

**REZONING REQUEST:**

**RZ-2012-002**

**CITY OF SUWANEE  
REZONING ANALYSIS**

**CASE NUMBER:** RZ-2012-002  
**REQUEST:** PMUD (PLANNED MIXED-USE DEVELOPMENT DISTRICT) TO PMUD (PLANNED MIXED-USE DEVELOPMENT DISTRICT) - CHANGE OF CONDITIONS  
**LOCATION:** VILLAGE FIELD COURT  
**TAX ID NUMBER:** 7-252-560  
**ACREAGE:** 1.75 ACRES  
**PROPOSED DEVELOPMENT:** 12 SINGLE-FAMILY DETACHED RESIDENTIAL UNITS

**APPLICANT(S):** SUWANEE JUNCTION, LLC.  
3355 ANNANDALE LANE  
SUWANEE, GA 30024

**OWNER(S):** SUWANEE JUNCTION, LLC.  
3355 ANNANDALE LANE  
SUWANEE, GA 30024

**CONTACT:** MIKE ZAMBRI  
**PHONE:** 770-945-0408

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

**PROJECT DATA:**

The applicant seeks a change of zoning conditions for an approximately 112 acre planned mixed-use project to allow for the development of 12 single-family detached residences in an area previously planned for 24 single-family attached residences (townhomes). The 1.75 acre site is located on Village Field Court near the Peachtree Industrial Boulevard entrance to the Village Grove neighborhood. The impacted area is currently vacant and is located between existing single-family attached residential units. Single-family detached homes are also located near the subject property. The applicant is not proposing to alter access to the project.

The project was approved in 2002 with conditions that limited development to a total of 517 residential units and 40,000 square feet of commercial uses. The approximately 112-acre site also includes around 30 acres of open space (27 percent of the site). The single-family detached and single-family attached residential portions of the development are currently planned to accommodate 447 residential units. Of these planned units, 422 have been completed or are currently under construction. 24 of the remaining 28 platted vacant lots are intended for single-family attached residential units while 4 are intended for single-family detached residential units. The applicant proposes to construct 12 single-family detached residential units in the area originally intended to accommodate the 24 single-family attached residential units. Therefore, a change of conditions is needed in order to develop the proposed units.

Due to its size, the project was reviewed as a development of regional impact (DRI). The ARC and GRTA determined that the project would be in the best interest of the state. Because it was a DRI, the project may only increase in overall size by less than 10% or change in the mix of uses by less than 20 percent before triggering a new DRI review. The proposed changes do not exceed these thresholds.

### **ZONING HISTORY:**

The subject property was rezoned to the current PMUD designation in 2002 per RZ-2002-021. Similar to other planned mixed use projects a number of general and phase specific conditions were included regulating the design of the project, the allowed uses in various areas and the intensity of uses. Condition 2 of the general conditions regulates the maximum number of permitted residential units on the subject property. It reads as follows:

2. Overall development shall not exceed 199 single-family attached units, 258 single-family detached units, and 60 loft/condominium units for a total of 517 residential units. All units shall be fee-simple structures. No garden-style apartments shall be allowed.

This condition was revised in 2005 per RZ-2005-002 to read as follows:

2. Overall development shall not exceed 188 single family attached units, 267 single-family detached units, and 62 loft/condominium units for a total of 517 residential units. All units shall be fee-simple structures. No garden-style apartments shall be allowed.

This condition was again revised in 2011 per RZ-2011-001 to read as follows:

2. Overall development shall not exceed 169 single family attached units, 278 single-family detached units, and 62 loft/condominium units for a total of 509 residential units. All units shall be fee-simple structures. No garden-style apartments shall be allowed.

The single-family detached portion of the development that was approved with the most recent rezoning is currently under construction with several homes already completed and occupied. The current proposal, if approved, will reduce the number of single-family attached units to 148 and increase the number of single-family detached units to 290. The overall number of residential units would decrease from 509 to 500 (includes an anticipated 62 loft/condominium units).

