

City of Sugar Hill
Planning Staff Report
VAR-18-002



DATE: January 30, 2019; **Updated 2/6/2019**
TO: Mayor and City Council
FROM: Planning Director *KA*
SUBJECT: Variance Request VAR 18-002
431 Brogdon Road

RECOMMENDED ACTION

Denial. Evaluation of the variance criteria does not fully support a recommendation of approval. However, with the following conditions **approval** may be warranted:

1. Gravel parking shall be allowed only in the area delineated on the attached site plan labeled "Exhibit 1" ***for a maximum of three years from date of approval.***
2. The gravel parking area shall be:
 - a. Maintained to a uniform depth of at least eight (8) inches of #57 stone or other approved gravel base with concrete vertical curbing around the perimeter.
 - b. Kept free of debris, weeds and uneven holes or depressions; and
 - c. Graded to ensure rain water runoff flows into a detention facility as designed.
3. Provide a permanent dust control plan prepared by a certified erosion control professional prior to issuance of a site development permit.

ISSUE

The City of Sugar Hill has received an application from UNONA Properties, LLC c/o Monika Kachanovich requesting a variance for a gravel surface parking area to be used for queuing tractor trailers while cabs are being serviced.

DISCUSSION

- UNONA Properties, LLC has purchased the property to relocate their tractor-trailer service and repair business, which is an allowed use under the existing HM-1 zoning.
- The applicant is requesting relief from Article 11, Section 1101 which requires off street parking areas to be paved with asphalt or concrete. The applicant's letter states that asphalt will not hold up to long term use.
- Similar facilities are commonly built with heavy duty asphalt or concrete which typically demonstrates adequate long-term durability even with daily truck traffic.
- The request does not satisfy all the variance criteria but can be modified slightly by condition to warrant consideration of approval. Conditions offered by staff are designed to mitigate the potential impacts and preserve the intent of the regulations should the City Council wish to consider granting approval.

BACKGROUND

APPLICANT/OWNER: UNONA Properties, LLC, c/o Monika Kachavonich.

EXISTING ZONING: Heavy Manufacturing District (HM-1).

REQUEST: Allow gravel surface parking lot for tractor-trailers while cabs are being serviced.

PROPERTY SIZE: ± 2.35 Acres, Tax Parcel #7-254-157.

LOCATION: 431 Brogdon Road.

FINDINGS OF FACT

Adjacent zoning: HM1 to the North, East and West. Norfolk Sothern Railroad abuts the property directly to the South.

UNONA Properties, LLC, c/o Monika Kachavonich submitted a variance application requesting gravel surface parking to the rear of the building, to be used for queuing tractor trailers while cabs are being serviced.

The applicant is proposing to construct the gravel surface parking area with eight inches of #57 stone contained by steel edging and an eight foot high security fence around the perimeter of the operations area. The fence is to include opaque mesh screening material.

VARIANCE CRITERIA

1. *Are there extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography?*

No. The physical characteristics of this property are very similar to other properties in the area.

2. *Does application of the ordinance to this particular piece of property create an unnecessary hardship?*

No. Similar uses such as warehouses and freight distribution terminals are commonly built with heavy duty asphalt or concrete and demonstrate normal wear and tear.

3. *Are there conditions peculiar to this particular piece of property involved?*

Yes. The proposed parking surfaces should not be easily visible from the road or neighboring properties and are directly adjacent to a railroad right of way. The subject property also sits directly beside a property originally developed as an office use which has been repurposed as a private school. The side of the school facing the subject property appears to be primarily for service and incidental access.

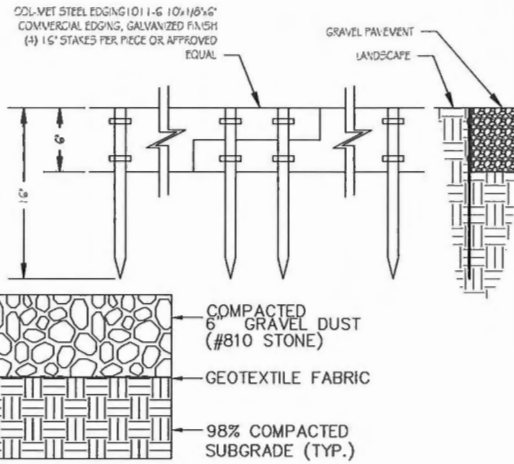
4. *Are these conditions the result of any actions of the property owner?*

No.

