

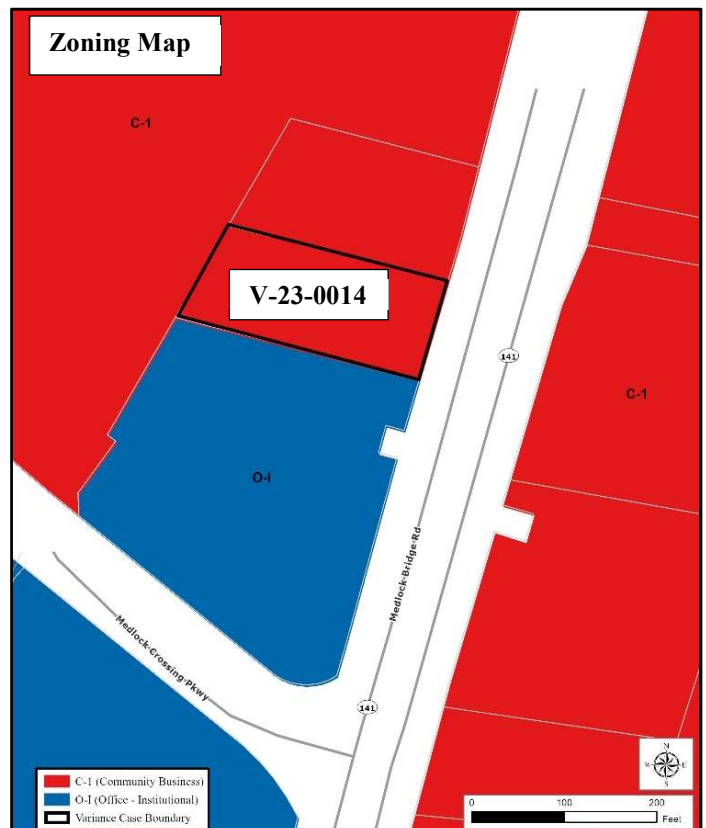
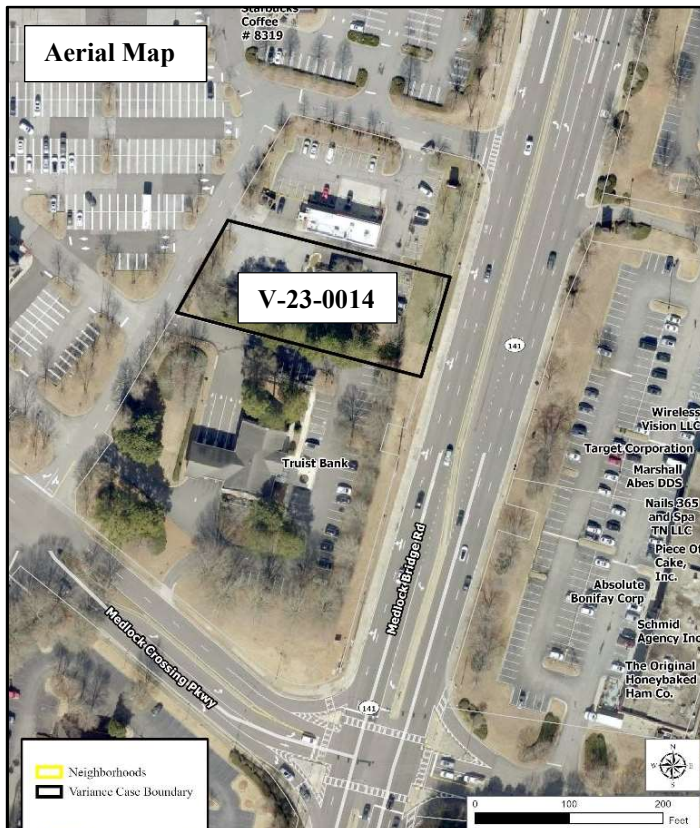


Board of Zoning Appeals Meeting November 21, 2023

CASE NUMBER:	V-23-0014
PROPERTY LOCATION:	9630 Medlock Bridge Road, Johns Creek, GA 30097
CURRENT ZONING:	C-1 (Community Business District) Conditional
PARCEL SIZE:	0.50 Acres
PETITIONER:	Foresite Group, LLC
VARIANCE REQUEST:	To reduce the required parking spaces from 14 to 6.
STAFF RECOMMENDATION:	APPROVAL WITH CONDITIONS

