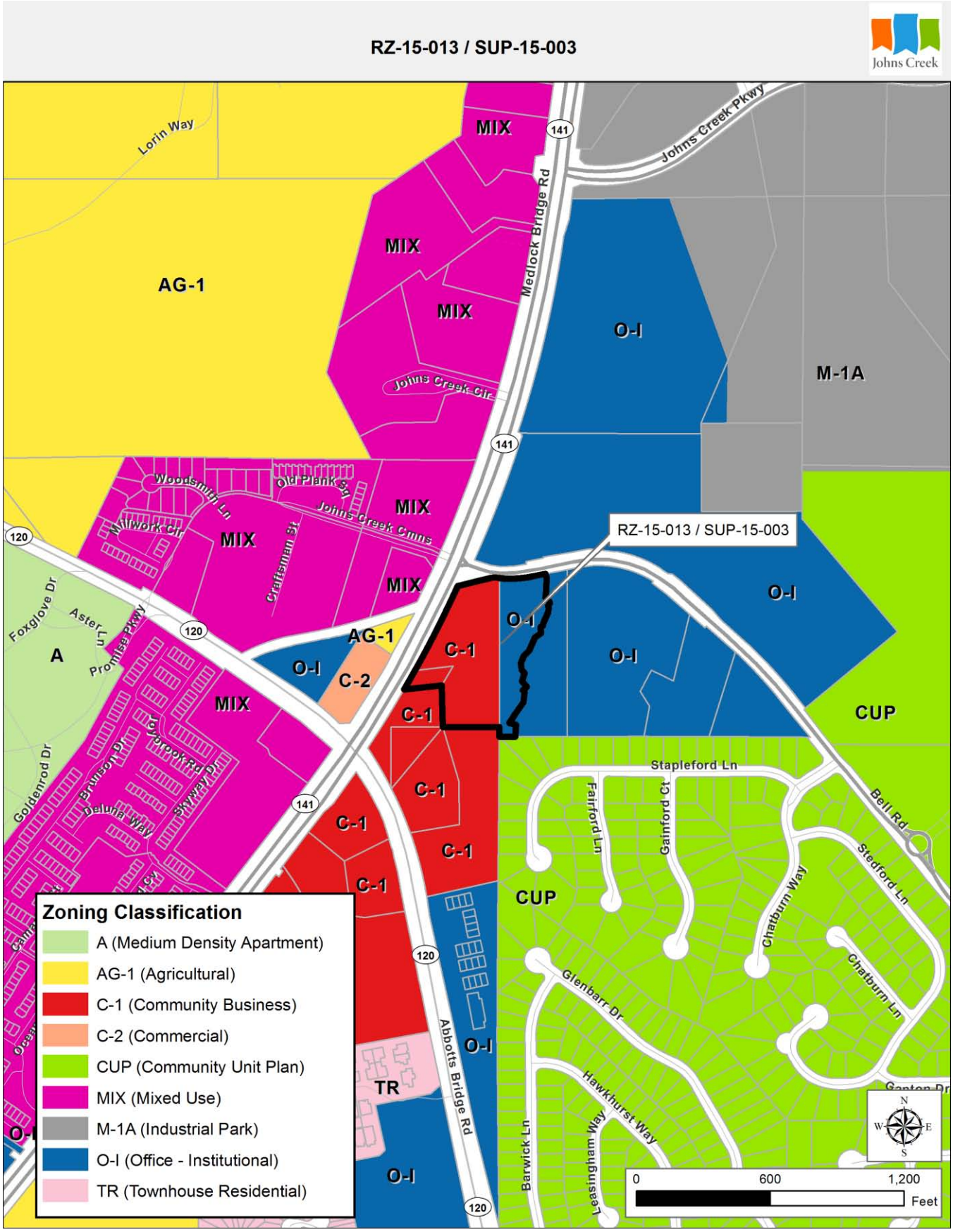
Johns Creek

Land Use Petition RZ-15-013, SUP-15-003
Concurrent Variances VC-15-013-01 and VC-15-013-02
Date of staff recommendation preparation: November 16, 2015
Revised to incorporate Planning Commission recommendations: December 2, 2015

