

REZONING(S):

RZ-2016-001

**CITY OF SUWANEE
REZONING ANALYSIS**

CASE NUMBER: RZ-2016-001

REQUEST: R-100 (SINGLE FAMILY RESIDENTIAL DISTRICT) & C-2 (GENERAL COMMERCIAL DISTRICT) TO PMUD (PLANNED MIXED-USE DEVELOPMENT DISTRICT)

LOCATION: 706 AND 740 BUFORD HIGHWAY

TAX ID NUMBER: 7-210-053, 7-210-054, 7-210-095

ACREAGE: 26.2 ACRES

PROPOSED DEVELOPMENT: RESIDENTIAL NEIGHBORHOOD WITH SINGLE FAMILY ATTACHED TOWNHOMES

APPLICANT: VANQUISH PROPERTY PARTNERS, LLC
PO BOX 2789
SUWANEE, GA 30024

OWNER: KAREN WILLIAMS, MILES WILLIAMS,
CLISTINE MAE REDD FAMILY TRUST,
NANCY REDD HOBSON, JOANNE
ARMSTRONG

CONTACT: MIKE EMBRY
PHONE: 404-569-9756

RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests a rezoning of an assemblage of parcels from R-100 (Single Family Residential District) and C-2 (General Commercial District) to PMUD (Planned Mixed-Use Development District) to allow for the development of a new neighborhood of single family townhomes and condominiums. The proposed neighborhood is located along Buford Highway across the street from Harvest Farm and White Street Park.

The subject property is approximately 26 acres of former farmland containing two single family homes. More than half of the subject property is unbuildable because it is within the 100 year floodplain. Due to very steep topography, the floodplain, and existing development, the proposed development cannot connect to adjacent parcels around it. The new neighborhood would have one access point off of Buford Highway approximately 2000 feet north of McGinnis Ferry Road.

The proposed development would total 163 units, at approximately 6.2 units per acre. Development would be focused on the front half of the property closest to Buford Highway due to the environmental challenges at the rear of the property. The applicant proposes to build a mix of traditional front loaded townhomes and stacked condominiums built to look like traditional townhomes. The proposed project includes 29 front loaded single family attached townhomes. These units would be a minimum of 20 feet wide and two stories over ground level 2 car garages. The remaining 134 units would be built as 67 attached, stacked condominiums with two story units stacked on top of single story units over basement level parking. Parking would be provided through 1 car garages with the possibility of some tandem or 2 car garages accessed by alleys behind the units. These units would be accessed from shared front stoops and steps and look like 3 story townhomes. The proposed architecture for all buildings would have front facades of brick and/or stacked stone with cement siding accents. The minimum unit size would be 950 square feet and the average unit size would be 1,200 square feet.

The proposed project includes approximately 16 acres of natural open space, two formal open spaces, and 3 smaller mews or commons. The first formal open space of approximately .5 acres is located on axis with the entrance to the neighborhood from Buford Highway and fronted by rear loaded, condominiums. The second formal open space of approximately .3 acres is an open lawn lined by rear loaded condominiums on two sides. A mail kiosk sits at one end of the lawn. Additionally, approximately 16 acres will be preserved as natural, wooded wetlands/floodplain at the rear and northeast side of the site where it abuts the school site, Suwanee Creek, and a few residences off Davis Street.

DEVELOPMENT COMMENTS:

The following comments are provided to inform the owner/developer of certain issues that may need to be addressed:

The property is encumbered by floodplain, wetlands, and creeks. The applicant proposes to treat stormwater within the property and then channel the water into Suwanee Creek. The concept plan indicates development within the 100 year floodplain including some residential units and a water quality treatment facility for the property. The developer should be prepared to comply

with all stormwater requirements as enforced by the City engineer. All water quality and stormwater management for the project must comply with applicable regulations including the Floodplain Management Ordinance. Prior to issuance of a development permit, the applicant must provide the City with a no rise certification for Suwanee Creek floodplain and a conditional letter of map revision (CLOMR) for any changes to the floodplain. Development within any wetlands will require the approval of the U.S. Army Corp of Engineers. Impacts to any creeks will need to comply with the Georgia Soil Erosion and Sedimentation Control Ordinance.

If developed with private streets, the Gwinnett County Fire Marshall will need to approve the circulation of the project.

ANALYSIS:

The PMUD (Planned Mixed-Use Development District) zoning category allows for larger master-planned projects that connect residential uses to non-residential uses, encourage pedestrian mobility, promote more efficient use of land, and allow for the creation of neighborhoods with their own distinct character.

The applicant requests a rezoning from C-2 (General Commercial) and R-100 (Single Family Residential) to PMUD to allow for a mixture of residential housing types. The proposed density of 6.2 units per acre would be in the form of townhomes and stacked 2 story condominiums and flats that resemble townhomes. This density is appropriate for this location, which is within a mile walking distance to Town Center and adjacent to non-residential uses. The proposed housing typology is consistent with other medium density townhome developments within Suwanee's downtown. A second access point from Buford Highway is not feasible nor required because the property does not have enough frontage on Buford Highway.

The property is bound by Buford Highway to the northwest, backs up to Suwanee Creek to the southeast, and is surrounded by developed property on both sides along Buford Highway. The adjacent property to the southwest is an office development with 2 two story office buildings. The Gwinnett County Board of Education Training Facility occupies a former elementary school on the adjacent property to the northeast. Both of these properties are zoned O-I (Office Institutional District). White Street Park is directly across Buford Highway from the property with lightly developed, wooded land zoned R-100 (Residential Single Family District) on both sides of the park.

The proposed development is not consistent with the Comprehensive Plan Future Land Use Map, which calls for low density office on the subject property. However the proposed townhomes are consistent with the more recent 2015 Downtown Suwanee Master Plan. The 2015 Downtown Suwanee Master Plan recommends townhomes, small lot single-family homes or cottages. The recommendation of the Future Land Use Map will be updated during the annual update of the Comprehensive Plan.

