

| | | |
|-----------------------------|--------------------|--------------------------|
| Environmental Impact Report | • Three (3) Copies | <input type="checkbox"/> |
| Noise Study Report | • Three (3) Copies | <input type="checkbox"/> |

REZONING/SUP/CHANGE IN CONDITIONS
APPLICATION

| APPLICANT INFORMATION | OWNER INFORMATION |
|--|------------------------------------|
| NAME: <u>O'Dwyer Properties LLC</u> | NAME: <u>Gary Lawrence</u> |
| ADDRESS: <u>850 Old Alpharetta Rd</u> | ADDRESS: <u>10730 Parsons Rd.</u> |
| CITY: <u>Alpharetta</u> | CITY: <u>Johns Creek</u> |
| STATE: <u>GA</u> ZIP: <u>30005</u> | STATE: <u>GA</u> ZIP: <u>30097</u> |
| PHONE: <u>770-887-2177</u> | PHONE: <u>N/A</u> |
| CONTACT PERSON: <u>Jordon Tench</u> PHONE: <u>770-887-2177</u> | |
| CONTACT'S E-MAIL: <u>JordonT@Odwyerhomes.com</u> | |

| | |
|--|---|
| APPLICANT IS THE: | |
| <input type="checkbox"/> OWNER'S AGENT | <input type="checkbox"/> PROPERTY OWNER |
| <input checked="" type="checkbox"/> CONTRACT PURCHASER | |
| PRESENT ZONING DISTRICTS(S): <u>AG-1</u> REQUESTED ZONING DISTRICT: <u>R-4</u> | |
| LAND DISTRICT(S): <u>1st</u> LAND LOT(S): <u>280</u> ACREAGE: <u>4.4</u> | |
| ADDRESS OF PROPERTY: <u>10730 Parsons Rd.</u> | |
| PROPOSED DEVELOPMENT: <u>Single Family Residential - Detached</u> | |
| CONCURRENT VARIANCES: <u>None</u> | |

| RESIDENTIAL DEVELOPMENT | NON-RESIDENTIAL DEVELOPMENT |
|---|-----------------------------------|
| No. of Lots/Dwelling Units <u>11</u> | No. of Buildings/Lots: <u>N/A</u> |
| Dwelling Unit Size (Sq. Ft.): <u>2400</u> | Total Building Sq. Ft. <u>N/A</u> |
| Density: <u>2.48 Units/Acre</u> | Density: <u>N/A</u> |

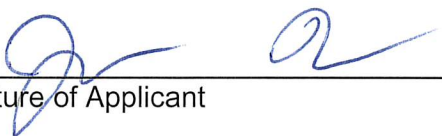
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JUL 31 2017
City of Johns Creek
Planning Department
UPDATED 1/13/2017


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.

 7/28/17
Signature of Applicant Date

Jordan Tench P.E. LAND DEVELOPMENT MANAGER
Type or Print Name and Title

 7/28/17
Signature of Notary Public Date

 Notary Seal, Georgia

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City of Johns Creek
Planning & Zoning

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, Gary Lawrence, authorize, Dwyer Properties, LLC,
(Property Owner) (Applicant)
to file for RZ, at 10730 Parsons Rd,
(RZ, SUP, CV) (Address)
on this date July, 28, 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.

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Gary Lawrence
Signature of Property Owner

JUL 31 2017
7-26-17
City of Johns Creek
Planning & Zoning

GARY LAWRENCE
Type or Print Name and Title

[Signature]
Signature of Notary Public

7/26/17
Date



ZONING IMPACT ANALYSIS FORM

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

1. Does the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?
Yes. The property is surrounded by residential developments including R3, R4A, and R5 zoning.
It is also part of the Johns Creek North Land Use Plan.
2. Does the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?
No. The adjacent properties are residential sites already.
3. Does the property to be rezoned have a reasonable economic use as currently zoned?
The parcel is zoned AG-1 with one existing house on it with is currently lived in. It is surrounded by residential subdivisions; therefore, it is unlikely you be used or developed for any use other than single family homes.
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. The zoning request is for 11 single family homes, which will have minimal impact of the existing streets, transportations facilities, utilities, or schools.
5. Is the zoning proposal in conformity with the policies and intent of the land use plan?
Yes. The requested zoning is aligned with the surrounding areas.
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?
No. The property is currently being used as a single-family residence. The requested development is for 11 single family homes on the property, which is in compliance with the Johns Creek north Land Use Plan.
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. The proposed zoning is in line with the current usage and does not add any adverse impact to the natural resources, environment and citizens of the City of Johns Creek. Efforts will be made to maintain the existing tree buffers.

