

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

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 R2-15-013
 SUP-15-003

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City of Johns Creek
 Planning & Zoning

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.

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"/>

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PRE-APPLICATION FORM

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). 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: NorSouth Development

Site Address: SEC Medlock Bridge & Bell Rd Parcel Size: 6.3 AC

Proposal Description: Construction of 5-story, active adult apartment community consisting of 170 units.

Existing Zoning Designation and Case Number: C-1

Proposed Zoning Designation: C-1

Comprehensive Land Use Map Designation: 141 Corridor

Planner: Taylor Bayler Date: 7/10/15

Community Development

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.

NorSouth Development Company of Georgia

By: *[Signature]*
Signature of Applicant

August 3, 2015
Date

Brendan Barr-Senior Vice President
Type or Print Name and Title

[Signature] 8/3/15
Signature of Notary Public Date
Exp 10/2/17

Notary Seal



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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.

Jeffrey Wages
Signature of Property Owner

7/30/15
Date

Jeffrey Wages , CEO
Type or Print Name and Title

Shane Moon
Signature of Notary Public

7-30-15
Date



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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. This proposal brings a diversified use to the area given the church use to the north and east, the retail uses to the south and the mixed use development to the west.
2. Does the zoning proposal adversely affect the existing use or usability of adjacent or nearby property? No. Given the mix of uses above described of the adjacent and nearby properties, this zoning proposal will not adversely affect the use or usability of same.
3. Does the property to be rezoned have a reasonable economic use as currently zoned? As presently conditioned, the Property 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. Given the adult tenant profile for the proposed apartment community, there will not be 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 for an adult apartment community EXACTLY complies with the policies and intent of the Medlock Bridge Road (SR 141) Corridor (9) which states that "this area should also be developed with the active adult in mind. . . allowing for community seniors to 'Age in Place.'"
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? This zoning proposal brings a diversified mix to the uses represented by the mixed use Johns Creek Walk Development directly across Medlock Bridge Road to the west.
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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USE PERMIT CONSIDERATIONS:

- (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.
Yes. This proposed use exactly meets the intended development under the Medlock Bridge Road (SR 141) Corridor (09) Character Area to which the Property is subject encouraging communities for seniors and active adults.
- (2) Compatibility with land uses and zoning districts in the vicinity of the Property for which the Use Permit is proposed.
This proposed use is compatible with the church use to the north and east, the retail uses to the south and the mixed use development to the west and brings a diversified use to this developed corridor.
- (3) Whether the proposed use may violate local, state and/or federal statutes, ordinances or regulations governing land development.
No violations known to exist.
- (4) The effect of the proposed use on traffic flow, vehicular and pedestrian, along adjoining streets.
The Traffic Analysis simultaneously filed with this Application notes nominal traffic flow along adjoining streets and the pedestrian flow will be minimal given the intended use of the Property for active adults.
- (5) The location and number of off-street parking spaces.
As shown on the Site Plan.
- (6) The amount and location of open space.
As shown on the Site Plan.
- (7) Protective screening.
The Applicant agrees to provide protective screening as should be needed.
- (8) Hours and manner of operation.
The hours and manner of operation for the apartment, restaurant and fitness center uses will be according to industry standard.
- (9) Outdoor lighting.
Outdoor lighting will be provided for security and safety purposes and will be directed downward so as to minimize light spillage on neighboring properties.
- (10) Ingress and egress to the Property.
As shown on the Site Plan.

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Exhibit "A"

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 Use Permit and 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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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. David H. Dixon | 5. |
| 2. William E. Johnston | 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
Friends of Mike Bodker, Inc.	\$1,000.00	9/17/2013	Campaign Contribution made in an individual capacity
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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) NorSouth Development Company of Georgia
 Signature:  Date: 8/3/15
 Brendan Barr, Senior Vice President

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)

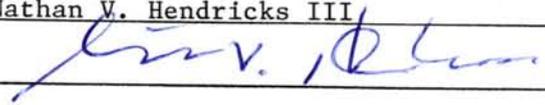
2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition:

- | | |
|----------|----------|
| 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) Nathan V. Hendricks III
 Signature:  Date: August 3, 2015

**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: _____

Georgia

Applicant: NorSouth Development Company of / Phone Number: (678) 460-2869

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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ENVIRONMENTAL SITE ANALYSIS (ESA)
FORM A

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN.

The Property is in a developed corridor with church uses to the north and east, retail uses to the south and a mixed use development to the west across Medlock Bridge Road. The proposed use of the Property for an active adult community brings a diversified use to the area.

The Property is subject to the suggested development format of the Medlock Bridge Road (SR 141) Corridor (09) Character Area and exactly complies with certain of that Character Area's narrative for development. Specifically, this Character Area suggests that "This area should also be developed with the active adult in mind because of the access to public transportation and commercial amenities allowing for community seniors to 'Age in Place'. Empty nesters and active adults, formerly housed in large homes on large lots, may be attracted to the corridor because of the walkability, the quality of activities and services, as well as public transit."

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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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June 8, 2015

Ms. Meghan Sitz
NorSouth Development
2000 RiverEdge Parkway
Suite 950
Atlanta, GA 30328

VIA EMAIL

**Subject: Findings Report
Bell Road Site
Johns Creek, Georgia
CEG Project No. 02-050515**

Dear Ms. Sitz:

In response to your request, Corblu Ecology Group, LLC (Corblu) is pleased to submit this findings report regarding jurisdictional waters consulting services completed for the proposed Bell Road site in Johns Creek, Georgia. The approximately 6.6-acres project site is located in the southeastern quadrant of the intersection of Medlock Bridge Road and Bell Road (Figure 1). Corblu conducted the field survey on May 8, 2015.

Background

Corblu is assisting NorSouth Development in the completion of the Environmental Site Analysis (ESA) as required by the City of Johns Creek. We understand that you are interested in constructing a sewer access for the project site and possibly piping of a stream to better access (road crossing) the project site.

The ESA requires comments on potential environmental impacts that will be performed on the project site as a result of development. The following discussion addresses the 5 potential environmental impacts as addressed in the ESA: 1) wetlands/streams; 2) floodplain; 3) slopes/topography; 4) protected species (plants and wildlife); 5) archeological/historical.

770-591-9990

3225 South Cherokee Lane, Bldg. 800, Woodstock, GA 30189

corblu.com

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Methods

Wetlands/Streams (Jurisdictional Waters Delineation)

Jurisdictional waters of the U.S., including streams and wetlands, are defined by 33 CFR Part 328.3, and are protected by Section 404 of the Clean Water Act (33 USC 1344), which is administered and enforced by the U.S. Army Corps of Engineers (USACE). Waters of the State of Georgia, including streams and ponds, are defined by Chapter 391-3-7-.01(x) of the Georgia Department of Natural Resources, Environmental Protection Division (EPD) Rules for Erosion and Sedimentation Control.

Jurisdictional waters were delineated in the field using the 1987 USACE Wetlands Delineation Manual¹ and the USACE Regional Supplement for the Eastern Mountains and Piedmont². The referenced manuals use a multi-parameter identification process, requiring positive evidence of three criteria: 1) hydrophytic vegetation, 2) hydric soils, and 3) wetland hydrology. Areas exhibiting all three criteria for wetland determination, as well as any streams and ponds are considered jurisdictional waters regulated by the USACE. All jurisdictional waters encountered were marked in the field with pink survey tape and the jurisdictional boundaries were located by your survey team. Corblu also marked the wretched vegetation line along the delineated streams with pin-flags for you to establish the appropriate stream buffers.

Floodplain/River Corridor

Corblu reviewed the available Federal Emergency Management Agency, FIRM Flood Insurance Map to confirm the presence/absence of floodplain within the project boundary (Appendix A).

Slope/Topography

Corblu reviewed the available USGS topographic quadrangle and U.S. Department of Agriculture, Natural Resource Conservation Service (NRCS) soil survey for descriptions of slope and topography (Figure Nos. 1 and 2).

¹ Environmental Laboratory. 1987. *Corps of Engineers Wetlands Delineation Manual*. U.S. Army Corps of Engineers, Washington D.C. 100 pp. plus appendices.

² U.S. Army Corps of Engineers. 2012. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region Version 2.0*, ed. J. F. Berkowitz, J. S. Wakeley, R. W. Lichvar, C. V. Noble. ERDC/EL TR-12-9. Vicksburg, MS: U.S. Army Engineer Research and Development Center.

Threatened and Endangered Species Survey (plants and wildlife)

Corblu conducted a literature and records review of information available from the U.S. Fish and Wildlife Service (USFWS) and the Georgia Department of Natural Resources (GDNR) concerning the potential occurrence of protected species and critical habitat within the project site. Protected species include plants and animals listed as either threatened or endangered (T/E) by the USFWS or the GDNR. According to our review, 19 protected species occur in Fulton County, and the surrounding Georgia counties of Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, and Gwinnett (Appendix B). Following the literature review Corblu personnel conducted a pedestrian reconnaissance to determine the presence of protected species and their habitat on the project site.

Historical and Archeological

Corblu sub-contracted a literature and records review and Phase I field survey for historic and archeological resources on the project site to R.S. Webb & Associates (Webb), an archeological and historical consultant located in Holly Springs, GA.

Webb viewed historical and archeological files to determine if previously recorded cultural resources are located within the project area. Documents and files reviewed include National Register of Historic Places (NRHP), Georgia state archeological files, early aerial photographs, compliance and research reports, historic maps and Fulton County historic structures survey files. The literature and records search was conducted at the appropriate state repositories for cultural resources information in Atlanta and Athens, Georgia.

Results

Wetlands/Streams (Jurisdictional Waters Delineation)

Soils on the project site are mapped by the NRCS as Rion sandy loam (ReD) and Cecil sandy loam (CeB2) (Figure 2). None of these soils are considered hydric soils.

Corblu personnel completed the field delineation on May 8, 2015. During the field investigation Corblu personnel delineated three intermittent streams (Photograph Nos. 1-4) on the project site (Figure 3). No wetlands were identified on the project site.

