

City of Sugar Hill
Planning Staff Report
RZ 18-006

DATE: October 31, 2018
TO: Mayor and City Council
FROM: Planning Director
SUBJECT: Rezoning RZ 18-006, 360 Residential LLC,
1091 Level Creek Road – Commercial Tract



RECOMMENDED ACTION

Rezone the subject property (shown as Tract 1 on the attached concept plan) to general business (BG) in accordance with the following planning commission recommendation as amended.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission held a scheduled public hearing on September 17 2018. Public hearings for RZ-18-006 & RZ-18-007 were heard at the same time. Applicant representative Carl Westmoreland and Jeff Warshaw spoke on behalf of this request. Citizen Peggy Daniels spoke about affordable housing and the homeless in Gwinnett County, and citizen Susana Landers questioned where her house was in proximity to this development. There were no other public comments.

Planning Commission recommends rezoning the subject property (shown as Tract 1 on the attached concept plan) to general business (BG) with the following conditions:

1. Developer must provide enhanced pedestrian crossings, protected left turn signals and decorative mast arms at Peachtree Industrial Boulevard (PIB) and Spring Hill Drive (subject to coordination with City of Sugar Hill and the Gwinnett Department of Transportation).
2. New crosswalks shall be provided at Springhill Drive.
3. Midblock enhanced pedestrian crossings (raised crosswalk with refuge islands, HAWK, etc...) shall be provided on Springhill Drive or construct a 6' wide sidewalk on the east side of Springhill Drive connecting to Level Creek Road.
4. Installation of restricted crossing u-turn (RCUT) or J-Turn median crossover at project entrance on PIB shall be required prior to receiving certificate of occupancy (subject to coordination with City of Sugar Hill and the Gwinnett Department of Transportation).
5. New crosswalk shall provided across PIB.
6. New sidewalk on PIB and New Road A shall be a minimum of 10' wide. All other sidewalks shall be a minimum 6' width.
7. Two dedicated passenger drop off bays or one two-vehicle bay for rideshare and paratransit services shall be provided on site.
8. Enhanced pedestrian crossing shall be provided at boulevard separating multifamily and retail site.
9. A three-way stop control shall be provided at New Road A and multifamily / retail boulevard.
10. On-site bike racks, dedicated bike lanes and signage on internal access shall be provided.
11. A 35 ft. enhanced landscaped buffer shall be provided between the New Road A and the retail buildings. The landscape buffer shall provide an opaque screening. If existing plantings are insufficient to provide an opaque landscape screen, then any additional plantings shall 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 buffer must not contain more than 30% of a single species and must be shown on a landscape plan to be approved by the City Manager prior to receiving any permits.

ISSUE The City of Sugar Hill has received an application dated August 6, 2018, from 360 Residential LLC requesting to rezone to general business district (BG) and town center overlay district (TCO) for the ± 7.67 acres at 1091 Level Creek Road.

DISCUSSION

- Peachtree Industrial Boulevard (PIB) is maintained and controlled by Gwinnett County. The county's transportation plan classifies PIB as a principal arterial and further characterizes it as an urban freeway/expressway serving mostly through traffic.
- There is limited retail market potential for this trade area. The city must be selective with zoning for new big-box retail locations. Associated conditions should encourage pedestrian and transit oriented design elements as well as high quality user experience while responding to the context created by the principal frontage occurring along an urban freeway.
- The subject property is a 15-minute walk from the E Center. The property also lies within the existing boundary of the town center overlay (TCO) zoning district and requires design review board approval for the proposed improvements. Should the adjoining property to the north be incorporated into the central business district (CBD) overlay zoning district, the edge along the CBD boundary should be responsive to the CBD overlay design standards.

BACKGROUND

Applicant/Owner:	360 Residential, LLC
Existing Zoning:	Residential Multi-Family District (RM), Highway Service Business District (HSB) and Town Center Overlay District (TCO)
Request(s):	General Business District with Town Center Overlay District (BG/TCO)
Purpose:	Retail commercial.
Property Size:	± 7.67 acres
Location:	Tax Parcel Id Number: A portion of 7-291-021 1091 Level Creek Road.
Public Notice:	Letters to adjoining owners via USPS regular mail on 8/29/18 Sign posted at 1113 Buford Highway 8/29/18, 10/24/18 Ad in legal section of Gwinnett Daily Post on 8/29/18 & 9/19/18, 10/24/18
Public Comments:	Peggy Daniels spoke about affordable housing and the homeless in Gwinnett County, and Susana Landers questioned where her house was in proximity to this development (9/17/2018).

