

REZONING(S):

RZ-2024-001

**CITY OF SUWANEE
ANNEXATION & ZONING ANALYSIS**

CASE NUMBERS: RZ-2024-001

REQUEST: C-1 (NEIGHBORHOOD COMMERCIAL DISTRICT) to OTCD (OLD TOWN COMMERCIAL DISTRICT)

LOCATION: 15 BUFORD HIGHWAY

TAX ID NUMBERS: 7-235-082

ACREAGE: 1.54 ACRES

PROPOSED DEVELOPMENT: MIXED-USE - RESIDENTIAL LOFTS OVER RETAIL

APPLICANT: ANDY SUTTON
1050 CROWN POINTE PKWY SUITE 500
ATLANTA, GA 30338

OWNER: SURE INC NATT NWOKOLO
335 FALCON CREEK DR
SUWANEE, GA 30024+

CONTACT: ANDY SUTTON
PHONE NUMBER: 404-429-8566

RECOMMENDATION: APPROVAL WITH CONDITIONS

The applicant requests a rezoning from C-1 (Neighborhood Commercial District) to OTCD (Old Town Commercial District) to allow for the development of a three-story mixed-use building with lofts over retail. The subject property located at the corner of Buford Highway and Cherokee Trail includes approximately 1.54 acres of land. The property is undeveloped and heavily wooded.

The proposed development would include approximately 13,500 square feet of first floor commercial uses including a restaurant, retail/office space, and possible café. The two floors above will consist of 20 residential lofts (10 lofts per floor), totaling approximately 15,275 square feet per floor. There will also be a 400 square foot ice cream shop and patio on the southwest corner of the property. The building will sit at the northern end of the property along Cherokee Trail with 108 parking spaces to the south. The building will be composed of a combination of brick veneer and stucco walls, fiber glass columns and cornices, and flat roofs.

The proposed development would have a direct sidewalk connection from both sides of the building to existing sidewalks along Buford Highway. The proposed development would make use of two existing driveways. Access would be provided through an existing drive along Cherokee Trail and a second access along Buford Highway. The Buford Highway driveway is split by the property line shared by the gas station to the south. The Cherokee Trail driveway shared with the adjacent property to the east is located primarily on the subject property. This driveway includes a deceleration lane.

The project will include approximately 108 surface parking spaces in a parking lot located to the south of the building with low hedges along the west and south edges of the property to screen the parking as is required by the Old Town Overlay District. The design standards for the Old Town Overlay District would require the parking to be screened.

DEVELOPMENT COMMENTS:

The applicant proposed meeting stormwater requirements with underground detention. The applicant should be aware that the underground detention will need to be supported by a hydrology study and will be subject to the review and approval of the City Engineer.

The property owner does not indicate whether the project will be served by sewer or septic. If a septic system is provided, it will be subject to the review and approval of the Gwinnett County Health Department. This approval will need to be obtained prior to the issuance of a development permit. If a septic system is not provided then the project will need to be served by sanitary sewer. This will require connection to an offsite sewer line. The developer will be responsible for extending a sewer line to an existing county line and this extension would be subject to the review and approval of Gwinnett County Department of Water Resources, prior to the issuance of a development permit.

The driveway on Cherokee Trail includes a deceleration lane. A deceleration lane on a local 25 mph road is not consistent with traffic calming. The applicant should be prepared to explore converting the deceleration lane to on street parking, subject to the review and approval of the City Engineer.

ANALYSIS:

The applicant requests a rezoning of a 1.54 acre parcel from C-1 (Neighborhood Commercial District) to OTCD (Old Town Commercial District) to allow for the development of a three-story mixed-use building with lofts over retail at the corner of Buford Highway and Cherokee Trail. The subject property is largely undeveloped and heavily wooded. There do not appear to be any environmental impacts on the property (wetlands/streams/floodplain). The subject property does contain a portion of a 100 foot wide power transmission easement. The easement runs the length of the southern property line and appears to cover approximately 0.2 acres. Within the easement there is one transmission pole. The power transmission easement limits development that can occur on the property. For instance, no buildings may be constructed within the easement. However, parking is typically allowed within such easements. If the owner of the easement

accepts parking within the easement, then the property should be able to accommodate the proposed development.

