

AMENDED LETTER OF INTENT
APPLICATION FOR REZONING AND CONCURRENT VARIANCE
CITY OF JOHNS CREEK, GEORGIA

CH Realty III/Haynes Bridge, LLC (the “Applicant”), requests a Rezoning of the approximately 15.42 acres located at 3000 Old Alabama Road (Parcel Identification Number 12 303008410790) (the “Property”) from the C-1 Community Business District to the C-1 Community Business District to modify the conditions of zoning pertaining to the Property to allow a restaurant with a drive-through window use (proposed as a Dunkin’/Baskin-Robbins) in an existing stand-alone building. The existing building is in the northeast corner of the Property and has two tenant units, one of which (approximately 2,550 square feet) would be converted to the proposed restaurant use with minimal structural changes to the building. As shown on the Site Plan submitted with this Amended Letter of Intent, substantial enhancements are proposed to the vehicle maneuvering areas to improve on-site traffic patterns. Further, a Traffic Impact Study completed in September 2020 found that adjacent signalized intersections will not be significantly affected by the proposed restaurant use even during peak business hours, and even less so once the forthcoming expansion of Haynes Bridge Road is complete. In preparation for this roadway expansion the Applicant is willing to dedicate requested right-of-way to the City of Johns Creek, and requests a Concurrent Variance to reduce the required landscape strip along Haynes Bridge Road as necessary to effectuate the dedication.

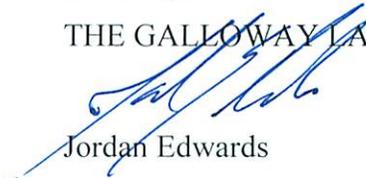
The Property has long been developed as a large-scale shopping center in accordance with applicable conditions of zoning. On January 22, 2008, the Mayor and City Council of Johns Creek, Georgia, rezoned the Property to the C-1 district to allow the addition of an accessory fuel center. See Johns Creek Ordinance 2008-01-1 (RZ-08-001). Condition No. 1 of the 2008 rezoning ordinance allows a fast food restaurant (i.e. having a drive-through window) on “the spin site located at the southeast corner of the subject property.” However, the “southeast corner” was never used for a restaurant, and is instead used for a Chase Bank today. Accordingly, the requested Rezoning proposes a modification of the conditions that would allow a fast food restaurant use in the existing building in the northeast corner of the Property.

For this reason, and because the requested Rezoning is consistent with the factors established at Section 28.4.1. of the Zoning Ordinance of Johns Creek as documented in the

enclosed Zoning Impact Analysis, the Applicant respectfully asks that the Mayor and City Council of Johns Creek approve the Rezoning and Concurrent Variance as requested.

Sincerely,

THE GALLOWAY LAW GROUP, LLC


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