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The project site primarily consists of mixed pine/hardwood forest. Stream 1, an unnamed tributary to the Chattahoochee River flows along the eastern property boundary. Stream 1 begins on the northeastern corner of the project site, near the site boundary, at an erosional gully near Bell Road. The erosional feature resembles a "turkey foot" and Stream 1 begins on the furthest eastern finger of this three pronged erosional feature. There are two small intermittent streams (Streams 2 and 3) that are located within the floodplain of Stream 1. The identified intermittent streams are approximately two-to-five feet in width at the wretched vegetation line and consisted of substrates of sand, silt, and gravel.

Floodplain/River Corridor

As seen in Appendix A, the FEMA FIRM Map illustrates that there may be 100-year flood limits located in the southeast corner of the project site.

Slope/Topography

As seen in Figure 1, the topography elevation ranges from 1030-feet above MSL (Mean Sea Level) to 1080-feet MSL. The site appears to be somewhat rolling and the NRCS Soil Survey suggests that the site may have slopes from 2-15 percent (Figure 2).

Threatened and Endangered Species Survey (plants and wildlife)

None of the listed species or their habitats were observed on the project site during the field survey. The project site consists of primarily mature mixed pine/hardwood canopy. Of the seven invertebrate species listed as potentially occurring in Fulton County and the surrounding counties no suitable habitat was identified within the project site. No streams were identified within the project site capable of supporting any of the four listed fish species. The Grey Bat (*Myotis grisescens*) is listed as potentially occurring in Fulton County. The Grey bat exclusively roosts and hibernates in caves; no caves were located within on the project site. The Northern long-eared bat (*Myotis septentrionalis*) roosts under bark of large dead trees during summer months and hibernates in caves during the winter. No large trees with exfoliating bark or caves were noted on the project site. None of the six listed plant species or their habitat was identified within the project site. It is not anticipated that the proposed work on the project site will disturb any protected species or their preferred habitats. The terrestrial and aquatic habitats represented on the project site are not preferred by any state or federal listed species in Fulton County (Appendix B).

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Historical and Archeological

A literature and records review as well as a Phase I field survey for historic and archeological resources was performed by R.S Webb and Associates on the proposed Bell Road site (Appendix C). The study indicated no eligible or potentially eligible historic or archeological sites are located within the project boundaries or area of potential effect; therefore, impacts to resources eligible under the National Historic Preservation Act are not expected from this project.

Discussion

Based on the USACE guidance, the delineated intermittent streams are considered relatively permanent waters (RPW), which are expected to flow a minimum of three consecutive months per year. All RPWs are considered jurisdictional waters of the U.S. and are regulated by the USACE under Section 404 of the Clean Water Act. Therefore, all waters delineated in the field and presented on Figure 3 are considered jurisdictional waters.

Federal Permitting Requirements

The USACE's Nationwide Permit No. 12 (NWP 12) – *Utility Line Activities*, can be used to authorize the construction of a pipeline to transport sewer waste water on the Bell Road site where the pipeline crosses jurisdictional waters.

Please note, we know you mentioned the possibility of piping a stream to create a road crossing for access to the project site. If this impact is necessary, then we would need to file for a Nationwide Permit No. 29/39 (NWP 29/39) – Residential/Commercial Development, authorizes the construction of building foundations and pads as well as attendant features (i.e., roads, parking lots, garages, yards, utilities lines, storm water management facilities, etc.).

A Pre-Construction Notification (PCN; i.e., permit application) must be submitted to and approved by the USACE, Savannah District if any impacts to jurisdictional waters will occur. Impacts associated with this permit cannot exceed 0.5 acre of jurisdictional waters including no more than 300 linear-feet of stream. Compensatory mitigation is normally required for activities that result in impacts greater than 0.1 acre or 100 linear-feet of wetland or stream, respectively. NWP 12 and 29/39 PCNs require one to two weeks to

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prepare, and may require up to a 45-day review period by the USACE and other regulatory agencies.

State Permitting Requirements

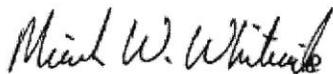
The State of Georgia restricts land-disturbing activities within 25 feet of the banks of any state waters with base flow and wretched vegetation, as measured from the point where vegetation has been wretched by normal stream flow, unless a stream buffer variance is obtained from EPD or unless the activity is otherwise exempt (i.e., roadway drainage structures and perpendicular utility crossings less than 50 feet in width). It is anticipated that the pipeline and road crossing would qualify for this exemption and a buffer variance would not be required. Any other buffer encroachments into the vegetated buffers of the delineated streams would require a variance from EPD.

Conclusion

Corblu appreciates the opportunity to assist you with this project. We can provide a proposal for a NWP 12 PCN and stream buffer variance request if jurisdictional waters impacts are proposed. If you have any questions regarding this report, please contact the undersigned at (770) 591-9990.

Sincerely,

CORBLU ECOLOGY GROUP, LLC



Micah W. Whiteside, CWB, CE
Senior Ecologist



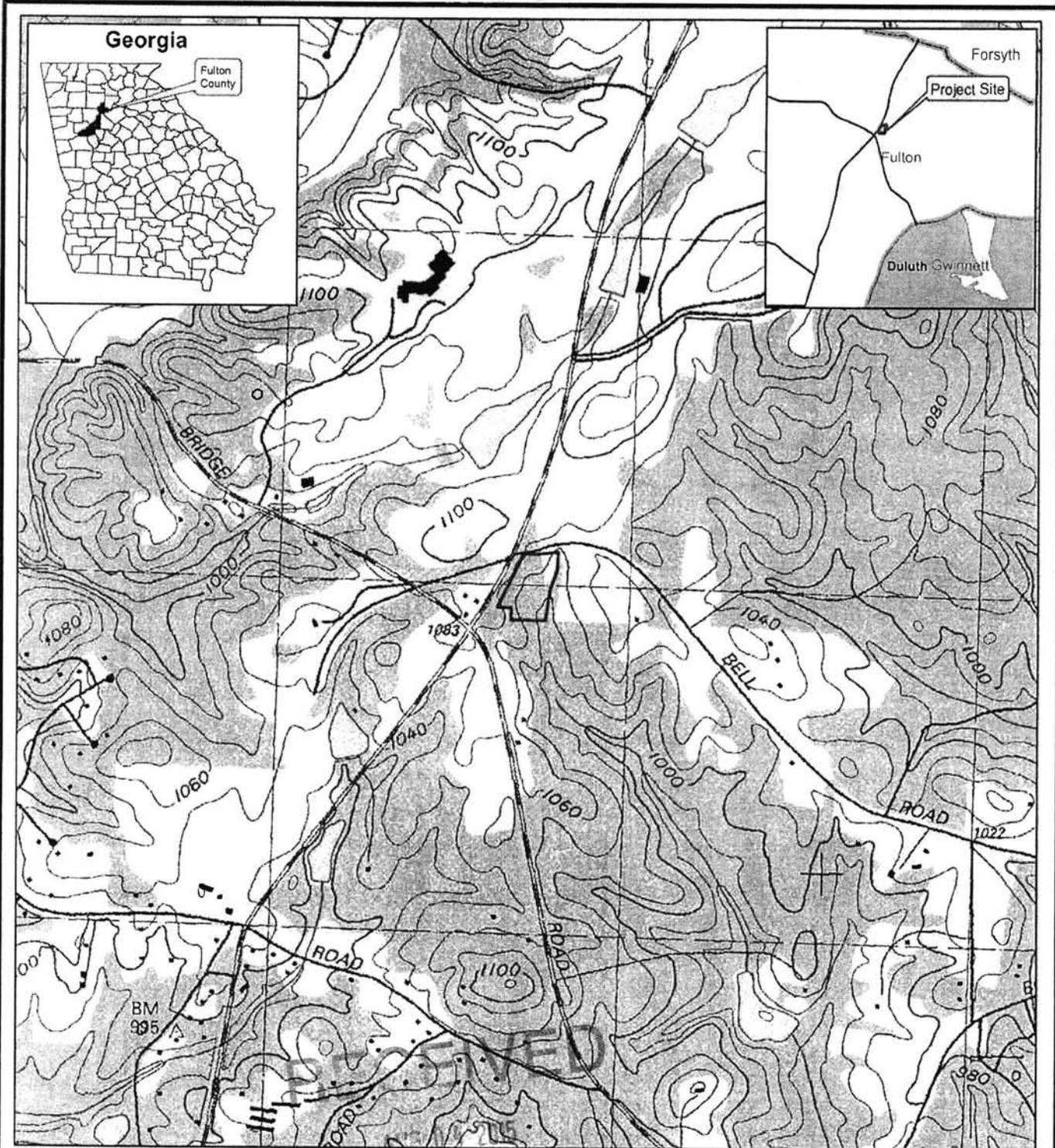
Neil E. Blackman, CWB
Principal

Enclosures: Figure 1 – Site Location Map
Figure 2 – Site Soils Map
Figure 3 – Jurisdictional Waters Map
Photograph Nos. 1-4
Appendix A – FEMA FIRM Map
Appendix B – T/E Protected Species List
Appendix C – Letter of Findings – Phase I Cultural Resources Field Survey

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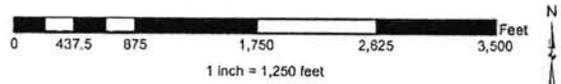


Base map: USGS 7.5 Min. Topographic Quadrangle Map of Duluth, Georgia.

