

City of Sugar Hill
Planning Staff Report
RZ 18-003



DATE: May 24, 2018
TO: Mayor and City Council
FROM: Planning Director *KA*
SUBJECT: Rezoning RZ 18-003 & variance requests
Buford Church of Christ,
1113 Buford Hwy

RECOMMENDED ACTION

Approval of rezoning to OI with the following conditions:

1. The gravel parking lot shall be allowed for a maximum of (3) three years or until a permanent principal use is permitted, whichever comes first.
2. The required 50-foot buffer shall be reduced to a 20-foot screening buffer along Chatham Road, across from residential zoning.
3. Access on Chatham Road for future permanent improvements shall be aligned with Chatham View Drive.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission held a scheduled public hearing on May 21, 2018. Applicant representative George Reese and citizen Nick Thompson spoke in support of this request. Nearby resident Michael Washington spoke about concerns with drivers cutting through Chatham Road from Old Suwanee Road and speeding along Chatham Road. There were no other public comments.

Planning Commission recommends APPROVAL to change the rezoning to OI with conditions as presented.

ISSUE The City of Sugar Hill has received an application dated March 28, 2018 from George Reece on behalf of the Buford Church of Christ requesting to rezone \pm 7.691 acres to Office Institutional District (OI). The application also includes variance requests including temporary gravel parking and buffer reductions.

DISCUSSION

- Recent market analysis of the Buford Highway corridor has found low demand for new retail except in limited areas near Highway 20 and potentially at other major intersections.
- Churches are allowed in most zoning districts.
- The church currently owns the property and is already using one of the structures as an administrative office in addition to recent improvements including an open-air pavilion intended for limited assembly purposes.

BACKGROUND

Applicant / Owner: George Reese / Buford Church of Christ

Existing Zoning: General Business District (BG)

Request(s): Office Institutional District (OI)

Purpose: Future expansion of the Buford Church of Christ campus

Property Size: ± 7.691 acres

Location: Tax parcel: 7-257-014
1113 Buford Highway

Public Notice: Letters to adjoining owners via USPS regular mail on 5/2/18
Sign posted at 1113 Buford Highway 5/2/18
Ad in legal section of Gwinnett Daily Post on 5/2/18 & 6/23/18

Public Comments: No comments as of 5/15/2018

FINDINGS OF FACT

- North: Single-family residential (R-75) in unincorporated Gwinnett County, and BG.
- South: R75 in unincorporated Gwinnett County
- East: BG in the City of Sugar Hill
- West: R75 in unincorporated Gwinnett County

The property was rezoned to BG in 2006 (RZ-06-006) for a commercial and office development which was never initiated. A change in conditions of zoning was granted in 2008 (RZ-08-007) for a landscape maintenance material company. The current conditions of zoning place restrictions on the uses, reduction of buffers, access and other site development issues specific to the request under RZ 08-007.

The applicant is requesting approval of the two following variances. Other requests were articulated in the application to defer development regulations pertaining to sidewalks and trees. However, these are requirements that do not necessitate a variance and are typically addressed administratively during development review.

Variance request #1. Parking surface (Zoning Ordinance Article 11) The church is proposing a 300' by 65' gravel parking lot with an entrance onto Chatham Road. The Sugar Hill Zoning Ordinance requires parking for five or more vehicles to be paved. This would be used for overflow parking from the main church building across Chatham Road. The proposal is to use this lot for overflow parking during peak hours.

Variance request #2. (Sugar Hill Zoning Resolution Article 12) The church is proposing that the required 50-foot buffer adjacent to residential zoning be reduced to 20 feet. It is anticipated that eventually all the property along Buford Highway will be developed commercially. The requested 20-foot-wide buffer would adequately screen the church to any adjacent residential uses.

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. The proposed church use in the O-I zoning district is compatible with the city's vision and the recent Buford Highway corridor study.

