

City of Sugar Hill
Planning Staff Report
AX 25-003

DATE: October 29, 2025
TO: Mayor and City Council
FROM: Planning Director
SUBJECT: Annexation AX 25-003
5942 Cumming Highway

ISSUE: Annexation of this .96 acre parcel owned by Mazraekeshani Mansour was initiated by an application from Rocket Brew Inc. c/o Dillard Sellers dated August 28, 2025. Applicant is requesting to annex property into Sugar Hill and rezone property from R-100 to BG (General Business) for a retail development.

RECOMMENDED ACTION

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

1. The development shall substantially conform to the site plan (Exhibit 1), 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.

OCTOBER 20, 2025, PLANNING COMMISSION PUBLIC HEARING AND RECOMMENDATION

The Planning Commission held a scheduled public hearing on Monday, October 20, 2025. The public hearing was opened. Applicant representative Baxter Russell spoke in support of this request. Holly Bale and Bryan Lindsey spoke in opposition, expressing concerns about traffic congestion, accidents, and traffic issues in the immediate area. Vice Chairman Jason Jones asked about the hours of operation and the busiest times of day for the business. Planning Commission Member Brian Shebs made a motion to recommend approval of the requested rezoning and annexation. Planning Commission Member Michael Masha made the second. Motion to recommend approval passed – 4-0.

DISCUSSION

- The subject parcel is located along Highway 20 between its intersections with Suwanee Dam Road and an unnamed access road for the Kroger shopping center.
- 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 Residential. It should be noted that the adjacent auto repair shop is also designated Suburban Residential. However, due to the commercial nature of the surrounding area, staff recommends a future land use designation in the city of Commercial Node.
- The parcel is currently vacant and undeveloped.
- The subject site totals 0.96 acres. The purpose of the rezoning and annexation request is to accommodate the planned construction of a new 760 square foot structure for purposes of a drive-thru coffee shop. Two drive-thru lanes are proposed with a stacking count of 23 vehicles.
- Access to the site will be provided via interparcel access with the adjacent Fifth Third Bank, currently under construction. No direct access to Highway 20 is proposed. This access route travels along several commercial properties and terminates in a signalized intersection with Highway 20. A right-in, right-out access point is present on the adjacent property.
- While no buffer will be required along much of the property, there is a small portion along the rear of the property that will require the retention of an undisturbed buffer as it is adjacent to residential property. This is not shown on the plan proposal, but will be required at the time of permitting. Inclusion of this buffer should not impact the current proposal.

BACKGROUND

Applicant / Owner:	Rocket Brew Inc., c/o Dillard Sellers/ Mazraekeshani Mansour
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:	± .96 acres
Location:	5942 Cumming Highway, Parcel R7339015
Public Notice:	Public notice signs were posted 9/12/25. Legal advertisements were published in the Gwinnett Daily Post on 9/14/25 and 10/12/25. Notice to adjoining property owners were sent on 9/10/25.
Public Comment	None as of 10/14/25.

FINDINGS OF FACT

Surrounding Land Use and Zoning

Direction	Existing Land Use	Existing Zoning
North	R/W; Commercial Uses	BG
South	Commercial	C2
East	R/W; Commercial Uses	BG
West	Residential	RS150

City of Sugar Hill: Low Density Single Family Residential (RS-150), General Business (BG)
Gwinnett County: General Business (C2)

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. This parcel is accessed through a small commercial development with a bank and a restaurant. The property is one of few remaining vacant parcels within an established commercial node.

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

No. The rezoning will be consistent with surrounding general business district parcels along Cumming Highway.

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?**

An impact on traffic on Highway 20 is anticipated but minimal. It is likely that the nature of the business will capture existing traffic on the roadway and not generate excessive demand itself, particularly when compared to the size and nature of surrounding businesses. The property will utilize an existing signalized intersection via interparcel access.