Legend

 Approximate Site Boundary

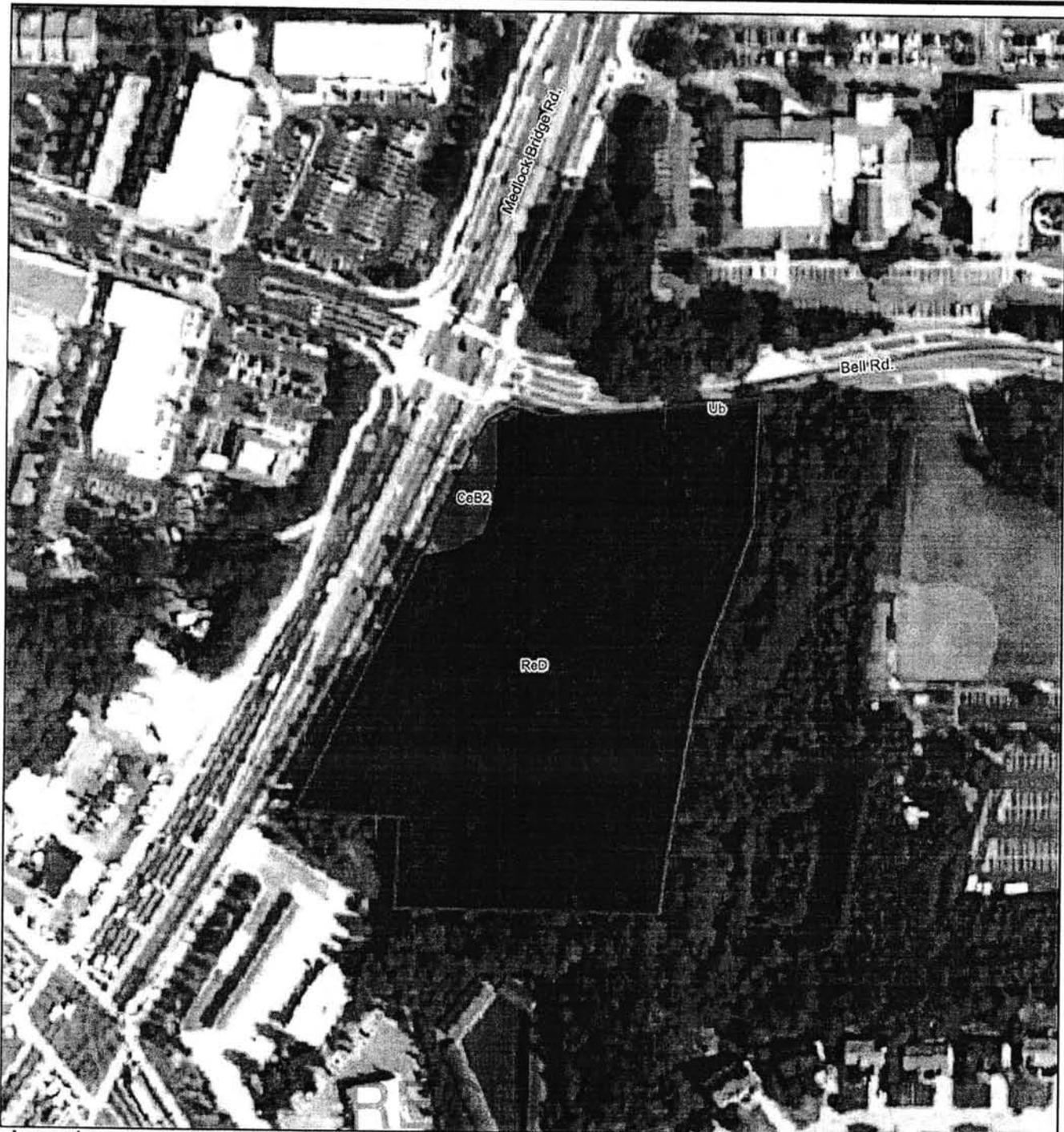
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Planning & Zoning



**Bell Road Site
Findings Report
Fulton County, Georgia**



**Figure 1
Site Location Map
CEG Project No. 02-050515**



Legend

Approximate Site Boundary

Soils

CeB2 - Cecil sandy loam, 2-6% slopes, moderately eroded

ReD - Rion sandy loam, 10-15% slopes

Ub - Urban land

Base Map Source: 2013 NAIP of Georgia.

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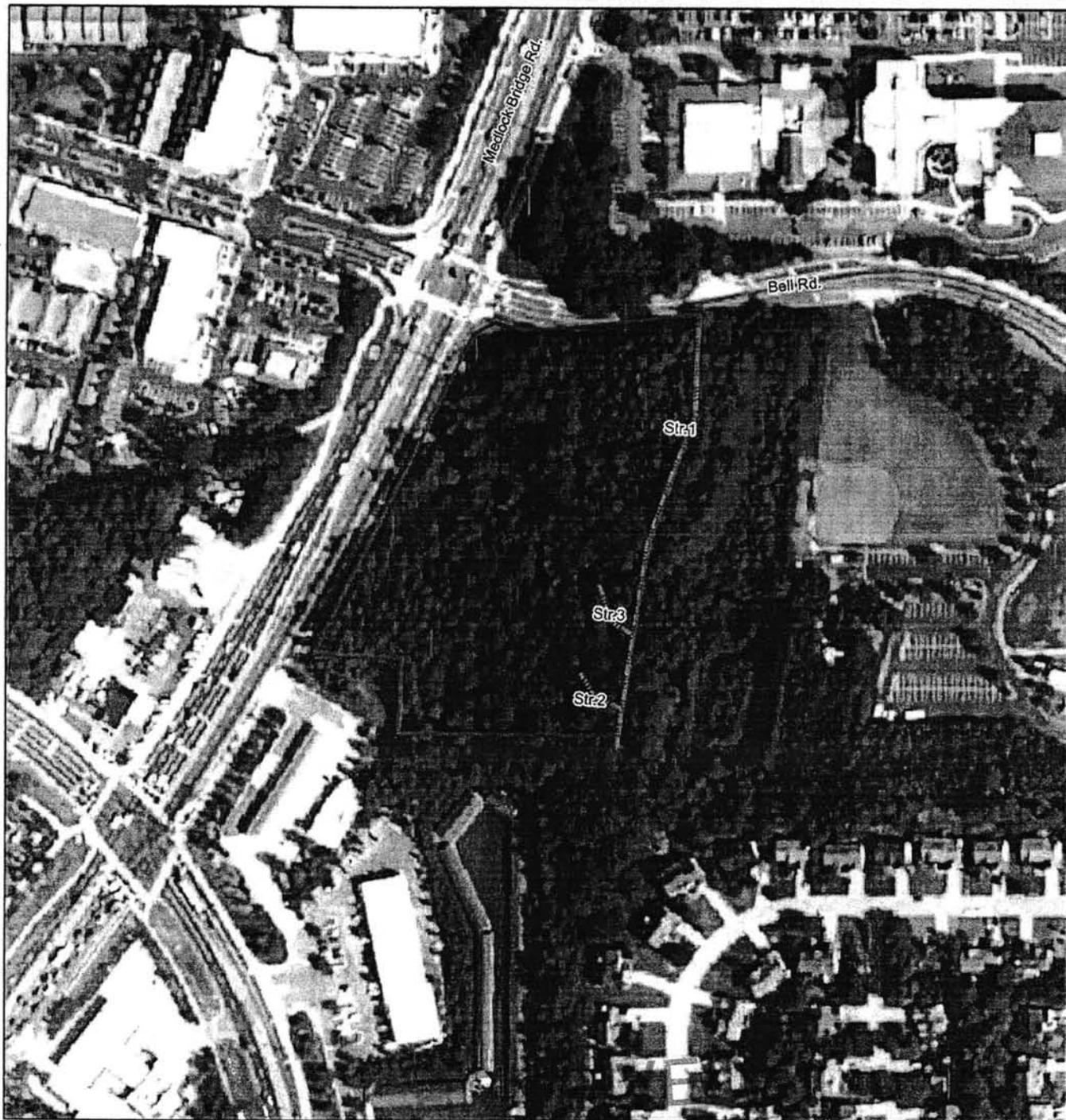
115 230 460 Feet



**Bell Road Site
Findings Report
Fulton County, Georgia**

corblu
ECOLOGY GROUP
Lawrenceville & Woodstock, Georgia

**Figure 2
Site Soils Map
CEG Project No. 02-050515**



NOT TO SCALE
 All features are approximate in location

Base Map Source: 2013 NAIP of Georgia.

Legend

- Approximate Site Boundary
- - - Intermittent Stream

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Bell Road Site
 Findings Report
 Fulton County, Georgia



Figure 3
 Jurisdictional Waters Map
 CEG Project No. 02-050515



Photograph No. 1: Representative photo of Stream 1 along eastern property line, facing upstream (north).



Photograph No. 2: Representative photo of Stream 1 along eastern property line, facing upstream (north).

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Photograph No. 3: Representative photo of Stream 2, facing downstream (southeast).



Photograph No. 4: Representative photo of Stream 3, facing upstream (northwest).