The subject property, located in the heart of Suwanee's downtown, is surrounded by a mixture of uses and zoning districts. Across the street on Cherokee Trail to the north is a vacant lot and 2 homes, all zoned M-1 (Light Industry District). To the east is a multi-tenant retail building with a church and an acupuncture store zoned C-1 (Neighborhood Commercial District). To the south is a convenience store with gas pumps and other retail uses (zoned C-2 General Commercial District) and a car dealership with sales and service (zoned a mixture of C-1 and C-2). Across Buford Highway to the west are 2 vacant lots and an automotive service establishment zoned M-1.

The subject property is located in the Town Center Character Area. The plan indicates mixed-use center would be appropriate at this location with the framework plan indicating that high density residential uses are appropriate (up to 40 units per acre). The applicant proposes a mixed-use building including 20 residential units on 1.54 acres, for a density of 13 units per acre. This density is consistent with the higher end of medium density for residential. The 2040 Comprehensive Plan notes, "Town Center is characterized by high quality, multi-story mixed-use buildings fronting public spaces with neighborhoods of medium density, small lot single family homes and townhomes." The proposed request for a three-story mixed-use building with lofts over retail is consistent with the vision of the Comprehensive Plan.

The OTCD (Old Town Commercial District) zoning category allows for commercial uses that are consistent with the goals of new development in downtown. It allows restaurants with alcohol sales, but also prohibits drive thru restaurants with outdoor speakers. The Old Town Overlay District may only be used within the Old Town Overlay District. This property is within the Old Town Overlay District, and the proposed use of a mixed-use building with lofts and retail is an allowable use within the OTCD as long as residential uses are not on the first floor. OTCD has reduced setbacks in order to allow for new development to meet the requirements of the Old Town Overlay District, which include pulling the building up to the front of the property and concealing off street parking from view of adjacent right of ways. The Old Town Commercial District is the most appropriate commercial zoning district for this location.

In conclusion, rezoning from C-1 to OTCD for a mixed-use commercial and residential lot would be appropriate for this area. The surrounding properties are all zoned for commercial or light industrial uses. Rezoning from C-1 to OTCD is consistent with the future land use plan's designation of mixed-use center. The proposed residential density is consistent with the expected density for the property. The proposed development could be helpful in setting expectations for the quality of new development in the immediate area. The proposed request is consistent with the City's vision for this area. Therefore, the Planning Department recommends **APPROVAL WITH CONDITIONS** of the RZ-2024-001.

Planning Department Recommendation

RZ-2024-001

The Planning Department recommends approval of the request for OTCD subject to the following condition(s):

1. Uses shall be limited to those permitted in OTCD and any special uses that may be granted in the future.
2. The site plan should be generally consistent with Exhibit A.
3. Architecture should be generally consistent with Exhibit B. Exterior materials should be limited to brick as the primary material with a secondary material consisting of no more than 10% of the total, and one accent material. The City shall have final approval for all architecture prior to the issuance of a development permit.
4. Prior to issuance of a development permit, replacement of the existing deceleration lane on Cherokee Trail with on street parking shall be explored and included in development plans subject to the approval of the City Engineer.
5. All parking along Buford Highway shall be screened from any public view with a hedgerow planted to the satisfaction of the Planning Department.
6. Landscaping shall be approved by the City of Suwanee Planning and Inspections Director.
7. The height and material of any site walls that are highly visible or facing a public street shall be subject to the review and approval of the Planning and Inspections Department.
8. Outdoor dumpsters shall be contained in an enclosure constructed of brick to be consistent with the primary building materials used on the primary building.

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 zoning would be suitable in view of adjacent and nearby property.

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

The proposal would not 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;

The 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;

The proposal would not result in a use that would 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;

The City's Future Land Use Plan recommends Mixed-Use Center with high density residential for this property. The request is consistent with this designation.

- 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 2040 Comprehensive Plan notes, "Town Center is characterized by high quality multi-story mixed-use building fronting public spaces with neighborhoods of medium density, small lot single family homes and townhomes. The proposed request is consistent with this use. The property does not appear to be served by sewer. The owner/developer should be prepared to provide either a septic system approved by the health department or a sewer line extension subject to the approval of the Gwinnett County Department of Water Resources.

