

City of Sugar Hill  
Planning Staff Report  
SUP 19-002

DATE: October 22, 2019  
TO: Mayor and City Council  
FROM: Planning Director *KA*  
SUBJECT: Special Use Permit | SUP 19-002  
385 Brogdon Road



RECOMMENDED ACTION

**Approval of special use permit for an adult day center with the following conditions:**

- 1. The facility must be properly licensed through the Georgia Department of Community Health and shall comply with all applicable federal and state regulations.**

**PLANNING COMMISSION RECOMMENDATION:**

*The Planning Commission held a scheduled public hearing on October 21, 2019. Applicant representative Ash Thourani and Managing Member of Seva Adult Care LLC Poonam Datta spoke on behalf of this request. There were no other public comments.*

***Planning Commission recommends APPROVAL with conditions as presented.***

ISSUE The City of Sugar Hill has received an application dated September 12, 2019 from Seva Adult Care, LLC for a special use permit for an adult day care facility. The subject property is currently zoned Heavy Manufacturing District (HM1).

DISCUSSION

- Seva Adult Care is a licensed Adult Day Care (ADC) service. They are currently operating out of space in a temple and community center in Duluth, GA.
- Owners are seeking to purchase the subject property and relocate to Sugar Hill.
- Proposed use is not specifically provided in the table of permitted uses within the city's zoning ordinance.
- Other uses with similar characteristics are allowed in HM1. The potential for incompatible adjacent manufacturing and industrial uses necessitates special use permit approval.
- With a special use permit Adult Day Care is an appropriate use within the HM1 zoning district.

BACKGROUND

Applicant/Owner: Seva Adult Care, LLC.

Applicant/Owner: Seva Adult Care, LLC.  
 Existing Zoning: Heavy Manufacturing District (HM-1).  
 Request: Special use permit for an adult day care facility.  
 Purpose: Adult day care facility.  
 Property Size: ± 1.10 Acres  
 Location: 385 Brogdon Road  
 Tax Parcel R7-253-054  
 Public Notice: Letters to adjoining owners via USPS regular mail on 00-2-19.  
 Signs posted on Brogdon Road frontage on 00-2-19.  
 Ad in legal section of Gwinnett Daily Post on 00-2-19, & 10-23-19.  
 Public Response: No public comments have been received as of 10-16-19.

## FINDINGS OF FACT

The subject property adjoins on all four sides other properties which are zoned HM1. Adult day care is not a specified use in the city's zoning ordinance. Within the LM and HM1 zoning districts other uses with similar characteristics are allowed as principal uses. Additionally, the potential for other incompatible adjoining manufacturing and industrial uses necessitates special use permit approval in those categories

Adult Day Care (ADC) and Adult Day Health Services (ADHS) are regulated by the Georgia Department of Community Health (DCH). Seva Adult Care is a licensed adult care provider currently operating at 2769 Duluth Highway in Duluth, GA and is planning to purchase the 385 Brogdon Road property and relocate there if approved. No changes to the building are proposed at this time.

## 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.
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 currently zoned?*  
 Yes.
4. *Will the rezoning requested create an overcrowding condition with respect to the existing streets, transportation facilities, or schools?*  
 No.
5. *Does the rezoning requested conform to the Sugar Hill Land Use Plan?*  
 Yes. The Sugar Hill Comprehensive Plan does recommend introducing service uses into industrial areas where appropriate.
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. The Sugar Hill Comprehensive Plan, Appendix B, supports additional programs for our aging residents by referring to the Home for Life Housing Study which identifies a growing need for housing and services for seniors.

SUP. 19.002

Rec. 9/12/19



**LETTER OF INTENT**

**SPECIAL USE PERMIT FOR ADULT DAY CARE**

The Applicant, Seva Adult Care, LLC (hereinafter the "Applicant"), hereby submits this request for a Special Use Permit for an Adult Day Care in a contracted space for purchase having approximately 8,118 square feet on 1.10 acres located at 385 Brogdon Road, Suwanee, GA 30024, Parcel No. R7253-054 (the "Subject Property"). The Subject Property covered by this application is currently zoned HM-1.

The Applicant is an experienced provider of adult day care services and is properly licensed by and in good standing with the State of Georgia Department of Community Health to provide such services at the current location at 2769 Duluth Highway, Duluth, Georgia since January 2017. Upon receiving proper permits and approvals, the Applicant intends to transfer the business to the proposed Subject Property.


The mission of the Applicant is "To bring the seniors in the community together and provide a happy & healthy atmosphere nurtured with love and care." Some of the services provided by the Applicant include personal care; wellness and healthcare such as exercise, yoga, and meditation, on site nursing staff; blend of education and entertainment; arts and crafts; group bonding activities such as music, playing board games and puzzles. Applicant provides services that stimulate the body, mind, and spirit.

