

**MINUTES  
CITY OF SUWANEE, GEORGIA  
PLANNING AND ZONING COMMISSION  
JANUARY 5, 2010**

**PLANNING AND ZONING MEMBERS:** Present: Pete Charpentier, Anthony Manners, Joy Mitchell, Earl Mitchell and Jodi Nevels. Staff members present: Josh Campbell and MaryAnn Jackson.

**CALL TO ORDER**

Planning Director Josh Campbell called the meeting to order at 6:44 pm.

**ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON**

*Pete Charpentier nominated Anthony Manners for Chairperson, second by Jodi Nevels. Motion carried 4-0-1(Anthony Manners abstained). Earl Mitchell nominated Pete Charpentier for Vice Chairperson, second by Joy Mitchell. Motion carried 4-0-1 (Pete Charpentier abstained).*

*Josh Campbell turned the meeting over to Anthony Manners.*

**ADOPTION OF THE AGENDA**

*Pete Charpentier moved to approve the agenda as presented, second by Jodi Nevels. Motion carried 5-0.*

**ADOPTION OF THE MINUTES: October 2, 2009**

*Jodi Nevels moved to adopt the October 2, 2009 minutes, second by Pete Charpentier. Motion carried 3-0-2 (Joy Mitchell and Earl Mitchell abstained).*

**PROCEDURES FOR PUBLIC MEETING**

Anthony Manners read the procedures for the Public Meeting for the record.

**OLD BUSINESS**

**NEW BUSINESS**

RZ-2010-001– Applicant: John Thomas Partners, LLC. Owner: First Covenant Bank. Requests a rezoning from PMUD (Planned Mixed Use District) to PMUD with a change of conditions (to allow for construction of 43 townhomes). The site is located in Land Lot 208 of the 7<sup>th</sup> District along Park Pass Way and contains approximately 4.49 acres.

Josh Campbell presented the staff analysis as follows: The applicant requests a change of conditions to allow for construction of 43 single-family attached homes. The subject property is part of the Suwanee Station mixed-use development, which was originally zoned in May of 2000, per RZ-2010-001.

The project was zoned to include a mixture of housing types, 327,000 square feet of office, and 113,000 square feet of commercial uses. The project is allowed a total of approximately 1,100 residential units including single family detached, single family attached, and apartments.

To date, all 112 single family detached homes, 234 townhomes, 336 multi-family units the neighborhood amenity area, and a 21,000 square foot 2-story mixed-use office/commercial building have been constructed. While much of the residential development has been completed there is still a substantial amount of development remaining.

When the project was originally zoned it was divided into phases. The subject property is considered to be a part of Phase V of development. This phase of construction allows for the development of up to 400 multi-family or townhouse units. Construction in this phase of development requires the completion of a minimum of 25,000 square feet of office or retail uses (not counting the building already constructed) and completion of a 2,000 municipal building (shell only).

To date, 68 townhome units from this phase along Scales Road, Station Center Boulevard, and Lake Point Boulevard have been constructed. An additional 40 townhome units from this phase were allowed to be constructed off Lake Point Way, subject to the provision that the developer would set aside 40 units from another Townhouse phase of development. The subject property includes these 40 units. Therefore, in order to develop these 40 units, the applicant proposes to rezone the property so the 40 units may be constructed without providing the 25,000 square feet of office/retail uses and the 2,000 square foot municipal building.

Suwanee Station was developed under comprehensive development permits issued several years ago. Before any new units on the subject property are constructed, Park Pass Way will need to be completed. The permits for the project have expired. Therefore, the developer should be prepared to obtain a new development permit in order to construct the proposed units.

Suwanee Station was approved with a condition that requires the approval of plan books for all phases of development. If the applicant intends to construct townhomes that are different than the existing townhomes, the applicant should be prepared to obtain approvals for the new architecture through the Planning Commission.

The subject property is located at the heart of a planned mixed use development. It is surrounded by property that is zoned to the PMUD district. To the north of the subject property is an open space containing a trail and the neighborhood amenity area. To the east and west of the subject property are townhomes. To the south of the subject property is a regional detention pond that serves the Suwanee Station project. As such, the proposal would be consistent with the surrounding uses.

The subject property is located in the Suwanee Station character area. The future land use plan anticipates single family uses in this area. The future land use plan reflects the uses anticipated by the concept plan, but does not address the timing of development. The proposed development of the site with single-family attached uses is consistent with this designation.

When Suwanee Station was initially proposed, it was the first mixed use development in the City of Suwanee. The purpose of creating the Planned Mixed Use Development District was to allow for more thoughtful planning in the development process. It was also designed in a way to create some flexibility so that people could do things that they are not allowed to do in more conventional zoning districts. There is higher density in mixed use development than in a more conventional zoning district. In exchange for that there is more thought put into making sure project is a unified plan and contains a mixture of uses.

