

15-183

22-16-001



PRE-APPLICATION FORM

REZONING, USE PERMIT(S) AND CONCURRENT VARIANCE(S)

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Purpose & Process

A Pre-Application Meeting provides you the opportunity to present a conceptual plan and letter of intent to a representative of the Community Development Department. This meeting benefits you, the applicant, by receiving general comments on the feasibility of the plan, the process(es)/procedure(s) and fees required to process and review the application(s). To schedule a meeting contact a member of the Planning and Zoning Division by calling (678) 512 - 3200. This form will be completed during the pre-application meeting. After completing the pre-application meeting, the applicant may file the Land Use Petition.

Applicant: OLDALA/JONES BRIDGE ROAD LLC

Site Address: 0 OLD ALABAMA RD Parcel Size: 1.41 AC
1.29 AC

Proposal Description: DEVELOP PROPERTY FOR
SERVICE/COMMERCIAL/RETAIL/OFFICE
AND ACCESSORY USES

Existing Zoning Designation and Case Number: C-1 (286-287)
O-E (289-153)

Proposed Zoning Designation: C-1 + CONCURRENT VARIANCES AS
NEEDED.

Comprehensive Land Use Map Designation: NEW ZONE (06)

Planner: [Signature] Date: 10/2/15

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Exhibit "A"

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CONCURRENT VARIANCES:

1. Pursuant to Article 4.23.1. reduce the required 40' landscape strip along Old Alabama Road to 5'.
2. Pursuant to Article 4.23.1. reduce the required 30' landscape strip along Jones Bridge to 10'.
3. Pursuant to Article 4.23.2. reduce the number of required landscape islands in the parking area to those shown on the Site Plan.
4. Pursuant to Article 4.23.1.E. reduce the required improvement setback along the Easterly Property line from 10' to 5'.
5. Pursuant to Article 9.1.3.C. reduce the required building setback along Old Alabama Road from 40' to 16'.
6. Pursuant to Article 18.2.1. reduce the required number of parking spaces from 67 to 55. It is to be noted that the tenant for the proposed building is Dunkin' Donuts which has a prototype building for this location which has been used nationally and with the volume of drive through patrons experience has shown that the parking reduction requested will adequately serve the Property.

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FIRST AMENDMENT TO APPLICATION FOR REZONING
AND CONCURRENT VARIANCES

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IN RE:)
Old Ala/Jones Bridge Rd LLC)
APPLICANT)
PROPERTY:)
2.70 Acres at the Southeast Corner)
of the Intersection of Old Alabama)
Road and Jones Bridge Road)

Application Number: RZ-16-001, VC-16-001-01
and VC-16-001-02

Now comes Ala/Jones Bridge Rd LLC (the "Applicant" hereunder) who does hereby modify and amend the above referenced Application for Rezoning and Concurrent Variance and the associated Letter of Intent as follows:

As noted in the Letter of Intent, the Property is burdened along its entire northerly Property line with a stream. Under Fulton County, the westerly portion of the Property was zoned to the C-1 Classification pursuant to Z-86-281 and the easterly portion of the Property was zoned to the O-I Classification pursuant to Z-89-153. At the time of both of these rezonings, the stream setback requirement in Fulton County was 25' and accordingly, the respective Site Plans for each of the referenced rezonings above provided for the 25' stream buffer. The stream buffer in Johns Creek is presently 75' which drastically reduces the developable area of the Property. As also noted in the Letter of Intent, Applicant accordingly is requesting a Stream Buffer Variance before the Board of Zoning Appeals which Application is being filed simultaneously herewith. Given further review and evaluation of the development capacity for the Property, the Applicant requests that the Site Plan originally filed with the Application be deleted and that the Site Plan filed simultaneously herewith be substituted and placed in lieu thereof. Additionally, the Applicant modifies and amends the Concurrent Variances originally requested as shown on Exhibit "A" attached hereto and does further request the additional Concurrent Variances also shown on Exhibit "A" attached hereto which Exhibit "A" is incorporated by reference thereto. The approval of these Concurrent Variances would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of the Zoning Ordinance (particularly to achieve the desired "Village" look and feel) and the strict application of the provisions of the Zoning Ordinance noted on Exhibit "A" to the Property due to the extraordinary and exceptional conditions of the referenced stream buffer create an unnecessary hardship for the Applicant while causing no detriment to the public.

