



**City of Flowery Branch  
City Council Meeting  
Thursday, November 17, 2022, 6:00 PM  
City of Flowery Branch City Hall  
5410 West Pine Street, Flowery Branch, GA 30542**



**CALL WORK SESSION TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**ADOPTION OF AGENDA:**

**PUBLIC HEARING:**

- A Public Hearing to consider a request from VM&R, LLC to rezone two parcels of land from Agricultural (A) to Highway Business (HB).

[Rezoning Application \(HF Reed and Falcon Pkwy\).pdf](#)

[NOV 17 Falcon Pkwy Exterior Elevations Rendering.pdf](#)

[Nov 17 Rezoning Supplemental Request \(HF Reed\).pdf](#)

[NOV 17 C-4 SITE PLAN\\_10-28-22.pdf](#)

[Nov 17 HF Reed & Falcon Pkwy.pdf](#)

**DEPARTMENT REPORTS:** - a. City Manager Report

- b. City Clerk Report
- c. Community Relations Report
- d. Finance Report
- e. Planning Report
- f. Police Department Report
- g. Attorney Report
- h. Council Report

**ADJOURNMENT WORK SESSION:**

**VOTING SESSION AGENDA:**

**CALL VOTING SESSION TO ORDER:**

**PUBLIC COMMENTS:** - Please limit to two minutes

**CONSENT AGENDA:**

- Consider November 3, 2022 City Council Meeting Minutes  
[Unofficial November 3, 2022 City Council Minutes.pdf](#)

**NEW BUSINESS - VOTING SESSION:**

- Consider the First Read of Ordinance 672, a request submitted by BLT Martin Road, LLC for a Conditional Use Permit (CUP) to construct a self-storage facility at 4153 Falcon Parkway.  
[CUP Information 4153 Falcon Parkway.pdf](#)  
[2020 REZONING Staff rept Falcon Parkway.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:** A Public Hearing to consider a request from VM&R, LLC to rezone two parcels of land from Agricultural (A) to Highway Business (HB).

**COUNCIL MEETING DATE:** November 17, 2022

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#### HISTORY:

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#### FACTS AND ISSUES:

This is a rezoning request for two parcels of land located at the northeast corner of the intersection of HF Reed Industrial Parkway and Falcon Parkway. The two parcels are identified as 08070 001002 and 08073 000004A totaling a combined 13.7 +/- acres. Currently zoned Agriculture (A), the applicant wished to rezone to Highway Business (HB) with the intent to construct a convenience store and gas station with additional, yet to be determined, HB appropriate uses.

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#### OPTIONS:

No vote at this time.

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#### IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

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#### AMOUNT AND SOURCE OF FUNDS:

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#### RECOMMENDATION:

No action at this time

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#### SAMPLE MOTION:

No motion at this time

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#### COLLABORATING DEPARTMENT:

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**DEPARTMENT:** Planning

**Prepared by:** Shelia Cooper

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#### ATTACHMENTS

- Rezoning Application (HF Reed and Falcon Pkwy).pdf
- NOV 17 Falcon Pkwy Exterior Elevations Rendering.pdf
- Nov 17 Rezoning Supplemental Request (HF Reed).pdf
- NOV 17 C-4 SITE PLAN\_10-28-22.pdf
- Nov 17 HF Reed & Falcon Pkwy.pdf



## REZONING APPLICATION

**Date:** September 16, 2022

**Address of Request:**

Northwest corner of the intersection of HF Reed Industrial Pkwy and Falcon Pkwy.

Tax Map # 08070 001002; 08073 000004A Current Zoning: A

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**

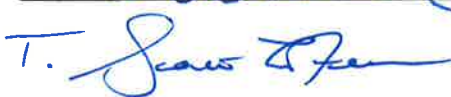
Name: VM&R, LLC

Address: 5317 T L Bower Way, Flowery Branch, GA, 30542

E-mail address: slefevre@clipperpetroleum.com

Phone number: 770-965-6416

Signature: 

Notary: 



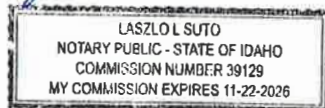


Property owner information (if different than the applicant)

Property owner (please print): Banks Property Management, LLC; The McCrary Family Partnership, L.P.; Burwell Investments, L.P.

Signature of property owner: Rex McCrary, General Partner, THE McCrary Family Partnership, L.P.

Notary: State of Idaho  
County of Bonner  
Signed by Rex McCrary on 9-15-22



[Signature] Notary  
My Commission expires 11-22-26

**Property Information**

Tax Map Number: 08070 001002; 08073 000004A

Current Zoning: A Total Acres: 13.78

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

Proposed City of Flowery Branch Zoning: HB

Current Use: Undeveloped parcels.

**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

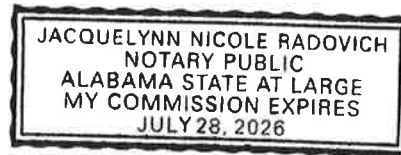


Property owner information (if different than the applicant)

Property owner (please print): Banks Property Management, LLC; The McCrary Family Partnership, L.P.; Burwell Investments, L.P.

Signature of property owner: [Signature] - BURWELL INVESTMENTS, LP

Notary:



### Property Information

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Current Zoning: A Total Acres: 13.78

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- Legal description
- Current survey of property



Property owner information (if different than the applicant)

Property owner (please print): Banks Property Management, LLC; The McCrary Family Partnership, L.P.; Burwell Investments, L.P.

Signature of property owner: *[Handwritten Signature]*

Notary: *Kelli B. Moore*



**Property Information**

Tax Map Number: 08070 001002; 08073 000004A

Current Zoning: A Total Acres: 13.78

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

Proposed City of Flowery Branch Zoning: HB

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- 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

N/A

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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

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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

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### 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: \_\_\_\_\_



#### Sec. 34.7. - Analysis Requirements

- (a) Yes. Proposed use is a c-store with petroleum sales. Recent neighboring development includes large warehouses/fulfillment centers, as well as residential apartments.
- (b) The proposal will not adversely affect usability of adjacent or nearby properties. There is ample space on the subject property. It sits along I-985, HF Reed Pkwy, Falcon Pkwy, and adjacent to Zion Hill Baptist Church.
- (c) Subject property is currently zoned Agriculture. Recent development in the immediate area is industrial (M-1).
- (d) Proposed use will not cause excessive use of existing transportation facilities, utilities, or schools.
- (e) Yes
- (f) N/A
- (g) Existing subject property is undeveloped land. Surrounding properties are zoned M-1, and include large warehouses and apartments.
- (h) Unknown.
- (i) Adjacent property is already developed, and proposed use will not negatively impact value or improvement of adjacent property.
- (j) Requested zoning will not create an isolated zoning district.
- (k) N/A
- (l) Development will be conducted in a manner to minimize any soil erosion and sedimentation. No foreseen impact related to flooding, air and water quality.
- (m) The proposed use is consistent with the overall zoning scheme.

All that tract or parcel of land lying and being in Land Lot 73 of the 8th district, Hall County, Georgia and being more particularly described as follows:

BEGINNING at a concrete right of way monument at the intersection of the northeastern right of way of H.F. Reed Industrial Parkway, a.k.a. Martin Road, said right of way having a variable width and the northwestern right of way of State Route 13, a.k.a. Falcon Parkway, said right of way having a variable width;

Thence proceeding along said northeastern right of way of H.F. Reed Industrial Parkway the following courses and distances: along the arc of a curve to the right, having a radius of 835.96 feet and an arc length of 90.67 feet, being subtended by a chord bearing and distance of North 57°15'11" West, 90.62 feet to a concrete right of way monument; North 35°33'09" East, 9.94 feet to a concrete right of way monument; along the arc of a curve to the right, having a radius of 741.32 feet and an arc length of 473.78, being subtended by a chord bearing and distance of North 35°20'30" West, 465.76 feet to a concrete right of way monument; North 09°46'26" West, 157.02 feet to a concrete right of way monument; North 17°01'26" West, 99.94 feet to a concrete right of way monument; North 24°38'02" West, 151.32 feet to a concrete right of way monument; and North 13°11'41" West, 133.68 feet to a 1/2 inch rebar with a cap stamped "Valentino GARLS2528"; thence leaving said right of way and proceeding along the property now or formerly of Rafe Banks, Jr. the following courses and distances: North 58°29'43" East, 379.27 feet to a 2 inch open top pipe found; North 64°12'54" West, 70.29 feet to a 1/2 inch rebar with a cap stamped "Valentino GARLS2528"; North 57°32'05" West, 422.53 feet to a 1/2 inch rebar with a cap stamped "Valentino GARLS2528"; and North 55°58'31" West, 113.67 feet to a concrete right of way monument on the southeastern right of way of Interstate 985, said right of way having a variable width; thence proceeding along said southeastern right of way of Interstate 985 North 28°21'37" East, 44.76 feet to a concrete right of way monument; thence leaving said right of way and proceeding along the property now or formerly of Zion Hill Baptist Church the following courses and distances: South 54°30'40" East, 111.34 feet to an iron pin set being a 1/2 inch rebar with a yellow plastic cap stamped "Rochester LSF000484"; South 56°47'33" East, 96.39 feet to an iron pin set being a 1/2 inch rebar with a yellow plastic cap stamped "Rochester LSF000484"; South 56°59'41" East, 333.02 feet to an iron pin set being a 1/2 inch rebar with a yellow plastic cap stamped "Rochester LSF000484"; South 64°11'15" East, 92.58 feet to an iron pin set being a 1/2 inch rebar with a yellow plastic cap stamped "Rochester LSF000484"; and South 29°34'04" East, 573.21 feet to an iron pin set being a 1/2 inch rebar with a yellow plastic cap stamped "Rochester LSF000484" on the aforementioned northwestern right of way of State Route 13; thence proceeding along said northwestern right of way of State Route 13 the following courses and distances: South 11°10'46" West, 357.33 feet to a concrete right of way monument; South 78°49'13" East, 40.00 feet to a concrete right of way monument; South 11°10'46" West, 124.31 feet to a concrete right of way monument; South 13°20'57" West, 85.17 feet to a 1/2 inch rebar with a cap stamped "Valentino GARLS2528"; North 79°00'37" West, 6.66 feet to a 1/2 inch rebar with a cap stamped "Valentino GARLS2528" and South 34°16'09" West, 138.00 feet to the POINT OF BEGINNING.

Said tract contains 10.907 acres.

All that tract or parcel of land lying and being in Land Lot 73 of the 8th district, Hall County, Georgia and being more particularly described as follows:

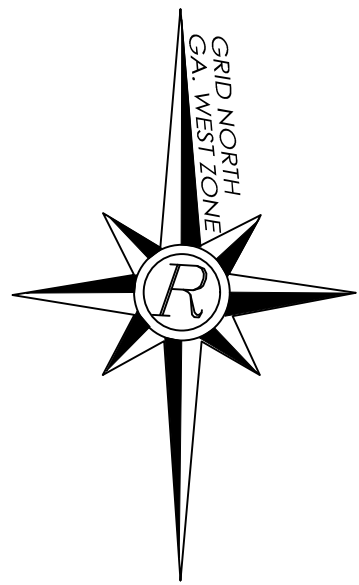
Commencing at a concrete right of way monument at the intersection of the northeastern right of way of H.F. Reed Industrial Parkway, a.k.a. Martin Road, said right of way having a variable width and the northwestern right of way of State Route 13, a.k.a. Falcon Parkway, said right of way having a variable width;

Thence proceeding along said northeastern right of way of H.F. Reed Industrial Parkway the following courses and distances: along the arc of a curve to the right, having a radius of 835.96 feet and an arc length of 90.67 feet, being subtended by a chord bearing and distance of North 57°15'11" West, 90.62 feet to a concrete right of way monument; North 35°33'09" East, 9.94 feet to a concrete right of way monument; along the arc of a curve to the right, having a radius of 741.32 feet and an arc length of 473.78, being subtended by a chord bearing and distance of North 35°20'30" West, 465.76 feet to a concrete right of way monument; North 09°46'26" West, 157.02 feet to a concrete right of way monument; North 17°01'26" West, 99.94 feet to a concrete right of way monument; North 24°38'02" West, 151.32 feet to a concrete right of way monument; and North 13°11'41" West, 133.68 feet to a 1/2 inch rebar with a cap stamped "Valentino GARLS2528", said 1/2 inch rebar being the TRUE POINT OF BEGINNING;

From the TRUE POINT OF BEGINNING thus established and continuing along the aforementioned northeastern right of way of H.F. Reed Parkway the following courses and distances: North 13°04'43" West, 32.15 feet to a concrete right of way monument; along a curve to the left having a radius of 1,055.35 feet and an arc length of 227.12 feet, being subtended by a chord bearing and distance of North 29°52'06" West, 226.68 feet to a concrete right of way monument South 54°18'56" West, 20.02 feet to a concrete right of way monument along a curve to the left having a radius of 1,037.81 feet and an arc length of 111.37 feet, being subtended by a chord bearing and distance of North 38°55'58" West, 111.31 feet to a concrete right of way monument; and North 32°31'29" West, 97.35 feet to a concrete right of way monument at the intersection of the aforementioned northeastern right of way of H.F. Reed Parkway and the southeastern right of way of Interstate 985, said right of way having a variable width; thence proceeding along said southeastern right of way of Interstate 985 the following courses and distances: North 22°38'22" East, 74.47 feet to a concrete right of way monument; and North 31°01'04" East, 76.50 feet to a concrete right of way monument; thence leaving said right of way and proceeding along the property now or formerly of Jane Wood Banks the following courses and distances: South 55°58'31" East, 113.67 feet to a 1/2 inch rebar with a cap stamped "Valentino GARLS2528"; South 57°32'05" East, 422.53 feet to a 1/2 inch rebar with a cap stamped "Valentino GARLS2528"; South 64°12'54" East, 70.29 feet to a 2 inch open top pipe found; and South 58°29'43" West, 379.27 feet to the TRUE POINT OF BEGINNING.

Said tract contains 2.870 acres.

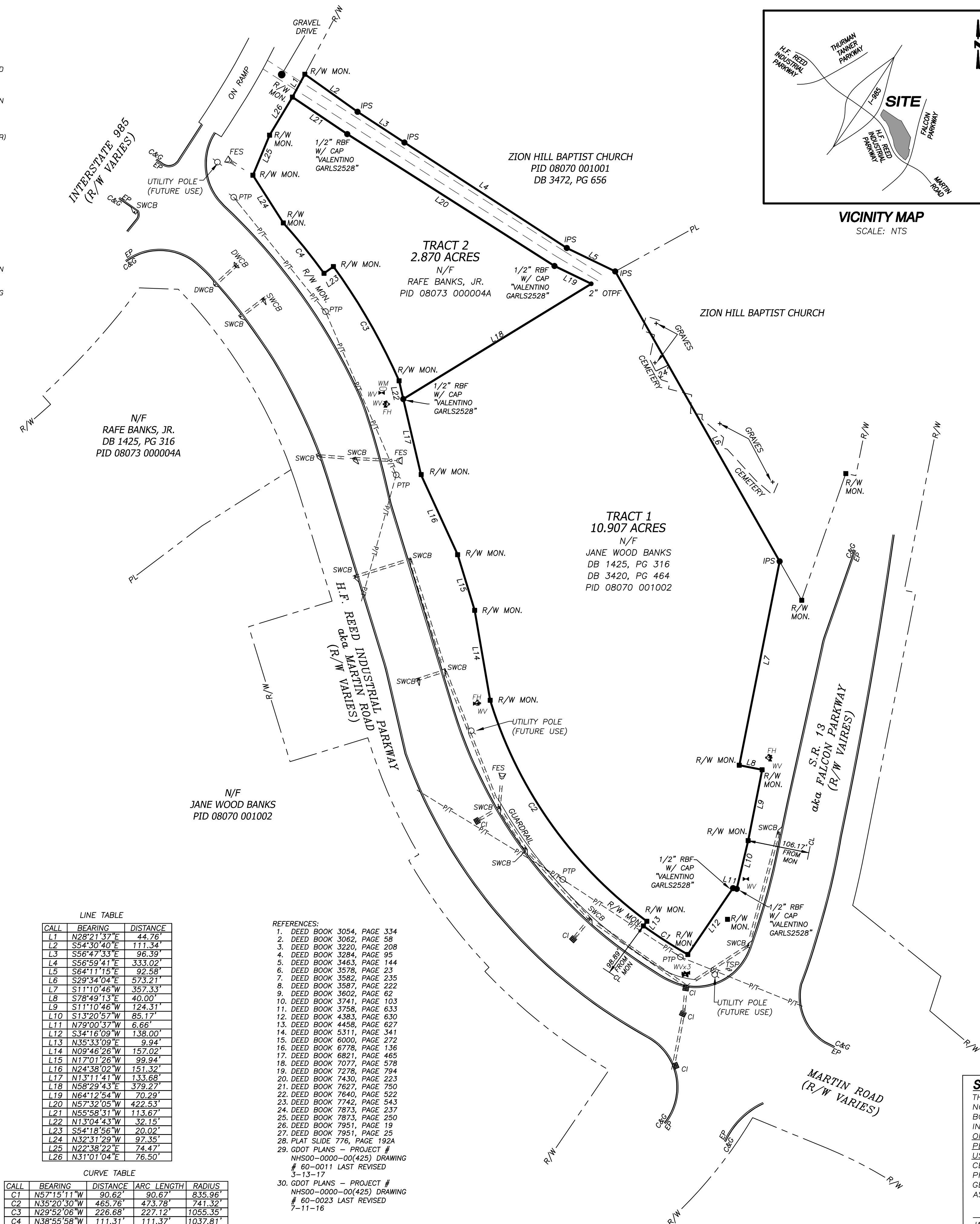
THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT



- LEGEND**
- AKA - ALSO KNOWN AS
  - C&G - CURB & GUTTER
  - CI - CURB INLET
  - CL - CENTER LINE
  - CMF - CONCRETE MONUMENT FOUND
  - CONC - CONCRETE
  - DB, PG - DEED BOOK, PAGE
  - DI - DROP INLET
  - DWCB - DOUBLE-WING CATCH BASIN
  - EP - EDGE OF PAVEMENT
  - FES - FLAIREED END SECTION
  - FH - FIRE HYDRANT
  - HM - HEADWALL
  - IPS - IRON PIN SET (1/2" REBAR)
  - JB - JUNCTION BOX
  - LL - LAND LOT
  - LP - LAND LOT LINE
  - LP - LIGHT POLE
  - MP - MANHOLE
  - MON - MONUMENT
  - N/F - NOW OR FORMERLY
  - OTPF - OPEN TOP PIPE FOUND
  - PBX - POWER BOX
  - PL - PROPERTY LINE
  - PM - POWER METER
  - POB - POINT OF BEGINNING
  - PP - POWER POLE
  - PTP - POWER & TELEPHONE POLE
  - PWNT - PAVEMENT
  - RBF - REBAR FOUND
  - R/W - RIGHT OF WAY
  - SWCB - SINGLE-WING CATCH BASIN
  - WBX - WATER BOX
  - TP - TELEPHONE POLE
  - TPOB - TRUE POINT OF BEGINNING
  - TSP - TRAFFIC SIGNAL POLE
  - WM - WATER METER
  - WV - WATER VALVE

### SURVEY NOTES

1. THE FIELD DATA DATED 3/29/19 THRU 4/1/19, AND 9/14/22 UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 45,916 FEET AND AN ANGULAR ERROR OF 1" SECONDS PER ANGLE AND WAS ADJUSTED BY LEAST SQUARES. A TRIMBLE S-SERIES ROBOTIC TOTAL STATION WAS USED FOR ANGULAR AND LINEAR MEASUREMENTS.
2. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1,112,883 FEET.
3. THE HORIZONTAL DATUM FOR THIS SURVEY IS THE NORTH AMERICAN DATUM OF 1983, NAD 83 GEORGIA WEST ZONE, AND THE VERTICAL DATUM USED IS THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) AS DETERMINED BY UTILIZING GPS. THE EQUIPMENT USED TO OBTAIN THIS DATA WAS A DUAL FREQUENCY TRIMBLE R10 GNSS GPS RECEIVER WITH A TRIMBLE TSC3 DATA COLLECTOR RECEIVING RTK CORRECTIONS VIA A WIRELESS NETWORK FROM BASE STATIONS OPERATED BY TRIMBLE NAVIGATION. THE AVERAGE RELATIVE POSITIONAL ACCURACY OBTAINED ON THE POSITIONS UTILIZED IN THIS SURVEY WAS 0.04 FT. HORIZONTAL AND 0.07 FT. VERTICAL. THESE VALUES WERE DERIVED FROM GPS PROCESSING SOFTWARE. THE REMAINDER OF THE FIELD WORK WAS PERFORMED WITH CONVENTIONAL EQUIPMENT AS DESCRIBED ABOVE. ALL DISTANCES AS SHOWN ARE HORIZONTAL GROUND DISTANCES IN U.S. SURVEY FEET (39.37 INCHES = 1 METER).
4. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT; THEREFORE EXCEPTION IS MADE HEREIN TO ANY EASEMENTS, RESERVATIONS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD, WHICH MAY EXIST. FURTHERMORE, THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, RESERVATIONS, RIGHTS OF WAY, OR RESTRICTIONS, WHICH ARE NOT RECORDED OR NOT DISCLOSED BY THE TITLE COMMITMENT OR OTHERWISE UNKNOWN TO THE SURVEYOR; THEREFORE EXCEPTION IS TAKEN TO ANY SUCH ITEMS.
5. THIS PROPERTY MAY OR MAY NOT CONTAIN WETLAND AREAS. NO EFFORTS HAVE BEEN MADE BY THIS SURVEYOR TO IDENTIFY OR LOCATE ANY WETLAND AREAS ON THIS PROPERTY. A QUALIFIED WETLAND SPECIALIST OR BIOLOGIST, PRIOR TO ANY LAND DISTURBANCE, SHOULD PERFORM WETLAND IDENTIFICATION AND DELINEATION.
6. NO PORTION OF THIS PROPERTY IS LOCATED IN A FLOOD HAZARD ZONE AS PER F.E.M.A. FLOOD INSURANCE RATE MAP OF HALL COUNTY, GEORGIA AS SHOWN ON MAP NUMBER 13139C0284G HAVING A REVISED DATE OF APRIL 4, 2018. NO AREAS LIE BELOW THE MAXIMUM FLOOD CONTROL STORAGE OF LAKE SIDNEY LANIER (ELEVATION 1085).
7. DURING THE FIELD SURVEY PERFORMED ON THIS SITE THERE WAS VISIBLE ABOVE GROUND EVIDENCE OF A HUMAN BURIAL AREA OR CEMETERY OBSERVED, AS SHOWN. HOWEVER, THIS SURVEYOR DID NOT PERFORM A THOROUGH INSPECTION OF THE INTERIOR OF THIS SITE. THEREFORE EXCEPTION IS MADE HEREIN TO ANY HUMAN AREAS OR CEMETERIES THAT MAY EXIST WITHIN THE BOUNDARIES OF THIS SITE.
8. THIS PLAT IS FOR THE EXCLUSIVE USE OF THE ENTITIES SHOWN HEREON; ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.
9. ALL PROPERTY CORNERS REFERENCED AS "IPS" INDICATES A 1/2" REBAR PLACED WITH A YELLOW PLASTIC CAP STAMPED "ROCHESTER-LSF000484", UNLESS OTHERWISE NOTED.



| LINE TABLE |             |          |
|------------|-------------|----------|
| CALL       | BEARING     | DISTANCE |
| L1         | N28°21'37"E | 44.76'   |
| L2         | S54°30'40"E | 111.34'  |
| L3         | S56°47'33"E | 96.39'   |
| L4         | S56°59'41"E | 333.02'  |
| L5         | S64°11'15"E | 92.58'   |
| L6         | S29°34'04"E | 573.21'  |
| L7         | S11°10'46"W | 357.33'  |
| L8         | S78°49'13"E | 40.00'   |
| L9         | S11°10'46"W | 124.31'  |
| L10        | S13°20'57"W | 85.17'   |
| L11        | N79°00'37"W | 6.66'    |
| L12        | S34°16'09"W | 138.00'  |
| L13        | N35°33'09"E | 9.94'    |
| L14        | N09°46'26"W | 157.02'  |
| L15        | N17°01'26"W | 99.94'   |
| L16        | N24°38'02"W | 151.32'  |
| L17        | N13°11'41"W | 133.68'  |
| L18        | N58°29'43"E | 379.27'  |
| L19        | N64°12'54"W | 70.29'   |
| L20        | N57°32'05"W | 422.53'  |
| L21        | N55°58'31"W | 113.67'  |
| L22        | N13°04'43"W | 32.15'   |
| L23        | S54°18'56"W | 20.02'   |
| L24        | N26°11'29"W | 97.35'   |
| L25        | N22°38'22"E | 74.47'   |
| L26        | N31°01'04"E | 76.50'   |

| CURVE TABLE |             |          |            |          |
|-------------|-------------|----------|------------|----------|
| CALL        | BEARING     | DISTANCE | ARC LENGTH | RADIUS   |
| C1          | N57°15'11"W | 90.62'   | 90.62'     | 835.96'  |
| C2          | N39°20'50"W | 465.76'  | 473.78'    | 741.32'  |
| C3          | N29°52'06"W | 226.68'  | 227.12'    | 1055.35' |
| C4          | N38°55'58"W | 111.31'  | 111.37'    | 1037.81' |

- REFERENCES:
1. DEED BOOK 3054, PAGE 334
  2. DEED BOOK 3062, PAGE 58
  3. DEED BOOK 3220, PAGE 208
  4. DEED BOOK 3284, PAGE 95
  5. DEED BOOK 3463, PAGE 144
  6. DEED BOOK 3578, PAGE 23
  7. DEED BOOK 3582, PAGE 235
  8. DEED BOOK 3587, PAGE 222
  9. DEED BOOK 3602, PAGE 62
  10. DEED BOOK 3741, PAGE 103
  11. DEED BOOK 3758, PAGE 633
  12. DEED BOOK 4363, PAGE 630
  13. DEED BOOK 4458, PAGE 627
  14. DEED BOOK 5311, PAGE 341
  15. DEED BOOK 6001, PAGE 272
  16. DEED BOOK 6778, PAGE 136
  17. DEED BOOK 6821, PAGE 465
  18. DEED BOOK 7077, PAGE 578
  19. DEED BOOK 7276, PAGE 794
  20. DEED BOOK 7430, PAGE 223
  21. DEED BOOK 7627, PAGE 750
  22. DEED BOOK 7640, PAGE 522
  23. DEED BOOK 7742, PAGE 543
  24. DEED BOOK 7873, PAGE 237
  25. DEED BOOK 7873, PAGE 250
  26. DEED BOOK 7951, PAGE 19
  27. DEED BOOK 7951, PAGE 25
  28. PLAT SLIDE 776, PAGE 192A
  29. GOOT PLANS PROJECT #
  30. GOOT PLANS PROJECT #

### LEGAL DESCRIPTION - TRACT 1

All that tract or parcel of land lying and being in Land Lot 73 of the 8th district, Hall County, Georgia and being more particularly described as follows:

BEGINNING at a concrete right of way monument at the intersection of the northeastern right of way of H.F. Reed Industrial Parkway, a.k.a. Martin Road, said right of way having a variable width and the northwestern right of way of State Route 13, a.k.a. Falcon Parkway, said right of way having a variable width;

Thence proceeding along said northeastern right of way of H.F. Reed Industrial Parkway the following courses and distances: along the arc of a curve to the right, having a radius of 835.96 feet and an arc length of 90.62 feet, being subtended by a chord bearing and distance of North 57°15'11" East, 90.62 feet to a concrete right of way monument; North 35°33'09" East, 9.94 feet to a concrete right of way monument; along the arc of a curve to the right, having a radius of 741.32 feet and an arc length of 473.78, being subtended by a chord bearing and distance of North 35°20'30" West, 465.76 feet to a concrete right of way monument; North 09°46'26" West, 157.02 feet to a concrete right of way monument; North 17°01'26" West, 99.94 feet to a concrete right of way monument; North 24°38'02" West, 151.32 feet to a concrete right of way monument; and North 13°11'41" West, 133.68 feet to a 1/2 inch rebar with a cap stamped "Valentino GARLS2528"; thence leaving said right of way and proceeding along the property now or formerly of Rafe Banks, Jr. the following courses and distances: North 58°29'43" East, 379.27 feet to a 2 inch open top pipe found; North 64°12'54" West, 70.29 feet to a 1/2 inch rebar with a cap stamped "Valentino GARLS2528"; North 57°32'05" West, 422.53 feet to a 1/2 inch rebar with a cap stamped "Valentino GARLS2528"; and North 55°58'31" West, 113.67 feet to a concrete right of way monument on the southeastern right of way of Interstate 985, said right of way having a variable width; thence proceeding along said southeastern right of way of Interstate 985 North 28°21'37" East, 44.76 feet to a concrete right of way monument; thence leaving said right of way and proceeding along the property now or formerly of Zion Hill Baptist Church the following courses and distances: South 54°30'40" East, 111.34 feet to an iron pin set being a 1/2 inch rebar with a yellow plastic cap stamped "Rochester LSF000484"; South 58°47'33" East, 96.39 feet to an iron pin set being a 1/2 inch rebar with a yellow plastic cap stamped "Rochester LSF000484"; South 56°59'41" East, 333.02 feet to an iron pin set being a 1/2 inch rebar with a yellow plastic cap stamped "Rochester LSF000484"; South 64°11'15" East, 92.58 feet to an iron pin set being a 1/2 inch rebar with a yellow plastic cap stamped "Rochester LSF000484"; and South 29°34'04" East, 573.21 feet to an iron pin set being a 1/2 inch rebar with a yellow plastic cap stamped "Rochester LSF000484" on the aforementioned northwestern right of way of State Route 13; thence proceeding along said northwestern right of way of State Route 13 the following courses and distances: South 11°10'46" West, 357.33 feet to a concrete right of way monument; South 78°49'13" East, 40.00 feet to a concrete right of way monument; South 11°10'46" West, 124.31 feet to a concrete right of way monument; South 13°20'57" West, 85.17 feet to a 1/2 inch rebar with a cap stamped "Valentino GARLS2528"; North 79°00'37" West, 6.66 feet to a 1/2 inch rebar with a cap stamped "Valentino GARLS2528" and South 34°16'09" West, 138.00 feet to the POINT OF BEGINNING.

Said tract contains 10.907 acres.

### LEGAL DESCRIPTION - TRACT 2

All that tract or parcel of land lying and being in Land Lot 73 of the 8th district, Hall County, Georgia and being more particularly described as follows:

Commencing at a concrete right of way monument at the intersection of the northeastern right of way of H.F. Reed Industrial Parkway, a.k.a. Martin Road, said right of way having a variable width and the northwestern right of way of State Route 13, a.k.a. Falcon Parkway, said right of way having a variable width;

Thence proceeding along said northeastern right of way of H.F. Reed Industrial Parkway the following courses and distances: along the arc of a curve to the right, having a radius of 835.96 feet and an arc length of 90.62 feet, being subtended by a chord bearing and distance of North 57°15'11" East, 90.62 feet to a concrete right of way monument; North 35°33'09" East, 9.94 feet to a concrete right of way monument; along the arc of a curve to the right, having a radius of 741.32 feet and an arc length of 473.78, being subtended by a chord bearing and distance of North 35°20'30" West, 465.76 feet to a concrete right of way monument; North 09°46'26" West, 157.02 feet to a concrete right of way monument; North 17°01'26" West, 99.94 feet to a concrete right of way monument; North 24°38'02" West, 151.32 feet to a concrete right of way monument; and North 13°11'41" West, 133.68 feet to a 1/2 inch rebar with a cap stamped "Valentino GARLS2528"; said 1/2 inch rebar being the TRUE POINT OF BEGINNING;

From the TRUE POINT OF BEGINNING thus established and continuing along the aforementioned northeastern right of way of H.F. Reed Parkway the following courses and distances: North 13°04'43" West, 32.15 feet to a concrete right of way monument; along a curve to the left having a radius of 1,055.35 feet and an arc distance of 227.12 feet, being subtended by a chord bearing and distance of North 29°52'06" West, 226.68 feet to a concrete right of way monument South 54°18'56" West, 20.02 feet to a concrete right of way monument along a curve to the left having a radius of 1,037.81 feet and an arc distance of 111.37 feet, being subtended by a chord bearing and distance of North 38°55'58" West, 111.31 feet to a concrete right of way monument; and North 32°31'29" West, 97.35 feet to a concrete right of way monument at the intersection of the aforementioned northeastern right of way of H.F. Reed Parkway and the southeastern right of way of Interstate 985, said right of having a variable width; thence proceeding along said southeastern right of way of Interstate 985 the following courses and distances: North 22°38'22" East, 74.47 feet to a concrete right of way monument; and North 31°01'04" East, 76.50 feet to a concrete right of way monument; thence leaving said right of way and proceeding along the property now or formerly of Jane Wood Banks the following courses and distances: South 55°58'31" East, 113.67 feet to a 1/2 inch rebar with a cap stamped "Valentino GARLS2528"; South 57°32'05" East, 422.53 feet to a 1/2 inch rebar with a cap stamped "Valentino GARLS2528"; South 64°12'54" East, 70.29 feet to a 2 inch open top pipe found; and South 58°29'43" West, 379.27 feet to the TRUE POINT OF BEGINNING.

Said tract contains 2.870 acres.

### SURVEYORS CERTIFICATION

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. 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.

