

15-138

RZ-15-014
SUP-15-004



Johns Creek

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City of Johns Creek
Planning & Zoning

PRE-APPLICATION FORM

REZONING, USE PERMIT(S) AND CONCURRENT VARIANCE(S)

Purpose & Process

A Pre-Application Meeting provides you the opportunity to present a conceptual plan and letter of intent to a representative of the Community Development Department. This meeting benefits you, the applicant, by receiving general comments on the feasibility of the plan, the process(es)/procedure(s) and fees required to process and review the application(s). To schedule a meeting contact a member of the Planning and Zoning Division by calling (678) 512 - 3200. This form will be completed during the pre-application meeting. After completing the pre-application meeting, the applicant may file the Land Use Petition.

Applicant: Piedmont Atlanta Capital, LLC

Site Address: 11000 Block of Medlock Bridge Rd Parcel Size: 2.96 acres

Proposal Description: Self-storage - multi

Existing Zoning Designation and Case Number: MIX - RZ-10-008

Proposed Zoning Designation: MIX + SUP

Comprehensive Land Use Map Designation: 141 Corridor

Planner: [Signature] Date: 8/24/15

**REZONING/SUP/CHANGE IN CONDITIONS
APPLICATION**

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Piedmont Atlantic Capital, LLC</u>	NAME: <u>Taylor County Land GA, LLC</u>
ADDRESS: <u>PO Box 767127</u>	ADDRESS: <u>3563 Phillips Hwy Ste 601 E</u>
CITY: <u>Roswell</u>	CITY: <u>Jacksonville</u>
STATE: <u>GA</u> ZIP: <u>30076</u>	STATE: <u>FL</u> ZIP: <u>32207</u>
PHONE: <u>404-798-9820</u>	PHONE: _____

CONTACT PERSON: J. Ethan Underwood PHONE: 770-781-4100

CONTACT'S E-MAIL: eunderwood@mhtlegal.com

APPLICANT IS THE:

OWNER'S AGENT PROPERTY OWNER CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): MIX REQUESTED ZONING DISTRICT: MIX

LAND DISTRICT(S): 1 LAND LOT(S): 357,358, 373 and 374 ACREAGE: 2.460

ADDRESS OF PROPERTY: 11220 Medlock Bridge Road

PROPOSED DEVELOPMENT: Self Storage/Multi

CONCURRENT VARIANCES: See Attached Letter of Intent

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units _____	No. of Buildings/Lots: <u>1</u>
Dwelling Unit Size (Sq. Ft.): _____	Total Building Sq. Ft. <u>89600 sq ft</u>
Density: _____	Density: <u>22,400 sq ft of Building Coverage</u>

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RZ-15-014
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REZONING PROPERTY OWNER'S CERTIFICATION

THE UNDERSIGNED BELOW, OR AS ATTACHED, STATES UNDER OATH THAT THEY ARE THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE CITY COUNCIL.

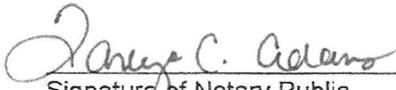


Signature of Property Owner

Date

Taylor County Land GA, LLC

Type or Print Name and Title



Signature of Notary Public

9-8-15

Date

**Tanya C Adams
NOTARY PUBLIC
Mecklenburg County, NC
My Commission Expires May 31, 2020**

Notary Seal

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Planning & Zoning

UPDATED 1/6/2015

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Planning & Zoning

TRACT 11 - LEGAL DESCRIPTION

R2-15-014-SUP-15-004

All that tract or parcel of land lying and being in Land Lots 357, 358, 373 and 374 of the 1st District, 1st Section of Fulton County, Georgia in the City of Johns Creek, and being more particularly described as follows:

COMMENCING at a PK Nail at the intersection of the centerline of Medlock Bridge Road (AKA Georgia Highway 141; R/W Varies) with the centerline of Johns Creek Parkway (R/W Varies); thence South 55°54'00" West, a distance of 96.33 feet to a ½" Rebar Set on the western right-of-way line of said Medlock Bridge Road, said ½" Rebar being the POINT OF BEGINNING for the tract herein described; thence running along said Medlock Bridge Road South 06°30'49" West, a distance of 54.50 feet to ½" Rebar Found; thence South 07°56'38" West, a distance of 101.69 feet to a ½" Rebar Set; thence South 13°19'08" West, a distance of 28.77 feet to a ½" Rebar Found; thence leaving said Medlock Bridge Road and running along Lot 10 North 79°53'07" West, a distance of 188.47 feet to a ½" Rebar Found; thence South 54°28'43" West, a distance of 117.81 feet to a ½" Rebar Set; thence North 33°51'37" West, a distance of 389.66 feet to a ½" Rebar Set; thence running along land now or formerly of The Standard Club North 56°06'42" East, a distance of 165.42 feet to a ½" Rebar Found; thence running along Tract 12, now or formerly of Taylor County Land GA, LLC, South 33°51'37" East, a distance of 248.28 feet to a ½" Rebar Found; thence North 48°51'36" East, a distance of 112.30 feet to a ½" Rebar Set; thence South 79°52'15" East, a distance of 132.08 feet to a ½" Rebar Set on the western right-of-way line of said Medlock Bridge Road; thence running along said Medlock Bridge Road right-of-way South 09°27'45" West, a distance of 5.57 feet to a ½" Rebar Set; thence South 33°56'21" East, a distance of 47.89 feet to a ½" Rebar Set; thence North 71°22'27" East, a distance of 9.84 feet to the POINT OF BEGINNING.

Said tract contains 2.460 acres more or less.



202 Tribble Gap Road | Suite 200 | Cumming, Georgia 30040
770-781-4100 | www.mhtlegal.com

Ethan Underwood
eunderwood@mhtlegal.com

September 4, 2015

City of Johns Creek
Department of Community Development
12000 Findley Road, Suite 400
Johns Creek, GA 30097

Re: Land Use Application of Piedmont Atlantic Capital, LLC for Fulton County Tax Parcel: 11
099003570271

To Whom It May Concern:

Our firm submits this letter as its entry of appearance on behalf of Piedmont Atlantic Capital, LLC regarding the above-referenced application.

Pursuant to Section 36-67A-3 of the Official Code of Georgia Annotated, adopted by the Georgia General Assembly, effective July 1, 1986, please be advised that no campaign contributions have been given by Miles Hansford & Tallant, LLC or me to any City of Johns Creek official.

This letter constitutes the disclosure of campaign contributions as set forth herein with respect to the above-referenced application and is incorporated as a part of the application.

Sincerely,

Ethan Underwood

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Planning & Zoning

RZ-15-014

SUP-15-004



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City of Johns Creek
Planning & Zoning
Ethan Underwood
eunderwood@mhtlegal.com

LETTER OF INTENT REGARDING LAND USE APPLICATION

Re: Applicant: Piedmont Atlantic Capital, LLC
Subject Property: 2.460 Acres Designated as Fulton County Tax Parcel(s): 11 099003570271
Current Zoning: MIX (Mixed Use)
Proposed Use: Self-Storage
ROW Access: Medlock Bridge Road (SR141)

This statement is intended to comply with the application procedures established by the Zoning Ordinance of the City of Johns Creek, Georgia (the "Zoning Ordinance"), the City of Johns Creek Application for Rezoning, Use Permit, & Concurrent Variances, and other City of Johns Creek Ordinances and Standards. The Applicant incorporates all statements made in the Application for Rezoning, Use Permit, & Concurrent Variances by the Applicant (the "Application") as its letter of intent required by the City of Johns Creek.

The Applicant proposes to develop a Self-Storage Facility on the Subject Property. To accomplish this, the Applicant requests a modification of zoning conditions, Use Permit for Self-Storage, as well as a concurrent variance, to facilitate this use.

A. Modification of Zoning.

Zoning Condition #1 of RZ-10-008 proscribes a list of permitted uses within the zoning, excluding self-storage facilities. In addition, Zoning Condition #3 provides:

- 3. *The site shall be developed in general accordance with the site plan received by the City of Johns Creek Community Development Department dated, September 7, 2010. Minor modification, such as number or building location provided no increase in number of units or density, may be approved subject to review and approval of the Community Development Director.*

To facilitate use of the Subject Property as a Self-Storage Facility, the Applicant requests to amend the zoning conditions as follows:

- 1.g. A Self-Storage Facility is allowed on Lot #11 of the development.
- 3. *The site shall be developed in general accordance with the site plan received by the City of Johns Creek Community Development Department dated, September 7, 2010. Minor modification, such as number or building location provided no increase in number of units or density, may be approved subject to review and approval of the Community Development Director. **In addition, Lot #11 the shall***

RZ-15-014
SR-15-004

be developed as a self-storage facility in general accordance with the site plan, dated August 10, 2015, stamped September 8, 2015.

B. Use Permit.

The Subject Property is Lot #11 of Johns Creek Walk, Phase II. The Subject Property is located within the 141 Corridor Character Area, and was zoned MIX pursuant to Johns Creek Zoning Case No. RZ-10-008 and Concurrent Variance No. VC-10-008-1.

The Applicant seeks a Use Permit for *Self Storage/Multi*, pursuant to Zoning Ord. § 19.4.41(1).

The proposed business will maintain an initial staff with no more than 2 employees typically onsite at a given time. The facility will not be accessible to the general public (excluding on-site managers) between the hours of midnight and 5:00 a.m.

The business is required by the Zoning Ordinance to maintain at least 19 parking spaces; however, as the use will not be parking intensive, the Applicant proposes to provide 10 parking spaces.

C. Variance.

In order to utilize the proposed improvements on the Subject Property, the Applicant has requested concurrently, the following variance:

- 1) Zoning Ord. § 18.2.1 - Variance of 9 parking spaces to allow minimum number of parking spaces to be 10

The proposed variance satisfies the standards listed in Zoning Ord. § 22.3.1. Approval of the proposed variance will not contradict the intention of the Zoning Ordinance or the Development Standards in that the performance standards proposed by the Applicant substantially comply with the minimum requirements established in the adjoining Johns Creek Walk development.

With regard to parking, the Applicant anticipates that no more than 2 parking spaces for employees will be needed at a time, and no more than 8 customer parking spaces will be needed at peak times. The proposed parking variance would eliminate unnecessary paving of the property and diminution of the building envelope and landscaped areas.

The circumstances that give rise to the need for the requested variance is unique in that the Subject Property is an existing lot of record, reduced in size from approximately 3.5 acres to 2.460 acres. Approximately 1 acre of Lot 11 was combined with another parcel in Johns Creek Walk, dramatically reducing the size of the Subject Property. Due to the small size and shape of the Subject Property, the zoning buffers, setback requirements, landscaping requirements, and riparian buffers and setbacks, there is so little buildable area that the Subject Property would be unusable unless the variance is approved as requested by the Applicant.

RZ-15-014
SUP-15-004

Page 3 of 3
September 8, 2015

The Applicant did not cause the conditions giving rise to the need for the variance, but requires the variance to facilitate its proposed plan. The variance requested is the minimum necessary to facilitate the proposed development and will have no adverse impact on adjoining property owners.

Accordingly, the Applicant and owners request that the Applicant's Proposal be granted, as requested by the Applicant. This Letter of Intent shall be included with the Application. By filing this Letter of Intent, the Applicant reserves all rights and remedies available to it under the United States Constitution, the Georgia Constitution, all applicable federal, state, and local laws and ordinances, and in equity. The Applicant also reserves the right to amend this Letter of Intent and the Application by supplementing further responses and documents.

Sincerely,

Ethan Underwood

Ethan Underwood,
Attorney for the Applicant

R 2-15-014

SUP-15-004

FINAL PLAT FOR: JOHNS CREEK WALK PHASE II

**SITE UNDER CONSTRUCTION
AT TIME OF SURVEY**
JOHNS CREEK PROJECT #
FP2010-06
LDP# 2007-77

OWNER'S ACKNOWLEDGMENT
STATE OF GEORGIA
CITY OF JOHNS CREEK

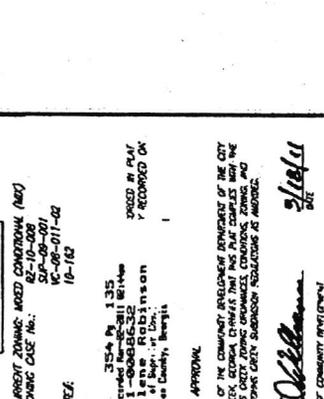
WE, THE OWNERS OF RECORD, OF THE LAND SHOWN ON THIS PLAT AND MAP, HAVE READ AND UNDERSTAND THE TERMS AND CONDITIONS OF THIS PLAT AND MAP, AND HEREBY ACKNOWLEDGE THAT THIS PLAT AND MAP HAVE BEEN PREPARED BY A QUALIFIED SURVEYOR, AND WE HEREBY CERTIFY THAT WE HAVE BEEN ADVISED BY SAID SURVEYOR OF THE ACCURACY OF THE INFORMATION CONTAINED HEREIN, AND WE HEREBY CERTIFY THAT WE HAVE BEEN ADVISED BY SAID SURVEYOR OF THE ACCURACY OF THE INFORMATION CONTAINED HEREIN, AND WE HEREBY CERTIFY THAT WE HAVE BEEN ADVISED BY SAID SURVEYOR OF THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

TO FULTON COUNTY
PUBLIC ENTERPRISE EXEMPTIONS
TO THE CITY OF JOHNS CREEK
PUBLIC STREET RIGHT-OF-WAY
DRAINAGE EXEMPTIONS
PUBLIC RIGHTS
PUBLIC ACCESS/RESTRICTION EXEMPTIONS

1.11 ACRES
0 ACRES
0 ACRES
0 ACRES
0 ACRES

DATE: January 29, 2011
DATE: January 28, 2011

James R. Robinson
MELLOCK BRIDGE REALTY PARTNERS LLC (PARTNER & 1/4)
James R. Robinson
CRENSHAW STREET INVESTORS & LP (TRUST 1/4)



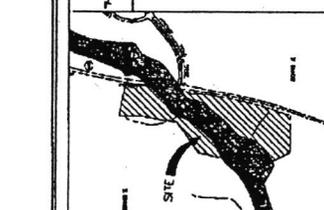
ZONING
CURRENT ZONING: MOED CONDOMINIAL (MO)
ZONING CASE No.: 07-10-008
07-09-001
07-01-002

AREA: 354 sq. ft. 135
in 2011 - 0808652
Catherine Robinson
Fulton County, Georgia

354 sq. ft. 135
in 2011 - 0808652
Catherine Robinson
Fulton County, Georgia

354 sq. ft. 135
in 2011 - 0808652
Catherine Robinson
Fulton County, Georgia

354 sq. ft. 135
in 2011 - 0808652
Catherine Robinson
Fulton County, Georgia



FINAL PLAT APPROVAL
THE DIRECTOR OF THE COUNTY DEPARTMENT OF PLANNING AND ZONING HAS REVIEWED THE PLAT AND MAP AND HAS DETERMINED THAT THE PLAT AND MAP COMPLY WITH THE REQUIREMENTS OF THE ZONING ORDINANCE AND THE PLAT ACT.

DATE: 1-29-11

FINAL PLAT APPROVAL
THE DIRECTOR OF THE COUNTY DEPARTMENT OF PLANNING AND ZONING HAS REVIEWED THE PLAT AND MAP AND HAS DETERMINED THAT THE PLAT AND MAP COMPLY WITH THE REQUIREMENTS OF THE ZONING ORDINANCE AND THE PLAT ACT.

DATE: 1-29-11

SITE DISTANCE CERTIFICATION
THE PROJECT IS LOCATED WITHIN THE DISTRICT OF PLANNING AND ZONING AND IS SUBJECT TO THE REQUIREMENTS OF THE ZONING ORDINANCE AND THE PLAT ACT.

DATE: 1-29-11

CONDEMNATION OF PERSONAL PROPERTY
THE PROPERTY IS SUBJECT TO THE CONDEMNATION OF PERSONAL PROPERTY ACT AND THE PLAT ACT.

DATE: 1-29-11

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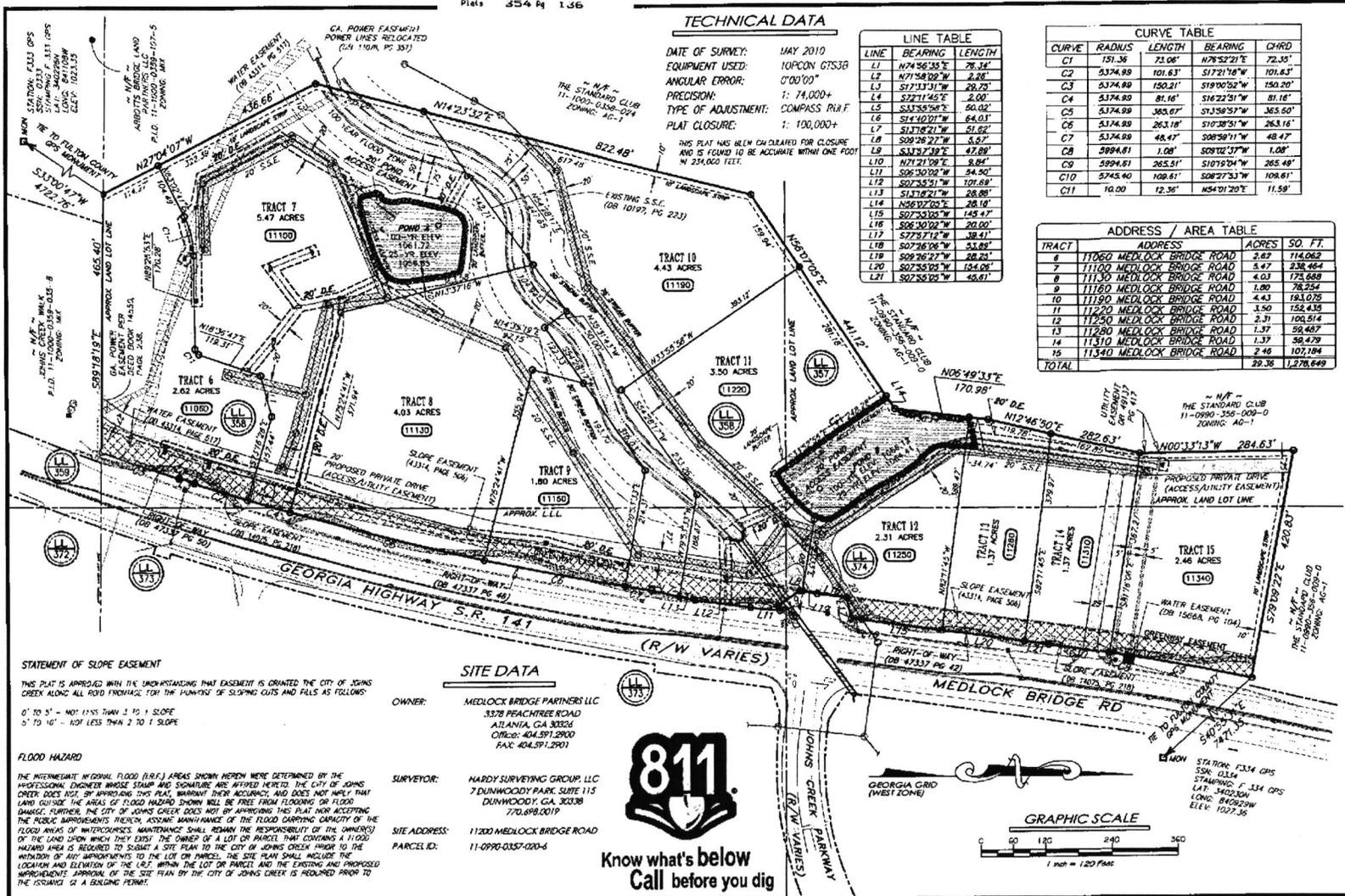
DATE: 1-29-11

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THE PROPERTY IS SUBJECT TO THE CONDEMNATION OF PERSONAL PROPERTY ACT AND THE PLAT ACT.

