



Land Use Petition RZ-24-0001 & VC-24-0001
Public Participation Meeting: February 1, 2024
Planning Commission Meeting: April 16, 2024
City Council Meeting: May 6, 2024

PROJECT LOCATION: 5825 Abbotts Bridge Road

DISTRICT/SECTION/LAND LOT(S): 1st District, 1st Section, Land Lot 310

ACREAGE: 37.407 acres

CURRENT ZONING: AG-1 (Agricultural District)

PROPOSED ZONING: CUP (Community Unit Plan District)

**COMPREHENSIVE PLAN
COMMUNITY AREA DESIGNATION:** Johns Creek North

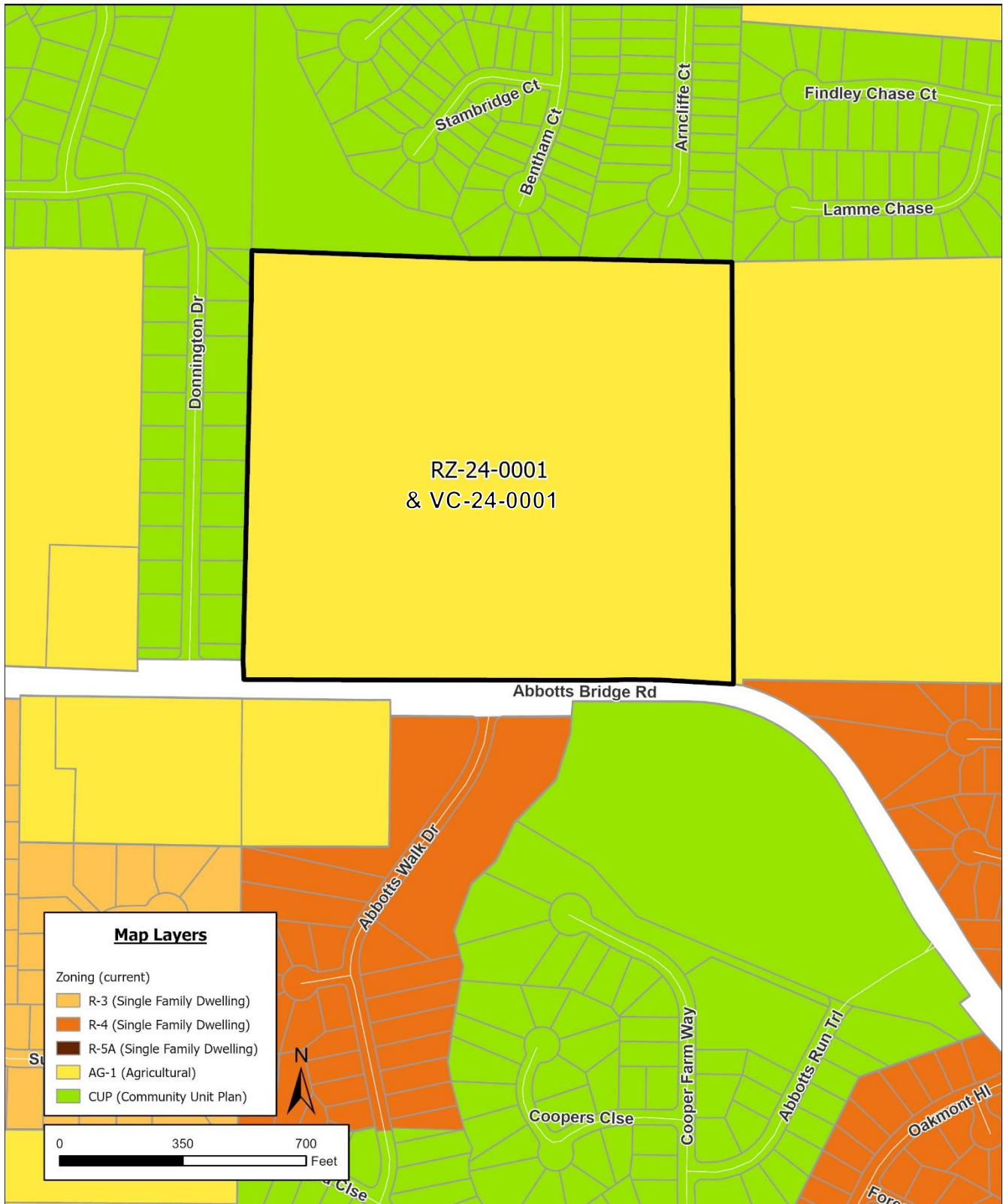
APPLICANT: McKinley Homes
Contact: Hayley Todd
Planner & Engineers Collaborative
655 Engineering Drive, Suite 208
Peachtree Corners, GA 30092

OWNERS: Thomas B. Reynolds
525 Slane Trace
Roswell, GA, 30076

PROPOSED DEVELOPMENT: Single-family detached residential subdivision with 31 lots at a density of 0.83 units per acre with one concurrent variance to reduce the landscape strip along Abbotts Bridge Road from 40 feet to 20 feet.

