

City of Sugar Hill
Planning Staff Report
RZ 18-001



DATE: February 21, 2018; *Updated March 1, 2018*
TO: Planning Commission
FROM: Planning Director *KA*
SUBJECT: Rezoning RZ 18-001, 211 Peachtree Industrial Boulevard

RECOMMENDED ACTION

Change the zoning to HM-1 with the following conditions:

- 1. Principal use shall be limited to auto body repair and painting.*
- 2. No outdoor automotive repairs shall be permitted.*
- 3. No outdoor storage of equipment or materials shall be permitted.*
- 4. Up to 15 vehicles can be stored in the rear parking area provided each vehicle is located within a striped parking stall, has a valid license plate and does not remain outdoors for more than 30 days. No outdoor storage shall otherwise be permitted on the site.*
- 5. An enhanced landscape buffer shall be incorporated into the side yard along the common property line adjoining Hadley Township. Said buffer shall consist of at least a staggered row of evergreen and semi-evergreen trees and shrubs native or adapted to the area. Trees shall be 6' tall at time of planting. Plantings shall be arranged to provide an effective visual screen of at least 20' in height at maturity. Buffer must not contain more than 1/3 of a single species and must be shown on a landscape plan to be approved by the city manager prior to receiving any permits and installed prior to certificate of occupancy. Existing landscaping may be incorporated.*
- 4. Operating hours including deliveries, dumpster and other similar services shall be limited to the hours between 8:00 AM and 6:00 PM Monday through Friday.*
- 5. Existing chain link fencing shall be replaced with decorative fencing, see attached Exhibit 1.*
- 6. Paint booth ventilation stacks shall be located on the building as to not be visible from Peachtree Industrial Boulevard or nearby residences.*
- 7. Repaint the exterior façade prior to certificate of occupancy. See attached Exhibit 2.*
- 8. Remove existing ground sign and obtain permits for replacement in accordance with current zoning requirements.*
- 9. Enhance front and side yard landscaping. Landscaping plan to be approved prior to receiving building permits.*
- 10. Provide additional noise control screening. Plan to be approved prior to receiving building permits.*

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission held a scheduled public hearing on February 19, 2018. Applicant representative Mitch Peevy and owner representative Michael Gay spoke on behalf of this request. There were no other public comments.

Planning Commission recommends APPROVAL to change the rezoning to HM-1 with the following conditions and requested staff to research outdoor storage restrictions, number of cars to be stored and separating project access (3-1):

1. Principal use shall be limited to auto body repair and painting.
2. No outdoor automotive repairs shall be permitted.
3. No outdoor storage shall be permitted.
4. Operating hours including deliveries, dumpster and other similar services shall be limited to the hours between 8:00 AM and 6:00 PM Monday through Friday.
5. Replace chain link fencing with decorative fencing, see "Exhibit 1".
6. Paint booth ventilation will be located behind top of building situated not to be visible from Peachtree Industrial Boulevard or nearby residences.
7. Repaint the exterior façade. See "Exhibit 2".
8. Remove existing non-conforming signs and obtain permits for replacement signs in accordance with current zoning requirements.
9. Enhance front and side yard landscaping. Landscaping plan to be approved prior to receiving building permits.
10. Provide additional noise control screening. Plan to be approved prior to receiving building permits.

ISSUE The City of Sugar Hill has received an application dated January 12, 2018 from David Dell (c/o Mitch Peevy with Millcreek Consulting) requesting to rezone ± 1.15 acres to Heavy Manufacturing (HM-1).

DISCUSSION

- The requested HM-1 zoning is not consistent with the city's land use plan for this area of Peachtree Industrial Boulevard as a regional commercial corridor.
- Auto body repair and painting are typically considered a more intensive use than general auto repair. Body repair may require dismantling entire body sections and sanding with the attendant dust while painting creates potential odor from fumes.
- ***Conditions are proposed to mitigate the potential negative impacts from such use.***
- Access to the facility is shared through the adjoining retail center's entry drive and parking area. This creates likely circulation conflicts and additional wear on the shared access facilities. Loaded tow trucks and delivery vehicles may be unsightly to the business owners and their customers and necessitate additional maintenance of the shared access facilities.
- ***Current neighboring businesses frequently drive and park buses on the shared parking and project access facilities.***

BACKGROUND

Applicant / Owner:	David Dell
Existing Zoning:	General Business District (BG).
Request(s):	Heavy Manufacturing District (HM-1).
Purpose:	Classic Collision auto body repair facility.
Property Size:	± 1.15 Acres
Location:	Tax Parcel Id Numbers: 7-253-081 Addresses: 211 Peachtree Industrial Boulevard
Public Notice:	Letters to adjoining owners via USPS regular mail on 1-31-18 Sign posted at 211 Peachtree Industrial Blvd 1/31/18 Ad in legal section of Gwinnett Daily Post on 1/31/18 & 2/21/18
Public Comments:	None as of March 1, 2018.

