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gwinnettcountry

**MUNICIPAL-GWINNETT COUNTY
PLANNING COMMISSION**

PUBLIC HEARING AGENDA

**GWINNETT JUSTICE AND ADMINISTRATION CENTER
TUESDAY, JUNE 6, 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 (MAY 2, 2017 MEETING)
- E. ANNOUNCEMENTS
- F. OLD BUSINESS

1. CASE NUMBER	:RZC2017-00006 (PUBLIC HEARING HELD)
APPLICANT	:PEACHTREE HOTEL GROUP, LLC
CONTACT	:SHANE LANHAM
PHONE NUMBER	:770.232.0000
ZONING CHANGE	:R-100 TO C-2
LOCATION	:1700 BLOCK OF NORTH BROWN ROAD
MAP NUMBER	:R7114 175
ACREAGE	:4.43 ACRES
SQUARE FEET	:76,299 SQUARE FEET
PROPOSED DEVELOPMENT	:HOTEL (BUFFER REDUCTION)
COMMISSION DISTRICT	:(1) BROOKS
DEPARTMENT RECOMMENDATION	:APPROVAL WITH CONDITIONS

2. CASE NUMBER	:RZM2017-00002 (PUBLIC HEARING HELD)
APPLICANT	:NDI DEVELOPMENT, LLC
CONTACT	:MATTHEW REEVES
PHONE NUMBER	:770.822.0900
ZONING CHANGE	:C-2 TO R-TH
LOCATION	:4500 BLOCK OF SATELLITE BOULEVARD
MAP NUMBERS	:R6211 224 & 225
ACREAGE	:4.49 ACRES
UNITS	:35 UNITS
PROPOSED DEVELOPMENT	:TOWNHOMES
COMMISSION DISTRICT	:(1) BROOKS
DEPARTMENT RECOMMENDATION	:APPROVAL WITH CONDITIONS

3. CASE NUMBER :**RZM2017-00005**
APPLICANT :GWINN-LIDELL ASSOCIATES, LLC
CONTACT :MARIAN C. ADEIMY
PHONE NUMBER :404.543.5686
ZONING CHANGE :M-1 TO RM-24
LOCATION :4100 BLOCK OF SATELLITE BOULEVARD
:2000 BLOCK OF SATELLITE POINT
:INTERSTATE 85 SOUTH

MAP NUMBER :R6209 001A
ACREAGE :20.12 ACRES
UNITS :292 UNITS
PROPOSED DEVELOPMENT :APARTMENTS
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
4. CASE NUMBER :**SUP2017-00014**
APPLICANT :78 CARWASH LLC
CONTACT :RAMESH NAIK
PHONE NUMBER :678.492.7850
ZONING :C-2
LOCATION :4700 BLOCK OF STONE MOUNTAIN HIGHWAY
MAP NUMBER :R6063B008F
ACREAGE :1.28 ACRES
SQUARE FEET :1,200 SQUARE FEET
PROPOSED DEVELOPMENT :AUTOMOBILE SERVICE (RENEWAL)
COMMISSION DISTRICT :(2) HOWARD
DEPARTMENT RECOMMENDATION :**DENIAL**
- G. NEW BUSINESS
5. CASE NUMBER :**RZC2017-00013**
APPLICANT :DOCHINGOZI HOUHEY
CONTACT :TAYLOR CARSTARPHEN
PHONE NUMBER :678.581.4241
ZONING CHANGE :R-100 TO O-I
LOCATION :1200 BLOCK OF BRASELTON HIGHWAY
MAP NUMBER :R7054 007
ACREAGE :5.28 ACRES
SQUARE FEET :9,000 SQUARE FEET
PROPOSED DEVELOPMENT :DAY CARE FACILITY
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

6. CASE NUMBER :**SUP2017-00020**
APPLICANT :DOCHINGOZI HOUEY
CONTACT :TAYLOR CARSTARPHEN
PHONE NUMBER :678.581.4241
ZONING :O-I (PROPOSED)
LOCATION :1200 BLOCK OF BRASELTON HIGHWAY
MAP NUMBER :R7054 007
ACREAGE :5.28 ACRES
SQUARE FEET :9,000 SQUARE FEET
PROPOSED DEVELOPMENT :DAYCARE FACILITY
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
7. CASE NUMBER :**RZC2017-00014**
APPLICANT :ANKURKUMAR JOSHI
CONTACT :ANKURKUMAR JOSHI
PHONE NUMBER :678.935.2006
ZONING CHANGE :R-100 TO O-I
LOCATION :1400 BLOCK OF SCENIC HIGHWAY
MAP NUMBER :R5074 298
ACREAGE :0.41 ACRE
SQUARE FEET :1,329 SQUARE FEET
PROPOSED DEVELOPMENT :TUTORING CENTER (BUFFER REDUCTION)
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
8. CASE NUMBER :**SUP2017-00026**
APPLICANT :ANKURKUMAR JOSHI
CONTACT :ANKURKUMAR JOSHI
PHONE NUMBER :678.935.2006
ZONING CHANGE :O-I (PROPOSED)
LOCATION :1400 BLOCK OF SCENIC HIGHWAY
MAP NUMBER :R5074 298
ACREAGE :0.41 ACRE
SQUARE FEET :1,329 SQUARE FEET
PROPOSED DEVELOPMENT :TUTORING CENTER (BUFFER REDUCTION)
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
9. CASE NUMBER :**RZC2017-00015**
APPLICANT :CHRIS SEWARD
CONTACT :CHRIS SEWARD
PHONE NUMBER :404.591.7646
ZONING CHANGE :C-2 TO M-1
LOCATION :3400 BLOCK OF BRECKINRIDGE BOULEVARD
INTERSTATE 85 (NORTHBOUND)
MAP NUMBER :R6207 050 & 095
ACREAGE :3.76 ACRES
SQUARE FEET :144,435 SQUARE FEET
PROPOSED DEVELOPMENT :WAREHOUSE/OFFICE
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

10. CASE NUMBER :**RZR2017-00010**
APPLICANT :JUSTIN BRADY
CONTACT :JUSTIN BRADY
PHONE NUMBER :404.998.1857
ZONING CHANGE :R-100 TO TND
LOCATION :1200-1300 BLOCKS OF LAKEVIEW ROAD
MAP NUMBERS :R5089 006, 016, 018, 020, 070, & 072
ACREAGE :27.65 ACRES
UNITS :32 UNITS
PROPOSED DEVELOPMENT :TRADITIONAL NEIGHBORHOOD DEVELOPMENT
(BUFFER REDUCTION)
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**UNDER REVIEW**
11. CASE NUMBER :**CIC2017-00014**
APPLICANT :ISB HOLDING, LLC
CONTACT :CARL BURNETT
PHONE NUMBER :404.583.7655
ZONING :C-2
LOCATION :2000 BLOCK OF LAWRENCEVILLE HIGHWAY
MAP NUMBER :R5050 004
ACREAGE :2.95 ACRES
PROPOSED DEVELOPMENT :CHANGE IN CONDITIONS OF ZONING (BUFFER
REDUCTION)
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
12. CASE NUMBER :**CIC2017-00015**
APPLICANT :LYNN NEHEZ
CONTACT :LYNN NEHEZ
PHONE NUMBER :770.963.8303
ZONING :R-100
LOCATION :2100 BLOCK OF COLLINS HILL ROAD
MAP NUMBER :R7108 002
ACREAGE :5.31 ACRES
PROPOSED DEVELOPMENT :CHANGE IN CONDITIONS OF ZONING
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
13. CASE NUMBER :**SUP2017-00029**
APPLICANT :LYNN NEHEZ
CONTACT :LYNN NEHEZ
PHONE NUMBER :770.963.8303
ZONING :R-100
LOCATION :2100 BLOCK OF COLLINS HILL ROAD
MAP NUMBER :R7108 002
ACREAGE :5.31 ACRES
SQUARE FEET :1,792 SQUARE FEET
PROPOSED DEVELOPMENT :MODULAR BUILDING
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

14. CASE NUMBER :**CIC2017-00016**
APPLICANT :ADEVCO CORPORATION
CONTACT :ERIC JOHANSEN
PHONE NUMBER :678.571.4843
ZONING :C-2
LOCATION :6900 BLOCK OF BUFORD HIGHWAY
MAP NUMBERS :R6247 023A & 392
ACREAGE :3.09 ACRES
SQUARE FEET :105,117 SQUARE FEET
PROPOSED DEVELOPMENT :CHANGE IN CONDITIONS OF ZONING
COMMISSION DISTRICT :(2) HOWARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
15. CASE NUMBER :**SUP2017-00022**
APPLICANT :ADEVCO CORPORATION
CONTACT :ERIC JOHANSEN
PHONE NUMBER :678.571.4843
ZONING :C-2
LOCATION :6900 BLOCK OF BUFORD HIGHWAY
MAP NUMBERS :R6247 023A & 392
ACREAGE :3.09 ACRES
SQUARE FEET :105,117 SQUARE FEET
PROPOSED DEVELOPMENT :SELF-STORAGE FACILITY (CLIMATE CONTROLLED)
COMMISSION DISTRICT :(2) HOWARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
16. CASE NUMBER :**SUP2017-00023**
APPLICANT :ADEVCO CORPORATION
CONTACT :ERIC JOHANSEN
PHONE NUMBER :678.571.4843
ZONING :C-2
LOCATION :6900 BLOCK OF BUFORD HIGHWAY
MAP NUMBERS :R6247 023A & 392
ACREAGE :3.09 ACRES
SQUARE FEET :105,117 SQUARE FEET
PROPOSED DEVELOPMENT :OUTDOOR SALES/STORAGE
COMMISSION DISTRICT :(2) HOWARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
17. CASE NUMBER :**SUP2017-00019**
APPLICANT :ARCADE DESIGN CORPORATION
CONTACT :JOSE F. JIMENEZ, RA
PHONE NUMBER :770.527.1429
ZONING :C-2
LOCATION :600 BLOCK OF BUFORD HIGHWAY
MAP NUMBER :R7256 002
ACREAGE :2.80 ACRES
SQUARE FEET :2,361 SQUARE FEET
PROPOSED DEVELOPMENT :AUTOMOTIVE SALES
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**DENIAL**

18. CASE NUMBER :**SUP2017-00021**
APPLICANT :STILL WATERS LEARNING CENTER, INC.
CONTACT :SHANE LANHAM
PHONE NUMBER :770.232.0000
ZONING :M-1
LOCATION :1500 BLOCK OF OAKBROOK DRIVE
MAP NUMBER :R6196 122
ACREAGE :4.75 ACRES
SQUARE FEET :26,350 SQUARE FEET
PROPOSED DEVELOPMENT :DAY CARE FACILITY
COMMISSION DISTRICT :(2) HOWARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
19. CASE NUMBER :**SUP2017-00024**
APPLICANT :NEW BRIDGE CHURCH
CONTACT :MITCH PEEVY
PHONE NUMBER :770.614.6511
ZONING :R-100
LOCATION :1400 BLOCK OF CALVIN DAVIS CIRCLE
:1300 BLOCK OF BUFORD DRIVE
MAP NUMBER :R7051 141
ACREAGE :12.37 ACRES
SQUARE FEET :37,926 SQUARE FEET
PROPOSED DEVELOPMENT :PRIVATE SCHOOL
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
20. CASE NUMBER :**SUP2017-00025**
APPLICANT :NEW BRIDGE CHURCH
CONTACT :MITCH PEEVY
PHONE NUMBER :770.614.6511
ZONING :R-100
LOCATION :1400 BLOCK OF CALVIN DAVIS CIRCLE
:1300 BLOCK OF BUFORD DRIVE
MAP NUMBER :R7051 141
ACREAGE :12.37 ACRES
SQUARE FEET :37,926 SQUARE FEET
PROPOSED DEVELOPMENT :DAY CARE FACILITY (GROUP)
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
21. CASE NUMBER :**SUP2017-00027**
APPLICANT :VERONICA ILENRE
CONTACT :VERONICA ILENRE
PHONE NUMBER :678.755.9449
ZONING :R-100
LOCATION :400 BLOCK OF PATTERSON ROAD
MAP NUMBER :R5052 023
ACREAGE :1.05 ACRES
SQUARE FEET :2,240 SQUARE FEET
PROPOSED DEVELOPMENT :PERSONAL CARE HOME (FAMILY)
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**DENIAL**

