



**Land Use Petition RZ-23-0002**  
**Public Participation Meeting: June 7, 2023**  
**Planning Commission Meeting: August 1, 2023**  
**City Council Meeting: August 22, 2023**

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**PROJECT LOCATION:** 610, 625, 635, 640, 655, 660, 675, 680, 705, 720, 725 and 770 Pauls Walk

**DISTRICT/SECTION/LAND LOT:** 1<sup>st</sup> District, 1<sup>st</sup> Section, Land Lot 280

**ACREAGE:** 4.40 acres

**CURRENT ZONING:** R-4A (Single-Family Dwelling District) Conditional

**PROPOSED ZONING:** R-4A (Single-Family Dwelling District) Conditional

**COMPREHENSIVE PLAN  
COMMUNITY AREA:** Medlock

**APPLICANT:** Miles, Hansford & Tallant, LLC  
on behalf of Billy Morgan Jr.  
Contact: J. Ethan Underwood  
200 Tribble Gap Road, Suite 200  
Cumming, GA 30040

**OWNERS:** Parsons Retreat Property Owners  
(Complete list of property owners provided on subsequent page)

**PROPOSED DEVELOPMENT:** Change in conditions – to eliminate condition #7 from the original zoning approval for RZ-17-012

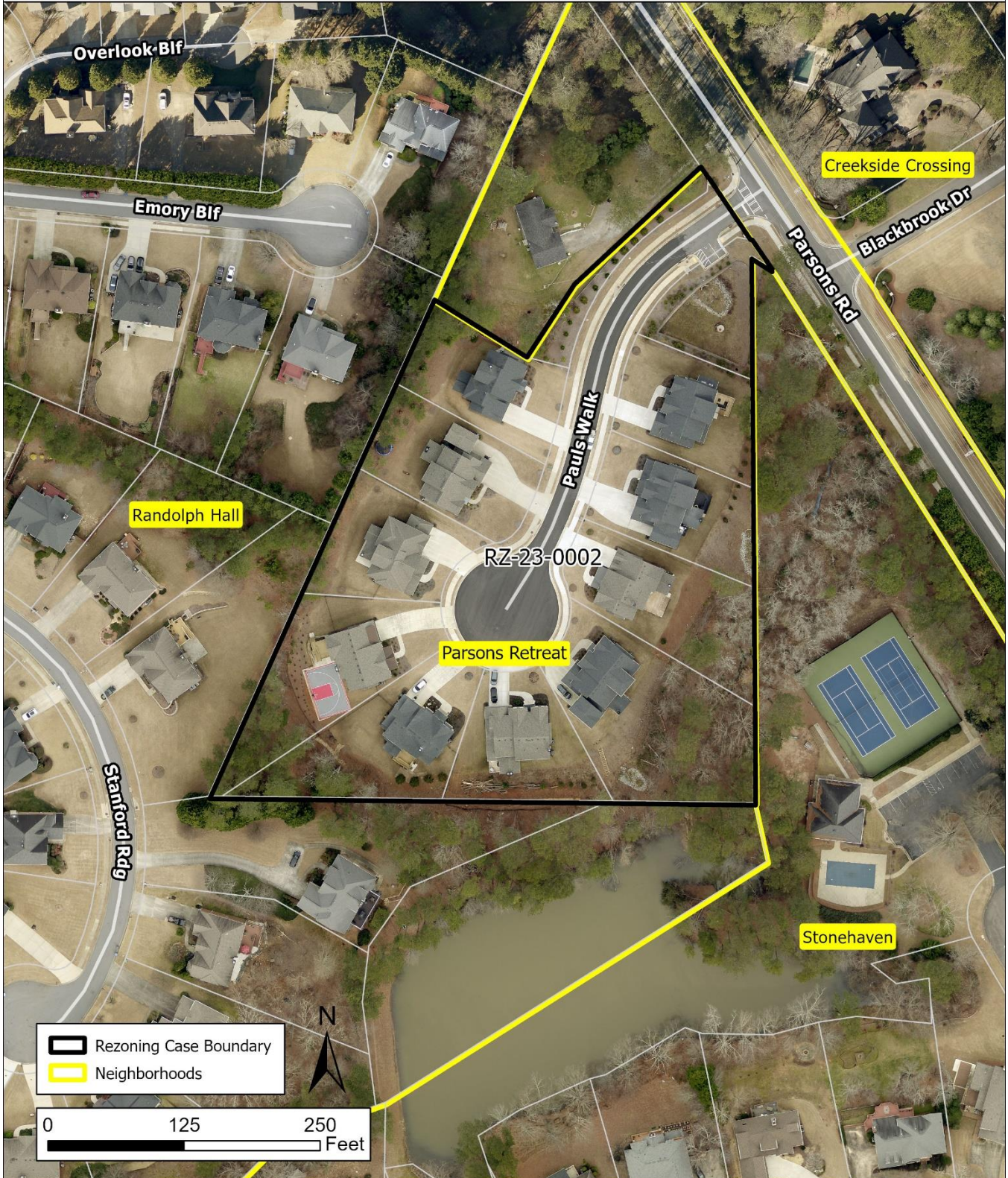
**STAFF RECOMMENDATION:** **APPROVAL with Conditions**