DATE: 1-29-11

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R2-15-014
Sup 15-004



TECHNICAL DATA

DATE OF SURVEY: MAY 2010
 EQUIPMENT USED: 10PC00N GTS38
 ANGULAR ERROR: 0'00"00"
 PRECISION: 1: 74,000+
 TYPE OF ADJUSTMENT: COMPASS PLAT
 PLAT CLOSURE: 1: 100,000+
 THIS PLAT HAS BEEN CHAINED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 234,000 FEET.

LINE TABLE

LINE	BEARING	LENGTH
L1	N74°56'35"E	26.34'
L2	N71°54'02"W	2.88'
L3	S71°13'17"W	28.23'
L4	S72°11'45"E	2.00'
L5	S43°58'59"E	50.02'
L6	S74°40'01"W	64.03'
L7	S71°16'21"W	51.62'
L8	S09°16'21"W	3.87'
L9	S33°27'39"E	47.88'
L10	N21°12'08"E	8.84'
L11	S06°30'09"W	34.90'
L12	S02°36'51"W	102.89'
L13	S12°42'17"W	28.88'
L14	N06°12'00"E	28.18'
L15	S02°33'02"W	145.47'
L16	S08°30'02"W	20.00'
L17	S72°21'17"E	38.41'
L18	S07°26'06"W	53.85'
L19	S09°26'27"W	48.23'
L20	S02°36'09"W	104.06'
L21	S02°36'09"W	45.61'

CURVE TABLE

CURVE	RADIUS	LENGTH	BEARING	CHORD
C1	151.36	73.06'	N76°52'21"E	72.45'
C2	5374.89	101.63'	S71°21'16"W	101.83'
C3	5374.89	150.21'	S70°00'52"W	150.20'
C4	5374.89	81.16'	S76°22'31"W	81.16'
C5	5374.89	363.67'	S73°58'57"W	365.60'
C6	5374.89	263.18'	S70°38'51"W	263.16'
C7	5374.89	48.47'	S08°59'11"W	48.47'
C8	5894.81	1.08'	S02°12'17"W	1.08'
C9	5894.81	265.51'	S07°19'04"W	265.49'
C10	5745.40	108.61'	S06°27'53"W	108.61'
C11	10.00	12.36'	N54°01'20"E	11.58'

ADDRESS / AREA TABLE

TRACT	ADDRESS	ACRES	SO. FT.
6	11060 MEDLOCK BRIDGE ROAD	2.67	114,062
7	11100 MEDLOCK BRIDGE ROAD	5.47	238,464
8	11130 MEDLOCK BRIDGE ROAD	4.03	173,658
9	11160 MEDLOCK BRIDGE ROAD	1.80	78,234
10	11190 MEDLOCK BRIDGE ROAD	4.43	193,076
11	11220 MEDLOCK BRIDGE ROAD	3.50	152,435
12	11250 MEDLOCK BRIDGE ROAD	2.31	102,514
13	11280 MEDLOCK BRIDGE ROAD	1.37	59,457
14	11310 MEDLOCK BRIDGE ROAD	1.37	59,479
15	11340 MEDLOCK BRIDGE ROAD	2.46	107,104
TOTAL		39.36	1,278,649

SITE DATA

OWNER: MEDLOCK BRIDGE PARTNERS LLC
 3378 PEACHTREE ROAD
 ATLANTA, GA 30326
 OFFICE: 404.591.2900
 FAX: 404.591.2901

SURVEYOR: HARDY SURVEYING GROUP, LLC
 7 DUNWOODY PARK, SUITE 115
 DUNWOODY, GA 30338
 770.698.0019

SITE ADDRESS: 11200 MEDLOCK BRIDGE ROAD
 PARCEL ID: 11-099-0357-020-6



Know what's below
 Call before you dig



FINAL PLAT FOR:
JOHNS CREEK WALK
 PHASE II
 LAND LOTS 357, 358, 373, & 374 - 1st DISTRICT - 1st SECTION
 FULTON COUNTY - GEORGIA
 CITY OF JOHNS CREEK

Project No.	No.	Revision	Date
09-017	1	REMOVED ACCESSIBILITY EASEMENT	5/20/10
	2	ADDED COMMENTS	1/19/11
	3	ADDED COMMENTS	1/28/11
	4		
	5		
	6		
	7		
	8		

Scale: 1" = 120'

MEDLOCK BRIDGE PARTNERS LLC
 3378 PEACHTREE ROAD
 ATLANTA, GA 30326
 Office: 404-591-2900
 Fax: 404-591-2901
 24 HOUR CONTACT - JAY DANIEL
 404-229-4498

HARDY SURVEYING GROUP, LLC
 LAND SURVEYORS / PLANNERS / CONSULTANTS

SEVEN DUNWOODY PARK, SUITE 115
 ATLANTA, GEORGIA 30338
 PH: 770.698.0019 FAX: 770.399.6999



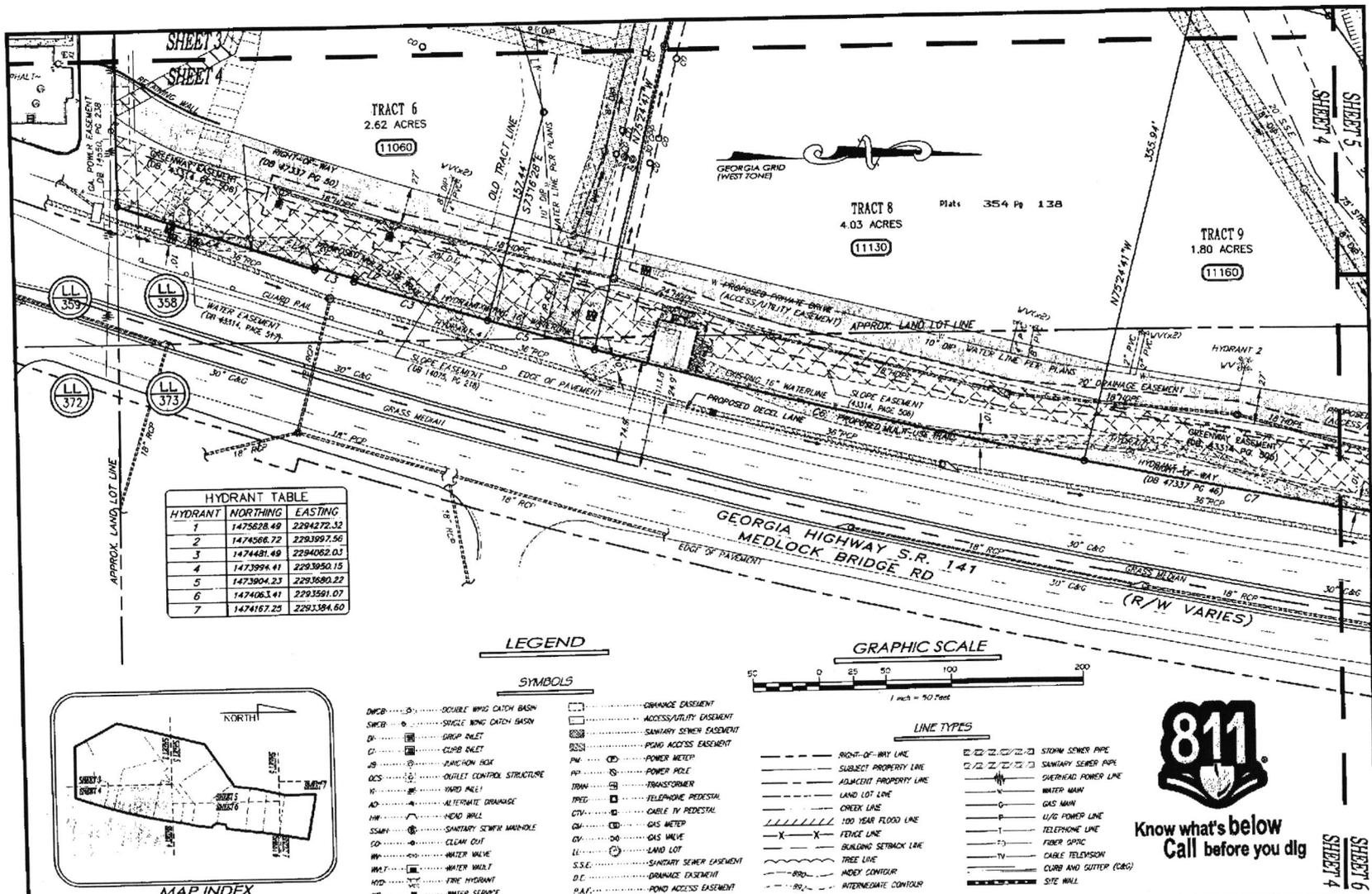
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R2-15-014
 SUP 15-004

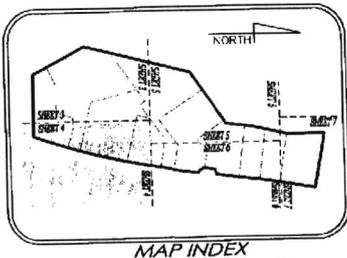
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City of Johns Creek
 Planning & Zoning



HYDRANT TABLE		
HYDRANT	NORTHING	EASTING
1	1475828.49	2294272.32
2	1474066.72	2293997.56
3	1474481.49	2294062.03
4	1473994.41	2293950.15
5	1473904.23	2293680.22
6	1474063.41	2293581.07
7	1474167.25	2293384.60



LEGEND

- SYMBOLS**
- DWB: DOUBLE WHIP DITCH BASIN
 - SWB: SINGLE WHIP DITCH BASIN
 - DR: DRAIN PILET
 - CR: CURB PILET
 - JB: JUNCTION BOX
 - QCS: OUTLET CONTROL STRUCTURE
 - Y: YARD PILE
 - AD: ALTERNATE DRAINAGE
 - MH: HEAD WALL
 - SSM: SANITARY SEWER MANHOLE
 - CO: CLEAN OUT
 - WV: WATER VALVE
 - WWT: WATER WELT
 - HY: FIRE HYDRANT
 - WS: WASTE SERVICE
 - OC: OCCUPANCY EASEMENT
 - AA: ACCESS/UTILITY EASEMENT
 - SE: SANITARY SEWER EASEMENT
 - PA: POND ACCESS EASEMENT
 - PO: POWER POLE
 - TR: TRANSFORMER
 - TP: TELEPHONE PEDESTAL
 - CT: CABLE TV PEDESTAL
 - GM: GAS METER
 - GV: GAS VALVE
 - LL: LAND LOT
 - SE: SANITARY SEWER EASEMENT
 - DE: DRAINAGE EASEMENT
 - PA: POND ACCESS EASEMENT
 - CS: CURB AND GUTTER (C&G)
 - SS: STORM SEWER PIPE
 - SS: SANITARY SEWER PIPE
 - SP: OVERHEAD POWER LINE
 - WM: WATER MAIN
 - GM: GAS MAIN
 - U/G: UNDERGROUND POWER LINE
 - TEL: TELEPHONE LINE
 - FO: FIBER OPTIC
 - TV: CABLE TELEVISION
 - CS: CURB AND GUTTER (C&G)
 - SM: SITE WALL
- LINE TYPES**
- RIGHT-OF-WAY LINE
 - SUBJECT PROPERTY LINE
 - ADJACENT PROPERTY LINE
 - LAND LOT LINE
 - CREEK LINE
 - 100 YEAR FLOOD LINE
 - FENCE LINE
 - BUILDING SETBACK LINE
 - TREE LINE
 - INDEX CONTOUR
 - INTERMEDIATE CONTOUR
- GRAPHIC SCALE**
1 inch = 50 Feet



Know what's below
Call before you dig

PAGE 4 OF 9
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FINAL PLAT FOR:
JOHNS CREEK WALK
PHASE II
LAND LOTS 357, 358, 373, & 374 - 1st DISTRICT - 1st SECTION
FULTON COUNTY - GEORGIA
CITY OF JOHNS CREEK

Project No.	09-017	No.	Revision	Date
Surveyed By:	W.J.B.	1	REMOVED ACCESS/UTILITY EASEMENT	5/23/10
Drawn By:	B.J.B.	2	ADDRESSED COMMENTS	7/19/11
Checked By:	S.M.H.	3	ADDRESSED COMMENTS	1/24/11
Date:	5/17/10	4		
Scale:	1" = 50'	5		
		6		
		7		
		8		

MEDLOCK BRIDGE REALTY PARTNERS LLC
3378 PEACHTREE ROAD
ATLANTA, GA 30326
Office: 404-391-2900
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24 HOUR CONTACT - JAY DANIEL
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HARVEY SUTHERLAND GROUP, LLC
LAND SURVEYOR / PLANNERS / ENGINEERS
SEVEN DUNWOODY PARK, SUITE 115
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City of Johns Creek
Planning & Zoning

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SOP 15-004

LEGEND

LINE TYPES

- RIGHT OF WAY LINE
- SANITARY PROPERTY LINE
- LAND LOT LINE
- DEER LINE
- FENCE LINE
- BUILDING SETBACK LINE
- HWY. LINE
- RICKET CONTOUR
- RICKET/CONTOUR
- STYL. SWER PIPE
- SANITARY SWER PIPE
- OVERHEAD POWER LINE
- WATER MAIN
- GAS MAIN
- U/G POWER LINE
- TELEPHONE LINE
- FIBER OPTIC
- CABLE TV
- CABLE TELEVISION
- CABLE AND OUTER (C/O)
- STE. WALK

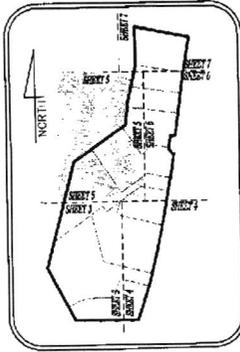
SYMBOLS

- VARIABLE WING CATCH BASIN
- SHIRT WING CATCH BASIN
- DEEP WELL
- CURE WELL
- ACTION BOX
- OUTLET CONTROL STRUCTURE
- WARD INLET
- ALTERNATE DRAINAGE
- SANITARY SEWER MANHOLE
- CLEAN OUT
- WATER WRIKE
- WATER WRIKE
- FIRE HYDRANT
- WATER SOURCE
- DRAINAGE EASEMENT
- ACCESS/EASEMENT
- SANITARY STRIP FACILITY
- FENCE ACCESS FACILITY
- POWER METER
- TRANSFORMER
- TELEPHONE pedestal
- CABLE TV pedestal
- GAS METER
- GAS METER
- LAND LOT
- SANITARY SEWER FACILITY
- DRAINAGE EASEMENT
- FENCE ACCESS FACILITY

GRAPHIC SCALE
1 inch = 50 Feet



GEORGIA GRID
(WEST ZONE)



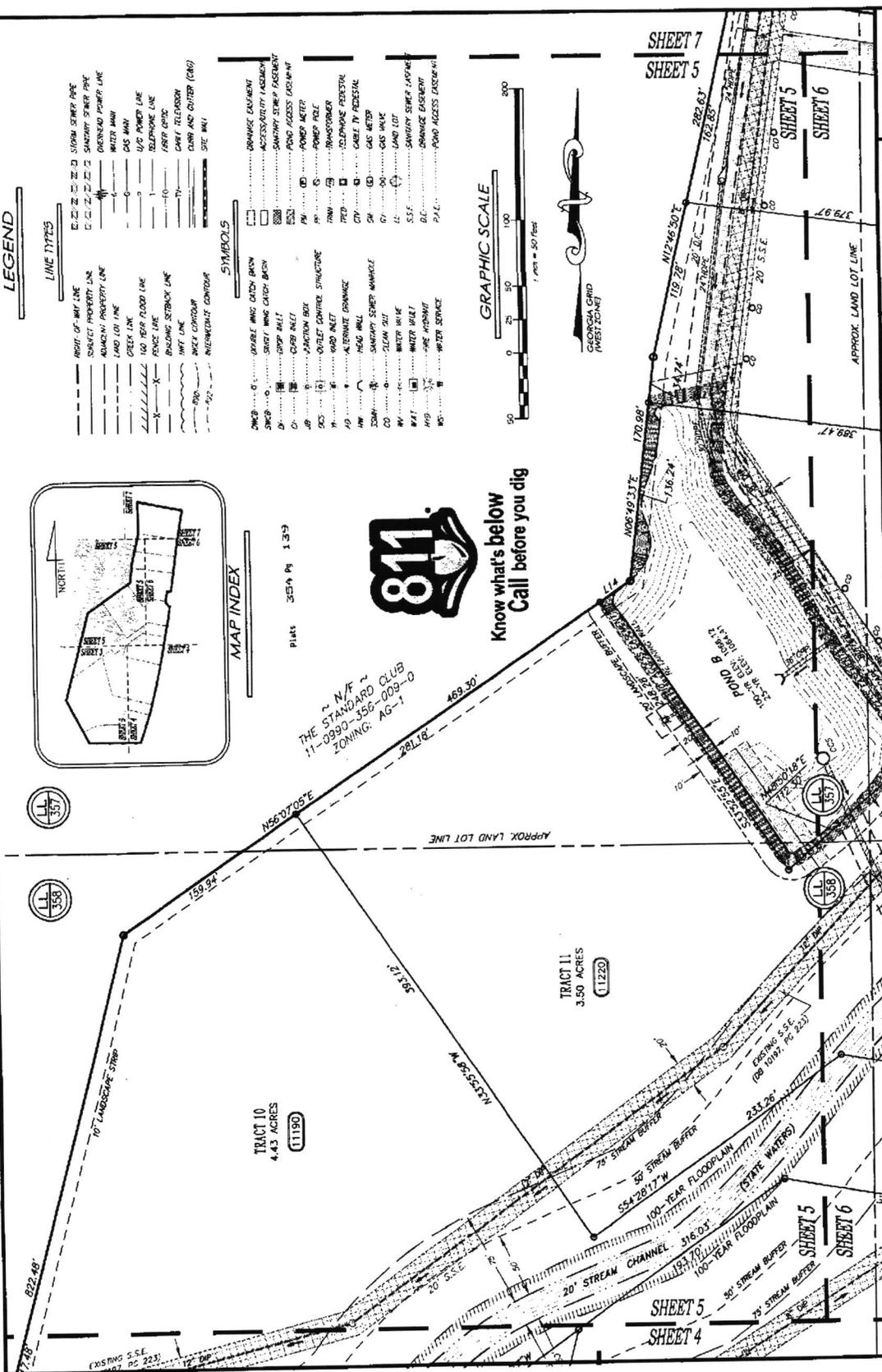
MAP INDEX

PLATS 351A PG 1, 3, 5



Know what's below
Call before you dig

~ N/F ~
THE STANDARD CLUB
11-0990-356-009-0
ZONING: AG-1



SHEET 7
SHEET 5

SHEET 5
SHEET 4



MACT SURVEYING GROUP, LLC
LAND SURVEYOR / PLANNING / CONSULTANT
1000 DUNWOODY PARK, SUITE 113
ATLANTA, GA 30328
PH: 770.688.1015 FAX: 770.383.9199

MEDLOCK BRIDGE REALTY PARTNERS, LLC
3378 PEACHTREE ROAD
ATLANTA, GA 30328
Office: 404.591.5200
Fax: 404.591.5201
24 HOUR CONTACT - AT/DANIE
404.229.4498