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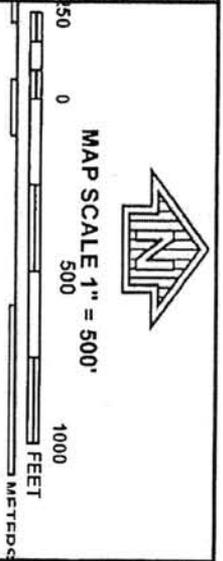
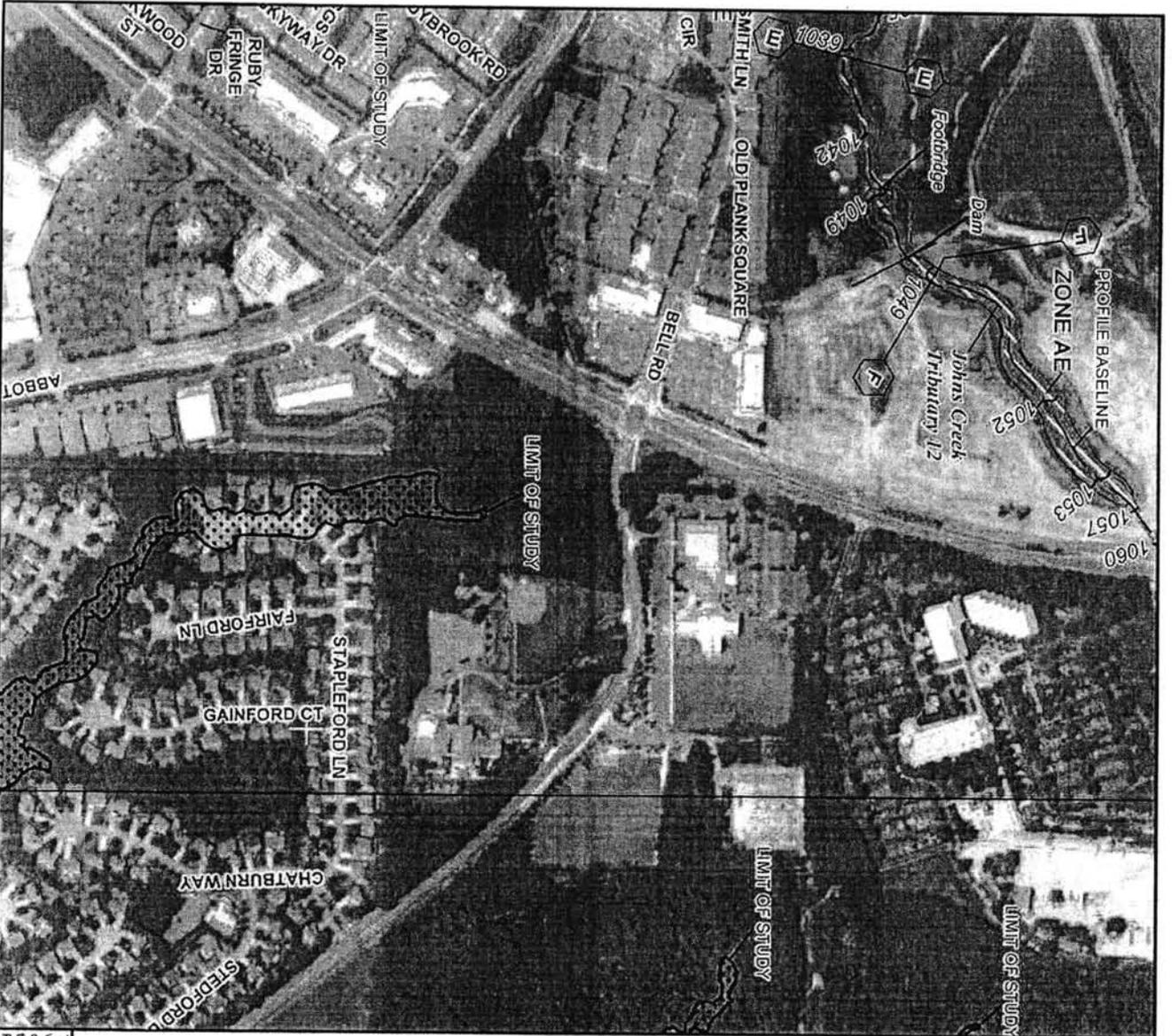
Appendix A

FEMA FIRM Map

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NFIP

PANEL 0091G

FIRM

FLOOD INSURANCE RATE MAP
 FULTON COUNTY,
 GEORGIA
 AND INCORPORATED AREAS

PANEL 91 OF 490
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:
 COMMUNITY NUMBER 13121C0091G
 JOHN'S CREEK TRIBUTARY 12

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Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
 13121C0091G
 MAP REVISED
 SEPTEMBER 18, 2013

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.nfsc.fema.gov

Appendix B

T/E Protected Species List

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Appendix B: Federal protected animal and plant species listed by U.S. Fish and Wildlife Service¹ or the Georgia Department of Natural Resources² as potentially occurring in Fulton County, and the surrounding Georgia counties of Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, and Gwinnett.

Species Name (Scientific Name)	Federal Status*	Preferred Habitat	Habitat Available in Project Area	Individuals Observed on Project Site
INVERTEBRATES				
Purple bankclimber (<i>Elliotoideus sloatianus</i>)	T	Main channels of ACF basin rivers in moderate currents over sandy to silty substrates.	No	No
Finelined pocketbook (<i>Hamiota altilis</i>)	T	Typically occupies small streams to large rivers in sandy to muddy sand substrates or gravel shoals with slight to moderate current.	No	No
Shiny-rayed pocketbook (<i>Hamiota subangulata</i>)	E	Typically occupies medium sized streams to large rivers in sandy to muddy substrates with slight to moderate current.	No	No
Gulf moccasinshell (<i>Medionidus penicillatus</i>)	E	Typically occupies small streams to large rivers with moderate flow and sandy substrates. This species has also been found in gravel and cobble substrates.	No	No
Southern clubshell (<i>Pleurobema decisum</i>)	E	Typically occupies large streams to large rivers with moderate flow and sand or gravel substrates; sometimes found in pools with slow or no current.	No	No
Oval Pigtoe (<i>Pleurobema pyriforme</i>)	E	Typically occupies small streams to large rivers with moderate flow and sand or gravel substrates.	No	No
Rayed kidneyshell (<i>Ptychobranchus foremanianus</i>)	E	Typically occupies riffles in medium to large rivers with moderate flow and gravel and sand substrates.	No	No
FISH				
Etowah darter (<i>Etheostoma etowahae</i>)	E	Shallow riffle habitat with large gravel, cobble, and small boulder substrates. Usually found in medium and large cool water creeks or small rivers with moderate to high gradients in the upper Etowah river system.	No	No
Cherokee darter (<i>Etheostoma scotti</i>)	T	Shallow water (0.1-0.5 m) in small to medium warm water creeks (1-15 m wide) with predominantly rocky bottoms. Usually found in sections with reduced current, typically runs above and below riffles and at ecotones of riffles and backwaters.	No	No

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Appendix B: Federal protected animal and plant species listed by U.S. Fish and Wildlife Service¹ or the Georgia Department of Natural Resources² as potentially occurring in Fulton County, and the surrounding Georgia counties of Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, and Gwinnett. – Continued

Species Name (Scientific Name)	Federal Status*	Preferred Habitat	Habitat Available in Project Area	Individuals Observed on Project Site
Amber darter (<i>Percina antesella</i>)	E	Gentle riffle areas over sand and gravel substrate that becomes vegetated (primarily with <i>Podosternum</i>) during summer; last taken in Etowah River in 1980; historic population in Shoal Creek probably extirpated by construction of Allatoona Reservoir in 1950.	No	No
Goldline darter (<i>Percina aurolineata</i>)	T	Shallow rocky riffles with swift current in medium-sized rivers.	No	No
MAMMALS				
Grey bat (<i>Myotis grisescens</i>)	E	Exclusively roosts and hibernates in caves within the southeastern United States.	No	No
Northern long-eared bat (<i>Myotis septentrionalis</i>)	PE	Winter: hibernate in caves and abandoned mines, Summer: roost alone or in small colonies underneath bark or in cavities or crevices of both live trees and snags (dead trees).	No	No
PLANTS				
Pool sprite, snorkelwort (<i>Amphianthus pusillus</i>)	T	Shallow pools on granite outcrops, where water collects after a rain. Pools are less than 1 foot deep and rock rimmed.	No	No
Black-spored quillwort (<i>Isoetes melanospora</i>)	E	Shallow pools on granite outcrops, where water collects after a rain. Pools are less than 1 foot deep and rock rimmed.	No	No
Monkeyface orchid (<i>Platanthera integrilabia</i>)	C	Red maple-gum swamps; peaty seeps and streambanks with grass-of-parnassus (<i>Parnassia asarifolia</i>) and stiff cowbane (<i>Oxypolis rigidior</i>).	No	No
Michaux's sumac (<i>Rhus michauxii</i>)	E	Sandy or rocky open woods, usually on ridges with a disturbance history (periodic fire, prior agricultural use, maintained right-of-ways).	No	No
Georgia aster (<i>Symphotrichum georgianum</i>)	C	Edges and openings in rocky, upland oak-hickory-pine forests, and rights-of-way through these habitats. Usually with circumneutral soils.	No	No

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Appendix B: Federal protected animal and plant species listed by U.S. Fish and Wildlife Service¹ or the Georgia Department of Natural Resources² as potentially occurring in Fulton County, and the surrounding Georgia counties of Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, and Gwinnett. – Continued

Species Name (<i>Scientific Name</i>)	Federal Status*	Preferred Habitat	Habitat Available in Project Area	Individuals Observed on Project Site
Tennessee yellow-eyed grass (<i>Xyris tennesseensis</i>)	E	Gravelly open, calcareous, seepy margins and wet meadows along spring-fed headwater streams.	No	No

¹ Listed by the U.S. Fish and Wildlife Service, <http://www.fws.gov/endangered/>.

² Georgia Department of Natural Resources (State) Georgia Natural Heritage Program database.

*Federal and State Status

C=Candidate

E= Endangered

T= Threatened

PE= Proposed Threatened

Prepared by: MWW Date: 5/8/2015

Checked by: MB Date: 5/22/2015

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Appendix C

Letter of Findings – Phase I Cultural Resources Field Survey

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R.S. Webb & Associates

Cultural Resource Management Consultants
2800 Holly Springs Parkway, Suite 200 • P.O. Drawer 1319
Holly Springs, Georgia 30142
Phone: 770-345-0706 • Fax: 770-345-0707

May 20, 2015

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Mr. Micah Whiteside
Corblu Ecology Group, LLC
3225 South Cherokee Lane, Building 800
Woodstock, Georgia 30188

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**Subject: Letter of Findings - Phase I Cultural Resources Field Survey
Proposed Bell Road Sewer Outfall Site
Fulton County, Georgia
R.S. Webb & Associates No. 15-099-309**

Dear Mr. Whiteside:

INTRODUCTION

During the period of May 8 through 12, 2015, R.S. Webb & Associates (RSWA) conducted a Phase I cultural resources field survey for Corblu Ecology Group. The survey covered the proposed 6.7-acre Bell Road sewer outfall site in Fulton County, Georgia (Figures 1 and 2). The proposed undertaking will require U.S. Army Corps of Engineers (USACE) Nationwide Permitting and therefore, compliance with the National Historic Preservation Act (NHPA). The USACE's Section 106 review process is implemented through the USACE's regulations at 33 CFR 325 Appendix C.

This project will involve clearing, excavating, filling, and grading associated with the construction of approximately 145 meters (m) (475 linear feet) of sewer line [12-m (40-foot)-wide construction corridor]. These activities will occur within a 6.7-acre parent tract and they have the potential to impact/destroy cultural resources, such as archeological sites, historic structures, and historic landscapes. Direct project effects will be confined to the sewer line construction easement and adjacent cut/fill areas; temporary visual effects will be confined to the limits of the 6.7-acre parent tract. For this reason, the project Area of Potential Effects (APE) was set at the boundaries of the parent tract.