FINDINGS OF FACT

- North: City of Sugar Hill owned property, Office Institutional (OI) and Level Creek Hollow subdivision, RM.
- South: Across Peachtree Industrial Boulevard, Heavy Manufacturing (HM1).
- East: Along Roosevelt Circle, medium density single family residential (RS100).
- West: Sugar Hill Elementary School, RS-100.

The proposed site plan shows two buildings totaling 61,750 square feet. A total of 309 parking spaces are to be provided. Project access is proposed at a single right-in/right-out driveway on PIB and unrestricted access driveway on Spring Hill Drive. Secondary access to Springhill Drive is provided by a new street proposed along the rear of the property which connects to Level Creek Road.

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 subject property is a little over a half-mile from PIB's intersection with Highway 20 and in close proximity to existing retail and neighborhood commercial services along PIB.

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

No. Additional landscaping should be required behind the subject property to screen noise and light from the existing Level Creek Hollow single family residential subdivision.

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. The downtown master plan has indicated insufficient north-south connections between Georgia Highway 20 and Peachtree Industrial Boulevard. The new road proposed to the rear of this property will address this.

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

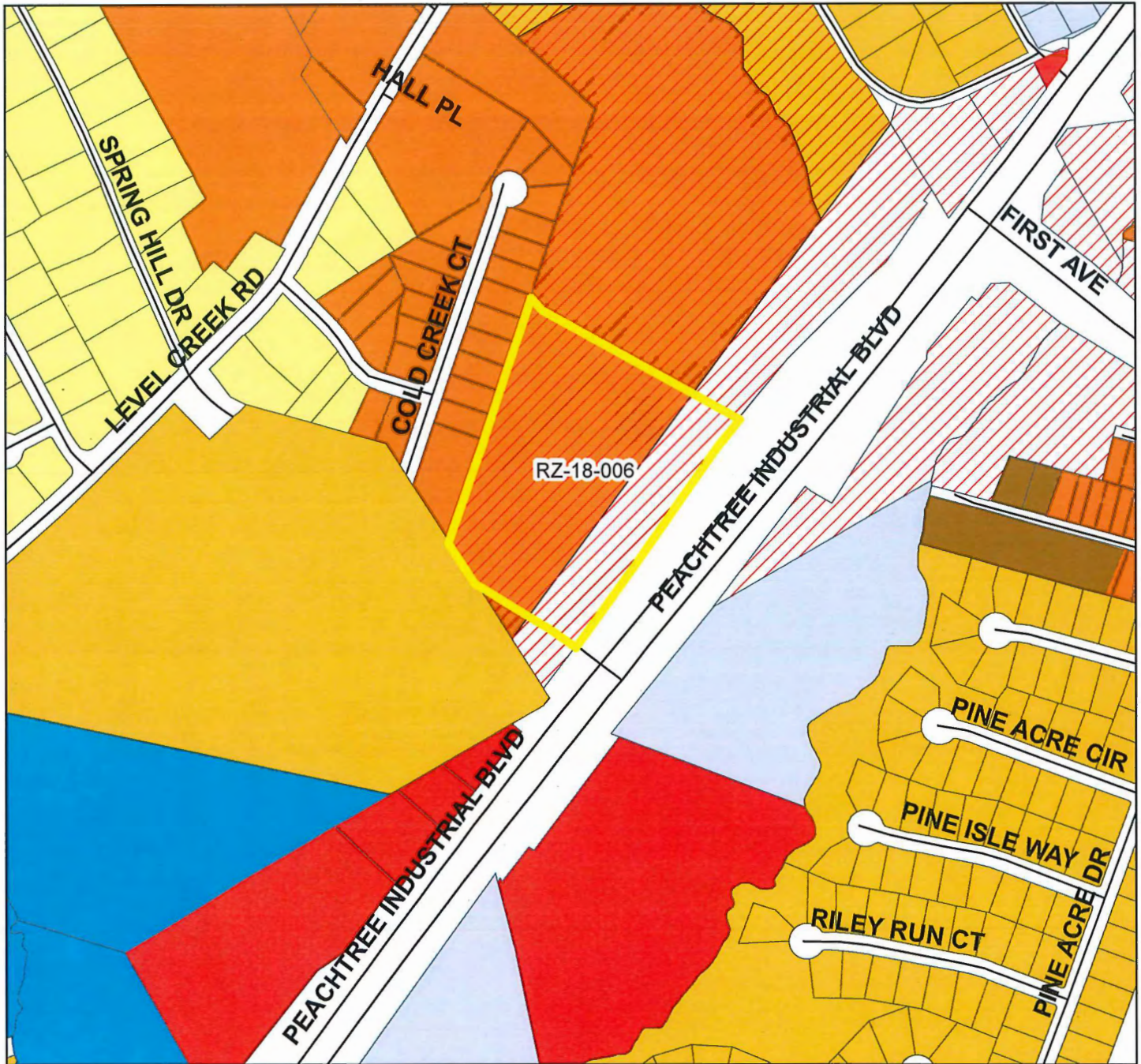
Yes.

