



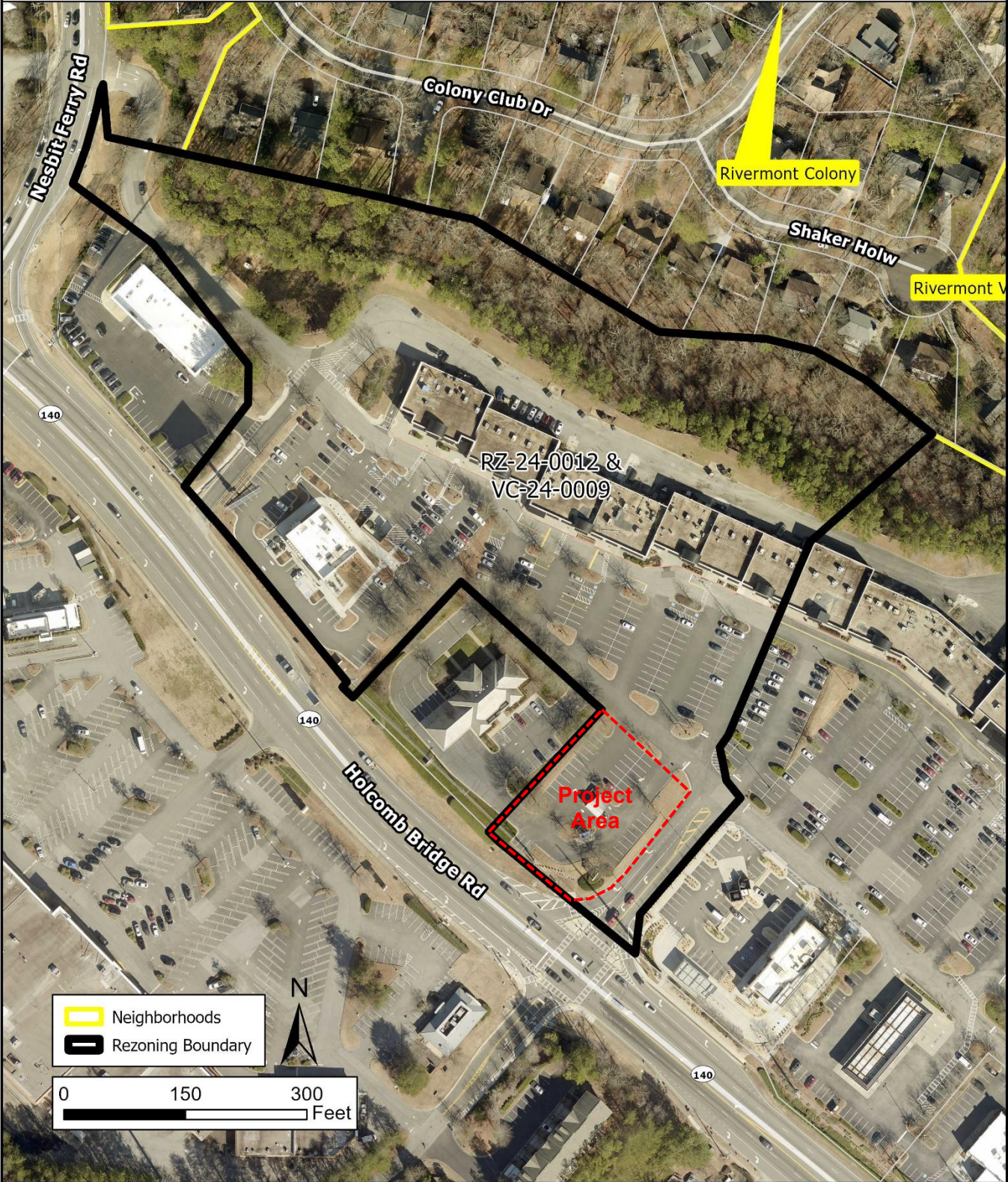
Land Use Petition RZ-24-0012 & VC-24-0009
Application Date: December 3, 2024
Public Participation Meeting: January 9, 2025
Planning Commission Meeting: March 4, 2025
First City Council Meeting: March 24, 2025
Second City Council Meeting: September 22, 2025