REZONING APPLICATION

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

APPLICANT INFORMATION*	OWNER INFORMATION*
NAME: <u>Andy Sutton</u>	NAME: <u>Sure Inc Natt Nwokolo</u>
ADDRESS: <u>1050 Crown Pointe Pkwy Suite 600</u> <u>Atlanta, GA 30338</u>	ADDRESS: <u>335 Falcon Creek Dr</u> <u>Suwanee, GA</u>
PHONE: _____	PHONE: <u>404-429-8566</u>

CONTACT PERSON: Andy Sutton CONTACT PHONE: 404-429-8566
 EMAIL ADDRESS: andy@suttonregroup.com FAX NUMBER: andy@suttonregroup.com

PROPERTY INFORMATION

PRESENT ZONING DISTRICT(S): C1 REQUESTED ZONING DISTRICT: OTCD
 PROPOSED DEVELOPMENT: Mixed use - Residential Lofts over Retail
 TAX PARCEL NUMBER(S): 7235 082
 ADDRESS OF PROPERTY: 15 Buford Hwy
 TOTAL ACREAGE: 1.824 PUBLIC ROADWAY ACCESS: Buford Hwy & Cherokee Trail

FOR RESIDENTIAL DEVELOPMENT: NO. OF LOTS/DWELLING UNITS: 20
 DWELLING UNIT SIZE (SQ. FT.): 1000-2400

FOR NON-RESIDENTIAL DEVELOPMENT: NO. OF BUILDINGS/UNITS: 1
 TOTAL GROSS SQUARE FEET: 13,600 non residential

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.

Signature of Applicant* <u>Andy Sutton</u>		Signature of Owner*	Date
Print Name* <u>Margaret Renee Swingle</u>		Signature of Notary	Date
Signature of Notary <u>Margaret Renee Swingle</u>			

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

CITY OF SUWANEE USE ONLY

Date Received: _____ Case No.: PZ-2024-001 Accepted By: [Signature]

REZONING APPLICATION

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NAME _____	NAME: <u>Sure Inc Nath Nwokolo</u>
ADDRESS _____	ADDRESS: <u>335 Falcon Creek Dr</u> <u>Suwanee, GA</u>
PHONE: _____	PHONE: <u>404 429 8566</u>

CONTACT PERSON: Andy Sutton CONTACT PHONE: 404-429 8566
 EMAIL ADDRESS: andy@suttonregroup.com FAX NUMBER: andy@suttonregroup.com

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<u>Nathaniel Nwokolo</u> Signature of Applicant*	<u>07-01-24</u> Date	<u>Nathaniel Nwokolo</u> Signature of Owner*	<u>07-01-24</u> Date
<u>NATHANIEL NWOKOLO</u> Print Name*	_____	<u>NATHANIEL NWOKOLO</u> Print Name*	_____
<u>[Signature]</u> Signature of Notary	<u>7-1-2024</u> Date	<u>[Signature]</u> Signature of Notary	<u>7/1/24</u> Date

* If Additional Applicant or Owner Information is Needed Please Complete Additional Application Forms)



CITY OF SUWANEE USE ONLY

Received: _____ Case No: RL2024-001 Accepted By: [Signature]

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:
The proposed development continues the commercial use along Buford Hwy and continues the residential use along Cherokee Trail. The project provides a nice transition from commercial use on Buford Hwy to Residential use in the Cherokee Trail neighborhood.

- (B) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:
This new project will enhance both the gas station adjacent to the South and the Group Meeting Center adjacent to the East of the site. Our project will share entry drives with both adjacent properties.
• There will be NO new curb cuts required on Buford Hwy or Cherokee Trail for access to the proposed project.

- (C) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:
Straight C1 commercial/retail uses facing Cherokee Trail would not be in keeping with the transitional nature of this parcel.
Having a mix of uses helps transition from high tension power lines/gas station/automotive to the residential

- (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:
Mixed use spreads the access times across 7 days and more hours - during the day/week for the retail and mornings/evenings for the residential

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

- (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:
Downtown Suwanee has been a huge success creating an aura of improving properties. This use helps stitch together the city center and large park to the south with the mix of uses surrounding our site including the park to our north.

CITY OF SUWANEE USE ONLY

Date Received: _____ Case No. RZ-2024-001 Accepted By: _____

CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS

The undersigned below, making application for rezoning, has read and complied with the Official Code of Georgia Section 36-67A-1, et seq. Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

Natt Nwokolo 7/1/2024
Signature of Applicant Date

Natt Nwokolo Owner 7/1/2024
Type or Print Name and Title Date

[Signature] 7/1/2024
Signature of Applicant's Attorney or Representative Date

Andy Sutton, Representative
Type or Print Name and Title

[Signature] 7/1/2024
Signature of Notary Public Date

Notary seal



Disclosure of Campaign Contributions

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City Council or a member of the city of Suwanee Planning Commission?

yes/no No

Your Name Natt Nwokolo

If the answer is yes, please complete the following section:

Name and Official Position of Government Official	Contributions (list all which aggregate to \$250 or more)	Date Contributions was made (within last two years)

* Attach additional sheets, if necessary to disclose or described all contributions.