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 Case
RZ 18-006**

Applicant: 360 Residential, LLC
Zoning: RM, HSB, and TCO
Location: 1091 Level Creek Road
Request: BG/TCO



Land Use Cases

Zoning Classification

- Agricultural - Forest (AF)
- Low Density Single Family Residential (RS-200)
- Low Density Single Family Residential (RS-175)
- Low Density Single Family Residential (RS-150)
- Medium Density Single Family Residential (RS-100)
- Residential Multi-Family (RM)

- Mobile Home Park (MH)
- Office - Institutional (OI)
- Highway Service Business (HSB)
- General Business (BG)
- Light Manufacturing (LM)
- Heavy Manufacturing (HM1)
- Heavy Industry (HM2)



1 inch = 417 feet

Letter of Intent and Impact Analysis
Retail Tract

I. Letter of Intent

This application requests the rezoning of 7.666 acres of a 37.026 acre property from RM/HSB/Town Center Overlay to GB/Town Center Overlay to allow the development of 61,750 square feet of retail space. This application is filed in conjunction with a companion rezoning application for the balance of the tract, which requests a rezoning from the RS-100/RM/HSB/Town Center Overlay to RM/CBD Overlay/TC Overlay to allow the development of multifamily units and townhomes. The property fronts on Peachtree Industrial Boulevard, Spring Hill Drive, and a new proposed right-of-way. The proposed retail FAR is 0.19 with a maximum height of 50 feet. Approximately 309 parking spaces are proposed. Further, the applicant proposes to dedicate a public right-of-way along the entirety of the northern portion of the property.

II. Impact Analysis

A. Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property;

The proposed rezoning will permit a retail use that is suitable and appropriate in view of the use and development of adjacent and nearby property. Adjacent to the north across from the proposed new right-of-way are single-family homes. Adjacent to the west across Spring Hill Drive is Sugar Hill Elementary School. To the east is property proposed to be developed with multifamily units and townhomes per the above mentioned companion application. To the south across Peachtree Industrial Boulevard are two large undeveloped tracts. The property is near the Central Business District and is within the Town Center. The proposed retail development is compatible with nearby commercial uses and will complement the existing and proposed surrounding residential uses.

B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property;

The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property. The parcels adjacent to the east are proposed to be developed in conjunction with the property and will benefit from the development of adjacent retail. Further, the proposed development will replace a currently undeveloped parcel with a vibrant use that will serve the surrounding residential uses and will contribute to the invigoration of the Town Center area. The proposed development will increase connectivity in the area by creating additional public right-of-way.

C. Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned;

Though the property to be affected by the proposed rezoning has some economic use, the lack of significant development on the property indicates that the economic use of the current zoning has diminished.

D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

The proposed rezoning will not result in an excessive or burdensome use of streets, transportation facilities, utilities or schools. Impact on transportation facilities and streets will be mitigated both by the dedication of a new right-of-way, which will improve connectivity in the area, and by the proximity of the retail services to residential areas. The proposed development will also not cause an excessive or burdensome use of utilities or schools. All necessary utilities are accessible to the site and the proposed retail development will not impact schools.

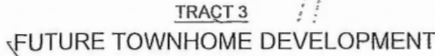
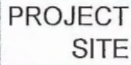
E. Whether the proposed rezoning is in conformity with the policy and intent of the Land Use Plan; and

The proposed development is in conformity with the spirit and intent of the Land Use Plan. The property lies within the Sugar Hill LCI/Downtown Master Plan and is designated as the Medium Density Mixed-Use future land use category and the Fifteen Minute Walking area. The proposed development furthers three goals of the downtown master plan: (1) creating connectivity by adding a new right-of-way to the northern portion of the property, (2) promoting a mix of uses by adding retail use in conjunction with adjacent proposed residential uses and (3) redeveloping a property near Sugar Hill's urban core.

F. Whether 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 zoning.

As mentioned above, the property is a part of a larger tract that is proposed to be redeveloped with retail, multifamily and townhome use. The proposed rezoning will allow for a currently vacant lot located near the urban core to be redeveloped with vibrant residential and retail uses that will complement and serve the surrounding residential uses and the nearby Commercial Business District.

Rec 8/7/18



PROJECT INFORMATION(TRACT 3)	
TOTAL SITE AREA	37.025 ACRES
TOWNHOME AREA (TRACT 3)	14.583 ACRES

BOUNDARIES OF THE CHATTAHOOCHEE RIVER CORRIDOR AND PROTECTION AREAS:
N/A

SHEET
NUMBER

SP-2

Rec 10/10/18

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