REZONING(S): RZ-2018-007

CITY OF SUWANEE REZONING ANALYSIS

CASE NUMBERS: RZ-2018-007

REQUEST: RM-6 (RESIDENTIAL MULTI-FAMILY

DUPLEX DISTRICT) TO RM-6 (CHANGE OF

CONDITIONS)

LOCATION: 641 EVA KENNEDY ROAD

TAX ID NUMBER: 7-237-008

ACREAGE: APPROXIMATELY 18.2 ACRES

PROPOSED DEVELOPMENT: SINGLE FAMILY DETATCHED AND SINGLE

FAMILY ATTACHED HOMES

APPLICANT: SPARTAN INVESTORS I, LLC

390 BROGDON ROAD

SUWANEE, GEORGIA 30024

OWNER: SUWANEE FIRST BAPTIST CHURCH

641 EVA KENNEDY ROAD SUWANEE, GEORGIA 30024

CONTACT: CLINT WALTERS

PHONE: 404-274-4492

RECOMMENDATION: APPROVAL WITH CONDITONS

PROJECT DATA:

The applicant requests a rezoning from RM-6 (Residential Multi-family Duplex District) to RM-6 (change of conditions) to allow for the development of 52 single family detached and 24 single family attached homes. The subject property is approximately 18.2 acres.

The property was zoned to RM-6 in February of 2018 to allow for 78 single family detached and single family attached homes on the subject property. The approved concept plan dated February 26, 2018 includes a total of 78 units, 25 of which are townhomes on the north side of the powerlines, and 53 units are single family detached homes on the south side of the powerlines. All units in the concept plan are rear loaded with 2 car garages accessed via rear alleys. The applicant proposes to substitute front entry townhomes similar to those illustrated in "Exhibit C" in place of the previously approved rear entry townhomes. This would require a change to the approved concept plan and conditions of the previous rezoning, RZ-2018-001.

The subject property is a large tract of land located along Eva Kennedy Road. An approximately 150 foot wide powerline easement, a stream, and a sewer easement bisect the property at roughly the same location, separating the northern third of the property from the southern portion of the

property that is adjacent to Eva Kennedy Road. The property is currently occupied by a church, an off street parking lot, and storage building, which sit on the developed portion of the site to the south of the powerlines. The portion north of the powerlines backs up to commercial property that fronts Peachtree Industrial Boulevard. The northern portion is undeveloped and wooded.

In addition to the adjacent property to the north, the northern portion of the site touches two other properties that are undeveloped. To the east is an approximately 35 acre tract of land zoned M-1 that has frontage on Peachtree Industrial Boulevard and Stonecypher Road and backs up to the Stonecypher neighborhood where there is a road stubbed to the M-1 property for a future connection. To the west is property that was recently rezoned to RM-8 for the development of 49 townhomes with access to Peachtree Industrial Boulevard.

The proposed concept plan dated July 03, 2018, reduces the total number of units to 76, 24 of which are townhomes on the north side of the powerlines, and 52 units are single family detached homes on the south side of the powerlines. This new plan eliminates the alleys and onstreet parking for the townhome units to allow for front loaded garages instead of rear loaded. The approved concept plan had 43 on-street parking spaces, and the revised plan has 21. These 21 spaces would be provided in the single family detached portion of the project and no on-street parking would be provided in front of townhomes in the northern portion of the project. There are no proposed changes to building heights or unit sizes.

The approved concept plan indicated one access point off of Eva Kennedy Road. Additionally, the approved concept plan included connectivity to other parts of the City by extending 4 roads to the property lines with adjacent properties. One connection would be to the undeveloped property to west, which has recently been approved for 49 townhomes with a condition of zoning requiring a connection to the subject property. If the adjacent property is developed per the concept plan, then the subject property would be connected to Peachtree Industrial Boulevard via this adjacent neighborhood. The proposed concept plan still has one access point off of Eva Kennedy Road and two of the four future connections. The proposed plan does not provide a future connection to parcel 7-251-009 to the north, which fronts Peachtree Industrial Boulevard. Eliminating connections to the parcel to the north requires a modification to the approved conditions of approval.

All open space amenities in the approved concept plan are also in the proposed concept plan including a 10-foot-wide multi-use path within the powerline easement, a small pocket park in the northern portion of the single family detached part of the plan and a ¾ acre park along Eva Kennedy Road.

DEVELOPMENT COMMENTS:

RM-6 zoning requires a 50-foot undisturbed buffer along adjacent R-100 properties to the east and west. Like the approved concept plan, the proposed development would require a variance from the Zoning Board of Appeals to reduce this buffer to a 30-foot graded and replanted buffer on the east side and a 10-foot graded and replanted buffer on the west side as shown in the proposed plan. The RM-6 zoning also requires a 50-foot setback from the right-of-way.