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

No. Appropriate conditions will mitigate potential adverse effects of the church 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?***

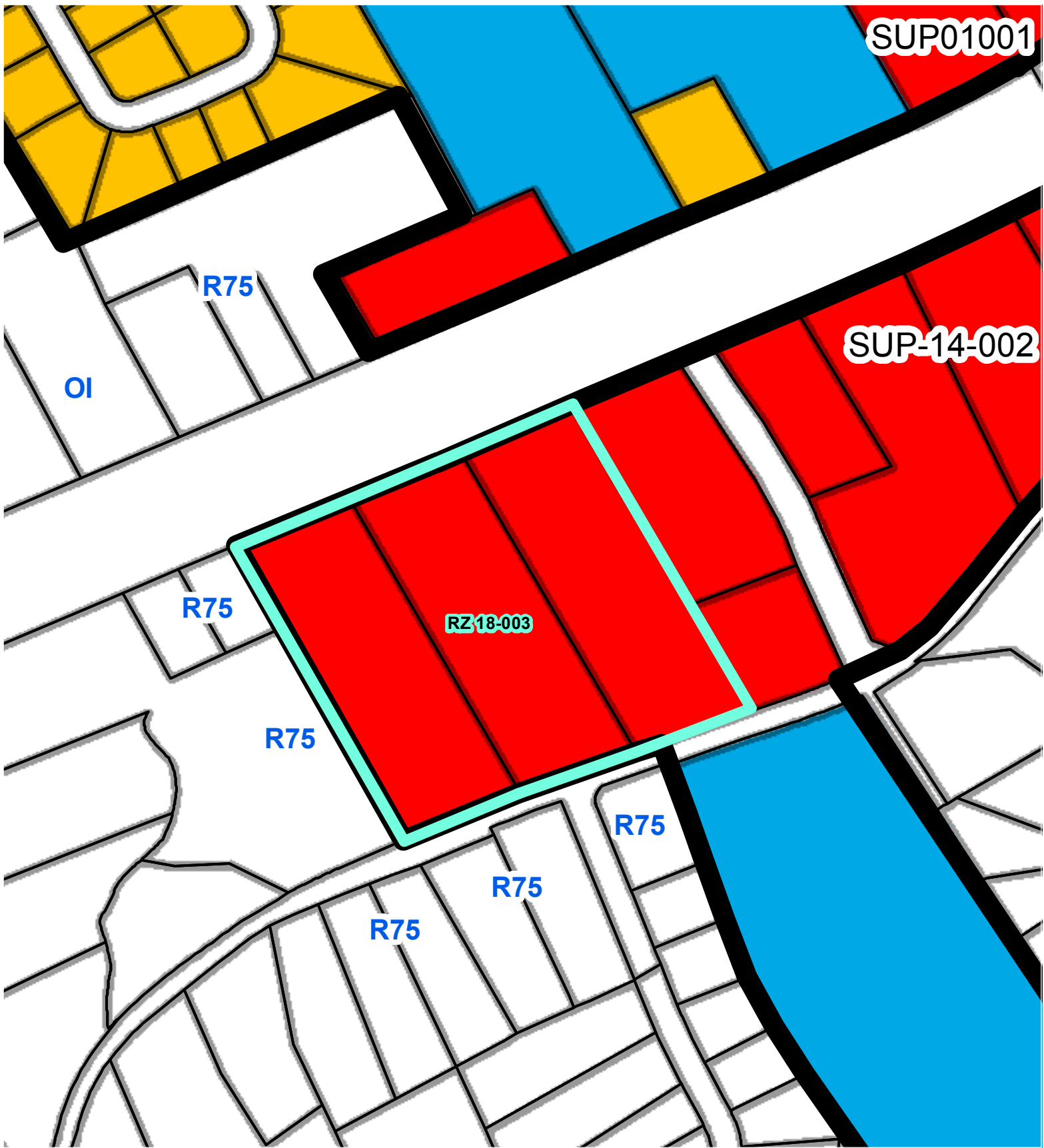
An increase in traffic on Chatham Road could be anticipated. However, this increase would be limited to a small time period when overflow parking is needed.