METHODOLOGY

Literature and Records Search: Background data on the project area were gathered from the following repositories:

- Georgia State Archeological Site Files (GASF), University of Georgia, Athens
- Georgia Department of Natural Resources, Historic Preservation Division (HPD), Stockbridge
- Georgia State Archives, Morrow
- Georgia's Natural, Archeological, and Historic Resources Geographic Information System (GNAHRGIS) (<https://www.itos.uga.edu/nahrgis/>)
- Digital Library of Georgia, Georgia Aerial Photographs (<http://dbs.galib.uga.edu/gaph/html/fulton.html>)

Records of the GASF, including the official files and maps, were examined, followed by a review of the pertinent site forms, and manuscript/report files. At the HPD, pertinent compliance document files, official maps, NRHP/pending files, Identified Site and Centennial Farm files, and Fulton County historic structures survey files were reviewed. GNAHRGIS was also used to confirm the presence or absence of state-recognized historic resources in Fulton County. At the State Archives, Surveyor General's Office, historic maps and land lottery plat maps were examined for features including trails, roads, structures, and cemeteries. Historic aerial photography was viewed through the Digital Library of Georgia. The following sources were examined to search for historic resources within and adjacent to the project area:

- 1942 Roberts Map of Fulton County
- 1947, 1954, 1960, and 1966 Georgia State Highway Department Maps of Fulton County
- 1968 Duluth, Georgia 7.5-minute quadrangle
- 1938 and 1960 Agricultural Stabilization and Conservation Service aerial photography

The Official Military Atlas of the Civil War (Davis *et al.* 1983) and *The Campaign for Atlanta* (Scaife 1993) were consulted for the locations of Civil War-era military actions or associated features.

Archeological Field Survey: The 6.7-acre project area was surveyed using surface and subsurface techniques. Surface techniques included visual scanning of the landscape and inspection of exposed surfaces such as trails, tree falls, and eroding surfaces/banks. Shovel tests were excavated at intervals of 30 m or less along transects as shown in Figure 3. As observed along survey transects, severely disturbed areas were noted on the project map and avoided. Steep slopes (slope greater than approximately 20 percent) were walked or scanned and shovel tested at the discretion of the Project Archeologist. Shovel testing involved the excavation of 30-by-30-centimeter (cm) units. Soils were screened through 0.64-cm hardware cloth to enhance the recovery of artifacts. Each test was taken to sterile subsoil/substrate and the profile examined. Soil colors, textures, and depths of deposit were recorded for each shovel test.

Historic Resources Survey: The project APE and surrounding area were scanned to confirm the presence/absence of historic structures/properties. To qualify for evaluation as an historic structure/property the resource must be at least 50 years old. No such structures were present.

SURVEY RESULTS

Literature Search

Previous Archeological Investigations: At least four archeological or cultural resources survey projects have been performed within 1.6 kilometers (km) (1.0 mile) of the project area (Figure 1).

In 1978, the United States Congress passed legislation that created the Chattahoochee National Recreation Area, a 48-mile-long and 2-mile-wide corridor along the Chattahoochee River from Peachtree Creek to Buford Dam. The project area lies approximately 790 m north of this federally-designated recreational area corridor (Figure 1). In 1979, a research design and archeological overview was prepared for the recreational area (Ehrenhard *et al.* 1979). No archeological sites were noted within 1.6 km of the current project area.

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In 1987, the Georgia Department of Transportation (GDOT) conducted an archeological assessment for a project to widen a 9.2-mile segment of State Route 141 (Medlock Bridge Road) from Norcross to the Fulton-Forsyth County line; the survey area passed along the west boundary of the current project area (Figure 1). The survey resulted in negative findings (Entorf 1987).

In 2005, the GDOT performed an archeological assessment for a project to widen State Route 120 (Abbotts Bridge Road) on both sides of its intersection with State Route 141; the survey project area is located about 100 m southwest of the current project area (Figure 1). No cultural resources were recorded (Erickson 2005).

In 2011, Edwards-Pittman Environmental performed an archeological survey for a pedestrian safety/mobility project along State Route 120, approximately 1.0 km or more northwest of the project area (Figure 1). The survey resulted in negative findings (Blackwelder 2011).

Previous Architectural Investigations: According to HPD records, a comprehensive survey of Fulton County historic resources was performed in 1976. A survey of historic resources in North Fulton County and Sandy Springs was conducted in 1995. Only the results of the 1995 survey are included in the GNAHRGIS database.

National Register of Historic Places: According to HPD records and GNAHRGIS, there are no NRHP-listed historic properties located within 1.6 km of the project area.

Previously Recorded Archeological Sites: Review of official GASF maps revealed that there are no recorded archeological sites located within 1.6 km of the project area.

Previously Recorded Historic Resources: HPD records and the GNAHRGIS database indicate that there are four recorded historic resources located within 1.6 km of the project area. The closest recorded historic resource, GNAHRGIS No. 32195, is located approximately 760 m northwest of the project area (Figure 1).

The Centennial Farms and Identified Sites files at HPD show no historic resources located in the project vicinity.

Civil War Actions/Features: Following the Battle of Kennesaw Mountain (June 27, 1864) in central Cobb County, Georgia, the leaders of the Union army contemplated crossing the Chattahoochee River and their final move toward Atlanta. They eventually settled on a crossing in the vicinity of Roswell (40 miles northwest of the project area) and points south. Troops crossing at Roswell then proceeded southeast and south to Decatur. While foraging and raiding could have occurred in the vicinity of the project area, no known military activity took place in or near the project area.

Historic Cemeteries: No known historic cemeteries are located within or near the project area and none appear on historic maps located within or near the project area.

Historic Land Plats (1832): Land in the project area was ceded by the Cherokee to the State of Georgia in 1832. The land was subsequently surveyed and divided into individual lots for distribution through the Land Lottery. The project area is located in Land Lots 359 and 372, 1st District, 1st Section, original Cherokee County. The plats produced for these lots show no structures or other features or land improvements located in the project area at the time of the 1832 survey.

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Structures or Features on Historic Maps and Aerial Photographs: Maps of Fulton County produced in 1942 indicate that the road system in the project area has significantly changed since the middle 20th century. Abbotts Bridge Road and Bell Road (the north project boundary) were once part of the same route, and that road was the primary east-west trending route through the study vicinity. The 1942 map shows a triangle intersection with two north-south trending roads with the project area located along the east side of the triangle. More recently, the northwest side of the triangle intersection was made obsolete by the alteration of Bell Road at the northwest project boundary. Historic highway maps show a single dwelling along the western edge of the project area (Figure 1). There is also an industrial/commercial structure located just south of the project area and structures located inside and surrounding the triangle intersection (Figure 1).

Aerial photographs taken in 1938 show that the western two-thirds of the project area was under cultivation, while the eastern third was wooded. A house is located within the project area along the western edge, and a larger, rectangular structure is present just south of the project area (Figure 1). A 1960 aerial photograph shows that land in the project area had been converted to grass or pasture. The house in the project area is still present in 1960, but the rectangular structure located to the south no longer exists.

Field Surveys

Phase I Archeological Field Survey: Topographically, the 6.7-acre project area consists of a moderate to steep southeast-facing side slope (9 to 21 percent slope) approaching the headwaters of a first-order stream (Figure 3). The study tract is characterized by a canopy of mature pines and younger hardwoods with a light to moderate hardwood understory and limited surface-level vegetation (Figures 4 and 5).

The project area was surveyed along five northeast-southwest-oriented transects. As can be seen on Figure 3, all shovel tests were excavated on moderate to steep slope. Of the 46 shovel test stations logged along these transects, tests were excavated at 38 stations (Table 1). Shovel tests were not excavated at eight stations due to their locations on very steep slopes or drainageways/gullies. Topsoil/plowzone ranges from 5 to 22 cm in depth and consists of grayish-brown or brownish-red sandy loam, gravelly sandy loam, loamy sand, clay loam, or sandy clay loam. At three locations only subsoil clay was observed beneath the forest litter/humus. Subsoil is composed of red, reddish-yellow or yellowish-red clay or sandy clay.

No prehistoric or historic archeological resources were observed or recorded during the current Phase I field survey. The lack of archeological resources is attributable to the moderate to steeply sloping conditions across the project area.

According to the 1968 Duluth quadrangle, a structure was located on the southeastern side of State Route 141 just within or along the edge of the project area. This vicinity was visited during the current study and no evidence of the structure was observed. It appears that this house site may have been destroyed when Highway 141 was improved and a power transmission corridor was established along the southeastern side of the road.

