

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

CHANGE IN CONDITIONS ANALYSIS

PLANNING COMMISSION DATE: JULY 16, 2024

CITY COUNCIL DATE: AUGUST 27, 2024

CASE NAME: **PEACHTREE CORNERS CIRCLE LOFTS**

CASE NUMBER: **CIC2024-001**

CURRENT ZONING: MUD

LOCATION: 4779 PEACHTREE CORNERS CIRCLE

MAP NUMBERS: 6th DISTRICT, LAND LOT 301

ACREAGE: 6.78 ACRES

REQUEST: CHANGE TO THE CONDITIONS OF O2021-10-219 FOR A MIXED-USE PROJECT

CHARACTER AREA MAP: CENTRAL BUSINESS DISTRICT

APPLICANT: DDCB INC
5805 STATE BRIDGE ROAD
JOHNS CREEK

CONTACT: DAN COWART
404-213-9528

OWNER: DDCB INC
5805 STATE BRIDGE ROAD
JOHNS CREEK

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

SUMMARY:

The applicant is requesting a change to five of the conditions included in Ordinance 2021-10-219, as follows:

2. **The site may be developed with up to 56 multi-family for-sale condominium units. However, the maximum number of units is dependent on-site conditions, compliance with zoning conditions, and fully engineered plans that meet regulations.**
 3. **The site shall contain a minimum of three distinct uses as required by the MUD district: residential, restaurant, and public trail.**
 4. **The restaurant shall be a minimum of 2,000 sq. ft., located on either the ground floor or the roof (with directional signage), and open to the public.**
 5. **The site plan layout shall be in general conformance with the site plan submitted with this application and prepared by Travis Pruitt & Associates dated October 5, 2020 (with revisions to meet these conditions and zoning and development regulations).**
- 12. Building elevations shall be in general conformance with the elevations submitted with this application.**

After receiving rezoning approval based on a specific concept on 1/25/22, the property owner engaged an architectural firm to develop design drawings for the building. The subsequent design process revealed the need to make some modifications to the original concept plans. The proposed modifications affect five of the seventeen adopted zoning conditions contained in O2021-10-219.

The architectural analysis for the site identified the need to reconfigure the shape of the building and its orientation to the site in order to better accommodate the existing stream on the property, the future trail alignment, and the functionality of the building. Whereas the original building had a large, rectangular footprint with twenty-three parking spaces encroaching into the stream buffer, the revised site plan shows an 'L' shaped building with nearly 1/3 fewer parking spaces (eighteen) encroaching into the stream buffer.

DEPARTMENT ANALYSIS:

Staff compared the existing zoning conditions to the applicant's request and notes the following comments:

2. ***The site may be developed with up to 56 multi-family for-sale condominium units. However, the maximum number of units is dependent on-site conditions, compliance with zoning conditions, and fully engineered plans that meet regulations.***

Staff Comment: The applicant would like to increase the maximum number of units by 2, from a maximum of 56 to 58 units. In reconfiguring the layout, the architect enhanced the efficiency of the building and can now accommodate two additional units. Project density would increase from 8.26 units per acre for the 56 units, to 8.55 units per acre

for the 58 units. This increased density is still well below the maximum of 32 units per acre permitted for a mixed-use development.

3. *The site shall contain a minimum of three distinct uses as required by the MUD district: residential, restaurant, and public trail.*

Staff Comment: The applicant would like to change the requirement for one of the three uses to be a restaurant and substitute 'commercial' use instead. This would provide greater flexibility and afford the applicant the opportunity to respond to market demands for the rental space.

4. *The restaurant shall be a minimum of 2,000 sq. ft., located on either the ground floor or the roof (with directional signage), and open to the public.*

Staff Comment: The applicant would like to change the word 'restaurant' to 'commercial space', while retaining the size requirement for the space. This change would make condition #4 consistent with condition #3.

5. *The site plan layout shall be in general conformance with the site plan submitted with this application and prepared by Travis Pruitt & Associates dated October 5, 2020 (with revisions to meet these conditions and zoning and development regulations).*

Staff Comment: The proposed revisions to the building and site necessitate a change to this condition to reflect the updated site plan.

