City of Sugar Hill Planning Staff Report **AX 24-001**

TO: July 31, 2024
TO: City Council
FROM: Planning Director
SUBJECT: Annexation AX 24-001

6158 Suwanee Dam Road

ISSUE: Annexation of this 0.491 acre parcel owned by Sugarhill11, LLC was initiated by an

application from LJA Engineering dated May 6, 2024. Applicant is requesting General Business (BG) for a bait shop and convenience store within an existing

commercial structure.

RECOMMENDED ACTION

Approval of annexation and rezoning to BG with the following conditions:

- 1. Property shall be limited to the uses of a bait and tackle shop or small grocery/convenience store (no fuel pumps) and related accessory uses.
- 2. Applicant/owner shall work with city staff to explore and implement safe ingress/egress access points to improve traffic circulation for the property.

PLANNING COMMISSION PUBLIC HEARING AND RECOMMENDATION

The Planning Commission held a scheduled public hearing on July 15, 2024. Applicant representative Tyler Lasser spoke on behalf of this request. There was general discussion and clarification questions between the board members and applicant regarding intent of business and site access. There were no other public comments. The public hearing was closed.

Planning Commission Member Mark Daniels made a motion to approve the annexation request with a BG zoning as recommended by staff with conditions. Commission Member Brian Shebs made the second. Motion was approved 4-1. (Commission Member Rosemary Walsh against)

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 Suburban Non-Residential. It is adjacent to Greenspace associated with the Sugar Hill Golf Course and Neighborhoods in the City of Sugar Hill. Planning staff recommends a land use character designation of Neighborhoods.
- The property is currently developed with a 1,298 square foot structure constructed in 1965. The structure has been recently renovated with the intent of operating a small business.

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• Proposed improvements to the property include a paved parking area, a revised access point, and an enclosed dumpster.

BACKGROUND

Applicant / Owner: Sugarhill11, LLC c/o LJA Engineering

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

Request: Annex and rezone to BG.

Purpose: Bait Shop and Convenience Store.

Property Size: \pm 0.491 Acres

Location: 6158 Suwanee Dam Road; Tax Parcel # 7-348-001A

Public Notice: Public notice signs were posted on 6/14/24. Legal advertisements

were published in the Gwinnett Daily Post on 6/12/24, 6/16/24,

6/23/24, 6/30/24, 7/7/24, and 7/14/24.

Public Comment See summary of planning commission public hearing.

FINDINGS OF FACT

Surrounding Land Use and Zoning

	Direction	Existing Land Use	Existing Zoning
	North	City of Sugar Hill Vacant Property	RS-100
	South	The Links subdivision	RS-100
Ī	East	Single-family residence	R100
	West	Sugar Hill Golf Course	HM2

City of Sugar Hill: Low Density Single Family Residential (RS-100), Heavy Industry (HM2) Gwinnett County: Single-Family Residence (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 meets the intent and spirit of adjacent recreational uses and will complement nearby residential uses. The property itself appears to have been used for business and residential purposes over its lifetime.

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.

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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 small-scale nature of the business will not generate any significant new traffic and will instead capture existing traffic traveling from residential areas to recreation spaces along Lake Lanier. Access to the property will be reviewed by city staff to ensure safe ingress and egress due to the unique orientation of the property along Suwanee Dam Road.

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

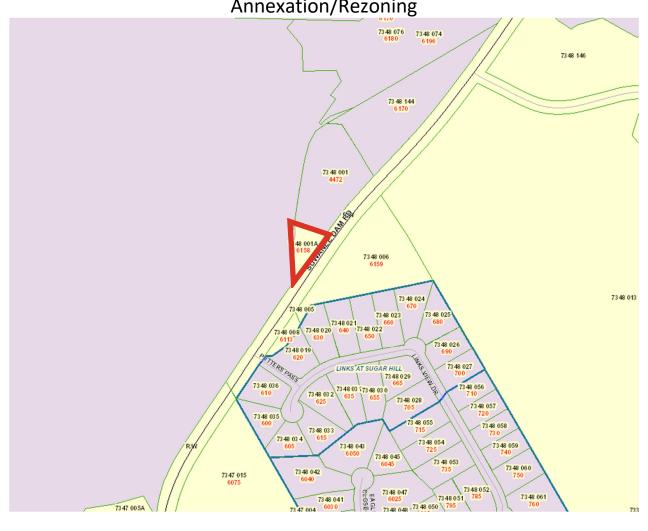
Yes. The property is located at the intersection of Greenspace lands designated by the city and Suburban Residential lands designated by the county. The requested BG zoning provides for an appropriate land use commensurate with existing land uses adjacent to the property and recommended development pattern for that character area. No expansion of a business corridor is anticipated along Suwanee Dam Road.

