

Department of Planning and Development

446 West Crogan Street • Lawrenceville, GA 30046-2440
(tel) 678.518.6000
www.gwinnettcountry.com



**MUNICIPAL-GWINNETT COUNTY
PLANNING COMMISSION**

PUBLIC HEARING AGENDA

**GWINNETT JUSTICE AND ADMINISTRATION CENTER
TUESDAY, SEPTEMBER 3, 2013 AT 7:00 P.M.**

AS SET FORTH IN THE AMERICANS WITH DISABILITIES ACT OF 1992, THE GWINNETT COUNTY GOVERNMENT DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY AND WILL ASSIST CITIZENS WITH SPECIAL NEEDS GIVEN PROPER NOTICE (SEVEN WORKING DAYS). FOR INFORMATION, PLEASE CALL THE FACILITIES MANAGEMENT DIVISION AT 770.822.8015.

- A. CALL TO ORDER, INVOCATION, PLEDGE TO FLAG
- B. OPENING REMARKS BY CHAIRMAN AND RULES OF ORDER
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES (AUGUST 6, 2013 MEETING)
- E. ANNOUNCEMENTS
- F. OLD BUSINESS – TABLED AND POSTPONED CASES FROM PREVIOUS MEETINGS
- I. CASE NUMBER :**RZR2013-00003 (PUBLIC HEARING HELD 8-6-13)**
 APPLICANT :ROCKLYN HOMES
 CONTACT :MITCH PEEVY
 PHONE NUMBER :770.614.6511
 ZONING CHANGE :M-1 & R-75 TO R-60
 LOCATION :3400-3500 BLOCK OF CRUSE ROAD
 :1000 BLOCK OF SWEETWATER CIRCLE
 :1000 BLOCK OF PLEASANT HILL ROAD
 MAP NUMBERS :R6178 001, R6178 009 & R6177 001F
 ACREAGE :130.90 ACRES
 UNITS :399 UNITS
 PROPOSED DEVELOPMENT :SINGLE-FAMILY SUBDIVISION
 COMMISSION DISTRICT :(1) BROOKS
 DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS AS R-75**

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2. CASE NUMBER :**RZC2013-00004**
APPLICANT :SUGARLOAF LANDING, LLC
CONTACT :MARIAN C. ADEIMY
PHONE NUMBER :770.822.0900
ZONING CHANGE :C-2, O-1 & R-100 TO C-2
LOCATION :4700 BLOCK OF SUGARLOAF PARKWAY
MAP NUMBERS :R7005 004C, R7005 025 & R7005 142
ACREAGE :2.09 ACRES
PROPOSED DEVELOPMENT :CONVENIENCE STORE WITH GAS PUMPS, RETAIL
AND RESTAURANT (REDUCTION IN BUFFERS)

SQUARE FEET :10,794 SQUARE FEET
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
3. CASE NUMBER :**SUP2013-00034**
APPLICANT :DACULA CONGREGATION OF JEHOVAH'S WITNESSES
CONTACT :MARIAN C. ADEIMY
PHONE NUMBER :770.822.0900
ZONING :RA-200
LOCATION :1500 BLOCK OF ACE MCMILLIAN ROAD
MAP NUMBER :R5280 002
ACREAGE :5.24 ACRES
PROPOSED DEVELOPMENT :CHURCH (REDUCTION IN BUFFERS)
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**DENIAL**
4. CASE NUMBER :**CIC2013-00015**
APPLICANT :RANDALL MYERS
PHONE NUMBER :770.715.8939
ZONING :C-2
LOCATION :3800 BLOCK OF BRASELTON HIGHWAY
:2100 BLOCK OF EAST ROCK QUARRY ROAD
MAP NUMBERS :R3002 038 & R3002 037A
ACREAGE :8.35 ACRES
PROPOSAL :CHANGE IN CONDITIONS TO REVISE ARCHITECTURAL
REQUIREMENTS (CHURCH)

SQUARE FEET :29,450 SQUARE FEET
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

5. CASE NUMBER :**RZM2013-00004**
APPLICANT :BRAND PROPERTIES, LLC
CONTACT :JUSTIN ABERNATHY
PHONE NUMBER :770.232.0000
ZONING CHANGE :C-2 TO RM-13
LOCATION :2500-2600 BLOCKS OF MALL OF GEORGIA BLVD.
:3100 BLOCK OF WOODWARD CROSSING BLVD.
MAP NUMBER :R177 047
ACREAGE :16.14 ACRES
PROPOSED DEVELOPMENT :APARTMENTS
UNITS :190 UNITS
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
6. CASE NUMBER :**CIC2013-00008**
APPLICANT :D & C MANAGEMENT GROUP, LLC
CONTACT :MITCH PEEVY
PHONE NUMBER :770.614.6511
ZONING :C-2
LOCATION :500 BLOCK OF BEAVER RUIN ROAD
:4200 BLOCK OF JODY LANE
MAP NUMBERS :R6150 013E & R6150 44I
ACREAGE :4.12 ACRES
PROPOSAL :CHANGE IN CONDITIONS TO REMOVE USE
RESTRICTION, EXTEND HOURS OF OPERATION,
AND ALLOW DRIVE-THROUGH WINDOWS
AND OUTDOOR LOUDSPEAKERS
COMMISSION DISTRICT :(2) HOWARD
DEPARTMENT RECOMMENDATION :**DENIAL**
- G. NEW BUSINESS
- I. CASE NUMBER :**RZR2013-00005**
APPLICANT :OLD NORCROSS INVESTMENTS, INC.
CONTACT :IVA HOYLE
PHONE NUMBER :770.963.8520 EXT. 105
ZONING CHANGE :R-75 & R-100 TO R-100 CSO
LOCATION :4100 BLOCK OF OLD SUWANEE ROAD
MAP NUMBER :R7231 019
ACREAGE :62.04 ACRES
UNITS :109 UNITS
PROPOSED DEVELOPMENT :SINGLE-FAMILY CONSERVATION SUBDIVISION
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

2. CASE NUMBER :**SUP2013-00038**
APPLICANT :OLD NORCROSS INVESTMENTS, INC.
CONTACT :IVA HOYLE
PHONE NUMBER :770.963.8520 EXT. 105
ZONING :R-100 (PROPOSED)
LOCATION :4100 BLOCK OF OLD SUWANEE ROAD
MAP NUMBER :R7231 019
ACREAGE :62.04 ACRES
PROPOSED DEVELOPMENT :SINGLE-FAMILY CONSERVATION SUBDIVISION
UNITS :109 UNITS
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
3. CASE NUMBER :**CIC2013-00013 (ADMINISTRATIVELY WITHDRAWN)**
4. CASE NUMBER :**SUP2013-00035 (ADMINISTRATIVELY WITHDRAWN)**
5. CASE NUMBER :**SUP2013-00036 (ADMINISTRATIVELY WITHDRAWN)**
6. CASE NUMBER :**SUP2013-00037 (ADMINISTRATIVELY WITHDRAWN)**
7. CASE NUMBER :**CIC2013-00014**
APPLICANT :GEORGIA BELLE SELF STORAGE
CONTACT :DANNY HERRMANN
PHONE NUMBER :770.352.4835
ZONING :C-2
LOCATION :500 BLOCK OF ATHENS HIGHWAY
MAP NUMBERS :R513 189 & R5131 251
ACREAGE :9.68 ACRES
PROPOSAL :CHANGE IN CONDITIONS TO REDUCE BUFFER FROM
75 FEET TO 37.5 FEET
SQUARE FEET :72,750 SQUARE FEET
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**DENIAL**
8. CASE NUMBER :**SUP2013-00040**
APPLICANT :GEORGIA BELLE SELF STORAGE
CONTACT :DANNY HERRMANN
PHONE NUMBER :770.352.4835
ZONING :C-2
LOCATION :500 BLOCK OF ATHENS HIGHWAY
MAP NUMBERS :R5131 189 & R5131 251
ACREAGE :9.68 ACRES
PROPOSED DEVELOPMENT :AUTOMOTIVE SERVICE AND REPAIR
SQUARE FEET :7,900 SQUARE FEET
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

9. CASE NUMBER :**CIC2013-00016**
APPLICANT :CENTRO DEVELOPMENT CORPORATION
CONTACT :STEPHEN K. HILL
PHONE NUMBER :404.234.3259
ZONING :R-ZT
LOCATION :4400 BLOCK OF BURNS ROAD
MAP NUMBERS :R6158 009 & R6158 019
ACREAGE :5.39 ACRES
PROPOSAL :CHANGE IN CONDITIONS (SINGLE FAMILY SUBDIVISION)
UNITS :29 UNITS
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**DENIAL**

10. CASE NUMBER :**CIC2013-00017**
APPLICANT :CENTRO DEVELOPMENT CORPORATION
CONTACT :STEPHEN K. HILL
PHONE NUMBER :404.234.3259
ZONING :R-ZT
LOCATION :4400 BLOCK OF BURNS ROAD
MAP NUMBERS :R6158 007 & R6158 127
ACREAGE :2.85 ACRES
PROPOSAL :CHANGE IN CONDITIONS (SINGLE FAMILY SUBDIVISION)
UNITS :9 UNITS
COMMISSION DISTRICT :(2) HOWARD
DEPARTMENT RECOMMENDATION :**DENIAL**

11. CASE NUMBER :**CIC2013-00018**
APPLICANT :STEVE WILLS
PHONE NUMBER :404.552.9444
ZONING :C-2
LOCATION :3300 BLOCK OF OLD NORCROSS ROAD
MAP NUMBER :R6232 043
ACREAGE :2.40 ACRES
PROPOSAL :CHANGE IN CONDITIONS TO INCREASE GROUND
SIGN HEIGHT FROM 5 FEET TO 12 FEET
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

H. AUDIENCE COMMENTS

I. COMMITTEE REPORTS

J. COMMENTS BY STAFF AND PLANNING COMMISSION

K. ADJOURNMENT

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS**

CASE NUMBER :**RZR2013-00003**
ZONING CHANGE :M-1 & R-75 TO R-60
LOCATION :3400-3500 BLOCK OF CRUSE ROAD
:1000 BLOCK OF SWEETWATER CIRCLE
:1000 BLOCK OF PLEASANT HILL ROAD
MAP NUMBERS :R6178 001, R6178 009 & R6177 001F
ACREAGE :130.90 ACRES
PROPOSED DEVELOPMENT :SINGLE-FAMILY SUBDIVISION
UNITS :399 UNITS
COMMISSION DISTRICT :(1) BROOKS

FUTURE DEVELOPMENT MAP: **EXISTING/EMERGING SUBURBAN**

APPLICANT: ROCKLYN HOMES
C/O MILL CREEK CONSULTING
4480 COMMERCE DRIVE, SUITE A
BUFORD, GA 30518

CONTACT: MITCH PEEVY PHONE: 770.614.6511

OWNER: CISCO SYSTEMS, INC.
170 W. TASMAN DRIVE
SAN JOSE, CA 95134

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS AS R-75**

PROJECT DATA:

The applicant requests rezoning of a 130.90-acre parcel assemblage from M-1 (Light Industry District) and R-75 (Single-Family Residence District) to R-60 (Single-Family Residence District) to construct a 399-lot subdivision. The property is located on the north side of Cruse Road, just northeast Sweetwater Circle. The majority of the site (128+/- acres) is zoned M-1. A small portion of the assemblage, zoned R-75, extends across Sweetwater Circle to Pleasant Hill Road and would be used as an additional point of access.

The northeast portion of the property is bounded by Sweetwater Creek and contains approximately 16 acres of floodplain. This floodplain area results in a net density for the proposed development of approximately 3.2 units per acre. The R-60 zoning district requires a minimum lot width of 60 feet, and a minimum lot area of 7,200 square feet. The site plan shows a developed recreation area, located internal to the property. This amenity would include a pool, cabana and four tennis courts.

The application materials propose a minimum dwelling size of 1,800 square feet for one-story homes and a minimum of 2,000 square feet for two-story homes. House elevations were not submitted with the application; however, the letter of intent states that homes would be constructed with Craftsman-style architecture. Each home would also include a 2-car garage.

ZONING HISTORY:

The subject property has been zoned M-I & R-75 since 1970.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams, and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish, and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

This property contains a future greenway route along Sweetwater Creek as identified in the Gwinnett County Open Space and Greenway Master Plan. Dedicate at no cost to Gwinnett County, all necessary right-of-way/easements for the future construction of a greenway trail along the Sweetwater Creek.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Ordinance requires a ten-foot wide no-access easement along classified roadways for residential developments.

The Buffer, Landscape and Tree Ordinance requires submittal and approval of a Tree Preservation and Replacement Plan prepared by a professional landscape architect prior to securing a Land Disturbance or Development permit.

Section 5.9.1 of the Development Regulations requires that six percent (6%) of the gross land area be set aside as recreation area (not to exceed six acres) and that not over 60 percent of the required recreation area may be located in a 100-year floodplain. The recreation area may be reduced to three percent (3%) of the gross land area if developed with a swimming pool, tennis court, and amenity parking.

Section 6.3.3 and/or 6.3.4 of the Development Regulations requires a 200-foot deceleration lane with a 50-foot taper at each project entrance that proposes access to a Minor Collection Street or Major Thoroughfare. Right-of-way dedication to accommodate the deceleration lane and an 11-foot shoulder is also required. Reduction in length of a deceleration lane requires approval of a

Modification by the Development Division; elimination of a deceleration lane requires approval of a Waiver by the Board of Commissioners.

Section 6.13 of the Development Regulations requires construction of five-foot wide sidewalks along all exterior roadways adjoining the project, and four-foot wide sidewalks adjacent to both sides of all interior public streets (excluding cul-de-sac turnarounds).

The developer must submit a preliminary plat (construction plans), including a grading plan, tree plan, and road/sewer profiles for review and approval of the Development Division prior to any construction.

The developer must obtain a Land Disturbance or Development Permit from the Development Division prior to any construction.

Section 8.2.1 of the Development Regulations requires submittal of a Storm Water Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

Section 1.5.1.b of the Floodplain Management Ordinance requires that the lowest floor, including the basement, of all residential buildings be constructed at an elevation of at least three feet above the 100-year floodplain.

Note that all recreation areas, open space and/or common areas (including storm water detention facility lots) located within the development shall be controlled by a mandatory Property Owner's Association (to include reported bylaws) with responsibility for maintenance, insurance, and taxes for open space areas.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Cruse Road is Minor Arterial and 40 feet of right-of-way is required from the centerline, with 50 feet required within 500 feet of a major intersection.

Sweetwater Circle is a Local Street and 30 feet of right-of-way is required from the centerline.

Pleasant Hill Road is a Principal Arterial and 60 feet of right-of-way is required from the centerline, with 75 feet required within 500 feet of a major intersection.

Standard deceleration lanes with appropriate taper and adequate right-of-way will be required at all entrances per the development regulations.

A traffic impact analysis shall be provided for the project entrance on Sweetwater Circle. Improvements shall be provided by the developer as required by Gwinnett D.O.T.

Provide 5-foot wide sidewalks along exterior frontages of Sweetwater Circle and Cruse Road and along both sides of the connector road to Pleasant Hill Road.

A left turn lane shall be provided at the project entrance on Cruse Road. Length and storage shall comply with the Gwinnett D.O.T. Criteria and Guidelines for left turn lanes.

Prior to issuance of a Development Permit, a sight distance certification shall be provided.

The number and locations of driveways are subject to Gwinnett County D.O.T. approval.

Provide streetlights per GCDOT requirements along exterior frontages of Sweetwater Circle and Cruse Road and along the connector road to Pleasant Hill Road.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

Contact GCEHD regarding the swimming pool permitting process.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 6-inch water main located on the southern right-of-way of Cruse Road, an 8-inch water main located on the eastern right-of-way of Sweetwater Circle, and a 16-inch water main located on the eastern right-of-way of Pleasant Hill Road.

Due to the uncontrollable variables, the Department of Water Resources makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. Demands imposed by the proposed development may require reinforcements or extensions of existing water mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department.

The available utility records show that the subject development is currently in the vicinity of an 8-inch and 48-inch sanitary sewer main located on the property.

The subject development is located within the Beaver Ruin service area. There are currently no connection restrictions within this service area. Treatment capacity within this area is presently available on a first come - first serve basis.

Demands imposed by the proposed development may require reinforcements or extensions of existing sewer mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department. Developer shall provide easements for future sewer connection to all locations designated by DWR during plan review.

As-built information for this department is dependent upon outside entities to provide record drawings for the utilities. Therefore this department does not guarantee the accuracy of the information provided.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances. Proceeding design, construction, inspection, and final acceptance of the required utilities, service to these utilities would then become available under the applicable utility permit rate schedules.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The property is located on the north side of Cruse Road, just northeast Sweetwater Circle. The site is comprised of both open fields and wooded areas, and is developed with several industrial buildings. The property formerly contained numerous large satellite dish arrays, operated by Cisco Systems, Inc.

The 2030 Unified Plan Future Development Map indicates that the property lies within the Existing/Emerging Suburban Character Area. Although single-family subdivisions are consistent with the recommended land use, the requested R-60 zoning is more suited to smaller parcels of land as infill development. The size of the subject tract, combined with the large number of small lots may not be appropriate for R-60. Past Board policy has discouraged R-60 development for tracts exceeding 25 acres to ensure a pleasing development and reduce potential negative impacts from overly large, dense developments. These factors suggest that R-75 may be the more appropriate zoning given the size and scale of the planned subdivision.

The surrounding area is characterized by a mixture of residential uses and zoning classifications, with R-75 being the predominant, base zoning for the area. Adjacent to the north are the R-75 zoned Quailwood Plantation subdivision, and the R-ZT zoned Heritage Commons. To the southwest are the R-75 zoned Tamarack Hill and Pleasant Acres subdivision, which are served by Sweetwater Circle. To the northeast is the RM zoned Vintage Pointe subdivision. To the south, across Cruse Road, is Sweetwater Middle School. Although various residential zoning classifications exist in the area, the size of this property makes it unsuitable for R-60 in the Department's opinion. The R-60 zoning district is better utilized on smaller infill parcels, rather than on large tracts of land of this magnitude. An R-75 development may be more appropriate for the subject tract, if conditions are included to insure compatibility with the surrounding community.

In conclusion, elimination of M-I zoning from this largely residential area could be compatible with the surrounding neighborhood. However, given the size of the subject tract R-60 may not be the appropriate zoning for the proposed development. Rezoning to R-75 could be more suitable as it would be consistent with the predominant zoning of the area, and could allow for

a more spacious and pleasing subdivision development. Therefore the Department recommends **APPROVAL WITH CONDITIONS AS R-75.**

PLANNING AND DEVELOPMENT
RECOMMENDED CONDITIONS

Approval as R-75 for a single-family subdivision, subject to the following enumerated conditions:

I. To restrict the use of the property as follows:

- A. Single-family detached dwellings and accessory uses.
- B. The minimum heated floor area per dwelling unit shall be 1,800 square feet for one-story homes and 2,000 square feet for two-story homes.
- C. Homes shall be constructed primarily of brick or stacked stone on the front facades, or as craftsman-style homes (subject to the review and approval by the Director of Planning and Development). The side and rear elevations may be the same or of fiber-cement siding.
- D. All dwellings shall have least a double-car garage.

2. To satisfy the following site development considerations:

- A. Provide a minimum 25-foot wide construction buffer along all exterior property lines (excluding abutting rights-of-way).
- B. Provide a brick or stacked stone subdivision entrance feature with landscaping at each project entrance.
- C. Any active recreation area/amenity shall be located internal to the development.
- D. All utilities shall be placed underground.
- E. All grassed areas on dwelling lots shall be sodded.
- F. Natural vegetation shall remain on the property until the issuance of a development permit.

3. Abide by the following requirements, dedications and improvements:

- A. A traffic impact analysis shall be provided for the project entrance on Sweetwater Circle. Improvements shall be provided by the developer as required by Gwinnett D.O.T.
- B. Design and construct the Sweetwater Creek Greenway through the property in accordance with the Gwinnett County Open Space and Greenway Master Plan. Dedicate at no cost to Gwinnett County all necessary right-of-way and easements for this segment of the Greenway. The Greenway trail shall be paved with a minimum right-

of-way/easement width of 20 feet. The trail design, paving standards and final location shall be subject to review and approval by the Gwinnett County Department of Community Services.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF THE ZONING

SUITABILITY OF USE

A subdivision could be suitable at this location; however, introducing an R-60 development on such a large tract may not be appropriate. An R-75 zoned development may be less impactful, and in keeping with zoning pattern and land uses established in the immediate area.

ADVERSE IMPACTS

Adverse impacts on nearby residential properties could be anticipated from the additional density and zoning precedent as proposed.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

An increase in traffic, utilities usage, stormwater runoff, and the number of school-aged children could be anticipated from this request.

CONFORMITY WITH POLICIES

The requested rezoning of 130 acres to R-60 may be incompatible with past Board policies which discourage such zoning for tracts exceeding 25 acres. A lower density and zoning classification, such as R-75, would conform to the recommendations of the Unified Plan and may be more appropriate given the size of the site and its potential impacts.

CONDITIONS AFFECTING ZONING

Elimination of M-I zoning from this largely residential area could be compatible with the surrounding neighborhood. However, the potential impacts on neighboring properties and public streets suggest that R-60 zoning may be too dense for such a large tract, with R-75 being more appropriate.

STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY, OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

(A) WHETHER A PROPOSED REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

THE APPLICANT BELIEVES THE PROPOSED USE IS SUITABLE.

(B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

THE PROPOSED USE WILL NOT ADVERSELY AFFECT THE USE OF THE SURROUNDING PROPERTIES.

(C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

THE APPLICANT BELIEVES THAT THE SUBJECT PROPERTY DOES NOT HAVE A REASONABLE ECONOMIC USE.

(D) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREET, TRANSPORTATION FACILITIES, UTILITIES OR SCHOOLS:

THE PROPOSED USE WILL NOT PRODUCE AN ADVERSE AFFECT ON THE EXISTING INFRASTRUCTURE.

(E) WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

THE SUBJECT PROPERTY IS DESIGNATED AS EXISTING/EMERGING SUBURBAN

(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:

SEE LETTER OF INTENT.

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MAY 02 2013

RZR '13 003

Planning & Development

Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the zoning request will constitute a taking of property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, and Article P, Section 1, Paragraph 1, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

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PLANNING DIVISION USE ONLY

CASE NUMBER _____

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MAY 02 2013

Planning & Development

RZR '13 003

REZONING APPLICANT'S LETTER OF INTENT

The Applicant, Rocklyn Homes, requests a rezoning for 128.11 acres from R-75 and M-1 to R-60 for the purpose of developing a single family residential community. The subject property is located on Cruse Road with an access point to Pleasant Hill Road and is found in the 6th district, land lot 178 in Gwinnett County.

The majority of the property is currently zoned for light industrial and has been used by Scientific Atlanta and now Cisco Systems and is known as "The Range". The area has a mixture of uses from commercial and small office warehouses to almost every kind of residential use you can think of. The property is also located directly across the street from Sweetwater Middle School. The applicant believes that the property is not viable as an industrial park due to the distance to I-85 and how large truck traffic would impact the residential properties in the area. The proposed community will offer Craftsman Style homes with 3 price points to perspective buyers: The lowest would be from \$180,000 to \$210,000 then \$210,000 to \$230,000 with the highest price point being \$230,000 to \$270,000. The community will also have a recreation area with a Cabana with restrooms, Junior Olympic Pool, Four Lighted Tennis Courts and an area with a Tot Lot. The proposed density is 3.11 units to the acre which is below the allowed 4 units to the acre allowed by R-60 but the R-60 gives the applicant the most flexibility as they develop the property. Rocklyn Homes is currently building and selling over 200 homes per year in metro Atlanta and we encourage you to visit their web site at **rocklynhomes.com**.

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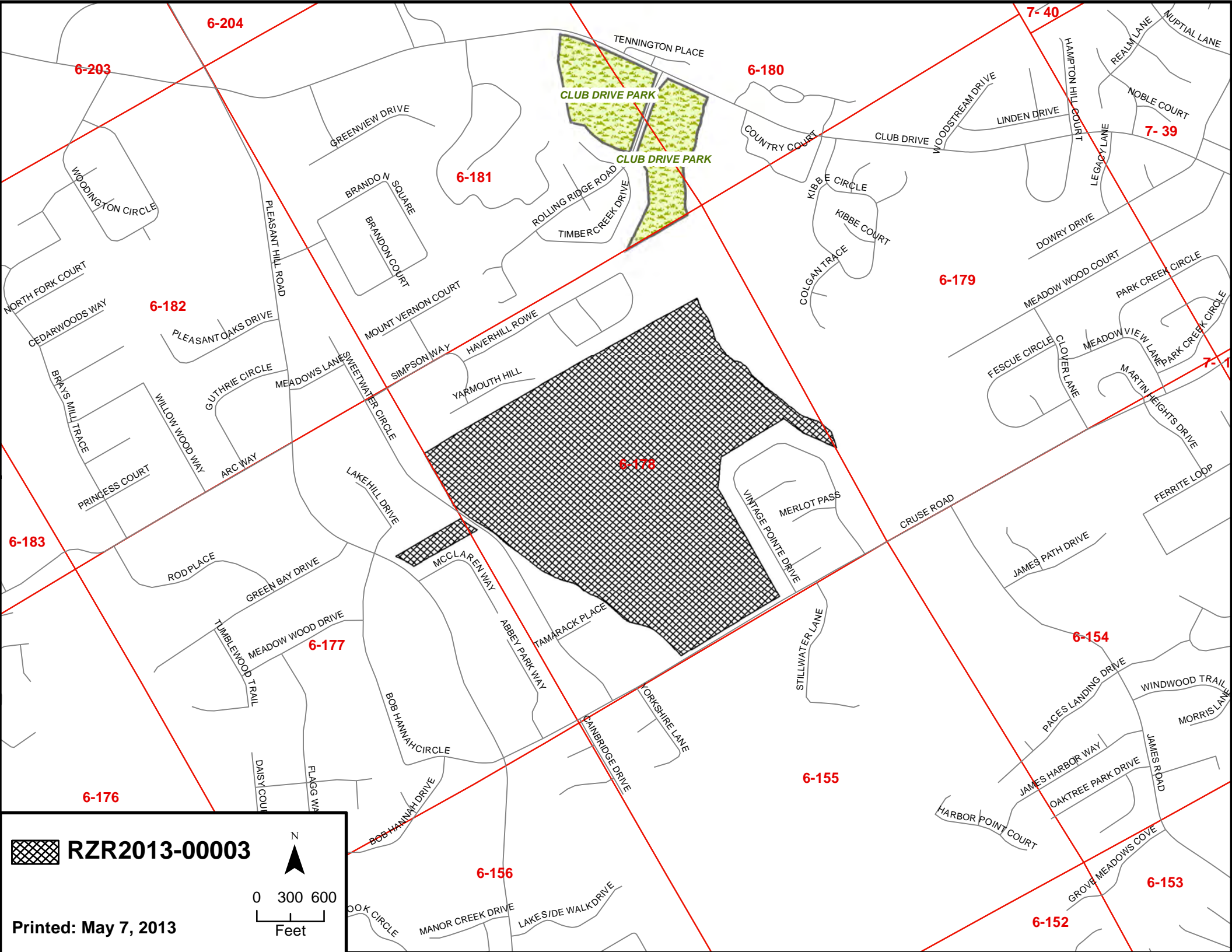
Planning & Development

RZR '13 003

Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, July 2013

Case #	Schools	Current Projections									Proposed Zoning
		2013-14			2014-2015			2015-2016			Approximate additional Student Projections from Proposed Developments
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZR2013-00003	Berkmar HS	3,378	2,800	578	3,429	2,800	629	3,480	2,800	680	48
	Berkmar MS	1,104	1,050	54	1,132	1,050	82	1,108	1,050	58	37
	Corley ES	1,355	1,150	205	1,397	1,150	247	1,425	1,150	275	75
CIC2013-00009	Mill Creek HS	3,683	3,050	633	3,738	3,050	688	3,794	3,050	744	21
	Jones MS	1,282	1,075	207	1,295	1,075	220	1,308	1,075	233	10
	Ivy Creek ES	878	1,325	-447	894	1,325	-431	880	1,325	-445	21
RZR2013-00004	Mill Creek HS	3,683	3,050	633	3,738	3,050	688	3,794	3,050	744	1
SUP2013-00033	Jones MS	1,282	1,075	207	1,295	1,075	220	1,308	1,075	233	1
	Ivy Creek ES	878	1,325	-447	894	1,325	-431	880	1,325	-445	2

Current projections do not include new developments



6-204

6-203

6-180

7-40

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6-182

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6-178

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6-155

6-156

6-153

6-152

CLUB DRIVE PARK

CLUB DRIVE PARK

WOODINGTON CIRCLE

GREENVIEW DRIVE

TENNINGTON PLACE

LINDEN DRIVE

BRANDON SQUARE

ROLLING RIDGE ROAD

COUNTRY COURT

CLUB DRIVE

WOODSTREAM DRIVE

NORTH FORK COURT

BRANDON COURT

TIMBERCREEK DRIVE

KIBBE CIRCLE

KIBBE COURT

LEGACY PLANE

CEDARWOODS WAY

PLEASANT OAKS DRIVE

MOUNT VERNON COURT

HAVERHILL ROWE

COLGAN TRACE

DOWRY DRIVE

BRYAS MILL TRACE

WILLOW WOOD WAY

GUTHRIE CIRCLE

MEADOWS LANE

SIMPSON WAY

YARMOUTH HILL

FESCUE CIRCLE

CLOVER LANE

MEADOW VIEW LANE

PARK CREEK CIRCLE

PRINCESS COURT

RODPLACE

GREEN BAY DRIVE

LAKEHILL DRIVE

MCCLAREN WAY

TAMARACK PLACE

VINTAGE POINT DRIVE

MERLOT PASS

CRUSE ROAD

JAMES PATH DRIVE

TUMBLEWOOD TRAIL

MEADOW WOOD DRIVE

6-177

MCCLAREN WAY

ABBAY PARK WAY

TAMARACK PLACE

STILLWATER LANE

PACES LANDING DRIVE

DAISY COURT

FLAGS WAY

BOB HANNAH DRIVE

BOB HANNAH DRIVE

CAMBRIDGE DRIVE

ORKSHIRE LANE

JAMES HARBOR WAY

WINDWOOD TRAIL

BOOK CIRCLE

MANOR CREEK DRIVE

LAKES/DE WALK DRIVE

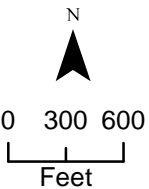
HARBOR POINT COURT

OAKTREE PARK DRIVE

MORRIS LANE


GROVE MEADOWS COVE

 RZR2013-00003



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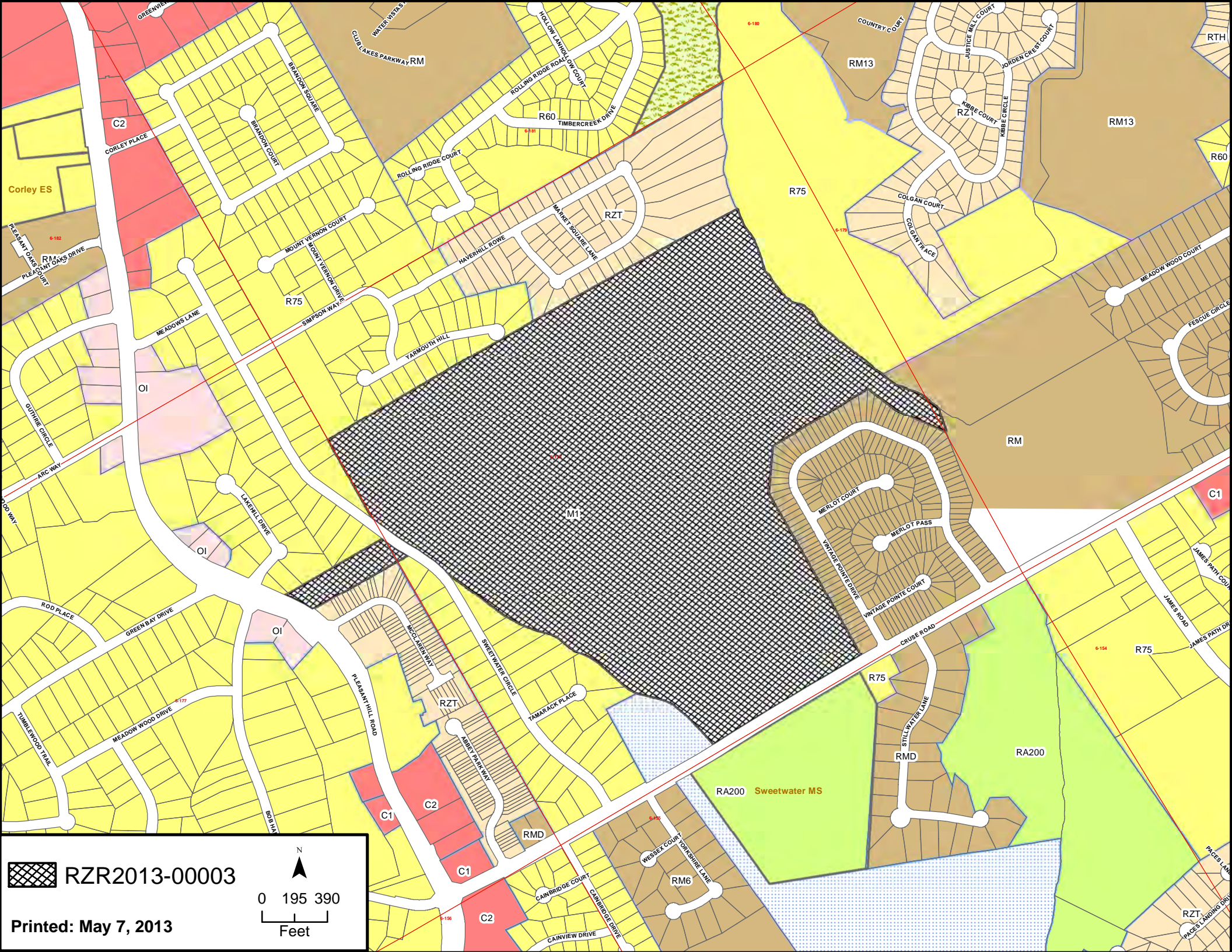


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**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS**

CASE NUMBER :**RZC2013-00004**
ZONING CHANGE :C-2, O-1 & R-100 TO C-2
LOCATION :4700 BLOCK OF SUGARLOAF PARKWAY
MAP NUMBERS :R7005 004C, R7005 025 & R7005 142
ACREAGE :2.09 ACRES
PROPOSED DEVELOPMENT :CONVENIENCE STORE WITH GAS PUMPS, RETAIL AND
RESTAURANT (REDUCTION IN BUFFERS)
SQUARE FEET :10,794 SQUARE FEET
COMMISSION DISTRICT :(4) HEARD

FUTURE DEVELOPMENT MAP: **EXISTING / EMERGING SUBURBAN**

APPLICANT: SUGARLOAF LANDING, LLC
C/O ANDERSEN, TATE & CARR, P.C.
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GA 30097

CONTACT: MARIAN C. ADEIMY PHONE: 770.822.0900

OWNERS: F. GORDON MOORE
656 ANTRIM GLEN DRIVE
HOSCHTON, GA 30548

STEVE ASTRIN
1439 OLD SALEM ROAD, S.E.
CONYERS, GA 30013

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests rezoning of a 2.09-acre parcel assemblage from C-2 (General Business District), O-1 (Office Institutional District) and R-100 (Single Family Residence District) to C-2, to develop a retail center. The property consists of three parcels located on the east side of Sugarloaf Parkway, south of its intersection with Old Norcross Road. The parcels that are presently zoned O-1 and R-100 each contain a single-family residence, while the C-2 portion of the site is wooded and undeveloped. The two residential units would be removed as part of the proposed development.

The submitted site plan shows that the site would be developed with a 5,000 square foot convenience store and gas pump canopy, with an additional 3,175 square feet of attached retail space. A separate 2,619 square foot freestanding restaurant with outdoor patio seating would be constructed at the southern end of the assemblage. Architectural renderings submitted with

the application indicate that the buildings would be constructed with masonry materials including brick, stucco and stacked-stone.

One full access driveway and one right-in/right out driveway are proposed as access onto Sugarloaf Parkway. A 10-foot wide landscape strip is proposed along Sugarloaf Parkway and inter-parcel access is indicated on the site plan. A total of 50 parking spaces would be provided, which meets the established ratios for the proposed retail and restaurant space.

The submitted site plan proposes a reduction in the required buffer along the rear property line from 75 feet to 25 feet, where the site adjoins Bennington Square townhomes and River Edge single-family subdivision. The proposed 25-foot wide buffer would be graded and replanted to buffer standards with a staggered row of evergreen trees.

ZONING HISTORY:

The property was zoned R-100 in 1970. The northernmost parcel was rezoned to O-1 in 1988 (RZ-6-88). The northern two-thirds of the site were rezoned to C-2 and O-1 in February of 2006, pursuant to RZC-06-010.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams, and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish, and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Ordinance requires a ten-foot wide landscape strip adjacent to all street rights-of-way for non-residential developments.

The Buffer, Landscape and Tree Ordinance requires submittal and approval of a Tree Preservation and Replacement Plan prepared by a professional landscape architect prior to securing a Land Disturbance or Development permit.

Section 606.3 of the 1985 Zoning Resolution requires screening of dumpsters and loading/unloading facilities.

Parking lots and interior driveways shall be designed in accordance with Section 1001 of the 1985 Zoning Resolution.

Parking spaces shall be provided at a ratio of:

- One space per 200-500 square feet for retail.
- One space per 125-500 square feet for convenience store.
- One space per 75-150 square feet for restaurant.

Section 6.3.3 and/or 6.3.4 of the Development Regulations requires a 200-foot deceleration lane with a 50-foot taper at each project entrance that proposes access to a Minor Collection Street or Major Thoroughfare. Right-of-way dedication to accommodate the deceleration lane and an 11-foot shoulder is also required. Reduction in length of a deceleration lane requires approval of a Modification by the Development Division; elimination of a deceleration lane requires approval of a Waiver by the Board of Commissioners.

Section 6.13 of the Development Regulations requires construction of five-foot wide sidewalks along all exterior roadways adjoining the project.

Section 606.6 of the 1985 Zoning Resolution requires an additional five-foot setback for all structures (parking lots, driveways, detention ponds, retaining walls, etc.) adjacent to required buffers.

The developer must submit detailed site development plans, including a landscape and tree preservation/replacement plan, for review and approval of the Development Division prior to any construction.

The developer must obtain a Land Disturbance or Development Permit from the Development Division prior to any construction.

Section 8.2.1 of the Development Regulations requires submittal of a Storm Water Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

STORMWATER REVIEW SECTION COMMENTS:

All storm water best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Sugarloaf Parkway is a Principal Arterial and 60 feet of right-of-way is required from the centerline, with 75 feet required within 500 feet of a major intersection.

Standard deceleration lanes with appropriate tapers and adequate right-of-way will be required for both entrances.

Prior to the issuance of a Development Permit, a site distance certification shall be provided.

The number and locations of driveways are subject to Gwinnett County D.O.T. approval.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

Contact GCEHD regarding food service permitting requirements.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 10-inch water main located on the eastern right-of-way of Sugarloaf Parkway.

Due to the uncontrollable variables, the Department of Water Resources makes no guarantees as to the minimum pressures or volumes available at a specific point within its system.

Demands imposed by the proposed development may require reinforcements or extensions of existing water mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 150 feet east of the property.

The subject development is located within the Patterson service area. There are currently no connection restrictions within this service area. Treatment capacity within this area is presently available on a first come - first serve basis.

Demands imposed by the proposed development may require reinforcements or extensions of existing sewer mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department.

Developer shall provide easements for future sewer connection to all locations designated by DWR during plan review.

As-built information for this department is dependent upon outside entities to provide record drawings for the utilities. Therefore this department does not guarantee the accuracy of the information provided.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances. Proceeding design, construction, inspection, and final acceptance of the required utilities, service to these utilities would then become available under the applicable utility permit rate schedules.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit civil site drawings to Building Plan Review for review and approval.
2. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for each building for review and approval by Building Plan Review.
3. Each building shall comply with the height and area limitations of Table 503 and the fire resistive and horizontal separation requirements of Table 601 and 602 of the 2006 International Building Code with Georgia state amendments based on occupancy group classification, type of construction, and location of each building from property lines and other buildings.
4. Upon completion of plan review approvals, the applicant shall obtain a building permit for each building and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at (678) 518-6040 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

Fire Plan Review has no objections to the above rezoning requests, under the following conditions:

1. Applicant submits civil drawings to Fire Plan Review for review and approval.
2. Applicant submits architectural drawings to Fire Plan Review for review and approval.
3. Upon completion of plan review approvals, applicant successfully achieves a satisfactory Fire field inspection, for issuance of a Certificate of Occupancy - Business Operation.

For assistance, you may contact this office at (678) 518-6000, Monday through Friday, from the hours of 8:00 a.m. to 5:00 p.m.

DEPARTMENT ANALYSIS:

The subject parcel assemblage contains 2.09 acres and is located on the east side of Sugarloaf Parkway, south of the Old Norcross Road intersection. The C-2-zoned portion of the site is wooded and undeveloped, and the parcels presently zoned O-I and R-100 are each developed with a single-family residence.