PROJECT LOCATION:	8483 Holcomb Bridge Road
DISTRICT/SECTION/LAND LOT:	1 st District, 2 nd Section, Land Lots 832, 877 and 878
ACREAGE:	10.428 acres
CURRENT ZONING:	C-1 (Community Business District) Conditional
PROPOSED ZONING:	C-1 (Community Business District)
COMPREHENSIVE PLAN COMMUNITY AREA DESIGNATION:	Newtown
APPLICANT:	Rivermont Station II, LLC c/o Alex Brock – Smith, Gambrell & Russell, LLP 1105 W. Peachtree Street, Suite 1000 Atlanta, GA 30309
OWNER:	Rivermont Station II, LLC c/o Quinn Gadow 11501 Northlake Drive Cincinnati, OH, 44720
PROPOSED DEVELOPMENT:	950 square-foot drive-through only coffee shop with a concurrent variance to reduce the required outparcel frontage from 200 feet to 108.42 feet
STAFF RECOMMENDATION:	Approval with Conditions
PLANNING COMMISSION RECOMMENDATION:	Approval with Conditions

Community Development



Aerial Map





PROJECT OVERVIEW

Location

The 10.428-acre parcel is located at the northeast corner of the intersection of Nesbit Ferry Road and Holcomb Bridge Road. The subject property is bounded by Rivermont Colony subdivision to the north, Rivermont Station shopping center and Chick-fil-A to the east, First Citizens Bank, Discount Tires and Nesbit Ferry Road to the west, and Holcomb Bridge Road to the south. The subject property borders the City of Roswell to the west and south.

Background

The site is zoned C-1 (Community Business District) Conditional pursuant to RZ-21-003, allowing for retail, service commercial, office and accessory uses up to 89,280 square feet, and excludes the following uses: indoor/outdoor commercial amusements, automotive parking lots, automotive specialty shops, funeral homes, group residences, laundromats, lawn service businesses, motels/hotels, repair shops not involving any manufacturing on the site, automobile repair garages, service stations, collecting recycling centers, and liquor stores.