22. CASE NUMBER	:SUP2017-00028
APPLICANT	:GEO. SCHOFIELD CO., INC.
CONTACT	:R. MATTHEW REEVES, ESQ.
PHONE NUMBER	:770.822.0900
ZONING	:C-2
LOCATION	:1 900 BLOCK OF BOGGS ROAD :2500 BLOCK OF SATELLITE BOULEVARD :INTERSTATE 85 (RAMP)
MAP NUMBERS	:R7079 006 & 037
ACREAGE	:9.29 ACRES
SQUARE FEET	:12,395 SQUARE FEET
PROPOSED DEVELOPMENT	:OUTDOOR SALES/STORAGE
COMMISSION DISTRICT	:(1) BROOKS
DEPARTMENT RECOMMENDATION	:APPROVAL WITH CONDITIONS

H. AUDIENCE COMMENTS

I. COMMITTEE REPORTS

J. COMMENTS BY STAFF AND PLANNING COMMISSION

K. ADJOURNMENT

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

CASE NUMBER	: RZC2017-00006
ZONING CHANGE	:R-100 TO C-2
LOCATION	:1700 BLOCK OF NORTH BROWN ROAD
MAP NUMBER	:R7114 175
ACREAGE	:4.43 ACRES
SQUARE FEET	:76,299 SQUARE FEET
PROPOSED DEVELOPMENT	:HOTEL (BUFFER REDUCTION)
COMMISSION DISTRICT	:(1) BROOKS

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

APPLICANT: PEACHTREE HOTEL GROUP, LLC
C/O MAHAFFEY PICKENS TUCKER, LLP
1550 N. BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACT: SHANE LANHAM PHONE: 770.232.0000

OWNER: MARY VIRGINIA MIMMS
215 SAVANNA ESTATES COURT
CANTON, GA 30115

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests rezoning from R-100 (Single Family Residence District) to C-2 (General Business District) for the development of a 76,299 square foot hotel on 4.43-acres. The site is located on the western side of North Brown Road, just north of its intersection with Sugarloaf Parkway. The property is wooded and undeveloped.

The proposed site plan indicates the development would consist of a four story 76,299 square foot hotel with 130 rooms. A total of 137 parking spaces are indicated for the hotel which meets the minimum parking requirements for a development of this size.

Access is shown by a single entrance from North Brown Road. The Department notes that a 75-foot wide buffer would be required between the proposed C-2 development and the R-100 zoned property to the north. As part of this request, the applicant proposes elimination of the required buffer adjacent to the northern property line. A detention pond is shown along the western portion of the property adjacent to North Brown Road.

ZONING HISTORY:

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

GROUNDWATER RECHARGE AREA:

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

WETLANDS INVENTORY:

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

OPEN SPACE AND GREENWAY MASTER PLAN:

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 75-foot natural, undisturbed buffer adjacent to residential 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 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.

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.

Section 220-30.3E of the Unified Development Ordinance requires that for developments exceeding 7,500 square feet, primary building facades and entrances shall be located no more than 70-feet from public right-of-way, and shall be oriented to the street and shall provide a sidewalk connecting the front entrance to a continuous sidewalk place parallel to the street.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

North Brown 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.

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.

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.

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 North Brown 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 a 10-inch sanitary sewer main located approximately 44 feet east of parcel R7114 175 in the right-of-way of North Brown Road.

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 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.

DEPARTMENT ANALYSIS:

The applicant requests rezoning from R-100 (Single Family Residence District) to C-2 (General Business District) for the development of a 76,299 square foot hotel on 4.43-acres. The site is located on the western side of North Brown Road, just north of its intersection with Sugarloaf Parkway. The property is wooded and undeveloped.

The 2030 Unified Plan Future Development Map indicates that the property lies within the Existing/Emerging Suburban Character Area extending along North Brown Road to the Sugarloaf Parkway commercial corridor. The proposed development of the site as a hotel may be beneficial to the corridor and consistent with the overall policies and goals of the 2030 Unified Plan by complementing and supporting the nearby commercial, office and civic uses.

The area surrounding the subject site is characterized by commercial, office and single family residential uses along this segment of North Brown Road. The uses within the immediate area consist of hotels, office uses, the Sugarloaf Mills Mall, Infinite Energy Center and single family subdivisions. Adjacent to the north property line is an office building zoned O-I. East across North Brown Road is The Enclave at Stonehaven subdivision, zoned R-ZT. South is Homewood Suites and Hampton Inn zoned O-I and to the west is wooded property which also

contains a cell tower zoned R-100. Several other hotels are located in the area surrounding the Infinite Energy Arena including the Hilton Garden Inn, Courtyard Marriott and a Holiday Inn, located across Interstate I-85. Given the mixture of uses along this segment of North Brown Road, including several existing hotels, and with conditions limiting the use of the property, a hotel use could be appropriate at this location.

In conclusion, if developed in accordance with staff's recommended conditions, this request for C-2 zoning may be consistent with the 2030 Unified Plan policies to support and complement nearby commercial and office uses. Therefore, staff recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as C-2 (General Business District) subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Retail, service-commercial, office, and accessory uses. The following uses shall be prohibited:
 - adult bookstores or entertainment
 - automotive parts stores
 - contractors offices
 - emissions inspection stations
 - equipment rental
 - extended stay hotels or motels
 - recovered materials processing facilities
 - smoke shops/novelty stores
 - tattoo parlors
 - taxidermists
 - yard trimmings composting facilities
 - B. Buildings 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 abide by the following site development considerations:
 - A. Natural vegetation shall remain on the property until the issuance of a development permit.
 - B. 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 signage shall not exceed eight feet in height.
 - C. 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.
 - D. 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.

- E. Billboards or oversized signs shall be prohibited.
- F. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
- G. Outdoor storage shall be prohibited.
- 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. 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.
- J. Outdoor loudspeakers shall be prohibited.
- K. Peddlers and/or parking lot sales 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 DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The requested rezoning and development of the proposed hotel at this location could be compatible with the established commercial uses and complement the civic uses along the Sugarloaf Parkway corridor.

ADVERSE IMPACTS

With the recommended conditions, including use restrictions, adverse impacts on surrounding uses could be minimized.

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 and utility demand.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates that the property lies within the Existing/Emerging Suburban Character Area. The proposed development of the site as a hotel may be beneficial to the corridor and consistent with the overall policies and goals of the 2030 Unified Plan by complementing and supporting the nearby commercial, office and civic uses.

CONDITIONS AFFECTING ZONING

The surrounding area contains a mixture of uses including restaurants, the Sugarloaf Mills Mall, the Infinite Energy Arena and Center and several other commercial, office and civic uses. Given the mixture of uses along this segment of North Brown Road, including several existing hotels, and with conditions limiting the use of the property, a hotel use could be appropriate at this location.

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:

Please see attached

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

Please see attached

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

Please see attached

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

Please see attached

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

Please see attached

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

Please see attached

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

- (A) Yes, the proposed Rezoning Application will permit a use that is suitable in view of the use and development of adjacent and nearby property.
- (B) No, the proposed Rezoning Application will not adversely affect the existing use or usability of any of the nearby properties.
- (C) Applicant submits that the property does have not reasonable economic use as currently zoned.
- (D) No, the proposed Rezoning Application will not result in an excessive or burdensome use of the infrastructure systems.
- (E) Yes, the proposed Rezoning Application is in conformity with the policy and intent of the Gwinnett County 2030 Unified Plan.
- (F) Applicant submits that the commercial/retail nature of the area provides additional support of this Application.

RZC '17 00 6

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DEC 02 2016

Planning & Development



Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Christopher D. Holbrook
Joshua P. Johnson

Shane M. Lanham
Austen T. Mabe
Jeffrey R. Mahaffey
Steven A. Pickens
Andrew D. Stancil
R. Lee Tucker, Jr.
*Of Counsel

**LETTER OF INTENT FOR
REZONING APPLICATION OF PEACHTREE HOTEL GROUP, LLC**

The Applicant, Peachtree Hotel Group, LLC, submits this Rezoning Application for the purpose of rezoning to the C-2 zoning classification an approximately 4.43 acre tract (the "Property") located on North Brown Road near its intersection with Sugarloaf Parkway. The Property is currently zoned R-100.

The use and development of the Property as R-100 is not economically feasible and is not the highest and best use of the Property. It would be impossible to develop and market the Property for use consistent with the R-100 zoning in light of its location immediately adjacent to an expanding commercial corridor at a major intersection. The development of the Property as a C-2 development under the guidelines of Gwinnett County is appropriate for the subject tract and is consistent with the surrounding property. The Applicant intends to develop the Property as a limited service, all-suite hotel within the Hilton family of hotels.

Applicant also requests a buffer reduction to zero feet along the along the common property lines (southerly and westerly boundaries) with property owned by Gwinnett County (parcel number 7115 008A) and submits herewith a site plan reflecting the areas which are the subject of this buffer reduction request.

The development of the Property in accordance with a C-2 designation provides the appropriate type of zoning within the Sugarloaf Parkway and North Brown Road commercial corridors. The proposed use is consistent with the intent of the zoning ordinance for C-2 use.

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

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DEC 02 2016

Planning & Development

RZC '17 00 6

The requested rezoning will have no adverse impact on the current or contemplated uses of nearby or surrounding properties.

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

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham
Attorneys for Applicant

RZC '17 00 6

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DEC 02 2016

Planning & Development



PHILLIPS
architects + engineers

7/20/14/15



FRONT ELEVATION
SCALE: 1/8" = 1'-0"



SIDE ELEVATION
SCALE: 1/8" = 1'-0"

DATE: 12/2/15
DESCRIPTION:

DATE	DESCRIPTION



PROPOSED VERSION 02 MAY 2015

4 STORY / 152,000 SQ FT
CENTER ENTRY
W/ EXTERIOR PISO

N BROWN ROAD
LAWRENCEVILLE,
GEORGIA

PEACHTREE HOTEL
GROUP

2790 PERIMETER PLAZA
8601 OLIVERHURST DRIVE, SUITE 400
ATLANTA, GA 30328

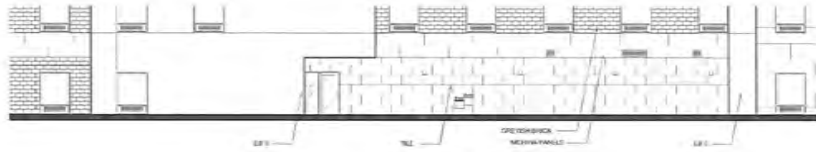
DATE: 02 MAY 2015	1523480
SCALE: 1/8" = 1'-0"	12/02/15
PROJECT: PHASE 2	12/02/15
DESIGNER: PHILLIPS	ADAM

EXTERIOR ELEVATIONS

A-4.1

12/2/15
Received December 2, 2015
Planning and Development

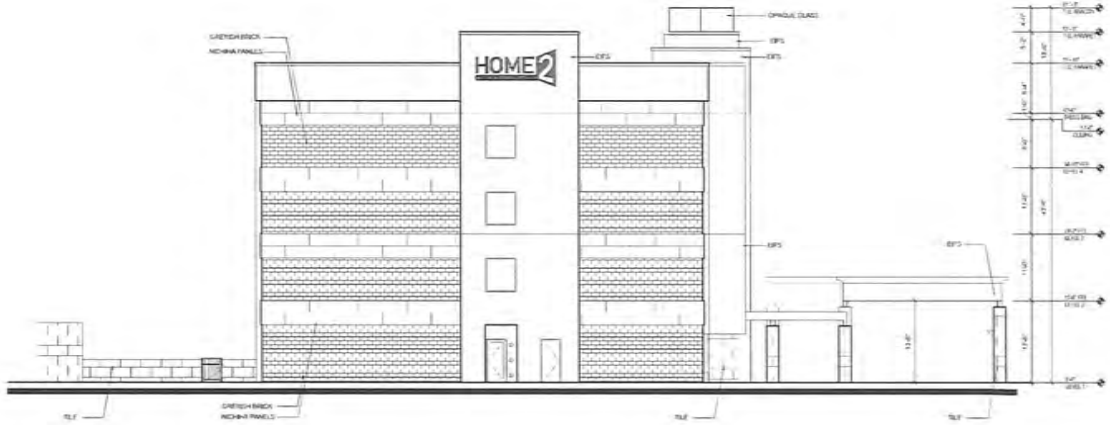
THE PHILLIPS ARCHITECTS AND ENGINEERS
1000 W. Peachtree Street, Suite 1500
Atlanta, Georgia 30308



