

REZONING CASE:

RZ-2017-010

**CITY OF SUWANEE
REZONING ANALYSIS**

CASE NUMBER: RZ-2017-010

REQUEST: M-1 (LIGHT INDUSTRIAL DISTRICT) TO
PMUD (PLANNED MIXED-USE
DEVELOPMENT)

LOCATION: SUWANEE DAM ROAD NEAR NORTHEAST
CORNER OF SUWANEE DAM ROAD AND
PEACHTREE INDUSTRIAL BOULEVARD

TAX ID NUMBER: 7-236-093

ACREAGE: +/- 14.29 ACRES

PROPOSED DEVELOPMENT: MIXED-USE DEVELOPMENT WITH
MULTIFAMILY AND COMMERCIAL USES

APPLICANT: POLLACK SHORES REAL ESTATE GROUP
1550 N. BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

OWNER: JIMMY C. BARRETT
3455 SEXTON WOODS DRIVE
CHAMBLEE, GA 30341

CONTACT: SHANE LANHAM
PHONE: 770-232-0000

RECOMMENDATION: **DENIAL (AT THIS TIME)**

PROJECT DATA:

The applicant requests a rezoning from M-1 (Light Industrial) to PMUD (Planned Mixed-Use Development) for the development of a mixed-use project including multifamily and commercial uses. The subject property consists of approximately 14 acres.

The subject property is adjacent to the Kroger property near the intersection of Suwanee Dam Road and Peachtree Industrial Boulevard and has approximately 700 linear feet of road frontage on the north side of Suwanee Dam Road. The property is bound by Suwanee Dam Road to the south, the Kroger property (zoned C-2) to the west, Brushy Creek to the east, and undeveloped property (zoned C-2) to the north. The portion of Brushy Creek that is adjacent to the property to the east runs through property owned by the City of Suwanee, which sits between the subject property and Shadowbrook Church. This city property is zoned R-100 (Single Family Residential), but the parcel is mostly encumbered by stream buffers that preclude any

development of the property. Across Suwanee Dam Road are two tracts of undeveloped land totaling approximately 46 acres that flank Stonecypther Road. This land is currently zoned M-1.

The proposed mixed-use development includes 330 multifamily residential units within 7 separate 3-4 story buildings arranged in a series of blocks along a new street that would serve as a central spine for the development. One of these buildings will have 8-12 live/work units including a total of 10,000 square feet of non-residential space. The minimum unit size for the multifamily units would be 650 square feet. The proposed unit mix includes 151 (46%) one bedroom units, 147 (44%) two bedroom units, and 32 (10%) three bedroom units. The development would include an amenity area with a pool and a leasing office. The project also includes 15,000 square feet of retail space divided between a freestanding building and the ground floor of a mixed-use building both located along Suwanee Dam Road.

The applicant proposes four access points. The main access point would be a full access intersection that aligns with the existing median break along Suwanee Dam Road. A second curb cut would have right-in/right-out access only onto Suwanee Dam Road. The proposed site plan includes a direct connection to the adjacent Kroger property to the west as well as a stub to the property line of the undeveloped property to the north for a future interparcel connection.

The proposed development includes approximately 3.3 acres of open space. The open space is divided between two tracts. One tract runs along the eastern property line and the other runs along Suwanee Dam road. Both areas would be very natural as a result of nearby or intersecting streams.

Parking for the apartments would be distributed throughout the project in surface lots behind or to the side of the apartment buildings. Additionally, 26 on-street parking spaces would be provided along one side of the central street. Retail parking for the mixed-use building would be in a surface lot between the mixed-use building and Suwanee Dam Road.

The proposed development includes stormwater infrastructure and water control features such as pre-treatment water quality structures and underground stormwater detention facilities.

DEVELOPMENT COMMENTS:

If the rezoning request is granted, the development would be subject to the development review process and would need to demonstrate compliance with all applicable regulations. The development will need to comply with all stormwater and stream buffer requirements.

ANALYSIS:

The subject property consists of approximately 14 acres near the intersection of Suwanee Dam Road and Peachtree Industrial Boulevard. This parcel is currently undeveloped, wooded, and has steep topography. The property slopes away from Suwanee Dam Road down to a tributary of Brushy Creek that runs across the front of the property parallel to Suwanee Dam Road. From the stream, the land rises up to a peak at the center of the parcel approximately 40 above the elevation of Suwanee Dam Road. Development of the property would require some

manipulation of this stream in order to provide access to the property and develop commercial buildings in close proximity to Suwanee Dam Road, which is desirable to increase the walkability of Suwanee Dam Road. Brushy Creek defines the eastern property line. Large Georgia Power transmission lines run through the western edge of the property between the proposed buildings and the Kroger property. The applicant proposes to make use of the area under these power lines for parking and an interparcel connection to Kroger, but no buildings would be under the power lines.

The proposed mixed-use and commercial uses along Suwanee Dam Road would be compatible with other commercial near the intersection of Suwanee Dam Road and Peachtree Industrial Boulevard and could serve nearby residential uses as well as the residential uses within the proposed development. The interparcel connections proposed to adjacent properties would enhance the overall connectivity between the parcels along Peachtree Industrial Boulevard and Suwanee Dam Road, allowing multiple pedestrian and vehicular trips between commercial tenants without requiring getting on either of the arterials.