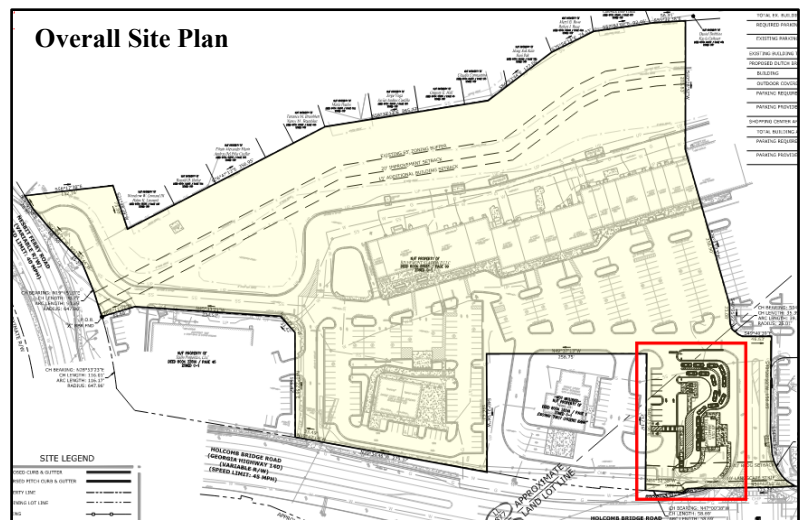
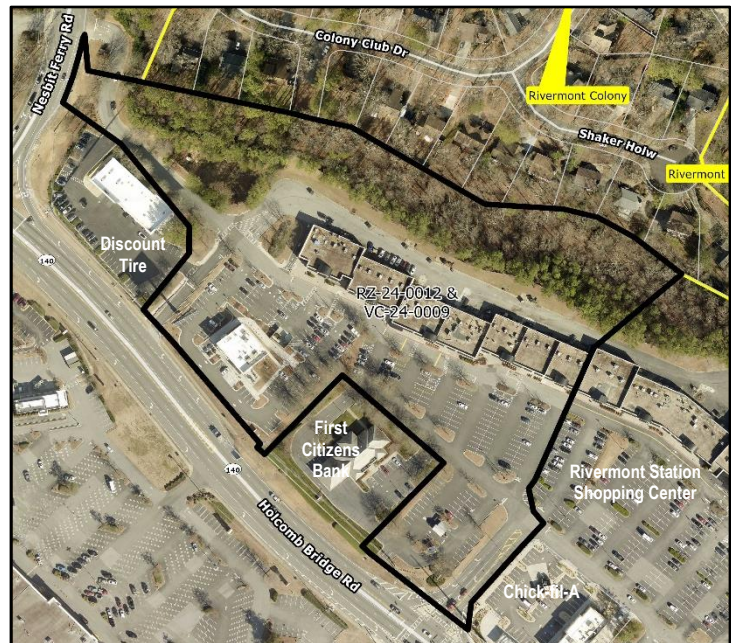
The subject property is currently improved with the Rivermont shopping center building, a two-suite restaurant building in the southwest portion of the property, and a standalone drive-up emissions testing station and a bank ATM, totaling 40,480 square feet of building area. The subject property has 242 existing parking spaces and three access points: one full-access and one right-in-only curb cut off Holcomb Bridge Road, and one full-access curb cut off Nesbit Ferry Road.

Rezoning Request and Concurrent Variance Requests

The Applicant is requesting a change in conditions to allow for a 950 square-foot, drive-through only coffee shop, with covered outdoor patio in the southeast corner of the site (outlined in red) that is presently improved with an existing emissions testing station and standalone ATM. A concurrent variance is requested to allow for the reduction in outparcel frontage from 200 feet to 108.42 feet along Holcomb Bridge Road.

Site Plan

The Applicant proposes to demolish the existing structures (emissions testing station and ATM) located in the southeast corner of the site and construct a new coffee shop. The site plan shows



a 950 square-foot Dutch Bros coffee shop (shown in red) with a 337 square-foot covered outdoor patio (highlighted in yellow). A single pick-up window will service two drive-through lanes that would provide the ability to stack up to fifteen (15) vehicles on the outparcel. The proposed menu boards and speaker posts (in pink) and trash receptacle (in brown) would be setback to reduce visibility from Holcomb Bridge Road. A total of thirteen (13) parking spaces are proposed to serve the coffee shop.