Lastly, it is to be noted on the revised Site Plan submitted simultaneously herewith that the building area is now reflected as being 12,000 square feet which results in a density of 4,444.44 square feet per acre. Also, the Applicant requests that the use of the Property be modified and amended from that originally requested to be for fast food and restaurant use.

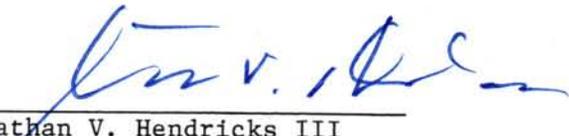
Now, therefore, the Applicant requests that this Application for Rezoning and Concurrent Variances as modified and amended hereunder be approved to enable the Applicant to proceed with the lawful use and development of the Property.

APPLICANT:

Old Ala/Jones Bridge Rd LLC

By: 

T. Cole Van Houten
Its: Co-Manager


Nathan V. Hendricks III
Attorney for the Applicant

6085 Lake Forrest Drive
Suite 200
Atlanta, Georgia 30328
(404) 255-5161

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Tract A

Description

All that tract of land lying and being in Land Lot 33 of the 1st District, 1st Section of Fulton County, Georgia within the corporate limits of The City of John's Creek. Said tract or parcel being more particularly described as follows:

Beginning at a point at the intersection of the easterly right-of-way line of Jones Bridge Road (110-foot right-of-way) and the northerly right-of-way line of Old Alabama Road (110-foot right-of-way) as indicated on a survey for Jones Bridge Holding Company, LLC prepared by Seiler and Associates, dated May 11, 2007,

Thence along the easterly right-of-way line of Jones Bridge Road N 35°05'17" E a distance of 255.03 feet to a ½" rebar and cap (Seiler 2388);

Thence leaving said right-of-way, the following courses and distances along lands now or formerly held by JRG Associates, LP and lands now or formerly held by Wells Fargo Bank, NA, Trustee the following 12 courses and distances:

S 51°15'36" E a distance of 21.62 feet to a ½" rebar and cap (Seiler 2388);

S 56°42'26" E a distance of 19.20 feet to a ½" rebar and blue cap (E303 LSF #1121);

S 89°20'24" E a distance of 15.83 feet to a ½" rebar and blue cap (E303 LSF #1121);

S 89°42'09" E a distance of 39.59 feet to a ½" rebar and cap (Seiler 2388);

S 77°21'57" E a distance of 37.51 feet to a ½" rebar and blue cap (E303 LSF #1121);

N 74°32'56" E a distance of 29.71 feet to a ½" rebar and cap (Seiler 2388);

S 31°01'08" E a distance of 15.99 feet to a ½" rebar and cap (Seiler 2388);

N 81°14'42" E a distance of 16.64 feet to a ½" rebar and cap (Seiler 2388);

S 71°29'39" E a distance of 62.78 feet to a ½" rebar and cap (Seiler 2388);

Thence S 54°27'41" W a distance of 20.68 feet;

Thence S 45°22'34" W a distance of 60.17 feet;

Thence S 34°11'04" W a distance of 102.74 feet;

Thence S 25°09'39" W a distance of 56.46 feet;

Thence S 16°08'36" W a distance of 30.59 feet to a point on the northerly right-of-way line of Old Alabama Road;

Thence continuing along said right-of-way, the following five courses and distances:

N 72°07'07" W a distance of 15.16 feet;

N 73°48'41" W a distance of 69.97 feet;

N 74°09'59" W a distance of 71.56 feet;

N 74°38'34" W a distance of 48.39 feet;

N 74°25'48" W a distance of 38.80 feet to a point at the intersection of the easterly right-of-way line of Jones Bridge Road (110-foot right-of-way) and the northerly right-of-way line of Old Alabama Road (110-foot right-of-way), said point being the point of beginning,

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Said tract or parcel of land contains 1.269 acres and is indicated as Tract A according to an ALTA/NSPS Land Title Survey for: Old Alabama Road Foresite Group, Calloway Title and Escrow, LLC, prepared by Engineering 303, LLC, dated 7/14/2015

