



REGIONAL REVIEW FINDING

Atlanta Regional Commission • 40 Courtland Street NE, Atlanta, Georgia 30303 • ph: 404.463.3100 • fax: 404.463.3105 • www.atlantaregional.com

DATE: Jan 16 2009

ARC REVIEW CODE: R809041

TO: Mayor John Miller
ATTN TO: Terry Todd, City Administrator
FROM: Charles Krautler, Director

NOTE: This is digital signature.
Original on file.

The Atlanta Regional Commission (ARC) has completed regional review of the following Development of Regional Impact (DRI). Below is the ARC finding. The Atlanta Regional Commission reviewed the DRI with regard to conflicts to regional plans, goals, and policies and impacts it might have on the activities, plans, goals, and policies of other local jurisdictions and state, federal, and other agencies. The finding does not address whether the DRI is or is not in the best interest of the local government.

Submitting Local Government: City of Palmetto
Name of Proposal: Foxhall Village

Review Type: Development of Regional Impact

Date Opened: Sep 4 2008

Date Closed: Jan 16 2009

FINDING: After reviewing the information submitted for the review, and the comments received from affected agencies, the Atlanta Regional Commission finding is that the DRI is in the best interest of the Region, and therefore, of the State.

Additional Comments: The proposed development is a mixed use development that is primarily residential located in the City of Palmetto. The existing area contains very low density and agricultural uses. The proposed development will substantially change the character and patterns in the area without any long term basis in an approved comprehensive plan. Considering current lot/home availability and market conditions, as well as the recently approved Friendship Village project, the proposed development is not supported by regional forecasts.

According the ARC Unified Growth Policy Map (UGPM), the proposed development is located within areas designated suburban neighborhood and rural. Suburban neighborhoods are areas that are located outside the Central City or Activity Centers and will be developed at more of a suburban scale with appropriate commercial development and low intensity mixed use serving the local area. Rural areas are areas that have limited or no development that still and are planned to contain agricultural uses. Development is recommended to be large lots or conservation subdivisions.

The proposed development is served only by existing two lane roadways including Cochran Mill Road, a designated State Scenic Byway. The existing roadway infrastructure is inadequate for the size of the development. Access should be limited, where applicable, along Cochran Mill and "viewsheds" protected to ensure the preservation of the road as a Scenic Byway. Furthermore, many of the roads surrounding and serving the development are rural in character. The proposed transportation improvements recommended by the traffic study to serve the proposed development are inconsistent with the rural character of the Chattahoochee Hill Country area.

The proposed development does not pass the Air Quality Benchmarks scoring 2%. ARC requires a score of 15% to pass the Air Quality Benchmarks.

Water supply for the development is proposed by the City of Palmetto, by a future planned reservoir, and as needed by the City of Atlanta Chattahoochee River Plant. Funding for the new reservoir has been approved

with bond funding. The reservoir is in the draft Metropolitan North Georgia Water Planning District plan, however no permits have been issued. The projected completion date of the reservoir is 2016.

While located in the City of Palmetto, the proposed development was one of three villages proposed in the Chattahoochee Hill Country Master Plan adopted by Fulton County before the site was annexed into the City of Palmetto. The Fulton County village density was based on the use of a Transfer of Development Rights (TDR) program. The intention of the Chattahoochee Hill Country Master Plan was to direct growth into these villages and hamlets to preserve the surrounding agricultural land. Fulton County has discontinued the TDR program and therefore a village density is no longer relevant.

A Livable Centers Initiative (LCI) study was conducted as part of the Chattahoochee Hill Country Master Plan. The Study proposed a "model" sustainable village in the Chattahoochee Hill Country area, taking into consideration environmental factors, market analysis, and community input. The LCI study states that a village will need to be at least 2,000 acres with 800 acres disturbed to accommodate 6,000 housing units and other mixed uses due to environmental factors, and economic and market analysis.

ARC also funded a zoning overlay for the Chattahoochee Hill Country Master Plan under the LCI program. The zoning overlay included design standards which include a 300 foot setback surrounding the village for rural protection, development block standards, sidewalk requirements and the prohibition of cul-de-sacs. The proposed development site plan is inconsistent with many of the design standards required under the zoning overlay and the model village plan.

Currently the City of Palmetto has not adopted a TDR program, the Chattahoochee Hill Master Plan or an update to their Comprehensive Plan for the project area. The Georgia Department of Community Affairs (DCA) Minimum Standards for Local Comprehensive Planning requires a Major Amendment to a Comprehensive Plan when a community changes the "basic tenets" of the local plan this includes an annexation of 100 acres or more to a community. Therefore, the City should first complete an update to the plan per the DCA rules. A major update to a Local Comprehensive Plan does require a 60 day regional review under the DCA Minimum Standards. The applicant asserts that the development does reflect the development policies of the Fulton County 2015 Land Use Plan therefore the development should meet the standards of the Chattahoochee Hill Country Master Plan and zoning overlay. A letter was provided from the City of Palmetto (attached) stating the City's intention to update their Comprehensive Plan before rezoning the property. This was also called for in the conditions placed on this DRI (attached).

In the initial site plan the gross open space was 390.07 acres of the total 1,322.67 acres, or 29% of the total site area. This included both active and passive recreation spaces as well as land that is not suitable for development. Of the 390.07 acres of gross open space, 187.71 acres, or 14% of the total site acreage, is considered community passive greenspace, including land that is buildable and outside of the environmental sensitive areas. ARC considers a conservation subdivision to have at a minimum 40% open space where both primary and secondary conservation areas are preserved. Primary conservation areas are floodplains, wetlands, riparian zones, steep slopes, habitat for threatened or endangered species, and archeological or burial ground site. Secondary conservation areas include historic sites, healthy existing native forest and trees, scenic viewsheds, prime agricultural lands, and existing trails.

After meeting and discussing the open space requirements, gross open space for the development was increased to 610.11 or 46% of the total site thus meeting ARC's open space standard for a conservation subdivisions.

The original site plan showed 4,680 residential units consisting of 959 multi-family units, 2,053 single family attached dwellings, and 1,668 single family detached units. ARC staff and the developer met and discussed the intensity of the proposed development and its inconsistencies with the ARC Unified Growth Policy Map. Also discussed was the effect the proposed development would have on surrounding land uses and the existing transportation network. The developer decreased the total number of residential units to 4,500 now consisting of 800 multi-family units, 1,878 single-family attached and 1,822 single-family

detached units. The developer also moved many of the residential units from the west side to the east side of Cochran Mill Road.

ARC staff met with the developer and convened several meetings with the Cities of Palmetto and Chattahoochee Hill Country. The two cities discussed concerns with the intensity of the development as well as the land use and transportation impacts on both jurisdictions. From these meetings, the Cities of Palmetto and Chattahoochee Hill Country developed an Intergovernmental Agreement (IGA). This agreement outlines funding responsibility for future needed transportation improvements caused by new development.

THE FOLLOWING LOCAL GOVERNMENTS AND AGENCIES RECEIVED NOTICE OF THIS REVIEW:

ARC LAND USE PLANNING	ARC TRANSPORTATION PLANNING	ARC ENVIRONMENTAL PLANNING
ARC DATA RESEARCH	ARC AGING DIVISION	GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS
GEORGIA DEPARTMENT OF NATURAL RESOURCES	GEORGIA DEPARTMENT OF TRANSPORTATION	CITY OF PALMETTO
CHATTAHOOCHEE-FLINT RDC	GEORGIA REGIONAL TRANSPORTATION AUTHORITY	CITY OF CHATTAHOOCHEE HILL COUNTRY
CITY OF FAIRBURN	FULTON COUNTY	COWETA COUNTY
FULTON COUNTY SCHOOLS		

If you have any questions regarding this review, Please call Jon Tuley at (404) 463-3309. This finding will be published to the ARC website.

The ARC review website is located at: <http://www.atlantaregional.com/landuse> .

Foxhall Village Development of Regional Impact

- 1) The items outlined in this attachment shall be considered as a condition of zoning by the City of Palmetto and placed upon all property included in the DRI review completed by ARC. ARC will consider actions within its authority to encourage the City to cooperate with planning for regional needs of adequate transportation and land use practices.
- 2) In the event that application is made to vary these conditions, the City of Palmetto will submit the proposed changes to the ARC for review.
- 3) The applicant or future property owners if the property is sold to someone other than MERRILL TRUST COMMUNITIES AND RESORTS, LLC. shall annually coordinate the submittal to the City of Palmetto and the ARC of a report describing the progress of the development. This report will list the progress made towards implementing the conditions of this attachment. The report will be due at the end of each calendar year. This requirement shall expire upon completion of the development.
- 4) The City of Palmetto shall complete a major amendment to the City's Comprehensive Plan under the GA Department of Community Affairs rules and regulations before taking action to rezone the subject property included in DRI #1841 Foxhall Village.
- 5) The City of Palmetto shall fund transportation improvements, as required in the GRTA Notice of Decision, as specified in an Intergovernmental Agreement (IGA) between the City of Palmetto and the City of Chattahoochee Hills.
- 6) The developer, MERRILL TRUST COMMUNITIES AND RESORTS LLC., shall pay for the transportation improvements, as required in the GRTA Notice of Decision, as specified in an Intergovernmental Agreement (IGA) between the City of Palmetto and the City of Chattahoochee Hills. An agreement between the City of Palmetto and the developer, MERRILL TRUST COMMUNITIES AND RESORTS LLC., shall be created at the time of rezoning to ensure the funding of these improvements.
- 7) The developer, MERRILL TRUST COMMUNITIES AND RESORTS LLC, shall prepare a transportation implementation plan, in coordination with the City of Palmetto and the City of Chattahoochee Hill Country, to address and set forth timing of all needed roadway and intersection improvements identified in the GRTA Notice of Decision issued November 4, 2008. The transportation implementation plan shall also be submitted to ARC for review.
- 8) The City of Palmetto shall consider a condition of the rezoning in which failure to implement the needed roadway and intersection improvements by the approved timeline shall result in no more land disturbance permits being issued to the developer MERRILL TRUST COMMUNITIES AND RESORTS LLC or subsequent developers until the improvements are in place (funded and under construction).
- 9) Additional traffic impact analysis and/or preparation of the Transportation Implementation Plan to determine impacts and funding shall be funded by the developer, MERRILL TRUST COMMUNITIES AND RESORTS LLC.
- 10) The developer, MERRILL TRUST COMMUNITIES AND RESORTS LLC., shall prepare a park and greenspace plan for the entire site in coordination with the City of Palmetto and the City of Chattahoochee Hill Country. The park and greenspace plan shall include designated passive and active greenspace, wildlife management corridors, natural buffers and trail system.
- 11) The developer, MERRILL TRUST COMMUNITIES AND RESORTS LLC., shall provide a Park/Ride Lot and Bus/Shuttle stop as shown on the site plan reviewed by ARC during the DRI review dated December 11, 2008.
- 12) The developer, MERRILL TRUST COMMUNITIES AND RESORTS LLC, shall limit the number of single family residential units west of Cochran Mill Road to no more than 600 units

so that it is generally consistent with the rural designation on the Unified Growth Policy Map. The multi-family units within the 'village general' are excluded which is approximately 465 units as shown on the plan dated December 11, 2008.

- 13) A minimum of 46% of the total site area of the DRI will remain as open space as reviewed by the ARC during the DRI process. The developer, MERRILL TRUST COMMUNITIES AND RESORTS LLC., shall provide 40% open space in the portion of the development west of Cochran Mill Road so that it is consistent with the rural designation of the Unified Growth Policy Map.
- 14) The developer, MERRILL TRUST COMMUNITIES AND RESORTS LLC shall seek to enter into an agreement with the Fulton County School system and execute the agreement to provide to the Fulton County School System enough land to construct a minimum of one elementary school on site as shown on the site plan dated December 11, 2008, or through direct purchase at the applicant's expense,.
- 15) The developer, MERRILL TRUST COMMUNITIES AND RESORTS LLC shall seek to enter into an agreement with the City and execute the agreement to provide to the City enough land to construct a minimum of one police station and one fire station on site as shown on the site plan dated December 11, 2008, or through direct purchase at the applicant's expense,.
- 16) The developer, MERRILL TRUST COMMUNITIES AND RESORT LLC shall fund all road paving improvements in the immediate area as identified in the GRTA Notice of Decision
- 17) The developer, MERRILL TRUST COMMUNITIES AND RESORT LLC shall work with the City of Palmetto and City of Chattahoochee Hill Country to determine appropriate natural buffers around the perimeter of the site.

Jonathan Tuley

From: Brook Cole [bcole@merrilltrust.com]
Sent: Friday, January 09, 2009 3:21 PM
To: Jonathan Tuley; Haley Fleming; Dan Reuter
Cc: John Miller; terrytodd@citypalmetto.com; Tom Wilson; Rick Lindsey
Subject: RE: Foxhall Village DRI #1841 - Revised ARC Conditions

Jonathan,

The Merrill Trust agrees to the revised conditions as outlined in your email earlier today with the additional understanding as addressed below from you conversation with Terry Todd.

Thanks,

Brook
Merrill Trust Communities & Resorts, LLC

From: Terry Todd [mailto:terrytodd@citypalmetto.com]
Sent: Friday, January 09, 2009 3:22 PM
To: 'Jonathan Tuley'; 'Tom Wilson'; Brook Cole; 'Rick Lindsey'
Cc: 'Dan Reuter'; 'Haley Fleming'; 'John Miller'
Subject: RE: Foxhall Village DRI #1841 - Revised ARC Conditions

Jon,

Palmetto agrees to the revised conditions. Per our discussion, it is understood that submission of an item to ARC for "review" does not confer or constitute authority to ARC to approve or disapprove the item.