REAR ELEVATION @ POOL
SCALE: 3/16" = 1'-0"



REAR ELEVATION
SCALE: 3/16" = 1'-0"



SIDE ELEVATION
SCALE: 3/16" = 1'-0"



PHILLIPS
architects + engineers

770.241.1414

PROJECT NO. _____

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DESCRIPTION _____

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PROTOTYPE VERSION 22 MAY 2014

4 STORY, 130 UNITS
CENTER ENTRY
W/ EXTERIOR POOL

N BROWN ROAD
LAWRENCEVILLE,
GEORGIA

PEACHTREE HOTEL
GROUP

TWO PERIMETER PLAZA
5601 CLEMENS DRIVE, SUITE 401
ATLANTA, GA 30347

PHILLIPS ARCHITECTS + ENGINEERS
1000 N. W. 10TH ST.
SUITE 1000
ATLANTA, GA 30309

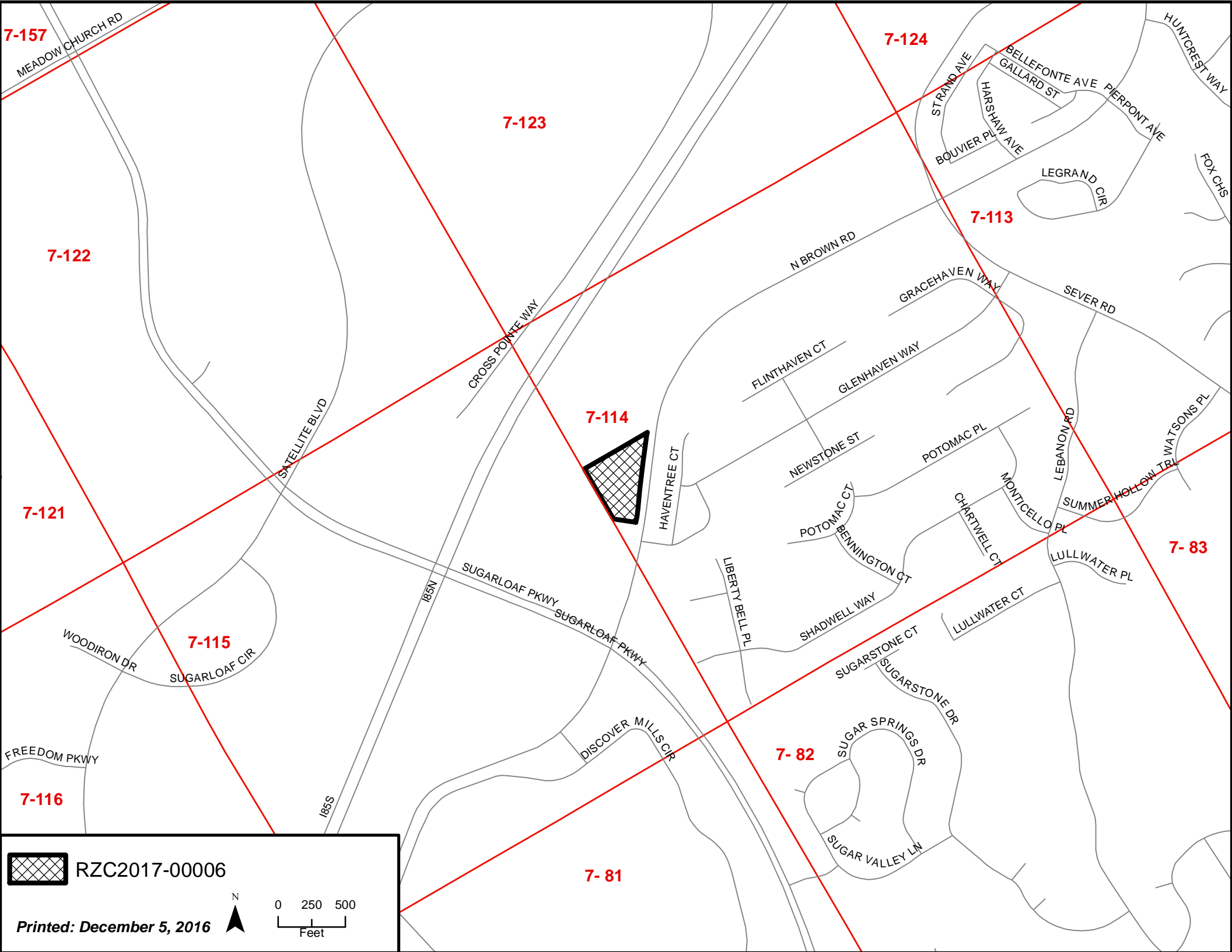
EXTERIOR
ELEVATIONS

SHEET NO. 404

A-4.2

THE PHILLIPS ARCHITECTS + ENGINEERS
1000 N. W. 10TH ST., SUITE 1000
ATLANTA, GA 30309

22C2117-0006
Revised December 2, 2014
Planning and Development



7-157

7-124

7-123

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7-121

7-114


7-83

7-115

7-82

7-116

7-81

 RZC2017-00006



0 250 500
Feet

Printed: December 5, 2016

MAP SCALE 1" = 50'

FIRM
FLOOD INSURANCE RATE MAP
CHWENNETT COUNTY,
GEORGIA
AND INCORPORATED AREAS

PANEL 07 OF 102

MAP NUMBER
CHWENNETT
EFFECTIVE DATE
SEPTEMBER 23, 2005

JOHN PARCEL CITY

SITE INFORMATION

PROPOSED SITE AREA
GROSS AREA: 4.0 ACRES
NET AREA: 4.0 ACRES

ZONING
RESIDENTIAL MEDIUM-DENSITY
SINGLE-FAMILY DETACHED DWELLINGS
SUPERSEDES SITE REGULATIONS APPLICABLE
RECORDING REFERRED TO G-2 TO ALLOW FOR NOTES

PROPOSED PARKING
PHASE 1 SPACES PER UNIT: 20 SPACES
PHASE 2 SPACES PER UNIT: 20 SPACES
PARKING STALLS: 4 x 8'

PROPOSED PARKING
REGULAR PARK: 20 SPACES
ACCESSIBLE PARK: 2 SPACES
TOTAL: 22 SPACES

DEVELOPER'S REQUIREMENTS
SIDE YARD: 10' MIN. (20' SIDEWALK)

REQUIREMENTS TO NOTES

REQUIRED BUILDING SETBACKS PER G-2 ZONING
FRONT SETBACK: 10' - THE SHARPER SETBACK BETWEEN THE BUILDING OR PORCH UP TO THE FRONT OF THE LOT

SIDE YARD - TO ADHERE TO THE ABOVE RESIDENTIAL ZONING AND A 20' SIDE YARD IS REQUIRED

REAR YARD - TO ADHERE TO THE ABOVE RESIDENTIAL ZONING AND A 20' SIDE YARD IS REQUIRED

IF PROPOSED SETBACK TO THE ADJACENT PROPERTY IS REQUIRED

LANDSCAPE REQUIREMENTS
PLANT SPECIFICATIONS

REQUIREMENTS TO NOTES
SPECIAL USE PERMIT IS REQUIRED FOR A QUARTER HOUSE.



