

Department of Planning and Development

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



gwinnettcountry

MUNICIPAL-GWINNETT COUNTY PLANNING COMMISSION

PUBLIC HEARING AGENDA

GWINNETT JUSTICE AND ADMINISTRATION CENTER TUESDAY, JANUARY 3, 2017 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 (DECEMBER 7, 2016 MEETING)
- E. ANNOUNCEMENTS
- F. ELECTION OF OFFICERS FOR 2017
 - 1. CHAIRMAN
 - 2. VICE-CHAIRMAN
 - 3. REPRESENTATIVE TO PLANNING ADVISORY COMMITTEE
 - 4. REPRESENTATIVE TO DEVELOPMENT ADVISORY COMMITTEE
- G. OLD BUSINESS
 - I. CASE NUMBER :**CIC2016-00026**
 - APPLICANT :O. DAVID DENARD
 - CONTACT :ERIC JOHANSEN, RLA
 - PHONE NUMBER :678.571.4843
 - ZONING :M-1
 - LOCATION :2400-2500 BLOCKS OF PLEASANTDALE ROAD
 - MAP NUMBER :R6246A 237
 - ACREAGE :1.59 ACRES
 - PROPOSED DEVELOPMENT :CHANGE IN CONDITIONS TO REVISE USE RESTRICTIONS
 - COMMISSION DISTRICT :(2) HOWARD
 - DEPARTMENT RECOMMENDATION :**DENIAL**

2. CASE NUMBER :**SUP2016-00063**
APPLICANT :O. DAVID DENARD
CONTACT :ERIC JOHANSEN, RLA
PHONE NUMBER :678.571.4843
ZONING :M-1
LOCATION :2400-2500 BLOCK OF PLEASANTDALE ROAD
MAP NUMBER :R6246A 237
ACREAGE :1.59 ACRES
PROPOSED DEVELOPMENT :TOWING/WRECKER SERVICE
& VEHICLE STORAGE LOT
COMMISSION DISTRICT :(2) HOWARD
DEPARTMENT RECOMMENDATION :**DENIAL**
- H. NEW BUSINESS
1. CASE NUMBER :**RZC2017-00001**
APPLICANT :RUTH DAMPSON & ANDREW YOUNG
CONTACT :DANNY STARLING
PHONE NUMBER :678.333.9055
ZONING CHANGE :RA-200 TO M-1
LOCATION :2000 BLOCK OF HURRICANE SHOALS ROAD
MAP NUMBER :R5272 012
ACREAGE :4.99 ACRES
PROPOSED DEVELOPMENT :TRUCK STORAGE LOT (BUFFER REDUCTION)
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**DENIAL**
2. CASE NUMBER :**SUP2017-00002**
APPLICANT :RUTH DAMPSON & ANDREW YOUNG
CONTACT :DANNY STARLING
PHONE NUMBER :678.333.9055
ZONING :M-1 (PROPOSED)
LOCATION :2000 BLOCK OF HURRICANE SHOALS ROAD
MAP NUMBER :R5272 012
ACREAGE :4.99 ACRES
PROPOSED DEVELOPMENT :TRUCK STORAGE LOT (BUFFER REDUCTION)
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**DENIAL**
3. CASE NUMBER :**RZC2017-00002**
APPLICANT :RICHARD GOLDBERG
CONTACT :RICHARD GOLDBERG
PHONE NUMBER :770.845.2061
ZONING CHANGE :R-100 TO O-1
LOCATION :1500 BLOCK OF ATKINSON ROAD
MAP NUMBER :R7074 004
ACREAGE :4.68 ACRES
SQUARE FEET :7,336 SQUARE FEET
PROPOSED DEVELOPMENT :OFFICE (BUFFER REDUCTION)
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

4. CASE NUMBER :**RZC2017-00003**
APPLICANT :BUFORD AMERICAN LEGION POST 127
CONTACT :MITCH PEEVY
PHONE NUMBER :770.614.6511
ZONING CHANGE :RL TO O-I
LOCATION :1700 BLOCK OF BUFORD DAM ROAD
:6300 BLOCK OF OLD SHADBURN FERRY ROAD
:6500 BLOCK OF OLD GARRETT ROAD

MAP NUMBERS :R7362 030 & 031
ACREAGE :16.39 ACRES
SQUARE FEET :13,920 SQUARE FEET
PROPOSED DEVELOPMENT :CLUB, LODGE, OR FRATERNAL ORGANIZATION
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**DENIAL**
5. CASE NUMBER :**SUP2017-00003**
APPLICANT :BUFORD AMERICAN LEGION POST 127
CONTACT :MITCH PEEVY
PHONE NUMBER :770.614.6511
ZONING :O-I (PROPOSED)
LOCATION :1700 BLOCK OF BUFORD DAM ROAD
:6300 BLOCK OF OLD SHADBURN FERRY ROAD
:6500 BLOCK OF OLD GARRETT ROAD

MAP NUMBERS :R7362 030 & 031
ACREAGE :16.39 ACRES
SQUARE FEET :13,920 SQUARE FEET
PROPOSED DEVELOPMENT :CLUB, LODGE, OR FRATERNAL ORGANIZATION
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**DENIAL**
6. CASE NUMBER :**RZC2017-00004 (APPLICANT WITHDRAWAL)**
7. CASE NUMBER :**RZC2017-00005**
APPLICANT :AZIZ CHARANIA
CONTACT :AZIZ CHARANIA
PHONE NUMBER :678.754.1879
ZONING CHANGE :R-100 TO O-I
LOCATION :1200 BLOCK OF OAK ROAD
MAP NUMBER :R6086 010
ACREAGE :1.41 ACRES
SQUARE FEET :7,920 SQUARE FEET
PROPOSED DEVELOPMENT :MONTESSORI SCHOOL (BUFFER REDUCTION)
COMMISSION DISTRICT :(2) HOWARD
DEPARTMENT RECOMMENDATION :**DENIAL**

8. CASE NUMBER :**SUP2017-00005**
APPLICANT :AZIZ CHARANIA
CONTACT :AZIZ CHARANIA
PHONE NUMBER :678.754.1879
ZONING :O-1 (PROPOSED)
LOCATION :1200 BLOCK OF OAK ROAD
MAP NUMBER :R6086 010
ACREAGE :1.41 ACRES
SQUARE FEET :7,920 SQUARE FEET
PROPOSED DEVELOPMENT :MONTESSORI SCHOOL (BUFFER REDUCTION)
COMMISSION DISTRICT :(2) HOWARD
DEPARTMENT RECOMMENDATION :**DENIAL**
9. CASE NUMBER :**RZM2017-00001**
APPLICANT :FIELDSTONE HOMES
CONTACT :ERIC JOHANSEN, RLA
PHONE NUMBER :678.571.4843
ZONING CHANGE :R-100 TO R-TH
LOCATION :1500-1600 BLOCKS OF BUFORD DRIVE
MAP NUMBERS :R7065 008 & 007
ACREAGE :18.06 ACRES
UNITS :140 UNITS
PROPOSED DEVELOPMENT :TOWNHOMES (BUFFER REDUCTION)
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**APPROVAL AS R-75 WITH CONDITIONS**
10. CASE NUMBER :**RZR2016-00029**
APPLICANT :PTL, LLC
CONTACT :ANDY PERRY
PHONE NUMBER :404.987.1224
ZONING CHANGE :R-TH TO R-75
LOCATION :2400 BLOCK OF WHITEHEAD PLACE DRIVE
MAP NUMBERS :R7126 002 & 496
ACREAGE :2.52 ACRES
UNITS :7 UNITS
PROPOSED DEVELOPMENT :SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

- | | |
|---------------------------|--|
| 11. CASE NUMBER | :RZR2017-00001 |
| APPLICANT | :DANUT ANDRONESI & GEORGE JOJOA |
| CONTACT | :ALEX PETRUT |
| PHONE NUMBER | :770.318.2456 |
| ZONING CHANGE | :RA-200 TO R-100 |
| LOCATION | :1500 BLOCK OF MINERAL SPRINGS ROAD |
| MAP NUMBER | :R3003 034A |
| ACREAGE | :1.86 ACRES |
| UNITS | :2 UNITS |
| PROPOSED DEVELOPMENT | :SINGLE-FAMILY SUBDIVISION |
| COMMISSION DISTRICT | :(3) HUNTER |
| DEPARTMENT RECOMMENDATION | :APPROVAL WITH CONDITIONS |
| | |
| 12. CASE NUMBER | :RZR2017-00002 |
| APPLICANT | :BRAD COOPER |
| CONTACT | :JIM WARREN |
| PHONE NUMBER | :404.401.7656 |
| ZONING CHANGE | :R-100 TO R-SR |
| LOCATION | :2100 BLOCK OF RIDGEDALE DRIVE |
| | :1700 BLOCK OF PINEHURST ROAD |
| MAP NUMBER | :R5071 033 |
| ACREAGE | :17.55 ACRES |
| UNITS | :57 UNITS |
| PROPOSED DEVELOPMENT | :SENIOR ORIENTED SUBDIVISION |
| COMMISSION DISTRICT | :(3) HUNTER |
| DEPARTMENT RECOMMENDATION | :APPROVAL WITH CONDITIONS |
| | |
| 13. CASE NUMBER | :RZR2017-00003 (APPLICANT WITHDRAWAL) |
| | |
| 14. CASE NUMBER | :CIC2016-00027 (APPLICANT WITHDRAWAL) |
| | |
| 15. CASE NUMBER | :CIC2017-00001 |
| APPLICANT | :GREATER ATLANTA CHRISTIAN SCHOOLS, INC. |
| CONTACT | :LEE FREEMAN |
| PHONE NUMBER | :404.538.5455 |
| ZONING | :C-2 |
| LOCATION | :1500 BLOCK OF INDIAN TRAIL LILBURN ROAD |
| MAP NUMBER | :R6199 103 |
| ACREAGE | :1.00 ACRE |
| PROPOSED DEVELOPMENT | :CHANGE IN CONDITIONS OF ZONING |
| COMMISSION DISTRICT | :(1) BROOKS |
| DEPARTMENT RECOMMENDATION | :APPROVAL WITH CONDITIONS |

16. CASE NUMBER :**CIC2017-00002**
APPLICANT :ANGEL AMARO
CONTACT :GEORGE AWUKU
PHONE NUMBER :404.597.6745
ZONING :R-75
LOCATION :2900 BLOCK OF DULUTH HIGHWAY
MAP NUMBER :R6263 003A
ACREAGE :8.55 ACRES
PROPOSED DEVELOPMENT :CHANGE IN CONDITIONS OF ZONING
(BUFFER REDUCTION)
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
17. CASE NUMBER :**CIC2017-00003**
APPLICANT :LABEL TECHNOLOGIES, INC.
CONTACT :MITCH PEEVY
PHONE NUMBER :770.614.6511
ZONING :M-1
LOCATION :600 BLOCK OF SATELLITE BOULEVARD
MAP NUMBER :R7168 084
ACREAGE :4.99 ACRES
PROPOSED DEVELOPMENT :CHANGE IN CONDITIONS OF ZONING
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
18. CASE NUMBER :**CIC2017-00004 (APPLICANT WITHDRAWAL)**
19. CASE NUMBER :**SUP2017-00001**
APPLICANT :LAWRENCEVILLE RENTALS, INC.
CONTACT :ROBERT JACKSON WILSON
PHONE NUMBER :770.962.9780
ZONING :C-2
LOCATION :1000 BLOCK OF DULUTH HIGHWAY
:2100 BLOCK OF RIVERSIDE PARKWAY
:900-1000 BLOCKS OF LAKES PARKWAY
MAP NUMBER :R7033 107
ACREAGE :22.97 ACRES
SQUARE FEET :1,200 SQUARE FEET
PROPOSED DEVELOPMENT :TRUCK RENTAL
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**DENIAL**

20. CASE NUMBER	: SUP2017-00004
APPLICANT	:DEAN WERTS
CONTACT	:MARIAN C. ADEIMY
PHONE NUMBER	:678.518.6855
ZONING	:RA-200
LOCATION	:2000 BLOCK OF JONES PHILLIPS ROAD :1900 BLOCK OF HARBINS ROAD
MAP NUMBER	:R5313 041
ACREAGE	:9.55 ACRES
SQUARE FEET	:2,500 SQUARE FEET
PROPOSED DEVELOPMENT	:SPECIAL EVENTS/BANQUET FACILITY OR RENTAL HALL
COMMISSION DISTRICT	:(3) HUNTER
DEPARTMENT RECOMMENDATION	: APPROVAL WITH CONDITIONS

I. AUDIENCE COMMENTS

J. COMMITTEE REPORTS

K. COMMENTS BY STAFF AND PLANNING COMMISSION

L. ADJOURNMENT

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

CASE NUMBER :**CIC2016-00026**
ZONING :M-I
LOCATION :2400-2500 BLOCKS OF PLEASANTDALE ROAD
MAP NUMBER :R6246A237
ACREAGE :1.59 ACRES
PROPOSAL :CHANGE IN CONDITIONS TO REVISE USE RESTRICTIONS
COMMISSION DISTRICT :(2) HOWARD

CASE NUMBER :**SUP2016-00063**
ZONING :M-I
LOCATION :2400-2500 BLOCKS OF PLEASANTDALE ROAD
MAP NUMBER :R6246A237
ACREAGE :1.59 ACRES
PROPOSED DEVELOPMENT :TOWING/WRECKER SERVICE & VEHICLE STORAGE LOT
COMMISSION DISTRICT :(2) HOWARD

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

APPLICANT: O. DAVID DENARD
PO BOX 669
WASHINGTON, GA 30673

CONTACT: ERIC JOHANSEN, RLA PHONE: 678.571.4843

OWNER: O. DAVID DENARD
PO BOX 669
WASHINGTON, GA 30673

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant requests a Change-in-Conditions (CIC) of a past zoning case (CIC-06-042), along with a Special Use Permit, within M-I (Light Industry District) zoning, for the operation of a towing/wrecker service and vehicle storage lot. The 1.59-acre property is presently vacant and is located on the eastern side of Pleasantdale Road, just south of its intersection with Baker Drive.

Condition I.A of CIC-06-042 limits the use of the property to a construction contractor's office or an office/warehouse, and currently reads as follows:

I.A. Construction contractor's office, warehouse/distribution or other office/warehouse uses which may include outdoor storage.

As part of the process to allow for the proposed use, this condition must be amended in addition to the granting of a Special Use Permit. The applicant proposes to install a gravel

surface on the majority of the property and have one access point off Pleasantdale Road. No new structures are proposed, as the site would entirely be used for the storage of semi's and tractor trailers, trucks, cars, and metal shipping containers. The applicant is proposing to install a 6-foot tall chain-link fence around the storage lot and landscaping to partially screen the property. Proposed landscaping includes a 10-foot landscaped buffer along the rear property line, 5-foot landscape strips along the side property lines and a 10-foot landscaped strip along Pleasantdale Road. There is an existing detention pond identified on the site plan at the southern property corner along Pleasantdale Road.

ZONING HISTORY:

In 1970, the property was zoned R-75 (Single-Family Residence District). The property was rezoned to M-1 (Light Industry District) in 1990, pursuant to RZ-67-90. In 2006, a CIC request was approved (CIC-06-042) reducing the required buffer requirements for a proposed contractor's office that was never constructed. In January 2016, a request for another CIC and two SUP applications to allow for automobile and motorcycle service and repair uses were denied without prejudice (CIC2016-00001, SUP2016-00003 and SUP2016-00004).

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 Protection Section of the Unified Development Ordinance (Chapter 620) requires a ten-foot wide landscape strip adjacent to all street rights-of-way for non-residential developments.

The Buffer, Landscape and Tree Protection Section of the Unified Development Ordinance (Chapter 620) 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 610-20.3 of the Unified Development Ordinance requires screening of dumpsters and loading/unloading facilities.

Parking lots and interior driveways shall be designed in accordance with Chapter 240 of the Unified Development Ordinance.

Section 900-30 of the Unified Development Ordinance 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 900-90 of the Unified Development Ordinance 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).

Section 610-20.4B of the Unified Development Ordinance 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 800-20 of the Unified Development Ordinance requires submittal of a Stormwater Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

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

Commercial entrances shall be provided to the site per current development regulations.

The developer shall be limited to one curb cut.

The project entrance shall align with opposing roads or driveways in accordance with the Gwinnett County Unified Development Ordinance.

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

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 six-inch water main located on the northeast right-of-way of Pleasantdale Road.

Due to the uncontrollable variables, the Department of Water Resources (DWR) 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 eight-inch sanitary sewer main located on parcel R6246A237.

The subject development is located within the North Fork Peachtree 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. If any new buildings are proposed, 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 2012

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 shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Category I.
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.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject property is located on the east side of Pleasantdale Road, just south of its intersection with Baker Drive. The site is presently vacant, with a chain-link fence surrounding the property which has become overgrown with grass.

The 2030 Unified Plan Future Development Map indicates that the site is located in a Regional Mixed-Use Character Area. This character area discourages light and heavy industry uses in favor of professional offices and high density residential uses. The use of the lot as a towing/wrecker service and a storage lot for tractor trailers and large shipping containers may not be consistent with the recommendations of the character area. Allowing this proposed use at the site may also set a precedent and promote further uses in the area that are not in keeping with recommendations of the 2030 Unified Plan.

To the east and south of the property are residential properties zoned R-75. Industrial (M-1) and office (O-1) properties are located to the north and west of the site along Pleasantdale Road. Currently there is little or no buffering between the adjacent residential properties and the subject property. The proposed installation of a gravel lot for a towing/wrecker service and vehicle storage lot may not be suitable for the area as it may result in an intensification of industrial use of the property that may negatively impact the adjacent properties. The intensity of the proposed use may be expected to adversely impact the immediate residential neighbors and may be inappropriate at this location.

In conclusion, the requested CIC and SUP for a towing/wrecker service and storage lot for heavy trucks and trailers may not be suitable given the immediately abutting residential area and lack of sufficient buffers. Additionally, the use may not be compatible with the policies and recommendations of the 2030 Unified Plan and Future Development Map for mixed-use, office and residential development for the area. Therefore, the Department of Planning and Development recommends **DENIAL** of these requests.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS
CIC2016-00026

Note: The following conditions are provided as a guide should the Board choose to approve these requests.

Approval as M-I (Change-in-Conditions) for a towing and wrecker service with storage lot, subject to the following enumerated conditions:

CIC-06-042 with:

Additions in **bold**

Deletions in ~~strikethrough~~

- I. To restrict the use of the property as follows:
 - A. ~~Construction contractor's office, warehouse/distribution or other office/warehouse uses which may include outdoor storage.~~ **Light industrial, office, office-warehouse and accessory uses and structures.**
 - B. ~~Obtain permits from the Development Division to bring the structure up to code for business occupancy.~~
 - C. **All parking and storage areas shall be paved.**
 - D. Buildings shall be limited to one story with daylight basement.
 - E. Buildings shall be finished with architectural treatments of glass and/or brick, stone or stucco on the side facing Pleasantdale Road.

2. To satisfy the following site development considerations:
 - A. Provide a 10-foot natural and enhanced landscaped buffer with a double row of evergreen trees, except for approved access and utility crossings and replantings where sparsely vegetated, adjacent to the eastern (rear) property line as long as adjoining property is residentially zoned. **The buffer shall be located outside of all sanitary sewer and drainage easements.** Submit a landscaped plan for the area which will provide an effective visual screen for review and approval of the ~~Development Division~~ **Director of Planning and Development.**
 - B. Provide a ten-foot wide landscaped strip outside the ~~new~~ dedicated right-of-way of Pleasantdale Road.
 - C. Provide a five-foot wide landscaped strip adjacent to the south property line.

- D. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure. Hours of pickup shall be limited to between 7:00 a.m. and 7:00 p.m.
- E. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to ~~reflect~~ **shine directly** into adjacent residential properties **or rights-of-way**.
- F. Outdoor storage areas shall be screened by an eight-foot high, 100 percent opaque ~~wood~~ fence. Size and location of outdoor storage areas **and fence/screening materials** is subject to the review and approval of the Director of Planning and Development.
- G. Ground signs shall be limited to a single monument-type sign with a brick base of at least two feet in height. Maximum sign height shall not exceed five feet.
- 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. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, **sign-walkers or sign-twirlers** shall be prohibited.
- I. **The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.**

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS
SUP2016-00063

Note: The following conditions are provided as a guide should the Board choose to approve these requests.

Approval of a Special Use Permit for a towing/wrecker service, impound lot and truck/vehicle storage lot, subject to the following enumerated conditions:

1. A towing and wrecker service with an impound lot, and a storage lot for heavy trucks, tractor trailers, and metal cargo containers as special uses.
2. The hours of operation shall be limited to 7:00 a.m. to 9:00 p.m. Monday through Friday, and 9:00 a.m. to 4:00 p.m. on Saturdays.
3. Temporary mobile office facilities shall be allowed.
4. Outdoor storage of auto parts, tires, or other similar materials or debris is prohibited. Storage of inoperable vehicles shall not exceed 30 days.
5. Abide by all applicable conditions of zoning required by CIC2016-00026.

PLANNING AND DEVELOPMENT DEPARTMENT RESPONSES
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY

The requested Change-in-Conditions and Special Use Permit for a towing and wrecker service and a heavy truck storage lot may not be suitable in light of the adjacent residential and office uses, and lack of adequate separation and screening from these uses.

ADVERSE IMPACTS

Impacts on neighboring properties including dust, noise and traffic could result from the proposed use and the proposed gravel surface.

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 in the form of traffic and stormwater runoff could be anticipated from the proposed use.

CONFORMITY WITH POLICIES

The proposal may not be compatible with the Regional Mixed-Use character area of the 2030 Unified Plan, which discourages light and heavy industrial uses in this area and promotes redevelopment with mixed-use, high-end office or multifamily residential uses. Although the M-I zoning district presently exists, the proposed use intensifies the industrial use of the property and does not appear to conform to the policies of the character area.

CONDITIONS AFFECTING ZONING

The immediate proximity of the adjacent residential neighborhood and lack of adequate screening and separation from these residences suggest that the use being proposed may be inappropriate at this location.

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

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, 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:

No, the proposed CIC will not present a use that is not suitable with respect to the adjacent and nearby properties

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

No, the proposed CIC will not adversely affect the adjacent and nearby properties

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

Yes, the Subject Property does have a 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:

No, the proposed use will not present a use that will burden the above mentioned items

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

Yes, the proposed use is allowed with a SUP in the M-1 zoning district

- (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:

Yes, the existing Pleasantdale Road corridor is a mixture of varying uses, the proposed CIC will be a compliment to these varying uses

CIC2016-00026 & SUP2016-00063
Received: September 2, 2016
Planning & Development

CIC2016-00026
SUP2016-00063
Received: September 13, 2016
Planning & Development



August 29, 2016
Revised on September 13, 2016

Gwinnett County Board of Commissioners
c/o Kathy Holland
Director of Planning and Development
446 West Crogan Street
Lawrenceville, GA 30045

**Re: Pleasantdale Road Senior Residential Development
Special Use Permit Letter of Intent
Parcel: R6246A 237
Gwinnett County, GA**

Dear Ms. Holland,

Inland Group, LLC (“Inland”) has been retained by O. David Denard (the “Applicant” and the “Property Owner”) to pursue a Special Use Permit Application and a Change in Conditions Application (the “Applications”) for real property located at the 2505 Pleasantdale Road, Doraville, GA 30340 and further described as Parcel 6246A 237 that are approximately ±1.59 acres (the “Subject Property”). **The Applicant is the Property Owner of the Subject Property.** The Subject Property is currently zoned M-1 and is surrounded by a mixture of random zoning district along the Pleasantdale Road corridor to include the following: R-75 to the northeast and southeast, M-1 to the northwest, and M-1 & O-I to the southwest. Additionally, the Subject Property has several utility easements dominating the rear 25% of the Subject Property that service both storm water and sanitary sewer utilities of Gwinnett County, GA (the “County”). Previously, the Subject Property was granted a Change in Conditions (CIC-06-042), and those would still apply to the underlying M-1 zoned property with the exception of revising the permitted uses of the Subject Property to allow the items being pursued by these Applications.

The Applicant is proposing to utilize the Subject Property for the following uses: **Automotive or Truck Storage Lot (all types of trucks and tractor trailers), Enclosed Metal Containers, and Towing/Wrecker Service & Impound Lot** (the “Proposed Uses) on a **Gravel Paved Surface**. The Subject Property has remained in its vacant, undeveloped state for 20 plus years. Currently, the Subject Property is listed with an Industrial Real Estate Broker, but there have been no serious inquiries into purchasing and/or utilizing the M-1 zoned land for the purpose of constructing an office/warehouse type facility. After the previous approval of CIC-06-042, the Property Owner installed a deceleration lane, limited curb and gutter, fire hydrant, storm water management facility, and storm water drainage pipes with the thoughts of the property being developed. Once the economic downturn hit the metro

2180 Satellite Boulevard / Suite 400-15 / Duluth, Georgia 30097
(404) 355-6700 Phone (404) 355-6760 Fax
www.inlandgrp.com

Atlanta area, the Subject Property was never developed after those improvements were made. By granting a Special Use Permit for the Subject Property to allow the Proposed Uses the Property Owner can attempt to generate a positive income with the prospective users paying rent for parking their vehicles.

If the Applications are approved by the County, the Applicant and Property Owner will continue to fine grade the Subject Property and get all storm water to flow into the existing storm water management facility, cover the Subject Property with gravel for parking, and complete the required landscaping from the previously approved Change in Conditions which required a 10' landscape strip along Pleasantdale Road, 5' landscape strip along the side property lines, and a 10' landscape buffer along the rear property line. By allowing the Uses as proposed, this will permit the Applicant and Property Owner to improve the Subject Property, generate a positive income, provide a use that is much needed in the Buford Highway and Pleasantdale Road corridor that will provide LEGAL parking spaces for automobiles and large tractor trailers that currently park on vacant and abandoned areas around the same vicinity.

We respectfully request your approval of this request for these Applications to permit the Special Uses and Change in Conditions that would allow **Automotive or Truck Storage Lot (all types of trucks and tractor trailers), Enclosed Metal Containers, and Towing/Wrecker Service & Impound Lot on a Gravel Paved Surface**. Again, the proposed Uses are much needed in the immediate and surrounding areas of Buford Highway and Pleasantdale Road and will help provide legal parking spaces for these vehicles. We are available to meet with the County staff and District Representatives at any time to further discuss the merits of this Application upon request.

Thank you for your consideration of this Application.

Sincerely,



Eric Johansen, RLA
Inland Group, LLC
Agent for the Applicants

cc: Applicant
File

CIC2016-00026
SUP2016-00063
Received: September 13, 2016
Planning & Development

CASE NUMBER CIC-06-042
GCID 2006-1679

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>	VOTE
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>AYE</u>

On motion of COMM. NASUTI, 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 M-1 to M-1 (CHANGE IN CONDITIONS) by O. DAVID DENARD for the proposed use of BUFFER REDUCTION 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 NOVEMBER 28, 2006 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 20TH day of FEBRUARY 2007, that the aforesaid application to amend the Official Zoning Map from M-1 to M-1 (CHANGE IN CONDITIONS) is hereby APPROVED subject to the following enumerated conditions:

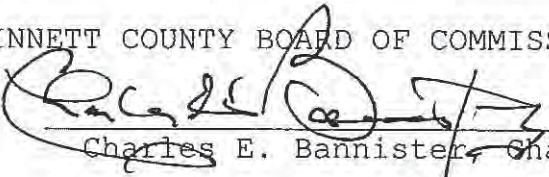
1. To restrict the use of the property as follows:
 - A. Construction contractor's office, warehouse/distribution or other office/warehouse uses which may include outdoor storage.
 - B. Obtain permits from the Development Division to bring the structure up to code for business occupancy.
 - C. Buildings shall be limited to one story with daylight basement.
 - D. Buildings shall be finished with architectural treatments of glass and/or brick, stone or stucco on the side facing Pleasantdale Road.

2. To satisfy the following site development considerations:
 - A. Provide a 10-foot natural and enhanced landscaped buffer with a double row of evergreen trees, except for approved access and utility crossings and replantings where sparsely vegetated, adjacent to the eastern (rear) property line as long as adjoining property is residentially zoned. Submit a landscaped plan for the area which will provide an effective visual screen for review and approval of the Development Division.
 - B. Provide a ten-foot wide landscaped strip outside the new dedicated right-of-way of Pleasant dale Road.
 - C. Provide a five-foot wide landscaped strip adjacent to the south property line.
 - D. Dumpsters shall be screened by a fence or wall. Hours of pickup shall be limited to between 7:00 a.m. and 7:00 p.m.
 - E. 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.
 - F. Outdoor storage areas shall be screened by an eight-foot high, 100 percent opaque wood fence. Size and location of outdoor storage areas is subject to the review and approval of the Director of Planning and Development.
 - G. Ground signs shall be limited to a single monument-type sign with a brick base of at least two feet in height. Maximum sign height shall not exceed 5 feet.

- 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. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs shall be prohibited.

GWINNETT COUNTY BOARD OF COMMISSIONERS

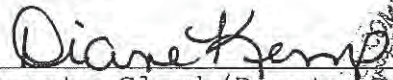
By:



Charles E. Bannister, Chairman

Date Signed: _____

3/19/07

ATTEST:


County Clerk/Deputy County Clerk

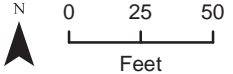


PLEASANTDALE RD

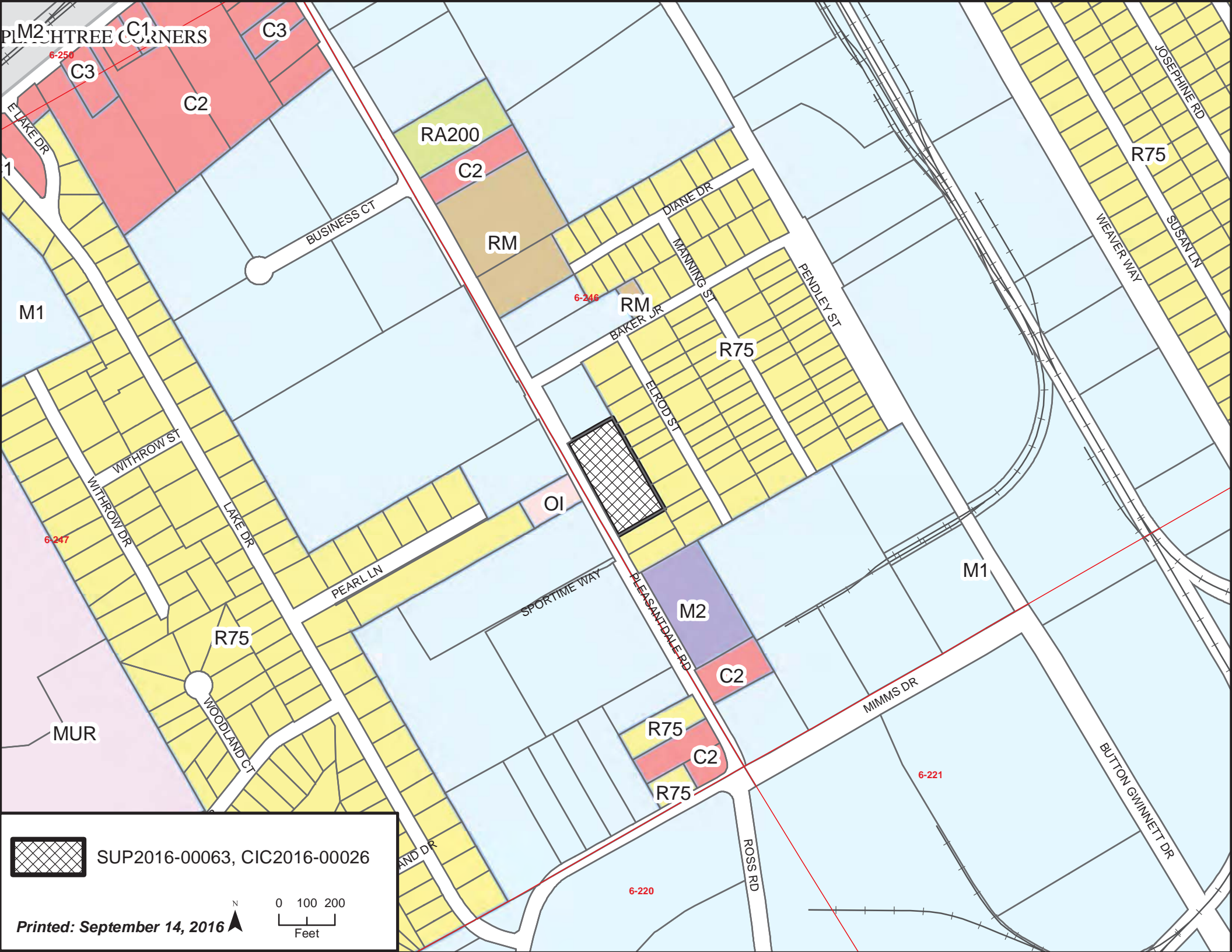
ELROD ST



 SUP2016-00063, CIC2016-00026



Printed: September 14, 2016



PLM2 HTREE CORNERS

6-250

6-247

6-246

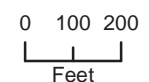
6-247

6-221

6-220

 SUP2016-00063, CIC2016-00026

Printed: September 14, 2016



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

CASE NUMBER :**RZC2017-00001**
ZONING CHANGE :RA-200 TO M-I
LOCATION :2000 BLOCK OF HURRICANE SHOALS ROAD
MAP NUMBER :R5272 012
ACREAGE :4.99 ACRES
PROPOSED DEVELOPMENT :TRUCK STORAGE LOT (BUFFER REDUCTION)
COMMISSION DISTRICT :(3) HUNTER

CASE NUMBER :**SUP2017-00002**
ZONING :M-I (PROPOSED)
LOCATION :2000 BLOCK OF HURRICANE SHOALS ROAD
MAP NUMBER :R5272 012
ACREAGE :4.99 ACRES
PROPOSED DEVELOPMENT :TRUCK STORAGE LOT (BUFFER REDUCTION)
COMMISSION DISTRICT :(3) HUNTER

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

APPLICANT: RUTH DAMPSON & ANDREW YOUNG
661 NEW HOPE ROAD
LAWERENCEVILLE, GA 30046

CONTACT: DANNY STARLING PHONE: 678.333.9055

OWNER: RUTH DAMPSON & ANDREW YOUNG
2050 HURRICANE SHOALS ROAD
DACULA, GA 30019

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant requests M-I (Light Industry District) zoning and a Special Use Permit for a truck storage lot on a 4.99-acre lot currently zoned RA-200 (Agriculture-Residence District) on the south side of Hurricane Shoals Road, east of Rabbit Hill Road and west of Old Peachtree Road. The site currently contains a barn, pond and woods, all owned and used by the property owners who live on the adjacent property to the west (2050 Hurricane Shoals Road).

The applicant requests M-I zoning and a Special Use Permit for a gravel parking area to park and store van trailers and tractor trailer rigs. The site plan submitted proposes a concrete driveway from Hurricane Shoals Road that would provide access to the gravel parking area with 85 parking spaces at the front portion of the property. At the rear of the property, with a

gravel driveway crossing an existing stream and along an existing pond, an additional 19 parking spaces on a gravel area are proposed as future parking. A total of 104 parking spaces are proposed on the property, measuring 12 feet in width and ranging from 30 to 60-feet in length.

No buildings are proposed in conjunction with this use, and a security fence will surround the entire property, with a gate at the driveway to provide restricted access. As noted, there is an existing stream and pond on the property, with all development proposed outside of the 50-foot required stream buffer. The site plan indicates that there is no floodplain on the property.

While the letter of intent states there would be a 35-foot landscape buffer along the rear of the property, only a 15-foot landscape strip is indicated on the plans. A 35-foot buffer is shown along the east side of the subject site, adjacent to R-140 (Single Family Residence District) property and a 10-foot landscape strip along the west side, adjacent to the property owner's residential property zoned RA-200. A 75-foot buffer is required on all M-1 zoned properties with outdoor storage areas, therefore a buffer reduction is also required for this proposal.

ZONING HISTORY:

The property has been zoned RA-200 since 1970.

GROUNDWATER RECHARGE AREA:

The subject property is located within an identified Significant Groundwater Recharge Area. The Georgia Department of Community Affairs and Department of Natural Resources have mandated that Significant Groundwater Recharge Areas be identified and that minimum lot sizes for septic tanks be increased in these resource areas. Please contact Gwinnett County Environmental Health for septic system information and/or Gwinnett Department of Water Resources regarding availability of sanitary sewer for this site.

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.

OPEN SPACE AND GREENWAY MASTER PLAN:

The proposal for the project indicates a 35-foot landscape strip along the park property. However, the plan shows a 15 foot landscape strip. A 35-foot planted buffer along the park boundary is preferred.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Protection Section of the Unified Development Ordinance (Chapter 620) requires a ten-foot wide landscape strip adjacent to all street rights-of-way for non-residential developments.

The Buffer, Landscape and Tree Protection Section of the Unified Development Ordinance (Chapter 620) 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 610-20.3 of the Unified Development Ordinance requires screening of dumpsters and loading/unloading facilities.

Section 900-30 of the Unified Development Ordinance 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 900-90 of the Unified Development Ordinance 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).

Provide a 50-foot natural, undisturbed buffer adjacent to residential zoned properties. (Unified Development Ordinance Chapter 610, Table 610.1 and Section 610-20.2).

Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a Development Permit Application.

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.

Section 800-20 of the Unified Development Ordinance requires submittal of a Stormwater Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

Section 700-40.1B of the Unified Development 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:

This property appears to have stream buffers. All storm water best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

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

Commercial entrances shall be provided to the site per current development regulations.

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

The developer shall be limited to one curb cut.

The project entrance shall align with opposing roads or driveways in accordance with the Gwinnett County Unified Development Ordinance.

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

Minimum separation from a driveway, public road, or side street shall be provided as specified in the Gwinnett County Unified Development Ordinance.

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 a 12-inch water main located on the northwest right-of-way of Hurricane Shoals Road.

Due to the uncontrollable variables, the Department of Water Resources (DWR) 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 eight-inch sanitary sewer main located approximately 1,091 feet south of parcel R5272 012 on

parcel R5272 008 and an eight-inch sanitary sewer main located approximately 179 feet north of parcel R5272 in the right-of-way of Retreat Drive.

The subject development is located within the Alcovy Pump 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 4.99-acre lot on the south side of Hurricane Shoals Road, east of Rabbit Hill Road and west of Old Peachtree Road. The site currently contains a barn, pond and woods, all owned and used by the property owners who live on the adjacent property.

The 2030 Unified Plan Future Development Map indicates this property lies within an Existing/Emerging Suburban Character Area. This Character Area encourages single-family subdivisions at low to moderate densities, and recommends that infill developments be consistent with the character of existing abutting development. Discouraged uses in this Character Area include heavy industry, major warehousing and distribution. The proposed M-I zoning and use as truck storage lot could be inconsistent in an area established with residential development and recreational uses.

The subject site is bordered to the north across Hurricane Shoals Road and to the west by RA-200 zoned residential property. To the east is residential vacant property zoned R-140, and to the south is property zoned M-1 owned by Gwinnett County and established as Rabbit Hill Park. West of Rabbit Hill Park along Hurricane Shoals Road are existing industrial properties zoned M-1 which include existing trucking storage and distribution businesses closer to Highway 316. As existing industrial development is established west of the public park, the proposed rezoning and use on the opposite side of the park within an area established as residential may be inappropriate. To the east of the subject property, at the intersection of Hurricane Shoals Road and Old Peachtree Road are vacant, undeveloped properties zoned C-2 (General Business District), with the existing developed commercial properties within the city limits of Dacula. As the subject property is away from any major road intersections and not adjacent to any similar zoning districts or types of uses, the proposed M-1 zoning district with a Special Use Permit for a truck storage lot could be considered inconsistent with the overall development pattern established for the area. Additionally, the presence of an existing stream and water features in the area may be impacted by the proposed development.

In conclusion, the approval of the M-1 zoning district and Special Use Permit for the truck storage lot may not be consistent with the 2030 Unified Plan policies or the Future Development Map's designation as Existing/Emerging Suburban that encourages compatibility with existing land uses and zoning. Furthermore, the introduction of the M-1 zoning district with an industrial use and reduced buffers in an established residential area may negatively affect the quality of life for adjoining properties, the nearby public park, and the existing water courses on the property. Therefore, the Department recommends **DENIAL** of these requests.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS
RZC2017-00001

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

Approval as M-1 (Light Industry District) subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Light industrial, which may include outdoor truck storage as a special use per SUP2017-00002.
 - B. Buildings shall be finished with architectural treatments of glass, brick, and/or stone. Architectural renderings shall be submitted for review and approval of the Director of Planning and Development prior to issuance of building permits.
2. To satisfy the following site development considerations:
 - A. Natural vegetation shall remain on the property until the issuance of a development permit.
 - B. Provide a 75-foot wide natural undisturbed buffer, with a minimum six-foot high opaque fence located internal to the required buffer, adjacent to all residentially zoned property. The buffer shall be enhanced where sparsely vegetated. Buffer and fence design shall be subject to the approval of the Director of Planning and Development.
 - C. Provide a 50-foot wide undisturbed buffer adjacent to all county park property. The buffer shall be replanted and enhanced where sparsely vegetated. Final landscape and buffering plans shall be subject to review and approval of the Director of Planning & Development.
 - D. Dumpsters shall be screened by a 100% opaque masonry wall with an opaque metal gate enclosure. Dumpster pickup shall be between the hours of 7:00 a.m. and 7:00 p.m.
 - E. 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 properties or rights-of-way.
 - F. Ground signage shall be limited to one monument-type sign, and shall be subject to review and approval by the Director of Planning & Development. The sign shall include a minimum two-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full

- width of the sign cabinet, and the sign cabinet shall be fully recessed and surrounded by the same materials. Ground sign shall not exceed five feet in height, and shall not be internally-illuminated.
- G. Wall signage shall not exceed the requirements of the Gwinnett County Sign Ordinance, and shall only utilize neutral (non-white earth tone) background colors for the sign cabinet.
 - H. Window signage (signs displayed on the interior or exterior of the business storefront windows) shall be prohibited, except for open/closed signs required by county, state or federal law. Flashing or blinking signs and exposed neon or LED signs shall be prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.
 - I. 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.
 - J. Peddlers and/or parking lot sales shall be prohibited.
 - K. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS
SUP2017-00002

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

Approval of Special Use Permit for a truck storage lot subject to the following enumerated conditions:

1. Approval of a truck and heavy vehicle outdoor storage lot as a special use.
2. Outdoor storage of equipment, vehicles and materials shall be contained within a screened storage yard. Screening fence materials and height shall be subject to the approval of the Director of Planning and Development.
3. Outdoor loudspeakers shall be prohibited.
4. Hours of operation shall be limited to between 7:00 a.m. and 7:00 p.m.
5. Abide by all applicable conditions of RZC2017-00001

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The subject property is located along a segment of Hurricane Shoals Road that is characterized as primarily residential uses. Staff believes that the proposed industrial zoning and intense land use could be unsuitable at this location.

ADVERSE IMPACTS

Approval of the requested industrial zoning and use could have an adverse impact on adjacent and nearby properties through increased noise, traffic, dust and other impacts related to industrial uses.

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 run-off could be anticipated from development of the property as proposed.

CONFORMITY WITH POLICIES

The 2030 Unified Plan and the Future Development Map encourages single-family subdivisions at low to moderate densities, and recommends that infill developments be consistent with the character of existing abutting development. Discouraged uses in this Character Area include heavy industry, major warehousing and distribution. The proposed truck storage lot use could be inconsistent in an area established with residential development and recreational areas.

CONDITIONS AFFECTING ZONING

There are no industrial zonings or developments along this portion of Hurricane Shoals Road, and staff does not support the extension of industrial zoning beyond Rabbit Hill Park.

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

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, 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:

Yes hurricane shoals is a heavy C 2 d M corridor

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

No

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

No it is currently and AG zoning in a commercial district

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

No it is storage no effect on schools or utilities and very little on traffic

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

I feel it is in compliance with the Land use plan

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

None APPARENT

RECEIVED BY

NOV - 7 2016

3

RZC '17 001

Planning & Development

RINGO/ABERNATHY & ASSOCIATES

October 26, 2016

Gwinnett County
Current Planning Section
One Justice Square
446 West Crogan Street, Suite 250
Lawrenceville, Georgia 30046

Attn: Jerry Oberholtzer

RE: Rezoning Request & Special Use Permit—
Client: Ruth Dampson and Andrew Young
Parcel: 5-272-012

RECEIVED BY

NOV -1 2016

Planning & Development

RZC '17 00 1

To Whom It May Concern;

Our Clients, Dampson and Young, are seeking to rezone the referenced parcel from RA200 to M1. Additionally, they are seeking a Special Use Permit for outdoor Storage

Property Info:

Dampson and Young recently purchased from Steve Pennington two parcels totaling 15 ac. The 10 ac parcel has a house located on it, which our clients intend to use as their residence. The adjacent property they would like to park / store van trailers; mostly the 32-ft (school bus length) vans, but also some tractor trailer rigs. .

The subject parcel is 5 ac more or less, and is bounded to the East by an R-140 tract belonging to Donald Huff, to the South by an M1 parcel belonging to Gwinnett Co Parks, to the West by the owners themselves (RA200), and across the street by Lifeway Church (R-100).

Site Plan

The proposed plan shows a concrete apron driveway with a 90-ft throat into the property to get to the security gate completely off of the road. Inside the security fence, there will be a gravel parking lot with Landscaped timbers designating drive aisles and parking for various sized trucks/trailers. The zoning plan shows 60-ft tractor trailer spaces, but a majority of the spaces will be for 30-40-ft van trucks, travel trailers, campers, etc.

Landscape Buffers and Screening

The R-140 property to the east, the client proposes to provide a 35-ft planted buffer from Hurricane Shoals Rd down to the stream buffer, and continue on the other side of the stream to the back property line.

Abutting the park, the plan calls for a 35-ft Landscape Strip.

Abutting the clients residence, the plan calls for a 10-ft landscape strip.

Along Hurricane Shoals Rd, the plan calls for a 20-ft landscape strip and screening berm

The property will have a security fence surrounding it, beginning at the back of the 20-ft landscape strip.

Special Use Permit

The fact that vehicle trailers will be stored on the property by definition is "outdoor storage", and thus triggers the requirement for the SUP. The aforementioned Landscape Strips and Buffers are the proposed conditions associated with the zoning and SUP.

Client's Position on Approving this request

The area of this property is the north eastern edge of the Gwinnett Progress center. There are numerous commercial uses along Hurricane Shoals, school; church; industrial users, and a trucking company, as

well as a liquor store. The area is somewhat eclectic in that there is S/F s/d and industrial right around the corner. It is the opinion of the petitioner that given the diverse nature of the zonings in this area and the proximity to Gwinnett Progress Center, that this zoning and special use permit is in keeping with the uses in the area. As such, we respectfully request a favorable vote for approval of the requested rezoning and SUP on parcel 5-272-012.

Thank-you for your consideration

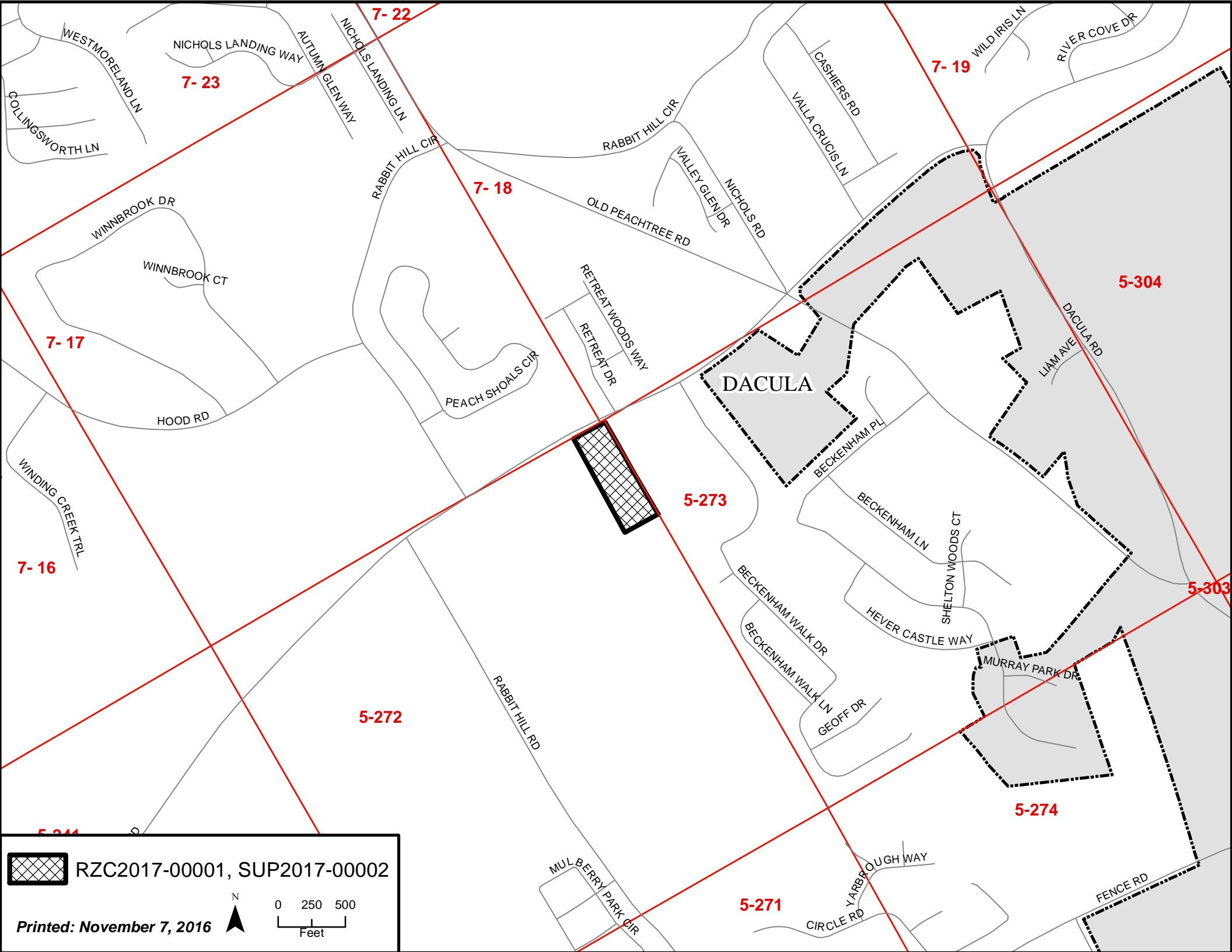
Danny Starling, client contact
For Ruth Dampson and Andrew Young, owners.

