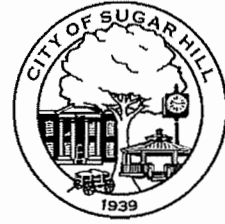


City of Sugar Hill
Planning Staff Report
RZ 16-006



DATE: December 27, 2016
TO: Mayor and City Council
FROM: Planning Director
SUBJECT: Rezoning and Change in Conditions, RZ 16-006
Bellagio Estates II Henry Bailey Road and Benefield Road

SUGGESTED ACTION

Remove Planned Residential Development Overlay Zoning and remove all conditions such that all the subject properties are zoned Medium Density Single Family Residential (RS100).

PLANNING COMMISSION RECOMMENDATION

The Planning Commission held a scheduled public hearing on December 19, 2016. There were no public comments.

*Planning Commission recommends **APPROVAL** of the rezoning as recommended by staff (5-0).*

ISSUE The City of Sugar Hill initiated an application dated October 17, 2016 to consider removing the PRD overlay zoning and associated conditions, which were approved in 2005 as part of a larger common plan of development. Those plans never materialized and compliance with current zoning conditions is no longer possible due to more recent nearby zoning actions and road construction.

DISCUSSION

- The subject properties were annexed and rezoned as RS-100/Planned Residential Development in 2005 via AX-04-029.
- Construction of the overall planned development never occurred. The zoning conditions currently placed on the subject parcels were written to apply to the specific overall planned development in 2005. Several parcels that were originally part of this plan have been subdivided and developed; therefore, the existing conditions are not as directly applicable to a smaller residential development of these parcels.

Applicant / Owner: City of Sugar Hill
Existing Zoning: Medium Density Single Family Residential District/Planned Residential Development (RS-100/PRD).
Request(s): Medium Density Single Family Residential District (RS-100).
Purpose: Existing use.
Property Size: ± 16-66 Acres

Location: Tax Parcel Id Numbers: 7-320-021, 7-320-020, 7-320-019, 7-320-043, 7-320A-003, 7-320A-004, 7-320A-005, 7-320A-007, 7-320A-020, 7-320A-024, 7-320A-028, and 7-320A-029
Addresses: Henry Bailey Road and Benefield Road
Public Notice: Letters to adjoining owners via USPS regular mail on 12-1-16.
Sign posted on Highway 20 on 12-1-16.
Ad in legal section of Gwinnett Daily Post on 12-1-16, 12/22/16.
Public Comments: No public comments have been received.

FINDINGS OF FACT

The subject parcels are located at Henry Bailey Road and Benefield Road and contain existing single family residential homes. Land, on which, a newly developed neighbor sits to the east, Warrenton Subdivision, was originally part of the Planned Unit Development.

The properties have no other significant improvements.

Due to development on a portion of the property for a residential subdivision and the layout of the remaining parcels, it is not feasible for future development to comply with conditions placed on the properties under the PRD. In addition, as part of the GDOT road widening project along Highway 20, portions of the properties have been obtained by GDOT which further renders development of the original plan difficult.

- To the North and West Low Density Single Family: (RS-150) and General Business (BG).
- To the South: BG undeveloped.
- To the East: RS-100.

The following conditions are currently placed on these parcels per AX04-029:

1. The preliminary plat and final plat shall be based upon the approved zoning plat approved by the Mayor and City Council.
2. The main entrance from Hwy. 20 shall be completed prior to recording of the residential final plat or commercial final plat, whichever comes first.
3. A residential unit shall be a minimum of 2,400 square feet of heated space.
4. With the Preliminary Plat, the developer will provide a "traffic study" to determine transportation and traffic impact on Hwy. 20 and the proposed development. Traffic study must incorporate coordination and installation of traffic lights proposed and approved for GA 20 Venture/Bellagio Estate I. Any and all recommended improvements must be implemented by the developer. The study must be conducted and signed by a registered traffic engineer and submitted to the Director of Planning and Development for approval.
5. Provide an active amenity area, consolidated at one location, with amenities in the proposed development similar to proposed amenities in the approved case AX-04-026.
6. The street lights and poles shall be of decorative design. The street lights of commercial and residential area must be of similar type. The design of street lights, street poles, and colors must be submitted to the Director of Planning and Development for approval with the preliminary plans.
7. Security lights along the walls shall be installed at the lowest possible height with protectors. Security light poles shall be installed to the farthest point from the property line pointing inwards to the property and shall be of cut off luminary type with protectors, if required.
8. Must provide a tree preservation plan showing preserving trees to the maximum possible extent prior to obtaining permits for grading and clearing. Existing trees along the property lines must be preserved to the maximum possible extent. In the event, if vegetation is not sufficient or providing a visual screen, then those areas must be vegetated with similar or complementary tree species. The Tree Preservation Plan and Landscape Plans prepared by a registered landscape architect must be submitted to the Director of Planning and Development for approval.

9. The entrance of the proposed development (GA 20 Ventures North) must align with the GA 20 Ventures/Bellagio Development. The engineering plans must be submitted to the City Engineer for approval.
10. No clearing, grubbing, and/or grading permits shall be issued prior to approval of Preliminary Plans.

The following conditions were agreed between the applicant and the Emerald Lake subdivision residents:

11. Rear building setback shall be a minimum of 30 feet from the property line.
12. Provide a five foot wide undisturbed or enhanced buffer along the 15 Emerald Lake lots northwest of the proposed development.
13. Storm water runoff shall be self-contained so that no storm water flow beyond the existing flow will be allowed to run off onto Emerald Lake properties in accordance with state law and city soil and erosion requirements.
14. All approved conditions must be deeded and recorded on the final plat.

