



Land Use Petition RZ-24-0005
Application Submittal: May 7, 2024
Public Participation Meeting: June 6, 2024
Planning Commission Meeting: August 6, 2024
City Council Meeting: August 19, 2024

PROJECT LOCATION: 11605 Jones Bridge Road

DISTRICT/SECTION/LAND LOT: 1st District, 1st Section, Land Lot 198

ACREAGE: 0.75 acres

CURRENT ZONING: C-1 (Community Business District) Conditional

PROPOSED ZONING: C-1 (Community Business District)

**COMPREHENSIVE PLAN
COMMUNITY AREA DESIGNATION:** Ocee

APPLICANT: Teresa Curry
70 Mansell Court, Suite 200
Roswell, GA 30076

OWNER: SUSO 4 Abbotts LP
121 King Street W. Suite 200
Toronto, Ontario, M5H3T9

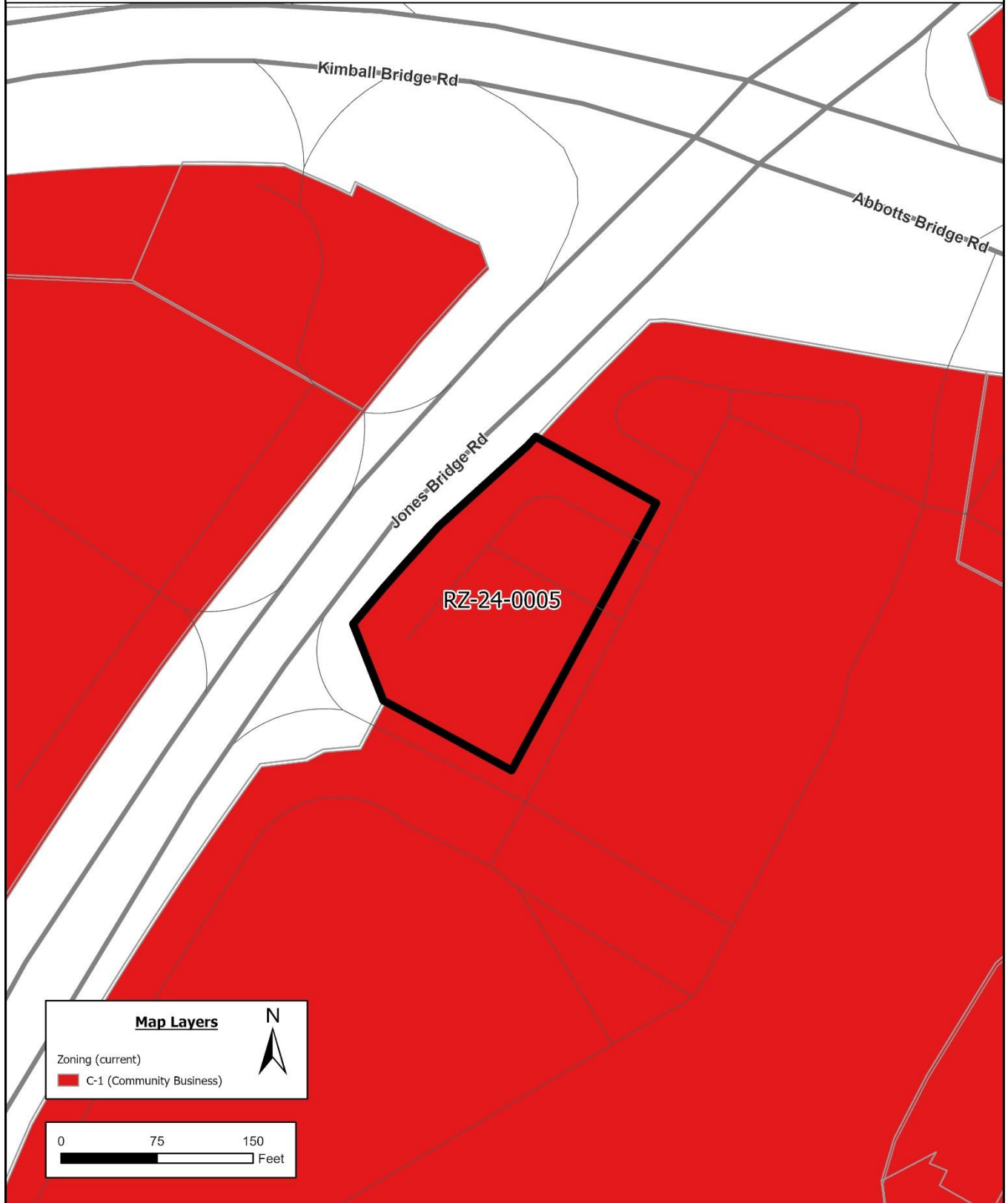
PROPOSED DEVELOPMENT: 1,982 square-foot Dunkin Donuts with drive-through

