RZ-2016-003

CITY OF SUWANEE REZONING ANALYSIS

CASE NUMBERS:

RZ-2016-003

REQUEST:

PMUD (PLANNED MIXED USE

DEVELOPMENT) TO PMUD (PLANNED MIXED USE DISTRICT CHANGE OF

CONDITIONS)

LOCATION:

SUWANEE STATION:

1365 STATION CENTER BOULEVARD

TAX ID NUMBER:

7-208-100

ACREAGE:

3.11 ACRES

PROPOSED DEVELOPMENT:

SINGLE FAMILY TOWNHOMES

APPLICANT:

KM HOMES, LLC

5780 WINDWARD PARKWAY, SUITE 200

ALPHARETTA, GEORGIA 30005

OWNER:

DRIVERS INSURANCE CO.

3613 NW 56TH STREET, SUITE 330

OKLAHOMA CITY, OKLAHOMA 73112

CONTACT:

J. ETHAN UNDERWOOD

PHONE: 770-781-4100

RECOMMENDATION:

APPROVAL WITH CONDITIONS

PROJECT DATA:

The applicant requests a change of conditions to allow for construction of 43 townhomes within Suwanee Station. The subject property consists of approximately 3.1 acres of undeveloped land currently zoned for up to 51,500 square feet of office development per the original Suwanee Station rezoning to PMUD (Planned Mixed Use Development) in 2000. The Suwanee Station PMUD rezoning conditions assigned specific uses and densities to each building site within the concept plan. The subject property includes building sites 7, 8, 9, 10 and 11 within Phase 8 of the original concept plan. The applicant requests a change of conditions to allow for development of residential townhomes instead of office on this property.

The subject property is located along the northwestern side of Station Center Boulevard at its intersection with Station Way. Proposed development includes 43 townhomes per the concept plan, Exhibit 'A'. These units would be a minimum of 1,800 square feet with a minimum lot width of 24 feet. The site density would be approximately 13.8 units per acre. A new alley off of Station Way will provide access to a 2 car garage for each unit. A second entrance to the development is proposed from Station Center Boulevard. There are 26 existing on-street parking spaces in front of the property. Driveways are proposed to be 22 feet long. Additionally 4 guest parking spaces would be provided in the interior of the development. A total of 116 spaces would be provided, not including available parking on the driveways. Two sidewalks will directly connect townhomes to the existing multi-use trail adjacent to the property. The development would also include a mail kiosk within the interior of the project.

Roughly half the proposed townhomes would sit near the sidewalk fronting Station Center Boulevard. These units would be 3 stories tall with rear loaded garages. The remaining units within the interior of the development would be 2 story, front loaded units with the rear of the units facing small parks with sidewalk connections to the existing multi-use trail. Four of these front loaded units, have the backs of the units facing Station Way.

ZONING HISTORY:

Suwanee Station was originally rezoned to PMUD (Planned Mixed Use Development) in May of 2000 in anticipation of a future commuter rail stop. In 1995, the Georgia Rail Passenger Authority identified six commuter rail lines that would radiate outward from Atlanta. Suwanee was identified as a potential stop along the Atlanta to Gainesville commuter rail line. More recently, the U.S. Department of Transportation (USDOT) identified a route from Atlanta to Charlotte as an intercity passenger rail corridor in the proposed Southeast High Speed Rail (SEHSR) network. A current study is being done by the Georgia Department of Transportation to determine the final route of this potential passenger rail line. Suwanee is a planned stop in 3 of the 6 routes under consideration.

The original Suwanee Station zoning conditions assigned specific uses and densities to each building site within the concept plan, requiring mixed-use or office uses for the tracts that are closest to the planned rail station including the subject property.

In 2003, the project went through the zoning process again. This rezoning, RZ-2003-003, was to amend a condition related to the location of a trail. Other portions of the Suwanee Station project have been the subject of rezoning. In 2010, RZ-2010-001 rezoned the property along

Park Pass Way to allow for the construction of 43 townhomes without simultaneously building commercial and office space required by the original conditions of zoning. RZ-2014-004 was a change of conditions to existing PMUD zoning to allow a change in the locations of access to a multifamily project from the original concept plan for Suwanee Station. The most recent rezonings, RZ-2015-002, RZ-2015-003, and RZ-2015-004, were for three tracts along Station Center Boulevard originally zoned for mixed-use. Each of these three cases was for a change of conditions to allow for development of residential townhomes without providing commercial or office space originally required by conditions of zoning of the original Suwanee Station rezoning to PMUD.