The property is currently zoned M-1, which allows for light industrial uses. While the subject property and other nearby property are currently zoned M-1, light industrial is not the desired future land use for this area per the 2030 Comprehensive Plan. Other parts of the City are more suitable for light industrial uses where there is less residential development and existing light industrial is thriving. The vision for the Peachtree Industrial Boulevard Corridor is to have uses that are more compatible with surrounding residential uses including commercial uses that can serve nearby residential. The current approved Future Land Use Plan calls for commercial uses on this property. This strategy of locating compatible uses in close proximity to one another can help reduce the number and/or length of vehicular trips for residents.

The applicant requests a rezoning from M-1 to PMUD (Planned Mixed-Use Development). The purpose of the PMUD zoning district is to allow for a mix of uses within a single development and to ensure that more intense development is developed in a manner that is consistent with and adds to the quality of development in Suwanee.

The Comprehensive Plan is the principal planning document that guides growth and development for the City. The current adopted Comprehensive Plan is the 2030 Comprehensive Plan. The current Future Land Use Plan calls for commercial uses on the subject property.

In the 2030 Comprehensive Plan, the subject property falls into the PIB Suwanee Junction Character Area. The 2030 Comprehensive Plan designates this Character Area as an appropriate location for mixed-use developments, specifically mixed-use centers, which allow for a mixture of commercial and more intensive residential uses. However, the plan acknowledges that commercial development should be focused and encouraged at key intersections such as Suwanee Dam Road and Peachtree Industrial Boulevard; therefore, the 2030 Comprehensive Plan prescribes the expansion of the existing commercial corner that includes the Kroger at Suwanee Dam Road and PIB onto the subject property.

While the proposal does deviate from the Future Land Use Plan, the project is consistent with the overall concept for the PIB corridor per the 2030 Comprehensive Plan, which is to locate residential behind commercial fronting PIB. Additionally, the plan incorporates new roads suggested in the 2030 Comprehensive Plan to create desired connectivity. The applicant

proposes the main entrance and central street of the development to align with an existing break in the median on Suwanee Dam Road where the 2030 Plan calls for the realignment of Stonecypther Road to intersect with Suwanee Dam Road if the property across the street is developed.

The City is required to update the Comprehensive Plan every 10 years and is nearing the completion of its most recent update to the Comprehensive Plan. This update, the 2040 Plan, will be based on the 6 month planning effort that occurred between April and September earlier this year. This planning process, which involved input from citizens through an online survey, stakeholder interviews, 3 public open houses, a steering committee of Suwanee residents, consulting firms, staff, and elected officials identified the subject property as a potential location for higher density development due to its proximity to the Town Center Character Area, which is proposed to be expanded to include the subject property and the new park in the 2040 update due to the expansion of Town Center Park west of the railroad.

The subject property is within walking distance of Town Center on Main, the extension of Town Center Park that is currently being designed for the property behind the library south of Suwanee Dam Road. At the entrance to Shadowbrook Church, there is an existing signaled intersection with crosswalks. This intersection is planned to be the entrance to Town Center on Main. As part of the park project, Main Street will be realigned through the new park and terminate at this existing intersection. It is approximately 1,000 linear feet, or .18 mile from the entrance to the proposed development to this entrance to the future park and realigned Main Street.

The draft Future Land Use Plan for the 2040 Comprehensive Plan that was presented to the Steering Committee and to the public at the final public open house in September calls for Mixed-Use Center (with a density of 16 to 40 units per acre) on the subject property. This property was examined in great detail by the Steering Committee with technical assistance from consultants. Three renderings were presented to the Steering Committee showing three different potential development scenarios: one assuming light industrial uses as currently zoned, a second showing commercial development similar to what was recommended in the 2030 Comprehensive Plan, and a third that illustrated a mixed-use scenario similar to that which is being proposed. The high density residential mixed-use scenario was selected by the Steering Committee to move forward as the vision for the property.



Draft 2040 Comprehensive Plan: Selected mixed-use scenario

The appropriateness of this type of development at this location is based on the site's proximity to Town Center. As such, if approved, the project should be designed to include "downtown-style" elements, such as buildings in proximity to the street, vertical construction, wide

walkways and sidewalks, focus on pedestrian design, and usable public open spaces. The City has high expectations of architecture within any approved PMUD and all architecture should be subject to approval by the Planning Department prior to issuance of a development permit.

If approved, the density of residential development should be limited to lower density levels based on the recommendation of the 2040 Comprehensive Plan Steering Committee to limit high density development to the lower range of high density (16 to 40 units per acre). The commercial uses should be similar to those allowed in Town Center, which are limited to those allowed in the Old Town Commercial (OTCD) zoning district. This allows for many commercial uses that are found in C-1 and C-2, but also allows for uses that involve the sale of alcohol.

Finally, any new development considered for approval should be consistent with one of the policies that came out of the 2040 Comprehensive Plan planning process: “New neighborhoods should be well designed with quality architecture, have unique identities, provide inviting public spaces, and connect to surrounding properties and roads.” The proposed development appears to be attempting to accomplish these goals except for the inclusion of public spaces; therefore, if approved, usable open space should be incorporated.