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Tract B

Description

All that tract of land lying and being in Land Lot 33 of the 1st District, 1st Section of Fulton County, Georgia within the corporate limits of The City of John's Creek. Said tract or parcel being more particularly described as follows:

Commencing at a point at the intersection of the easterly right-of-way line of Jones Bridge Road (110-foot right-of-way) and the northerly right-of way line of Old Alabama Road (110-foot right-of way) as indicated on a survey for Jones Bridge Holding Company, LLC prepared by Seiler and Associates, dated May 11, 2007,

Thence along the northerly right-of way line of Old Alabama Road (110-foot right-of way)

S 74°25'48" E a distance of 38.80 feet;
S 74°38'34" E a distance of 48.39 feet;
S 74°09'59" E a distance of 71.56 feet;
S 73°48'41" E a distance of 69.97 feet
S 72°07'07" E a distance of 15.16 feet to the Point of Beginning;

Thence leaving said right-of-way N 16°08'39" E a distance of 30.59 feet.
thence N 25°09'39" E a distance of 56.46 feet;
thence N 34°11'04" E a distance of 102.74 feet;
thence N 45°22'34" E a distance of 60.17 feet;
thence N 54°27'41" E a distance of 20.68 feet ½" rebar and cap (Seiler 2388);

Thence along and lands now or formerly held by Wells Fargo Bank, NA, Trustee the following three courses and distances:

N 29°21'35" E a distance of 14.65 feet a ½" rebar and blue cap (E303 LSF #1121);
S 78°58'10" E a distance of 52.82 feet a ½" rebar and cap (Seiler 2388)
S 68°16'05" E a distance of 107.55 feet to ½" rebar and cap (Seiler 2388);

Thence along lands now or formerly held by Autry Township Homeowners Association,
thence S 12°32'40" W a distance of 43.19 feet to a ½" rebar

Thence continuing along lands now or formerly held by Autry Township Homeowners Association, S 12°46'36" W a distance of 244.17 feet to a ½" rebar on the northerly right-of way line of Old Alabama Road (110-foot right-of way)

Thence, continuing along said right-of-way, the following four courses and distances:

N 63°41'56" W a distance of 54.39 feet;
N 67°00'42" W a distance of 75.82 feet;
N 69°56'42" W a distance of 76.03 feet;
N 72°07'07" W a distance of 58.28 feet to the Point of Beginning,

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Said tract or parcel of land contains 1.425 acres and is indicated as Tract B according to an ALTA/NSPS Land Title Survey for: Old Alabama Road Foresite Group, Calloway Title and Escrow, LLC, prepared by Engineering 303, LLC, dated 7/14/2015

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Tract A & Tract B
Combined Description

All that tract of land lying and being in Land Lot 33 of the 1st District, 1st Section of Fulton County, Georgia within the corporate limits of The City of John's Creek. Said tract or parcel being more particularly described as follows:

Beginning at a point at the intersection of the easterly right-of-way line of Jones Bridge Road (110-foot right-of-way) and the northerly right-of way line of Old Alabama Road (110-foot right-of way) as indicated on a survey for Jones Bridge Holding Company, LLC prepared by Seiler and Associates, dated May 11, 2007,

Thence along the easterly right-of-way line of Jones Bridge Road N 35°05'17" E a distance of 255.03 feet to a ½" rebar and cap (Seiler 2388);

Thence leaving said right-of-way, the following courses and distances along lands now or formerly held by JRG Associates, LP and lands now or formerly held by Wells Fargo Bank, NA, Trustee the following 12 courses and distances:

- S 51°15'36" E a distance of 21.62 feet to a ½" rebar and cap (Seiler 2388);
- S 56°42'26" E a distance of 19.20 feet to a ½" rebar and blue cap (E303 LSF #1121);
- S 89°20'24" E a distance of 15.83 feet to a ½" rebar and blue cap (E303 LSF #1121);
- S 89°42'09" E a distance of 39.59 feet to a ½" rebar and cap (Seiler 2388);
- S 77°21'57" E a distance of 37.51 feet to a ½" rebar and blue cap (E303 LSF #1121);
- N 74°32'56" E a distance of 29.71 feet to a ½" rebar and cap (Seiler 2388);
- S 31°01'08" E a distance of 15.99 feet to a ½" rebar and cap (Seiler 2388);
- N 81°14'42" E a distance of 16.64 feet to a ½" rebar and cap (Seiler 2388);
- S 71°29'39" E a distance of 62.78 feet to a ½" rebar and cap (Seiler 2388);
- N 29°21'35" E a distance of 14.65 feet to a ½" rebar and blue cap (E303 LSF #1121);
- S 78°58'10" E a distance of 52.82 feet to a ½" rebar and cap (Seiler 2388);
- S 68°16'05" E a distance of 107.55 feet to a ½" rebar and cap (Seiler 2388);