The Applicant is a professionally managed and operated enterprise. The Subject Property will be fully staffed from 8:00 AM to 4:00 PM Monday to Friday. The Applicant intends to provide meals and light snacks to our day care seniors. As the Applicant's clients are elderly and do not drive, third party transportation service will pick-up and drop-off seniors thus greatly reducing the need for parking. The parking will mainly be for the staff which we expect to be no more than twelve spaces. The Subject Property has twenty-six parking spaces, more than adequate for the intended use and needs.

The proposed adult day care use is consistent with the existing character of the HM-1 area. There are several businesses in the same area as the Subject Property that have special use permit for office use. The Subject Property has access to public water supply, public sanitary sewer, and convenient access to major streets. The Subject Property is an appropriate use location for the proposed use, and would have little to no impact on any surrounding properties or to the citizens in nearby or surrounding areas.

We appreciate your consideration of this Special Use Permit for a capacity of 150 senior adult day care center. Not only does the social interaction and time away from home greatly enhances the quality of life for our seniors, it also benefits the family caregivers of the seniors. It's a win-win opportunity for the community.

Respectfully submitted, this day of September 12, 2019.

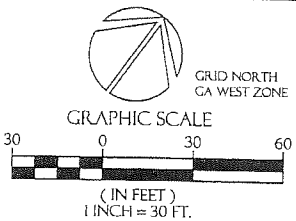
  
Ash Thourani  
Representative for the Applicant

**LEGEND**

- UTILITY POLE (PP)
- GUY WIRE
- LIGHT POLE (LP)
- FLAG POLE (FP)
- FIRE HYDRANT (FH)
- SIGN
- JUNCTION BOX (JB)
- DROP INLET (DI)
- WATER VALVE (WV)
- ROOF DRAIN (RD)
- CLEAN OUT (CO)
- WATER METER (WM)
- SANITARY MANHOLE
- IRON PIN FOUND
- CONCRETE
- WALL
- HEAD WALL (HW)
- FENCE LINE
- TREE LINE
- HANDICAP RAMP
- CURB AND GUTTER

**ABBREVIATIONS**

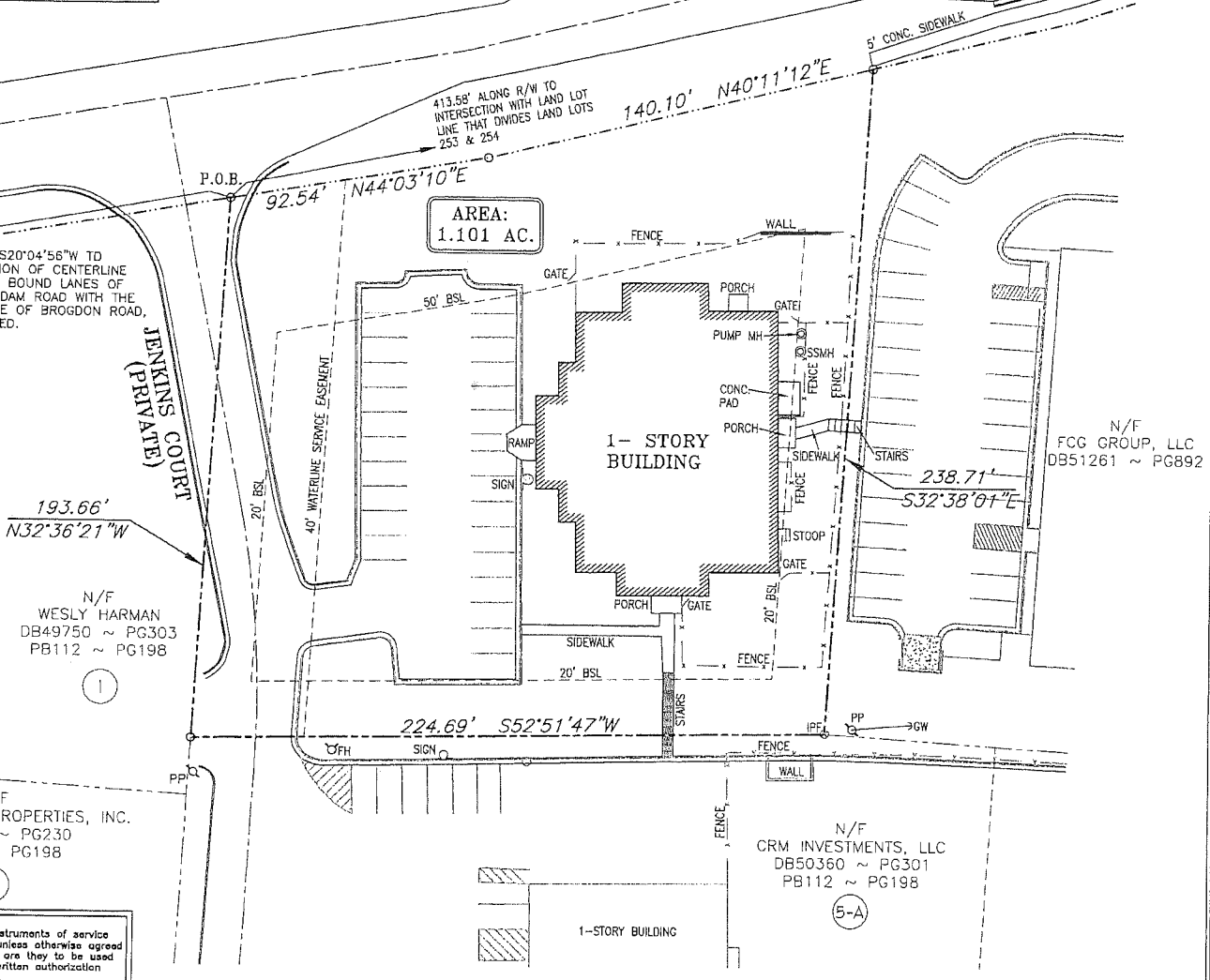
- INV INVERT ELEVATION
- CMP CORRUGATED METAL PIPE
- RCP REINFORCED CONCRETE PIPE
- DIP DUCTILE IRON PIPE
- FFE FINISHED FLOOR ELEVATION
- TBM TEMPORARY BENCHMARK
- GV GAS VALVE
- UGCM UNDERGROUND CABLE MARKER
- GLM GAS LINE MARKER
- WLM WATER LINE MARKER
- PB PLAT BOOK
- DB DEED BOOK
- N/F NOW OR FORMERLY
- SSMH SANITARY SEWER MANHOLE
- DWCB DOUBLE WING CATCH BASIN
- SWCB SINGLE WING CATCH BASIN
- FES FLARED END SECTION
- CONC CONCRETE