N BROWN ROAD & SUGARLOAF PARKWAY
LAWRENCEVILLE, GEORGIA
CHWENNETT COUNTY
LAND LOT 114, 7th DISTRICT

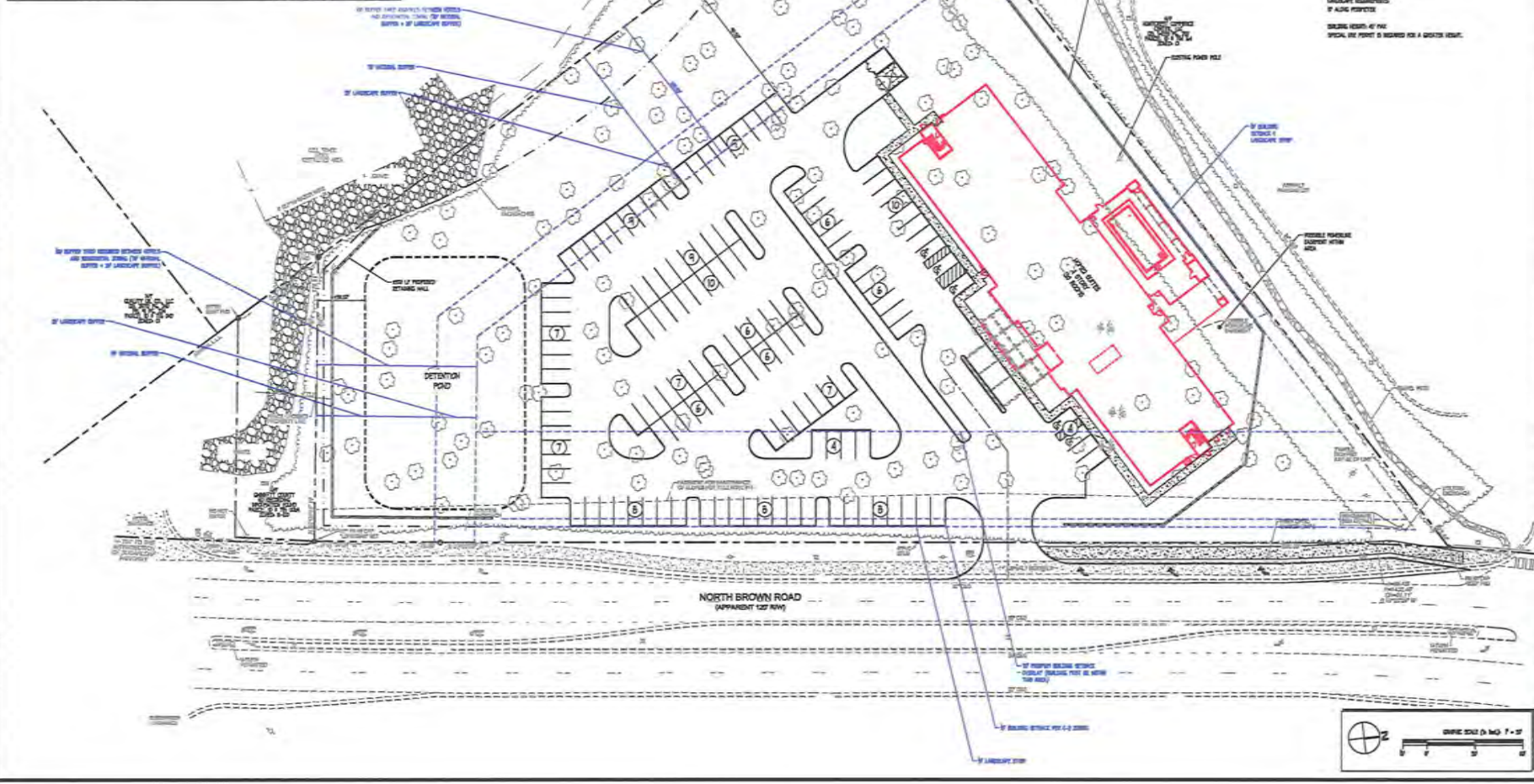
HOME2
SUITES BY HALTON

PEACHTREE HOTEL GROUP
5401 CLEGG DRIVE
SUITE 400
ATLANTA, GEORGIA 30326
(404) 491-436

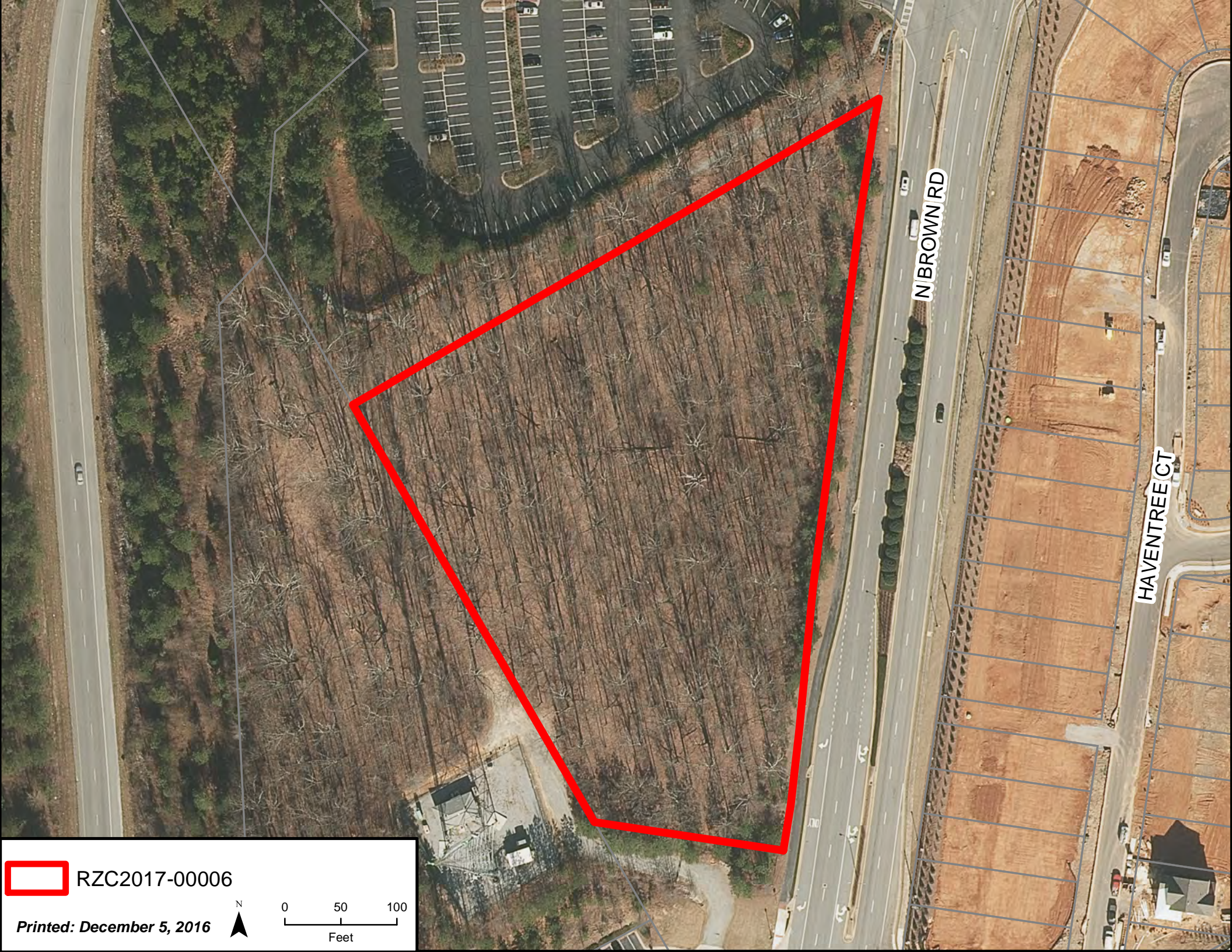
REVISION HISTORY

NO.	DATE	DESCRIPTION
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4	10/10/10	ISSUED FOR PERMIT
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100	10/10/10	ISSUED FOR PERMIT

PRELIMINARY
SITE PLAN




RZC 17006




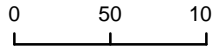
N BROWN RD

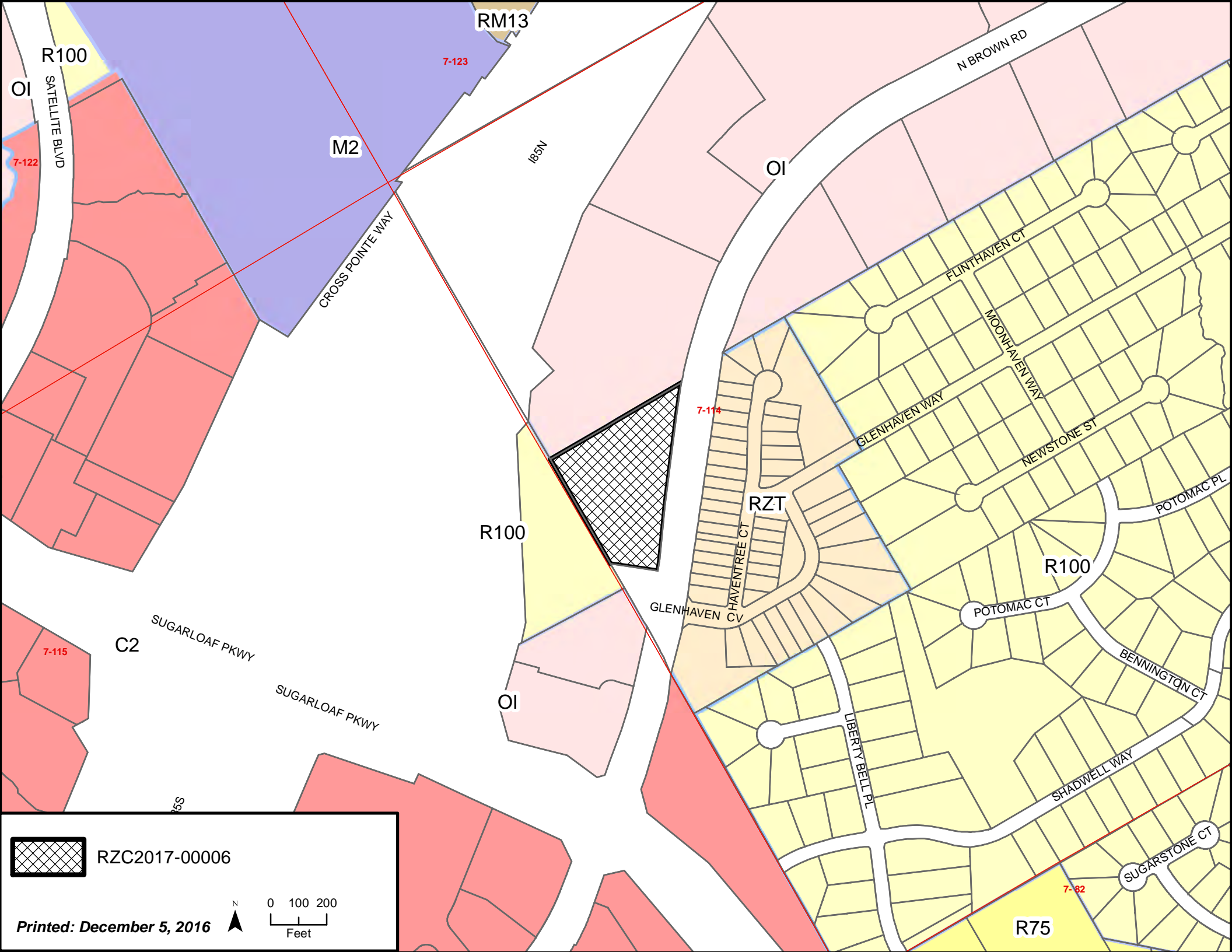
HAVENTREE CT

 RZC2017-00006

Printed: December 5, 2016

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Feet



RM13

R100

M2

7-123

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OI

N BROWN RD

CROSS POINTE WAY

FLINTHAVEN CT

MOONHAVEN WAY

GLENHAVEN WAY

NEWSTONE ST

POTOMAC PL

R100

RZT

R100

7-114

HAVENTREE CT

GLENHAVEN CV

POTOMAC CT

BENNINGTON CT

SUGARLOAF PKWY

C2

SUGARLOAF PKWY

OI

LIBERTY BELL PL

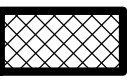
SHADWELL WAY

155S

7-82

SUGARSTONE CT

R75



RZC2017-00006



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Feet

Printed: December 5, 2016

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

CASE NUMBER	: RZM2017-00002
ZONING CHANGE	:C-2 TO R-TH
LOCATION	:4500 BLOCK OF SATELLITE BOULEVARD
MAP NUMBERS	:R6211 224 & 225
ACREAGE	:4.49 ACRES
UNITS	:35 UNITS
PROPOSED DEVELOPMENT	:TOWNHOMES
COMMISSION DISTRICT	:(1) BROOKS

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

APPLICANT: NDI DEVELOPMENT, LLC
C/O ANDERSEN, TATE & CARR, PC
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GA 30097

CONTACT: R. MATTHEW REEVES, ESQ. PHONE: 770.822.0900

OWNER: PARAGON TOWN CENTER, LLC
C/O ANDERSEN, TATE & CARR, PC
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GA 30097

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests rezoning of a 4.49-acre, two-parcel assemblage from C-2 (General Business District) to R-TH (Single Family Residence Townhouse District) to construct a townhouse development. The property is located on the south side of Satellite Boulevard south of its intersection with Hopkins Mill Road.

The proposed 35-unit townhome development would result in a net density of 7.95-units per acre. The applicant states that the townhomes would be two to three stories in height and would have two-car garages at minimum. The design of the development proposes access to the garages via alleys, with the front of the townhome units facing one another. According to the letter of intent, the proposed townhome project is to compliment and support the existing Paragon Shopping Center, and allowing the properties to have connectivity with this property as well as to the future Beaver Ruin park site to the south.

Stormwater detention is proposed to be located adjacent to the southern property line. The site plan indicates that there is documented flood hazard along the western and southern property lines totaling to 0.09 acres. A 25-foot landscape setback is proposed along the front

of the property along Satellite Boulevard, where a 50-foot setback is required and variance permit approval will be required. Access to the site is proposed from a single entrance driveway along Satellite Boulevard, and an interior driveway access point to the Paragon shopping center to the east. A 40-foot building setback will be provided along the western side of the property, which includes the required 30-foot landscape buffer. A 40-foot building setback is also noted along the southern (rear) property line adjacent to the future park site.

ZONING HISTORY:

The property has been zoned C-2 since 1970. In 2006, a request for a Buffer Reduction from 75 feet to zero feet was approved in conjunction with other C-2 zoned properties to the east and south (BRD2006-00002). In 2008, a Special Use Permit was approved allowing a building height increase for a proposed six-story hotel project that was never built (SUP2008-00024). In 2014, Special Use Permit approval was granted for outdoor storage and display on the subject site by The Paragon at Satellite shopping center to the east (SUP2014-00054).

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:

The property is adjacent to a future park and trail connections may be required at the time of development. In addition, the developer may be required to install a multiuse path on Satellite Boulevard.

DEVELOPMENT REVIEW SECTION COMMENTS:

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 900-90 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 landscape front setback of 50 feet appears to not be met. The applicant must either revise the site plan, or seek a Variance from the Zoning Board of Appeals.

Internal yard requirements. A 20-foot grassed or landscaped strip shall be provided between all buildings and interior driveways/streets (Unified Development Ordinance Section 210-100.6.8).

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.

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.

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.

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 Satellite Boulevard.

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 a 27-inch sanitary sewer main located approximately 96 feet south of parcel R6211 224 on parcel R6210 016 and an eight-inch sanitary sewer main located approximately 89 feet north of parcel R6211 221 in the right-of-way of Satellite Boulevard.

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

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

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

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

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject property is located on the southern side of Satellite Boulevard, south of its intersection with Hopkins Mill Road. The property is undeveloped, and has been previously graded and cleared for use as outdoor storage. The applicant is requesting rezoning from C-2 to R-TH for a 35-unit townhome development at a density of 7.95 units per acre.