Thence, along lands now or formerly held by Autry Township Homeowners Association, S 12°32'40" W a distance of 43.19 feet to a ½" rebar and cap (Seiler 2388);

Thence, continuing along lands now or formerly held by Autry Township Homeowners Association, S 12°46'36" W a distance of 244.17 feet to a ½" rebar on the northerly right-of way line of Old Alabama Road (110-foot right-of way)

Thence, continuing along said right-of-way, the following nine courses and distances:

- N 63°41'56" W a distance of 54.39 feet;
- N 67°00'42" W a distance of 75.82 feet;
- N 69°56'42" W a distance of 76.03 feet;
- N 72°07'07" W a distance of 58.28 feet;
- N 72°07'07" W a distance of 15.16 feet;
- N 73°48'41" W a distance of 69.97 feet;
- N 74°09'59" W a distance of 71.56 feet;
- N 74°38'34" W a distance of 48.39 feet;

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N 74°25'48" W a distance of 38.80 feet to a point at the intersection of the easterly right-of-way line of Jones Bridge Road (110-foot right-of-way) and the northerly right-of way line of Old Alabama Road (110-foot right-of way), said point being the point of beginning,

Said tract or parcel of land contains 2.694 acres and is indicated as Tract A and Tract B according to an ALTA/NSPS Land Title Survey for: Old Alabama Road Foresite Group, Calloway Title and Escrow, LLC, prepared by Engineering 303, LLC, dated 7/14/2015

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1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

The site consists of approximately 2.649 acres, and is located on Old Alabama Road, at the NE intersection of Jones Bridge Road. Based on information obtained from the Fulton County GIS maps, records, and visual observations, properties north and south and west of the site are zoned commercial C-1 and a neighborhood to the east is zoned residential.

The Comprehensive Future Development Map 2030 for the City of Johns Creek designates this site as part of the Newtown development Area. It is also located in one of two Activity Nodes in this area. The proposed development is a commercial development meeting the appropriate density and will serve as a complimentary commercial use on Old Alabama Road at the NE intersection of Jones Bridge Road.

The proposed use conforms to the appropriate uses and scales established in the Comprehensive Plan 2009-2030.

2. ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT

a. WETLANDS

Field reconnaissance of the site revealed a stream on the northern portion of the site.

b. FLOODPLAIN

The Fulton County GIS Maps and the FEMA flood insurance rate maps were used to determine that the site does not lie within a 100-year Zone X flood plain.

c. STREAMS! STREAM BUFFERS

The USGS Quadrangle Topographic map for Duluth, Georgia was used to determine that a blue line stream does not exist on the site. Field observations reveal a stream existing in the

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northern portion of the site. A 50' undisturbed buffer and a 25' impervious setback has been provided along this water course. Any disturbance to the stream buffer will be isolated to utility, detention, slope and retaining wall construction only.

d. TOPOGRAPHY

The site is currently undeveloped and consists mainly of woodlands. The proposed disturbed area does not contain slopes greater than 25% with over a 10 foot elevation change. The proposed development will adhere to all applicable grading standards.

e. VEGETATION

The site is currently undeveloped and consists mainly of woodlands. Existing vegetation on the majority of the site consists of a natural mix of mature hardwoods and pine trees. There are specimen trees located on the site, most of which are located within protected buffer zones. The proposed development will impact the trees that exist on the site. However, project will be required to comply with the City of Johns Creek Tree Preservation Ordinance, which provides mitigation for loss of tree canopy.

f. WILDLIFE SPECIES

Several protected species are known to exist in Fulton County. These species are:

Bird – The Bald Eagle

Invertebrates – Gulf moccasinshell mussel and Shiny-rayed pocketbook mussel

Fish – Bluestripe shiner, Cherokee darter, and Highscale shiner

Plants – Bay star-vine and Piedmont barren strawberry

Based on field reconnaissance, there is no evidence of protected and/ or endangered species located on this parcel of land.