CITY OF SUWANEE USE ONLY

Date Received: _____ Case No.: RZ-2024-001 Accepted By: _____

LETTER OF INTENT

SUWANEE LOFTS - 15 Buford Hwy

To Whom it May Concern:

My name is Rob Forrest. I'm a 22+ year commercial and mixed use developer mainly in the highway 400/North Fulton/Forsyth markets but now across the State of Georgia. I grew up in North Fulton and have lived in the Crabapple area since 1998 and more specifically the downtown/walkable Crabapple area now over 10 years.

As a passionate citizen and developer, I strive to improve and make positive impacts on my community. I was contacted by my long time friend Andy Sutton about the subject property and what I thought the ideal use(s) may be. With my experience in downtown, walkable, mixed use developments, I jumped at the chance to work with him and the owner on this property and opportunity.

Our plans on the 1.824+/- acre property call for a 3 story building with parking underneath the power lines and behind (taking advantage of the topography difference from Cherokee to the majority elevation of the property about 6-8' higher), with approximately 13,500 sq ft of first floor commercial uses including a restaurant and possible café on other end and retail/office in remainder of first floor and 20 residential lofts above, plus a "jewel box" icecream/smoothie/coffee on the corner.

There are a total of 108 parking spaces on the site plan ... zoning requires 107.

The property abutting us to the south is existing retail fronting Cherokee and to the southwest and west is automotive uses and high tension power lines.

Our planned building size, shape, layout is similar to the existing mixed use also within the overlay we are in.

So this request to go from C1 to OTCD would allow normal uses found across the street and elsewhere around downtown Suwanee – and will match well with whatever the future development to our North and east may bring in the future.

Thanks



Rob Forrest

RZ-2024-001

City of Suwanee Zoning Request - July 1, 2024 Submittal

Build to Line for Building: Sec 512 OTD (E.1)

CHEROKEE TRAIL

Trees at 50'
Sec: 1703.2.2

Existing Drive
In Out

Covered Arcade - Sidewalk

Retail - 3
2,700 SF

Retail - 2
3,000 SF

Retail - 1
3,200 SF

Restaurant
4,200 SF

Residential
Lobby

Covered
Patio

Terminus Planter Island 400 SF

1703.3 a
6' Wide Planning Strip

Trees at 30'
Sec: 1703.3a

1703.3 a
Terminus Planter Island - 400 SF

3' High Hedge Row

1703.3 a
Terminus Planter Island - 400 SF

3' High Hedge Row

1703.3 G
3' High Hedge Row - Sec 1703.3 G

Ice Cream Shop (Food Trailer)
& Patio 400 SF

24' Drive

Secondary Access
Drive

Enclosed
Dumpster

Tandem Parking is
for Residences only

Enclosed
Dumpster

Enclosed
Dumpster

Enclosed
Dumpster

Enclosed
Dumpster

Enclosed
Dumpster

Enclosed
Dumpster

Total Ground Floor SF = 13,400 SF
Parking Required: (1 Space / 200 SF - Shopping Center)
Restaurant, Retail & Residential Lobby: 13,400 sf / 200 = 67 Spaces
20 Residential Units: = 40 Spaces
Total Spaces Provided = 108

Total Required = 107 Spaces

SUWANEE TOWN CENTER LOFTS
for Robert Forrest & Andy Sutton
15 Buford Hwy
Gray Reese LLC - Architects

SITE PLAN / RETAIL LEVEL
1.824 Acres - 79,461 SF
SHT - A1
404.234.6002

0 10 20 30

Trees at 50'
Spacing
1703.2.2

Bike Lane
Side Walk

Buford Hwy

Secondary Access Drive

24' Drive

Ice Cream Shop (Food Trailer) & Patio 400 SF

1703.3 a Terminus Planter Island - 400 SF

3' High Hedge Row

1703.3 a Terminus Planter Island - 400 SF

3' High Hedge Row

1703.3 G 3' High Hedge Row - Sec 1703.3 G

6' Wide Planning Strip

Trees at 30' Sec: 1703.3a

Covered Patio

Residential Lobby

Restaurant 4,200 SF

Retail - 1 3,200 SF

Retail - 2 3,000 SF

Retail - 3 2,700 SF

Enclosed Dumpster

Existing Drive In Out

Covered Arcade - Sidewalk

CHEROKEE TRAIL

Trees at 50' Sec: 1703.2.2

Build to Line for Building: Sec 512 OTD (E.1)

