

City of Sugar Hill  
Planning Staff Report  
**VAR-20-002**



DATE: June 29, 2020  
TO: Mayor and City Council  
FROM: Planning Director  
SUBJECT: Variance Request VAR-20-002  
Sugar Hill Distribution Center, Peachtree Industrial Blvd

**RECOMMENDED ACTION:**

**Approval.**

**ISSUE** Michael S. Irby is seeking approval to permanently disturb the 25' and 50' undisturbed stream buffers as well as the 75' impervious setback stream protection area in order to install a french drain system within a portion of the stream to accommodate the construction of a 350,000 square foot warehouse building.

**DISCUSSION**

- The proposed activity is covered under the United States Corps of Engineers (USACE) Nationwide Section 404 permit.
- Georgia Environmental Protection Division granted a stream buffer variance on June 8, 2020.

**BACKGROUND**

**APPLICANT/OWNER:** Michael S. Irby  
**EXISTING ZONING:** Heavy Manufacturing District (HM-1).  
**REQUEST:** Industrial warehouse distribution and light manufacturing uses.  
**PROPERTY SIZE:** ± 45.41 Acres  
**LOCATION:** Tax Parcel #7-273-038 & 7-274-005  
Peachtree Industrial Boulevard.

The concept plan includes two proposed site plans with two buildings up to a total of 570,000 square feet behind the power lines that run adjacent to Peachtree Industrial Boulevard. One entrance is proposed to be located at the existing median crossing. The concept plan also shows four detention ponds located in the path of the overhead power line easement.

Because of the size of the buildings a Development of Regional Impact (DRI) review was initiated. Due mostly the low number of trips generated by the development it was processed as an expedited review. Georgia Regional Transportation Authority (GRTA) has issued a letter recommending approval without conditions. Regional review was completed by June 3, 2019.

Under Section 4.2.2.4, of the Sugar Hill Stream Buffer Protection Ordinance, a variance may be considered if the proposed land disturbing activity within the buffer will receive a permit from the United States Army Corps of Engineers (USACE) under Section 404 of the federal Water Pollution Control Act Amendment of 1972, 33 U.S.C. Section 1344, and the Corps of Engineers has received a mitigation plan to be implemented as a condition of such a permit. In addition, land disturbing activities in the buffer that are outside the USACE's jurisdiction must be mitigated

Amount and type of on-site mitigation does not have to be determined at the time of the application. The applicant can identify areas of mitigation if the applicant so desires. On-site mitigation can be determined after a variance is granted.

VAR. 20.002

Rec. 2/20/2020

# TAYLOR&MATHIS

400 Interstate North Parkway SE, Suite 850  
Atlanta, GA 30339  
Phone 770.795.1330

*Real Estate Development, Management and Leasing*

## VIA ELECTRONIC AND OVERNIGHT MAIL

February 10, 2020

Mr. Troy Besseche, Assistant City Manager  
City of Sugar Hill  
5039 West Broad Street  
Sugar Hill, GA 30518

Re: Letter of Intent – Stream Buffer Variance Application

Dear Mr. Besseche:

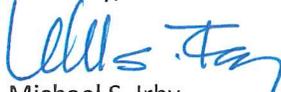
This letter serves as our Letter of Intent to seek a jurisdictional Stream Buffer Variance (SBV) from the City of Sugar Hill in order to disturb the 50' stream buffer on a portion of the property as referenced in the site plan, attached to this application. This SBV request is in conjunction with our intent to install a French drain system within a portion of the stream that has been previously approved for permit under a Nationwide Section 404 Permit with the United States Corps of Engineers, dated September 17, 2019. This SBV request is also submitted simultaneously with a State Stream Buffer Variance to disturb their 25' statutory buffer and we seek City approval of this SBV conditioned upon the approval of the State SBV by the Georgia Environmental Protection Division.

