

**MINUTES**  
**CITY OF SUWANEE, GEORGIA**  
**PLANNING AND ZONING COMMISSION**  
**December 3, 2019**

**PLANNING AND ZONING MEMBERS:** Present: Glenn Weyant, Michelle Budd, and Muthu C. Narayanan, and Brad Cox. Staff members present: Josh Campbell, Alyssa Durden, and MaryAnn Jackson. Absent: Lila Kelley

**CALL TO ORDER**

Michelle Budd called the meeting to order at 6:30 p.m.

**ADOPTION OF THE AGENDA**

*Glenn Weyant moved to adopt the agenda as presented, second by Muthu C. Narayanan. Motion carried 4-0.*

**ADOPTION OF THE MINUTES: October 6, 2019**

*Glenn Weyant moved to approve the October 6, 2019 minutes, second by Muthu C. Narayanan. Motion carried 4-0.*

**OLD BUSINESS**

**NEW BUSINESS**

**RZ-2019-005** – Owner: HJK 1, LLC. Applicant: Mahaffey Pickens Tucker, LLP. The applicant requests annexation and rezoning from R-100 (Single-Family Residence District - Unincorporated Gwinnett County) and R-100 (Residential Single Family District – City of Suwanee) to O-I (Office-Institutional District – City of Suwanee) to allow for an assisted living facility. The site is located in Land Lot 168 of the 7<sup>th</sup> District at the intersection of McGinnis Ferry Road with Northolt Parkway and contains approximately 4.4 acres. The annexation (AN-2019-001) concerns 2.7 acres that are contiguous to the corporate limits of the City of Suwanee and the Owner/Application is seeking annexation of this parcel pursuant to O.C.G.A. 36-36-20 et.

Josh Campbell presented the staff report as follows: The subject property is located at the northwest corner of the intersection of McGinnis Ferry Road and Northolt Parkway. Since 2.7 acres of this 4.4 acre parcel are outside the City limits, the applicant requests annexation of the Gwinnett County portion (2.7 acres) into the City of Suwanee simultaneously with the request for rezoning of the entire property to O-I (Office-Institutional District) to allow for a two story assisted living facility with up to 90 beds/units. The site plan envisions an underground detention facility and a parking lot with 57 parking spaces and access onto Northolt Parkway.

When land is annexed into the City, the land must be zoned to a City of Suwanee zoning district. In this case, the request is from Gwinnett County's R-100 (Single-Family Residence District) to the City of Suwanee's O-I (Office-Institutional District).

Georgia has annexation statutes that regulate the annexation and de-annexation of land within the state. There are several types of annexations delineated by these regulations. In this case, the proposed annexation is regulated by the *annexation by the 100% method* (O.C.G.A 36-36-20 through 23). The “100% method” means that all of the property owners of the parcels subject to annexation (in this case 1 owner and 1 property) have requested annexation. This method allows municipal governing bodies the authority to annex unincorporated parcels contiguous to their municipal limits. Annexation may occur simply from an act of the municipality. Once a resolution to annex the subject property is adopted by the municipality, notice must be served to the Georgia Department of Community Affairs and Gwinnett County. The City Council makes the decision to annex or not. The Planning Commission will only be voting to recommend the appropriate zoning district if the property is annexed.

The subject property consists of approximately 4.4 acres of vacant wooded land located at the northwest corner of the intersection of McGinnis Ferry Road and Northolt Parkway. The property is bound by Northolt Parkway to the southeast and a stream to the west. The adjacent land across the stream is vacant wooded land in unincorporated Gwinnett County (zoned R-100 - Unincorporated Gwinnett). The parcel is able to accommodate the proposed development. The proposed site plan does not show any encroachment into the required buffer along the stream. Any encroachment into this stream buffer would require a variance.

The applicant proposes to develop the site with an assisted living facility with 90 units. Access to the site would be from Northolt Parkway. The proposed building would sit close to the existing sidewalk along Northolt Parkway at the north end of the property, and a surface parking lot would be located to the side of the building at the south end of the property. Placing the building close to the sidewalk and minimizing the presence of parking along the pedestrian realm are good practices that can create an environment conducive to walking. This walkability is consistent with the adjacent Terraces at Suwanee Gateway Planned Mixed-Use Development District (PMUD) and would continue this development pattern to the end of Northolt Parkway; which was constructed to serve the adjacent mixed-use project.

It should be noted that the requested O-I zoning district requires a minimum 50 foot front yard for lot fronting a public street and a minimum 50 foot buffer where a lot is abutting or across from a residential zoning district. The subject property fronts Northolt Parkway; therefore, a 50 foot front setback would be required. A variance from this regulation would be required prior to an issuance of a development permit in order for the subject property to be developed per the proposed site plan.

The subject property meets the minimum standards for the O-I zoning district. There is no minimum lot size or lot width requirement for the district, and the subject property exceeds the minimum 40 feet of road frontage.

A portion of the subject property is not in the City and is not shown on the City's Future Land Use Map. The Gwinnett County Future Development Map shows this property as part of a Workplace Center. According to the Gwinnett 2040 Unified Plan, Workplace Centers are areas designated to be employment focused. Suwanee's O-I zoning district (Office-Institutional District) allows for office, institutions and related limited retail business and service activities. Therefore, the proposed zoning district is generally consistent with the County's Future Development Map.