The concept plan for the proposed development indicates 2-3 ½ story brick and/or stone fronted residential buildings facing Buford Highway with stoops and entrances also facing Buford Highway. Some of these units may be live work. These buildings and a new street with a landscaped median terminating at a roundabout and pocket park fronted by similar buildings will

be the only portion of the neighborhood visible from the public street, Buford Highway. As submitted, this site design and proposed architecture will add visual interest for pedestrians and help create a street wall along Buford Highway.

The aesthetic of the front portion of the subject property is especially important because it will be the view from White Street Park and Harvest Farm across the street. The City has and is currently investing in the development of Harvest Farm and a future orchard at White Street Park, as well as the transformation of Buford Highway into a pedestrian-oriented street. The proposed architecture would be suitable in view of the surrounding park, single family, office, and institutional uses, but staff recommends adding conditions of zoning if approved to insure high quality design.

The applicant is proposing a new type of unit that has been built elsewhere, however it has not been built in Suwanee. These new units are two story townhomes stacked on top of a one story flat over rear loaded, basement level, 1 car garages. A second parking spot for each unit is provided in the driveway behind each garage, thus the 2 cars must park in tandem. Although aesthetically, the design of these units is compatible with townhomes in other parts of Suwanee, the functionality of the unit may be problematic. Since tandem parking requires one car to park behind the other blocking one car in, the result is more demand for on-street parking. The addition of a new housing type is consistent with the City's goal of providing a diversity of housing types; however, if approved, the provision of adequate parking will need to be addressed.

The City of Suwanee Zoning Ordinance requires 2 parking spaces per residential unit. The proposed plan does not provide any on-street or surface parking for resident or guest use, and the manner of parking provided to meet the 2 spaces per unit is not ideal. Additional parking should be provided through the extension of driveways to a minimum of 22 feet in length, on-street parking, and off-street parking.

Previous development in Suwanee has demonstrated two issues that can reduce the functionality of streets. One issue is the presence of front loaded units on lots less than 65 feet wide. In this case, there is not enough room for sidewalks or on-street parking between driveways. The second issue is the demand for on-street parking on streets that are not designed for it. If approved, staff recommends that the streets remain private since they cannot connect to any other property in the future. Keeping the streets private will allow the neighborhood to manage parking more aggressively through covenants.

Another unresolved issue with the concept plan is that the 3 tracts of land cannot support the proposed development without some modification to the floodplain. The concept plan shows 21 of the 163 units within the existing 100 year floodplain. Any alteration to the floodplain should be done in compliance with all applicable regulations. If the developer is unable to build the project as shown in the concept plan, as a result of the floodplain requirements, then they will need to be prepared to come back to the City Council in order to modify the concept plan.

In conclusion, the requested rezoning to PMUD is appropriate for the subject property provided the appropriate conditions are in place. The proposed uses are consistent with the Downtown Suwanee Master Plan. Roads within the development should be private, driveways should be a minimum of 22 feet in length, and guest parking spaces should be scattered throughout the

development in order to ensure parking is adequately provided and managed. Development should comply with the floodplain management ordinance. If development cannot comply with floodplain requirements and the concept plan, then the developer should be prepared to come back before City Council to modify the concept plan. As such, the Planning Department recommends approval of the request to rezone the subject property to PMUD (Planned Mixed-Use Development District) with the following conditions.

Recommended Conditions
RZ-2016-001

The Planning Department recommends approval of the request to rezone the subject property to PMUD (Planned Mixed-Use Development District) with conditions:

1. Develop in accordance with the concept plan (dated January 5, 2016) and associated attachments and exhibits approved by City of Suwanee, 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, planting, sidewalks, water quality facilities, detention areas, or other proposed features shown on the submitted plan. If substantial changes to the concept plan are needed to comply with the following conditions of zoning, the applicant shall submit revised plans to the City within 90 days of approval that reflect said changes. The revised plan shall be subject to the review and approval of the City Council.
2. Overall development shall not exceed 163 residential units. A maximum of 134 of the units may be condominium units. Condominium units shall be arranged as two story units stacked on top of single story units over basement level parking.
3. Development shall occur consistent with the phases, uses, and development standards outlined as follows and as shown in the "Phasing" exhibit:
 - A. Phase I shall allow all uses permitted in O-I (Office Institutional District) with the additional uses of live work units or condominiums not to exceed 34 units. Development within this phase shall be limited to the following standards.
 - i. Development Standards:
 - a. Minimum front yard: 0 feet
 - b. Minimum side yard setback: 0 feet
 - c. Minimum building separation: 20 feet
 - d. Minimum rear yard setback: 0 feet
 - e. Residential unit size: 950 square feet minimum unit size with an average unit size of 1,200 square feet
 - f. Maximum building height: 3.5 stories or 3 / 4 story split
 - g. Minimum building width: 20 feet
 - ii. Parking:
 - a. Minimum parking: 2 spaces per residential unit, 1 space per 300 square feet of non-residential use.
 - b. All parking shall be located behind or within buildings.
 - c. Any tandem garage parking may only count as 1 parking space regardless of depth.
 - d. Driveways may be counted as required parking for residential units provided the driveway is a minimum of 22 feet long.
 - e. Surface parking lots shall be landscaped per Section 1703.3 of the City Zoning Ordinance.

- f. Provide bicycle racks with a minimum of 5 spaces near the entrance of any non-residential building.
- g. Landscaping shall be provided at the ends of alleys at a sufficient height to screen cars parked in the driveways of rear loaded units from the main road. Landscape materials and location are subject to the approval of the Planning Director.

iii. Architecture:

- a. Buildings facing Buford Highway shall have entrances facing Buford Highway that are connected to the public sidewalk either directly or by private sidewalks.
- b. Garage doors may not face Buford Highway.
- c. Buildings facing Buford Highway shall be a maximum of 3 1/2 stories from the grade of the front façade.
- d. Buildings materials shall be restricted to brick and/or stone on all four sides. This does not prevent the use of other materials for accents.
- e. Residential buildings shall have simulated divided lite wood windows.
- f. For non-residential buildings the architecture shall be approved on an individual basis.

