



Land Use Petition RZ-24-0004 & VC-24-0003

Application Date: April 2, 2024

Public Participation Meeting: May 2, 2024

Planning Commission Meeting: July 9, 2024

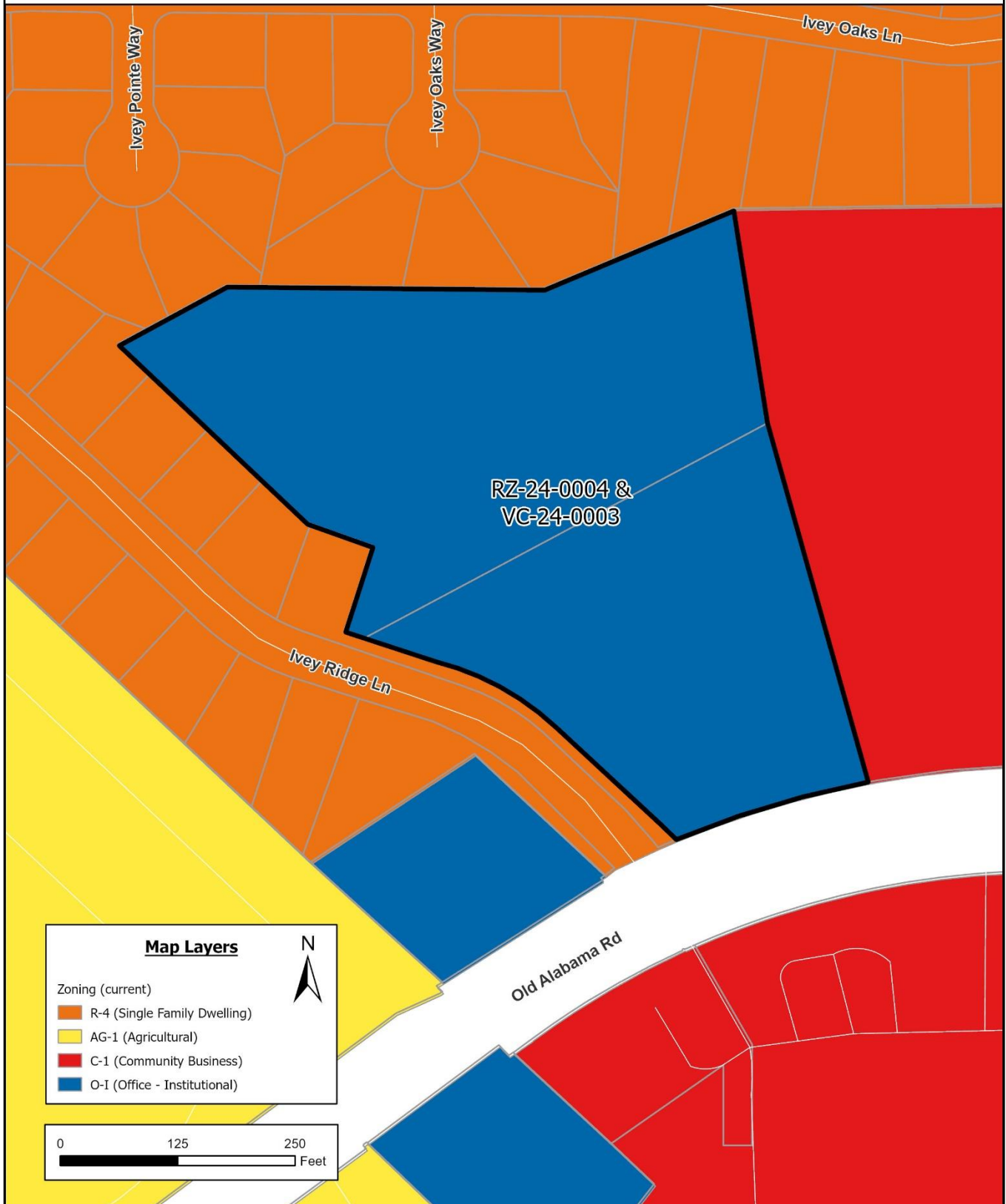
City Council Meeting: July 29, 2024

PROJECT LOCATION:	2950 Old Alabama Road and 2950 Ivey Ridge Lane #Rear
DISTRICT/SECTION/LAND LOT:	1 st District, 2 nd Section, Land Lot 841
ACREAGE:	6.389 acres
CURRENT ZONING:	O-I (Office Institutional District) Conditional
PROPOSED ZONING:	A-L (Apartment Limited Dwelling District)
COMPREHENSIVE PLAN COMMUNITY AREA DESIGNATION:	Newtown
APPLICANT:	Partners Development Group LLC 10882 Crabapple Road Roswell, GA 30075
OWNER:	SZR Ivey Ridge Assisted Living Limited Partnership 353 North Clark Street, Suite 3300 Chicago, IL, 60654
PROPOSED DEVELOPMENT:	To convert an existing assisted living facility into an age-restricted, active-adult multi-family dwelling with one concurrent variance to reduce the required parking from 164 to 61 spaces.
STAFF RECOMMENDATION:	Approval with Conditions

