

August 27, 2024

TO: Claire Weatherly
Planning and Zoning, City of Sugar Hill, GA

FROM: David Lee
Hillside Holdings and Good News Church
dlee@whbass.com, cell 770-862-6586

RE: Withdrawal Of Application AX-24-002 for Annexation and Re-Zoning of Property on Hillside Farm Rd;

Pursuant to our conversation earlier today, we hereby withdraw our application to annex and re-zone the residential lots on Hillside farm Rd, that are listed under AX-24-002. We intend to revise the application and resubmit it by Sept 25th so we can get on the agenda for the next Planning Commission meeting, which I believe is October 21, and the subsequent City Council meeting on November 11th.

If there is anything else we need to do or provide in the meantime, please advise me.

Thank you.

David Lee

City of Sugar Hill
 Planning Staff Report
AX 24-002

DATE: August 28, 2024
TO: Mayor and Council
FROM: Planning Director
SUBJECT: Annex and Rezone AX 24-002
 5871 Hillside Farm Road, 545 Riverside Road, 5955 Suwanee Dam Road, 5758 Suwanee Dam Road, Hillside Farm Road, 5973 Suwanee Dam Road, and 545 Riverside Road
 Tax Parcels: **7-339-121, 7-339-057, 7-339-294, 7-339-221, 7-339-293, 7-339-026A, and 7-339-025**

ISSUE: Annexation of tax parcels 7-339-121, 7-339-057, 7-339-294, 7-339-221, 7-339-293, 7-339-026A, and 7-339-025, outlined in Figure 1, with a total of approximately 28.8 acres, was initiated by an application in care of Hillside Holding LLC, dated June 26, 2024.

Applicant is requesting General Business (BG) for an event venue, microbrewery/brewpub, and chapel/worship center for parcels 7-339-121, 7-339-057, and 7-339-294.

Figure 1

Parcel ID	Address	Acreage	Current Zoning	Owner	Requested Zoning
7-339-121	5871 HILLSIDE FARM RD	12.77	RA200	Denise Estes, Hugh Buice, Michael Buice, and Ronald Buice	BG
7-339-057	545 RIVERSIDE RD	6.87	R100	Denise Estes, Hugh Buice, Michael Buice, and Ronald Buice	BG
7-339-294	5955 SUWANEE DAM RD	4.35	RA200	Denise Estes, Hugh Buice, Michael Buice, and Ronald Buice	BG
7-339-221	5758 SUWANEE DAM RD	1.94	RA200	GEORGIA TRANSMISSION CORP	AF
7-339-293	HILLSIDE FARM RD	0.51	RA200	GEORGIA TRANSMISSION CORP	AF
7-339-026A	5973 SUWANEE DAM RD	1.01	R100	Todd Maron Buice	RS-100
7-339-025	545 RIVERSIDE RD	1.35	R100	SANZA REAL ESTATE HOLDINGS LLC	RS-100

R100 – Single-Family Residence District (Gwinnett County)

RA200 – Agriculture-Residence District (Gwinnett County)

AF – Agriculture-Forest District (City of Sugar Hill)

RS-100 – Single-Family Residential District (City of Sugar Hill)

BG – General Business (City of Sugar Hill)

RECOMMENDED ACTION

Recommend approval of annexation of Parcels 7-339-121, 7-339-057, 7-339-294, 7-339-026A, 7-339-025, 7-339-221 and 7-339-293.

Recommend approval of rezoning and special use permit for an event center for Parcels 7-339-121, 7-339-057, and 7-339-294 with the following conditions:

1. The development shall substantially conform to the site plan (Exhibits 1-2) submitted with the application, particularly regarding its general features, placement, and alignments. However, alterations necessary to accommodate other conditions specified herein are permitted without additional Mayor and City Council approval, provided they align with the spirit and context of the approval as determined by the Planning Department.
2. A traffic study shall be required, with the methodology developed in coordination with the Planning Department staff and approved by GDOT as part of the land disturbance permitting process. The applicant shall be responsible for implementing any recommended or warranted project-level improvements at their own cost. At a minimum, the applicant must collaborate with the Planning Department to design and execute transportation improvements, including the alignment of the stop-controlled intersection and any necessary on-site driveway enhancements to facilitate access from the adjacent Sugar Hill Corners shopping center.
3. The applicant shall secure an easement or demonstrate that an existing easement authorizes or has been amended to authorize access for the proposed development from the owner of the Sugar Hill Corners shopping center. This easement shall be submitted prior to the issuance of the land disturbance permit.
4. All existing structures which are not proposed to be demolished shall be brought into compliance based on their proposed occupancy in relation to the current International Building Code and other applicable codes.
5. Any proposed pickleball courts shall be a minimum of 500' from residential properties. If soundproofing/sound absorption products are used, courts shall be a minimum of 250' from residential properties.
6. Natural gas appliances shall be used where alterations or additions are made for the initiation of the commercial uses.
7. The zoning buffer shall be reduced to 50' from 75' for parcel 7-339-121 for an existing structure. No further removal of vegetation or encroachment into the buffer is permitted. Unless as otherwise required by the conditions of the rezoning, other applicable codes, or usual and customary maintenance, exterior expansions of the existing structure are not permitted.
8. The zoning buffer shall be reduced to 15' from 75' for parcel 7-339-057 for an existing structure, driveway, and clearing. Use of the reduced buffer area shall be limited to the existing structure and driveway and proposed overflow parking, where no further removal of vegetation or encroachment into the buffer is permitted. Unless as otherwise required by the conditions of the rezoning, other applicable codes, or usual and customary maintenance, exterior expansion of the existing structures is not permitted.

Recommend approval of rezoning for Parcels 7-339-026A, 7-339-025, 7-339-221 and 7-339-293.

PLANNING COMMISSION PUBLIC HEARING AND RECOMMENDATION

The Planning Commission held a scheduled public hearing on August 19, 2024. Planning Commission Member Jason Jones recused himself from the hearing due to a conflict of interest. The public hearing was opened. Applicant representatives Drue Warner and David Lee spoke on behalf of this request. Those who spoke in support of the request were Ron Buice, Sally S. Althoff, and Peter Tiborczeghi. Citizens who filled out cards who were in Support but did not speak included David Bucker, Civil Engineer for the applicant, Hernando Saenz and Debbie Saenz. General comments of support included the low intensity use of the property, sufficient screening, and good personal relations with the applicants and property owners.

Those who spoke in opposition of the request were Marla King, Alex Lewandoski, Eric Cicero, Michael Palmer, Andrew Hubbard, Robert Deem, Josh Ingle, James January, and Michael Widjaja. Concerns pertained to traffic flow, safety concerns, density, and transparency concerns. Citizens who filled out cards who were in Opposition but did not speak included Anastasia Widjaja, Michele Ferrell, L.J. Grisko, Gary Daniels, Caitlin Wilson, Darrell Wilson Jr., Karina J. Pineda, Travis Cooper, and Philippe Bayard.

Planning Commission Member Phil Olsen made a motion to annex the seven specified parcels. Planning Commission Member Mark Daniels made the second. Motion to table approved 3-1. (Brian Shebs opposed).

Planning Commission Member Brian Shebs made a motion to table the rezoning of parcels 7-339-121, 7-339-057, and 7-339-294 to General Business (BG). Planning Commission Member Rosemary Walsh made the second. Motion to table approved 3-0-1. (Phil Olsen abstained).

Planning Commission Member mark Daniels made a motion to approve rezoning of parcels 7-339-026A, 7-339-025, 7-339-221 and 7-339-293 to their respective designations. Planning Commission Member Rosemary Walsh made the second. Motion to table approved 3-1. (Brian Shebs opposed).

DISCUSSION

- The proposed annexation meets state requirements under the 60% method and does not create an unincorporated island. Gwinnett County Board of Commissioners and Gwinnett County Public School Board were notified of the application.
- The 60% method requires written and signed application of not less than 60 percent of the electors residing in the area and of the owners of not less than 60 percent of the land area, by acreage, included in such application.
- The parcels are located between a commercial node, residential areas, and vacant land designated as greenspace. The future land use designation for the property in the County is traditional residential.

Parcels 7-339-121, 7-339-057, and 7-339-294

- The proposed uses for parcels 7-339-121, 7-339-057, and 7-339-294 include an event center, brewpub, and worship center. The worship center is aimed to provide a meeting place for an existing congregation.
- Proposed improvements to parcels 7-339-121, 7-339-057, and 7-339-294 include improving Hillside Farm Road for access, sidewalks for connectivity, and parking for associated uses in addition to 3 new buildings for the associated uses. A nature trail and pickleball courts are proposed recreational amenities. A small outdoor stage is provided behind the proposed brewpub to allow for small-scale live entertainment.
- The applicant requests a variance for the 75' buffer for BG against residential to be decreased to 60' for an existing house and proposed parking. This property abuts the Emerald Lakes neighborhood. Additional discretionary improvements to the existing structure encroaching the buffer are not proposed.