B. Phase II shall be limited to single family attached residential townhomes and condominiums and those uses found in the R-100 zoning district. Development within this phase shall be limited to the following standards.

i. Development Standards:

- a. Minimum front yard: 0 feet
- b. Minimum side yard setback: 0 feet
- c. Minimum building separation: 20 feet
- d. Minimum rear yard setback: 0 feet
- e. Condominium size: 950 square feet minimum unit size with an average unit size of 1,200 square feet
- f. Townhome size: minimum unit size of 1,900 square feet
- g. Maximum building height: 3.5 stories or 3 / 4 story split
- h. Minimum building width: 20 feet

ii. Parking:

- a. Minimum parking: 2 spaces per unit
- b. On-street parking spaces may count toward parking requirements.
- c. Any tandem parking may only count as 1 parking space regardless of depth.
- d. Surface parking lots shall be landscaped per Section 1703.3 of the City Zoning Ordinance.
- e. Driveways must be a minimum of 22 feet in length and 10 feet in width to count as a parking space. Each residential unit may have a maximum of 1 driveway space counted toward the parking requirement.

- f. Driveways of front loaded units shall be a minimum of 22 feet deep measured from the back of the sidewalk or curb, whichever is closer to the unit.
 - g. Landscaping shall be provided at the ends of alleys at a sufficient height to screen cars parked in the driveways of rear loaded units from the main road. Landscape materials and location are subject to the approval of the Planning Director.
 - iv. Architecture:
 - a. Front and side facades shall be brick and/or stone.
 - b. Windows shall be wood windows with simulated divided lites.
- 4. A plan book that conveys the character and vision for the new neighborhood including proposed site plan, all building elevations, building materials and colors, illustrations of park spaces, location of mail kiosk, and other relevant information shall be submitted prior to issuance of a development permit. The plan book shall address in detail the area of the property directly adjacent to Buford Highway. Architecture for the entire project shall be substantially similar to "Exhibit 'D'" and shall use high quality building materials, such as brick and/or stone, cement siding and wood windows with simulated divided lites. The Planning and Inspections Director shall review and approve all architecture and have final approval of the plan book prior to the issuance of a development permit. Said plan book shall become a binding restriction on the structures within the development and may be amended or supplemented subject to the approval of the City.
- 5. Include a pocket park on axis with the entrance to the neighborhood as shown in Exhibit 'A'. The design of this pocket park shall be reviewed by the Planning and Inspections Director. No development permit shall be issued until the design of the park is approved.
- 6. Provide a minimum of 30 guest parking spaces within the development. Parking spaces may be provided on-street or off-street and must be clearly marked as parking spaces.
- 7. Provide a minimum 5 foot wide sidewalk and a minimum 5 foot wide planting zone along both sides of the street from Buford Highway to the pocket park at the neighborhood entrance. Plant street trees from the City approved list of street trees at 40 feet on center within the planting zone. Trees shall have a minimum caliper of 3 inches. A root barrier shall be planted with all trees adjacent to sidewalk or hardscape.
- 8. Provide a minimum 5 foot wide sidewalk and a minimum 5 foot wide planting zone along both sides of the interior side of the loop road adjacent to the park spaces. Plant street trees from the City approved list of street trees at 40 feet on center within the planting zone. Trees shall have a minimum caliper of 3 inches. A root barrier shall be planted with all trees adjacent to sidewalk. Provide a plan for street trees on the outside of the loop road.
- 9. All streets and alleys within the development shall be constructed as approved by the City Engineer and shall be private and not maintained by the City. Provide the following note on the front page of all final plats for the neighborhood: "NOTE: ALL ROADS, STREETS, AND ALLEYS ARE THE PROPERTY OF THE NEIGHBORHOOD. IT IS

THE RESPONSIBILITY OF THE PROPERTY OWNERS TO MAINTAIN THE ROADS, STREETS, AND ALLEYS WITHIN THE NEIGHBORHOOD.”

10. Prior to approval of a final plat, provide a street tree plan addressing the provision of street trees, street lights, driveways, and other intrusions into planting zones.
11. Construct a 10 foot wide multiuse path as currently designed or amended by the City along the eastern side of Buford Highway from the southern property line to the northern property line of subject property, or the developer may pay a fee in lieu of constructing said improvement. The amount of this fee shall be calculated by the design engineer working for the City of Suwanee using standard construction cost estimating methodology.
12. Southern Red Oak trees, or a comparable substitute, shall be planted within the landscape zone along Buford Highway on 40 foot centers. Said trees shall be a minimum of 3” caliper trees at the time of planting. If needed, a root barrier shall be planted for all trees adjacent to any sidewalk or hardscape. An arborist shall be consulted in order to maximize the health and growth of these trees. The Planning and Inspections Director shall review and approve the location and species of trees.
13. Overall landscaping shall be approved by the City of Suwanee Planning and Inspections Director.
14. Should traffic signalization be determined to be needed, signals shall be mast-arm style signals subject to the review and approval of Georgia Department of Transportation. Any signals installed to serve development of property shall be installed at the expense of the developer.
15. All utilities shall be located underground.
16. The developer shall provide a comprehensive signage plan prior to issuance of a Development Permit. Said signage plan shall minimally address sign standards for any ground signs, wall signs, directional signs, street signs, entrance monuments, and any on-site marketing signs for the project.

