

**CITY OF SUWANEE
REZONING ANALYSIS**

CASE NUMBER: RZ-2007-010
REQUEST: PMUD (PLANNED MIXED-USE DEVELOPMENT DISTRICT) TO PMUD (PLANNED MIXED-USE DEVELOPMENT DISTRICT) WITH A CHANGE OF CONDITIONS
LOCATION: LAWRENCEVILLE-SUWANEE ROAD (HIGHWAY 317); BURNETTE ROAD
TAX ID NUMBER: 7-169-010, 7-169-002, 7-169-018, 7-169-167, 7-169-168, 7-169-016
ACREAGE: 148.32 ACRES
PROPOSED DEVELOPMENT: MULTIPLE-USE DEVELOPMENT; 637 RESIDENTIAL UNITS (FLATS, SINGLE FAMILY DETACHED, SINGLE FAMILY ATTACHED); 580,000 SQUARE FEET OF OFFICE; 360,000 SQUARE FEET OF COMMERCIAL/RETAIL; AND A 75,000 SQUARE FOOT HOTEL

APPLICANT(S)/OWNER(S): OPUS SOUTH CORPORATION
925 NORTH POINT PARKWAY
SUITE 350
ALPHARETTA, GA 30005

CONTACT: MARTIN MCFARLAND PHONE: 770-521-0045

RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant seeks a change in zoning conditions on an approximately 148 acre tract in order to change two of the conditions of zoning for a Planned Mixed-Use Development. The subject property was rezoned to the Planned Mixed Use Development District (PMUD) earlier this year per RZ-2006-013 with several conditions of approval.

The applicant seeks a change in zoning conditions to reduce the minimum unit size for multi-family units from 800 square feet to 600 square feet on Tract 8, and to remove the requirement for a grade separated crossing for a trail crossing a proposed parkway.

Due to its size, the project is considered a Development of Regional Impact (DRI). It went through an additional review process through the Atlanta Regional Commission. ARC found the project was in the best interest of the state. The proposed amendments to the conditions of zoning would not impact the projects status as a DRI.

ZONING HISTORY:

The subject property was rezoned in January of this year.

Condition 5.e states: Tract 8 shall have a maximum of 340 residential units... Minimum Unit Size: 800 square feet.

Condition 14.a states: The required trail extending along the creek shall connect to the trail system along the parkway and extended below or above the parkway to create a grade separated situation.

DEVELOPMENT COMMENTS:

Currently several development plans related to this project are proceeding through the development process.

ANALYSIS:

The subject property totals approximately 148 acres. A portion of the site is currently developed with several unoccupied buildings that are in the process of being demolished. The remainder of the site is undeveloped and heavily wooded. The two proposed condition changes should not impact the current approved concept plan, nor are the residential density and commercial/office square footages affected by the current request.

The site is located on the southwestern side of Lawrenceville-Suwanee Road in the I-85 business district. The surrounding area consists of a mixture of single-family residential, light-industrial, and commercial/retail development. Abutting the property along its southern boundary is an undeveloped R-100 tract and the right-of-way for Burnette Road and I-85. To the south and west are numerous single-family homes in unincorporated Gwinnett County and one house in the Suwanee city limits. To the northwest are two M-1 zoned data centers, an office/warehouse facility and a C-2 zoned day care center along Satellite Boulevard. To the east, across Lawrenceville-Suwanee Road, are numerous commercial uses and zoning districts including a couple banks (C-2A), an automotive service establishment (C-2A), a large footprint retailer (C-2A), several restaurants (C-2A and C-3), several gas stations (C-2 and C-3) and a couple hotels (C-3 and C-2A).

The comprehensive plan does not address the issue of residential unit size. However, it does encourage residential uses above commercial and office uses. The proposed 800 square foot minimum is more consistent with the minimum unit size for multi-building garden style apartments. The applicant proposes more in-town style building that generally appeal to young professionals. A reduced minimum unit size for the apartments would allow the applicant the flexibility to design units that are more likely to appeal to young professionals.

Regarding the trail, the Main Street/Lakeside character area, like the rest of the comprehensive plan encourages pedestrian friendly design. Grade separated crossings for trails are generally more pedestrian friendly. The existing Suwanee Creek Greenway has only one at grade crossing and this is for Martin Farm Road which is a low speed two-lane road. The proposed parkway has

a design speed of 30 miles per hour, but is four lanes wide with a median. The applicant is concerned about the aesthetics and safety of grade separated crossings.

