

City of Sugar Hill
Planning Staff Report
AX 25-002

DATE: May 14, 2025
TO: Planning Commission
FROM: Planning Director
SUBJECT: Annexation AX 25-002
5853, 5875 Suwanee Dam Road, 5868 Henry Bailey Road

ISSUE: Annexation of this 2.72 acre assemblage of parcels owned by Young Sun Park, Jeong Kyun Park, and Five Group LLC was initiated by an application from Five Group LLC c/o Jeong Kyun Park dated April 14, 2025. Applicant is requesting General Business (BG) for a retail commercial development.

RECOMMENDED ACTION

Recommend approval of annexation and rezoning to BG with the following conditions:

1. The conditions associated with AX-08-001 shall remain in full force and effect on R7339 005 and shall also be applied to R7339 006 and 006A (Exhibit 1).
2. A 10' enhanced landscape strip shall be provided along the entire perimeter of the development.
3. A 6' opaque fence, constructed of wood, brick, or stone, shall be provided along Parcel R7339 226, the frontage along Kendrix Road, and Parcel 7339 049.
4. The development shall substantially conform to the site plan (Exhibit 2), 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.

Recommend approval of the following variance request:

1. Reduce the front setback along Suwanee Dam Road and Henry Bailey Road from 40' and 30' respectively to 10'.

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 Traditional+. It is located at the intersection of Commercial Node and Neighborhoods in the City of Sugar Hill. Planning staff recommends a land use character designation of Commercial Node as it is commensurate with adjacent commercially developed properties within the County. Within the Aspire 20 plan, the property is identified as being a mix of Commercial/Retail and High

Density Mixed Use. The current proposal fits appropriately into all of these designations as a community-oriented shopping area and gathering space.

- Parcel 7339 006 is currently developed with a 1,220 square foot ranch constructed in 1985. Parcel 7339 006A is currently developed with an 876 square foot ranch constructed in 1956. Both structures are not inhabited. Parcel 7339 005 is currently vacant.
- The majority of parcel 7339 005 was annexed into the city pursuant to AX-08-001. These conditions are attached in this packet. Notably, the following conditions apply to the property presently:
 - Required zoning buffer reduced from 75' undisturbed to a 10' enhanced buffer.
 - A 6' opaque fence located adjacent to the day care.
 - Prohibition of certain uses including but not limited to fuel stations, service stations, and self-storage facilities.
- The original annexation request contemplated a traditional strip-mall type development with two access points on to Suwanee Dam Road, totaling 15,000 square feet.
- A portion of parcel 7339 005 is not located in the city and is a part of this request. Recent right-of-way acquisitions and construction associated with the Suwanee Dam Road intersection improvements have adjusted property lines since this project was first annexed. As such, approximately 0.13 acres of property associated with this parcel is located outside city limits.
- The current request increases the total square footage to 18,000, however the development is clustered into a mall-type setting. This cluster of buildings is located roughly on the subject annexation's new parcels. An outdoor wave pool is proposed as a potential centerpiece to the mall area. The remainder of the property is dedicated to parking, access improvements, and stormwater management.
- Two access points are provided to the property:
 - The first is a full access intersection with Suwanee Dam Road, generally aligned with an existing curb cut across the street associated with a residential neighborhood. Coordination with county and city entities will be required in order to create a safe intersection for motorists in the immediate area.
 - The second access point is located on Henry Bailey Road, just before its termination into a cul-de-sac. Again, coordination with city and county entities will be required for safe traffic movements.
- The applicant has identified a variance, listed below:
 - The applicant is requesting a variance to the front yard setback adjacent to both major and minor streets (40' and 30' respectively) to 10'. This will allow for the construction of the clustered development adjacent to the roadway. Staff supports this variance request as it is conducive to creating a mall-type development. The right-of-way width adjacent to Suwanee Dam Road is such that the buildings will still be set back approximately 50' from the back of curb, while along Henry Bailey Road the setback is more appropriate for potential pedestrians.
- The following were identified as potential variances in the application, but upon review, are not necessary. They are explained below for clarity.

- The applicant is requesting a variance to allow for a parking lot to be constructed 10' from the property line. This is permitted within the Zoning Ordinance.
- The applicant is requesting to build an access street 10' from the property line adjacent to the daycare. A fence will be constructed between the two. This is permitted within the Zoning Ordinance.
- The applicant is requesting to build a 2,000 square foot rooftop area overlooking the courtyard. The maximum permitted height within the BG zoning district is 45'. So long as the proposed structure does not exceed this, this is permitted within the zoning ordinance.
- A 10' landscape strip is proposed along Henry Bailey Road and adjacent to the daycare. A fence is proposed along the property line adjacent to the daycare.

BACKGROUND

| | |
|--------------------|---|
| Applicant / Owner: | Five Group, LLC, Jeong Kyun Park, Young Sun Park c/o Jeong Kyun Park |
| Existing Zoning: | Single-family residential (R100) in Gwinnett County. General Business (BG) in Sugar Hill |
| Request: | Annex and rezone to BG. |
| Purpose: | Retail Commercial Development |
| Property Size: | ± 2.72 Acres |
| Location: | 5853 & 5875 Suwanee Dam Road, 5868 Henry Bailey Road; Tax Parcels # R7339 005, 006, 006A |
| Public Notice: | Public notice signs were posted 4/17/25. Legal advertisements were published in the Gwinnett Daily Post on 4/20/25, 4/27/25, 5/4/25, 5/11/25. Notice to adjoining property owners were sent on 4/16/25. |
| Public Comment | None as of 5/7/25. |

FINDINGS OF FACT

Surrounding Land Use and Zoning

| Direction | Existing Land Use | Existing Zoning |
|-----------|-----------------------------|-----------------|
| North | R/W; Commercial Uses | C2 |
| South | Single-Family Residence | R100 |
| East | Daycare | OI |
| West | Gates at Lanier Subdivision | RS100 |

City of Sugar Hill: Low Density Single Family Residential (RS-100)

Gwinnett County: Single-Family Residence (R100), General Business (C2), Office-Institutional (OI)

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 commercial uses and will complement nearby residential uses. It is located on the border of an existing commercial node and will create an appropriate transition between this node and residential properties along Suwanee Dam Road.

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. Any potential conflicts between uses are mitigated through landscaping, fencing, and setbacks.

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. While traffic movements may increase at the access points for the development, this can be mitigated through staff-recommended conditions. The development will likely capture existing traffic along Highway 20 and Suwanee Dam Road which is already travelling within the commercial node.

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

Yes. The property is located at the intersection of a Commercial Node and Neighborhoods designated by the city and Traditional+ properties 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 and the project utilizes previously rezoned and annexed property for commercial purposes. The expansion of the commercial property encroaches towards the commercial node, not away.

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.



CITY OF SUGAR HILL PLANNING & DEVELOPMENT DEPARTMENT
PUBLIC HEARING PACKET

CASE #: _____ PERMIT FILE # _____ DATE RECEIVED: _____

Reviewed by: _____ Date Accepted: _____

APPLICATION

CHECK ONE: ☒ ANNEXATION/REZONING ☐ REZONING ☐ CHANGE IN CONDITIONS ☐ SPECIAL USE PERMIT

APPLICANT INFORMATION

Name: Five Group LLC
Phone: 404 998 9842
Fax: _____
Signature: _____

Address: 5609 LANCASTHIRE LANE
CUMMING GA 30041
Email: jake @ dpintl.com
Date: 12/31/2024

OWNER INFORMATION

IF MULTIPLE PROPERTY OWNERS FILL OUT MASTER APPLICATION AND ONE APPLICATION FOR EACH APPLICANT.

Name: JEONG KYUN PARK
Phone: 404 998 9842
Fax: _____
Signature: _____

Address: 5609 LANCASTHIRE LANE
CUMMING GA 30041
Email: jake @ dpintl.com
Date: 12/31/2024

CONTACT INFORMATION

Name: JEONG KYUN PARK
Fax: _____

Phone: 404 998 9842
Email: jake @ dpintl.com

* Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

PROPERTY INFORMATION:

IF MULTIPLE PROPERTY OWNERS FILL OUT MASTER APPLICATION AND ONE APPLICATION FOR EACH APPLICANT.

Map Reference Number(s) (Tax Parcel Identification Number or PIN #) DOT PARCEL 174 R7339 005 Acreage: 1.66

Number of Existing Housing Units: 0 Number of Proposed Housing Units: _____ Current Population: 0

Street Address: 5853 SUWANEE DAM ROAD, SUGAR HILL GA 30518

PRESENT ZONING DISTRICT: COMMERCIAL (BG) REQUESTED ZONING DISTRICT: BG

Proposed Development: NEIGHBORHOOD STREET SHOPPING MALL

Adjacent Zonings: NORTH: RESIDENTIAL EAST: COMMERCIAL SOUTH: RESIDENTIAL WEST: _____

Residential Development

of Lots/Dwelling Units: _____
Dwelling Unit Size (sq. ft.): _____
Net Density: _____

Non-Residential Development

of Lots/Buildings: 2
Total Gross Square Feet: 18,000
Density: _____

PLEASE CHECK THE FOLLOWING IF APPLICABLE: ☐ DRI (Development of Regional Impact) ☐ Within 2,000 feet of the Chattahoochee River

Request for Special Conditions or Variance(s) (Set back, Parking, Buffers, etc): We need an allowance to build parking lot with 10 ft distance from our property line near Suwanee Dam rd which make 40 ft distance total from Suwanee Dam Road in order to provide enough parking unit and better traffic flow.

NOTE: Special Conditions, and Variance Request must also be explained in the Letter of Intent.



CITY OF SUGAR HILL PLANNING & DEVELOPMENT DEPARTMENT
PUBLIC HEARING PACKET

CASE #: _____ PERMIT FILE # _____ DATE RECEIVED: _____

Reviewed by: LW Date Accepted: _____

APPLICATION

CHECK ONE: ☒ ANNEXATION/REZONING ☒ REZONING ☐ CHANGE IN CONDITIONS ☐ SPECIAL USE PERMIT

APPLICANT INFORMATION

Name: JEONG KYUN PARK Address: 5609 LANCASHIRE LANE
Phone: 404 998 9842 CUMMING GA 30041
Fax: _____ Email: jake@dpintl.com
Signature: [Signature] Date: 1/2/2025

OWNER INFORMATION

IF MULTIPLE PROPERTY OWNERS FILL OUT MASTER APPLICATION AND ONE APPLICATION FOR EACH APPLICANT.

Name: JEONG KYUN PARK Address: 5875 SUWANEE DAM ROAD
Phone: _____ SUGAL GA 30518
Fax: _____ Email: jake@dpintl.com
Signature: [Signature] Date: 1/2/2025

CONTACT INFORMATION

Name: JEONG KYUN PARK Phone: 404 998 9842
Fax: _____ Email: jake@dpintl.com

* Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

PROPERTY INFORMATION:

IF MULTIPLE PROPERTY OWNERS FILL OUT MASTER APPLICATION AND ONE APPLICATION FOR EACH APPLICANT.

