

REZONING(S):

RZ-2017-007

**CITY OF SUWANEE
REZONING ANALYSIS**

CASE NUMBERS: **RZ-2017-007**
REQUEST: C-2A (SPECIAL COMMERCIAL DISTRICT)
AND M-1 (LIGHT INDUSTRIAL DISTRICT) TO
PMUD (PLANNED MIXED USE
DEVELOPMENT)

LOCATION: PEACHTREE INDUSTRIAL BOULEVARD
SOUTH OF MCGINNIS FERRY ROAD

TAX ID NUMBER: 7-239-201

ACREAGE: 16.3 ACRES

PROPOSED DEVELOPMENT: SINGLE FAMILY ATTACHED

APPLICANT: LENNAR GEORGIA, LLC
1000 HOLCOMB WOODS PARKWAY
ROSWELL, GEORGIA 30075

OWNER: NOBLE CORNER, LP
4300 PACES FERRY ROAD, SUITE 363
ATLANTA, GEORGIA 30339

CONTACT: JIM BOWERSOX
PHONE: 404-597-5973

RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests a rezoning from C-2A (Special Commercial District) and M-1 (Light Industrial District) to PMUD (Planned Mixed Use Development) to allow for construction of 92 townhomes as an extension of the Suwanee Walk neighborhood.

The subject property is located along the eastern side of Peachtree Industrial Boulevard between two existing commercial shopping centers, the Shoppes at Suwanee and the Plaza at Suwanee Station. The applicant is currently developing Phase I of Suwanee walk on a piece of property at the back of the Shoppes at Suwanee. This property was rezoned to PMUD (Planned Mixed Use Development) in 2016 for a 97-unit townhome community. Suwanee Walk is served by a private road that it shares with the Shoppes at Suwanee shopping center and several retail outparcels. The private road provides access for the neighborhood from both Peachtree Industrial Boulevard and McGinnis Ferry Road.

The concept plan submitted by the applicant proposes an extension of the Suwanee Walk neighborhood onto adjacent vacant land to the south via an extension of the private road (named Suwanee Walk) south of the existing roundabout. This would be the only vehicular access point to this portion of the neighborhood. No additional direct access is proposed to Peachtree Industrial Boulevard.

The proposed second phase of the Suwanee Walk neighborhood would include 92 single family attached units on the approximately 16.3-acre property. The two phases of Suwanee Walk would be part of the same neighborhood and would share the amenity area being built in phase I that includes a pool and cabana building. The proposed development would have its own on-site, full detention pond separate from the pond used for phase I of Suwanee Walk and would detain stormwater on the subject property.

The homes would have the same architecture as the units that are being built in phase I. Buildings would have front and side facades of primarily brick with cement siding accents. New units would be a minimum of 24 feet wide and 2,000 square feet. All units would have a front stoop and corner units throughout the development would have wrap around porches. Unlike the first phase, the majority of units in phase 2 would be front-loaded with the exception of units in close proximity to Peachtree Industrial Boulevard, which will face Peachtree Industrial Boulevard and have rear loaded garages accessed by an alley. In addition to providing a two-car garage for each unit, the proposed development would include approximately 20 parallel spaces delineated with bulb-outs and 12 ninety-degree parking spaces for guest parking dispersed throughout phase II.

The proposed development includes a series of open spaces and 10.6 acres of preserved natural areas. The project would extend a new road from the existing roundabout in phase I, where the applicant proposes to create a piece of public art in the roundabout. The new road would be designed as a parkway with a pedestrian trail along one side of the road opposite a City-owned preserved natural area. The City owned land is preserved as undisturbed open space as a result of a requirement of the Metropolitan River Protection Act. The development would require an easement from the City order to connect as proposed. Within phase II, there would be 3 open space courtyards connected to a pedestrian network of sidewalks connecting the units in phase II to the open spaces, phase I amenities, and adjacent commercial. A pedestrian connection would

also be provided from phase II directly to sidewalks along Peachtree Industrial Boulevard. All proposed new roads would be 24 feet wide.

The 12 rear-loaded units that face Peachtree Industrial Boulevard at the northern tip of the site would be the most visible portion of the development from Peachtree Industrial Boulevard. The remainder of the Peachtree Industrial Boulevard frontage would be preserved natural areas because it is part of the Metropolitan River Protection Corridor (MRPC) and also contains streams and wetlands.

DEVELOPMENT COMMENTS:

The subject property is approximately 16.3 acres, much of which is encumbered by environmental challenges. A large portion of the subject property is within the Metropolitan River Protection Corridor (MRPC). The MRPC is a 2,000-foot-wide corridor adjacent to the Chattahoochee River. The MRPC was created by the Metropolitan River Protection Act to protect the Chattahoochee River from pollution mainly due to sedimentation and erosion. Within the MRPC disturbance of land and the addition of impervious surfaces are minimized. The applicant plans to minimize impervious surface as much as possible and minimize land disturbance within the subject property. If approved, the project will have to go through the Atlanta Regional Commission's review process for the Metropolitan River Protection Corridor prior to issuance of a development permit from the City.

The developer would have to obtain an access easement from the City of Suwanee to extend Suwanee Walk (the private road) through the City property to access the subject property. In 1995, the Atlanta Regional Commission reviewed the McGinnis Crossing shopping center plans and determined that a certain amount of the total property could not be developed or graded in order to comply with the MRPC. The 6.3 acre property adjacent to the subject parcel between the property and the McGinnis Crossing shopping center is the land that was set aside to be preserved in its natural state based on the Atlanta Regional Commission's determination. This parcel could not be developed, so it was donated to the City to be held as open space. The applicant plans to access the subject property by extending the Suwanee Walk road through the City property to connect this second phase of the neighborhood to the first phase. This would require an access easement to be granted by the City.