FINDINGS OF FACT

The subject property was developed in 2002 to include the existing 9,100 square foot building. An approved auto repair business operated from this location for several years.

At that time, auto body repair would have been allowed under the highway service business (HSB) and BG zoning classifications with a special use permit. No such special use permit has been obtained for the subject property.

Other auto repair businesses exist within the Peachtree Industrial Boulevard corridor. Currently in unincorporated Gwinnett County, general automotive repair and auto body repair with painting require a special use permit in the general business (C-2) zoning district. City of Suwanee requires an M-1 (Light Industry Zoning District) zoning for auto body repair.

Since 2002, the property has changed uses and the zoning ordinance has been revised several times. In 2008, auto body repair was reclassified as a permitted use under the heavy manufacturing and industrial zoning categories.

The property is currently occupied by Metro Gymnastics who will not be renewing their lease. Classic Collision has approached the property owner to purchase the property for an auto body repair facility.

Buffers for HM-1 and BG zoning classifications are identical (75') when adjacent to residential zoning districts.

Classic Collision proposes the following improvements and restrictions:

- No outdoor storage.
- Replace chain link fencing with wrought iron type fencing, see "Exhibit A".
- Paint booth ventilation will be located behind top of building, situated not to be visible from Peachtree Industrial Boulevard.
- Repaint the exterior façade. Examples provided of current building facilities "Exhibit B".
- Re-landscape front and side yards to improve street appearance.
- New signage to be applied for site and building.
- Provide recommended noise control screening.

- Limit hours of operation from 8-6 Monday through Friday.
- Classic Collision is agreeable to a condition of zoning restricted to this business facility only.
- All improvements will be completed within 90 days from purchase of property.

Adjacent zoning:

- (North) Peachtree Commons office park, zoned BG.
- (South) Undeveloped land across Peachtree Industrial Boulevard, zoned BG.
- (East) Hadley Township residential subdivision, zoned RM. Note that a detention facility for the subdivision adjoins the subject property. No home lots are directly adjacent but could still be impacted by views and noise.
- (West) Peachtree Commons retail center, zoned BG.

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. However, zoning conditions could be used to mitigate some of the adverse impacts. An approval could be limited to only the proposed use which reduces the exposure of adjoining development by eliminating the more intense industrial uses possible under a standard heavy manufacturing zoning classification.

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

Yes. Uses allowed under HM-1 zoning typically create undesirable noise, fumes and views. Zoning conditions which limit the allowed operating hours; specify high quality architectural design and finishes on the building exterior; contain the scale of the building(s); retain and enhance landscape buffers adjacent to residential uses; fencing requirements and prohibit outdoor storage of vehicles and equipment could mitigate some of the adverse impacts associated with this type of proposed use.

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

Yes.

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

No. Peachtree Industrial Boulevard is designed to accommodate this type of use and associated traffic. However, the properties access facilities were not intended for the type of traffic the propose use will create.

