City of Flowery Branch
City Council Meeting
Thursday, April 01, 2021, 6:00 PM
City of Flowery Branch City Hall
5410 West Pine Street, Flowery Branch GA, 30542

CALL PUBLIC HEARING TO ORDER:

PLEDGE OF ALLEGIANCE:

PUBLIC HEARING:

- Public Hearing to consider a request submitted by Fall Leaf Residential, LLC. to annex and rezone 6495 and 6509 McEver Road with the intent to develop and construct a townhome community.
  Combined Site Plans.pdf
  Combined applications.pdf
  Staff Report.pdf
- A Public Hearing to consider a rezoning application submitted by NNP-Looper Lake, LLC. to rezone tax parcel 15047 000885 from Planned Unit Development (PUD) to Planned Unit Development (PUD) with modified conditions.
  submittal binder 030421.pdf
  Renderings.pdf
  Staff Report SOTL.pdf

NEW BUSINESS -WORK SESSION:

- Public Hearing to consider a request submitted by Fall Leaf Residential, LLC. to annex and rezone 6495 and 6509 McEver Road with the intent to develop and construct a townhome community.
  Combined Site Plans.pdf
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  submittal binder 030421.pdf
  Renderings.pdf
  Staff Report SOTL.pdf
- Consider Beer and Wine License for JP McEver Road located at 5512 McEver Road, Ste. 104.
  JP McEver Road.pdf
- Automated External Defibrillator (AED) Budget Adjustment Request
  EXECUTIVE SUMMARY - AED Budget Adjustment.pdf
  AED Budget Request Form 4-1-2021.pdf
  AED Quote.pdf

DEPARTMENT REPORTS: -

a. City Manager Report

b. City Clerk Report
c. Finance Director Report
d. Planning Department Report
e. Police Report
f. Attorney Report
g. Council Report

ADJOURNMENT WORK SESSION:

VOTING SESSION AGENDA

CALL VOTING SESSION TO ORDER:

PUBLIC COMMENTS: - Please limit to two minutes

CONSENT AGENDA:

- Consider February 18, 2021 Meeting Minutes
  February 18, 2021 Meeting Minutes.pdf
- Consider March 4, 2021 Meeting Minutes
  March 4, 2021 Meeting Minutes.pdf
- Consider March 11, 2021 Special Called Meeting Minutes
  March 11, 2021 Special Called Minutes.pdf
- Consider Beer and Wine License for JP McEver Road located at 5512 McEver Road, Ste. 104.
  JP McEver Road.pdf
- Consider Mayor Mike Miller Per Diem
  Mayor Miller Per Diem.pdf

NEW BUSINESS - VOTING SESSION:

- Automated External Defibrillator (AED) Budget Adjustment Request
  EXECUTIVE SUMMARY - AED Budget Adjustment.pdf
  AED Budget Request Form 4-1-2021.pdf
  AED Quote.pdf

EXECUTIVE SESSION:

ADJOURNMENT:

If you have a disability or impairment and need special assistance please contact the City Clerk prior to the meeting at 770-967-6371 - Meeting agenda is subject to change

FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY

SUBJECT: Public Hearing to consider a request submitted by Fall Leaf Residential, LLC. to annex and rezone 6495 and 6509 McEver Road with the intent to develop and construct a townhome community.

COUNCIL MEETING DATE: April 1, 2021

HISTORY:
The parcels under consideration were previously discussed as part of the annexation request submitted by CA-Ventures that was subsequently denied by Council.

FACTS AND ISSUES:

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:
No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:
No vote at this time.

SAMPLE MOTION:
No action taken at this time.

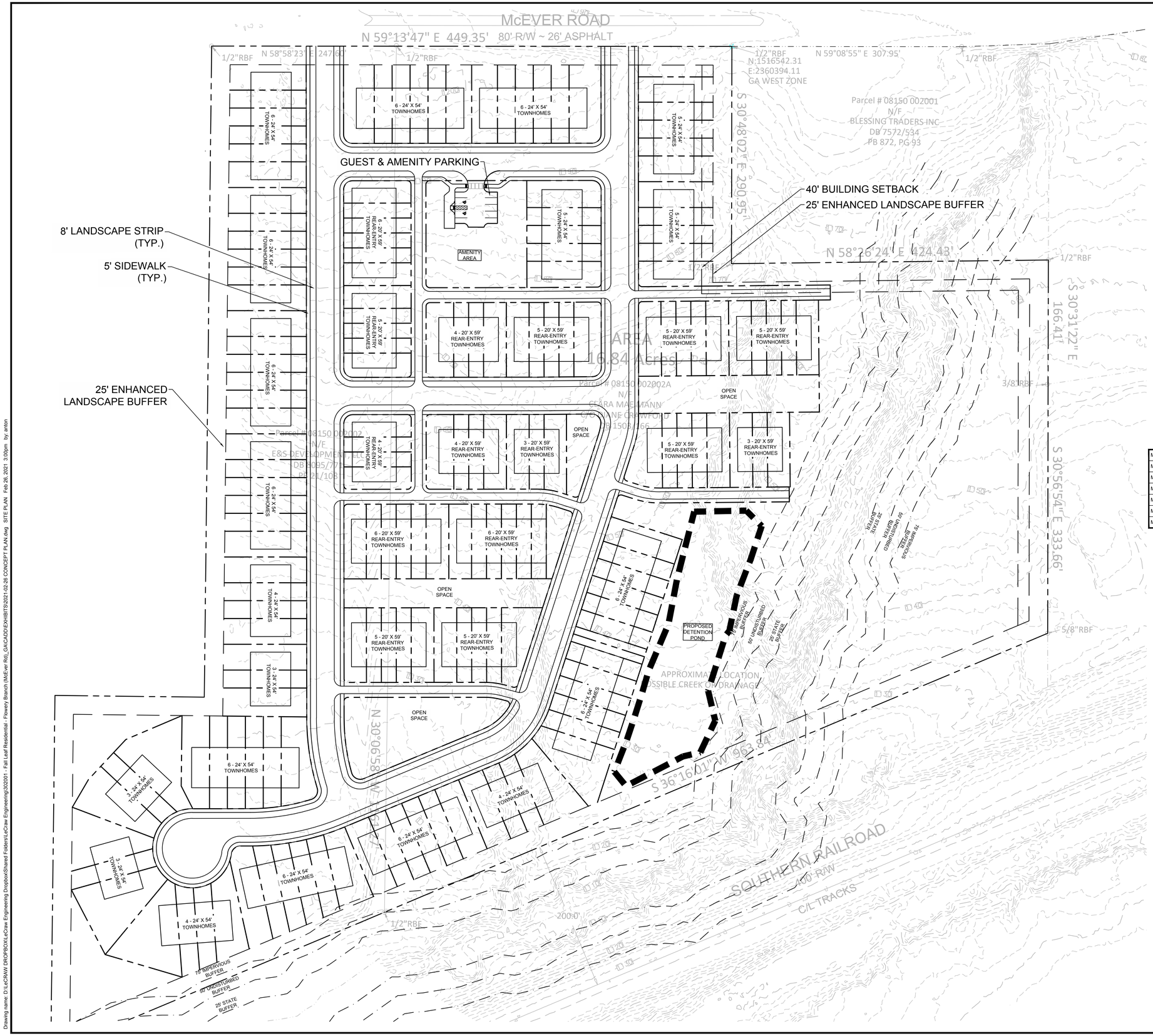
COLLABORATING DEPARTMENT:

DEPARTMENT: Planning

Prepared by: Vickie Short

ATTACHMENTS

- Combined Site Plans.pdf
- Combined applications.pdf
- Staff Report.pdf



LOCATION MAP
NOT TO SCALE

SITE SUMMARY

SITE AREA	
SITE AREA:	25.68 ± ACRES (1,118,621 S.F.)
ZONING CLASSIFICATION	
JURISDICTION:	CITY OF FLOWERY BRANCH
ZONING:	R-3
BUILDING SETBACKS	
FRONT:	25' (FRONT YARD)
SIDE:	10' (40' ABUTTING HB ZONING)
REAR:	20' (REAR YARD)
LOTS SUMMARY	
LOTS PROVIDED:	173
LOT DENSITY:	6.74 UNITS/ACRE
HOUSE SIZE:	(24' x 54') & (20' x 59')

DEVELOPMENT STATISTICS

MAXIMUM BUILDING HEIGHT:	45'	PROPOSED BUILDING HEIGHT:	35'
MAXIMUM DENSITY:	12 UNITS/ACRE (289 UNITS)	PROPOSED DENSITY:	6.74 UNITS/ACRE (173 UNITS)
MINIMUM HEATED FLOOR AREA:	1,000 S.F.	PROPOSED HEATED FLOOR AREA:	1,600 S.F.
MINIMUM LOT SIZE:	10,000 S.F.	PROPOSED MINIMUM LOT SIZE:	2,100 S.F.
MINIMUM LANDSCAPED AREA:	15% (167,793 S.F.)	PROPOSED LANDSCAPED AREA:	21% (230,517 S.F.)
MINIMUM PARKING COUNT:	346 (ENCLOSED)	PROPOSED PARKING COUNT:	346 (ENCLOSED)
MAXIMUM PARKING COUNT:	692		9 (GUEST & AMENITY PARKING)

DEVELOPMENT STATISTICS NOTES:

1. COLOR RENDERINGS HAVE BEEN SUBMITTED BY THE APPLICANT
2. MATERIALS FOR THE EXTERIOR OF THE HOMES WILL BE PRIMARILY CEMENT BASED SIDING SUCH AS HARDIPLANK (95%) WITH BRICK AND STONE ACCENTS.

CONCEPT PLAN DISCLAIMER:

1. THE CONCEPT REPRESENTED HEREIN IDENTIFIES A SCHEMATIC DESIGN RESULTING FROM LAYOUT PREFERENCES IDENTIFIED BY THE CLIENT COUPLED WITH A PRELIMINARY REVIEW OF ZONING AND LAND DEVELOPMENT REQUIREMENTS. THE FEASIBILITY OF THIS PLAN WITH RESPECT TO OBTAINING CITY, COUNTY, STATE AND OTHER APPLICABLE APPROVALS IS NOT WARRANTED AND CAN ONLY BE ASSESSED AFTER FURTHER EXAMINATION OF THE SITE AND VERIFICATION OF THE ZONING ORDINANCES AND DEVELOPMENT REGULATIONS ALONG WITH PROCUREMENT OF APPROPRIATE JURISDICTIONAL APPROVALS.
2. THIS CONCEPT PLAN IS PREPARED FOR CONCEPTUAL PRESENTATION PURPOSES ONLY AND IS NOT INTENDED FOR UTILIZATION AS A ZONING AND/OR CONSTRUCTION DOCUMENT. THE EXISTING CONDITIONS SHOWN HEREON ARE BASED UPON AVAILABLE INFORMATION THAT WAS SUPPLIED AT THE TIME OF PLAN PREPARATION AND MAY BE SUBJECT TO CHANGE UPON THE AVAILABILITY OF ADDITIONAL INFORMATION.
3. THIS CONCEPT PLAN WAS PREPARED WITHOUT BENEFIT OF A CURRENT SURVEY, GEOTECHNICAL AND/OR ENVIRONMENTAL INVESTIGATION, JURISDICTIONAL DELINEATION OR ARBORIST REPORT. THE LOCATION OF ANY JURISDICTIONAL WATERS, WETLANDS, UNDERGROUND UTILITIES AND/OR SPECIMEN TREES HAS NOT BEEN TAKEN INTO ACCOUNT.

PREPARED IN THE OFFICE OF:
LECRAW ENGINEERING
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DULUTH, GA 30096
PHONE - 678.546.8100
FAX - 770.441.0298
WWW.LECRAWENGINEERING.COM
PE1400788

REV. #	DATE	DRAWN BY:	CHECKED BY:

CLIENT
FALL LEAF RESIDENTIAL
6435 SHILOH ROAD SUITE 100, ALPHARETTA, GA 30005

PROJECT
MCEVER ROAD PROPERTY
FLOWERY BRANCH, GEORGIA

SEAL:
PRELIMINARY 02/26/21

DESIGN TEAM:

DRAWN BY:	AMK
DESIGNED BY:	AMK
REVIEWED BY:	JSW

811 Know what's below. Call before you dig.

SCALE & NORTH ARROW:
NORTH ARROW
0' 30' 60' 120'
SCALE: 1"=60'

JOB #:	302001
DATE:	02/26/2021

CONCEPT SITE PLAN
CS-1

Drawing name: D:\LeCRAW DROPBOX\LeCraw Engineering Dropbox\Shared Folders\LeCraw Engineering\302001 - Fall Leaf Residential - Flowery Branch (McEver Rd)_GA\CADD\EXHIBITS\2021-02-26 CONCEPT PLAN.dwg SITE PLAN Feb 26, 2021 3:00pm by: anton

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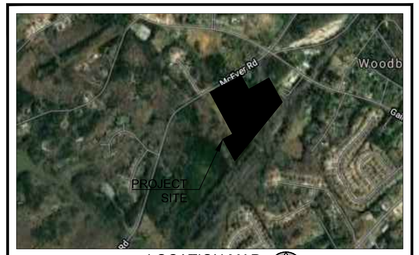

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PE1500168

REV. #	DATE	DRAWN BY:	CHECKED BY:

CLIENT
FALL LEAF RESIDENTIAL
6435 SHILOH ROAD SUITE 100, ALPHARETTA, GA 30005

PROJECT
MCEVER ROAD PROPERTY
FLOWERY BRANCH, GEORGIA

SEAL:

PRELIMINARY 03/01/21

DESIGN TEAM:

DRAWN BY:	AMK
DESIGNED BY:	AMK
REVIEWED BY:	JSW

811 Know what's below. Call before you dig.

SCALE & NORTH ARROW:

NORTH ARROW

0' 40' 80' 160'
SCALE: 1"=80'

JOB #:	302001
DATE:	03/01/2021

CONCEPT SITE PLAN

CS-1

Drawing name: C:\Users\antonio.khalil\LeCraw Engineering Dropbox\Shared Folders\LeCraw Engineering\302001 - Fall Leaf Residential - Flowery Branch (McEver Rd)_GA\CAD\DEKHIBITS\2021-02-26 CONCEPT PLAN.dwg SITE PLAN Mar 01, 2021 3:37pm by: antonio.khalil

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Flowery Branch

ANNEXATION APPLICATION

Date: _____

Address of Request: 6495 MCEVER ROAD

Submitted to the City Clerk per The Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 44; Section 44.4 on

_____

City Clerk Signature_____

Applicant Information

Name: FALL LEAF RESIDENTIAL LLC

Address: 3280 Pointe PKWY SUITE 2300
NORCROSS GA 30092

E-mail address: nbwhitenbw8@gmail.com

Phone number: 404 502 3305

Signature: Nom White

Property owner information (if different than the applicant)

Property owner (please print): ESTATE OF CLARA MAE MANN

Signature of property owner: Diane Mann Crawford - Independent Executrix of the Estate of Clara Mae Mann
By DIANE CRAWFORD

Flowery Branch

Property Information

Tax Map Number: 08150-002002A

Current Zoning: AR111 Total Acres: 16.84

Is this property contiguous to the city-limits of Flowery Branch? Yes

Proposed City of Flowery Branch Zoning: R3

Proposed City of Flowery Branch Character Area: COMMERCIAL

Current Use: Vacant

Per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 36; Does this property potentially require a **DRI** (Development of Regional Impact) study? NO

Voting Rights Act Information

Resident Population: 8,325 Housing Units: 3,296 Other Buildings: ____

Race Population %: White 83.5% Black 8.1% Hispanic 8.7% Other 3%

Please provide the following at time of submittal in (one hard copy and digitally):

- Legal description
- Current survey of property
- Detailed description of request
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)
- Zoning application
- Annexation ≥ 100 acres of land requires an official request to amend the character area and future land use map designation for the subject property
- Names and addresses of adjoining property owners
- Reasons for requesting annexation
- Signed statement authorizing City of Flowery Branch staff and/or City Council to inspect the subject property & authorize City to inspect the property

Alan White

Flowery Branch

Conflict of Interest Disclosure

Identify all members of the City Council of the City of Flowery Branch and Employees of the City of Flowery Branch Community Development Department who

Have a property interest in the real property affected by this request

N/A

Have a financial interest (direct ownership interest) of the total assets or capital stock of a business entity where such ownership interest is more than 10% in any business entity which has a property interest in the real property affected by this request

N/A

Have a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property financial interest as herein defined, in the real property affected by this request

N/A

Disclosure of Campaign Contributions

List below the names of local government officials of the City of Flowery Branch to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total $250.00 or more or to whom gifts were made having a total value of $250.00 or more.

Elected Officials Name	Amount of Description of Gift
N/A	

Disclosure of Campaign Contributions

List below the names of local government officials of the City of Flowery Branch to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total $250.00 or more or to whom gifts were made having a total value of $250.00 or more.

Elected Officials Name	Amount of Description of Gift
N/A	

CITY STAFF ONLY

Application Received By: _____

Date: _____ Total Fee: _____

Flowery Branch

REZONING APPLICATION

Date: _____

Address of Request:
6495 McEVER ROAD

Tax Map # 08150 002 002 A Current Zoning: AR III

Is this site located within the boundaries of the historic district? No

Currently a conforming use? Yes

Any conditions of zoning, CUP's, etc.? No

Applicant Information

Name: FALL LEAF RESIDENTIAL LLC

Address: 3280 Pointe PKWY SUITE 2300
NORCROSS GA 30092

E-mail address: nbwhite nbw8@gmail.com

Phone number: 404 502 3305

Signature: Nam White

Notary:

VINOD K SAGAR
COM. EXP.
NOTARY
PUBLIC
Nov. 11, 2023
FULTON COUNTY, GEORGIA

Vinod K. Sagar
02/09/2021

Flowery Branch

Property owner information (if different than the applicant)

Property owner (please print): Estate of Clara Mae Mann

Signature of property owner: Diane Mann Crawford - Independent Executrix of the Estate of Clara Mae Mann
(By Diane Crawford)

Notary: 1.9.2021

NICOLE EUDY
Notary ID #132787750
My Commission Expires
November 18, 2024

NICOLE EUDY
Notary ID #132787750
My Commission Expires
November 18, 2024

Property Information

Tax Map Number: 08150 002 002A

Current Zoning: AR III Total Acres: 16.84

Is this property located within the city-limits of Flowery Branch? NO

Proposed City of Flowery Branch Zoning: B3

Current Use: VACANT

Please review the Flowery Branch Code of Ordinances, Appendix C, "Zoning Ordinance", Article 34, for complete requirements.

Please provide the following at time of submittal in (one hard copy and digitally):

- Legal description
- Current survey of property

- Site plan shall meet the requirements of the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.5
- Development statistics per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.6
- Analysis requirements per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.7
- Detailed description of request
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)
- Names and addresses of adjoining property owners
- Reasons for requesting rezoning
- Signed statement authorizing City of Flowery Branch staff and/or City Council to inspect the subject property

I authorize the City to inspect the Property

Ann White

Conflict of Interest Disclosure

Identify all members of the City Council of the City of Flowery Branch and Employees of the City of Flowery Branch Community Development Department who

Have a property interest in the real property affected by this request

N/A

Have a financial interest (direct ownership interest) of the total assets or capital stock of a business entity where such ownership interest is more than 10% in any business entity which has a property interest in the real property affected by this request

N/A

Have a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property financial interest as herein defined, in the real property affected by this request

N/A

Disclosure of Campaign Contributions

List below the names of local government officials of the City of Flowery Branch to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total $250.00 or more or to whom gifts were made having a total value of $250.00 or more.

Elected Officials Name	Amount of Description of Gift
N/A	

CITY STAFF ONLY

Application Received By: _____

Date: _____ Total Fee: _____

Flowery Branch

REZONING ADDITIONAL INFORMATION REQUIREMENT

Date: _____

Address of Request: 6495 McEver Road

Tax Map # 08150-002002A Current Zoning: AR111

Please submit an analysis of the proposed project including:

1. Value of improvements upon complete build out. $48,440,000.00
2. Property tax valuation based upon existing millage rate (indicate total tax expectation if project is phased). 48,440,000 x 40% = $19,376,000 x 3.264 mR = $63,243/yr. City Tax
3. Schedule of the total build out (showing a timeline of construction in months/years if project is phased). Begin Construction 1-22 24 month buildout complete 1-24
4. Anticipated total square footage (heated) to be built in the requested number of units. 311,400 SQ.FT.
5. Total acreage developed with units. 19.47 Acres
6. Total acreage for right of way and roads. ROW 4.40A. ROADS 2.19A.
7. Total acreage of open space/common area (include plan for maintenance of open space/common area). 9.86A. HOA will be responsible for Maintenance and upkeep
8. Acreage required for buffer and watershed protection.
   - Does the buffer comply with the current City ordinance? YES
   - Do individual property lines for lots extend into the buffer? NO
   - Does the Developer intend to dedicate any of the site area to the City? If so, for what purpose? NO

Flowery Branch

9. Does your proposal consider Multi Transportation alternatives? (Please describe in detail) NO

10. Please identify all amenities and total number of acres they incorporate by complete description. PASSIVE RECREATION 5.7 Acres

11. Number of street lights and separation table as proposed on your site plan. 10

12. Will Technology Development be included in this development? NO

13. List the total linear feet and cubic yards for sidewalks. 6016 LF 10,026 CY

14. Are appropriate storm water controls provided in your proposal? Are these controls completely and accurately reflected on all drawings and plans? YES

15. Has a transportation/traffic study been done to predict the impact of anticipated traffic? Has the project been reviewed by all appropriate County and State agencies relating to transportation issues? NO

16. Does the proposal provide for utilization of "reuse" water? Is this depicted on the plans? Do the plans provide for storage of "reuse" water? NO

17. What is the total capacity for daily Wastewater Management? 51,900

18. What is the anticipated maximum daily water consumption? Are low flow fixtures required by the development? 51,900

19. Has a slope and grade study been done on this development? Does the study reflect density placement? YES

20. Please identify what public safety needs are being considered for the project? NONE ANTIPATED

21. Has the Hall County School System been notified of the proposed density for this NOT YET project?

22. Please provide a copy of all private covenants and/or architectural guidelines to be filed regarding this development. Architectural Renderings have been submitted. Exterior building materials will consist of cement based siding such as Hardiplank with brick and stone accents.

23. Information as required under Ordinance No. 349 for preliminary plat approval if rezoning involves subdivision. Ordinance No. 349 can be found at www.flowerybanchga.org

CITY STAFF ONLY

Permit Issued By: _____

Date: _____ Total Fee: _____

MCEVER ROAD TOWNHOUSE DEVELOPMENT

Sec. 34.6. - Development Statistics Required.

Applications described in this Article shall submit development statistics and specifications shall at minimum include on the site plan or in written form the information specified in this Section.

(a) Maximum and proposed height of any structure;

The maximum proposed height is 3 stories or 35 feet

(b) Maximum and proposed gross square footage of the building area (nonresidential only);

(c) Color renderings of any proposed structures;

Color renderings of the proposed architectual style have been submitted

(d) Material list (with percentages) of any proposed structures;

Exteriors of the homes will be primarily 95% cement based siding such as Hardiplank with brick and stone accents

(e) Maximum and proposed number of dwelling units and minimum and proposed square footage of heated floor area for any dwelling unit (residential only);

The maximum number of dwelling units allowed is 12 units per acre or 308 units, applicant is proposing 173 units or 6.73 units per acre. Minimum heated floor area allowed is 1,000 square feet, applicant is proposing minimum heated floor area of 1,600 square feet

(f) Maximum and proposed lot coverage of building area (square feet and percent);

Proposed lot coverage is 54% for front entry units or 1296 square feet, lot coverage for rear entry units is 56% or 1180 square feet

(g) Minimum and proposed square footage of landscaped area (square feet and percent);

Minimum landscaped area is 15% or 167,793 square feet, proposed landscaped area is 21% or or 230,517 square feet

(h) Minimum, maximum and proposed number of parking spaces; and

Minimum parking spaces is 346, applicant is proposing 355 parking spaces, 346 garage spaces and 9 guest/mail kiosk spaces

(i) Other dimensional information as may be required by the Zoning Administrator.

Sec. 34.7. - Analysis Requirements.

Applications to amend the official zoning map and applications for conditional uses shall provide a written analysis comparing the proposed action with the criteria in this Section. A zoning map amendment or conditional use application may be justified only if it bears a reasonable relationship to the public health, safety, morality, or general welfare, and after consideration of the analysis requirements which may in individual cases be considered criteria relevant to Zoning Administrator in making recommendations and by the Governing Body in the decision-making process.

(a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The proposed townhouse use is compatible with use and development of nearby property, the adjoining property to the northeast is zoned for commercial uses and the property across McEver Road is zoned for a combination of commercial and townhouse uses

(b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property.

The proposal will not affect the use or useability of nearby properties.

(c) Whether the property to be affected by the proposal can be used in accordance with the existing regulations and has a reasonable economic use as currently zoned.

No, 16 acres of the property is zoned Agriculture and there is no reasonable economic use under said zoning. 8.8 acres of the property is zoned commercial and may have a reasonable use however due to the shape and topo this property has a much more reasonable economic use as a townhouse development.

(d) Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

No, the townhouse use will not be burdensome on existing streets, transportation facilities, utilities or schools

(e) Whether the proposal is in conformity with the policy and intent of the comprehensive plan including but not limited to the character area map and future land use plan map.

This property is shown as commercial on the land use plan, a townhouse use will be less intense than a commercial use therefore the townhouse use would be consistent with the intent of the land use plan.

(f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.

There is a great demand for new residential homes in this area which supports the grounds for approving this application

(g) Existing use(s) and zoning of the subject property and nearby properties.

North vacant commercial and fire station

East Railroad tracts and mixture of commercial and residential

South vacant agriculture

West single family residential and commercial and townhouse at corner of McEver and Gaines Ferry

(h) Existing value of the property under the existing zoning district classification, the extent to which the property value of the subject property is diminished by the existing zoning district, and the value of the property under the proposed zoning district; if such information is provided by the applicant or can be discerned. This consideration may include the length of time the property

has been vacant or unused as currently zoned and efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district classification.

16 acres of this property has been owned by the Mann family for over 50 years, the property is zoned agriculture and has very little value with the current zoning. The 8.8 acres is zoned commercial but due to the shape and topo despite years of effort no commercial user could be found and in fact the only offers have been for a residential use

(i) Whether a proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.

The zoning proposed is less intense than commercial use indicated on the land use plan therefore should have no deterrent to the value or development of adjacent property

(j) The possible creation of an isolated zoning district unrelated to adjacent and nearby districts

No, this will not create an isolated zoning district, as mentioned previously there is a mixed commercial and townhouse now under development across McEver Road, this development along with the adjacent 6 acre commercially zoned tract at the corner of Mcever and Gaines Ferry will also provide a mixed commercial and townhouse development.

(k) Possible effects of the change in zoning district map, or change in use, on the character of a zoning district.

This rezoning will not affect the character of this zoning district

(l) The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality

This development will comply with all Flowery Branch ordinances related to drainage, soil erosion, sedimentation, flooding air and water quality therefore it should have no adverse environmental impact

(m) The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance

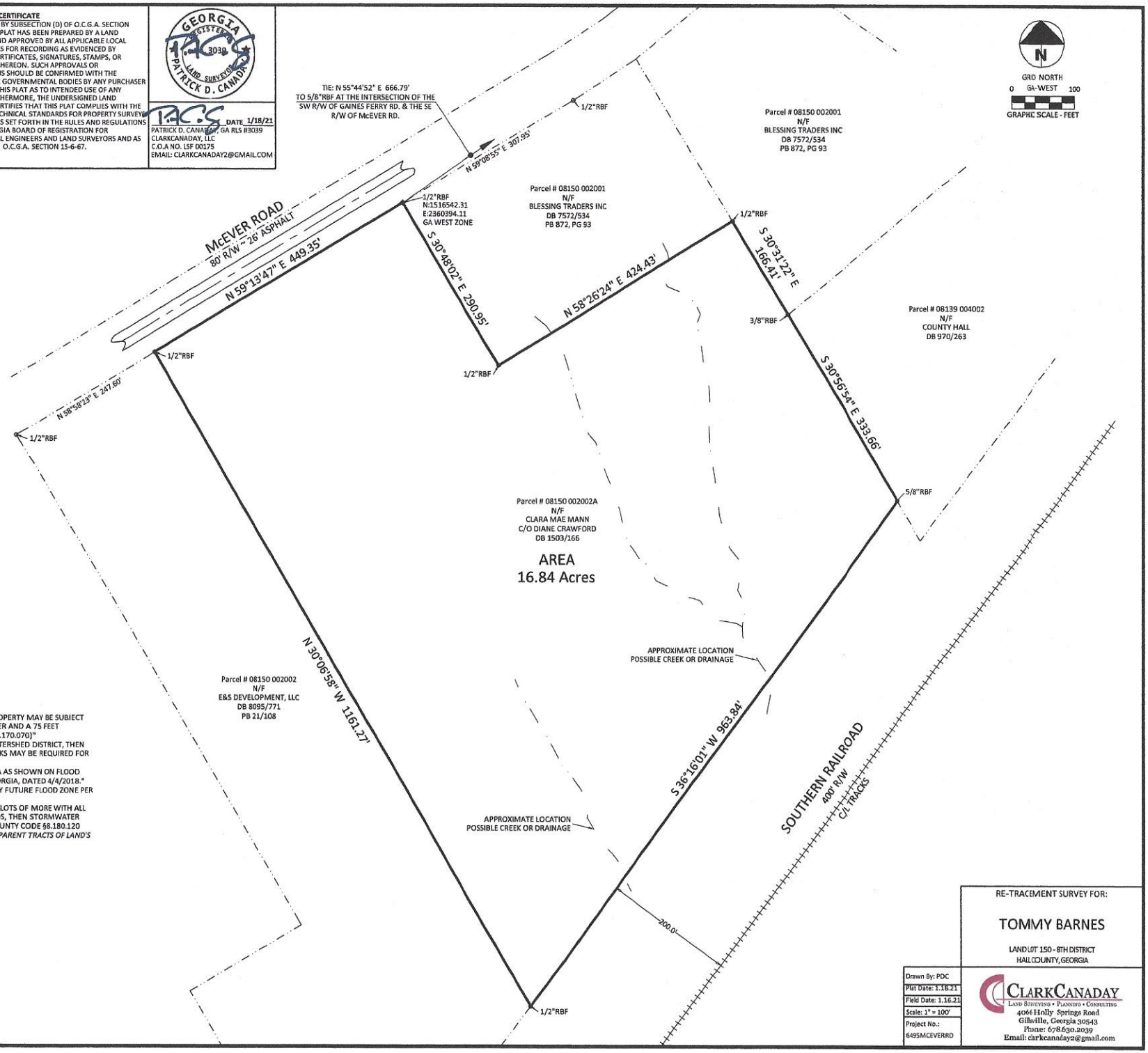
As mentioned before the land use plan shows commercial uses for this property, a townhouse use is less intense therefore applicant believes the zoning proposed is consistent with the overall scheme and purpose of the Zoning Ordinance

SURVEYOR'S CERTIFICATE
AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

GEORGIA REGISTERED 3039 PATRICK D. CANADAY LAND SURVEYOR

PACS DATE 1/18/21
PATRICK D. CANADAY, GA RLS #3039
CLARKCANADAY, LLC
C.O.A NO. LSF 00175
EMAIL: CLARKCANADAY2@GMAIL.COM

RESERVED FOR CLERK OF SUPERIOR COURT RECORDING INFORMATION



SURVEY NOTES:
1.) FIELD DATA: 0.05' AVERAGE HRMS
2.) MEASUREMENTS WERE TAKEN WITH A DUAL FREQUENCY LIECA GS16 GNSS GPS RTK & BASE RECIEVER ON 1.19.21. DISTANCES ARE GROUND.
3.) PLAT PRECISION: 1'/614,137'.
4.) THIS PLAT HAS BEEN DONE FOR THE USE AND PURPOSE OF THE CLIENT ASCRIBED AND CONTRACTED WITH BELOW. ALL OTHER PARTIES ARE SUBSEQUENTLY PUT ON NOTICE AS TO THE LIMITED DEGREE OF RELIANCE UPON THIS PLAT BY THIRD PARTIES.
5.) THE PUBLIC RECORDS REFERENCED HEREON REFLECT THOSE RECORDS NECESSARY TO THE BOUNDARY OF THE SUBJECT PROPERTY. THEY DO NOT CONSTITUTE A TITLE SEARCH. PROPERTY IS SUBJECT TO ALL RIGHT OF WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.
6.) THE NORTH MERIDIAN SHOWN HEREON IS BASED ON GRID NORTH GA WEST OBTAINED BY GPS RTK/BASE METHODS USING THE LIECA SMARTNET NETWORK.

COUNTY NOTES:
1.) "ANY STREAM OR STATE WATER LOCATED ON THIS PROPERTY MAY BE SUBJECT TO A 50 FEET UNDISTURBED NATURAL VEGETATIVE BUFFER AND A 75 FEET IMPERVIOUS SURFACE SETBACK. (HALL COUNTY CODE § 8.170.070)"
2.) "IF PROPERTY IS LOCATED IN THE NORTH OCONEE WATERSHED DISTRICT, THEN ADDITIONAL STREAM BUFFERS AND IMPERVIOUS SETBACKS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE § 17.225.040)"
3.)"PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS SHOWN ON FLOOD INSURANCE RATE MAP #13139C0290G HALL COUNTY GEORGIA, DATED 4/4/2018."
4.) "THIS PROPERTY IS NOT LOCATED IN THE HALL COUNTY FUTURE FLOOD ZONE PER HALL COUNTY GIS."
5.) IF RESIDENTIAL PROPERTY IS SUBDIVIDED INTO SEVEN LOTS OF MORE WITH ALL LOTS ACCESSING EXISTING HALL COUNTY, GEORGIA ROADS, THEN STORMWATER MANAGEMENT IS REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE §8.180.120 AND §8.180.130) *(SURVEYOR TO PROVIDE ALL PREVIOUS PARENT TRACTS OF LAND'S PARCEL IDS)*

LEGEND:
RBF = REBAR FOUND
CTF = CRIMP TOP FOUND
OT = OPEN TOP PIPE
CT = CRIMP TOP PIPE
R/W = RIGHT OF WAY
C/L = CENTERLINE
N/F = NOW OR FORMERLY
DB = DEED BOOK
PB = PLAT BOOK
PS = PLAT SLIDE
-X- = FENCE LINE
P/L = PROPERTY LINE
WM = WATER METER
SSMH = SANITARY SEWER MANHOLE
CO = CLEANOUT
DI = DRAIN INLET
GI = GRATE INLET
CI = CURB INLET
WI = YARD INLET
JB = JUNCTION BOX
B/C = BACK OF CURB
B/L = BUILDING SETBACK LINE
— — — = APPROX. P/L

RE-TRACEMENT SURVEY FOR:

TOMMY BARNES

LAND LOT 150 - 8TH DISTRICT
HALL COUNTY, GEORGIA

Drawn By: PDC	
Plat Date: 1.18.21	
Field Date: 1.16.21	
Scale: 1" = 100'	
Project No.: 6495MCEVERRD	

CLARKCANADAY
LAND SURVEYING • PLANNING • CONSULTING
4066 Holly Springs Road
Gillsville, Georgia 30543
Phone: 678.630.2039
Email: clarkcanaday2@gmail.com

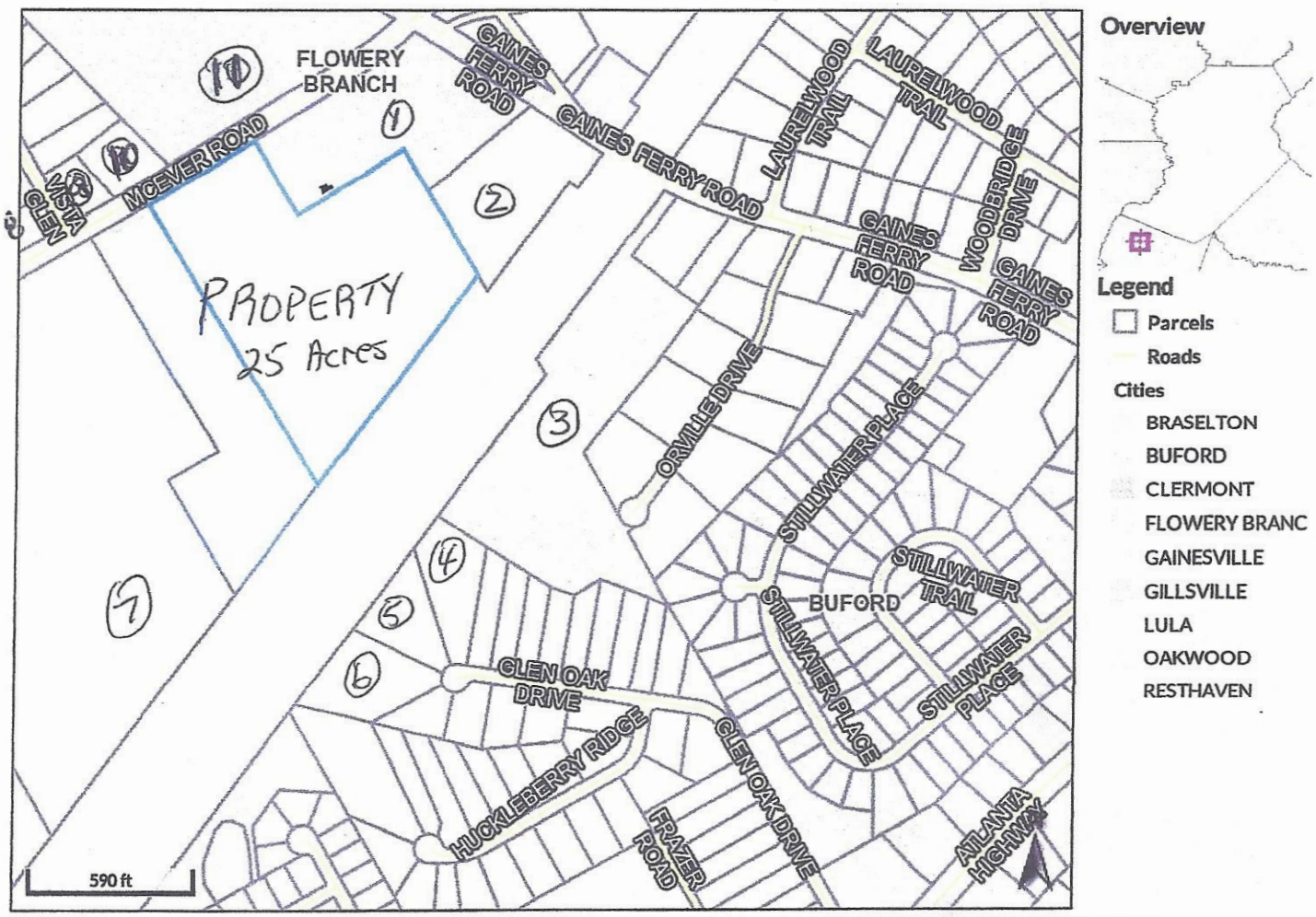
Legal Description 16.84 acres McEver Road

All that tract or parcel of land lying and being in Land Lot 150 of the 8th District, Hall County, Georgia and being more particularly described as Follows:

Beginning at a point on the southeasterly Right of Way Line of McEver Road (80 foot Right of Way) said point being located 666.79 feet southwesterly as measured along the southeasterly Right of Way line of McEver Road from the point marked by the intersection of the southeasterly right of way line of McEver Road with the southwesterly Right of Way line of Gaines Ferry Road (50 foot Right of Way; Thence running South 30°48'02" East 290.95 feet to a point; Thence running North 58°26' 24" East 424.43 feet to a point; Thence running South 30°31'22" East 166.41 feet to a point; Thence running South 30°56'54" East 333.66 feet to a point on the northwesterly right of way line of Southern Railroad (400 foot right of way); thence running South 36°16'01" West along said Southern Railway right of way 963.84 feet to a point; thence running North 30°06' 58" West 1161.27 feet to a point on the southeasterly Right of Way line of McEver Road; Thence running North 59°13'47" East along the southeasterly Right of Way line of McEver Road 449.35 feet to a point and being the Point of Beginning, said property consisting of 16.84 acres.

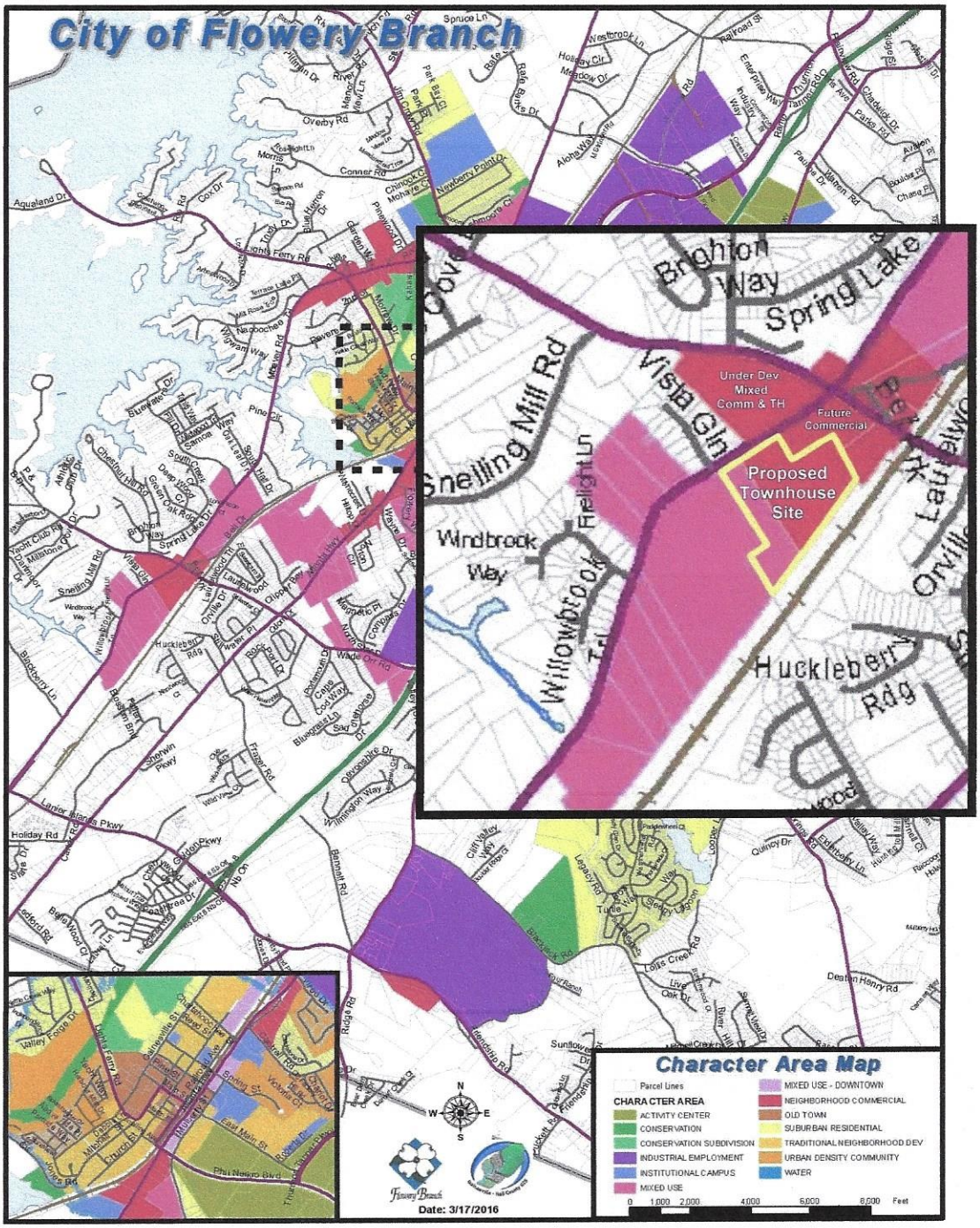
McEver Townhomes - Flowery Branch, GA

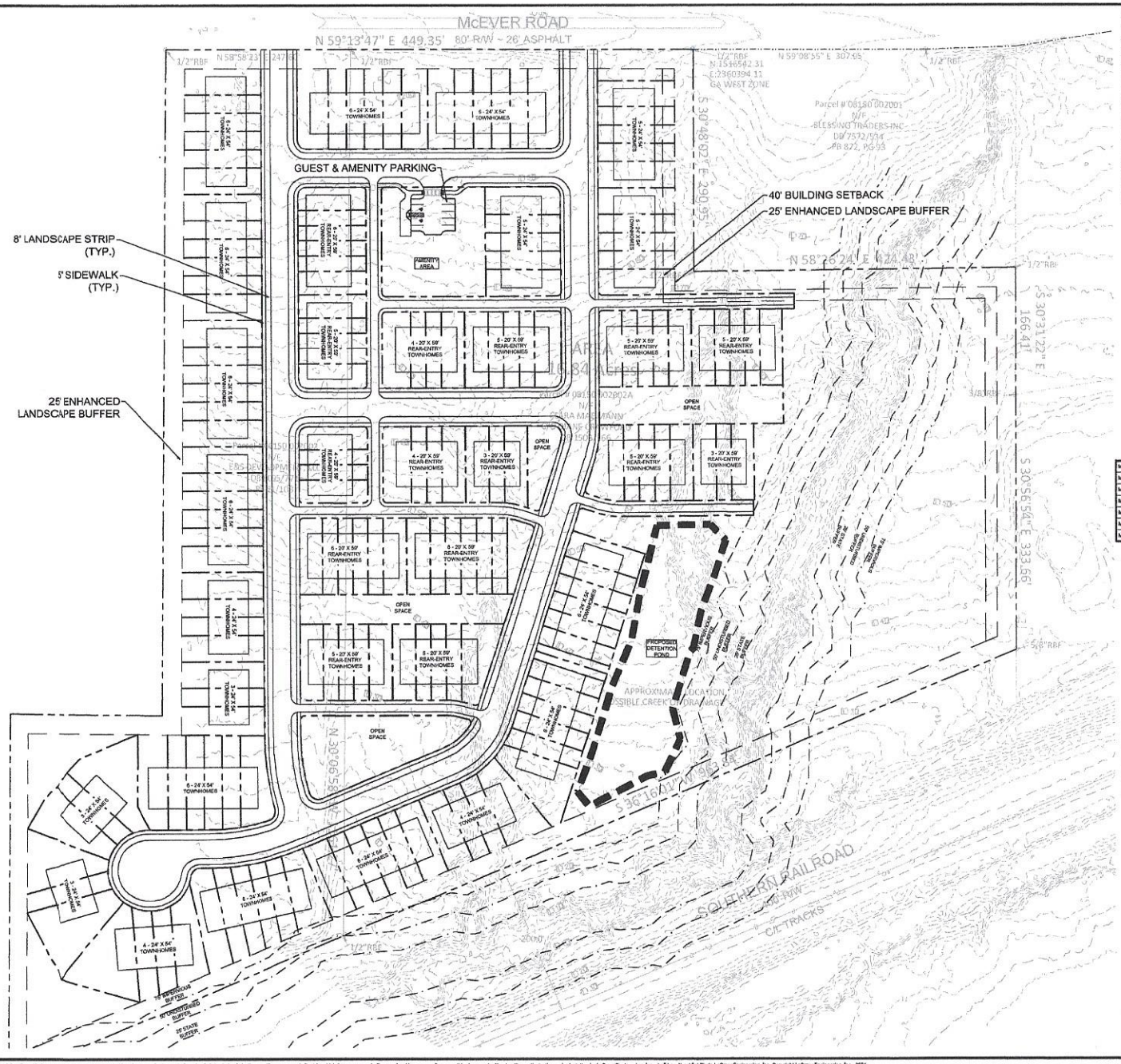
qPublic.net™ Hall County, GA



Adjacent Property Owners Mcever Road

1. Blessing Traders Inc., 1837 Dover Hill Drive, Lawrenceville, Ga. 30043
2. Hall County, P. O. Box 1435, Gainesville Ga. 30503
3. Clarence Westfall, 4850 Golden Parkway, Suite B, Buford. Ga. 30518
4. 4. Mack and donna Simmons, 6204 Glen Oak Drive, Flowery Branch, Ga. 30542
5. Deborah Roberts Rev Trust, 6208 Glen Oaks Drive, Flowery Branch, Ga. 30542
6. George Gillian, 6207 Glen Oaks Drive, Flowery Branch, Ga. 30542
7. Daryll Crow Holdings LLC, 6172 Jim Crow Road, Flowery Branch, Ga. 30542
8. John M. Crevis 111, 6505 Vista Glen, Flowery Branch, Ga. 30542
9. Billy and Shelby Patterson, 6502 Vista Glen, Flowery Branch, Ga. 30542
10. All Awesome Properties LLC, 4411 Suwanee Dam Road, Suite 415, Suwanee, Ga. 30024
11. Sarkar Development Group LLC, C/O Henderson Legal, 1350 Spring Street, Suite 485, Atlanta, Ga. 30309


City of Flowery Branch
Brighton Way
Spring Lake
Vista Gln
Snelling Mill Rd
Under Dev
Mixed
Comm & TH
Future
Commercial
Proposed
Townhouse
Site
Windbrook
Way
Willowbrook
Huckleberry
Rdg
Character Area Map
Parcel Lines
CHARACTER AREA
ACTIVITY CENTER
CONSERVATION
CONSERVATION SUBDIVISION
INDUSTRIAL EMPLOYMENT
INSTITUTIONAL CAMPUS
MIXED USE
MIXED USE - DOWNTOWN
NEIGHBORHOOD COMMERCIAL
OLD TOWN
SUBURBAN RESIDENTIAL
TRADITIONAL NEIGHBORHOOD DEV
URBAN DENSITY COMMUNITY
WATER
0 1,000 2,000 4,000 6,000 8,000 Feet
Date: 3/17/2016



LOCATION MAP
NOT TO SCALE

SITE SUMMARY

SITE AREA	
SITE AREA:	26.88 ± ACRES (1,119,021 S.F.)
ZONING CLASSIFICATION	
JURISDICTION:	CITY OF FLOWERY BRANCH
ZONING:	R-3
BUILDING SETBACKS	
FRONT:	25' (FRONT YARD)
SIDE:	10' (40' ABUTTING HS ZONING)
REAR:	20' (REAR YARD)
LOTS SUMMARY	
LOTS PROVIDED:	173
LOT DENSITY:	6.74 UNITS/ACRE
HOUSE SIZE:	(24' x 54') & (20' x 59')

DEVELOPMENT STATISTICS

MAXIMUM BUILDING HEIGHT:	45'	PROPOSED BUILDING HEIGHT:	35'
MAXIMUM DENSITY:	12 UNITS/ACRE (299 UNITS)	PROPOSED DENSITY:	6.74 UNITS/ACRE (173 UNITS)
MINIMUM HEATED FLOOR AREA:	1,000 S.F.	PROPOSED HEATED FLOOR AREA:	1,600 S.F.
MINIMUM LOT SIZE:	10,000 S.F.	PROPOSED MINIMUM LOT SIZE:	2,100 S.F.
MINIMUM LANDSCAPED AREA:	15% (167,703 S.F.)	PROPOSED LANDSCAPED AREA:	21% (230,517 S.F.)
MINIMUM PARKING COUNT:	346 (ENCLOSED)	PROPOSED PARKING COUNT:	346 (ENCLOSED)
MAXIMUM PARKING COUNT:	692		9 (GUEST & AMENITY PARKING)

DEVELOPMENT STATISTICS NOTES:

1. COLOR RENDERINGS HAVE BEEN SUBMITTED BY THE APPLICANT
2. MATERIALS FOR THE EXTERIOR OF THE HOMES WILL BE PRIMARILY CEMENT BASED SIDING SUCH AS HARDIPLANK (95%) WITH BRICK AND STONE ACCENTS.

CONCEPT PLAN DISCLAIMER:

1. THE CONCEPT REPRESENTED HEREIN IDENTIFIES A SCHEMATIC DESIGN RESULTING FROM LAYOUT PREFERENCES IDENTIFIED BY THE CLIENT COUPLED WITH A PRELIMINARY REVIEW OF ZONING AND LAND DEVELOPMENT REQUIREMENTS. THE FEASIBILITY OF THIS PLAN WITH RESPECT TO OBTAINING CITY, COUNTY, STATE AND OTHER APPLICABLE APPROVALS IS NOT WARRANTED AND CAN ONLY BE ASSESSED AFTER FURTHER EXAMINATION OF THE SITE AND VERIFICATION OF THE ZONING ORDINANCES AND DEVELOPMENT REGULATIONS ALONG WITH PROCUREMENT OF APPROPRIATE JURISDICTIONAL APPROVALS.
2. THIS CONCEPT PLAN IS PREPARED FOR CONCEPTUAL PRESENTATION PURPOSES ONLY AND IS NOT INTENDED FOR UTILIZATION AS A ZONING AND/OR CONSTRUCTION DOCUMENT. THE EXISTING CONDITIONS SHOWN HEREON ARE BASED UPON AVAILABLE INFORMATION THAT WAS SUPPLIED AT THE TIME OF PLAN PREPARATION AND MAY BE SUBJECT TO CHANGE UPON THE AVAILABILITY OF ADDITIONAL INFORMATION.
3. THIS CONCEPT PLAN WAS PREPARED WITHOUT BENEFIT OF A CURRENT SURVEY, GEOTECHNICAL AND/OR ENVIRONMENTAL INVESTIGATION, JURISDICTIONAL DELINEATION OR ARBORIST REPORT. THE LOCATION OF ANY JURISDICTIONAL WATERS, WETLANDS, UNDERGROUND UTILITIES AND/OR SPECIMEN TREES HAS NOT BEEN TAKEN INTO ACCOUNT.

PREPARED IN THE OFFICE OF
LeCRAW ENGINEERING

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3400 CORPORATE WAY
SUITE A
DULUTH, GA 30096
PHONE: 770.441.0300
FAX: 770.441.0306
WWW.LECRAWENGINEERING.COM
PE#5089

REV. #	DATE	DRAWN BY	CHECKED BY

CLIENT
FALL LEAF RESIDENTIAL
6435 SHILOH ROAD SUITE 100, ALPHARETTA, GA 30005

PROJECT
MCEVER ROAD PROPERTY
FLOWERY BRANCH, GEORGIA

SEAL:

PRELIMINARY - NOT FOR CONSTRUCTION

DESIGN TEAM:

DRAWN BY:	AMK
DESIGNED BY:	AMK
REVIEWED BY:	JSW

811 Know what's below. Call before you dig.

SCALE & NORTH ARROW:

NORTH ARROW
0 30 60 120
SCALE 1"=60'

JOB #:	302001
DATE:	02/08/2021

CONCEPT SITE PLAN

CS-1

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by LeCraw Engineering, Inc. shall be without liability to LeCraw Engineering, Inc. Copyright LeCraw Engineering, Inc., 2021

Drawing name: D:\LeCRAW DROPBOX\LeCraw Engineering Dropbox\Shared Folders\LeCraw Engineering\302001 - Fall Leaf Residential - Flowery Branch GA\Civil\CONSTRUCTION\302001-02-08 CONCEPT PLAN.dwg SITE PLAN Feb 08, 2021 1:06pm by: amck

LOCATION MAP
NOT TO SCALE

SITE SUMMARY

SITE AREA	
SITE AREA:	25.68 ± ACRES (1,118,621 S.F.)
ZONING CLASSIFICATION	
JURISDICTION:	CITY OF FLOWERY BRANCH
ZONING:	R-3
BUILDING SETBACKS	
FRONT:	25' (FRONT YARD)
SIDE:	10' (40' ABUTTING HB ZONING)
REAR:	20' (REAR YARD)
LOTS SUMMARY	
LOTS PROVIDED:	173
LOT DENSITY:	6.74 UNITS/ACRE
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MINIMUM LOT SIZE:	10,000 S.F.	PROPOSED MINIMUM LOT SIZE:	2,100 S.F.
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PREPARED IN THE OFFICE OF
LECRAW ENGINEERING
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CONYERS, GA 30094
PHONE - 678.546.9300
FAX - 770.441.0266
WWW.LECRAWENGINEERING.COM
PE#20576

REV. #	DATE	DRAWN BY	CHECKED BY

CLIENT
FALL LEAF RESIDENTIAL
6435 SHILOH ROAD SUITE 100, ALPHARETTA, GA 30005

PROJECT
MCEVER ROAD PROPERTY
FLOWERY BRANCH, GEORGIA

SEAL:

PRELIMINARY - CONCEPT

DESIGN TEAM:

DRAWN BY:	AMK
DESIGNED BY:	AMK
REVIEWED BY:	JSW

811 Know what's below. Call before you dig.

SCALE & NORTH ARROW:

NORTH ARROW
0' 40' 80' 160'
SCALE 1"=80'

JOB #:	302001
DATE:	03/01/2021

CONCEPT SITE PLAN

CS-1

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Drawing name: C:\Users\amanda.kelly\LeCraw Engineering Dropbox\Shared Folders\LeCraw Engineering\302001 - Fall Leaf Residential - Flowery Branch (McEver Rd)_GAC\ACADENG\BIDSET\302001-03-26 CONCEPT PLAN.dwg SITE PLAN Mar 01, 2021 3:37pm by: amanda.kelly

FALL LEAF RESIDENTIAL, LLC
1192 Longcourte Drive
Atlanta, GA 30327

Mayor and City Council
Flowery Branch, Ga. 30534

Re: Annexation/Rezoning Application 25.68 Acres, McEver Road

Please accept this letter outlining the plans for a 25.68 acre tract of land fronting on the east side of McEver Road, just south of Gaines Ferry Road.

