



From the Mayor's Desk

October 2020

Understanding the Process of Land Development

Despite the current economic environment, our city remains an attractive location for new businesses and citizens alike. People want to come here for our schools, homes, and jobs. But development, like most things, has both good and bad features. The former Fiserv property is a good example.

Voting to approve the development on the former Fiserv property was not an easy decision. It involved balancing the need for senior housing against preserving our tree canopy. We don't always vote for development. A good example is Simpsonwood. In 2014, the city paid the Methodist Church \$2 million to accept the County's bid to make Simpsonwood a park. The developer, in that case, really did want to build a purely residential neighborhood--not an active adult/retirement community--and had far outbid the County. Visualize the 227 acres of Simpsonwood with many big homes and lots fewer trees. Our \$2 million made the difference.

A number of residents have reached out to me with questions regarding the development of the former Fiserv development. Below are answers to the most frequently asked questions. I've tried to be thorough, and in some cases, I'm told, a little too thorough. My point was not to bore you but to demonstrate my own interest in this topic and my hope is you find this level of detail helpful.

Q: What is the history of this site? Were any of the trees cut down over 100 years old?

A: Historically, this land has undergone a number of periods of change. From aerial photos, we can see that it was largely clear cut or partially cut at times in the past, but by 1999, there was almost complete tree coverage. Around 2000, a large area was cleared to construct the buildings, roads, and parking lot in the middle of the property that was present until today.

Since it is predominately oak with the next most numerous species being poplars and pines, this doesn't indicate an old growth forest. This puts the majority of the property in the 50 to 100-year range so it is likely some of the trees cut down were around 100 years old. However, many of these trees may not have qualified as specimen trees (in PTC, viable trees of good form with a diameter of > 30" for pines, > 28" for hardwoods, and > 12" for small native flowering trees) due to disease, poor form and viability, or

hazardous conditions. The size and condition of the trees are the important characteristics for evaluating preservation needs; rather than the age, which is more difficult to determine.

Q: Who decided which trees and how many trees would be cut down? How did they make the decision?

A: The developer and their engineers initially proposed a plan showing a certain number of trees they want to remove, preserve, and replant. The number of trees that remain and are replanted must meet the City's requirements. The developer decided which trees would have to be cut down based on the location of their proposed infrastructure and buildings. The City then reviews the plans and works with the developer in an iterative process to ensure the regulations are met and existing trees are preserved to the maximum extent possible.

Q: Was a tree survey done for this project? How was it used?

A: A tree survey and an arborist report were completed for this project. The survey and report were used to identify specimen sized trees and assess their condition. These documents were then used to design the proposed site plan to determine which trees were preserved vs. removed and make sure that satisfied the City's tree requirements.

Q: I've heard the City mention a MRPA certificate regarding the project. What does that mean?

As part of the Metropolitan River Protection Act (MRPA) certificate process, the Atlanta Regional Commission (ARC) evaluated the property and set the maximum clearing and impervious allowances that can occur. Prior to this project, the amount of clearing on the property was minimal and well under the maximum clearing allowed by ARC. ARC does not take into account the clearing and impervious levels of the property before the MRPA application, but rather they just allocate a clearing and impervious allowance based on the various areas on the site and ensure the applicant's plan doesn't exceed those maximum allowances.

Q: What's the "River Corridor?" Was it violated? Who monitors compliance?

The River Corridor is a 2,000 foot buffer along the Chattahoochee River, established by the Atlanta Regional Commission, where clearing and impervious surfaces are more restrictive than outside of the corridor. The purpose is to minimize land development activities to protect the aquatic resources of the river, its tributaries, and the land around it from overdevelopment, erosion, and degradation. Once the ARC approved the MRPA Certificate, as described above, it is the City's responsibility to enforce those restrictions as well as the land disturbance permit that the City issued. There has not been a River Corridor violation to date on the property and the City will continue to inspect and oversee the project with respect to the approved MRPA Certificate.