Map Reference Number(s) (Tax Parcel Identification Number or PIN #) DOT PARCEL 179 R7339 006 Acreage: 0.56

Number of Existing Housing Units: 1 Number of Proposed Housing Units: _____ Current Population: 0

Street Address: 5875 SUWANEE DAM ROAD SUGAL HILL, GA 30518

PRESENT ZONING DISTRICT: RESIDENTIAL (R100) REQUESTED ZONING DISTRICT: COMMERCIAL (CG)

Proposed Development: COMMERCIAL (CG) NEIGHBORHOOD STREET SHOPPING MALL

Adjacent Zonings: NORTH: COMMERCIAL EAST: COMMERCIAL SOUTH: COMMERCIAL WEST: ?

Residential Development

of Lots/Dwelling Units: _____

Dwelling Unit Size (sq. ft.): _____

Net Density: _____

Non-Residential Development

of Lots/Buildings: 2

Total Gross Square Feet: 18000

Density: _____

PLEASE CHECK THE FOLLOWING IF APPLICABLE: ☐ DRI (Development of Regional Impact) ☐ Within 2,000 feet of the Chattahoochee River

Request for Special Conditions or Variance(s) (Set back, Parking, Buffers, etc): Our proposed site for the building has 8-10 ft higher than
Suwanee dam rd. and 30ft distance from the street to property boundary (new R/W). please allow us
to build street mall building 10ft from new R/W which is 40ft away from the suwanee dam rd and
20ft away from Henry Bailey rd in order to keep pleasant and spacious courtyard & sport recreation space.

NOTE: Special Conditions, and Variance Request must also be explained in the Letter of Intent.



CITY OF SUGAR HILL PLANNING & DEVELOPMENT DEPARTMENT
PUBLIC HEARING PACKET

CASE #: _____ PERMIT FILE # _____ DATE RECEIVED: _____
Reviewed by: _____ Date Accepted: _____

APPLICATION FOR ANNEXATION

IF MULTIPLE PROPERTY OWNERS FILL OUT AND SUBMIT AN APPLICATION FOR EACH APPLICANT/OWNER/ELECTOR.

SIGN APPLICABLE SECTION

100% METHOD

This Annexation Application is made pursuant to the provisions of the Official Code of Georgia Annotated 36-36, Article 2, "Annexation Pursuant to Application by one hundred percent (100%) of Landowners". Application is hereby made to the City of Sugar Hill, Georgia by the undersigned property owners, who own 100% of the property to be annexed, to have the following described lands annexed into the corporate limits of the City. All that tract or parcel of land lying and being in Land Lots(s) 339 of the 17 District(s), Parcel Number(s) R 7339 006, R 7339 006A 179 Gwinnett County, Georgia and being more particularly described as: (Attach or Insert Legal description)

(Note: Also, attach a plat or drawing illustrating the land area to be annexed and its relationship to the existing City Limits. Include lot number, block number, subdivision name, and Plat Book Reference, if available, and the existing zoning classifications of adjacent properties within the City.) It is requested that a zoning classification of COMMERCIAL (BG) be assigned to the property upon annexation.

(Note: Different classifications can be requested for various portions of the property).

The property owner(s) intended to develop and/or use the property as follows: street shopping mall /
April, 2027 (Include a timetable for development if available).

| | |
|--|---|
| Owner/Applicant Name: <u>JEONG KYUN PARK</u> | Address: <u>5609 Lancashire lane,</u> <u>Cumming, GA 30041</u> |
| Home Phone: _____ | |
| Work Phone: <u>404 998 9842</u> | |
| Fax: _____ | Email: <u>jake@dpintl.com</u> |
| Signature: <u>[Signature]</u> | Date Signed: <u>1/2/2025</u> |

* COPIES CAN BE MADE FOR ADDITIONAL OWNER/ APPLICANT SIGNATURES, ORIGINAL SIGNATURES MUST BE SUBMITTED WITH THE APPLICATION.

60% METHOD

This Annexation Application is made pursuant to the provisions of the Official Code of Georgia Annotated 36-36, Article 3, "Annexation Pursuant to Application by Owners of 60 Percent of Land and 60 Percent of Electors". Application is hereby made to the City of Sugar Hill, Georgia by the undersigned property owners and resident electors residing on the property proposed for annexation, to have the following described lands annexed into the corporate limits of the City. The undersigned state that they represent at least 60% of the owners of the property by acreage and at least 60% of the resident electors residing on the property to be annexed. All that tract or parcel of land lying and being in Land Lots(s) _____ of the _____ District(s), Parcel Number(s) _____ Gwinnett County, Georgia and being more particularly described as: (Attach or Insert Legal description) _____ (Note: Also, attach a plat or drawing illustrating the land area to be annexed and its relationship to the existing City Limits. Include lot number, block number, subdivision name, and Plat Book Reference, if available, and the existing zoning classifications of adjacent properties within the City.) It is requested that a zoning classification of _____ (_____) be assigned to the property upon annexation. (Note: Different classifications can be requested for various portions of the property).

The property owner(s) intended to develop and/or use the property as follows: _____
(Include a timetable for development if available).

| | |
|--|--|
| Landowner Name: <u>JEONG KYUN PARK</u> | Address: <u>5609 Lancashire lane</u> <u>Cumming, GA 30041</u> |
| Home Phone: _____ | |
| Work Phone: <u>404 - 998 - 9842</u> | |
| Fax: _____ | Email: <u>jake@dpintl.com</u> |
| Signature: <u>[Signature]</u> | Date Signed: <u>1/2/2025</u> |
| Elector (Registered Voter) Name: _____ | Address: _____ |
| Home Phone: _____ | |
| Work Phone: _____ | |
| Signature: _____ | Date Signed: _____ |

- COPIES CAN BE MADE FOR ADDITIONAL LANDOWNER AND ELECTOR SIGNATURES, ORIGINAL SIGNATURES MUST BE SUBMITTED WITH THE APPLICATION.
- A SEPARATE SIGNATURE PAGE SHOULD BE FILED FOR EACH LANDOWNER AND EACH RESIDENT ELECTOR.



CITY OF SUGAR HILL PLANNING & DEVELOPMENT DEPARTMENT
PUBLIC HEARING PACKET

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

Please respond to the following standards in the space provided or use an attachment as necessary:

A. Whether the proposed Rezoning or Special Use Permit will permit a use that is suitable in view of the use and development of adjacent and nearby property:

Our proposed concept and buildings are suitable to serve and support neighborhood community with upscale retail environment and recreation in courtyard.

B. Whether the proposed Rezoning or Special Use Permit will adversely affect the existing use or usability of adjacent or nearby property:

Our retail shopping mall concept will not affect adversely since the properties are surrounded by commercial zone and the property has two in and out accesses.

C. Whether the property to be affected by a proposed Rezoning or Special Use Permit has reasonable economic use as currently zoned:

Our 70% of properties is already zoned commercial and two attached neighborhood properties are also zoned commercial therefore it's reasonable to use a BQ.

D. Whether the proposed Rezoning or Special Use Permit will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

Our proposed concept will not cause burdensome use of existing suwanee dam road and henry bailey rd by two splitted accesses and there are no school nearby.

E. Whether the proposed Rezoning or Special Use Permit is in conformity with the policy and interest of the Land Use Plan:

Our proposed site is planned as commercial zone for the future in Sugar Hill and Gwinnett county and our proposed concept has met the land use plan.

F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed Rezoning or Special Use Permit:

There were existing letter as 'conditions of zoning' for one of the properties; 5853 suwanee dam road, and we are proposing the land use within this condition. we have attached the "existing condition."



CITY OF SUGAR HILL PLANNING & DEVELOPMENT DEPARTMENT
PUBLIC HEARING PACKET

APPLICANT'S CERTIFICATION

The undersigned below is authorized to make this application. The undersigned is aware that no application or reapplication which affects the same land for which an application was denied during the last 12 months shall be acted upon for 12 months from the date of the denial by the City Council unless waived by the City Council. In no case shall an application or reapplication be acted upon in less than six (6) months from the date of the denial by the City Council.

Signature of Applicant _____ Date _____
Typed or Print Name and Title _____
Sworn to and subscribed before me this 2nd day of January, 2025 Signature of Notary Public _____ Seal

PROPERTY OWNER'S CERTIFICATION

The undersigned below is authorized to make this application. The undersigned is aware that no application or reapplication which affects the same land for which an application was denied during the last 12 months shall be acted upon for 12 months from the date of the denial by the City Council unless waived by the City Council. In no case shall an application or reapplication be acted upon in less than six (6) months from the date of last action by the City Council. I hereby authorize the staff of the City of Sugar Hill, Department of Planning and Development to inspect the premises which are subject of this zoning application.

Owner Signature _____ Date _____
Typed or Print Name and Title _____
Sworn to and subscribed before me this 2nd day of January, 2025 Signature of Notary Public _____ Seal

CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS

The undersigned below, making application for rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on this form provided.

Signature of Applicant/ Attorney Representative _____ Date _____
Typed or Print Name and Title _____
Signature of Owner _____ Date _____
Sworn to and subscribed before me this 2nd day of January, 2025 Signature of Notary Public _____ Seal

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Sugar Hill City Council or the Planning Commission? No (yes/no). If yes, complete the following:

NAME & OFFICIAL
POSITION OF GOVERNMENT
OFFICIAL

CONTRIBUTIONS (List all
which aggregate to \$250
or more

DATE CONTRIBUTION WAS
made (within last two years)

Signature of Applicant/ Attorney Representative _____ Date _____
Typed or Print Name and Title _____
Signature of Owner _____ Date _____
Sworn to and subscribed before me this 2nd day of January, 2025 Signature of Notary Public _____ Seal



CITY OF SUGAR HILL PLANNING & DEVELOPMENT DEPARTMENT
PUBLIC HEARING PACKET

CASE #: _____ PERMIT FILE # _____ DATE RECEIVED: _____
Reviewed by: _____ Date Accepted: _____

APPLICATION

CHECK ONE: ☒ ANNEXATION/REZONING ☒ REZONING ☐ CHANGE IN CONDITIONS ☐ SPECIAL USE PERMIT

APPLICANT INFORMATION

Name: JEONG KYUN PAR Address: 5609 LANCASHIRE LANE
Phone: 404 998 9842 CUMMING GA 30041
Fax: _____ Email: jake@dpintl.com
Signature: _____ Date: 1/2/2025

OWNER INFORMATION

IF MULTIPLE PROPERTY OWNERS FILL OUT MASTER APPLICATION AND ONE APPLICATION FOR EACH APPLICANT.

Name: YOUNG SUN PARK Address: 5609 LANCASHIRE LANE
Phone: 678 546 5873 CUMMING GA 30041
Fax: _____ Email: happyb2008@gmail.com
Signature: _____ Date: 1/2/2025

CONTACT INFORMATION

Name: _____ Phone: _____
Fax: _____ Email: _____

* Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

PROPERTY INFORMATION:

IF MULTIPLE PROPERTY OWNERS FILL OUT MASTER APPLICATION AND ONE APPLICATION FOR EACH APPLICANT.