12. *Building elevations shall be in general conformance with the elevations submitted with this application.*

Staff Comment: The original elevations show a traditional, European inspired design similar to the Forum shopping center. The previously approved building was shown as 6-stories in height with light, earth-toned colored masonry siding and vertical window bands. It had flat rooflines accented by detailed cornices and rectilinear massing with corner step-backs. The building was also designed with a central arrival canopy, Juliette balconies on the fifth floor, and awnings at the pedestrian level.

The new building design also takes its inspiration from the Forum, but not the existing European styled commercial spaces. The proposed building is more reflective of the approved elevations for the future residential development at the Forum. While the new elevations still show a 6-story building with light, earth-tone colored cladding, the design is more contemporary and includes functional balconies. The arrival canopy is shown on the back of the building and aligns with where the actual drop-off area will be. A roof-top amenity is still included in the new building design and the heavier cornice line has been retained.

ZONING STANDARDS:

Zoning Code Section 1702 identifies specific criteria that should be evaluated when considering a zoning decision. These criteria are enumerated as 'A' through 'F', below. Following each item is the applicant's response followed by Staff's comment.

A. Will this proposed rezoning, special use permit, or change in conditions permit a use that is suitable in view of the use and development of adjacent and nearby property?

Applicant's Response: Yes.

Staff Comment: Yes. The changes are minor and are attributable to the refinement of the building and site plan.

B. Will this proposed rezoning, special use permit, or change in conditions adversely affect the existing use or usability of adjacent or nearby property?

Applicant's Response: No.

Staff Comment: No. The changes will not affect surrounding properties.

C. Does the property to be affected by a proposed rezoning, special use permit, or change in conditions have reasonable economic use as currently zoned?

Applicant's Response: Yes

Staff Comment: The site has a reasonable economic use as currently zoned.

D. Will the proposed rezoning, special use permit, or change in conditions result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

Applicant's Response: No.

Staff Comment: The changes do not affect the use of the property.

E. Is the proposed rezoning, special use permit, or change in conditions in conformity with the policy and intent of the land use plan?

Applicant's Response: Yes.

Staff Comment: Yes. The proposed changes will result in a building that fits with the character of the area.

F. Are 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 proposed rezoning, special use permit, or change in conditions?

Applicant's Response: We believe the requested changes will increase the value of the development and positively impact its neighbors.

Staff Comment: There are no changed conditions which affect the use of the property.

CONCLUSION :

The applicant is requesting a change to the zoning conditions that will result in a residential building that is more contemporary in appearance than the previous design. The contemporary design will blend with the future appearance of the Forum when the multi-family housing is built there. The larger balconies, especially on the front of the building, give the structure a more residential appearance and add greater functionality to the individual units. The relocation of the commercial space to the back of the building allows a more uniform, balanced appearance on the front elevation. And, moving the commercial space to the back means that a restaurant use is less likely to succeed. Therefore, changing the space to another commercial use enhances the viability of that space.

The revised site plan will have less pavement encroaching into the stream buffer. Further, creating a motor-court on the back of the property ensures that traffic along Peachtree Corners Circle is not disrupted by vehicular activity specific to this site.

STAFF RECOMMENDATION:

After review of the applicant's proposal and other relevant information, it is recommended that CIC2024-001 be **APPROVED** and Ordinance 2021-10-219 be amended as follows (additions = underlined; deletions = ~~striketrough~~):

1. The property shall be rezoned from M-1 to MUD and a variance shall be granted to allow the zoning to apply to 6.78 acres instead of the required 8 acres.
2. **The site may be developed with up to 56 58 multi-family for-sale condominium units. However, the maximum number of units is dependent on-site conditions, compliance with zoning conditions, and fully engineered plans that meet regulations.**
3. **The site shall contain a minimum of three distinct uses as required by the MUD district: residential, restaurant commercial, and public trail.**
4. **The restaurant commercial space shall be a minimum of 2,000 sq. ft., located on either the ground floor or the roof (with directional signage), and open to the public.**
5. **The site plan layout shall be in general conformance with the site plan submitted with this application and prepared by Travis Pruitt & Associates dated ~~October 5, 2020~~ June 2, 2023 (with revisions to meet these conditions and zoning and development regulations).**
6. Development shall include no more than the one vehicular access point as shown on the submitted site plan. This access shall be designed as a right-in/ right-out only. And the design shall also include accommodations for a traffic circle to be located east of the property.
7. All stormwater detention shall be underground and all on-site facilities shall be constructed to meet the standards of the City of Peachtree Corners Stormwater

Ordinances including, but not limited to, stormwater detention, water quality standards, stream protection and management of off-site drainage flowing through the site.