The 2030 Unified Plan Future Development Map indicates the site is located within a Regional Mixed-Use Character Area. Considering the County's most intense mix of commercial, employment and residential developments, this Character Area encourages specifically High and Medium Density residential developments which may include townhouses. The proposed R-TH zoning to allow for a 35 unit townhome project may comply with the 2030 Unified Plan Character Area recommendations.

The surrounding area is characterized by commercial/retail uses with multi- and single-family residential development along this segment of Satellite Boulevard. To the north, across Satellite Boulevard is the Hopkins Ridge subdivision, zoned R-TH, and a C-2 property developed with a shopping center. To the north of the shopping center is also R-TH zoned property, which received approval in 2006 for a 34-unit development, but has not been constructed. To the east of the property is the Paragon Shopping Center, with a C-2 zoning, which has already been constructed with a driveway that could connect to the proposed new townhouse development. To the south is vacant property zoned C-2 and owned by the County for future use as Beaver Run Park. To the west is residential property zoned R-75 (Single-Family Residence District) developed as part of the Hickory Ridge subdivision. The proposed project would be compatible with the existing development of the area and could act as a transition between the commercial development to the east and single-family residential uses to the west.

In conclusion, the proposed townhome development may be consistent with the character of the area and surrounding development, as well as the policies of the 2030 Unified Plan. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the proposed project.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as R-TH for a townhome development, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Attached townhouse dwellings and accessory uses not to exceed 35 units for a maximum net density of 7.95 units per acre
 - B. Buildings shall be constructed of brick or stacked stone on four sides, with minor treatments (i.e., gables, bay windows, chimneys) of fiber-cement shake or siding. Architectural elevations shall be submitted for review and approval by the Director of Planning and Development.
 - C. The minimum heated floor area per dwelling shall be 1,800 square feet.
 - D. All dwellings shall have at least a double-car garage. All units shall provide sole access via alleys and shall have rear-entry garages.
 - E. A mandatory homeowners association shall be incorporated which provides for building and grounds maintenance, repair, insurance and working capital. Said association must also include declarations and by laws including rules and regulations which shall at minimum regulate and control the following:
 1. Exterior home maintenance to include roofing and painting.
 2. All grounds and common area maintenance, including detention facilities.
 3. Exterior fence maintenance to include the requirement that any graffiti shall be repaired and repainted within 72 hours.
 4. Restrictions on single-family residential use only of units. No more than ten percent of the total units may be leased by individual owners at any time.
2. To satisfy the following site development considerations:
 - A. All grassed areas shall be sodded.
 - B. All utilities shall be placed underground.
 - C. The Satellite Boulevard frontage and project entrance shall be landscaped by the developer and maintained by the Homeowner's Association. Entrance shall include a masonry entrance feature. The fence may be constructed as a solid brick or stacked stone wall, or as a wrought iron-style fence with brick or

stacked stone columns (max. 30-feet on-center). Landscape, entrance feature, and fencing plans shall be subject to review and approval of the Director of Planning and Development.

- D. Natural vegetation shall remain on the property until the issuance of a development permit.

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

- A. Dedicate, at no cost to Gwinnett County, all necessary right-of-way and easements for the future construction of the Beaver Ruin Park through the property. Right-of-way/easement width and location shall be located outside of stream bank setbacks and are subject to review and approval by the Gwinnett Department of Community Services.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The requested rezoning and proposed townhomes could be suitable if the homes are constructed in a manner that compliments and supports the existing Paragon Shopping Center, as conditioned.

ADVERSE IMPACTS

As conditioned, the construction of townhomes that comply with the architectural and building standards of the Unified Development Ordinance should not adversely impact the surrounding area.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

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

CONFORMITY WITH POLICIES

Townhomes could be consistent with the 2030 Unified Plan, which encourages High and Medium Density residential developments within the Regional Mixed-Use character area.

CONDITIONS AFFECTING ZONING

The proposed townhomes could act as a transition between existing commercial and residential development, and there is existing townhome development approved in the surrounding 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:

See Exhibit "B"

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

See Exhibit "B"

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

See Exhibit "B"

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

See Exhibit "B"

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

See Exhibit "B"

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

See Exhibit "B"

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APPLICANT'S RESPONSES IN SUPPORT
PARAGON - RZM2017-00002

- 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 development would be entirely consistent with the adjacent and nearby property uses, which are a mixture of commercial, office and residential uses, as well as other high-density attached residential apartment uses located in the vicinity of the subject property in the Satellite Blvd. corridor. The introduction of residential options will provide new customers for existing restaurant and commercial uses in this area.

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

No, this request proposes a development that is entirely compatible with the adjoining and nearby properties and will not adversely affect these properties. New residential and senior options will provide a much needed base of new customers for the numerous commercial and restaurant uses in the area, energizing the existing commercial base.

The subject Property has remained vacant and is surrounded by existing and more intense commercial uses, two major arterial roads with access to I-85. The proposed development provides a less-intense, transitional use to nearby residential uses and further insulates those uses from the potential of a more intense commercial use on this property.

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

No. There is no current or foreseeable future market demand for the subject property and no reasonable economic use under the subject property's current zoning, especially due to the over-saturation of commercial development in the area.

- 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, this property is located in an area with public water and sewer availability, and convenient access to major thoroughfares and near a major interstate highway interchange. This rezoning will not cause excessive use of

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Received December 7, 2017
Planning and Development

existing streets, transportation facilities or utilities and since the residential component of the proposed development will be marketed towards and designed primarily to serve young professionals, empty-nesters and seniors, and there will be little if any impact on the schools.

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

Yes. The Gwinnett 2030 Unified Plan has designated the I-85 corridor as well as the specific area within which this property is located for office, residential developments, making this request entirely consistent with the Plan's guidelines for this area.

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.

Yes. The property has been zoned for more intense uses and has remained vacant. The proposed uses will address the needs and improve property values in the area. The 2030 Unified Plan has designated the I-85 corridor as well as the specific area within which this property is located for higher density residential development, making this request entirely consistent with the Plan's guidelines for this area.

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RZM2017-00002
Received December 7, 2017
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MARIAN C. ADEIMY
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December 2, 2016

VIA HAND-DELIVERY AND E-MAIL

Gwinnett County
Department of Planning and Development
446 West Crogan Street, Suite 225
Lawrenceville, Georgia 30045

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LETTER OF INTENT
NDI DEVELOPMENT, LLC (Townhomes at Paragon)
REQUEST FOR REZONING FROM C-2 TO R-TH
Satellite Blvd., Duluth, GA 30096

RZM '17 002

Dear Planning staff:

The Applicant, NDI Development, LLC (hereinafter, "Applicant"), submits this request to rezone the property located near Satellite Blvd. and Indian Trail Road, Duluth, GA, from C-2 to R-TH, for a 35 unit townhome development on the approximately 4.5 acre site adjacent to the Paragon shopping center (hereinafter, the "Property").

I. Rezoning Plan:

The proposed townhomes would include larger, open floor plans, high-end materials and finishes, and two – three stories in height. They will include a minimum two-car garage. The proposed townhome use would complement and support the existing Paragon shopping center. While Paragon currently contains some retail and restaurant options, there is no residential option for young professionals and empty-nesters to support the existing retail center and convenient location the Property offers. The Property is also located near a future Gwinnett County park, which could serve as an amenity and connection to the larger, future mixed-use development.

On the whole, Gwinnett County has very few upscale developments which include office, commercial and residential options. This underserved market of young professionals is exactly the sort of demographic that Gwinnett needs to attract to maintain its vibrancy. Similarly, the County has residents looking to downsize as empty nesters.

The introduction of a quality townhomes at this location will introduce new customers for the restaurants and commercial uses already in this area, energize the commercial base and make those existing businesses and restaurants even more viable. The future of the I-85 corridor depends on the influx of active community members who will gravitate to our project and are exactly the demographic that can bring new vitality to Gwinnett.

Moreover, the Gwinnett 2030 Unified Plan has designated the specific area within which this property is located as a commercial corridor, for higher density residential and mixed-use developments, making this townhome request entirely consistent with the Plan's guidelines for this area. The property has access to a public water supply, public sanitary sewer, and convenient access to collector streets, major thoroughfares and an interstate highway. The subject property is also located near primary and easily accessible transportation routes.

II. Constitutional Objections

In order to preserve their constitutional objections, the Applicant and Owner outline those potential objections herein. The portions of the Gwinnett County Unified Development Ordinance, as amended, (the "UDO") which classify or condition the Subject Property into any more or less intensive zoning classification and/or zoning conditions other than as requested by the Applicant and property owner are and would be unconstitutional in that they would destroy the Applicant's and Property Owner's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, the Equal Protection and Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Gwinnett County Board of Commissioners to approve the Applicant's and Property Owner's requested rezoning request and related variances, with only such additional conditions as agreed to by the Applicant, so as to permit the only feasible economic use of the Subject Property, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Due Process and Equal Protection Clause of the Fourteenth Amendment to the Constitution. A denial of the requested rezoning will deny the Applicant and Property Owner an economically viable use of the Property while not substantially advancing legitimate state and County interests.

The 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.

Respectfully submitted,

ANDERSEN, TATE & CARR, P.C.

Marian C. Adeimy
Attorney for the Applicant/Paragon Town Center

Enclosures (*Application packet*)
cc: Lisa Reeves
Taylor Anderson

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Planning & Development

Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, February 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	
RZM2017-00002	Norcross HS	3779	2,600	1,179	3873	2,600	1,273	3970	2,600	1,370	11
	Summerour MS	1667	1,675	-8	1718	1,675	43	1771	1,675	96	8
	Beaver Ridge ES	1273	1,150	123	1298	1,150	148	1324	1,150	174	16
RZM2017-00003	Parkview HS	3021	2,500	521	3082	2,500	582	3143	2,500	643	37
	Trickum MS	2073	1,775	298	2104	1,775	329	2136	1,775	361	26
	Mountain Park ES	543	450	93	554	450	104	565	450	115	50

Current projections do not include new developments

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TOWNHOMES VIEWED FROM THE NORTH ON SATELLITE BO

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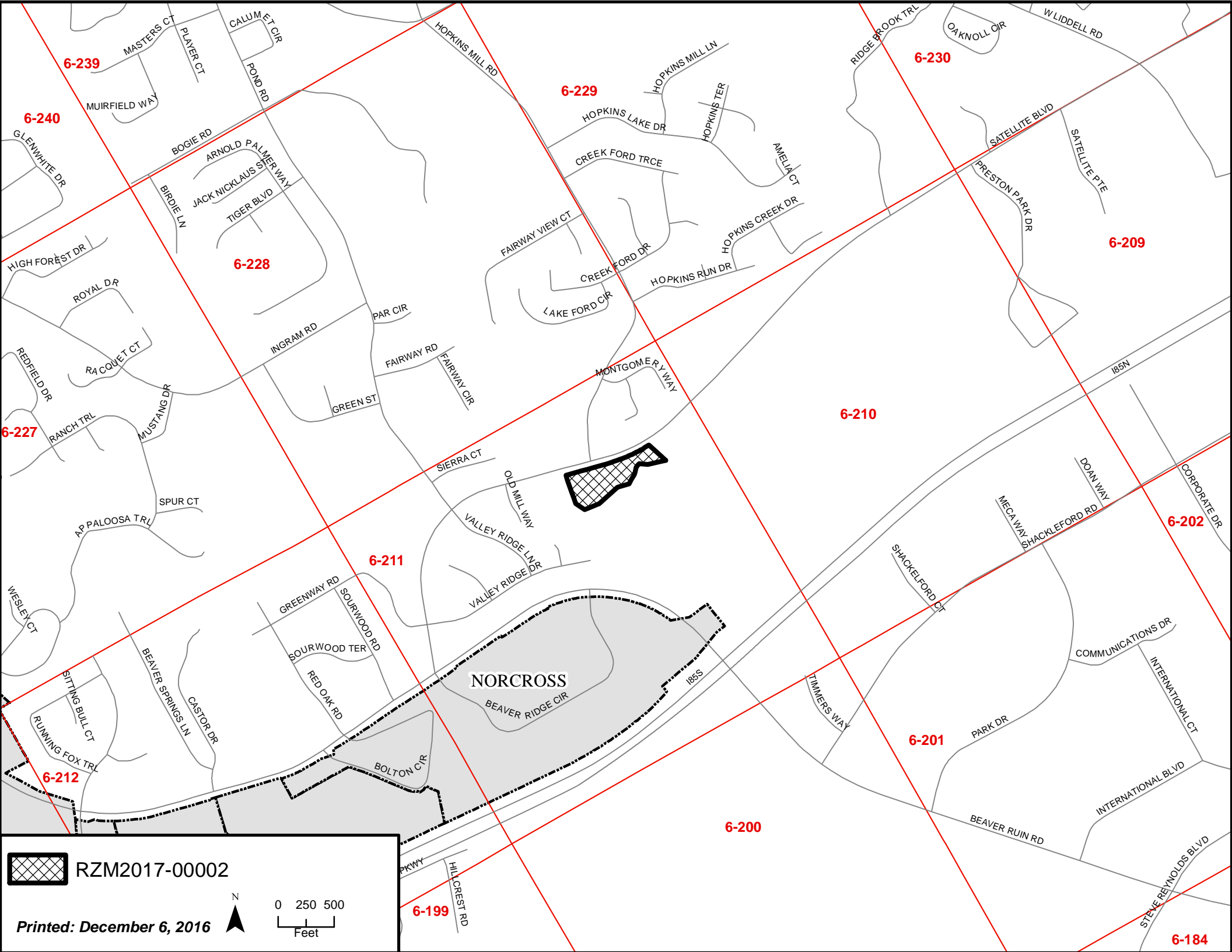
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OWNHOMES
USE