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ENVIRONMENTAL SITE ANALYSIS (ESA) FORM

Applicant: O'Dwyer Properties LLC

Property: 10730 Parson Rd, Johns Creek GA 30097

City of Johns Creek
Planning & Zoning

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

The proposed project is for 11 single family homes. There is currently one home on the site with a creek running towards the southwest corner. The required stream buffers are depicted on the attached site plan.

This site is in the Johns Creek North Land Use Plan and has a maximum of 3 units per acre. The proposed site plan has 2.48 units per acre.

2. ENVIRONMENTAL IMPACT OF THE PROPOSED PROJECT

- a. **Wetlands:** There are not wetlands on this property according to the U.S. Fish and Wildlife Service Nation Wetlands Inventory
- b. **Floodplain:** According to FEMA map 13121C0087F, this property is not in the flood hazard area.
- c. **Streams/stream buffers:** There is a stream located on the southwest corner of the property and the adequate buffers identified on the site plan.
- d. **Slopes exceeding 25% over a 10-foot rise in elevation:** The property does not have slopes exceed 25% over a 10- foot rise per topographic survey.
- e. **Vegetation:** The site has limited vegetation for 1/3 of the site and various trees on the remaining 2/3 of the site. Many of the trees will remain near the site boundary and stream area. Specimen trees have been identified by a tree survey and are marked on the site plan.
- f. **Wildlife Species (including fish):** As this area is surrounded by residential construction, wildlife is limited. No wildlife was seen during the field observation.
- g. **Archeological/Historical Sites:** No evidence that this property is an archeological/historical site.

3. PROJECT IMPLEMENTATION MEASURES:

- a. **Protection of environmentally sensitive areas:** Not Applicable
- b. **Protection of water quality:** The Stormwater Management is shown on the site plan and will be designed to the City of Johns Creek requirements.
- c. **Minimization of negative impacts on existing infrastructure:** Water and sewer is available on Parsons Road. The sewer capacity will be confirmed with the county and there is not anticipation of any negative impacts on existing infrastructure.
- d. **Minimization of archeological/historically significant areas:** No evidence that this property is an archeological/historical site.
- e. **Minimization on 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) use:** Not applicable to the best of applicant's knowledge.

- f. **Creation and preservation of green space and open space:** Green Space and open space is depicted on the site plan and Many of the tress will remain near the site boundary and stream area.
- g. **Protection of citizens from the negative impacts of noise and lighting:** The intended residential community will have little noise or lighting impact on the surrounding community.
- h. **Protection of parks and recreational green space:** This site is not used for recreational green space and does not impact parks or recreational open spaces.
- i. **Minimization of impacts to wildlife habitats:** Not applicable to the best of applicant's knowledge.

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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:

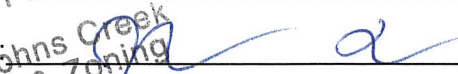
| | |
|----|----|
| 1. | 5. |
| 2. | 6. |
| 3. | 7. |
| 4. | 8. |

3. CAMPAIGN CONTRIBUTIONS:

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

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) JORDON TENCH

Signature: 

Date: 7/28/17

REC-2
JUL 31 2017
City of Johns Creek
Planning & Zoning

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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?

StoneHaven HOA, and 10730 Parsons Rd.

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?

Email, mail, or phone if applicable

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?

Via phone and Email as questions may arise

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

To be submitted no later than 15 days prior to the planning commission meeting

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A&R Engineering Inc.

2160 Kingston Court, Suite O
Marietta, GA 30067
Tel: (770) 690-9255 Fax: (770) 690-9210
www.areng.com



JUL 31 2017

City of Johns Creek
Planning & Zoning

Memorandum

To: O'Dwyer Properties
From: Abdul K. Amer, PE, PTOE
Date: July 28, 2017
Subject: Trip Generation Memorandum – 10730 Parsons Road Residential Development

The purpose of this memorandum is to determine the trip generation that will results from a proposed residential development located at 10730 Parsons Road in Johns Creek, Georgia. The development will include 11 lots of single-family detached housing and proposes one full-access driveway on Parsons Road. The locations of the development is shown below in Figure 1.

