



**Land Use Petition RZ-25-0001 & VC-25-0001**  
**Application Date: February 4, 2025**  
**Public Participation Meeting: March 6, 2025**  
**Planning Commission Meeting: May 6, 2025**  
**City Council Meeting: May 19, 2025**

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**PROJECT LOCATION:** 11705 Fox Road and 11720 Jones Bridge Road

**DISTRICT/SECTION/LAND LOT(S):** 1<sup>st</sup> District, 1<sup>st</sup> Section, Land Lot 197

**ACREAGE:** 6.067 acres

**CURRENT ZONING:** AG-1 (Agricultural District) and C-1 (Community Business District)

**PROPOSED ZONING:** NUP (Neighborhood Unit Plan District)

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

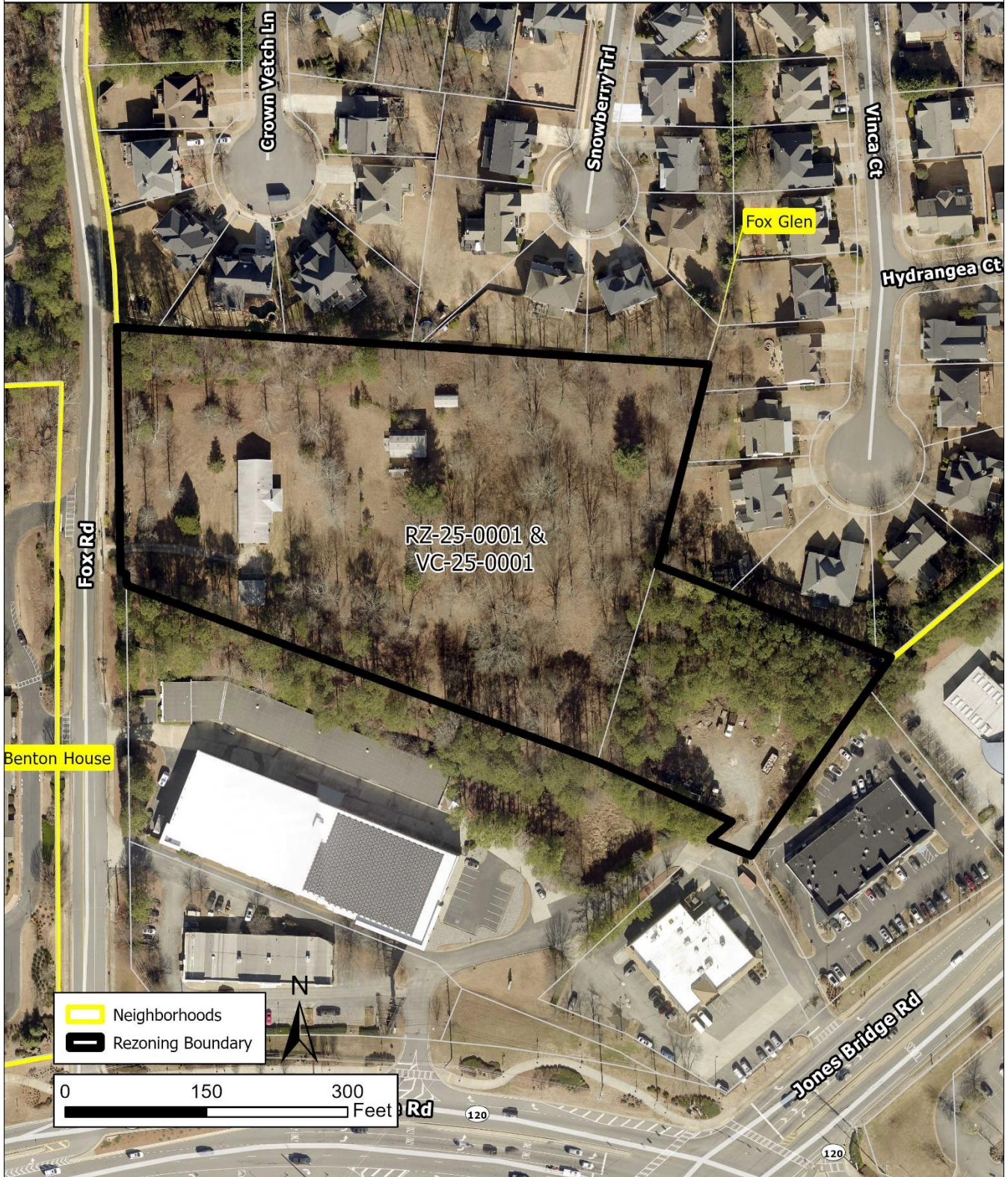
**APPLICANT:** The Providence Group of Georgia, LLC  
c/o J. Alexander Brock - Smith Gambrell & Russell  
1105 W Peachtree Street NE. Suite 1000  
Atlanta, GA 30309