Aerial Map



Zoning Map



PROJECT OVERVIEW

Location

The subject property fronts on Old Alabama Road and is comprised of two parcels combining to total 6.389 acres. The property is located approximately 860 feet west of the intersection of Haynes Bridge Road and Old Alabama Road and is bounded by the Haynes Market Shopping Center to the east, Old Alabama Road to the south, and Ivey Ridge subdivision to the north and west.

Background

The subject property is zoned O-I (Office Institutional District) Conditional, pursuant to 1996Z-0028, with a use permit 1996U-0013, restricting the use of the property for a Personal Care Home and accessory uses with a maximum number of 110 beds. The site is currently improved with a 64,077 square-foot Sunrise Assisted Living facility and 28 parking spaces, accessed by a single full-access driveway off Ivey Ridge Lane.



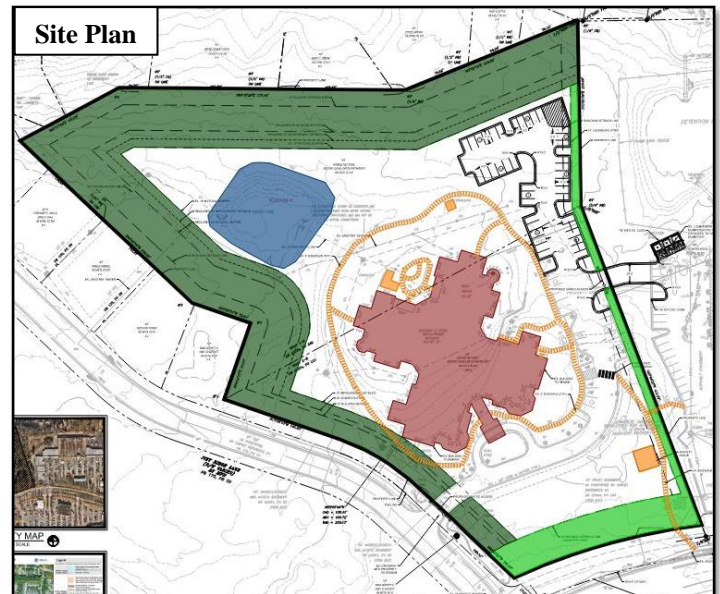
Rezoning Request

The Applicant is requesting to rezone the subject property from O-I (Office Institutional District) Conditional to A-L (Apartment Limited Dwelling District) to convert the existing 85-unit assisted living facility into an 82-unit, age-restricted, active-adult multi-family dwelling at a density of 12.83 units per acre, with one concurrent variance (VC-24-0003) to reduce the required parking from 164 to 61 spaces.

Site Plan

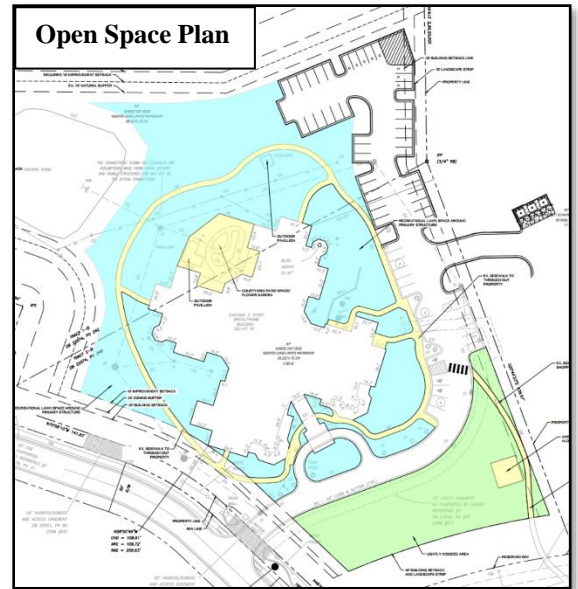
The Applicant’s letter of intent states the existing assisted living and memory care facility will go through an interior renovation converting 85 existing units into 82 independent living units. The average unit size would be 592 square feet, conforming to the required minimum floor area of units established for the A-L zoning district. All other aspects of the site and exterior of the building (except for a facelift), along with the full-access driveway off Ivey Ridge Lane will remain:

- 40-foot landscape strip along Old Alabama Road (shown in green).
- 10-foot landscape strip along east property line, adjacent to the Haynes Market shopping center (shown in green).
- 70-foot existing undisturbed buffer along the north and northwest property lines, adjacent to Ivey Ridge subdivision (shown in dark green).
- 25-foot undisturbed buffer and 10-foot improvement setback along the southwest property line, adjacent to the stem portion of the residential lot located at 2950 Ivey Ridge Lane (shown in dark green).



The Applicant will utilize 20 existing parking spaces and build an additional 41 parking spaces in the northeast corner of the site, and provide interparcel access between the subject property and the Haynes Bridge Shopping Center. For safety and to limit the use of the interparcel access for the multi-family dwelling residents only, the Applicant proposes to provide gated access at the existing driveway entrance off Ivey Ridge Lane and at the interparcel access drive. Staff would note that the location of the proposed gate at the existing entrance driveway shall be located at minimum 25 feet away from the property line. Staff would also note that locating the refuse area off-site on the adjacent shopping center’s property would require the property owner’s approval to be provided to the Community Development Department.

As required by Section 12E.3.A of the City’s Zoning Ordinance, the A-L zoning district requires 25% of the gross acreage to be set aside as common open space. The Applicant has identified active open spaces on the site plan (shown in yellow) that includes amenities such as a walking trail, a courtyard with patio and flower garden, a proposed fire-pit with seating in the front yard, existing passive open space in the form of landscaped areas (shown in blue), and a natural preserved area (shown in green), providing an aggregate of 29.2% or 1.87 acres of total common open space.



The site currently utilizes a detention pond, located in the northwest corner of the property, for stormwater management.

Elevations

The submitted elevations indicate the building façade would be given a facelift by implementing a new color scheme and changing select materials to enhance the architectural elements of the building, new roofing and decorative metal railings for the front porches.



Public Participation

As part of the required land use petition process, property owners within one-quarter mile of the subject property were mailed notices in April 2024 for the public participation meeting. The meeting was held at the City Hall Council Chambers on May 2, 2024, and approximately 10 citizens attended the meeting. Several concerns were raised related to increased traffic on Ivey Ridge Lane, conflict with ingress/egress and difficulty in making the left-turn out onto Old Alabama Road. The attendees in general supported the proposed use but requested a separate ingress/egress to be provided for the development.

STANDARDS OF REZONING REVIEW

1. Will the proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?

The subject property is surrounded by single-family detached residential and service-commercial, retail and medical office uses. The proposed age-restricted, active-adult multi-family dwelling would be considered an appropriate use as it would replace an existing commercial use in the form of an assisted living facility with a similar use in intensity and would function as a transition between the residential subdivision and an intensive commercial shopping center. Considering the nature of the proposed use that will repurpose an existing building without adding to its footprint and providing interparcel connection directly to the shopping center, limiting the need for its residents to access the Ivey Ridge Lane and promoting walkability by providing pedestrian access to nearby service-commercial and retail uses, the proposed development would be suitable at this location with appropriate conditions.

Adjacent & Nearby Properties	Zoning (Petition Number)	Land Use	Density (Units/Acre)
Application	Proposed: A-L	Commercial-Multifamily Age-restricted Apartments	12.83
Adjacent: North & West	R-4 Conditional (1990Z-0075)	Single-Family Detached (Ivey Ridge)	3.31
Adjacent: East	C-1 Conditional (RZ-20-006)	Commercial – Retail (Haynes Market Shopping Center)	N/A
Adjacent: South Across Old Alabama Road	C-1 Conditional (1995Z-0011)	Commercial – Retail (Old Alabama Square Shopping Center)	N/A
Nearby: West	O-I Conditional (RZ-08-009)	Commercial – Office (Dentist Office)	N/A
Nearby: West	AG-1 (U-99-005 & 006)	Religious (Mt. Pisgah United Methodist Church & Daycare)	N/A

2. Will the proposal adversely affect the existing use or usability of adjacent or nearby property?

The proposed conversion of an assisted living facility into an active-adult, age-restricted multi-family development would continue to provide housing options for adults who are 55 years of age and over near commercial, retail and medical uses. Ensuring that the existing 70-foot natural buffer is maintained adjacent to Ivey Ridge subdivision would mitigate any concerns related to noise and privacy. Moreover, with the Applicant providing for interparcel access with the Haynes Market Shopping Center, it would alleviate traffic concerns by routing traffic from the development away from Ivey Ridge Lane and provide their residents direct access to the adjacent shopping center and to a signalized intersection to

travel north on Haynes Bridge Road without accessing Old Alabama Road. The development as proposed, with appropriate conditions, would have minimal impact to nearby or adjacent property.