### **DEVELOPMENT COMMENTS:**

If the project is approved then the proposed revision will need to be reviewed for compliance with zoning and development requirements through the usual development, platting, or building permit review process.

## ANALYSIS:

The subject site is part of the Village Grove mixed-use development that includes approximately 112 acres. The parcel that is the subject of the current request totals 1.75 acres and is located along Village Field Court across from Village Field Place and Lassen Court. The property has been graded and developed as part of the overall project. These tracts represent the three remaining areas intended to accommodate single-family attached residential units. Access is provided via existing streets adjacent to the site with individual unit access provided from an existing 15' wide alleyway. The applicant wishes to increase the number of single-family detached units and decrease the number of single-family attached units, which will result in an overall decrease in the total number of residences. The subject property is suitable for the proposed development.

The subject property is surrounded by residential uses and undeveloped land. To the east and west of the subject property are single-family attached residences, zoned PMUD. To the north are PMUD zoned single family attached and detached residential units. To the south is a wooded, undeveloped lot, zoned M-1.

According to the applicant's letter of intent, the lots will be a minimum of 1,800 SF with a minimum unit size of 1,600 square feet. The proposed units deviate from the approved development standards for the site. These development standards were incorporated as a condition of approval of RZ-2002-021. According to general condition 13, the development standards proposed in the concept plan submitted 11/25/02 are incorporated as the development standards for the site. The current proposal would reduce the minimum rear yard setback from 20 feet to 18 feet. If approved, the applicant will submit architectural elevations in the form of a "Plan Book" for typical structures for review and approval by City Council as required by general condition 4 or they will need to build units consistent with already approved architecture. At a minimum, the "Plan Book" must include allowed building elevations, exterior colors, materials, and other pertinent information.

The subject property is part of the Suwanee Junction Character Area which recommends that the corridor remain predominately commercial to support residential areas. The comprehensive plan further states that new residential areas behind the commercial frontage should have a diversity of housing types as appropriate to the adjacent context, including small-lot single-family detached homes, townhomes, and small multi-family buildings. The propose type of housing is consistent with the type of development envisioned for the character area.

The applicant applied for and was granted a change in conditions for a similar request in 2011 in response to discussions with staff about neighborhoods with unfinished townhouse sections. These discussions were centered upon developing workable development or land use options for the remainder of townhouse parcels that were underperforming, at that time. In addition, a housing study conducted in 2010 recommended that, if warranted, each of the affected neighborhoods be rezoned to allow for implementation of acceptable alternatives. The study further directed that alternatives should be practical and implementable while respecting neighborhood expectations for quality and consistency and the intent of the Future Land Use Plan.

In conclusion, the site is located between existing single-family detached and single-family attached residential units and is an appropriate location for the proposed units. The change in total units and the change in unit type does not significantly impact the overall level of intensity expected for the area. The current proposal addresses the City's concern, that areas currently planned for single-family attached units will remain undeveloped for some time, by providing a product that is more attractive to lenders and buyers. In addition, the proposed change is practical and implementable and respects the neighborhood expectations for quality by providing a unit that is consistent with other Village Grove residences. Finally, a similar rezoning request was approved in 2011 and construction so far demonstrates the proposed housing type is consistent with the rest of the neighborhood. Therefore, the Planning Department recommends **APPROVAL WITH CONDITIONS** of RZ-2012-002.