PROJECT LOCATION:	10900 Block of Medlock Bridge Road 10900 Block of Bell Road
DISTRICT/SECTION/LANDLOT(S):	1st District, 1st Section, Land Lots 359 and 372
ACREAGE:	6.3 acres
EXISTING ZONING	C-1 (Community Business District) Conditional and O-I (Office – Institutional District) Conditional
PROPOSED ZONING:	C-1 (Community Business District)
FUTURE DEVELOPMENT MAP DESIGNATION:	Character Area 9: 141 Corridor Activity Node
APPLICANT:	NorSouth Development Company of Georgia 2000 Riveredge Parkway, Suite 950 Atlanta, GA 30328 Contact: Nathan V. Hendricks III 770-850-8282
OWNER:	JSW Enterprises, LLC 1031 Lawrenceville Highway Lawrenceville, GA 30045 978-300-1394
PROPOSED DEVELOPMENT:	170-unit active adult apartment development. Special Use Permit to exceed 60-foot maximum height by up to 10 feet. Concurrent variances to eliminate the 40-foot landscape strip along Medlock Bridge Road and eliminate the 25-foot landscape strip along Bell Road.
STAFF RECOMMENDATION:	**APPROVAL with conditions**


RZ-15-013 / SUP-15-003
Johns Creek
Lorin Way
AG-1
MIX
Medlock Bridge Rd
Johns Creek Pkwy
O-I
M-1A
Johns Creek Cir
Woodsmith Ln
Old Plank Sq
Johns Creek Cmns
Millwork Cir
Craftsman St
RZ-15-013 / SUP-15-003
Foxglove Dr
Aster Ln
Promise Pkwy
A
AG-1
C-1
C-2
CUP
Goldenrod Dr
Brunson Dr
Deluna Way
Skyway Dr
Stapleford Ln
Fairford Ln
Gainford Ct
Bell Rd
Stedford Ln
Chatburn Way
Chatburn Ln
Glenbarr Dr
Hawkhurst Way
Barwick Ln
Leasingham Way
Abbotts Bridge Rd
TR
Zoning Classification
A (Medium Density Apartment)
AG-1 (Agricultural)
C-1 (Community Business)
C-2 (Commercial)
CUP (Community Unit Plan)
MIX (Mixed Use)
M-1A (Industrial Park)
O-I (Office - Institutional)
TR (Townhouse Residential)
0
600
1,200
Feet
N
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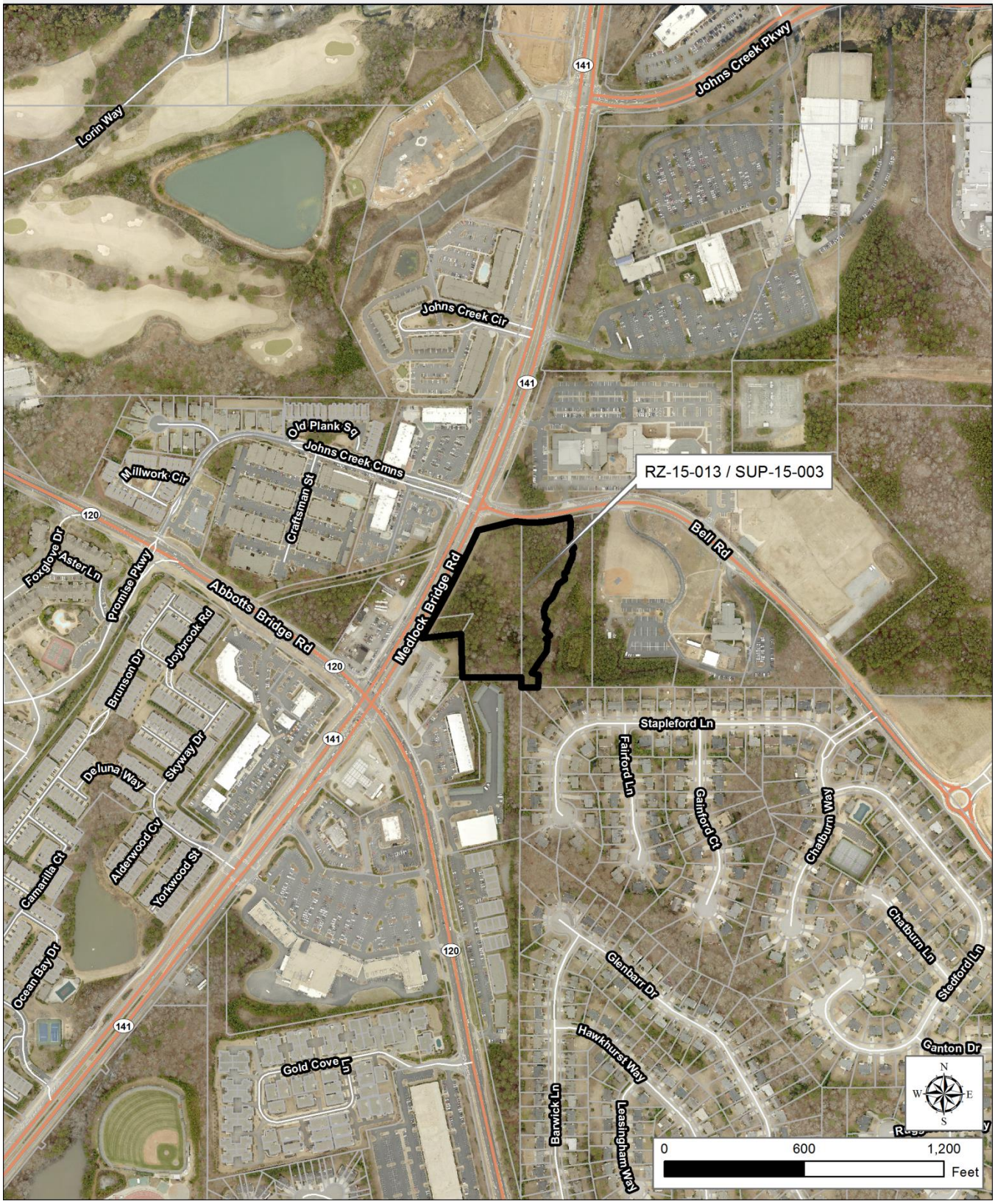
W

