



# Johns Creek

[www.JohnsCreekGA.gov](http://www.JohnsCreekGA.gov)  
678-512-3200 ~ (fax) 678-512-3303  
12000 Findley Road, Suite 400, Johns Creek, GA 30097

R2-16-004  
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AUG 11 2016

City of Johns Creek  
Planning & Zoning

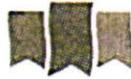
## LAND USE PETITION CHECKLIST & APPLICATION FORM REZONING, USE PERMIT & CONCURRENT VARIANCE

### INSTRUCTIONS

A properly completed application and fees are due at the time of submittal. The submittal deadline is the first Tuesday of each month. **An incomplete application will not be accepted.** Original signatures are required for the Application. **Note: Applicants are highly encouraged to meet with nearby property owners prior to filing an application.**

### APPLICATION MATERIALS

REQUIRED ITEMS	NUMBER OF COPIES	CHECK <input checked="" type="checkbox"/>
Provide one (1) a digital copy of <u>all</u> submitted materials.	• One (1) CD in .JPEG, .TIFF, .PDF or .DOC format	<input type="checkbox"/>
Pre-Application Meeting Form	• One (1) Copy	<input checked="" type="checkbox"/>
Site Plan with Legal Description (See Page 16 for Requirements)	• Ten (10) Full-Size Site Plan Copies ✓ • One (1) 8 ½" x 11" Site Plan ✓ • One (1) 8 ½" x 11" Legal Description ✓	<input checked="" type="checkbox"/>
Building Elevations (Attached Residential & Non-Residential)	• One (1) Copy ✓	<input checked="" type="checkbox"/>
Letter of Intent	• One (1) Copy ✓	<input checked="" type="checkbox"/>
Zoning Impact Analysis Form and/or SUP Form	• One (1) Copy	<input checked="" type="checkbox"/>
Environmental Site Analysis Form	• One (1) Copy	<input checked="" type="checkbox"/>
Disclosure Form	• One (1) Copy	<input checked="" type="checkbox"/>
Public Participation Plan & Report	• One (1) Copy	<input checked="" type="checkbox"/>
Applicant Acknowledgement Form	To be Completed at Time of Submittal	<input type="checkbox"/>
Peak-hour Trip Generation Count	• One (1) Copy	<input checked="" type="checkbox"/>
<b>THE FOLLOWING ITEMS MAY BE REQUIRED</b>		
Traffic Impact Study	• Three (3) Copies	<input type="checkbox"/>
Metropolitan River Protection	• Three (3) Copies	<input type="checkbox"/>
Development of Regional Impact Review Form	• Three (3) Copies	<input type="checkbox"/>
Environmental Impact Report	• Three (3) Copies	<input type="checkbox"/>
Noise Study Report	• Three (3) Copies	<input type="checkbox"/>



# Johns Creek

## PRE-APPLICATION FORM

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

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#### 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). Please contact Allison Tarpley at 678-512-3200 to schedule an appointment. 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: Maxwell-Reddick + Associates

Site Address: 10632 Parsons / 10640 Parsons Parcel Size: 6.05 Acres

Proposal Description: \_\_\_\_\_

39 unit townhome development

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Existing Zoning Designation and Case Number: O-I Cond (RZ-98-03) + R-4 Cond (RZ-06-97)

Proposed Zoning Designation: TR

Comprehensive Land Use Map Designation: 141 Corridor

Planner: C. Lankford Date: 7/19/2016

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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Maxwell-Reddick and Associates</u>	NAME: <u>Andalusia Properties, Inc. (1 of 2)</u>
ADDRESS: <u>11605 Medlock Bridge Rd. Ste #47!</u>	ADDRESS: <u>3225 Cumberland Blvd. Ste100</u>
CITY: <u>Alpharetta</u>	CITY: <u>Atlanta</u>
STATE: <u>Georgia</u> ZIP: <u>30009</u>	STATE: <u>GA</u> ZIP: <u>30339</u>
PHONE: <u>404 693 1618</u>	PHONE: <u>770 431 7600</u>

CONTACT PERSON: Jim Warren PHONE: 404 693 1618  
CONTACT'S E-MAIL: jwarren@maxred.com

**APPLICANT IS THE:**  
 OWNER'S AGENT     PROPERTY OWNER     CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): O1/R4 REQUESTED ZONING DISTRICT: TR  
LAND DISTRICT(S): One LAND LOT(S): 324 ACREAGE: 5.944  
ADDRESS OF PROPERTY: 10632 and 10640 Parsons Road, Johns Creek 30022  
PROPOSED DEVELOPMENT: 48 fee-simple town homes  
CONCURRENT VARIANCES: 1. Reduce 40-Foot Medlock Bridge Rd landscape strip, 2. Delete 2

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>Forty-Eight (48)</u>	No. of Buildings/Lots: <u>n/a</u>
Dwelling Unit Size (Sq. Ft.): <u>1,800 sf minimum</u>	Total Building Sq. Ft. <u>n/a</u>
Density: <u>8.08</u>	Density: <u>n/a</u>

**PROPERTY OWNER'S CERTIFICATION**

I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of Fulton County, Georgia, of the property identified below, which is the subject of the attached Land Use Petition before the City of Johns Creek, Georgia. As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Rezoning, Use Permit, & Concurrent Variance in request of the items indicated below.

I, Andalusia Properties, Inc., authorize, Beazer Homes Corp.  
(Property Owner) (Applicant)

to file for TR, at parcel # 11-0910-0324-193  
(RZ, SUP, CV) (Address)

on this date July, 19, 20 16  
(Month) (Day)

- I understand 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.
- I understand that failure to supply all required information (per the relevant Applicant Checklists and requirements of the Johns Creek Zoning Ordinance) will result in REJECTION OF THE APPLICATION.
- I understand that preliminary approval of my design plan does not authorize final approval of my zoning or signage request. I agree to arrange sign permitting separately, after approval is obtained.
- I understand that representation associated with this application on behalf of the property owner, project coordinator, potential property owner, agent or such other representative shall be binding.

[Signature]  
Signature of Property Owner

7/19/2016  
Date

Brian Thornton - VP of Real Estate & Engineering  
Type or Print Name and Title

[Signature] 7/19/2016  
Signature of Notary Public Date



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PAGE 4  
122-16-004

**APPLICANT'S CERTIFICATION**

THE UNDERSIGNED BELOW STATES UNDER OATH THAT THEY ARE AUTHORIZED TO MAKE 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.

James W. Warren  
Signature of Applicant

August 1, 2016  
Date

Jim Warren Vice President  
Type or Print Name and Title

[Signature]  
Signature of Notary Public

8/1/16  
Date



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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Maxwell-Reddick and Associates</u>	NAME: <u>National Land Corp (2 of 2)</u>
ADDRESS: <u>11605 Medlock Bridge Rd. Ste #47!</u>	ADDRESS: <u>P.O.Box 3928</u>
CITY: <u>Alpharetta</u>	CITY: <u>Alpharetta</u>
STATE: <u>Georgia</u> ZIP: <u>30009</u>	STATE: <u>GA</u> ZIP: <u>30023</u>
PHONE: <u>404 693 1618</u>	PHONE: <u>770 431 7600</u>
CONTACT PERSON: <u>Jim Warren</u> PHONE: <u>404 693 1618</u>	
CONTACT'S E-MAIL: <u>jwarren@maxred.com</u>	

**APPLICANT IS THE:**

OWNER'S AGENT     PROPERTY OWNER     CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): O1/R4 REQUESTED ZONING DISTRICT: TR

LAND DISTRICT(S): One LAND LOT(S): 324 ACREAGE: 5.944

ADDRESS OF PROPERTY: 10632 and 10640 Parsons Road, Johns Creek 30022

PROPOSED DEVELOPMENT: 48 fee-simple town homes

CONCURRENT VARIANCES: 1. Reduce 40-Foot landscape strip, 2. Delete 25-Foot Landscape

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>Forty-Eight (48)</u>	No. of Buildings/Lots: <u>n/a</u>
Dwelling Unit Size (Sq. Ft.): <u>1,800 sf minimum</u>	Total Building Sq. Ft. <u>n/a</u>
Density: <u>8.08</u>	Density: <u>n/a</u>

**PROPERTY OWNER'S CERTIFICATION**

I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of Fulton County, Georgia, of the property identified below, which is the subject of the attached Land Use Petition before the City of Johns Creek, Georgia. As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Rezoning, Use Permit, & Concurrent Variance in request of the items indicated below.

I, National Land Corp., authorize, Beazer Homes Corp.  
(Property Owner) (Applicant)  
(parcel # 11-0910-0324-045)  
to file for TR at 10640 Parsons Road, 30097  
(RZ, SUP, CV) (Address)  
on this date July 17, 2016  
(Month) (Day)

- I understand 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.
- I understand that failure to supply all required information (per the relevant Applicant Checklists and requirements of the Johns Creek Zoning Ordinance) will result in REJECTION OF THE APPLICATION.
- I understand that preliminary approval of my design plan does not authorize final approval of my zoning or signage request. I agree to arrange sign permitting separately, after approval is obtained.
- I understand that representation associated with this application on behalf of the property owner, project coordinator, potential property owner, agent or such other representative shall be binding.