While the proposed project is consistent with the vision and future land use that is proposed in the draft 2040 Comprehensive Plan, the plan has not yet been approved or adopted by City Council; therefore, the 2030 Comprehensive Plan should be used as the guide to future development until the new plan is adopted. As such, the Planning Department recommends **DENIAL (AT THIS TIME) of RZ-2017-010.**

Recommended Conditions
RZ-2017-010

The Planning Department recommends denial of the request at this time; however, if the City Council chooses to approve the request to rezone the subject property to PMUD, the following conditions are recommended:

1. Develop in accordance with the concept plan (dated November 2, 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. Development shall be a unified mixed-use project containing up to 240 residential units including a minimum of 8 live work units with a minimum of 10,000 square feet of non-residential space. The development shall have a minimum of 15,000 square feet of commercial space at street level and directly facing Suwanee Dam Road and/or a usable open space within the project. Commercial uses shall be limited to those found in the Old Town Commercial District.
3. Maximum building height is 3 stories. A fourth story may be provided if it is incorporated into a pitched roof.
4. Prior to issuance of a development permit for any portion of the property, the developer shall prepare a plan book for review and approval by the City. The goal of the plan book will be to convey the architectural style, character, and vision for the development. The plan book will include a site plan, building elevations, building materials and colors, proposed street lights and signs, and materials of any fences, railings or walls, and conceptual illustrations of any proposed open spaces. The plan book should include illustrations and/or sections that clearly illustrate the relationship of the buildings to the street. Architecture shall be consistent with architecture shown in Exhibit B and be compatible with other downtown style buildings in Town Center, in terms of style, materials and features.
5. Residential development shall be subject to the following development standards:
 - a. Up to 5% of the residential units may contain 3 bedrooms.
 - b. Up to 40% of the residential units may contain 2 bedrooms.
 - c. All remaining units shall be one bedroom or studio units.
 - d. The minimum unit size shall be 650 square feet.
 - e. The average size of all the units must fall between 900 and 1,000 square feet.
 - f. All units shall be separately metered to allow for condominium conversion.
 - g. All units shall have a minimum 9 foot interior ceiling heights, 42” cabinet heights, premium countertop surfaces and premium appliances.

- h. First class tenant amenities such as a swimming pool and workout center shall be provided.
 - i. Residential buildings shall have controlled access.
 - j. Secondary entrances may be provided to access parking lots behind buildings, but each building shall have a primary entrance located on the front of the building and facing a street that provides access to all units.
 - k. All ground floor residential units shall have a direct exterior entrance accessible via a landing, patio, stoop or step connected to the public sidewalk as much as practical. Areas between individual patios, landings, stoops, or steps shall be landscaped.
 - l. A 5 foot landscape strip shall be provided between sidewalks and ground floor residential units. Steps and stoops to ground floor units may be located within the 5 foot landscape strip.
 - m. The front door of each ground floor unit shall be within 0-6 feet above the grade of the sidewalk in front of it.
 - n. In addition to the standards listed above, development shall be subject to all applicable life safety and building codes.
6. Commercial development shall be subject to the following development standards:
 - a. Primarily glass storefronts.
 - b. Minimum 20 feet interior ceiling heights.
 - c. Design shall allow for construction of restaurant uses in a portion of the project via the provision of adequate base infrastructure.
7. At least one building shall have a vertical mix of uses with ground floor commercial space. This building shall create a sense of place and identity for the development.
8. Development shall have a usable open space as a focal point of the development that creates a sense of place and identity for the development. This open space shall be fronted by buildings on at least three sides. These buildings shall be visible from said open space.
9. Construct a hard surface trail along Brushy Creek along the length of the property that connects to a sidewalk at Suwanee Dam Road. All residential units shall be connected to the greenway via a continuous pedestrian path.
10. Provide an interparcel connection to the Kroger property to the west and the property to the north approximately as shown on the concept plan.
11. A maximum of 1 row of parking may be between the right-of-way along Suwanee Dam Road and the buildings fronting Suwanee Dam Road. All other surface parking other than on-street parking shall be located behind or within buildings. Any off-street parking areas shall meet the minimum landscape standards for parking lots as indicated in the City of Suwanee Zoning Ordinance.
12. Provide bicycle racks with a minimum of 5 spaces near the entrance of each building.