This property is currently in Hall County and is zoned HB and AR111 in the County. We are requesting annexation and rezoning to the R3 zoning classification to allow the development of a fee simple townhouse development. The revised site plan we have submitted shows 173 townhouse lots on the 25.7 acre tract for a density of 6.73 units per acre. We have over 38% of the site in buffers and open space, we believe this open space will provide an excellent area for passive recreational uses such as walking trails and a community picnic area. The community will be subject to a Declaration of Covenants and Conditions and each home will be required to be a member. The Homeowners Association will be responsible for the future maintenance and upkeep of all entrance features, open spaces and any amenities.

As mentioned above 8.8 acres of this property is presently zoned for HB in Hall County and the Flowery Branch Land Use Plan shows 16.8 acres of the property designated for future commercial uses and the 8.8 acres designated for mixed use. We believe that our requested townhouse use is a less intense use than what is proposed by the Land Use Plan and therefore appropriate. There is a mixed use commercial and townhouse development now under development at the southwest corner of McEver Road and Gaines Ferry Road directly across McEver from our site. There is a 6 acre tract adjoining this property to the north, at the southeast corner of McEver and Gaines Ferry, that is currently zoned commercial so with this rezoning there will also be a mixed use development at this corner of the intersection. We believe the townhouse use proposed provides a natural transition between this future commercial area and the less dense residential uses to the south.

We have submitted elevations showing the architectural style of the townhomes we are proposing, they will have a farm house look with exterior building materials that will be primarily cement based siding such as Hardiplank with brick and stone accents. We believe this will be an attractive development providing much needed housing for the City of Flowery Branch and hope the City Council will approve our annexation and rezoning.

Sincerely,

Fall Leaf Residential,
LLC Norman White, Manager

Flowery Branch

ANNEXATION APPLICATION

Date: _____

Address of Request:
6509 McEver Road

Submitted to the City Clerk per The Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 44; Section 44.4 on

_____

City Clerk Signature_____

Applicant Information

Name: FALL LEAF RESIDENTIAL LLC

Address: 3280 Pointe PKWY SUITE 2300
NORCROSS GA 30092

E-mail address: nbwhitenbw80@gmail.com

Phone number: 404 502 3305

Signature: Nan White

Property owner information (if different than the applicant)

Property owner (please print): E & S Development LLC

Signature of property owner: _____
Tony Sherman

Flowery Branch

Property Information

Tax Map Number: 0815 000 002

Current Zoning: HB Total Acres: 8.84

Is this property contiguous to the city-limits of Flowery Branch? YES

Proposed City of Flowery Branch Zoning: B3

Proposed City of Flowery Branch Character Area: COMMERCIAL

Current Use: VACANT

Per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 36; Does this property potentially require a **DRI** (Development of Regional Impact) study? NO

Voting Rights Act Information

Resident Population: 8,325 Housing Units: 3296 Other Buildings: ____

Race Population %: White 83.5% Black 8.1% Hispanic 8.7% Other 3%

Please provide the following at time of submittal in (one hard copy and digitally):

- Legal description
- Current survey of property
- Detailed description of request
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)
- Zoning application
- Annexation ≥ 100 acres of land requires an official request to amend the character area and future land use map designation for the subject property
- Names and addresses of adjoining property owners
- Reasons for requesting annexation
- Signed statement authorizing City of Flowery Branch staff and/or City Council to inspect the subject property

I authorize the City to Inspect the Property

Don White

Flowery Branch

Conflict of Interest Disclosure

Identify all members of the City Council of the City of Flowery Branch and Employees of the City of Flowery Branch Community Development Department who

Have a property interest in the real property affected by this request

N/A

Have a financial interest (direct ownership interest) of the total assets or capital stock of a business entity where such ownership interest is more than 10% in any business entity which has a property interest in the real property affected by this request

N/A

Have a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property financial interest as herein defined, in the real property affected by this request

N/A

Disclosure of Campaign Contributions

List below the names of local government officials of the City of Flowery Branch to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total $250.00 or more or to whom gifts were made having a total value of $250.00 or more.

Elected Officials Name	Amount of Description of Gift
N/A	

Disclosure of Campaign Contributions

List below the names of local government officials of the City of Flowery Branch to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total $250.00 or more or to whom gifts were made having a total value of $250.00 or more.

Elected Officials Name	Amount of Description of Gift
N/A	

CITY STAFF ONLY

Application Received By: _____

Date: _____ Total Fee: _____

Flowery Branch

REZONING APPLICATION

Date: _____

Address of Request:
6509 McEver Road

Tax Map # 0815 002 002 Current Zoning: HB

Is this site located within the boundaries of the historic district? No

Currently a conforming use? YES

Any conditions of zoning, CUP's, etc.? NO

Applicant Information

Name: FALL LEAF RESIDENTIAL LLC

Address: 3280 Pointe PKWY SUITE 2300
NORCROSS GA 30092

E-mail address: nbwhitenbw8@gmail.com

Phone number: 404 502 3305

Signature: Nam White

Notary:

VINOD K SAGAR
COM. EXP.
NOTARY
PUBLIC
Nov. 11, 2023
FULTON COUNTY, GEORGIA

Vinod K. Sagar
02/09/2021.

Flowery Branch

Property owner information (if different than the applicant)

Property owner (please print): E.F.S DEVELOPMENT LLC

Signature of property owner: TONY SHERMAN

Notary: Alisa L Kleynen Feb 12, 2021

ALISA L. KLEYNEN NOTARY PUBLIC GWINNETT COUNTY, GEORGIA MY COMM. EXPIRES FEB. 12, 2021

Property Information

Tax Map Number: 0815 002 002

Current Zoning: HB Total Acres: 2.84

Is this property located within the city-limits of Flowery Branch? NO

Proposed City of Flowery Branch Zoning: R3

Current Use: VACANT

Please review the Flowery Branch Code of Ordinances, Appendix C, "Zoning Ordinance", Article 34, for complete requirements.

Please provide the following at time of submittal in (one hard copy and digitally):

- Legal description
- Current survey of property

- Site plan shall meet the requirements of the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.5
- Development statistics per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.6
- Analysis requirements per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.7
- Detailed description of request
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)
- Names and addresses of adjoining property owners
- Reasons for requesting rezoning
- Signed statement authorizing City of Flowery Branch staff and/or City Council to inspect the subject property I authorize the City to inspect the Property

Norma White

Conflict of Interest Disclosure

Identify all members of the City Council of the City of Flowery Branch and Employees of the City of Flowery Branch Community Development Department who

Have a property interest in the real property affected by this request

N/A

Have a financial interest (direct ownership interest) of the total assets or capital stock of a business entity where such ownership interest is more than 10% in any business entity which has a property interest in the real property affected by this request

N/A

Have a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property financial interest as herein defined, in the real property affected by this request

N/A

Flowery Branch

Disclosure of Campaign Contributions

List below the names of local government officials of the City of Flowery Branch to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total $250.00 or more or to whom gifts were made having a total value of $250.00 or more.

Elected Officials Name	Amount of Description of Gift
N/A	

CITY STAFF ONLY

Application Received By: _____

Date: _____ Total Fee: _____

Flowery Branch

REZONING ADDITIONAL INFORMATION REQUIREMENT

Date: _____

Address of Request:
6509 McEver Road

Tax Map # 0815-002-002 Current Zoning: HB

Please submit an analysis of the proposed project including:

1. Value of improvements upon complete build out. $48,440,000.00
2. Property tax valuation based upon existing millage rate (indicate total tax expectation if project is phased). 48,440,000 X 40% = $19,376,000 X 3.264 mR = $63,243/yr. City Tax
3. Schedule of the total build out (showing a timeline of construction in months/years if project is phased). Begin Construction 1-22 24 month buildout complete 1-24
4. Anticipated total square footage (heated) to be built in the requested number of units. 311,400 SQ.FT.
5. Total acreage developed with units. 19.47 Acres
6. Total acreage for right of way and roads. ROW 4.40A. ROADS 2.19A.
7. Total acreage of open space/common area (include plan for maintenance of open space/common area). 9.86A. HOA will be responsible for maintenance and upkeep
8. Acreage required for buffer and watershed protection.
   - Does the buffer comply with the current City ordinance? YES
   - Do individual property lines for lots extend into the buffer? NO
   - Does the Developer intend to dedicate any of the site area to the City? If so, for what purpose? NO

Flowery Branch

9. Does your proposal consider Multi Transportation alternatives? (Please describe in detail) NO

10. Please identify all amenities and total number of acres they incorporate by complete description. PASSIVE RECREATION 5.7 Acres

11. Number of street lights and separation table as proposed on your site plan. 10

12. Will Technology Development be included in this development? NO

13. List the total linear feet and cubic yards for sidewalks. 6016 LF 10,026 CY

14. Are appropriate storm water controls provided in your proposal? Are these controls completely and accurately reflected on all drawings and plans? YES

15. Has a transportation/traffic study been done to predict the impact of anticipated traffic? Has the project been reviewed by all appropriate County and State agencies relating to transportation issues? NO

16. Does the proposal provide for utilization of "reuse" water? Is this depicted on the plans? Do the plans provide for storage of "reuse" water? NO

17. What is the total capacity for daily Wastewater Management? 51,900

18. What is the anticipated maximum daily water consumption? Are low flow fixtures required by the development? 51,900

19. Has a slope and grade study been done on this development? Does the study reflect density placement? YES

20. Please identify what public safety needs are being considered for the project? NONE ANTIPATED

21. Has the Hall County School System been notified of the proposed density for this NOT YET project?

22. Please provide a copy of all private covenants and/or architectural guidelines to be filed regarding this development. Architectural Renderings have been submitted. Exterior building materials will consist of cement based siding such as Hardiplank with brick and stone accents.

23. Information as required under Ordinance No. 349 for preliminary plat approval if rezoning involves subdivision. Ordinance No. 349 can be found at www.flowerybanchga.org

CITY STAFF ONLY

Permit Issued By: _____

Date: _____ Total Fee: _____

Sec. 34.6. - Development Statistics Required.

Applications described in this Article shall submit development statistics and specifications shall at minimum include on the site plan or in written form the information specified in this Section.

(a) Maximum and proposed height of any structure;

The maximum proposed height is 3 stories or 35 feet

(b) Maximum and proposed gross square footage of the building area (nonresidential only);

(c) Color renderings of any proposed structures;

Color renderings of the proposed architectual style have been submitted

(d) Material list (with percentages) of any proposed structures;

Exteriors of the homes will be primarily 95% cement based siding such as Hardiplank with brick and stone accents

(e) Maximum and proposed number of dwelling units and minimum and proposed square footage of heated floor area for any dwelling unit (residential only);

The maximum number of dwelling units allowed is 12 units per acre or 308 units, applicant is proposing 173 units or 6.73 units per acre. Minimum heated floor area allowed is 1,000 square feet, applicant is proposing minimum heated floor area of 1,600 square feet

(f) Maximum and proposed lot coverage of building area (square feet and percent);

Proposed lot coverage is 54% for front entry units or 1296 square feet, lot coverage for rear entry units is 56% or 1180 square feet

(g) Minimum and proposed square footage of landscaped area (square feet and percent);

Minimum landscaped area is 15% or 167,793 square feet, proposed landscaped area is 21% or or 230,517 square feet

(h) Minimum, maximum and proposed number of parking spaces; and

Minimum parking spaces is 346, applicant is proposing 355 parking spaces, 346 garage spaces and 9 guest/mail kiosk spaces

(i) Other dimensional information as may be required by the Zoning Administrator.

Sec. 34.7. - Analysis Requirements.

Applications to amend the official zoning map and applications for conditional uses shall provide a written analysis comparing the proposed action with the criteria in this Section. A zoning map amendment or conditional use application may be justified only if it bears a reasonable relationship to the public health, safety, morality, or general welfare, and after consideration of the analysis requirements which may in individual cases be considered criteria relevant to Zoning Administrator in making recommendations and by the Governing Body in the decision-making process.

(a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The proposed townhouse use is compatible with use and development of nearby property, the adjoining property to the northeast is zoned for commercial uses and the property across McEver Road is zoned for a combination of commercial and townhouse uses

(b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property.

The proposal will not affect the use or useability of nearby properties.

(c) Whether the property to be affected by the proposal can be used in accordance with the existing regulations and has a reasonable economic use as currently zoned.

No, 16 acres of the property is zoned Agriculture and there is no reasonable economic use under said zoning. 8.8 acres of the property is zoned commercial and may have a reasonable use however due to the shape and topo this property has a much more reasonable economic use as a townhouse development.

(d) Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

No, the townhouse use will not be burdensome on existing streets, transportation facilities, utilities or schools

(e) Whether the proposal is in conformity with the policy and intent of the comprehensive plan including but not limited to the character area map and future land use plan map.

This property is shown as commercial on the land use plan, a townhouse use will be less intense than a commercial use therefore the townhouse use would be consistent with the intent of the land use plan.

(f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.

There is a great demand for new residential homes in this area which supports the grounds for approving this application

(g) Existing use(s) and zoning of the subject property and nearby properties.

North vacant commercial and fire station

East Railroad tracts and mixture of commercial and residential

South vacant agriculture

West single family residential and commercial and townhouse at corner of McEver and Gaines Ferry

(h) Existing value of the property under the existing zoning district classification, the extent to which the property value of the subject property is diminished by the existing zoning district, and the value of the property under the proposed zoning district; if such information is provided by the applicant or can be discerned. This consideration may include the length of time the property

has been vacant or unused as currently zoned and efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district classification.

16 acres of this property has been owned by the Mann family for over 50 years, the property is zoned agriculture and has very little value with the current zoning. The 8.8 acres is zoned commercial but due to the shape and topo despite years of effort no commercial user could be found and in fact the only offers have been for a residential use

(i) Whether a proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.

The zoning proposed is less intense than commercial use indicated on the land use plan therefore should have no deterrent to the value or development of adjacent property

(j) The possible creation of an isolated zoning district unrelated to adjacent and nearby districts

No, this will not create an isolated zoning district, as mentioned previously there is a mixed commercial and townhouse now under development across McEver Road, this development along with the adjacent 6 acre commercially zoned tract at the corner of Mcever and Gaines Ferry will also provide a mixed commercial and townhouse development.

(k) Possible effects of the change in zoning district map, or change in use, on the character of a zoning district.

This rezoning will not affect the character of this zoning district

(l) The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality

This development will comply with all Flowery Branch ordinances related to drainage, soil erosion, sedimentation, flooding air and water quality therefore it should have no adverse environmental impact

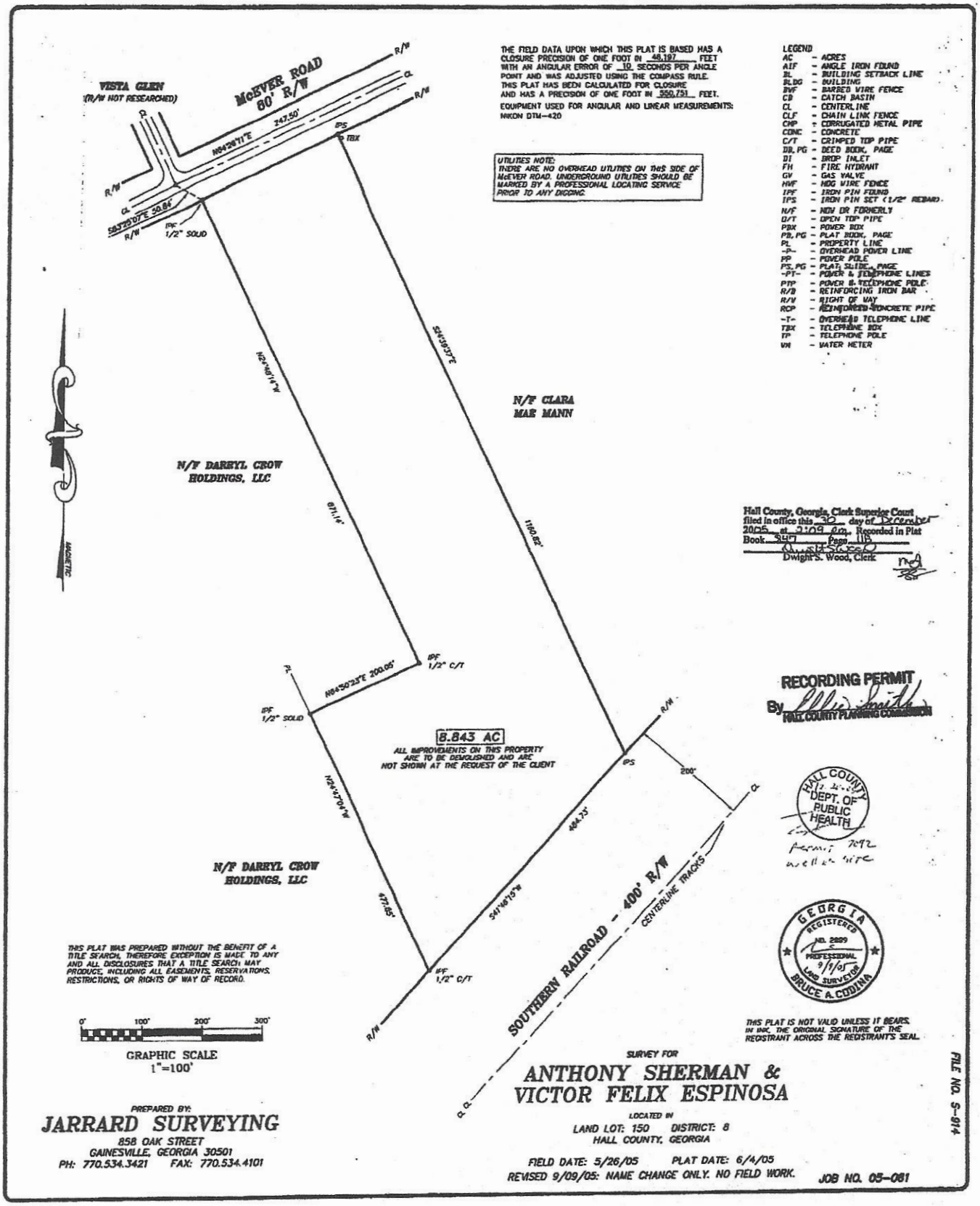
(m) The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance

As mentioned before the land use plan shows commercial uses for this property, a townhouse use is less intense therefore applicant believes the zoning proposed is consistent with the overall scheme and purpose of the Zoning Ordinance

Legal Description 8.843 acres McEver Road

All that tract or parcel of land lying and being in Land Lot 150 of the 8th District, Hall County, Georgia and being more particularly described as Follows:

Beginning at a point on the southeasterly Right of Way Line of McEver Road (80 foot Right of Way) said point being located 1116.14 feet southwesterly as measured along the southeasterly Right of Way line of McEver Road from the point marked by the intersection of the southeasterly right of way line of McEver Road with the southwesterly Right of Way line of Gaines Ferry Road (50 foot Right of Way); Thence running South 24°39'37" East 1160.82 feet to a point on the northwesterly right of way line of Southern Railroad (400 foot right of way); thence running South 41°46'15" West along said Southern Railway right of way 484.73 feet to a point; thence running North 24°47' 04" West 477.85 feet to a point; Thence running North 64°50'23" East 200.05 feet to a point; Thence running North 24°48'14" West 871.14 feet to a point on the southeasterly Right of Way line of McEver Road; Thence running North 64° 26'11" East along the southeasterly Right of Way line of McEver Road 247.50 feet to a point and being the Point of Beginning, said property consisting of 8.843 acres.



THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 46,197 FEET WITH AN ANGULAR ERROR OF 10 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS A PRECISION OF ONE FOOT IN 950,751 FEET.

EQUIPMENT USED FOR ANGULAR AND LINEAR MEASUREMENTS: NIKON DTM-420

UTILITIES NOTE:
THERE ARE NO OVERHEAD UTILITIES ON THIS SIDE OF McEVER ROAD. UNDERGROUND UTILITIES SHOULD BE MARKED BY A PROFESSIONAL LOCATING SERVICE PRIOR TO ANY DIGGING.

LEGEND
AC - ACRES
AIF - ANGLE IRON FOUND
BL - BUILDING SETBACK LINE
BLDG - BUILDING
BWF - BARBED WIRE FENCE
CB - CATCH BASIN
CL - CENTERLINE
CLF - CHAIN LINK FENCE
CMP - CORRUGATED METAL PIPE
CONC - CONCRETE
C/T - CRIMPED TOP PIPE
DB, PG - DEED BOOK, PAGE
DI - DROP INLET
FH - FIRE HYDRANT
GV - GAS VALVE
HWF - HOG WIRE FENCE
IPF - IRON PIN FOUND
IPS - IRON PIN SET (1/2" REBAR)
N/F - NOW OR FORMERLY
O/T - OPEN TOP PIPE
PBX - POWER BOX
PB, PG - PLAT BOOK, PAGE
PL - PROPERTY LINE
-P- - OVERHEAD POWER LINE
PP - POWER POLE
PS, PG - PLAT, SLIDE, PAGE
-PT- - POWER & TELEPHONE LINES
PTP - POWER & TELEPHONE POLE
R/B - REINFORCING IRON BAR
R/W - RIGHT OF WAY
RCP - REINFORCED CONCRETE PIPE
-T- - OVERHEAD TELEPHONE LINE
TBX - TELEPHONE BOX
TP - TELEPHONE POLE
WM - WATER METER

Hall County, Georgia, Clerk Superior Court filed in office this 30 day of December 2005 at 3:09 p.m. Recorded in Plat Book 3109 Page 118
Dwight S. Wood, Clerk

RECORDING PERMIT
By Ellis Smith
HALL COUNTY PLANNING COMMISSION

HALL COUNTY DEPT. OF PUBLIC HEALTH
Permit 7092
well site

GEORGIA REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2889 9/1/05 BRUCE A. CODINA

THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH, THEREFORE EXCEPTION IS MADE TO ANY AND ALL DISCLOSURES THAT A TITLE SEARCH MAY PRODUCE, INCLUDING ALL EASEMENTS, RESERVATIONS, RESTRICTIONS, OR RIGHTS OF WAY OF RECORD.

THIS PLAT IS NOT VALID UNLESS IT BEARS IN INK, THE ORIGINAL SIGNATURE OF THE REGISTRANT ACROSS THE REGISTRANT'S SEAL.

SURVEY FOR
ANTHONY SHERMAN & VICTOR FELIX ESPINOSA

LOCATED IN
LAND LOT: 150 DISTRICT: 8
HALL COUNTY, GEORGIA

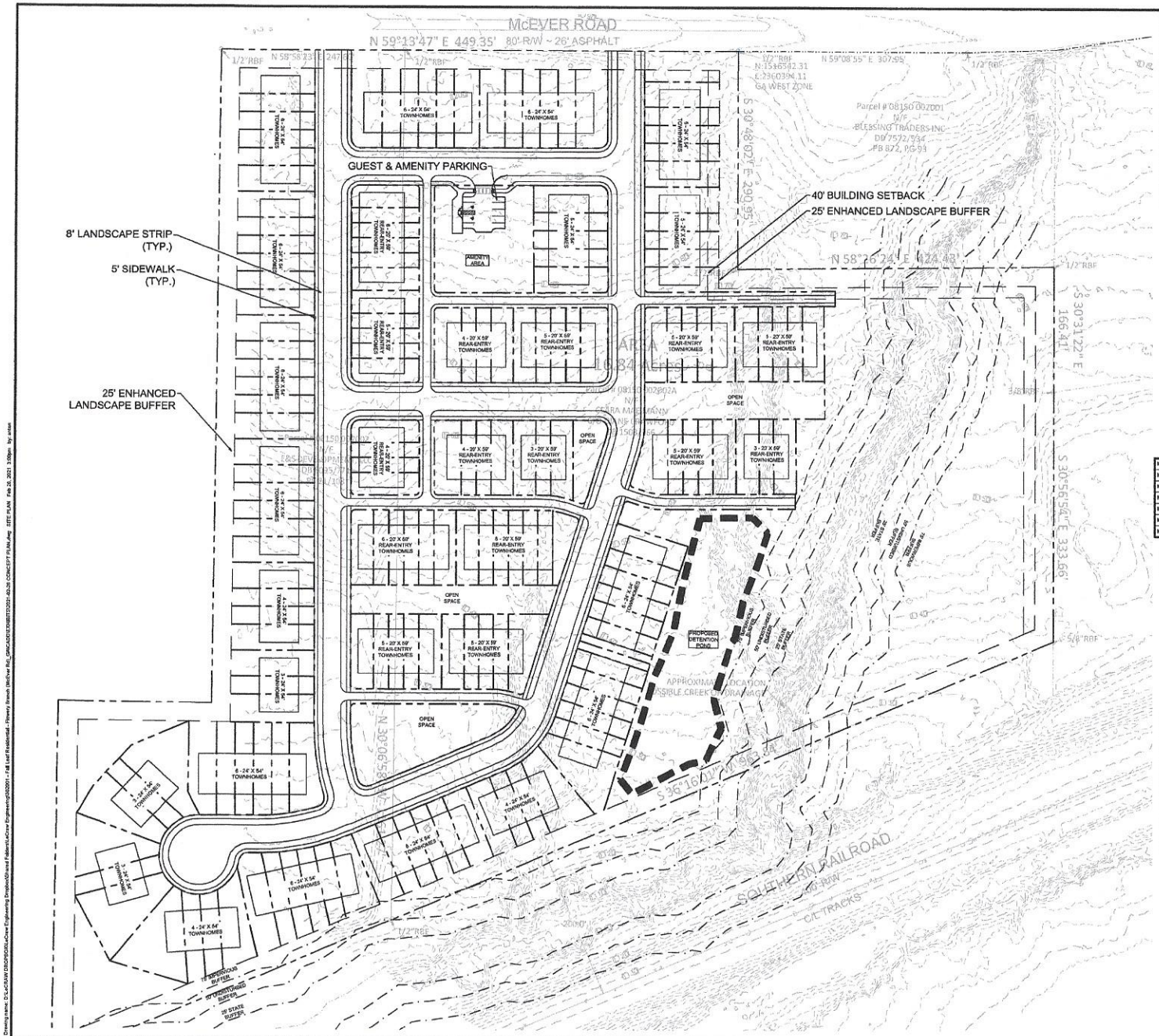
FIELD DATE: 5/26/05 PLAT DATE: 6/4/05
REVISED 9/09/05: NAME CHANGE ONLY. NO FIELD WORK.

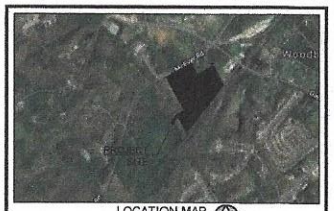
JOB NO. 05-081

FILE NO. S-914

PREPARED BY:
JARRARD SURVEYING
858 OAK STREET
GAINESVILLE, GEORGIA 30501
PH: 770.534.3421 FAX: 770.534.4101

McEver Townhomes - Flowery Branch, GA





SITE SUMMARY

SITE AREA	
SITE AREA:	25.68 ± ACRES (1,119,621 S.F.)
ZONING CLASSIFICATION	
JURISDICTION:	CITY OF FLOWERY BRANCH
ZONING:	R-3
BUILDING SETBACKS	
FRONT:	25' (FRONT YARD)
SIDE:	10' (40' ABUTTING HB ZONING)
REAR:	20' (REAR YARD)
LOTS SUMMARY	
LOTS PROVIDED:	173
LOT DENSITY:	6.74 UNITS/ACRE
HOUSE SIZE:	(24' x 54') & (20' x 50')

DEVELOPMENT STATISTICS

MAXIMUN BUILDING HEIGHT:	45'	PROPOSED BUILDING HEIGHT:	35'
MAXIMUN DENSITY:	12 UNITS/ACRE (289 UNITS)	PROPOSED DENSITY:	6.74 UNITS/ACRE (173 UNITS)
MINIMUN HEATED FLOOR AREA:	1,000 S.F.	PROPOSED HEATED FLOOR AREA:	1,600 S.F.
MINIMUN LOT SIZE:	10,000 S.F.	PROPOSED MINIMUM LOT SIZE:	2,100 S.F.
MINIMUN LANDSCAPED AREA:	15% (167,793 S.F.)	PROPOSED LANDSCAPED AREA:	21% (230,517 S.F.)
MINIMUN PARKING COUNT:	346 (ENCLOSED)	PROPOSED PARKING COUNT:	346 (ENCLOSED)
MAXIMUN PARKING COUNT:	692		9 (GUEST & AMENITY PARKING)

DEVELOPMENT STATISTICS NOTES:

1. COLOR RENDERINGS HAVE BEEN SUBMITTED BY THE APPLICANT
2. MATERIALS FOR THE EXTERIOR OF THE HOMES WILL BE PRIMARILY CEMENT BASED SIDING SUCH AS HARDIPLANK (95%) WITH BRICK AND STONE ACCENTS.

CONCEPT PLAN DISCLAIMER:

1. THE CONCEPT REPRESENTED HEREIN IDENTIFIES A SCHEMATIC DESIGN RESULTING FROM LAYOUT PREFERENCES IDENTIFIED BY THE CLIENT COUPLED WITH A PRELIMINARY REVIEW OF ZONING AND LAND DEVELOPMENT REQUIREMENTS. THE FEASIBILITY OF THIS PLAN WITH RESPECT TO OBTAINING CITY, COUNTY, STATE AND OTHER APPLICABLE APPROVALS IS NOT WARRANTED AND CAN ONLY BE ASSESSED AFTER FURTHER EXAMINATION OF THE SITE AND VERIFICATION OF THE ZONING ORDINANCES AND DEVELOPMENT REGULATIONS ALONG WITH PROCUREMENT OF APPROPRIATE JURISDICTIONAL APPROVALS.
2. THIS CONCEPT PLAN IS PREPARED FOR CONCEPTUAL PRESENTATION PURPOSES ONLY AND IS NOT INTENDED FOR UTILIZATION AS A ZONING AND/OR CONSTRUCTION DOCUMENT. THE EXISTING CONDITIONS SHOWN HEREON ARE BASED UPON AVAILABLE INFORMATION THAT WAS SUPPLIED AT THE TIME OF PLAN PREPARATION AND MAY BE SUBJECT TO CHANGE UPON THE AVAILABILITY OF ADDITIONAL INFORMATION.
3. THIS CONCEPT PLAN WAS PREPARED WITHOUT BENEFIT OF A CURRENT SURVEY, GEOTECHNICAL AND/OR ENVIRONMENTAL INVESTIGATION, JURISDICTIONAL DELINEATION OR ARBORIST REPORT. THE LOCATION OF ANY JURISDICTIONAL WATERS, WETLANDS, UNDERGROUND UTILITIES AND/OR SPECIMEN TREES HAS NOT BEEN TAKEN INTO ACCOUNT.

PREPARED BY/RECEIPT DATE OF
LECRAW ENGINEERING
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1145 CONCORD AVENUE
SUITE A
CHARLOTTE, NC 28208
PHONE - 678.546.9100
FAX - 770.461.0298
WWW.LECRAWENGINEERING.COM
PE0400768

REV. #	DESCRIPTION	DATE	DRAWN BY	CHECKED BY

CLIENT
FALL LEAF RESIDENTIAL
6435 SHILOH ROAD SUITE 100, ALPHARETTA, GA 30005

PROJECT
MCEVER ROAD PROPERTY
FLOWERY BRANCH, GEORGIA

SEAL:

PRELIMINARY - NOT FOR CONSTRUCTION

DESIGN TEAM:

DRAWN BY:	AMK
DESIGNED BY:	AMK
REVIEWED BY:	JSW

811 Know what's below. Call before you dig.

SCALE & NORTH ARROW:

NORTH ARROW
0 30' 60' 120'
SCALE: 1"=60'

JOB #: 302001
DATE: 02/26/2021

CONCEPT SITE PLAN

CS-1

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Drawing name: D:\LeCRAW DRIVE\Work\LeCraw Engineering Dropbox\Shared Folders\LeCraw Engineering\302001 - Fall Leaf Residential - Flowery Branch (McEver Rd)_IMPORTED\DWG\302001-CS-01 CONCEPT PLAN.dwg SITE PLAN Feb 26, 2021 3:08pm by: amkim

LOCATION MAP
NOT TO SCALE

SITE SUMMARY

SITE AREA:	
SITE AREA:	25.88 ± ACRES (1,118,021 S.F.)
ZONING CLASSIFICATION	
JURISDICTION:	CITY OF FLOWERY BRANCH
ZONING:	R-3
BUILDING SETBACKS	
FRONT:	35' (FRONT YARD)
SIDE:	10' (40' ABUTTING HB ZONING)
REAR:	30' (REAR YARD)
LOTS SUMMARY	
LOTS PROVIDED:	173
LOT DENSITY:	6.74 UNITS/ACRE
HOUSE SIZE:	(24' x 54') & (28' x 59')

DEVELOPMENT STATISTICS

MAXIMUM BUILDING HEIGHT:	40'	PROPOSED BUILDING HEIGHT:	35'
MAXIMUM DENSITY:	13 UNITS/ACRE (336 UNITS)	PROPOSED DENSITY:	6.74 UNITS/ACRE (173 UNITS)
MINIMUM HEATED FLOOR AREA:	1,000 S.F.	PROPOSED HEATED FLOOR AREA:	1,600 S.F.
MINIMUM LOT SIZE:	10,000 S.F.	PROPOSED MINIMUM LOT SIZE:	2,100 S.F.
MINIMUM LANDSCAPED AREA:	15% (167,703 S.F.)	PROPOSED LANDSCAPED AREA:	21% (230,517 S.F.)
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PREPARED IN THE OFFICE OF
LECRAW ENGINEERING
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DULUTH, GA 30096
PHONE: 770.441.1580
FAX: 770.441.1581
WWW.LECRAWENGINEERING.COM
PERMIT NO.

REV #	DATE	DRAWN BY	DESCRIPTION

CLIENT
FALL LEAF RESIDENTIAL
6435 SHILOH ROAD SUITE 100, ALPHARETTA, GA 30005

PROJECT
MCEVER ROAD PROPERTY
FLOWERY BRANCH, GEORGIA

SEAL:

PRELIMINARY - NOT FOR CONSTRUCTION

DESIGN TEAM:

DRAWN BY:	AMK
DESIGNED BY:	AMK
REVIEWED BY:	JSW

811 Know what's below. Call before you dig.

SCALE & NORTH ARROW:

NORTH ARROW
0 40 80 160
SCALE: 1"=80'

JOB #: 302061
DATE: 6/21/2021

CONCEPT SITE PLAN

CS-1

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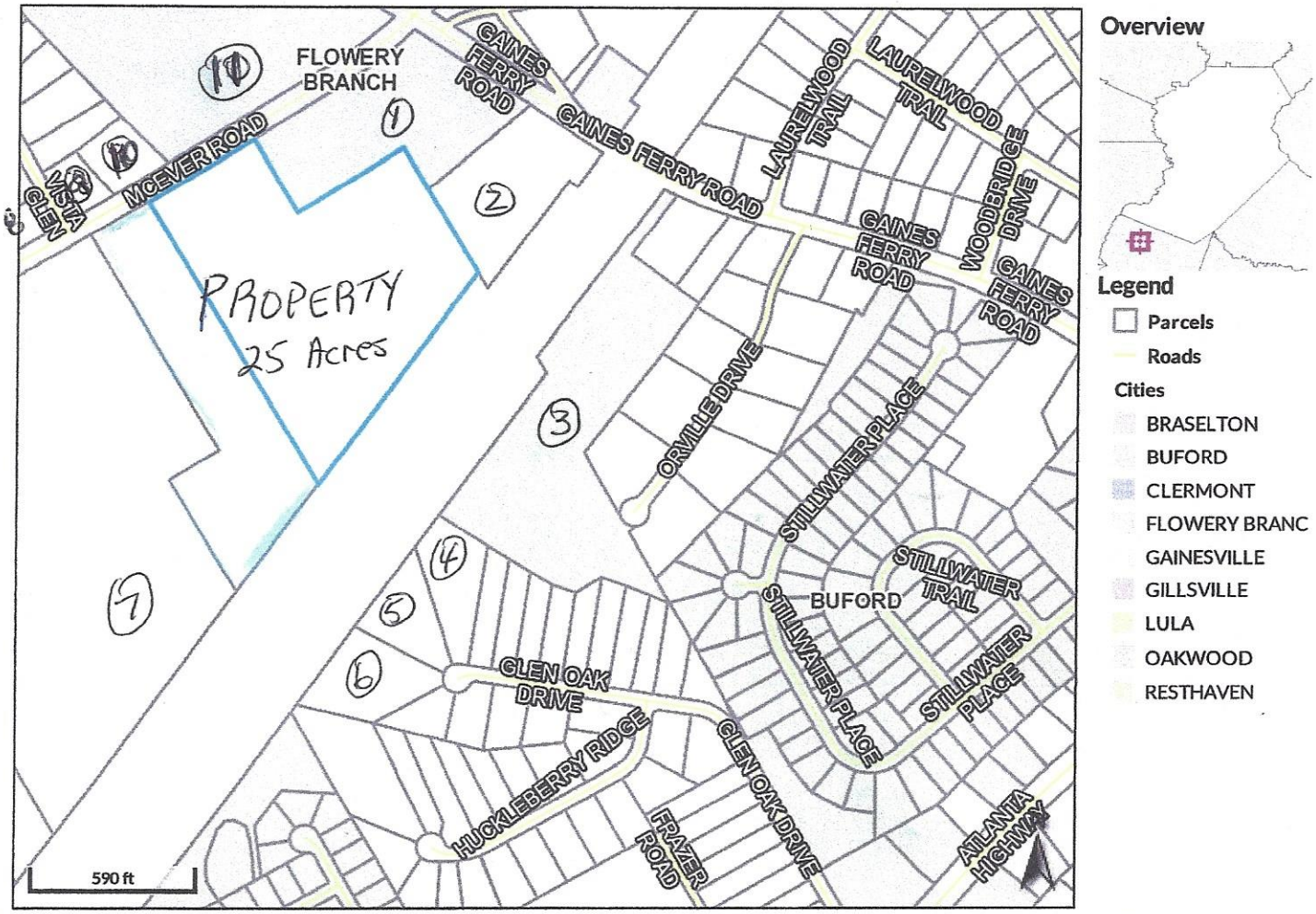
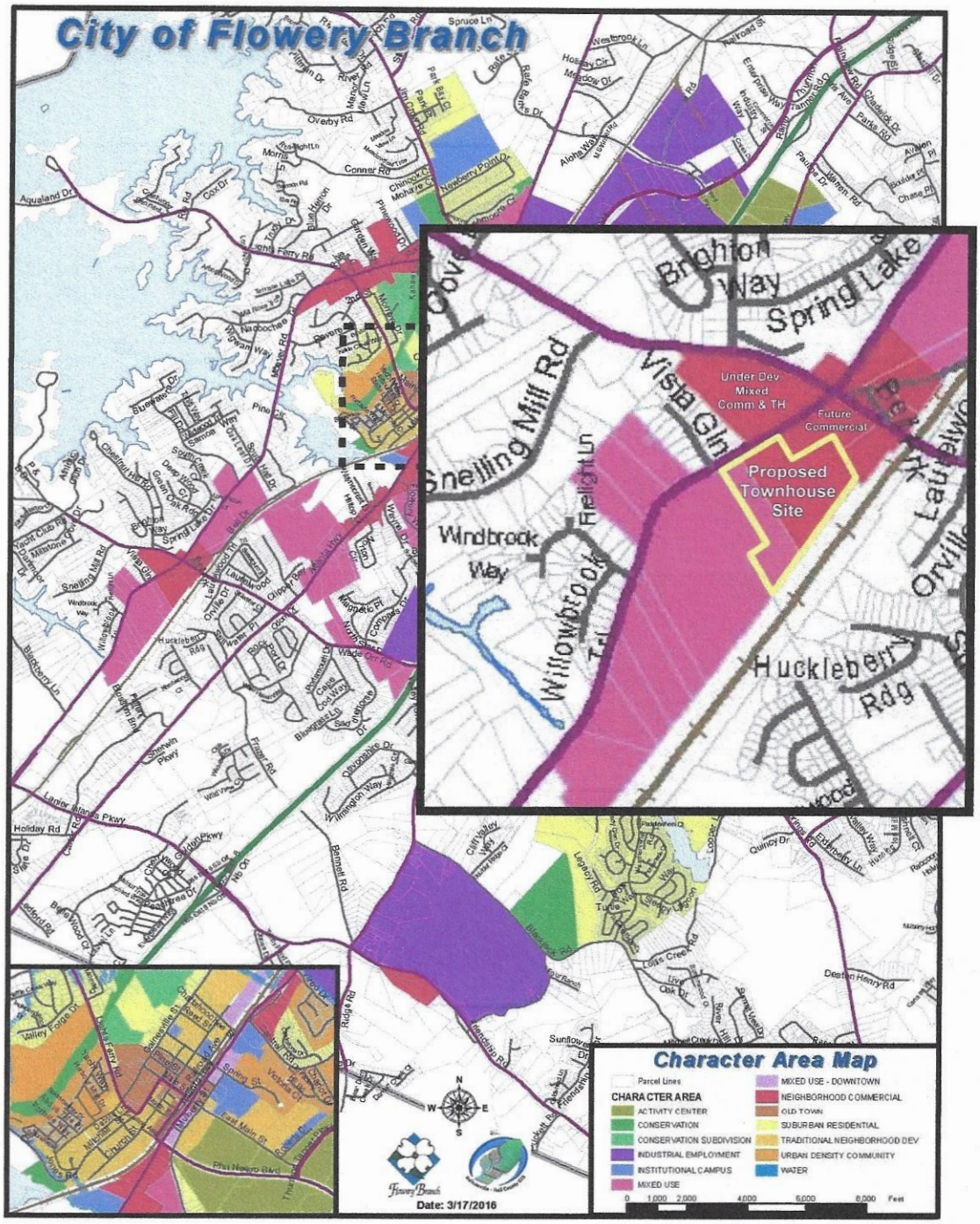
qPublic.net™ Hall County, GA



Adjacent Property Owners Mcever Road

1. Blessing Traders Inc., 1837 Dover Hill Drive, Lawrenceville, Ga. 30043
2. Hall County, P. O. Box 1435, Gainesville Ga. 30503
3. Clarence Westfall, 4850 Golden Parkway, Suite B, Buford. Ga. 30518
4. 4. Mack and donna Simmons, 6204 Glen Oak Drive, Flowery Branch, Ga. 30542
5. Deborah Roberts Rev Trust, 6208 Glen Oaks Drive, Flowery Branch, Ga. 30542
6. George Gillian, 6207 Glen Oaks Drive, Flowery Branch, Ga. 30542
7. Daryll Crow Holdings LLC, 6172 Jim Crow Road, Flowery Branch, Ga. 30542
8. John M. Crevis 111, 6505 Vista Glen, Flowery Branch, Ga. 30542
9. Billy and Shelby Patterson, 6502 Vista Glen, Flowery Branch, Ga. 30542
10. All Awesome Properties LLC, 4411 Suwanee Dam Road, Suite 415, Suwanee, Ga. 30024
11. Sarkar Development Group LLC, C/O Henderson Legal, 1350 Spring Street, Suite 485, Atlanta, Ga. 30309


City of Flowery Branch
Brighton Way
Spring Lake
Vista Gln
Snelling Mill Rd
Under Dev Mixed Comm & TH
Future Commercial
Proposed Townhouse Site
Windbrook Way
Willowbrook Trl
Huckleberry Rdg
Character Area Map
Parcel Lines
CHARACTER AREA
ACTIVITY CENTER
CONSERVATION
CONSERVATION SUBDIVISION
INDUSTRIAL EMPLOYMENT
INSTITUTIONAL CAMPUS
MIXED USE
MIXED USE - DOWNTOWN
NEIGHBORHOOD COMMERCIAL
OLD TOWN
SUBURBAN RESIDENTIAL
TRADITIONAL NEIGHBORHOOD DEV
URBAN DENSITY COMMUNITY
WATER
0 1,000 2,000 4,000 6,000 8,000 Feet
Date: 3/17/2016

FALL LEAF RESIDENTIAL, LLC
1192 Longcourte Drive
Atlanta, GA 30327

Mayor and City Council
Flowery Branch, Ga. 30534

Re: Annexation/Rezoning Application 25.68 Acres, McEver Road

Please accept this letter outlining the plans for a 25.68 acre tract of land fronting on the east side of McEver Road, just south of Gaines Ferry Road.

This property is currently in Hall County and is zoned HB and AR111 in the County. We are requesting annexation and rezoning to the R3 zoning classification to allow the development of a fee simple townhouse development. The revised site plan we have submitted shows 173 townhouse lots on the 25.7 acre tract for a density of 6.73 units per acre. We have over 38% of the site in buffers and open space, we believe this open space will provide an excellent area for passive recreational uses such as walking trails and a community picnic area. The community will be subject to a Declaration of Covenants and Conditions and each home will be required to be a member. The Homeowners Association will be responsible for the future maintenance and upkeep of all entrance features, open spaces and any amenities.

As mentioned above 8.8 acres of this property is presently zoned for HB in Hall County and the Flowery Branch Land Use Plan shows 16.8 acres of the property designated for future commercial uses and the 8.8 acres designated for mixed use. We believe that our requested townhouse use is a less intense use than what is proposed by the Land Use Plan and therefore appropriate. There is a mixed use commercial and townhouse development now under development at the southwest corner of McEver Road and Gaines Ferry Road directly across McEver from our site. There is a 6 acre tract adjoining this property to the north, at the southeast corner of McEver and Gaines Ferry, that is currently zoned commercial so with this rezoning there will also be a mixed use development at this corner of the intersection. We believe the townhouse use proposed provides a natural transition between this future commercial area and the less dense residential uses to the south.

We have submitted elevations showing the architectural style of the townhomes we are proposing, they will have a farm house look with exterior building materials that will be primarily cement based siding such as Hardiplank with brick and stone accents. We believe this will be an attractive development providing much needed housing for the City of Flowery Branch and hope the City Council will approve our annexation and rezoning.

Sincerely,

Fall Leaf Residential,
LLC Norman White, Manager

Staff Report

Applications to annex and rezone two parcels of land from unincorporated Hall County into the City of Flowery Branch were submitted by Fall Leaf Residential, LLC. The following properties are being considered:

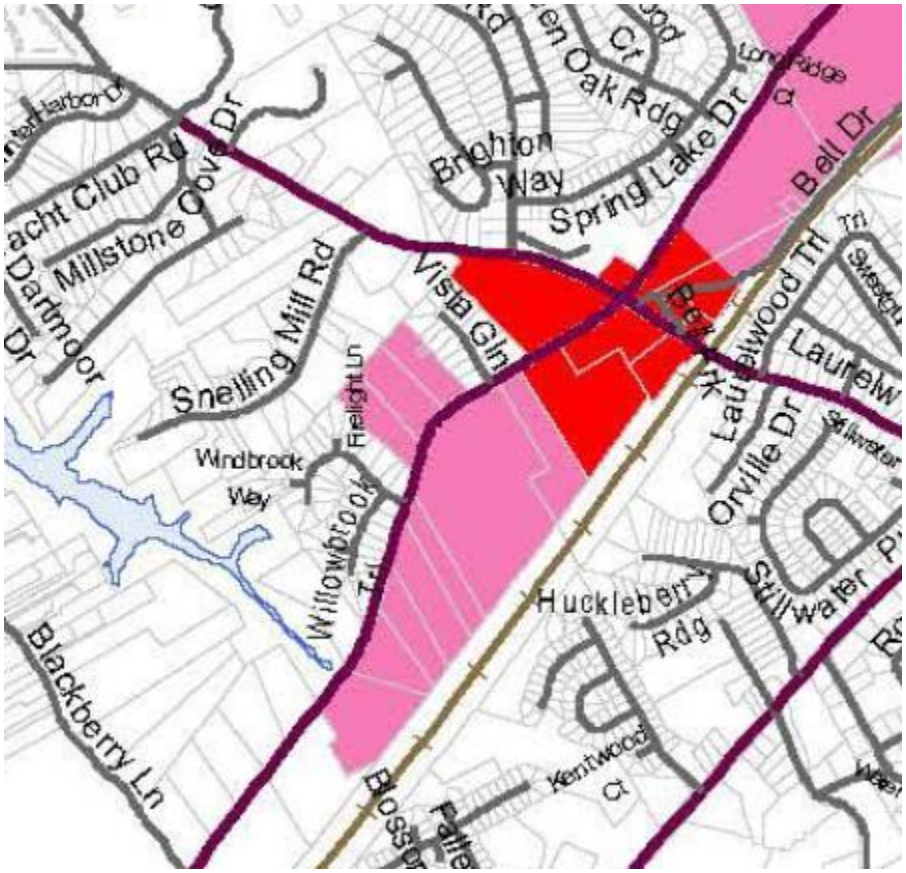
1. **6495 McEver Road; Tax Parcel 08150 002002A; Parcel totals 16.84 +/- acres; Annex and rezone from Hall County AR-III to Flowery Branch R3 (Residential Multi-Family)**
2. **6509 McEver Road; Tax Parcel 08150 002002; Parcel totals 8.84 +/- acres; Annex and rezone from Hall County HB to Flowery Branch R3 (Residential Multi-Family)**

Applicant proposes to construct a residential subdivision consisting of 173 townhomes. The current parcels are considered eligible for annexation as they are contiguous with the current city-limits.

Comprehensive Plan

Designated as a “Mixed Use” character area.

Flowery Branch character area map:



The mixed-use character area inherently allows residential, but the overall intent is to have an integrated residential and commercial center. As commercial development has slowed, the City has tried to take a more holistic approach to the mixed-use concept. This approach contemplates nearby existing or potential commercial that, although not part of the project in question, could be considered symbiotic with one another. With the potential commercial opportunities to the north and south of this proposed project (as well as the already under development true mixed-use “Farm” project across the street) staff feels this is a project that can be considered under the holistic approach employed in the past and that it meets the intent of this character area if viewed through that specific lens.

Mixed Use

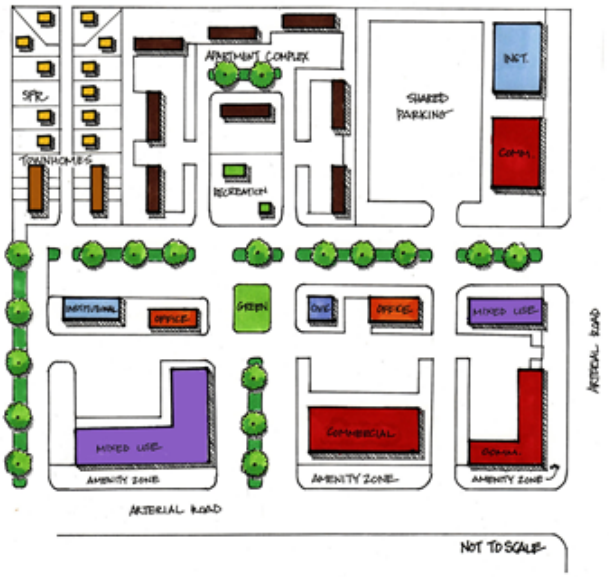
VISION: Areas that will be developed with a combination of different land uses intended to create an environment where compatible land uses can be located in close proximity to each other. Diverse places with unique architecture contributing to the economic base of the city.

USES AND INTENSITIES: Acceptable uses include business/office parks, light industrial, smaller scale retail, neighborhood commercial and residential uses.

MAJOR FEATURES: Connectivity is important between uses and developments. Automobile traffic is frequent but pedestrian accessibility is still a necessity.

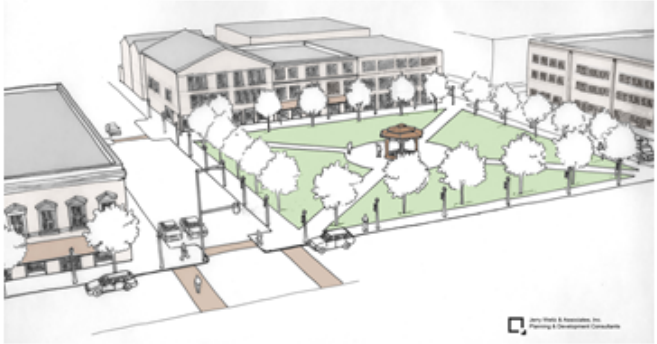
REGULATIONS: This character area will be primarily implemented with the planned unit development or commercial zoning districts. Developments will be required to complete design review and comply with all aesthetic requirements.

QUALITY COMMUNITY OBJECTIVES IMPLEMENTED: Appropriate business, residential, and employment options, transition between more intense uses and compatibility between uses..



ILLUSTRATIVE MIXED-USE ACTIVITY CENTER

Jerry Weitz & Associates, Inc.
Planning & Development Consultants



Illustrative Example of Mixed Use with Focus on Commercial/Residential Design

Proposal

Submitted by applicant:

SITE SUMMARY

SITE AREA	
SITE AREA:	25.68 ± ACRES (1,118,621 S.F.)
ZONING CLASSIFICATION	
JURISDICTION:	CITY OF FLOWERY BRANCH
ZONING:	R-3
BUILDING SETBACKS	
FRONT:	25' (FRONT YARD)
SIDE:	10' (40' ABUTTING HB ZONING)
REAR:	20' (REAR YARD)
LOTS SUMMARY	
LOTS PROVIDED:	173
LOT DENSITY:	6.74 UNITS/ACRE
HOUSE SIZE:	(24' x 54') & (20' x 59')

DEVELOPMENT STATISTICS

MAXIMUM BUILDING HEIGHT:	45'	PROPOSED BUILDING HEIGHT:	35'
MAXIMUM DENSITY:	12 UNITS/ACRE (289 UNITS)	PROPOSED DENSITY:	6.74 UNITS/ACRE (173 UNITS)
MINIMUM HEATED FLOOR AREA:	1,000 S.F.	PROPOSED HEATED FLOOR AREA:	1,600 S.F.
MINIMUM LOT SIZE:	10,000 S.F.	PROPOSED MINIMUM LOT SIZE:	2,100 S.F.
MINIMUM LANDSCAPED AREA:	15% (167,793 S.F.)	PROPOSED LANDSCAPED AREA:	21% (230,517 S.F.)
MINIMUM PARKING COUNT:	346 (ENCLOSED)	PROPOSED PARKING COUNT:	346 (ENCLOSED)
MAXIMUM PARKING COUNT:	692		9 (GUEST & AMENITY PARKING)

MCEVER ROAD TOWNHOUSE DEVELOPMENT

Sec. 34.6. - Development Statistics Required.

Applications described in this Article shall submit development statistics and specifications shall at minimum include on the site plan or in written form the information specified in this Section.

(a) Maximum and proposed height of any structure;

The maximum proposed height is 3 stories or 35 feet

(b) Maximum and proposed gross square footage of the building area (nonresidential only);

(c) Color renderings of any proposed structures;

Color renderings of the proposed architectual style have been submitted

(d) Material list (with percentages) of any proposed structures;

Exteriors of the homes will be primarily 95% cement based siding such as Hardiplank with brick and stone accents

(e) Maximum and proposed number of dwelling units and minimum and proposed square footage of heated floor area for any dwelling unit (residential only);

The maximum number of dwelling units allowed is 12 units per acre or 308 units, applicant is proposing 173 units or 6.73 units per acre. Minimum heated floor area allowed is 1,000 square feet, applicant is proposing minimum heated floor area of 1,600 square feet

(f) Maximum and proposed lot coverage of building area (square feet and percent);

Proposed lot coverage is 54% for front entry units or 1296 square feet, lot coverage for rear entry units is 56% or 1180 square feet

(g) Minimum and proposed square footage of landscaped area (square feet and percent);

Minimum landscaped area is 15% or 167,793 square feet, proposed landscaped area is 21% or or 230,517 square feet

(h) Minimum, maximum and proposed number of parking spaces; and

Minimum parking spaces is 346, applicant is proposing 355 parking spaces, 346 garage spaces and 9 guest/mail kiosk spaces

Sec. 34.7. - Analysis Requirements.