STAFF RECOMMENDATION: **Approval with Conditions**

Aerial Map





Zoning Map



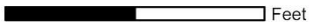
Map Layers

Zoning (current)

 C-1 (Community Business)



0 75 150 Feet



PROJECT OVERVIEW

Location

The subject property is a 0.75-acre outparcel located in the Abbots Village at Ocee Shopping Center, south of the intersection of Jones Bridge Road and Abbots Bridge Road. The property is bounded by Abbots Village Shopping Center (anchored by Publix and Dollar Tree) on three sides and Jones Bridge Road to the west.

Background

The site is currently zoned C-1 (Community Business District) Conditional, pursuant to 1993Z-0023, allowing for retail, service commercial and/or office and accessory uses at a maximum density of 7,739 square feet per acre, excluding, commercial amusements, billboards, adult entertainment establishments, pawn shops, check cashing businesses, pool halls, liquor stores, and fast-food operations. The subject property is currently improved with a 7,105 square-foot commercial building and 53 parking spaces. The site is primarily served by two close access points, one full-access curb cut off Jones Bridge Road, which also serves as the main entrance to the shopping center and a three-quarter driveway off Abbots Bridge Road. Access to the proposed coffee shop will be provided internally from the shopping center.



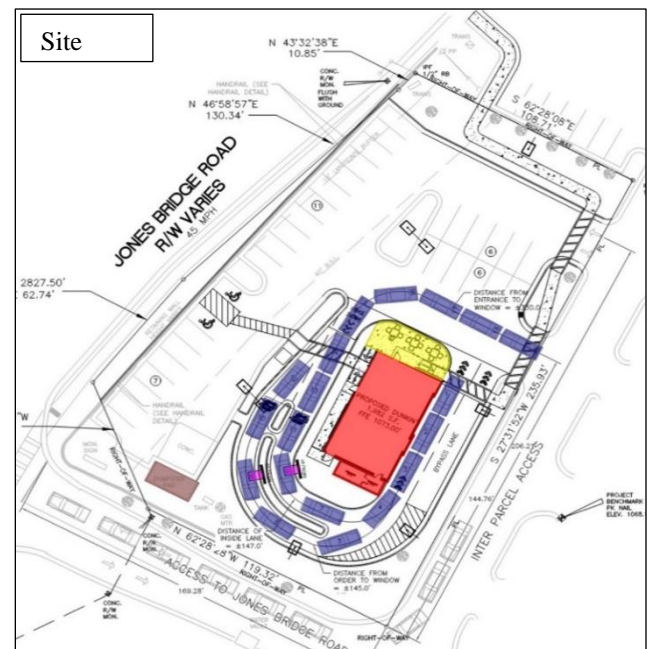
Rezoning Request

The Applicant is proposing to demolish the existing building on the subject parcel and to construct a 1,982 square-foot, Dunkin Donuts with a drive-through window.

Site Plan

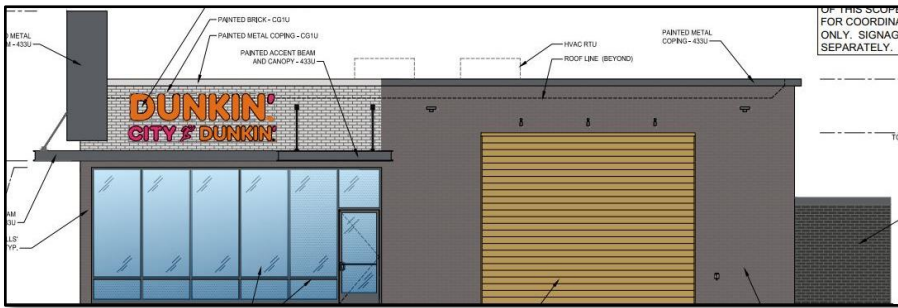
The site plan shows a 1,982 square-foot coffee shop building (shown in red) with approximately 560 square-foot outdoor patio (highlighted in yellow). The Applicant proposes to demolish the existing building on the outparcel and construct a new Dunkin Donuts building. The plan shows a single pick-up window fed by two drive-through lanes providing stacking for up to 19 vehicles on site. The proposed menu boards and speaker posts (in pink) would be placed towards Jones Bridge Road.