13. Streets shall meet the standards of a local street. The final size of right-of-way and road design shall be subject to the approval of the City Engineer. Streets shall comply with City of Suwanee construction standards pertaining to thickness, depth, compaction, construction methods and materials. Said streets shall be two pass streets.
14. A minimum 5 foot wide landscape strip shall be provided on both sides of all new streets directly adjacent to the back of the curb. A minimum 5 foot wide sidewalk shall be provided on both sides of all the streets adjacent to the landscape strips. Within the landscape strips, street trees and pedestrian street lights shall be provided on 40 foot centers. Said street trees shall comply with the requirements of the Buffer, Landscape, and Tree Preservation Ordinance. A root barrier shall be planted with all trees adjacent to a sidewalk. Maple trees shall not be permitted as street trees.
15. No walls facing a street should exceed 3 feet in height.
16. 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 the property shall be installed at the expense of the developer.
17. All new utilities shall be located underground.
18. Outdoor dumpsters shall be contained in an enclosure constructed of a material consistent with the primary building material for the building or within the building itself. Dumpster enclosure openings shall not face any street and shall be screened from the view of any street or sidewalk.
19. All exterior lighting shall be arranged so that the source of any light is screened from view.
20. Prior to issuance of any certificate of occupancy, a comprehensive signage plan shall be submitted for review and approval by the City.
21. Landscaping shall be approved by the City of Suwanee Planning and Inspections Director.
22. If not specifically addressed, the City's current zoning, sign, development building code and other regulations shall apply and remain in full force and effect. Nothing herein shall grant deviations to building, fire or other life-safety codes or regulations except as normally allowed by said codes.

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 as a planned mixed-use development is suitable in view of adjacent and nearby commercial and undeveloped light industrial property. The proposed mixed-use and commercial along Suwanee Dam Road would be compatible with other commercial near the intersection of Suwanee Dam Road and Peachtree Industrial Boulevard and could serve neighboring residential as well as the residential within the proposed development.

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

With the recommended conditions, approval of the request would not likely affect the existing uses or usability of nearby property.

- C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;

The subject property has a reasonable economic use as currently zoned.

- D. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools;

Approval of the request 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 inconsistent with the current adopted Future Land Use Plan, which recommends commercial uses for the subject property.

- 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 City of Suwanee is currently in the process of completing the 10 year update to the Comprehensive Plan. The proposed development is consistent with the future land use and vision proposed for this property in the 2040 Comprehensive Plan draft documents. However, the 2040 Comprehensive Plan is not the currently adopted policy of the City.

Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Christopher D. Holbrook
Frances H. Kim
Shane M. Lanham

Austen T. Mabe
Jeffrey R. Mahaffey
David G. McGee
Steven A. Pickens
Andrew D. Stancil
R. Lee Tucker, Jr.
*Of Counsel

**LETTER OF INTENT FOR REZONING APPLICATION OF
POLLACK SHORES REAL ESTATE GROUP**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached rezoning application (the “Application”) on behalf of Pollack Shores Real Estate Group (the “Applicant”) for the purpose of requesting the rezoning of an approximately 14.29-acre tract located on the northerly side of Suwanee Dam Road east of its intersection with Peachtree Industrial Boulevard (the “Property”).

The Applicant is proposing to rezone the Property from the existing M-1 (Light Industry District) to the PMUD (Planned Mixed-Use Development District) zoning classification of the 1998 Zoning Ordinance of the City of Suwanee, Georgia in order to accommodate the development and construction of a mixed-use development consisting of residential and commercial/retail uses. The proposed development includes approximately 13,880 square feet of non-residential floor area in addition to 330 units of high-quality apartment units. The proposed development would also feature approximately 3.3 acres of proposed open space (roughly 23% of the Property’s total area) which further diversifies the proposed uses of the Property by creating green space and associated recreational opportunities. The proposed development’s commercial/retail space and vertically-mixed buildings are located along the Property’s frontage on Suwanee Dam Road with the majority of residential buildings located to the north in the Property’s interior. Specifically, the Applicant is proposing to construct a vertically-mixed building with residential units above retail space on the ground floor along the Property’s southerly boundary line adjacent to the right-of-way of Suwanee Dam Road. These “residential over retail” units would enhance the internal walkability and pedestrian connectivity of the Property fostering a sense of place and community. The proposed development would also have convenient external pedestrian connections to nearby recreational opportunities such as Suwanee Town Center, Play Town Suwanee, and the Brushy Creek Greenway. The Applicant is also proposing interparcel connections to adjacent commercially-zoned property along Peachtree Industrial Boulevard. The proposed interparcel connectivity would relieve pressure on existing road systems and make it more convenient for Suwanee residents to reach their destinations and perform daily shopping tasks. With Suwanee’s excellent recreational and entertainment options and its growing supply of office space and other employment centers, residents of the proposed development could truly live, work, and play within a very short distance of the Property.

Sugarloaf Office || 1550 North Brown Road, Suite 125, Lawrenceville, Georgia 30043

NorthPoint Office || 11175 Cicero Drive, Suite 100, Alpharetta, Georgia 30022

TELEPHONE 770 232 0000

FACSIMILE 678 518 6880

www.mptlawfirm.com

R2-2017-010

According to the Suwanee 2030 Comprehensive Plan (the “2030 Plan”), the Property is within the PIB Corridor Character Area and the PIB/Suwanee Junction subarea. The 2030 Plan encourages diversification of the heavily commercial PIB corridor “with residential development concentrated on parcels behind those with PIB frontage.” The 2030 Plan also encourages “more pedestrian use and connections with adjacent neighborhoods.” The proposed development would provide a high-quality infill development behind existing commercial uses. To the west and north, the Property is bounded by land zoned C-2. To the east the Property is adjacent to land owned by the City zoned R-100 which contains the stream bed of Brushy Creek. Further east across Brushy Creek is land zoned O-I as well as land zoned M-1 along Brogdon Road. To the south across Suwanee Dam Road, is additional land zoned M-1 along Stonecypher Road.