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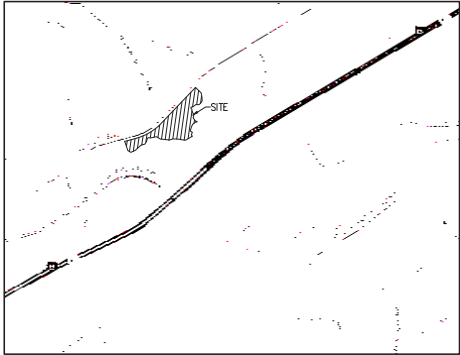
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 RZM2017-00002



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Printed: December 6, 2016



VICINITY MAP
SCALE: NTS
SOURCE: USGS

- R-TH Single-Family Residence Townhouse District minimum requirements:**
1. Maximum density: Eight units per acre;
 2. Lot Area = No Minimum for townhomes or villas;
 3. Lot Width = No Minimum for townhomes or villas;
 4. Internal Road Frontage = No Minimum;
 5. External Road Frontage For Overall Development = 50 feet
 6. Minimum unit width:
 - a. 22 feet for double-car garage townhomes,
 - b. 18 feet for single-car garage townhomes,
 - c. 40 feet for villas.
 7. Maximum height: 35-feet for townhomes or villas;
 8. Internal yard requirements: A 20-foot grassed or landscaped strip shall be provided between all buildings and interior driveways/streets.
 9. External yard requirements:
 - a. Front yard: 20-foot
 - b. Side yard: 40-foot
 - c. Rear yard: 40-foot
 10. Provide three or more off-street parking spaces per dwelling unit for townhomes and villas. At least 80 percent of required parking areas for overall development must be located directly in the front or rear of the dwelling units. The balance of the parking spaces may be located in a parking facility separated from the units. All townhome and villa units shall require at least single-car garages.
 11. All grassed areas shall be sodded.
 12. Provide sidewalks adjacent to both sides of interior streets or private driveways. Design shall be per Development Regulations.
 13. A minimum of three and maximum of eight dwelling units shall be allowed in each row of townhomes. Villas shall have a minimum of three units and a maximum of four units per building.
 14. All utilities shall be placed underground.
 15. A 50-foot wide landscaped setback shall be provided along all exterior street frontages. The landscaped setback may incorporate natural vegetation and shall include a decorative fence/wall and entrance monument. The fence may be constructed as a solid brick or stacked stone wall, or as a wrought-iron-style fence with brick or stacked stone columns (maximum 30-foot on-center).

PARCEL DATA

TRACT	PARCEL ID	ACREAGE	CURRENT ZONING	REQUESTED ZONING
TRACT 4A	6211 224	3.8	C-2	RTH
TRACT 4B	6211 225	0.7	C-2	RTH

TOTAL ACRES TO BE REZONED: 4.5±

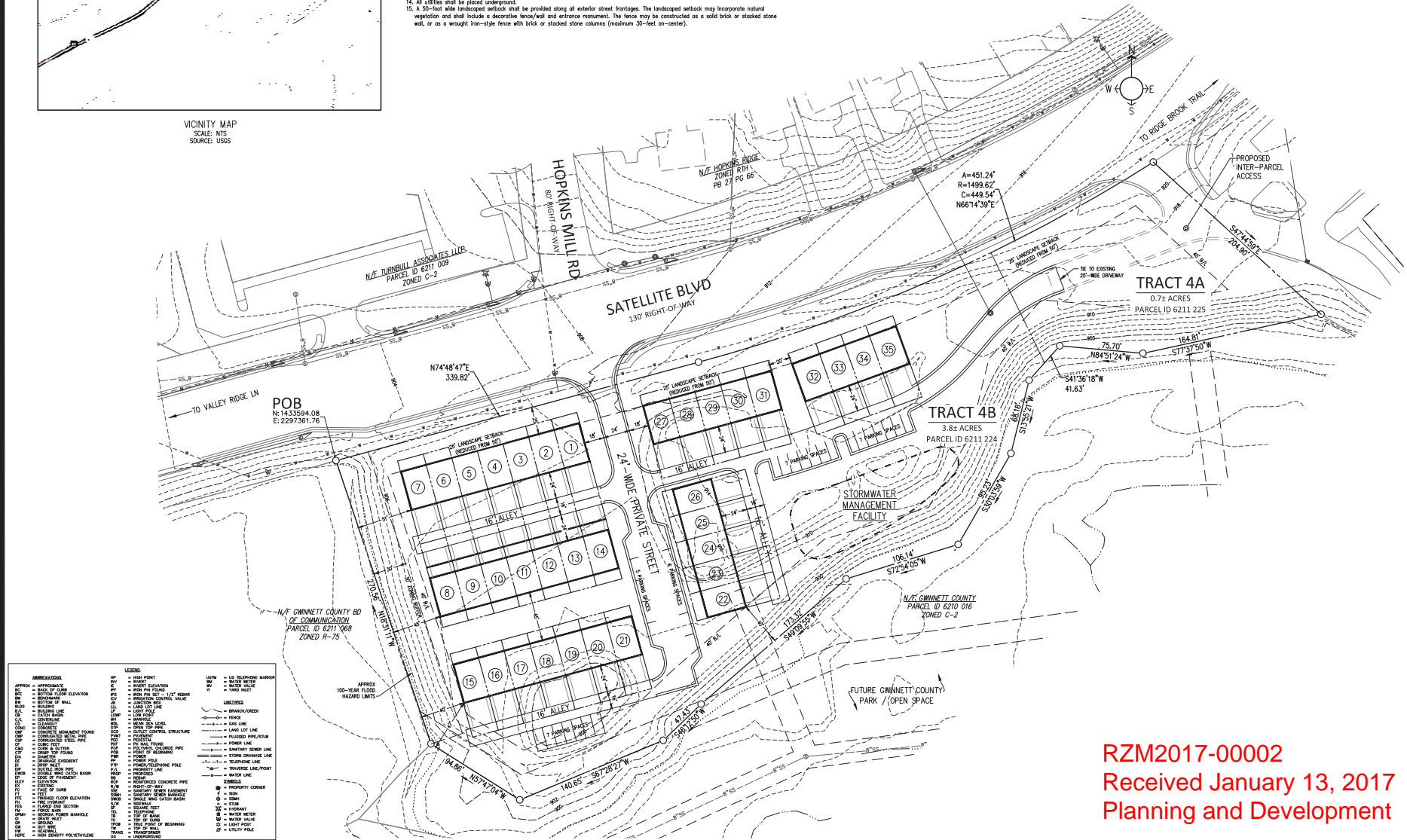
TOTAL PROPOSED SINGLE FAMILY DWELING UNITS: 35

PROPOSED DENSITY = 7.8 UNITS/ACRE (7.95 UNITS/ACRE ACCOUNTING FOR FLOOD HAZARD AREA)

PROPOSED COMMON AREA = 2.97 AC (66%)

GENERAL NOTES

1. CURRENT ZONING IS C-2 (COMMERCIAL). PROPOSED ZONING IS R-TH (RESIDENTIAL TOWNHOUSE).
2. ALL PROPOSED ITEMS SHOWN ARE FOR CONCEPTUAL PURPOSES ONLY. FINAL SITE DESIGN IS SUBJECT TO CHANGE.
3. THERE IS FLOODPLAIN ON THE SUBJECT PROPERTY ACCORDING TO FEMA FLOOD MAP PANEL 13135C0083, EFFECTIVE 9/29/2006. THE TOTAL AREA IN FLOOD HAZARD IS APPROXIMATELY 4,000 SF (0.09 ACRES).
4. THE PROPOSED TOWNHOUSE COMMUNITY WILL BE CONNECTED TO OGNWETT COUNTY GRANTY SANITARY SEWER AND OGNWETT COUNTY WATER SUPPLY.
5. THE PROPOSED TOWNHOUSE DEVELOPMENT WILL HAVE ON-SITE STORMWATER MANAGEMENT.
6. GAS, PHONE, ELECTRIC AND OTHER COMMON INFRASTRUCTURE WILL BE PROVIDED BY THE LOCAL UTILITY CARRIER.



PROJECT NO:
NOT FOR DEVELOPMENT

ISSUE #	DATE	REVISIONS
1	11/17/16	SUBMIT FOR GOVERNMENT REVIEW
2	12/02/16	FOR SCHEMATIC DEVELOPMENT
3	12/02/16	FINAL SCHEMATIC DESIGN
4	01/27/17	FOR ZONING MATTER & FLOODPLAIN

SCALE: 1" = 40'