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Table 1 Project Shovel Test Log

Transect	Shovel Test	Soil Depth, Color, and Texture
1	1	0-10 cm brownish-red sandy clay loam over red clay
	2	0-10 cm brownish-red sandy clay loam over red clay
	3	0-15 cm brownish-red sandy clay loam over red clay
	4	0-18 cm grayish-brown sandy loam over red sandy clay
	5	0-15 cm grayish-brown sandy loam over red sandy clay
	6	0-12 cm brownish-red humus/loamy sand over red sandy clay
	7	0-10 cm brownish-red humus/loamy sand over red sandy clay
	8	No excavation. End of transect.
2	1	0-10 cm brownish-red loamy sand over red sandy clay
	2	0-10 cm brownish-red loamy sand over red sandy clay
	3	0-15 cm grayish-brown/brownish-red sandy loam over red sandy clay
	3.5	0-5 cm humus over mixed red clay
	4	0-10 cm humus and mixed saprolitic clay over red sandy clay
	4.5	0-5 cm humus over red clay
	5	0-10 cm humus/brownish-red clay loam over red clay
	6	Gullied/severe erosion. No excavation.
	6.5	0-10 cm humus/brownish-red clay loam over red clay
7, 7.5	Severe erosion. No excavation.	
3	1	0-15 cm brownish-red gravelly sandy loam over red sandy clay
	2	0-12 cm brownish-red gravelly sandy loam over red sandy clay
	3	0-15 cm brownish-red gravelly sandy loam over red sandy clay
	4	0-12 cm brownish-red gravelly sandy loam over red sandy clay
	5	0-10 cm brownish-red gravelly sandy loam over red sandy clay
	6	0-10 cm brownish-red gravelly sandy loam over red sandy clay
	7	0-15 cm grayish-brown humus/brownish-red sandy loam over red sandy clay
	8	0-15 cm grayish-brown humus/brownish-red sandy loam over red sandy clay
4	1	0-22 cm brownish-red sandy loam over red sandy clay
	2	0-20 cm brownish-red sandy loam over red sandy clay
	3	0-20 cm brownish-red sandy loam over red sandy clay
	4	0-5 cm brownish-red humus/loamy sand over red sandy clay
	5	0-15 cm brownish-red humus/loamy sand over red sandy clay
	6	0-10 cm brownish-red humus/loamy sand over red sandy clay
	7	0-10 cm brownish-red humus/loamy sand over red sandy clay
	8	0-10 cm brownish-red humus/loamy sand over red sandy clay
	9	Gullied drainageway. No excavation. End of transect.
5	1	Steep slope. No excavation.
	2	Steep slope. No excavation.
	3	0-18 cm brownish-red sandy clay loam over red sandy clay
	4	0-15 cm brownish-red sandy clay loam over red sandy clay
	5	0-10 cm brownish-red sandy clay loam over red sandy clay
	6	0-10 grayish-brown humus over yellowish-red clay
	6.5	0-10 cm humus/red-yellowish clay loam over reddish-yellow clay
	7	0-20 cm grayish-brown humus/clay loam over reddish-yellow clay
	8	0-10 cm grayish-brown/brownish-red humus clay loam over red clay
9	Drainageway. No excavation. End of transect.	

Historic Resources Survey and Viewshed Assessment: No historic structures or features were recorded within the project APE or nearby. The project area is surrounded by modern (1990s-plus) development (Figures 2, 6, and 7) and no historic structures are in the project vicinity.

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CONCLUSIONS AND RECOMMENDATIONS

No archeological sites or historic structures/resources were recorded within the project area during the current study. This is probably due to the moderate to steeply sloping nature of the project area. As a result of the Phase I field survey findings, no additional cultural resources work is recommended for the Bell Road sewer outfall project.

CLOSING COMMENTS

Mr. Whiteside, we appreciate the opportunity to work with Corblu Ecology Group on this project. If you have any questions concerning our findings please contact me at 770-345-0706.

Sincerely,
R.S. WEBB & ASSOCIATES



Robert S. (Steve) Webb
President and Senior Principal Archeologist

Attachments: Figures 1-7

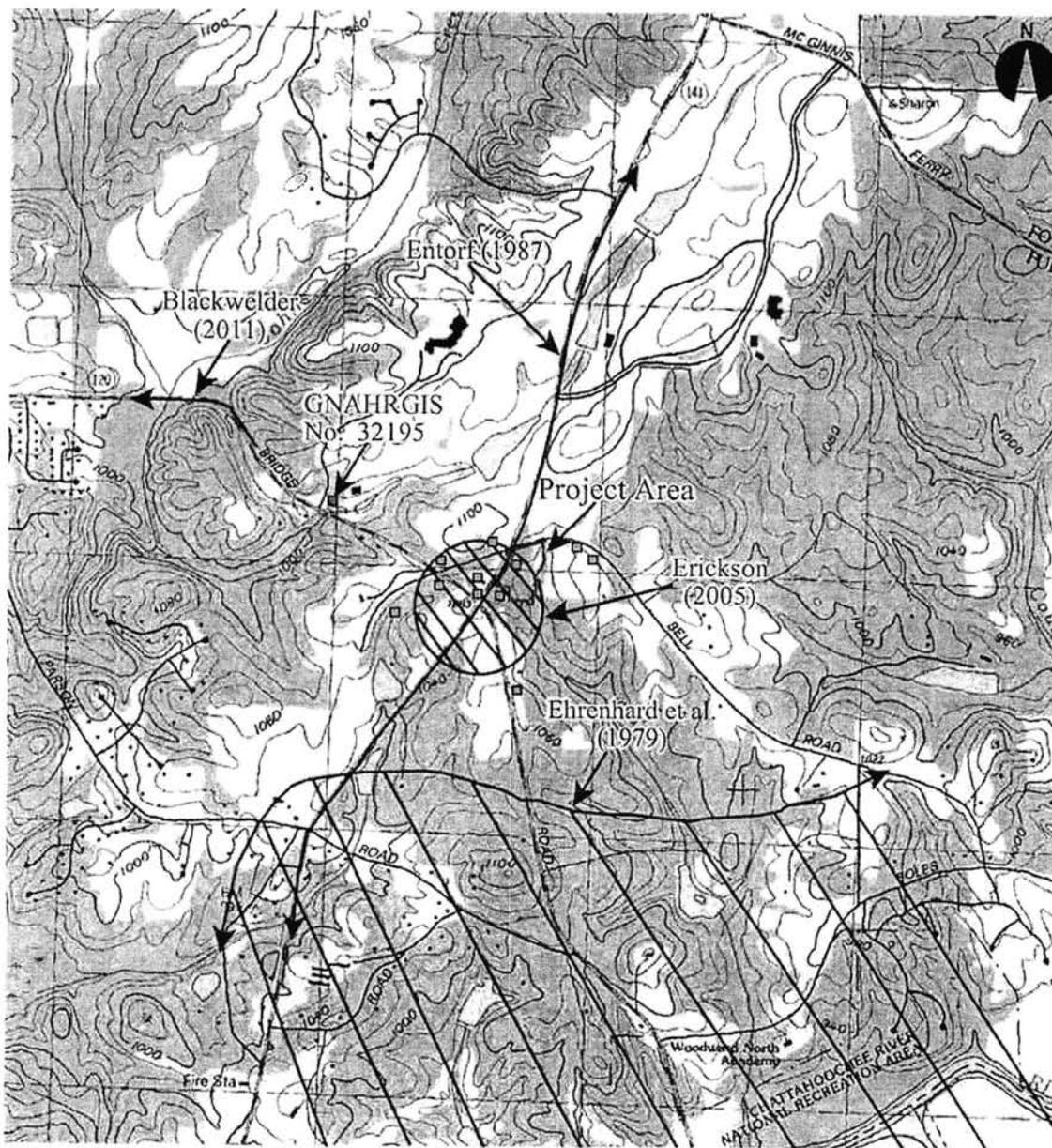
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Structures on Historic Maps and Aerial Photos
 Recorded Historic Structures
 Map Reference: 7.5-Minute USGS Quadrangle
 Duluth (1992), Georgia

— Previous Archeological Projects
 Scale
 0 610 meters
 0 2000 feet

Figure 1 Previously Recorded Cultural Resources and Project Area Location Map

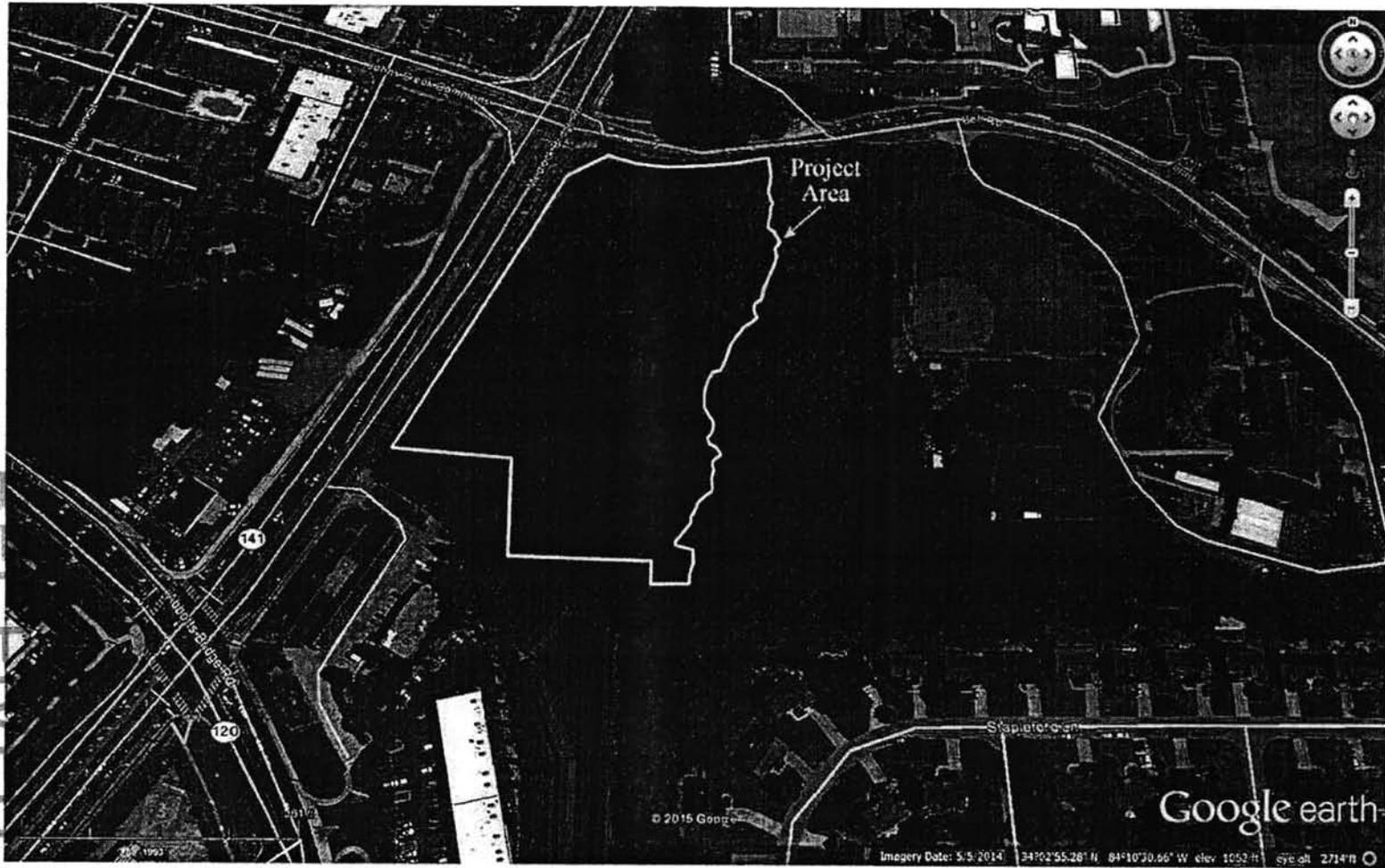
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Reference: Google Earth (2014)