Thirty (30) parking spaces would be provided to serve the proposed coffee shop. The Applicant has proposed sidewalks and crosswalks connecting the existing sidewalk along Jones Bridge Road to the main entrance of the proposed building. All existing access points, curb cuts, landscape strips, and dumpster pad will remain in its current state without alteration.

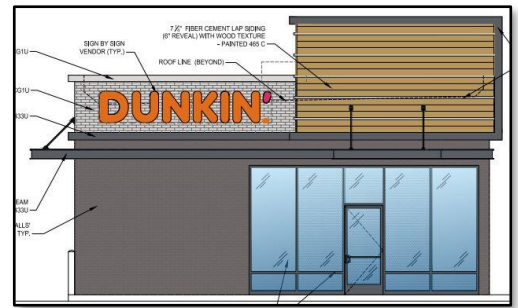


Elevations

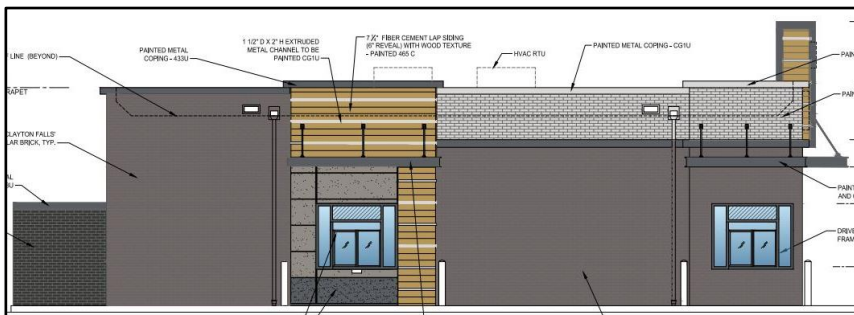
The submitted elevations indicate the building façade would be constructed primarily of brick and glass, in compliance with the requirements of Section 12E.3.E.1 of the Zoning Ordinance. The building has a flat roof design, accent feature of cementitious lap siding in wood finish, contrasting building colors and glass windows that would provide variation of the building façade.



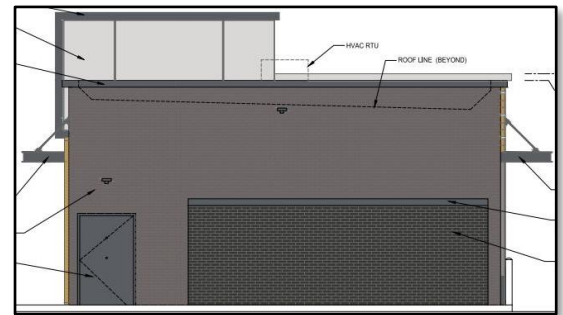
West Elevation: Facing Jones Bridge Road



North Elevation



East Elevation: Facing Parking Lot



South Elevation

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 May 2024 for the public participation meeting. The meeting was held in the City’s Council Chambers on June 6, 2024, and no residents attended the meeting.

STANDARDS OF REZONING REVIEW

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

Adjacent & Nearby Properties	Zoning (Petition Number)	Land Use	Density Non-Residential (SF/Acre)
Application	Proposed: C-1 (RZ-24-0005)	Commercial – Restaurant (Dunkin Donuts)	2,643 SF/Acre
Adjacent: East	C-1 Conditional (1993Z-0023)	Commercial Retail (Publix, Dollar Tree)	7,739 SF/Acre
Adjacent: West (Across Jones Bridge Rd)	C-1 Conditional (1987Z-0140)	Commercial Retail	8,500 SF/Acre
Nearby: Northeast	C-1 Conditional (1996Z-0106)	Commercial – Restaurant (Burger King)	5,684 SF/Acre

The density of the development as proposed would be significantly lower than adjacent and nearby commercial uses. The presence of surrounding commercial uses zoned C-1, suggests the proposed commercial use would be suitable at this location.

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

The proposed development would not adversely affect the use or usability of adjacent or nearby properties. The redevelopment of the outparcel would include a building that has a smaller footprint than the existing vacant building, and the proposed drive-through design would provide for ample vehicle stacking internal to the site and away from Jones Bridge Road, steering traffic flow in a single direction and preventing points of conflict for traffic movement in the shopping center.