Additional variances would be required to locate homes closer to Eva Kennedy as shown in the proposed plan.

ANALYSIS:

The applicant requests a change of conditions for the subject property that was recently rezoned to RM-6 (Residential Multi-family Duplex). Condition number 12 of RZ-2018-001 requires that all homes on the subject property have rear loaded garages. The purpose of this condition is to make a more functional road that serves pedestrians and vehicles well. As single family density increases, driveways dominate the environment if residential units are front loaded creating roads that do not allow for on-street parking, roads with sidewalks that are obstructed by vehicles parked in driveways, and roads that are aesthetically unappealing. These reduce the usefulness of the road and reduce the effectiveness of traffic calming features that are present in streets with rear loaded units.

The applicant is requesting a change to Condition number 12 and other conditions that would be affected by this change to the adopted concept plan. These changes would allow the single family attached units to be front loaded, while single family detached units would remain rear loaded.

The applicant has engineered the site since the previous rezoning and claims it is not feasible to fit a rear alley behind the single family attached units due to the topography of the site and an existing sewer easement. There is steep topography at the rear of the site where the townhomes are planned. The site falls approximately 20 feet from the rear of the property to the power line easement. This makes it challenging to create drive under garages behind the townhomes that line the road and still have the road line up with and connect to the neighboring development as is required by conditions.

While allowing some front entry garages would not undermine the overall neighborhood design, it would make the future connection to the development west of the subject property less impactful. The purpose of providing connectivity within the city is to make it more walkable and make local vehicular trips shorter. The proposed concept plan still provides this very important vehicular connection, but having front loaded townhomes on both sides of the street will result in a series of driveways that are very close together that interrupt the sidewalk to the point where very little sidewalk is left. This will compromise the walkability between the two neighborhoods and between both neighborhoods and other parts of the city.

Another concern of the proposed change is the elimination of on-street parking in the townhome area. Driveways in front of units prevent on-street parking; therefore, there would no significant guest parking near the townhomes and the overall on-street parking count would be reduced from 43 to 21 spaces for the entire neighborhood.

While the site does present challenges, the significant impact to pedestrian facilities and potential for parking issues in the townhome area is not a desirable long term outcome. As such, if the request is approved, it is recommended that only one side of the road be allowed to have front loaded units. This would allow the new road to have an uninterrupted sidewalk and on-street parking on one side while the other side could have front loaded units.

In conclusion, with the appropriate conditions to ensure the goals of the city are met, an allowance for some front loaded units can be made. As such, the Planning Department recommends APPROVAL WITH CONDITIONS of RZ-2018-007.

Recommended Conditions **RZ-2018-007**

The Planning Department recommends the following changes to the conditions for the subject property (Additions to RZ-2018-001 are noted with bold, deletions from RZ-2018-001 are note with strikethrough):

- 1. Develop in accordance with the concept plan dated February 26, 2018July 3, 2018. Buffer widths shall be consistent with the approved concept plan.
- 2. Development shall be limited to a maximum of 78 residential units. Development shall be limited to single family attached or detached development on the north side of the power line easement. Development shall be limited to single family detached development with a maximum of 4.5 units per acre on the south side of the power line easement.
- 3. The north and south side of the power lines should be developed as one cohesive neighborhood connected through the powerline easement with at least one street. This street should connect to the adjacent properties to the east (parcel 7-237-396) and to the west (parcel 7-236-093) and to the north (parcel 7-251-009) via a continuous street network. Development plans for the property shall be coordinated with any adjacent completed developments, any developments under way, and/or any development plans in the review process. The purpose of this coordination is to ensure that connections to adjacent properties align properly.
- 4. New streets shall be publicly dedicated. Minimum 5 foot wide sidewalks shall be provided on both sides of all streets except where homes are front loaded. Trees shall be planted on 40 foot centers within a 5 foot wide minimum planting strip located between the curb and the sidewalk where sidewalks are constructed. A minimum of one tree shall be planted in the front yard of all lots with front loaded units. Trees shall have a minimum caliper of 3 inches. A root barrier shall be planted with all trees adjacent to a sidewalk. Final design of the roads shall be approved by the City Engineer. Alleys shall be private and are subject to the approval of the City Engineer.
- 5. Provide on-street 8 feet wide parallel parking delineated by bulb-outs consistent with the site plan dated 2/26/187/3/18.
- 6. A minimum of 1/2 acre of usable open space and/or amenity area shall be provided for the development. Said space shall be a usable open space that provides a focal point for the development. Said space shall be completed prior to approval of any final plat for the project.

