



**Land Use Petition: RZ-24-0006 & VC-24-0004**  
**Public Participation Meeting: August 1, 2024**  
**Planning Commission Meeting: October 1, 2024**  
**City Council Meeting: October 21, 2024**

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**PROJECT LOCATION:** 5150 Abbotts Bridge Road

**DISTRICT/SECTION/LAND LOT:** 1st District, 1st Section, Land Lot 229 & 230

**ACREAGE:** 0.87 acres

**CURRENT ZONING:** AG-1 (Agricultural District)

**PROPOSED ZONING:** R-4 (Single-Family Dwelling District)

**COMPREHENSIVE PLAN  
COMMUNITY AREA DESIGNATION:** Johns Creek North

**APPLICANT:** 5150 ABR LLC  
Contact: Shawn Dhanani  
1475 Buford Drive, Suite 403-121  
Lawrenceville, GA 30043

**OWNER:** 5150 ABR LLC  
1475 Buford Drive, Suite 403-121  
Lawrenceville, GA 30043

**PROPOSED DEVELOPMENT:** Single-family detached residential subdivision with two lots at a density of 2.29 units per acre with a concurrent variance to eliminate the 10% common open space requirement.

**STAFF RECOMMENDATION:** **Approval with Conditions**

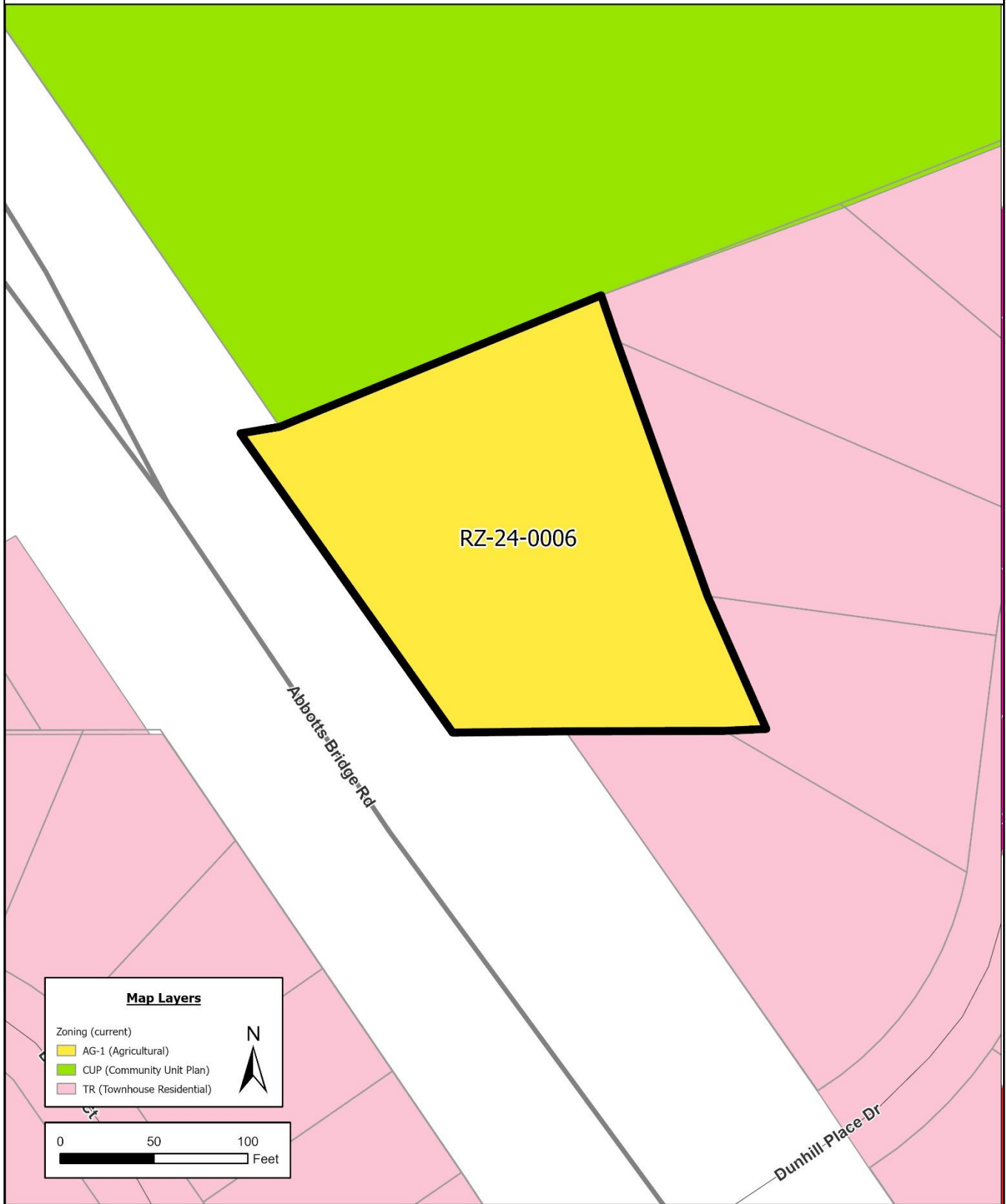


Aerial Map





Zoning Map



## PROJECT OVERVIEW

### Location

The subject property is a 0.87-acre parcel located 0.3 miles southeast of the intersection of Jones Bridge Road and Abbotts Bridge Road. The property is bounded by The Estates at Johns Creek apartments to the north, Abbotts Cove subdivision to the east and south, and Abbotts Bridge Road to the west.

### Background

The site is zoned AG-1 (Agricultural District) and is currently vacant. It was previously improved with a two-story residential building and two curb cuts off Abbotts Bridge Road. The residential structure was demolished earlier this year, upon obtaining a demolition permit from the City. The topography of the site generally slopes downward from the west towards the east.