**Parsons Retreat Property Owners List**

	<b>Property Address</b>	<b>Property Owner</b>
1.	610 Pauls Walk, Johns Creek, GA 30097	Parsons Retreat, LLC
2.	625 Pauls Walk, Johns Creek, GA 30097	Parsons Retreat, LLC
3.	635 Pauls Walk, Johns Creek, GA 30097	Swathi Prakash & Vijaianand Kannan
4.	640 Pauls Walk, Johns Creek, GA 30097	Gustavo Andres Hidalgo & Camila Sayuri Luppi Sato
5.	655 Pauls Walk, Johns Creek, GA 30097	Hui Woo Woong, Yong Won, & Lisa Yung Eun Won
6.	660 Pauls Walk, Johns Creek, GA 30097	Michael Robinson & Tracee Watson Robinson
7.	675 Pauls Walk, Johns Creek, GA 30097	Anna Nguyet Vu and James Hicks, Jr.
8.	680 Pauls Walk, Johns Creek, GA 30097	William Pumphrey
9.	705 Pauls Walk, Johns Creek, GA 30097	Alexander Kim
10.	720 Pauls Walk, Johns Creek, GA 30097	Billy Gene Morgan & Christine Morgan
11.	725 Pauls Walk, Johns Creek, GA 30097	Kengatharan Sivalingam & Thillaichelvi Selvanayagm
12.	770 Pauls Walk, Johns Creek, GA 30097	Natasha Sabnani & Mahesh Sabnani