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 rezoning for the construction of townhomes and condominium flats would permit a use that is suitable in view of the surrounding single family, office, institutional and open space uses on 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 development is consistent with the recently adopted 2015 Downtown Suwanee Master Plan. The 2015 Downtown Suwanee Master Plan recommends townhomes, small lot single-family homes or cottages with a maximum height of 3 stories.

- 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 current concept plan for the proposed development shows development within the 100 year floodplain. If the property is to be developed as proposed, a “no-rise” certification and a conditional letter of map revision will be required prior to issuance of a development permit.

Letter of Intent

Rezoning application by Vanquish Property Partners LLC

City of Suwanee

373 Highway 23

Suwanee Ga 30024

Vanquish Property Partners, LLC submits for Rezoning an Application on behalf of the owners and assemblage of tracks as follows:

Track I R7212054 LL/ 210 7th district of Gwinnett County

Approximately 10 acres on US HWY 23

706 US HWY 23 Buford Highway, Suwanee Ga 30024

Owner: Clistie Mae Reed Family Trust

Track II R7210053/R7210095 LL/ 210 7th District

Approximately 15.7 Acres on US HWY 23

740 US HWY 23 Buford Highway

Owner: Miles J Williams & Karen Williams

This assemblage of two parcels on the East side of Buford Hwy just north of the McGinnis Ferry Road intersection, and is West of Suwanee creek and the Pathway trail. The property lies west of the Harden Park on White Street.

This applicant is requesting a zoning change from the current zoning of R-100 to (PMUD) a mixed use residential Zoning. The Applicant is proposing to construct a Single family Townhouse community (fee Simple) as shown on the plan submitted. With approximately 168 units single family units

The current Plans will feature a Fee simple two story family townhome and a stacked townhomes, both will feature front facades of Brick, stone, cement siding, with cement siding accents. We will have a pattern book which will describe in more detail the colors scheme of the units and the roof pitch and other material features. There will be ally feed units and or front loaded type homes. The Minimum square footage will range in the 950 to 1,850 square feet of living area. They will have Minimum of one car garages with minimum of one parking space per unit. There may be some units as live work units facing Buford Hwy. There we be required mandatory Homeowners association.

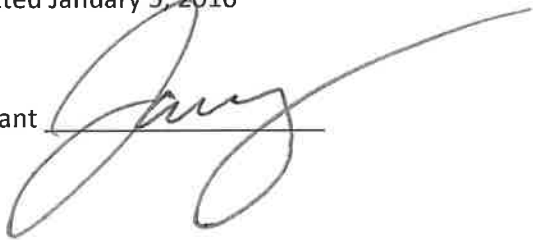
R2-2016-001

This development would fit into the 2030 comprehensive plan and the Downtown Suwanee Master plan and would add both residential value and community development to the area. In addition this site would enhance the plans of the Buford Hwy Improvement and Redevelopment project. This project would expand sewer access to the Western side of Buford Hwy and further the development for other parcels on that western side of the highway and to the North. The site would also combine with the City's walkway paths, bike paths, trails, along with the use/access to the parks and the walkability to City Town Center itself.

The applicant welcomes the opportunity to meet with staff of the City of Suwanee to answer any Question or concerns related to this project.

Submitted January 5, 2016

Applicant

A handwritten signature in black ink, appearing to be 'Gary', written over a horizontal line. The signature is fluid and cursive.

RZ-2016-001

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:
The proposed use is suitable and compliance to nearby properties. It is also suitable within the Downtown plan

- (B) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:
The zoning proposal will complement the existing use and increase the tax base on western side Buford Highway. This with the purposed Buford Hwy road improvement project form McGinnis Ferry to Town Center North will help in the stability.

- (C) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:
It has some economic use, however this plan will give a greater economic use and value.

- (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:
No The new development will improve the utilities, streets which will competent the New Buford Hwy Road improvement Project.

- (E) Whether the zoning proposal is in conformity with the policy and intent of the land use plan:
Yes It is in conformity with the land use plan of City Suwannee & the Downtown Master 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:
Our plan is consisted with other zoning decisions for Suwanee. The plan will blend into the Buford Highway improvement Project and walkability of the Town Center Pathway system usability and linking the parks and pathways to the area

CITY OF SUWANEE USE ONLY


Date Received: 1-5-16 Case No.: RZ-2016-001 Accepted By: 