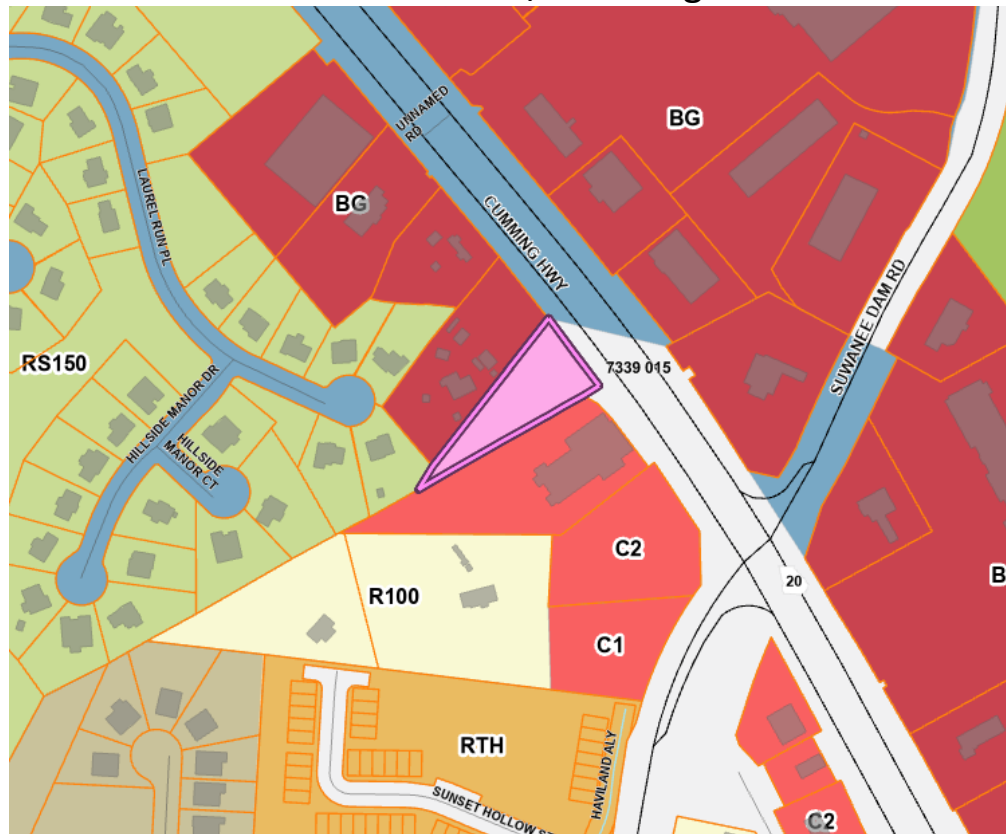
5. **Does the rezoning requested conform to the Sugar Hill Land Use Plan?**

Yes, the property along Cumming Highway is within an existing commercial node and is an appropriate use of vacant land.

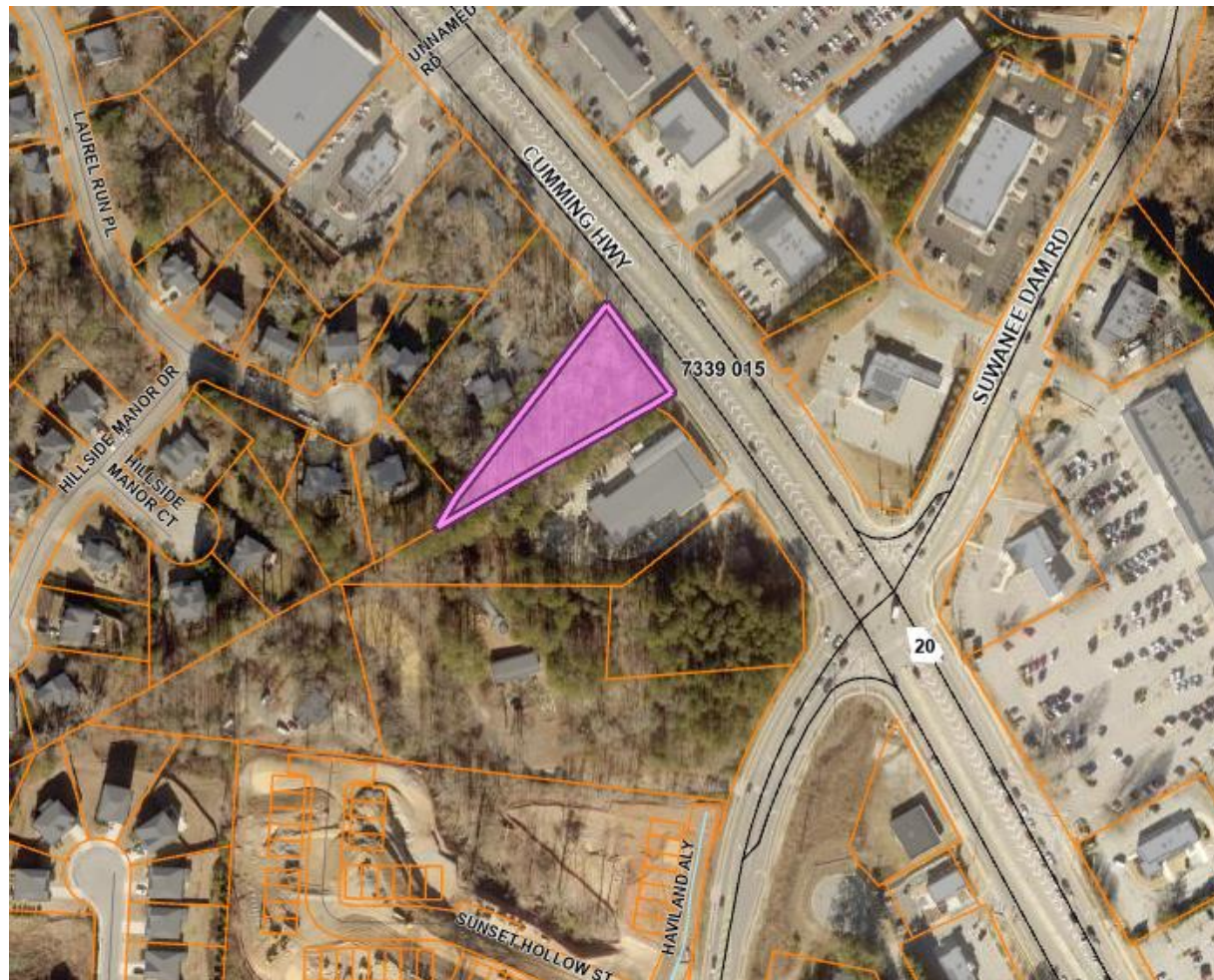
6. **Are there other existing or changing conditions affecting the use and development of the property which would give support to an approval or disapproval of the rezoning request?**

Yes, the property is adjacent to recently redeveloped commercial properties within an existing commercial node.