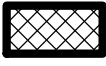
RECEIVED BY

NOV - 1 2016

Planning & Development

RZC '17 00 1



 RZC2017-00001, SUP2017-00002



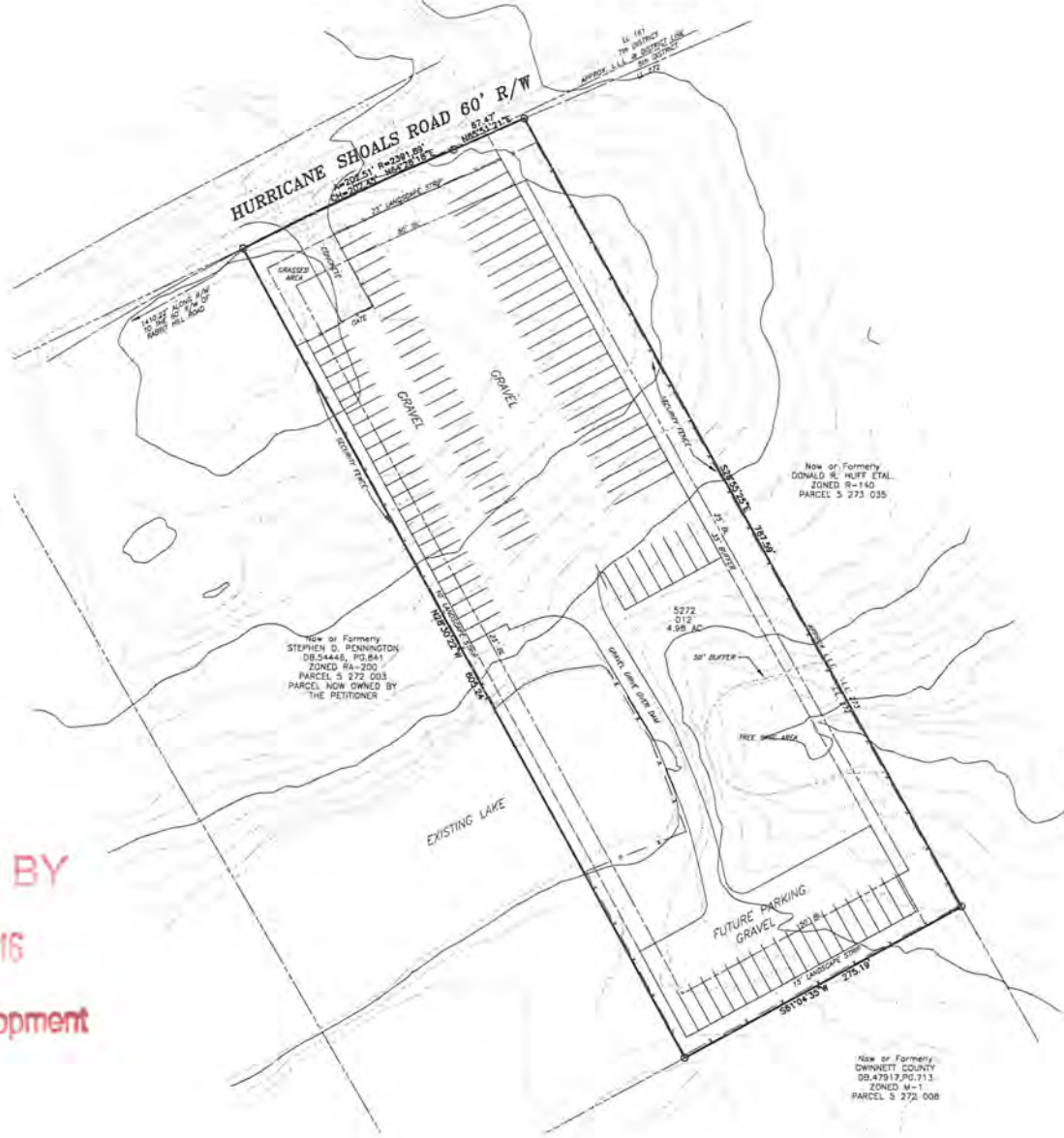
0 250 500
Feet

Printed: November 7, 2016

4.9877 TOTAL ACRES

LEGEND

- MB POINT OF BEGINNING
- LL LAND LOT LINE
- R/W RIGHT OF WAY
- N/P NOW OR FORMERLY
- CP CONCRETE TOP FOUND
- RF REBAR FOUND
- OPF OPEX TOP FOUND
- RFB REBAR B/S
- CMF CORRUGATED METAL PIPE
- RCF REINFORCED CONCRETE PIPE
- SDP SCHEDULE IRON PIPE
- PVC POLYVINYLCHLORIDE PIPE
- SWC SINGLE WING CATCH BASIN
- SWC2 DOUBLE WING CATCH BASIN
- CI CURB INLET
- DI DROP INLET
- CS CURB END SECTION
- JS JUNCTION BOX
- FEZ FLARED END SECTION
- WR WREATH WALL
- WR WREATH
- SMR SANITARY SEWER MANHOLE
- CS CLEAR CUT
- OV OVERTOP
- OL OVERHEAD POWER LINE
- EL ELECTRIC OUTLET
- UP UTILITY POLE
- UL UNDERGROUND POWER LINE
- GW GUIDE WIRE
- FP FIBER OPTIC
- L/P LIGHT POLE
- FW FIRE WYHOUST
- W WATER LINE
- WV WATER VALVE
- WV WATER VALVE
- VM VALVE MARKER
- SP SIGN POST
- BL BELONG LINE
- CL CENTERLINE
- ES EDGE OF PAVEMENT
- SP SAMPLING POINT
- MS MOUNDING POINT
- W WETLANDS
- CR CRITICAL ROOT ZONE



VICINITY MAP
N.T.S.

OWNER/DEVELOPER:
RUTH DAMPSON & ANDREW YOUNG
2050 HURRICANE SHOALS ROAD
Dacula, GA 30019
24 HR CONTACT - RUTH DAMPSON
PHONE: 678-790-0986

DESIGNER/ENGINEER:
RINGO-ABERNATHY & ASSOC.
174 DACULA ROAD
DACULA, GEORGIA 30019
24 HR CONTACT - KEVIN RINGO
PHONE: 770-962-8456

Now or Formerly
DONALD & HUFF ETAL
ZONED R-140
PARCEL S 273 035

Now or Formerly
STEPHEN D. PENNINGTON
DB:4448, PG:841
ZONED RA-200
PARCEL S 272 038
PARCEL NOW OWNED BY
THE PETITIONER

Now or Formerly
DWINNETT COUNTY
DB:47912, PG:71 3
ZONED M-1
PARCEL S 272 008

RZC '17 00

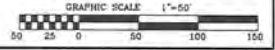
RECEIVED BY
NOV - 1 2016
Planning & Development



811
WHEN YOU NEED TO CALL BEFORE DIGGING
FOLLOWS GEORGIA - CALL 811
THE EXISTING UTILITIES SHOWN ON THIS PLAN WERE OBTAINED FROM
PUBLIC UTILITIES COMPANIES THROUGH DEVELOPMENTAL AGREEMENTS AND
FIELD SURVEY OBSERVATION. THE SURVEYOR ASSUMES NO LIABILITY FOR
THE LOCATION OR DEPTH OF UTILITIES. THE LOCATION OF UTILITIES MAY BE UNDETECTED UNDER
CERTAIN CONDITIONS. FIELD SURVEYING MAY REVEAL ADDITIONAL UTILITIES.
THE UTILITY INSPECTION SERVICE FOR THIS AREA MAY BE NEEDED.

GENERAL NOTES:

1. TOTAL AREA OF PROPERTY: 4.9877 ACRES
2. EXISTING PROPERTY ZONING: RA-200
PROPOSED PROPERTY ZONING: M-1
3. TOTAL NUMBER OF LOTS: 1 LOTS
4. GROSS DENSITY: 0.2005 LOT PER ACRE
NET DENSITY: 0.2005 LOT PER ACRE
5. SETBACKS: FRONT = 50 FEET
REAR = 50 FEET
SIDE = 25 FEET
6. NO WATER SERVICE PROPOSED
7. NO SANITARY SEWER SERVICE PROPOSED
8. ALL UTILITIES TO BE LOCATED UNDERGROUND
9. NO PORTION OF THIS PROPERTY LIES WITHIN A FLOOD HAZARD ZONE PER FLOOD PANEL 131J500061F, DATED 9/29/06
10. THERE ARE NO HISTORICAL, CULTURAL OR ARCHEOLOGICAL FEATURES ON THIS PROPERTY
11. THERE ARE NO SIGNIFICANT WILDLIFE HABITATS OR SCENIC VIEWS IDENTIFIED BY THE GEORGIA DEPARTMENT OF NATURAL RESOURCES
12. REFERENCE MATERIAL: PLAT OF SURVEY FOR STEVE PENNINGTON, PREPARED BY ROBERT M. BURCH, DATED FEBRUARY 11, 1984
13. THIS PLAN HAS BEEN CALCULATED FOR PRECISION AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 543,389 FEET
14. THIS PROPERTY HAS NOT BEEN SURVEYED BY RINGO-ABERNATHY & ASSOCIATES
15. BUTTERS AND LANDSCAPE STRIPS PROPOSED AS SHOWN PER PLAN.



THIS PLAN NOT FOR DEVELOPMENT APPROVAL OR RECORDING!


RINGO-ABERNATHY & ASSOCIATES
PLANNING ENGINEERS
174 DACULA ROAD - DACULA, GA 30019
Phone (770) 962-8456 - Fax (770) 277-3181

COUNTY:	DWINNETT
DISTRICT/LAND LOT:	516/272
PARCEL(S):	12
DATE:	10/31/16
SCALE:	1" = 50'
JOB NO.:	16070

REZONING PLAN FOR:
RUTH DAMPSON & ANDREW YOUNG

REVISIONS	NO.	DATE

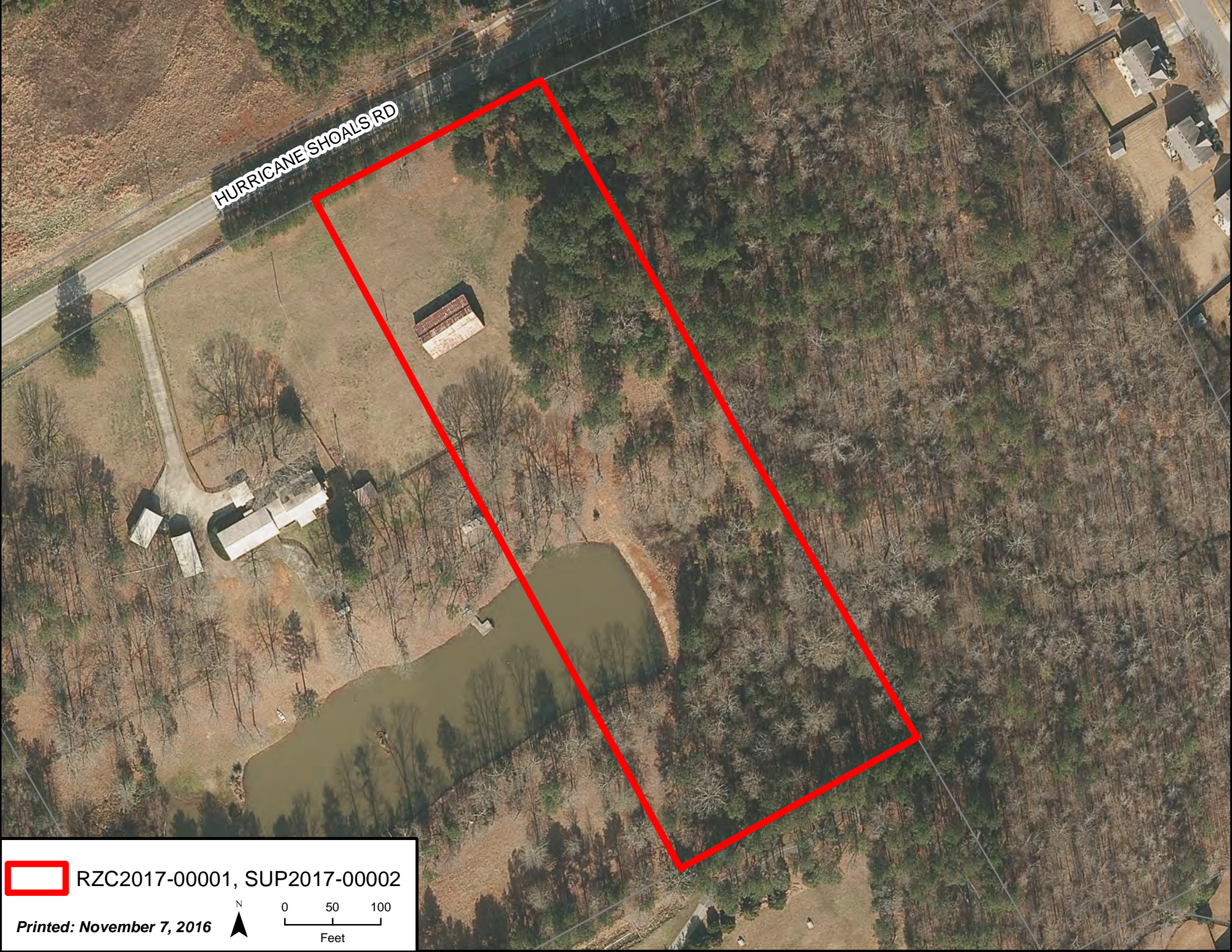
HURRICANE SHOALS RD

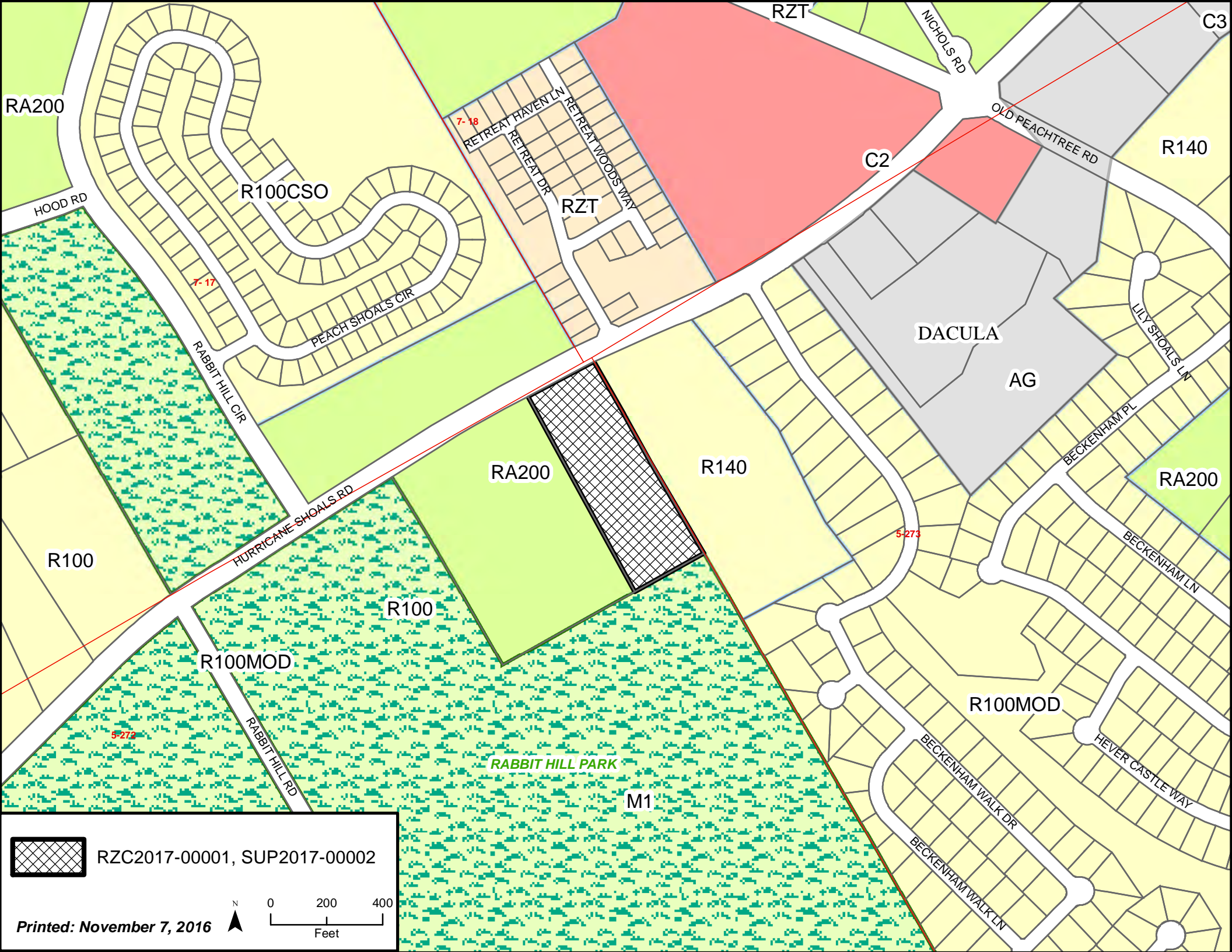
 RZC2017-00001, SUP2017-00002

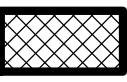
Printed: November 7, 2016


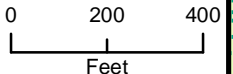
N

0 50 100
Feet





 RZC2017-00001, SUP2017-00002

Printed: November 7, 2016   0 200 400 Feet

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

CASE NUMBER	: RZC2017-00002
ZONING CHANGE	:R-100 TO O-I
LOCATION	:1500 BLOCK OF ATKINSON ROAD
MAP NUMBER	:R7074 004
ACREAGE	:4.68 ACRES
SQUARE FEET	:7,336 SQUARE FEET
PROPOSED DEVELOPMENT	:OFFICE (BUFFER REDUCTION)
COMMISSION DISTRICT	:(1) BROOKS

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

APPLICANT: RICHARD GOLDBERG
4268 ALLENHURST DRIVE
PEACHTREE CORNERS, GA 30092

CONTACT: RICHARD GOLDBERG PHONE: 770.845.2061

OWNER: RICHARD GOLDBERG
4268 ALLENHURST DRIVE
PEACHTREE CORNERS, GA 30092

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests the rezoning of a 4.68-acre parcel of land from R-100 (Single Family Residence District) to O-I (Office-Institutional District). The parcel is situated on the east side of Atkinson Road north of its intersection with Sugarloaf Parkway. The property is developed with an existing commercial building and parking lot which is presently vacant.

The submitted site plan proposes using the existing 7,336-square foot building for an office building for Southeast Title and Processing, Inc. A total of 125 parking spaces are reflected on the site plan with access being provided by an existing driveway onto Atkinson Road. The site was previously developed for a Georgia Department of Labor office in 1986, which was exempt from zoning requirements. The applicant proposes to bring the property into zoning compliance to be used for private office use.

No stormwater detention pond has been shown on the site plan provided. The entire northern portion of the property contains a Georgia Power Company easement. A 35-foot zoning buffer is required adjacent to the RM-8 zoned property to the northwest. Due to the power easement being located along this property line, the buffer is required to be adjacent to

this easement. Therefore a buffer reduction will be necessary to accommodate the existing portions of the building and parking lot that encroach into this buffer.

ZONING HISTORY:

In 1970, the subject property was zoned R-100.

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 Protection Section of the Unified Development Ordinance (Chapter 620) requires a ten-foot wide landscape strip adjacent to all street rights-of-way for non-residential developments.

The Buffer, Landscape and Tree Protection Section of the Unified Development Ordinance (Chapter 620) 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 610-20.3 of the Unified Development Ordinance requires screening of dumpsters and loading/unloading facilities.

Parking lots and interior driveways shall be designed in accordance with Chapter 240 of the Unified Development Ordinance.

Section 900-30 of the Unified Development Ordinance 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 900-90 of the Unified Development Ordinance 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).

Provide a 35-foot natural, undisturbed buffer adjacent to RM-8 zoned properties. (Unified Development Ordinance Chapter 610, Table 610.1 and Section 610-20.2).

Section 610-20.4B of the Unified Development Ordinance requires an additional five-foot setback for all structures (parking lots, driveways, detention ponds, retaining walls, etc.) adjacent to required buffers.

Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a Development Permit Application.

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.

Section 800-20 of the Unified Development Ordinance requires submittal of a Stormwater Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

Section 700-40.1B of the Unified Development 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:

Atkinson Road is a Major Arterial and 50 feet of right-of-way is required from the centerline, with 60 feet required within 500 feet of a major intersection.

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 southwest right-of-way of Atkinson Road

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

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for any proposed interior tenant space modifications for review and approval by Building Plan Review.
2. Upon completion of plan review approvals, the applicant shall obtain an interior finish building permit for each proposed tenant space 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:

No comment.

DEPARTMENT ANALYSIS:

The subject 4.68-acre property is located on the east side of Atkinson Road north of its intersection with Sugarloaf Parkway. The property is developed with an existing office building and parking lot which is presently vacant.

The 2030 Unified Plan Future Development Map indicates the property lies within an Existing/Emerging Suburban Character Area. The requested rezoning could be consistent with the recommendations for this Character Area, which supports neighborhood serving office uses at key nodes adequately buffered from surrounding single-family residential zoning and uses.

The area surrounding the subject property is characterized by commercial, office, institutional and multi-family and single family residential zoning and uses. Immediately to the east of the property are office buildings zoned C-2 and O-I. South and west across Atkinson Road, are single family neighborhoods zoned R-ZT. North of the property is the Worthington Ridge townhome development zoned RM-8, an office development zoned M-I and a senior

retirement community zoned O-I. Given the mixture of uses in the surrounding area, the requested office use could be compatible with the other uses in the area.

In conclusion, the proposed office development could be consistent with the recommendations of the Unified Plan and compatible with the commercial, institutional and office zoning and uses 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 O-I (Office-Institutional District), subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Office, Institutional and accessory uses.
 - B. Any building exterior renovations shall be of a brick, stacked stone and/or glass finish on all sides. Final building elevations shall be submitted for review by the Director of Planning and Development. Building shall be repainted a non-white earth tone color. Any further renovations shall be brick or stacked stone.
2. To abide by the following site development considerations:
 - A. Provide a 20-foot wide buffer adjacent to residentially-zoned properties outside the utility easement along the north property line except for existing building and parking encroachments. The buffer shall be enhanced where sparsely vegetated.
 - B. Provide a ten-foot wide landscaped strip adjacent to all rights-of-way.
 - C. Parking shall be brought up to current parking lot standards.
 - D. Ground signage shall be limited to monument-type sign(s), and shall be subject to review and approval by the Director of Planning & Development. The sign shall include a minimum two-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the sign cabinet shall be fully recessed and surrounded by the same materials. Ground sign(s) shall not exceed eight feet in height.
 - E. Wall signage shall not exceed the requirements of the Gwinnett County Sign Ordinance, and shall only utilize neutral (non-white earth tone) background colors for the sign cabinet.
 - F. Window signage (signs displayed on the interior or exterior of the business storefront windows) shall be prohibited, except for open/closed signs or signs required by county, state or federal law. Flashing or blinking signs and exposed neon or LED signs shall be prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.
 - G. Billboards or oversized signs 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. 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.
- I. Outdoor storage shall be prohibited.
- J. 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.
- K. 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.
- L. Outdoor loudspeakers shall be prohibited.
- M. Peddlers and/or parking lot sales shall be prohibited.
- N. 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 requested rezoning to O-I may be suitable given the established office uses at the subject intersection.

ADVERSE IMPACTS

With the recommended conditions, potential impacts on neighboring properties could be minimized.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

Development of the site would result in an increase in traffic, utilities demand and storm-water runoff.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates the property lies within an Existing/Emerging Suburban Character Area. The requested rezoning could be consistent with the recommendations for this Character Area, which supports neighborhood serving office uses at key nodes adequately buffered from surrounding single-family residential zoning and uses.

CONDITIONS AFFECTING ZONING

Given the established office and institutional uses in the area, the proposed rezoning could be in keeping with the existing uses and zoning in the surrounding area. However conditions controlling architecture, signage and lighting should be included to ensure the quality of development.

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

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, 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:

Nearby property is zoned O+I. The lot behind and touching this lot is O+i named Ember Business Center.

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

No- Nearby property is zoned O+I.

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

Nearly half of the land in under Georgia Power lines.

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

No- I currently employ 20 people at the Adjacent property "Ember Business Center". We have little to no visitors to our business.

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

Nearby Property is zoned O+I and the current site was used as an office building and training center for the Georgia Department of Labor.

- (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:

The property was developed with a commercial use. There are several Commercial building nearby the subject property.

RECEIVED BY

NOV 03 2016

LETTER OF INTENT

1535 Atkinson Road

Lawrenceville, GA 30043

The property was purchased from the state and used to be an office building that was the former Georgia Department of Labor building. I intend to renovate the interior so that I can move my existing business into the property. The property is 4.677 acres with 2.302 acres lying in a Georgia Power Easement.

The current building is a single story brick faced steel frame structure that has a usable square footage of 7340 square feet. There are 125 parking spaces. My company Southeast Title and Processing Inc currently employs 20 people and we intend for the building to be used as our Head Quarters.

I wish to rezone the property to Office-Institutional from its current R-100. Thank you.

Sincerely,

Richard Ashley Goldberg

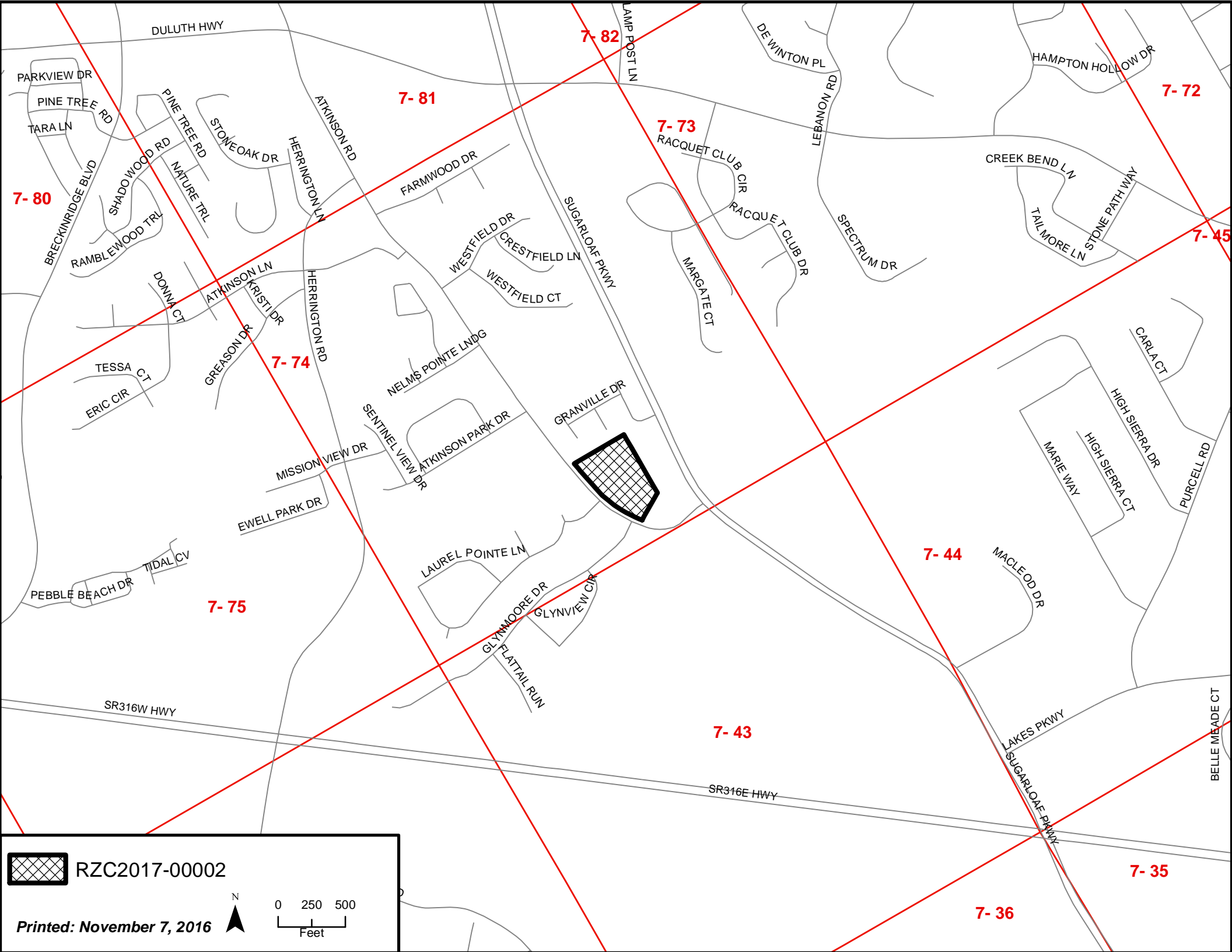
Property Owner

RECEIVED BY

NOV 03 2016

Planning & Development

RZC '17 002



7-80

7-81

7-82

7-73

7-72

7-45

7-74


7-75

7-44

7-43

7-35

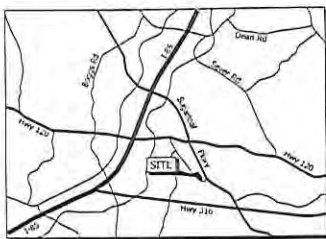
7-36

 RZC2017-00002

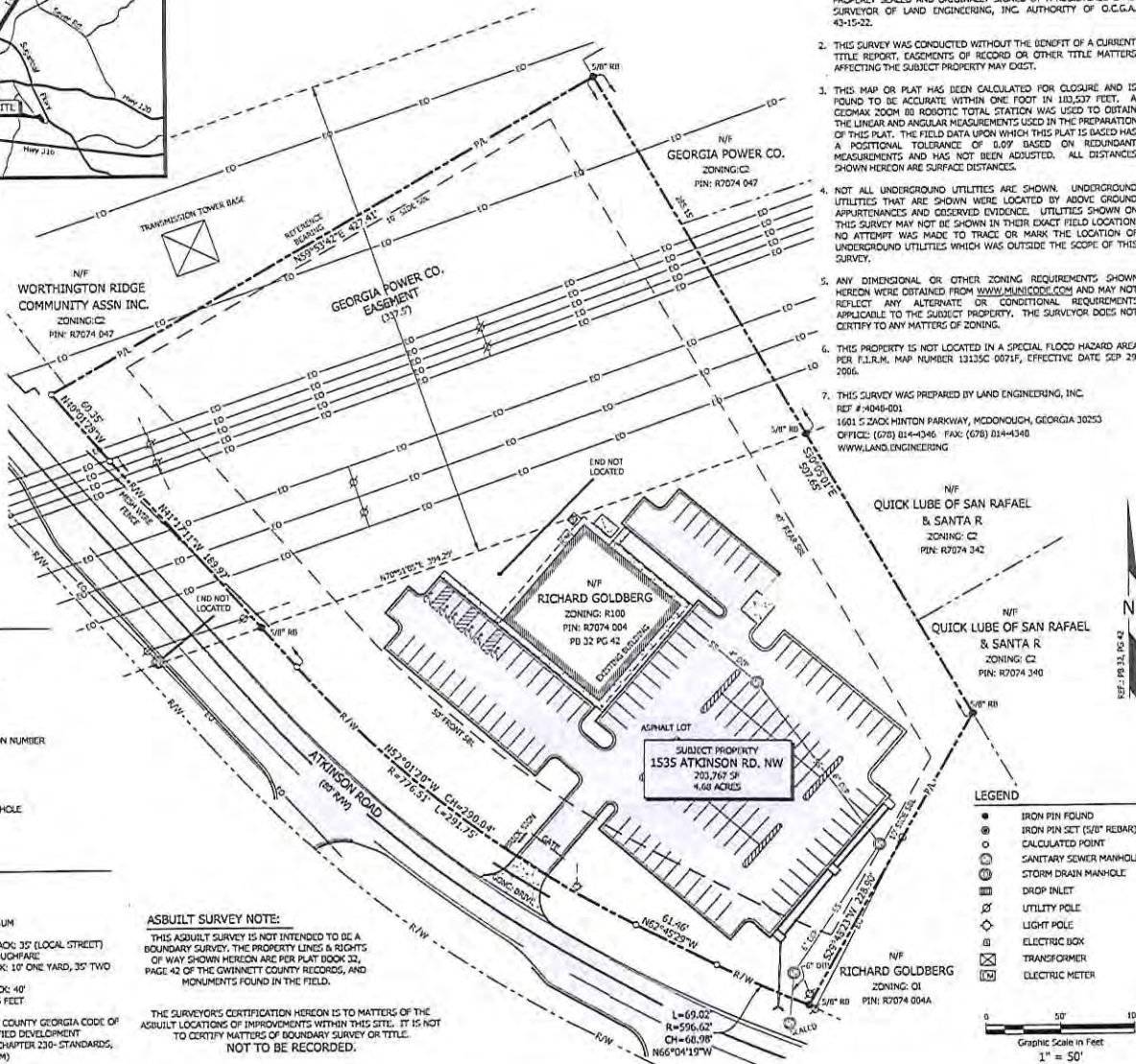


0 250 500
Feet

Printed: November 7, 2016



VICINITY MAP (N.T.S.)



ABBREVIATIONS

- CDNC CONCRETE
- DB DEED BOOK
- DI DROP INLET
- DIP DUCTILE IRON PIPE
- EO OVERHEAD ELECTRIC
- N/F NOW OR FORMERLY
- N.T.S. NOT TO SCALE
- PB PLAT BOOK
- PG PAGE
- P.I.N. PARCEL IDENTIFICATION NUMBER
- P/L PROPERTY LINE
- RB REBAR
- R/W RIGHT OF WAY
- S/L SETBACK LINE
- S.F. SQUARE FEET
- SSMH SANITARY SEWER MANHOLE

ZONING NOTE:

ZONING: R100

DEVELOPMENT CONTROLS
 BUILDING COVERAGE: NO MAXIMUM
 YARD REQUIREMENTS:
 MINIMUM FRONT SETBACK: 35' (LOCAL STREET)
 OR 50' MAJOR THROUGHFARE
 MINIMUM SIDE SETBACK: 10' ONE YARD, 35' TWO YARDS
 MINIMUM REAR SETBACK: 40'
 MINIMUM BUILDING HEIGHT: 35 FEET

ZONING REFERENCE: GWINNETT COUNTY GEORGIA CODE OF ORDINANCES, APPENDIX A- UNIFIED DEVELOPMENT ORDINANCE, PART 16-ZONING, CHAPTER 230- STANDARDS, SECTION 230-10 (MUNICODC.COM)

ASBUILT SURVEY NOTE:

THIS ASBUILT SURVEY IS NOT INTENDED TO BE A BOUNDARY SURVEY. THE PROPERTY LINES & RIGHTS OF WAY SHOWN HEREON ARE PER PLAT BOOK 32, PAGE 42 OF THE GWINNETT COUNTY RECORDS, AND MONUMENTS FOUND IN THE FIELD.

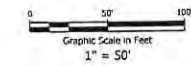
THE SURVEYOR'S CERTIFICATION HEREON IS TO MATTERS OF THE ASBUILT LOCATIONS OF IMPROVEMENTS WITHIN THIS SITE. IT IS NOT TO CERTIFY MATTERS OF BOUNDARY SURVEY OR TITLE. NOT TO BE RECORDED.

GENERAL NOTES:

- THIS DRAWING WAS CREATED ELECTRONICALLY. THIS MEDIA SHOULD NOT BE CONSIDERED A CERTIFIED DOCUMENT UNLESS IT HAS BEEN PROPERLY SEALED AND ORIGINALLY SIGNED BY A REGISTERED LAND SURVEYOR OF LAND ENGINEERING, INC. AUTHORITY OF O.C.G.A. 43-15-22.
- THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT, EASEMENTS OF RECORD OR OTHER TITLE MATTERS AFFECTING THE SUBJECT PROPERTY MAY EXIST.
- THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 110,537 FEET. A CLOSMAX ZOOM 80 ROBOTIC TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A POSITIONAL TOLERANCE OF 0.09' BASED ON REDUNDANT MEASUREMENTS AND HAS NOT BEEN ADJUSTED. ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES.
- NOT ALL UNDERGROUND UTILITIES ARE SHOWN. UNDERGROUND UTILITIES THAT ARE SHOWN WERE LOCATED BY ABOVE GROUND APPEARANCES AND OBSERVED EVIDENCE. UTILITIES SHOWN ON THIS SURVEY MAY NOT BE SHOWN IN THEIR EXACT FIELD LOCATION. NO ATTEMPT WAS MADE TO TRACE OR MARK THE LOCATION OF UNDERGROUND UTILITIES WHICH WAS OUTSIDE THE SCOPE OF THIS SURVEY.
- ANY DIMENSIONAL OR OTHER ZONING REQUIREMENTS SHOWN HEREON WERE OBTAINED FROM WWW.MUNICODC.COM AND MAY NOT REFLECT ANY ALTERNATE OR CONDITIONAL REQUIREMENTS APPLICABLE TO THE SUBJECT PROPERTY. THE SURVEYOR DOES NOT CERTIFY TO ANY MATTERS OF ZONING.
- THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA PER F.I.R.M. MAP NUMBER 13135C 0071F, EFFECTIVE DATE SEP 29, 2006.
- THIS SURVEY WAS PREPARED BY LAND ENGINEERING, INC. REF # 4048-001. 1601 S ZACK HINTON PARKWAY, MCDONOUGH, GEORGIA 30253 OFFICE: (678) 814-4346 FAX: (678) 814-4348 WWW.LAND.ENGINEERING

LEGEND

- IRON PIN FOUND
- IRON PIN SET (5/8" REBAR)
- CALCULATED POINT
- ⊗ SANITARY SEWER MANHOLE
- ⊗ STORM DRAIN MANHOLE
- ⊗ DROP INLET
- ⊗ UTILITY POLE
- ⊗ LIGHT POLE
- ⊗ ELECTRIC BOX
- ⊗ TRANSFORMER
- ⊗ ELECTRIC METER



LAND ENGINEERING
 1601 S Zack Hinton Parkway
 McDonough, Georgia 30253
 T 678.814.4346, F 678.814.4348
 www.land.engineering
 CA LSF #0946

SCALE:

 SURVEYOR'S CERTIFICATION
 THE SURVEYOR WHOSE SEAL IS AFFIXED HEREOF CERTIFIES THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 1807 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PRACTICE ACT, O.C.G.A. 15-4-2.

REVISION / ISSUE
 NO. DATE DESCRIPTION
 1 10/24/16 DATE OF FIELD SURVEY

CLIENT: RICH GOLDBERG PROJECT NAME: 1535 ATKINSON ROAD

SITE LOCATION:
 LAND LOT(S): 74
 LAND DISTRICT: 74
 SECTION: NA
 CITY: GWINNETT
 COUNTY: GWINNETT
 STATE: GEORGIA

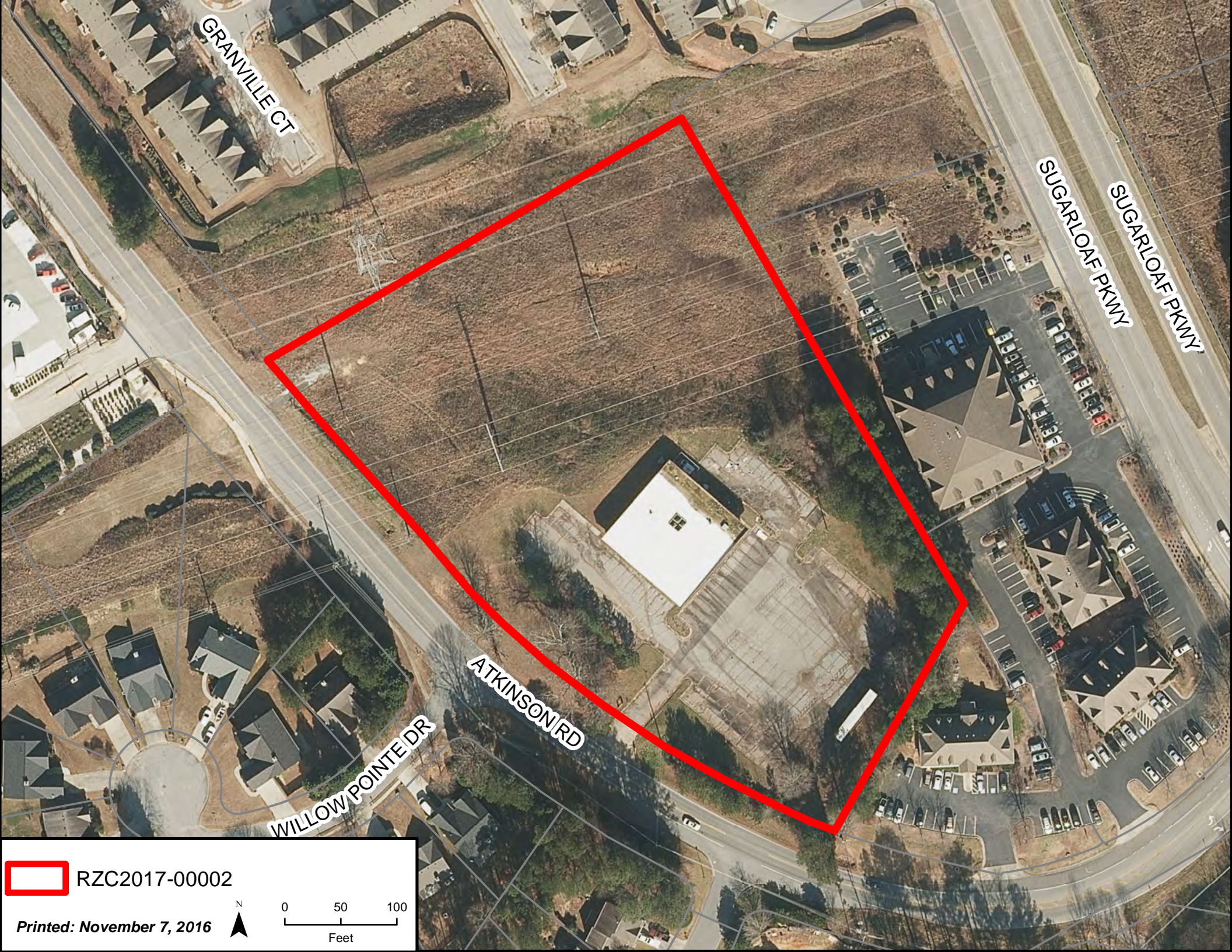
SCALE: 1" = 50'	ONE INCH AT FULL SCALE
DRAWN BY: BJD	ODD BY: BJD
PROJ. NO.: 4048-001	DATE: 11/2/16

SHEET TITLE: ASBUILT SURVEY

SHEET: 1
 TOTAL SHEETS: 1

RZC 17002

RECEIVED BY
 NOV 3 2016
 Planning & Development




GRANVILLE CT

SUGARLOAF PKWY

SUGARLOAF PKWY

ATKINSON RD

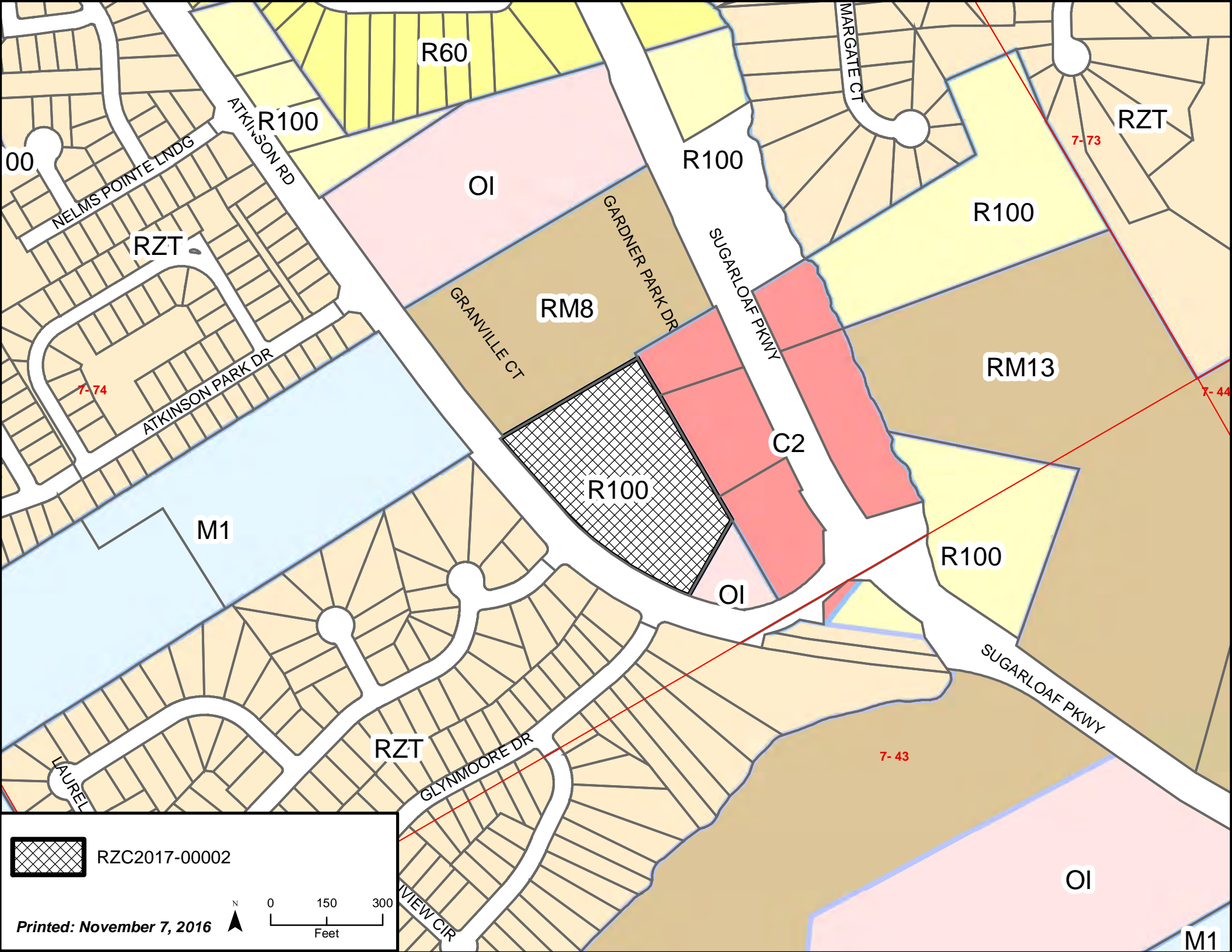
WILLOW POINTE DR

 RZC2017-00002

Printed: November 7, 2016

N

0 50 100
Feet



R60

R100

RZT

R100

OI

R100

RZT

RM8

RM13

C2

R100

R100

M1


OI

RZT

7-43

OI

M1

 RZC2017-00002

Printed: November 7, 2016

0 150 300
Feet

N

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

CASE NUMBER :**RZC2017-00003**
ZONING CHANGE :RL TO O-I
LOCATION :1700 BLOCK OF BUFORD DAM ROAD
:6300 BLOCK OF OLD SHADBURN FERRY ROAD
:6500 BLOCK OF OLD GARRETT ROAD
MAP NUMBERS :R7362 030 & 031
ACREAGE :16.39 ACRES
SQUARE FEET :13,920 SQUARE FEET
PROPOSED DEVELOPMENT :CLUB, LODGE, OR FRATERNAL ORGANIZATION
COMMISSION DISTRICT :(4) HEARD

CASE NUMBER :**SUP2017-00003**
ZONING :O-I (PROPOSED)
LOCATION :1700 BLOCK OF BUFORD DAM ROAD
:6300 BLOCK OF OLD SHADBURN FERRY ROAD
:6500 BLOCK OF OLD GARRETT ROAD
MAP NUMBERS :R7362 030 & 031
ACREAGE :16.39 ACRES
SQUARE FEET :13,920 SQUARE FEET
PROPOSED DEVELOPMENT :CLUB, LODGE, OR FRATERNAL ORGANIZATION
COMMISSION DISTRICT :(4) HEARD

FUTURE DEVELOPMENT MAP: **CHATTAHOOCHEE RIVER CHARACTER AREA**

APPLICANT: BUFORD AMERICAN LEGION POST 127
C/O MILL CREEK CONSULTING
4480 COMMERCE DRIVE, SUITE A
BUFORD, GA 30518

CONTACT: MITCH PEEVY PHONE: 770.614.6511

OWNER: I H KENNEDY GROUP LLC & STELLA MOONEY
C/O MILL CREEK CONSULTING
4480 COMMERCE DRIVE, SUITE A
BUFORD, GA 30518

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant requests to rezone a 16.39-acre two parcel assemblage from RL (Lakeside Residence District) to O-I (Office-Institutional District), along with a Special Use Permit, to allow for the development and establishment of an American Legion lodge. The properties are

located on the north side of Buford Dam Road, between Old Garrett Road and Old Shadburn Ferry Road. The two subject parcels are currently undeveloped, with some wooded areas, a stream going through the rear of the property and direct access to Lake Lanier. The Gwinnett County Shoal Creek Filter Plant is located across the street (1667 Buford Dam Road).