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

Yes. This parcel is identified by the Sugar Hill Character Area Map to be Mixed Use Office.

- 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?***

None.



Zoning Classification

- Medium Density Single Family Residential (RS-100)
- Office - Institutional (OI)
- General Business (BG)





BUFORD CHURCH_{of} CHRIST

1135 CHATHAM ROAD . BUFORD, GA 30518
770-945-8620 . www.bufordcoc.com

15 March 2018

City of Sugar Hill
5039 West Broad Street
Sugar Hill, Georgia

Letter of Intent
Rezoning and Variance Request by Buford Church of Christ
1113 Buford Highway, Buford, Georgia 30518

To Whom it may concern:

Rezoning:

It is the intent of the Buford Church of Christ to request a rezoning and variances for their property located at 1113 Buford Highway.

The rezoning request is to rezone the property from BG to IO. This will bring the property into similar zoning as that of the other church property located across the street on Chatham Road. The conditions put on the property when it was rezoned BG are excessively restrictive to the church and its ability to use the property. Some of these existing conditions exclude a drive onto Chatham drive across from the church property and the requirement that 70% of the building space must be offices.

Current usage:

The Church requests this rezoning, conditions and variances to accommodate the current desired use of the property. At present the church exists entirely across Chatham Road. The land was purchased after the existing zoning and conditions were implemented. The churches short term use of the site is two fold. Current plans are for an education building addition on their current property, at 1135 Chatham Road, that will replace the office building with a much larger structure. The staging areas that will take up parking spaces will create a deficit of parking for church services. As such, the church is requesting the property be rezoned and allowed to have a gravel parking lot placed closest to



the existing property. In times of heavy attendance on holidays, the need for overflow spaces is also needed.

Secondly, there are currently two houses remaining on the property. A third has already been removed. The middle house was home to a business, and having already been renovated for a business, the church would like to place the church offices in that house until the time the new building is completed. The second house is currently being used as benevolence house for a single occupant. No rent is charged. The Church is requesting that the non-conforming use be allowed to continue.

Long Term usage:

The long term usage of the site will be to relocate the main sanctuary and accessory uses to the Buford Highway site. This will increase visibility and access to major roads. It will also provide adequate space for church growth. While a conceptual use of the site is included in the application, until the church is ready to develop a building on the site, the best long term arrangement cannot be yet determined.

Conditions:

The church requesting that all existing conditions be removed from the site. Those conditions will hinder both the short term and long term usage of the site. The church's current sort range plan for the site allows the buffers planted along Chatham and the property lines to remain, except for the very small area needed to install a new driveway between the existing and new properties.

The Church requests that the existing house be allowed to continue to be used for benevolence housing.

Variances:

The variances requested are to allow the church to minimally develop the site in its need for temporary parking. Some of these variances are requested until such time as the church develops the long term usage of the site, or when it develops the first new building.

These variances are four fold:

First is to allow the use of a gravel lot in lieu of the required paved lot as defined by the City Zoning Ordinances. The church is requesting a variance of the following Zoning Ordinance section, 1101.4:



4. Improvement of Off-Street Parking Lots. All off-street parking lots, whether public or private, for five (5) or more passenger or commercial vehicles required to be licensed for over-the-road use, including trailers, shall meet the following standards:

- a. They shall be graded to insure proper drainage, , installed on an approved four (4) inch graded aggregate base with a two (2) inch top course of concrete, asphalt, or other approved paving method. The parking lot shall be maintained in good condition free of weeds, dust, trash and debris. Alternative paving methods such as porous concrete/asphalt shall be constructed to minimum standards per American Society for Testing and Materials (ASTM) and shall provide a maintenance schedule for approval and recording.

Exception: Within HM-1 and HM-2 Zoning Districts, Storage Yards for off-road construction equipment (no vehicle licensing required) may have a graveled surface and shall provide the following:

- i. maintained to a uniform depth of at least two (2) inches of crusher run or stone aggregate not larger than #57 stone; and
- ii. kept free of debris, weeds and uneven holes or depressions; and
- iii. be contained with concrete vertical curbing or minimum twelve inch height earthen berm; and
- iv. graded to ensure rain water runoff flows into a detention facility as designed.