ANALYSIS:

The applicant requests a rezoning from C-2A (Special Commercial District) and M-1 (Light Industrial District) to PMUD (Planned Mixed Use Development) to expand the Suwanee Walk PMUD to include the subject property for the construction of 92 townhomes in a second phase of the Suwanee Walk neighborhood. The Suwanee Walk neighborhood is adjacent to and shares common driveways and detention facilities with the Shoppes at Suwanee shopping center at the corner of McGinnis Ferry Road and Peachtree Industrial Boulevard and will function as a horizontal mixed-use center including office, restaurant, retail and residential uses.

The subject property is currently undeveloped and wooded. A large portion of the subject property contains wetlands, floodplain and a stream. Additionally, a large portion of the subject property is within the Metropolitan River Protection Corridor (MRPC). The MRPC is a 2,000 foot wide corridor adjacent to the Chattahoochee River. The MRPC was created by the

Metropolitan River Protection Act to protect the Chattahoochee River from pollution mainly due to sedimentation and erosion. Impervious surfaces within developments are limited within the MRPC. A residential use would have less impervious surface and impact on the nearby wetlands than a surface parking lot that would be required by any new commercial. With almost two-thirds of the property in open space, the property should be able to accommodate the proposed development.

The subject property is located along the highly commercialized Peachtree Industrial Boulevard corridor. To the north of the subject property is a shopping center, the Shoppes at Suwanee, zoned C-3 (Special Commercial District) and an undeveloped Tract that belongs to the City. Phase I of the Suwanee Walk PMUD (Planned Mixed Use Development) neighborhood, is also adjacent to the property to the north and is currently under construction. To the south of the subject property is another shopping center, the Plaza at Suwanee Station, which is zoned C-2A (Special Commercial District). The property to the southeast of the subject property is zoned C-2A, but it is mostly covered by floodplain and a powerline easement. To the east of subject property are apartments zoned RM-8 (Residential Multi-Family) located on the other side the floodplain and powerlines. The Chattahoochee Run single family neighborhood, which is zoned a combination of R-75 and R-100, is located across Peachtree Industrial Boulevard, to the west of the subject property.

The proposed townhomes would be less intense than nearby apartments and commercial shopping centers, but the use would be complimentary to adjacent commercial, which includes medical office, allowing those that live in the proposed development to walk to shops and services. The existing Shoppes at Suwanee shopping center is anchored by Walgreens and Bank of America on the outparcels along Peachtree Industrial Boulevard. The rear portion of the center closest to the Suwanee Walk neighborhood has several medical offices, two restaurants, and a hair salon within the multi-tenant commercial building. This building currently has several vacant retail and restaurant spaces. The proposed townhomes of the Suwanee Walk neighborhood will transform the existing shopping center into a mixed-use environment with good pedestrian connectivity where residents will be within walking distance of existing and future shops and restaurants. Building single family attached units on the subject property will make existing and future shops and restaurants more viable and add 24-hour activity to the existing shopping center.

The concept plan proposes to concentrate development on buildable land, preserve existing wetlands, and minimize overall impervious surfaces due to the site constraints. As a result, most of the units in phase II of Suwanee Walk would be front loaded to avoid the additional impervious surface needed for alleys to serve rear-loaded units. The front-loaded townhomes in phase II would be at the rear of the overall Suwanee Walk neighborhood; therefore, they would not negatively impact the public pedestrian environment. Furthermore, the overall mix of front and rear loaded homes for both phases would still be predominantly rear-loaded. Similarly, sidewalks would be kept to a minimum while still providing a connective pedestrian system throughout the entire neighborhood. This pedestrian connectivity should be extended to connect to the Plaza at Suwanee Station shopping center to add to the vitality of that commercial node as well and also to connect to the potential future commuter rail in Suwanee Station. This site is the last undeveloped piece within this sector of the City, so completing this section of the pedestrian system is important.

The Future Land Use Plan calls for commercial and retail land uses on the subject property to support the vision of the 2030 Comprehensive Plan of Peachtree Industrial Boulevard as Suwanee's retail spine. Since the 2030 Plan was completed nearly 10 years ago, the two existing shopping centers that bookend the property were built with a large amount of commercial development, some of which is still unleased. Adding residential into the mix of uses by rezoning this currently C-2A and M-1 property to PMUD would add needed vitality to the surrounding centers that would be within walking distance of the Suwanee Walk neighborhood. The Comprehensive Plan states that the Peachtree Industrial Boulevard corridor "should diversify to some degree in the future with additional office and residential uses, with residential development concentrated on parcels behind those with PIB frontage in the manner of Village Grove." This connectivity and mixing of land uses within walking distance to one another supports the broader goals of the Comprehensive Plan.

In conclusion, the requested rezoning is appropriate for this location. The addition of 92 townhome units is complementary to surrounding townhomes, multifamily and commercial development and would positively contribute to the vitality of existing shopping centers in close proximity. This is consistent with the goal of the Comprehensive Plan to create new residential areas behind commercial frontage along Peachtree Industrial Boulevard. Furthermore, the proposed compact, low impervious development and preservation of wetlands on the subject property is consistent with goal of the Metropolitan River Protection Act to reduce environmental impacts in sensitive areas. As such, the Planning Department recommends **APPROVAL WITH CONDITIONS** of **RZ-2017-007**.