DEVELOPMENT COMMENTS:

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

If approved, the City will formally review the project during the normal development process.

When the subject property is developed it may use the existing detention facilities, but the project will need to demonstrate compliance with all of the current storm water requirements for the City.

Suwanee Station was approved with a condition that requires the approval of plan books by the Planning Department for all phases of development. A development permit will not be issued by the City until a plan book including proposed site plans, building elevations, building materials and colors, illustrations of public spaces, and other relevant information is approved.

ANALYSIS:

The original concept plan for the subject property shows 5 two story office buildings along Station Center Boulevard with a parking lot behind the buildings between the building and the multi-use trail. The current zoning allows up to 51,500 square feet of office, but does not allow residential; therefore, a change of conditions for the Suwanee Station PMUD is required to allow for the 43 townhomes the applicant has proposed.

The land was cleared and graded years ago as part of the first phase of development. Some vegetation has grown back in recent years. There are no environmental issues, creeks, floodplain or wetlands that should inhibit development of property; therefore, the property can support the proposed development.

The subject property is bound by Station Center Boulevard to the south and east, the Suwanee Station multi-use trail to the east, and Station Way to the north. The property sits directly across from City owned property that is reserved for future mixed-use development around a future transit station.

The subject property is part of the Station Center District, which is yet to be developed with the exception of the Suwanee Station community center. This district is zoned for mid-rise, mixed-use commercial and office and a future rail station. Similar to this request, the property to the

northeast of the subject property across Station Way was recently rezoned by a change of conditions to the original PMUD to allow for townhomes instead of commercial and office uses. That project, which includes 17 townhomes, is currently under development review by the City and expected to be under construction later this year. There are both existing and planned townhomes on the other side of the multi-use trail from the subject property as well; therefore, the proposed use is consistent with existing nearby uses. Furthermore, since the remainder of the land on the north side of Station Center Boulevard is now solely composed of residential uses, office uses on the subject property may no longer be appropriate.

In 2000, in an effort to plan for a potential commuter rail line, the city identified the Suwanee Station character area as an appropriate location for a rail stop within the City. Suwanee Station was rezoned to PMUD (Planned Mixed-Use District) to allow for a denser, mixed-use development that could support a future rail stop. The Comprehensive Plan identifies a need to provide housing to meet Suwanee's growing population and recommends focusing development in mixed-use centers that can accommodate greater densities. Suwanee Station is one of these targeted mixed-use centers. The Comprehensive Plan states that increasing densities should correspond with transportation strategies. Since Suwanee Station is a potential commuter rail stop, it is appropriate to add medium density housing units on the subject property, which is within a quarter-mile walking distance of the future station.

The proposed concept plan does not follow the Land Use Plan because it proposes residential instead of office. The Land Use Plan calls for "Mixed-Use Center" land uses on the subject property, which include a mixture of medium density residential, office and commercial. However, the potential for Suwanee Station to become a mixed-use, urban center as envisioned in the Comprehensive Plan will not be compromised by eliminating the requirement for office on this tract because enough land area still remains to build out future demand for such uses. Suwanee Station was envisioned over 15 years ago in anticipation of a future rail station. While the vision of Suwanee Station as a future mixed-use, TOD (transit oriented development) has not changed, there will not likely be a market for mixed-use development in this location until a rail station is actually operating. The City owns the remaining undeveloped land within Suwanee Station adjacent to the location of the planned rail stop within Suwanee Station, so the City will be able to insure that the core of the neighborhood is developed with appropriate density and mix of uses for a successful TOD (transit oriented development) when a transportation component is implemented.

While the proposed project deviates from the expected building type in current zoning conditions, the applicant's project could still help achieve the goals of the Comprehensive Plan. The intent of the residential component of the Suwanee Station mixed-use center is to focus residential density near the proposed rail station to encourage ridership and attract commercial to the core planned for the neighborhood for the purpose of creating an active, mixed-use center typical of TOD (transit oriented development). Suwanee Station was originally 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. Since 2000, 112 single family detached homes, 277 townhomes, and 560 multi-family units have been constructed, but only one 2 story mixed-use office/commercial building has been built. At this point, there are no single family attached and detached residential tracts of the project left to build on. The subject property is the last remaining undeveloped parcel other than the City owned property reserved for the mixed-use

station area. The City included certain conditions in the original zoning to ensure non-residential uses would be a component of the project and constructed concurrently. The current request would allow the overall Suwanee Station project to further defer including a non-residential component until there is a station.