In conclusion, neither of the proposed amendments will impact the overall design of the project or impact the intensity of development. The proposed reduced minimum unit size for is generally consistent with more in-town style apartments. However, the elimination of the grade-separated crossing is not consistent with encouraging pedestrian friendly design. It is also not consistent with the City's greenway. The Suwanee Creek Greenway extends under Lawrenceville-Suwanee Road and McGinnis Ferry Road. As such, the Planning Department recommends **APPROVAL WITH CONDITIONS** of the request.

Planning Department Recommended Conditions
RZ-2007-010

Staff recommends approval of with conditions as follows:

GENERAL CONDITIONS:

1. All conditions of zoning from RZ-2006-013 shall remain in full effect, except for conditions 5.e, which shall be revised to read as follows:

Tract 8 shall have a maximum of 340 units.

Minimum building setbacks:

Front: 0'

Side: 0'

Rear: 0'

Building Height: No less than 4 stories in height.

Minimum Unit Size: **600** square feet.

Standards Governing Exercise of Zoning Power

Pursuant to Section 2006 of the City of Suwanee Zoning Ordinance, the City finds the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the unrestricted use of property and shall govern the exercise of the zoning power therewith.

- A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

The zoning proposal does not change the proposed uses or intensity of development for the project. As such the proposal should permit uses that are suitable in view of the use and development of adjacent and nearby property.

- B. Whether the zoning proposal will adversely affect the existing uses or usability of adjacent or nearby property;

The zoning proposal should not adversely affect the existing use or usability of adjacent or nearby property.

- C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;

The subject property has a reasonable economic use as currently zoned.

- D. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools;

The proposed condition changes should not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

- E. Whether the zoning proposal is in conformity with the policy and intent of the Land Use Plan;

The proposed smaller minimum unit size for multi-family units is not addressed by the comprehensive plan. The elimination of the grade separated crossing for a trail generally inconsistent with the comprehensive plans efforts to encourage pedestrian friendly design.

- F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;

The Suwanee Creek Greenway has only one at-grade crossing on a two lane low speed road. The greenway crosses higher speed roads with more lanes using grade separated crossings.



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August 3, 2007

City of Suwanee Planning & Zoning Commission
 Suwanee City Hall
 373 Highway 23
 Suwanee, Georgia 30024

RE: Item F. Letter of Intent

Dear Council Members,

The proposed Opus Suwanee Gateway Development is a 148.32 acre mixed use development within the City of Suwanee. The property was rezoned on January 23, 2007 and is identified by rezoning case number RZ-2006-013. The rezoning included several conditions for development that were placed both on the entire project and on specific tracts or uses within the development. Opus South is requesting a change of condition on two of the conditions included in the final zoning letter. These requested amendments are as follows:

- 1) Condition 5.e outlines the development standards for Tract 8, which is zoned for a multi-family project. The size of the tract is 7.3 acres, and is zoned to allow up to 340 residential units. Opus South requests that the minimum unit size be amended from 800 square feet to 600 square feet. This change will allow us to more economically provide single bedroom units to young professionals who will likely make up a large number of the residents. This demographic is also more likely to choose this kind of urban project which is built near and over retail uses.
- 2) Condition 14.a outlines the requirement of a grade separated crossing of the New Parkway. We have done some studies on how this could be accomplished and have found the most cost effective and attractive way would be to construct a below grade crossing. However, this solution will create safety and security issues that are unattractive, both to this development and to the City of Suwanee.

This Letter of Intent outlines the conditions that we wish to have reviewed by the Planning Department and by the City Council and we are happy to provide more information if requested

Sincerely,

Martin McFarland
 Vice President

RZ-2007-010

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

Pursuant to section 2006 of the 1998 Zoning Ordinance, the city council finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

Please respond to the following standards in the space provided or use an attachment as necessary:

(A) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property:

n/a

(B) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:

This proposal will not adversely affect the existing use or usability of adjacent or nearby property.

