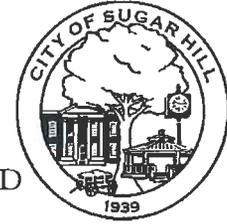


City of Sugar Hill
Planning Staff Report
RZ 16-008



DATE: February 28, 2017
TO: Mayor and City Council
FROM: Planning Director *KA*
SUBJECT: Rezoning RZ 16-008, Buford Highway 23, HM-1 to RS-100/PRD

SUGGESTED ACTION

Recommend approval of rezoning to RS-100 with PRD overlay with following conditions:

1. These conditions shall replace and supersede all prior stipulations and conditions, including any and all prior zoning actions, variances, and special use permits that are currently in place on the subject property.
2. A landscape screen will be required between the subject property and the adjacent properties to the east, which are zoned industrial. The landscape screen must consist of at least a staggered double row of evergreen and semi-evergreen trees and shrubs native or adapted to the area. Trees shall be at least 6' tall at time of planting. Plantings shall be arranged to provide an effective visual screen of at least 20' in height at maturity. The landscape screen must not contain more than 30% of a single species and must be shown on a landscape plan to be approved by Planning and Development prior to receiving any permits. Within enhanced buffer, any existing tree over 12" diameter at breast height (DBH) is to be preserved (except those identified by City to be dead or dying). Prior to receiving a land disturbance permit, all hardwood trees over 12" DBH shall be identified and located on an approved tree protection plan.
3. The developer shall disclose to all future owners the following statement by recording on the final plat and deed records: Neighboring or adjacent properties are zoned or developed for heavy industrial and manufacturing uses (HM-1 and HM-2), which include a railroad, concrete plant and contractor offices with outdoor storage. These existing uses and other permitted uses in HM-1 and HM-2 may produce undesirable views, smells, dust, vibration, as well as excessive noise daily and at all hours.

2/28/2017: This case was tabled at the February 13, 2017 City Council Meeting at the request of the applicant. As of February 28, 2017, staff has received no additional information from the applicant. The applicant may provide additional materials at the March 6, 2017, City Council Work Session.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission held a scheduled public hearing on January 17, 2017. Applicant representative, Tracey Mason, and Owner/Applicant, Gary Gettis with Property Solutions Group, LLC were present to speak on behalf of this request. There were no other public comments.

Planning Commission recommends APPROVAL of the rezoning from HM-1 to RS-100/PRD with conditions as recommended by staff (5-0).

ISSUE The City of Sugar Hill has received an application dated December 9, 2016 from Property Solutions Group, LLC to rezone Tax parcel 7-254-11, 246, 247, 248, & 249 containing ±

11.88 acres, located at Buford Highway/SR 23. The applicant proposes to rezone the parcel from Heavy Manufacturing District (HM-1) to Medium Density Single Family Residential District/Planned Residential Development (RS-100/PRD) for a Single Family detached residential subdivision.

DISCUSSION

- The subject property is currently zoned HM-1 and has been permitted for an industrial subdivision since 2003. Infrastructure (road, curb, gutter, etc) has already been installed and is intended to be re-used for the new development.
- The Land Use Plan shows this area as industrial with suburban (residential) across Buford Highway.
- Roberts Elementary School is across the street from the subject property. The areas across Buford Highway are primarily characterized by attached and detached single-family residential homes.
- Proposed use is compatible with neighboring school and much of the southeast of Buford Highway.
- The property is adjacent to existing, operational industrial facilities and an auto repair shop. Unsightly views and frequent loud noise disruption at early hours created by the facilities and operations will be in conflict with proposed residential uses. These impacts may prove challenging to mitigate.
- However, the industrial nature of the adjoining uses will be obvious to potential homeowners.
- Preliminary findings from the Buford Highway Corridor Study suggest that there is moderate demand along Buford Highway for single-family homes within the \$200,000 - \$350,000 price range; the price range for this subdivision is anticipated to begin at \$350,000. However, the report also indicated that the average price range for nearby areas within the City has been between \$300,000 and \$400,000.
- Moderate to high demand for light industrial/flex uses is also mentioned in the early findings of the market study.

Applicant / Owner: Property Solutions Group, LLC
Existing Zoning: Heavy Manufacturing District (HM-1).
Request(s): Medium Density Single Family Residential District/Planned Residential Development (RS-100/PRD).
Purpose: Single Family Residential Subdivision.
Property Size: ± 11.88 Acres

Location: Tax Parcel Id Number: 7-254-011, 246, 247, 248, & 249
Addresses: Buford Highway 23

Public Notice: Letters to adjoining owners via USPS regular mail on 12/29/16.
Sign posted on Highway 20 on 12/29/16.
Ad in legal section of Gwinnett Daily Post on 12/29/16 & 1/26/17.

Public Comments: No public comments have been received.

FINDINGS OF FACT

The subject parcel is located along Buford Highway and the railroad tracks. The two adjacent properties within the City are zoned industrial and the adjacent property within the City of Suwanee is zoned General Commercial District (C-2) and is occupied by an auto repair shop/battery store. Roberts Elementary School and residential neighborhoods are located across Buford Highway.