AX-25-003
ADJACENT ZONING MAP
Annexation/Rezoning



AX-25-003
AERIAL MAP
Annexation/Rezoning





CITY OF SUGAR HILL PLANNING & DEVELOPMENT DEPARTMENT
PUBLIC HEARING PACKET

Date Accepted: 9/8/25 DATE RECEIVED: 8/28/25

APPLICATION

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

APPLICANT INFORMATION

Name: Rocket Brew Inc. c/o Dillard Sellers Address: 1776 Peachtree St., Ste 415-S
Phone: 404-665-1242 Atlanta, Georgia 30309
Email: brussell@dillardsellers.com
Signature: [Signature] Date: _____

OWNER INFORMATION

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

Name: Mazraekeshani Mansour Address: 4565 Summerwood Drive
Phone: _____ Cumming, Georgia 30041-9443
Email: _____
Signature: _____ Date: _____

CONTACT INFORMATION

Name: Baxter Russell & Julie Sellers Phone: 404-665-1224
Email: brussell@dillardsellers.com & jsellers@dillardsellers.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 #) R7339015 Acreage: .96
Number of Existing Housing Units: 0 Number of Proposed Housing Units: 0 Current Population: _____
Street Address: 5942 Cumming Hwy, Buford, Georgia
PRESENT ZONING DISTRICT: R100 REQUESTED ZONING DISTRICT: BG
Proposed Development: 7Brew Coffee shop

Residential Development

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

Non-Residential Development

of Lots/Buildings: 1 building
Total Gross Square Feet: 510 sq ft

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): _____

NOTE: Special Conditions, and Variance Request must also be explained in the Letter of Intent and shown on the site plan



CITY OF SUGAR HILL PLANNING & DEVELOPMENT DEPARTMENT
PUBLIC HEARING PACKET

REZONING APPLICANT'S RESPONSE

See attached Letter of Intent
for additional information
and responses to standards.

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:

Yes, this parcel is accessed through a small commercial development with a bank and a restaurant.

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

No, the rezoning will be consistent with surrounding general business district parcels along Cumming Highway.

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

No, the current zoning in the county is residential and deprives the property of reasonable economic use based on the location and access.

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:

No, the use of the property for a coffee shop will not cause an excessive or burdensome use.

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

Yes, the property along Cumming Highway is within the commercial node character area.

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:

Yes, this property is the last parcel in a newly developed commercial development which is within the city limits and provides support for the annexation and zoning.

**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 Date

Sworn to and subscribed before me this _____ day of _____, 20____.

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.

	/ /	Mazraekeshani Mansour	/ /
Owner Signature	Date	Typed or Print Name and Title	Date

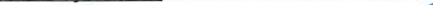
Sworn to and subscribed before me this _____ day of _____, 20____.

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	8/26/2025 Date	R. Baxter Russell, Dillard Sellers Typed or Print Name and Title	8/26/2025 Date
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JEFFREY S. HAYMORE NOTARY PUBLIC Cobb County	/ /	Mazraekeshani Mansour	/ /
Signature of Owner		Typed or Print Name and Title	
Date		Date	

State of Georgia
My Comm. Expires 26th day of July, 2029
Sworn to and subscribed before me this 20th day of August, 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 08/26/2025

R. Baxter Russell, Dillard Sellers

Typed or Print Name and Title
Mazraekeshani Mansour

Signature of Owner

Sworn to and subscribed before me this 26th day of August

Sworn to and subscribed before me this 26th day of August, 2025.
 Signature of Notary Public [Signature] Seal

JEFFREY S. HAYMORE
NOTARY PUBLIC
Commission
State of Georgia
My Comm. Expires 26th day of July, 2029

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

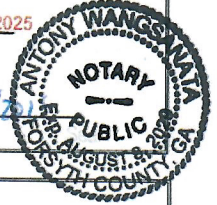
APPLICANT'S CERTIFICATION

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: Max Pontrelli Date: 08/01/2025 Typed or Print Name and Title: Max Pontrelli Chief Operating Officer Date: 08/01/2025

Sworn to and subscribed before me this 6th day of August, 2025.

Signature of Notary Public: [Signature] Date: 08/08/2025



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 _____ / /

Sworn to and subscribed before me this _____ day of _____, 20____.