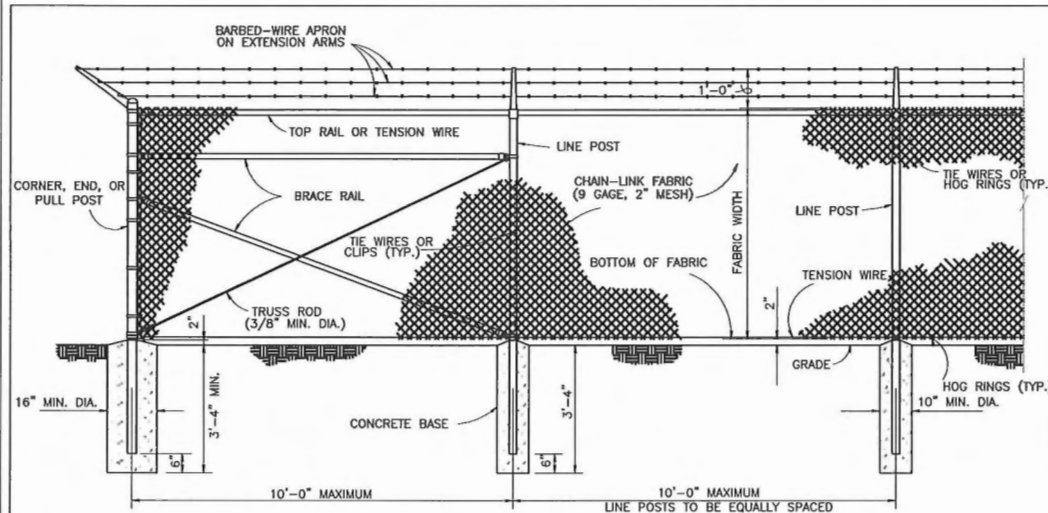
5. *Would relief, if granted, cause substantial detriment to the public good or impair the purpose or intent of this ordinance?*

No. The standard improvements required for off street parking lots are generally intended to protect the aesthetic and environmental integrity of areas where parking facilities are located. Properly developed and maintained, the visual and environmental impacts of this proposed gravel parking lot could be little to none for surrounding properties and passersby. Except for visitors and users of the subject property it is possible that no one would be able to observe if the rear parking areas were constructed of gravel or concrete. Additionally, conditions offered by staff are designed to mitigate the potential impacts and preserve the intent of the regulations should the City Council wish to consider an approval.

NOTE:
COL-VET METAL SPECIALTIES
3333 VILLER PARK SOUTH
GARLAND, TEXAS 75042
PHONE: 972-494-3900
TOLL-FREE: 1-800-823-9225
FAX: 972-494-1605
EMAIL: SALES@COLVET.COM



#810 STONE GRAVEL PARKING
N.T.S.