In conclusion, the requested change in conditions would not be appropriate at this time. The subject property is part of large planned mixed-use development. As such it is important that the project include a mixture of uses, and it is important that the changes to the project be considered more holistically. Therefore, the Planning Department recommends denial of the request.

Josh Campbell stated that there is still a large portion of this project that has yet to be developed. Staff has sought to make sure any moves to change this project are dealt with holistically and that is part of the reason for staff's recommendation of denial.

Pete Charpentier asked about the open space located on the property. Josh Campbell indicated the location on the exhibits. Mr. Campbell also indicated the location for the commercial property which would allow for office uses. The commuter rail line that was planned for the development has not received full support from the state therefore there is no funding for it at this time.

Mr. Charpentier asked about the acreage of the open space. Josh Campbell explained that the open space is approximately half an acre.

Anthony Manners called upon the applicant.

Jim Garrigus, 3966 Timberbrook Lane, Marietta, GA. Mr. Garrigus is a consultant for First Covenant Bank. Mr. Garrigus stated that ownership of the subject property changed. First Covenant Bank foreclosed on the property this morning. The rail station was scheduled to be completed in 2007. When the rail station did not occur it became difficult to get funding for commercial projects in Suwanee Station.

The 43 townhomes will look the same as the other townhomes in the subdivision. The contractor and builder are ready to begin working on the project.

Jim Jacobi, John Thomas Homes. Mr. Jacobi has purchased lots in Suwanee Station. He does not intend to deviate from the site plan.

Pete Charpentier asked how the product has changed. Mr. Jacobi stated the homes will be a little wider than the existing homes. Mr. Campbell indicated he had informed the applicant that it is not essential that all the units look identical. Staff would like for the applicant to take some of the elements of the existing units and incorporate them into the new units. The plan book is the mechanism for determining continuity in the project.

Pete Charpentier asked about the final paving on the existing road in Suwanee Station. Josh Campbell stated the paving of the road is not the obligation of John Thomas Homes.

Barbara Allen, 3918 Lake Pass Lane. Ms. Allen is the president of the home owners association. Ms. Allen indicated she is in favor of the request.

Jim Grant, 1199 Station Center Boulevard, Suwanee, GA. Mr. Grant stated that at a December 11, 2009 meeting of the townhouse HOA there were no objections to the rezoning.

Joy Mitchell asked Mr. Jacobi about the price of the townhomes. Mr. Jacobi stated he intends to sell the townhomes between \$160,000.00 and \$170,000.00.

Anthony Manners called for opposition. There was none.

Discussion ensued amongst the Planning Commission regarding the development of the pocket park.

***Pete Charpentier moved to approve RZ-2010-001 with amended conditions, second by Jodi Nevels. Motion carried 5-0 (additions = bold).***

- 1 All conditions from RZ-2003-003 shall remain in effect except as otherwise noted below.
2. Phase V shall be limited to a total of 400 multi-family residential and/or townhouse units. This includes 68 townhouse units already along Scales Road, Station Center Boulevard, and Lake Point Boulevard. This also includes 40 units located on the property identified in Exhibit 'A' which may be constructed at any time. The remaining 292 units may not be constructed until completion of a minimum of 25,000 square feet of additional office/commercial space and the required 2,000 square foot municipal shell building.
3. **Prior to issuance of a Certificate of Occupancy for any townhouse unit a Concept Plan for the open space in this phase shall be submitted to the planning commission as part of the plan book for review and approval. Said plan shall include sidewalks, landscaping, seating and a play structure. Said plan shall be executed within one year of approval.**

4. Covered and uncovered stoops and porches may extend up to three feet into the front yard setback.

**Proposed 2010 Planning Commission Meeting Schedule**

The Planning Commission discussed the proposed schedule for 2010. It was noted that April 6<sup>th</sup> is the week of spring break for schools.

*Pete Charpentier moved to approve the amended 2010 Planning Commission Meeting Schedule, second by Joy Mitchell. Motion carried 5-0 (deletions = strikethrough, additions = bold).*

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

## **2030 Comprehensive Plan Annual Update**

Josh Campbell explained the Comprehensive Plan is updated annually. Zoning decisions are compared to the future land use plan. Census information is incorporated. The Comprehensive Plan is typically updated in December. The City Council retreat is the first week in February. Therefore, the Annual Update will be on the Planning Commission agenda in March.

## **OTHER BUSINESS**

## **ANNOUNCEMENTS**

## **ADJOURNMENT**

*Pete Charpentier moved to adjourn at 8:01 pm.*