*[Handwritten Signature]*

7-17-2016

Signature of Property Owner

Date

NATIONAL LAND CORP  
SHAWN LEVETT - president / CEO  
Type or Print Name and Title

*[Handwritten Signature]*

7-17-16  
Date

Signature of Notary Public



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UPDATED 7/7/2016

City of Johns Creek  
Planning & Zoning

R2-16 004



**LEGAL DESCRIPTION 10632/10640 PARSONS ROAD**

All that certain tract of land located in Land Lot 324, 1<sup>st</sup> District, 1<sup>st</sup> Section, Fulton County, Georgia, consisting of Tract 1, in the name of National Land Corporation, as recorded in Deed Book 44491 at Page 215, and Tract 2, in the name of Andalusia Properties, Inc., as recorded in Deed Book 49779 at Page 287, all among the land records of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a concrete right-of-way monument found at the southeast mitered intersection of the west right-of-way of Medlock Bridge Road, State Route 141 (a variable width right-of-way) with the south right-of-way of Parsons Road (a variable width right-of-way); THENCE with the said west right-of-way of Medlock Bridge Road the following two (2) courses: South 21°36'41" West, a distance of 145.29 feet to a concrete right-of-way monument found; THENCE South 14°37'38" West, a distance of 118.06 feet to concrete right-of-way monument found in the division line between GCMT11, LLC, as recorded in Deed Book 46725 at Page 1, of the land records of Fulton County, Georgia, on the south and the said Tract 2 on the north; THENCE departing the said west line of Medlock Bridge Road and continuing with the said division line, North 75°25'02" West, a distance of 248.95 feet to a 1/2-inch rebar found in the division line between the said GCMT11, LLC on the east and the said Tract 1 on the west; THENCE continuing with the said division line, South 11°45'10" East, a distance of 220.93 feet to a capped rebar set in the division line between the said Tract 1 on the north and Lot 25, Unit Eight, Section A, Phase 2, Medlock Bridge, as recorded in Plat Book 197 at Page 107, of the land records of Fulton County, Georgia; THENCE continuing with the said division line between the said Tract 1 on the north and the said Lot 25 and continuing with Lots 26, 27, 28 and 29 of said subdivision all on the south, South 78°21'14" West, a distance of 447.99 feet to a capped rebar set in the division line between the said Tract 1 on the east and Lot 11, Glenside as recorded in Plat Book 205 at Page 89, among the land records of Fulton County, Georgia; THENCE continuing with the said division line between the said Tract 1 on the east and the said Lot 11 and continuing with Lot 12, Glenside, all on the west, North 08°15'19" East a distance of 222.37 feet to a 1/2-inch rebar found in the division line between the said Tract 1 on the east and Lot 14, Glenside on the west; THENCE continuing with the said division line between the said Tract 1 on the east and the said Lot 14 and continuing with Lot 15, Glenside, all on the west; North 23°43'28" East, a distance of 94.05 feet to a 1/2-inch rebar found in the division line between the said Tract 1 on the east and the said Lot 15 on the west; THENCE continuing with the said division line between the said Tract 1 on the east and the said Lot 15 and continuing with Lot 16, Glenside, all on the west, North 36°57'09" East, a distance of 77.80 feet to a 1/2-inch rebar found in the division line between the said Tract 1 on the east and the said Lot 16 on the west; THENCE continuing with the said division line between the said Tract 1 on the east and the said Lot 16 and continuing with Lots 17 and 18, Glenside, all on the west, North 00°15'57" East a distance of 232.82 feet to a 1/2-inch rebar found on the south right-of-way line of said Parsons Road; THENCE continuing with the said south right-of-way of Parsons Road the following six (6) courses: 357.73 feet along the arc of a curve to the right having a radius of 1870.00, and a chord bearing South 82°55'55" East, a distance of 357.18 feet to a 1/2-inch rebar found, marking the northeast corner of said Tract 1 and the northwest corner of said Tract 2; THENCE South 79°38'46" East, a distance of 64.23 Feet to a capped rebar set; THENCE South 10°32'51" West, a distance of 24.95 feet to a 1/2-inch rebar found; THENCE South 79°20'47" East, a distance of 20.05 feet to a 1/2-inch rebar found; THENCE North 10°28'15" East, a distance of 24.98 feet to a 1/2-inch rebar found; THENCE South 79°22'02" East, a distance of 157.64 feet to a capped rebar set at the northwest mitered corner of the said intersection of the south right-of-way of Parsons Road with the west right-of-way of Medlock Bridge Road; THENCE with the said mitered intersection the following three (3) courses and distances: South 23°13'22" East, a distance of 11.50 feet to a capped rebar set; THENCE South 21°48'05" West, a distance of 7.00 feet to a point; THENCE South 68°11'34" East a distance of 6.69 feet to the POINT OF BEGINNING, containing 5.944 acres of land, more or less.