The 2030 Unified Plan Future Development Map indicates the property is located within an Existing/Emerging Suburban Character Area, which encourages neighborhood-serving retail and commercial services at major intersections. The site is a part of the commercial node surrounding the intersection of Sugarloaf Parkway and Old Norcross Road and a majority of the site has been zoned C-2 and O-I since 2006. It is noted that the C-2 and O-I portions of the subject property were also granted a buffer reduction to 25 feet in 2006, suggesting that the current 25-foot proposed buffer width could be suitable. An adjacent 2.3 acre property to the south was subsequently zoned O-I in 2008 and provides a zoning transition to residential uses further south on Sugarloaf Parkway. In light of the current zoning pattern along this major arterial near a significant commercial intersection, the requested rezoning could be supported by the Unified Plan and previous Board approvals in the area.

The surrounding area is characterized by commercial uses at the intersection of Old Norcross Road and Sugarloaf Parkway with medium and low density residential areas located away from the intersection traveling south on Sugarloaf Parkway. Adjacent to the north and oriented to the intersection is a multi-tenant retail building and a convenience store zoned C-2. Adjoining the subject site to the east are the Bennington Square townhomes and River Edge subdivision. Directly across Sugarloaf Parkway from the site are the Arbors at Sugarloaf townhome development, a restaurant and a bank with drive-through facilities, zoned C-2. Adjacent to the subject property on the south are single family homes that were rezoned to O-I in 2008 for redevelopment as office buildings. This O-I zoning that adjoins the property to the south provides an established and logical zoning transition to residential uses southward on Sugarloaf Parkway. The proposed C-2 uses could be consistent with the land use pattern of the area where commercial zoning has been established at the intersection of Sugarloaf Parkway and Old Norcross Road to the north and bounded by a transitional O-I zoning to the south. However, to promote the quality and aesthetics of the new C-2 zone, staff would suggest that the existing residential units be removed and not be permitted for conversion to business activity.

In conclusion, the proposed C-2 zoning for a convenience store, attached retail and free-standing restaurant could be an appropriate extension of the commercial node at Sugarloaf Parkway and Old Norcross Road, and could be consistent with the Unified Plan and similar Board decisions for the area. Therefore, the Department recommends **APPROVAL WITH CONDITIONS**.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as C-2, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Retail, service-commercial, office and accessory uses. The following uses shall be prohibited:
 - adult bookstores or entertainment
 - automotive parts stores
 - contractors offices
 - emission inspection stations
 - equipment rental
 - extended stay hotels or motels
 - recovered materials processing facilities
 - smoke shops/novelty stores
 - taxidermists
 - tattoo parlors
 - yard trimmings composting facilities
 - B. Buildings shall be finished with architectural treatments of glass, brick and/or stacked stone on all sides (stucco may only be used as an accent material). Final building elevations and colors shall be submitted for review by the Director of Planning and Development. Non-stucco masonry finishes shall not be painted.
 - C. The existing residential structures shall not be converted for business activity and shall be removed from the site when any portion thereof is developed.
2. To abide by the following site development considerations:
 - A. Provide a 25-foot wide natural undisturbed buffer adjacent to residentially-zoned properties (rear property line). The buffer shall be enhanced where sparsely vegetated with a double row of evergreens to create an effective visual screen.
 - B. Natural vegetation shall remain on the property until the issuance of a development permit.
 - C. Ground signage shall be limited to monument type signs with a minimum two-foot high brick or stacked stone base. Overall sign height shall not exceed 8 feet.
 - D. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure. Hours of dumpster pick-up shall be limited to between 7:00 am and 7:00 pm.

- E. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
- F. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
- G. Peddlers and/or parking lot sales shall be prohibited.
- H. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The proposed C-2 zoning could be suitable at this location as a logical extension of the commercial node surrounding the intersection of Sugarloaf Parkway and Old Norcross Road. An existing O-I zoned property adjoining the subject site to the south provides an established O-I transition to residential uses further south along Sugarloaf Parkway.

ADVERSE IMPACTS

With conditions that address buffer plantings, signage and lighting, potential adverse impacts on adjacent and nearby residences could be reduced.

REASONABLE ECONOMIC USE AS ZONED

The subject property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

An increase in traffic, utility demand, and stormwater runoff could be anticipated from this request.

CONFORMITY WITH POLICIES

Policies of the Unified Plan support neighborhood-serving retail and commercial services at major intersections. The site abuts the commercial node at the intersection of Sugarloaf Parkway and Old Norcross Road, and portions of the property have been zoned C-2 and O-I since 2006. Approval as C-2 could be a logical extension of the commercial node and consistent with past Board decisions for the area.

CONDITIONS AFFECTING ZONING

Past Board rezoning of C-2 for a portion of this tract and the established O-I zoning on the adjoining property to the south as a transitional district gives supporting grounds for approval of C-2 for the entire tract.

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

See Exhibit "B".

- (B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

See Exhibit "B".

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

See Exhibit "B".

- (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:

See Exhibit "B".

- (E) WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

See Exhibit "B".

- (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:

See Exhibit "B".

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EXHIBIT "B"
APPLICANT'S RESPONSE

- A) WHETHER A 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. The proposed neighborhood restaurant, convenience store and potential small retail is adjacent to and will compliment the adjacent and nearby commercial properties, convenience stores, retail, and office, zoned C-2 and O&I. This will also bring the zoning and development of the subject property in conformance with the uses in this commercial corridor. The nearby townhome developments provide an appropriate transitional zoning classification.

- B) WHETHER A PROPOSED REZONING (OR SPECIAL USE PERMIT) WILL ADVERSELY AFFECT THE EXISTING USE OR USEABILITY OF ADJACENT OR NEARBY PROPERTY:

No, this rezoning request proposes a neighborhood-use that is entirely compatible with the adjoining and nearby commercial/C-2/O&I/and residential zoned property and will not adversely affect these properties, not will the proposed development have a negative impact on the existing townhome development, a well established transitional zoning classification appropriately located adjacent to commercial developments such as the one proposed.

- C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING (OR SPECIAL USE PERMIT) HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

No. The subject property does not have any reasonable economic use as small divided parcels with mismatched zoning.

- 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, this property is located in an area with public water and sewer availability, and convenient access to major thoroughfares and state highways. This rezoning will not cause excessive use of existing streets, transportation facilities or utilities and will have no impact whatsoever on the schools.

- E) WHETHER THE PROPOSED REZONING (OR SPECIAL USE PERMIT) IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Yes. The Gwinnett 2030 Unified Plan identifies Sugarloaf Parkway as a commercial corridor in this area. The proposed restaurant is adjacent to and near properties zoned and developed for commercial/retail.

- F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER THE APPROVAL OR DISAPPROVAL OF THE PROPOSED REZONING (OR SPECIAL USE PERMIT).

Yes. (1) The location of the property on a major divided road, (2) the location of the property adjacent to a major commercial development, and (3) prior Board of Commissioners action in extending restaurant, convenience store, and retail uses for nearby property has clearly established the character of this area as a commercial node, making utilization under the current disjointed zoning inappropriate as well as extremely difficult, if not commercially impossible.

LETTER OF INTENT
FOR REZONING APPLICATION & BUFFER REDUCTION APPLICATION
BY SUGARLOAF LANDING, LLC

The Applicant, Sugarloaf Landing, LLC (hereinafter, "Applicant"), submits this Rezoning and Buffer Reduction Application for the purpose of rezoning three adjoining tracts totaling approximately 2 acres, commonly-owned, and located near the corner of Old Norcross Road and Sugarloaf Parkway, otherwise known as 4715, 4725 and 4735 Sugarloaf Parkway (the "Property"), to the C-2 zoning classification for a neighborhood convenience store, restaurant, and neighborhood retail. The Property is currently zoned C-2, O&I, and R-200.

The proposed convenience store will consist of a single building totaling approximately 8,175 square feet. The proposal calls for a total of 6 gas pumps located under a canopy. The adjacent, proposed restaurant will consist of a single, one-story building, approximately 2,600 square feet. The subject Property is located on a divided road, near the fully signalized intersection of two high traffic volume arterial roads in the city of Lawrenceville. The Property is located in a major commercial/retail/office node with interspersed townhomes, and near a major commercial intersection. Adjacent properties, zoned C-2, already feature retail, restaurant, and convenience stores uses, and these uses have proved to have no adverse impacts on surrounding properties and has a demonstrated history of being entirely suitable and even complementary to the other land uses in the area.

As part of this Rezoning Application, the Applicant also requests that the existing buffer be temporarily disturbed for development purposes and permanently reduced to 25 feet with the replanting of a full buffer with Leyland Cypress trees or some similar privacy hedge. Despite the reduction, the concept plan shows that the planned buildings will be further than 25 feet and up to 50 feet from the rear property line.

Applicant's requests are consistent with the use and development of adjacent C-2 properties and property in the vicinity, which include numerous commercial/retail uses including convenience stores with gasoline pumps. This request would also be consistent with prior Board of Commissioner precedent in rezoning those similarly situated properties in this area to commercial/retail and convenience store uses.

The existing mismatched zoning, currently C-2, R-200, and O&I, has absolutely no reasonable economic use as currently zoned. Use and development of the Property, given the independent lot sizes and zoning would be extremely difficult, if not economically and practically impossible. The development of the property as a neighborhood convenience store, restaurant, and potential retail is appropriate given the location of the subject tracts and is entirely consistent with the zoning, use and development of the adjacent and surrounding properties.

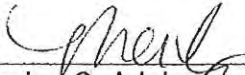
The Applicant proposes an aesthetically pleasing, neighborhood center, and respectfully requests your approval of its application for Rezoning and Buffer Reduction. Applicant and its representatives welcome the opportunity to meet with the Planning staff, Planning Commissioners, County Commissioners, and neighboring property owners to answer any questions or to address any concerns.

RZC '13 004

This 7th day of June, 2013.

Respectfully submitted,

ANDERSEN, TATE & CARR, P.C.



Marian C. Adeimy
Attorneys for Applicant

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Planning & Development

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SITE



All Federal, State and Local Codes, ordinances, regulations, etc. shall be considered as part of specifications for this building and should take preference over anything shown, described or implied where same are at variance.

Prepared for:
Neighbor's Market
 Sugar Loaf Pkwy

rekast DESIGN GROUP
 DESIGN • DEVELOPMENT • CONSTRUCTION
 404-391-6538
 WWW.REKAST.COM

Date: 7/2/2013

Rev:

Scale: As noted

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All Federal, State and Local Codes, Ordinances, regulations, etc. shall be considered as part of specifications for this building and should take preference over anything shown, described or implied where same are at variance.

Prepared for:
Neighbor's Market
 Sugar Loaf Pkwy

rekast DESIGN GROUP
 DESIGN • DEVELOPMENT • CONSTRUCTION
 WWW.REKAST.COM
 404-391-6533

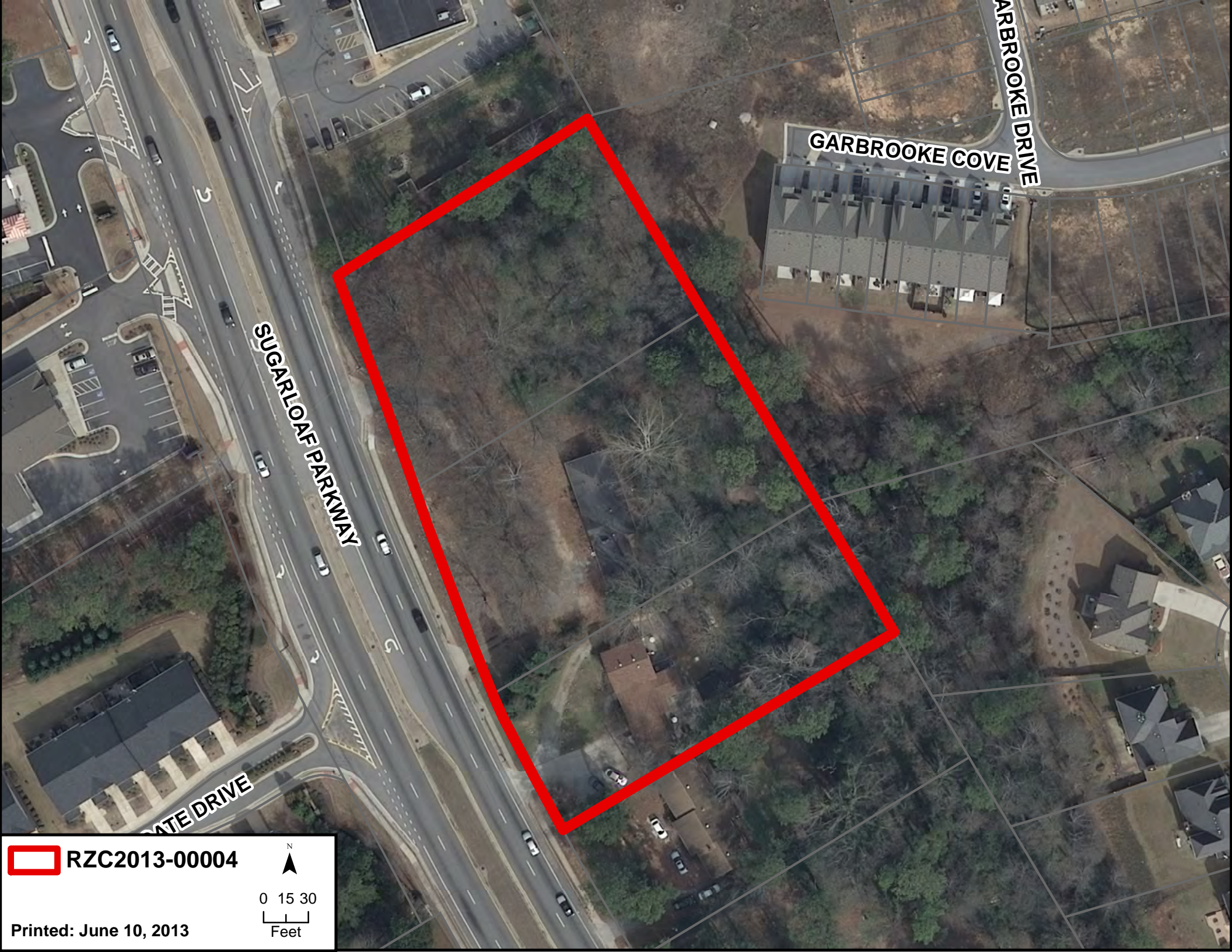
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SUGARLOAF PARKWAY

GARBROOKE COVE

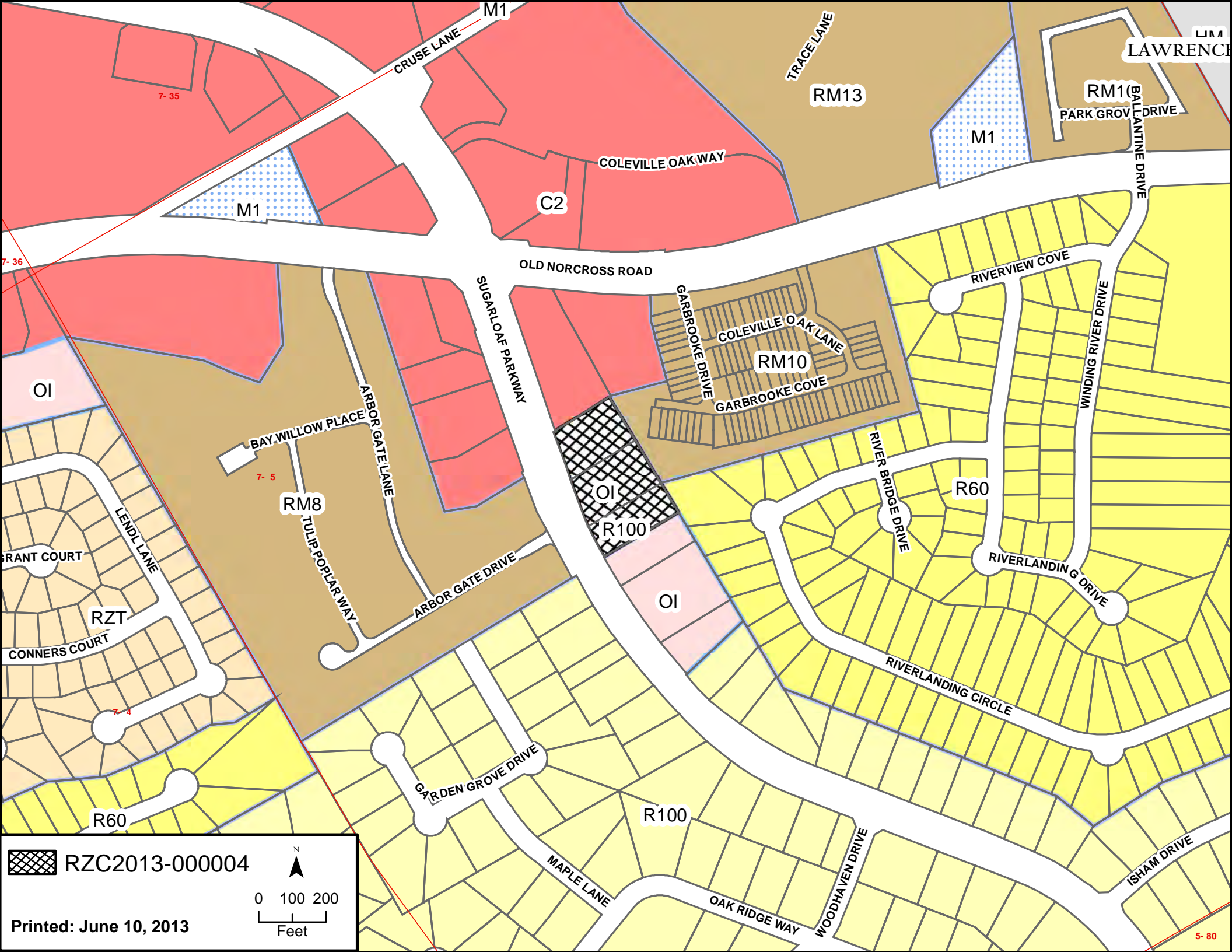
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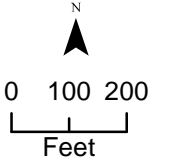


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 RZC2013-000004



Printed: June 10, 2013

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
SPECIAL USE PERMIT ANALYSIS**

CASE NUMBER :**SUP2013-00034**
ZONING :RA-200
LOCATION :1500 BLOCK OF ACE MCMILLIAN ROAD
MAP NUMBER :R5280 002
ACREAGE :5.24 ACRES
PROPOSED DEVELOPMENT :CHURCH (REDUCTION IN BUFFERS)
COMMISSION DISTRICT :(3) HUNTER

FUTURE DEVELOPMENT MAP: **RURAL/ESTATE AREA**

APPLICANT: THE DACULA CONGREGATION OF JEHOVAH'S WITNESSES
C/O ANDERSEN, TATE & CARR, P.C.
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GA 30097

CONTACT: MARIAN C. ADEIMY PHONE: 770.822.0900

OWNER: THE DACULA CONGREGATION OF JEHOVAH'S WITNESSES
662 SIMON PARK CIRCLE
LAWRENCEVILLE, GA 30045

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant requests a Special Use Permit on a 5.24-acre tract, zoned RA-200 (Agriculture Residence District), for use as a church. The property is located on the east side of Ace McMillian Road, across from its intersection with Givens Road. Ace McMillian Road is classified as a minor collector street, and thus requires a Special Use Permit for the church use.

The submitted site plan proposes a single-story, 4,950 square foot brick sanctuary building. A second 4,950 square foot meeting hall and parking lot expansions are also depicted as potential future development. The applicant's letter of intent indicates the sanctuary would seat 225 people and 95 parking spaces are proposed. Based on this seating, the proposed amount of parking spaces satisfies the standard parking requirements. A storm water detention facility and on-site septic system are proposed to the rear of the site. Access is planned through a single entrance/exit onto Ace McMillian Road that would align with Givens Road.

The site plan shows the required 20-foot buffer adjacent to exterior property lines along the parking lot and sanctuary building. A 50-foot wide buffer is required adjacent to the storm water detention facility and septic field, and the site plan proposes a reduction of this buffer area to 20 feet.

ZONING HISTORY:

The subject property has been zoned RA-200 since 1970. In 2007, a Special Use Permit application for a church was denied, pursuant to SUP-07-094. A second Special Use Permit application for a church was denied in 2011, pursuant to SUP2010-00061.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams, and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish, and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Ordinance requires a ten-foot wide landscape strip adjacent to all street rights-of-way for non-residential developments.

The Buffer, Landscape and Tree Ordinance requires submittal and approval of a Tree Preservation and Replacement Plan prepared by a professional landscape architect prior to securing a Land Disturbance or Development permit.

Section 606.3 of the 1985 Zoning Resolution requires screening of dumpsters and loading/unloading facilities.

Parking lots and interior driveways shall be designed in accordance with Section 1001 of the 1985 Zoning Resolution.

Parking spaces shall be provided at a ratio of:

- One space per 5 seats in main sanctuary (minimum).
- One space per 2 seats in main sanctuary (maximum).

Section 6.3.3 and/or 6.3.4 of the Development Regulations requires a 200-foot deceleration lane with a 50-foot taper at each project entrance that proposes access to a Minor Collection Street or Major Thoroughfare. Right-of-way dedication to accommodate the deceleration lane and an 11-foot shoulder is also required. Reduction in length of a deceleration lane requires approval of a Modification by the Development Division; elimination of a deceleration lane requires approval of a Waiver by the Board of Commissioners.

Section 6.13 of the Development Regulations requires construction of five-foot wide sidewalks along all exterior roadways adjoining the project.

Section 606.6 of the 1985 Zoning Resolution requires an additional five-foot setback for all structures (parking lots, driveways, detention ponds, retaining walls, etc.) adjacent to required buffers.

The developer must submit detailed site development plans, including a landscape and tree preservation/replacement plan, for review and approval of the Development Division prior to any construction.

The developer must obtain a Land Disturbance or Development Permit from the Development Division prior to any construction.

Section 8.2.1 of the Development Regulations requires submittal of a Storm Water Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

STORMWATER REVIEW SECTION COMMENTS:

All storm water best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Ace McMillian Road is a Minor Collector, and 30 feet of right-of-way is required from the centerline.

Standard deceleration lane with appropriate taper and adequate right-of-way will be required.

Prior to the issuance of a Development Permit, a site distance certification shall be provided.

The number and locations of driveways are subject to Gwinnett County D.O.T. approval.

The project must comply with Gwinnett County D.O.T. Criteria and Guidelines for Left Turn Lanes. If a left turn lane is required, then turn bay storage shall also be provided for Givens Road.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

Contact GCEHD regarding septic system requirements.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of an 8-inch water main located on the western right-of-way of Ace McMillian Road.

Due to the uncontrollable variables, the Department of Water Resources makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. Demands imposed by the proposed development may require reinforcements or extensions of

existing water mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 2,700 feet northwest of the property in the right-of-way of Ewing Estates Drive.

The subject development is located within the -- service area. There are currently no connection restrictions within this service area. Treatment capacity within this area is presently available on a first come - first serve basis.

Demands imposed by the proposed development may require reinforcements or extensions of existing sewer mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department. Developer shall provide easements for future sewer connection to all locations designated by DWR during plan review.

As-built information for this department is dependent upon outside entities to provide record drawings for the utilities. Therefore this department does not guarantee the accuracy of the information provided.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances. Proceeding design, construction, inspection, and final acceptance of the required utilities, service to these utilities would then become available under the applicable utility permit rate schedules.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit civil site drawings to Building Plan Review for review and approval.
2. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for each building for review and approval by Building Plan Review.
3. Each building shall comply with the height and area limitations of Table 503 and the fire resistive and horizontal separation requirements of Table 601 and 602 of the 2006 International Building Code with Georgia state amendments based on occupancy group classification, type of construction, and location of each building from property lines and other buildings.
4. Upon completion of plan review approvals, the applicant shall obtain a building permit for each building and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at (678) 518-6040 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

Fire Plan Review has no objections to the above rezoning requests, under the following conditions:

1. Applicant submits civil drawings to Fire Plan Review for review and approval.
2. Applicant submits architectural drawings to Fire Plan Review for review and approval.
3. Upon completion of plan review approvals, applicant successfully achieves a satisfactory Fire field inspection, for issuance of a Certificate of Occupancy - Business Operation.

For assistance, you may contact this office at (678) 518-6000, Monday through Friday, from the hours of 8:00 a.m. to 5:00 p.m.

DEPARTMENT ANALYSIS:

The subject property is located on the east side of Ace McMillian Road, across from its intersection with Givens Road. The property is currently undeveloped and is a mostly open grass field, with a gas pipeline easement extending along the northern side property line. The subject property is a portion of a larger parent parcel, which contains an existing residence and outbuildings which would remain to the rear of the church facilities.

The 2030 Unified Plan Future Development Map indicates that the property lies within a Rural/Estate Character Area. Policies for this character area could allow for church uses in appropriate locations. However, subsequent to public hearings, the Board denied nearly identical requests for a church use on this site in 2007, pursuant to SUP-07-094, and again in 2011, pursuant to SUP2010-00061. These prior Board decisions suggest that the subject request for a church may not be appropriate at this location.

The surrounding area is rural and sparsely developed. Surrounding the property are agricultural uses and single-family homes on acreage tracts, zoned RA-200. A few low-density residential subdivisions, zoned R-100 and R-140, also exist in the immediate area. The area contains several horse farms and pastureland, with equestrian trails and road crossings. The Emory Hills subdivision is located north of the property and the Rancho Allegre farm is located northwest of the property. In light of the sparsely developed residential and agricultural nature of the area, the addition of church traffic onto this small roadway may be inappropriate.

In conclusion, the requested Special Use Permit to allow a church may not be consistent with prior board precedent on the property or the rural/residential nature of the surrounding area. Therefore, the Department of Planning and Development recommends **DENIAL** of the request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Note: The following conditions are provided as a guide should the Board of Commissioners choose to approve the petition.

Approval of a Special Use Permit for a church, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. A church and accessory uses, not including a daycare facility or private school unless approved by additional Special Use Permit(s).
 - B. Buildings shall be constructed of brick or stacked stone, with minor treatments of wood, fiber-cement siding or stucco. Building elevations and materials shall be subject to review and approval by the Director of Planning and Development.
 - C. Lighted outdoor recreation facilities shall be prohibited.
2. To satisfy the following site development considerations:
 - A. Provide a ten-foot wide landscape strip adjacent to Ace McMillian Road.
 - B. Provide a 20-foot buffer adjacent to all external property lines, enhanced with evergreen plantings where sparsely vegetated. Buffer design and plantings shall be subject to review and approval by the Director of Planning and Development.
 - C. Ground signage shall be limited to a single, externally-illuminated, monument-type sign with a minimum two-foot high brick base. Overall sign height shall not exceed 6 feet.
 - D. Dumpsters shall be screened by a 100% opaque brick wall. Hours of pickup shall be limited to between 7 a.m. and 7 p.m.
 - E. Outdoor loudspeakers shall be prohibited.
 - F. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
 - G. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs shall be prohibited.
 - H. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

In view of the site being located on a sparsely developed minor roadway, and in light of adjacent and nearby agricultural/residential acreage tracts, the requested Special Use Permit for a religious facility with large paved parking lots may not be suitable at this location.

ADVERSE IMPACTS

Potentially adverse impacts from traffic, noise and light intrusion could be anticipated from this request.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

An increase in traffic, storm water runoff and utilities usage could be anticipated from this request.

CONFORMITY WITH POLICIES

The requested Special Use Permit for a church may not be consistent with prior Board precedent for the property, whereby similar requests were denied in 2007 and again in 2011.

CONDITIONS AFFECTING ZONING

The proposed church with reduced buffers and the accompanying traffic at certain peak times may not be suitable to this rural, agricultural location.

SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

See Exhibit "B".

- (B) WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

See Exhibit "B".

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED SPECIAL USE PERMIT HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

See Exhibit "B".

- (D) WHETHER THE PROPOSED 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:

See Exhibit "B".

- (E) WHETHER THE PROPOSED SPECIAL USE PERMIT IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

See Exhibit "B".

- (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 SPECIAL USE PERMIT:

See Exhibit "B".

EXHIBIT "B"
APPLICANT'S RESPONSE

- A) WHETHER A 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. A church is typically permitted in RA-zoning, but for the misclassification of Ace McMillian Rd., and is located near a special events facility, and mixed rural residential and neighborhood commercial. The church and will compliment the adjacent zoning as intended by the Zoning Resolution in permitting churches under RA-200 zoning.

- B) WHETHER A PROPOSED REZONING (OR SPECIAL USE PERMIT) WILL ADVERSELY AFFECT THE EXISTING USE OR USEABILITY OF ADJACENT OR NEARBY PROPERTY:

No, this rezoning request proposes a neighborhood-friendly use, limited to specific meeting days, during off-peak hours, that is entirely compatible with the uses in the area, and will not adversely affect the nearby properties or their useability.

- C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING (OR SPECIAL USE PERMIT) HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

No. The subject property does not have any reasonable economic use as a large RA-200 property.

- 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. This rezoning will not cause excessive use of existing streets, transportation facilities or utilities and will have no impact whatsoever on the schools. The church is intended for a small congregation, and a recent traffic study is submitted with this application as evidence of the nonexistent impact on roads or traffic.

- E) WHETHER THE PROPOSED REZONING (OR SPECIAL USE PERMIT) IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Yes. The proposed church is consistent with the church use typically permitted in RA-200 zoning.

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Planning & Development SUP '13 034

- F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER THE APPROVAL OR DISAPPROVAL OF THE PROPOSED REZONING (OR SPECIAL USE PERMIT).

Yes. (1) The existing church use in RA-200 zoning, (2) the location of the property for church-members, and (3) recent Board of Commissioners' action in extending church uses for nearby property in similar neighborhood and low-density areas has clearly established the areas suitable for church use, and due to the existing, inferior road classification, makes utilization under the current zoning inappropriate as well as extremely difficult, if not commercially impossible.

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Planning & Development

SUP '13 034

LETTER OF INTENT
Dacula Congregation (the "Applicant")

The Applicant submits this Special Use Permit Application for the purpose of obtaining a special use permit to permit a church, already allowed under the existing RA-200 zoning classification, but requiring an SUP due to the incorrect, inferior road classification for Ace McMillian Rd. The Applicant seeks an SUP to build a one-story, 5,000 square foot church building on approximately 5 acres of a subdivided lot located on Ace McMillian Rd. near its intersection with Givens Rd. and Luke Edwards Rd. (hereinafter, the "Property"). The subject property covered by this Application is currently zoned RA-200 which typically permits church use without a special use permit.

The property reflects a 50 foot buffer adjacent to Ace McMillian Rd., and a 10 foot landscape strip along the right-of-way. The building will serve approximately 250 members and allows for the required parking and additional zoning requirements. Access is proposed through a single entrance/exit onto Ace McMillian Rd. that would align with Givens Rd. for consistency. Applicant is the owner of the adjacent 5 acres and has no future plan to develop the adjacent tract. The proposed church is compatible with the low-density zoning uses in the surrounding area, consistent with the intent and permitted church use in RA-200 zoning.

The property has access to a public water supply, public sanitary sewer, and convenient access to collector streets and major thoroughfares. Due to the nature of a church's less-intensive use, there will be no impact on traffic, schools, or local roads. The subject Property is located on what can only be characterized as a low-density, neighborhood tract, and the church is intended to service only its members in the immediate Dacula area. No commuting members are expected or intended, given the size and location of other related-churches. Historically, churches have been a very good neighbor, contributing to the community and creating a safe environment. The church will not house a school, daycare, or any other peak-hour activities. The exterior of the church building is intended to be aesthetically pleasing, high-quality brick construction with a residential-feel like the concept rendering filed with this Application.

CONCLUSION

This proposed special use permit would result in a high-quality church to serve its members in the area and compliment the high standard of development already established in Dacula. Applicant and its representatives welcome the opportunity to meet with the staff of the Gwinnett County Department of Planning and Development to answer any questions or to address any concerns. Applicant respectfully requests your approval of this Application.

This 7th day, June, 2013.


Respectfully submitted,

ANDERSEN, TATE & CARR, P.C.

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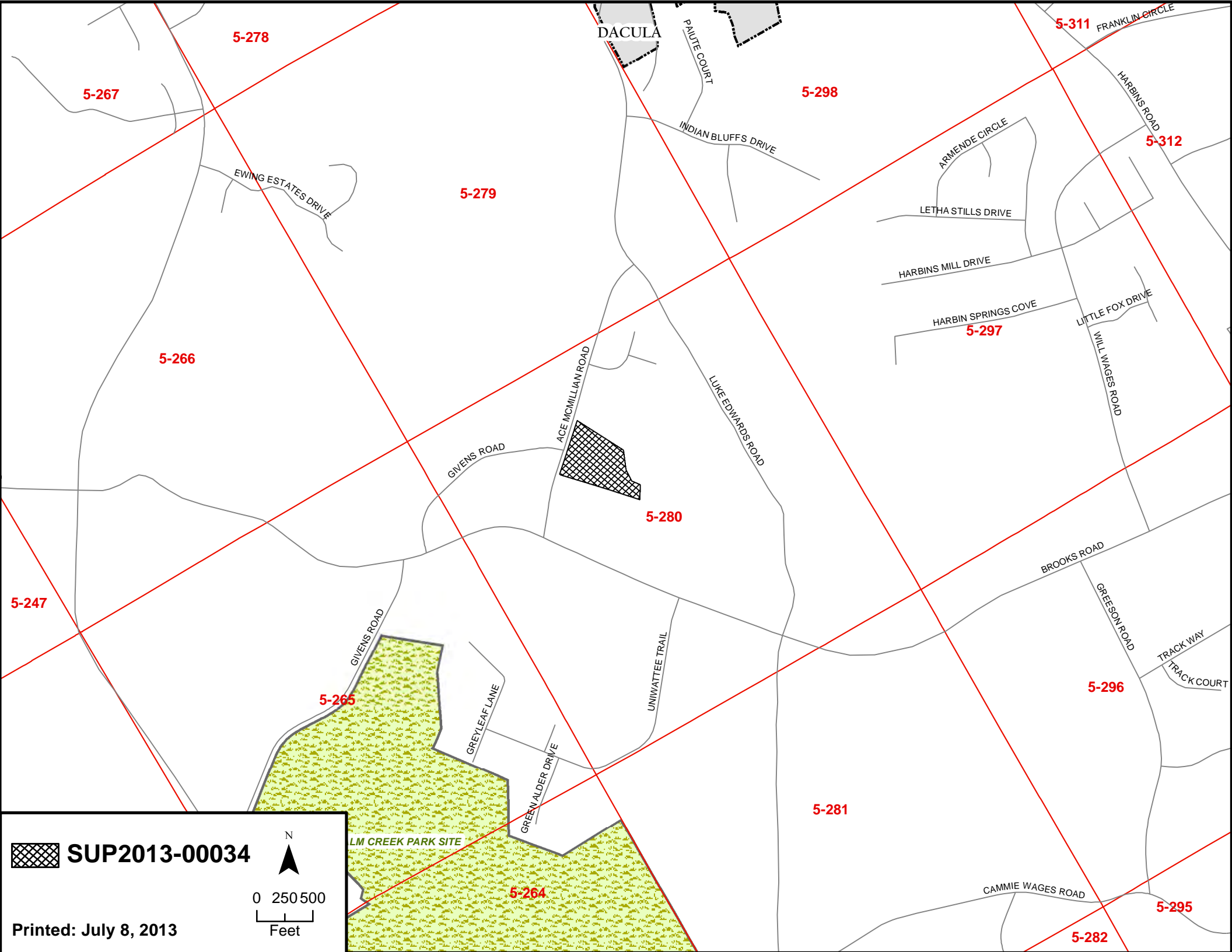
JUN 07 2013

Planning & Development



Marian C. Adeimy
Attorney for Applicant

SUP '13 034



DACULA

5-278

5-267

5-298

5-311

5-312

5-279

5-266

5-297

5-280

5-247

5-296

5-265

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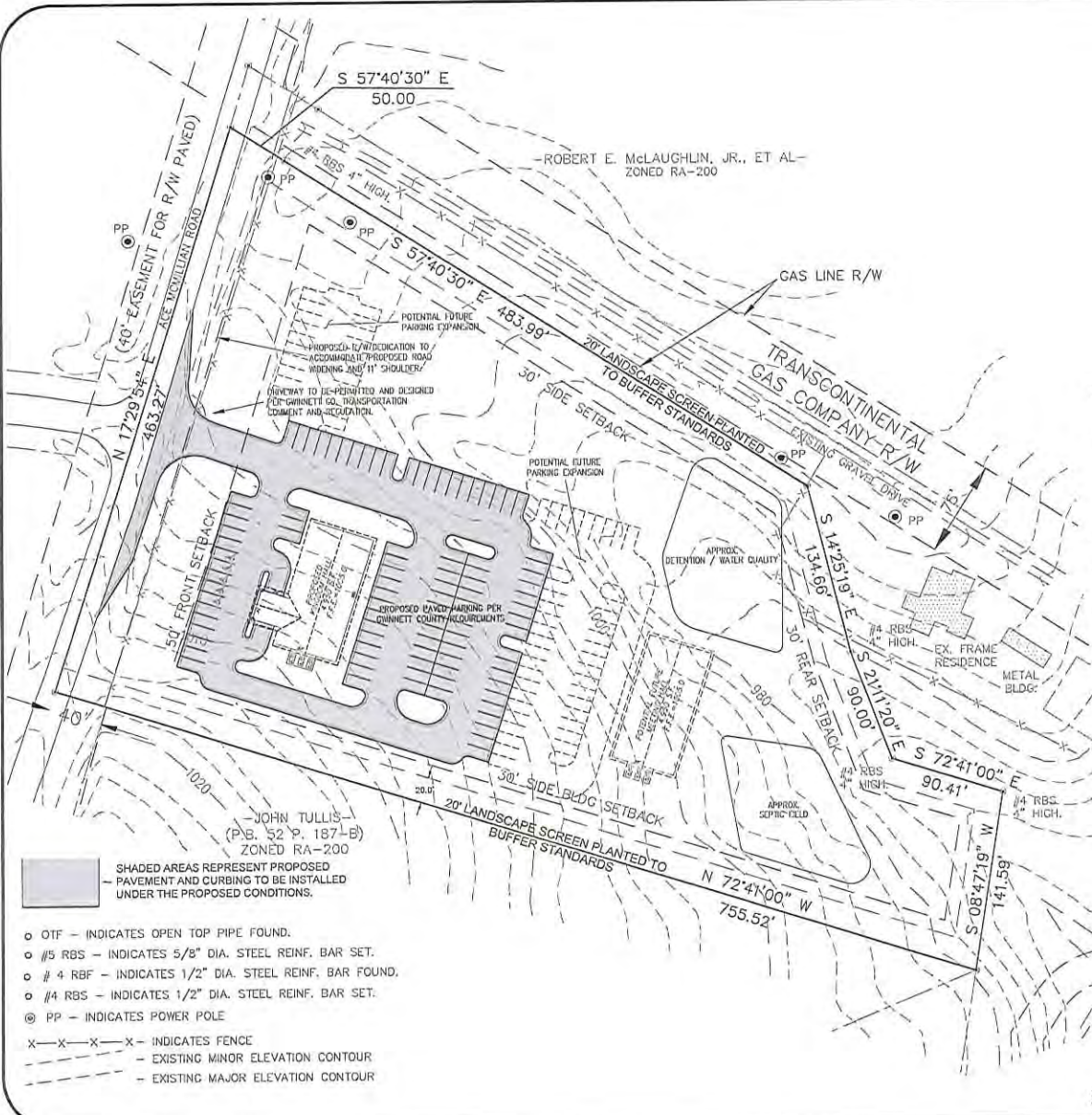
 SUP2013-00034



0 250 500
Feet

Printed: July 8, 2013

LM CREEK PARK SITE



- GENERAL NOTES:**
- TOTAL AREA (GROSS) = 5.66 ACRES
NET AREA = 5.24 ACRES (0.42 ACRES WITHIN R/W)
 - ZONING: RA-200
-PROPOSED USE: "PLACE OF WORSHIP"
-GROSS BUILDING AREA = 4,950SF
-TOTAL SEATING CAPACITY = 225
-MINIMUM SETBACKS:
FRONT - 50 FT.
SIDE - 30 FT.
REAR - 30 FT.
 - PROPOSED PARKING = 95 SPACES
-THE RATIO OF PARKING SPACES TO SANCTUARY SEATS IS 2:4
 - POTENTIAL FUTURE EXPANSION:
-TOTAL GROSS BUILDING AREA: 4,950SF
-TOTAL POTENTIAL PARKING EXPANSION: 55 SPACES
 - BOUNDARY AND ADJACENT SURVEY PROVIDED BY PLAT DATED JULY 15, 2007 BY HARRIS AND ASSOCIATES. TOPOGRAPHIC INFORMATION PROVIDED BY GWINNETT COUNTY GIS INFORMATION.
 - THIS SITE CONTAINS NO FLOOD PLAIN PER FEMA FLOOD PANEL 13135C0092F, DATED SEPTEMBER 29TH, 2006.
 - A TREE PRESERVATION AND REPLACEMENT PLAN PREPARED BY A PROFESSIONAL LANDSCAPE ARCHITECT MUST BE APPROVED PRIOR TO SECURING A LAND DISTURBANCE OR DEVELOPMENT PERMIT.
 - NO GARBAGE DUMPSTER IS PROPOSED WITH THIS PROJECT.