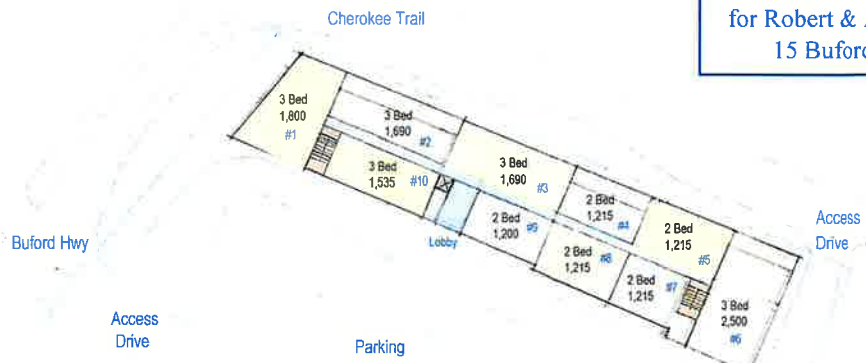
City of Suwanee Zoning Request - July 1, 2024 Submittal

Exhibit 'A'
RZ-2024-001

Gray Reese LLC - Architects

City of Suwanee Zoning Request - July 1, 2024

Suwanee Town Center Lofts
for Robert & Andy Sutton
15 Buford Hwy



(Included for reference only)
Residential Typical Level
10 Units / Floor

Parking Required = 40 Spaces

SITE PLAN / RESIDENTIAL LEVEL

SHT - A3

Exhibit 'A'
RZ-2024-001

City of Suwanee Zoning Request
July 1, 2024 Submittal



SUWANEE TOWN CENTER LOFTS
for Robbert Forrest & Andy Sutton
15 Buford Hwy
Gray Reese LLC - Architects
404.234.6002