Map Reference Number(s) (Tax Parcel Identification Number or PIN #) R7339 006A Acreage: 0.37
Number of Existing Housing Units: 1 Number of Proposed Housing Units: _____ Current Population: 0
Street Address: 5868 HENRY BAILEY ROAD SUGAR HILL GA 30058
PRESENT ZONING DISTRICT: RESIDENTIAL (R100) REQUESTED ZONING DISTRICT: COMMERCIAL (CG)
Proposed Development: COMMERCIAL (CG) NEIGHBORHOOD STREET SHOPPING MALL
Adjacent Zonings: NORTH: RESIDENTIAL EAST: COMMERCIAL SOUTH: COMMERCIAL WEST: COMMERCIAL

Residential Development

of Lots/Dwelling Units: _____
Dwelling Unit Size (sq. ft.): _____
Net Density: _____

Non-Residential Development

of Lots/Buildings: 2
Total Gross Square Feet: 12000
Density: _____

PLEASE CHECK THE FOLLOWING IF APPLICABLE: ☐ DRI (Development of Regional Impact) ☐ Within 2,000 feet of the Chattahoochee River

Request for Special Conditions or Variance(s) (Set back, Parking, Buffers, etc): We are proposing two buildings at the proposed site and one of the smaller building which located in Henry Bailey rd side needs to have a small roof top which is above first story building about 3000 sq. ft to view central court yard area with sports recreation.

NOTE: Special Conditions, and Variance Request must also be explained in the Letter of Intent.



**CITY OF SUGAR HILL PLANNING & DEVELOPMENT DEPARTMENT
PUBLIC HEARING PACKET**

CASE #: _____ PERMIT FILE # _____ DATE RECEIVED: _____
Reviewed by: _____ Date Accepted: _____

APPLICATION FOR ANNEXATION

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(Note: Also, attach a plat or drawing illustrating the land area to be annexed and its relationship to the existing City Limits. Include lot number, block number, subdivision name, and Plat Book Reference, if available, and the existing zoning classifications of adjacent properties within the City.) It is requested that a zoning classification of COMMERCIAL (BG) be assigned to the property upon annexation.

(Note: Different classifications can be requested for various portions of the property).

The property owner(s) intended to develop and/or use the property as follows: street shopping mall
April, 2027 (Include a timetable for development if available).

| | |
|--|--------------------------------------|
| Owner/Applicant Name: <u>JEONG KYUN PARK</u> | Address: <u>5609 Lancashire lane</u> |
| Home Phone: _____ | <u>Cumming, GA 30041</u> |
| Work Phone: <u>404 998 9842</u> | |
| Fax: _____ | Email: <u>jake@dpintl.com</u> |
| Signature: _____ | Date Signed: <u>12/31/2024</u> |

* COPIES CAN BE MADE FOR ADDITIONAL OWNER/APPLICANT SIGNATURES, ORIGINAL SIGNATURES MUST BE SUBMITTED WITH THE APPLICATION.

60% METHOD

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The property owner(s) intended to develop and/or use the property as follows: _____ (Include a timetable for development if available).

| | |
|--|--|
| Landowner Name: <u>YOUNG SUN PARK</u> | Address: <u>5609 Lancashire lane</u> |
| Home Phone: _____ | <u>Cumming GA 30041</u> |
| Work Phone: <u>678 546 5873</u> | |
| Fax: _____ | Email: <u>jake@dpintl.com happyb2008@gmail.com</u> |
| Signature: _____ | Date Signed: <u>12/31/2024</u> |
| Elector (Registered Voter) Name: _____ | Address: _____ |
| Home Phone: _____ | |
| Work Phone: _____ | |
| Signature: _____ | Date Signed: _____ |

- COPIES CAN BE MADE FOR ADDITIONAL LANDOWNER AND ELECTOR SIGNATURES, ORIGINAL SIGNATURES MUST BE SUBMITTED WITH THE APPLICATION.
- A SEPARATE SIGNATURE PAGE SHOULD BE FILED FOR EACH LANDOWNER AND EACH RESIDENT ELECTOR.



CITY OF SUGAR HILL PLANNING & DEVELOPMENT DEPARTMENT
PUBLIC HEARING PACKET

APPLICANT'S CERTIFICATION

The undersigned below is authorized to make this application. The undersigned is aware that no application or reapplication which affects the same land for which an application was denied during the last 12 months shall be acted upon for 12 months from the date of the denial by the City Council unless waived by the City Council. In no case shall an application or reapplication be acted upon in less than six (6) months from the date of the denial by the City Council.

Signature of Applicant

Sworn to and subscribed before me this 2nd day of January, 2025

Date
Typed or Print Name and Title

SONGKI KIM, KYUN PARK

Date

Signature of Notary Public

Seal

PROPERTY OWNER'S CERTIFICATION

The undersigned below is authorized to make this application. The undersigned is aware that no application or reapplication which affects the same land for which an application was denied during the last 12 months shall be acted upon for 12 months from the date of the denial by the City Council unless waived by the City Council. In no case shall an application or reapplication be acted upon in less than six (6) months from the date of last action by the City Council. I hereby authorize the staff of the City of Sugar Hill, Department of Planning and Development to inspect the premises which are subject of this zoning application.

Owner Signature

Sworn to and subscribed before me this 2nd day of January, 2025

Date
Typed or Print Name and Title

SONGKI KIM, KYUN PARK

Date

Signature of Notary Public

Seal

CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS

The undersigned below, making application for rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

Signature of Applicant/ Attorney Representative

Signature of Owner

Sworn to and subscribed before me this 2nd day of January, 2025

Date
Typed or Print Name and Title

SONGKI KIM, KYUN PARK

Date

Date
Typed or Print Name and Title

SONGKI KIM, KYUN PARK

Date

Signature of Notary Public

Seal

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Sugar Hill City Council or the Planning Commission? No (yes/no). If yes, complete the following:

NAME & OFFICIAL
POSITION OF GOVERNMENT
OFFICIAL

CONTRIBUTIONS (List all
which aggregate to \$250
or more

DATE CONTRIBUTION WAS
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Signature of Applicant/ Attorney Representative

Signature of Owner

Sworn to and subscribed before me this 2nd day of January, 2025

Date
Typed or Print Name and Title

SONGKI KIM, KYUN PARK

Date

Date
Typed or Print Name and Title

SONGKI KIM, KYUN PARK

Date

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**CITY OF SUGAR HILL PLANNING & DEVELOPMENT DEPARTMENT
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Signature of Applicant: [Signature] Date: 01/03/2025 Typed or Print Name and Title: JEONG KYUN PARK Date: 01/03/2025
Sworn to and subscribed before me this 3 day of JANUARY, 2025. Zil Patel
Signature of Notary Public



PROPERTY OWNER'S CERTIFICATION

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Owner Signature: [Signature] Date: 1/3/2025 Typed or Print Name and Title: Han Ho Kim, owner Date: 1/3/2025
Sworn to and subscribed before me this 3 day of January, 2025. [Signature]
signature of Notary Public

ANTONIETA DJABAS
NOTARY PUBLIC
Gwinnett County
State of Georgia
My Comm. Expires May 6, 2028

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Signature of Owner: [Signature] Date: 1/3/2025 Typed or Print Name and Title: Han Ho Kim, owner Date: 1/3/2025
Sworn to and subscribed before me this 3 day of January, 2025. [Signature]
Signature of Notary Public

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NOTARY PUBLIC
Gwinnett County
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POSITION OF GOVERNMENT
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CONTRIBUTIONS (List all
which aggregate to \$250
or more

DATE CONTRIBUTION WAS
made (within last two years)

Signature of Applicant/ Attorney Representative: [Signature] Date: 01/03/2025 Typed or Print Name and Title: JEONG KYUN PARK/OWNER Date: 01/03/2025
Signature of Owner: [Signature] Date: 1/3/2025 Typed or Print Name and Title: Han Ho Kim, owner Date: 1/3/2025
Sworn to and subscribed before me this 3 day of January, 2025. [Signature]
Signature of Notary Public

ANTONIETA DJABAS
NOTARY PUBLIC
Gwinnett County
State of Georgia
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Signature of Applicant _____ Date 01/02/2025 Typed or Print Name and Title Myers Group LLC Date 01/02/2025
Sworn to and subscribed before me this 2nd day of January, 2025 Signature of Notary Public _____ Seal

PROPERTY OWNER'S CERTIFICATION

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Signature of Applicant _____ Date 01/07/2025 Typed or Print Name and Title JEONG KYUN PARK Date 01/07/2025
Sworn to and subscribed before me this 2nd day of January, 2025 Signature of Notary Public _____ Seal

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Sworn to and subscribed before me this 2nd day of January, 2025 Signature of Notary Public _____ Seal

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Sworn to and subscribed before me this 2nd day of January, 2025 Signature of Notary Public _____ Seal

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Signature of Owner _____ Date 01/07/2025 Typed or Print Name and Title JEONG KYUN PARK Date 01/07/2025
Sworn to and subscribed before me this 2nd day of January, 2025 Signature of Notary Public _____ Seal

Letter of Intent

01 / 03 / 2025

To: City of Sugar Hill

Attn: Planning & Zoning Department

From: Five Group LLC & Jeong kyun Park / Property Owner

Location: 5853, 5875, 5868 properties in Suwanee dam road

Subject: Developing Lifestyle Shopping Mall & Surf Recreation Theme

Dear Manager and whom it may concern,

My name is Jeong Kyun Park and It's my honor to express my intention to you all for developing unique street shopping mall project in Sugar Hill that I have been dreaming for over 20 years. I have been architectural and theme park entertainment designer for almost thirty years, and I have build numerous projects related to recreation & entertainment contents as well.

We are aware that Sugar Hill City wants to create and launch sophisticated projects for the community by glancing at the Downtown Sugar Hill project with amenities. Even though we have a small scare project, we'd like to carry with the same spirit what Sugar Hill wants to bring to the community.

In planning of our unique project, the intent is to develop unique street shopping mall comprised of central green gathering courtyard zone called 'welcome plaza' with surfing experience, casual sports grill restaurant and retails for residents of Sugar Hill, Suwanee, and nearby neighbors.

Our project is called 'The Sugar Bay Mall' and our primary goal is to provide guest friendly environment in an beach like atmosphere to create casual, yet sophisticated and fun. The development of 'Wave House Concept' is expected to have high appeal with residents and be an enhancement to their quality of life. The project will be planned as a new and eco-friendly Surf & Sports recreation venue.

I had built and operated this experience in oversea market and it's time and it went successful, and I believe it's time to bring this great concept to hometown serving and inspiring our neighbors. I am confident that this will be great contents what Sugar Hill residents are looking for and will be successful.

I look forward to having your response and advice soon and working together in the near future.

Thank you.