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FRONT ELEVATION - FCB

FRONT ELEVATION - ULB

FRONT ELEVATION - TRD

FRONT ELEVATION - ULC

FRONT ELEVATION - TRD

FRONT ELEVATION - ULB

FRONT ELEVATION - FCA

**7 STRING REAR ENTRY TOWNS**



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FRONT ELEVATION - ULC

FRONT ELEVATION - TRD

FRONT ELEVATION - FCB

FRONT ELEVATION - ULA

**4 STRING FRONT ENTRY TOWNS**



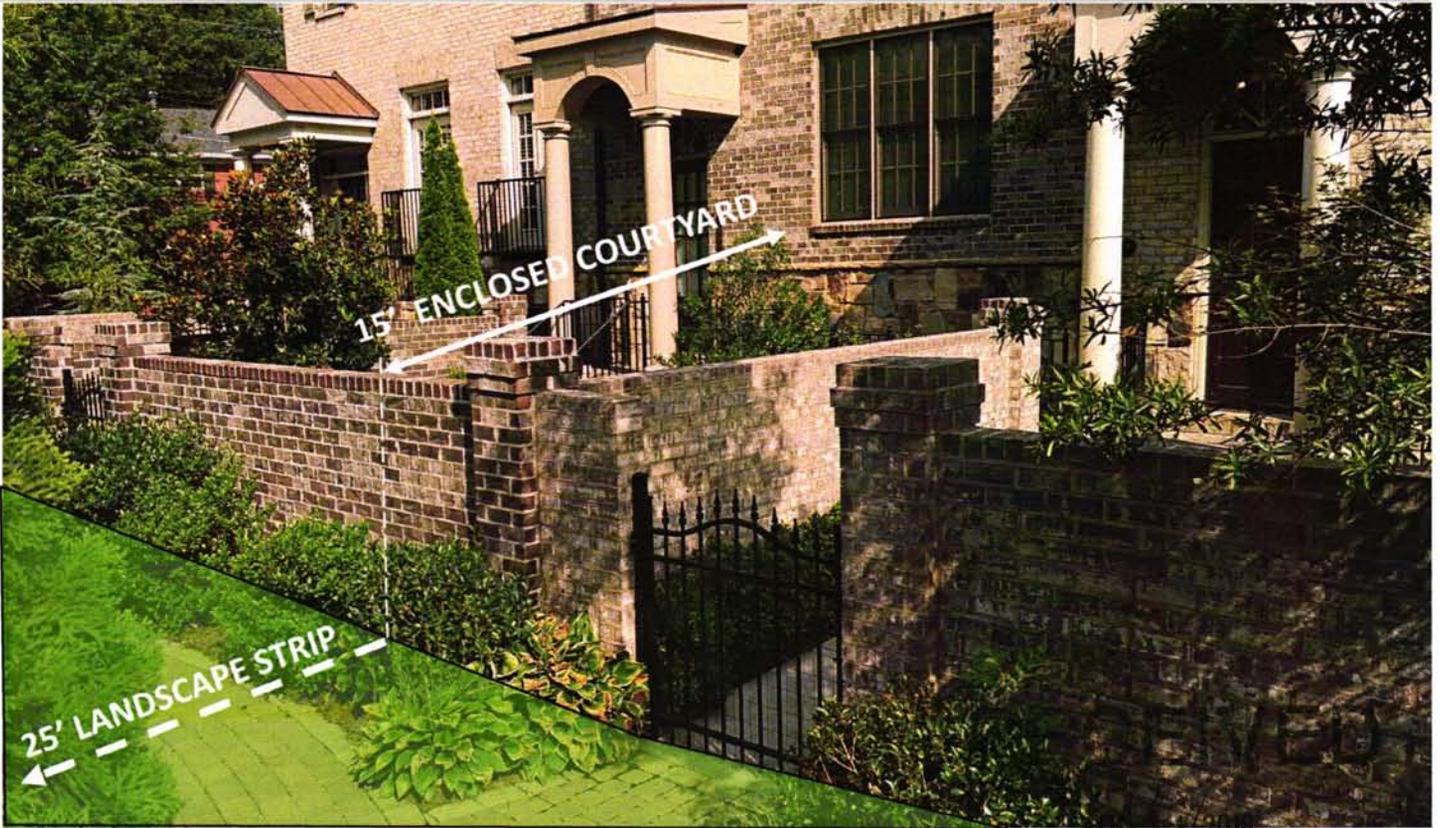
GRAPHITE DESIGN, LLC. 06-09-16

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# ENCLOSED COURTYARDS ALONG SR 141-MEDLOCK BRIDGE

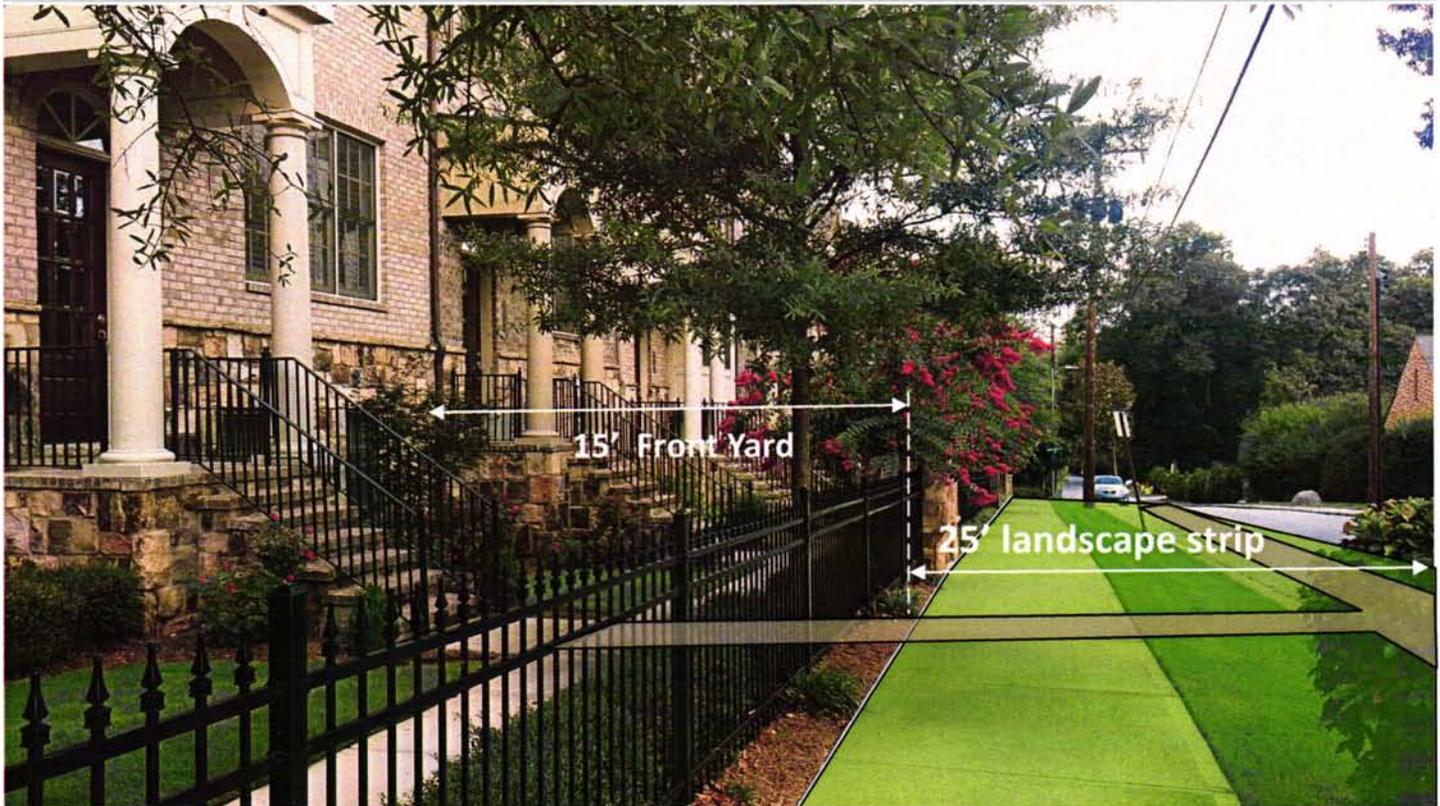


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City of Johns Creek

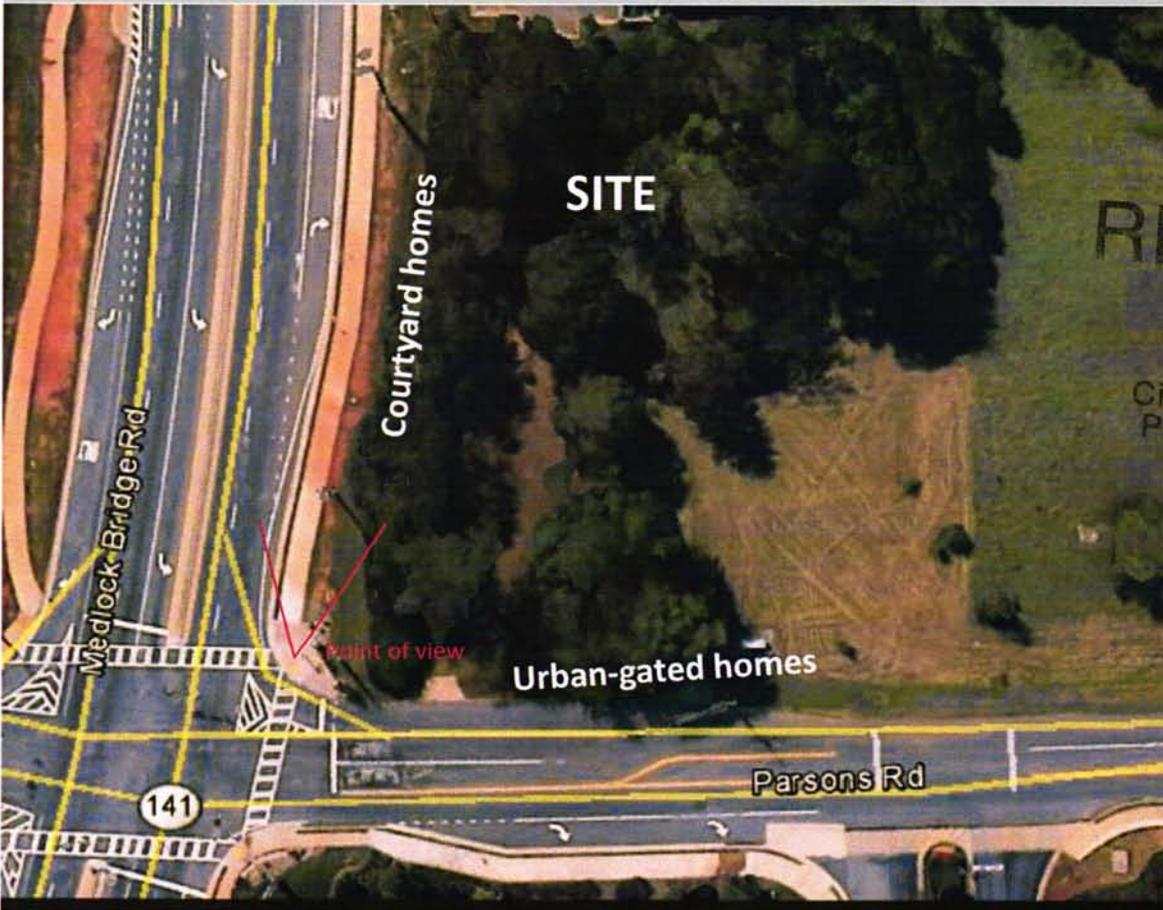
# GATED FRONT YARD OF THOSE HOMES ALONG PARSONS ROAD



**SR 141 LOOKING SOUTH, SITE ON RIGHT**



**GOOGLE EARTH AERIAL**



*R2-16-004*

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22-16-004

**LETTER OF INTENT**

August 12, 2016

City of Johns Creek  
2000 Findley Road, Suite 400,  
Johns Creek, GA 30097

Attn: Matthew Dickison, Community Development Deputy Director

Re: Land Use Application  
10632/10640 Parson Road  
Rezoning from OI/R4 to TR

Dear Matthew,

Please accept this Land Use Application for the above reference parcel of land. We request rezoning of the nearly six (6) acre parcel from OI-R4 to TR for the development of a gated entry Townhome community consisting of front and rear loaded residences, an open area and private roads.

It is the intent of the home developer to construct a townhome community with the following qualifiers:

1. Total number of units: 48
2. Unit Description: The community will consist of a mixture of front and rear load product, double-garage, 1,800 square-foot or larger, three-story in height.
3. The proposed internal roads will be private.
4. The units which front Medlock Bridge Road will have ornamental fence or brick wall enclosed front yards in an effort to convey the urban context as indicated in the Comprehensive Plan, Area 9, Medlock Corridor .
5. Subject to sub-surface conditions, the applicant will either build a conventional dry-basin retention/water quality pond or underground detention facilities.

The property is burdened by a stream and associated stream buffers on the western part of the property which imposes an extreme hardship on the property. Additionally, the property is further burdened with excessive landscape strip requirements on two public road frontages. Accordingly, the applicant is requesting, the following concurrent variances and/or modifications in order to give relief to these hardships:

1. Decrease the size of the Medlock Bridge Landscape strip from 40' to 25' (Section 12E.3) for the purposes of urban yards only. The 40' building set back will remain in effect.
2. Delete the Building Setback and Landscape Strip requirements in the area of the "communication cabinet" area as depicted on the survey to the extent that they increase the uniform distances associated with Parsons Road.

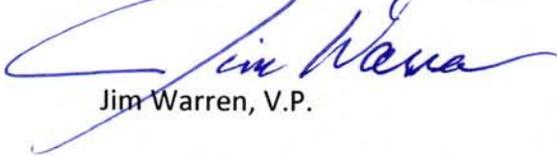
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The approval of these concurrent variances and/or modifications would be in harmony with policies and intent of the Comprehensive Plan, the Zoning Ordinances and department development standards, and would not result in any harm to the health, safety and welfare of the general public. Therefore, this application for Rezoning and concurrent variances and/or modifications is entirely appropriate.

Respectfully, the applicant requests that you act favorably to this application for Rezoning and Concurrent Variances and/or Modifications in order that the applicant is able to proceed with the lawful use and development of the property.

Maxwell-Reddick and Associates



Jim Warren, V.P.

# ZONING IMPACT ANALYSIS FORM

10632/10640 Parsons Road OI/R4 to TR Application

1. **Does the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?**
  - a. Yes. The proposed zoning provides transitional development from the more intense 141 Corridor to the single-family residential developments further to the west.
2. **Does the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?**
  - a. No. The development is suitably buffered from the R-4 single-family development to west by a 75-foot stream buffer, and town homes and OI properties are usually considered complimentary uses.
3. **Does the property to be rezoned have a reasonable economic use as currently zoned?**
  - a. The property as currently zoned has reasonable economic use but has not attracted suitable users/developers under the R-4 and OI designations.
4. **Will the zoning proposal result in a use that could cause and excessive or burdensome use of existing streets, transportation facilities or schools?**
  - a. No. The proposed townhome community will not have an excessive or burdensome use of existing streets, transportation facilities, utilities or schools. Its impact to Northview High School and Wilson Creek Elementary Schools will be negligible.
5. **Is the zoning proposal in conformity with the policies and intent of the land use plan?**
  - a. Yes. The Comprehensive Plan/Medlock Bridge Corridor (09) lists, among other things, townhomes as a suitable use, encouraging "A village green, and/or open space areas should be promoted with each new development along the corridor. A streetscape component should be promoted including, greater visibility and accessibility to development along this corridor"
6. **Are there existing or changing conditions that affect the use and development of the property which supports either approval or denial of the zoning proposal?**
  - a. Yes. Market demand for empty nesters who wish to down size has risen while Johns Creek continues to have an overabundance of office space.
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?**
  - a. No. The proposed townhome community will not be environmentally adverse to the natural resources, environment and citizens of the City of Johns Creek.

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R2-16-004

# ENVIRONMENTAL SITE ANALYSIS

## 10632/10640 Parsons Road OI/R4 TO TR Application

### 1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

- a. The proposed project proposes a townhome development with density of 7.1 units per acre, private roads, a village green or open space and on-site storm water detention. A key design component of the project is the street scape component, specifically those units facing Parsons Road and SR 141 will incorporate urban-style courtyards to increase physical and visual access as contemplated by the Comprehensive Plan.
- a. Referring to the Comprehensive Plan, 141 Corridor, AREA #9.
  - i. *Over time, this corridor will be the most intensive commercial/residential corridor in the city.*
  - ii. *Over the next twenty years the City envisions the corridor evolving from a, sprawling strip commercial corridor to Johns Creek's premier boulevard*
  - iii. *A village green, and/or open space areas should be promoted with each new development along the corridor*
  - iv. *A streetscape component should be promoted including, greater visibility and accessibility to development along this corridor.*
  - v. *This area should also be developed with the active adult in mind because of the access to public transportation and commercial amenities allowing for community seniors to "Age in Place". This community will promote a maintenance free-life style.*
  - vi. *Appropriate Uses: Residential:  Mixed-use developments: Condominium and Apartment  Townhomes*
  - vii. *Appropriate Scale: High intensity uses, 4 story building height, 5-8 units per acre*

.....