The Owner would install a single concrete apron driveway from Chatham Road located directly across from the existing church property. The house located across the street from the drive is on the main Church property. The gravel parking pad would be perpendicular to Chatham Road, presenting minimum street front exposure. The pad size would be approximately 300'x65' and accommodate 60 vehicles.

The church would meet those conditions that allow for this same lot in HM zoning. Detention and water quality standards would also be met. Use of the gravel would allow these requirements to be met in a smaller scale appropriate to the temporary lot being requested.

Secondly, the church requests that no sidewalks be required to be installed along either Chatham Road or Buford highway until such time as the property is developed with a building. This is required by Section 6.13.



Section 6.13 Sidewalks.

6.13.1 Required Sidewalks

- a. Sidewalks shall be provided adjacent to both sides of streets within all single family subdivisions, multi-family developments and non-residential subdivisions.
- b. Sidewalks shall be provided along the street from which a multi-family development has access.
- c. Every site development, subdivision development or building project shall provide sidewalks along the entire length of all property frontage.

Thirdly, the church is asking for temporary relief from the requirements of the tree density requirements. The church would fully comply with the tree density requirements at the time a building is developed on the site.

The submitted plan shows no trees added to the existing site. Using the credit table and extrapolating for existing trees over 50", the submitted existing plat records existing specimen trees worth 87 units. Combined with the decade old buffers already planted as required by the previous BG zoning conditions, this would approach the needed 117 units. Existing specimen trees will not be disturbed for this project. The only disturbance of the existing buffer trees would be the minimal removal of trees needed for the access drive on Chatham Road. The full count required will be provided at the time the site is developed with a building.

Lastly, the Church requests the reduction of the side yard requirement of a 50' buffer between OI and residential to 20'. This reduction would be consistent with the allowance in Section 4.

Church, temple and synagogue, restricted.

1. Shall be located on a site of not less than five (5) acres with 250 feet of road frontage.
2. The buildings shall be located not less than 50 feet from any street and not less than 30 feet from any side or rear property line.
3. If adjacent to residentially-zoned property, a buffer of at least 50 feet wide shall be provided along the property lines adjacent to said zoning, provided, however, that this buffer may be reduced to no less than 20 feet in width adjacent to the sanctuary building or "Sunday School" educational building and parking related to these buildings.

The side yards shown in the future land use plan are shown as either parking or detention pond. And as such adhere to this allowed reduction.



The church will be adding landscape strips along Buford Highway as shown on page 2 of drawing. They will consist of landscape berms and plantings to be determined.

Once the long term development is implemented, all zoning and development requirements will be met.