Attached to this Letter of Intent you will find the Variance Application for the City of Sugar Hill and the following:

1. A site plan showing the Stream Buffer Variance area that we are seeking for approval
2. A current ALTA survey with a legal description of the property
3. Application Fees – A check in the amount of \$350 which represents the application fee
4. Electronic copies of the State SBV Application and approved USACE Nationwide Permit on a thumb drive

Please don't hesitate to contact me should you need any additional information.

Sincerely,



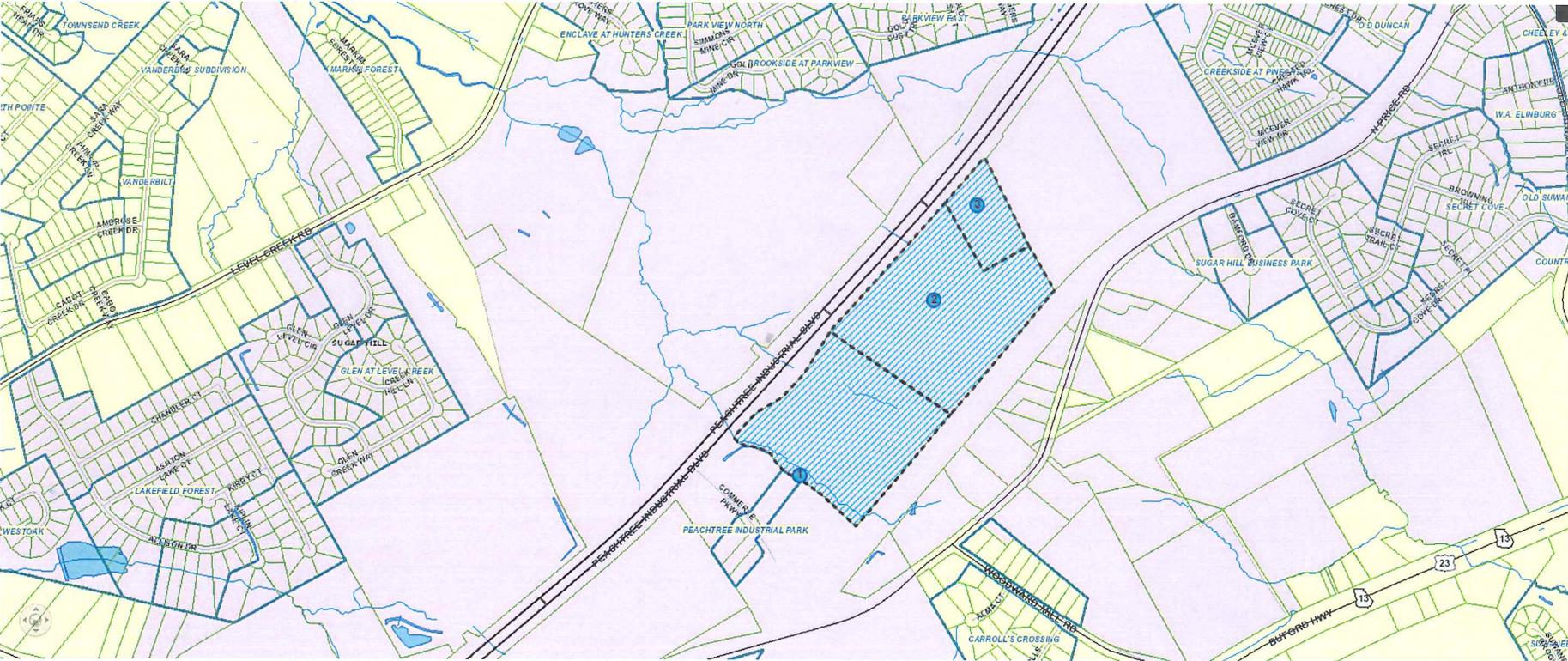
Michael S. Irby

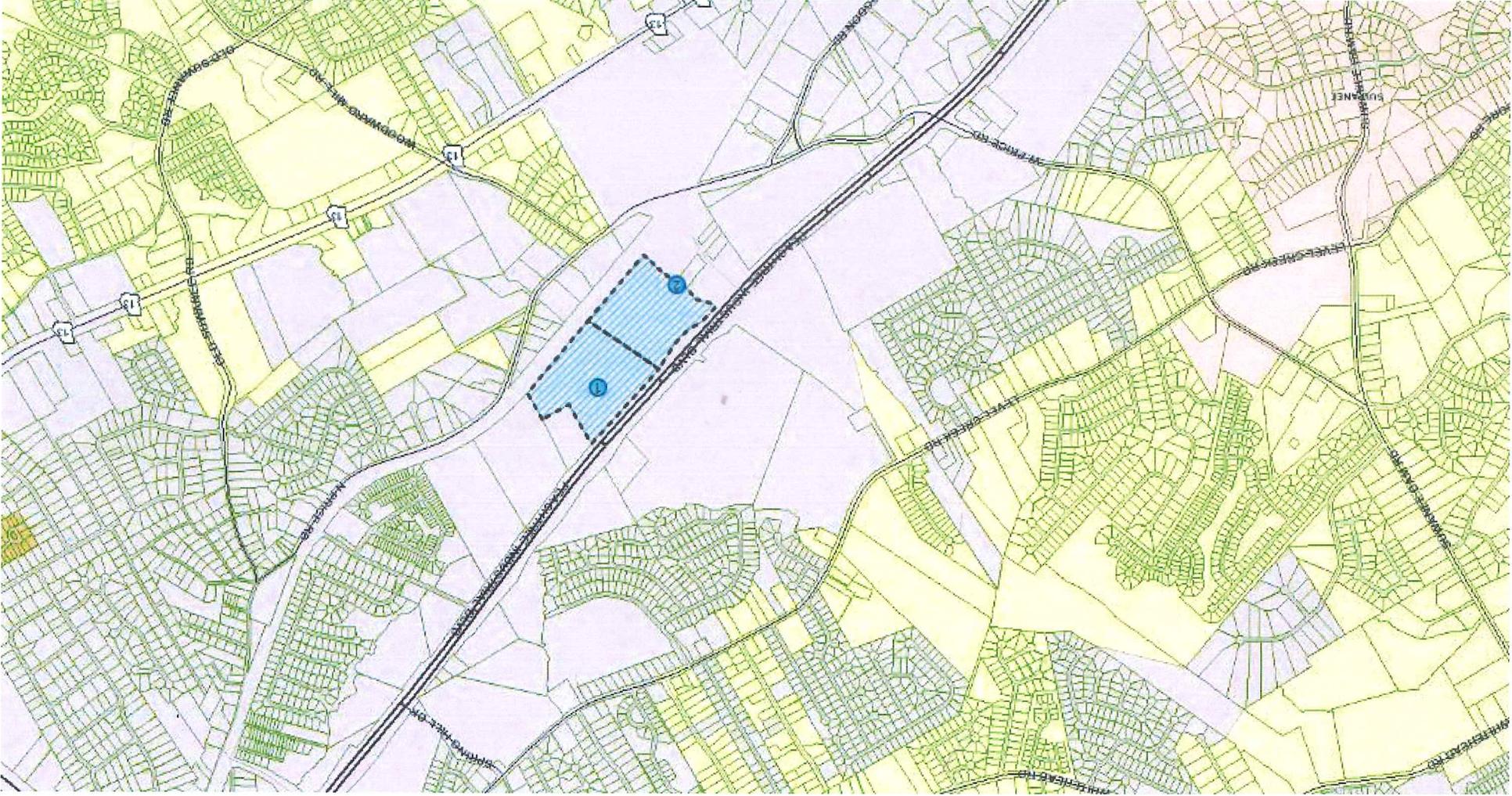
Sr. Vice President – Development

cc: Hamilton Reynolds – T&M, Inc.  
Kent A. Starke



# VAR-20-002 LOCATION MAP





VAR-20-002 LOCATION MAP FOR VARIANCE AREA ONLY

VAR-20-002 ADJACENT ZONING MAP

