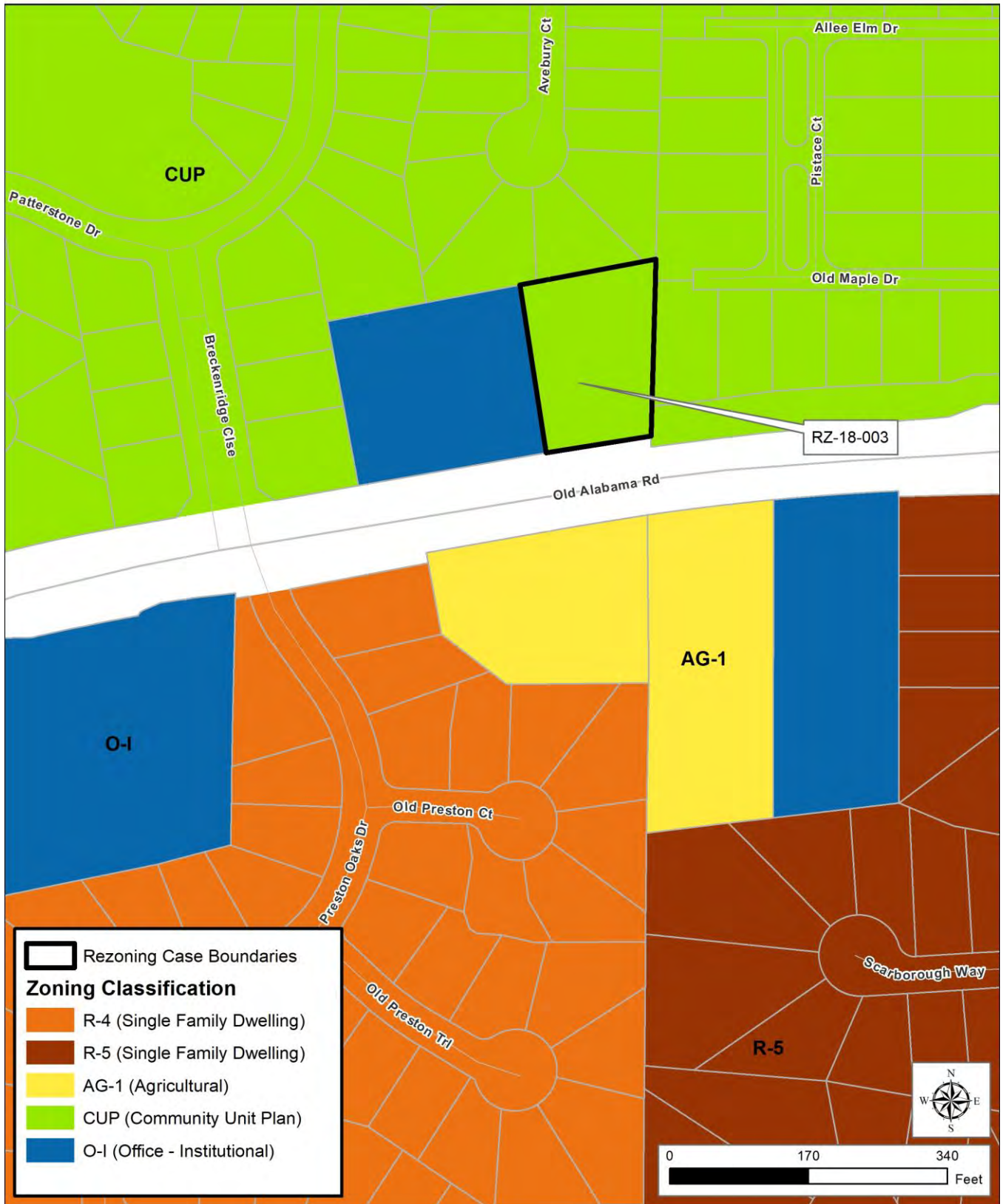




Land Use Petition RZ-18-003, VC-18-003-01, VC-18-003-02, and VC-18-003-03
Date of Staff Recommendation Preparation: July 20, 2018 (JPG)
Revised to Incorporate Planning Commission Recommendation: August 7, 2018