Thanks for your assistance.

Terry

From: Jonathan Tuley [mailto:JTuley@atlantaregional.com]
Sent: Friday, January 09, 2009 12:04 PM
To: terrytodd@citypalmetto.com; Tom Wilson; Brook Cole
Cc: Dan Reuter; Haley Fleming
Subject: Foxhall Village DRI #1841 - Revised ARC Conditions

We have revised our conditions for the Foxhall Village DRI. Please review and send me an e-mail stating that your party agrees to these conditions. ARC needs to receive an e-mail from each of the three parties involved to move forward with a positive staff finding. Send the e-mail to me by close of business today if possible. Please call me if you have any questions or concerns regarding these conditions. Thanks.

Jon Tuley

Senior Planner
Atlanta Regional Commission
Land Use Planning Division
40 Courtland Street, NE
Atlanta, GA 30303
(P) 404.463.3309 (F) 404-463-3254

jtuley@atlantaregional.com

<<Proposed Conditions (REVISED) - Foxhall Village.pdf>>

Jonathan Tuley

From: Terry Todd [terrytodd@citypalmetto.com]
Sent: Friday, January 09, 2009 3:22 PM
To: Jonathan Tuley; 'Tom Wilson'; 'Brook Cole'; 'Rick Lindsey'
Cc: Dan Reuter; Haley Fleming; 'John Miller'
Subject: RE: Foxhall Village DRI #1841 - Revised ARC Conditions
Attachments: Proposed Conditions (REVISED) - Foxhall Village (2).pdf

Jon,

Palmetto agrees to the revised conditions. Per our discussion, it is understood that submission of an item to ARC for "review" does not confer or constitute authority to ARC to approve or disapprove the item.

Thanks for your assistance.

Terry

From: Jonathan Tuley [mailto:JTuley@atlantaregional.com]
Sent: Friday, January 09, 2009 12:04 PM
To: terrytodd@citypalmetto.com; Tom Wilson; Brook Cole
Cc: Dan Reuter; Haley Fleming
Subject: Foxhall Village DRI #1841 - Revised ARC Conditions

We have revised our conditions for the Foxhall Village DRI. Please review and send me an e-mail stating that your party agrees to these conditions. ARC needs to receive an e-mail from each of the three parties involved to move forward with a positive staff finding. Send the e-mail to me by close of business today if possible. Please call me if you have any questions or concerns regarding these conditions. Thanks.

Jon Tuley

Senior Planner
Atlanta Regional Commission
Land Use Planning Division
40 Courtland Street, NE
Atlanta, GA 30303
(P) 404.463.3309 (F) 404-463-3254

jtuley@atlantaregional.com

<<Proposed Conditions (REVISED) - Foxhall Village.pdf>>

Jonathan Tuley

From: Tom.Wilson@ch2m.com
Sent: Friday, January 09, 2009 2:44 PM
To: Jonathan Tuley
Cc: bob.simpson@chatthillsga.us; rlindsey@webb-firm.com
Subject: RE: Foxhall Village DRI #1841 - Revised ARC Conditions

Jonathan,

Please accept this email as Chattahoochee Hills' agreement with the revised conditions.
Thanks for all your help on this.
Tom

Tom Wilson
Community Development Director
CH2M Hill OMI
Municipal Services
Atlanta Office
Cell 404-867-4550

From: Jonathan Tuley [mailto:JTuley@atlantaregional.com]
Sent: Friday, January 09, 2009 12:04 PM
To: terrytodd@citypalmetto.com; Wilson, Tom/MTN; Brook Cole
Cc: Dan Reuter; Haley Fleming
Subject: Foxhall Village DRI #1841 - Revised ARC Conditions

We have revised our conditions for the Foxhall Village DRI. Please review and send me an e-mail stating that your party agrees to these conditions. ARC needs to receive an e-mail from each of the three parties involved to move forward with a positive staff finding. Send the e-mail to me by close of business today if possible. Please call me if you have any questions or concerns regarding these conditions. Thanks.

Jon Tuley

Senior Planner
Atlanta Regional Commission
Land Use Planning Division
40 Courtland Street, NE
Atlanta, GA 30303
(P) 404.463.3309 (F) 404-463-3254

jtuley@atlantaregional.com

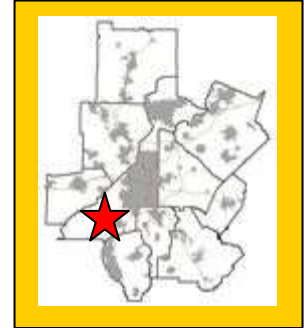
<<Proposed Conditions (REVISED) - Foxhall Village.pdf>>

Preliminary Report:	September 4, 2008	DEVELOPMENT OF REGIONAL IMPACT <u>REVIEW REPORT</u>	Project:	Foxhall Village #1841
Final Report Due:	January 16, 2009		Comments Due By:	September 18, 2008

PRELIMINARY REPORT SUMMARY

PROPOSED DEVELOPMENT:

The proposed Foxhall Village is a mixed use development located on 1,322.67 acres in the City of Palmetto. The proposed development includes 4,500 residential units, 180,000 square feet of commercial space, 420,000 square feet of office, and 610 acres of community greenspace. Residential units will include approximately 800 multi-family units and approximately 3700 single family attached and detached units. Community uses will consist of a church and daycare, school, civic uses such as a public safety, and community amenity centers. Greenspace includes 37.6 acres of community and neighborhood parks, 202.36 acres in watershed protection, and 370.15 acres of passive open space. The proposed development is located at the intersection of Cochran Mill Road and Rico Tatum Road with access onto Atlanta Newnan Road, Wilkerson Mill Road, and Phillips Road.



PROJECT PHASING:

The project is being proposed in one phase with a project build out date 2028.

GENERAL

According to information on the review form or comments received from potentially affected governments:

Is the proposed project consistent with the host-local government's comprehensive plan? If not, identify inconsistencies.

The project site is currently zoned AG-1 (agricultural). The proposed zoning for the site is Planned Neighborhood Development. The City of Palmetto has not updated their comprehensive plan for this area which was annexed into to the City of Palmetto in 2006.

Is the proposed project consistent with any potentially affected local government's comprehensive plan? If not, identify inconsistencies.

The proposed development is not consistent with the City of Chattahoochee Hill Country. A letter submitted to ARC from the City of Chattahoochee Hill Country (attached) states that the development is not consistent.

Will the proposed project impact the implementation of any local government's short-term work program? If so, how?

No comments were received identifying inconsistencies with any potentially affected local short-term work program.

Preliminary Report:	September 4, 2008	DEVELOPMENT OF REGIONAL IMPACT <u>REVIEW REPORT</u>	Project:	Foxhall Village #1841
Final Report Due:	January 16, 2009		Comments Due By:	September 18, 2008

Will the proposed project generate population and/or employment increases in the Region? If yes, what would be the major infrastructure and facilities improvements needed to support the increase?

Yes, the proposed development would increase the need for services in the area. The proposed development is providing community space, including a future school.

What other major development projects are planned near the proposed project?

The ARC has reviewed other major development projects, known as Area Plan (1984 to 1991) or as a DRI (1991 to present), within a 2 mile radius of the proposed project.

YEAR NAME

2007 Friendship Village

2001 Cedar Grove Lakes

2000 Knights S. Fulton Parkway Residential

Will the proposed project displace housing units or community facilities? If yes, identify and give number of units, facilities, etc.

Based on information submitted for the review, the site is currently undeveloped.

Will the development cause a loss in jobs? If yes, how many?

No.

Is the proposed development consistent with regional plans and policies?

The proposed development is a mixed use development that is primarily residential located in the City of Palmetto. The existing area contains very low density and agricultural uses. The proposed development will substantially change the character and patterns in the area without any long term basis in an approved comprehensive plan. Considering current lot/home availability and market conditions, as well as the recently approved Friendship Village project, the proposed development is not supported by regional forecasts.

According the ARC Unified Growth Policy Map (UGPM), the proposed development is located within areas designated suburban neighborhood and rural. Suburban neighborhoods are areas that are located outside the Central City or Activity Centers and will be developed at more of a suburban scale with appropriate commercial development and low intensity mixed use serving the local area. Rural areas are areas that have limited or no development that still and are planned to contain agricultural uses. Development is recommended to be large lots or conservation subdivisions.

The proposed development is served only by existing two lane roadways including Cochran Mill Road, a designated State Scenic Byway. The existing roadway infrastructure is inadequate for the size of the development. Access should be limited, where applicable, along Cochran Mill and "viewsheds" protected to ensure the preservation of the road as a Scenic Byway. Furthermore, many of the roads

Preliminary Report:	September 4, 2008	DEVELOPMENT OF REGIONAL IMPACT <u>REVIEW REPORT</u>	Project:	Foxhall Village #1841
Final Report Due:	January 16, 2009		Comments Due By:	September 18, 2008

surrounding and serving the development are rural in character. The proposed transportation improvements recommended by the traffic study to serve the proposed development are inconsistent with the rural character of the Chattahoochee Hill Country area.

The proposed development does not pass the Air Quality Benchmarks scoring 2%. ARC requires a score of 15% to pass the Air Quality Benchmarks.

Water supply for the development is proposed by the City of Palmetto, by a future planned reservoir, and as needed by the City of Atlanta Chattahoochee River Plant. Funding for the new reservoir has been approved with bond funding. The reservoir is in the draft Metropolitan North Georgia Water Planning District plan, however no permits have been issued. The projected completion date of the reservoir is 2016.

While located in the City of Palmetto, the proposed development was one of three villages proposed in the Chattahoochee Hill Country Master Plan adopted by Fulton County before the site was annexed into the City of Palmetto. The Fulton County village density was based on the use of a Transfer of Development Rights (TDR) program. The intention of the Chattahoochee Hill Country Master Plan was to direct growth into these villages and hamlets to preserve the surrounding agricultural land. Fulton County has discontinued the TDR program and therefore a village density is no longer relevant.

A Livable Centers Initiative (LCI) study was conducted as part of the Chattahoochee Hill Country Master Plan. The Study proposed a “model” sustainable village in the Chattahoochee Hill Country area, taking into consideration environmental factors, market analysis, and community input. The LCI study states that a village will need to be at least 2,000 acres with 800 acres disturbed to accommodate 6,000 housing units and other mixed uses due to environmental factors, and economic and market analysis.

ARC also funded a zoning overlay for the Chattahoochee Hill Country Master Plan under the LCI program. The zoning overlay included design standards which include a 300 foot setback surrounding the village for rural protection, development block standards, sidewalk requirements and the prohibition of cul-de-sacs. The proposed development site plan is inconsistent with many of the design standards required under the zoning overlay and the model village plan.

Currently the City of Palmetto has not adopted a TDR program, the Chattahoochee Hill Master Plan or an update to their Comprehensive Plan for the project area. The Georgia Department of Community Affairs (DCA) Minimum Standards for Local Comprehensive Planning requires a Major Amendment to a Comprehensive Plan when a community changes the “basic tenets” of the local plan this includes an annexation of 100 acres or more to a community. Therefore, the City should first complete an update to the plan per the DCA rules. A major update to a Local Comprehensive Plan does require a 60 day regional review under the DCA Minimum Standards. The applicant asserts that the development does reflect the development policies of the Fulton County 2015 Land Use Plan therefore the development should meet the standards of the Chattahoochee Hill Country Master Plan and zoning overlay. A letter was provided from the City of Palmetto (attached) stating the City’s intention to update their Comprehensive Plan before rezoning the property. This was also called for in the conditions placed on this DRI (attached).

Preliminary Report:	September 4, 2008	DEVELOPMENT OF REGIONAL IMPACT <u>REVIEW REPORT</u>	Project:	Foxhall Village #1841
Final Report Due:	January 16, 2009		Comments Due By:	September 18, 2008

In the initial site plan the gross open space was 390.07 acres of the total 1,322.67 acres, or 29% of the total site area. This included both active and passive recreation spaces as well as land that is not suitable for development. Of the 390.07 acres of gross open space, 187.71 acres, or 14% of the total site acreage, is considered community passive greenspace, including land that is buildable and outside of the environmental sensitive areas. ARC considers a conservation subdivision to have at a minimum 40% open space where both primary and secondary conservation areas are preserved. Primary conservation areas are floodplains, wetlands, riparian zones, steep slopes, habitat for threatened or endangered species, and archeological or burial ground site. Secondary conservation areas include historic sites, healthy existing native forest and trees, scenic viewsheds, prime agricultural lands, and existing trails.

After meeting and discussing the open space requirements, gross open space for the development was increased to 610.11 or 46% of the total site thus meeting ARC's open space standard for a conservation subdivisions.

The original site plan showed 4,680 residential units consisting of 959 multi-family units, 2,053 single family attached dwellings, and 1,668 single family detached units. ARC staff and the developer met and discussed the intensity of the proposed development and its inconsistencies with the ARC Unified Growth Policy Map. Also discussed was the effect the proposed development would have on surrounding land uses and the existing transportation network. The developer decreased the total number of residential units to 4,500 now consisting of 800 multi-family units, 1878 single-family attached and 1822 single-family detached units. The developer also moved many of the residential units from the west side to the east side of Cochran Mill Road.