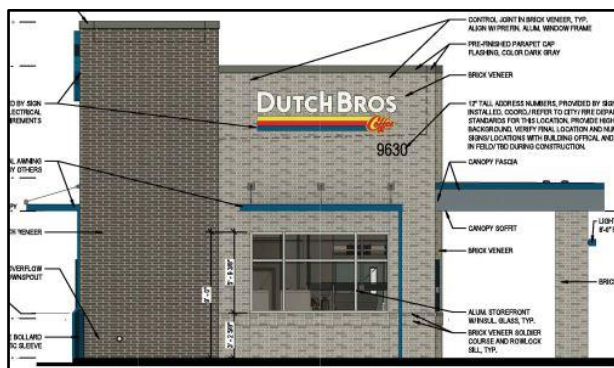
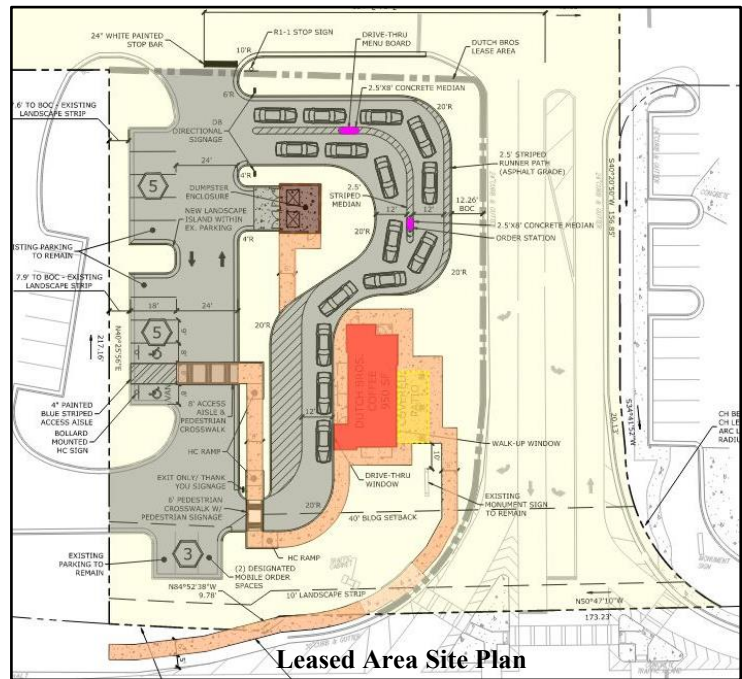
The Applicant proposes the following measures to improve on the internal traffic flow impacted by the proposed use:

- 1) Install directional signs at the entrance of the two drive-through lanes;
- 2) Install “Exit Only” and “Pedestrian Crosswalk” signs at the end of the drive-through lane;
- 3) Install “Stop” sign and 24-inch white painted stop bar at the exit point of the outparcel;
- 4) Close the existing outparcel curb cut (east) nearest to the entrance drive of the shopping center; and
- 5) Provide sidewalks and crosswalks to connect the existing sidewalk along Holcomb Bridge Road to the main entrance of the proposed building.

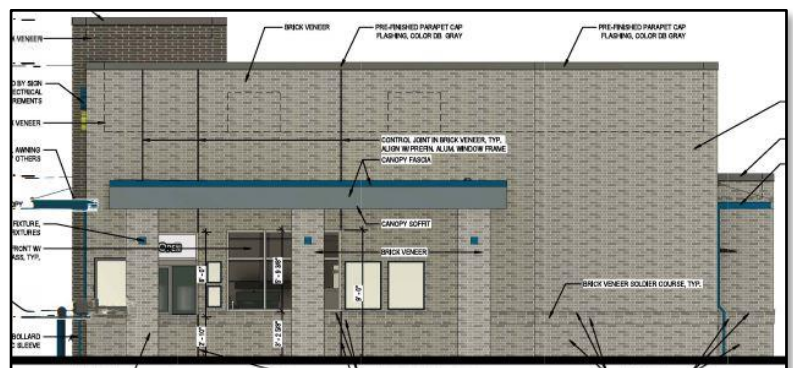
This proposal will maintain existing driveways, 10-foot landscape strip along Holcomb Bridge Road, 25-foot landscape strip along Nesbit Ferry Road, as well as the 65-foot zoning buffer and 20-foot improvement setback adjacent to the Rivermont Colony subdivision. The Applicant will utilize the existing detention pond, while providing runoff reduction directly within the outparcel to meet the City's stormwater detention and runoff reduction requirements.