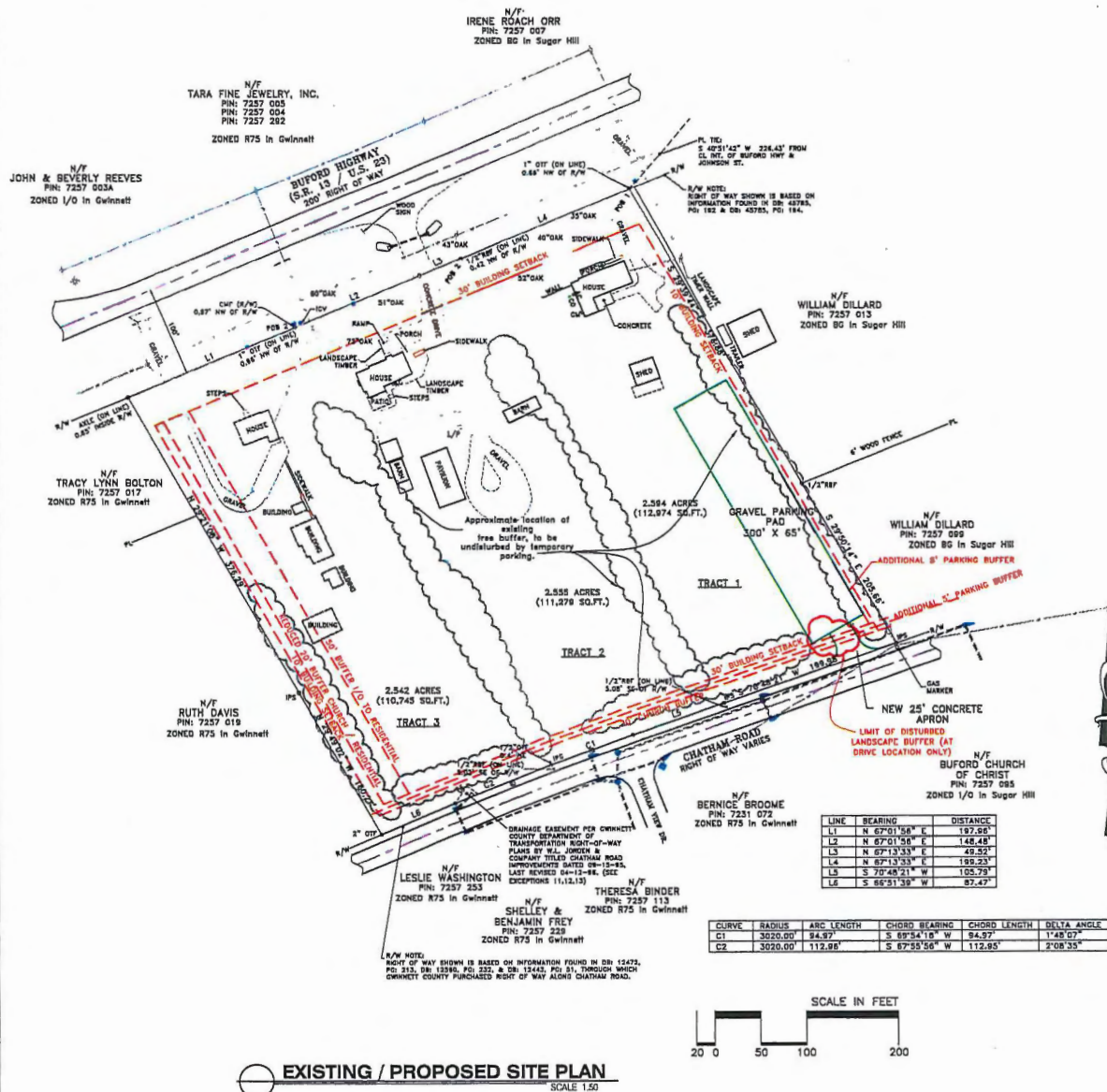
The Church respectfully requests the rezoning, conditions and variances as described above. This will allow for the short term use of the site as overflow parking for the church. It will also prevent short term development that might be at odds with the future long term use of the site.

If you have any further questions, please do not hesitate to contact us.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "GR" followed by a long horizontal stroke.

George Reese,
Member and Applicant
on behalf of Buford Church of Christ



AERIAL VIEW
SCALE: N.T.S.

Buford Church of Christ - 1113 Buford Highway
Legal Description

All that tract or parcel of land lying and being in land Lot 257 of the 7th (and district, Gwinnett County, Georgia, and being more particularly described as follows:

Commencing at the intersection of the centerline of Buford Highway (AKA Georgia State Route 13, AKA US Highway 23) having a 200 foot right-of-way, and the centerline of Johnson Street; thence South 405°14'2" West a distance of 228.43 Feet to a point located on the southerly right-of-way of Buford Highway and the true point of beginning;

From said true point of beginning the following courses and distances:

Thence departing the right-of-way line of Buford Highway, South 293°44' East a distance of 378.88 feet to a 1/2" rebar found; Thence South 235°14' East a distance of 205.66 feet to a point located on the northerly right-of-way line of Chatham Road (variable right-of-way); Thence along said right-of-way of Chatham Road, South 704°42' West a distance of 199.89 feet to a point;