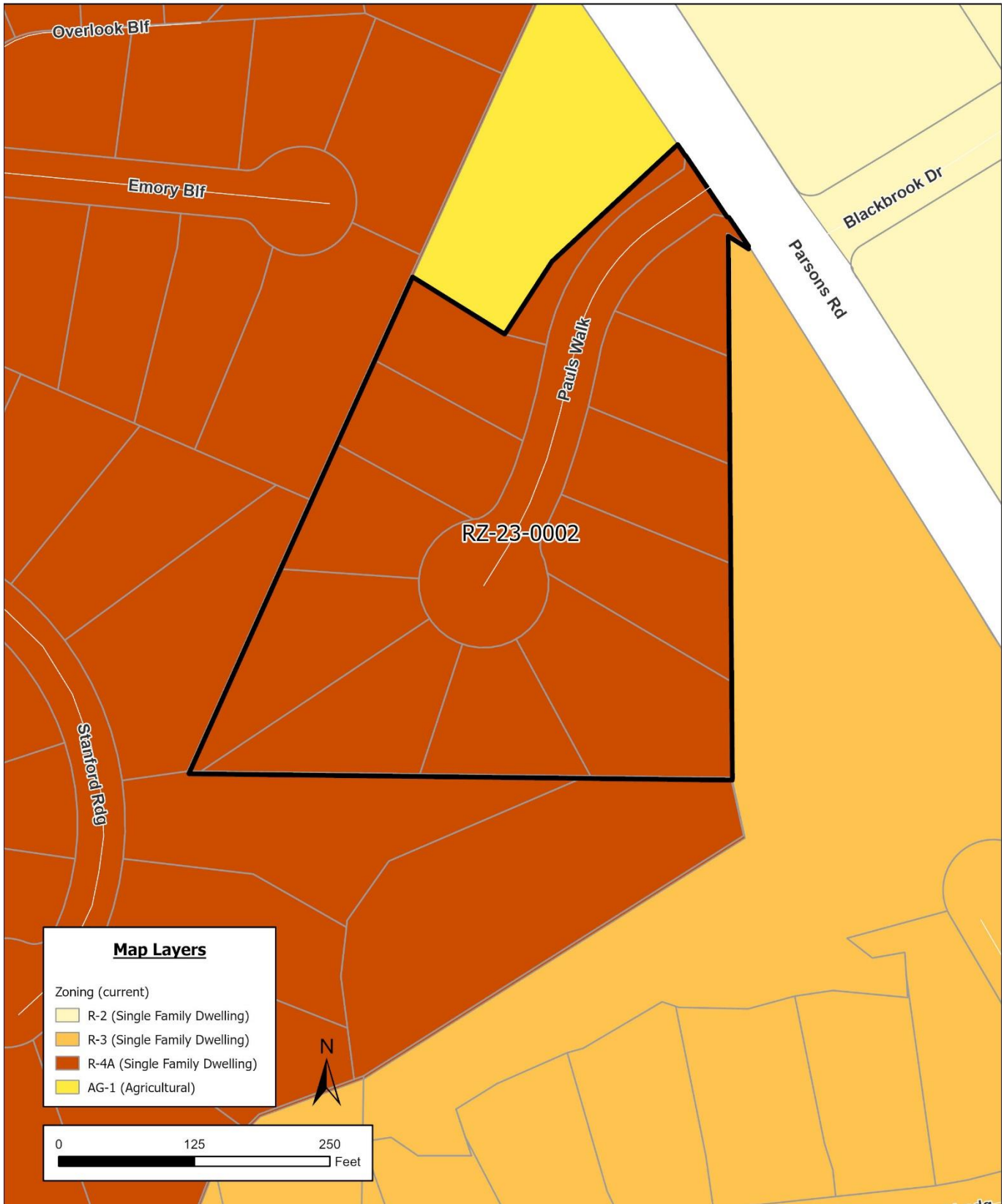


Aerial Map





Zoning Map



**PROJECT OVERVIEW**

**Location**

The subject property, Parsons Retreat subdivision, is a 4.40-acre tract located approximately 0.6 miles west of the intersection of Medlock Bridge Road and Parsons Road. It is bounded by Parsons Road and a single-family detached house to the north, Stonehaven subdivision to the east and Randolph Hall subdivision to the south and west.

**Background**

Parsons Retreat subdivision is a 10-lot single-family residential development. The rezoning for Parsons Retreat was approved by Council on November 27, 2017, pursuant to RZ-17-012, VC-17-012-01 and VC-17-012-02. The rezoning was approved with a total of 17 conditions, with condition #7 requiring the developer to provide a pedestrian access easement to an existing trail located southwest of the subdivision and for the easement to be maintained by the Parsons Retreat homeowner’s association (HOA). The final location and design was subject to the review and approval of the Director of Community Development.