Figure 2 2014 Aerial Photograph Showing Project Area



From Transect 4, Shovel Test 2, Facing Northeast



From Transect 4, Shovel Test 2, Facing East/Southeast

Figure 4 Selected Views of Project Area

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From Transect 5 at Spring Head, Facing Northeast



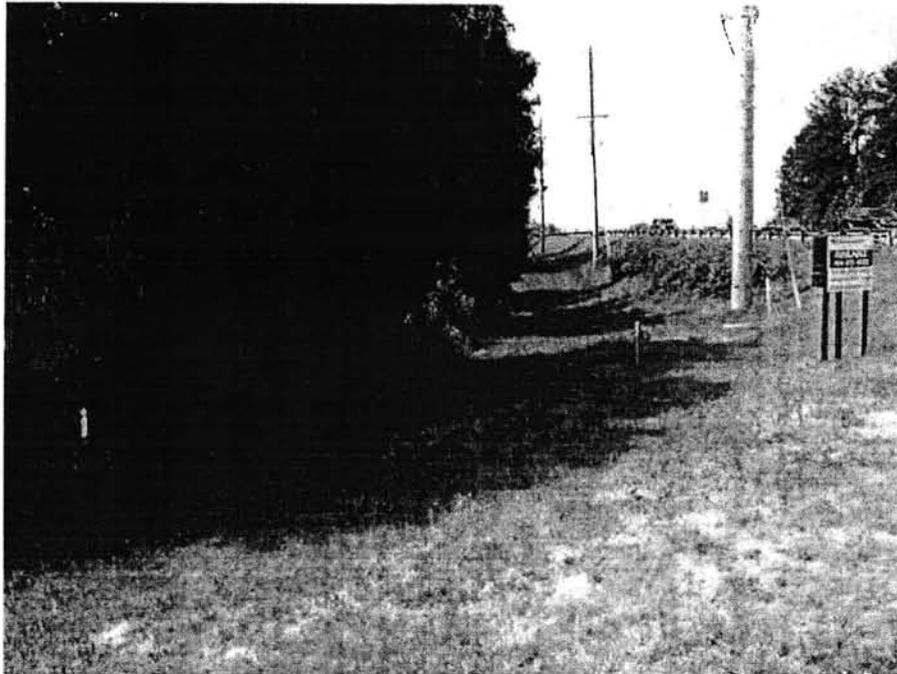
End of Transect 5, Facing East

Figure 5 Selected Views of Project Area

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From Bell Road Along State Route 141, Facing Southwest



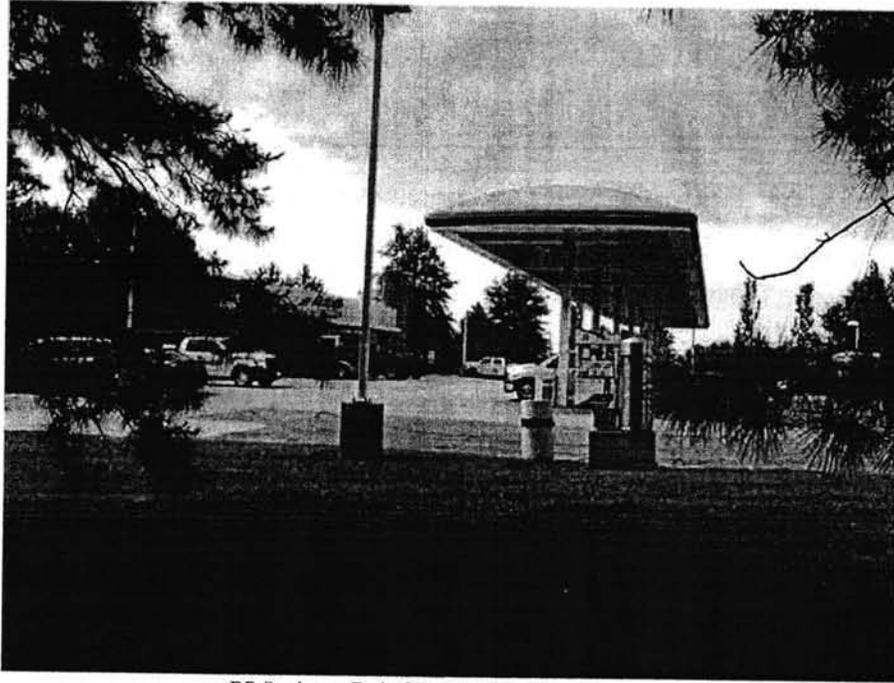
From Bell Road, Facing South

Figure 6 Project Viewshed

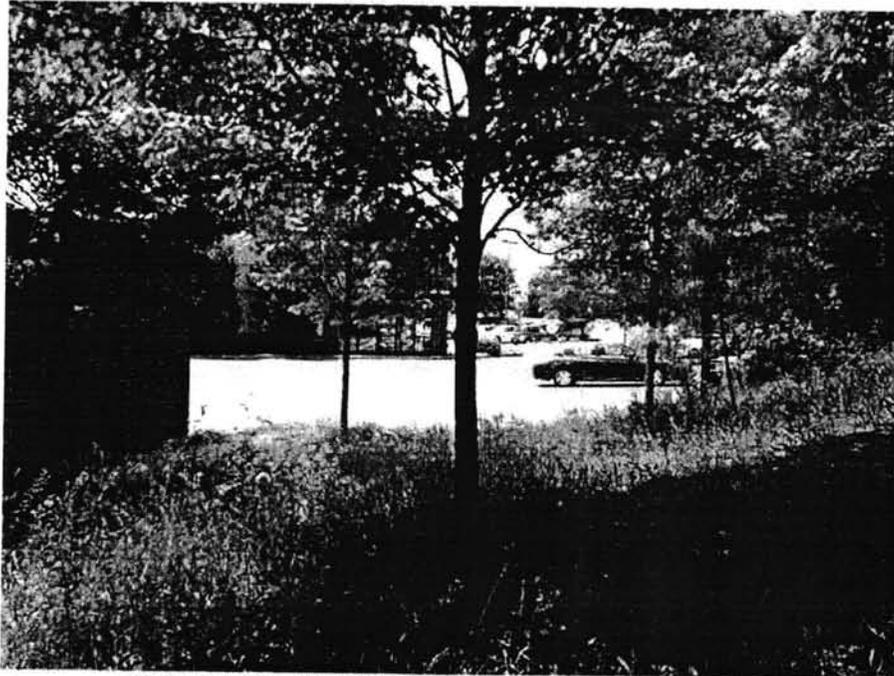
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BP Station at End of Transect 1, Facing Southwest



Transect 3, Shovel Test 8, Toward Modern Development, Facing South

Figure 7 Project Viewshed

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**PUBLIC PARTICIPATION PLAN
FORM D**

Applicant: NorSouth Development Company of Georgia

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.

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PARCEL LEGAL DESCRIPTION

ALL THAT PARCEL OF LAND LYING IN LAND LOTS 359 & 372 OF THE 1ST DISTRICT, 1ST SECTION OF FULTON COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A NAIL FOUND AT THE BASE OF A 3"X4" CONCRETE MONUMENT FOUND DISTURBED AT THE LAND LOT CORNER COMMON TO LAND LOTS 359, 360, 371 AND 372; THENCE ALONG THE DIVISION LINE BETWEEN JSW ENTERPRISES, LLC (PER DEED BOOK 54719, PAGE 206) TO THE NORTH AND EAST, AND EXTRA SPACE PROPERTIES TWENTY EIGHT, LLC (PER DEED BOOK 46956, PAGE 629) TO THE SOUTH AND WEST, THE FOLLOWING COURSES AND DISTANCES: N 00°17'43" E ALONG THE APPROXIMATE LAND LOT LINE COMMON TO LAND LOTS 359 & 372 OF THE 1ST DISTRICT, 1ST SECTION OF FULTON COUNTY, GEORGIA, A DISTANCE OF 39.52 FEET TO A 1/2" REBAR FOUND, AND N 88°17'52" W A DISTANCE OF 252.10 FEET TO A 1" REBAR FOUND ON THE DIVISION LINE BETWEEN SAID JSW ENTERPRISES, LLC TO THE NORTH AND EAST, AND MARY H. & E.C. LONG (PER DEED BOOK 7828, PAGE 170) TO THE SOUTH AND WEST; THENCE ALONG SAID DIVISION LINE THE FOLLOWING COURSES AND DISTANCES: N 01°55'59" E A DISTANCE OF 172.55 FEET TO A 1" REBAR FOUND AND N 84°56'21" W A DISTANCE OF 175.31 FEET TO A CORNER MONUMENT SET ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF S.R. 141 (MEDLOCK BRIDGE ROAD) (VARIABLE RIGHT-OF-WAY); THENCE ALONG SAID RIGHT-OF-WAY LINE AND FOLLOWING THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 553.53 FEET (SAID ARC BEING SUBTENDED BY A RADIUS OF 5789.58 FEET AND A CHORD OF N 27°42'54" E A DISTANCE OF 553.32 FEET) TO A CORNER MONUMENT SET AT THE SOUTHWESTERLY END OF THE MITERED RIGHT-OF-WAY LINE COMMON TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF S.R. 141 (MEDLOCK BRIDGE ROAD) (VARIABLE RIGHT-OF-WAY) AND THE SOUTHERLY RIGHT-OF-WAY LINE OF BELL ROAD (60 FOOT RIGHT-OF-WAY); THENCE ALONG SAID MITERED RIGHT-OF-WAY LINE N 75°41'59" E A DISTANCE OF 49.68 FEET TO A CORNER MONUMENT SET; THENCE LEAVING SAID MITERED RIGHT-OF-WAY LINE AND FOLLOWING SAID SOUTHERLY RIGHT-OF-WAY LINE OF BELL ROAD THE FOLLOWING COURSES AND DISTANCES: FOLLOWING THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 264.21 FEET (SAID ARC BEING SUBTENDED BY A RADIUS OF 530.00 FEET AND A CHORD OF S 86°47'32" E A DISTANCE OF 261.49 FEET) TO A POINT AND N 78°55'35" E A DISTANCE OF 59.20 FEET TO A 1/2" REBAR FOUND AT THE DIVISION LINE BETWEEN SAID JSW ENTERPRISES, LLC TO THE WEST AND THE CHURCH OF THE HILLS (PRESBYTERIAN U.S.A.), INC. (PER DEED BOOK 36499, PAGE 376) TO