Exhibit D

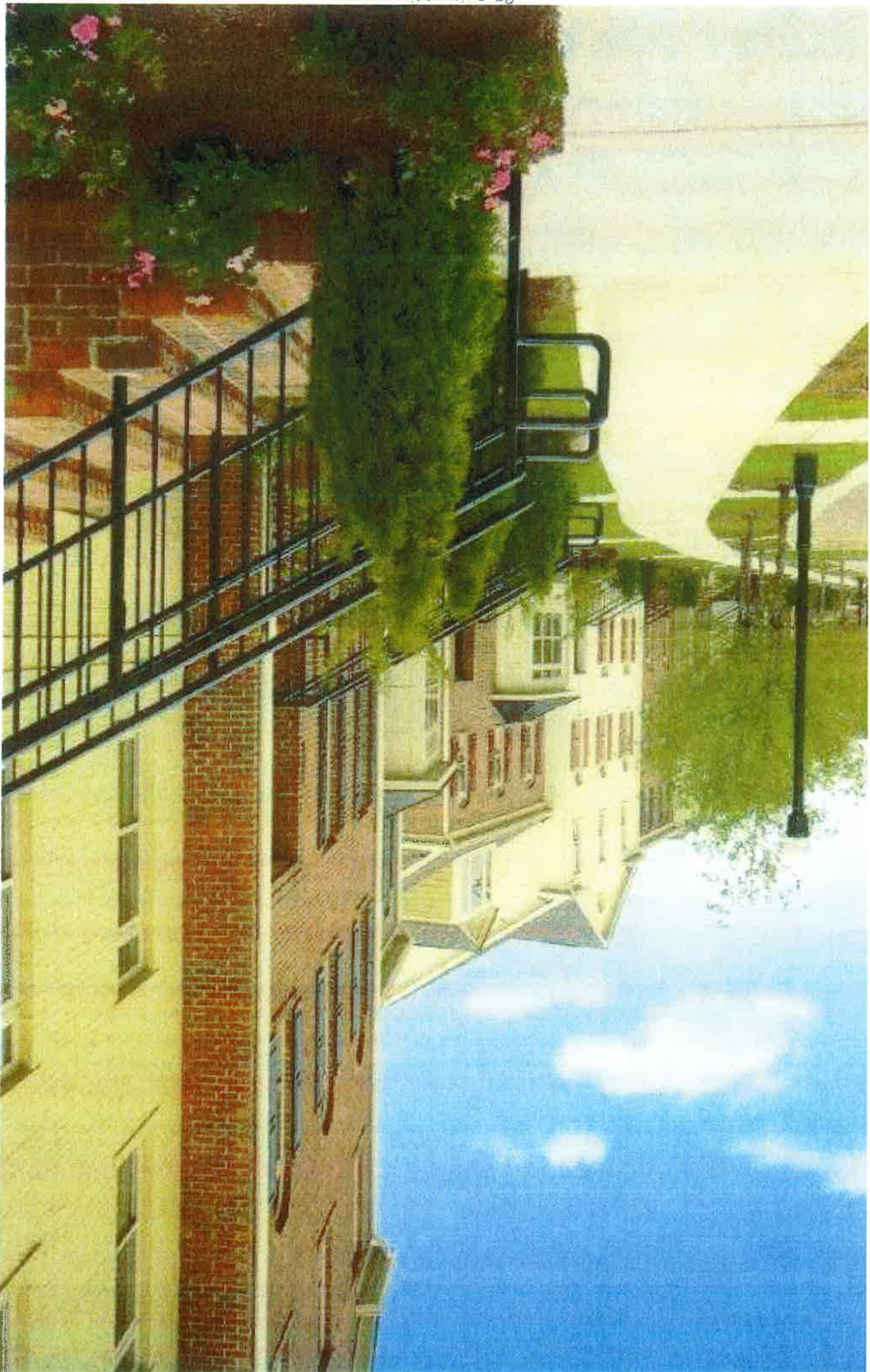
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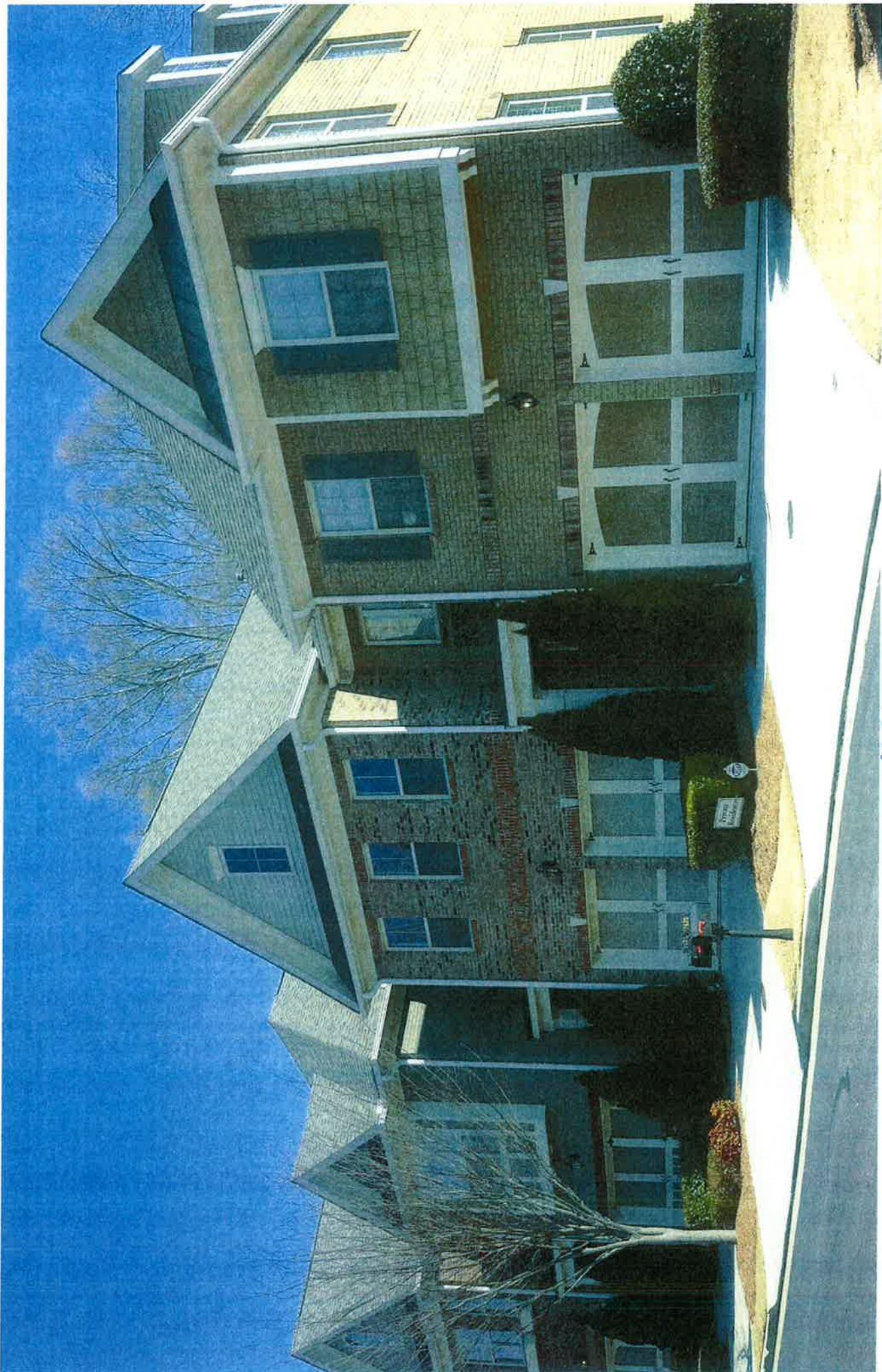