A development permit was issued for an industrial subdivision in 2003. Infrastructure has already been installed, including the detention pond, sidewalk, curb and gutter, and the street.

- To the Northwest Norfolk Southern Railroad;
- To the Northeast Heavy Manufacturing (HM1) and Heavy Industry (HM2)
- To the Southeast Buford Highway; across Buford Highway – Roberts Elementary School
- To the Southwest General Commercial District (C2) in City of Suwanee

A special use permit was issued in 1997 (SUP-97-001) to allow for a railroad spur and a height increase for construction of silos to a maximum of 130 feet on the property with the condition that the use of the property is restricted to a cement distribution of facility. The following conditions were also included:

1. No more than one exit/entrance shall be located on Buford Highway. The location of the exit/entrance shall be subject to approval by the Georgia Department of Transportation.
2. Lighting shall be of sodium type, contained in cutoff type luminaries and shall be directed in toward the property so as not to reflect into adjacent residential properties.
3. Except for driveway access to the site, an undisturbed 50 foot tree save area shall be provided adjoining Buford Highway.

Two variances have been approved for this property:

VAR11-002 allowed for development of a gravel parking lot with the following conditions:

1. The gravel parking lot shall be limited to the area in Exhibit #1, attached.
2. The Owner shall install a curb or minimum 12 inch height earthen berm around the parking area to contain the gravel and drainage shall be diverted to the detention pond.
3. Landscaping shall be provided to effectively screen the parking lot, as approved by the Director of Planning and Development.
4. An 8' opaque privacy fence shall be constructed around the perimeter of the storage yard.

VAR14-010 was approved in 2014 with the following conditions:

1. These conditions shall replace and supersede conditions imposed by approval of Variance #11-002.
2. The gravel parking/storage lot shall be limited to the area shown on the attached Exhibit #1.
3. The Owner shall install a curb or earthen berm around the parking/storage area to contain the gravel and drainage shall be diverted to the detention pond.
4. Landscaping or a 6' opaque privacy fence shall be provided to effectively screen the parking lot as viewed by Buford Highway.

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?*

No. Two adjacent properties are industrial and one is zoned general business. The industrial use may negatively impact the future residents of this property. However, residential properties and an elementary school are already located in close proximity (across Buford Highway).

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

Yes. The adjacent properties are already developed, but should they wish to expand or build additional structures, buffers would now apply.

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. Rezoning to residential is unlikely to increase the traffic greatly above the current industrial zoning. The school systems (North Gwinnett High School) would be impacted.

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

No. This area is shown as Industrial. However, the areas across Buford Highway are shown as Suburban, which is primarily a residential character area.

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?*

The City is currently in the process of completing a corridor study for Buford Highway. Preliminary findings indicate that there is an on-going demand for mid-range single-family residential housing along Buford Highway.

**REZONING
RZ 16-008**

**Applicant: Property Solutions Group, LLC.
Zoning: HM-1
Location: Buford Highway
Request: Rezone to RS-100/PRD**



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

LETTER OF INTENT
REZONING APPLICATION OF
PROPERTY SOLUTIONS GROUP, LLC

December 9, 2016

City of Sugar Hill
Planning & Development Department
5039 West Broad Street.
Sugar Hill, GA 30518

Re: Rezoning Application of Property Solutions Group, LLC, concerning
11.88 acres located in the 7th Land District, Land Lot 254, Parcel
Numbers 011, 246, 247, 248, 249, located on State Route 23 in
Sugar Hill, GA

Dear Planning Department:

I am writing to you on behalf of Property Solutions Group, LLC, who is the Applicant in this case. Property Solutions Group, LLC, respectfully requests your approval to rezone the subject property to RS100 (Medium Density Single-Family Residential District)/PRD (Planned Residential Development) to allow for the development of single family detached homes on acreage exceeding the minimum required ten (10) acres.

The 11.88 acre neighborhood would include 29 homes, which would result in a gross density of 2.44 homes per acre. The size of the homes is proposed to be 2,100 heated square feet for one-story homes and 2,400 heated square feet for two-story homes. The price range is expected to start at \$350,000. With the property rezoned to RS-100, this PRD would be located within a residential zoning district with detached houses as required by the City of Sugar Hill Zoning Ordinance's standards applying to PRD's. The open space provided here of 1.68 acres exceeds the total open space required under the standards of 1.62 acres.

Given the current state of this development, the Applicant is respectfully requesting to retain the existing industrial park pavement and utilities prior to cul-de-sac radius returns. The Applicant further requesting reduce the existing 60' right-of-way to 50' and to provide an additional 5' utility easement along the existing portion of the roadway retained.

R2. 16.008

Rec. 12/9/10

2010 DEC 9 10 30 AM

This Applicant has a tradition of developing quality neighborhoods in and around Gwinnett County and is committed to continuing that tradition with another successful community here. We therefore, respectfully request your approval of this proposed rezoning, and we are available to meet at your convenience with you to discuss any questions or concerns that you may have.

Respectfully submitted,

TRACEY D. MASON, LLC



Tracey Mason
Attorney for Property Solutions Group, LLC, the
Applicant

cc: Property Solutions Group, LLC