Recommended Conditions
RZ-2017-007

1. Develop in accordance with the concept plan (dated June 28, 2017) 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, multi-use paths, or other proposed features shown on the submitted plan. If needed due to conditions of zoning that require substantial changes to the concept plan, within 180 days of approval, submit revised plans to the City that 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. Site design shall be substantially similar to Exhibit 'B' dated July 28, 2017 including 3 open space courtyards connected by a continuous pedestrian network. The design of any open space on the property shall be reviewed by the Planning and Inspections Director. No development permit shall be issued until the design of the open space and pedestrian network is approved.
3. A maximum of 92 townhomes shall be allowed.
4. If a new private street connecting the existing roundabout in phase I of Suwanee Walk is extended as for access to phase II. Said street should have two, 12-foot travel lanes, including curb and gutter, as shown in the concept plan dated June 28, 2017, and a minimum 5-foot-wide sidewalk on one side of the street. Street trees should be provided on 40-foot centers within a 5-foot-wide minimum planting strip located between the curb and the sidewalk. Trees shall be a minimum 3 inch caliper. A root barrier shall be planted with all trees adjacent to a sidewalk.
5. Provide a minimum 5-foot-wide sidewalk in front of the subject property along Peachtree Industrial Boulevard from the eastern property line to the western property line.
6. Architecture shall be substantially similar to "Exhibit 'A' including covered stoops for each townhome and wraparound porches on corner units. Buildings shall use high quality building materials, such as brick and/or stone and windows with simulated divided lites. The City of Suwanee Planning and Inspections Director shall review and approve 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. District Development Standards:
 - a) Minimum unit size shall be 2,000 square feet.
 - b) Townhomes shall be located on fee simple lots with a minimum width of 24 feet.
 - c) Minimum distance between buildings shall be 10 feet.
 - d) Maximum building height shall be 3 stories.
 - e) Driveways shall be a minimum of 22 feet in length.
8. Final Landscape Plan shall be approved by the City of Suwanee Planning and Inspections Director.

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 single family attached units would permit a use that is suitable in view of the surrounding commercial, residential, 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 adversely affect the existing uses or usability of nearby property, and will most likely positively affect the ability of nearby commercial space to be leased.

- 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 Future Land Use Plan recommends commercial uses for the subject property. The proposed townhomes will not compromise the integrity of the Comprehensive Plan, because the Comprehensive Plan also encourages residential development on parcels behind those with Peachtree Industrial Boulevard frontage.

- 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;

Since the 2030 Comprehensive Plan was completed nearly 10 years ago, the two existing shopping centers that bookend the property were built with a large amount of commercial development, some of which is still unleased. Adding residential into the mix of uses by

rezoning this currently C-2A and M-1 property to PMUD could add needed vitality to the surrounding centers that would be within walking distance of the Suwanee Walk neighborhood.

REZONING APPLICATION

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

APPLICANT INFORMATION*		OWNER INFORMATION*	
NAME: <u>Lennar Georgia, Inc.</u>	NAME: <u>Noble Corner, LP</u>	ADDRESS: <u>1000 Holcomb Woods Pkwy</u>	ADDRESS: <u>4300 Paces Ferry Road, Ste 363</u>
		<u>Roswell, GA 30075</u>	<u>Atlanta, GA 30339</u>
PHONE: <u>(404) 597-5973</u>	PHONE: <u>(404) 316-7218</u>	CONTACT PERSON: <u>Jim Bowersox</u>	PHONE: _____
EMAIL ADDRESS: <u>jim.bowersox@lennar.com</u>	FAX NUMBER: _____	Email: <u>George A. Petters</u>	
		<u>spetters@pacesholdings.com</u>	

PROPERTY INFORMATION

PRESENT ZONING DISTRICT(S): M1 & C2A REQUESTED ZONING DISTRICT PMUD

PROPOSED DEVELOPMENT: Phase II of the Suwanee Walk Townhome Community

TAX PARCEL NUMBER(S): R7239 201

ADDRESS OF PROPERTY: Peachtree Industrial Blvd., Suwanee, GA

TOTAL ACREAGE: 16.357 PUBLIC ROADWAY ACCESS: McGinnis Ferry Road at Ten Pin Alley and Peachtree Industrial Blvd.

FOR RESIDENTIAL DEVELOPMENT: NO. OF LOTS/DWELLING UNITS: 92

FOR NON-RESIDENTIAL DEVELOPMENT: NO. OF BUILDINGS/UNITS: _____

DWELLING UNIT SIZE (SQ. FT.): Min. 1,800 sq. ft. 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.

<u>James F. Bowersox</u> Signature of Applicant* <u>JAMES F. BOWERSOX</u> Print Name* <u>Mary Fantoni</u> Signature of Notary	<u>6-29-17</u> Date <u>6-29-17</u> Date <u>6-29-17</u> Date	_____ Signature of Owner* _____ Print Name* _____ Signature of Notary	_____ Date _____ Date _____ Date
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* If Additional Applicant or Owner Information is Needed Please Complete Additional Application Form(s)

CITY OF SUWANEЕ USE ONLY

Date Received: 6/30/17 Case No.: RZ-2017-007 Accepted By: Marysue Perdue

REZONING APPLICATION

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

APPLICANT INFORMATION*

NAME: Lennar Georgia, Inc.
 ADDRESS: 1000 Holcomb Woods Pkwy
Roswell, GA 30075
 PHONE: (404) 597-5973
 CONTACT PERSON: Jim Bowersox
 EMAIL ADDRESS: jim.bowersox@lennar.com

OWNER INFORMATION*

NAME: Noble Corner, LP
 ADDRESS: 4300 Paces Ferry Road, Ste 363
Atlanta, GA 30339
 PHONE: (404) 316-7218
 PHONE: _____
 FAX NUMBER: Email: George A. Petters
spetters@pacesholdings.com