- OTF - INDICATES OPEN TOP PIPE FOUND.
- #5 RBS - INDICATES 5/8" DIA. STEEL REINF. BAR SET.
- #4 RBF - INDICATES 1/2" DIA. STEEL REINF. BAR FOUND.
- #4 RBS - INDICATES 1/2" DIA. STEEL REINF. BAR SET.
- ⊙ PP - INDICATES POWER POLE
- X-X-X-X - INDICATES FENCE
- - - - - EXISTING MINOR ELEVATION CONTOUR
- - - - - EXISTING MAJOR ELEVATION CONTOUR

**CONCEPTUAL SITE IMPROVEMENT PLAN
FOR THE
DACULA CONGREGATION KINGDOM
HALL OF JEHOVAH'S WITNESS
LAND LOT 280, 5TH DISTRICT
GWINNETT COUNTY, GEORGIA**

No.	Revisions/Issue	Date
1	INITIAL RELEASE	5-11-13

JVG
Civil Engineering
210 14th St. N.W.
Atlanta, GA 30310
770-402-3471

OWNER/DEVELOPER:
DACULA CONGREGATION
JEHOVAH'S WITNESSES
540 HILLSIDE DRIVE
DUNWOODY, GA
CONTACT:
FRANK SANDERS
770-963-9167

Project	Sheet
120417	ZP2
Date	4-17-13
Scale	1"=40'

ENGINEER CONTACT:
JONATHAN HICKS, P.E.
JVG CIVIL ENGINEERING, INC.
210 14TH ST N.W.
ATLANTA, GA 30310
PH: 770-402-3471
FAX: 404-487-8982
EMAIL: jhicks@jvgconsult.com

1 inch = 40 ft.
GRAPHIC SCALE
0 20 40 60 80 100 120 140 160

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SUP '13 0 3 4



5



GIVENS ROAD

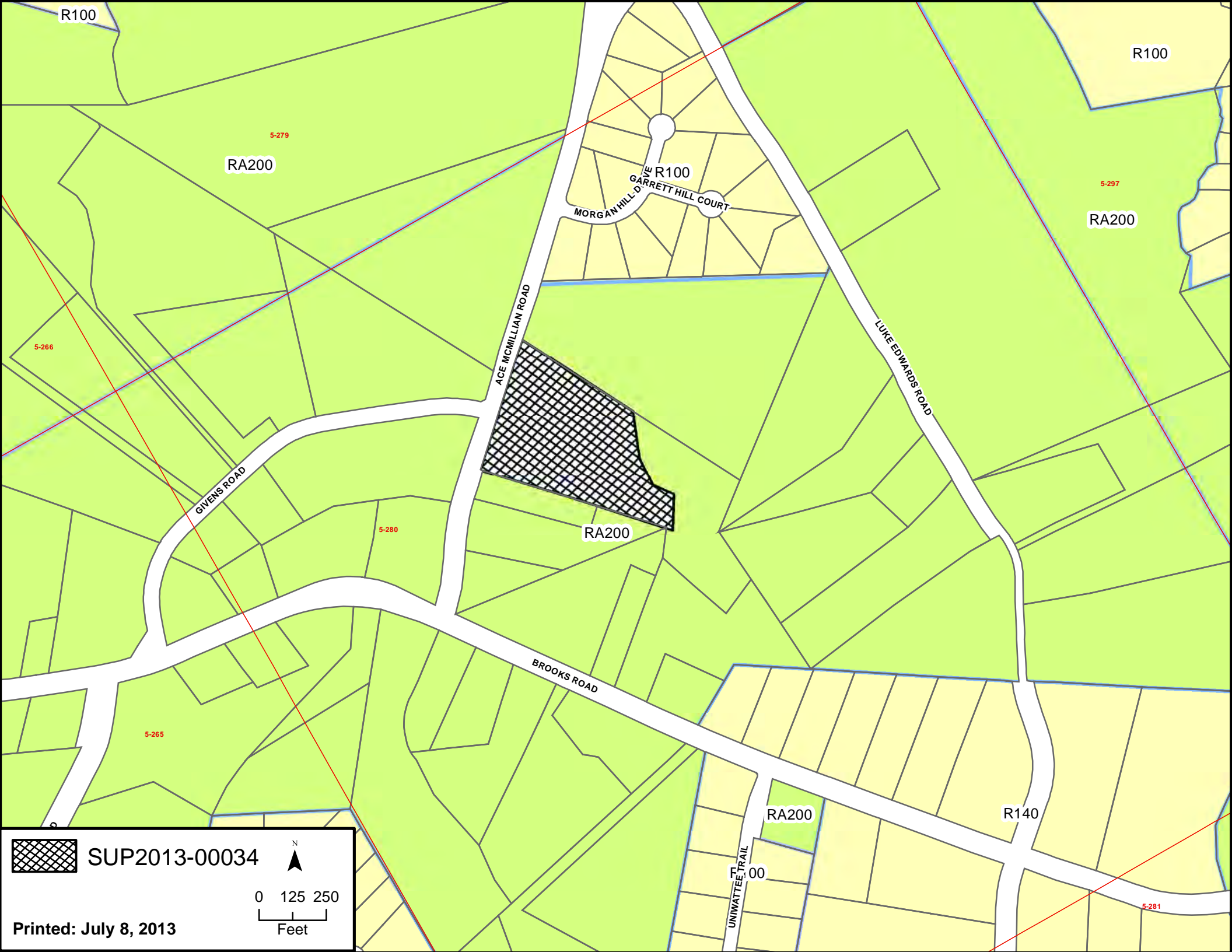
ACE McMILLIAN ROAD

 **SUP2013-00034**

Printed: July 8, 2013

0 25 50
Feet





R100

R100

RA200

5-279

R100

RA200

5-297

5-266

ACE MCWILLIAN ROAD

LUKE EDWARDS ROAD

GIVENS ROAD

5-280

RA200

BROOKS ROAD


5-265

RA200

R140

UNIWATTEE TRAIL

5-281

 SUP2013-00034

N

0 125 250

Feet

Printed: July 8, 2013

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
CHANGE IN CONDITIONS ANALYSIS**

CASE NUMBER : **CIC2013-00015**
ZONING : C-2
LOCATION : 3800 BLOCK OF BRASELTON HIGHWAY
2100 BLOCK OF EAST ROCK QUARRY ROAD
MAP NUMBER : R3002 038 & R3002 037A
ACREAGE : 8.35 ACRES
PROPOSAL : CHANGE IN CONDITIONS TO REVISE ARCHITECTURAL
REQUIREMENTS (CHURCH)
SQUARE FEET : 29,450 SQUARE FEET
COMMISSION DISTRICT : (3) HUNTER

FUTURE DEVELOPMENT MAP: **EXISTING/ EMERGING SUBURBAN**

APPLICANT: RANDALL MYERS
7433 SPOUT SPRINGS ROAD
SUITE 101-63
FLOWERY BRANCH, GA 30542

CONTACT: RANDALL MYERS PHONE: 770.715.8939

OWNER: 12 STONE CHURCH, INC.
1322 BUFORD DRIVE
LAWRENCEVILLE, GA 30043

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

CHANGE IN CONDITIONS SUMMARY:

The applicant requests to change the conditions of previous rezonings (RZC-04-050 and RZC-06-011), which were approved in 2004 and 2006 for retail, service-commercial, and office uses. The applicant proposes to revise the architectural requirements for a proposed church building. The property is located on Braselton Highway at its intersection with East Rock Quarry Road, and is cleared for development. The applicant proposes to develop the site with a single 29,450-square foot church building, associated parking and driveways. It is noted that the subject property is located within an Activity Center/Corridor Overlay District, and would be subject to those requirements.

The applicant requests to change the architectural condition for the site. Condition I.B. of RZC-04-050 and RZC-06-011, requires all buildings to have a pitched roof and architectural finishes of glass and/or brick. The condition currently reads as follows:

- I.B. Buildings shall be finished with architectural treatments of glass and/or brick with a pitched roof minimum pitch of 4:12. Building design shall be subject to review and approval of the Director of Planning and Development.

The applicant proposes to modify Condition I.B, to expand the architectural treatment options of glass and/or brick to also include stucco and stacked stone. They are also proposing that the requirement for a pitched roof be removed. The applicant has indicated that the new building would meet the architectural standards listed in Section 1315.5. Activity Center/Corridor Overlay District.

The 2030 Unified Plan Future Development Map indicates the property lies within a Existing/Emerging Suburban Character Area. Policies for this character area support certain freestanding retail, commercial services and office uses. A church use with architectural conditions meeting the Activity Center/Corridor Overlay District standards could be considered consistent with this character area.

The surrounding area consists of commercial/retail, public-institutional and single-family residential uses. North and west of the property is Duncan Creek Park, east and south of the property are several churches with commercial uses located to the west along Hamilton Mill Road. In the previous zoning requests in 2004 and 2006, several small buildings in a retail center were proposed; and this style of development lent itself to buildings with pitched-roof architecture. This new proposal is for a substantially larger, 30,000-square foot building, which may more appropriately be constructed with a flat roof. The submitted front, side and rear elevations indicate the building would have exterior materials of manufactured stone veneer, stucco, glazed panels and a metal roof. These materials meet the Overlay District standards, and in the Department's opinion have a pleasing appearance and could be a suitable change to the condition.

The proposed change in conditions could be consistent with the architecture in the immediate area, Overlay District standards, and appropriate for the proposed building scale. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS**.

ZONING HISTORY:

In 1970, the subject property was zoned RA-200 (Agriculture-Residence District) and C-2 (General Business District). The C-2 portion of the property was rezoned to RA-200 in 1975, per an areawide rezoning. In 1977, this same portion of the property was rezoned to M-1 (Light Industry District), pursuant to RZ-1-77. In 1988, a portion of the property was approved for a Special Use Permit for a mobile home, pursuant to SUP-55-88. In 2004, the western portion of the property was rezoned to C-2, pursuant to RZC-04-050. In 2006, the eastern portion of the subject property was rezoned to C-2, pursuant to RZC-06-011. A portion of

the property was approved for a Special Use Permit for an automobile car wash and service, pursuant to SUP-08-044 and SUP-08-045, in 2008.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams, and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish, and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

No comment.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

No comment.

BUILDING CONSTRUCTION COMMENT SECTION:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit civil site drawings to Building Plan Review for review and approval.
2. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for each building for review and approval by Building Plan Review.
3. Upon completion of plan review approvals, the applicant shall obtain a building permit for each building and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at (678) 518-6040 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

Fire Plan Review has no objections to the above rezoning requests, under the following conditions:

1. Applicant submits civil drawings to Fire Plan Review for review and approval.
2. Applicant submits architectural drawings to Fire Plan Review for review and approval.
3. Upon completion of plan review approvals, applicant successfully achieves a satisfactory Fire field inspection, for issuance of a Certificate of Occupancy - Business Operation.

For assistance, you may contact this office at (678) 518-6000, Monday through Friday, from the hours of 8:00 a.m. to 5:00 p.m.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Additions in **bold**

Deletions in ~~strikethrough~~

Approval of a Change in Conditions of rezoning (RZC-04-050 and RZC-06-011), subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Retail, service-commercial, **church** and office uses.
 - B. ~~Buildings shall be finished with architectural treatments of glass and/or brick with a pitched roof minimum pitch of 4:12.~~ **Abide by all requirements of Section 1315 (Activity Center/Corridor Overlay District). This condition shall not preclude a variance application.** Building design shall be subject to review and approval of the Director of Planning and Development.
2. To satisfy the following site development considerations:
 - A. Provide a 25-foot wide landscaped strip adjacent to residentially zoned property.
 - B. Provide a ten-foot wide landscaped strip outside the right-of-way of Braselton Highway and East Rock Quarry Road.
 - C. Provide a five-foot wide landscaped strip adjacent to all interior property lines.
 - D. Dumpsters shall be screened by a brick wall with an opaque gate enclosure, at least six feet in height. Dumpster pickup shall be limited to between the hours of 7:00 a.m. and 7:00 p.m.
 - E. Ground signs shall be limited to a single monument-type sign with a brick base of at least 2 feet in height.
 - F. Outdoor lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent residential properties.
 - G. Peddlers shall be prohibited.
 - H. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site.
 - I. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

- J. Provide an interparcel access easement to interior properties as well as adjacent commercial properties.
3. To abide by the following requirements, dedications and improvements:
- A. Dedicate at no cost to Gwinnett County, all necessary right-of-way and easements for the future construction of a 12-foot wide multi-use path along Braselton Highway. Right-of-way/easement width and location shall be subject to review and approval by the Gwinnett Department of Transportation and the Gwinnett Department of Community Services.
 - B. The development is restricted to one curb cut on Braselton Highway and one curb cut on East Rock Quarry Road. Coordinate with Georgia and Gwinnett County D.O.T.
 - C. Provide a center turn lane on Braselton Highway the entire length of the development. Coordinate with the Georgia D.O.T. for approval.
 - D. Dedicate at no cost to Gwinnett County all necessary right-of-way and easements for the future construction of State Route 124 widening project. Right-of-way and easement width and location shall be subject to review and approval by Gwinnett County and Georgia D.O.T.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The proposed Change in Conditions to allow modifications to the architectural standards could be appropriate provided the Activity Center/Corridor Overlay architectural standards are adhered to.

ADVERSE IMPACTS

With the recommended conditions and adherence to Overlay District standards, minimal impacts would be anticipated from this request.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACT ON PUBLIC FACILITIES

An increase in impacts on public facilities in the form of storm water run-off, traffic and utilities usage could be anticipated from this request.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates the property lies within a Existing/Emerging Suburban Character Area. A church use with appropriate architectural conditions meeting Activity Center/Corridor Overlay district standards could be considered consistent with this character area.

CONDITIONS AFFECTING ZONING

The property was previously approved for a small multi-building shopping center development and now the applicant is proposing a church development. In light of the larger size building now proposed, the pitched roof requirement may no longer be appropriate for this development.

CHANGE IN CONDITIONS APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:
Yes, this project is for a Church.
- (B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:
There are no anticipated adverse impacts related to this change in conditions.
- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:
Yes, use is for a Church.
- (D) WHETHER THE PROPOSED CHANGE IN CONDITIONS WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS
Change in condition will not cause adverse impact.
- (E) WHETHER THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:
Yes, proposed change in condition is in conformity.
- (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 CHANGE IN CONDITIONS
Original zoning condition was related to a different type of building & is not appropriate for a large structure such as a Church

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CIC'13015



Investment Management Group LLC

June 28, 2013

Gwinnett County Department of Planning & Development
Planning Division
446 West Crogan Street
Suite 250
Lawrenceville, GA 30046
(678) 518-6000

RE: Change in Conditions Application for 12 Stone Church, Duncan Creek Campus.

We respectfully request the change from Condition 1.B of RZC-06-011 "Buildings shall be finished with architectural treatments of glass and/or brick with a pitched roof minimum pitch of 4:12. Building design shall be subject to review and approval of the Director of Planning and Development." to the architectural design standards of Section 5 contained in ResolutionA-06-003, Activity Center/Corridor Overlay District Requirements.

RZC-06-011 was passed based on a proposed commercial development. The proposed building will be a 29,450 sqft Church 31 feet in height and the architectural design & construction restrictions in RZC-06-011 are not appropriate for the proposed Church building.

Thank you for your consideration

Sincerely,

A handwritten signature in black ink, appearing to read "Randall Myers", is written over a horizontal line.

Randall Myers
Owners Representative
12 Stone Church

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Planning & Development

CIC '13 015



SARDIS CHURCH ROAD

WEST ROCK QUARRY ROAD

ROVELLO WAY

DOC HUGHES ROAD

SPOUT SPRINGS ROAD

1- 1

1- 2

3- 3

185N

185S

DUNCAN CREEK PARK

EAST ROCK QUARRY ROAD

BRASELTON HIGHWAY

GABLES PLACE

DUNCAN CREEK PARK

3- 2

FOX RIDGE DRIVE

HAMILTON CREEK PARKWAY

ENCLAVE MILL COURT

TERON TRACE

HUNTINGTON HILL TRACE

GREEN GABLES TRACE

JIM MCG

LANTERN HILL DRIVE

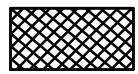
PATRICK ROAD

CARRIAGE GLEN WAY

GREENSIDE COURT

PINE ROAD

GRAY GABLES WAY



CIC2013-00015



0 250 500
Feet

Printed: July 1, 2013



EAST ROCK QUARRY ROAD

ETON HIGHWAY

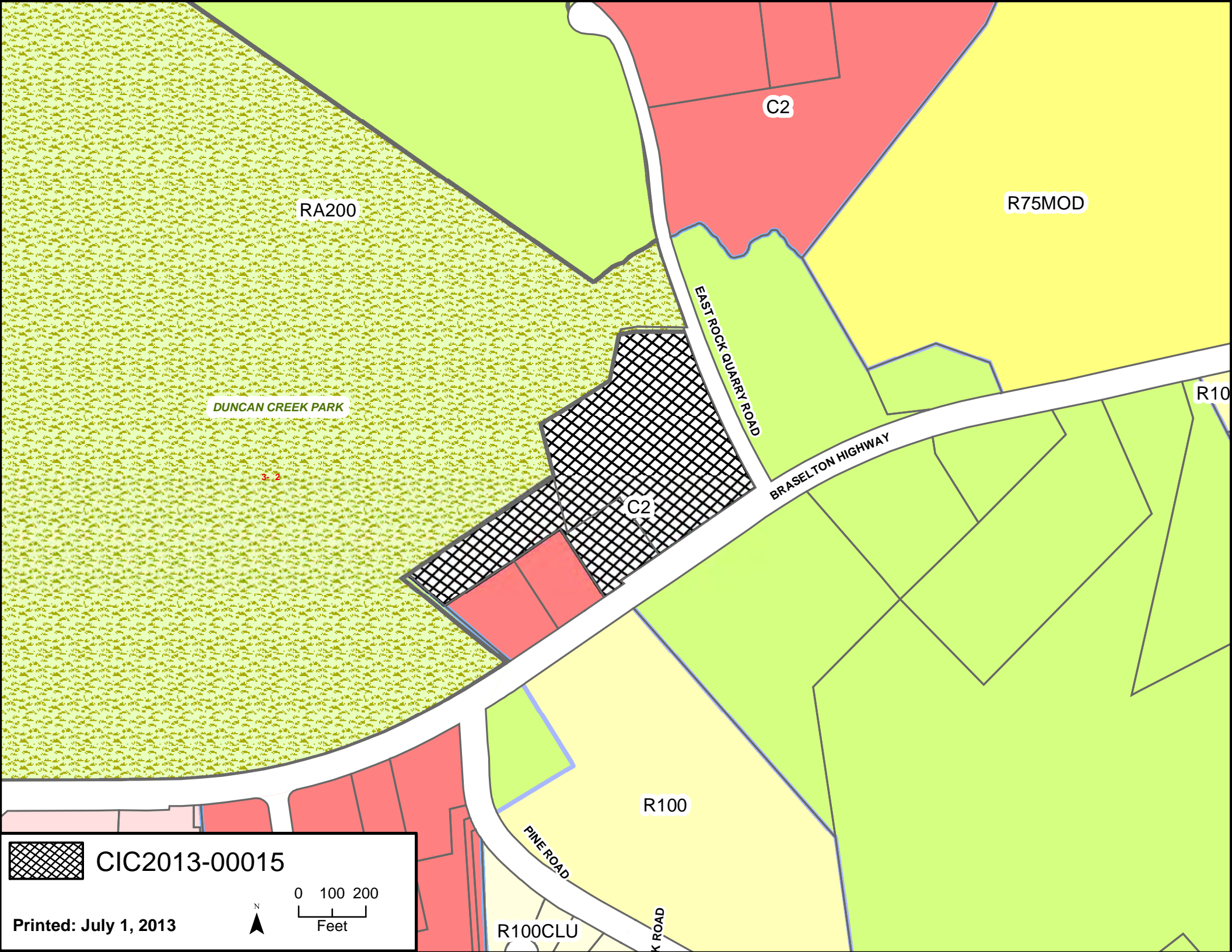


CIC2013-00015



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Feet

Printed: July 1, 2013



RA200

C2

R75MOD

DUNCAN CREEK PARK

3-2

C2

R10

R100

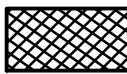
R100CLU

K ROAD


EAST ROCK QUARRY ROAD

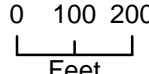
BRASELTON HIGHWAY

PINE ROAD

 CIC2013-00015

Printed: July 1, 2013

 N

 0 100 200 Feet

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS**

CASE NUMBER :**RZM2013-00004**
ZONING CHANGE :C-2 TO RM-13
LOCATION :3100 BLOCK OF WOODWARD CROSSING BOULEVARD
:2500-2600 BLOCK OF MALL OF GEORGIA BOULEVARD
MAP NUMBER :R7177 047
ACREAGE :16.14 ACRES
PROPOSED DEVELOPMENT :APARTMENTS
UNITS :190 UNITS
COMMISSION DISTRICT :(4) HEARD

FUTURE DEVELOPMENT MAP: **REGIONAL MIXED-USE**

APPLICANT: BRAND PROPERTIES, LLC
C/O MAHAFFEY PICKENS TUCKER, LLP
1550 NORTH BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACT: JUSTIN ABERNATHY PHONE: 770.232.0000

OWNER: BANK OF NORTH GEORGIA
 8025 WESTSIDE PARKWAY
 ALPHARETTA, GA 30009

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests rezoning of an 16.14-acre property from C-2 (General Business District) to RM-13 (Multi-Family Residence District) for development of an apartment complex. The subject property is located at the corner of Mall of Georgia Boulevard and Woodward Crossing Boulevard, and is a commercial outparcel of the Mall of Georgia. The site was graded several years ago, but is void of development. The property is located within the Mall of Georgia Activity Center/Corridor Overlay District, and is subject to requirements set forth in Section 1315 of the Gwinnett County 1985 Zoning Resolution.

The proposed apartment complex would consist of 190 units in 7 buildings, along with a community clubhouse and swimming pool. The proposed development would yield a gross density of 11.78 units per acre and a net density of 12.88 units per acre, as the site contains approximately 2.78 acres of floodplain. Gated entrances are proposed from each roadway to serve the development. A total of 285 parking spaces would be provided, meeting parking requirements. The applicant has not provided specific details regarding architectural treatments or siding materials for the apartment buildings; however, the Department notes that the development would be subject to the Mall of Georgia Overlay District requirements.

A stream is located along the northwestern property line and the required undisturbed stream buffer and impervious surface setbacks are shown on the site plan. A 50-foot wide landscape strip is depicted adjacent to both Mall of Georgia Boulevard and Woodward Crossing Boulevard.

ZONING HISTORY:

The property was zoned RA-200 (Agriculture Residence District) in 1970. The current C-2 (General Business District) classification was established in 1997 as part of the Mall of Georgia rezoning actions (RZ-97-013, RZ-97-014 and SUP-97-014). A change in conditions for a building height increase was approved on the site in December 2007, pursuant to CIC-07-035.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property contains potential wetlands as depicted on the U.S. Department of Interior, Fish, and Wildlife Service – National Wetlands Inventory Map or on the Federal Emergency Management Agency – Flood Insurance Rate Map. The applicant/developer shall obtain all required approvals from Gwinnett County Department of Planning and Development and the U.S. Army Corps of Engineers.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Ordinance requires a ten-foot wide landscape strip along both roadways.

The Buffer, Landscape and Tree Ordinance requires submittal and approval of a Tree Preservation and Replacement Plan prepared by a professional landscape architect prior to securing a Land Disturbance or Development permit.

Section 606.3 of the 1985 Zoning Resolution requires screening of dumpsters and loading/unloading facilities.

Parking lots and interior driveways shall be designed in accordance with Section 1001 of the 1985 Zoning Resolution.

Section 6.3.3 and/or 6.3.4 of the Development Regulations requires a 200-foot deceleration lane with a 50-foot taper at each project entrance that proposes access to a Minor Collection Street or Major Thoroughfare. Right-of-way dedication to accommodate the deceleration lane and an 11-

foot shoulder is also required. Reduction in length of a deceleration lane requires approval of a Modification by the Development Division; elimination of a deceleration lane requires approval of a Waiver by the Board of Commissioners.

A 50-foot building setback is required from the right-of-way of Mall of Georgia Boulevard and Woodward Crossing Boulevard.

Section 606.6 of the 1985 Zoning Resolution requires an additional five-foot setback for all structures (parking lots, driveways, detention ponds, retaining walls, etc.) adjacent to required buffers.

Section 8.2.1 of the Development Regulations requires submittal of a Storm Water Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

Section 1.5.1.b of the Floodplain Management Ordinance requires that the lowest floor, including the basement, of all residential buildings be constructed at an elevation of at least three feet above the 100-year floodplain.

This project lies within an Activity Center/Corridor Overlay District, and is subject to all requirements set forth in Section 1315 of the Gwinnett County 1985 Zoning Resolution.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Mall of Georgia Boulevard is a Major Collector and 40 feet of right-of-way is required from the centerline.

Woodward Crossing Boulevard is a Major Collector and 40 feet of right-of-way is required from the centerline.

Standard deceleration lanes with appropriate taper and adequate right-of-way will be required.

Prior to the issuance of a Development Permit, a sight distance certification shall be provided.

The number and locations of driveways are subject to Gwinnett D.O.T. approval.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

Contact GCEHD regarding the swimming pool permitting process.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 12-inch water main located on the northern right-of-way of Woodward Crossing Boulevard, and a 16-inch water main located on the southern right-of-way of Mall of Georgia Boulevard.

Due to the uncontrollable variables, the Department of Water Resources makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. Demands imposed by the proposed development may require reinforcements or extensions of existing water mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located in the right-of-way of Woodward Crossing Boulevard.

The subject development is located within the Crooked Creek service area. There are currently no connection restrictions within this service area. Treatment capacity within this area is presently available on a first come - first serve basis.

Demands imposed by the proposed development may require reinforcements or extensions of existing sewer mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department. Developer shall provide easements for future sewer connection to all locations designated by DWR during plan review.

As-built information for this department is dependent upon outside entities to provide record drawings for the utilities. Therefore this department does not guarantee the accuracy of the information provided.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances. Proceeding design, construction, inspection, and final acceptance of the required utilities, service to these utilities would then become available under the applicable utility permit rate schedules.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit civil site drawings to Building Plan Review for review and approval.
2. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for each building for review and approval by Building Plan Review.
3. Each building shall comply with the height and area limitations of Table 503 and the fire resistive and horizontal separation requirements of Table 601 and 602 of the 2006

International Building Code with Georgia state amendments based on occupancy group classification, type of construction, and location of each building from property lines and other buildings.

4. Architectural design of the proposed building renovation shall incorporate the requirements of the Activity Center/Corridor Overlay District, Section 1315 of the 1985 Zoning Resolution of Gwinnett County.
5. Upon completion of plan review approvals, the applicant shall obtain a building permit for each building and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at 678.518.6040 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

Fire Plan Review has no objections to the above rezoning requests, under the following conditions:

1. Applicant submits civil drawings to Fire Plan Review for review and approval.
2. Applicant submits architectural drawings to Fire Plan Review for review and approval.
3. Upon completion of plan review approvals, applicant successfully achieves a satisfactory Fire field inspection, for issuance of a Certificate of Occupancy - Business Operation.

For assistance, you may contact this office at (678) 518-6000, Monday through Friday, from the hours of 8:00 a.m. to 5:00 p.m.

DEPARTMENT ANALYSIS:

The subject property is a 16.14-acre site located at the corner of Mall of Georgia Boulevard and Woodward Crossing Boulevard. The site was graded several years ago and is currently a vacant. A creek forms the northwestern property line, separating the property from the main Mall site.

The 2030 Unified Plan Future Development Map indicates that the property lies within a Regional Mixed-Use Character Area. Although the proposal is not in the form of a mixed-use development, the policies of the Unified Plan could support the proposed apartment complex as part of the larger regional center surrounding the Mall of Georgia. The proposed apartment complex could be compatible with the intense commercial/retail activity surrounding the Mall and similar multifamily residential developments along Mall of Georgia Boulevard.

The surrounding area is anchored by the Mall of Georgia with numerous commercial and office outparcels surrounding the Mall. The proposed apartment complex is situated centrally to the

mall complex, within a commercially intensified area. Two similar apartment developments, The Reserve at Ivy Creek and Century Mill Creek, are located in close proximity to the subject site. These apartment complexes were rezoned to RM-10 in 1997 (RZ-97-013) and 2001 (RZM-01-014), and are located immediately to the southeast across Mall of Georgia Boulevard. The wooded area that extends around the rear of the property along the creek could provide a natural buffer separating the residential use from the Mall of Georgia. The presence of existing apartment buildings in the mall area could provide supporting grounds for approval of this rezoning request.

In conclusion, the proposed rezoning to RM-13 for an apartment complex could be considered suitable at this location in light of the previously approved rezonings and the existing apartment complexes and the development pattern of the area. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as RM-13 for a multi-family apartment development, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Multifamily residential dwellings and accessory uses and structures at a maximum of 190 units. Three bedroom units shall be limited to no more than 15%.
 - B. Buildings shall be constructed primarily of brick or stacked stone on each elevation, with the remainder being of fiber-cement siding. Building elevations shall be submitted for review and approval of the Director of Planning and Development prior to the issuance of building permits.
 - C. The development shall be a gated, controlled-access community.
 - D. Prior to issuance of a Development Permit, the applicant shall submit architectural elevations in the form of a Plan Book for review and approval by the Director of Planning and Development. At a minimum, the Plan Book shall include building elevations, colors, materials and other pertinent information as may be required by the Director. Building colors and elevations shall be substantially in accordance with the elevations presented by the applicant at the March 5, 2013 Planning Commission hearing.
 - E. All units are to have solid surface counter tops and tile or hardwood entry, kitchen and bathroom floors.
2. To satisfy the following site development considerations:
 - A. Provide a buffer around the perimeter of the site. The area to the northwest along the creek shall remain undisturbed and natural. The buffer design shall be subject to review and approval of the Director of Planning and Development prior to the issuance of a development permit.
 - B. Provide 50-foot wide landscaped setbacks along Mall of Georgia Boulevard and Woodward Crossing Boulevard. The landscaped setbacks shall include decorative entrance monuments, decorative fences or walls, and landscaping. Design of these elements shall be subject to review and approval of the Director of Planning and Development prior to the issuance of a development permit.
 - C. Entrance/exit design and location shall be subject to review and approval of Gwinnett DOT.

- D. Dumpsters/trash compactors shall be screened from view by a 100% opaque brick wall.
- E. In the event of residential tenant eviction any belongings of the tenant will be placed on a portion of the subject property that is not visible from the public right-of-way, unless otherwise required by law.
- F. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
- G. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

With the recommended conditions, the proposed apartment development could be suitable in light of the intense commercial uses associated with the Mall of Georgia and the multifamily developments located across Mall of Georgia Boulevard from the subject property.

ADVERSE IMPACTS

With the recommended conditions that include enhanced aesthetic and design requirements similar to or greater than the apartment complexes across Mall of Georgia Boulevard, potential adverse impacts could be minimized.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

Impacts on public facilities from this request would include increased utility demand, traffic, storm water runoff, and an increase in school-age children.

CONFORMITY WITH POLICIES

The proposed rezoning to RM-13 for an apartment complex could be consistent with the policies of the Unified Plan, and there have been similar rezoning actions allowing apartments near the Mall of Georgia; including two sites just south of the subject property. Therefore, this request could be consistent with past Board policy for the proposed land use.

CONDITIONS AFFECTING ZONING

Over the past several years multi-family developments have been zoned and constructed in the Mall of Georgia area, suggesting that the proposed apartment complex could be a suitable fit for the property. However, the subject property is more visible and more closely situated to the Mall, suggesting that increased architectural and landscaping requirements may be appropriate.

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Please see attached.

- (B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

Please see attached.

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

Please see attached.

- (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:

Please see attached.

- (E) WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Please see attached.

- (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:

Please see attached.

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RZM '13 004

Planning & Development

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) Yes, the proposed Rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property. The subject property is surrounded by commercial, office institutional and residentially-zoned properties within the Mall of Georgia region and is bordered by the Mall of Georgia to the west, the Reserve at Ivory Creek, and Century Mill Creek apartments to the southeast. The proposed Rezoning is compatible with the zonings and uses currently in effect or contemplated for adjacent and nearby properties.
- (B) No, the proposed Rezoning will not adversely affect the existing use or usability of adjacent or nearby property but, to the contrary, will be compatible and consistent with such uses as currently exist or as are contemplated in the future.
- (C) No. In light of market conditions and the realities of the surrounding property uses, it would be nearly impossible to use and develop the property in accordance with its current C-2 zoning.
- (D) No, the proposed Rezoning will not result in a use which will or could cause an excessive or burdensome use of the existing streets, transportation facilities, utilities or schools. The proposed Rezoning and use will have no effect upon schools other than to generate revenue in the form of ad valorem taxes for the Gwinnett County Public School System. The transportation network in this area has been improved greatly and is capable of handling any traffic to be generated by the development of this property under the proposed Rezoning.
- (E) Yes. The proposed Rezoning is in conformity with the intent of the Land Use Plan in that it provides multifamily residential in the midst of a mixed-use corridor in the Mall of Georgia region. Also, the subject tract is adequately served by transportation thoroughfares providing appropriate ingress and egress to and from the property.
- (F) Yes, the existing zonings of adjacent and nearby properties and the fact that the subject tract is surrounded by ample infrastructure, and is located in close proximity to a major thoroughfare give additional supporting grounds for the approval of the requested rezoning. Additionally, the property has no reasonable economic use under its current zoning thereby giving additional support for the approval of this Application.

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APR 08 2013

Planning & Development

RZM '13 004



Jeffrey R. Mahaffey
Steven A. Pickens
R. Lee Tucker, Jr.
Matthew P. Benson
Gerald Davidson, Jr.,
of Counsel

Andrew D. Stancil
E. Michelle Rothmeier
Shawn F. Bratton
Alissa L. Cummo
Justin A. Abernathy
Austen T. Mabe
J. David Gussio
Jill H. Harris,
of Counsel

**LETTER OF INTENT FOR
REZONING APPLICATION OF BRAND PROPERTIES, LLC**

Mahaffey Pickens Tucker, LLP submits this Rezoning Application on behalf of the Applicant, Brand Properties, LLC, for the purpose of rezoning an approximate 16 acre tract (hereinafter, the "Property") located at the Woodward Crossing Boulevard and Mall of Georgia Boulevard intersection to the RM-13 zoning classification. The Property is currently zoned C-2.

In its current state, the use and development of the Property as C-2 is not economically feasible and is not the highest and best use. As stated in the Rezoning Application, the Applicant intends to develop the Property as a multi-family residential use.

The Applicant respectfully submits that the proposed development will conform to the Gwinnett County 2030 Unified Plan and will be compatible and consistent with adjacent properties. The Applicant submits that the proposed rezoning would not impose any additional burdens on the transportation network. The Applicant further submits that the operation of the Property as a multi-family residential development under the guidelines of Gwinnett County is appropriate for the subject tract, is consistent with the surrounding property and will afford the owner the opportunity to increase the number of allowed uses on site so as to provide a needed amenity for the surrounding area. The proposed development would ensure affordable and accessible housing and attract new residents, increasing the tax base without overburdening County schools and infrastructure. Rezoning of the property from the C-2 zoning classification to multi-family residential would protect and promote the quality of life of the surrounding community, as well as allow the Property to be developed to its highest and best use.

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Planning & Development

Sugarloaf Office || 1550 North Brown Road, Suite 125, Lawrenceville, Georgia 30043
NorthPoint Office || 11175 Cicero Drive, Suite 100, Alpharetta, Georgia 30022
TELEPHONE 770 232 0000
FACSIMILE 678 518 6880
www.mptlawfirm.com

RZM '13 004

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

This 4th day of April, 2013.