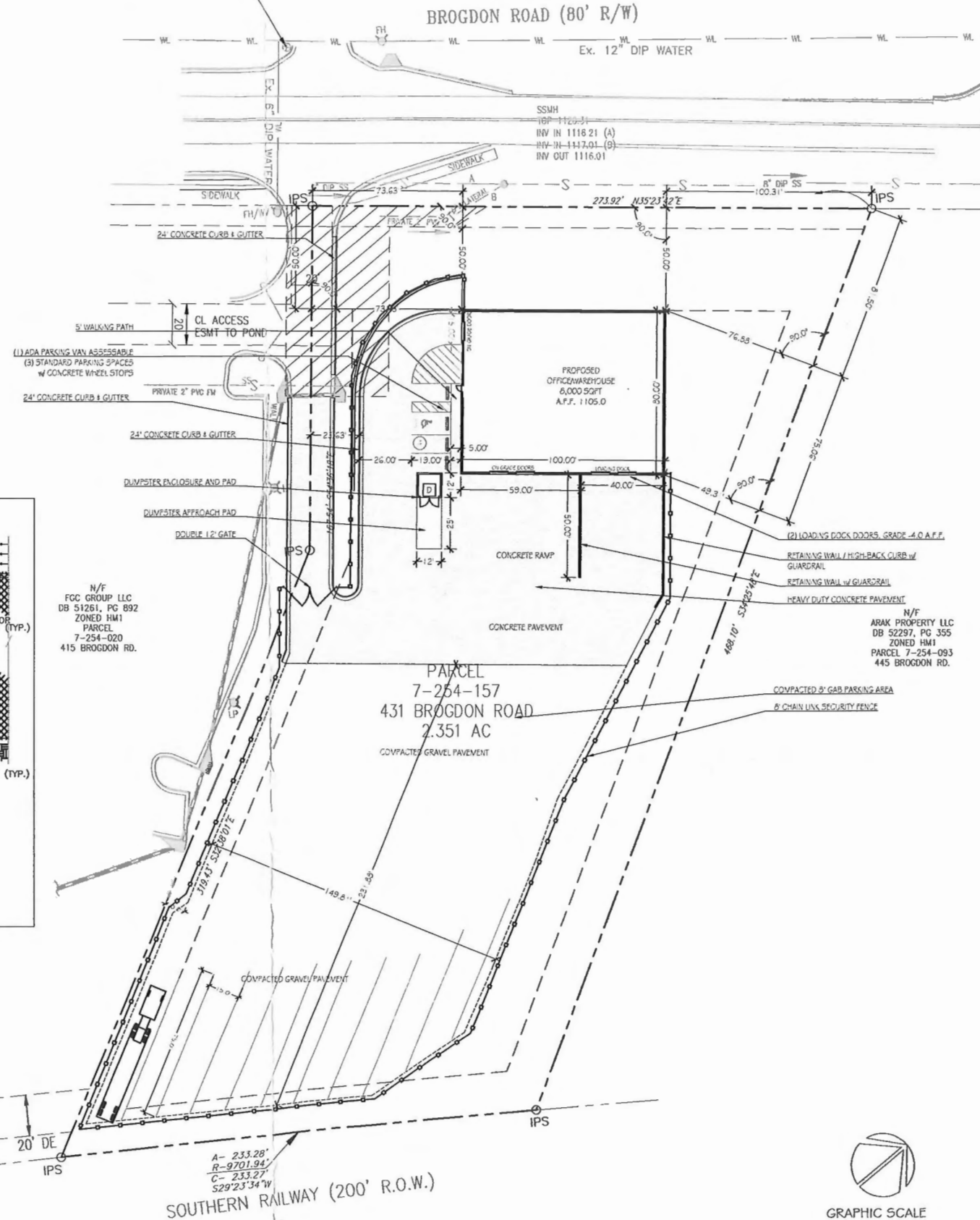
CHAIN-LINK SECURITY FENCE DETAIL
N.T.S.

WARNING:
Contractors, subcontractors, vendors and suppliers are advised that the contract documents consist of Design Professional-reproduced printed, bound, and numbered specifications, Design Professional-reproduced printed, bound and numbered blue or black line prints, addenda, post-bid addenda, and change orders only. Documents reproduced by parties other than Design Professional, whether in hard copy or electronic format shall not be considered part of contract documents and do not supersede the provisions of the contract documents. The contractor, subcontractor, vendors, and suppliers are solely responsible for verification that information utilized in bidding, development of shop drawings and construction of facility are identical to contract documents.

N/F
HOME SOUTH COMMUNITIES LLC
ZONED HM1
PARCEL 7-254-073
390 BROGDON ROAD

TEMPORARY BM
NAIL SET
EL: 1120.28

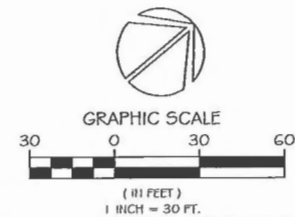
N/F
MONAGHAN CAPITAL INVESTMENTS LLC
DB 50021, PG 619
ZONED HM1
PARCEL 7-254-088
4250 BROGDON EXCHANGE



N/F
FGC GROUP LLC
DB 51261, PG 892
ZONED HM1
PARCEL
7-254-020
415 BROGDON RD.