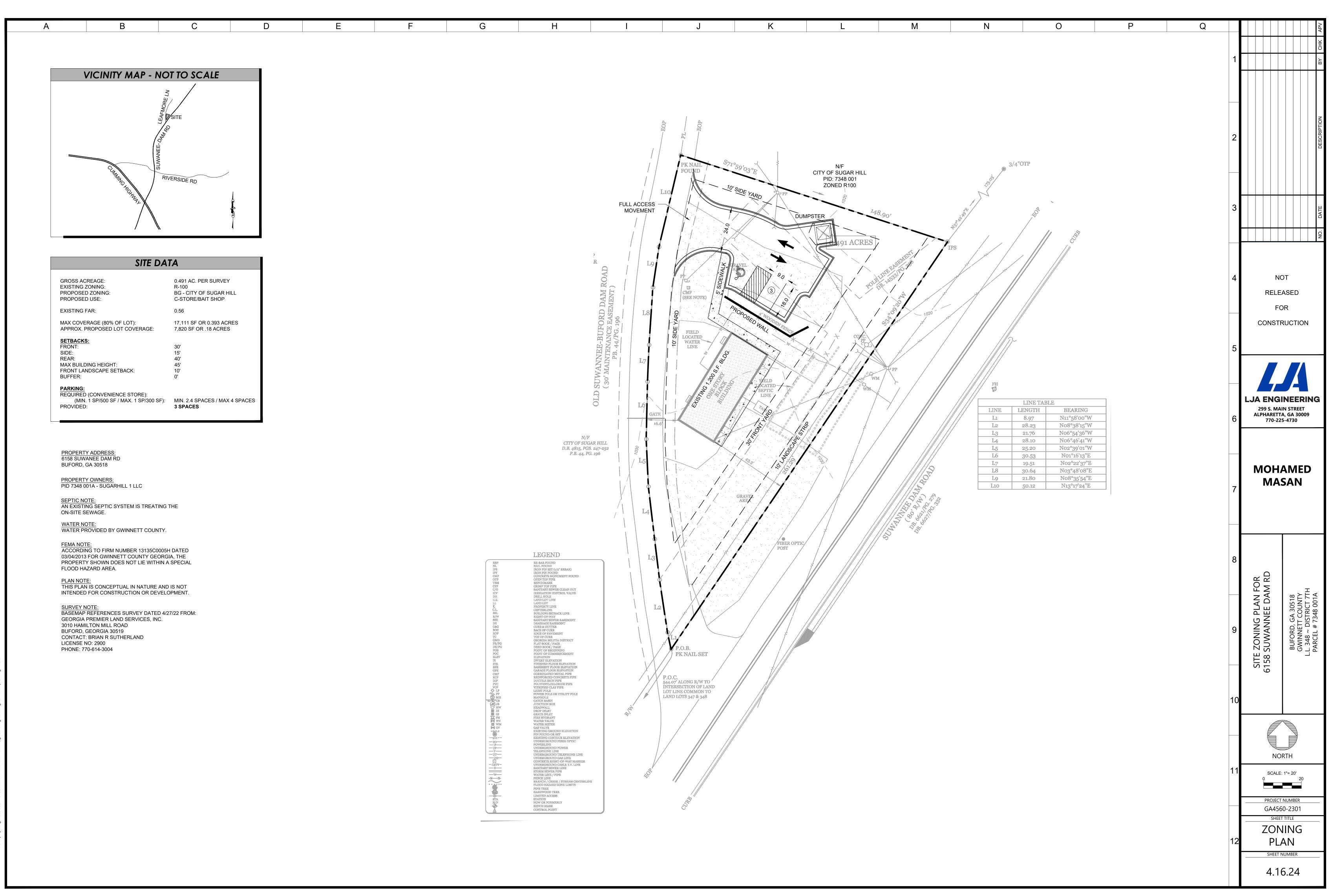
6. Are there other existing or changing conditions affecting the use and development of the property which would give support to an approval or disapproval of the rezoning request?