The Applicant has designed the proposed development to integrate with existing infrastructure as well as proposed or recommended roadway improvements as set forth in the 2030 Plan. For example, concept drawings in the 2030 Plan of the Suwanee Junction subarea depict a rerouted Stonecypher Road which terminates in a roundabout with spurs to the west and east. The Applicant has designed the proposed development with this potential connection in mind and has proposed a full-service entrance that lines up with the proposed westerly spur of Stonecypher Road. The proposed development also includes modern stormwater infrastructure and water control features such as pre-treatment water quality structures and underground stormwater detention facilities. Further, as a high-quality infill development, the proposed development would provide an important connection between the Suwanee Town Center and the Village Grove mixed-use development on the west side of Peachtree Industrial Boulevard.

The Applicant and its representatives welcome the opportunity to meet with staff of the City of Suwanee Planning Department to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Applications filed herewith. The Applicant respectfully requests your approval of this Application.

This 1st day of November, 2017.

Respectfully Submitted,

MAHAFFEY PICKENS TUCKER, LLP

A handwritten signature in black ink, appearing to read 'Shane M. Lanham', is written over the printed name below.

Shane M. Lanham

REZONING APPLICATION

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

<p align="center">APPLICANT INFORMATION*</p> <p align="center">Pollack Shores Real Estate Group c/o Mahaffey</p> <p>NAME: <u>Pickens Tucker, LLP</u></p> <p>ADDRESS: <u>1550 N Brown Rd, Suite 125</u></p> <p><u>Lawrenceville, GA 30043</u></p> <p>PHONE: <u>770.232.0000</u></p>	<p align="center">OWNER INFORMATION*</p> <p>NAME: <u>Barrett, Jimmy C.</u></p> <p>ADDRESS: <u>3455 Sexton Woods Drive</u></p> <p><u>Chamblee, GA 30341</u></p> <p>PHONE: <u>770.232.0000</u></p>
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CONTACT PERSON: Shane Lanham CONTACT PHONE: 770.232.0000

EMAIL ADDRESS: slanham@mptlawfirm.com FAX NUMBER: 678.518.6880

PROPERTY INFORMATION

PRESENT ZONING DISTRICT(S): M-1 REQUESTED ZONING DISTRICT PMUD

PROPOSED DEVELOPMENT: Mixed-Use

TAX PARCELNUMBER(S): R7236 093

ADDRESS OF PROPERTY: Suwanee Dam Road

TOTAL ACREAGE: +/- 14.29 PUBLIC ROADWAY ACCESS: Suwanee Dam Road

FOR RESIDENTIAL DEVELOPMENT:	FOR NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: <u>330</u>	NO. OF BUILDINGS/UNITS: <u>2</u>
DWELLING UNIT SIZE (SQ. FT.): <u>800+ square feet</u>	TOTAL GROSS SQUARE FEET: <u>+/- 13,880</u>

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.

<p><u>[Signature]</u> <u>11/1/17</u></p> <p>Signature of Applicant* Date</p> <p><u>Shane M. Lanham, Attorney for the Applicant</u></p> <p>Print Name* Date</p> <p><u>Donna L. Bowen</u> <u>11/1/17</u></p> <p>Signature of Notary Date</p>	<p>_____ Signature of Owner* Date</p> <p>_____ Print Name* Date</p> <p>_____ Signature of Notary Date</p>
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If Additional Applicant or Owner Information is Needed Please Complete Additional Application Form(s)



CITY OF SUWANEE USE ONLY

Date Received: _____ Case No.: RZ-2017-010 Accepted By: _____

REZONING APPLICATION

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

<p style="text-align: center;">APPLICANT INFORMATION*</p> <p style="text-align: center;">Pollack Shores Real Estate Group c/o Mahaffey</p> <p>NAME: <u>Pickens Tucker, LLP</u></p> <p>ADDRESS: <u>1550 N Brown Rd, Suite 125</u> <u>Lawrenceville, GA 30043</u></p> <p>PHONE: <u>770.232.0000</u></p>	<p style="text-align: center;">OWNER INFORMATION*</p> <p>NAME: <u>Barrett, Jimmy C.</u></p> <p>ADDRESS: <u>3455 Sexton Woods Drive</u> <u>Chamblee, GA 30341</u></p> <p>PHONE: <u>770.232.0000</u></p>
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CONTACT PERSON: Shane Lanham CONTACT PHONE: 770.232.0000

EMAIL ADDRESS: slanham@mplawfirm.com FAX NUMBER: 678.518.6880

PROPERTY INFORMATION

PRESENT ZONING DISTRICT(S): M-1 REQUESTED ZONING DISTRICT PMUD

PROPOSED DEVELOPMENT: Mixed-Use

TAX PARCELNUMBER(S): R7236 093

ADDRESS OF PROPERTY: Suwanee Dam Road

TOTAL ACREAGE: +/- 14.29 PUBLIC ROADWAY ACCESS: Suwanee Dam Road

FOR RESIDENTIAL DEVELOPMENT: NO. OF LOTS/DWELLING UNITS: 330
 DWELLING UNIT SIZE (SQ. FT.): 900+ square feet

FOR NON-RESIDENTIAL DEVELOPMENT: NO. OF BUILDINGS/UNITS: 2
 TOTAL GROSS SQUARE FEET: +/- 25,000

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.

