

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

REZONING ANALYSIS

PLANNING COMMISSION DATE: DECEMBER 6, 2023

CITY COUNCIL DATE: JANUARY 23, 2024 (DEFERRED)
FEBRUARY 27, 2024

CASE NAME: **D.R. HORTON ENGINEERING DRIVE**

CASE NUMBER: **RZ2023-002 / V2023-002**

CURRENT ZONING: M-1

LOCATION: 3585 ENGINEERING DR

MAP NUMBERS: 6th DISTRICT, LAND LOT 284

ACREAGE: 9.35 ACRES

PROPOSED DEVELOPMENT: REZONING OF 9.35 ACRES FROM M-1 TO R-TH WITH ASSOCIATED VARIANCES TO ALLOW FOR A NEW 75-UNIT TOWNHOME DEVELOPMENT

CHARACTER AREA MAP: CENTRAL BUSINESS DISTRICT

APPLICANT: D.R. HORTON C/O ANDERSEN TATE & CARR
1960 SATELLITE BLVD, STE 4000
DULUTH GA 30097

CONTACT: MELODY GLOUTON
770-822-0900

OWNER: TDC 3585 OWNER LLC
5310 S ALSTON AVE #210
DURHAM NC 27713

RECOMMENDATION: APPROVE WITH CONDITIONS

UPDATE:

At the Planning Commission hearing, there were no speakers in support or opposition to this request.

After consideration, a motion was made by Commissioner Willis and seconded by Commissioner Blum to approve the request subject to staff-recommended conditions with some modifications to address the location of the access point to the neighborhood, screening of the detention pond, and a cap on rental units within the community. This motion passed 4-1 (Campbell) by the Planning Commission.

SUMMARY:

The applicant is requesting the rezoning of 9.35 acres from M-1 (Light Industry District) to R-TH (Single Family Residence Townhouse District) to develop a new 75-unit townhome community.

The applicant is also requesting variances to allow for a reduced front setback along Engineering Drive and for the elimination of existing frontage trees and the required decorative landscape wall along the Engineering Drive side of the property. An additional stream buffer encroachment variance is requested in order to construct a portion of the Corners Connector trail.

The property is currently occupied by a vacant four-story office building of approximately 101,000 square feet in size with a large surface parking lot. The property is located along Engineering Drive about 500 feet west of Peachtree Parkway.

The site plan submitted by the applicant indicates one point of non-gated entry into the proposed development. This entry is near the center of the property and aligns with the entry to the 650 Engineering Drive parcel across the street.

All properties surrounding the subject property are zoned M-1 (Light Industry District). Diagonally across Engineering Drive is a city-owned parcel zoned TO (Trails and Open Space District).

The subject property is located within the Central Business District Character Area on the Peachtree Corners Character Area Map. This area envisions a mixture of uses, including housing where appropriate. Additionally, the character area also calls for Technology Park to be an area where employees can “live where they work.”

The applicant held a community meeting on September 20, 2023 and there were a few members of the public in attendance.

ZONING HISTORY:

The property has been zoned M-1 for all of its history. However, in 1995, the county granted a Special Use Permit to allow a new office building to exceed the normal height limit. The request was granted to allow for up to four stories on this site. Subsequently, the existing office building was constructed in 1996.

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: The proposed rezoning from M-1 to R-TH will permit a use that is suitable in view of the use and development of adjacent and nearby property.

Staff Comment: This property is located in the Central Business District on the Character Area Map and the proposed use is in general alignment with the 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: The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.

Staff Comment: A townhome community is not out of character with existing development pattern of the area or the nature of the Central Business District or Technology Park areas.

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: The Subject Property has reasonable economic use as currently zoned. The proposed R-TH zoning would allow the highest and best use of the property.

Staff Comment: The site has 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: To the knowledge of the Applicant, the proposed rezoning will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

Staff Comment: Given the access point is along a commercial street and just off a major roadway, it is unlikely that transportation facilities would be overburdened by the proposed development. According to the trip generation analysis submitted by the applicant's engineer, the townhome community use is expected to generate 522 daily vehicle trips, whereas the office building generated 1,182 trips. This shows a substantial reduction in vehicular traffic compared to the previous use. The impact to schools is estimated by Gwinnett County Public Schools to be approximately 20 Peachtree Elementary School students, 10 Pinckneyville Middle School students and 15 Norcross High School or Paul Duke STEM High School students. According to the school system, each school has some capacity to accommodate this increase.

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: The proposed rezoning to R-TH is in conformity with the policy and intent of the land use plan. The Subject Property is located within the Central Business District Character Area, which allows for townhomes.

Staff Comment: See Comprehensive Plan heading below.

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: To the knowledge of the Applicant, there are not existing or changing conditions affecting the use and development of the Subject Property which give supporting grounds for either approval or disapproval of the proposed rezoning.