Sincerely

Jeong Kyun Park (Jake Park)





CITY OF SUGAR HILL PLANNING & DEVELOPMENT DEPARTMENT
PUBLIC HEARING PACKET

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

Please respond to the following standards in the space provided or use an attachment as necessary:

A. Whether the proposed Rezoning or Special Use Permit will permit a use that is suitable in view of the use and development of adjacent and nearby property:

Our proposed concept and buildings are suitable to serve and support neighborhood community with upscale retail environment and recreation in courtyard.

B. Whether the proposed Rezoning or Special Use Permit will adversely affect the existing use or usability of adjacent or nearby property:

Our retail shopping mall concept will not affect adversely since the properties are surrounded by commercial zone and the property has two in and out accesses.

C. Whether the property to be affected by a proposed Rezoning or Special Use Permit has reasonable economic use as currently zoned:

Our 70% of properties is already zoned commercial and two attached neighborhood properties are also zoned commercial therefore it's reasonable to use a B.G.

D. Whether the proposed Rezoning or Special Use Permit will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

Our proposed concept will not cause burdensome use of existing suwanee dam road and henry bailey rd by two splitted accesses and there are no school nearby.

E. Whether the proposed Rezoning or Special Use Permit is in conformity with the policy and interest of the Land Use Plan:

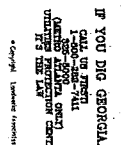
Our proposed site is planned as commercial zone for the future in Sugar Hill and Gwinnett county and our proposed concept has met the land use plan.


F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed Rezoning or Special Use Permit:

There were existing letter as 'conditions of zoning' for one of the properties; 5853 suwanee dam road, and we are proposing the land use within this condition. we have attached the "existing condition."

AX-08-001
Exhibit B
Conditions of Zoning

1. Reduce the required Zoning Buffer from 75 ft. to a 10' Enhanced buffer, including building setback.
2. A 6' high opaque fence, constructed of wood, brick or stone, shall be installed between the day care and the subject property, with gate across easement.
3. Enhanced buffers are to consist of at least a staggered double row of evergreen and semi-evergreen trees and shrubs native or adapted to the area. Trees shall be 6' tall at time of planting. Plantings shall be arranged to provide an effective visual screen of at least 20' in height at maturity. Buffer must be shown on a landscape plan to be approved by Planning and Development prior to receiving any permits. Enhanced buffer shall be included in the side and rear setbacks and shall be incorporated into the standard buffer wherever there is not an effective screen created by existing vegetation.
4. A dedicated left turn lane shall be provided at the developer's expense for entrance into the development from south-bound approach via Suwanee Dam Road. Access improvements shall be coordinated with Gwinnett County Department of Transportation and the City of Sugar Hill.
5. All detention facilities and associated easements shall have a chain link fence (dark green or black vinyl coated) installed around the perimeter. Refer to Development Regulations 8.2.7.
6. Lighting shall be designed and maintained to prevent light trespass onto nearby residential property in excess of .2 foot candles (fc) as measured at a 6' height perpendicular to the ground. Lamps shall have a color rendering index (CRI) between 75 and 100 CRI. All lamps must be shielded to prevent glare from any point along the property line so that no direct light source is visible from a sight line established at a distance between four feet (4') and six feet (6') perpendicular from the ground. The lighting plan must be approved by the City's Planning Director prior to receiving any land disturbance and/or building permit.
7. Dumpster service hours & delivery hours are limited to the period of time between 7:00 AM and 7:00 PM.
8. The following uses shall not be permitted:
 - a. Auto repair shops and tire stores including lubrication or tune up centers.
 - b. Contractor offices.
 - c. Funeral homes and mausoleums.
 - d. Vehicle refueling stations.
 - e. Service stations defined as a business with fuel pumps and garage stalls for vehicle maintenance.
 - f. Convenience stores defined as a retail establishment selling fuel and sundries for the traveling consumer.
 - g. Mortuaries, cemeteries.
 - h. Motels, hotels.
 - i. Automotive sales lots and associated service facilities.
 - j. Boarding and rooming houses.
 - k. Equipment rental.
 - l. Mini-warehouse/personal storage facilities.
 - m. Moving van or truck rental.
 - n. Taxi/limousine service.
 - o. Transportation terminals for passengers.
 - p. Facilities engaging in the business, trade, or profession of psychic reading, fortune telling, astrology, phrenology, palmistry, clairvoyance, or related practices.
 - q. Pawn shops.
 - r. Businesses that primarily offer check cashing services for a fee to those who don't have traditional bank accounts.
 - s. Parking garages.



| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--------------------|---|--------------------------|--|--|--|-----------|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| SHEET NUMBER 61 | DATE: 01-01-00 APP: 01-01-00 DW: 01-01-00 CONC: 01-01-00 | SHEET TITLE SITE PLAN | PROJECT DESCRIPTION JERRY PRESCOTT 5589 SURANCE DAM ROAD LAND LOT 339, 7TH DISTRICT GWINNETT COUNTY, GEORGIA | Landworks Associates, Inc. 1509 ATKINSON ROAD LAWRENCEVILLE, GEORGIA 30043 (770) 513-7100 FAX: 513-4353 |  | REVISIONS | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 |



CITY OF SUGAR HILL PLANNING & DEVELOPMENT DEPARTMENT
PUBLIC HEARING PACKET

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR APPLICATION

The undersigned below is authorized to make this application. The undersigned certifies that all City Taxes/Property taxes, billed to date for the parcel listed below have been paid in full to the Tax Commissioner of Gwinnett County, Georgia. In no case shall an application or reapplication for rezoning, special use permit, and/or change in conditions be processed without such property verification. A copy of the paid tax bill can also be provided.

***NOTE:** A separate verification for must be completed for each tax parcel included in the Variance request.

Tax Parcel Number: 179 B7339 006
[Signature] 12/31/2024 JEONG KYUN PARK
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME



CITY OF SUGAR HILL PLANNING & DEVELOPMENT DEPARTMENT
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Tax Parcel Number: 179 B 7339 006A
[Signature] 12/31/2024 YOUNG SUN PARK
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME



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*NOTE: A separate verification for must be completed for each tax parcel included in the Variance request.

Tax Parcel Number: 174 R 7339 005
[Signature] 12/31/2024 FIVE GROUP LLC
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME



CITY OF SUGAR HILL PLANNING & DEVELOPMENT DEPARTMENT
PUBLIC HEARING PACKET

PUBLIC HEARING CHECKLIST

The following is a checklist of information required for submission of an application. The Planning and Development Department reserves the right not to accept any uncompleted applications.

☐ Application completed with all information needed attached rezoning fees paid.

Other information required to be submitted with the application:

- | | | |
|--|--|---|
| <input type="checkbox"/> 3 Copies of the site Plan to scale | <input type="checkbox"/> 8 1/2" X 11" Reduced Copy w/topo (1) | <input type="checkbox"/> 8 1/2" X 11" Reduced Copy without topo (1) |
| | | <input type="checkbox"/> Above emailed to klanders@cityofsugarhill.com |
| <input type="checkbox"/> 11" X 17" with topo (1) | <input type="checkbox"/> 11" X 17" without topo (1) | <input type="checkbox"/> Recorded Plat <input type="checkbox"/> Electronic File |
| <input type="checkbox"/> Legal Description – WORD FORMAT | <input type="checkbox"/> Letter of Intent (Including Variances) | <input type="checkbox"/> Adjoining Property Owners <input type="checkbox"/> Printed Labels |
| <input type="checkbox"/> Above emailed to klanders@cityofsugarhill.com | | <input type="checkbox"/> Email Labels AVERY 5160 format to klanders@cityofsugarhill.com |
| <input type="checkbox"/> Applicant/Owner Certification | <input type="checkbox"/> Conflict of Interest/Campaign Contributions | <input type="checkbox"/> Applicants Response |
| <input type="checkbox"/> Availability of Water/Sewer Letter | <input type="checkbox"/> Property Tax Paid Verification | <input type="checkbox"/> Traffic Study |
| <input type="checkbox"/> Development of Regional Impact (DRI) | <input type="checkbox"/> within 2,000' of the Chattahoochee River | <input type="checkbox"/> Site Plan with all items below |

I, _____ have completed all of the above.
Print Name

Applicant Signature

____/____/____
Date

Received Date: ____/____/____

Reviewed By: _____
CASE NUMBER: _____

To be returned by: ____/____/____

MAKE SURE THIS CHECKLIST IS RETURNED WITH THE REZONING APPLICATION.

Project Concept



“ **N**ew **L**ife **S**tyle **S**treet **M**all”
The **S**ugar **B**ay **M**all

Project Goal & Direction

Area / Size: Sugar Hill City Boundary / appx. 2.7 acre

Owner: Five Group LLC & Jeong kyun Park(Jake Park)

Location: 5853 and 5875 Suwanee dam road & 5868 Henry Bailey road Sugar Hill, GA 30518

Subject: Developing Lifestyle Shopping Mall with Surf Recreation Theme

- In planning of this unique project, the intent is to develop new and unique street shopping mall comprised of central green gathering courtyard zone called 'welcome plaza' with surfing experience, casual sports grill eateries and retails for the residents of Sugar Hill, Suwanee, and near by neighbors.
- Our primary goal of 'The Sugar Bay Mall' project is to provide guest friendly environment in a beach like atmosphere to create casual, yet sophisticated and fun. The development of 'Wave House Concept' is expected to have high appeal with residents and be an enhancement to their quality of life.
- The project will be planned as a new and eco-friendly Surf & Sports venue.
- Wave House and retail shopping mall will be year around business with various Semi-Surf Sports activity and training.
- We will also provide healthy food by casual dining menu with fun and clean environment for family and group to enjoy while staying
- Wave House Sugar Hill is only place for surf activity in Southeast United States and will grow healthily.
- We ourselves have designed many projects, and had a direct operation experience in overseas market and we believe it's time to bring this great concept to hometown serving and inspiring our neighbors.