- The applicant requests a variance for the 75' buffer for BG against residential to be decreased to 15' for an existing log cabin and driveway. While the applicant is not currently proposing additional improvements, they request the flexibility to improve the site in the future to accommodate overflow parking. This buffer abuts a vacant City of Sugar Hill owned property with a recreation future land use designation.
- The applicant requests a special use permit for an event venue. The main proposed event venue would be aimed toward weddings and similar events. The event venue (labeled structure 5) has over 300' of undisturbed buffer against the adjacent neighborhood which is significantly higher than the required 50' undisturbed buffer. City regulations limit the hours of operation to 8 a.m. to 9:00 p.m. Sunday through Thursday and 8:00 a.m. to 11:00 p.m. Friday and Saturday.
- The applicant has stated intent for a brew pub at this time. It is required that they apply for a special use permit to pursue a microbrewery in the future, and the applicant has been made aware of this requirement.
- The subject property is currently developed with multiple single-family residences and has access through the Sugar Hill Corners shopping center. The proposal includes utilizing four of the existing buildings. Recreational uses such as a nature trail and a pickleball court may be included.
- The subject property is proposed to host both a for-profit event facility with supportive uses and a not-for-profit place of worship. Due to the unique combination of uses with differing tax statuses, staff has requested that the applicant present the proposed tax liability for the property to ensure proper identification for tax purposes.

Parcels 7-339-026A and 7-339-025

- Proposed to retain their current use as single-family residences.
- There are no proposed changes to parcels in use or built structure.
- Proposed rezoning to RS-100 (single-family residential) as the most similar Sugar Hill designation as their current Gwinnett County zoning (R100).

Parcels 7-339-221 and 7-339-293

- Owned by the Georgia Transmission Corporation and holds a substation.
- There are no proposed changes to these parcels in use or built structure.
- Proposed rezoning to AF (Agriculture-Forest District) as the most similar Sugar Hill designation as their current zoning (RA200).

BACKGROUND

Applicant / Owner:	Hillside Holding, LLC
Existing Zoning:	Single-family residential (R100) and Agriculture-Residence (RA200) in Gwinnett County.
Request:	Annex and rezone to BG, RS-100, and AF.
Purpose:	Brewpub, Event Venue, and Chapel/Worship Center

Property Size: ± 28.8 Acres

Location: 5871 Hillside Farm Road, 545 Riverside Road, 5955 Suwanee Dam Road, 5758 Suwanee Dam Road, Hillside Farm Road, 5973 Suwanee Dam Road, and 545 Riverside Road; Tax Parcels # 7-339-121, 7-339-057, 7-339-294, 7-339-221, 7-339-293, 7-339-026A, and 7-339-0257-348-001A

Public Notice: Public notice signs were posted on 8/2/24. Legal advertisements were published in the Gwinnett Daily Post on 8/4/24, 8/28/24, & 9/4/24.

Public Comment At the August 12, 2024, City Council meeting, two community members made comments opposing the annexation/rezoning citing concerns about intensity of uses, traffic safety, and noise concerns. Planning staff received one email requesting denial of the annexation/rezoning.

FINDINGS OF FACT

Surrounding Land Use and Zoning

Direction	Existing Land Use	Existing Zoning
North	Single family residences (Gwinnett County)	R-100
South	Emerald Lake subdivision (Gwinnett County)	R-100
East	Vacant City of Sugar Hill owned property	RS-150
West	Sugar Hill Corner Shopping Center	BG

R100 – Single-Family Residence District (Gwinnett County); RS-150 – Single-Family Residential District (City of Sugar Hill); BG – General Business (City of Sugar Hill)

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 for four of the seven parcels reflects their current zoning and connects with the surrounding uses and zoning classifications. The three parcels requested to be zoned to BG (General Business) are adjacent to an existing commercial shopping center and vacant City owned property. The proposed uses on the property are smaller scale and less intensive than the adjoining shopping center.

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 applicant will be utilizing existing driveways and access points within the shopping center to provide access to the property. While the traffic along Hillcrest Farm Road will increase during event hours, it is not anticipated that it will have a significant impact on surrounding properties. Access from Riverside Road or Suwanee Dam Road is not proposed due to topological and aesthetic constraints.