RZ-15-013 / SUP-15-003



PROJECT DATA

The applicant requests rezoning of three parcels totaling 6.3 acres from C-1 (Community Business District) Conditional and O-I (Office – Institutional District) Conditional to C-1 (Community Business District) in order to develop a 170-unit active adult apartment building (26.98 units per acre), which will include a 2,000-square-foot restaurant and 350-square-foot yoga studio. The property is located on the southeast corner of Medlock Bridge Road and Bell Road and is within the Abbotts Bridge Road/Medlock Bridge Road Activity Node in Character Area 9: 141 Corridor on the Future Development Map. The site is currently undeveloped and wooded, with a stream running along the eastern edge of the property.

The two western parcels on the site are currently zoned C-1 Conditional under Fulton County zoning case Z-67-065, and the easternmost parcel is currently zoned O-I Conditional under Fulton County zoning case Z-94-031 NFC. While the C-1 parcels could be developed with an active adult community up to 60 feet in height under its current zoning, conditions on the O-I parcel limit it to church and accessory uses at no more than two stories and without a new access point onto Bell Road.

The site plan provided by the applicant shows two five-story apartment buildings connected by walkways, with the commercial uses on the ground floor of the northernmost building. 225 parking spaces are shown within a structured parking deck, with 50 additional surface parking spaces. One access point is shown on Bell Road, with no inter-parcel connectivity or access onto Medlock Bridge Road. The applicant has stated that there may potentially be future access directly onto the Johns Creek Presbyterian property to the east.

Architectural elevations provided by the applicant show a five-story structure with a maximum height of 66 feet, requiring a Special Use Permit to exceed the maximum C-1 district height by up to 10 feet. West side elevations indicate that approximately three of the five stories will be above the level of Medlock Bridge Road. Additionally, the applicant has requested concurrent variances to eliminate the 40-foot landscape strip along Medlock Bridge Road to accommodate a Georgia Power easement and the 25-foot landscape strip along Bell Road to allow for a fire truck turnaround required by the Fire Marshal and a roadway expansion required by the City of Johns Creek. Both landscape strips would be replanted to the greatest extent allowable.

STAFF ANALYSIS

The applicant is requesting the rezoning of three parcels from C-1 (Community Business District) Conditional and O-I (Office – Institutional District) Conditional to C-1 (Community Business District) in order to construct an active adult apartment facility totaling approximately 254,385 square feet in 170 units at a density of 26.98 units per acre. The C-1 zoning district permits apartments above or behind commercial and office uses within the same building. The development would include 80 one-bedroom and 90 two-bedroom units, along with a 2,000-square-foot restaurant and 350-square-foot yoga studio. The 6.3-acre subject property is located on the southeast corner of Medlock Bridge Road and Bell Road. The western parcel is zoned C-1, while the eastern parcels are zoned O-I with conditions limiting it to church and accessory uses without any new access points onto Bell Road. The site is currently undeveloped and wooded and has a stream running roughly north-to-south along its eastern boundary. Staff has recommended a condition that the three parcels be consolidated prior to the approval of a Land Disturbance Permit.