STAFF RECOMMENDATION: **Approval with Conditions**

Zoning Map



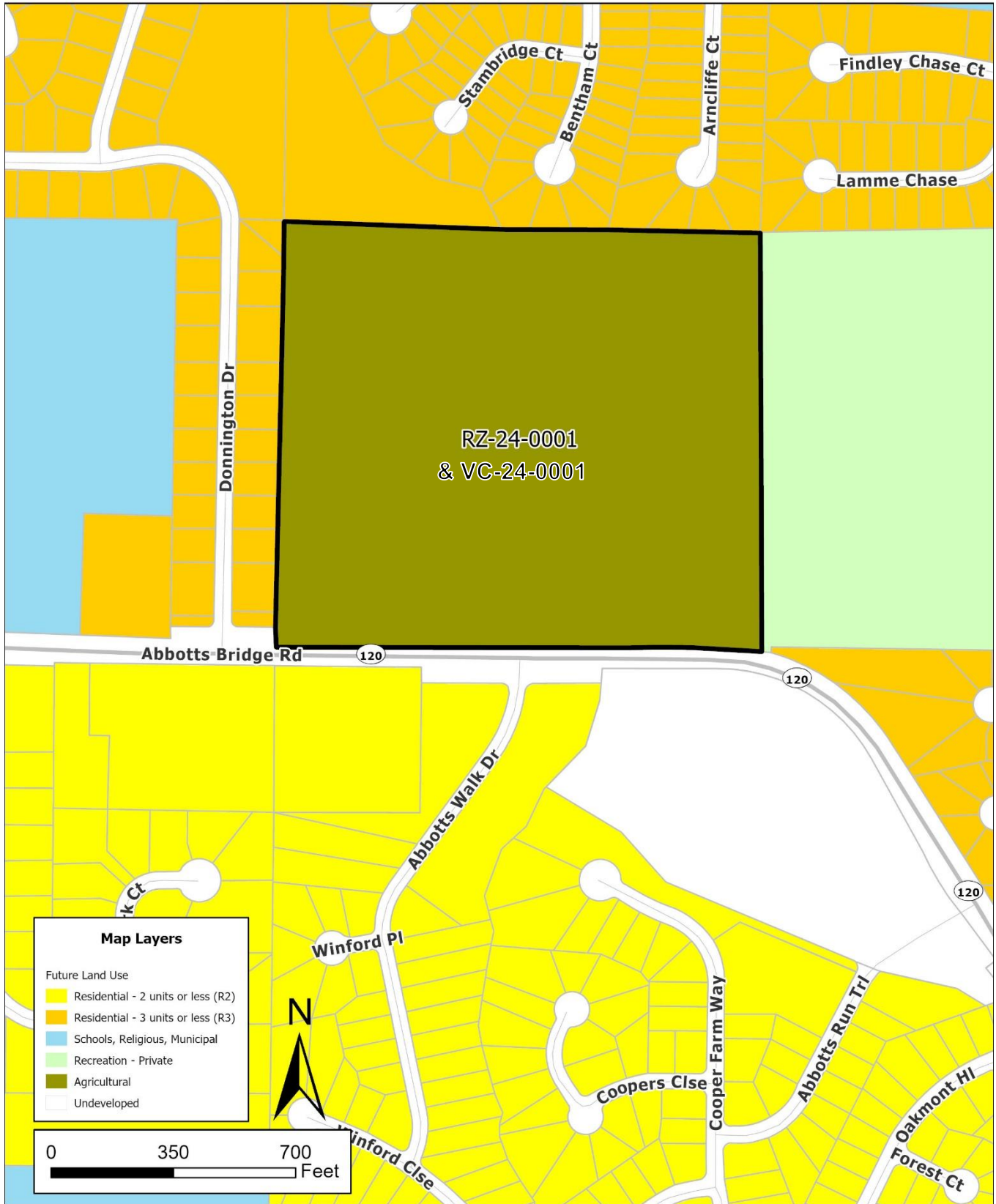
Map Layers

Zoning (current)

