

**REZONING(S):**  
**RZ-2010-001**

**CITY OF SUWANEE  
REZONING ANALYSIS**

**CASE NUMBER:** RZ-2010-001  
**REQUEST:** PMUD(PLANNED MIXED USE  
DISTRICT) CHANGE OF CONDITIONS  
**LOCATION:** PARK PASS WAY  
**TAX ID NUMBER:** 7-208-011  
**ACREAGE:** 4.49 ACRES  
**PROPOSED DEVELOPMENT:** 43 SINGLE-FAMILY ATTACHED UNITS  
(PART OF A PLANNED MIXED-USE  
DEVELOPMENT)

**APPLICANT:** JOHN THOMAS PARTNERS, LLC  
(d.b.a JOHN THOMAS HOMES)  
4550 ATWATER COURT, SUITE 208  
BUFORD, GA 30518

**OWNER:** FIRST COVENANT BANK  
1731 NORTH ELM STREET  
COMMERCE, GA 30529

**CONTACT:** JIM JACOBI PHONE: 706-335-8260

**RECOMMENDATION:** DENIAL

**PROJECT DATA:**

The applicant requests a change of conditions to allow for construction of 43 single-family attached homes. The units are located on approximately 4.5 acres located at the center of the Suwanee Station mixed-use development. Currently, Park Pass Way terminates at the subject property from two different directions. The subject property is part of the Suwanee Station mixed-use development, which was originally zoned in May of 2000, per RZ-2010-001.

The project was zoned to include a mixture of housing types, 327,000 square feet of office, and 113,000 square feet of commercial uses. The project is allowed a total of approximately 1,100 residential units including single family detached, single family attached, and apartments.

To date, all 112 single family detached homes, 234 townhomes, 336 multi-family units the neighborhood amenity area, and a 21,000 square foot 2-story mixed-use office/commercial building have been constructed. While much of the residential development has been completed there is still a substantial amount of development remaining.

When the project was originally zoned it was divided into phases. The subject property is considered to be a part of Phase V of development. This phase of construction allows for the development of up to 400 multi-family or townhouse units. Construction in this phase of development requires the completion of a minimum of 25,000 square feet of office or retail uses (not counting the building already constructed) and completion of a 2,000 municipal building (shell only).

To date, 68 townhome units from this phase along Scales Road, Station Center Boulevard, and Lake Point Boulevard have been constructed. An additional 40 townhome units from this phase were allowed to be constructed off Lake Point Way, subject to the provision that the developer would set aside 40 units from another Townhouse phase of development. The subject property includes these 40 units. Therefore, in order to develop these 40 units, the applicant proposes to rezone the property so the 40 units may be constructed without providing the 25,000 square feet of office/retail uses and the 2,000 square foot municipal building.

### **ZONING HISTORY:**

The Suwanee Station planned mixed-use development was originally rezoned in May of 2000 with a number of conditions that regulated a number of factors including the timing of various phases. In 2003, the project went through the zoning process again. This rezoning was to amend a condition related to the location of a trail. Prior cases are RZ-99-009, RZ-99-010, RZ-99-011, and RZ-99-012. In these cases the applicant, C. L. Straughn attempted to rezone the property RM-8 and C-2. This development would have included 804 units and a small commercial area. The developers later submitted other configurations as well. The ARC stated that this project was not in the best interest of the state. The rezonings were dropped from the May 1998 City Council Agenda. At the June 1998 City Council Meeting the rezonings were tabled. The City Council never voted on this rezoning.

### **DEVELOPMENT COMMENTS:**

The following comments are provided to make the owner/developer aware of certain issues that may need to be addressed. If approved, the City will formally review the project during the normal development process.

Suwanee Station was developed under comprehensive development permits issued several years ago. Before any new units on the subject property are constructed, Park Pass Way will need to be completed. The permits for the project have expired. Therefore, the developer should be prepared to obtain a new development permit in order to construct the proposed units.

Suwanee Station was approved with a condition that requires the approval of plan books for all phases of development. If the applicant intends to construct townhomes that are

different than the existing townhomes, the applicant should be prepared to obtain approvals for the new architecture through the Planning Commission.

## **ANALYSIS:**

Suwanee Station was originally rezoned to allow for development of a planned mixed use project. The applicant proposes to construct 43 townhome units along with the necessary development. The have always been planned for this location. The applicant proposes to develop the road as proposed by the original developer. Construction of this section of road would improve the internal circulation of the project.

The subject property is located at the heart of a planned mixed use development. It is surrounded by property that is zoned to the PMUD district. To the north of the subject property is an open space containing a trail and the neighborhood amenity area. To the east and west of the subject property are townhomes. To the south of the subject property is a regional detention pond that serves the Suwanee Station project. As such, the proposal would be consistent with the surrounding uses.

The subject property is located in the Suwanee Station character area. The future land use plan anticipates single family uses in this area. The future land use plan reflects the uses anticipated by the concept plan, but does not address the timing of development. The proposed development of the site with single-family attached uses is consistent with this designation.

Suwanee Station is zoned as a mixed-use project. The purpose of the Planned Mixed-Use Development District (PMUD) is to allow more thoughtful development, while providing the zoning flexibility needed to development in a manner consistent with traditional urban design principals (connectivity, buildings pulled up close to the road, garages and parking located to the rear of buildings, street trees, extensive network of sidewalks, etc.). In 2000, when the project was zoned, it was anticipated to include a mixture of commercial, office and residential uses. To date the project is almost entirely residential in nature. The City included certain conditions in order to ensure non-residential uses would be a component of the project and constructed concurrently. The current request would allow the project to further defer including a non-residential component. While it may be appropriate to revisit the overall master plan and the product delivery scheduled, any plans to deviate should be addressed in a holistic manner as opposed to the proposed piecemeal approach.

