



RZ-15 005

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PRE-APPLICATION FORM
REZONING, USE PERMIT(S) AND CONCURRENT VARIANCE(S)
City of Johns Creek
Planning & Zoning

Purpose & Process

RZ-15 005

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). To schedule a meeting contact a member of the Planning and Zoning Division by calling (678) 512 – 3200. 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: The Providence Group of Georgia, LLC.

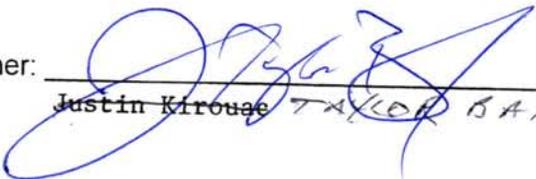
Site Address: 8139 and 8225 McGinnis Ferry Rd. Parcel Size: 9.2± Acres

Proposal Description: The Applicant proposes to develop a detached single family neighborhood which will be gated and controlled by a Mandatory Homeowners Association. The development will contain sidewalks, green space and pocked parks all as shown on the Site Plan.

Existing Zoning Designation and Case Number: AG-1

Proposed Zoning Designation: R-4 (Amended to NUP)

Comprehensive Land Use Map Designation: McGinnis Ferry Road Corridor (11)

Planner:  Justin Kirouac

Date: January 21, 2015

Community Development



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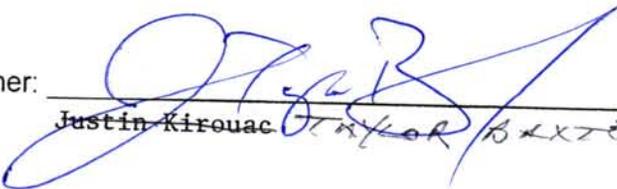
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Proposed Zoning Designation: R-4 (Amended to NUP)

Comprehensive Land Use Map Designation: McGinnis Ferry Road Corridor (11)

Planner: 
Justin Kirouac

Date: January 21, 2015

Community Development

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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>The Providence Group of Georgia LLC</u>	NAME: <u>Joni Higgins</u>
ADDRESS: <u>11340 Lakefield Drive Suite 250</u>	ADDRESS: <u>8225 McGinnis Ferry Road</u>
CITY: <u>Johns Creek</u>	CITY: <u>Suwanee</u>
STATE: <u>Georgia</u> ZIP: <u>30092</u>	STATE: <u>Georgia</u> ZIP: <u>30024</u>
PHONE: <u>(678) 990-8572</u>	PHONE: <u>(678) 643-0552</u>
CONTACT PERSON: <u>Dave Bocculucci</u> PHONE: <u>(678) 990-8572</u>	
CONTACT'S E-MAIL: <u>dvocco@theprovidencegroup.com</u>	

APPLICANT IS THE:

OWNER'S AGENT PROPERTY OWNER CONTRACT PURCHASER

PRESENT ZONING DISTRICT(S): AG-1 REQUESTED ZONING DISTRICT: NUP

LAND DISTRICT(S): 1st LAND LOT(S): 502 and 503 ACREAGE: 9.2+

ADDRESS OF PROPERTY: 8139 and 8225 McGinnis Ferry Road 33

PROPOSED DEVELOPMENT: ~~XX~~ Single Family Detached Homes
Section 11.2.4.I reduce perimeter setback to 30'.

CONCURRENT VARIANCES: Section 11.2.4.K reduce building separation to 10'.

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>33</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>2,100 Sq. Ft.</u>	Total Building Sq. Ft. _____
Density: <u>3.59 units per acre</u>	Density: _____

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City of Johns Creek
Planning & Zoning

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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>The Providence Group of Georgia LLC</u>	NAME: <u>Robert M. Allen</u>
ADDRESS: <u>11340 Lakefield Drive</u> Suite 250	ADDRESS: <u>2875 Buford Highway</u>
CITY: <u>Johns Creek</u>	CITY: <u>Duluth</u>
STATE: <u>Georgia</u> ZIP: <u>30092</u>	STATE: <u>Georgia</u> ZIP: <u>30096</u>
PHONE: <u>(678) 990-8572</u>	PHONE: <u>(770) 652-9316</u>
CONTACT PERSON: <u>Dave Bocculucci</u> PHONE: <u>(678) 990-8572</u>	
CONTACT'S E-MAIL: <u>dvocco@theprovidencegroup.com</u>	

APPLICANT IS THE:

OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

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City of Johns Creek
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REZONING 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.