Planning Department Recommended Conditions  
RZ-2012-002

Staff recommends approval of RZ-2012-002 with conditions as follows:

GENERAL CONDITIONS:

1. All conditions of zoning from RZ-2002-021 shall remain in full effect, except general condition 2 and 13, which shall be revised to read as follows:
  2. Overall development shall not exceed ~~469~~ **148** single family attached units, ~~278~~ **290** single-family detached units, and 62 loft/condominium units for a total of ~~509~~ **500** residential units. All units shall be fee-simple structures. No garden-style apartments shall be allowed.
  13. The development standards proposed in the concept plan submitted 11/25/02 are incorporated as the development standards for the site, with the **following exceptions: the development standards submitted on 12/02/10 shall apply to** ~~of~~ the 10 single-family detached residential units to be constructed on the 1.07 acre site as shown on the plan submitted 12/02/10; ~~These units shall meet the standards listed on the plan submitted 12/02/10.~~ **The development standards submitted on 6/28/12 shall apply to the 12 single-family detached residential units to be constructed on the 1.75 acre site as shown on the plan submitted 6/28/12.**

## 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 should permit a use that is 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;

With the recommended conditions, 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 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 change to single-family detached residential units is consistent with the anticipated uses in the Suwanee Junction Character Area.

- 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;

Current economic conditions have substantially impacted the single-family attached housing market. Rezoning the property to accommodate a more marketable housing type that is still consistent with the comprehensive plan could mitigate these concerns.


## REZONING APPLICATION

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

| APPLICANT INFORMATION*  |  | OWNER INFORMATION*  |  |
|---|--|---|--|
| NAME: <u>Suwanee Junction, LLC</u>  |  | NAME: <u>Suwanee Junction, LLC</u>  |  |
| ADDRESS: <u>3355 Annandale Lane</u>   |  | ADDRESS: <u>3355 Annandale Lane</u>   |  |
| <u>Suwanee, GA 30024</u>  |  | <u>Suwanee, GA. 30024</u>   |  |
| PHONE: <u>678-414-1862</u>  |  | PHONE: <u>678-414-1862</u>  |  |
| CONTACT PERSON: <u>Mike Zambri</u>  |  | PHONE: <u>Mike Zambri</u>   |  |
| EMAIL ADDRESS: <u>mikez@touchstonehomes.cc</u>  |  | FAX NUMBER: <u>770-945-0408</u>   |  |
| PROPERTY INFORMATION  |  |   |  |
| PRESENT ZONING DISTRICT(S): <u>PMUD</u>   |  | REQUESTED ZONING DISTRICT <u>PMUD</u>   |  |
| PROPOSED DEVELOPMENT: <u>12 Single Family Detached Homes</u>  |  |   |  |
| TAX PARCEL NUMBER(S): <u>7252-563</u>   |  |   |  |
| ADDRESS OF PROPERTY: <u>718(?) Village Field Court</u>  |  |   |  |
| TOTAL ACREAGE: _____  |  | PUBLIC ROADWAY ACCESS: <u>Village Field Court</u>   |  |
| FOR RESIDENTIAL DEVELOPMENT:  |  | FOR NON-RESIDENTIAL DEVELOPMENT:  |  |
| NO. OF LOTS/DWELLING UNITS: <u>12</u>   |  | NO. OF BUILDINGS/UNITS: _____   |  |
| DWELLING UNIT SIZE (SQ. FT.): <u>Min 1,600 s.f.</u>   |  | TOTAL GROSS SQUARE FEET: _____  |  |
| CERTIFICATIONS  |  |   |  |
| <p>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.</p> |  |   |  |
| <br>Signature of Applicant*<br><u>JEFFREY ABRAHAM CFO</u><br>Print Name*<br><u>Ronald W. Adleman</u><br>Signature of Notary  | <u>6-25-12</u><br>Date<br><u>6/25/12</u><br>Date | <br>Signature of Owner*<br><u>JEFFREY ABRAHAM CFO</u><br>Print Name*<br><u>Ronald W. Adleman</u><br>Signature of Notary | <u>6-25-12</u><br>Date<br><u>6/25/12</u><br>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: 6/28/12 Case No.: R2-2012-002 Accepted By: 