According to the applicant, the main property (R7362 031) would be developed for use by the Buford American Legion organization. The applicant made note that the property may be used for camping and other outdoor recreational activities, which are uses that are not permitted in the O-I zoning district. The site would be developed with a 13,920 square foot building less than 35 feet in height. A total of 100 paved parking spaces are proposed for the site, located on an area between the road and the proposed new building, with an additional 28 future spaces designated on a graded area east of the parking lot. Access would be provided via a driveway across the second subject property (R7362 030) extending from the intersection of Old Garrett Road and Buford Dam Road. Although a portion of the property does abut Old Shadburn Ferry Road to the east, no access to this road is proposed.

A minimum 50-foot zoning buffer is required adjacent to residential zoning for the O-I zoning district. The submitted site plan indicates this required buffer would be met and landscaped. No stormwater facilities are indicated on the site plan.

ZONING HISTORY:

The property has been zoned RL since 1970.

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.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

Parking lots and interior driveways shall be designed in accordance with Chapter 240 of the Unified Development Ordinance.

Section 900-30 of the Unified Development Ordinance 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 900-90 of the Unified Development Ordinance 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 minimum of 15-foot building setback is required from the right-of-way of Buford Dam Road and Old Shadburn Ferry Road.

Provide a 50-foot natural, undisturbed buffer adjacent to residential zoned properties. (Unified Development Ordinance Chapter 610, Table 610.1 and Section 610-20.2).

Section 610-20.4B of the Unified Development Ordinance requires an additional five-foot setback for all structures (parking lots, driveways, detention ponds, retaining walls, etc.) adjacent to required buffers.

Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a Development Permit Application.

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.

Section 800-20 of the Unified Development Ordinance requires submittal of a Stormwater Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

Section 700-40.1B of the Unified Development 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:

This property appears to have stream buffers and floodplain. All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Buford Dam Road is a 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.

Old Garret Road is a Local Residential Street and 25 feet of right-of-way is required from the centerline.

Commercial entrances shall be provided to the site per current development regulations.

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

Dedicate at no cost to Gwinnett County Department of Transportation (D.O.T.) the necessary right-of-way and easements for the construction of transportation improvement projects based on plans on file with the Gwinnett County D.O.T.

The developer shall be limited to one curb cut.

The project entrance shall align with opposing roads or driveways in accordance with the Gwinnett County Unified Development Ordinance.

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.

Minimum separation from a driveway, public road, or side street shall be provided as specified in the Gwinnett County Unified Development Ordinance.

Upgrade the existing substandard Old Garrett Road to meet current Gwinnett County roadway standards and upgrade the existing Traffic Signal.

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 northeast right-of-way of Buford Dam Road.

Due to the uncontrollable variables, the Department of Water Resources (DWR) 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 eight-inch sanitary sewer main located approximately 2,509 feet south of parcel R7362 031 on parcel R7531 029.

The subject development is located within the Level 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 comments.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject property contains a 16.39-acre two parcel assemblage located on the north side of Buford Dam Road, between Old Garrett Road and Old Shadburn Ferry Road. The subject parcels are currently undeveloped, with some wooded areas and direct access to Lake Lanier.

The 2030 Unified Plan Future Development Map indicates that the property is located within the Chattahoochee River Character Area. The Unified Plan designates this area to remain predominantly residential with future development to be implemented in more environmentally sensitive ways. As there are retail and commercial services in the neighboring cities, this Character Area notes there is little need to locate any retail or commercial beyond the corner store variety within this area. Despite the proposed institutional use of a lodge, which is not normally considered a retail or commercial use, the proposed office-institutional zoning may be inconsistent with the intent of the plan to restrict non-residential uses in the area. Additionally, the introduction of a large building with large parking areas could be inconsistent with the Character Area recommendation of low impact development.

The surrounding area is characterized by low-density residential homes on acreage and in subdivisions. On the north side of Buford Dam Road on either side of the property are properties zoned RL, with the Quillian Tuggle subdivision located to the east across Old Shadburn Ferry Road. To the north is property owned by the Army Corp of Engineers as part of their Lake Lanier operations. On the south side of Buford Dam Road, the properties are all zoned R-100 (Single-Family Residence District), which includes the Shoal Creek Filter Plant operated by the Gwinnett County Department of Water Resources. The proposed O-I zoning may not be appropriate at this location as it would be only property with this zoning designation in the area. While the topography of the site does allow any development of the property to be screened from view, the anticipated use of the site may not be considered in alignment with the surrounding uses or preservation of environmental character.

In conclusion, the approval of the O-I zoning district and Special Use Permit for a club, lodge or fraternal organization may not be consistent with the 2030 Unified Plan policies or the Future Development Map's Chattahoochee River Character Area that encourages compatibility with existing land uses and zoning. Furthermore, the introduction of the O-I zoning district in an established residential area may negatively affect the quality of life for adjoining properties and sensitive environmental resources. Therefore, the Department recommends **DENIAL** of these requests.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS
RZC2017-00003

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

Approval as O-I (Office-Institutional District) subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Office-Institutional use, which may include a club, lodge and fraternal organization as a special use per SUP2017-00003.
 - B. Buildings shall be of a traditional residential style, compatible with the homes in the surrounding area and shall be of a brick, stacked stone and/or glass finish on all sides. Final building elevations shall be submitted for review by the Director of Planning and Development.
2. To satisfy the following site development considerations:
 - A. Natural vegetation shall remain on the property until the issuance of a development permit.
 - B. Exit/entrance design and location shall be subject to review and approval of the Gwinnett County Department of Transportation. No curb cuts are permitted along Old Shadburn Ferry Road.
 - C. Ground signage shall be limited to one monument-type sign, and shall be subject to review and approval by the Director of Planning & Development. The sign shall include a minimum two-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the sign cabinet shall be fully recessed and surrounded by the same materials. Ground sign shall not exceed six feet in height, and shall not be internally-illuminated.
 - D. Billboards or oversized signs shall be prohibited.
 - E. 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.
 - F. Outdoor storage shall be prohibited.

- G. 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.
 - H. Lights 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 right-of-way.
 - I. Outdoor loudspeakers shall be prohibited.
 - J. Peddlers and/or parking lot sales shall be prohibited.
 - K. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
3. To abide by the following requirements, dedications and improvements:
- A. Developer shall upgrade the existing substandard Old Garrett Road to meet current Gwinnett County roadway standards and upgrade the existing Traffic Signal at Buford Dam Road.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS
SUP2017-00003

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

Approval of Special Use Permit for a club, lodge or fraternal organization use is subject to the following enumerated conditions:

1. Approval of a club, lodge or fraternal organization as a special use.
2. No shooting ranges, archery ranges or similar outdoor recreational facilities shall be permitted.
3. No camping or similar outdoor recreational activities shall be permitted.
4. Abide by all applicable conditions of RZC2017-00003

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The subject property is located along a segment of Buford Dam Road that is characterized primarily by residential uses. Staff believes that the proposed office-institutional zoning and intense land use could be unsuitable at this location.

ADVERSE IMPACTS

Approval of the requested office-institutional zoning and use could have an adverse impact on adjacent and nearby properties through increased noise, traffic, and other impacts related to institutional uses.

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 run-off could be anticipated from development of the property as proposed.

CONFORMITY WITH POLICIES

The 2030 Unified Plan and the Future Development Map recommends low-density residential land uses in the Chattahoochee River Character Area that encourage the protection of water quality and environmentally unique character of the area. The proposed office-institutional land use and development may not be consistent with policies of this Character Area as a non-residential use surrounded by existing and protected residential properties and disruptive to the existing environmental character.

CONDITIONS AFFECTING ZONING

There are no other office-institutional zonings or developments along this portion of Buford Dam Road, and staff does not support the introduction of a non-residential zoning district into an area surrounded by residential zoning and uses.

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 AS CURRENTLY ZONED.

(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 LAND USE PLAN STATES THE PROPERTY IS IN THE CHATTAHOOCHEE RIVER AREA.

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

SEE LETTER OF INTENT.

RECEIVED BY

NOV 03 2016

RZC '17 003

Planning & Development

REZONING APPLICANT'S LETTER OF INTENT

The Applicant, Buford American Legion Post 127, requests a rezoning from R-L to O-I with a special use to allow a club/lodge to be built on the property. The subject property totals 16.39 acres and is located on Buford Dam Road with the entrance planned to be at the traffic light across from the Gwinnett County water plant. The applicant proposes to build a 13,920 square foot facility which equates to only 849 square feet per acre. No buffer reductions are proposed and since this is not a commercial venture the building will be somewhat screened from view along its frontage on Buford Dam Road. The planned location of the building itself will be about 10 feet below the road level of Buford Dam road and with the height of the building being less than 35 the building will be difficult to see.

The Legion has had a long history of giving back to the North Gwinnett community by building and establishing the youth baseball fields in Buford to providing both financial and emotional support to veterans in the area. However, the current location has now been surrounded by the ever expanding Buford School system so it is time for them to move to another location. There will be no outside activities other than fishing and telling tall tales at the existing dock and the boy scouts will be allowed to camp out on the property and utilize the dock area as well. NO OTHER OUTSIDE activities will be allowed as all meetings and social activities will be held inside the building.

The location will allow the Legion to continue to support veterans and their families in the North Gwinnett area as well as continue their support of youth activities.

RECEIVED BY

NOV 03 2016

Planning & Development

RZC '17 003



DENNIS L. NORTON
 1121 Liberty Lane
 Dunwoody, Georgia 30022
 PHONE: (478) 462-5253
 dnorton@dnortonarch.com

24 HR. CONTACT:
 Mr. Tony Zavitz
 (770) 957-8866

Copyright © 2016
 Dennis L. Norton, Architect
 The use or duplication
 of this document is
 prohibited without the
 express written consent
 of Dennis L. Norton



ENTRY LEVEL FLOOR PLAN
AMERICAN LEGION POST 87
 16448 Dora Road & Old Shalston Ferry Road
 BUFORD, GEORGIA COUNTY, GEORGIA

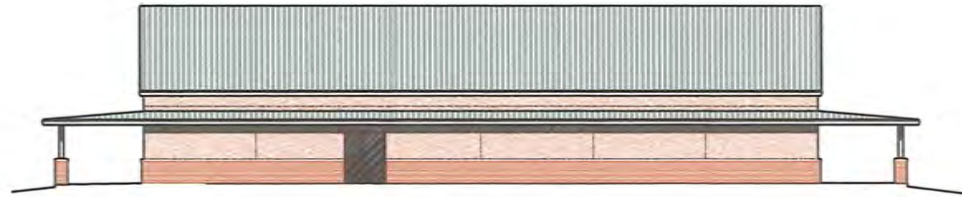
NO.	DESCRIPTION	DATE

PROJECT NUMBER
 00000

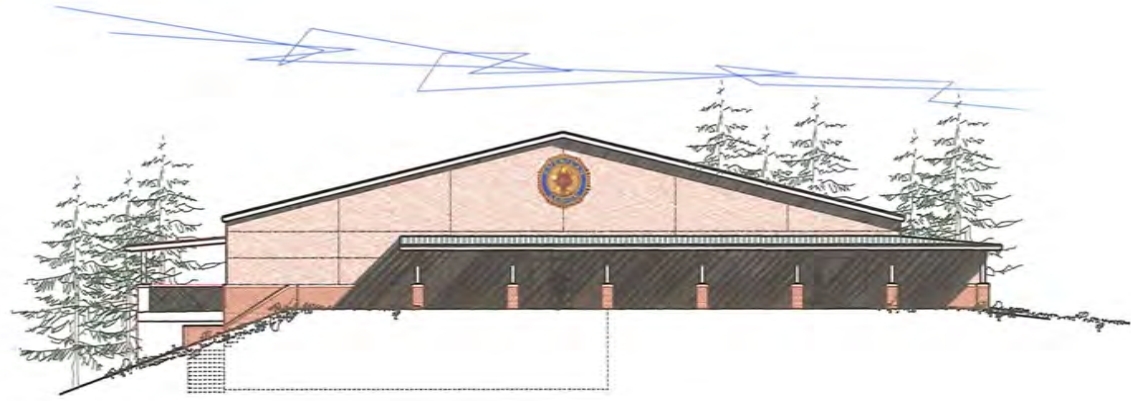
DESCRIPTION
 FLOOR PLAN

DRAWING NUMBER

A-2



① **EAST ELEVATION**
 1/8" = 1'-0"
 SCALE IN FEET



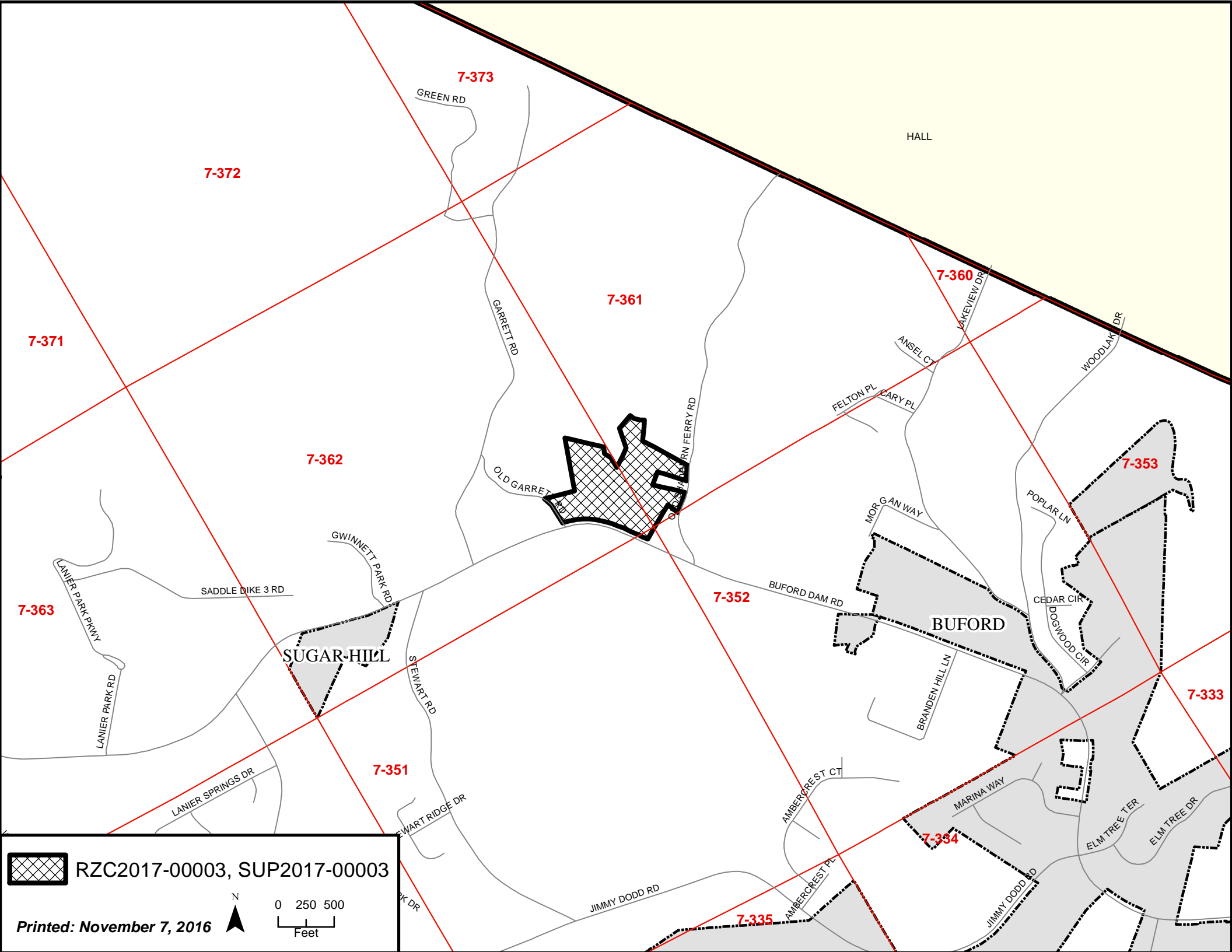
① **SOUTH ELEVATION**
 1/8" = 1'-0"
 SCALE IN FEET


RZC '17 003

RECEIVED BY

NOV 03 2016

Planning & Development



 RZC2017-00003, SUP2017-00003

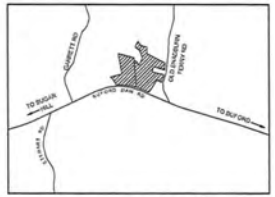
Printed: November 7, 2016  0 250 500 Feet

US ARMY CORPS OF ENGINEERS
TAK PARCEL # 8708110
ZONING: R-1

CURVE	CHORD	ARC LENGTH	CHORD BEARING	CHORD BEARING
1	144.22	112.17	123.17°	123.17°
2	175.48	113.97	118.97°	118.97°
3	112.23	88.67	106.86°	106.86°
4	186.42	142.21	112.21°	112.21°
5	242.42	158.68	109.59°	109.59°
6	304.74	174.98	107.47°	107.47°
7	370.04	191.29	105.37°	105.37°

LINE	BEARING	DISTANCE
1	N 13.53° E	179.19
2	N 08.01° E	31.00
3	S 50.12° E	43.99
4	S 75.27° E	38.79
5	S 1.88° E	15.19
6	S 22.90° E	31.82
7	S 71.59° E	43.10

- CONSTRUCTION NOTES:**
1. THE DRAWINGS AND SPECIFICATIONS ARE INTENDED TO COVER A COMPLETE PROJECT, READY TO USE, AND ALL ITEMS NECESSARY FOR A COMPLETE AND WORKABLE JOB SHALL BE FURNISHED AND INSTALLED. ANY DISCREPANCY SHALL BE IMMEDIATELY REPORTED TO THE OWNER OR HIS REPRESENTATIVE.
 2. NOTIFY THE INSPECTOR OF THE LOCAL GOVERNING AUTHORITY 24 HOURS BEFORE EVERY PHASE OF CONSTRUCTION.
 3. ALL WORK SHALL COMPLY WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL CODES. ALL NECESSARY LICENSES AND PERMITS SHALL BE OBTAINED BY THE CONTRACTOR, AT HIS EXPENSE, UNLESS OTHERWISE NOTED BY THE OWNER.
 4. THE CONTRACTOR SHALL COORDINATE LOCATION AND INSTALLATION OF ALL UNDERGROUND UTILITIES AND APPURTENANCES TO MINIMIZE DISTURBING EXCAVATION, TRENCHING AND ALL OTHER UTILITIES.
 5. THE EXISTING UTILITIES SHOWN ARE FOR THE CONTRACTOR'S INFORMATION ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE DRAWINGS. THE UTILITIES SHOWN ARE LOCATED BY THE SURVEYOR OF RECORD. THE ENGINEER ASSURES NO RESPONSIBILITY FOR THE LOCATION OF UTILITIES SHOWN ON ALL DRAWINGS. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES WITHIN THE LIMITS OF WORK. ALL CHANGES TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
 6. DEVIATIONS FROM THESE PLANS AND SPECIFICATIONS WITHOUT PRIOR CONSENT OF THE ENGINEER AND THE MUNICIPALITY MAY CAUSE FOR THE WORK TO BE UNACCEPTABLE.
 7. ALL MATERIALS SHALL BE NEW UNLESS NOTED OR SALVAGED MATERIALS ARE AUTHORIZED BY THE OWNER.
 8. THE CONTRACTOR SHALL FURNISH AND MAINTAIN ALL NECESSARY BARRICADES AROUND THE WORK AND SHALL PROVIDE PROTECTION AGAINST WATER DAMAGE AND SOIL EROSION.
 9. ALL WORK SHALL BE PERFORMED IN A NEAT AND WORKMANLIKE MANNER TO THE ENTIRE SATISFACTION OF THE OWNER, AND IN ACCORDANCE WITH THE BEST RECOGNIZED TRADE PRACTICES.
 10. THE CONTRACTOR SHALL PROVIDE SAFETY AND SIGNALING FOR ALL FRENCH CONSTRUCTION IN ACCORDANCE WITH OSHA REGULATIONS.
 11. ALL PIPE LENGTHS SHOWN ARE TO THE CENTERLINE OF THE STRUCTURES UNLESS SPECIFICALLY NOTED.
 12. RISES (STORM AND SANITARY SEWER) SHALL BE LAID ON GRADES. CONTRIBUTE GRADES WITH NO VISIBLE BENCHES AT THE DEPTH. BEHIND REQUIREMENTS SPECIFIED HEREIN ARE TO BE CONSIDERED AS MINIMUM REQUIREMENTS FOR RELATIVELY DRY STABLE EARTH CONDITIONS. ADDITIONAL BENCHING SHALL BE REQUIRED FOR ROCK TRENCHES TO PROVIDE SUCH ADDITIONAL BENCHING AS REQUIRED TO PROPERLY CONSTRUCT WORK.
 13. ALL STORM DRAINAGE STRUCTURES SHALL HAVE METAL RING AND COVER FOR ACCESS.
 14. ALL ANGLES SHOWN ARE 90 DEGREES UNLESS SHOWN OTHERWISE.
 15. ALL GRADES SHOWN ARE FINISHED GRADES. CONTRACTOR SHALL VERIFY DIMENSIONS, GRADES, AND EXISTING ELEVATIONS PRIOR TO CONSTRUCTION.
 16. ALL CONCRETE SHALL HAVE 3000 PSI COMPRESSIVE STRENGTH AT 28 DAYS, WITH A MAXIMUM SLURRY OF FOUR (4) INCHES, UNLESS SPECIFIED OTHERWISE.
 17. FINISHED AND UNFINISHED BASE COURSE AND ASPHALT CONCRETE SURFACES AND PRIME MATERIALS, EQUIPMENT, METHODS FOR CONSTRUCTION AND WORKMANSHIP SHALL CONFORM TO STATE D.O.T. STANDARD SPECIFICATIONS.
 18. CONTRACTOR TO BE RESPONSIBLE FOR ALL EXISTING SANITARY WATER AND OTHER UTILITIES LOCATIONS AND DEPTHS FOR INSTALLATION OF ANY UTILITIES. NOTIFY ENGINEER PRIOR TO PROCEEDING WITH ANY WORK. IF DISCREPANCIES FOUND CONTRACTOR SHALL USE CONCRETE CHASES FOR INSTALLATION OF WATER MAINS.
 19. ALL DIMENSIONS ARE MEASURED TO THE BACK OF CURB UNLESS OTHERWISE NOTED.



LOCATION MAP
SCALE: NTS

PROJECT NOTES:

OWNER: DEVELOPER
 3675 Main 160 Road
 Suite 2000
 Marietta, GA 30067
 Contact: Tom Davis
 Tel: 770-475-0000
 Email: tom@carter.com

ARCHITECT:
 Carter Engineering Consultants, Inc.
 3675 Main 160 Road
 Suite 2000
 Marietta, Georgia 30067
 Contact: Jeff Carter, P.E.
 Tel: (770) 725-1234

PROJECT LOCATION: 3675 Main 160 Road, Buford, GA 30018 (Corner of Buford Dam Road, Buford, GA 30018)

DATE: 10/27/16

PROJECT JOB # AT AMERICAN LEGION PROJECT:
 16001BAL

DESIGN AND CONSTRUCTION ADMINISTRATION PROVIDED FROM THE END OF WORK. CARTER ENGINEERING CONSULTANTS, 3675 Main 160 Road, Suite 2000, Marietta, GA 30067 Tel: (770) 725-1234

CARTER INTERNAL IS NOT:

The undersigned certifies that these plans have been prepared from field observation and existing drawings. The owner or engineer warrants that the underground utilities shown conform to the actual conditions in the field. The undersigned certifies that the proposed site plan is the best location indicated. The owner or engineer warrants that the proposed site plan is the best location indicated. The owner or engineer warrants that the proposed site plan is the best location indicated.

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO FIELD VERIFY ALL UTILITIES PRIOR TO CONSTRUCTION AND NOTIFY THE ENGINEER IF A DISCREPANCY IS FOUND.

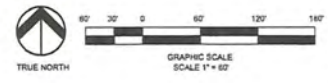
The undersigned shall verify the exact location of all existing storm and sanitary sewer utilities prior to commencement of storm and sanitary sewer construction.

STORMWATER MANAGEMENT SHALL BE IN ACCORDANCE WITH COUNTY, STATE, AND OTHER APPROPRIATE ORDINANCES AND REGULATIONS IN EFFECT AT TIME OF CONSTRUCTION PLAN APPROVAL.

RECEIVED BY
 NOV 03 2016
 Planning & Development

PARKING DATA:

Standard Parking Requirement	1000
Building Square Footage	11,000
REQUIRED PARKING	75
PARKING SPACES PROVIDED	160
TOTAL PARKING SPACES:	160



PROPOSED SITE PLAN
 for
 BUFORD AMERICAN LEGION
 GWINNETT COUNTY, GEORGIA

PROJECT NAME:
 BUFORD AMERICAN LEGION

SHEET TITLE:
 PROPOSED SITE PLAN

SHEET NUMBER:
 C-2

PROJECT NUMBER:
 16001BAL

DATE:
 10/27/16


RZC '17 003



OLD GARRETT RD

BUFORD DAM RD

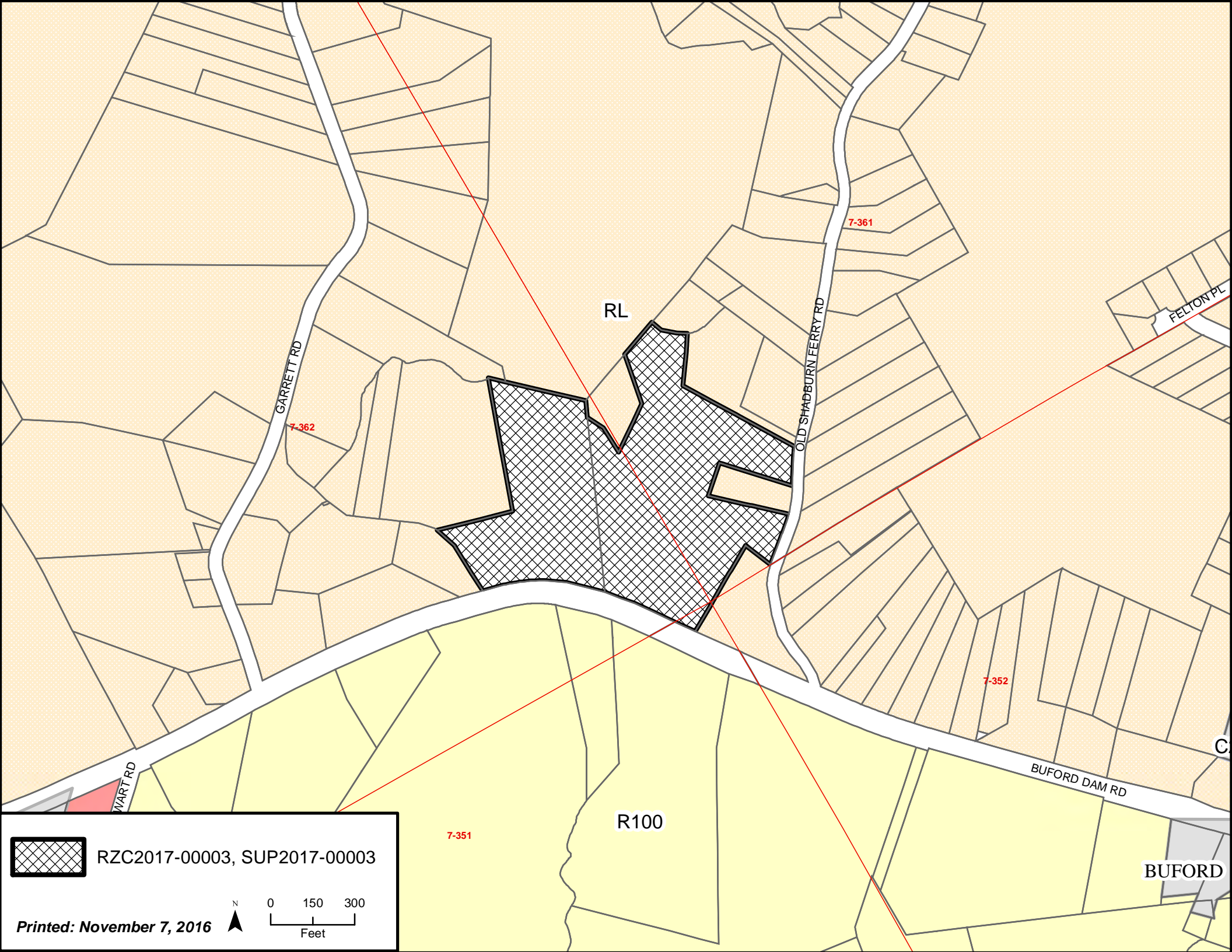
OLD SHADBURN FERRY RD

 RZC2017-00003, SUP2017-00003

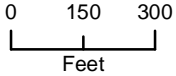
Printed: November 7, 2016

N

0 50 100
Feet



RZC2017-00003, SUP2017-00003



Printed: November 7, 2016

RL

R100

7-362

7-361

7-352

7-351

GARRETT RD

OLD SHADBURN FERRY RD

BUFORD DAM RD

FELTON PL

BUFORD

WART RD

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

CASE NUMBER :**RZC2017-00005**
ZONING CHANGE :R-100 TO O-1
LOCATION :1200 BLOCK OF OAK ROAD
MAP NUMBER :R6086 010
ACREAGE :1.41 ACRES
SQUARE FEET :7,920 SQUARE FEET
PROPOSED DEVELOPMENT :MONTESSORI SCHOOL (BUFFER REDUCTION)
COMMISSION DISTRICT :(2) HOWARD

CASE NUMBER :**SUP2017-00005**
ZONING :O-1 (PROPOSED)
LOCATION :1200 BLOCK OF OAK ROAD
MAP NUMBER :R6086 010
ACREAGE :1.41 ACRES
SQUARE FEET :7,920 SQUARE FEET
PROPOSED DEVELOPMENT :MONTESSORI SCHOOL (BUFFER REDUCTION)
COMMISSION DISTRICT :(2) HOWARD

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

APPLICANT: AZIZ CHARANIA
4464 NEWPORT VIEW COURT
LILBURN, GA 30047

CONTACT: AZIZ CHARANIA PHONE: 678.754.1879

OWNER: AZIZ CHARANIA
4464 NEWPORT VIEW COURT
LILBURN, GA 30047

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant is requesting rezoning from R-100 (Single Family Residence District) to O-1 (Office-Institutional) with a Special Use Permit in order to develop a 7,920-square foot Montessori school. The subject parcel contains 1.41 acres on the west side of Oak Road near the entrance to the Brookwood Oaks subdivision, south of Five Forks Trickum Road. The property is vacant and mostly wooded.

According to correspondence with the applicant, the school will serve children aged 18 months to 6.5 years old for a total of 80 students. The submitted site plan indicates one access point on Oak Road, to be aligned across with Winding Way. The site is directly adjacent to property owned by the Brookwood Oaks Homeowners Association on the south and west as part of the open space requirement for an R-100 CSO (Conservation Subdivision

Overlay District) subdivision. That property consists of a 40 to 50-foot wide strip located between Brookwood Oak Lane and subject site. Typically, 50-foot wide buffers are required between O-I zoning and R-100 CSO and R-100 zoning; however, according to correspondence with the applicant, the site plan is showing buffers ranging from 20 to 40 feet. Twenty parking spaces are indicated on the site plan, which meets the minimum requirement. No stormwater detention facility is shown on the site plan.

ZONING HISTORY:

The subject property has been zoned R-100 (Single-Family Residence District) since 1970.

GROUNDWATER RECHARGE AREA:

The subject property is located within an identified Significant Groundwater Recharge Area. The development would be served by sanitary sewer, resulting in minimal impact.

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 Protection Section of the Unified Development Ordinance (Chapter 620) requires a ten-foot wide landscape strip adjacent to all street rights-of-way for non-residential developments.

The Buffer, Landscape and Tree Protection Section of the Unified Development Ordinance (Chapter 620) 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 610-20.3 of the Unified Development Ordinance requires screening of dumpsters and loading/unloading facilities.

Parking lots and interior driveways shall be designed in accordance with Chapter 240 of the Unified Development Ordinance.

Section 900-30 of the Unified Development Ordinance 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 900-90 of the Unified Development Ordinance 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 minimum of 15-foot building setback is required from the right-of-way of Oak Road and Brookwood Oak Lane.

Provide a 50-foot natural, undisturbed buffer adjacent to R-100 and R-100 CSO zoned properties. (Unified Development Ordinance Chapter 610, Table 610.1 and Section 610-20.2).

Section 610-20.4B of the Unified Development Ordinance requires an additional five-foot setback for all structures (parking lots, driveways, detention ponds, retaining walls, etc.) adjacent to required buffers.

Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a Development Permit Application.

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.

Section 800-20 of the Unified Development Ordinance requires submittal of a Stormwater Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

Section 700-40.1B of the Unified Development 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.

The developer must submit a final plat for review and approval of the development division prior to submittal and acceptance of a development permit application.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Oak Road is a Major Arterial and 50 feet of right-of-way is required from the centerline, with 60 feet required within 500 feet of a major intersection.

Brookwood Oak Lane is a Local Residential Street and 25 feet of right-of-way is required from the centerline.

Commercial entrances shall be provided to the site per current development regulations.

Standard deceleration lane with appropriate taper and adequate right-of-way will be required. The developer shall be limited to one curb cut.

The project entrance shall align with opposing roads or driveways in accordance with the Gwinnett County Unified Development Ordinance.

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.

Driveway acceleration lane is not allowed under current Unified Development Ordinance standards.

Prior to the issuance of a Development Permit, the applicant shall provide a traffic impact study.

Prior to the issuance of the first certificate of occupancy, the applicant shall make any improvements recommended by the traffic impact study, provided the improvements are approved by the D.O.T. All design and construction will be subject to D.O.T. review and approval.

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 ten-inch water main located on the southwest right-of-way of Oak Road.

Due to the uncontrollable variables, the Department of Water Resources (DWR) 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 eight-inch sanitary sewer main located approximately 24 feet south of parcel R6086 010 and parcel R6086 304.

The subject development is located within the Yellow River 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. 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:

No comment.

DEPARTMENT ANALYSIS:

The subject parcel contains 1.41 acres on the west side of Oak Road near the entrance to the Brookwood Oaks subdivision, south of Five Forks Trickum Road. The property is vacant and heavily wooded.

The 2030 Unified Plan Future Development Map identifies the property as lying within an Existing/Emerging Suburban Character Area. Rezoning the property to O-I (Office-Institutional) would not be considered compatible with this Character Area designation. Policies of this area encourage neighborhood-serving institutional uses located at major intersections, provided they are adequately buffered from surrounding single family development. The O-I zoning and Special Use Permit for a Montessori school for a total of 80 students may be too large to be considered neighborhood-serving scale and could be considered inconsistent and incompatible with 2030 Unified Plan policies at this location.

The area surrounding the subject property is characterized by low-density residential uses developed primarily in R-100 and R-100 CSO zoning. Adjacent to the west is the Brookwood Oaks subdivision, zoned R-100 CSO. To the north and south are single family residences on large tracts, zoned R-100. Across Oak Road are the Five Oaks, Brookwood Laurel Plantation and Edgebrook subdivisions, all zoned and developed as R-100 single family subdivisions. In staff's opinion, the approval of O-I zoning for a private Montessori school is not compatible with the established single family residential character of the immediate area and may set a precedent for future non-residential requests along this portion of Oak Road.

In conclusion, the requested rezoning and Special Use Permit may not be appropriate in view of the well-established single family subdivisions in the immediate area and may be better suited on properties located in more non-residential settings or at major intersections. Therefore, the Department of Planning and Development recommends **DENIAL** of these requests.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

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

Approval as O-I zoning with a Special Use Permit for a Montessori School, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Limited to a Montessori school pursuant to SUP2017-00005.
 - B. Buildings shall be of a traditional residential style, compatible with the homes in the surrounding area and shall be of a brick, stacked stone and/or glass finish on all sides. Final building elevations shall be submitted for review by the Director of Planning and Development.
2. To satisfy the following site development considerations:
 - A. Provide a 20-foot wide natural undisturbed buffer adjacent to all residentially-zoned properties. The buffer shall be enhanced where sparsely vegetated.
 - B. Provide a ten-foot wide landscaped strip adjacent to Oak Road.
 - C. Natural vegetation shall remain on the property until the issuance of a development permit.
 - D. Ground signage shall be limited to one monument-type sign, and shall be subject to review and approval by the Director of Planning & Development. The sign shall include a minimum two-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the sign cabinet shall be fully recessed and surrounded by the same materials. Ground signage shall not exceed six feet in height.
 - E. Wall signage shall not exceed the requirements of the Gwinnett County Sign Ordinance, and shall only utilize neutral (non-white earth tone) background colors for the sign cabinet.
 - F. Window signage (signs displayed on the interior or exterior of the business storefront windows) shall be prohibited, except for open/closed signs or signs required by county, state or federal law. Flashing or blinking signs and exposed

neon or LED signs shall be prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.

- 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, sign-walkers and sign-twirlers 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 adjacent properties or rights-of-way.
 - I. Outdoor storage shall be prohibited.
 - J. 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.
 - K. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
 - L. Prior to the issuance of a Development Permit, the applicant shall provide a traffic impact study.
3. To abide by the following requirements, dedications and improvements:
- A. Prior to the issuance of a Development Permit, the applicant shall provide a traffic impact study.
 - B. Prior to the issuance of the first certificate of occupancy, the applicant shall make any improvements recommended by the traffic impact study, provided the improvements are approved by the Gwinnett County D.O.T. All design and construction will be subject to D.O.T. review and approval.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

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

Approval as a Special Use Permit for a Montessori School, subject to the following enumerated conditions:

1. Limited to a Montessori school not to exceed 7,920 square feet and a total of 80 students.
2. The hours of operation shall be limited to 6:00 a.m. to 7:00 p.m., Monday through Friday.
3. The playground area shall be completely surrounded with a minimum four-foot high chain link fence.
4. All outdoor activities shall be supervised by an employee of the school.
5. Abide by all applicable conditions of RZC2017-00005.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The proposed Montessori school within an established, low density single family residential area may not be suitable for the subject property.

ADVERSE IMPACTS

The proposed Montessori school may have adverse impacts on adjacent and nearby single family residential properties due to an increase in activity on the site not consistent with typical single-family residences.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

It is anticipated that there would be additional impacts on public facilities in the form of traffic, stormwater and utility demand.

CONFORMITY WITH POLICIES

The requested O-I rezoning and Special Use Permit may be inconsistent with policies of the 2030 Unified Plan that encourage uses to be compatible with neighboring properties and consistent with the character of a given residential area. A Montessori school with 80 students may be considered an unsuitable use within a residential area, but is encouraged within more commercialized settings or at major intersections.

CONDITIONS AFFECTING ZONING

Approval of these requests could set a precedent for future non-residential rezonings and more intense land uses in the predominantly single family residential area.

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

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, 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:

Yes

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

NO

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

NO

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

NO

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

Yes

- (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:

None

RECEIVED BY

NOV 04 2016

Planning & Development

Letter of Intent

Date: Nov 3rd, 2016

I would like to build a Montessori School on the property located at 1221 Oak Road, Lilburn, GA 30047. The parcel ID is R6086 010 and consisting 3.94 acres; currently zoned R100. There is currently one SFR on the property.

I would like to divide the property in two pieces; one parcel of 1.41 acres and the other remaining 2.53 acres. The existing SFR would be on the 2.53 acres section of the property. On 1.41 acres of the property, I would like to build a Montessori School. The school building would be 7,920 sq feet.


I would like to request a reduction on the buffer on the back and on the side facing the home. Despite the request for buffer reduction the proposed building and children play area would be at least **70 feet away** from the property line of the residences on the back, due to the fact that there is a 50 foot wide undeveloped property that sits between the proposed Montessori school and SFR's in the back. **Also, the elevation of school backyard (proposed children play area) is approximately 20 to 25 feet higher than the elevation of the SFR's backyard; separated with dense trees and bushes, and therefore wouldn't cause any nuisance.**

The closest Montessori school in each direction are located:

North: No Montessori School
South: 6 Miles
East : 3 miles
West: 12 Miles

I think there is a need for Montessori School to serve the community in the area. I therefore, request to grant the zoning for the proposed Montessori School.

Thanking You



Aziz Charania

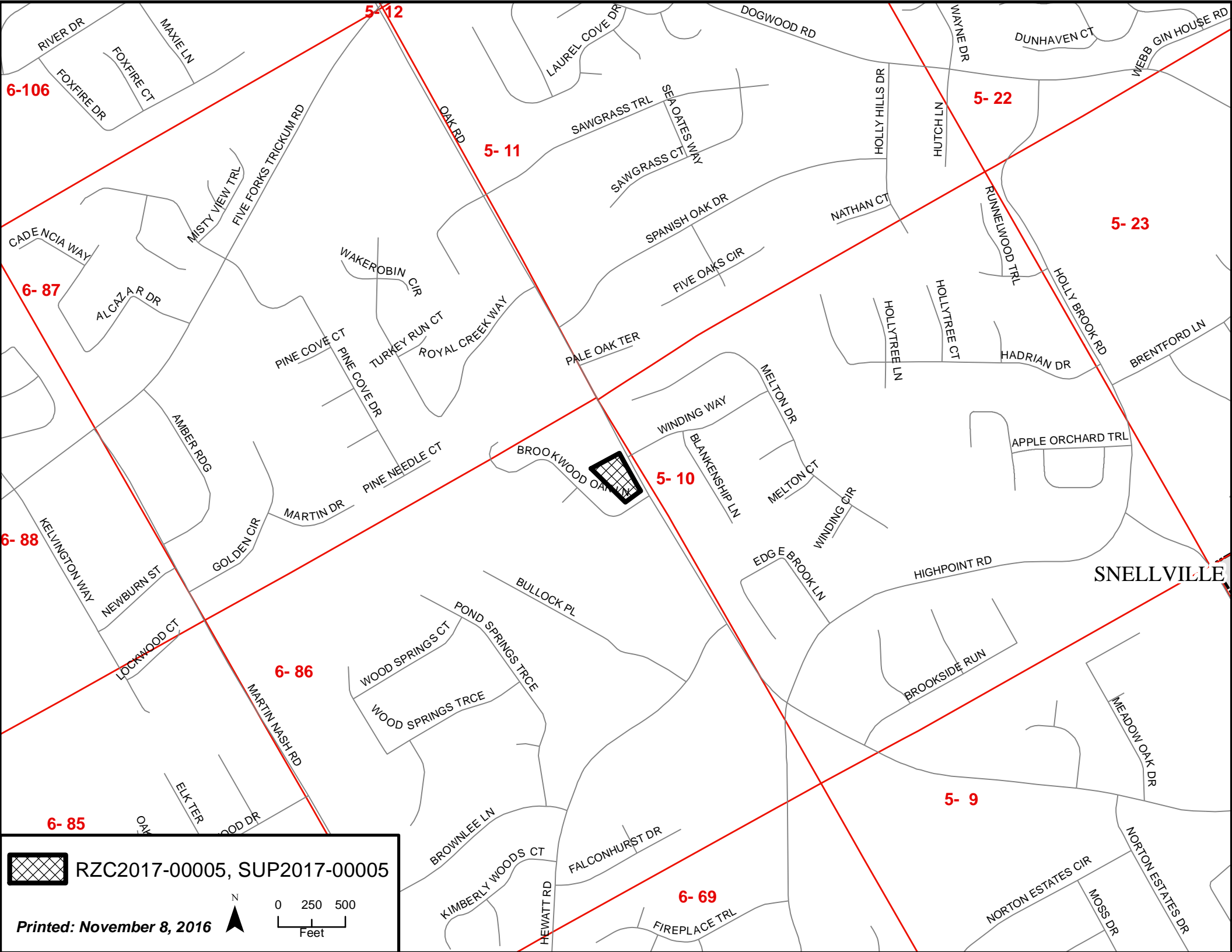
RECEIVED BY

NOV 04 2016

Planning & Development

RZC2017-00005

SUP '17 00 5



5-10

6-86

6-85

6-69

5-9

5-23

5-22

5-11

6-87

6-106

6-88

RZC2017-00005, SUP2017-00005



0 250 500
Feet

Printed: November 8, 2016

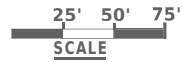
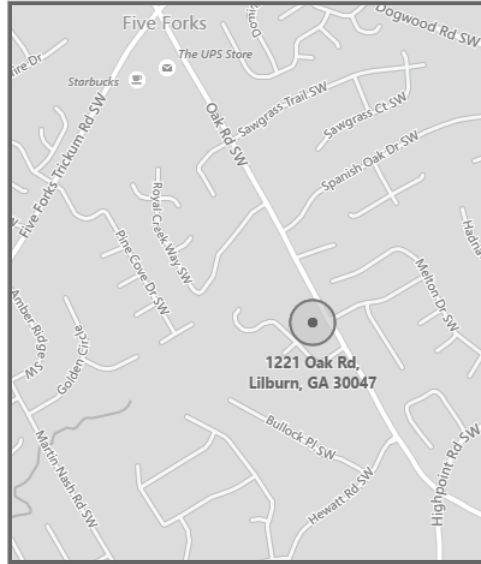
SNELLVILLE

SITE INFORMATION

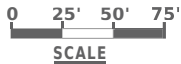
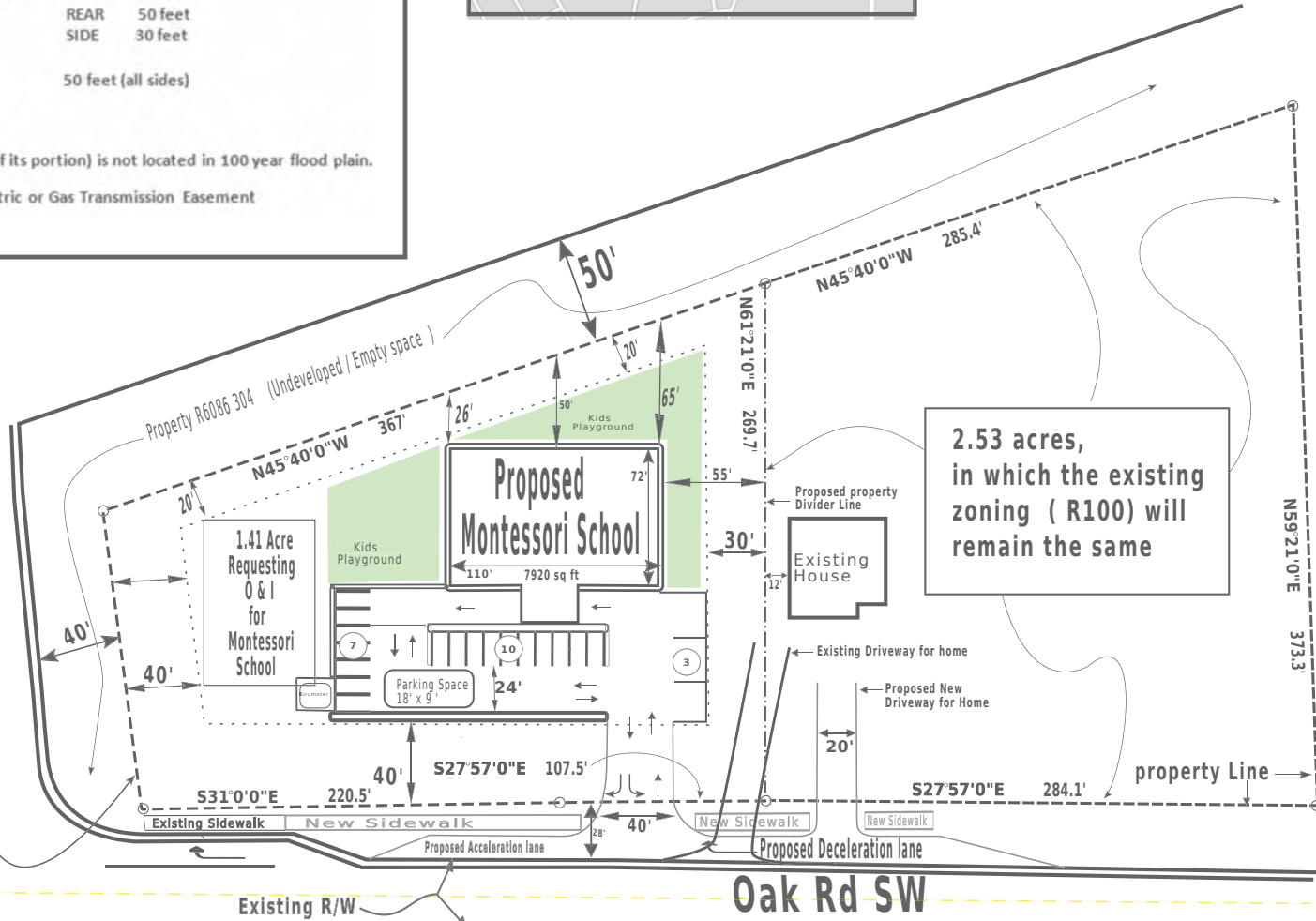
Location	1221 Oak Rd, Lilburn, GA 30047
Parcel ID	R6086 010 (3.94 acres)
Existing Zoning	R-100
Proposed Land Use	Montessori School
Proposed Acre Usage	1.41 acres (61,360 sq ft)
Disturbed Area	0.73 acres 31581 sq ft
Percent Impervious	52 %
Proposed Zoning	C-1 (Only Portion of the Property)
Driveway	1 Driveway: 40'
Building Area	7920 sq ft
Parking Requirement	1 per 400 Sq ft (Total required = 20)
Parking Spaces	20
Setback Requirement	FRONT 50 feet REAR 50 feet SIDE 30 feet
Buffer	50 feet (all sides)