**BROGDON RD.**  
(80' R/W)

**GENERAL NOTES:**

1. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 13,647 FEET AND AN ANGULAR ERROR OF ONE FOOT IN 07" PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES RULE.
2. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 141,732 FEET.
3. A TOPCON GTS 312 WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.
4. FIELD DATA WAS OBTAINED ON 11-14-2013.
5. FIRM MAP NUMBER 13125C00230, EFFECTIVE 03-04-2013, INDICATES THAT THIS TRACT DOES NOT LIE IN AN AREA DESIGNATED AS HAVING FLOOD HAZARD.
6. THIS PLAT OF SURVEY MAKES NO WARRANTY OR GUARANTEE AS TO THE EXISTENCE OF ANY EASEMENTS OF ANY TYPE. NO ABSTRACT OR TITLE SEARCH WAS PERFORMED BY THE SURVEYOR TO DISCOVER THE EXISTENCE OF ANY EASEMENTS.
7. THE PREMISES SHOWN AND DESCRIBED HEREON ARE SUBJECT TO ANY EXISTING EASEMENTS, RIGHTS-OF-WAY, RESTRICTIVE COVENANTS, ZONING REGULATIONS, AND/OR SETBACK LINES WHETHER OR NOT THEY MAY BE SHOWN ON THE PLAT HEREON OR WHETHER OR NOT RECORDED IN THE PUBLIC RECORDS. NO LIABILITY IS ASSUMED BY THE UNDERSIGNED FOR ANY LOSS THAT MAY BE ASSOCIATED WITH THE EXISTENCE OF ANY EASEMENTS OR RESTRICTION ON THE USE OF THE PROPERTY.
8. SITE AREA: 1.101 AC.



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REFERENCE:  
1. PLAT BOOK 108, PAGE 57

**MDA**  
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DATE	DESCRIPTION
11/22/2013	BOUNDARY SURVEY

JOB NO. B-1105  
DRAWN BY: AP  
CHECKED BY: JCW  
SURVEYED BY: JCW

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**REDEFINIST, LLC AND THE PIEDMONT BANK**

11,253,7TH DISTRICT  
CITY OF SUGAR HILL  
CUMMINGS COUNTY, GEORGIA

BOUNDARY SURVEY

SHEET 1 OF 1

*Rec. 9/12/14*

*Sup. 19-002*



# 385 Brogdon Road – Location Map with Adjacent Zoning