PROPERTY INFORMATION

PRESENT ZONING DISTRICT(S): M1 & C2A REQUESTED ZONING DISTRICT PMUD
 PROPOSED DEVELOPMENT: Phase II of the Suwanee Walk Townhome Community
 TAX PARCEL NUMBER(S): R7239 201
 ADDRESS OF PROPERTY: Peachtree Industrial Blvd., Suwanee, GA
 TOTAL ACREAGE: 16.357 PUBLIC ROADWAY ACCESS: McGinnis Ferry Road at Ten Pin Alley
and Peachtree Industrial Blvd.
 FOR RESIDENTIAL DEVELOPMENT: _____ FOR NON-RESIDENTIAL DEVELOPMENT: _____
 NO. OF LOTS/DWELLING UNITS: 92 NO. OF BUILDINGS/UNITS: _____
 DWELLING UNIT SIZE (SQ. FT.): Min. 1,800 sq. ft. TOTAL GROSS SQUARE FEET: _____

CERTIFICATIONS

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Signature of Applicant*	_____	Date	_____
Print Name*	_____	Date	_____
Signature of Notary	_____	Date	_____

6/24/17
Date
6/29/17
Date
6/29/17
Date

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

CITY OF SUWANEE USE ONLY
 Date Received: 6/30/17 Case No.: RZ-2017-007 Accepted By: Mysia Dunder

SUWANEE WALK II
REZONING LETTER OF INTENT

June 30, 2017

VIA HAND DELIVERY AND E-MAIL

City of Suwanee, Georgia
Attn: Mayor and Council
c/o Planning Department
330 Town Center Avenue
Suwanee, Georgia 30024

**RE: Letter of Intent - Rezoning Application by Lennar Georgia, Inc.
(the "Applicant") for Parcel ID No. 7239 201 (the "Property")**

Dear Mayor, Council and Staff,

This Application for Rezoning is submitted by the Applicant, developer and property owner for the continuation of the new townhome community known as "Suwanee Walk" and located near McGinnis Ferry Road, Peachtree Industrial, and Ten Pin Alley. This Rezoning Application proposes an additional 16.4 acres (the "Property") and a connecting internal road to adjoin and connect to the existing townhome community, for a cohesive, quality development.

Like the City's recent support of the Suwanee Walk townhomes - to which this will connect - the addition of affordable, residential options is consistent with City's future land use plan as a "mixed-use center" intended to support and encourage a variety of residential and retail uses. This proposal meets the City's long-term goals by creating a walkable townhome community adjacent to existing retail uses, and making use of long-vacant, infill property.

The Applicant and owner seek a rezoning from M1/C2A to PMUD, for an additional 92-unit townhome community, for approximately 5.6 units/acre and extensive open space. Due to layout and engineering considerations, the homes will be a mix of front and rear entry, with side and corner porches consistent with Shadowbrook and Suwanee Walk. The developer proposes extensive courtyards, pocket parks, walking paths, and shared amenity access.

The development will be marketed to and geared towards young professionals and empty nesters seeking to downsize and remain in the Suwanee area. Homes will be constructed of quality brick and stone materials with hardiplank accent materials. Home prices will be consistent with the higher-end townhomes being completed in the Avalon and Windward areas, both in the \$400's.

As encouraged by the PMUD zoning district and land use plan for this area, the Property will provide for a quality transitional, residential zoning between more intense commercial and residential uses, while preserving acres of green space. The proposed residential development will include a mandatory homeowners' association with landscaping and maintenance obligations. The proposed community will help connect a long vacant property and help encourage activity in the nearby Shops at Horizon retail center.

Constitutional Objections

The portions of the Zoning Ordinance for the City of Suwanee (the "Zoning Ordinance") which classifies or conditions the Property into any more or less intensive zoning classification and/or zoning conditions other than as requested by the Applicant and property owner are unconstitutional, in that they would destroy the Applicant's and property owner's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Zoning Ordinance which presently restricts the Property's use to the present zoning classification, uses, regulations, requirements, and conditions is unconstitutional, illegal, null and void, and constitutes a taking of the Applicant's and the property owner's property rights in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983, and in violation of the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States by denying economic and viable use of the Property while not substantially advancing legitimate state interests.

The Property is presently suitable for the residential uses proposed in the requested rezoning, as amended by the Applicant, and is not economically suitable for uses restricted under its present zoning and development classification, conditions, regulations, and restrictions due to its location, shape, size, surrounding development, and other factors. A denial of the requested rezoning and related variances would constitute an arbitrary and capricious act by the City of Suwanee, Mayor and Council without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment. A refusal by the City of Suwanee, Mayor and Council to approve this requested rezoning, with only such additional conditions as agreed to by the Applicant and/or owner, so as to permit the only feasible economic use of the Property, would be unconstitutional between the Applicant, owner, and similarly situated property owners, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment.

Conclusion

The Applicant and their representatives respectfully request the City of Suwanee Mayor and Council, Planning Commission and Planning Staff's approval and support of this request to allow for a quality residential development, the only economically-viable use of the Subject Property.

We welcome the opportunity to meet or discuss this proposal.

Respectfully submitted,

Lennar Georgia, Inc.

Enclosures:
Rezoning Application and exhibits

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:

Please see attached responses to (A) - (F).