PARCEL
7-254-157
431 BROGDON ROAD
2.351 AC
COMPACTED GRAVEL PAVEMENT

N/F
ARAK PROPERTY LLC
DB 52297, PG 355
ZONED HM1
PARCEL 7-254-093
445 BROGDON RD.



24 HOUR CONTACT
ALEX
KACHANOVICH
CONTACT NAME
770-757-0349

IF YOU DIG IN GEORGIA
CALL US FIRST
(800) 282-7411
UTILITIES PROTECTION CENTER
IT'S THE LAW

MDA
McFarland-Dyer
& Associates, Inc.
4174 SILVER PEAK PARKWAY
SUITE 200, GAITHERSBURG, MD 20878
PHONE (770) 932-6550
FAX (770) 932-6551
WWW.GOMDANET

OWNER:
ALEX KACHANOVICH
4355 COLONY BLVD
SUITE 200, GAITHERSBURG, MD 20878

PROJECT:
431 BROGDON ROAD
OFFICE / WAREHOUSE
DEVELOPMENT
LAND LOTS: 254
DISTRICT: 7
COUNTY: GWINNETT
CITY: SUGAR HILL
STATE: GA

DATE DESCRIPTION
12-20-2018 VARIANCE CASE

JOB NO. 18-0813
DRAWN BY: RAWH
CHECKED BY: SAD
COPYRIGHT 2018
MCFARLAND-DYER
& ASSOCIATES, INC.