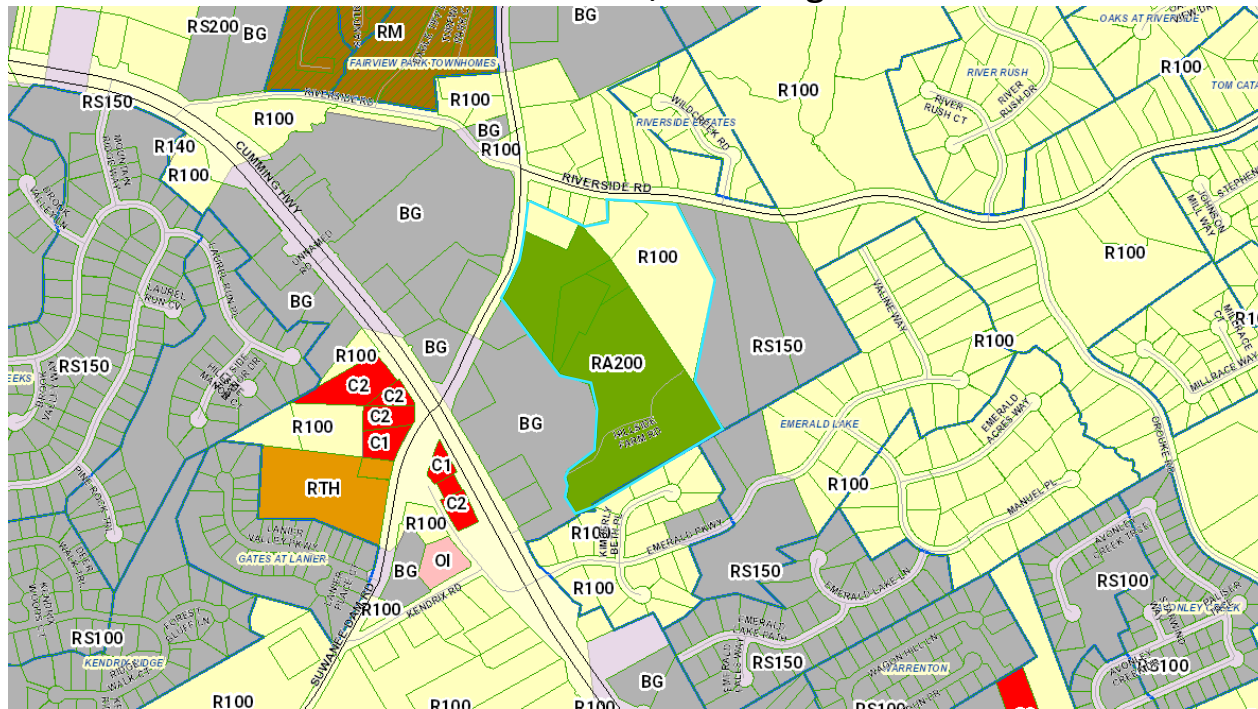
5. Does the rezoning requested conform to the Sugar Hill Land Use Plan?

Yes. The property is located at the intersection of Neighborhoods and Commercial Node lands designated by the city and Traditional Residential lands designated by the county. The requested BG zoning provides for appropriate land use commensurate with existing land uses adjacent to the property. The residential properties, as well as the existing power substation, will remain entirely as-is as they relate to this application.