PROJECT LOCATION:	3500 Block of Old Alabama Road (3590 Old Alabama Road)
DISTRICT/SECTION/LANDLOT(S):	1 st District, 1 st Section, Land Lot 14
ACREAGE	0.90 acres
CURRENT ZONING:	CUP (Community Unit Plan) District Fulton Case Number: Z-78-020
PROPOSED ZONING:	O – I (Office Institutional) District
FUTURE DEVELOPMENT MAP DESIGNATION:	Character Area 06: Newtown
APPLICANT:	Dr. Peter D. Boulden, DMD 1870 Old Alabama Road, Suite 130 Roswell, Georgia 30076 770.998.3838 Contact: Mr. Greg Sportsman Phone: 678.482.1581
OWNER:	Estate of James H. Cowart c/o Daniel Cowart 5808 State Bridge Road Johns Creek, Georgia 30097
PROPOSED DEVELOPMENT:	Dental office with concurrent variances to allow encroachment into the 10-foot improvement setback (-01); to eliminate landscape islands in parking lot (-02), and to allow a flat roof for the proposed building (-03).
STAFF RECOMMENDATION:	Approval
PLANNING COMMISSION RECOMMENDATION:	Approval with Conditions

RZ-18-003



RZ-18-003



PROJECT OVERVIEW

The applicant is requesting to rezone 0.90 acres on the north side of Old Alabama Road from CUP (Community Unit Plan District) to O-I (Office – Institutional District) to allow for the construction of a one-story 5,250 square-foot dental office. The Future Development Map shows the site located within Character Area 06: Newtown.

The subject property is an undeveloped parcel that was part of a larger residential development zoned in 1978 by Fulton County. The property is currently wooded with a mix of pines and hardwoods, and sits between a day care center and two detached residential subdivisions, Madison Park to the east and the Park at Breckenridge to the north.

The submitted site plan shows a proposed building fronting on Old Alabama Road with 24 parking spaces to the rear of the building, and one full access point on Old Alabama Road. The Applicant has proposed to place the stormwater facility underground.

The applicant has submitted examples of building styles and materials for the exterior elevations of the proposed building. Brick, stone, and glass are the main materials throughout the examples, and while the Applicant has requested a concurrent variance (VC-18-003-03) to have a flat roof (Sec. 12E.3.D.8), the elevations are intended to meet the City's Community Standards for building façade materials (Sec. 12E.3.D.1).

The Applicant has also requested two additional concurrent variances. The first is to eliminate the parking islands required per Section 4.23.3 of the City's Zoning Ordinance (VC-18-003-01); the Ordinance requires a minimum 10-foot wide parking island at the end of each bay, as well as an island after every sixth parking space. The second variance is to allow encroachment into the 10-foot improvement setback that is required adjacent to a zoning buffer (VC-18-003-02). The encroachment includes grading, a portion of the proposed parking lot, and possible retaining walls that are not expected to exceed six feet in height.

A neighborhood meeting was held on Thursday, June 7, 2018. Two citizens were in attendance for this case. A concern was raised about the potential for increased heat island affects due to the removal of the parking islands.

STANDARDS OF REZONING REVIEW

- **Whether or not the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property?**

The surrounding zoning, land uses and development criteria are as follows:

Adjacent & Surrounding Properties	Zoning (Petition Number)	Land Use	Density Non-Residential (SF/Acre) Residential (Units/Acre)
Adjacent: North	CUP Conditional (Z-91-041 NFC)	Single-Family Detached Residential Subdivision (The Park at Breckenridge)	4.15 units/acre
Adjacent: East	CUP Conditional (RZ-09-014)	Single-Family Detached Residential Subdivision (Madison Park)	3.27 units/acre
Adjacent: South	AG-1	Single-Family Detached Home	Max. 1 unit/acre
Adjacent: South	AG-1	Undeveloped	Max. 1 unit/acre
Adjacent: West	O-I Conditional (Z-89-043 NFC)	Day Care Center (Alpharetta KinderCare)	6,260 SF/acre
Nearby: East	C-1 Conditional (Z-93-077 & U-93-026 NFC)	Mini-Storage Facility (Life Storage)	12,255 SF/acre
Nearby: South	O-I Conditional (RZ-17-014)	Office (State Farm Agent Office)	1,595 SF/acre
Nearby: South	R-4A Conditional (Z-92-024 NFC)	Single-Family Detached Residential Subdivision (Preston Oaks)	3.4 units/acre
Nearby: Southwest	O-I Conditional (RZ-13-010)	Office (Children’s Dental Zone)	5,172 SF/acre
Nearby: Southwest	O-I Conditional (Z-00-132 NFC)	Office (Old Alabama Family Dentistry)	3,370 SF/acre

The subject property’s location near other office uses along Old Alabama Road would suggest that the development would be suitable at this location. Also, with residential properties in close proximity, the proposed use would be suitable, as a dental office is a neighborhood serving use.