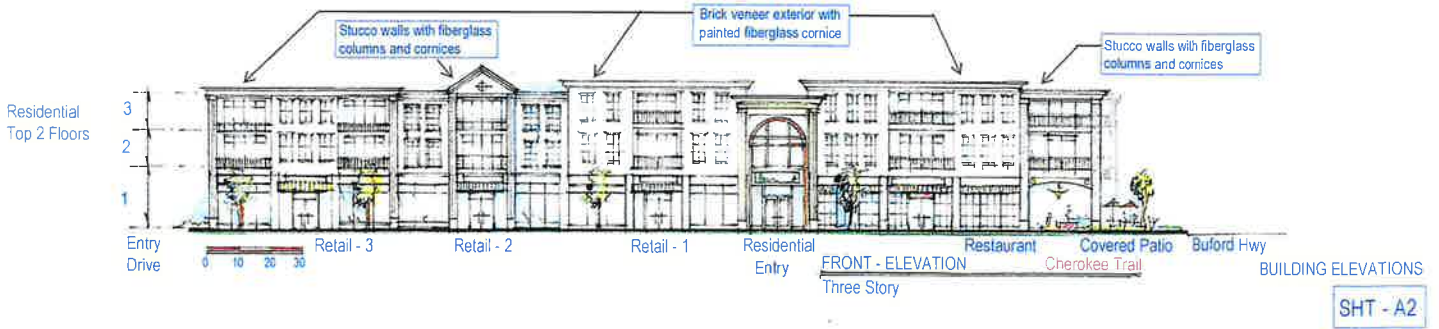
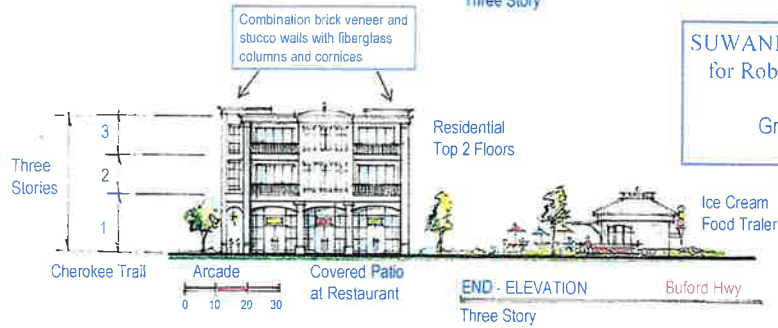
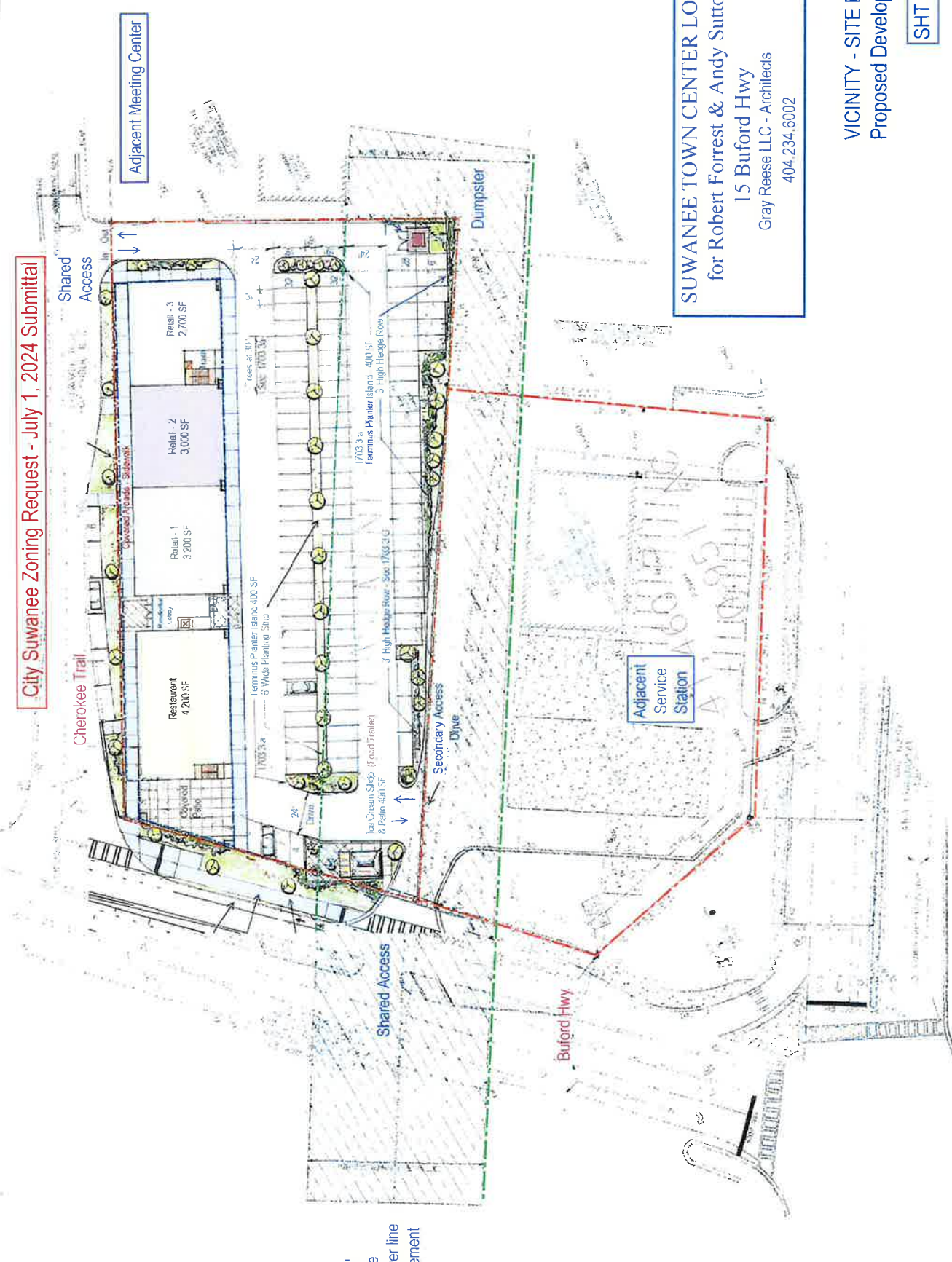


Exhibit 'B'
RZ-2024-001

City Suwanee Zoning Request - July 1, 2024 Submittal



SUWANEE TOWN CENTER LOFTS
 for Robert Forrest & Andy Sutton
 15 Buford Hwy
 Gray Reese LLC - Architects
 404.234.6002