### 2. ENVIRONMENTAL SITE ANALYSIS (ESA) FORM

- a. Wetlands: None apparent on site,
- b. Flood plain: None on site
- c. Streams/stream buffers: There is a small creek adjoining the property's western boundary. The accompanying State and City stream buffer standards will not be compromised nor encroached upon. . The site did not contain any pools of liquids, pools of sludges, or evidence of visibly stained soil. The small creek displayed no visible sheens and offered no odors. All creek flora/fauna appeared healthy.
- d. Slopes Exceeding 25%: None on site
- e. Vegetation: The site vegetation included hardwoods, pine thickets, grasses, small shrubs, weeds and vines. All vegetation appeared to be healthy and there was no evidence of stressed vegetation or any area that was inconsistent with the rest of the site.
- f. Wildlife Species: No visual signs of protected wildlife nor endangered species.
- g. Archeological/Historical Site: The property is not an Archeological nor Historical site.

### 3. PROJECT IMPLEMENTATION MEASURES

- a. Applicant will employ best management practices (BMP's) through-out the course of the project to insure protection of any environmentally sensitive areas, specifically the stream and stream buffers to the west. All appropriate erosion control methods will be utilized and maintained. Noise, dust and other disturbances will be addressed so as to minimize any inconvenience to the area residences.

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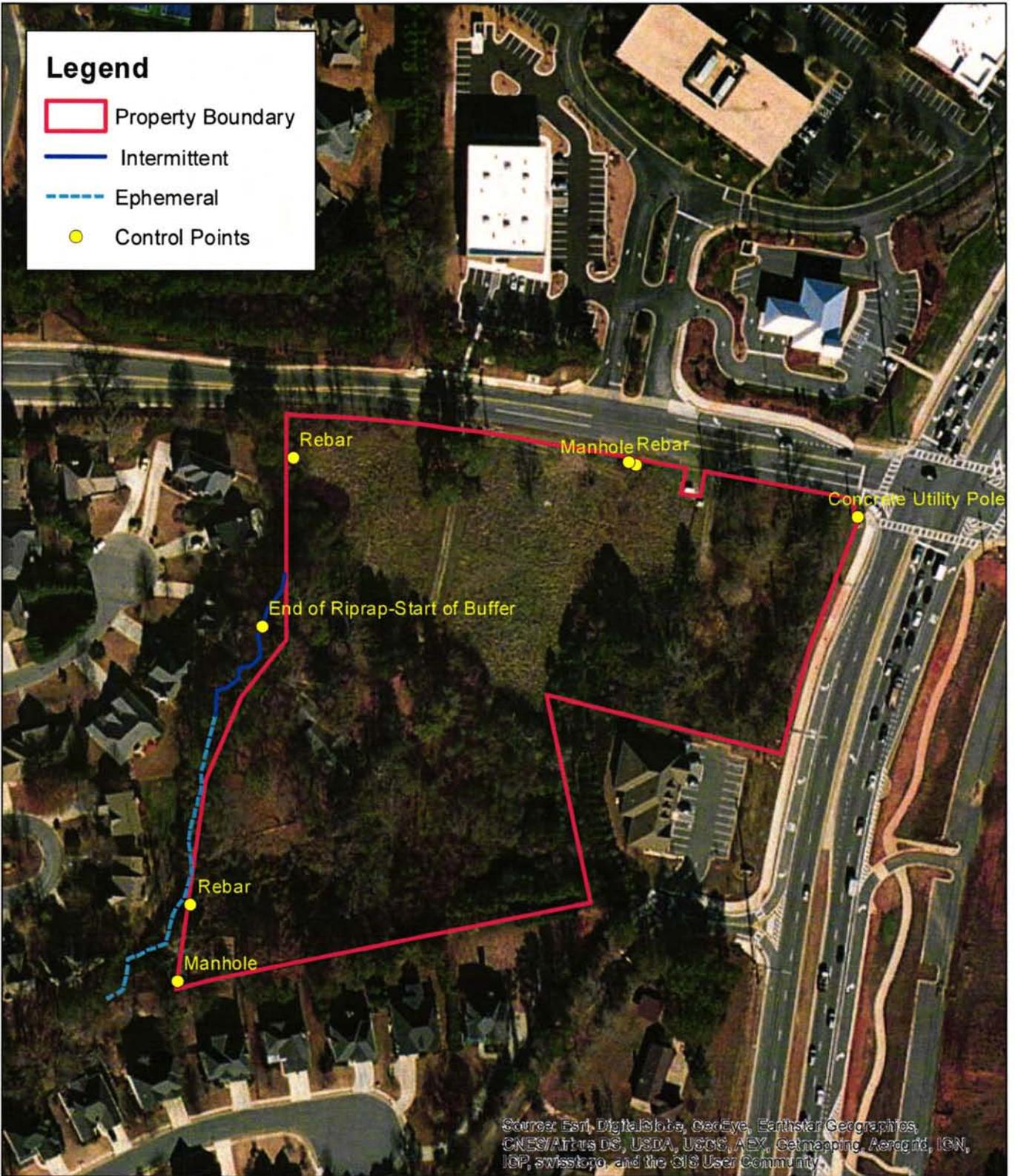
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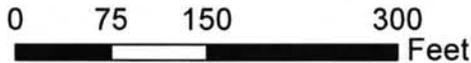
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**Legend**

-  Property Boundary
-  Intermittent
-  Ephemeral
-  Control Points



**Parsons Road Site  
Fulton County, Georgia**



1 inch = 150 feet

**Figure 1  
Preliminary Jurisdictional  
Areas Map**



Corblu Project No. 04-072618

City of Johns Creek  
Planning & Zoning  
RZ-16-004

# 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:

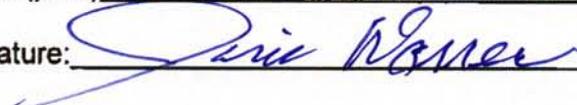
1. None	5.
2.	6.
3.	7.
4.	8.

3. CAMPAIGN CONTRIBUTIONS:

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

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) Jim Warren, VP, Maxwell-Reddick and Associates

Signature: 

*RZ-16-004*  
**RECEIVED**  
 Date: August 1, 2016

AUG 11 2016

City of Johns Creek  
 Planning & Zoning

## 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.	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

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) Beazer Homes Corp

Signature: *Sam W Smith*  
    VP of Land Acquisition

*R2-16-004*  
 Date: 8/9/16

RECEIVED

AUG 11 2016

## PUBLIC PARTICIPATION PLAN

1. The City of Johns Creek will notify all property owners within a quarter mile of the site. What other groups do you intend to contact?

Johns Creek Community Association

Medlock Bridge Owners Association

Glenside Subdivision residences or HOA

2. How do plan to contact any interested parties, either before making application or after the city neighborhood meeting, regarding the rezoning/use permit application?

Immediately after the filing of this application, will inquire of the JCCA directly.

Additionally, with list provided by the City, intend to issue letters to those residential neighbors closest to the subject property.

3. In addition to the City of Johns Creek neighborhood meeting, do you plan to provide any other opportunities for discussion with interested parties before the PC and M&CC hearings?

Yes, will be determined based on preference and convenience of those residents whom we contacted directly

4. What is your schedule for completing the Public Participation Plan?

As soon as possible and will be a priority immediately following filing the application.

A report is due 15 days prior to the Planning Commission meeting.

R2-16-004  
**RECEIVED**

AUG 11 2016

City of Johns Creek  
Planning & Zoning



August 1, 2016

City of Johns Creek  
2000 Findley Road, Suite 400  
Johns Creek, GA 30097  
Attn: Matthew Dickison, Community Development Deputy Director

RE: PROPOSED PARSONS ROAD TOWNHOMES  
FOR BEAZER HOMES  
JOHNS CREEK, GA

Dear Mr. Dickison,

Maxwell-Reddick and Associates, Inc. respectfully submits the following trip generation estimates for the referenced project. The proposed development will increase the number of vehicles per day on Parsons Road. The following is a projection of weekday trip generation, including AM and PM peaks.

	Average Number of Trips	Directional Distribution
<b>Weekday</b>	180	50% Entering / 50% Exiting
<b>Weekday AM Peak</b>	15	19% Entering / 81% Exiting
<b>Weekday PM Peak</b>	17	62% Entering / 38% Exiting

The provided trip generation estimates are based on data found in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 9<sup>th</sup> Edition*. Should you have any questions regarding the data provided, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Hendrix'.

David L. Hendrix, P.E.