Nearby and adjacent uses include two churches immediately to the east and north, commercial and retail development to the south, and commercial and mixed-use development to the west across Medlock

Bridge Road. The Reserve at Foxdale single-family detached residential subdivision is located to the southeast, and the Palisades at Bellmoore Park single-family detached residential subdivision is located to the east along Bell Road. The proposed active adult apartment development is consistent in use and scale with these surrounding uses, and would likely have a relatively minor impact on existing streets, transportation facilities, schools, or utilities. An increase in EMS-related calls could be expected, although not to the degree expected from an assisted living facility or similar use.

The development would require 12 off-street parking spaces for the restaurant and yoga studio (1 space per 200 square feet) and 213 spaces for the 170 apartment units (1.25 spaces per unit), for a total of 225 spaces. Site plans show 225 spaces in a parking deck on the west side of the property, along with 50 additional surface parking spaces to the north and east of the structure. Several of these surface spaces will likely need to be replaced by parking lot trees in order to meet parking lot landscaping requirements. The development's use of decked parking reduces the need for surface parking area, which allows for a more compact development that minimizes encroachments into environmentally sensitive areas and contributes to the Comprehensive Plan's goals of encouraging more walkable, higher-intensity housing types in this location. Elevations provided by the applicant show that the top of the parking deck will be below the level of Medlock Bridge Road, which would help to minimize its visual impact on the public right-of-way provided that adequate landscaping is provided.

The City of Johns Creek Future Development Map identifies the property as being within the Abbotts Bridge Road/Medlock Bridge Road Activity Node in Character Area 9: 141 Corridor. Policies for this area emphasize the development of a relatively high-intensity, mixed-use, walkable, and accessible boulevard corridor, with a stated goal of allowing for senior citizens to "age in place" in higher-density housing types. Senior housing is listed as an appropriate use, and apartments are encouraged at up to six stories in height. While the Comprehensive Plan identifies residential density of up to 12 units per acre as appropriate in this location, the reduced impact of active adult apartments on transportation infrastructure when compared to allowable uses under current zoning conditions would likely mitigate the relatively high number of units per acre in the proposed development. Additionally, there are several active adult, senior housing, or assisted living facilities near the subject property within the 141 Corridor Character Area that have comparable or higher densities, including:

- Sunrise of Johns Creek: 42 units per acre
- HearthSide: zoned for 51 units per acre, constructed at 36.73 units per acre
- Ashford Meadows: 23.9 units per acre
- Medlock Bridge Road at Parsons Road project: 18.30 units per acre

Initial plans indicated the need for a stream buffer variance. Since that time, the applicant has reworked the plan to eliminate the need for this variance. The only impact to the stream buffer will now be a stub road into the adjoining property for future interconnectivity, which is allowed to encroach into the buffer. The applicant has submitted revised site plans that do not require a stream buffer variance. The proposed development would be unlikely to lead to any other environmentally adverse impacts.

The subject property is located along the heavily commercialized Medlock Bridge Road corridor with access onto Bell Road, which will be improved in the near future in cooperation with the City of Johns Creek and the developers of the Bellmoore Park subdivision. Although the development exceeds the maximum permitted building height, the topography of the site reduces any potential visual impacts. In addition, the applicant is constructing structured parking which minimizes the amount of surface parking needed to accommodate residents. Therefore, because the proposed rezoning would be in keeping with the policies and intent of the Comprehensive Plan and would be suitable in view of its impacts on

adjacent and nearby property, the Department of Community Development recommends **APPROVAL with conditions of RZ-15-013**.

The applicant has also requested a Special Use Permit to exceed the maximum building height in the C-1 zoning district by up to 10 feet. Architectural elevations show a maximum building height of 61 feet on the west side along Medlock Bridge Road, 49 feet on the south side, and 66 feet on the northeast corner of the structure. Approximately three floors will be above the level of Medlock Bridge Road and the site slopes downward from Bell Road, which reduces the visual impact of the structure on these rights-of-way. The proposed structure would be on the opposite side of a 100-foot-wide stream buffer from the neighboring property to the east, which ensures that a natural vegetated buffer will remain. Because of these considerations, and because the Comprehensive Plan allows for structures of up to six stories in height at this location, the Department of Community Development recommends **APPROVAL with conditions of SUP-15-013**.

