

City of Sugar Hill
Planning Staff Report
AX 23-001

DATE: April 26, 2023
TO: City Council
FROM: Planning Director
SUBJECT: Annexation AX 23-001
5630, 5696, 5699, 5686, 5726, 5716, & 5696 Kennedy Road, 0 & 160 Ramey Road

ISSUE: Annexation of this 75.80 acres owned by Elizabeth Phelps and Melissa H. and David J. Bowen ETAL was initiated by an application from Corbitt Woods dated March 10, 2023. Applicant is requesting low density single-family residential (RS-150) for future development of 12 new single-family detached homes, ranging from 1.4 acres to 3.9 acres with access from a private gated access drive.

RECOMMENDED ACTION

Approval of annexation and rezoning to RS-150 with the following conditions:

1. All streets, alleys, sidewalks, storm water facilities and other common areas or facilities shall be privately owned and maintained.
2. Builder shall provide a minimum of three gas appliances in each home prior to certificate of occupancy.

PLANNING COMMISSION PUBLIC HEARING AND RECOMMENDATION

The Planning Commission held a scheduled public hearing on April 17, 2023. Applicant Corbitt Woods spoke on behalf of this request. Gary Pirkle stated he is in favor of the project but questioned the difference in total annexation area combined acreage of the proposed lots. Applicant representative Corbitt Woods explained the remaining acreage is made up of existing lots and lake. There were no other public comments. The public hearing was closed.

Planning Commission Member Jason Jones made a motion to approve the annexation request with a RS-150 zoning as recommended by staff with conditions. Commission Member Julie Adams made the second. Motion was approved 4-0

DISCUSSION

- The proposed annexation meets state requirements under the 100% method and does not create an unincorporated island. Gwinnett County Board of Commissioners and Gwinnett County Public School Board were notified of the application. County Administrator Glenn Stephens responded with no objections noted.
- The current future land use designation for the property in the county is Chattahoochee River Area. It is adjacent to Greenspace associated with the Chattahoochee River District in the City of Sugar Hill. Planning staff recommends a land use character designation of Established Neighborhood.

- The property is currently developed with three single family residences, constructed in 2004 and ranging between 15,000 and 24,000 square feet. Multiple accessory structures including sheds, pools, and garages are located throughout the property.
- The proposed residential subdivision will create 12 new single-family lots, located primarily on the northern side of Kennedy Road and an existing asphalt driveway. The overall assemblage will have a new average lot size of 4.45 acres, which is consistent with the existing character of surrounding development.

BACKGROUND

Applicant / Owner: Elizabeth Phelps and Melissa H. and David J. Bowen ETAL.

Existing Zoning: Single-family residential (R100) in Gwinnett County.

Request: Annex and rezone to RS-150.

Purpose: Single-family detached residential, 12 homes.

Property Size: ± 75.80 Acres

Location: 5630, 5696, 5699, 5686, 5726, 5716, & 5696 Kennedy Road, 0 & 160 Ramey Road; Tax Parcels # 7-341-015, 7-341-260, 7-341-263, 7-341-264, 7-341-273, 7-341-302, 7-342-008, 7-342-010, & 7341-261

Public Notice: Public notice signs were posted on 3/29/23. Legal advertisements were/to be published in Gwinnett Daily Post on 3/29/23, 4/5/23, 4/12/23, 4/19/23, 4/26/23, and 5/3/23.

Public Comment: See summary of planning commission public hearing.

FINDINGS OF FACT

Surrounding Land Use and Zoning

Direction	Existing Land Use	Existing Zoning
North	Single-family residences in Wild Timber subdivision	RS-150, R100, & R100 MOD
South	Settles Bridge Park	R100, R100MOD, & RA200
East	Single-family residences	R100
West	Chattahoochee River and federal and state-owned lands	R100MOD & Chattahoochee River

City of Sugar Hill: Low Density Single Family Residential (RS-150)

Gwinnett County: Single-Family Residence (R100, R100MOD), Agriculture-Residence District (RA-200)

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 requested zoning is similar to and suitable with the surrounding developed properties.