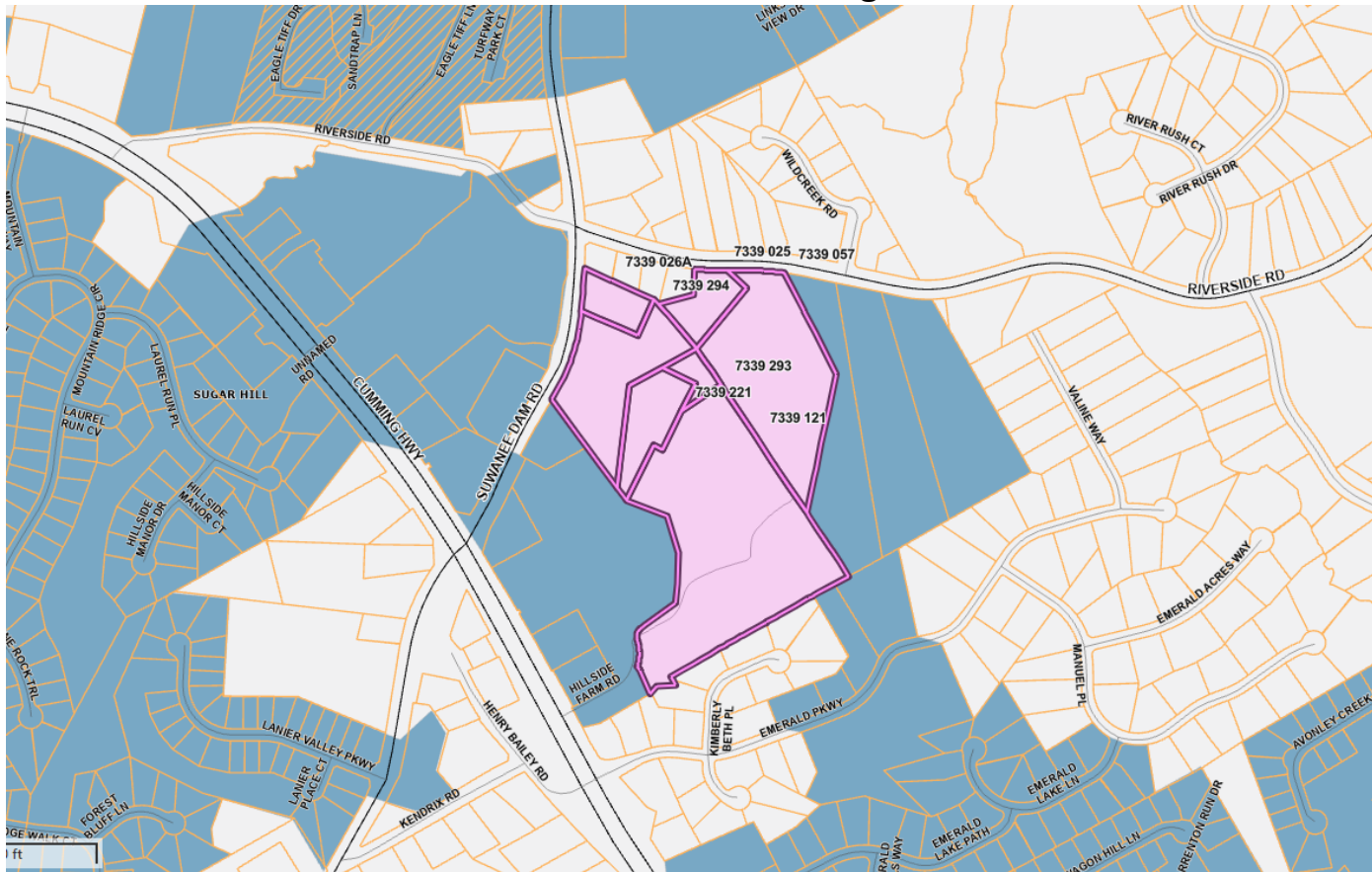
6. Are there other existing or changing conditions affecting the use and development of the property which would give support to an approval or disapproval of the rezoning request?

No.

AX-24-002
ADJACENT ZONING MAP
Annexation/Rezoning



AX-24-002
LOCATION MAP
Annexation/Rezoning



March 14, 2023

City of Sugar Hill
Attn: Kaipo Awana
5039 West Broad Street
Sugar Hill, GA 30518

RE: Letter of Intent

Dear Kaipo:

Hillside Holding, LLC is proposing to annex and rezone approximately 24.6 acres into the City of Sugar Hill, GA. The proposed development will consist of an Event Center, Chapel and Microbrewery or Brewpub. The site is currently zoned RA200 and RA100 but must be rezoned to "BG" General Business District to allow for the Microbrewery/Brewpub. The development intends to keep the natural layout of the land and place proposed buildings and parking to minimize land impact. Some of the existing homes will be retained and repurposed to accommodate these plans. Proposed building heights will be limited to the zoning ordinance of 45'. The parking is anticipated at about 125 spaces based on the current conceptual site plan. The proposed development may include support resources such as pickleball courts and other recreational areas as part of the development.

Rezoning to "BG" General Business District will create a 75' wide buffer against the Emerald Lake Subdivision. We request a variance to permit an existing house and parking that lie within the limits of this buffer, approximately 60 feet from the property line. No additional improvements are proposed within the limits of this buffer.

In addition, the rezoning will establish a 75' buffer along the common property line with the City of Sugar Hill. This area contains an existing log cabin and driveway that are within approximately 15' from the property line. We request a variance to establish the limits of existing improvements to serve as the buffer line along this property line and permit the opportunity for future improvements that may be needed within these limits.

Thank you for your time and consideration.

Sincerely,
FORESITE GROUP, LLC

David Buckel

David Buckel
VP Site Development



SUGAR HILL EVENT VENUE

CONCEPT RENDERING



SUGAR HILL EVENT VENUE

CONCEPT RENDERING