The Providence Group of Georgia, LLC

Wanna Smith Pres

Signature of Applicant

January 22, 2015
Date

Klarren S. Jolly Pres.

Type or Print Name and Title

Karen Hyre

Signature of Notary Public

1/22/15
Date



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

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 Planning & Zoning

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

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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.

APPLICATION MATERIALS

REQUIRED ITEMS	NUMBER OF COPIES	CHECK <input checked="" type="checkbox"/>
In addition to required items listed below, provide one (1) a digital copy of <u>all</u> submitted materials in .JPEG, .TIFF, .PDF or .DOC format.		
Pre-Application Meeting Form	• One (1) Copy	<input checked="" type="checkbox"/>
Site Plan with Legal Description (See Page 14 for Requirements)	• Ten (10) Full-Size Site Plan Copies • One (1) 8 1/2" x 11" Site Plan • One (1) 8 1/2" 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	• 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—1/4 Mile List	• One (1) Copy	<input checked="" type="checkbox"/>
Applicant Acknowledgement Form	To be Completed at Time of Submittal	<input type="checkbox"/>
THE FOLLOWING ITEMS MAY BE REQUIRED		
Traffic Impact Study	• Three (3) Copies	<input type="checkbox"/>
Metropolitan River Protection	• Three (3) Copies	<input type="checkbox"/>
MARTA Corridor Area Plan Review	• 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"/>

REZONING PROPERTY OWNER'S CERTIFICATION

THE UNDERSIGNED BELOW, OR AS ATTACHED, STATES UNDER OATH THAT THEY ARE THE OWNER OF THE PROPERTY CONSIDERED IN 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.

Robert M. Allen

10.27.2014

Signature of Property Owner

Date

Robert M. Allen

Type or Print Name and Title

Lisa Kindred

10/27/14



Signature of Notary Public

Date

Notary Seal

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[Signature] 10/30/14
Signature of Property Owner Date

Joni Higgins OWNER
Type or Print Name and Title

[Signature] 10/30/14 [Notary Seal]
Signature of Notary Public Date Notary

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APPROPRIATENESS OF APPLICATION
AND
CONSTITUTIONAL ASSERTIONS

The portions of the Zoning Resolution of the City of Johns Creek as applied to the subject Property which classify or may classify the Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Zoning Resolution of the City of Johns Creek to the Property which restricts the use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate State interests.

A denial of this Application would constitute an arbitrary and capricious act by the Johns Creek City Council without any rational basis therefore constituting an abuse of discretion in violation of Article I, section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Johns Creek City Council to approve this Rezoning Application as proposed by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitutions of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any approval of this Application subject to conditions which are different from the conditions requested by the applicant, to the extent such different conditions would have the effect of further restricting the Applicant's utilization of the subject Property would also constitute an arbitrary, capricious and discriminatory act and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

Any rezoning of the Property without the simultaneous approval of the Concurrent Variances requested would also constitute an arbitrary, capricious and discriminatory act and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

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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. The properties to the east, south and west are zoned and developed for single family detached housing.
2. Does the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?
No. This zoning proposal is compatible with adjacent or nearby property and will not have an adverse affect upon same.
3. Does the property to be rezoned have a reasonable economic use as currently zoned?
No. The Property is presently zoned to the AG-1 Classification and does not have a reasonable economic use as currently zoned.
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. This zoning proposal if approved will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.
5. Is the zoning proposal in conformity with the policies and intent of the land use plan?
Yes. This zoning proposal conforms with the policies and intent of the McGinnis Ferry Corridor (11) Character Area which suggests single family residential development.
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?
The zoning and development of the adjacent properties to the east, south and west for single family residential development are existing conditions which support approval of this zoning proposal.
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. This zoning proposal will not permit a use that could be considered environmentally adverse to the natural resources, environment and citizens of the City of Johns Creek.