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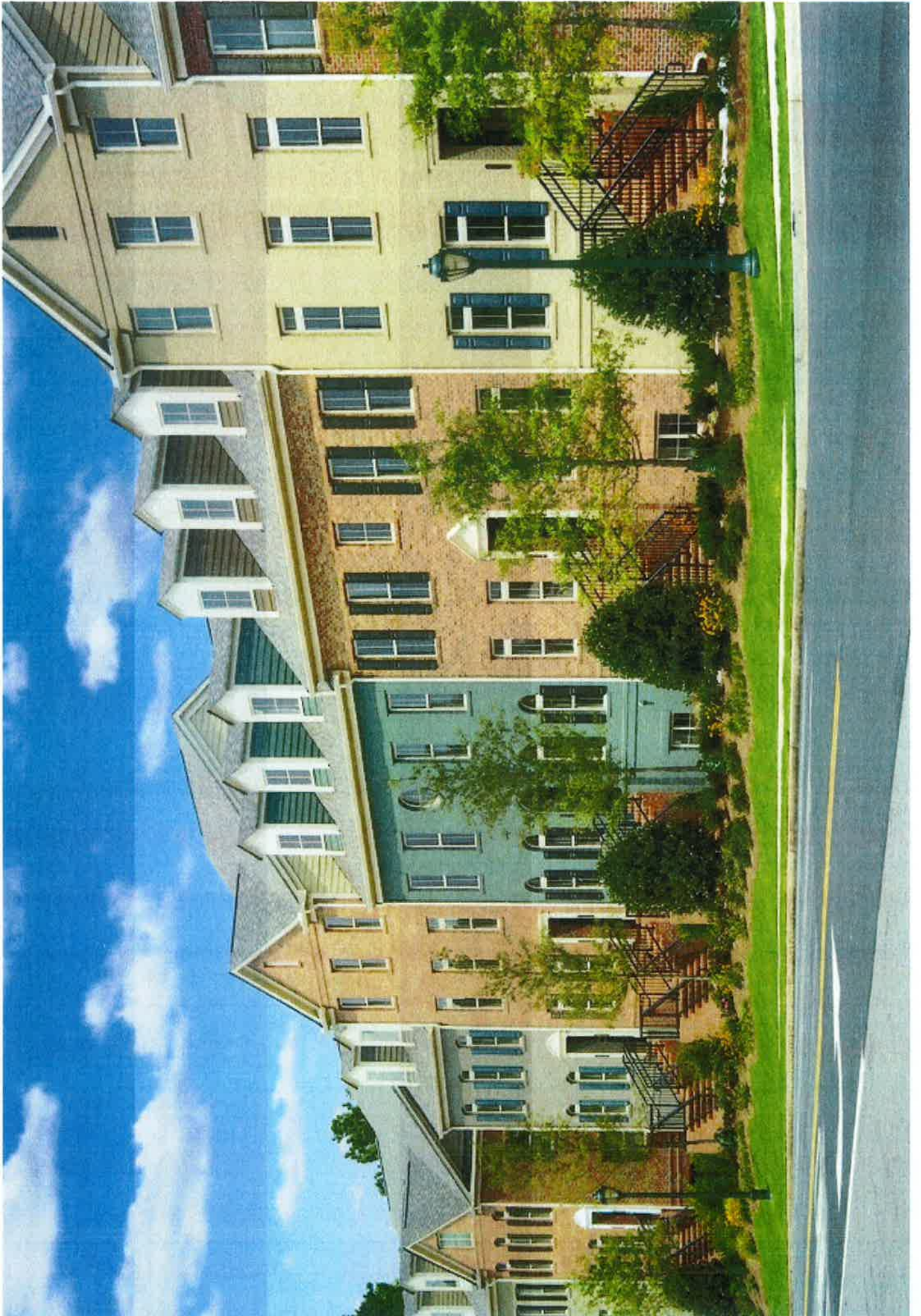
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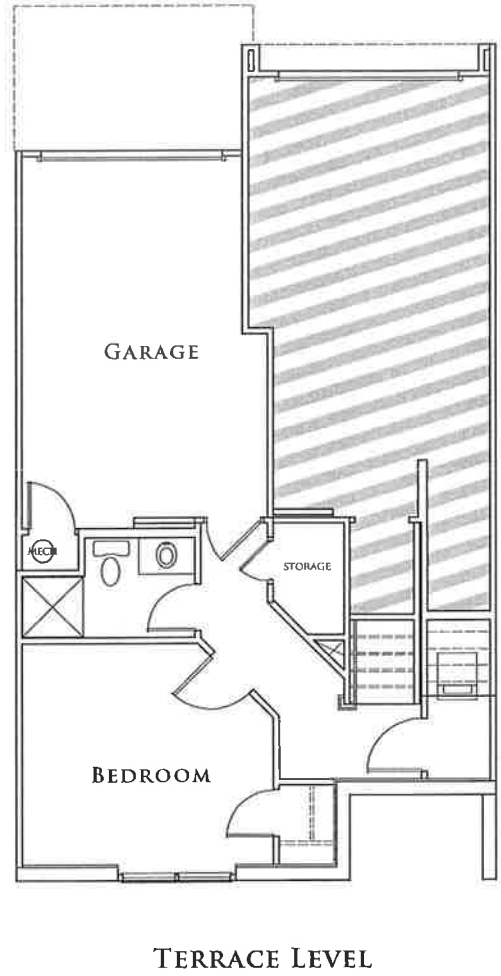
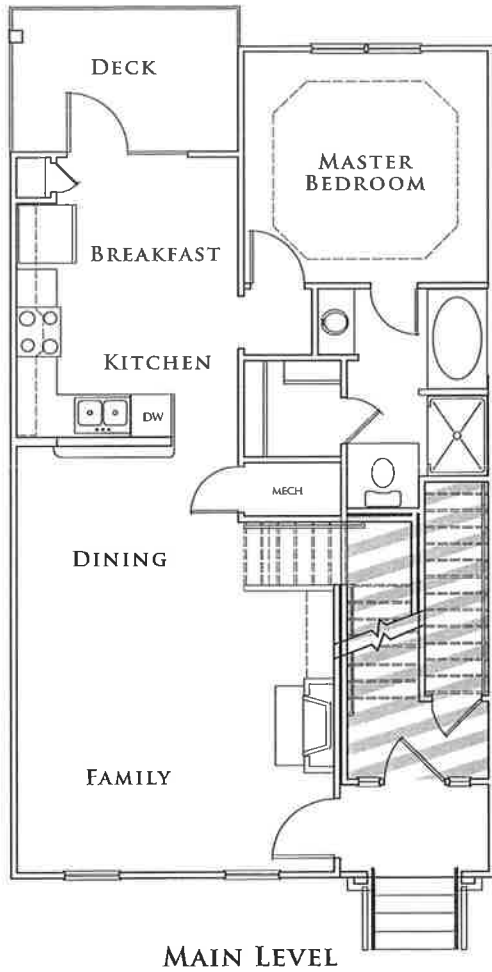