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

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

- (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:

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

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

CITY OF SUWANEE USE ONLY

Date Received: _____ Case No.: _____ Accepted By: _____

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EXHIBIT "B"
APPLICANT LENNAR'S RESPONSES IN SUPPORT OF REZONING

A) WHETHER THE ZONING PROPOSAL WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes. The subject property is located at the fully signalized intersection of Peachtree Industrial and McGinnis Ferry Road, within an existing commercial and mixed-use development. A portion of the subject property was originally zoned for the extension of the multi-family and apartment communities along McGinnis Ferry Road. The property was rezoned for a master commercial development in early 2000, and the commercial market has been saturated in the immediate area, making this site more appropriate for the proposed, fee-simple, single-family townhome development. The proposed development would complete the existing master-planned and mixed-use development, while providing an appropriate transition to the adjacent residential uses, while downzoning the property from the more intense commercial uses. The proposed development will reduce traffic and provide an alternate use for timing and safety purposes.

The subject property is the only remaining parcel within the property not already zoned and developed for commercial or higher-density residential uses because of the existing uses in the area. As stated in the 2030 Comprehensive Plan for the City of Suwanee, development "should be a balance between rental and ownership properties which in turn should encourage commercial growth in strategic locations." The proposed rezone will convert a less desirable commercial site into a quality, mixed-use development, and the overall 2030 land use goals are met by the proposed development.

B) WHETHER THE ZONING PROPOSAL WILL ADVERSELY AFFECT THE EXISTING USE OR USEABILITY OF ADJACENT OR NEARBY PROPERTY:

No. This rezoning request proposes uses that are absolutely compatible with the character of the commercial/residential/office corridor within which the property is located. Nearby properties already feature multi-family, retail and commercial uses, and those specific uses has proved to be entirely suitable to the other land uses in the vicinity of the subject property, demonstrating the suitability of the uses proposed by this Rezoning Application and related application for Change in Conditions. Therefore, this request proposes a use that is ideally suited to and consistent with the zoning, use and

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development of adjacent and nearby property. The Planned Mixed-Use Development zoning allows for consistent development with zoning flexibility to encourage a collection of uses like the one proposed. The proposed uses are entirely consistent with the uses of adjacent and nearby properties and will not adversely affect those properties.

C) WHETHER THE PROPERTY TO BE AFFECTED BY THE ZONING PROPOSAL HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

No. The property's location at the fully signalized intersection of two arterial roads in the City of Suwanee, within a well-established mixed-use and commercial corridor. McGinnis Ferry road right-of-way was donated and dedicated by the original developer and owner of the commercial and subject property, with the specific intent to serve the mixed residential and commercial uses to be developed along that corridor. The site is surrounded by more intense commercial and multi-family uses, and the proposed townhomes are the only feasible use for the subject property, an infill parcel surrounded by dedicated green space, with topography limitations.

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. This property has public water and sewer availability, and direct access to two major thoroughfares. The PMUD district is intended to provide residential uses to support of commercial, office and retail uses, in furtherance of the Comprehensive Plan's goals for this area. The developer's history and experience with similar developments shows a typical owner as being single professionals and empty-nesters, and will have little to no impact on schools. This rezoning and change in conditions will not cause excessive use of existing streets, transportation facilities or utilities, selected and developed specifically for the proposed use.

E) WHETHER THE ZONING PROPOSAL IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Yes. The City of Suwanee's 2030 Comprehensive Plan identifies the subject property as an appropriate location for mixed-uses.

F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER THE APPROVAL OR DISAPPROVAL OF THE ZONING PROPOSAL.

Yes. The property is the last remaining infill parcel at this well established major mixed-use and commercial node. Adjacent properties have long been zoned and developed for multi-family and commercial uses. In light of the foregoing, this is an appropriate and preferred location for the completion of a quality, mixed-use development.

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LENNAR

4-Unit Townhome

05.03.16

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design
group

of georgia

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Exhibit A (1 of 2)



Exhibit A (2 of 2)

R2-2017-007



SCALE: 1" = 80'
 0' 80' 160' 240'

SUWANEE WALK PHASE II ENLARGEMENT
 City of Suwanee, GA



Exhibit B

RZ-2017-007

PLANNERS AND ENGINEERS COLLABORATIVE

"WE PROVIDE SOLUTIONS"

LENNAR
A MASTER PLANNED TOWNHOME DEVELOPMENT
SUNAWEE WALK PHASE II

1000 HOLLOWOOD WOODS PKWY
SUITE 200, SUITE 200
ROSELLE, GA 30075
PHONE: (404) 597-5973
FAX: (404) 597-5973

SITE OF PLANNO
DATE OF PRINTING

REVISIONS:

NO.	DATE	BY	DESCRIPTION

REZONING SITE PLAN

SCALE 1" = 60'