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ENVIRONMENTAL SITE ANALYSIS (ESA) FORM A

Provide a complete Environmental Site Analysis document fully addressing all items as required in sections 1 through 3 below. Attach this Form A to the front of the completed Environmental Site Analysis document (and any subsequent revisions) prior to submission.

ESA Revision Number: _____

Applicant: The Providence Group of Georgia, LLC Phone Number: (678) 990-8572

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

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- 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

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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Environmental Site Analysis Report

For

McGinnis Ferry Road Tract Residential Development

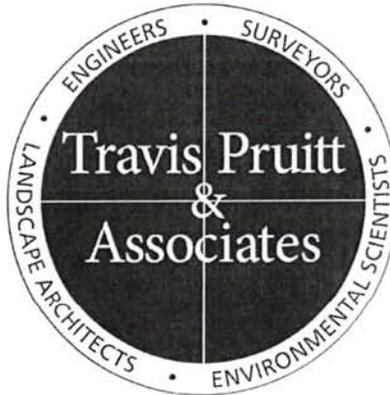
*Prepared for:
Providence Group of Georgia, LLC*

*February 3, 2014
Jn: 140376*

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**City of Johns Creek
Planning & Zoning**



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1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

The site consists of approximately 9.09 acres, and is located on McGinnis Ferry Road. Based on information obtained from the Fulton County GIS maps, records, and visual observations, neighborhoods south, east and west of the site are zoned CUP.

The Comprehensive Future Development Map 2030 for the City of Johns Creek designates this site as part of the McGinnis Ferry Road Corridor(11) zoning district. The proposed development is a residential NUP development meeting the appropriate residential density.

The proposed residential use conforms to the appropriate uses and scales established in the Comprehensive Plan 2009-2030.

2. ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT

a. WETLANDS

Field reconnaissance of the site revealed a stream and wetland areas existing within the central portion of the site. The wetland areas were delineated on-site and analyzed to determine the impacts in conjunction with the proposed development. Due to the central location of the wetland and stream, the circulation of the site is impacted: therefore, the development will have two road crossings that will be limited to under 300 linear feet of disturbance and will require a Nationwide Permit to be issued the by US Army Corps of Engineers.

b. FLOODPLAIN

The Fulton County GIS Maps and the FEMA flood insurance rate maps were used to determine that the site does not lie within a 100-year Zone X flood plain.

c. STREAMS/ STREAM BUFFERS

The USGS Quadrangle Topographic map for Duluth, Georgia was used to determine that a blue line stream does not exist on the site. Field observations reveal an intermittent stream existing in the southeastern portion of the site. A 50'

undisturbed buffer and a 25' impervious setback has been provided along this water course. All buffered areas will remain undisturbed with the exception of proposed road crossings. The road crossings are exempt construction activities from the State of Georgia Environmental Protection Division stream buffer variance requirements.

d. TOPOGRAPHY

The site is currently undeveloped and consists mainly of woodlands. The site does not contain slopes greater than 25%. The proposed development will adhere to all applicable grading standards.

e. VEGETATION

The site is currently undeveloped and consists mainly of woodlands. Existing vegetation on the majority of the site consists of a natural mix of mature hardwoods and pine trees. There are specimen trees located on the site, most of which are located within protected buffer zones. The proposed development will impact the trees that exist on the site. However, project will be required to comply with the City of Johns Creek Tree Preservation Ordinance, which provides mitigation for loss of tree canopy.

f. WILDLIFE SPECIES

Several protected species are known to exist in Fulton County. These species are:

Bird – The Bald Eagle

Invertebrates – Gulf moccasinshell mussel and Shiny-rayed pocketbook mussel

Fish – Bluestripe shiner, Cherokee darter, and Highscale shiner

Plants – Bay star-vine and Piedmont barren strawberry

Based on field reconnaissance, there is no evidence of protected and/ or endangered species located on this parcel of land.

g. ARCHEOLOGICAL/ HISTORICAL SITES

Based on information obtained from the Fulton County Department of Environment and Community Development, the site is not listed on the Fulton County Historic Resources

Survey Map as having historical significance. No buildings on this site appear on the National Register of Historic Places.