In conclusion, the requested change in conditions would not be appropriate at this time. The subject property is part of large planned mixed-use development. As such it is important that the project include a mixture of uses, and it is important that the changes to the project be considered more holistically. Therefore, the Planning Department recommends **DENIAL** of the request.

**Planning Department's Recommended Conditions**  
RZ-2010-001

The Planning Department recommends denial of the request; however, if the board chooses to approve RZ-2010-001 as proposed by the applicant, staff recommends the following conditions:

1. All conditions from RZ-2003-003 shall remain in effect except as otherwise noted below.
2. Phase V shall be limited to a total of 400 multi-family residential and/or townhouse units. This includes 68 townhouse units already along Scales Road, Station Center Boulevard, and Lake Point Boulevard. This also includes 40 units located on the property identified in Exhibit 'A' which may be constructed at any time. The remaining 292 units may not be constructed until completion of a minimum of 25,000 square feet of additional office/commercial space and the required 2,000 square foot municipal shell building.

## 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 proposed zoning proposal for the construction of townhomes would permit a use that is suitable in view of the surrounding townhome and open space uses on the adjacent and nearby property.

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

Approval of the request would not likely affect the existing uses or usability of 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;

Approval of the request likely would not result in 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 concept plan does not follow the recommendations found in the Land Use Plan. The City's Comprehensive Plan recommends a conservation neighborhood.

- 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 subject property is part of a planned mixed-use development. The current proposal focuses narrowly on a small component and its timing. After almost 10 years, a substantial portion of the project still remains to be developed. Amendments to the project should be approached holistically, as opposed to a piecemeal approach.

# REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF CITY OF SUWANEE, GEORGIA

### APPLICANT INFORMATION\*

### OWNER INFORMATION\*

NAME: JOHN THOMAS PARTNERS, LLC  
 ADDRESS: (d.b.a. John Thomas Homes)  
4550 Atwater Court, Suite 208  
Buford, GA 30518

NAME: FIRST COVENANT BANK  
 ADDRESS: 1731 North Elm Street  
Commerce, GA 30529

PHONE: (404) 456-5562

PHONE: (706) 335-8260

CONTACT PERSON: Jim Jacobi

PHONE: \_\_\_\_\_

EMAIL ADDRESS: jimj@johnthomashomes.net

FAX NUMBER: (706) 335-8249

### PROPERTY INFORMATION

PRESENT ZONING DISTRICT(S): PMUD REQUESTED ZONING DISTRICT PMUD  
 PROPOSED DEVELOPMENT: 43 Single-family attached residences (townhomes)  
 TAX PARCEL NUMBER(S): 7208-011  
 ADDRESS OF PROPERTY: Park Pass Way (adjacent to 1273 Park Pass Way)  
 TOTAL ACREAGE: 4.49 PUBLIC ROADWAY ACCESS: Park Pass Way

### FOR RESIDENTIAL DEVELOPMENT:

### FOR NON-RESIDENTIAL DEVELOPMENT:

NO. OF LOTS/DWELLING UNITS: 43

NO. OF BUILDINGS/UNITS: \_\_\_\_\_

DWELLING UNIT SIZE (SQ. FT.): Varies from 1,200s.f. to approx. 1,600s.f.

TOTAL GROSS SQUARE FEET: \_\_\_\_\_

### CERTIFICATIONS

I hereby certify that the above and attached information is true and correct. I am also aware that pursuant to Section 2004 no reapplication on the same land which has been denied by the City Council shall be acted upon within 12 months from the date of last action unless said time period is waived by the Council. In no case shall a reapplication be acted upon in less than 6 months from the date of last action by the Council. I am also aware that pursuant to Section 2003 of the Zoning Ordinance any and all conditions which may be attached to the property shall be binding on the property and all subsequent owners.

First Covenant Bank

James D. Jacobi 12.4.2009  
Signature of Applicant\* Date

By: Jeff Blair 12/4/09  
Signature of Owner\* Date

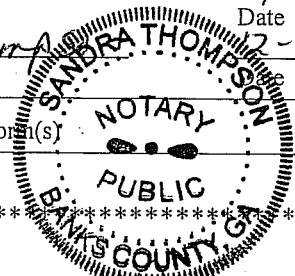
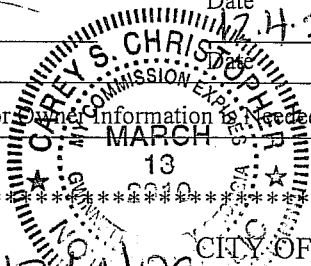
JAMES D. JACOBI 12.4.2009  
Print Name\* Date

Jeff Blair 12/4/09  
Print Name\* Date

[Signature] 12.4.2009  
Signature of Notary Date

Sandra Thompson 12-4-09  
Signature of Notary Date

\* If Additional Applicant or Owner Information is Needed Please Complete Additional Application Form(s)



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### CITY OF SUWANEE USE ONLY

Date Received: 12/4/09

Case No. RZ-2009-002 Accepted By: [Signature]