**Standards Governing Exercise of the Zoning Power**

**VILLAGE GROVE (minor revision)**

**1.75 Acres – 12 Homes**

**Existing Zoning – PMUD / Proposed Zoning - PMUD**

**Land Lot 252, 7<sup>th</sup> District**

**City of Suwanee, Gwinnett County, GEORGIA**

**6-28-12**

APPLICANT:

Suwanee Junction LLC

CONTACT: Michael R. Zambri

Suwanee, GA 30024

678-414-1862

- 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 single-family lots are a suitable use for the property considering the use and development of adjacent and nearby property. The property is rectangular in shape and is currently zoned for 24 townhomes. It is abutted on the southeast by undeveloped M-1 and developed C-2, by existing townhomes on both sides and with single family detached and townhomes located across Village Field Court.
- B. WHETHER THE ZONING PROPOSAL WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY. The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby property. The proposal represents a significant reduction in density, from 24 townhomes down to 12 single family homes.
- C. WHETHER THE PROPERTY TO BE AFFECTED BY THE ZONING PROPOSAL HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED. The property does not have a reasonable use as currently zoned. The extended economic recession has virtually eliminated the market for quality townhomes in this area.
- 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 zoning proposal will not result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools. The property was approved and developed for 24 townhomes. The proposed use represents a net reduction in demand on streets, transportation facilities, utilities and schools.
- E. WHETHER THE ZONING PROPOSAL IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE COMPREHENSIVE PLAN OR LAND USE PLAN. The proposed zoning is in conformance with the policy and intent of the comprehensive plan.

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If approved the land use will change from 24 townhome residential units to ~~12~~ single family detached residential units. .

- 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 extended economic downturn has virtually eliminated the market for quality townhomes in the Suwanee area. The proposed use reduces the development intensity while being compatible with the existing and proposed adjoining the property. An initial phase of the conversion has proved to be economically viable.

JACKSON LAND SURVEYING P.C.

200 MARLYN DRIVE EAST FAYETTEVILLE, GA 30514



REZONING PLAN for VILLAGE GROVE UNIT 4 PHASE 4

Land Lot 252, 77th District, City of Suwanee, GA

Table with columns: DATE, DRAWN BY, CHECKED BY, APPROVED BY, PROJECT NO., SHEET NO., TOTAL SHEETS.