8. All stormwater facilities shall be owned and maintained by the Property Owners' Association in accordance with the City of Peachtree Corners Stormwater Ordinances.
9. Engineering/Public Works requirements shall be met including location and size of detention facilities and any traffic related improvements, such as deceleration lane, determined to be needed.
10. The developer shall provide sidewalk connectivity between the building on the site and the trail system, as well as, provide pedestrian sidewalk connections from the development onto the public sidewalk network along Peachtree Corners Circle.
11. Approval from Corps of Engineers and State EPD must be received in order to pipe existing stream, vary from buffer requirements, and build retaining wall in stream buffer.
12. **Building elevations shall be in general conformance with the ~~elevations-renderings~~ submitted by Nelson and dated March 28, 2024 as part of ~~with this~~ application.**
13. Bicycle racks shall be provided within the development in accordance with the overlay standards.
14. Prior to the issuance of a Land Disturbance Permit, land shall be donated to the City for the development of a public trail. The trail land shall be a minimum of 40 feet in width, (or less in constrained areas, as approved by staff), and shall run along the western side of the subject property extending from Peachtree Corners Circle to the adjoining parcel (ID # 6302 162) in order to connect with the lakeside portions of 5430 Metric Place and 5405 Metric Place as shown on Exhibit A 'Trail Opportunity.' Final trail location and configuration shall be approved by the City's Engineering/ Public Works Department.
15. The developer shall be responsible for either the cost or the construction of the public trail, as determined by the Engineering/ Public Works Department. If the developer constructs the trail, it shall meet or exceed the city's established trail specifications and the trail shall be completed prior to the issuance of a Certificate of Occupancy for the building.
16. With regard to the condominium units, the following minimum standards shall apply:
 - a. Each unit shall have General Electric stainless-steel kitchen appliances (or equal or better).
 - b. All kitchens shall include granite countertops (or equal material such as quartz).
 - c. Designer ceramic tile backsplashes shall be provided in all units.
 - d. The property owner shall install carpet and upscale plank or engineered wood flooring manufactured by Shaw Industries (or equal or better) (linoleum flooring shall be prohibited).
 - e. For increased privacy and reduced sound transmission, each unit shall have a minimum 7/16" 6-lb pad under all carpeted areas.
 - f. Designer lighting shall be installed in all units.

- g. All bathrooms shall have granite countertops (or equal material such as quartz).
 - h. All bathrooms shall have ceramic tile tub surrounds.
 - i. All units shall have nine-foot ceilings throughout.
 - j. All bedrooms shall include a walk-in closet.
 - k. All units shall be equipped with connections for full-size washer/dryer.
 - l. Pre-wired security system shall be provided in all units.
 - m. All units shall be equipped with an automatic fire sprinkler system.
 - n. Walk-out balconies shall be a minimum depth of 6' -0", including the portion of the balcony that is recessed into the building for privacy reasons. Juliet balconies, which provide no privacy, shall be prohibited.
 - o. One or more roof-top amenities such as an outdoor seating area, garden, and putting green, shall be incorporated into the final design of the loft building.
 - p. The property owner shall provide elevators and elevator lobbies.
 - q. All interior corridors shall be enclosed and climate controlled. Open air breezeways shall be prohibited.
 - r. Children's playground equipment shall be prohibited on the property.
 - s. The property owner shall provide trash chutes internal to the building so residents do not have to carry their trash downstairs.
 - t. All interior corridors shall be finished with carpet or wood flooring. Concrete flooring in interior corridors shall be prohibited.
17. The Homeowners' Association covenants shall stipulate that no more than 20% of the total number of units may be rented.