GENERAL NOTES

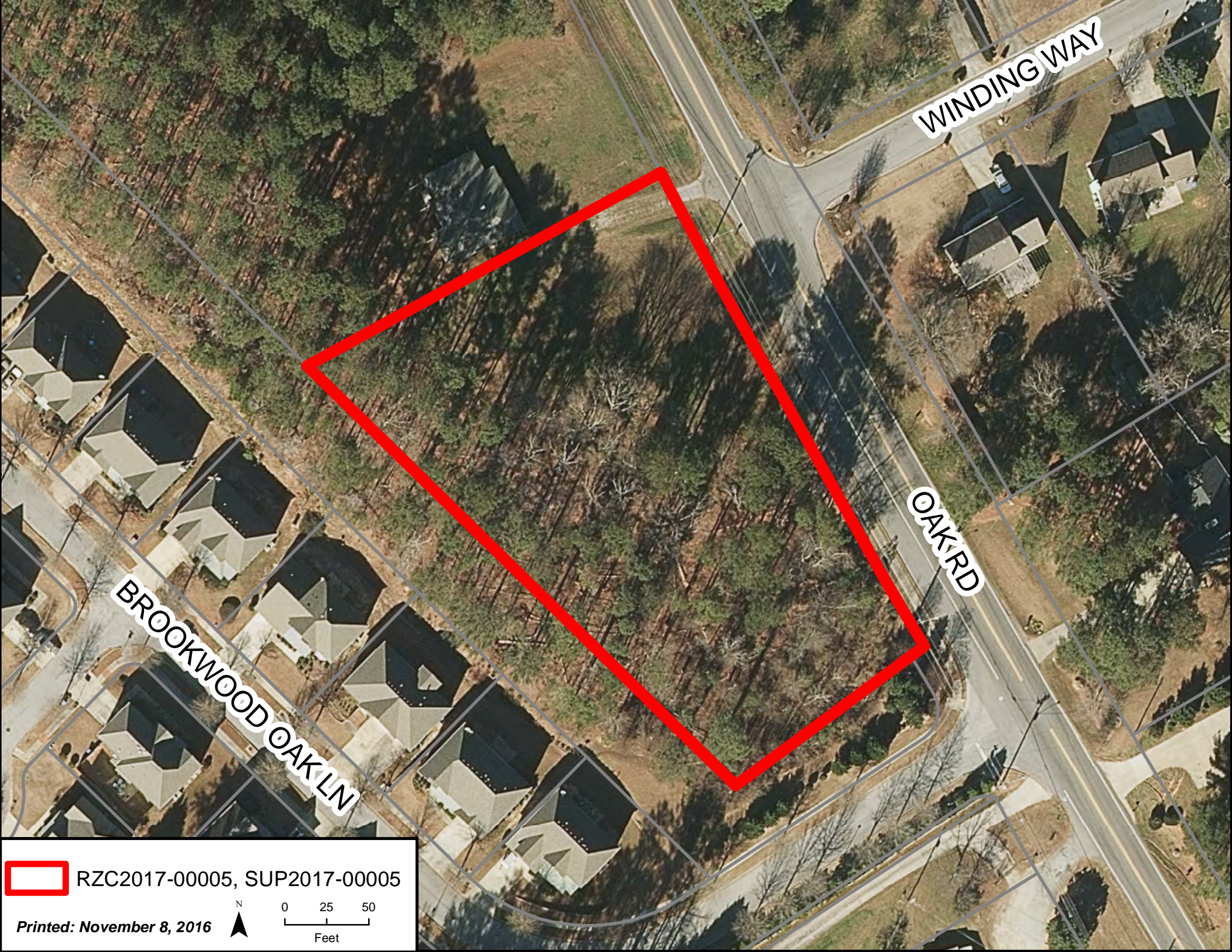
The site (or any of its portion) is not located in 100 year flood plain.
There are no Electric or Gas Transmission Easement



Brookwood Oak Ln SW




**RZC2017-00005
SUP2017-00005
Received Planning and
Development
November 4, 2016**



WINDING WAY

OAK RD

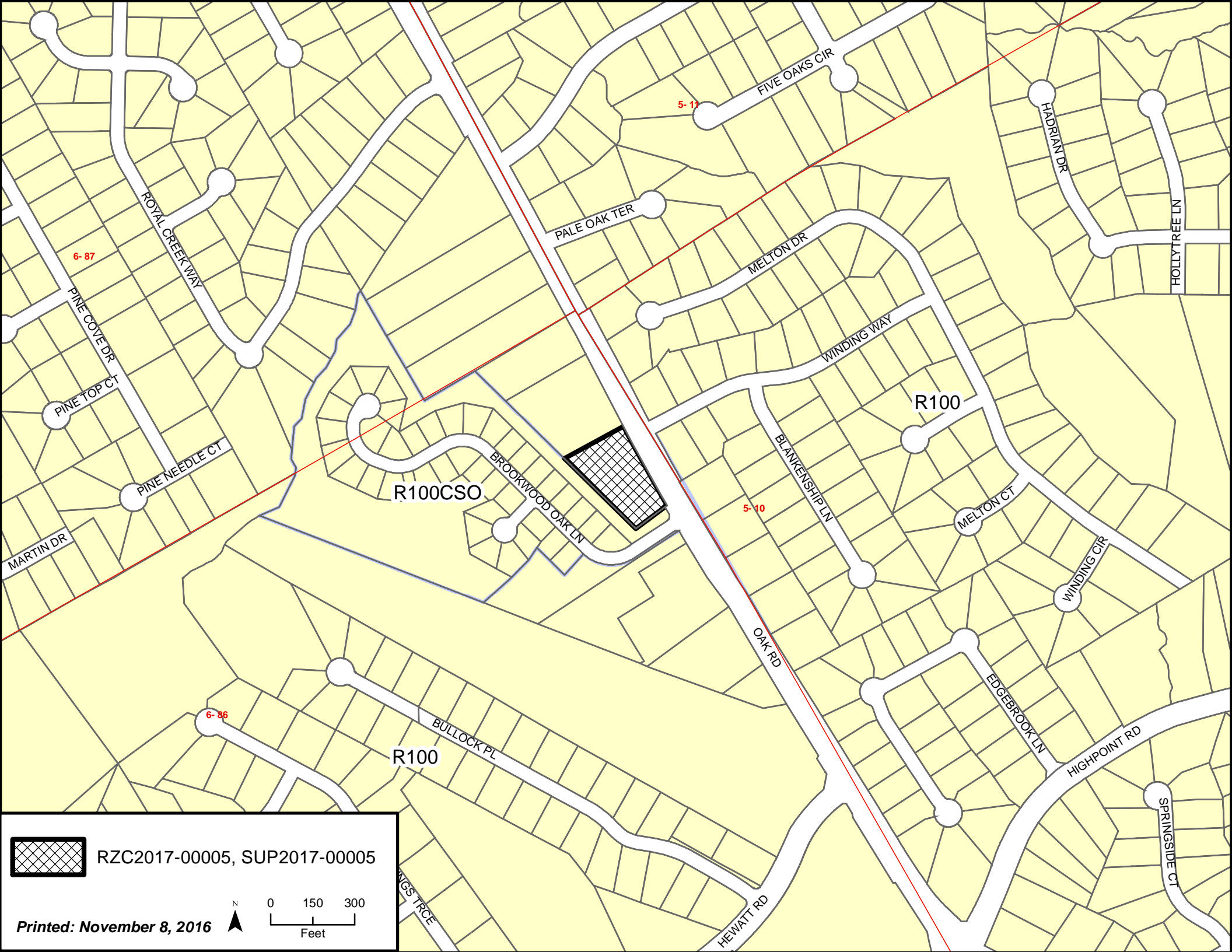
BROOKWOOD OAK LN

 RZC2017-00005, SUP2017-00005

Printed: November 8, 2016

N

0 25 50
Feet



5-11

6-87

R100

R100CSO

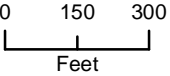
5-10

R100

6-86



RZC2017-00005, SUP2017-00005



Printed: November 8, 2016

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

CASE NUMBER :**RZM2017-00001**
ZONING CHANGE :R-100 TO R-TH
LOCATION :1500-1600 BLOCKS OF BUFORD DRIVE
MAP NUMBERS :R7065 008 & 007
ACREAGE :18.06 ACRES
UNITS :140 UNITS
PROPOSED DEVELOPMENT :TOWNHOMES (BUFFER REDUCTION)
COMMISSION DISTRICT :(4) HEARD

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

APPLICANT: FIELDSTONE HOMES
390 BROGDON ROAD
SUWANEE, GA 30024

CONTACT: ERIC JOHANSEN, RLA PHONE: 678.571.4843

OWNERS: JAMES JACKSON STUTTS
PO BOX 184
KILLEN, AL 35645

ACCOUNT Z123444 & Z111668
1 EQUITY WAY
WESTLAKE, OH 44145

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

PROJECT DATA:

The applicant requests rezoning of an 18.06-acre parcel assemblage tract from R-100 (Single-Family Residence District) to R-TH (Single Family Residence Townhouse District) to construct a townhouse development. The property is located on the west side of Buford Drive north of its intersection with Russell Road. The property is wooded and undeveloped.

The proposed 140-unit townhome development would result in a density of 7.75 units per acre. The applicant states that the minimum heated floor area will be 1,600 square feet. All units would have a two-car garage. According to the letter of intent, exterior facades would consist of a mixture of brick, stone, wood, fiber cement siding, stucco and EIFS (Exterior Insulation Finish System) accents. Proposed site amenities include a community green space and centrally located mail kiosk.

Stormwater detention is proposed to be located adjacent to the existing stream along the Buford Drive frontage. Streams traverse the center of the property running north and south and along the southeastern portion of the property. The submitted site plan indicates a 50-foot stream buffer and 75-foot impervious surface setback adjacent to the stream. Access to the site is proposed from a single entrance driveway along Buford Drive. A 30-foot graded buffer has been shown on the site plan provided along the side and rear property line. A 30-foot undisturbed buffer is required; therefore the applicant is requesting to reduce the buffer requirement.

ZONING HISTORY:

In 1970, the subject property was zoned R-100.

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 Protection Section of the Unified Development Ordinance (Chapter 620) requires a no-access easement along the line of double frontage lots abutting upon a major thoroughfare for residential developments.

The Buffer, Landscape and Tree Protection Section of the Unified Development Ordinance (Chapter 620) 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 610-20.3 of the Unified Development Ordinance requires screening of dumpsters and loading/unloading facilities.

Provide a 35-foot natural, undisturbed buffer adjacent to R-100 zoned property. Provide a 30-foot natural undisturbed buffer adjacent to R-75 zoned property. (Unified Development Ordinance Chapter 610, Table 610.1 and Section 610-20.2).

Section 610-20.4B of the Unified Development Ordinance requires an additional five-foot setback for all structures (parking lots, driveways, detention ponds, retaining walls, etc.) adjacent to required buffers.

Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a Development Permit Application.

The developer must submit a concept plan for review and approval of the Development Division prior to submittal and acceptance of a development permit application.

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.

Section 800-20 of the Unified Development Ordinance requires submittal of a Stormwater Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

Section 700-40.1A of the Unified Development Ordinance requires that the lowest floor, including the basement, of all residential building 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 stormwater 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.

This project lies within an Activity Center/Corridor Overlay District, and is subject to all requirements set forth in Chapter 220 of the Unified Development Ordinance.

The United States Postal Service may require a centralized mail delivery kiosk for this proposed development, replacing individual mail boxes. Mail delivery kiosk must be located outside of right-of-way access easement (if private street). Location and access must be approved by Gwinnett County D.O.T.

STORMWATER REVIEW SECTION COMMENTS:

This property appears to have stream buffers. All storm water best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Buford Drive SR-20 is a State Route and Georgia D.O.T. right-of-way requirements govern.

Coordinate with the Georgia D.O.T. regarding access.

Prior to the issuance of a Development Permit, the applicant shall provide a traffic impact study.

Prior to the issuance of the first certificate of occupancy, the applicant shall make any improvements recommended by the traffic impact study, provided the improvements are approved by the D.O.T. All design and construction will be subject to D.O.T. review and approval.

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 southwest right-of-way of Buford Drive and a six-inch water main located on the northeast right-of-way of Buford Drive.

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 eight-inch sanitary sewer main located on parcel R7065 008.

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 obtain a residential building permit for each townhouse and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.
2. Architectural design of the proposed houses shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Category 3.

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.

DEPARTMENT ANALYSIS:

The subject property is located on the west side of Buford Drive north of its intersection with Russell Road. The property is wooded and undeveloped. The applicant is requesting rezoning from R-100 to R-TH for a 140-unit townhome development at a density of 7.75 units per acre.

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 residential development at densities less than 3.0 units per acre. The proposed density of 7.7 is more than double the recommended density of the character area. An R-75 development

may be more consistent with recommendations of the 2030 Unified Plan for this area whereas the proposed R-TH zoning may would not be supported by the 2030 Unified Plan.

This corridor is characterized by single family residential and commercial retail uses. Commercial development is isolated and located at the Buford Drive and Russell Road intersection. To the north, is a single family lot zoned R-100 and the Taylor Oaks subdivision zoned R-75. To the west, is a large lot zoned R-100 and the Canterbury Cove subdivision zoned R-75. Across Buford Drive to the east, are several commercial developments zoned C-1 with neighborhoods behind zoned R-75. There are no townhomes in the vicinity and the existing residential developments in this area are zoned R-75 and R-100. The proposed townhome development would be out of character with the development pattern of the area.

In conclusion, the introduction of a townhome development may not be compatible with the surrounding residential zoning or policies of the 2030 Unified Plan. An R-75 zoning may be more appropriate for the area and consistent with the recommendations of the Existing/Emerging Suburban Character Area. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS AS R-75.**

PLANNING AND DEVELOPMENT DEPARTMENT
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 residential and accessory uses and structures.
 - B. The minimum heated floor area per unit shall be 2,200 square feet for one-story homes, and 2,400 square feet for two-story homes.
 - C. Homes shall be constructed with four sides of brick and/or stacked stone where adjacent to Buford Drive. All other homes shall be constructed at minimum with front facades of brick and/or stacked stone with the balance of these homes being the same, cedar plank or fiber-cement siding with a minimum three-foot brick or stacked stone water table.
 - D. All units shall have at least a double-car garage.
2. To satisfy the following site development considerations:
 - A. Provide a minimum 25-foot construction buffer adjacent to all residentially-zoned properties. This buffer shall expire upon approval of the final plat.
 - B. Natural vegetation shall remain on the property until the issuance of a development permit.
 - C. No direct lot access shall be allowed to Buford Drive.
 - D. The Buford Drive frontage shall be landscaped and maintained by the Homeowner's Association, and shall include a landscaped entrance feature, a decorative wrought iron fence with brick columns spaced 30 feet on center and landscaping along the entire frontage. Landscaping, fencing and monument signage plans shall be subject to review and approval of the Director of Planning and Development.
 - E. All grassed areas on dwelling lots shall be sodded.
 - F. Underground utilities shall be provided throughout the development.

- G. The detention pond(s) and stormwater easement(s) shall be located a minimum of ten feet off of all property lines and the detention pond(s) shall be screened from all abutting residential properties.
3. To abide by the following requirements, dedications, and improvements:
- A. Prior to the issuance of a Development Permit, the applicant shall provide a traffic impact study.
 - B. Prior to the issuance of the first certificate of occupancy, the applicant shall make any improvements recommended by the traffic impact study, provided the improvements are approved by the D.O.T. All design and construction will be subject to D.O.T. review and approval.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF THE ZONING

SUITABILITY OF USE

This townhome development may be out of character for the area which is developed with lower density single family detached residential uses. An R-75 zoned subdivision may be more appropriate for this location.

ADVERSE IMPACTS

Adverse impacts would be anticipated on nearby residential properties through the introduction of attached housing and an incompatible density into the area.

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 2030 Unified Plan Future Development Map indicates the property is located within the Existing/Emerging Suburban Character Area. Policies for this Character Area encourage residential development under 3.0 units per acre; the proposed 7.75 units per acre development which is more than double of the recommended density of the character area, would not be consistent with recommendations of the Unified Plan.

CONDITIONS AFFECTING ZONING

This portion of the Buford Drive corridor is characterized as a mix of low density housing; a townhome development may not be consistent with the development pattern of the area, that is consistently single family neighborhoods zoned R-75 and R-100 but, an R-75 zoned subdivision could be consistent with other single family subdivisions in the area.

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

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, 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:

Yes, the proposed TH development will be compatible with the immediate and surrounding area.

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

No, the proposed development will not adversely affect the existing use or usability of the adjacent and nearby properties. The surrounding area is a mixture of Commercial, Residential, and Office type uses. Immediately adjacent to the Subject Property is a Daycare and Carwash.

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

Yes, the Subject property as currently zoned r-100 does have a reasonable economic use, however, the shape of the land, the stream buffers and the steep topography make the property as currently zoned close to impossible to develop as this zoned use to do SF expectations.

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

No, the proposed development should not cause an excessive or burdensome use of the surrounding infrastructure.

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

Yes, the proposed plan is in conformity with the policy and intent of the current Gwinnett County Land Use Plan.

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

The property has steep topography and excessive stream buffers making the current zoning of R-100 close to impossible to develop considering the land cost and the development costs. The proposed solution of attached townhouses are a better for the land and its present challenges.

RECEIVED BY

NOV 04 2016

Universal Planning and Development
6083 Shadburn Ferry Road
Buford, GA 30518

November 4, 2016

Gwinnett County Board of Commissioners
c/o Kathy Holland
Director of Planning and Development
446 West Crogan Street
Lawrenceville, GA 30045

**Re: Buford Drive Townhouse Development– Rezoning Letter of Intent
Parcels: 7065 007 and 7065 008
Gwinnett County, GA**

Dear Ms. Holland,

Universal Planning and Development, LLC ("Universal") has been retained by Fieldstone Homes (the "Applicant") to pursue a Rezoning Application (the "Application") for real property located near the intersection of Buford Drive (State Route 20) and Russell Road and further described as Parcels R7065 007 & R7065 008 that are approximately ±18.059 acres (the "Subject Property"). **The Applicant is Contract Purchaser of the Subject Property.** The Subject Property is currently zoned R-100 and is surrounded by a mixture of residential, office, and commercial uses.

The Applicant is proposing a Rezoning of the Subject Property to R-TH (Single Family Residential Townhouse District) for a residential development that will both compliment and blend into the immediate and surrounding area along the Buford Drive corridor. Townhouses in this area provides an alternative residential living option for residents who want to be located near Highway 316 and Interstate 85 for commute purposes, the City of Lawrenceville and want their children to be educated within the Collins Hill School Cluster.

The Buford Drive corridor within the immediate vicinity of the Subject Property has an average daily traffic count of 32,800 ADT based on the Georgia Department of Transportation 2015 traffic data, with the workforce getting back into the daily grind, it is fair to assume this ADT will continue to increase annually and be in excess of 35,000 ADT in today's current environment. The Subject Property is surrounded by the following zoning designations with a ½ mile radius: C-1, C-2, O-I, RA-200, R-100, R-100 Mod, and R-75. This Subject Property is clearly located within a transitional area from residential to commercial as evidenced by the vast zoning uses, and for the fact that a 24 Hour Carwash Facility and a Daycare Facility are located immediately adjacent.

The proposed R-TH development will include the construction of one hundred forty (140) two-story single family townhouse units that are 24' wide by 50' deep, a minimum of 1,600 square feet in heated floor space, two car garages, covered front entry porches, and rear outdoor living areas. The proposed architecture will include a mixture of building materials to include brick, stone, wood, hardi cement siding, stucco and EIFS accents. The proposed development will include 4' sidewalks on both sides of

RECEIVED BY

NOV 04 2016

RZM '17 00 1

Planning & Development

the internal roads, community green space, centrally located mail kiosk, lush landscaping, stream buffer views, and on-site storm water management.

We respectfully request your approval of this request for the Rezoning from R-100 to R-TH for the proposed single family residential town house development located on the Subject Property. The proposed use on the Subject Property is consistent with the current Unified Plan and creates an opportunity to provide an alternate housing option for residents of the Buford Drive corridor. The residents of the proposed townhouse units will be Gwinnett County tax payers, and will continue to shop, eat, and support the local businesses of the surrounding area and local communities. We are available to meet with the County staff and District Representatives at any time to further discuss the merits of this Application upon request.

Thank you for your consideration of this Application.

Sincerely,



Eric Johansen, RLA
Universal Planning and Development, LLC
Agent for the Applicants

cc: Applicant
File

RECEIVED BY

NOV 04 2016

Planning & Development

RZM '17 00 1

Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, January 2017

Case #	Schools	Current Projections									Proposed Zoning
		2016-17			2017-18			2018-19			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZM2017-00001	Collins Hill HS	3130	2,625	505	3101	2,625	476	3073	2,625	448	27
	Creekland MS	2149	2,100	49	2126	2,100	26	2104	2,100	4	19
	Taylor ES	896	1,300	-404	888	1,300	-412	881	1,300	-419	37

Current projections do not include new developments



FRONT ELEVATIONS

RECEIVED BY
NOV 04 2016
Planning & Development

RZM '17 00 1



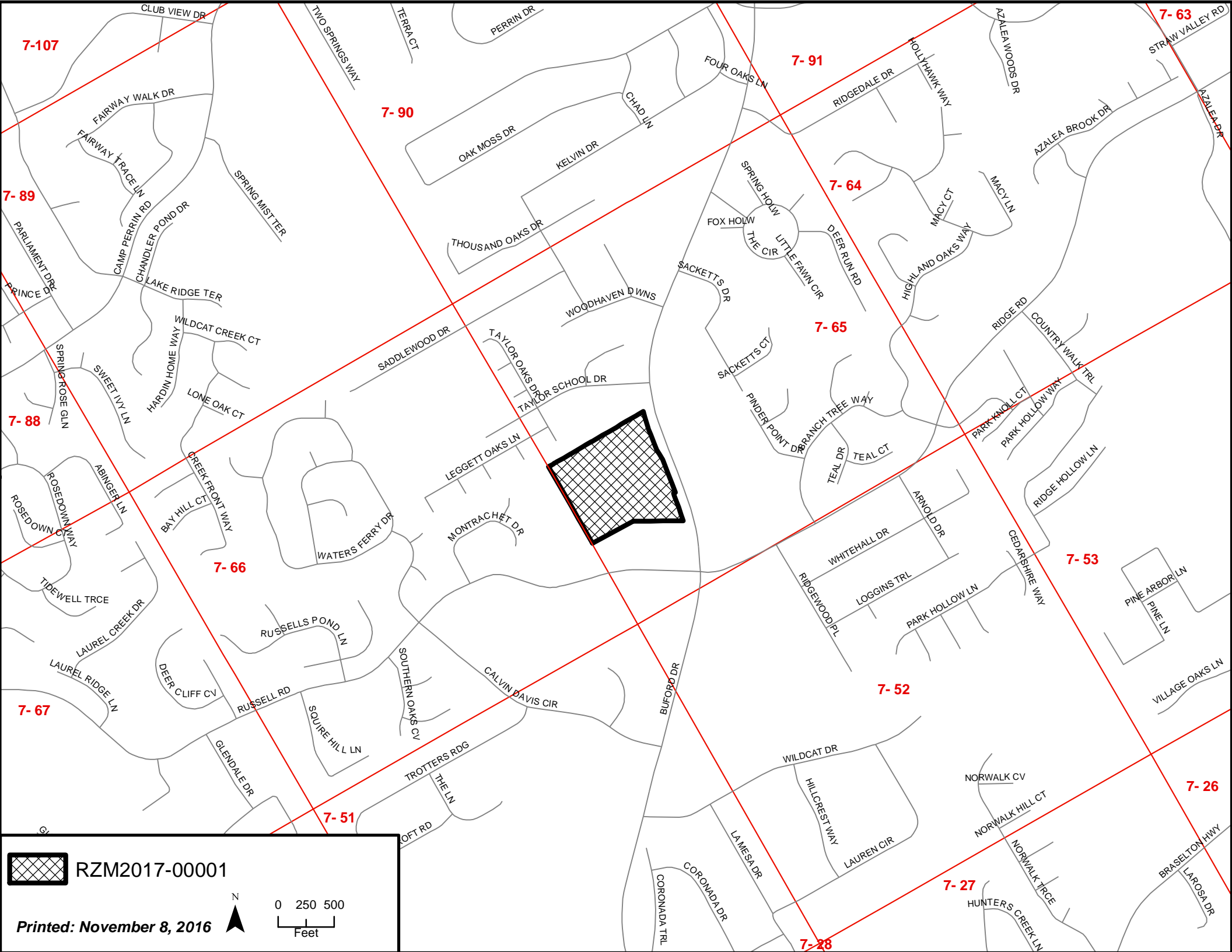
RECEIVED BY

SIDE AND REAR ELEVATIONS

NOV 04 2016

Planning & Development

RZM '17 00 1



7-107

7-90

7-91

7-63

7-89

7-64

7-88

7-65

7-66

7-53

7-67


7-52

7-26

7-51

7-27

7-28

 RZM2017-00001



0 250 500
Feet

Printed: November 8, 2016



Know what's below. Call before you dig.

PROJECT CONTACTS

24 HOUR PROJECT CONTACT:
MR. CLINT WALKER - (404) 774-4432 (CELL)

APPLICANT INFORMATION:
FIELDSTONE HOMES
390 BRADDOCK ROAD
SUMNER, GA 30084

LAND PLANNING CONSULTANT:
ERIC JOHANSEN, RUP
UNIVERSAL PLANNING AND DEVELOPMENT
2203 SHADBURN FERRY ROAD
BUFORD, GA 30510
(770) 571-4643 CELL
E.JOHANSEN@GMAIL.COM

OWNER INFORMATION:
PARCELS 7065 005 PARCELS 7065 007
JAMES JACKSON STUBBS ACCOUNT 2123444 & 2111666
PO BOX 134 COURTY WAY
FREDEN, AL 35545 WESTVILLE, OH 44115

TRAFFIC COUNTS

THE AVERAGE DAILY TRAFFIC (ADT) FOR BUFORD DRIVE (STATE ROUTE 20), BASED ON READER-AVAILABLE TRAFFIC DATA FROM THE GEORGIA DEPARTMENT OF TRANSPORTATION WERE AS FOLLOWS:

2015 \approx 32,800 ADT

FLOODPLAIN NOTES

ACCORDING TO FEMA FLOOD MAP PARCELS 131350009 & 131350059, EFFECTIVE DATE 03/20/2006, THERE IS NO FLOOD PLAN ON THE SUBJECT PROPERTY FOR PARCELS 7065 005 AND 7065 007.

PROJECT UTILITIES

1. THE PROPOSED COMMERCIAL DEVELOPMENT WILL BE CONNECTED TO GANNETT COUNTY GRAVITY FLOW SANITARY SEWER.
2. THE PROPOSED COMMERCIAL DEVELOPMENT WILL BE CONNECTED TO GANNETT COUNTY WATER.
3. THE PROPOSED COMMERCIAL DEVELOPMENT WILL HAVE ON-SITE DETENTION, WATER QUALITY, AND CHARREL PROTECTION UTILIZING LOTS, AN ABOVE GROUND FACILITY OR AN UNDERGROUND FACILITY. THIS HAS YET TO BE DETERMINED AT THIS POINT.
4. GAS, PHONE, ELECTRIC AND OTHER COMMON INFRASTRUCTURE WILL BE PROVIDED BY THE CARRIERS ESTABLISHED IN THE IMMEDIATE AND SUBJURISDICTION AREA.

GENERAL NOTES

1. THE SUBJECT PROPERTY IS LOCATED ALONG THE BUFORD DRIVE STATE ROUTE 20 CORRIDOR (UNINCORPORATED GANNETT COUNTY, AND MUST COMPLY WITH THE CURRENT DEVELOPMENT STANDARDS AND THE UNIFIED DEVELOPMENT ORDINANCE) AT THE TIME OF LAND ACQUISITION PERMITTING.
2. THE EXISTING INFORMATION USED FOR THE PREPARATION OF THIS CONCEPTUAL SITE PLAN WAS OBTAINED FROM LEGAL DESCRIPTIONS AND BOUNDARY SURVEYS OF THE SUBJECT PROPERTY PROVIDED BY THE PROPERTY OWNERS AND THEIR RESPECTIVE AGENTS, GANNETT COUNTY GIS, AND READER-AVAILABLE AERIAL PHOTOGRAPHY. NO FIELD SURVEY DATA WAS USED, AND THE SUBJECT PROPERTY SHOULD BE SURVEYED BY A LICENSED SURVEYOR PRIOR TO DEVELOPMENT PERMITTING AND CONSTRUCTION OF THE SUBJECT PROPERTY.
3. ALL PROPOSED ITEMS DEPICTED ON THIS REZONING SITE PLAN ARE CONCEPTUAL IN NATURE AND ALL ITEMS MUST MEET THE CURRENT STANDARDS OF THE UNIFIED DEVELOPMENT ORDINANCE OF GANNETT COUNTY AT THE TIME OF PERMITTING AND CONSTRUCTION.



SITE DATA CHART

PARCEL TAX IDENTIFICATION	PARCELS 7065 005 & 7065 007
AREA OF THE SUBJECT PROPERTIES	\approx 16.059 ACRES
GROSS AREA OF 50' STREAM BUFFER 4 25' STRIPS	\approx 187,253 SF (\approx 4.3 ACRES)
EXISTING ZONING OF PARCELS	R-100 (SINGLE FAMILY RESIDENCE DISTRICT)
ADDRESS OF PARCEL	NO ADDRESS ASSIGNED, NEAREST INTERSECTION IS BUFORD DRIVE (SR 20) AND RUSSELL ROAD
PROPOSED DEVELOPMENT	R-TH (SINGLE FAMILY TOWNHOUSE RESIDENCES)
PROPOSED TOWNHOUSE UNITS	140 UNITS
PROPOSED TOWNHOUSE DENSITY	140 UNITS / 16.059 ACRES = 7.75 UNITS/ACRE
PROPOSED UNIT DIMENSIONS	TOWNHOUSE UNITS (24' WIDE X 50' DEEP)
PROPOSED UNIT STORES	TWO STORES WITH (2) CAR GARAGES

LEGAL DESCRIPTION

All those tracts or parcel of land lying and being in Land Lot 45, of the 7th District, Gannett County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the westerly right of way of Georgia Highway 20, said point being 230 +/- feet from the southerly right of way intersection of Taylor School Drive and the westerly right of way of Georgia Highway 20; thence continuing along the westerly right of way of Georgia Highway 20 South 16°42'00" East, a distance of 171.63 feet to a point; thence along the northerly right of way South 20°50'50" East, a distance of 300.00 feet to a point; thence along the northerly right of way South 32°08'25" East, a distance of 121.28 feet to a point; thence along the northerly right of way South 20°50'50" East, a distance of 310.00 feet to a point; thence along the northerly right of way South 69°09'10" West, a distance of 201.00 feet to a point; thence along the northerly right of way South 19°23'54" East, a distance of 259.61 feet to a point; thence along the northerly westerly right of way South 07°56'56" West, a distance of 454.67 feet to a point; thence South 61°00'57" West, a distance of 413.85 feet to a point; thence North 30°45'30" West, a distance of 282.47 feet to a point; thence North 59°35'29" East, a distance of 1008.51 feet to a point, being the POINT OF BEGINNING.

2nd lot containing 118,062 square more or less.

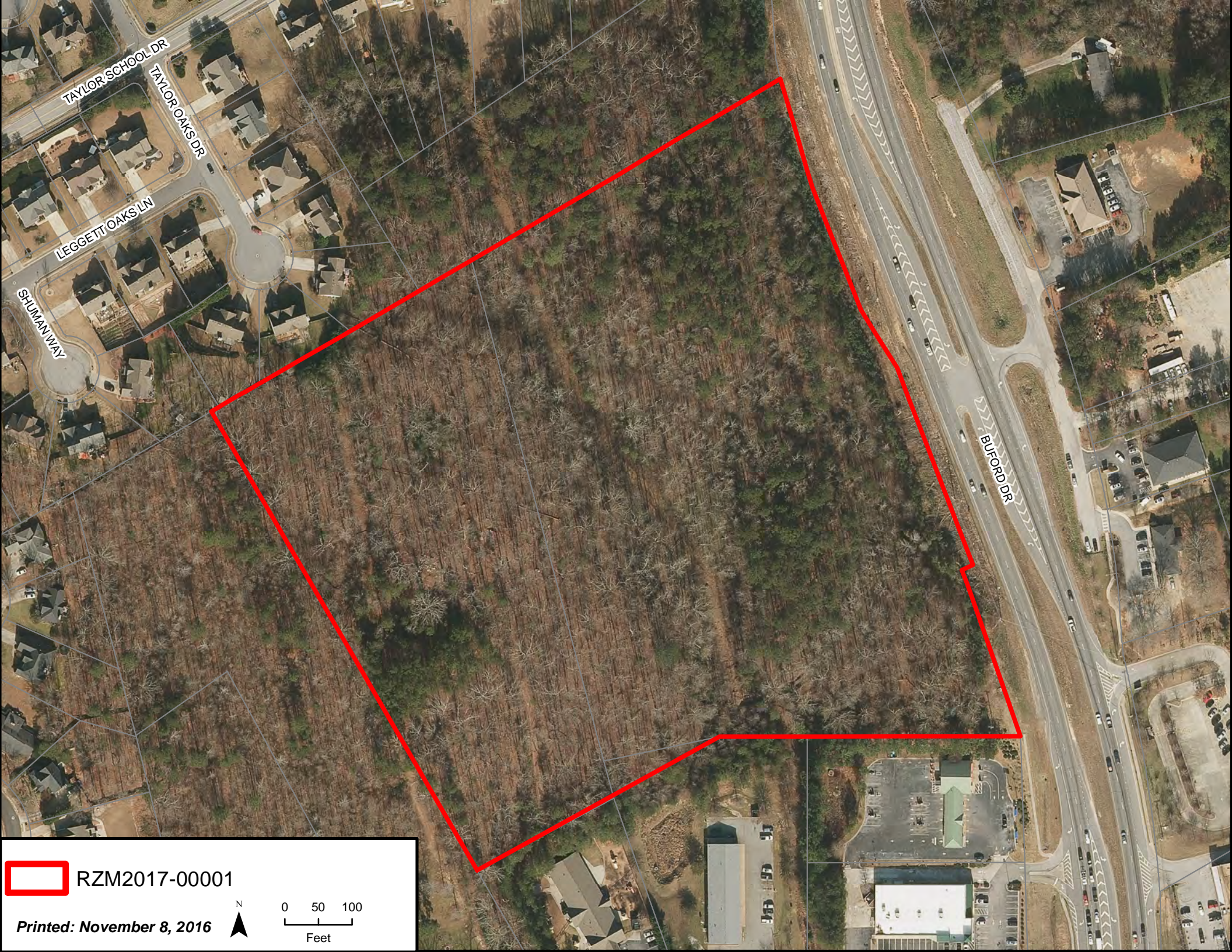
BUFORD DRIVE TOWNHOUSES

A CONCEPTUAL SITE PLAN

RECEIVED BY RZM '17 00 1
NOV 04 2016

Planning & Development

PLAN DATED: NOVEMBER 3, 2016
GRAPHIC SCALE: 1" = 50'




TAYLOR SCHOOL DR

TAYLOR OAKS DR

LEGGETT OAKS LN

SHUMAN WAY

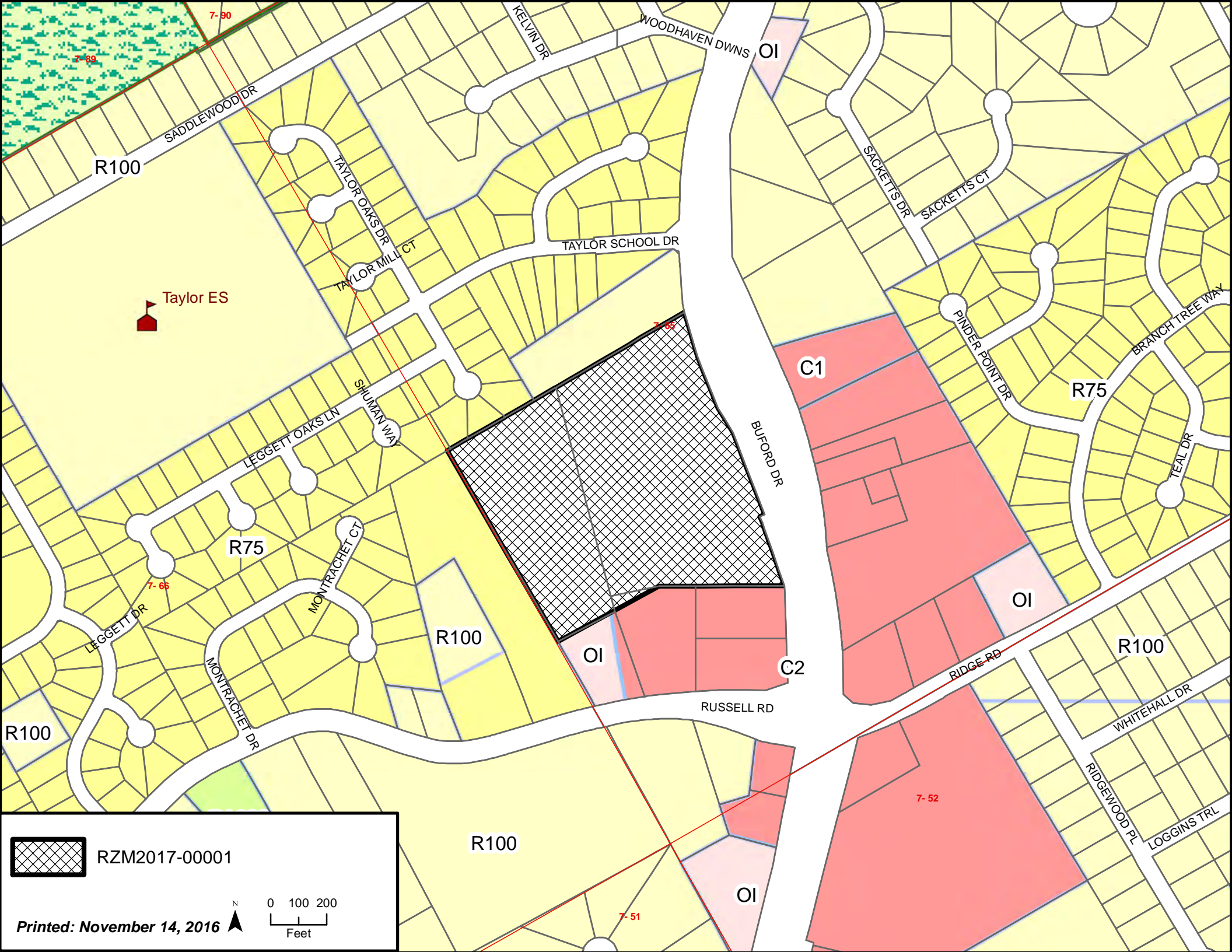
BUFORD DR

 RZM2017-00001

Printed: November 8, 2016

N

0 50 100
Feet



 RZM2017-00001



0 100 200
Feet

Printed: November 14, 2016

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

CASE NUMBER	: RZR2016-00029
ZONING CHANGE	:R-TH TO R-75
LOCATION	:2400 BLOCK OF WHITEHEAD PLACE DRIVE
MAP NUMBERS	:R7126 002 & 496
ACREAGE	:2.52 ACRES
UNITS	:7 UNITS
PROPOSED DEVELOPMENT	:SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT	:(1) BROOKS

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

APPLICANT: PTL, LLC
PO BOX 720314
ATLANTA, GA 30358

CONTACT: ANDY PERRY PHONE: 404.987.1224

OWNER: PTL, LLC
PO BOX 720314
ATLANTA, GA 30358

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests rezoning of a 2.52-acre parcel assemblage from R-TH (Single Family Residence Townhouse District) to R-75 (Single-Family Residence District) to construct a seven-unit single-family subdivision. The property is located on the north side of Whitehead Place Drive, just southeast of its intersection with Welford Road.

The development would consist of seven single-family units on 2.52-acres, which results in a density of 2.77 units per acre, as the property does not contain floodplain. The minimum lot width for the development would be 75 feet, with a minimum lot area of 10,500 square feet, and a required 50-foot front building setback adjacent to Whitehead Place Drive.

The applicant has proposed a minimum dwelling size of 2,100 square feet of heated floor area, exceeding the minimum requirements for the requested zoning classification. The proposed exterior treatments for homes would include brick, cement siding, shake, architectural shingles and decorative trim; all homes would also include a two-car garage. The submitted site plan does not depict any stormwater detention facility.

ZONING HISTORY:

In 1970, the property was zoned R-100. The property was rezoned to RM through a 1975 area-wide rezoning. The property has been zoned R-TH since September 2015, pursuant to RZM2015-00005.

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:

An exemption plat must be approved and recorded prior to the issuance of any building permit.

STORMWATER REVIEW SECTION COMMENTS:

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

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Whitehead Place Drive is a Major Collector and 40 feet of right-of-way is required from the centerline.

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 southwest right-of-way of Whitehead Place Drive.

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 eight-inch sanitary sewer main located approximately 132 feet east of parcel R7126 002 on the right-of-way of Compton Place.

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:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject property consists of two parcels totaling 2.52 acres, being located on the north side of Whitehead Place Drive, just southeast of its intersection with Welford Road. The site is presently wooded and undeveloped.

The Gwinnett County 2030 Unified Plan Future Development Map indicates that the property lies within an Existing/Emerging Suburban Character Area. The Gwinnett County 2030 Unified Plan encourages single-family subdivisions at low to moderate densities, and the proposed R-75

zoning may be consistent with policies of the Gwinnett County 2030 Unified Plan for the Character Area.

The surrounding area along Whitehead Place Drive is characterized by low and medium residential uses, both detached and attached. The property immediately adjacent to the subject property is the R-ZT zoned Berkshire Manor subdivision, developed as a medium density single-family detached subdivision. Further to the east, along Whitehead Place Drive, is the RM zoned Village at White Bluff townhouse development. To the south, across Whitehead Place Drive, is the R-100 zoned Park Place Forest North subdivision. Further to west, are the RM zoned Falconcrest North, developed as a single-family subdivision and the Savannah Square subdivision developed as a residential duplex community. The requested rezoning for a small R-75, seven-unit single-family subdivision could be compatible with the zoning and development pattern of the area, which consists of diverse residential zoning at a low to medium density. Conditions should be included to ensure consistency with the neighboring Berkshire Manor subdivision, and compatibility with neighboring residential developments in the area.

In conclusion, the requested rezoning could be compatible with the moderate density and zoning pattern of the area. By reducing the intensity of zoning for this tract, the request could be considered consistent with policies of the Gwinnett County 2030 Unified Plan, which encourage compatibility of uses within a given area. Therefore, the Department recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as R-75 zoning district, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. No more than seven single-family lots.
 - B. The minimum heated floor area per dwelling shall be 2,100 square feet.
 - C. Homes shall be constructed with front facades and both sides of brick or stacked stone. The rear of the home may be the same, or of fiber-cement siding with a minimum three-foot brick or stacked stone water table.
 - D. All homes shall have at least a double-car garage.
2. To satisfy the following site development considerations:
 - A. Maintain a minimum 50-foot building setback along Whitehead Place Drive.
 - B. No more than one driveway accessing Whitehead Place Drive shall be permitted. Homes shall utilize shared driveways or a shared frontage driveway for access.
 - C. Natural vegetation shall remain on the property until the issuance of a development permit.
 - D. All grassed areas on dwelling lots shall be sodded.
 - E. All new utilities shall be placed underground.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The request could be suitable in view of the other single-family residential developments located in the area.

ADVERSE IMPACTS

With appropriate conditions to ensure compatibility with the landscape and architectural design of the surrounding developments, potential adverse impacts from this request could be reduced.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as zoned.

IMPACTS ON PUBLIC FACILITIES

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

CONFORMITY WITH POLICIES

The Gwinnett County 2030 Unified Plan encourages compatibility of use and development in residential areas. The proposed R-75 single-family homes and density represent a more compatible use than would be allowed by the current R-TH zoning.

CONDITIONS AFFECTING ZONING

The requested rezoning to R-75 could be considered consistent with the surrounding zoning pattern, which includes adjacent and nearby single-family subdivisions along Whitehead Place Drive.

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

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, 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:

_____ , _____ /

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

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

- (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:

- (E) WHETHER THE PROPOSED REZONING 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 REZONING:

RECEIVED BY _____

OCT 14 2016

2435-2445 Whitehead Place Drive

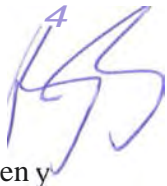
Rezoning Plan for PTL, LLC

(Standards Governing Exercise of the Zoning Powers)

October 6th, 2016

We respectfully submit this zoning application, with property defined by the legal description in this application, to the zoning classification of R-75 from its present zoning of RTH.

- A) The neighboring properties are primarily R-60 and R-75, with the exception of several RM-13 properties that exist to the east and directly south. This property is currently zoned RTH. This zoning is comparable to other properties within 1 mile. Our proposed use will be less intense and a slightly better transition point between the medium density and RM properties than as currently zoned.
- B) We feel the existing zoning of the property matches the medium to high-density neighborhoods that line Whitehead Place Drive. We do not necessarily feel as currently zoned it adversely affects existing neighborhoods because there is a mix of housing types and neighborhoods. Our proposed zoning should further enhance the neighborhood versus the RTH because of our development requirements, our lower density, our higher standards for architectural treatments and our higher square footage offerings.
- C) There is a demand for town homes in the area but we feel the R-75 layout and complete density reduction will be more favorable to our neighbors and a better marketing plan for our company.
- D) The proposed use will provide less of a burden on the County infrastructure, schools and buses than the existing zoning.
- E) The future land use of the property indicates existing/emerging suburban. We feel 7 total homes fits the transitional appearance of this stretch of roadway and 1 mile radius of the subject property. This land use recommendation discourages against multifamily and encourages single-family housing.
- F) We feel the existing zoning allows for more than double the lot count. We are asking to change the type of development, increase lot sizes, reduce the density and will match the architectural conditions than are tied to the property under its current use.



Andrew Eny
PTL, LLC

2435-2445 Whitehead Place Drive

Rezoning Plan for PTL, LLC

(Letter of Intent)

October 6th, 2016

We respectfully submit this zoning application, with property defined by the legal description in this application, to the zoning classification of R-75 from its present zoning of RTH.

This site was originally approved for development in 2007 and named Villages at Suwanee. As presently zoned and approved, the site would accommodate 16 town homes.

Our proposal is to build 7 for sale single family homes. The site is +/- 2.518 acres and provides a slightly lower density of 2.78 units per acre. We will adhere to the original approved plans by buffering adjacent residential properties and providing a front landscape setback along Whitehead Place Drive. We are not asking for changes to the setback or buffer requirements. We will not have homes located within 50' of the ROW along Whitehead Place Drive.

We will be providing at least 2,100 SF for each home. Every home will have a 2-car garage, maintaining a balance of brick, cement siding, shake, architectural shingles and decorative trim. Our driveway lengths will be no less than 24' from back of curb and we will provide visitor parking within our property. Each home will allow parking for no fewer than 4 cars.

As required by the UDO we will provide sidewalks along the frontage of Whitehead Place Drive. We will also replant the buffer areas as required. Gwinnett County Water Resources serve the property for water and sanitary sewer. All power, phone and cable services to the community will be buried underground.

Thank you for your time.