7. Development Standards:

- A. Single Family Attached shall be subject to the following development standards:
 - i. Attached homes shall be located on fee simple lots with a minimum width of 22 feet.
 - ii. Minimum unit size: 1,800 square feet
 - iii. Maximum building height: 3 stories
 - iv. Minimum front yard: 5 feet from the back of the sidewalk but not within the right-of-way
 - v. Minimum rear yard: 5 feet
 - vi. Minimum building separation: 20 feet
 - vii. Minimum parking required: 2 spaces per units within a garage
 - viii. Minimum driveway length: 22 feet long
 - ix. Minimum road/alley frontage: 22 feet
- B. Single Family Detached shall be subject to the following development standards:
 - i. Minimum lot width: 35 feet
 - ii. Minimum lot size: 2,500 square feet
 - iii. Minimum unit size: 2,300 square feet
 - iv. Maximum building height: 35 feet
 - v. Minimum front yard: 5 feet from the back of the sidewalk but not within the right-of-way
 - vi. Minimum rear yard: 5 feet
 - vii. Minimum side yard setback: 0 feet
 - viii. Minimum building separation: 10 feet
 - ix. Minimum parking required: 2 spaces per unit within a garage.
 - x. Minimum road/alley frontage: 35 feet
 - xi. Carriage homes shall be allowed as an accessory use on single family detached lots larger than 4,000 square feet subject to the following standards:
 - a. Minimum unit size: 800 square feet
 - b. Maximum building height: 2 stories
 - c. Building or structure shall comply with section 604.A, B, and C of the City of Suwanee Zoning Ordinance.
 - d. Exterior finish shall be consistent with the finish of the primary residence.
- 8. Architecture for all single family attached units shall be 3-sided brick units. Architecture shall be similar to those shown in "Exhibit B or C" or consistent with approved architecture for RZ-2017-008 on adjacent property to the west. Final architecture for all units shall be subject to the approval of the Planning Department.

- 9. Architecture for all single family detached units shall be subject to the approval of the Planning Department.
- 10. All single family attached units should have a front stoop or porch between 18 inches and 6 feet above the grade of the sidewalk in front of the unit.
- 11. All single family detached units should have a porch between 18 inches and 3 feet above the grade of the sidewalk in front of the unit. Said porch shall be a minimum of 6 feet deep and 120 square feet in size.
- 12. All residential units shall have rear-loaded garages that are accessed via rear alleys with the exception of single family attached units one side of the new road, which may be front loaded.
- 13. Provide landscaping to screen all rear-loaded driveways from view of public or private streets. Plants used for this shall be anticipated to grow to a minimum of 4 to 6 feet in height. Landscaping shall be approved by the City of Suwanee Planning and Inspections Director.
- 14. Subject to the approval of Georgia Power, provide within an access easement a 10-foot-wide multi-use path within the powerline easement from one end of the property to the other.
- 15. Along Eva Kennedy Road, provide a pocket park that is consistent with the size and dimensions shown on the Concept Plan dated February 26, 2018July 3, 2018. Design of said pocket park shall be subject to the approval of the Planning Department. Along Eva Kennedy Road, no more than 1 single family detached lot along the eastern end of the property and 2 single family detached lots may be provided to the western end of the property.

For residential lots with frontage along Eva Kennedy Road:

- a) No buffers will be required to be shown on the concept plan where adjacent to existing residential,
- b) A fifty-foot setback shall be provided along Eva Kennedy Road only,
- c) Units shall be single family detached,
- d) Lots shall have a minimum width of 65 feet as measured at the front setback,
- e) Units may make use of front loaded garages provided said garages shall be located at or behind the front facade of the house,
- f) Units shall be oriented to face Eva Kennedy Road, and
- g) The architectural style for these homes should be consistent with the style of architecture found in the area and should have a master bedroom on the main floor.

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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 single family detached homes near Eva Kennedy Road and townhomes at the rear of the subject property adjacent to planned townhomes would permit uses that are suitable in view of adjacent and nearby single family uses.

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

The proposed change of conditions will not negatively affect existing uses 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;

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 2030 Comprehensive Plan prescribes single family detached homes for the parcels along Eva Kennedy Road and a new road through the subject property connecting Eva Kennedy to Peachtree Industrial Boulevard. The proposed development would accomplish these goals.