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

No. The proposed zoning does not impose any additional use restrictions or any unusual or undue hardship on adjoining or nearby properties.

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 residential development consists of twelve single-family residences. The small number of homes proposed will not have a significant impact on roads, transportation, or schools. Kennedy Road would see a minimal increase in traffic. The intersection of Suwannee Dam and Johnson Road has an existing traffic signal.

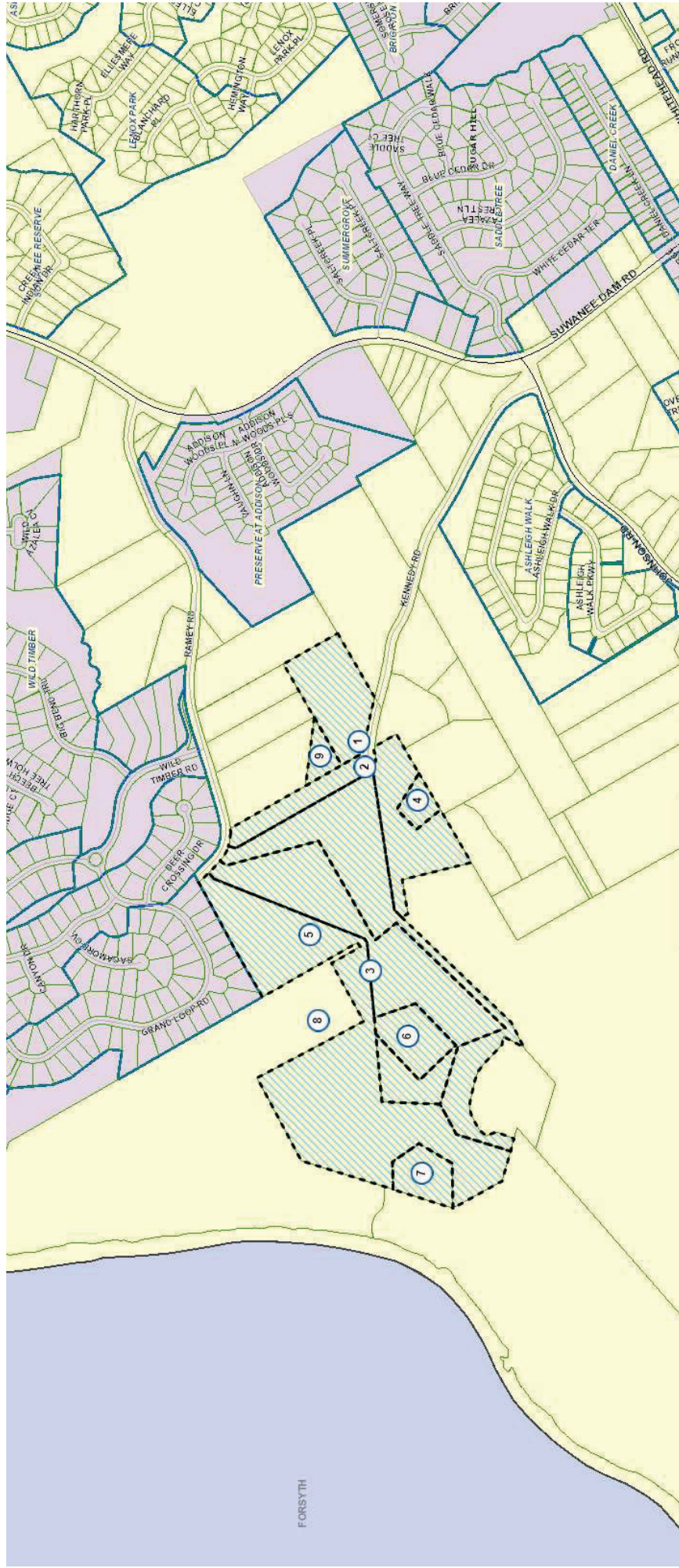
5. Does the rezoning requested conform to the Sugar Hill Land Use Plan?