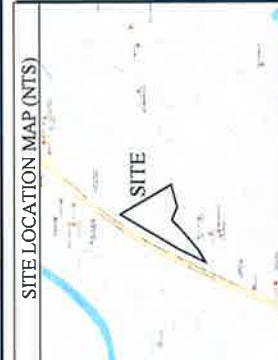
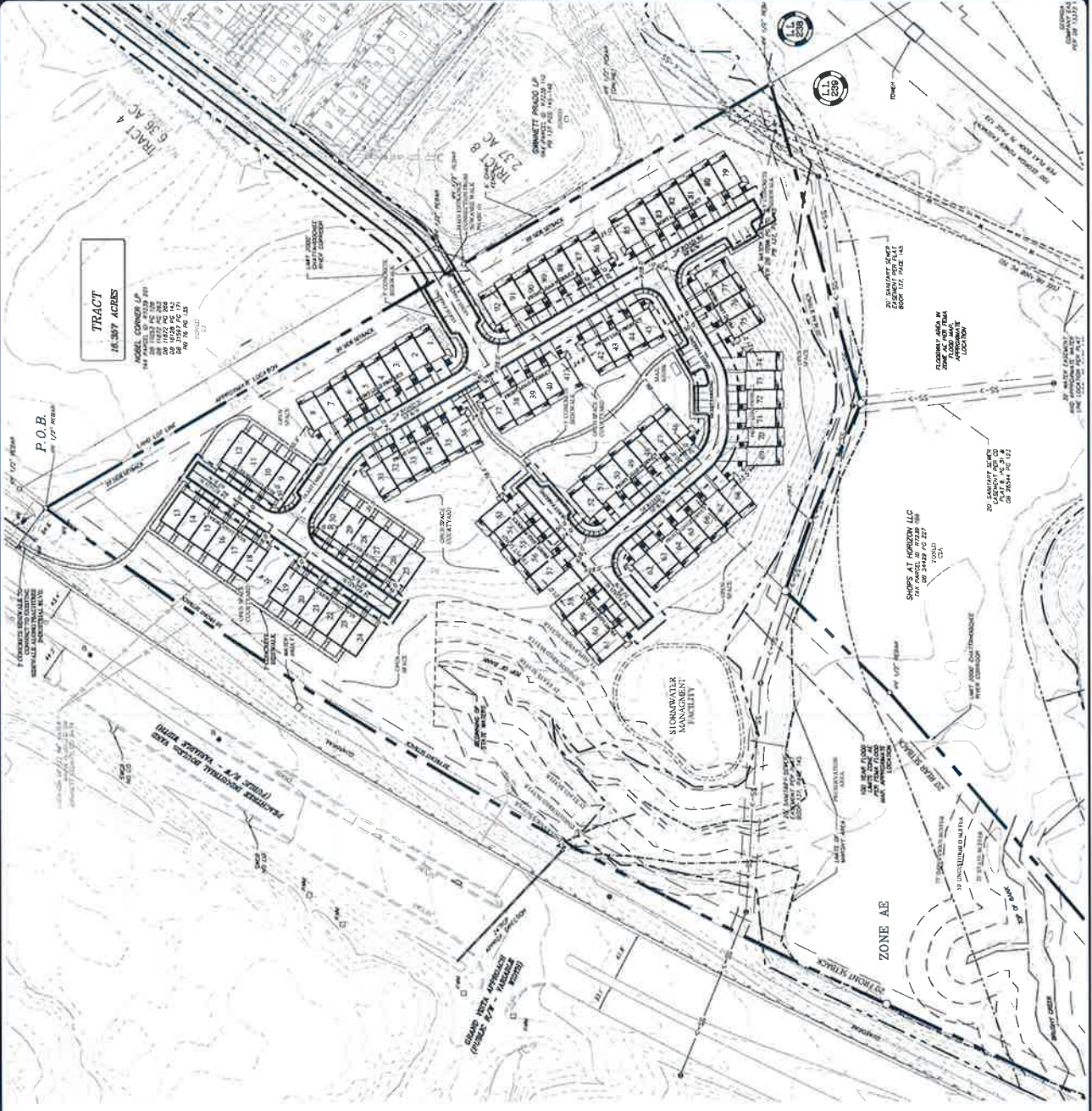
DATE JUNE 28, 2017

PROJECT 16313 DVA

THIS SCALE IS ONLY VALID IF COPIED FROM ORIGINAL SHEET AND DATED WITH ORIGINAL SIGNATURE

72

SHEET



SITE DATA:

TOTAL SITE AREA	16.56 ACRES (717,310 SQ FT)
ZONING	MU-15A (MAY 2016)
PROPOSED ZONING	MU-15A (MAY 2016)
PROPOSED LOTS	163
PROPOSED UNITS	163
PROPOSED DEVELOPMENT	SUBSISTENCE
DEVELOPMENT SUMMARY	
PROPOSED TOWNHOMES	163 UNITS
ROAD LOADS (TYPICAL STORIES)	2.25 UNITS
TOTAL LOT AREA	16.56 ACRES
NET LOT AREA (TYPICAL)	5.6 UNITS/ACRE
NET LOT AREA (TOTAL)	92.9 UNITS/ACRE
NET LOT AREA (ALLOWED)	92.9 UNITS/ACRE
DEVELOPMENT REQUIREMENTS	
MINIMUM SETBACKS	
FRONT YARD	20 FEET
REAR YARD	20 FEET
LEFT SIDE YARD	20 FEET
RIGHT SIDE YARD	20 FEET
FRONT TO REAR	60 FEET
REAR TO SIDE	55 FEET
REAR TO REAR	30 FEET
PARKING REQUIREMENTS	
PARKING REQUIRED (3 PER UNIT)	254 SPACES
PARKING PROVIDED (2 PER DRIVEWAY SPACE)	254 SPACES
GUEST PARKING PROVIDED	25 SPACES
TOTAL PARKING PROVIDED	279 SPACES

PROJECT NOTES:

- SUNAWEE WALK MANAGEMENT FACILITY FOR THIS CONCEPT TO BE A POND
- ALL ON-SITE UTILITIES SHALL BE INSTALLED UNDERGROUND
- REQUIREMENTS OF THE CITY'S ZONING ORDINANCE SHALL BE MAINTAINED AS LONG AS THE PROJECT IS OWNED, OPERATED & MAINTAINED BY COMMUNITY USA
- THE PROPOSED PROJECT AND ZONING SETS WITHIN THE CITY'S ADOPTED COMMUNITY DEVELOPMENT AND ZONING ORDINANCE