**OWNERS:** Patricia C. Warfel, Trustee of Harson Family Trust (11705 Fox Road) and Samuel C. McCullough (11720 Jones Bridge Road)

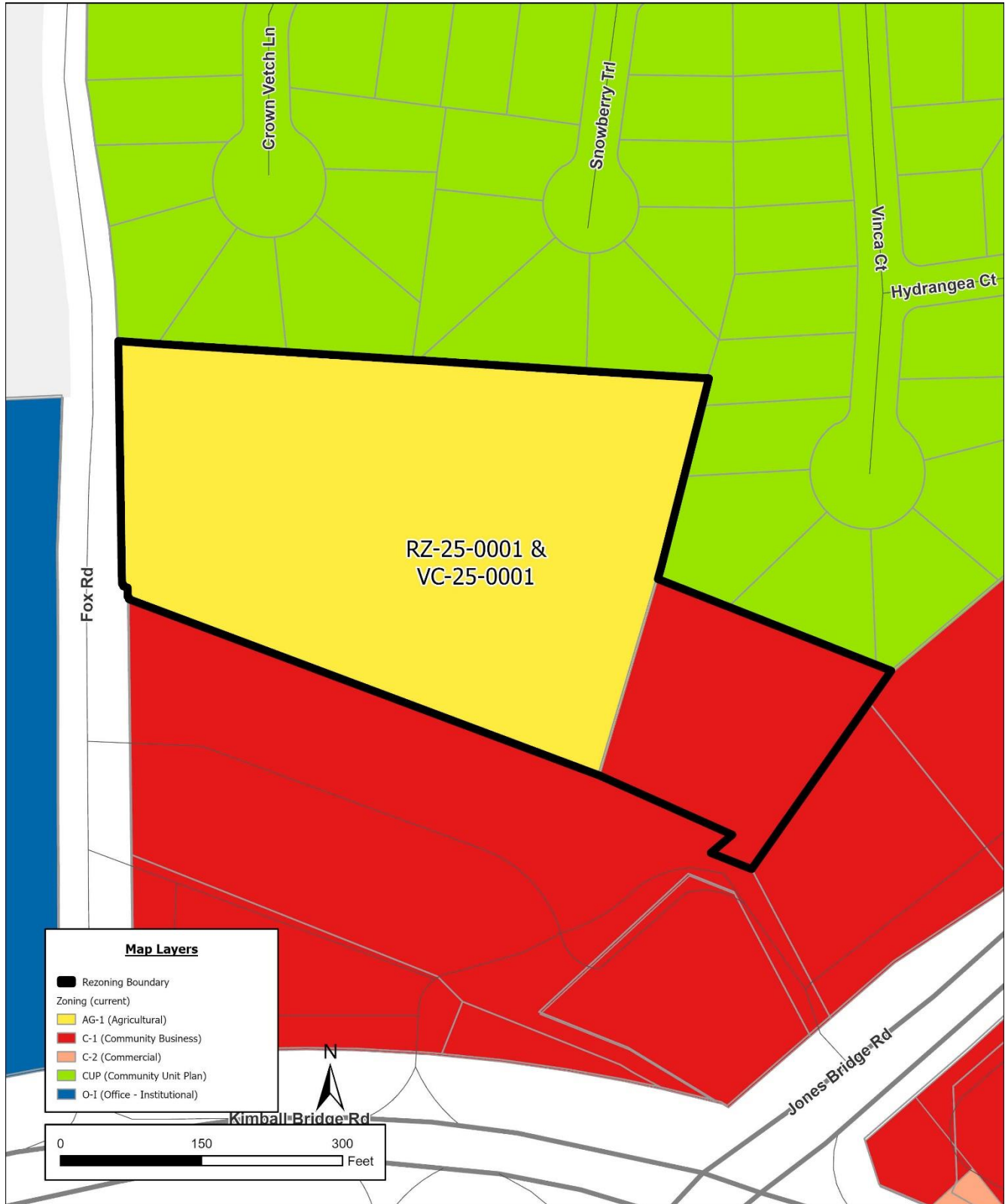
**PROPOSED DEVELOPMENT:** 20-lot single-family detached residential subdivision at a density of 3.29 units per acre with a concurrent variance to reduce the minimum building separation from 14 feet to 10 feet