In addition to adding needed housing units, the proposed development will also help implement the vision of the Suwanee Station neighborhood plan. The proposed townhomes will sit close to the sidewalk and continue the pedestrian friendly, stoop lined streetscape of Station Center Boulevard. The four front loaded units that face Station Way in the concept plan should be replaced by 3 story, rear loaded units to create the same pedestrian friendly environment along Station Way. The proposed project will also improve the aesthetics along the multi-use trail by creating townhomes and small pocket parks along the trail in place of the surface parking lot proposed by the original Suwanee Station concept plan.

In conclusion, the requested change in conditions is appropriate. The addition of 43 townhome units is consistent with surrounding development and will positively contribute to the pedestrian environment. Furthermore, the construction of housing units will support the attraction of future rail and commercial development to Suwanee Station, which is consistent with the Comprehensive Plan. Finally, the potential for Suwanee Station to become a mixed-use, urban center as envisioned in the Comprehensive Plan will not be compromised by eliminating the requirement for office on the subject property since enough land area still remains to build out future demand for such uses. As such, the Planning Department recommends **APPROVAL WITH CONDITIONS** of **RZ-2016-003**.

Recommended Conditions

RZ-2016-003

- 1. All conditions from prior rezonings shall remain in effect except as otherwise noted below.
- 2. A maximum 43 townhomes shall be allowed and no commercial, office or mixed-use development shall be required. The portion of Phase VIII noted as buildings 7, 8, 9, 10 and 11 shall allow a maximum of 43 townhomes and shall not require any commercial or office development.

Site design shall be substantially similar to Exhibit 'A' including two interior pocket parks with the following alterations:

- a) Eliminate or relocate the curb cut onto Station Center Boulevard to allow for the creation of a pocket park at the southern end of the property between the existing multi-use trail adjacent to the property and Station Center Boulevard.
- b) Frame the interior edge of the public pocket park with a hedge row to make a clear distinction between private property and the public pocket park. The design of any pocket park on the property shall be reviewed by the Planning and Inspections Director. No development permit shall be issued until the design of the parks is approved.
- c) Turn buildings 1, 2, 3 and 4 to face the pocket park at the southern end of the property.
- 3. Provide two interior sidewalks connections as shown in Exhibit 'A' connecting interior green space parks to the existing multi-use trail adjacent to the property.
- 4. Provide a 5 foot wide sidewalk and 5 foot wide planting zone along Station Way. Plant street trees at 40 feet on center. Trees planted to satisfy this requirement shall be consistent with existing street trees on Station Way. Trees shall have a minimum caliper of 3 inches. A root barrier shall be planted with all trees adjacent to sidewalk.
- 5. Development Standards:
 - a) Minimum unit size shall be 1,800 square feet.
 - b) Townhomes shall be located on fee simple lots with a minimum width of 24 feet.
 - c) Townhomes will have a front yard setback of 5 feet from the right-of-way. Stoops, steps and landscaping may be located within this setback.
 - d) Minimum distance between buildings shall be 20 feet.
 - e) Driveways shall be a minimum of 22 feet long.
 - f) Maximum building height shall be 3 stories for buildings facing a public street and 2 stories for units that do not face a public street.
 - g) All units along a public street shall be rear loaded and face the public street.
- 6. Buildings shall use high quality materials, including brick and/or stone on at least the front and sides of buildings and windows with simulated divided lites. Siding shall be limited to rear elevations and must be fiber cement siding. Each townhome shall have a covered front stoop at the entrance elevated a minimum of 18" and a maximum of 6 feet

above the grade of the sidewalk in front of the townhome. Wood or fiber cement materials may be used as trim or on porches/stoops. Railing materials may be wrought iron, wood or steel. The City of Suwanee Planning and Inspections Director shall have final approval for all architecture prior to the issuance of a development permit. The architecture and location of the mail kiosk will be a part of this review.

- 7. Landscaping shall be approved by the City of Suwanee Planning and Inspections Director.
- 8. Provide active tree protection fencing around all street trees. No equipment may be stored on or cross landscape strips except as expressly approved by the Planning Department.
- 9. No portion of a building on the subject property shall be constructed within a transitional height plane starting at the property line of the townhomes on the other side of the multiuse trail to a height of 35 feet and then extending 30 feet horizontally and then upward at a 45-degree angle.

