

City of Sugar Hill
Planning Staff Report
AX 25-002

DATE: May 27, 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.
5. Prior to issuance of a Land Disturbance Permit, a Level 2 traffic study with Intersection Control Evaluation (ICE) shall be provided which explores safe ingress-egress options for the development. A right in-right out access onto Suwanee Dam Road is recommended, subject to GCDOT approval.

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'.

MAY 19, 2025, PLANNING COMMISSION PUBLIC HEARING AND RECOMMENDATION

The Planning Commission held a scheduled public hearing on Monday, May 19, 2025. The public hearing was opened. Applicant Jake Park spoke in support of this request. Jessica Taylor and Marla King spoke in opposition regarding traffic safety on adjacent and nearby roadways. Discussion was had by the commission regarding traffic safety and the adjacent daycare, as well as security of the proposed water entertainment feature at night.

Planning Commission Member Rosemary Walsh made a motion to recommend approval of the requested rezoning and annexation. Planning Commission Member Brian Shebs made the second with an amendment to staff conditions (condition 5). Motion to recommend approval passed – 3-1, with Mark Daniels opposed.

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.

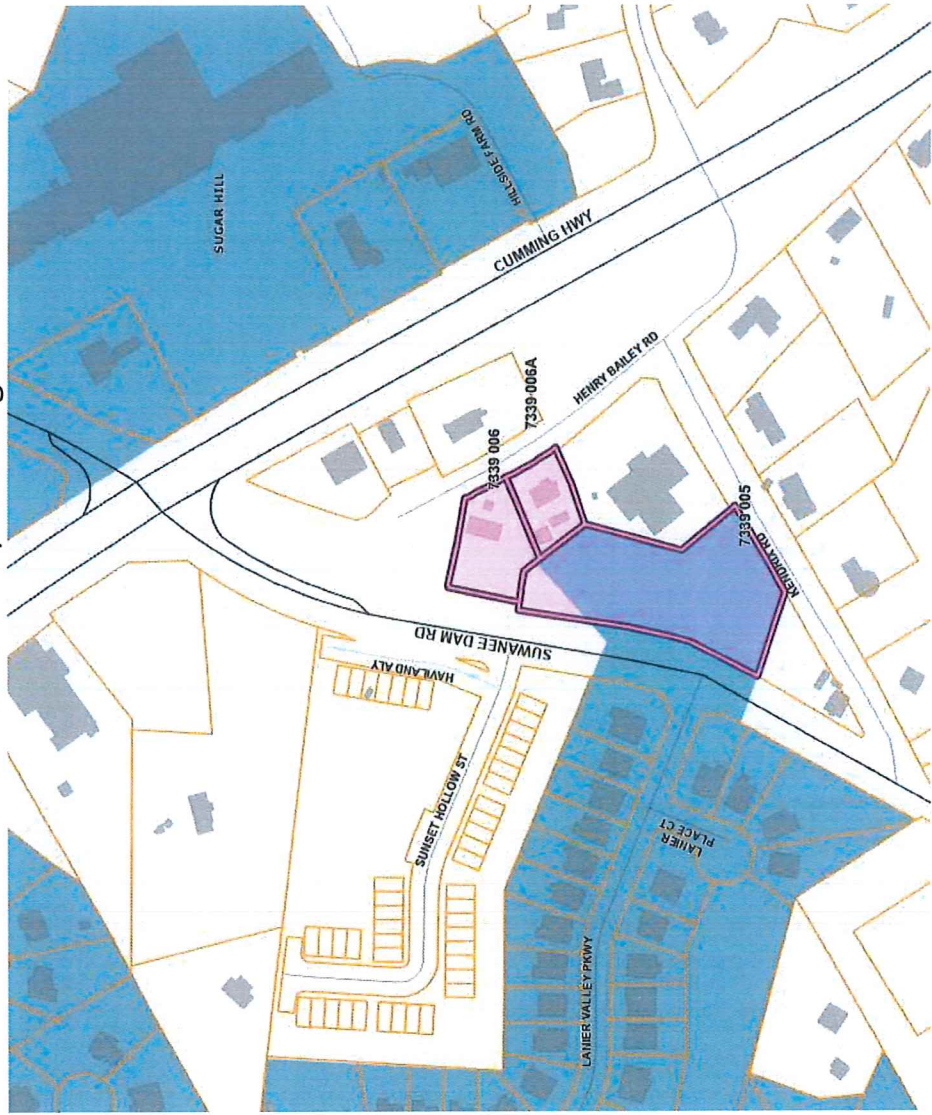
5. **Does the rezoning requested conform to the Sugar Hill Land Use Plan?**

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.