- R-3 (Single Family Dwelling)
- R-4 (Single Family Dwelling)
- R-5A (Single Family Dwelling)
- AG-1 (Agricultural)
- CUP (Community Unit Plan)

0 350 700 Feet

Adopted Future Land Use Map



PROJECT OVERVIEW

Location

The subject property is a 37.407-acre tract, located on the north side of Abbotts Bridge Road and approximately 2,300 feet east of the intersection of Abbotts Bridge Road and Parsons Road. The property is bounded by The Park at Wellington subdivision to the north, The Estates at Wellington subdivision to the west, Abbotts Bridge Road to the south, across Abbotts Bridge Road, and The Standard Club golf course to the west.



Background

The subject property, also referred to as Reynolds Farm, is zoned AG-1 (Agricultural District) and is currently improved with a horse barn building and accessory structures. The topography of the land generally slopes downward from the northeast and west towards south. Approximately 60% of the site lies in a floodplain or stream buffers. There are two streams that flow on the property - Johns Creek flows through the southeast corner of the site and a tributary stream traverses from the northwest corner of the site to the south and east where it meets Johns Creek.

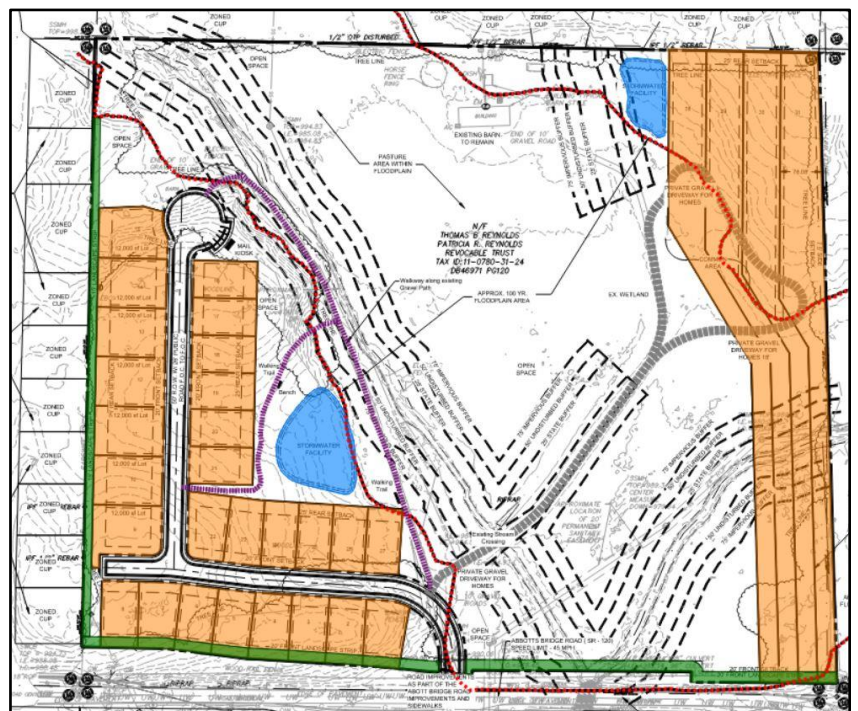
Rezoning Request

The Applicant is requesting to rezone the subject property from AG-1 (Agricultural District) to CUP (Community Unit Plan District) to allow a 31-lot single-family detached residential development with one concurrent variance to reduce the landscape strip along Abbotts Bridge Road from 40 feet to 20 feet.

Site Plan

The proposed development will be served by a single point, full-access curb-cut off Abbotts Bridge Road.

The site plan shows 27 lots for single-family detached homes in the southwest corner of the property and four lots on the eastern portion of the property. The minimum lot size proposed would be 8,000 square feet, except for seven lots along the west property line that abut The Estates at Wellington subdivision, which will maintain a minimum lot size of 12,000 square feet. The four lots located on the eastern portion and back up against The Park at Wellington subdivision will derive their lot frontage from Abbotts Bridge Road, but will be accessed by a private (gravel) driveway from the development's internal road.