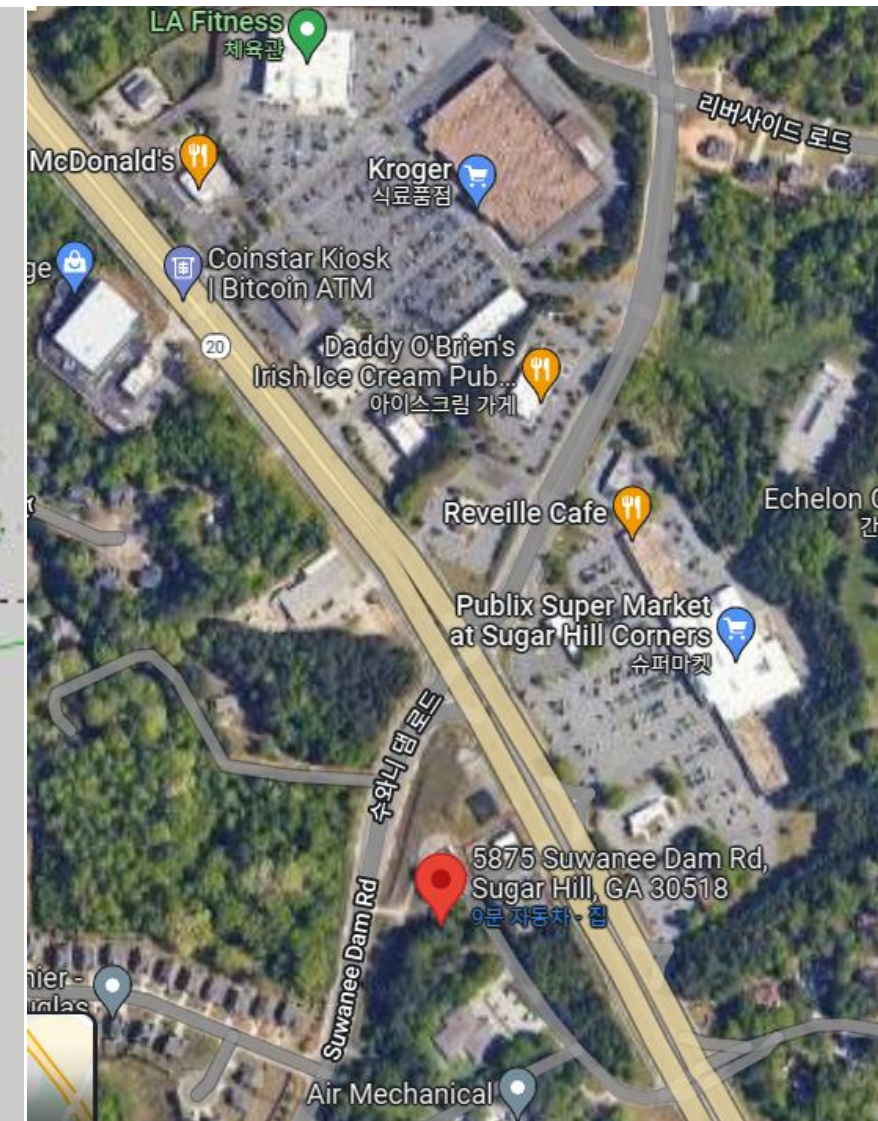
Bring the Greatness to Sugar Hill home town !!!



Project Site Overview

Project Location

The project sites are comprised by mainly two properties; 1.7 acre of commercial land and 1 acre of potential commercial land. Also, the site is almost at intersection of highway 20(Cumming hwy) and Suwanee dam road; busy place by Kroger, Publix, LA fitness Center, Region bank, Chase bank and others. And it's located in main route toward to Lake Lanier Park and Recreation. The site attaches to three streets; Suwanee dam road, Henry Bailey road, and Kendrix road and This project has intention to building 100 parking lot units and two in & out accesses with Suwanee dam road and Henry Bailey road to minimize any traffic impact.



Bring the Greatness to Sugar Hill hometown !!!

The Sugar Bay Concept

Shopping mall Key facts :

Family Friendly Commercial Development Project in 2.7 acre land

Sports & Delightful Recreation Experience with Various Eatery Shops & Retail

Key Contents :

Appx. 18,000sq.ft indoor Café & Sports Restaurant & Retail shops + 12,000sq.ft Central Green Courtyard with surfing experience



01 Sugar Bay Entertainment Contents & Activity Program

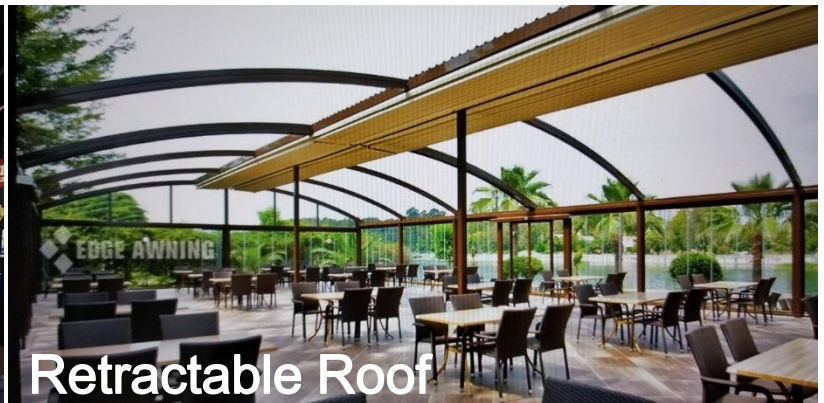
Wave House Surf & Welcome Plaza

Outdoor Surfing & Watching / Various Seating / Sand Play / Public Table Tennis / Retractable Roof / Potential Roof Top Seating & Viewing

Surf & Retractable Roof



Casual Dining



Retractable Roof

Central Courtyard



Central Courtyard



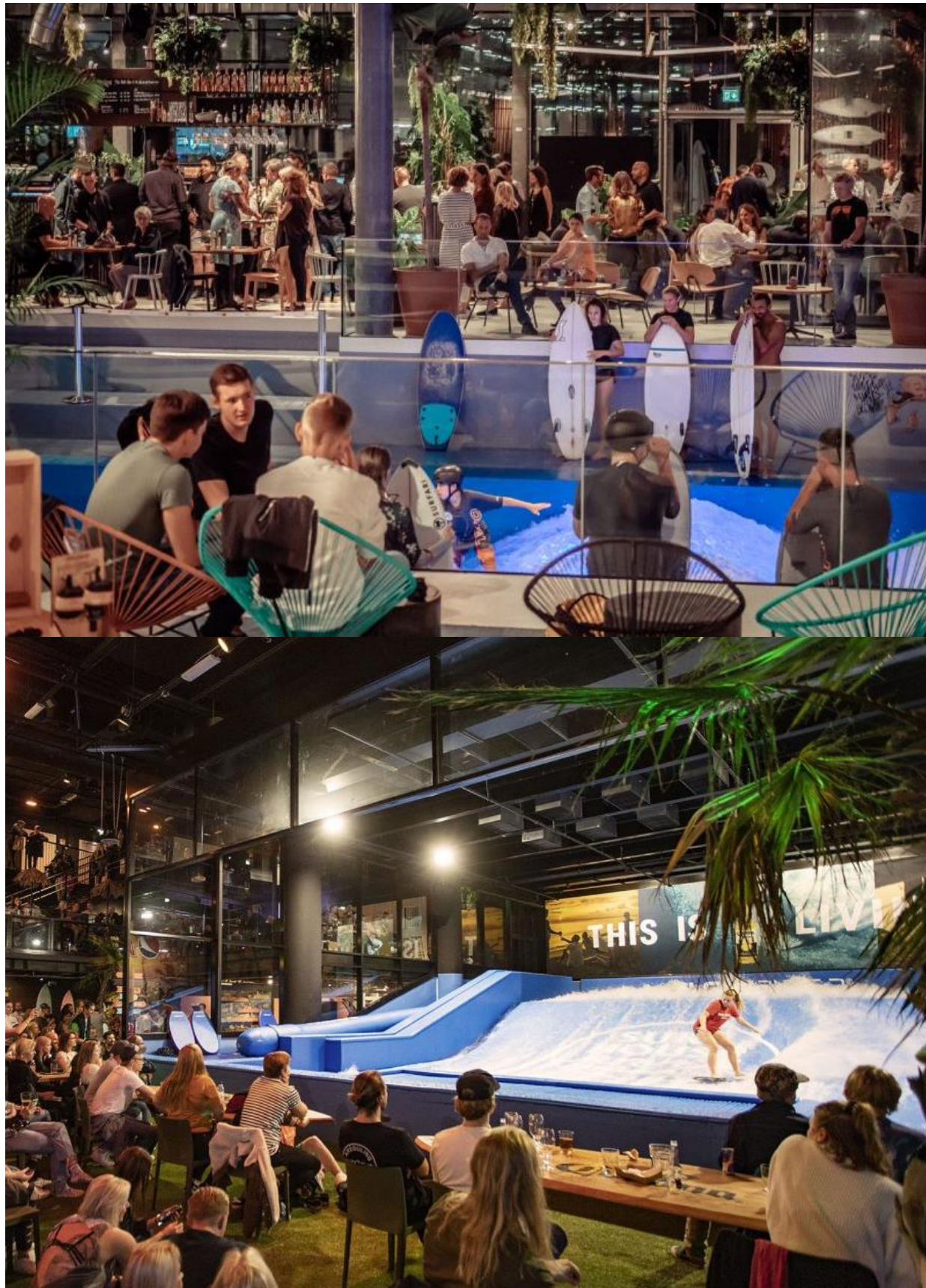
Courtyard Activity



Potential Rooftop

02 Wave House Sports Casual Dining & Retail

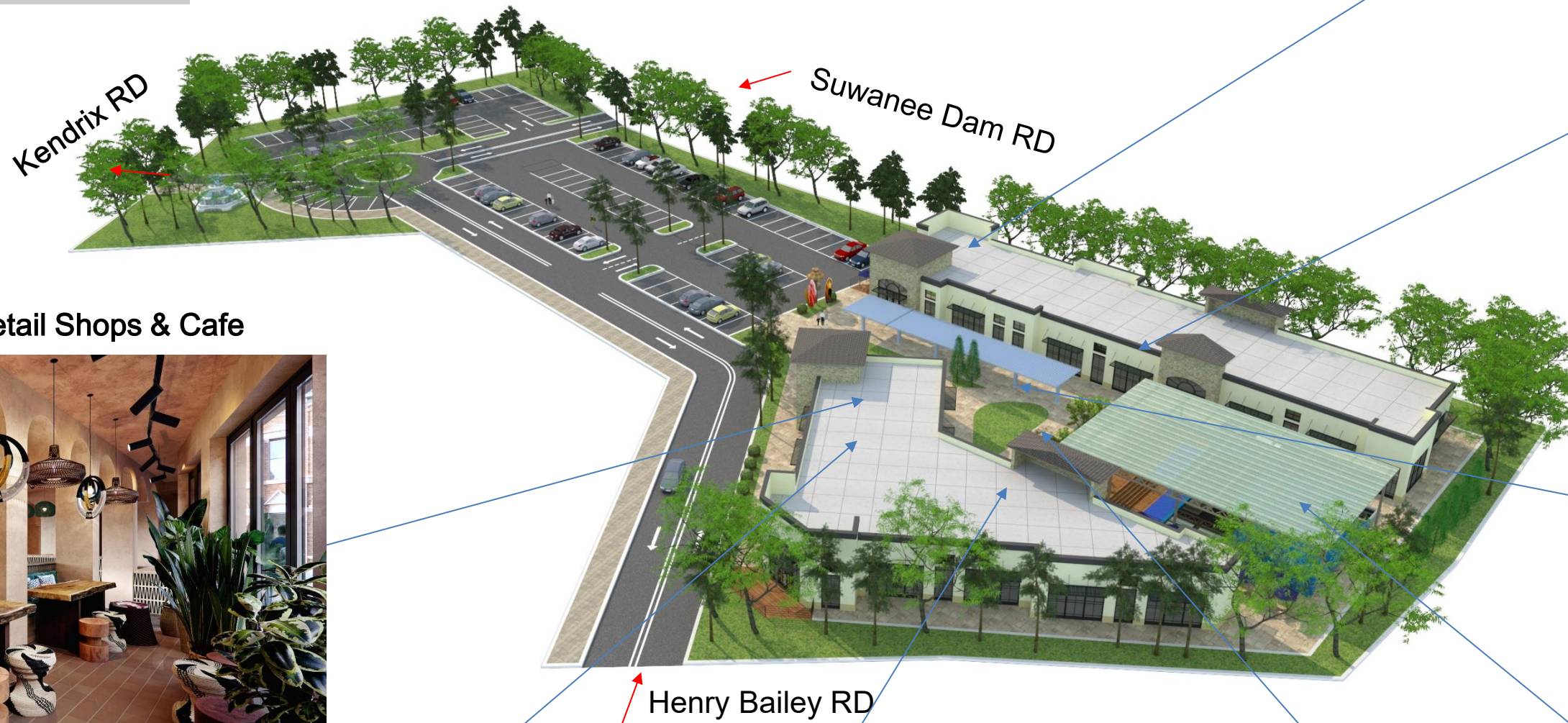
Wave House Concept



Surf Spectacular / Sports Bar / Birth day Party / Retail Shop
Enjoying Sports & Watching Neighbors' surfing



