

City of Sugar Hill
Planning Staff Report
VAR-22-001

DATE: March 31, 2022
TO: Mayor and City Council
FROM: Planning Director
SUBJECT: Stream buffer variance request, VAR-22-001.
Stanley Street extension, residential component of phased mixed-use development.

REQUEST NGI Acquisitions, LLC is seeking a stream buffer variance to allow disturbance of the 50-foot undisturbed stream buffer and the construction of impervious surfaces within the 75-foot impervious surface setback.

RECOMMENDED ACTION:

Approval of the stream buffer variance with condition that on-site mitigation is accomplished in accordance with the procedures provided in the Gwinnett County Storm Water Design Manual prior to receiving a land disturbance permit.

DISCUSSION

- Proposed improvements within the 50' stream buffer include paving for sidewalks and parking; building construction; storm water facilities; a multi-use path and associated grading.
- Proposed improvements within the 75' impervious setback include paving for access drive, sidewalks, and parking; building construction; storm water facilities; a multi-use path and associated grading.
- Applicant has applied for variance from Georgia Environmental Protection Division for a portion of the state buffer and filed for a nationwide permit with US Army Corp of Engineers.

BACKGROUND

APPLICANT: NGI Acquisitions, LLC c/o Shane Lanham
OWNER: First Baptist Church of Sugar Hill
EXISTING ZONING: General Business District/Town Center Overlay
District/Central Business District (BG/TCO/CBD)
REQUEST: Stream buffer variance to disturb and construct improvements within the 50' stream buffer and 75' impervious surface setback.
PROPERTY SIZE: ± 23 acres
LOCATION: Stanley Street extended
Parcels: R7-305-009, R7-305-185, R7-292-156, R7-292-192, R7-292-200, R7-292-077

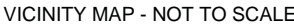
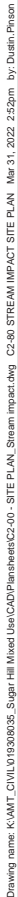
FINDINGS OF FACT

The subject property accesses Highway 20 via Stanley Street and is within the core downtown area. The site is mostly undeveloped and is characterized by steep topography with mixed pine and hardwood forest but includes an existing Gwinnett County water pipeline easement. Most of the development is pushed toward the northeastern portion of the site and straddles two buffered streams situated toward the center of the project site. Storm water management and trail improvements are exempt from the city's stream buffer requirements. Current storm water facility design requirements and mitigation requirements are intended to provide benefits related to water quality which are like benefits provided by stream buffers.

Additionally, under Section 4.2.2.5 of the Sugar Hill Stream Buffer Protection Ordinance, a variance may be considered if the buffer intrusion is mitigated using the procedure established in the Gwinnett County Storm Water Design Manual.

The on-site mitigation procedures are fairly involved but allow flexibility in the application of the ordinance provided sufficient mitigation credits can be obtained on the subject property. It should be noted that the mitigation procedures require a conservation easement to protect the property in perpetuity.

“The amount and type of on-site mitigation does not have to be determined at the time of the [Stream Buffer Protection Ordinance] application. The applicant can identify areas of mitigation if the applicant so desires. On-site mitigation can be determined after a [Stream Buffer Protection Ordinance] variance is granted. (Gwinnett County Stormwater Design Manual - Section 9.5.2)”



1. THE PROPOSED BUILDING INFORMATION SHOWN HEREON IS FROM AN ELECTRONIC FILE PROVIDED BY DYNAMIK DESIGN, DATED 12/06/2021 AND IS FOR ILLUSTRATIVE PURPOSES ONLY.
2. EXISTING CONDITIONS SHOWN HEREON ARE FROM A SURVEY FILE PROVIDED BY GEOURVEY, DATED 06/28/2021.
3. NO PORTION OF THIS PROPERTY IS LOCATED IN A FEMA FLOOD PLAIN AS PER FEMA MAP NO. 13135C0014G DATED 03/04/2013.
4. NO PORTION OF THIS PROPERTY IS WITHIN THE LIMITS OF THE CHATTAHOOCHEE RIVER CORRIDOR AND CHATTAHOOCHEE RIVER TRIBUTARY PROTECTION AREAS.
5. SEWER WILL TIE-IN TO EXISTING GWINNETT COUNTY SEWER SYSTEM. TRACT 1 WILL CONNECT TO SYSTEM AT INTERSECTION OF NELSON BROGDON AND STANLEY STREET. TRACT 2 WILL CONNECT AT HILLCREST DRIVE.
6. DRIVE AISLES IN PARKING LOTS ARE 25 FT WIDE AND PARKING STALLS ARE 9 FT WIDE BY 18 FT LONG (TYPICAL).