PROJECT NAME: VILLAGE GROVE UNIT 4 PHASE 4

REZONING PLAT SHEET NO. 2 OF 2

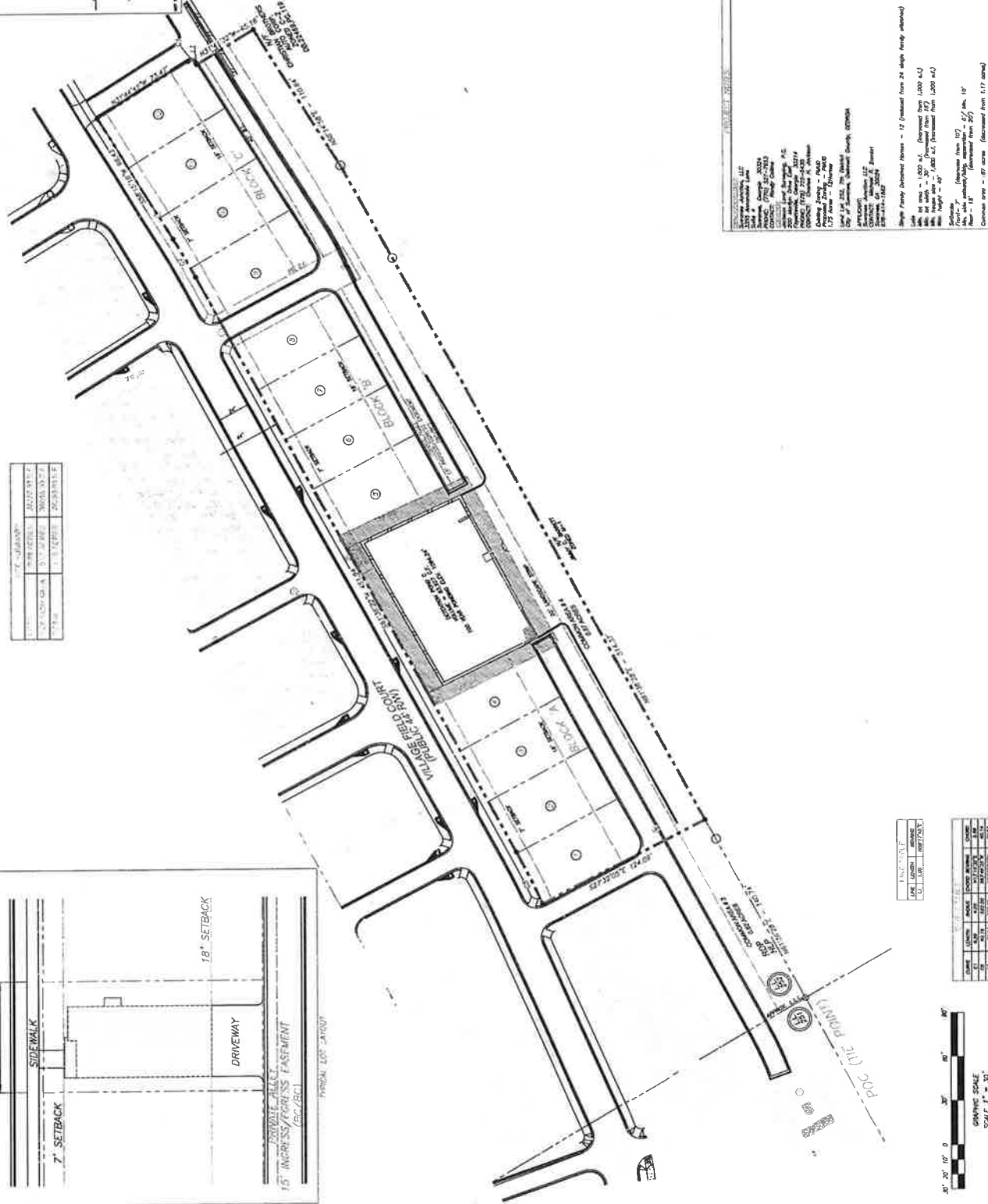
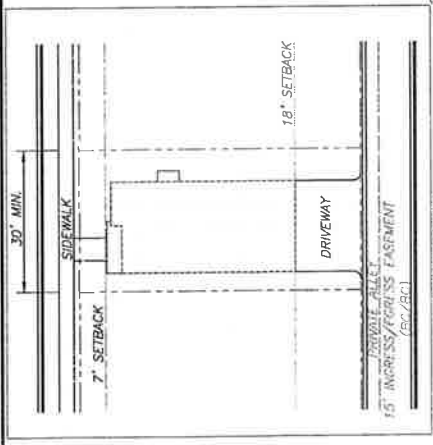


Table with 2 columns: TYPE, DIMENSIONS. Includes entries for DRIVEWAY, SIDEWALK, and SETBACKS.



