



Land Use Petition RZ-11-007 & VC-11-007-1
Date of Staff Recommendation Preparation: October 10, 2011

PROJECT LOCATION: 6300 Block of Hospital Parkway

DISTRICT/SECTION/LANDLOT: 1st District, 1st Section, Land Lot 376

ACREAGE: 4.99 Acres

EXISTING ZONING: O – I Conditional

PROPOSED ZONING: A – L (Apartment Limited Dwelling District)

FUTURE DEVELOPMENT MAP DESIGNATION: Character Area 09 – 141 Corridor
Gateway
Activity Node

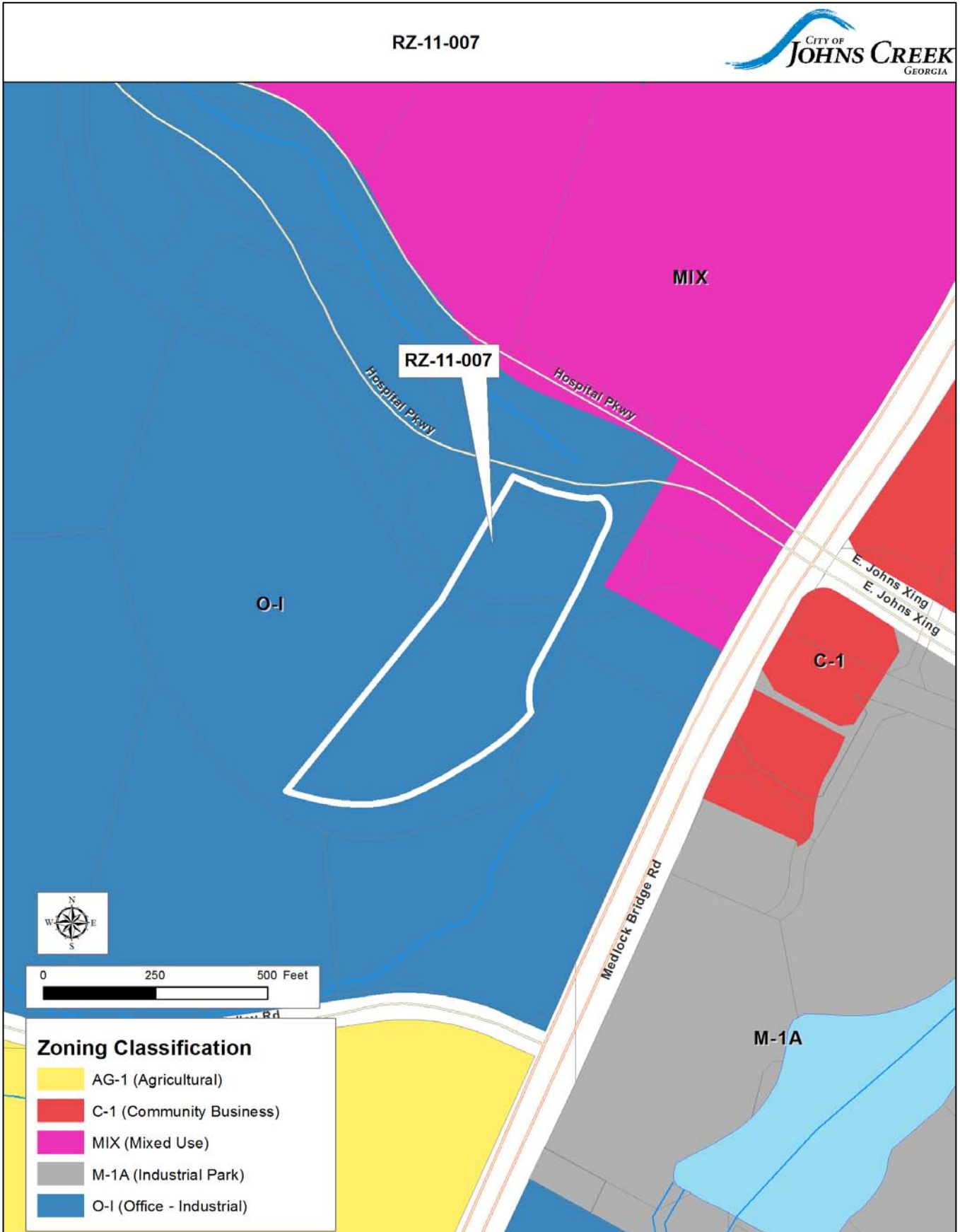
APPLICANT: Lenity Group, LLC
471 High Street, Suite 10
Salem, Oregon 97301

OWNER: TC – Met Diversified Venture, LLC
2001 Ross Avenue, Suite 3400
Dallas, Texas 75201

CONTACT: Mark Lowen: 503.399.1090

PROPOSED DEVELOPMENT: 124-unit age-restricted, multi-family (Retirement Community)
Concurrent Variance:
1. Reduce required parking from 155 to 79 spaces