### Rezoning and Concurrent Variance Requests

The applicant is requesting to rezone the subject property from AG-1 (Agricultural District) to R-4 (Single-Family Dwelling District) to develop two, single-family detached residential dwelling units, at a density of 2.29 units per acre. A concurrent variance is requested to eliminate the 10% common open space requirement.

### Site Plan

The site plan shows the required 40-foot landscape strip along Abbotts Bridge Road (in green), with the development accessed by a single right-in/right-out curb cut connecting to the driveways of the two lots. The applicant proposes a minimum lot area of 17,000 square feet and a minimum heated floor area of 3,500 square feet, which would exceed the minimum requirements established for the R-4 zoning district.

The Applicant has proposed individual underground stormwater facilities (in blue) to manage stormwater runoff on each lot.



### Elevations

The submitted elevation indicates a modern architectural style, 2-story single-family detached home with a side entry, three-car garage. The exterior building materials are shown to consist of brick veneer, and glass.



**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 July 2024 for the public participation meeting. The meeting was held at the City Hall Council Chambers on August 1, 2024, and only one resident attended the meeting with the concern about the deteriorating condition of the existing perimeter fence on the property.

**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 residential uses adjacent to and nearby the subject property maintain higher densities with smaller lot sizes. The proposed use at a density of 2.29 units per acre would be suitable in light of similar residential uses found in the area.

<b>Adjacent &amp; Surrounding Properties</b>	<b>Zoning (Rezoning Number)</b>	<b>Land Use</b>	<b>Residential Density (Units/Acre)</b>	<b>Minimum Lot Size (SF)</b>
Application	Proposed: R-4	Single-Family Dwelling	2.29	17,000
Adjacent: East	TR Conditional (Z-86-160, M-87-082)	Single-Family Dwelling (Abbotts Cove)	3.07	7,500
Adjacent: North	CUP Conditional (Z-85-085)	Commercial Multifamily (The Estates at Johns Creek)	10	N/A
Nearby: Southwest	TR Conditional (Z-88-201)	Single-Family Dwelling (Abbotts Landing)	3.75	7,000
Nearby: Northwest	TR Conditional (RZ-13-008)	Single-Family Attached Dwelling (Abbotts Square)	7.26	2,000

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

The proposed development at a density of 2.29 units per acre with a minimum lot size of 17,000 square feet is consistent with the surrounding residential communities and will not adversely affect the existing use or usability of surrounding properties.

**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?**

The proposed development is expected to generate 40 daily trips, including 5 trips in the morning peak hour and 3 trips in the evening peak hour. Fulton County Public Works has confirmed adequate water and sewer capacity is available to service the proposed development. The Fulton County School Board does not provide comments for residential developments with fewer than 5 units.

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

**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 Johns Creek North Community Area and the Comprehensive Plan's future land use map for the area indicates "Residential – 3 units or less" for the subject property. With the density at 2.29 units per acre, the proposal aligns with the Comprehensive Plan's vision of new infill housing developments being limited to single-family detached homes at three units per acre. The proposal as requested would be found to be in conformity with the policy and intent of the Comprehensive Plan.

**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?**

There are no conditions giving support for approval or disapproval 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 site does not contain any environmentally sensitive features. The Applicant is proposing a flow well on each lot to comply with the City's stormwater and runoff reduction requirements for the proposed development.

**CONCURRENT VARIANCE ANALYSIS**

The Applicant is requesting a concurrent variance, VC-24-0004, to eliminate the common open space requirement. Section 12.E.3.A.1. of the Zoning Ordinance requires R-4 zoned property to have a minimum of 10% of the subject property designated as common open space. The intent of the common open space requirement is to enhance the overall quality of life and foster a sense of community, typically for a multi-lot residential subdivision and not specifically intended for a two-lot development. Although a separate common open space area would not be created, each lot individually would have over 25% open space in the rear yard. Staff is of the opinion that the request, if granted, would 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-24-0006, and concurrent variance, VC-24-0004.

1. The subject property shall be limited to two single-family detached residential dwellings at a maximum density of 2.29 units per acre.
2. The site shall be developed in general accordance with the site plan received and date stamped by the City of Johns Creek on July 2, 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 shall be constructed primarily of at least 75% brick or stone on all sides. Accent materials may be stucco, board and batten siding, and/or fiber-cement siding. Final elevations shall be substantially similar to the elevations received and date stamped on July 2, 2024, subject to the review and approval of the Community Development Director, prior to issuance of a building permit.
4. The minimum heated floor area for each dwelling shall be 3,500 square feet.
5. The minimum lot area shall be 17,000 square feet.
6. Eliminate 10% open space requirement (VC-24-0004).
7. Owner/Developer shall install a black aluminum ornamental fence along the entire property frontage of Abbotts Bridge Road with 6-foot-high brick or stacked stone columns. Final fence design and location shall be subject to review and approval of the Community Development Director.
8. Owner/Developer shall be limited to one right-in/right-out curb cut on Abbotts Bridge Road, as shown on the site plan received and date stamped on July 2, 2024. The location of the curb cut is subject to sight distance, spacing requirements, and approval of the Public Works Director. No direct access shall be provided to any individual lots on Abbotts Bridge Road.
9. Owner/Developer shall restore and/or add the 10-foot sidewalk/trail along the entire frontage of Abbotts Bridge Road that is modified to accommodate the development. The improvements to account for the modification along the frontage of Abbotts Bridge Road shall be reflected in the approved land disturbance permit.
10. Owner/Developer shall submit a stormwater concept plan prior to the submittal of a land disturbance permit application.