Applications to amend the official zoning map and applications for conditional uses shall provide a written analysis comparing the proposed action with the criteria in this Section. A zoning map amendment or conditional use application may be justified only if it bears a reasonable relationship to the public health, safety, morality, or general welfare, and after consideration of the analysis requirements which may in individual cases be considered criteria relevant to Zoning Administrator in making recommendations and by the Governing Body in the decision-making process.

(a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The proposed townhouse use is compatible with use and development of nearby property, the adjoining property to the northeast is zoned for commercial uses and the property across McEver Road is zoned for a combination of commercial and townhouse uses

(b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property.

The proposal will not affect the use or useability of nearby properties.

(c) Whether the property to be affected by the proposal can be used in accordance with the existing regulations and has a reasonable economic use as currently zoned.

No, 16 acres of the property is zoned Agriculture and there is no reasonable economic use under said zoning. 8.8 acres of the property is zoned commercial and may have a reasonable use however due to the shape and topo this property has a much more reasonable economic use as a townhouse development.

(d) Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

No, the townhouse use will not be burdensome on existing streets, transportation facilities, utilities or schools

(e) Whether the proposal is in conformity with the policy and intent of the comprehensive plan including but not limited to the character area map and future land use plan map.

This property is shown as commercial on the land use plan, a townhouse use will be less intense than a commercial use therefore the townhouse use would be consistent with the intent of the land use plan.

(f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.

There is a great demand for new residential homes in this area which supports the grounds for approving this application

(g) Existing use(s) and zoning of the subject property and nearby properties.

North vacant commercial and fire station

East Railroad tracts and mixture of commercial and residential

South vacant agriculture

West single family residential and commercial and townhouse at corner of McEver and Gaines Ferry

(h) Existing value of the property under the existing zoning district classification, the extent to which the property value of the subject property is diminished by the existing zoning district, and the value of the property under the proposed zoning district; if such information is provided by the applicant or can be discerned. This consideration may include the length of time the property

has been vacant or unused as currently zoned and efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district classification.

16 acres of this property has been owned by the Mann family for over 50 years, the property is zoned agriculture and has very little value with the current zoning. The 8.8 acres is zoned commercial but due to the shape and topo despite years of effort no commercial user could be found and in fact the only offers have been for a residential use

(i) Whether a proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.

The zoning proposed is less intense than commercial use indicated on the land use plan therefore should have no deterrent to the value or development of adjacent property

(j) The possible creation of an isolated zoning district unrelated to adjacent and nearby districts

No, this will not create an isolated zoning district, as mentioned previously there is a mixed commercial and townhouse now under development across McEver Road, this development along with the adjacent 6 acre commercially zoned tract at the corner of Mcever and Gaines Ferry will also provide a mixed commercial and townhouse development.

(k) Possible effects of the change in zoning district map, or change in use, on the character of a zoning district.

This rezoning will not affect the character of this zoning district

(l) The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality

This development will comply with all Flowery Branch ordinances related to drainage, soil erosion, sedimentation, flooding air and water quality therefore it should have no adverse environmental impact

(m) The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance

As mentioned before the land use plan shows commercial uses for this property, a townhouse use is less intense therefore applicant believes the zoning proposed is consistent with the overall scheme and purpose of the Zoning Ordinance

*Elevations for the townhomes are currently being revamped to meet the intent of the suggestions of TSW submitted to the applicant post initial submittal. The new elevations may be available at the time of the public hearing.

Analysis

Flowery Branch Zoning Ordinance Article 37 Rezoning and Conditional Use Applications

Sec. 34.7. - Analysis Requirements.

Applications to amend the official zoning map and applications for conditional uses shall provide a written analysis comparing the proposed action with the criteria in this Section. A zoning map

amendment or conditional use application may be justified only if it bears a reasonable relationship to the public health, safety, morality, or general welfare, and after consideration of the analysis requirements which may in individual cases be considered criteria relevant to Zoning Administrator in making recommendations and by the Governing Body in the decision-making process.

Staff Response:

(a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property. Yes, a residential subdivision is appropriate for this site and the surrounding area.

(b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property. The development will not adversely affect the area.

(c) Whether the property to be affected by the proposal can be used in accordance with the existing regulations and has a reasonable economic use as currently zoned. Yes, current zonings of Agricultural Residential and Highway Business could be used for other developments.

(d) Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. It is staff's opinion that the use will not create any unnecessary burdens.

(e) Whether the proposal is in conformity with the policy and intent of the comprehensive plan including but not limited to the character area map and future land use plan map. Currently, the Comprehensive Plan denotes this area as part of the "Mixed-Use" character area. The proposed use meets the intent of the Comprehensive Plan (see previous comments regarding the Comprehensive Plan as part of this staff report).

(f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal. No

(g) Existing use(s) and zoning of the subject property and nearby properties. Currently vacant the proposed residential use will fit in well with the corridor.

(h) Existing value of the property under the existing zoning district classification, the extent to which the property value of the subject property is diminished by the existing zoning district, and the value of the property under the proposed zoning district; if such information is provided by the applicant or can be discerned. This consideration may include the length of time the property has been vacant or unused as currently zoned and efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district classification. Staff does not have a specific number regarding property value, but the current zoning classifications of Agricultural-Residential and Highway Business do not allow the proposed residential subdivision.

(i) Whether a proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations. Staff does not feel that the proposed will be a deterrent.

(j) The possible creation of an isolated zoning district unrelated to adjacent and nearby districts. N/A

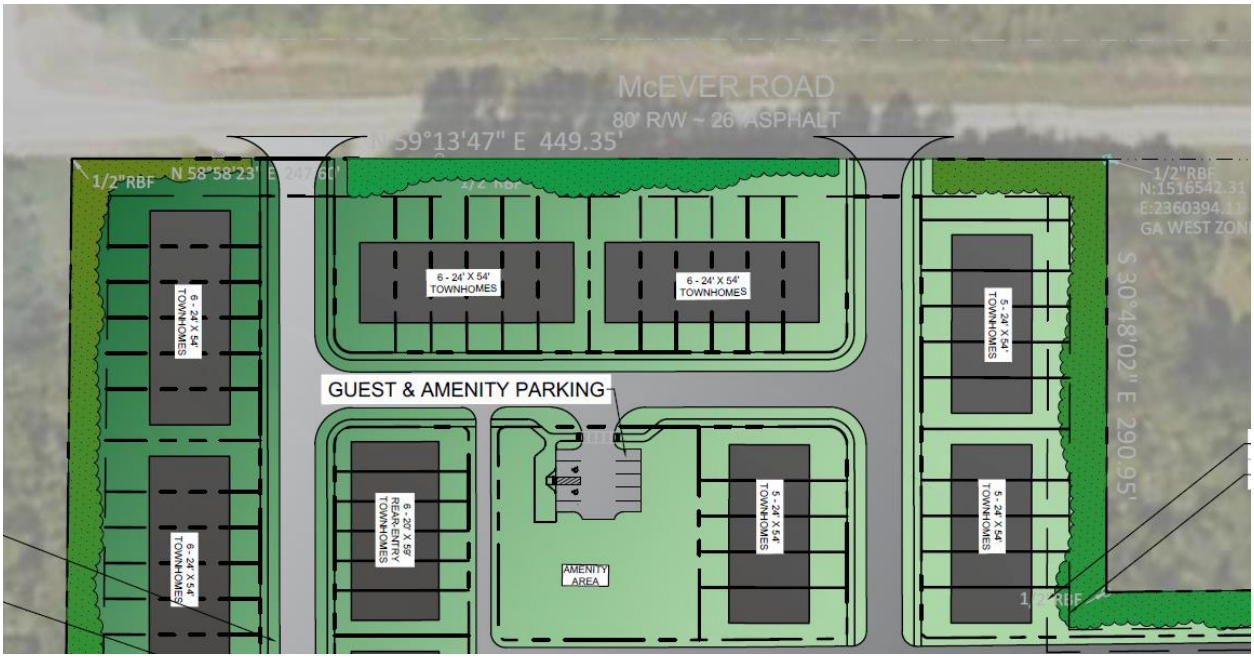
(k) Possible effects of the change in zoning district map, or change in use, on the character of a zoning district. The proposed use will enhance the character of the existing district in staff's opinion.

(l) The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. The development, if approved, will need to go through all the required development reviews to ensure all applicable codes and requirements are met.

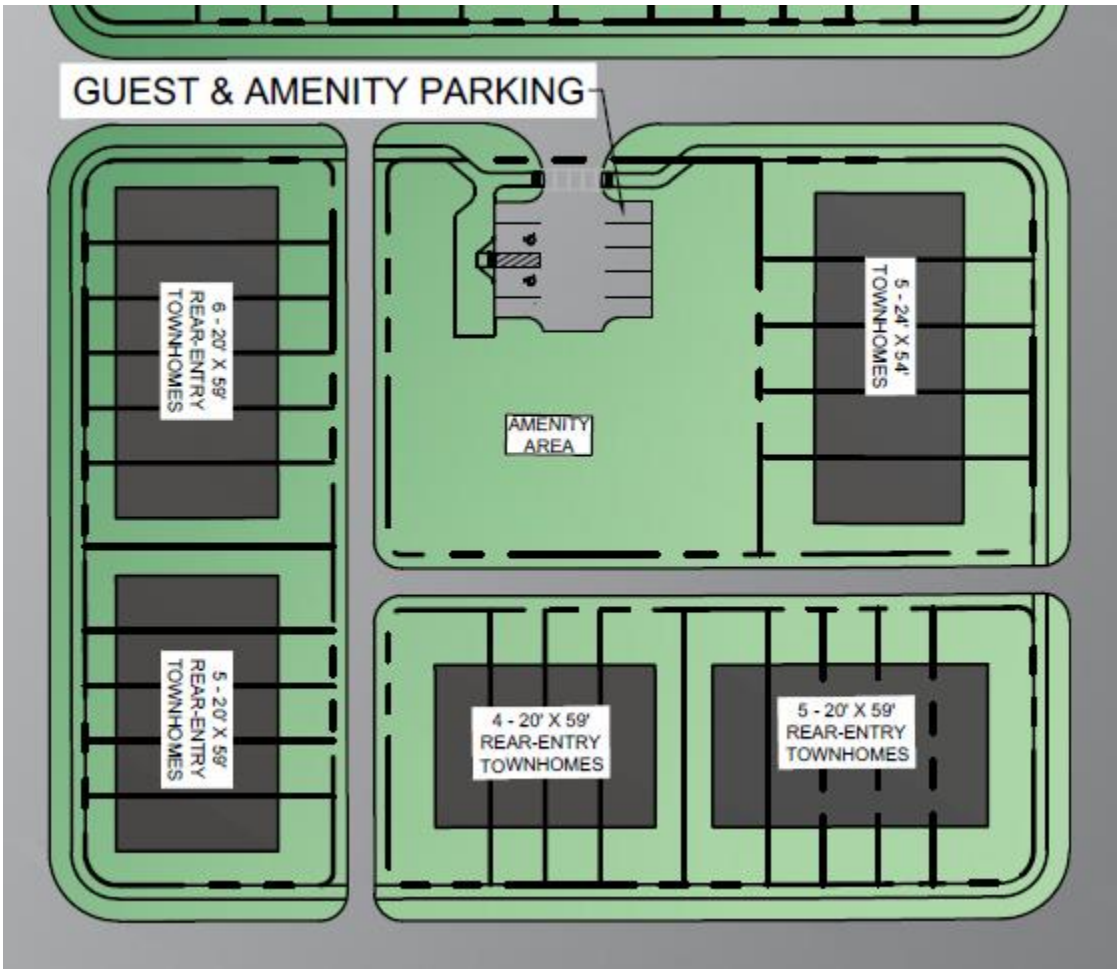
(m) The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance. The proposed development will enhance the surrounding area and meet the intent of the Zoning Ordinance.

Site Plan

McEver Road has two points of ingress/egress and has a proposed landscape buffer. Mayor and Council have the ability to request a further detailed landscape plan along McEver is so desired. No sidewalks are proposed along McEver Road. Mayor and Council will need to decide, as part of the conditions of zoning, if sidewalks shall be required.



Rear accessed townhome product is provided by applicant and has previously been identified as desirable by Mayor, Council, and staff as it promotes a more scenic, less garage dominant, streetscape. Additionally, the rear accessed townhome helps to promote a less auto intense feel to the subdivision and also promotes a more “neighborhood” aesthetic.



Overall, the site plan has been improved significantly from the original submittal and promotes easier vehicular and pedestrian flow and connectivity.

R-3 Zoning

Townhomes are inherently allowed per the code and the proposed development meets the intent of the R-3 zoning district. One possible exception would be the lot size as the applicant lists the projected lot size as 2,100 square feet with R-3 requiring 10,000 square feet. The 10,000 square foot requirement is not feasible for a townhome unless the lot is defined as encompassing the entire run of townhomes. Staff wishes to denote the potential discrepancy in R-3 requirements and the proposed development. However, staff feels this is a matter of interpretation and does not negatively impact the proposal.

Requirement (measurement unit)	A	R-1	R-2	R-3
Maximum height (feet)	75	35	35	45
Maximum height (number of stories)	3	3	3	3
Maximum density (units per acre)	0.333	2.18	3	12
Minimum lot size for detached single-family dwelling (square feet) (1)	130,680	20,000	15,000	10,000
Minimum lot size for two-family dwelling (square feet) (1)	N/A	N/A	N/A	20,000
Minimum lot size for other uses (square feet) (1)	130,680	43,560	15,000	10,000
Minimum lot width (feet)	200	90	75	50
Minimum heated floor area per dwelling unit (square feet)	1,500	2,200	1,800	1,000
Minimum heated floor area per dwelling unit, ground floor of a dwelling (square feet)	750	1,100	900	750
Minimum front yard setback from lot line, all principal buildings feet)	80	35	25	25
Minimum side setback, interior lot line, all principal buildings (feet)	25	20	10	10
Minimum side setback, corner lot, all principal buildings (feet)	60	35	25	25
Minimum rear setback, all principal buildings (feet)	35	25	20	20
Minimum setback, all principal or accessory buildings and structures abutting an R-1, R-2, or R-3 district (feet)	Side and rear setbacks shall apply	50	50	
Minimum width of natural buffer abutting R-1, R-2, or R-3 district (feet)	None	None	None	40
Minimum landscape strip required along rights-of-way for any nonresidential use if permitted (width in feet)	15	15	10	20
Minimum landscape strip required along rights-of-way for any apartment or condominium (multi-family residential) use (width in feet)	N/A	N/A	N/A	20
Minimum landscape strip required along side property lines for any nonresidential use if permitted (width in feet)	5	5	5	5
Maximum coverage of principal and accessory buildings (percent of lot)	25	25	35	40
Minimum landscaped open space, all principal uses except detached, single-family residential lots (percent)	20	20	15	15

Traffic Impact Study

Staff has not requested a traffic study at this time. If Mayor and Council would like a study performed it is appropriate to make this request if it is done in a timely manner.

Staff Recommendation

Staff recommends approval with the following conditions:

1. A landscape/buffer plan shall be approved by staff prior to the issuance of a land disturbance permit.
2. Townhomes shall be limited to runs of no more than six.
3. Development shall generally adhere to the site plan as submitted.
4. Sewer shall be provided by the City of Flowery Branch
5. Driveways shall be 23' as measured from the back of curb.
6. Front entrance plans shall be submitted at the time of, or prior to, applications for monument signs. Said plans shall clearly describe and show the precise landscaping proposed.
7. Townhomes shall be constructed in a manner that significantly adheres to the elevations as submitted.
   A. Material shall be limited to brick, stacked stone, cementitious fiber board, and board and batten.
   B. Elevations shall be submitted for each townhome at the time of permit.
   C. Architectural shingles shall be used throughout the development.

FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY

SUBJECT: A Public Hearing to consider a rezoning application submitted by NNP-Looper Lake, LLC. to rezone tax parcel 15047 000885 from Planned Unit Development (PUD) to Planned Unit Development (PUD) with modified conditions.

COUNCIL MEETING DATE: April 1, 2021

HISTORY:
This is a proposal to alter an approved PUD zoned project (Sterling on the Lake) by rezoning said project from PUD to PUD with modified conditions of zoning. The ordinances were originally approved as 239 and 240. Each additional request to alter the original approval retains the original ordinance number adding letters alphabetically to ease in the tracking of this project and its many changes over the years. The ordinances (which will be ready prior to the first read) will be 239-L & 240-L.

FACTS AND ISSUES:
This is a proposal to alter the approved Sterling on the Lake subdivision by rezoning said project from PUD to PUD with modified conditions of zoning. The proposed modification would decrease the size of the current commercial/retail portion from 12+/- acres to 4 +/- acres allowing for the construction of 65 townhomes on the approximate 8 acre tract.

OPTIONS:
No vote at this time.

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:
No

AMOUNT AND SOURCE OF FUNDS:
0

RECOMMENDATION:
No vote at this time

SAMPLE MOTION:
No vote at this time.

COLLABORATING DEPARTMENT:

DEPARTMENT: Planning

Prepared by: Vickie Short

ATTACHMENTS

- submittal binder 030421.pdf
- Renderings.pdf
- Staff Report SOTL.pdf

Flowery Branch

REZONING APPLICATION

Date: February 26, 2021

Address of Request:
Capitola Farm Road & Spout Springs Road, Flowery Branch, GA 30542

Tax Map # p/o 15047 000885 **Current Zoning:** PUD

Is this site located within the boundaries of the historic district? NO

Currently a conforming use? N/A

Any conditions of zoning, CUP's, etc.? All other conditions of zoning not deleted or revised by this application shall remain in full force and effect

Applicant Information

Name: NNP - Looper Lake, LLC

Address: 7004 Lake Sterling Blvd. Flowery Branch, GA 30542

E-mail address: cwhittaker@newlandco.com

Phone number: 678-960-0242

Signature: Chris A Whittaker

Notary: LABeaver

L A BEAVER
MY COMMISSION EXPIRES
NOTARY
PUBLIC
SEPTEMBER 11, 2024
GWINNETT COUNTY, GEORGIA

Property owner information (if different than the applicant)

Property owner (please print): SAME

Signature of property owner: [signature] VP OPERATIONS

Notary: [signature]

L A BEAVER
MY COMMISSION EXPIRES
NOTARY
PUBLIC
SEPTEMBER 11, 2024
GWINNETT COUNTY, GEORGIA

Property Information

Tax Map Number: 15047 000885

Current Zoning: PUD Total Acres: 7.95

Is this property located within the city-limits of Flowery Branch? YES

Proposed City of Flowery Branch Zoning: PUD

Current Use: undeveloped

Please review the Flowery Branch Code of Ordinances, Appendix C, "Zoning Ordinance", Article 34, for complete requirements.

Please provide the following at time of submittal in (one hard copy and digitally):

- Legal description
- Current survey of property

- Site plan shall meet the requirements of the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.5
- Development statistics per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.6
- Analysis requirements per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.7
- Detailed description of request
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)
- Names and addresses of adjoining property owners
- Reasons for requesting rezoning
- Signed statement authorizing City of Flowery Branch staff and/or City Council to inspect the subject property

Conflict of Interest Disclosure

Identify all members of the City Council of the City of Flowery Branch and Employees of the City of Flowery Branch Community Development Department who

Have a property interest in the real property affected by this request

NONE

Have a financial interest (direct ownership interest) of the total assets or capital stock of a business entity where such ownership interest is more than 10% in any business entity which has a property interest in the real property affected by this request

NONE

Have a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property financial interest as herein defined, in the real property affected by this request

NONE

Disclosure of Campaign Contributions

List below the names of local government officials of the City of Flowery Branch to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total $250.00 or more or to whom gifts were made having a total value of $250.00 or more.

Elected Officials Name	Amount of Description of Gift
NONE	

CITY STAFF ONLY

Application Received By: _____

Date: _____ Total Fee: _____

Flowery Branch

Legal Description

All that tract or parcel of land lying and being in G.M.D. 1270, City of Flowery Branch, Hall County, Georgia and being more particularly described as follows:

BEGINNING at the intersection of the southwestern Right-of-Way of Spout Springs Road (R/W varies) and the southeastern Right-of-Way of Capitola Farm Road (60′ R/W); thence continuing along the southwesterly Right-of-Way of said Spout Springs Road South 25°37'24" East, a distance of 663.05 feet to a point; thence leaving said Right-of-Way and into the property now or formerly of NNP-Looper Lake, LLC South 51°28'20" West, a distance of 108.90 feet to a point; thence South 42°12'06" West, a distance of 64.95 feet to a point; thence South 16°35'34" West, a distance of 130.73 feet to a point; thence South 09°33'49" West, a distance of 138.31 feet to a point; thence South 14°03'35" East, a distance of 40.07 feet to a point; thence South 50°05'27" East, a distance of 133.00 feet to a point; thence South 71°36'03" West, a distance of 118.77 feet to a point; thence along the property now or formerly of Sterling on the Lake, Pod O North 16°21'56" West, a distance of 153.60 feet to a point; thence along the property now of formerly of Sterling on the Lake, Pod Q, Phase 2, Pod P North 10°14'19" West, a distance of 148.44 feet to a point; thence North 09°13'44" West, a distance of 119.09 feet to a point; thence North 12°07'47" East, a distance of 26.45 feet to an iron pin found (1/2″ rebar with a yellow plastic cap stamped "Rochester LSF000484″); thence North 01°27'17" East, a distance of 57.67 feet to an iron pin found (1/2″ rebar with a yellow plastic cap stamped "Rochester LSF000484″); thence North 09°46'11" West, a distance of 63.59 feet to an iron pin found (1/2″ rebar with a yellow plastic cap stamped "Rochester LSF000484″); thence North 21°32'36" West, a distance of 63.59 feet to an iron pin found (1/2″ rebar with a yellow plastic cap stamped "Rochester LSF000484″); thence South 62°34'11" West, a distance of 95.00 feet to a point; thence 164.12 feet along an arc of a curve to the left having a radius of 215.00 feet and a chord bearing and distance of North 49°17'54" West, 160.16 feet to a point; thence North 71°09'59" West, a distance of 63.20 feet to a point; thence 223.30 feet along an arc of a curve to the left having a radius of 395.00 feet and a chord bearing and distance of North 87°21'42" West, 220.34 feet to a point; thence North 19°04'20" West, a distance of 87.48 feet to a point; thence North 31°15'55" West, a distance of 102.02 feet to a point on the southeastern Right-of-Way of said Capitola Farm Road; thence along said Right-of-Way 51.29 feet along an arc of a curve to the left having a radius of 733.26 feet and a chord bearing and distance of North 54°33'32" East, 51.28 feet to a point; thence North 52°33'19" East, a distance of 159.85 feet to a point; thence 63.52 feet along an arc of a curve to the right having a radius of 431.40 feet and a chord bearing and distance of North 56°46'25" East, 63.47 feet to a point; thence North 60°59'32" East, a distance of 33.91 feet to a point; thence 480.02 feet along an arc of a curve to the right having a radius of 268.83 feet and a chord bearing and distance of North 71°54'29" East, 47.96 feet to a point; thence North 77°01'33" East, a distance of 296.98 feet to the ***Point of Beginning***.

Said tract contains 8.150 Acres.

Project Summary

LOCATION – Spout Springs Road & Capitola Farm Road
ACREAGE – 8.15 acres +/-
APPLICANT – NNP - Looper Lake, LLC

Summary

The accompanying application seeks a change of use from commercial to single family attached within the current PUD for Sterling on The Lake. The site would be developed for up to 65 townhomes with rear entry garages from either a public street or private alleyway. The townhome units will be 3 stories with a mix of architectural materials. A passive park area will be located near the entrance and sidewalks will provide both internal and external connections. The location and point of access will not impact current traffic flow within the Sterling on The Lake community. Completion of development is anticipated by 2022.

Site Description

The site has approximately 575 feet of frontage along the western right-of-way of Spout Springs Road and 650 feet of frontage along the southern right-of-way of Capitola Farm Road. The site is rectangular in shape with the majority being previously cleared and graded. A jurisdictional stream is located on the southern side of the property. Domestic water provided by the City of Gainesville is located in the right-of-way of Capitola Farm Road. Hall County sanitary sewer is located near the sites southwestern boundary line. All other dry utilities are located within a reasonable distance for service extensions. There are no known impediments to its successful development for the purposes intended.

Access

A single point of access to the property is proposed from Capitola Farm Road, approximately 250 LF from its intersection with Spout Springs Road.

Development Strategy

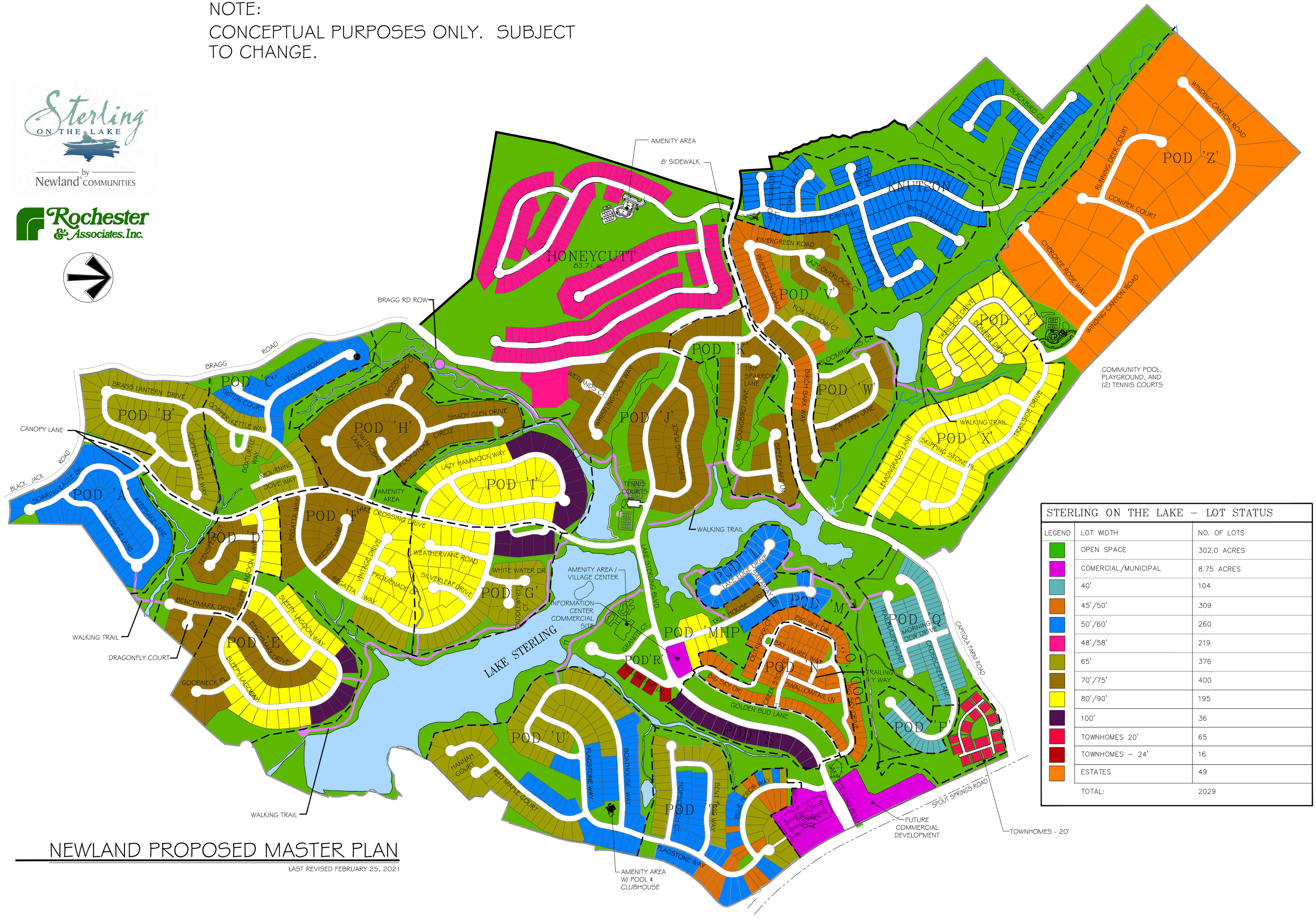
The site has been previously marketed for commercial uses but has received only limited interest due to a lack of direct access to Spout Springs Road and the ongoing widening project. The proposed townhome product will fill a product type void that is not currently server in the Sterling on The Lake community. Two commercial tracts will remain at Spout Springs Road and Lake Sterling Boulevard.

Aerial View

NOTE:
CONCEPTUAL PURPOSES ONLY. SUBJECT TO CHANGE.

Sterling ON THE LAKE
by Newland COMMUNITIES

Rochester & Associates, Inc.



STERLING ON THE LAKE – LOT STATUS

LEGEND	LOT WIDTH	NO. OF LOTS
	OPEN SPACE	302.0 ACRES
	COMERCIAL/MUNICIPAL	8.75 ACRES
	40'	104
	45'/50'	309
	50'/60'	260
	48'/58'	219
	65'	376
	70'/75'	400
	80'/90'	195
	100'	36
	TOWNHOMES 20'	65
	TOWNHOMES – 24'	16
	ESTATES	49
	TOTAL:	2029

NEWLAND PROPOSED MASTER PLAN

LAST REVISED FEBRUARY 25, 2021

GENERAL NOTES:

- PARCEL SIZE – 8.15 AC.
- NUMBER OF LOTS – 65
- DENSITY 7.98 UNITS/AC.
- FRONT SETBACK – 10'
- PUBLIC STREET LOTS REAR SETBACK FROM BACK OF SIDEWALK – 20'
- ALLEY LOTS REAR SETBACK FROM BACK OF CURB – 20'
- SIDE SETBACK – 0'
- BUILDING SEPARATION – 20'

TYPICAL ALLEY LOT

TYPICAL PUBLIC LOT

Rochester & Associates, Inc.
425 Oak Street N.W. • Gainesville, Georgia 30501
(770)718.0600 (770)718.9090 Fax • www.rochester-assoc.com

REZONING PLAN
FOR:
STERLING ON THE LAKE
TOWNHOME SITE
LOCATED IN:
G.M.D. 1270
CITY OF FLOWERY BRANCH
HALL COUNTY, GEORGIA

NO.	DATE	DESCRIPTION
		REVISIONS

ANY CHANGES OR ALTERATIONS MADE TO THESE CONSTRUCTION DRAWINGS WITHOUT THE WRITTEN APPROVAL OF ROCHESTER & ASSOCIATES INC. VOIDS THE SEAL SHOWN HEREON AND ANY LIABILITY ASSOCIATED WITH THE ALTERATIONS. ORIGINALS DRAWINGS ARE KEPT ON FILE FOR VERIFICATION OF ANY CHANGES.

GRAPHIC SCALE
15' 0' 30' 60'

SHEET 1 OF 1

DATE: 2/23/21
SCALE: 1"=30'
JOB NO. C20B033.PDD
DWG NO. 4-PRELIM.dwg
DRAWN BY: ARJ

Development Statistics for Townhome Tract Amendment Request

(a) Maximum and proposed height of any structure; 35'

(b) Maximum and proposed gross square footage of the building area (nonresidential only); N/A

(c) Color renderings of any proposed structures; See attached

(d) Material list (with percentages) of any proposed structures;

All color schemes and exterior material selections must be submitted to the DRC for approval. A minimum of two exterior materials and a maximum of three exterior materials on each home is required.

- Corner lots will be required to wrap the front elevation material around the side of the flanking street.
- All homes with front elevations including masonry must wrap the same material around the corner of the home a minimum of 2 feet (with the exception of Pods A, B & C). Masonry materials and patterns must be submitted to the DRC for approval.

(e) Maximum and proposed number of dwelling units and minimum and proposed square footage of heated floor area for any dwelling unit (residential only); 65 units with a minimum heated floor area of 1400 SF

(f) Maximum and proposed lot coverage of building area (square feet and percent); 1000 SF with a lot coverage of 65%.

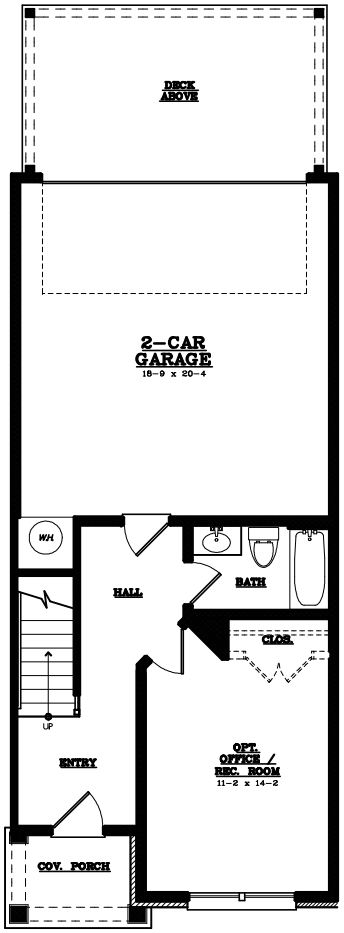
(g) Minimum and proposed square footage of landscaped area (square feet and percent); 15,000 SF in passive park area.

(h) Minimum, maximum and proposed number of parking spaces; one space per unit provided in paved driveway.

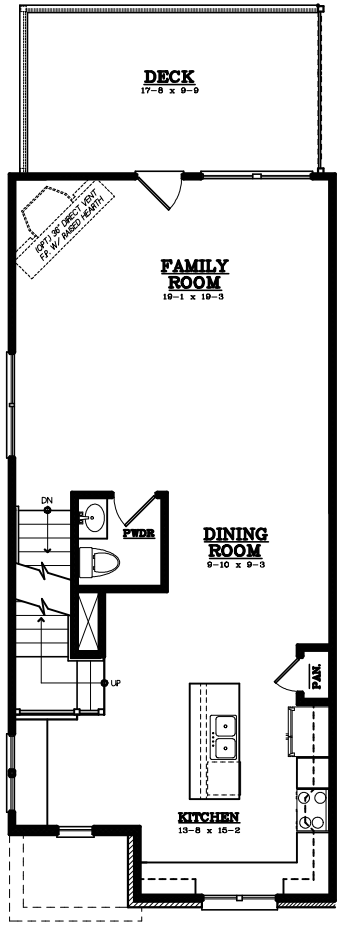
(i) Other dimensional information as may be required by the Zoning Administrator. TBD

Townes at Sterling on the Lake
Capitola Farm Road Parcel

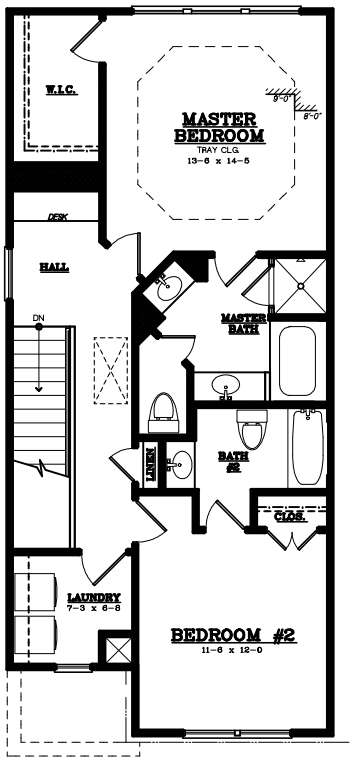
Townes at Sterling on the Lake
Capitola Farm Road Parcel



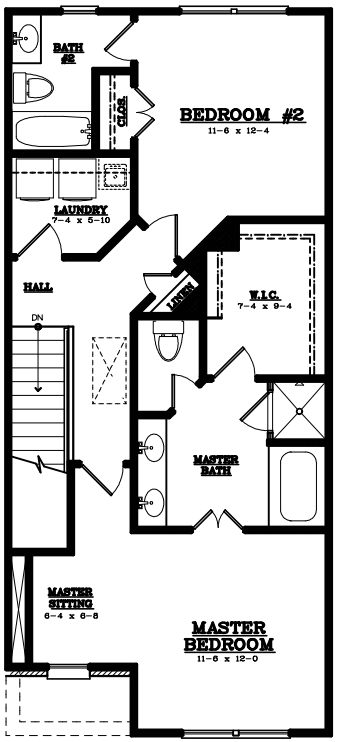
LOWER LEVEL PLAN



MAIN LEVEL PLAN



UPPER LEVEL PLAN



OPTIONAL MASTER UPPER LEVEL PLAN

City of Flowery Branch Rezoning Application
REQUEST FOR STATISTICAL INFORMATION
Sterling on the Lake – Townhome Tract

1. **Value of improvements at buildout:**
   - **Development cost - $ 30,000 per lot**
   - **Vertical construction cost - $ 120 per sf**

2. **Property tax revenue at buildout: (based on FMV of $275,000)**
   - **Hall County - $ 196,110**
   - **City of Flowery Branch - $ 23,338**

3. **Schedule of construction;**
   - **See below:**

ITEM	START	FINISH
Design & Permitting	6/30/2021	8/29/2021
Land Development	9/3/2021	3/2/2022
Final Plat	3/12/2022	4/26/2022
Lot Sales	5/6/2022	5/31/2023
Residential CO's	7/20/2022	8/14/2023

4. **Anticipated total square footage per unit:**
   - **1400 sf minimum**

5. **Total acreage to be developed:**
   - **7.95 acres in total**

6. **The Townhome Tract will contain approximately 0.25 acres in private rights-of-way.**

7. **The Townhome Tract will contain approximately 4.35 acres of open space/common area to be maintained by the existing HOA.**

8. **The Townhome Tract will contain approximately 1.05 acres of buffer and watershed protection.**
   - **A) The impervious buffer is applicable to the Townhome Tract.**
   - **B) No property lines may extend into the stream buffer.**
   - **C) The developer intends to dedicate street rights-of-way (where applicable) and storm sewer easements to the City of Flowery Branch.**

9. **Transportation alternatives:**
   - **The Townhome Tract will have a pedestrian link along Spout Springs Road to the remainder of the community.**

10. **Amenities for Sterling on the Lake total more than 15 acres and (at buildout) will include the following:**
    - **Lakes and Trails**
    - **3 Clubhouses**
    - **5 Pools**
    - **4 Children's Playgrounds**
    - **Multiple pocket parks**
    - **Children's Treehouse**
    - **12 Tennis Courts**
    - **2 Fire pits**
    - **Lakeside pavilion with grill**
    - **Boat dock and launch**
    - **¾ Basketball Court**
    - **Picnic Island**
11. **A minimum of 9 street lights are planned for the Townhome Tract with a maximum spacing of 150 feet.**

12. **The Townhome Tract will include approximately 3,500 linear feet of sidewalk containing approximately 216 cubic yards of concrete.**

13. **Homes in the Townhome Tract will have access to high speed internet to the extent available from the service provider.**

14. **The Townhome Tract will contain areas for providing detention, water quality and stream protection.**

15. **An updated traffic study has not been completed for the Townhome Tract as the overall density will remain within previously studied and approved maximums.**

16. **There are no provisions for utilization and storage of reuse water in this plan.**

17. **The Townhome Tract, as proposed, will generate approximately 17,550 gallons per day of wastewater flow.**

18. **The maximum daily water consumption is approximately 17,550 gallons per day. Low flow fixtures are required by the development.**

19. **A preliminary design has been completed in order to evaluate the proposed density.**

20. **Public safety requirements related to life safety codes have been considered in the concept design.**

21. **The Hall County school system has been provided density and build out projections for the entirety of the community.**

22. **Copies of master covenants and guidelines have been previously filed and recorded.**

Sterling on the Lake – Project Narrative

Applicant seeks to amend the conceptual site plan and conditions of approval relating to ordinance no. 239I & 240I, for the master planned community on 1007.91 ± acres generally known as "Sterling on the Lake" located in the PUD (Planned Unit Development) zoned district. The development is located adjacent to the intersection of Capitola Farm Road and Spout Springs Road. The amended property is described as: (**Townhome Tract**) - a 8.15 acre parcel of real property owned by NNP Looper Lake LLC, being known as the "Townhome" tract identified as a portion of tax identification number 15047-000885 located in GMD 1270 Flowery Branch District, Hall County, Georgia.

- The Sterling on the Lake Master Planned Development was originally approved (annexed and rezoned) by the Flowery Branch City Council on November 16, 2001, per Ordinances 239 and 240.

- On February 1, 2006, City Council approved a modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-A and 240-A.

- On September 9, 2006, City Council approved a second modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-B and 240-B.

- On August 15, 2007, City Council approved a third modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-C and 240-C.

- On November 25, 2008, City Council approved a fourth modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-D and 240-D.

- On March 26, 2011, City Council approved a fifth modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-E and 240-E.

- On March 15, 2012, City Council approved a sixth modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-F and 240-F.

- On February 18, 2016, City Council approved a seventh modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-G and 240-G.

- On May 4, 2017, City Council approved an eight modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-H and 240-H.

- On March 15, 2018, City Council approved a ninth modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-I and 240-I.

- On July 1, 2019, City Council approved a tenth modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-J and 240-J.

- Per Article 8, Section 8.4 and Section 8.10 of the Flowery Branch Zoning Ordinance, the original PUD approval must be amended by the Governing Body in order to incorporate changes to the master plan approval and PUD conditional zoning.

APPLICANT'S REQUEST

Townhome Tract – The Applicant is requesting an amendment to the PUD master plan for Sterling on The Lake Master Planned Development.

- The development shall be substantially in accordance with the "Rezoning Plan" submitted as a part of the application.
- The plan will include both public right-of-way and private alleyways as depicted on the "Rezoning Plan". Private alleyways will be maintained solely by the Townhome sub-association.
- Each dwelling unit is required to provide a two car garage and space for two cars in the driveway.
- All requirements imposed under this Ordinance shall be the standards of the development regardless of any change in ownership.
- The elevations will be consistent with the attached exhibits. All elevations shall be reviewed and approved by the DRC Committee prior to submittal to the City.
- No fencing is permitted within the front setback areas.
- The residential development within the overall PUD shall be limited to a maximum of 2,029 housing units for the entire 1,007.91 ± acre PUD, within the City of Flowery Branch at the time of this approval, as approved under this ordinance. If additional land is approved for inclusion as residential development within the PUD, the number of housing units to be permitted and the gross density of residential development portions of the site (excluding commercial, institutional, recreational, and open space uses) shall be established in the subsequent approval as an amendment to the Sterling on the Lake Conceptual Master Plan.
- The PUD shall designate and maintain at least 302 acres of permanent open space, or thirty percent (30%) of the total land area

contained within the PUD, whichever is greater. For purposes of this zoning condition, permanent open space shall include lakes, buffers, and passive or active parks and recreation of the property, including those lands administered by a homeowners association; provided, however, that any buffer area counted as open space shall not be used for active recreational facilities. The open space shall be substantially in accordance with the areas colored green on the "Master Plan for Sterling on the Lake" (i.e., binding site plan) as determined by the Zoning Administrator.

STATEMENTS OF FACT

Pursuant to Article 34 of the Flowery Branch Zoning Ordinance this amendment to the conceptual master site plan and conditions of approval relating to Ordinance No. 239 and 240 (as amended most recently dated March 25, 2018), to add the Bragg tract to the master plan, submit the following Statements of Fact:

(a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property. The requested use is for a residential use and is consistent with the surrounding uses.

(b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property. The proposed residential use of the property will not negatively impact any adjacent property as the both residential and commercial uses exist nearby.

(c) Whether the property to be affected by the proposal can be used in accordance with the existing regulations and has a reasonable economic use as currently zoned. The property has been marketed for its current use for a number of years and has generated very little interest.

(d) Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The proposed residential use will not impact the existing infrastructure in comparison to the current use with the exception of schools where there could be a slight impact.

(e) Whether the proposal is in conformity with the policy and intent of the comprehensive plan including but not limited to the character area map and future land use plan map. The property is shown as Neighborhood Commercial on the character area map but is surrounded by Suburban Residential.

(f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal. The demand for residential use is increasing while neighborhood commercial is declining in some areas. The lack of driveway from Spout Springs Road is challenging to the use of the property for commercial.

(g) Existing use(s) and zoning of the subject property and nearby properties. Property to the east consists of a church campus, to the north a convenience store, to the west single family residential and to the south, undeveloped neighborhood commercial.

(h) Existing value of the property under the existing zoning district classification, the extent to which the property value of the subject property is diminished by the existing zoning district, and the value of the property under the proposed zoning district; if such information is provided by the applicant or can be discerned. This consideration may include the length of time the property has been vacant or unused as currently zoned and efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district classification. The property has been marketed for its current use for a number of years and has generated very little interest. The lack of a driveway connection to Spout Springs is detrimental to its value for commercial development.

(i) Whether a proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations. The

change of use is more compatible with the existing single family development to the west and will have no impact on the other adjacent uses.

(j) The possible creation of an isolated zoning district unrelated to adjacent and nearby districts. The property is adjacent to an existing single family development and therefore would not create an isolated use.

(k) Possible effects of the change in zoning district map, or change in use, on the character of a zoning district. The character of this area includes both residential and commercial use so there should be no impact on the general character of the district.

(l) The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. Residential development is generally less intensive in its impact on the environmental issues mentioned.

(m) The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance. This change of use will not be harmful to the overall zoning scheme as other residential uses currently exists adjacent to the property.

LEGAL DESCRIPTION

The modification of Ordinance No. 239 & 240 for a 1007± acre master planned development generally known as "Sterling on the Lake", described on Exhibit A attached hereto.

Legal Description: (See Exhibit A)

The overall development is approximately 1007.91 +/- acres located adjacent to the intersection of Capitola Farm Road and Spout Springs Road. The property is described as: (**Townhome Tract**), approximately 8.15 ± acres known as the "Townhome" tract, identified as tax identification number 15047-000885, located in GMD 1270 Flowery Branch District, Hall County, Georgia.

Adjoining Property Owners

Parcel ID	Owner	Property Address
15046 000017	UNITED FOOD AND GAS INC	6360 SPOUT SPRINGS RD
15046 000069	ARCHBISHOP WILTON D GREGORY ARCHBISHOP	6367 SPOUT SPRINGS RD
15046 000139	CONSTANTINO T GARCIA	6363 SPOUT SPRINGS RD
15047 000001	ARCHBISHOP WILTON D GREGORY ARCHBISHOP	6439 SPOUT SPRINGS RD
15047 000002A	SHIRLEY L MOORE	6495 SPOUT SPRINGS RD
15047 000665	HALL COUNTY	6488 SPOUT SPRINGS RD
15047 000684	GREGORY L. WITKOWSKI WITKOWSKI, WHITNEY A.	6807 LAKE STERLING BLVD
15047 000701	STERLING ON THE LAKE COMMUNITY ASSOCIATI	6872 LAKE STERLING BLVD
15047 000711	CEMETERY - NNP-LOOPER LAKE, LLC	LAKE STERLING BLVD
15047 000742	ANDREA N BOWEN BOWEN ROBERT D	6714 BIG SKY DR
15047 000743	ERIC M. BOWMAN BOWMAN, LAUREN A.	6718 BIG SKY DR
15047 000885	NNP-LOOPER LAKE LLC c/o NEWLAND COMMUNITIES	BIG SKY DR
15047 000885A	STERLING ON THE LAKE COMMUNITY ASSOCIATI C/O COMMUNITY MANAGMENT ASSOCIATES INC	6796 LAKE STERLING BLVD
15047 000887	MARY BETH TURLEY	6804 GOLDEN BUD LN
15047 000953	STERLING ON THE LAKE COMMUNITY ASSOCIATI	CROSSCREEK LN
15047B000001	JOSHUA HARWARD HARWARD, LAUREN	6403 MOSSY BOULDER DR
15047B000075	JOHN RINDFUSZ RINDFUSZ DEENA	6414 MOSSY BOULDER DR
15047B000076	THOMAS A KLAPUT KLAPUT PATRICIA M	6408 MOSSY BOULDER DR
15047B000077	JOSHUA E THOMAS THOMAS JESSICA BOWLES	6402 MOSSY BOULDER DR
15047H000050	STERLING ON THE LAKE COMMUNITY ASSOCIATI	6782 BLUE HERON WAY
15047P000001	DALE MARIE GRANT	6393 CROSSCREEK LN
15047P000013	D. R. HORTON, INC.	6380 CROSSCREEK LN
15047P000014	MIRIAM A NICHOLAS	6384 CROSSCREEK LN
15047P000015	EVAN H DOWLING DOWLING MARIA LORELLE	6388 CROSSCREEK LN
15047P000016	D. R. HORTON, INC.	6392 CROSSCREEK LN
15047P000017	MICHAEL KEITH JOHNSON JOHNSON MELISSA DANIELLE	6396 CROSSCREEK LN
15047P000018	CHRISTINE R. BECK SINGLETON, KIMBERLY ERIN	6402 CROSSCREEK LN
15047P000019	RICHARD LEE LASHBROOK LASHBROOK, KRISTEN PALEN	6406 CROSSCREEK LN
15047P000020	D. R. HORTON, INC.	6410 CROSSCREEK LN
15047P000021	NICOLAS PEMBERTON PEMBERTON JUSTINE	6414 CROSSCREEK LN
15047P000022	D. R. HORTON, INC.	6418 CROSSCREEK LN
15047Q000064	STACEY A. BURSINGER	6465 CROSSCREEK LN
15047Q000065	MATEUSZ JERZY MUDY	6461 CROSSCREEK LN
15047Q000066	LINDA S. WILLIAMS	6457 CROSSCREEK LN
15047Q000067	LAUREN TAMPLIN TAMPLIN, KRISTOFER	6453 CROSSCREEK LN
15047Q000068	SIDNI BRAUTIGAN	6449 CROSSCREEK LN
15047Q000069	KAREN E. ZARCONE	6445 CROSSCREEK LN
15047Q000070	KEVIN ANTHONY JONES JONES, ASHLEIGH	6441 CROSSCREEK LN
15047Q000071	KENNY A. CUEVAS, SR	6452 CROSSCREEK LN
15047Q000072	KERRI LYNN PARKS PARKS, STEVAN RODNEY	6456 CROSSCREEK LN
15047Q000073	RALPH RODRIGUEZ	6460 CROSSCREEK LN
15047Q000074	TAYLOR HEINICKE	6464 CROSSCREEK LN
15047Q000075	ANAHIS LEON CARPIO BARRIOS MORA, DANIEL	6468 CROSSCREEK LN

Sterling™ ON THE LAKE

BY

NEWLAND®

rhf

Reece Hoopes Fincher

land planners | landscape architects

DISCLAIMER: THESE DRAWINGS ARE CONCEPTUAL AND SUBJECT TO CHANGE, NOT INTENDED FOR CONSTRUCTION.

Sterling™ ON THE LAKE

BY NEWLAND

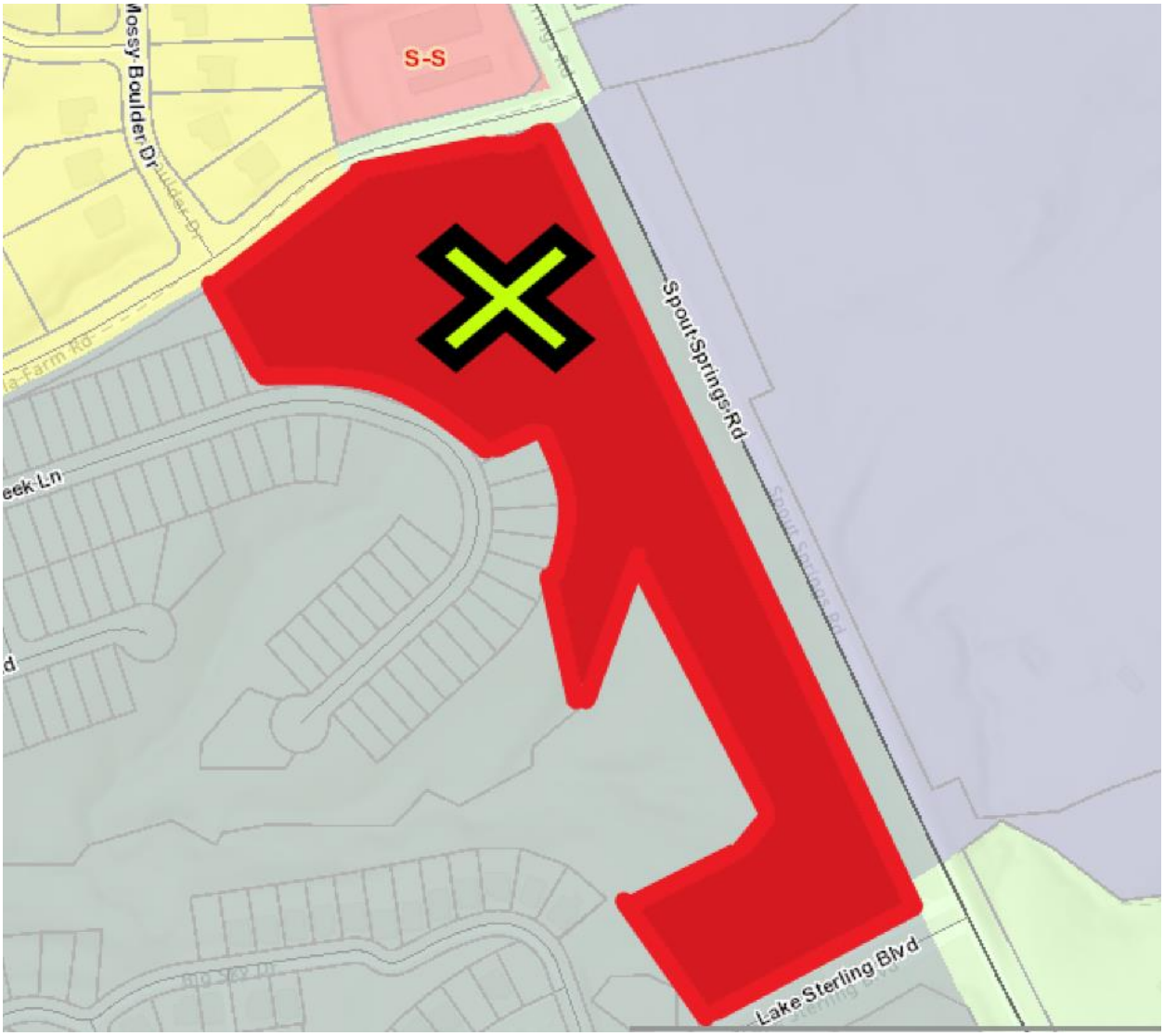
rhf
Reece Hoopes Fincher
land planners | landscape architects

DISCLAIMER: THESE DRAWINGS ARE CONCEPTUAL AND SUBJECT TO CHANGE, NOT INTENDED FOR CONSTRUCTION.

Staff Report

An application to rezone a portion of a parcel of land from Planned Unit Development (PUD) to Planned Unit Development (PUD) with modified conditions was submitted by NNP-Looper Lake, LLC. The following property is being considered:

Tax Parcel ID # 15047 000885

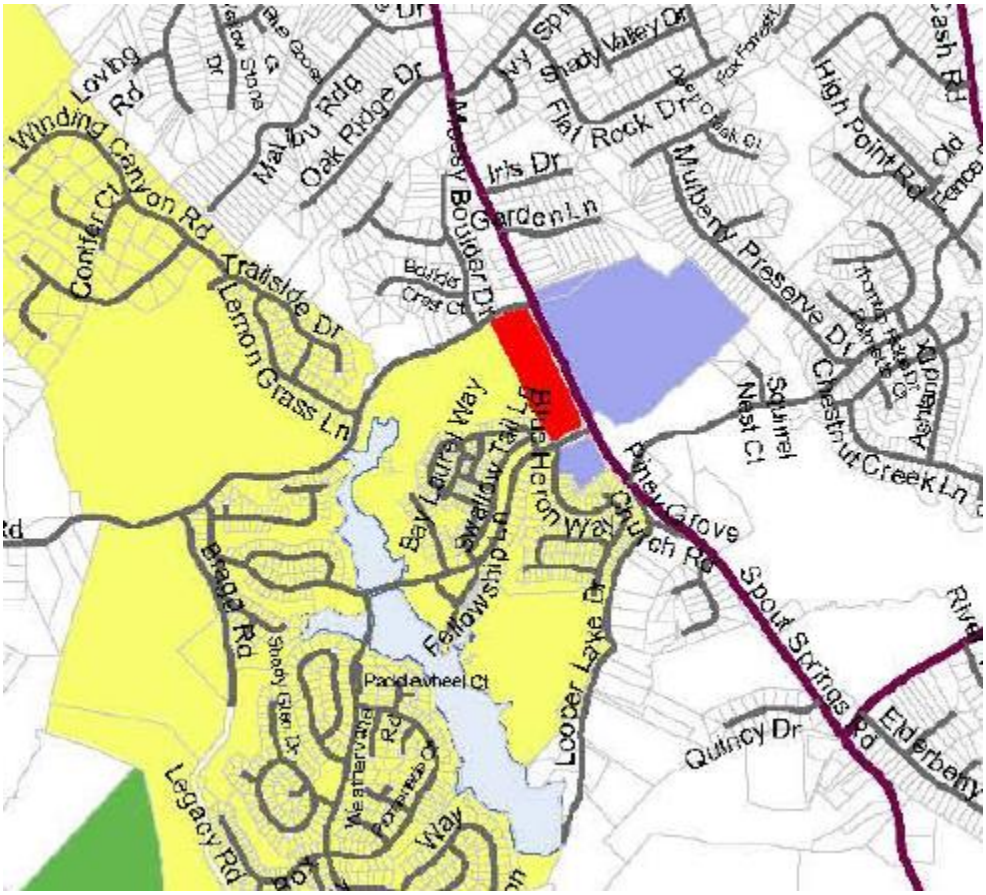


Currently, the entire parcel (12 +/- acres) is zoned PUD and is designated as for sale commercial/retail property. Applicant is requesting 8 +/- acres be removed from the commercial/retail development classification allowing for the construction of approximately 65 townhomes.