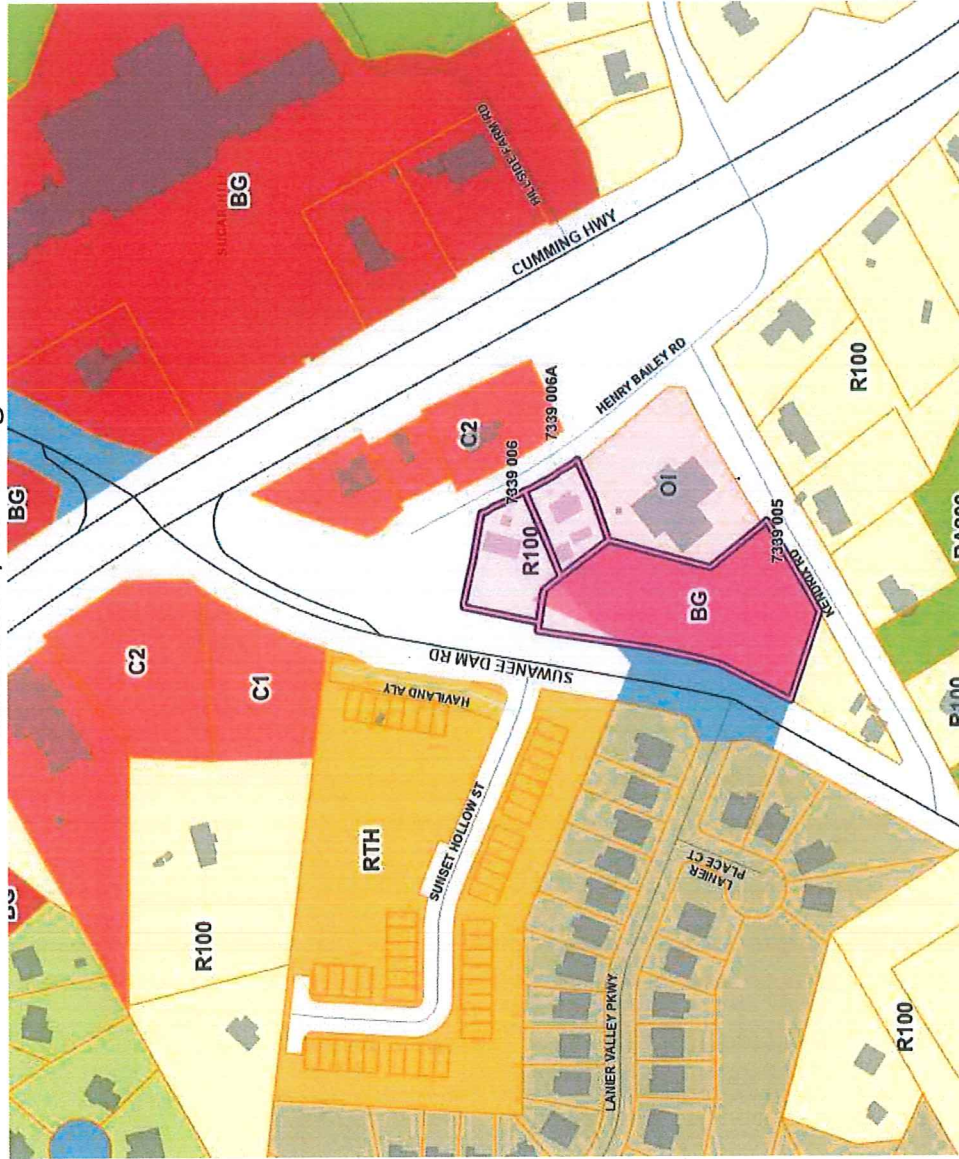
- 6. Are there other existing or changing conditions affecting the use and development of the property which would give support to an approval or disapproval of the rezoning request?**

No.