Concept: Lifestyle Mall & Various Contents



Building #1 : Retail & Casual Eatery



Retails

Building #2 : Retail Shops & Cafe



Cafe



Courtyard



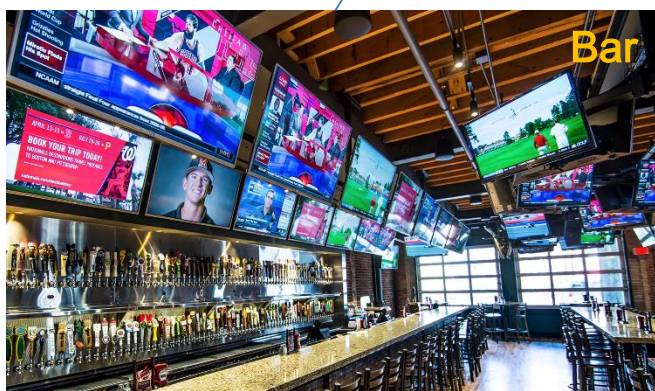
Cozy Wine Retail



Shower



Retails



Bar



Watching Sports



Surfing

Concept: Commercial Mix Development with Park like Welcome Atmosphere



Concept: Commercial Mix Development with Park like Welcome atmosphere



Driveway view towards Mall Entrance

Concept: Commercial Mix Development with Central Courtyard



View from the Courtyard Entry



View from the Rooftop level



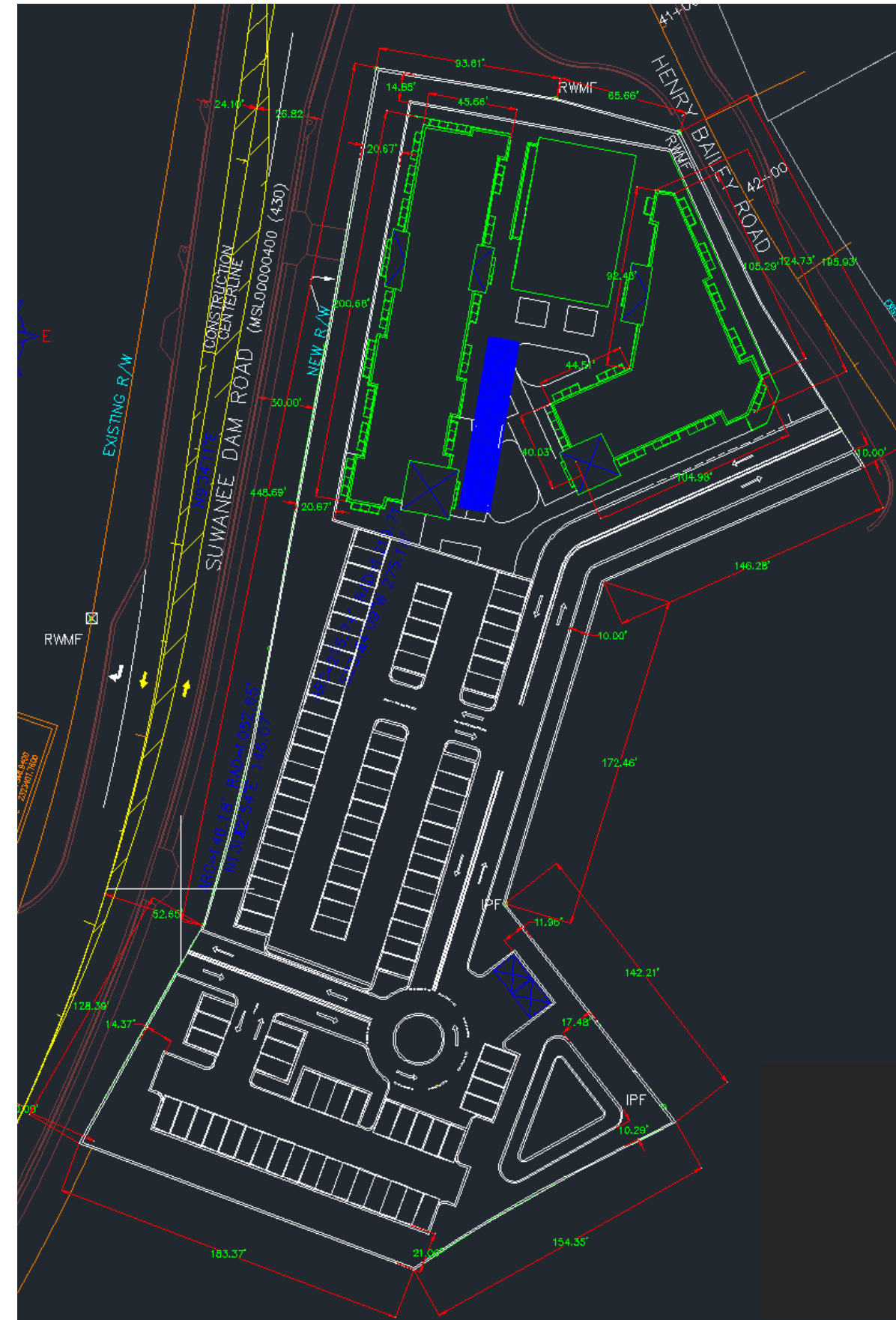
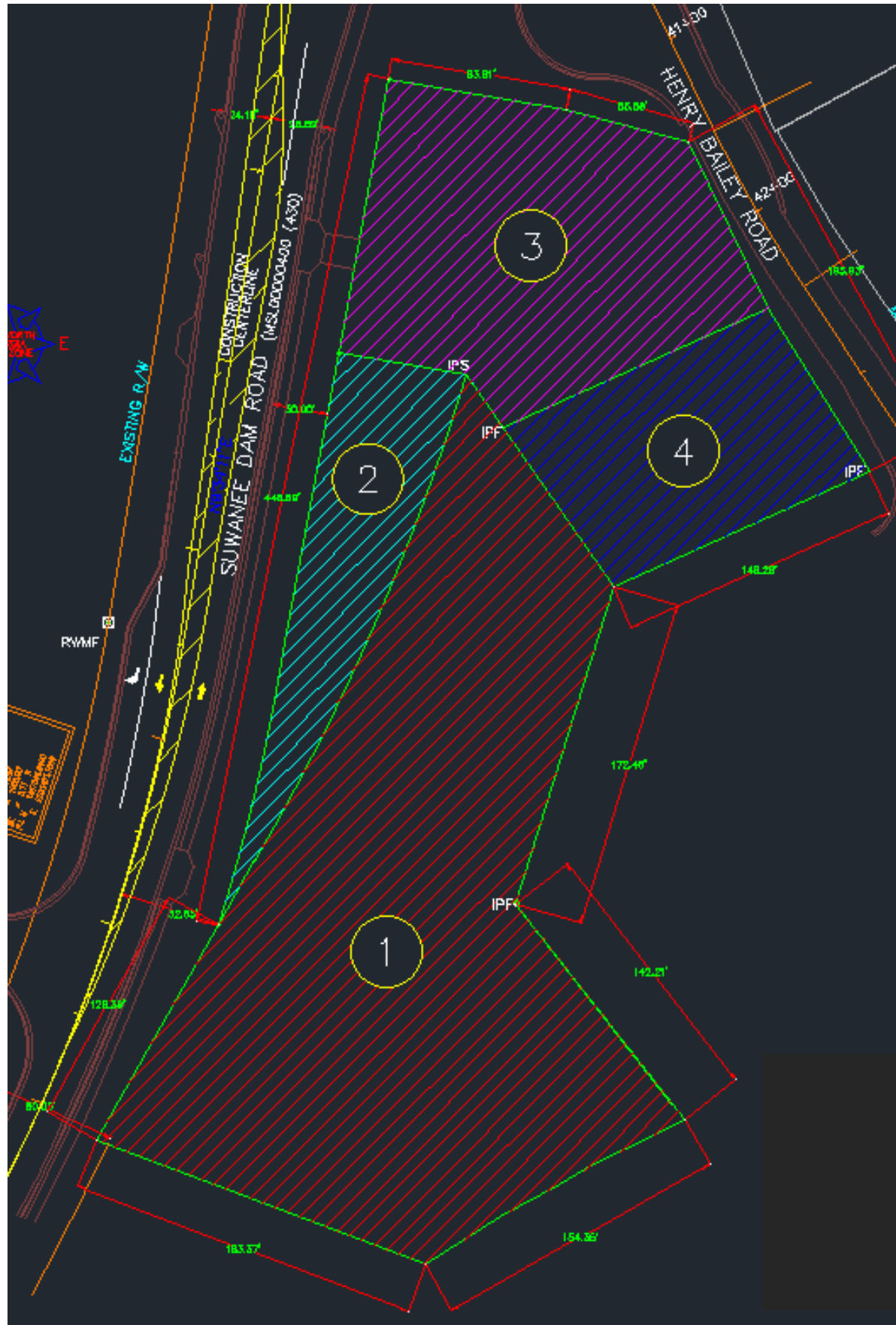
Courtyard with Various Seating & Dining