24 HOUR CONTACT:
JIM BOWERSOX @ (404) 597-5973



FEMA MAP (NTS)

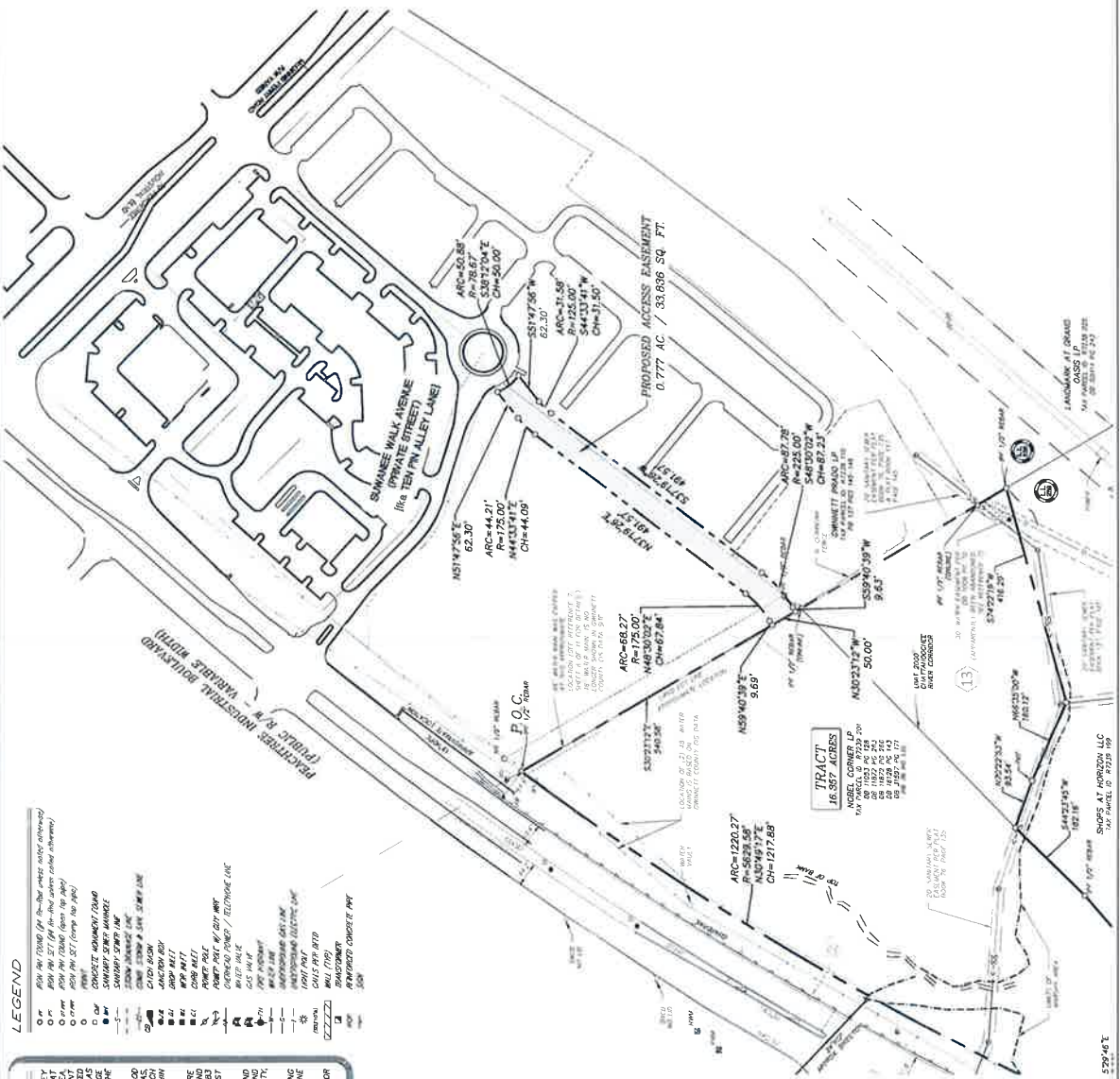


SITE MAP (NTS)