RECEIVED

AUG 11 2016

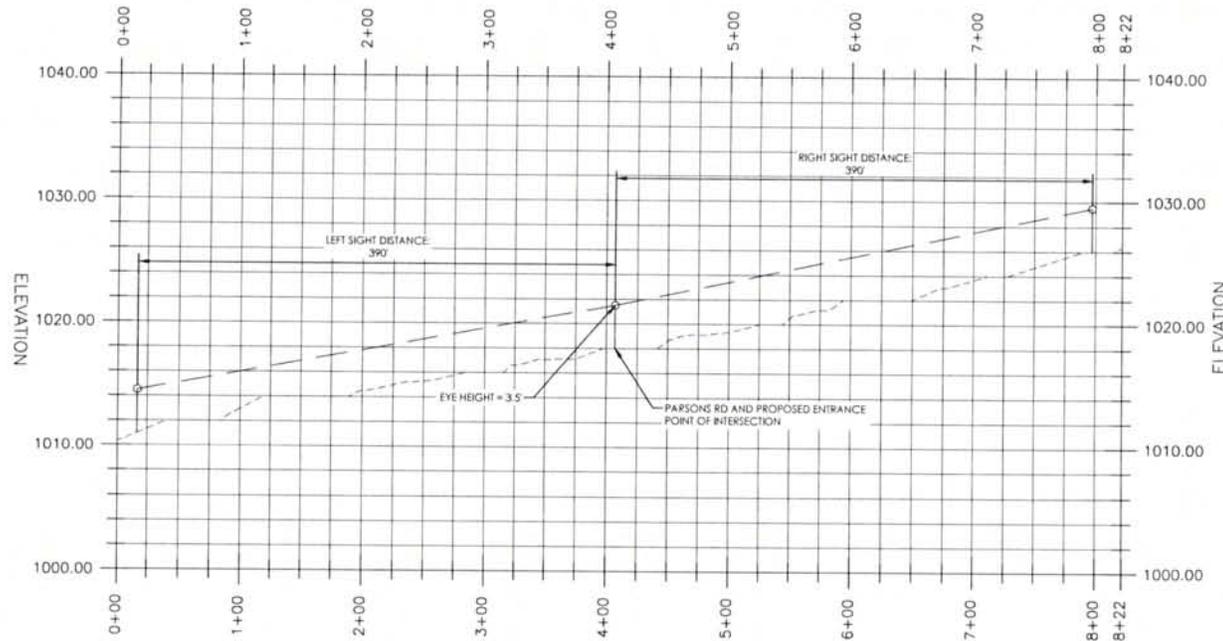
City of Johns Creek  
Planning & Zoning  
R2-16-004

R2-16-004  
**RECEIVED**

AUG 11 2016

City of Johns Creek  
 Planning & Zoning

**Alignment - (1) PARSONS RD  
 STATION: 0+00.00 THRU 8+21.96**



**NOTE:**

- THIS SITE IS LOCATED WITHIN LAND LOT 324, 1ST DISTRICT, 1ST SECTION, FULTON COUNTY, GA
- PROPOSED UNITS ARE FEE-SIMPLE TOWNHOUSES

**FLOOD NOTE:**

- ACCORDING TO F.I.R.M. MAP #13121C0091G DATED SEPTEMBER 18, 2013, THIS SITE IS NOT IN A FLOOD HAZARD ZONE.

**SITE NOTES:**

**SITE AREA:**  
 TOTAL AREA: 5.944 ACRES

**SITE ZONING:**  
 EXISTING ZONING: R-4 AND OI  
 PROPOSED ZONING: TR

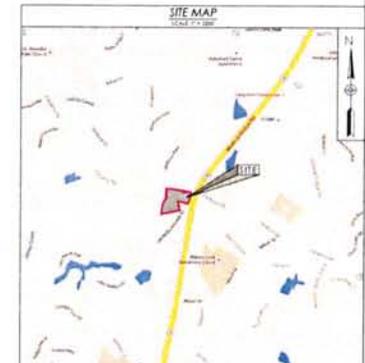
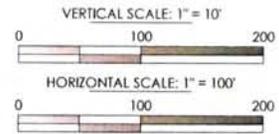
**ZONING REQUIREMENTS:**  
 MIN. LOT WIDTH: 20 FT  
 MAX UNIT DENSITY: 9 UNITS/ACRE  
 MAX. BUILDING HEIGHT: 40 FT  
 MIN. BUILDING FLOOR AREA: 1,100 SF  
 MAX. LOT COVERAGE: 50%

**PERIMETER SETBACKS:**  
 FRONT: 40 FT  
 SIDE (MAJOR): 40 FT  
 SIDE (MINOR): 30 FT  
 REAR: 35 FT

**REQUIRED BUFFERS AND LANDSCAPE STRIPS:**  
 FRONT (METLOCK BRIDGE RD): 40' LANDSCAPE STRIP  
 SIDE (PARSONS RD): 25' LANDSCAPE STRIP  
 SIDE (ADJOINING OI): 10' LANDSCAPE STRIP  
 SIDE (ADJOINING R-4): 25' LANDSCAPE BUFFER AND 10' IMPROVEMENT SETBACK  
 REAR (ADJOINING R-4): 10' LANDSCAPE BUFFER AND 10' IMPROVEMENT SETBACK

**PROPOSED LOT SUMMARY:**  
 PROPOSED USE: RESIDENTIAL TOWNHOUSES  
 PROPOSED UNITS: 48  
 PROPOSED LOT COVERAGE: ±49%  
 PROPOSED UNIT DENSITY: 8.08 UNITS/ACRE

- REQUESTED VARIANCES:**
- REDUCE LANDSCAPE STRIP ALONG MEDLOCK BRIDGE RD (HWY 141) FROM 40 FT TO 25 FT.
  - REMOVE SECTION OF LANDSCAPE STRIP ALONG PARSONS ROAD FOR A LENGTH OF 20' ALONG RIGHT-OF-WAY ENCROACHMENT.



THIS ILLUSTRATION IS A CONCEPTUAL SITE PLAN FOR PROPOSED DEVELOPMENT POTENTIAL. IT DOES NOT BIND OR LIMIT THE OWNER/DEVELOPER, NOR SHALL THE ENGINEER/ARCHITECT BE BOUND OR LIMITED BY THIS CONCEPTUAL DEVELOPMENT PLAN. ALL ILLUSTRATIONS/DRAWINGS ARE SUBJECT TO CHANGE AND REVISION WITHOUT PRIOR WRITTEN NOTICE TO THE HOLDER. DIMENSIONS, BOUNDARIES AND ANY OTHER GRAPHIC REPRESENTATIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY AND ARE SUBJECT TO AN ACCURATE SURVEY AND PROPERTY DESCRIPTION.



**MAXWELL-REDDICK AND ASSOCIATES**  
 ENGINEERING • LAND SURVEYING  
 1221 MERCHANT WAY SUITE 201 STATESBORO, GA 30458 (912) 489-7112 OFFICE  
 11605 HAYNES BRIDGE RD SUITE 475 ALPHARETTA, GA 30009 (404) 693-1618 OFFICE  
 COPYRIGHT © 2016 BY MAXWELL-REDDICK AND ASSOCIATES



**REVISIONS:**

1		

DESIGNED: GSU

DRAWN BY: GSU

CHECKED: JW

DATE: AUG. 8, 2016

JOB NO.: 2016-50

**PROPOSED RESIDENTIAL DEVELOPMENT  
 PARSONS RD/MEDLOCK BRIDGE RD  
 JOHNS CREEK, GA**

**ENTRANCE SIGHT DISTANCE PROFILE**

**DRAWING NUMBER**

**3**

3 OF 3 SHEETS



**LETTER OF APPEAL**

August 1, 2016

City of Johns Creek  
2000 Findley Road, Suite 400,  
Johns Creek, GA 30097  
Attn: Matthew Dickison, Community Development Deputy Director

Re: CONCURRENT VARIANCE  
Land Use Application by Maxwell-Reddick and Associates  
Corner of Parsons Road and SR 141

Dear Matthew,

Concurrent with our Land Use Application, we respectfully seek a reduction of the 40-foot Landscape strip requirement (Sec. 12E.3.A.1 - Development Standards) adjoining SR 141 by 15-feet to 25-feet.

We cite no hardship in requesting this variance. Instead, we wish to utilize the resulting 15' as private courtyards, with access to the multi-purpose path along SR 141. This is consistent with the goals of the Comprehensive Plan which is to promote street-scape components and increase accessibility, visually and physically. An added benefit is that we are now able to incorporate a park area internal to the community, where none is required but desired.

Hence, we assert that the intent of the Zoning Regulation and the Comprehensive Plan have been met and the requested variance be granted accordingly.

Respectfully submitted

  
Jim Warren, VP  
Maxwell-Reddick and Associates.

**RECEIVED**  
AUG 11 2016  
City of Johns Creek  
Planning & Zoning  
R2-16-004



**LETTER OF APPEAL**

August 1, 2016

City of Johns Creek  
2000 Findley Road, Suite 400,  
Johns Creek, GA 30097  
Attn: Matthew Dickison, Community Development Deputy Director

Re: CONCURRENT VARIANCE  
Land Use Application by Maxwell-Reddick and Associates  
10632/10640 Parsons Road

Dear Matthew,

Concurrent with our Land Use Application, we respectfully seek a waiver from the 25-foot Parson Road landscape strip requirement and the 40-foot Side Building Setback requirement for approximately 20-feet along the frontage of Parsons Road in the area where the right-of-way encroaches approximately 25-feet into the subject property.

The area we are referencing is the area where there are a number of telephone equipment cabinets as illustrated herein. The encroachment creates undue hardship on the property as it would necessitate the unwarranted dispositioning of one or more residential units which in turn would have a detrimental and cascading effect with respect the design of the community.



Photo of the telephone cabinets and area of the 24.95-foot deep, 20.05-foot wide right-of-way encroachment.

Appropriate plant and tree screening material will be incorporated into the 25-foot landscape strips, which continues along Parsons Road on either side of the area.

Respectfully submitted

Jim Warren, VP  
Maxwell-Reddick and Associates.

RECEIVED *122-16-007*

AUG 11 2016

City of Johns Creek  
Planning & Zoning



# Johns Creek

## LAND USE PETITION APPLICANT'S ACKNOWLEDGEMENT FORM

R2-16-004

Case Number

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

Neighborhood Meeting Date: October 6, 2016

Planning Commission Date: November 1, 2016

Mayor & Council Date: November 7, 2016

James W. Washburn  
Applicant's Printed Name and Signature

8-11-2016  
Date

**RECEIVED**

AUG 11 2016  
City of Johns Creek  
Planning & Zoning

**Community Development**



# Johns Creek

## APPLICATION RECEIPT PLANNING & ZONING

*Please present to the Cashier for payment*

**CASE NO:** 16-1870  
**DATE TODAY:** 8/25/2016  
**PROJECT TYPE:** Rezoning  
**PROJECT NAME:** Townhomes

---

**PROPERTY INFORMATION:**

**Address:** 10640 Parsons Road  
**PIN:** 11 0910-0324-0450

---

**FEES:**

REZONE 0-100+ acres R6, TR, A, AL, OI, C, M	\$1,500.00
Concurrent Variance - Commercial	\$450.00
<b>TOTAL DUE:</b>	<b>\$1,950.00</b>



**DATE:** 8/25/2016 1:31:29 PM

**CASHIER ID:** Power, Una

**RECEIPT #:** 20754

**RECEIPT DETAILS:**

Project Id: 16-1870 - Townhomes - <b>Review Type: REZONING - Revision Number: 0,</b> REZONE 0-100+ acres R6, TR, A, AL, OI, C, M	\$1,500.00
Project Id: 16-1870 - Townhomes - <b>Review Type: REZONING - Revision Number: 0,</b> Concurrent Variance - Commercial	\$450.00
<b>TOTAL RECEIPT AMOUNT</b>	<b>\$1,950.00</b>

**PAYMENT INFORMATION:**

Check # 41156217 \$1,900.00 ,

Visa \*\*\*\*\*2902 \$50.00

**TOTAL AMOUNT PAID** **\$1,950.00**

**CREDIT CARD PAYMENT: \$50.00**

Thank you for your payment!