Background

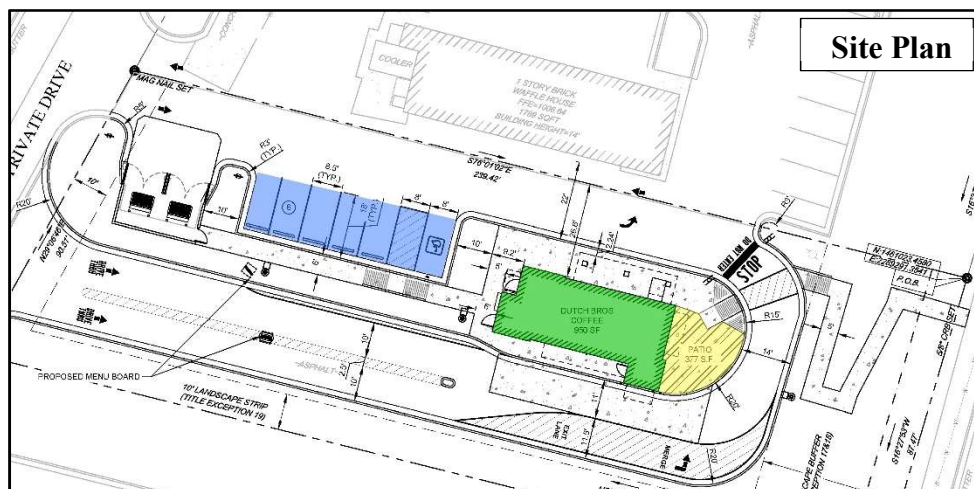
The subject property is located on the southwest quadrant of the intersection of Medlock Bridge Road and State Bridge Road, and is zoned C-1 (Community Business District) Conditional, pursuant to rezoning case, RZ-17-007. The site is currently developed with a 1,346 square-foot oil change facility that was formerly owned and operated by Jiffy Lube, but no longer in business.



Community Development

On May 15, 2022, the Board of Zoning Appeals approved V-22-0004 to allow for parking space reduction from 12 to 7, for a 878 square-foot drive-through Phoenix Roasters coffee shop. Unfortunately, the initial coffee shop development did not come to fruition.

Furtunately, another drive-through coffee company, Dutch Bros Coffee, is proposing to construct a 950 square-foot drive-through coffee shop (shown in green), with a 377 square-foot outdoor patio (shown in yellow) and 6 parking spaces (shown in blue). Please note that there will be no inside dining associated with the building, as the principle use is for drive-through service.



Applicable Code Requirements

City of Johns Creek Code of Ordinances, Appendix A, Zoning, Article XVIII: Off Street Parking and Loading Section 18.2. – Parking Spaces Required.

18.2.1. *Basic Off-Street Parking Requirements.* Parking requirements shall be calculated based on the site's principle use. All areas are expressed in gross square feet of building area unless ground area or some other measure is specified.

Use Group	Minimum Requirement
Restaurants, Nightclubs and Taverns, Freestanding (including outdoor seating)	1 per 100 sq. ft.

Variance Request

The Applicant is requesting to reduce the required number of parking spaces from 14 to 6.

Variance Review Criteria

Zoning Ordinance Section 22.3.1 lists the following considerations for granting a variance:

- a. Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of the Zoning Ordinance; **or**
- b. The application of the particular provision of the Zoning Ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public.

Staff Analysis

The proposed parking variance, if granted, would be in harmony with the general purpose and intent of the Zoning Ordinance. The required parking ratio for restaurants is established to ensure adequate parking for

restaurants that typically have in-store dining. Considering the proposed coffee shop will be drive-through only, the proposed parking reduction would not impose an adverse impact.

To ensure adequate separation between multiple travel lanes adjacent to parking spaces, staff recommends a condition for appropriate stripping and signage to be provided to aid in internal traffic flow. Additionally, the proposed exit lane is shown on the site plan to encroach into the adjacent property to the north, and staff is recommending a condition for the Applicant to provide the City with a written approval from the adjacent property owner allowing for the proposed encroachment, prior to issuance of a Land Disturbance Permit.

Staff Recommendation

Based upon the findings and conclusions herein, staff recommends **APPROVAL** of V-23-0014, **subject to the following conditions:**

- 1) The subject property shall provide a minimum of 6 on-site parking spaces as shown on the site plan received by the Community Development Department and date stamped on October 10, 2023.
- 2) Owner/Developer shall provide appropriate stripping and signage to aid internal traffic flow of vehicles for appropriate ingress/egress into the property and interaction with drive-through lanes, subject to the approval of the Community Development Director.
- 3) Owner/Developer shall provide written approval from the adjacent property owner to the north, approving the scope of work and encroachment on to their site, prior to the issuance of a Land Disturbance Permit.