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g. ARCHEOLOGICALI HISTORICAL SITES

Based on information obtained from the Fulton County Department of Environment and Community Development, the site is not listed on the Fulton County Historic Resources Survey Map as having historical significance. No buildings on this site appear on the National Register of Historic Places.

3. PROJECT IMPLEMENTATION MEASURES

a. ENVIRONMENTALLY SENSITIVE AREAS

The site does not lie within the Chattahoochee River corridor. This site does not lie within a 100-year Zone X flood plain as defined by FEMA. The proposed development is not expected to negatively impact the flood plain or adjacent properties. Therefore, no negative impact is expected. All applicable grading standards will be adhered to in these areas.

b. WATER QUALITY

The design considerations used for the stormwater control on the proposed site, as approved by the EPD, will treat the runoff from the site. Water quality will be addressed through the construction of one water quality and stormwater detention facility on the property. This project will be required to comply with the Georgia Stormwater Management Manual, which regulates water quality, TSS removal, channel protection, and stormwater detention for developments of this nature.

c. EXISTING INFRASTRUCTURE

The existing site consists mainly of woodlands. No infrastructure exists on the site.

d. ARCHAEOLOGICAL! HISTORICAL AREAS

This site does not contain any historically/ archaeologically sensitive areas. No sensitive areas are located within the area of potential impact.

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e. ENVIRONMENTALLY STRESSED COMMUNITIES

The subject site is not located within an environmentally stressed community.

f. GREEN SPACE AND OPEN SPACE

All buffered areas on the site will remain undisturbed, except as noted in 2(c) above. The fifty foot (50') stream buffer will remain undisturbed at the north side of the site to enhance and beautify the neighborhood.

g. NOISE AND LIGHTING

The potential for noise and lighting impact resulting from the proposed development is minor. No sensitive areas are located within the area of potential impact.

h. PROTECTION OF PARKS AND REC GREEN SPACE

No parks or recreational areas will be impacted by the proposed development.

i. WILDLIFE HABITATS

The most significant habitats for wildlife on this site exist in and around the stream. No sensitive areas are located within the area of potential impact.

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DISCLOSURE REPORT FORM

WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL.

CIRCLE ONE: YES (if YES, complete points 1 through 4); NO (if NO, complete only point 4)

- 1. CIRCLE ONE: **Party to Petition** (If party to petition, complete sections 2, 3 and 4 below)
In Opposition to Petition (If in opposition, proceed to sections 3 and 4 below)

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition:

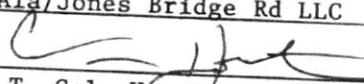
1. _____	5. _____
2. _____	6. _____
3. _____	7. _____
4. _____	8. _____

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more
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4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Old Ala/Jones Bridge Rd LLC

Signature: By:  Date: October 30, 2015

T. Cole Van Houten
Its: Co-Manager

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**PUBLIC PARTICIPATION PLAN
FORM D**

Applicant: Old Ala/Jones Bridge Rd LLC

- 1. The following individuals (property owners within a quarter mile of the property), homeowners associations, political jurisdictions, other public agencies, etc., will be notified in accordance with the requirements of Article 28.4.7 of the Zoning Ordinance: See Exhibit "A" attached hereto and by reference thereto made a part hereof.

- 2. The individuals and others listed in 1. above will be notified of the requested rezoning/use permit using the following method(s): (e.g., letters, meeting notices, telephone calls, e-mails, etc.) The individuals and others listed in 1. above will be notified of the requested rezoning/use permit by any combination of letters, meeting notices, telephone calls and e-mails as is appropriate.

- 3. Individuals and others listed in 1. above will be allowed to participate in the following manner: (At least one meeting at a convenient time and location is required.)

The Applicant shall notify the individuals and others listed in 1. above of an initial information meeting at a time, date and location which is reasonable convenient and shall have additional meetings as should be determined to be needed.

