



Land Use Petition RZ-17-002

Date of Staff Recommendation Preparation: January 9, 2017 (CRW)

Date of Planning Commission Recommendation: February 7, 2017 (CRW)

PROJECT LOCATION: 11705 Jones Bridge Road

DISTRICT/SECTION/LANDLOT(S): 1st Section, 1st District, Land Lots 197, 198, 230 & 231

ACREAGE 4.54 acres

EXISTING ZONING: CUP (Community Unit Plan) Conditional

PROPOSED ZONING: C-1 (Community Business) Conditional

PETITIONER: Douglas R. White*
11705 Jones Bridge Road
P.O. Box 681833
Marietta, GA 30068
770-497-4576

OWNER: Chen Ping, Addison Place, LLC
11705 Jones Bridge Road
Johns Creek, GA 30005
770-497-4576

PROPOSED DEVELOPMENT: Rezoned property to Commercial Business

STAFF RECOMMENDATION: **APPROVAL WITH CONIDITONS**

PLANNING COMMISSION RECOMMENDATION: **APPROVAL WITH CONDITIONS**

*This is a staff initiated application on behalf of the applicant.

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PROJECT OVERVIEW

The subject site is located at 11705 Jones Bridge Road and is 4.54 acres. The property is home to Addison Place shopping center in the Jones Bridge/Abbotts Bridge Activity Node in Character Area 12 (Johns Creek North). It has approximately 510 feet of frontage on Jones Bridge Road, and 810 feet Addison Way. The lower level of the center fronts on Addison Way that connects Abbotts Bridge Road to Jones Bridges Road.

The property was zoned CUP (Community Unit Plan) Conditional per Fulton County rezoning case number Z-85-085. The subject shopping center was developed as part of neighborhood retail center development for the Johns Creek Estate Subdivision. The property is a part of neighborhood retail center development named Addison Place Shops and it is located at 11705 Jones Bridge Road, where it intersects with Abbotts Bridge Road.

Current zoning conditions allow for a maximum 6.9 acres devoted to the Commercial business at a maximum of density 6,000 gross square feet per acre, allowing a maximum of 41,400 square feet of commercial business space. However, the site plan shows four buildings with a total of 44,318 square feet. The applicant is also requesting a 2,918 square feet commercial space increase for a total square footage of 47, 236 or an increase of 5,836 square feet about what is currently permitted/ Currently, the proposed property has 26 out of 28 tenants on their property. Bonefish Grill, a fine dining restaurant is the anchor tenant. The primary access is Jones Bridges Road with secondary access from Addison Way next to Bonefish Grill. The lower level shops have access from Addison Way.

Historically this parcel has been permitted to have C-1 uses on the site based on the CUP zoning conditions. The staff has initiated this application to updated the zoning classification of the parcel from CUP to C-1 to align with the surrounding C-1 zoned parcels and existing permitted uses, as well to increased the maximum allowed commercial square footage to be increase to 47,236 square feet from the 41,400 square feet currently permitted.

The applicant did attend the neighborhood meeting on January 5th. 2017. No concerns were raised with this project.

STANDARDS OF REZONING REVIEW (STEINBERG ACT) -

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

Adjacent & Surrounding Properties	Zoning (Petition Number)	Land Use	Density Non-Residential (SF/Acre) Residential (Units/Acre)
Nearby: North East	C-1 Head Start Montessori (Z-11-010)	Shopping Center	9,300 SF/Acre
Adjacent: East	C-1 Addison Place (Z-99-0112)	Shopping Center	6,000 SF/Acre
Adjacent: South West	C-2 CVS Pharmacy (Z-86-134)	Shopping Center	8,083 SF/Acre
Nearby: West	C-1 Shoppes at Jones Bridge (Z-97-112)	Shopping Center	7,700 SF/Acre
Adjacent: North West	C-1 Shoppes at Jones Bridge (Z-97-112)	Shopping Center	7,700 SF/Acre
Nearby: South	C-1 Abbotts Village (Z-95-0055)	Shopping Center	7,184 SF/Acre

- **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 subject property is located within the Jones Bridge/Abbotts Bridge Activity Node in Character Area 12: Johns Creek North. It is surrounded by similar C-1 zoning to the north, south and west. The proposed change in zoning is compatible with the surrounding area as it will serve the surrounding community.