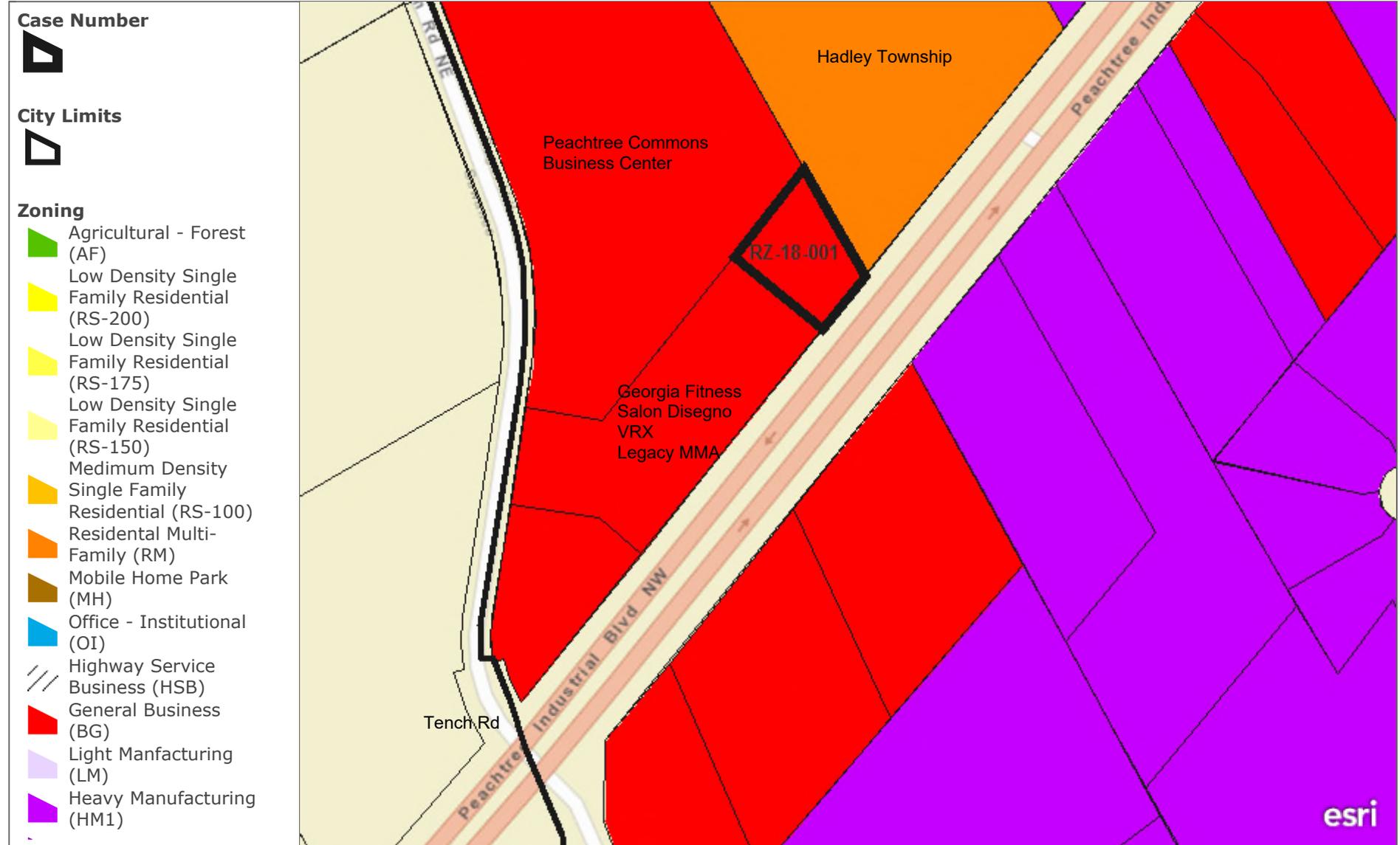
5. Does the rezoning requested conform to the Sugar Hill Land Use Plan?

No. The requested HM-1 zoning is not consistent with the City's land use plan as a regional commercial corridor.

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.

Zoning Projects



Upcoming Zoning Cases within the City of Sugar Hill.

600ft

Exhibit 1



Exhibit 2





CITY OF SUGAR HILL PLANNING & DEVELOPMENT DEPARTMENT
PUBLIC HEARING PACKET

CASE #: 22-18-001 PERMIT FILE # 18-00049 DATE RECEIVED: 1/12/18

APPLICATION

CHECK ONE: ANNEXATION/REZONING REZONING CHANGE IN CONDITIONS SPECIAL USE PERMIT

APPLICANT INFORMATION

Name: DAVID DELL
Phone: 404-414-8832
Fax: _____
Signature: [Signature]

Address: 600 WATEREDGE
SUNNINGDALE, GA. 30021
Email: THEDELLGROUP@aol.com
Date: 1/2/18

OWNER INFORMATION

IF MULTIPLE PROPERTY OWNERS FILL OUT MASTER APPLICATION AND ONE APPLICATION FOR EACH APPLICANT.

Name: 211 PEACHTREE INDUSTRIAL LLC
Phone: 404-414-8832
Fax: _____
Signature: [Signature]

Address: 211 PEACHTREE INDUSTRIAL
Email: THEDELLGROUP@aol.com
Date: 1/2/18

CONTACT INFORMATION

Name: DAVID DELL
Fax: _____

Phone: 404-414-8832
Email: THEDELLGROUP@aol.com

* Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

PROPERTY INFORMATION:

IF MULTIPLE PROPERTY OWNERS FILL OUT MASTER APPLICATION AND ONE APPLICATION FOR EACH APPLICANT.