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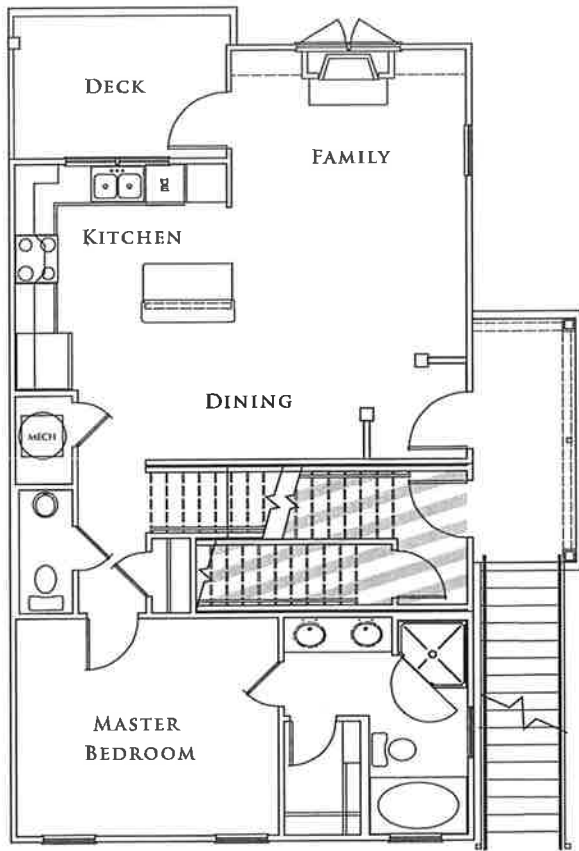
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THE ORMOND