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

Aerial Map



# Zoning Map



**PROJECT OVERVIEW**

**Location**

The subject property consists of two parcels totaling 6.067 acres. The tracts of land are located in the northwest quadrant of the intersection of Jones Bridge Road and Kimball Bridge Road. The property is bound by Fox Glen subdivision to the north, Butler Tires and Wheels and Shoppes at Jones Bridge strip center to the east, Extra Space Storage self-storage facility to the south, and Webb Bridge Park (in the City of Alpharetta) and Addington Place at Johns Creek Assisted Living across Fox Road to the west.



**Background**

The larger of the two parcels (western tract) is 4.892 acres and currently zoned AG-1 (Agricultural District), improved with a 2,900 square-foot, one-story brick residential building and four accessory structures, with a single access point off Fox Road. A significant portion of this site has been previously cleared and graded to accommodate the existing residential improvements, and areas outside the associated yards and building envelope are wooded with evergreen and hardwood trees. The smaller parcel making up the subject property (eastern tract) is a land-locked parcel that is located behind the existing commercial development along Jones Bridge Road with no frontage on a public road. It is zoned C-1 (Community Business District) Conditional, pursuant to 1997Z-0112, allowing for retail, service commercial and/or office and accessory uses at a maximum density of 7,700 square feet per acre. The site is currently used for material and equipment storage by a landscaping company. The proposed development will involve demolition of all existing buildings.

**Rezoning and Concurrent Variance Requests**

The Applicant is requesting to rezone the subject property from AG-1 (Agricultural District) and C-1 (Community Business District) to NUP (Neighborhood Unit Plan District) to allow a 20-lot single-family detached residential development at a density of 3.29 units per acre with one concurrent variance to reduce the minimum building separation from 14 feet to 10 feet.

**Site Plan**

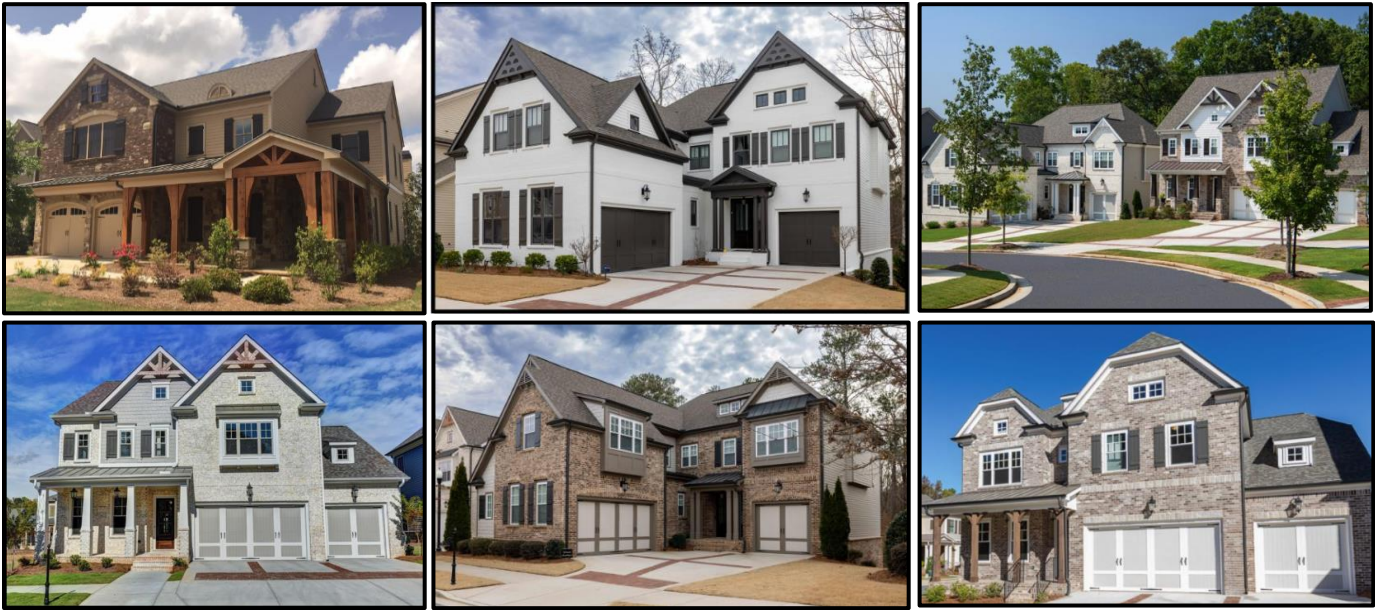
The proposed development will be served by a single full-access curb-cut off Fox Road, connecting to a private road (in grey) servicing the development. The site plan shows a 20-lot single-family detached residential subdivision, with a minimum lot size of 5,000 square feet and a 40-foot perimeter setback (in red dashed line) along the full extent of the north property line adjacent to Fox Glen subdivision. The Applicant is proposing to provide a centrally



