

City of Sugar Hill
Planning Staff Report
RZ-21-010

DATE: December 28, 2021
TO: Mayor and City Council
FROM: Planning Director
SUBJECT: Change in Conditions RZ-21-010 / TT Investment Group LLC
4810 Wages Way

ISSUE The City of Sugar Hill has received an application dated November 4, 2021, from TT Investment Group, LLC requesting to change the existing conditions of zoning to construct an office building with warehouse space. The subject property is currently zoned Highway Service Business District (HSB) with a Special Use Permit (SUP) for a plumbing contractor's office.

RECOMMENDED ACTION

Recommend modifying the conditions as follows:

- 1. These conditions shall replace and supersede all prior stipulations and conditions, including all prior zoning actions, variances, and special use permits that are currently in place on the subject property.**
- ~~1. Greenhouse building shall be removed from subject property within **30** business days from date of zoning approval.~~
2. Access **shall be** restricted to Wages Way. No **access shall be provided from** off Hidden Circle Drive.
3. The hours of operation shall be limited to the hours between 7:00 am and 7:00 pm.
- ~~4. No outdoor storage shall be permitted on the site.~~
5. The pick-up service of trash dumpsters to be limited to the hours between 7:00 am and 7:00 pm.
6. Outdoor speakers shall be prohibited.
- ~~7. Lighting shall be designed and maintained to prevent light trespass in excess of .2 foot candles (fc) as measured at a 6' height perpendicular to the ground. Lamps shall be metal halide, induction or other type in the blue-white spectrum with a color temperature rating between 75 and 100 CRI. All lamps must be shielded to prevent glare from any point along the property line so that no direct light source is visible from a sight line established at a distance between four feet (4') and six feet (6') perpendicular from the ground. The lighting plan must be approved by the City's Planning Director prior to receiving any land disturbance and/or building permit.~~
8. An Enhanced Buffer shall be incorporated into the standard zoning buffer to screen noise and light from adjacent residential uses. **The width of the zoning buffer along common property line with parcel 7271 047A shall be 40'. The side yard building setback along this same property line shall be 50' inclusive of the 40' zoning buffer.** Enhanced **Zoning** buffer is to consist of a staggered double 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 **shall** provide an effective visual screen of at least 20' in height at maturity and shall be compatible with existing plantings. Buffer must **include a minimum six foot (6') high wooden privacy fence and** be shown on a landscape plan approved by the Department of Planning & Development prior to receiving a land disturbance permit.

9. The following uses shall be prohibited:
- a. ~~Funeral homes and mausoleums.~~
 - b. Gasoline stations, service stations and car washes.
 - c. Group and congregate personal care homes.
 - d. ~~Mortuaries and crematories.~~
 - e. Motels and Hotels.
 - f. ~~Parking lots and parking garages.~~
 - g. ~~Mobile buildings (except temporary during construction).~~
 - h. Utility Offices.
 - i. Convenience **Retail** Stores **(with or without fuel pumps)**.
 - j. ~~Auto Repair shops.~~
 - k. ~~Tire Stores.~~

PLANNING COMMISSION PUBLIC HEARING AND RECOMMENDATION

The Planning Commission held a scheduled public hearing on December 20, 2021. Applicant representative Michael Beck spoke on behalf of this request. Citizens and guest who spoke were Wansley Sudderth (lives almost directly across Hidden Circle from the project), Mitchell Waters, and Ronald Taylor (lives adjacent to the project). Concerns included hours of operation as well as noise, light and visual impact to nearby homes. A privacy fence was also requested.

Chairman Jeremy White made a motion to approve the change in conditions as presented by staff. Commission Member Rosemary Walsh made the second. Motion approved 3-0.

DISCUSSION

- Certain requirements placed on the property when it was approved in 2007 are either redundant with current policy or no longer applicable and should be omitted from the new conditions of zoning:
 1. Greenhouse building has already been removed.
 4. Outdoor storage is prohibited in all zoning districts except Light Industrial (HM1) and Heavy Industrial (HM2).
 7. Light trespass requirements are now a standard development policy.
 9. Funeral homes, mausoleums, mortuaries, crematories, parking lots (SUP), parking garages (SUP), mobile buildings, auto repair shops and tire stores are not permitted uses under the HSB zoning classification.
- There is a densely wooded area between the proposed building and adjoining residence consisting of what appears to be a healthy mix of deciduous and evergreen canopy trees and understory growth.
- The front yard area on adjoining residential parcel 7271 047A is an unusual shape and extends along most of the southern boundary line of the subject property. This feature of the neighboring property creates an additional pocket of landscaping between the residence and future development.
- Proposed development is similar to neighboring small office warehouse facility currently occupied by a landscape business.