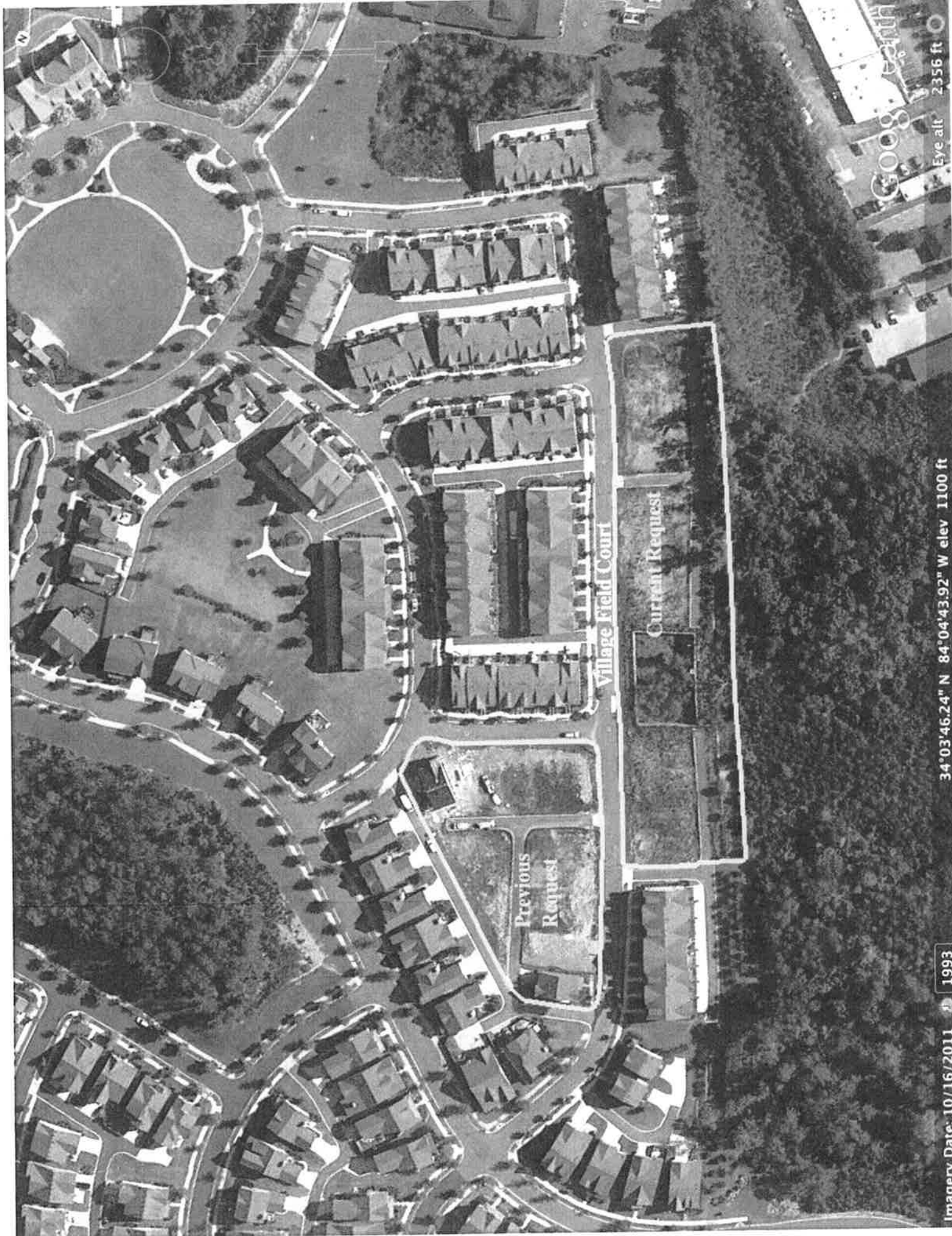
LEGEND table listing symbols for various utilities and features: POWER POLE, OVERHEAD ELECTRIC, STORM DRAINAGE, UNDERGROUND UTILITY, etc.

Notes and specifications regarding site conditions, utility depths, and easements. Includes text like 'Single Family Detached Homes - 12 (reduced from 24 slope ramp abutting)' and 'Common area - 87 acres (reduced from 117 acres)'.

Table with columns: LINE, LOCATION, BEARING, DISTANCE. Lists specific utility line locations and bearings.

Table with columns: NAME, TYPE, DATE, LOCATION, BEARING, DISTANCE. Lists specific easement and utility line details.