JARROD D. BLACK, GEORGIA RLS #003288  
jblack@rochester-assoc.com  
Rochester and Associates, LLC  
LSF-000484  
www.rochester-assoc.com

9/15/2022  
DATE

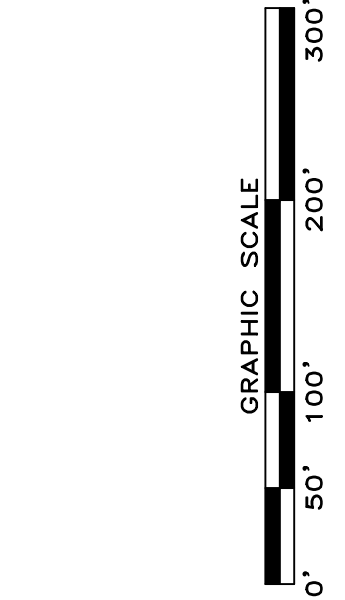


**BANKS ESTATE**

RETRACEMENT SURVEY

LOCATED IN:  
LAND LOT 73, 8TH DISTRICT  
HALL COUNTY, GEORGIA

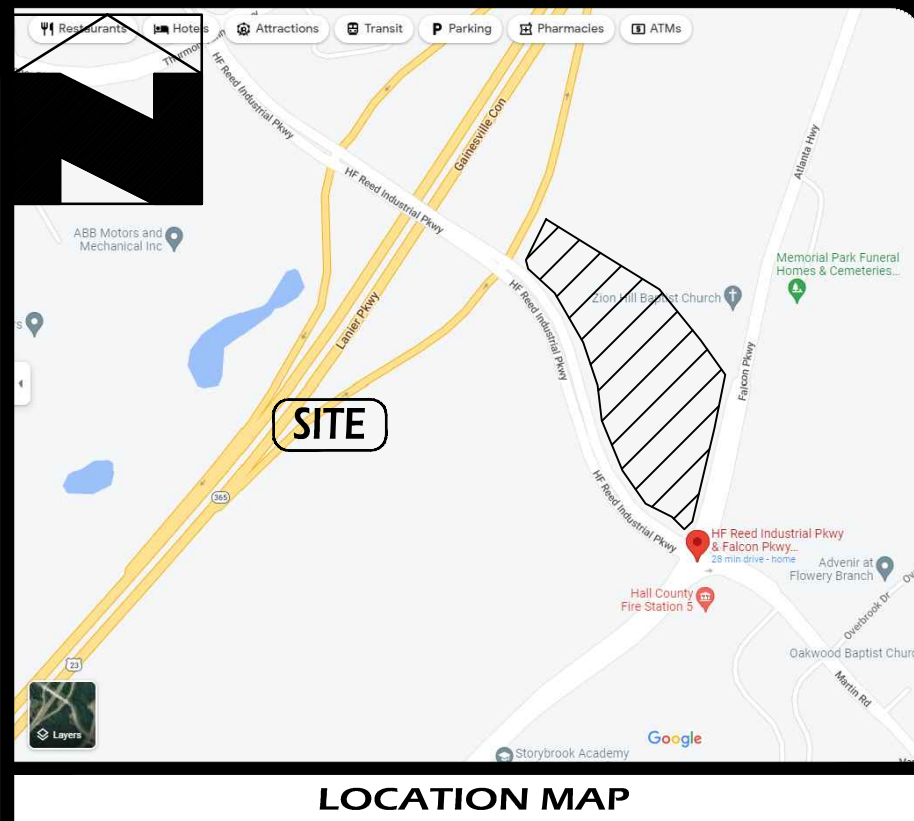
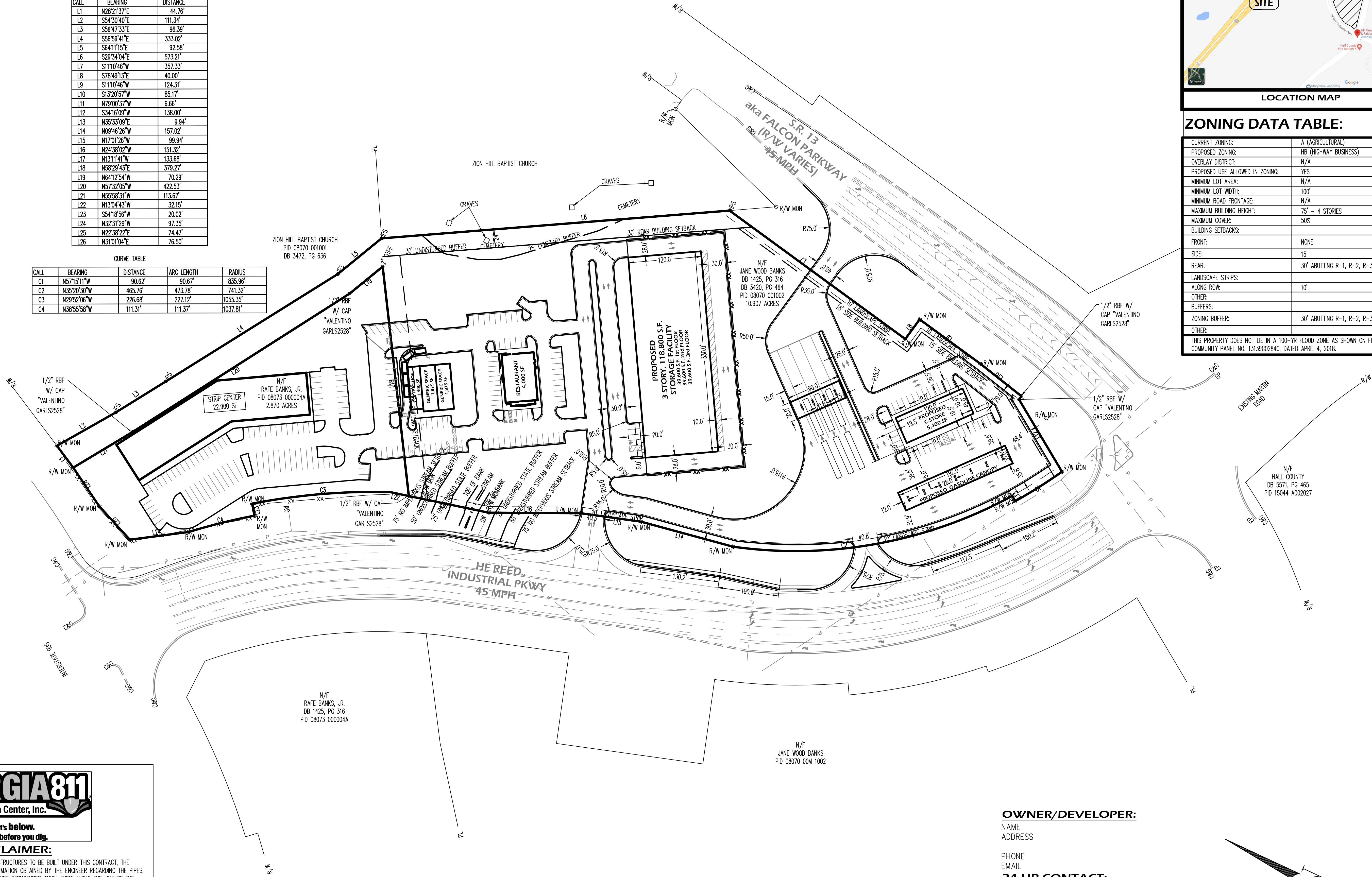
| REVISIONS |  | NO. | DATE | DESCRIPTION |
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| SHEET     | 1           |
|-----------|-------------|
| OF        | 1           |
| DATE      | 9/15/22     |
| SCALE     | 1"=100'     |
| JOB NO.   | G204226.MNP |
| DRAWN BY: | MSA         |
| DWG NO.   | SRW         |

| LINE TABLE |             |          |
|------------|-------------|----------|
| CALL       | BEARING     | DISTANCE |
| L1         | N28°21'37"E | 44.76'   |
| L2         | S54°30'40"E | 111.34'  |
| L3         | S56°47'33"E | 96.39'   |
| L4         | S56°59'41"E | 333.02'  |
| L5         | S64°11'15"E | 92.58'   |
| L6         | S29°34'04"E | 573.21'  |
| L7         | S11°10'46"W | 357.33'  |
| L8         | S78°49'15"E | 40.00'   |
| L9         | S11°10'46"W | 124.31'  |
| L10        | S13°20'57"W | 85.17'   |
| L11        | N79°00'37"W | 6.66'    |
| L12        | S34°16'09"W | 138.00'  |
| L13        | N35°33'09"E | 9.94'    |
| L14        | N09°46'26"W | 157.02'  |
| L15        | N17°01'26"W | 99.94'   |
| L16        | N24°38'02"W | 151.32'  |
| L17        | N13°11'41"W | 133.68'  |
| L18        | N58°29'43"E | 378.27'  |
| L19        | N64°12'54"W | 70.29'   |
| L20        | N57°32'05"W | 422.53'  |
| L21        | N55°58'31"W | 113.67'  |
| L22        | N13°04'43"W | 32.15'   |
| L23        | S54°18'56"W | 20.02'   |
| L24        | N32°31'29"W | 97.35'   |
| L25        | N22°38'22"E | 74.47'   |
| L26        | N31°01'04"E | 76.50'   |

| CURVE TABLE |             |          |          |
|-------------|-------------|----------|----------|
| CALL        | BEARING     | DISTANCE | RADIUS   |
| C1          | N57°15'11"W | 90.62'   | 835.96'  |
| C2          | N35°20'30"W | 465.76'  | 473.78'  |
| C3          | N29°52'06"W | 226.68'  | 1055.35' |
| C4          | N38°55'58"W | 111.31'  | 1037.81' |



| ZONING DATA TABLE:                                                                                                       |                                      |
|--------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| CURRENT ZONING:                                                                                                          | A (AGRICULTURAL)                     |
| PROPOSED ZONING:                                                                                                         | HB (HIGHWAY BUSINESS)                |
| OVERLAY DISTRICT:                                                                                                        | N/A                                  |
| PROPOSED USE ALLOWED IN ZONING:                                                                                          | YES                                  |
| MINIMUM LOT AREA:                                                                                                        | N/A                                  |
| MINIMUM LOT WIDTH:                                                                                                       | 100'                                 |
| MINIMUM ROAD FRONTAGE:                                                                                                   | N/A                                  |
| MAXIMUM BUILDING HEIGHT:                                                                                                 | 75' - 4 STORIES                      |
| MAXIMUM COVER:                                                                                                           | 50%                                  |
| BUILDING SETBACKS:                                                                                                       |                                      |
| FRONT:                                                                                                                   | NONE                                 |
| SIDE:                                                                                                                    | 15'                                  |
| REAR:                                                                                                                    | 30' ABUTTING R-1, R-2, R-3, TND, PUD |
| LANDSCAPE STRIPS:                                                                                                        |                                      |
| ALONG ROW:                                                                                                               | 10'                                  |
| OTHER:                                                                                                                   |                                      |
| BUFFERS:                                                                                                                 |                                      |
| ZONING BUFFER:                                                                                                           | 30' ABUTTING R-1, R-2, R-3, TND, PUD |
| OTHER:                                                                                                                   |                                      |
| THIS PROPERTY DOES NOT LIE IN A 100-YR FLOOD ZONE AS SHOWN ON FIRM COMMUNITY PANEL NO. 13138C0284G, DATED APRIL 4, 2018. |                                      |

**Evans Design Group, Inc.**  
Civil Engineering /  
Site Planning /  
Land Development Services  
4755 Summer Song Court  
Buford, GA 30519  
(Ph) 678.207.6830  
jevans@evansdg.com

**REGISTERED**  
NO. 26681  
PROFESSIONAL  
ENGINEER  
JON M. EVANS  
GSWCC LEVEL II CERT. # 10877

**PROJECT NAME**  
**HF REED & FALCON PARKWAY RETAIL CENTER**  
**HF REED INDUSTRIAL PKWY I.L.00 00th DIST. CITY OF FLOWERY BRANCH GEORGIA**

**DATE:**  
**8-23-22**

**DESIGN BY** JME **DRAWN BY** JME **CHECKED BY** JME

☒ Not Released For Construction  
☐ Released For Construction

**OWNER/DEVELOPER**

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| REVISIONS |  |
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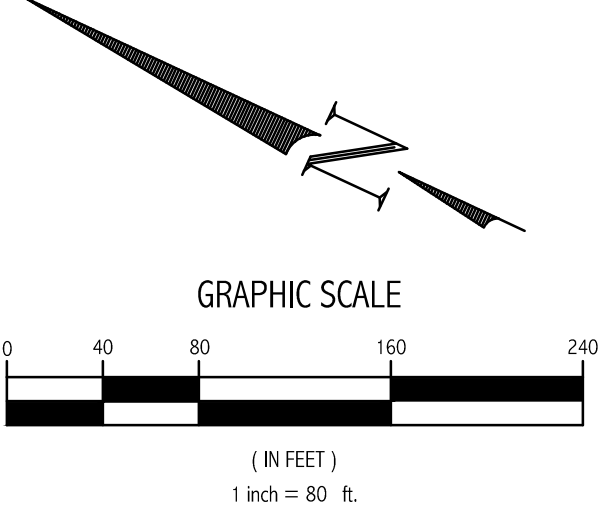
**JOB NUMBER:**  
**22-046**

**SHEET TITLE**  
**SITE PLAN**  
**C-4**

**GEORGIA811**  
Utilities Protection Center, Inc.  
Know what's below.  
Call before you dig.

**UTILITY DISCLAIMER:**  
IN ADDITION TO SHOWING THE STRUCTURES TO BE BUILT UNDER THIS CONTRACT, THE DRAWINGS SHOW CERTAIN INFORMATION OBTAINED BY THE ENGINEER REGARDING THE PIPES, POLE LINES, CONDUITS, AND OTHER STRUCTURES WHICH EXIST ALONG THE LINE OF THE WORK, BOTH AT AND BELOW THE SURFACE OF THE GROUND. THE ENGINEER AND THE OWNER EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION GIVEN ON THE DRAWINGS WITH REGARD TO EXISTING STRUCTURES, AND THE CONTRACTOR WILL NOT BE ENTITLED TO ANY EXTRA COMPENSATION ON ACCOUNT OF ANY INACCURACY OR INCOMPLETENESS OF SUCH INFORMATION, SAID STRUCTURES BEING INDICATED ONLY FOR THE CONVENIENCE OF THE CONTRACTOR, WHO MUST VERIFY THE INFORMATION TO HIS OWN SATISFACTION. THE GIVING OF THIS INFORMATION UPON THE CONTRACT DRAWINGS WILL NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATION TO SUPPORT AND PROTECT ALL PIPES, CONDUITS, AND OTHER STRUCTURES. THE CONTRACTOR SHALL LOCATE ALL UNDERGROUND OBSTRUCTIONS PRIOR TO EXCAVATION SO AS TO PREVENT ANY DAMAGE TO THOSE SERVICES OR OTHER UTILITIES. ANY SUCH DAMAGES MUST BE REPAIRED WITHOUT DELAY AND THE COST OF SUCH REPAIRS MUST BE BORNE BY THE CONTRACTOR.

**OWNER/DEVELOPER:**  
NAME  
ADDRESS  
  
PHONE  
EMAIL  
**24-HR CONTACT:**  
NAME  
PHONE  
EMAIL  
**ENGINEER:**  
EVANS DESIGN GROUP, INC.  
4755 SUMMER SONG COURT  
BUFORD, GA 30519  
678.207.6830 (Ph)  
CONTACT: JON M. EVANS, P.E.







**CLIPPER**  
PETROLEUM

**HFR**  
HILL FOLEY ROSSI  
ARCHITECTURE • ENGINEERING



FRONT ELEVATION

**CLIPPER**

FALCON PKWY , FLOWERY BRANCH



SIDE ELEVATION

**CLIPPER**

FALCON PKWY , FLOWERY BRANCH



**HFR**  
HILL FOLEY ROSSI  
ARCHITECTURE • ENGINEERING



REAR ELEVATION

**CLIPPER**

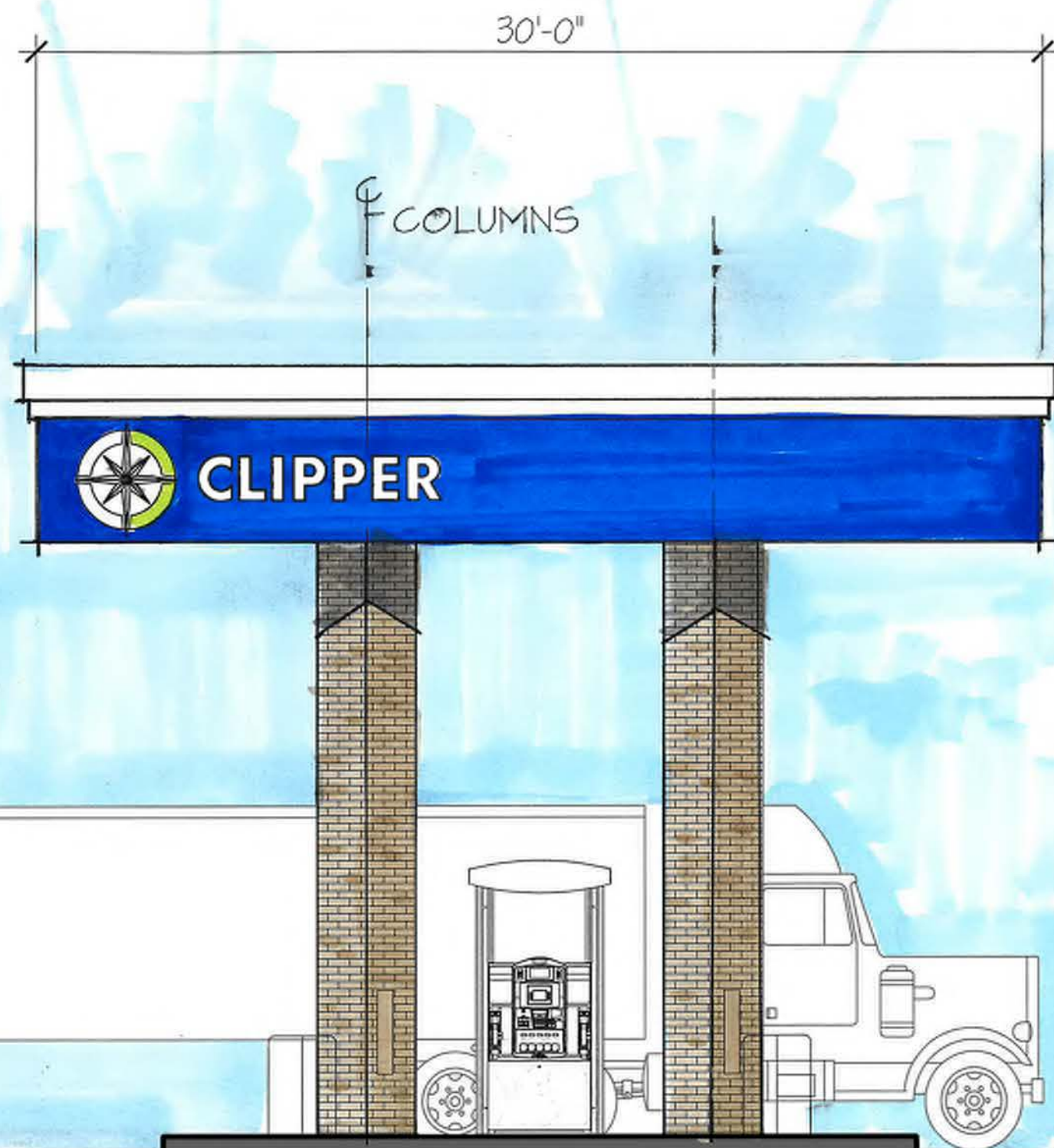
FALCON PKWY , FLOWERY BRANCH



SIDE ELEVATION

**CLIPPER**

FALCON PKWY , FLOWERY BRANCH



FRONT ELEVATION

**CLIPPER**

FALCON PKWY , FLOWERY BRANCH



SIDE ELEVATION

**CLIPPER**

FALCON PKWY , FLOWERY BRANCH



## REZONING ADDITIONAL INFORMATION REQUIREMENT

**Date:** 9/20/2022

**Address of Request:**

Northwest corner of the intersection of HF Reed Industrial Pkwy and Falcon Pkwy.