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP



Justin Abernathy
Attorneys for Applicant

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APR 08 2013

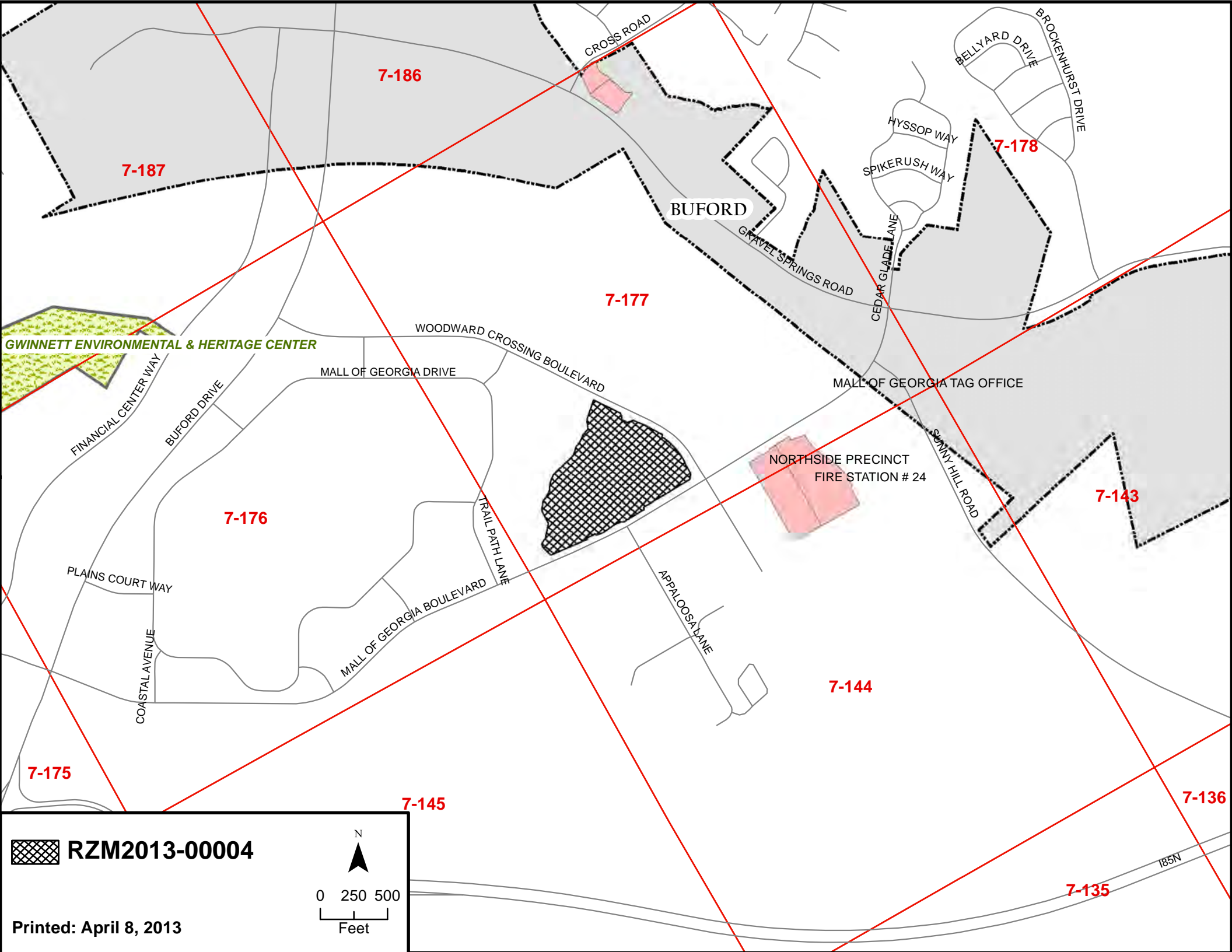
Planning & Development

RZM '13 004

Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, June 2013

Case #	Schools	Current Projections									Proposed Zoning Approximate additional Student Projections from Proposed Developments
		2013-14			2014-2015			2015-2016			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZM2013-00004	Mill Creek HS	3,683	3,050	633	3,738	3,050	688	3,794	3,050	744	20
	Jones MS	1,282	1,075	207	1,295	1,075	220	1,308	1,075	233	15
	Patrick ES	830	1,050	-220	815	1,050	-235	832	1,050	-218	31

Current projections do not include new developments



7-186

7-187

BUFORD

7-178

7-177

GWINNETT ENVIRONMENTAL & HERITAGE CENTER

MALL OF GEORGIA TAG OFFICE

NORTHSIDE PRECINCT
FIRE STATION # 24

7-143

7-176

7-144

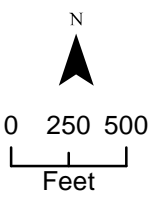
7-175

7-145

7-136

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 RZM2013-00004



Printed: April 8, 2013



CROSSING VIEW ROAD

WOODWARD CROSSING BOULEVARD

MALL OF GEORGIA DRIVE

TRAIL SPIT LANE

APPALOOOSA LANE

MALL OF GEORGIA BOULEVARD

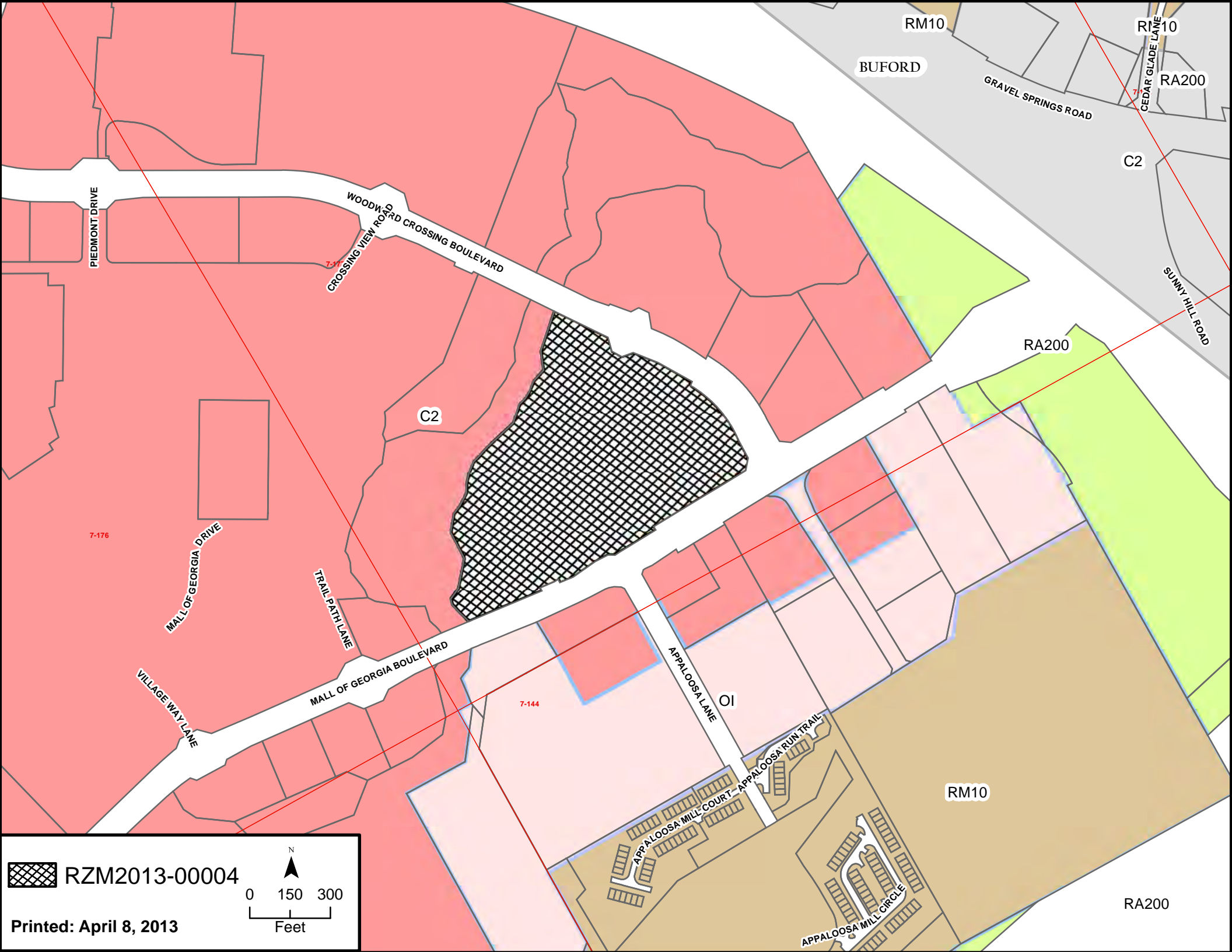
APPALOOOSA RUN TRAIL

 RZM2013-00004



0 60 120
Feet

Printed: April 8, 2013



RM10

BUFORD

RM10

RA200

GRAVEL SPRINGS ROAD

C2

SUNNY HILL ROAD

RA200

C2

PIEDMONT DRIVE

WOODWARD CROSSING BOULEVARD

CROSSING VIEW ROAD

7-176

MALL OF GEORGIA DRIVE

TRAIL PATH LANE

VILLAGE WAY LANE

MALL OF GEORGIA BOULEVARD

7-144

APPALOOSA LANE


OI

RM10

RA200

APPALOOSA MILL COURT - APPALOOSA RUN TRAIL

APPALOOSA MILL CIRCLE

 RZM2013-00004

Printed: April 8, 2013

0 150 300
Feet

N

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
CHANGE IN CONDITIONS ANALYSIS**

CASE NUMBER : **CIC2013-00008**
ZONING : C-2
LOCATION : 500 BLOCK OF BEAVER RUIN ROAD
: 4200 BLOCK OF JODY LANE
MAP NUMBERS : R6150 013E & R6150 44I
ACREAGE : 4.12 ACRES
PROPOSAL : REMOVE USE RESTRICTIONS; EXTEND HOURS OF
OPERATION; ALLOW DRIVE-THROUGH WINDOWS
AND OUTDOOR LOUDSPEAKERS
COMMISSION DISTRICT : (2) HOWARD

FUTURE DEVELOPMENT MAP: **EXISTING / MERGING SUBURBAN**

APPLICANT: D & C MANAGEMENT GROUP, LLC
C/O MILL CREEK CONSULTING
4480 COMMERCE DRIVE, SUITE A
BUFORD, GA 30518

CONTACT: MITCH PEEVY PHONE: 770.614.6511

OWNER: D & C MANAGEMENT GROUP, LLC
C/O MILL CREEK CONSULTING
4480 COMMERCE DRIVE, SUITE A
BUFORD, GA 30518

DEPARTMENT RECOMMENDATION: **DENIAL**

CHANGE IN CONDITIONS SUMMARY:

The applicant requests a change of conditions of a past C-2 (General Business District) rezoning case (RZC-05-019). The property comprises 4.12 acres, and is located on the northeast side of Beaver Ruin Road at the intersection of Jody Lane. The applicant requests to change the following conditions of RZC-05-019:

Condition I. A. currently reads as follows:

I.A. Retail and service commercial and accessory uses. The following uses shall be prohibited: Adult Entertainment Establishments; All Automotive Uses (Including Gas Pumps); Building, Electrical Or Plumbing Contractors; Dance Lounge; Laundry (coin operated); Emission Inspection Stations; Fast-food restaurants; Group and Congregate Personal Care (not including daycare centers); Hotels and Motels; Liquor Stores; Recreation Facilities; Recovered Materials Processing Facilities or Yard Trimming Composting Facilities.

The applicant proposes to remove the prohibitions on automotive uses (including gasoline pumps) and fast-food restaurants. The submitted site plan indicates that the property would be developed with a convenience store with gasoline pumps on the southeast corner of Beaver Ruin Road and Jody Lane, and a fast food restaurant with a drive-through window and speaker system on the northeast corner. The remaining prohibitions would remain.

Condition I. D. currently reads as follows:

I.D. Retail commercial establishments shall not commence operations before 7 am and shall cease operations by 10 pm. Restaurants shall cease operations by 11 pm Sunday through Thursday and by midnight on Friday and Saturday.

The applicant is requesting to remove the restriction on hours of operation.

Condition I.E. currently reads as follows:

I.E. Drive-throughs shall be prohibited except for dry cleaning, drug stores or banks. No speakers or microphones shall be allowed with any drive-throughs. Order and pick-up process shall be face to face.

The applicant is requesting that a drive-through window with a speaker system be allowed for the fast food restaurant.

Condition 2.I. currently reads as follows:

2.I. No outdoor loudspeakers shall be allowed.

The applicant proposes to delete this condition.

The 2030 Unified Plan Future Development Map indicates that the property lies within an Existing/Emerging Character Area. The property was rezoned to C-2 in 2005, pursuant to RZC-05-019. The existing zoning allows for neighborhood-serving, retail and commercial services encouraged by the Unified Plan. However, the conditions of zoning that limit the types of uses, prohibit outdoor loudspeakers and restrict the hours of operation were incorporated to ensure land use compatibility and to reduce any potential negative impacts on adjacent and nearby residences. The request to amend the conditions may not be appropriate; and it is noted that a similar change in conditions request to allow a car wash facility on the subject property was denied in 2007, pursuant to CIC-07-023.

This segment of Beaver Ruin Road includes commercial and office uses to the northwest, oriented to the Burns Road intersection, transitioning to residential uses surrounding the subject property along both sides of Beaver Ruin Road. To the rear of the site is the Kingston subdivision, and the subject property is located to either side of the entrance to this residential development. A recent staff visit to the property revealed that the site is graded and a berm has been installed along the rear property line, abutting residences in Kingston subdivision. In 2005, the Board conditioned the property with a detailed list of requirements and restrictions

designed to protect the neighboring residential areas. In light of the close proximity to residential neighborhoods, it may be appropriate to keep the conditions intact. Potential negative impacts from the proposed uses including noise, light and traffic on the abutting neighborhood suggests that the requested changes to the previous rezoning conditions may not be suitable at the entrance to a subdivision.

In light of the potential adverse impacts on adjacent and nearby residences, and the previous denial of a similar change in conditions for the property in 2007, the Department of Planning and Development recommends **DENIAL** of this request.

ZONING HISTORY:

The subject property was zoned R-75 (Single Family Residence District) in 1970. In 2005, pursuant to RZC-05-019, the property was rezoned to C-2. A change in conditions request on a portion of the site was denied on September 25, 2007, pursuant to CIC-07-023.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams, and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish, and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Ordinance requires a ten-foot wide landscape strip adjacent to all street rights-of-way for non-residential developments.

The Buffer, Landscape and Tree Ordinance requires submittal and approval of a Tree Preservation and Replacement Plan prepared by a professional landscape architect prior to securing a Land Disturbance or Development permit.

Section 606.3 of the 1985 Zoning Resolution requires screening of dumpsters and loading/unloading facilities.

Parking lots and interior driveways shall be designed in accordance with Section 1001 of the 1985 Zoning Resolution.

Parking spaces shall be provided at a ratio of:

One space per 200 to 500 square feet for retail.

One space per 75 to 150 square feet for restaurant.

Section 6.3.3 and/or 6.3.4 of the Development Regulations requires a 200-foot deceleration lane with a 50-foot taper at each project entrance that proposes access to a Minor Collection Street or Major Thoroughfare. Right-of-way dedication to accommodate the deceleration lane and an 11-foot shoulder is also required. Reduction in length of a deceleration lane requires approval of a Modification by the Development Division; elimination of a deceleration lane requires approval of a Waiver by the Board of Commissioners.

Section 6.13 of the Development Regulations requires construction of five-foot wide sidewalks along all exterior roadways adjoining the project, and four-foot wide sidewalks adjacent to both sides of all interior public streets (excluding cul-de-sac turnarounds).

The developer must submit detailed site development plans, including a landscape and tree preservation/replacement plan, for review and approval of the Development Division prior to any construction.

The developer must obtain a Land Disturbance or Development Permit from the Development Division prior to any construction.

Section 8.2.1 of the Development Regulations requires submittal of a Storm Water Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

No comment.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 16-inch water main located on the northern right-of-way of Beaver Ruin Road, and an 8-inch water main located on the northern right-of-way of Jody Lane.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located on the western right-of-way of Beaver Ruin Road.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit civil site drawings to Building Plan Review for review and approval.
2. The applicant shall submit architectural, structural, mechanical, electrical and plumbing

drawings for each building for review and approval by Building Plan Review.

3. Each building shall comply with the height and area limitations of Table 503 and the fire resistive and horizontal separation requirements of Table 601 and 602 of the 2006 International Building Code with Georgia state amendments based on occupancy group classification, type of construction, and location of each building from property lines and other buildings.
4. Upon completion of plan review approvals, the applicant shall obtain a building permit for each building and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at 678.518.6040 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

Fire Plan Review has no objections to the above rezoning requests, under the following conditions:

1. Applicant submits civil drawings to Fire Plan Review for review and approval.
2. Applicant submits architectural drawings to Fire Plan Review for review and approval.
3. Upon completion of plan review approvals, applicant successfully achieves a satisfactory Fire field inspection, for issuance of a Certificate of Occupancy - Business Operation.

For assistance, you may contact this office at (678) 518-6000, Monday through Friday, from the hours of 8:00 a.m. to 5:00 p.m.

PLANNING AND DEVELOPMENT
RECOMMENDED CONDITIONS

Note: The following conditions are provided as a guide should the Board of Commissioners choose to approve the request.

Additions in **Bold**

Deletions in ~~Strikethrough~~

Approval as C-2 (Change in Conditions) subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Retail and service commercial and accessory uses. The following uses shall be prohibited: Adult Entertainment Establishments; All Automotive Uses (Including Gas Pumps); Building, Electrical Or Plumbing Contractors; Dance Lounge; Laundry (coin operated); Emission Inspection Stations; Fast-food restaurants; Group and Congregate Personal Care (not including daycare centers); Hotels and Motels; Liquor Stores; Recreation Facilities; Recovered Materials Processing Facilities or Yard Trimming Composting Facilities.
 - B. Buildings shall be constructed of brick or stacked stone on all four sides with minor treatments of glass, wood, or fiber-cement type siding. Buildings shall have pitched roofs (minimum pitch of 4:12).
 - C. Outdoor storage shall be prohibited.
 - D. Retail commercial establishments shall not commence operations before 7 a.m. and shall cease operations by 10 p.m. Restaurants shall cease operations by 11 p.m. Sunday through Thursday and by midnight on Friday and Saturday.
 - E. Drive-throughs shall be prohibited except for dry cleaning, drug stores or banks. No speakers or microphones shall be allowed with any drive-throughs. Order and pick-up process shall be face to face.
2. To satisfy the following site development considerations:
 - A. Provide a 10-foot landscape strip outside of the dedicated right-of-way of Beaver Ruin Road and the interior public street. Provide a 10-foot wide landscape strip adjacent to Dale Sikes day school along the north property line.
 - B. Provide a 50-foot landscaped buffer adjacent to all residentially zoned properties. If it becomes necessary to remove vegetation to grade the property, the buffers shall be sodded following the grading. Buffer shall be planted with a double-row of evergreens.

- C. Billboards and oversized signs shall be prohibited.
- D. Dumpsters shall be screened by a 100% opaque brick wall. Hours of dumpster pickup shall be limited to between 8 a.m. and 7 p.m.
- E. Ground signs shall be limited to monument-type signs with brick bases, matching the buildings, at least 2 feet in height.
- F. ~~No temporary banners, canopies, streamers, or roping decorated with flags, tinsel, or other similar materials shall be displayed, hung, or strung on the site.~~ **No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.**
- G. ~~Peddlers shall be prohibited.~~ **Peddlers and/or parking lot sales shall be prohibited.**
- H. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into nearby residentially-zoned properties **or rights-of-way.**
- I. No outdoor loudspeakers shall be allowed.
- J. ~~Buildings and overall site design shall be constructed so as to discourage graffiti tagging, gathering, loitering, or illegal activity.~~ Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
- K. Provide a 6-foot high 100% opaque scalloped wooden fence with brick columns 30-foot on center along the property line abutting Dale Sikes Day School and along the property line abutting all residentially zoned properties.
- L. Developer shall plant a double row of Leyland Cypress trees (6-feet minimum at the time of planting) staggered 10-feet on center on the inside of the fence along the property line abutting the Dale Sikes Day School and along the property line abutting all residentially zoned properties.
- M. The applicant shall escrow sufficient funds to pay for signalization if warranted by Gwinnett and Georgia DOT at the entrance to Jody Lane.
- N. A copy of the final site plan shall be provided to ~~Laurie Gallina, 845 Branford Lane and Mary Jones, 4242 Jody Lane.~~

PLANNING AND DEVELOPMENT DEPARTMENT
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

In light of the close proximity to residential subdivisions, the proposed convenience store with gas pumps and fast-food restaurant with drive-through and speaker system may not be suitable at this location.

ADVERSE IMPACTS

Adverse impacts in the form of late night activity, noise and potential light intrusion at the entrance to Kingston subdivision could be anticipated from this request.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACT ON PUBLIC FACILITIES

An increase in traffic, utility demand and stormwater runoff could be anticipated from the request and resulting development.

CONFORMITY WITH POLICIES

The requested change in conditions to allow a convenience store with gas pumps, a restaurant with drive-through speakers, and extended hours of operation may not be consistent with prior policies established through the rezoning process in 2005, or with the denial of CIC-07-023 for the property in 2007.

CONDITIONS AFFECTING ZONING

There have been no significant changes to the subject or adjacent properties since the last change in conditions request was denied in 2007.

STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY, OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

(A) WHETHER A PROPOSED REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

THE APPLICANT BELIEVES THE PROPOSED USE IS SUITABLE.

(B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

THE PROPOSED USE WILL NOT ADVERSELY AFFECT THE USE OF THE SURROUNDING PROPERTIES.

(C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

THE APPLICANT BELIEVES THAT THE SUBJECT PROPERTY DOES NOT HAVE A REASONABLE ECONOMIC USE WITHOUT THE CHANGE IN CONDITIONS.

(D) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREET, TRANSPORTATION FACILITIES, UTILITIES OR SCHOOLS:

THE PROPOSED USE WILL NOT PRODUCE AN ADVERSE AFFECT ON THE EXISTING INFRASTRUCTURE.

(E) WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

THE SUBJECT PROPERTY IS DESIGNATED AS EXISTING/EMERGING SURBURBAN

(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:

SEE LETTER OF INTENT.

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CIC'13 008

BY:.....

Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the zoning request will constitute a taking of property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, and Article P, Section 1, Paragraph 1, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

.....
PLANNING DIVISION USE ONLY

CASE NUMBER _____

RECEIVED BY: _____

RECEIVED
FEB 06 2013

BY:.....

CIC'13 003

REZONING APPLICANT'S LETTER OF INTENT

The Applicant and Owner, D & C Management Group, LLC, requests a change in conditions to allow a drive thru restaurant and a convenience store with gas pumps. The property was originally zoned for a restricted list of commercial uses in 2005, which the applicant accepted but did not necessarily agree to, but it is just too restricted for a business to be successful. The Applicant has marketed the property since it was zoned for commercial uses but they have not been able to locate any interested businesses based on the approved conditions. The subject property is located on Beaver Ruin Road and is found in the 6th district land lot 150 in Gwinnett County.

Requested Condition Changes:

Condition 1.A. Remove the restriction of All Automotive Uses (Including Gas Pumps) and Fast-food restaurants.

Condition 1.D. Remove the hours of operation restriction. Beaver Ruin is a heavily traveled and mostly commercially oriented road and a restaurant or a convenience store will need to be open as necessary to be successful instead of restricted to certain hours as competition in the area is not restricted.

Condition 1.E. The Applicant is requesting that they be allowed to have a drive-thru with speakers for the restaurant. Additional screening can be added to the buffer behind the facility if it is deemed necessary.

Condition 2. I. An outdoor loudspeaker is requested for the restaurant drive-thru.

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FEB 06 2013

BY:

CIC '13 008

CASE NUMBER RZC-05-019

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Charles Bannister, Chairman	<u>AYE</u>
Lorraine Green, District 1	<u>AYE</u>
Albert Nasuti, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>ABSENT</u>

On motion of COMM. NASUTI, which carried 4-0, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from

R-75 to C-2

by D.G. JENKINS DEVELOPMENT CORP. for the proposed use of COMMERCIAL RETAIL USES (REDUCTION IN BUFFERS) on a tract of land described by the attached legal description, which

is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on APRIL 26, 2005 and objections were filed.

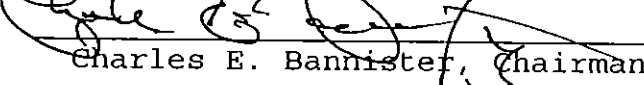
NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 3RD day of MAY, 2005, that the aforesaid application to amend the Official Zoning Map from R-75 to C-2 is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Retail and service commercial and accessory uses. The following uses shall be prohibited: Adult Entertainment Establishments; All Automotive Uses (Including Gas Pumps); Building, Electrical Or Plumbing Contractors; Dance Lounge; Laundry (coin operated); Emission Inspection Stations; Fast-food restaurants; Group and Congregate Personal Care (not including daycare centers); Hotels and Motels; Liquor Stores; Recreation Facilities; Recovered Materials Processing Facilities or Yard Trimming Composting Facilities.
 - B. Buildings shall be constructed of brick or stacked stone on all four sides with minor treatments of glass, wood, or fiber-cement type siding. Buildings shall have pitched roofs (minimum pitch of 4:12).
 - C. Outdoor storage shall be prohibited.

- D. Retail commercial establishments shall not commence operations before 7 am and shall cease operations by 10 pm. Restaurants shall cease operations by 11 pm Sunday through Thursday and by midnight on Friday and Saturday.
 - E. Drive-throughs shall be prohibited except for dry cleaning, drug stores or banks. No speakers or microphones shall be allowed with any drive throughs. Order and pick-up process shall be face to face.
2. To satisfy the following site development considerations:
- A. Provide a 10-foot landscape strip outside of the dedicated right-of-way of Beaver Ruin Road and the interior public street. Provide a 10-foot wide landscape strip adjacent to Dale Sikes day school along the north property line.
 - B. Provide a 50-foot landscaped buffer adjacent to all residentially zoned properties. If it becomes necessary to remove vegetation to grade the property, the buffers shall be sodded following the grading. Buffer shall be planted with a double-row of evergreens.
 - C. Billboards and oversized signs shall be prohibited.
 - D. Dumpsters shall be screened by a 100% opaque brick wall. Hours of dumpster pickup shall be limited to between 8 AM and 7 PM.
 - E. Ground signs shall be limited to monument-type signs with brick bases, matching the buildings, at least 2 feet in height.
 - F. No temporary banners, canopies, streamers, or roping decorated with flags, tinsel, or other similar materials shall be displayed, hung, or strung on the site.
 - G. Peddlers shall be prohibited.

- H. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into nearby residentially zoned properties.
- I. No outdoor loudspeakers shall be allowed.
- J. Buildings and overall site design shall be constructed so as to discourage graffiti tagging, gathering, loitering, or illegal activity. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
- K. Provide a 6-foot high 100% opaque scalloped wooden fence with brick columns 30-foot on center along the property line abutting Dale Sikes Day School and along the property line abutting all residentially zoned properties.
- L. Developer shall plant a double row of Leyland Cypress trees (6-feet minimum at the time of planting) staggered 10-feet on center on the inside of the fence along the property line abutting the Dale Sikes Day School and along the property line abutting all residentially zoned properties.
- M. The applicant shall escrow sufficient funds to pay for signalization if warranted by Gwinnett and Georgia DOT at the entrance to Jody Lane.
- N. A copy of the final site plan shall be provided to Laurie Gallina, 845 Branford Lane and Mary Jones, 4242 Jody Lane.

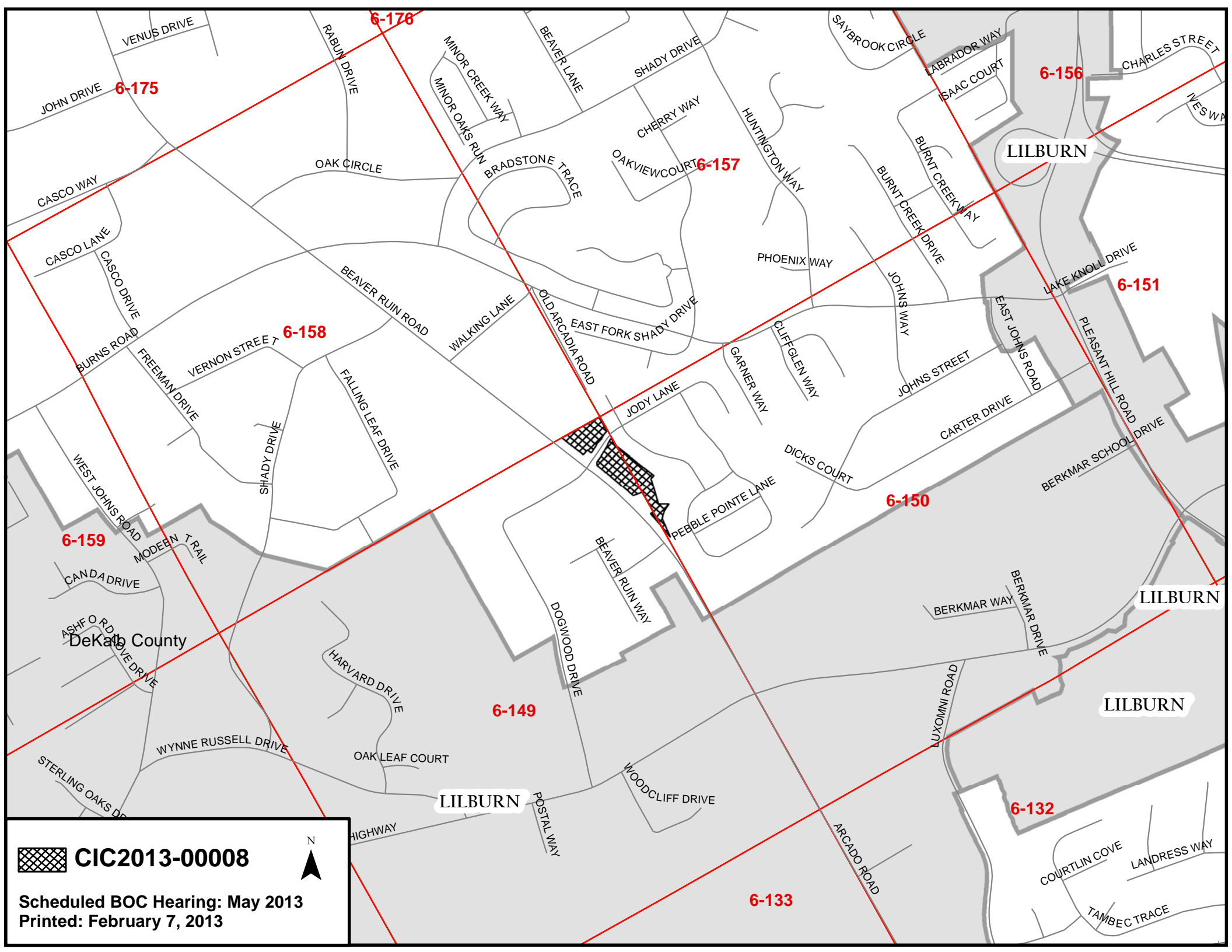
GWINNETT COUNTY BOARD OF COMMISSIONERS

By: 
Charles E. Bannister, Chairman

Date Signed: June 8, 2005

ATTEST:

Brenda Maddy
County Clerk



 **CIC2013-00008**



Scheduled BOC Hearing: May 2013
Printed: February 7, 2013





MISTY MEADOW PLACE

MARBLE SPRINGS ROAD

BEAVER RUN ROAD

MISTY MEADOW PLACE


JODY LANE

MARBLE SPRINGS ROAD

PEBBLE POINTE LANE

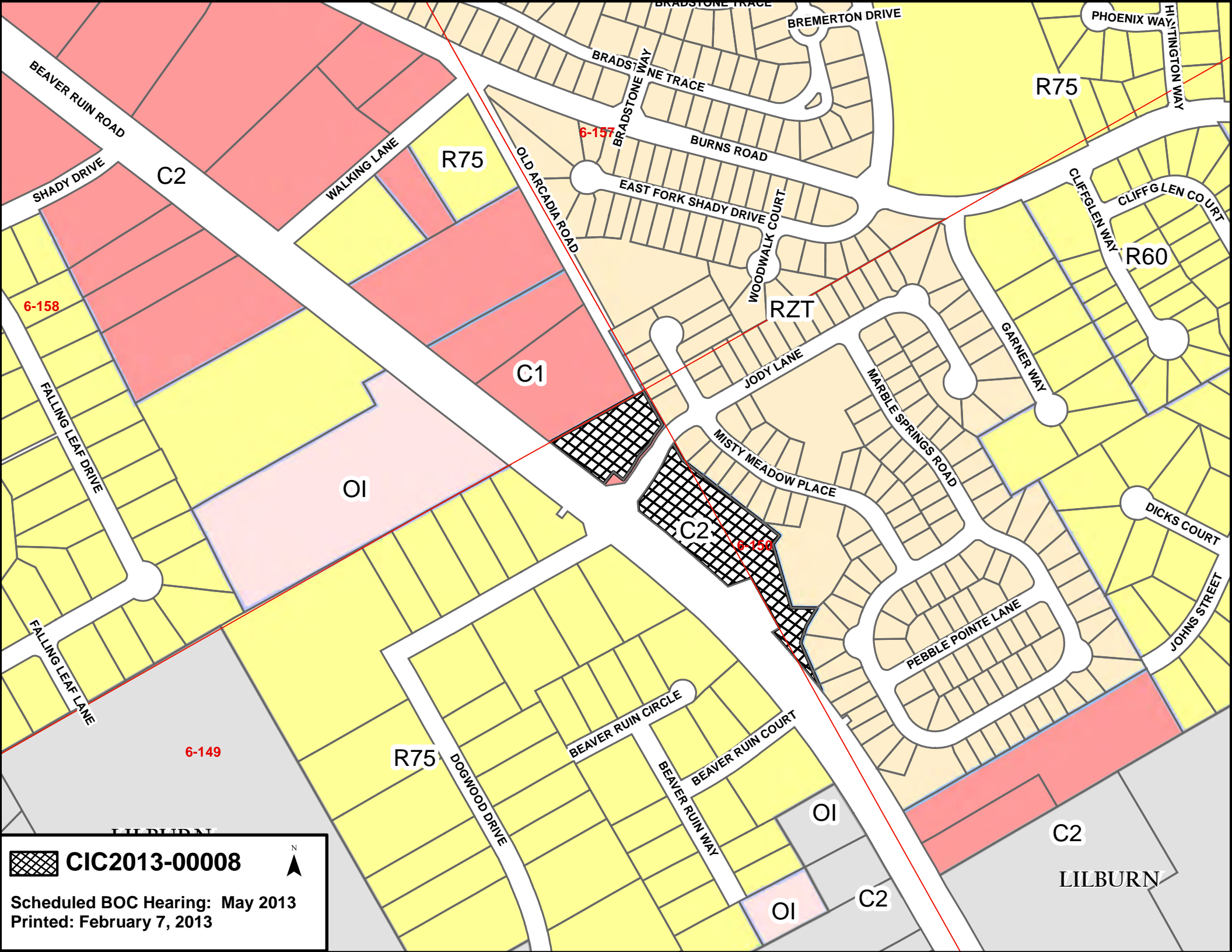
BEAVER RUN CIRCLE



BEAVER RUN COURT

 **CIC2013-00008**



Scheduled BOC Hearing: May 2013
Printed: February 7, 2013



 **CIC2013-00008** 
Scheduled BOC Hearing: May 2013
Printed: February 7, 2013

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING AND SPECIAL USE PERMIT ANALYSIS**

CASE NUMBER :**RZR2013-00005**
ZONING CHANGE :R-75 & R-100 TO R-100 CSO
LOCATION :4100 BLOCK OF OLD SUWANEE ROAD
MAP NUMBER :R7231 019
ACREAGE :62.04 ACRES
PROPOSED DEVELOPMENT :SINGLE-FAMILY CONSERVATION SUBDIVISION
UNITS :109 UNITS
COMMISSION DISTRICT :(1) BROOKS

CASE NUMBER :**SUP2013-00038**
ZONING :R-100 (PROPOSED)
LOCATION :4100 BLOCK OF OLD SUWANEE ROAD
MAP NUMBER :R7231 019
ACREAGE :62.04 ACRES
PROPOSED DEVELOPMENT :SINGLE-FAMILY CONSERVATION SUBDIVISION
UNITS :109 UNITS
COMMISSION DISTRICT :(1) BROOKS

FUTURE DEVELOPMENT MAP: **EXISTING/EMERGING SUBURBAN**

APPLICANT: OLD NORCROSS INVESTMENTS, INC.
4411 SUWANEE DAM ROAD, SUITE 450
SUWANEE, GA 30024

CONTACT: IVA HOYLE PHONE: 770.963.8520 EXT. 105

OWNER: OLD NORCROSS INVESTMENTS, INC.
4411 SUWANEE DAM ROAD, SUITE 450
SUWANEE, GA 30024

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests rezoning of a 62.04-acre parcel from R-75 (Single Family Residence District) and R-100 (Single Family Residence District) to R-100 along with a Special Use Permit in order to develop a 109-lot Conservation Subdivision. The subject property is heavily wooded, and two streams traverse both the eastern and western portions of the property. Access would be provided by a single street connecting to Old Suwanee Road, east of its intersection with Woodward Mill Road.

The gross area of the subject site is 62.04-acres, and the net area of the site is 59.84-acres, as the property contains 4.3-acres located within a 100-year floodplain. The applicant has chosen

the option of providing conservation space equal to 41% (25.4-acres) of gross area in exchange for a density allowance of up to 2.3 units per acre. However, the net density for the proposed development would be 1.82 units per acre.

In keeping with the goal of the CSO ordinance for preservation of sensitive lands, the site plan indicates a heavily forested area in the eastern and western portions of the property, as well as areas along both streams, would be preserved as open space. The site plan indicates that a total of 25.4-acres of conservation space and 1.98-acres of recreation area would be provided. As such, the minimum requirements for conservation space and recreational area would be met. The applicant has indicated the proposed conservation space would link with the existing conservation easement located with the adjacent subdivision to the northeast (Morningbrooke). The site plan shows a 50-foot wide open space strip along the south and western property lines; however, the open space strip is not shown in all areas along the northeast property line. The applicant is reminded that lot reductions in these areas may only be granted if the open space strip is provided.

The applicant has proposed a minimum home size of 1,800 square feet for one-story and 2,000 square feet for two-story homes. Home exteriors would be constructed of brick, stacked stone, cedar shake, stucco or fiber cement siding. The applicant has stated that all grassed areas of dwelling lots would be sodded, and that all units would have two-car garages. The lot chart provided by the applicant indicates the average lot width of the development would be 74.33 feet, with the minimum lot width being 52.8 feet.

ZONING HISTORY:

The subject property has been zoned R-75 and R-100 since 1970.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams, and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish, and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

This site contains a portion of the Upper Suwanee Creek Greenway route. Dedicate at no cost to Gwinnett County all necessary right-of-way and easements for the future construction of a greenway path/trail through the property in accordance with the Gwinnett County Open Space and Greenways Master Plan. Right-of-way/easement width and location shall be subject to review and approval by the Gwinnett Department of Community Services. All dedications will be located outside of storm drainage structures and the designated 25-foot stream bank setback.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Ordinance requires a ten-foot wide no-access easement along classified roadways for residential developments.

The Buffer, Landscape and Tree Ordinance requires submittal and approval of a Tree Preservation and Replacement Plan prepared by a professional landscape architect prior to securing a Land Disturbance or Development permit.

Section 5.9.1 of the Development Regulations requires that six percent (6%) of the gross land area be set aside as recreation area (not to exceed six acres) and that not over 60 percent of the required recreation area may be located in a 100-year floodplain. The recreation area may be reduced to three percent (3%) of the gross land area if developed with a swimming pool, tennis court, and amenity parking.

Section 1316.6c of the 1985 Zoning Resolution requires the exclusion of 50% of proposed permanent lakes used for wet detention, impervious surface in recreation areas, and land within power, gas, or sewer easements and pump stations from conservation space calculations.

All open space areas/common areas shall meet the minimum road frontage and lot width requirements for a lot within the subdivision.

Section 6.3.3 and/or 6.3.4 of the Development Regulations requires a 200-foot deceleration lane with a 50-foot taper at each project entrance that proposes access to a Minor Collection Street or Major Thoroughfare. Right-of-way dedication to accommodate the deceleration lane and an 11-foot shoulder is also required. Reduction in length of a deceleration lane requires approval of a Modification by the Development Division; elimination of a deceleration lane requires approval of a Waiver by the Board of Commissioners.

Section 6.13 of the Development Regulations requires construction of five-foot wide sidewalks along all exterior roadways adjoining the project, and four-foot wide sidewalks adjacent to both sides of all interior public streets (excluding cul-de-sac turnarounds).

A 50-foot building open space strip is required from the right-of-way of Old Suwanee Road.

The developer must submit a preliminary plat (construction plans), including a grading plan, tree plan, and road/sewer profiles for review and approval of the Development Division prior to any construction.

The developer must obtain a Land Disturbance or Development Permit from the Development Division prior to any construction.

Section 8.2.1 of the Development Regulations requires submittal of a Storm Water Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

Section 1.5.1.c of the Floodplain Management Ordinance requires that the lowest floor including the basement, of all non-residential building be constructed at an elevation of at least one foot above the 100-year floodplain.

Note that all recreation areas, open space and/or common areas (including storm water detention facility lots) located within the development shall be controlled by a mandatory Property Owner's Association (to include reported bylaws) with responsibility for maintenance, insurance, and taxes for open space areas.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Old Suwanee Road is a Minor Collector and 30 feet of right-of-way is required from the centerline.

Standard deceleration lane with appropriate taper and adequate right-of-way will be required.

Prior to the issuance of a Development Permit, a sight distance certification shall be provided.

The number and locations of driveways are subject to Gwinnett County D.O.T. approval.

Project must comply with Gwinnett County D.O.T. Criteria and Guidelines for Left Turn Lanes.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of an 8-inch water main located on the eastern right-of-way of Old Suwanee Road.

Due to the uncontrollable variables, the Department of Water Resources makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. Demands imposed by the proposed development may require reinforcements or extensions of existing water mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department.

The available utility records show that the subject development is currently in the vicinity of a 36-inch and an 8-inch sanitary sewer main located on the property.

The subject development is located within the Crooked Creek service area. There are currently no connection restrictions within this service area. Treatment capacity within this area is presently available on a first come - first serve basis.

Demands imposed by the proposed development may require reinforcements or extensions of existing sewer mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department. Developer shall provide easements for future sewer connection to all locations designated by DWR during plan review.

As-built information for this department is dependent upon outside entities to provide record drawings for the utilities. Therefore this department does not guarantee the accuracy of the information provided.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances. Proceeding design, construction, inspection, and final acceptance of the required utilities, service to these utilities would then become available under the applicable utility permit rate schedules.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject property is a 62.04-acre parcel located on Old Suwanee Road, east of its intersection with Woodward Mill Road. The property is heavily wooded, with streams traveling through two portions of the property.

The 2030 Unified Plan Future Development Map indicates the property is located within an Existing/Emerging Suburban Character Area. Policies for this Character Area encourage single-family residential uses, and promote a variety of housing options. A Conservation Subdivision, at a density of 1.82 units per acre, could be consistent with these policies and designation.

The surrounding area is residential in character including numerous large lot, single-family residences and several single family subdivision developments. North of the property is the Morningbrooke subdivision which is zoned and developed as an R-75 CSO subdivision. It is noted that homes in Morningbrooke include all brick fronts for the majority of the homes, with the remaining sides fiber cement. West of the property across Old Suwanee Road is the Old Suwanee Baptist Church, with the Sonoma Woods subdivision zoned R-60 (Single Family Residence District). Located farther north along Old Suwanee Road is the Suwanee Brooke subdivision, zoned R-75 CSO. South and west of the property are large lots with scattered

single family residences zoned R-75. In light of the emergence of the area for subdivision development, including other similar CSO subdivisions, the request could be considered suitable at this location, provided conditions are established which ensure compatibility with adjacent and nearby developments.

In conclusion, the request is considered consistent with the Unified Plan and could be compatible with previous Board approvals for CSO subdivision developments in the area. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as R-100 CSO (Single Family Conservation Subdivision Overlay), subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Single-family residential and accessory uses and structures, not to exceed 109 lots and developed in general accordance with the submitted site plan.
 - B. Homes shall be constructed with front facades of brick, stacked stone, cedar shake or stucco. The balance of the home may be the same or of wood or fiber-cement siding.
 - C. The minimum heated floor area per dwelling shall be 1,800 square feet for one-story homes and 2,000 square feet for two-story homes.
 - D. All homes shall have at least a double-car garage.
2. To satisfy the following site development considerations:
 - A. All grassed areas on dwelling lots shall be sodded.
 - B. Natural vegetation shall remain on the property until the issuance of a development permit.
 - C. The Old Suwanee Road frontage shall include a landscaped entrance feature. Landscape and signage plans shall be subject to review and approval of the Director of Planning and Development.
3. To abide by the following requirements, dedications, and improvements:
 - A. Dedicate at no cost to Gwinnett County all necessary right-of-way and easements for the future construction of a greenway path/trail through the property in accordance with the Gwinnett County Open Space and Greenways Master Plan. Right-of-way/easement width and location shall be subject to review and approval by the Gwinnett Department of Community Services. All dedications will be located outside of storm drainage structures and the designated 25-foot stream bank setback.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The request is considered suitable at this location in light of existing CSO subdivision developments in the area and the planned preservation of substantial portions of the site for open space.

ADVERSE IMPACTS

With the recommended conditions, potential impacts should be minimized.

REASONABLE ECONOMIC USE AS ZONED

The subject property has a reasonable economic use as currently zoned.

IMPACT ON PUBLIC FACILITIES

An increased impact on public facilities could be anticipated in the form of increased traffic, school enrollment, storm water runoff, and utility demand.

CONFORMITY WITH POLICIES

The request is consistent with policies the Unified Plan, and with similar zoning and developments in the surrounding area.

CONDITIONS AFFECTING ZONING

The forested areas and streams on the site lend supporting grounds for utilization of the CSO option.

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

(A) WHETHER A PROPOSED REZONING (OR SPECIAL USE PERMIT) WILL PERMIT USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Residential landuses surround the area to include subdivisions and single family lot homes. An existing subdivision zoned R-75 CSO is located on the eastern side of the subject property. The proposed character and scale of the planned residential community will compliment the surrounding area.

(B) WHETHER A PROPOSED REZONING (OR SPECIAL USE PERMIT) WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

Development of the site as a residential community will be consistent with the surrounding landuses.

(C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING (OR SPECIAL USE PERMIT) HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

The site, as currently zoned, does have an economic use. The proposed residential conservation community is more suited to the site.