NO	REVISION	DATE
1	ISSUED FOR PERMIT	07/01/17
2	REVISED COMMENTS	11/11/17
3	REVISED COMMENTS	11/11/17
4	REVISED COMMENTS	
5		
6		
7		
8		

Project No: 09-017
Surveyed By: W.J.B.
Drawn By: B.J.B.
Checked By: S.M.H.
Date: 5/17/10
Scale: 1" = 50'

FINAL PLAT FOR:
JOHNS CREEK WALK
PHASE II
LAND LOTS 357, 358, 373 & 374 - 1st SECTION
FULTON COUNTY - GEORGIA
CITY OF JOHNS CREEK

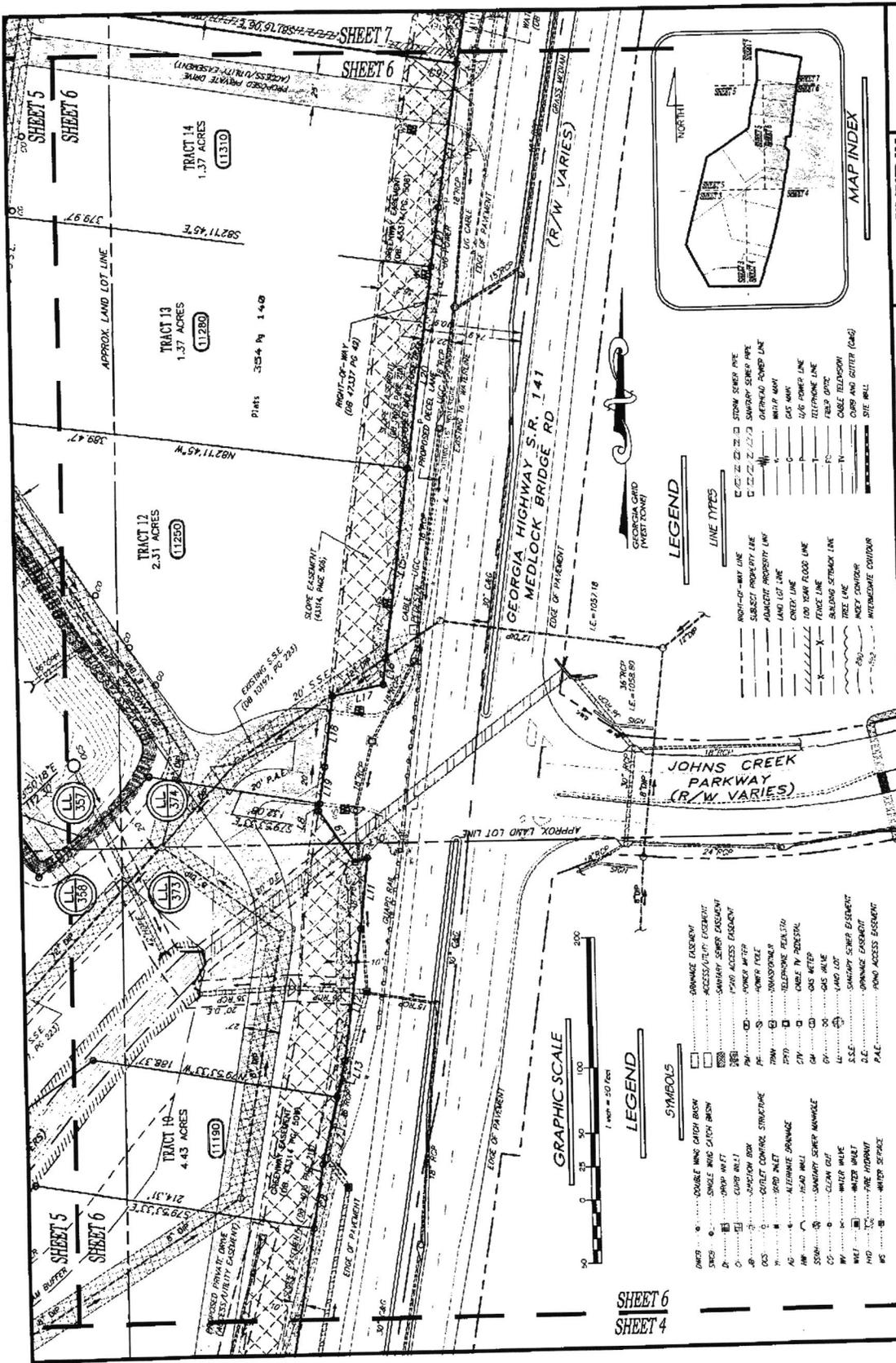
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City of Johns Creek
Planning & Zoning

RZ-15-014
SUP-15-004

PAGE 5 OF 9
S-12009109-017-DWG
09-017-FP-DWG



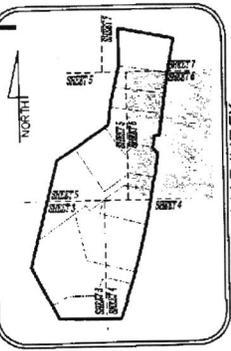
SHEET 6
SHEET 4



- SYMBOLS**
- DOUBLE WING CATCH BASIN
 - SINGLE WING CATCH BASIN
 - SANITARY SEWER EASEMENT
 - FORD ACCESS EASEMENT
 - POWER W/APP
 - POWER POLE
 - TELEPHONE POLE
 - TELEPHONE POLE
 - CABLE TV PEDestal
 - GAS METER
 - GAS VALVE
 - LAND LOT
 - SANITARY SEWER EASEMENT
 - FORD ACCESS EASEMENT
 - FORD ACCESS EASEMENT
 - WATER SERVICE

LEGEND

- LINE TYPES**
- RIGHT-OF-WAY LINE
 - SUBJECT PROPERTY LINE
 - ADVANCED PROPERTY LINE
 - LAND LOT LINE
 - CREEK LINE
 - 100 YEAR FLOOD LINE
 - FENCE LINE
 - BUILDING STRACK LINE
 - TREE LINE
 - CREEK AND GUTTER (C&G)
 - INTERIMEDIATE OUTLINE



HANDY SOLUTIONS GROUP, LLC
LAND SURVEYORS & PLANNERS / CONSULTANTS
1000 W. BURNING WOOD DRIVE, SUITE 100
DUBLIN, GA 31024
PH: 404-271-3400 FAX: 404-271-3400

MEDLOCK BRIDGE REALTY PARTNERS, LLC
3378 PEACHTREE ROAD, SUITE 3000
DUBLIN, GA 31024
PH: 404-271-3800 FAX: 404-271-3801
24 HOUR CONTACT: JAY DANIEL
404-229-4488

Project No.	09-017	Revision	Date
1	ISSUED ACCESSORY EASEMENT	02/10	
2	ADDED COMMENTS	11/11	
3	ADDED COMMENTS	11/11	
4	ADDED COMMENTS	11/11	
5			
6			
7			
8			

Surveyed By: W.L.B.
Drawn By: B.J.B.
Checked By: S.M.H.
Date: 5/17/10
Scale: 1" = 50'

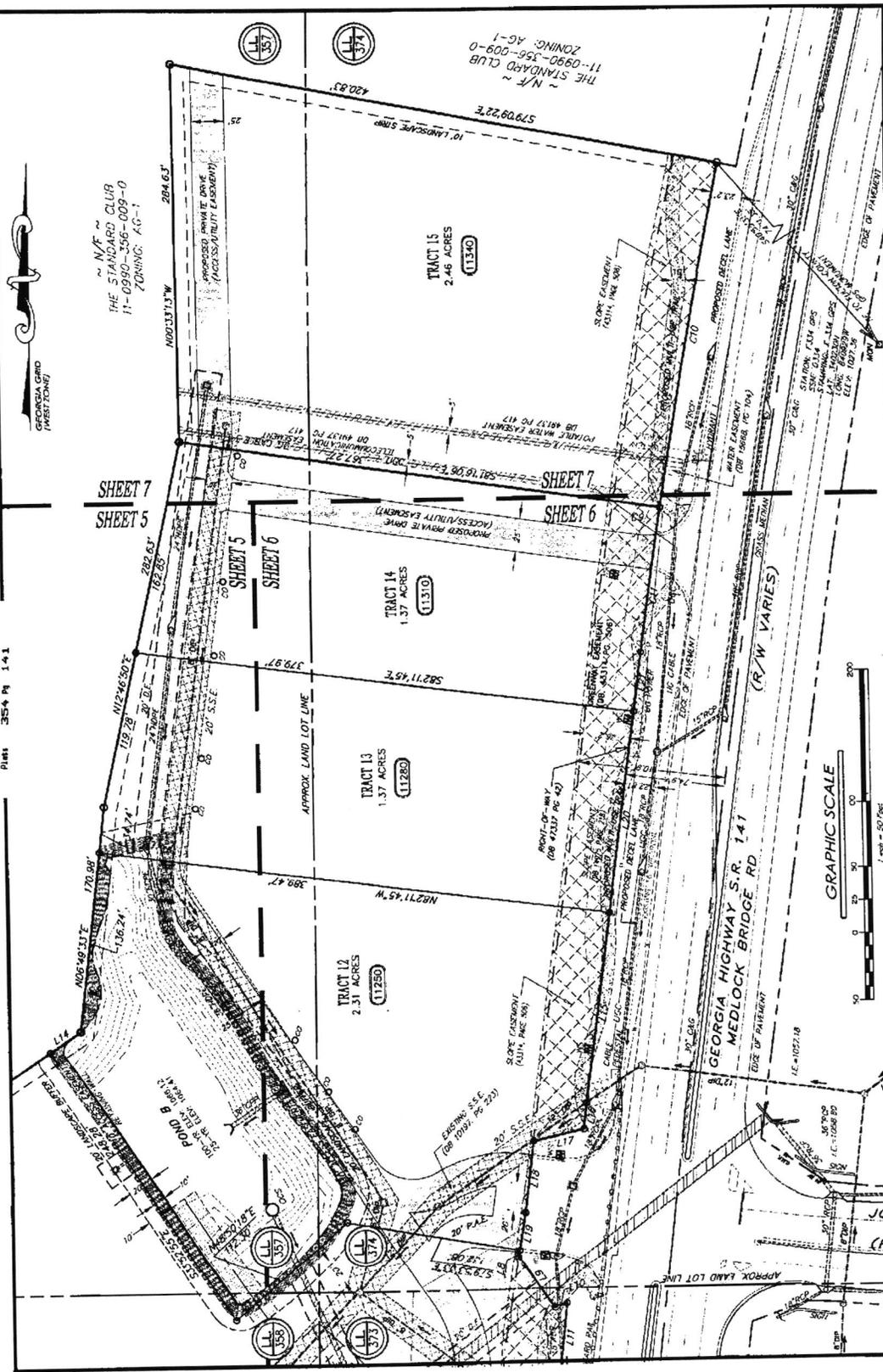
FINAL PLAT FOR:
JOHNS CREEK WALK
PHASE II
LAND LOTS 357, 358, 373, & 374 - 1st DISTRICT - 1st SECTION
FULTON COUNTY - GEORGIA
CITY OF JOHNS CREEK

PAGE 4 OF 9
5:12009\09-017.DWG
09-017-PP.DWG

SEP - 8 2015

City of Johns Creek
Planning & Zoning

RZ-15-014
SUP-15-004



N/E ~
THE STANDARD CLUB
11-0990-356-009-0
ZONING: AG-1

N/E ~
THE STANDARD CLUB
11-0990-356-009-0
ZONING: AG-1

FINAL PLAT FOR:
JOHNS CREEK WALK
PHASE II
LAND LOTS 338, 373, & 374 - 1st DISTRICT - 1st SECTION
FULTON COUNTY - GEORGIA
CITY OF JOHNS CREEK

09-017-FR.DWG
S.12009\09-017.DWG
PAGE 1 OF 9

No.	Revision	Date
1	REVISED ACCESS/UTILITY EASEMENT	5/23/10
2	ADDED COMMENTS	1/18/11
3	ADDED COMMENTS	1/28/11
4	ADDED COMMENTS	
5	ADDED COMMENTS	
6	ADDED COMMENTS	
7	ADDED COMMENTS	
8	ADDED COMMENTS	

Project No. 09-017
Surveyed By: W.J.B.
Drawn By: B.J.B.
Checked By: S.M.H.
Date: 5/17/10
Scale: 1" = 50'

Medlock Bridge Realty Partners LLC
3378 Peachtree Road
Atlanta, GA 30328
Office: 404-591-2900
Fax: 404-591-2901
24 HOUR CONTACT: JAY DAMEE
404-229-1408

GEORGIA REGISTERED PROFESSIONAL LAND SURVEYOR
BRUCE J. BRIDGES
No. 3786
EXPIRES 12/31/2011

RZ-15-014
SUP-15-004

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City of Johns Creek
Planning & Zoning

11. STORMWATER FACILITIES MAINTENANCE AGREEMENT



www.JohnsCreekGA.gov
678-512-3200 - 678-512-3303 (fax)
12000 Findley Road, Suite 400, Johns Creek, GA 30097

Deed Book 49771 Pg 62
Filed and Recorded Jan-24-2011 02:12pm
2011-0031782
Georgia Intangible Tax Paid \$0.00
Cathelene Robinson
Clerk of Superior Court
Fulton County, Georgia

STATE OF GEORGIA
FULTON COUNTY
CITY OF JOHNS CREEK

Stormwater Facilities Maintenance Agreement

WHEREAS, the Property Owner MEDLOCK BADGE REALTY PARTNERS LLC
recognizes that the wet or extended detention facility or facilities (hereinafter referred to as "the facility" or
"facilities") must be maintained for the development called, JOHNS CREEK WALK PHASE II,
located in Land Lot(s) 308, District(s) 12, of Fulton County, Georgia; and,

WHEREAS, the Property Owner is the owner of real property more particularly described on the
attached Exhibit A (hereinafter referred to as "the Property"), and,

WHEREAS, Johns Creek (hereinafter referred to as "the City") and the Property Owner, or its
administrators, executors, successors, heirs, or assigns, agree that the health, safety and welfare of the citizens
of the City require that the facilities be constructed and maintained on the property, and,

WHEREAS, the Code of the City of Johns Creek requires that facility or facilities as shown on the
approved development plans and specifications be constructed and maintained by the Property Owner, its
administrators, executors, successors, heirs, or assigns.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein,
and the following terms and conditions, the parties hereto agree as follows:

SECTION 1

The facility or facilities shall be constructed by the Property Owner in accordance with the plans and
specifications for the development.

SECTION 2

The Property Owner, its administrators, executors, successors, heirs or assigns shall maintain the facility
or facilities in good working condition acceptable to the City, including pipes, channels or other conveyances built
to convey stormwater to the facility, as well as all structures, improvements, and vegetation provided to control
the quantity and quality of the stormwater, and in accordance with the schedule of long term maintenance
activities agreed hereto and attached as Exhibit B.

SECTION 3

The Property Owner, its administrators, executors, successors, heirs and assigns hereby grants
permission to the City, its authorized agents and employees, to enter upon the property and to inspect the
facilities whenever the City deems necessary. Whenever possible, the City shall provide notice prior to entry. The
Property Owner shall execute an access easement in favor of Johns Creek to allow the City to inspect, observe,
maintain, and repair the facility as deemed necessary. A fully executed original easement is attached to this
Agreement as Exhibit C and by reference made a part hereof.

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City of Johns Creek
Planning & Zoning

22-15-014 - SUP-15-004

11. STORMWATER FACILITIES MAINTENANCE AGREEMENT - Continued

SECTION 4

In the event the Property Owner, its administrators, executors, successors, heirs or assigns fails to maintain the facility or facilities as shown on the approved plans and specifications in good working order acceptable to the City and in accordance with the maintenance schedule incorporated in this Agreement, and in the event the violation constitutes an immediate danger to public health or public safety, the City, with due notice, may enter the property and take whatever steps it deems necessary to return the facility or facilities to good working order. This provision shall not be construed to allow the City to erect any structure of a permanent nature on the property. It is expressly understood and agreed that the City is under no obligation to maintain or repair the facility or facilities and in no event shall this Agreement be construed to impose any such obligation on the City.

SECTION 5

In the event the City, pursuant to this Agreement, performs work of any nature, or expends any funds in the performance of said work for labor, use of equipment, supplies, materials, and the like, the Property Owner shall reimburse the City, or shall forfeit any required bond upon demand within thirty (30) days of receipt thereof for all the costs incurred by the City hereunder. If not paid within the prescribed time period, the City shall secure a lien against the real property in the amount of such costs. The actions described in this section are in addition to and not in lieu of any and all legal remedies available to the City as a result of the Property Owner's failure to maintain the facility or facilities.

SECTION 6

It is the intent of this Agreement to insure the proper maintenance of the facility or facilities by the Property Owner; provided, however, that this Agreement shall not be deemed to create or effect any additional liability of any party for damage alleged to result from or caused by storm water runoff.

SECTION 7

Sediment accumulation resulting from the normal operation of the facility or facilities will be catered for. The Property Owner will make accommodation for the removal and disposal of all accumulated sediments. Disposal will be provided onsite in a reserved area(s) or will be removed from the site. Reserved area(s) shall be sufficient to accommodate for a minimum of two dredging cycles.

SECTION 8

The Property Owner shall provide the City with a bond or a letter of credit providing for the maintenance of the facility or facilities pursuant to the City's Code concerning Maintenance Agreements.

SECTION 9

The Property Owner shall use the standard BMP Operation and Maintenance Inspection Report attached to this agreement as Exhibit D and by this reference made a part hereof for the purpose of a minimal annual inspection of the facility or facilities by a qualified inspector.

SECTION 10

The Property Owner, its administrators, executors, successors, heirs and assigns hereby indemnifies and holds harmless the City and its authorized agents and employees for any and all damages, accidents, casualties, occurrences or claims which might arise or be asserted against the City from the construction, presence, existence or maintenance of the facility or facilities by the Property Owner or the City. In the event a claim is asserted against the City, its authorized agents or employees, the City shall promptly notify the Property Owner and the Property Owner shall defend at its own expense any suit based on such claim. If any judgment or claims against the City, its authorized agents or employees shall be allowed, the Property Owner shall pay for all costs and expenses in connection herewith.

Deed Book 49771 Pg 63

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City of Johns Creek
Planning & Zoning

R2-15-014 - SUP-15-004

11. STORMWATER FACILITIES MAINTENANCE AGREEMENT - Continued

SECTION 11

This Agreement shall be recorded among the deed records of the Clerk of Superior Court of Fulton County and shall constitute a covenant running with the land and shall be binding on the Property Owner, its administrators, executors, heirs, assigns and any other successors in interest.

SECTION 12

This Agreement may be enforced by proceedings at law or in equity by or against the parties hereto and their respective successors in interest.

SECTION 13

Invalidation of any one of the provisions of this Agreement shall in no way effect any other provisions and all other provisions shall remain in full force and effect.

Real Book 49771 Pg 64

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Planning & Zoning

122-15-014- SUP-15-004

11. STORMWATER FACILITIES MAINTENANCE AGREEMENT - Continued

SO AGREED this 20th day of JANUARY, 2011.

**PROPERTY OWNER
LIMITED LIABILITY CORPORATION**

Name of LLC: MEDLOCK BRIDGE REALTY PARTNERS, LLC
Printed or Typed Name

BY: [Signature]
Signature

Attest: [Signature]
Signature of Witness

RICHARD ARROWSON
Typed or Printed Name

Jay K. Davis
Typed or Printed Name

Title: MANAGER
Managing Person

Notary: [Signature]
Notary Public



JOHNS CREEK, GEORGIA.

