


City of Sugar Hill  
Planning Staff Report  
RZ 21-002

DATE: April 29, 2021  
TO: Mayor and City Council  
FROM: Planning Director   
SUBJECT: Rezoning RZ 21-002  
4868 First Avenue



**ISSUE** The City of Sugar Hill has received an application dated March 16, 2021, from John Slappey with Archon Homes, LLC requesting to change the zoning from existing Residential Multi-Family District (RM) zoning to Medium Density Mixed Residential District (R36) for five townhomes.

**DISCUSSION**

- There is critical need for more homes at a wider range of size and price point to accommodate the housing needs of our community.
- Residential growth particularly in the downtown area is necessary to support potential for job growth and overall economic prosperity in the community.
- The proposed development will facilitate appropriate infill development within the Town Center Overlay district in a neighborhood that is in need of revitalization.
- The zoning ordinance excludes half of the land area land that would otherwise be undevelopable within the electric utility transmission line easement in calculating the maximum density.
- While the project presents the opportunity for desirable local investment, the proposed plan does not satisfy the requirement to gain the additional density associated with an authentic traditional neighborhood development pattern.
- To use the 12 unit per acre maximum density, the project would have to orient the front of the homes to First Avenue and provide an alley to the rear instead of the provided side-entry garages as well as a minimum of two on-street parking spaces.
- Planning staff recommends approval of a variance to allow the developer to use the entirety of their land area regardless of the existence of transmission line or natural gas pipeline easements in their density calculations. However, this would still limit their yield to four units.

**RECOMMENDED ACTION**

**RECOMMEND approval of request to Rezone the property from existing Residential Multi-Family District (RM) zoning to Medium Density Mixed Residential District (R36) with the following conditions:**

1. **The developer may use the entire land area of the parcel and utility easements in calculating the maximum density of eight (8) units per acre.**

## PLANNING COMMISSION RECOMMENDATION:

*The Planning Commission held a scheduled public hearing on April 19, 2021,. Applicant representative, John Slappey, Archon Homes. There were no other public comments.*

*Planning Commission recommends approval of request for Medium Density Residential (R36) with the following conditions:*

- *The number of units is limited to 4 units.*

## BACKGROUND

Applicant/Owner: Archon Homes, LLC, John Slappey  
Existing Zoning: Residential Multi-Family District (RM)  
Request(s): Medium Density Mixed Residential District (R36)  
Purpose: Five unit townhome building.  
Property Size: ± .58 acres  
Location: Tax Parcel Id Number: 7-292-048  
4868 First Avenue  
Public Notice: Letters to adjoining owners via USPS regular mail on 3/31/21  
Sign posted at 1113 Buford Highway 3/31/21  
Ad in legal section of Gwinnett Daily Post on 3/31/21 & 4/21/21  
Public Comments: None submitted at this time.

## FINDINGS OF FACT

The developer has submitted an application to build five (5) townhome units on a .58 acre parcel.

- North: Medium Density Single Family (RS 100)
- South: Highway Service Business District (HSB)
- East: Medium Density Single Family (RS 100)
- West: Highway Service Business District (HSB)
- The Sugar Hill 2019 Comprehensive Plan shows this location on the Character Area Map as being residential.

## 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?*

The subject property lies within the Town Center Overlay District, and is appropriate for this type of housing.

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

No. Currently adjacent parcels are utilized as Medium Density residential developments.

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 developer is required to notify the school system of proposed developments, which could potentially impact census numbers.

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?*

The City's Comprehensive Plan:

"Develop transitional areas of housing between higher densities in the urban core and suburban residential areas." (Chapter 7)

K2:21:002

RECEIVED

Letter of Intent

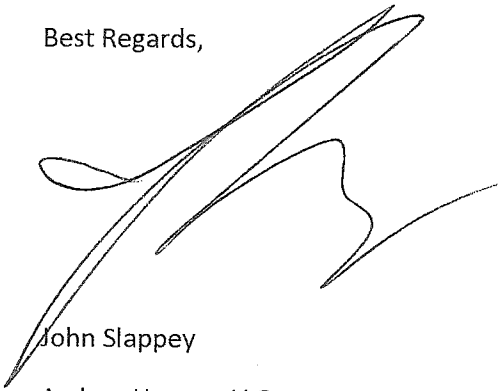
4868 First Ave  
Sugar Hill, GA 30518

3/10/21

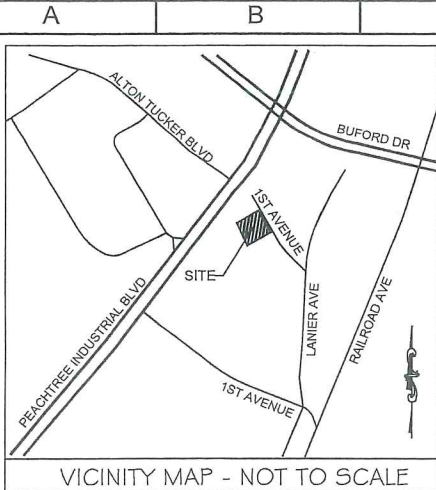
To Whom It May Concern,

This shall serve as our letter of intent to rezone the above reference property to R36 for the purpose of a 5 unit townhome project.