(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:

The development will impact existing facilities and services. However any improvements needed as a result of the proposed project will be incurred by the developer. Water is available via an existing water line located in the along Old Suwanee Road. Sanitary sewer crosses the site in two (2) locations.

(E) WHETHER THE PROPOSED REZONING (OR SPECIAL USE PERMIT) IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN

The Gwinnett County 2030 Future Development Plan recommends Residential Area – Existing / Emerging Suburban.

(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):

Approval of subdivisions within the surrounding area support the applicant's request. The existing site conditions support the applicant's request and ensure the protection of natural resources to be located within the conservation areas.

RZR '13 0 0 5

**LETTER OF INTENT TO REZONING APPLICATION
OF TWIN BRIDGES, 4111 OLD SUWANEE ROAD (R-100 CSO)**

June 28, 2013

Gwinnett County Department of
Planning and Development
One Justice Square
446 West Crogan Street
Lawrenceville, GA. 30045

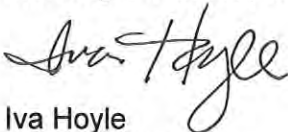
**Re: 62.036 Acres
4111 Old Suwanee Road
Parcel 7-231-019
Gwinnett County, Ga.**

Dear Planning Department:

The applicant is requesting to rezone 62.036 acres from R-75 to R-100 with an accompanying Special Use Permit for CSO. The site is located at 4111 Old Suwanee Road in Gwinnett County, Georgia. The subject property consists of one parcel. The applicant proposes to subdivide the site into 109 lots with 25.4 acres (41%) to be dedicated as conservation space. The net density of the site will be 1.82 dwelling units / acre. Homes will be constructed with a minimum of 1800 square feet for one-story and 2000 square feet for two-story dwelling. The architectural exteriors of the homes will be brick, stacked stone, cedar shake stucco or fiber cement siding. Each home will include a double car garage. Access to the development is via one entrance off of Old Suwanee Road.

The property is located within an area that is characterized with subdivisions and single lot homes. The development, as a CSO community, will provide the 50-foot buffer that will ensure the protection of the mature hardwoods along the project boundaries and blend with the land use character of the area. An existing R-75 CSO community is located along the eastern boundary of the subject site. Accordingly, the proposed conservation space will link with the existing conservation space in the adjacent subdivision – Morning Brook. The applicant therefore respectfully requests your approval of the rezoning and SUP application.

Sincerely,
McNally & Patrick, Inc.



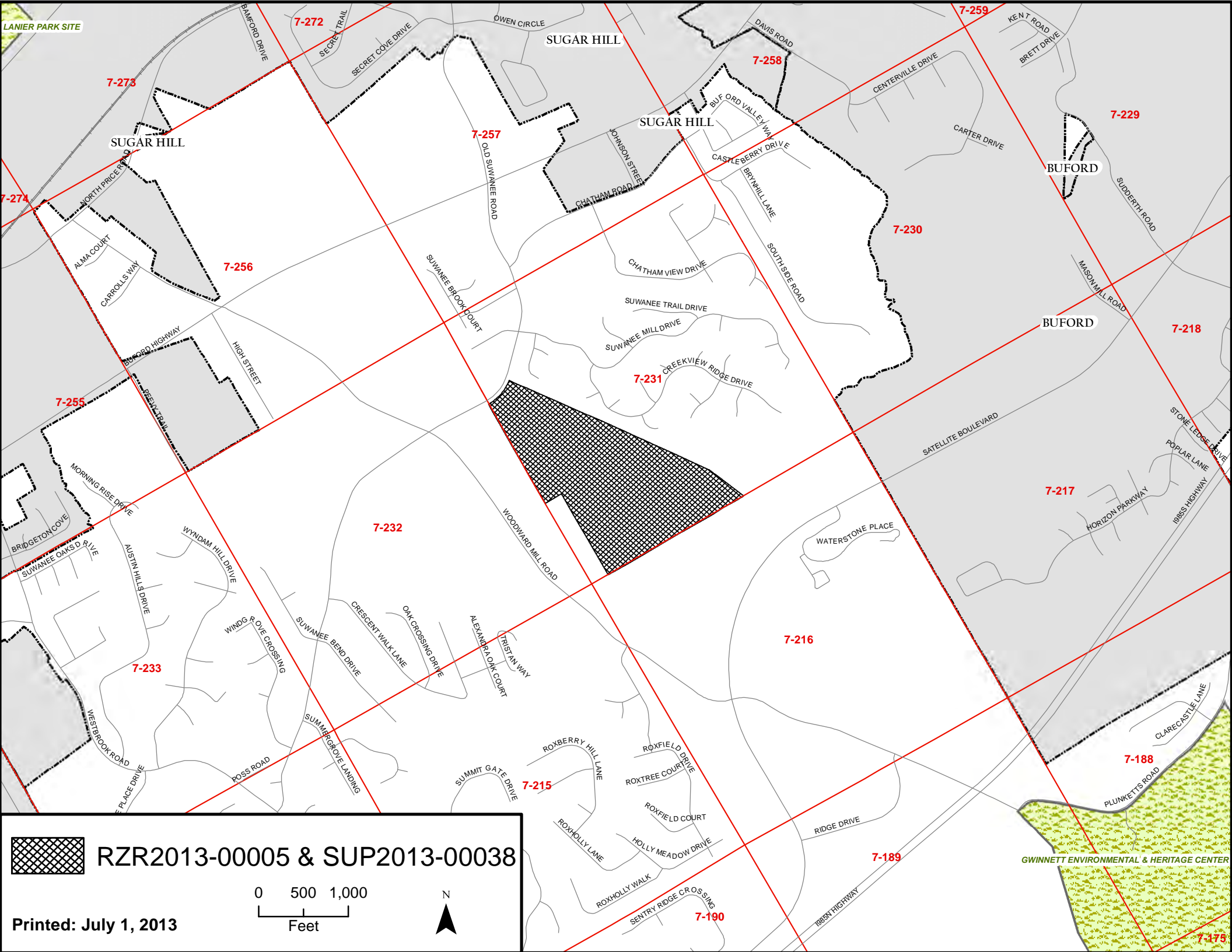
Iva Hoyle
Project Manager

RZR '13 0 0 5

Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, September 2013

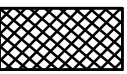
Case #	Schools	Current Projections									Proposed Zoning
		2013-14			2014-2015			2015-2016			Approximate additional Student Projections from Proposed Developments
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZR2013-00005	Lanier HS	1587	1,800	-213	1634	1,800	-166	1683	1,800	-117	51
SUP2013-00038	Lanier MS	1363	1,662	-299	1379	1,662	-283	1398	1,662	-264	25
	Sugar Hill ES	1237	1,175	62	1249	1,175	74	1262	1,175	87	33

Current projections do not include new developments



LANIER PARK SITE

GWINNETT ENVIRONMENTAL & HERITAGE CENTER

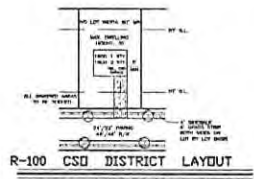
 **RZR2013-00005 & SUP2013-00038**

Printed: July 1, 2013

0 500 1,000
Feet

N

A=365.03'
R=519.01'
CHD=N40°21'29"E
357.58'



LOCATION MAP

PLANNING AND DEVELOPMENT

1. THIS PLAN IS FOR REZONING PURPOSES ONLY AND IS NOT INTENDED TO SPECIFY AN AT-BUILD DRAWING. THIS PLAN IS SUBMITTED TO EXPRESS THE NATURE, CHARACTER, AND TYPE OF DEVELOPMENT DESIRED BY THE APPLICANT.
2. DEMOGRAPHIC DATA BY GANNETT COUNTY GIS.
3. DEMOGRAPHIC DATA AS PER SURVEY BY BROWN AND ASSOC., INC. DATE: 08-20-2004.
4. A 5-FOOT SETBACK IS REQUIRED ALONG PROPERTY FRONTAGE OF 50'.
5. A 5-FOOT SETBACK IS REQUIRED ALONG PROPERTY FRONTAGE OF 50'.
6. A 5-FOOT SETBACK IS REQUIRED ALONG PROPERTY FRONTAGE OF 50'.
7. A 5-FOOT SETBACK IS REQUIRED ALONG PROPERTY FRONTAGE OF 50'.
8. A 5-FOOT SETBACK IS REQUIRED ALONG PROPERTY FRONTAGE OF 50'.
9. A 5-FOOT SETBACK IS REQUIRED ALONG PROPERTY FRONTAGE OF 50'.
10. A 5-FOOT SETBACK IS REQUIRED ALONG PROPERTY FRONTAGE OF 50'.

STORM WATER MANAGEMENT

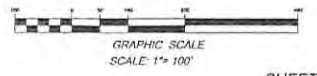
1. THIS SITE IS LOCATED IN A FLOOD HAZARD AREA AS PER GANNETT COUNTY PANEL 150322 MAP # 1310000000, SEPTEMBER 9, 2004.
2. THERE ARE NO WETLANDS ON THIS SITE.
3. A STORM WATER MANAGEMENT STUDY SHALL BE REQUIRED FOR THIS PROJECT.
4. A 50-FOOT UNDEVELOPED BUFFER AND A 75-FOOT WETLANDS BUFFER RELATIVE TO ALL STREAMS SHALL BE MAINTAINED UNLESS AN APPROPRIATE STREAM BUFFER VARIANCE IS OBTAINED.

LOT	FLX	WIDTH	DEPTH	AREA	AREA
1	A	75.2	55	A	67.9
2	A	81.5	55	A	69.0
3	A	71.4	59	A	66.0
4	A	85.7	59	A	66.0
5	A	85.7	59	A	66.0
6	A	86.1	59	A	66.0
7	A	86.5	62	A	63.5
8	A	87.2	62	A	63.5
9	A	89.2	64	A	67.7
10	A	89.9	65	A	68.4
11	A	54.8	67	A	69.5
12	A	72.0	67	A	66.0
13	A	65.0	68	A	59.8
14	A	66.0	69	A	66.0
15	A	69.0	70	A	66.0
16	A	66.0	71	A	66.2
17	A	69.0	72	A	73.8
18	A	66.0	72	A	74.1
19	A	66.0	74	A	75.4
20	A	67.0	74	A	75.4
21	A	66.0	76	A	76.7
22	A	66.0	77	A	78.0
23	A	66.0	78	A	78.0
24	A	73.9	79	A	70.0
25	A	76.0	83	A	70.0
26	A	75.9	81	A	77.1
27	A	76.0	82	A	77.1
28	A	76.0	83	A	76.9
29	A	76.0	84	A	76.9
30	A	76.0	85	A	69.0
31	A	76.1	86	A	69.0
32	A	76.1	87	A	74.5
33	A	76.1	87	A	74.5
34	A	76.1	87	A	74.5
35	A	76.1	87	A	74.5
36	A	76.1	87	A	74.5
37	A	76.1	87	A	74.5
38	A	76.1	87	A	74.5
39	A	76.1	87	A	74.5
40	A	76.1	87	A	74.5
41	A	76.1	87	A	74.5
42	A	76.1	87	A	74.5
43	A	76.1	87	A	74.5
44	A	76.1	87	A	74.5
45	A	76.1	87	A	74.5
46	A	76.1	87	A	74.5
47	A	76.1	87	A	74.5
48	A	76.1	87	A	74.5
49	A	76.1	87	A	74.5
50	A	76.1	87	A	74.5
51	A	76.1	87	A	74.5
52	A	76.1	87	A	74.5
53	A	76.1	87	A	74.5
54	A	76.1	87	A	74.5

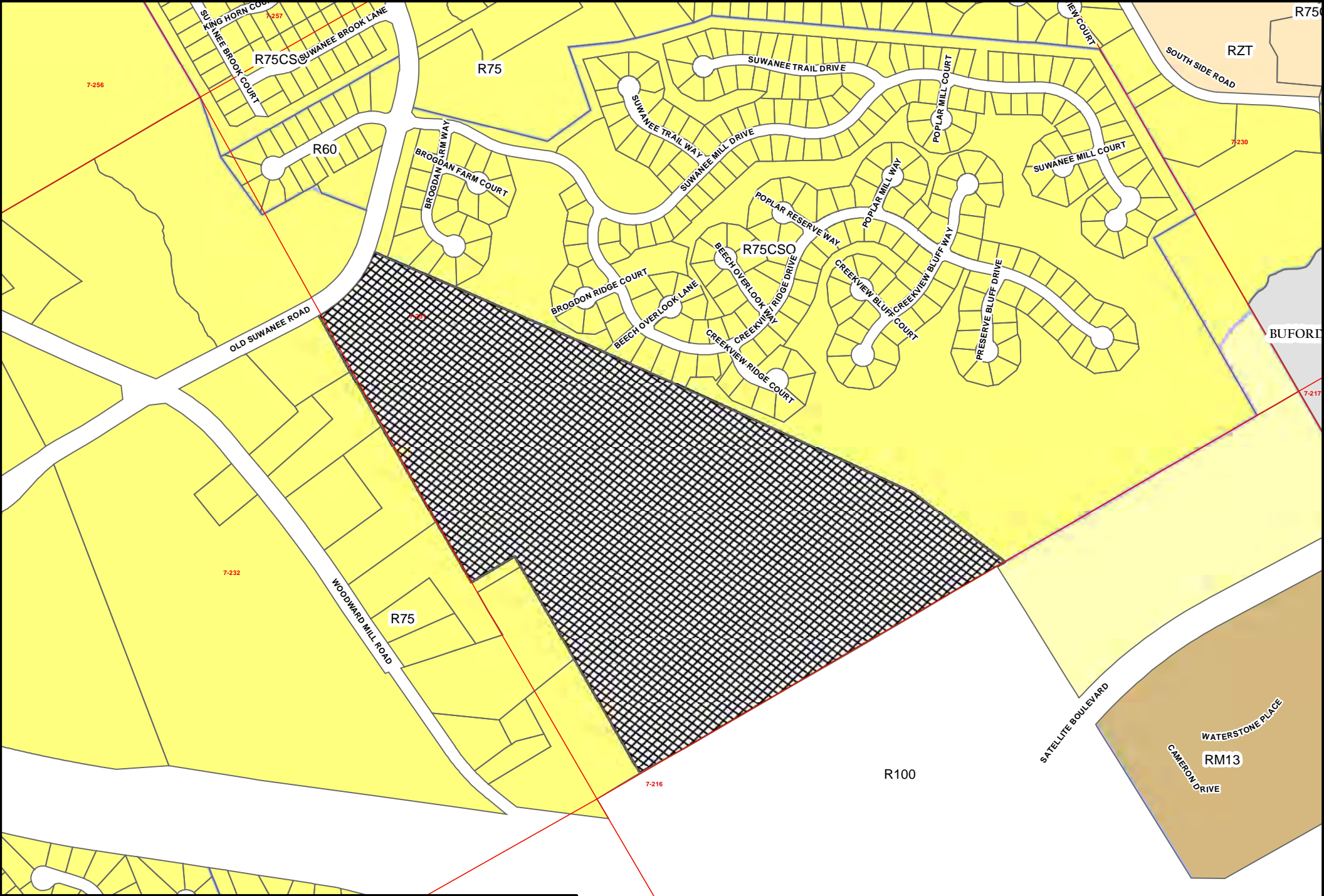
REZONING SKETCH DATA	
EXISTING ZONING: R75	PROPOSED ZONING: R-100 CSD
NUMBER OF LOTS: 109	
GROSS AREA: 62.036 ACRES	
NET AREA: 49.84 ACRES	
FLOODPLAIN AREA: 4.3 ACRES (6.9%)	
AREA IN ELEC/GAS EASEMENTS: 0.0 ACRE	
SANITARY SERVICE: SEWER	
GROSS DENSITY: 1.75 DU/AC	
NET DENSITY: 1.82 DU/AC	
MIN. LOT SIZE: NONE	
MIN. DWELLING SIZE: 1800' S.F. 1STY., 2000' S.F. 2STY.	
RECREATION AREA REQUIRED: 1.00 AC (50% / 6%)	
RECREATION AREA PROVIDED: 1.00 AC	
AREA REQUIRED: 40% - 24.81 ACRES	
AREA PROVIDED: 41% - 25.4 ACRES	
ORINANCE COMPLIANCE: STREET TREES	
BUFFER TREES PLANTED: 0	

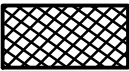
McNally & Patrick, Inc.

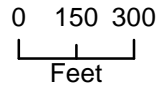
1505 HWY. 29 SOUTH - LAWRENCEVILLE, GA. 30044
PHONE: (770)963-8520 FAX: (770)963-3984
CONTACT: IVA HOYLE



RZR 19-0-05



 RZR2013-00005 & SUP2013-00038



Printed: July 1, 2013

R75MOI

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
CHANGE IN CONDITIONS AND SPECIAL USE PERMIT ANALYSIS**

CASE NUMBER :**CIC2013-00014**
ZONING :C-2
LOCATION :500 BLOCK OF ATHENS HIGHWAY
MAP NUMBERS :R5131 189 & R5131 251
ACREAGE :9.68 ACRES
PROPOSAL :CHANGE IN CONDITIONS TO REDUCE BUFFER FROM
75 FEET TO 37.5 FEET
SQUARE FEET :72,750 SQUARE FEET
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION: **DENIAL**

CASE NUMBER :**SUP2013-00040**
ZONING :C-2
LOCATION :500 BLOCK ATHENS HIGHWAY
MAP NUMBERS :R5131 189 & R5131 251
ACREAGE :9.68 ACRES
REQUEST :AUTOMOTIVE SERVICE AND REPAIR
SQUARE FEET :7,900 SQUARE FEET
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

FUTURE DEVELOPMENT MAP: **CORRIDOR MIXED-USE**

APPLICANT: GEORGIA BELLE SELF STORAGE
530 ATHENS HIGHWAY, SUITE C
LOGANVILLE, GA 30052

CONTACT: DANNY HERRMANN PHONE: 770.352.4835

OWNER: HERRMANN INVESTMENTS, LLC
4983 RABBIT FARM ROAD
LOGANVILLE, GA 30052

GEORGIA BELLE HOLDINGS, LLC
530 ATHENS HIGHWAY
LOGANVILLE, GA 30052

CHANGE IN CONDITIONS SUMMARY:

The applicant requests a Change in Conditions of a C-2 (General Business District) zoning to reduce the required 75-foot wide buffer adjacent to residentially zoned property. Additionally, the applicant is also requesting a Special Use Permit to allow automotive service and repair for high performance diesel engines within building 4A, as depicted on the submitted site plan. The

site is a 9.68-acre parcel, zoned C-2, and located on the south side of Athens Highway, just northwest of its intersection with Harrison Road.

The property consists of a mini-warehouse facility with outdoor storage, which was rezoned to C-2 in 2001, pursuant to RZC-01-038, with a Special Use Permit allowing outdoor storage, pursuant to SUP-01-055. In 2002, two Special Use Permits were approved allowing a mini-warehouse facility and truck rental, pursuant to SUP-02-062 & 063. The applicant proposes to amend condition 2.C. of these previously mentioned cases, revising the requirement for a 75-foot wide buffer. The condition currently reads as follows:

Condition 2.C. Provide a 75-foot wide natural buffer, undisturbed except for approved access, utility crossings, and replanting where sparsely vegetated, adjacent to residential property.

Based on the submitted site plan and letter of intent, the applicant proposes to amend condition 2.C., reducing the required buffer from 75 feet to 37.5 feet to accommodate the construction of additional mini-warehouses and parking for outdoor storage, which would include the parking of recreational vehicles, boats, automobiles and trailers. All other conditions of the original rezoning and Special Use Permits would remain the same. Additionally, the applicant has requested a Special Use Permit to allow service and repair of high performance diesel engines. The applicant has indicated that the diesel service would be for light trucks, and not semi/tractor trailers.

The 2030 Unified Plan Future Development Map identifies this as a Corridor Mixed Use Character Area. Although the automotive repair use could be considered consistent with the Character Area, policies of the Unified Plan encourage preservation of buffers to protect adjacent residential neighborhoods from the more intense uses located on the commercial corridor. As such, the requested buffer reduction may not be compatible with policies of the Unified Plan.

The area surrounding the subject property is characterized by commercial/retail uses along Athens Highway, with residential developments located beyond the highway corridor. The uses immediately around the subject property include retail centers, offices, indoor recreational facilities, a motorcycle repair shop and undeveloped commercially-zoned properties. The requested Special Use Permit for vehicle service could be considered compatible and consistent with the surrounding area.

Adjacent immediately to the east of the property is the Bradford Place subdivision, zoned R-75, which would be the most affected by the proposed reduction in buffers. The existing zoning condition was established through the public hearing process, and the full buffer has been maintained for over 10 years. In the Department's opinion, it may not be appropriate to reduce the buffer standard in light of the previous Board actions, and the proposed addition of automotive service on the subject tract.

In conclusion, the requested Special Use Permit, to allow automotive repair could be considered consistent with the development pattern established along the Highway 78 corridor,

and the Department recommends **APPROVAL WITH CONDITIONS** of the Special Use Permit. The requested Change in Conditions to reduce the buffer may not be appropriate in light of the previous zoning approvals for the property, and the addition of automotive service and repair on the site. Therefore, the Department of Planning and Development recommends **DENIAL** of the requested Change in Conditions to reduce the buffers.

ZONING HISTORY:

In 1970, the property was zoned RA-200 (Agriculture Residence District). In 1973 the property was rezoned R-100 (Single-Family Residence District) through an area-wide rezoning. In 1973, the property was rezoned back to RA-200 for the development of a plant nursery, pursuant to RZ-73-103. In 1978, the property was rezoned to M-1 (Light Industry District) to allow the manufacture of fiberglass parts, pursuant to RZ-96-103. In 1996, the property was rezoned to C-2, pursuant to RZ-96-103 to allow the operation of a flea market. In 2001, a Change-in-Conditions allowing three entrances and exits on Athens Highway, along with a Special Use Permit for outdoor storage was approved, pursuant to RZC-01-038 & SUP-01-055 respectively. In 2002, two Special Use Permits were approved to allow a mini-warehouse storage facility and truck rental, pursuant to SUP-02-062 & SUP-02-063 respectively.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property contains areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development. The applicant/developer shall obtain all required approvals from the Gwinnett Department of Public Utilities and the U.S. Army Corps of Engineers for construction or land disturbance activities which may impact floodplain or wetland areas.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Ordinance requires submittal and approval of a Tree Preservation and Replacement Plan prepared by a professional landscape architect prior to securing a Land Disturbance or Development permit.

Section 606.3 of the 1985 Zoning Resolution requires screening of dumpsters and loading/unloading facilities.

Parking lots and interior driveways shall be designed in accordance with Section 1001 of the 1985 Zoning Resolution.

The developer must submit detailed site development plans, including a landscape and tree preservation/replacement plan, for review and approval of the Development Division prior to any construction.

The developer must obtain a Land Disturbance or Development Permit from the Development Division prior to any construction.

Section 8.2.1 of the Development Regulations requires submittal of a Storm Water Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

Section 1.5.1.c of the Floodplain Management Ordinance requires that the lowest floor including the basement, of all non-residential building be constructed at an elevation of at least one foot above the 100-year floodplain.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

No comment.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 12-inch water main located on the southern right-of-way of Athens Highway.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located on the property.

BUILDING CONSTRUCTION COMMENT SECTION:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit civil site drawings to Building Plan Review for review and approval.
2. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for each building and building addition for review and approval by Building Plan Review.
3. Each building shall comply with the height and area limitations of Table 503 and the fire

resistive and horizontal separation requirements of Table 601 and 602 of the 2006 International Building Code with Georgia state amendments based on occupancy group classification, type of construction, and location of each building from property lines and other buildings.

4. Upon completion of plan review approvals, the applicant shall obtain a building permit for each building and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at (678) 518-6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

Fire Plan Review has no objections to the above rezoning requests, under the following conditions:

1. Applicant submits civil drawings to Fire Plan Review for review and approval.
2. Applicant submits architectural drawings to Fire Plan Review for review and approval.
3. Upon completion of plan review approvals, applicant successfully achieves a satisfactory Fire field inspection, for issuance of a Certificate of Occupancy - Business Operation.

For assistance, you may contact this office at (678) 518-6000, Monday through Friday, from the hours of 8:00 a.m. to 5:00 p.m.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Additions in **bold**

Deletions in ~~strikethrough~~

Approval of a Special Use Permit for the addition of automotive repair, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Retail and service commercial and accessory uses, which may include a mini-warehouse storage facility, ~~and a truck rental facility~~ **and an automotive service and repair facility**. Office/warehouse uses, ~~as shown on the site plan submitted May 3, 2002,~~ shall not be allowed. **All vehicle service and repair activities shall be conducted indoors.**
 - B. ~~Remove the existing chicken house(s) from site and remodel the existing metal building with façade of brick, stacked stone or stucco.~~ New buildings shall have facades of brick, stone, or stucco where facing Athens Highway or exterior property lines. Roll-up doors may not face Athens Highway.
 - C. Truck rental limited to ten trucks displayed in the northeastern portion of the property with any additional trucks located within the mini-warehouse storage area.
2. To satisfy the following site development considerations:
 - A. Provide a ten-foot wide landscape strip outside of all rights-of-way
 - B. Provide a five-foot wide landscape strip adjacent to all internal property lines.
 - C. Provide a 75-foot wide natural buffer, undisturbed except for approved access, utility crossings, and replanting where sparsely vegetated, adjacent to residential property.
 - D. Provide a minimum 100-foot wide natural, undisturbed buffer and a 150-foot impervious surface setback adjacent to the banks of all perennial streams within or adjacent to the property (as shown on the most recent USGS 7.5 minute quadrangle map). Restore the natural buffer in any area previously disturbed.
 - E. Dumpsters shall be screened by a 100% opaque brick wall.
 - F. No billboards shall be permitted.
 - G. Provide minimum five-foot wide sidewalks along the Athens Highway frontage.

- H. Ground signs shall be limited to monument type signs with masonry bases matching the building, and not exceeding ten feet in height.
- I. Outdoor storage, including boat and RV parking, shall be screened by six-foot high Leyland Cypress' planted on eight-foot centers where adjoining residentially zoned properties and by a chain link fence with screening in all other areas and shall not exceed one-half of the lot.
- J. The number, location, and design of driveways onto Athens Highway shall be subject to the review and approval of the Georgia Department of Transportation.
- K. Interparcel access shall be provided between all commercial parcels. All driveways shall be shared, with no access for individual outparcels permitted to Athens Highway.
- L. Pave or obtain a variance for gravel parking facilities.
- M. No banners, streamers, or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site.
- N. Provide wet detention facilities, or approved alternatives, meeting design standards for such facilities within the Big Haynes Creek Watershed. Design and maintenance plans shall be subject to the review and approval of the Department of Planning and Development and the Stormwater Management Unit.
- O. Lighting shall be contained in cut-off type luminaries whose source is completely concealed with an opaque housing. Fixtures shall be recessed in the opaque housing. Drop dish refractors are prohibited. The wattage shall not exceed 420 watts/480V per light fixture. This provision includes lights on mounted poles as well as architectural display and decorative lighting visible from a street or a highway. Wall pack lighting shall be cut-down directional a maximum of 250 watts. Canopy lighting shall be cut-off luminaries with a maximum lamp wattage of 400 watts. Maximum height of lights shall be 28-feet. All lighting shall be directed away from residentially-zoned property.
- P. Dedicate at no cost to Gwinnett County all necessary right-of-way and easements for the future construction of a greenway, path/trail through the property in accordance with the Gwinnett County Open Space and Greenway Master Plan. Right-of-way/easement width and location shall be subject to review and approval of the Gwinnett Department of Community Services.

PLANNING AND DEVELOPMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The proposed Special Use Permit for automotive service could be suitable to the area; however, the requested Change in Conditions to reduce the required 75-foot wide buffer may not be suitable in light of the adjacent residential properties and intense commercial use of the subject property.

ADVERSE IMPACTS

Allowing the reduction of the buffer may adversely impact existing single-family residences in the area through the introduction of additional commercial encroachment, noise and light intrusion.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

The requests would be expected to result in an increase in traffic and utility demand. Creating additional paved areas new buildings on the property would be expected to create additional impacts in the form of storm water runoff.

CONFORMITY WITH POLICIES

The buffer reduction request would not be consistent with Board policy as established in the previous zoning requests (RZC-01-038, SUP-01-055, SUP-02-062 & SUP-02-063). Policies of the Unified Plan encourage transitions between dissimilar uses, including buffers. The proposed reduction of the buffer would not be consistent with recommendations of the Unified Plan.

CONDITIONS AFFECTING ZONING

The current zoning conditions on the subject property were established through the public hearing process and may have been established to ensure the compatibility of uses in the area. There does not appear to be reasonable justification provided which would warrant the change as requested.

CHANGE IN CONDITIONS APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

See attached.

- (B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:
-

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:
-

- (D) WHETHER THE PROPOSED CHANGE IN CONDITIONS WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:
-

- (E) WHETHER THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF 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 CHANGE IN CONDITIONS:
-

- A. Yes, the proposed use is the same as the existing use.
- B. No, the proposed use is the same as the existing use.
- C. Yes, it does. With the change we will be allowed to satisfy our customer demand and make the parking and maneuvering of vehicles vastly improved.
- D. No, we are not adding many storage spaces and are reducing the number of parking spaces.
- E. Yes, we are not changing the existing use.
- F. I feel this will allow us to better serve our present and future customers within the surrounding communities.

RECEIVED BY

JUN 21 2013

Planning & Development

CIC '13 01 4

Herrmann Investments, LLC
4983 Rabbit Farm Road
Loganville, Georgia 30052
(770) 913-8465

July 31, 2013

Gwinnett County
Dept. of Planning and Development
One Justice Square
Lawrenceville, Georgia 30046

Letter of Intent: (a) Buffer Reduction
(b) Special Use Permit

To Whom It May Concern:

□ Buffer Reduction

Herrmann Investments, LLC also known as Georgia Belle Self Storage located at 530 Athens Highway, Loganville, Georgia 30052 is requesting the 75' buffer that now exists to be reduced to 37.5 feet. This would allow for an additional 15,750 sq. ft. and approximately thirty-three (33) 10' x 20' units could be added to the facility. We have a large demand for this particular size unit. Because Georgia Belle Self Storage offers parking for automobiles, boats, trailers, and RV units, the extra footage will offer our customers more space to maneuver their vehicles into the spaces offered.

The size of the storage facility is 9.68 acres, zoned C-2 change of condition. By changing the buffer, we will add approximately thirty-three (33) 10' x 20' units to our present 368 units and reduce the parking spaces that we currently have from 42 to 32. The density in terms of gross footage per acre for the proposed site is 7,515 sq. ft. per acre. The proposed height is 12' single story.

RECEIVED BY

AUG 01 2013

Planning & Development

SUP '13 0 4 0

CIC '13 01 4

□ Special Use Permit

Georgia Belle Self Storage located at 530 Athens Highway, Building 4A, Loganville, Georgia 30052 is also requesting a Special Use Permit. This would allow us to utilize a building that is currently used by our company for storage. The existing building is not adequate to convert to climate control storage due to the accessibility, height of the building, and the fact that the building has two (2) levels. It is for these reasons I am asking you to approve my request for a Special Use Permit. I currently have a customer that is interested in renting the building for a diesel performance business. The income acquired from renting to that customer will help facilitate the addition of more climate control spaces that our current climate control business needs at this time.

Thanking you in advance,

Danny K. Herrmann
Herrmann Investments, LLC

DKH:ah

RECEIVED BY

AUG 01 2013

Planning & Development

SUP '13 0 4 0

CIC '13 01 4

CASE NUMBER RZC-01-038

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Wayne Hill, Chairman	<u>AYE</u>
Marcia Neaton-Griggs, District 1	<u>AYE</u>
Patti Muise, District 2	<u>AYE</u>
John Dunn, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. DUNN, which carried 5-0, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from

C-2 to C-2 (CHANGE IN CONDITIONS)
by DIVERSIFIED DEVELOPMENT CO. for
the proposed use of COMMERCIAL RETAIL USES
on a tract of land described by the attached legal description,
which

is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on OCTOBER 25, 2001 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 25TH day of OCTOBER, 2001, that the aforesaid application to amend the Official Zoning Map from C-2 to C-2 (CHANGE IN CONDITIONS) is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Retail and service commercial and accessory uses.
2. To satisfy the following site development considerations:
 - A. Provide a 10-foot wide landscaped strip outside of all rights-of-way.
 - B. Provide five-foot wide landscaped strips adjacent to all internal property lines.
 - C. Provide a 75-foot wide natural buffer, undisturbed except for approved access and utility crossings and replantings where sparsely vegetated, adjacent to residential property.

- D. Provide a minimum 100-foot wide natural, undisturbed buffer and 150-foot impervious surface setback adjacent to the banks of all perennial streams within or adjacent to the property (as shown on the most recent USGS 7.5 minute quadrangle map). Restore the natural buffer in any area previously disturbed.
- E. Dumpsters shall be screened by a fence or wall.
- F. No billboards shall be permitted.
- G. Provide minimum 5-foot wide sidewalks along the Athens Highway frontage.
- H. Ground signs shall be limited to monument type signs with masonry bases matching the building, and not exceeding 10 feet in height.
- I. The number, location, and design of driveways onto Athens Highway shall be subject to review and approval of the Georgia Department of Transportation.
- J. Interparcel access shall be provided between all commercial parcels. All driveways shall be shared, with no access for individual outparcels permitted to Athens Highway.
- K. Pave or obtain a variance for current or proposed gravel parking facilities.
- L. No banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site.
- M. Remove or bring the existing buildings up to code for applicable occupancy prior to issuance of a Certificate of Occupancy.

- N. New buildings shall be finished with architectural treatments of glass and/or brick, stone, or stucco.
- O. Provide wet detention facilities, or approved alternatives, meeting design standards for such facilities within the Big Haynes Creek Watershed. Design and maintenance plans for the wet detention facilities shall be subject to review and approval of the Planning and Development Department and the Gwinnett Department of Transportation Stormwater Management Unit.
- P. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to reflect into adjacent residential properties.

(See also: condition 2.I. of companion case SUP-01-055)

GWINNETT COUNTY BOARD OF COMMISSIONERS

By:

F. Wayne Hill

F. Wayne Hill, Chairman

Date Signed:

Nov. 9, 2001

ATTEST:

Brenda Maddox
County Clerk

CASE NUMBER SUP-01-055

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Wayne Hill, Chairman	<u>AYE</u>
Marcia Neaton-Griggs, District 1	<u>NAY</u>
Patti Muise, District 2	<u>AYE</u>
John Dunn, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. DUNN, which carried 4-1, the following resolution was adopted:

A RESOLUTION TO GRANT A SPECIAL USE PERMIT

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application for a Special Use Permit by

DIVERSIFIED DEVELOPMENT CO. for
the proposed use of OUTDOOR SALES/STORAGE

on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Special Use Permit Application has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on OCTOBER 25, 2001 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 6TH day of NOVEMBER, 2001 that the aforesaid application for a Special Use Permit is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Retail and service commercial and accessory uses.
2. To satisfy the following site development considerations:
 - A. Provide a 10-foot wide landscaped strip outside of all rights-of-way.
 - B. Provide five-foot wide landscaped strips adjacent to all internal property lines.
 - C. Provide a 75-foot wide natural buffer, undisturbed except for approved access and utility crossings and replantings where sparsely vegetated, adjacent to residential property.
 - D. Provide a minimum 100-foot wide natural, undisturbed buffer and 150-foot impervious surface setback adjacent to the banks of all perennial streams within or adjacent to the property (as shown on the most recent USGS 7.5 minute quadrangle map). Restore the natural buffer in any area previously disturbed.

- E. Dumpsters shall be screened by a fence or wall.
- F. No billboards shall be permitted.
- G. Provide minimum 5-foot wide sidewalks along the Athens Highway frontage.
- H. Ground signs shall be limited to monument type signs with masonry bases matching the building, and not exceeding 10 feet in height.
- I. Outdoor storage shall be screened by a 100% opaque 8-foot wooden fence where adjoining residential zoned properties and by a chain link fence with screening in all other areas and shall not exceed one-half of the lot.
- J. The number, location, and design of driveways onto Athens Highway shall be subject to review and approval of the Georgia Department of Transportation.
- K. Interparcel access shall be provided between all commercial parcels. All driveways shall be shared, with no access for individual outparcels permitted to Athens Highway.
- L. Pave or obtain a variance for current or proposed gravel parking facilities.
- M. No banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site.
- N. Remove or bring the existing buildings up to code for applicable occupancy prior to issuance of a Certificate of Occupancy.
- O. New buildings shall be finished with architectural treatments of glass and/or brick, stone, or stucco.

- P. Provide wet detention facilities, or approved alternatives, meeting design standards for such facilities within the Big Haynes Creek Watershed. Design and maintenance plans for the wet detention. Facilities shall be subject to review and approval of the Planning and Development Department and the Gwinnett Department of Transportation Stormwater Management Unit.
- Q. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to reflect into adjacent residential properties.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By:

F. Wayne Hill
F. Wayne Hill, Chairman

Date Signed:

Nov. 9, 2001

ATTEST:

Brenda Maddox
County Clerk

CASE NUMBER SUP-02-062

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Wayne Hill, Chairman	<u>AYE</u>
Marcia Neaton-Griggs, District 1	<u>AYE</u>
Albert Nasuti, District 2	<u>AYE</u>
John Dunn, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. DUNN, which carried 5-0, the following resolution was adopted:

A RESOLUTION TO GRANT A SPECIAL USE PERMIT

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application for a Special Use Permit by

DIVERSIFIED DEVELOPMENT COMPANY

for the proposed use of MINI-WAREHOUSE STORAGE FACILITY on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Special Use Permit Application has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on JULY 23, 2002 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 23RD day of JULY, 2002 that the aforesaid application for a Special Use Permit is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Retail and service commercial and accessory uses, which may include a mini-warehouse storage facility and a truck rental facility. Office/warehouse uses, as shown on the site plan submitted May 3, 2002, shall not be allowed.
 - B. Remove the existing chicken house(s) from site and remodel the existing metal building with façade of brick, stacked stone or stucco. New buildings shall have facades of brick, stone, or stucco where facing Athens Highway or exterior property lines. Roll-up doors may not face Athens Highway.
 - C. Truck rental limited to ten trucks displayed in the northeastern portion of the property with any additional trucks located within the mini-warehouse storage area.
2. To satisfy the following site development considerations:
 - A. Provide a ten-foot wide landscape strip outside of all rights-of-way

- B. Provide a five-foot wide landscape strip adjacent to all internal property lines.
- C. Provide a 75-foot wide natural buffer, undisturbed except for approved access, utility crossings, and replanting where sparsely vegetated, adjacent to residential property.
- D. Provide a minimum 100-foot wide natural, undisturbed buffer and a 150-foot impervious surface setback adjacent to the banks of all perennial streams within or adjacent to the property (as shown on the most recent USGS 7.5 minute quadrangle map). Restore the natural buffer in any area previously disturbed.
- E. Dumpsters shall be screened by a 100% opaque brick wall.
- F. No billboards shall be permitted.
- G. Provide minimum five-foot wide sidewalks along the Athens Highway frontage.
- H. Ground signs shall be limited to monument type signs with masonry bases matching the building, and not exceeding ten feet in height.
- I. Outdoor storage, including boat and RV parking, shall be screened by six-foot high Leyland Cypress' planted on eight-foot centers where adjoining residentially zoned properties and by a chain link fence with screening in all other areas and shall not exceed one-half of the lot.
- J. The number, location, and design of driveways onto Athens Highway shall be subject to the review and approval of the Georgia Department of Transportation.
- K. Interparcel access shall be provided between all commercial parcels. All driveways shall be shared, with no access for individual outparcels permitted to Athens Highway.