_____ / /

Signature of Notary Public

CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS

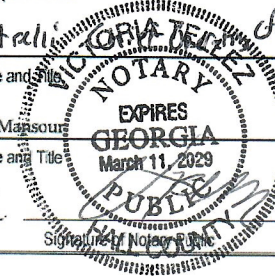
The undersigned below, making application for rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

Signature of Applicant/ Attorney Representative _____ Date _____

Signature of Owner _____ Date _____

Sworn to and subscribed before me this 22 day of August, 2025.

Max Pontalini
Mazraekeshani Mansour
Notary Public
Georgia
March 11, 2029
Signature of Notary Public _____



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)

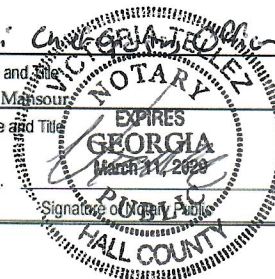
Signature of Applicant/ Attorney Representative
Date

Signature of Owner
Date

Sworn to and subscribed before me this 22 day of August, 2025

Max Pontrelli, Clerk of the Board
Mazraekeshani Mansour
Typed or Print Name and Title

NOTARY PUBLIC
EXPIRES
GEORGIA
March 31, 2026





CITY OF SUGAR HILL PLANNING & DEVELOPMENT DEPARTMENT
PUBLIC HEARING PACKET

Property Owner Forms

Date Accepted: 9/8/25 DATE RECEIVED: 8/28/25

APPLICATION

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

APPLICANT INFORMATION

Name: Rocket Brew Inc. c/o Dillard Sellers Address: 1776 Peachtree St., Ste 415-S
Phone: 404-665-1242 Atlanta, Georgia 30309
Email: jsellers@dillard sellers.com
Signature: _____ Date: _____

OWNER INFORMATION

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

Name: Mazraekeshani Mansour Address: 4565 Summerwood Drive
Phone: 470-216-5151 Cumming, Georgia 30041-9443
Email: Keshani4565@comcast.net
Signature: Mazraekeshani Mansour Date: 7-30-25

CONTACT INFORMATION

Name: Julie Sellers Phone: 404-665-1242
Email: jsellers@dillard sellers.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 #) R7339015 Acreage: .96
Number of Existing Housing Units: 0 Number of Proposed Housing Units: 0 Current Population: _____
Street Address: 5942 Cumming Hwy, Buford, Georgia
PRESENT ZONING DISTRICT: R100 REQUESTED ZONING DISTRICT: BG
Proposed Development: 7Brew Coffee shop

Residential Development

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

Non-Residential Development

of Lots/Buildings: 1 building
Total Gross Square Feet: 510 sq ft

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): _____

NOTE: Special Conditions, and Variance Request must also be explained in the Letter of Intent and shown on the site plan



CITY OF SUGAR HILL PLANNING & DEVELOPMENT DEPARTMENT
PUBLIC HEARING PACKET

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 7th District(s), Parcel Number(s)

R7339015 Gwinnett County, Georgia and being more particularly described as: (Attach or Insert Legal description) See attached deed with 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 General Business District (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: 7Brew Coffee Shop

_____(Include a timetable for development if available).

Owner/Applicant Name: Mazraekeshani Mansour Address: 4565 Summerwood Drive
Home Phone: 470-216-5151 Cumming, Georgia 30041
Work Phone: _____
Email: Keshani4565@comcast.net
Signature: Mazraekeshani Mansour Date Signed: 7-30-25

Owner/Applicant Name: _____ Address: _____
Home Phone: _____
Work Phone: _____
Email: _____
Signature: _____ Date Signed: _____

Owner/Applicant Name: _____ Address: _____
Home Phone: _____
Work Phone: _____
Email: _____
Signature: _____ Date Signed: _____

Owner/Applicant Name: _____ Address: _____
Home Phone: _____
Work Phone: _____
Email: _____
Signature: _____ Date Signed: _____

Owner/Applicant Name: _____ Address: _____
Home Phone: _____
Work Phone: _____
Email: _____
Signature: _____ Date Signed: _____

* COPY THIS PAGE FOR ADDITIONAL SIGNATURES, ORIGINAL SIGNATURES MUST BE SUBMITTED WITH THE APPLICATION.



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: R7339015

Max Pontrelli
SIGNATURE OF APPLICANT

08/01/2025
DATE

Rocket Brew, Inc.
TYPE OR PRINT NAME

Property Tax View Pay Your Ta...

View/Pay Your Taxes

Account Details

[Back to Search](#)

Parcel ID :

R7339 015

Property Type :

Real Property

Site Address :

5942 CUMMING HWY
BUFORD 30518

Mailing Address :

MAZRAEKESHANI MANSOUR
4565 SUMMERWOOD DR
CUMMING GA 30041-9443

[Change Mailing Address](#)

Legal :

CUMMING HWY

District :

COUNTY Unincorporated

Last Update :

08/20/2025 08:08 PM

No payment due for this account.

Tax Bills

 [Click here](#) to view and print your 2024 tax bill.