VARIANCE
CASE
SITE
LAYOUT
PLAN



VAR-18-002

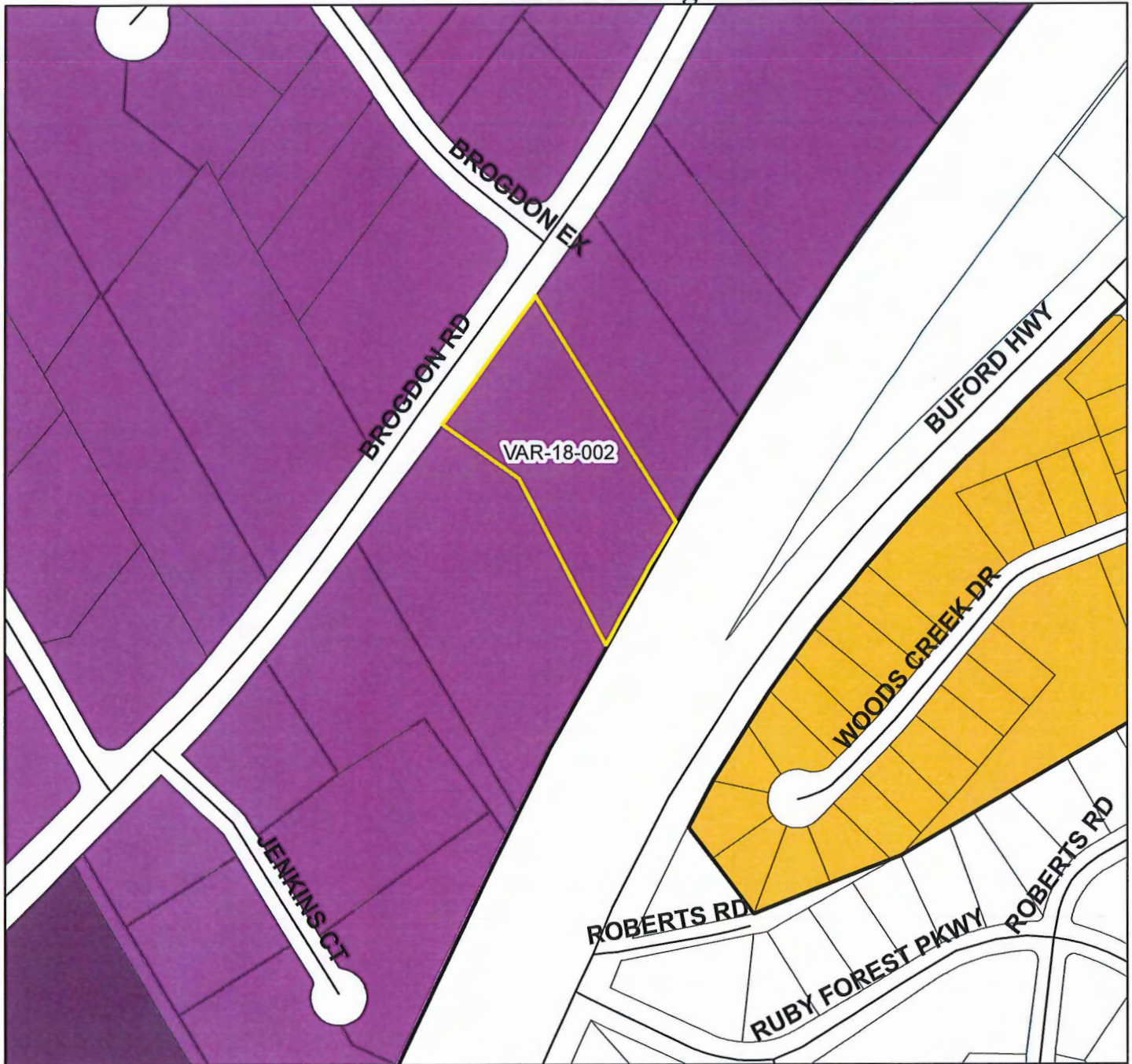
**Variance Case
VAR 18-002**

Applicant: UNONA Properties, LLC

Zoning: HM-1

Location: 431 Brogdon Rd

Request: Allow gravel surface parking for tractor trailers waiting to be serviced



Land Use Cases

City Limits

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 = 264 feet

VAR. 18-002

Rec. 12/20/18

18-01841



4174 Silver Peak Parkway, Suwanee, GA 30024

OFFICE 770-932-6550 FAX. 770-932-6551 WWW.COMDA.NET

December 20th, 2018

City of Sugar Hill Mayor and City Council
City of Sugar Hill
5039 West Broad Street
Sugar Hill, GA 30518

RE: Variance Request Letter of Intent 431 Brogdon Road

Ms. Landers,


McFarland-Dyer & Associates, Inc. (MDA) is most pleased to represent Alex and Monika Kachanovich during the design and development of their proposed industrial / office building at 431 Brogdon Road. Their intent is to relocate their smaller businesses to a central HQ at the subject parcel. The proposed business will service tractor trailers and the gravel area proposed at the back of the property will be a queuing area for trucks waiting for service and storage of the trailers while the trucks are in the building. The plan is to use 8 inches of #57 stone, with steel edging for containment and the operations perimeter is to be surrounded by an 8-foot security fence with fabric covering to screen views into the property. Per Section 1101 HM-1 and HM-2 Zoning Districts have an exception for outdoor storage on gravel lots. We believe all parts of the exceptions are met as currently designed. However, the storage of the equipment will not be off road construction equipment / materials, but will be licensed trucks. If the queuing area is to be determined a parking lot, the surface must be an asphalt concrete material constructed at a minimal composition and thickness.

The property owner / applicant is seeking the approval of a variance to Section 1101 to allow parking and storage of tractor trailers on a gravel surface. The hardship is the logistics of this particular tractor trailer service business. Constructing the service queuing area per the asphalt surface code standards would cause damage over a short period of time due to heavy use by tractor trailers. The applicant is proposing an alternative material that will hold up better to the anticipated long term use of the property and the maintenance is relatively simple.

We believe the business operation is unique and alternative design approaches are necessary to keep a clean, maintained and orderly site. We thank you for the consideration of the variance request.

Sincerely,

McFarland - Dyer & Associates, Inc.


Chris McCrary
Senior Associate.



McFARLAND-DYER & ASSOCIATES

4174 Silver Peak Parkway, Suwanee, GA 30024

OFFICE 770-932-6550 FAX 770-932-6551 WWW.GOMDA.NET

Variance Case Request to the City of Sugar Hill**Applicant Response:*****a. Explain the variance request.***