AX-25-002
LOCATION MAP
Annexation/Rezoning



AX-25-002
ADJACENT ZONING MAP
Annexation/Rezoning



AX-25-002
AERIAL MAP
Annexation/Rezoning



City of Sugar Hill
Planning Staff Report
AX 25-002

DATE: April 15, 2025
TO: City Manager
FROM: Planning Director
SUBJECT: Acceptance of Application for Annexation AX 25-002,
5785 Suwanee Dam Road and 5868 Henry Bailey Road
Tax Parcels: **7-339-005, 006, 006A**

RECOMMENDED ACTION

Accept annexation petition AX 25-002.
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SUMMARY Annexation of this 2.72 acre assemblage of parcels owned by Five Group LLC, Jeong Kyun Park, and Young Sun Park was initiated by an application dated February 27, 2025. As of April 14, 2025, I have determined that the application is complete, meets State of Georgia requirements under the 100% method and does not create an unincorporated island.

Pursuant to OCGA 36-36-6 and 36-36-111, notice has been prepared and will be delivered to Gwinnett County Board of Commissioners and Gwinnett County Board of Education as soon as possible within seven days from today's date.

Parcels R7-339-006, and R7-339-006A are currently zoned **Single-Family Residential District (R-100)** in Gwinnett County. Parcel R7-339-005 is partially zoned **General Business (BG)** within the City of Sugar Hill and **R-100** in Gwinnett County. The applicant is requesting to annex and rezone to **General Business (BG)** for a commercial development.

This is a summary for acceptance only. The first public hearing is scheduled for the May 19, 2025, Planning Commission meeting. A second public hearing is scheduled for the June 9, 2025, City Council meeting. Public notice signs are scheduled to be posted on 4/17/25. Legal advertisements will be published in Gwinnett Daily Post on 4-20-25, 4-27-25, 5-4-25, and 5-11-25.

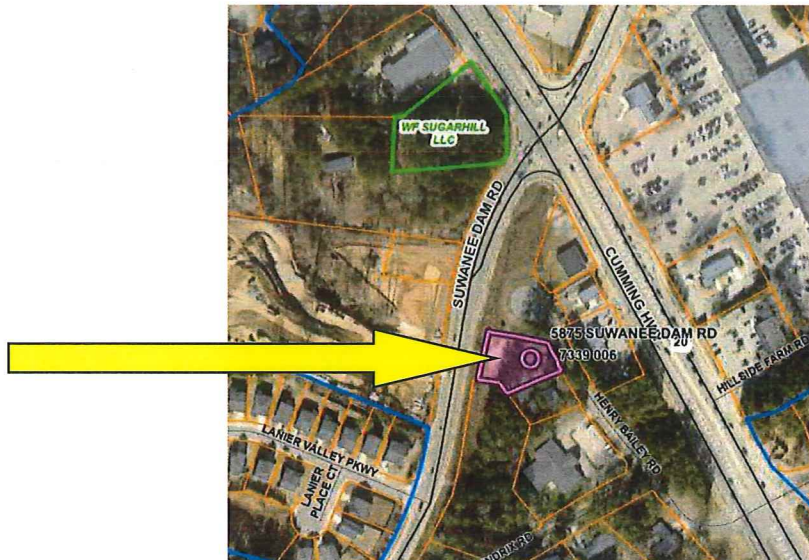
Property Survey

Overall Property information

No	Property Parcel No.	Address	Acre (appx.)	Owner / Representative	Zone Description
1	7339 006	5876 Suwanee dam rd, Sugar Hill, + Tract A	0.56	Park, Jeong kyun/ Park, Jeong kyun	Residential (R100)
2	7339 006A	5868 Henry Bailey rd Sugar Hill	0.37	Park, Young sun/ Park, Jeong kyun	Residential (R100)
3	7339 005	5853 Suwanee dam rd, Sugar Hill, + Tract A	1.66	Five Group / Park, Jeong kyun	Commercial (BG)
Total			2.59		

1. 5875 Suwanee dam road, Sugar Hill, GA 30518

a. Location map:

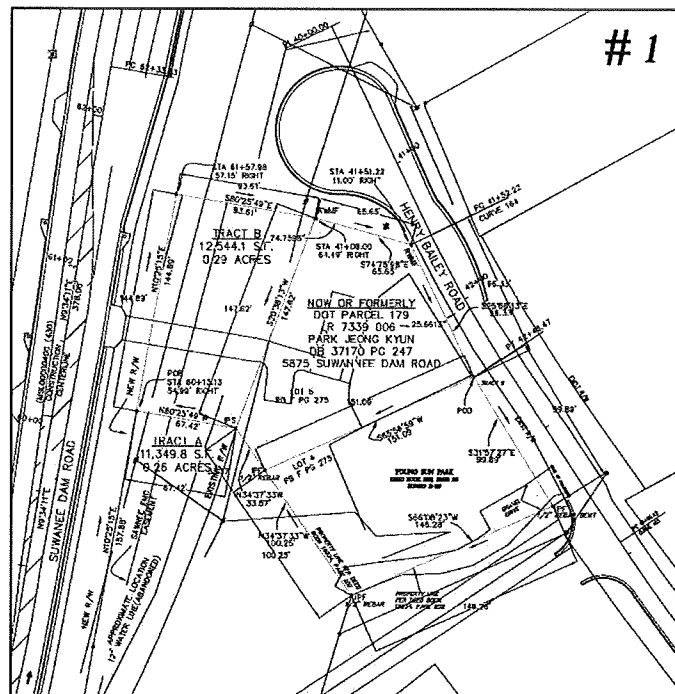


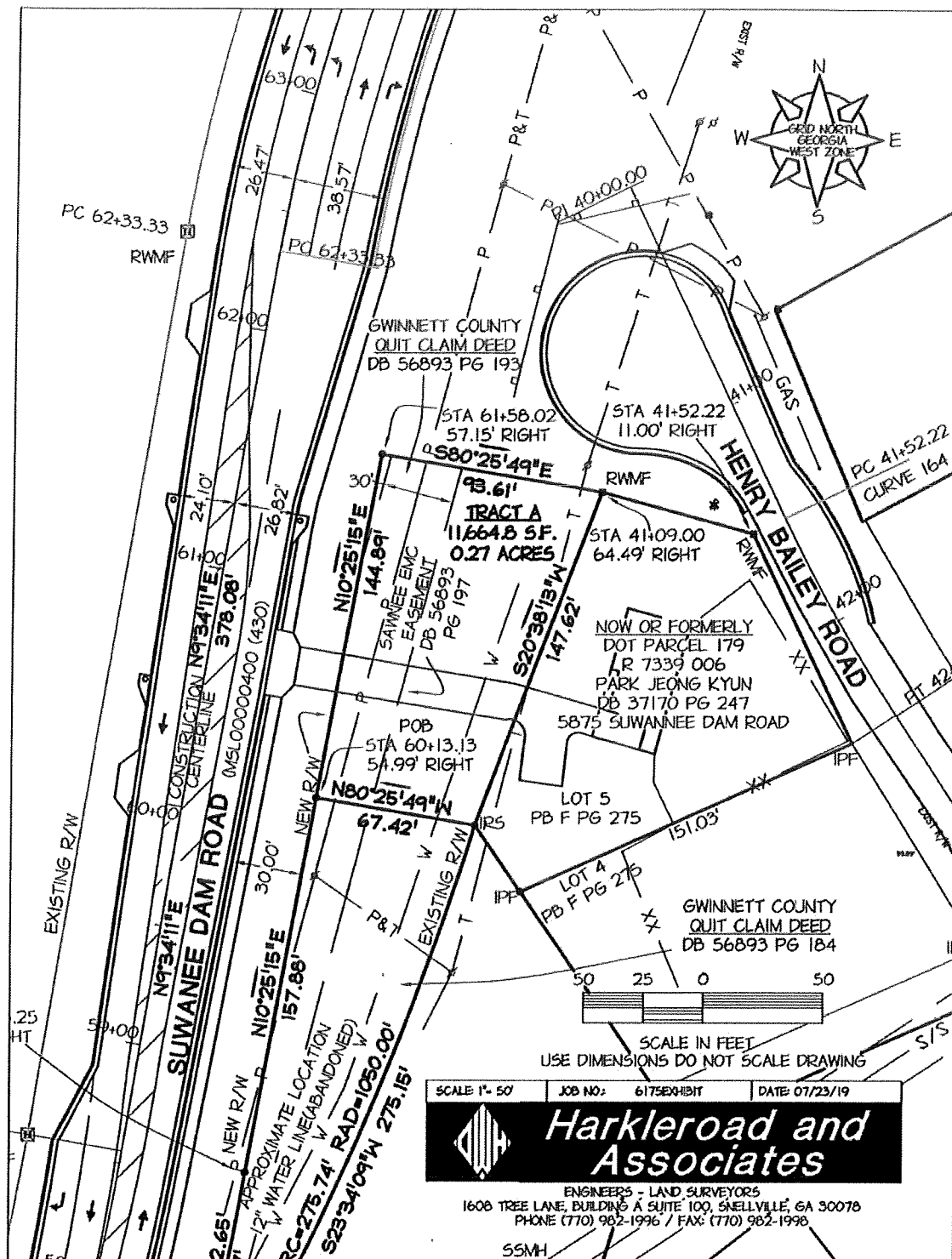
b. Survey Result & Description & Drawing:

All that tract of parcel of land lying and being in Land Lot 339 of the 7th Land District of Gwinnett County, Georgia.

