

City of Sugar Hill
Planning Staff Report
RZ 24-002

DATE: August 28, 2024
TO: Mayor and Council
FROM: Planning Department
SUBJECT: Rezone to RS-100 SRD
1374 Hillcrest Drive; R7-305-007

ISSUE The City of Sugar Hill has received an application, dated June 28, 2024, from Phelps Family Properties, LLC to rezone the subject property from RS-100 to RS-100 SRD (Senior Residential District) for detached and attached senior residences.

RECOMMENDED ACTION

Recommend approval of request to rezone 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. All streets, alleys, sidewalks, common area landscaping and storm water infrastructure shall be privately owned and maintained by the homeowners' association (HOA). A copy of the deed dedicating said infrastructure to the HOA and recorded covenants specifying maintenance of the infrastructure shall be provided to the city prior to approval of the final plat. Developer shall establish a capital reserve fund with a minimum balance of \$50,000 for the HOA to use for the future maintenance thereof prior to certificate of occupancy for 50% of the homes.
3. Covenants shall stipulate that no more than 20% of the total number of dwelling units are allowed to be leased at any one time. Notice shall be recorded in the covenants.
4. At least three natural gas appliances shall be installed within each unit prior to a certificate of occupancy.
5. Landscaping adjacent to existing single-family detached neighborhoods shall be subject to review and approval by the Planning Department. The proposed 25' open space strip shall require an appropriate level of screening against the existing neighborhoods. At a minimum, a 10-foot landscape buffer shall be provided where single-family attached units border existing single-family detached units in order to provide suitable screening.
6. For purposes of calculation towards the open space requirement, designated areas shall consist of enhanced landscaping, benches, tables, gazebos, pergolas, or any other combination of recreational elements as reviewed and approved by the Planning Department in order to count toward the open space requirement.
7. Applicant shall work with the city to develop the proposed stormwater detention facility into an attractive amenity pond, subject to review and approval by the Planning Department.
8. If warrants are met, install a crossing in accordance with the Manual on Uniform Traffic Control Devices (MUTCD). Priority shall be given to installing a Rectangular Rapid Flashing Beacon (RRFB) and a crosswalk. The crossing shall connect the subject property to the southside sidewalk along Hillcrest Drive, providing safe and efficient access from the property

to the Greenway. The area making up this connection to the sidewalk may be credited toward open space requirements.

9. A 10-foot landscape strip along Hillcrest Drive is required, comprising of a row of street trees at intervals of 25-feet on center. Intervals may be adjusted based on site conditions such as utility and pedestrian path conflicts.
10. The vertical plane of each dwelling unit's primary front and rear façade shall modulate back and forth a minimum of 2' from the vertical plane of the dwelling units to either side.
11. Units shall be constructed in such a way to create unique character for each dwelling unit, with cohesive design elements to unify the dwellings into the overall development.

PLANNING COMMISSION PUBLIC HEARING AND RECOMMENDATION

The Planning Commission held a scheduled public hearing on August 19, 2024. Applicant representative Shane Lanham spoke on behalf of this request. The public hearing was opened. Opposition comments were made by Joni Sheridan, Andrew Schulz, Phillip Stedman, and Gina Sellers. Concerns highlighted density of the project, additional density in the area created by neighboring projects, traffic concerns, and pedestrian safety concerns. Preference for housing utilizing the existing requirements for RS-100 were indicated as preferable to the SRD designation.

Planning Commission Member Brian Shebs made a motion to recommend denial of the rezoning request. Planning Commission Member Jason Jones made the second. Motion approved 5-0.