The site plan shows a 20-foot landscape strip along Abbotts Bridge Road and a 15-foot landscape strip along the west property line. Almost 23 acres or 62 % of the site is located within the 100-year floodplain (area inside the red dashed line), which also includes Johns Creek and its tributary stream. The Applicant is proposing to preserve the pasture and existing horse-barn building as common area for the subdivision, intending to maintain the rustic character of the site. The common area would total 14.5 acres or 39% of the parcel acreage and would be accessible to the residents by way of existing open space and walking trails to be managed by a homeowners association. The proposed walking trail (shown in purple) would be pervious and will combine the use and extension of an existing gravel path that would provide three connection points to the proposed internal sidewalk of the development. The Applicant proposes two stormwater management facilities for the development, one in the northeast corner and the other in the southwest portion of the site (shown in blue).

Elevations

The Applicant has indicated that the exterior facade of the proposed single-family detached homes would be a combination of brick veneer, board and batten and cementitious siding, with the intent of creating modern farmhouse stylized housing.



Public Participation

As part of the required land use petition process, property owners within one-quarter mile of the subject property were mailed notices in January 2024 for the public participation meeting. The meeting was held at the City Hall Council Chambers on February 1, 2024, and approximately 45 citizens attended the meeting. Several concerns were raised related to smaller lot size, number of dwelling units, traffic on Abbotts Bridge Road, flooding and stormwater runoff.

STANDARDS OF REZONING REVIEW

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

The surrounding zoning, land uses and development criteria are as follows:

Adjacent & Nearby Properties	Zoning (Petition Number)	Land Use	Density (Unit/acre)	Minimum Lot Size
Application	Proposed: CUP	Single-Family Detached	0.83	8,000 SF; 12,000 SF
Adjacent: West	CUP Conditional (1994Z-019)	Single-family Detached (The Estates at Wellington)	2.77	12,000 SF
Adjacent: North	CUP Conditional (1994Z-0019)	Single-family Detached (The Park at Wellington)	2.77	8,000 SF
Adjacent: East	AG-1	Recreation- Private (The Standard Club)	N/A	N/A
Adjacent: South (across Abbotts Bridge Rd)	CUP Conditional (1995Z-0107)	Single-Family Detached (Abbotts Run)	2.66	9,000 SF; 18,000 SF
Adjacent: South (across Abbotts Bridge Rd)	R-4 Conditional (1995Z-0024)	Single-family Detached (Abbotts Walk)	1.5	9,000 SF; 12,000 SF
Nearby: Southeast	R-4 Conditional (1983Z-0103)	Single-Family Detached (Abbotts Station)	3.00	9,000 SF
Nearby: North	CUP Conditional (1994Z-0019)	Single-family Detached (The Regency at Wellington)	2.77	7,200 SF

As shown in the table above, the surrounding area is characterized predominantly by single-family detached homes with residential densities greater than two dwelling units per acre. The proposed development of single-family detached homes at a density of 0.83 units/acre is significantly lower than the densities of the adjacent and nearby properties and less than what is typically required for AG-1 zoned property. Additionally, with the proposed development providing matching building setbacks and a minimum lot size of 12,000 square-feet adjacent to The Estates at Wellington subdivision and locating the 8,000 square-foot lots internal to the site, the proposed development would be suitable in light of similar residential uses found in the area.

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

The proposed development would preserve much of the existing pasture area and visual aspects of the site as it exists today. The Applicant intends to provide a 15-foot landscape strip along the west property line adjacent to The Estates at Wellington subdivision to mitigate visual and spatial impacts to the neighboring properties. With proper conditions to ensure compatibility with existing residential uses found in the area, the proposed residential development would not adversely affect the usability of nearby properties.

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

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

4. Will the proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

The proposed development is expected to generate 344 daily trips, including 26 trips during morning peak hour and 33 trips during evening peak hour. Staff would note that a Georgia Department of Transportation (GDOT) roadway improvement project is planned to realign, include turn lanes, and expand the right-of-way of Abbotts Bridge Road. Staff is recommending as conditions for the Applicant to provide dedicated left-turn and right-turn (deceleration) lanes into the development in coordination with GDOT and the City of Johns Creek to mitigate traffic impacts associated with this request.

Fulton County Water and Sewer confirmed adequate water and sewer capacity is available to service the proposed development. The Fulton County School Board has indicated a total of 12 to 36 students would be anticipated, but will have no impact on school capacity.