RZ-2009-001

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:  
Use is identical to use of existing zoning and to adjacent & nearby property.
- (B) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:  
No adverse affect whatsoever. Completing this last parcel greatly enhances the connectivity of all of Suwanee Station per original vision. HOA supports this action.
- (C) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:  
Current zoning conditions block the development of this final town home parcel, and as such has no economic use. It is an "eye sore" & traffic block to the community.
- (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:  
All impacts on facilities, schools, etc. already factored in at original zoning in 2000/2003. This adds no units to that zoning. Completing this parcel actually improves traffic circulation.
- (E) Whether the zoning proposal is in conformity with the policy and intent of the land use plan:  
In perfect conformity with land use plan. See attached 2000 concept plan. This simply completes that plan exactly as envisioned.
- (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:  
Original zoning conditions assumed a rail station and its obvious benefits to commercial development. That did not occur, plus area commercial market has high vacancies. Currently this parcel cannot be developed until after more commercial — which could be years in future.

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CITY OF SUWANEE USE ONLY

Date Received: \_\_\_\_\_ Case No.: RZ 2010-001 Accepted By: \_\_\_\_\_





December 4, 2009

Re: Suwanee Station, City of Suwanee, Gwinnett County  
Request for Modification to Prior Zoning RZ-2003-003  
Release for Development of Final 43 Townhome Units

First Covenant Bank foreclosed on the property included within this application, and is now its owner, as shown in the attached Boundary Survey and Site Plan. This property has been part of the master plan of Suwanee Station from its inception for the development of 43 townhomes. The layout of streets and townhome units of the attached Site Plan is identical to the layout governing the development of the project for many years.

This property has been partially developed with most of its sewer and storm systems in place. The roadways have been partially graded. This application would allow the completion of this infrastructure and roadways, which in turn would finally complete the connectivity of all neighborhoods within Suwanee Station.

The Suwanee Station master planned community was originally zoned as "PMUD" under Case #RZ-2000-007 on May 9, 2000 by the Mayor and Council of the City of Suwanee. Subsequently on January 21, 2003 Case #RZ-2003-003 was approved to make certain changes in conditions. These herein will be referred to as "2000 Zoning" and "2003 Zoning" respectively.

At the time of both actions, it was anticipated that a commuter rail station would be included within the Suwanee Station development (as shown on the attached 6/20/00 concept rendering). Such a major traffic-generator as the rail station would support extensive office/commercial development within the project. Both resolutions set a date of 5/9/07 for the reservation of 2 acres for the station to expire. Now that we are beyond that date, it is apparent that the rail station will most likely not be a reality.

Two facts have extended the viability of office/commercial development within Suwanee Station well out into the unknown future: (1) the absence of the rail station and (2) market and economic conditions that have created extensive vacancies in such space throughout the surrounding market.

The City's planning staff worked out a very thorough and logical development plan for Suwanee Station with the original developer. However, the conditions of 2000 and 2003 have been greatly impacted by the lack of a rail station and the current market.

The 43 townhome units of this application are part of "Phase II" of both 2000 and 2003 Zoning actions.

Within the conditions of the zoning actions, 400 units (described as multi-family [apartments] and/or townhouse units) was designated as "Phase III" in the 2000 Zoning and "Phase V" in the 2003 Zoning. Of that, 68 units were built as townhomes along Station Center Boulevard. The construction of the remaining 332 units, in the zoning development sequence, was tied to the completion of additional commercial space. For the reasons stated above, commercial development has not occurred.

The City allowed the construction of 40 additional townhome lots (out of those remaining 332 units of Phase V) --- which were platted as "West II" --- but only under the condition that the construction of the last 40 townhomes of Phase II (this application) be held until additional commercial was completed.

This application is for the specific and limited modification of the zoning conditions to allow the immediate construction of the last 43 townhomes of Phase II (includes those 40 being "held" pending additional commercial completion) without regard to the completion of any other phases or conditions of zoning for the project. Condition #2 of the 2000 Zoning states "*...Phases may be constructed concurrently, but they must follow the phasing sequence, or as otherwise allowed by the Suwanee City Council.*" This application is the request of the Council to allow this final segment of 43 single-family attached residences to proceed immediately with construction, independent of any phasing constrictions within the 2000 Zoning or 2003 Zoning actions.

We have met with board members of both the single family and townhome HOA's and the Master HOA, and have attached the endorsement of the Suwanee Station Homeowners Association for this application. The completion of this segment is very important to the residents to finally achieve the intended connectivity for the entire development. This section has been an "eyesore" as well as a "roadblock" for several years, and the residents welcome its completion.

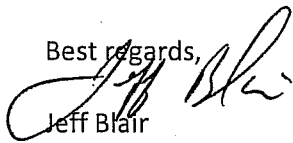
A concern raised in their endorsement is addressed in this application, and that is that this application requests solely the release for construction of these 43 townhome units, with no other change to zoning conditions. Specifically, this action would not change the existing restrictions on any further apartment development until the conditions within the 2000 and 2003 Zonings are met, as discussed above.

This application is for the construction of these 43 townhomes in accordance with the same Standards as have been followed for the construction of all other townhomes within Suwanee Station. Those Standards list a minimum floor area of 1,200 s.f. All of the 43 units will be at or above that minimum. Elevations, materials and exterior finishes will be consistent with the surrounding townhomes, such that these last 43 units would be essentially "seamless" within the development around them.