DISCUSSION

- Senior residential developments (SRDs) are intended to provide accessible communities for aging residents.
- Building standards for Senior Residential Developments include standards for accessibility including at least one step free entrance, levered door handles, minimum of 36" wide passage doorways throughout the unit, and levered faucets.
- The subject parcel is located along Hillcrest Drive in a largely residential area. Situated on Hillcrest Drive, this proposed development would be in close proximity to downtown Sugar Hill as well as carries potential to connect to the greenway across Hillcrest Drive.
- The proposed development consists of 66 single family units: 34 detached units and 32 attached units. Total density of the project would be 5.9 units per acre.
- The applicant is requesting a variance for age restriction requirement for the attached homes from 80% to 50% occupied by at least one person aged 55 years or older. The age restriction requirement would remain at 80% for the detached units. Staff recommendations do not include provisions for the requested variance.
- The applicant is requesting a variance for a reduction of the minimum lot width to 40' from 45'.
- Attached homes create a transition of development intensity from the multifamily project across Hillcrest Drive and the neighboring single-family detached subdivisions. With the attached homes placed along Hillcrest Drive and the detached homes abutting the existing single-family detached subdivisions, this organization provides a smoother transition.
- Homes are proposed to range from 1,400 to 1,800 square feet. Each residence is proposed to have either a one- or two-car garage.
- A minimum of 25% of the property must be reserved for open space. Currently, this standard is being met through inclusion of stormwater detention as a pond amenity. Detention facilities

are not considered a part of open space, so the inclusion of the stormwater facility will require enhanced aesthetic improvements to the design for the enjoyment of residents.

- A 25' opaque landscape buffer is required along the exterior of the development. There is currently a 25' open space strip around the perimeter contributing to the 25% open space requirement. The applicant has not specified their intent for landscaping with this designated open space.
- Currently, the proposed plan shows a 6' sidewalk on one side of the street and a 5' sidewalk on the other side. Sidewalks within SRD developments are required to be 6' in width along both sides of interior streets.
- A 10' landscape strip at Hillcrest Dr frontage and sidewalk along the frontage is required. Proposed site design does not note a 10' landscape strip and may include encroachment into the required landscape strip.
- The site design includes a 25' encroachment into the building setback along Hillcrest Drive. Applicant requests a variance from the 45' building setback from a collector street.
- The applicant has not submitted elevations or renderings of the detached or attached units. Although the property is not located within an overlay district, staff has recommended conditions to ensure a minimal level of architectural guidance consistency with the proposed use. This will help create a cohesive transition in vernacular.

BACKGROUND

Applicant/Owner: Phelps Family Properties, LLC c/o Mahaffey Pickens Tucker, LLP

Existing Zoning: RS-100

Request(s): Rezone to RS-100 SRD

Purpose: Senior attached and detached residences

Property Size: ± 11.568 acres

Location: 1374 Hillcrest Drive
Tax parcel: 7-305-007

Public Notice: Letters to adjoining owners via USPS regular mail on 7/17/24
Sign posted at 1374 Hillcrest Drive on 7/17/24
Ad in legal section of Gwinnett Daily Post on 7/17/24

Public Comments: Staff received an email requesting that the rezoning be tabled.

FINDINGS OF FACT

Surrounding Land Use and Zoning

Direction	Existing Land Use	Existing Zoning
North	Neighborhood in Sugar Hill city limits	MH
South	Residences in Conclave at Sugar Hill	BG
East	The Glens neighborhood in Sugar Hill city limits	RS100
West	Sugar Brook neighborhood in Sugar Hill city limits	RS100

*City of Sugar Hill: Medium Density Single Family Residential (RS100), General Business (BG), Mobile Home (MH)
Gwinnett County: Single Family Residential (R100)*

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 proposed development is located within an existing residential area and is surrounded by established neighborhoods and one new multifamily development.

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

No, as a residential development, it would be the same use as the surrounding 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 subject site is located in the Lanier cluster (Sycamore Elementary school). Being a senior residential development, there should be little impact to surrounding schools. Project access coordination with Georgia Department of Transportation will be required.

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

Yes, the property is currently located within an existing residential area, bounded by established neighborhoods. This property is surrounded by residential developments of higher and similar densities. With proximity to the downtown core and potential to connect to the Sugar Hill greenway, this development may promote utilization of a variety of transportation options.

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?

Excerpts from the Comprehensive Plan (2019):

Revitalize aging commercial and residential areas through redevelopment and infill strategies.

Matthew P. Benson
Catherine W. Davidson
Gerald Davidson, Jr.*
Brian T. Easley
Rebecca B. Gober
Christopher D. Holbrook
Shane M. Lanham
Julia A. Maxwell

Jeffrey R. Mahaffey
Jessica R. Pickens
Steven A. Pickens
Jack M. Ryan
Gabrielle H. Schaller
S. Tess Shaheen
Andrew D. Stancil
R. Lee Tucker, Jr.