Comprehensive Plan

Designated as a “Neighborhood Commercial” character area.

Flowery Branch character area map:



The “Neighborhood Commercial” character area does not contemplate residential uses. Applicant proposes leaving 4 +/- acres as commercial. These parcels would keep the “Neighborhood Commercial” character area designation. The remaining land (8+/- acres) would not fit the “Suburban Neighborhood” character area designation that Sterling on the Lake currently holds, rather it would need to be reclassified as, “Urban Density Community”.

Neighborhood Commercial

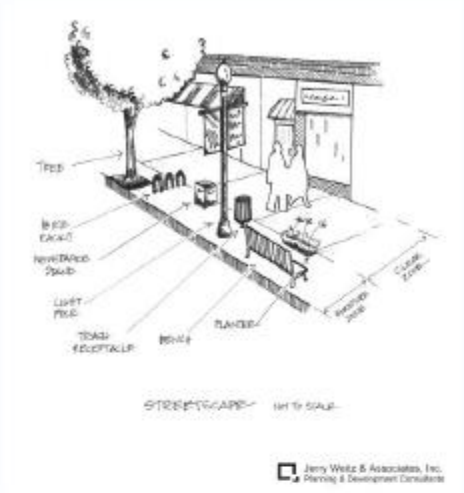
VISION: Attractive, non-auto related neighborhood businesses and services, with distinctive architectural features and a scale compatible with pedestrians and connected to adjacent residential neighborhoods.

USES AND INTENSITIES: Neighborhood-serving commercial intensities are within a range of approximately 10,000 to 15,000 square feet of building space per acreBusiness establishments do not generally exceed 25,000 square feet in any one tenant space, to keep the bulk and intensity in scale with the needs of adjacent neighborhoods.

MAJOR FEATURES: Pedestrian accessibility is promoted via sidewalks connected to nearby neighborhoods, but uses are mostly reliant on the automobile for access. Nonetheless, buildings and developments are scaled to be compatible with and promote pedestrian activity. Open space is limited to suburban plazas or small open spaces. Three-story height limit. Entrances, frontages, and building façades are softened with landscaping and low-lying identification signs.

REGULATIONS: This character area will be implemented with a neighborhood commercial zoning district. Design guidelines will be provided, and neighborhood commercial projects will be required to complete design review. Minimum 15 percent of the lot is open space or landscaped.

QUALITY COMMUNITY OBJECTIVES IMPLEMENTED: Appropriate business, employment options, transportation alternatives, sense of place.



Illustrative Pedestrian Features

Outdoor Seating and Attractive Lighting

Quality, Compatible Architectural Design Including Signage

Suburban Neighborhood

VISION: Conventional suburban subdivisions with larger lots (1/3 to 1 acre) that may have cul-de-sacs and curvilinear streets. Houses are set back from the road. Streets are built to relatively wide standard when compared with traditional neighborhoods.

USES AND DENSITIES: Acceptable uses are almost exclusively single-family residences, though some civic and recreational uses integrated into subdivision plans are acceptable. Duplexes, townhouses, multi-family, and accessory apartments are not permitted. Densities are in the range of 1-3 dwelling units per acre.

MAJOR FEATURES: Houses are setback from city streets. Diverse architectural designs are required. Garages may be located in the front but should not be the dominant feature of the home. .

REGULATIONS: To be implemented with existing residential zoning districts.

QUALITY COMMUNITY OBJECTIVES IMPLEMENTED: Open space preservation, housing opportunities, infill development, suburban sense of place.

Typical Street Scene in a Suburban Neighborhood

Dwelling Setback from Street

Conventional Suburban Subdivision With cul de sacs

Urban Density Community

VISION: Higher density, urban living environments.

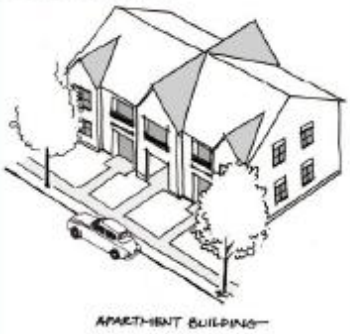
USES AND DENSITIES: Acceptable uses include multi-family development (apartment complexes, townhouses, and manufactured home parks). Densities range from 6 to 12 units per acre.

Manufactured Home Park

MAJOR FEATURES: Master planned with high quality architecture, entrance landscaping, and recreational amenities.

REGULATIONS: To be implemented with existing multi-family residential zoning districts with design guidelines. Design review required.

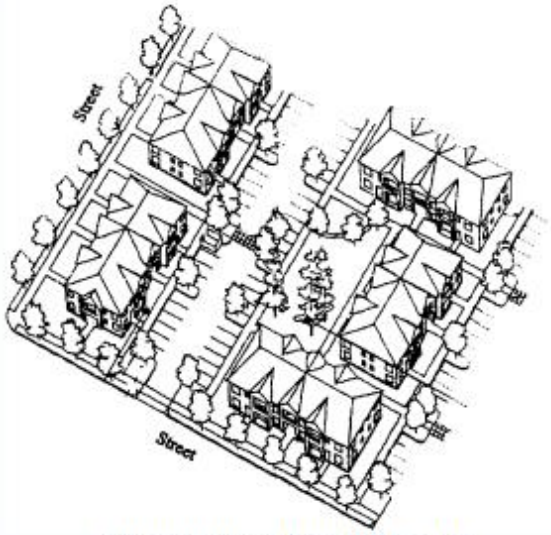
QUALITY COMMUNITY OBJECTIVES IMPLEMENTED: Open space preservation, housing opportunities, infill development, urban sense of place.



Jerry Weitz & Associates, Inc.
Planning & Development Consultants

Typical Fee-Simple Townhouses

Apartments with Good Articulation of Buildings



Connectivity and Quality Design
of Urban Density Communities

Proposal

Submitted by applicant:

Project Summary

LOCATION – Spout Springs Road & Capitola Farm Road
ACREAGE – 8.15 acres +/-
APPLICANT – NNP - Looper Lake, LLC

Summary

The accompanying application seeks a change of use from commercial to single family attached within the current PUD for Sterling on The Lake. The site would be developed for up to 65 townhomes with rear entry garages from either a public street or private alleyway. The townhome units will be 3 stories with a mix of architectural materials. A passive park area will be located near the entrance and sidewalks will provide both internal and external connections. The location and point of access will not impact current traffic flow within the Sterling on The Lake community. Completion of development is anticipated by 2022.

Site Description

The site has approximately 575 feet of frontage along the western right-of-way of Spout Springs Road and 650 feet of frontage along the southern right-of-way of Capitola Farm Road. The site is rectangular in shape with the majority being previously cleared and graded. A jurisdictional stream is located on the southern side of the property. Domestic water provided by the City of Gainesville is located in the right-of-way of Capitola Farm Road. Hall County sanitary sewer is located near the sites southwestern boundary line. All other dry utilities are located within a reasonable distance for service extensions. There are no known impediments to its successful development for the purposes intended.

Access

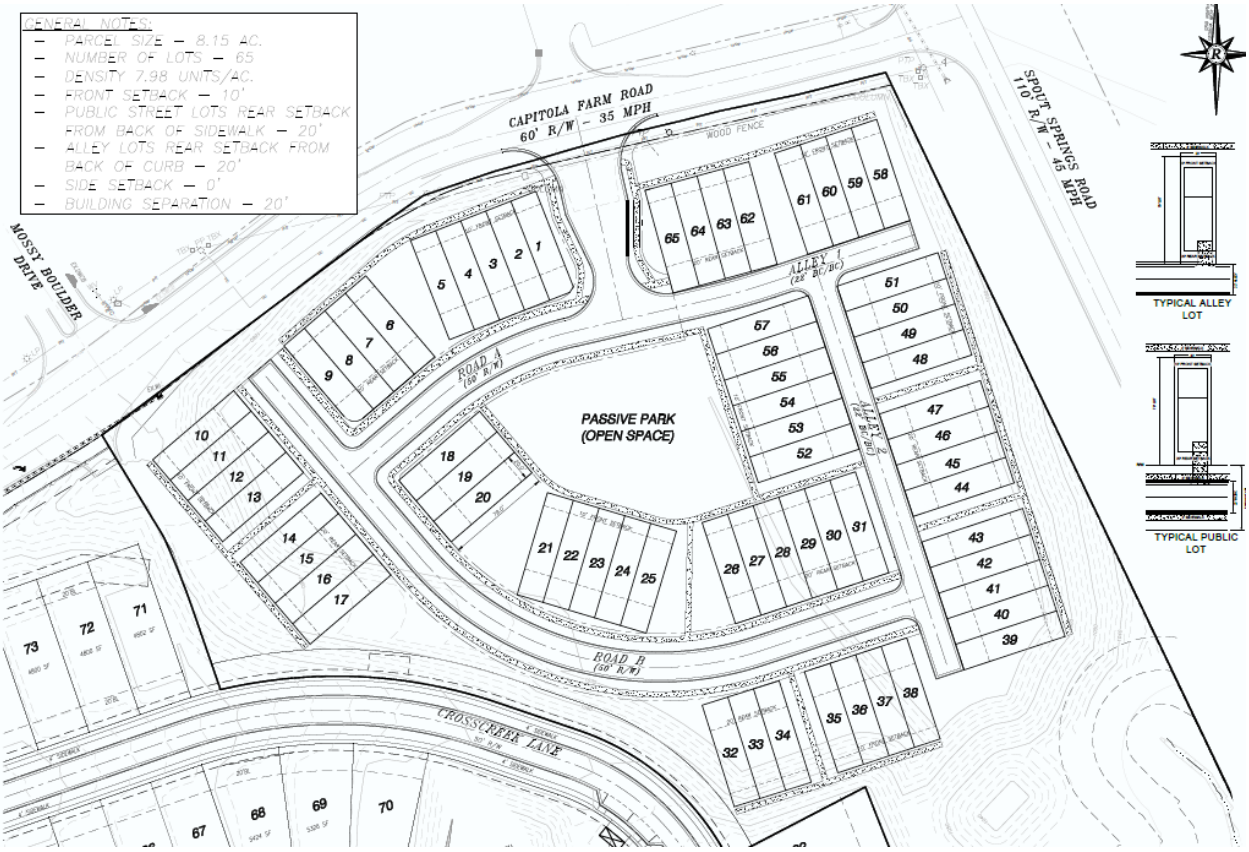
A single point of access to the property is proposed from Capitola Farm Road, approximately 250 LF from its intersection with Spout Springs Road.

Development Strategy

The site has been previously marketed for commercial uses but has received only limited interest due to a lack of direct access to Spout Springs Road and the ongoing widening project. The proposed townhome product will fill a product type void that is not currently server in the Sterling on The Lake community. Two commercial tracts will remain at Spout Springs Road and Lake Sterling Boulevard.

Flowery Branch

Flowery Branch



GENERAL NOTES:

- PARCEL SIZE – 8.15 AC.
- NUMBER OF LOTS – 65
- DENSITY 7.98 UNITS/AC.
- FRONT SETBACK – 10'
- PUBLIC STREET LOTS REAR SETBACK FROM BACK OF SIDEWALK – 20'
- ALLEY LOTS REAR SETBACK FROM BACK OF CURB – 20'
- SIDE SETBACK – 0'
- BUILDING SEPARATION – 20'

Development Statistics for Townhome Tract Amendment Request

(a) Maximum and proposed height of any structure; 35'

(b) Maximum and proposed gross square footage of the building area (nonresidential only); N/A

(c) Color renderings of any proposed structures; See attached

(d) Material list (with percentages) of any proposed structures;

All color schemes and exterior material selections must be submitted to the DRC for approval. A minimum of two exterior materials and a maximum of three exterior materials on each home is required.

- Corner lots will be required to wrap the front elevation material around the side of the flanking street.
- All homes with front elevations including masonry must wrap the same material around the corner of the home a minimum of 2 feet (with the exception of Pods A, B & C). Masonry materials and patterns must be submitted to the DRC for approval.

(e) Maximum and proposed number of dwelling units and minimum and proposed square footage of heated floor area for any dwelling unit (residential only); 65 units with a minimum heated floor area of 1400 SF

(f) Maximum and proposed lot coverage of building area (square feet and percent); 1000 SF with a lot coverage of 65%.

(g) Minimum and proposed square footage of landscaped area (square feet and percent); 15,000 SF in passive park area.

(h) Minimum, maximum and proposed number of parking spaces; one space per unit provided in paved driveway.

(i) Other dimensional information as may be required by the Zoning Administrator. TBD

Flowery Branch

Flowery Branch

City of Flowery Branch Rezoning Application
REQUEST FOR STATISTICAL INFORMATION
Sterling on the Lake – Townhome Tract

1. Value of improvements at buildout:
   - Development cost - $ 30,000 per lot
   - Vertical construction cost - $ 120 per sf

2. Property tax revenue at buildout: (based on FMV of $275,000)
   - Hall County - $ 196,110
   - City of Flowery Branch - $ 23,338

3. Schedule of construction;
   - See below:

ITEM	START	FINISH
Design & Permitting	6/30/2021	8/29/2021
Land Development	9/3/2021	3/2/2022
Final Plat	3/12/2022	4/26/2022
Lot Sales	5/6/2022	5/31/2023
Residential CO's	7/20/2022	8/14/2023

4. Anticipated total square footage per unit:
   - 1400 sf minimum

5. Total acreage to be developed:
   - 7.95 acres in total

6. The Townhome Tract will contain approximately 0.25 acres in private rights-of-way.

7. The Townhome Tract will contain approximately 4.35 acres of open space/common area to be maintained by the existing HOA.

8. The Townhome Tract will contain approximately 1.05 acres of buffer and watershed protection.
   A) The impervious buffer is applicable to the Townhome Tract.
   B) No property lines may extend into the stream buffer.
   C) The developer intends to dedicate street rights-of-way (where applicable) and storm sewer easements to the City of Flowery Branch.

9. Transportation alternatives:
   - The Townhome Tract will have a pedestrian link along Spout Springs Road to the remainder of the community.

10. Amenities for Sterling on the Lake total more than 15 acres and (at buildout) will include the following:
    - Lakes and Trails
    - 3 Clubhouses
    - 5 Pools
    - 4 Children's Playgrounds
    - Multiple pocket parks
    - Children's Treehouse
    - 12 Tennis Courts
    - 2 Fire pits
    - Lakeside pavilion with grill
    - Boat dock and launch
    - ¾ Basketball Court
    - Picnic Island
11. A minimum of 9 street lights are planned for the Townhome Tract with a maximum spacing of 150 feet.

12. The Townhome Tract will include approximately 3,500 linear feet of sidewalk containing approximately 216 cubic yards of concrete.

13. Homes in the Townhome Tract will have access to high speed internet to the extent available from the service provider.

14. The Townhome Tract will contain areas for providing detention, water quality and stream protection.

15. An updated traffic study has not been completed for the Townhome Tract as the overall density will remain within previously studied and approved maximums.

16. There are no provisions for utilization and storage of reuse water in this plan.

17. The Townhome Tract, as proposed, will generate approximately 17,550 gallons per day of wastewater flow.

18. The maximum daily water consumption is approximately 17,550 gallons per day. Low flow fixtures are required by the development.

19. A preliminary design has been completed in order to evaluate the proposed density.

20. Public safety requirements related to life safety codes have been considered in the concept design.

21. The Hall County school system has been provided density and build out projections for the entirety of the community.

22. Copies of master covenants and guidelines have been previously filed and recorded.

Sterling on the Lake – Project Narrative

Applicant seeks to amend the conceptual site plan and conditions of approval relating to ordinance no. 239I & 240I, for the master planned community on 1007.91 ± acres generally known as "Sterling on the Lake" located in the PUD (Planned Unit Development) zoned district. The development is located adjacent to the intersection of Capitola Farm Road and Spout Springs Road. The amended property is described as: **(Townhome Tract)** - a 8.15 acre parcel of real property owned by NNP Looper Lake LLC, being known as the "Townhome" tract identified as a portion of tax identification number 15047-000885 located in GMD 1270 Flowery Branch District, Hall County, Georgia.

- The Sterling on the Lake Master Planned Development was originally approved (annexed and rezoned) by the Flowery Branch City Council on November 16, 2001, per Ordinances 239 and 240.

- On February 1, 2006, City Council approved a modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-A and 240-A.

- On September 9, 2006, City Council approved a second modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-B and 240-B.

- On August 15, 2007, City Council approved a third modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-C and 240-C.

- On November 25, 2008, City Council approved a fourth modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-D and 240-D.

- On March 26, 2011, City Council approved a fifth modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-E and 240-E.

- On March 15, 2012, City Council approved a sixth modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-F and 240-F.

- On February 18, 2016, City Council approved a seventh modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-G and 240-G.

- On May 4, 2017, City Council approved an eight modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-H and 240-H.

- On March 15, 2018, City Council approved a ninth modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-I and 240-I.

- On July 1, 2019, City Council approved a tenth modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-J and 240-J.

- Per Article 8, Section 8.4 and Section 8.10 of the Flowery Branch Zoning Ordinance, the original PUD approval must be amended by the Governing Body in order to incorporate changes to the master plan approval and PUD conditional zoning.

APPLICANT'S REQUEST

Townhome Tract – The Applicant is requesting an amendment to the PUD master plan for Sterling on The Lake Master Planned Development.

- The development shall be substantially in accordance with the "Rezoning Plan" submitted as a part of the application.
- The plan will include both public right-of-way and private alleyways as depicted on the "Rezoning Plan". Private alleyways will be maintained solely by the Townhome sub-association.
- Each dwelling unit is required to provide a two car garage and space for two cars in the driveway.
- All requirements imposed under this Ordinance shall be the standards of the development regardless of any change in ownership.
- The elevations will be consistent with the attached exhibits. All elevations shall be reviewed and approved by the DRC Committee prior to submittal to the City.
- No fencing is permitted within the front setback areas.
- The residential development within the overall PUD shall be limited to a maximum of 2,029 housing units for the entire 1,007.91 ± acre PUD, within the City of Flowery Branch at the time of this approval, as approved under this ordinance. If additional land is approved for inclusion as residential development within the PUD, the number of housing units to be permitted and the gross density of residential development portions of the site (excluding commercial, institutional, recreational, and open space uses) shall be established in the subsequent approval as an amendment to the Sterling on the Lake Conceptual Master Plan.
- The PUD shall designate and maintain at least 302 acres of permanent open space, or thirty percent (30%) of the total land area

contained within the PUD, whichever is greater. For purposes of this zoning condition, permanent open space shall include lakes, buffers, and passive or active parks and recreation of the property, including those lands administered by a homeowners association; provided, however, that any buffer area counted as open space shall not be used for active recreational facilities. The open space shall be substantially in accordance with the areas colored green on the "Master Plan for Sterling on the Lake" (i.e., binding site plan) as determined by the Zoning Administrator.

STATEMENTS OF FACT

Pursuant to Article 34 of the Flowery Branch Zoning Ordinance this amendment to the conceptual master site plan and conditions of approval relating to Ordinance No. 239 and 240 (as amended most recently dated March 25, 2018), to add the Bragg tract to the master plan, submit the following Statements of Fact:

(a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property. The requested use is for a residential use and is consistent with the surrounding uses.

(b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property. The proposed residential use of the property will not negatively impact any adjacent property as the both residential and commercial uses exist nearby.

(c) Whether the property to be affected by the proposal can be used in accordance with the existing regulations and has a reasonable economic use as currently zoned. The property has been marketed for its current use for a number of years and has generated very little interest.

(d) Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The proposed residential use will not impact the existing infrastructure in comparison to the current use with the exception of schools where there could be a slight impact.

(e) Whether the proposal is in conformity with the policy and intent of the comprehensive plan including but not limited to the character area map and future land use plan map. The property is shown as Neighborhood Commercial on the character area map but is surrounded by Suburban Residential.

(f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal. The demand for residential use is increasing while neighborhood commercial is declining in some areas. The lack of driveway from Spout Springs Road is challenging to the use of the property for commercial.

(g) Existing use(s) and zoning of the subject property and nearby properties. Property to the east consists of a church campus, to the north a convenience store, to the west single family residential and to the south, undeveloped neighborhood commercial.

(h) Existing value of the property under the existing zoning district classification, the extent to which the property value of the subject property is diminished by the existing zoning district, and the value of the property under the proposed zoning district; if such information is provided by the applicant or can be discerned. This consideration may include the length of time the property has been vacant or unused as currently zoned and efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district classification. The property has been marketed for its current use for a number of years and has generated very little interest. The lack of a driveway connection to Spout Springs is detrimental to its value for commercial development.

(i) Whether a proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations. The

change of use is more compatible with the existing single family development to the west and will have no impact on the other adjacent uses.

(j) The possible creation of an isolated zoning district unrelated to adjacent and nearby districts. The property is adjacent to an existing single family development and therefore would not create an isolated use.

(k) Possible effects of the change in zoning district map, or change in use, on the character of a zoning district. The character of this area includes both residential and commercial use so there should be no impact on the general character of the district.

(l) The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. Residential development is generally less intensive in its impact on the environmental issues mentioned.

(m) The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance. This change of use will not be harmful to the overall zoning scheme as other residential uses currently exists adjacent to the property.

Staff Analysis

Flowery Branch Zoning Ordinance Article 37 Rezoning and Conditional Use Applications

Sec. 34.7. - Analysis Requirements.

Applications to amend the official zoning map and applications for conditional uses shall provide a written analysis comparing the proposed action with the criteria in this Section. A zoning map amendment or conditional use application may be justified only if it bears a reasonable relationship to the public health, safety, morality, or general welfare, and after consideration of the analysis requirements which may in individual cases be considered criteria relevant to Zoning Administrator in making recommendations and by the Governing Body in the decision-making process.

Staff Response:

(a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property. Residential units are suitable as they are consistent with the surrounding area.

(b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property. The development will not adversely affect the area.

(c) Whether the property to be affected by the proposal can be used in accordance with the existing regulations and has a reasonable economic use as currently zoned. Yes, current zoning and designation as commercial has a reasonable economic use although the land has been available for some time.

(d) Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. It is staff's opinion that the use will not create any unnecessary burdens.

(e) Whether the proposal is in conformity with the policy and intent of the comprehensive plan including but not limited to the character area map and future land use plan map. Currently, the Comprehensive Plan denotes this area as part of the "Neighborhood Commercial" character area. The proposed use (townhomes) does not meet the intent of the Comprehensive Plan (see previous comments regarding the Comprehensive Plan as part of this staff report). However, the proposed zoning change does not alter the entirety of the area designated "Neighborhood Commercial" and, if approved, would leave two outparcels to be developed as commercial according to guidelines and rules established by the Comprehensive Plan and City codes.

(f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal. The demand for over 12 acres of commercial product at this location has not been high.

(g) Existing use(s) and zoning of the subject property and nearby properties. Townhomes will become part of the Sterling on the Lake community.

(h) Existing value of the property under the existing zoning district classification, the extent to which the property value of the subject property is diminished by the existing zoning district, and the value of the property under the proposed zoning district; if such information is provided by the applicant or can be discerned. This consideration may include the length of time the property has been vacant or unused as currently zoned and efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district classification. Staff does not have a specific number regarding property value, but the current zoning restrictions do not allow the proposed residential subdivision.

(i) Whether a proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations. Staff does not feel that the proposed will be a deterrent.

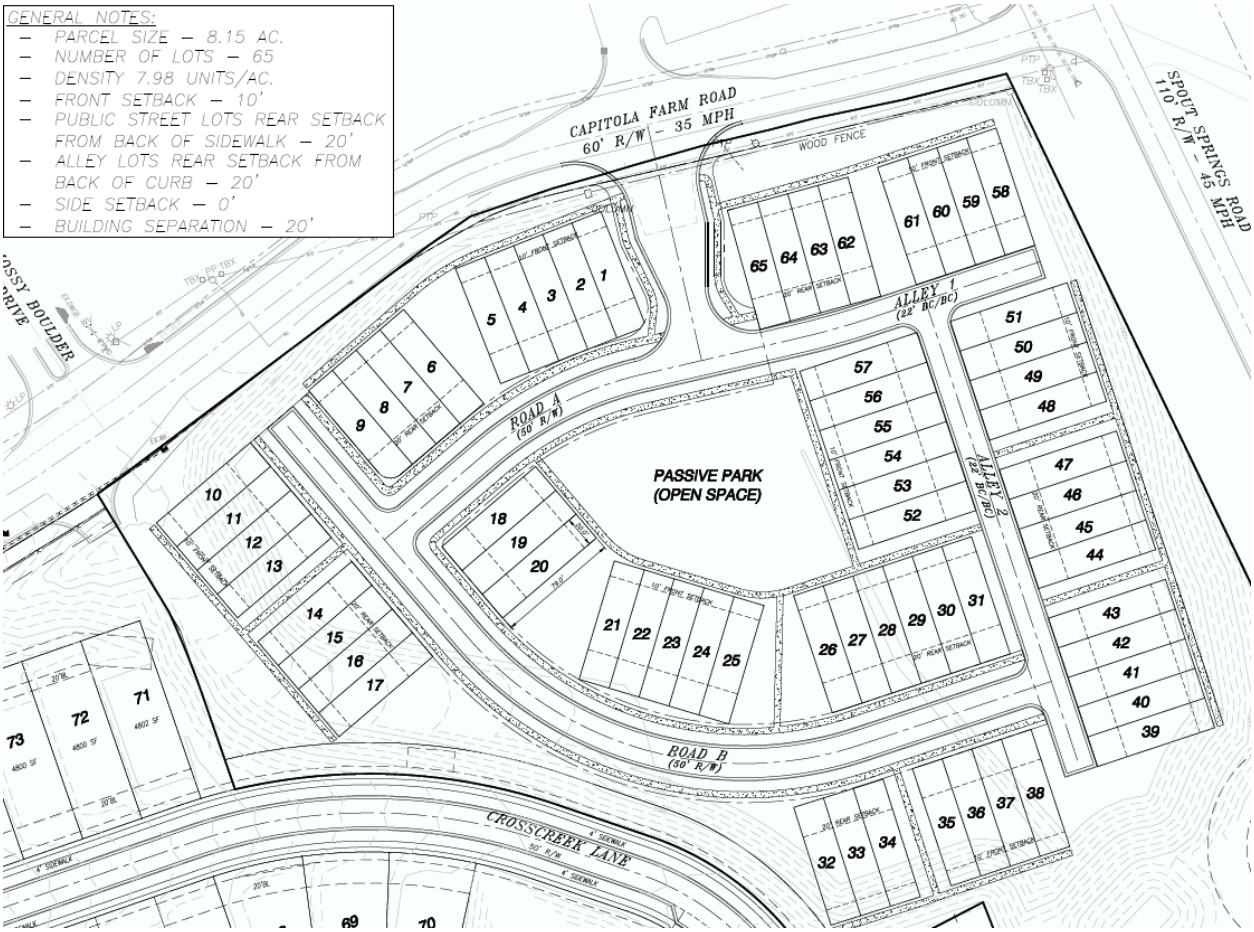
(j) The possible creation of an isolated zoning district unrelated to adjacent and nearby districts. N/A

(k) Possible effects of the change in zoning district map, or change in use, on the character of a zoning district. The proposed use will not be a detriment to the area and may help to make the commercial properties more viable.

(l) The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. The development, if approved, will need to go through all the required development reviews to ensure all applicable codes and requirements are met.

(m) The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance. The proposed development will meet the intent of the Zoning Ordinance.

Site Plan

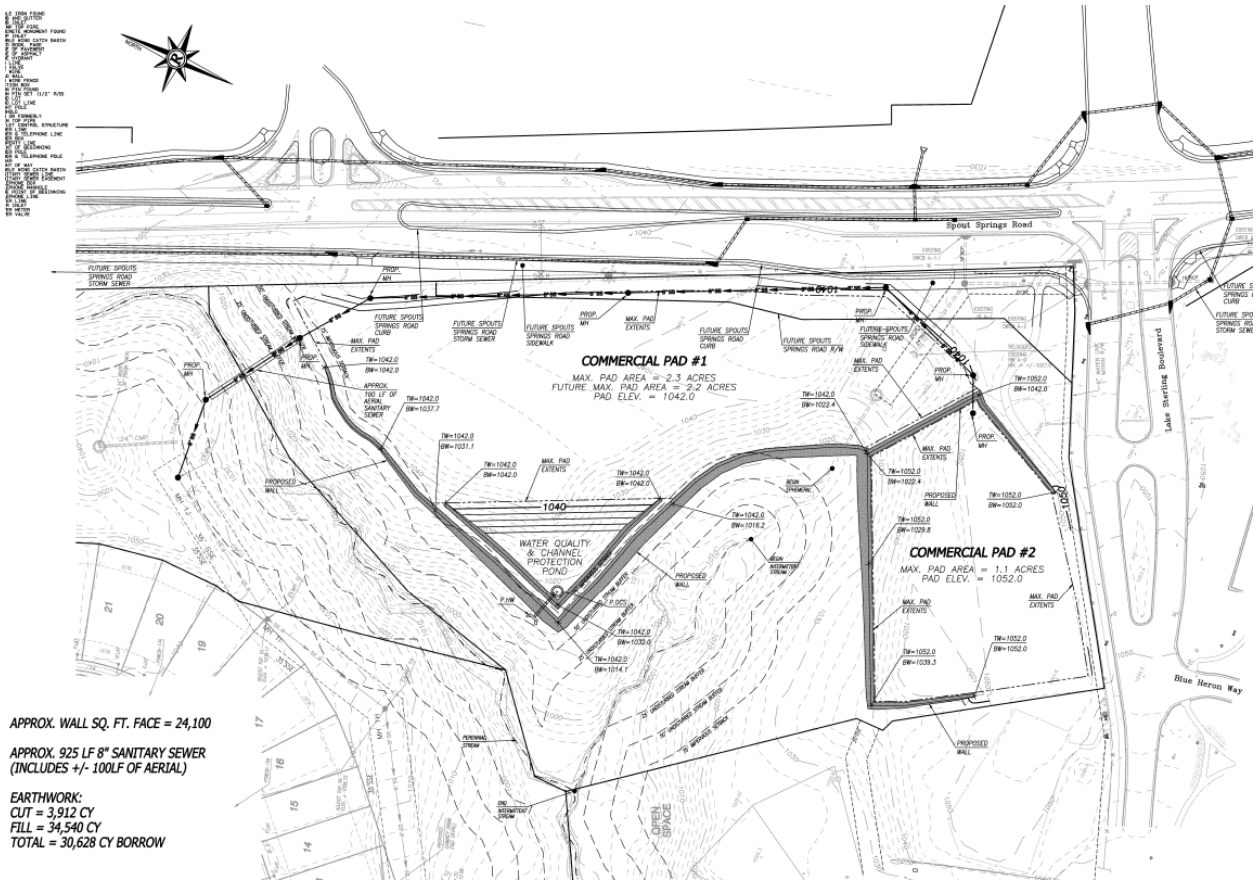


The site plan meets many of the standards the City looks for regarding layout and design. It contains sidewalks throughout, a central passive park, alley fed lots that face the street or the greenspace. The townhomes do not exceed the City desired runs of six and have two car garages. The only deficiency is a lack of extra parking for guests.

If approved, the commercial would be reduced to 4 +/- acres. Access to sites per applicant: When the commercial was discussed with GDOT they initially were ok with the plan to create (1) Right in/Right out on Spout Springs and potentially (1) right in only. The upper parcel would have a drive onto Lake Sterling Blvd. likely aligned with the breaks in the center islands to allow for left out egress from the site.

Site Concept plans will be submitted when the site is fully contracted, and a potential developer has completed site design.

GDOT was not comfortable with multiple Right in Right out entries on Spout Springs with the Church entry across the way and the traffic routing planned (Michigan Left) which has been a serious issue with the Capitola Farm Corner sites since the road improvements have been design and begun. Commercial and retail developers want direct access to Spout Springs, and the median and one-way directional limitations are a negative we have been unable to overcome.



PUD Zoning

The overall master site plan showing the proposed townhomes and the reduced future commercial sites.

A close-up of the area where the townhomes/reduced commercial would be located if approved.

The status of the overall development if the townhome project is approved. The original overall unit count is limited to 2,000. If approved, the townhome development would push that number to 2,018.

			POD BREAKDOWN							1/14/2021
POD	**40'**	**45/50**	**55/60**	**65**	**70/75**	**80/90**	**100**	**TH**	**ESTATE**	**TOTAL**
MHP			5		5	7				**17**
A				85						**85**
B				69						**69**
C			48	37						**85**
D					30	9				**39**
E					32	39	7			**78**
F					31	20				**51**
G			6	32	24		6			**68**
H					76					**76**
I					43		9			**52**
J					75					**75**
K					45					**45**
L&M			38							**38**
N		74								**74**
O		44								**44**
P	22									**22**
Q	82									**82**
R								16		**16**
S							14			**14**
T		20	45	41						**106**
U			58	78						**136**
V&W		41		34	39					**114**
X						79				**79**
Y						36				**36**
Z									49	**49**
KNUTSON		108	35							**143**
POD Z12		22	20							**42**
HONEYCUT		178								**178**
BRAGG		36								**36**
J **						4				**4**
Capitola TH								65		**65**
TOTAL ALL	104	523	255	376	400	194	36	81	49	**2018**
Percent Total Lots	5%	26%	13%	19%	20%	10%	2%	4%	2%	**Exceeds Zoning**
									Difference	**-18**
							Zoning	2	units/acre	1007.91
							Zoned Units based upon 2/ace			2016

Traffic Impact Study

Staff has not requested a traffic study at this time due to the relatively small number of homes proposed. If Mayor and Council would like a study performed it is appropriate to make this request if it is done in a timely manner.

Staff Recommendation

Staff recommends approval with the following conditions:

1. All conditions of zoning as set forth in Ordinances 239 and 240 and all subsequent and relevant modifications shall apply to the development.
2. Townhomes shall be limited to runs of no more than six.
3. Development shall generally adhere to the site plan as submitted.
4. Driveways shall be 23' as measured from the back of curb.
5. Front entrance plans shall be submitted at the time of, or prior to, applications for monument signs. Said plans shall clearly describe and show the precise landscaping proposed.
6. Townhomes shall be constructed in a manner that significantly adheres to the elevations as submitted.
   A. Material shall be limited to brick, stacked stone, cementitious fiber board, and board and batten.
   B. Elevations shall be submitted for each townhome at the time of permit.
   C. Architectural shingles shall be used throughout the development.

FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY

SUBJECT: Public Hearing to consider a request submitted by Fall Leaf Residential, LLC. to annex and rezone 6495 and 6509 McEver Road with the intent to develop and construct a townhome community.

COUNCIL MEETING DATE: April 1, 2021

HISTORY:
The parcels under consideration were previously discussed as part of the annexation request submitted by CA-Ventures that was subsequently denied by Council.

FACTS AND ISSUES:

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:
No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:
No vote at this time.

SAMPLE MOTION:
No action taken at this time.

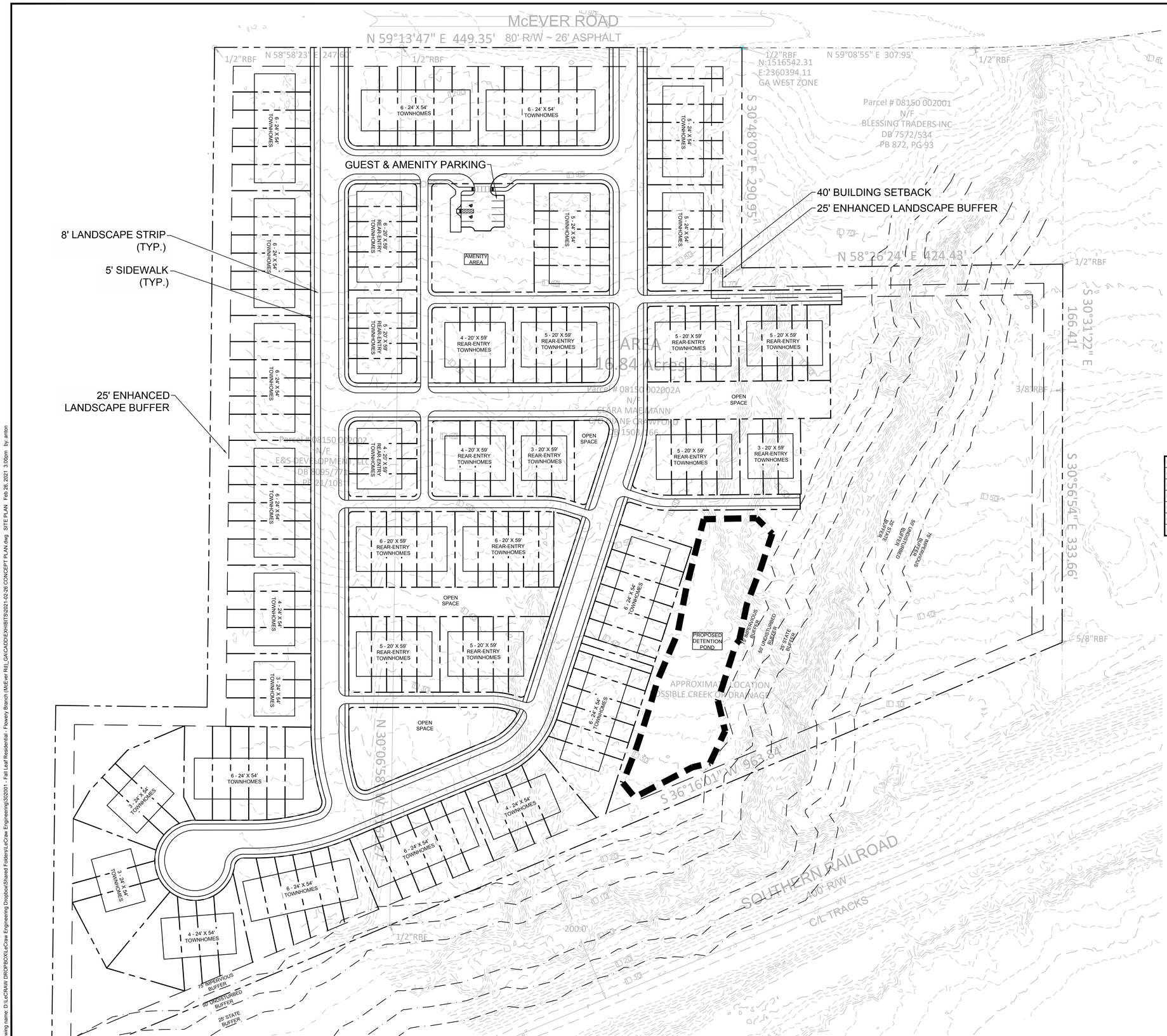
COLLABORATING DEPARTMENT:

DEPARTMENT: Planning

Prepared by: Vickie Short

ATTACHMENTS

- Combined Site Plans.pdf
- Combined applications.pdf
- Staff Report.pdf



LOCATION MAP
NOT TO SCALE

SITE SUMMARY

SITE AREA	
SITE AREA:	25.68 ± ACRES (1,118,621 S.F.)
ZONING CLASSIFICATION	
JURISDICTION:	CITY OF FLOWERY BRANCH
ZONING:	R-3
BUILDING SETBACKS	
FRONT:	25' (FRONT YARD)
SIDE:	10' (40' ABUTTING HB ZONING)
REAR:	20' (REAR YARD)
LOTS SUMMARY	
LOTS PROVIDED:	173
LOT DENSITY:	6.74 UNITS/ACRE
HOUSE SIZE:	(24' x 54') & (20' x 59')

DEVELOPMENT STATISTICS

MAXIMUM BUILDING HEIGHT:	45'	PROPOSED BUILDING HEIGHT:	35'
MAXIMUM DENSITY:	12 UNITS/ACRE (289 UNITS)	PROPOSED DENSITY:	6.74 UNITS/ACRE (173 UNITS)
MINIMUM HEATED FLOOR AREA:	1,000 S.F.	PROPOSED HEATED FLOOR AREA:	1,600 S.F.
MINIMUM LOT SIZE:	10,000 S.F.	PROPOSED MINIMUM LOT SIZE:	2,100 S.F.
MINIMUM LANDSCAPED AREA:	15% (167,793 S.F.)	PROPOSED LANDSCAPED AREA:	21% (230,517 S.F.)
MINIMUM PARKING COUNT:	346 (ENCLOSED)	PROPOSED PARKING COUNT:	346 (ENCLOSED)
MAXIMUM PARKING COUNT:	692		9 (GUEST & AMENITY PARKING)

DEVELOPMENT STATISTICS NOTES:

1. COLOR RENDERINGS HAVE BEEN SUBMITTED BY THE APPLICANT
2. MATERIALS FOR THE EXTERIOR OF THE HOMES WILL BE PRIMARILY CEMENT BASED SIDING SUCH AS HARDIPLANK (95%) WITH BRICK AND STONE ACCENTS.

CONCEPT PLAN DISCLAIMER:

1. THE CONCEPT REPRESENTED HEREIN IDENTIFIES A SCHEMATIC DESIGN RESULTING FROM LAYOUT PREFERENCES IDENTIFIED BY THE CLIENT COUPLED WITH A PRELIMINARY REVIEW OF ZONING AND LAND DEVELOPMENT REQUIREMENTS. THE FEASIBILITY OF THIS PLAN WITH RESPECT TO OBTAINING CITY, COUNTY, STATE AND OTHER APPLICABLE APPROVALS IS NOT WARRANTED AND CAN ONLY BE ASSESSED AFTER FURTHER EXAMINATION OF THE SITE AND VERIFICATION OF THE ZONING ORDINANCES AND DEVELOPMENT REGULATIONS ALONG WITH PROCUREMENT OF APPROPRIATE JURISDICTIONAL APPROVALS.
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3. THIS CONCEPT PLAN WAS PREPARED WITHOUT BENEFIT OF A CURRENT SURVEY, GEOTECHNICAL AND/OR ENVIRONMENTAL INVESTIGATION, JURISDICTIONAL DELINEATION OR ARBORIST REPORT. THE LOCATION OF ANY JURISDICTIONAL WATERS, WETLANDS, UNDERGROUND UTILITIES AND/OR SPECIMEN TREES HAS NOT BEEN TAKEN INTO ACCOUNT.

PREPARED IN THE OFFICE OF:
LECRAW ENGINEERING
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PHONE - 678.546.8100
FAX - 770.441.0298
WWW.LECRAWENGINEERING.COM
PE1500785

REV. #	DATE	DRAWN BY:	CHECKED BY:

CLIENT
FALL LEAF RESIDENTIAL
6435 SHILOH ROAD SUITE 100, ALPHARETTA, GA 30005

PROJECT
MCEVER ROAD PROPERTY
FLOWERY BRANCH, GEORGIA

SEAL:
PRELIMINARY 02/26/21

DESIGN TEAM:

DRAWN BY:	AMK
DESIGNED BY:	AMK
REVIEWED BY:	JSW

811 Know what's below. Call before you dig.

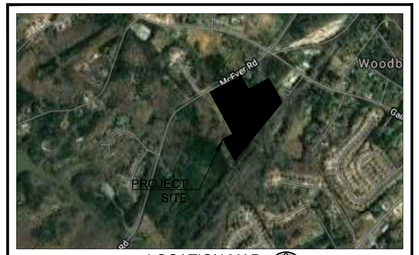
SCALE & NORTH ARROW:
NORTH ARROW
0' 30' 60' 120'
SCALE: 1"=60'

JOB #:	302001
DATE:	02/26/2021

CONCEPT SITE PLAN
CS-1

Drawing name: D:\LeCRAW DROPBOX\LeCraw Engineering Dropbox\Shared Folders\LeCraw Engineering\302001 - Fall Leaf Residential - Flowery Branch (McEver Rd)_GA\CADD\EXHIBITS\2021-02-26 CONCEPT PLAN.dwg SITE PLAN Feb 26, 2021 3:00pm by: anton

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by LeCraw Engineering, Inc. shall be without liability to LeCraw Engineering, Inc. Copyright LeCraw Engineering, Inc., 2021



LOCATION MAP
NOT TO SCALE

SITE SUMMARY

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FAX - 770.441.0298
WWW.LECRAWENGINEERING.COM
PE1500168

REV. #	DATE	DRAWN BY:	CHECKED BY:

CLIENT
FALL LEAF RESIDENTIAL
6435 SHILOH ROAD SUITE 100, ALPHARETTA, GA 30005

PROJECT
MCEVER ROAD PROPERTY
FLOWERY BRANCH, GEORGIA

SEAL:

PRELIMINARY 03/01/21

DESIGN TEAM:

DRAWN BY:	AMK
DESIGNED BY:	AMK
REVIEWED BY:	JSW

811 Know what's below. Call before you dig.

SCALE & NORTH ARROW:

NORTH ARROW
0' 40' 80' 160'
SCALE: 1"=80'

JOB #:	302001
DATE:	03/01/2021

CONCEPT SITE PLAN

CS-1

Drawing name: C:\Users\antonio.khalil\LeCraw Engineering Dropbox\Shared Folders\LeCraw Engineering\302001 - Fall Leaf Residential - Flowery Branch (McEver Rd)_GA\CAD\DEKHIBITS\2021-02-26 CONCEPT PLAN.dwg SITE PLAN Mar 01, 2021 3:37pm by: antonio.khalil

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Flowery Branch

ANNEXATION APPLICATION

Date: _____

Address of Request: 6495 MCEVER ROAD

Submitted to the City Clerk per The Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 44; Section 44.4 on

_____

City Clerk Signature_____

Applicant Information

Name: FALL LEAF RESIDENTIAL LLC

Address: 3280 Pointe PKWY SUITE 2300
NORCROSS GA 30092

E-mail address: nbwhitenbw8@gmail.com

Phone number: 404 502 3305

Signature: Nora White

Property owner information (if different than the applicant)

Property owner (please print): ESTATE OF CLARA MAE MANN

Signature of property owner: Diane Mann Crawford - Independent Executrix of the Estate of Clara Mae Mann
By DIANE CRAWFORD

Flowery Branch

Property Information

Tax Map Number: 08150-002002A

Current Zoning: AR111 Total Acres: 16.84

Is this property contiguous to the city-limits of Flowery Branch? Yes

Proposed City of Flowery Branch Zoning: R3

Proposed City of Flowery Branch Character Area: COMMERCIAL

Current Use: Vacant

Per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 36; Does this property potentially require a **DRI** (Development of Regional Impact) study? NO

Voting Rights Act Information

Resident Population: 8,325 Housing Units: 3,296 Other Buildings: ____

Race Population %: White 83.5% Black 8.1% Hispanic 8.7% Other 3%

Please provide the following at time of submittal in (one hard copy and digitally):

- Legal description
- Current survey of property
- Detailed description of request
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)
- Zoning application
- Annexation ≥ 100 acres of land requires an official request to amend the character area and future land use map designation for the subject property
- Names and addresses of adjoining property owners
- Reasons for requesting annexation
- Signed statement authorizing City of Flowery Branch staff and/or City Council to inspect the subject property & authorize City to inspect the property

Alan White

Flowery Branch

Conflict of Interest Disclosure

Identify all members of the City Council of the City of Flowery Branch and Employees of the City of Flowery Branch Community Development Department who

Have a property interest in the real property affected by this request

N/A

Have a financial interest (direct ownership interest) of the total assets or capital stock of a business entity where such ownership interest is more than 10% in any business entity which has a property interest in the real property affected by this request

N/A

Have a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property financial interest as herein defined, in the real property affected by this request

N/A

Disclosure of Campaign Contributions

List below the names of local government officials of the City of Flowery Branch to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total $250.00 or more or to whom gifts were made having a total value of $250.00 or more.

Elected Officials Name	Amount of Description of Gift
N/A	

Disclosure of Campaign Contributions

List below the names of local government officials of the City of Flowery Branch to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total $250.00 or more or to whom gifts were made having a total value of $250.00 or more.

Elected Officials Name	Amount of Description of Gift
N/A	

CITY STAFF ONLY

Application Received By: _____

Date: _____ Total Fee: _____

Flowery Branch

REZONING APPLICATION

Date: _____

Address of Request:
6495 McEVER ROAD

Tax Map # 08150 002 002A Current Zoning: AR III

Is this site located within the boundaries of the historic district? No

Currently a conforming use? Yes

Any conditions of zoning, CUP's, etc.? No

Applicant Information

Name: FALL LEAF RESIDENTIAL LLC

Address: 3280 Pointe PKWY SUITE 2300
NORCROSS GA 30092

E-mail address: nbwhite nbw8@gmail.com

Phone number: 404 502 3305

Signature: Nam White

Notary:

VINOD K SAGAR
COM. EXP.
NOTARY
PUBLIC
Nov. 11, 2023
FULTON COUNTY, GEORGIA

Vinod K. Sagar
02/09/2021

Flowery Branch

Property owner information (if different than the applicant)

Property owner (please print): Estate of Clara Mae Mann

Signature of property owner: Diane Mann Crawford - Independent Executrix of the Estate of Clara Mae Mann
(By Diane Crawford)

Notary: 1.9.2021

NICOLE EUDY
Notary ID #132787750
My Commission Expires
November 18, 2024

NICOLE EUDY
Notary ID #132787750
My Commission Expires
November 18, 2024

Property Information

Tax Map Number: 08150 002 002A

Current Zoning: AR III Total Acres: 16.84

Is this property located within the city-limits of Flowery Branch? NO

Proposed City of Flowery Branch Zoning: B3

Current Use: VACANT

Please review the Flowery Branch Code of Ordinances, Appendix C, "Zoning Ordinance", Article 34, for complete requirements.

Please provide the following at time of submittal in (one hard copy and digitally):

- Legal description
- Current survey of property

- Site plan shall meet the requirements of the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.5
- Development statistics per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.6
- Analysis requirements per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.7
- Detailed description of request
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)
- Names and addresses of adjoining property owners
- Reasons for requesting rezoning
- Signed statement authorizing City of Flowery Branch staff and/or City Council to inspect the subject property

I authorize the City to inspect the Property

Ann White

Conflict of Interest Disclosure

Identify all members of the City Council of the City of Flowery Branch and Employees of the City of Flowery Branch Community Development Department who

Have a property interest in the real property affected by this request

N/A

Have a financial interest (direct ownership interest) of the total assets or capital stock of a business entity where such ownership interest is more than 10% in any business entity which has a property interest in the real property affected by this request

N/A

Have a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property financial interest as herein defined, in the real property affected by this request

N/A

Disclosure of Campaign Contributions

List below the names of local government officials of the City of Flowery Branch to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total $250.00 or more or to whom gifts were made having a total value of $250.00 or more.

Elected Officials Name	Amount of Description of Gift
N/A	

CITY STAFF ONLY

Application Received By: _____

Date: _____ Total Fee: _____

Flowery Branch

REZONING ADDITIONAL INFORMATION REQUIREMENT

Date: _____

Address of Request: 6495 McEver Road

Tax Map # 08150-002002A Current Zoning: AR111

Please submit an analysis of the proposed project including:

1. Value of improvements upon complete build out. $48,440,000.00
2. Property tax valuation based upon existing millage rate (indicate total tax expectation if project is phased). 48,440,000 x 40% = $19,376,000 x 3.264 mR = $63,243/yr. City Tax
3. Schedule of the total build out (showing a timeline of construction in months/years if project is phased). Begin Construction 1-22 24 month buildout complete 1-24
4. Anticipated total square footage (heated) to be built in the requested number of units. 311,400 SQ.FT.
5. Total acreage developed with units. 19.47 Acres
6. Total acreage for right of way and roads. ROW 4.40A. ROADS 2.19A.
7. Total acreage of open space/common area (include plan for maintenance of open space/common area). 9.86A. HOA will be responsible for Maintenance and upkeep
8. Acreage required for buffer and watershed protection.
   - Does the buffer comply with the current City ordinance? YES
   - Do individual property lines for lots extend into the buffer? NO
   - Does the Developer intend to dedicate any of the site area to the City? If so, for what purpose? NO

Flowery Branch

9. Does your proposal consider Multi Transportation alternatives? (Please describe in detail) NO

10. Please identify all amenities and total number of acres they incorporate by complete description. PASSIVE RECREATION 5.7 Acres

11. Number of street lights and separation table as proposed on your site plan. 10

12. Will Technology Development be included in this development? NO

13. List the total linear feet and cubic yards for sidewalks. 6016 LF 10,026 CY

14. Are appropriate storm water controls provided in your proposal? Are these controls completely and accurately reflected on all drawings and plans? YES

15. Has a transportation/traffic study been done to predict the impact of anticipated traffic? Has the project been reviewed by all appropriate County and State agencies relating to transportation issues? NO

16. Does the proposal provide for utilization of "reuse" water? Is this depicted on the plans? Do the plans provide for storage of "reuse" water? NO

17. What is the total capacity for daily Wastewater Management? 51,900

18. What is the anticipated maximum daily water consumption? Are low flow fixtures required by the development? 51,900

19. Has a slope and grade study been done on this development? Does the study reflect density placement? YES

20. Please identify what public safety needs are being considered for the project? NONE ANTIPATED

21. Has the Hall County School System been notified of the proposed density for this NOT YET project?

22. Please provide a copy of all private covenants and/or architectural guidelines to be filed regarding this development. Architectural Renderings have been submitted. Exterior building materials will consist of cement based siding such as Hardiplank with brick and stone accents.

23. Information as required under Ordinance No. 349 for preliminary plat approval if rezoning involves subdivision. Ordinance No. 349 can be found at www.flowerybanchga.org

CITY STAFF ONLY

Permit Issued By: _____

Date: _____ Total Fee: _____

MCEVER ROAD TOWNHOUSE DEVELOPMENT

Sec. 34.6. - Development Statistics Required.

Applications described in this Article shall submit development statistics and specifications shall at minimum include on the site plan or in written form the information specified in this Section.

(a) Maximum and proposed height of any structure;

The maximum proposed height is 3 stories or 35 feet

(b) Maximum and proposed gross square footage of the building area (nonresidential only);

(c) Color renderings of any proposed structures;

Color renderings of the proposed architectual style have been submitted

(d) Material list (with percentages) of any proposed structures;

Exteriors of the homes will be primarily 95% cement based siding such as Hardiplank with brick and stone accents

(e) Maximum and proposed number of dwelling units and minimum and proposed square footage of heated floor area for any dwelling unit (residential only);

The maximum number of dwelling units allowed is 12 units per acre or 308 units, applicant is proposing 173 units or 6.73 units per acre. Minimum heated floor area allowed is 1,000 square feet, applicant is proposing minimum heated floor area of 1,600 square feet

(f) Maximum and proposed lot coverage of building area (square feet and percent);

Proposed lot coverage is 54% for front entry units or 1296 square feet, lot coverage for rear entry units is 56% or 1180 square feet

(g) Minimum and proposed square footage of landscaped area (square feet and percent);

Minimum landscaped area is 15% or 167,793 square feet, proposed landscaped area is 21% or or 230,517 square feet

(h) Minimum, maximum and proposed number of parking spaces; and

Minimum parking spaces is 346, applicant is proposing 355 parking spaces, 346 garage spaces and 9 guest/mail kiosk spaces

(i) Other dimensional information as may be required by the Zoning Administrator.

Sec. 34.7. - Analysis Requirements.

Applications to amend the official zoning map and applications for conditional uses shall provide a written analysis comparing the proposed action with the criteria in this Section. A zoning map amendment or conditional use application may be justified only if it bears a reasonable relationship to the public health, safety, morality, or general welfare, and after consideration of the analysis requirements which may in individual cases be considered criteria relevant to Zoning Administrator in making recommendations and by the Governing Body in the decision-making process.

(a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The proposed townhouse use is compatible with use and development of nearby property, the adjoining property to the northeast is zoned for commercial uses and the property across McEver Road is zoned for a combination of commercial and townhouse uses

(b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property.