located greenspace and two other open space areas (in light green), totaling 0.71 acres or 11% of the total parcel acreage to be used as common open space for residents and to be managed by the homeowners association. The Applicant proposes two underground stormwater management facilities for the development, one in the southwest corner and the other in the eastern portion of the site.

**Elevations**

The exterior facade of single-family detached homes show a mix of brick veneer, stone, and cementitious siding, with either a two or three-car garage option depending on the house plan selected.



**Public Participation**

As part of the land use petition process, property owners within one-quarter mile of the subject property were mailed notices in February 2025 for the public participation meeting. The meeting was held at the City Hall Council Chambers on March 6, 2025. Approximately 22 residents attended the meeting and shared questions and concerns related to the buffer and setback distance, the proposed lot size, number of dwelling units, traffic impacts, stormwater runoff, and noise impact during construction.

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

Adjacent & Nearby Properties	Zoning (Petition Number)	Land Use	Density (Dwelling Units /acre)	Minimum Lot Size
Application	Proposed: NUP (RZ-25-0001)	Single-Family Detached	3.29	5,000 SF
Adjacent: North	CUP Conditional (1997Z-0111)	Single-family Detached (Fox Glen)	2.99	6,000 SF
Nearby: Northeast	TR Conditional (2001Z-0004)	Single-Family Attached (Wellsley)	8.43	2,000 SF

Adjacent & Nearby Properties	Zoning (Petition Number)	Land Use	Density (Dwelling Units /acre)	Minimum Lot Size
Adjacent: East	C-1 Conditional (1997Z-0112)	Shoppes at Jones Bridge (Commercial Strip Center)	7,700 SF/acre (Max. 30,000 SF)	N/A
Adjacent: South	C-1 Conditional (2001Z-0021)	Extra Space Storage (Self-Storage Facility)	18,701 SF/acre (Max. 100,800 SF)	N/A
Nearby: West	O-I Conditional (RZ-08-012)	Addington Place (Assisted-Living Facility)	7,895 SF/acre (Max. 42,000 SF)	N/A

The subject property is nestled between commercial uses, a self-storage facility to the south and retail commercial strip center to the east, and one single-family detached residential subdivision (Fox Glen) with a density of 2.99 units per acre to the north. Across Fox Road to the west is an assisted-living facility (Addington Place of Johns Creek) and Webb Bridge Park (in the City of Alpharetta). The other residential use nearby the subject property in the same northwest quadrant of the intersection of Jones Bridge Road and Abbotts Bridge Road as the proposed development, is the Wellsley townhome subdivision with a density of 8.43 units per acre.

The proposed development would provide a minimum lot size of 5,000 square feet, similar to the minimum lot sizes of existing residential subdivisions in the area ranging from 2,000 square feet to 6,000 square feet. In light of the mixture of uses and the development pattern found in the area, the proposed development with a density of 3.29 units per acre would serve as a suitable transitional use between an intensive commercial use and a lower-density residential development.