*Of Counsel

**LETTER OF INTENT FOR REZONING APPLICATION OF
PHELPS FAMILY PROPERTIES, LLC**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Rezoning application (the "Application") on behalf of Phelps Family Properties, LLC (the "Applicant") relative to an approximately 11.568-acre tract of land (the "Property") located at 1374 Hillcrest Drive. The Property consists of tax parcel 7305-007. The Applicant requests that the City of Sugar Hill (the "City") maintain the RS-100 zoning classification and add the SRD Overlay to develop the Property for detached senior residences and townhomes.

The proposed development is designed to serve the housing needs of senior residents. The Property has road frontage on Hillcrest Drive. The Applicant is proposing to develop the Property into 34 senior living detached homes and 32 townhomes. The density of the development would be 5.90 units per acre, with homes ranging from 1,400 to 1,800 square feet. All homes will be under 35 feet in height. The homes will be designed with an attractive combination of materials; will have a modest and inviting landscaped yard; and each home will have a driveway for parking. The townhomes will be offered to potential residents fee-simple in the mid four hundred thousands, and the single family detached homes will be priced in the mid five hundred thousands. The proposed development will include an observation deck and boardwalk for residents to enjoy the natural amenities of the Property. The development would enjoy access to Hillcrest Drive from a full access driveway.

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The proposed development is compatible with surrounding uses. The character of the surrounding area is predominantly residential with convenient access to the City's downtown area. The property borders two single family detached subdivisions and a mobile home community. There will be two new residential developments across Hillcrest Drive from the Property in the future: the Refinery Sugar Hill Apartments and Novare Sugar Hill Mixed Use. The Refinery is an apartment complex and Novare will have 18 single-family attached townhomes and 288 apartment homes. The residents will enjoy convenient access to Sugar Hill's amenities like the Eagle Theater, which is about a three-minute drive from the subject property. As a targeted development for seniors, the proposed development will have little to no impact on the schools in the area. Because of the relatively low intensity of the development and its quiet nature, the proposed use is compatible with these existing uses and would provide appropriate land use to the area. The Applicant designed the proposed development to create space for seniors to age in place while still mingling with citizens of all ages, creating a multigenerational community. Additionally, the townhome portion of the development will serve as a transitional use between the Novare and Refinery developments and the single family detached portion of the development in the rear of the Property.

In the spirit of creating a multigenerational community that prioritizes seniors, the Applicant also requests the following relief from The Zoning Ordinance of the City of Sugar Hill, Georgia (the "Zoning Ordinance"):

- A variance from §1000(E) to reduce the age restriction requirement on the townhome portion of the proposed development to 50%. The single family detached portion of the development will maintain the 80% age restricted requirement of the Zoning Ordinance.

The proposed development is an appropriate land use on the Property because it supports the goals of the 2039 Comprehensive Plan (the "Plan"). The Property is located in the Neighborhoods Future Land Use Area that contemplates a variety of residential developments as potential development types. The proposed development will satisfy the goals of the Plan for the area by providing infill development that is in line with the surrounding neighborhoods and will

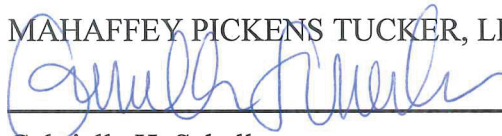
preserve community character. The Applicant intends to provide passive greenspace within the development for the potential residents to enjoy. The Plan's chapter on housing states that Sugar Hill's housing stock needs variety to meet the different needs and preferences of the community. Further, the Plan shows that the demand for housing is outrunning supply. Townhomes are only 5% of the housing supply. In the public involvement section of the Plan, community members voiced their desire for age-restricted housing options for citizens that want to age in place. The proposed development meets the goals of the Plan by providing an age-restricted community that includes both single family detached homes and townhomes.

The Applicant and its representatives welcome the opportunity to meet with Planning & Development staff to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application filed herewith. The Applicant respectfully requests your approval of the Application.