The proposal will not affect the use or useability of nearby properties.

(c) Whether the property to be affected by the proposal can be used in accordance with the existing regulations and has a reasonable economic use as currently zoned.

No, 16 acres of the property is zoned Agriculture and there is no reasonable economic use under said zoning. 8.8 acres of the property is zoned commercial and may have a reasonable use however due to the shape and topo this property has a much more reasonable economic use as a townhouse development.

(d) Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

No, the townhouse use will not be burdensome on existing streets, transportation facilities, utilities or schools

(e) Whether the proposal is in conformity with the policy and intent of the comprehensive plan including but not limited to the character area map and future land use plan map.

This property is shown as commercial on the land use plan, a townhouse use will be less intense than a commercial use therefore the townhouse use would be consistent with the intent of the land use plan.

(f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.

There is a great demand for new residential homes in this area which supports the grounds for approving this application

(g) Existing use(s) and zoning of the subject property and nearby properties.

North vacant commercial and fire station

East Railroad tracts and mixture of commercial and residential

South vacant agriculture

West single family residential and commercial and townhouse at corner of McEver and Gaines Ferry

(h) Existing value of the property under the existing zoning district classification, the extent to which the property value of the subject property is diminished by the existing zoning district, and the value of the property under the proposed zoning district; if such information is provided by the applicant or can be discerned. This consideration may include the length of time the property

has been vacant or unused as currently zoned and efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district classification.

16 acres of this property has been owned by the Mann family for over 50 years, the property is zoned agriculture and has very little value with the current zoning. The 8.8 acres is zoned commercial but due to the shape and topo despite years of effort no commercial user could be found and in fact the only offers have been for a residential use

(i) Whether a proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.

The zoning proposed is less intense than commercial use indicated on the land use plan therefore should have no deterrent to the value or development of adjacent property

(j) The possible creation of an isolated zoning district unrelated to adjacent and nearby districts

No, this will not create an isolated zoning district, as mentioned previously there is a mixed commercial and townhouse now under development across McEver Road, this development along with the adjacent 6 acre commercially zoned tract at the corner of Mcever and Gaines Ferry will also provide a mixed commercial and townhouse development.

(k) Possible effects of the change in zoning district map, or change in use, on the character of a zoning district.

This rezoning will not affect the character of this zoning district

(l) The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality

This development will comply with all Flowery Branch ordinances related to drainage, soil erosion, sedimentation, flooding air and water quality therefore it should have no adverse environmental impact

(m) The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance

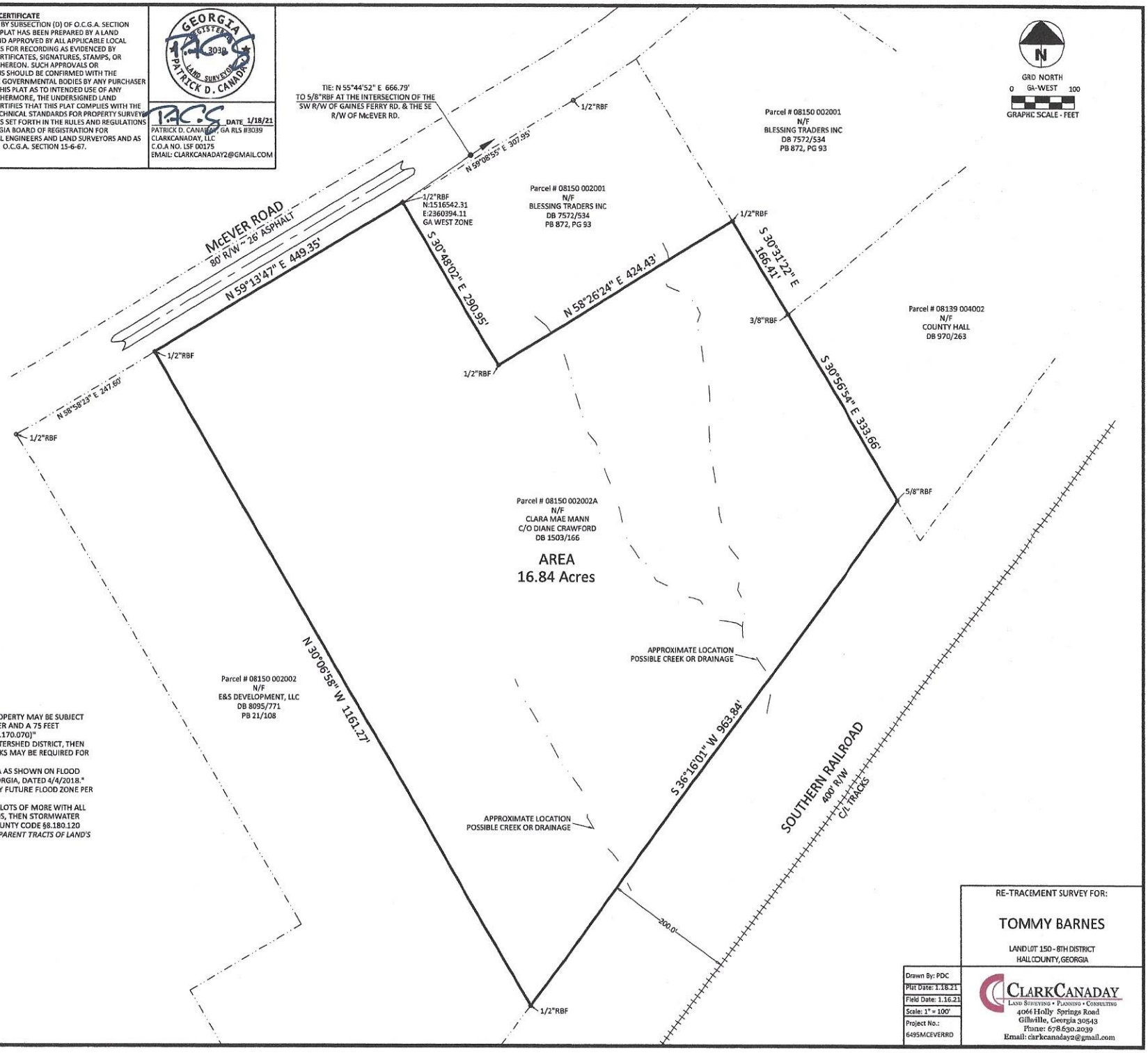
As mentioned before the land use plan shows commercial uses for this property, a townhouse use is less intense therefore applicant believes the zoning proposed is consistent with the overall scheme and purpose of the Zoning Ordinance

SURVEYOR'S CERTIFICATE
AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

GEORGIA REGISTERED 3039 PATRICK D. CANADAY LAND SURVEYOR

DATE 1/18/21
PATRICK D. CANADAY, GA RLS #3039
CLARKCANADAY, LLC
C.O.A NO. LSF 00175
EMAIL: CLARKCANADAY2@GMAIL.COM

RESERVED FOR CLERK OF SUPERIOR COURT RECORDING INFORMATION



SURVEY NOTES:
1.) FIELD DATA: 0.05' AVERAGE HRMS
2.) MEASUREMENTS WERE TAKEN WITH A DUAL FREQUENCY LIECA GS16 GNSS GPS RTK & BASE RECIEVER ON 1.19.21. DISTANCES ARE GROUND.
3.) PLAT PRECISION: 1'/614,137'.
4.) THIS PLAT HAS BEEN DONE FOR THE USE AND PURPOSE OF THE CLIENT ASCRIBED AND CONTRACTED WITH BELOW. ALL OTHER PARTIES ARE SUBSEQUENTLY PUT ON NOTICE AS TO THE LIMITED DEGREE OF RELIANCE UPON THIS PLAT BY THIRD PARTIES.
5.) THE PUBLIC RECORDS REFERENCED HEREON REFLECT THOSE RECORDS NECESSARY TO THE BOUNDARY OF THE SUBJECT PROPERTY. THEY DO NOT CONSTITUTE A TITLE SEARCH. PROPERTY IS SUBJECT TO ALL RIGHT OF WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.
6.) THE NORTH MERIDIAN SHOWN HEREON IS BASED ON GRID NORTH GA WEST OBTAINED BY GPS RTK/BASE METHODS USING THE LIECA SMARTNET NETWORK.

COUNTY NOTES:
1.) "ANY STREAM OR STATE WATER LOCATED ON THIS PROPERTY MAY BE SUBJECT TO A 50 FEET UNDISTURBED NATURAL VEGETATIVE BUFFER AND A 75 FEET IMPERVIOUS SURFACE SETBACK. (HALL COUNTY CODE § 8.170.070)"
2.) "IF PROPERTY IS LOCATED IN THE NORTH OCONEE WATERSHED DISTRICT, THEN ADDITIONAL STREAM BUFFERS AND IMPERVIOUS SETBACKS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE § 17.225.040)"
3.)"PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS SHOWN ON FLOOD INSURANCE RATE MAP #13139C0290G HALL COUNTY GEORGIA, DATED 4/4/2018."
4.) "THIS PROPERTY IS NOT LOCATED IN THE HALL COUNTY FUTURE FLOOD ZONE PER HALL COUNTY GIS."
5.) IF RESIDENTIAL PROPERTY IS SUBDIVIDED INTO SEVEN LOTS OF MORE WITH ALL LOTS ACCESSING EXISTING HALL COUNTY, GEORGIA ROADS, THEN STORMWATER MANAGEMENT IS REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE §8.180.120 AND §8.180.130) *(SURVEYOR TO PROVIDE ALL PREVIOUS PARENT TRACTS OF LAND'S PARCEL IDS)*

LEGEND:
RBF = REBAR FOUND
CTF = CRIMP TOP FOUND
OT = OPEN TOP PIPE
CT = CRIMP TOP PIPE
R/W = RIGHT OF WAY
C/L = CENTERLINE
N/F = NOW OR FORMERLY
DB = DEED BOOK
PB = PLAT BOOK
PS = PLAT SLIDE
-X- = FENCE LINE
P/L = PROPERTY LINE
WM = WATER METER
SSMH = SANITARY SEWER MANHOLE
CO = CLEANOUT
DI = DRAIN INLET
GI = GRATE INLET
CI = CURB INLET
WI = YARD INLET
JB = JUNCTION BOX
B/C = BACK OF CURB
B/L = BUILDING SETBACK LINE
— — — = APPROX. P/L

RE-TRACEMENT SURVEY FOR:

TOMMY BARNES

LAND LOT 150 - 8TH DISTRICT
HALL COUNTY, GEORGIA

Drawn By: PDC	
Plat Date: 1.18.21	
Field Date: 1.16.21	
Scale: 1" = 100'	
Project No.: 6495MCEVERRD	

CLARKCANADAY
LAND SURVEYING • PLANNING • CONSULTING
4066 Holly Springs Road
Gillsville, Georgia 30543
Phone: 678.630.2039
Email: clarkcanaday2@gmail.com

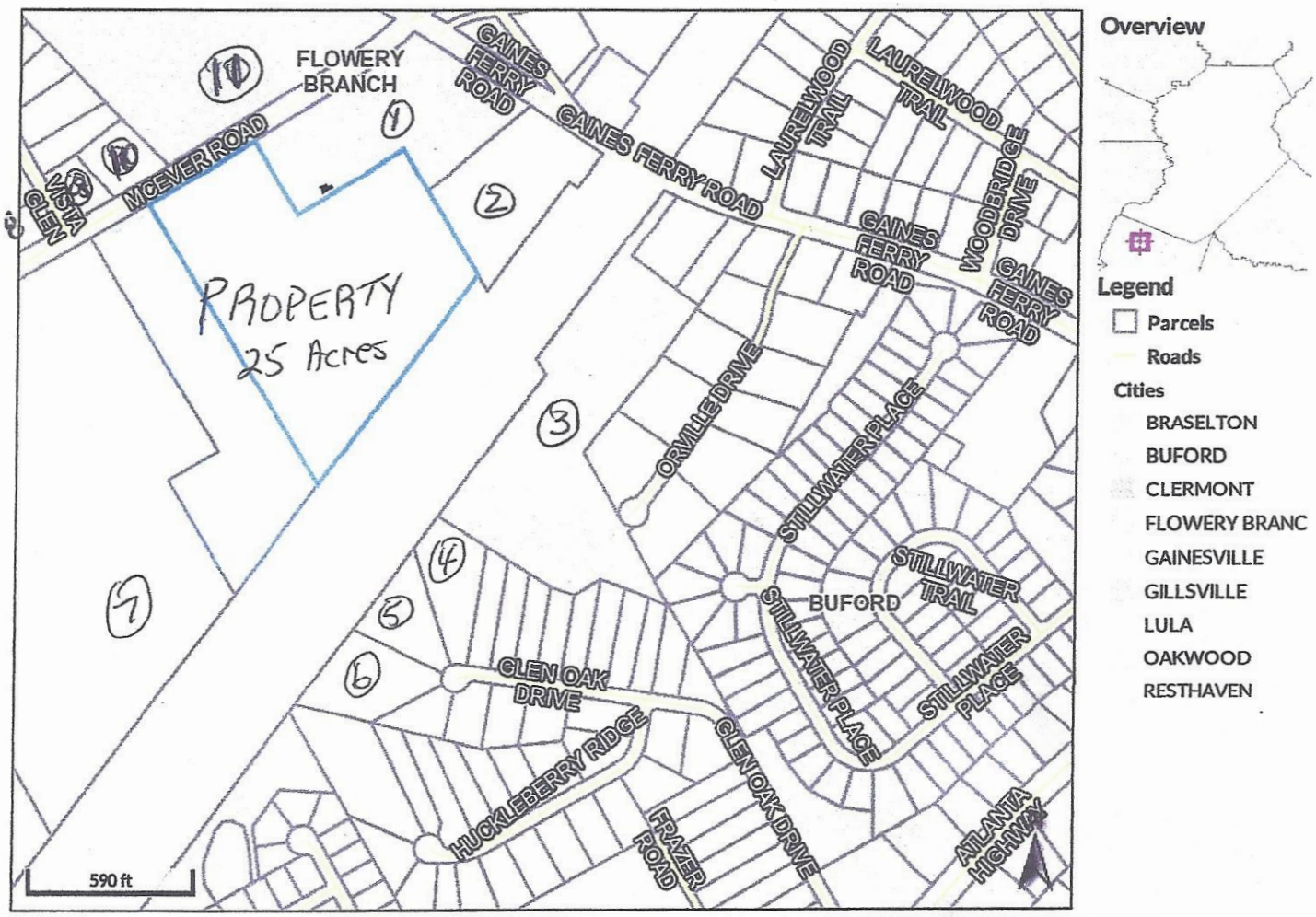
Legal Description 16.84 acres McEver Road

All that tract or parcel of land lying and being in Land Lot 150 of the 8th District, Hall County, Georgia and being more particularly described as Follows:

Beginning at a point on the southeasterly Right of Way Line of McEver Road (80 foot Right of Way) said point being located 666.79 feet southwesterly as measured along the southeasterly Right of Way line of McEver Road from the point marked by the intersection of the southeasterly right of way line of McEver Road with the southwesterly Right of Way line of Gaines Ferry Road (50 foot Right of Way; Thence running South 30°48'02" East 290.95 feet to a point; Thence running North 58°26' 24" East 424.43 feet to a point; Thence running South 30°31'22" East 166.41 feet to a point; Thence running South 30°56'54" East 333.66 feet to a point on the northwesterly right of way line of Southern Railroad (400 foot right of way); thence running South 36°16'01" West along said Southern Railway right of way 963.84 feet to a point; thence running North 30°06' 58" West 1161.27 feet to a point on the southeasterly Right of Way line of McEver Road; Thence running North 59°13'47" East along the southeasterly Right of Way line of McEver Road 449.35 feet to a point and being the Point of Beginning, said property consisting of 16.84 acres.

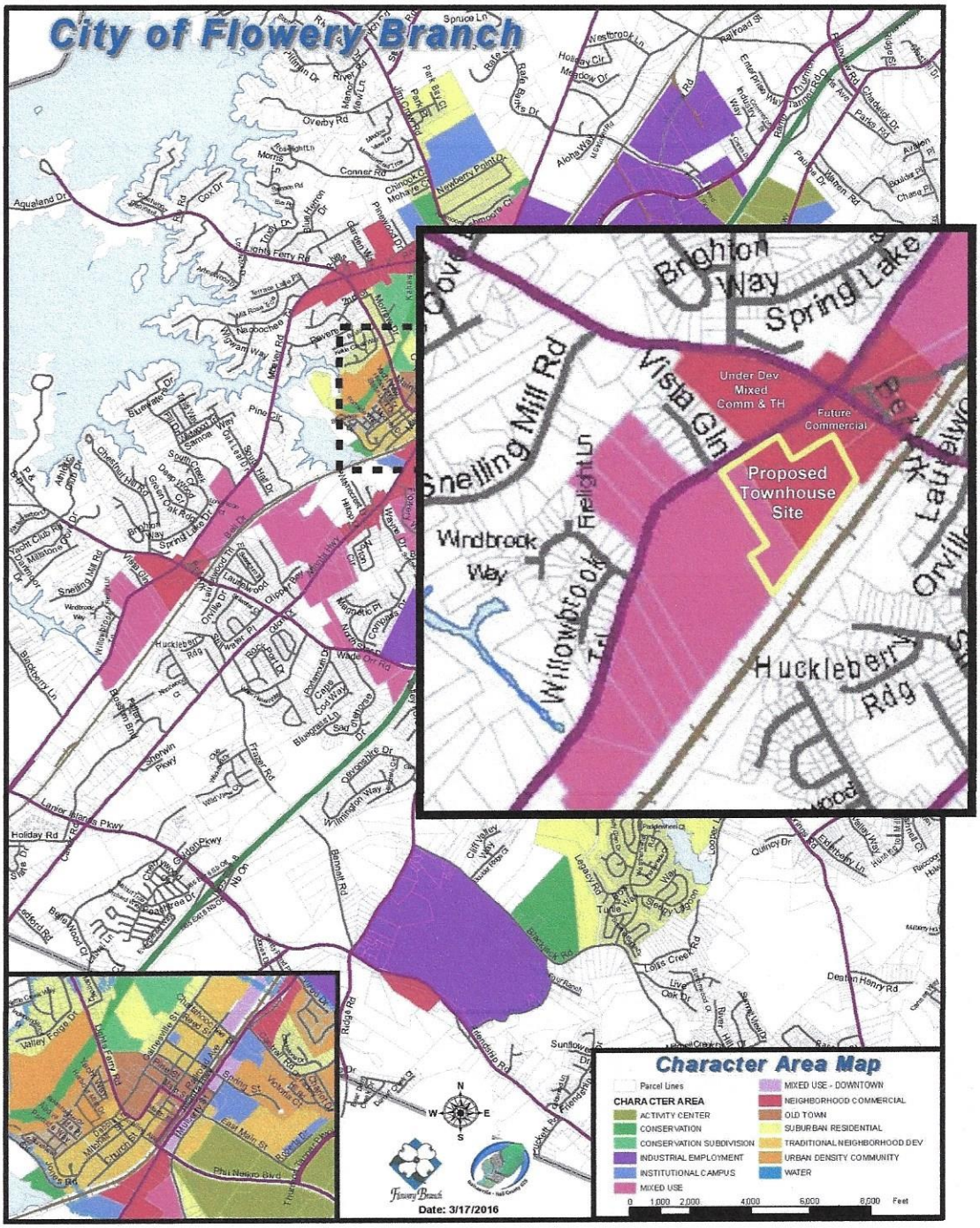
McEver Townhomes - Flowery Branch, GA

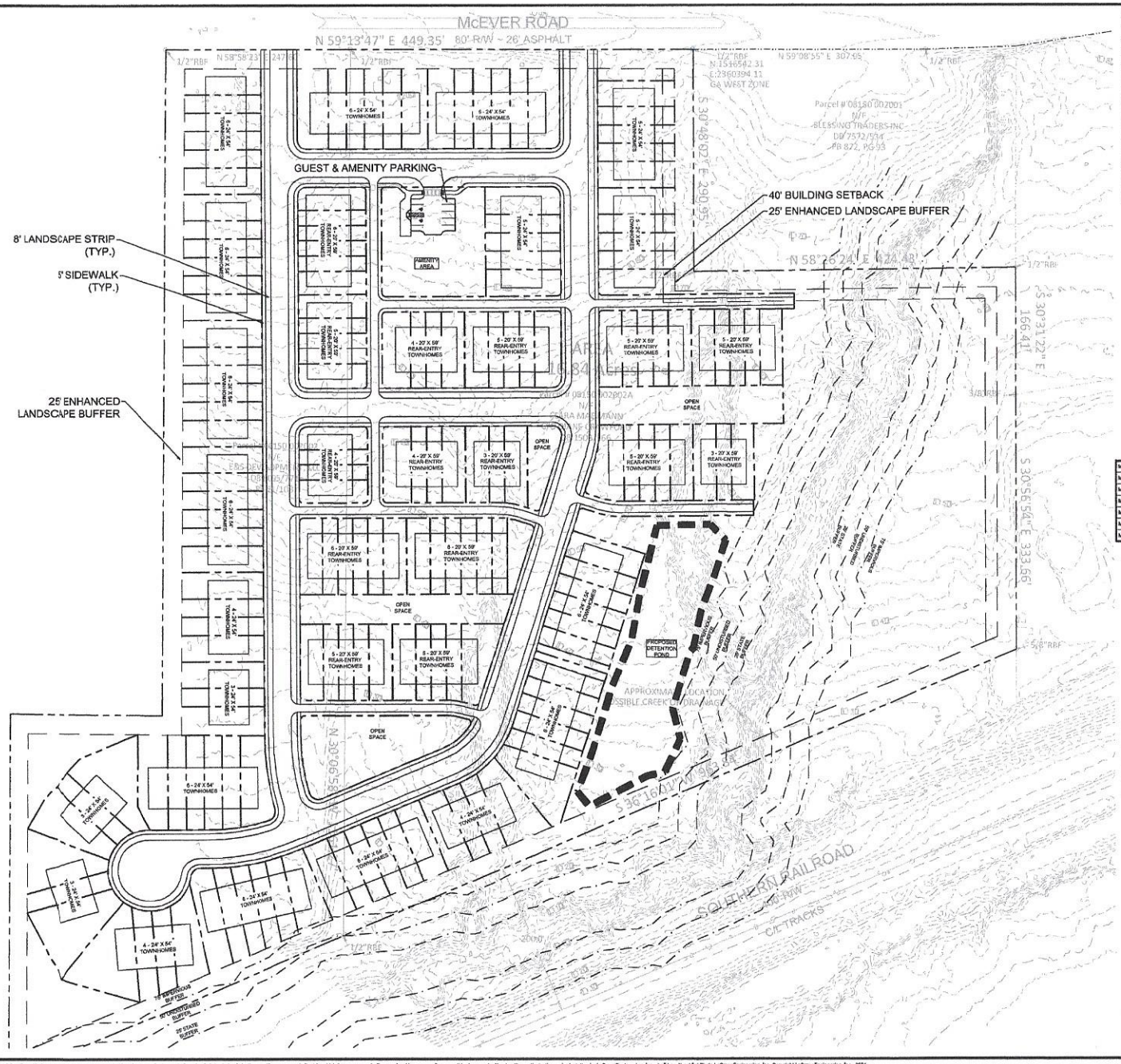
qPublic.net™ Hall County, GA



Adjacent Property Owners Mcever Road

1. Blessing Traders Inc., 1837 Dover Hill Drive, Lawrenceville, Ga. 30043
2. Hall County, P. O. Box 1435, Gainesville Ga. 30503
3. Clarence Westfall, 4850 Golden Parkway, Suite B, Buford. Ga. 30518
4. 4. Mack and donna Simmons, 6204 Glen Oak Drive, Flowery Branch, Ga. 30542
5. Deborah Roberts Rev Trust, 6208 Glen Oaks Drive, Flowery Branch, Ga. 30542
6. George Gillian, 6207 Glen Oaks Drive, Flowery Branch, Ga. 30542
7. Daryll Crow Holdings LLC, 6172 Jim Crow Road, Flowery Branch, Ga. 30542
8. John M. Crevis 111, 6505 Vista Glen, Flowery Branch, Ga. 30542
9. Billy and Shelby Patterson, 6502 Vista Glen, Flowery Branch, Ga. 30542
10. All Awesome Properties LLC, 4411 Suwanee Dam Road, Suite 415, Suwanee, Ga. 30024
11. Sarkar Development Group LLC, C/O Henderson Legal, 1350 Spring Street, Suite 485, Atlanta, Ga. 30309


City of Flowery Branch
Brighton Way
Spring Lake
Vista Gln
Snelling Mill Rd
Under Dev
Mixed
Comm & TH
Future
Commercial
Proposed
Townhouse
Site
Windbrook
Way
Willowbrook
Huckleberry
Rdg
Character Area Map
Parcel Lines
CHARACTER AREA
ACTIVITY CENTER
CONSERVATION
CONSERVATION SUBDIVISION
INDUSTRIAL EMPLOYMENT
INSTITUTIONAL CAMPUS
MIXED USE
MIXED USE - DOWNTOWN
NEIGHBORHOOD COMMERCIAL
OLD TOWN
SUBURBAN RESIDENTIAL
TRADITIONAL NEIGHBORHOOD DEV
URBAN DENSITY COMMUNITY
WATER
0 1,000 2,000 4,000 6,000 8,000 Feet
Date: 3/17/2016



SITE SUMMARY

SITE AREA	
SITE AREA:	25.88 ± ACRES (1,119,021 S.F.)
ZONING CLASSIFICATION	
JURISDICTION:	CITY OF FLOWERY BRANCH
ZONING:	R-3
BUILDING SETBACKS	
FRONT:	25' (FRONT YARD)
SIDE:	10' (40' ABUTTING HB ZONING)
REAR:	20' (REAR YARD)
LOTS SUMMARY	
LOTS PROVIDED:	173
LOT DENSITY:	6.74 UNITS/ACRE
HOUSE SIZE:	(24' x 54') & (20' x 59')

DEVELOPMENT STATISTICS

MAXIMUM BUILDING HEIGHT:	45'	PROPOSED BUILDING HEIGHT:	35'
MAXIMUM DENSITY:	12 UNITS/ACRE (299 UNITS)	PROPOSED DENSITY:	6.74 UNITS/ACRE (173 UNITS)
MINIMUM HEATED FLOOR AREA:	1,000 S.F.	PROPOSED HEATED FLOOR AREA:	1,600 S.F.
MINIMUM LOT SIZE:	10,000 S.F.	PROPOSED MINIMUM LOT SIZE:	2,100 S.F.
MINIMUM LANDSCAPED AREA:	15% (167,703 S.F.)	PROPOSED LANDSCAPED AREA:	21% (230,517 S.F.)
MINIMUM PARKING COUNT:	346 (ENCLOSED)	PROPOSED PARKING COUNT:	346 (ENCLOSED)
MAXIMUM PARKING COUNT:	692		9 (GUEST & AMENITY PARKING)

DEVELOPMENT STATISTICS NOTES:

1. COLOR RENDERINGS HAVE BEEN SUBMITTED BY THE APPLICANT
2. MATERIALS FOR THE EXTERIOR OF THE HOMES WILL BE PRIMARILY CEMENT BASED SIDING SUCH AS HARDIPLANK (95%) WITH BRICK AND STONE ACCENTS.

CONCEPT PLAN DISCLAIMER:

1. THE CONCEPT REPRESENTED HEREIN IDENTIFIES A SCHEMATIC DESIGN RESULTING FROM LAYOUT PREFERENCES IDENTIFIED BY THE CLIENT COUPLED WITH A PRELIMINARY REVIEW OF ZONING AND LAND DEVELOPMENT REQUIREMENTS. THE FEASIBILITY OF THIS PLAN WITH RESPECT TO OBTAINING CITY, COUNTY, STATE AND OTHER APPLICABLE APPROVALS IS NOT WARRANTED AND CAN ONLY BE ASSESSED AFTER FURTHER EXAMINATION OF THE SITE AND VERIFICATION OF THE ZONING ORDINANCES AND DEVELOPMENT REGULATIONS ALONG WITH PROCUREMENT OF APPROPRIATE JURISDICTIONAL APPROVALS.
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PREPARED IN THE OFFICE OF
LeCRAW ENGINEERING
© 2021 LECRAW ENGINEERING, INC.
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DULUTH, GA 30096
PHONE: 770.441.0300
FAX: 770.441.0306
WWW.LECRAWENGINEERING.COM
PE#5293

REV. #	DATE	DRAWN BY	CHECKED BY

CLIENT
FALL LEAF RESIDENTIAL
6435 SHILOH ROAD SUITE 100, ALPHARETTA, GA 30005

PROJECT
MCEVER ROAD PROPERTY
FLOWERY BRANCH, GEORGIA

SEAL:

PRELIMINARY - NOT FOR CONSTRUCTION

DESIGN TEAM:

DRAWN BY:	AMK
DESIGNED BY:	AMK
REVIEWED BY:	JSW

811 Know what's below. Call before you dig.

SCALE & NORTH ARROW:

NORTH ARROW
0 30 60 120
SCALE 1"=60'

JOB #:	302001
DATE:	02/08/2021

CONCEPT SITE PLAN

CS-1

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by LeCraw Engineering, Inc. shall be without liability to LeCraw Engineering, Inc. Copyright LeCraw Engineering, Inc., 2021

Drawing name: D:\LeCRAW DROPBOX\LeCraw Engineering Dropbox\Shared Folders\LeCraw Engineering\302001 - Fall Leaf Residential - Flowery Branch GA\Civil\CONSTRUCTION\302001-02-08 CONCEPT PLAN.dwg SITE PLAN Feb 08, 2021 1:06pm by: amckin

LOCATION MAP
NOT TO SCALE

SITE SUMMARY

SITE AREA	
SITE AREA:	25.88 ± ACRES (1,118,621 S.F.)
ZONING CLASSIFICATION	
JURISDICTION:	CITY OF FLOWERY BRANCH
ZONING:	R-3
BUILDING SETBACKS	
FRONT:	25' (FRONT YARD)
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FAX - 770.441.0266
WWW.LECRAWENGINEERING.COM
PE FIRM 0576

REV. #	DATE	DRAWN BY	CHECKED BY

CLIENT
FALL LEAF RESIDENTIAL
6435 SHILOH ROAD SUITE 100, ALPHARETTA, GA 30005

PROJECT
MCEVER ROAD PROPERTY
FLOWERY BRANCH, GEORGIA

SEAL:

PRELIMINARY - NOT FOR CONSTRUCTION

DESIGN TEAM:

DRAWN BY:	AMK
DESIGNED BY:	AMK
REVIEWED BY:	JSW

811 Know what's below. Call before you dig.

SCALE & NORTH ARROW:

NORTH ARROW
0' 40' 80' 160'
SCALE 1"=80'

JOB #:	302001
DATE:	03/01/2021

CONCEPT SITE PLAN

CS-1

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FALL LEAF RESIDENTIAL, LLC
1192 Longcourte Drive
Atlanta, GA 30327

Mayor and City Council
Flowery Branch, Ga. 30534

Re: Annexation/Rezoning Application 25.68 Acres, McEver Road

Please accept this letter outlining the plans for a 25.68 acre tract of land fronting on the east side of McEver Road, just south of Gaines Ferry Road.

This property is currently in Hall County and is zoned HB and AR111 in the County. We are requesting annexation and rezoning to the R3 zoning classification to allow the development of a fee simple townhouse development. The revised site plan we have submitted shows 173 townhouse lots on the 25.7 acre tract for a density of 6.73 units per acre. We have over 38% of the site in buffers and open space, we believe this open space will provide an excellent area for passive recreational uses such as walking trails and a community picnic area. The community will be subject to a Declaration of Covenants and Conditions and each home will be required to be a member. The Homeowners Association will be responsible for the future maintenance and upkeep of all entrance features, open spaces and any amenities.

As mentioned above 8.8 acres of this property is presently zoned for HB in Hall County and the Flowery Branch Land Use Plan shows 16.8 acres of the property designated for future commercial uses and the 8.8 acres designated for mixed use. We believe that our requested townhouse use is a less intense use than what is proposed by the Land Use Plan and therefore appropriate. There is a mixed use commercial and townhouse development now under development at the southwest corner of McEver Road and Gaines Ferry Road directly across McEver from our site. There is a 6 acre tract adjoining this property to the north, at the southeast corner of McEver and Gaines Ferry, that is currently zoned commercial so with this rezoning there will also be a mixed use development at this corner of the intersection. We believe the townhouse use proposed provides a natural transition between this future commercial area and the less dense residential uses to the south.

We have submitted elevations showing the architectural style of the townhomes we are proposing, they will have a farm house look with exterior building materials that will be primarily cement based siding such as Hardiplank with brick and stone accents. We believe this will be an attractive development providing much needed housing for the City of Flowery Branch and hope the City Council will approve our annexation and rezoning.

Sincerely,

Fall Leaf Residential,
LLC Norman White, Manager

Flowery Branch

ANNEXATION APPLICATION

Date: _____

Address of Request:
6509 McEver Road

Submitted to the City Clerk per The Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 44; Section 44.4 on

_____

City Clerk Signature_____

Applicant Information

Name: FALL LEAF RESIDENTIAL LLC

Address: 3280 Pointe PKWY SUITE 2300
NORCROSS GA 30092

E-mail address: nbwhitenbw80@gmail.com

Phone number: 404 502 3305

Signature: Nan White

Property owner information (if different than the applicant)

Property owner (please print): E & S Development LLC

Signature of property owner: _____
Tony Sherman

Flowery Branch

Property Information

Tax Map Number: 0815 000 002

Current Zoning: HB Total Acres: 8.84

Is this property contiguous to the city-limits of Flowery Branch? YES

Proposed City of Flowery Branch Zoning: B3

Proposed City of Flowery Branch Character Area: COMMERCIAL

Current Use: VACANT

Per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 36; Does this property potentially require a **DRI** (Development of Regional Impact) study? NO

Voting Rights Act Information

Resident Population: 8,325 Housing Units: 3296 Other Buildings: ____

Race Population %: White 83.5% Black 8.1% Hispanic 8.7% Other 3%

Please provide the following at time of submittal in (one hard copy and digitally):

- Legal description
- Current survey of property
- Detailed description of request
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)
- Zoning application
- Annexation ≥ 100 acres of land requires an official request to amend the character area and future land use map designation for the subject property
- Names and addresses of adjoining property owners
- Reasons for requesting annexation
- Signed statement authorizing City of Flowery Branch staff and/or City Council to inspect the subject property

I authorize the City to Inspect the Property

Don White

Flowery Branch

Conflict of Interest Disclosure

Identify all members of the City Council of the City of Flowery Branch and Employees of the City of Flowery Branch Community Development Department who

Have a property interest in the real property affected by this request

N/A

Have a financial interest (direct ownership interest) of the total assets or capital stock of a business entity where such ownership interest is more than 10% in any business entity which has a property interest in the real property affected by this request

N/A

Have a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property financial interest as herein defined, in the real property affected by this request

N/A

Disclosure of Campaign Contributions

List below the names of local government officials of the City of Flowery Branch to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total $250.00 or more or to whom gifts were made having a total value of $250.00 or more.

Elected Officials Name	Amount of Description of Gift
N/A	

Disclosure of Campaign Contributions

List below the names of local government officials of the City of Flowery Branch to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total $250.00 or more or to whom gifts were made having a total value of $250.00 or more.

Elected Officials Name	Amount of Description of Gift
N/A	

CITY STAFF ONLY

Application Received By: _____

Date: _____ Total Fee: _____

Flowery Branch

REZONING APPLICATION

Date: _____

Address of Request:
6509 McEver Road

Tax Map # 0815 002 002 Current Zoning: HB

Is this site located within the boundaries of the historic district? No

Currently a conforming use? YES

Any conditions of zoning, CUP's, etc.? NO

Applicant Information

Name: FALL LEAF RESIDENTIAL LLC

Address: 3280 Pointe PKWY SUITE 2300
NORCROSS GA 30092

E-mail address: nbwhitenbw8@gmail.com

Phone number: 404 502 3305

Signature: Nam White

Notary:

VINOD K SAGAR
COM. EXP.
NOTARY
PUBLIC
Nov. 11, 2023
FULTON COUNTY, GEORGIA

Vinod K. Sagar
02/09/2021.

Flowery Branch

Property owner information (if different than the applicant)

Property owner (please print): E.F.S DEVELOPMENT LLC

Signature of property owner: TONY SHERMAN

Notary: Alisa L Kleynen Feb 12, 2021

ALISA L. KLEYNEN NOTARY PUBLIC GWINNETT COUNTY, GEORGIA MY COMM. EXPIRES FEB. 12, 2021

Property Information

Tax Map Number: 0815 002 002

Current Zoning: HB Total Acres: 2.84

Is this property located within the city-limits of Flowery Branch? NO

Proposed City of Flowery Branch Zoning: R3

Current Use: VACANT

Please review the Flowery Branch Code of Ordinances, Appendix C, "Zoning Ordinance", Article 34, for complete requirements.

Please provide the following at time of submittal in (one hard copy and digitally):

- Legal description
- Current survey of property

- Site plan shall meet the requirements of the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.5
- Development statistics per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.6
- Analysis requirements per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.7
- Detailed description of request
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)
- Names and addresses of adjoining property owners
- Reasons for requesting rezoning
- Signed statement authorizing City of Flowery Branch staff and/or City Council to inspect the subject property I authorize the City to inspect the Property

Norma White

Conflict of Interest Disclosure

Identify all members of the City Council of the City of Flowery Branch and Employees of the City of Flowery Branch Community Development Department who

Have a property interest in the real property affected by this request

N/A

Have a financial interest (direct ownership interest) of the total assets or capital stock of a business entity where such ownership interest is more than 10% in any business entity which has a property interest in the real property affected by this request

N/A

Have a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property financial interest as herein defined, in the real property affected by this request

N/A

Flowery Branch

Disclosure of Campaign Contributions

List below the names of local government officials of the City of Flowery Branch to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total $250.00 or more or to whom gifts were made having a total value of $250.00 or more.

Elected Officials Name	Amount of Description of Gift
N/A	

CITY STAFF ONLY

Application Received By: _____

Date: _____ Total Fee: _____

Flowery Branch

REZONING ADDITIONAL INFORMATION REQUIREMENT

Date: _____

Address of Request:
6509 McEver Road

Tax Map # 0815-002-002 Current Zoning: HB

Please submit an analysis of the proposed project including:

1. Value of improvements upon complete build out. $48,440,000.00
2. Property tax valuation based upon existing millage rate (indicate total tax expectation if project is phased). 48,440,000 X 40% = $19,376,000 X 3.264 mR = $63,243/yr. City Tax
3. Schedule of the total build out (showing a timeline of construction in months/years if project is phased). Begin Construction 1-22 24 month buildout complete 1-24
4. Anticipated total square footage (heated) to be built in the requested number of units. 311,400 SQ.FT.
5. Total acreage developed with units. 19.47 Acres
6. Total acreage for right of way and roads. ROW 4.40A. ROADS 2.19A.
7. Total acreage of open space/common area (include plan for maintenance of open space/common area). 9.86A. HOA will be responsible for maintenance and upkeep
8. Acreage required for buffer and watershed protection.
   - Does the buffer comply with the current City ordinance? YES
   - Do individual property lines for lots extend into the buffer? NO
   - Does the Developer intend to dedicate any of the site area to the City? If so, for what purpose? NO

Flowery Branch

9. Does your proposal consider Multi Transportation alternatives? (Please describe in detail) NO

10. Please identify all amenities and total number of acres they incorporate by complete description. PASSIVE RECREATION 5.7 Acres

11. Number of street lights and separation table as proposed on your site plan. 10

12. Will Technology Development be included in this development? NO

13. List the total linear feet and cubic yards for sidewalks. 6016 LF 10,026 CY

14. Are appropriate storm water controls provided in your proposal? Are these controls completely and accurately reflected on all drawings and plans? YES

15. Has a transportation/traffic study been done to predict the impact of anticipated traffic? Has the project been reviewed by all appropriate County and State agencies relating to transportation issues? NO

16. Does the proposal provide for utilization of "reuse" water? Is this depicted on the plans? Do the plans provide for storage of "reuse" water? NO

17. What is the total capacity for daily Wastewater Management? 51,900

18. What is the anticipated maximum daily water consumption? Are low flow fixtures required by the development? 51,900

19. Has a slope and grade study been done on this development? Does the study reflect density placement? YES

20. Please identify what public safety needs are being considered for the project? NONE ANTIPATED

21. Has the Hall County School System been notified of the proposed density for this NOT YET project?

22. Please provide a copy of all private covenants and/or architectural guidelines to be filed regarding this development. Architectural Renderings have been submitted. Exterior building materials will consist of cement based siding such as Hardiplank with brick and stone accents.

23. Information as required under Ordinance No. 349 for preliminary plat approval if rezoning involves subdivision. Ordinance No. 349 can be found at www.flowerybanchga.org

CITY STAFF ONLY

Permit Issued By: _____

Date: _____ Total Fee: _____

MCEVER ROAD TOWNHOUSE DEVELOPMENT

Sec. 34.6. - Development Statistics Required.

Applications described in this Article shall submit development statistics and specifications shall at minimum include on the site plan or in written form the information specified in this Section.

(a) Maximum and proposed height of any structure;

The maximum proposed height is 3 stories or 35 feet

(b) Maximum and proposed gross square footage of the building area (nonresidential only);

(c) Color renderings of any proposed structures;

Color renderings of the proposed architectual style have been submitted

(d) Material list (with percentages) of any proposed structures;

Exteriors of the homes will be primarily 95% cement based siding such as Hardiplank with brick and stone accents

(e) Maximum and proposed number of dwelling units and minimum and proposed square footage of heated floor area for any dwelling unit (residential only);

The maximum number of dwelling units allowed is 12 units per acre or 308 units, applicant is proposing 173 units or 6.73 units per acre. Minimum heated floor area allowed is 1,000 square feet, applicant is proposing minimum heated floor area of 1,600 square feet

(f) Maximum and proposed lot coverage of building area (square feet and percent);

Proposed lot coverage is 54% for front entry units or 1296 square feet, lot coverage for rear entry units is 56% or 1180 square feet

(g) Minimum and proposed square footage of landscaped area (square feet and percent);

Minimum landscaped area is 15% or 167,793 square feet, proposed landscaped area is 21% or or 230,517 square feet

(h) Minimum, maximum and proposed number of parking spaces; and

Minimum parking spaces is 346, applicant is proposing 355 parking spaces, 346 garage spaces and 9 guest/mail kiosk spaces

(i) Other dimensional information as may be required by the Zoning Administrator.

Sec. 34.7. - Analysis Requirements.

Applications to amend the official zoning map and applications for conditional uses shall provide a written analysis comparing the proposed action with the criteria in this Section. A zoning map amendment or conditional use application may be justified only if it bears a reasonable relationship to the public health, safety, morality, or general welfare, and after consideration of the analysis requirements which may in individual cases be considered criteria relevant to Zoning Administrator in making recommendations and by the Governing Body in the decision-making process.

(a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The proposed townhouse use is compatible with use and development of nearby property, the adjoining property to the northeast is zoned for commercial uses and the property across McEver Road is zoned for a combination of commercial and townhouse uses

(b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property.

The proposal will not affect the use or useability of nearby properties.

(c) Whether the property to be affected by the proposal can be used in accordance with the existing regulations and has a reasonable economic use as currently zoned.

No, 16 acres of the property is zoned Agriculture and there is no reasonable economic use under said zoning. 8.8 acres of the property is zoned commercial and may have a reasonable use however due to the shape and topo this property has a much more reasonable economic use as a townhouse development.

(d) Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

No, the townhouse use will not be burdensome on existing streets, transportation facilities, utilities or schools

(e) Whether the proposal is in conformity with the policy and intent of the comprehensive plan including but not limited to the character area map and future land use plan map.

This property is shown as commercial on the land use plan, a townhouse use will be less intense than a commercial use therefore the townhouse use would be consistent with the intent of the land use plan.

(f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.

There is a great demand for new residential homes in this area which supports the grounds for approving this application

(g) Existing use(s) and zoning of the subject property and nearby properties.

North vacant commercial and fire station

East Railroad tracts and mixture of commercial and residential

South vacant agriculture

West single family residential and commercial and townhouse at corner of McEver and Gaines Ferry

(h) Existing value of the property under the existing zoning district classification, the extent to which the property value of the subject property is diminished by the existing zoning district, and the value of the property under the proposed zoning district; if such information is provided by the applicant or can be discerned. This consideration may include the length of time the property

has been vacant or unused as currently zoned and efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district classification.

16 acres of this property has been owned by the Mann family for over 50 years, the property is zoned agriculture and has very little value with the current zoning. The 8.8 acres is zoned commercial but due to the shape and topo despite years of effort no commercial user could be found and in fact the only offers have been for a residential use

(i) Whether a proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.

The zoning proposed is less intense than commercial use indicated on the land use plan therefore should have no deterrent to the value or development of adjacent property

(j) The possible creation of an isolated zoning district unrelated to adjacent and nearby districts

No, this will not create an isolated zoning district, as mentioned previously there is a mixed commercial and townhouse now under development across McEver Road, this development along with the adjacent 6 acre commercially zoned tract at the corner of Mcever and Gaines Ferry will also provide a mixed commercial and townhouse development.

(k) Possible effects of the change in zoning district map, or change in use, on the character of a zoning district.

This rezoning will not affect the character of this zoning district

(l) The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality

This development will comply with all Flowery Branch ordinances related to drainage, soil erosion, sedimentation, flooding air and water quality therefore it should have no adverse environmental impact

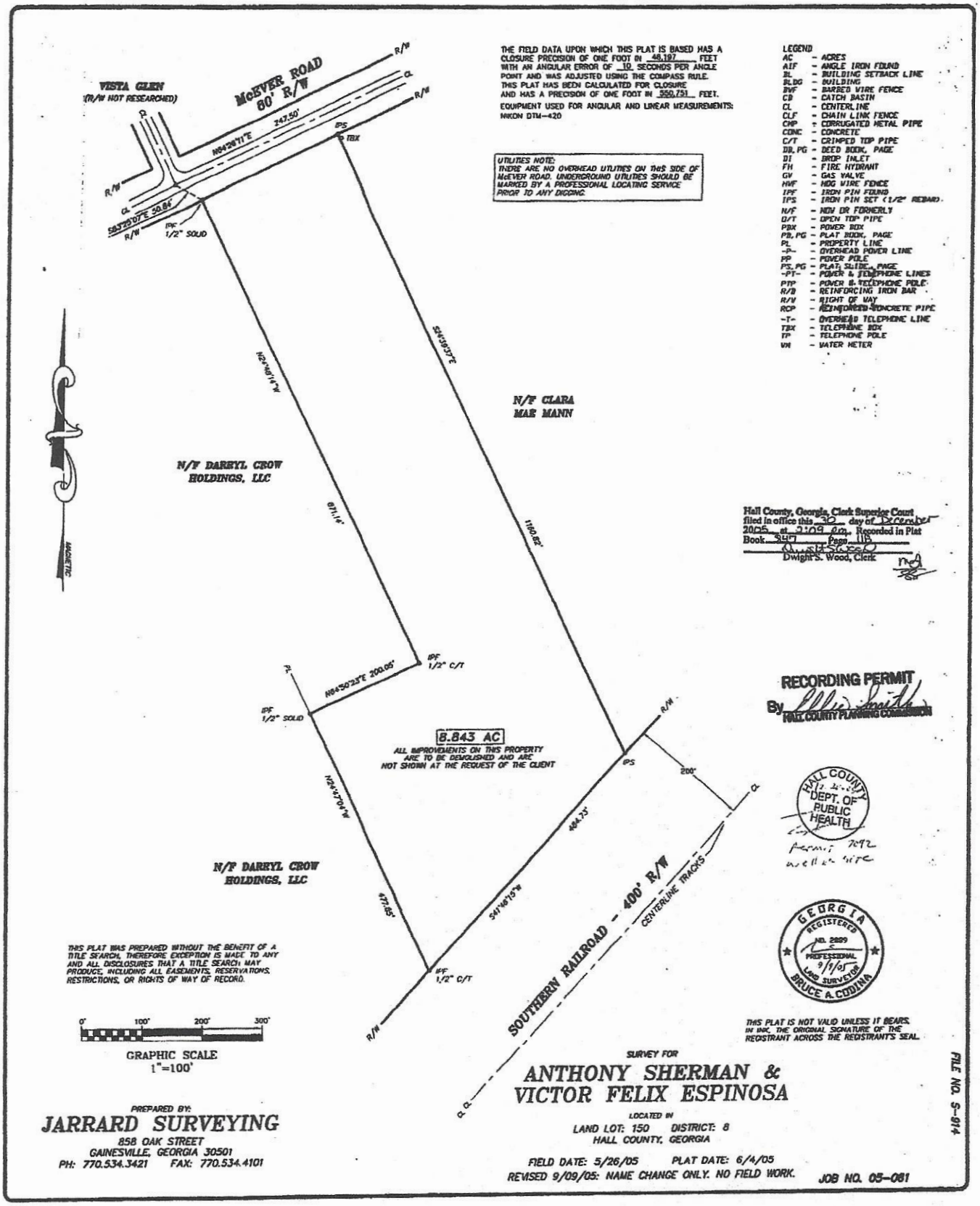
(m) The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance

As mentioned before the land use plan shows commercial uses for this property, a townhouse use is less intense therefore applicant believes the zoning proposed is consistent with the overall scheme and purpose of the Zoning Ordinance

Legal Description 8.843 acres McEver Road

All that tract or parcel of land lying and being in Land Lot 150 of the 8th District, Hall County, Georgia and being more particularly described as Follows:

Beginning at a point on the southeasterly Right of Way Line of McEver Road (80 foot Right of Way) said point being located 1116.14 feet southwesterly as measured along the southeasterly Right of Way line of McEver Road from the point marked by the intersection of the southeasterly right of way line of McEver Road with the southwesterly Right of Way line of Gaines Ferry Road (50 foot Right of Way); Thence running South 24°39'37" East 1160.82 feet to a point on the northwesterly right of way line of Southern Railroad (400 foot right of way); thence running South 41°46'15" West along said Southern Railway right of way 484.73 feet to a point; thence running North 24°47' 04" West 477.85 feet to a point; Thence running North 64°50'23" East 200.05 feet to a point; Thence running North 24°48'14" West 871.14 feet to a point on the southeasterly Right of Way line of McEver Road; Thence running North 64° 26'11" East along the southeasterly Right of Way line of McEver Road 247.50 feet to a point and being the Point of Beginning, said property consisting of 8.843 acres.



THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 46,197 FEET WITH AN ANGULAR ERROR OF 10 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS A PRECISION OF ONE FOOT IN 950,751 FEET.

EQUIPMENT USED FOR ANGULAR AND LINEAR MEASUREMENTS: NIKON DTM-420

UTILITIES NOTE:
THERE ARE NO OVERHEAD UTILITIES ON THIS SIDE OF McEVER ROAD. UNDERGROUND UTILITIES SHOULD BE MARKED BY A PROFESSIONAL LOCATING SERVICE PRIOR TO ANY DIGGING.

LEGEND

AC	- ACRES
AIF	- ANGLE IRON FOUND
BL	- BUILDING SETBACK LINE
BLDG	- BUILDING
BWF	- BARBED WIRE FENCE
CB	- CATCH BASIN
CL	- CENTERLINE
CLF	- CHAIN LINK FENCE
CMP	- CORRUGATED METAL PIPE
CONC	- CONCRETE
C/T	- CRIMPED TOP PIPE
DB, PG	- DEED BOOK, PAGE
DI	- DROP INLET
FH	- FIRE HYDRANT
GV	- GAS VALVE
HWF	- HOG WIRE FENCE
IPF	- IRON PIN FOUND
IPS	- IRON PIN SET (1/2" REBAR)
N/F	- NOW OR FORMERLY
O/T	- OPEN TOP PIPE
PBX	- POWER BOX
PB, PG	- PLAT BOOK, PAGE
PL	- PROPERTY LINE
-P-	- OVERHEAD POWER LINE
PP	- POWER POLE
PS, PG	- PLAT, SLIDE, PAGE
-PT-	- POWER & TELEPHONE LINES
PTP	- POWER & TELEPHONE POLE
R/B	- REINFORCING IRON BAR
R/W	- RIGHT OF WAY
RCP	- REINFORCED CONCRETE PIPE
-T-	- OVERHEAD TELEPHONE LINE
TBX	- TELEPHONE BOX
TP	- TELEPHONE POLE
WM	- WATER METER

Hall County, Georgia, Clerk Superior Court filed in office this 30 day of December 2005 at 2:09 p.m. Recorded in Plat Book 3109 Page 118
Dwight S. Wood, Clerk

RECORDING PERMIT
By Ellis Smith
HALL COUNTY PLANNING COMMISSION

HALL COUNTY DEPT. OF PUBLIC HEALTH
Permit 7092
well site

GEORGIA REGISTERED NO. 2889 PROFESSIONAL LAND SURVEYOR 9/9/05 BRUCE A. CODINA

THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH, THEREFORE EXCEPTION IS MADE TO ANY AND ALL DISCLOSURES THAT A TITLE SEARCH MAY PRODUCE, INCLUDING ALL EASEMENTS, RESERVATIONS, RESTRICTIONS, OR RIGHTS OF WAY OF RECORD.

THIS PLAT IS NOT VALID UNLESS IT BEARS IN INK, THE ORIGINAL SIGNATURE OF THE REGISTRANT ACROSS THE REGISTRANT'S SEAL.

SURVEY FOR

ANTHONY SHERMAN & VICTOR FELIX ESPINOSA

LOCATED IN
LAND LOT: 150 DISTRICT: 8
HALL COUNTY, GEORGIA

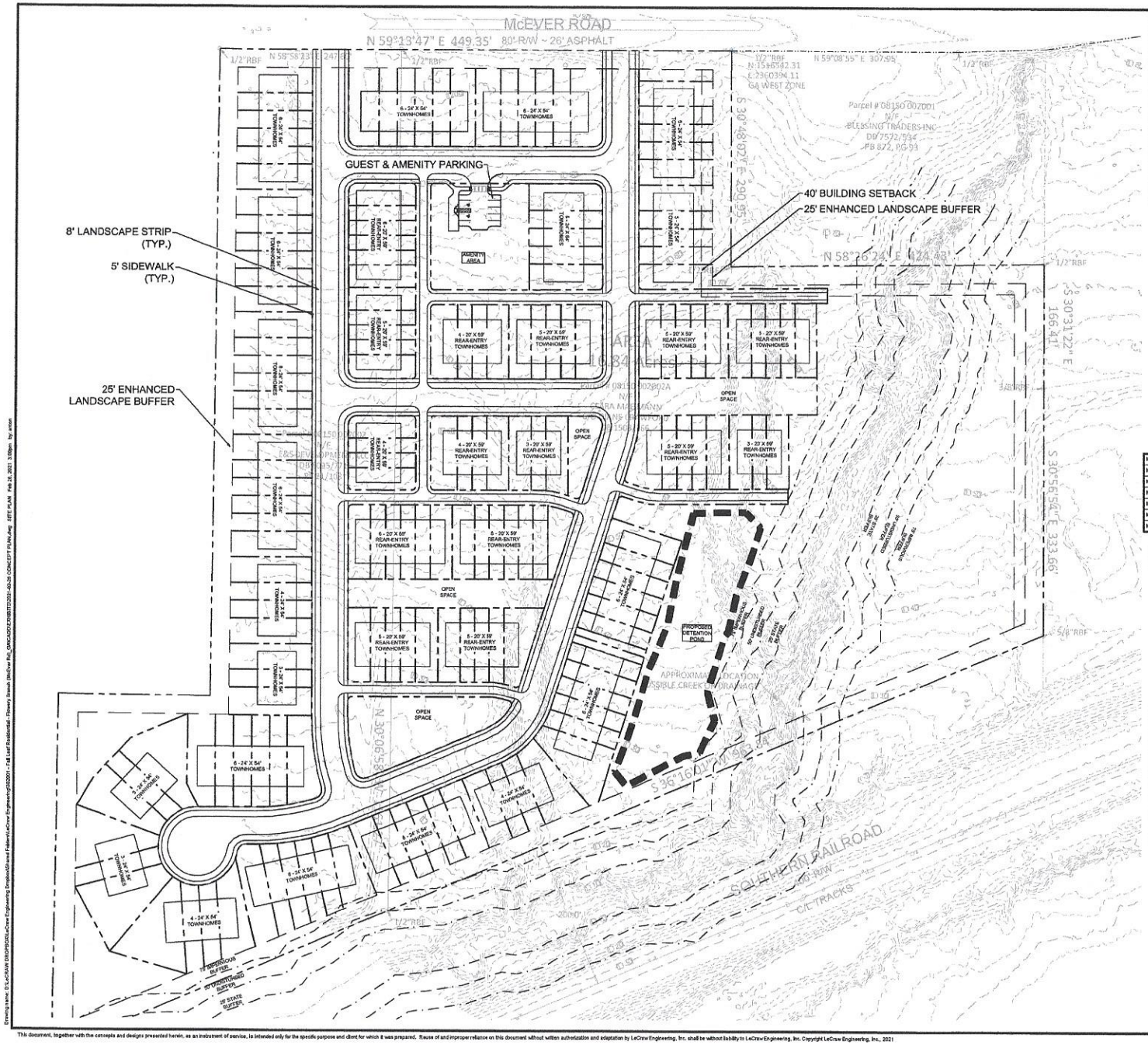
FIELD DATE: 5/26/05 PLAT DATE: 6/4/05
REVISED 9/09/05: NAME CHANGE ONLY. NO FIELD WORK.