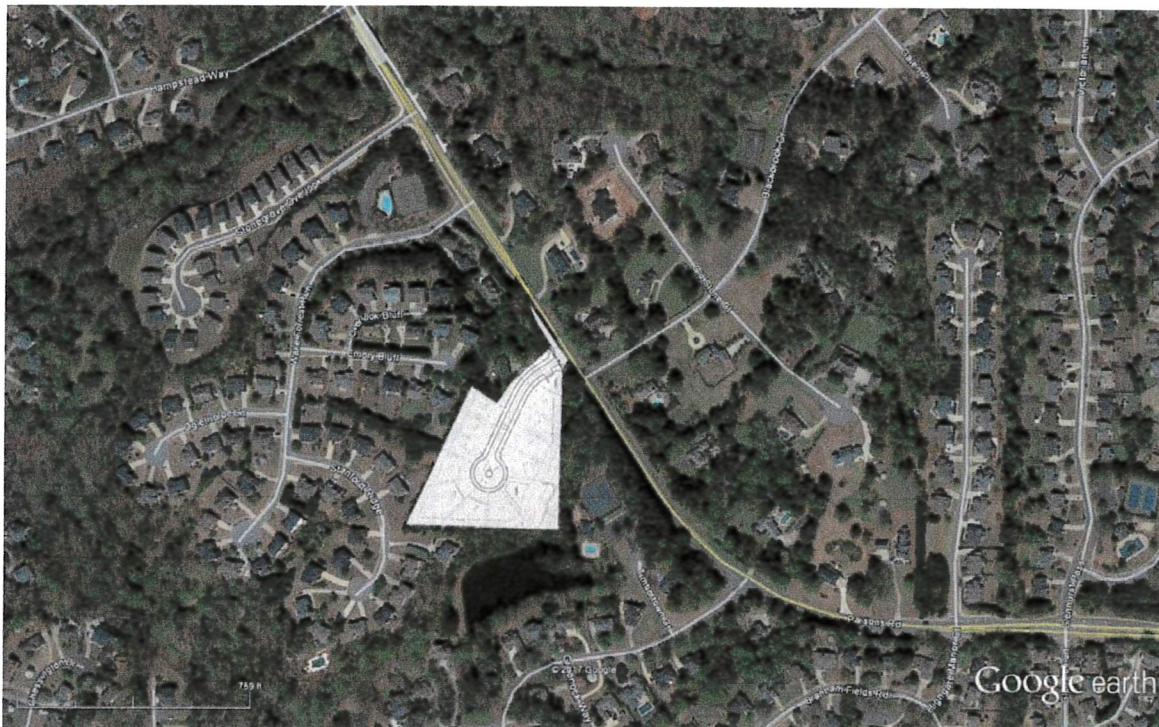


Figure 1: Site Location

Trip generation estimates for this project were based on the rates and equations published in the 9th edition of the Institute of Transportation Engineers (ITE) Trip Generation report. This reference contains traffic volume count data collected at similar facilities nationwide. The trip generation for the proposed development was based on the following ITE Land Use: 210 – *Single-Family Detached Housing*. The results of the trip generation are shown below in Table 1.

| TABLE 1 – TRIP GENERATION | | | | | | | | |
|---------------------------------|----------|--------------|------|-------|--------------|------|-------|---------|
| Land Use | Size | AM Peak Hour | | | PM Peak Hour | | | 24-Hour |
| | | Enter | Exit | Total | Enter | Exit | Total | Two-way |
| ITE 210 – Single-Family Housing | 11 Units | 4 | 13 | 17 | 9 | 5 | 14 | 138 |



Johns Creek

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PRE-APPLICATION FORM

JUL 31 2017

City of Johns Creek
Planning & Zoning

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

Purpose & Process

A Pre-Application Meeting provides you the opportunity to present a conceptual plan and letter of intent to a representative of the Community Development Department. This meeting benefits you, the applicant, by receiving general comments on the feasibility of the plan, the process(es)/procedure(s) and fees required to process and review the application(s). 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: O'Dwyer Properties

Site Address: 10130 Parsons Road Parcel Size: 4.44 Acres

Proposal Description: 11 unit single-family home
subdivision. R-4. public road

Existing Zoning Designation and Case Number: N/A

Proposed Zoning Designation: AG-1

Comprehensive Land Use Map Designation: Johns Creek north

Planner: Kylie Adams Date: 7/26/17

Deed Book 43865 Pg. 307
Juanita Hicks
Clerk of Superior Court
Fulton County, Georgia