- **Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?**

The subject property is located adjacent to another O-I use property, and with the required buffers adjacent to the residential properties that abut the subject property, the proposal would not adversely affect the adjacent properties.

- **Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?**

The subject property has little economic use. The current CUP (Z-78-020/Z-77-015/Z-73-014 NFC) conditions allow residential development, however, the approved site plan shows the subject property as being developed as condominiums, but due to a rezoning in the early nineties, the subject property was cut off from the original parcel and the adjacent property was rezoned to become the Park at Breckenridge, a single-family detached residential subdivision. Condominiums may not be feasible, as a 100-foot buffer is required adjacent to Old Alabama Road and a 50-foot planted buffer adjacent to the property to the east, now Madison Park.

- **Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?**

The proposed development would not cause an excessive or burdensome use. The City's Public Works Department has provided conditions to mitigate traffic conflicts, and the Fulton County Department of Public Works has identified water and sewer connections. There will be no impact to the schools since this is a non-residential proposal.

- **Whether the proposal is in conformity with the policy and intent of the Comprehensive Plan including the land use element?**

The subject property is located within Character Area 6 – Newtown on the Future Development Map. Policies for this area suggest “protecting the residential property while intensifying the neighborhood serving commercial.” This Character Area also includes two activity nodes, which does not include the subject property, however, the 2008 Comprehensive Plan does not go into detail as to how the nodes should be developed. The appropriate uses for the Character Area include retail, office, live-work, single-family residential at one to three units per acre, contextual infill, and institutional uses; a dental office would be in conformity with the policy and intent of the Comprehensive Plan.

- **Whether there are other existing or changed conditions affecting the use and development of the property which gives supporting ground for either approval or disapproval of the proposal?**

The subject property's size is a limiting factor for development as residential (condominiums) with the current buffer conditions.

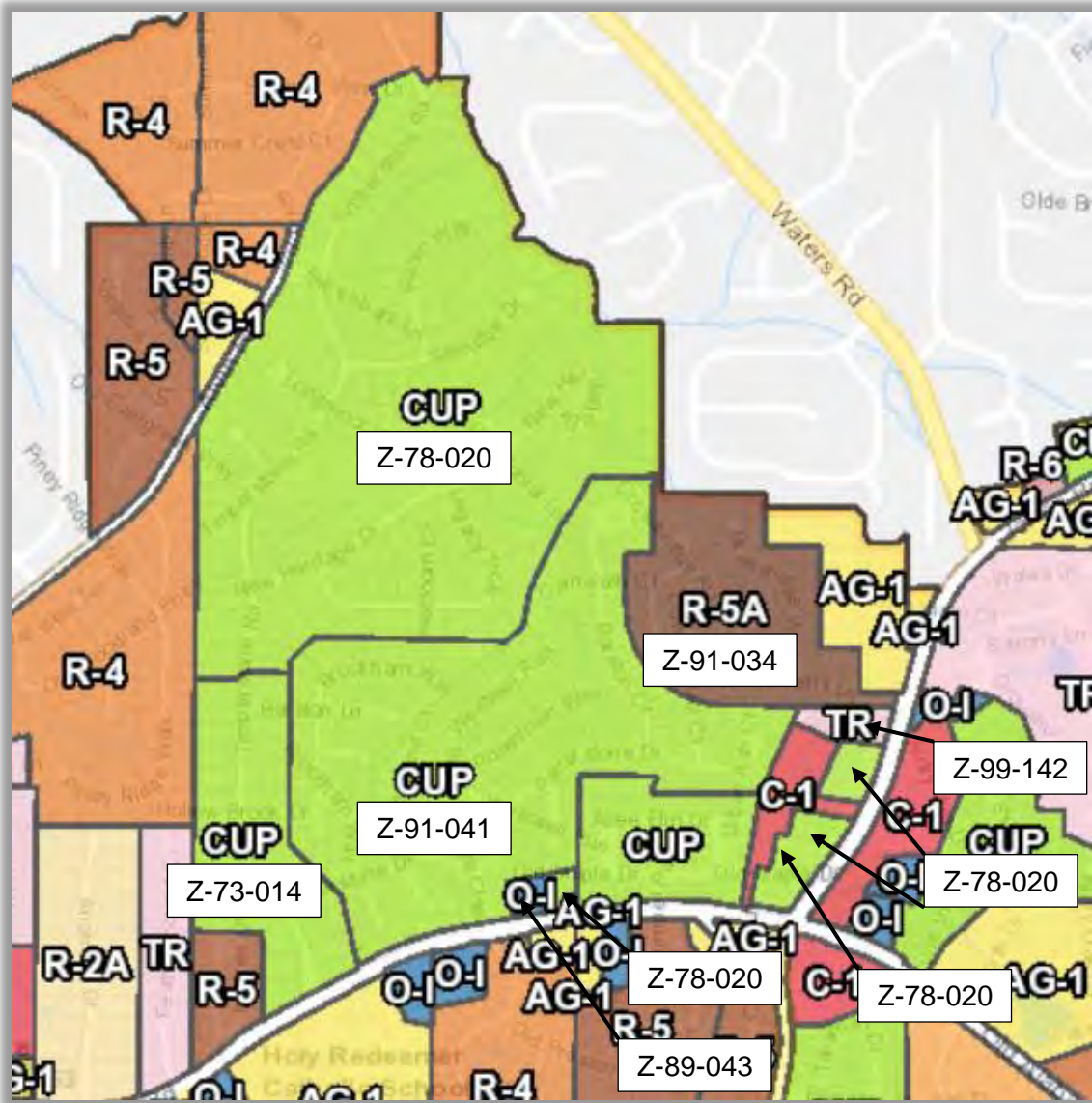
- **Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment, and citizens of the City of Johns Creek.**