Staff Comment: The City's Comprehensive Plan envisions residential uses within the Central Business District at appropriate locations, including the periphery of Technology Park and within mixed-use developments.

COMPREHENSIVE PLAN:

The Peachtree Corners Comprehensive Plan lists the subject property in the Central Business District Character Area. This area encourages a wide range of uses, including townhomes and other types of housing at strategic locations. These locations include mixed-use developments and Technology Park.

This property is on the western edge of Technology Park and provides housing for that side of the park, which currently lacks any. Additionally, with the proposed condition to provide a pedestrian bridge across the creek at the eastern edge of this property,

connecting the commercial property at the corner of Peachtree Parkway and Engineering Drive, this development will be one component of a larger future mixed-use campus.

DEPARTMENT ANALYSIS:

The property is located along Engineering Drive, approximately 500 feet west of the intersection of Peachtree Parkway.

The Peachtree Corners Comprehensive Plan shows the property located in the Central Business District Character Area, indicating that the location is desirable for a wide range of uses, including townhomes. Additionally, the plan encourages infill housing within Technology Park to create the ability for employees to live where they work.

As has been the case in the past, the housing areas have been located around the periphery of the park, allowing for a concentration of business within the center of Technology Park. The proposed development continues that theme, with the townhome community being located at the western edge of Technology Park. While the preference is for mixed-use developments, in this case, connectivity from the subject property to adjoining commercial properties and the trail system can serve the same purpose.

The applicant submitted architectural elevations as part of the rezoning request which show three-story designs with a mixture of colors and materials. The recommendations below include several conditions to address modifications to a few aspects of the elevations in order to promote a contemporary, technology inspired aesthetic. The intent is to promote a design-forward architecture within Technology Park that will expand on the style established by Curiosity Lab and will appeal to a younger, tech-focused customer.

RECOMMENDATION:

After review of the applicant 's proposal and other relevant information, it is recommended that RZ2023-002, V2023-002 be approved with the following conditions:

- 1. The property shall be rezoned from M-1 to R-TH and variances shall be granted as follows:**
 - a. to encroach into the stream buffer in order to build the multi-use trail ;**
 - b. to reduce the front setback along Engineering Drive to 25 feet ;**
 - c. and to remove the requirement for retaining frontage trees and a landscape wall along Engineering Drive .**

- 2. The site may be developed with up to 75 townhomes. However, the maximum number of units is dependent on site conditions, compliance with zoning conditions, and fully engineered plans that meet regulations.**

3. The final site plan layout shall be in substantial conformance with the site plan drawing labeled "Earthwork Estimate (Unadjusted)" prepared by Kimley Horn, (with revisions to meet these conditions and zoning and development regulations).
4. Development shall include no more than the one access point which shall be located on Engineering Drive, opposite the northwesternmost entry to the property at 650 Engineering Drive or the entry to 3560 Engineering Drive .
5. Driveways must be at least 18 ft. in length to ensure that vehicles do not overhang sidewalks, streets, or alleys.
6. Developer shall construct on-site stormwater detention facilities to meet the standards of the Gwinnett County Stormwater Ordinances including, but not limited to, stormwater detention, water quality standards, stream protection and management of off-site drainage flowing through the site .
7. All stormwater facilities shall be owned and maintained by the Homeowner 's Association in accordance with the Gwinnett County Stormwater Ordinances.
8. Stormwater detention pond shall be designed as a water feature and shall include at least one pond aeration fountain.
9. The developer shall provide sidewalks along all internal streets and provide pedestrian sidewalk connection(s) from the development onto the public sidewalk network.
10. Prior to the certificate of occupancy being issued for the 50th townhome , the developer shall donate the land shown on the submitted site plan (labeled "proposed dedicated land to city for future trail network ") to the city for the Corners Connector trail system and construct the portion of the trail contiguous to the entire subject property from the lake to Engineering Drive in accordance with Peachtree Corners ' Public Works trail standards, including alignment of the trail to ensure preservation of trees to the greatest extent possible.
11. The developer shall provide a central mailbox for the community with adequate pedestrian access.
12. Building elevations shall be approved by Community Development and be modern in style, incorporating rectilinear shapes with flat roofs and balconies. Building materials shall include masonry, stucco, metal, wood, and glass.
13. Building elevation options shall consist of no more than five color schemes.
14. All units located along Engineering Drive shall be designed to face, or appear to face, that street.

- 15. Construction hours shall be limited to weekdays from 7:00AM to 8:00PM. No weekend construction shall be permitted.**
- 16. No more than 15% of the townhomes may be rental units concurrently. The limitation shall be incorporated into the Homeowners ' Association covenants and enforced by the Homeowners' Association.**