



CITY OF WOODSTOCK

Application for Public Hearing

Important Notes:

1. Please check all information supplied on the following pages to ensure that all spaces are filled out accurately before signing this form. This page should be the first page of your completed application package.
2. All documents required as part of the application package shall be submitted at the same time as the application. Incomplete application packages WILL NOT BE ACCEPTED.
3. Please contact the Planning and Zoning Division of the Community Development Department at 770-592-6050 if you have any questions regarding the application package, this application or the public hearing process.

Contact Person: Dr. Eric Richards

Phone: (678) 525-1030

Applicant's Information:

Name: Dr. Eric J. Richards
8256 Main Street
Woodstock, GA 30188

Name: Dwelling Development, LLC./ DR. ERIC RICHARDS

Address: 8256 Main Street

City, State, Zip: WOODSTOCK, GA 30188

Phone: 678-525-1030 Fax: 770-517-2286

Property Owner's Information:

Name: ERIC RICHARDS EMAIL: DRERIC@HEALTHSPROUT.COM

Address: 8256 MAIN ST Phone: 678-525-1030

City, State, Zip: WOODSTOCK, GA 30188 Fax: 770-517-2286

Requested Public Hearing (check all that apply):

Annexation

Conditional Use Permit

Rezoning

Comprehensive Plan Amendment

Variance

Other: _____

STAFF USE ONLY:

Case: _____ # _____ - _____

Received by: _____

Fee Paid: \$ _____

Date: _____

PUBLIC HEARING SCHEDULE:

Public Input Meeting: _____

DPC Meeting Date: _____

Planning Commission: _____

City Council: _____

Other: _____

Property Information:

Location: Adair Park at Downtown Woodstock
8212 Main Street, 1.36 acres, DT-RO, 92N02 005
8256 Main Street, 1.58 acres, DT-CBD and DT-HO, 92N02 006

_____ Future Development Map Designation: 07A and T-6

Adjacent Zonings: North DT-RO South DT-CBD East DT-RO West N/A

Applicant’s Request (Itemize the Proposal, including code sections for Variance requests):

Adair Park variance requests:

Applicant is requesting a set of variances for approximately 1.58 acres at 8256 Main Street in Downtown Woodstock (west of Main Street at Linton Street) for the purpose of establishing a historically-appropriate attached mixed-use and/or residential building(s). Referencing the Municode, Applicant requests variances to side setbacks and minimum lot width (7.728) and to roof pitch 7.731 (#3) and detached architectural styles (#11).

Applicant is also requesting a variance for approximately 1.36 acres at 8212 Main Street in Downtown Woodstock (west of Main Street at Linton Street) for the purpose of establishing a coherent development height of its new mixed-use and/or residential building(s) on the Adair Park development property(ies) to the south. Referencing the Municode, Applicant requests variances to building height from Section 7.729 in the Building Façade and Materials Requirements Table (#20). Southern piece(s) of the development are zoned CBD and permitted 5 stories and 85 feet tall. Applicant requests increase in the DT-RO parcel at 8212 Main Street from 40 feet above street grade to 55 feet above street grade to create a consistent and coherent massing and vernacular between the new buildings of Adair Park in the north and south parcels. Applicant also requests an increase in density from eight to nine units per acre on this parcel only.

Proposed Use(s) of Property: Mixed-Use development – residential, commercial and office

Infrastructure Information:

Is water available to this site? X Yes ___ No Jurisdiction: WOODSTOCK

How is sewage from this site to be managed?

PUBLIC SEWER

Will this proposal result in an increase in school enrollment? Yes__ No X

If yes, what is the projected increase? _____ students

Proposed Use(s)	# of units	Multiplier	Number of Students
Single Family (Detached) Home		0.725	
Multi Family (Attached) Home		0.287	

Traffic Generation:

If a traffic study is not required as part of this application, complete the following charts to estimate traffic generated by the proposal. Information for additional residential and all commercial/industrial development shall follow the summary of ITE Trip Generation Rates published in the Transportation Planning Handbook by the Institute of Transportation Engineers.

What is the estimated number of trips generated? N/A trips

Code	Land Use(s)	# of units*	Daily Trip Ends	Number of Trips
210	Single Family Home/ Townhome		9.57	
220	Apartment		6.63	

• A unit for residential purposes is equal to one residential unit. For commercial/industrial uses it is defined in the ITE table, but most often is equal to 1,000 square feet of floor area for the use specified.

Authorization:

Upon receipt of the completed application package, the Community Development Department shall notify the applicant of scheduled date, times, and locations of the public meetings/hearings. The applicant or a representative must be present to answer any questions that may be asked. In the event that an application is not complete, the case may be delayed or postponed at the discretion of the department.

This form is to be executed under oath. I, ERIC RICHARDS, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Application for Public Hearing is true and correct and contains no misleading information.