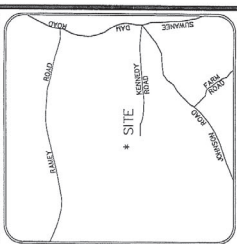
Yes. The prevailing character area in the vicinity of the subject property is Established Neighborhoods; this corresponds with the future land use plan as well. The requested RS-150 zoning provides for an appropriate land use and recommended development pattern for that character area.

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.

AX-23-001 – Subject Properties





GENERAL NOTES: 1) THIS SURVEY IS FOR CHERRY HILLS IN CHERRY HILLS, GWINNETT COUNTY, GEORGIA. 2) ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF. 3) ALL CORNERS ARE TO BE MARKED WITH 1/2" DIA. IRON PIPES. 4) ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.

LEGEND: Symbols for various features including easements, utility lines, and survey boundaries.

ACREAGE CHART: Lists lot numbers and their corresponding acreages. Lot 1: 2.147 Acres, Lot 2: 2.555 Acres, Lot 3: 2.535 Acres, Lot 4: 2.555 Acres, Lot 5: 2.535 Acres, Lot 6: 2.555 Acres, Lot 7: 2.535 Acres, Lot 8: 2.555 Acres, Lot 9: 2.535 Acres, Lot 10: 2.555 Acres, Lot 11: 2.535 Acres, Lot 12: 2.555 Acres, Lot 13: 2.535 Acres, Lot 14: 2.555 Acres, Lot 15: 2.535 Acres.

NOTE: THIS SURVEY WAS PREPARED USING A TOTAL STATION WITH AN ELECTRONIC DISTANCE MEASUREMENT (EDM) SYSTEM. THE RESULTS OF THIS SURVEY ARE ACCURATE TO WITHIN 1/1000 OF A FOOT HORIZONTALLY AND 1/200 OF A FOOT VERTICALLY AT A 95% CONFIDENCE LEVEL.

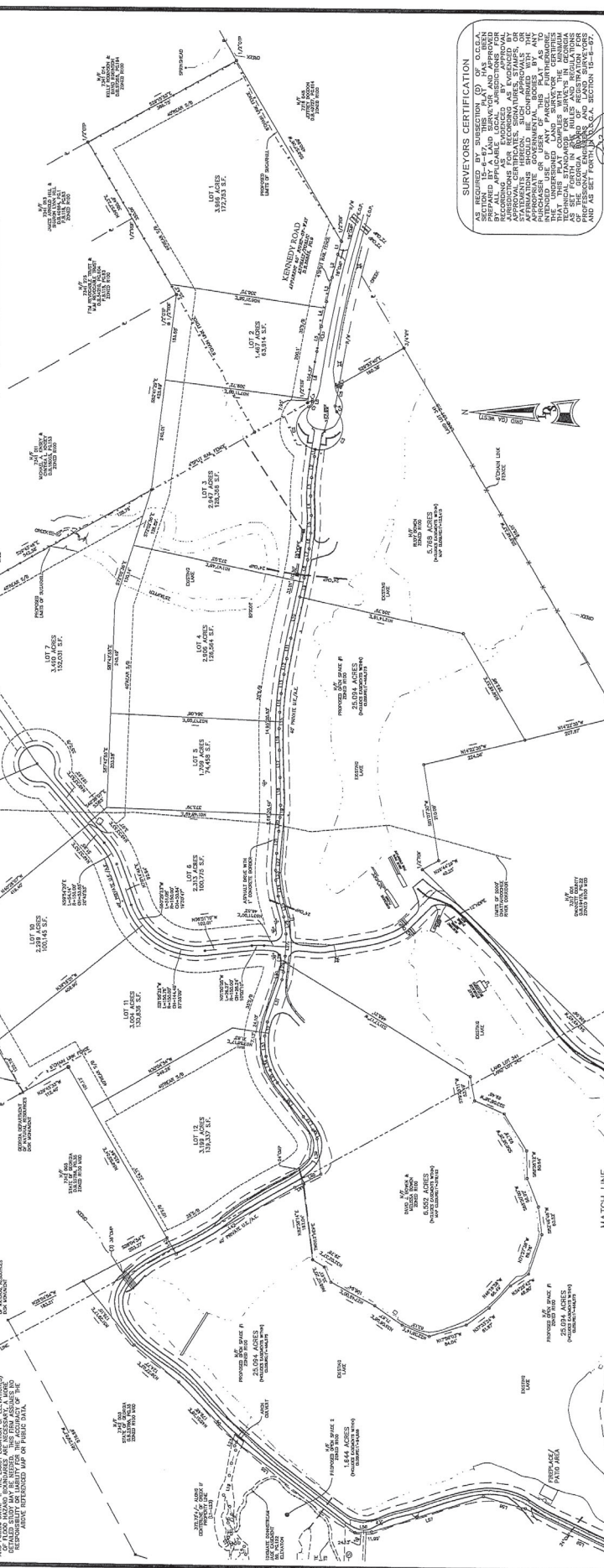
OWNER'S ACKNOWLEDGMENT AND DECLARATION: I, the undersigned, being the owner of the above described land, do hereby acknowledge and declare that the above described land is not subject to any lien, claim, or other encumbrance.

