

RZ-16-004
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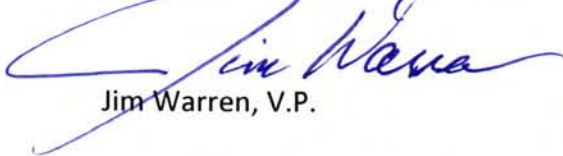
AUG 11 2016

City of Johns Creek
Planning & Zoning

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.



LETTER OF APPEAL

September 21, 2016

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

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

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SEP 21 2016

City of Johns Creek
Community Development

Dear Ms. Lankford,

Concurrent with our Land Use Application, we respectfully seek to delete the 40-foot Landscape strip requirement (Sec. 12E.3.A.1 - Development Standards) adjoining SR 141 and delete the 25-foot landscape strip adjoining Parsons Road and substitute in lieu thereof a 25-foot urbanscape generally in accordance with the color Site Plan entitled Parsons Road & SR 141, dated 9/21/2016 prepared by Sears Smith and Associates.

Applicant desires to provide a townhome product which engages the pedestrian corridor along SR 141/Medlock Bridge Road and Parsons Road. The current landscape strip standard, and its associated dense landscaping requirements, establishes a visual and physical barrier between "road fronting" homes and the pedestrian corridors. We seek relief from the planting requirements and improvement restrictions, in favor of front lawns which "activate" the street scape experience.

Specific to the SR 141 Corridor, we cite hardship as there is a Georgia Power Easement which lies in large measure, in the same area as the 40-foot landscape strip. This is noteworthy as the easement greatly restricts the type and amount of tree and plant materials which may be placed within the easement area; in direct conflict with the landscape strip standards. *(for example, maximum tree height at maturity is 15-feet)*. This easement pre-dates City Code. *Sec. 12E.3.6 - Development Standards, "No utilities should be located within landscape strips, including retention and water quality ponds. Utilities may cross the landscape strip perpendicularly. This excludes overhead utilities."*

In light of stated objectives and the Georgia Power Easement restrictions on SR 141, we instead desire to install within 40-feet a 15' private courtyard and front lawn with direct access to the multi-purpose path via sidewalks. Similarly, on Parsons, the 25-foot strip would be designed as conventional urban front yard, but fortunately without the tree and plant material restrictions imposed on the SR141 frontage. This approach is consistent with the goals of the Comprehensive Plan which is in part 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.

We remain excited about bringing to Johns Creek an urban flair to a portion of this new community while concurrently maintaining the long established residential objectives of Johns Creek by providing parkland within the community and non-encroachment into the perimeter setbacks, zoning buffers, nor stream buffers on the remaining boundaries of the site.

Respectfully submitted



Jim Warren, VP

Maxwell-Reddick and Associates.

Attachment: Parsons Rd. & SR 141, dated September 21, 2016 by reference

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Community Development