- L. Pave or obtain a variance for gravel parking facilities.
- M. No banners, streamers, or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site.
- N. Provide wet detention facilities, or approved alternatives, meeting design standards for such facilities within the Big Haynes Creek Watershed. Design and maintenance plans shall be subject to the review and approval of the Department of Planning and Development and the Stormwater Management Unit.
- O. Lighting shall be contained in cut-off type luminaries whose source is completely concealed with an opaque housing. Fixtures shall be recessed in the opaque housing. Drop dish refractors are prohibited. The wattage shall not exceed 420 watts/480V per light fixture. This provision includes lights on mounted poles as well as architectural display and decorative lighting visible from a street or a highway. Wall pack lighting shall be cut-down directional a maximum of 250 watts. Canopy lighting shall be cut-off luminaries with a maximum lamp wattage of 400 watts. Maximum height of lights shall be 28-feet. All lighting shall be directed away from residentially-zoned property.
- P. Dedicate at no cost to Gwinnett County all necessary right-of-way and easements for the future construction of a greenway, path/trail through the property in accordance with the Gwinnett County Open Space and Greenway Master Plan. Right-of-way/easement width and location shall be subject to review and approval of the Gwinnett Department of Community Services.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By:

F. Wayne Hill
F. Wayne Hill, Chairman

Date Signed:

July 31, 2002

ATTEST:

Brenda Madbox
County Clerk

CASE NUMBER SUP-02-063

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Wayne Hill, Chairman	<u>AYE</u>
Marcia Neaton-Griggs, District 1	<u>AYE</u>
Albert Nasuti, District 2	<u>AYE</u>
John Dunn, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. DUNN, which carried 5-0, the following resolution was adopted:

A RESOLUTION TO GRANT A SPECIAL USE PERMIT

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application for a Special Use Permit by DIVERSIFIED DEVELOPMENT COMPANY for the proposed use of TRUCK RENTAL on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Special Use Permit Application has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on JULY 23, 2002 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 23RD day of JULY, 2002 that the aforesaid application for a Special Use Permit is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Retail and service commercial and accessory uses, which may include a mini-warehouse storage facility and a truck rental facility. Office/warehouse uses, as shown on the site plan submitted May 3, 2002, shall not be allowed.
 - B. Remove the existing chicken house(s) from site and remodel the existing metal building with façade of brick, stacked stone or stucco. New buildings shall have facades of brick, stone, or stucco where facing Athens Highway or exterior property lines. Roll-up doors may not face Athens Highway.
 - C. Truck rental limited to ten trucks displayed in the northeastern portion of the property with any additional trucks located within the mini-warehouse storage area.
2. To satisfy the following site development considerations:
 - A. Provide a ten-foot wide landscape strip outside of all rights-of-way

- B. Provide a five-foot wide landscape strip adjacent to all internal property lines.
- C. Provide a 75-foot wide natural buffer, undisturbed except for approved access, utility crossings, and replanting where sparsely vegetated, adjacent to residential property.
- D. Provide a minimum 100-foot wide natural, undisturbed buffer and a 150-foot impervious surface setback adjacent to the banks of all perennial streams within or adjacent to the property (as shown on the most recent USGS 7.5 minute quadrangle map). Restore the natural buffer in any area previously disturbed.
- E. Dumpsters shall be screened by a 100% opaque brick wall.
- F. No billboards shall be permitted.
- G. Provide minimum five-foot wide sidewalks along the Athens Highway frontage.
- H. Ground signs shall be limited to monument type signs with masonry bases matching the building, and not exceeding ten feet in height.
- I. Outdoor storage, including boat and RV parking, shall be screened by six-foot high Leyland Cypress' planted on eight-foot centers where adjoining residentially zoned properties and by a chain link fence with screening in all other areas and shall not exceed one-half of the lot.
- J. The number, location, and design of driveways onto Athens Highway shall be subject to the review and approval of the Georgia Department of Transportation.
- K. Interparcel access shall be provided between all commercial parcels. All driveways shall be shared, with no access for individual outparcels permitted to Athens Highway.

- L. Pave or obtain a variance for gravel parking facilities.
- M. No banners, streamers, or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site.
- N. Provide wet detention facilities, or approved alternatives, meeting design standards for such facilities within the Big Haynes Creek Watershed. Design and maintenance plans shall be subject to the review and approval of the Department of Planning and Development and the Stormwater Management Unit.
- O. Lighting shall be contained in cut-off type luminaries whose source is completely concealed with an opaque housing. Fixtures shall be recessed in the opaque housing. Drop dish refractors are prohibited. The wattage shall not exceed 420 watts/480V per light fixture. This provision includes lights on mounted poles as well as architectural display and decorative lighting visible from a street or a highway. Wall pack lighting shall be cut-down directional a maximum of 250 watts. Canopy lighting shall be cut-off luminaries with a maximum lamp wattage of 400 watts. Maximum height of lights shall be 28-feet. All lighting shall be directed away from residentially-zoned property.
- P. Dedicate at no cost to Gwinnett County all necessary right-of-way and easements for the future construction of a greenway, path/trail through the property in accordance with the Gwinnett County Open Space and Greenway Master Plan. Right-of-way/easement width and location shall be subject to review and approval of the Gwinnett Department of Community Services.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: _____

F. Wayne Hill
F. Wayne Hill, Chairman

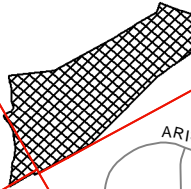
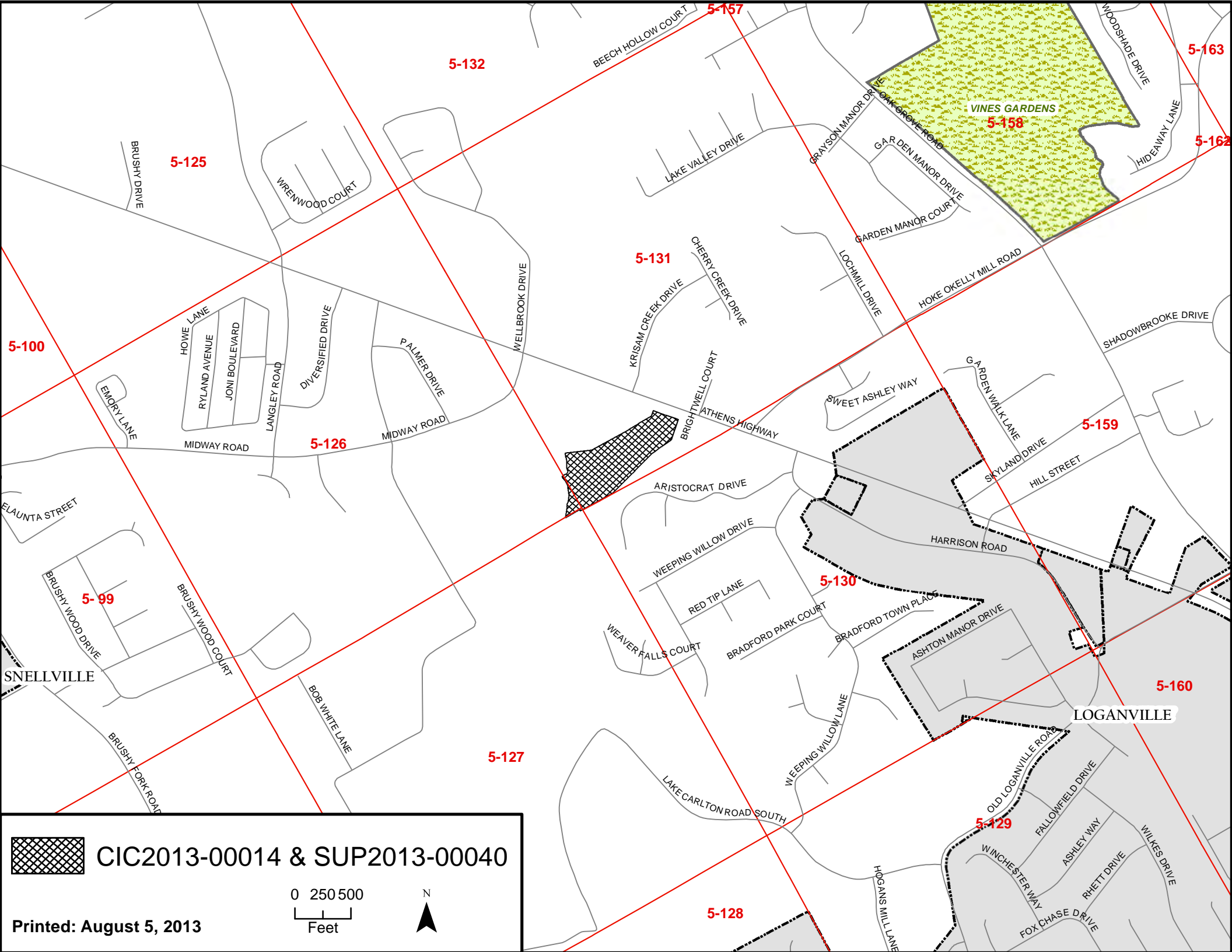
Date Signed: _____

July 31, 2002

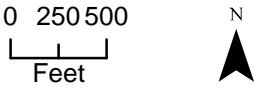
ATTEST:

Brenda Maddy

County Clerk

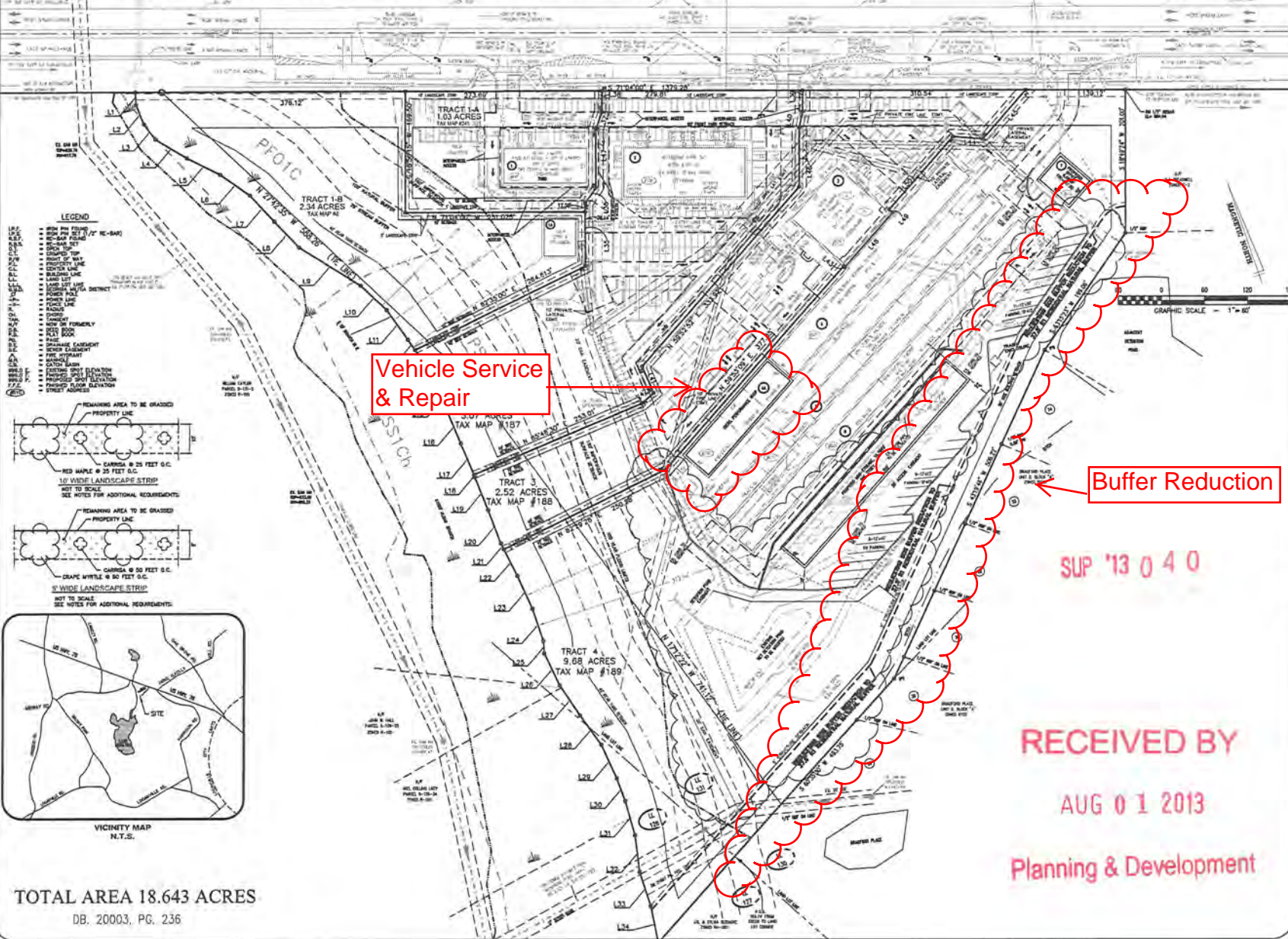


CIC2013-00014 & SUP2013-00040



Printed: August 5, 2013

ATHENS HIGHWAY (U.S. HIGHWAY 78) (180' R/W)



TOTAL AREA 18.643 ACRES
DB. 20003, PG. 236

ALCOVY
SURVEYING & ENGINEERING, INC.
P.O. BOX 11700 N.E.
2205 Highway 81 South
Loganville, Georgia 30052
Phone: 770-466-4002
Fax: 770-666-4296
info@alcovy.com

2013

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CHANGE IN
CONDITIONS REQUEST

GEORGIA BELLE
MARKET
STORAGE
EXPANSION

PARCEL 8
LAND LOT: 126 & 131
5th DISTRICT
US HIGHWAY 78
GWINNETT COUNTY, GEORGIA

06/20/2013
1"=60'

OWNER / DEVELOPER
GEORGIA BELLE
HOLDINGS LLC.
P.O. BOX 535
LOGANVILLE, GA 30052

24 HOUR - EMERGENCY CONTACT
MR. DANNY HERRMANN
PHONE: 770-913-8465

REVISIONS

NO.	DATE	DESCRIPTION

JOB No. 01-105
RZ 1

RECEIVED BY
AUG 01 2013
Planning & Development



ATHENS HIGHWAY

BRIGHTWELL COURT

ARISTOCRAT DRIVE

ARISTOCRAT COURT

WEEPING WILLOW DRIVE

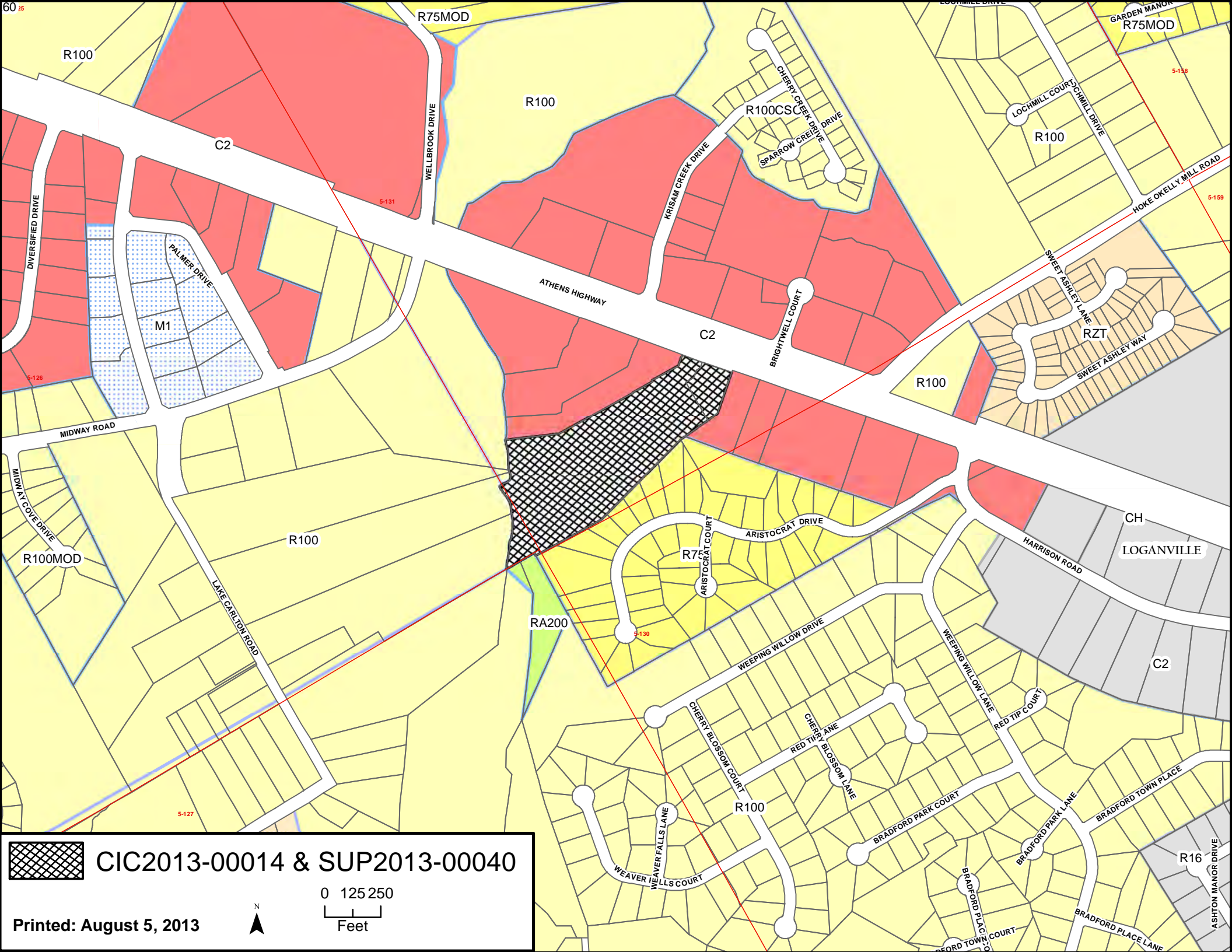


CIC2013-00014 & SUP2013-00040

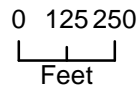
Printed: August 5, 2013

0 2550
Feet





CIC2013-00014 & SUP2013-00040



Printed: August 5, 2013

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
CHANGE IN CONDITIONS ANALYSIS**

CASE NUMBER :**CIC2013-00016**
ZONING :R-ZT
LOCATION :4400 BLOCK OF BURNS ROAD
MAP NUMBERS :R6158 009 & R6158 019
ACREAGE :5.39 ACRES
PROPOSAL :CHANGE IN CONDITIONS (SINGLE-FAMILY SUBDIVISION)
UNITS :29 UNITS
COMMISSION DISTRICT :(1) BROOKS

CASE NUMBER :**CIC2013-00017**
ZONING :R-ZT
LOCATION :4400 BLOCK OF BURNS ROAD
MAP NUMBERS :R6158 007 & R6158 127
ACREAGE :2.85 ACRES
PROPOSAL :CHANGE IN CONDITIONS (SINGLE-FAMILY SUBDIVISION)
UNITS :9 UNITS
COMMISSION DISTRICT :(2) HOWARD

FUTURE DEVELOPMENT MAP: **EXISTING / EMERGING SUBURBAN**

APPLICANT: CENTRO DEVELOPMENT CORPORATION
5767 GENE SARAZEN DRIVE
BRASELTON, GA 30517

CONTACT: STEPHEN K. HILL PHONE: 404.234.3259

OWNER: CENTRO DEVELOPMENT CORPORATION
5767 GENE SARAZEN DRIVE
BRASELTON, GA 30517

DEPARTMENT RECOMMENDATION: **DENIAL**

CHANGE IN CONDITIONS SUMMARY:

The applicant requests a Change in Conditions of zoning on a 5.39-acre property and a 2.85-acre property, each zoned R-ZT (Single-Family Residence District), pursuant to CIC-07-021 and RZR-06-039 to amend or eliminate conditions addressing minimum floor area, landscaping and fence materials, buffers, and developing the site in general accordance with the previous site plan. The properties are located on the north and south side of Burns Road, west of the intersection of Burns Road and Beaver Ruin Road. The sites are comprised of former residential home sites, however, the dwellings have been removed and the properties are wooded and vacant.

In 2006, the properties were rezoned to R-ZT (Single Family Residence District), pursuant to RZR-06-002 and RZR-06-039. In 2007, a Change in Conditions was approved to add a small portion of property to the original proposal and to increase the number of units, pursuant to CIC-07-021.

CIC2013-00016

The development of 29 lots on 5.39 acres would result in a gross and net density of 5.38 units per acres, as the property does not contain floodplain. One entrance onto Burns Road would be provided and a private driveway (rear alley) would provide access to lots fronting on Burns Road. The site plan indicates lot sizes ranging between 4,004 and 13,843 square feet. The site plan indicates a 25-foot buffer adjacent to residentially zoned property.

CIC2013-00017

The development of 9 lots on 2.85 acres would result in a gross and net density of 3.16 units per acres, as the property does not contain floodplain. Access for the residences in this proposed development would be a private driveway providing access from a rear alley. The site plan indicates lot sizes ranging between 5,838 and 9,843 square feet. The site plan indicates a 25-foot buffer adjacent to residentially zoned property.

Applicant's requested changes:

Condition I. B., governs the minimum dwelling size, and reads as follows:

I.B. The minimum heated floor area per dwelling unit shall be at least 2,400 square-feet.

The applicant proposes to amend condition I.B., to reduce the minimum heated floor area for dwellings to 2,000 square feet.

Condition I.C. governs the architectural standards of the homes, and reads as follows:

I.C. Homes shall be constructed primarily of brick, stone or stucco (except minor treatments, i.e. chimneys, roof gables, bay windows) on the front facades. The balance of the home may be the same or of wood or fiber-cement siding. Vinyl siding shall be prohibited. Final architectural elevations shall be submitted for review and approval by the Director of Planning and Development.

Although not stated in the applicant's letter of intent, the submitted architectural renderings indicate that homes would be constructed primarily with fronts of siding and shake. A limited amount of brick is included on some of the elevations. The use of vinyl siding is also requested.

Condition 2. A., requires a 30-foot construction buffer around the perimeter of the site, and reads as follows:

2.A. Provide a 30-foot wide undisturbed construction buffer adjacent to all single-family residential zoning. Where sparsely vegetated buffer areas shall be supplemented with 8-foot high evergreen trees (Cryptomeria or Thuga Green Giant) to provide an effective visual screen. Provide a 30-foot wide permanent buffer along the Casco Lane frontage, planted with a triple row of the same evergreen species in equal distribution. Buffer plans shall be subject to review and approval by the Director of Planning and Development.

The submitted site plan shows a 25-foot wide buffer around the perimeter of the site.

Condition 2. B., governs treatments along the frontage of Burns Road, and reads as follows:

2.B. Provide a 30-foot wide landscaped setback along Burns Road. The landscaped setback shall include a decorative brick and/or stacked stone entrance feature. The fence along Burns Road shall be constructed of decorative wrought iron style fencing with solid brick or stacked stone columns (30-feet on center) and a decorative wooden post every 8-feet and trees (min. 8 ft. in height) planted every 20-feet. Landscape, fence/wall and entrance monument shall be subject to review and approval of the Director of Planning and Development prior to the issuance of a Development Permit.

The applicant proposes to amend condition 2.B., to eliminate the specific requirements for wrought iron fencing, masonry columns, and trees. Instead the applicant proposes a generic 30-foot wide landscape setback requirement along Burns Road, to be reviewed and approved by the Director of Planning and Development.

Condition 2. F., governs tree plantings on each lot, and reads as follows:

2.F., Provide a minimum of two, 2-inch caliper trees on each lot.

The applicant proposes to amend condition 2.F., to reduce the required plantings of trees on each lot from two to one.

Condition 2. J., holds the development to specific site plans from 2006 and 2007, respectively. The applicant proposes to amend condition 2.J. to substitute their new site plan received by the Department of Planning and Development on July 3, 2013.

Condition 2. K., requires that the homeowners association maintain all of the individual lawns in the neighborhood as well as all common areas, and reads as follows:

2.K. The homeowners association shall be responsible for all yard maintenance (including common areas and residential lots).

The applicant proposes to amend condition 2.K. so that individual homeowners are responsible for their own lawn maintenance, and the homeowner's association is only responsible for common area maintenance.

Condition 2. L., requires that a copy of the site plan be given to an individual, and reads as follows:

2.L. A copy of the site plan shall be submitted to Laurie Gallina.

The applicant requests that condition 2.L be deleted.

Condition 3. A., requires a permanent enhanced buffer, as well as a fence and landscaping, around the detention pond, and reads as follows:

3.A. The buffer(s) on the detention pond lot shall be a 30-foot wide enhanced, permanent buffer. The detention pond shall be fenced with a 6-foot high privacy fence and visibly screened with a double row of Cryptomeria and Tree Form Hollies, minimum 6-feet tall at time of planting, and planted in an equal distribution on 10-foot centers around the perimeter of the pond. The privacy fence must be placed behind the plantings (i.e., interior to the buffer).

The applicant proposes to amend condition 3.A. to eliminate the requirement of a 30-foot wide buffer, fence and landscape plantings around the detention facility. The applicant proposes that the detention pond either be enclosed by a 6-foot high privacy fence or screened with a minimum of 6-foot high evergreens per the Buffer, Landscape and Tree Ordinance.

Staff Analysis

The 2030 Unified Plan Future Development Map indicates that the property is located within an Existing/Emerging Suburban Character Area. The Unified Plan stresses protecting the character of existing neighborhoods in rezoning actions. As proposed, the applicant's request may be counter to this emphasis of the Unified Plan. The requested Change in Conditions to reduce the dwelling unit size for homes, diminishing buffers, landscape, fencing and architectural standards may not be appropriate in view of the two previous rezoning requests, which were considered through the public hearing process with input from the surrounding community. The conditions of zoning were designed to establish a higher standard for the development in exchange for the increased density, in order to protect the surrounding community and ensure that the development would be beneficial to the area.

The area is characterized by commercial uses along Beaver Ruin Road, surrounded by residential uses beyond the commercial corridor. The currently established zoning and conditions, as a transition between lower density residential development and commercial development, could be seen as appropriate for the property. The existing R-ZT approval on the subject site (CIC-07-021 and RZR-06-039) allow for an increase in density and provide a logical transition of uses for the area; however, conditions of zoning were incorporated to mitigate

potential adverse impacts associated with additional homes and increased density. Changing these conditions could diminish the desired standard of the development and may not be appropriate.

In conclusion, diminishing the current development standards, which were put in place to establish a higher standard for the development and protect the surrounding community, may not be appropriate. Therefore, the Department of Planning and Development recommends **DENIAL** of these requests.

ZONING HISTORY:

The properties were zoned R-75 in 1970. The south side of Burns Road was rezoned to RA-200 for an accessory mobile home in 1976, pursuant to RZ-51-76. A request for townhomes on the property on the north side of Burns Road was denied without prejudice in 2003, pursuant to RZM-03-060. Both sides of Burns Road were rezoned to R-ZT in 2006, pursuant to RZR-06-002 and RZR-06-039. A change in conditions was approved for the north side of Burns Road in 2007, pursuant to CIC-07-021.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Burns Road is a Major Collector and 40 feet of right-of-way is required from the centerline.

Standard deceleration lane with appropriate taper and adequate right-of-way will be required.

Prior to the issuance of a Development Permit, a sight distance certification shall be provided.

The number and locations of driveways are subject to Gwinnett County D.O.T. approval.

No direct lot access shall be allowed onto Burns Road.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 12-inch water main located on the northern right-of-way of Burns Road.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 800 feet east of the property in the right-of-way of Beaver Ruin Road.

BUILDING CONSTRUCTION COMMENT SECTION:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

NOTE: The following conditions are provided as a guide should the Board of Commissioners choose to approve this petition.

Additions in **bold**

Deletions in ~~strikethrough~~

CIC2013-00016

Approval as R-ZT (Change in Conditions) for a single-family subdivision, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Single-family detached dwellings and accessory uses, not to exceed 30 lots.
 - B. The minimum heated floor area per dwelling unit shall be at least ~~2,400~~ **2,000** square-feet.
 - C. Homes shall be constructed primarily of brick, stone or stucco (except minor treatments, i.e. chimneys, roof gables, bay windows) on the front facades. The balance of the home may be the same or of wood or fiber-cement siding. Vinyl siding shall be prohibited. Final architectural elevations shall be submitted for review and approval by the Director of Planning and Development.
 - D. Street design shall be subject to review and approval of the Gwinnett County Department of Transportation.
 - E. All dwellings shall have at least a double car garage. Driveways shall be a minimum of 16-feet in width.
 - F. All homes adjacent to Burns Road shall face the road and have rear entry garages.
 - G. Homes shall include a minimum of five different facades to create a variety in the community and to not appear identical.
 - H. A mandatory homeowners association shall be incorporated which provides for maintenance and repair of all common areas, insurance and working capital. Said association must also include declarations and bylaws including rules and regulations which shall at minimum regulate and control the following:
 - I. All common area maintenance and repair to include landscaping along Burns Road and the detention facilities.

2. Exterior fence maintenance and repair including entry monuments to include the requirement that any graffiti shall be repaired or repainted within 72 hours.
 3. Restriction on single-family residential use only of units. No more than 10% of the total units may be leased by individual owners at any one time in accordance with the requirements of the Federal Fair Housing Act.
2. To satisfy the following site development considerations:
- A. Provide a 30-foot wide undisturbed ~~construction~~ buffer adjacent to all single-family residential zoning. Where sparsely vegetated buffer areas shall be supplemented with 8-foot high evergreen trees (Cryptomeria or Thuga Green Giant) to provide an effective visual screen. ~~Provide a 30-foot wide permanent buffer along the Casco Lane frontage, planted with a triple row of the same evergreen species in equal distribution.~~ Buffer plans shall be subject to review and approval by the Director of Planning and Development.
 - B. Provide a 30-foot wide landscaped setback along Burns Road. The landscaped setback shall include a decorative brick and/or stacked stone entrance feature. The fence along Burns Road shall be constructed of decorative wrought iron style fencing with solid brick or stacked stone columns (30-feet on center) and a decorative wooden post every 8-feet and trees (min. 8 ft. in height) planted every 20-feet. Landscape, fence/wall and entrance monument shall be subject to review and approval of the Director of Planning and Development prior to the issuance of a Development Permit.
 - C. All utilities shall be placed underground.
 - D. All grassed areas shall be sodded.
 - E. Natural vegetation shall remain on the property until the issuance of a development permit.
 - F. Provide a minimum of ~~two~~, **one**, 2-inch caliper trees on each lot.
 - G. ~~Dedicate at no cost to Gwinnett County all necessary right-of-way.~~
 - H. Provide a minimum 6-foot high solid opaque fence adjacent to lots 1 through 6 of Casco Forest subdivision.
 - I. Existing residential streets shall not be used as staging areas for heavy equipment or for parking areas while the properties are being developed.

- J. Development shall be constructed in general accordance with the site plan and architectural renderings submitted to the Planning Department, ~~April 5, 2007~~ **July 3, 2013**.
 - K. The homeowners association shall be responsible for all yard maintenance (including common areas and residential lots).
 - L. ~~A copy of the site plan shall be submitted to Laurie Gallina.~~
 - M. Access to Casco Lane shall be prohibited.
3. To abide by the following requirements, dedications and improvements:
- A. The buffer(s) on the detention pond lot shall be a 30-foot wide enhanced, permanent buffer. The detention pond shall be fenced with a 6-foot high privacy fence and visibly screened with a double row of Cryptomeria and Tree Form Hollies, minimum 6-feet tall at time of planting, and planted in an equal distribution on 10-foot centers around the perimeter of the pond. The privacy fence must be placed behind the plantings (i.e., interior to the buffer).
 - B. Entrance streets on either side of Burns Road shall be aligned directly across from each other subject to the Gwinnett County Department of Transportation.
 - C. Development on both sides of Burns Road shall be constructed as one unified development with one subdivision name and all permitting to occur as one cohesive development.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

NOTE: The following conditions are provided as a guide should the Board of Commissioners choose to approve this petition.

Additions in **bold**

Deletions in ~~strikethrough~~

CIC2013-00017

Approval as R-ZT (Change in Conditions) for a single-family subdivision, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Single-family detached dwellings and accessory uses, not to exceed 9 lots.
 - B. The minimum heated floor area per dwelling unit shall be at least ~~2,400~~ **2,000** square-feet.
 - C. Homes shall be constructed primarily of brick, stone or stucco (except minor treatments, i.e. chimneys, roof gables, bay windows) on the front facades. The balance of the home may be the same or of wood or fiber-cement siding. Vinyl siding shall be prohibited. Final architectural elevations shall be submitted for review and approval by the Director of Planning and Development.
 - D. Street design shall be subject to review and approval of the Gwinnett County Department of Transportation.
 - E. All dwellings shall have at least a double car garage. Driveways shall be a minimum of 16-feet in width.
 - F. All homes adjacent to Burns Road shall face the road and have rear entry garages.
 - G. Homes shall include a minimum of five different facades to create a variety in the community and to not appear identical.
 - H. A mandatory homeowners association shall be incorporated which provides for maintenance and repair of all common areas, insurance and working capital. Said association must also include declarations and bylaws including rules and regulations which shall at minimum regulate and control the following:
 - I. All common area maintenance and repair to include landscaping along Burns Road and the detention facilities.

2. Exterior fence maintenance and repair including entry monuments to include the requirement that any graffiti shall be repaired or repainted within 72 hours.
3. Restriction on single-family residential use only of units. No more than 10% of the total units may be leased by individual owners at any one time in accordance with the requirements of the Federal Fair Housing Act.

2. To satisfy the following site development considerations:

- A. Provide a 30-foot wide undisturbed construction buffer adjacent to all single-family residential zoning. Where sparsely vegetated buffer areas shall be supplemented with 8-foot high evergreen trees (Cryptomeria or Thuga Green Giant) to provide an effective visual screen. Buffer plans shall be subject to review and approval by the Director of Planning and Development.
- B. Provide a 30-foot wide landscaped setback along Burns Road. The landscaped setback shall include a decorative brick and/or stacked stone entrance feature. The fence along Burns Road shall be constructed of decorative wrought iron style fencing with solid brick or stacked stone columns (30-feet on center) and a decorative wooden post every 8-feet and trees (min. 8 ft. in height) planted every 20-feet. Landscape, fence/wall and entrance monument shall be subject to review and approval of the Director of Planning and Development prior to the issuance of a Development Permit.
- C. All utilities shall be placed underground.
- D. All grassed areas shall be sodded.
- E. Natural vegetation shall remain on the property until the issuance of a development permit.
- F. Provide a minimum of ~~two~~, **one** 2-inch caliper trees on each lot.
- G. ~~Dedicate at no cost to Gwinnett County all necessary right-of-way.~~
- H. ~~Provide a minimum 6-foot high solid opaque fence adjacent to lots 1 through 5 of Caseo Forest subdivision (RZR-06-002).~~
- I. Existing residential streets shall not be used as staging areas for heavy equipment or for parking areas while the properties are being developed.
- J. Development shall be constructed in general accordance with the site plan and architectural renderings submitted to the Planning ~~Commission~~ **Department** on ~~August 15, 2006~~ **July 3, 2013**.
- K. The homeowners association shall be responsible for all yard maintenance (including common areas and residential lots).

L. ~~A copy of the site plan shall be submitted to Laurie Gallina.~~

3. To abide by the following requirements, dedications and improvements:

- A. The detention pond shall be fenced with a 6-foot high privacy fence and visibly screened with a minimum of 6-foot high evergreens per County requirements.
- B. Entrance streets on either side of Burns Road shall be aligned directly across from each other subject to the Gwinnett County Department of Transportation.
- C. Development on both sides of Burns Road shall be constructed as one unified development with one subdivision name and all permitting to occur as one cohesive development.

PLANNING AND DEVELOPMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The requested Change in Conditions to reduce the dwelling standards, diminish the buffers, landscape and fence requirements, may not be suitable in view of the development standards previously approved through the public hearing process.

ADVERSE IMPACTS

The proposed Change in Conditions could have adverse impacts on the surrounding community, by taking advantage of the increased density afforded by the R-ZT zoning district without the corresponding increase in development standards required by the previous rezoning actions.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

There would be minimal changes in impacts on public facilities from this request.

CONFORMITY WITH POLICIES

The request would not be consistent with the actions taken by the Board in the prior zoning requests, and is therefore not considered consistent with Board policy or the Unified Plan.

CONDITIONS AFFECTING ZONING

The requested change in conditions may not be appropriate for the subject property, and could diminish the development standards put in place to protect the surrounding area.

C10-13016

RECEIVED BY

JUL 03 2013

Gwinnett County Planning Division
Change in Conditions Application
Last Updated 8.2008

Planning & Development

CHANGE IN CONDITIONS APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

(A) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

The applicant believes the proposed use is suitable

(B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

The proposed use will not adversely affect the use of surrounding properties.

(C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

The Applicant believes that the subject property does not have reasonable economic use.

(D) WHETHER THE PROPOSED CHANGE IN CONDITIONS WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

The proposed use will not produce an adverse affect on existing infrastrures.

(E) WHETHER THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

The subject property is designated low density residential.

(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 CHANGE IN CONDITIONS:

See Letter of Intent.

CHANGE IN CONDITIONS APPLICANT

LETTER OF INTENT

The Applicant, Centro Development Group, requests a change in conditions for CIC-07-021. In order to develop the site as proposed, the applicant respectfully requests the following changes in conditions.

- 1B. The minimum heated floor area per dwelling unit shall be changed from 2400 square feet to 2000 square feet.
- 2B. Provide a 30 foot wide landscape setback along Burns Road. Landscape and entrance monument shall be subject to review and approval of the Director of Planning and Development prior to issuance of Development Permit.
- 2F. Provide a minimum of one 2 inch Caliper tree on each lot.
- 2J. Development shall be constructed in general accordance with the site plan submitted to the Planning Commission on September 3, 2013.
- 2K. The homeowners association shall be responsible for all common area maintenance.
- 2L. Eliminate Condition.
- 3A. The Detention Pond shall be fenced with a 6 foot high privacy fence or visibly screened with a minimum of 6 foot high evergreens per county requirements.

The subject property is located on Burns Road and is found in the 6th District Land Lot 158 in Gwinnett County and contains 5.39 acres.

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Planning & Development

CIC '13 016

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JUL 03 2013

Planning & Development

CIC'13 017

Gwinnett County Planning Division
Change in Conditions Application
Last Updated 8.2008

CHANGE IN CONDITIONS APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

(A) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

The applicant believes the proposed use is suitable

(B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

The proposed use will not adversely affect the use of surrounding properties.

(C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

The Applicant believes that the subject property does not have reasonable economic use.

(D) WHETHER THE PROPOSED CHANGE IN CONDITIONS WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

The proposed use will not produce an adverse affect on existing infrastrures.

(E) WHETHER THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

The subject property is designated low density residential.

(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 CHANGE IN CONDITIONS:

See Letter of Intent.

CHANGE IN CONDITIONS APPLICANT

LETTER OF INTENT

The Applicant, Centro Development Group, requests a change in conditions for RZR-06-039. In order to develop the site as proposed, the applicant respectfully requests the following changes in conditions.

- 1B. The minimum heated floor area per dwelling unit shall be changed from 2400 square feet to 2000 square feet.
- 2B. Provide a 30 foot wide landscape setback along Burns Road. Landscape and entrance monument shall be subject to review and approval of the Director of Planning and Development prior to issuance of Development Permit.
- 2F. Provide a minimum of one 2 inch Caliper tree on each lot.
- 2J. Development shall be constructed in general accordance with the site plan submitted to the Planning Commission on September 3, 2013.
- 2K. The homeowners association shall be responsible for all common area maintenance.
- 2L. Eliminate Condition.
- 3A. The Detention Pond shall be fenced with a 6 foot high privacy fence or visibly screened with a minimum of 6 foot high evergreens per county requirements.

The subject property is located on Burns Road and is found in the 6th District Land Lot 158 in Gwinnett County and contains 2.85 acres.

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JUL 03 2013

Planning & Development

CIC '13 017

CASE NUMBER CIC-07-021
GCID 2007-0933

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Charles Bannister, Chairman	<u>AYE</u>
Lorraine Green, District 1	<u>AYE</u>
Albert Nasuti, District 2	<u>ABSENT</u>
Michael Beaudreau, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. GREEN, which carried 4-0, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from R-ZT to R-ZT (CHANGE IN CONDITIONS) by RICHARDSON HOUSING GROUP for the proposed use of CHANGE IN CONDITIONS on a tract of land described by the attached legal description, which

is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on JUNE 26, 2007 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 26TH day of JUNE 2007, that the aforesaid application to amend the Official Zoning Map from R-ZT to R-ZT (CHANGE IN CONDITIONS) is hereby **APPROVED** subject to the following enumerated conditions:

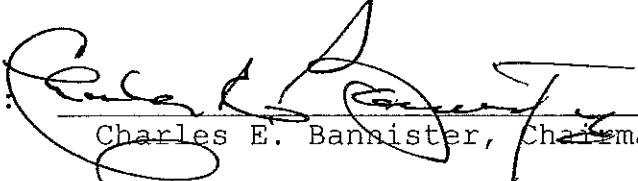
1. To restrict the use of the property as follows:
 - A. Single-family detached dwellings and accessory uses, not to exceed 30 lots.
 - B. The minimum heated floor area per dwelling unit shall be at least 2,400 square-feet.
 - C. Homes shall be constructed primarily of brick, stone or stucco (except minor treatments, i.e. chimneys, roof gables, bay windows) on the front facades. The balance of the home may be the same or of wood or fiber-cement siding. Vinyl siding shall be prohibited. Final architectural elevations shall be submitted for review and approval by the Director of Planning and Development.
 - D. Street design shall be subject to review and approval of the Gwinnett County Department of Transportation.

- E. All dwellings shall have at least a double car garage. Driveways shall be a minimum of 16-feet in width.
 - F. All homes adjacent to Burns Road shall face the road and have rear entry garages.
 - G. Homes shall include a minimum of five different facades to create a variety in the community and to not appear identical.
 - H. A mandatory homeowners association shall be incorporated which provides for maintenance and repair of all common areas, insurance and working capital. Said association must also include declarations and bylaws including rules and regulations which shall at minimum regulate and control the following:
 - 1. All common area maintenance and repair to include landscaping along Burns Road and the detention facilities.
 - 2. Exterior fence maintenance and repair including entry monuments to include the requirement that any graffiti shall be repaired or repainted within 72 hours.
 - 3. Restriction on single-family residential use only of units. No more than 10% of the total units may be leased by individual owners at any one time in accordance with the requirements of the Federal Fair Housing Act.
2. To satisfy the following site development considerations:
- A. Provide a 30-foot wide undisturbed construction buffer adjacent to all single-family residential zoning. Where sparsely vegetated buffer areas shall be supplemented with 8-foot high evergreen trees (Cryptomeria or Thuga Green Giant) to provide an effective visual screen. Provide a 30-foot wide permanent buffer along the Casco Lane

- frontage, planted with a triple row of the same evergreen species in equal distribution. Buffer plans shall be subject to review and approval by the Director of Planning and Development.
- B. Provide a 30-foot wide landscaped setback along Burns Road. The landscaped setback shall include a decorative brick and/or stacked stone entrance feature. The fence along Burns Road shall be constructed of decorative wrought iron style fencing with solid brick or stacked stone columns (30-feet on center) and a decorative wooden post every 8-feet and trees (min. 8 ft. in height) planted every 20-feet. Landscape, fence/wall and entrance monument shall be subject to review and approval of the Director of Planning and Development prior to the issuance of a Development Permit.
 - C. All utilities shall be placed underground.
 - D. All grassed areas shall be sodded.
 - E. Natural vegetation shall remain on the property until the issuance of a development permit.
 - F. Provide a minimum of two, 2-inch caliper trees on each lot.
 - G. Dedicate at no cost to Gwinnett County all necessary right-of-way.
 - H. Provide a minimum 6-foot high solid opaque fence adjacent to lots 1 through 6 of Casco Forest subdivision.
 - I. Existing residential streets shall not be used as staging areas for heavy equipment or for parking areas while the properties are being developed.
 - J. Development shall be constructed in general accordance with the site plan and architectural renderings submitted to the Planning Department, April 5, 2007.