Tax Map # 08070 001002; 08073 000004A Current Zoning: A

Please submit an analysis of the proposed project including:

1. Value of improvements upon complete build out.
2. Property tax valuation based upon existing millage rate (indicate total tax expectation if project is phased).
3. Schedule of the total build out (showing a timeline of construction in months/years if project is phased).
4. Anticipated total square footage (heated) to be built in the requested number of units.
5. Total acreage developed with units.
6. Total acreage for right of way and roads.
7. Total acreage of open space/common area (include plan for maintenance of open space/common area).
8. Acreage required for buffer and watershed protection.
  - Does the buffer comply with the current City ordinance?
  - Do individual property lines for lots extend into the buffer?
  - Does the Developer intend to dedicate any of the site area to the City? If so, for what purpose?



9. Does your proposal consider Multi Transportation alternatives? (Please describe in detail)
10. Please identify all amenities and total number of acres they incorporate by complete description.
11. Number of street lights and separation table as proposed on your site plan.
12. Will Technology Development be included in this development?
13. List the total linear feet and cubic yards for sidewalks.
14. Are appropriate storm water controls provided in your proposal? Are these controls completely and accurately reflected on all drawings and plans?
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?
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?
17. What is the total capacity for daily Wastewater Management?
18. What is the anticipated maximum daily water consumption? Are low flow fixtures required by the development?
19. Has a slope and grade study been done on this development? Does the study reflect density placement?
20. Please identify what public safety needs are being considered for the project?
21. Has the Hall County School System been notified of the proposed density for this project?
22. Please provide a copy of all private covenants and/or architectural guidelines to be filed regarding this development.



23. Information as required under Ordinance No. 349 for preliminary plat approval if rezoning involves subdivision. Ordinance No. 349 can be found at [www.flowerybranchga.org](http://www.flowerybranchga.org)

**CITY STAFF ONLY**

Received By: \_\_\_\_\_

Date: \_\_\_\_\_ Total Fee: \_\_\_\_\_

### **REZONING ADDITIONAL INFORMATION**

1. Approximately \$12 million.
2. \$153,369.60
3. C-Store as quickly as commercially feasible after property acquisition.
4. N/A
5. N/A
6. 0
7. Maintenance for open space / common area will be borne by property owner. All property, including any future property owners of any future sub-divided parcel, will participate in maintenance of common drives on a pro-rata basis.
8. Unknown
9. No.
10. Unknown
11. TBD
12. No.
13. TBD
14. If zoning is approved, storm water management will be provided as required by Flowery Branch.
15. No.
16. No.
17. TBD
18. Unknown.
19. No
20. Driveways will be constructed of sufficient width to accommodate fire trucks and other emergency vehicles
21. No.
22. TBD
23. N/A

### **EXPLANATION FOR REMAINING PARCEL USE**

Currently, there are no specific development plans for the remaining acreage on the property. The buildings shown are conceptual drawings showing what could be built at a future date. Applicant would anticipate a quick-service restaurant at the corner of HF Reed Pkwy and Falcon Pkwy.

| CALL | BEARING     | DISTANCE | ARC LENGTH | RADIUS   |
|------|-------------|----------|------------|----------|
| C1   | N57°15'11"W | 90.62'   | 90.67'     | 835.96'  |
| C2   | N35°20'30"W | 465.76'  | 473.78'    | 741.32'  |
| C3   | N29°52'06"W | 226.68'  | 227.12'    | 1055.35' |
| C4   | N38°55'58"W | 111.31'  | 111.37'    | 1037.81' |

**ZONING DATA TABLE:**

|                                                                                                                             |  |
|-----------------------------------------------------------------------------------------------------------------------------|--|
| OTHER:                                                                                                                      |  |
| THIS PROPERTY DOES NOT LIE IN A 100-YR FLOOD ZONE AS SHOWN ON FIRM<br>COMMUNITY PANEL NO. 13139C0284C, DATED APRIL 4, 2018. |  |



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 Site Planning /  
 Land Development Services  
 4755 Summer Song Court  
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 jevans@evansdgc.com



GSWCC LEVEL II CERT. # 1087

PROJECT NAME  
**HF REED &  
FALCON  
PARKWAY  
RETAIL CENTER**

HF REED  
INDUSTRIAL PKWY  
L.L.00 00th DIST.  
CITY OF FLOWERY  
BRANCH  
GEORGIA

DATE: \_\_\_\_\_

**8-23-22**

|           |          |            |
|-----------|----------|------------|
| DESIGN BY | DRAWN BY | CHECKED BY |
| JME       | JME      | JME        |

☒ Not Released For Construction  
☐ Released For Construction

OWNER/DEVELOPER

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## REVISIONS

A series of horizontal lines for handwriting practice. Each line set consists of a top line, a middle line, and a bottom line. A vertical stem is drawn on the left side of each set, starting from the top line and ending at the middle line. There are five such sets of lines.

**JOB NUMBER:**

**22-046**

**SHEET TITLE**

## SITE PLAN

C-4

**GEORGIA 811**  
Utilities Protection Center, Inc.

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

## UTILITY DISCLAIMER:

IN ADDITION TO SHOWING THE STRUCTURES TO BE BUILT UNDER THIS CONTRACT, THE DRAWINGS SHOW CERTAIN INFORMATION OBTAINED BY THE ENGINEER REGARDING THE PIPES, POLE LINES, CONDUITS, AND OTHER STRUCTURES WHICH EXIST ALONG THE LINE OF THE WORK, BOTH AT AND BELOW THE SURFACE OF THE GROUND. THE ENGINEER AND THE OWNER EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION GIVEN ON THE DRAWINGS WITH REGARD TO EXISTING STRUCTURES, AND THE CONTRACTOR WILL NOT BE ENTITLED TO ANY EXTRA COMPENSATION ON ACCOUNT OF ANY INACCURACY OR INCOMPLETENESS OF SUCH INFORMATION, SAID STRUCTURES BEING INDICATED ONLY FOR THE CONVEYANCE OF THE CONTRACTOR, WHO MUST VERIFY THE SAME BY HIS OWN SURVEY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONTRACT DRAWINGS FOR THE RELIEF OF THE CONTRACTOR OF HIS OBLIGATION TO SUPPORT AND PROTECT ALL PIPES, CONDUITS, AND OTHER STRUCTURES. THE CONTRACTOR SHALL LOCATE ALL UNDERGROUND OBSTRUCTIONS PRIOR TO EXCAVATION SO AS TO PREVENT ANY DAMAGE TO THOSE SERVICES OR OTHER UTILITIES. ANY SUCH DAMAGES MUST BE REPAIRED WITHOUT DELAY AND THE COST OF SUCH REPAIRS MUST BE BORNE BY THE CONTRACTOR.

**OWNER/DEVELOPER:**

NAME

ADDRESS

PHONE  
EMAIL

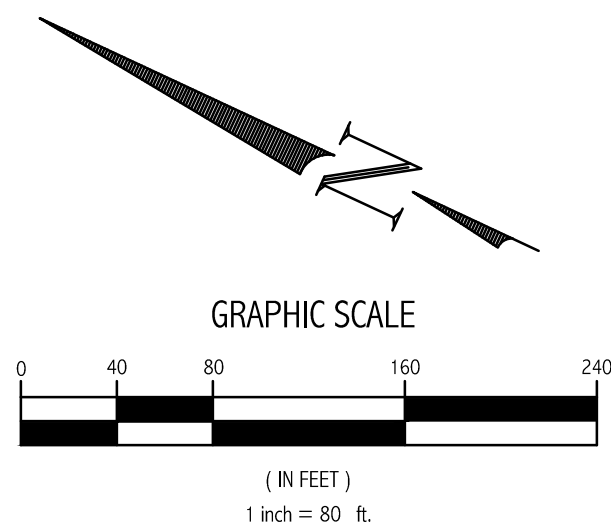
24-H

NAME \_\_\_\_\_

PHONE  
EMAIL

EMAIL  
ENCLOSURE

**ENGINEER.**  
EVANS DESIGN GROUP, INC  
4755 SUMMER SONG COURT  
BUFORD, GA 30519  
678.207.6830 (Ph)  
CONTACT: JON M. EVANS, P.E.







## FLOWERY BRANCH CITY COUNCIL

### EXECUTIVE SUMMARY



**SUBJECT:** Consider November 3, 2022 City Council Meeting Minutes

**COUNCIL MEETING DATE:** November 17, 2022

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---

**HISTORY:**

---

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**FACTS AND ISSUES:**

---

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**OPTIONS:**

---

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**IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:**

No

---

---

**AMOUNT AND SOURCE OF FUNDS:**

---

---

**RECOMMENDATION:**

---

---

**SAMPLE MOTION:**

---

---

**COLLABORATING DEPARTMENT:**

---

---

**DEPARTMENT:** Administration

**Prepared by:** Shelia Cooper

---

---

#### ATTACHMENTS

- [Unofficial November 3, 2022 City Council Minutes.pdf](#)



**City of Flowery Branch  
City Council Meeting  
Thursday, November 3, 2022, 6:00 PM  
City of Flowery Branch City Hall  
5410 W. Pine Street, Flowery Branch, GA 30542**



**CALL WORK SESSION TO ORDER:**

Mayor Asbridge called the council meeting to order at 6:01 p.m.

Present: Mayor Asbridge and Council Member Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, and Chris Mundy.

Also present were City Manager Tonya Parrish, City Clerk Shelia Cooper, Community Relations Director Renee Carden, Finance Director Matthew Hamby, Planning Director Rich Atkinson, Public Works Director Bill Whidden, Deputy Chief Todd Templeton, and City Attorney Ron Bennett.

Absent: None

**PLEDGE OF ALLEGIANCE:**

Mayor Asbridge led the Pledge of Allegiance.

**ADOPTION OF AGENDA:**

There was a motion made to adopt the agenda as presented.

MOTION: Chris Mundy

SECOND: William McDaniel

AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy

NAYS: None

Motion carried

**PUBLIC HEARING:**

*A Public Hearing to consider a request for a Conditional Use Permit (CUP) submitted by Coro Realty to build and operate a Self-Storage Facility at 6401 McEver Road.*

City Planner Atkinson presented a request from Coro Realty for a Conditional Use Permit to build and operate a self-storage facility at 6401 McEver Road. The current character area for this site is “mixed use”. The Comprehensive Plan calls for a mix of commercial and residential uses

with walkability and connectivity between uses. This use provides the commercial element to the existing residential, but connectivity is not achievable due to existing streams on the property. The proposed use is in conformity with the Comprehensive Plan. Staff recommends approval.

Council had a discussion regarding the self-storage proposal.

*In Favor:*

Shaun Adams, Park Poe, Attorneys and Counselors At Law, 1075 Peachtree Street, Atlanta, GA 30309

Project Engineer Diane Reeve

*Opposed:*

Mary Willis, 6219 Spring Lake Drive, Flowery Branch, GA 30542

Mayor Asbridge closed the public hearing at 6:40 p.m.

*A Public Hearing to consider a request submitted by Edge City Properties, Inc. to Rezone 5408 and 5416 Gainesville Street from Residential, Detached Single-Family, Low-Density District (R-1) to Traditional Neighborhood Development District (TND).*

Planning Director Atkinson stated the applicant has withdrawn this request.

*A Public Hearing to consider a request from VM&R, LLC to Rezone two parcels of land from Agricultural (A) to Highway Business (HB).*

Planning Director Atkinson stated the applicant has asked for this request be tabled until November 17, 2022 City Council Meeting.

There was a motion to table this Public Hearing to City Council Meeting on November 17, 2022.

MOTION: Chris Mundy

SECOND: Joe Anglin

AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy

NAYS: None

Motion carried

**NEW BUSINESS -WORK SESSION:**

*Presentation - Traffic Study of Gaines Ferry Road and McEver Road Intersection*

Mr. Vern Wilburn of Maldino & Wilburn presented a preliminary traffic study report of Gaines Ferry Road and McEver Road intersection. This study was conducted to evaluate traffic

operations at the intersection of McEver Road and Gaines Ferry Road to determine if improvements are needed and to develop and evaluate improvement alternatives.

The Gainesville-Hall Regional Transportation Plan Update for 2020 (GH RTP) includes one planned project near the study intersection. GHMPO# GH\_084 (GDOT PI 0001821) is the widening of McEver Road from SR347/Lanier Islands Parkway to Gainesville Street. This project is listed on the GDOT GEOPI website as a long-range project scheduled for 2032.

The GH RTP suggested that population increases between 2020 and 2050 would occur at a rate of 1.95 percent for Hall County as a whole.

McEver Road is a minor arterial that runs generally north-south and parallel to I-985. It turns into SR53 near Oakwood. McEver Road becomes Peachtree Industrial Boulevard south of SR347. McEver Road is generally a two-lane road north of SR347.

Gaines Ferry Road runs between Lake Lanier on the west and SR53 on the east. The road crosses I-985 but does not have an interchange. The nearest interchanges are Spout Springs Road to the north and SR347 to the south.

Bell Drive runs north from Gaines Ferry Road generally parallel to McEver Road, intersecting McEver Road. The road is mostly unpaved. The land along both sides is mostly undeveloped except for the portion at the north end.

The following summarizes the findings of the traffic study:

#### Existing Conditions

1. The intersection is currently signalized, and the signal timing should be optimized.
2. The existing operations provide for Level of Service (LOS) C or better. This assumes optimum signal timing.
3. The intersection currently has about 10 crashes per year. In 2018 there were fourteen crashes.

#### Future, No Build Conditions

4. Based on historic traffic trends, it is expected that traffic will increase at the rate of 2.5 percent per year throughout the design life of the intersection improvement project (20 years).
5. With these future increases in traffic, the intersection is expected to continue to operate at LOS C or better at the base year (when intersection improvement could be completed by 2025).
6. At the design year (2045), the intersection is expected to operate at a very poor LOS F, without any improvements.

#### Improvement Alternative 1 – Adding Turn Lanes

7. If separate left and right turn lanes were added to each leg of the intersection, it would operate at LOS C or better in the base year and LOS D or better at the design year.
8. The cost of adding turn lanes is estimated to be \$1,198,210.

#### Improvement Alternative 2 – Converting to a Roundabout

9. If the intersection were to be converted to a roundabout, it would operate at LOS C or better in the base year and LOS E or better at the design year.

10. The cost of constructing a roundabout is estimated to be \$1,718,595.

Mr. Wilburn recommends widening the road and adding turn lanes instead of a roundabout.

Council had a discussion regarding the traffic study of the Gaines Ferry Road and McEver Road Intersection.

Consideration of Contract with Georgia Probation Management, Inc. for Probation Services.

City Manager Parrish presented a contract consideration with Georgia Probation Management, Inc. for probation services. The only change in the contract is the fee changed from \$41.00 to \$45.00 which the probationers pay. The judge has signed the contract and City Attorney Bennett has reviewed and approved the contract.

Consider Resolution 22-021 for Water Sewer Rate Changes effective January 1, 2023 & July 1, 2023 (January 2023 billing, billed on February 20, 2023)

Finance Director Hamby presented Resolution 22-021 for water sewer rate changes effective January 1, 2023 and July 1, 2023. The suggested rate increases 8.7% to account servicing fees, base charge, and volume charges for January 1, 2023 and July 1, 2023. Administrative fee for water and wastewater connection system development charge increase to \$50 for ¾" meters and \$100 for all other meter sizes. Wastewater connection system development charge increase. Cost for wastewater capacity per peak day gallon will increase from \$15.53 to \$25.24. There will be no change to water connection system development charge.

