

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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Hodge Family Investments LLC</u>	NAME: <u>Hodge Family Investments, LLC</u>
ADDRESS: <u>131 Roswell St. Suite B201</u>	ADDRESS: <u>131 Roswell St. Suite B201</u>
CITY: <u>Alpharetta</u>	CITY: <u>Alpharetta</u>
STATE: <u>GA</u> ZIP: <u>30009</u>	STATE: <u>GA</u> ZIP: <u>30009</u>
PHONE: <u>678-990-0712</u>	PHONE: <u>678-990-0712</u>
CONTACT PERSON: <u>Alysia Altizer</u> PHONE: <u>678-990-0712</u>	
CONTACT'S E-MAIL: <u>aaltizer@pennhodge.com</u>	

<b>APPLICANT IS THE:</b>		
<input checked="checked" type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER	<input type="checkbox"/> CONTRACT PURCHASER
PRESENT ZONING DISTRICTS(S): _____ REQUESTED ZONING DISTRICT: _____		
LAND DISTRICT(S): _____ LAND LOT(S): _____ ACREAGE: _____		
ADDRESS OF PROPERTY: <u>10700 State Bridge Rd, Johns Creek GA 30022</u>		
PROPOSED DEVELOPMENT: _____		
CONCURRENT VARIANCES: _____		

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units _____	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): _____	Total Building Sq. Ft. _____
Density: _____	Density: _____

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17-1244

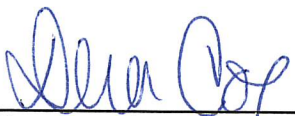
**APPLICANT'S CERTIFICATION**

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.

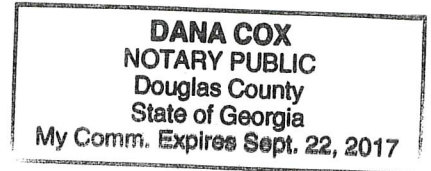
  
\_\_\_\_\_  
Signature of Applicant

6/20/2017  
\_\_\_\_\_  
Date

Alysia Altizer, Property Manager  
\_\_\_\_\_  
Type or Print Name and Title

  
\_\_\_\_\_  
Signature of Notary Public

6/20/17  
\_\_\_\_\_  
Date



\_\_\_\_\_  
Notary Seal

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**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, Penn Hodge, authorize, Alysia Altizer,  
(Property Owner) (Applicant)

to file for RZ, at 10700 State Bridge Rd, Johns Creek GA  
(RZ, SUP, CV) (Address) 30022

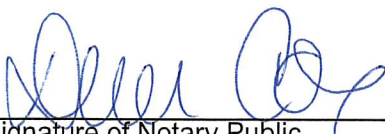
on this date June, 20th, 2017  
(Month) (Day)

- 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 of Property Owner

6/20/2017  
Date

Penn Hodge, Manager  
Type or Print Name and Title

  
Signature of Notary Public

6/20/17  
Date

**DANA COX**  
NOTARY PUBLIC  
Douglas County  
State of Georgia  
My Comm. Expires Sept. 22, 2017

Notary Seal

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## 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
2. Does the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?  
NO
3. Does the property to be rezoned have a reasonable economic use as currently zoned?  
YES
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?  
NO
5. Is the zoning proposal in conformity with the policies and intent of the land use plan?  
YES
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?  
YES to allow photography
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?  
NO

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## SPECIAL USE PERMIT CONSIDERATION FORM

N/A

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

1. Whether the proposed use is consistent with the Comprehensive Land Use Plan and/or Economic Development Revitalization plans adopted by the Mayor and City Council;  
\_\_\_\_\_  
\_\_\_\_\_
2. Compatibility with land uses and zoning districts in the vicinity of the property for which the Use Permit is proposed;  
\_\_\_\_\_  
\_\_\_\_\_
3. Whether the proposed use may violate local, state and/or federal statutes, ordinances or regulations governing land development;  
\_\_\_\_\_  
\_\_\_\_\_
4. The effect of the proposed use on traffic flow, vehicular and pedestrian, along adjoining streets;  
\_\_\_\_\_  
\_\_\_\_\_
5. The location and number of off-street parking spaces;  
\_\_\_\_\_  
\_\_\_\_\_
6. The amount and location of open space;  
\_\_\_\_\_  
\_\_\_\_\_
7. Protective screening;  
\_\_\_\_\_  
\_\_\_\_\_
8. Hours and manner of operation;  
\_\_\_\_\_  
\_\_\_\_\_
9. Outdoor lighting;  
\_\_\_\_\_  
\_\_\_\_\_
10. Ingress and egress to the property.  
\_\_\_\_\_  
\_\_\_\_\_

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## ENVIRONMENTAL SITE ANALYSIS (ESA) FORM

N/A

Analyze the impact of the proposed rezoning and provide a written point-by-point response to Points 1 through 3:

1. **CONFORMANCE WITH THE COMPREHENSIVE PLAN.** Describe the proposed project and the existing environmental conditions on the site. Describe adjacent properties. Include a site plan that depicts the proposed project.