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 change of conditions of zoning for the construction of townhomes would permit a use that is suitable in view of the surrounding townhome 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 City's Comprehensive Plan recommends office uses for the subject property based on the current zoning conditions for the Suwanee Station Mixed-Use Development. The proposed concept plan does not follow the Land Use Plan for office development on the subject property, however residential development instead of office on this tract will not compromise the integrity of the Comprehensive 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;

The subject property is part of a planned mixed-use development. After over 15 years, a substantial portion of the project still remains to be developed including all of the property zoned for mixed-use residential, office or commercial buildings. The potential for Suwanee Station to become a mixed-use urban center as envisioned in the Comprehensive Plan will not be compromised by eliminating the requirements for office on these tracts because enough land area

still remains to build out future demand for such uses. Additionally, building residential units, as proposed by this request, will support future commuter rail planned for this location.

REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIA APPLICANT INFORMATION*	OWNER INFORMATION*
WM II amos II C	NAME: Drivers Insurance Co.
NAME: KWI Flories, ELC ADDRESS: 5780 Windward Parkway	NAME: Dr. Vest Insurance Co.
Suite 200	ADDRESS: 36/3 NW 56+h St. Snite 330 Oklahoma City, OK 73/12
Alpharetta, GA 30005	041 / C.+. 0K 22112
PHONE: 770-781-4100	PHONE:
Miles Hansford & Tallant, LL CONTACT PERSON: - J. Ethan Underwood — C	CONTACT PHONE: 770-781-4100
EMAIL ADDRESS: eunderwood@mhtlegal.com	FAX NUMBER: 770-781-9191
PROPERTY	Y INFORMATION
PRESENT ZONING DISTRICT(S): MPUD	REQUESTED ZONING DISTRICT MPUD
PROPOSED DEVELOPMENT: Townhome Pod in	Master Planned Unit Development
TAX PARCELNUMBER(S): R7208 100	
ADDRESS OFPROPERTY: 1375 Station Center I	Boulevard, Suwanee, GA 30024
TOTAL ACREAGE: 3,11 PUBLIC ROADW	VAY ACCESS: Station Center Boulevard
FOR RESIDENTIAL DEVELOPMENT:	FOR NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: 43	NO, OF BUILDINGS/UNITS;
DWELLING UNIT SIZE (SQ. FT.): min. 1800	TOTAL GROSS SQUARE FEET:
= 1.1.1	TIFICATIONS
I hereby certify that the above and attached information 2004 po reamplication on the same land which has been	is true and correct. I am also aware that pursuant to Section denied by the City Council shall be acted upon within 12
months from the date of last action unless said time peri	iod is waived by the Council. In no case shall a reapplication be 📗
acted upon in less than 6 months from the date of last ac	ction by the Council. I am also aware that pursuant to Section hich may be attached to the property shall be binding on the
property and all subsequent owners.	
1/10 5/5/16	Trest Driver's Insurance Company
Significant Date STRAU 5551C	Signary of Owner Date 5/2/1
Date SI	Pring Many Date Date Date
Usenata Well Notices Date	Signature of Notary ANDREA DOLAN Notary Public, State of Oklahoma
If Additional Applicant or Owner Information is Needed Plea	ise Complete Additional Application Form(sCommission # 07002750
Date If Adding and Applicant or Owner Information is Needed Plea Property City Of St. Case 1	***********
ARY PUMINING Proping 5 1011 () CITY OF SE	NO. Z - 2016-003 Accepted By
Date Received 1414 Case	The control of the co



Ethan Underwood eunderwood@mhtlegal.com

LETTER OF INTENT FOR LAND USE APPLICATION

Re:

Applicant:

KM Homes, LLC

Subject Property:

3.11 Acres Designated as Gwinnett County Tax Parcel(s):

R7208 100 (Suwanee Station, Block G, Lot 1)

Current Zoning:

PMUD

Proposed Zoning:

PMUD

Proposed Use:

Townhomes (Single Family, Attached Residential)

ROW Access:

Station Center Boulevard

This statement is intended to comply with the application procedures established by The City of Suwanee, GA for submittal of applications for land use approval as required by the City of Suwanee Zoning Ordinance (the "Zoning Ordinance"), City of Suwanee Rezoning Application Requirements, and other City of Suwanee Ordinances and Standards and is intended to serve as the letter of intent required by the Zoning Ordinance and to reserve all constitutional and statutory protections available to the Applicant. The Applicant has filed a timely application, has provided all required information and has submitted the appropriate application fees. The application meets all judicial and statutory requirements for approval.

The Applicant asserts the statements contained in the application package submitted herewith, incorporated herein by reference, and as may be amended (the "Application") describing justification for the requested zoning and for any request of variances, in any, as if such were fully stated herein. The Applicant incorporates all statements made in the Rezoning Application submitted concurrently herewith as its letter of intent required by the City of Suwanee.