Concurrent variance VC-15-013-01 seeks to eliminate the 40-foot landscape strip along Medlock Bridge Road. The east side of Medlock Bridge Road currently has power lines running roughly parallel to the right-of-way, with a Georgia Power easement extending approximately 30 feet from the subject property's west property line. This easement prevents the applicant from planting this area to landscape strip standards. The easternmost 10 feet of the landscape strip is not within the easement and would be planted to landscape strip standards, except for a paved turnaround area required by the Fire Marshal that extends approximately 25 feet into the landscape strip. Because the presence of the stream along the eastern edge of the property would prevent the applicant from shifting the structure to the east, and because the proposed encroachments into the landscape strip are the result of restrictions from the Fire Marshal and Georgia Power, the Department supports V-15-013-01, provided that the applicant install the maximum allowable amount of vegetation within the Georgia Power easement. Therefore the Department of Community Development recommends **APPROVAL with conditions of VC-15-013-01**.

Concurrent variance VC-15-013-02 seeks to eliminate the 25-foot landscape strip along Bell Road. The applicant requested the elimination of the landscape strip while in discussions with the Department of Public Works about future right-of-way dedications that had the potential to significantly reduce the area between Bell Road and the internal driveway. However, updated site plans show that an encroachment of less than 10 linear feet into the landscape strip from the required fire truck turnaround area is necessary, and the remainder of the landscape strip can be planted as required. Because the property's topography prevents significant shifts in site layout, and because the proposed encroachment is limited in nature, the Department of Community Development recommends **APPROVAL with conditions of VC-15-013-02**. The Department recommends as a condition of approval that the landscape strip encroachment be limited to 10 linear feet as shown on the site plan.

STAFF RECOMMENDATION

Based upon the findings and conclusions herein, Staff recommends **APPROVAL** of Land Use Petitions **RZ-15-013 and SUP-15-003** and concurrent variances **VC-15-013-01 and VC-15-013-02**, **with conditions**:

1. All previous zoning conditions shall no longer apply to the property.

2. The three parcels shall be consolidated thorough the City of Johns Creek Minor Plat process prior to issuance of a Land Disturbance Permit.

3. Allow the subject property to include:

a. Active adult apartments and accessory uses and structures in an age-restricted community regulated by the Fair Housing Act of 1968 and Housing for Older Persons Act of 1995 (HOPA)
b. No more than 170 total residential units
c. Service commercial uses totaling no more than 2,500 square feet
d. A maximum of 255,000 heated square feet.

4. The site shall be developed in general accordance with the site plan received by the City of Johns Creek Community Development Department dated November 16, 2015, with minor modifications to meet zoning conditions, zoning regulations, and development regulations.

5. Building elevations shall be in general accordance with elevations submitted to the Community Development Department dated October 14, 2015 and November 16, 2015.

6. Owner/Developer shall provide documentation from Georgia Power detailing allowable planting in the easement along Medlock Bridge Road and shall provide the maximum amount of vegetation allowable within the easement. A planting plan shall be subject to the approval of the Community Development Director prior to the issuance of a Land Disturbance Permit.

7. The reduction of the landscape strip along Bell Road shall be limited to 10 linear feet.

8. The applicant shall provide a 20-foot-wide dedicated sanitary sewer easement between the proposed project and an existing Fulton County-maintained sanitary sewer manhole. The proposed sanitary sewer connection must be a gravity-run line between the property boundary of the proposed project and an existing Fulton County maintained sanitary sewer manhole.

9. Owner/Developer shall provide no more than one (1) full access driveway from Bell Road. The curb cut location shall meet the minimum requirements for spacing and sight distance and is subject to approval by the City of Johns Creek Director of Public Works.

10. No vehicular access will be allowed from the site onto Medlock Bridge Road.

11. Owner/Developer shall dedicate at no cost to the City of Johns Creek along the entire frontage of Medlock Bridge Road such sufficient right-of-way as may be required to provide an eleven foot (11') wide right turn lane onto Bell Road, and such additional right-of-way to provide at least eleven feet (11') of right-of-way from back of curb or one foot (1') from edge of sidewalk whichever is greater, prior to the issuance of a Land Development Permit and as approved by the City of Johns Creek Director of Public Works.

12. Owner/Developer shall dedicate at no cost to the City of Johns Creek along the entire frontage of Bell Road such sufficient right-of-way as may be required for the following improvements on Bell Road:
    - an eleven foot (11') wide deceleration lane into the site
    - one eastbound thru lane
    - two left turn lanes and one combined thru/right turn lane on the westbound approach
    - a five foot (5') wide sidewalk

    Said right-of-way shall be dedicated prior to the issuance of a Land Disturbance Permit and as approved by the City of Johns Creek Director of Public Works.