Best Regards,



John Slappey  
Archon Homes, LLC  
770-616-9774



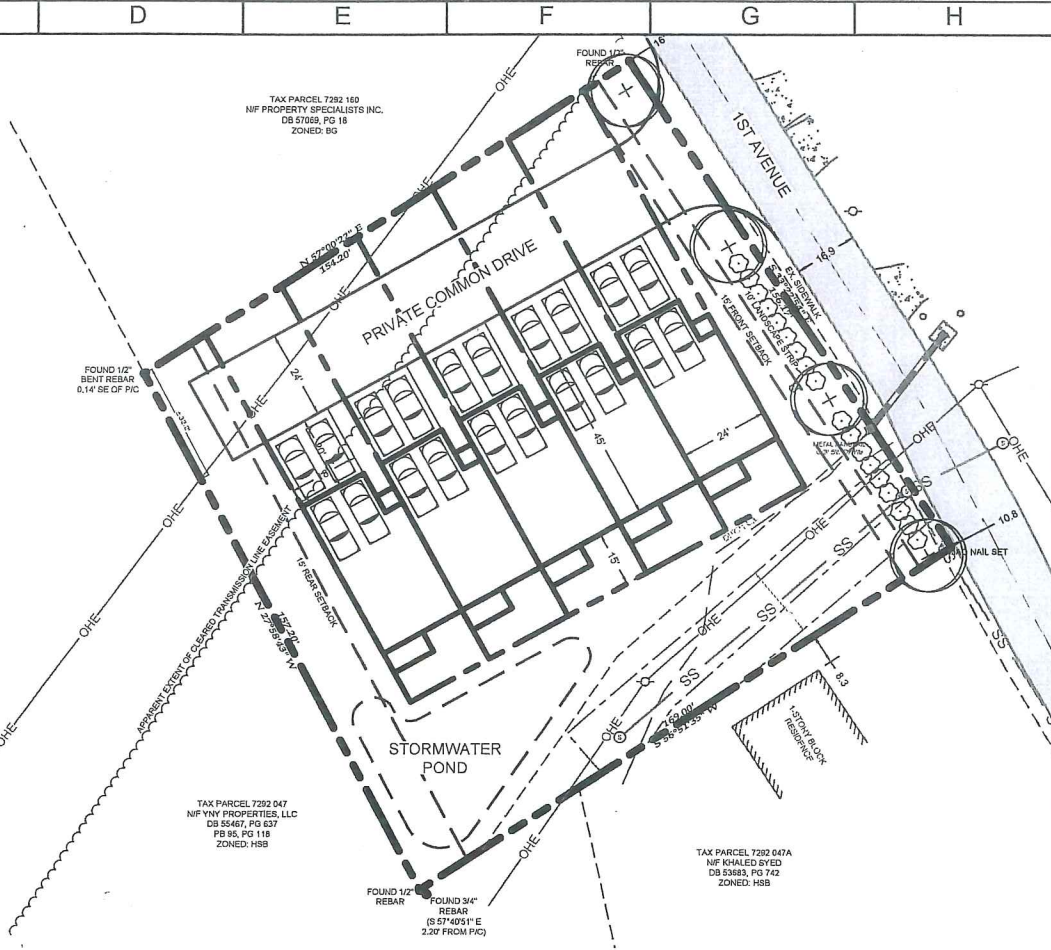
VICINITY MAP - NOT TO SCALE

LAND LOT(S): 292 DISTRICT: 7th  
 GWINNETT COUNTY, GEORGIA  
 DATE: March 16, 2021

**SITE DATA**

EXISTING ZONING:	RS100
PROPOSED ZONING:	R36
SITE AREA (GROSS):	0.580 ACRES
SITE AREA (NET):	0.4686 ACRES
TOTAL LOTS:	5 TOWNHOMES
LOT DENSITY (12.0 MAX):	8.62 HOMES/AC.(GROSS) 10.67 HOMES/AC.(NET)
MIN. LOT AREA:	1,000 SF.
MIN. DWELLING UNIT SIZE:	1,000 SF.
BUILDING HEIGHT:	40' HT. MAX TO EAVE
SETBACKS:	
FRONT YARD:	15' (VARIANCE REQUEST)
SIDE SETBACK(SF):	20' BTW BLDGS
REAR YARD:	15'
EXT. LANDSCAPE STRIP:	10'

\*NO PORTION OF THIS PROPERTY IS LOCATED IN A FEMA FLOOD PLAIN AS PER: FEMA MAP No. 13135C0014G, DATED 03/04/2013.



**SEWER NOTE:**  
 SEWER WILL BE A GRAVITY LINE AND TIE INTO EXISTING SEWER MANHOLE ON SITE.  
 WATER & SEWER PROVIDED BY GWINNETT COUNTY.

**DETENTION NOTE:**  
 DETENTION POND SHOWN WILL BE A MASTER DETENTION POND FOR THE ENTIRE PROPERTY..

**Zoning Condition Request**

1. ALLOWANCE OF FRONT BLDG. SETBACK TO BE REDUCED FROM 30' TO 15'.

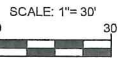
**PROPERTY OWNER:**  
 7292 048: DULUTH REAL ESTATE INVESTMENTS, LLC.



**DEVELOPER:**  
 Archon Homes  
 2160 Morningside Dr., Su. 250  
 Buford, Ga. 30518  
 24 hr. Contact: John Slappey  
 770.616.9774 / jslappey@psponline.com

**PROJECT NAME:**  
 4868 First Avenue Site

3/12/21



R2.21.002

SCANNED

RZ-21-00  
Request to rezone from RM to R36  
5 unit Townhome Building