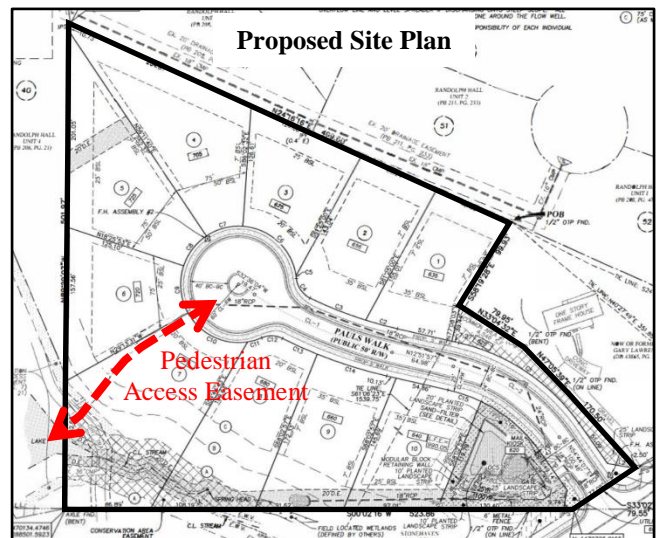
**Rezoning Request**

The Applicant is requesting to eliminate condition #7, where the required pedestrian access easement exists today between lots 6 (720 Pauls Walk) and 7 (770 Pauls Walk) in the southwest portion of the subdivision.

The Applicant has indicated that the pedestrian access easement (shown in red dashed line) and path leads to the adjacent subdivision’s (Randolph Hall) detention pond, where no pedestrian-accessible trail exists. Additionally, the Applicant has confirmed, there is no agreement in place between the respective subdivisions authorizing Parsons Retreat residents to access and use the common areas and amenities located within Randolph Hall and Stonehaven subdivisions.

**Public Participation**

As part of the land use petition process, property owners within one-quarter mile of the subject property were mailed notices in May 2023. The meeting was held in the City’s Council Chambers on June 7, 2023, and no residents attended the meeting.



**STANDARDS OF REZONING REVIEW**

**1. Will the proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?**

Removal of condition #7 will not impact the use of the subdivision as approved by Council and developed in accordance with the approved land disturbance permit and final plat.

<b>Adjacent &amp; Surrounding Properties</b>	<b>Zoning (Rezoning Number)</b>	<b>Land Use</b>	<b>Residential Density (Units/Acre)</b>	<b># of Lots</b>
Application	R-4A Conditional (RZ-17-012)	Single-Family Dwelling (Parsons Retreat)	2.26	10
Adjacent: East	R-3 Conditional (Z-84-268)	Single-Family Dwelling (Stonehaven)	1.25	50
Adjacent: South and West	R-4A Conditional (Z-97-143)	Single-Family Dwelling (Randolph Hall)	1.80	63
Adjacent: North	AG-1	Single-Family Dwelling	1.38	1

**2. Will the proposal adversely affect the existing use or usability of adjacent or nearby property?**

Eliminating condition #7 and removing the pedestrian access easement and path would not adversely affect the existing use or usability of surrounding properties.

**3. Does the subject property have a reasonable economic use as currently zoned?**

The property appears to have a reasonable economic use as currently zoned.

**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?**

The proposed change in condition to eliminate the pedestrian access easement would have no impact on the use of existing streets, transportation facilities, utilities, or schools.

**5. Is the proposal in conformity with the policy and intent of the Comprehensive Plan including the land use element?**

The subject property is located in the Medlock Community Area, and the subdivision as currently developed, is in conformance with the policy and intent of the Comprehensive Plan.

**6. Do existing or changed conditions affecting the use and development of the property give supporting grounds for either approval or disapproval of the proposal?**

The Parsons Retreat HOA received consent from all property owners for removal of the pedestrian access easement and path, as it does not connect to an existing trail. Maintaining condition #7 would detract from the peaceful and safe use of property for lots 6 and 7 by the respective owners, supporting grounds for approval of the proposal.

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

The proposed elimination of the condition is not environmentally adverse as all required remediation associated with environmental impacts to the development of the subdivision have been addressed.