## I. 8.7% Increase January 1 and July 1:



### Inside City Residential Water Monthly Charges

|            |          | Account Servicing Fee |          |          |          |          |          |
|------------|----------|-----------------------|----------|----------|----------|----------|----------|
| Meter Size | Current  | FY23                  |          | FY24     | FY25     | FY26     | FY27     |
|            |          | 1/1/23                | 7/1/23   |          |          |          |          |
| All        | \$2.00   | \$2.17                | \$2.36   | \$2.57   | \$2.79   | \$3.04   | \$3.30   |
|            |          | Base Charge           |          |          |          |          |          |
| Meter Size | Current  | FY23                  |          | FY24     | FY25     | FY26     | FY27     |
|            |          | 1/1/23                | 7/1/23   |          |          |          |          |
| ¾"         | \$7.21   | \$7.84                | \$8.52   | \$9.26   | \$10.07  | \$10.94  | \$11.89  |
| 1"         | \$18.03  | \$19.60               | \$21.30  | \$23.16  | \$25.17  | \$27.36  | \$29.74  |
| 1 1/2"     | \$36.05  | \$39.19               | \$42.60  | \$46.30  | \$50.33  | \$54.71  | \$59.47  |
| 2"         | \$57.68  | \$62.70               | \$68.15  | \$74.08  | \$80.53  | \$87.53  | \$95.15  |
| 3"         | \$115.36 | \$125.40              | \$136.31 | \$148.16 | \$161.05 | \$175.07 | \$190.30 |
| 4"         | \$180.25 | \$195.93              | \$212.98 | \$231.51 | \$251.65 | \$273.54 | \$297.34 |
| 6"         | \$360.50 | \$391.86              | \$425.96 | \$463.01 | \$503.30 | \$547.08 | \$594.68 |
| 8"         | \$576.80 | \$626.98              | \$681.53 | \$740.82 | \$805.27 | \$875.33 | \$951.49 |

### SFR Inside City Water Volume Charges

| Orlando City Water Rate Changes |               |                               |         |         |         |         |         |         |
|---------------------------------|---------------|-------------------------------|---------|---------|---------|---------|---------|---------|
|                                 |               | Unit Charge per 1,000 Gallons |         |         |         |         |         |         |
| Tier                            | Gallons       | Current                       | FY23    |         | FY24    | FY25    | FY26    | FY27    |
|                                 |               |                               | 1/1/23  | 7/1/23  |         |         |         |         |
| Tier 1                          | 0 - 2,500     | \$5.77                        | \$6.27  | \$6.82  | \$7.41  | \$8.06  | \$8.76  | \$9.52  |
| Tier 2                          | 2,501 - 4,500 | \$7.21                        | \$7.72  | \$8.39  | \$9.12  | \$9.91  | \$10.77 | \$11.71 |
| Tier 3                          | Above 4,500   | \$11.54                       | \$12.54 | \$13.64 | \$14.82 | \$16.11 | \$17.51 | \$19.04 |

The top table shows the 8.7 increase to the account servicing fee, base charge and volume charges for a single-family resident inside the City. This table shows the current rates in the first column based on the meter size. The next two columns show the proposed rates for January 1, 2023, and July 1, 2023. The following columns show the proposed rates for each year thereafter effective July 1, 2023.

The bottom graph shows the Volume charge per tier. A full list of rates can be found in the resolution.

There were no questions for Director Hamby.

### **DEPARTMENT REPORTS:**

#### **Community Relations Department:**

Community Relations Director Carden gave an update on the City rentals from October 2021 through October 2022. There have been twenty-four rentals in the Community Room totaling \$18,100. There have been forty-six rentals at the Train Depot totaling \$13,460.

Director Carden invited all citizens to a Veterans Day Celebration on Friday, November 11<sup>th</sup> starting at 4:00 p.m.

Director Carden invited all citizens to the Flowery Branch Christmas Wishes Lantern Parade on Saturday, November 19, 2022, from 2:00 – 8:00 p.m.

#### **Finance Department:**

Budget Manager Krystle Hightower reported that the Finance Department has been awarded the distinguished Budget Presentation Award from GFOA for FY2022. It is the third consecutive year to receive this award.

#### **Police Department:**

Assistant Chief Todd Templeton reported that as of July the police department has added three additional positions and as of October 31, 2022, the police department is now fully staffed.

#### **Council Report:**

Council Member Mundy stated how proud he is of all departments. He is excited that the police department is fully staffed and expressed his excitement for the addition of the K9 unit that will be coming in a few weeks.

Council Member Mezzanotte stated there was another fabulous Block Party last week. He is concerned about safety during the night hours due to all the construction around the City.

Council Member Anglin stated his appreciation of Director Carden's hard work with the City rentals.

Mayor Report:

Mayor Asbridge stated the City has grown and expressed his appreciation to Staff for all their hard work.

**ADJOURNMENT WORK SESSION:**

Mayor Asbridge adjourned the work session at 7:31 p.m.

**VOTING SESSION AGENDA**

**CALL VOTING SESSION TO ORDER:**

Mayor Asbridge called the voting session to order at 7:31 p.m.

**PUBLIC COMMENTS:**

Meg McLincha, 5628 Church Street, Flowery Branch, GA 30542

Mrs. McLincha is concerned about the volume of the music that can be heard from the Farmer's Market Pavilion during City events taking place and she would like consideration of a noise ordinance.

Charles Mull, 5918 Mitchell Street, Flowery Branch, GA 30542

Mr. Mull would like to encourage the City to publish the water sewer increases as soon as possible prior to the increase taking effect.

**CONSENT AGENDA:**

- Consider October 20, 2022 City Council Meeting Minutes
- Consider Mayor Asbridge Per Diem for October 2022

There was a motion to approve the consent agenda as presented.

MOTION: Joe Anglin

SECOND: Oliver McClellan

AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy

NAYS: None

Motion carried

**UNFINISHED BUSINESS - VOTING SESSION:**

*Consider Second Reading of Ordinance 671, An Amendment to the Insurer Licensing Fee*

Attorney Bennett read the caption to Ordinance 671, an amendment to the Insurer Licensing Fee.

There was a motion made to approve Ordinance 671.

MOTION: Oliver McClellan  
SECOND: Joseph Mezzanotte  
AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy  
NAYS: None  
Motion carried

**NEW BUSINESS - VOTING SESSION:**

*Consideration of Contract with Georgia Probation Management, Inc. for Probation Services.*

There was a motion made to approve the Contract with Georgia Probation Management and authorize the Mayor to execute said document.

MOTION: Joseph Mezzanotte  
SECOND: Joe Anglin  
AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy  
NAYS: None  
Motion carried

*Consider Resolution 22-021 for Water Sewer Rate Changes effective January 1, 2023 & July 1, 2023 (January 2023 billing, billed on February 20, 2023)*

Attorney Bennett read the caption to Resolution 22-021, for Water Sewer Rate Changes effective January 1, 2023 and July 1, 2023.

There was a motion made to approve Resolution 22-021.

MOTION: Chris Mundy  
SECOND: Oliver McClellan  
AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy  
NAYS: None  
Motion carried

**EXECUTIVE SESSION:**

There was a motion made to enter executive session at 7:40 p.m. for matters related to the acquisition/disposition of real estate, for matters related to certain personnel issues, and for matters related to pending or potential litigation.

MOTION: Chris Mundy

SECOND: Joe Anglin

AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy

NAYS: None

Motion carried

There was a motion made to exit executive session at 8:30 p.m.

MOTION: Joe Anglin

SECOND: Oliver McClellan

AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy

NAYS: None

Motion carried

**ADJOURNMENT:**

There was a motion made to adjourn at 8:30 p.m.

MOTION: Chris Mundy

SECOND: Oliver McClellan

AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy

NAYS: None

Motion carried

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Ed Asbridge, Mayor

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Date

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Shelia Cooper, City Clerk



## FLOWERY BRANCH CITY COUNCIL

### EXECUTIVE SUMMARY



**SUBJECT:** Consider the First Read of Ordinance 672, a request submitted by BLT Martin Road, LLC for a Conditional Use Permit (CUP) to construct a self-storage facility at 4153 Falcon Parkway.

**COUNCIL MEETING DATE:** November 17, 2022

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#### HISTORY:

This parcel was rezoned from Agriculture (A) to Highway Business (HB) in 2020. The rezoning was requested to allow the construction of a retail strip center (see attached 2020 REZONING staff report Falcon Parkway). The applicant wishes to construct a self-storage facility instead of the retail center. The self-storage use requires a conditional use permit (CUP) in the Highway Business (HB) zoning district.

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#### FACTS AND ISSUES:

Schedule

October 20 Public Hearing

November 3 Work Session (if requested)

November 17 Tabled

December 1 First Vote

December 15 Possible Second Vote

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#### OPTIONS:

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#### IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

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#### AMOUNT AND SOURCE OF FUNDS:

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#### RECOMMENDATION:

Table the first read to the December 1, 2022 meeting.

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#### SAMPLE MOTION:

I make a motion to table the first reading of ordinance 672 to the December 1, 2022 City Council Meeting.

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#### COLLABORATING DEPARTMENT:

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**DEPARTMENT:** Planning

**Prepared by:** Shelia Cooper

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**ATTACHMENTS**

- [CUP Information 4153 Falcon Parkway.pdf](#)
- [2020 REZONING Staff rept Falcon Parkway.pdf](#)



## CONDITIONAL USE PERMIT APPLICATION

City Provided Permit #

Date: 08/10/2022

**Address of Request:**

4153 FALCON PARKWAY FLOWERY BRANCH GA 30542

Tax Map # 150044 A002024 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.? YES

**Applicant Information**

Applicant: BLT MARTIN ROAD, LLC

Address: 1776 PEACHTREE STREET, SUITE 100, ATLANTA GA 30309

E-mail address: jhan-a@tm-grp.com

Phone number: 770-436-7196

Signature: [Handwritten Signature]

Notary Seal:





### Property owner Information

Property owner (please print): BLT MARTIN ROAD, LLC

Address: 1776 PEACHTREE STREET, SUITE 100, ATLANTA GA 30309

E-mail address: jhaman@tpa-srp.com

Phone number: 770-436-7194

Signature: 

Notary Seal:



### Applicant Information Required at Time of Submittal

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

- Payment of \$350.00
- Legal description – one hard copy and on a flash drive
- Current survey of property – one hard copy and on a flash drive
- Site plan – one hard copy and on a flash drive
- Site plan shall meet the requirements of the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.5
- Detailed description of request
- 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
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)



### **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

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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

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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

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### **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

NA

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NA

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NA

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NA

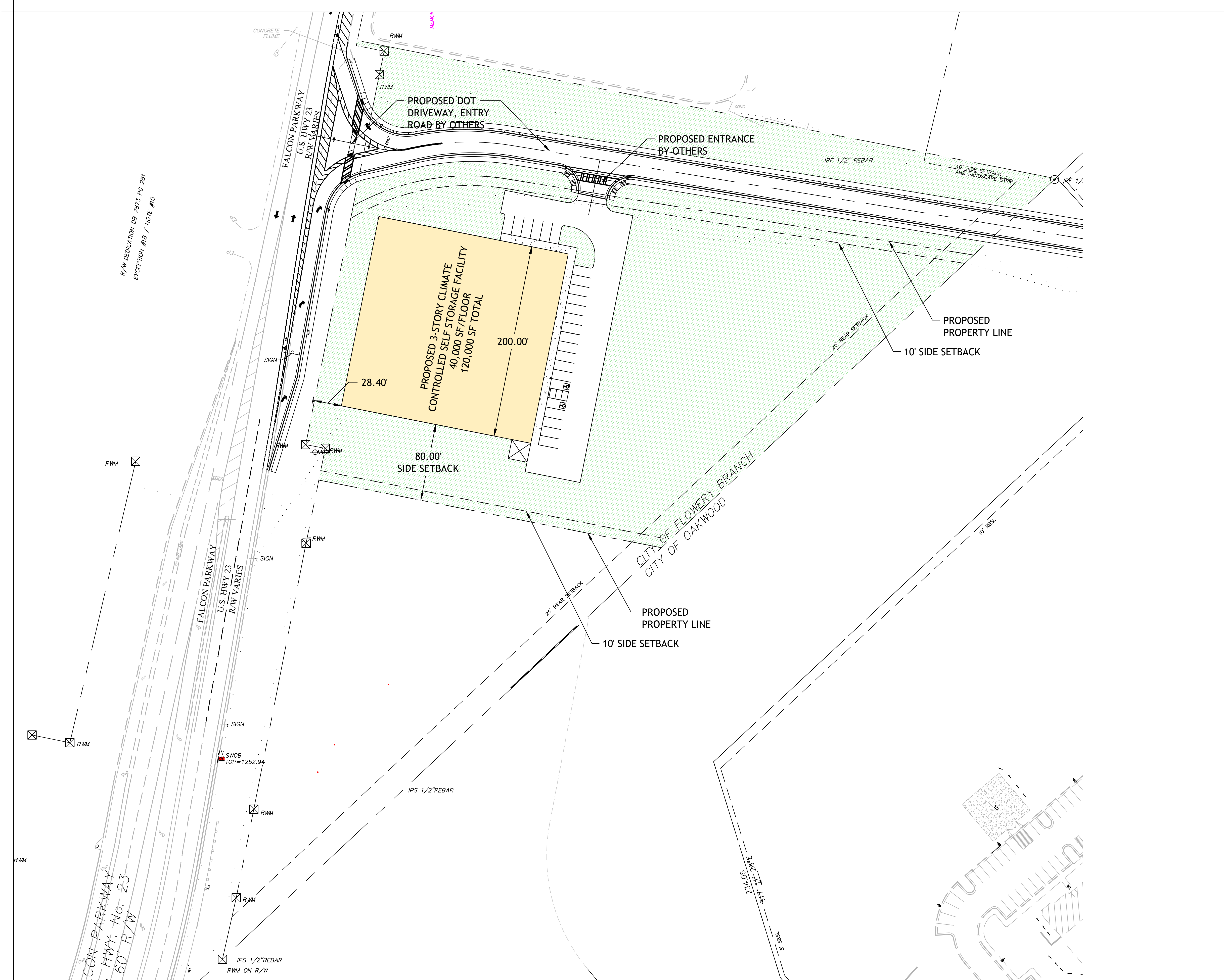
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Received by City of Flowery Branch Staff on \_\_\_\_\_

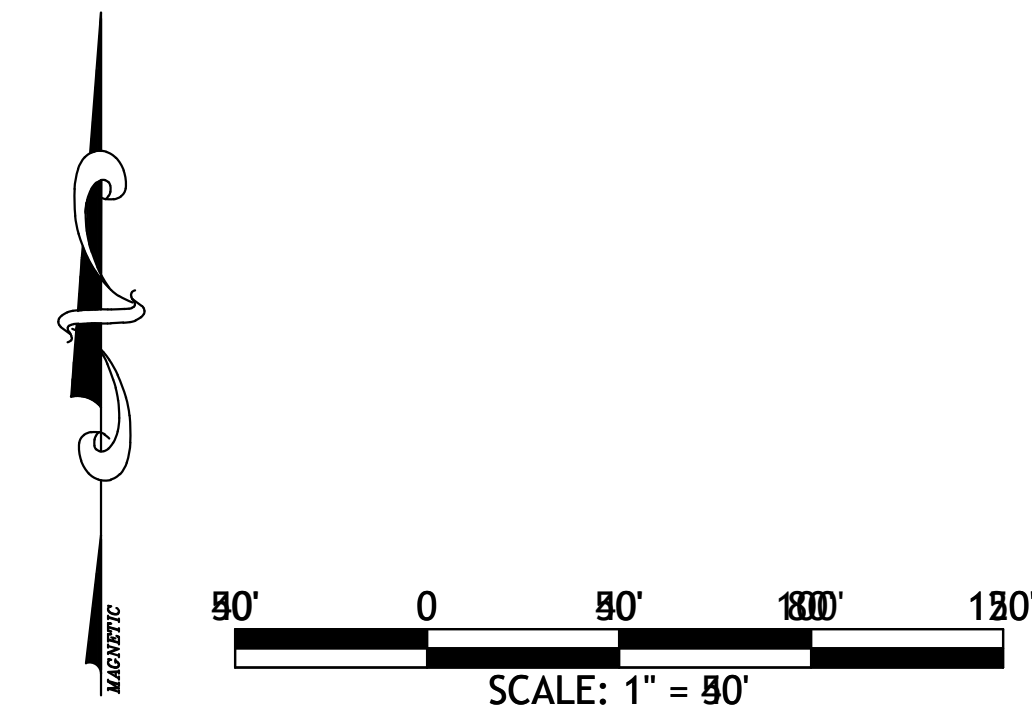
Name: \_\_\_\_\_

Title \_\_\_\_\_



| SITE DATA                                           |                 |                   |
|-----------------------------------------------------|-----------------|-------------------|
| STREET LOCATION: FALCON PARKWAY, FLOWERY BRANCH, GA |                 |                   |
| SITE AREA: 4.00 AC.                                 |                 |                   |
| CURRENT ZONING: HB - HIGHWAY BUSINESS               |                 |                   |
| BUILDING AREA: 120,000 SQ.FT. (927 UNITS)           |                 |                   |
| ZONING REQUIREMENTS                                 | REQUIRED        | PROPOSED          |
| LOT AREA                                            | 4.00 AC*        | 4.00 AC           |
| LANDSCAPE REQUIREMENT                               |                 |                   |
| MIN OPEN SPACE                                      | 15% (26,136 SF) | ±66% (114,513 SF) |
| MAXIMUM LOT COVERAGE                                | 50% (87,120 SF) | 23% (40,000 SF)   |
| MAXIMUM BUILDING HEIGHT                             | 60 FT.          | ±50 FT.           |
| MAXIMUM BUILDING LENGTH                             | 200 FT.*        | 200 FT.           |
| MAXIMUM BUILDING STORIES                            | 5               | 3                 |
| BUILDING SETBACKS                                   |                 |                   |
| FRONT                                               | NONE            | 28.40 FT.         |
| SIDE                                                | 10 FT.          | 80 FT.            |
| REAR                                                | 25 FT.          | 155 FT.           |
| LANDSCAPING SETBACKS                                |                 |                   |
| FRONT                                               | 10 FT.          | 28 FT.            |
| PARKING STALL SIZE                                  | 9 FT. x 18 FT.  | 10 FT. x 20 FT.   |
| DRIVE AISLE WIDTH                                   |                 |                   |
| ONE WAY (90° PARKING)                               | 24 FT           | 26 FT             |
| PARKING (SEE BELOW)                                 |                 |                   |
| SELF STORAGE:                                       |                 |                   |
| 1 SPACE/40 UNITS (MIN)                              | 24 (MIN)        | 22 STANDARD       |
| 1 SPACE/25 UNITS (MAX)                              | 37 (MAX)        | 2 ADA             |
|                                                     |                 | 24 TOTAL          |

\* PER ARTICLE 14, SECTION 14.11



4153 FALCON PAKRWAY,  
FLOWERY BRANCH, GA  
CONCEPTUAL SITE PLAN  
AUGUST 13, 2022

BT STORAGE

NOTES

1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THIS SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION SUPPLIED AND TO THE SURVEYOR'S BEST KNOWLEDGE ARE APPROXIMATELY AS SHOWN. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

2. I HAVE EXAMINED THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR THE CITY OF FLOWERY BRANCH, HALL COUNTY, GEORGIA AND INCORPORATED AREAS, COMMUNITY PANEL NUMBER 130333, MAP 13139 C 0284 G, PANEL 284 OF 377, EFFECTIVE DATE APRIL 4, 2018 AND FOUND NO PORTION OF THE PROPERTY SHOWN HEREON TO FALL WITHIN A DESIGNATED FLOOD ZONE "A" OR "AE" (AREAS OF 100 YEAR FLOOD). THE PROPERTY SHOWN HEREON TO FALLS WITHIN A DESIGNATED FLOOD ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD).