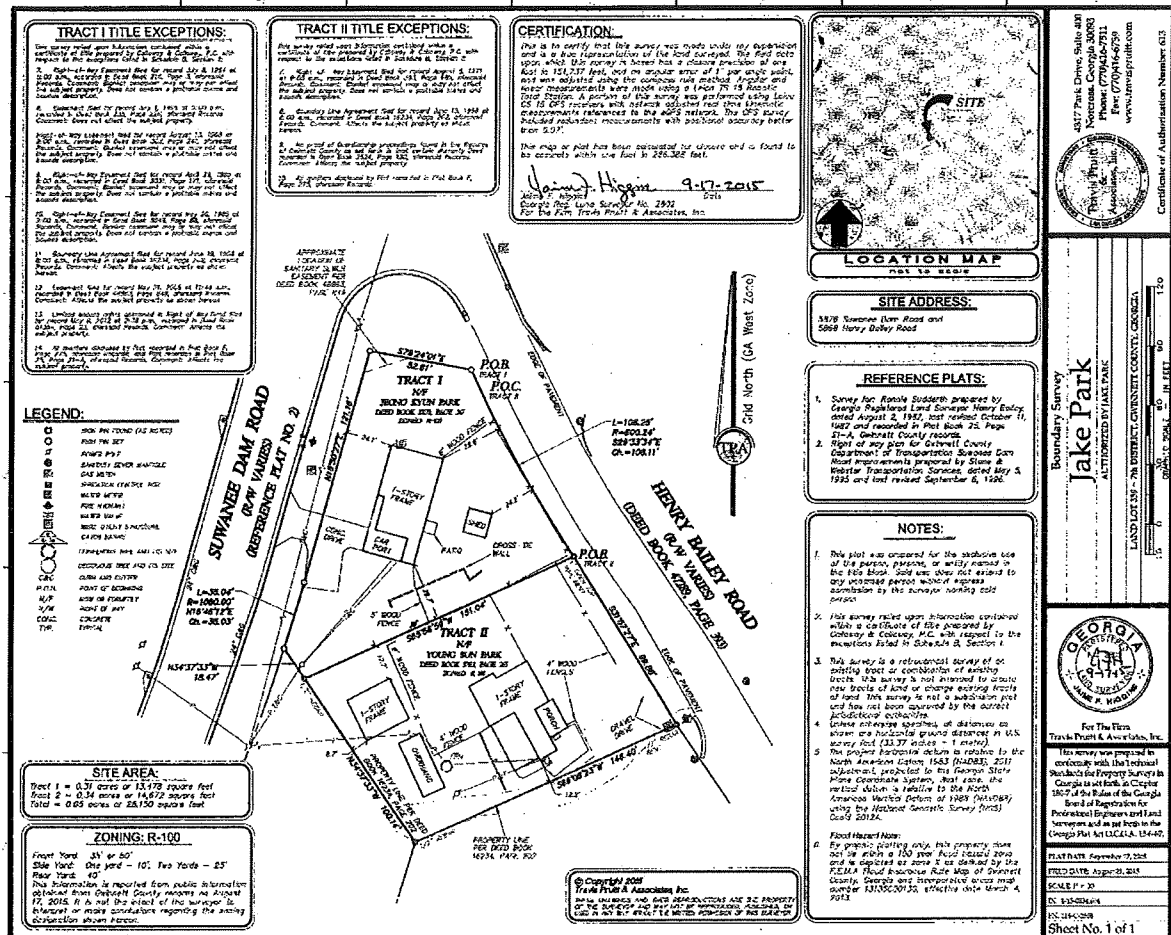
Beginning a point 54.99 feet right of and opposite Station 60+13.13 on the construction centerline of Suwanee Dam Road on Georgia Highway Project No. MSL00-0004-00(430); running thence North 10 Degrees 25 Minutes 15 Seconds East, 144.89 feet to a point 57.15 feet right of and opposite Station 61+57.98 on said construction centerline laid out for Suwanee Dam Road; thence South 80 Degrees 25 Minutes 49 Seconds East, 93.61 feet to a concrete Right of Way monument found on the abandon easterly right of Way line of Suwanee Dan Road at the intersection with the westerly end of a mitered Right of Way intersection with Henry Bailey Road, said monument being 64.49 feet right of and opposite Station 41+09.00 on the construction centerline of Henry Bailey Road on Georgia Highway Project No. MSL00-0004-00(430); thence South 74 Degrees 75 Minutes 98 Seconds East, 65.65 feet to a point 11.00 feet right of and opposite Station 41+51.22 on Right of Way marker found on easterly Right of Way line of Henry Bailey Road; thence along the easterly Right of Way line of Henry Bailey Road South 25 Degrees 66 Minutes 13 Seconds East, 96.33 feet to an iron pin found(IPF); thence South 65 Degrees 56 Minutes 59 Seconds West, 151.09 feet to an Iron pin found; thence North 34 Degrees 37 Minutes 33 Seconds West, 33.57 feet to an iron pin set(IPS); thence North 80 Degrees 25 Minutes 49 Seconds West, 67.42 feet to The Point of Beginning.