ARC staff met with the developer and convened several meetings with the Cities of Palmetto and Chattahoochee Hill Country. The two cities discussed concerns with the intensity of the development as well as the land use and transportation impacts on both jurisdictions. From these meetings, the Cities of Palmetto and Chattahoochee Hill Country developed an Intergovernmental Agreement (IGA). This agreement outlines funding responsibility for future needed transportation improvements caused by new development.

Preliminary Report:	September 4, 2008	DEVELOPMENT OF REGIONAL IMPACT <u>REVIEW REPORT</u>	Project:	Foxhall Village #1841
Final Report Due:	January 16, 2009		Comments Due By:	September 18, 2008

PRELIMINARY REPORT

Regional Development Plan Policies

1. Provide sustainable economic growth in all areas of the region.
2. Encourage new homes and jobs within existing developed areas of the region, focusing on principal transportation corridors, the Central Business District, activity centers, and town centers.
3. Increase opportunities for mixed use development, transit-oriented development, infill, and redevelopment.
4. At strategic regional locations, plan and retail industrial and freight land uses.
5. Design transportation infrastructure to protect the context of adjoining development and provide a sense of place appropriate for our communities.
6. Promote the reclamation of Brownfield development sites.
7. Protect the character and integrity of existing neighborhoods, while also meeting the needs of communities to grow.
8. Encourage a variety of homes styles, densities, and price ranges in locations that are accessible to jobs and services to ensure housing for individuals and families of all incomes and age groups.
9. Promote new communities that feature greenspace and neighborhood parks, pedestrian scale, support transportation options, and provide an appropriate mix of uses and housing types.
10. Promote sustainable and energy efficient development.
11. Protect environmentally-sensitive areas including wetlands, floodplains, small water supply watersheds, rivers and stream corridors.
12. Increase the amount, quality, and connectivity, and accessibility of greenspace.
13. Provide strategies to preserve and enhance historic resources
14. Through regional infrastructure planning, limit growth in undeveloped areas of the region
15. Assist local governments to adopt growth management strategies that make more efficient use of existing infrastructure.
16. Inform and involve the public in planning at regional, local, and neighborhood levels.
17. Coordinate local policies and regulations to support Regional Policies
18. Encourage the development of state and regional growth management policy.

BEST LAND USE PRACTICES

Practice 1: Keep vehicle miles of travel (VMT) below the area average. Infill developments are the best at accomplishing this. The more remote a development the more self contained it must be to stay below the area average VMT.

Practice 2: Contribute to the area's jobs-housing balance. Strive for a job-housing balance with a three to five mile area around a development site.

Practice 3: Mix land uses at the finest grain the market will bear and include civic uses in the mix.

Preliminary Report:	September 4, 2008	DEVELOPMENT OF REGIONAL IMPACT REVIEW REPORT	Project:	Foxhall Village #1841
Final Report Due:	January 16, 2009		Comments Due By:	September 18, 2008

Practice 4: Develop in clusters and keep the clusters small. This will result in more open space preservation.

Practice 5: Place higher-density housing near commercial centers, transit lines and parks. This will enable more walking, biking and transit use.

Practice 6: Phase convenience shopping and recreational opportunities to keep pace with housing. These are valued amenities and translate into less external travel by residents if located conveniently to housing.

Practice 7: Make subdivisions into neighborhoods with well-defined centers and edges. This is traditional development.

Practice 8: Reserve school sites and donate them if necessary to attract new schools. This will result in neighborhood schools which provide a more supportive learning environment than larger ones.

Practice 9: Concentrate commercial development in compact centers or districts, rather than letting it spread out in strips.

Practice 10: Make shopping centers and business parks into all-purpose activity centers. Suburban shopping centers and their environs could be improved by mixing uses and designing them with the pedestrian amenities of downtowns.

Practice 11: Tame auto-oriented land uses, or at least separate them from pedestrian-oriented uses. Relegate “big box” stores to areas where they will do the least harm to the community fabric.

BEST TRANSPORTATION PRACTICES

Practice 1: Design the street network with multiple connections and relatively direct routes.

Practice 2: Space through-streets no more than a half-mile apart or the equivalent route density in a curvilinear network.

Practice 3: Use traffic-calming measures liberally. Use short streets, sharp curves, center islands, traffic circles, textured pavements, speed bumps and raised crosswalks.

Practice 4: Keep speeds on local streets down to 20 mph.

Practice 5: Keep speeds on arterials and collectors down to 35 mph (at least inside communities).

Practice 6: Keep all streets as narrow as possible and never more than four traffic lanes wide. Florida suggests access streets 18 feet, subcollectors 26 feet, and collectors from 28 feet to 36 feet depending on lanes and parking.

Practice 7: Align streets to give buildings energy-efficient orientations. Allow building sites to benefit from sun angles, natural shading and prevailing breezes.

Practice 8: Avoid using traffic signals wherever possible and always space them for good traffic progression.

Practice 9: Provide networks for pedestrians and bicyclists as good as the network for motorists.

Practice 10: Provide pedestrians and bicyclists with shortcuts and alternatives to travel along high-volume streets.

Practice 11: Incorporate transit-oriented design features.

Practice 12: Establish TDM programs for local employees. Ridesharing, modified work hours, telecommuting and others.

BEST ENVIRONMENTAL PRACTICES

Practice 1: Use a systems approach to environmental planning. Shift from development orientation to basins or ecosystems planning.

Practice 2: Channel development into areas that are already disturbed.

Practice 3: Preserve patches of high-quality habitat, as large and circular as possible, feathered at the edges and connected by wildlife corridors. Stream corridors offer great potential.

Practice 4: Design around significant wetlands.

Practice 5: Establish upland buffers around all retained wetlands and natural water bodies.

Practice 6: Preserve significant uplands, too.

Practice 7: Restore and enhance ecological functions damaged by prior site activities.

Practice 8: Detain runoff with open, natural drainage systems. The more natural the system the more valuable it will be for wildlife and water quality.

Practice 9: Design man-made lakes and stormwater ponds for maximum environmental value. Recreation, stormwater management, wildlife habitat and others.

Preliminary Report:	September 4, 2008	DEVELOPMENT OF REGIONAL IMPACT <u>REVIEW REPORT</u>	Project:	Foxhall Village #1841
Final Report Due:	January 16, 2009		Comments Due By:	September 18, 2008

Practice 10: Use reclaimed water and integrated pest management on large landscaped areas. Integrated pest management involves controlling pests by introducing their natural enemies and cultivating disease and insect resistant grasses.

Practice 11: Use and require the use of Xeriscape™ landscaping. Xeriscaping™ is water conserving landscape methods and materials.

BEST HOUSING PRACTICES

Practice 1: Offer “life cycle” housing. Providing integrated housing for every part of the “life cycle.”

Practice 2: Achieve an average net residential density of six to seven units per acre without the appearance of crowding. Cluster housing to achieve open space.

Practice 3: Use cost-effective site development and construction practices. Small frontages and setbacks; rolled curbs or no curbs; shared driveways.

Practice 4: Design of energy-saving features. Natural shading and solar access.

Practice 5: Supply affordable single-family homes for moderate-income households.

Practice 6: Supply affordable multi-family and accessory housing for low-income households.

Practice 7: Tap government housing programs to broaden and deepen the housing/income mix.

Practice 8: Mix housing to the extent the market will bear.

LOCATION

Where is the proposed project located within the host-local government's boundaries?

The proposed development is located in the City of Palmetto, between Phillips Road and Upper Rico Road.

Will the proposed project be located close to the host-local government's boundary with another local government? If yes, identify the other local government.

The proposed development is entirely within the City of Palmetto’s jurisdiction. The proposed development is surrounded on three sides by the City of Chattahoochee Hills.

Will the proposed project be located close to land uses in other jurisdictions that would benefit, or be negatively impacted, by the project? Identify those land uses which would benefit and those which would be negatively affected and describe impacts.

This will be determined based on comments received from potentially impacted local governments.

ECONOMY OF THE REGION

According to information on the review form or comments received from potentially affected governments:

What new taxes will be generated by the proposed project?

Estimated value of the development is \$1,659,592,393 with an expected \$22 million in annual local tax revenues.

Preliminary Report:	September 4, 2008	DEVELOPMENT OF REGIONAL IMPACT <u>REVIEW REPORT</u>	Project:	Foxhall Village #1841
Final Report Due:	January 16, 2009		Comments Due By:	September 18, 2008

How many short-term jobs will the development generate in the Region?

Short-term jobs will depend upon construction schedule.

Is the regional work force sufficient to fill the demand created by the proposed project?

Yes.

In what ways could the proposed development have a positive or negative impact on existing industry or business in the Region?

The proposed development will likely encourage additional growth in an area with limited infrastructure and services..

NATURAL RESOURCES

Will the proposed project be located in or near wetlands, groundwater recharge area, water supply watershed, protected river corridor, or other environmentally sensitive area of the Region? If yes, identify those areas.

Watershed Protection

The proposed project is not in the Chattahoochee River Corridor, but it is within the portion of the Chattahoochee Basin that drains into the Corridor. The project property is also within the proposed Bear Creek Water Supply Watershed that is proposed to serve the Cities of Palmetto, Fairburn and Union City. The watershed serving the proposed intake is about 28.5 square miles, making it a small (less than 100 square mile) watershed under the Georgia Part 5 Minimum environmental Planning Criteria.

The project will be required to meet the Part 5 Minimum Criteria for small water supply watersheds or the requirements of any alternate criteria that are approved by Georgia DCA and EPD. The minimum criteria for land within seven miles of an intake or reservoir (most of the project is within seven miles of the proposed reservoir site) include a 150-foot impervious surface setback and 100-foot vegetative buffer on both banks of all perennial streams (defined by the criteria as streams shown as perennial on the appropriate USGS 1:24,000 quadrangle map or digital coverage). These buffers are shown on the submitted plans. In addition, a maximum of 25 percent of the watershed can be in impervious surface unless alternate criteria are developed. Any streams that are not covered by the Part 5 buffers may be subject to the City of Palmetto Buffer Ordinance buffers.

All state waters on the property are subject to the 25-foot state Erosion and Sedimentation Act buffers, which are administered by the Environmental Protection Division of Georgia DNR.

Storm Water / Water Quality

The project should adequately address the impacts of the proposed development on stormwater runoff and downstream water quality. During construction, the project should conform to the relevant state and federal erosion and sedimentation control requirements. After construction, water quality will be impacted due to polluted stormwater runoff. ARC has estimated the amount of pollutants that will be

Preliminary Report:	September 4, 2008	DEVELOPMENT OF REGIONAL IMPACT REVIEW REPORT	Project:	Foxhall Village #1841
Final Report Due:	January 16, 2009		Comments Due By:	September 18, 2008

produced after construction of the proposed development. These estimates are based on some simplifying assumptions for typical pollutant loading factors (lbs/ac/yr). The loading factors are based on regional storm water monitoring data from the Atlanta Region. Land use areas were estimated based on the project plans. All residential areas have been classified as multi-family, since single-family lot sizes are not listed and the averaged lot size is less than ¼-acre, which does not have separate loading factors. Actual loading factors will depend on the amount of impervious surface and the specific uses in the final project design. The following table summarizes the results of the analysis:

Estimated Pounds of Pollutants Per Year:

Land Use	Land Area (ac)	Total Phosphorus	Total Nitrogen	BOD	TSS	Zinc	Lead
Commercial	79.91	136.65	1390.43	8630.28	78551.53	98.29	17.58
Forest/Open	390.07	31.21	234.04	3510.63	91666.45	0.00	0.00
Townhouse/Apartment	852.69	895.32	9132.31	57130.23	515877.45	648.04	119.38
TOTAL	1322.67	1063.18	10756.78	69271.14	686095.43	746.33	136.96

Total % impervious 36%

In order to address post-construction stormwater runoff quality, the project should implement stormwater management controls (structural and/or nonstructural) as found in the Georgia Stormwater Management Manual (www.georgiastormwater.com) and meet the stormwater management quantity and quality criteria outlined in the Manual. Where possible, the project should utilize the stormwater better site design concepts included in the Manual.

HISTORIC RESOURCES

Will the proposed project be located near a national register site? If yes, identify site.

None have been identified at this time.

In what ways could the proposed project create impacts that would damage the resource?

Not applicable.

In what ways could the proposed project have a positive influence on efforts to preserve or promote the historic resource?

Not applicable.

Preliminary Report:	September 4, 2008	DEVELOPMENT OF REGIONAL IMPACT REVIEW REPORT	Project:	Foxhall Village #1841
Final Report Due:	January 16, 2009		Comments Due By:	September 18, 2008

INFRASTRUCTURE

Transportation

How many site access points will be associated with the proposed development? What are their locations?

The site proposes five full access driveways along Cochran Mill Road and six full access driveways along Rico Tatum Road for the development that will be completed by the year 2015.

The site proposes five full access driveways on Cochran Mill Road, one full access driveway on Wilkerson Mill Road, three full access driveways on Philips Road, two full access driveways on Atlanta Newnan Road and eight full access driveways on Rico Tatum Road for the entire development that will be completed by the year 2028.

How much traffic (both average daily and peak am/pm) will be generated by the proposed project?