There are no natural water features existing on the property, and the proposed underground detention facility would capture stormwater and water quality for the increase in impervious area. The elimination of parking islands is a concern, and the Department would be in favor of shifting the building into the 40-foot landscape strip (towards Old Alabama Road) to gain a landscape strip in the parking lot to accommodate shade trees.

ANALYSIS

The subject property is approximately 0.90 acres located on the north side of Old Alabama Road, approximately a quarter mile west of the intersection of Old Alabama Road and Jones Bridge Road. The undeveloped site is a remnant of a Fulton County Community Unit Plan (CUP) zoning from the 1970's that appears to have been not been included in the subsequent zonings.

This property was originally part of a larger development (Z-73-014 NFC) that included several types of residential development and commercial and office uses. The larger tract spanned from the intersection of Old Alabama Road and Jones Bridge Road to Alvin Road, excluding the land that is now Madison Park subdivision, and included approximately 280 acres. This original tract would fall into foreclosure, and be rezoned in its entirety two more times mainly to decrease the minimum housing size (Z-77-015 and Z-78-020 NFC); and then in separate pieces approximately five more times to add a day care center (Z-89-043 NFC), remove the condominiums and patio homes (Z-91-041) and apartments (Z-91-034 NFC), and make changes to the commercial area located at the intersection of Old Alabama Road and Jones Bridge Road by allowing the addition of a self-storage facility (Z-93-077 NFC) and townhomes (Z-99-142 NFC).



Staff would note that the original zoning case required approximately 20 acres of open space, but as the project was rezoned as smaller, separate projects, the open space calculations are no longer clear; however, the subject property was never included on a final plat for any of the related subdivisions, nor was the area called out or counted as common area. Thus, the Department is of the opinion that this parcel should not be considered common area for the Z-78-020 case, which is the last case that included the original property.

The subject property is surrounded by residential uses, but there are also other office and commercial uses either adjacent or nearby that support this land use petition. Most notably is the property adjacent to the west, a day care center zoned Office-Institutional (O-I); and nearby to the west, across Old Alabama Road, are other O-I zoned properties that include a pediatric dentistry office and a family dentistry office. Southeast of the property, also across Old Alabama Road, is the recently zoned State Farm Agent office (O-I Conditional).

The City of Johns Creek Future Development Map identifies the property as being in Character Area 6: Newtown. Policies for this area suggest maintaining the residential neighborhoods and developing neighborhood-serving commercial uses. The appropriate uses for the Character Area include office, as well as retail, live-work, single-family residential at one to three units per acre, contextual infill, and institutional uses. A neighborhood-servicing dental office would be supported by the Comprehensive Plan in this location.

The applicant has requested three concurrent variances. The first variance (VC-18-003-01) is for the encroachment of grading, a portion of the parking lot, and a retaining wall within the 10-foot improvement setback that is adjacent to the rear and side buffers. The site plan shows a portion of the retaining wall encroaching into the side buffer, which was not requested and is not supported by Staff. The retaining walls could be supported when at the edge of the improvement setback, so as to allow more room for any necessary grading, and to avoid critical root zones of trees located within the buffers.