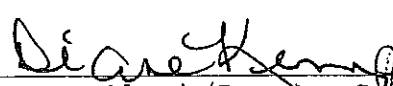
- K. The homeowners association shall be responsible for all yard maintenance (including common areas and residential lots).
 - L. A copy of the site plan shall be submitted to Laurie Gallina.
 - M. Access to Casco Lane shall be prohibited.
3. To abide by the following requirements, dedications and improvements:
- A. The buffer(s) on the detention pond lot shall be a 30-foot wide enhanced, permanent buffer. The detention pond shall be fenced with a 6-foot high privacy fence and visibly screened with a double row of Cryptomeria and Tree Form Hollies, minimum 6-feet tall at time of planting, and planted in an equal distribution on 10-foot centers around the perimeter of the pond. The privacy fence must be placed behind the plantings (i.e., interior to the buffer).
 - B. Entrance streets on either side of Burns Road shall be aligned directly across from each other subject to the Gwinnett County Department of Transportation.
 - C. Development on both sides of Burns Road shall be constructed as one unified development with one subdivision name and all permitting to occur as one cohesive development.

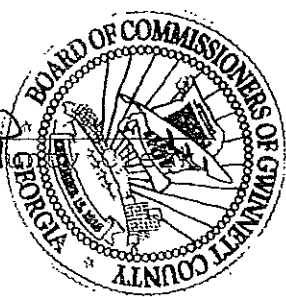
GWINNETT COUNTY BOARD OF COMMISSIONERS

By: 
Charles E. Bannister, Chairman

Date Signed: July 10, 2007

ATTEST:


County Clerk/Deputy Clerk



CASE NUMBER RZR-06-039
GCID 2006-1040

BOARD OF COMMISSIONERS
GWINNETT COUNTY
LAWRENCEVILLE, GEORGIA
RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Charles Bannister, Chairman	<u>ABSTAINED</u>
Lorraine Green, District 1	<u>AYE</u>
Albert Nasuti, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. GREEN, which carried 4-0, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from

R-75 to R-ZT
by RICHARDSON HOUSING GROUP for the proposed use
of SINGLE-FAMILY SUBDIVISION on a tract of land described by
the attached legal description, which

is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on AUGUST 22, 2006 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 5TH day of SEPTEMBER 2006, that the aforesaid application to amend the Official Zoning Map from R-75 to R-ZT is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Single-family detached dwellings and accessory uses, not to exceed 9 lots.
 - B. The minimum heated floor area per dwelling unit shall be at least 2,400 square-feet.
 - C. Homes shall be constructed primarily of brick, stone or stucco (except minor treatments, i.e. chimneys, roof gables, bay windows) on the front facades. The balance of the home may be the same or of wood or fiber-cement siding. Vinyl siding shall be prohibited. Final architectural elevations shall be submitted for review and approval by the Director of Planning and Development.

- D. Street design shall be subject to review and approval of the Gwinnett County Department of Transportation.
- E. All dwellings shall have at least a double car garage. Driveways shall be a minimum of 16-feet in width.
- F. All homes adjacent to Burns Road shall face the road and have rear entry garages.
- G. Homes shall include a minimum of five different facades to create a variety in the community and to not appear identical.
- H. A mandatory homeowners association shall be incorporated which provides for maintenance and repair of all common areas, insurance and working capital. Said association must also include declarations and bylaws including rules and regulations which shall at minimum regulate and control the following:
 - 1. All common area maintenance and repair to include landscaping along Burns Road and the detention facilities.
 - 2. Exterior fence maintenance and repair including entry monuments to include the requirement that any graffiti shall be repaired or repainted within 72 hours.
 - 3. Restriction on single-family residential use only of units. No more than 10% of the total units may be leased by individual owners at any one time in accordance with the requirements of the Federal Fair Housing Act.

2. To satisfy the following site development considerations:
 - A. Provide a 30-foot wide undisturbed construction buffer adjacent to all single-family residential zoning. Where sparsely vegetated buffer areas shall be supplemented with 8-foot high evergreen trees (Cryptomeria or Thuga Green Giant) to provide an effective visual screen. Buffer plans shall be subject to review and approval by the Director of Planning and Development.
 - B. Provide a 30-foot wide landscaped setback along Burns Road. The landscaped setback shall include a decorative brick and/or stacked stone entrance feature. The fence along Burns Road shall be constructed of decorative wrought iron style fencing with solid brick or stacked stone columns (30-feet on center) and a decorative wooden post every 8-feet and trees (min. 8 ft. in height) planted every 20-feet. Landscape, fence/wall and entrance monument shall be subject to review and approval of the Director of Planning and Development prior to the issuance of a Development Permit.
 - C. All utilities shall be placed underground.
 - D. All grassed areas shall be sodded.
 - E. Natural vegetation shall remain on the property until the issuance of a development permit.
 - F. Provide a minimum of two, 2-inch caliper trees on each lot.
 - G. Dedicate at no cost to Gwinnett County all necessary right-of-way.
 - H. Provide a minimum 6-foot high solid opaque fence adjacent to lots 1 through 5 of Casco Forest subdivision (RZR-06-002).
 - I. Existing residential streets shall not be used as staging areas for heavy equipment or for parking areas while the properties are being developed.

- J. Development shall be constructed in general accordance with the site plan and architectural renderings submitted to the Planning Commission on August 15, 2006.
 - K. The homeowners association shall be responsible for all yard maintenance (including common areas and residential lots).
 - L. A copy of the site plan shall be submitted to Laurie Gallina.
3. To abide by the following requirements, dedications and improvements:
- A. The detention pond shall be fenced with a 6-foot high privacy fence and visibly screened with a minimum of 6-foot high evergreens per County requirements.
 - B. Entrance streets on either side of Burns Road shall be aligned directly across from each other subject to the Gwinnett County Department of Transportation.
 - C. Development on both sides of Burns Road shall be constructed as one unified development with one subdivision name and all permitting to occur as one cohesive development.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: _____

Charles E. Bannister, Chairman

Date Signed: _____

10/16/06

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



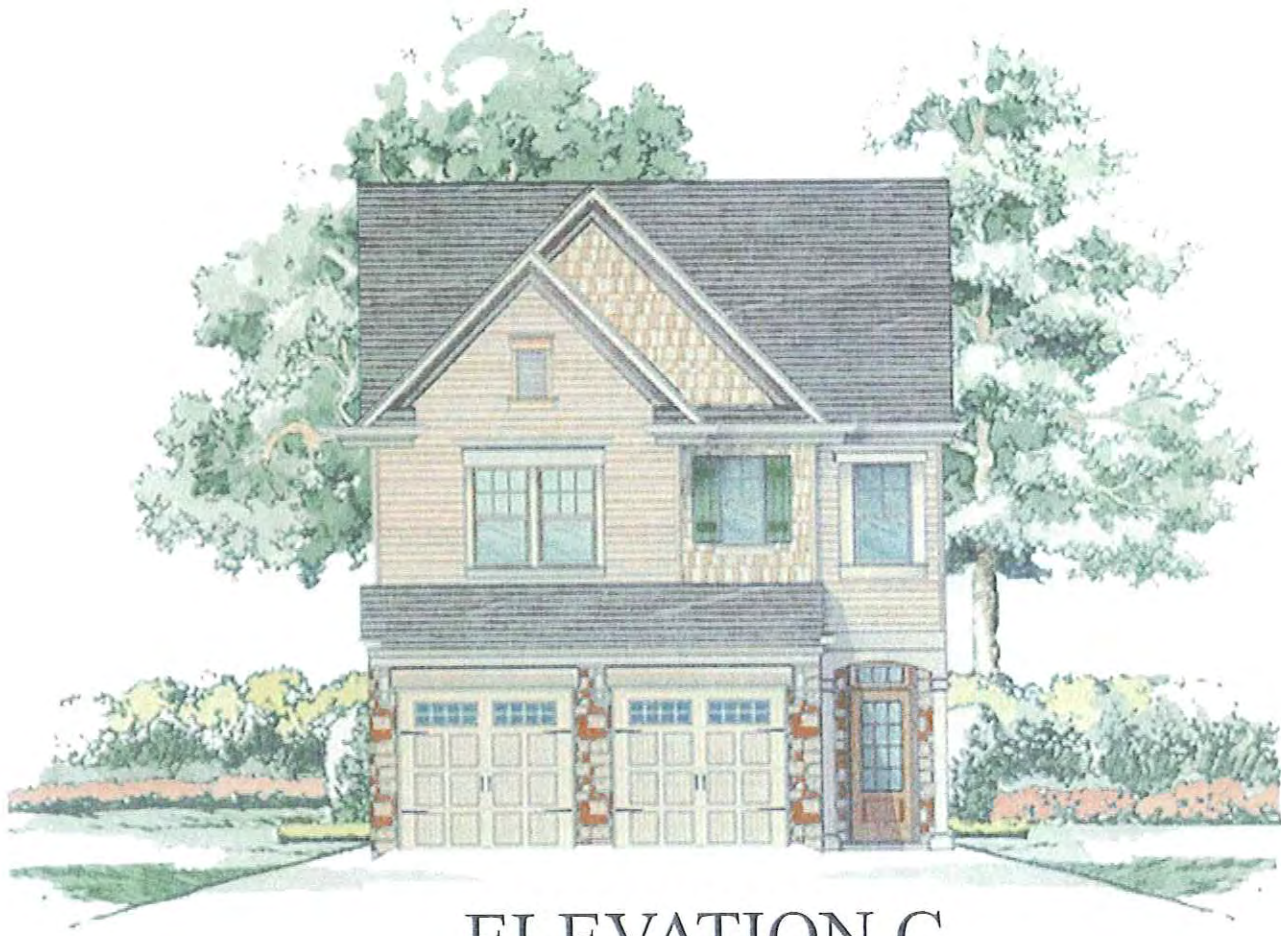


ELEVATION A

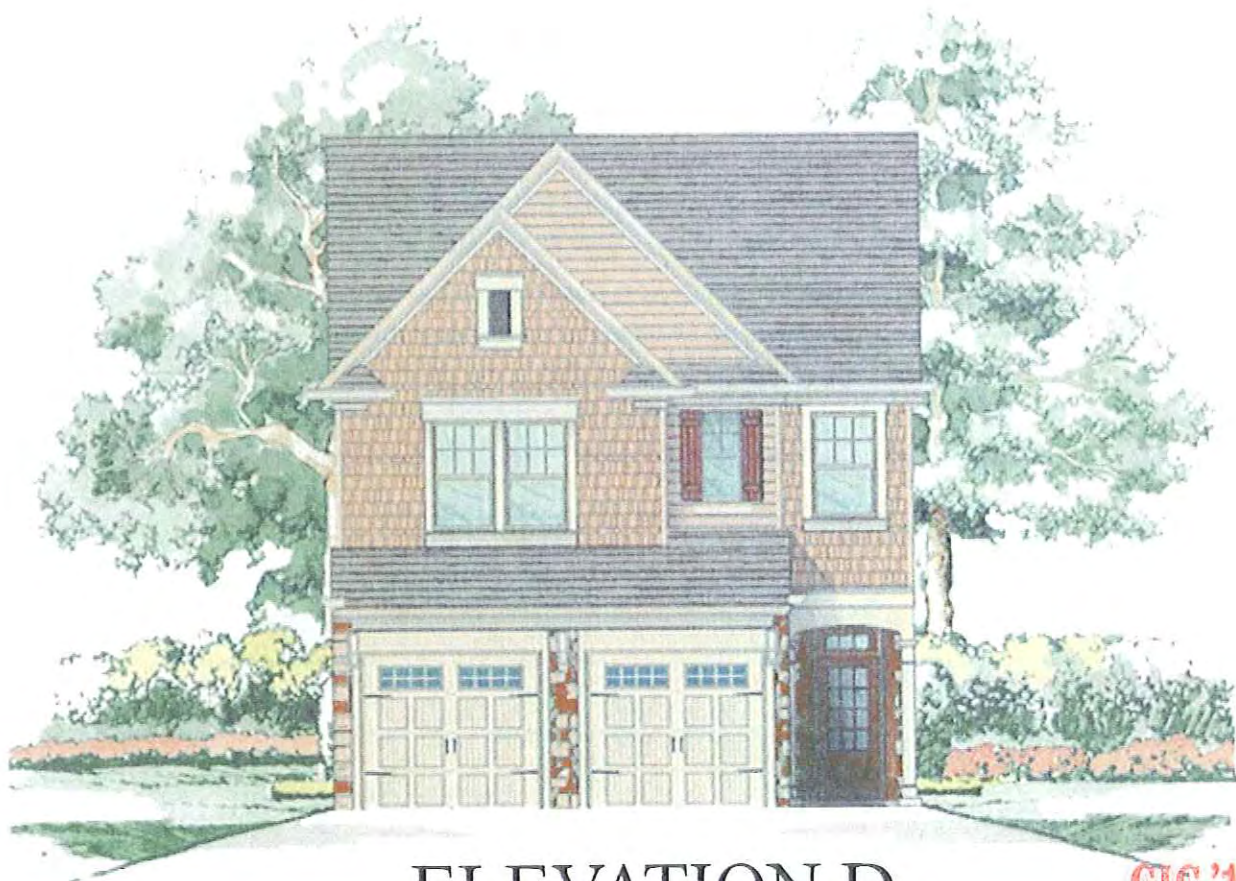


ELEVATION B

CIC'13016



ELEVATION C

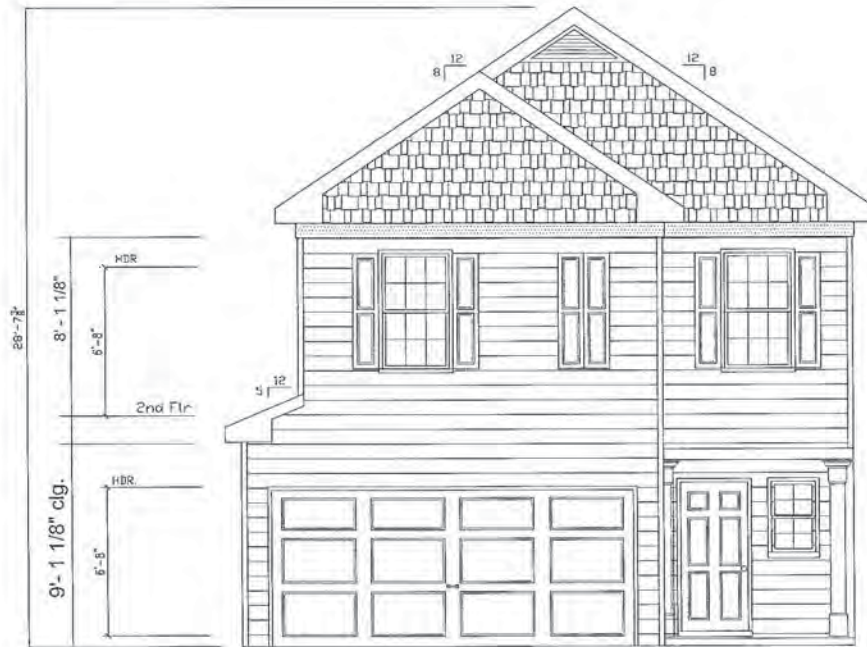


ELEVATION D

CIC'13016



Elevation C



FRONT ELEV (A)
3/16"-----1'-0"

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JUL 03 2013

Planning & Development

CIC 13016

Expo Homes, llc
Home Builder

P.O. Box 1326
Lawrenceville, GA 30246
(770) 338-8162
(770) 338-8059 Fax

The Cypress

FRONT ELEV.

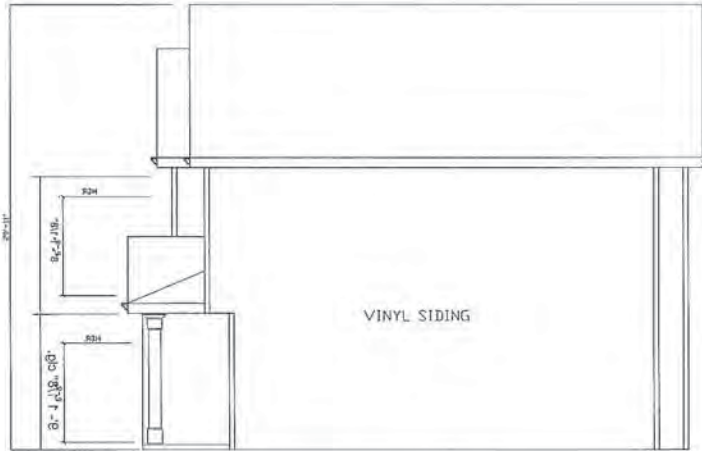
DRAWN BY:

DATE:

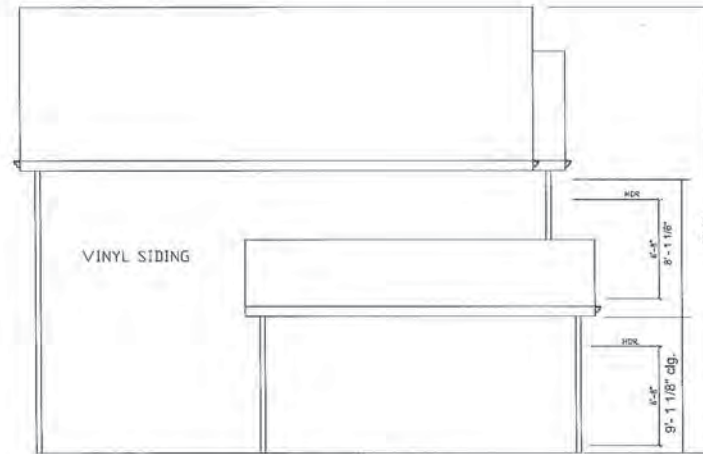
REVISIONS:

SHEET

1



RIGHT SIDE ELEVATION 'A'
1/8"-----1'-0"



LEFT SIDE ELEVATION 'A'
1/8"-----1'-0"

CIC'13016

Expo Homes, llc
Home Builder

P.O. Box 1326
Lawrenceville, GA 30246
(770) 338-8162
(770) 338-8059 Fax

The Cypress

SIDE VIEW

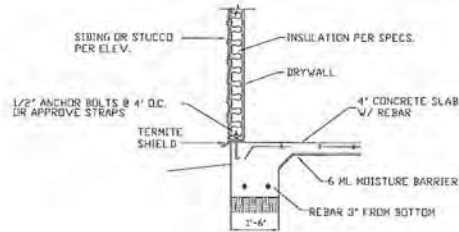
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DATE:

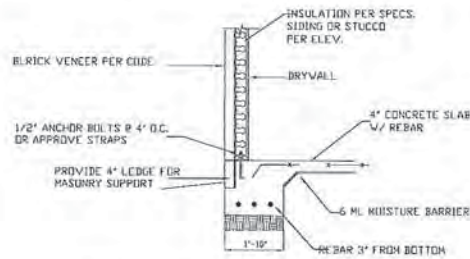
REVISIONS:

NO.	DESCRIPTION

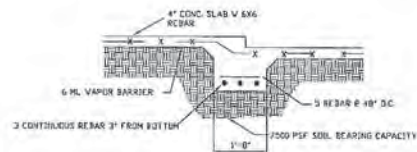
SHEET **2**



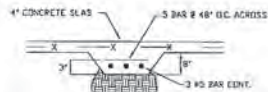
② SIDING TYP
SCALE: NOT TO SCALE



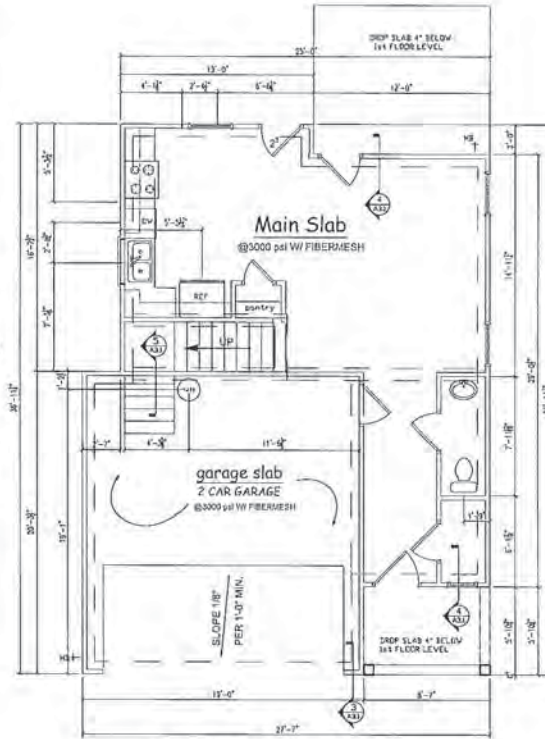
③ TURNDOWN SLAB SECTION WITHOUT BRICK VENEER TYP.
SCALE: NOT TO SCALE



④ STEPPED SLAB SECTION
SCALE: NOT TO SCALE

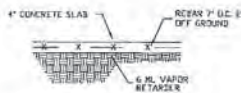


⑤ INTERIOR GRADE BEAM
SCALE: NOT TO SCALE



SLAB FOUNDATION PLAN
1/8"-----1'-0"

NOTE:
VERIFY WITH FLOOR TRUSS PROVIDER
ANY LOCATION FOR THICKENED
SLABS PRIOR TO PLACEMENT OF
CONCRETE SLAB.



⑥ TYPICAL SLAB ON GRADE
SCALE: NOT TO SCALE

Expo Homes, llc
Home Builder
P.O. Box 1326
Lawrenceville, GA 30246
(770) 338-8162
(770) 338-8059 Fax

The Cypress

SLAB

DRAWN BY:

DATE:

REVISIONS:

SHEET

4

CIC 13016



FRONT ELEVATION
SCALE 1/4" = 1'

REV.

DATE

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WE PLAN HOMES, LLC.

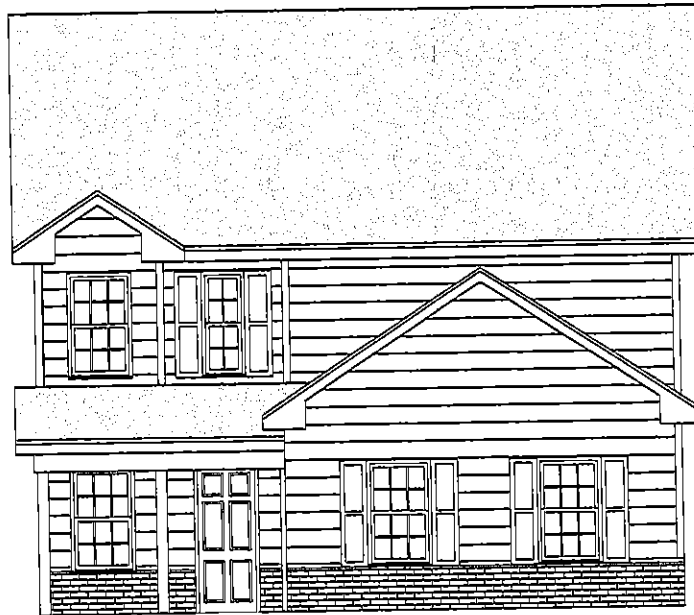
**WE PLAN
HOMES, LLC.**
TEL: 774-646-8111 WWW.WEPLANHOMES.COM

BURNS RD. DEVELOP.
FRONT ELEVATION A

DWG. BY:
PWL

DATE:
8-7-13

SHEET:
1



FRONT ELEVATION
SCALE 1/4" = 1'

BURNS RD. DEVELOP.
FRONT ELEVATION B

DWG. BY:
PWL

DATE:
8-7-13

SHEET:

1

WE PLAN
HOMES, LLC.
TEL: 774-845-5214
WWW.WEPLANHOMES.COM

ALL PLANS HAVE BEEN
CHECKED FOR PERMITS
BY WE PLAN HOMES, LLC.

DATE

REV.



FRONT ELEVATION
SCALE 1/4" = 1'

BURNS RD. DEVELOP.
FRONT ELEVATION C

DWG. BY:
PWL

DATE:
8-7-13

SHEET:

1

WE PLAN
HOMES, LLC.
TEL: 774-847-9115
WWW.WEPLANHOMES.COM

ALL PLANS HAVE BEEN
DESIGNED BY
WE PLAN HOMES, LLC.

DATE

REV.



FRONT ELEVATION
SCALE 1/4" = 1'

REV.

DATE

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WE PLAN HOMES, LLC.

WE PLAN
HOMES, LLC.
TEL: 774-848-9214
WWW.WEPLANHOMES.COM

BURNS RD. DEVELOP.

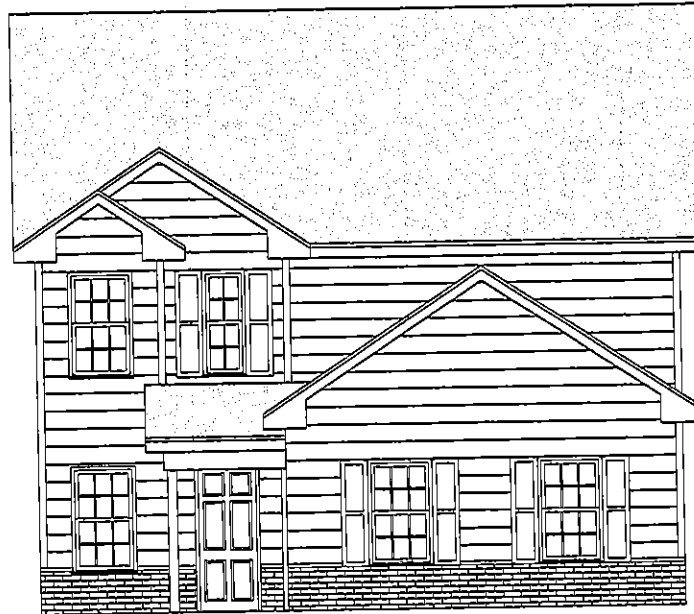
FRONT ELEVATION D

DWG. BY:
PWL

DATE:
8-7-13

SHEET:

1



FRONT ELEVATION
SCALE 1/4" = 1'

REV.

DATE

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WE PLAN HOMES, LLC.

**WE PLAN
HOMES, LLC.**
TEL: 778-866-8114 <http://www.wepanhomes.com>

BURNS RD. DEVELOP.
FRONT ELEVATION E

DWG. BY:
PWL

DATE:
8-7-13

SHEET:

1



FRONT ELEVATION
SCALE 1/4" = 1'

BURNS RD. DEVELOP.

FRONT ELEVATION F

DWG. BY:
PWL

DATE:
8-7-13

SHEET:

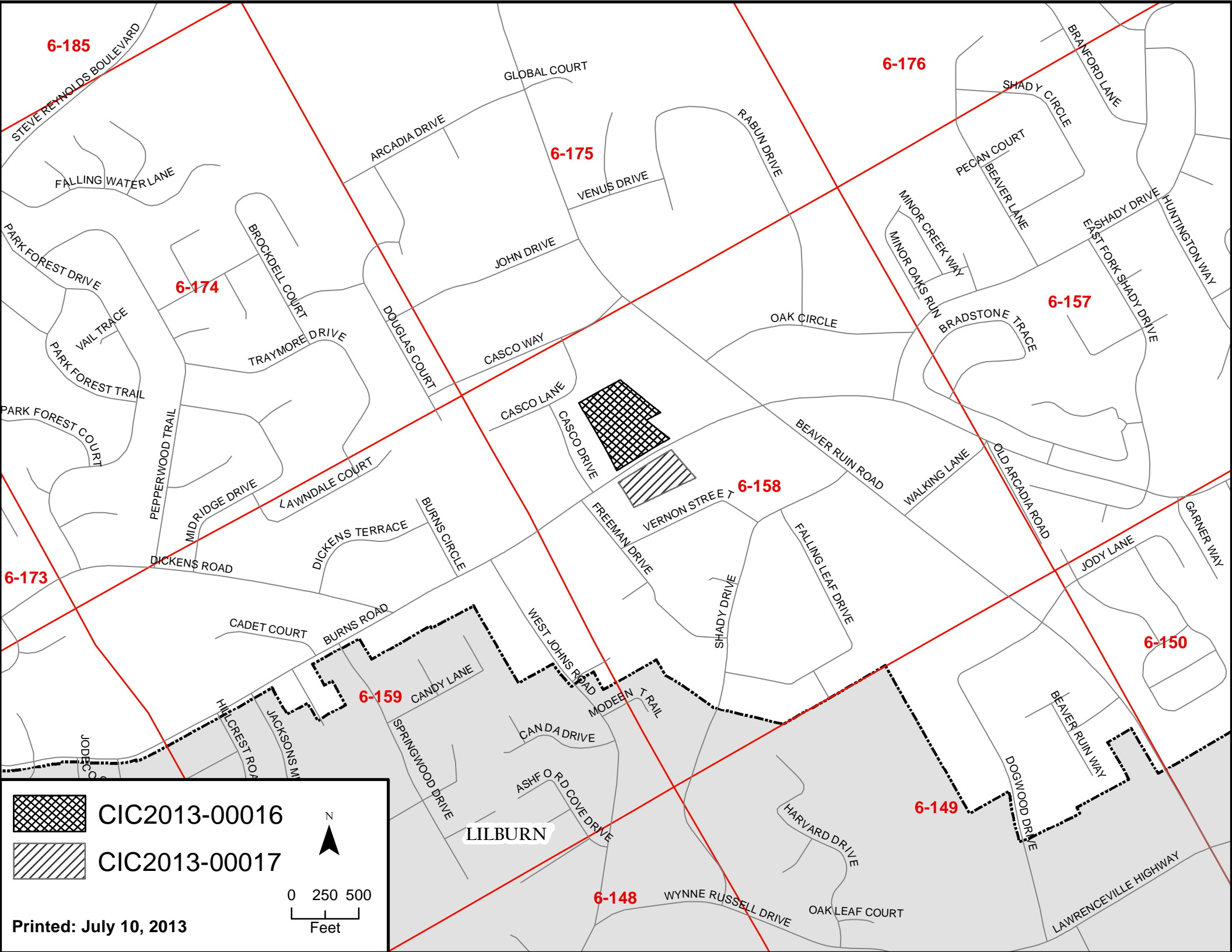
1

WE PLAN
HOMES, LLC.
TEL: 371-444-9119
WWW.WEPLANHOMES.COM

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WE PLAN HOMES, LLC.

DATE

REV.



6-185

6-176

6-175

6-174

6-157

6-158



6-173

6-150

6-159

6-149

6-148

 CIC2013-00016
 CIC2013-00017



0 250 500
Feet

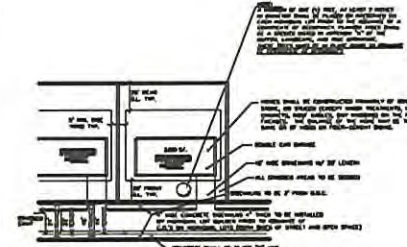
Printed: July 10, 2013

LILBURN

LEGEND

1	Proposed Lot
2	Proposed Street
3	Proposed Right-of-Way
4	Proposed Easement
5	Proposed Utility
6	Proposed Fencing
7	Proposed Signage
8	Proposed Driveway
9	Proposed Walkway
10	Proposed Parking
11	Proposed Stormwater
12	Proposed Sewer
13	Proposed Water
14	Proposed Gas
15	Proposed Electric
16	Proposed Telephone
17	Proposed Cable
18	Proposed Fiber Optic
19	Proposed Other
20	Proposed Other
21	Proposed Other
22	Proposed Other
23	Proposed Other
24	Proposed Other
25	Proposed Other
26	Proposed Other
27	Proposed Other
28	Proposed Other
29	Proposed Other
30	Proposed Other
31	Proposed Other
32	Proposed Other
33	Proposed Other
34	Proposed Other
35	Proposed Other
36	Proposed Other
37	Proposed Other
38	Proposed Other
39	Proposed Other
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97	Proposed Other
98	Proposed Other
99	Proposed Other
100	Proposed Other

TRACT 1 AND TRACT 2 COMBINED
ACREAGE-824 AC.
LOTS-38
DENSITY-4.61 LOTS/AC.



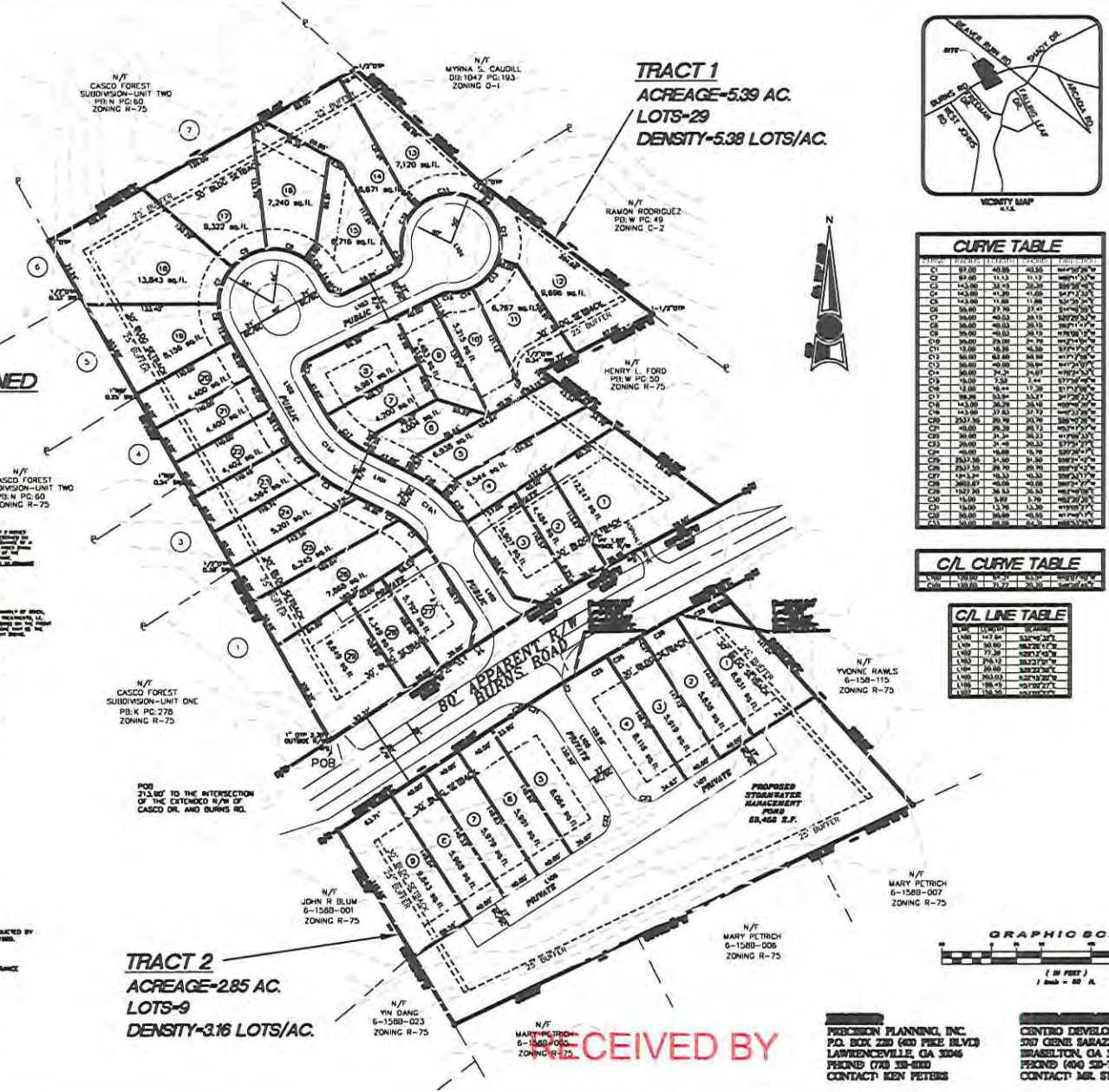
TYPICAL LOT LAYOUT

1. UNDERGROUND UTILITIES SHALL BE PROVIDED THROUGHOUT THE DEVELOPMENT.
2. MAXIMUM HEIGHT FOR BUILDING IS 20'.

1. TOTAL ACREAGE = 824 ACRES
2. TOTAL NUMBER OF LOTS = 38
3. EXISTING ZONING = R-75, PROPOSED ZONING R-21 w/ CHANGE OF CONDITIONS.
4. NET ACREAGE = 824 ACRES
5. GROSS DENSITY = 4.61 LOTS/AC.
6. NET DENSITY = 4.61 LOTS/AC.
7. REGULATORY INFORMATION BASED ON PLAN BY LAND DEVELOPMENT SURVEYORS, INC. DATED APRIL 26, 2006.
8. TOPOGRAPHIC INFORMATION BASED ON GWINNETT COUNTY GEL FIELD VERIFICATION CONDUCTED BY LAND DEVELOPMENT SURVEYORS, INC. ON APRIL 26, 2006; REFERENCE DATUM: NAD83-1983.
9. LOTS NUMBER ARE FOR SINGLE FAMILY LOTS ONLY.
10. ALL LOTS TO BE SERVED BY GWINNETT COUNTY GRANTY FLOW SANITARY SEWER.
11. WALKER PROVIDED BY GWINNETT COUNTY.
12. MINIMUM 30' FOOT CURB RADIUS OR ALL INTERNAL STREET INTERSECTIONS. MARK ENTRANCE CURB RADIUS TO BE 40' MINIMUM.
13. TRAIL REQUIREMENTS:
 - FRONT = 30 FEET
 - REAR = 25 FEET
 - SIDE = 5 FEET
 - MINIMUM LOT SIZE = 4,000 SF
 - MINIMUM ROAD FRONTAGE = 40 FEET
14. THERE IS NO FLOODPLAIN LOCATED ON THE SUBJECT PROPERTY PER FEMA FIRM PANEL NO. 130500009P, DATED OCTOBER 26, 2006.

TRACT 2
ACREAGE-285 AC.
LOTS-9
DENSITY-3.16 LOTS/AC.

TRACT 1
ACREAGE-5.39 AC.
LOTS-29
DENSITY-5.38 LOTS/AC.