STAFF RECOMMENDATION: **APPROVAL WITH CONDITIONS**



PROJECT DATA

The applicant requests rezoning of a 4.99-acre tract from O-I Conditional to A-L Conditional to develop a 124-unit age-restricted, multi-family retirement community. The property is located adjacent to the south side of Hospital Parkway west of its intersection with Medlock Bridge Road and is currently a part of a larger tract that includes a medical office building. The property is located within the Technology Park Business Park. The 124 units would result in a density of 24.85 units per acre. The letter of intent states that this age-restricted, retirement community is based on a congregate care concept. The studio, one-bedroom, and two-bedroom suites will not have kitchens as meals would be provided in a main dining room. The facility will not offer medical or nursing care. Units would be rented, and the rent would also cover meals, services, and utilities. There will be one point of access from the private drive off of Hospital Parkway with no direct access to Hospital Parkway. The site plan indicates that 2.9 acres of open space would be provided, resulting in 58 percent of the total acreage.

A concurrent variance has been requested to reduce the required parking from 155 spaces to 79 spaces, which is a reduction of the required 1.25 spaces per unit ratio to approximately 0.6 spaces per unit. Eighteen of the 74 parking spaces would be contained within garages. The site plan indicates outdoor amenities such as a shuffleboard court, walking trails, and a community garden.

Although the letter of intent states that the exterior building materials would be siding and brick, the more recently submitted architectural elevations show a mixture of brick and stucco. The building ranges from four stories down to one story.

The Department would note that a final plat will be required to subdivide the property.

STANDARDS OF REVIEW - REZONING

A. Whether or not the proposal will 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 Properties	Zoning (Petition Number)	Land Use
North (across Hospital Pkwy)	MIX Cond (Z-01-133)	Retail
South	O-I Cond (Z-90-036)	Office
East	MIX Cond (Z-01-133)	Retail/Office
West	O-I Cond (Z-90-036)	Medical Office

The subject property is located within the Technology Park Business Park and is surrounded by office, retail, and medical office uses. The proposed retirement community could provide a suitable use at this

location because of the proximity to the medical office and hospital located nearby and as a complement to the mixture of uses found within Technology Business Park.

B. Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?

The subject property is interior to a larger, mixed-use development, Technology Business Park. The business park promotes a mixture of residential, office, and retail; and in this particular area, with Emory Johns Creek hospital nearby, the retirement community would complement the area and not cause significant adverse impacts on surrounding properties.

C. Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?

The subject property has a reasonable economic use as currently zoned.

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

The development would be an age-restricted, retirement community where resident driving will be limited. There would be minimal impacts on existing streets and transportation facilities. Since this is an age-restricted facility, it is unlikely there would be any impact on the school system.

E. Whether the proposal is in conformity with the policy and intent of the Comprehensive Plan including the land use element?

The subject property is located in an Activity Node within Character Area 9 – 141 Corridor. Policies for this area suggest a mixture of office, institutional, and residential. Senior residences such as the proposed retirement community would fit in with the character of the area. Additionally, the approval and construction of similar facilities nearby suggest that the proposed retirement community could be suitable at this location.

F. Whether there are other existing or changed conditions affecting the use and development of the property which gives supporting ground for either approval or disapproval of the proposal?

The subject property's location to the nearby medical offices and hospital, as well as the other senior housing within a half mile, gives supporting grounds for approval of this request.

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

There are no streams, wetlands or other natural features on the site that would be impacted from this request for a retirement community.

STAFF ANALYSIS

The subject property is a 4.99 acre portion of a larger tract located adjacent to the south side of Hospital Parkway and east of the Emory Johns Creek Hospital campus adjacent to City Hall. The property was cleared under a previous land disturbance permit for the existing medical office and undeveloped future office building. The exterior landscape strips were planted under the previous land disturbance permit.

The City of Johns Creek Future Development Map identifies the property as being in Character Area – 9 141 Corridor, and within an Activity Node. Policies for this area suggest commercial and office uses, institutional uses, and residential uses as associated with mixed-use developments. Additionally, precedent in the area has established that age-restricted residences could be suitable in the area, as seen in the Heritage at Johns Creek Walk, which is part of the Johns Creek Walk II development to the south along Medlock Bridge Road and the Sunrise Assisted Living facility, which is located to the southeast across Medlock Bridge Road. The proposed retirement community would be consistent with the goals and policies of the area.

The surrounding area is characterized by a mixture of office and retail uses associated with the hospital and business park. North and east are retail areas zoned MIX Conditional and O-I Conditional, respectively. South is a four-story office building, which includes City Hall, zoned O-I Conditional. The parent parcel to the west contains a medical office, and further west lies the Emory Johns Creek Hospital Campus, all zoned O-I Conditional. Further south is the mixed-use development under construction, Johns Creek Walk Phase II, which includes multi-family and senior housing components. Southeast, across Medlock Bridge Road are retail, hotel, and assisted living developments. The proposed senior residences would complement the mixture of uses in the area.