CITY APPROVAL: APPROVED THIS _____ DAY OF _____, 2023. BY: [Signature]

BY SPECIAL POWER OF ATTORNEY: I, the undersigned, do hereby certify that the above described land is not subject to any lien, claim, or other encumbrance.

REFERENCES: 1) DEED BOOK 480A, PAGE 386. 2) DEED BOOK 480A, PAGE 387. 3) DEED BOOK 480A, PAGE 388. 4) DEED BOOK 480A, PAGE 389. 5) DEED BOOK 480A, PAGE 390. 6) DEED BOOK 480A, PAGE 391. 7) DEED BOOK 480A, PAGE 392. 8) DEED BOOK 480A, PAGE 393. 9) DEED BOOK 480A, PAGE 394. 10) DEED BOOK 480A, PAGE 395. 11) DEED BOOK 480A, PAGE 396. 12) DEED BOOK 480A, PAGE 397. 13) DEED BOOK 480A, PAGE 398. 14) DEED BOOK 480A, PAGE 399. 15) DEED BOOK 480A, PAGE 400.

THIS PLAN WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, FIRM, OR ENTITY NAMED IN THE INSTRUMENT. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE SURVEYOR.



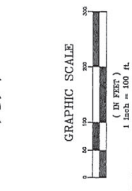
Land Development Surveyors, Inc. P.O. Box 2050 1700 Peachtree Road, N.E. Atlanta, GA 30329

ASHMORE LAKES. Located in Land Lot 341 & 342 of the 7th Land District, Gwinnett County, Georgia. Scale 1"=100'

Table with columns for Date, Description, and Sheet Title. Row 1: 2/21/23, LOT PLAN FOR, 1 OF 2. Row 2: 23112, SHEET TITLE, 1 OF 2. Row 3: [Blank], CHECKED, [Blank]. Row 4: [Blank], DRAWN, [Blank].

Table with columns for Date and Description. Row 1: 2/21/23, LOT PLAN FOR. Row 2: 23112, SHEET TITLE. Row 3: [Blank], CHECKED. Row 4: [Blank], DRAWN.