CURVE TABLE

STATION	CHORD BEARING	CHORD LENGTH	CHORD AREA	CHORD PERCENTAGE
1+00	N 00° 00' 00" E	100.00	0.00	0.00
1+10	N 00° 00' 00" E	100.00	0.00	0.00
1+20	N 00° 00' 00" E	100.00	0.00	0.00
1+30	N 00° 00' 00" E	100.00	0.00	0.00
1+40	N 00° 00' 00" E	100.00	0.00	0.00
1+50	N 00° 00' 00" E	100.00	0.00	0.00
1+60	N 00° 00' 00" E	100.00	0.00	0.00
1+70	N 00° 00' 00" E	100.00	0.00	0.00
1+80	N 00° 00' 00" E	100.00	0.00	0.00
1+90	N 00° 00' 00" E	100.00	0.00	0.00
2+00	N 00° 00' 00" E	100.00	0.00	0.00
2+10	N 00° 00' 00" E	100.00	0.00	0.00
2+20	N 00° 00' 00" E	100.00	0.00	0.00
2+30	N 00° 00' 00" E	100.00	0.00	0.00
2+40	N 00° 00' 00" E	100.00	0.00	0.00
2+50	N 00° 00' 00" E	100.00	0.00	0.00
2+60	N 00° 00' 00" E	100.00	0.00	0.00
2+70	N 00° 00' 00" E	100.00	0.00	0.00
2+80	N 00° 00' 00" E	100.00	0.00	0.00
2+90	N 00° 00' 00" E	100.00	0.00	0.00
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3+30	N 00° 00' 00" E	100.00	0.00	0.00
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3+60	N 00° 00' 00" E	100.00	0.00	0.00
3+70	N 00° 00' 00" E	100.00	0.00	0.00
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3+90	N 00° 00' 00" E	100.00	0.00	0.00
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4+40	N 00° 00' 00" E	100.00	0.00	0.00
4+50	N 00° 00' 00" E	100.00	0.00	0.00
4+60	N 00° 00' 00" E	100.00	0.00	0.00
4+70	N 00° 00' 00" E	100.00	0.00	0.00
4+80	N 00° 00' 00" E	100.00	0.00	0.00
4+90	N 00° 00' 00" E	100.00	0.00	0.00
5+00	N 00° 00' 00" E	100.00	0.00	0.00
5+10	N 00° 00' 00" E	100.00	0.00	0.00
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5+60	N 00° 00' 00" E	100.00	0.00	0.00
5+70	N 00° 00' 00" E	100.00	0.00	0.00
5+80	N 00° 00' 00" E	100.00	0.00	0.00
5+90	N 00° 00' 00" E	100.00	0.00	0.00
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7+80	N 00° 00' 00" E	100.00	0.00	0.00
7+90	N 00° 00' 00" E	100.00	0.00	0.00
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8+90	N 00° 00' 00" E	100.00	0.00	0.00
9+00	N 00° 00' 00" E	100.00	0.00	0.00
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9+90	N 00° 00' 00" E	100.00	0.00	0.00
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11+00	N 00° 00' 00" E	100.00	0.00	0.00
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15+30	N 00° 00' 00" E	100.00	0.00	0.00
15+40	N 00° 00' 00" E	100.00	0.00	0.00



CASCO LANE

CASCO DRIVE

BURNS ROAD

VERNON STREET

VER RUI R



CIC2013-00016

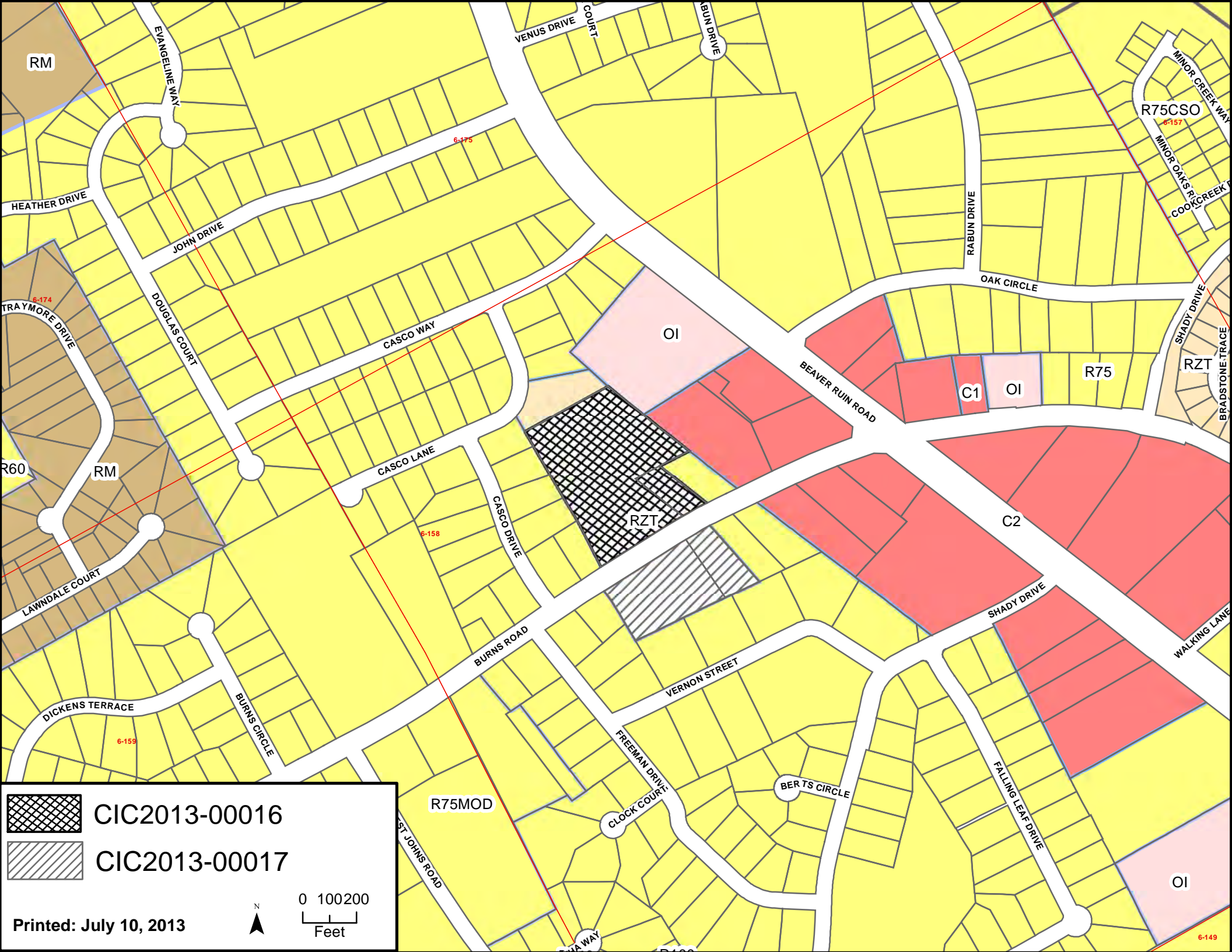



CIC2013-00017




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Printed: July 10, 2013



 CIC2013-00016

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Printed: July 10, 2013

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**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
CHANGE IN CONDITIONS ANALYSIS**

CASE NUMBER : **CIC2013-00018**
ZONING : C-2
LOCATION : 3300 BLOCK OF OLD NORCROSS ROAD
MAP NUMBER : R6232 043
ACREAGE : 2.40 ACRES
PROPOSAL : CHANGE IN CONDITIONS TO INCREASE GROUND SIGN
HEIGHT
COMMISSION DISTRICT : (1) BROOKS

FUTURE DEVELOPMENT MAP: **REGIONAL MIXED-USE**

APPLICANT: STEVE WILLS
6802 BUFORD HIGHWAY
DORAVILLE, GA 30340

CONTACT: STEVE WILLS PHONE: 404.552.9444

OWNER: NORTHSIDE AUTOMOTIVE HOLDINGS
11085 ALPHARETTA HIGHWAY
ROSWELL, GA 30076

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

CHANGE IN CONDITIONS SUMMARY:

The applicant requests a Change in Conditions of a previous Special Use Permit case, SUP-01-038, to amend the condition which limits the height of ground signage. The subject property is a 2.40-acre parcel, located on the south side of Old Norcross Road, north of its intersection with Satellite Boulevard. The property is part of the Acura Carland dealership and is developed with inventory parking areas and a building which houses both their car detailing facility and auto parts storage. New ground signage is being installed on the dealership's street frontages, including the subject tract.

The request is to modify condition 2.K. of SUP-01-038, which reads as follows:

Ground signage shall be limited to a single, five (5) foot high monument type sign of masonry construction matching the materials of the building.

The applicant is requesting to amend Condition 2.K. to allow the construction of a new ground sign that will be approximately 12 feet high.

The 2030 Unified Plan Future Development Map indicates the property is located within a Regional Mixed-Use Character Area. The revised sign height may be consistent with other similar car dealership signage along Old Norcross Road and Satellite Boulevard. Allowing a modification to the allowable sign height on the property would not be expected to significantly impact the character of the area and could be considered consistent with the Unified Plan.

The surrounding area consists of a mixture of office and commercial/retail uses, including numerous automobile dealerships surrounding Gwinnett Place Mall. Located in the area are numerous automotive and retail businesses, which are advertised by a variety of signs with differing heights and sizes. Given the intensity of the commercial activity and varying sign heights on adjacent and nearby properties, a sign height increase above the current 5-foot limitation could be compatible along this segment of Old Norcross Road.

In conclusion, the request to amend the sign height restriction could be considered appropriate, given the intense commercial nature of the area and the typical heights of existing signs in the area. Therefore, the Department recommends **APPROVAL WITH CONDITIONS** of this request.

ZONING HISTORY:

The subject property was zoned M-2 (Heavy Industry District) in 1970. It was rezoned to C-2 (General Business District) pursuant to RZ-147-79 in 1979. A Special Use Permit for automobile sales and service was approved in 2001 for the dealership's expansion, pursuant to SUP-01-038.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams, and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish, and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

No comment.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 12-inch water main located on the northern right-of-way of Old Norcross Road, and an 8-inch water main located on the northeastern right-of-way of Gwinnett Plantation Way.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located on the property.

BUILDING CONSTRUCTION COMMENT SECTION:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit architectural/structural, and electrical drawings for the proposed sign(s) for review and approval by Building Plan Review.
2. Upon completion of plan review approvals, the applicant shall obtain a building permit for the proposed sign(s) and achieve satisfactory field inspections for issuance of a Certificate of Completion.

For assistance, you may contact this office at (678) 518-6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Additions in **bold**

Deletions in ~~strikethrough~~

Approval of a Change in Conditions of Special Use Permit (SUP-01-038), subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Retail and service commercial and accessory uses which may include automobile sales and service as a Special Use.
 - B. Other outdoor sales/storage of merchandise (such as trailers, utility buildings, rental trucks, automotive parts, junked vehicles, etc.) shall be prohibited.
2. To satisfy the following site development considerations:
 - A. Provide a 10-foot wide landscaped strip outside the dedicated right-of-way of Old Norcross Road. All deciduous trees shall be hardwood shade trees in accordance with the Tree Ordinance requirements. (Planted islands within the interior of the parking lot shall not be required; required tree density and parking lot trees shall be provided around the perimeter of the site).
 - B. Provide a minimum 5-foot wide landscaped strip adjacent to any internal property line except where interparcel access is provided.
 - C. The location and number of entrance/exits shall be subject to the approval of Gwinnett County Department of Transportation.
 - D. Buildings shall be finished with architectural treatments of glass and/or brick, stone, or stucco; or submit alternate architectural plans for approval of the Director of Planning and Development prior to the issuance of a development permit.
 - E. Provide interparcel access as required by the Development Division.
 - F. No billboards are permitted.
 - G. Dumpsters shall be screened by a 100% opaque masonry wall matching the building at least six (6) feet in height.
 - H. Outdoor lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to reflect into adjacent roadways.

- I. No banners, streamers, or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. No flags shall be flown on the site except for the flags of the United States of America or the State of Georgia.
- J. No metal risers for the display of autos for sale shall be permitted.
- K. Ground signage shall be limited to a single, ~~five (5)~~ **twelve (12)** foot high monument type sign of masonry construction matching the materials of the building.
- L. Outdoor speakers shall be prohibited.
- M. Automobile service doors are not to face Old Norcross Road.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The proposed change in conditions, revising the 5-foot ground sign height restriction may be suitable in light of the intense commercial nature of the area and the existence of several signs on nearby properties with similar heights.

ADVERSE IMPACTS

With appropriate conditions and limitations, the request may not significantly impact adjacent or nearby properties.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

No changes in impacts on public facilities are anticipated from this request.

CONFORMITY WITH POLICIES

The request could be considered compatible with policies of the 2030 Unified Plan.

CONDITIONS AFFECTING ZONING

A sign height increase could be consistent with the surrounding area provided the new height remains consistent with similar signs in the immediate area.

CHANGE IN CONDITIONS APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes. the adjacent property has the desired zoning use

- (B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

No. the adjacent property currently has the desired conditions & desired use

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

No, the adjacent property currently has the desired conditions & desired use

- (D) WHETHER THE PROPOSED CHANGE IN CONDITIONS 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 property is used as a car lot adjacent to the existing car lot.

- (E) WHETHER THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Yes, the

- (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 CHANGE IN CONDITIONS:

BIGGER SIGNS WOULD HELP PROMOTE BUSINESS.

RECEIVED BY

JUL 03 2013

CIC '13 018



July 3, 2013

Gwinnett County Department of Planning & Development
One Justice Square
1st Floor Suite 150
446 West Crogan Street
Lawrenceville, GA 30045

Re: Acura of Gwinnett
3342 Old Norcross Road
Duluth, GA

To Whom It May Concern:

The purpose of this correspondence is to notify you that Altair Sign & Light, inc will be representing Acura Of Gwinnett in processing the change of conditions and use at 3342 Old Norcross Road in Duluth, GA (PID#6232043) from Case Number SUO-01-038 .

Acura of Gwinnett operates on the parcel located at 3342 Old Norcross Road in Duluth, as well as the parcel adjacent located at 3403 Satellite Blvd in Duluth (PID # 6232082). The parcel at 3403 Satellite Blvd has no conditions and the signage follows the standard Gwinnett County sign code. However, the 3342 Old Norcross Road parcel has conditions and use requirements from case number SUP-01-038 which restricts ground signage to be "limited to a single five (5) foot high monument type sign of masonry construction matching the materials of the building"

Acura of Gwinnett has two existing ground signs on the 3403 Satellite Blvd parcel which conform to the Gwinnett County standard sign code and do not conform to the appearance and look set forth by the conditions and uses case number SUP-01-038. In keeping with the consistency of the Acura 3403 Satellite Blvd parcel, Altair Sign & Light, inc. as well as the owner of the property request that the condition and use "2. K" from case SUP-01-038 be removed, stricken, or changed, so that the Gwinnett County standard sign code is applied to the parcel located at 3342 Old Norcross Road (PID#6232043).

The approval of this conditions and use request will not be injurious to the public health, safety, morals and general welfare of the community. Nor will the approval of this request be detrimental to the use and enjoyment of adjoining or neighboring properties.

Regards,

A handwritten signature in black ink, appearing to read "Stephen Wills", written in a cursive style.

Stephen Wills
Altair Sign & Light
6845 Shiloh Road E, D13
Alpharetta, GA 30005
770-889-1212

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JUL 03 2013

Planning & Development

CIC 73018

CASE NUMBER SUP-01-038

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Wayne Hill, Chairman	<u>AYE</u>
Marcia Neaton-Griggs, District 1	<u>AYE</u>
Patti Muise, District 2	<u>AYE</u>
John Dunn, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. NEATON-GRIGGS, which carried 5-0, the following resolution was adopted:

A RESOLUTION TO GRANT A SPECIAL USE PERMIT

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application for a Special Use Permit by TRIAD CONSTRUCTION COMPANY, INC. for the proposed use of AUTO SALES/SERVICE on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Special Use Permit Application has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on JUNE 26, 2001 and objections were not filed.

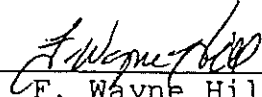
NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 26TH day of JUNE, 2001 that the aforesaid application for a Special Use Permit is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Retail and service commercial and accessory uses which may include automobile sales and service as a Special Use.
 - B. Other outdoor sales/storage of merchandise (such as trailers, utility buildings, rental trucks, automotive parts, junked vehicles, etc.) shall be prohibited.
2. To satisfy the following site development considerations:
 - A. Provide a 10-foot wide landscaped strip outside the dedicated right-of-way of Old Norcross Road. All deciduous trees shall be hardwood shade trees in accordance with the Tree Ordinance requirements. (Planted islands within the interior of the parking lot shall not be required; required tree density and parking lot trees shall be provided around the perimeter of the site).
 - B. Provide a minimum 5-foot wide landscaped strip adjacent to any internal property line except where interparcel access is provided.

- C. The location and number of entrance/exits shall be subject to the approval of Gwinnett County Department of Transportation.
- D. Buildings shall be finished with architectural treatments of glass and/or brick, stone, or stucco; or submit alternate architectural plans for approval of the Director of Planning and Development prior to the issuance of a development permit.
- E. Provide interparcel access as required by the Development Division.
- F. No billboards are permitted.
- G. Dumpsters shall be screened by a 100% opaque masonry wall matching the building at least six (6) feet in height.
- H. Outdoor lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to reflect into adjacent roadways.
- I. No banners, streamers, or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. No flags shall be flown on the site except for the flags of the United States of America or the State of Georgia.
- J. No metal risers for the display of autos for sale shall be permitted.
- K. Ground signage shall be limited to a single, five (5) foot high monument type sign of masonry construction matching the materials of the building.
- L. Outdoor speakers shall be prohibited.

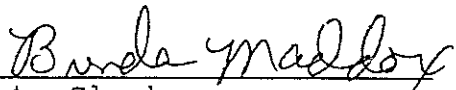
- M. Automobile service doors are not to face Old Norcross Road.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: 
F. Wayne Hill, Chairman

Date Signed: July 5, 2001

ATTEST:


County Clerk

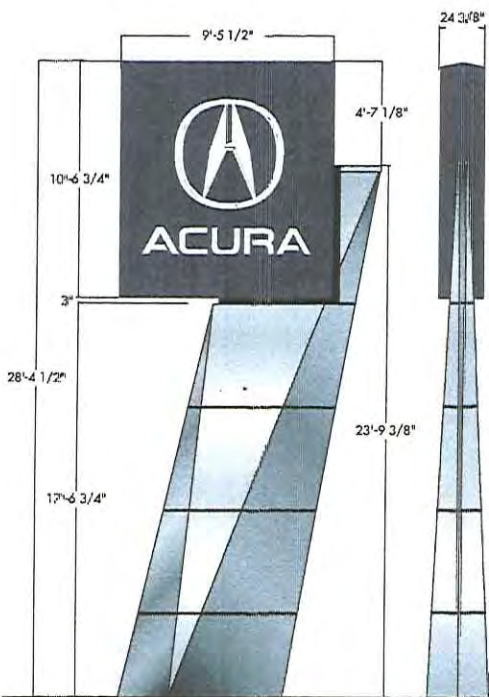
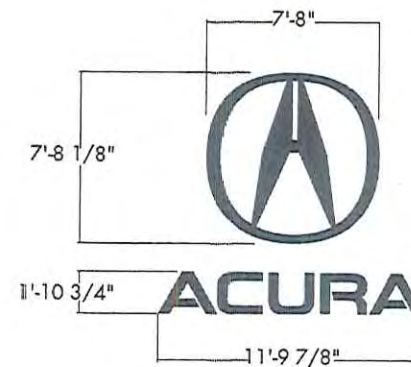
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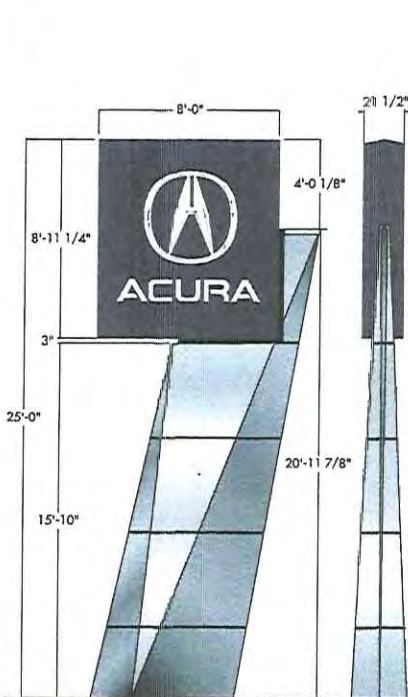
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Planning & Development

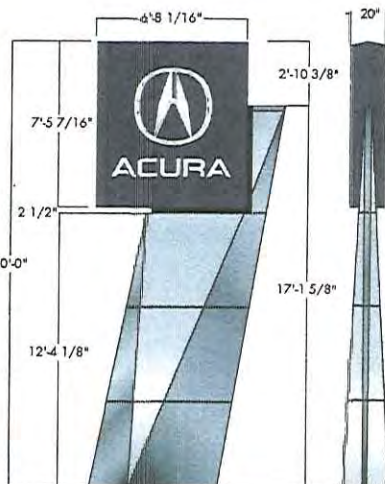
ACURA Sign Family (18 April 2007)



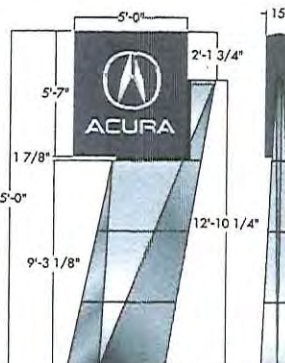
100 Sq Ft Pylon
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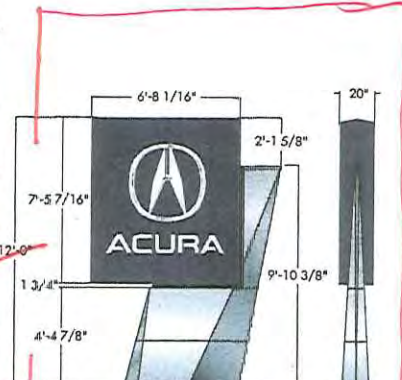
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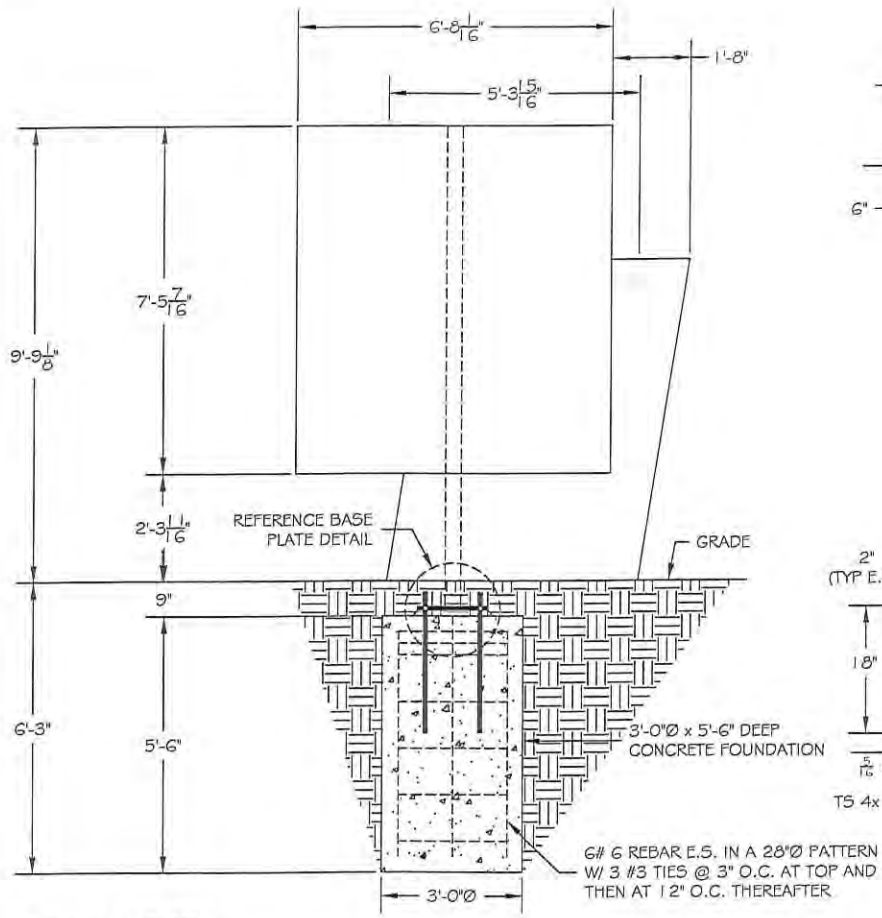
50 Sq Ft Pylon
Scale 3/16" = 1' (1:64)



30 Sq Ft Pylon
Scale 3/16" = 1' (1:64)



50 Sq Ft Monument
Scale 3/16" = 1' (1:64)



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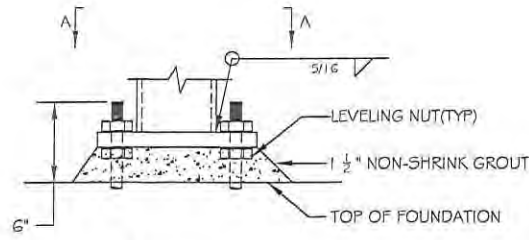
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CIC 13010

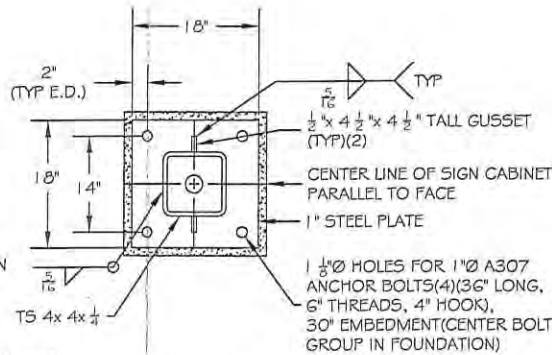
FRONT ELEVATION
(AUGERED FOUNDATION)

Planning & Development

NOTE: ALL STEEL BELOW GRADE (INCLUDING EXPOSED ANCHOR BOLTS) IS TO BE COATED WITH CARBOLINE BITUMASTIC 50 COAL TAR, SHERWIN WILLIAMS BLACK ASPHALTUM 500-1706 V74B2 (OR EQUAL) AFTER INSTALLATION AND PRIOR TO LANDSCAPING.



BASE PLATE DETAIL
N.T.S. (TYP)



SECTION A-A
N.T.S.

NOTES:

1. THE DESIGN, FABRICATION AND CONSTRUCTION SHALL CONFORM TO THE FOLLOWING CODES AND SPECIFICATIONS: THE 2005/2009 INTERNATIONAL BUILDING CODE, THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION (MANUAL OF STEEL CONSTRUCTION, 13TH EDITION), THE AMERICAN WELDING SOCIETY (AWS D1.1-04), THE AMERICAN CONCRETE INSTITUTE BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE (ACI 318-08), THE SPECIFICATIONS FOR ALUMINUM STRUCTURES BY THE ALUMINUM ASSOCIATION (CURRENT EDITION).
2. STRUCTURAL STEEL REQUIREMENTS: PLATES, ROLLED SHAPES AND BARS SHALL BE ASTM A36 (OR EQUAL). STANDARD PIPE SHALL BE ASTM A53, GRADE B (OR BETTER, F_y=35 KSI). STRUCTURAL TUBING SHALL BE ASTM A500, GRADE B (OR BETTER, F_y=46 KSI). ALL BOLTED CONNECTIONS SHALL BE MADE WITH ASTM A325 BOLTS (OR BETTER WITH FLAT WASHERS (UNLESS NOTED OTHERWISE). ALL FASTENERS TO BE NON-CORROSIVE. ALL STRUCTURAL STEEL SHALL BE SHOP PRIME COATED WITH A RUST INHIBITIVE PRIMER AND FINISH PAINTED AS APPROVED BY OWNER (SURFACE PREPARATION SHALL BE IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS). FIELD CONNECTIONS AND DAMAGED OR ABRASED AREAS OF PROTECTIVE COATING SHALL BE TOUCH UP PAINTED WITH COMPATIBLE MATERIAL. ALL STEEL SUBJECT TO DIRECT CONTACT WITH EARTH SHALL BE BITUMASTIC (OR EQUAL) COATED (IF NOT SUBJECT TO SUNLIGHT AND CARBONIC (OR EQUAL) COATED (IF SUBJECT TO SUNLIGHT) IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS. ALL WELDS SHALL BE MADE WITH E70XX ELECTRODES (OR EQUAL). ALL FIELD WELDS SHALL COMPLY WITH AWS CODE FOR PROCEDURES, APPEARANCE, AND QUALITY OF WELDS. ALL WELDERS AND WELDING PROCESSES SHALL BE QUALIFIED IN ACCORDANCE WITH AWS STANDARD QUALIFICATION PROCEDURES.
3. ALL FERROUS TO NONFERROUS SURFACES SHALL BE SEPARATED BY 3M#355 POLYESTER CLEAR TAPE (OR EQUAL).
4. THE ELECTRICAL INSTALLATION SHALL BE IN COMPLIANCE WITH THE NATIONAL ELECTRICAL CODE AND ALL REQUIREMENTS OF THE LOCAL GOVERNING AUTHORITY.
5. THE DESIGN WIND SPEED IS 90 MPH PER ASCE 7-05 WITH 'C' EXPOSURE RESULTING IN A DESIGN PRESSURE OF 18.47 PSF AT A HEIGHT OF 9'-9 1/8" ABOVE GRADE.
6. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES.
7. ENGINEERING SEAL IS APPLICABLE ONLY FOR THE COLUMN/BASE PL/FOUNDATION DESIGN.
8. ALL ELECTRICAL COMPONENTS ARE UL LISTED. SIGNAGE IS MANUFACTURED IN COMPLIANCE WITH NEC 600. SIGNAGE IS GROUNDED IN COMPLIANCE WITH NEC 250. ONE VISIBLE 20 AMP DISCONNECT IS REQUIRED PER CIRCUIT.
9. THE FOUNDATION DESIGN IS BASED ON AN ALLOWABLE LATERAL BEARING PRESSURE OF 100 PSF PER FOOT OF DEPTH AND AN ALLOWABLE VERTICAL BEARING PRESSURE OF 1500 PSF (CEASE EXCAVATION AND NOTIFY THE ENGINEER IF DIFFERENT SOIL CONDITIONS ARE ENCOUNTERED). ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH AT 28 DAYS OF 3000 PSI. SIGNAGE MAY BE INSTALLED ON THE STRUCTURE AFTER A MINIMUM CURING TIME OF FOURTEEN (14) DAYS PROVIDED THAT THE CURING PROCESS IS PROPERLY MAINTAINED IN ACCORDANCE WITH ACI 318-08. EXPOSED CONCRETE FINISHES SHALL HAVE A ROUGH TROWEL FINISH. GROUT SHALL BE NON-SHRINK AND NON-METALLIC WITH A MINIMUM COMPRESSIVE STRENGTH OF 5000 PSI AT ONE (1) DAY. GROUT SHALL BE MIXED AND PLACED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS. ALL REINFORCEMENT STEEL SHALL HAVE A MINIMUM YIELD STRENGTH OF 60,000 PSI AND SHALL CONFORM TO ASTM A615. ALL REINFORCEMENT STEEL SHALL BE INSTALLED IN ACCORDANCE WITH ACI 318-08 WITH A MINIMUM CONCRETE COVER OF THREE (3) INCHES WHEN CONCRETE IS CAST AGAINST EARTH. REINFORCEMENT STEEL SHALL NOT BE WELDED AT CROSS POINTS.

Glenn T. Tisdale, P.E.



6-10-13

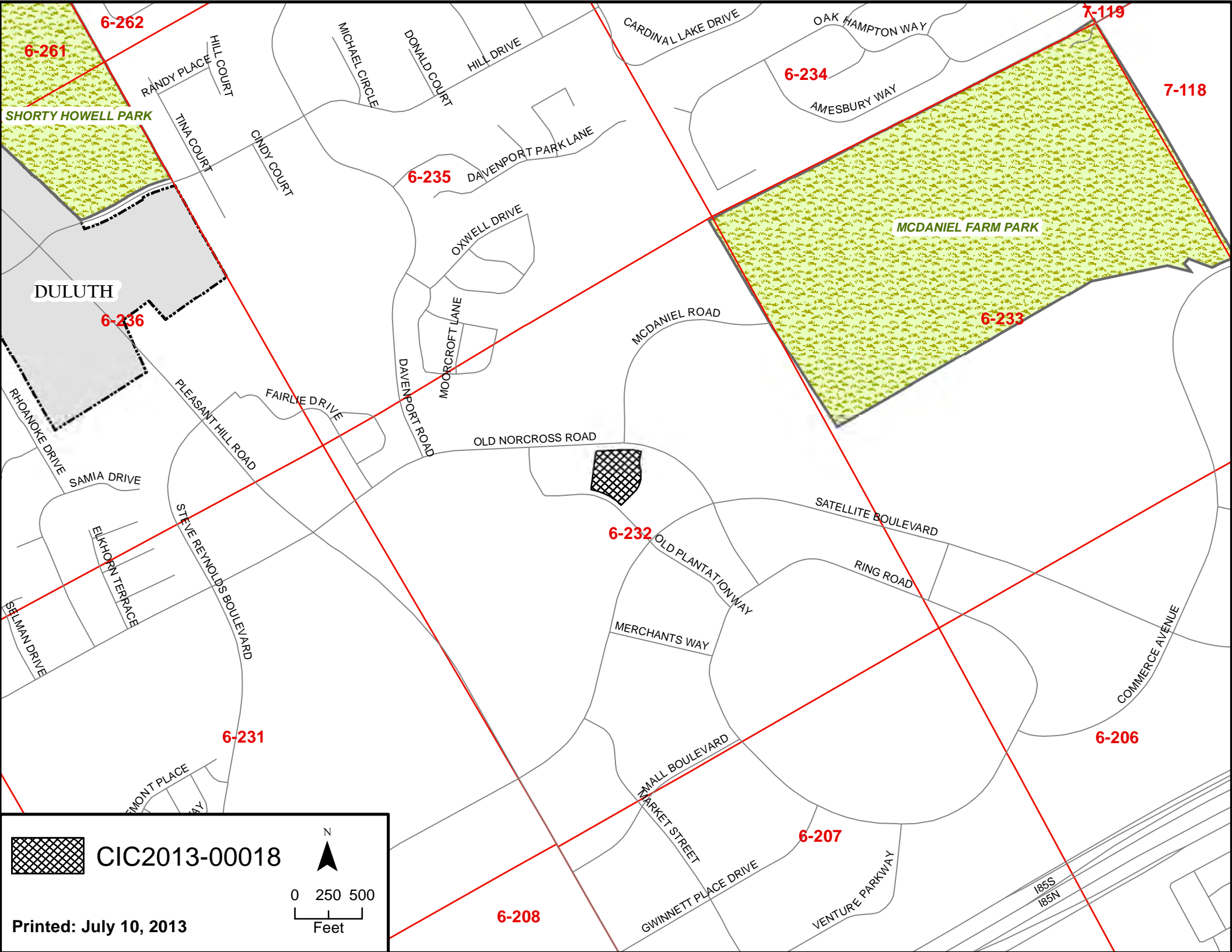
ALTAIR SIGN & LIGHT
6802 BUFORD HIGHWAY NE
DORAVILLE, GA 30340

MONUMENT @ 9'-9 1/8" OAH
ACURA- 3403 SATELLITE BOULEVARD N.W. - DULUTH, GA



CAD: GT
SCALE: 3/8" = 1'
DATE: 06/10/13
SHT. NO.: 1 OF 1
DWG. NO.: 2113003SI

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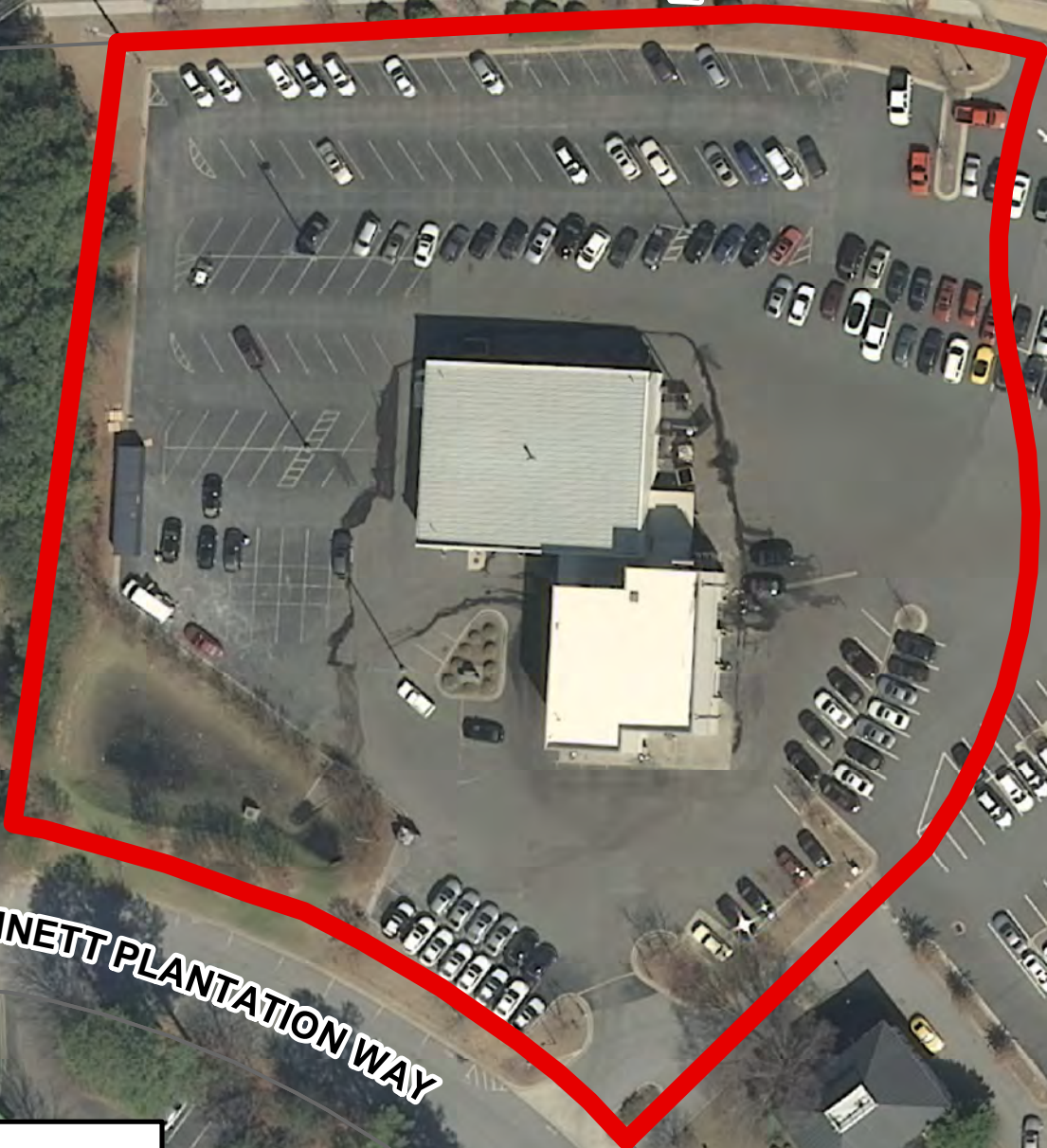
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Feet

Printed: July 10, 2013

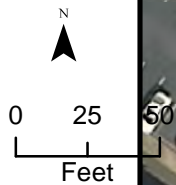
OLD NORCROSS ROAD

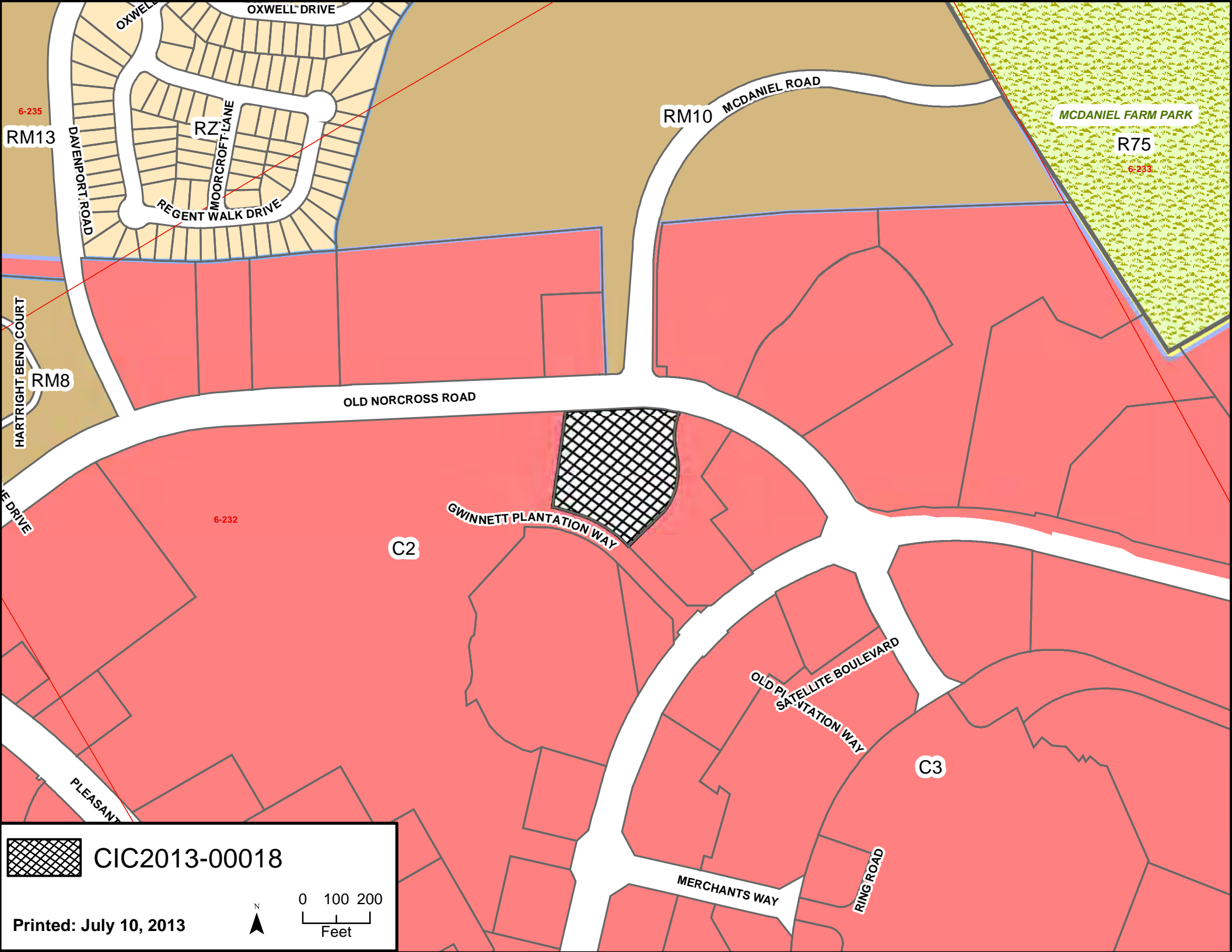
MCDANIEL

GWINNETT PLANTATION WAY



CIC2013-00018





6-235

RM13

RZ

RM10

MCDANIEL FARM PARK

R75

6-233

HARTRIGHT BEND COURT

RM8

OLD NORCROSS ROAD

6-232

C2

GWINNETT PLANTATION WAY

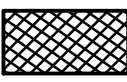
OLD SATELLITE BOULEVARD
SATURATION WAY

C3

PLEASANT DRIVE

MERCHANTS WAY

RING ROAD



CIC2013-00018



0 100 200
Feet

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