34°03'46.24" N 84°04'43.92" W elev 1100 ft

Imagery Date: 10/16/2011 1993

Eye alt 2356 ft

07-2012-007

**LETTER OF INTENT  
A PORTION OF VILLAGE GROVE  
1.75 Acres – 12Homes  
Existing Zoning – PMUD / Proposed Zoning - PMUD  
Land Lot 252, 7<sup>th</sup> District  
City of Suwanee, Gwinnett County, GEORGIA  
6-28-12**

APPLICANT:

Suwanee Junction LLC  
CONTACT: Michael R. Zambri  
Suwanee, GA 30024  
678-414-1862

Village Grove is a 112.69 acre development that was originally zoned in 2003 to include a total of 258 single family detached units, 199 single family attached units, 60 loft/condos and a maximum of 40,000 s.f. of commercial space. Those allocations were revised in 2005 as follows: 188 single family attached, 267 single family detached and 62 loft/condominiums for a total of 517 homes. The allocations were again revised in 2011 (RZ-2011-001) as follows: 170 single family attached, 277 single family detached and 62 loft/condominiums for a total of 509 homes. The infrastructure has been constructed for the entire community. Nearly all the single family detached homes have been constructed and most of the commercial space. Approximately 266 single family detached homes have been constructed.

The proposed rezoning is limited to a rectangular single-family attached parcel located between Village Field Court right of way and the south property line. The property includes the existing detention pond "C". The parcel is fully developed with utilities, alleys and platted to accommodate twenty-four, 18' wide single-family attached homes.

However, because of the extended economic downturn, the market for quality townhomes generally no longer exists in the Suwanee area. Therefore, in an effort to facilitate the completion of the community, Touchstone has designed new single family detached products that can be constructed within the area between the existing roads and alleys. The product has been built and sold on the lots rezoned in 2011 (RZ-2011-001). Because of the wider footprint and the need for building separation between each home, only 12 Single family detached homes are proposed within the area currently platted for 24 single family attached homes.

The recorded plat shows an undeveloped common area located behind the alley, adjoining the external property line of the development. This area will remain a common area open space under the proposed plan.

General Conditions as approved under RZ-2011-001 to remain the same, with the exception of the following changes to item 2:

2. Overall development shall not exceed *146 (down from 170)* single family attached units, *289 (up from 277)* single family detached units and 62 loft/condominium units from a total

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of 497 (down from 509) residential units. All units shall be fee-simple structures. No garden-style apartments shall be allowed.

Lot standards for the proposed single family detached units. Changes from current conditions are noted.

|                                    |                 |  |
|------------------------------------|-----------------|--|
| Single Family Detached Homes       | - 12            | (reduced from 24 single family attached) |
| <b>Lots</b>                        |                 |  |
| Min. lot area                      | - 1,800 s.f.    | (increased from 1,000 s.f.)              |
| Min. lot width                     | - 30'           | (increased from 16')                     |
| Min. house size                    | - 1,600 s.f.    | (Increased from 1,200 s.f.)              |
| Max. height                        | - 40'           |  |
| <b>Setbacks</b>                    |                 |  |
| Front                              | - 7'            | (decrease from 10')                      |
| Min. side setback/bldg. separation | - 0' / Min. 10' |  |
| Rear                               | - 18'           | (decreased from 20)                      |
| Common area                        | - .87 acres     | (decreased from 1.17 acres) *            |

\*Original common area included all area outside of the building footprints, including alleys, driveways, front setback and side yards. The revised common area only includes alleys and open space between the alley and rear property line.

We respectfully request that the proposed change be approved.