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.

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).

- a. Wetlands
  - U. S. Fish and Wildlife Service, National Wetlands Inventory (<http://wetlands.fws.gov/downloads.htm>)
  - Georgia Geologic Survey (404-656-3214)
  - Field observation and subsequent wetlands delineation/survey if applicable
- b. Floodplain
  - Federal Emergency Management Agency (<http://www.fema.org>)
  - Field observation and verification
- c. Streams/stream buffers
  - Field observation and verification
- d. Slopes exceeding 25 percent over a 10-foot rise in elevation
  - United States Geologic Survey Topographic Quadrangle Map
  - Field observation and verification
- e. Vegetation
  - United States Department of Agriculture, Nature Resource Conservation Service
  - Field observation
- f. Wildlife Species (including fish)
  - United States Fish and Wildlife Service
  - Georgia Department of Natural Services, Wildlife Resources Division, Natural Heritage Program
  - Field observation
- g. Archeological/Historical Sites
  - Historic Resources Survey
  - Georgia Department of Natural Resources, Historic Preservation Division
  - Field observation and verification

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## ENVIRONMENTAL SITE ANALYSIS (ESA) FORM (CONTINUED)

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.
  - b. Protection of water quality
  - c. Minimization of negative impacts on existing infrastructure
  - d. Minimization on archeological/historically significant areas
  - 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.
  - f. Creation and preservation of green space and open space
  - g. Protection of citizens from the negative impacts of noise and lighting
  - h. Protection of parks and recreational green space
  - i. Minimization of impacts to wildlife habitats

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## PUBLIC PARTICIPATION PLAN & REPORT

### GENERAL REQUIREMENTS

The Public Participation Plan is to ensure that applicants pursue early and effective public participation in conjunction with their petitions, ensure that the citizens of the City of Johns Creek have an adequate opportunity to learn about petitions that may affect them, and to ensure ongoing communication between applicants, adjoining property owners, environmentally stressed communities, community associations and other organizations, elected officials and City staff. Potentially affected parties should be discussed by the applicant and current planner at the time of the pre-application review. Applicants are required to submit a Public Participation Plan for meeting with interested citizens to advise of pending rezoning/use permit applications and to allow citizens the opportunity to discuss concerns and provide input about project design or development. An applicant's responsibilities are to inform the public, solicit input, and provide a summary of these activities in the form of a written report (Public Participation Report).

The City of Johns Creek will host a Neighborhood meeting for every land use petition, which will count towards the applicant's required public participation plan. The meetings will be held approximately 1 month after the filing deadline. The applicant is required to attend the meeting to present their project to public and answer questions that may arise. The City of Johns Creek will mail a postcard notification to all property owners within ¼ mile to notify them of the neighborhood meeting, the Planning Commission hearing, and the Mayor & City Council hearing. ***While the City of Johns Creek will be hosting a neighborhood meeting for the land use petition, the applicant is welcome to set up additional community meetings to ensure the citizens of the City of Johns Creek have adequate opportunity to participate in the land use petition process. Please note that applicants are highly encouraged to meet with nearby properties prior to filing an application.***

The requirement for a Public Participation Plan does not give communities decision making powers or force a consensus on issues. Applicants are not obligated to make any concessions or changes based upon input from citizens. A refusal by the community to meet with applicants does not mean that the applicants fail to meet the requirements of the Public Participation Plan.

The Public Participation Plan must be filed simultaneously with the application. The Public Participation Report is required to be filed no later than fifteen (15) calendar days prior to the Planning Commission hearing.

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## 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
Steve Broadband	\$1000 <sup>00</sup>	7/2016	donation

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) \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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## 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?

NONE

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?

N/A

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?