Containing 0.56 acres more or less.





for both 5875 Suwanee dam road and 5868 Henry Bailey road property



- d. Additional information from previous and title books (2015yr)

TRACT I TITLE EXCEPTIONS:

This survey relied upon information contained within a certificate of title prepared by Calloway & Calloway, P.C. with respect to the exceptions listed in Schedule B, Section II:

7. *Right-of-Way Easement filed for record July 8, 1964 at 9:00 a.m., recorded in Deed Book 216, Page 3, aforesaid Records. Comment: Blanket easement may or may not affect the subject property. Does not contain a plottable metes and bounds description.*

8. *Easement filed for record July 1, 1965 at 9:00 a.m., recorded in Deed Book 235, Page 226, aforesaid Records. Comment: Does not affect the subject property.*

Right-of-Way Easement filed for record August 13, 1968 at 9:00 a.m., recorded in Deed Book 303, Page 241, aforesaid Records. Comment: Blanket easement may or may not affect the subject property. Does not contain a plottable metes and bounds description.

9. *Right-of-Way Easement filed for record April 29, 1985 at 9:00 a.m., recorded in Deed Book 3031, Page 171, aforesaid Records. Comment: Blanket easement may or may not affect the subject property. Does not contain a plottable metes and bounds description.*

10. *Right-of-Way Easement filed for record May 20, 1985 at 9:00 a.m., recorded in Deed Book 3049, Page 88, aforesaid Records. Comment: Blanket easement may or may not affect the subject property. Does not contain a plottable metes and bounds description.*

11. *Boundary Line Agreement filed for record June 19, 1998 at 8:00 a.m., recorded in Deed Book 16234, Page 202, aforesaid Records. Comment: Affects the subject property as shown hereon.*

12. *Easement filed for record May 21, 2008 at 11:44 a.m., recorded in Deed Book 48863, Page 849, aforesaid Records. Comment: Affects the subject property as shown hereon.*

13. *Limited access rights contained in Right of Way Deed filed for record May 9, 2012 at 2:38 p.m., recorded in Deed Book 51354, Page 23, aforesaid Records. Comment: Affects the subject property.*

14. *All matters disclosed by Plat recorded in Plat Book F, Page 275, aforesaid Records; and Plat recorded in Plat Book 25, Page 21-A, aforesaid Records. Comment: Affects the subject property.*

2. 5868 Henry Bailey road, Sugar Hill, GA 30518

a. Location map:



b. Survey Result & Description:

All that tract of parcel of land lying and being in Land Lot 339 of the 7th Land District of Gwinnett County Georgia

Beginning a point by PT(Point of Tangency) 42+46.47 being an iron pin found(1" open top pipe) and the point from a point 11.00 feet right of and opposite Station 41+51.22 on Right of Way marker found toward South 25 Degrees 33 Minutes 34 Seconds East, 96.33 feet. This POB is far right side point of the property of 5875 Suwanee Dam Road on Right of Way line of Henry Bailey Road; thence along the easterly Right of Way line of Henry Bailey Road South 31 Degrees 57 Minutes 27 Seconds East, 99.89 feet to an iron pin found(1/2" rebar); thence South 66 Degrees 08 Minutes 23 Seconds West, 146.28 feet to an iron pin found(1/2" rebar) indicated as Property line per Deed Book 16234, Page 202; thence North 34 Degrees 37 Minutes 33 Seconds West, 100.25 feet to an iron pin found(1/2" rebar) indicated as Property line per Deed Book 16234, Page 202; thence North 65 Degrees 56 Minutes 59 Seconds East, 151.09 feet to The Point of Beginning.