3. THE ORTHOMETRIC HEIGHTS (ELEVATIONS AND CONTOURS) SHOWN HEREON WERE DETERMINED BY GPS OBSERVATIONS AND WERE ADJUSTED BY PLANNERS AND ENGINEERS COLLABORATIVE IN NOVEMBER 2018. NORTH AMERICAN DATUM OF 1983 (NAD83), NORTH AMERICAN VERTICAL DATUM OF 1988 (NAV88), GEORGIA WEST ZONE STATE PLANE COORDINATES.

4. THE TERM "CERTIFICATION" RELATING TO PROFESSIONAL ENGINEERING AND LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

5. THE UNDERGROUND UTILITIES SHOWN HEREON WERE DETERMINED BY LOCATING PAINT MARKINGS CREATED BY SUBSURFACE UTILITY INVESTIGATIONS, LLC. - PHONE-(770) 557-4142.

6. NO ZONING INFORMATION PROVIDED FOR BUILDING SETBACKS.

7. NO DESIGNATED PARKING SPACES ON SUBJECT PROPERTY.

8. NO PARTY WALLS LOCATED ON SUBJECT PROPERTY.

9. FALCON PARKWAY ROAD IMPROVEMENTS ARE RECENT. NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED ON THE SUBJECT PROPERTY IN THE PROCESS OF CONDUCTING THE FIELDWORK.

10. EXCEPTION #18, RIGHT OF WAY DEDICATION IN DB 7883 PG 251 SHOWS THE LOCATION OF EXISTING R/W AS PER STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION MAINLINE PLAN SR 13 (FALCON PKWY) PROJECT: NH500-0000-001 4251 PARCEL 26, JANE WOOD BANKS R/A, ETAL C/O REGIONS BARK TRUST DEPT. IN THE SURVEYORS OPINION, THESE PLANS SHOW THE EXISTING R/W AND RIGHT OF WAY BEING DEDICATED INCORRECTLY SHIFTED NORTH. A PORTION OF THE SUBJECT PROPERTY ON THE PLANS IS SHOWN ON THE SOUTH ADJOINER. RIGHT OF WAY MONUMENTS FOUND IN THE FIELD CONFIRM THIS AND ARE SHOWN. RIGHT OF WAY ALONG FALCON PARKWAY IS SHOWN AS A 90 FOOT OFFSET ALONG THE SOUTH MOST 2 CALLS AS SHOWN IN THE RIGHT OF WAY PLANS. AN EFFORT WAS MADE TO CONTACT ENGINEER OF RIGHT OF WAY PLANS BY PHONE AND EMAIL UNSUCCESSFULLY.

11. TOPOGRAPHY ON SITE IS FIELD RUN AND HAS BEEN MENDED WITH LIDAR UAV AERIAL TOPOGRAPHY TO THE SOUTH PERFORMED IN 2018.

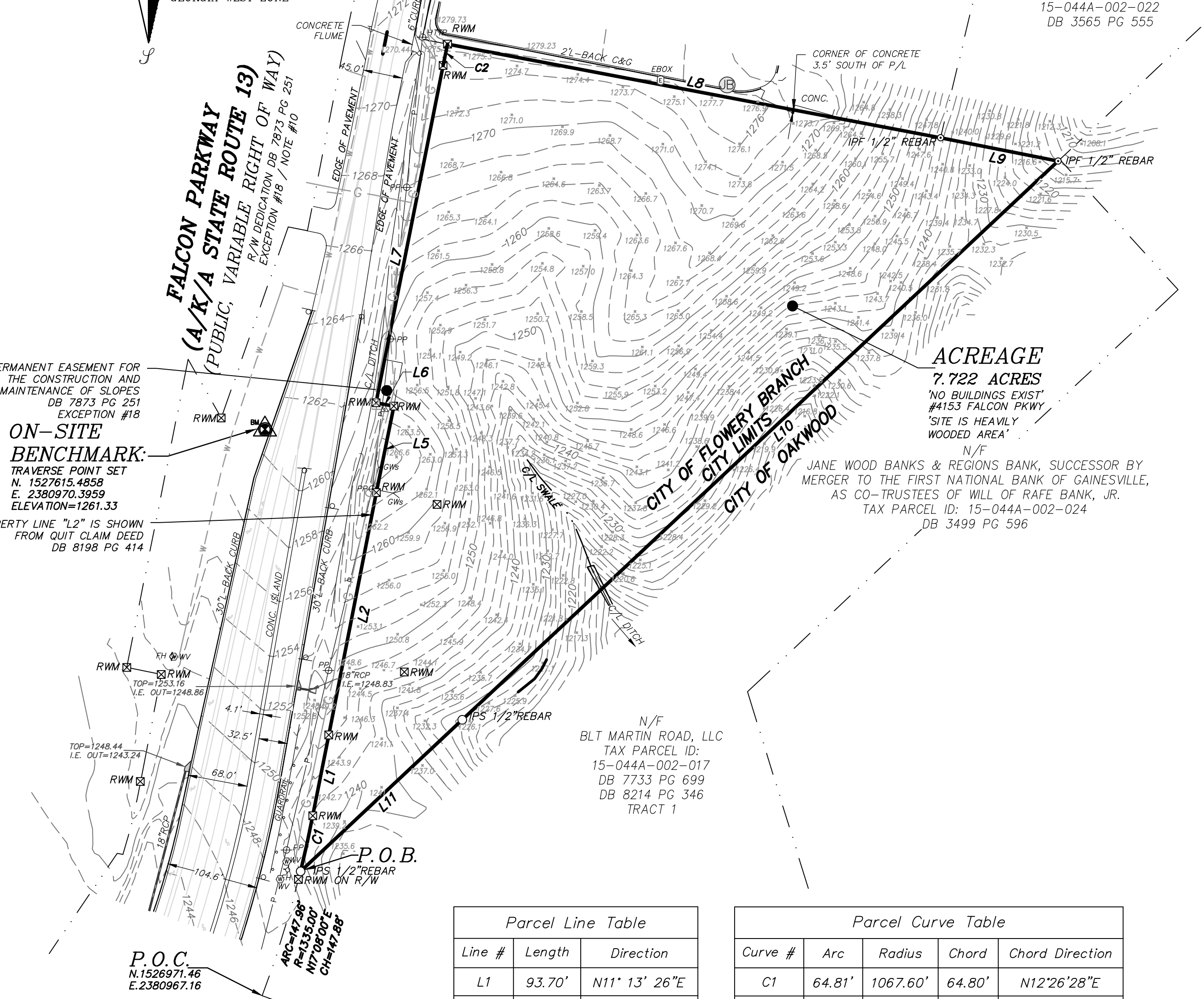
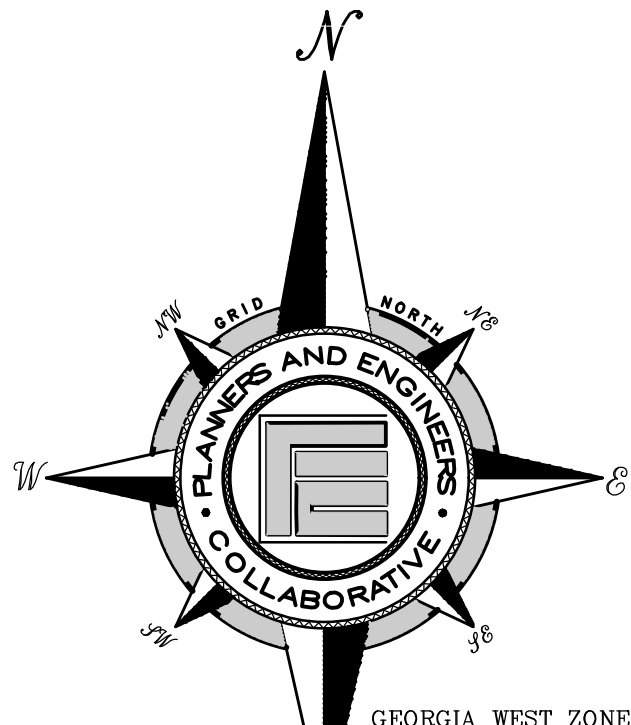
LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Flowery Branch GMD #1270, City of Flowery Branch, Hall County, Georgia and being more particularly described as follows:

COMMENCING at the point located at the intersection of the Northerly Right of Way of Martin Road (Public, Variable R/W) and the Southeasterly Right of Way of Falcon Parkway (A/K/A State Route 13, Public, Variable Right of Way) having Georgia State Plain coordinates (NAD83, Georgia West Zone) of N.1526971.46 & E.2380967.16; thence leaving said intersection and following along said Southeasterly Right of Way Line of Falcon Parkway (A/K/A State Route 13) along a curve turning to the left with an arc length of 147.96 feet, having a radius of 1335.00 feet, being subtended by a chord bearing of North 17 degrees 08 minutes 00 seconds East, and a chord length of 147.88 feet to a 1/2" iron pin set, which is the TRUE POINT OF BEGINNING.

Thence continuing along said Southeasterly Right of Way Line of Falcon Parkway (A/K/A State Route 13) the following courses and distances: with a curve turning to the left with an arc length of 64.81 feet, with a radius of 1067.60 feet, with a chord bearing of North 12 degrees 26 minutes 28 seconds East, with a chord length of 64.80 feet to a right of way monument found; thence North 11 degrees 13 minutes 26 seconds East a distance of 93.70 feet to a right of way monument found; thence North 11 degrees 06 minutes 32 seconds East a distance of 280.86 feet to a right of way monument found; thence North 11 degrees 25 minutes 42 seconds East a distance of 100.29 feet to a right of way monument found; thence North 79 degrees 16 minutes 16 seconds West a distance of 20.61 feet to a right of way monument found; thence North 11 degrees 14 minutes 39 seconds East a distance of 391.04 feet to a right of way monument found; thence with a curve turning to the right with an arc length of 24.85 feet, with a radius of 2794.79 feet, with a chord bearing of North 11 degrees 45 minutes 30 seconds East, with a chord length of 24.85 feet to a right of way monument found; thence leaving said Southeasterly Right of Way Line of Falcon Parkway (A/K/A State Route 13) South 79 degrees 13 minutes 59 seconds East a distance of 570.76 feet to a 1/2" rebar found; thence South 78 degrees 47 minutes 05 seconds East a distance of 136.23 feet to a 1/2" rebar found on the City Limits of Flowery Branch; thence following along said City Limits of Flowery Branch the following courses and distances: South 46 degrees 51 minutes 01 seconds West a distance of 928.91 feet to a 1/2" rebar set; thence South 46 degrees 51 minutes 01 seconds West a distance of 252.05 feet to a 1/2" rebar set on said Southeasterly Right of Way Line of Falcon Parkway (A/K/A State Route 13, which is the TRUE POINT OF BEGINNING.

Said parcel having an area of 7.722 acres more or less.



| Parcel Line Table |         |               |
|-------------------|---------|---------------|
| Line #            | Length  | Direction     |
| L1                | 93.70'  | N11° 13' 26"E |
| L2                | 280.86' | N11° 06' 32"E |
| L3                | OMITTED | OMITTED       |
| L4                | OMITTED | OMITTED       |
| L5                | 100.29' | N11° 25' 42"E |
| L6                | 20.61'  | N79° 16' 16"W |
| L7                | 391.04' | N11° 14' 39"E |
| L8                | 570.76' | S79° 13' 59"E |
| L9                | 136.23' | S78° 47' 05"E |
| L10               | 928.91' | S46° 51' 01"W |
| L11               | 252.05' | S46° 51' 01"W |

| Parcel Curve Table |        |          |        |                 |
|--------------------|--------|----------|--------|-----------------|
| Curve #            | Arc    | Radius   | Chord  | Chord Direction |
| C1                 | 64.81' | 1067.60' | 64.80' | N12°26'28"E     |
| C2                 | 24.85' | 2794.79' | 24.85' | N11°45'30"E     |

STRUCTURE LEGEND

| CABLE / TV         |                              | SEWER                       |                                 |
|--------------------|------------------------------|-----------------------------|---------------------------------|
|                    | Cable / TV Marker            |                             | Grease Trap                     |
|                    | Cable / TV Pedestal          |                             | Sanitary Sewer Manhole          |
|                    | Cable / TV Manhole           |                             | Cleanout                        |
|                    | Cable / TV Handhole          |                             | Sanitary Sewer Vent Pipe        |
|                    | Cable / TV Cable Box         |                             | Sanitary Sewer Marker           |
| ELECTRIC/POWER     |                              |                             | Sanitary Sewer Force Main Valve |
|                    | Transformer                  |                             | Sanitary Sewer Lift Station     |
|                    | Guy Wire                     | SITE / TOPOGRAPHIC FEATURES |                                 |
|                    | Electric Meter               |                             | Street Sign                     |
|                    | Power Pole/Utility Pole      |                             | Air Condition Unit              |
|                    | Street Light/Light Pole      |                             | Bollard                         |
|                    | Electric Panel               |                             | Mailbox                         |
|                    | Electric Box                 |                             | Satellite Dish                  |
|                    | Electric Manhole             |                             | Flag Pole                       |
|                    | Electric Handhole            |                             | Monitoring Well                 |
|                    | Spot Light                   |                             | Antenna                         |
| FIBER OPTIC        |                              |                             | Column                          |
|                    | Fiber Optic Marker           |                             | Camera Pole / Camera            |
|                    | Fiber Optic Manhole          |                             | Bore Hole Location              |
|                    | Fiber Optic Pedestal         |                             | Mile Post                       |
| GAS                |                              |                             | Rail Road Mile Post             |
|                    | Gas Meter                    | STORM / DRAINAGE            |                                 |
|                    | Gas Valve                    |                             | Storm Structure Lid             |
|                    | Gas Fill Cap                 |                             | Drop Inlet                      |
|                    | Gas Manhole                  |                             | Catch Basin                     |
|                    | Gas Marker                   |                             | Single Wing Catch Basin         |
|                    | Gas Pressure Relief Valve    |                             | Double Wing Catch Basin         |
|                    | Gas Vault                    |                             | Weir Inlet                      |
|                    | Gas Vent Pipe                |                             | Head Wall                       |
|                    | Gas Something                |                             | Junction Box                    |
| PAVEMENT MARKING   |                              |                             | Curb Inlet                      |
|                    | Pavement Marking             |                             | Flared-in Section               |
|                    | Pavement Marking             |                             | Down Spout                      |
|                    | Pavement Marking             | TELEPHONE                   |                                 |
|                    | Turn Arrow Left/Right        |                             | Telephone Terminal Box          |
|                    | Turn Arrow Left              |                             | Telephone Marker                |
|                    | Turn Arrow Right             |                             | Telephone Handhole Box          |
|                    | Turn Arrow Straight          |                             | Telephone Manhole               |
|                    | Traffic Arrow Straight/Left  |                             | Telephone Cabinet               |
|                    | Traffic Arrow Straight/Right | TRAFFIC                     |                                 |
|                    | Traffic Arrow U-Turn         |                             | Overhead Traffic Signal         |
|                    | Handicap Pavement Marking    |                             | Traffic Handhole Box            |
|                    | Bike Lane Pavement Marking   |                             | Traffic Signal Pole             |
| PROPERTY MONUMENTS |                              |                             | Traffic Signal Loop Control Box |
|                    | Right-of-Way Monument Found  | WATER                       |                                 |
|                    | Concrete Monument Found      |                             | Fire Hydrant                    |
|                    | Iron Pin Set                 |                             | Irrigation Control Valve        |
|                    | Iron Pin Found (Rebar found) |                             | Water Meter                     |
|                    | PK Nail Found                |                             | Water Valve                     |
|                    | Point                        |                             | Fire Department Connection      |
|                    | Benchmark                    |                             | Water Vault                     |
| MISCELLANEOUS      |                              |                             | Pressure Irrigation Valve       |
|                    | Land Lot Symbol              |                             | Water Vent Pipe                 |
|                    |                              |                             | Water Valve Marker              |
|                    |                              |                             | Water Marker                    |
|                    |                              |                             | Water Manhole                   |
|                    |                              |                             | Water Air Release Valve         |
|                    |                              |                             | Water Back Flow Preventer       |
|                    |                              |                             | Sprinkler Head                  |
|                    |                              |                             | Sprinkler Valve                 |

LINETYPES

| PROPERTY                    |                   | EXISTING OVERHEAD |                     |
|-----------------------------|-------------------|-------------------|---------------------|
|                             | Adjacent Property |                   | Electric Line       |
|                             | Property Line     |                   | Electric            |
|                             | Center of Creek   |                   | Fiber Optic         |
| FENCE LINES                 |                   |                   | Gas                 |
|                             | Barb Wire Fence   |                   | Telecommunications  |
|                             | Chain Link Fence  |                   | Water               |
|                             | Wood Fence        |                   | Television          |
|                             | Woven Wire Fence  |                   | Storm Drainage Line |
| SITE / TOPOGRAPHIC FEATURES |                   |                   | Sanitary Sewer      |
|                             | Guardrail         |                   |                     |

ABBREVIATIONS

|         |                          |        |                          |
|---------|--------------------------|--------|--------------------------|
| APPROX. | Approximate              | I.E.   | Invert Elevation         |
| #4      | 1/2" Rebar               | IPF    | Iron Pin Found           |
| C&G     | Curb and Gutter          | IPS    | Iron Pin Set             |
| CLF     | Chain Link Fence         | LP     | Light Pole               |
| OMP     | Corrugated Metal Pipe    | MM     | Monitoring Well          |
| CO      | Clean Out                | N/F    | Now or Formerly          |
| CPP     | Corrugated Plastic Pipe  | OTP    | Open Top Pipe            |
| DB      | Deed Book                | PB     | Plot Book                |
| DI      | Drop Inlet               | Page   | Page                     |
| DE      | Drainage Easement        | PKF    | PK Nail Found            |
| EOP     | Edge of Pavement         | PKS    | PK Nail Set              |
| EPH     | Electric Power Pole      | POB    | Point of Beginning       |
| EPAN    | Electric Panel           | PCC    | Point of Commencement    |
| ESMT    | Easement                 | PVC    | Polyvinyl Chloride Pipe  |
| FES     | Flared End Section       | RBC    | Rebar Capped             |
| FTE     | Finish Floor Elevation   | RCP    | Reinforced Concrete Pipe |
| FH      | Fire Hydrant             | RWM    | Right of Way Monument    |
| FLGP    | Flag Pole                | SSE    | Sanitary Sewer Easement  |
| GA      | Georgia                  | SSMH   | Sanitary Sewer Manhole   |
| GM      | Gas Meter                | TRAN   | Transformer              |
| GW      | Guy Wire                 | VCP    | Victrolite Clay Pipe     |
| HDR     | Hand Rail                | W.D.F. | Wood Fence               |
| H.W.    | Hard Wood                | WM     | Water Meter              |
| HW      | Headwall                 | WV     | Water Valve              |
| ICV     | Irrigation Control Valve |        |                          |



TITLE EXCEPTIONS

Chicago Title Insurance Company Issuing Office File Number 3509-0002 with a commitment date of June 3, 2019 was used in the preparation of this survey and the listed exceptions are as follows:

10. All matters shown on that plat recorded at Plat Book 114, Page 12, Hall County, Georgia records. Comment: Affects all of subject property, as shown on survey.