Sincerely,

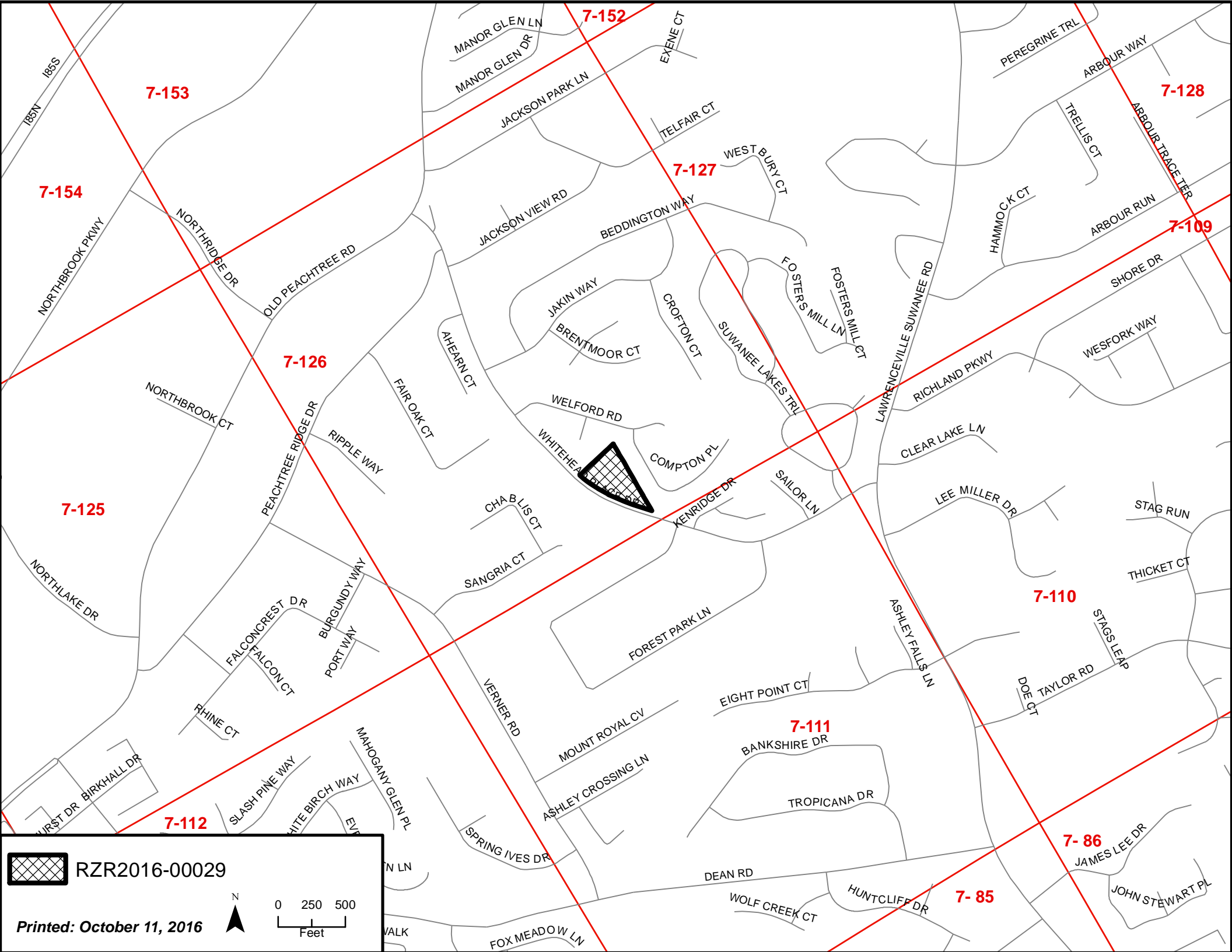


Andrew Perry
PTL, LLC

Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, November 2016

Case #	Schools	Current Projections									Proposed Zoning
		2016-17			2017-18			2018-19			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZR2016-00029	Collins Hill HS	3130	2,625	505	3101	2,625	476	3073	2,625	448	2
	Creekland MS	2149	2,100	49	2126	2,100	26	2104	2,100	4	2
	Walnut Grove ES	883	1,200	-317	887	1,200	-313	893	1,200	-307	3

Current projections do not include new developments



7-153

7-152

7-128

7-154

7-127

7-109

7-126

7-125

7-110

7-111

7-112

7-86

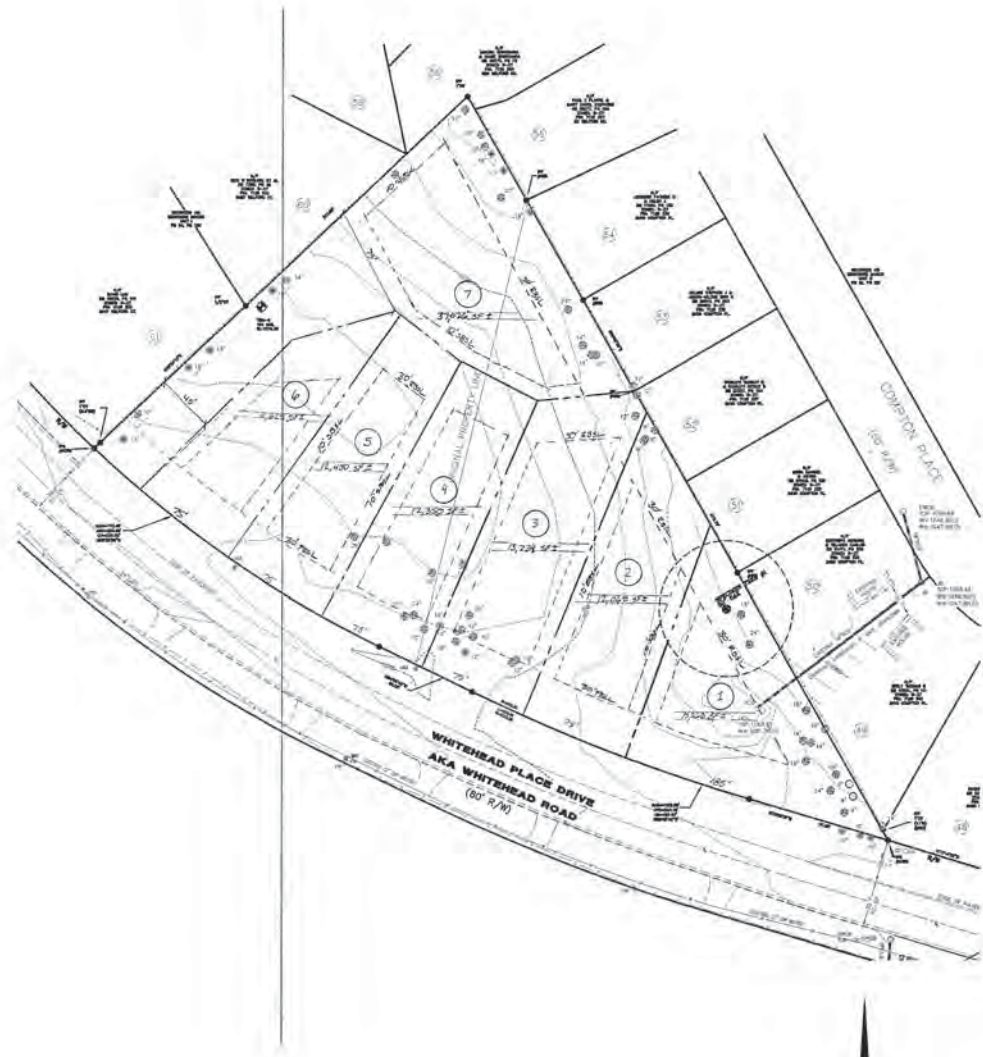
7-85

 RZR2016-00029



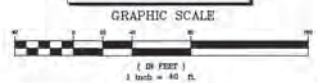
0 250 500
Feet

Printed: October 11, 2016



**24 HOUR CONTACT
ANDY PERRY**
OFFICE: 404-987-1224
404-987-1224

SITE ADDRESS:
2435 WHITEHEAD PL DR
SUWANEE, GA 30024



REVISIONS	BY

THIS DRAWING IS THE PROPERTY OF THE ENGINEER AND MAY NOT BE USED OR REPRODUCED WITHOUT HIS WRITTEN PERMISSION



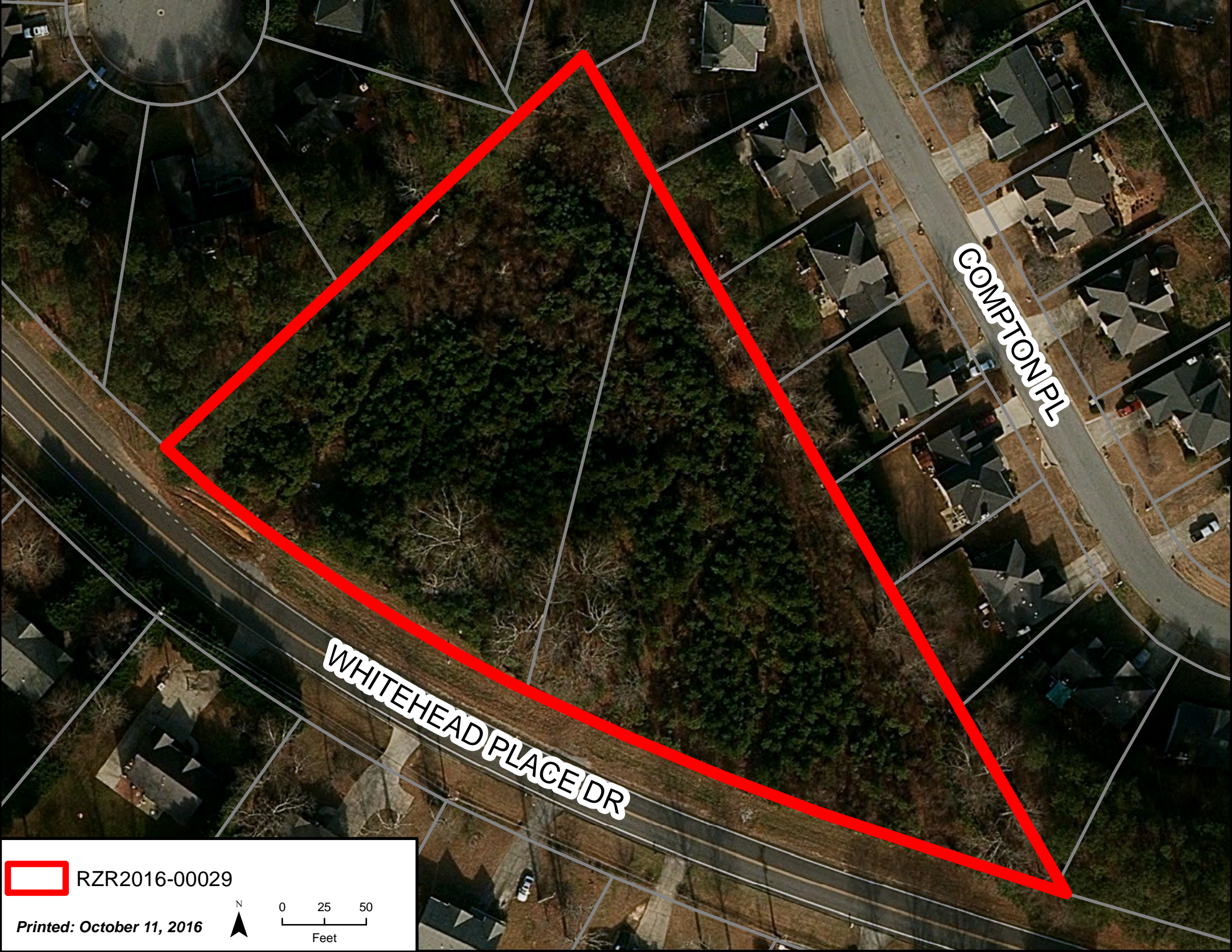
WHITEHEAD RD EXEMPTION PLAT
WHITEHEAD VENTURES, LLC
ATLANTA, GA 30308
2435 WHITEHEAD DRIVE
SUWANEE, GA 30024

WHITEHEAD R-75 XPL
LL 120, 7TH DISTRICT, GWINNETT COUNTY, GEORGIA

DRAWN BY
ER
CHECKED BY
AP
DATE
12-15-16
SCALE
1" = 40'
428.80
16-020
DW FILE
1600-419-161.dwg


SHEET
XPL-1

C:\PROJECTS\1600-419-161\1600-419-161.dwg (12/15/2016) 11:58:10 AM



COMPTON PL

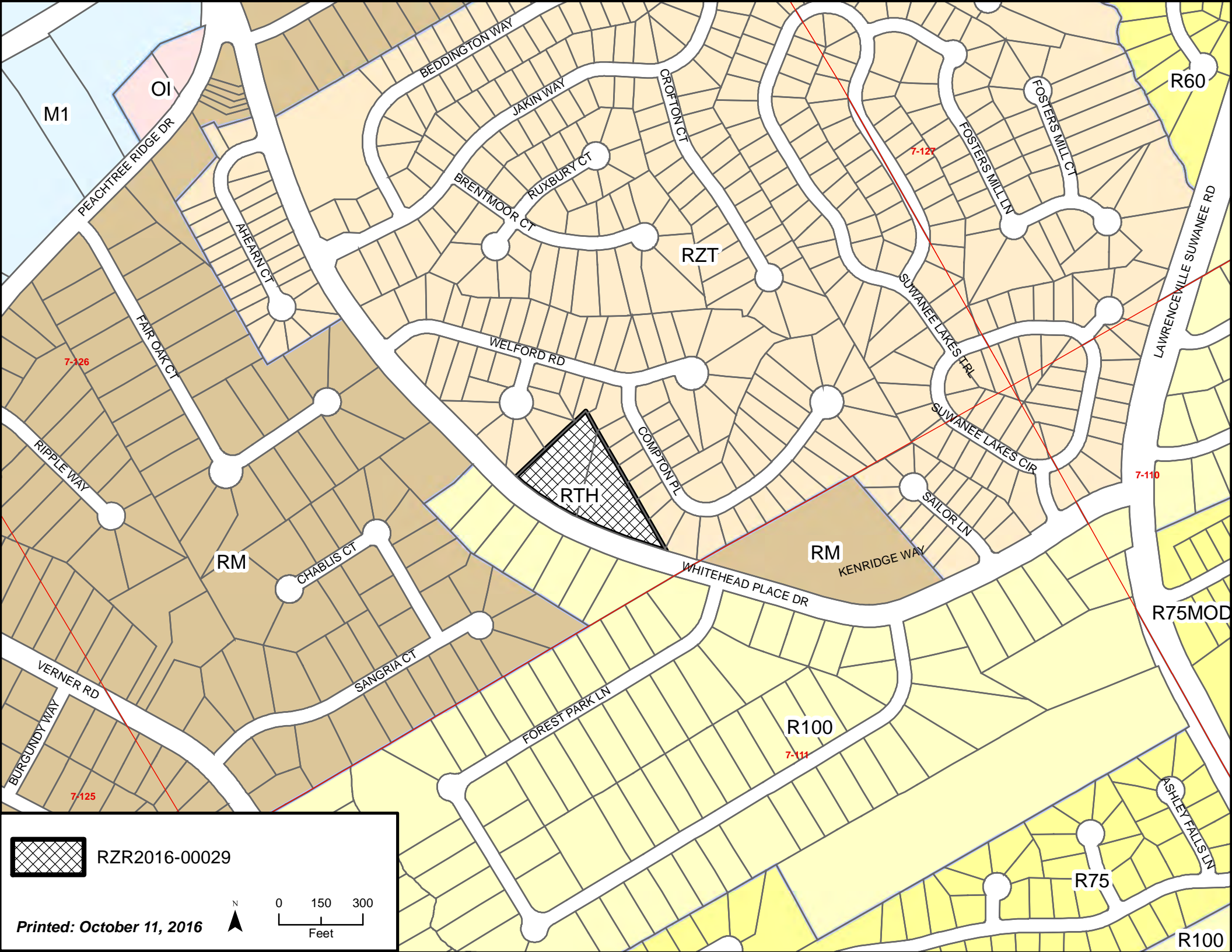
WHITEHEAD PLACE DR

 RZR2016-00029


Printed: October 11, 2016

N

0 25 50
Feet



 RZR2016-00029

Printed: October 11, 2016  0 150 300 Feet

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

CASE NUMBER	: RZR2017-00001
ZONING CHANGE	:RA-200 TO R-100
LOCATION	:1500 BLOCK OF MINERAL SPRINGS ROAD
MAP NUMBER	:R3003 034A
ACREAGE	:1.86 ACRE
UNITS	:2 UNITS
PROPOSED DEVELOPMENT	:SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT	:(3) HUNTER

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

APPLICANT: DANUT ANDRONESI & GEORGE JOJA
3648 RIP RAP DRIVE
BUFORD, GA 30519

CONTACT: ALEX PETRUT PHONE: 770.318.2456

OWNER: DANUT ANDRONESI & GEORGE JOJA
3647 RIP RAP DRIVE
BUFORD, GA 30519

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests rezoning of a 1.86-acre property from RA-200 (Agriculture Residence District) to R-100 (Single Family Residence District) for subdivision of the property into two residential lots. The subject property is located on the western side of Mineral Springs Road, north of its intersection with Hog Mountain Road, and across the street from Gwinnett County Fire Station No. 18. Currently, there is an existing residence on the property (1530 Mineral Springs Road) with one curb cut for driveway access off Mineral Springs Road.

As proposed, the applicant would like to subdivide the property into two 0.93-acre lots for the construction of one residence on each lot. As the proposed two new lots would not meet the minimum size requirements for the RA-200 zoning district, the applicant is requesting the R-100 zoning district, which would allow for subdivision of the property without the need for variances. The existing single-family residence would be torn down to accommodate the new construction, with access provided from Mineral Springs Road. Both homes would be constructed with underground septic systems. No information was provided regarding the size or design of the new residential structures. There are no documented streams or floodplain on the property.

ZONING HISTORY:

The property has been zoned RA-200 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:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

A minimum of 50-foot building setback is required from the right-of-way of Mineral Spring Road.

An exemption plat shall be submitted for review and approval.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

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

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 eight-inch water main located on the northeast right-of-way of Mineral Springs Road.

Due to the uncontrollable variables, the Department of Water Resources (DWR) 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 eight-inch sanitary sewer main located approximately 1,925 feet northeast of parcel R3003 034A on parcel R3003 562.

The subject development is located within the Mulberry 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 site is a 1.86-acre property located on the west side of Mineral Springs Road, north of its intersection with Hog Mountain Road. The property is developed with an existing single-family residence, with accessory structures. The applicant proposes to subdivide the property into two 0.93-acre lots for the construction of one residence on each lot.

The 2030 Unified Plan Future Development Map indicates the property lies within a Rural/Estate Character Area. The Rural/Estate Character Area encourages low density residential development that should not exceed 2.0 dwelling units per acre. As proposed, the

property would be subdivided into two 0.93-acre properties with one dwelling on each property, which complies with the density requirement. Staff believes the requested R-100 zoning district could maintain the existing residential character of the area with minimal impacts to neighboring properties as recommended by the 2030 Unified Plan.

The surrounding area is characterized by a mixture of single-family homes on larger lots and single-family subdivision developments. The Overlook at Mulberry Park subdivision, located to the west and south of the subject property, was rezoned R-100 in 1992. To the north is a five-parcel subdivision that received R-100 zoning approval in 2005, and to the south is a single property zoned RA-200. Across Mineral Springs Road from the subject property is one developed lot zoned RA-200, and the Gwinnett County Fire Station No. 18 that was constructed in 2009, but had previously received R-100 zoning approval in 2005 for a six-lot subdivision. The subject request for rezoning to allow for two new parcels to be developed with single-family residences could be considered consistent with the development pattern in the area and with previous Board approvals for low-density development.

In conclusion, the proposed rezoning and subdivision of the property as proposed may be consistent with the 2030 Unified Plan Character Area and development patterns in the area. Therefore, the Department recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as R-100 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 for each home shall be 2,400 square feet.
 - C. Homes shall be constructed with four sides of brick or stone.
 - D. All homes shall have double car garages.
2. To satisfy the following site development considerations:
 - A. All disturbed areas shall be sodded.
 - B. Homes shall maintain a 50-foot setback from Mineral Springs Road.
 - C. The homes are to be access via a shared driveway onto Mineral Springs Road or via the private driveway easement located on the adjacent property along the north property line.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The requested subdivision is suitable in view of the low-density single-family residential development that characterizes the area.

ADVERSE IMPACTS

With the recommended conditions, an R-100 subdivision would have minimal adverse impacts on surrounding properties.

REASONABLE ECONOMIC USE AS ZONED

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

IMPACTS ON PUBLIC FACILITIES

A small increase in traffic, utility demand, stormwater runoff and the number of school-aged children would be anticipated from this request.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates the property is located within the Rural/Estate Character Area. The proposed R-100 zoning is consistent with the character of the area and policies of the Unified Plan by maintaining residential development with a two units per acre density.

CONDITIONS AFFECTING ZONING

The Board has previously approved requests for subdivisions in the area with R-100 zoning and the request for one lot to be divided into two lots is consistent with the character for existing development in the area.

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

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, 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:

will be like majority nearby property.

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

No. it will not affect the nearby properties

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

No. The rezoning from RA200 to RA100 will be in line with neighborhood.

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

No. The house will have a long driveway no parking on street.

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

Yes. The single family residential home on each lot.

- (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:

The existing old house will be removed to be able to split the land in 2 parcels

RECEIVED BY

OCT 24 2016

3

RZR '17 00 1

Letter of intent

To. Gwinnett Co. Planning and Development
For. the property on 1530 Mineral Spring Rd.

We like to rezone this \approx 2 Acre
property from RA 200 to R.-100 so we
- Andronesi Danut and George Joja
Can split the land in two parcels
to build 2 personal homes for
our families.

The old house will be removed
to be able to split the land in
2 parcels.

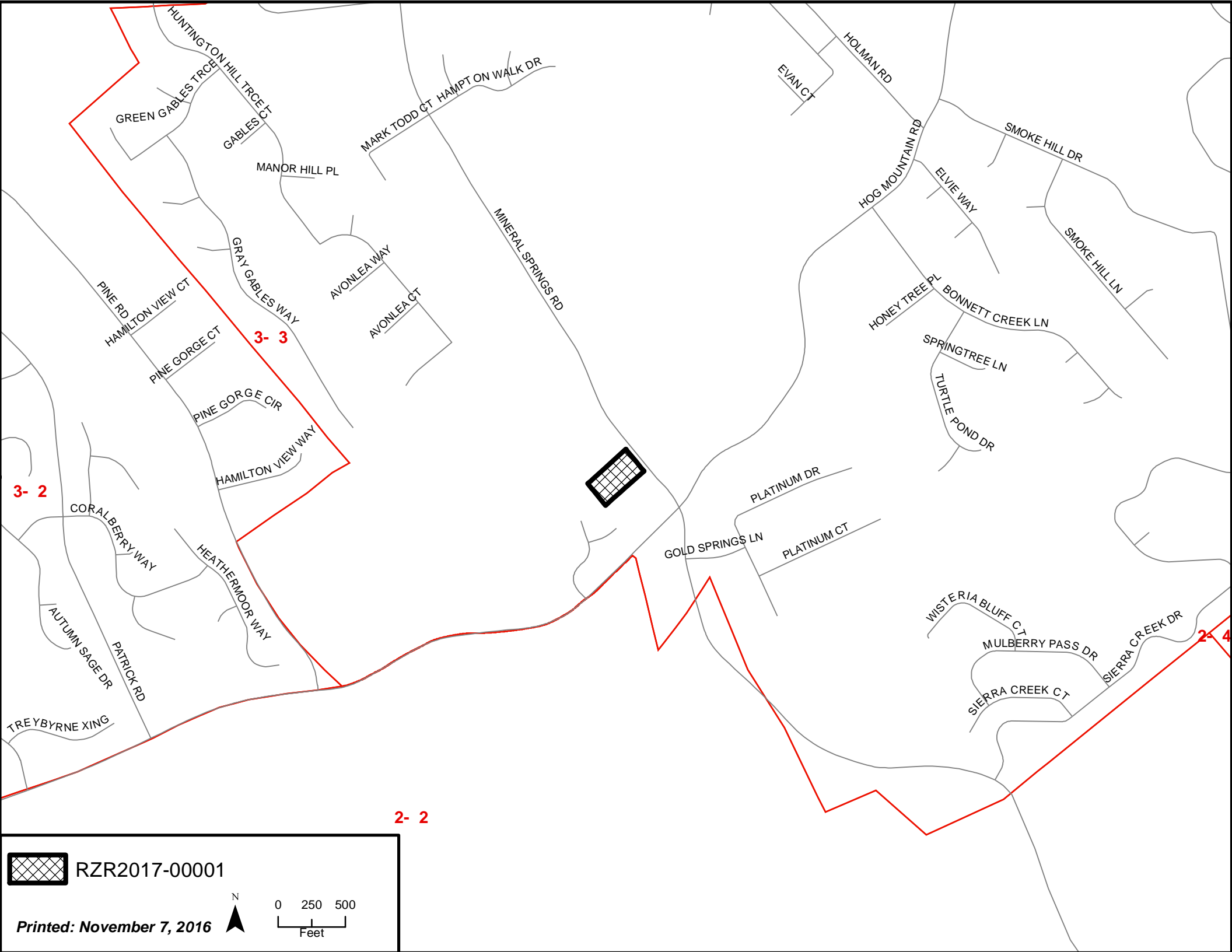
RZR '17 00 1

Alexander Petut
10/24/2016

RECEIVED BY

OCT 24 2016

Planning & Development




3- 2

3- 3

2- 2

2- 4

 RZR2017-00001



0 250 500
Feet

Printed: November 7, 2016

- LEGEND**
- N/S - NORTH TO SCALE
 - D/S - 1/4" EQUAL PER INCH
 - LL - LAND LOT
 - LL - LAND LOT LINE
 - PL - PROPERTY LINE
 - CL - CENTERLINE
 - FF - FISH POUND
 - RF - REAR FLOOR
 - CF - CHIMP TOP FEE
 - OF - OPEN TOP FEE
 - SL - SURFACE STRUCTURE LINE
 - 1/W - RIGHT-OF-WAY
 - SS - SANITARY SEWER MAINLINE
 - DS - DRAINAGE MAINLINE
 - MS - MANHOLE
 - CS - CATCH BASIN
 - JS - JOINTION BOX
 - HW - HEADWALL
 - IS - INVERT
 - DF - DRAIN FLOOR
 - PF - POWER UTILITY POLE
 - TS - TREE
 - IS - INVERT ELEVATION
 - FE - FIRST FLOOR ELEVATION
 - BE - BASEMENT FLOOR ELEVATION
 - GE - GARAGE FLOOR ELEVATION
 - UF - UNDERGROUND UTILITY
 - SS - SANITARY SEWER LINE/PIPE
 - DS - DRAINAGE SEWER LINE/PIPE
 - MS - MANHOLE
 - 1/W - NOW OR FORMERLY
 - POB - POINT OF BEGINNING
 - POC - POINT OF COMMENCEMENT

NO PORTION OF SUBJECT PROPERTY LIES WITHIN A DESIGNATED 100 YEAR FLOOD HAZARD AREA AS DETERMINED BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY PER F.I.R.M. PANEL NO. 12923C0016, DATED MARCH 2, 2002

ORIG. SITE ADDRESS:
1530 MINERAL SPRINGS RD
ORIG. TAX PARCEL 3003 034A

EXISTING ZONING - RA-200
PROPOSED ZONING - R-100

1530 MINERAL SPRINGS ROAD
Level III Soil Survey; Summit Soil Consulting Inc.
GWINNETT COUNTY

NRCS SERIES	Depth to ROCK inches	Depth to WATER inches	TRENCH DEPTH inches	PERC RATE ESTIMATED min/in
Cecil	>72	>72	18-36	75
Cecil-T	>72	>72	18-36	80
Madison	>72	>72	18-36	85

Note: - Hard rock is defined as material impervious to hard sugar, soil seeps excluded
- Depth to water is defined as the depth to first indication of seasonal saturation
- Designates zones of slow percolation and slow water table.

SUITABILITY CODES:
A: Soils should have ability to function as an absorption field with proper design, installation, and maintenance.
T: Due to random mild to high chroma mottling, a full line length gravel system with a gravel depth of 24"-30" inches is recommended.
The mottling in these soils is random from 24"-30" inches and has a range from few to many.
Drain line reduction is not recommended on these soils for any type of product.

- GENERAL NOTES AND COMMENTS:**
- Base Map Source: Gwinnett Co GIS map, which may contain errors.
 - All borings and features on soil map were located using differentially corrected GPS Data.
 - Lines delineating soil unit boundaries on map should not be considered exact. Instead, they should be considered as transitional areas separating units of soils with similar physical characteristics and utilization.
 - Alterations, during construction or prior to drain field installation, that result in significant changes to the natural soil profile (i.e. filling or grading >24"), render the specifications of these soils inapplicable. These soils should be re-surveyed to determine suitability prior to drain field installation.
 - When trench lines are dug by installer, every precaution should be taken to ensure that there is minimal disturbance to the soil on the trench walls. Smearing of trench walls or improper installation can lead to system failure. Sides of well should be picked if possible. Trench bottom should be rated. Drain field should be installed in dry conditions to preserve structure, prevent smearing and clogging.
 - Down-slopes and drainage grading should be diverted away from drain-field area to prevent saturation.
 - Rock inclusions may exist that are not delineated by a level 3 soil survey.
 - Installation depths are based on natural soil and should be adjusted if fill is encountered.
 - At Level 3 survey intensity, soil unit lines do not delineate exact soil water boundaries. These lines should be considered transitional areas of soil series or utilization changes. Level 3 survey intensity provides approximately 1/3 acre resolution. Units of suitable soils that border or are inclusions in units of marginal or unsuitable soil may need to be more intensively surveyed to better delineate soil unit boundaries.
 - Line reducing septic systems and effluent composition may have an effect on septic system performance and longevity.
 - Drain field area should be protected from construction traffic and building material placement.

Date: 8/3/16

RECEIVED BY
OCT 24 2016
Planning & Development

INFORMATION REGARDING THE REPORTED FLOODING, SIZE, CHARACTER AND LOCATION OF EXISTING UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO GUARANTEE OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED THAT LATER EXPOSURE USING THIS DRAWING, THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYERS, HIS CONTRACTORS AND THE CONTRACTORS SHALL HEREBY INDICATELY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE COMPLETION OR SUFFICIENCY OF THIS INFORMATION.

THIS PLAN WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE CERTIFICATE HERON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS IDENTIFICATION BY THE SURVEYOR NAMED SAID PERSON.



OWNER:
NAME: DANUT ANDRONESI & GEORGE JOJA
1530 MINERAL SPRINGS RD
ROSCHEON, GA. 30548

- REFERENCES:**
- WARRANTY DEED RECORDED IN DEED BOOK 54583, PAGE 21, GWINNETT COUNTY RECORDS.
 - DEED UNDER POWER RECORDED IN DEED BOOK 54088, PAGE 688, AFORESAID RECORDS.

RZR '17 00 1

PROPOSED LOT AREA
LOT 1 0.929 ACRES
LOT 2 0.927 ACRES
TOTAL AREA 1.856 ACRES

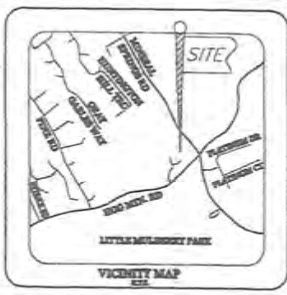
THIS SURVEY WAS PREPARED IN CONFORMANCE WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLOT ACT O.C.G.A. 14-6-67.



A TOPCON ES-06 TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAN.

THIS FIELD DATA UPON WHICH THIS MAP OR PLAN IS BASED HAS A CLOSURE FRACTION OF ONE FOOT IN 32,725 FEET AND AN ANGULAR ERROR OF 05" PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST-SQUARES METHOD.

THIS MAP OR PLAN HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 32,565 FEET AND CONTAINS 1.856 ACRES.



PROPOSED REZONING FOR:

DANUT ANDRONESI & GEORGE JOJA
1530 MINERAL SPRINGS RD

Date: 9/9/16
QAMD: 7749
Project: 16309

Land Lot: 3rd
County: GWINNETT, GA.
Scale: 1"=40'

Sheet No. 1 of 1
District: 3rd
Drawn By: BD




GEORGIA PREMIER LAND SURVEYING, INC.
PROFESSIONAL LAND SURVEYING
3010 HAMILTON MILL ROAD
BUDORF, GEORGIA 30099
(770) 614-2044 FAX (770) 614-2995
LAND SURVEY FIRM COA #177





MINERAL SPRINGS RD

 RZR2017-00001

Printed: November 7, 2016

N

0 25 50
Feet

R100

RA200

3-3

RA200

R100

R100

R100

2-2

HOG MOUNTAIN RD

GOLD SPRINGS LN

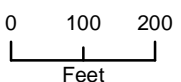
MINERAL SPRINGS RD

PLATINUM DR

PLATINUM CT



RZR2017-00001



Printed: November 7, 2016

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

CASE NUMBER :**RZR2017-00002**
ZONING CHANGE :R-100 TO R-SR
LOCATION :2100 BLOCK OF RIDGEDALE DRIVE
:1700 BLOCK OF PINEHURST ROAD
MAP NUMBER :R5071 033
ACREAGE :17.55 ACRES
UNITS :57 UNITS
PROPOSED DEVELOPMENT :SENIOR ORIENTED DETACHED SUBDIVISION
COMMISSION DISTRICT :(3) HUNTER

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

APPLICANT: BRAD COOPER
6845 SHILOH ROAD EAST, SUITE D-3
ALPHARETTA, GA 30005

CONTACT: JIM WARREN PHONE: 404.401.7656

OWNER: DOUGLAS AND JANICE KURASAKA
2175 RIDGEDALE DRIVE
SNELLVILLE, GA 30078

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests rezoning of a 17.55-acre tract located in the southwest quadrant of the Ridgedale Drive/Pinehurst Road intersection, adjacent to the city limits of Snellville. Currently zoned R-100 (Single Family Residence District), the applicant seeks R-SR zoning (Senior Oriented Residence District) to develop a 57-lot, age-restricted single family detached subdivision at a density of 3.25 units per acre. A small stream crosses the southwest portion of the subject site. One single family residence is currently developed near the intersection of the two roadways.

The site plan indicates a minimum lot area of 5,000 square feet with an average lot width of 50 feet. A minimum unit size of 1,600 square feet of traditional and craftsman-style architecture is proposed. Each home would include a front entry two-car garage. The applicant is reminded that, per the Unified Development Ordinance, if a block contains a majority of lots less than 60 feet in width, individual lot access for that block shall be accessed from a rear alley, not a public street. The required 50-foot landscaped setback is shown along the frontages of Ridgedale Drive and Pinehurst Road. Vehicular access would be provided by a single street connection onto Ridgedale Drive. Homes are proposed to have front setbacks of 20 feet. This

is below the minimum required 25-foot setback for homes with front-facing garages and will require a revised site plan or a variance from the Zoning Board of Appeals.

A proposed detention facility is shown in the southeastern portion of the property, being surrounded by two rows of evergreen plant material and a four-foot high, vinyl chain-link fence. Also reflected on the submitted site plan is a natural surface walking trail connecting two open space areas in the southwestern portion of the subject site.

ZONING HISTORY:

In 1970, the subject property was zoned RA-200 (Agriculture-Residence District). In 1973, the site was rezoned to R-100 (Single-Family Residence District) pursuant to an areawide rezoning.

GROUNDWATER RECHARGE AREA:

The subject property is located within an identified Significant Groundwater Recharge Area. The development would be served by sanitary sewer, resulting in minimal impact.

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.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Protection Section of the Unified Development Ordinance (Chapter 620) requires a no-access easement along the line of double frontage lots abutting upon a major thoroughfare for residential developments.

The Buffer, Landscape and Tree Protection Section of the Unified Development Ordinance (Chapter 620) 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 900-30 of the Unified Development Ordinance 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 900-90 of the Unified Development Ordinance 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 minimum of 50-foot landscape building setback is required from the right-of-way of Ridgedale Drive and Pinehurst Road. (Unified Development Ordinance Section 210-90.6.C)

The required front setback of 25-feet appears to not be met. The applicant must either revise the site plan, or seek a Variance from the Zoning Board of Appeals.

Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a Development Permit Application.

The developer must submit a concept plan for review and approval of the Development Division prior to submittal and acceptance of a development permit application.

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.

Section 800-20 of the Unified Development Ordinance requires submittal of a Stormwater Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

Section 700-40.1A of the Unified Development Ordinance requires that the lowest floor, including the basement, of all residential building 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 stormwater 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.

The United States Postal Service may require a centralized mail delivery kiosk for this proposed development, replacing individual mail boxes. Mail delivery kiosk must be located

outside of right-of-way access easement (if private street). Location and access must be approved by Gwinnett County D.O.T.

Section 210-90.6A requires that the homes shall meet the following requirements:

1. Minimum lot area: 5,000 square feet.
2. Average lot width: 50 feet.
3. Minimum front setback: 20 feet, except front-facing garages shall be setback a minimum of 25 feet behind sidewalks.

Section 210-90.6C requires at least one two-inch caliper street tree shall be planted at least every 35 feet along both sides of internal street(s).

STORMWATER REVIEW SECTION COMMENTS:

This property appears to have stream buffers. All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

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

Ridgedale Drive 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.

The developer shall be limited to one curb cut.

The project entrance shall align with opposing roads or driveways in accordance with the Gwinnett County Unified Development Ordinance.

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.

Minimum separation from a driveway, public road, or side street shall be provided as specified in the Gwinnett County Unified Development Ordinance.

Project must comply with Gwinnett County D.O.T. Criteria and Guidelines for left turn lanes.

Dead end streets designed to have one end permanently closed shall provide a cul-de-sac turnaround.

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 eight-inch water main located on the southwest right-of-way of Ridgedale Drive and an eight-inch water main located on the northwest right-of-way of Pinehurst 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 eight-inch sanitary sewer main located approximately 237 feet south of parcel R5071 033 on the right-of-way of Carolina Wind Court.

The subject development is located within the Lower Big Haynes 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 17.55-acre tract located in the southwest quadrant of the Ridgedale Drive/Pinehurst Road intersection, adjacent to the city limits of Snellville. Currently zoned R-100 (Single Family Residence District), the applicant seeks R-SR zoning (Senior Oriented Residence District) to develop a 57-lot, age-restricted single family detached subdivision at a density of 3.25 units per acre. A small stream crosses the southwestern portion of the subject site. One single family residence is currently developed near the intersection of the two roadways.

The 2030 Unified Plan Future Development Map indicates the site is located in an Existing/Emerging Suburban Character Area. Policies of the 2030 Unified Plan support expanded housing opportunities for seniors, providing a residential environment with lower maintenance responsibilities and smaller dwelling sizes. The Unified Plan discourages infill residential development that is of an incompatible density to existing low density, single-family subdivisions in the area, and suggests that such infill density should not exceed 3.0 units per acre. Although an R-SR subdivision could be considered suitable to the area, the proposed density of 3.25 units per acre may not be compatible with the surrounding low density residential developments in the immediate area and could be inconsistent with recommendations of the Unified Plan. If approved at a more compatible density of 3.0 units per acre the use could be suitable and supported by the Department.

The surrounding area is characterized by single family detached residential subdivisions and large tracts of land zoned R-100. Directly across Ridgedale Drive is the Wellington North subdivision, zoned R-100. To the south is the Wellington subdivision, also zoned R-100. Adjacent to the west of the subject site is property located within the city limits of Snellville. The proposed development could be compatible with the surrounding single family detached developments, if approved with staff's recommended conditions.

In conclusion, with conditions limiting the density of the development, a senior-oriented detached residential subdivision could be considered consistent with policies of the Unified Plan and compatible with the surrounding area. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as R-SR (Senior Oriented Residence District) for a senior-oriented 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 and structures, not to exceed a density of 3.0 units per acre. The development shall be restricted to occupancy by residents aged 55 years or older.
 - B. The homeowner's association shall be responsible for maintenance of all common areas/facilities, street frontage landscaping, and lawn and ornamental planting maintenance on individual lots. The homeowner's association shall be responsible for exterior maintenance of individual residences to include, at a minimum, painting of the exteriors on a rotation not to exceed six years.
 - C. The minimum heated floor area per dwelling unit shall be 1,800 square feet.
 - D. Homes shall be constructed with architectural treatments of primarily brick or stone on all sides, with minor treatments of low or no-maintenance siding materials. Final building elevations shall be subject to the review and approval of the Director of Planning and Development.
 - E. All dwellings shall have a minimum two-car garage.
2. To satisfy the following site development considerations:
 - A. All utilities shall be placed underground.
 - B. Detention pond(s) shall be fenced with a black vinyl-coated chain link fence a minimum of four feet in height, and shall be fully screened from view of adjacent residences with a double staggered row of evergreens. Final screening plans shall be subject to the review and approval of the Director of Planning and Development.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

If properly conditioned, a senior oriented, single family detached subdivision could be suitable for the subject property.

ADVERSE IMPACTS

With the recommended conditions, minimal adverse impacts on surrounding properties could be anticipated.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

Impacts in the form of increased utility demand, traffic and stormwater runoff could be anticipated from this request.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates that the site is located in an Existing/Emerging Character Area. If properly conditioned, the proposed use could be consistent with the 2030 Unified Plan which encourages expanded housing opportunities for seniors.

CONDITIONS AFFECTING ZONING

The subject site is located at the intersection of two collector streets and would be suitable for the proposed senior oriented subdivision. The requested rezoning could be compatible with the surrounding single family detached residential developments in the immediate area.

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

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, 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:

Yes, the proposed Senior oriented development will be consistent with the nearby and adjacent residential development.

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

No. The proposed Senior oriented development will not adversely affect the adjacent and nearby communities.

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

No. As currently zoned R-100, the property cannot be developed due to market conditions as evidence by over a decade of efforts to sale/develop.

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

No, the proposed development will not cause any excessive or burdensome uses of the streets, utilities, schools or related infrastructure in the immediate area.

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

Yes, the proposed use is in conformity with the policy and intent of the current land use plan of Gwinnett County.

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

Yes, the immediate and surrounding area has changed over the years making the proposed use not only compatible, but desirable alternative to maintenance free life style, with little to no impact on local schools.



November 4, 2016

VIA HAND DELIVERY

Gwinnett County Board of Commissioners
c/o Jerry Oberholtzer
Planning Manager
446 West Crogan Street
Lawrenceville, GA 30045

RE: 2175 Ridgedale Drive Rezoning Application
LETTER OF INTENT

Dear Mr. Oberholtzer,

Respectfully we submit this application to rezone approximately 17.50 acres located at 2175 Ridgedale Drive from it's current zoning classification of R-100 to R-SR (Senior Oriented Residence District) which will be age Restricted. We fell that the proposed community is ideally located in an influential area near the Snellville city limits.

We are proposing that fifty-seven (57) residential homes at a density of 3.25 DU/AC, well below the 4 DU/AC UDC threshold. A single, vehicular entrance on Ridgedale Drive, 50-foot wide public street, 25-foot perimeter landscape buffer with 6-foot high fence, open space, walking trail and central mail kiosk further define the proposed community.

The detached, single-family homes will have a mixture of traditional as well as craftsman style architecture as further illustrated on the attached documents. For the avoidance of doubt, the proposed R-SR community shall require a mandatory homeowners association which will publish and adhere to policies and procedures that demonstrate that the community is intended to provide housing for person 55 and over, as permitted by 42 U.S.C. Section 3607b2c for the Federal Fair Housing Act.

We respectfully request your approval of this request for Rezoning from R-100 to R-SR so as to permit the proposed residential community.

Respectfully submitted,

Brad Cooper,
Blue River Development, LLC

Cc: Joey Maxwell, Maxwell-Reddick and Associates, Inc.

RECEIVED BY

NOV 04 2016

Planning & Development

RZR '17 00 2

Homes will be constructed with architectural treatments of primarily brick or stone on the FRONT, with minor treatment of low or no-maintenance siding materials. The RIGHT, LEFT and REAR ELEVATIONS will contain a minimum three-foot high water table of brick or stone. A full cornice return at gable height shall be installed with fiber-cement shake siding in the gable area. The balance of the SIDE and REAR shall be fiber cement siding.



RECEIVED BY

RZR '17 00 2

NOV 04 2016

Planning & Development

Homes will be constructed with architectural treatments of primarily brick or stone on the FRONT, with minor treatment of low or no-maintenance siding materials. The RIGHT, LEFT and REAR ELEVATIONS will contain a minimum three-foot high water table of brick or stone. A full cornice return at gable height shall be installed with fiber-cement shake siding in the gable area. The balance of the SIDE and REAR shall be fiber cement siding. Single story homes with bonus room option above the garage.



RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION

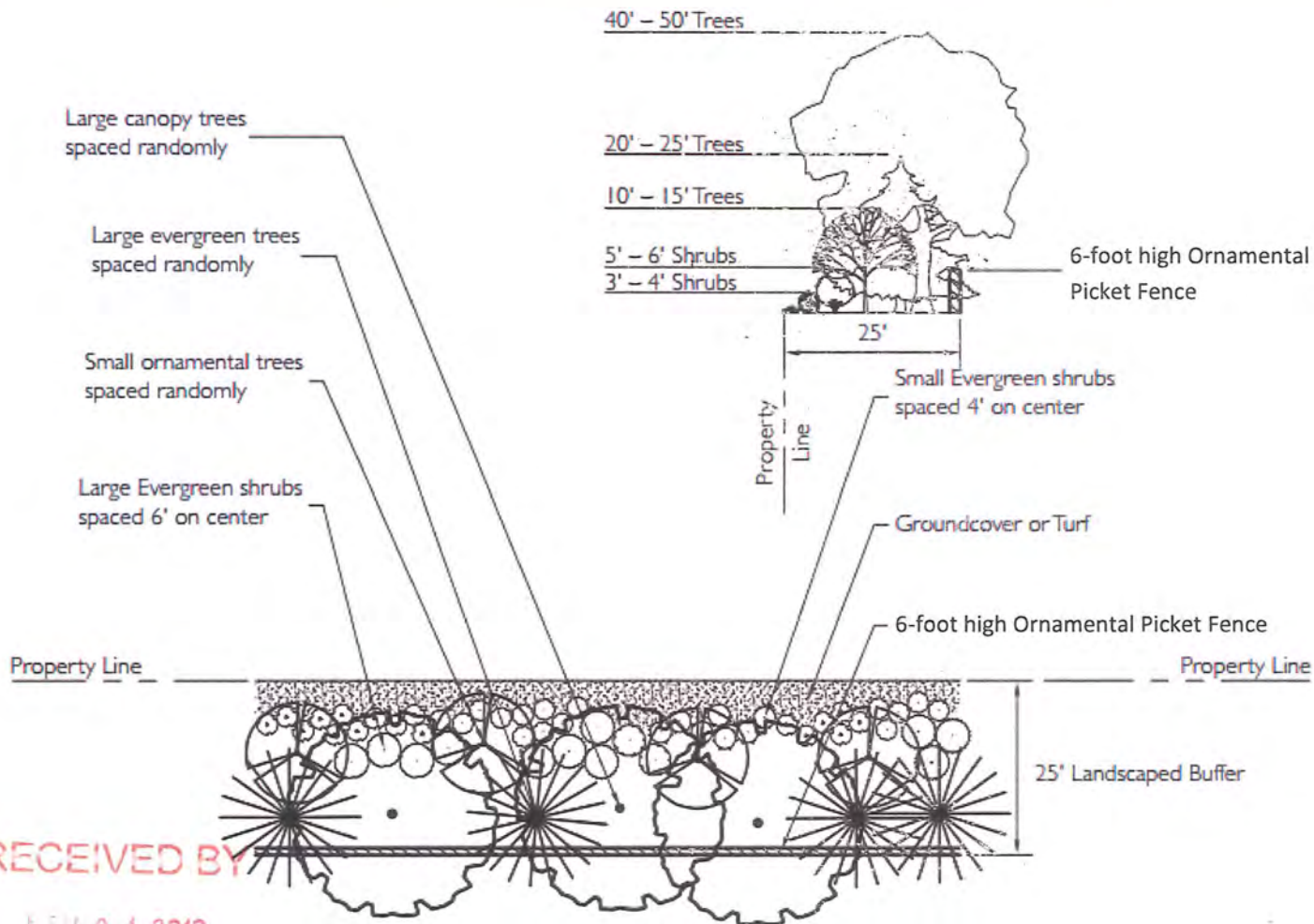
RECEIVED BY

NOV 04 2016

Planning & Development

RZR '17 00 2

PERIMETER 25-Foot LANDSCAPE BUFFER

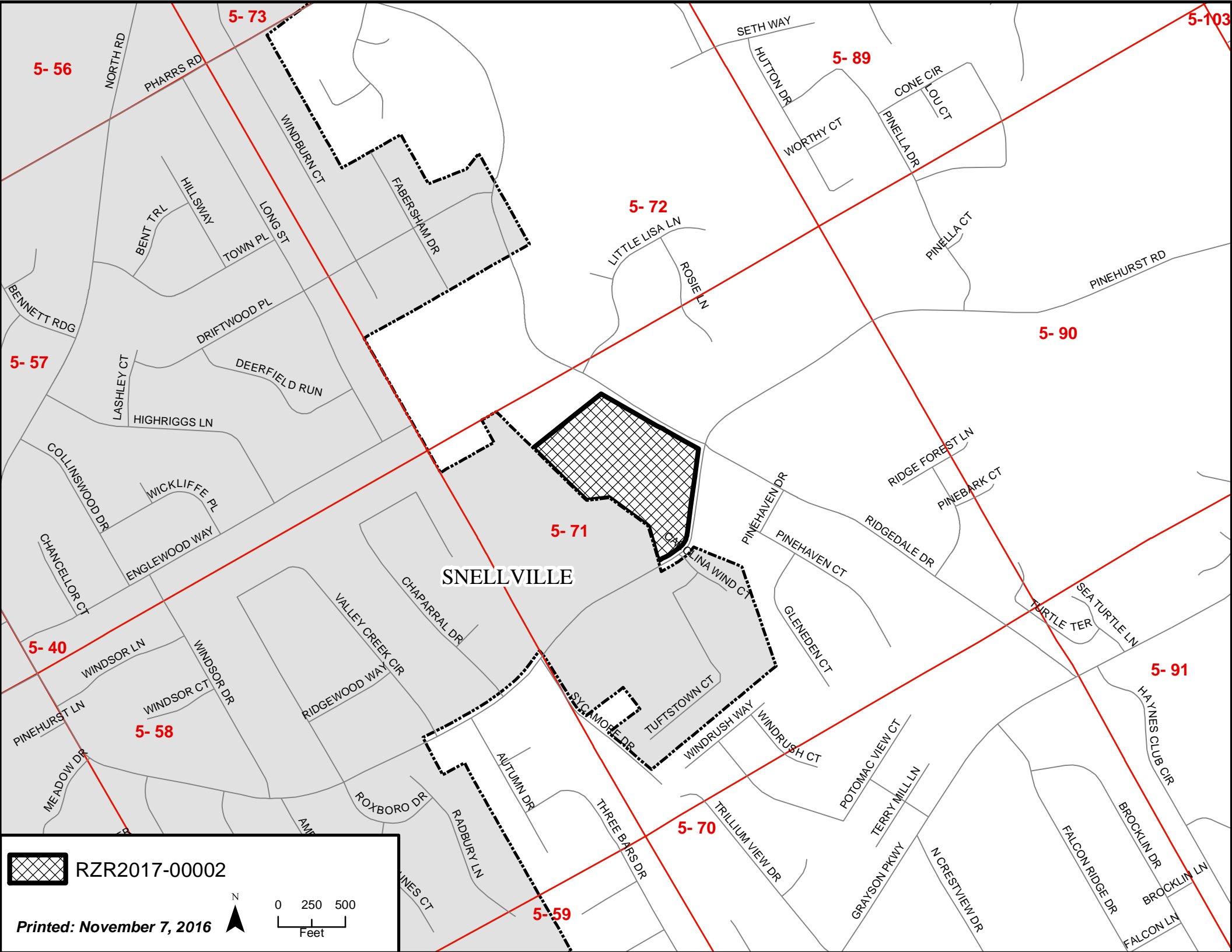



RECEIVED BY

NOV 04 2016

Planning & Development

RZR '17 00 2

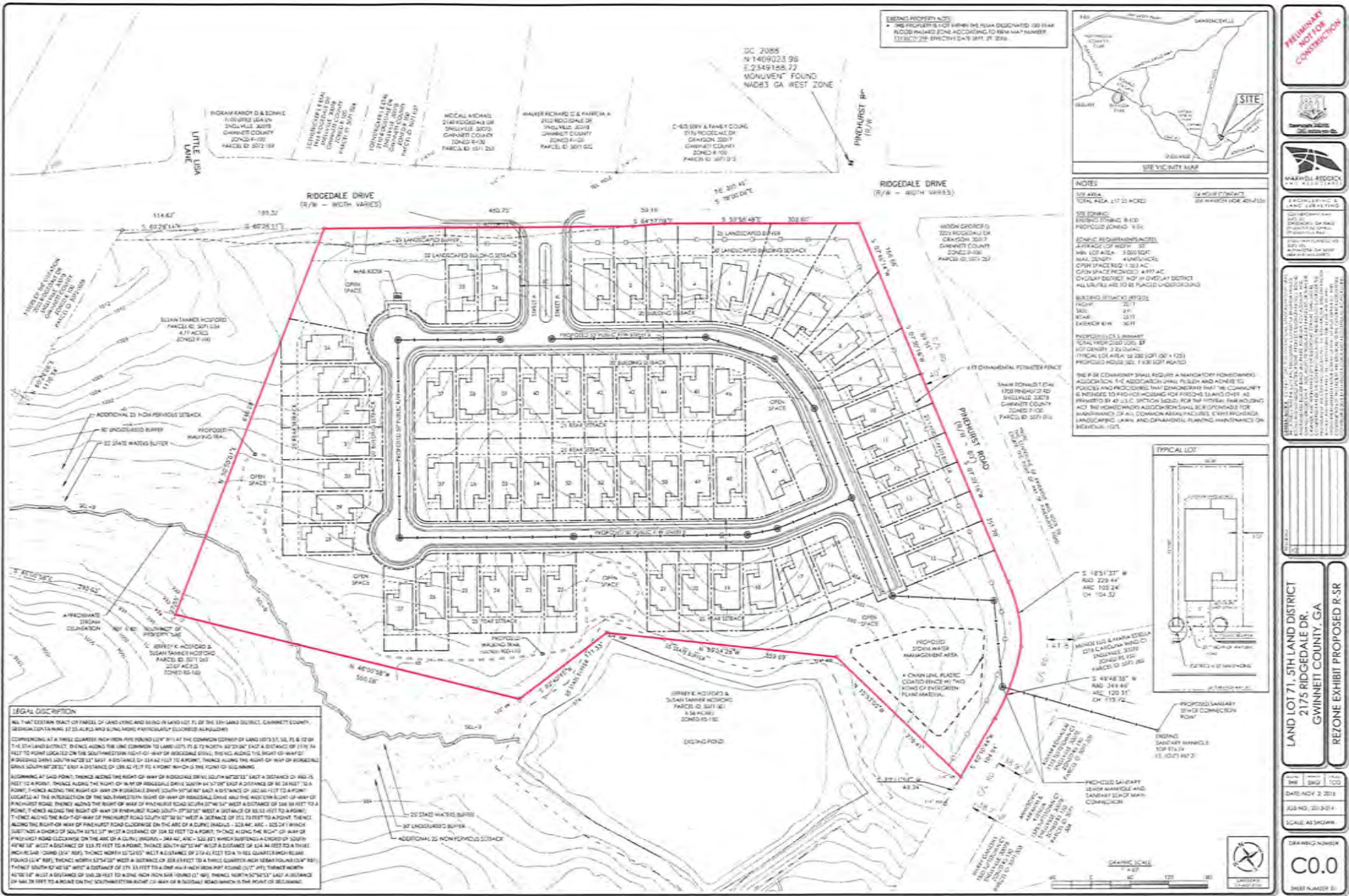


 RZR2017-00002



0 250 500
Feet

Printed: November 7, 2016



BEING ACCORDING TO THE PLAT FOR THE ROAD DESIGNATED 100 FEET WIDE PARKING ZONE ACCORDING TO PERMITS NUMBER 123322-2016-0001 (DATE 08/17/16)



NOTES

1. SEE AREA TOTAL AREA: 117.22 ACRES

2. SEE CONFORMING ZONING: R-10

3. SEE CONFORMING ZONING: R-10

4. SEE CONFORMING ZONING: R-10

5. SEE CONFORMING ZONING: R-10

6. SEE CONFORMING ZONING: R-10

7. SEE CONFORMING ZONING: R-10

8. SEE CONFORMING ZONING: R-10

9. SEE CONFORMING ZONING: R-10

10. SEE CONFORMING ZONING: R-10

11. SEE CONFORMING ZONING: R-10

12. SEE CONFORMING ZONING: R-10

13. SEE CONFORMING ZONING: R-10

14. SEE CONFORMING ZONING: R-10

15. SEE CONFORMING ZONING: R-10

16. SEE CONFORMING ZONING: R-10

17. SEE CONFORMING ZONING: R-10

18. SEE CONFORMING ZONING: R-10

19. SEE CONFORMING ZONING: R-10

20. SEE CONFORMING ZONING: R-10

21. SEE CONFORMING ZONING: R-10

22. SEE CONFORMING ZONING: R-10

23. SEE CONFORMING ZONING: R-10

24. SEE CONFORMING ZONING: R-10

25. SEE CONFORMING ZONING: R-10

26. SEE CONFORMING ZONING: R-10

27. SEE CONFORMING ZONING: R-10

28. SEE CONFORMING ZONING: R-10

29. SEE CONFORMING ZONING: R-10

30. SEE CONFORMING ZONING: R-10

31. SEE CONFORMING ZONING: R-10

32. SEE CONFORMING ZONING: R-10

33. SEE CONFORMING ZONING: R-10

34. SEE CONFORMING ZONING: R-10

35. SEE CONFORMING ZONING: R-10

36. SEE CONFORMING ZONING: R-10

37. SEE CONFORMING ZONING: R-10

38. SEE CONFORMING ZONING: R-10

39. SEE CONFORMING ZONING: R-10

40. SEE CONFORMING ZONING: R-10

41. SEE CONFORMING ZONING: R-10

42. SEE CONFORMING ZONING: R-10

43. SEE CONFORMING ZONING: R-10

44. SEE CONFORMING ZONING: R-10

45. SEE CONFORMING ZONING: R-10

46. SEE CONFORMING ZONING: R-10

47. SEE CONFORMING ZONING: R-10

48. SEE CONFORMING ZONING: R-10

49. SEE CONFORMING ZONING: R-10

50. SEE CONFORMING ZONING: R-10

51. SEE CONFORMING ZONING: R-10

52. SEE CONFORMING ZONING: R-10

53. SEE CONFORMING ZONING: R-10

54. SEE CONFORMING ZONING: R-10

55. SEE CONFORMING ZONING: R-10

56. SEE CONFORMING ZONING: R-10

57. SEE CONFORMING ZONING: R-10

58. SEE CONFORMING ZONING: R-10

59. SEE CONFORMING ZONING: R-10

60. SEE CONFORMING ZONING: R-10

61. SEE CONFORMING ZONING: R-10

62. SEE CONFORMING ZONING: R-10

63. SEE CONFORMING ZONING: R-10

64. SEE CONFORMING ZONING: R-10

65. SEE CONFORMING ZONING: R-10

66. SEE CONFORMING ZONING: R-10

67. SEE CONFORMING ZONING: R-10

68. SEE CONFORMING ZONING: R-10

69. SEE CONFORMING ZONING: R-10

70. SEE CONFORMING ZONING: R-10

71. SEE CONFORMING ZONING: R-10

72. SEE CONFORMING ZONING: R-10

73. SEE CONFORMING ZONING: R-10

74. SEE CONFORMING ZONING: R-10

75. SEE CONFORMING ZONING: R-10

76. SEE CONFORMING ZONING: R-10

77. SEE CONFORMING ZONING: R-10

78. SEE CONFORMING ZONING: R-10

79. SEE CONFORMING ZONING: R-10

80. SEE CONFORMING ZONING: R-10

81. SEE CONFORMING ZONING: R-10

82. SEE CONFORMING ZONING: R-10

83. SEE CONFORMING ZONING: R-10

84. SEE CONFORMING ZONING: R-10

85. SEE CONFORMING ZONING: R-10

86. SEE CONFORMING ZONING: R-10

87. SEE CONFORMING ZONING: R-10

88. SEE CONFORMING ZONING: R-10

89. SEE CONFORMING ZONING: R-10

90. SEE CONFORMING ZONING: R-10

91. SEE CONFORMING ZONING: R-10

92. SEE CONFORMING ZONING: R-10

93. SEE CONFORMING ZONING: R-10

94. SEE CONFORMING ZONING: R-10

95. SEE CONFORMING ZONING: R-10

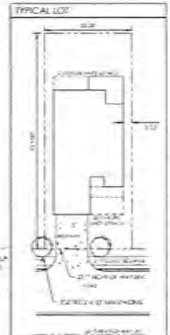
96. SEE CONFORMING ZONING: R-10

97. SEE CONFORMING ZONING: R-10

98. SEE CONFORMING ZONING: R-10

99. SEE CONFORMING ZONING: R-10

100. SEE CONFORMING ZONING: R-10



PRELIMINARY NOT FOR CONSTRUCTION

MAHARAJI REDDY

LAND LOT 71, 5TH LAND DISTRICT 2175 RIDGEDALE DR. GWINNETT COUNTY, GA

REZONE EXHIBIT PROPOSED R-10

DATE: NOV 2, 2016

SCALE: AS SHOWN

AREA NUMBER: C0.0

SHEET NUMBER: 1

RECEIVED BY

RZR '17 00 2

NOV 04 2016


Planning & Development



RIDGEDALE DR

PINEHURST RD

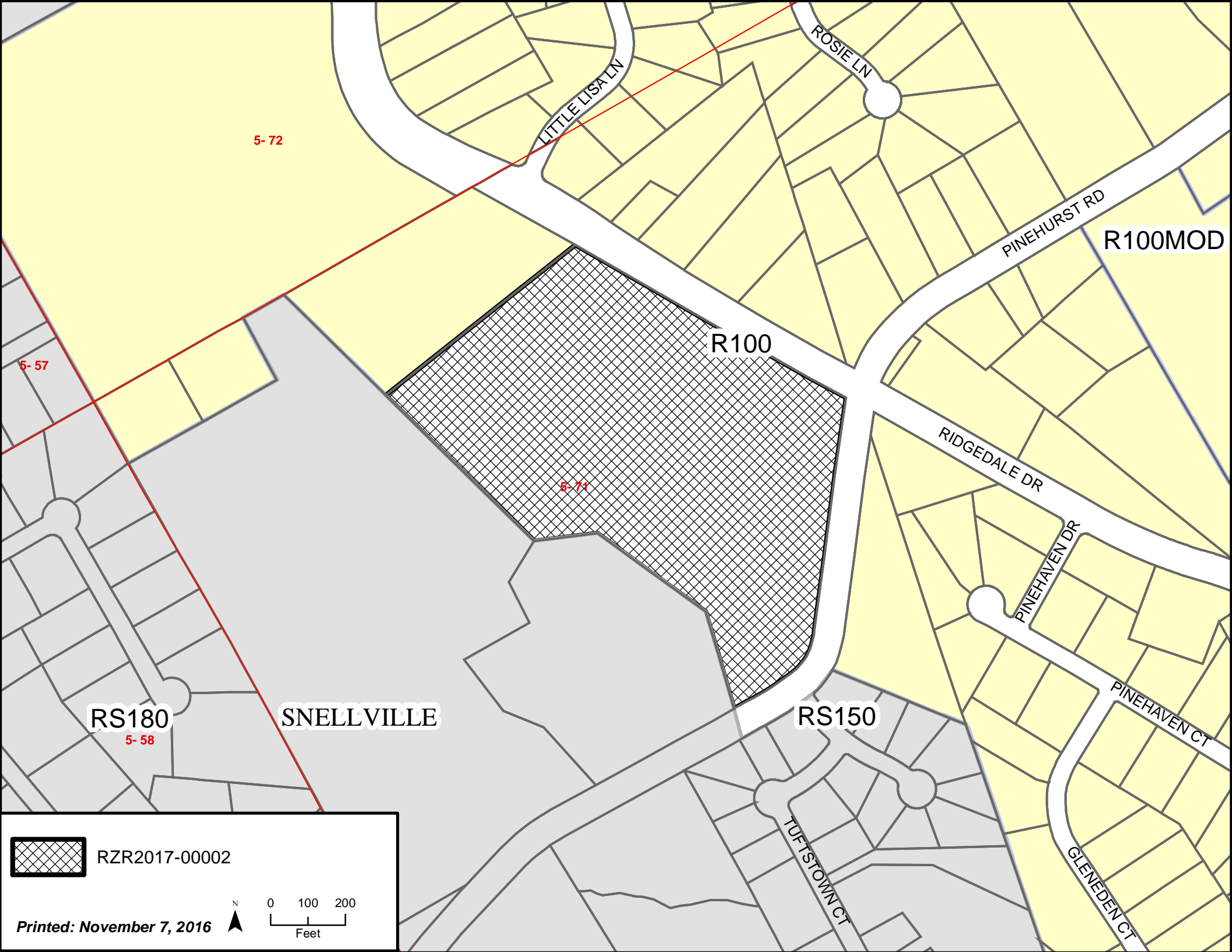
CAROLINA WIND CT

 RZR2017-00002

Printed: November 7, 2016

N

0 50 100
Feet



5-72

5-57

5-71

RS180
5-58

SNELLVILLE

R100

R100MOD

RS150

 RZR2017-00002



0 100 200
Feet

Printed: November 7, 2016

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

CASE NUMBER :CIC2017-00001
ZONING :C-2
LOCATION :1500 BLOCK OF INDIAN TRAIL LILBURN ROAD
MAP NUMBER :R6199 103
ACREAGE :1.00 ACRE
PROPOSAL :CHANGE IN CONDITIONS OF ZONING
COMMISSION DISTRICT :(I) BROOKS

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

APPLICANT: WILWAT PROPERTIES, INC.
1958 MONROE DRIVE NE
ATLANTA, GA 30324

CONTACT: LEE FREEMAN PHONE: 404.538.5455

OWNER: GREATER ATLANTA CHRISTIAN SCHOOLS, INC.
1545 INDIAN TRAIL LILBURN ROAD
NORCROSS, GA 30093

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

CHANGE IN CONDITIONS SUMMARY:

The applicant requests a Change-in-Conditions of a previous rezoning case, RZ-96-88, to amend the condition of zoning limiting the number of full access curb cuts along Indian Trail - Lilburn Road and Oakbrook Parkway extension. The 1.00-acre property is located along the northeast side of Indian Trail - Lilburn Road, just southeast of its intersection with Oakbrook Parkway. The site is located within the mixed-use commercial and office development known as Indian Brook Park. The subject property consists of a parking lot and it is the intention of the applicant to develop the site with a 2,200 square foot freestanding Starbuck's restaurant and drive-through.

The request is to modify condition 2.B. of RZ-96-88, which reads as follows:

2.B. No more than three full access curb cuts on Indian Trial Road, including the Oakbrook Parkway extension. One shall be at the southerly end of the property, and one shall be aligned with the traffic signal for Greater Atlanta Christian School, subject to the approval of the Development Division and the Gwinnett County Department of Transportation. Two additional right-in/right-out only curb cuts may permitted, with the location subject to Development Division approval, that will provide internal access to the proposed development.

This segment of the Indian Trail - Lilburn Road corridor consists of a multi-lane highway with a center turn lane. Access to the property is through an interparcel access easement, served by a shared driveway aligned with a traffic signal at the main entrance of the Greater Atlanta Christian School. The submitted site plan indicates that the proposed driveway would allow direct access onto Indian Trail - Lilburn Road. Additionally, the submitted plan proposes the removal and relocation of two curb cuts, to the rear of the site, along the interparcel access easement and replacing interparcel access to the subject property with one single point of access located to the rear of the site.

The Gwinnett County 2030 Unified Plan Future Development Map indicates the property lies within a Regional Mixed-Use Character Area. Policies for this character area support certain freestanding retail establishments; therefore the proposed curb cut may ensure the success of the proposed restaurant and thus be in line with policy recommendations for the Regional-Mixed Use Character Area.

The Indian Trail - Lilburn Road corridor is developed with a mix of commercial/retail and office-institutional uses, with residential developments located beyond the commercial corridor. Commercial activity in the area includes restaurants, retail centers, and office buildings, which all have multiple access points along Indian Trail – Lilburn Road. The neighboring Greater Atlanta Christian School, in conjunction with the Gwinnett Village CID and other property owners in the area, have made substantial investments to improve the appearance and viability of the corridor. The proposed additional curb cut would be in line with these efforts as it could enhance future growth at this location.

The proposed change in conditions could be consistent with policies of the Gwinnett County Unified Development Ordinance and local efforts to refine a longer-term vision of balance along the Indian Trail – Lilburn Road corridor. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS**.

ZONING HISTORY:

The property was zoned R-75 (Single Family Residence District) in 1970. In 1972, the property was rezoned to RA-200 (Agriculture-Residence District) as part of an area wide rezoning. The site was rezoned to C-2, pursuant to RZ-96-88, in 1988.

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 Protection Section of the Unified Development Ordinance (Chapter 620) requires a ten-foot wide landscape strip adjacent to all street rights-of-way for non-residential developments.

The Buffer, Landscape and Tree Protection Section of the Unified Development Ordinance (Chapter 620) 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.

Parking lots and interior driveways shall be designed in accordance with Chapter 240 of the Unified Development Ordinance.

Section 900-30 of the Unified Development Ordinance 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 900-90 of the Unified Development Ordinance 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).

Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a Development Permit Application.

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.

Section 800-20 of the Unified Development Ordinance requires submittal of a Stormwater Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

Section 700-40.1B of the Unified Development 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:

Indian Trail is a Major Arterial and 50 feet of right-of-way is required from the centerline, with 60 feet required within 500 feet of a major intersection.

Commercial entrances shall be provided to the site per current development regulations.

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

The developer shall be limited to one curb cut.

There is a Gwinnett DOT (F-1083-01/Georgia DOT (Pl# 0012884) project to install a multiuse path along Indian Trail Road. The Developer will be required to install the multiuse path along the frontage where this parcel intersects Indian Trail Road and will also be required to dedicate at no cost to the department the additional Right of Way needed for the improvements. Contact Gwinnett County Project Manager Tashaya Jackson at 770-822-7488.

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 northeast right-of-way of Indian Trail Lilburn 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 eight-inch sanitary sewer main located on parcel R6199 103.

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:

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 2012 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 shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Category I.

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 678.518.6000 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

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

RZ-96-88

Additions in **bold**

Deletions in ~~strikethrough~~

- I. To restrict the use of the property as follows:
 - A. For the property zoned O-I: Office, institutional, public and semi-public uses, which may include a retirement community or other special uses if approved for a Special Use Permit, and accessory uses at a maximum density of 15,000 square feet of gross floor area per acre zoned.
 - B. A Special Use Permit is approved for the O-I zone property to permit a building height increase not to exceed six stories.
 - C. For the property zoned C-2: Office, retail and service commercial and accessory uses at a maximum density of 10,000 square feet of total floor area per acre zoned.

- 2 To satisfy the following site development considerations:
 - A. Provide a ten-foot wide landscape strip outside the new dedicated rights-of-way of Indian Trail – Lilburn Road, Hillcrest Road and the Oakbrook Parkway extension (except for approved access points).
 - B. No more than ~~three~~ **five** full access curb cuts on Indian Trail – Lilburn Road, including Oakbrook Parkway. ~~One shall be at the southerly end of the property, and one shall be aligned with the traffic signal for Greater Atlanta Christian School, subject to approval of the Development Division and the Gwinnett County Department of Transportation. Two additional right-in/right-out only curb cuts may be permitted, with the location subject to the Development Division that will provide internal access to the proposed development.~~
 - C. No more than one exit/entrance on Hillcrest Road.
 - D. ~~Exits/entrances on the Oakbrook Parkway shall be in accordance with Gwinnett County Development Regulations, subject to the approval of the Development Division.~~
 - E. ~~Provide interparcel access to out parcels, location subject to the approval of the Director of Planning and Development.~~

- F. No billboards are permitted.
 - G. Dumpsters shall be screened by a fence or wall.
 - H. Buildings shall be finished with architectural treatments of glass and/or brick, stone, stucco or other masonry finish; or submit alternate architectural plans for approval of the Planning Commission prior to issuance of building permit.
 - I. The 75-foot buffer on the C-2 zoned out parcels adjacent to Tract III (zoned RA-200) may be reduced to a ten-foot wide landscape strip.
- 3 To abide by the following requirements, dedications and improvements:
- A. **The Developer shall install a multiuse path along Indian Trail - Liburn Road and dedicate at no cost to the county all Right-of-Way needed for Gwinnett DOT project F-1083-01 and Georgia DOT project PI# 0012884. Dedicate, at no cost to Gwinnett County, 60 feet of right-of-way from the centerline of Indian Trail Road.**
 - ~~B. Dedicate, at no cost to Gwinnett County, 40 feet of right-of-way from the centerline of Hillcrest Road.~~
 - ~~C. Dedicate, at no cost to Gwinnett County, 120 feet of right-of-way for the Oakbrook Parkway within 500 feet of its intersection with Indian Trail Road and 100 feet of right-of-way through the remainder of the property.~~
 - ~~D. Improve Hillcrest Road along the entire property frontage a distance of 26 feet from centerline to back of curb prior to issuance of a certificate of occupancy for Tract II.~~
 - ~~E. Construct the Oakbrook Parkway extension, for a distance of approximately 815 feet, from Indian Trail Road with five lanes (two through lanes in each direction with a two-way left turn lane), plus left and right turn lanes at its intersection with Indian Trail Road. Construction of the road through the property to the northeasterly property line must be completed at the developer's expense prior to the issuance of any certificate of occupancy on Tract II.~~
 - ~~F. Widen, curb and gutter Indian Trail Road the width of one additional lane across the entire property frontage.~~
 - ~~G. Participate in the design and construction of the following improvements, at a cost not to exceed \$175,860. Funds shall be cash escrowed with the Gwinnett Department of Transportation prior to issuance of a development permit.~~

- ~~1. Escrow \$64,800 to participate in the cost of adding an eastbound lane on Indian Trail Road beginning 200 feet east of the easternmost project entrance and ending at the I-85 entrance ramp.~~
- ~~2. Escrow \$92,260 to participate in the cost of adding a westbound lane on Indian Trail Road from I-85 northbound exit ramp to Singleton Road.~~
- ~~3. Escrow \$9,800 to participate in the cost of adding an additional right turn lane to I-85 northbound exit ramp.~~
- ~~4. Escrow \$10,000 to participate in the cost of upgrading signalization on Indian Trail Road at the Oakbrook Parkway extension.~~
- ~~5. Funds escrowed may be used, at the option of the Gwinnett County Department of Transportation, to complete the construction of the Oakbrook Parkway extension from the northeasterly property line of Tract I to Hillcrest Road.~~

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The requested Change in Condition to allow an additional curb cut along Indian Trail-Lilburn Road may be suitable at this location in light of ongoing revitalization efforts to attract quality commercial developments in the area.

ADVERSE IMPACTS

With the current level of commercial activity along the Indian Trail-Lilburn Road corridor, the change in conditions and proposed use would not have adverse impacts on the surrounding commercial, institutional, and light industrial activities in the immediate area.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

Additional impacts could be anticipated on public facilities in the form of traffic entering and exiting Indian Trail – Lilburn Road.

CONFORMITY WITH POLICIES

The property is located along an established commercial corridor, surrounded by other commercial, institutional, and light industrial activities. The addition of a curb cut and freestanding commercial establishment at this location may be consistent with ongoing private and public efforts to improve the appearance and viability of the Indian Trail - Lilburn Road corridor.

CONDITIONS AFFECTING ZONING

A freestanding restaurant with drive-through is a permitted use under the current zoning of the property, and in the Department's opinion allowing an additional curb cut for such a development along Indian Trail-Lilburn Road would allow for a compatible use of the property with surrounding developments in the area.

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

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, 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 proposed Change in Conditions will permit a commercial use that is suitable as the current zoning is C-2 and adjacent zoning is C-2 and M-1.

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

The proposed change positively affects the existing use allowing for better access to the property.

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

The Property currently has little economic use. The Change in Conditions will allow for direct access off Indian Trail Lilburn Road which will positively affect the 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 Change in Conditions will allow for easier access to the site, resulting in less burdensome use of existing streets.

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

It is in conformity as the zoning and use will remain as it currently is zoned.

- (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:

N/A

RECEIVED BY

OCT 28 2016

CIC '17 00 1

Planning & Development



October 27, 2016

**Change in Conditions Application
Letter of Intent for
1528 Indian Trail Lilburn Road
Parcel # 6199 103
Zoning Case RZ-96-88**

Doulgerakis Consulting Engineers, Inc. submits this Change in Conditions Application on behalf of Wilwat Properties, Inc. ("the Applicant") for property at 1528 Indian Trail Lilburn Rd. The property is owned by Greater Atlanta Christian Schools, Inc ("GAC"). The gross and net area of the property is 1.00 acre and it is currently zoned C-2 for general commercial retail use pursuant to zoning case RZ-96-88. Said zoning case limits the number of curb cuts onto Indian Trail Rd. The applicant purposes a change in conditions to add one additional full access curb cut at 1528 Indian Trail Lilburn Rd.

Currently the property is utilized as an excess parking lot with 77 spaces for the adjacent 1500 GAC Center office building at 1500 Indian Trail Lilburn Road. The Applicant proposes to redevelop a portion of the existing parking lot with a freestanding Starbucks restaurant and drive-thru. The gross building area and approximately 2,200 square feet, therefore the proposed density in terms of gross square footage per acre will be approximately 2,200 SF/acre. The building will be one story with an approximate height of 25 ft. The proposed number of parking spaces is 44.

The proposed change in condition is needed to increase the economic use of the property and allow for easier access to the proposed restaurant.

The Applicant and his representatives welcome the opportunity to meet with the Gwinnett County Planning and Development Department staff to discuss the project and address any questions.

Thank you for your consideration.

Sincerely,

Emmanuel Doulgerakis, P.E.
Representative of the Applicant

RECEIVED BY

OCT 28 2016

Planning & Development

CIC '17 00 1

CASE NUMBER RZ-96-88

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>	VOTE
Lillian Webb, Chairman	<u> AYE </u>
Ken Suffridge, District 1	<u> AYE </u>
Scott Ferguson, District 2	<u> AYE </u>
Mike Berg, District 3	<u> AYE </u>
Don Loggins, District 4	<u> AYE </u>

On motion of COMM. LOGGINS , 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 RA-200 to C-2 AND O-1

CASE NUMBER RZ-96-88

by J. CHARLES HENDON, JR., C/O HENDON PROPERTIES, INC. for the proposed use of MIXED-USE COMMERCIAL/OFFICE DEVELOPMENT INCLUDING RETAIL CENTERS 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 NEWS, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on AUGUST 23, 1988 and objections were NOT filed;

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 23RD day of AUGUST, 1988 that the aforesaid application to amend the Official Zoning Map from RA-200 to C-2 AND O-I is hereby APPROVED as C-2 for Tract I and O-I with a Special Use Permit for Tract II as shown on the Rezoning Plan for Indian Brook Park/Hendon Properties by Harris Engineering Corporation, dated and received by the Planning Division August 1, 1988, subject to the following enumerated conditions:

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

- ⊗ A. For the property zoned O-I: Office, institutional, public and semi-public uses, which may include a retirement community or other special uses if approved for a Special Use Permit, and accessory uses at a maximum density of 15,000 square feet of gross floor area per acre zoned.

- ⊙ B. A Special Use Permit is approved for the O-I zoned property to permit a building height increase not to exceed six stories.
 - C. For the property zoned C-2: Office, retail and service commercial and accessory uses at a maximum density of 10,000 square feet of total floor area per acre zoned.
2. To satisfy the following site development considerations:
- A. Provide a ten-foot wide landscape strip outside the new dedicated rights-of-way of Indian Trail Road, Hillcrest Road and the Oakbrook Parkway extension (except for approved access points).
 - B. No more than three full access curb cuts on Indian Trail Road, including the Oakbrook Parkway extension. One shall be at the southerly end of the property, and one shall be aligned with the traffic signal for Greater Atlanta Christian School, subject to approval of the Development Division and the Gwinnett County Department of Transportation. Two additional right-in/right-out only curb cuts may be permitted, with the location subject to Development Division approval, that will provide internal access to the proposed development.
 - C. No more than one exit/entrance on Hillcrest Road.
 - D. Exits/entrances on the Oakbrook Parkway extension shall be in accordance with the Gwinnett County Development Regulations, subject to the approval of the Development Division.
 - E. Provide interparcel access to out parcels, location subject to the approval of the Director of Planning and Development.
 - F. No billboards are permitted.
 - G. Dumpsters shall be screened by a fence or wall.
 - H. Buildings shall be finished with architectural treatments of glass and/or brick, stone, stucco or other masonry finish; or submit alternate architectural plans for approval of the Planning Commission prior to issuance of a building permit.
 - ⊙ I. The 75-foot buffer on the C-2 zoned out parcels adjacent to Tract III (zoned RA-200) may be reduced to a ten-foot wide landscape strip.

3. To abide by the following requirements, dedications and improvements:
- A. Dedicate, at no cost to Gwinnett County, 60 feet of right-of-way from the centerline of Indian Trail Road.
 - B. Dedicate, at no cost to Gwinnett County, 40 feet of right-of-way from the centerline of Hillcrest Road.
 - C. Dedicate, at no cost to Gwinnett County, 120 feet of right-of-way for the extension of Oakbrook Parkway within 500 feet of its intersection with Indian Trail Road and 100 feet of right-of-way through the remainder of the property.
 - D. Improve Hillcrest Road along the entire property frontage a distance of 26 feet from centerline to back of curb prior to the issuance of a certificate of occupancy for Tract II.
 - E. Construct the Oakbrook Parkway extension, for a distance of approximately 815 feet, from Indian Trail Road with five lanes (two through lanes in each direction with a two-way left turn lane), plus left and right turn lanes at its intersection with Indian Trail Road. Construction of the road through the property to the northeasterly property line must be completed at the developer's expense prior to the issuance of any certificate of occupancy on Tract II.
 - F. Widen, curb and gutter Indian Trail Road the width of one additional lane across the entire property frontage.
 - G. Participate in the design and construction of the following improvements, at a cost not to exceed \$175,860. Funds shall be cash escrowed with the Gwinnett Department of Transportation prior to issuance of a development permit.
 1. Escrow \$64,800 to participate in the cost of adding an eastbound lane on Indian Trail Road beginning 200 feet east of the easternmost project entrance and ending at the I-85 entrance ramp.
 2. Escrow \$92,260 to participate in the cost of adding a westbound lane on Indian Trail Road from the I-85 northbound exit ramp to Singleton Road.

- 3. Escrow \$9,800 to participate in the cost of adding an additional right turn lane to the I-85 northbound exit ramp.
- 4. Escrow \$10,000 to participate in the cost of upgrading signalization on Indian Trail Road at the Oakbrook Parkway extension.
- 5. Funds escrowed may be used, at the option of the Gwinnett County Department of Transportation, to complete the construction of the Oakbrook Parkway extension from the northeasterly property line of Tract I to Hillcrest Road.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Lillian Webb
Lillian Webb, Chairman

ATTEST:

Charlotte J. Nash
Clerk

RECORDED: 9-27-88

APPROVED AS TO FORM:
[Signature]
COUNTY/STAFF ATTORNEY

NORCROSS

6-212

6-200

6-213

6-199

6-185

6-198



6-186


6-197

6-187

6-174

6-173

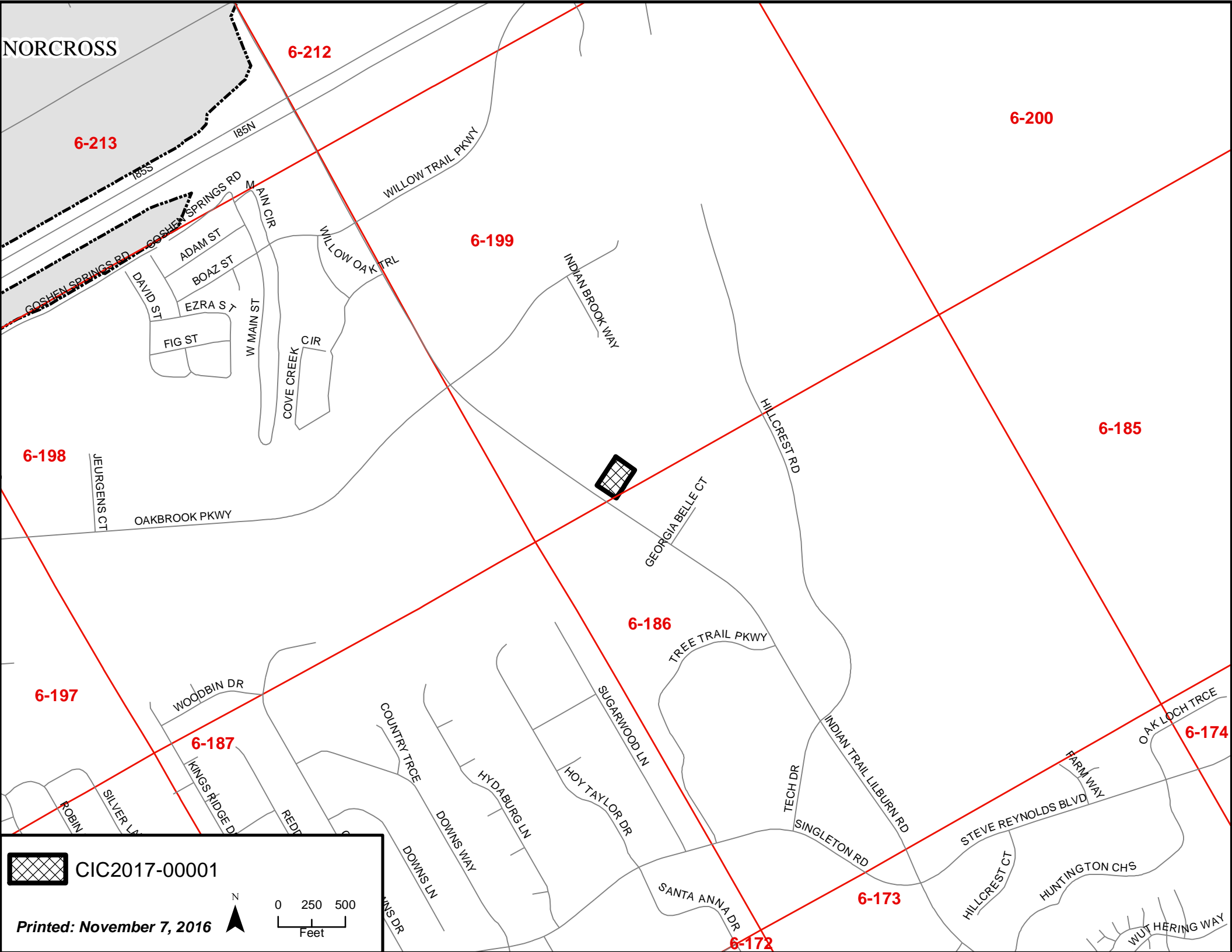
6-172

 CIC2017-00001



0 250 500
Feet

Printed: November 7, 2016





Starbucks at Indian Trail Rd.
 Preliminary Site Plan
 Wilwat Properties, Inc.

13528 Indian Trail Rd., Atlanta, Georgia 30344-6803, phone: 770-251-0000

NO.	DATE	REVISION

SCALE: 1" = 20'
 DATE: 10-26-16
 SHEET: 1 of 1

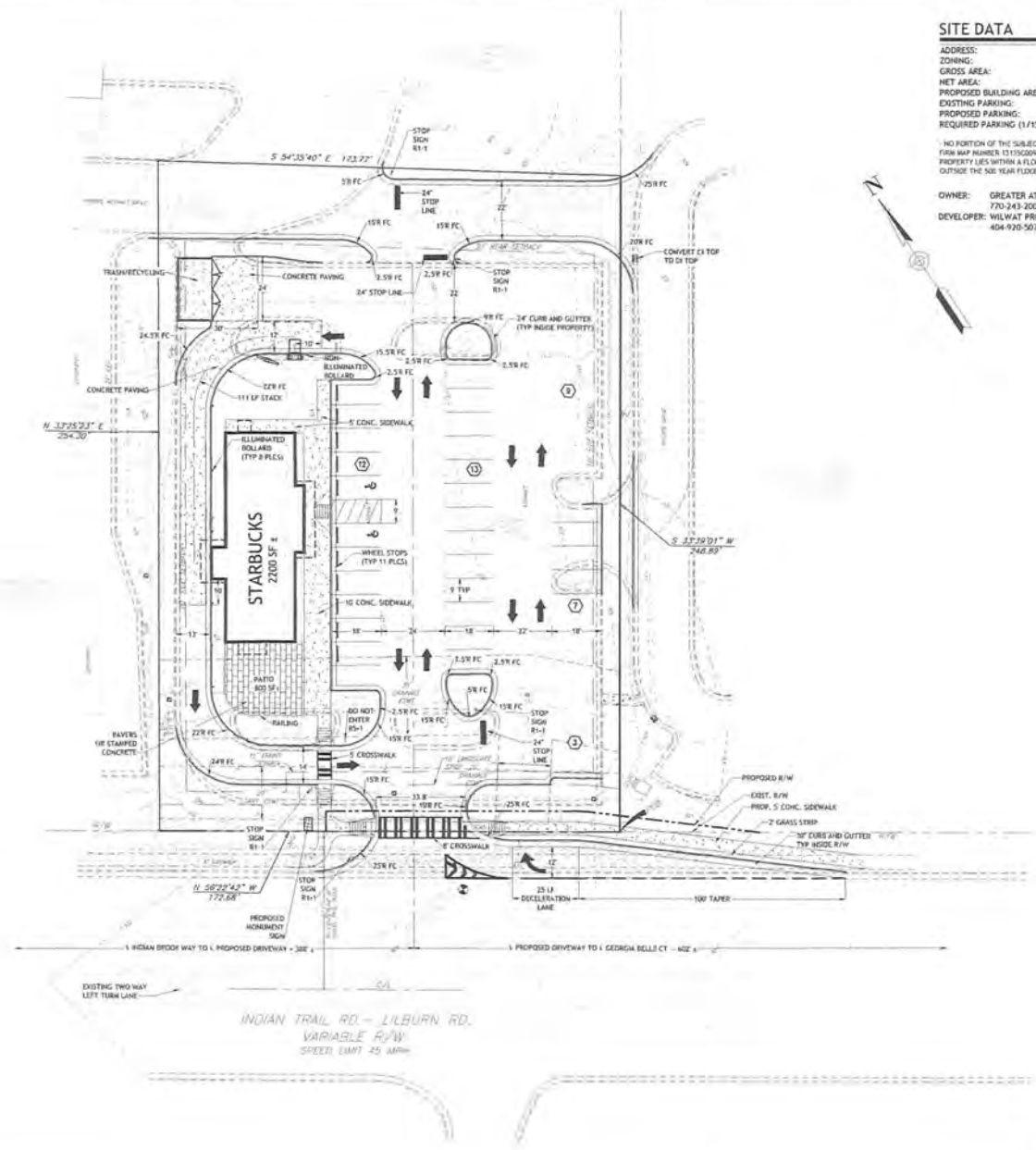
NOT FOR CONSTRUCTION

SITE DATA

ADDRESS: 1328 INDIAN TRAIL LILBURN RD
 ZONING: C2 (CASE# R2-96-88)
 GROSS AREA: 1.00 AC
 NET AREA: 1.00 AC
 PROPOSED BUILDING AREA: 2,200 SF
 EXISTING PARKING: 77 SPACES
 PROPOSED PARKING: 44 SPACES
 REQUIRED PARKING (1/150 SF): 15 SPACES

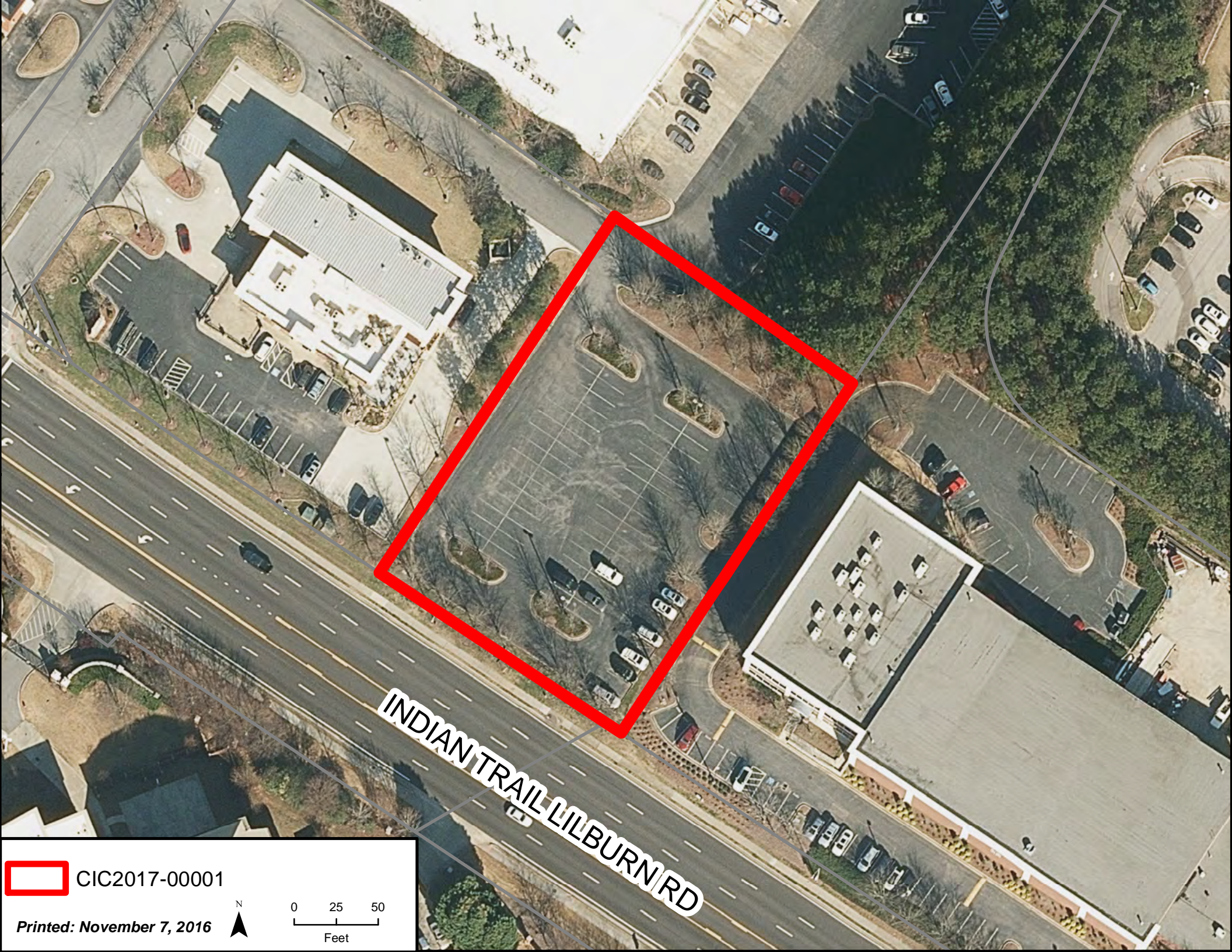
*NO PORTION OF THIS SUBJECT PROPERTY LIES WITHIN A FLOOD ZONE "AE" PER FIRM MAP NUMBER 13155000AM, DATED SEPTEMBER 24, 2006. THE PROPERTY LIES WITHIN A FLOOD ZONE "C" WHICH IS DESIGNATED AS AREA LYING OUTSIDE THE 500-YEAR FLOOD PLAIN.

OWNER: GREATER ATLANTA CHRISTIAN SCHOOLS, INC.
 770-243-2000
 DEVELOPER: WILWAT PROPERTIES, INC.
 404-920-5079



RECEIVED BY
 OCT 28 2016
 Planning & Development
 CIC '17 00 1

INDIAN TRAIL RD - LILBURN RD.
 VARIABLE R/W
 SPEED LIMIT 45 MPH



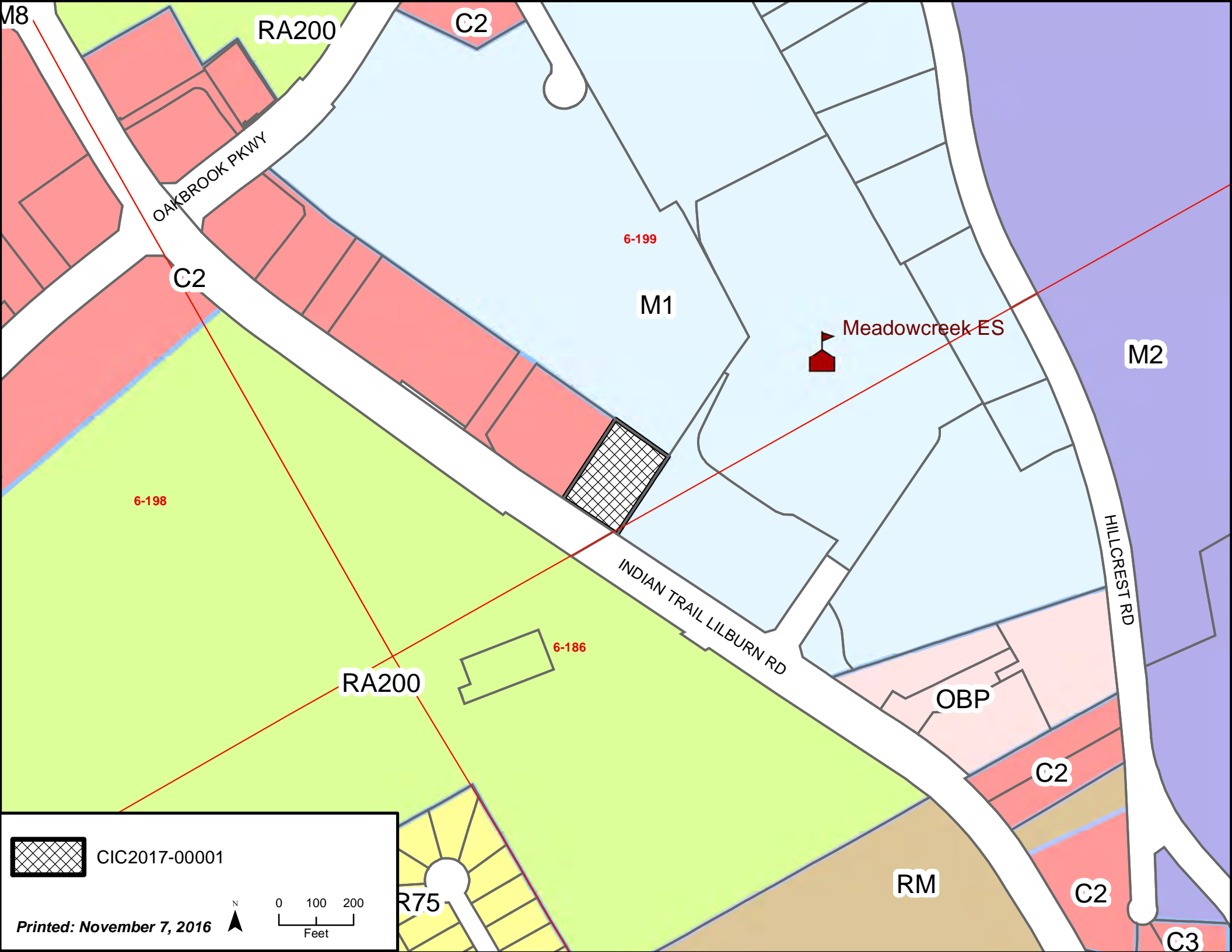
INDIAN TRAIL LILBURN RD

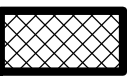
 CIC2017-00001

Printed: November 7, 2016

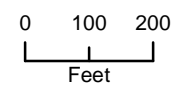


0 25 50
Feet



 CIC2017-00001

Printed: November 7, 2016



R75

M2

RM

OBP

Meadowcreek ES

INDIAN TRAIL LILBURN RD

HILLCREST RD

OAKBROOK PKWY

C2

RA200

C2

6-199

M1

6-198

6-186

RA200

C2

C2

C3

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

CASE NUMBER :**CIC2017-00002**
ZONING :R-75
LOCATION :2900 BLOCK OF DULUTH HIGHWAY
MAP NUMBER :R6263 003A
ACREAGE :8.55 ACRES
PROPOSAL :CHANGE IN CONDITIONS OF ZONING (BUFFER REDUCTION)
COMMISSION DISTRICT :(I) BROOKS

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

APPLICANT: ANGEL AMARO
2959 DULUTH HIGHWAY
DULUTH, GA 30096

CONTACT: GEORGE AWUKU PHONE: 404.597.6745

OWNER: DULUTH SEVENTH-DAY ADVENTIST CHURCH
2959 DULUTH HIGHWAY
DULUTH, GA 30096

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

CHANGE IN CONDITIONS SUMMARY:

The applicant requests a Change-in-Conditions of a previous Special Use Permit case, SUP-98-062, to amend conditions of zoning relating to buffers and landscaping to facilitate the expansion of parking and facilities. The 8.55-acre property is located along the southwest side of Duluth Highway, just southeast of its intersection with Bugle Drive, near the city limits of Duluth. The Duluth Seventh-Day Adventist Church occupies the property, and the development consists of a church, school, parking lot, and accessory uses.