The second concurrent variance is to eliminate the required parking islands. The site plan does show one parking island that would meet the ordinance, and its location would offer the best location for a shade tree to provide the needed shade in the parking lot. However, the Department would like to see additional shade trees between the building and the parking lot, as this location would be ideal in providing shade for part of the day. Since the proposed building is one-story, it may not provide enough height to provide substantial shade for the adjacent parking spaces; canopy trees can get to a height of 25 to 50 feet tall, depending on the species chosen and growing conditions, which would help to provide the needed shade. In order to accomplish the tree between the building and the parking lot, the proposed building may need to move towards Old Alabama Road, and encroach into the 40-foot landscape strip. It is also recommended that canopy trees be provided within the 10-foot landscape strip along the western property line near the area of the parking lot to help shade the parking lot in the afternoon.

These first two concurrent variances are needed in order for the proposed building and parking to fit in its current configuration on the subject property. The removal of the parking islands is needed to obtain sufficient amount of parking needed by the Applicant, however, the Department's suggestion to still provide shade in the parking lot would move the building forward into the required 40-foot landscape strip, thereby reducing the landscape strip. The day care center next door was rezoned in 1989 and was conditioned to a 10-foot landscape strip, which would give precedence to allow a reduced landscape

strip in this area along Old Alabama Road. The Department of Public Works has also requested approximately 15 feet of land, adjacent to Old Alabama Road, to be deeded to the City as right-of-way so that the right-of-way would match the rights-of-way of the two adjacent properties; this dedication of land could reduce the amount of buildable land should the required 40-foot landscape strip be enforced. The Fire Marshal's office has also raised concerns over how the building and parking lot will be accessed with fire apparatus; the City's regulations allow for perpendicular access through zoning buffers and landscape strips, but there is no mention of emergency access. Emergency access could be allowed in a landscape strip, provided the planting requirements were still met. The Department will require that the site plan be revised to ensure that fire apparatus may exit the site.

The third concurrent variance is for the proposed building to have a flat roof. The applicant has proposed to follow the Community Standards as far as exterior building façade material, but design of the new building is not finalized. The requirement for office/institutional buildings, less than three stories, is to have a pitched roof, mansard roof, cupolas or other varying roof elements. The City's requirement does not prohibit a flat roof, and a flat roof could be partially accomplished if there were varying roof lines provided. The Department will not support a flat roof unless there are material changes that simulate a change in the roof line, or something similar that will break up the one roof line.

In conclusion, the proposed O-I zoning, with conditions from Staff, is compatible with the surrounding area and consistent with the policies of the Newtown Character Area of the 2008 Comprehensive Plan. Therefore, the Department of Community Development recommends **APPROVAL with Conditions** of Land Use Petition **RZ-18-003**, and partial **APPROVAL** of Concurrent Variances **VC-18-003-01** and **VC-18-003-02**, and **VC-18-003-03**.

DEPARTMENT COMMENTS

PUBLIC WORKS

Staff Notes:

- Currently zoned CUP. The applicant is requesting a rezoning to O-I to construct the following improvements:
 - Total property size – 0.90 acres
 - 5,250 s.f. Medical/Dental Office
- A traffic impact study is not required. A trip generation letter has been received.

Zoning Comments

1. The City of Johns Creek has no planned projects in the vicinity of this site. There is a potential future project to construct a center turn lane on Old Alabama Road.
2. Curb cut locations and alignments are subject to an approved sight distance plan and the approval of the City of Johns Creek Director of Public Works.
 - a. Ensure that the R/W is cleared of all obstructions that may limit the sight-distance of the driver. This includes at a minimum all trees and/or shrubs and fencing. Coordinate all improvements in the R/W with the City's Director of Public Works.
 - b. Line of sight must remain entirely in the right-of-way. Additional right-of-way or a permanent easement may need to be dedicated to meet this requirement.
3. Modify the site plan to show a right in / right out only entrance on Old Alabama Road.
4. The existing 15-inch storm drainage pipe on Old Alabama Road needs to be evaluated to determine if it has sufficient capacity to accept the detention pond outflow.
5. Any damage to the existing sidewalk along Old Alabama Road shall be repaired by the Owner/Developer at no expense to the City of Johns Creek.