Thence along said right-of-way line of Chatham Road South 704°42' West a distance of 105.79 feet to a point;

Thence continuing along said right-of-way line of Chatham Road and along a curve to the left of arc length of 94.97 feet to a point, said curve having a radius of 3020.00 feet and being subtended by a chord bearing of South 69°41'18" West, with a chord length of 94.97 feet;

Thence continuing along said right-of-way line of Chatham Road and along a curve to the left of arc length of 112.95 feet to a 2" open top pipe found, said curve having a radius of 3020.00 feet and being subtended by a chord bearing of South 67°55'56" West, with a chord length of 112.95 feet;

Thence continuing along said right-of-way line of Chatham Road, South 66°51'38" West a distance of 87.47 feet to a point;

Thence departing said right-of-way line of Chatham Road, North 294°02' West a distance of 180.27 feet to a point;

Thence North 291°01' West a distance of 378.29 feet to a point on the southerly right-of-way line of Buford Highway;

Thence along said right-of-way line of Buford Highway North 67°01'58" East a distance of 197.96 feet to point;

Thence along said right-of-way line of Buford Highway, North 67°01'58" East a distance of 148.48 feet to a point;

Thence continuing along said right-of-way line of Buford Highway, North 67°13'33" East a distance of 49.52 feet to point;

Thence along said right-of-way line of Buford Highway, North 67°13'33" East a distance of 199.23 feet to a point which is the true point of beginning;

Said tract of land having an area of 334,380 square feet, 7.691 acres

Buford Church of Christ - 1113 Buford Highway

Owner Address
Buford Church of Christ
1113 Chatham Road
Buford, Georgia 30518
Phone: 770-845-8620

Property Address
Buford Church of Christ
1113 Buford Hwy
Buford, Georgia 30518

Property to be used as overflow parking. Use expected during reports on project in existing property across the street and peak attendance periods. Property to be used in the future for new church worship center and education buildings.

Future sewerage disposal to be via county sewerage lines.

No floodable or water sources on property. This property is not in the Chattahoochee River Tributary Protection Area.

No easements are needed for this current project.

Existing landscaping buffers to remain. Landscaping buffers will only be disturbed at new driveway into property as shown on the site plan. See plan and north view for location of existing buffer plantings. There are no buildings proposed on this property at this time. Heights to be determined in future building design.

No currently proposed sidewalks. Sidewalks along Chatham Rd. & Buford Hwy as required in future development of the site.

Land Lot 257 in 7th land district, Gwinnett County, Georgia.

NOTE:

1. Property has been recorded as a single lot.
2. All buildings shown are existing. No new buildings are proposed.
3. No part of this property is located in a flood plain.