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;

Front loaded townhomes require a series of driveways with limited separation between them. This results in sidewalks that do not work, the pedestrian is constantly entering a vehicular zone and often the driveways are occupied by vehicles that block the sidewalk. Additionally, the frequency of driveways limits the possibility of on-street parking and limit the provision on street trees. All of these factors severely limit the functionality of the road. As such, this situation should be minimized.

RZ-2018-007

REZONING APPLICATION

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

APPLICANT INFORMATION*	OWNER INFORMATION*
NAME: Sporton Invastors 1, LCC	NAME: Survence First Bophist Chied do
ADDRESS: 350 Brogding nd	ADDRESS: 641 Eva Kanada Rd
Summer, 6A 30024	ADDRESS: 641 Eva Kennedy Rd Sanner 64 30024
PHONE: 404 - 274 - 4492	PHONE: 770 - 963 - 5664
CONTACT PERSON: Clint Walter CO	NTACT PHONE: 404 - 274 - 4492
EMAIL ADDRESS: Cwalters & homesouth FA	AX NUMBER:
	NFORMATION
PRESENT ZONING DISTRICT(S): RM - 6 RE	
PROPOSED DEVELOPMENT: Single - family	of tentral sundivision
TAX PARCELNUMBER(S): 7237 008	
ADDRESS OFPROPERTY: 641 Ev. Kon	WACOPEG F K I R. A
TOTAL ACREAGE: 19, 16 5 PUBLIC ROADWAY	Y ACCESS: E On Menhally More
FOR RESIDENTIAL DEVELOPMENT:	FOR NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS:	NO. OF BUILDINGS/UNITS:
DWELLING UNIT SIZE (SQ. FT.):	TOTAL GROSS SQUARE FEET:
I hereby certify that the above and attached information is t 2004 no reapplication on the same land which has been det	nied by the City Council shall be acted upon within 12 is waived by the Council. In no case shall a reapplication be n by the Council. I am also aware that pursuant to Section
Signature of Applicant* Chart Marie* Print Name* Signature of Notary Date Date Date Date Date Date	Print Names Signature of Owner Print Names Signature of Natary Signa
* If Additional Applicant or Owner Information is Needed Please C	
WETT CO CITY OF SUW	ANEE USE ONLY
Date Received: Case No.	X2-2018.00 Accepted By: 0

LETTER OF INTENT FOR REZONING APPLICATION FOR CHANGE IN CONDITIONS OF SPARTAN INVESTORS I, LLC

July 2, 2018

Spartan Investors I, LLC (the "Applicant") submits this Letter of Intent and attached Rezoning Application (the "Application") for the purpose of a Change in Conditions of previous zoning case RZ 2018-001. The RM-6 zoned property consists of approximately 18.165 acres located on the northerly side of Eva Kennedy Road between Peachtree Industrial Boulevard and Stonecypher Road.

The Applicant's requested amendments to the zoning conditions of RZ 2018-001 allow the project to be best developed subject to the topographic conditions of the northern portion of the site. The site falls approximately twenty feet from the northern property line to the power line. This topography, coupled with the site width from the property line to the sewer easement, does not physically allow for rear entry townhouses to be reasonably constructed. High quality, front entry townhouses as depicted in the attached renderings and elevations will provide a better product for the community.

The Applicant proposes a Change in Conditions of RZ-2018-001. Specifically, Applicant requests changes to the following Conditions:

Condition # 1; which currently states:

1. Develop in accordance with the concept plan dated February 26, 2018. Buffer widths shall be consistent with the approved concept plan.

The applicant proposes that Condition # 1 be amended to state:

1. Develop in accordance with the concept plan as presented at the City Council meeting on August 26, 2018. Buffer widths shall be consistent with the approved concept plan.

Condition # 4; which currently states:

4. New streets shall be publicly dedicated. Minimum 5 foot wide sidewalks shall be provided on both sides of all streets. Trees shall be planted on 40 foot centers within a 5' minimum planting strip located between the curb and the sidewalk. Trees shall have a minimum caliper of 3 inches. A root barrier shall be planted with all trees adjacent to a sidewalk. Final design of the roads shall be approved by the City Engineer. Alleys shall be private and are subject to the approval of the City Engineer.

The applicant proposes that Condition # 4 be amended to state:

4. New streets shall be publicly dedicated. Minimum 5 foot wide sidewalks shall be provided on both sides of all streets. Trees shall be planted on 40 foot centers within a 5' minimum planting strip located between the curb and the sidewalk on rear entry lots and townhouses. On front

390 Brogdon Road Suwanee, Georgia 30024

RZ-2018-007

entry townhouses, trees shall be planted in front of every other unit. Trees shall have a minimum caliper of 3 inches. A root barrier shall be planted with all trees adjacent to a sidewalk. Final design of the roads shall be approved by the City Engineer. Alleys shall be private and are subject to the approval of the City Engineer.