September 14, 2016

VIA HAND DELIVERY

**Letter of Transmittal**

City of Johns Creek  
2000 Findley Road, Suite 400,  
Johns Creek, GA 30097  
Attn: Courtney Lankford, Planner, Community Development

Re: Land Use Application by Beazer Homes Corporation  
RZ-16-004  
Supplemental Documents to the Application

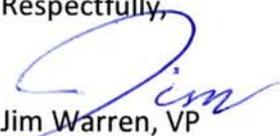
Dear Ms. Ebert,

On behalf of Beazer Homes Corporation, please incorporate these two additional documents into zoning application, those documents being:

1. Assertion of Constitutional Rights, and;
2. Jurisdictional Waters Findings Report, dated August 18,, 2016 by Corblu.

Attached are hard copies of each of the above and a zip-drive containing the two documents.

Respectfully,



Jim Warren, VP

Maxwell-Reddick and Associates

Cc Garen Smith, Beazer Homes Corp

Attachments

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SEP 14 2016

City of Johns Creek  
Planning & Zoning

RZ-16-004

## RESERVATION OF CONSTITUTIONAL AND OTHER LEGAL RIGHTS

Applicant: Maxwell-Reddick and Associates

Subject Property: 5.944 Acres 10632/10640 Parsons Road, Johns Creek, GA

Current Zoning: R-4 and OI

Proposed Zoning: TR

Proposed Use: Townhome community

This Reservation of Constitutional and Other Legal Rights ("Reservation") is intended to supplement and form a part of the land use application (including any request for zoning, conditional use permit and variances) (collectively, the "Application") of the Applicant and the Owners of the Subject Property and to put the Johns Creek Mayor and City Council on notice of the Applicant's assertion of its constitutional and legal rights.

Denial of the Application or approval of the Application in any form that is different than as requested by the Applicant will impose a disproportionate hardship on the Applicant and Owners of the Subject Property without benefiting any surrounding property owners. There is no reasonable use of the Subject Property other than as proposed by the Application and no resulting benefit to the public from denial or modification of the Application.

Any provisions in the Johns Creek, Georgia - Code of Ordinances that classify, or may classify, the Subject Property into any of the non-requested zoning or use classifications, including the Proposed Zoning District at a density less than that requested by the Applicant, are unconstitutional in that they constitute a taking of the Applicant's and Owner's property rights without first paying fair, adequate, and just compensation for such rights in violation of Article I, Section III, Paragraph I of the Georgia Constitution of 1983, as amended and the Fifth and Fourteenth Amendments to the Constitution of the United States.

The Subject Property is presently suitable for development as proposed in the Application and it is not suitable for development under any other zoning classification, use, or at a density less than that requested by the Applicant. Failure to approve the Application as requested by the Applicant will constitute an arbitrary and capricious abuse of discretion in violation of Article I, Section I, Paragraph I of the Georgia Constitution of 1983, as amended 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 Mayor and City Council to approve the Application as requested by the Applicant will prohibit the only viable economic use of the Subject Property, will be unconstitutional and will discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and Owner and the owners of similarly situated properties in violation of Article I, Section I, Paragraph II of the Georgia Constitution of 1983, as amended, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

Furthermore, the Mayor and City Council cannot lawfully impose more restrictive standards on the Subject Property's development than are presently set forth in the Johns Creek, Georgia - Code of Ordinances. To do so not only will constitute a taking of the Subject Property as set forth above, but it will also amount to an unlawful delegation of the City's authority in response to neighborhood opposition, in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution of 1983, as amended. Any zoning conditions or other restrictions imposed on the Subject Property without the consent of the Applicant and Owner that do not serve to reasonably ameliorate the negative impacts of the development are invalid and void. As such, the Applicant and Owner reserve the right to challenge any such zoning conditions.

By filing this Reservation, 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 and Owners respectfully request that the Application be approved as requested by the Applicant and in the manner shown on the Application, which is incorporated herein by reference. This Reservation forms an integral part of the Applicant's Application and we ask that the City of Johns Creek Community Development Department include this Reservation with the Applicant's other application materials for presentation to the Mayor and City Council. The Applicant and Owners reserve the right to amend and supplement this Reservation at any time.

Sincerely,

  
for the Applicant

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SEP 14 2016

City of Johns Creek  
Planning & Zoning

RZ-16-004



August 18, 2016

Beazer Homes-Atlanta  
Attn: Mr. Garen Smith  
6455 Shiloh Road, Suite A  
Alpharetta, GA 30005

**Subject: Jurisdictional Waters Findings Report  
Parsons Road Site  
Fulton County, Georgia  
CEG Project No. 04-072616**

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City of Johns Creek  
Planning & Zoning

22-16-004

Dear Mr. Smith:

Corblu Ecology Group, LLC (CEG) is pleased to submit to Beazer Homes-Atlanta (Client) this letter report regarding the jurisdictional waters delineation for the Parsons Road Site located in Fulton County, Georgia. The project site is located in the southwestern corner of the intersection of Hwy 141 (Medlock Bridge Road) and Parsons Road in Johns Creek, Fulton County, Georgia (Figures 1 & 2).

### Methods

CEG personnel conducted a field delineation of the property for potential jurisdictional waters on August 3, 2016. This delineation included a field reconnaissance of the entire property and abutting properties where available to identify and investigate any potential areas that exhibited the characteristics and requirements of jurisdictional waters. More detailed investigations were then conducted in these areas and a jurisdictional determination was made.

Jurisdictional waters of the U.S., including streams, wetlands, lakes, and ponds, are defined by 33 CFR Part 328.3 and protected by Section 404 of the Clean Water Act (33 USC 1344), which is administered and enforced by the U.S. Army Corps of Engineers (USACE), Savannah District. Jurisdictional waters were delineated in the field using the 1987 USACE Wetlands Delineation Manual<sup>1</sup> and the regional supplement for the Eastern Mountains and Piedmont Region<sup>2</sup>. The referenced manuals use a multi-parameter wetland identification process, including positive evidence of three criteria: 1) hydrophytic vegetation; 2) hydric soils; and 3) wetland hydrology. Any

<sup>1</sup> Environmental Laboratory. 1987. *Corps of Engineers Wetlands Delineation Manual*. U.S. Army Corps of Engineers, Washington D.C. 100 pp. plus appendices.

<sup>2</sup> U.S. Army Corps of Engineers. 2012. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region Version 2.0*, ed. J. F. Berkowitz, J. S. Wakeley, R. W. Lichvar, C.V. Noble. ERDC/EL TR-12-9. Vicksburg, MS: U.S. Army Engineer Research and Development Center.

<sup>3</sup> Georgia Department of Natural Resources, Environmental Protection Division, Watershed Protection Branch, Non-Point Source Program. *Field Guide for Determining The Presence of State Waters That Require a Buffer*. September 2006.

areas exhibiting all three criteria for wetland determination, as well as seasonal streams and ponds, are considered jurisdictional waters regulated by the USACE. Jurisdictional waters were marked in the field with pink wetland survey tape and surveyed with a Trimble® Pathfinder® GEO7X Global Positioning System (GPS), capable of sub-meter accuracy.

Determinations were also made as to whether these areas qualified as State Waters requiring buffers. State Waters of Georgia, including streams and ponds, are defined by Chapter 391-3-7-.01(x) of the Georgia Department of Natural Resources, Environmental Protection Division (EPD) Rules for Erosion and Sedimentation Control and were identified using the Georgia EPD's Field Guide for Determining the Presence of State Waters that Require a Buffer<sup>3</sup>.

**Results**

Site Conditions

Site conditions were assessed through a desktop review of available environmental information (Figures 2-6) and a physical reconnaissance of the project site. The review of available environmental information revealed evidence of potential jurisdictional areas being present within and/or adjacent to the project site. The project site is a single-family residential property that is currently vacant (Figure 2). The northeastern and southwestern portions of the site are forested with a mixture of pine and hardwood trees. The northern portion of the site is mostly open grassed area that has not been maintained and is becoming overgrown with herbaceous vegetation and vines. One house is located on the west-central portion of the site. A sewer easement traverses the southern boundary of the site.

Jurisdictional Waters

Corblu personnel (Barney Crooks) investigated the project site on August 3, 2016 for the presence of jurisdictional waters. Two sections of intermittent stream and one section of ephemeral stream was identified adjacent to the western property boundary. The centerline of each feature was located via GPS and is shown in Figures 7 & 8. See Table 1 below for a listing of identified jurisdictional features. No other features were observed on the project site that would be considered as jurisdictional waters.

**Table 1. Delineated Features on the Parsons Road Site**

Feature Name	Type	Approximate Channel Width <sup>+</sup>	25-Foot Protective Buffer Required <sup>3</sup>
IS1	Intermittent	1-3 feet	Yes
IS2	Intermittent	2-4 feet	Yes
ES1	Ephemeral	1-2 feet	No

<sup>+</sup> Channel width measured from point of wretched vegetation.

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SEP 14 2016

City of Johns Creek  
Planning & Zoning



Intermittent Stream 1 (IS1) is an intermittent stream that is located adjacent to the western property boundary. This stream begins at a headcut and flows southwest along the property boundary for approximately 176 feet until stream flow goes underground and the defined channel flattens out. Stormwater runoff from Parsons Road after rain events is directed into the top of this stream. As a result, the upper  $\pm 46$  feet of stream channel has been lined with riprap rock to prevent erosion of the stream channel and banks. Below this riprapped area is a channel with defined bed and banks. The stream channel width at top of bank is approximately 1 to 3 feet and the wetted width of the channel is approximately 1 to 2 feet. Channel substrates include mostly coarse sand, underlain with sandy clay. At the time of review, water was present in the channel with a small amount of flow. The water extended to the end of the feature and then went underground. Below this point, the defined channel gradually flattens and transitions into an ephemeral wash (ES1). Hydric soils were observed within the channel bed and base of banks of IS1. It is CEG's opinion that IS1 meets the requirements of a jurisdictional Waters of the US and a buffered State Waters. The 25-foot State Waters buffer should start approximately 46 feet from the top of the feature near the end of the riprapped area and extend downstream for the entire length of the intermittent stream feature (Figure 8). Since the upper portion of this channel and banks are lined with riprap, a distinct line of wretched vegetation cannot be determined, therefore, a buffer does not apply to this section of channel.