By: [Signature] 1/21/11
City of Johns Creek
Director of Community Development

Attachments:

- Exhibit A (Plat and Legal Description)
- Exhibit B (Maintenance and Inspection Schedule)
- Exhibit C (Access Easement)
- Exhibit D (Standard BMP Operation and Maintenance Inspection Report)

Red Book 49771 P1 65

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City of Johns Creek
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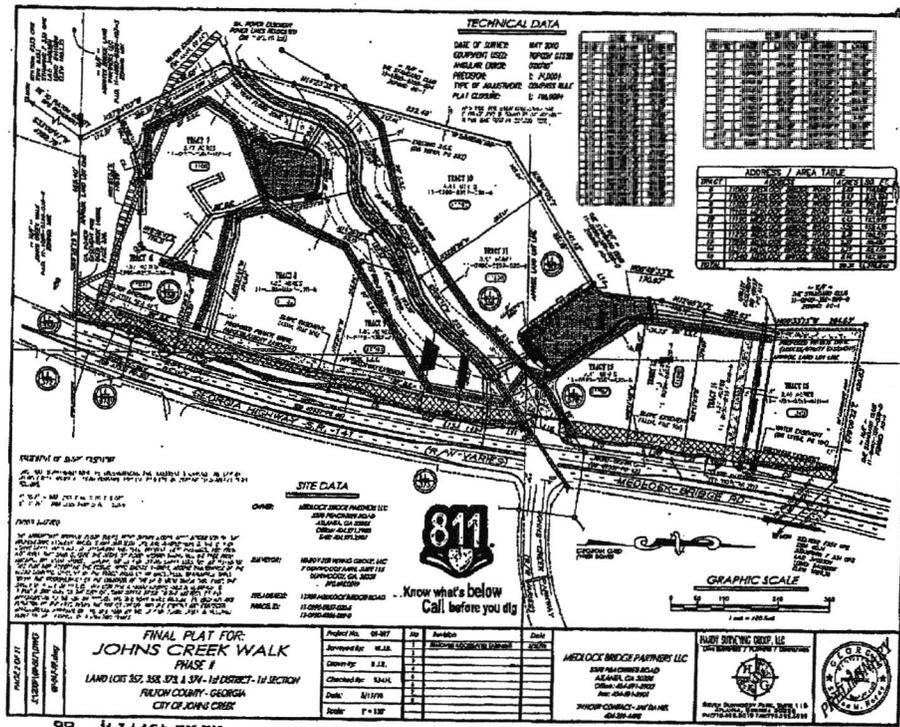


EXHIBIT A

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 Planning & Zoning

EXHIBIT A

LEGAL DESCRIPTION: (OVERALL)

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 357, 358, 373 AND 374 OF THE 1st DISTRICT, 1st SECTION OF FULTON COUNTY, GEORGIA AND HAVING THE FOLLOWING METES AND BOUNDS TO WIT:

COMMENCING AT THE CENTERLINE INTERSECTION FORMED BY JOHNS CREEK PARKWAY (R/W VARIES) AND GEORGIA HIGHWAY 141 (A.K.A. MEDLOCK BRIDGE ROAD) (R/W VARIES), SAID POINT BEING THE POINT-OF-COMMENCEMENT (P.O.C.) THENCE ALONG A CROSS COUNTRY TIE SOUTH 73 DEGREES 58 MINUTES 17 SECONDS WEST (S73°58'17"W) FOR A DISTANCE OF 58.95' TO A POINT, SAID POINT BEING THE POINT-OF-BEGINNING, (P.O.B.)

THENCE TURNING AND CONTINUING SOUTH 71 DEGREES 21 MINUTES 10 SECONDS WEST (S71°21'10"W) FOR A DISTANCE OF 22.36' TO A POINT; THENCE SOUTH 07 DEGREES 55 MINUTES 04 SECONDS WEST (S07°55'04"W) FOR A DISTANCE OF 40.01' TO A POINT; THENCE NORTH 71 DEGREES 21 MINUTES 09 SECONDS EAST (N71°21'09"E) FOR A DISTANCE OF 22.36' TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF GEORGIA HIGHWAY 141 (A.K.A. MEDLOCK BRIDGE ROAD) (R/W VARIES); THENCE TURNING A CONTINUING ALONG SAID RIGHT-OF-WAY SOUTH 07 DEGREES 55 MINUTES 04 SECONDS WEST (S07°55'04"W) FOR A DISTANCE OF 147.34' TO A POINT; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 5673.57' AND AN ARC LENGTH OF 11.77', SAID CURVE BEING SUBTENDED BY A CHORD BEARING OF SOUTH 07 DEGREES 58 MINUTES 47 SECONDS WEST (S07°58'47"W) FOR A CHORD DISTANCE OF 11.77' TO A POINT; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 5670.38', AND AN ARC LENGTH OF 945.87', SAID CURVE BEING SUBTENDED BY A CHORD BEARING OF SOUTH 12 DEGREES 49 MINUTES 04 SECONDS WEST (S12°49'04"W) FOR A CHORD DISTANCE OF 944.78' TO A POINT; THENCE TURNING AND CONTINUING NORTH 71 DEGREES 58 MINUTES 09 SECONDS WEST (N71°58'09"W) FOR A DISTANCE OF 20.03' TO A POINT; THENCE SOUTH 17 DEGREES 33 MINUTES 31 SECONDS WEST (S17°33'31"W) FOR A DISTANCE OF 29.75' TO A POINT; THENCE SOUTH 72 DEGREES 11 MINUTES 45 SECONDS EAST (S72°11'45"E) FOR A DISTANCE OF 19.95' TO A POINT; THENCE TURNING AND CONTINUING ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 5670.38', AND AN ARC LENGTH OF 144.31', SAID CURVE BEING SUBTENDED BY A CHORD BEARING OF SOUTH 18 DEGREES 36 MINUTES 41 SECONDS WEST (S18°36'41"W) FOR A CHORD DISTANCE OF 144.31' TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY AND CONTINUING NORTH 89 DEGREES 18 MINUTES 19 SECONDS WEST (N89°18'19"W) FOR

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Planning & Zoning

A DISTANCE OF 485.38' TO A POINT; THENCE TURNING AND CONTINUING NORTH 27 DEGREES 04 MINUTES 07 SECONDS WEST (N27°04'07"W) FOR A DISTANCE OF 436.66' TO A POINT; THENCE CONTINUING NORTH 14 DEGREES 23 MINUTES 32 SECONDS EAST (N14°23'32"E) FOR A DISTANCE OF 822.48' TO A POINT; THENCE CONTINUING NORTH 56 DEGREES 07 MINUTES 05 SECONDS EAST (N56°07'05"E) FOR A DISTANCE OF 469.30' TO A POINT; THENCE CONTINUING NORTH 06 DEGREES 49 MINUTES 33 SECONDS EAST (N06°49'33"E) FOR A DISTANCE OF 170.97' TO A POINT; THENCE NORTH 12 DEGREES 46 MINUTES 51 SECONDS EAST (N12°46'51"E) FOR A DISTANCE OF 282.63' TO A POINT; THENCE TURNING AND CONTINUING NORTH 00 DEGREES 33 MINUTES 13 SECONDS WEST (N00°33'13"W) FOR A DISTANCE OF 284.63' TO A POINT; THENCE TURNING AND CONTINUING SOUTH 79 DEGREES 09 MINUTES 22 SECONDS EAST (S79°09'22"E) FOR A DISTANCE OF 435.80' TO A POINT ON THE NORTHWEST RIGHT-OF-WAY OF GEORGIA HIGHWAY 141 (A.K.A. MEDLOCK BRIDGE ROAD) (R/W VARIES); THENCE TURNING A CONTINUING ALONG SAID RIGHT-OF-WAY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 5790.40, AND AN ARC LENGTH OF 264.98', SAID CURVE BEING SUBTENDED BY A CHORD BEARING SOUTH 10 DEGREES 19 MINUTES 18 SECONDS WEST (S10°19'18"W) FOR A CHORD DISTANCE OF 264.94' TO A POINT; THENCE TURNING AND CONTINUING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 5790.40, AND AN ARC LENGTH OF 110.49', SAID CURVE BEING SUBTENDED BY A CHORD BEARING OF SOUTH 08 DEGREES 27 MINUTES 51 SECONDS WEST (S08°27'51"W) FOR A CHORD DISTANCE OF 110.49' TO A POINT; THENCE CONTINUING SOUTH 07 DEGREES 55 MINUTES 04 SECONDS WEST (S07°55'04"W) FOR A DISTANCE OF 451.91' TO THE POINT-OF-BEGINNING, (P.O.B.)

SAID TRACT OF LAND CONTAINING 30.18 ACRES = 1,314,781 SQ.FT.)

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EXHIBIT B

BMP Maintenance & Inspection Schedule for Stormwater Facilities

A. Inspections

1. Detailed inspections to be performed on the first day of every year by a qualified inspector.
2. Regular inspections to be performed quarterly and after every major storm event (1.2" in a 24 hour period)
3. Inspections are to follow the provided inspection report checklist.
4. Maintenance and inspection schedule shall be tailored to the type of BMP in accordance with the "Georgia stormwater management manual", Chapter 3. Reference Exhibit "D" for a detailed inspection checklist.

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11. STORMWATER FACILITIES MAINTENANCE AGREEMENT - Continued

EXHIBIT 'C'

PERMANENT WATER QUALITY BMP AND ACCESS EASEMENT AGREEMENT

STATE OF GEORGIA
COUNTY OF FULTON
CITY OF JOHNS CREEK

THIS EASEMENT granted this 20th day of JANUARY, 2011
MEDLOCK BRIDGE

between the property owner REALTY PARTNERS, LLC as party of the first part, hereinafter referred to as Grantor, and CITY OF JOHNS CREEK, a political subdivision of the State of Georgia, as party of the second part, hereinafter referred to as Grantee.

WITNESSETH THAT: Grantor, for and in consideration of the sum of ONE DOLLAR (\$1.00) in hand paid at and before the sealing and delivery of this easement and in consideration of the agreements and covenants contained in this document and the Maintenance Agreement between Grantor and Grantee, hereby grants unto the Grantee an easement in and to that portion of the property shown on Exhibit "A" to the Maintenance Agreement, as shown and identified on the plat attached hereto as Exhibit "1".

The purpose of this easement is to allow Grantee, or its agents, access for inspection maintenance activities to the Water Quality Best Management Practice (BMP) facility, and to prevent development of the property within the easement following issuance of the Certificate of Occupancy or in the case of a residential subdivision, the approval of the Final Plat, without written permission from the Johns Creek Department of Community Development. This easement is required by the provisions of the Maintenance Agreement executed by and between the Grantor and Grantee.

Lead Book 45771 p1 70

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City of Johns Creek
Planning & Zoning

11. STORMWATER FACILITIES MAINTENANCE AGREEMENT - Continued

PERMANENT WATER QUALITY BMP AND ACCESS EASEMENT AGREEMENT

SO AGREED this 20th day of JANUARY, 2011.

**PROPERTY OWNER
LIMITED LIABILITY CORPORATION**

Name of LLC: MEDLOCK BRIDGE BEAUTY PARTNERS, LLC
Printed or Typed Name

BY: [Signature]
Signature

Attest: [Signature]
Signature of Witness

RICHARD AARONSON
Typed or Printed Name

JAY K DANIEL
Typed or Printed Name

Title: MANAGER
Managing Person

Notary: [Signature]
Notary Public



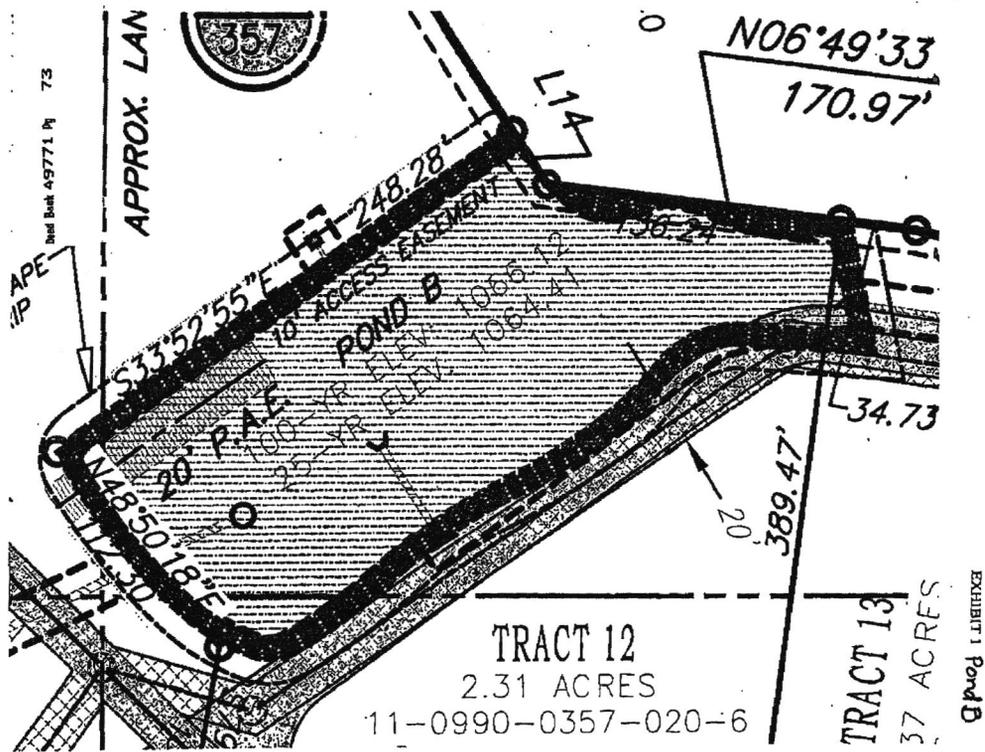
Attachments: Exhibit 1 (Plat of Easement)

Med Book 49771 Pg 71

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City of Johns Creek
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11. STORMWATER FACILITIES MAINTENANCE AGREEMENT - Continued

EXHIBIT 'D'

JOHNS CREEK

BMP Facility Operation and Maintenance Inspection Report for Pond Facilities

Inspector Name _____ Community _____
 Inspection Date _____ Address _____
 Type of BMP _____
 Watershed _____ Tax Map _____

ITEM INSPECTED	CHECKED		MAINTENANCE		OBSERVATIONS & REMARKS
	Yes	No	Reqd.	Not Reqd.	
I. POND FACILITIES					
A. Pond Dam Embankments and Emergency Spillways					
1. Vegetation and Ground Cover Adequate					
2. Surface Erosion					
3. Animal Burrows					
4. Unauthorized Planting					
5. Cracking, Bulging, or Sliding of Dam					
a. Upstream Face					
b. Downstream Face					
c. At or Beyond Toe					
Upstream					
Downstream					
d. Emergency Spillway					
6. Pond, Toe & Chimney Drains Clear & Funct.					
7. Seeps/Leaks on Downstream Face					

Deed Book 49771 Pg 74

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City of Johns Creek
 Planning & Zoning

11. STORMWATER FACILITIES MAINTENANCE AGREEMENT - Continued

ITEM INSPECTED	CHECKED		MAINTENANCE		OBSERVATIONS & REMARKS
	Yes	No	Reqd.	Not Reqd.	
8. Slope Protection or Riprap Failures					
9. Vertical and Horizontal Alignment of Top of Dam as Per "As-Built" Plans					
10. Emergency Spillway Clear of Obstructions and Debris					
11. Other (Specify)					
B. Riser and Principal Spillway					
Type: Reinforced Concrete Corrugated Pipe Masonry					
*Indicates Dry Ponds Only					
1. [#] Low Flow Orifice Obstructed					
2. [#] Low Flow Trash Rack					
a. Debris Removal Necessary					
b. Corrosion Control					
3. Weir Trash Rack Maintenance					
a. Debris Removal Necessary					
b. Corrosion Control					
4. Excessive Sediment Accumulation Inside Riser					
5. Concrete/Masonry Condition Riser & Barrels					
a. Cracks or Displacement					
b. Minor Spalling (<1")					
c. Major Spalling (Rebars Exposed)					
d. Joint Failures					
e. Water Tightness					
6. Metal Pipe Condition					
7. Control Valve					
a. Operational/Exercised					
b. Chained and Locked					

Reel Book 49771 Pg 75

11. STORMWATER FACILITIES MAINTENANCE AGREEMENT - Continued

ITEM INSPECTED	CHECKED		MAINTENANCE		OBSERVATIONS & REMARKS
	Yes	No	Reqd.	Not Reqd.	
8. Pond Drain Valve					
a. Operational/Exercised					
b. Chained and Locked					
9. Outfall Channels Functioning					
10. Other (Specify)					
C. Permanent Pool - Wet Ponds					
1. Undesirable Vegetative Growth					
2. Floating or Floatable Debris Removal Required					
3. Visible Pollution					
4. Shoreline Problems					
5. Other (Specify)					
D. Dry Pool Areas - Dry Pond					
1. Vegetation Adequate					
2. Undesirable Vegetative Growth					
3. Undesirable Woody Growth					
4. Low Flow Channels Clear of Obstructions					
5. Standing Water or Wet Spots					
6. Sediment and/or Trash Accumulation					
7. Other (Specify)					
E. Condition of Outfalls into Pond Area					
1. Rip Rap Failures					
2. Slope Invert Erosion					
3. Storm Drain Pipes					
4. Endwalls/Headwalls					
5. Other (Specify)					

Jerd Book 49771 Pg 76

11. STORMWATER FACILITIES MAINTENANCE AGREEMENT - Continued

ITEM INSPECTED	CHECKED		MAINTENANCE		OBSERVATIONS & REMARKS
	Yes	No	Reqd.	Not Reqd.	
F. Other					
1. Encroachments on Pond or Easement Area (Be Specific)					
2. Complaints from Local Residents (Describe on Back)			N/A	N/A	
3. Aesthetics					
a. Grass Mowing Reqd.					
b. Graffiti Removal Reqd.					
c. Other					
4. Public Hazards (Be Specific)					
5. Maintenance Access					

SUMMARY

1. Inspector's Remarks: _____

2. Overall Condition of Facility (Check One) Acceptable _____
 Unacceptable _____

3. I hereby certify under penalty of perjury that I have performed the inspections and made a good faith effort to identify the items that need maintenance. I further certify that failure to inspect or misrepresent the need for maintenance could result in my liability for personal or property damage.