3. **PROJECT IMPLEMENTATION MEASURES**

a. **ENVIRONMENTALLY SENSITIVE AREAS**

Most of the environmentally sensitive areas on this site lie within protected stream buffer and will not be impacted. There are no river corridors. This site does not lie within a 100-year Zone X flood plain as defined by FEMA. The proposed development is not expected to negatively impact the flood plain or adjacent properties. The only impacts to environmentally sensitive areas on the site will be at the one stream crossing. Therefore, no negative impact is expected. All applicable grading standards will be adhered to in these areas.

b. **WATER QUALITY**

The design considerations used for the stormwater control on the proposed site, as approved by the EPD, will treat the runoff from the site. Water quality will be addressed through the construction of one water quality and stormwater detention facility at the south end of the site. This project will be required to comply with the Georgia Stormwater Management Manual, which regulates water quality, TSS removal, channel protection, and stormwater detention for developments of this nature.

c. **EXISTING INFRASTRUCTURE**

The existing site consists mainly of woodlands. Two residences and several associated small buildings will be removed by this development. No other infrastructure exists on the site.

d. **ARCHAEOLOGICAL/ HISTORICAL AREAS**

This site does not contain any historically/ archaeologically sensitive areas. No sensitive areas are located within the area of potential impact.

- e. **ENVIRONMENTALLY STRESSED COMMUNITIES**
The subject site is not located within an environmentally stressed community.
- f. **GREEN SPACE AND OPEN SPACE**
All buffered areas on the site will remain undisturbed with the exception of the one road crossing. The remainder of the stream buffer will remain as a wooded park at the south east corner of the site to enhance and beautify the neighborhood.
- g. **NOISE AND LIGHTING**
The potential for noise and lighting impact resulting from the proposed development is minor. The proposed development is a quiet, residential community where it borders residential properties. No sensitive areas are located within the area of potential impact.
- h. **PROTECTION OF PARKS AND REC GREEN SPACE**
No parks or recreational areas will be impacted by the proposed development.
- i. **WILDLIFE HABITATS**
The most significant habitats for wildlife on this site exist in and around the stream. Half of the stream will be protected by undisturbed buffers. No sensitive areas are located within the area of potential impact.

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

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City of Johns Creek
Planning & Zoning

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) The Providence Group of Georgis, LLC

Signature: By: *Warren S. Jelly* Date: February 2, 2015
Its: President

DISCLOSURE REPORT FORM

RZ-15 005

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)

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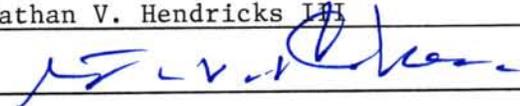
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Name (print) Nathan V. Hendricks III

Signature:  Date: February 2, 2015

PUBLIC PARTICIPATION PLAN
FORM D

RZ-15 005

Applicant: The Providence Group of Georgia, LLC

1. The following individuals (property owners within a quarter mile of the property), homeowners associations, political jurisdictions, other public agencies, etc., will be notified in accordance with the requirements of Article 28.4.7 of the Zoning Ordinance: See Exhibit "A" attached hereto and by reference thereto made a part hereof.

2. The individuals and others listed in 1. above will be notified of the requested rezoning/use permit using the following method(s): (e.g., letters, meeting notices, telephone calls, e-mails, etc.)

The individuals and others listed in 1. above will be notified of the requested rezoning/use permit by any combination of letters, meeting notices, telephone calls and e-mails as is appropriate.

3. Individuals and others listed in 1. above will be allowed to participate in the following manner: (At least one meeting at a convenient time and location is required.)

The Applicant shall notify the individuals and others listed in 1. above of an initial information meeting at a time, date and location which is reasonably convenient and shall have additional meetings as should be determined to be needed.

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Exhibit "A"

Applicant shall coordinate with Staff prior to the Neighborhood Meeting to mutually agree upon a list of those parties necessary to be contacted for the Neighborhood Meeting. Applicant shall notify those parties in the manner stated and provided for under Paragraph 2. herein above. Accordingly, the Neighborhood Meeting shall serve to comply with the public meeting requirements of the Public Participation Plan.