Q: What is the Atlanta Regional Commission's (ARC) role in this? What's the City's role?

A: *The ARC is the agency that reviewed the plans to ensure that the proposed amounts of clearing and impervious surfaces did not exceed the maximum allowances, or development potential, of the property. The ARC then approved the plans and issued a MRPA Certificate. Then the developer submitted the plans to the City for review. The City, in addition to reviewing and confirming the MRPA Certificate, also reviews the project for compliance with other items, including zoning, environmental protection, development regulations, and utilities. Once the Land Disturbance Permit (LDP) is issued, the City then frequently inspects the property for conformance with the plan and compliance with the applicable ordinances.*

Q: Is there a tree plan that the developer must follow? Does the City monitor their compliance?

A: *The developer had to submit a tree plan that shows areas of tree removal, protection, and replanting in order to get their LDP. The approved tree plan is used by the City to conduct inspections to ensure the developer's tree protection areas are accurate and intact. City Inspectors will also use the tree plan to know the location, species, and the size of the trees that will be planted back. The City will initiate enforcement actions if the approved tree plan is not followed.*

Q: Why didn't the developer "build around the trees?"

A: *The developer had to regrade the property in order to develop the land, set finished grade elevations, and construct the buildings. Many of the areas to be regraded are covered in trees. The City has ensured that the approved tree plan includes sufficient tree replanting to comply with the tree ordinance and provide for enough trees to provide shade, aesthetics, and canopy coverage as the trees mature. The City also required that the developer retain 18 specimen trees while 13 are being removed. Six of the specimen trees being preserved are at the entrance and along the Riverfield boundary.*

Q: How many trees will be replanted?

A: *In Phase 1 of the project, there will be a total of 893 trees planted from 21 different species. These replanted trees will be 3" and 4" diameter at their base at the time of planting.*

Q: What will the site look like when finished?

A: *The property will regain much of the tree density that was removed once the project is completed due to the planting of nearly 900 trees over 34 acres of disturbed area. Once all trees are planted and mature, the total canopy coverage will be ~60%. Many of the proposed evergreen trees are located along the east and west*

borders, adjacent to existing subdivisions, and will serve as a visual screening buffer for the project. The roads will be lined with trees every 30 – 40 linear feet and most of the lots show at least two trees being planted. There will be more dense plantings around the stormwater facilities and there will be a front landscape strip along East Jones Bridge Road that will contain trees and shrubs spaced every 25'.

Q: Does the City have a “tree banking” ordinance? How does it work?

A: *The City established a tree bank ordinance in 2013. Our tree bank ordinance provides an option for developers to either comply with the tree density requirements of their proposed development or to pay into a “bank” if they can’t fit all the required trees back on the site. As you know, trees should be planted based on their size at maturity so rather than plant too many trees together and risk poor viability, premature decline, and/or hazardous conditions, the developer writes a check to the city for the trees that don’t fit on the site. The amount of the check is based on how many trees are unable to fit on the site multiplied by \$825, which is an estimate we use based on current industry tree purchase and installation costs. The tree bank fund can be used by the City for planting trees in parks, greenways, rights of way, etc. The ordinance requires that the tree bank funds be used within the same district in which the development is located or within five miles of the district. The developer had 11.8 trees they couldn’t fit on the site plan, so they paid \$9,735 into the City’s tree bank.*

For those of you that don’t know, Debbie and I live less than a mile from the site and I can hear the equipment sounds from my backyard. It also saddens me when I drive by and see the loss of tree canopy. But we know that this project will provide an essential housing option for the seniors in our community.

We also know that tree canopy is essential for our community as well. Coincidentally, during development of the majority of the existing neighborhoods in our city, the property was clear cut. After replanting, those neighborhoods are now full of mature trees.

As with any change, there will be a period of adjustment. We ask for your patience during the construction of this new development and until the new trees are replanted and begin to grow. If you have other questions, please don’t hesitate to contact me.

Sincerely,
Mayor Mike Mason