A & R Engineering performed the transportation analysis. GRTA and ARC review staff agreed with the methodology and assumptions used in the analysis. The net trip generation is based on the rates published in the 7th edition of the Institute of Transportation Engineers (ITE) Trip Generation report; they are listed in the following table:

Interim Phase Trip Generation:

Land Use	A.M. Peak Hour			P.M. Peak Hour			24-Hour
	Enter	Exit	2-Way	Enter	Exit	2-Way	2-Way
Shopping Center 88,200 SF	88	57	145	276	300	576	6,259
General Office 205,800 SF	294	40	334	53	256	309	2,326
Single Family Detached 430 Units	78	232	310	251	147	398	3,979
Multi Family 631 Units	63	250	313	237	128	365	3,943
Single Family Attached 255 Units	19	90	109	87	43	130	1,422
Elementary School 1,000 Students	208	171	379	12	14	26	1,290
<i>Mixed-Use Reductions</i>	-7	-6	-13	-80	-80	-160	-1,736
<i>Alternative Mode Reductions</i>	-	-	0	-	-	0	0
<i>Pass-By Reductions</i>	-	-	0	-98	-102	-200	-2,000
Total New Trips	743	834	1,577	738	706	1,444	15,483

Preliminary Report:	September 4, 2008	DEVELOPMENT OF REGIONAL IMPACT REVIEW REPORT	Project:	Foxhall Village #1841
Final Report Due:	January 16, 2009		Comments Due By:	September 18, 2008

Full Build-Out Trip Generation:

Land Use	A.M. Peak Hour			P.M. Peak Hour			24-Hour
	Enter	Exit	2-Way	Enter	Exit	2-Way	2-Way
Shopping Center 180,000 SF	136	87	223	443	480	923	9,951
General Office 420,000 SF	520	71	591	93	456	549	4,028
Single Family Detached 1,668 Units	294	883	1,177	850	499	1,349	13,847
Multi Family 959 Units	95	379	474	354	191	545	5,914
Single Family Attached 2,053 Units	98	481	579	480	236	716	8,375
Elementary School 1,000 Students	208	171	379	12	14	26	1,290
<i>Mixed-Use Reductions</i>	-10	-11	-21	-130	-129	-259	-2,768
<i>Alternative Mode Reductions</i>	-	-	0	-	-	0	0
<i>Pass-By Reductions</i>	-	-	0	-130	-135	-265	-2,650
Total New Trips	1,341	2,061	3,402	1,972	1,612	3,584	37,987

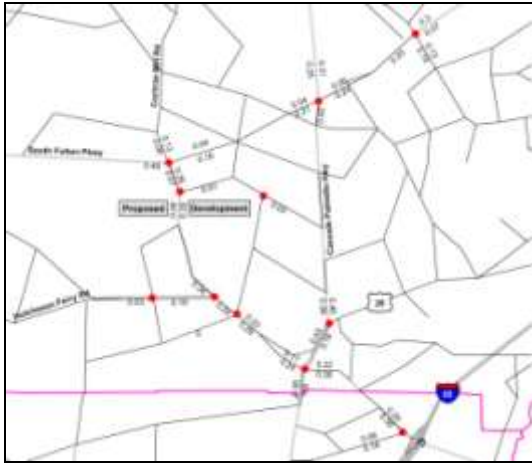
What are the existing traffic patterns and volumes on the local, county, state and interstate roads that serve the site?

Incorporating the trip generation results, the transportation consultant distributed the traffic on the current roadway network. An assessment of the existing Level of Service (LOS) and projected LOS based on the trip distribution findings helps to determine the study network. The results of this exercise determined the study network, which has been approved by ARC and GRTA. If analysis of an intersection or roadway results in a substandard LOS "D", then the consultant recommends improvements.

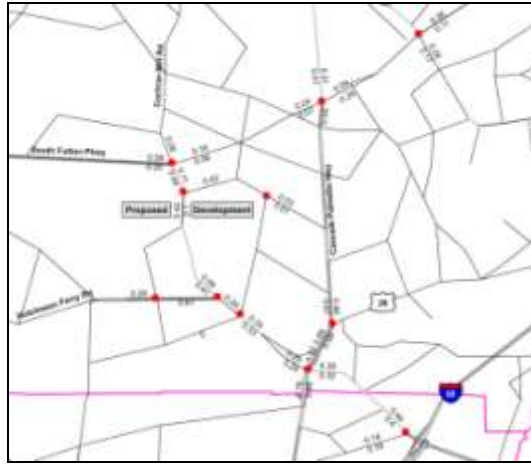
Projected traffic volumes from the Regional Travel Demand Model are compared to the assigned capacity of facilities within the study network. This data is used to calculate a volume to capacity (V/C) ratio. The V/C ratio values that define the LOS thresholds vary depending on factors such as the type of terrain traversed and the percent of the road where passing is prohibited. LOS A is free-flow traffic from 0 to 0.3, LOS B is decreased free-flow from 0.31 to 0.5, LOS C is limited mobility from 0.51 to 0.75, LOS D is restricted mobility from 0.76 to 0.9, LOS E is at or near capacity from 0.91 to 1.00, and LOS F is breakdown flow with a V/C ratio of 1.01 or above. As a V/C ratio reaches 0.8, congestion increases. The V/C ratios for traffic in various network years are presented in the following table. Any facilities that have a V/C ratio of 1.0 or above are considered congested.

Preliminary Report:	September 4, 2008	DEVELOPMENT OF REGIONAL IMPACT REVIEW REPORT	Project:	Foxhall Village #1841
Final Report Due:	January 16, 2009		Comments Due By:	September 18, 2008

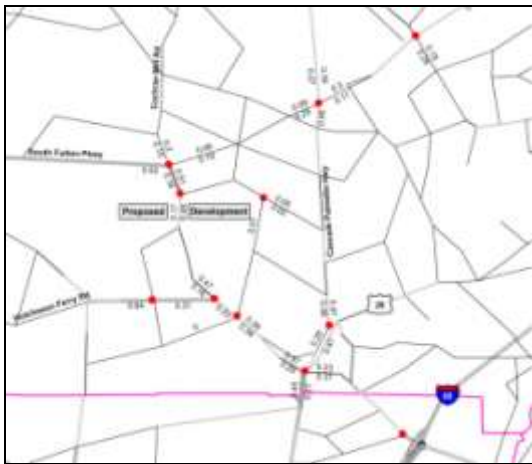
V/C Ratios –



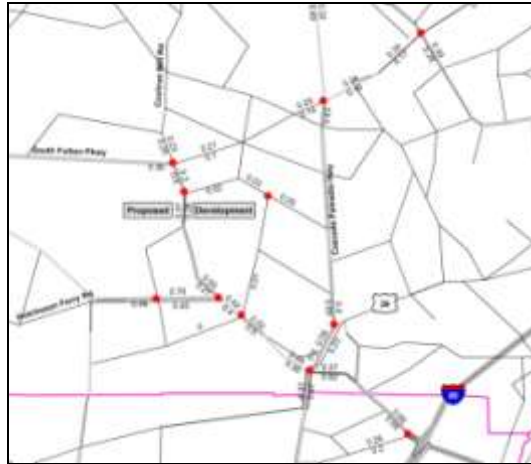
2010 AM Peak



2010 PM Peak



2020 AM Peak



2020 PM Peak



2030 AM Peak



2030 PM Peak

Legend						
AM/PM Peak V/C Ratio	LOS A: 0 - 0.3	LOS B: 0.31 - 0.5	LOS C: 0.51 - 0.75	LOS D: 0.76 - 0.90	LOS E: 0.91 - 1.00	LOS F: 1.01+

Preliminary Report:	September 4, 2008	DEVELOPMENT OF REGIONAL IMPACT REVIEW REPORT	Project:	Foxhall Village #1841
Final Report Due:	January 16, 2009		Comments Due By:	September 18, 2008

For the V/C ratio graphic, the data is based on 2010, 2020 and 2030 AM/PM peak volume data generated from ARC's 20-county travel demand model utilizing projects from Envision6 and the FY 2008-2013 TIP. The 20-county networks are being used since they consist of the most up to date transportation networks and data. The travel demand model incorporates lane addition improvements and updates to the network as appropriate. As the life of the RTP progresses, volume and/or V/C ratio data may appear inconsistent due to (1) effect of implementation of nearby new or expanded facilities or (2) impact of socio-economic data on facility types.

List the transportation improvements that would affect or be affected by the proposed project.

2008-2013 TIP*

ARC Number	Route	Type of Improvement	Scheduled Completion Year
FS-120	SR 154 (Cascade-Palmetto Road) at Wilkerson Road	Roadway Operational Upgrades	2010
FS-140	Cochran Mill Road at Pea Creek	Bridge Upgrade	2010
FS-191	SR 154 (Cascade-Palmetto Road) at Bear Creek	Bridge Upgrade	2010
FS-196	South Fulton Parkway access management plan from Douglas County line to I-285/I-85 interchange	Study	2010
FS-209	South Fulton Scenic Byway multi-use trail from Cochran Mill Park to Phillips Road	Multi-Use Bike/Ped Facility	2010

Envision6 RTP (Long Range Projects)*

ARC Number	Route	Type of Improvement	Scheduled Completion Year
FS-050	US 29 (Roosevelt Hwy) from south of Palmetto city limits to SR 154 (Cascade Palmetto Highway)	General Purpose Roadway Capacity	2020
FS-AR-182	I-85 South at SR 74 (Senoia Road)	Interchange Upgrade	2030
FS-AR-183	I-85 South at SR 138 (Jonesboro Road)	Interchange Upgrade	2020

**The ARC Board adopted the Envision6 RTP and FY 2008-2013 TIP on September 26th, 2007.*

Summarize the transportation improvements as recommended by consultant in the traffic study for Foxhall Village

According to the findings, there will be some capacity deficiencies as a result of future year **background** traffic. The transportation consultant has made recommendations for improvements to be carried out in order to upgrade the existing level of service.

Interim Phase 2015 background traffic improvements:

Fairburn Industrial Boulevard @ US 29 – Fairburn Industrial Boulevard Connector Ramps

- The northbound approach to the intersection will operate at LOS E during the PM peak hour. It is not uncommon for side streets to experience delays during the peak hours. No improvements can be recommended at the intersection to improve the LOS except installation of a traffic signal. However, the intersection does not have the necessary

Preliminary Report:	September 4, 2008	DEVELOPMENT OF REGIONAL IMPACT REVIEW REPORT	Project:	Foxhall Village #1841
Final Report Due:	January 16, 2009		Comments Due By:	September 18, 2008

volumes to warrant a traffic signal. Therefore, no improvements are recommended for this intersection.

Collingsworth Road @ Weldon Road

- Add dedicated westbound and southbound right turn lanes on Collingsworth Road.

Build Year 2028 background traffic:

Fairburn Industrial Boulevard @ US 29 – Fairburn Industrial Boulevard Connector Ramps

- Add a dedicated eastbound right turn lane on Fairburn Industrial Boulevard.
- The intersection will operate at a LOS F during both the AM and PM peak hours for the northbound approach (US 29 – Fairburn Industrial Boulevard Connector Ramps). Signal warrants were evaluated for the peak hours to determine if the peak hour warrant will be met at this intersection for the base conditions. The traffic conditions will not warrant at least the peak hour signal warrant required for installation of a traffic signal for the Base 2028 volumes. Therefore, a traffic signal is not recommended at this intersection for the Base 2028 condition. No additional improvements can be recommended to improve the LOS.

Collingsworth Road @ Weldon Road

- Install a traffic signal.

US 29 @ Wilkerson Mill Road @ Tatum Road

- The southbound approach to the intersection will operate at LOS E during both the AM and PM peak hours. It is not uncommon for side streets to experience delays during the peak hours. No improvements can be recommended at this intersection to improve the LOS except the installation of a traffic signal. however, the intersection does not have necessary volumes to warrant a traffic signal. Therefore, no improvements are recommended for this intersection.

According to the findings, there will be some capacity deficiencies as a result of future year **total** traffic. The transportation consultant has made recommendations for improvements to be carried out in order to upgrade the existing level of service.

Interim Phase 2015 total traffic:

Fairburn Industrial Boulevard @ US 29 – Fairburn Industrial Boulevard Connector Ramp

- Install a traffic signal
- Provide permissive + protected phasing for westbound left turn movement on Fairburn Industrial Boulevard.

Collingsworth Road @ Weldon Road

- Install a traffic signal

US 29 @ Wilkerson Mill Road @ Tatum Road

- Install a traffic signal.

SR 154 @ Wilkerson Mill Road

- Install a traffic signal

Cochran Mill Road @ Wilkerson Mill Road

- Install a traffic signal

S. Fulton Pkwy @ Cochran Mill Road



Preliminary Report:	September 4, 2008	DEVELOPMENT OF REGIONAL IMPACT REVIEW REPORT	Project:	Foxhall Village #1841
Final Report Due:	January 16, 2009		Comments Due By:	September 18, 2008

- Install a traffic signal
- Restripe the westbound approach to include dedicated left turn and shared through / right turn lanes, which will not require any additional pavements.

Hutcheson Ferry Road @ Cochran Mill Road

- Add a dedicated westbound right turn lane on Hutcheson Ferry Road.

Cochran Mill Road @ Rico Tatum Road / Retail & Office Driveway 1

- Will be discussed in section 9.4 Site Access Analysis section of the report.

Build Year 2028 total traffic:

US 29 / Toombs Street / Fayetteville Road

- Add an additional southbound through lane on US 29. This improvement is a planned program by ARC that is scheduled to be completed in 2020.
- Add dedicated northbound and southbound left turn lanes on US 29

US 29 / SR 154 / Ramah Baptist Church Driveway

- Add dedicated southbound dual left turn lanes with protected only phasing on SR 154.