The attached Site Plan illustrates those specific townhome unit plans incorporated within the original development plan, reflecting the perceived market in 2000. Market changes will create the need for an adjustment of that array of units. The roadways, alleyways and other infrastructure shown on the Site Plan (illustrating which units will be "front drive" and which will be "rear drive") will not change, yet the development will need flexibility to modify unit widths, plans and mix to reflect the market. If any such modifications need review by the city planning staff, this application requests that staff be given the authority to grant those modifications, as the development progresses, without the need for further action by the Council.

If there are any questions or need for additional information, please let us know.

Best regards,



Jeff Blair

Vice President

Suwanee Station Homeowners Association  
c/o Heritage Property Management  
500 Sugar Mill Road  
Roswell, GA.

Mr. Jim Garrigus  
Garrigus Consulting, LLC

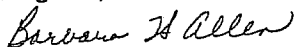
Dear Jim,

At the most recent meeting of the Cove at Suwanee Station HOA Board meeting, one of the discussion points was your request to complete construction of 43 units within the Townhomes of Suwanee Station. This would include the completion of Park Pass Way currently extending part way on each end but not completely connected. This letter will confirm to you the support of those efforts by the Cove Board. As you know the Cove at Suwanee Station HOA represents the 112 single family homeowners within Suwanee Station.

I do want you to know that our support is strong with only one caveat. It is clearly understood that this change is only for these 43 lots and that at this time all other conditions governing the remaining development within Suwanee Station remain intact, specifically that no apartments will be built until the other conditions are met. The remaining conditions include the building of ~25,000 square feet of commercial space and a municipal building.

Thank you for your consideration in seeking our support and I look forward to providing additional support at any scheduled hearings within the City of Suwanee for this project. Please advise us when those hearings will take place.

Regards,



Barbara H. Allen  
President, Cove at Suwanee Station, HOA

Cc: Cove Board Members  
Tammy Quinn, Heritage Property Management  
Josh Campbell, Planning Director, City of Suwanee

07-2010-001

**Suwanee Station --- Parcel for Final 43 Townhome Units**



***Edge of Parcel next to Unit IIA***



***Edge of Parcel next to Unit IIE***



*Dead-end of Park Pass Way at Parcel*



*Existing Units along Park Pass Way in Unit IIA*



*Existing Units along Park Pass Way in Unit IIA*

**City of Suwanee**  
Official Zoning Map Amendment  
Resolution/Ordinance

Case Number:     RZ-2003-003    ,

At the regular meeting of the Suwanee City Council held at Suwanee City Hall, 373 Highway 23, Suwanee, Georgia on a motion by Councilmember Hassell , and seconded by Councilmember Rispin , which carried by a vote of 6-0 , the following Resolution/Ordinance was adopted:

A Resolution/Ordinance to Amend the Official Zoning Map of the City of Suwanee

**WHEREAS**, an applicant has petitioned the City of Suwanee to amend the City's Official Zoning Map from PMUD to PMUD (change in conditions) , for the proposed use of mixed-use project, on property described on the attached legal description, which is incorporated herein by reference; and

**WHEREAS**, notice to the public regarding said Amendment has been duly published in the Gwinnett Daily Post, the Official Legal Organ of the City of Suwanee; and

**WHEREAS**, the City of Suwanee's Planning Commission reviewed the petition and filed a report with the City Council; and

**WHEREAS**, a duly advertised public hearing was held before the Suwanee City Council on January 21, 2003 ;

**NOW THEREFORE**, be it ordained and resolved and it is hereby resolved by the Mayor and Council of the City of Suwanee this the 2 1st day of January , 2003 that the aforesaid application to amend the Official Zoning Map from PMUD to PMUD (Change in Conditions) is hereby APPROVED subject to the following conditions.

1. All conditions from RZ-2000-007 shall remain in effect except as otherwise noted below.
2. Replace General Condition number 6 from RZ-2000-007 with the following:  
"Within Phase I, provide a 10-foot wide, hard surface path as indicated in rezoning exhibit "A". The developer shall work with the adjoining commercial property owner to make the trail connect to sidewalks on Peachtree Industrial Boulevard."
3. Replace General Condition number 15 from RZ-2000-015 with the following: "Except as otherwise required by the conditions of zoning, the attached "List of Standards" and "Site Summary" as herein attached are incorporated as enforceable requirements to the project. The "List of Standards" establish certain minimum development standards under approved development plans. The applicant shall revise the "List of Standards" and "Site

Summary” to reflect the changes in phasing and submit to the planning department for approval.”

The Phase Specific Conditions shall be revised as follows:

Phase I – “Main Street A.”

1. Development shall be limited to construction of Main Street “A” and associated park, utility, civic, and infrastructure improvements including the multi-use path proposed under the existing power line easement.

Phase II – “Townhouse I – Active Adult I.”

1. Development shall be limited to no more than 112 single-family detached units and 195 single-family attached units as shown on the submitted Concept Plan. Development may include any units from the multi-family phases constructed as single-family detached units.
2. The roadways shall be redesigned to eliminate the cul-de-sac’s. This design shall include a minimum of one public roadway extending between Main Street “A” and Main Street “B.”

Phase III – Multi-Family I.

1. Development shall be limited to no more than 336 multi-family units.
2. Provide 75-foot wide natural buffers, undisturbed except for approved perpendicular access or utility crossing, with replantings where abutting single-family residentially zoned property.
3. Provide a minimum of one publicly dedicated access road between the multi-family project to Main Street “A” and one stub street to the north into parcel 7-239-001.