Containing 0.37 acres more or less.

d. Additional information from previous and title books (2015yr)

TRACT II TITLE EXCEPTIONS:

This survey relied upon information contained within a certificate of title prepared by Calloway & Calloway, P.C. with respect to the exceptions listed in Schedule B, Section II:

7. Right-of-Way Easement filed for record August 6, 1971 at 9:00 a.m., recorded in Deed Book 393, Page 689, aforesaid Records. Comment: Blanket easement may or may not affect the subject property. Does not contain a plottable metes and bounds description.

8. Boundary Line Agreement filed for record June 19, 1998 at 8:00 a.m., recorded in Deed Book 16234, Page 202, aforesaid Records. Comment: Affects the subject property as shown hereon.

9. No proof of Guardianship proceedings found in the Records of Gwinnett County as set forth in that certain Warranty Deed recorded in Deed Book 2624, Page 120, aforesaid Records. Comment: Affects the subject property.

10. All matters disclosed by Plat recorded in Plat Book F, Page 275, aforesaid Records.

e. **SIMPLER VERSION Combined Property Description;**
5875 Suwanee Dam road + 5868 Henry Bailey road

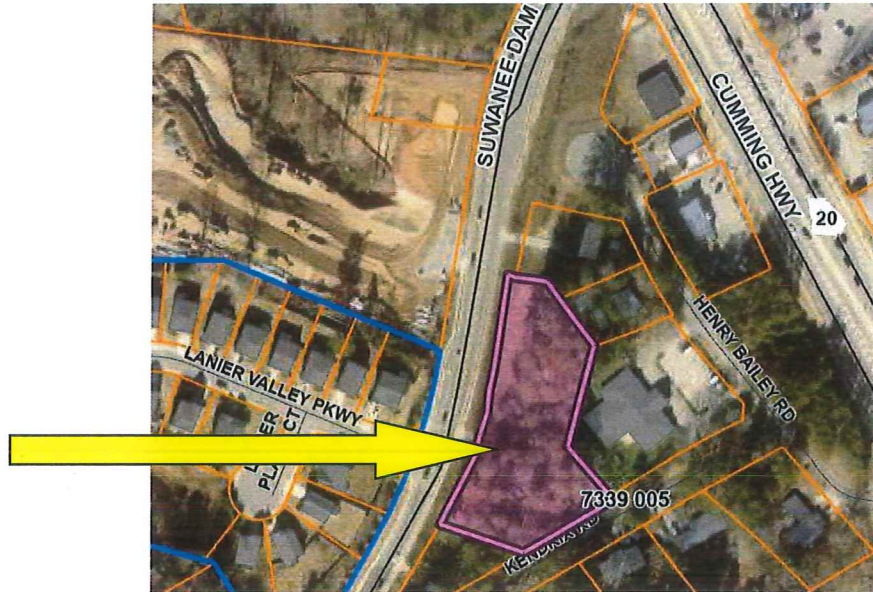
All that tract of parcel of land lying and being in Land Lot 339 of the 7th Land District of Gwinnett County Georgia

Beginning a point 54.99 feet right of and opposite Station 60+13.13 on the construction centerline of Suwanee Dam Road on Georgia Highway Project No. MSL00-0004-00(430); running thence North 10 Degrees 25 Minutes 15 Seconds East, 144.89 feet to a point 57.15 feet right of and opposite Station 61+57.98 on said construction centerline laid out for Suwanee Dam Road; thence South 80 Degrees 25 Minutes 49 Seconds East, 93.61 feet to a concrete Right of Way monument found on the abandon easterly right of Way line of Suwanee Dan Road at the intersection with the westerly end of a mitered Right of Way intersection with Henry Bailey Road, said monument being 64.49 feet right of and opposite Station 41+09.00 on the construction centerline of Henry Bailey Road on Georgia Highway Project No. MSL00-0004-00(430); thence South 74 Degrees 75 Minutes 98 Seconds East, 65.65 feet to a point 11.00 feet right of and opposite Station 41+51.22 on Right of Way marker found on easterly Right of Way line of Henry Bailey Road; thence along the easterly Right of Way line of Henry Bailey Road South 25 Degrees 66 Minutes 13 Seconds East, 96.33 feet to an iron pin found(IPF); thence South 31 Degrees 57 Minutes 27 Seconds East, 99.89 feet to an Iron pin found; thence South 66 Degrees 08 Minutes 23 Seconds West, 146.28 feet to an iron pin set(IPS); thence North 34 Degrees 37 Minutes 33 Seconds West, 100.25 feet to an iron pin found(IPF); thence North 34 Degrees 37 Minutes 33 Seconds West, 33.57 feet to an iron pin set(IPS); thence North 80 Degrees 25 Minutes 49 Seconds West, 67.42 feet to The Point of Beginning.