Fairburn Industrial Boulevard / US 29 – Fairburn Industrial Boulevard Connector Ramp

- Install a traffic signal
- Provide permissive + protected phasing for westbound left turn movements on Fairburn Industrial Boulevard

US 29 / US 29 – Fairburn Industrial Boulevard Connector Ramp

- Install a traffic signal
- Provide permissive + protected phasing for northbound left turn movements on US 29.
- Provide permissive + overlap phasing for eastbound right turn movements on US 29 – Fairburn Industrial Boulevard Connector Ramp.

Collingsworth Road / Weldon Road

- Install a traffic signal
- Add a dedicated westbound right turn lane with permissive + overlap phasing on Collingsworth Road

US 29 / Wilkerson Mill Road / Tatum Road

- Install a traffic signal

SR 154 / Wilkerson Mill Road

- Install a traffic signal.
- Add dedicated eastbound left and right turn lanes on Wilkerson Mill Road.
- Provide permissive + protected phasing for eastbound left turn movement on Wilkerson Mill Road.
- Add a dedicated northbound left turn lane with permissive + protected phasing on SR 154.
- Add a dedicated southbound left turn lane on SR 154.

Wilkerson Mill Road / Phillips Road

- Add a dedicated northbound right turn lane on Phillips Road. The northbound approach to the intersection will operate at LOS F during the AM and PM peak hours after the recommended improvements are completed. It is not uncommon for side streets to experience delays during

Preliminary Report:	September 4, 2008	DEVELOPMENT OF REGIONAL IMPACT REVIEW REPORT	Project:	Foxhall Village #1841
Final Report Due:	January 16, 2009		Comments Due By:	September 18, 2008

the peak hours. No improvements can be recommended at the intersection to improve the LOS except the installation of a traffic signal; however, the intersection will not have the necessary volumes to warrant a traffic signal. Therefore, no additional improvements are recommended for this intersection.

Cochran Mill Road / Wilkerson Mill Road

- Install a traffic signal
- Add a dedicated northbound right turn lane on Cochran Mill Road.
- Add a dedicated westbound left turn lane on Wilkerson Mill Road.

S. Fulton Parkway / Cochran Mill Road

- Install a traffic signal
- Add a dedicated northbound right turn lane with permissive + overlap phasing on Cochran Mill Road.
- Restripe the existing westbound approach to include a dedicated left and a shared through / right turn lane.
- Provide permissive + protected phasing for the westbound left turn movements on Wilkerson Mill Road

S. Fulton Parkway / Rivertown Road

- The intersection will operate at LOS F during the PM peak hour for the northbound approach. It is not uncommon for side streets to experience delays during the peak hours. No improvements can be recommended at the intersection to improve the LOS except the installation of a traffic signal; however, the intersection will not have the necessary volumes to warrant a traffic signal. Therefore, no improvements are recommended for this intersection.

Hutcheson Ferry Road / Phillips Road

- Install a traffic signal.

Hutcheson Ferry Road / Cochran Mill Road

- Install a traffic signal
- Add a dedicated westbound right turn lane on Hutcheson Ferry Road.

Atlanta Newnan Road / Rico Tatum Road

- Install a traffic signal
- Add a dedicated westbound left turn lane on Rico Tatum Road.

Cochran Mill Road / Rico Tatum Road / Retail & Office Driveway 1

- Will be discussed in section 9.4 Site Access Analysis section of the report.

Is the site served by transit? If so, describe type and level of service and how it will enhance or be enhanced by the presence of transit? Are there plans to provide or expand transit service in the vicinity of the proposed project?

The site is not served by any form of transit.

Preliminary Report:	September 4, 2008	DEVELOPMENT OF REGIONAL IMPACT REVIEW REPORT	Project:	Foxhall Village #1841
Final Report Due:	January 16, 2009		Comments Due By:	September 18, 2008

What transportation demand management strategies does the developer propose (carpool, flex-time, transit subsidy, etc.)?

None proposed.

The development **DOES NOT PASS** the ARC's Air Quality Benchmark test.

Air Quality Impacts/Mitigation (based on ARC strategies)	Credits	Total
Bike/ped networks connecting uses w/in the site	2%	2%
Total		2%

What are the conclusions of this review? Is the transportation system (existing and planned) capable of accommodating these trips?

Based on the traffic analysis completed by A & R Engineering and projected traffic volumes derived from the ARC Travel Demand Model (TDM), the transportation system is not fully capable of accommodating the new trips generated by the proposed development and maintaining acceptable LOS standards at the studied intersections. Improvements are needed and should be implemented to maintain or improve LOS standards on surface streets in the vicinity of the proposed development.

ARC makes the following recommendations for the proposed development consistent with adopted local and regional plans:

- Sidewalks needed on both sides of internal streets and along all public street frontages
- ARC is concerned that improvements such as traffic signals and turn lanes are proposed for Phillips Road which is currently a gravel road. In addition two different internal collector roads connect to Phillips Road; however, there are no recommendations to pave that facility.
- ARC is concerned that the current site plan leaves few opportunities to make future roadway connections to the proposed collector roads internal

INFRASTRUCTURE

Wastewater and Sewage

Estimated wastewater generation was not submitted during the review

Which facility will treat wastewater from the project?

The South Fulton Camp Creek Wastewater facility will provide wastewater treatment for the proposed development.

Preliminary Report:	September 4, 2008	DEVELOPMENT OF REGIONAL IMPACT REVIEW REPORT	Project:	Foxhall Village #1841
Final Report Due:	January 16, 2009		Comments Due By:	September 18, 2008

What is the current permitted capacity and average annual flow to this facility?

N/A

PERMITTED CAPACITY MMF, MGD ₁	DESIGN CAPACITY MMF, MGD	2001 MMF, MGD	2008 MMF, MGD	2008 CAPACITY AVAILABLE +/-, MGD	PLANNED EXPANSION	REMARKS
13	13	13	17	-4	Expansion to 24 MGD by 2005	

MMF: Maximum Monthly Flow. Mgd: million of gallons per day.

*₁ Source: Metropolitan North Georgia Water Planning District **SHORT-TERM WASTEWATER CAPACITY PLAN**, August 2002.*

What other major developments will be served by the plant serving this project?

ARC has reviewed a number of major developments that will be served by this plant.

INFRASTRUCTURE

Water Supply and Treatment

How much water will the proposed project demand?

Water demand also is estimated at 1.775 MGD based on regional averages.

How will the proposed project's demand for water impact the water supply or treatment facilities of the jurisdiction providing the service?

Information submitted with the review suggests that there is sufficient water supply capacity available for the proposed project.

INFRASTRUCTURE

Solid Waste

How much solid waste will be generated by the project? Where will this waste be disposed?

Information submitted with the review 6,509 tons of solid waste per year and the waste will be disposed of in Fulton County.

Will the project create any unusual waste handling or disposal problems?

No.

Preliminary Report:	September 4, 2008	DEVELOPMENT OF REGIONAL IMPACT <u>REVIEW REPORT</u>	Project:	Foxhall Village #1841
Final Report Due:	January 16, 2009		Comments Due By:	September 18, 2008

Are there any provisions for recycling this project's solid waste?

None stated.

INFRASTRUCTURE

Other facilities

According to information gained in the review process, will there be any unusual intergovernmental impacts on:

- **Levels of governmental services?**
- **Administrative facilities?**
- **Schools?**
- **Libraries or cultural facilities?**
- **Fire, police, or EMS?**
- **Other government facilities?**
- **Other community services/resources (day care, health care, low income, non-English speaking, elderly, etc.)?**

None determined during the review.

HOUSING

Will the proposed project create a demand for additional housing?

No, the development is proposing 4,680 residential units.

Will the proposed project provide housing opportunities close to existing employment centers?

No.

Is there housing accessible to the project in all price ranges demanded?

The site proposed for the development is located in Census Tract 104. This tract had a 27.8 percent increase in number of housing units from 2000 to 2006 according to ARC's Population and Housing Report. The report shows that 90 percent of the housing units are single-family, compared to 69 percent for the region; thus indicating a lack of housing options around the development area.

Is it likely or unlikely that potential employees of the proposed project will be able to find affordable* housing?

N/A

* Defined as 30 percent of the income of a family making 80 percent of the median income of the Region – FY 2000 median income of \$51,649 for family of 4 in Georgia.



6505 Rico Road, Suite A, Chattahoochee Hill Country, Georgia 30268

MAYOR

Don L. Hayes

CITY COUNCIL

John Taylor

Carl Hattaway

David Hanson

Faye Godwin

Rodney Peek

CITY MANAGER

Bob Simpson

www.chatthillsga.us

24-Hour Information

(404) 463-5550

Fax (404) 463-8550

October 6, 2008

Mr. Charles Krautler, Director
Atlanta Regional Commission
40 Courtland Street, NE.
Atlanta, GA 30303

Re: DRI Review No. R809041 – Foxhall Village, Palmetto, Georgia

Dear Mr. Krautler,

I am in receipt of the GRTA staff report and recommendations for Foxhall Village (DRI#1841). I am concerned that these recommendations alone cannot adequately require the installation of the transportation improvements included in the report. Specifically, where improvements are recommended inside the City of Chattahoochee Hills, there is no provision as to who is responsible for their installation.

Should Palmetto fail to make such recommendations a Condition of Zoning Approval, there would be no clear responsible party identified to make these improvements. Chattahoochee Hills' short term work program has not anticipated the cost of such improvements and does not have the resources necessary to make them.

Please consider facilitating a meeting between the city councils of Palmetto and Chattahoochee Hills so that we may express our grave concern regarding the impact this project will have upon the quality of life of our citizens and long-term financial implications should Palmetto not require the developer to make all recommended improvements?

Thank you for allowing us to be included in your DRI review process.

Sincerely,

Tom Wilson
Community Development Director

cc: Mayor Don Hayes
Bob Simpson, City Manager



6505 Rico Road, Suite A, Chattahoochee Hill Country, Georgia 30268

MAYOR

Don L. Hayes

CITY COUNCIL

John Taylor

Carl Hattaway

David Hanson

Faye Godwin

Rodney Peek

CITY MANAGER

Bob Simpson

www.chatthillsga.us

24-Hour Information

(404) 463-5550

Fax (404) 463-8550

September 18, 2008

Mr. Charles Krautler, Director
Atlanta Regional Commission
40 Courtland Street, NE.
Atlanta, GA 30303

Re: DRI Review No. R809041 – Foxhall Village, Palmetto, Georgia

Dear Mr. Krautler,

Thank you for the opportunity to comment on the proposed Foxhall Village development through your Development of Regional Impact Review process. As an adjacent jurisdiction surrounding the proposed development on three sides, we feel that such a large-scale development will significantly affect the quality of life for the citizens of Chattahoochee Hill Country (CHC). The development is inconsistent with the rural character of the vicinity and the vision of the surrounding citizens and community.

More specifically, we have concerns relating to transportation infrastructure and maintenance of the surrounding road system, the visual impact along the contiguous and nearby scenic byways, water and sewer availability and proliferation, consistency with the Fulton 2025 Comprehensive Plan, and the lack of green space protection. Please consider the following issues as you review the Foxhall Village development.

Transportation and road system maintenance - The development will generate a significant number of trips per day both at peak and non-peak hours along Cochran Mill Road, Phillips Road, Rico Tatum Road, Hutcheson Ferry Road, Wilkerson Mill Road and Atlanta-Newnan Road in the city of Chattahoochee Hill Country. Of particular importance to CHC is the inevitable decline in the quality of these roads, due initially to construction traffic, and then to the increase in steady-state traffic after buildout. The City requests that you consider the obligation of the developer to improve and maintain these roads within the Chattahoochee Hill Country city limits during construction and ensuring that the roads are left in same-or-better condition after buildout is completed. CHC has not included extensive maintenance of these roads in its short-term work program, and cannot afford the cost of maintaining them in the face of this significant construction impact.

CHC is also of the opinion that the proposed roadway and intersection improvements will not sufficiently improve the transportation network to accommodate the increased traffic generated by the proposed development and are inconsistent with the rural character of the area. CHC cannot afford the cost of upgrading its roads to support this significant development impact.

Phillips, Rico-Tatum, Atlanta-Newnan, and Old Rico Roads are all currently gravel roads that would service the proposed development. The city has no plans or funds in its short-term work program to pave these sections of road, nor do we find that paving these facilities would be desirable for our citizens, or affordable for the city. These sections of road cannot accommodate the increased traffic burden anticipated by this development.

Furthermore, the city requests that access points along Cochran Mill Road be limited to no more than two signalized intersections south of Wilkerson Mill Road to minimize the impact to a State Scenic Byway and to minimize the development's impact on the rural character of our city. The city has no funding ability to implement any of the required changes

Visual impact along the designated State Scenic Byway – Additional buffering along both east and west sides of Cochran Mill Road will be necessary to preserve the visual integrity and viewsheds along this corridor. All construction in this corridor should be consistent with the 1998 Corridor Management Plan.

Water and sewer availability – Similar developments within Chattahoochee Hill Country are required to provide on-site community waste disposal systems to limit the expansion of public sewer outside the development. Extension of public wastewater system into this development area is not consistent with the comprehensive plan. However, the expansion of public water into this vicinity can be a benefit to our residents.