PARAGON TOWN CENTER

PROJECT NO: 2016.01

SHEET 1 of 1

RZM2017-00002
Received January 13, 2017
Planning and Development



HOPKINS MILL RD

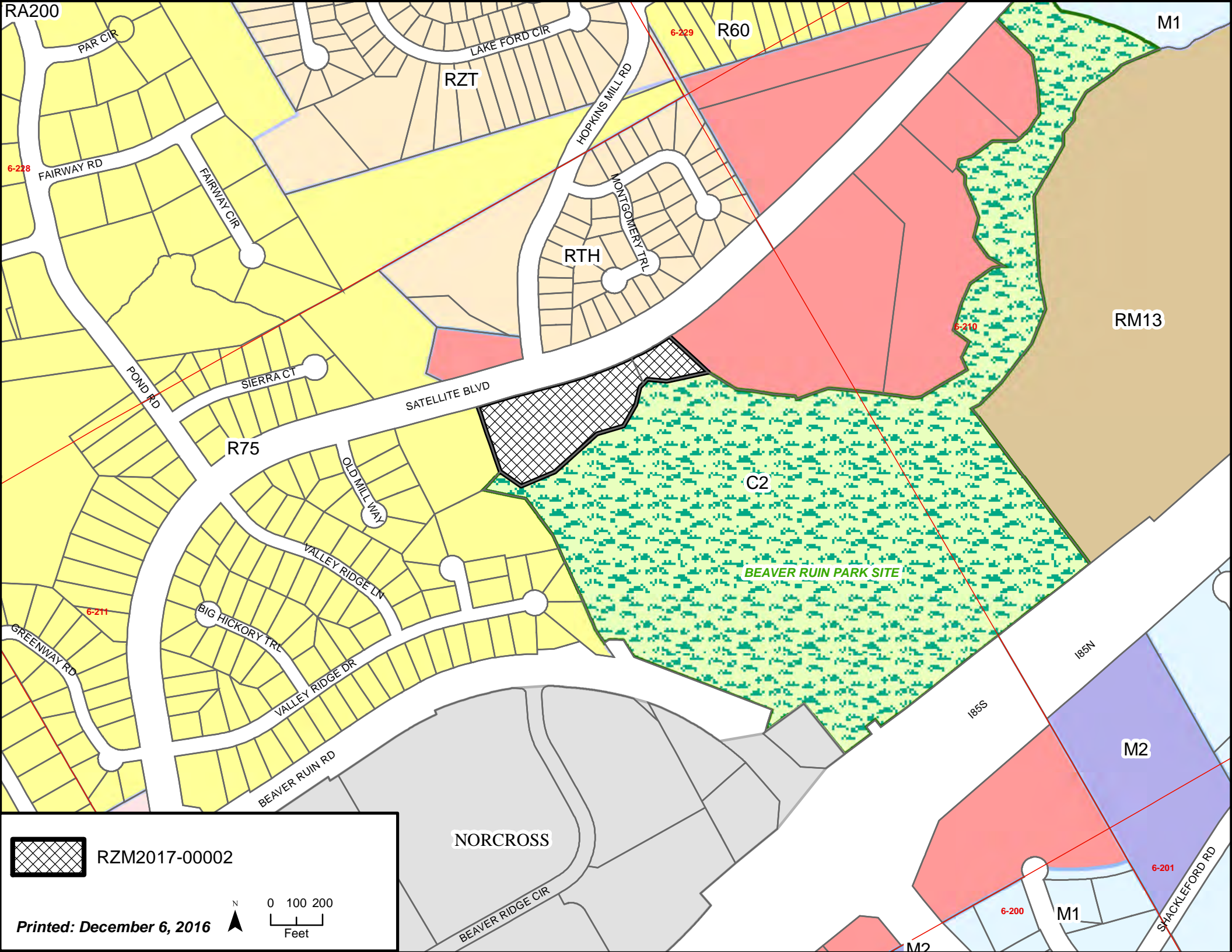
SATELLITE BLVD

 RZM2017-00002

Printed: December 6, 2016

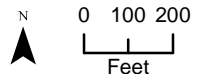
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 RZM2017-00002

Printed: December 6, 2016



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

CASE NUMBER :**RZM2017-00005**
ZONING CHANGE :M-I TO RM-24
LOCATION :4100 BLOCK OF SATELLITE BOULEVARD
:2000 BLOCK OF SATELLITE POINTE
:INTERSTATE 85 SOUTH
MAP NUMBER :R6209 001A
ACREAGE :20.12 ACRES
UNITS :292 UNITS
PROPOSED DEVELOPMENT :APARTMENTS
COMMISSION DISTRICT :(1) BROOKS

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

APPLICANT: GWINN-LIDELL ASSOCIATES, LLC
C/O PHILIP WEENER, ESQ., WEENER & NATHAN, LLP
5887 GLENRIDGE DRIVE, SUITE 275
ATLANTA, GA 30328

CONTACT: MARIAN C. ADEIMY, ESQ. PHONE: 404.543.2686

OWNER: GWINN-LIDELL ASSOCIATES, LLC
2197 CANTON ROAD, SUITE 2600
MARIETTA, GA 30066

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant is requesting to rezone a 20.12-acre undeveloped tract from M-I (Light Industry District) to RM-24 (Multifamily Residence District) to construct a 292 unit multifamily apartment complex. The property is heavily wooded and is located at the end of Satellite Pointe, on the south side of Satellite Boulevard, and along the north side of Interstate 85.

The applicant requests 292 units, resulting in a gross density of 14.68 units per acre. As the property contains 6.45 acres of floodplain, the development could have a net density of 16.30 units per acre. There is an existing stream, Bromolow Creek (identified as North Run Beaver Ruin Creek on the site plan), which runs along the western property line, and all proposed development is outside of the required stream buffers, including the proposed detention pond. The site will be solely access via Satellite Pointe, with a clubhouse and pool located near the entrance, ten residential buildings, and a mail kiosk. A total of 532 parking spaces are proposed, resulting in 1.82 spaces per dwelling unit. The ten apartment buildings are proposed with two and three story elevations, constructed with a combination of brick and EIFs exteriors and asphalt shingles.

ZONING HISTORY:

The property has been zoned M-I since 1970. In October 1987, the Board of Commissioners approved a Special Use Permit to allow for one billboard on the property (SUP-84-1987).

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 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 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 700-40.1A 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.

STORMWATER REVIEW SECTION COMMENTS:

The property appears to contain stream buffers and floodplain. The proposed conceptual plan may require revision to show the appropriate stream buffer and floodplain areas. All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

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

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

Provide a Cul-de-sac turn around on Satellite Pointe prior to gated access.

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 west right-of-way of Satellite Pointe crossing through parcel R6209 045 leading into parcel R6209 001A.

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 and 36-inch sanitary sewer main located on parcel R6209 001A.

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, Design 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.

DEPARTMENT ANALYSIS:

The subject property is located at the end of Satellite Pointe, on the south side of Satellite Boulevard, and along the north side of Interstate 85 consisting of 20.12 acres. The site is currently undeveloped and heavily wooded.

The Gwinnett County 2030 Unified Plan Future Development Map indicates that this property is within the Regional Mixed-Use Character Area. Policies for this character area encourage higher density residential zonings and for those developments to be located along arterial roadways. Satellite Boulevard is a major arterial road off which the subject property is accessed, and the property is bordered to the south by Interstate 85. The requested RM-24 rezoning and construction of a multifamily residential complex would be consistent with the intent of the 2030 Unified Plan's policies and recommendations for this character area.

The immediate area consists of a mix of high density residential development in close proximity to an intense commercial corridor with access to Interstate 85. To the west is the Portico Apartment complex zoned RM-13 and developed with 440 units at a density of 10.52 units per acre. Further to the west is the Menlo Creek Apartment complex, zoned RM-13 and developed with 372 units at a density of 10.57 units per acre. To the north is property zoned M-1, which includes a power substation and the Aviation Institute of Maintenance with associated parking lots. To the east is property zoned C-2 (General Business District) which is developed with an entertainment facility (Dave & Busters) and furniture retailer. To the south is Interstate 85. Multifamily developments are commonly found in this area, including multiple properties north across Satellite Blvd that are zoned RM-13. The proposed development is designed with a lower density than the RM-24 zoning district allows at 14.68 units per acre, and therefore could be considered consistent with multifamily residential development in the area.

Recent Board approvals for similar multifamily developments in Gwinnett County adjacent to Interstate 85 have been conditioned to promote a higher standard of design due to their high visibility. Further, in 2016, the Board of Commissioners approved the nearby Venture Drive Overlay district with the intention of attracting to the area more intense multifamily and mixed-use development also built to higher standards. Therefore if conditioned appropriately to promote a higher quality of multifamily development in this area, planning staff recommends this application be **APPROVED WITH CONDITIONS**.

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:

See attached.

- (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:

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EXHIBIT
TO APPLICATIONS FOR REZONING
APPLICANT GWINN- LIDELL ASSOCIATES
RESPONSE

- A) WHETHER THE ZONING PROPOSAL WILL PERMIT A USE THAT IS SUITABLE INVIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes. The subject property is located at the fully signalized intersection of Satellite Boulevard and Satellite Pointe. Satellite Boulevard is also home to existing multi-family uses and serves as a major commercial/industrial/office corridor, making this an appropriate location for the proposed rezoning to RM-24 to continue to the intent and mixed uses. The subject property is the only remaining parcel in the area not developed for commercial use because of its topography and proximity to the floodplain. As stated in the 2030 Unified Plan, the Mixed-use corridors are the best opportunity "for receiving transferred development rights and absorbing higher intensity residential development." That 2030 land use goal is met by the proposed development.

- B) WHETHER THE ZONING PROPOSAL WILL ADVERSELY AFFECT THE EXISTING USE OR USEABILITY OF ADJACENT OR NEARBY PROPERTY:

No. This rezoning request proposes uses that are absolutely compatible with the character of the mixed-use and commercial/residential/office corridor within which the property is located. Nearby properties already feature multi-family, self-storage, retail and commercial uses, and those specific uses has proved to be entirely suitable to the other land uses in the vicinity of the subject property, demonstrating the suitability of the uses proposed by this Rezoning Application. Therefore, this request proposes a use that is ideally suited to and consistent with the zoning, use and development of adjacent and nearby property. The proposed use is entirely consistent with the uses of adjacent and nearby properties and will not adversely affect those properties.

- C) WHETHER THE PROPERTY TO BE AFFECTED BY THE ZONING PROPOSAL HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

No. The property's topography, shape, and proximity to the 100 year floodplain, would make the use and development of this property under its current M-1 light industrial zoning improbable.

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

No. This property is located in an area with public water and sewer availability, and direct access to two major thoroughfares (Satellite Boulevard and Steve Reynolds Boulevard). Moreover, the property is located in an area designated "Regional Mixed Use" by the Unified Plan. Regional Mixed Use is intended to provide residential and multi-family uses to support of commercial, office and retail uses, in furtherance of the Unified Plan's goals for this area. The development is expected to be a mix of single professionals, retirees and families, and will have little to no impact on schools. This rezoning will not cause excessive use of existing streets, transportation facilities or utilities, selected and developed specifically for the proposed use.

- E) WHETHER THE ZONING PROPOSAL IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Yes. The Gwinnett County 2030 Unified Plan identifies the subject property as an appropriate location for multi- family uses.

- 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 ZONING PROPOSAL.

Yes. The property is the last remaining light industrial zoned parcel at this well-established major mixed-use and commercial node. The other three corners of this intersection have long been zoned and developed for multi- family and commercial uses. In light of the foregoing, continued use and development of the Property under its current M-1 zoning is practically impossible. Moreover, from a land use perspective, there is no more appropriate location for the proposed multi-family development than a parcel located within an established mixed-use and commercial node located at the signalized intersection of a major thoroughfare.

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AMENDED LETTER OF INTENT

May 4, 2017

SENT VIA E-MAIL

Gwinnett County of Board of Commissioners
Planning & Development Department
c/o Kathy Holland, Director of Planning and Development
and Jerry Oberholtzer, Planning Manager
446 West Crogan Street,
Lawrenceville, GA 30046
Kathy.Holland@gwinnettcounty.com
Gerald.Oberholtzer@gwinnettcounty.com

RE: Amended Letter of Intent in support of the Rezoning Application No. RZM2017-00005, for the property located at Satellite Pointe, Parcel ID No. R6209 001A, Duluth, Georgia

Dear Board of Commissioners and staff,

This Amended Application for Rezoning and Amended Letter of Intent is submitted on behalf of Gwinn-Lidell Associates, as the Applicant and property owner (hereinafter the "Applicant" and/or "Owner") for the requested rezoning of the property, Parcel ID No. R6209 001A and known as Satellite Pointe, Duluth, Gwinnett County, Georgia (hereinafter, the "Subject Property"). Per the pending Rezoning Case No. RZM2017-00005, the Applicant/Owner seeks to rezone approximately 20.1 acres from M-1 to RM-24, to allow for a quality residential development to attract young professionals to support the Gwinnett Place area, residents and businesses.

Rezoning Request:

There are no changes to the underlying rezoning request, site plan, architectural renderings, or proposed residential development. Staff has recommended approval of this rezoning application. As reflected in the exhibits submitted with this Rezoning Application, the Applicant proposes a similar design and layout to the Heights at Sugarloaf, which demands some of the highest rents in the market. The Gwinnett Place market remains stagnant due to the lack of new development. This is also an infill industrial property adjacent to I-85, with no economic use. This is an opportunity to create higher-end, comparable residential market, to encourage redevelopment around Gwinnett Place and Venture Drive.