Condition # 5; which currently states:

5. Provide on-street 8 feet wide parallel parking delineated by bulb-outs consistent with the site plan dated 2/26/18.

The applicant proposes that Condition # 5 be amended to state:

5. Provide on-street 8 feet wide parallel parking delineated by bulb-outs consistent with the site plan as presented at the City Council Meeting on August 28, 2018.

Condition # 8; which currently states:

8. Architecture for all single family attached units shall be 3-sided brick units. Architecture shall be similar to those shown in "Exhibit B" or consistent with approved architecture for RZ-2017-008 on adjacent property to the west. Final architecture for all units shall be subject to the approval of the Planning Department.

The applicant proposes that Condition # 8 be amended to state:

8. Architecture for all single family attached units shall be 3-sided brick units. Architecture shall be similar to those **presented at the City Council Meeting on August 28, 2018**, or consistent with approved architecture for RZ-2017-008 on adjacent property to the west. Final architecture for all units shall be subject to the approval of the Planning Department.

Condition # 12; which currently states:

12. All residential units shall have rear-loaded garages that are accessed via rear alleys.

The applicant proposes that Condition # 11 be amended to state:

12. All detached residential units shall have rear-loaded garages that are accessed via rear alleys.

390 Brogdon Road Suwanee, Georgia 30024

Rz-2018.007

The Applicant welcomes the opportunity to meet with Staff of the City of Suwanee Planning & Inspections Department to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Rezoning Applications filed here with. The Applicant respectfully requests approval of this Application.

Spartan Investors I, LLC

MUULA

Clint Walters Authorized Signatory

390 Brogdon Road Suwanee, Georgia 30024

RZ-2018.001

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

Pursuant to section 2006 of the 1998 Zoning Ordinance, the city council finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

Please respond to the following standards in the space provided or use an attachment as necessary:

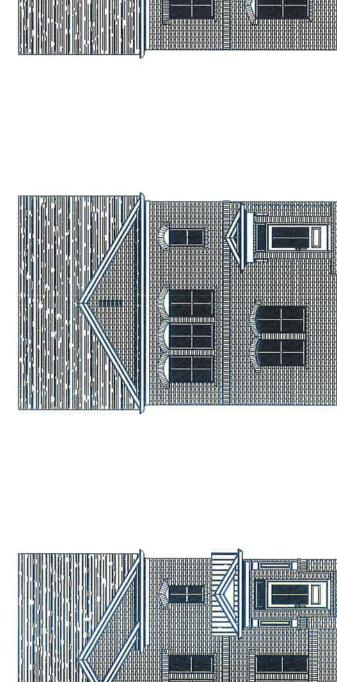
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Whether the zoning nearby property:	g proposal will adversely affect the existing use or usability of adjacent or
Whether the proper currently zoned:	ty to be affected by the zoning proposal has a reasonable economic use as
burdensome use of	proposal will result in a use which will or could cause an excessive or existing streets, transportation facilities, utilities or schools:
See AHa	, hol
	proposal is in conformity with the policy and intent of the land use plan:
Whether the zoning	proposal is in conformity with the policy and intent of the land use plan: other existing or changing conditions affecting the use and development ch give supporting grounds for either approval or disapproval of the zoning

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.
- (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, layout, and topography of the Property and the character of surrounding uses, the Applicant submits that the property does not have reasonable economic uses as currently zoned and conditioned.
- (D) No, the proposed development will not result in excessive or burdensome use of the infrastructure systems. The subject Property is located on Eva Kennedy Road in close proximity to Peachtree Industrial Boulevard, McGinnis Ferry Road, and Suwanee Dam Road with access to utilities.
- (E) Yes, the proposed development is in conformity with the policy and intent of the Suwanee 2030 Comprehensive Plan. The Property is located on the outskirts of the Historic Old Town Character Area adjacent to the PIB Corridor Character Area.
- (F) The Applicant submits that the commercial/retail and industrial classifications of adjoining properties as well as the existing townhomes on Stonecypher Road provide additional support for the Application. Further, the proposed single-family attached townhome use would provide a transition of uses from commercial and retail uses along Peachtree Industrial Boulevard t less intensive single-family, detached residential uses along Stonecypher Road and in the core of the Historic Old Town Suwanee area.