Consistency with Focus Fulton 2025 Comprehensive Plan and the Chattahoochee Hill Country Zoning Ordinance – In January 2008, the city of Chattahoochee Hill Country adopted the Focus Fulton 2025 Comprehensive Plan as the comprehensive plan for the city. Maintaining compliance with this plan is of fundamental importance to the city. The proposed development is inconsistent with this plan in size and scope. The Plan anticipates that development of this intensity will be balanced by the requirement for the preservation of large expanses of green space through the Transfer of Development Rights ordinance. While Fulton County has discontinued the TDR program, CHC has adopted the program and continues to rely upon the program to protect open space. The property on which the development is sited was also in the TDR program area until its annexation into Palmetto. There is no similar ordinance in the City of Palmetto requiring the preservation of large amounts of green space. This loss of preserved green space will negatively affect the quality of life within both CHC and Palmetto. The city does not believe that development of this size and scope, where the

transfers of development rights are not required, will be in the best interest of the vicinity, region or state.

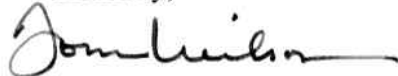
Of particular concern is the absence of a Palmetto-specific comprehensive plan incorporating the proposed development area. We do not feel that adequate long-term planning has been considered for a development of this magnitude. Any update to their current plan would seek information for CHC as a surrounding jurisdiction. We would like an opportunity to comment on any such update, or to participate with Palmetto in a regional long-term planning exercise that considers and accommodates the interests of both of these closely tied municipalities.

The predominant development patterns in CHC and in the proposed development's location within Palmetto are very low-density residential and agricultural uses. The proposed development will have an adverse effect on surrounding areas due to the increase in traffic, air, light and noise pollution.

The CHC zoning ordinance – which contains the same restrictions as those on the proposed development's property under the 2025 Focus Fulton Comprehensive Plan – sets upper and lower limits on similar developments. Such village developments may be no smaller than 500 disturbed acres plus setbacks and no larger than 640 disturbed acres plus setbacks, with exterior preservation to offset the density. The size and scale of the proposed development far exceeds the upper limit set by the zoning ordinance and will place an unacceptable burden upon the transportation system. The zoning ordinance also requires a 300-foot peripheral buffer surrounding similar developments. The proposed site plan does not indicate such a buffer. These requirements are specifically designated to limit sprawl and focus density to protect the rural character of the area, and were implemented with strong community support. We strongly support development that is in keeping with these principals, but the Proposed Development does not adhere to these guidelines, and will significantly alter the intended character of the area.

We appreciate this opportunity to comment on this proposed development and ask that you consider this information as you determine if this development is in the best interest of the region and therefore the state.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Wilson", with a stylized flourish at the end.

Tom Wilson
Community Development Director
Chattahoochee Hill Country, Georgia

cc: Mayor Don Hayes
Bob Simpson, City Manager

Chattahoochee Hill Country Conservancy, Inc.
6505 Rico Road Palmetto, GA 30268

Board of Directors

Alan Merrill, Chair

Kimberly-Clark, Retired

Gene Griffith, Secretary

Wilkerson Mill Gardens

Ben Hill, Treasurer

Georgia Tech

Joseph Martin

Attorney-At-Law

David McMurray, M.D.

Consultant

Rick Sewell

CEO, Creel Properties

September 17, 2008

Subject: **ARC Review Code R809041**

Ms. Haley Fleming, Atlanta Regional Commission
40 Courtland Street, NE
Atlanta, GA 30303

Dear Ms. Fleming:

This letter contains comments from the Chattahoochee Hill Country Conservancy (CHC Conservancy) on the DRI of Foxhall Village. The CHC Conservancy is a 501 (c) (3) Public Charity established in 2002 with the purpose of environmental education and conservation. The Mission of the CHC Conservancy is "to create and implement innovative land use and conservation programs that protect the environment, enhance the quality of life, and promote sustainable economic growth."

Our geographic area of interest includes 65,000 acres in Fulton, Douglas, Carroll and Coweta Counties, including all 33,000 acres of the City of Chattahoochee Hill Country and the land herein described as Foxhall Village. Foxhall Village was one of three original Villages identified in the Chattahoochee Hill Country Overlay District adopted by Fulton County in October 2002. A few months prior to the incorporation of Chattahoochee Hill Country as a city, Foxhall Village was annexed into Palmetto.

While this annexation seemingly has transferred responsibility for zoning to Palmetto, the only land use plan providing a context for evaluating the plans for Foxhall Village remains the Chattahoochee Hill Country Overlay Plan. That Plan included a Model Village developed by local citizens with funding from the ARC. The Overlay Plan and Model Village best represent the desires of the citizens of the City of Chattahoochee Hill Country which surrounds Foxhall Village on three sides.

The Chattahoochee Hill Country is rural and undeveloped. It is one of the few such areas within easy commuting distance of Atlanta. While the citizens of this area recognize the inevitability of development, they strongly seek to preserve the rural landscape and heritage. However, from these seemingly opposing forces of preservation and development came a consensus: the Overlay Plan, which seeks to establish a new mode of Greenfield development and avoid the pitfalls of the suburban sprawl evident in the communities surrounding most of I-285.

The pitfalls of development modes in the last half of the 20th century are well described in HOME FROM NOWHERE by Howard Kunstler. Sprawl created a lifestyle dependent on automobiles as home, schools, shopping, jobs and culture became separated by miles of roads and infrastructure. This separation has been detrimental to socialization between neighbors, has robbed people of quality of life while travelling from one place to another, has polluted the air and water, and has required overwhelming spending for infrastructure.

Presently, the Chattahoochee Hill Country has an appealing topography covered with farms and forests; Scenic Byways; and a culture of neighbor helping neighbor. The Overlay Plan is an attempt to retain much of the existing environment while concentrating development along the South Fulton Parkway. The Model Village is a vision akin to new urbanism, perhaps best described in SUSTAINABLE URBANISM by Douglas Farr. Such a village is based on high density, mixed-use, mixed income neighborhoods where schools, shopping and work are within walking (or perhaps bicycling) distance of home. Parks are designed to encourage interaction among neighbors, and the development is designed to pedestrian scale.

The CHC Conservancy number one concern with the plan for Foxhall Village is the deficiency of greenspace. Sixty percent of the land should be undisturbed. The corridor along Cochran Mill Road should have a 300' buffer; not commercial/office buildings. The buffer along Wilkerson Mill Road and the perimeter of the development is inadequate. In these respects, and others, the Foxhall Village Plan complies with neither the Overlay Plan nor the Model Village. The ARC is to be commended for identifying many other important issues in the Preliminary Report.

The CHC Conservancy has an overall concern with the lack of an integrated master plan for the Chattahoochee Hill Country that should include Foxhall Village, Friendship Village and Palmetto. The land is a Greenfield full of opportunity to develop a model community for the nation, which has a sustainable balance of preservation and development, where walkable neighborhoods abound and where jobs are located close to home. Dependence on automobiles has proven its evils and we must find a better way.

Idealism? Perhaps! It is not just a question of what kind of a world are we creating for our great-grandchildren. It is a question of offering a marketable product for the generation of homebuyers and employers who will be prospective customers for Foxhall Village during the 20 year build-out. They will insist on sustainable, livable communities. The CHC Conservancy respectfully requests that the plan be revised to comply with the Overlay Plan.

The CHC Conservancy urges Merrill Trust and Palmetto to join with their fellow stakeholders in the Chattahoochee Hill Country in compiling a comprehensive, integrated master plan that builds on the Chattahoochee Hill Country Overlay Plan and addresses such issues as:

- Green infrastructure;
- Recruiting excellent new employers;
- Workforce housing; and
- Sustaining a practice of collaboration.

Then Merrill Trust can then design developments for which there will be great demand, and Palmetto and Chattahoochee Hill Country can then become cities others look to for excellence in design and livability.

Respectfully,

Alan R. Merrill, Chair
Chattahoochee Hill Country Conservancy, Inc.

Cc: Rox Green, Merrill Trust

Merrill Trust

COMMUNITIES & RESORTS, LLC

W. HARRISON MERRILL
PRESIDENT

October 31, 2008

Mr. Dan Reuter
Ms. Haley Fleming
Mr. Jon Tuley
Mr. Michael Kray
Atlanta Regional Commission
40 Courtland Street, NE
Atlanta, GA 30303

Dear Dan, Haley, John and Mike:

Thank you for spending such a generous amount of time with Brook and me to discuss our 1,500 acre Foxhall Village project in Palmetto and our 1,100 acre Foxhall Resort in Douglas County. We enjoyed the discussion and exchange of ideas, and we hope we provided you with enough background information to make you comfortable with our commitment to this strategic area in the future growth of metropolitan Atlanta.

I wanted to take the opportunity in this letter to make a couple of very important points.

The first point is to advise you that the location of our Foxhall Village in Palmetto is the same location proposed for one of the three villages in Chattahoochee Hill Country. For a variety of reasons that we discussed, we felt that the village should be developed in the city limits of Palmetto where we felt more comfortable developing a large mixed use village with the kind of infrastructure needs necessary for such a development. It is very important to the concept of our Foxhall Village in Palmetto that we have high density nodes on both sides of Cochran Mill Road to "balance" the project with high density adjacent to the major transportation artery (Cochran Mill) feathering out to lower densities as the project moves away from Cochran Mill Road.

The second point relates to your indicated support of our resort at Foxhall in Douglas County accompanied by your concern with whether or not the proposed development is consistent with the current ARC plan for the area. Again, it is important to understand that we are not seeking a zoning change in Douglas County; rather, we are working within their existing zoning to accommodate our Foxhall Resort Community. All of our resort space will be accommodated



**Chattahoochee
Hill Country**



**Merrill-Paloma
Ranch**



**Foxhall Resort
& Sporting Club**

October 31, 2008
Atlanta Regional Commission
Re: Foxhall
Page 2 of 2

under the allowable commercial zoning under Douglas County's existing ordinances. The existing roads are more than sufficient to accommodate our plan.

Please know that Brook and his team are working very closely with both the City of Palmetto and Douglas County to accommodate their vision of each of these very important projects, and we will continue to work with Palmetto and Douglas County with ARC to accommodate to the extent possible our shared vision in this very important area in metropolitan Atlanta's future growth. This entire area has the opportunity to become the "sanctuary" for those in metropolitan Atlanta who want a peaceful, rural environment with enough activities and entertainment and energy to keep them interested in coming back over and over again.... all of it only 22 minutes from the world's busiest airport

We hope that ARC understands that we take a very collaborative approach in our planning and that we are very *serious* about trying to reach out to all of the constituencies involved in each of our project areas. We consistently meet on a weekly or bi-weekly basis with both the City of Palmetto and Douglas County on each of our projects so we are involved *together* in making both preliminary and final decisions regarding each of these projects. We are also working with the City of Chattahoochee Hill Country on a collaborative approach to a very low density project on our 1,150 acres on the east side of the Chattahoochee River as well as offering our assistance in other areas within the new city limits of the Chattahoochee Hill Country by providing them with a constraints map for the whole area which we are also providing to you.

Again, we will be happy to meet with you to discuss any other issues, and thank you again for meeting with us on Wednesday.

With best personal regards.

Sincerely,

A handwritten signature in cursive script, reading "W. Harrison Merrill". The signature is written in dark ink and includes a stylized flourish at the end.

W. Harrison Merrill

cc: Brook Cole

Merrill Trust

COMMUNITIES & RESORTS, LLC

November 3, 2008

Ms. Haley Fleming, Review Coordinator
Atlanta Regional Commission
40 Courtland Street
Atlanta, Georgia 30340

RE: Foxhall Resort & Sporting Club DRI #1839
Foxhall Village DRI # 1841

Dear Ms. Fleming:

As a follow up to our meeting last week, I am sending you the items as requested relating to the Foxhall Village project in the City of Palmetto and Foxhall Resort & Sporting Club located in Douglas County. As we discussed, the Merrill Trust development team has been very active in working with the two main jurisdictions in which Foxhall Village and Foxhall Resort & Sporting Club are located; as well as the City of Chattahoochee Hill County where the remaining of our large landholding in metropolitan Atlanta are located. I hope that you will find the additional information helpful as you complete our review and formalize the final ARC conditions/recommendations.

Foxhall Village, City of Palmetto

Enclosed is a draft version of the City of Palmetto Foxhall Village Overlay District development code. This overlay development code was created at the request of the City of Palmetto to provide a clear outline and implementation tools necessary to govern/guide the Foxhall Village development plan. The Overlay District code will be used by the city as a model ordinance to ensure that the envisioned type and quality of growth within this city is achieved. An accompanying architectural development pattern book is also being created and will be submitted to the City of Palmetto. The pattern book outlines the architectural and landscape character being proposed for this development. The Foxhall Village Overlay District development code has not been reviewed nor approved by the planning and zoning commission or city council. The Overlay District development code will be amended and approved as part of the conditions of zoning for Foxhall Village by the City of Palmetto.

Foxhall Resort & Sporting Club, Douglas County

For over a year we have been working with Amy Brumelow and her staff to formulate this development plan. Many individuals and groups have reviewed the proposal and given valuable feedback, including County Commissioners, Planning and Zoning Commissioners, County Engineering and Transportation Staff, the Water and Sewer Authority (WSA), the Douglas County School Board, and local fire department. Last fall, Douglas County embarked in an effort to create a new mixed-use zone classification that would have been applicable to our proposed development. At that time, it was proposed that the mixed-use zoning classification would allow approximately 3-5 units per acres with a wide variety of housing and commercial product types.