Recommended Zoning Conditions for Requested O-I Zoning:

1. The proposed development shall be limited to a single right in / right out only driveway on Old Alabama Road. If a center turn lane is constructed on Old Alabama Road in the future, this driveway may be converted to a single full access driveway, subject to the approval of the City of Johns Creek Director of Public Works.
2. Owner/Developer shall dedicate at no cost to the City of Johns Creek along the entire frontage of Old Alabama Road such sufficient right-of-way as may be required to match the existing right-of-way of the abutting properties to the east and west, prior to the issuance of a Land Development Permit and as approved by the City of Johns Creek Director of Public Works.

FIRE MARSHAL

1. On the land disturbance permit, please identify the location of the closest fire hydrant.
2. Please make the driveway and parking area capable of handling the width and weight of all fire apparatus.
3. Please ensure all ADA access to and from the structure is identified on the land disturbance permit.

ARBORIST

1. Tree Ordinance and Administrative Guidelines requirements to be met through land disturbance permit. Landscape strips, density requirements, zoning buffers, and any specimen recompense are to be protected and/or planted per the Guidelines.
 - a. The tree density required for this site is 30 units per acre.
 - b. Landscape strip widths and zoning buffers are determined by zoning. Landscape strips are measured from the dedicated rights-of-way or interior property lines, and the planting requirements are found in the Administrative Guidelines.
 - c. Specimen-sized trees are defined as follows, and are required to be show on the land disturbance permit drawings:
 - i. Large hardwoods = 27-inch dbh (Oak, hickory, Yellow Poplar, Sweetgum, etc.)
 - ii. Large hardwood = 24-inch dbh (Beech)
 - iii. Large softwoods = 24-inch dbh (Pine, Deodar Cedar)
 - iv. Small native flowering = 10-inch dbh (Dogwood, Redbud, Sourwood)

LAND DEVELOPMENT

The lot is surrounded by The Park at Breckenridge to the North, Maddison Park to the East, a child care/pre-school to the West, and the Old Alabama Rd right-of-way to the South. The topography includes a ridgeline which runs generally from the northwest to the south east. The topographic map indicates the split to be roughly 50:50, but after a site visit, the spilt appears to have 60% - 70% of the site draining to the northeast towards the unimproved buffer between the two subdivisions. There is evidence of sheet flow to a low point in this area, but there is no evidence of concentrated flow where it would be expected to be visible. If there is discharge from the rear of the property to the north, it appears to be a low volume where velocities of sufficient energy to carry debris or form erosional rills, or a defined channel are non-existent. There does not appear to be a drainage easement along the Madison Park / Breckinridge common property line at or near the intersection with the subject parcel. Therefore, it is recommended that no stormwater discharges be approved through the side or rear property boundaries. There is no offsite capacity, defined drainage path, or legal drainage easement to safely convey stormwater discharges in this direction. All discharges shall be directed to the Old Alabama right-of-way and must be attenuated so as not to adversely impact the existing level of service of the drainage system in the right-of-way. A hydraulic analysis should be conducted down to a point of positive discharge, i.e. stream / creek, where capacity will be unaffected by discharge from this site. If the hydraulic capacity is limited, the Applicant's Stormwater Management System (SWMS) would need to be designed to detain storm volumes on site until the hydraulic limitations during critical storm events have been relieved.

Comments

1. The location of the required underground potable water backflow prevention device and dedicated fire service lines at the right-of-way may be in conflict with the proposed Stormwater Management System (SWMS).
2. A drainage divide bisects the parcel. Approximately ½ of the existing pre-development storm water runoff is directed north to The Park at Breckenridge and ½ is directed south to the right-of-way of Old Alabama Road. The site plan does not recognize this drainage basin split and discharges 100% of the storm runoff to the Old Alabama right-of-way. This is appropriate, per the discussion above. It is recommended the site drain entirely to the Old Alabama right-of-way.

3. The existing capacity of the storm water collection system in the Old Alabama Rd right-of-way is unknown. Therefore, it is unknown if there is available capacity for this discharge in the Existing system.
4. Water quality pre-treatment should be required prior to discharge of runoff into the underground attenuation vaults.
5. The conceptual site plan submitted by the Applicant contains directly connected impervious areas that dominate the site and significantly decrease the time of concentration and increase the peak flow rates at the entrance to the SWMS. The site should be reconfigured to allow sheet flow from the rear to the front of the lot and drain into bioswales or bioretention areas located in the building setback and/or frontage landscape strip for pre-treatment. Without the configuration change, runoff reduction, low impact development, or pre-treatment Best Management Practices (BMPs) may not be able to be sufficiently provided.
6. Runoff reduction of at least 1.2” of runoff over the total disturbed areas is required. The outcome of the downstream hydraulic analysis may require additional runoff reduction to relieve downstream capacity issues.