This 3 day of JANUARY, 2017.

Print Name ERIC RICHARDS.

Applicant Signature _____

APPLICANT RESPONSE STATEMENT

APPLICANT RESPONSE STATEMENT- VARIANCES for 8212 Main Street in Downtown Woodstock

Applicant is requesting a variance for approximately 1.36 acres at 8212 Main Street in Downtown Woodstock (west of Main Street at Linton Street) for the purpose of establishing a coherent development height of its new mixed-use and/or residential building(s) on the Adair Park development property(ies) to the south. Referencing the Municode, Applicant requests variances to building height from Section 7.729 in the Building Façade and Materials Requirements Table (#20). Southern piece(s) of the development are zoned CBD and permitted 5 stories and 85 feet tall. Applicant requests increase in the DT-RO parcel at 8212 Main Street from 40 feet above street grade to 55 feet above street grade to create a consistent and coherent massing and vernacular between the new buildings of Adair Park in the north and south parcels. Applicant also requests an increase in density from eight to nine units per acre on this parcel only.

This property designated as DT-RO in the 2016 Zoning Map, and T6 Urban Core designation in the Future Development Map. Applicant intends to satisfy desire for more mixed-use development in the T6 Urban Core of Downtown Woodstock, and wants to do so in new buildings designed to appeal to potential customers/clients, residents and to the historic intentions of the City.

Historical precedents abound for this height of attached mixed-use and/or residential buildings. They can be found in any and in old downtown areas across Georgia and the South, and in new downtowns that are designed to be historically appropriate (ie Downtown Woodstock). They allow for excellent flexibility, particularly for mixing uses – office above commercial or residential above commercial, or all three in one structure – than to be deployed in lower structures. They also allow for spectacular rooftop terrace options above top-floor flagship penthouse units, commanding higher and premium price points for Downtown Woodstock residences.

Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance. In fact, it would likely result in more mixed-use opportunities for the parcel, plus the aforementioned higher price points for the residential components.

Special circumstances or conditions applying to the building or land or building and land in question are peculiar to the Adair Park properties only (designated on the west side of Main Street) and do not apply generally to other land or buildings in the vicinity (east of the property, for example).

Authorizing the variance will not impair adequate supply of light and air to adjacent property or unreasonably increase the congestion of public streets, increase the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding areas or in any other respect impair the health, safety, comfort, morals or general welfare of the inhabitants of the City. In fact, it should enhance property values, as these new premium residences would likely sell for higher price points.

APPLICANT RESPONSE STATEMENT- VARIANCES for 8256 Main Street in Downtown Woodstock

Applicant is also requesting a set of variances for approximately 1.58 acres at 8256 Main Street in Downtown Woodstock (west of Main Street at Linton Street) for the purpose of establishing a historically-appropriate attached mixed-use and/or residential building(s). Referencing the Municode, Applicant requests variances to side setbacks and minimum lot width (7.728) and to roof pitch 7.731 (#3) and detached architectural styles (#11).

This property current falls under the Historic Overlay district in Downtown Woodstock, and is designated as DT-CBD

Central Business District in the 2016 Zoning Map, and T6 Urban Core designation in the Future Development Map. Applicant intends to satisfy desire for more mixed-use development in the T6 Urban Core of Downtown Woodstock, and wants to do so in new buildings designed to appeal to potential customers/clients, residents and to the historic intentions of the City.

Applicant requests variances of the current Historic Zone Requirements (Section 7.731.):

* 7.731.3 *Flat roofs shall be prohibited.* Applicant requests a flat roof option for the new building(s), but one that follows all historical precedents for period-specific attached mixed-use and/or residential buildings.

* 7.731.11 *Buildings shall be one of the following five (5) architectural styles (Craftsman, Folk, Simple Queen Anne, Colonial Revival, Gothic Revival).* Applicant requests an attached option to the single-family detached options presented, but one that follows all historical precedents for period-specific attached mixed-use and/or residential buildings.

Applicant requests variances of the current Historic Zone Requirements (Section 7.728.) – Downtown Site Limits Table under DT-HO:

* 7.728. *Minimum Lot Width of 40'.* Applicant requests a minimum lot width option of 20', to better allow for a mixed-use, residential or live/work option that follows all historical precedents for period-specific attached mixed-use and/or residential buildings.

* 7.728. *Side Setback Minimum of 5'.* Applicant requests a side setback minimum option of 0', to better allow for a mixed-use, residential or live/work option that follows all historical precedents for period-specific attached mixed-use and/or residential buildings.

Historical precedents abound for these types of attached mixed-use and/or residential buildings. They can be found in any old downtown square (ie Marietta Square) and in new downtowns that are designed to be historically appropriate (ie Downtown Woodstock). They make a lot more sense (historically and usefully) particularly for mixing uses – office above commercial or residential above commercial – than to be deployed in a single-family detached residential-looking house.

Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance. In fact, it would likely result in more commercial opportunities for new goods and services to come to Downtown Woodstock, and putting those within walking distance of the new and existing residents.

Special circumstances or conditions applying to the building or land or building and land in question are peculiar to the historic overlay properties only (designated on the west side of Main Street) and do not apply generally to other land or buildings in the vicinity (east or north of the property).

Authorizing the variance will not impair adequate supply of light and air to adjacent property or unreasonably increase the congestion of public streets, increase the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding areas or in any other respect impair the health, safety, comfort, morals or general welfare of the inhabitants of the City.

CONFLICT OF INTEREST CERTIFICATION

The undersigned below, making application for a zone change has complied with the O.C.G.A. § 36-67A, et. Seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided. Title 36 relates to disclosure of financial interests, campaign contributions, and penalties for violating O.C.G.A.

Signature of Applicant: _____ Date: 1/03/2017

Print Name: ERIC RICHARDS

Signature of Applicant's Attorney: _____ Date: 1/03/2017

Print Name: HOWARD SLOMKA Title: _____

Sworn to and Subscribed before me this: 3 day of JANUARY, 2017.

Notary Signature: _____

(Notary Seal)

DISCLOSURE STATEMENT

Nothing in Chapter 36 of OCGA shall be construed to prohibit a local government official from voting on a zoning decision when the local government is adopting a zoning ordinance for the first time or when a local government is voting upon a revision of the zoning ordinance initiated by the local government pursuant to a comprehensive plan as defined in Chapter 70 of this title.

X No, I have not made any campaign contribution to City Officials voting on this application exceeding \$250 in the past two years.

___ Yes, I have made campaign contributions to City Officials voting on this application exceeding \$250 in the past two years.

To Whom: _____

Value of Contribution: _____

Date of Contribution: _____

Signature of Applicant: _____ Date: 1/3/2016

Print Name: ERIC RICHARDS

Sworn to and Subscribed before me this: 3 day of JANUARY, 2017.

Notary Signature: _____

(Notary Seal)

AUTHORIZATON OF PROPERTY OWNER

I, ERIC RICHARDS, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Cherokee County/City of Woodstock, Georgia.

He/She authorizes the person named below to act as applicant in the pursuit of a request for:

Annexation

Conditional Use Permit

Rezoning

Comprehensive Plan Amendment

Variance

Other: _____

I hereby authorize the staff of the City of Woodstock, Department of Planning and Economic Development to inspect the premises which are subject of the application.

Applicant's Information:

Name: Dr. Eric J. Richards / Dwelling Development

Address: 8256 Main Street Phone: (678) 525-1030

City, State, Zip: Woodstock, GA 30188 Fax: 770-517-2286

Signature of Owner: _____ Date: 1/3/2017

Print Name: ERIC RICHARDS

Sworn to and Subscribed before me this: 3 day of JANUARY, 2017__.

Notary Signature: _____

(Notary Seal)

PROPERTY TAX VERIFICATION

The undersigned below is authorized to make this application. The undersigned certifies that all City Taxes/ Cherokee County property taxes, billed to date for the parcel listed below have been paid in full the Tax Official of the City of Woodstock, Georgia. In no case shall an application or reapplication for rezoning be processed without such property verification.

*Note: A separate verification form must be completed for each tax parcel included in rezoning request.

Tax Map #: N Parcel#: 92N02 005 and 92N02 006

Signature of Applicant: _____ Date: 1/3/2017

Print Name: ERIC RICHARDS

TAX OFFICIAL USE ONLY:

Payment of all property taxes billed to date for the above referenced parcel have been verified as paid current and confirmed by the signature below.

Signature of Tax Official: _____ Date: _____

Title: _____

Application Package Checklist:

Submit the following items, which are attached and made a part of this application:

- ___ Application for Public Hearing Summary (pages 1-3)
- ___ Applicant Response Statement (page 4a and/or 4b)
- ___ Conflict of Interest Certification (page 5)
- ___ Disclosure Statement (page 6)
- ___ Authorization of Property Owner (page 7)
- ___ Verification of Current Taxes Paid (page 8)
- ___ **Vesting Deed**
- ___ **Legal Description(s)**
- ___ **Boundary Survey**
- ___ **Site Plan (One 24x36 and one 11x17 copy) -- illustrate by variance # (pointing to it in picture):
what we want to do in a clean list (or elevation)**
- ___ **Location Map**
- ___ **Property Owner's Tax Receipt**
- ___ Existing Site Resources Map
- ___ **Future Development Map and Zoning Map with location identified**
- ___ Traffic Study (if required)
- ___ **Public Input Plan**