No.

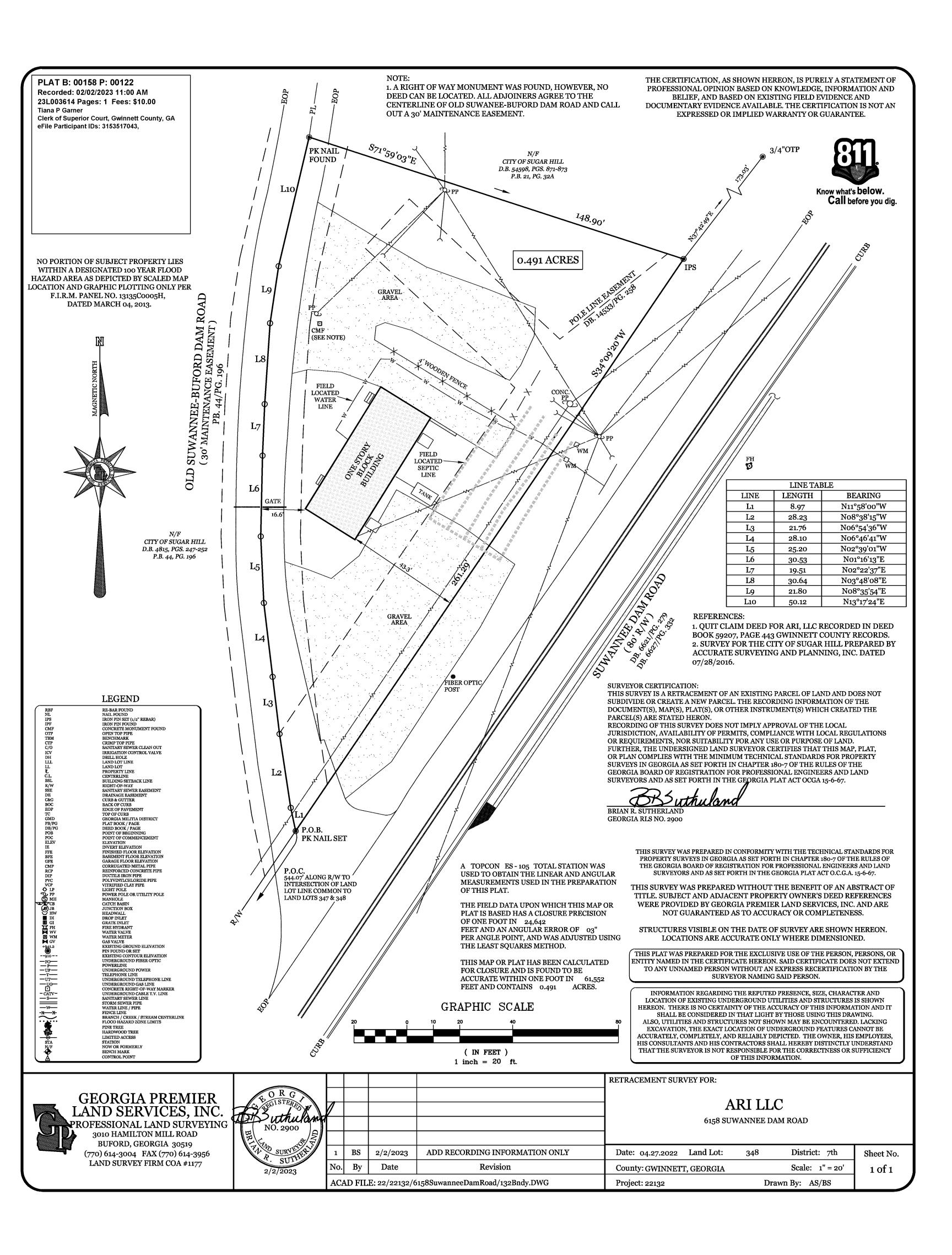
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AX-24-001 LOCATION MAP Annexation/Rezoning





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770.225.4730



Applicant's Letter of Intent Annexation and Rezoning (R-100 to BG) 6158 Suwanee Dam Road

The Applicant, Sugarhill 11 LLC, requests to annex and rezone the 0.49-acre site into the City of Sugar Hill to convert the existing building into a commercial use. The triangle-shaped property is located on Suwanee Dam Road, and accessed by way of Legion Way, a private drive that also provides access to the American Legion that sits behind the subject site. The site also abuts a portion of the Sugar Hill Golf Club, making the subject site surrounded by the City of Sugar Hill. Across Suwanee Dam Road is a single-family dwelling, within Unincorporated Gwinnett County, that sits about over 250 feet back from the road with significant vegetative screening and at a much higher elevation.