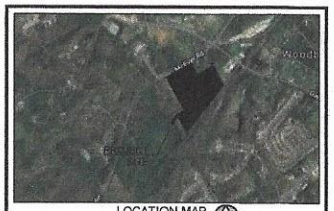
JOB NO. 05-081

FILE NO. S-914

PREPARED BY:
JARRARD SURVEYING
858 OAK STREET
GAINESVILLE, GEORGIA 30501
PH: 770.534.3421 FAX: 770.534.4101

McEver Townhomes - Flowery Branch, GA





SITE SUMMARY

SITE AREA	
SITE AREA:	25.68 ± ACRES (1,119,621 S.F.)
ZONING CLASSIFICATION	
JURISDICTION:	CITY OF FLOWERY BRANCH
ZONING:	R-3
BUILDING SETBACKS	
FRONT:	25' (FRONT YARD)
SIDE:	10' (40' ABUTTING HB ZONING)
REAR:	20' (REAR YARD)
LOTS SUMMARY	
LOTS PROVIDED:	173
LOT DENSITY:	6.74 UNITS/ACRE
HOUSE SIZE:	(24' x 54') & (20' x 50')

DEVELOPMENT STATISTICS

MAXIMUN BUILDING HEIGHT:	45'	PROPOSED BUILDING HEIGHT:	35'
MAXIMUN DENSITY:	12 UNITS/ACRE (289 UNITS)	PROPOSED DENSITY:	6.74 UNITS/ACRE (173 UNITS)
MINIMUN HEATED FLOOR AREA:	1,000 S.F.	PROPOSED HEATED FLOOR AREA:	1,600 S.F.
MINIMUN LOT SIZE:	10,000 S.F.	PROPOSED MINIMUM LOT SIZE:	2,100 S.F.
MINIMUN LANDSCAPED AREA:	15% (167,793 S.F.)	PROPOSED LANDSCAPED AREA:	21% (230,517 S.F.)
MINIMUN PARKING COUNT:	346 (ENCLOSED)	PROPOSED PARKING COUNT:	346 (ENCLOSED)
MAXIMUN PARKING COUNT:	692		9 (GUEST & AMENITY PARKING)

DEVELOPMENT STATISTICS NOTES:

1. COLOR RENDERINGS HAVE BEEN SUBMITTED BY THE APPLICANT
2. MATERIALS FOR THE EXTERIOR OF THE HOMES WILL BE PRIMARILY CEMENT BASED SIDING SUCH AS HARDIPLANK (95%) WITH BRICK AND STONE ACCENTS.

CONCEPT PLAN DISCLAIMER:

1. THE CONCEPT REPRESENTED HEREIN IDENTIFIES A SCHEMATIC DESIGN RESULTING FROM LAYOUT PREFERENCES IDENTIFIED BY THE CLIENT COUPLED WITH A PRELIMINARY REVIEW OF ZONING AND LAND DEVELOPMENT REQUIREMENTS. THE FEASIBILITY OF THIS PLAN WITH RESPECT TO OBTAINING CITY, COUNTY, STATE AND OTHER APPLICABLE APPROVALS IS NOT WARRANTED AND CAN ONLY BE ASSESSED AFTER FURTHER EXAMINATION OF THE SITE AND VERIFICATION OF THE ZONING ORDINANCES AND DEVELOPMENT REGULATIONS ALONG WITH PROCUREMENT OF APPROPRIATE JURISDICTIONAL APPROVALS.
2. THIS CONCEPT PLAN IS PREPARED FOR CONCEPTUAL PRESENTATION PURPOSES ONLY AND IS NOT INTENDED FOR UTILIZATION AS A ZONING AND/OR CONSTRUCTION DOCUMENT. THE EXISTING CONDITIONS SHOWN HEREON ARE BASED UPON AVAILABLE INFORMATION THAT WAS SUPPLIED AT THE TIME OF PLAN PREPARATION AND MAY BE SUBJECT TO CHANGE UPON THE AVAILABILITY OF ADDITIONAL INFORMATION.
3. THIS CONCEPT PLAN WAS PREPARED WITHOUT BENEFIT OF A CURRENT SURVEY, GEOTECHNICAL AND/OR ENVIRONMENTAL INVESTIGATION, JURISDICTIONAL DELINEATION OR ARBORIST REPORT. THE LOCATION OF ANY JURISDICTIONAL WATERS, WETLANDS, UNDERGROUND UTILITIES AND/OR SPECIMEN TREES HAS NOT BEEN TAKEN INTO ACCOUNT.

PREPARED BY/RECEIPT DESIGN
LECRAW ENGINEERING
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CHARLOTTE, NC 28208
PHONE - 980.546.9100
FAX - 770.461.0298
WWW.LECRAWENGINEERING.COM
PE0400768

REV. #	DATE	DRAWN BY	DESIGNED BY

CLIENT
FALL LEAF RESIDENTIAL
6435 SHILOH ROAD SUITE 100, ALPHARETTA, GA 30005

PROJECT
MCEVER ROAD PROPERTY
FLOWERY BRANCH, GEORGIA

SEAL:

PRELIMINARY - NOT FOR CONSTRUCTION

DESIGN TEAM:

DRAWN BY:	AMK
DESIGNED BY:	AMK
REVIEWED BY:	JSW

811 Know what's below. Call before you dig.

SCALE & NORTH ARROW:

NORTH ARROW
0 30' 60' 120'
SCALE: 1"=60'

JOB #	302001
DATE:	02/26/2021

CONCEPT SITE PLAN

CS-1

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Drawing name: D:\LeCRAW DRIVE\Work\LeCraw Engineering Dropbox\Shared Folders\LeCraw Engineering\302001 - Fall Leaf Residential - Flowery Branch (McEver Rd)_WORKING\SHEETS\2021-02-26 CONCEPT PLAN.dwg SITE PLAN Feb 26, 2021 3:08pm by: amkim

LOCATION MAP
NOT TO SCALE

SITE SUMMARY

SITE AREA:	
SITE AREA:	25.88 ± ACRES (1,118,021 S.F.)
ZONING CLASSIFICATION	
JURISDICTION:	CITY OF FLOWERY BRANCH
ZONING:	R-3
BUILDING SETBACKS	
FRONT:	35' (FRONT YARD)
SIDE:	10' (40' ABUTTING HB ZONING)
REAR:	30' (REAR YARD)
LOTS SUMMARY	
LOTS PROVIDED:	173
LOT DENSITY:	6.74 UNITS/ACRE
HOUSE SIZE:	(24' x 54') & (29' x 59')

DEVELOPMENT STATISTICS

MAXIMUM BUILDING HEIGHT:	40'	PROPOSED BUILDING HEIGHT:	39'
MAXIMUM DENSITY:	13 UNITS/ACRE (336 UNITS)	PROPOSED DENSITY:	6.74 UNITS/ACRE (173 UNITS)
MINIMUM HEATED FLOOR AREA:	1,000 S.F.	PROPOSED HEATED FLOOR AREA:	1,600 S.F.
MINIMUM LOT SIZE:	10,000 S.F.	PROPOSED MINIMUM LOT SIZE:	2,100 S.F.
MINIMUM LANDSCAPED AREA:	15% (167,703 S.F.)	PROPOSED LANDSCAPED AREA:	21% (230,517 S.F.)
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FAX: 770.441.1105
WWW.LECRAWENGINEERING.COM
PERMIT NO.

REV #	DATE	DRAWN BY	DESCRIPTION OF REVISION

CLIENT
FALL LEAF RESIDENTIAL
6435 SHILOH ROAD SUITE 100, ALPHARETTA, GA 30005

PROJECT
MCEVER ROAD PROPERTY
FLOWERY BRANCH, GEORGIA

SEAL:

DESIGN TEAM:

DRAWN BY:	AMK
DESIGNED BY:	AMK
REVIEWED BY:	JSW

811 Know what's below. Call before you dig.

SCALE & NORTH ARROW:

NORTH ARROW
0 40 80 160
SCALE: 1"=80'

JOB #: 30361
DATE: 8/31/2021

CONCEPT SITE PLAN

CS-1

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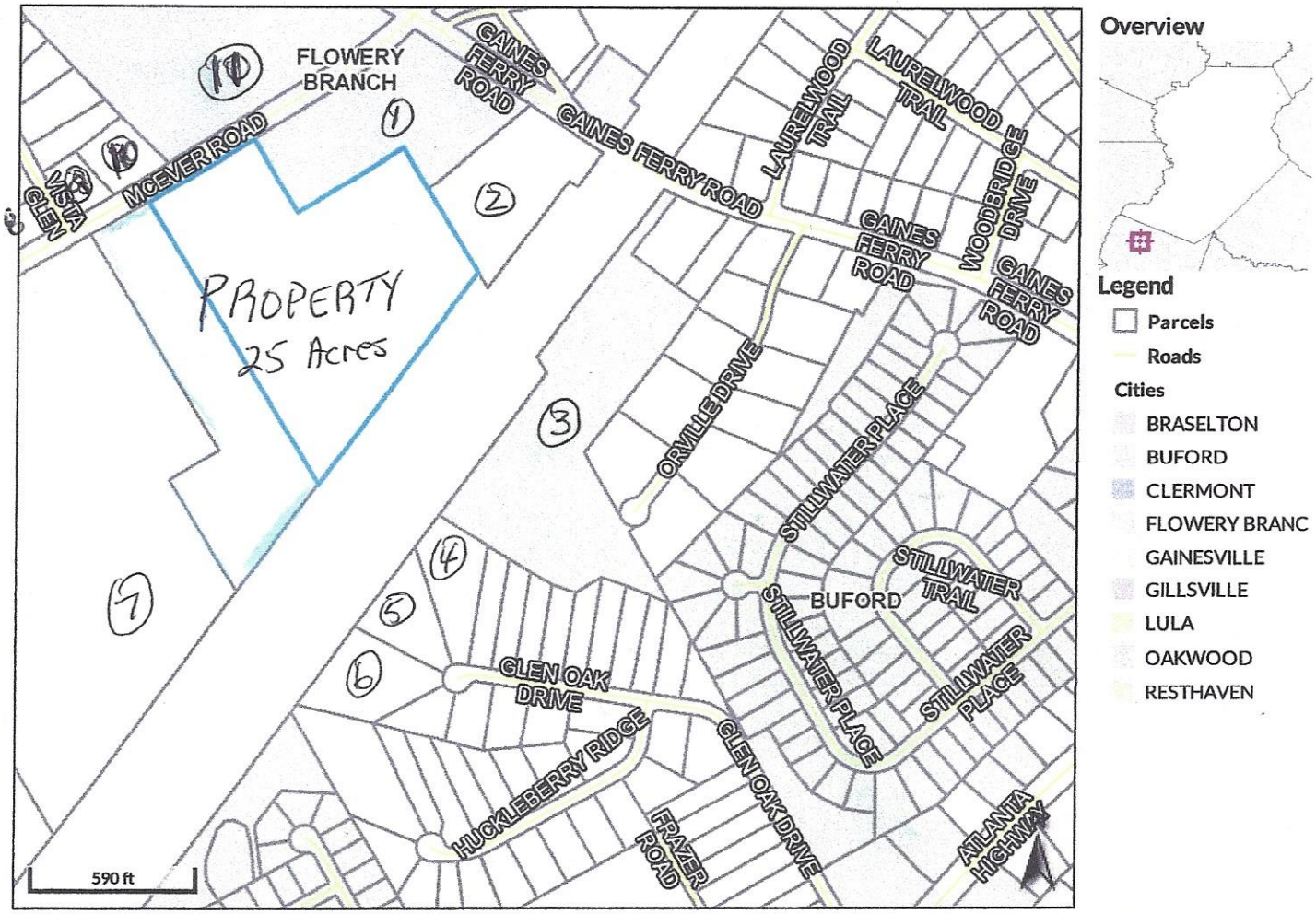
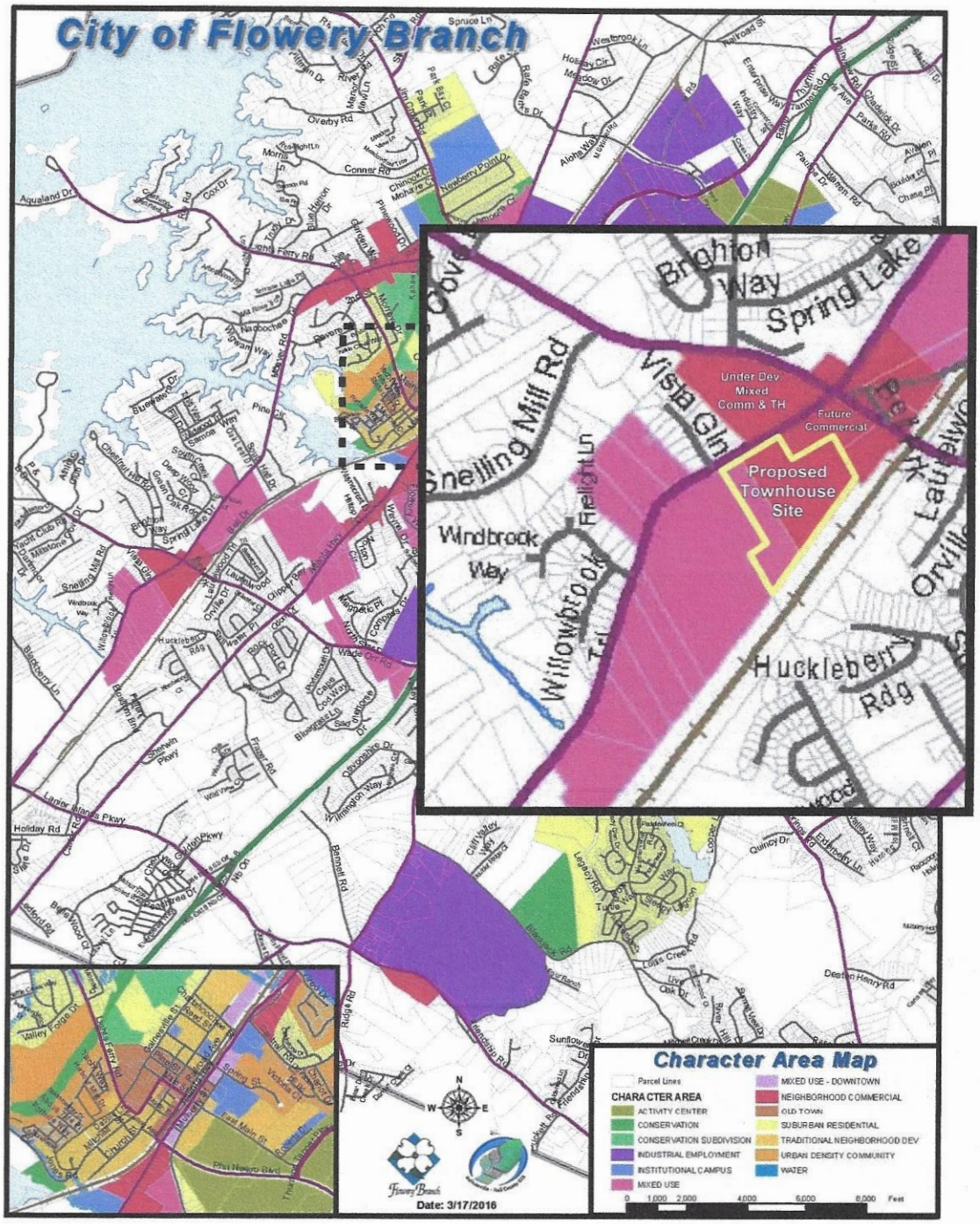
qPublic.net™ Hall County, GA



Adjacent Property Owners Mcever Road

1. Blessing Traders Inc., 1837 Dover Hill Drive, Lawrenceville, Ga. 30043
2. Hall County, P. O. Box 1435, Gainesville Ga. 30503
3. Clarence Westfall, 4850 Golden Parkway, Suite B, Buford. Ga. 30518
4. 4. Mack and donna Simmons, 6204 Glen Oak Drive, Flowery Branch, Ga. 30542
5. Deborah Roberts Rev Trust, 6208 Glen Oaks Drive, Flowery Branch, Ga. 30542
6. George Gillian, 6207 Glen Oaks Drive, Flowery Branch, Ga. 30542
7. Daryll Crow Holdings LLC, 6172 Jim Crow Road, Flowery Branch, Ga. 30542
8. John M. Crevis 111, 6505 Vista Glen, Flowery Branch, Ga. 30542
9. Billy and Shelby Patterson, 6502 Vista Glen, Flowery Branch, Ga. 30542
10. All Awesome Properties LLC, 4411 Suwanee Dam Road, Suite 415, Suwanee, Ga. 30024
11. Sarkar Development Group LLC, C/O Henderson Legal, 1350 Spring Street, Suite 485, Atlanta, Ga. 30309


City of Flowery Branch
Brighton Way
Spring Lake
Vista Gln
Snelling Mill Rd
Under Dev Mixed Comm & TH
Future Commercial
Proposed Townhouse Site
Windbrook Way
Willowbrook Trl
Huckleberry Rdg
Character Area Map
Parcel Lines
CHARACTER AREA
ACTIVITY CENTER
CONSERVATION
CONSERVATION SUBDIVISION
INDUSTRIAL EMPLOYMENT
INSTITUTIONAL CAMPUS
MIXED USE
MIXED USE - DOWNTOWN
NEIGHBORHOOD COMMERCIAL
OLD TOWN
SUBURBAN RESIDENTIAL
TRADITIONAL NEIGHBORHOOD DEV
URBAN DENSITY COMMUNITY
WATER
0 1,000 2,000 4,000 6,000 8,000 Feet
Date: 3/17/2016

FALL LEAF RESIDENTIAL, LLC
1192 Longcourte Drive
Atlanta, GA 30327

Mayor and City Council
Flowery Branch, Ga. 30534

Re: Annexation/Rezoning Application 25.68 Acres, McEver Road

Please accept this letter outlining the plans for a 25.68 acre tract of land fronting on the east side of McEver Road, just south of Gaines Ferry Road.

This property is currently in Hall County and is zoned HB and AR111 in the County. We are requesting annexation and rezoning to the R3 zoning classification to allow the development of a fee simple townhouse development. The revised site plan we have submitted shows 173 townhouse lots on the 25.7 acre tract for a density of 6.73 units per acre. We have over 38% of the site in buffers and open space, we believe this open space will provide an excellent area for passive recreational uses such as walking trails and a community picnic area. The community will be subject to a Declaration of Covenants and Conditions and each home will be required to be a member. The Homeowners Association will be responsible for the future maintenance and upkeep of all entrance features, open spaces and any amenities.

As mentioned above 8.8 acres of this property is presently zoned for HB in Hall County and the Flowery Branch Land Use Plan shows 16.8 acres of the property designated for future commercial uses and the 8.8 acres designated for mixed use. We believe that our requested townhouse use is a less intense use than what is proposed by the Land Use Plan and therefore appropriate. There is a mixed use commercial and townhouse development now under development at the southwest corner of McEver Road and Gaines Ferry Road directly across McEver from our site. There is a 6 acre tract adjoining this property to the north, at the southeast corner of McEver and Gaines Ferry, that is currently zoned commercial so with this rezoning there will also be a mixed use development at this corner of the intersection. We believe the townhouse use proposed provides a natural transition between this future commercial area and the less dense residential uses to the south.

We have submitted elevations showing the architectural style of the townhomes we are proposing, they will have a farm house look with exterior building materials that will be primarily cement based siding such as Hardiplank with brick and stone accents. We believe this will be an attractive development providing much needed housing for the City of Flowery Branch and hope the City Council will approve our annexation and rezoning.

Sincerely,

Fall Leaf Residential,
LLC Norman White, Manager

Staff Report

Applications to annex and rezone two parcels of land from unincorporated Hall County into the City of Flowery Branch were submitted by Fall Leaf Residential, LLC. The following properties are being considered:

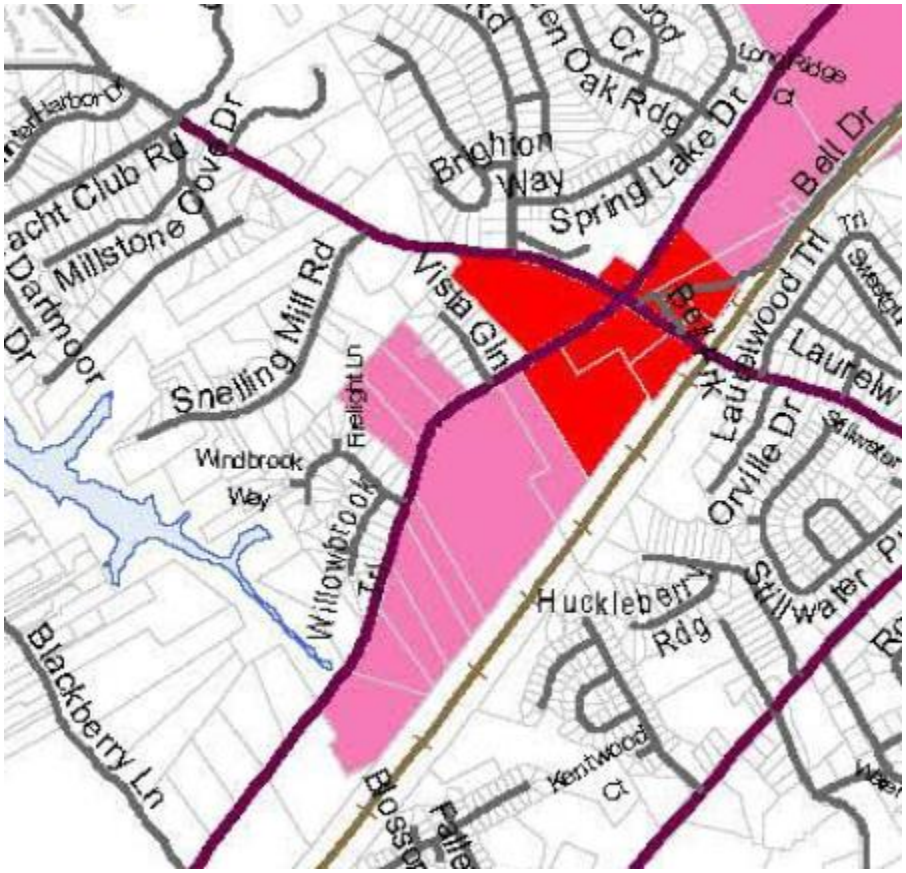
1. **6495 McEver Road; Tax Parcel 08150 002002A; Parcel totals 16.84 +/- acres; Annex and rezone from Hall County AR-III to Flowery Branch R3 (Residential Multi-Family)**
2. **6509 McEver Road; Tax Parcel 08150 002002; Parcel totals 8.84 +/- acres; Annex and rezone from Hall County HB to Flowery Branch R3 (Residential Multi-Family)**

Applicant proposes to construct a residential subdivision consisting of 173 townhomes. The current parcels are considered eligible for annexation as they are contiguous with the current city-limits.

Comprehensive Plan

Designated as a “Mixed Use” character area.

Flowery Branch character area map:



The mixed-use character area inherently allows residential, but the overall intent is to have an integrated residential and commercial center. As commercial development has slowed, the City has tried to take a more holistic approach to the mixed-use concept. This approach contemplates nearby existing or potential commercial that, although not part of the project in question, could be considered symbiotic with one another. With the potential commercial opportunities to the north and south of this proposed project (as well as the already under development true mixed-use “Farm” project across the street) staff feels this is a project that can be considered under the holistic approach employed in the past and that it meets the intent of this character area if viewed through that specific lens.

Mixed Use

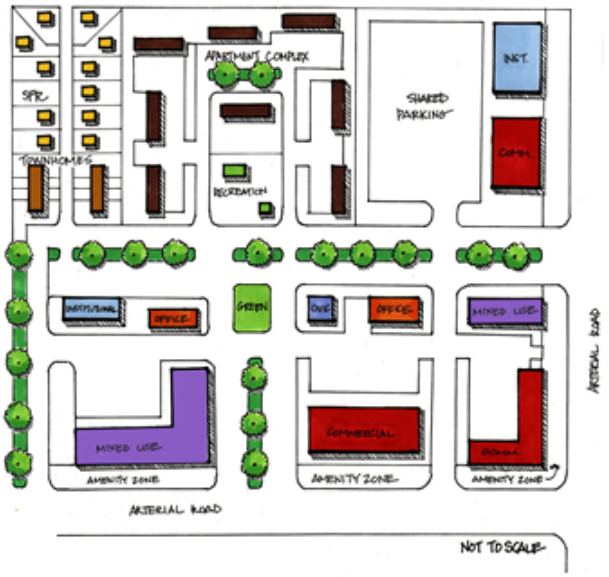
VISION: Areas that will be developed with a combination of different land uses intended to create an environment where compatible land uses can be located in close proximity to each other. Diverse places with unique architecture contributing to the economic base of the city.

USES AND INTENSITIES: Acceptable uses include business/office parks, light industrial, smaller scale retail, neighborhood commercial and residential uses.

MAJOR FEATURES: Connectivity is important between uses and developments. Automobile traffic is frequent but pedestrian accessibility is still a necessity.

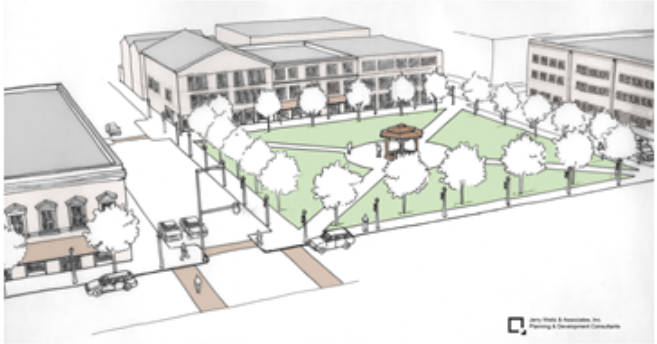
REGULATIONS: This character area will be primarily implemented with the planned unit development or commercial zoning districts. Developments will be required to complete design review and comply with all aesthetic requirements.

QUALITY COMMUNITY OBJECTIVES IMPLEMENTED: Appropriate business, residential, and employment options, transition between more intense uses and compatibility between uses..



ILLUSTRATIVE MIXED-USE ACTIVITY CENTER

Jerry Weitz & Associates, Inc.
Planning & Development Consultants



Illustrative Example of Mixed Use with Focus on Commercial/Residential Design

Proposal

Submitted by applicant:

SITE SUMMARY

SITE AREA	
SITE AREA:	25.68 ± ACRES (1,118,621 S.F.)
ZONING CLASSIFICATION	
JURISDICTION:	CITY OF FLOWERY BRANCH
ZONING:	R-3
BUILDING SETBACKS	
FRONT:	25' (FRONT YARD)
SIDE:	10' (40' ABUTTING HB ZONING)
REAR:	20' (REAR YARD)
LOTS SUMMARY	
LOTS PROVIDED:	173
LOT DENSITY:	6.74 UNITS/ACRE
HOUSE SIZE:	(24' x 54') & (20' x 59')

DEVELOPMENT STATISTICS

MAXIMUM BUILDING HEIGHT:	45'	PROPOSED BUILDING HEIGHT:	35'
MAXIMUM DENSITY:	12 UNITS/ACRE (289 UNITS)	PROPOSED DENSITY:	6.74 UNITS/ACRE (173 UNITS)
MINIMUM HEATED FLOOR AREA:	1,000 S.F.	PROPOSED HEATED FLOOR AREA:	1,600 S.F.
MINIMUM LOT SIZE:	10,000 S.F.	PROPOSED MINIMUM LOT SIZE:	2,100 S.F.
MINIMUM LANDSCAPED AREA:	15% (167,793 S.F.)	PROPOSED LANDSCAPED AREA:	21% (230,517 S.F.)
MINIMUM PARKING COUNT:	346 (ENCLOSED)	PROPOSED PARKING COUNT:	346 (ENCLOSED)
MAXIMUM PARKING COUNT:	692		9 (GUEST & AMENITY PARKING)

MCEVER ROAD TOWNHOUSE DEVELOPMENT

Sec. 34.6. - Development Statistics Required.

Applications described in this Article shall submit development statistics and specifications shall at minimum include on the site plan or in written form the information specified in this Section.

(a) Maximum and proposed height of any structure;

The maximum proposed height is 3 stories or 35 feet

(b) Maximum and proposed gross square footage of the building area (nonresidential only);

(c) Color renderings of any proposed structures;

Color renderings of the proposed architectual style have been submitted

(d) Material list (with percentages) of any proposed structures;

Exteriors of the homes will be primarily 95% cement based siding such as Hardiplank with brick and stone accents

(e) Maximum and proposed number of dwelling units and minimum and proposed square footage of heated floor area for any dwelling unit (residential only);

The maximum number of dwelling units allowed is 12 units per acre or 308 units, applicant is proposing 173 units or 6.73 units per acre. Minimum heated floor area allowed is 1,000 square feet, applicant is proposing minimum heated floor area of 1,600 square feet

(f) Maximum and proposed lot coverage of building area (square feet and percent);

Proposed lot coverage is 54% for front entry units or 1296 square feet, lot coverage for rear entry units is 56% or 1180 square feet

(g) Minimum and proposed square footage of landscaped area (square feet and percent);

Minimum landscaped area is 15% or 167,793 square feet, proposed landscaped area is 21% or or 230,517 square feet

(h) Minimum, maximum and proposed number of parking spaces; and

Minimum parking spaces is 346, applicant is proposing 355 parking spaces, 346 garage spaces and 9 guest/mail kiosk spaces

Sec. 34.7. - Analysis Requirements.

Applications to amend the official zoning map and applications for conditional uses shall provide a written analysis comparing the proposed action with the criteria in this Section. A zoning map amendment or conditional use application may be justified only if it bears a reasonable relationship to the public health, safety, morality, or general welfare, and after consideration of the analysis requirements which may in individual cases be considered criteria relevant to Zoning Administrator in making recommendations and by the Governing Body in the decision-making process.

(a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The proposed townhouse use is compatible with use and development of nearby property, the adjoining property to the northeast is zoned for commercial uses and the property across McEver Road is zoned for a combination of commercial and townhouse uses

(b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property.

The proposal will not affect the use or useability of nearby properties.

(c) Whether the property to be affected by the proposal can be used in accordance with the existing regulations and has a reasonable economic use as currently zoned.

No, 16 acres of the property is zoned Agriculture and there is no reasonable economic use under said zoning. 8.8 acres of the property is zoned commercial and may have a reasonable use however due to the shape and topo this property has a much more reasonable economic use as a townhouse development.

(d) Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

No, the townhouse use will not be burdensome on existing streets, transportation facilities, utilities or schools

(e) Whether the proposal is in conformity with the policy and intent of the comprehensive plan including but not limited to the character area map and future land use plan map.

This property is shown as commercial on the land use plan, a townhouse use will be less intense than a commercial use therefore the townhouse use would be consistent with the intent of the land use plan.

(f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.

There is a great demand for new residential homes in this area which supports the grounds for approving this application

(g) Existing use(s) and zoning of the subject property and nearby properties.

North vacant commercial and fire station

East Railroad tracts and mixture of commercial and residential

South vacant agriculture

West single family residential and commercial and townhouse at corner of McEver and Gaines Ferry

(h) Existing value of the property under the existing zoning district classification, the extent to which the property value of the subject property is diminished by the existing zoning district, and the value of the property under the proposed zoning district; if such information is provided by the applicant or can be discerned. This consideration may include the length of time the property

has been vacant or unused as currently zoned and efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district classification.

16 acres of this property has been owned by the Mann family for over 50 years, the property is zoned agriculture and has very little value with the current zoning. The 8.8 acres is zoned commercial but due to the shape and topo despite years of effort no commercial user could be found and in fact the only offers have been for a residential use

(i) Whether a proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.

The zoning proposed is less intense than commercial use indicated on the land use plan therefore should have no deterrent to the value or development of adjacent property

(j) The possible creation of an isolated zoning district unrelated to adjacent and nearby districts

No, this will not create an isolated zoning district, as mentioned previously there is a mixed commercial and townhouse now under development across McEver Road, this development along with the adjacent 6 acre commercially zoned tract at the corner of Mcever and Gaines Ferry will also provide a mixed commercial and townhouse development.

(k) Possible effects of the change in zoning district map, or change in use, on the character of a zoning district.

This rezoning will not affect the character of this zoning district

(l) The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality

This development will comply with all Flowery Branch ordinances related to drainage, soil erosion, sedimentation, flooding air and water quality therefore it should have no adverse environmental impact

(m) The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance

As mentioned before the land use plan shows commercial uses for this property, a townhouse use is less intense therefore applicant believes the zoning proposed is consistent with the overall scheme and purpose of the Zoning Ordinance

*Elevations for the townhomes are currently being revamped to meet the intent of the suggestions of TSW submitted to the applicant post initial submittal. The new elevations may be available at the time of the public hearing.

Analysis

Flowery Branch Zoning Ordinance Article 37 Rezoning and Conditional Use Applications

Sec. 34.7. - Analysis Requirements.

Applications to amend the official zoning map and applications for conditional uses shall provide a written analysis comparing the proposed action with the criteria in this Section. A zoning map

amendment or conditional use application may be justified only if it bears a reasonable relationship to the public health, safety, morality, or general welfare, and after consideration of the analysis requirements which may in individual cases be considered criteria relevant to Zoning Administrator in making recommendations and by the Governing Body in the decision-making process.

Staff Response:

(a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property. Yes, a residential subdivision is appropriate for this site and the surrounding area.

(b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property. The development will not adversely affect the area.

(c) Whether the property to be affected by the proposal can be used in accordance with the existing regulations and has a reasonable economic use as currently zoned. Yes, current zonings of Agricultural Residential and Highway Business could be used for other developments.

(d) Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. It is staff's opinion that the use will not create any unnecessary burdens.

(e) Whether the proposal is in conformity with the policy and intent of the comprehensive plan including but not limited to the character area map and future land use plan map. Currently, the Comprehensive Plan denotes this area as part of the "Mixed-Use" character area. The proposed use meets the intent of the Comprehensive Plan (see previous comments regarding the Comprehensive Plan as part of this staff report).

(f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal. No

(g) Existing use(s) and zoning of the subject property and nearby properties. Currently vacant the proposed residential use will fit in well with the corridor.

(h) Existing value of the property under the existing zoning district classification, the extent to which the property value of the subject property is diminished by the existing zoning district, and the value of the property under the proposed zoning district; if such information is provided by the applicant or can be discerned. This consideration may include the length of time the property has been vacant or unused as currently zoned and efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district classification. Staff does not have a specific number regarding property value, but the current zoning classifications of Agricultural-Residential and Highway Business do not allow the proposed residential subdivision.

(i) Whether a proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations. Staff does not feel that the proposed will be a deterrent.

(j) The possible creation of an isolated zoning district unrelated to adjacent and nearby districts. N/A

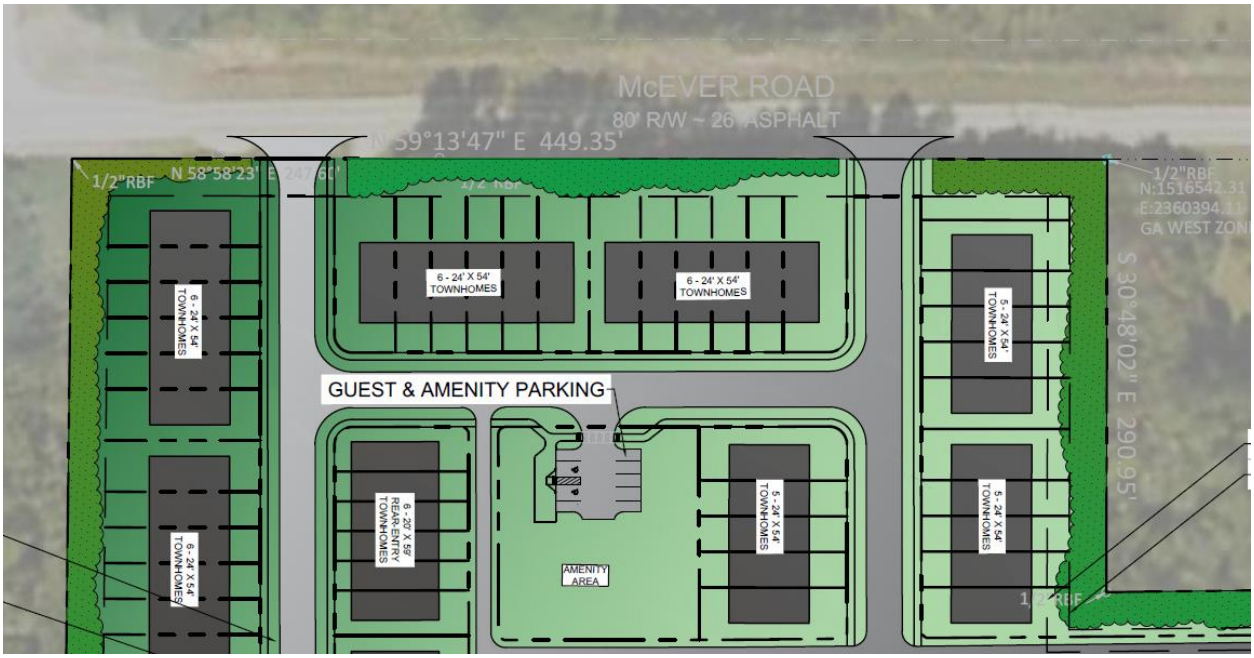
(k) Possible effects of the change in zoning district map, or change in use, on the character of a zoning district. The proposed use will enhance the character of the existing district in staff's opinion.

(l) The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. The development, if approved, will need to go through all the required development reviews to ensure all applicable codes and requirements are met.

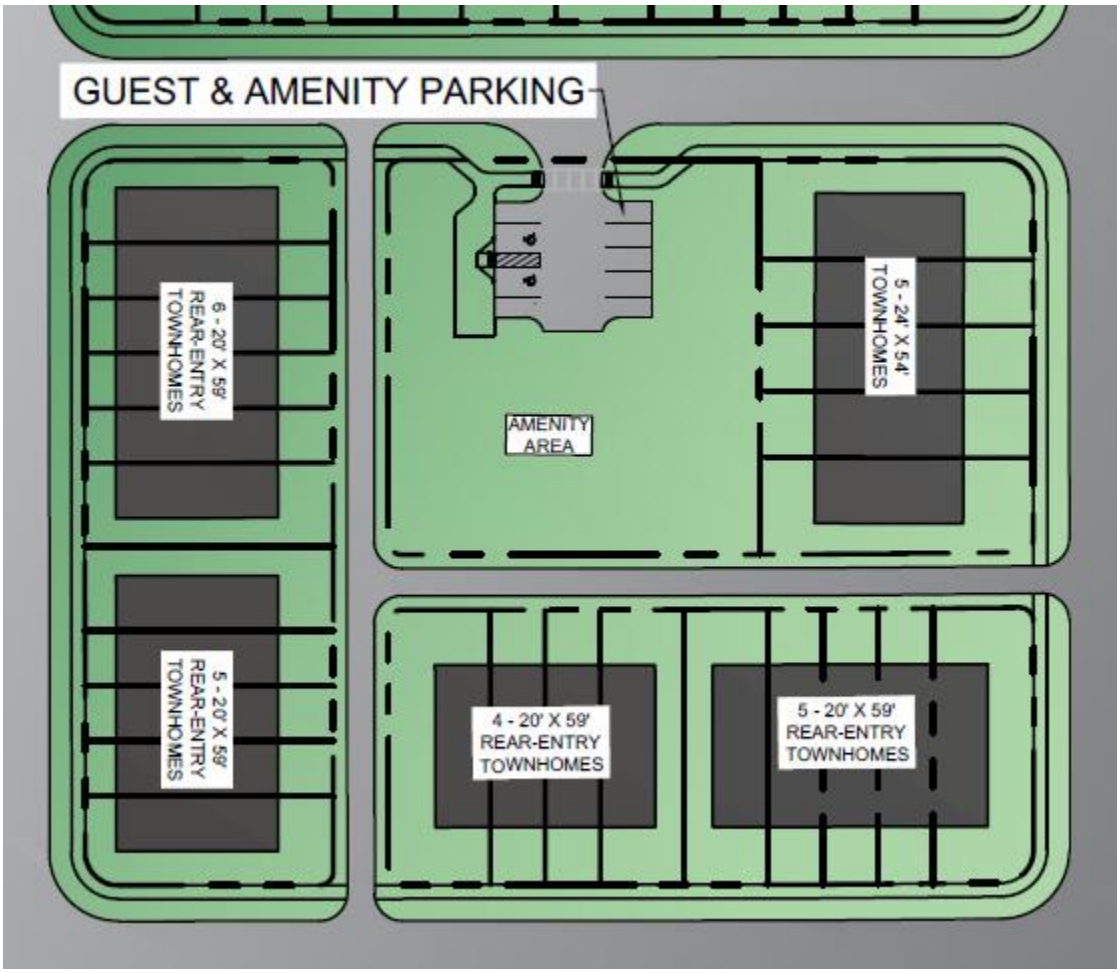
(m) The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance. The proposed development will enhance the surrounding area and meet the intent of the Zoning Ordinance.

Site Plan

McEver Road has two points of ingress/egress and has a proposed landscape buffer. Mayor and Council have the ability to request a further detailed landscape plan along McEver is so desired. No sidewalks are proposed along McEver Road. Mayor and Council will need to decide, as part of the conditions of zoning, if sidewalks shall be required.



Rear accessed townhome product is provided by applicant and has previously been identified as desirable by Mayor, Council, and staff as it promotes a more scenic, less garage dominant, streetscape. Additionally, the rear accessed townhome helps to promote a less auto intense feel to the subdivision and also promotes a more “neighborhood” aesthetic.



Overall, the site plan has been improved significantly from the original submittal and promotes easier vehicular and pedestrian flow and connectivity.

R-3 Zoning

Townhomes are inherently allowed per the code and the proposed development meets the intent of the R-3 zoning district. One possible exception would be the lot size as the applicant lists the projected lot size as 2,100 square feet with R-3 requiring 10,000 square feet. The 10,000 square foot requirement is not feasible for a townhome unless the lot is defined as encompassing the entire run of townhomes. Staff wishes to denote the potential discrepancy in R-3 requirements and the proposed development. However, staff feels this is a matter of interpretation and does not negatively impact the proposal.

Requirement (measurement unit)	A	R-1	R-2	R-3
Maximum height (feet)	75	35	35	45
Maximum height (number of stories)	3	3	3	3
Maximum density (units per acre)	0.333	2.18	3	12
Minimum lot size for detached single-family dwelling (square feet) (1)	130,680	20,000	15,000	10,000
Minimum lot size for two-family dwelling (square feet) (1)	N/A	N/A	N/A	20,000
Minimum lot size for other uses (square feet) (1)	130,680	43,560	15,000	10,000
Minimum lot width (feet)	200	90	75	50
Minimum heated floor area per dwelling unit (square feet)	1,500	2,200	1,800	1,000
Minimum heated floor area per dwelling unit, ground floor of a dwelling (square feet)	750	1,100	900	750
Minimum front yard setback from lot line, all principal buildings feet)	80	35	25	25
Minimum side setback, interior lot line, all principal buildings (feet)	25	20	10	10
Minimum side setback, corner lot, all principal buildings (feet)	60	35	25	25
Minimum rear setback, all principal buildings (feet)	35	25	20	20
Minimum setback, all principal or accessory buildings and structures abutting an R-1, R-2, or R-3 district (feet)	Side and rear setbacks shall apply	50	50	
Minimum width of natural buffer abutting R-1, R-2, or R-3 district (feet)	None	None	None	40
Minimum landscape strip required along rights-of-way for any nonresidential use if permitted (width in feet)	15	15	10	20
Minimum landscape strip required along rights-of-way for any apartment or condominium (multi-family residential) use (width in feet)	N/A	N/A	N/A	20
Minimum landscape strip required along side property lines for any nonresidential use if permitted (width in feet)	5	5	5	5
Maximum coverage of principal and accessory buildings (percent of lot)	25	25	35	40
Minimum landscaped open space, all principal uses except detached, single-family residential lots (percent)	20	20	15	15

Traffic Impact Study

Staff has not requested a traffic study at this time. If Mayor and Council would like a study performed it is appropriate to make this request if it is done in a timely manner.

Staff Recommendation

Staff recommends approval with the following conditions:

1. A landscape/buffer plan shall be approved by staff prior to the issuance of a land disturbance permit.
2. Townhomes shall be limited to runs of no more than six.
3. Development shall generally adhere to the site plan as submitted.
4. Sewer shall be provided by the City of Flowery Branch
5. Driveways shall be 23' as measured from the back of curb.
6. Front entrance plans shall be submitted at the time of, or prior to, applications for monument signs. Said plans shall clearly describe and show the precise landscaping proposed.
7. Townhomes shall be constructed in a manner that significantly adheres to the elevations as submitted.
   A. Material shall be limited to brick, stacked stone, cementitious fiber board, and board and batten.
   B. Elevations shall be submitted for each townhome at the time of permit.
   C. Architectural shingles shall be used throughout the development.

FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY

SUBJECT: A Public Hearing to consider a rezoning application submitted by NNP-Looper Lake, LLC. to rezone tax parcel 15047 000885 from Planned Unit Development (PUD) to Planned Unit Development (PUD) with modified conditions.

COUNCIL MEETING DATE: April 1, 2021

HISTORY:
This is a proposal to alter an approved PUD zoned project (Sterling on the Lake) by rezoning said project from PUD to PUD with modified conditions of zoning. The ordinances were originally approved as 239 and 240. Each additional request to alter the original approval retains the original ordinance number adding letters alphabetically to ease in the tracking of this project and its many changes over the years. The ordinances (which will be ready prior to the first read) will be 239-L & 240-L.

FACTS AND ISSUES:
This is a proposal to alter the approved Sterling on the Lake subdivision by rezoning said project from PUD to PUD with modified conditions of zoning. The proposed modification would decrease the size of the current commercial/retail portion from 12+/- acres to 4 +/- acres allowing for the construction of 65 townhomes on the approximate 8 acre tract.

OPTIONS:
No vote at this time.

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:
No

AMOUNT AND SOURCE OF FUNDS:
0

RECOMMENDATION:
No vote at this time

SAMPLE MOTION:
No vote at this time.

COLLABORATING DEPARTMENT:

DEPARTMENT: Planning

Prepared by: Vickie Short

ATTACHMENTS

- submittal binder 030421.pdf
- Renderings.pdf
- Staff Report SOTL.pdf

Flowery Branch

REZONING APPLICATION

Date: February 26, 2021

Address of Request:
Capitola Farm Road & Spout Springs Road, Flowery Branch, GA 30542

Tax Map # p/o 15047 000885 **Current Zoning:** PUD

Is this site located within the boundaries of the historic district? NO

Currently a conforming use? N/A

Any conditions of zoning, CUP's, etc.? All other conditions of zoning not deleted or revised by this application shall remain in full force and effect

Applicant Information

Name: NNP - Looper Lake, LLC

Address: 7004 Lake Sterling Blvd. Flowery Branch, GA 30542

E-mail address: cwhittaker@newlandco.com

Phone number: 678-960-0242

Signature: Chris A Whittaker

Notary: LABeaver

L A BEAVER
MY COMMISSION EXPIRES
NOTARY
PUBLIC
SEPTEMBER 11, 2024
GWINNETT COUNTY, GEORGIA

Property owner information (if different than the applicant)

Property owner (please print): SAME

Signature of property owner: [signature] VP OPERATIONS

Notary: [signature]

L A BEAVER
MY COMMISSION EXPIRES
NOTARY
PUBLIC
SEPTEMBER 11, 2024
GWINNETT COUNTY, GEORGIA

Property Information

Tax Map Number: 15047 000885

Current Zoning: PUD Total Acres: 7.95

Is this property located within the city-limits of Flowery Branch? YES

Proposed City of Flowery Branch Zoning: PUD

Current Use: undeveloped

Please review the Flowery Branch Code of Ordinances, Appendix C, "Zoning Ordinance", Article 34, for complete requirements.

Please provide the following at time of submittal in (one hard copy and digitally):

- Legal description
- Current survey of property

- Site plan shall meet the requirements of the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.5
- Development statistics per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.6
- Analysis requirements per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.7
- Detailed description of request
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)
- Names and addresses of adjoining property owners
- Reasons for requesting rezoning
- Signed statement authorizing City of Flowery Branch staff and/or City Council to inspect the subject property

Conflict of Interest Disclosure

Identify all members of the City Council of the City of Flowery Branch and Employees of the City of Flowery Branch Community Development Department who

Have a property interest in the real property affected by this request

NONE

Have a financial interest (direct ownership interest) of the total assets or capital stock of a business entity where such ownership interest is more than 10% in any business entity which has a property interest in the real property affected by this request

NONE

Have a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property financial interest as herein defined, in the real property affected by this request

NONE

Flowery Branch

Disclosure of Campaign Contributions

List below the names of local government officials of the City of Flowery Branch to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total $250.00 or more or to whom gifts were made having a total value of $250.00 or more.

Elected Officials Name	Amount of Description of Gift
NONE	

CITY STAFF ONLY

Application Received By: _____

Date: _____ Total Fee: _____

Flowery Branch

Legal Description

All that tract or parcel of land lying and being in G.M.D. 1270, City of Flowery Branch, Hall County, Georgia and being more particularly described as follows:

BEGINNING at the intersection of the southwestern Right-of-Way of Spout Springs Road (R/W varies) and the southeastern Right-of-Way of Capitola Farm Road (60′ R/W); thence continuing along the southwesterly Right-of-Way of said Spout Springs Road South 25°37'24" East, a distance of 663.05 feet to a point; thence leaving said Right-of-Way and into the property now or formerly of NNP-Looper Lake, LLC South 51°28'20" West, a distance of 108.90 feet to a point; thence South 42°12'06" West, a distance of 64.95 feet to a point; thence South 16°35'34" West, a distance of 130.73 feet to a point; thence South 09°33'49" West, a distance of 138.31 feet to a point; thence South 14°03'35" East, a distance of 40.07 feet to a point; thence South 50°05'27" East, a distance of 133.00 feet to a point; thence South 71°36'03" West, a distance of 118.77 feet to a point; thence along the property now or formerly of Sterling on the Lake, Pod O North 16°21'56" West, a distance of 153.60 feet to a point; thence along the property now of formerly of Sterling on the Lake, Pod Q, Phase 2, Pod P North 10°14'19" West, a distance of 148.44 feet to a point; thence North 09°13'44" West, a distance of 119.09 feet to a point; thence North 12°07'47" East, a distance of 26.45 feet to an iron pin found (1/2″ rebar with a yellow plastic cap stamped "Rochester LSF000484″); thence North 01°27'17" East, a distance of 57.67 feet to an iron pin found (1/2″ rebar with a yellow plastic cap stamped "Rochester LSF000484″); thence North 09°46'11" West, a distance of 63.59 feet to an iron pin found (1/2″ rebar with a yellow plastic cap stamped "Rochester LSF000484″); thence North 21°32'36" West, a distance of 63.59 feet to an iron pin found (1/2″ rebar with a yellow plastic cap stamped "Rochester LSF000484″); thence South 62°34'11" West, a distance of 95.00 feet to a point; thence 164.12 feet along an arc of a curve to the left having a radius of 215.00 feet and a chord bearing and distance of North 49°17'54" West, 160.16 feet to a point; thence North 71°09'59" West, a distance of 63.20 feet to a point; thence 223.30 feet along an arc of a curve to the left having a radius of 395.00 feet and a chord bearing and distance of North 87°21'42" West, 220.34 feet to a point; thence North 19°04'20" West, a distance of 87.48 feet to a point; thence North 31°15'55" West, a distance of 102.02 feet to a point on the southeastern Right-of-Way of said Capitola Farm Road; thence along said Right-of-Way 51.29 feet along an arc of a curve to the left having a radius of 733.26 feet and a chord bearing and distance of North 54°33'32" East, 51.28 feet to a point; thence North 52°33'19" East, a distance of 159.85 feet to a point; thence 63.52 feet along an arc of a curve to the right having a radius of 431.40 feet and a chord bearing and distance of North 56°46'25" East, 63.47 feet to a point; thence North 60°59'32" East, a distance of 33.91 feet to a point; thence 480.02 feet along an arc of a curve to the right having a radius of 268.83 feet and a chord bearing and distance of North 71°54'29" East, 47.96 feet to a point; thence North 77°01'33" East, a distance of 296.98 feet to the ***Point of Beginning***.

Said tract contains 8.150 Acres.

Project Summary

LOCATION – Spout Springs Road & Capitola Farm Road
ACREAGE – 8.15 acres +/-
APPLICANT – NNP - Looper Lake, LLC

Summary

The accompanying application seeks a change of use from commercial to single family attached within the current PUD for Sterling on The Lake. The site would be developed for up to 65 townhomes with rear entry garages from either a public street or private alleyway. The townhome units will be 3 stories with a mix of architectural materials. A passive park area will be located near the entrance and sidewalks will provide both internal and external connections. The location and point of access will not impact current traffic flow within the Sterling on The Lake community. Completion of development is anticipated by 2022.

Site Description

The site has approximately 575 feet of frontage along the western right-of-way of Spout Springs Road and 650 feet of frontage along the southern right-of-way of Capitola Farm Road. The site is rectangular in shape with the majority being previously cleared and graded. A jurisdictional stream is located on the southern side of the property. Domestic water provided by the City of Gainesville is located in the right-of-way of Capitola Farm Road. Hall County sanitary sewer is located near the sites southwestern boundary line. All other dry utilities are located within a reasonable distance for service extensions. There are no known impediments to its successful development for the purposes intended.

Access

A single point of access to the property is proposed from Capitola Farm Road, approximately 250 LF from its intersection with Spout Springs Road.

Development Strategy

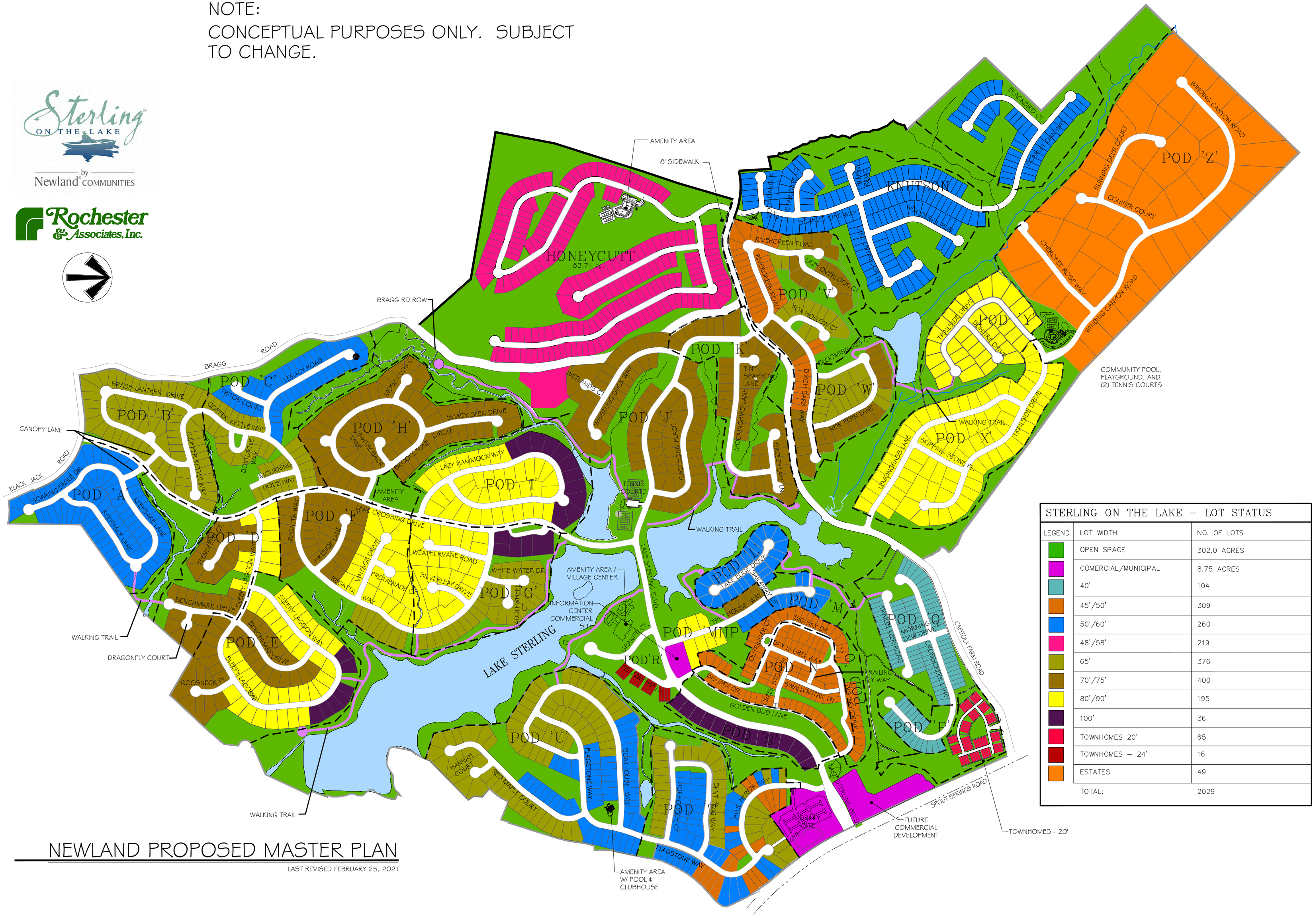
The site has been previously marketed for commercial uses but has received only limited interest due to a lack of direct access to Spout Springs Road and the ongoing widening project. The proposed townhome product will fill a product type void that is not currently server in the Sterling on The Lake community. Two commercial tracts will remain at Spout Springs Road and Lake Sterling Boulevard.