(C) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:

n/a

(D) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools:

n/a

(E) Whether the zoning proposal is in conformity with the policy and intent of the land use plan:

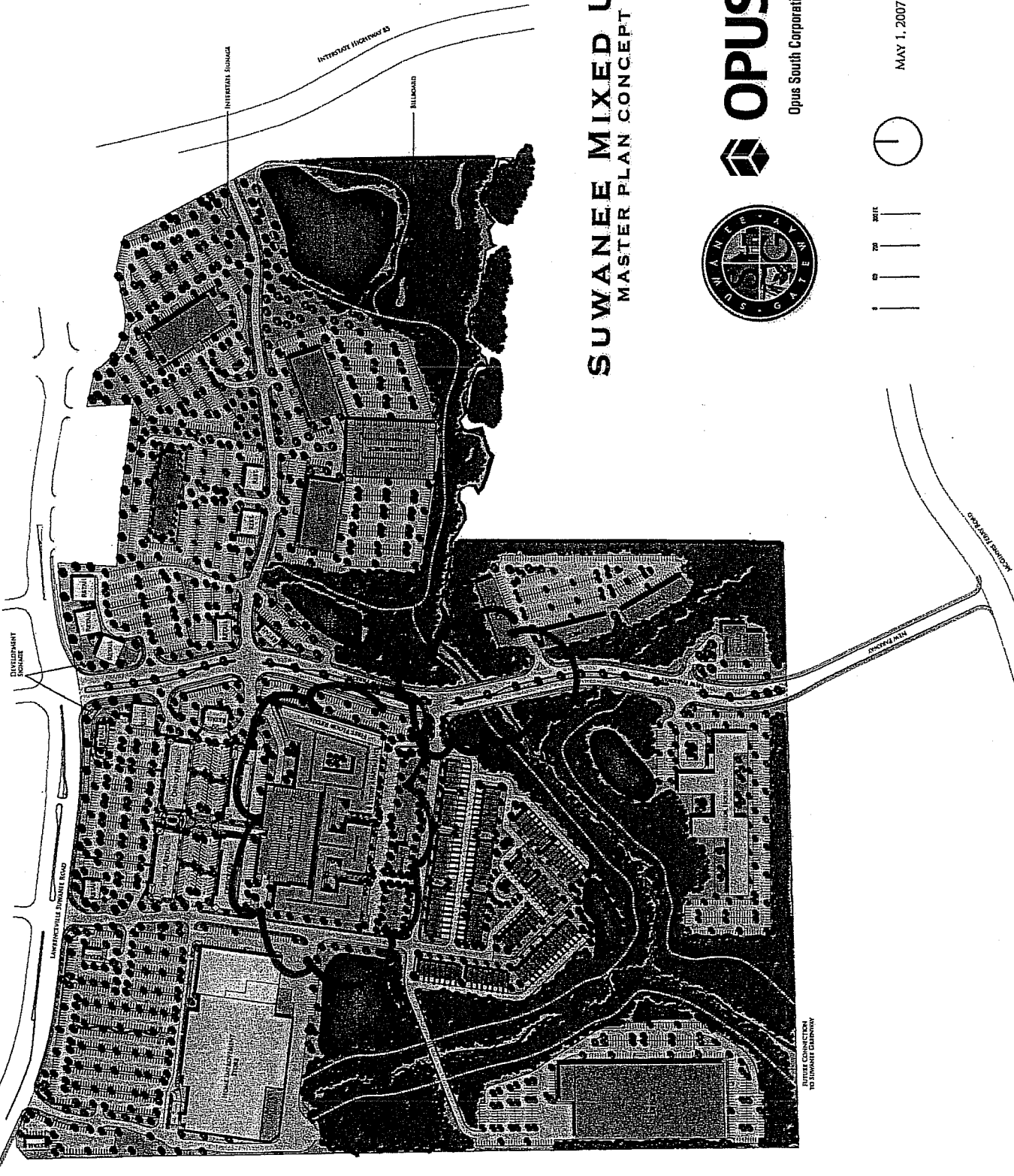
This proposal is in conformity with the policy and intent of the land use plan.

(F) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal:

n/a

CITY OF SUWANEE USE ONLY

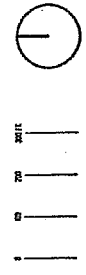
Date Received: _____ Case No.: 12-2007-010 Accepted By: _____



SUWANNEE MIXED USE
 MASTER PLAN CONCEPT



Opus South Corporation

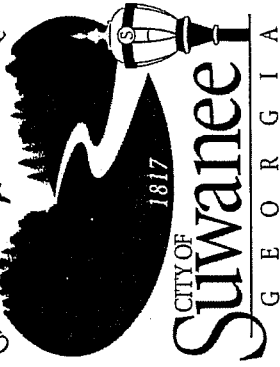


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City of Suwanee

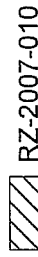
CROSSROADS of PAST and FUTURE



REZONING: RZ-2007-010

Location Map

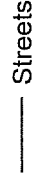
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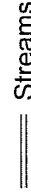
RZ-2007-010



Current City Limits



Streets



Streams