We put our development plans on hold for about 5 months while waiting for the new zoning code to be put in place. We used this time to further investigate the utility infrastructure options available to serve



Chattahoochee
Hill Country



Merrill-Paloma
Ranch

Sky Valley
Resort & Country Club



Foxhall Resort
& Sporting Club

the proposed development. To accurately survey and inventory the property for existing environmentally sensitive areas, to complete floodplain studies and submit a LMOR to FEMA accurately delineating the floodplain limits, and to complete geotechnical analysis and dam break engineering analyses for the major earthen dams constructed on the property along with a full market feasibility study for all of our development plans in the South Atlanta area. When the County decided to not move forward with the proposed mixed-use zoning classification, we used the new technical and market study information to modify our development plans. The new plan was redesigned to be responsive to the existing conditions and market factors thereby reducing the overall size of Foxhall Resort to be more in line with the existing Residential Agriculture (R-A) zoning regulations, densities, and uses permitted as allowed within a Master Planned Development in Douglas County.

During the supplemental information meeting for Foxhall Resort & Sporting Club, Amy Brumelow explained how our proposed development is in line with the existing Douglas County Residential Agriculture (R-A) zoning regulations and does not require a map amendment or rezone. Foxhall Resort & Sporting Club is being permitted as a Master Planned Development as a Special Use Approval, since all master planned developments in Douglas County require Special Use Approval by the Board of Commissioners. The R-A zone allows for land distribution in a master planned development to include no less than 95% residential and open space and no more than 5% of neighborhood commercial. As permissible under the Master Planned Development regulations, the 95% single family detached residential will be developed meeting the Residential Low Density (R-LD) development standards. The 5% neighborhood commercial uses will be developed according to special use approval as directed by the Board of Commissioners. The maximum density allowed is determined by the underlying zoning district in which the Master Planned Development is located, R-A or one unit per gross acre maximum.

Foxhall Resort & Sporting Club proposed density calculations are as follows:

Total Development = 1092.15 Acres.

Excluded Areas (Primary Conservation Area) outside floodplain limits = 255.35 acres

Total Developable Land = 836.80 acres or 0.85 units per acre = 820 single family units

100 Floodplain Area Density Credit = 255.35 acres (gross floodplain area) – 82.39 acres (primary conservation area inside floodplain) = 172.96 acres or 0.85 units per acre = 203.48 floodplain density credits.

Note: The floodplain density credit may be increased by not more than 25% of the base density by giving credit for up to half as many units within the 100 year floodplain as could be built if the land were not in the floodplain and transferring these units to the buildable portion of the whole tract. (UDC Section 404.c.2)

Hence, 203.48 units (available floodplain density credits) * 0.50 (up to half) = 101.70 residential units which is less than the allowable 25% density increase of 820 (base density) * 25% = 205 units (maximum allowable credit).

Therefore the proposed development density is 820 units (base density) + 101 units (floodplain credit) = up to 921 single family residential units. This equates to 1.18 gross acres per residential unit.

Ms. Haley Fleming, Review Coordinator
Atlanta Regional Commission
Page 3
November 3, 2008

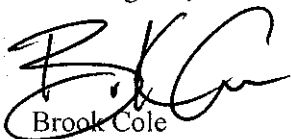
The resort commercial space is equal to 1092.15 (total development tract) * 5% (max land use) = 54.60 acres or up to $2,377,400$ square feet of commercial use. The resort commercial square footage will be developed as outlined in the DRI proposal to include no more than $140,000$ SF of traditional retail commercial while the remaining $2,377,400$ square feet of resort commercial space will be divided up into hotels, conference space, spa/wellness center, recreational clubhouses, and condominium (stacked) or residential (detached) product types of fractional, private residence club, destination club and other resort accommodation products. None of the $2,377,400$ square feet of resort commercial space will be allowed or used for traditional full time single family residential units. The final commercial uses and densities will be determined by the Board of Commissioners as part of the Master Planned Development/Special Use approval hearings and will become part of the Master Planned Development Agreement.

City of Chattahoochee Hill County

Since purchasing our property in South Fulton County, we have continuously worked with the many different governing agencies to accomplish preservation goals by applying a practical approach to land planning that works with the inherent physical character, constraints and opportunities of the region. We have worked through the Chattahoochee Hill Country Alliance (CHCA), given over $\$200,000$ dollars to fund their community efforts and spent countless hours working with them to make the Hill Country's vision become a reality. As we discussed last week, the latest round of development code revisions are currently underway in which we are once again participating in. We hope that the process being shepherded by Tom Wilson at CH2M Hill will achieve sensible development regulations that, when applied, will finally achieve their intent. Enclosed is the latest Chattahoochee Hills Zoning Codes Update Process Overview outline of objectives, meeting schedule, a recap of part 1 discussion's and the agenda for this week's meeting schedule focusing on preservation for your review. As per our discussion, I am also enclosing the constraints map that was developed several years ago when the request to amend the City's development codes was once again, at that time, initiated.

I hope this information helps the ARC understand our longstanding commitment to this area and our collaborative approach to land planning/design. We look forward to continue working with these three local jurisdictions to achieve their individual and collective goals. If we can provide any further information in these regards, please let us know. We look forward to hearing from you and seeing the conditions you deem appropriate to find both of these projects in the best interest of the region.

Best Regards,



Brook Cole

/bc

cc: Harrison Merrill
Terry Todd
Amy Brumelow



2424 Piedmont Rd. N.E.
Atlanta, GA 30324-3330
404-848-5000

September 22, 2008

Ms. Haley Fleming, Principal Planner
Atlanta Regional Commission (ARC)
40 Courtland Street, N.E.
Atlanta, GA 30303

**RE: Development of Regional Impact (DRI) # 1841
Foxhill Village – City of Palmetto**

The Metropolitan Atlanta Rapid Transit Authority (MARTA) has completed review of documentation for DRI # 1841 – Foxhill Village – located in City of Palmetto.

The closest MARTA service in the project area is bus route 180 which operates on Roosevelt Road to serve downtown Palmetto to the east of the project location. MARTA recently initiated an internal study to examine ways to improve transit service in the South Fulton area. The study will examine current and future land use plans, travel patterns, and population growth to determine any more transit services to supplement the Transit Planning Board's Concept 3 recommendations.

Some of the immediate challenges we face providing service to the South Fulton market are sparse density and a lack of major activity centers. This project offers an opportunity to start addressing these issues. As one of the few mixed-use developments in this area the concept adopted here could be instrumental to how this area develops. Over time this location can become a major activity center that South Fulton lacks, thereby serving as a transit hub or terminus. To this end we will recommend that the development concept moves away from the sub-urban staple of cul-de-sacs and dead-ends towards a more open and grid-like pattern that is better suited for pedestrian accessibility. MARTA staff would welcome the opportunity to work with the development team to incorporate transit supportive features in the project concept.

Thank you for the opportunity to review and comment on the proposal and do contact me if you have any questions.

Sincerely,

Henry Ikwut-Ukwa, Ph.D.

MARTA

2424 Piedmont Rd, NE
Atlanta, GA 30324-3330
Phone: 404-848-5828
Fax: 404-848-5132
Email: hikwut@itsmarta.com



DEPARTMENT OF HEALTH AND WELLNESS

Environmental Health Services

99 Jesse Hill Jr. Drive, Suite 101

Atlanta, Georgia 30303

Telephone (404) 730-1301, Fax (404) 730-1462

MEMORANDUM

Fulton County Board of Health

Phoebe Bailey, PhD, Chair
Lynne P. Meadows, RN, MS
Monica Ryan, BS
Khaatim S. El
Samantha P. Williams, PhD
Mary Long, RN

Dr. Kim Turner, Interim Director

TO: Haley Fleming, Review Coordinator
Atlanta Regional Commission

CC: Dr. Kim Turner, Interim Director
John Gormley, Environmental Health Deputy Director

FROM: Monica Robinson, Environmental Specialist Senior
Environmental Health Services

DATE: September 23, 2008

SUBJECT: Foxhall Village

ARC REVIEW CODE	COMMENTS
R809041	<p>The Fulton County Department of Health and Wellness recommends that the applicant be required to connect the proposed development to public water and public sanitary sewer available to the site.</p> <p>Since this proposed development constitutes a premise where people work, live, or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</p> <p>This facility must comply with the Fulton County Clean Indoor Air Ordinance and the Georgia Smokefree Act of 2005.</p> <p>If this proposed development includes a food service facility, the owner must submit kitchen plans for review and approval by this Department before issuance of a building permit and beginning construction. The owner must obtain a food service permit prior to opening.</p> <p>If this proposed development includes a public swimming pool as defined in the regulations including spas, whirlpools, etc., the owner or contractor must submit plans for review and approval by this Department and must obtain a Department of Health and Wellness permit to construct before issuance of a building permit. Also, the owner of the facility must obtain a Department of Health and Wellness permit to operate the pool prior to opening.</p> <p>This Department is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.</p> <p>The Fulton County Department of Health and Wellness recommends this facility meet all permit requirements for child care facilities under DHR Rules and Regulations.</p>

Developments of Regional Impact

[DRI Home](#) [DRI Rules](#) [Thresholds](#)
[Tier Map](#)
[FAQ](#) [Apply](#) [View Submissions](#) [Login](#)

DRI #1841

DEVELOPMENT OF REGIONAL IMPACT Initial DRI Information

This form is to be completed by the city or county government to provide basic project information that will allow the RDC to determine if the project appears to meet or exceed applicable DRI thresholds. Refer to both the [Rules for the DRI Process](#) and the [DRI Tiers and Thresholds](#) for more information.

Local Government Information

Submitting Local Government: Palmetto

Individual completing form: Terry L. Todd

Telephone: 770-463-3377

E-mail: terrytodd@citypalmetto.com

*Note: The local government representative completing this form is responsible for the accuracy of the information contained herein. If a project is to be located in more than one jurisdiction and, in total, the project meets or exceeds a DRI threshold, the local government in which the largest portion of the project is to be located is responsible for initiating the DRI review process.

Proposed Project Information

Name of Proposed Project: Foxhall Village

Location (Street Address, GPS Coordinates, or Legal Land Lot Description): district 7: land lots 7,8,24,25,26,27,38,39 district 8: land lots 9,10,22,23,24

Brief Description of Project: 1,323 acre master-planned sustainable community

Development Type:

(not selected)

Hotels

Wastewater Treatment
Facilities

Office

Mixed Use

Petroleum Storage Facilities

Commercial

Airports

Water Supply Intakes/
Reservoirs

Wholesale & Distribution

Attractions & Recreational
Facilities

Intermodal Terminals

Hospitals and Health Care
Facilities

Post-Secondary Schools

Truck Stops

Housing

Waste Handling Facilities

Any other development types

Industrial

Quarries, Asphalt &
Cement Plants

If other development type, describe:

Project Size (# of units, floor area, etc.):	5,400 residential units, 1,100,000 s.f. of commercial
Developer:	Merrill Trust Communities & Resorts, LLC
Mailing Address:	3340 Peachtree Rd NE, Suite 2200
Address 2:	
	City:Atlanta State: GA Zip:30326
Telephone:	404-495-9577
Email:	rgreen@merrilltrust.com
Is property owner different from developer/ applicant?	(not selected) Yes No
If yes, property owner:	WHM Chattahoochee Hills Investments, LLC
Is the proposed project entirely located within your local government's jurisdiction?	(not selected) Yes No
If no, in what additional jurisdictions is the project located?	
Is the current proposal a continuation or expansion of a previous DRI?	(not selected) Yes No
If yes, provide the following information:	Project Name:
	Project ID:
The initial action being requested of the local government for this project:	Rezoning Variance Sewer Water Permit Other
Is this project a phase or part of a larger overall project?	(not selected) Yes No
If yes, what percent of the overall project does this project/phase represent?	
Estimated Project Completion Dates:	This project/phase: 2028 (20 years) Overall project: 2028 (20 years)
Back to Top	

Developments of Regional Impact

[DRI Home](#) [DRI Rules](#) [Thresholds](#)
[Tier Map](#)
[FAQ](#) [Apply](#) [View Submissions](#) [Login](#)

DRI #1841

DEVELOPMENT OF REGIONAL IMPACT Additional DRI Information

This form is to be completed by the city or county government to provide information needed by the RDC for its review of the proposed DRI. Refer to both the [Rules for the DRI Process](#) and the [DRI Tiers and Thresholds](#) for more information.

Local Government Information

Submitting Local Government: Palmetto
 Individual completing form: Terry L. Todd
 Telephone: 770-463-3377
 Email: terrytodd@citypalmetto.com

Project Information

Name of Proposed Project: Foxhall Village
 DRI ID Number: 1841
 Developer/Applicant: Merrill Trust Communities & Resorts, LLC
 Telephone: 404-495-9577
 Email(s): rgreen@merrilltrust.com

Additional Information Requested

Has the RDC identified any additional information required in order to proceed with the official regional review process? (If no, proceed to Economic Impacts.)

(not selected) Yes No

If yes, has that additional information been provided to your RDC and, if applicable, GRTA?

(not selected) Yes No

If no, the official review process can not start until this additional information is provided.

Economic Development

Estimated Value at Build-Out: 1,659,592,393

Estimated annual local tax revenues (i.e., property tax, sales tax) likely to be generated by the proposed development: \$22,047,353

Is the regional work force sufficient to fill the demand created by the proposed project?

(not selected) Yes No

Will this development displace any existing uses?

(not selected) Yes No

If yes, please describe (including number of units, square feet, etc): The site is zoned agricultural; however, it is undeveloped. See "Supplemental Information for RDC's DRI (Form 2) Review" for details.