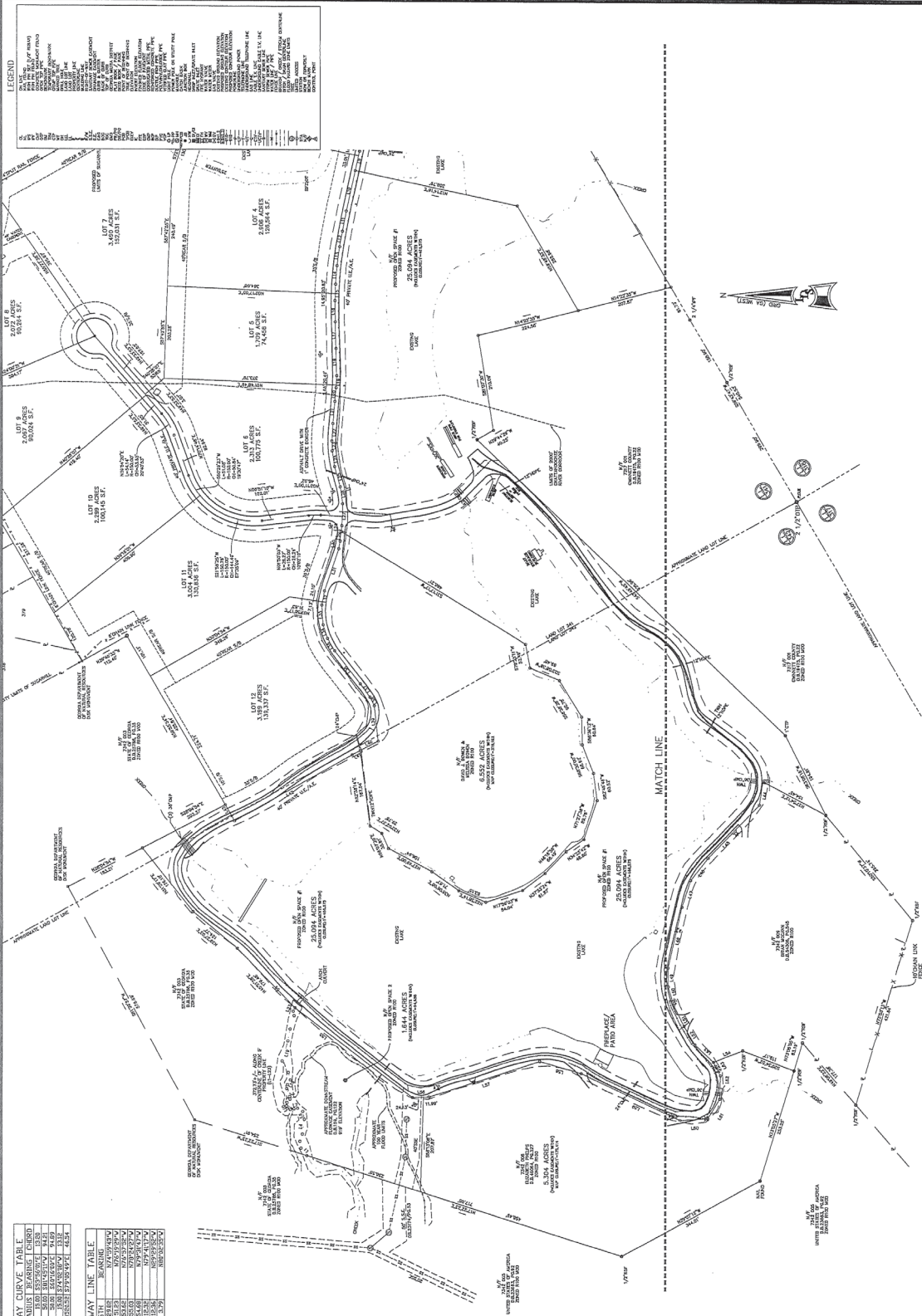
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DATE NO DESCRIPTION: 2/21/23, LOT PLAN FOR. SHEET TITLE: 1 OF 2. CHECKED: [Blank]. DRAWN: [Blank].



