


City of Sugar Hill  
Planning Staff Report  
RZ 21-003

DATE: June 3, 2021  
TO: Mayor and City Council  
FROM: Planning Director   
SUBJECT: Rezoning RZ 21-003  
Peachtree Industrial Boulevard



**ISSUE** The City of Sugar Hill has received an application dated April 5, 2021, from BCC Investment Group, LLC c/o Mahaffey Pickens Tucker, LLP requesting to change the zoning from existing General Business District (BG) and Light Manufacturing District (LM) to Medium Density Mixed Residential District (R36) for a residential development with 300 homes.

**DISCUSSION**

- The proposed development is a mix of single-family residential product with some missing middle housing elements.
- In the Transition District, medium density mixed residential is an appropriate use.
- The proposed development presents an opportunity for workforce housing in the city's only existing employment area outside of Downtown Sugar Hill and within an important regional transportation corridor.
- Along the Peachtree Industrial Boulevard corridor, there is a wide spectrum of uses and building types.
- The subject property is not within the town center overlay but is within close proximity to the downtown area.
- The mobility framework plan in the Downtown Master Plan identifies possible trail connections to the downtown. The plan also calls out a strategy to create an amenity from the Georgia Power transmission line easement.
- The stacked flat and townhome uses are an appropriate transition in scale from light manufacturing and warehouse uses to the residential subdivision on the other side (Creekside at Pinecrest).
- Applicant has not finalized proposed elevations for the buildings at time of printing.

**RECOMMENDED ACTION**

**Approval of request to rezone the property from BG and LM to Medium R36 with the following conditions:**

1. The maximum number of townhomes units in a single building shall be eight (8) units. The maximum number of stacked flat units shall be 140. The maximum number of stacked flat units per building shall be twelve (12).

2. Covenants shall stipulate that no more than 20% of the total number of townhome units can be leased at any one time. Notice shall be recorded in the covenants.
3. 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.
4. Each rear loaded townhome 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 townhome 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. Exterior materials and architectural detail of each attached/detached dwelling shall resemble the elevations attached as Exhibit 2.
6. Developer shall install a masonry entrance feature and a minimum 20' wide landscaped berm a minimum of three feet high at its apex along the project's Peachtree Industrial Boulevard frontage and contained within an easement to be maintained by the HOA, as recorded in the covenants. Landscape plan and masonry entrance feature to be approved by the city manager prior to issuance of any permits.
7. Developer shall provide an easement for a trail as shown on the attached site plan labeled Exhibit 1.
8. Striping for on-street (9' x 22' minimum dimension) parking stalls shall be provided. Street design shall be subject to approval by the city manager. Total number of on-street parking spaces shall be a minimum of 145 spaces.
9. Developer is required to provide enhanced landscaping adjacent to residential districts, and railroad track, in a non-linear pattern, to provide enhanced buffering. A 35' enhanced landscape buffer 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. Plants shall be arranged to provide an effective visual screen of at least 20' in height at maturity. Buffer 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.
10. The developer shall disclose to all future owners the following statement by recording on the final plat and deed records: Neighboring or adjacent properties are zoned or developed for light manufacturing (LM) uses. These existing uses and other permitted uses in the LM zoning category may produce undesirable views, odor, dust, vibration, and noise. There is an active railroad in the rear of the property.
11. At least three natural gas appliances shall be installed into each townhome unit prior to certificate of occupancy.
12. An amenity, and onsite leasing office, shall be provided for design approval by the City Manager.

***PLANNING COMMISSION RECOMMENDATION:***

*The Planning Commission held a scheduled public hearing on May 17, 2021. There were no public comments other than the applicant.*

*Planning Commission recommends approval of the request for Medium Density Residential (R36) with the conditions as noted above. Motion approved 4 for, 0 against (Vice Chairman Julie Adams motion/Commission Member Jason Jones seconded).*

## BACKGROUND

Applicant/Owner: BCC Investment Group, LLC, c/o Mahaffey Pickens, Tucker, LLP – Shane Lanham

Existing Zoning: General Business District (BG) & Light Manufacturing District (LM)

Request(s): Medium Density Mixed Residential District (R36)

Purpose: Mixed-residential community with townhomes and stacked flats.

Property Size: ± 42.46 acres

Location: Tax Parcel Id Number: 7-273-028 & 7-273-002  
Peachtree Industrial Boulevard

Public Notice: Letters to adjoining owners via USPS regular mail on 4-28-21  
Sign posted at 1113 Buford Highway 4-28-21  
Ad in legal section of Gwinnett Daily Post on 4/28/21 & 5-26-21

Public Comments: None submitted at this time.

## FINDINGS OF FACT

The developer proposes to build a complex of 108 stacked flats, and 192 townhomes, for a total of 300 homes on 42.46 acres.

The location is along Peachtree Industrial Boulevard, which is classified as operating under capacity by Gwinnett County Department of Transportation.

