

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



**DATE:** January 27, 2021  
**TO:** Mayor and City Council  
**FROM:** Planning Director  
**SUBJECT:** Annexation AX-20-002  
6483 Suwanee Dam Road

**RECOMMENDED ACTION**

**Approval of rezoning to Medium Density Mixed Residential (R-36) with the following conditions:**

1. All streets, alleys, sidewalks, common area landscaping and storm water infrastructure shall be privately owned and maintained by the homeowners' association (HOA). A copy of the deed dedicating said infrastructure to the HOA and recorded covenants specifying maintenance of the infrastructure shall be provided to the city prior to approval of the final plat.\*\*See Discussion section.
2. Subdivision entrance shall be aligned with the existing school entrance and include enhanced crosswalks constructed at the developer's expense if approved by Gwinnett County DOT and City of Sugar Hill.
3. Developer shall conduct a signal warrant analysis for the subdivision entrance intersection.
4. Each dwelling unit shall have a minimum two-car garage. Each rear loaded home shall have a driveway no less than 20' in length as measured from edge of the pavement of the minimum 16' maximum 22' wide alley to the face of the garage subject to approval by Gwinnett County Fire Marshal. Each front-loaded home shall have a driveway no less than 20' in length as measured from edge of the street pavement to the face of the garage subject to approval by Gwinnett County Fire Marshal.
5. Striping for a total quantity of 24 on-street parking stalls shall be provided. Street design shall substantially resemble the concept plan attached as Exhibit 1 and is subject to approval by the city manager.
6. Except in designated on-street parking stalls, overnight on-street parking shall be prohibited. Notices shall be posted in the subdivision and recorded in the covenants. The HOA shall be solely responsible for enforcement.
7. Covenants shall stipulate that no more than 20% of the total number of dwelling units can be leased at any one time. Notice shall be recorded in the covenants.
8. Exterior materials and architectural detail of each attached/detached dwelling shall resemble the elevations attached as Exhibit 2-4.
9. Zoning buffer shall be a 10' enhanced landscape strip. Said landscape strip shall consist of at least a staggered row of evergreen and semi-evergreen trees and shrubs native or adapted to the area. Trees shall be 6' tall at time of planting. Plantings shall be arranged to provide an effective visual screen and grow to at least 20' in height at maturity. Landscape strip must not contain more than 1/3 of a single species and must be shown on a landscape plan to be approved by the city manager prior to receiving any permits. Developer shall install the landscaping prior to the first certificate of occupancy issued for a dwelling in the subdivision.

ISSUE                   Annexation of this 9.87-acre tract owned by Joel Scales, was initiated by an application from MSD Real Estate Advisors LLC, dated November 6, 2020. These parcels are currently zoned neighborhood business (C-1), and single-family residential (R-100) in unincorporated Gwinnett County. The requested zoning classification is Medium Density Mixed Residential District (R-36). The proposal includes seventy-nine (79) homes (10 single-family detached bungalows and 69 townhomes).

## DISCUSSION

- The subject property is next to Lanier Middle and White Oak Elementary schools as well as a site which included a former convenience store.
- Site was previously developed and used as retail, flea market and convenience store and a single-family residence. There appears to be a history of dumping with junk vehicles and other debris currently on the property.
- Current county zoning allows for single family detached housing and neighborhood business uses such as an antique shop, automobile broker, convenience store with or without fuel pumps, flower shop, hardware store, dry cleaner, pharmacy/drug store, restaurant (drive through requires SUP), tanning salon, etc...
- Intersection is a nodal neighborhood activity center, moderate density mixed residential with single family detached to the south and attached single family homes to the north along Suwanee Dam Rd and Buford Dam Rd is a reasonable development format for this context.
- Design standards newly adopted by the city will help to add lasting value to the neighborhood.
- **\*\*Because the proposed development is a compact, walkable typology within an existing neighborhood activity center the private road restriction could be eliminated. As such, the alleys, common area and private storm water infrastructure would be owned and maintained by individual lot owners or HOA.**

## PLANNING COMMISSION RECOMMENDATION

*The Planning Commission recommends approval of the annexation and zoning request with conditions as presented by staff on January 19, 2021. Motion approved 3 for, 1 abstained (Commission Member Phil Olsen abstained).*