Recommended Zoning Conditions:

1. Runoff may only be discharged to the Old Alabama Rd right-of-way, except for runoff in undisturbed buffer areas.
2. A hydraulic analysis of the existing conditions at the proposed post development discharge location(s) is required as part of the Land Disturbance Permit application process. The analysis shall use an existing conditions CN of 55.
3. Water quality pre-treatment is required prior to discharge of runoff into any underground attenuation system. Structural green infrastructure BMPs designed for accessibility, routine inspection, and frequent removal of accumulated sediments should be used.
4. Runoff reduction (on site retention) of at least 1.2 inches of runoff over the total disturbed area is required.
5. A combination of runoff reduction and peak attenuation shall be used to compensate for any hydraulic limitations in Old Alabama Rd right-of-way conveyance system on a 1:1 basis above the minimum runoff reduction requirement and pre-post runoff conditions, or as required by the Director of Community Development.
6. A level spreader, or another practice which results in the discharge of sheet flow, shall be required, unless the Stormwater Maintenance System discharge is connected to an existing off-site pipe.
7. The Stormwater Maintenance System shall remain under private ownership, operation, and maintenance in perpetuity.

FULTON COUNTY DEPARTMENT OF WATER RESOURCES

NOTE: Various Fulton County departments or divisions that may or may not be affected by the proposed development provide the following information. Comments herein are based on the applicant's conceptual site plan and are intended as general non-binding information and in no manner suggest a final finding by the commenter. All projects, if approved, are required to complete the Johns Creek Plan Review process and the Fulton County Review process for sewer (and/or water) prior to the commencement of any construction activity.

WATER:

Anticipated water demand: 300 gallons per day (gpd) per 1,000 sq. ft. x 5,250 square feet (Dental Office building) = 1,575 gallons per day (gpd).

This project is within the Fulton County Government water service jurisdiction. There is an 8 inch water line along the north side of Old Alabama Road that can service this location.

SEWER:

Basin: **Johns Creek**

Treatment Plant: **Johns Creek**

Anticipated sewer demand: **1,418** gallons per day

There is a sanitary sewer manhole within the northwest property corner of the 1.06 acre tract (3590 Old Alabama Road (Parcel ID: 11 007000140311)) along an 8 inch sanitary sewer line in land lot 14, district 1-1 that can service this project.

Comments: This information does not guarantee that adequate sewer capacity is available at this time or will be available upon application of permits. Please contact the Department of Public Works for more information.

STAFF RECOMMENDATION

Based upon the finding and conclusion herein, Staff recommends **APPROVAL** of Land Use Petition **RZ-18-003** as **O-I Conditional** and partial **APPROVAL** of Concurrent Variances **VC-18-003-01** and **VC-18-003-02, and VC-18-003-03**, with the following enumerated conditions:

1. Use of the subject property shall be limited to Office and Institutional uses at a maximum gross building area of 5,250 square feet.
2. A site plan meeting the comments and conditions as stated in the City's Staff Report and approved conditions shall be submitted for review and approval by the Director of Community Development prior to submitting for a Land Disturbance Permit.
3. Retaining walls may be located so that there is minimal disturbance within the 10-foot improvement setbacks adjacent to the rear and side buffers. Grading for installation of the retaining walls shall be allowed in the 10-foot improvement setbacks. *(VC-18-003-01)*
4. A 20-foot landscape strip adjacent to Old Alabama Road is allowed, provided a sufficient linear parking island be provided between the building and the parking lot. The minimum width required for the tree island is 10 feet, and the island shall run the entire length of the parking bay closest to the building. The landscape strip shall be measured from the future right-of-way. *(VC-18-003-02)*
5. The building may have a flat roof design if variations with the roof profile are included subject to the approval of the City of Johns Creek Community Development Director. *(VC-18-003-03)*
6. The proposed development shall be limited to a single right-in/right-out only driveway on Old Alabama Road. If a center turn lane is constructed on Old Alabama Road in the future, this driveway may be converted to a single full access driveway, subject to the approval of the City of Johns Creek Director of Public Works.
7. Owner/Developer shall dedicate at no cost to the City of Johns Creek along the entire frontage of Old Alabama Road such sufficient right-of-way as may be required to match the existing right-of-way of the abutting properties to the east and west, prior to the issuance of a Land Development Permit and as approved by the City of Johns Creek Director of Public Works.
8. Runoff may only be discharged to the Old Alabama Rd right-of-way, except for runoff in undisturbed buffer areas.
9. A hydraulic analysis of the existing conditions at the proposed post development discharge location(s) is required as part of the Land Disturbance Permit application process. The analysis shall use an existing conditions CN of 55.
10. Water quality pre-treatment is required prior to discharge of runoff into any underground attenuation system. Structural green infrastructure BMPs designed for accessibility, routine inspection, and frequent removal of accumulated sediments should be used.