Group Surfing & Audiences & Surf Sports Shop

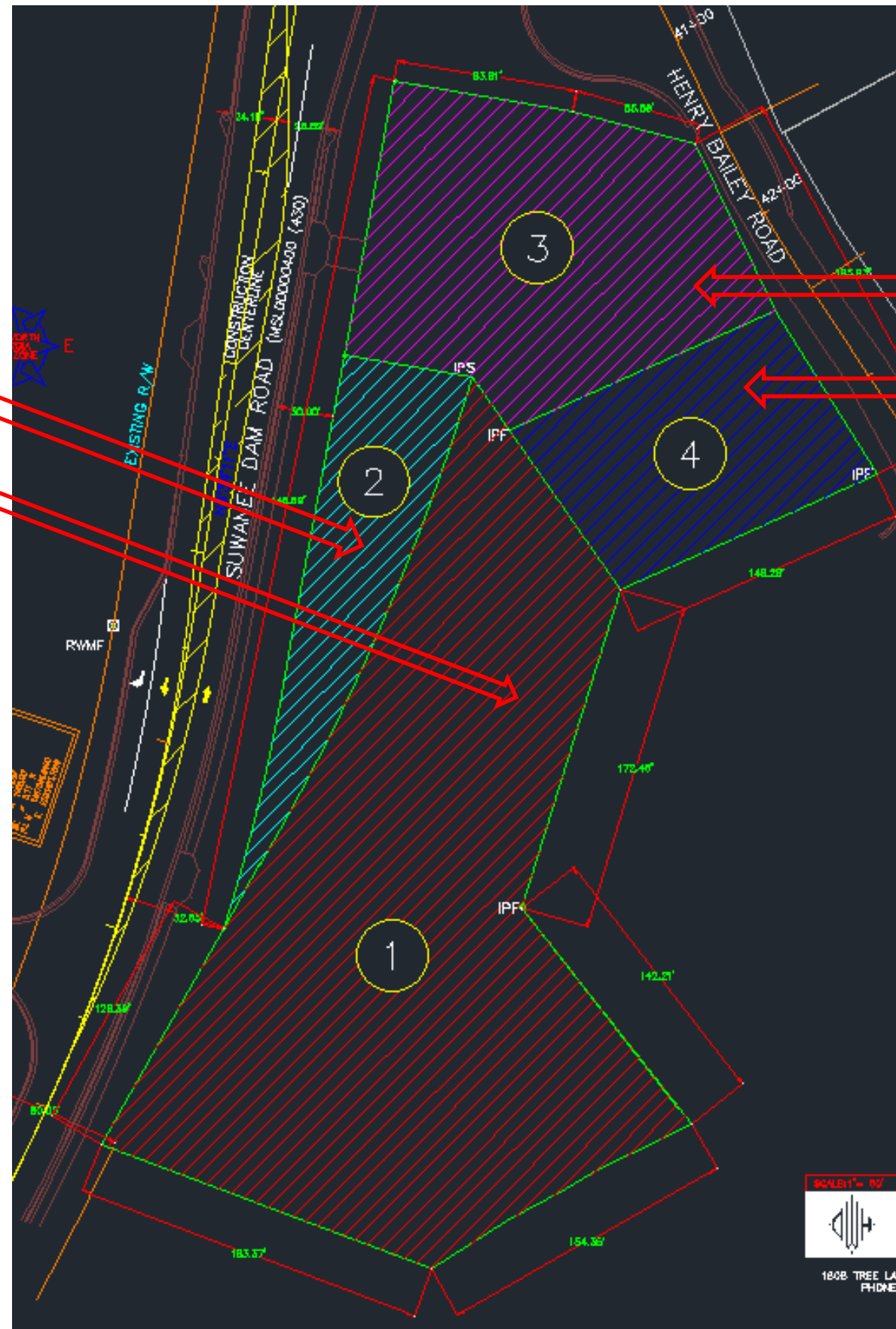
Concept: Commercial Mix Development with Central Courtyard

View from the Rooftop level





Zone Commercial
In Sugar Hill
Boundary



Zone Residential
In Gwinnett County
and intent to annex to
Sugar Hill

Request 1:

Please allow us to build the building at 10ft away from the property line and 40ft distance from the street line adjacent to Suwanee dame road since the building sits on 8~10ft higher level.

Please also allow us to build a building at 10ft away from the property line and 20ft distance from Henry Bailey road since there were almost no traffic and cul-de-sac.

In this way we can build 18000sq.ft space and spacious green courtyard space in the center of the mall for guest convenience and more than 100 parking units.

Request 2:

Our property line is 30ft away from Suwanee dam road. Please allow us to build parking lot at 10 ft away from the property line and It will be total 40ft distance from Suwanee dam road; we have found many cases parking lot were built with this similar condition.

Request 3:

Our inside property access road is 10ft distance from the property line adjacent to the property of Day Care center(Discoverey Point) and have a plan to build fence between.

Please allow us keep in this way if possible.

Request 4:

One of our proposed building needs to have Rooftop to reach at 18,000sq.ft.

Please allow us to have Rooftop about 2000sq.ft area above 1st floor which is part of 1st floor's store unit and it will provide a good view to watch the courtyard activity and pleasant environment.

06

Street shopping mall building's ground level is about 8~10ft higher than Suwanee dam road level



8~10ft

Current proposed building layout has 20ft distance from property line and 50ft from the street. Please allow us to build the building at 40ft distance from the street since we have 8~10ft higher level. Please also allow us to build a building at 10ft distance from the property line and 20ft distance from Henry Bailey rd since there were no traffic at all.

One of our proposed building needs to have Rooftop to reach at 18,000sq.ft as total usable space. Please allow us to have Rooftop about 2000sq.ft area above 1st floor which is part of 1st floor's store unit.

Our property line is 30ft away from Swanee dam road. Please allow us to build parking lot at 10 ft distance from our property line along with Suwanee dam rd. It will be total 40ft distance from the street.

Our inside property access road is 10ft distance from the property line adjacent to the property of Day Care center and have a plan to build fence between.

Please allow us keep in this way if possible.