Aerial View

NOTE:
CONCEPTUAL PURPOSES ONLY. SUBJECT TO CHANGE.

Sterling ON THE LAKE by Newland COMMUNITIES

Rochester & Associates, Inc.



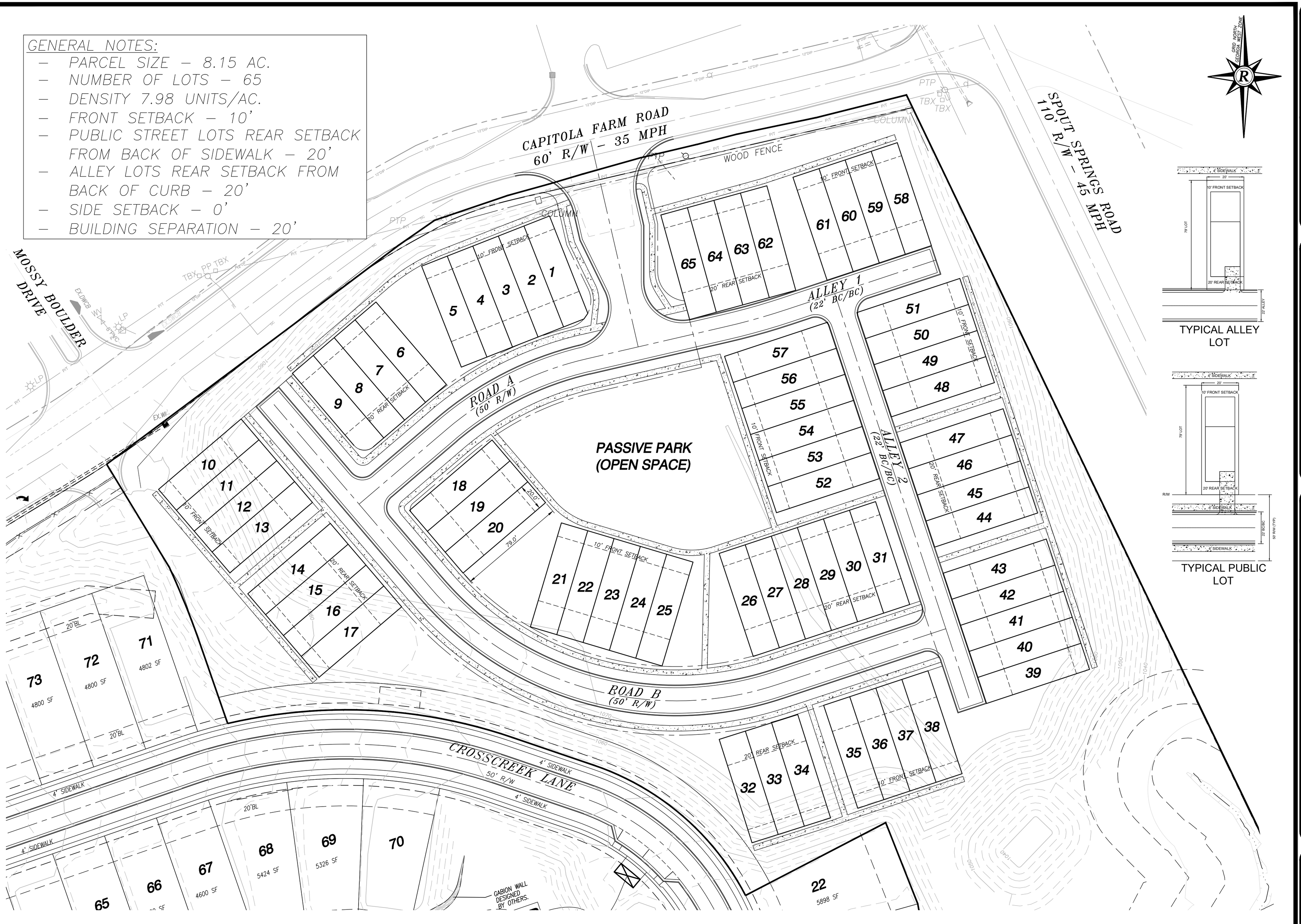
STERLING ON THE LAKE – LOT STATUS		
LEGEND	LOT WIDTH	NO. OF LOTS
	OPEN SPACE	302.0 ACRES
	COMERCIAL/MUNICIPAL	8.75 ACRES
	40'	104
	45'/50'	309
	50'/60'	260
	48'/58'	219
	65'	376
	70'/75'	400
	80'/90'	195
	100'	36
	TOWNHOMES 20'	65
	TOWNHOMES – 24'	16
	ESTATES	49
	TOTAL:	2029

NEWLAND PROPOSED MASTER PLAN

LAST REVISED FEBRUARY 25, 2021

GENERAL NOTES:

- PARCEL SIZE – 8.15 AC.
- NUMBER OF LOTS – 65
- DENSITY 7.98 UNITS/AC.
- FRONT SETBACK – 10'
- PUBLIC STREET LOTS REAR SETBACK FROM BACK OF SIDEWALK – 20'
- ALLEY LOTS REAR SETBACK FROM BACK OF CURB – 20'
- SIDE SETBACK – 0'
- BUILDING SEPARATION – 20'



Rochester & Associates, Inc.
425 Oak Street N.W. • Gainesville, Georgia 30501
(770)718.0600 (770)718.9090 Fax • www.rochester-assoc.com

REZONING PLAN
FOR:
STERLING ON THE LAKE
TOWNHOME SITE
LOCATED IN:
G.M.D. 1270
CITY OF FLOWERY BRANCH
HALL COUNTY, GEORGIA

NO.	DATE	DESCRIPTION
		REVISIONS

ANY CHANGES OR ALTERATIONS MADE TO THESE CONSTRUCTION DRAWINGS WITHOUT THE WRITTEN APPROVAL OF ROCHESTER & ASSOCIATES INC. VOIDS THE SEALS SHOWN HEREON AND ANY LIABILITY ASSOCIATED HEREWITH AND ALL CONSTRUCTION DRAWINGS ARE KEPT ON FILE FOR VERIFICATION OF ANY CHANGES.

GRAPHIC SCALE
15' 0' 30' 60'

SHEET 1 OF 1

DATE: 2/23/21
SCALE: 1"=30'
JOB NO. C20B033.PDD
DWG NO. 4-PRELIM.dwg
DRAWN BY: AKJ

Development Statistics for Townhome Tract Amendment Request

(a) Maximum and proposed height of any structure; 35'

(b) Maximum and proposed gross square footage of the building area (nonresidential only); N/A

(c) Color renderings of any proposed structures; See attached

(d) Material list (with percentages) of any proposed structures;

All color schemes and exterior material selections must be submitted to the DRC for approval. A minimum of two exterior materials and a maximum of three exterior materials on each home is required.

- Corner lots will be required to wrap the front elevation material around the side of the flanking street.
- All homes with front elevations including masonry must wrap the same material around the corner of the home a minimum of 2 feet (with the exception of Pods A, B & C). Masonry materials and patterns must be submitted to the DRC for approval.

(e) Maximum and proposed number of dwelling units and minimum and proposed square footage of heated floor area for any dwelling unit (residential only); 65 units with a minimum heated floor area of 1400 SF

(f) Maximum and proposed lot coverage of building area (square feet and percent); 1000 SF with a lot coverage of 65%.

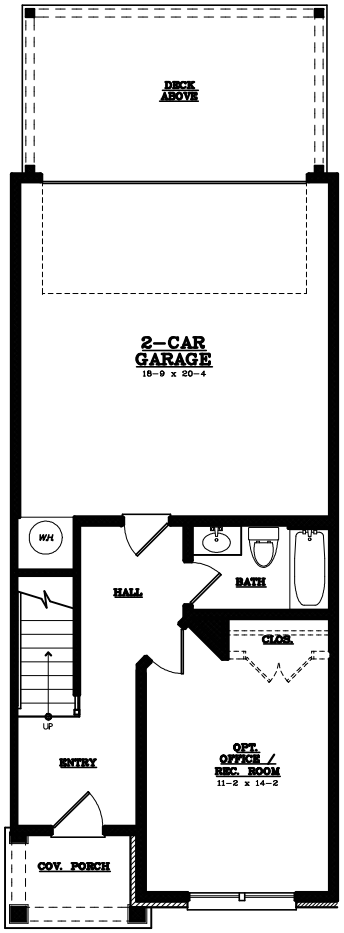
(g) Minimum and proposed square footage of landscaped area (square feet and percent); 15,000 SF in passive park area.

(h) Minimum, maximum and proposed number of parking spaces; one space per unit provided in paved driveway.

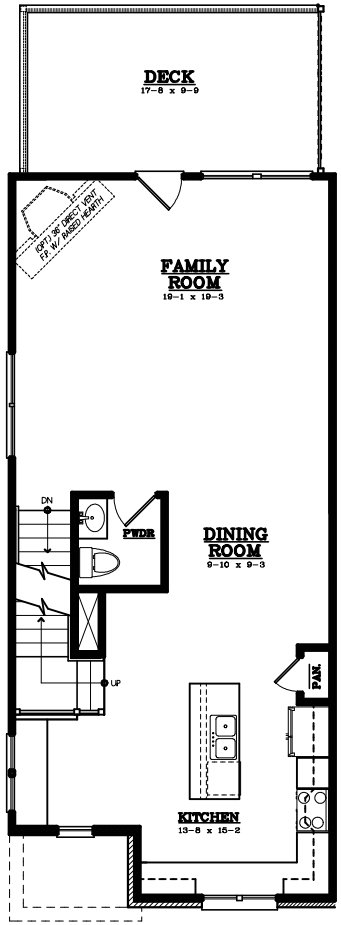
(i) Other dimensional information as may be required by the Zoning Administrator. TBD

Townes at Sterling on the Lake
Capitola Farm Road Parcel

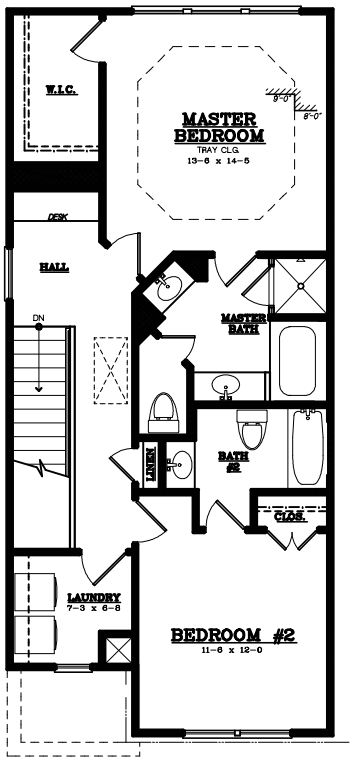
Townes at Sterling on the Lake
Capitola Farm Road Parcel



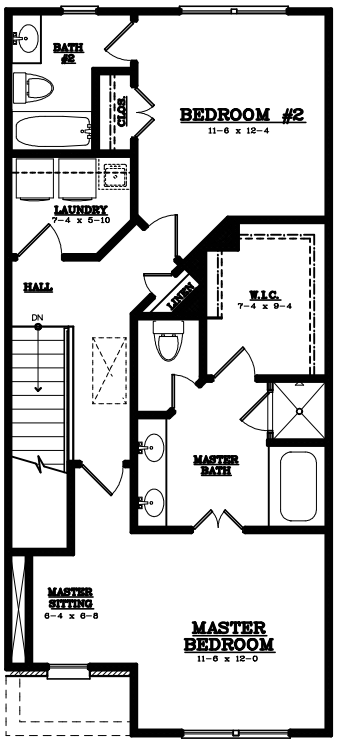
LOWER LEVEL PLAN



MAIN LEVEL PLAN



UPPER LEVEL PLAN



OPTIONAL MASTER UPPER LEVEL PLAN

City of Flowery Branch Rezoning Application
REQUEST FOR STATISTICAL INFORMATION
Sterling on the Lake – Townhome Tract

1. **Value of improvements at buildout:**
   - **Development cost - $ 30,000 per lot**
   - **Vertical construction cost - $ 120 per sf**

2. **Property tax revenue at buildout: (based on FMV of $275,000)**
   - **Hall County - $ 196,110**
   - **City of Flowery Branch - $ 23,338**

3. **Schedule of construction;**
   - **See below:**

ITEM	START	FINISH
Design & Permitting	6/30/2021	8/29/2021
Land Development	9/3/2021	3/2/2022
Final Plat	3/12/2022	4/26/2022
Lot Sales	5/6/2022	5/31/2023
Residential CO's	7/20/2022	8/14/2023

4. **Anticipated total square footage per unit:**
   - **1400 sf minimum**

5. **Total acreage to be developed:**
   - **7.95 acres in total**

6. **The Townhome Tract will contain approximately 0.25 acres in private rights-of-way.**

7. **The Townhome Tract will contain approximately 4.35 acres of open space/common area to be maintained by the existing HOA.**

8. **The Townhome Tract will contain approximately 1.05 acres of buffer and watershed protection.**
   - **A) The impervious buffer is applicable to the Townhome Tract.**
   - **B) No property lines may extend into the stream buffer.**
   - **C) The developer intends to dedicate street rights-of-way (where applicable) and storm sewer easements to the City of Flowery Branch.**

9. **Transportation alternatives:**
   - **The Townhome Tract will have a pedestrian link along Spout Springs Road to the remainder of the community.**

10. **Amenities for Sterling on the Lake total more than 15 acres and (at buildout) will include the following:**
    - **Lakes and Trails**
    - **3 Clubhouses**
    - **5 Pools**
    - **4 Children's Playgrounds**
    - **Multiple pocket parks**
    - **Children's Treehouse**
    - **12 Tennis Courts**
    - **2 Fire pits**
    - **Lakeside pavilion with grill**
    - **Boat dock and launch**
    - **¾ Basketball Court**
    - **Picnic Island**
11. **A minimum of 9 street lights are planned for the Townhome Tract with a maximum spacing of 150 feet.**

12. **The Townhome Tract will include approximately 3,500 linear feet of sidewalk containing approximately 216 cubic yards of concrete.**

13. **Homes in the Townhome Tract will have access to high speed internet to the extent available from the service provider.**

14. **The Townhome Tract will contain areas for providing detention, water quality and stream protection.**

15. **An updated traffic study has not been completed for the Townhome Tract as the overall density will remain within previously studied and approved maximums.**

16. **There are no provisions for utilization and storage of reuse water in this plan.**

17. **The Townhome Tract, as proposed, will generate approximately 17,550 gallons per day of wastewater flow.**

18. **The maximum daily water consumption is approximately 17,550 gallons per day. Low flow fixtures are required by the development.**

19. **A preliminary design has been completed in order to evaluate the proposed density.**

20. **Public safety requirements related to life safety codes have been considered in the concept design.**

21. **The Hall County school system has been provided density and build out projections for the entirety of the community.**

22. **Copies of master covenants and guidelines have been previously filed and recorded.**

Sterling on the Lake – Project Narrative

Applicant seeks to amend the conceptual site plan and conditions of approval relating to ordinance no. 239I & 240I, for the master planned community on 1007.91 ± acres generally known as "Sterling on the Lake" located in the PUD (Planned Unit Development) zoned district. The development is located adjacent to the intersection of Capitola Farm Road and Spout Springs Road. The amended property is described as: (**Townhome Tract**) - a 8.15 acre parcel of real property owned by NNP Looper Lake LLC, being known as the "Townhome" tract identified as a portion of tax identification number 15047-000885 located in GMD 1270 Flowery Branch District, Hall County, Georgia.

- The Sterling on the Lake Master Planned Development was originally approved (annexed and rezoned) by the Flowery Branch City Council on November 16, 2001, per Ordinances 239 and 240.

- On February 1, 2006, City Council approved a modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-A and 240-A.

- On September 9, 2006, City Council approved a second modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-B and 240-B.

- On August 15, 2007, City Council approved a third modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-C and 240-C.

- On November 25, 2008, City Council approved a fourth modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-D and 240-D.

- On March 26, 2011, City Council approved a fifth modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-E and 240-E.

- On March 15, 2012, City Council approved a sixth modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-F and 240-F.

- On February 18, 2016, City Council approved a seventh modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-G and 240-G.

- On May 4, 2017, City Council approved an eight modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-H and 240-H.

- On March 15, 2018, City Council approved a ninth modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-I and 240-I.

- On July 1, 2019, City Council approved a tenth modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-J and 240-J.

- Per Article 8, Section 8.4 and Section 8.10 of the Flowery Branch Zoning Ordinance, the original PUD approval must be amended by the Governing Body in order to incorporate changes to the master plan approval and PUD conditional zoning.

APPLICANT'S REQUEST

Townhome Tract – The Applicant is requesting an amendment to the PUD master plan for Sterling on The Lake Master Planned Development.

- The development shall be substantially in accordance with the "Rezoning Plan" submitted as a part of the application.
- The plan will include both public right-of-way and private alleyways as depicted on the "Rezoning Plan". Private alleyways will be maintained solely by the Townhome sub-association.
- Each dwelling unit is required to provide a two car garage and space for two cars in the driveway.
- All requirements imposed under this Ordinance shall be the standards of the development regardless of any change in ownership.
- The elevations will be consistent with the attached exhibits. All elevations shall be reviewed and approved by the DRC Committee prior to submittal to the City.
- No fencing is permitted within the front setback areas.
- The residential development within the overall PUD shall be limited to a maximum of 2,029 housing units for the entire 1,007.91 ± acre PUD, within the City of Flowery Branch at the time of this approval, as approved under this ordinance. If additional land is approved for inclusion as residential development within the PUD, the number of housing units to be permitted and the gross density of residential development portions of the site (excluding commercial, institutional, recreational, and open space uses) shall be established in the subsequent approval as an amendment to the Sterling on the Lake Conceptual Master Plan.
- The PUD shall designate and maintain at least 302 acres of permanent open space, or thirty percent (30%) of the total land area

contained within the PUD, whichever is greater. For purposes of this zoning condition, permanent open space shall include lakes, buffers, and passive or active parks and recreation of the property, including those lands administered by a homeowners association; provided, however, that any buffer area counted as open space shall not be used for active recreational facilities. The open space shall be substantially in accordance with the areas colored green on the "Master Plan for Sterling on the Lake" (i.e., binding site plan) as determined by the Zoning Administrator.

STATEMENTS OF FACT

Pursuant to Article 34 of the Flowery Branch Zoning Ordinance this amendment to the conceptual master site plan and conditions of approval relating to Ordinance No. 239 and 240 (as amended most recently dated March 25, 2018), to add the Bragg tract to the master plan, submit the following Statements of Fact:

(a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property. The requested use is for a residential use and is consistent with the surrounding uses.

(b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property. The proposed residential use of the property will not negatively impact any adjacent property as the both residential and commercial uses exist nearby.

(c) Whether the property to be affected by the proposal can be used in accordance with the existing regulations and has a reasonable economic use as currently zoned. The property has been marketed for its current use for a number of years and has generated very little interest.

(d) Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The proposed residential use will not impact the existing infrastructure in comparison to the current use with the exception of schools where there could be a slight impact.

(e) Whether the proposal is in conformity with the policy and intent of the comprehensive plan including but not limited to the character area map and future land use plan map. The property is shown as Neighborhood Commercial on the character area map but is surrounded by Suburban Residential.

(f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal. The demand for residential use is increasing while neighborhood commercial is declining in some areas. The lack of driveway from Spout Springs Road is challenging to the use of the property for commercial.

(g) Existing use(s) and zoning of the subject property and nearby properties. Property to the east consists of a church campus, to the north a convenience store, to the west single family residential and to the south, undeveloped neighborhood commercial.

(h) Existing value of the property under the existing zoning district classification, the extent to which the property value of the subject property is diminished by the existing zoning district, and the value of the property under the proposed zoning district; if such information is provided by the applicant or can be discerned. This consideration may include the length of time the property has been vacant or unused as currently zoned and efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district classification. The property has been marketed for its current use for a number of years and has generated very little interest. The lack of a driveway connection to Spout Springs is detrimental to its value for commercial development.

(i) Whether a proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations. The

change of use is more compatible with the existing single family development to the west and will have no impact on the other adjacent uses.

(j) The possible creation of an isolated zoning district unrelated to adjacent and nearby districts. The property is adjacent to an existing single family development and therefore would not create an isolated use.

(k) Possible effects of the change in zoning district map, or change in use, on the character of a zoning district. The character of this area includes both residential and commercial use so there should be no impact on the general character of the district.

(l) The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. Residential development is generally less intensive in its impact on the environmental issues mentioned.

(m) The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance. This change of use will not be harmful to the overall zoning scheme as other residential uses currently exists adjacent to the property.

LEGAL DESCRIPTION

The modification of Ordinance No. 239 & 240 for a 1007± acre master planned development generally known as "Sterling on the Lake", described on Exhibit A attached hereto.

Legal Description: (See Exhibit A)

The overall development is approximately 1007.91 +/- acres located adjacent to the intersection of Capitola Farm Road and Spout Springs Road. The property is described as: (**Townhome Tract**), approximately 8.15 ± acres known as the "Townhome" tract, identified as tax identification number 15047-000885, located in GMD 1270 Flowery Branch District, Hall County, Georgia.

Adjoining Property Owners

Parcel ID	Owner	Property Address
15046 000017	UNITED FOOD AND GAS INC	6360 SPOUT SPRINGS RD
15046 000069	ARCHBISHOP WILTON D GREGORY ARCHBISHOP	6367 SPOUT SPRINGS RD
15046 000139	CONSTANTINO T GARCIA	6363 SPOUT SPRINGS RD
15047 000001	ARCHBISHOP WILTON D GREGORY ARCHBISHOP	6439 SPOUT SPRINGS RD
15047 000002A	SHIRLEY L MOORE	6495 SPOUT SPRINGS RD
15047 000665	HALL COUNTY	6488 SPOUT SPRINGS RD
15047 000684	GREGORY L. WITKOWSKI WITKOWSKI, WHITNEY A.	6807 LAKE STERLING BLVD
15047 000701	STERLING ON THE LAKE COMMUNITY ASSOCIATI	6872 LAKE STERLING BLVD
15047 000711	CEMETERY - NNP-LOOPER LAKE, LLC	LAKE STERLING BLVD
15047 000742	ANDREA N BOWEN BOWEN ROBERT D	6714 BIG SKY DR
15047 000743	ERIC M. BOWMAN BOWMAN, LAUREN A.	6718 BIG SKY DR
15047 000885	NNP-LOOPER LAKE LLC c/o NEWLAND COMMUNITIES	BIG SKY DR
15047 000885A	STERLING ON THE LAKE COMMUNITY ASSOCIATI C/O COMMUNITY MANAGMENT ASSOCIATES INC	6796 LAKE STERLING BLVD
15047 000887	MARY BETH TURLEY	6804 GOLDEN BUD LN
15047 000953	STERLING ON THE LAKE COMMUNITY ASSOCIATI	CROSSCREEK LN
15047B000001	JOSHUA HARWARD HARWARD, LAUREN	6403 MOSSY BOULDER DR
15047B000075	JOHN RINDFUSZ RINDFUSZ DEENA	6414 MOSSY BOULDER DR
15047B000076	THOMAS A KLAPUT KLAPUT PATRICIA M	6408 MOSSY BOULDER DR
15047B000077	JOSHUA E THOMAS THOMAS JESSICA BOWLES	6402 MOSSY BOULDER DR
15047H000050	STERLING ON THE LAKE COMMUNITY ASSOCIATI	6782 BLUE HERON WAY
15047P000001	DALE MARIE GRANT	6393 CROSSCREEK LN
15047P000013	D. R. HORTON, INC.	6380 CROSSCREEK LN
15047P000014	MIRIAM A NICHOLAS	6384 CROSSCREEK LN
15047P000015	EVAN H DOWLING DOWLING MARIA LORELLE	6388 CROSSCREEK LN
15047P000016	D. R. HORTON, INC.	6392 CROSSCREEK LN
15047P000017	MICHAEL KEITH JOHNSON JOHNSON MELISSA DANIELLE	6396 CROSSCREEK LN
15047P000018	CHRISTINE R. BECK SINGLETON, KIMBERLY ERIN	6402 CROSSCREEK LN
15047P000019	RICHARD LEE LASHBROOK LASHBROOK, KRISTEN PALEN	6406 CROSSCREEK LN
15047P000020	D. R. HORTON, INC.	6410 CROSSCREEK LN
15047P000021	NICOLAS PEMBERTON PEMBERTON JUSTINE	6414 CROSSCREEK LN
15047P000022	D. R. HORTON, INC.	6418 CROSSCREEK LN
15047Q000064	STACEY A. BURSINGER	6465 CROSSCREEK LN
15047Q000065	MATEUSZ JERZY MUDY	6461 CROSSCREEK LN
15047Q000066	LINDA S. WILLIAMS	6457 CROSSCREEK LN
15047Q000067	LAUREN TAMPLIN TAMPLIN, KRISTOFER	6453 CROSSCREEK LN
15047Q000068	SIDNI BRAUTIGAN	6449 CROSSCREEK LN
15047Q000069	KAREN E. ZARCONE	6445 CROSSCREEK LN
15047Q000070	KEVIN ANTHONY JONES JONES, ASHLEIGH	6441 CROSSCREEK LN
15047Q000071	KENNY A. CUEVAS, SR	6452 CROSSCREEK LN
15047Q000072	KERRI LYNN PARKS PARKS, STEVAN RODNEY	6456 CROSSCREEK LN
15047Q000073	RALPH RODRIGUEZ	6460 CROSSCREEK LN
15047Q000074	TAYLOR HEINICKE	6464 CROSSCREEK LN
15047Q000075	ANAHIS LEON CARPIO BARRIOS MORA, DANIEL	6468 CROSSCREEK LN

Sterling™ ON THE LAKE

BY

NEWLAND®

rhf

Reece Hoopes Fincher

land planners | landscape architects

DISCLAIMER: THESE DRAWINGS ARE CONCEPTUAL AND SUBJECT TO CHANGE, NOT INTENDED FOR CONSTRUCTION.

Sterling™ ON THE LAKE

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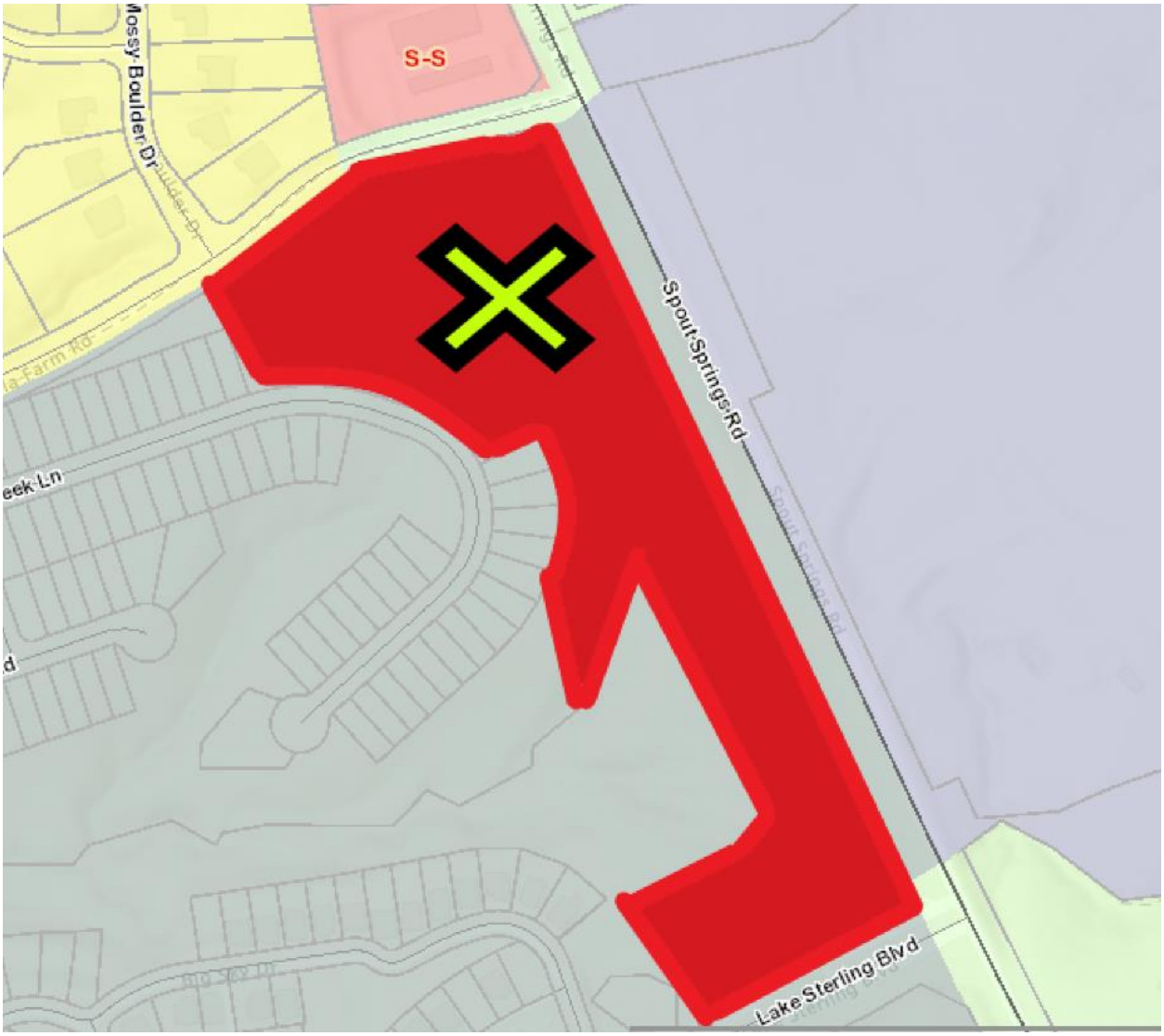
DISCLAIMER: THESE DRAWINGS ARE CONCEPTUAL AND SUBJECT TO CHANGE, NOT INTENDED FOR CONSTRUCTION.

Staff Report

An application to rezone a portion of a parcel of land from Planned Unit Development (PUD) to Planned Unit Development (PUD) with modified conditions was submitted by NNP-Looper Lake, LLC. The following property is being considered:

Tax Parcel ID # 15047 000885

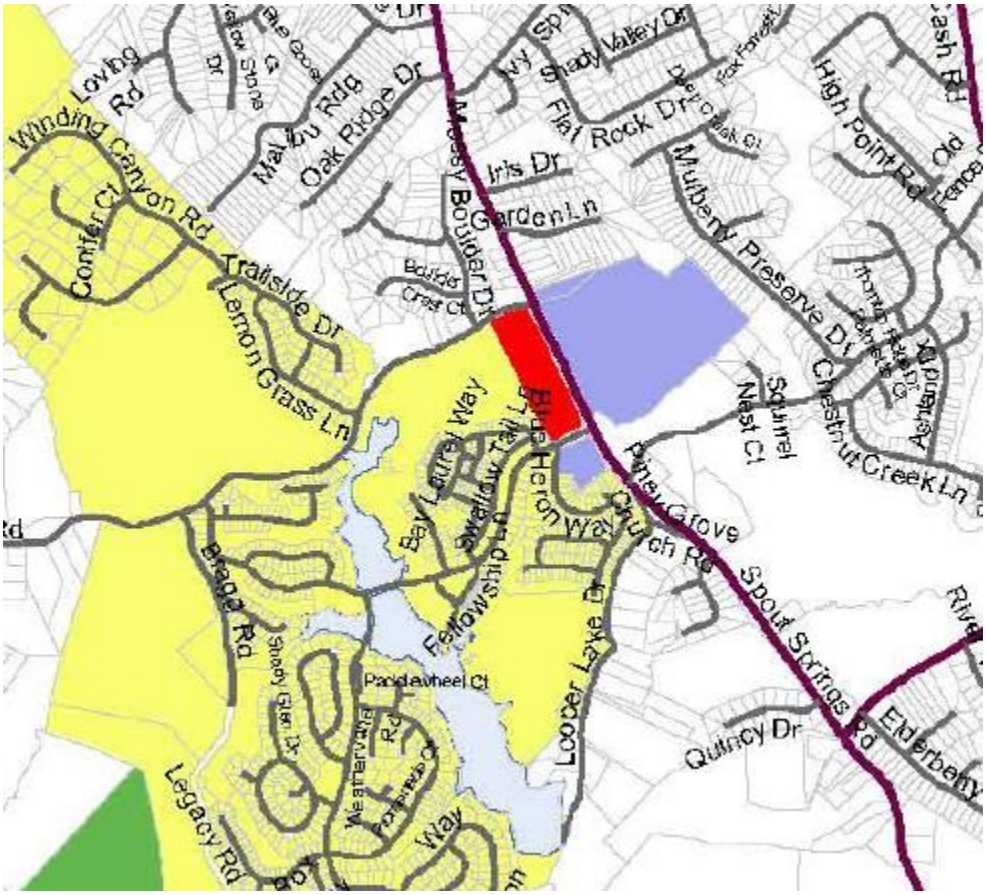


Currently, the entire parcel (12 +/- acres) is zoned PUD and is designated as for sale commercial/retail property. Applicant is requesting 8 +/- acres be removed from the commercial/retail development classification allowing for the construction of approximately 65 townhomes.

Comprehensive Plan

Designated as a “Neighborhood Commercial” character area.

Flowery Branch character area map:



The “Neighborhood Commercial” character area does not contemplate residential uses. Applicant proposes leaving 4 +/- acres as commercial. These parcels would keep the “Neighborhood Commercial” character area designation. The remaining land (8+/- acres) would not fit the “Suburban Neighborhood” character area designation that Sterling on the Lake currently holds, rather it would need to be reclassified as, “Urban Density Community”.

Neighborhood Commercial

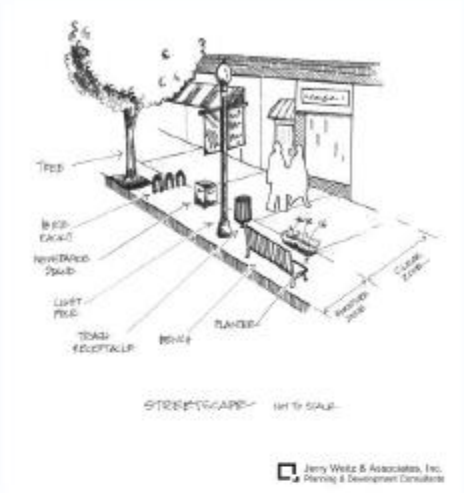
VISION: Attractive, non-auto related neighborhood businesses and services, with distinctive architectural features and a scale compatible with pedestrians and connected to adjacent residential neighborhoods.

USES AND INTENSITIES: Neighborhood-serving commercial intensities are within a range of approximately 10,000 to 15,000 square feet of building space per acreBusiness establishments do not generally exceed 25,000 square feet in any one tenant space, to keep the bulk and intensity in scale with the needs of adjacent neighborhoods.

MAJOR FEATURES: Pedestrian accessibility is promoted via sidewalks connected to nearby neighborhoods, but uses are mostly reliant on the automobile for access. Nonetheless, buildings and developments are scaled to be compatible with and promote pedestrian activity. Open space is limited to suburban plazas or small open spaces. Three-story height limit. Entrances, frontages, and building façades are softened with landscaping and low-lying identification signs.

REGULATIONS: This character area will be implemented with a neighborhood commercial zoning district. Design guidelines will be provided, and neighborhood commercial projects will be required to complete design review. Minimum 15 percent of the lot is open space or landscaped.

QUALITY COMMUNITY OBJECTIVES IMPLEMENTED: Appropriate business, employment options, transportation alternatives, sense of place.



Illustrative Pedestrian Features

Outdoor Seating and Attractive Lighting

Quality, Compatible Architectural Design Including Signage

Suburban Neighborhood

VISION: Conventional suburban subdivisions with larger lots (1/3 to 1 acre) that may have cul-de-sacs and curvilinear streets. Houses are set back from the road. Streets are built to relatively wide standard when compared with traditional neighborhoods.

USES AND DENSITIES: Acceptable uses are almost exclusively single-family residences, though some civic and recreational uses integrated into subdivision plans are acceptable. Duplexes, townhouses, multi-family, and accessory apartments are not permitted. Densities are in the range of 1-3 dwelling units per acre.

MAJOR FEATURES: Houses are setback from city streets. Diverse architectural designs are required. Garages may be located in the front but should not be the dominant feature of the home. .

REGULATIONS: To be implemented with existing residential zoning districts.

QUALITY COMMUNITY OBJECTIVES IMPLEMENTED: Open space preservation, housing opportunities, infill development, suburban sense of place.

Typical Street Scene in a Suburban Neighborhood

Dwelling Setback from Street

Conventional Suburban Subdivision With cul de sacs

Urban Density Community

VISION: Higher density, urban living environments.

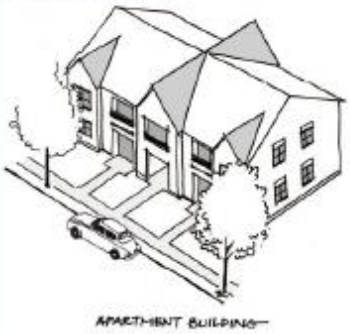
USES AND DENSITIES: Acceptable uses include multi-family development (apartment complexes, townhouses, and manufactured home parks). Densities range from 6 to 12 units per acre.

Manufactured Home Park

MAJOR FEATURES: Master planned with high quality architecture, entrance landscaping, and recreational amenities.

REGULATIONS: To be implemented with existing multi-family residential zoning districts with design guidelines. Design review required.

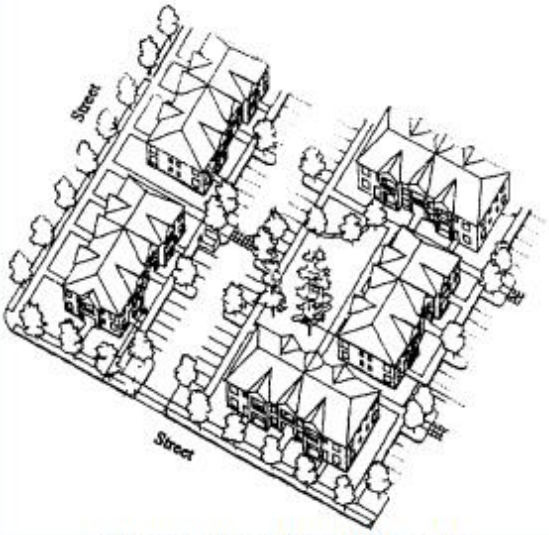
QUALITY COMMUNITY OBJECTIVES IMPLEMENTED: Open space preservation, housing opportunities, infill development, urban sense of place.



Jerry Weitz & Associates, Inc.
Planning & Development Consultants

Typical Fee-Simple Townhouses

Apartments with Good Articulation of Buildings



Connectivity and Quality Design of Urban Density Communities

Proposal

Submitted by applicant:

Project Summary

LOCATION – Spout Springs Road & Capitola Farm Road
ACREAGE – 8.15 acres +/-
APPLICANT – NNP - Looper Lake, LLC

Summary

The accompanying application seeks a change of use from commercial to single family attached within the current PUD for Sterling on The Lake. The site would be developed for up to 65 townhomes with rear entry garages from either a public street or private alleyway. The townhome units will be 3 stories with a mix of architectural materials. A passive park area will be located near the entrance and sidewalks will provide both internal and external connections. The location and point of access will not impact current traffic flow within the Sterling on The Lake community. Completion of development is anticipated by 2022.

Site Description

The site has approximately 575 feet of frontage along the western right-of-way of Spout Springs Road and 650 feet of frontage along the southern right-of-way of Capitola Farm Road. The site is rectangular in shape with the majority being previously cleared and graded. A jurisdictional stream is located on the southern side of the property. Domestic water provided by the City of Gainesville is located in the right-of-way of Capitola Farm Road. Hall County sanitary sewer is located near the sites southwestern boundary line. All other dry utilities are located within a reasonable distance for service extensions. There are no known impediments to its successful development for the purposes intended.

Access

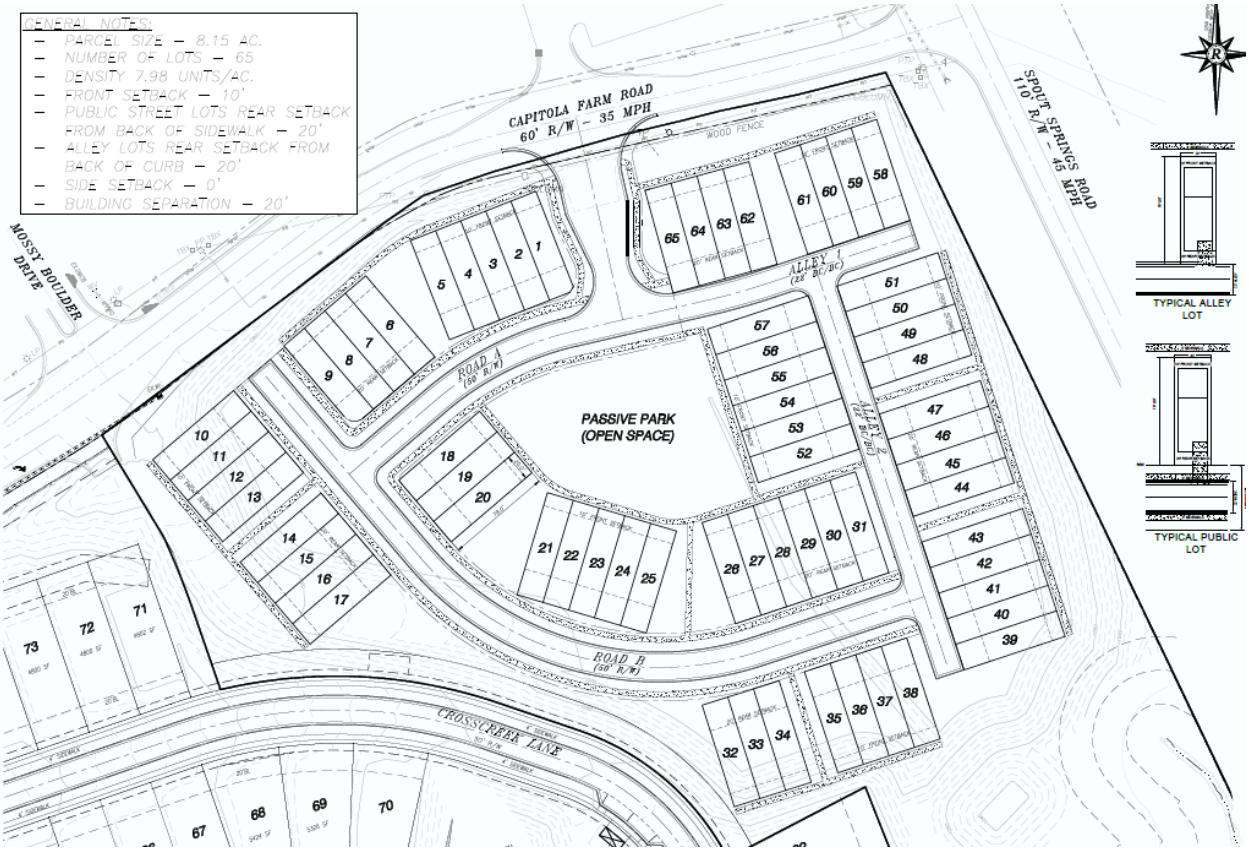
A single point of access to the property is proposed from Capitola Farm Road, approximately 250 LF from its intersection with Spout Springs Road.

Development Strategy

The site has been previously marketed for commercial uses but has received only limited interest due to a lack of direct access to Spout Springs Road and the ongoing widening project. The proposed townhome product will fill a product type void that is not currently server in the Sterling on The Lake community. Two commercial tracts will remain at Spout Springs Road and Lake Sterling Boulevard.

Spout Springs Rd

Flowery Branch



GENERAL NOTES:

- PARCEL SIZE – 8.15 AC.
- NUMBER OF LOTS – 65
- DENSITY 7.98 UNITS/AC.
- FRONT SETBACK – 10'
- PUBLIC STREET LOTS REAR SETBACK FROM BACK OF SIDEWALK – 20'
- ALLEY LOTS REAR SETBACK FROM BACK OF CURB – 20'
- SIDE SETBACK – 0'
- BUILDING SEPARATION – 20'

Development Statistics for Townhome Tract Amendment Request

(a) Maximum and proposed height of any structure; 35'

(b) Maximum and proposed gross square footage of the building area (nonresidential only); N/A

(c) Color renderings of any proposed structures; See attached

(d) Material list (with percentages) of any proposed structures;

All color schemes and exterior material selections must be submitted to the DRC for approval. A minimum of two exterior materials and a maximum of three exterior materials on each home is required.

- Corner lots will be required to wrap the front elevation material around the side of the flanking street.
- All homes with front elevations including masonry must wrap the same material around the corner of the home a minimum of 2 feet (with the exception of Pods A, B & C). Masonry materials and patterns must be submitted to the DRC for approval.

(e) Maximum and proposed number of dwelling units and minimum and proposed square footage of heated floor area for any dwelling unit (residential only); 65 units with a minimum heated floor area of 1400 SF

(f) Maximum and proposed lot coverage of building area (square feet and percent); 1000 SF with a lot coverage of 65%.

(g) Minimum and proposed square footage of landscaped area (square feet and percent); 15,000 SF in passive park area.

(h) Minimum, maximum and proposed number of parking spaces; one space per unit provided in paved driveway.

(i) Other dimensional information as may be required by the Zoning Administrator. TBD

Flowery Branch

Flowery Branch

City of Flowery Branch Rezoning Application
REQUEST FOR STATISTICAL INFORMATION
Sterling on the Lake – Townhome Tract

1. Value of improvements at buildout:
   - Development cost - $ 30,000 per lot
   - Vertical construction cost - $ 120 per sf

2. Property tax revenue at buildout: (based on FMV of $275,000)
   - Hall County - $ 196,110
   - City of Flowery Branch - $ 23,338

3. Schedule of construction;
   - See below:

ITEM	START	FINISH
Design & Permitting	6/30/2021	8/29/2021
Land Development	9/3/2021	3/2/2022
Final Plat	3/12/2022	4/26/2022
Lot Sales	5/6/2022	5/31/2023
Residential CO's	7/20/2022	8/14/2023

4. Anticipated total square footage per unit:
   - 1400 sf minimum

5. Total acreage to be developed:
   - 7.95 acres in total

6. The Townhome Tract will contain approximately 0.25 acres in private rights-of-way.

7. The Townhome Tract will contain approximately 4.35 acres of open space/common area to be maintained by the existing HOA.

8. The Townhome Tract will contain approximately 1.05 acres of buffer and watershed protection.
   A) The impervious buffer is applicable to the Townhome Tract.
   B) No property lines may extend into the stream buffer.
   C) The developer intends to dedicate street rights-of-way (where applicable) and storm sewer easements to the City of Flowery Branch.

9. Transportation alternatives:
   - The Townhome Tract will have a pedestrian link along Spout Springs Road to the remainder of the community.

10. Amenities for Sterling on the Lake total more than 15 acres and (at buildout) will include the following:
    - Lakes and Trails
    - 3 Clubhouses
    - 5 Pools
    - 4 Children's Playgrounds
    - Multiple pocket parks
    - Children's Treehouse
    - 12 Tennis Courts
    - 2 Fire pits
    - Lakeside pavilion with grill
    - Boat dock and launch
    - ¾ Basketball Court
    - Picnic Island
11. A minimum of 9 street lights are planned for the Townhome Tract with a maximum spacing of 150 feet.

12. The Townhome Tract will include approximately 3,500 linear feet of sidewalk containing approximately 216 cubic yards of concrete.

13. Homes in the Townhome Tract will have access to high speed internet to the extent available from the service provider.

14. The Townhome Tract will contain areas for providing detention, water quality and stream protection.

15. An updated traffic study has not been completed for the Townhome Tract as the overall density will remain within previously studied and approved maximums.

16. There are no provisions for utilization and storage of reuse water in this plan.

17. The Townhome Tract, as proposed, will generate approximately 17,550 gallons per day of wastewater flow.

18. The maximum daily water consumption is approximately 17,550 gallons per day. Low flow fixtures are required by the development.

19. A preliminary design has been completed in order to evaluate the proposed density.

20. Public safety requirements related to life safety codes have been considered in the concept design.

21. The Hall County school system has been provided density and build out projections for the entirety of the community.

22. Copies of master covenants and guidelines have been previously filed and recorded.

Sterling on the Lake – Project Narrative

Applicant seeks to amend the conceptual site plan and conditions of approval relating to ordinance no. 239I & 240I, for the master planned community on 1007.91 ± acres generally known as "Sterling on the Lake" located in the PUD (Planned Unit Development) zoned district. The development is located adjacent to the intersection of Capitola Farm Road and Spout Springs Road. The amended property is described as: **(Townhome Tract)** - a 8.15 acre parcel of real property owned by NNP Looper Lake LLC, being known as the "Townhome" tract identified as a portion of tax identification number 15047-000885 located in GMD 1270 Flowery Branch District, Hall County, Georgia.

- The Sterling on the Lake Master Planned Development was originally approved (annexed and rezoned) by the Flowery Branch City Council on November 16, 2001, per Ordinances 239 and 240.

- On February 1, 2006, City Council approved a modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-A and 240-A.

- On September 9, 2006, City Council approved a second modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-B and 240-B.

- On August 15, 2007, City Council approved a third modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-C and 240-C.

- On November 25, 2008, City Council approved a fourth modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-D and 240-D.

- On March 26, 2011, City Council approved a fifth modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-E and 240-E.

- On March 15, 2012, City Council approved a sixth modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-F and 240-F.

- On February 18, 2016, City Council approved a seventh modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-G and 240-G.

- On May 4, 2017, City Council approved an eight modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-H and 240-H.

- On March 15, 2018, City Council approved a ninth modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-I and 240-I.

- On July 1, 2019, City Council approved a tenth modification to the original conditions of Ordinance 239 and 240, per Ordinances 239-J and 240-J.

- Per Article 8, Section 8.4 and Section 8.10 of the Flowery Branch Zoning Ordinance, the original PUD approval must be amended by the Governing Body in order to incorporate changes to the master plan approval and PUD conditional zoning.

APPLICANT'S REQUEST

Townhome Tract – The Applicant is requesting an amendment to the PUD master plan for Sterling on The Lake Master Planned Development.

- The development shall be substantially in accordance with the "Rezoning Plan" submitted as a part of the application.
- The plan will include both public right-of-way and private alleyways as depicted on the "Rezoning Plan". Private alleyways will be maintained solely by the Townhome sub-association.
- Each dwelling unit is required to provide a two car garage and space for two cars in the driveway.
- All requirements imposed under this Ordinance shall be the standards of the development regardless of any change in ownership.
- The elevations will be consistent with the attached exhibits. All elevations shall be reviewed and approved by the DRC Committee prior to submittal to the City.
- No fencing is permitted within the front setback areas.
- The residential development within the overall PUD shall be limited to a maximum of 2,029 housing units for the entire 1,007.91 ± acre PUD, within the City of Flowery Branch at the time of this approval, as approved under this ordinance. If additional land is approved for inclusion as residential development within the PUD, the number of housing units to be permitted and the gross density of residential development portions of the site (excluding commercial, institutional, recreational, and open space uses) shall be established in the subsequent approval as an amendment to the Sterling on the Lake Conceptual Master Plan.
- The PUD shall designate and maintain at least 302 acres of permanent open space, or thirty percent (30%) of the total land area

contained within the PUD, whichever is greater. For purposes of this zoning condition, permanent open space shall include lakes, buffers, and passive or active parks and recreation of the property, including those lands administered by a homeowners association; provided, however, that any buffer area counted as open space shall not be used for active recreational facilities. The open space shall be substantially in accordance with the areas colored green on the "Master Plan for Sterling on the Lake" (i.e., binding site plan) as determined by the Zoning Administrator.

STATEMENTS OF FACT

Pursuant to Article 34 of the Flowery Branch Zoning Ordinance this amendment to the conceptual master site plan and conditions of approval relating to Ordinance No. 239 and 240 (as amended most recently dated March 25, 2018), to add the Bragg tract to the master plan, submit the following Statements of Fact:

(a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property. The requested use is for a residential use and is consistent with the surrounding uses.

(b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property. The proposed residential use of the property will not negatively impact any adjacent property as the both residential and commercial uses exist nearby.

(c) Whether the property to be affected by the proposal can be used in accordance with the existing regulations and has a reasonable economic use as currently zoned. The property has been marketed for its current use for a number of years and has generated very little interest.

(d) Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The proposed residential use will not impact the existing infrastructure in comparison to the current use with the exception of schools where there could be a slight impact.

(e) Whether the proposal is in conformity with the policy and intent of the comprehensive plan including but not limited to the character area map and future land use plan map. The property is shown as Neighborhood Commercial on the character area map but is surrounded by Suburban Residential.

(f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal. The demand for residential use is increasing while neighborhood commercial is declining in some areas. The lack of driveway from Spout Springs Road is challenging to the use of the property for commercial.

(g) Existing use(s) and zoning of the subject property and nearby properties. Property to the east consists of a church campus, to the north a convenience store, to the west single family residential and to the south, undeveloped neighborhood commercial.

(h) Existing value of the property under the existing zoning district classification, the extent to which the property value of the subject property is diminished by the existing zoning district, and the value of the property under the proposed zoning district; if such information is provided by the applicant or can be discerned. This consideration may include the length of time the property has been vacant or unused as currently zoned and efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district classification. The property has been marketed for its current use for a number of years and has generated very little interest. The lack of a driveway connection to Spout Springs is detrimental to its value for commercial development.

(i) Whether a proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations. The

change of use is more compatible with the existing single family development to the west and will have no impact on the other adjacent uses.

(j) The possible creation of an isolated zoning district unrelated to adjacent and nearby districts. The property is adjacent to an existing single family development and therefore would not create an isolated use.

(k) Possible effects of the change in zoning district map, or change in use, on the character of a zoning district. The character of this area includes both residential and commercial use so there should be no impact on the general character of the district.

(l) The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. Residential development is generally less intensive in its impact on the environmental issues mentioned.

(m) The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance. This change of use will not be harmful to the overall zoning scheme as other residential uses currently exists adjacent to the property.

Staff Analysis

Flowery Branch Zoning Ordinance Article 37 Rezoning and Conditional Use Applications

Sec. 34.7. - Analysis Requirements.

Applications to amend the official zoning map and applications for conditional uses shall provide a written analysis comparing the proposed action with the criteria in this Section. A zoning map amendment or conditional use application may be justified only if it bears a reasonable relationship to the public health, safety, morality, or general welfare, and after consideration of the analysis requirements which may in individual cases be considered criteria relevant to Zoning Administrator in making recommendations and by the Governing Body in the decision-making process.

Staff Response:

(a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property. Residential units are suitable as they are consistent with the surrounding area.

(b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property. The development will not adversely affect the area.

(c) Whether the property to be affected by the proposal can be used in accordance with the existing regulations and has a reasonable economic use as currently zoned. Yes, current zoning and designation as commercial has a reasonable economic use although the land has been available for some time.