Signed: _____ Date: _____
 Inspector

Deed Book 49771 Pg 77
Cathelene Robinson
 Clerk of Superior Court
 Fulton County, Georgia

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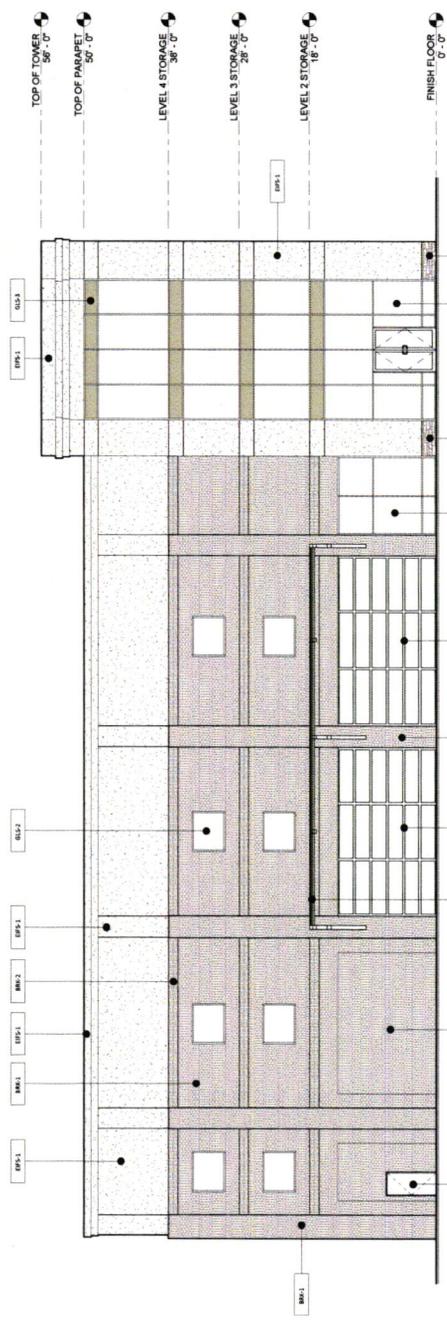
H2A

JOHNS BRICK STORAGE RENTALS

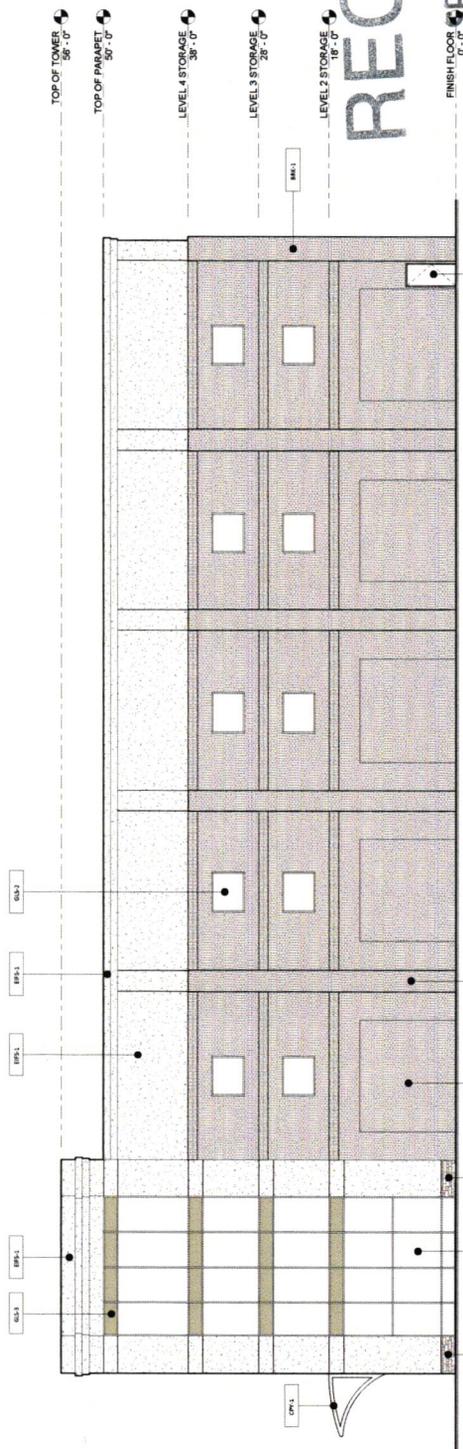
RZ-15-014
SUP-15-004

NO.	DATE	DESCRIPTION
1	09-08-2015	ISSUES / REVISIONS

COLOR CODE	MATERIAL	SURFACE	MANUFACTURER	PRODUCT INFORMATION
BRK-1	EXTERIOR BRICK	EXTERIOR WALLS	ISORAL BRICK	COLOR: CHOCOLATE WIRECUT, STYLE: RUNNING BOND
BRK-2	EXTERIOR BRICK	EXTERIOR WALLS	ISORAL BRICK	COLOR: CHOCOLATE WIRECUT, STYLE: SOLIDER COARSE
BRK-3	EXTERIOR BRICK	EXTERIOR WALLS	ISORAL BRICK	COLOR: CHOCOLATE WIRECUT, STYLE: RUNNING BOND WITH BLACK CONTROL JOINTS
CPY-1	ALUMINUM	CANOPY	MAPES	BLACK MAPES ALUMINUM CANOPY
EPS-1	EXTERIOR INSULATION FINISH SYSTEM	EXTERIOR WALLS	DRYPIT	COLOR: SERENDE 442
EPS-2	EXTERIOR PAINT	EXTERIOR WALLS	SHERWIN WILLIAMS	COLOR TO MATCH EPS-1
EPS-3	EXTERIOR PAINT	EXTERIOR WALLS	SHERWIN WILLIAMS	COLOR TO MATCH EPS-1
GLS-1	ALUMINUM FRAMES AND GLASS	SCREENED	MANWER	BRONZE ANODIZED GLAZING WITH PPK LOW E SHANDRE GLASS, COLOR: ATLANTICA
GLS-2	ALUMINUM FRAMES AND GLASS	MAIN DOORS	SHERWIN WILLIAMS	COLOR TO MATCH GLS-1
GLS-3	ALUMINUM AND GLASS	OVERHEAD DOORS	OVERHEAD DOOR COMPANY	BRONZE ANODIZED FRAMING WITH GLASS TO MATCH GLS-2
STN-1	EXTERIOR STONE	EXTERIOR WALLS	ISORAL STONE	EASY-FIT SAVANNAH LEDESTONE, COLOR: GLACIER VALLEY



EXTERIOR ELEVATION - SOUTH
 1/8" = 1'-0"



EXTERIOR ELEVATION - EAST
 1/8" = 1'-0"

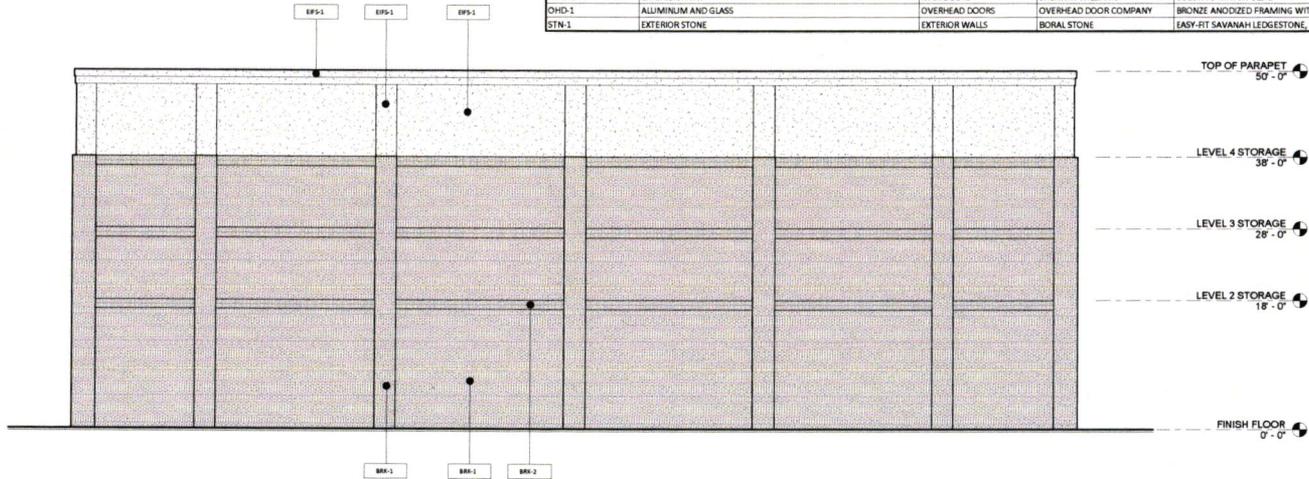
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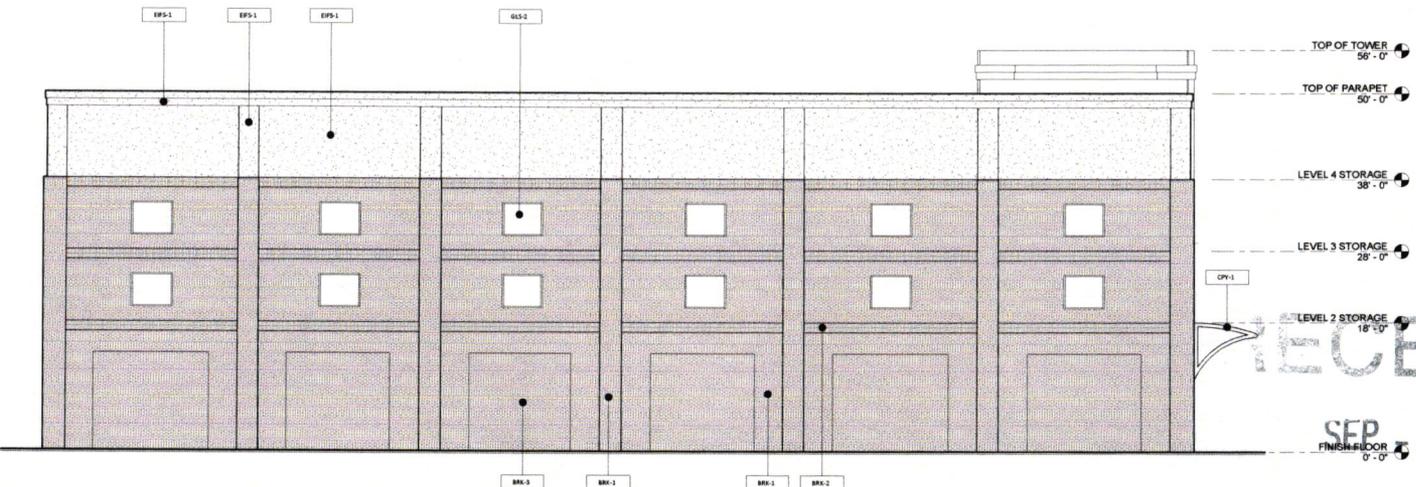
City of Johns Creek
 Planning & Zoning

R2-15-014
 SUP-15-014

EXTERIOR FINISHES LEGEND				
COLOR CODE	MATERIAL	SURFACE	MANUFACTURER	PRODUCT INFORMATION
BRK-1	EXTERIOR BRICK	EXTERIOR WALLS	BORAL BRICK	COLOR: CHOCOLATE WIRECUT, STYLE: RUNNING BOND
BRK-2	EXTERIOR BRICK	EXTERIOR WALLS	BORAL BRICK	COLOR: CHOCOLATE WIRECUT, STYLE: SOLDIER COARSE
BRK-3	EXTERIOR BRICK	EXTERIOR WALLS	BORAL BRICK	COLOR: CHOCOLATE WIRECUT, STYLE: RUNNING BOND WITH BLACK CONTROL JOINTS
CPY-1	ALUMINUM	CANOPY	MAPES	BLACK MAPES ALUMINUM CANOPY
EPS-1	EXTERIOR INSULATION FINISH SYSTEM	EXTERIOR WALLS	DRYVIT	COLOR: SERENADE 342
EXP-1	EXTERIOR PAINT	EXTERIOR WALLS	SHERWIN WILLIAMS	COLOR TO MATCH EPS-1
EXP-2	EXTERIOR PAINT	EXTERIOR WALLS	SHERWIN WILLIAMS	COLOR TO MATCH EPS-1
GLS-2	ALUMINUM FRAMES AND GLASS	STOREFRONT	KAWNEER	BRONZE ANODIZED CLADDING WITH PPG LOW-E GLASS, COLOR: ATLANTICA
GLS-3	ALUMINUM FRAMES AND GLASS	STOREFRONT	KAWNEER	BRONZE ANODIZED CLADDING WITH PPG LOW-E SPANDREL GLASS, COLOR: ATLANTICA
HMD-1	EXTERIOR PAINT	MAN DOORS	SHERWIN WILLIAMS	COLOR TO MATCH GLS-2
OHD-1	ALUMINUM AND GLASS	OVERHEAD DOORS	OVERHEAD DOOR COMPANY	BRONZE ANODIZED FRAMING WITH GLASS TO MATCH GLS-2
STN-1	EXTERIOR STONE	EXTERIOR WALLS	BORAL STONE	EASY-RT SAVANNAH LEDGESTONE, COLOR: GLACIER VALLEY



EXTERIOR ELEVATION - NORTH
1/8" = 1'-0"



EXTERIOR ELEVATION - WEST
1/8" = 1'-0"

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City of Johns Creek
Planning & Zoning

R2-15-014
SUP-15-004

DISCLOSURE REPORT FORM

WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL.

CIRCLE ONE: YES (if YES, complete points 1 through 4); NO (if NO, complete only point 4)

1. CIRCLE ONE: Party to Petition (If party to petition, complete sections 2, 3 and 4 below)
 In Opposition to Petition (If in opposition, proceed to sections 3 and 4 below)

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition:

1. Taylor County Land GA, LLC	5.
2.	6.
3.	7.
4.	8.

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more
N/A			

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) MARC CURTIS (FOR Taylor County Land GA, LLC)
 Signature: *Marc Curtis* Date: 9/8/15

R2-15-014
 SUP-15-004

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Planning & Zoning

ZONING IMPACT ANALYSIS FORM

Analyze the impact of the proposed rezoning and provide a written point-by-point response to the following questions:

1. Does the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?
Yes, the subject property is surrounded by commercial and high-density residential uses, including a senior care home and apartments. The proposed storage facility will be an amenity for surrounding uses.
2. Does the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?
The proposed use will have low impact on traffic and utilities, and will have no adverse effect on adjacent or nearby properties.
3. Does the property to be rezoned have a reasonable economic use as currently zoned?
The subject property is zoned to facilitate a hotel, however, since it was rezoned the property has been reduced in size by approximately 30%. The resulting size of the subject property is no longer large enough to develop a hotel. Consequently, there is not a reasonable economic use of the property as currently zoned.
4. Will the zoning proposal result in a use that could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?
The proposed commercial use will have no impact on schools. The projected impact on streets, transportation facilities, and utilities will be negligible, but in keeping with projected growth.
5. Is the zoning proposal in conformity with the policies and intent of the land use plan?
The subject property is currently zoned MIX, thus the property is properly zoned for the proposed use but a special use permit is required. The proposed use is consistent with the objective of establishing a mix of commercial and residential development. The Applicant's proposal reduces the intensity of the current zoning while allowing an economically feasible use that is compatible with surrounding uses.
6. Are there existing or changing conditions that affect the use and development of the property which support either approval or denial of the zoning proposal?
Approximately 1 of the 3.5 acres (originally planned for this tract) of the subject property was assimilated into the adjoining senior care facility. This reduction in size has made the development of a hotel economically infeasible. The proposed development is a very good alternate use.
7. Does the zoning proposal permit a use that can be considered environmentally adverse to the natural resources, environment and citizens of the City of Johns Creek?
The proposed use will not be environmentally adverse to the natural resources, environment, or citizens of Johns Creek.

R2-15-04
SVP-15-004

DETAILED TAX SUMMARY



City of Johns Creek/Fulton

TAX YEAR: 2014 ▾

Owner Name
TAYLOR COUNTY LAND GA LLC

Parcel Identification
11 -0990-0357-027-1

Account Number
7091882

Property Location
11220 MEDLOCK BRIDGE ROAD

Tax District
57 - JOHNS CREEK

Fair Market Value
1,588,300

Assessed Value
635,320

Temporary Assessment
Not Found

City Exemption:
County Exemption:

Levies	Assessment	Exemptions	Net Assessment	X	Net Rate	State Credit	TAX
Fulton Cycle							
FULTON BONDS	635,320	0	635,320	X	.000270	\$0.00	\$171.54
FULTON OPER	635,320	0	635,320	X	.011781	\$0.00	\$7,484.70
FULTON SCHOOL GEN	635,320	0	635,320	X	.018502	\$0.00	\$11,754.69
STATE	635,320	0	635,320	X	.000100	\$0.00	\$63.53
INTEREST							\$0.00
PENALTIES/FEES							\$0.00
Last Payment: 10/15/2014			Total Amount Billed				\$19,474.46
			Less Amount Paid				\$19,474.46
			Total Due				\$0.00
City of Johns Creek/Fulton Cycle							
JOHNS CREEK	635,320	0	635,320	X	.004614	\$0.00	\$2,931.37
INTEREST							\$0.00
PENALTIES/FEES							\$0.00
Last Payment: 10/15/2014			Total Amount Billed				\$2,931.37
			Less Amount Paid				\$2,931.37
			Total Due				\$0.00
TAXES DUE FOR OTHER YEARS = \$18,315.32. After 9/8/2015 additional interest of 1% per month will continue to accrue until paid in full.							

Property owners with current legal matters, such as bankruptcy or foreclosure, must contact the Tax Commissioner's office at (404) 613-6100 for the official balance due on their parcel(s).

[Return to Tax Bill](#) | [Return to Search Results](#)

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R2-15-014
SUP-15-004

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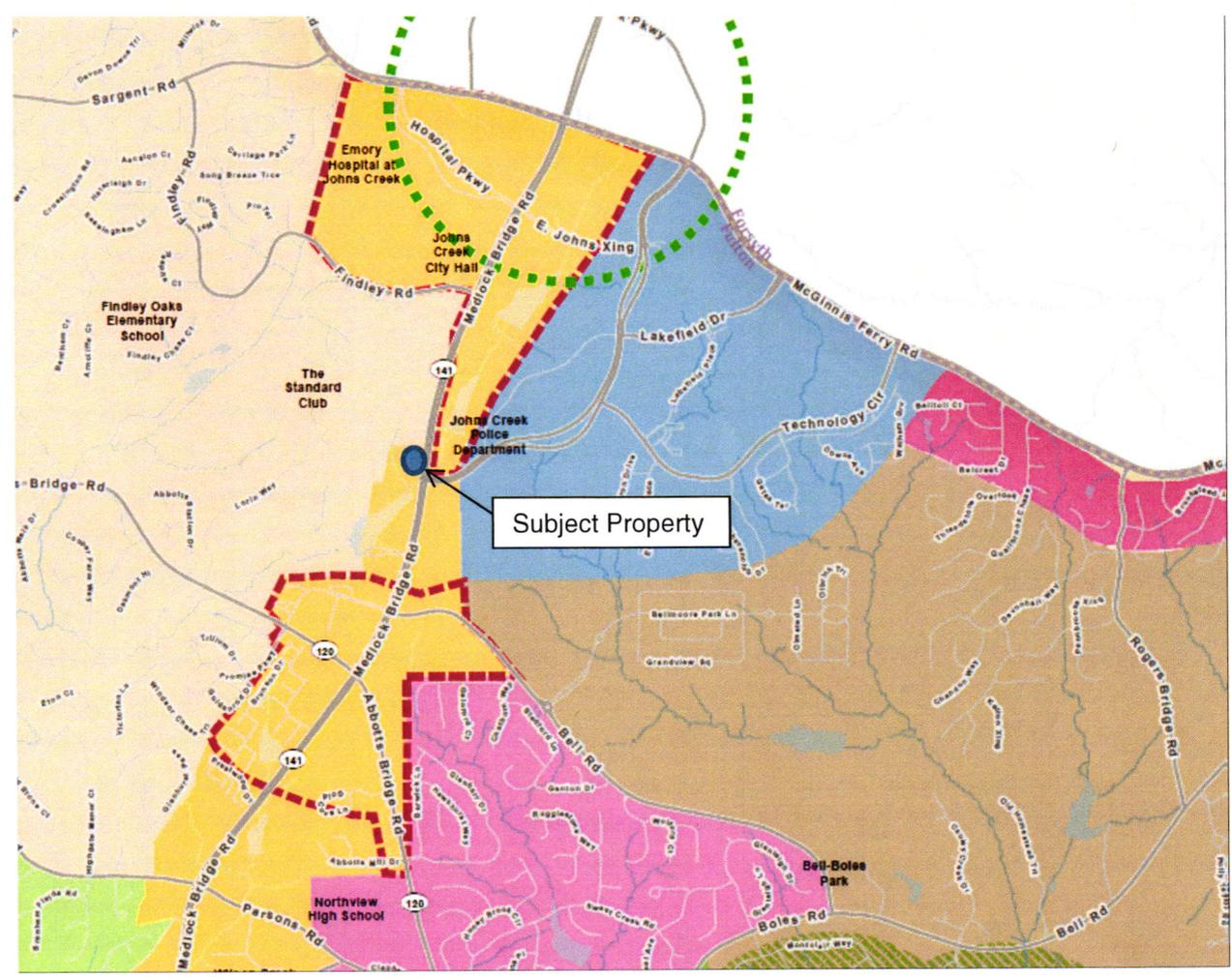
Piedmont Atlantic Capital, LLC
PO Box 767127
Roswell, Georgia 30076

Use Permit and Condition Modification for Piedmont Atlantic Capital

Environmental Site Analysis

1. Conformance with the Comprehensive Plan.

The Subject Property is located within the 141 Corridor Character Area, which is projected to be "the most intensive commercial/residential corridor in the city." *Comp. Plan., p. 27.* The proposed Self Storage Facility, in which the Applicant will provide climate controlled self-storage units, complies with the Comprehensive Plan in that it will facilitate mixed use development and serve as an amenity for businesses and residents in the area.