School	New Students	Current Capacity (without development)	Capacity (with development)
Abbotts Hill Elementary School	5 to 16	290 under	285 to 274 under
Taylor Road Middle School	2 to 7	142 under	140 to 135 under
Chattahoochee High School	5 to 13	221 under	216 to 208 under
Total	12 to 36		

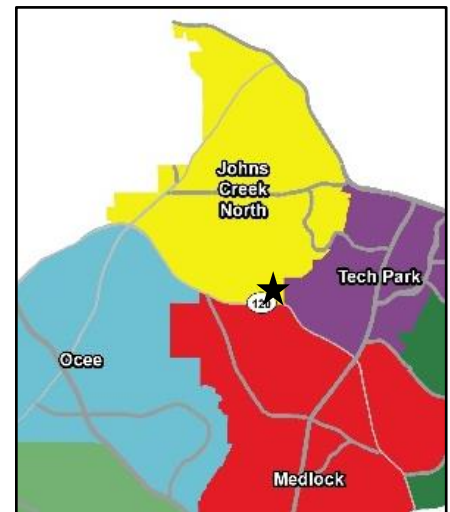
The overall number of dwelling units related to this proposal would present proportional increase to utilities and schools, and including conditions to construct turn lanes would help to minimize impacts to the existing street providing access to the development.

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

The subject property is located in the Johns Creek North Community Area, and the vision for all new infill housing developments for the area is to be limited to single-family detached homes at 3 units/acre. The development as proposed with 31 lots would yield a proposed density of 0.83 units/acre.

The Comprehensive Plan’s Future Land Use Map indicates “Agricultural” for this property, and the single-family use proposed would be consistent with the Future Land Use Map as single-family housing is permitted in the agricultural (AG-1) zoning district.

The development as proposed would conform with the policy and intent of the Community Area in which the property is located and with the Comprehensive Plan’s vision for housing, which is “undeveloped/underdeveloped parcels will be developed with a similar density or use as the surrounding neighborhood(s) or development(s).”



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

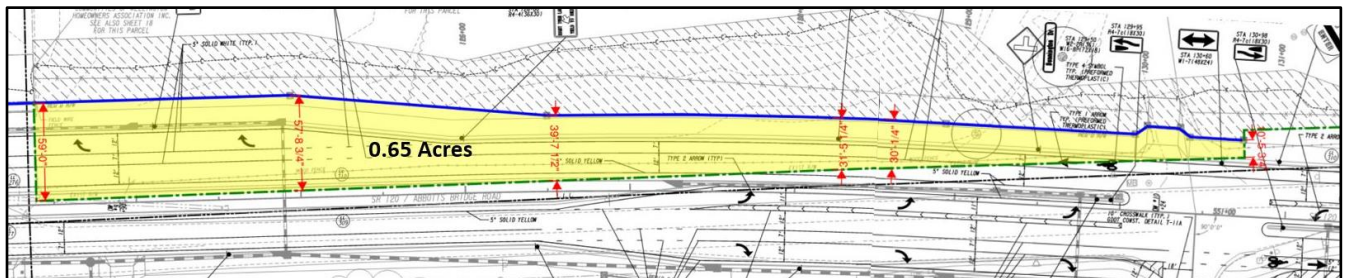
There are no additional conditions giving support for approval or disapproval of the proposal.

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

The 100-year floodplain and streams comprise a large portion of the subject property. The Applicant has planned the entire development to not encroach into the floodplain and applicable stream buffers and continue to protect environmentally sensitive areas of the property. There are two stormwater management facilities proposed for the site, one in the northeast and the other in the southwest portion of the property to comply with the City’s stormwater management requirements. Staff would note that in addition to the proposed stormwater management facilities, the Applicant will be also required to account for runoff reduction as part of their land development permit review.

CONCURRENT VARIANCE ANALYSIS

The Applicant is requesting a variance, VC-24-0001, to reduce the required 40-foot landscape strip along Abbotts Bridge Road (Section 4.23.2.A.1) to 20 feet. The GDOT Abbotts Bridge Road improvement project required the dedication of additional right-of-way from the subject property. The graphic below shows the new right-of-way line (in blue) and old right-of-way line (in green). Approximately, 0.65 acres of land (in yellow) was dedicated as additional right-of-way from the subject property for the roadway improvement project. The right-of-way dedication measures 59 feet along the west property line and 10.5 feet near the proposed entrance of the site. The landscape strip is typically measured from the new right-of-way (in blue) and in this particular situation, incorporating the 40-foot landscape strip will further reduce the buildable area remaining on the property. Due to government action attributed to a road widening project, the Applicant is seeking this variance to not further encroach into the limited developable area.