In 2011, Gwinnett County completed an extension of 4 lane McGinnis Ferry Road from Satellite Boulevard across I-85 to Lawrenceville-Suwanee Road. Formerly, the area was served by 2 lane Burnette Road. As a result, what was formerly a quiet residential area is now transitioning to more intensive land uses. Additionally, the County will be connecting McGinnis Ferry Road to I-85 nearby via a half diamond creating direct access to I-85 South from McGinnis Ferry Road and direct access from I-85 North onto McGinnis Ferry Road. This impending improvement is likely to accelerate the transition away from residential uses. The proposed use of the property as an institutional use would be more consistent with the surrounding uses and ultimately more consistent with the vision for the Suwanee Gateway character area even if the proposed use is not entirely consistent with the future land use map.

The proposed annexation would allow for the development of the property under one jurisdiction. The requested O-I (Office-Institutional District) zoning is compatible to the use that is called for in the County's Future Development Map, and it is compatible with the City's future plans for the subject property. The County has been notified of the proposed annexation and rezoning. As such, if the City Council chooses to annex the subject property, approval as O-I would be the most suitable category. The Planning Department recommends approval with conditions of the request.

Michelle Budd called upon the applicant.

Brian Easley, Mahaffey, Pickens, Tucker, LLP., 1550 North Brown Road, Lawrenceville, GA. Mr. Easley stated that the development will be an assisted living facility with approximately 90 beds. It is an institutional use which is consistent with additional uses in the area. He has reviewed the staff recommended conditions and is in agreement with them.

Glenn Weyant asked Mr. Easley how many facilities he has. Mr. Easley stated that he is unsure but could check. The facility is targeted to Suwanee's diverse population. A lot of the employees will be bilingual and will offer culturally diverse programs.

Michelle Budd asked Mr. Easley how many staff members will be onsite daily. Mr. Easley was unsure but assumed there would be the standard number of employees daily.

Brad Cox asked if there will be a rehabilitation component at the facility. Mr. Easley explained that the facility will have rehabilitation and assisted living options.

Brad Cox asked about parking at the facility. Mr. Easley stated that the facility is designed with the notion that most of the residents will not have vehicles.

Glenn Weyant asked if there will be memory care. Mr. Easley indicated that the facility will consist primarily of assisted living.

Michelle Budd called for opposition. There was none.

***Glenn Weyant moved to approve RZ-2019-005 with staff conditions, second by Brad Cox. Motion carried 4-0.***

1. Use shall be limited to a senior living facility. The total number of all units shall not exceed 90 units. All units shall be assisted living and/or memory care units and comply with all federal and state regulations. Amenities and services such as social and recreational activities, meal service providing residents 14 to 21 meals per week, housekeeping services, shuttle/transportation services, assistance with activities of daily living, and 24 hour emergency response shall be required components of the use.
2. Architecture should be residential in nature, have a pitched roof and be generally consistent with Exhibit B. Exterior materials should be limited to two primary materials and one accent material. All windows that have grilles should be simulated divided lite windows. The City of Suwanee Planning and Inspections Director shall have final approval for all architecture prior to the issuance of a development permit.
3. All utilities shall be located underground.
4. All parking shall be screened with an adequate hedgerow from any public street. Any off-street parking areas shall meet the minimum landscape standards for parking lots as indicated in the City of Suwanee Zoning Ordinance.
5. Landscaping shall be approved by the City of Suwanee Planning and Inspections Director.
6. The height and material of any site walls that are highly visible or facing a public street shall be subject to the approval of the Planning and Inspections Department.

## **PROPOSED 2020 PLANNING COMMISSION MEETING SCHEDULE**

***Glenn Weyant moved to approve the 2020 Planning Commission Meeting Schedule, second by Muthu C. Narayanan. Motion carried 4-0.***

<b>SUBMISSION DEADLINE (5:00 P.M.)</b>	<b>ADVERTISEMENT DATES</b>	<b>P &amp; Z MEETING DATE</b>
<b>12/06/19</b>	12/18/19 01/01/20	01/07/20
<b>01/03/20</b>	01/15/20 01/29/20	02/04/20
<b>01/31/20</b>	02/13/20 02/27/20	03/03/20
<b>03/06/20</b>	03/18/20 04/01/20	04/07/20
<b>04/03/20</b>	04/15/20 04/29/20	05/05/20
<b>05/01/20</b>	05/13/20 05/27/20	06/02/20
<b>06/05/20</b>	06/17/20 07/01/20	07/07/20
<b>07/02/20</b>	07/15/20 07/29/20	08/04/20
<b>07/31/20</b>	08/12/20 08/26/20	09/01/20
<b>09/04/20</b>	09/16/20 09/30/20	10/06/20
<b>10/02/20</b>	10/14/20 10/28/20	11/03/20
<b>10/30/20</b>	11/11/20 11/25/20	12/01/20
<b>12/04/20</b>	12/16/20 12/30/20	01/05/21

**OTHER BUSINESS**

**ANNOUNCEMENTS**

The Friends of Suwanee Luncheon is scheduled for Friday December 6, 2019.

**ADJOURNMENT**

Muthu C. Narayanan moved to adjourn the meeting at 6:50 PM.