Phase IV – “Town Commons I.”

1. Development shall be limited to a maximum floor area of 12,010 square feet per acre dedicated to this use and may include a mixture of residential and non-residential uses as shown on the approved Concept Plan.
2. Commercial uses shall be limited to those uses allowed within the City’s C-2A zoning category with the exception of any automobile related uses including automotive sales, service, and rental uses which are specifically not allowed.
3. Residential uses shall be limited to no more than 96 units.

Phase V – “Multi-Family I.”



1. Development shall be limited to no more than 400 multi-family residential and/or townhouse units.

Phase VI – Main Street Commercial.

1. Development shall be limited to no more than 137,000 square feet of office and commercial space. Uses shall be limited to those allowed within the City's C-2A zoning category with the exception of any automobile related uses including automotive sales, service, and rental uses which are specifically not allowed.

Phase VII – Station Center.

1. Development shall be limited to no more than 250,000 square feet of office and commercial space.
2. Residential uses shall be limited to no more than 48 units.
3. Commercial uses shall be limited to those uses allowed within the City's C-2A zoning category with the exception of any automobile related uses including automotive sales, service, and rental uses which are specifically not allowed.
4. Provide, at a minimum, 50% of the required parking area onsite for a rail station based on requirements by the Georgia Passenger Rail Authority in an amount not to exceed 500 spaces.
5. Reserve a minimum of 2 acres to remain undeveloped abutting the rail line for a future train station and its associated facilities for a period not to exceed seven (7) years from May 9, 2000 or until the appropriate governing authority (in other words, Georgia Passenger Rail Authority, etc.) determines the location of the rail station, whichever comes first.

SUWANEE CITY COUNCIL, A GEORGIA  
MUNICIPAL CORPORATION

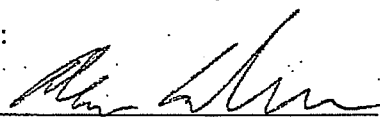
By:

  
\_\_\_\_\_  
Nick Masino, Mayor

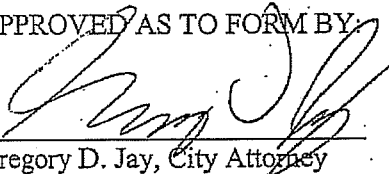
ATTESTED TO BY:

  
\_\_\_\_\_  
Elvira Rogers, City Clerk

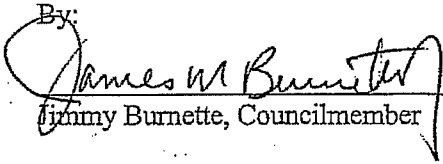
By:

  
\_\_\_\_\_  
Alan Landers, Mayor Pro-tem

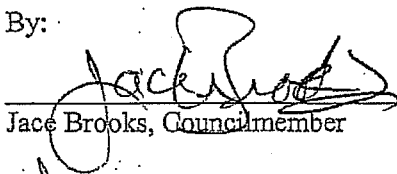
APPROVED AS TO FORM BY:

  
\_\_\_\_\_  
Gregory D. Jay, City Attorney  
Chandler & Britt, LLC

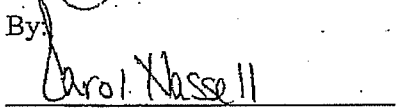
By:

  
\_\_\_\_\_  
Jimmy Burnette, Councilmember

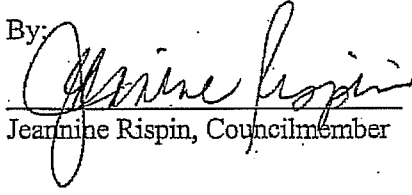
By:

  
\_\_\_\_\_  
Jace Brooks, Councilmember

By:

  
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Carol Hassell, Councilmember

By:

  
\_\_\_\_\_  
Jeannine Rispin, Councilmember

**City of Suwanee**  
Official Zoning Map Amendment  
Resolution/Ordinance

Case Number: RZ-2000-007,

At the regular meeting of the Suwanee City Council held at Suwanee City Hall, 373 Highway 23, Suwanee, Georgia on a motion by Councilmember Williams, and seconded by Councilmember Krieman, which carried by a vote of 6-0, the following Resolution/Ordinance was adopted:

A Resolution/Ordinance to Amend the Official Zoning Map of the City of Suwanee

WHEREAS, an applicant has petitioned the City of Suwanee to amend the City's Official Zoning Map from M-1 (City of Suwanee) and M-1 (Unincorporated Gwinnett County) to Planned Mixed Use District, for the proposed use of mixed-use commercial/office/residential project, on property described on the attached legal description, which is incorporated herein by reference; and

WHEREAS, notice to the public regarding said Amendment has been duly published in the Gwinnett Daily Post, the Official Legal Organ of the City of Suwanee; and

WHEREAS, the City of Suwanee's Planning Commission reviewed the petition and filed a report with the City Council; and

WHEREAS, a duly advertised public hearing was held before the Suwanee City Council on April 18, 2000 ;

NOW THEREFORE, be it ordained and resolved and it is hereby resolved by the Mayor and Council of the City of Suwanee this the 9<sup>th</sup> day of May, 2000 that the aforesaid application to amend the Official Zoning Map from M-1 (City of Suwanee) and M-1 (Unincorporated Gwinnett County) to Planned Mixed-Use District is hereby **APPROVED** subject to the following conditions:

1. *Develop in accordance with the Concept Plan and associated attachments and exhibits approved by the City of Suwanee dated 3/3/2000, and incorporated herein by reference, with changes as necessary to meet conditions of zoning or other development requirements. This shall include all proposed densities, roadways, land uses, plantings, sidewalks, multi-use paths, detention areas, or other proposed features shown on the submitted plan. Within 60 days of approval, submit revised plans to the City which reflect the changes required herein by the conditions of zoning. Said plan shall be subject to the review and approval of the City Council.*

2. *The project shall be constructed in phases as outlined in the approved plan, except as may be otherwise allowed or required by the conditions of zoning. Phase III and Phase VII may be reversed. Phases may be constructed concurrently, but they must follow the phasing sequence, or as otherwise allowed by the Suwanee City Council.*
3. *Phase IV – “Town Commons” shall be constructed prior to, or concurrent with, the first phase of any multi-family construction.*
4. *Prior to issuance of a Development Permit for each phase of the project, the applicant shall submit architectural elevations in the form of a “Plan Book” for typical structures for review and approval by the City of Suwanee Planning Commission. At a minimum, the “Plan Book” shall include allowed building elevations, exterior colors, materials, and other pertinent information. Non-residential buildings shall be constructed substantially similar to the elevations submitted as an exhibit to the application and incorporated herein by reference.*
5. *Provide sidewalks along both sides of all publicly dedicated two-way streets. At a minimum, provide 5-foot wide sidewalks along both sides of Main Street “A” and 4-foot wide sidewalks along both sides of all other publicly dedicated roadways. One-way streets may include sidewalks on one side of the roadway.*
6. *Within Phase I, provide a 10-foot wide, hard surface path, the composition of which shall be approved by the City Planning Department, along the entire length of the existing power line easement as shown on the submitted concept plan. Later phases of development shall connect to said path where practical.*
7. *For all single-family detached phases, a minimum of 50% of the homes within each phase of development shall have front porches.*
8. *Prior to final approval of a roadway design, submit a Traffic Study to the City prepared by a firm satisfactory in the opinion of the City Planning Department. The final design of the roadways shall be completed to satisfy the maximum anticipated traffic. The structural composition and geometric configuration of the road shall be in conformance with the AASHTO standards. Main Street “A” shall be extended to the east to connect to McGinnis Ferry Road and constructed to meet local standards. For the remaining publicly dedicated streets, provide a minimum right-of-way of 48 feet with a 22-foot wide paved section for two-way streets and 22-foot wide paved section for one-way streets with on-street parking or 16-foot wide paved section for one-way streets without on-street parking. Right-of-way width may be reduced to no less than 42 feet for two way streets provided engineering and development issues related to utility placement and other issues are approved by the City of Suwanee Planning Department.*
9. *On downhill sides of roadways, all residential structures shall have rear-loaded access. On the uphill side of residential roadways, efforts shall be undertaken to minimize the number and appearance of driveways through the use of shared side-entry driveways, hedgerows, and other methods.*

10. *As shown on the approved Concept Plan, non-residential off-street parking areas shall be located to the rear of the building to which they serve as much as practical. Landscaped plantings a minimum of 20 feet in width shall be provided where parking areas adjoin any existing or proposed residential development.*
11. *From Phase II, provide a stub street to the north into parcel 7-239-163, the site of the proposed Lutheran Church.*
12. *Provide 50-foot wide natural buffers, undisturbed except for approved perpendicular access or utility crossing where non-residential development or multi-family development abuts offsite single-family residentially zoned property. Along the western boundary, provide 75-foot wide natural buffers with an 8-foot high coated chain link fence that is visually screened by landscaping.*
13. *The 30.4 acres shown to consist of multi-family units toward the eastern boundary shall be redesigned to reflect an integrated, non-gated Traditional Neighborhood Design. At a minimum, the design shall include two access points onto a public roadway. Unless otherwise approved by the Planning Commission, all buildings abutting Main Street "A" shall reflect a multi-story townhouse appearance that are setback no farther than 35 feet from the edge of the right-of-way.*
14. *Provide bicycle racks, with a minimum of 5 spaces per commercial/office building, near the entrance of each non-residential building.*
15. *Except as otherwise required by the conditions of zoning, the attached "List of Standards" and "Site Summary" as herein attached are incorporated as enforceable requirements to the project. The "List of Standards" establish certain minimum development standards under approved development plans.*
16. *All ground signage shall be limited to monument-style signs with enclosed bases. The developer shall provide a comprehensive signage plan prior to issuance of a Development Permit for each phase.*
17. *Applicant shall provide grading plans to be approved by the City Engineer designed to provide reasonably efficient grading practices.*
18. *The four lane portion of the main road shall include traffic calming features that are effective in slowing traffic.*
19. *Each phase shall include a pedestrian circulation plan to be submitted to the City prior to issuance of a Development Permit.*
20. *All street trees shall be planted with non-ornamental shade trees spaced no farther than 30 feet on center.*