390 Brogdon Road Suwanee, Georgia 30024

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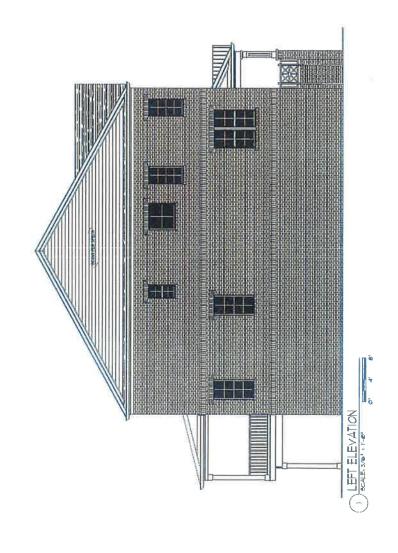


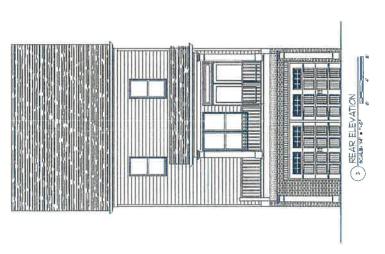
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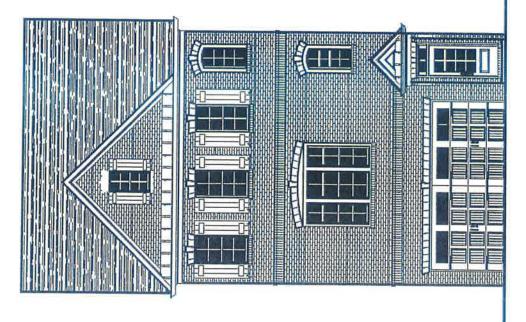
REAR ENTRY SLAB UNITS

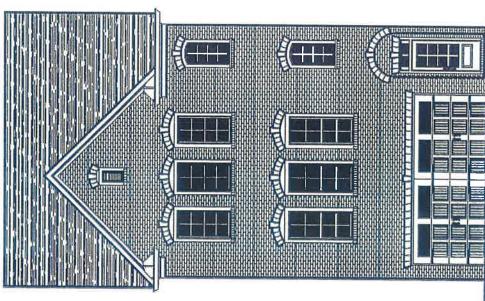
Exhibit B (2 of 4) RZ-2018-007

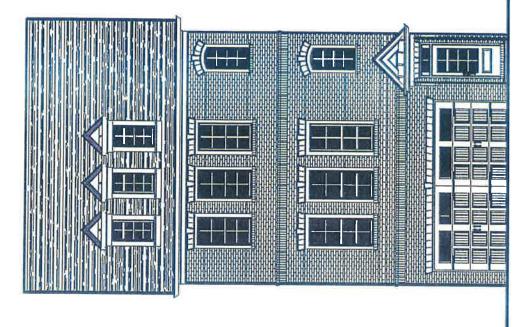


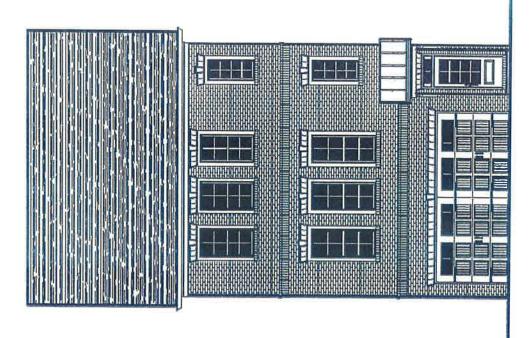


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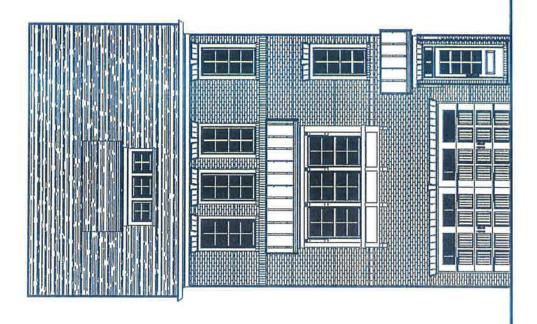