1. The Applicant intends to develop the property located at 431 Brogdon Rd. The applicant proposes a tractor trailer service business at the subject property. The back of the property will be used to queue the vehicles waiting for service and when ready, the tractor (cab) will be brought into the building and the trailer will be left at the parking area. The Sugar Hill Code Section 1101 allows gravel storage areas in HM-1 and HM-2 zoning districts. However, per the code the rear portion of the property can be surfaced with gravel for the storage of construction equipment / material (non-road licensing equipment). Therefore, the service queue area is considered a parking lot because the tractor trailers are considered road operational vehicles and not equipment. Code Section 1101.4(a) requires parking lots to be constructed with four (4) inch graded aggregate base and two (2) inches of asphalt top coat. Over time, major damage to the asphalt surface will occur with a composition per code. This is due to the daily maneuvering of multiple tractor trailers in the service queue area. Tractor trailers apply heavy pressure at pivot points when maneuvering and will damage asphalt over time. Some of these vehicles can weigh upwards of 70,000 pounds when being maneuvered and backed up. The particular area proposed for gravel surfacing will be the area most of the trailer turning, pivoting and backing up. The applicant is requesting the area for service queuing of the tractor trailers to be constructed with eight inches of #57 stone per the detail provided on the Variance Site Plan. Due to the unique operations of the proposed business, the use of eight (8) inches of #57 stone is the most appropriate material for long term use and maintenance. The applicant is proposing an eight (8) foot security fence around the perimeter of the operations area. The fence will include opaque meshing material to visually buffer the operations from the Right of Way.

b. How any special conditions and circumstances existing on the property which are peculiar to the land, structure or building(s) involved and which are not applicable to other lands, structures or building(s) in the same district.

1. The logistics of the business is the unique circumstance at the subject site. The weight of tractor trailers and the need to turn and maneuver them creates a situation where the asphalt standards for parking would not be compatible with the proposed daily use. Over a short period of time, the trucks will damage the surface and create costly maintenance.

c. How the literal interpretation of the provision of the Zoning Ordinance would deprive the applicant the rights commonly enjoyed by other properties within the same district under the terms of the Zoning Ordinance.

1. The literal interpretation would require the parking to be constructed with four (4) inch graded aggregate base and two (2) inch asphalt top coat and would become a maintenance problem for the business owner by constantly replacing and repairing asphalt failures.

d. How the special conditions and circumstances do not result from the actions of the applicant.

1. The applicant is committed to the development of the subject property. MDA has developed a set of Civil Site Plans ready for submittal and approval by the City of Sugar Hill. The applicant is requesting relief prior to the permit approval and commencement of land disturbing activity.

e. How granting of the variance requested will not confer on the applicant any special privileges that are denied by the Zoning Ordinances to other lands, structures or buildings in the same district.

1. The approval of the variance will not confer on the applicant any special privileges. The request is to use a surface that is more appropriate to the business operations and saves on repairs and replacements over time. Per Code Section 1101 the minimal thickness of gravel storage is two (2) inches of #57 stone. The applicant is proposing eight (8) inches of #57 stone with steel edging for containment. The proposed surface composition is greater than the minimum by a factor of 4.

f. How no non-conforming use of neighboring lands, structures or buildings in same district and not permitted or nonuse of lands, structures or building in other districts shall considered grounds for issuance of a variance.

1. It is understood that other industrial uses along Brogdon Road and Brogdon Exchange have gravel parking areas and that the non-conforming surfaces at other nearby properties does not give grounds for issuance of the current variance request. The variance request presented is based on the unique circumstances. The hardship is the logistics of this particular business. Constructing the service queuing area with the asphalt surface code standards would cause significant damage in a short period of time. The applicant is proposing an alternative material that will hold up much better to long term use and on-going maintenance is relatively simple.

g. Explain how this requested variance is the minimum necessary that all allow the reasonable use of the land, building(s) or structure(s).

1. During the initial site layout, the MDA design team modeled the plan in CAD using turning and maneuvering data for tractor trailers to guide the configuration of the queuing area. The Variance Site Plan illustrates the minimal needs for the operation of the proposed business.

h. Explain, how if granted, this requested variance will be in harmony with the general purpose and intent of the Zoning Ordinance and will not injurious to the neighborhood, surrounding properties or otherwise detrimental to the public welfare.

1. The variance request is for the use of an alternate parking surface and the thickness of the #57 stone will be above the minimal requirements. When constructed properly and maintained the proposed gravel surface will not cause detrimental conditions to the public welfare. There should be no impact to adjacent properties and would remain in harmony and intent of the ordinance due to the industrial nature of the area.