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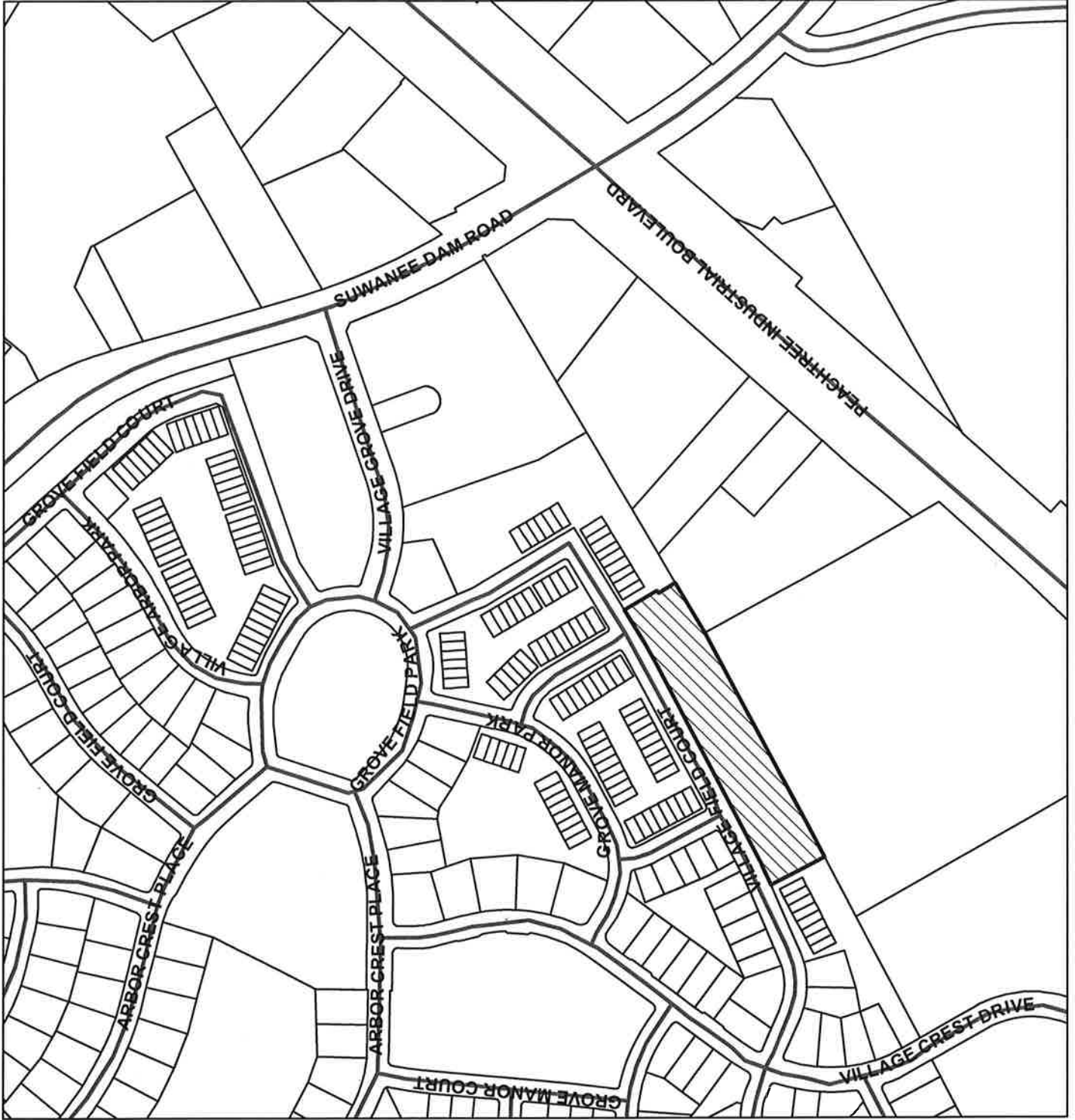
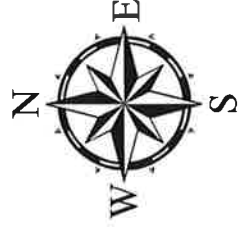


# EXHIBIT A RZ-2012-002

Location Map

## Legend

-  RZ-2012-002
-  Roads









# EXHIBIT B RZ-2012-002

Aerial Map

**Legend**

|   |             |
|---|-------------|
|    | RZ-2012-002 |
|  | Road        |

