


City of Sugar Hill
Planning Staff Report
SUP 21-003

DATE: October 27, 2021
TO: Mayor and City Council
FROM: Planning Director 
SUBJECT: Special Use Permit SUP 21-003, massage establishment
5885 Cumming Highway, Suite 405 & 406

RECOMMENDED ACTION

Recommend approval of a special use permit for a massage establishment.

PLANNING COMMISSION PUBLIC HEARING AND RECOMMENDATION:

The Planning Commission held a scheduled public hearing on October 18, 2021. Applicant representative/owner Umang Dave spoke on behalf of this request. There were no other public comments. The public hearing was closed.

Commission Member Rosemary Walsh motioned to recommend approval of the special-use permit to operate a massage establishment as recommended by staff. Commission Member Jason Jones made second. Motion approved 5-0.

ISSUE The City of Sugar Hill has received an application dated September 3, 2021, from Umang Dave for a special use permit to operate a massage establishment under the franchise LaVida Massage.

DISCUSSION

- The subject property is located within two vacant commercial suites in the Sugar Hill Corners shopping center where a Massage Envy franchise previously operated.
- Since the Massage Envy closed, local ordinance now requires a special use permit to operate a massage establishment.
- With a special use permit LaVida Massage is an appropriate use within the BG district.

BACKGROUND

Applicant/Owner: Umang Dave / LaVida Massage
Existing Zoning: General Business District (BG)
Request: Special use permit to operate a massage establishment.

Property Size: Portion of ± 12.154 acres – Sugar Hill Corner Shopping Center
 Location: 5885 Cumming Highway, Suite 405 & 406
 Tax Parcel R7-339-216
 Public Notice: Letters to adjoining owners via USPS regular mail on 9/22/21.
 Signs posted on property 9/22/21.
 Ad in legal section of Gwinnett Daily Post on 9/22/21 & 10/20/21.
 Public Response: Support letters from two professional references:
 1. Mark Davis, Lavidia CEO
 2. Kate Carver, Selig Senior Property Manager

FINDINGS OF FACT

Local ordinance and state law require the practice of massage therapy be conducted by individuals holding a license from the Georgia Board of Massage Therapy.

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. As the request is for a special use permit, there is no rezoning request. The proposed SUP is consistent with the development.
2. *Will the rezoning requested adversely affect the existing use or usability of adjacent or nearby properties?*
 No. The special use permit will not impact adjacent development.
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. The proposed special use permit will not have any impact on the school system.
5. *Does the rezoning requested conform to the Sugar Hill Land Use Plan?*
 Yes. The use is in conformance with the Sugar Hill Land Use Plan.
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?*
 No. The proposed use is consistent with other similar uses located within the complex.

Letter Of Intent -- Special Use Permit**Name of Applicant:**

Umang Dave

Address of location:

5885 Cumming Hwy NE

Ste 405-406,

Sugar Hill, GA 30518

Hi,

I am seeking to open a massage center under the franchise "LaVida Massage" at this location. The previous tenant was a different business who operated a massage center under the "Massage Envy" franchise.

Nothing materially is changing in the nature of the business's services, consisting of wellness services which mainly includes massage therapy and aesthetician services (such as facials). This is not materially different from the previous tenant's business.

Nothing major is changing in terms of the location buildout, except for cosmetic changes to operate the new franchise of LaVida Massage, and that is one of the reasons why we decided to choose this space, as it is advantageous in terms of cost and time to open.

My contact information:

Address:

1764 Indiana Ave NE,

Atlanta, GA 30307

Phone:

650-267-1500

Email:

udave@lavidamassage.com