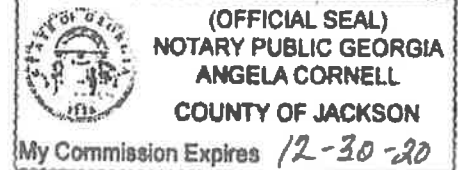
<p>Signature of Applicant* _____ Date _____</p> <p><u>Shane M. Lanham, Attorney for the Applicant</u></p> <p>Print Name* _____ Date _____</p> <p>Signature of Notary _____ Date _____</p>	<p style="text-align: right;"><u>Jimmy C. Barrett</u> <u>11-1-17</u></p> <p>Signature of Owner* _____ Date _____</p> <p style="text-align: center;"><u>Jimmy C. Barrett</u></p> <p>Print Name* _____ Date _____</p> <p style="text-align: center;"><u>Angela Cornell</u> <u>11-1-17</u></p> <p>Signature of Notary _____ Date _____</p>
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* If Additional Applicant or Owner Information is Needed Please Complete Additional Application Form(s)

CITY OF SUWANEE USE ONLY

Date Received: _____ Case No.: RZ 2017-010

Accepted By: _____



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.

(B) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:
Please see attached.

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

(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:
Please see attached.

(E) Whether the zoning proposal is in conformity with the policy and intent of the land use plan:
Please see attached.

(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:
Please see attached.

CITY OF SUWANEE USE ONLY

Date Received: _____ Case No.: RZ-2017-070 Accepted By: _____

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) Yes, the proposed development will permit a use that is suitable in view of the use and development of adjacent and nearby property. The property is adjacent to existing commercial uses and is located in close proximity to land zoned O-I and M-1 located along Suwanee Dam Road, Brogdon Road, and Stonecypher Road.
- (B) No, the proposed development will not adversely affect the existing use or usability of any of the nearby properties. The proposed development is complementary to existing land uses and development.
- (C) In light of the size, location, and layout of the Property and the character of surrounding uses, the Applicant submits that the property does not have reasonable economic use as currently zoned.
- (D) No, the proposed development will not result in an excessive or burdensome use of the infrastructure systems. The subject Property is located on Suwanee Dam Road in close proximity to Peachtree Industrial Boulevard and Buford Highway with access to utilities.
- (E) Yes, the proposed development is in conformity with the policy and intent of the Suwanee 2030 Comprehensive Plan. The 2030 Plan encourages a development pattern represented by the proposed development.
- (F) The Applicant submits that the commercial/retail nature of adjoining properties and the industrial zoning classification of the Property provide additional support for the Application.