Map Reference Number(s) (Tax Parcel Identification Number or PIN #) R7253 081 Acreage: 1.15
Number of Existing Housing Units: n/a Number of Proposed Housing Units: n/a Current Population: n/a
Street Address: 211 PEACHTREE INDUSTRIAL BLVD

PRESENT ZONING DISTRICT: BG WAS 12-M-1 REQUESTED ZONING DISTRICT: HMI 1 OR AUTOMOTIVE USE

Proposed Development: AUTOMOTIVE REPAIR
Adjacent Zonings: NORTH: RM EAST: HMI SOUTH: BG WEST: BG

Residential Development

of Lots/Dwelling Units: n/a
Dwelling Unit Size (sq. ft.): n/a
Net Density: n/a

Non-Residential Development

of Lots/Buildings: n/a
Total Gross Square Feet: n/a
Density: n/a

PLEASE CHECK THE FOLLOWING IF APPLICABLE: DRI (Development of Regional Impact) Within 2,000 feet of the Chattahoochee River

Request for Special Conditions or Variance(s) (Set back, Parking, Buffers, etc): NONE OR AUTOMOTIVE USE PER BG

NOTE: Special Conditions, and Variance Request must also be explained in the Letter of Intent.

Letter of Intent

I, David Dell would like to change the current zoning of the property at 211 Peachtree Industrial Blvd from BG to HM-1. Classic Collision would like to purchase the facility and we are requesting this change to allow them to operate this facility under the appropriate zoning.

The building was initially purpose built in 2002 as a Mercedes Benz auto repair facility and was developed and designed for this utilization.

Who is Classic Collision:

Classic Collision has been family owned and operated since 1983. the owners goal is to serve his customers with honesty and integrity, while using the best talent and highest quality materials available.

Classic Collision currently has nineteen locations throughout northern Georgia:

Johns Creek, Cumming, Brookhaven, Buckhead, Marietta Airport Road, Marietta Cobb Parkway, Chamblee, Gwinnett, Lawrenceville, Alpharetta, Morrow, Rome, Douglasville, Stone Mountain, Sandy Springs, Roswell, McDonough, Kennesaw and Union City.

Classic Collision would like to make the following recommendations to improve the appearance of the existing building as well as ensure that they are excellent neighbors:

- They will not have any outside storage.
- They will replace chain link fence with wrought iron type fence similar to "Exhibit A"
- They will provide paint booth ventilation behind top of building so it will not be visible from street.
- They will repaint entire building to enhance appearance and improve street presence. See "Exhibit B" for examples of their current buildings.
- They will re-landscape front and side yards to enhance appearance of building and improve street presence
- They will place a new sign on front of building and on signboard at front of property, significantly improving appearance of facility
- Will consider any Noise control or screening as recommended by the City. Note that all work will be performed inside building, so noise should NOT be a concern, but offering this as an option when doing landscaping work.
- Hours of operation are M-F from 8am to 6pm. This will eliminate any issues in the evening or weekends that another prospective tenant or owner may have (Good Neighbor)
- Classic Collision is open to having this property listed with the specific use of a Auto Repair facility vs open for any HM-1 utilization to enhance property around current site.
- Classic Collision will complete all exterior improvements (No structural Changes to building) within 90 days of purchase of building and after City and Board approval.

Note that there are several Automotive Repair shops in the area, with State Collision directly across the street. (See Exhibit C). Classic Collision tends to cater to more of a higher end clientele and each of their current properties reflect an image that would fit well within the City of Sugar Hill as we continue to strive toward aesthetically pleasing facilities.

Overall, the building and facility will be given a facelift and tax revenue for the city with this business will be significantly greater for the community and the city of Sugar Hill than current or potential BG opportunities.

Additionally, by changing the zoning, we can have a great neighbor that conducts business professionally and has that higher image that should be important as we continually improve this part of Peachtree Industrial. Lastly, Classic Collision is not open at night or on the weekend, so this will be an improvement over another potential tenant that may occupy the existing building under current BG zoning.

Thank you for taking the time to review this request and I and Classic Collision look forward to answering any of your questions.

Sincerely,

David Dell

404-414-8832