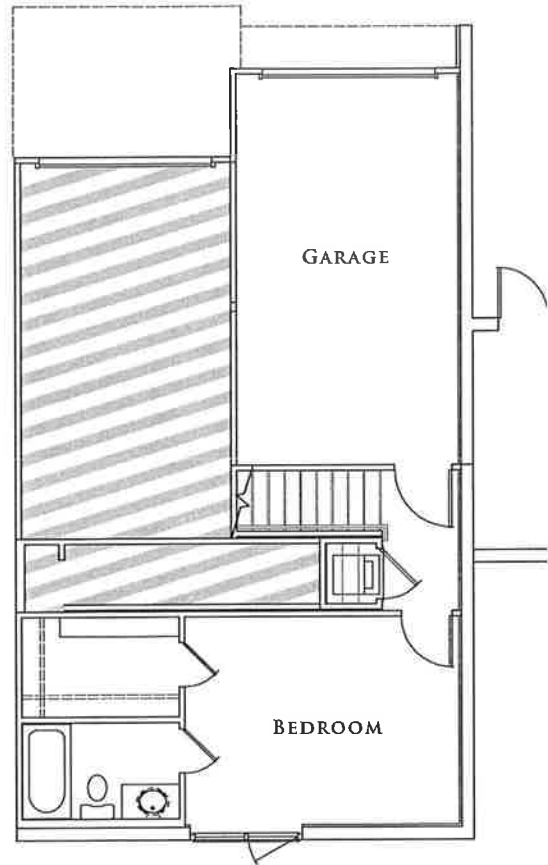


Area Not Included in Unit 

THE MEAD



MAIN LEVEL

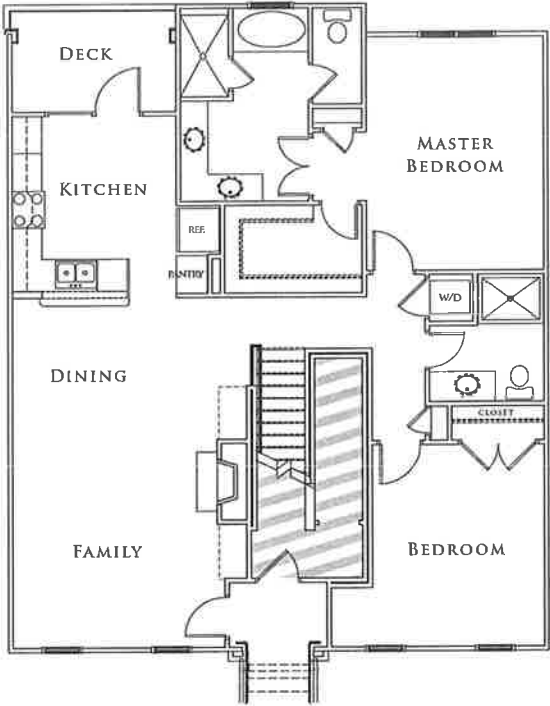


TERRACE LEVEL

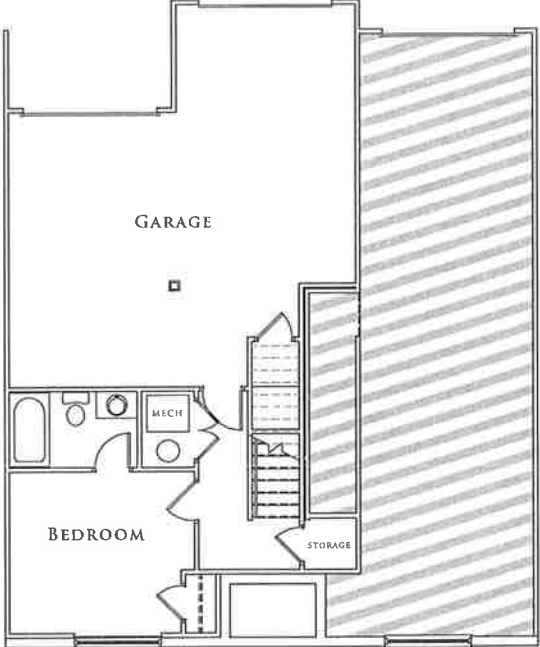
Area Not Included in Unit 

END UNIT

THE CARLTON



MAIN LEVEL



TERRACE LEVEL

Area Not Included in Unit 



Exhibit B RZ-2016-001

Legend

-  RZ-2016-001
-  Suwanee Creek
-  100 Year Flood Plain
-  Streets

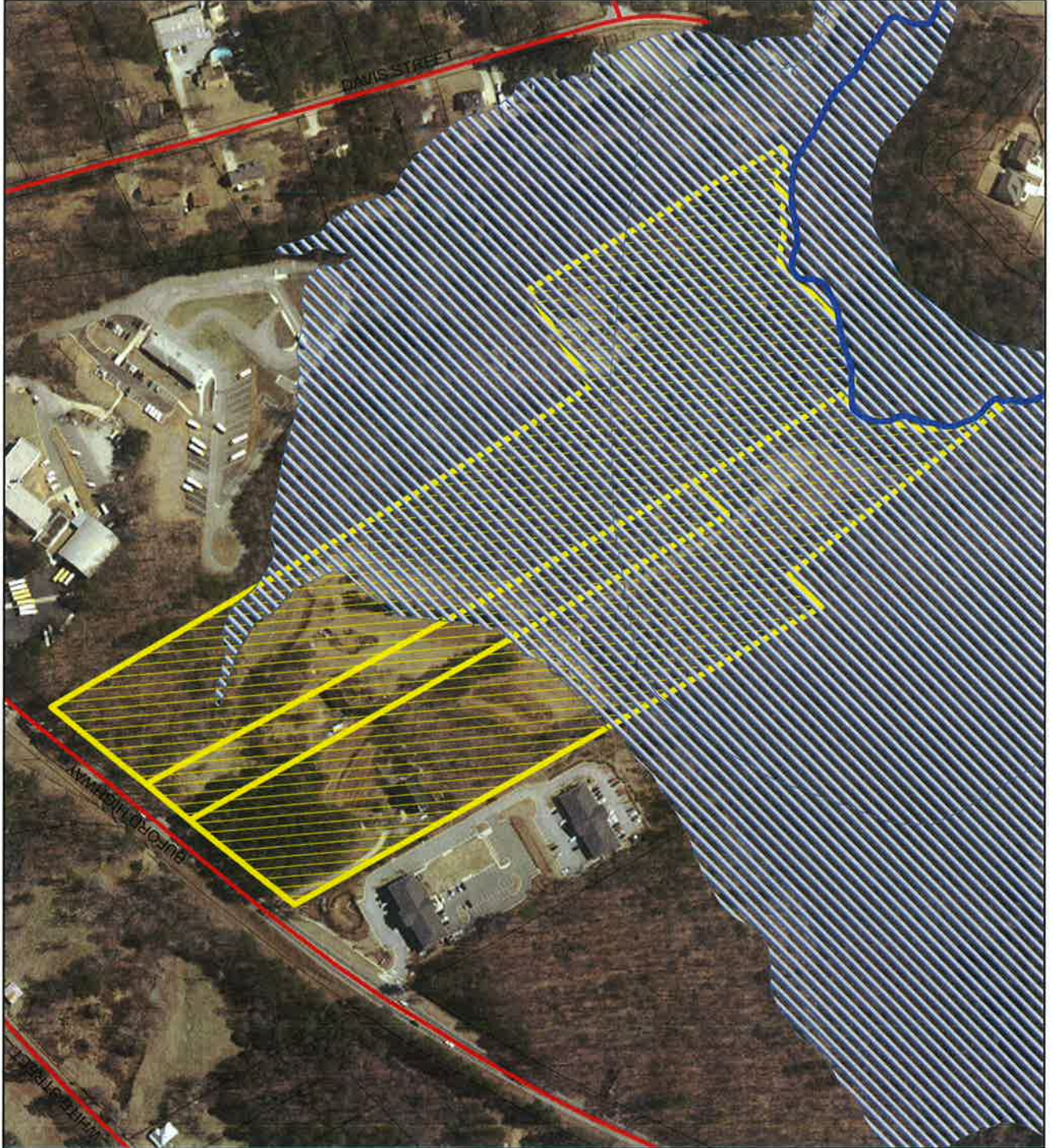
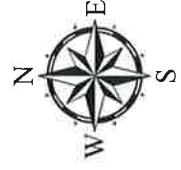


Exhibit C
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