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Exhibit "A"

Applicant shall coordinate with Staff prior to the Neighborhood Meeting to mutually agree upon a list of those parties necessary to be contacted for the Neighborhood Meeting. Applicant shall notify those parties in the manner stated and provided for under Paragraph 2. herein above. Accordingly, the Neighborhood Meeting shall serve to comply with the public meeting requirements of the Public Participation Plan.

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Proposed Trip Generation - NEC Old Alabama Rd at Jones Bridge Rd

Calculation of Anticipated Project Trips

Based upon methodology from ITE's Trip Generation Manual, 9th Edition (2012)

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Project Land Use	Project Density	Project Trips			ITE Code	Variable	Equation Used ¹	In/Out Distribution	
		Total	Inbound	Outbound					
Coffee/Doughnut Shop with Drive-Through Window	2,620 SF	Daily	2,145	1,073	1,072	937	1,000 SF	T = 818.58(X) T = 100.58(X) T = 42.8(X)	50% / 50%
		AM Peak Hour	264	135	129				
		PM Peak Hour	112	56	56				
Reductions for Pass-By Trips									
	50%	Daily	1,062	531	531				
		AM Peak Hour	129	66	63				
		PM Peak Hour	56	28	28				
TOTAL PROJECT TRIPS									
		Daily	1,083	542	541				
		AM Peak Hour	135	69	66				
		PM Peak Hour	56	28	28				
Specialty Retail Center		8,128 SF							
		Daily	385	193	192	826	1,000 SF	T = 42.78(X) + 37.66 T = (Daily In / Out) * Distribu T = 2.40(X) + 21.48	50% / 50%
		AM Peak Hour	6	4	2				
		PM Road Peak	41	18	23				
Reductions for Pass-By Trips									
	0%	Daily	0	0	0				
		AM Peak Hour	0	0	0				
		PM Peak Hour	0	0	0				
TOTAL PROJECT TRIPS									
		Daily	385	193	192				
		AM Peak Hour	6	4	2				
		PM Peak Hour	41	18	23				
TOTAL GROUP TRIPS									
		Daily	2,530	1,266	1,264	937 826	Coffee/Doughnut Shop with Drive-Through Window Specialty Retail Center		
		AM Peak Hour	270	139	131				
		PM Peak Hour	153	74	79				
TOTAL PASS-BY TRIPS									
		Daily	1,062	531	531				
		AM Peak Hour	129	66	63				
		PM Peak Hour	56	28	28				
NET NEW EXTERNAL VEHICULAR TRIPS									
		Daily	1,468	735	733				
		AM Peak Hour	141	73	68				
		PM Peak Hour	97	46	51				

Note: ¹ Where: T = Trips; X = Density by Variable

Assumptions:

1. Due to the land uses proposed at this development, no internal capture trips are expected.
2. For the coffee/doughnut shop with drive-through window, the Trip Generation Handbook does not provide a pass-by percentage but was assumed to be 49% during the AM peak hour and 50% during the PM peak hour (similar to a fast-food restaurant).
3. Specialty Retail (ITE 826) does not have a trip generation rate for the AM peak hour of adjacent roadway facility, in order to calculate the generated vehicle trips the daily distribution of traffic for Land Use 820 Shopping Center was used to calculate a rate of 2% of the daily inbound traffic and 0.9% of the daily outbound traffic.

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ZONING IMPACT ANALYSIS FORM City of Johns Creek
Planning & Zoning

Analyze the impact of the proposed rezoning and provide a written point-by-point response to the following questions:

1. Does the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?
Yes. This zoning proposal compliments the mix of uses at this principal intersection in the City of Johns Creek.
2. Does the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?
No. As stated, this zoning proposal will compliment the existing use and usability of adjacent and nearby property at this principal intersection in the City of Johns Creek.
3. Does the property to be rezoned have a reasonable economic use as currently zoned?
The Property may have a reasonable economic use as currently zoned but has not attracted market demand as presently conditioned under the separate C-1 and O-I Classifications.
4. Will the zoning proposal result in a use that could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?
No. This zoning proposal will not result in a use that could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.
5. Is the zoning proposal in conformity with the policies and intent of the land use plan?
Yes. This zoning proposal with the Site Plan creating the "Village" look complies with the stated goals of the Newtown (6) Character Area within which the Property is located.
6. Are there existing or changing conditions that affect the use and development of the property which support either approval or denial of the zoning proposal?
Yes. The overall development of the adjacent and nearby properties for compatible uses give supporting grounds for the approval of this zoning proposal.
7. Does the zoning proposal permit a use that can be considered environmentally adverse to the natural resources, environment and citizens of the City of Johns Creek?
No. This zoning proposal will not permit a use that could be considered environmentally adverse to the natural resources, environment and citizens of the City of Johns Creek.