EXISTING ZONING:
AGRICULTURAL (F), FOREST (AF), LIGHT MANUFACTURING (LM) & SF
RESIDENTIAL (RS-100)

EXISTING OVERLAY DISTRICTS:
TOWN CENTER OVERLAY DISTRICT (TCO)

PROPOSED ZONING:
GENERAL BUSINESS (BG)

PROPOSED OVERLAY DISTRICTS:
TOWN CENTER OVERLAY DISTRICT (TCO) & CENTRAL BUSINESS
OVERLAY DISTRICT (CBD)

ADJACENT STREETS:
NELSON GREGGSON BLVD., HILLCREST DR., STANLEY ST.,
PEACHTREE INDUSTRIAL BULLEARD DR

CENTRAL BUSINESS DISTRICT (B0)

- 606.B.5: VARIANCE TO ALLOW DUMPSTERS WITHIN 75' OF NEIGHBORING BUILDING OR USE.

TOWN CENTER OVERLAY DISTRICT (TCOD)

- 1001.D.4: VARIANCE FOR SPECIAL USE, OF A DRIVE THRU RESTAURANT ALONG HIGHWAY 20 WITHIN 1320 FT OF HILLCREST STREET.
- 1002.E.1.IV: VARIANCE FROM RESTRICTIONS OF THIS CODE SECTION REGARDING TRADEMARKED, BRANDED FRANCHISE, STYLIZED, AND/OR CORPORATE ARCHITECTURE THAT IS STANDARDIZED OR OTHERWISE GENERIC IN NATURE.
- 1004.E.1.VII: VARIANCE TO ALLOW SINGLE-USE BUILDINGS WITH UP TO 150,000 SF OF GROSS FLOOR AREA.

CENTRAL BUSINESS OVERLAY DISTRICT (CB0)

- 1002.D.3: VARIANCE TO INCLUDE THE FOLLOWING AS PERMITTED USES: DOG DAYCARE FACILITY, SPA BUSINESSES, AND MEDICAL OFFICE.
- 1002.D.4: VARIANCE TO ALLOW MULTI-FAMILY AS A CONDITIONAL USE WITH A FLOOR AREA RATIO LESS THAN 0.5:1.
- 1002.D.7: VARIANCE FOR SPECIAL USE, OF A DRIVE THRU RESTAURANT ALONG HIGHWAY 20 WITHIN 1320 FT OF HILLCREST STREET.
- 1002.E.1.III: VARIANCE TO ALLOW FRONT LOADING GARAGES / TRUCKS TO BE LOCATED 10 YARDS FROM PROPOSED TOWNHOMES.
- 1002.E.1.IV: VARIANCE TO ALLOW FOR BUILDINGS TO BE SET BACK FURTHER THAN 12 FEET FROM RIGHT-OF-WAY.
- 1002.E.1.VIII: VARIANCE TO WAIVE REQUIREMENT OF ACCESS CONDITIONS TO ADJACENT SIDEWALKS.
- 1002.E.1.IX: VARIANCE TO ALLOW RESTRICTED FENCE MATERIALS ADJACENT TO PROPOSED GREENWAY TRAIL.
- 1002.E.3.V: VARIANCE TO ALLOW PARKING SPACES TO ABUT SIDEWALKS OR SIDEWALKS.
- 1002.E.3.VII: VARIANCE TO WAIVE REQUIREMENT OF 25 FT EASEMENT FOR INTER-PARCEL ACCESS EASEMENTS.

ARTICLE 12 - BUFFERS AND SCREENING

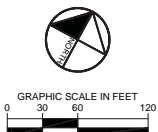
- 1202.4: VARIANCE TO ELIMINATE SCREENING REQUIREMENT BETWEEN NON-RESIDENTIAL AND RESIDENTIAL USES.