VICINITY - SITE PLAN
 Proposed Development

SHT - A 0




RZ-2024-001

100' Wide Power line easement










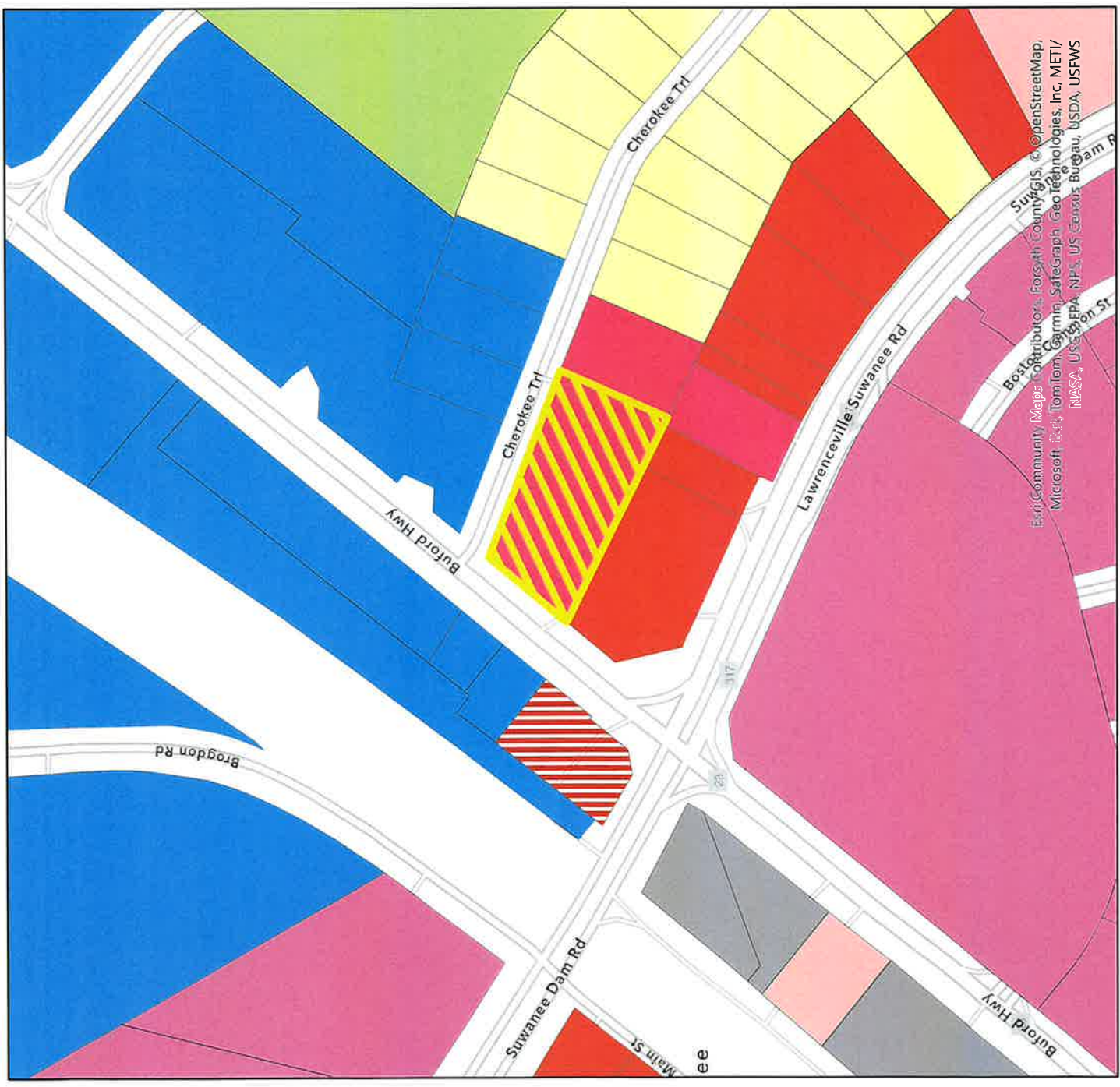
Zoning Map RZ-2024-001

Legend

-  RZ-2024-001
-  City Parcels
-  City Limits

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
-  RMB



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Location Map RZ-2024-001

Legend

-  Subject Property
-  City Parcels
-  City Limits



0 205 410 820 Feet