Year	Net Tax	Total Paid	Fees	Penalty	Interest	Due Date	Amount Due
2024	\$1,178.23	\$1,178.23	\$0.00	\$0.00	\$0.00	10/15/2024	\$0.00
2023	\$1,164.07	\$1,164.07	\$0.00	\$0.00	\$0.00	10/15/2023	\$0.00
2022	\$736.40	\$736.40	\$0.00	\$0.00	\$0.00	11/01/2022	\$0.00
2021	\$729.85	\$729.85	\$0.00	\$0.00	\$0.00	10/15/2021	\$0.00
2020	\$509.80	\$518.42	\$0.00	\$0.00	\$0.00	12/01/2020	\$0.00
2019	\$637.79	\$637.79	\$0.00	\$0.00	\$0.00	10/15/2019	\$0.00
2018	\$628.25	\$628.25	\$0.00	\$0.00	\$0.00	10/15/2018	\$0.00
2017	\$654.24	\$654.24	\$0.00	\$0.00	\$0.00	10/15/2017	\$0.00

BK 34609 PG 0285

FILED & RECORDED
CLERK SUPERIOR COURT
WINNETT COUNTY, GA.

2003 SEP -5 AM 8:00

TOM LAWLER, CLERK

GWINNETT CO. GEORGIA
REAL ESTATE TRANSFER TAX

Return Recorded Document to:
H. Carson Smith, IV, P.C.
Attorney at Law

\$ 110.00
TOM LAWLER CLERK OF
SUPERIOR COURT

4486 B Commerce Drive
Buford, GA 30518

WARRANTY DEED

H. CARSON SMITH, IV
P.O. BOX 608
BUFORD, GA 30515

STATE OF GEORGIA

COUNTY OF Gwinnett

File #: 03R-0836

This Indenture made this 19th day of August, 2003 between SHANNON JUNE DOCKINS and JOYCE DOCKINS RICHERT, of the County of, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and MANSOUR MAZRAEKESHANI, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 339 OF THE 7TH DISTRICT OF GWINNETT COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON PIN LOCATED ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF GA. HWY 20, 502.0 FEET NORTHWESTERLY, AS MEASURED ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF GA. HWY 20, FROM THE POINT OF INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF GA. HWY 20 WITH THE CENTER LINE OF SUWANE DAM ROAD; THENCE RUNNING NORTHWESTERLY ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF GA. HWY 20, 172.7 FEET TO AN IRON PIN FOUND; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF PROPERTY NOW OR FORMERLY OWNED BY E.W. SUDDERTH, 438.6 FEET TO AN IRON PIN; THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY LINE OF PROPERTY NOW OR FORMERLY OWNED BY GLAD SUDDERTH 434.8 FEET TO THE IRON PIN LOCATED ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF GA. HWY 20 AT THE POINT OF BEGINNING; AND AT SAID POINT FORMING AN INTERIOR ANGLE OF 79 DEGREES 54 MINUTES WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF GA. HWY 20; AND BEING IMPROVED PROPERTY HAVING A SINGLE FAMILY DWELLING LOCATED THEREON.

This Deed is given subject to all easements and restrictions of record, if any.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in **FEE SIMPLE**.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

Harker M. Basse
Witness
[Signature]
Notary Public

Shannon June Dockins (Seal)
SHANNON JUNE DOCKINS
Joyce Dockins Richert (Seal)
JOYCE DOCKINS RICHERT

H. CARSON SMITH, IV
NOTARY PUBLIC - GEORGIA
GWINNETT COUNTY
My Commission Expires
April 12, 2004

195449

A
B
C
D
E
F
G
H
I
J
K



GWINNETT T-100 (SINGLE-FAMILY RESIDENCE DISTRICT) ZONE TO BE REZONED TO SUGAR HILL; BG (GENERAL BUSINESS DISTRICT)		EXISTING R100	PROPOSED	REZONED BG
LOT REQUIREMENTS				
MINIMUM LOT AREA (SQUARE FEET)		15,000	32,849	NONE
MINIMUM WIDTH AT FRONT SETBACK LINE (FEET)		100	147.2	60
PRINCIPAL BUILDING				
MINIMUM FRONT (MAJOR STREET ~ FEET)		25	71.7	40
MINIMUM FRONT (COLLECTOR STREET ~ FEET)		25	71.7	30
MINIMUM SIDE YARD (FEET)		10	49.3	10
MINIMUM REAR YARD (FEET)		30	299.7	30
MAXIMUM HEIGHT OF BUILDINGS (FEET)		35	<18	45 FT
MAXIMUM FLOOR AREA RATIO (FAR)		N/A	0.02	N/A
MINIMUM OPEN SPACE (%)		45	38	N/A
MAXIMUM LOT COVERAGE (%)		10	62	N/A
OFF- STREET PARKING				
PARKING REQUIRED BY BUILDING SIZE (1 PER 100 SQ. FT.)		5		
	MINIMUM		8	8
	MAXIMUM		8	11
ACCESSIBLE SPACE(S) REQUIRED		1	1	1
STANDARD PARKING SPACES, PERPENDICULAR		9' X18'	M	9' X18'
STACKING				
INSIDE LANE			10	
OUTSIDE LANE			13	
TOTAL			23	

NOTE
QUANTITIES AND PERCENTAGES ARE PROVIDED FOR PERMITTING PURPOSES ONLY. THE CONTRACTOR IS RESPONSIBLE FOR INDEPENDENTLY VERIFYING ALL QUANTITIES BEFORE SUBMITTING A PROPOSED PRICE FOR THE WORK. REPORT ANY DISCREPANCIES TO TRUE RESULTS IMMEDIATELY.