The density of the housing development is 7.89 units an acre, R36 zoning allows for a maximum of 12 units per acre upon meeting certain design criteria.

The proposed parking count is a total 95 on-street spaces provided, abutting the proposed residential units.

The development does encompass a stream, and a power line easement, which can serve as amenities if properly protected and/or incorporated as greenspace.

Minimum 5' width sidewalk is required for the entire length of frontage along Peachtree Industrial Boulevard.

### Adjacent Zoning

North: Medium Density Single Family (RS 100) & General Business District (BG)

South: Medium Density Single Family (RS 100), Low Density Single Family Residential (RS-200), Light Manufacturing District (LM) & Heavy Manufacturing District (HM-1)

East: Medium Density Single Family (RS 100) & Light Manufacturing District (LM)

West: Heavy Manufacturing District (HM-1)

## 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. The single-family attached residential products are consistent with single-family detached residential development on adjacent parcels. Overall, the development provides an appropriate transition to the residential uses on the north side of the project from the light manufacturing and distribution uses to the south.

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

Yes. However, parcels adjacent to the proposed development are zoned Heavy Manufacturing District (HM1) and are currently developed. Any future development will require a buffer along the common property line.

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

Yes. Property is currently zoned for industrial and commercial uses on the respective parcels.

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

No. Peachtree Industrial Boulevard is a principal arterial road and currently operates at an acceptable level of service. The site is within the Lanier High and Sugar Hill Elementary school clusters. Planning staff has requested a statement from the school board of the proposed development's impact to the school enrollment. At time of printing, a response from the school board had not been received. Both schools appear to have capacity for growth.

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

Yes. The character area (Transition District), which identifies residential multi-family (RM) as a compatible zoning district. RM was retired in 2020 and replaced with the current medium density mixed residential (R36) zoning category.

***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)







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## LETTER OF INTENT FOR REZONING APPLICATION

Mahaffey Pickens Tucker, LLP submits the attached rezoning application (the "Application") relative to the proposed development of an approximately 42.46-acre tract of land (the "Property") located along Peachtree Industrial Boulevard south of its intersection with Pinecrest Drive. The Property is currently zoned BG and LM. The Property is bounded by Peachtree Industrial Boulevard to the northwest and the Southern Railroad right-of-way to the southeast. To the northeast of the Property is land zoned BG and RS-100 and to the southwest is land zoned HM-1 for heavy industrial uses. The Applicant is requesting to rezone the Property to the R-36 zoning classification in order to permit the development of an upscale single-family attached residential community.

The proposed community would include a mixture of front- and rear-entry townhome styles as well as stacked flats with attractive building materials such as brick, stone, and/or fiber cement siding. Attractive rear-entry homes would enhance the aesthetics of internal streets and would create a traditional neighborhood feel and help foster a sense of community. The proposed development would include a large "village green" for the use and enjoyment of residents which is accessible via proposed internal sidewalk connections as well as nature trails which meander throughout the overall Property. A total of 300 townhome units are proposed within the community. Each townhome unit would include a two-car garage and driveway for a total of 4 parking spaces per unit. An additional 95 guest parking spaces are provided throughout the community to reduce on-street parking.

The proposed development is compatible with surrounding zoning classifications and land uses and is consistent with the policies of the Sugar Hill Comprehensive Plan (the "Comp Plan"). The Property is adjacent to property zoned HM-1 as well as RS-100. Accordingly, the Property is an appropriate location for the proposed development as it provides a transition of land use intensity from the industrial classifications to the southwest and the single-family detached communities to the northeast. This transitional land use approach is acknowledged and encouraged

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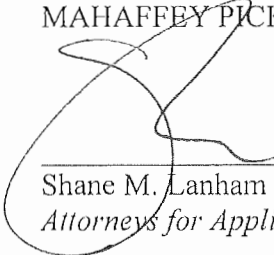
by the Comp Plan which classifies the Property as within the Transition District. Policies for the Transition District encourage higher residential density and specifically identify the Residential Multi-Family (RM) and Medium Density Single Family Residential District (RS-100) as appropriate land uses. The proposed townhome community developed under the standards of the R-36 zoning classification falls squarely within this recommendation. Moreover, the proposed development would include a proposed 25-foot wide landscaped buffer adjacent to homes within the Creekside at Pinecrest subdivision which have an apparent minimum lot width of 40 feet.

The Applicant welcomes the opportunity to meet with staff of the City of Sugar Hill Planning & Development Department to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application filed herewith. The Applicant respectfully requests your approval of the Application.

This 29th day of April, 2021.

Respectfully Submitted,

MAHAFFEY PICKENS TUCKER, LLP



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Shane M. Lanham  
*Attorneys for Applicant*



RZ-21-003  
Request to rezone from BG & LM to R36  
Mixed residential community with townhomes and apartments