## BACKGROUND

Applicant / Owner:	MSD Real Estate Advisors LLC / Joel Scales
Existing Zoning:	Neighborhood business (C-1) and single-family residential (R-100) in Gwinnett County.
Request:	Annex and rezone to R-36.
Purpose:	Development of residential subdivision with townhomes and single-family detached bungalows.
Property Size:	± 9.87 Acres
Location:	6483 Suwanee Dam Road, Tax Parcel #7-364-001

Public Notice:	Sign Posted on 12-21-20. Ad in Gwinnett Daily Post on 12/02/20, 12/09/20, 12/16/20, 12/23/20, 12/30/20 and 01/06/21
Public Comment	No formal comments have been submitted to planning staff. Comments have been observed on social media platforms voicing opposition to the proposed development. <i><b>Andrew Maxwell and Janice Fincher spoke in opposition at 12/21/2020 public hearing. Planning staff received inquiries from Robert Brand real estate broker (1/21/21) and Pattie &amp; Kevin Tieman (1/26/21).</b></i>

## FINDINGS OF FACT

MSD Real Estate Advisors, LLC has the 9.87+/- acre tract under contract for future development of a residential subdivision with 79 homes (8 units / acre).

The subject annexation meets state requirements under the 100% method and does not create an unincorporated island. As required, Gwinnett County was notified of the application. Gwinnett County has noted that any development would be subject to Gwinnett County Department of Transportation, and subject to the Chattahoochee River Area character area standards. There are no objections from Gwinnett County to the annexation.

City of Sugar Hill development standards require 5' wide sidewalks along Buford Dam Rd and Suwanee Dam Rd. Existing sidewalks on Suwanee Dam Road may be substandard.

The city's standard buffer between R36 and RS100 is 50', and it is required that buffers be undisturbed, and vegetative. A 20' enhanced landscape strip is typically required between all residential development where a buffer isn't required. Lanier Springs subdivision, with 52 single family detached houses, developed in 2004, with a 40'-45' open space strip behind, most of the homes were built between 2005 - 2007, at least one of the yards encroaches and has been cleared for new landscaping which consists mostly of turf grass.

White Oak Elementary and Lanier Middle School were built in 2007 and provide a surround of greenspace along both Suwanee Dam Road and Buford Dam Road frontages.

R36 design standards require each lot to have 1,000 square feet. The setback from major street is 45 feet, and each unit must have a minimum 15 feet rear yard. Each townhome façade must provide modulation of the building façade (minimum 2feet between units). A minimum of 120 sq. ft. of useable private outdoor space is required, as well as minimum 30% fenestration and maximum off-street surface parking if provided is 1.5 spaces per unit.

## 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. To the south of the subject property is an existing residential subdivision. Across Suwanee Dam Road, to the north, is Lanier Middle and White Oak Elementary School. To the east, is property zoned for commercial use and once included a popular convenience store. The intersection of Buford Dam Road and Suwanee Dam Road is a nodal activity center with schools, commercial property, and parks. A traditional neighborhood

development format with single family detached homes adjacent to existing single family detached homes and attached single family homes facing the non-residential uses to the north and east is a logical development pattern given the context. Additionally, newly adopted design standards will help to add lasting value to the neighborhood.

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

No. The proposed zoning does not impose any additional use restrictions or any unusual or undue hardship on adjoining or nearby properties.

**3. Does the property for which the rezoning is requested have a reasonable economic use as currently zoned?**

Yes. However, much of the property appears to have been in a state of decline for several years and commercial redevelopment of the property could be negatively impacted by required zoning buffers and site engineering requirements.

**4. Will the rezoning requested create an overcrowding condition with respect to the existing streets, transportation facilities, or schools?**

No, all adjacent streets have two travel lanes with a center turn lane. The entrance/egress of the proposed development is located on Suwannee Dam Road, directly across from Lanier Middle School. Intersection appears to be operating at a satisfactory level of service and traffic counts from last three years appear to indicate a relatively low volume of trips on Suwannee Dam Road and Buford Dam Road.

New housing will likely add new students to the school population. However, the school board's planning department has indicated that there is sufficient school capacity and room for growth both in virtual and traditional classrooms.

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

Yes. The prevailing character area in the vicinity of the subject property calls for residential uses. The proposed zoning category is considered an appropriate use.

The rezoning is in accordance with the intent of the Sugar Hill Land Use Plan, and subsequent studies which encourage housing diversity throughout the city. The proposed development specifically addresses the need to diversify available housing stock for existing and future residents within the city.