As proposed, the developer will utilize the existing vacant building to operate a small bait shop and convenience store. The intent, being so close to the Chattahoochee River and Lake Lanier, is to sell fishing bait, snacks, and beverages to those residents in the immediate area and to those spending time on the river and/or lake, or golf course. The shop will employee up to eight people and will operate under the hours of 7am to 11pm. As shown on the site plan, the existing 1,200 square feet building will remain on the site with no expansion. Site access will remain from the paved road and easement behind the building. Additionally, the developer will create a paved parking area with a full access driveway, and sidewalk for pedestrians to the entrance of the building.

The Applicant looks forward to meeting with staff as well as the community to answer all questions or concern. Please see attached site plan and additional materials within the application package for further details.

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Tax ID: **7-348-001A**

Total Number of Housing Units: 0

Proposed Housing: 0

Proposed Development: Commercial – Bait and Tackle Shop

Street Address if Known: 6158 Suwanee Dam Road

Population: 0

Acreage: ± 0.491 Acres

ORDINANCE FOR ANNEXATION

THE COUNCIL OF THE CITY OF SUGAR HILL HEREBY ORDAINS:

WHEREAS, **Sugarhill 11**, **LLC**, in the care of **LJA Engineering**, did on **May 6**, **2024**, apply to have land annexed into the existing corporate limits of The City of Sugar Hill, Georgia; and

WHEREAS, it appears to the governing body of The City of Sugar Hill, Georgia, that the area proposed to be annexed is contiguous to the existing corporate limits of The City of Sugar Hill, that the applicants represent not less than sixty percent (60%) of the owners and resident electors of the land area proposed to be annexed and that said application complies with the laws of the State of Georgia; and

WHEREAS, public hearings were held on said application for annexation and on the proposed zoning of the area to be annexed on **July 15, 2024**, and **August 12, 2024** and

WHEREAS, prior to said public hearing the City of Sugar Hill, Georgia did prepare a report setting forth its plans to provide services to the area to be annexed as required by the Official Code of Georgia Annotated Section 36-36-35; and

WHEREAS, the governing body of the City of Sugar Hill, Georgia has determined that the annexation of the area proposed to be annexed would be in the best interest of the residents and property owners of the area proposed for annexation and of the citizens of the City of Sugar Hill, Georgia and

WHEREAS, the governing body of the City of Sugar Hill, Georgia has determined that the proper zoning classification for the area proposed to be annexed is **General Business (BG)**.

BE IT, THEREFORE, ordained that the following described lands be and the same hereby are, annexed to the existing corporate limits of the City of Sugar Hill, Georgia, and the same shall hereafter constitute a part of the lands within the corporate limits of the City of Sugar Hill, Georgia, to-wit:

All that tract or parcels of land lying and being in Land Lots **348** of the 7th land district of Gwinnett County, Georgia and being more particularly shown on the legal description designated as Exhibit "A" attached hereto and made a part of this ordinance and incorporated herein by reference.

BE IT FURTHER ORDAINED that "The Zoning Ordinance of the City of Sugar Hill" is hereby amended by adding to the official zoning map adopted by the Ordinance the area annexed by this Ordinance and by classifying that area annexed as **General Business (BG)**.

THE COUNCIL FURTHER ORDAINS that "Character Area Map" adopted as a part of the Comprehensive Plan in 2024 is hereby amended by adding said property to the Character Area Map with a designation of **Neighborhoods**.

BE IT FURTHER ORDAINED that the Clerk of the City of Sugar Hill certify a copy hereof and file the same with the Department of Community Affairs, Gwinnett County governing authority, and the Legislative Congressional Reapportionment Office of the General Assembly pursuant to the provisions of the Official Code of Georgia Annotated Section 36-36-3.