STREET ADDRESS NOTES

1. THE STREET ADDRESS WILL NEED TO BE DISPLAYED ON THE BUSINESS OR DEVELOPMENT SIGN IN 5 INCH LIGHT REFLECTIVE DIGITS CLEARLY VISIBLE FOR A DISTANCE OF 200 FT. IN BOTH TRAVEL DIRECTIONS. IF NO BUSINESS OR DEVELOPMENT SIGN WILL BE USED, THE ADDRESS WILL NEED TO BE DISPLAYED ON FRONT OF BUILDING IN SUCH MANNER THAT STREET ADDRESS IS VISIBLE FOR 200 FT. IN BOTH TRAVEL DIRECTIONS.
2. EXISTING PEDESTRIAN ACCESS WITHIN PUBLIC ROW MUST BE MAINTAINED DURING CONSTRUCTION.
3. REFUSE AREAS AND RECEPTACLES SHALL BE PLACED IN THE LEAST VISIBLE LOCATION FROM PUBLIC STREETS AND SHALL BE ENCLOSED ON 3 SIDES WITH OPAQUE WALLS. THE 4TH SIDE SHALL BE A SELF-CLOSING GATE WITH AN ARCHITECTURAL FINISH. OPAQUE WALLS SHALL BE A MINIMUM OF TWELVE INCHES HIGHER THAN THE RECEPTACLE. WALL MATERIAL SHALL BE NONCOMBUSTIBLE BRICK, STONE, OR SPLIT-FACE CONCRETE MASONRY.

LIMITS OF DISTURBANCE	
TOTAL AREA	= 0.75 ACRE
DISTURB AREA	= 0.49 ACRE

<u>LEGEND</u>	<u>EXISTING</u>	<u>PROPOSED</u>
PROPERTY LINE	_____	_____
ADJACENT PROPERTY LINE	- - - - -	_____
EDGE OF PAVEMENT	_____	_____
CURB	_____ TC BC	_____ TC BC
CURB DEPRESS	_____ TDC BC	_____ TDC BC
SIDEWALK	_____ A A' B' C' D' E' F'	_____ A A' B' C' D' E' F'
SETBACK	_____	_____
ROADWAY SIGNS		
ACCESS EASEMENT		
ADA ACCESSIBLE STALL		
DIRECTION OF TRAFFIC FLOW		
STALL COUNT		
PARKING COUNT		
ROAD CROSSING		
SEWER STRUCTURE	MH CO	MH
DRAIN STRUCTURES	SWCB	DI CI
OUTLET CONTROL STRUCTURE		OCS
SURVEY MONUMENT		
EASEMENT MONUMENT		
LIGHT POLE/FLOOD LIGHT		
HYDRANT		
GREASE TRAP		
LIMIT OF DISTURBANCE		LOD
LANDSCAPE AREA		



CONCEPTUAL /PROGRESS
PLAN FOR REVIEW
AND DISCUSSION

PREPARED FOR:
ROCKET BREW, INC
71115 MEADOW BROOK CT
CUMMING GA 30040



STORE #GA-26 CUMMING HWY
5942 CUMMING HWY,
BUFORD, GEORGIA, 30518
GWINNETT COUNTY

DATE: 08/07/2025

SCALE: 1" = 20'

SITE PLAN

IKOE RESULTS

4606 Windsor Drive
Flowers Branch, GA 30542
Ph: (603) 714-5668
WWW.TRUEResults.biz



TRUE \ 'TRU \ ADJ 1: THE QUALITY OR STATE OF BEING ACCURATE.

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JOB #: 251

C201

Letter of Intent

City of Sugar Hill

Annexation and Rezoning Application

Applicant:

Rocket Brew, Inc
c/o Dillard Sellers

Property:

5942 Cumming Highway

Parcel ID:

7339015

Submitted for Applicant by:

R. Baxter Russell
DILLARD SELLERS
1776 Peachtree Street NW, Suite 415-S
Atlanta, Georgia 30309
(404) 665-1224
brussell@dillardsellers.com

I. INTRODUCTION

The subject property is approximately 0.96 acres of land located at 5942 Cumming Highway in unincorporated Gwinnett County, and more specifically identified as Parcel ID 7339015 (“Property”). The Property is zoned R-100 and exists as a small and undeveloped lot. Fronting on Cumming Highway, the Property is adjacent to an existing automotive use on property to the east, zoned for commercial use in the Gwinnett County (C-2 zoning). To the west, the Property is adjacent to the municipal boundary for the City of Sugar Hill and a series of commercially zoned parcels (BG zoning), developed or under construction for a variety of businesses.