Elevations

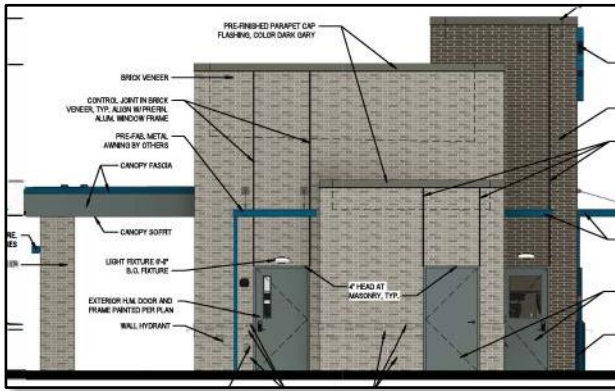
The submitted elevations indicate the building façade would be constructed primarily of brick and glass in compliance with the requirements of Section 12E.3.E.1 of the Zoning Ordinance. The building has a flat roof design and design elements such as varied wall heights, contrasting building colors, and accent colored canopy would provide considerable variations in the building façade.



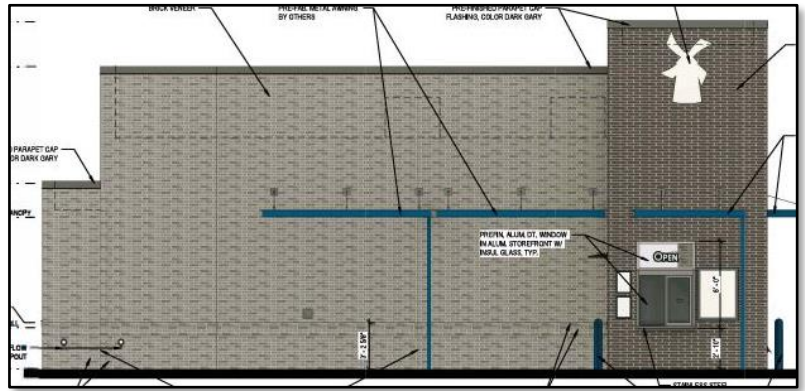
Front Elevation: Facing Holcomb Bridge Road



Right Elevation: Facing Entrance Driveway



Rear Elevation: Facing Parking Lot



Left Elevation: Drive-Through Window

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 December 2024 for the public participation meeting. The meeting was held in the City's Council Chambers on January 9, 2025, and no residents attended the meeting.

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?

Adjacent & Nearby Properties	Zoning (Petition Number)	Land Use	Density Non-Residential (SF/Acre)
Application	Proposed: C-1 (RZ-24-0012)	Commercial - Restaurant	3,956 SF/Acre
Adjacent: East	C-1 Conditional (RZ-12-009)	Commercial – Retail/Shopping (Rivermont Station Phase I)	6,057
Adjacent: East	C-1 Conditional (Z-89-107)	Commercial - Restaurant (Chick-fil-A)	10,000
Adjacent: South	C-1 Conditional (Z-89-107)	Commercial - Office (First Citizens Bank)	10,000
Adjacent: West	C-I Conditional (Z-89-107)	Commercial - Retail (Discount Tire)	10,000

The development density as proposed would be less than adjacent and nearby commercial uses. The presence of existing commercial uses surrounding the subject property suggests the proposed commercial use would be suitable at this location.

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

The proposed building would be placed towards Holcomb Bridge Road in front of the existing shopping center and would not impact abutting residential use to the north. The existing 65-foot zoning buffer and 20-foot improvement setback would continue to mitigate potential visual, light or noise impacts to residential uses. The proposed development would not require any new curb cuts and would maintain interparcel access to adjacent commercial properties. The proposed development in an existing shopping

center would not adversely affect the use or usability of adjacent and nearby properties and would be in keeping with similar uses found in the area.

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 proposal is expected to generate 358 additional daily trips, including 80 trips during morning peak hour and 30 trips during evening peak hour. Holcomb Bridge Road is a heavily traveled principal arterial and the daily trips generated by the proposed use will likely be “pass-by” trips, meaning the daily trips would likely not be new trips but trips associated existing vehicles already traveling on the road. Giving consideration to the site having multiple access points, sufficient internal connectivity and ample parking, the proposed development would not create an excessive or burdensome use of existing streets.