PROPOSED
SUWANEE SITE PLAN

NOVEMBER 3, 2017

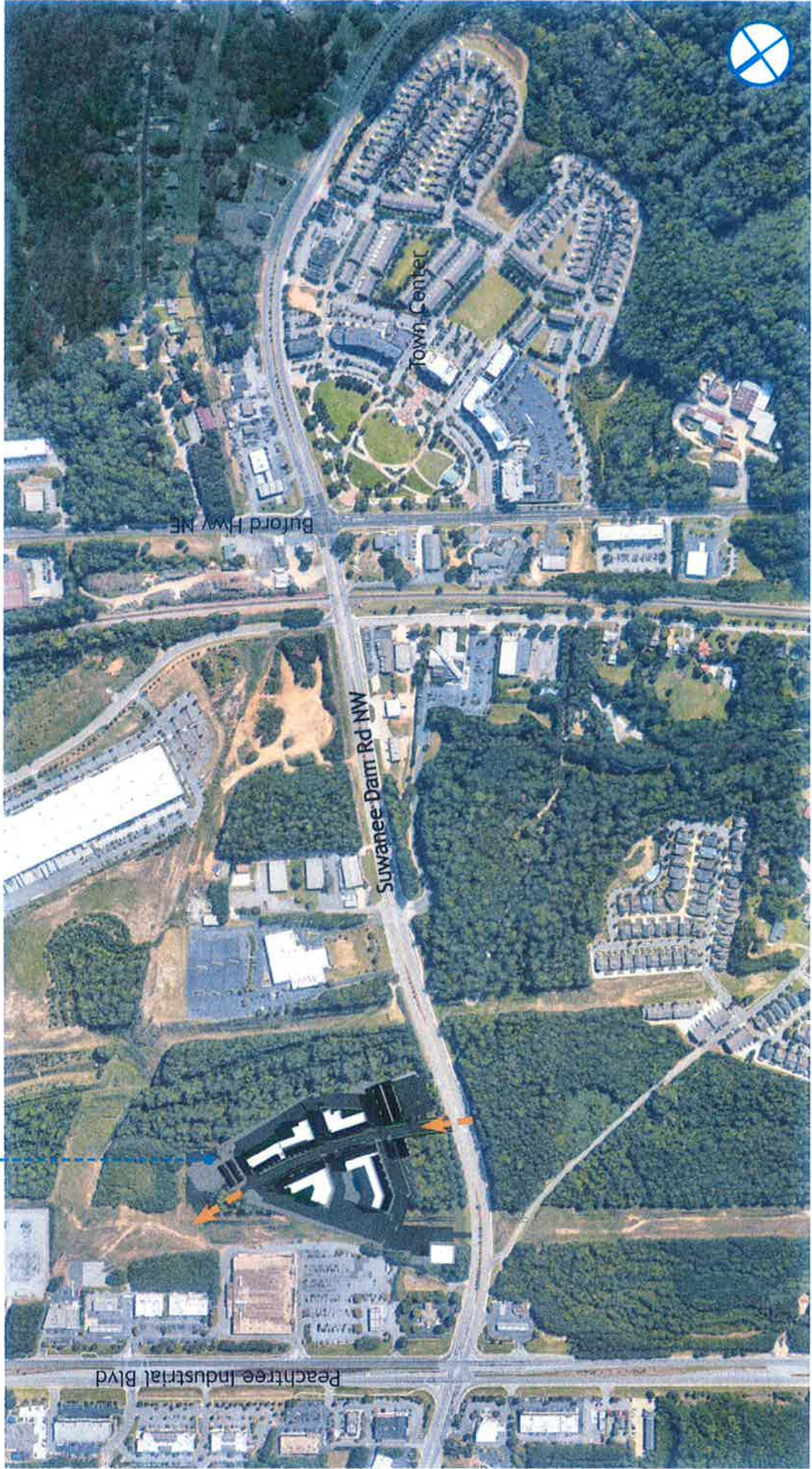
A RESIDENTIAL COMMUNITY DEVELOPED BY
POLLACK SHORES REAL ESTATE GROUP

NILES BOLTON ASSOCIATES

Exhibit B (1 of 7)

Proposed Site Plan
Suwanee, Georgia

-----Proposed Site



RZ-2017-010



RZ-2017-010

Perspective

Southeast Entry from Suwannee Dam Rd NW



RZ-2017-010

Exhibit B (4 of 7)