13. Owner/Developer shall construct a 100' deceleration lane with a 50' taper at the project entrance on Bell Road or as may be required by the City of Johns Creek Director of Public Works, or provide the funding for such improvement to the City of Johns Creek as part of a larger Medlock Bridge Road intersection improvement as determined by the City of Johns Creek Director of Public Works.

14. Owner/Developer shall construct a minimum five foot (5') wide sidewalk along the entire frontage of Medlock Bridge Road and along the entire frontage of Bell Road, or as may be required by the City of Johns Creek Director of Public Works. Said sidewalk along Medlock Bridge Road may be within the existing Georgia Power Company easement.

15. Owner/Developer shall relocate/replace guardrail along the entire frontage of Medlock Bridge Road in accordance with the GDOT Flex Lane project, or as may be required by the City of Johns Creek Director of Public Works.

PLANNING COMMISSION RECOMMENDATION

Based upon the findings and conclusions herein, at its December 1, 2015 public hearing, the Planning Commission recommends **APPROVAL, With Conditions** of Land Use Petitions **RZ-15-013 and SUP-15-003** and concurrent variances **VC-15-013-01 and VC-15-013-02**, subject to staff-recommended conditions (see above).

STANDARDS OF REVIEW - REZONING

A. Whether or not the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property?

The surrounding zoning, land uses and development criteria are as follows:

Adjacent & Surrounding Properties	Zoning (Petition Number)	Land Use	Density Non-Residential (SF/Acre) Residential (Units/Acre)
Adjacent: North (across Bell Road)	O-I Conditional (RZ-09-006)	Johns Creek United Methodist Church	9,824 sf/acre
Adjacent: East	O-I Conditional (RZ-14-014)	Johns Creek Presbyterian Church	5,568 sf/acre
Adjacent: West (across Medlock Bridge Road)	MIX Conditional (Z-03-145, RZ-07-014, RZ-11-003)	Johns Creek Walk	Multiple
Adjacent: West (across Medlock Bridge Road)	AG-1	Agricultural product sales	N/A
Adjacent: West (across Medlock Bridge Road)	C-2 Conditional (Z-97-088)	Automotive sales	2,468 sf/acre
Adjacent: South	C-1 Conditional (Z-67-065)	Undeveloped	N/A
Adjacent: South	C-1 Conditional (Z-00-109)	Service station	2,123 sf/acre

Adjacent: South	C-1 Conditional (RZ-08-003)	Retail	6,810 sf/acre
Adjacent: South	C-1 Conditional (Z-00-007)	Self-storage	15,070 sf/acre
Adjacent: South	CUP (Z-92-046)	Single-family detached subdivision (The Reserve at Foxdale)	3.07 units/acre
Nearby: East	CUP (RZ-13-003)	Single-family detached subdivision (Palisades at Bellmoore Park)	2.97 units/acre

The area near the subject property is characterized by churches immediately to the north and east, retail and service commercial to the south and west, and residential to the southeast. The mixed-use Johns Creek Walk development is located to the west and northwest across Medlock Bridge Road and the Palisades at Bellmoore Park residential subdivision is located to the east along Bell Road. Active adult apartments would be suitable in view of the use and usability of these properties.

B. Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?

Active adult apartments would be unlikely to adversely affect the existing use or usability of adjacent or nearby properties. Nearby retail and institutional uses would have the residents of 170 new units within walking distance, and residential uses would unlikely be burdened with excessive new traffic or visual impacts from the proposed development. The development would not generate enough traffic to require a traffic impact study.

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

The subject property has a reasonable economic use as currently zoned.

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

The proposed development of 170 residential units would be expected to generate an increase in automobile trips and utility usage over current conditions. However, the development of active adult apartments is likely to have a relatively moderate impact on utilities, and resident driving would be limited, minimizing impacts on existing streets and transportation facilities. Similarly, there would be no impact on local schools. At the same time, an increase in service calls for EMS-related activity would be anticipated with this development. There were 587 calls for service in Johns Creek in 2014, and the proposed development would be likely to increase this number in future years. However, age-restricted apartments do not generate as many calls as assisted living and skilled nursing facilities.

E. Whether the proposal is in conformity with the policy and intent of the Comprehensive Plan including the land use element?