11. Right of Way Deed from Rafe Banks, Jr. et al to State Highway Department of Georgia dated April 20, 1953, recorded in Deed Book 142, Page 126, aforesaid records. Comment: May affect. The location cannot be determined from the record document. Subsequent right of way dedications have been recorded to buy additional right of way.

12. Right of Way Deed from Rafe Banks, Jr. et al to State Highway Department of Georgia dated May 26, 1955, recorded in Deed Book 154, Page 178, aforesaid records. Comment: May affect. The location cannot be determined from the record document. Subsequent right of way dedications have been recorded to buy additional right of way.

13. Right of Way Deed from Rafe Banks, Jr. et al to Hall County dated July 5, 1966, recorded in Deed Book 332, Page 415, aforesaid records. Comment: May affect. The location cannot be determined from the record document. Subsequent right of way dedications have been recorded to buy additional right of way.

14. Right of Way Deeds from Regions Bank and Jane Wood Banks as CoTrustees, et al. to Hall County dated July 3, 2002, recorded in Deed Book 4243, Page 162, aforesaid records. Comment: Does not affect. Right of Way take is on the northwest side of State Route 13.

15. Right of Way Deeds from Regions Bank and Jane Wood Banks as CoTrustees, et al. to Hall County dated July 3, 2002, recorded in Deed Book 4243, Page 170, aforesaid records. Comment: Does not affect. Right of Way take is on the northwest side of State Route 13.

16. Right of Way Deeds from Regions Bank and Jane Wood Banks as CoTrustees, et al. to Hall County dated July 3, 2002, recorded in Deed Book 4243, Page 170, aforesaid records. Comment: Does not affect. Right of Way take is on the northwest side of State Route 13.

17. Easement from The McCrary Family Partnership, L.P. et al. to Georgia Power Company dated December 18, 2002, recorded in Deed Book 4458, Page 627, aforesaid records. Comment: Does not affect. Easement is on the northwest side of State Route 13.

18. Declaration of Taking Department of Transportation vs. Burwell Investments, Ltd. Dated February 17, 2017, recorded in Deed Book 7873, Page 251, aforesaid records. Comment: Affects. Right of Way take and Permanent Easement shown on survey.

The field data upon which this map or plat is based has a closure precision of one foot in 61,203 feet and an angular error of 00° 00' -04" per angle point and was adjusted using the compass adjustment rule.

This map or plat has been calculated for closure and is found to be accurate to within one foot in 5,919,020 feet.

EQUIPMENT USED:

ANGULAR: TOPCON TOTAL STATION

LINEAR: TOPCON TOTAL STATION

To BLANCHARD REAL ESTATE AND CHICAGO TITLE INSURANCE COMPANY:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1-4, 8, 9, 10, 13, and 16 of Table A thereof. The field work was completed on: 4/30/20

Date of Map or Plat: 4/27/2020, LAST REVISED 7/21/2020.

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|     |          |                                 |    |  |
|-----|----------|---------------------------------|----|--|
| 5   |          |                                 |    |  |
| 4   |          |                                 |    |  |
| 3   |          |                                 |    |  |
| 2   |          |                                 |    |  |
| 1   | 07/21/20 | REVISE RW PER QC DB 8198 PG 414 | MN |  |
| REV | DATE     | DESCRIPTION                     | BY |  |

LAND LOT(S) GMD #1270  
DISTRICT FLOWERY BRANCH

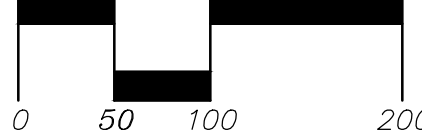
ALTA/NSPS LAND TITLE SURVEY  
FOR

BLANCHARD REAL ESTATE AND  
CHICAGO TITLE INSURANCE COMPANY  
CITY OF FLOWERY BRANCH

HALL COUNTY  
GEORGIA



DRAWN BY: MN  
CHECKED BY: JH  
FILE NO.: 17211.01  
DATE: 4/27/2020  
SCALE: 1"=100'



DATE OF FIELD WORK: 4/30/20

# BLT MARTIN ROAD, LLC

October 4, 2022

**Mr. Rich Atkinson**  
**Flowery Branch Community Development**  
**5410 Pine Street**  
**Flowery Branch, GA 30542**

**RE:** Conditional Use Permit Application  
Tax Map 15044A002024

Mr. Atkinson:

In accordance with Flowery Branch Code of Ordinances; Appendix C – Zoning Ordinance, Article 34, section 4(e), please accept this letter of intent as part of the aforementioned rezoning application:

It is our intent to apply for a conditional use permit to construct a multi-story, climate-controlled storage facility. This request would follow all development guidelines outlined in the Flowery Branch Code of Ordinances and Zoning Ordinance 20-609.

This parcel was rezoned in 2020 from Agricultural (A) to Highway Business (HB). At that time, we believed the market conditions supported a small retail development as indicated in our rezoning application. Since then, our belief that the most highest and best use for the parcel is a best in class climate controlled storage facility. This is due to shifting population demographics, the maturation of the submarket (including the retail pads along Martin Road in the City of Oakwood) and the completion of a first phase and commencement of a second phase of multifamily development adjacent to the site. Further, in the time since the original rezoning, the site has been marketed heavily for a retail user without any success. This indicates that the market will not, as originally contemplated, support the retail development however there is a storage operator ready to commence development on the site.

The development will include inter-parcel access to the road currently being constructed to serve the second phase of the multifamily development. During the initial rezoning application, the site layout contemplated inter-parcel connectivity to the retail development along Martin Road, however upon further study, the only viable location for stormwater facilities is in the portion of the site that would allow for that connectivity. However, in keeping with the spirit of the initial rezoning, we are foregoing a new driveway on any public right-of-way and are instead proposing to use the permitted driveway depicted on the site plan.

Very truly yours,



Shawn Gleason

# BLT MARTIN ROAD, LLC

October 4, 2022

**Mr. Rich Atkinson**  
**Flowery Branch Community Development**  
**5410 Pine Street**  
**Flowery Branch, GA 30542**

**RE:** Conditional Use Permit Application  
Tax Map 15044A002024

Mr. Atkinson:

In accordance with Flowery Branch Code of Ordinances; Appendix C – Zoning Ordinance, Article 34, section 34.7, please accept this site analysis as part of the aforementioned rezoning application:

1. Will the proposal permit a use that is suitable in view of the use and development of adjacent and nearby property
  - a. Yes. The proposal is to allow for a best in class multistory climate controlled storage facility which will support the increased residential density in the submarket. The façade of the structure will, pending staff comments, align with the look and finish of the existing first phase and in-progress second phase and will meet all development guidelines of both the Flowery Branch Code of ordinances for building and site conditions, as well as Zoning Ordinance 20-609 in terms of building finish.
2. Will the proposal adversely affect the existing use or useability of adjacent or nearby property?
  - a. No. The proposal would allow the subject parcel to be developed into a use that is symbiotic to those to the east. The parcel to the north is commercially zoned and currently in use as a cemetery and the parcels to the south/southeast are underdevelopment into commercial outparcels with various end users and uses.
3. Can the subject parcel be used in accordance with the existing regulations and have a reasonable economic use as currently zoned.
  - a. Yes. The underlying zoning currently allows the use as conditional. Therefore, the parcel can be used in accordance with the existing regulations. The parcel has been actively, but unsuccessfully, marketed for retail users for the last 2 years. Currently, there is an active user who is prepared to develop the site into a best in class, multistory, climate controlled self-storage facility.
4. Will the proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
  - a. No. As a use, self-storage has a minimal, if any, impact on traffic, utilities and schools.
5. Is the proposal 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?

# BLT MARTIN ROAD, LLC

- a. Yes. The site is noted as an activity center on the character area map. The activity center uses and intensities notes: “a wide range of uses is contemplated in this character area, except for heavy industry and residential. The character area is the proper place for big box retail, shopping centers, lodging and auto-related uses. Commercial intensities are within a range of 15,000 to 38,000 sf of building space/acre (FAR of 0.34 to 0.85). Five story height limit.

As currently designed, the 3 story, 120,000 square foot facility has a FAR of 0.689 and a intensity of 30,000 square feet of building space/acre.

Further, the future land use map notes the site as ‘commercial’.

6. Are there 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.
  - a. Yes. The site has been marketed actively, but unsuccessfully, for a retail user for the last 2 years. Currently, there is an active and engaged operator who is prepared to develop the site into a best in class, multistory, climate controlled self storage facility.
7. What are the existing use(s) and zoning of the subject property and nearby properties.
  - a. Subject Property
    - i. Zoned – Highway Business (HB)
    - ii. Use – Undeveloped
  - b. Property to the north
    - i. Zoned – Highway Business (HB)
    - ii. Use – Memorial Park South Funeral Home
  - c. Property to the South/East (lies within the city of Oakwood)
    - i. Zoned - Planned commercial development (PCD)
    - ii. Use – Retail outparcels with varying users and uses
  - d. Property to the West (opposite Falcon Parkway)
    - i. Zoned – Agricultural (A)
    - ii. Use – Undeveloped
8. What is the current value of the property under the existing zoning district classification to 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.
  - a. The request for the parcel is not to change the zoning, but to allow a conditional use. To the best of our knowledge, the parcel appear to have been wooded and undeveloped since 1944. The proposed conditional use would allow the site to immediately be developed into a best in class multistory climate controlled storage facility.
9. Will a zoning map amendment be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations?
  - a. N/A. The proposal does not include a zoning map amendment, only for a conditional use permit to a use that is allowed with the same under the current zoning classification.

# BLT MARTIN ROAD, LLC

10. Does the zoning map amendment create an isolated zoning district unrelated to adjacent and nearby districts?
  - a. N/A. The proposal does not include a zoning map amendment, only for a conditional use permit to a use that is allowed with the same under the current zoning classification.
11. Will the change in zoning district map impact the character of a zoning district?
  - a. N/A. The proposal does not include a zoning map amendment, only for a conditional use permit to a use that is allowed with the same under the current zoning classification.
12. What would the possible impact to the environment be including, but not limited to, drainage, soils erosion and sedimentation, flooding, air quality and water quality?
  - a. The City of Flowery Branch has already approved grading and infrastructure plans for the site which include negative stormwater impact mitigation (both downstream flooding and water quality) as well as permanent stabilization of all slopes and disturbed areas. Further, the use will not have any impact to air quality or other environmental concerns.
13. What relation does the proposed zoning map amendment have on the purpose of the overall zoning scheme and Flowery Branch zoning ordinance?
  - a. The proposal does not include a zoning map amendment, only for a conditional use permit to a use that is allowed with the same under the current zoning classification. However, the use is in keeping with both the Character Area Map and Future Land Use Map of Flowery Branch.

Very truly yours,



Shawn Gleason

### ***LEGAL DESCRIPTION***

*ALL THAT TRACT OR PARCEL OF LAND lying and being in Flowery Branch GMD #1270, City of Flowery Branch, Hall County, Georgia and being more particularly described as follows:*

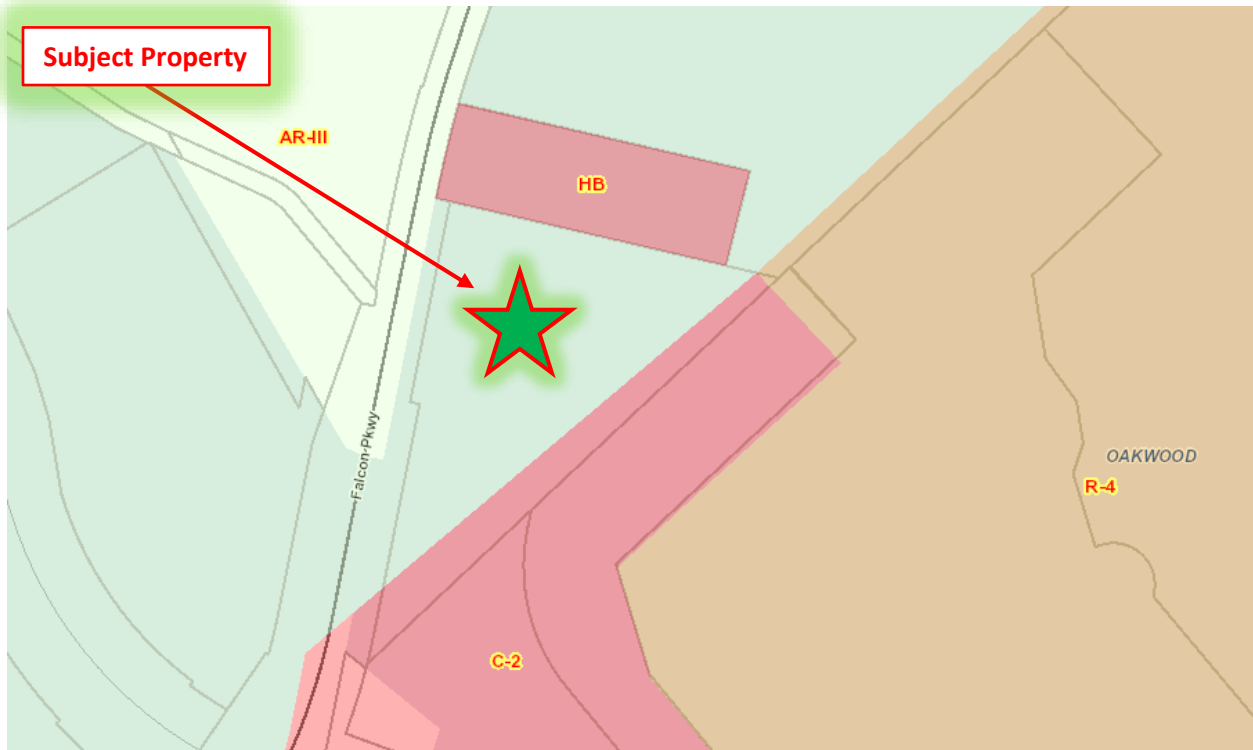
*COMMENCING at the point located at the intersection of the Northerly Right of Way of Martin Road (Public, Variable R/W) and the Southeasterly Right of Way of Falcon Parkway (A/K/A State Route 13, Public, Variable Right of Way) having Georgia State Plane coordinates (NAD83, Georgia West Zone) of N.1526971.46 & E.2380967.16; thence leaving said intersection and following along said Southeasterly Right of Way Line of Falcon Parkway (A/K/A State Route 13) along a curve turning to the left with an arc length of 147.96 feet, having a radius of 1335.00 feet, being subtended by a chord bearing of North 17 degrees 08 minutes 00 seconds East, and a chord length of 147.88 feet to a 1/2" iron pin set, which is the TRUE POINT OF BEGINNING.*