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**ENVIRONMENTAL SITE ANALYSIS (ESA)
FORM A**

Provide a complete Environmental Site Analysis document fully addressing all items as required in sections 1 through 3 below. Attach this Form A to the front of the completed Environmental Site Analysis document (and any subsequent revisions) prior to submission.

ESA Revision Number: _____

Applicant: Old Ala/Jones Bridge Rd LLC

Phone Number: (770) 248-4240

1. **CONFORMANCE WITH THE COMPREHENSIVE PLAN.** Describe the proposed project and the existing environmental conditions on the site. Describe adjacent properties. Include a site plan that depicts the proposed project.

Describe how the project conforms to the Comprehensive Land Use Plan. Include the portion of the Comprehensive Plan Land Use Map which supports the project's conformity to the Plan. Evaluate the proposed project with respect to the land use suggestion of the Comprehensive Plan as well as any pertinent Plan policies.

2. **ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT.** For each environmental site feature listed below, indicate the presence or absence of that feature on the property. Describe how the proposed project may encroach or adversely affect an environmental site feature. Information on environmental site features may be obtained from the indicated source(s).

a. Wetlands

- U. S. Fish and Wildlife Service, National Wetlands Inventory (<http://wetlands.fws.gov/downloads.htm>)
- Georgia Geologic Survey (404-656-3214)
- Field observation and subsequent wetlands delineation/survey if applicable

b. Floodplain

- Federal Emergency Management Agency (<http://www.fema.org>)
- Field observation and verification

c. Streams/stream buffers

- Field observation and verification

d. Slopes exceeding 25 percent over a 10-foot rise in elevation

- United States Geologic Survey Topographic Quadrangle Map
- Field observation and verification

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- e. Vegetation
 - United States Department of Agriculture, Nature Resource Conservation Service
 - Field observation
- f. Wildlife Species (including fish)
 - United States Fish and Wildlife Service
 - Georgia Department of Natural Services, Wildlife Resources Division, Natural Heritage Program
 - Field observation
- g. Archeological/Historical Sites
 - Historic Resources Survey
 - Georgia Department of Natural Resources, Historic Preservation Division
 - Field observation and verification

3. **PROJECT IMPLEMENTATION MEASURES.** Describe how the project implements each of the measures listed below as applicable. Indicate specific implementation measures required to protect environmental site feature(s) that may be impacted.

- a. Protection of environmentally sensitive areas, i.e., floodplain, slopes exceeding 25 percent, river corridors.
- b. Protection of water quality
- c. Minimization of negative impacts on existing infrastructure
- d. Minimization on archeological/historically significant areas
- e. Minimization of negative impacts on environmentally stressed communities where environmentally stressed communities are defined as communities exposed to a minimum of two environmentally adverse conditions resulting from public and private municipal (e.g., solid waste and wastewater treatment facilities, utilities, airports, and railroads) and industrial (e.g., landfills, quarries and manufacturing facilities) uses.
- f. Creation and preservation of green space and open space
- g. Protection of citizens from the negative impacts of noise and lighting
- h. Protection of parks and recreational green space
- i. Minimization of impacts to wildlife habitats

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City of Johns Creek
*** CUSTOMER RECEIPT ***

Batch ID: JHNCMNJ 8/03/16 01 Receipt no: 2991

Year	Number	Type	SvcCd	Description	Amount
2015	183	PZ		PLANNING/ZONING PAYMENTS	\$550.00

REZONING MODIFICATION FEE
CONCURRENT VARIANCE FEES

Tender detail

CK Ref#:	536	\$550.00
Total tendered:		\$550.00
Total payment:		\$550.00

Trans date: 8/03/16 Time: 16:19:25

*** THANK YOU FOR YOUR PAYMENT ***