The subject property is located within the Abbotts Bridge Road/Medlock Bridge Road Activity Node in Character Area 9: 141 Corridor on the Future Development Map. Policies for this area call for Medlock

Bridge Road to evolve from being a "sprawling strip commercial store to Johns Creek's premier boulevard." Senior housing and mixed-use developments are listed as appropriate uses in this location.

The Comprehensive Plan also calls for this Character Area to allow for "community seniors to 'Age in Place'." The corridor is to become a viable option for seniors and empty-nesters that are looking for higher-density, more walkable residential options. The proposed scale of the building would be in keeping with Character Area's prescriptions of 4-6 stories within the Activity Node, and although the residential density would be above the desired 5-12 units/acre, active adult apartments are likely to generate fewer negative impacts on nearby properties than similarly scaled multi-family residential development. In addition, the City recently approved an amendment to the Comprehensive Plan that encourages this type of senior housing within Activity Nodes.

F. Whether there are other existing or changed conditions affecting the use and development of the property which gives supporting ground for either approval or disapproval of the proposal?

The City has approved rezoning cases for assisted living or active adult developments in three locations since 2007 within the 141 Corridor, which gives supporting ground for approval of the proposal.

G. Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of the City of Johns Creek.

There is one stream that runs along the site's eastern boundary, along which the property would be subject to a 50-foot undisturbed stream buffer and additional 25-foot impervious surface setback. The applicant has submitted revised site plans that do not require a stream buffer variance. There are no other proposed uses that would be considered environmentally adverse.

DEPARTMENT COMMENTS

PUBLIC WORKS

1. City of Johns Creek has 2 Capital Improvement Projects located in the vicinity of property to be considered for rezoning. Reference the following project numbers for details on these projects:
    - **Improvements on Bell Road at Medlock Bridge Road (RZ-13-003)** - These improvements were required of the developer of the Bellmoore subdivision and as a requirement of ARC as a Development of Regional Impact (DRI).
    - **Widening on Medlock Bridge Road –** The City of Johns Creek has applied for a Tiger Grant for the addition of Flex lanes on Medlock Bridge Road.
2. Curb cut locations and alignments are subject to an approved sight distance plan and the approval of the City of Johns Creek Director of Public Works.
    a. Note that Medlock Bridge Road is a State route
    b. Ensure that the R/W is cleared of all obstructions that may limit the sight-distance of the driver. This includes at a minimum all trees and/or shrubs and fencing. Coordinate all improvements in the R/W with the City's Director of Public Works.
    c. Line of sight must remain entirely in the right-of-way. Additional right-of-way or a permanent easement may need to be dedicated to meet this requirement.
3. Curb cut locations shall meet the minimum requirements for spacing and sight distance and are subject to approval by the City of Johns Creek Director of Public Works.

4. Owner/Developer shall provide ADA compliant pedestrian access from the building frontage to the sidewalk along Medlock Bridge Road and Bell Road.

5. Show required right-of-way and deceleration lane on site plan.

6. Show the location of required detention and water quality facilities.

WATER AND SEWER

WATER:

Anticipated water demand: 100 gallons per day (gpd) per 1,000 square feet (sq. ft.) x 350 (fitness center/retail space) square feet = 35 gallons per day (gpd) plus 15 gallon per day (gpd) per 15 square feet (restaurant space) x 2,000 sq. ft. = 2,000 gallons per day (gpd) plus 270 gallons per day (gpd) per rental housing unit x 170 units = 45,900 gallons per day gpd for a total daily water usage = 47,935 gallons per day (gpd).

This project is within the Fulton County Government water service jurisdiction. There is a 16-inch water line along the west side of Medlock Bridge Road and a 30-inch water line along the south side of Bell Road there is that can service this location.

SEWER:

Basin: Johns Creek
Treatment Plant: Johns Creek
Anticipated sewer demand: 43,142 gallons per day

There are two sanitary sewer manholes located approximately 300 feet southeast of the southeastern property comer of the 2.28- acre tract ("0" Bell Road, Parcel 11 100003580334) (Sewer manholes #SMJC4009720 and #SMJC4009730) within the right-of-way of Stapleford Lane in land lot 371, district 1-1. There is a sanitary sewer manhole located approximately 140 feet southwest of the southwestern property comer of the 4.01 acre tract ("0" Medlock Bridge Road, Parcel 11 100003590135) (Sewer manhole #SMJC4045943) in land lot 360, district 1-1. There is a sanitary sewer manhole located approximately 225 feet southwest of the southwestern property comer of the 4.01 acre tract ("0" Medlock Bridge Road, Parcel 11 100003590135) (Sewer manhole # SMJC4009700) in land lot 359, district 1-1. Fulton County Government will only support this re-zoning if the applicant can provide proof before the rezoning of a 20 foot wide dedicated sanitary sewer easement between the proposed project and an existing Fulton County maintained sanitary sewer manhole. The proposed sanitary sewer connection must be a gravity run line between the property boundary of the proposed project and an existing Fulton County maintained sanitary sewer manhole.

