

**REZONING LETTER OF INTENT**

24 OCTOBER 2018

City of Johns Creek  
Mayor and Council  
Department of Community Development and Rezoning  
Attn: Sharon Ebert, Community Development Deputy Director  
10700 Abbotts Bridge Road, Suite 190  
Johns Creek, Georgia 30097



**RE: Letter of Intent- Rezoning Application by Dr. Sudha Challa, MD (the “Applicant”) for the property located at 3565 Old Alabama Road, Johns Creek, Georgia (the “Property”)**

Dear Ms. Ebert,

I, Dr. Sudha Challa, MD, am currently under contract to purchase the subject property from the current owner, Betty H. Cowart, and am submitting this application myself. The subject property is currently zoned, AG-I, and is 0.99 Acres. It is located at 3565 Old Alabama Road. The proposal is to re-zone the property to O&I with concurrent variances, to allow for the construction of a new neighborhood medical office of approximately 4400 SF, for opening a second office location onto the site. The proposed medical office would allow for six rooms, with consultation space, a business office, a waiting area, staff areas, and parking for eighteen vehicles to accommodate one patient and one staff per chair.

The site is very similar to the zoning of Dr. Peter Boulden’s dental spa across the street as well as the KinderCare facility next door that shares the same O&I zoning. Substantial landscape buffers are required and provided between the proposed medical office site and the adjoining creek behind the property.

The surrounding uses are as follows:

North: Old Alabama Road

East: Zoned AG-I/ Mary Higgins Neel Residence

South: Creek / Preston oaks subdivision back side

West: Preston oaks Subdivision- Zoned R4

**PROPOSAL**

My proposal for O&I, as it relates to these surrounding uses, is the most viable option for the property. There is an existing mix of similar type zoning and construction in this immediate vicinity, including a day care –Kinder care, Brookhaven pediatric dentist, orthodontist, optometrist, as well as the adult dental practice of Dr. Boulden across the street recently got O/I approved, which will work well with my Primary Care practice. My current practice is located on Buford Highway, in Chamblee, Georgia. I feel that part of my job as a doctor is to give back to my community and I would like to do that by providing primary care for the city of John’s Creek. I reside in this community and my kids attend Barnwell Elementary school, which is in proximity to my proposed second office. The proposed site design incorporates all required zoning buffers except the above 2 mentioned variances, and the proposed warm construction style of brick, stone, wood and glass will blend communally with the surrounding businesses

and residential mix. This proposed office would provide a valuable service to the local community as well as increase incoming revenue for the city.

### **CONCURRENT VARIANCE REQUESTS**

1. A variance request is hereby submitted per section 22.4(2), to allow construction and improvements within the required '10' improvement setback per section 4.23.1 (D) of the City of John Creek Zoning Ordinance. The request will be to allow encroachment within the 10' improvement setback along the South side of the site to provide proper retaining wall, and grading for the site and lessen the amount of the impact to the adjacent buffer areas.
2. Variance to landscape ordinance to allow eight (8) contiguous parking spaces without an intermediate landscape island as shown on site Plan.
3. Flat roof with pitch elevation in front

### **HARDSHIPS AND JUSTIFICATION**

The current site, being only 0.99 acres, would not economically or feasibly support the required building square footage and parking spaces for Dr.Challa to open a second location into the City of Johns Creek without approval of the rezoning and concurrent variance applications herein. The property is currently zoned and planned to be a residential lot. However, it is very unlikely that a homeowner would pay what the property is worth, build a home commensurate with that land value, and yet have that home fronting on a busy corridor like Old Alabama Road, next door to KinderCare, and across from other commercial and medical office buildings. The highest and best use of the property is for an O&I development such as my proposed primary care office. This proposal includes a high quality and warm construction styles that will serve as a complement to the community.

I propose to maintain all zoning buffers except the above variances, provide the required landscaping in approved areas, and comply with all other zoning ordinance requirements. However, this development is simply not feasible without the City's consideration of the rezoning and variance requests made herein.

### **CONCLUSION**

I, the Applicant and the Owner, Ms.Cowart, respectfully request that the City of Johns Creek Mayor and Council, Planning Commission and Planning Staff approve and support the Applicant's rezoning request to allow for the AG-I property to be changed to O&I. I also request that that the City of Johns Creek Mayor and Council, Planning Commission and Planning Staff approve the associated concurrent variance requests in order to allow for the only economically viable use of the Subject Property. The Applicant, the owner, the representatives, and I welcome the opportunity to meet with all interested parties on this matter.

Respectfully,

Dr. Sudha Challa, MD

678-545-5080

6030 Carlisle Lane

Johns Creek GA 30022