Landscape strips are incorporated on a site to provide vegetative screening and physical separation of the property from the road. The Applicant’s request for a 20-foot landscape strip would be twice more than the 10-foot landscape strip that exists along Abbotts Bridge Road for The Estates at Wellington subdivision. The preliminary GDOT engineering drawings show a 10-foot multipurpose trail added along Abbotts Bridge Road, which would further increase the separation of the proposed residential lots from the road. Based on the findings herein, staff would support the granting of the concurrent variance as requested.

STAFF RECOMMENDATION

Based upon the findings and conclusions herein, Staff recommends **APPROVAL WITH CONDITIONS** of land use petition, RZ-24-0001, and concurrent variance, VC-24-0001.

1. The site shall be limited to 31 single-family detached dwelling units at a maximum density of 0.83 units per acre.
2. The site shall be developed in general accordance with the site plan received and date stamped on February 14, 2024. Said site plan is conceptual and the final site plan must meet or exceed the

land development regulations and zoning conditions prior to the approval of a land disturbance permit.

3. All exterior elevations shall be constructed primarily of at least 50% brick or stone. Accent materials may be board and batten siding, and/or fiber-cement siding. Final elevations shall be substantially similar to the elevations received and date stamped on March 8, 2024, subject to the review and approval of the Community Development Director, prior to issuance of a building permit.
 4. Lots 9 through 15, adjoining The Estates at Wellington subdivision along the west property line of the subject property, shall maintain a minimum lot size of 12,000 square feet.
 5. The following development standards shall be applied to each lot:
 - Minimum Lot Area: 8,000 square feet (except lots 9-15 shall be 12,000 square feet)
 - Minimum Lot Width: 65 feet
 - Front Setback: 20 feet
 - Side Setback: 5 feet (15 feet separation between structures)
 - Rear Setback: 25 feet
 6. The minimum dwelling floor area shall be 2,800 square feet.
 7. Owner/Developer shall provide and replant where sparsely vegetated following landscape strips in compliance with the City's Tree Preservation and Administrative Guidelines:
 - a. 20 feet adjacent to the new right-of-way of Abbotts Bridge Road (VC-24-0001).
 - b. 15 feet planted to buffer standards along the west property line adjacent to The Estates at Wellington subdivision.
 8. The Owner/Developer shall provide a shadowbox privacy fence along the entire property frontage of Abbotts Bridge Road, with 6-foot high brick or stacked stone columns. Final fence design and location shall be subject to review and approval of the Community Development Director.
 9. Owner/Developer shall construct one full-access curb cut on Abbotts Bridge Road subject to the approval of the Public Works Director. The location of the curb cut is subject to sight distance and spacing requirements. No direct access shall be provided to any individual lots on Abbotts Bridge Road.
 10. Owner/Developer shall construct a five-foot wide concrete sidewalk on both sides of the interior road, as shown on the site plan received and date stamped on February 14, 2024.
 11. Owner/Developer shall pay fee-in-lieu of constructing a left-turn lane at the entrance to be built as part of the city's roadway improvement project. Owner/developer shall pay to the City of Johns Creek for the improvement in the amount equal to the cost of engineering design and construction prior to the issuance of the land disturbance permit.
 12. Owner/Developer shall coordinate the right-turn deceleration lane requirements with the Georgia Department of Transportation (GDOT) as part of the Right-of-Way encroachment permit application process. If required by GDOT, Owner/Developer shall design and construct the right-turn deceleration lane at the entrance following GDOT standards.
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13. Owner/Developer shall submit a stormwater concept plan prior to the submittal of a land disturbance permit application.
14. Prior to issuance of the land disturbance permit, Owner/Developer shall coordinate with the City to execute an easement agreement to provide land rights for a portion of the 100-year floodplain area at no cost to the city. At a later time in the future, City may construct and maintain a water quality improvement project and public pedestrian access within the area. The extent of said easement on the subject property will not be located further west than 50 feet from the centerline of the tributary stream as it runs north to south and no further east than 250 feet from the centerline of both streams and the east property line, as shown on the easement exhibit dated stamped March 14, 2024. This easement agreement will preserve the Owner/Developer's land rights to quiet enjoyment of the floodplain area, including the easement area.