

City of Sugar Hill  
Planning Staff Report  
RZ 18-007

DATE: October 31, 2018; Updated 11/7/2018  
TO: Mayor and City Council  
FROM: Planning Director *KX*  
SUBJECT: Rezoning RZ 18-007, 360 Residential LLC,  
1091 Level Creek Road – Residential Tracts



RECOMMENDED ACTION

**Rezone the subject property (shown as Tract 2 and Tract 3 on the attached concept plan) to Residential Multi-Family District (RM) with the following conditions:**

1. No more than 302 apartments shall be permitted. Maximum number of surface parking spaces for the multi-family residential (Tract 2) shall not exceed 1.5 spaces per dwelling unit.
2. New Road A shall be constructed in its entirety prior to obtaining certificate of occupancy for 50% of the units or buildings on either tract 2 or tract 3, whichever comes first.
3. Sidewalk along the entire frontage of Level Creek Road shall be at least 10' wide, include curb and gutter and built concurrently with the first phase of development to match up with the city's greenway project.
4. Sidewalk along the entire frontage of Peachtree Industrial Boulevard shall be at least 10' wide and shall be built concurrently with the first phase of development.
5. 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).
6. One-family, two-family and attached (townhome) dwellings shall have rear (alley) entry garages.
7. Multi-use path connecting New Road A to Roosevelt Circle shall be built concurrently with each development on tract 2 and tract 3.
8. Minimum dwelling unit size for apartment units shall be 750 square feet (excluding attached and townhome dwelling units).

9. Developer shall provide written notification to the school board to include number of units, type of housing, number of bedrooms and phasing of the project prior to receiving any permits.

#### 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 2 and Tract 3 on the attached concept plan) to Residential Multi-Family District (RM) with the following conditions:

1. Maximum number of surface parking spaces on the multi-family residential tract shall not exceed 1.5 spaces per dwelling unit.
2. Prior to obtaining a subdivision plat or certificate(s) of occupancy, a minimum 10' wide sidewalk shall be constructed the entire length of frontage along Level Creek Road at least 2' from back of curb.
3. Prior to obtaining a subdivision plat or certificate(s) of occupancy, a minimum 10' wide sidewalk shall be constructed for the entire length of frontage along Peachtree Industrial Boulevard.
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. One-family, two-family and attached dwellings shall have rear (alley) entry garages.
6. Interparcel access drive (maximum 24' width measured from back of curb) connecting the access improvements for all three tracts along the entire PIB frontage shall be provided prior to obtaining a subdivision plat or certificate(s) of occupancy.
7. Minimum dwelling unit size for multi-family dwelling units shall be 750 square feet (excludes attached or townhome dwelling units).
8. Developer shall provide written notification to the school board to include number of units, type of housing, number of bedrooms and phasing of the project 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 Residential Multi-Family District (RM), Town Center Overlay (TCO) districts and expansion of the Central Business District (CBD) boundary for  $\pm$  26.62 acres at 1091 Level Creek Road.

#### DISCUSSION

- RM is an appropriate zoning classification for tracts 2 and 3 as shown on the applicant's concept plan.
- As submitted, the project is possible only if brought into the CBD overlay. Requires separate zoning action to amend the city's zoning ordinance.

- Proposed multifamily development site straddles the outer limit of the ten-minute pedestrian area as shown in the downtown master plan. The farthest building from the center of downtown is just over a 12-minute walk via Level Creek Road and New Road A. The entirety of the project is beyond the 10-minute walk area without the proposed multi-use path connection to Roosevelt Circle.
- Project must be responsive to CBD design standards as well as development context associated with the Peachtree Industrial Boulevard frontage.
- Expansion of the CBD boundary in accordance with the overlay regulations and master plan recommendations would ensure consistency with anticipated development in this area of downtown.
- Each tract is to be developed separately. Coordinated access for all three components of the project to the Sugar Hill Greenway, Level Creek Road, Peachtree Industrial Boulevard, Spring Hill Drive and Roosevelt Circle with substantial pedestrian-oriented infrastructure must be constructed in conjunction with the first phase of development.
- Staff recommends approval of the minimum dwelling unit size for the multi-family units but does not recommend approval for the elimination/reduction of the minimum rear yard requirement given the current site development concept.

## BACKGROUND

Applicant/Owner:	360 Residential LLC
Existing Zoning:	Residential Multi-Family District (RM), Highway Service Business District (HSB), Medium Density Single-Family Residential (RS-100) and Town Center Overlay District (TCO)
Request(s):	Residential Multi-Family with Town Center Overlay and Central Business District (RM/TCO/CBD)
Purpose:	Multifamily residential
Property Size:	± 26.62 acres
Location:	Tax parcel: 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 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. There were no other public comments.

## FINDINGS OF FACT

### Adjacent Zoning

- North: City of Sugar Hill owned property, office institutional (OI). Level Creek Hollow subdivision and Castlegate Townhomes, 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 rezoning application includes a site plan proposing 302 apartments in eight buildings on 12.04 acres. Concept plan shows 427 parking spaces. Tract 3 is planned for future townhome development.

The application also includes two variance requests:

**Variance #1.** Reduction in unit size (Zoning Ordinance, Article 9, Table 9.1.) Dwelling units under the RM zoning are required to have a minimum of 1,000 square feet for one-story units and 1,400 for two-story units. The request is for a minimum unit size of 750 square feet.

## 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 lies within close proximity to other multifamily and townhome developments.

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

No.

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 proposed zoning is substantially similar to the existing zoning. Additionally, the proposed street along the rear of the subject property will provide access between Peachtree Industrial Boulevard and Level Creek Road.

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?*

Yes, see discussion section above.





SHEET  
NUMBER

SP-2

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

Exhibit C