Ephemeral Stream 1 (ES1) begins at the base of IS1 and flows adjacent to the property boundary for approximately 185 feet along until it ends at IS2. ES1 contains a mixture of flattened wash areas and some minor channelization. There are areas within ES1 that have had been excavated by hand to facilitate storm flows, but these areas are not naturally channelized. The soils were assessed throughout the length of ES1 and very little hydric soil characteristics were observed within the upper 12 inches of the soil column. This feature only transports the overland flow of stormwater after rain events. It is CEG's opinion that ES1 meets the requirements of a jurisdictional Waters of the US and a non-buffered State Waters.

Intermittent Stream 2 (IS2) is an intermittent stream that is located adjacent to the western property boundary. This stream starts at the base of ES1 where flows have become concentrated resulting in channelization with a defined bed and bank. IS2 flows in a southwest direction and away from the southwestern boundary of the project site. The stream channel width at top of bank is approximately 2 to 4 feet and the width at the point of wretched vegetation is 2 to 3 feet. At the time of review, no water was present in the channel. Hydric soils were observed within the channel bed and base of banks of IS2. Channel substrates consisted of mostly sand with some rock from the utility pipe crossing located across the upper portion of the reach. It is CEG's opinion that IS2 meets the requirements of a jurisdictional Waters of the US and buffered State Waters.

Photographs of the features described above are included in the attached photographic log.

### Discussion

Based on the current USACE guidance, no jurisdictional features were identified within the project site, but two sections of intermittent stream (IS1 & IS2) and one ephemeral stream (ES1) were identified adjacent to the western boundary of the project site. These features were determined to meet the requirements of jurisdictional waters of the US and would be regulated by the USACE under Section

404 of the Clean Water Act. Please note that these waters of the US determinations are not official until formally verified by the USACE.

IS1 (excluding the riprapped portion at the top) and IS2 would also be considered State Waters that require a 25-foot undisturbed vegetated buffer measured from the point of wrested vegetation along either streambank. An additional 25-foot undisturbed buffer and 25-foot pervious setback are required outside of the state-mandated 25-foot buffer by the City of Johns Creek. ES1 is considered a non-buffered State Waters. A site visit was conducted by the City of Johns Creek personnel (Mr. Chris Moss) on August 10, 2016 to review and verify this State Waters determination. Upon review of the features in the field, Mr. Moss was in agreement with the delineation and state waters determination depicted in this report and Figure 8. A letter has been requested from Mr. Moss confirming his verification of this delineation. Once received, the verification letter will be forwarded to the Client.

Future impacts to jurisdictional waters and their buffers depicted in Figures 7 and 8 may require approval from USACE, EPD and/or the Local Issuing Authority (LIA) prior to any disturbance. Information concerning the most applicable federal permitting and state and local buffer variance requirements for development activities can be provided upon request.

CEG appreciates the opportunity to assist you with this project. If you have any questions regarding this report, please contact our office at (770) 682-9731.

Sincerely,

CORBLU ECOLOGY GROUP, LLC



Barney Crooks  
Senior Ecologist

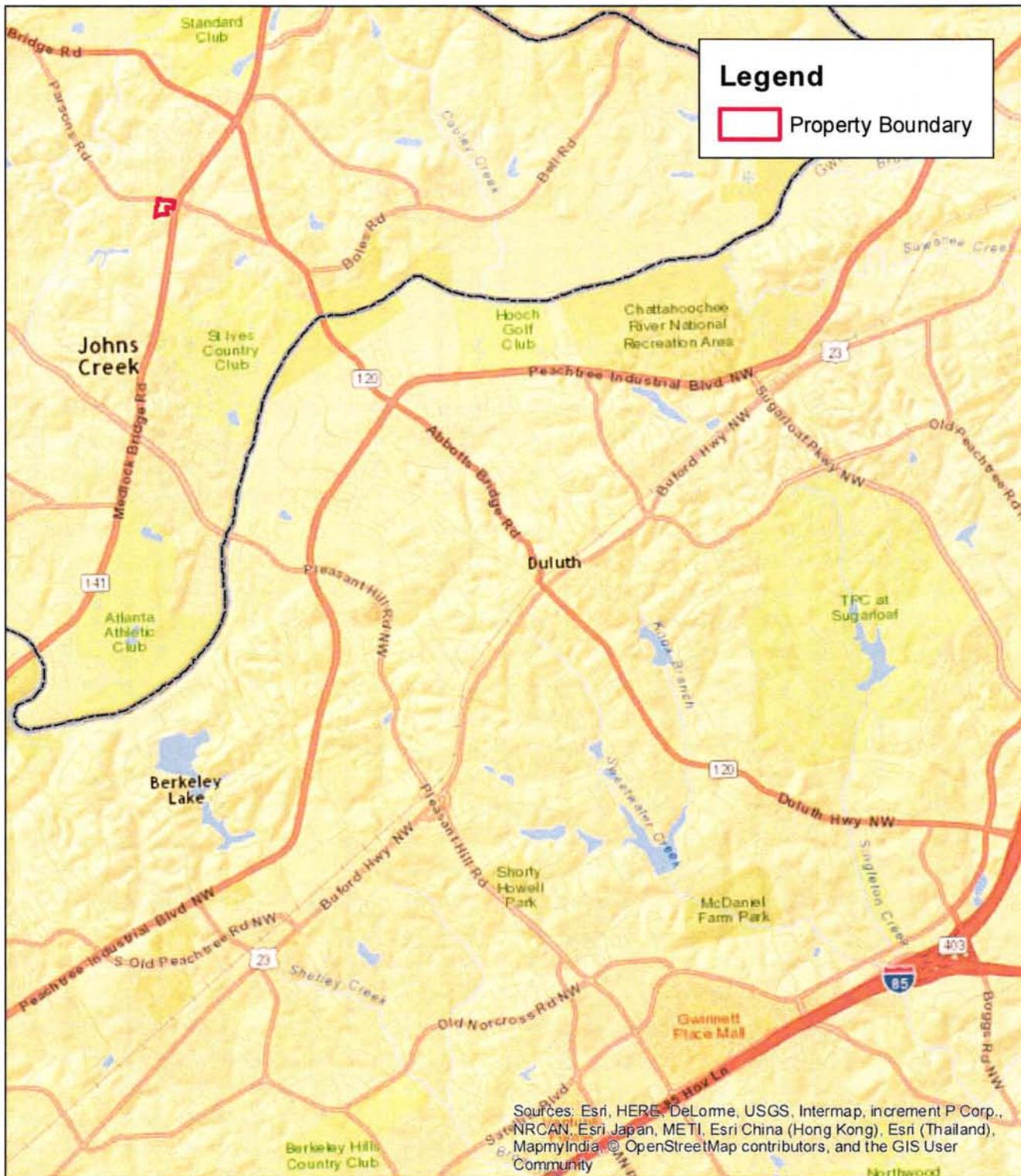
Enclosures: Figure 1 - Site Location Map  
Figure 2 - Aerial Map  
Figure 3 - Topographic Map  
Figure 4 - Soils Map  
Figure 5 - NWI Map  
Figure 6 - FEMA Floodplain Map  
Figure 7 - Jurisdictional Waters of the US Map  
Figure 8 - State Waters Map  
Photographic Log  
Web Soil Survey Soils Report

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SEP 14 2016

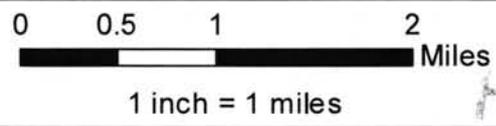
City of Johns Creek  
Planning & Zoning





Parsons Road Site  
 Fulton County, Georgia

Figure 1  
 Location Map



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 corblu  
 ECOLOGICAL  
 SEP 14 2016