11. Runoff reduction (on site retention) of at least 1.2 inches of runoff over the total disturbed area is required.
12. A combination of runoff reduction and peak attenuation shall be used to compensate for any hydraulic limitations in Old Alabama Rd right-of-way conveyance system on a 1:1 basis above the minimum runoff reduction requirement and pre-post runoff conditions, or as required by the Director of Community Development.
13. A level spreader, or another practice which results in the discharge of sheet flow, shall be required, unless the Stormwater Maintenance System discharge is connected to an existing off-site pipe.
14. The Stormwater Maintenance System shall remain under private ownership, operation, and maintenance in perpetuity.

PLANNING COMMISSION RECOMMENDATION

At their August 7, 2018 Public Hearing, the Planning Commission recommended **APPROVAL** of Land Use Petition **RZ-18-003** as **O-I Conditional**, and **APPROVAL** of Concurrent Variances **VC-18-003-01**, **VC-18-003-02**, and **VC-18-003-03** with the following enumerated conditions:

ADDITIONS IN **BOLD**

DELETIONS IN ~~STRIKETHROUGH~~

1. Use of the subject property shall be limited to Office and Institutional uses at a maximum gross building area of 5,250 square feet.
2. A site plan meeting the comments and conditions as stated in the City’s Staff Report and approved conditions shall be submitted for review and approval by the Director of Community Development prior to submitting for a Land Disturbance Permit.
3. Retaining walls, **if required, shall** ~~may~~ be located so that there is minimal disturbance within the 10-foot improvement setbacks adjacent to the rear and side buffers. Grading for installation of the retaining walls shall be allowed in the 10-foot improvement setbacks. *(VC-18-003-01)*
4. A 20-foot landscape strip adjacent to Old Alabama Road is allowed, provided a sufficient linear parking island be provided between the building and the parking lot. The minimum width required for the tree island is 10 feet, and the island shall run the entire length of the parking bay closest to the building. The landscape strip shall be measured from the future right-of-way. *(VC-18-003-02)*
5. The building may have a flat roof design **only** if variations with the roof profile are included subject to the approval of the City of Johns Creek Community Development Director. *(VC-18-003-03)*
6. The proposed development shall be limited to a single right-in/right-out only driveway on Old Alabama Road. ~~If a center turn lane is constructed on Old Alabama Road in the future, this driveway may be converted to a single full access driveway, subject to the approval of the City of Johns Creek Director of Public Works.~~
7. Owner/Developer shall dedicate at no cost to the City of Johns Creek along the entire frontage of Old Alabama Road such sufficient right-of-way as may be required to match the existing right-of-way of the abutting properties to the east and west, prior to the issuance of a Land Development Permit and as approved by the City of Johns Creek Director of Public Works.
8. Runoff may only be discharged to the Old Alabama Rd right-of-way, except for runoff in undisturbed buffer areas.
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10. Water quality pre-treatment is required prior to discharge of runoff into any underground attenuation system. Structural green infrastructure BMPs designed for accessibility, routine inspection, and frequent removal of accumulated sediments should be used.
11. Runoff reduction (on site retention) of at least 1.2 inches of runoff over the total disturbed area is required.
12. A combination of runoff reduction and peak attenuation shall be used to compensate for any hydraulic limitations in Old Alabama Rd right-of-way conveyance system on a 1:1 basis above the minimum runoff reduction requirement and pre-post runoff conditions, or as required by the Director of Community Development.
13. A level spreader, or another practice which results in the discharge of sheet flow, shall be required, unless the Stormwater Maintenance System discharge is connected to an existing off-site pipe.
14. The Stormwater Maintenance System shall remain under private ownership, operation, and maintenance in perpetuity.