The request is to amend condition 2.A. of SUP-98-062, which reads as follows:

2.A. Provide a 50-foot wide natural undisturbed buffer, adjacent to Elkwood Manor and Claiborne Manor subdivisions. For the remainder of the site, provide buffers adjacent to residential zoning as specified by the 1985 Zoning Resolution except for the encroachment of the parking lot and ball field as shown on the site plan submitted February 24, 1998 and for approved perpendicular access and utility crossings and replanting where sparsely vegetated.

The applicant is proposing to encroach into the required buffer along the northern property line. The encroachment would include grading for the expansion to the existing parking and the addition of a fence. Additionally the applicant is proposing to encroach into the required buffer along the western property line common to B.B. Harris Elementary School. The encroachment would include grading for the proposed construction of a berm, parking, and the expansion of the existing gymnasium.

The request is to amend condition 2.B. of SUP-98-062, which reads as follows:

2.B. Provide replanting as agreed upon by the adjacent property owners (Tommy and Nancy Knox) and the Seventh Day Adventist Church, per the terms of agreement entered as part of the rezoning and variance application (Z-98-0061).

The applicant is proposing to encroach into the required buffer along the northern property line to expand parking, add additional landscaping, and construction of a fence.

The 2030 Unified Plan Future Development Map indicates the property lies within an Existing/Emerging Suburban Character Area. Policies for this character area support neighborhood serving institutional facilities. Therefore, the continued use and expansion as a Place of Worship facilitated by requested change in condition change may be consistent with the policies of the Gwinnett County 2030 Unified Plan.

The surrounding properties include B.B. Harris Elementary School which adjoins the subject property to the west. Surrounding the school are single-family developments zoned R-75, which includes Forest Manor, Elkwood Manor, and Claiborne Manor subdivisions. To the east, across Duluth Highway are more single-family dwellings located on large lots, and other institutional uses including a church and office buildings located within the city limits of Duluth. The Duluth Seventh-Day Adventist Church has operated from this location since 1962, with the school program being established in 1972. The two uses have expanded over the years and remain compatible with adjoining residential and institutional uses in the immediate area.

With proper conditions to ensure compatibility, the proposed change in conditions could be consistent with other institutional uses along this portion of the Duluth Highway corridor. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS**.

ZONING HISTORY:

The property has been zoned R-75 (Single-Family Residence District) since 1970. In 1992, a Special Use Permit allowing for the expansion of a private school, pursuant to SUP-92-058. In 1998, a Special Use Permit allowing a buffer reduction for the expansion of a parking lot along the north (side) and west (rear) property lines.

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 comments.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Protection Section of the Unified Development Ordinance (Chapter 620) requires a ten-foot wide landscape strip adjacent to all street rights-of-way for non-residential developments.

The Buffer, Landscape and Tree Protection Section of the Unified Development Ordinance (Chapter 620) 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 610-20.3 of the Unified Development Ordinance requires screening of dumpsters and loading/unloading facilities.

Parking lots and interior driveways shall be designed in accordance with Chapter 240 of the Unified Development Ordinance.

Section 900-30 of the Unified Development Ordinance 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 900-90 of the Unified Development Ordinance 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 required rear setback of 30 feet appears to not be met. The applicant must either revise the site plan, or seek a Variance from the Zoning Board of Appeals.

Provide a 20-foot natural, undisturbed buffer adjacent to residentially zoned properties. This buffer shall be increased to 50-feet in depth adjoining a detention pond and any church or

recreation facilities. (Unified Development Ordinance Chapter 610, Table 610.1 and Section 610-20.2).

Section 610-20.4B of the Unified Development Ordinance requires an additional five-foot setback for all structures (parking lots, driveways, detention ponds, retaining walls, etc.) adjacent to required buffers.

Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a Development Permit Application.

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.

Section 800-20 of the Unified Development Ordinance requires submittal of a Stormwater Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

Section 700-40.1B of the Unified Development 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:

Duluth Highway SR-120 is a State Route and Georgia D.O.T. right-of-way requirements govern.

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 six-inch water main located on the northeast right-of-way of Duluth Highway.

The available utility records show that the subject development is currently in the vicinity of an eight-inch sanitary sewer main located on parcel R6263 003A.

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 2012 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 shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Category I.
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 678.518.6000 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

Approval as R-75 (Change-in-Conditions) subject to the following enumerated conditions:

SUP-98-062

Additions in **bold**

Deletions in ~~strikethrough~~

- I. To restrict the use of the property as follows:
 - A. A church and accessory uses which may include a school.
2. To satisfy the following site development considerations:
 - A. Provide a 50-foot wide natural undisturbed buffer, adjacent to Elkwood Manor and Claiborne Manor subdivisions. ~~For the remainder of the site, provide buffers adjacent to residential zoning as specified by the 1985 Zoning Resolution except for the encroachment of the parking lot and ball field as shown on the site plan submitted February 24, 1998 and for approved perpendicular access and utility crossings and replanting where sparsely vegetated.~~
 - B. Provide replanting as agreed upon by the adjacent property owners (Tommy and Nancy Knox) and the Seventh Day Adventist Church, per the terms of agreement entered as part of the rezoning and variance application (Z-98-0061). The front facade of the sanctuary building shall be of a brick, stacked stone or wood shake finish. The balance of the building exterior may be these same finishes or fiber-cement siding.**
 - C. Parking shall be restricted to church use only.**
 - D. Provide a minimum ten-foot wide landscaped strip outside the dedicated right-of-way of Duluth Highway.**
 - E. In lieu of required 50-foot wide undisturbed buffer along portions of the northern and western property lines, provide a 20-foot wide undisturbed buffer, replanted where sparsely vegetated. Final landscape plan shall be subject to review and approval by the Director of Planning and Development.**
 - F. Provide a six-foot high opaque fence along the portions of the north property line now or formerly owned by Tommy and Nancy Knox. Landscape plan and fence materials shall be subject to the review and approval by the Director of Planning and Development.**

- G. Natural vegetation shall remain on the property prior to the issuance of a development permit.**
- H. 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.**
- I. 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 or roadways.**
- J. Outdoor recreation fields shall not be lighted.**
- K. No tents, 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.**
- L. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.**

PLANNING AND DEVELOPMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The requested Change in Conditions to reduce the required 50-foot wide undisturbed buffer may be suitable in light of expansion efforts of the church and its compatibility with surrounding institutional and residential uses.

ADVERSE IMPACTS

With the recommended conditions, no significant adverse impacts are anticipated on the surrounding area.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

The requests would allow for expansion of the church which could be expected to result in an increase in traffic and utility demand. Creating additional paved areas and new buildings on the property could be expected to create additional impacts in the form of stormwater runoff.

CONFORMITY WITH POLICIES

With the recommended conditions, the request may be considered generally consistent with zoning actions taken by the Board on a portion of the property and in the vicinity, and could be compatible with policies of the 2030 Unified Plan recommending compatibility of residential uses in the area.

CONDITIONS AFFECTING ZONING

The current zoning conditions on the subject property were established through the public hearing process to ensure the compatibility of uses in the area.

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

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, 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 use of the property will remain the same, the development is an expiation of use permitted in previous SUP

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

We do not believe the change in conditions will adversely affect any neighboring properties

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

The property is a church and the change in conditions is to allow it to continue to grow as such

- (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 change in conditions should have very little impact on the above

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

It is expanding on the current SUP of the property and in line with development standards

- (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:

The property will be an expansion of intended use granted and operating under a current SUP

CIC '17 00 2

RECEIVED BY

NOV 02 2016

Planning & Development



Suite 58, 5341 THOMPSON BRIDGE ROAD, MURRAYVILLE, GA 30564 TEL 404 597 6745/ELMINAENGINEER@GMAIL.COM

October 26, 2016

Board of Commissioners
Gwinnett County
446 West Crogan Street
Lawrenceville, Georgia 30046

Dear Board Members;

Change in Conditions from SUP1998-00062

Parcel ID: 6-263-003A (2959 DULUTH HWY) Seventh-Day Adventist Church.

The Applicant respectfully submits to the Board of Commissioners a request for a change in the conditions as approved under Special Use Permit (SUP)1998-0062. SUP1998-0062 provided for a reduction of buffers for the existing church expansion then. The church, since then, has seen additional growth and in anticipation of future growth prepared a master plan (as indicated on Concept Plan submitted). A change in conditions is required to allow for the modification of the site plan on record as the nature of the proposed improvement impacts stipulations agreed to in the SUP1998-0062.

The following improvements are proposed:-

- Phase 1 – new 2,300 SF administration building,
- Phase 2 – new 2,160 SF cafeteria and storage facility addition to the existing gym building,
- Phase 3 – new 4,100 SF office/classrooms/locker rooms addition to the existing gym building,
- Phase 4 – 6,800 SF remodeling the existing gym building, and
- Phase 5 – new 11,250 SF sanctuary building.
- The improvements also call for additional parking, improvements to the existing detention pond and new pond/playfield and landscape installation.

RECEIVED BY

NOV 02 2016

Planning & Development

CIC '17 00 2



Suite 58, 5341 THOMPSON BRIDGE ROAD, MURRAYVILLE, GA 30564 TEL404 597 6745/ELMINAENGINEER@GMAIL.COM

Stipulation A of the approved SUP1998-0062 will be maintained in part. The 50-foot wide natural undisturbed buffer adjacent to Elkwood Manor and Clairborne Manor subdivisions will not be impacted. The approved 0-foot buffer along the western property line/B B Harris Elementary School will be impacted by the addition of a parking lot, using the ball field as a detention pond and an addition to the existing gym.

Stipulation B of the approved SUP1998-0062 will be maintained. The agreed to planting per ZV1998-0061 will be enhanced by replanting sparsely vegetated areas and the installation of a 6-foot opaque fence. The proposed improvement will require extending the existing parking parallel and along that section of the reduced buffer.

The Gwinnett County Board of Education (BOE) has been notified of the applicant's requested improvements to encroach into the rear setback line. At the time of preparing the application we are yet to hear back from them. Any information from the BOE regarding our application will be forwarded to Planning and Development Staff and Board Members.

Thank you for your time and consideration of our request. The applicant is opened to working with Staff and Board Members to achieve the successful implementation of this project.

Respectively Submitted,

George Awuku, P.E.

Design Engineer

CIC '17 00 2

RECEIVED BY

NOV 0 2 2016

Planning & Development

CASE NUMBER SUP-98-062

BOARD OF COMMISSIONERS

WINNETT 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>	VOTE
Wayne Hill, Chairman	<u>AYE</u>
Tommy Hughes, District 1	<u>AYE</u>
Patti Muise, District 2	<u>AYE</u>
Judy Waters, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. HUGHES, 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 DULUTH SEVENTH-DAY ADVENTIST for the proposed use of CHURCH EXPANSION (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 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 May 26, 1998, and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 26th day of May, 1998, that the aforesaid application for a Special Use Permit is hereby APPROVED subject to the following enumerated conditions:

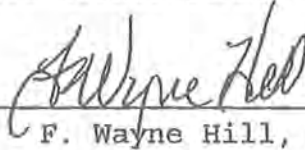
1. To restrict the use of the property as follows:
 - A. A church and accessory uses which may include a school.
2. To satisfy the following site development considerations:
 - A. Provide a 50-foot wide natural undisturbed buffer, adjacent to Elkwood Manor and Claiborne Manor subdivisions. For the remainder of the site, provide buffers adjacent to residential zoning as specified by the 1985 Zoning Resolution except for the encroachment of the parking lot and ballfield as shown on the site plan submitted February 24, 1998 and for approved perpendicular access and utility crossings and replanting where sparsely vegetated.

CASE NUMBER SUP-98-062

B. Provide replanting as agreed upon by the adjacent property owners (Tommy and Nancy Knox) and the Seventh Day Adventist Church, per the terms of agreement entered as part of the rezoning and variance application (Z-98-0061).

WINNETT COUNTY BOARD OF COMMISSIONERS

By:

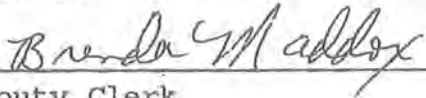


F. Wayne Hill, Chairman

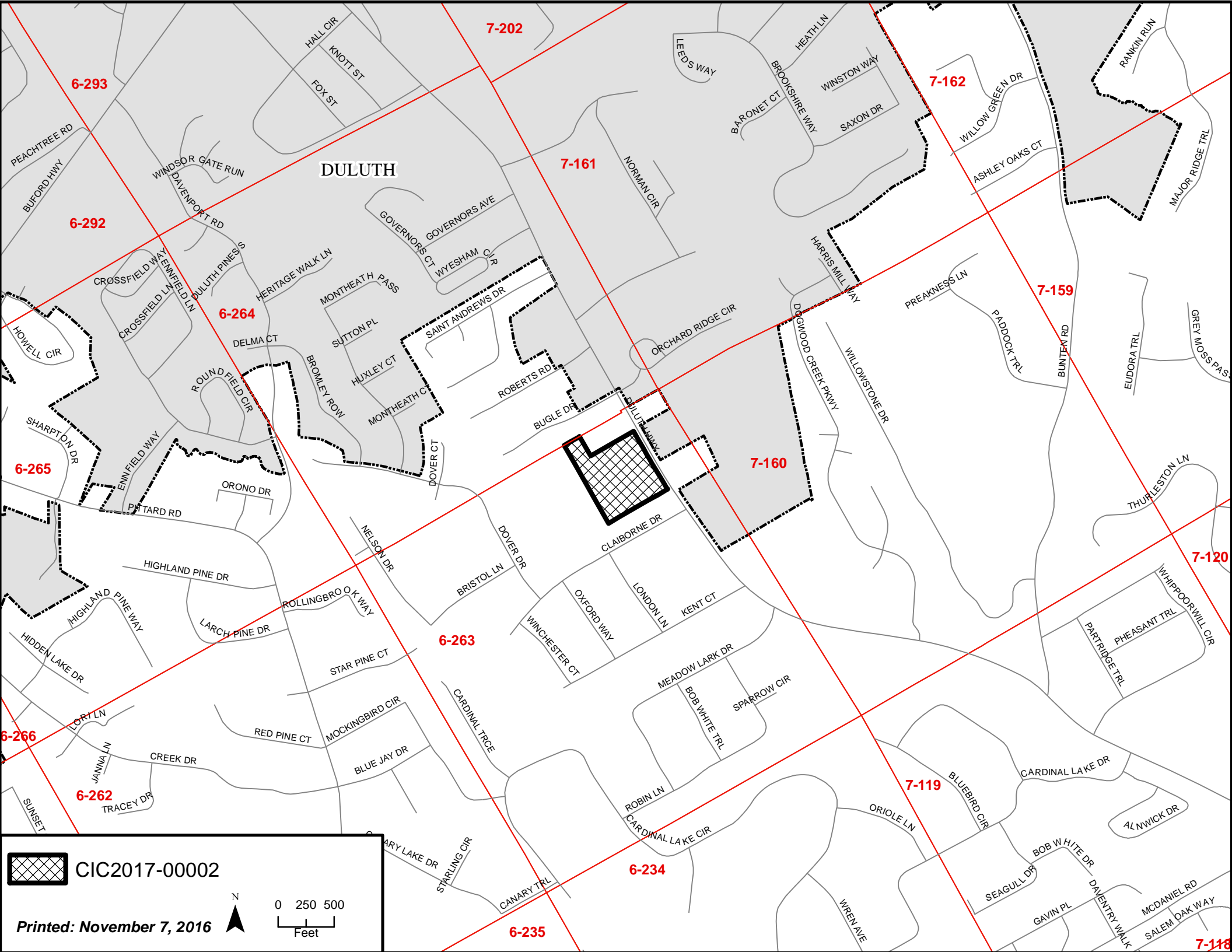
Date Signed:

June 25, 1998


ATTEST:



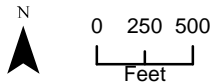
Deputy Clerk



DULUTH

 CIC2017-00002

Printed: November 7, 2016



7-202

6-293

7-162

6-292

7-161

6-264

7-159

6-265

7-160

7-120

6-263

6-266

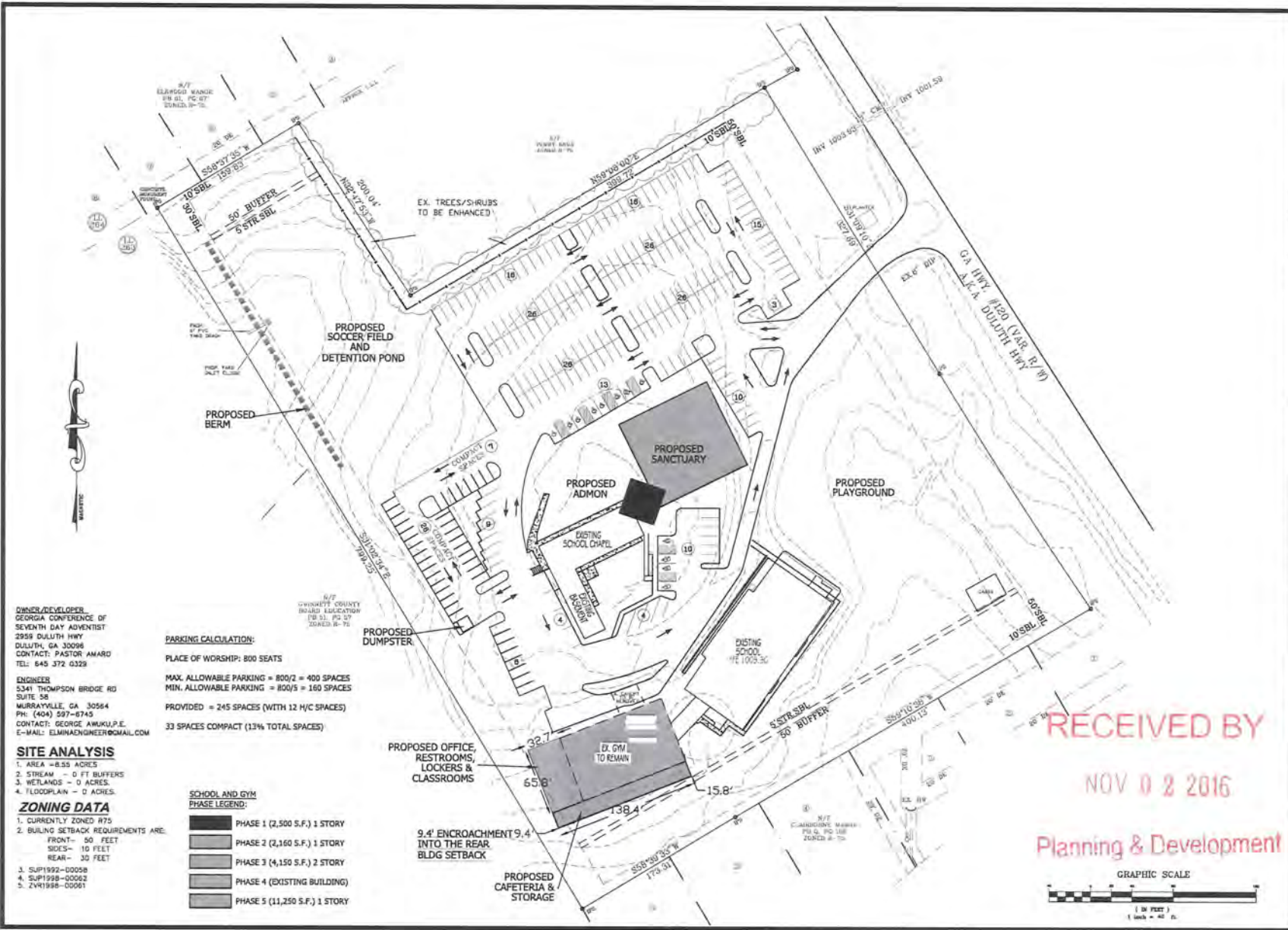
7-118

6-262

7-119

6-234

6-235



OWNER/DEVELOPER
 GEORGIA CONFERENCE OF
 SEVENTH DAY ADVENTIST
 2959 DULUTH HWY
 DULUTH, GA 30096
 CONTACT: PASTOR AMARO
 TEL: 645 372 0329

ENGINEER
 5341 THOMPSON BRIDGE RD
 SUITE 58
 MURRAYVILLE, GA 30084
 PH: (404) 597-8743
 CONTACT: GEORGE AMUKU, P.E.
 E-MAIL: ELMKACNGINEER@GMAIL.COM

PARKING CALCULATION:
 PLACE OF WORSHIP: 800 SEATS
 MAX. ALLOWABLE PARKING = 800/2 = 400 SPACES
 MIN. ALLOWABLE PARKING = 800/5 = 160 SPACES
 PROVIDED = 245 SPACES (WITH 12 H/C SPACES)
 33 SPACES COMPACT (13% TOTAL SPACES)

SITE ANALYSIS
 1. AREA = 8.53 ACRES
 2. STREAM - 0 FT BUFFERS
 3. WETLANDS - 0 ACRES
 4. FLOODPLAIN - 0 ACRES

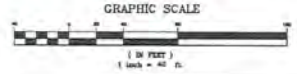
ZONING DATA
 1. CURRENTLY ZONED R75
 2. BUILDING SETBACK REQUIREMENTS ARE:
 FRONT - 50 FEET
 SIDES - 10 FEET
 REAR - 30 FEET


SCHOOL AND GYM PHASE LEGEND:

- PHASE 1 (2,500 S.F.) 1 STORY
- PHASE 2 (2,160 S.F.) 1 STORY
- PHASE 3 (4,150 S.F.) 2 STORY
- PHASE 4 (EXISTING BUILDING)
- PHASE 5 (11,250 S.F.) 1 STORY


RECEIVED BY
 NOV 02 2016

Planning & Development





SEVENTH DAY OF ADVENTISTS-DULUTH
 2959 DULUTH HWY (GA HWY 100)
 DULUTH GA 30096
 PARCEL: 584-008
 PARCEL: 584-008



SEVENTH DAY OF ADVENTISTS-DULUTH
 2959 DULUTH HWY (GA HWY 100)
 DULUTH GA 30096
 PARCEL: 584-008
 PARCEL: 584-008

DATE	DESCRIPTION	JOB NUMBER
10/24/2016		

CONCEPT MASTER PLAN SHEET TITLE


CP-1

CIC '17 00 2



DULUTH HWY

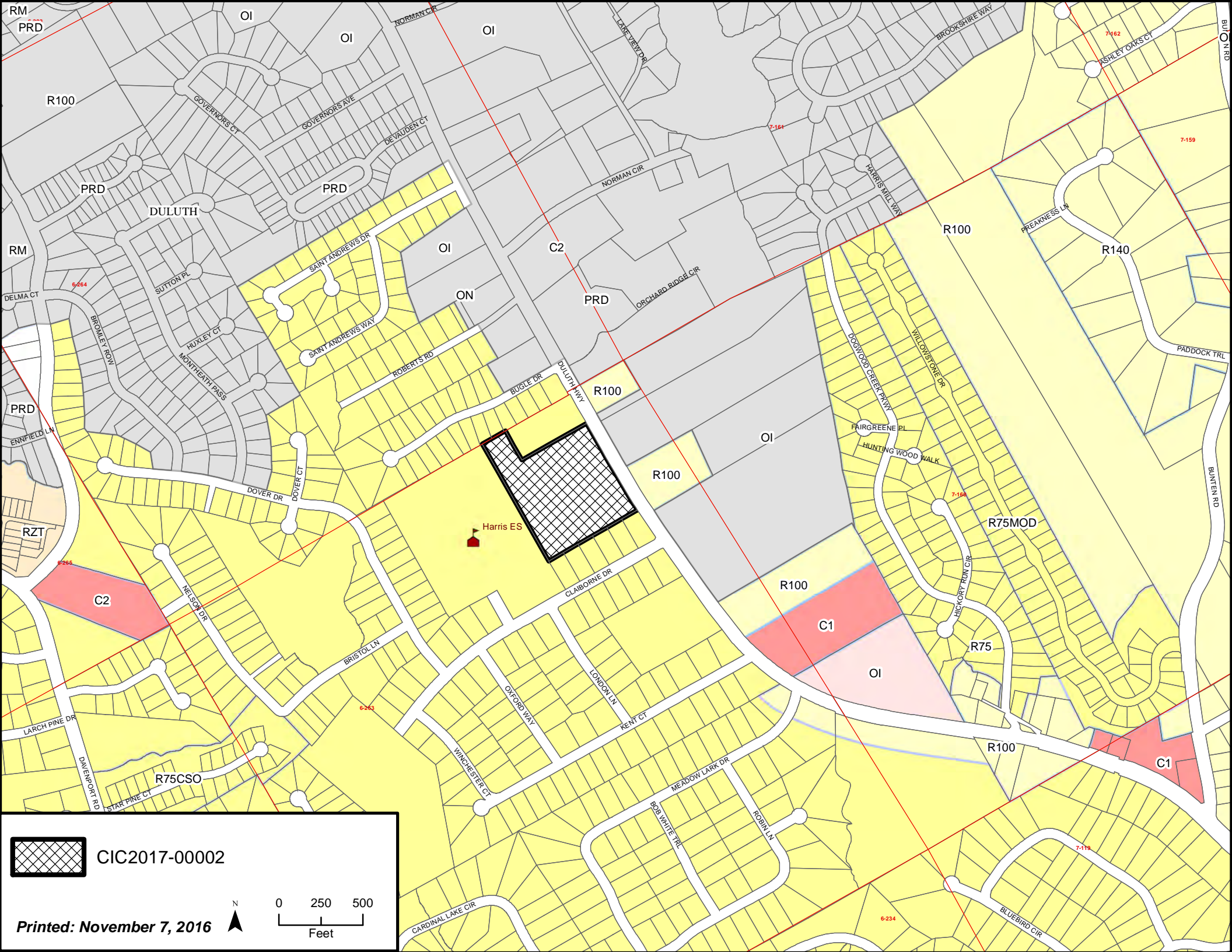
CLAIBORNE DR

 CIC2017-00002

Printed: November 7, 2016

N

0 50 100
Feet



PRD

R100

DULUTH

OI

C2

PRD

R100

R140

R100

R100

OI

R100

C1

R75MOD

R75

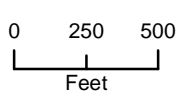
OI

R100

C1



CIC2017-00002



Printed: November 7, 2016

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

CASE NUMBER : **CIC2017-00003**
 ZONING : M-I
 LOCATION : 600 BLOCK OF SATELLITE BOULEVARD
 MAP NUMBER : R7168 084
 ACREAGE : 4.99 ACRES
 PROPOSAL : CHANGE IN CONDITIONS OF ZONING
 COMMISSION DISTRICT : (I) BROOKS

FUTURE DEVELOPMENT MAP: **PREFERRED OFFICE**

APPLICANT: LABEL TECHNOLOGIES INC.
 C/O MILL CREEK CONSULTING
 4480 COMMERCE DRIVE, SUITE A
 BUFORD, GA 30518

CONTACT: MITCH PEEVY PHONE: 770.614.6511

OWNER: RES-GA WELLINGTON LAKE, LLC
 C/O MILL CREEK CONSULTING
 4480 COMMERCE DRIVE, SUITE A
 BUFORD, GA 30518

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

CHANGE IN CONDITIONS SUMMARY:

The applicant requests a Change-in-Conditions of previous Special Use Permits, SUP-04-083, and SUP-04-084, to amend the condition of zoning limiting the use of the property to a Nursing Home, Medical Center, Church, and related accessory uses. The 4.99-acre property is located along the southwest side of Satellite Boulevard, just southeast of its intersection with McGinnis Ferry Road. The site is located within the Shawnee Ridge business park, which consist of a mix of office, institutional and light industrial developments. The subject property consists of a parking lot and natural buffers to the north and west. The applicant, Label Technologies, Inc., intends to relocate their current operations and develop the site with a 22,600 square foot freestanding office/warehouse building.

The Board of Commissioners approved two Special Use Permits in 2004 allowing St. Paul Coptic Orthodox Church to develop the site as nursing home, medical center, and church. In 2005, a commercial development permit (CDP2005-00218) was issued for the development of the site as originally proposed. However, the site was only partially developed, with the remainder of the project being abandoned.

The request is to modify condition I.A. of SUP-04-083 and SUP-04-084, which reads as follows:

I.A. 'Nursing home, medical center, church, and accessory uses as shown on the submitted site plan dated September 3, 2004. Any daycare or private school shall require additional Special Use Permit approvals.'

The Gwinnett County 2030 Unified Plan Future Development Map indicates that the property lies within the Preferred Office character area. The proposed development within the Shawnee Ridge business park could be consistent with this character area, and considered compatible with the recommendations of the Gwinnett County 2030 Unified Plan.

The immediate area consists of large office and light industrial uses along Satellite Boulevard. Immediately to the south is the Saint Paul Coptic Orthodox Church, the previous owner of the subject property. To the north, east and south of the subject property are office buildings zoned M-I within the Shawnee Ridge Business Park. To the west, across Mill Creek is the R-100 zoned Wildwoods at McGinnis Ferry single-family subdivision. The proposed building will be situated on its own parcel, with direct access to Satellite Boulevard, while being adequately separated from neighboring single-family properties with natural landscaping and buffers. The proposed use should not affect the usability of neighboring office and warehouse buildings. If properly conditioned, the proposed change in conditions to develop the site as an office/warehouse facility could be compatible with zoning and uses in the immediate area.

The proposed change in conditions could be consistent with development in the immediate area, if the proposed facility is in conformity with the day-to-day operations of the neighboring use and compliant with Gwinnett County Unified Development Ordinance. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS**.

ZONING HISTORY:

In 1970, the subject property was zoned R-100 (Single-Family Residence District). The property has been zoned M-I (Light Industry District) since 1987, pursuant to RZ-4-87. An application to rezone the property to RM-10 was denied in 1998 (RZ-98-094). In 2004, two Special Use Permits were approved allowing a Nursing Home, Medical Center, Church, and accessory uses, pursuant to SUP-04-083 and SUP-04-084, 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.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Protection Section of the Unified Development Ordinance (Chapter 620) requires a ten-foot wide landscape strip adjacent to all street rights-of-way for non-residential developments.

The Buffer, Landscape and Tree Protection Section of the Unified Development Ordinance (Chapter 620) 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 610-20.3 of the Unified Development Ordinance requires screening of dumpsters and loading/unloading facilities.

Parking lots and interior driveways shall be designed in accordance with Chapter 240 of the Unified Development Ordinance.

Section 610-20.4B of the Unified Development Ordinance requires an additional five-foot setback for all structures (parking lots, driveways, detention ponds, retaining walls, etc.) adjacent to required buffers.

Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a Development Permit Application.

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.

Section 800-20 of the Unified Development Ordinance requires submittal of a Stormwater Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

Section 700-40.1B of the Unified Development 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:

Satellite Boulevard is a Major Arterial and 50 feet of right-of-way is required from the centerline, with 60 feet required within 500 feet of a major intersection.

Commercial entrances shall be provided to the site per current development regulations.

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

The developer shall be limited to one curb cut.

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 southwest right-of-way of Satellite 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 eight-inch sanitary sewer main located on parcel R7168 084 and a 12-inch sanitary sewer main located on parcel R7168 084.

The subject development is located within the Suwanee 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 2012 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 shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Category 3.
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 678.518.6000 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

Approval as M-I (Change-in-Conditions), allowing Light Industrial uses, subject to the following enumerated conditions:

SUP-04-083 & SUP-04-084

Additions in **bold**

Deletions in ~~striketrough~~

- I. To restrict the use of the property as follows:
 - ~~A. Nursing home, medical center, church, and accessory uses as shown on the submitted site plan dated September 3, 2004. Any daycare or private school shall require additional Special Use Permit approvals.~~
 - B. Buildings shall be finished with architectural treatments of brick, stacked stone, or stucco. Final building elevations shall be submitted for review by the Director of Planning and Development.**
2. Satisfy the following site development considerations:
 - A. Provide a 50-foot wide natural undisturbed buffer adjacent to residentially zoned property.
 - B. Oversized signs shall be prohibited.
 - C. Ground signs shall be limited to a single monument sign **and shall be subject to review and approval by the Director of Planning & Development. The sign shall include** with a minimum two-foot high brick base, **complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the sign cabinet shall be fully recessed and surrounded by the same materials. The ground sign shall not exceed six feet in height.**
 - D. Lighting shall be contained in cut-off type luminaries directed inward so as not to shine directly into residentially zoned property. Any outdoor recreation facilities shall not be lighted.
 - E. Wall signage shall not exceed the requirements of the Gwinnett County Sign Ordinance, and shall only utilize neutral (non-white earth tone) background colors for the sign cabinet.**

- F. Window signage (signs displayed on the interior or exterior of the business storefront windows) shall be prohibited, except for open/closed signs or signs required by county, state or federal law. Flashing or blinking signs and exposed neon or LED signs shall be prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.**
- G. Billboards or oversized signs 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. 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.**
- I. 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.**
- J. 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.**
- K. Outdoor loudspeakers shall be prohibited.**
- L. Peddlers and/or parking lot sales shall be prohibited.**
- M. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.**

~~3. 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 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 DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The proposed office and light manufacturing facility would be suitable in view of the surrounding Shawnee Ridge business park.

ADVERSE IMPACTS

The proposed change in conditions to allow a light industrial use is not expected to have significant adverse impacts on neighboring properties.

REASONABLE ECONOMIC USE AS ZONED

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

IMPACT ON PUBLIC FACILITIES

Increased impacts on public facilities from stormwater run-off, utility demand, and traffic would be anticipated from the proposed development.

CONFORMITY WITH POLICIES

The request is compatible with the Gwinnett County 2030 Unified Plan, and consistent with numerous Board actions approving similar request throughout the county.

CONDITIONS AFFECTING ZONING

The natural buffer between the proposed development and the neighboring subdivision and property to the north gives further support for approval of this request.

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 PREFERED OFFICE.

(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.

CIC '17 003

RECEIVED BY

NOV 03 2016

Planning & Development

REZONING APPLICANT'S LETTER OF INTENT

The Applicant, Label technologies, Inc. (LTI), requests a Change in Conditions from case SUP-04-083 and 084 that restricts the use of the property at 645 Satellite Boulevard to a nursing home and a church. LTI currently leases production space in the immediate area and desires to build and own its own facility. The site is proposed to share an entrance with the church next door and with the different use times there should be very minimal traffic interaction with the 2 different uses. The applicant also proposes to provide the required 50 foot buffer adjacent to the residentially zoned property along the rear.

LTI is a specialty manufacturer of PTFE based venting products for automotive, consumer, industrial and medical devices. They currently have 16 employees and are excited to be able to find this property and be able to stay in the Gwinnett County, Suwanee area and grow their business.

CIC '17 003

RECEIVED BY

NOV 03 2016

Planning & Development

CASE NUMBER SUP-04-083

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

On motion of COMM. NEATON, which carried 4-0, 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 VICTOR SAAD for the proposed use of NURSING HOME 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 NOVEMBER 23, 2004 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 23RD day of NOVEMBER, 2004 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. Nursing home, medical center, church, and accessory uses as shown on the submitted site plan dated September 3, 2004. Any daycare or private school shall require additional Special Use Permit approvals.

B. Buildings shall be finished with architectural treatments of brick, stacked stone, or stucco.

2. Satisfy the following site development considerations:

A. Provide a 50-foot wide natural undisturbed buffer adjacent to residentially zoned property.

B. Oversized signs shall be prohibited.

C. Ground signs shall be limited to a single monument sign with a minimum 2-foot high brick base.

D. Lighting shall be contained in cut-off type luminaries directed inward so as not to shine directly into residentially zoned property. Any outdoor recreation facilities shall not be lighted.

3. 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 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, Chairman

Date Signed: _____

12/15/04

ATTEST:



County Clerk

CASE NUMBER SUP-04-084

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, District 1	<u>AYE</u>
Albert Nasuti, District 2	<u>ABSENT</u>
John Dunn, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. NEATON, which carried 4-0, 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 VICTOR SAAD for the proposed use of CHURCH 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 NOVEMBER 23, 2004 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 23RD day of NOVEMBER, 2004 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. Nursing home, medical center, church, and accessory uses as shown on the submitted site plan dated September 3, 2004.

Any daycare or private school shall require additional Special Use Permit approvals.

B. Buildings shall be finished with architectural treatments of brick, stacked stone, or stucco.

2. Satisfy the following site development considerations:

A. Provide a 50-foot wide natural undisturbed buffer adjacent to residentially zoned property.

B. Oversized signs shall be prohibited.

C. Ground signs shall be limited to a single monument sign with a minimum 2-foot high brick base.

D. Lighting shall be contained in cut-off type luminaries directed inward so as not to shine directly into residentially zoned property. Any outdoor recreation facilities shall not be lighted.

3. 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 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

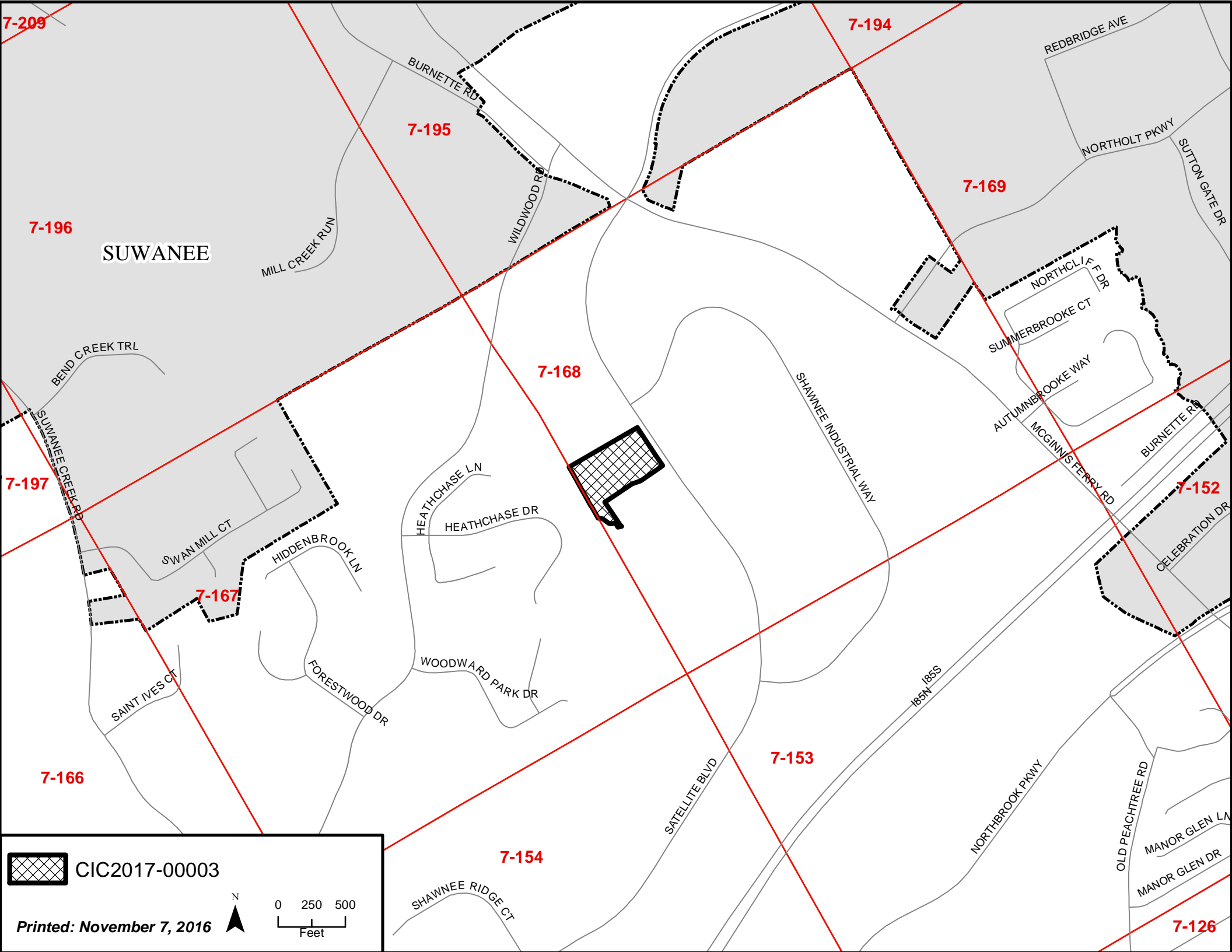
Date Signed: _____


12/15/04

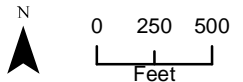
ATTEST:

Brenda Maddy

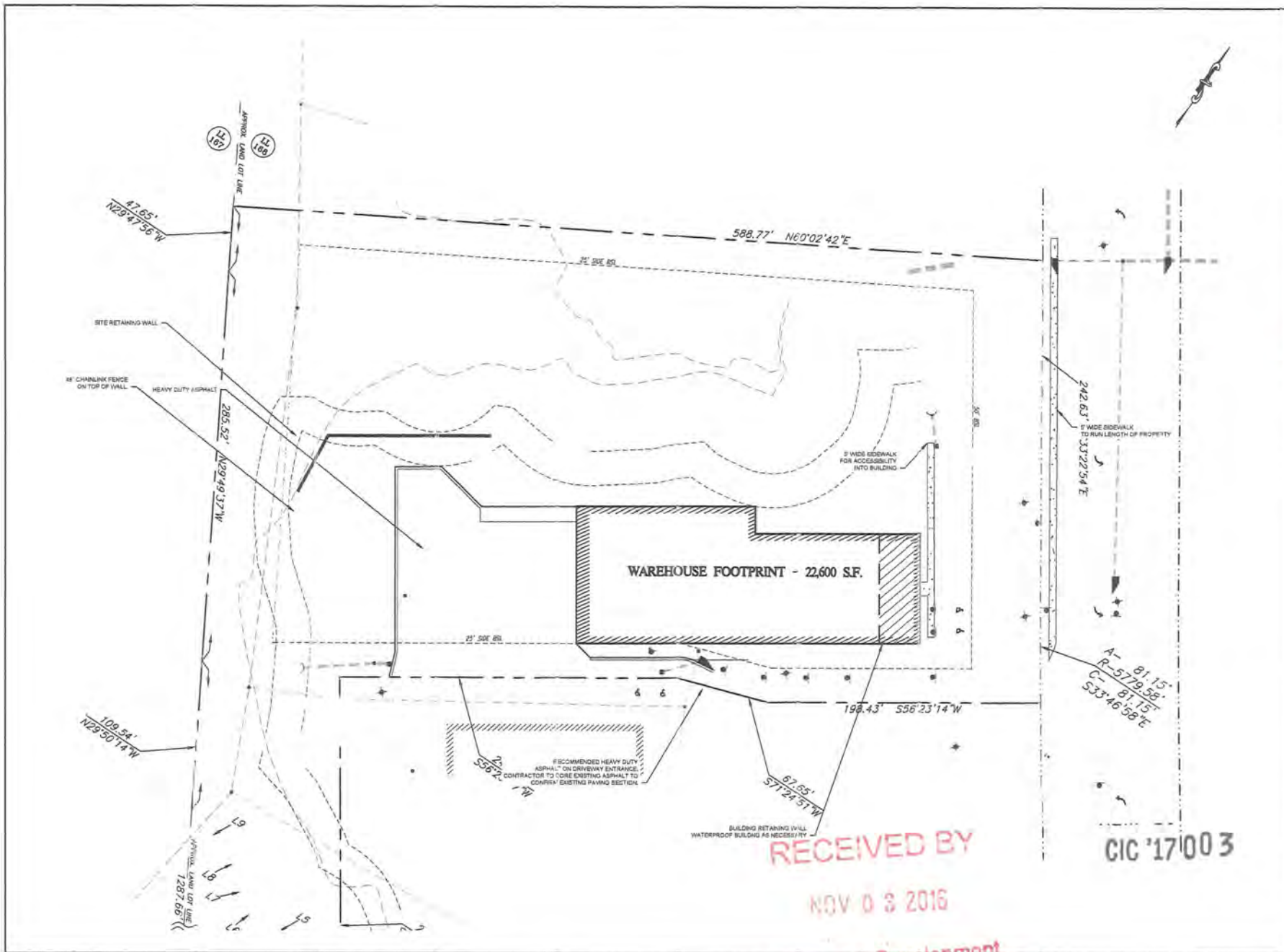
County Clerk



 CIC2017-00003



Printed: November 7, 2016



ON SITE
 CIVIL GROUP
101 W. GOSPELUM BLVD. SUITE 100
 ATLANTA, GA 30309
 WWW.GOSPELUM.COM
 404.525.1100

THESE DRAWINGS ARE THE PROPERTY OF ON SITE CIVIL GROUP, LLC AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE EXPRESS WRITTEN PERMISSION OF ON SITE CIVIL GROUP, LLC.