THE EAST; THENCE ALONG SAID DIVISION LINE THE FOLLOWING COURSES AND DISTANCES: S 13°59'25" E A DISTANCE OF 18.33 FEET TO A 1/2" REBAR FOUND AND S 10°46'57" W A DISTANCE OF 30.37 FEET TO A POINT IN THE APPROXIMATE CENTERLINE OF A CREEK, SAID POINT BEING THE BEGINNING OF AN APPROXIMATE CENTERLINE OF CREEK MEANDER LINE; THENCE ALONG THE SAID CENTERLINE OF CREEK AND DIVISION LINE, SAID CENTERLINE BEING SUBTENDED BY THE FOLLOWING 33 COURSES AND DISTANCES ALONG THE APPROXIMATE CENTERLINE OF CREEK MEANDER LINE: S 23°52'02" E A DISTANCE OF 18.82 FEET, S 09°54'51" W A DISTANCE OF 43.40 FEET, S 54°27'50" E A DISTANCE OF 15.10 FEET, S 36°58'36" E A DISTANCE OF 16.56 FEET, S 33°32'40" W A DISTANCE OF 18.10 FEET, S 16°47'06" E A DISTANCE OF 14.19 FEET, S 18°09'42" W A DISTANCE OF 25.58 FEET, S 25°36'41" W A DISTANCE OF 34.71 FEET, S 11°43'04" W A DISTANCE OF 22.53 FEET, S 57°55'31" W A DISTANCE OF 14.06 FEET, S 11°05'35" E A DISTANCE OF 23.64 FEET, S 59°21'22" W A DISTANCE OF 30.41 FEET, S 33°23'51" W A DISTANCE OF 22.42 FEET, S 22°57'29" W A DISTANCE OF 61.46 FEET, S 81°28'19" W A DISTANCE OF 15.43 FEET, S 16°51'53" W A DISTANCE OF 50.19 FEET, S 02°57'10" E A DISTANCE OF 18.27 FEET, S 35°51'52" E A DISTANCE OF 28.37 FEET, S 13°44'36" W A DISTANCE OF 23.71 FEET, S 27°23'45" W A DISTANCE OF 11.91 FEET, S 58°09'51" E A DISTANCE OF 23.11 FEET, S 15°14'08" E A DISTANCE OF 14.80 FEET, S 59°01'13" W A DISTANCE OF 12.98 FEET, S 04°02'27" W A DISTANCE OF 57.54 FEET, S 51°25'33" W A DISTANCE OF 36.14 FEET, S 25°30'38" W A DISTANCE OF 26.37 FEET, S 01°05'50" W A DISTANCE OF 11.41 FEET, S 46°08'32" W A DISTANCE OF 31.28 FEET, S 03°19'54" W A DISTANCE OF 16.70 FEET, S 79°10'22" E A DISTANCE OF 29.32 FEET, S 02°48'11" E A DISTANCE OF 23.58 FEET, S 17°33'10" W A DISTANCE OF 19.71 FEET AND S 00°24'53" E A DISTANCE OF 16.66 FEET TO A POINT AT THE END OF SAID MEANDER LINE AND ON THE DIVISION LINE BETWEEN SAID JSW ENTERPRISES, LLC TO THE NORTH AND UNIT 2 OF THE RESERVE AT FOXDALE SUBDIVISION TO THE SOUTH, SAID LINE ALSO BEING THE APPROXIMATE LAND LOT LONE COMMON TO LAND LOTS 371 & 372 OF THE 1ST DISTRICT, 1ST SECTION, FULTON COUNTY, GEORGIA; THENCE ALONG SAID DIVISION LINE AND APPROXIMATE LAND LOT LINE S 89°57'09" W A DISTANCE OF 67.63 FEET BACK TO THE POINT OF BEGINNING.

CONTAINING 288,111 SQUARE FEET OR 6.614 ACRES AS SHOWN ON ALTA/ACSM LAND TITLE SURVEY PREPARED BY LECRAW ENGINEERING FOR NORSOUTH DEVELOPMENT COMPANY OF GEORGIA, LLC AND CHICAGO TITLE INSURANCE COMPANY, DATED 6/29/2015.

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5185 Peachtree Parkway, Suite 240
 Norcross, Georgia 30092
 o | 770.368.1399
 f | 770.368.1944
 w | www.fg-inc.net

Trip Generation Memo:

RE: Bell Road – Johns Creek, GA

Project Description:

A trip generation was performed for a proposed development in Johns Creek, GA. The proposed development will be located at the intersection of Bell Road and Medlock Bridge Road. The development is anticipated to consist of a 170 unit Senior Living Building, a 2,000 square foot bistro, and a 350 square foot yoga studio.

Trip Generation and Distribution:

A trip generation was performed for a 170 unit Senior Living Building (senior adult housing – attached), a 2,000 square foot bistro (quality restaurant), and a 350 square foot yoga studio, using ITE’s Trip Generation Manual, 9th Edition (2012). The results show that there will be an additional 36 vehicles in the AM peak hour and an additional 58 vehicles in the PM peak hour. The tabulated data including equations used are shown in Table 1 below.

Due to the size of the yoga studio and limitations of the ITE Trip Generation Manual, a trip generation was estimated for the proposed yoga studio. After researching the average yoga studio class size and duration, it was assumed that the average class size accounts for 50”x100” per student, with an estimated one hour class duration. It was assumed that there would be approximately seven classes per day, with an even daily distribution.

Table 1: Trip Generation

Project Land Use	Project Density	Project Trips			ITE Code	Variable	Equation Used ¹	In/Out Distribution
		Total	Inbound	Outbound				
Senior Adult Housing - Attached	170 DU				220	DU		
	Daily	528	264	264			$T = 2.98(X) + 21.05$	50% / 50%
	AM Peak Hour	34	12	22			$T = 0.20(X) - 0.13$	34% / 66%
	PM Peak Hour	42	23	19			$T = 0.24(X) + 1.64$	54% / 46%
Quality Restaurant	2,000 S.F.				931	1,000 S.F.		
	Daily	180	90	90			$T = 89.95(X)$	50% / 50%
	AM Peak Hour	2	1	1			$T = 0.81(X)$	50% / 50%
	PM Peak Hour	15	9	6			$T = 7.49(X)$	67% / 33%
Yoga Studio	350 S.F.				492	1,000 S.F.		
	Daily	141	71	70			**	50% / 50%
	AM Peak Hour	20	10	10			**	50% / 50%
	PM Peak Hour	20	10	10			**	50% / 50%
TOTAL GROUP TRIPS					220	Senior Adult Housing - Attached		
	Daily	849	425	424	931	Quality Restaurant		
	AM Peak Hour	56	23	33	492	Yoga Studio		
	PM Peak Hour	77	42	35				

Note:¹ Where: T = Trips; X = Density by Variable

** Yoga Studio trips are based on an estimated class size of 50”x100” per student, and 7 classes per day, assuming 1 hour long classes and a even distribution throughout the day

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Trip Generation - Bell Road - Johns Creek, GA



Calculation of Anticipated Project Trips

Based upon methodology from ITE's *Trip Generation Manual*, 9th Edition (2012)

Copyright 2014, Foresite Group, Inc.

Project Land Use	Project Density	Project Trips			ITE Code	Variable	Equation Used ¹	In/Out Distribution
		Total	Inbound	Outbound				
Senior Adult Housing - Attached	170 DU				220	DU		
	Daily	528	264	264			$T = 2.98(X) + 21.05$	50% / 50%
	AM Peak Hour	34	12	22			$T = 0.20(X) - 0.13$	34% / 66%
	PM Peak Hour	42	23	19			$T = 0.24(X) + 1.64$	54% / 46%
Quality Restaurant	2,000 S.F.				931	1,000 S.F.		
	Daily	180	90	90			$T = 89.95(X)$	50% / 50%
	AM Peak Hour	2	1	1			$T = 0.81(X)$	50% / 50%
	PM Peak Hour	15	9	6			$T = 7.49(X)$	67% / 33%
Yoga Studio	350 S.F.				492	1,000 S.F.		
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** Yoga Studio trips are based on an estimated class size of 50"x100" per student, and 7 classes per day, assuming 1 hour long classes and a even distribution throughout the day

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

Batch ID: JHNCMNJ 8/04/15 01 Receipt no: 14365

Year	Number	Type	SvcCd	Description	Amount
2015	117	PZ		PLANNING/ZONING PAYMENTS	\$2350.00

RZ-15-013 FEE
SUP-15-003 FEE
VARIANCE FEE

Tender detail

CK Ref#:	4463	\$2350.00
Total tendered:		\$2350.00
Total payment:		\$2350.00

Trans date: 8/04/15 Time: 10:51:45

*** THANK YOU FOR YOUR PAYMENT ***



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: 11/4/15

Mayor & Council Date: 11/16/15

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.

Applicant's Printed Name and Signature

Date 8/4/15

Case Number RZ-15-013, SUP-15-003, VC-15-013-01

Deadline date for sign posting by applicant 10/13/15 - 10/19/15 Deadline date for 300 ft mailing by applicant \$ PPR

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.