ARTICLE 13 - SIGNS

- 1311.B.2.D: VARIANCE TO INCREASE MAX SFA PER FACADE TO 10% FOR FRONT, SIDE AND REAR.

SITE SUMMARY:	
NET LOT AREA - TOTAL SITE:	29.62 ACRES
NET LOT AREA - TRACT 1:	6.54 ACRES
NET LOT AREA - TRACT 2:	23.08 ACRES
TRACT 1 SETBACK:	
FRONT YARD:	N/A
SIDE YARD:	N/A
REAR YARD:	N/A
TRACT 2 SETBACK:	
FRONT YARD:	N/A
SIDE YARD:	N/A
REAR YARD:	N/A
MAXIMUM BUILDING HEIGHT: 70 FT (PER CBD OVERLAY)	
PROPOSED LAND USES & DENSITIES:	
TRACT 1:	
RETAIL OFFICE	32,250 SF (TOTAL)
BLDG 200	6,250 SF
BLDG 400	5,100 SF
BLDG 600	20,900 SF
RESTAURANT	5,000 SF (TOTAL)
BLDG 100	2,900 SF
BLDG 300	2,100 SF
TOTAL	37,250 SF (13.03 FA)
TRACT 2:	
MULTIFAMILY RESIDENTIAL	
BLDG 600	269 UNITS (TOTAL)
BLDG 800	98 UNITS
BLDG 100	63 UNITS
BLDG 800	54 UNITS
BLDG 100	54 UNITS
TOWNHOMES	
BLDG 1000	20 UNITS (TOTAL)
BLDG 1100	5 UNITS
BLDG 1200	4 UNITS
BLDG 1300	5 UNITS
TOTALS	
UNITS	289 UNITS (12.33 UN/AC)
GROSS SQUARE FOOTAGE	381,000 SF (0.38 FAR)
PARKING SUMMARY - TRACT 1:	
MINIMUM REQUIRED PARKING:	
RETAIL OFFICE (27,150 SF)	192 SPACES (TOT)
RESTAURANT (10,100 SF)	91 SPACES (1,000 SF/SP)
MAXIMUM ALLOWABLE PARKING:	
RETAIL OFFICE (27,150 SF)	338 SPACES (TOT)
RESTAURANT (10,100 SF)	138 SPACES (1,500 SF/SP)
PROPOSED PARKING:	
STANDARD	245 SPACES (TOT)
HANDICAP	233 SPACES
PARKING SUMMARY - TRACT 2:	
MINIMUM REQUIRED PARKING:	
MULTIFAMILY (269 UNITS)	309 SPACES (TOT)
TOWNHOMES (20 UNITS)	269 SPACES (1,000 SF/SP)
MAXIMUM ALLOWABLE PARKING:	
PROPOSED PARKING:	
STANDARD	448 SPACES (TOT)
HANDICAP	396 SPACES
TOWNHOMES GARAGES	13 SPACES
	40 SPACES

<u>RIGHT-OF-WAY TABLE:</u>	
<u>ABANDONED RIGHT-OF-WAY:</u> OAK STREET:	11,234 SF (0.26 AC)
<u>DEDICATED RIGHT-OF-WAY:</u> STANLEY STREET:	20,680 SF (0.47 AC)
<u>NET CHANGE:</u>	9,446 SF (0.22) AC DEDICATED



NOVARE GROUP
1545 PEACHTREE STREET, SUITE 260
ATLANTA, GA 30309
PHONE: 404-815-1234

[illegible]

SUGAR HILL MIXED USE

GAR HILL MIXED U
1375 HILLCREST DR, SUGAR HILL, GA 30518
LAND LOT 202 & 308 7TH DISTRICT



GSWCC CERT. (LEVEL II)	0000076496
DRAWN BY	DLP
DESIGNED BY	ZLR
REVIEWED BY	KRT
DATE	03/31/2022
PROJECT NO.	019308035
TITLE	

STREAM IMPACT SITE PLAN

C2-80