RZ-15-014
SUP 15-004

2. Environmental Impacts of the Proposed Project.

The following environmental features are present and are affected by the proposed project, as below:

- a. **Wetlands** - N/A; there are no wetlands on site.
- b. **Floodplain** – A portion of the subject property does contain recorded 500-year floodplain. All development will be in accordance with applicable FEMA, EPD, and City regulations regarding floodplain.
- c. **Streams/stream buffers** – There are multiple streams/stream buffers on site. All stream buffers will be preserved according to applicable laws and ordinances.
- d. **Slopes exceeding 25 percent over a ten-foot rise in elevation** – N/A; there are no slopes exceeding 25 percent over a ten-foot rise in elevation on site.
- e. **Vegetation, including endangered species** - areas of confirmed state department of natural resources listed endangered species shall comply with the Federal Endangered Species Act; no endangered species are known to be on site.
- f. **Wildlife species, including fish and endangered species** - areas of confirmed state department of natural resources listed endangered species shall comply with the Federal Endangered Species Act; no endangered species are known to be on site.
- g. **Archeological/historical sites** – N/A; the subject property is not a historical site.

3. Project Implementation Measures.

The proposed project will implement each of the following measures, as applicable, as described below:

- a. **Protection of environmentally sensitive areas, i.e., floodplain, slopes exceeding 25 percent, river corridors** – The subject property contains multiple streams and contains recorded 500-year floodplain. The project will observe all applicable regulations regarding streams and floodplain.
- b. **Protection of water quality** - The project will prevent pollution of streams through the implementation of an integrated storm water management plan that incorporates water quality treatment of runoff, downstream channel protection, detention of peak flows, and flood control in accordance with the Georgia Storm Water Management Manual. The storm water management facilities for the development have been designed to maintain or improve water quality conditions downstream of the development.

- c. Minimization of negative impacts on existing infrastructure** – The proposed development will utilize public sanitary sewage disposal; as sanitary sewage treatment capacity is available to serve the subject property, the development will have no negative impact on public sanitary sewer utilities. The proposed development will not significantly impact public roads, water, or natural gas utilities.
- d. Minimization on archeological/historically significant areas**– N/A; the subject property is not a historical site.
- e. Minimization of negative impacts on environmentally stressed communities where environmentally stressed communities are defined as communities exposed to a minimum of two environmentally adverse conditions resulting from public and private municipal (e.g., solid waste and wastewater treatment facilities, utilities, airports, and railroads) and industrial (e.g., landfills, quarries and manufacturing facilities) uses** – N/A
- f. Creation and preservation of green space and open space** – The developable area of this subject property is severely limited by buffers and setbacks from adjoining properties. The Applicant has requested to reduce these to allow construction, while preserving a 10-foot landscape strip along the side and rear yards of the property. In addition, the Applicant intends to maintain all stream buffers along the front of the Subject Property. The proposed landscape strips will provide adequate screening and preservation of green space and open space to comply with the intent of the Comprehensive Plan.
- g. Protection of citizens from the negative impacts of noise and lighting** – The proposed development will comply with all City of Johns Creek standards regarding lighting height, luminescence, and light spillage from the subject property.
- h. Protection of parks and recreational green space** - N/A; the subject property contains no park or recreational green space. As a commercial development, use of the subject property will have no adverse impact on parks or recreational green space
- i. Minimization of impacts to wildlife habitats** – The proposed development will have minimal impact on wildlife habitats as substantial green space will be preserved.

***NOTE: The Subject Property is part of the Johns Creek Walk development. An Environmental Site Analysis, dated August 7, 2006, was submitted for this entire development; a copy of this ESA is attached and incorporated by reference.**

04-03-07A09:36 RCVD

**Fulton County Environmental Site Analysis (ESA)
Form A**

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City of Johns Creek
Planning & Zoning

ESA Revision Number: _____

Applicant: Atlantic Realty Partners

Phone Number: 404-591-2491

1. Conformance with the Comprehensive Plan. Describe the proposed project and the existing environmental conditions on the site.

- The proposed project involves the construction of a mixed-use development along Medlock Bridge Road, near its intersection with Johns Creek Parkway. Existing environmental conditions onsite consist of forested uplands which are predominately comprised of upland vegetation.

Describe adjacent properties. Include a site plan that depicts the proposed project.

- The adjacent properties to the north, south, and west contain a golf course. The eastern border of the site is Medlock Bridge Road. A commercial development exists across the street from the project site (Please refer to the attached site plan for configuration of adjacent properties).

Describe how the project conforms to the Comprehensive Land Use Plan. Include the portion of the Comprehensive Plan Land Use Map which supports the project's conformity to the Plan. Evaluate the proposed project with respect to the land use suggestion of the Comprehensive Plan as well as any pertinent Plan policies. Information regarding Fulton County's Comprehensive Plan may be found online at <http://wms.co.fulton.ga.us/>

- Review of the 2025 North Fulton Land Use Plan indicates the surrounding area as proposed residential/mixed use. The proposed mixed use land plan is consistent with the 2025 Land Use Plan for the surrounding area (See attached Map).

2. Environmental Impacts of the Proposed Project. For each environmental site feature listed below. Indicate the presence or absence of that feature on the property. Describe how the proposed project may encroach or adversely affect an environmental site feature. Information on environmental site features may be obtained from the indicated source(s). Cite the source of information regarding the presence or absence of environmental site features (e.g. according to the Fulton County website (<http://wms.co.fulton.ga.us/>) wetland areas are located on the northwest portion of the site).

a. Wetlands

- **U.S. Fish and Wildlife Service National Wetlands Inventory (<http://wetlands.fws.gov/downloads.htm>)**

- According to the U.S. Fish and Wildlife, National Wetlands Inventory map no wetlands are present within the proposed project site (see attached map).
- **Georgia Geologic Survey (404) 656-3214**
 - Unable to gather wetland information from this source due to lack of information on the web.
- **Fulton County Website (<http://wms.co.fulton.ga.us/>)**
 - According to the Fulton County website (<http://wms.co.fulton.ga.us/>) no wetlands are present within the proposed project site (see attached map).
- **Field observations and subsequent wetlands delineation/survey if applicable.**
 - Register-Nelson Environmental Consultants performed a Jurisdictional Wetland Determination on July 28, 2006 and found two wetlands present within the proposed project site (see attached map).

b. Floodplain

- **Federal Emergency Management Agency website (<http://www.fema.org>)**
 - The Federal Emergency Management Agency (FEMA) website has recorded a 500-year floodplain area within the proposed project site. This area is labeled as zone X on the attached FEMA floodplain map.
- **Fulton County Website (<http://wms.co.fulton.ga.us/>)**
 - The Fulton County website has recorded a 500-year floodplain area within the proposed project site, but not a 100-year floodplain area (see attached map).
- **Fulton County Department of Environment and Community Development, Development Services Division.**
 - Unable to gather floodplain information from website (found repetitive links to FEMA and Fulton County Website).
- **Field Observation and verification**
 - Register-Nelson Environmental Consultants performed a site visit on July 28, 2006 and found evidence of floodplain areas within the project site.

c. Streams/stream buffers

- **Fulton County Website (<http://wms.co.fulton.ga.us/>)**
 - Fulton County website has recorded a perennial stream and a pond within the proposed project site. During the field investigation, this

buffer was found to be fully in-tact and consisted of trees, shrubs, and grass.

- **Field observation and verification**

- Register-Nelson Environmental Consultants performed a site visit on July 28, 2006 and found two streams within the project area. One is intermittent in flow regime, and the other stream which contains the pond, is perennial.

d. Slopes exceeding 33 percent over a 10-foot rise in elevation.

- **United States Geologic Survey Topographic Quadrangle Map**

- United States Geologic Survey Topographic Quadrangle Map does not indicate slopes exceeding 33 percent over a 10-foot rise in elevation on the proposed project site (see attached map).

- **Field observation and verification**

- Register-Nelson Environmental Consultants performed a site visit on July 28, 2006 and did not find slopes exceeding 33 percent over a 10-foot rise in elevation on the proposed project site.

e. Vegetation (including endangered species)

- **United States Department of Agriculture, Nature Resource Conservation Service**

- Website used to identify plant species observed during site visit (please see bullet below).

- **United States Fish and Wildlife Service Website (http://www.fws.gov/athens/endangered/counties/fulton_county.html)**

- An in-office review of the U. S. Fish and Wildlife Service (USFWS) database was initially performed to ascertain the list of state and federally protected plant species that may occur in Fulton County. This was accomplished to determine the possibility of State and/or federally protected species occurring on this site. State and federally listed threatened and endangered plant species that were documented as potentially occurring in Fulton County include:

- Bay Star-vine (*Schisandra glabra*) Typical habitat includes rich alluvial woods. This species is not listed as threatened or endangered according to the USFWS and listed as threatened according to the Georgia Department of Natural Resources (DNR). According to the Georgia Department of Natural Resources website (<http://www.georgiawildlife.com/content/displaycontent.asp?txtDocument=89&txtPage=6#shapefile>) no habitat was identified, nor specimens observed during the field survey.

- Piedmont Barren Strawberry (*Waldsteiria lobata*) Typical habitat includes rocky acedic woods along streams. This species is not listed according to the USFWS and listed as threatened according to the DNR. According to the Georgia Department of Natural Resources website (<http://www.georgiawildlife.com/content/displaycontent.asp?txtDocument=89&txtPage=6#shapefile>) no habitat was identified, nor specimens observed during the field survey.
- In addition to the species listed above, the following list includes plant species of Special Concern for Fulton County as indicated by DNR:
 - Georgia Aster (*Aster georgianus*)
 - Pink Ladyslipper (*Cypripedium acaule*)
 - Large-flowered Yellow Ladyslipper (*Cypripedium parviflorum* var. *pubescens*)
 - Log Fern (*Dryopteris celsa*)
 - Crested Wood Fern (*Dryopteris cristata*)
 - Mountain Witch-alder (*Fothergilla major*)
 - Harper's Heartleaf (*Hesastylis shuttleworthii* var. *harperi*)
 - Southern Twayblade (*Listera australis*)
 - American Ginseng (*Panax quinquefolius*)GIS Quarter Quad shapefiles retrieved from the Georgia DNR website indicated the absence of these species within the project site.
- **Field observations**
 - During the Register-Nelson visit to the project site none of the above-referenced species were observed on the subject site.
 - The site was comprised of forested uplands and was predominately comprised of loblolly pines (*Pinus taeda*), with sparse coverage of American beech (*Fagus grandifolia*), hickory (*Carya sp.*), and white oak (*Quercus alba*).

f. Wildlife Species (including fish and endangered species)

- **United States Fish and Wildlife Service**
 - An in-office review of the USFWS database was initially performed to ascertain the list of state and federally protected animal species that may occur in Fulton County. This was accomplished to determine the possibility of state and/or federally protected species occurring on this site. State and federally listed threatened and endangered animal species that were documented as potentially occurring in Fulton County include:
 - Bald Eagle (*Haliaeetus leucocephalus*) Typical habitat is near inland waterways and estuaries with suitable large trees nearby for nesting. This species is listed as threatened according to the USFWS and Endangered according to the DNR.

(http://www.fws.gov/athens/endangered/counties/fulton_county.html) No habitat was identified, nor specimens observed during the field survey.

- Gulf Moccasin Shell Mussel (*Medionidus pencillatus*) Typical habitat includes medium to large rivers with slight to moderate current over sand and gravel substrates. This species is listed as endangered according to both the USFWS and DNR.
(http://www.fws.gov/athens/endangered/counties/fulton_county.html) No habitat was identified, nor specimens observed during the field survey.
- Shiny-Rayed Pocket Mussel (*Lampsilis subangulata*) Typical habitat includes medium creeks to the mainstems of rivers with slow to moderate currents over sandy substrates and associated with rock or clay. This species is listed as endangered according to both the USFWS and DNR.
(http://www.fws.gov/athens/endangered/counties/fulton_county.html) No habitat was identified, nor specimens observed during the field survey.
- Bluestripe Shiner (*Cyprinella callitaenia*) Typical habitat includes brownwater streams. This species is not listed according to the USFWS and listed as threatened according to the DNR.
(http://www.fws.gov/athens/endangered/counties/fulton_county.html) No habitat was identified, nor specimens observed during the field survey.
- Cherokee Darter (*Etheostoma scotti*) Typical habitat includes small to medium warm, shallow creeks with rocky bottoms. This species is listed as threatened according to both the USFWS and DNR.
(http://www.fws.gov/athens/endangered/counties/fulton_county.html) No habitat was identified, nor specimens observed during the field survey. The presence of endangered Darters in Fulton County is limited to the Etowah River watershed. This project site is located entirely in the Chattahoochee River watershed
- Highscale Shiner (*Notropis hypsilepis*) Typical habitat includes blackwater and brownwater streams. This species is not listed according to the USFWS and listed as threatened according to the DNR.
(http://www.fws.gov/athens/endangered/counties/fulton_county.html) No habitat was identified, nor specimens observed during the field survey.

- **Georgia Department of Natural Resources, Wildlife Resources Division, Natural Heritage Program.**
 - In addition to the species listed above, the following list includes animal species of Special Concern for Fulton County as indicated by DNR:
 - Bachman's sparrow (*Aimophila aestivalis*)
 - Peregrine Falcon (*Falco peregrinus*)
 - Four-toed Salamander (*Hemidactylium scutatum*)
 - Sculptured Pigtoe (*Quincuncina infucata*)GIS Quarter Quad shapefiles retrieved from the Georgia DNR website indicated the absence of these species within the project site.
- **Field observation**
 - During the July 28, 2006 Register-Nelson site visit none of the above-referenced species were observed on the subject site.

g. Archaeological/Historical Sites

- **Fulton County Historic Resources Survey**
 - No sites within or around the project site were listed in the National Register Information System for Fulton County.
- **Georgia Department of Natural Resources, Historic Preservation Division**
 - No archeological/historical sites are listed within the project area. However, two sites listed under the Georgia Historic Resources Survey were found within one mile of the project site (see attached).
- **Field observation and verification**
 - Field observation by Register-Nelson Environmental Consultants did not observe any archaeological or historical sites within the proposed project site.

3. Project Implementation Measures. Describe how the project implements each of the measures listed below as applicable. Indicate specific implementation measures required to protect environmental site feature(s) that may be impacted.

- a. Protection of environmentally sensitive areas, i.e., floodplain, slopes exceeding 25 percent, river corridors.**
 - Not applicable.
- b. Protection of Water Quality**
 - Water quality will be protected by an on-site detention pond.
- c. Minimization of negative impacts on existing infrastructure.**
 - Not applicable.

d. Minimization of archeological/historically significant areas.

- Not applicable.

e. Minimization of negative impacts on environmentally stressed communities where environmentally stressed communities are defined as communities exposed to a minimum of two environmentally adverse conditions resulting from public and private municipal (e.g. solid waste and wastewater treatment facilities, utilities, airports, and railroads) and industrial (e.g., landfills, quarries and manufacturing facilities) uses.

- Not applicable

f. Creation and preservation of green space and open space.

- Not applicable

g. Protection of citizens from the negative impacts of noise and lighting

- The proposed project site is consistent with the current land use and planning of the existing area, thus noise and lighting impacts will be consistent as well.

h. Protection of parks and recreational green space.

- Not applicable.

i. Minimization of impacts to wildlife habitats.

- The area, due to surrounding development, provides little in the way of habitat for wildlife and the project should not have negative impact to wildlife habitat.

Legend

- Roads**
- Interstates
- Other Limited Access
- State Route
- Arterial Roads
- Streets
- Ramps
- Unknown
- Parcel Boundaries
- Elevation Contours**
- Buildings
- Steep Slopes (<25%)
- Historic Resources**
- ★
- Rivers and Streams**
- Intermittent
- Perennial Streams (Unnamed)
- Perennial Streams (Named)
- 100-Year Flood Plain
- National Wetlands Inventory**
- INLAND AQUATIC BED
- ⊙ INLAND HERBACEOUS WETLAND
- INLAND SHRUB SWAMP
- INLAND HERBACEOUS WETLAND
- INLAND FORESTED WETLAND
- PONDS
- UPPER PERENNIAL RIVER
- LOWER PERENNIAL RIVER
- LAKES (shallow)
- INLAND AQUATIC BED
- INLAND FORESTED WETLAND
- INLAND HERBACEOUS WETLAND
- INLAND SHRUB SWAMP
- LAKES (shallow)
- LOWER PERENNIAL RIVER
- PONDS
- PONDS (SHALLOW)
- UPPER PERENNIAL RIVER
- Lakes and Ponds**
-
- 2002 Noise Contours**
- 65 dB
- 70 dB
- 75 dB



Environmental Impact

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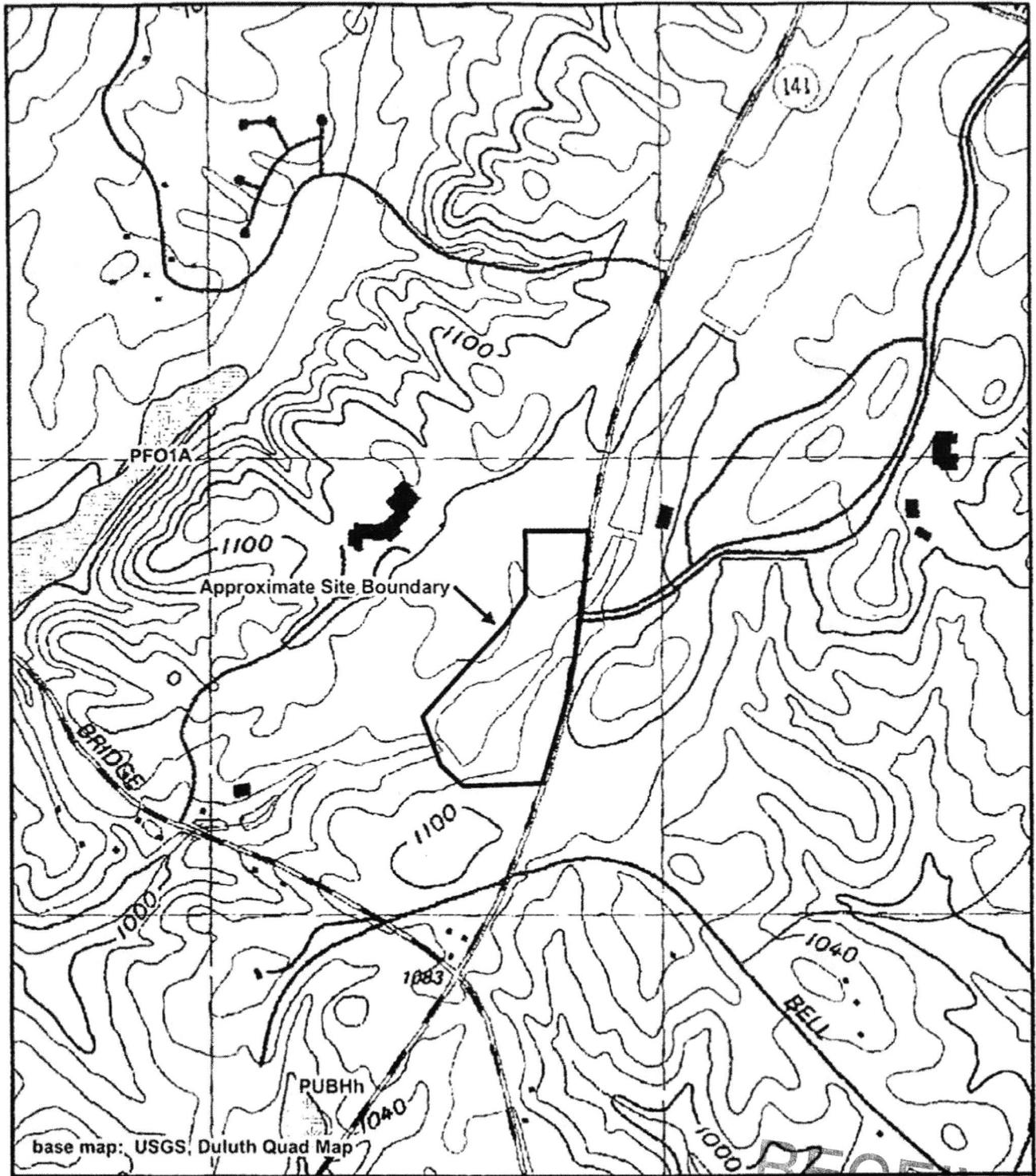
Fulton County, Georgia

Fulton County provides the data within these pages for your personal use "as is". The data are not guaranteed to be accurate, correct, or complete.