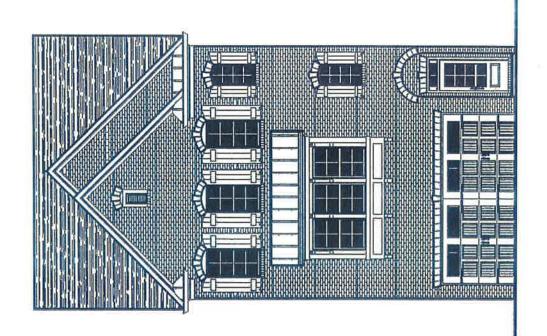


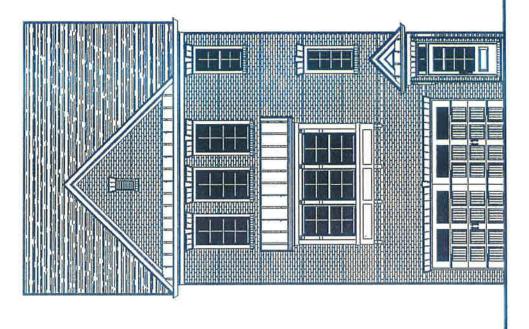


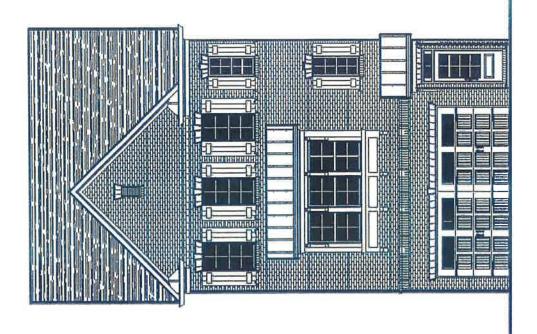












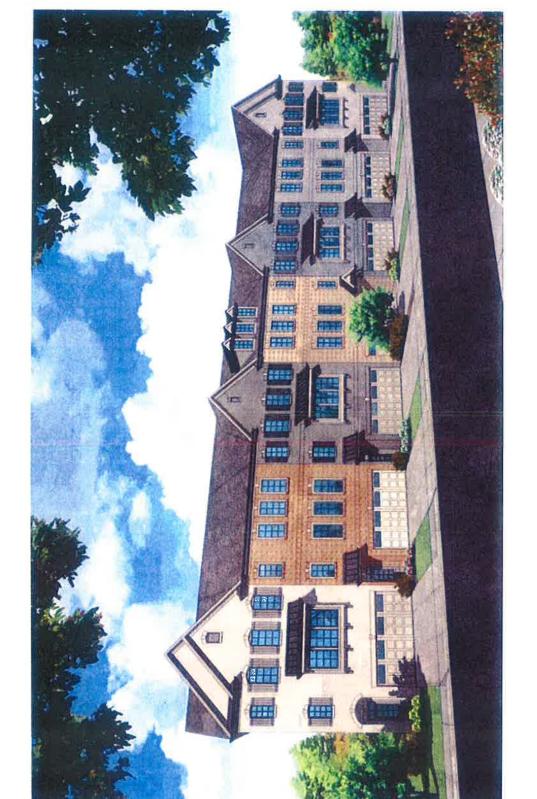
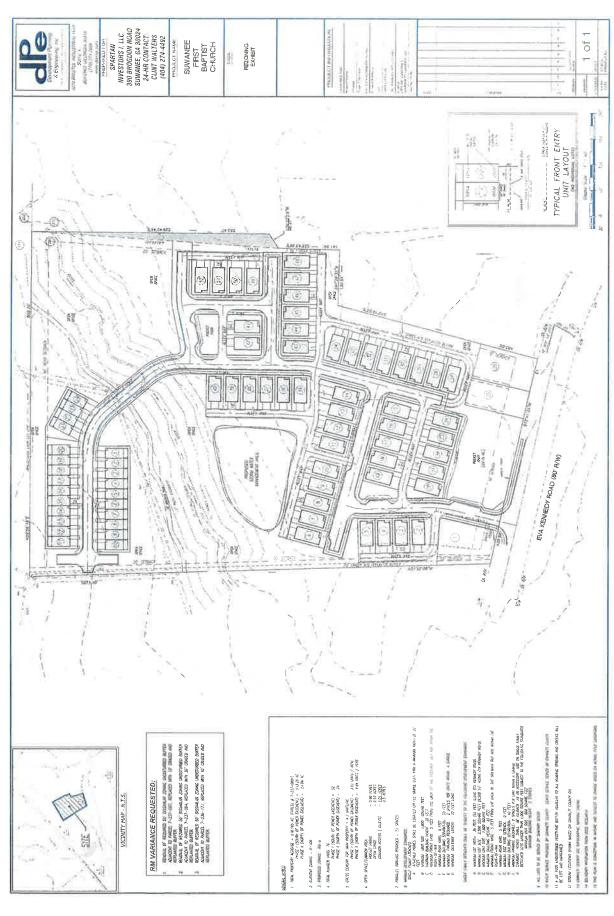