The requested concurrent variance would reduce the parking from the required 155 spaces to 79 spaces. The parking ratio for retirement communities is 1.25 spaces per a unit. The ratio that the applicant is requesting is 0.64 spaces per a unit. The 125-unit senior housing located a half mile to the south in Johns Creek Walk received a parking variance to reduce their ratio to 0.8 units per a unit. Documentation submitted by the applicant states that similar projects developed by the applicant have had parking ratios ranging from 0.31 spaces per a unit to 1.28 spaces per a unit with an average of 0.6 spaces per a unit. Based on the submitted documentation and the projected average age of 82 per resident, the Department can support the request. Additionally, the site plan could allow for future parking expansion, if necessary.

In conclusion, the proposed senior housing would be consistent with the overall goals and policies in Technology Park Business Park. Therefore, the Department of Community Development recommends **APPROVAL WITH CONDITIONS** of this request.

DEPARTMENT COMMENTS

PUBLIC WORKS

1. Per the City of Johns Creek Development Regulations Section 11.4.11e each lot is allowed one (1) driveway for every full 200 feet of frontage. The subject property has 195 feet of frontage on Hospital Parkway. Therefore, the proposed development will not be allowed direct access from Hospital Parkway (formerly West Johns Crossing).

Provide an access easement at time of plat. The access easement shall be a minimum of 20 feet wide and shall show access from a public right-of-way to the Tract.

2. Curb cut locations and alignments are subject to an approved sight distance plan and the approval of the City of Johns Creek Traffic Engineer.
 - a. Note that the infrastructure labeled as Private Road (25 mph) is a private drive. Permission is required from the owner of the private drive in order to utilize the drive as the main access.
 - b. If the driveway entrance remains off the private drive, it shall be aligned with the existing curb-cut.

WATER AND SEWER

Water: Anticipated water demand: 125 beds x 125 gallons per day (15,625 gpd) plus 18 employees x 25 gallons per day. There is a total water demand of 16,075 gallons per day for the retirement residence at 6375 Hospital Parkway. This project is within the Fulton County Government water service jurisdiction.

Sewer:

Basin: Johns Creek

Treatment Plant: Johns Creek

Anticipated sewer demand: 14,468 gallons per day

There are four sewer manholes on the site near the southeastern property lines with the last sewer manhole located within the southeast area of the 4.99 acre tract, land lot 376, district 1-1 (Sewer manhole # SMJC3418050).

This information does not guarantee that adequate sewer capacity is available at this time or will be available upon application of permits. Please contact the Department of Public Works for Fulton County for more information.

Water and Sewer is provided by Fulton County Public Works Department. Review and approval of water and sewer is required prior to development.

FIRE MARSHAL

1. Based upon the submitted site plan and letter of intent, adequate fire apparatus access may not be provided per the current fire code. More information will be needed at time of land disturbance permit.
2. A fire flow test will be needed at time of land disturbance.

ARBORIST

1. Tree Ordinance and Administrative Guidelines requirements to be met through land disturbance permit. Landscape strips as required by zoning and density requirements are to be planted per the Guidelines.
2. The submitted site plan does not show the required tree islands in the parking lot. Per the zoning ordinance, tree islands are required every sixth parking space with a minimum 2-inch caliper shade tree.

SITE DEVELOPMENT

1. A Land Disturbance Permit (LDP) is required to develop property. Development plans will have to comply with the Development & Zoning Regulations, Tree Preservation, Erosion & Sediment Control, Floodplain, Stream and Post-Development Stormwater Management Ordinances. A surety will be required for erosion control and any right of way improvements prior to issuance of land disturbance permit.
2. Stormwater Management Report required upon submittal of development plans. Report must demonstrate compliance with the Stormwater Management Report for Johns Creek Medical Office Building by Brock Design Group, Inc. dated November 20, 2007.
3. Fulton County Water & Sewer approval is required prior to issuance of land disturbance permit.
4. If subdividing property, provide final plat prior to issuance of certificate of occupancy.

STAFF RECOMMENDATION

Based upon the findings and conclusions herein, Staff recommends **APPROVAL** as A-L Conditional, and **APPROVAL** of the concurrent variances subject to the following enumerated conditions:

1. Restrict the use of the property to a multi-family retirement community with an age restriction of 55 years or older at a maximum of 124 units.
2. The site shall be developed in general accordance with the site plan received October 13, 2011 with changes allowed to meet these conditions of rezoning.
3. The parking may be reduced to 79 spaces (VC-11-007-1).
4. Direct access to Hospital Parkway shall be prohibited.
5. Dedicate at no cost to the City of Johns Creek along the entire property frontage along Hospital Parkway at least 11 feet of right-of-way from back of curb of all abutting road improvements prior to the issuance of a Land Disturbance Permit as approved by the City of Johns Creek Director of Public Works.
6. Provide inter-parcel access to adjacent property to the west. Access design and location shall be subject to review and approval of the Public Works Department.
7. Provide five foot wide sidewalk along entire property frontage along private drive located to the east of the property. Sidewalk may be inside landscape strip. Location and design shall be subject to review and approval of the Public Works Department.
8. Building elevations shall be in general accordance with the elevations submitted October 18, 2011.

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