**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?**

Current zoning on much of the property could allow future uses that might create more noise, light, and transportation conflicts during more hours of the day and night for neighboring residents. Zoning down from an existing commercial zoning to a residential zoning with strict design standards to facilitate development which includes vehicle and pedestrian access improvements as well as upgraded landscaping, street lighting and visual appeal and is walkable to schools, parks and potentially neighborhood commercial on the other side of Buford Dam Road seems to be an agreeable scenario.





LOCATION MAP



WHITE OAK ELEMENTARY &  
LANIER MIDDLE SCHOOL  
ZONED 01  
(SUGAR HILL)



THE PROPERTY IS CURRENTLY A COMBINATION OF R-100 AND C-1 ZONING IN GWINNETT COUNTY UNINCORPORATED.

PROPOSED ZONING IS R-36, ANNEXED INTO THE CITY OF SUGAR HILL

**BUFFERS:**

NO BUFFERS ARE REQUIRED BY CODE RELATING TO  
PROPOSED R-36 ZONING ABUTTING GWINNETT  
COUNTY R-100CSO PROPERTY TO THE SOUTH

SITE DATA:

TOTAL PROJECT ACREAGE: ±9.975 AC  
TOTAL NUMBER OF LOTS: 79 (7.92/AC)  
R-36: MAX 8 UNITS/ACRE  
R-36: MAX 40' HT.  
MINIMUM LOT SIZES: 1,300 SF MIN PER R-36  
TOWNHOMES: (UNITS 1-68)  
PROPOSED TOWNHOMES: ±1,330 - 1,400 SF/UNIT  
  
SINGLE FAMILY DETACHED BUNGALOWS: (UNITS 69-79)  
PROPOSED BUNGALOWS: ±1,400 SF/UNIT

SEWAGE DISPOSAL:

ALL PROPOSED UNITS WILL BE SERVED BY GWINNETT COUNTY SEWER

FLOODPLAIN/LAKES/STREAMS/WETLANDS:

NO PORTION OF THE SUBJECT PROPERTY FALLS WITHIN THE 100 YEAR FLOODPLAIN. THERE ARE NO LAKES, STREAMS, OR WETLANDS ON THE PROPERTY

**LANDSCAPING:**

THE EXISTING SITE IS COMPOSED OF PARTIALLY  
CLEARED PASTURE AND WOODED AREAS. PROPOSED  
LANDSCAPING WILL MEET CITY CODE

**BUILDING HEIGHTS:**  
BUILDING HEIGHTS SHALL NOT EXCEED THOSE  
PERMITTED IN THE PROPOSED R-36 ZONING

**SIDEWALKS:**  
THERE ARE EXISTING SIDEWALKS ALONG THE FULL FRONTAGE OF SUWANEE DAM ROAD. PROPOSED SIDEWALKS WILL PROVIDE PEDESTRIAN CONNECTIVITY WITHIN THE SITE AND TO SUWANEE DAM ROAD

PARCELS/LAND LOTS/DISTRICT:

PARCEL # 7364068, DISTRICT 7 LANDLOT 364  
PARCEL # 7363001, DISTRICT 7 LANDLOT 363  
PARCEL # 7363003, DISTRICT 7 LANDLOT 363

CHATTAHOOCHEE RIVER CORRIDOR:  
THE PROJECT SITE DOES NOT FALL WITHIN THE 2,000'  
MRPA CHATTAHOOCHEE RIVER PROTECTION AREA

**DEVELOPER CONTACT INFO:**

**MICHAEL DOUGHERTY**  
404-520-4543

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MICHAEL DOUGHERTY  
404-520-4543

CIVIL ENGINEERS \* LAND PLANNERS  
LANDSCAPE ARCHITECTS \* SURVEYORS



2862 BUFORD HIGHWAY  
SUITE 200  
DULUTH, GEORGIA 30096  
(770) 925-0357

PROJECT  
SUGAR HILL MIXED RESIDENTIAL DEVELOPMENT  
4000 CUMANNET DAM ROAD

CLIENT  
MSD REAL ESTATE ADVISORS, LLC  
5825 GLENRIDGE DRIVE, BUILDING 300, SUITE 101

REVISIONS — DATE —


**DRAWING TITLE**

ANNEXATION  
SITE PLAN

AX 21-001  
Exhibit #1

DATE	01/13/21	AX-1
INITIALS	5459.00	



AX 21-001  
Exhibit #2  
1 of 2





AX 21-001  
Exhibit #2  
2 of 2



AX 21-001  
Exhibit #3





AX 21-001  
Exhibit #4