Fulton County has confirmed that adequate water and sewer capacity is available to service the proposed development. The proposed development would not cause excessive or burdensome use of 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 within the Newtown Community Area and the proposed development would provide for improvements to walkability of the site, which is one of the development aspects encouraged by the Comprehensive Plan. The Future Land Use map indicates “Mixed Use – Low Intensity” for the subject property. Considering that the proposal would be a continuation of a commercial use surrounded by existing commercial-retail uses, the development as proposed would be found to be in conformity with the general policy and intent of the Comprehensive Plan, but not 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?

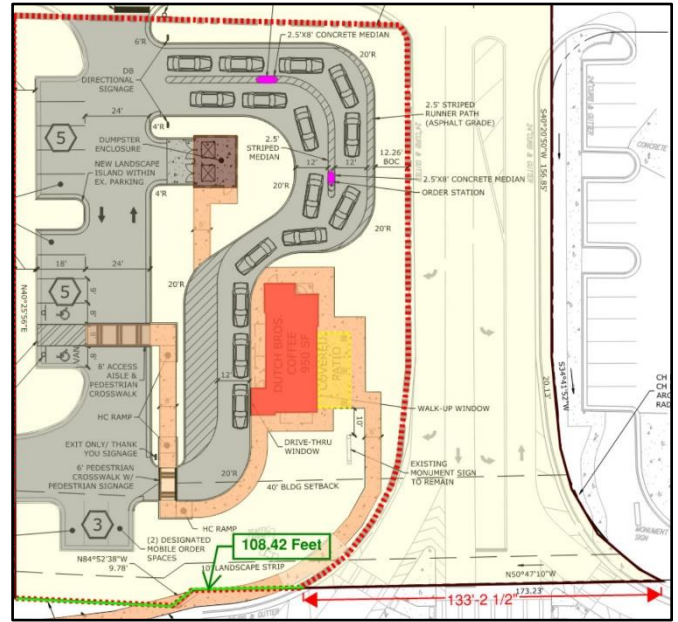
The presence of an existing drive-through Emissions Testing Station and a standalone drive-up ATM on the subject site, along with other commercial uses with drive-through (First Citizens Bank and Chick-fil-A) serviced by interparcel access, would provide supporting grounds for approval of the proposal.

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 will replace over 2,000 square feet of impervious surface with grass and landscaping, and provide for runoff reduction to comply with the City’s stormwater management requirements.

CONCURRENT VARIANCE ANALYSIS

The Applicant is requesting a variance, VC-24-0009, to reduce the required outparcel frontage from 200 feet to 108.42 feet. Section 3.3.15.O. of the City's Zoning Ordinance defines Outparcel as "[a] portion of a larger parcel of land generally designed as a site for a separate structure and business from the larger tract. An outparcel may or may not be a subdivision of a larger parcel." Section 4.13.C. of the Zoning Ordinance requires outparcels to maintain a minimum frontage of 200 feet on a public right-of-way. The intent is to foster planned developments with a coordinated on-site vehicular circulation for outparcels with the primary development parcel to reduce the number of unnecessary curb cuts on arterial roads. Based on the existing property being serviced by a single full-access driveway off Holcomb Bridge Road connecting to an internal driveway for east-west connectivity, ample area for vehicle stacking would be available. The app extended away from the main access driveway and cor outparcel evidences the coordinated effort with the sh internal vehicular circulation. Based on the vehicular ac the request, if granted, will be in harmony with the gen



area for vehicle stacking would be available. The applicant's design of the drive-through facility to be extended away from the main access driveway and controlling for stacking of patron vehicles within the outparcel evidences the coordinated effort with the shopping center to prioritize and maintain sufficient internal vehicular circulation. Based on the vehicular access design as presented, 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 AND PLANNING COMMISSION RECOMMENDATIONS