The Applicant, Rocket Brew, Inc, seeks to develop a new 7 Brew coffee shop with drive-through on the Property. Applicant files this request to annex the Property into the City of Sugar Hill and to rezone the Property to the appropriate commercial district, BG (General Business).



Applicant’s coffee shop with drive-through will operate as a new business complimentary to the adjacent Fifth Third bank, Chipotle restaurant, Zaxby’s restaurant, and self-storage uses. Applicant’s use promotes safe and effective traffic patterns for the area. The development does not require an additional curb cut for access to Cumming Highway. Customers of the new coffee shop will access Applicant’s business via interparcel connectivity from the traffic light at the Zaxby’s/Kroger shopping center intersection or from the right-turn only curb cut at the adjacent Fifth Third bank. Additionally, Applicant’s coffee shop generates little new traffic and produces minimal impact for the surrounding area. As described in the submitted trip generation memorandum, 94% of the daily traffic to the use will occur as pass-by trips, or trips generated from traffic already passing through the area.

In addition to its conformity with new and existing businesses in on Cumming Highway, Applicant’s use will allow development of an undeveloped remnant parcel. Applicant’s coffee shop provides an appropriately scaled business (510 square feet) for the small site. The new 7

Brew location will enhance the Property with an attractive building featuring a distinct architectural design. The development of the site will also include new landscaping, curating a clean and upscale experience for customers and neighbors alike.

For all of these reasons and satisfaction of the criteria below, Applicant respectfully requests that the annexation and rezoning be approved by the Mayor and City Council.

II. IMPACT ANALYSIS

The Applicant satisfies the standards governing the exercise of zoning power as set forth in the Zoning Ordinance of the City of Sugar Hill, Section 1702. For this reason, the application should be granted as requested by the Applicant.

a) Whether the proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property;

Yes, the Property is adjacent to parcels in Sugar Hill zoned BG and used for a variety of commercial uses. The Property is accessed through a small commercial development with a bank and restaurants. Customers to the new 7 Brew coffee shop with drive-through will arrive at the business through these commercial properties and the interparcel connection.

b) Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property;

No, Applicant's rezoning to BG will be consistent with the surrounding general business district parcels along Cumming Highway.

c) Whether the property to be affected by a proposed rezoning has reasonable economic use as currently zoned; and

No, the current residential zoning in Gwinnett County deprives the Property of reasonable economic use based on the location and access.

d) Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

No, the commercial zoning and use of the Property for a coffee shop will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. As described in the submitted trip generation memorandum, overall impact of the development is minimal, as a substantial number of trips to the site occurs as pass-by traffic. The current infrastructure is equipped to provide adequate access and handle any traffic associated with the proposed development. Public services and public facilities are

sufficient to accommodate the proposed development. Schools will not be impacted by the Applicant's proposal.

e) Whether the proposed rezoning is in conformity with the policy and interest of the Land Use Plan; and

Yes, the Property along Cumming Highway is within the commercial node character area. Applicant's coffee shop use is consistent with the intent of this commercial character area designation. Additionally, the development adheres to the recommended development patterns of the character area. Applicant's 7 Brew coffee shop will share access through adjacent commercial uses, utilizing interparcel connectivity to minimize impact to local traffic.

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.

Yes, this Property is the last parcel in a newly developed commercial center which is within the city limits and provides support for the annexation and rezoning.

III. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this application be granted and that City Council approve this annexation and rezoning. If there are any questions about this request, you may contact me at 404-665-1224 or brussell@dillardsellers.com.

Sincerely,

DILLARD SELLERS, LLC

/s/ **R. Baxter Russell**
R. Baxter Russell
Attorney for the Applicant

Exhibit A

REQUIRED CONSTITUTIONAL AND ANTE LITEM NOTICE

Georgia law and the procedures of the City of Sugar Hill require the Applicant to raise Federal and State constitutional objections during the public hearing process. While the Applicant anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the Applicant will be barred from raising important legal claims later in the process. Accordingly, the following constitutional objections are stated:

The portions of the Zoning Ordinance of the City of Sugar Hill (“Zoning Ordinance”), facially and as applied to the Property, which restrict the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than that proposed by the Applicant are unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Zoning Ordinance, facially and as applied to the Property, which restricts the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than in accordance with the application as proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; Article I, Section I, Paragraph I, and Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this application would be unconstitutional under the Takings Clause of the Fifth Amendment to the Constitution of the United States and the Just Compensation Clause of Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983. A refusal by the City of Sugar Hill to grant the application as requested would constitute a taking of the Applicant's property. Because of this unconstitutional taking, the City would be required to pay just compensation to the Applicant.

A denial of this application would constitute an arbitrary and capricious act by the City without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States. A refusal to grant the annexation and rezoning requests would lack objective justification and would result only from neighborhood opposition, which would constitute an unlawful delegation of the zoning power to non-legislative bodies in violation of the Georgia Constitution, Article IX, Section II, Paragraph 4.