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

The proposed subdivision, with proper conditions to ensure compatibility with existing residential uses found in the area, would present minimal adverse effect to the usability of nearby properties. The development is required to maintain a 40-foot perimeter setback along the entire north property line adjacent to Fox Glen subdivision to mitigate visual and spatial impacts to neighboring residential properties. Primary and accessory structures and pools cannot be located within the perimeter setback, further protecting the adjacent residential development from being adversely impacted by the proposed development.

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

The AG-1 parcel appears to have reasonable economic use as currently zoned. However, the C-1 zoned parcel, due to its lack of visibility, frontage, and access from the public road, has not been developed for the past 24 years, unlike the balance of the existing commercial area.

**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?**

A minimal increase in utility demand, traffic generation, and school aged children would be anticipated from this request. The proposed development is expected to generate 230 daily trips within a 24-hour period, including 17 trips during morning peak hour and 22 trips during evening peak hour. The proposed development will be the only residential neighborhood in Johns Creek that will be serviced by Fox Road. To enhance the traffic flow on Fox Road and minimize any transportation impacts from the proposed development, staff is recommending a condition for construction of a deceleration lane on Fox Road to access the subject property.

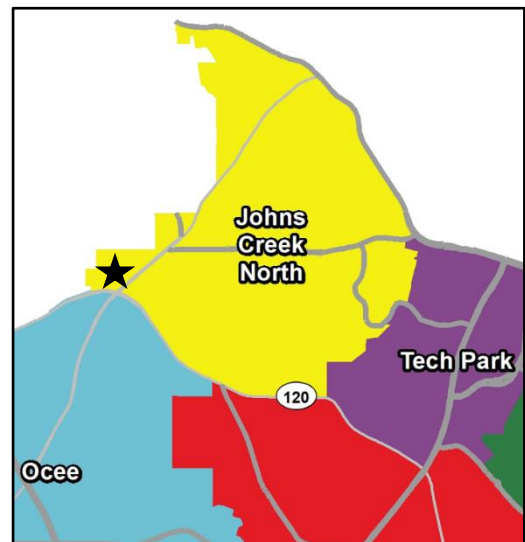
The Fulton County School Board has estimated that a total of 6 to 17 new students will be generated by the development, but it will have no impact on school capacity as all three schools are currently under capacity.

School	New Students	Current Capacity (without development)	Capacity (with development)
Lake Windward Elementary School	3 to 8	217 under	214 to 209 under
Taylor Road Middle School	1 to 3	159 under	158 to 156 under
Chattahoochee High School	2 to 6	267 under	265 to 261 under
<b>Total</b>	<b>6 to 17</b>		

Fulton County also confirmed that adequate water and sewer capacity is available to service the proposed development. The low overall number of dwelling units proposed would present minimal additional impacts to existing infrastructure and 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 vision for all new infill housing developments for the area is to be limited to single-family detached homes at three units per acre. The development as proposed, with 20 single-family detached units, would yield a density of 3.29 units per acre.



The Comprehensive Plan’s Future Land Use Map indicates “Residential - 3 units or less” for the AG-1 zoned property and “Commercial-Retail/Shopping Centers” for the C-1 zoned tract. The proposed single-family use would conform with the policy of the Community Area related to the type of infill housing – single-family detached dwellings – and the residential densities found in the area, but it would not be consistent with the recommendation of the Future Land Use Map.

**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 1.175-acre, commercially zoned C-1 parcel, is an undeveloped remnant parcel from the commercial development built along Jones Bridge Road. The site has no direct access to the a public road and has been subject to various code violations in the past for illegal dumping and material storage. Although deemed a commercial parcel, the possibility of a viable commercial use being development on the site that is compatible with the adjacent residential subdivision would be difficult, as the site lacks frontage and visibility from a public road, and hence the lack of development that has occurred on the subject property. Including this remnant commercial parcel into the proposed residential development would alleviate the concern of this property being utilized as an incompatible use that could adversely affect existing residential uses abutting the subject property in the future. Thus, providing supporting grounds to positively consider the proposed development.

**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 proposes to construct two underground stormwater management facilities, in

the southwest corner and eastern portion of the property, to comply with the City's stormwater management requirements.