City of Johns Creek

Prepared by Fulton County Department of Environment and Community Development Support Services Division
Geographic Information System

Date: 08.09.06



Prepared:
August 8, 2006
By:
REGISTER NELSON
Environmental Consultants
3949 Jodeco Road, McDonough, GA 30253
Office: 678-432-2636 Fax: 678-432-2464

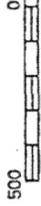
National Wetlands Inventory

Medlock Bridge Road
Fulton County, Georgia
for
Atlantic Realty Partners

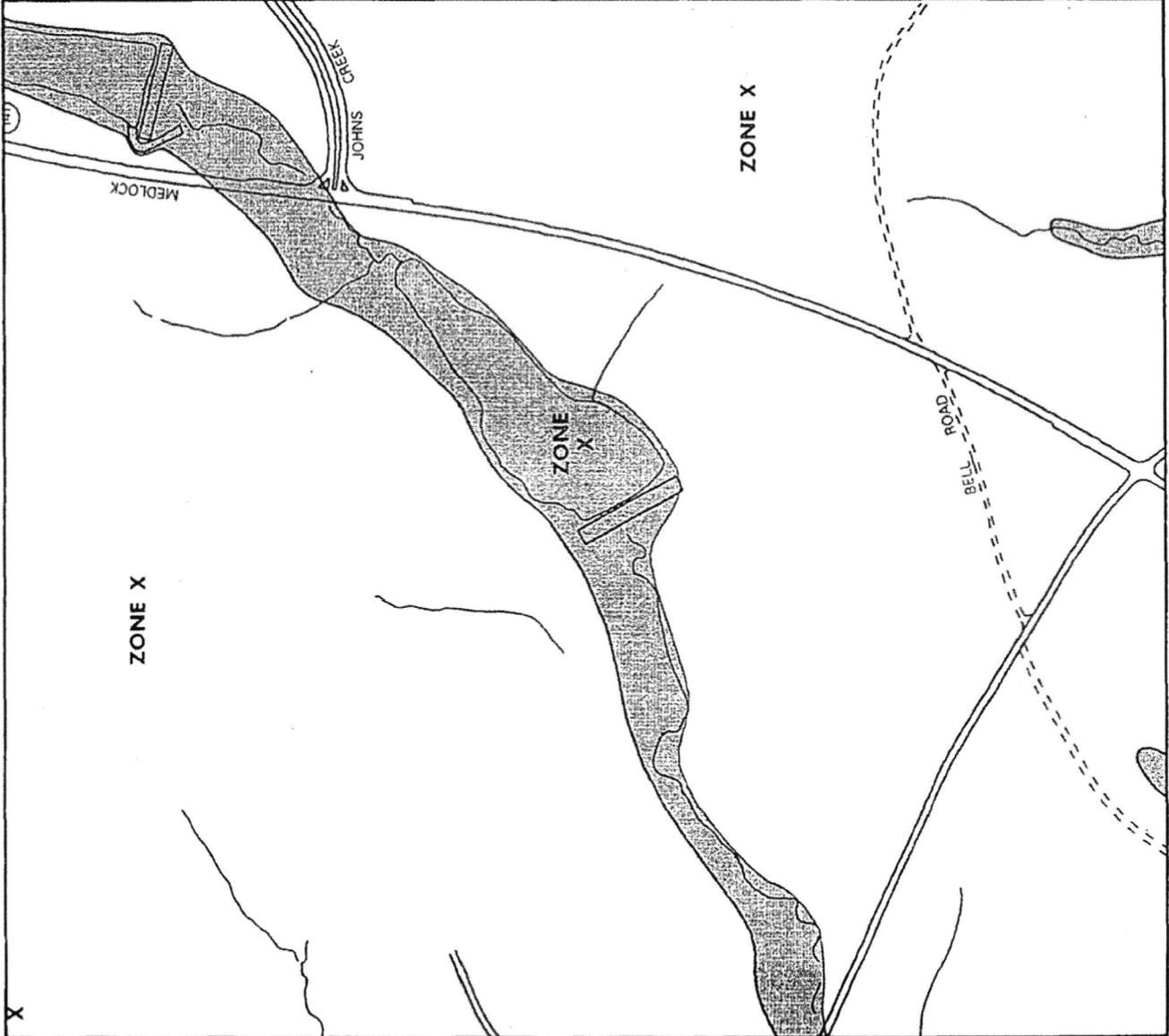
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SEP - 8 2005
1,000 Feet
City of Johns Creek
Planning & Zoning
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SEP - 8 2015

APPROXIMATE SCALE



City of Johns Creek
Planning & Zoning



SPECIAL FLOOD HAZARD AREAS IN U.S. BY 100-YEAR FLOOD

- ZONE A** No base flood elevations determined
- ZONE AE** Base flood elevations determined
- ZONE AH** Flood depths of 1 to 3 feet (unponding); base flood elevation
- ZONE AO** Flood depths of 1 to 3 feet flow on sloping terrain; area determined; for areas of alluvial velocities also determined.
- ZONE APF** To be protected from 100-year Federal flood protection provisions; no base flood elevation
- ZONE V** Coastal flood with velocity action; no base flood elevation
- ZONE VE** Coastal flood with velocity action; base flood elevation

FLOODWAY AREAS IN ZONE AE

OTHER FLOOD AREAS

- ZONE X** Areas of 500-year flood; are flood with average depths of 1 or with drainage areas less than and areas protected by levees flood.

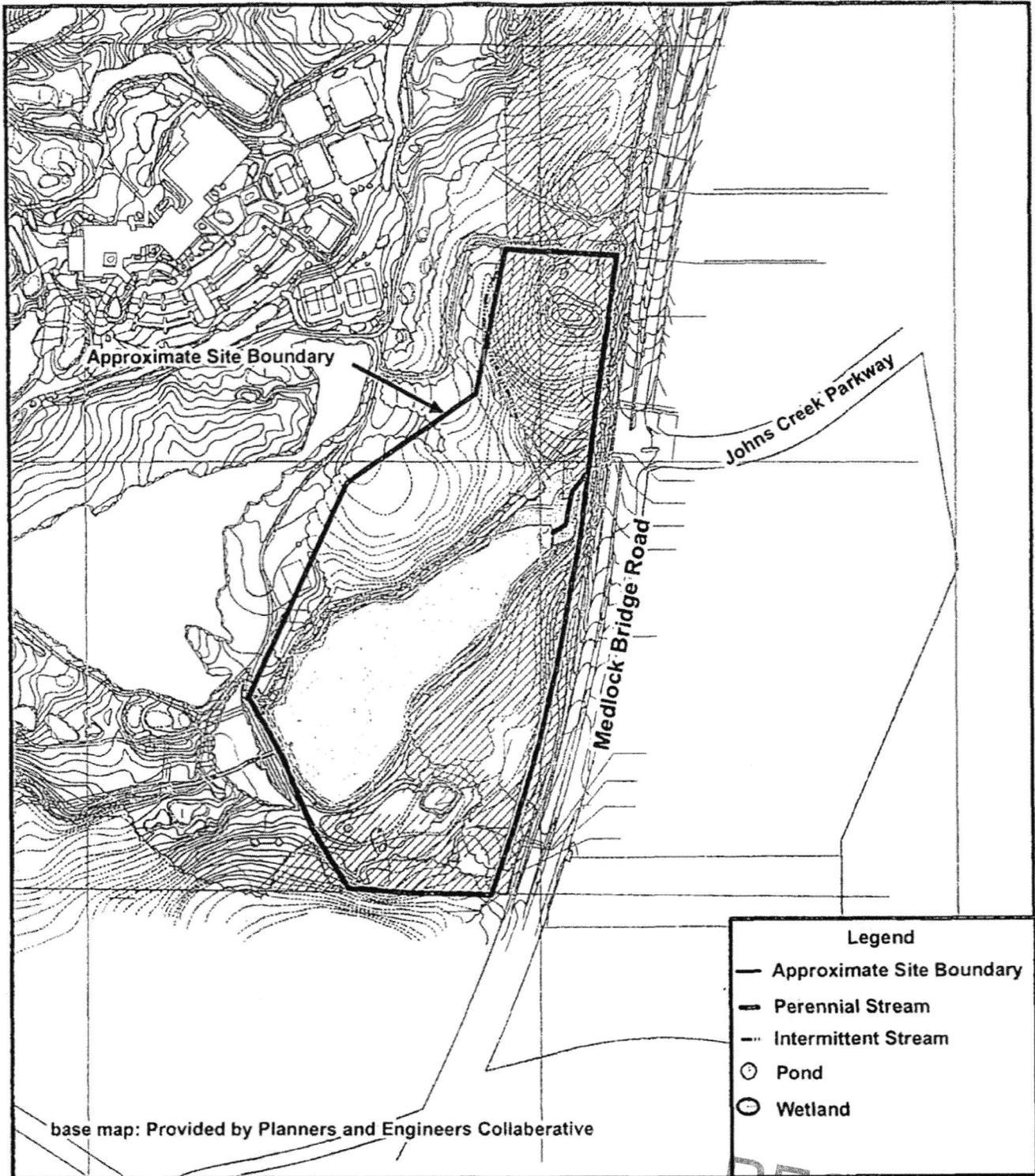
OTHER AREAS

- ZONE X** Areas determined to be out floodplain.
- ZONE D** Areas in which flood hazard is not.

UNDEVELOPED COASTAL BARRIERS*



This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



base map: Provided by Planners and Engineers Collaborative

Legend

- Approximate Site Boundary
- Perennial Stream
- - - Intermittent Stream
- ⊙ Pond
- ⊖ Wetland

Prepared:
July 31, 2006
By:
REGISTER NELSON
Environmental Consultants
3949 Jodeco Road, McDonough, GA 30253
Office: 678-432-2636 Fax: 678-432-2464

Limits of USACE Jurisdiction

Medlock Bridge Road
Fulton County, Georgia
for
Atlantic Realty Partners

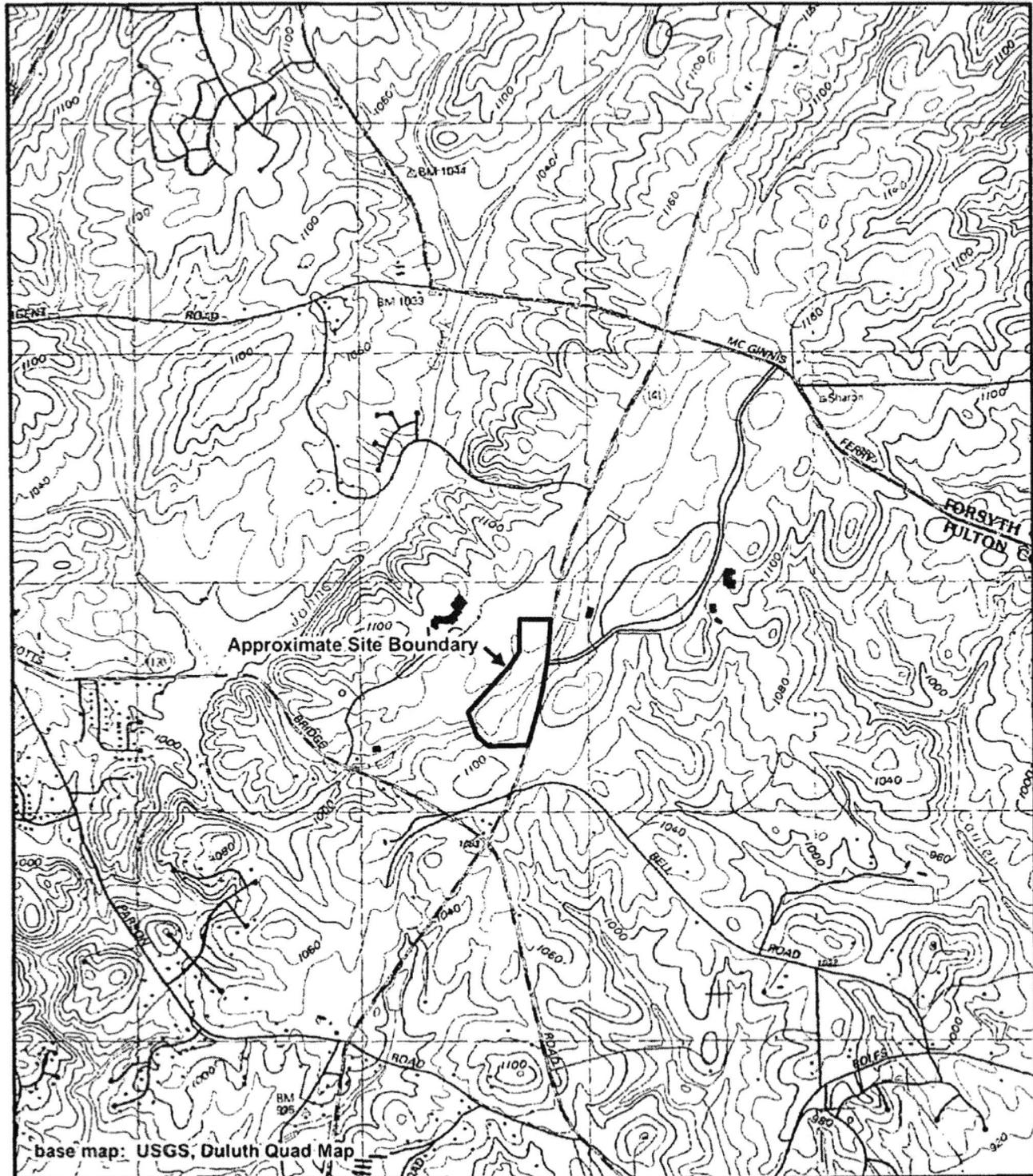
RECEIVED

SEP - 8 2016

400
Feet

City of Johns Creek
Planning & Zoning

X:\Atlantic Realty Partners\Map\atlus2006.mxd



base map: USGS, Duluth Quad Map

Prepared:
August 8, 2006
By:

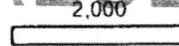
REGISTER NELSON
Environmental Consultants

3949 Jodeco Road, McDonough, GA 30253
Office: 678-432-2636 Fax: 678-432-2464

Topographic Location Map

Medlock Bridge Road
Fulton County, Georgia
for
Atlantic Realty Partners

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X:\Atlantic Realty Partners\Medlock Bridge\Maps\NW1.mxd

City of Johns Creek
Planning & Zoning

Listed Species in Fulton County (updated May 2004)				
Species	Federal Status	State Status	Habitat	Threats
Bird				
Bald eagle <i>Haliaeetus leucocephalus</i>	T	E	Inland waterways and estuarine areas in Georgia.	Major factor in initial decline was lowered reproductive success following use of DDT. Current threats include habitat destruction, disturbance at the nest, illegal shooting, electrocution, impact injuries, and lead poisoning.
Invertebrate				
Gulf moccasinshell mussel <i>Medionidus pencilatus</i>	E	E	Medium streams to large rivers with slight to moderate current over sand and gravel substrates; may be associated with muddy sand substrates around tree roots	Habitat modification, sedimentation, and water quality degradation
Shiny-rayed pocketbook mussel <i>Lampsilis subangulata</i>	E	E	Medium creeks to the mainstems of rivers with slow to moderate currents over sandy substrates and associated with rock or clay	Habitat modification, sedimentation, and water quality degradation
Fish				
Bluestripe shiner <i>Cyprinella callitaenia</i>	No Federal Status	T	Brownwater streams	
Cherokee darter <i>Etheostoma scotti</i>	T	T	Shallow water (0.1-0.5 m) in small to medium warm water creeks (1-15 m wide) with predominantly rocky bottoms. Usually found in sections with reduced current, typically runs above and below riffles and at ecotones of riffles and backwaters.	Habitat loss due to dam and reservoir construction, habitat degradation, and poor water quality
Highscale shiner <i>Notropis hypsilepis</i>	No Federal Status	T	Blackwater and brownwater streams	
Plant				
Bay star-vine <i>Schisandra glabra</i>	No Federal Status	T	Twining on subcanopy and understory trees/shrubs in rich alluvial woods	
Piedmont barren strawberry <i>Waldsteinia lobata</i>	No Federal Status	T	Rocky acidic woods along streams with mountain laurel; rarely in drier upland oak-hickory-pine woods	

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City of Johns Creek
Planning & Zoning 8/8/2006

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GEORGIA HISTORIC RESOURCES

Historic Preservation Section 205 Butler Street, Suite 1462
Georgia Department of Natural Resources Atlanta, Georgia 30334
404/656-2840

City of Johns Creek
Resource No. FU-NR-15
Planning & Zoning
County Fulton

For instructions, see the Georgia Historic Resources Survey Manual

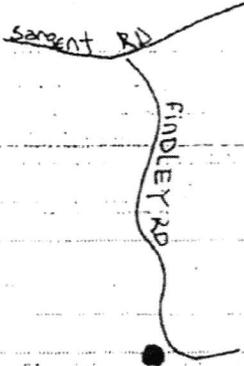
1 Name(s) of resource

Findley Farm Place

2 Location map with North at top

3 Address/location

11500 Findley Road



4 Owner's name and mailing address

Genx Findley Sr.
11575 Findley Rd.
Dublin, GA 30155
(770) 476-2500

5 Building Structure
Site Object

6 Representative example of building type

Number represented

7 Use, current single dwelling
original single dwelling

8 Date of construction (or estimate)

CA. 1870 - 1879

16 Number of stories

One

9 Major changes & date (explain in No.25)

Altered Moved
Addition Destroyed

17 Facade symmetry & front door(s)

asymmetrical, one door

10 Architect/engineer/designer

Unknown

18 Roof type & material

cross gable - composition shingle/asphalt shingle

11 Contractor/builder/craftsman

Unknown

19 Chimney placement & material

both gable-ends (exterior) - brick; gable-end, exterior - succoed masonry

12 Style

Folk Victorian - elements

20 Type of construction

balloon frame/platform frame

13 Building type

gabled ell cottage

21 Exterior material(s)

weatherboard/clapboard/beveled siding

14 Original Floor Plan

central hallway (passage) - two rooms deep

22 Foundation material(s)

stone pier with infill

15 Plan shape

L-shaped

23 Porch(es)

verandah (front, 1 story, partial, wood, shed/pen); verandah (side, 1 story, partial, wood, shed/pen); verandah (rear, 1 story, partial, wood, shed/pen)

24 Windows

double-hung sash (flat-headed, 4/4, rectangular); double-hung sash (flat-headed, 6/6, rectangular); double-hung sash (flat-headed, 6/6, rectangular)

25 Additional physical description

Small gable over front door. Corbeling on chimneys, one of the chimneys is stone. Wood paneled door, door with sidelight. Chamfered porch supports. Friede board interior flush board walls.