21. *The finished floor elevations of the main floor for all single-family attached residential units shall be located no more than 3 feet above or below grade.*
22. *A minimum of 25% of the site's gross acreage shall remain as publicly accessible open space. Undeveloped areas, recreation areas, wet-detention ponds, or lakes may be included in this calculation. Rights-of-way, parking areas, detention areas and/or buildings shall not be included.*
23. *As shown on the submitted concept plan, provide at no cost to the City of Suwanee, land and construct a parking area and a 2,000 square foot civic building located along Main Street "A." Said building shall be completed prior to issuance of a Certificate of Occupancy for any building in Phase III. The City shall be required to make all finish improvements on the interior of said space including furnishings, equipment and utilities. Said building is intended to provide municipal and/or community services to promote governmental efficiency and lessen project demands on city infrastructure.*
24. *If traffic signals are warranted by the Gwinnett DOT at McGinnis Ferry and/or Peachtree Industrial Boulevard black mast-arm style poles shall be provided.*

Phase Specific Conditions:

*Phase I – "Main Street A."*

1. *Development shall be limited to construction of Main Street "A" and associated park, utility, civic, and infrastructure improvements including the multi-use path proposed under the existing power line easement.*

*Phase II – "Townhouse I – Active Adult I."*

1. *Development shall be limited to no more than 76 single-family detached units and 127 single-family attached units as shown on the submitted Concept Plan.*

*Phase III – "Multi-Family I."*

1. *Development shall be limited to no more than 400 multi-family residential and/or townhouse units.*

*Phase IV – "Town Commons I."*

1. *Development shall be limited to a maximum floor area of 12,010 square feet per acre dedicated to this use and may include a mixture of residential and non-residential uses as shown on the approved Concept Plan.*
2. *Commercial uses shall be limited to those uses allowed within the City's C-2A zoning category with the exception of any automobile related uses including automotive sales, service, and rental uses which are specifically not allowed.*

3. *Residential uses shall be limited to no more than 96 units.*

*Phase V – Townhouse II.*

1. *Development shall be limited to no more than 67 single-family attached units as shown on the approved Concept Plan.*
2. *The roadways shall be redesigned to eliminate the cul-de-sac's. This design shall include a minimum of one public roadway extending between Main Street "A" and Main Street "B."*

*Phase VI – Active Adult II.*

1. *Development shall be limited to no more than 36 units.*

*Phase VII – Multi-Family II.*

1. *Development shall be limited to no more than 336 multi-family units.*
2. *Provide 75-foot wide natural buffers, undisturbed except for approved perpendicular access or utility crossing, with replantings where abutting single-family residentially zoned property.*
3. *Provide a minimum of one publicly dedicated access road between the multi-family project to Main Street "A" and one stub street to the north into parcel 7-239-001.*
4. *Prior to issuance of a Certificate of Occupancy for any building in Phase VII, a minimum of 25,000 square feet of office or commercial space from Phase VIII shall be completed.*

*Phase VIII – Main Street Commercial.*


1. *Development shall be limited to no more than 137,000 square feet of office and commercial space. Uses shall be limited to those allowed within the City's C-2A zoning category with the exception of any automobile related uses including automotive sales, service, and rental uses which are specifically not allowed.*

*Phase IX – Station Center.*

1. *Development shall be limited to no more than 250,000 square feet of office and commercial space.*
2. *Residential uses shall be limited to no more than 48 units.*


3. *Commercial uses shall be limited to those uses allowed within the City's C-2A zoning category with the exception of any automobile related uses including automotive sales, service, and rental uses which are specifically not allowed.*
4. *Provide, at a minimum, 50% of the required parking area onsite for a rail station based on requirements by the Georgia Passenger Rail Authority in an amount not to exceed 500 spaces.*
5. *Reserve a minimum of 2 acres to remain undeveloped abutting the rail line for a future train station and its associated facilities for a period not to exceed seven (7) years from May 9, 2000 or until the appropriate governing authority (in other words, Georgia Passenger Rail Authority, etc.) determines the location of the rail station, whichever comes first.*

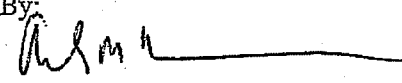
SUWANEE CITY COUNCIL, A GEORGIA  
MUNICIPAL CORPORATION

By:   
\_\_\_\_\_  
Nick Masino, Mayor

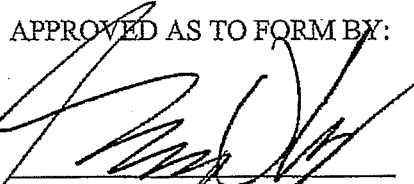
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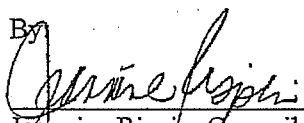
  
\_\_\_\_\_  
Hardin Watkins, Acting City Clerk

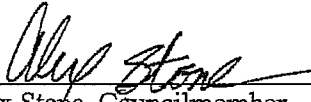
By:   
\_\_\_\_\_  
Jimmy Burnette, Councilmember

By:   
\_\_\_\_\_  
Andrew Krieman, Councilmember

APPROVED AS TO FORM BY:

  
\_\_\_\_\_  
Gregory D. Jay, City Attorney  
Chandler & Britt, LLC

By:   
\_\_\_\_\_  
Jeannine Rispin, Councilmember

By:   
\_\_\_\_\_  
Alex Stone, Councilmember

By:   
\_\_\_\_\_  
Dave Williams, Councilmember



# SUWANEE STATIC

SUWANEE, GA

A PLANNED MIXED USE DEVELOPMENT  
FOR: FALLING WATER INVESTMENT L.T.D.  
BY: TUNNELL-SPANGLER & ASSOCIATES, NC



ILLUSTRATIVE MASTER PLAN  
JUNE 20, 2000

TOWN COMMONS DISTRICT  
RETAIL/COMMERCIAL/LOFTS  
VILLAGE GREEN

TOWNHOME COMMUNITY

2000' TRANSIT  
CATCHMENT

DETENTION LAKE

ACTIVE ADULT  
COMMUNITY

PROPOSED  
COMMERCIAL  
CENTRE

APARTMENT COMMUNITY

MULTI-USE TRAIL SYSTEM  
INTERCONNECTED WITH COMMUNITY

STATION CENTERS DISTRICT  
FUTURE LIGHT RAIL STATION  
INCREASE MIXED USE WITH COMMERCIAL/LOFTS

COMMUNITY CENTER  
BICYCLE PARKING  
ACTIVITY SPACES  
CIVIC GREEN

MAIN STREET DISTRICT  
OFFICE/RETAIL

APARTMENT COMMUNITY

VAINE STREET  
ONNHOVES

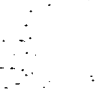
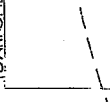
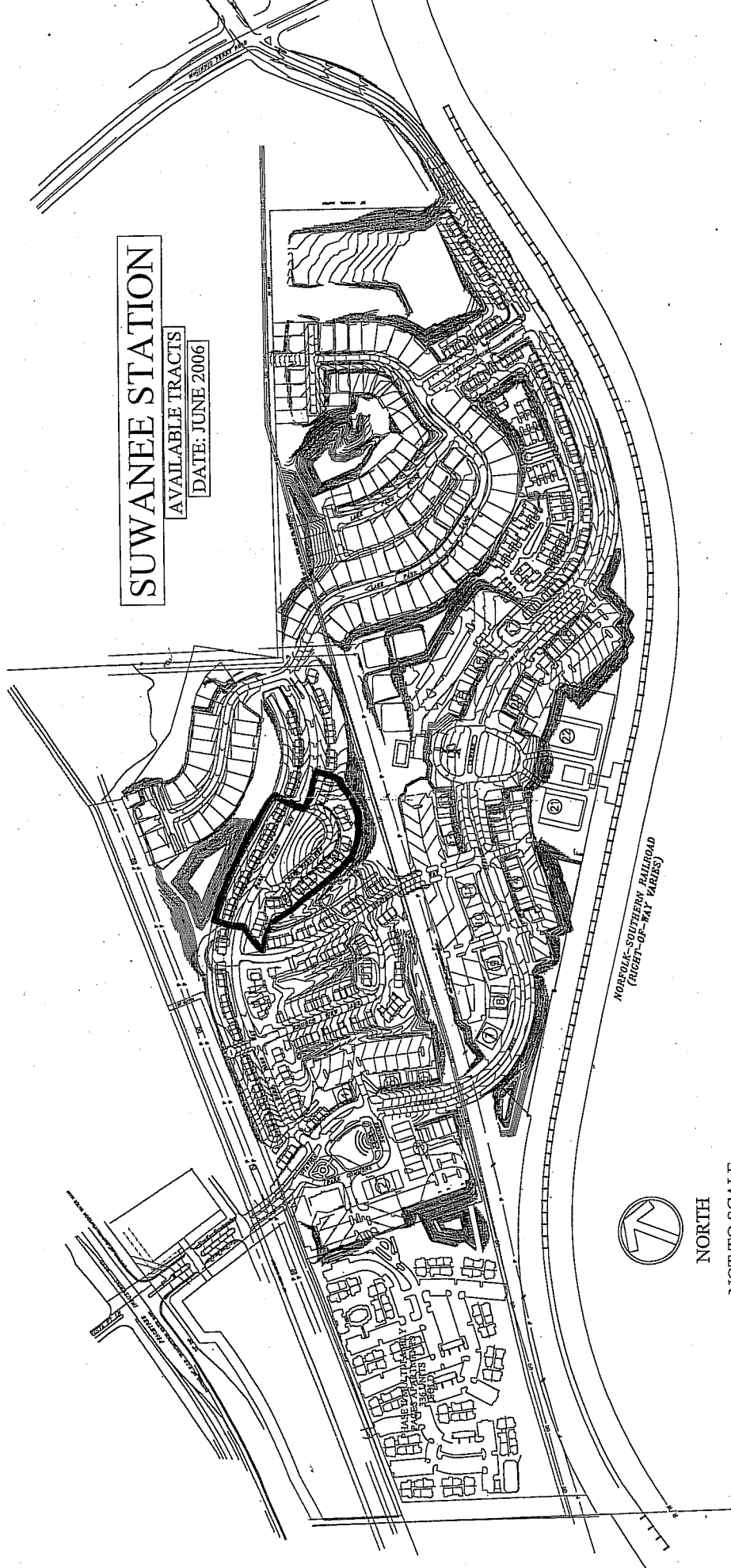


EXHIBIT A

# SUWANEE STATION

AVAILABLE TRACTS

DATE: JUNE 2006



NORFOLK-SOUTHERN RAILROAD  
(RIGHT-OF-WAY MARKERS)



NORTH

NOT TO SCALE

BZ-2010-001

City of Suwanee

CROSSROADS of PAST and FUTURE



CITY OF  
**Suwanee**  
G E O R G I A

**RZ-2010-001**

Location Map

**Legend**



RZ-2010-001



Parcels



Streets