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IT IS SO ORDAINED, this day of	, 2024.
Those voting in favor:	Those voting in opposition:
Mayor Pro Tem Alvin Hicks	Mayor Pro Tem Alvin Hicks
Council Member Joshua Page	Council Member Joshua Page
Council Member Gary Pirkle	Council Member Gary Pirkle
Council Member Meg Avery	Council Member Meg Avery
Council Member Taylor Anderson	Council Member Taylor Anderson
ATTEST:	
City Clerk	
Submitted to Mayor://	
Approved by Mayor, this day of	2024.
 Bran	idon Hembree, Mayor

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AX-24-001 REPORT OF SERVICES PROVIDED

The following services will be available, as indicated, for the property to be annexed.

- X Fire and police protection are presently provided to the residents of the City of Sugar Hill by Gwinnett County. Thus, the proposed Annexation would not affect or cause any interruption in police or fire protection in the area to be annexed.
- X Street Maintenance is presently provided by the City of Sugar Hill for the areas within the corporate boundaries of the municipality. Street Maintenance is provided to the city streets as needed in accordance with financial capabilities and other planning consideration. The city foresees no difficulty in providing street maintenance service to the area to be annexed. The services would begin upon the date of annexation. No increased street maintenance in the area to be annexed is foreseeable in the immediate future. The area is presently served by county roads that are adequately maintained. Any new streets developed in the area to be annexed would be required to be subject to the same maintenance requirements as streets developed in areas presently within the city limits.
- X Garbage collection is presently provided by the City of Sugar Hill for the areas within the corporate boundaries of the municipality. Garbage collection is provided once per week. The city foresees no difficulty in providing garbage collection to the area to be annexed. The services would begin upon the date of the annexation. Garbage collection would be made available to any resident of the area to be annexed by adding the area to a regular collection route.
- <u>X</u> Gas service will be available at the property to be annexed. Gas mains for new developments on the property shall be installed by the developer. Taps for individual services lines and meters are paid for at the time the building permit is purchased.
- Water and sewer service are presently provided to the residents of the City of Sugar Hill by Gwinnett County. Thus, the proposed annexation would not affect or cause any interruption in water or sewer service in the area to be annexed.

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AX-24-001 EXHIBIT A

A parcel of land lying in Land Lot 348, of the 7th District, Gwinnett County, Georgia and being more particularly described as follows:

Begin at a set PK nail at the intersection of the centerline of Old Suwanee-Buford Dam Road (30' Maintenance Easement) and the westerly right-of-way of Suwanee Dam Road (80' right-of-way); thence leaving said intersection, run North 11 Degrees 58 Minutes 00 Seconds West along the centerline of the aforementioned Old Suwanee-Buford Dam Road for a distance of 8.97 feet to a point; thence run North 08 Degrees 38 Minutes 15 Seconds West along said centerline of road for a distance of 28.23 feet to a point; thence run North 06 Degrees 54 Minutes 36 Seconds West along said centerline of road for a distance of 21.76 feet to a point; thence run North 06 Degrees 46 Minutes 41 Seconds West along said centerline of road for a distance of 28.10 feet to a point; thence run North 02 Degrees 39 Minutes 01 Seconds West along said centerline of road for a distance of 25.20 feet to a point; thence run North 01 Degrees 16 Minutes 13 Seconds East along said centerline of road for a distance of 30.53 feet to a point; thence run North 02 Degrees 22 Minutes 37 Seconds East along said centerline of road for a distance of 19.51 feet to a point; thence run North 03 Degrees 48 Minutes 08 Seconds East along said centerline of road for a distance of 30.64 feet to a point; thence run North 08 Degrees 35 Minutes 54 Seconds East along said centerline of road for a distance of 21.80 feet to a point; thence run North 13 Degrees 17 Minutes 24 Seconds East along said centerline of road for a distance of 50.12 feet to a set PK nail; thence leaving the centerline of the aforementioned Old Suwanee-Buford Dam Road, run South 71 Degrees 59 Minutes 03 Seconds East for a distance of 148.90 feet to a set rebar at the aforementioned westerly right-of-way of Suwanee Dam Road; thence run South 34 Degrees 09 Minutes 20 Seconds West along said right-of-way for a distance of 261.29 feet to the POINT OF

Said parcel contains 61,552 Square Feet or 0.491 Acres

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AX-24-001 Exhibit B

- 1. Property shall be limited to the uses of a bait and tackle shop or small grocery/convenience store (no fuel pumps) and related accessory uses.
- 2. Applicant/owner shall work with city staff to explore and implement safe ingress/egress access points to improve traffic circulation for the property.

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