Based upon the findings and conclusions herein, Staff recommends **APPROVAL WITH CONDITIONS** of land use petition, RZ-24-0012, and concurrent variance, VC-24-0009. At the March 4, 2025 public hearing, the Planning Commission recommended **APPROVAL WITH CONDITIONS** of land use petition, RZ-24-0012 and concurrent variance, VC-24-0009 with the conditions presented by staff:

1. Use of the subject property shall be limited to retail, service commercial, office and accessory uses allowed in the C-1 Zoning District, at a maximum gross building area of 89,280 square feet. The following uses shall be excluded: assembly halls, automobile repair garages, automotive parking lots, automotive specialty shops, billboards, collecting recycling centers, convalescent center/nursing homes/hospice, funeral homes, group residences, indoor/outdoor commercial amusements, laundromats, lawn service businesses, alcohol package stores, motels/hotels, parking lots, personal care homes or assisted living facilities, repair shops, and service stations.
2. The site shall be developed in general accordance with the site plan received and date stamped on December 3, 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 and/or building permit.
3. Exterior elevations shall be substantially similar to the elevations received and date stamped on December 3, 2024. Final elevations shall be subject to the review and approval of the Community Development Director, prior to the issuance of a building permit.

4. Owner/Developer shall provide a minimum of 108 feet of frontage for the coffee shop outparcel as shown on the site plan received and date stamped on December 3, 2024 (VC-24-0009).
5. Owner/Developer shall provide the following improvements as shown on the site plan received and stamped by the City on December 3, 2024, subject to the approval of the Community Development Director:
 - a. Install “Drive-Through Entrance” signs at strategic entry locations.
 - b. Install “Exit Only” and “Do not Block Crosswalk” signs at the end of the drive-through lane.
 - c. Install “Stop” sign and painted stop bar at the exit point of the outparcel.
 - d. Close the existing outparcel curb cut, nearest to the shopping center entrance driveway off Holcomb Bridge Road.
6. Owner/Developer shall provide the following connectivity as shown on the site plan received and stamped on December 3, 2024, subject to the approval of the Public Works Director:
 - a. Construct a 5-foot sidewalk along the entire frontage of Holcomb Bridge Road.
 - b. Construct sidewalks and crosswalks to connect the sidewalk along Holcomb Bridge Road to the outparcel building.
 - c. Construct internal sidewalks and/or crosswalks to connect the outparcel building to the main shopping center building to enable continuous and safe pedestrian movement throughout the property.
7. No additional curb cuts shall be permitted on Holcomb Bridge Road and Nesbit Ferry Road.
8. Owner/Developer shall provide a 65-foot zoning buffer with an additional 20-foot improvement setback and an additional 15-foot building setback along the north property line. Owner/Developer shall maintain a minimum 6-foot-high, 100% opaque fence/wall interior to the undisturbed buffer.
9. Owner/Developer shall replant the landscape strips along Holcomb Bridge Road and Nesbit Ferry Road, in compliance with the City’s Tree Preservation Administrative Guidelines.
10. Owner/Developer shall be permitted a second freestanding sign on the southwest corner of the subject property. The sign shall be a maximum of 20 square feet and constructed with a brick base of at least 2 feet in height (V-08-005-01).
11. Refuse containers shall be surrounded on three sides by brick walls with the fourth side being an opaque gate.
12. The hours of operation for the subject outparcel shall be limited to 6:00 a.m. to 11:00 p.m., seven days a week.
13. Exterior roof, wall or ground mounted HVAC units, electrical, gas, and water meters shall not be visible from Holcomb Bridge Road.
14. Owner/Developer shall submit a stormwater concept plan and an evaluation of the existing detention ponds, prior to the submittal of a land disturbance permit application.
15. Owner/Developer shall provide a stormwater maintenance agreement for the existing detention ponds, prior to the issuance of the land disturbance permit.