NO

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

ASAP

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# Johns Creek

## LAND USE PETITION APPLICANT'S ACKNOWLEDGEMENT FORM

RZ-17-011  
Case Number

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

Neighborhood Meeting Date: 8/3/17

Planning Commission Date: 9/5/17

Mayor & Council Date: 9/25/17

Alysia Altizer [Signature] 7/5/17  
Applicant's Printed Name and Signature Date

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Community Development



Exhibit A

10700 State Bridge Road

All that tract or parcel of land lying and being in Land Lot 169 of the 1<sup>st</sup> District, 1<sup>st</sup> Section, Fulton County, Georgia, and being more particularly described as follows:  
Beginning at the intersection of the proposed northerly right-of-way of Morton Road (45' centerline to right-of-way) and the proposed westerly right-of-way of State Bridge Road (75' centerline to right-of-way) being the True Point of Beginning; thence continuing along the proposed northerly right-of-way of Morton Road (45' centerline to right-of-way) North 89 degrees 27 minutes 33 seconds West a distance of 387.79 feet to a point; thence continuing along the proposed northerly right-of-way North 89 degrees 00 minutes 41 seconds West, a distance of 238.42 feet to a point; thence continuing along said proposed right-of-way North 89 degrees 47 minutes 29 seconds West, a distance of 109.32 feet to a point; thence leaving said proposed northerly right-of-way of Morton Road North 01 degree 14 minutes 33 seconds East, a distance of 368.35 feet to a point; running thence South 88 degrees 45 minutes 31 seconds East, a distance of 597.70 feet to an iron pin set along the proposed westerly right-of-way of State Bridge Road (75' centerline to right-of-way); thence continuing along said proposed westerly right-of-way South 19 degrees 40 minutes 10 seconds East, a distance of 386.02 feet to a point at the intersection of the proposed northerly right-of-way of Morton Road (45' centerline to right-of-way) and the proposed westerly right-of-way of State Bridge Road (75' centerline to right-of-way) and the True Point of Beginning.

Said tract contains 5.858 acres, more or less, and is shown on a Survey for Hodge Family Investments, LLC, by Richard Webb & Associates, bearing the seal of Richard J. Webb, G.R.L.S. No. 2507, dated January 25, 2012, last revised \_\_\_\_\_, 2012.

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**Secretary of State**  
**Corporations Division**  
**315 West Tower**  
**#2 Martin Luther King, Jr. Dr.**  
**Atlanta, Georgia 30334-1530**

CONTROL NUMBER: C130707  
EFFECTIVE DATE: 06/28/2001  
COUNTY : GEORGIA  
REFERENCE : 0044  
PRINT DATE : 07/06/2001  
FORM NUMBER : 356

MERRITT & TENNEY LLP  
ELAINE RAMEY  
200 GALLERIA PARKWAY, SUITE 500  
ATLANTA, GA 30339

**CERTIFICATE OF ORGANIZATION**

I, Cathy Cox, the Secretary of State of the State of Georgia, do hereby certify under the seal of my office that

**HODGE FAMILY INVESTMENTS, LLC**  
**A GEORGIA LIMITED LIABILITY COMPANY**

has been duly organized under the laws of the State of Georgia on the effective date stated above by the filing of articles of organization in the Office of the Secretary of State and by the paying of fees as provided by Title 14 of the Official Code of Georgia Annotated.

WITNESS my hand and official seal in the City of Atlanta and the State of Georgia on the date set forth above.

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City of Johns Creek  
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Cathy Cox  
Secretary of State



# STATE OF GEORGIA

## Secretary of State

Corporations Division  
313 West Tower  
2 Martin Luther King, Jr. Drive  
Atlanta, Georgia 30334-1530

### CERTIFICATE OF EXISTENCE

I, Brian P. Kemp, Secretary of State and the Corporations Commissioner of the state of Georgia, hereby certify under the seal of my office that

#### HODGE FAMILY INVESTMENTS, LLC

##### Domestic Limited Liability Company

was formed or was authorized to transact business on 06/28/2001 in Georgia. Said entity is in compliance with the applicable filing and annual registration provisions of Title 14 of the Official Code of Georgia Annotated and has not filed articles of dissolution, certificate of cancellation or any other similar document with the office of the Secretary of State.

This certificate relates only to the legal existence of the above-named entity as of the date issued. It does not certify whether or not a notice of intent to dissolve, an application for withdrawal, a statement of commencement of winding up or any other similar document has been filed or is pending with the Secretary of State.

This certificate is issued pursuant to Title 14 of the Official Code of Georgia Annotated and is prima-facie evidence that said entity is in existence or is authorized to transact business in this state.



WITNESS my hand and official seal of the City of Atlanta and the State of Georgia on 10th day of January, 2012

*B. P. Kemp*

Brian P. Kemp  
Secretary of State





## PRE-APPLICATION FORM

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

City of Johns Creek  
Planning & Zoning

#### Purpose & Process

6.13

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: Alyssa Altizer

Site Address: 10700 State Bridge Road Parcel Size: \_\_\_\_\_

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

Change in conditions to allow  
for a photography studio  
Z-01-111

Existing Zoning Designation and Case Number: Z-01-111

Proposed Zoning Designation: C-1 conditional

Comprehensive Land Use Map Designation: \_\_\_\_\_

Planner: Kyle Adams Date: 6/29/17