REVISIONS

NO.	DATE	DESCRIPTION



PREPARED FOR:
LUCKETT ARCHITECTS, LLC

SATELLITE BLVD.
 L11 WAREHOUSE
 LAND LOT 168, 7TH DISTRICT
 GWINNETT COUNTY, GEORGIA

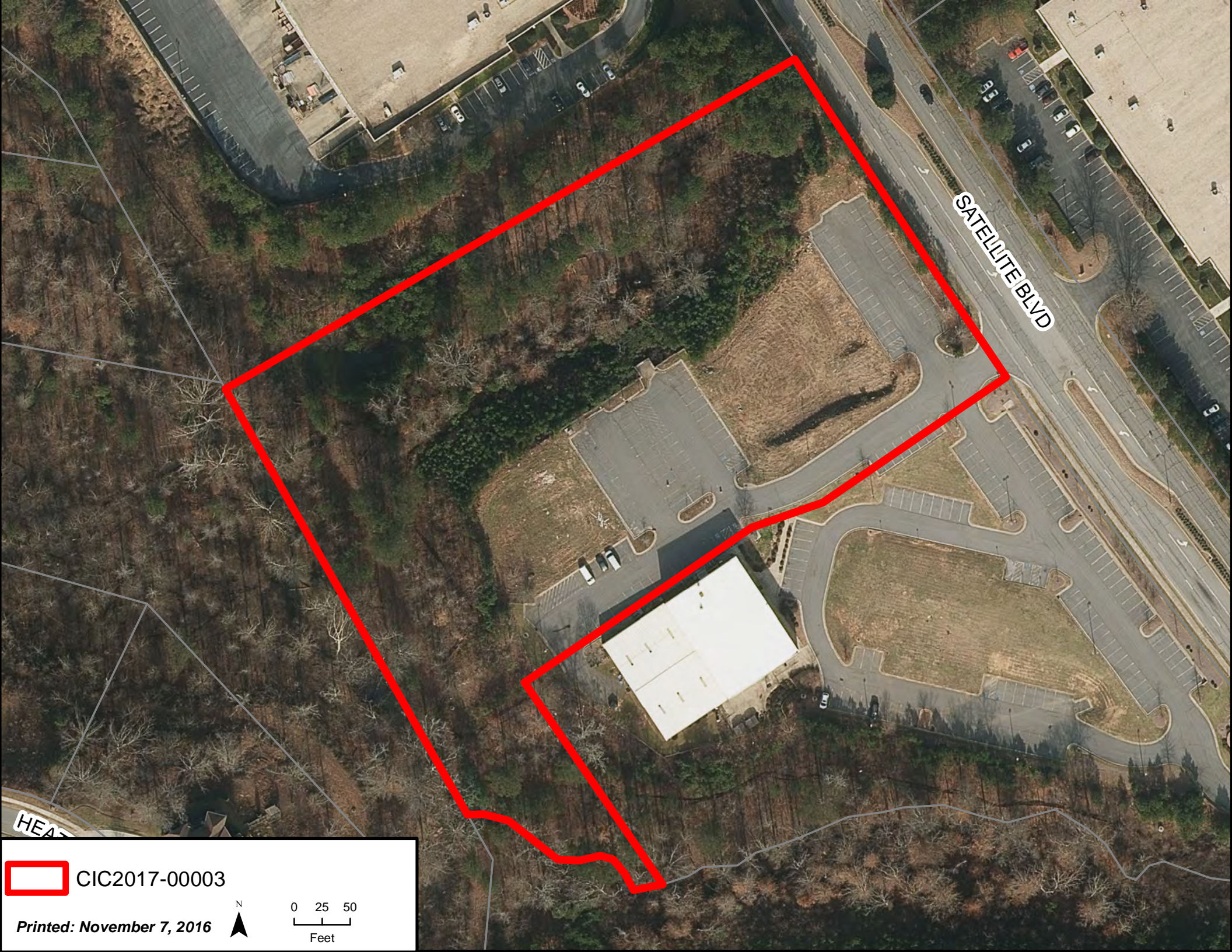
SITE PLAN

DATE: 11/03/16
 PROJECT: 168W03

SHEET: C 401


RECEIVED BY
 NOV 03 2016
 Planning & Development

CIC '17003



SATELLITE BLVD

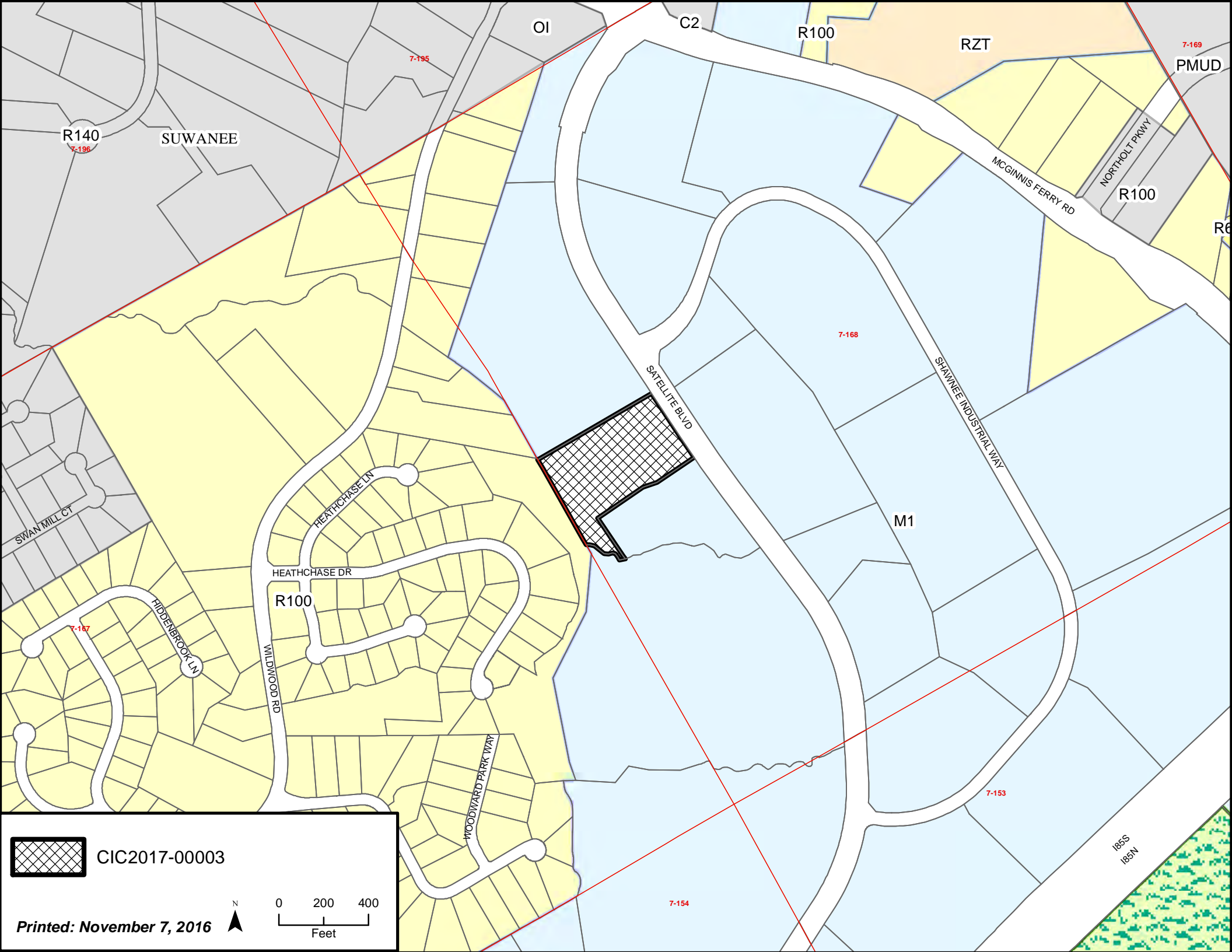
HEA

 CIC2017-00003

Printed: November 7, 2016

N

0 25 50
Feet



R140

SUWANEE

OI

C2

R100

RZT

7-169

PMUD

R100

R6

7-168

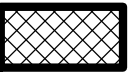
M1

R100

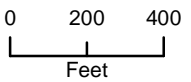
7-153

7-154

1855
189th



CIC2017-00003



Printed: November 7, 2016

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

CASE NUMBER :**SUP2017-00001**
ZONING :C-2
LOCATION :1000 BLOCK OF DULUTH HIGHWAY
:2100 BLOCK OF RIVERSIDE PARKWAY
:900-1000 BLOCKS OF LAKES PARKWAY
MAP NUMBER :R7033 107
ACREAGE :22.97 ACRES
SQUARE FEET :1,200 SQUARE FEET
PROPOSED DEVELOPMENT :TRUCK RENTAL
COMMISSION DISTRICT :(1) BROOKS

FUTURE DEVELOPMENT MAP: **RESEARCH & DEVELOPMENT CORRIDOR**

APPLICANT: LAWRENCEVILLE RENTALS, INC.
2100 RIVERSIDE PARKWAY, SUITE 126
LAWRENCEVILLE, GA 30043

CONTACT: ROBERT JACKSON WILSON PHONE: 770.962.9780

OWNER: MONARCH RIVER EXCHANGE, LLC
4828 ASHFORD DUNWOODY ROAD, SUITE 300
ATLANTA, GA 30338

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant requests a Special Use Permit for one suite in an existing shopping center on a 22.97 acre parcel, zoned C-2 (General Business District), to allow truck rental. The subject property is located on the southeast corner of the Riverside Parkway and Duluth Highway intersection. The site is developed as the River Exchange shopping center, with associated parking lots, and driveways.

The truck rental business would be operated in conjunction with the automobile rental business (Hertz), which has been renting trucks for several months without the necessary Special Use Permit from the County. Staff notes that during a recent site visit several rental trucks were parked in the Shopping Center parking lot and were highly visible in front of the Hertz suite. The applicant's request is the result of a Code Enforcement Unit case (CEU2016-10742). Approval of this request would bring the property into compliance.

ZONING HISTORY:

In 1970, the subject property was zoned R-100. In 1987, the property was rezoned to C-2 and OBP pursuant to RZ-87-041 and RZ-87-040. In 1988, the property was rezoned to C-2, pursuant to RZ-00-146.

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:

Parking lots and interior driveways shall be designed in accordance with Chapter 240 of the Unified Development Ordinance.

Section 230-130.3GG of the Unified Development Ordinance requires that vehicle storage, cleaning and maintenance must take place within a building or outside storage area that is screened from public view.

Vehicle repair, painting, and body work may not be conducted on the premises.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Duluth Highway SR-120 is a State Route and Georgia D.O.T. right-of-way requirements govern.

Riverside Parkway is a Major Arterial and 50 feet of right-of-way is required from the centerline, with 60 feet required within 500 feet of a major intersection.

Lakes Parkway is a 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.

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 northwest right-of-way of Riverside Parkway and a 10-inch water main located on the southwest right-of-way of Lakes Parkway.

The available utility records show that the subject development is currently in the vicinity of an eight-inch sanitary sewer main located on parcel R7033 107.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The applicant requests a Special Use Permit in a shopping center suite on a 22.97 acre parcel, Suite 126, zoned C-2 (General Business District), to allow truck rental. The subject property is located on the southeast corner of the Riverside Parkway and Duluth Highway intersection. The site is developed as the River Exchange shopping center, with associated parking lots, and driveways.

The 2030 Unified Plan Future Development Map indicates the property is located within the Research and Development Corridor extending along Highway 316. Policies of the 2030 Unified Plan for this character area recommend compatibility of design and intensity among land uses. The leasing of rental trucks from a shopping center parking lot where they may interfere with parking for other shopping center patrons, and could be visible from adjoining highways may not be compatible with the recommendations of the 2030 Unified Plan.

The area surrounding the subject property is characterized by neighborhood serving commercial/retail uses and office uses located at the Riverside Parkway and Duluth Highway commercial node, with single-family and multi-family residential areas located beyond the node. The uses immediately around the subject property include a multi-tenant retail center, professional offices, small retail centers, restaurants and a major grocery store. The leasing of

rental trucks on the site, which began without proper County approvals or licenses, could negatively impact other businesses in the shopping center which share the parking lot. All other auto related businesses in the area are for passenger vehicles. A truck rental business would be a more intense use and may not be compatible, or suitable in a multi-tenant shopping center setting.

In conclusion, the truck rental business may not be consistent with policies of the 2030 Unified Plan and may not be suitable in light of the retail and less-intense automotive uses in the area. Therefore, the Department of Planning and Development recommends **DENIAL** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

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

Approval of a Special Use Permit for truck rental subject to the following enumerated conditions:

1. Retail, service-commercial and accessory uses which may include truck rental as a Special Use.
2. Truck rental shall be limited to no more than three trucks. Rental trucks shall be no larger than 16-foot box trucks, and must be parked to the rear of the suite and in marked parking spaces.
3. Tow-behind rental trailers shall be prohibited.
4. 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.
5. Peddlers and/or parking lot sales shall be prohibited.
6. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
7. Abide by all applicable conditions of RZ-00-146

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The use of a truck rental business from a multi-tenant shopping center parking lot, where the large box trucks are visible from Duluth Highway and could congest the parking lot, may not be suitable at this location.

ADVERSE IMPACTS

Adverse impacts may be anticipated on nearby businesses in the form of clutter and visual blight associated from large trucks being parked in a retail shopping center.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

An increase in truck traffic could be anticipated from the proposed use.

CONFORMITY WITH POLICIES

All other auto related business in the area are for passenger vehicles and a truck rental business would be a more intense use and may not be compatible, or suitable in a multi-tenant shopping center setting and may be inappropriate for this location.

CONDITIONS AFFECTING ZONING

The request is the result of a Code Enforcement investigation for operating the truck rental business without proper County approvals and licenses.

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

PURSUANT TO REQUIREMENT OF THE UNIFIED DEVELOPMENT ORDINANCE, 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:

Yes. The use is suitable in view of other intense commercial uses in the shopping center.

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

No. Neighboring tenants in the shopping center support this application.

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

No. The property is vacant for several years with no tenant prior to the applicant's leasing the property.

- (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:

No. Approval would ease such burden by providing a necessary service in a convenient and accessible location.

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

Yes.

- (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:

The commercial space was vacant for many months before the applicant signed the lease. The applicant misunderstood the requirements of the zoning ordinance. This special use permit will correct that error.

ROBERT JACKSON WILSON, PC

ATTORNEY AT LAW

10 LUMPKIN STREET ■ LAWRENCEVILLE, GA 30046
770-962-9780

ROBERT JACKSON WILSON

jwilson@rjwpclaw.com

October 25, 2016

Ms. Charlotte Nash, Chairman, and
Members of the Board of Commissioners
Gwinnett County Justice and Administration Center
75 Langley Drive
Lawrenceville, GA 30045

Re: Lawrenceville Rentals, Inc.
2100 Riverside Parkway, Suite 126, Lawrenceville, GA 30043

Dear Chairman Nash and Members of the Board:

This firm represents the Applicant, Lawrenceville Rentals, Inc. The applicant operates a rental car facility in the River Exchange Shopping Center. That use is permitted as a matter of right. The Applicant also operates a Penske truck rental facility at the same location. When the applicant investigated leasing the subject property, it reviewed the County's ordinance in place at the time. The Applicant listed its business as "car and truck rental." The Applicant understood car and truck rental to include the rental of its Penske trucks. The Applicant signed a ten year lease in March 2016 with the understanding that the use was permitted in C-2. The County's business license staff granted a business license in the location based on the same understanding. The Applicant later learned that the term "car and truck rental" included only light duty trucks for rent and did not include typical box trucks for short-term rental. When the Code Enforcement staff notified the Applicant of this interpretation, the Applicant moved immediately to file this Application. The Applicant requests approval of the Special Use Permit to allow truck rental on the site. Most of the trucks are stored in the rear of the shopping center. This commercial space was vacant for a number of months prior to the Applicant's signing a lease for it. The shopping center's owner and neighboring tenants are in support of the Applicant's use. For all these reasons, the Applicant requests the Special Use Permit be approved for its leased space to allow a productive use of the space and a convenient, readily accessible location for this necessary service. If you have any questions or need any additional information, please do not hesitate to contact me.

With best regards, I am

Very truly yours,


Robert Jackson Wilson

RJW/bka

SUP '17 00 1

RECEIVED BY

NOV - 1 2016

Planning & Development

CASE NUMBER RZ-00-146

BOARD OF COMMISSIONERS

WINNETT 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>
Tommy Hughes, District 1	<u>AYE</u>
Patti Muise, District 2	<u>ABSENT</u>
Judy Waters, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. HUGHES, 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

C-2 to C-2 (CHANGE IN CONDITIONS)

by WINNETT PRADO, L.P. for the proposed use of

ALLOW AN ADDITIONAL OUTPARCEL 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 NOVEMBER 28, 2000 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 28TH day of NOVEMBER, 2000, 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. Office, retail and service commercial and accessory uses at a maximum density of 8,700 gross square feet per acre, based on the 67.595 acres rezoned pursuant to RZ-147-88, or 585,000 square feet of total floor area, whichever is less.
 - B. Limit the number of single use, free-standing structures adjacent to Georgia Highway 120 to two, not including the site at the corner of Georgia Highway 120/Riverside Parkway.
2. To satisfy the following site development considerations:
 - A. Provide a minimum ten-foot wide landscape strip outside the new dedicated rights-of-way of all dedicated roads and a minimum five-foot wide landscape strip adjacent to the proposed internal site road except for access points.

- B. Entrances/exists along Georgia Highway 120, Lakes Parkway and Riverside Parkway shall be in accordance with Gwinnett County Development Regulations and the State Department of Transportation.
 - C. Free-standing uses or out parcels shall be accessed internally from the project site. No additional curb cuts shall be permitted.
 - D. No billboards are permitted.
 - E. Sign regulations as required by the 1985 Zoning Resolution shall be met as minimum standards for this development except for entryway signs designating the project.
 - F. Dumpsters shall be screened by a fence or wall where visible by any public right-of-way.
 - G. Buildings shall be finished with architectural treatments of glass and/or brick, stone, stucco or other masonry finish; or, submit alternate architectural plans for approval of the Planning Commission prior to approval of a building permit.
 - H. Submit a landscape plan for approval of the Development Division.
3. To abide by the following requirements, dedications and improvements.
- A. Provide acceleration/deceleration lanes at entrance driveways.

GWINNETT COUNTY BOARD OF COMMISSIONERS

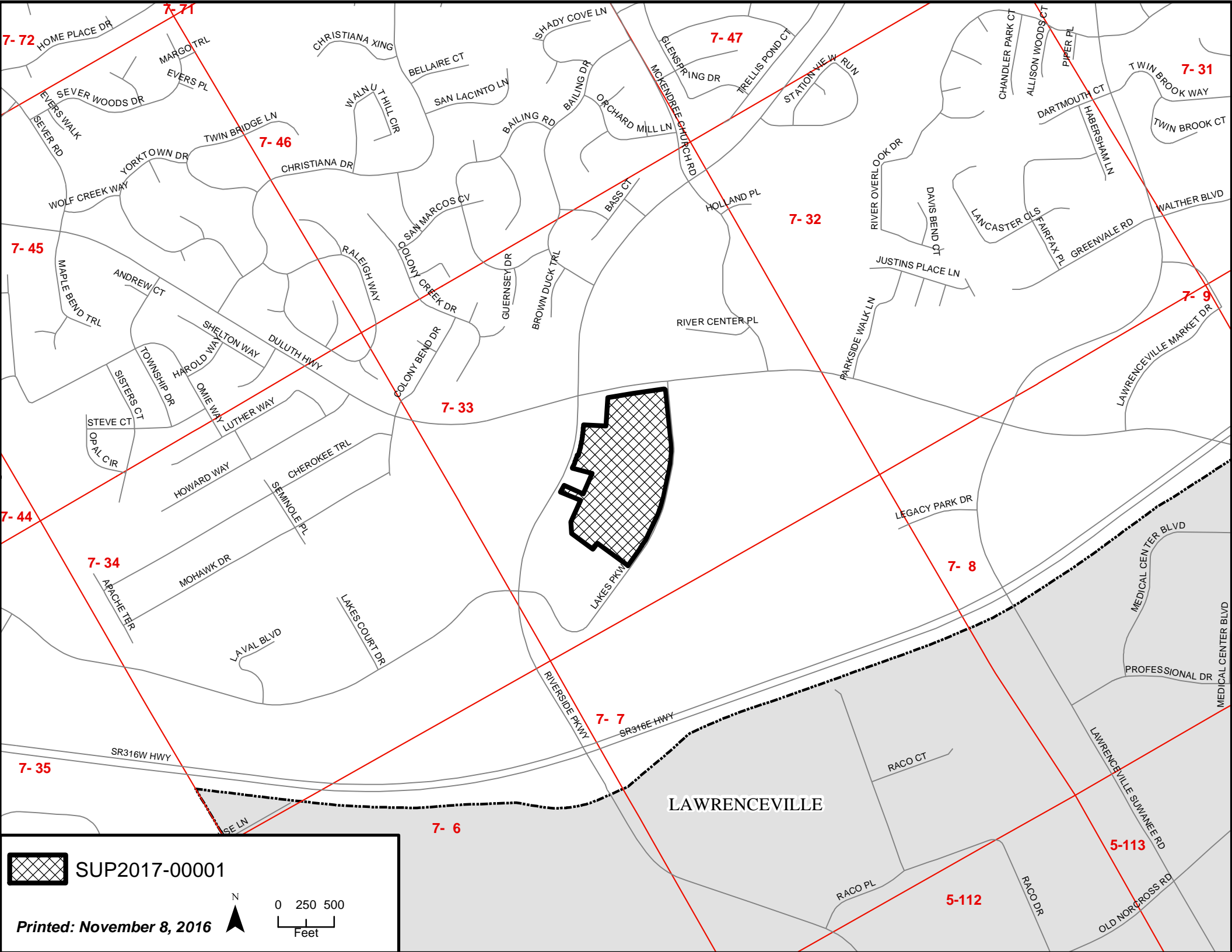
BY: 

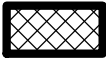
F. Wayne Hill, Chairman

Date Signed: Dec. 11, 2000

ATTEST:

Brenda Madley
County Clerk

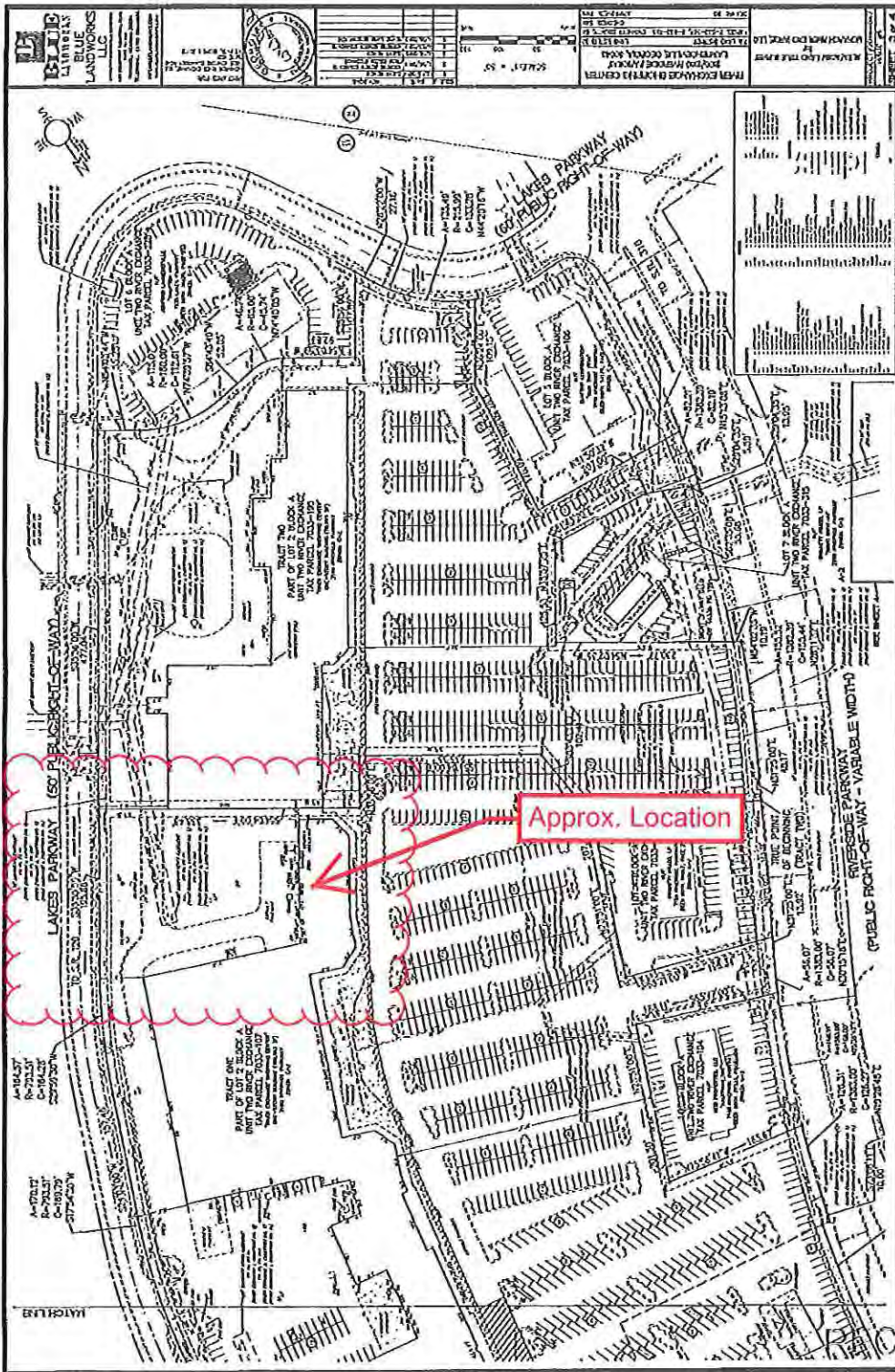


 SUP2017-00001



0 250 500
Feet

Printed: November 8, 2016



BLUE HORIZONS LANDWORKS LLC
 10000 W. 10th Ave. Suite 100
 Denver, CO 80202
 (303) 751-1111
 www.bluehorizonslandworks.com



NO.	DESCRIPTION	DATE
1	PREPARED FOR THE PROJECT	11/15/16
2	REVISIONS	
3	DATE	

SCALE: 1" = 50'
 NORTH

TRIN EXCLUSIVE MARKET CENTER
 PROJECT MANAGED BY
 LAKESIDE COMMUNITY ASSOCIATION
 10000 W. 10th Ave. Suite 100
 DENVER, CO 80202
 (303) 751-1111

DATE: 11/15/16
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

SUP '17 00 1

RECEIVED BY
 NOV - 1 2016
 Planning & Development

TO S.R. 120

S35°55'59"W
195.86'

ASPHALT PAVEMENT

CA PUMP UNIT

CA PUMP UNIT

PLAY ROOM TO PACE 200

RECEIVED BY

NOV 10 2016

Planning & Development

SUP '17 00 1

338.48'

S54°04'00"E

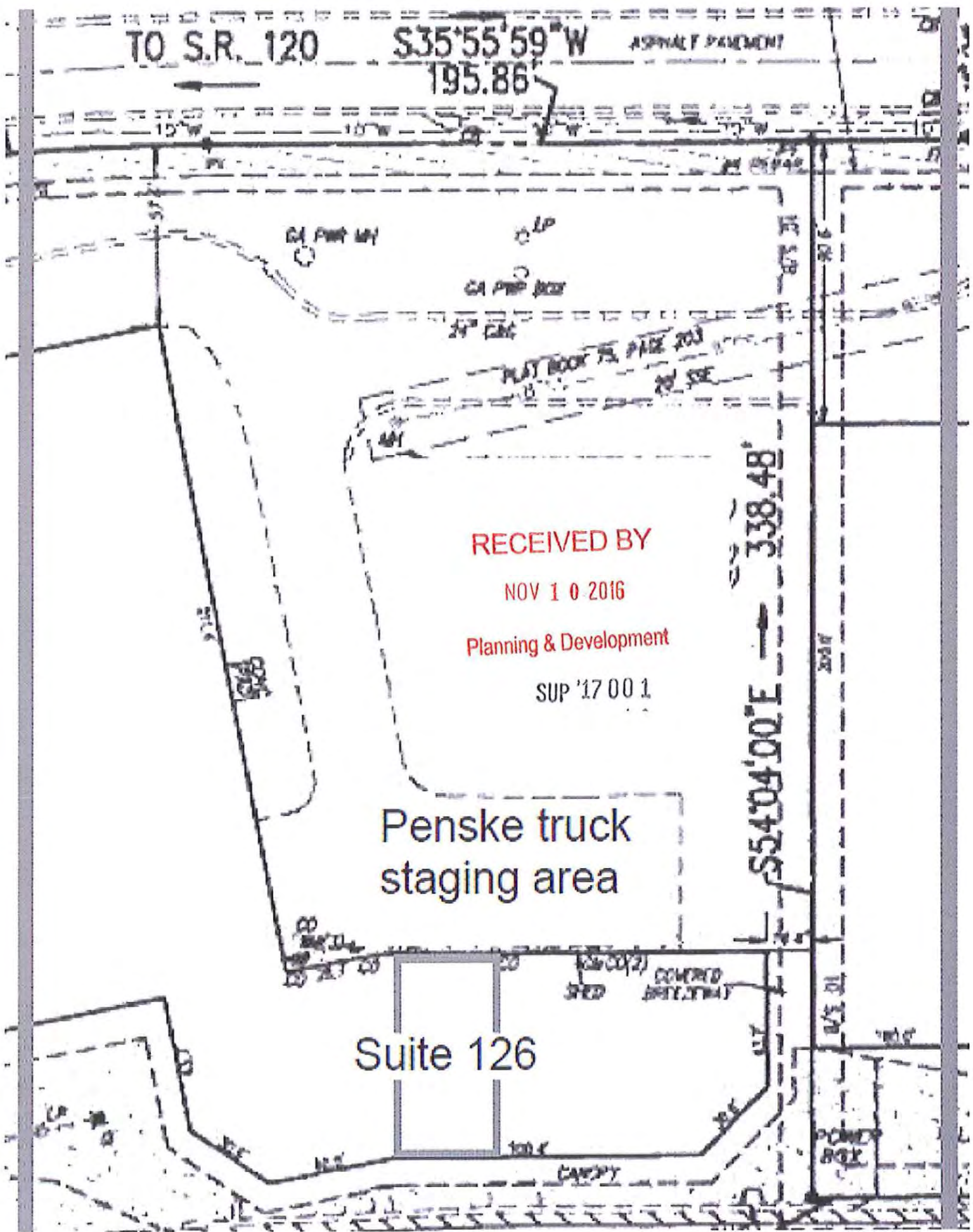
Penske truck
staging area

Suite 126

COVERED
AREA

BOX

CANOPY





DULUTH HWY

RIVERSIDE PKWY

LAKES PKWY

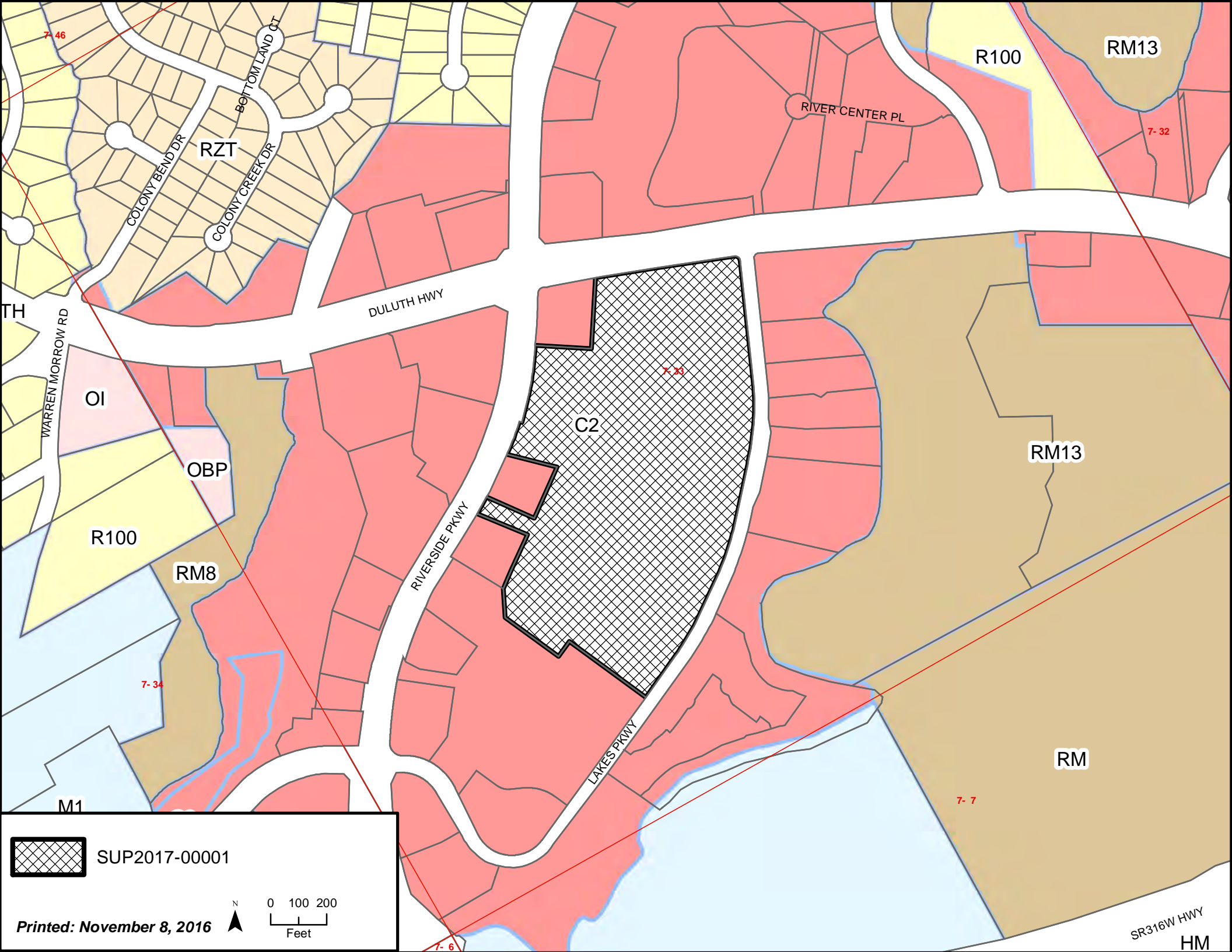


SUP2017-00001



0 50 100
Feet

Printed: November 8, 2016



7-46

R100

RM13

7-32

RZT

RIVER CENTER PL

COLONY BEND DR

COLONY CREEK DR

BOTTOM LAND CT

DULUTH HWY

TH

WARREN MORROW RD

OI

OBP

R100

RM8

C2

7-23

RIVERSIDE PKWY

RM13

7-34

M1

LAKES PKWY

RM

7-7

7-6

SR316W HWY

HM

 SUP2017-00001



0 100 200
Feet

Printed: November 8, 2016

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

CASE NUMBER :**SUP2017-00004**
ZONING :RA-200
LOCATION :2000 BLOCK OF JONES PHILLIPS ROAD
:1900 BLOCK OF HARBINS ROAD
MAP NUMBER :R5313 041
ACREAGE :9.55 ACRES
SQUARE FEET :2,500 SQUARE FEET
PROPOSED DEVELOPMENT :SPECIAL EVENTS/BANQUET FACILITY OR RENTAL HALL
COMMISSION DISTRICT :(3) HUNTER

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

APPLICANT: DEAN WERTS
C/O ANDERSEN, TATE & CARR, PC
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GA 30097

CONTACT: MARIAN C. ADEIMY PHONE: 678.518.6855

OWNER: DEAN WERTS
2032 JONES PHILLIPS ROAD
DACULA, GA 30019

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The subject request for a Special Use Permit is the result of a Code Enforcement Unit notice of violation for a non-permitted use (special events facility) on the subject property (CEU2016-09871). The applicant now seeks a Special Use Permit for a Special Events/Banquet Facility or Rental Hall in order to conduct competitive dog events on the site. According to the letter of intent, the proposed events include dock diving competitions in an existing above-ground swimming pool, Frisbee competitions, agility training/competitions and training and dog trick lessons on Saturdays and periodically throughout the year.

The subject property contains 9.55 acres and is located in the southeast quadrant of the Harbins Road/Jones Phillips Road intersection east of New Hope Road. It is currently zoned RA-200 (Residence-Agriculture District) and is developed with a single-family residence, a kennel/boarding/training facility and an above-ground pool for training and competitions. The existing driveway on Jones Phillips Road is the only proposed access point. The submitted site plan and letter of intent indicate two level grass areas on which the event area could be located; however, no parking areas are indicated on the site plan. According to correspondence with the applicant, 15-foot wide bleachers are brought onto the site for quarterly events and usually results in 10-30 cars maximum, with an average of usually 18-20 vehicles.

ZONING HISTORY:

The subject property has been zoned RA-200 since 1970.

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.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

Parking lots and interior driveways shall be designed in accordance with Chapter 240 of the Unified Development Ordinance.

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

Section 700-40.1A of the Unified Development Ordinance requires that the lowest floor, including the basement, of all residential building be constructed at an elevation of at least three feet above the 100-year floodplain.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Harbins Road is a 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.

Jones Phillips Road is a Local Residential Street and 25 feet of right-of-way is required from the centerline.

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 eight-inch water main located on the north right-of-way of Harbins Road and an eight-inch water main located on the southwest right-of-way of Jones Phillips Road.

The available utility records show that the subject development is currently in the vicinity of an eight-inch sanitary sewer main located approximately 8,278 feet southeast of parcel R5313 041 on parcel R5344 153 and an eight-inch sanitary sewer main located approximately 6,465 feet northwest of parcel R5313 041 on parcel R5311 001.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

- I. The applicant shall obtain a commercial building permit for each pool and structure 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.

DEPARTMENT ANALYSIS:

The subject 9.55-acre property is located in the southeast quadrant of the Harbins Road/Jones Phillips Road intersection east of New Hope Road. It is currently zoned RA-200 (Residence-Agriculture District) and developed with a single-family residence, a kennel/boarding/training facility and an above-ground pool for training, which would also be used for events and competitions, if this request for a Special Use Permit is approved.

The 2030 Unified Plan Future Development Map indicates the property lies within a Rural/Estate Character Area. Policies for this character area encourage acreage tract/estate lot residential uses. This character area also allows for limited "crossroads" type commercial activity that promotes and preserves a rural setting. The convergence of New Hope Road

and Jones Phillip Road with Harbins Road currently includes two long-established country stores and a recently developed Dollar General store, providing limited retail activity in this area. The proposed Special Use Permit and quasi-commercial development of the subject site may be consistent with policies of the Unified Plan for allowing community-level commercial uses in the area.

The subject property is adjacent to a small neighborhood commercial node on both sides of Harbins Road between Jones Phillips Road and New Hope Road. To the north across Harbins Road is a small retail store originally built as a service station many years ago, zoned C-1 pursuant to a 1975 areawide rezoning. The subject property is bounded on the east and south by several large tract, single-family residences zoned RA-200. To the west across Jones Phillips Road are a Dollar General store and a country feed store, both zoned C-1 in 1975. The outlying area is rural/residential with agricultural uses and single-family homes on acreage, zoned RA-200. The approval of a Special Use Permit for a Special Events Facility, with appropriate conditions for screening and limiting the hours of operation of the public address system, may not adversely affect the nearby low intensity nature of the existing residential and commercial developments.

Staff recommends that the parking or special event areas not be located along Harbins Road and that the parking, event area, and swimming pool be sufficiently screened from Jones Phillips Road. If approved in accordance with the recommended conditions, staff believes this request would be compatible with the existing rural character of the surrounding area and with 2030 Unified Plan policies for limited commercial uses along Harbins Road. Therefore, the Department recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of a Special Use Permit for a Special Events/Banquet Facility or Rental Hall, subject to the following enumerated conditions:

1. Limited to use as a single-family residence, a dog kennel and boarding facility, and a dog training/competition special event facility as a special use.
2. Obtain all necessary development and building permits, and bring the site and structure(s) up to all applicable zoning, development and building codes within 60 days of zoning approval.
3. No parking or special event area shall be allowed along Harbins Road. Said areas shall only be allowed along Jones Phillips Road and shall be screened from view with a minimum 25-foot wide replanted buffer. Parking spaces shall be provided on a paved surface or approved porous paving system only. Landscape plans shall be subject to the review and approval by the Director of Planning and Development and be submitted to the Department of Planning and Development within 60 days of approval of the Special Use Permit.
4. The swimming pool shall be enclosed by a fence made from 100% opaque material and painted in non-white (earthtone) colors within 60 days of approval of the Special Use Permit. Final fence design and colors shall be subject to the review and approval of the Director of Planning and Development.
5. Ground signage shall be limited to one monument-type sign, and shall be subject to review and approval by the Director of Planning & Development. The sign shall include a minimum two-foot high brick or stacked stone base. The masonry base shall extend at least the full width of the sign cabinet, and the sign cabinet shall be fully recessed and surrounded by the same materials. The ground sign shall not exceed six feet in height.
6. 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. All lighting shall be turned off at 9:00 p.m.
7. The use of an outdoor public address system shall be prohibited between 9:00 p.m. and 11:00 a.m. daily.
8. The applicant shall prepare and submit an animal waste management plan to the Department of Planning and Development for review by the appropriate agencies.
9. Outdoor storage shall be prohibited.

10. The Special Use Permit shall be valid for a two-year period, at which time the use shall cease or the Special Use Permit must be renewed.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The proposed use could be suitable in view of the rural/residential character of the area which includes some limited commercial uses along Harbins Road.

ADVERSE IMPACTS

With the recommended conditions, adverse impacts from the proposed special events use upon adjacent and nearby properties could be reduced.

REASONABLE ECONOMIC USE AS ZONED

The subject property has a reasonable economic use as zoned.

IMPACT ON PUBLIC FACILITIES

A minimal increase in impacts on public facilities in the form of traffic and utility demand could be expected from the proposed use.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates that the property lies within a Rural/Estate Character Area. Policies for this character area could support the requested activity if developed with staff's recommended conditions for appropriate screening.

CONDITIONS AFFECTING ZONING

The rural/residential character of the area lends some supporting grounds for approval of this request. Several properties along Harbins Road are developed as neighborhood-level commercial uses. The proposed Special Use Permit for special events could offer a service to the community that is in keeping with the rural character of the surrounding area.

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 kennel and special dog events facility is consistent with the existing RA-200 zoning district and similar farm, animal and community space and event uses.

- 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 community-friendly use that is entirely compatible with the adjoining and nearby property, and, like the existing kennel and dog boarding uses, permitted by right, will not adversely affect those properties.

- 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 without the full dog training and boarding and events promoting that service to the community.

- 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 permitted with existing utilities and has convenient access to major thoroughfares, including Highway 316. This rezoning is consistent with the existing dog boarding and kennel uses, 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 property zoned RA-200 and located in this area as being appropriate for rural, animal-related and community event uses.

SUP '17 00 4

RECEIVED BY

NOV 04 2016

Planning & Development

- 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, the Board of Commissioners' support of this request will provide a much-needed service and community event opportunity for dog lovers, families and residents in the area.

RECEIVED BY

NOV 04 2016

Planning & Development

SUP '17 004

ANDERSEN | TATE | CARR

ANDERSEN, TATE & CARR, P.C.
ONE SUGARLOAF CENTRE
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GEORGIA 30097
(770) 822-0900
FACSIMILE: (770) 236-9754
www.atclawfirm.com

Marian C. Adeimy

E-mail: madeimy@atclawfirm.com

LETTER OF INTENT **FOR SPECIAL EVENTS SPECIAL USE PERMIT**

The Owner and Applicant, Dean Werts (hereinafter, "Applicant"), submits this request for a Special Use permit for a Special Events Facility on an approximately 9.3 acre tract of land (hereinafter, the "Property") located at 2032 Jones Phillips Rd., Dacula, GA 30019. The subject property covered by this Application is currently zoned RA-200.

The subject property is 9.3 acres, recently purchased and combined by the Applicant for their kennel and proposed special dog events proposed. Both uses provide an important service to Gwinnett County pet and dog lovers, many of whom respect and work with the Applicant regularly.

Kennels and pet boarding are permitted uses in the existing RA-200 zoning district and consistent with this request and important event opportunity for Gwinnett dog-lovers and families alike. Community centers and cultural facilities are also permitted, similar to the community events hosted by the Applicant.

The requested special use permit under the existing zoning district would allow the Applicant to host special dog competition events on the property, subject to the proposed screening and additional conditions agreeable to the Applicant. Many of the events help raise money for charitable and pet-rescue organizations both locally and nationally. The Applicant and his wife strive to provide a "friendly and enjoyable place that is exciting and fun/safe place to play with your dog."

Proposed event types include:

- Dock Diving competitions - involved with AKC and may host 3-5 a year. Dogs earn points towards title for the end of the year at the Eukanuba championship in FL.
- Frisbee – They host 5 events per year with different organizations.
- Agility- Mostly the field is used for training
- Training and dog trick lessons on Saturdays and periodically throughout the year

The property, residence, kennel and pool would continue to appear as it does today.

Because of the shape and location of the property, it contains at least two front yards in which the event area could be located, and where the Applicant constructed the event pool area. The remaining property contains the Applicant's personal home, kennel and boarding facilities, all of which were permitted by Gwinnett County.

RECEIVED BY

NOV 04 2016

SUP '17 00 4

Planning & Development

The Applicant proposes privacy screening and planting of evergreen trees across the front of the pool and event area in order to screen it from the road, and as reflected in the photos and plan submitted herewith. The Applicant has marked off the area shown on the photos submitted herewith, and plan to screen the pool with Leland Cypress and Green Giant trees. They plan to purchase trees that are already 6-9' tall for immediate coverage and spacing at 12-15' apart. They have also constructed a 52" wood/chain-link fence around the pool now with two gates in order to meet code.

The property has access to a public water supply, public sanitary sewer, and convenient access to collector streets, major thoroughfares and a limited access highway. The subject property is also located near public transportation routes and locations already existing and being considered in Gwinnett County.

CONCLUSION

The subject property is an appropriate location for the proposed special dog training events and, like the existing kennel, would have little to no impact on any surrounding properties or to the citizens in nearby or surrounding areas.

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 3rd day of November, 2016.

Respectfully submitted,

ANDERSEN, TATE & CARR, P.C.



Marian C. Adeimy
Attorney for the Applicant

Enclosures (Application Packet)

2777470_1.DOC

RECEIVED BY

NOV 04 2016

Planning & Development

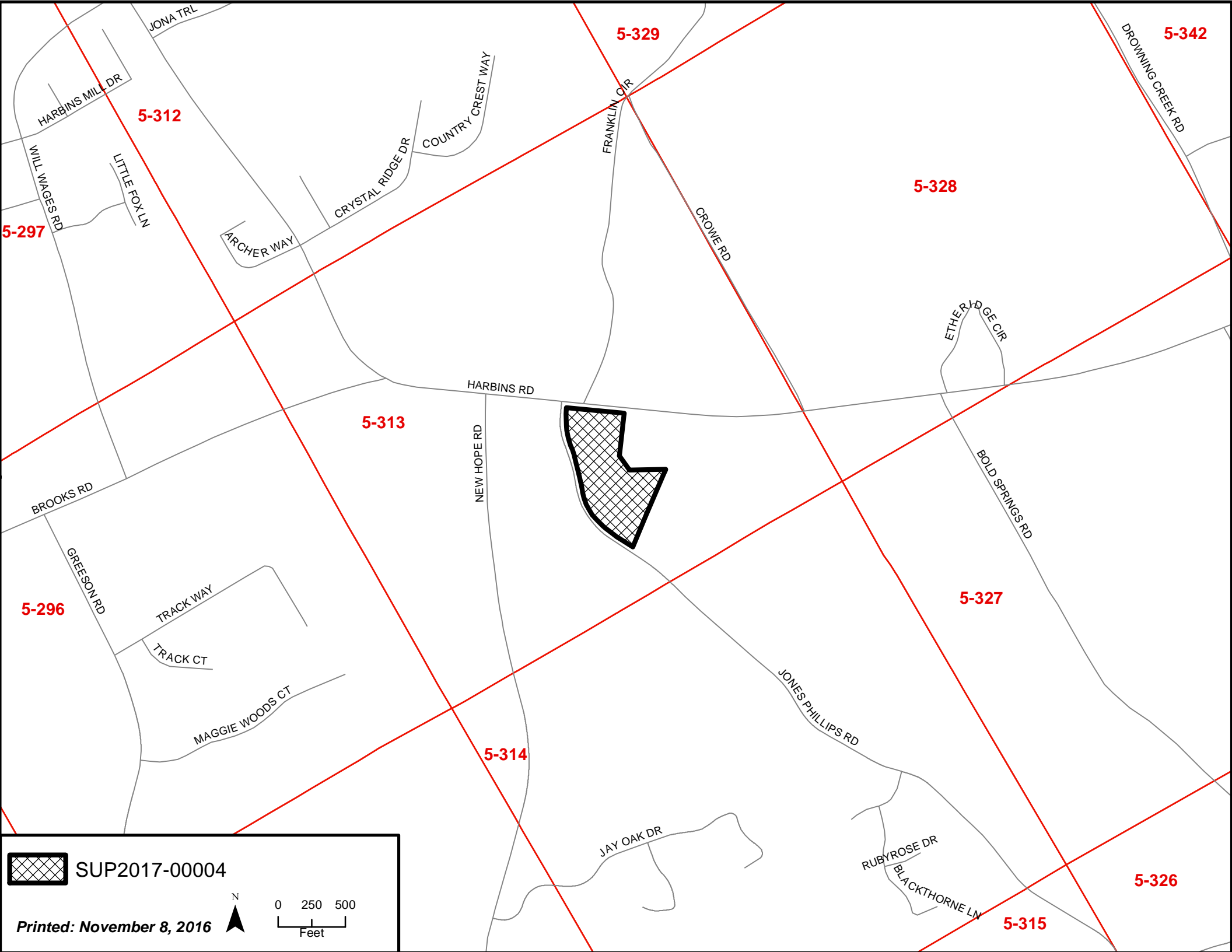
SUP '17 004












 SUP2017-00004




0 250 500
Feet

Printed: November 8, 2016



HARBINS RD

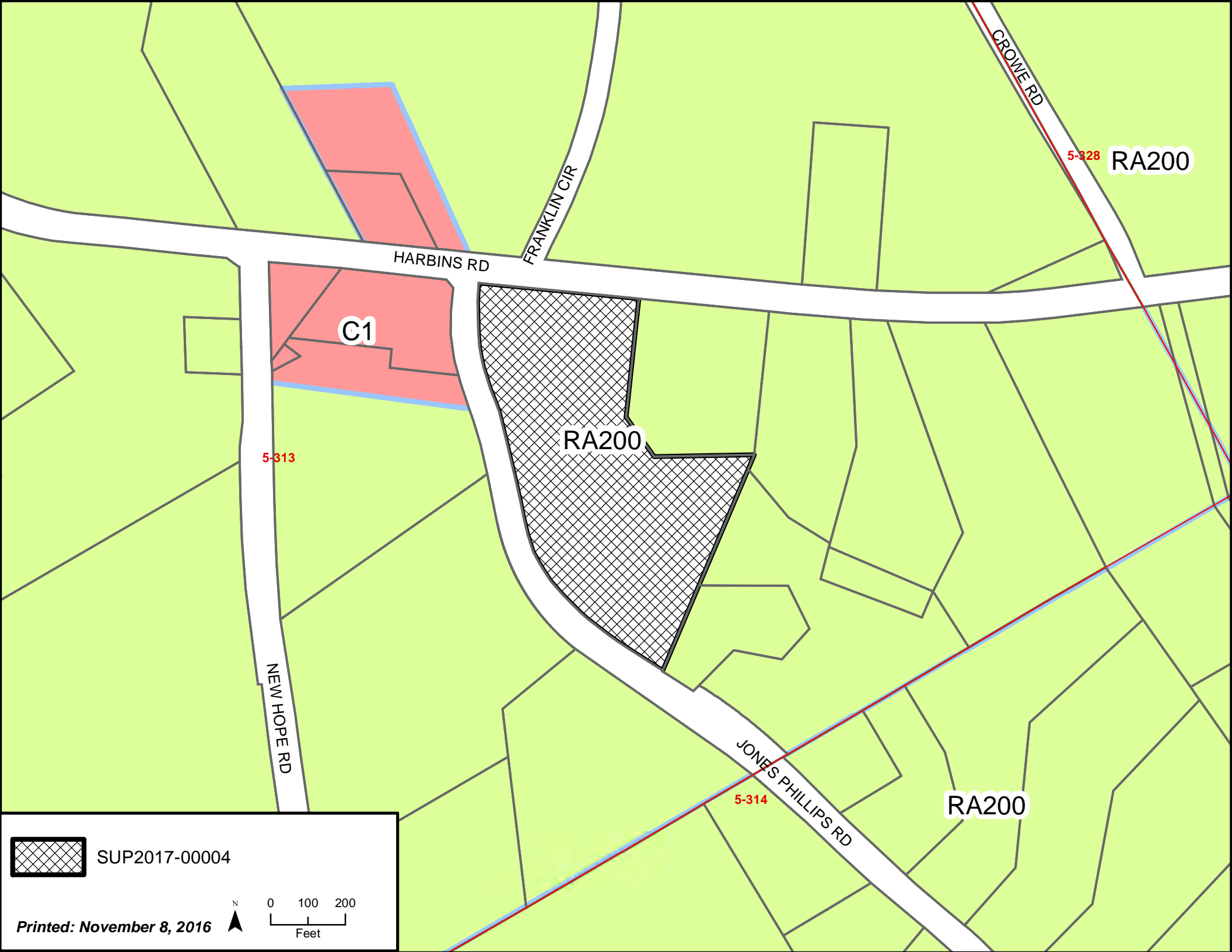
JONES PHILLIPS RD

 SUP2017-00004

Printed: November 8, 2016

N

0 50 100
Feet



5-328 RA200

C1

RA200

5-313

5-314

RA200

 SUP2017-00004

Printed: November 8, 2016 