This ^{28th} day of June, 2024.

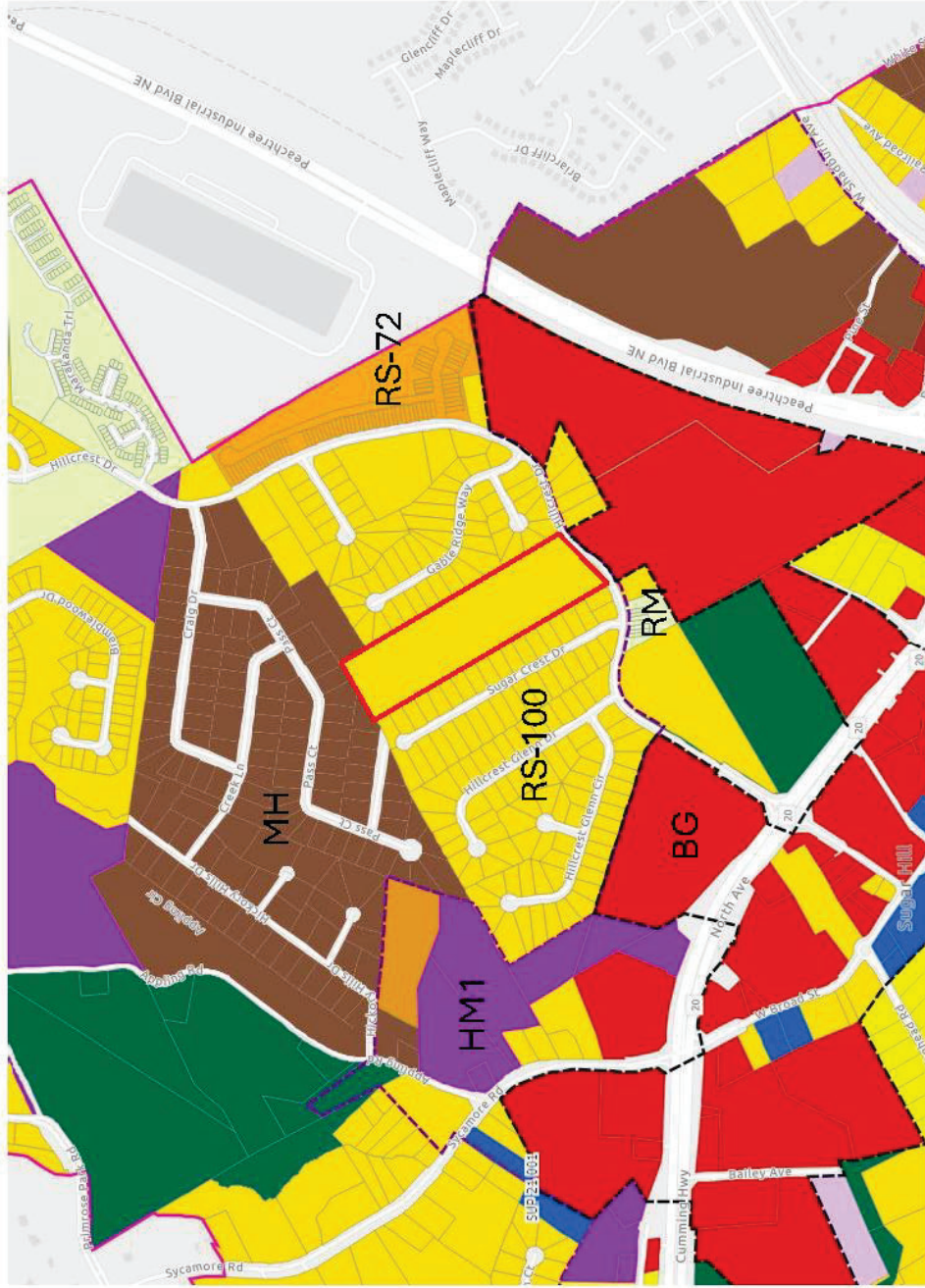
Respectfully Submitted,

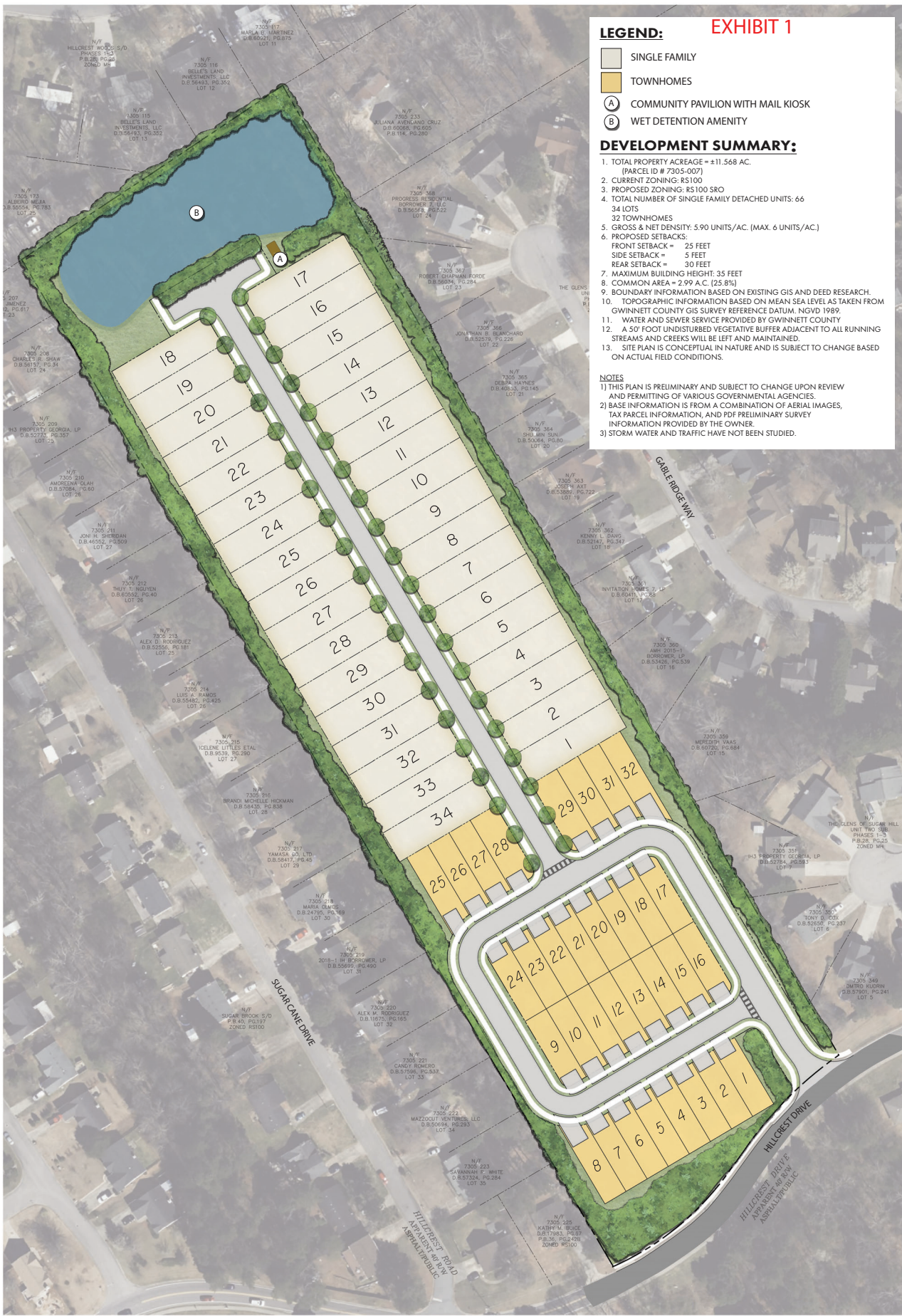
MAHAFFEY PICKENS TUCKER, LLP



Gabrielle H. Schaller
Attorneys for Applicant

RZ-24-002
ADJACENT ZONING MAP





LEGEND:

- SINGLE FAMILY
- TOWNHOMES
- (A) COMMUNITY PAVILION WITH MAIL KIOSK
- (B) WET DETENTION AMENITY

DEVELOPMENT SUMMARY:

1. TOTAL PROPERTY ACREAGE = ±11.568 AC. (PARCEL ID # 7305-007)
2. CURRENT ZONING: R5100
3. PROPOSED ZONING: R5100 SRO
4. TOTAL NUMBER OF SINGLE FAMILY DETACHED UNITS: 66
34 LOTS
32 TOWNHOMES
5. GROSS & NET DENSITY: 5.90 UNITS/AC. (MAX. 6 UNITS/AC.)
6. PROPOSED SETBACKS:
FRONT SETBACK = 25 FEET
SIDE SETBACK = 5 FEET
REAR SETBACK = 30 FEET
7. MAXIMUM BUILDING HEIGHT: 35 FEET
8. COMMON AREA = 2.99 AC. (25.8%)
9. BOUNDARY INFORMATION BASED ON EXISTING GIS AND DEED RESEARCH.
10. TOPOGRAPHIC INFORMATION BASED ON MEAN SEA LEVEL AS TAKEN FROM GWINNETT COUNTY GIS SURVEY REFERENCE DATUM, NGVD 1989.
11. WATER AND SEWER SERVICE PROVIDED BY GWINNETT COUNTY
12. A 50' FOOT UNDISTURBED VEGETATIVE BUFFER ADJACENT TO ALL RUNNING STREAMS AND CREEKS WILL BE LEFT AND MAINTAINED.
13. SITE PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGE BASED ON ACTUAL FIELD CONDITIONS.

NOTES

- 1) THIS PLAN IS PRELIMINARY AND SUBJECT TO CHANGE UPON REVIEW AND PERMITTING OF VARIOUS GOVERNMENTAL AGENCIES.
- 2) BASE INFORMATION IS FROM A COMBINATION OF AERIAL IMAGES, TAX PARCEL INFORMATION, AND PDF PRELIMINARY SURVEY INFORMATION PROVIDED BY THE OWNER.
- 3) STORM WATER AND TRAFFIC HAVE NOT BEEN STUDIED.

PREPARED FOR:

BBC INVESTMENT GROUP LLC

ILLUSTRATIVE CONCEPTUAL SITE PLAN

JULY 9, 2024

PREPARED BY:

THOMAS HUTTON

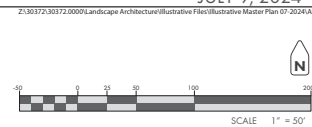
6074 BRISTOL INDUSTRIAL WAY SUITE A
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 WWW.THOMASANDHUTTON.COM

The information presented is general information of the development which is for informational purposes only. It does not constitute a contract. The information is subject to change and revision without prior written notice to the holder. Dimensions, boundaries and easement locations are for illustrative purposes only and are subject to an accurate survey and property description.

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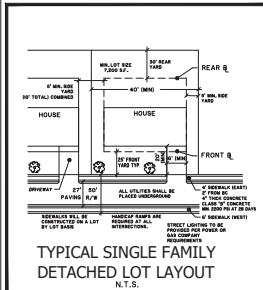
HAROLD T. PASS TRACT