- A mark-up of the current conditions of zoning (originally approved under rezoning case RZ-07-003 on 8/13/2007) is shown above. Deletions are shown in ~~stricken text~~. Additions are shown in bold **double underline text**.

BACKGROUND

Applicant/Owner:	TT Investment Group, LLC c/o Saied Takallou
Existing Zoning:	Highway Service Business District (HSB) with special use permit (SUP) for a plumbing contractor's office.
Request:	Change conditions of zoning. Buffer reduction (35' from 50').
Property Size:	1.212 acres
Location:	4810 Wages Way Tax Parcel R7-292-031
Public Notice:	Letters to adjoining owners via USPS regular mail on 12/1/21. Signs posted on property 12/1/21. Ad in legal section of Gwinnett Daily Post on 12/1/21 & 12/22/21.
Public Response:	Summarized above under Planning Commission recommendation..

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, change in conditions only.

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

No, change in conditions only.

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

No, change in conditions only.

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

No, change in conditions only.

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

Yes, change in conditions only.

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 applicant is requesting modification of the conditions primarily for relief from the more restrictive zoning conditions related to the zoning buffer which were adopted in conjunction with the previously approved special use permit and is requesting additional relief from the standard zoning requirements in width and design of the buffer. Due to the shape and character of neighboring residential property planning staff has recommended a reduction of the zoning buffer along one side of the subject property.

RZ-21010

Dec. 11/11/21 SCANNED

SAIED TAKALLOU
1547 CAVE RD.
ATLANTA, GA 30327-3119

November 2, 2021

Kimberly Landers
Planning Technician
City of Sugar Hill Planning and Development
5039 West Broad St.
City of Sugar Hill, Georgia 30518

Re: Letter of Intent – 4810 Wages Way

Dear Ms. Landers,

I purchased the property with the intention to develop the property, by building an approximate 7500 square foot structure with parking. The exterior dimensions of the building would be 150' wide by 50' deep. The height of the building would be approximately 20' tall.

The structure would be divided into 4 or 5 spaces. These units could be used for office space, warehouse space or tenants which would fit the current zoning classifications. The presentation and appearance of the building and the landscaping is very important to attract a high quality type of tenant. We want to plan as many parking spaces as is possible (our current planning allows for approximately 35 spaces).

The property is approximately 1.2 acres. The current zoning is acceptable and I am not looking to change the zoning. Due to the rear of the property adjoining a residential sub-division, we see the need for a 50' rear buffer both landscaped and natural. To control stormwater and assure water quality, we have considered using a water detention pond between the rear 50' buffer and the actual rear of the building. We could possibly go to an underground, open bottomed type detention chambers system as an alternative.

We plan for a front of the building entrance off the main road, centered on the property. We would like to move the building as far toward Hidden Circle Drive as is possible to provide the most parking spaces and also to contain the normal sounds and lighting of small businesses to the front of the building and opposite side of Hidden Circle Drive which would be away from the residential area. In that there would be no automobile or foot traffic, behind the building (on the Hidden Circle Drive side), we are asking for a reduction of the side buffer from 50' to 35'.

R2.21.010

Rec. 11/4/21

DO NOT WRITE

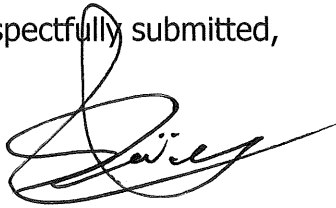
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City of Sugar Hill Letter of Intention

Please note that the entire Hidden Circle Drive side of the building would be natural and landscaped as to blend the brick façade of the building into the natural area. All ingress and egress to the spaces would be from the opposite side and front.

We would need to add a manhole in the R/W with conduit sleeve under the street to allow connection to the sanitary sewer system, on the opposite side of the road. We would be disturbing less than one acre during the development process. All work would take place from the front of the property with no traffic on the residential street.

Should you have any questions, please contact me. Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Saied', with a large, stylized flourish above the name.

Saied Takallou
for
TT Investments, LLC.