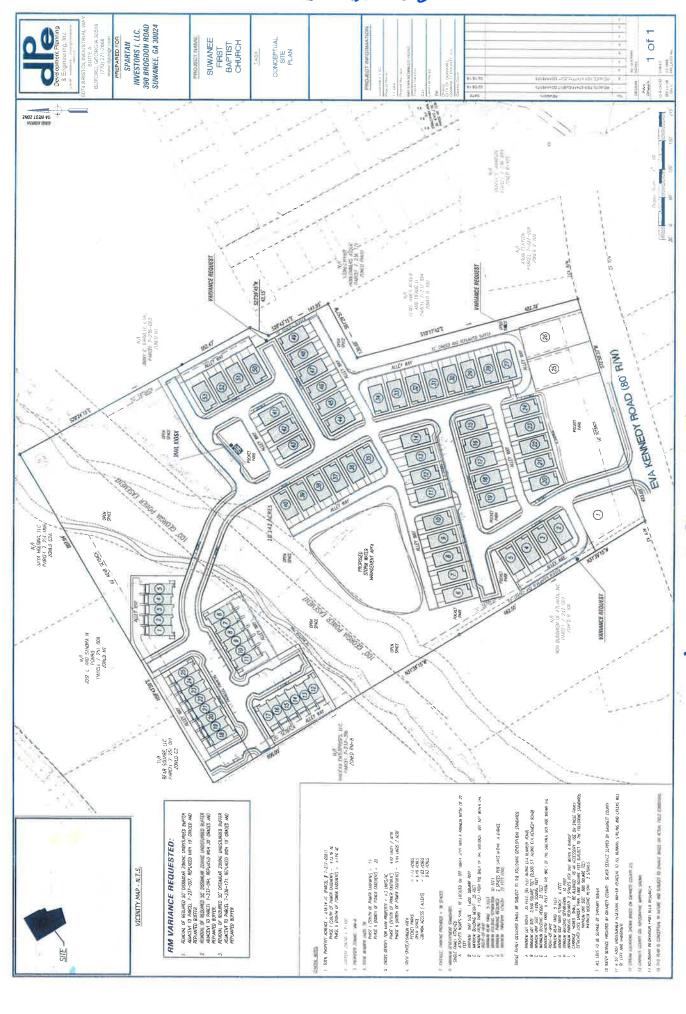
Exhibit C (5 of 5)



Proposed Concept Plan 7.3.18

RZ-2018.007

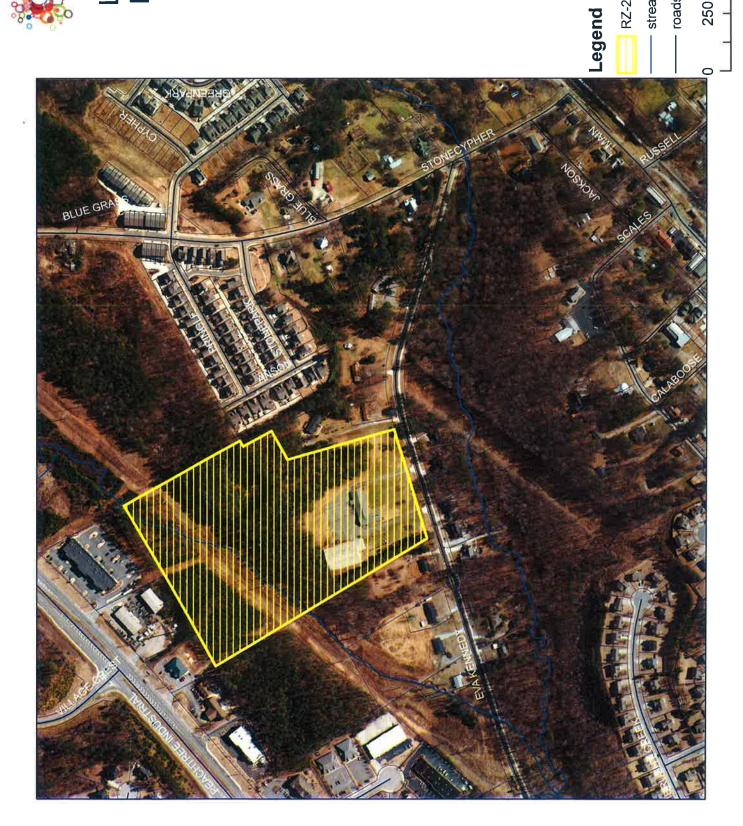
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Approved Concept Plan RZ-2018-001 February 26, 2018



Location Map RZ-2018-007



WAS S 1,000 Feet

1:5,000

200

250

streams - roads