A refusal by the City of Sugar Hill to grant the requests for the Property in accordance with the criteria as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of the similarly

situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any approval of the requests subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to a unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A denial of this application would be unconstitutional. This notice is being given to comply with the provisions of O.C.G.A. § 36-33-5 to afford the City of Sugar Hill an opportunity to approve the annexation and rezoning as requested by the Applicant. If action is not taken by the City to approve the application within a reasonable time, a claim will be filed in the Superior Court of Gwinnett County demanding just and adequate compensation under Georgia law for the taking of the Property, inverse condemnation, diminution of value of the Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

Standing Objection

The Applicant further objects to the standing of each and every surrounding resident to challenge, whether before City Council or any court of competent jurisdiction, any decision by these bodies in that he/she has not shown, nor can show, that he/she will suffer special damages within the meaning of Georgia law as a result of said decision. The Applicant raises this objection before the City and requests City Council to determine the standing of any individual who challenges or objects to that body's decision to grant the annexation or rezoning for the Property. Applicant further raises this objection before the City to preserve said objection on appeal, if any, to any court of competent jurisdiction.

Evidence Objection

Applicant objects to the testimony and documentary evidence proffered by anyone opposed to the Application based on relevancy, inadmissibility, hearsay, lack of foundation and any other applicable evidentiary objection.

7 Brew Coffee, Architectural Examples for Sugar Hill Application





MEMORANDUM

To: Tayva | Design Build
From: Keck & Wood, Inc
Date: August 15, 2025
Project No: 250275.00
Re: Trip Generation Memo for Seven Brew Drive-Thru Coffee Shop (Sugar Hill, GA)

A Seven Brew Drive-Thru Coffee Shop is planned for a site in Sugar Hill, Georgia. The proposed development will be positioned west of SR 20/Cumming Highway, just south of the Chipotle development. A Trip Generation analysis was performed to determine the number of new trips that would be generated by the proposed development and added to the adjacent roadway network.

ROADWAYS

SR 20/Cumming Highway is a four-lane, median divided roadway that traverses north-south through the study area. It is classified as a minor arterial roadway with a 45-mph speed limit. Land uses consist primarily of commercial, residential, and retail developments along the roadway. Near the study area, there is sidewalk along both sides of the roadway; however, there are no dedicated bicycle facilities present along the roadway.

PLANNED TRANSPORTATION IMPROVEMENTS

A search for planned Georgia Department of Transportation (GDOT) projects in or near the study area was performed using the GDOT GeoPI web application (<http://www.dot.ga.gov/DS/Maps/geopi#>). Based on that search, no projects were identified within the proposed study area.

PROPOSED DEVELOPMENT

The proposed development will consist of a 510 square-foot coffee shop, a 275 square foot cooler, and two (2) drive-through lanes that allow stacking for up to 23 vehicles at any given time on the property. The proposed coffee shop will not provide indoor seating for customers; however, there are 11 parking spaces on the property. Access to the site would be provided by an existing right-in, right-out (RIRO) driveway along SR 20/Cumming Highway.

The development is expected to be built out in 2026. The current site plan is included with this memo as **Attachment 1**.

TRIP GENERATION

The traffic that would be generated by the proposed development was estimated using the Institute of Transportation Engineers (ITE) *Trip Generation Manual (TGM) 11th Edition*. The number of trips expected to be generated by this development were determined using ITE Land Use Code 938 – Coffee/Donut Shop with Drive-Through Window and No Indoor Seating. The total number of project-generated trips was estimated for the typical weekday and the morning and evening peak hours.

A portion of the project-generated trips would be attracted into the site from traffic streams that are already passing by on the adjacent streets. These trips are commonly referred to as pass-by trips and can represent a significant portion of the total trips entering and exiting a commercial site. Pass-by rate data for ITE Land Use 938 – Coffee/Donut Shop with Drive-Through Window and No Indoor Seating was included in the appendix of the ITE *TGM, 11th Edition*. Based on that data, the average AM peak hour pass-by rate is 90 percent and the PM peak hour rate is 98 percent of the total trips generated by the project. The trip generation results are shown in Table 1.

Table 1 – Trip Generation Results

Land Use Code 938 - Coffee/Donut Shop wuth Drive-Through Window and No Indoor Seating 510 SF 2 Drive-Through Lanes		Weekday			AM Peak Hour			PM Peak Hour		
		Total	Entering	Exiting	Total	Entering	Exiting	Total	Entering	Exiting
Total Car Trips		358	179	179	80	40	40	30	15	15
Pass-By Trips	<i>94% Daily 90% AM 98% PM</i>	337	169	168	72	36	36	28	14	14
New Trips	<i>(Total Trips - Pass-by Trips)</i>	21	10	11	8	4	4	2	1	1

Based on the table above, the development is only expected to generate 21 daily trips, eight (8) AM peak hour trips, and two (2) PM peak hour trips. All other trips for this development are expected to originate from traffic that is already travelling within the study area, otherwise known as pass-by trips. Due to the high percentage of pass-by trips anticipated for the development, the overall impact of the development in regards to new trips is minimal. Therefore, based on the minimal new trips generated in the area, the proposed development in not expected to significantly impact the adjacent roadway network.