RIGHT-OF-WAY CURVE TABLE

STATION	CHORD BEARING	CHORD LENGTH	ARC BEARING	ARC LENGTH
1+00	S 89° 56' 15" W	150.00	89° 56' 15"	150.00
1+05	S 89° 56' 15" W	150.00	89° 56' 15"	150.00
1+10	S 89° 56' 15" W	150.00	89° 56' 15"	150.00
1+15	S 89° 56' 15" W	150.00	89° 56' 15"	150.00
1+20	S 89° 56' 15" W	150.00	89° 56' 15"	150.00
1+25	S 89° 56' 15" W	150.00	89° 56' 15"	150.00
1+30	S 89° 56' 15" W	150.00	89° 56' 15"	150.00
1+35	S 89° 56' 15" W	150.00	89° 56' 15"	150.00
1+40	S 89° 56' 15" W	150.00	89° 56' 15"	150.00
1+45	S 89° 56' 15" W	150.00	89° 56' 15"	150.00
1+50	S 89° 56' 15" W	150.00	89° 56' 15"	150.00

RIGHT-OF-WAY LINE TABLE

LINE	LENGTH	BEARING
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CENTERLINE CREEK LINE TABLE

LINE	LENGTH	BEARING
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12	150.00	S 89° 56' 15" W

THIS PLAN WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, FIRM, OR ENTITY NAMED IN THE CONTRACT THEREON. NO OTHER PERSONS OR ENTITIES SHALL BE HELD RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PLAN. THE SURVEYOR'S LIABILITY IS LIMITED TO THE PROFESSIONAL STANDARD OF CARE AND SHALL NOT BE HELD RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PLAN. THE SURVEYOR'S LIABILITY IS LIMITED TO THE PROFESSIONAL STANDARD OF CARE AND SHALL NOT BE HELD RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PLAN.

LEGEND

- PROPERTY LINE
- RIGHT-OF-WAY LINE
- EXISTING ROAD
- PROPOSED ROAD
- EXISTING LOT
- PROPOSED LOT
- EXISTING CURB
- PROPOSED CURB
- EXISTING DRIVE
- PROPOSED DRIVE
- EXISTING SIDEWALK
- PROPOSED SIDEWALK
- EXISTING UTILITY
- PROPOSED UTILITY
- EXISTING TREE
- PROPOSED TREE
- EXISTING FENCE
- PROPOSED FENCE
- EXISTING WALL
- PROPOSED WALL
- EXISTING POLE
- PROPOSED POLE
- EXISTING SIGN
- PROPOSED SIGN
- EXISTING LIGHT
- PROPOSED LIGHT
- EXISTING BENCH
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- EXISTING BIKEWAY
- PROPOSED BIKEWAY
- EXISTING TRAIL
- PROPOSED TRAIL
- EXISTING CANAL
- PROPOSED CANAL
- EXISTING DRAINAGE
- PROPOSED DRAINAGE
- EXISTING FLOOD WALL
- PROPOSED FLOOD WALL
- EXISTING EROSION CONTROL
- PROPOSED EROSION CONTROL
- EXISTING LANDSCAPE
- PROPOSED LANDSCAPE
- EXISTING PLANTING
- PROPOSED PLANTING
- EXISTING PAVING
- PROPOSED PAVING
- EXISTING CONCRETE
- PROPOSED CONCRETE
- EXISTING METAL
- PROPOSED METAL
- EXISTING WOOD
- PROPOSED WOOD
- EXISTING BRICK
- PROPOSED BRICK
- EXISTING STONE
- PROPOSED STONE
- EXISTING GLASS
- PROPOSED GLASS
- EXISTING CERAMIC
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- EXISTING TILE
- PROPOSED TILE
- EXISTING CARPET
- PROPOSED CARPET
- EXISTING FLOORING
- PROPOSED FLOORING
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- EXISTING WALLPAPER
- PROPOSED WALLPAPER
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- EXISTING MONITOR
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- EXISTING SENSOR
- PROPOSED SENSOR
- EXISTING ACTUATOR
- PROPOSED ACTUATOR
- EXISTING CONTROLLER
- PROPOSED CONTROLLER
- EXISTING SYSTEM
- PROPOSED SYSTEM
- EXISTING NETWORK
- PROPOSED NETWORK
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- EXISTING APPLICATION
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- EXISTING SUPPORT
- PROPOSED SUPPORT
- EXISTING MAINTENANCE
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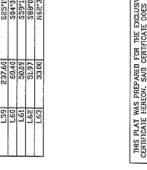
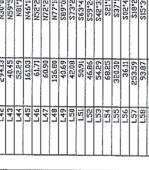
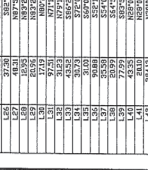
2 OF 2