(d) Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. It is staff's opinion that the use will not create any unnecessary burdens.

(e) Whether the proposal is in conformity with the policy and intent of the comprehensive plan including but not limited to the character area map and future land use plan map. Currently, the Comprehensive Plan denotes this area as part of the "Neighborhood Commercial" character area. The proposed use (townhomes) does not meet the intent of the Comprehensive Plan (see previous comments regarding the Comprehensive Plan as part of this staff report). However, the proposed zoning change does not alter the entirety of the area designated "Neighborhood Commercial" and, if approved, would leave two outparcels to be developed as commercial according to guidelines and rules established by the Comprehensive Plan and City codes.

(f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal. The demand for over 12 acres of commercial product at this location has not been high.

(g) Existing use(s) and zoning of the subject property and nearby properties. Townhomes will become part of the Sterling on the Lake community.

(h) Existing value of the property under the existing zoning district classification, the extent to which the property value of the subject property is diminished by the existing zoning district, and the value of the property under the proposed zoning district; if such information is provided by the applicant or can be discerned. This consideration may include the length of time the property has been vacant or unused as currently zoned and efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district classification. Staff does not have a specific number regarding property value, but the current zoning restrictions do not allow the proposed residential subdivision.

(i) Whether a proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations. Staff does not feel that the proposed will be a deterrent.

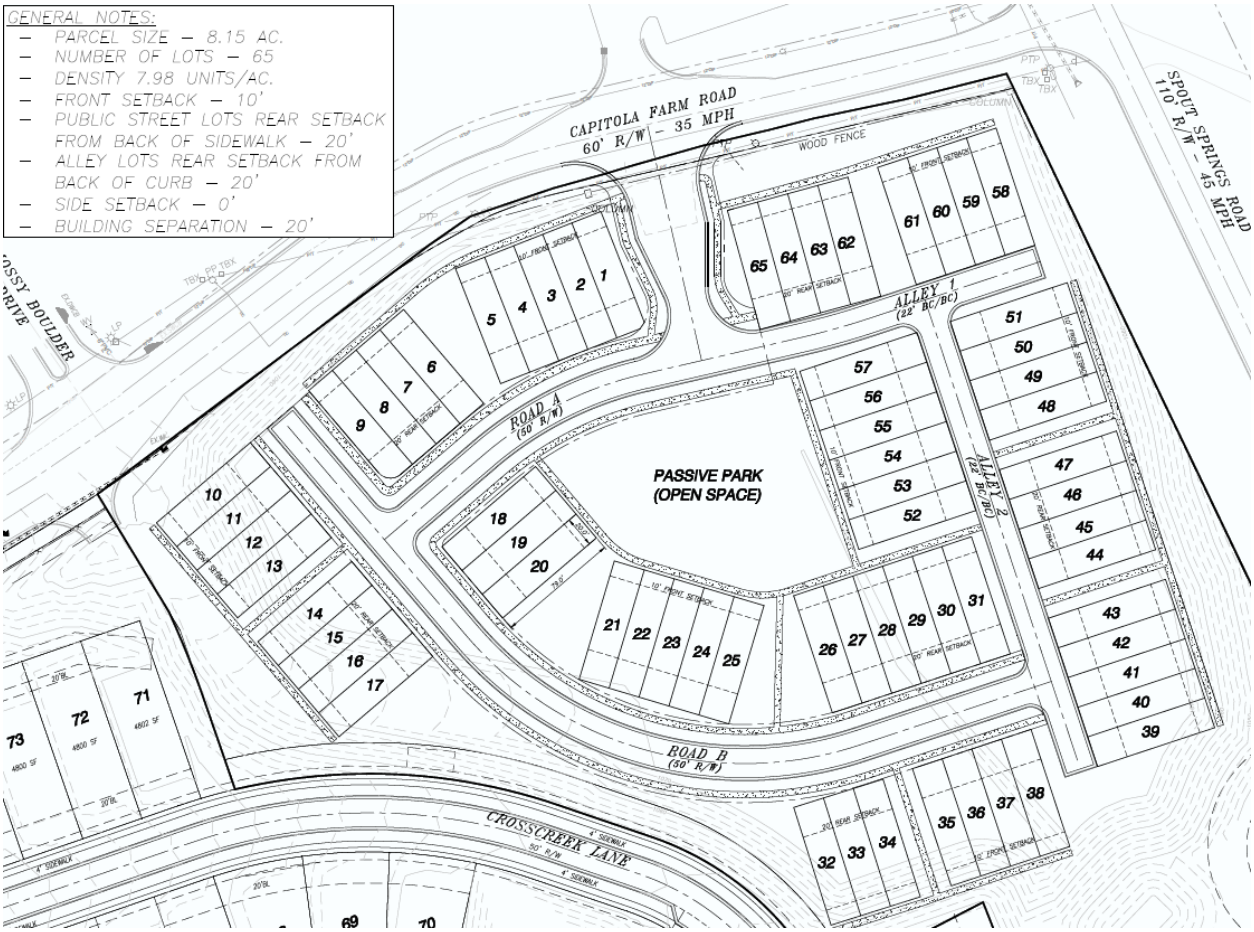
(j) The possible creation of an isolated zoning district unrelated to adjacent and nearby districts. N/A

(k) Possible effects of the change in zoning district map, or change in use, on the character of a zoning district. The proposed use will not be a detriment to the area and may help to make the commercial properties more viable.

(l) The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. The development, if approved, will need to go through all the required development reviews to ensure all applicable codes and requirements are met.

(m) The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance. The proposed development will meet the intent of the Zoning Ordinance.

Site Plan

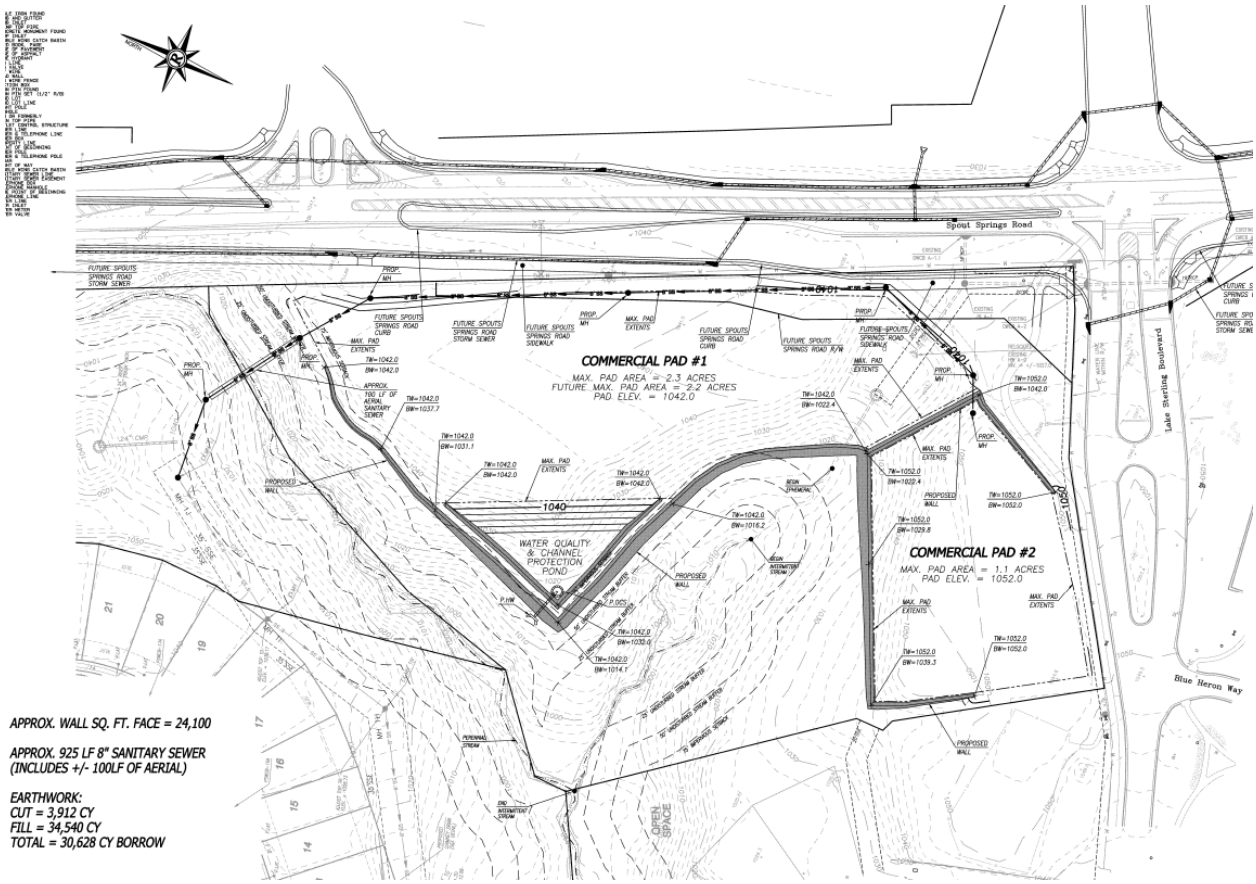


The site plan meets many of the standards the City looks for regarding layout and design. It contains sidewalks throughout, a central passive park, alley fed lots that face the street or the greenspace. The townhomes do not exceed the City desired runs of six and have two car garages. The only deficiency is a lack of extra parking for guests.

If approved, the commercial would be reduced to 4 +/- acres. Access to sites per applicant: When the commercial was discussed with GDOT they initially were ok with the plan to create (1) Right in/Right out on Spout Springs and potentially (1) right in only. The upper parcel would have a drive onto Lake Sterling Blvd. likely aligned with the breaks in the center islands to allow for left out egress from the site.

Site Concept plans will be submitted when the site is fully contracted, and a potential developer has completed site design.

GDOT was not comfortable with multiple Right in Right out entries on Spout Springs with the Church entry across the way and the traffic routing planned (Michigan Left) which has been a serious issue with the Capitola Farm Corner sites since the road improvements have been design and begun. Commercial and retail developers want direct access to Spout Springs, and the median and one-way directional limitations are a negative we have been unable to overcome.



PUD Zoning

The overall master site plan showing the proposed townhomes and the reduced future commercial sites.

A close-up of the area where the townhomes/reduced commercial would be located if approved.

The status of the overall development if the townhome project is approved. The original overall unit count is limited to 2,000. If approved, the townhome development would push that number to 2,018.

			POD BREAKDOWN							1/14/2021
POD	**40'**	**45/50**	**55/60**	**65**	**70/75**	**80/90**	**100**	**TH**	**ESTATE**	**TOTAL**
MHP			5		5	7				**17**
A				85						**85**
B				69						**69**
C			48	37						**85**
D					30	9				**39**
E					32	39	7			**78**
F					31	20				**51**
G			6	32	24		6			**68**
H					76					**76**
I					43		9			**52**
J					75					**75**
K					45					**45**
L&M			38							**38**
N		74								**74**
O		44								**44**
P	22									**22**
Q	82									**82**
R								16		**16**
S							14			**14**
T		20	45	41						**106**
U			58	78						**136**
V&W		41		34	39					**114**
X						79				**79**
Y						36				**36**
Z									49	**49**
KNUTSON		108	35							**143**
POD Z12		22	20							**42**
HONEYCUT		178								**178**
BRAGG		36								**36**
J **						4				**4**
Capitola TH								65		**65**
TOTAL ALL	104	523	255	376	400	194	36	81	49	**2018**
Percent Total Lots	5%	26%	13%	19%	20%	10%	2%	4%	2%	**Exceeds Zoning**
									Difference	**-18**
							Zoning	2	units/acre	1007.91
							Zoned Units based upon 2/ace			2016

Traffic Impact Study

Staff has not requested a traffic study at this time due to the relatively small number of homes proposed. If Mayor and Council would like a study performed it is appropriate to make this request if it is done in a timely manner.

Staff Recommendation

Staff recommends approval with the following conditions:

1. All conditions of zoning as set forth in Ordinances 239 and 240 and all subsequent and relevant modifications shall apply to the development.
2. Townhomes shall be limited to runs of no more than six.
3. Development shall generally adhere to the site plan as submitted.
4. Driveways shall be 23' as measured from the back of curb.
5. Front entrance plans shall be submitted at the time of, or prior to, applications for monument signs. Said plans shall clearly describe and show the precise landscaping proposed.
6. Townhomes shall be constructed in a manner that significantly adheres to the elevations as submitted.
   A. Material shall be limited to brick, stacked stone, cementitious fiber board, and board and batten.
   B. Elevations shall be submitted for each townhome at the time of permit.
   C. Architectural shingles shall be used throughout the development.

FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY

SUBJECT: Consider Beer and Wine License for JP McEver Road located at 5512 McEver Road, Ste. 104.

COUNCIL MEETING DATE: April 1, 2021

HISTORY:

FACTS AND ISSUES:

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:
Yes

AMOUNT AND SOURCE OF FUNDS:
N/A

RECOMMENDATION:
Approve

SAMPLE MOTION:

COLLABORATING DEPARTMENT:

DEPARTMENT: Administration

Prepared by: Vickie Short

ATTACHMENTS

- JP McEver Road.pdf

FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY

SUBJECT: New Alcoholic Beverage License

DATE: 03/29/2021

(X) RECOMMENDATION
( ) POLICY DISCUSSION
( ) STATUS REPORT
( ) OTHER

BUDGET INFORMATION:
ANNUAL-No expenditure-Revenue Only

COMMISSION ACTION REQUESTED ON: April 1, 2021

PURPOSE: To allow the new owner of the gas station at 5512 McEver Road, Ste. 104 to sell packaged beer and wine.

HISTORY: JP McEver Road is the new owner of the gas station located at 5512 McEver Road, Ste. 104. The prior business owner at this location was Petrofast.

FACTS AND ISSUES:

JP McEver Road is the owner of the new gas station/Burger King under construction at Spout Springs Road. Sheridan Peterson is listed as the Registered Agent and John Cape is listed as the manager of this location. He currently lives within Hall County.

The application has been processed and reviewed and everything is in order for the council's approval.

OPTIONS: Approve or deny

RECOMMENDED SAMPLE MOTION: No motion required-on the Consent Agenda.

DEPARTMENT: Administration
Prepared by: Vickie Short

FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY

SUBJECT: Automated External Defibrillator (AED) Budget Adjustment Request

COUNCIL MEETING DATE: April 1, 2021

HISTORY:
N/A

FACTS AND ISSUES:
It is the desire of the Police Department, Mayor, and Council to ensure every police vehicle is equipped with an AED device to aid with emergency service to our community. The police department currently has four AED devices, and six devices are needed to meet this goal.

Purchasing the pads is the main expense associated with the AED's as they are $60 per pad for one-time use. Any funds remaining from this adjustment will be used to stock up on pad supplies. The police department handles maintenance as messages occur on the devices by calling support. There is no additional cost associated with support calls.

Quote is attached.

OPTIONS:
Approve budget adjustment as presented or not approve.

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:
No

AMOUNT AND SOURCE OF FUNDS:
$10,000 transfer from Council and Mayor budget to Police Budget

---

RECOMMENDATION:
To approve a budget adjustment to move $10,000 from Council and Mayor's department budget to Police- Small Equipment to purchase six AED (Automated External Defibrillator) devices.

SAMPLE MOTION:
I make a motion to approve the AED budget adjustment as presented, effective April 1, 2021.

COLLABORATING DEPARTMENT:

DEPARTMENT: Finance

Prepared by: Vickie Short

ATTACHMENTS

- EXECUTIVE SUMMARY - AED Budget Adjustment.pdf
- AED Budget Request Form 4-1-2021.pdf
- AED Quote.pdf

FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY

SUBJECT: Automated External Defibrillator (AED) Budget Adjustment Request

DATE: March 29, 2021

(X) RECOMMENDATION
( ) POLICY DISCUSSION
( ) STATUS REPORT
( ) OTHER

BUDGET INFORMATION:
ANNUAL-
CAPITAL-

COMMISSION ACTION REQUESTED ON: April 1, 2021

PURPOSE: To approve a budget adjustment to move $10,000 from Council and Mayor's department budget to Police- Small Equipment to purchase six AED (Automated External Defibrillator) devices.

HISTORY: N/A

FACTS AND ISSUES: It is the desire of the Police Department, Mayor, and Council to ensure every police vehicle is equipped with an AED device to aid with emergency service to our community. The police department currently has four AED devices, and six devices are needed to meet this goal.

Purchasing the pads is the main expense associated with the AED's as they are $60 per pad for one-time use. Any funds remaining from this adjustment will be used to stock up on pad supplies. The police department handles maintenance as messages occur on the devices by calling support. There is no additional cost associated with support calls.

OPTIONS: Approve budget adjustment as presented or not approve.

RECOMMENDED SAMPLE MOTION: I make a motion to approve the AED budget adjustment as presented, effective April 1, 2021.

DEPARTMENT: Finance

Prepared by: Alisha Gamble

City of Flowery Branch
Request For Budget Adjustment

Fund/Department: 100 Effective Date: 4/1/2021

Account Number	Account Name	Current Budget	Debit (Credit)	Revised Budget
100-1110-531100	Council / Supplies & material (EDC)	2,200	(2,000)	200
100-1110-511101	Council / Meeting Per Diem	3,000	(3,000)	-
100-1110-523470	Council / Printing & Binding	1,300	(1,300)	-
100-1110-523500	Council / Travel Expense	1,500	(1,500)	-
100-1110-523700	Council / Education & Training	2,500	(700)	1,800
100-1310-523700	Mayor / Education & Training	500	(500)	-
100-1310-523500	Mayor / Travel Expense	1,000	(1,000)	-
100-3210-531600	Police Admin / Small Equipment	24,500	10,000	34,500
				-
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	Totals	$ 36,500	$ -	$ 36,500

Justification: Adjustment to Police Department for the purchase of 5 AED devices. - per Mayor and Council request

Approvals:

Department Director: _____ Date: _____

Finance Director: Alisha L Gamble Date: 3/29/2021

City Manager: Bill [illegible] Date: 3/29/21

Finance Department Use

Posted By: _____ Date Posted: _____

Council Action Required: Yes_____ No _____ Budget Adjust. #: _____

Quote

AED BRANDS
We're in it for life.

AED Brands, LLC
95 Chastain Road NW
Suite 302
Kennesaw, GA 30144
AEDbrands.com
800-580-1375

Date 3/1/2021
Quote # 46998
Sales Rep CD

Bill To

Flowery Branch Police Department
P.O. Box 757
5270 Railroad Ave

Flowery Branch GA 30542

Ship To

Flowery Branch Police Department
Attn: Chief David Spillers
5270 Railroad Ave

Flowery Branch GA 30542

Item	Description	Quantity	Price Each	Total Price
G5A-80C-S	Powerheart G5 AED with iCPR Fully Auto Dual Language Includes: - 8-Year Warranty - Carry Sleeve - 4-Year Battery - 1 Set G5 CPR Feeback Adult Pads - Data Cable - User Guide - AED Inspection Tag - "AED On-Site" Window Static Sticker	6	$1,423.38	$8,540.26
XCAAED007A	Cardiac Science Powerheart G5 Semi-Rigid Carry Case	6	$0.00	$0.00
XELAED001B	Cardiac Science Powerheart G5 Adult AED Pads	16	$69.00	$1,104.00
Shipping	Shipping & Handling	6	$11.00	$66.00

Quote good for 60 days
Prepared By Christine
Memo

Sub-Total	$9,710.26
Taxes	$0.00
Total	$9,710.26

FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY

SUBJECT: Consider February 18, 2021 Meeting Minutes

COUNCIL MEETING DATE: April 1, 2021

HISTORY:

FACTS AND ISSUES:

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:
Yes

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:
Approve

SAMPLE MOTION:

COLLABORATING DEPARTMENT:

DEPARTMENT: Administration

Prepared by: Vickie Short

ATTACHMENTS

- February 18, 2021 Meeting Minutes.pdf

City of Flowery Branch
City Council Meeting
February 18, 2021, 6:00 pm
City of Flowery Branch City Hall
5410 Pine Street, Flowery Branch, GA 30542

TELECONFERENCE MEETING

CONNECTION TO MEETING:

See instructions below:

February 18, 2021 Council Meeting
Thu, Feb 18, 2021 6:00 PM - 9:00 PM (EST)

Please join my meeting from your computer, tablet or smartphone.
https://global.gotomeeting.com/join/876310725

You can also dial in using your phone.
United States: +1 (872) 240-3212

Access Code: 876-310-725

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CALL WORK SESSION TO ORDER:

Mayor Pro Tem Joe Anglin called the meeting to order at 6:04 pm.

Present: Mayor Pro Tem Joe Anglin and Council Members Chris Mundy, Ed Asbridge, Amy Farah, and Leslie Jarchow.

Absent: Mayor Mike Miller (until the Voting Session)

Also present were Bill Andrew, City Manager, Vickie Short, City Clerk, Ron Bennett, City Attorney, Rich Atkinson, City Planner, Alisha Gamble, Finance Director, Bill Whidden, Public Works Director, David Spillers, Police Chief, and Virgil Welch, Assistant WWTP Director.

PLEDGE OF ALLEGIANCE:

Mayor Pro Tem Joe Anglin led the Pledge of Allegiance.

UNFINISHED BUSINESS - WORK SESSION:

Consider a Conditional Use Permit (CUP) submitted by Jeremy Crosby, JPC design and Construction, LLC. to build and operate a car wash in the Highway Business District zoning district.

Mr. Atkinson presented the information on the Conditional Use Permit. He stated the schedule as follows:

- January 7 – Public Hearing; Work Session
- February 4 – Work Session (if needed)
- February 18 – Vote
- March 4 – Work Session (if needed)
- March 18 – Vote

Staff recommendations:

- Approve as submitted
- No additional conditions requested
- Per conditions of previously approved variance:
  Secondary business (car wash) shall be designed to match the principal structure

Mr. Anglin inquired about potential congestion around the car wash. There was a lengthy discussion regarding the traffic patterns. Mr. Crosby explained the plan presented was not correct. It was determined it would be best to review the new plan on March 4th meeting.

First Reading of Ordinance 2020-623 a rezoning application submitted by Mr. Bret Clark.

Mr. Atkinson detailed the rezoning application for 5519 McEver Road (08099 000007; 11.34+/- acres). The request is to rezone from A (Agriculture) to HB (Highway Business) and R-3 (Multi-family) proposal is to construct a mixed-use development of townhomes and commercial outparcels.

The project includes a commercial component that meets the intent of this character area but adds a townhome component. This property is a gateway to the downtown and adding a mixed-use project to this corner will help the continued development of downtown while providing services to the McEver Road corridor.

Staff recommendations:

- First vote tonight
- Uses and proposed zoning designations are acceptable
- Layout, elevations, and conditions of zoning to be finalized prior to final vote

Ms. Jarchow asked if the City could condition that commercial be built first. Mr. Atkinson replied that would not be allowable. Ms. Jarchow also asked about parking. It was clarified that the 65 spaces she was asking about was retail and not for the future homeowners.

Mr. Mundy followed with the concern that retail would remain empty.

Mr. Andrew explained that retail typically follows rooftops. Mr. Andrew shared that there is an upcoming Commercial Real Estate Update meeting if anyone is interested. He will provide that information to Mayor and Council by email.

Mr. Anglin asked about greenspace, landscape plan, and possible power line issues. He wants more details (markups) prior to the next meeting.

Consider variance requests for 6026 Lights Ferry Road, 6040, 6041, and 6043 Morrow Drive submitted by Mr. Chris Hill of Hillgrove Homes

Mr. Atkinson outlined the schedule:

- February 18 work session
- March 4 first vote
- March 18 final vote

Variance requests:

- Current lots are legal non-conforming
- Applicant wishes to build upon the legal 50 x 100 lots
- Lots are zoned R-2 which require larger lots (75 feet wide; 1500 square foot minimum lot size)
- Lots cannot be built upon under current R-2 zoning
- Applicant wishes to keep lots zoned R-2 and build upon them
- Variances are required in order to make this request possible

Variance requests are for each parcel:

- Reduction in minimum required lot size from 15,000 square feet to 7,000 square feet.
- Reduction in minimum required lot width from 75 feet to 50 feet.
- Reduction in required side setback from 10 feet to 5 feet.

Options:

- No vote at this time
- Approve the variances and allow the 13 lots to become buildable (9 to be constructed at this time)
- Deny the variances and the lots remain legal non-conforming lots of record
- This means they are unable to be built upon as construction would end the legal non-conforming status
- To be built upon the lots would need to be combined/reconfigured to meet the R-2 zoning requirements

There was a discussion of the unpaved road near the parcels. Mr. Anglin asked if there was to be paving would Hall County be involved. It was confirmed that would be the case. As of now, Hall County has no plans to pave there. There also was a discussion of making the road one-way and the challenges that would be involved. Mr. Anglin asked about potential stormwater issues. Mr. Rich Edinger with Clark, Patterson, and Lee provided some options on requirements of the developer.

DEPARTMENT REPORTS:

Each of the below departments provided the mission and goals established for their staff.

Finance Monthly Department Report
Planning and Development Monthly Department Report
Police Monthly Department Report
Public Works Monthly Department Report
Water/Wastewater Monthly Department Report

ADJOURNMENT WORK SESSION:

VOTING SESSION AGENDA

CALL VOTING SESSION TO ORDER:

PUBLIC COMMENTS:

Sheila Grine, 6034 Morrow Drive, Flowery Branch, GA 30542

Mrs. Grine shared that she disagreed with the potential Hillgrove Homes development at 6026 Lights Ferry Road, 6040, 6041, and 6043 Morrow Drive.

CONSENT AGENDA:

Consider January 21, 2021 Meeting Minutes

There was a motion made to approve the Consent Agenda.

MOTION: Amy Farah
SECOND: Leslie Jarchow
AYES: Ed Asbridge, Joe Anglin, Amy Farah, Leslie Jarchow, Chris Mundy
NAYS: None
Motion carried

UNFINISHED BUSINESS - VOTING SESSION:

Consider a Conditional Use Permit (CUP) submitted by Jeremy Crosby, JPC design and Construction, LLC. to build and operate a car wash in the Highway Business District zoning district.

There was a motion made to table the CUP request to construct and operate a car wash submitted by Mr. Jeremy Crosby to the March 4, Work Session and Voting Session.

MOTION: Leslie Jarchow
SECOND: Joe Anglin
AYES: Ed Asbridge, Joe Anglin, Amy Farah, Leslie Jarchow, Chris Mundy
NAYS: None
Motion carried

First Reading of Ordinance 2020-623 a rezoning application submitted by Mr. Bret Clark.

Mr. Bennett read the caption to Ordinance 2020-623.

There was a motion made to approve First reading of Ordinance 2020-623.

MOTION: Chris Mundy
SECOND: Joe Anglin
AYES: Ed Asbridge, Joe Anglin, Amy Farah, Leslie Jarchow, Chris Mundy
NAYS: None
Motion carried

EXECUTIVE SESSION:

There was a motion made to enter executive session for the purpose of property acquisition at 8:16 pm.

MOTION: Joe Anglin
SECOND: Leslie Jarchow
AYES: Ed Asbridge, Joe Anglin, Amy Farah, Leslie Jarchow, Chris Mundy
NAYS: None
Motion carried

There was a motion made to reconvene open session at 9:26 pm.

MOTION: Chris Mundy
SECOND: Ed Asbridge
AYES: Ed Asbridge, Joe Anglin, Amy Farah, Leslie Jarchow, Chris Mundy
NAYS: None
Motion carried

ADJOURNMENT:

There was a motion made to adjourn at 9:27 pm.

MOTION: Leslie Jarchow
SECOND: Joe Anglin
AYES: Ed Asbridge, Joe Anglin, Amy Farah, Leslie Jarchow, Chris Mundy
NAYS: None
Motion carried

Mayor – Mike Miller	Date	City Clerk – Vickie Short

FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY

SUBJECT: Consider March 4, 2021 Meeting Minutes

COUNCIL MEETING DATE: April 1, 2021

HISTORY:

FACTS AND ISSUES:

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:
Yes

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

SAMPLE MOTION:

COLLABORATING DEPARTMENT:

DEPARTMENT: Administration

Prepared by: Vickie Short

ATTACHMENTS

- March 4, 2021 Meeting Minutes.pdf

City of Flowery Branch
City Council Meeting
Thursday, March 4, 2021, 6:00pm
City of Flowery Branch City Hall
5410 Pine Street, Flowery Branch, GA 30542

TELECONFERENCE MEETING

CONNECTION TO MEETING:

March 4, 2021 City Council Meeting
Thu, Mar 4, 2021 5:30 PM - 8:30 PM (EST)

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CALL PUBLIC HEARING TO ORDER:

Mayor Pro Tem Joe Anglin called the meeting to order 6:01 pm.

PRESENT BY TELECONFERENCE:

Mayor Pro Tem Joe Anglin and Council Members Chris Mundy, Ed Asbridge, Leslie Jarchow and Amy Farah.

Also present were Bill Andrew, City Manager, Vickie Short, City Clerk, Ron Bennett, City Attorney, Alisha Gamble, Finance Director, Rich Atkinson, Planner, Bill Whidden, Public Works Director and David Spillers, Police Chief.

Absent: Mayor Mike Miller, joined the meeting at the Voting Session.

PLEDGE OF ALLEGIANCE:

Mayor Pro Tem Joe Anglin led the Pledge of Allegiance.

PUBLIC HEARING:

Consider a rezoning request submitted by Mr. Bill Stark. Request is to rezone six parcels totaling 118 +/- acres from M-1 (Light Industrial) to R-3 (Multi-Family) with the intention to construct a residential community consisting of single family detached homes and townhomes.

Mr. Atkinson presented the request by Mr. Stark. The proposal consists of rezoning 6 parcels from M1 to R3. Construction consists of two phases. Phase 1 will be 48 +/- acres with 49 single family detached and 140 townhomes. Phase 2 will be 69 +/- acres with 138 single family detached homes.

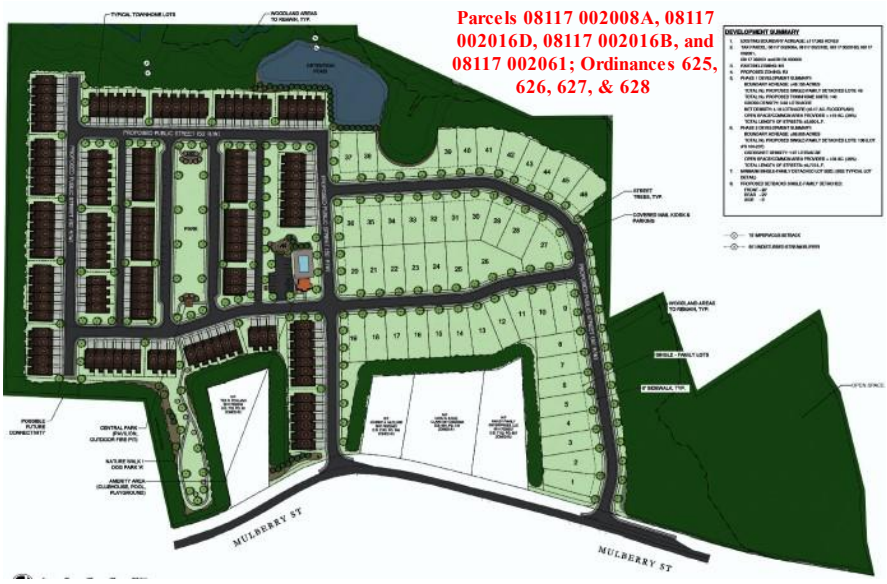
Phase 1

49 Single Family Detached

140 Townhomes

3.92 Units/Acre

Open Space @ 19 Acres



Phase 2

138 Single Family Detached

1.97 Units/Acre

Open Space @ 34 Acres

In 2014, the parcels in question were annexed and/or rezoned form multiple zonings (A, A III, R2) to M-1. There was no specific site plan associated with this project. A large industrial park was envisioned and recently Rochester Engineering provided a potential site plan for the area. This plan would require the City or developer to provide new public infrastructure. Additionally, this plan includes 6167 Wade Orr Road. This tract was part of the original annexation/rezoning and consists of around 60 acres and is zoned M-1. Currently, this parcel is not part of the Stark project under consideration.

For connectivity, the applicant needs to have the entirety of the six parcels properly zoned for a higher density single family detached/townhome subdivision (R3) as part of the purchase agreement. The applicant is hesitant to acquire more land without having the proper zoning designation in place.

In order to achieve this goal, and still meet the City's desire for a cohesive two-phase development, staff recommends rezoning all six parcels to the requested R3 zoning but restricting phase two (parcels 08117 002001 & 08134 000006) as follows:

1. No permits shall be issued unless connectivity with phase one is achieved in a manner satisfactory to Flowery Branch Mayor and Council.
2. A revised site plan shall be submitted to Mayor and Council for approval prior to the issuance of any permits.
3. Elevations shall be submitted and approved by Mayor and Council prior to the issuance of any permits.
4. Ordinances 629 and 630 shall be amended to reflect the approved site plan, approved elevations, and all conditions as set forth by Mayor and Council.

Schedule:

- March 18 – Work Session
- April 1 – Work Session
- April 15 – First Vote
- May 6 – Work Session
- May 20 – Final Vote

PUBLIC COMMENTS:

In favor: None

Against:

Barbara Englar, 6287 Cove Creek Drive, Flowery Branch, GA 30542
Kim James, 6001 Williamsport Drive, Flowery Branch, GA 30542
Joseph Gumeny, 4684 Martins Crossing West Dr, Flowery Branch, GA 30542
Patricia Clark Davis, 6164 Lake Lanier Heights, Buford, GA 30518
Elizabeth Johnson, 5707 Flowery Way, Flowery Branch, GA 30542
William Tullis, 6848 Big Sky Drive, Flowery Branch, GA 30542

Nance Joiner, 6533 Bearings Drive, Flowery Branch, GA 30542

Attorney Steve Gilliam, representing Mr. Stark responded to several questions from Council.

He pointed out that the price of the units will be between $200,000-$300,000. Phase 1 will consist of 40% open space. Thirty-three of the townhomes will be rear entry. No garages will be facing the park.

Ms. Farah wanted confirmation that the runs on the townhomes will be 6.

Mr. Mundy pointed out that the slide stated 49 units. After revisions it will be 46 units.

Mr. Asbridge shared that he toured the project with Mr. Stark and it was a good looking design.

Mr. Anglin asked about the square footage of the units. Mr. Gilliam stated the townhomes will be 1,800+ ft and the detached homes will be 2,200+ft. The townhomes will be 24-26 feet wide. There will be no basements as well as no ranches. Mr. Anglin also confirmed with the applicant that the access will be off of Mulberry Street.

In response to the density question, the applicant responded that the plan calls for 4 units per acre (.25 per lot) which is a typical size.

UNFINISHED BUSINESS - WORK SESSION:

Consider a Conditional Use Permit (CUP) submitted by Jeremy Crosby, JPC design and Construction, LLC. to build and operate a car wash in the Highway Business District zoning district.

Mr. Atkinson presented the details of the Conditional Use Permit.

Staff Recommendation:

- Approve as submitted
- No additional conditions requested
- Per conditions of previously approved variance:
  Secondary business (car wash) shall be designed to match the principal structure

Mr. Asbridge asked if this was the updated plans after the prior discussion. Mr. Atkinson confirmed that these are the revised plans.

Work session discussion for ordinance 623 a rezoning request submitted by Mr. Bret Clark.

Mr. Atkinson discussed the details of the rezoning request. The property is located at 5519 McEver Road; 08099 000007; 11.34+/- acres. Applicant is requesting rezoning from A (Agriculture) to HB (Highway Business) and R-3 (Multi-family) proposal is to construct a mixed-use development of townhomes and commercial outparcels.

After an expressed concern of the landscaping plan, staff provided measurements of the approximate depths of the existing tree line from the property line.

Staff's recommendation and outstanding questions:

- Uses and proposed zoning designations are acceptable and staff recommends approval
- Review Council requested conditions – commercial site, landscaping, etc.
- Layout, elevations, and conditions of zoning to be finalized prior to final vote

The applicant updated the Council on Georgia Power. He is still waiting on a return call. The question was regarding proposed planting of trees near power lines.

Mr. Asbridge is requesting more information on buffers and plants along McEver Road. In addition, he is concerned there are too many questions for a two-week turnaround for vote.

Mr. Anglin asked for additional plans for the greenspace as well as an explanation of the transition from commercial to homes.

First Read for Ordinances 631, 632, 633, and 634 - variance requests for 6026 Lights Ferry Road, 6040, 6041, and 6043 Morrow Drive submitted by Mr. Chris Hill of Hillgrove Homes

Mr. Atkinson highlighted the variance requests:

- Current lots are legal non-conforming
- Applicant wishes to build upon the legal 50 x 100 lots
- Lots are zoned R-2 which require larger lots (75 feet wide; 1500 square foot minimum lot size)
- Lots cannot be built upon under current R-2 zoning
- Applicant wishes to keep lots zoned R-2 and build upon them
- Variances are required in order to make this request possible

Mr. Atkinson outlined potential Council conditions

- Landscaping – what does Council need to see?
- Sidewalks – safe to install or just provide right-of-way? How large should the ROW be?
- Stormwater – Curb and gutter?
- Road width – should Morrow be one way?

Mr. Asbridge asked if sidewalks would be constructed. There was discussion regarding the necessity given the sidewalk will be abruptly ending due to the road ending.

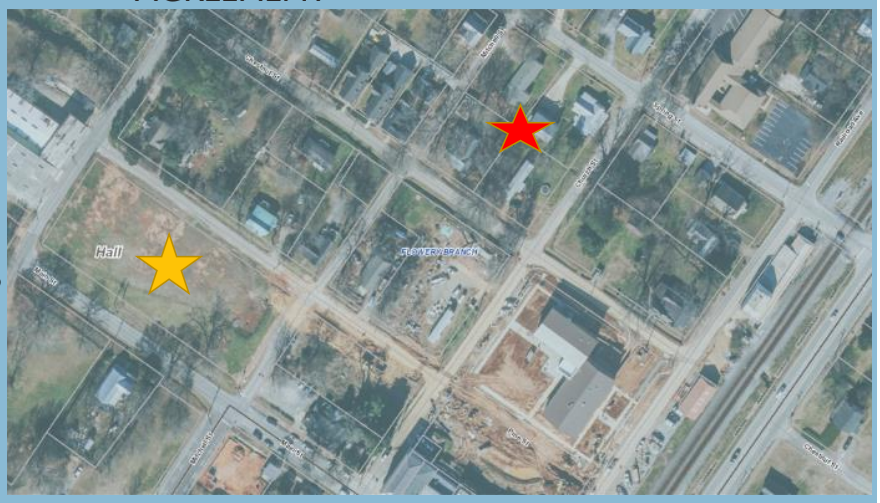
Mr. Anglin had questions regarding the lot size.

Heritage Homes Group, LLC Land Exchange

Mr. Bennett explained the land swap agreement. This agreement had already been previously approved. The only change was the business name.

WINTERSET LAND EXCHANGE AGREEMENT

5304 Church St.
5405 Mitchell St.
5314 Church St.
5410 Chestnut St.
TOTAL – 1.206 acres



5702 Main St. - 1.406 acres (we paid $262,500 for the 7.23 acres Mooney Site)

Mr. Asbridge also confirmed that it would be 19 units and not 20.

NEW BUSINESS -WORK SESSION:

Consider a rezoning request submitted by Mr. Bill Stark. Request is to rezone six parcels totaling 118 +/- acres from M-1 (Light Industrial) to R-3 (Multi-Family) with the intention to construct a residential community consisting of single family detached homes and townhomes.

There were no additional questions.

DEPARTMENT REPORTS:

Police Report:

Chief Spillers reported an arrest had been made at the Tree Park Apartments for property break-ins.

ADJOURNMENT WORK SESSION:

Mayor Pro Tem closed the work session at 8:05 pm.

VOTING SESSION AGENDA

CALL VOTING SESSION TO ORDER:

Mayor Pro Tem called the voting session to order at 8:05 pm.

PUBLIC COMMENTS:

Janet Upchurch, 5644 Nags Head Circle, Flowery Branch, GA 30542

Expressed concern about traffic at Gainesville/McEver Road intersection if proposed development is approved.

Clyde Grine, 6034 Morrow Drive, Flowery Branch, GA 30542

Mr. Grine shared concern regarding drainage concerns and sidewalks if the Hillgrove Homes request is approved.

Mayor Miller joined the meeting at this time.

CONSENT AGENDA:

Consider February 4, 2021 Meeting Minutes
Mayor Mike Miller per diem

There was a motion made to approve the Consent Agenda.

MOTION: Chris Mundy
SECOND: Leslie Jarchow
AYES: Chris Mundy, Ed Asbridge, Leslie Jarchow, Joe Anglin, Amy Farah
NAYS: None
Motion carried

UNFINISHED BUSINESS - VOTING SESSION:

Mr. Bennett read the captions to Ordinances 631, 632, 633, and 634.

First Read for Ordinances 631, 632, 633, and 634 - variance requests for 6026 Lights Ferry Road, 6040, 6041, and 6043 Morrow Drive submitted by Mr. Chris Hill of Hillgrove Homes.

There was a motion made to approve as submitted and conditioned by staff. Staff encouraged Mayor and Council to provide additional conditions as deemed appropriate prior to the final read and vote scheduled for March 18th, 2021.

MOTION: Ed Asbridge
SECOND: Amy Farah
AYES: Chris Mundy, Ed Asbridge, Leslie Jarchow, Joe Anglin, Amy Farah
NAYS: None
Motion carried

Consider a Conditional Use Permit (CUP) Resolution 21-002 submitted by Jeremy Crosby, JPC design and Construction, LLC. to build and operate a car wash in the Highway Business District zoning district.

Mr. Bennett read the caption to Resolution 21-002.

There was a motion made to approve the CUP request (Resolution 21-002) to construct and operate a car wash submitted by Mr. Jeremy Crosby.

MOTION: Ed Asbridge
SECOND: Joe Anglin
AYES: Chris Mundy, Ed Asbridge, Leslie Jarchow, Joe Anglin, Amy Farah
NAYS: None
Motion carried

Heritage Homes Group, LLC Land Exchange

There was a motion made to approve the authorization of the Mayor's signature on the Heritage Homes Group, LLC Land Exchange Agreement.

MOTION: Amy Farah
SECOND: Chris Mundy
AYES: Chris Mundy, Ed Asbridge, Leslie Jarchow, Joe Anglin, Amy Farah
NAYS: None
Motion carried

EXECUTIVE SESSION:

There was a motion made to enter executive session at 8:22 pm for the purpose of acquisition of property.

MOTION: Amy Farah
SECOND: Joe Anglin
AYES: Chris Mundy, Ed Asbridge, Leslie Jarchow, Joe Anglin, Amy Farah
NAYS: None
Motion carried

There was a motion made to reconvene open session at 8:50 pm.

MOTION: Joe Anglin
SECOND: Chris Mundy
AYES: Chris Mundy, Ed Asbridge, Leslie Jarchow, Joe Anglin, Amy Farah
NAYS: None
Motion carried

ADJOURNMENT:

There was a motion made to adjourn at 8:51 pm.

MOTION: Chris Mundy
SECOND: Joe Anglin
AYES: Chris Mundy, Ed Asbridge, Leslie Jarchow, Joe Anglin, Amy Farah
NAYS: None
Motion carried

Mayor – Mike Miller	Date	City Clerk – Vickie Short

FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY

SUBJECT: Consider March 11, 2021 Special Called Meeting Minutes

COUNCIL MEETING DATE: April 1, 2021

HISTORY:

FACTS AND ISSUES:

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:
Yes

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

SAMPLE MOTION:

COLLABORATING DEPARTMENT:

DEPARTMENT: Administration

Prepared by: Vickie Short

ATTACHMENTS

- March 11, 2021 Special Called Minutes.pdf

City of Flowery Branch
Special Called City Council Meeting
Thursday, March 11, 2021, 6:00 pm
City of Flowery Branch City Hall
5410 Pine Street, Flowery Branch, GA 30542

CALL WORK SESSION TO ORDER:

Mayor Miller called the meeting to order at 6:00 pm.

Present: Mayor Mike Miller and Council Members Chris Mundy, Ed Asbridge and Leslie Jarchow.

Absent: Council Member Joe Anglin

Also present were Bill Andrew, City Manager, Vickie Short, City Clerk, Ron Bennett, City Attorney, Rich Atkinson, City Planner, Alisha Gamble, Finance Director and Wastewater Treatment Director, Jimmy Dean.

PLEDGE OF ALLEGIANCE:

Mayor Miller led the Pledge of Allegiance.

NEW BUSINESS-WORK SESSION:

Addendum to the Installment Agreement with the Gainesville-Hall Development Authority for the Redevelopment of Old Town

Mr. Andrew gave a historical overview of the Development Agreement.

- July 18, 2019 – the City and The Residential Group entered into a Development Agreement to implement certain portions of the City's downtown redevelopment plan including certain public improvements.
- March 1, 2021 – The City and TRG engaged the Gainesville and Hall County Development Authority (GHDA) to serve as an intermediary to create efficiency and enjoy cost savings in the development of the Project. To that end, the City, TRG and GHDA concurrently entered into mirror agreements on March 1, 2021.
- The contract documents inadvertently left off the necessary provision authorizing the City to act as an agent of the GHDA. The GHDA corrected this error by approving an Addendum to the Installment Sale Agreement related to the bond issuance at its last meeting.

- With this change, the City may now proceed with selecting and directly contracting as an agent of the GHDA for construction of the Project's public improvement component.
- Tri Scapes has proposed a lump sum of $3,750,000. The City has a budget of $5,229,559, so the $3,750,000 cost would leave $1,479,559 available for the East Main Street Bike/Pedestrian Path.

Tri Scapes INC.

Flowery Branch - City Improvements 01/15/21

Demo	$167,751.00
Grading	$371,638.90
Drainage	$572,333.25
Landscape	$170,777.07
Hardscape	$1,151,327.65
Site Furnishings	$316,593.75
Irrigation	$33,000.00
Asphalt	$58,269.30
Pavillion	$59,711.00
Farmers Market	$228,092.00
Farmers Market Roofing	$75,000.00
Electrical	$269,900.00
Contingency	$275,606.08
Total	**$3,750,000.00**

Staff and engineering are still working to confirm that this price is off the correct and final drawings. But this quote should be close to the final number, if not the final number itself.

TRG Proposal

Total Project Estimate	$ 5,094,305.02
Major Scopes of Work	
Demoltion	$ 225,450.00
Sitework & Utilities	$ 1,268,878.50
Hardscape	$ 1,448,224.22
Landscaping & Irrigation	$ 240,753.00
Structures & Signage	$ 805,818.24
Site Ligthing & Fixtures	$ 321,617.71
GC's, Fee & Cont	$ 783,563.34
Total Project Estimate	$ 5,094,305.02

Mr. Andrew presented several draft slides of the project. The slides included parking, Farmer's Market layout, park, amphitheater and the woonerf.

Mayor Miller asked if site lighting and fixtures were on the Tri Scapes bid. Mr. Andrew confirmed it was listed as electrical.

Mr. Mundy asked if Railroad Avenue will be one way. Mr. Andrew confirmed that that was the plan.

Mr. Asbridge asked about signage. Mr. Andrew explained the City-wide signage project is currently out for bid.

ADJOURNMENT WORK SESSION:

Mayor Miller adjourned the work session at 6:23 pm.

VOTING SESSION AGENDA

CALL VOTING SESSION TO ORDER:

Mayor Miller called the voting session to order at 6:23 pm.

PUBLIC COMMENTS: There were no public comments.

NEW BUSINESS VOTING SESSION:

Addendum to the Installment Agreement with the Gainesville-Hall Development Authority for the Redevelopment of Old Town.

There was a motion made to approve the Addendum to the Installment Agreement with the Gainesville-Hall County Development Authority.

MOTION: Amy Farah
SECOND: Leslie Jarchow
AYES: Ed Asbridge, Amy Farah, Leslie Jarchow, Chris Mundy
NAYS: None
Motion carried

EXECUTIVE SESSION:

There was a motion made to enter executive session for matters related to the acquisition of real estate at 6:25 pm.

MOTION: Amy Farah
SECOND: Leslie Jarchow
AYES: Ed Asbridge, Amy Farah, Leslie Jarchow, Chris Mundy
NAYS: None
Motion carried

There was a motion made to reconvene open session at 7:16 pm.

MOTION: Amy Farah
SECOND: Leslie Jarchow
AYES: Ed Asbridge, Amy Farah, Leslie Jarchow, Chris Mundy
NAYS: None
Motion carried

ADJOURNMENT:

There was a motion made to adjourn at 7:16 pm.

MOTION: Chris Mundy
SECOND: Leslie Jarchow
AYES: Ed Asbridge, Amy Farah, Leslie Jarchow, Chris Mundy
NAYS: None
Motion carried

_____	_____	_____
Mayor – Mike Miller	Date	City Clerk – Vickie Short

FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY

SUBJECT: Consider Beer and Wine License for JP McEver Road located at 5512 McEver Road, Ste. 104.

COUNCIL MEETING DATE: April 1, 2021

HISTORY:

FACTS AND ISSUES:

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:
Yes

AMOUNT AND SOURCE OF FUNDS:
N/A

RECOMMENDATION:
Approve

SAMPLE MOTION:

COLLABORATING DEPARTMENT:

DEPARTMENT: Administration

Prepared by: Vickie Short

ATTACHMENTS

- JP McEver Road.pdf

FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY

SUBJECT: New Alcoholic Beverage License

DATE: 03/29/2021

(X) RECOMMENDATION
( ) POLICY DISCUSSION
( ) STATUS REPORT
( ) OTHER

BUDGET INFORMATION:
ANNUAL-No expenditure-Revenue Only

COMMISSION ACTION REQUESTED ON: April 1, 2021

PURPOSE: To allow the new owner of the gas station at 5512 McEver Road, Ste. 104 to sell packaged beer and wine.

HISTORY: JP McEver Road is the new owner of the gas station located at 5512 McEver Road, Ste. 104. The prior business owner at this location was Petrofast.

FACTS AND ISSUES:

JP McEver Road is the owner of the new gas station/Burger King under construction at Spout Springs Road. Sheridan Peterson is listed as the Registered Agent and John Cape is listed as the manager of this location. He currently lives within Hall County.

The application has been processed and reviewed and everything is in order for the council's approval.

OPTIONS: Approve or deny

RECOMMENDED SAMPLE MOTION: No motion required-on the Consent Agenda.

DEPARTMENT: Administration
Prepared by: Vickie Short

FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY

SUBJECT: Consider Mayor Mike Miller Per Diem

COUNCIL MEETING DATE: April 1, 2021

HISTORY:

FACTS AND ISSUES:

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:
Yes

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:
Approve

SAMPLE MOTION:

COLLABORATING DEPARTMENT:

DEPARTMENT: Administration

Prepared by: Vickie Short

ATTACHMENTS

- Mayor Miller Per Diem.pdf

CITY OF FLOWERY BRANCH
MAYOR & COUNCIL ATTENDANCE SHEET
PER DIEM PAY

NAME Mike Miller MONTH/YEAR March 2021

	MEETING DATE	DESCRIPTION OF MEETING
1	3/23/2021	South Hall Business Coalition
2	3/25/2021	Chamber Board Meeting
3		
4		
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My signature certifies that I am eligible to be paid for 2 meeting dates, maximum 5 per month, in accordance with per diem pay as described in Ordinance No. 477. Total $100.00 ($50.00 per mtg)

Signature

FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY

SUBJECT: Automated External Defibrillator (AED) Budget Adjustment Request

COUNCIL MEETING DATE: April 1, 2021

HISTORY:
N/A

FACTS AND ISSUES:
It is the desire of the Police Department, Mayor, and Council to ensure every police vehicle is equipped with an AED device to aid with emergency service to our community. The police department currently has four AED devices, and six devices are needed to meet this goal.

Purchasing the pads is the main expense associated with the AED's as they are $60 per pad for one-time use. Any funds remaining from this adjustment will be used to stock up on pad supplies. The police department handles maintenance as messages occur on the devices by calling support. There is no additional cost associated with support calls.

Quote is attached.

OPTIONS:
Approve budget adjustment as presented or not approve.

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:
No

AMOUNT AND SOURCE OF FUNDS:
$10,000 transfer from Council and Mayor budget to Police Budget

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RECOMMENDATION:
To approve a budget adjustment to move $10,000 from Council and Mayor's department budget to Police- Small Equipment to purchase six AED (Automated External Defibrillator) devices.

SAMPLE MOTION:
I make a motion to approve the AED budget adjustment as presented, effective April 1, 2021.

COLLABORATING DEPARTMENT:

DEPARTMENT: Finance

Prepared by: Vickie Short

ATTACHMENTS

- EXECUTIVE SUMMARY - AED Budget Adjustment.pdf
- AED Budget Request Form 4-1-2021.pdf
- AED Quote.pdf

FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY

SUBJECT: Automated External Defibrillator (AED) Budget Adjustment Request

DATE: March 29, 2021

(X) RECOMMENDATION
( ) POLICY DISCUSSION
( ) STATUS REPORT
( ) OTHER

BUDGET INFORMATION:
ANNUAL-
CAPITAL-

COMMISSION ACTION REQUESTED ON: April 1, 2021

PURPOSE: To approve a budget adjustment to move $10,000 from Council and Mayor's department budget to Police- Small Equipment to purchase six AED (Automated External Defibrillator) devices.

HISTORY: N/A

FACTS AND ISSUES: It is the desire of the Police Department, Mayor, and Council to ensure every police vehicle is equipped with an AED device to aid with emergency service to our community. The police department currently has four AED devices, and six devices are needed to meet this goal.

Purchasing the pads is the main expense associated with the AED's as they are $60 per pad for one-time use. Any funds remaining from this adjustment will be used to stock up on pad supplies. The police department handles maintenance as messages occur on the devices by calling support. There is no additional cost associated with support calls.

OPTIONS: Approve budget adjustment as presented or not approve.

RECOMMENDED SAMPLE MOTION: I make a motion to approve the AED budget adjustment as presented, effective April 1, 2021.

DEPARTMENT: Finance

Prepared by: Alisha Gamble

City of Flowery Branch
Request For Budget Adjustment

Fund/Department: 100 Effective Date: 4/1/2021

Account Number	Account Name	Current Budget	Debit (Credit)	Revised Budget
100-1110-531100	Council / Supplies & material (EDC)	2,200	(2,000)	200
100-1110-511101	Council / Meeting Per Diem	3,000	(3,000)	-
100-1110-523470	Council / Printing & Binding	1,300	(1,300)	-
100-1110-523500	Council / Travel Expense	1,500	(1,500)	-
100-1110-523700	Council / Education & Training	2,500	(700)	1,800
100-1310-523700	Mayor / Education & Training	500	(500)	-
100-1310-523500	Mayor / Travel Expense	1,000	(1,000)	-
100-3210-531600	Police Admin / Small Equipment	24,500	10,000	34,500
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	Totals	$ 36,500	$ -	$ 36,500

Justification: Adjustment to Police Department for the purchase of 5 AED devices. - per Mayor and Council request

Approvals:

Department Director: _____ Date: _____

Finance Director: Alisha L Gamble Date: 3/29/2021

City Manager: Bill [illegible] Date: 3/29/21

Finance Department Use

Posted By: _____ Date Posted: _____

Council Action Required: Yes_____ No _____ Budget Adjust. #: _____

Quote

AED BRANDS
We're in it for life.

AED Brands, LLC
95 Chastain Road NW
Suite 302
Kennesaw, GA 30144
AEDbrands.com
800-580-1375

Date 3/1/2021
Quote # 46998
Sales Rep CD

Bill To

Flowery Branch Police Department
P.O. Box 757
5270 Railroad Ave

Flowery Branch GA 30542

Ship To

Flowery Branch Police Department
Attn: Chief David Spillers
5270 Railroad Ave

Flowery Branch GA 30542

Item	Description	Quantity	Price Each	Total Price
G5A-80C-S	Powerheart G5 AED with iCPR Fully Auto Dual Language Includes: - 8-Year Warranty - Carry Sleeve - 4-Year Battery - 1 Set G5 CPR Feeback Adult Pads - Data Cable - User Guide - AED Inspection Tag - "AED On-Site" Window Static Sticker	6	$1,423.38	$8,540.26
XCAAED007A	Cardiac Science Powerheart G5 Semi-Rigid Carry Case	6	$0.00	$0.00
XELAED001B	Cardiac Science Powerheart G5 Adult AED Pads	16	$69.00	$1,104.00
Shipping	Shipping & Handling	6	$11.00	$66.00

Quote good for 60 days
Prepared By Christine
Memo

Sub-Total	$9,710.26
Taxes	$0.00
Total	$9,710.26