The following conditions apply only to parcel 7320-020:

1. This property may be used only as a single residential lot.
2. Any subdivision of this property shall require a rezoning application and the specific approval of the subdivision plan by the Mayor and Council subject to any conditions and restrictions the Mayor and Council shall deem appropriate and allowed by law.

ZONING ANALYSIS

1. *Will the rezoning requested permit a use that is suitable in view of the use and development of adjacent and nearby property?*

Yes.

2. *Will the rezoning requested adversely affect the existing use or usability of adjacent or nearby properties?*

No. Parcels will remain residential and will not impact existing residential properties.

3. *Does the property for which the rezoning is requested have a reasonable economic use as currently zoned?*

Yes.

4. *Will the rezoning requested create an overcrowding condition with respect to the existing streets, transportation facilities, or schools?*

No. The parcels are currently zoned residential and removing the conditions will not impact the school systems or traffic.

5. *Does the rezoning requested conform to the Sugar Hill Land Use Plan?*

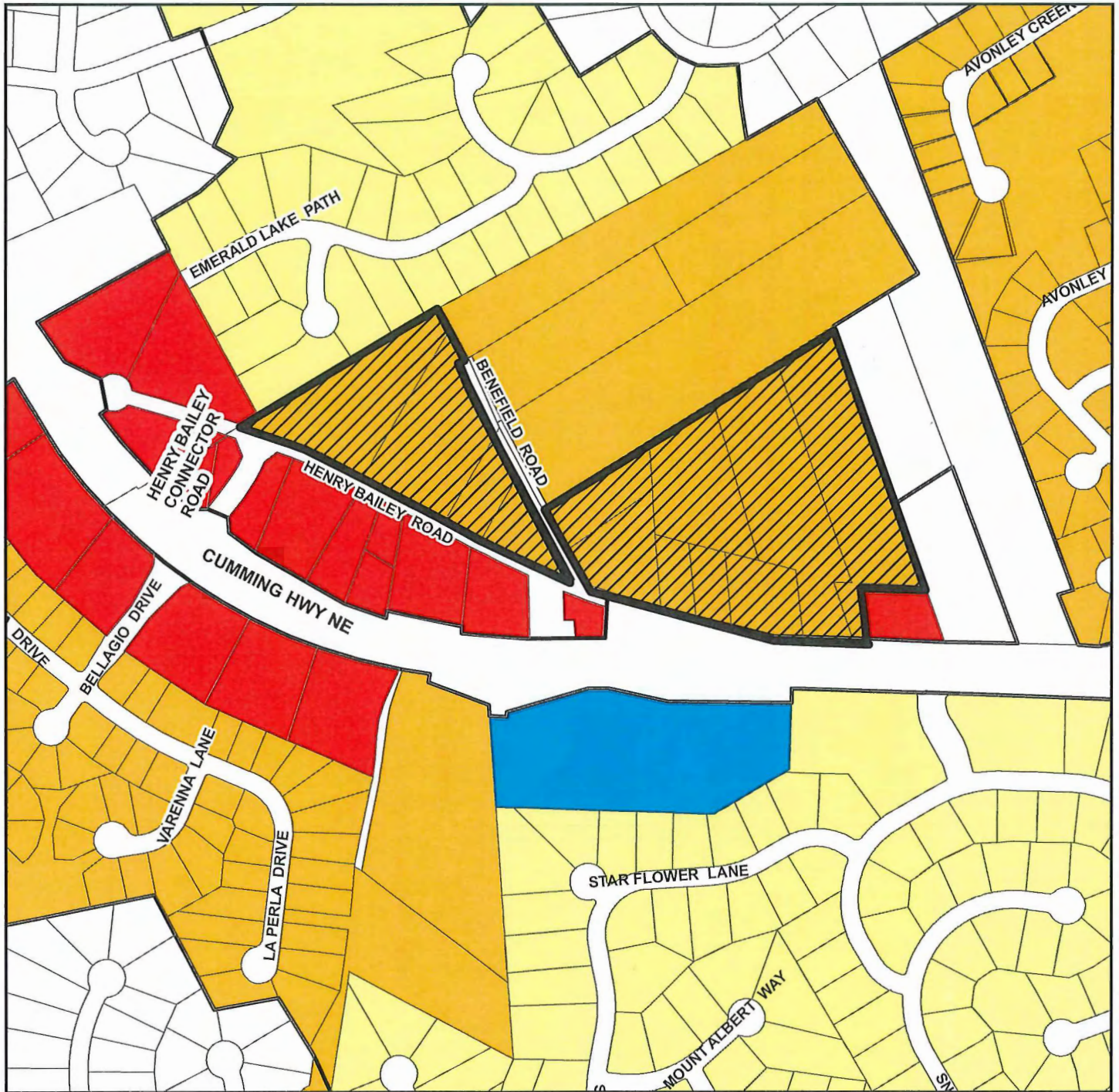
Yes.

6. *Are there other existing or changing conditions affecting the use and development of the property which would give support to an approval or disapproval of the rezoning request?*

No.

REZONING RZ 16-006

Applicant: City of Sugar Hill
 Zoning: RS-100/PRD
 Location: Henry Bailey Road and Benefield Road
 Request: Remove Conditions



Legend

Zoning District

- | | | |
|---------------------------------------------|------------------------------------------------|------------------------------|
| AF- Agricultural - Forest | RS100-Medium Density Single Family Residential | HSB-Highway Service Business |
| RS200-Low Density Single Family Residential | RM-Residential Multi-Family Residential | BG-General Business |
| RS175-Low Density Single Family Residential | CSD-Conservation Subdivision Residential | LM-Light Manufacturing |
| RS150-Low Density Single Family Residential | MH-Mobile Home Park | HM-1-Light Industry |
| | OI-Office - Institutional | HM-2-Heavy Industry |



1 inch = 400 feet