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

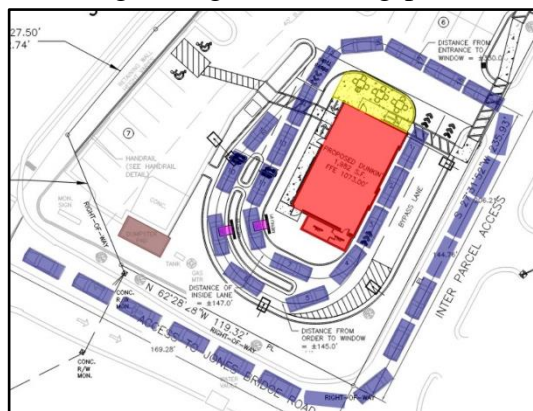
The property appears to have a reasonable economic use as currently zoned.

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 Applicant completed a trip generation report and a traffic analysis to study the impact of trips generated from the proposed development on the ingress/egress access points of the shopping center, closest to the subject property. The proposed restaurant is expected to generate 529 daily trips, including 85 new trips during the morning peak hour and 34 new trips during the evening peak hour.

	AM Peak Hour			PM Peak Hour		
	Total	In	Out	Total	In	Out
Coffee/Donut Shop with Drive-through	170	87	83	77	39	39
Pass-by Reduction (AM = 50%, PM = 55%)	85	43	42	43	21	22
Total Net New Trips	85	44	41	34	18	17

The findings of the traffic study indicate that if only one driveway on Jones Bridge Road is used, the proposed redevelopment is anticipated to create a queue while exiting during the morning peak hour. However, this queue will be fully contained on the shopping center property as there is adequate stacking capacity in the drive aisles to accommodate vehicles with respect to the service time for each vehicle entering and existing the property, with no spillage of vehicles onto the public right-of-way. The above analysis reflects a worst-case scenario, assuming all vehicles entering and exiting the site from one access driveway, though there are two (2) additional access driveways that can be utilized to exit the shopping center.



Based on the information provided, the proposed development would not cause excessive or burdensome use of existing streets.

Fulton County has confirmed that adequate capacity of water and sewer capacity is available to serve this project.

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 within the Ocee Community Area. The proposed development would be conforming with the Comprehensive Plan’s Future Land Use map, which indicates “Commercial –

Retail/Shopping Centers” for the subject property. The proposal would provide for outdoor patio seating in conformance with the policy and intent of the Comprehensive Plan.

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

There are no 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 environmental site analysis indicates that the site does not contain any environmentally sensitive features as it relates to impacts to light, noise, wildlife, streams, wetlands or floodplain. The Applicant will continue to utilize the existing detention pond located on the southeast corner of the shopping center and will be required to comply with the stormwater management and runoff reduction requirements of the City’s Natural Resources and Environmental Protection Ordinance prior to issuance of a land disturbance permit.

STAFF RECOMMENDATION

Based upon the findings and conclusions herein, Staff recommends **APPROVAL WITH CONDITIONS** of land use petition, RZ-24-0005.

1. Use of the subject property shall be limited to retail and service commercial, at a maximum gross building area of 2,000 square feet. The following uses shall be excluded: automobile repair garages, automotive parking lots, automotive specialty shops, billboards, collecting recycling centers, funeral homes, group residences, indoor/outdoor commercial amusements, laundromats, lawn service businesses, alcohol package stores, parking lots, personal care homes or assisted living facilities, repair shops, and service stations.
2. The site shall be developed in general accordance with the site plan received and date stamped on June 12, 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. Exterior elevations shall be substantially similar to the elevations received and date stamped on June 14, 2024. Final elevations shall be subject to the review and approval of the Community Development Director, prior to issuance of a building permit.
4. Owner/Developer shall provide and replant where sparsely vegetated the 10-foot landscape strip along north, east and south property lines, in compliance with the Tree Preservation Administrative Guidelines, subject to the approval of the Community Development Director.
5. Owner/Developer shall provide sidewalks and crosswalks to connect the proposed building to the existing sidewalk on Jones Bridge Road as shown on the site plan received and date stamped on June 12, 2024, subject to the approval of the Public Works Director.
6. Owner/Developer shall provide appropriate stripping and signage to aid in the internal traffic flow as shown on the site plan received and date stamped on June 12, 2024, subject to the approval of the Public Works Director.
7. Owner/Developer shall delineate the perimeter of the outdoor patio with a black-aluminum fence.

8. Owner/Developer shall submit a stormwater concept plan prior to the submittal of a land disturbance permit application.
9. The subject parcel shall not have a direct curb cut on Jones Bridge Road.
10. Exterior wall mounted electrical, gas, and water meters shall not be visible from Jones Bridge Road.
11. Exterior wall mounted ladder, if proposed, shall be located on the opposite side of Jones Bridge Road and painted to blend with the color of the building.