shops; C-1(20) - telephone and telegraph offices; and any use permitted in the C-2 district.

We feel the above-mentioned additional uses will further enhance our efforts in leasing to small, specialty tenants who will serve the surrounding residences and businesses, thus localizing these service establishments in an orderly and aesthetic development.

RECEIVED (AT PUBLIC HEARING)

MAY 17 1983

CITY OF ROSWELL
ZONING AND INSPECTION
DEPARTMENT

ASAC

DATE:

City of Roswell Planning Commission
617 Atlanta Street
Roswell, Georgia 30075

and

Mayor and City Council
City of Roswell
617 Atlanta Street
Roswell, Georgia 30075

RECEIVED

APR 18 1983

CITY OF ROSWELL
ZONING AND INSPECTION
DEPARTMENT

The undersigned, having an interest in the property herein described, respectfully petitions that said property be re-zoned from Use District C-2 to Use District C-3

LEGAL DESCRIPTION OF PROPERTY

See Attached

Attached is the fee to cover costs incidental to this petition

Wherefore, petitioner prays that the procedures incident to the presentation of this petition be taken, and the property re-zoned accordingly.

[Signature]
PETITIONER (Signature)
Thomas L. Bisanz, President
Southern Communities, Inc.

Address
7076 P'tree-Indus. Blvd., Ste. 100
Norcross, Georgia 30071 446-2330
City & State Phone Number

Personally appeared before me the above
Petitioner named Thomas L. Bisanz,
who on oath says that he
is the Pres. of So. Comm., Inc. for the foregoing,
and that all the above statements are
true to the best of his knowledge.

[Signature]
Notary Public My Commission Expires

June 1, 1986
(Date)

Notary Public, Georgia, State of Large
My Comm.

[Signature]
OWNER OF PROPERTY (Signature)

Margaret E. Lloyd
396 South Atlanta Street
Address

[Signature]
Roswell, Georgia 993-8080
City & State Phone Number

OWNER OF PROPERTY (Signature)
Wynelle A. Coker
414 South Atlanta Street
Address

Roswell, Georgia 396-1139
City & State Phone Number