3. Does the subject property have a reasonable economic use as currently zoned?

The property appears to have a reasonable economic use as currently zoned.

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

Fulton County Water and Sewer confirmed water and sewer capacity is available to service the proposed development.

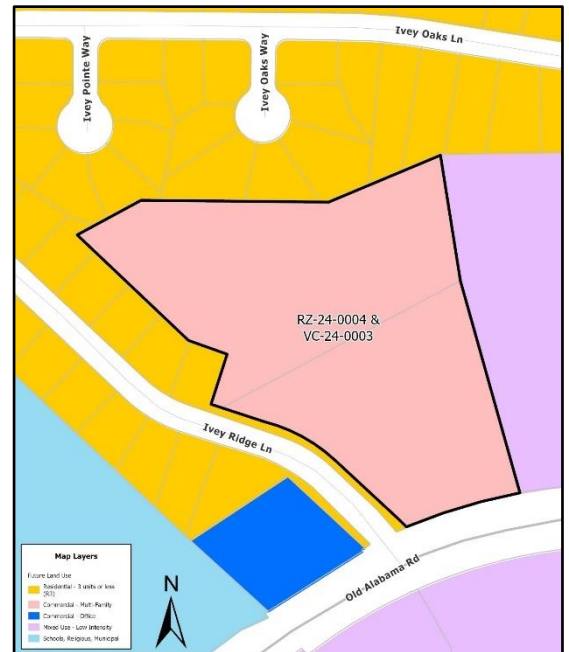
The proposed development is expected to generate 262 daily trips, including 16 trips during morning peak hour and 21 trips during evening peak hour. When reviewing the trip generation data comparing the existing assisted-living facility to the proposed multi-family dwelling with 82 units, the latter produced a projected net reduction in the number of both daily and peak hour trips. This is likely due to the change in the nature of use of the facility as the conversion to a multi-family dwelling would minimize trips that were typically generated by employees or care giving staff on site 24 hours a day. Additionally, staff would recommend a condition for the developer to provide interparcel access to the adjacent shopping center to divert traffic away from Ivey Ridge Lane. The proposed interparcel access condition coupled with the City’s Public Works Department providing for a “Do Not Block The Box” pavement marking at the intersection of Ivey Ridge Lane and Old Alabama Road, to aide in making safer left-turns out of Ivey Ridge subdivision, would lessen the impact of the proposed development to existing streets.

5. Is the proposal in conformity with the policy and intent of the Comprehensive Plan including the land use element?

The subject property is located in the Newtown Community Area. The vision for this community area is to become more pedestrian friendly, connecting existing schools, shopping, subdivisions, religious institutions, and Newtown Park.

The Comprehensive Plan’s Future Land Use Map indicates “Commercial-Multi-Family” for the subject property. The City’s Zoning Ordinance defines multi-family as “[a] structure containing three or more dwelling units not including townhouses, triplexes or quadruplexes.”

The development as proposed would conform with the policy and intent of the Comprehensive Plan’s land use element and the overall vision related to housing, which is to “[p]romote housing options within the City to attract and retain all age groups” encouraging “active-adult and age-restricted housing developments near shopping and health-related services ...” to support the concept of aging in place.



6. Do existing or changed conditions affecting the use and development of the property give supporting grounds for either approval or disapproval of the proposal?

The subject property was rezoned and approved for a personal care home in 1996, pursuant to 1996Z-0028 and a use permit 1996U-0013, which allowed for an assisted living facility with 110 beds. The

proposed age-restricted, active-adult housing would include less beds and units than what exists on the site today, which would provide supporting grounds for the positive consideration of the proposal.

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

The environmental site analysis indicates that the proposed development would not disturb environmentally-sensitive areas on the site. The Applicant will continue to utilize the existing detention pond located on the northwest corner of the property and will be required to comply with the stormwater management and runoff reduction requirements of the City's Natural Resources and Environmental Protection Ordinance prior to issuance of a land disturbance permit. Furthermore, all existing open space and the 70-foot natural buffer adjacent to single-family homes will be maintained as part of the proposed development.