RZ-15 005

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LEGAL DESCRIPTION
Overall

All that tract or parcel of land lying and being in Land Lots 502 & 503 of the 1st District, 1st Section, City of Johns Creek, Fulton County, Georgia and being more particularly described as follows:

COMMENCING at the corner common to Land Lots 501, 502, 509 and 510, THENCE running along the easterly line of Land Lot 502 in a northerly direction a distance of 574.35 feet to a 1/2" rebar found; said point being the **TRUE POINT OF BEGINNING**.

THENCE from said **TRUE POINT OF BEGINNING** South 89 degrees 49 minutes 51 seconds West a distance of 559.00 feet to an iron pin set; THENCE North 00 degrees 13 minutes 33 seconds West a distance of 779.78 feet to a 1/2" rebar found on the southerly R/W line of McGinnis Ferry Road (variable width R/W); THENCE running along said R/W line the following courses and distances: South 74 degrees 04 minutes 46 seconds East a distance of 36.50 feet to a 1.75" crimped top pipe found; THENCE South 75 degrees 31 minutes 02 seconds East a distance of 145.91 feet to a point; THENCE South 76 degrees 46 minutes 02 seconds East a distance of 394.02 feet to a point at the intersection of said R/W line with the easterly line of Land Lot 503; THENCE leaving said R/W line and running along said Land Lot Line South 00 degrees 11 minutes 02 seconds East a distance of 354.24 feet to a 1" crimped top pipe found; THENCE South 00 degrees 12 minutes 05 seconds East a distance of 287.20 feet to a point; said point being the **TRUE POINT OF BEGINNING**.

Said tract contains 9.099 acres.

RZ-15 005

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www.cityofjohnscreekga.us
678-512-3200 ~ (fax) 678-512-3303
12000 Findley Road, Johns Creek, GA 30097

APPLICANT'S ACKNOWLEDGEMENT FORM

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

Planning Commission Date: 5/5/15

Mayor & Council Date: 5/11/15

Pursuant to Article 28.3 Public Hearing and Notice Requirements of the Johns Creek Zoning Ordinance, the applicant in a rezoning, zoning modification, special use permit or variance requiring a public hearing must post a public notice sign on the subject property at least 20 days prior to the first public hearing by 8:30 a.m.

The applicant shall pick up the sign at:

Compelling Signs

1901 Montreal Road
Tucker, Georgia 30084
Phone: (678) 580-2452
Fax: 678-580-0934
Hours of Operation: Monday-Friday 9:00 a.m. - 5:00 p.m.

The applicant hereby certifies that they understand they must pick up the appropriate public hearing sign from Compelling Signs and post it correctly on the subject property no less than 20 days and no more than 45 days prior to the first public hearing. On the required date of posting, please take a digital photograph of the posted sign and e-mail the date-stamped photo to Marie.Janvier@johnscreekga.gov. This photograph is necessary for public record. Further the applicant certifies that the sign will be maintained in such a way that the sign is clearly visible from the right-of-way while on the property and that the applicant is responsible for reposting the sign, should it fall down or become obscured. Additionally, the applicant understands that attendance is required during the above listed public hearings.

David Bonoboni
Applicant's Printed Name and Signature

2/3/15
Date

RZ-15-005, UC-15-005-01, UC-15-005-02
Case Number

4/14/15 - 4/20/15
Deadline date for sign posting by applicant Deadline date for 300 ft mailing by applicant

Sign Posting Instruction: Signs must be posted with the sign face facing the road right-of-way. Signs must be clearly visible from the right-of-way and free of obstruction. Signs must be securely fastened to posts driven into the ground and must be independent of other structures. Signs shall not be posted on trees, utility poles, or other similar objects. Failure to comply with these regulations may result in the application being withdrawn.

City of Johns Creek
*** CUSTOMER RECEIPT ***

Batch ID: JHNCMNJ 2/03/15 01 Receipt no: 5605

Year	Number	Type	SvcCd	Description	Amount
2015	12	PZ		PLANNING/ZONING PAYMENTS	\$2800.00

RZ-15-005-REZONING-2-VAR-FEES

Tender detail

CK Ref#:	3673	\$2800.00
Total tendered:		\$2800.00
Total payment:		\$2800.00

Trans date: 2/03/15 Time: 11:56:42

*** THANK YOU FOR YOUR PAYMENT ***