**STAFF RECOMMENDATIONS**

Based upon the findings and conclusions herein, Staff recommends **APPROVAL** of land use petition, RZ-23-0002. Following conditions preserve existing applicable conditions from prior zoning case, RZ-17-012, and also incorporates the requested modification for this development by eliminating the original condition #7.

1. Use of the subject property shall be limited to 10 single-family detached residential homes and associated accessory structures.
2. The site shall be developed in general accordance with the site plan received and date stamped by the City of Johns Creek on May 9, 2023.
3. All dwelling units shall consist of 50% brick or stone on all four facades with the balance being wood shake or fiber-cement siding; final approval will be subject to the review and approval of the Community Development Director.
4. Dwellings shall have a minimum heated floor area of 3,000 square feet.
5. The minimum lot width for 50 percent of the lots may be no less than 75 feet; the remainder of the lots shall follow the R-4A district development standards for the City of Johns Creek. (VC-17-012-01)
6. The front yard setback may be reduced to 20 feet for the four lots as shown on the site plan submitted to the Department of Community Development on October 9, 2017. (VC-17-012-02)
7. The owner/developer shall install an evergreen screen, planted with a minimum of two staggered rows of plant material, at the rear of all lots where trees are removed during construction. The design and plant material shall be subject to the review and approval of the Director of Community Development.
8. The owner/developer shall install a vegetative screen in the common area adjacent to the AG-1 zoned property to the northwest that may include a mixture of hardwood and softwood trees, shrubs, and/or ground cover and sod. The plant material shall be maintained by the mandatory homeowners' association.
9. A 25-foot landscape strip shall be provided parallel to the right-of-way of Parsons Road, and extend across the entire width of the property.
10. If the stormwater maintenance facility is not located as shown on the site plan submitted to the Department of Community Development on October 9, 2017, a 25-foot buffer shall be provided in addition to the 25-foot landscape strip as conditioned in number 10 to create a 50-foot wide buffer of the property from Parsons Road. The 25 feet will be measured from the interior edge of the 25-foot landscape strip. The buffer shall be planted to buffer standards, as found in the Tree Administrative Guidelines, or as approved by the Director of Community Development.
11. Owner/Developer shall construct a five-foot wide sidewalk along the frontage of Parsons Road. Said sidewalk shall be ADA compliant and shall tie into the City's future sidewalk project on Parsons Road. In lieu of this construction, Owner/Developer shall dedicate at no cost to the City of Johns Creek sufficient construction and drainage easement along Parsons Road for the City's construction of the sidewalk, subject to the approval of the City of Johns Creek Director of Public Works.



12. Owner/Developer shall relocate the curb cut of the adjacent driveway to the northwest in order to provide a minimum of 50 feet of separation between curb cuts, as measured from the right-of-way of the proposed street to the nearest edge of the driveway, or as approved by the Director of Public Works.
13. Owner/Developer shall use alternative storm water management systems such as enhanced swales, porous concrete/asphalt, bio-slopes and bio-retention areas to mitigate the size and depth of the detention basin to the greatest extent possible. Owner/Developer shall incorporate water recharge areas throughout the site to collect stormwater from the gutters that would normally flow to these areas of the homes as agreed upon the Land Disturbance Permit Process. Additionally, Owner/Developer shall install screening berm between the proposed detention pond location and Parsons Road as agreed upon during the Land Disturbance Permit Process. Final approval will be subject to the review and approval of the Community Development Director. Stormwater collection techniques shall not apply to the public roads.
14. Owner/Developer shall submit a sediment study of the pond downstream of the subject property, adjacent to the Randolph Hall and Stonehaven subdivisions, prior to the start of development as part of the Land Disturbance Permit process. Another sediment study of the same pond shall be submitted as part of the End of Development process, and any additional sediment shall be removed prior to completion of the End of Development process.
15. Owner/Developer shall install sidewalks on both sides of the proposed internal streets.
16. Owner/Developer shall locate homes no closer than 20 feet between home foundations.