### **CONCURRENT VARIANCE ANALYSIS**

The Applicant is requesting a concurrent variance, VC-25-0001, to reduce the minimum building separation from 14 feet to 10 feet. Section 11.2.4.K. of the Zoning Ordinance requires NUP zoned property to maintain a minimum building separation of 14 feet along the interior side lot line. The intent of the side yard setback is to ensure that adequate separation between structures is maintained to meet life safety requirements and to minimize negative visual and noise impacts related to the use of structures on adjacent properties. Based on the Applicant's Letter of Intent, a slightly reduced side yard setback of 5 feet from 7 feet lends to a more efficient site layout design while maintaining the 40-foot perimeter setback along the north property line and complying with the common open space requirement. Additionally, a 5-foot side yard setback would be compatible with the side yard setback established in the Fox Glen subdivision and maintain the minimum separation required between dwelling units to meet life safety requirements. 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-25-0001, and concurrent variance, VC-25-0001.

1. The site shall be limited to 20 single-family detached dwelling units at a maximum density of 3.29 units per acre.
2. The site shall be developed in general accordance with the site plan received and date stamped on March 12, 2025. Said site plan is conceptual and the final site plan must meet or exceed land development regulations and zoning conditions prior to the approval of a land disturbance permit.
3. All exterior elevations shall be constructed of at least 75% brick or stone. Accent materials may be cedar shake, board and batten siding, or fiber-cement siding. Final elevations shall be subject to the review and approval of the Community Development Director, prior to the issuance of a building permit.
4. The following development standards shall be applied to each lot:
  - Minimum Lot Area: 5,000 square feet
  - Minimum Lot Width: 55 feet
  - Front Setback: 10 feet
  - Side Setback: 5 feet
  - Side Corner Setback: 10 feet
  - Rear Setback: 20 feet, except all lots abutting Fox Glen Subdivision shall incorporate a 40-foot perimeter setback with no accessory structure or swimming pool to be located within the perimeter setback.
5. The minimum heated floor area shall be 3,200 square feet.
6. Owner/Developer shall provide a minimum interior building separation of 10-feet (VC-25-0001).

7. Owner/Developer shall maintain a minimum driveway length of twenty feet (20') from the back of sidewalk to the face of the garage door to accommodate parking of vehicles in the driveway.
8. Owner/Developer shall execute a combination plat to combine the two parcels into a single lot of record, prior to the issuance of a land disturbance permit.
9. Owner/Developer shall submit for review and approval by the Community Development Director, prior to the recording of the final plat, the homeowners association documents of incorporation and property covenants showing all areas that are not part of an individual lot are held in common and shall be accessible and maintained by a mandatory homeowners association.
10. Owner/Developer shall provide a 25-foot landscape strip adjacent to the right-of-way of Fox Road in compliance with the City's Tree Preservation and Administrative Guidelines.
11. Owner/Developer shall provide a minimum of 0.71 acres (11% of total site area) of open space consisting of, but not limited to, community gathering areas and greens, pedestrian pathways, or other community recreational and amenity uses as shown on the site plan received and date stamped on March 12, 2025.
12. Owner/Developer shall provide a fence along the entire property frontage of Fox 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.
13. Owner/Developer shall be limited to one full-access curb cut on Fox Road. No direct access shall be provided to any individual lots on Fox Road.
14. Owner/Developer shall construct a full-access curb cut with a deceleration lane on Fox Road, subject to the approval of the Public Works Director. The location of the curb cut is subject to sight distance and spacing requirements. The location, length, and construction specification of said deceleration lane shall comply with the City of Johns Creek regulations.
15. Owner/Developer shall dedicate sufficient right-of-way along Fox Road such that at least one foot of right-of-way is provided from the back of sidewalk, at no cost to the City of Johns Creek, prior to the issuance of a Land Disturbance Permit and subject to the approval of the Public Works Director.
16. Owner/Developer shall provide a five-foot wide concrete sidewalk along the entire frontage of the subject property.
17. Owner/Developer shall provide a five-foot wide concrete sidewalk at least on one side of all interior roads, and provide connecting crosswalks, as shown on the site plan received and date stamped on March 12, 2025.
18. Owner/Developer shall submit a stormwater concept plan prior to the submittal of a land disturbance permit application.