Containing 0.93 acres more or less.

3. 5853 Suwanee dam road, Sugar Hill, GA 30518

a. Location map:



b. Description: (Additional)

b-1: 5853(Parcel No 7339-005)

ALL THAT TRACT or parcel of land lying and being in Land Lot 339 of the 7th District, Gwinnett County, Georgia, being more particularly described as follows:

To find the true place or point of beginning, COMMENCE at the intersection of the Southwesterly right-of-way of Old Cumming Road (a fifty foot (50') right-of-way) and the Northwesterly right-of-way of Kendrix Road (a thirty foot (30') right-of-way) and run thence along the Northwesterly right-of-way of Kendrix Road the following courses and distances:

- South 61 degrees 58 minutes 11 seconds West 48.64 feet to a point;
- South 59 degrees 05 minutes 49 seconds West 48.62 feet to a point;
- South 56 degrees 51 minutes 17 seconds West 53.45 feet to a point;
- South 55 degrees 33 minutes 16 seconds West 117.58 feet to a point;
- South 57 degrees 54 minutes 53 seconds West 17.15 feet to a point,

Being the TRUE PLACE OF POINT OF BEGINNING.

Departing from said right-of-way, run thence North 74 degrees 30 minutes 00 seconds West 183.37 feet to a point on the Southeasterly right-of-way of Suwanee Dam Road (a sixty foot (60') right-of-way); run thence along said right-of-way North 24 degrees 21 minutes 08 seconds East 167.34 feet to a point; run thence along said right-of-way, and following the arc of a curve to the left an arc distance of 275.74 feet to a point, said arc having a radius of 1219.71 feet and being subtended by a chord bearing North 18 degrees 19 minutes 21 seconds East and having a chord length of 275.15 feet; departing from said

right-of-way run thence South 40 degrees 00 minutes 00 seconds East 133.82 feet to a point; run thence South 11 degrees 44 minutes 55 seconds West 172.46 feet to a point; run thence South 43 degrees 12 minutes 21 seconds East 142.25 feet to a point; said point being the TRUE PLACE OR POINT OF BEGINNING. Said tract is depicted at Tract

2 containing 1.51 acres according to that certain survey for Clifford Clark, et al prepared by Landworks Associates, Inc. dated June 26, 1998 and being certified by William F. Rolader, Georgia RPLS No. 2042.

b-2: Track A

All that tract or parcel of land lying and being in Land Lot 339 of the 7th Land District of Gwinnett County, Georgia

Beginning a point 50.00 feet right of and opposite Station 58+55.25 on the construction centerline of Suwanee Dam Road on Georgia Highway Project No. MSL00-0004-00(430); running thence North 09 Degrees 34 Minutes 11 Seconds East, 157.90 feet to a point 50.00 feet right of and opposite Station 60+13.15 on said construction centerline laid out for Suwanee Dam Road; thence South 80 Degrees 25 Minutes 49 Seconds East, 72.88 feet to a point on the abandon easterly Right of Way line of Suwanee Dam Road; thence along the abandon easterly Right of Way line of Suwanee Dam Road following the curvature thereof to the right an arc distance of 275.74 feet to a point, said curvature having a chord bearing and distance of South 24 Degrees 03 Minutes 26 Seconds West, 275.15 feet and having a radius of 1,219.71 feet; thence South 30 Degrees 05 Minutes 13 Seconds West, 41.01 feet to a point 50.00 feet right of an opposite Station 57+07.58 on said construction centerline laid out for Suwanee Dam Road; thence northerly 147.40 feet along the arc of a curve (said curve having a radius of 1,050.00 feet and a chord distance of 147.28 feet on a bearing of North 13 Degrees 35 Minutes 29 Seconds East to The Point of Beginning.

Containing 0.28 acres more or less.

c-1: 5853