CONCURRENT VARIANCE ANALYSIS

Concurrent variance request, VC-24-0003, seeks to reduce the number of required parking spaces from 164 to 61. Section 18.2.1. of the Zoning Ordinance requires two parking spaces per dwelling unit. Based on comparable senior housing developments in the Southeast and metro Atlanta region, where many senior residents may place less reliance on a vehicle and seek more opportunities to walk to nearby commercial and recreational uses, and relying on a lower parking to dwelling unit ratio. In addition to the 41 new parking spaces to be added by the Applicant, the subject property has a shared parking agreement with the adjacent Haynes Market Shopping Center, providing access to 10 additional parking spaces directly adjacent to the east of the property, behind the shopping center building. With the inclusion of the shared parking spaces, the total parking proposed would be 71 spaces and increase the parking ratio from 0.74 to 0.87, which is greater than the parking ratio of other senior housing developments in Johns Creek and similar to a development in East Cobb owned by the Applicant (The Hammocks at East Cobb) with a parking ratio of 0.84.

The Applicant has also indicated the availability of transportation services for residents at the proposed development, which would further support the reduction in parking spaces. Given the supporting parking data for similar senior housing developments, availability of additional parking spaces on the adjacent property, and providing transportation services to residents, staff is of the opinion that the request, if granted, will be in harmony with the general purpose and intent of the Zoning Ordinance.

STAFF RECOMMENDATION

Based upon the findings and conclusions herein, Staff recommends **APPROVAL WITH CONDITIONS** of land use petition, RZ-24-0004, and concurrent variance, VC-24-0003.

1. The site shall be limited to 82 active-adult multifamily dwelling units and accessory uses and structures in an age-restricted (55+) community regulated by the Fair Housing Act of 1968 and Housing for Older Persons Act of 1995 (HOPA), at a maximum density of 12.83 units per acre.
2. The site shall be developed in general accordance with the site plan received and date stamped on June 14, 2024. Said site plan is conceptual and the final site plan must meet or exceed the land development regulations and zoning conditions prior to the approval of a land disturbance permit.
3. Exterior elevations of the active-adult multifamily building shall be substantially similar to the elevations received and date stamped by the City of Johns Creek on April 2, 2024. Final elevations

shall be subject to the review and approval of the Community Development Director, prior to issuance of a building permit.

4. Owner/Developer shall provide a minimum of 61 on-site parking spaces. (VC-24-0003)
5. Owner/Developer shall replant, where sparsely vegetated, and maintain the following landscape strips, natural buffers and improvement setbacks, undisturbed except for approved access and utility crossings according to the City's Tree Preservation Administrative Guidelines:
 - a. 40-foot landscape strip along Old Alabama Road.
 - b. 10-foot landscape strip along the east property line.
 - c. 70-foot natural buffer, along the north and northwest property lines adjacent to Ivey Ridge single-family residences.
 - d. 25-foot zoning buffer and 10-foot improvement setback along the west property line adjacent to the stem portion of the single-family residence at 2950 Ivey Ridge Lane.
6. Owner/Developer shall allocate and manage, twenty-nine (29%) percent (1.87 acres) of the site as dedicated common open space for the development. All common open space shall be connected by a five-foot sidewalk and/or multi-use path and shall be improved in accordance with the open space plan received and date stamped on June 14, 2024, subject to the review and approval of the Community Development Director prior to approval of a land disturbance permit.
7. Owner/Developer shall reserve a minimum of 65 feet as measured from the centerline of Old Alabama Road, to dedicate sufficient right-of-way along the entire frontage of Old Alabama Road at no cost to the City of Johns Creek, as shown on the site plan received and date stamped on June 14, 2024, prior to the issuance of a land disturbance permit, subject to the approval of the Public Works Director.
8. Access to the subject property from Ivey Ridge Lane is limited to the one existing ingress/egress.
9. No additional curb cuts shall be permitted on Old Alabama Road or Ivey Ridge Lane.
10. Owner/Developer shall provide vehicular interparcel access to the Haynes Market Shopping Center, adjacent to the east property line of the subject property, as shown on the site plan received and date stamped on June 14, 2024, prior to the issuance of a land disturbance permit, subject to the approval of the Community Development Director .
11. Owner/Developer shall execute a combination plat to combine the two parcels on the subject property into a single lot of record.
12. The access gate into the property from Ivey Ridge Lane shall be setback at minimum 25 feet from the west property line.
13. Owner/Developer shall submit a stormwater concept plan prior to the submittal of a land disturbance permit application.