FOREMAN | SEELEY | FOUNTAIN
architecture

3091 Governors Lake Drive, Suite 150, Peachtree Corners, Georgia 30071 770.729.8433

BUFORD CHURCH OF CHRIST

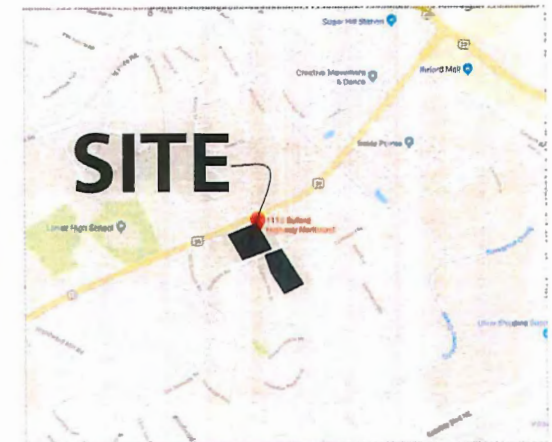
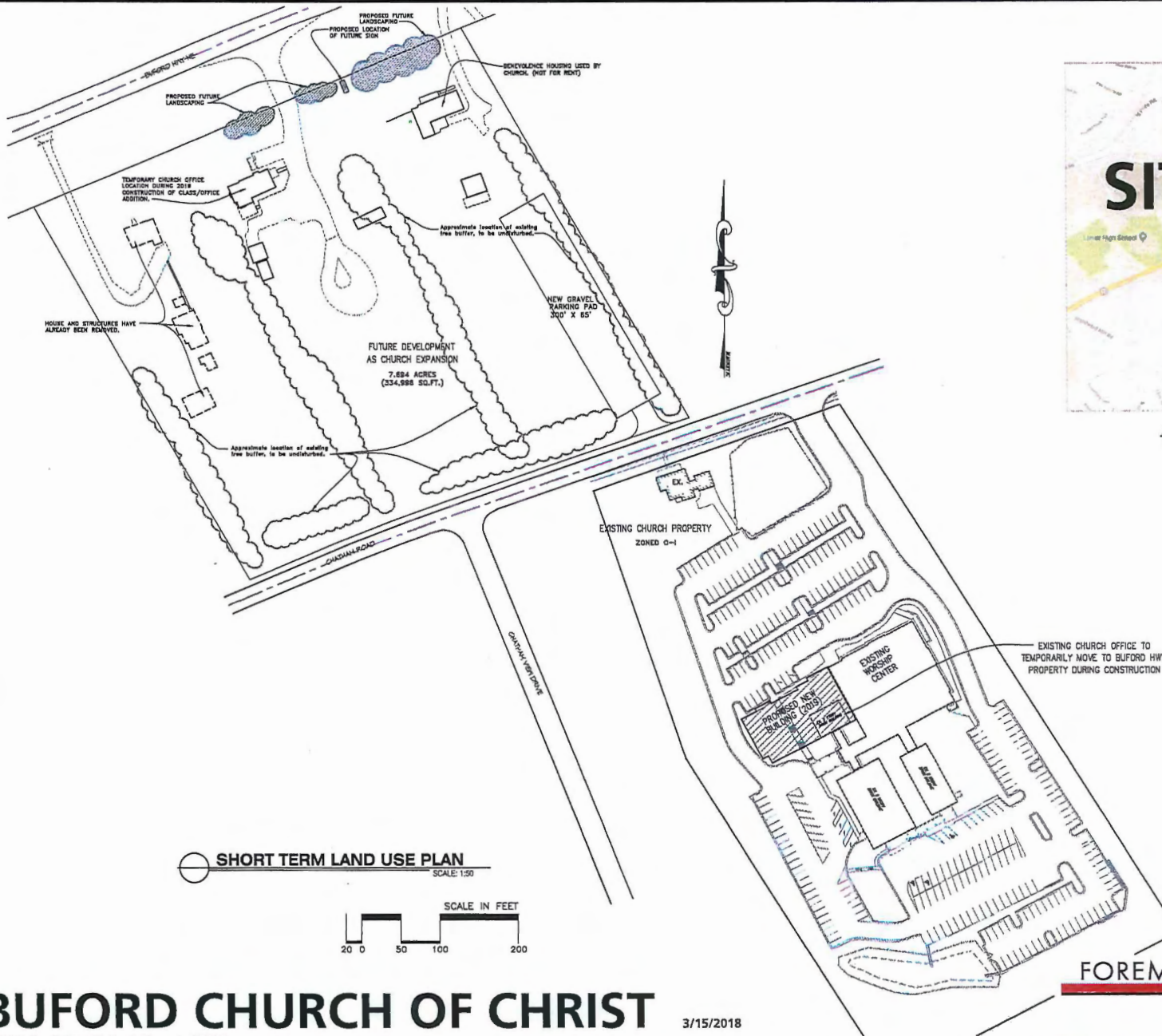
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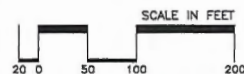
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SCANNED



VACINITY MAP
SCALE NTS

SHORT TERM LAND USE PLAN
SCALE: 1:50



BUFORD CHURCH OF CHRIST

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3/15/2018

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Rec. 3/25/13