SUGAR HILL, GA

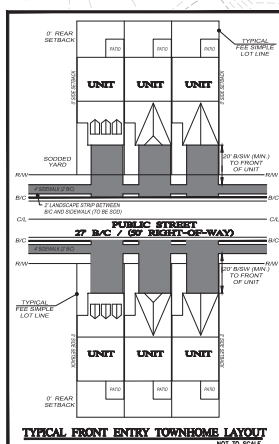
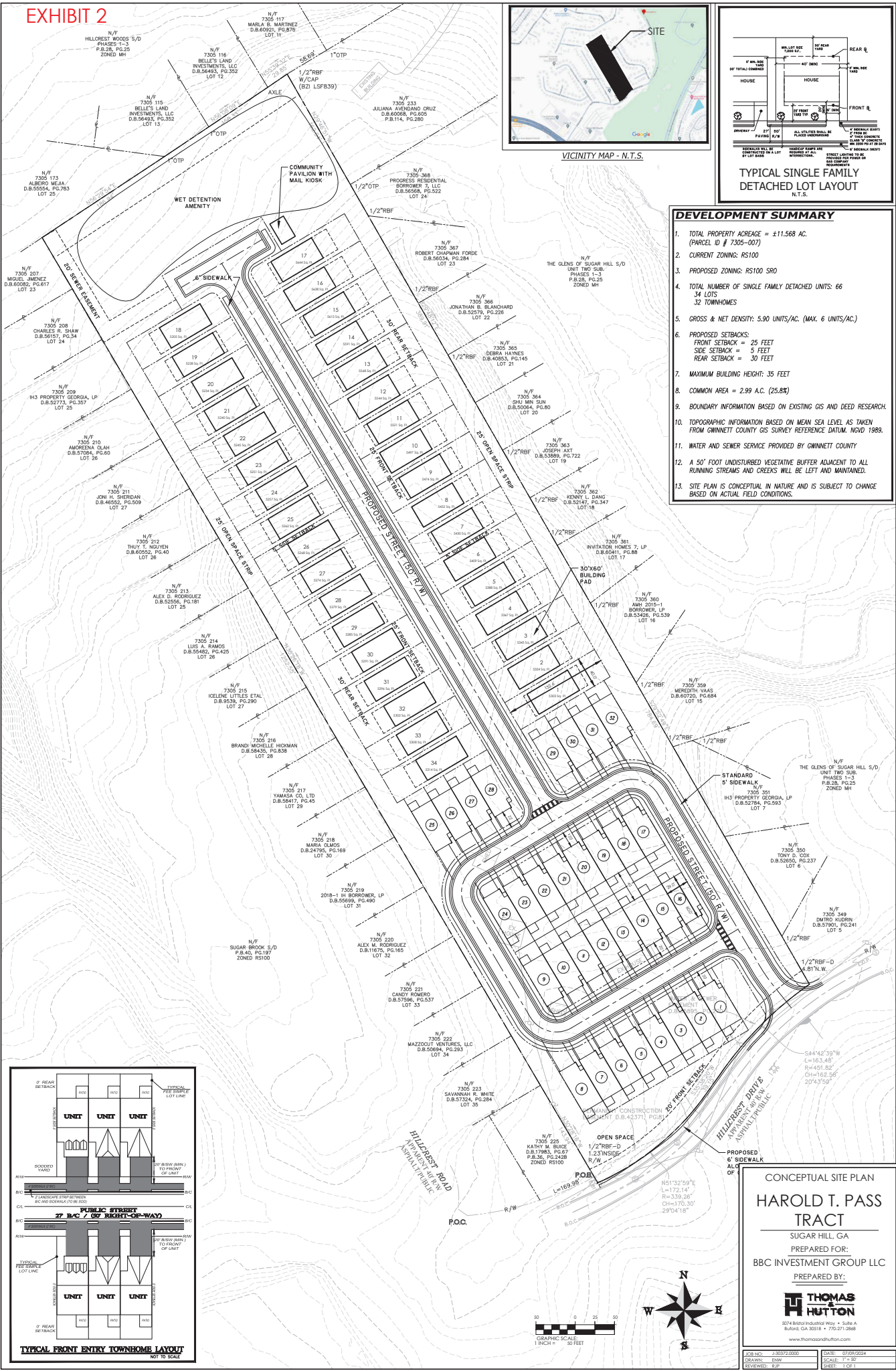


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EXHIBIT 2



- DEVELOPMENT SUMMARY**
- TOTAL PROPERTY ACREAGE = ±11.568 AC. (PARCEL ID # 7305-007)
 - CURRENT ZONING: RS100
 - PROPOSED ZONING: RS100 SRO
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SIDE SETBACK = 5 FEET
REAR SETBACK = 30 FEET
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CONCEPTUAL SITE PLAN
HAROLD T. PASS TRACT
 SUGAR HILL, GA
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 BBC INVESTMENT GROUP LLC
 PREPARED BY:
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JOB NO.	230322000	DATE	07/09/2024
DRAWN	SWP	SCALE	1" = 20'
REVIEWED	SWP	SHEET	1 OF 2