EXHIBIT "A"

TRACT 1: All that tract and parcel of land lying and being in Land Lot 280 of the First District and First Section of formerly Milton, now Fulton, County, Georgia, containing 4.2811 acres as per survey by J. Paul Bates and Associates, Registered Land Surveyors, dated April 13, 1970, and being more particularly described as follows:

BEGINNING at an iron pin on the East line of Land Lot 280, 42.9 feet South of the intersection of said Land Lot line with the Southwest side of Parsons Road (as now located) and running thence South 1 degree 03 minutes West along the Land Lot line 480 feet to an axle; thence North 88 degrees 23 minutes West 502.2 feet to an axle; thence North 25 degrees 18 minutes East 499.6 feet to an iron pin; thence South 57 degrees 22 minutes East 100 feet to an iron pin; thence North 34 degrees 2 minutes East 80 feet to an iron pin; thence North 48 degrees 12 minutes East 65.5 feet to an iron pin; thence South 67 degrees 32 minutes East 77 feet to an iron pin, and thence South 75 degrees 20 minutes East 50 feet to the point of beginning.

TRACT 2: All that tract and parcel of land lying and being in Land Lot 280 of the 1st District and 1st Section of Fulton County, Georgia, lying South of the new location of Parsons Road, being a triangular parcel designated as "J.A. Parsons Property" on plat of survey for Joseph J. Lawrence by J. Paul Bates & Associates, dated April 13, 1970, and being more particularly described as follows:

BEGINNING at an iron pin on the East line of Land Lot 280, which point is 42.9 feet South of the intersection of said Land Lot line with the Southwesterly right-of-way of Parsons Road, and running thence North along the East line of said Land Lot 42.9 feet to the intersection of said Land Lot line with the Southwesterly right-of-way of Parsons Road, thence Northwesterly along the right-of-way of Parsons Road 70 feet, more or less, to the Southeasterly side of Morton Road (abandoned), thence Southwesterly along the Southeasterly side of Morton Road 100 feet, more or less, to an iron pin in the center line of the old location of Parsons Road, thence South 67 degrees 32 minutes East 77 feet to an iron pin, thence South 75 degrees 20 minutes East 50 feet to the point of beginning; together with any and all right, title and interest Grantor may have in and to that portion of the right-of-way of Morton Road (abandoned) lying South of Parsons Road.

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City of Johns Creek
Planning & Zoning

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17-1400



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

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. | <ul style="list-style-type: none">One (1) CD or Zip Drive in .JPEG, .TIFF, .PDF or .DOC format | <input checked="" type="checkbox"/> |
| Pre-Application Meeting Form | <ul style="list-style-type: none">One (1) Copy | <input checked="" type="checkbox"/> |
| Site Plan with Legal Description (See Page 16 for Requirements) | <ul style="list-style-type: none">Twelve (12) Full-Size Site Plan Copies (folded)One (1) 8 1/2" x 11" Site PlanOne (1) 8 1/2" x 11" Legal Description | <input checked="" type="checkbox"/> |
| Colored Building Elevations and Site (Attached Residential & Non-Residential) in context with elevations of existing surrounding/neighborhood structures. | <ul style="list-style-type: none">One (1) Copy | <input checked="" type="checkbox"/> |
| Letter of Intent | <ul style="list-style-type: none">One (1) Copy | <input checked="" type="checkbox"/> |
| Zoning Impact Analysis Form and/or SUP Form | <ul style="list-style-type: none">One (1) Copy | <input checked="" type="checkbox"/> |
| Environmental Site Analysis Form | <ul style="list-style-type: none">One (1) Copy | <input checked="" type="checkbox"/> |
| Disclosure Form | <ul style="list-style-type: none">One (1) Copy | <input checked="" type="checkbox"/> |
| Public Participation Plan & Report | <ul style="list-style-type: none">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 | <ul style="list-style-type: none">One (1) Copy | <input checked="" type="checkbox"/> |
| THE FOLLOWING ITEMS MAY BE REQUIRED | | |
| Traffic Impact Study | <ul style="list-style-type: none">Three (3) Copies | <input type="checkbox"/> |
| Metropolitan River Protection | <ul style="list-style-type: none">Three (3) Copies | <input type="checkbox"/> |
| Development of Regional Impact Review Form | <ul style="list-style-type: none">Three (3) Copies | <input type="checkbox"/> |

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