The Applicant seeks to develop a pod of townhomes on the Subject Property, which is located within the Suwanee Station master planned district. To accomplish this, the Application requests that the Subject Property be zoned to allow the construction of no more than 43 townhomes, using the following performance standards:

Minimum Heated Sq. Ft.:

Maximum Units in a Block:

Minimum Setback from ROW and Alleys:

Minimum Side Setback:

Minimum Building Separation between Blocks:

Minimum Rear Setback:

Maximum Height:

1800 sf
6 units
6 units
7 ft.
7 ft.
8 ft.
9 ft.
3 stories

RZ-2016.003



Page 2 of 2 May 5, 2016

The Subject Property is located in the Suwanee Station Character Area of the Suwanee 2030 Comprehensive Plan. The subject property is intended for mixed-use in the Comprehensive Plan. The Subject Property is currently master planned for a vertical mixed-use development, including residential over office/retail; however, this use has never come to fruition, and the Subject Property is currently in receivership. This lack of development and default on the property are evidence the property has no viable use as currently zoned.

The Subject Property is bounded to the north by a multi-use recreational trail, and to the southeast by Station Center Boulevard, which is separated from rail lines by a small area of undeveloped land. This undeveloped land may be developed to facilitate a commuter rail system. As such, a townhome residential development is an appropriate use between these corridors and provides a residential living opportunity with pedestrian access to the commercial and office uses in Suwanee Station.

The Applicant respectfully requests that the Application, as requested by the Applicant, be approved. The Applicant also reserves the right to amend this statement and the Application by supplementing further responses and documents.

Sincerely,

Ethan Underwood

Ethan Underwood

RZ. 2016.003

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:

9	with surrounding uses.
	Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:
	The proposed use will not negatively affect the use or value of surrounding properties, in that the surrounding properties are similar to the use proposed.
	Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:
	No, the current zoning classification of the subject property has been unused for a substantial time, and
	has been placed in a receivership. The subject property would have a reasonable economic use if zoned
	allow single-family, attached residential in this area.
	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:
	Assuming each of the 43 proposed homes will facilitate 2.5 persons per household, the population incre
	is anticipated to be a total 108 persons, which would be phased in over an anticipated 2-year period. Tra
	impacts will be in keeping with current infrustructure improvements and will not cause an excessive or
	hurdensome use.
	Whether the zoning proposal is in conformity with the policy and intent of the land use plan: The proposed use is consistent with the Suwanee Comprehensive Plan and the Future Development Ma
	that the property is located within an existing MPUD and will complement the intent of that master planned development.
	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 developing trend in this area of the City and within the master planned development supports
	development of the subject property as Townhome Residential use.

Exhibit A 80-9102-27

LAND LOT OF THE DISTRICT
GWINNETT COUNTY) SUVANUEE, GEORGIA
ACTION STATEMENTO
THE STATEMENT OF THE STATEMENT

400 Per 25

 \mathcal{S}

SOMMANEE STATION NOMING PLAN FOR:

Contact: Chuck Abboit P.E., Contact No: 770-815-7160 Chuck@sbbollconcepts.com 3469 Lawrenceville hwy... Tucker, Ga 30084 зи саямаяна тобфА CIAIT ENGINEERING - BEVANING - BEKALLLING

Concepts

BABLES WHISTOR GLARILES M ABBOTT JR, P E II CERTIFICATION DESIGN ENGINEER LEVEL

astrall@kmhomes.com

OWNER/DEVELOPER: KM homes 5780 Windward Pkwy Alpharetta, Ga 30005 24 hr. contact: Doug Strall 648-758-5533 648-758-5533

Design, Inc.

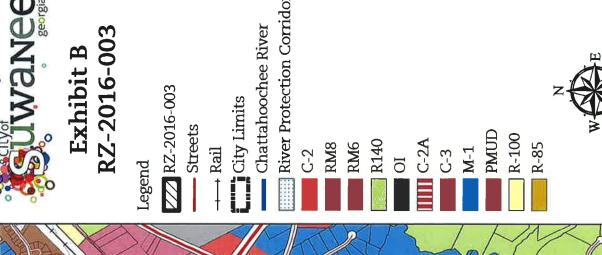
North

THONT OF UNITS

1230

2,500 Feet

625 1,250





Legend

MZ-2016-003

Recently Rezoned Townhomes City-owned Property

Streets

→ Rail



390 195

Martin and a state of the state