Perspective

Entry from Suwanee Dam Rd NW

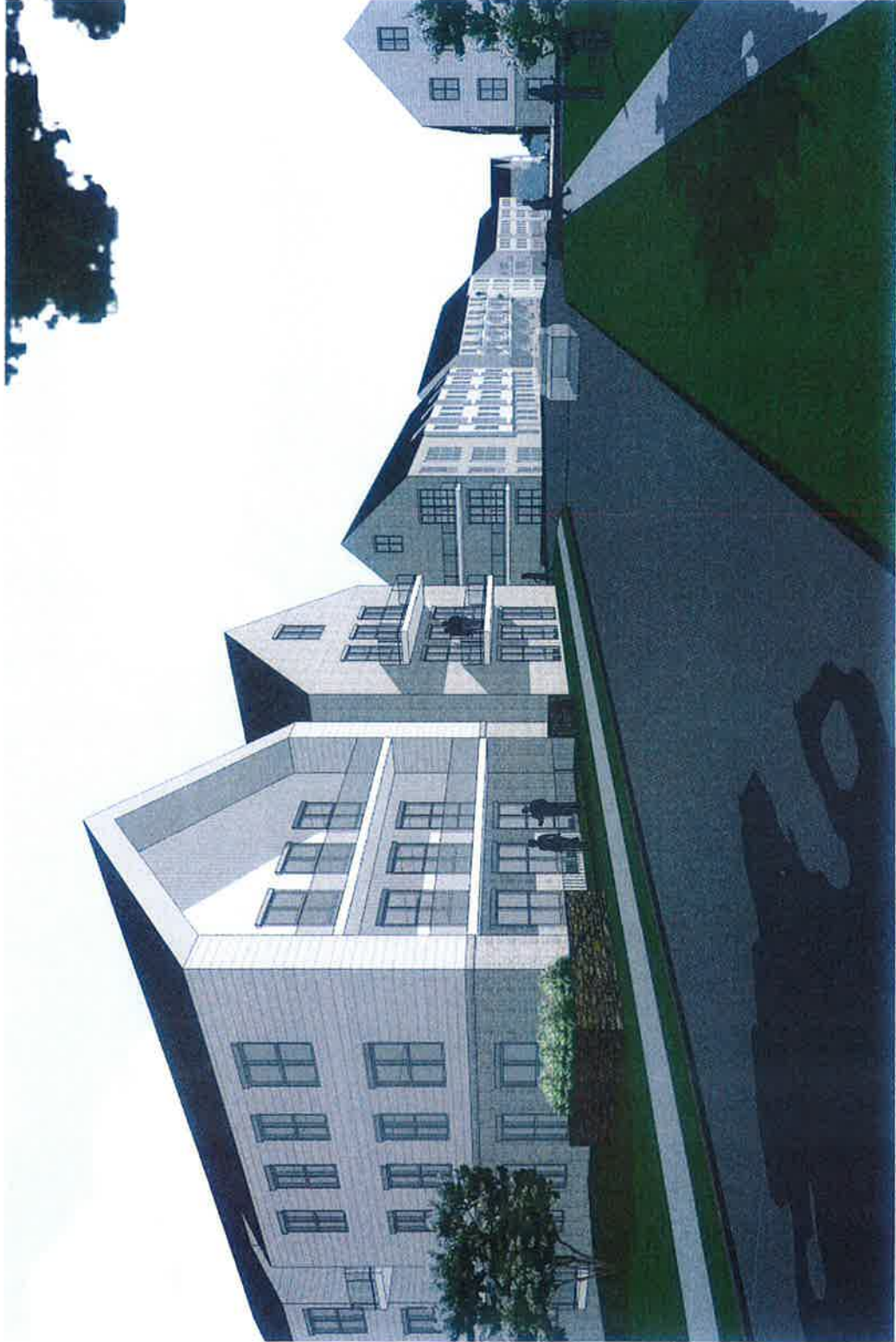


Perspective
Amenity/Clubhouse Building



Perspective

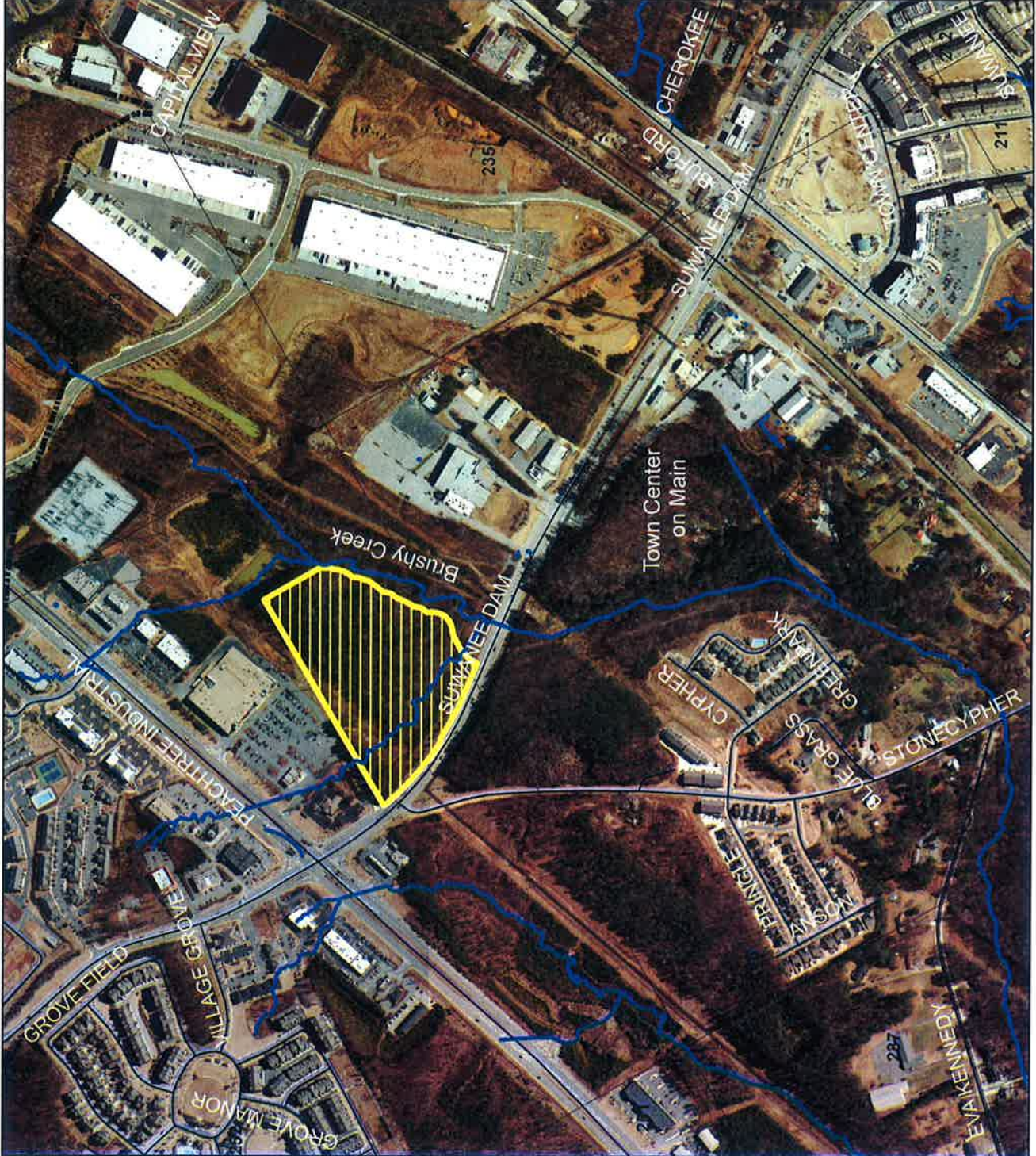
North Entry from Future Road



R2-2017-010



Location Map RZ-2017-010



Legend

- streams
- RZ-17-010
- roads





Zoning Map RZ-2017-010

Legend

- streams
- RZ-17-010

ZONING

- C-1
- C-2
- C-2A
- C-3
- GCA
- IRD
- M-1
- OI
- OTCD
- PMUD
- R-100
- R-140
- R-75
- R-85
- RM6
- RM8
- roads