REFERENCES

- CONDOMINIUM PLAN FOR PLAZA AT SUWANEE STATION, A CONDOMINIUM UNIT 1, 1800 SUWANEE AVENUE, PREPARED BY GEORGINA WOODRUFF TRANSMISSION MAN, PREPARED BY JORDAN JONES & GOLDSING, INC. LICENSE NUMBER 2900, FILED & RECORDED IN THE STATE OF GEORGIA, LICENSE NUMBER 2900, FILED & RECORDED IN THE CLERK SUPERIOR COURT OF OWENETT COUNTY, GEORGIA, IN PLAT BOOK CD3, PAGE 27.
- CONDOMINIUM PLAN FOR PLAZA AT SUWANEE STATION, A CONDOMINIUM UNIT 2, 1800 SUWANEE AVENUE, PREPARED BY GEORGINA WOODRUFF TRANSMISSION MAN, PREPARED BY JORDAN JONES & GOLDSING, INC. LICENSE NUMBER 2900, FILED & RECORDED IN THE STATE OF GEORGIA, LICENSE NUMBER 2900, FILED & RECORDED IN THE CLERK SUPERIOR COURT OF OWENETT COUNTY, GEORGIA, IN PLAT BOOK CD3, PAGE 15.
- CONDOMINIUM PLAN FOR PLAZA AT SUWANEE STATION, A CONDOMINIUM UNIT 3, 1800 SUWANEE AVENUE, PREPARED BY GEORGINA WOODRUFF TRANSMISSION MAN, PREPARED BY JORDAN JONES & GOLDSING, INC. LICENSE NUMBER 2900, FILED & RECORDED IN THE STATE OF GEORGIA, LICENSE NUMBER 2900, FILED & RECORDED IN THE CLERK SUPERIOR COURT OF OWENETT COUNTY, GEORGIA, IN PLAT BOOK CD3, PAGE 15.
- CONDOMINIUM PLAN FOR PLAZA AT SUWANEE STATION, A CONDOMINIUM UNIT 4, 1800 SUWANEE AVENUE, PREPARED BY GEORGINA WOODRUFF TRANSMISSION MAN, PREPARED BY JORDAN JONES & GOLDSING, INC. LICENSE NUMBER 2900, FILED & RECORDED IN THE STATE OF GEORGIA, LICENSE NUMBER 2900, FILED & RECORDED IN THE CLERK SUPERIOR COURT OF OWENETT COUNTY, GEORGIA, IN PLAT BOOK CD3, PAGE 51.
- CONDOMINIUM PLAN FOR PLAZA AT SUWANEE STATION, A CONDOMINIUM UNIT 5, 1800 SUWANEE AVENUE, PREPARED BY GEORGINA WOODRUFF TRANSMISSION MAN, PREPARED BY JORDAN JONES & GOLDSING, INC. LICENSE NUMBER 2900, FILED & RECORDED IN THE STATE OF GEORGIA, LICENSE NUMBER 2900, FILED & RECORDED IN THE CLERK SUPERIOR COURT OF OWENETT COUNTY, GEORGIA, IN PLAT BOOK CD3, PAGE 51.
- CONDOMINIUM PLAN FOR PLAZA AT SUWANEE STATION, A CONDOMINIUM UNIT 6, 1800 SUWANEE AVENUE, PREPARED BY GEORGINA WOODRUFF TRANSMISSION MAN, PREPARED BY JORDAN JONES & GOLDSING, INC. LICENSE NUMBER 2900, FILED & RECORDED IN THE STATE OF GEORGIA, LICENSE NUMBER 2900, FILED & RECORDED IN THE CLERK SUPERIOR COURT OF OWENETT COUNTY, GEORGIA, IN PLAT BOOK CD3, PAGE 51.
- CONDOMINIUM PLAN FOR PLAZA AT SUWANEE STATION, A CONDOMINIUM UNIT 7, 1800 SUWANEE AVENUE, PREPARED BY GEORGINA WOODRUFF TRANSMISSION MAN, PREPARED BY JORDAN JONES & GOLDSING, INC. LICENSE NUMBER 2900, FILED & RECORDED IN THE STATE OF GEORGIA, LICENSE NUMBER 2900, FILED & RECORDED IN THE CLERK SUPERIOR COURT OF OWENETT COUNTY, GEORGIA, IN PLAT BOOK CD3, PAGE 51.
- NATURAL RESOURCES FINANCIAL REPORT FOR SUWANEE WALK 2, PREPARED BY CORBELL ECOLOGY GROUP - PHONE 770-581-9990

DRAWN BY: JVS
 CHECKED BY: JVS
 FILE NO.: 18-001
 DATE: 07-03-2017
 SCALE: 1" = 100'



NOTES

- THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THIS SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS AND HAS OBTAINED AS MUCH INFORMATION AS POSSIBLE FROM INFORMATION SUPPLIED AND TO THE SURVEYOR'S BEST KNOWLEDGE AND BELIEF. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
- THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR OWENETT COUNTY, GEORGIA AND INCORPORATED AREAS, DATED 01/05/2015, SHOWS A DESIGNATED FLOOD ZONE "A" (AREAS OF 100 YEAR FLOOD).
- THE ORTHOMETRIC HEIGHTS (ELEVATIONS AND CONTOURS) SHOWN HEREON WERE DETERMINED BY GPS OBSERVATIONS AND WERE ADJUSTED BY A PLANIMETER AND A NORTH AMERICAN VERTICAL DATUM OF 1988 (NAD83), GEORGIA WEST ZONE STATE PLANE COORDINATES.
- THE TERM "CONSTRUCTION" RELATING TO PROFESSIONAL ENGINEERING AND LAND SURVEYING UTILITIES SHOWN HEREON, WERE DETERMINED BY LOCATING AND IDENTIFYING UTILITIES AS SHOWN BY PLANNERS AND ENGINEERS COLLABORATIVE - PHONE 770-451-2741.
- NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.



The field data upon which this map or plat is based was obtained by means of electronic data collection using a total station and an auto level. This map or plat has been calculated for closure and is found to be accurate to within one foot in 500,261 feet.

EQUIPMENT USED:
 ANGLAR: TOPCON TOTAL STATION
 LEVEL: TOPCON TOTAL STATION

ACCESS EASEMENT EXHIBIT
 LENNAR GEORGIA, INC., A GEORGIA CORPORATION
 AND
 FIRST AMERICAN TITLE INSURANCE COMPANY

REV	DATE	DESCRIPTION	BY
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PLANNERS AND ENGINEERS COLLABORATIVE
 "WE PROVIDE SOLUTIONS"
 3835 HUNTERS BLVD., SUITE 100
 ATLANTA, GA 30339
 404.525.1111
 WWW.PECONCEPTS.COM

R2-2017-007



RZ-2017-007

**Project Location
Map**



0 305 610 1,220 Feet



Legend

 RZ-2017-007

ZONING

 C1

 C2

 C2A

 C3

 GCA

 IRD

 M1

 OI

 OTCD

 PMUD

 R-75

 R-85

 R100

 R140

 RM6

 RM8

 Streets

 Chattahoochee River

 River Protection Corridor

 Rail