Corblu Project No.: 04-02616

City of Johns Creek  
 Planning

### Legend

 Property Boundary



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



Parsons Road Site  
Fulton County, Georgia

Figure 2  
Aerial Map

0 75 150 300  
  
Feet  
1 inch = 150 feet

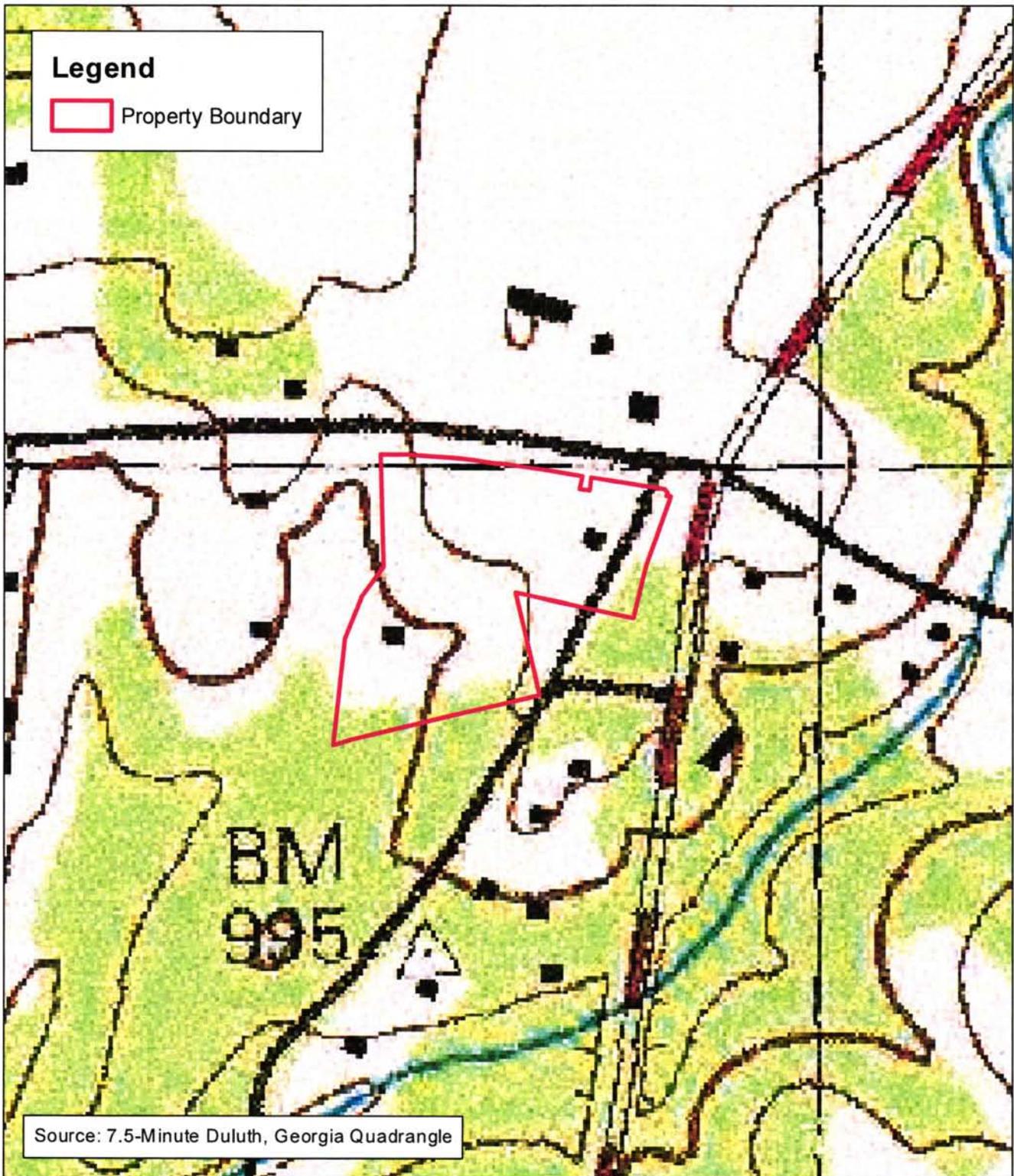


SEP 14 2016

City of Johns Creek  
Planning & Zoning

**Legend**

 Property Boundary



Source: 7.5-Minute Duluth, Georgia Quadrangle



Parsons Road Site  
Fulton County, Georgia

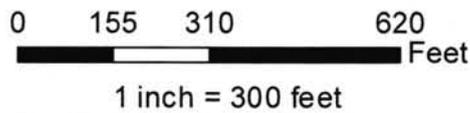


Figure 3  
Topographic Map

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### Legend

-  Property Boundary
-  Soil Type Boundary

### Soil Descriptions

- CaA - Cartecay-Toccoa complex, 0-2% slopes, occasionally flooded
- CeB2 - Cecil sandy loam, 2-6% slopes, moderately eroded
- CeC2 - Cecil sandy loam, 6-10% slopes, moderately eroded
- ReD - Rion sandy loam, 10-15% slopes
- UfC2 - Urban land-Cecil complex, 2-10% slopes, moderately eroded



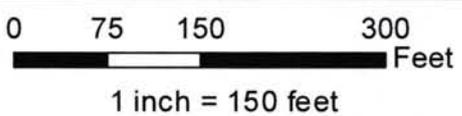
Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, IGP, swisstopo, and the GIS User Community  
 Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors

Source: USDA NRCS Fulton County, Georgia Soil Survey, 2008.



Parsons Road Site  
 Fulton County, Georgia

Figure 4  
 Soils Map



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**Legend**

-  Property Boundary
-  NWI Wetlands



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Parsons Road Site  
 Fulton County, Georgia

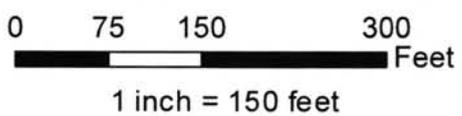


Figure 5  
 National Wetlands Inventory  
 (NWI) Map



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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Geomatics, Aergrid, IGN, IGP, swisstopo, and the GIS User Community



Parsons Road Site  
Fulton County, Georgia

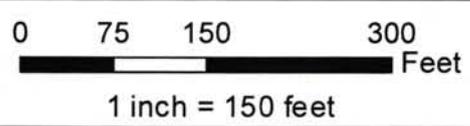


Figure 7  
Jurisdictional Waters  
of the US Map

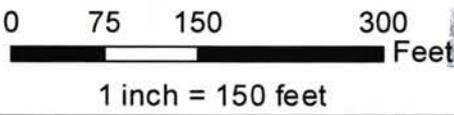


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Parsons Road Site  
Fulton County, Georgia

Figure 8  
State Waters of Georgia Map



Corals Project No.:  
04-072616

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**Photo 1:** View of the open grassed area located on the northern portion of the Parsons Road Site.



**Photo 2:** View of the upper portion of IS1 where the channel is lined with riprap rock.



**Photo 3:** View of IS1 at the base of the riprapped area. The buffered portion of IS1 starts at the pink flag in the background and extends downstream.



**Photo 4:** View of the middle portion of IS1.

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**Photo 5:** View of the lower portion of IS1 where the channel is starting to flatten. Note that stream flow ceases and goes underground in the background of the picture.



**Photo 6:** View of the middle portion of ES1.

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**Photo 7:** View of the transition area from ES1 to IS2.



**Photo 8:** View of the lower portion of IS2.

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Photographs  
8/3/2016



**Photo 9:** View of the utility pipe crossing and riprap protection on the upper portion of IS2.

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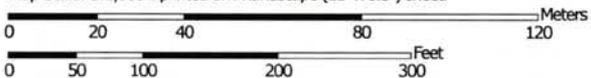
**Parsons Road Site  
Fulton County, Georgia**

**Photographs  
8/3/2016**

Hydric Rating by Map Unit—Fulton County, Georgia  
(Parsons Road Site)



Map Scale: 1:1,660 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 16N WGS84

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Natural Resources  
Conservation Service

Web Soil Survey  
National Cooperative Soil Survey

8/2/2016  
Page 1 of 5

Hydric Rating by Map Unit—Fulton County, Georgia  
(Parsons Road Site)

**MAP LEGEND**

- Area of Interest (AOI)**  
 Area of Interest (AOI)
- Soils**
- Soil Rating Polygons**
-  Hydric (100%)
  -  Hydric (66 to 99%)
  -  Hydric (33 to 65%)
  -  Hydric (1 to 32%)
  -  Not Hydric (0%)
  -  Not rated or not available
- Soil Rating Lines**
-  Hydric (100%)
  -  Hydric (66 to 99%)
  -  Hydric (33 to 65%)
  -  Hydric (1 to 32%)
  -  Not Hydric (0%)
  -  Not rated or not available
- Soil Rating Points**
-  Hydric (100%)
  -  Hydric (66 to 99%)
  -  Hydric (33 to 65%)
  -  Hydric (1 to 32%)
  -  Not Hydric (0%)
  -  Not rated or not available
- Water Features**
-  Streams and Canals
- Transportation**
-  Rails
  -  Interstate Highways
  -  US Routes
  -  Major Roads
  -  Local Roads
- Background**
-  Aerial Photography

**MAP INFORMATION**

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Fulton County, Georgia  
 Survey Area Data: Version 10, Sep 19, 2014

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 17, 2014—Oct 27, 2014

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

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## Hydric Rating by Map Unit

Hydric Rating by Map Unit— Summary by Map Unit — Fulton County, Georgia (GA121)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
CaA	Cartecay-Toccoa complex, 0 to 2 percent slopes, occasionally flooded	7	0.1	1.4%
CeB2	Cecil sandy loam, 2 to 6 percent slopes, moderately eroded	0	0.2	2.9%
CeC2	Cecil sandy loam, 6 to 10 percent slopes, moderately eroded	0	5.3	79.1%
ReD	Rion sandy loam, 10 to 15 percent slopes	0	0.3	4.9%
UfC2	Urban land-Cecil complex, 2 to 10 percent slopes, moderately eroded	0	0.8	11.8%
<b>Totals for Area of Interest</b>			<b>6.6</b>	<b>100.0%</b>

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## Description

This rating indicates the percentage of map units that meets the criteria for hydric soils. Map units are composed of one or more map unit components or soil types, each of which is rated as hydric soil or not hydric. Map units that are made up dominantly of hydric soils may have small areas of minor nonhydric components in the higher positions on the landform, and map units that are made up dominantly of nonhydric soils may have small areas of minor hydric components in the lower positions on the landform. Each map unit is rated based on its respective components and the percentage of each component within the map unit.

The thematic map is color coded based on the composition of hydric components. The five color classes are separated as 100 percent hydric components, 66 to 99 percent hydric components, 33 to 65 percent hydric components, 1 to 32 percent hydric components, and less than one percent hydric components.

In Web Soil Survey, the Summary by Map Unit table that is displayed below the map pane contains a column named 'Rating'. In this column the percentage of each map unit that is classified as hydric is displayed.

Hydric soils are defined by the National Technical Committee for Hydric Soils (NTCHS) as soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part (Federal Register, 1994). Under natural conditions, these soils are either saturated or inundated long enough during the growing season to support the growth and reproduction of hydrophytic vegetation.

The NTCHS definition identifies general soil properties that are associated with wetness. In order to determine whether a specific soil is a hydric soil or nonhydric soil, however, more specific information, such as information about the depth and duration of the water table, is needed. Thus, criteria that identify those estimated soil properties unique to hydric soils have been established (Federal Register, 2002). These criteria are used to identify map unit components that normally are associated with wetlands. The criteria used are selected estimated soil properties that are described in "Soil Taxonomy" (Soil Survey Staff, 1999) and "Keys to Soil Taxonomy" (Soil Survey Staff, 2006) and in the "Soil Survey Manual" (Soil Survey Division Staff, 1993).

If soils are wet enough for a long enough period of time to be considered hydric, they should exhibit certain properties that can be easily observed in the field. These visible properties are indicators of hydric soils. The indicators used to make onsite determinations of hydric soils are specified in "Field Indicators of Hydric Soils in the United States" (Hurt and Vasilas, 2006).

### References:

Federal Register. July 13, 1994. Changes in hydric soils of the United States.

Federal Register. September 18, 2002. Hydric soils of the United States.

Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18.

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service. U.S. Department of Agriculture Handbook 436.

Soil Survey Staff. 2006. Keys to soil taxonomy. 10th edition. U.S. Department of Agriculture, Natural Resources Conservation Service.

## Rating Options

*Aggregation Method:* Percent Present

*Component Percent Cutoff:* None Specified

*Tie-break Rule:* Lower



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