Comments: This information does not guarantee that adequate sewer capacity is available at this time or will be available upon application of permits. Please contact the Department of Water Resources (Public Works) for more information.

FIRE MARSHAL

1. Applicant shall provide a current water flow report for proposed site by LDP submittal and GPS locate all fire hydrants by final plat.

2. LDP submittals shall also include all water main sizes and location of appropriate valves.

3. FDC shall be a freestanding style away from the structure and within 50 feet of a fire hydrant.

4. Applicant shall identify an appropriate number of accessible parking spaces and routes to structure.

5. By LDP submittal, applicant shall indicate transformer locations and clearances from sidewalks and egress.

ARBORIST

1. Tree Ordinance and Administrative Guidelines requirements to be met through land disturbance permit. Landscape strips, density requirements, required parking islands, and any specimen recompense are to be protected and planted per the Guidelines.
    a. A 40-foot landscape strip is required adjacent to Medlock Bridge Road per the Zoning Ordinance; the landscape strip is measured from the dedicated right-of-way. The existing trail easement is not discounted from the landscape strip calculations, per the previous land disturbance permit.
    b. A 25-foot landscape strip is required adjacent to Bell Road per the Zoning Ordinance; the landscape strip is measured from the dedicated right-of-way.
    c. The tree density required for this site is 30 units per acre.
    d. Per the Zoning Ordinance, plant material is required directly on or in front of the building.
    e. Per the Zoning Ordinance, parking islands are required at the end of bays and after every sixth parking space; and each island is to be planted with a shade tree from the Administrative Guidelines.

SITE DEVELOPMENT

1. A land Disturbance Permit (LDP) is required to develop the property. Development plans will have to comply with the Development and Zoning Regulations, Tree Preservation, Erosion & Sediment Control, Floodplain, Stream and Post-Development Stormwater Management Ordinances. A surety will be required for erosion control and any right of way improvements prior to issuance of land disturbance permit.

2. Fulton County Water and Sewer approval is required prior to issuance of land disturbance permit.

3. Water/ Sanitary/ Storm as-builts, and a stormwater maintenance agreement (if applicable) will be required prior to issuance of a building permit.

4. Stream buffer variance is required to install wall in 75’ impervious buffer. Extreme care must be taken not to disturb 50’ undisturbed buffer unless stream buffer variance is obtained to disturb portions of this buffer as well.

5. Plan SP-1 shows piping 100’ of stream. If purpose of this piping and grading is for utility crossing, it can be done with much less impact. A pedestrian path qualifies as a Indicate need for such extensive stream buffer destruction.

6. Verify extent of City Floodplain up stream channel. Floodplain appears to be much further upstream on City maps than as shown on plan SP-1.

HEALTH AND WELLNESS

Environmental Health Services Comments:

- The Fulton County Department of Health and Wellness recommends that the applicant be required to connect the proposed development to public water and public sanitary sewer available to the site.
- Since this proposed development constitutes a premise where people work or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.
- The commercial sections of this development must comply with the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article III – Smokefree Air. If the commercial sections will serve persons under the age 18, no smoking will be allowed on the premises at any time.
- If this proposed development includes a public swimming pool as defined in the regulations including spas, whirlpools, etc., the owner or contractor must submit plans for review and approval by this department and must obtain a Department of Health and Wellness permit to construct before issuance of a building permit. Also, the owner of the facility must obtain a Department of Health and Wellness permit to operate the pool prior to opening.
- This department is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.
- This department is requiring that all existing structures to be demolished must be inspected by a certified pest control operator to insure that the premise is rat free. If evidence of rodent infestation is found, the property must be baited prior to demolition.

Environmental Justice and General Public Health Comments:

- The Fulton County Department of Health and Wellness does not anticipate any adverse impacts to the health of humans or the environment from allowing the proposed rezoning to allow the development of residential units, a restaurant, and a fitness center provided that there are not any existing hazards on the property.