26 Negatives: roll # 2

frames # 25-50



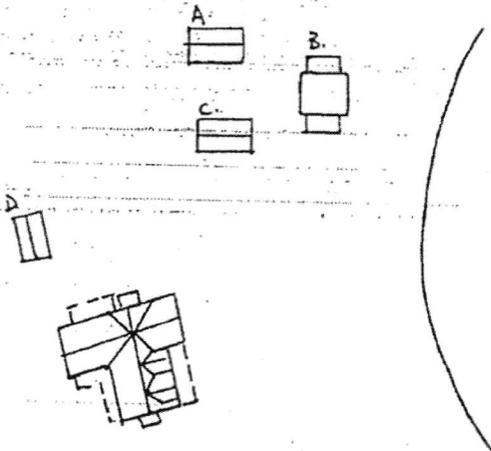
each contact prints



27 Description of outbuildings (if any)

storage shed - A: gable metal roof with flat roof addition to side, vertical board, stone pier foundation
 D: gable, metal roof, vertical board, stone pier foundation
 wagon/machinery implement barnshed - B: Gable metal roof with side sheds, weatherboard
 garage - C: gable, metal roof weatherboard, swing door
 outbuilding of unknown use - vertical board with stone pier foundation, gable
 pump house - concrete block, shed roof

28 Site plan with North at top



29 Description of landscape features

yard setting - canopy/planned; pecan/other groves/orchards; forest/woods - planted

30 Number of buildings 1 structures 0
 outbuildings 4 sites 0
 landscape features 3

31 Description of the environment

suburban - residential (new resources)

32 Archaeological potential

33 History

B.F. Findley (b. 1826) in South Carolina, went to California during the Gold Rush. In 1869 he move to Milton County and in 1876 purchased LL 318 and LL 350, a total of 80 acres. In 1892, Alonzo Findley purchased 10 acres in 1892. He also purchased 30 acres in LL 350 and 40 acres in LL 377. Cotton was grown on the land. Several (3 to 4) tenant farmers worked the fields.

34 Historical theme(s)

THEMES: architecture, agriculture

35 Significance

common architectural type (outstanding qualities)
 architectural type (well preserved example)

36 Sources of information

Gene Findley owner 8, 9, 33

37 Prepared by (person, organization and address)

Elliott Kipling Wright
 Fulton County, P&ED, Comprehensive
 141 Pryor St., Suite 502
 Atlanta, GA 30303

38 Date of survey 1995-1996 resurvey

39 Government preservation activity

- Section 106 review Grant
 Tax certification Other

40 SHPO evaluation

41 USGS quadrangle name Duluth

UTM reference

16 759890 3772350

zone easting northing

42 Tax map number 001106800180157

43 Recognition and date

- National landmark
 National Register
 Georgia Register
 Local designation
 HABS/HAER
 Determination of eligibility
 Other

GEORGIA HISTORIC RESOURCES

Resource No. *FU-NF-17*
County *Fulton*

Historic Preservation Section 205 Butler Street, Suite 1462
Georgia Department of Natural Resources Atlanta, Georgia 30334
404/656-2840

For instructions, see the Georgia Historic Resources Survey Manual

1 Name(s) of resource
Bearden House

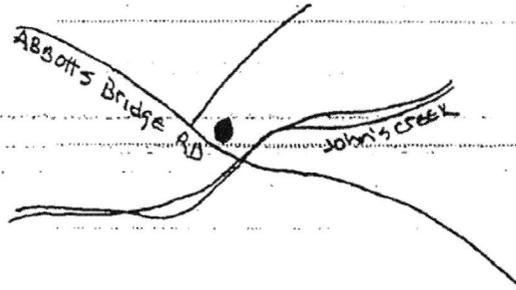
2 Location map with North at top

3 Address/location

5645 Abbotts Bridge Road

4 Owner's name and mailing address

*Bobby Bearden
6100 Abbotts Bridge Rd
Duluth, GA 30155*



5 Building Structure
 Site Object
 Landscape feature

6 Representative example of building type

Number represented

7 Use, current *single dwelling*
original *single dwelling*

8 Date of construction (or estimate)

CA. 1880 - 1889

9 Major changes & date (explain in No.25)

Altered Moved
 Addition Destroyed

10 Architect/engineer/designer

Unknown

11 Contractor/builder/craftsman

Unknown

12 Style

No Academic Style

13 Building type

double pen

14 Original Floor Plan

two equal rooms - one room deep

15 Plan shape

rectangular

16 Number of stories

One

17 Facade symmetry & front door(s)

asymmetrical, two doors

18 Roof type & material

side-oriented gable - composition shingle/asphalt shingle

19 Chimney placement & material

gable-end, exterior - fieldstone

20 Type of construction

balloon frame/platform frame

21 Exterior material(s)

vinyl siding/aluminum siding, wood

22 Foundation material(s)

stone pier

23 Porch(es)

verandah (front, 1 story, full, wood, shed/pen)

24 Windows

double-hung sash (flat-headed, 6/6, rectangular)

25 Additional physical description

Front doors with wood panels and four lights. Fieldstone porch steps.

Condition: *poor*

Threatened by condition

Addition - *Ca. 1940 - rear gable addition*

Altered - *Ca. 1980 - vinyl siding added*

26 Negatives: roll # *2*

5-2

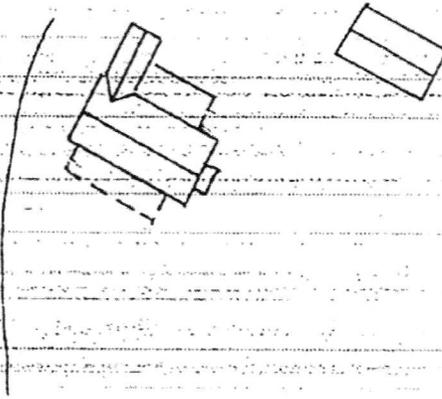
frames # *33-34*

24-25



27 Description of outbuildings (if any)
storage shed - side gable, metal roof, flush board siding

28 Site plan with North at top



29 Description of landscape features
yard setting - casual/unplanned; forest/woods - planted

30 Number of buildings 1 structures 0
outbuildings 1 sites 0
landscape features 1

ABBOTTS BRIDGE RD

31 Description of the environment
rural - dispersed community (mixed old and new)

32 Archaeological potential

33 History
House has been in the Bearden family for at least 70 years

34 Historical theme(s)

THEMES: architecture

35 Significance

36 Sources of information
Sherry Bearden Martin occupant 33

37 Prepared by (person, organization and address)

Pulmon County
Planning and Economic Development
141 Pryor St.
Atlanta, GA 30303

38 Date of survey 1995 - 1996 - resurvey

39 Government preservation activity
 Section 106 review Grant
 Tax certification Other

43 Recognition and date
 National Landmark
 National Register
 Georgia Register
 Local designation
 HABS/HAER
 Determination of eligibility
 Other

40 SHPO evaluation
appears not to meet Nat. Reg. criteria (integrity)

41 USGS quadrangle name Duluth

UTM reference

zone easting 759980 northing 3771230

42 Tax map number 0011090003460209

**FORM B OF REZONING APPLICATION
IMPACT ANALYSIS**

APPLICANT: MEDLOCK BRIDGE REALTY PARTNERS

April 3, 2007

Land Lot(s): 357, 358, 373 & 374

District: 16th

Tax I.D. #s: 11-0990-0356-009-0 and 11-1000-0358-024-3

Road Name: 11300 Medlock Bridge Road
Just north of Abbots Bridge & Medlock Bridge Road

Zoning Request: From AG & MIX conditional to MIX conditional
With Corresponding Change in LUP from
Agricultural to Mixed-Use development including Residential,
Office and Commercial

Petitioner's Name: Medlock Bridge Realty Partners, LLC

Contact Person's Telephone Number: Wendy S. Butler, Esq.
W. Butler Legal Services, LLC
11330 Lakefield Drive
Building II, Suite 200
Duluth, GA 30097
Office: 770-814-4257
Fax: 770-814-4258
Cell: 404-583-2255
wbutler@wsblegal.com

Does the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?

The Subject Property is located just north of the intersection of Abbots Bridge Road and Medlock Bridge Road in the City of Johns Creek. The Property has approximately 30.17 +/- acres with significant on-street visibility including 1317.96' feet on Georgia Highway 141, a.k.a. Medlock Bridge Road. The proposed mix-use development is suitable in view of the existing MIX zoning classification already approved on the majority of the property under consideration as well as the use and development of properties in nearby areas.

The existing MIX zoning on most of the Subject Property will be enhanced with the addition of a hotel and senior housing facility to provide greater diversity of dwellings for those visiting Johns Creek and the increasing aging population in the community. The proposed mix use project provides an appropriate transition between the non-residential use of the Standard Club golf and country club facility located immediately to the west and the office and commercial uses located along this heavily traveled corridor. The proposed mixed-use development is consistent with and compliments the mixed use

SEP - 8 2015

City of Johns Creek
Planning & Zoning

City of Johns Creek,
Community Development

Statement of Architectural Treatment for Proposed Johns Creek Walk II- Self Storage

The proposed building is to be located on 2.460 acres, within the Johns Creek Walk project, located on the west side of the intersection of Medlock Bridge Road (SR141) and Johns Creek Parkway. The building is proposed to be four stories with approximately 80,000 sq ft.

The placement relative to Medlock Bridge Road (SR141), the size and orientation are approximately the same as surrounding buildings. The building entrance will address Medlock Bridge Road (SR141) from an angle and shall be articulated such that it is apparent and inviting.

The materials for the building are proposed to be natural earth-toned brick and/or stone, or a combination thereof, with clear or tinted glass. There may be limited areas of stucco, although masonry will be the primary material, and will be on all four elevations of the building. The façade of the building shall incorporate variations in plane, as well as incorporating changes in materials and/or material patterns. The roof is proposed to be flat, with a decorative parapet which will vary in height at the entrance and in conjunction with variations in the façade treatment. All roof equipment will be hidden from the street behind the parapet.

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City of Johns Creek
Planning & Zoning

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SEP - 8 2015

Ethan Underwood
Eunderwood@mhtlegal.com
City of Johns Creek
Planning & Zoning

Public Participation Plan

- A. This Public Participation Plan is submitted as required by The City of Johns Creek. This Public Participation Plan is attached and incorporated as a part of the Applicant's Use Permit and Zoning Modification Application.
- B. Persons that will be notified of this application:
1. Adjacent or nearby residents or property owners within a quarter mile of the site along Medlock Bridge Road (SR141). A list of persons to be notified will be provided by the City of Johns Creek.
 2. Area homeowners associations.
 3. Public Agencies – Elected officials and departments of the City of Johns Creek (and if necessary, the State of Georgia and the United States) will be notified via the Land Use Application filing.
- C. Notification of interested and potentially affected parties:
- All parties recognized in Section B., above, will be notified of this development according with the following:
- i. Groups 1 & 2 will be informed by public participation letter, public participation meeting, a public hearing notification letter, the public hearing notification sign, the public hearing, and if requested by such persons, additional group or individual meeting(s).
 - ii. Group 3 will be informed through the application process.
- D. All interested and potentially affected parties will be encouraged to discuss with the Applicant any problems, concerns, issues, etc. prior to the public hearing through private meeting, group meeting, letter, telephone, or other appropriate means. Public concerns, problems, etc. shall be addressed on an on-going process.
- E. Completion of the Public Participation Plan shall be accomplished prior to the public hearing, which is expected to be held on December 1, 2015. Prior to the hearing, the Applicant will conduct a public participation meeting on or about November 1, 2015. Signage regarding the public hearing will be posted no later than November 10, 2015. A written public participation report on the results of the public participation plan will also be submitted prior to the public hearing, no later than November 16, 2015.

RZ-15-014
SUP-15-004

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SEP - 8 2015

Ethan Underwood
City of Johns Creek
Planning & Zoning
eunderwood@mhtlegal.com

RESERVATION OF CONSTITUTIONAL RIGHTS REGARDING ZONING APPLICATION

Re: Applicant: Piedmont Atlantic Capital, LLC
**Subject Property: 2.460 Acres Designated as Fulton County Tax Parcel(s): 11
099003570271**
Current Zoning: MIX (Mixed Use)
Proposed Use: Self-Storage
ROW Access: Medlock Bridge Road (SR141)

This statement is intended to reserve all constitutional and statutory protections available to the Applicant. The Applicant has filed a timely application, has provided all required information and has submitted the appropriate application fees. The application meets all judicial and statutory requirements for approval.

The portions of the Ordinances of Johns Creek that classify, or may classify, the Subject Property into any non-requested zoning classification or zoning classification that does not permit the proposed use as a matter of right, or at a density less than as requested by the Applicant, are, or will be, unconstitutional in that they will constitute a taking of the Applicant's and owners' property rights without first paying fair, adequate, and just compensation for such rights in violation of Art. I, Sec. III, Para. I of the Constitution of the State of Georgia and the Fifth and Fourteenth Amendments to the Constitution of the United States.

The Subject Property is presently suitable for development under the Applicant's Proposal, as requested by the Applicant, and it is not suitable for development under any other zoning classification, or at a density or use less than that requested by the Applicant. A denial of this Applicant's Proposal, as requested by the Applicant, will constitute an arbitrary and capricious act by the City of Johns Creek without any basis for such, and will constitute an abuse of discretion in violation of Art. I, Sec. I, Para. I of the Constitution of the State of Georgia and the Due Process Clause of the Fifth and Fourteenth Amendments to the Constitution of the United States.

A refusal by the City of Johns Creek to approve the Applicant's Proposal, as requested by the Applicant, will prohibit the only viable economic use of the property, will be unconstitutional, and will discriminate in an arbitrary, capricious, and unreasonable manner between the Applicant and owners, and the owners of similarly situated property, in violation of Art. I, Sec. I, Para. II of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

The Applicant submits that the City cannot lawfully impose more restrictive standards on the development of the Subject Property than presently exist. To do so not only will constitute a taking of the property as set forth above, but will also amount to an unlawful delegation of the Board's authority

in response to neighborhood opposition, in violation of Art. IX, Sec. II, Para. IV of the Constitution of the State of Georgia.

Approval by the City of any zoning conditions that are not imposed pursuant to the City's police power for the protection or benefit of neighbors to reasonably ameliorate the effects of the underlying zoning change would be unconstitutional and invalid.

The Applicant further asserts that the Ordinances of Johns Creek were not adopted in compliance with the laws or constitutions of Georgia or of the United States, are unconstitutionally vague and a refusal to approve the Application based upon provisions illegally adopted would deprive the Applicant of due process of law.

Any zoning conditions or other restrictions imposed on the Subject Property without the consent of the Applicant and property owners that do not serve to ameliorate the negative impacts of the development as such are defined under Georgia law are invalid and void. The Applicant and owners reserve the right to challenge any such zoning conditions and other restrictions. The Applicant and owners also reserve the right to challenge any unlawful exactions, whether they are in the form of illegal impact fees or otherwise.

Furthermore, this Reservation also constitutes an Ante Litem Notice pursuant to O.C.G.A. § 36-11-1, which places the City of Johns Creek and all other agents of the City on notice of the Applicant's and owners' intent to seek monetary damages and attorney's fees against the City of Johns Creek for any rezoning action, zoning condition, illegal impact fee and any other unlawful restrictions and exactions that are imposed on the Subject Property, the Applicant and the owners.

By filing this Reservation of Constitutional Rights, the Applicant reserves all rights and remedies available to it under the United States Constitution, the Georgia Constitution, all applicable federal, state, and local laws and ordinances, and in equity.

Accordingly, the Applicant and owners respectfully request that the Applicant's Proposal be granted, as requested by the Applicant. This Reservation of Constitutional Rights shall be included with the Application. The Applicant also reserves the right to amend this statement and the Application by supplementing further responses and documents.

Sincerely,



Ethan Underwood,
Attorney for the Applicant

City of Johns Creek
*** CUSTOMER RECEIPT ***

Batch ID: JHNCMNJ 9/08/15 01 Receipt no: 15867

Year	Number	Type	SvcCd	Description	Amount
2015	138	PZ		PLANNING/ZONING PAYMENTS	\$2000.00

REZONING W/SUP AND
CONCURRENT VARIANCE FEES

Tender detail

CK Ref#:	10396	\$2000.00
Total tendered:		\$2000.00
Total payment:		\$2000.00

Trans date: 9/08/15 Time: 16:02:48

*** THANK YOU FOR YOUR PAYMENT ***



www.cityofjohnscreekga.us
678-512-3200 ~ (fax) 678-512-3303
12000 Findley Road, Johns Creek, GA 30097

APPLICANT'S ACKNOWLEDGEMENT FORM

The applicant's attendance is required during the following public hearings:

Planning Commission Date: 12.1.2015

Mayor & Council Date: 12.14.2015

Pursuant to Article 28.3 Public Hearing and Notice Requirements of the Johns Creek Zoning Ordinance, the applicant in a rezoning, zoning modification, special use permit or variance requiring a public hearing must post a public notice sign on the subject property at least 20 days prior to the first public hearing by 8:30 a.m.

The applicant shall pick up the sign at:

Compelling Signs

1901 Montreal Road
Tucker, Georgia 30084
Phone: (678) 580-2452
Fax: 678-580-0934
Hours of Operation: Monday-Friday 9:00 a.m. - 5:00 p.m.

The applicant hereby certifies that they understand they must pick up the appropriate public hearing sign from Compelling Signs and post it correctly on the subject property no less than 20 days and no more than 45 days prior to the first public hearing. On the required date of posting, please take a digital photograph of the posted sign and e-mail the date-stamped photo to Marie.Janvier@johnscreekga.gov. This photograph is necessary for public record. Further the applicant certifies that the sign will be maintained in such a way that the sign is clearly visible from the right-of-way while on the property and that the applicant is responsible for reposting the sign, should it fall down or become obscured. Additionally, the applicant understands that attendance is required during the above listed public hearings.

Kristy Bobb
Applicant's Printed Name and Signature

9/8/15
Date

R2-15-014; VC-15-014-1; SUP-15-004
Case Number

11.10.2015 - 11.16.2015
Deadline date for sign posting by applicant Deadline date for 300 ft mailing by applicant

Sign Posting Instruction: Signs must be posted with the sign face facing the road right-of-way. Signs must be clearly visible from the right-of-way and free of obstruction. Signs must be securely fastened to posts driven into the ground and must be independent of other structures. Signs shall not be posted on trees, utility poles, or other similar objects. Failure to comply with these regulations may result in the application being withdrawn.

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SEP - 8 2015
City of Johns Creek
Planning & Zoning
June 10, 2010