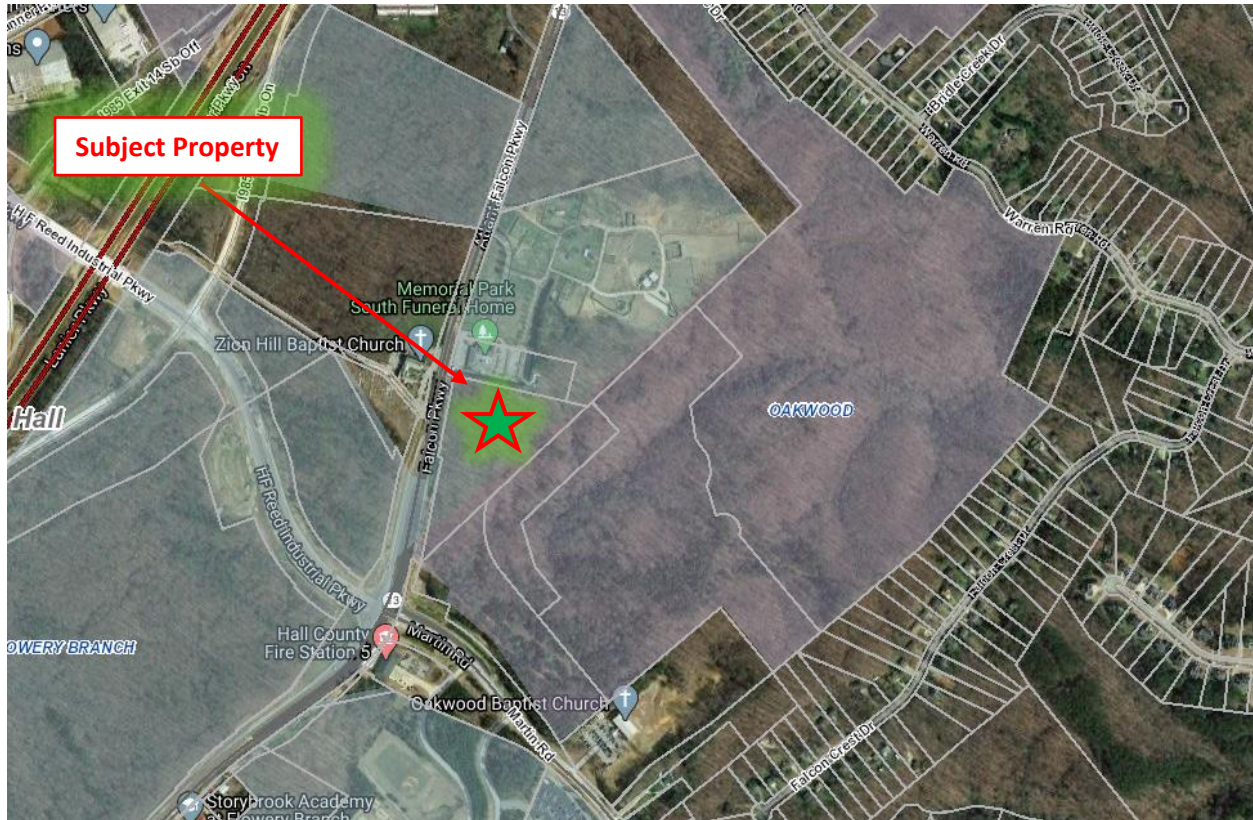
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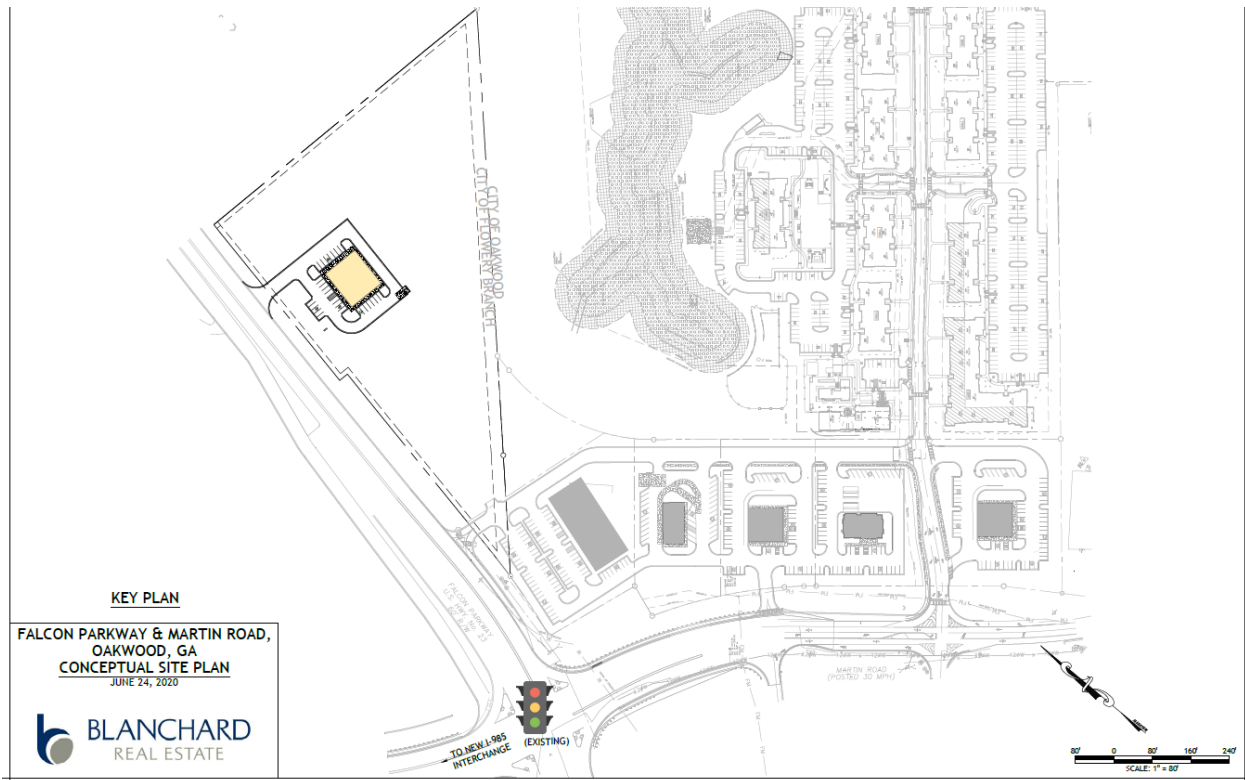
*Said parcel having an area of 7.338 acres more or less.*

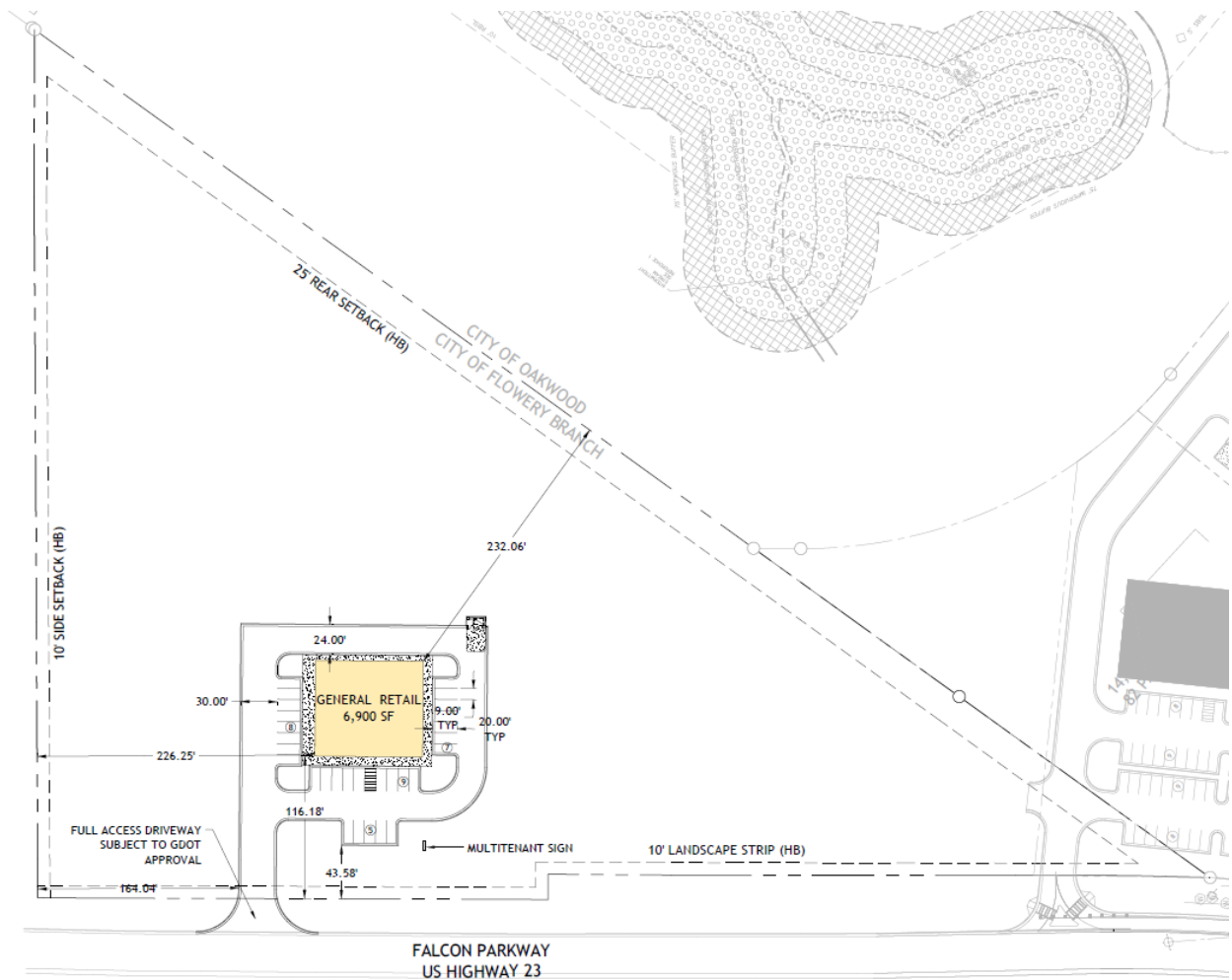


Request is to rezone a 7.34 +/- piece of property from Agriculture (A) to Highway Business (HB) with the intent to construct a commercial outparcel subservient to a much larger project located within the City-limits of Oakwood.



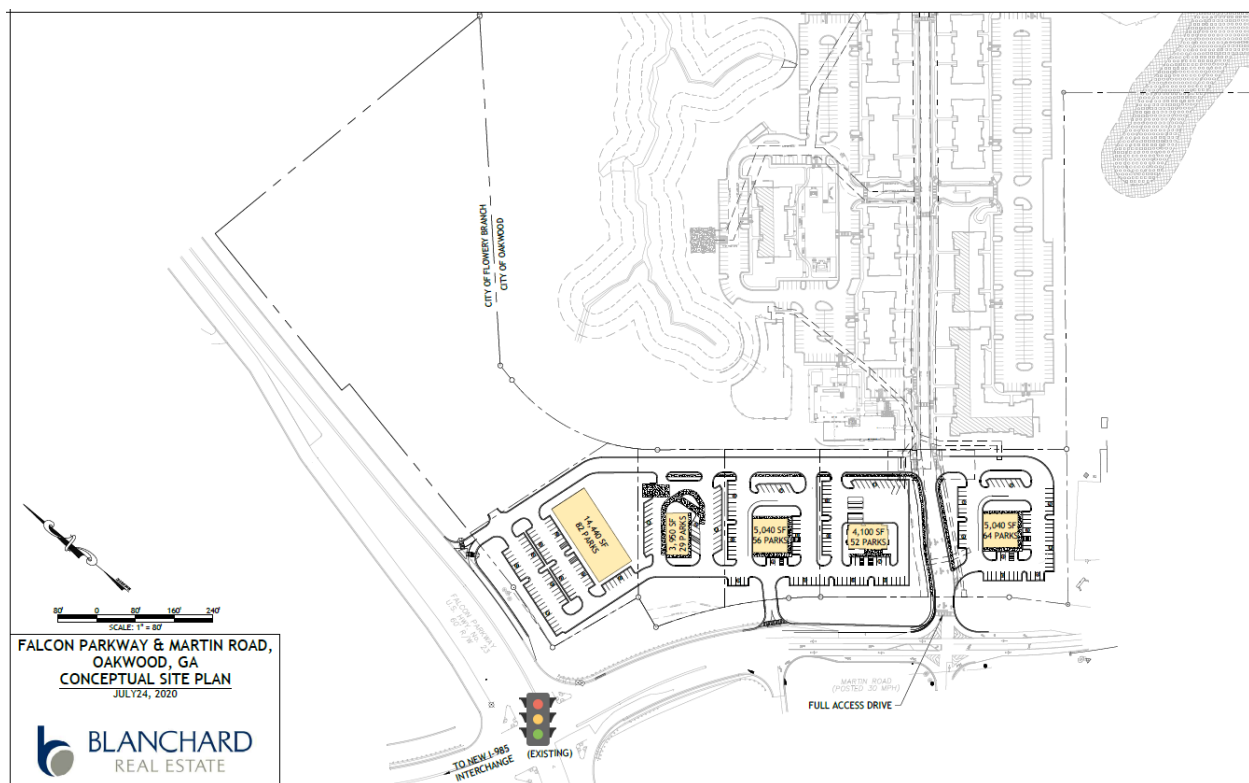


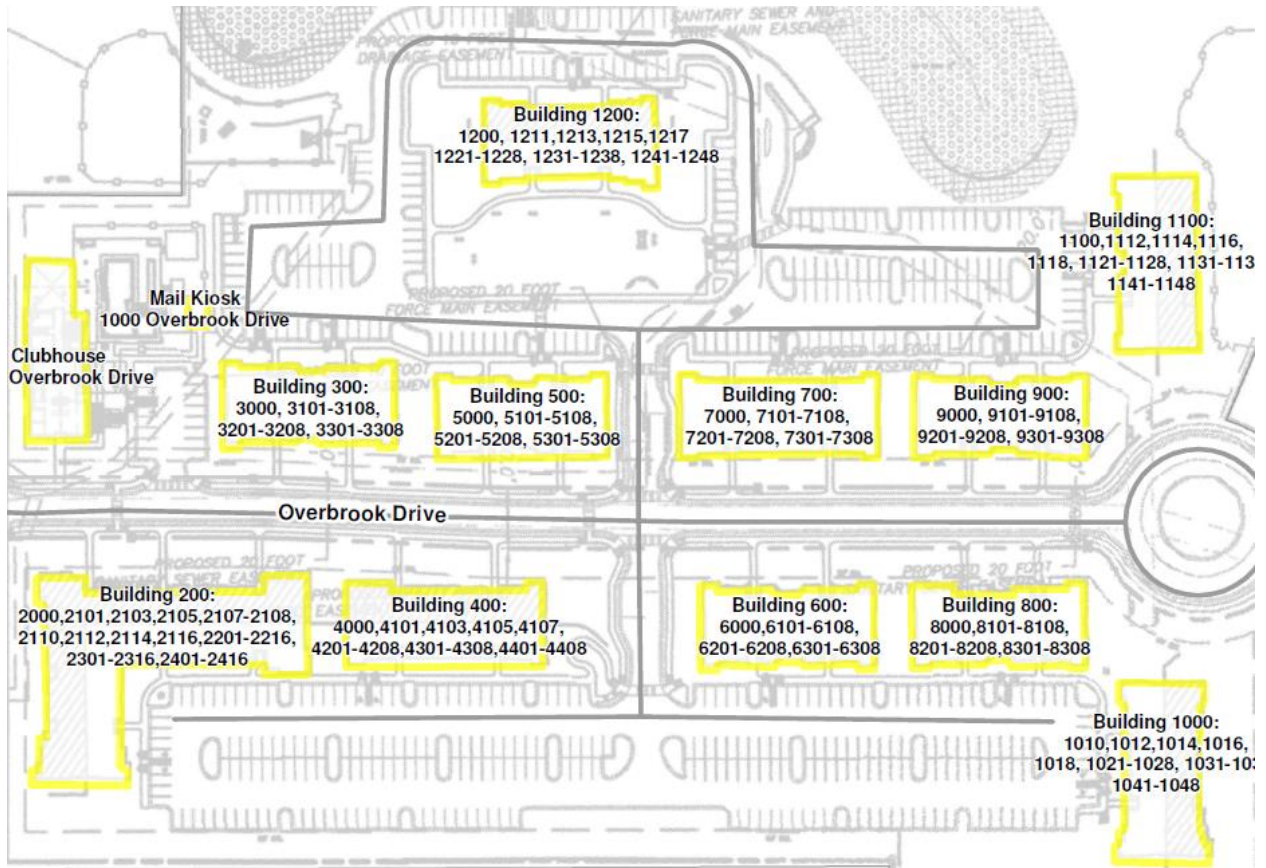






Applicant is building the retail/restaurant portion of the Oakwood project as shown below. The apartment portion is being built by others.







ELEVATION

#### 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. **Yes, retail would be suitable to this area as it is near the new exit 14 and has supporting residential uses in proximity.**
- (b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property. **The project should not adversely impact the adjacent or surrounding 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. **The property could be used but is limited by its agricultural zoning designation.**
- (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. **Staff does not view this project as causing any excessive or burdensome use on streets, schools, etc.**
- (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. **Activity Center character area is consistent with the proposed.**
- (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 proposed site will blend in with the larger Oakwood development and may be an asset to the surrounding area.**



- (g) Existing use(s) and zoning of the subject property and nearby properties. **Consistent if rezoned to HB with the surrounding area.**
- (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 did not assess the financial implications of this rezoning but a commercial site (HB) would, on the surface, appear to be valuable than an Agricultural designation.**
- (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. **No, staff does not view this rezoning as a deterrent of any kind to the adjacent properties.**
- (j) The possible creation of an isolated zoning district unrelated to adjacent and nearby districts. **It is in the City and will remain so.**
- (k) Possible effects of the change in zoning district map, or change in use, on the character of a zoning district. **No negative impact to this rezoning 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 proposed development will be developed to the standards set forth in the Flowery Branch Code of Ordinances and should cause no egregious environmental issues.**
- (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 proposed rezoning is supported by the Comprehensive Plan and is in line with the Zoning Ordinance.**

\*Advertisement was run in the Gainesville Times on July 8, 2020.

\*Sign was place on site 7/21/20

It is staff's recommendation to approve this rezoning with conditions as presented as part of Ordinance #20-609.