DATE: 2/21/23
 JOB NUMBER: 23119

LOT PLAN FOR:
 SHEET TITLE:
 FIELD: [] CHECKED: []
 K.A.C.T.: [] R.S.F.: [] L.U.I.: []

ASHMORE LAKES
 LOCATED IN LAND LOT 341 & 342 OF THE 7TH LAND DISTRICT,
 GWINNETT COUNTY, GEORGIA SCALE 1"=100'

Land Development
 Surveyors, Inc.
 P.O. BOX 20009
 (770) 482-4208
 COV. LSF #00032



March 10, 2023

Kaipo Awana
City of Sugar Hill Planning Director
5039 West Broad Street
Sugar Hill, Georgia 30518

RE: Annexation and Rezoning Application for 75.80 Acres

To whom it may concern:

Please accept this letter of intent to request Annexation and Rezoning for the properties located at the end of Kennedy Road and bordering Ramey Road as discussed in meetings with the City. There are nine parcels in the annexation as follows: 7341 015, 7341 260, 7341 261, 7341, 263, 7341 264, 7341 273, 7341 302, 7342 008, and 7342 010. The property is currently zoned R100 in unincorporated Gwinnett County and is approximately 75.80 acres in size. This application requests rezoning to RS150.

All properties are under the ownership of Melissa Bowen, et al and Beth Phelps. There are three homes currently on the submitted site plan that will remain and are delineated within the attached layout. In addition to the three existing homes, the application requests approval of creating twelve additional lots ranging in size from 1.467 acres to 3.99 acres as shown on the submitted site plan. In totality, the project will have fifteen lots, 3 existing and 12 new lots created through the rezoning and exemption plat process.

No new development work will be required as a part of this annexation and rezoning request. The infrastructure for the project is existing with private streets, Sugar Hill Gas and Gwinnett County Water.

The project will be large, estate style lots as reflected on the submitted plan. The lots inside the gate are designed to minimize impacts by tying into the existing private drive that currently serves the property. The project layout has also already been reviewed and approved with the Chattahoochee River Corridor and MRPA.

The applicant is requesting a variance for the proposed lots on the zoning exhibit as enumerated per the following sections of the Sugar Hill Zoning Ordinance:

Table 9.1 - Lot and Building Dimensional Standards – height maximum.

Lot 1-12 Variance for maximum height from 35' to 45'.

The builder is proposing to construct quality single family houses that will be an asset to the community. As part of this rezoning and annexation request, the builder is proposing the following conditions for the planned homes and lots:

1. The minimum square footage for each home shall be 3,500 square feet.
2. Each home will have a minimum of a three-car garage and architectural treatments of brick, stone, shake or cement siding. A mandatory HOA has been established for architectural review to ensure the new homes complement the homes on the property.
3. The private street is a minimum of 20 feet in width and is located within a shared access/utility easement. A mandatory HOA has been established for perpetual maintenance of the drive and shared access rights.

The minimum lot square footage for RS150 required by the City of Sugar Hill Development Regulations is 15,000 square feet. The minimum lot size shown on the proposed exemption plat zoning exhibit is approximately 63,197 square feet. The rezoning and annexation request will not be detrimental or injurious to the other properties in the neighborhood or surrounding area.

We appreciate your consideration of this annexation and rezoning request, and please do not hesitate to contact me with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Corbitt Woods". The signature is written in a cursive, flowing style.

Corbitt Woods, as applicant for the owners