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

The proposed use will not adversely affect the existing use or usability of adjacent or nearby property.

- **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.

- **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 proposed development would not cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

- **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 within the Jones Bridge Road/Abbotts Bridge Activity Node in Character Area 12: Johns Creek North. The Comprehensive Plan list the commercial retail as an appropriate use for this are. Rezoning 11705 Jones Bridge Road to C-1 would meet the standard.

- **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?**

There are no existing or changed conditions affecting the use and development of the property.

- **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.**

This use will not adversely affect any natural resources, the environment or citizens of Johns Creek.

ANALYSIS

Community Unit Plan District (CUP) zoning is intended to encourage the development of large tracts of land as planned communities. Preserve the natural amenities of the land by encouraging scenic and functional open areas. Provide for the efficient use of land. Provide a stable residential environment compatible with surrounding residential areas. CUP zoning identifies a land area for a variety of housing types within a planned community setting. The permitted uses in a CUP zoning are single and multifamily residential, community facilities, places of worship and recreation facilities. CUP zoning allow accessory uses for retail and service establishments. However, retail and service establishments are limited to only pro shops and service.

Community Business District (C-1) is intended to provide locations in which neighborhood and community-oriented retail and service activities are permitted. The permitted uses include Resturants, Retail Shops, Specialty Shops, Places of Worship, Financial Establishments, Health Clubs, and excreta.

The subject property is located within a commercialized area between Jones Bridge Road and Abbotts Bridge Road. The proposed rezoning is consistent in use and scale with the surrounding uses. Staff believes the rezoning of the subject property will not have a negative impact since the property has existing retail uses and the impact of the shopping center was already consider the time it was originally established. Therefore, the proposed rezoning would be in keeping with the policies and intent of the Comprehensive Plan and would be suitable in view of its impacts on the adjacent and nearby property.

DEPARTMENT COMMENTS

PUBLIC WORKS

N/A

FIRE MARSHAL

N/A

ARBORIST

N/A

LAND DEVELOPMENT

N/A

FULTON COUNTY DEPARTMENT OF WATER RESOURCES

N/A

WATER:

N/A

SEWER:

N/A

FULTON COUNTY DEPARTMENT OF HEALTH SERVICES

N/A

EJ AND GENERAL PUBLIC Health COMMENTS

N/A

FULTON COUNTY BOARD OF EDUCATION

N/A

STAFF RECOMMENDATION

Based upon the finding and conclusion herein, Staff recommends **APPROVAL** of Land Use Petition RZ-17-002, with the following conditions:

1. Maximum building square footage shall not exceed 47,236.
2. Permitted Commercial (C-1) uses prohibited from this parcel include; Amusements (Indoor), Art Galleries, Assembly Halls, Automotive Parking Lots, Automotive Specialty Shops, Funeral Homes, Garage (Automobile Repair including painting, body repair, and overhaul of major components), Gymnasiums, Hotel, Laundromats, Landscaping Business, Garden Center, Laundry/Dry Cleaning Shops, Lawn Services, Communication Services, Millinery, Motels, Office, Parking Garages/Decks, Parking Lots, Personal Services including barber, beauty, Pet Grooming, Plant Nurseries, Printing Shop, Repair Shops, Research Laboratories, Senior Housing, Service Station, Stadiums, Theaters and Recycling Center (Collecting)

PLANNING COMMISSION RECOMMENDATION

Based upon the findings and conclusions herein, at its February 7, 2017 public hearing, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of RZ-17-002, subject to the following amended staff conditions:

1. Maximum building square footage shall not exceed 47,236.
2. Permitted Commercial (C-1) uses prohibited from this parcel include; Amusements (Indoor), Assembly Halls, Automotive Parking Lots, Automotive Specialty Shops, Funeral Homes, Garage (Automobile Repair including painting, body repair, and overhaul of major components), Gymnasiums, Hotel, Laundromats, Landscaping Business, Garden Center, Lawn Services, Communication Services, Millinery, Motels, Parking Garages/Decks, Parking Lots, Plant Nurseries, Printing Shop, Repair Shops, Research Laboratories, Senior Housing, Service Station, Stadiums, and Recycling Center (Collecting)