Water Supply

Name of water supply provider for this site:	City of Palmetto
What is the estimated water supply demand to be generated by the project, measured in Millions of Gallons Per Day (MGD)?	1.775 MGD
Is sufficient water supply capacity available to serve the proposed project?	(not selected) Yes No

If no, describe any plans to expand the existing water supply capacity:
Short term water will be provided via City of Palmetto's water treatment plant, with supplemental supplies from neighboring jurisdictions. Long term water supply will be provided by the City of Palmetto, acting as a retail provider, with wholesale supplies from the South Fulton Regional Municipal Water and Sewer Authority (future reservoir or other sources), and/or Coweta County and the City of Atlanta. See "Supplemental Information..." for more details.

Is a water line extension required to serve this project?	(not selected) Yes No
---	-----------------------------

If yes, how much additional line (in miles) will be required?
Approximately 1.3 miles or 2.8 miles, depending on the preferred route. There are two alternatives to be compared and further analyzed with the best route to be agreed upon through the development process. See "Supplemental Information..." for details.

Wastewater Disposal

Name of wastewater treatment provider for this site:	City of Palmetto
What is the estimated sewage flow to be generated by the project, measured in Millions of Gallons Per Day (MGD)?	1.544 MGD
Is sufficient wastewater treatment capacity available to serve this proposed project?	(not selected) Yes No

If no, describe any plans to expand existing wastewater treatment capacity:

Is a sewer line extension required to serve this project?	(not selected) Yes No
---	-----------------------------

If yes, how much additional line (in miles) will be required? There are two alternatives for the routing of sewer line extension. A pump station will be provided on the site and either 2 miles (approximately) of force main will be required from the pump station to the City's gravity sewer which will run along Little Bear Creek through Brentwood Subdivision and tie into Palmetto's pump station, or approximately 3 miles of force main will be required from the

Land Transportation

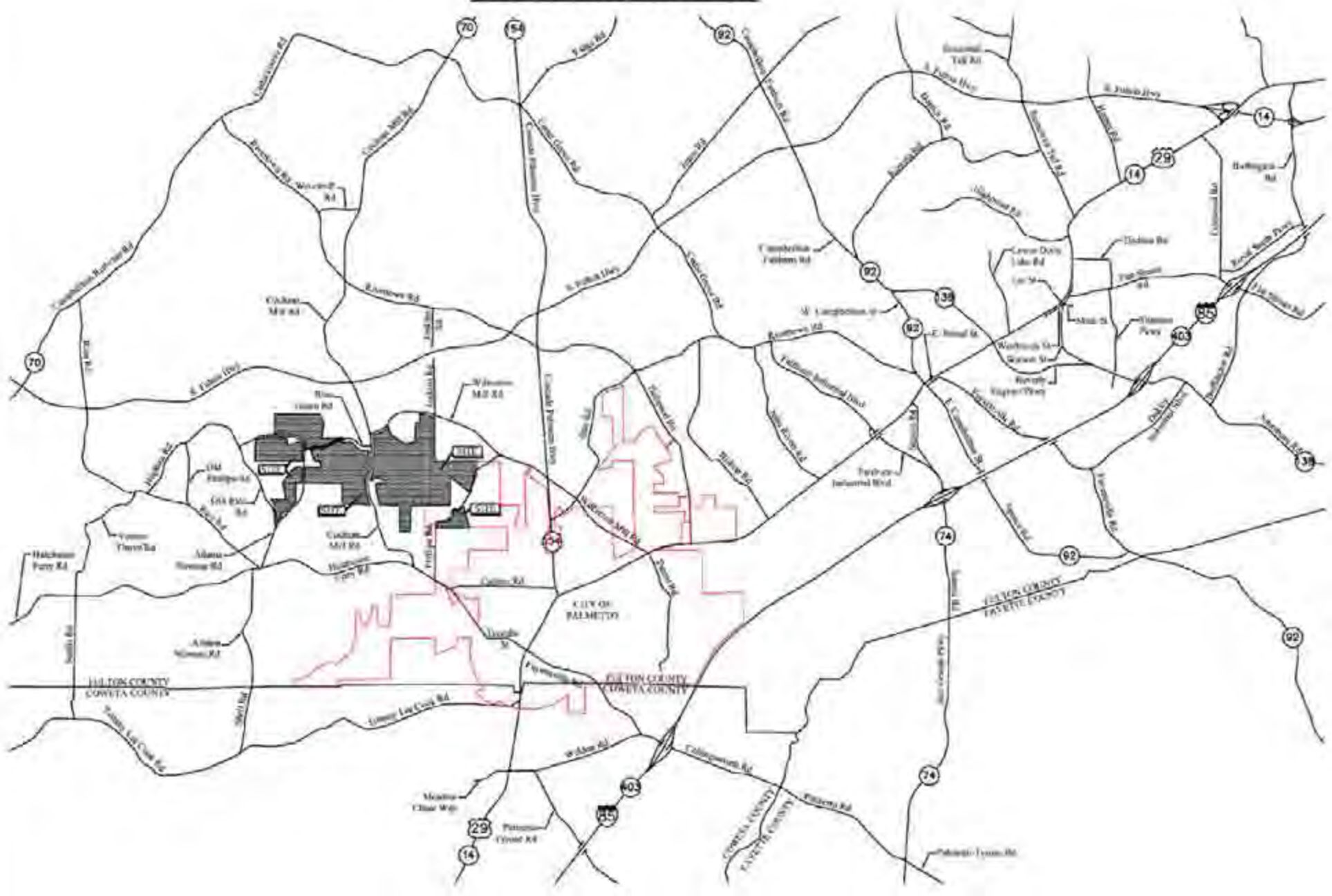
How much traffic volume is expected to be generated by the proposed development, in peak hour vehicle trips per day? (If only an alternative measure of volume is available, please provide.)	46,056 24hr. 2-way with reductions
---	------------------------------------

Has a traffic study been performed to determine whether or not transportation or access improvements will be needed to serve this project?	(not selected) Yes No
Are transportation improvements needed to serve this project?	(not selected) Yes No
If yes, please describe below: All recommended transportation improvements are described in the DRI Traffic Study for this project, provided as a supplement to this form.	
Solid Waste Disposal	
How much solid waste is the project expected to generate annually (in tons)?	6,509 Tons/Year
Is sufficient landfill capacity available to serve this proposed project?	(not selected) Yes No
If no, describe any plans to expand existing landfill capacity:	
Will any hazardous waste be generated by the development?	(not selected) Yes No
If yes, please explain:	
Stormwater Management	
What percentage of the site is projected to be impervious surface once the proposed development has been constructed?	25%
Describe any measures proposed (such as buffers, detention or retention ponds, pervious parking areas) to mitigate the project's impacts on stormwater management: Detention ponds, underground storage, existing ponds and open space will mitigate storm water impacts. See "Supplemental Information..." for details.	
Environmental Quality	
Is the development located within, or likely to affect any of the following:	
1. Water supply watersheds?	(not selected) Yes No
2. Significant groundwater recharge areas?	(not selected) Yes No
3. Wetlands?	(not selected) Yes No
4. Protected mountains?	(not selected) Yes No
5. Protected river corridors?	(not selected) Yes No
6. Floodplains?	(not selected) Yes No
7. Historic resources?	(not selected) Yes No
8. Other environmentally sensitive resources?	(not selected) Yes No
If you answered yes to any question above, describe how the identified resource(s) may be affected: There are approximately 42,171 l.f. of streams, 20.56 acres of wetlands, and 110.65 acres of floodplain on site; however, these areas have been avoided wherever possible and only minimal impacts are anticipated and no permits are required at this time. See Site Plan and "Supplemental Information..." for details.	
Back to Top	

[GRTA Home Page](#) | [ARC Home Page](#) | [RDC Links](#) | [DCA Home Page](#) | [Site Map](#) | [Statements](#) | [Contact](#)

Copyright © 2007 The Georgia Department of Community Affairs. All Rights Reserved.

LOCATION MAP



LAND USE SUMMARY

GROSS TRACT AREA 1,322.67 Acres

COMMUNITY GREEN SPACE 390.07 Acres / 29%

Community & Neighborhood Parks 37.60 Acres
Streams, Buffers, Wetlands, Floodplain 202.36 Acres
Passive Recreation & Dedicated Open Space 150.11 Acres

COMMUNITY USES

Worship Center 15,000 Square Feet
Future School +/- 1,000 Student Capacity
Public Safety (Fire & Police) 30,000 Square Feet
Community Amenity Centers 60,000 Square Feet

RESIDENTIAL DATA

4,680 Units

Village Core
• Mixed-Use Residential (Above Office & Retail) 600 Units
• Village Core Residential (Stand Alone) 359 Units
Village General 2,053 Units
Village Edge 1,668 Units
Total Square Footage of Residential Units 8,424,000 SF
• (Average Square Footage Per Residential Unit = 1,800 SF)
Gross Residential Units Per Acre 3.54 Units/Acre
Required Parking (2 Per Dwelling Unit) 9,360 Spaces
Proposed Parking 9,360 Spaces

COMMERCIAL DATA

600,000 Square Feet

Gross Commercial Area 79.91 Acres
Mixed-Use Retail (Ground Floor) 180,000 Square Feet
Mixed-Use Office (Ground & Upper Floors) 420,000 Square Feet
Gross Floor Area Ratio 7,500 SF/Acre
Required Parking Spaces (3 Per 1,000 SF Average) 1,800 Spaces
Proposed Parking Spaces (Parking Lot & On-Street) 1,800 Spaces
• Mixed-Use Residential Units are Included in Residential Count
• Mixed-Use Village Core may be up to 4 Stories in Height

PHASING SCHEDULE

Phase 1 (By Approximately 2015)
• Elementary School +/- 1,000 Student Capacity
• Community Amenity Centers 45,000 SF
• Mixed-Use Retail 80,200 SF
• Mixed-Use Office Space 205,800 SF
• Multi-Family Dwellings 631 Units
• Single-Family Attached Dwellings 255 Units
• Single-Family Detached Dwellings 430 Units
Phase 2 (By Approximately 2028)
• Elementary School +/- 1,000 Student Capacity
• Community Amenity Centers 60,000 SF
• Worship Center 15,000 SF
• Public Safety (Fire & Police) 30,000 SF
• Mixed-Use Retail 180,000 SF
• Mixed-Use Office Space 420,000 SF
• Multi-Family Dwellings 959 Units
• Single-Family Attached Dwellings 2,053 Units
• Single-Family Detached Dwellings 1,668 Units

Merrill Trust
COMMUNITIES & RESORTS, LLC

LAND USE LEGEND

Village Core
Village General
Village Edge
Open Space
Trails
100 Year Floodplain
Stream Buffer
Stream Impervious Zone
Wetlands

Typical Parcel

Parcel Number
Number of Units
Land Use Zone (Color)

NOTES

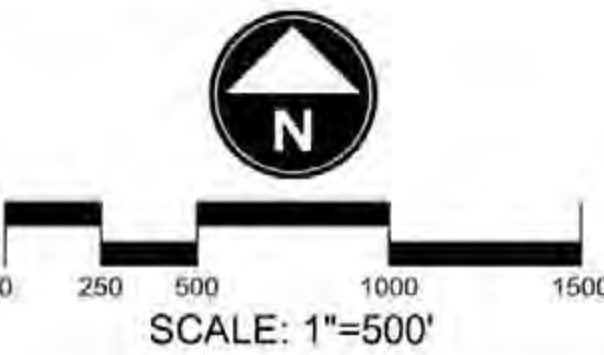
- All adjacent properties zoned AG-1 (City of Chattahoochee Hill Country) or Agriculture (City of Palmetto).
- Streams, wetlands, and lakes are GPS located by CCR Environmental Incorporated.
- Topographic survey information provided by aerial survey Spatial Data Consultants.
- Sidewalks will be provided as necessary to conform with City of Palmetto regulations.
- Bike lanes will be provided along collector streets and within multi-purpose trails.
- Trails are provided throughout the site as shown.
- All proposed streets and right-of-way widths shall conform to approved roadway standards as established by the City of Palmetto. All streets are to be public unless otherwise noted.
- Water and sanitary sewer service shall be provided by the City of Palmetto.

Traffic Engineer:

A & R Engineering
2160 Kingston Court, Suite O
Marietta, GA 30067
770-690-9255
Contact: Brannon Sabbarese

Submitted By:

Merrill Trust Communities & Resorts, LLC
3340 Peachtree Road, Suite 2200
Atlanta, GA 30326
404-495-9577
Contact: Rox Green



DATE: August 28, 2008
DESIGNED BY: mgg
DRAWN BY: mgg
REVIEWED BY:
PROJECT:
ISSUE:

REVISIONS

MERRILL TRUST
FOXHALL VILLAGE
PALMETTO, GA
A Planned Neighborhood Development

SITE PLAN

1

Intersection Improvements

A-Residential 7 B-Residential 6 C-Residential 4 D-Residential 5 E-Residential 9
F-Residential 10 G-Residential 11 H-Residential 13 I-Residential 12 J-Residential 14
K-Retail/Office 1 L-Retail/Office 2 M-Retail/Office 3 N-Retail/Office 4 O-Residential 1
P-Residential 2 Q-Residential 3 R-Residential 15 S-Residential 8

LEGEND

Existing Lane Geometry
Proposed Lane Geometry
Proposed Traffic Signal
Proposed Stop Sign