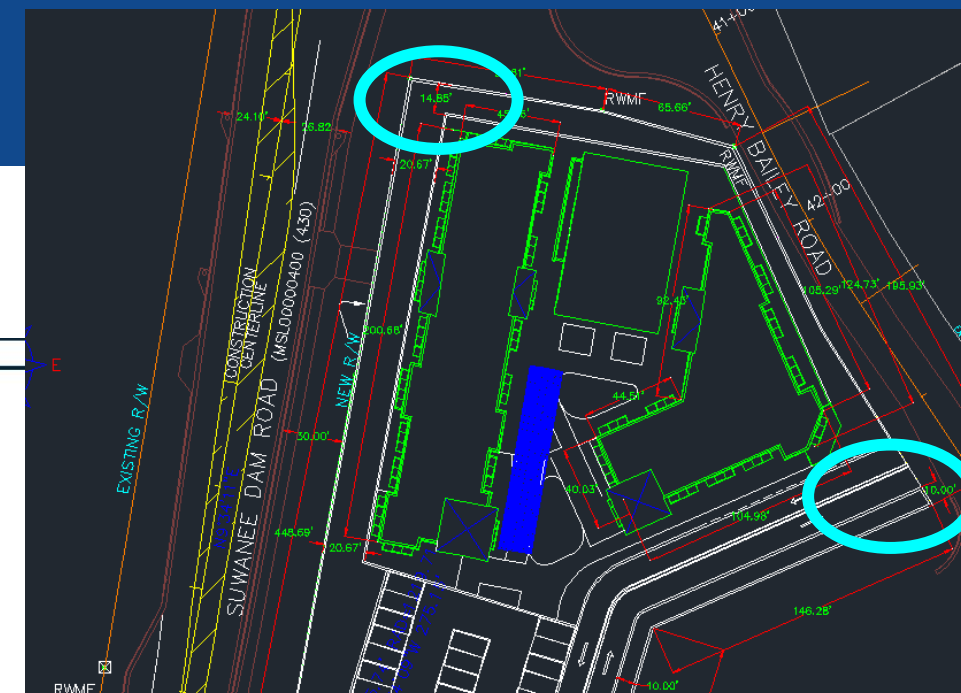
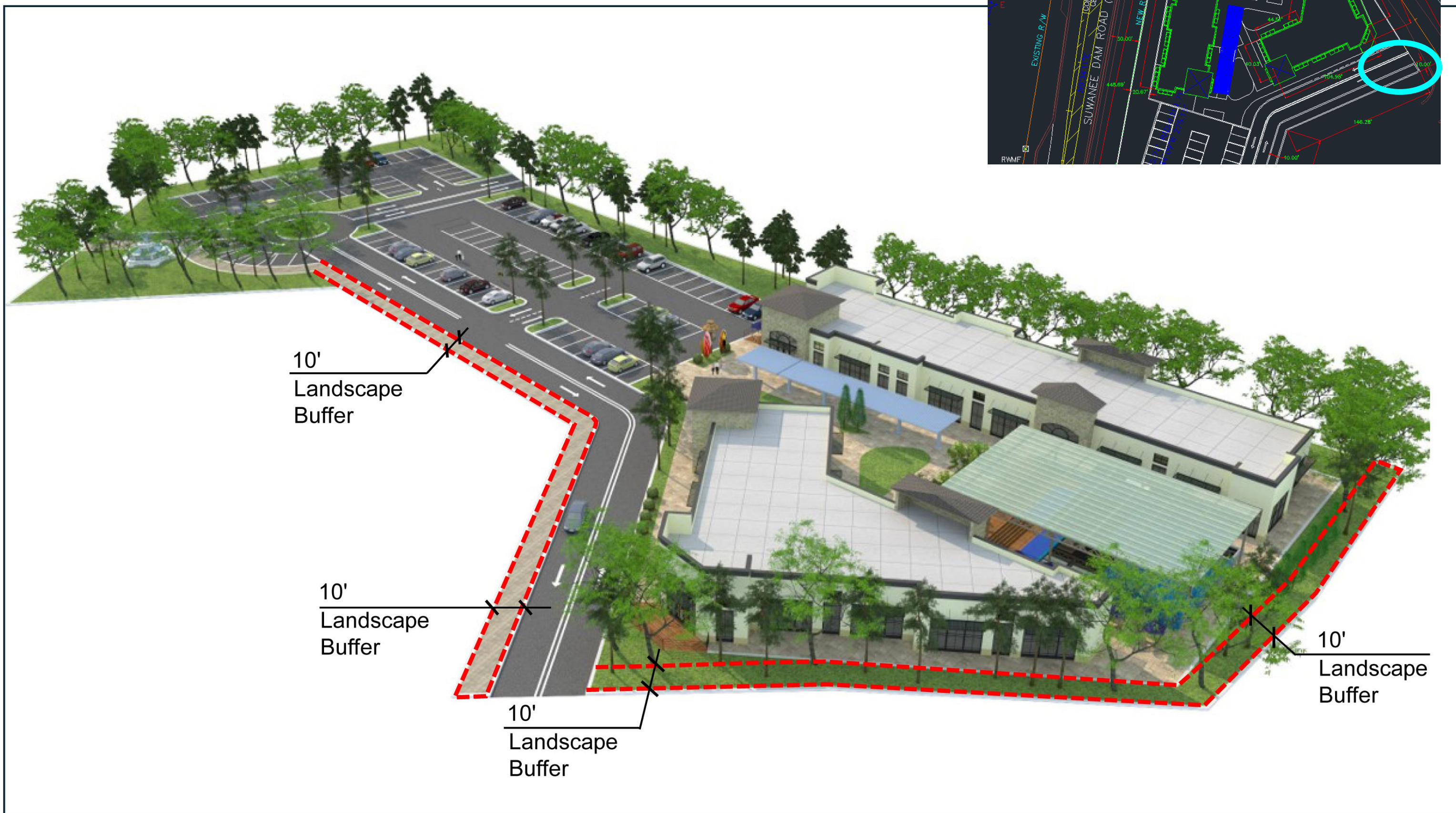
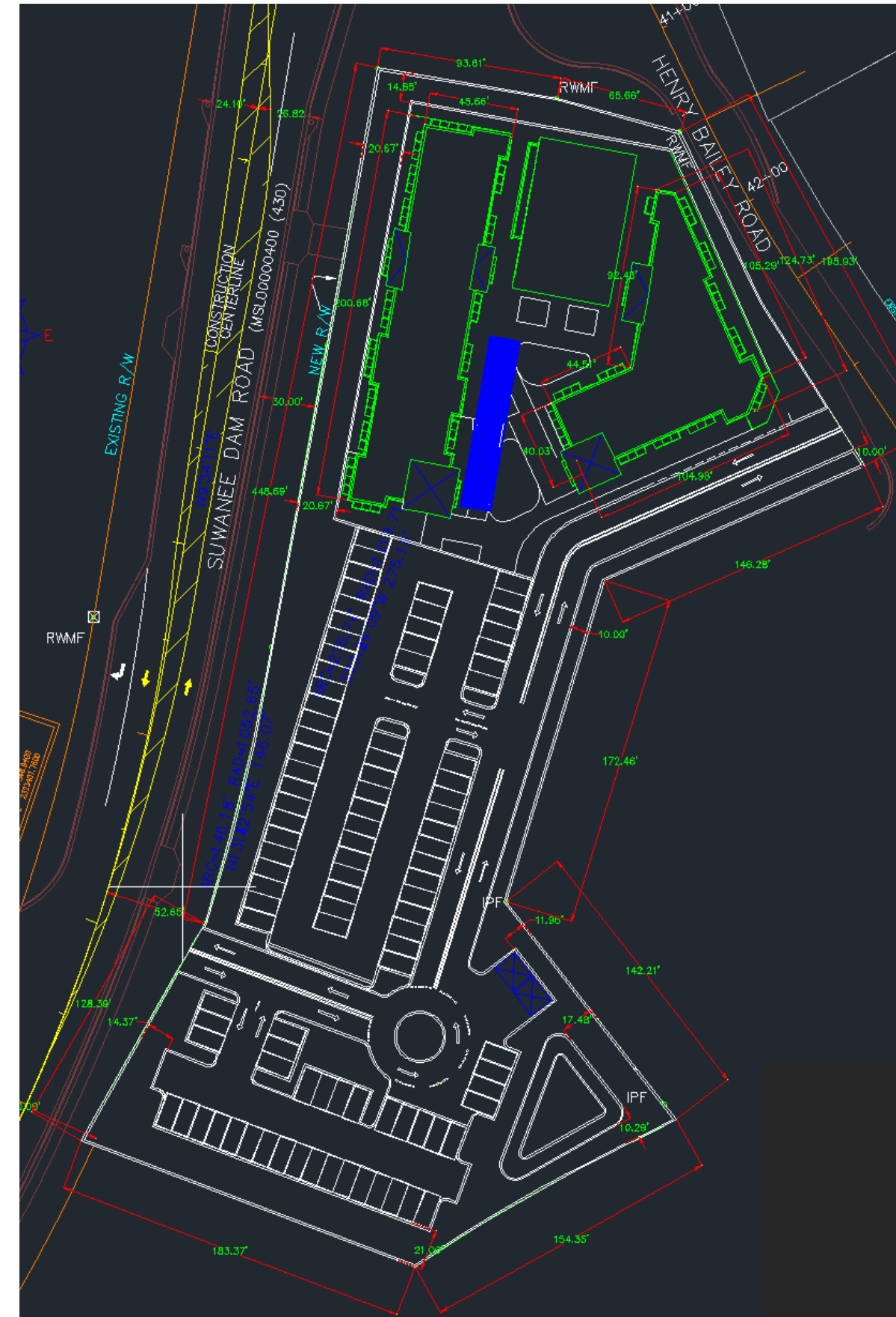
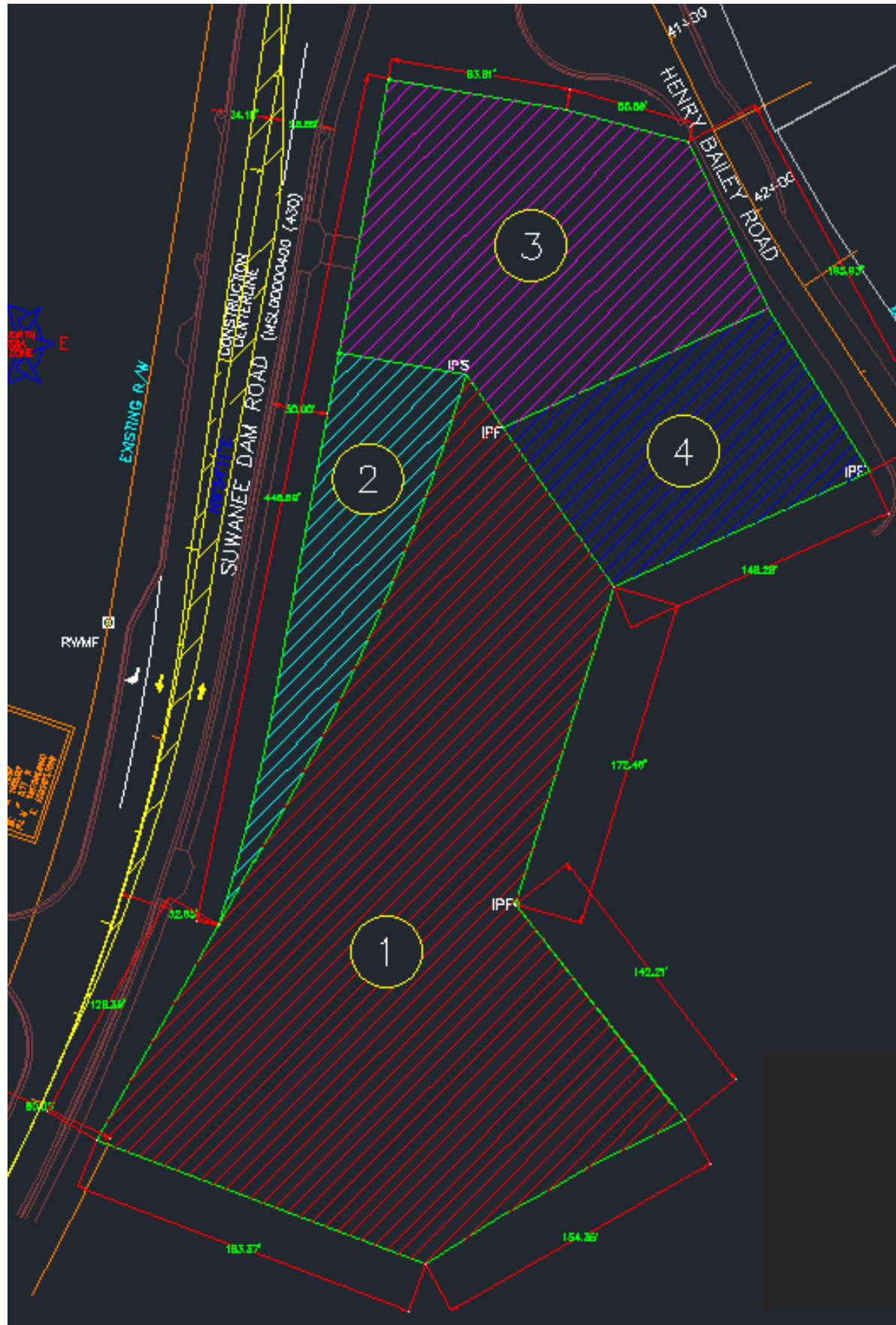


EXHIBIT 2



"existing condition -1"

EXHIBIT 1

13-1

AX-08-001 Exhibit B Conditions of Zoning

1. Reduce the required Zoning Buffer from 75 ft. to a 10' Enhanced buffer, including building setback.
2. A 6' high opaque fence, constructed of wood, brick or stone, shall be installed between the day care and the subject property, with gate across easement.
3. Enhanced buffers are to consist of at least a staggered double row of evergreen and semi-evergreen trees and shrubs native or adapted to the area. Trees shall be 6' tall at time of planting. Plantings shall be arranged to provide an effective visual screen of at least 20' in height at maturity. Buffer must be shown on a landscape plan to be approved by Planning and Development prior to receiving any permits. Enhanced buffer shall be included in the side and rear setbacks and shall be incorporated into the standard buffer wherever there is not an effective screen created by existing vegetation.
4. A dedicated left turn lane shall be provided at the developer's expense for entrance into the development from south-bound approach via Suwanee Dam Road. Access improvements shall be coordinated with Gwinnett County Department of Transportation and the City of Sugar Hill.
5. All detention facilities and associated easements shall have a chain link fence (dark green or black vinyl coated) installed around the perimeter. Refer to Development Regulations 8.2.7.
6. Lighting shall be designed and maintained to prevent light trespass onto nearby residential property in excess of .2 foot candles (fc) as measured at a 6' height perpendicular to the ground. Lamps shall have a color rendering index (CRI) between 75 and 100 CRI. All lamps must be shielded to prevent glare from any point along the property line so that no direct light source is visible from a sight line established at a distance between four feet (4') and six feet (6') perpendicular from the ground. The lighting plan must be approved by the City's Planning Director prior to receiving any land disturbance and/or building permit.
7. Dumpster service hours & delivery hours are limited to the period of time between 7:00 AM and 7:00 PM.
8. The following uses shall not be permitted:
 - a. Auto repair shops and tire stores including lubrication or tune up centers.
 - b. Contractor offices.
 - c. Funeral homes and mausoleums.
 - d. Vehicle refueling stations.
 - e. Service stations defined as a business with fuel pumps and garage stalls for vehicle maintenance.
 - f. Convenience stores defined as a retail establishment selling fuel and sundries for the traveling consumer.
 - g. Mortuaries, cemeteries.
 - h. Motels, hotels.
 - i. Automotive sales lots and associated service facilities.
 - j. Boarding and rooming houses.
 - k. Equipment rental.
 - l. Mini-warehouse/personal storage facilities.
 - m. Moving van or truck rental.
 - n. Taxi/limousine service.
 - o. Transportation terminals for passengers.
 - p. Facilities engaging in the business, trade, or profession of psychic reading, fortune telling, astrology, phrenology, palmistry, clairvoyance, or related practices.
 - q. Pawn shops.
 - r. Businesses that primarily offer check cashing services for a fee to those who don't have traditional bank accounts.
 - s. Parking garages.