The Subject Property has remained vacant while multiple big box and strip retail developments have grown around it. The Subject Property's entrance includes a power station and an office-style aviation maintenance training campus. As currently zoned, a 20-acre industrial development is not consistent with or supported by the land use plans

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for this area. The requested residential rezoning allows for a viable mixture of residential and commercial uses along the I-85 and Satellite corridors. The Subject Property is located on an existing commercial corridor which includes a variety of similar commercial and retail uses. The addition of newer, higher-density residential options in this area is consistent with the recently-approved Venture Drive Overlay, Gwinnett County Unified Plan, and the Future Land Use Map, all of which support and encourage a mixture of residential and commercial uses.

Like the proposed plan, the property owner and Applicant plan to work with a high-end residential developer, experienced developer of quality, residential communities throughout Metro-Atlanta. The overall development will include amenities that are geared towards Millennials and young professionals who are looking to live near the growing job and tech opportunities around Gwinnett County, and due to the site's proximity to nearby colleges. The Subject Property's location is similarly desirable to young professionals due to its proximity to I-85, and being surrounded by a variety of diverse, award-winning restaurants and coffee shops.

Constitutional Objections:

The portions of the Gwinnett County Unified Development Ordinance (the "UDO" and/or "Zoning Ordinance") which classifies or conditions the Subject Property into any more or less intensive zoning classification and/or zoning conditions other than as requested by the Applicant and property owner are and would be unconstitutional in that they would destroy the Applicant's and property owner's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Zoning Ordinance, as applied to the Subject Property, which restricts its use to the present zoning classification, uses, regulations, requirements, and conditions is unconstitutional, illegal, null and void, constituting a taking of the Applicant's and the property owner's property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States denying economic and viable use of the Subject Property while not substantially advancing legitimate state interests.

The Subject Property is presently suitable for the residential uses proposed in the requested rezoning, as amended by the Applicant and property owner, and is not economically suitable for uses restricted under its present industrial zoning and development classification, conditions, regulations, and restrictions due to its location, shape, size, surrounding development, and other factors. A denial of the requested rezoning would constitute an arbitrary and capricious act by the Gwinnett County Board of Commissioners without any rational basis therefore, constituting an abuse of

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discretion in violation of Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment.

Any zoning designation, condition, or variance related to the Property subject to conditions which are different from the requested variances and conditions by which the Applicant may amend its application, to the extent such different conditions would have the effect of further restricting the Applicant's and the property owner's utilization of the Subject Property, would also constitute a arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions as set forth hereinabove.

Conclusion:

Given the saturated commercial and retail market in this area and the lack of a viable alternative use, the Applicant and its representatives respectfully request that, as recommended by staff, Gwinnett County approve the Applicant's rezoning request, from M-1 to RM-24, for a quality residential development.

The Applicant and its representatives welcome the opportunity to meet and discuss this proposed development.

Respectfully submitted,

Enclosure:
Amended Rezoning Application

Gwinn-Lidell Associates
Applicant/Property Owner

cc: Philip Weener, Esq.
Kent Owings

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

Case #	Schools	Current Projections									Proposed Zoning
		2016-17			2017-18			2018-19			Approximate additional Student Projections from Proposed Developments
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZM2017-00005	Duluth HS	2699	2,650	49	2739	2,650	89	2781	2,650	131	49
	Duluth MS	1379	1,750	-371	1407	1,750	-343	1435	1,750	-315	27
	Chesney ES	1274	1,025	249	1299	1,025	274	1325	1,025	300	53
RZR2017-00009	Mill Creek HS	3819	2,800	1,019	3682	2,800	882	3594	2,800	794	1
	Osborne MS	1680	1,575	105	1697	1,575	122	1714	1,575	139	1
	Duncan Creek ES	1109	1,300	-191	1087	1,300	-213	1075	1,300	-225	1

Current projections do not include new developments

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ASPHALTIC ARCHITECTURAL SHINGLES

CEMENTITIOUS PANELS WITH BATTENS

STANDING SEAM METAL ROOF

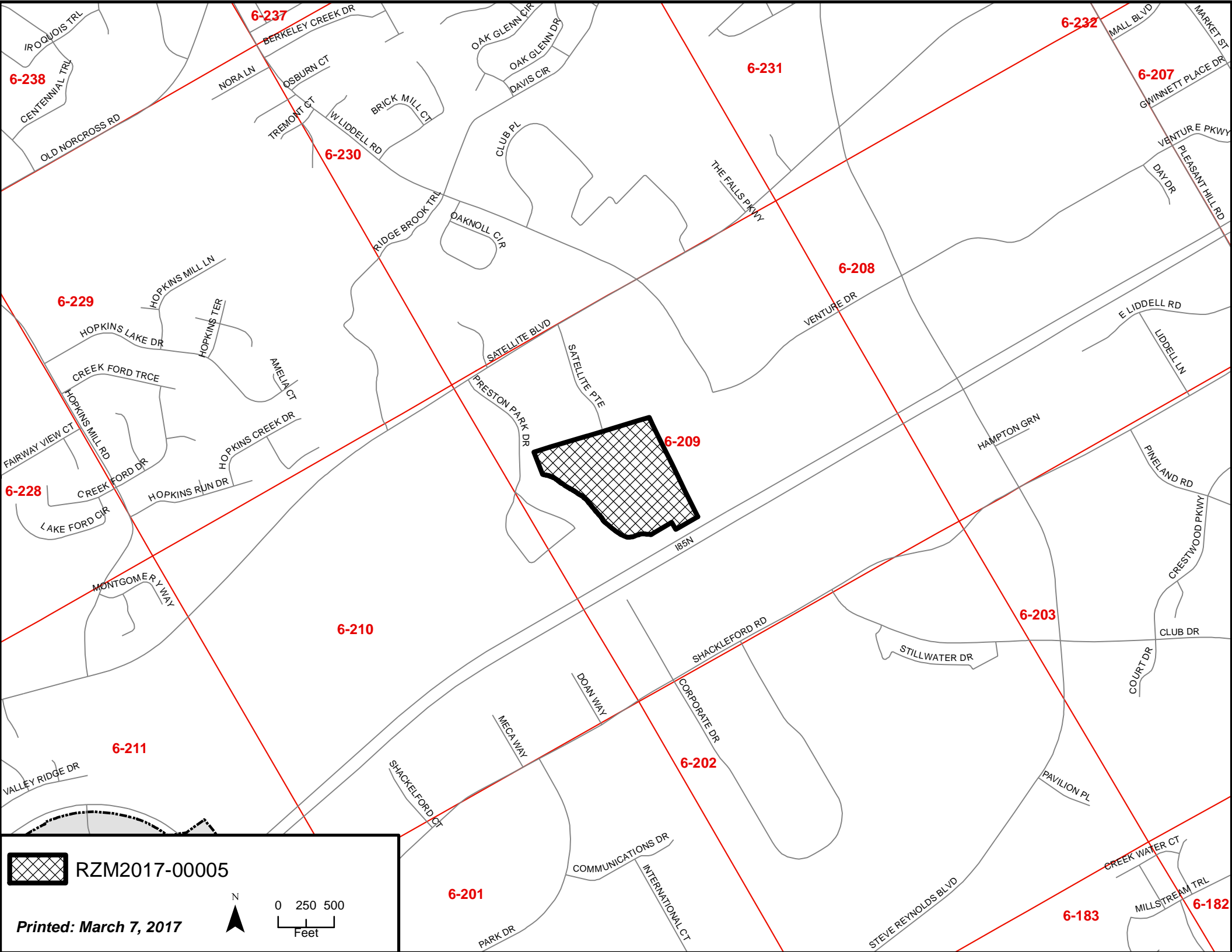
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 RZM2017-00005



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Printed: March 7, 2017

NO CHANGE TO THE PROPERTY
 BEING MADE AND NO REVISIONS
 TO THE SITE PLAN ARE BEING MADE

The Osprey Group, Inc.
 1100 Peachtree Ave. N.E., Suite 200
 Atlanta, Georgia 30309
 Phone: 404-525-1100
 Fax: 404-525-1101



REVISIONS

ZONING PLAN
 SATELLITE POINT APARTMENTS
 U. 200. 0th DISTRICT, GWINNETT COUNTY, GEORGIA

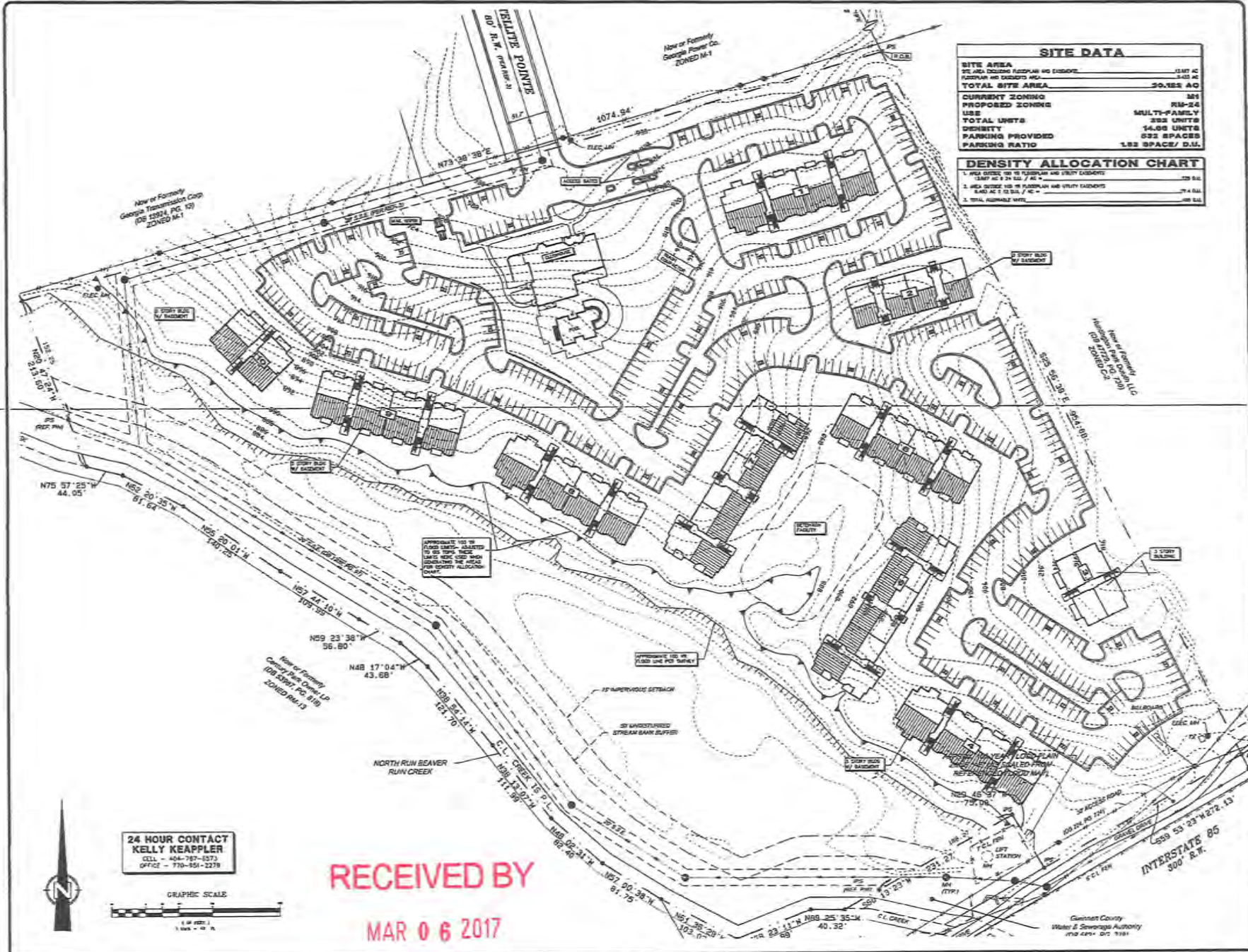
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SITE DATA

SITE AREA	25.84 AC (INCLUDING FLOODPLAIN AND EASEMENTS)	21.87 AC
FLOODPLAIN AND EASEMENTS AREA		3.97 AC
TOTAL SITE AREA		25.84 AC
CURRENT ZONING		RM-24
PROPOSED ZONING		RM-24
USE		MULTI-FAMILY
TOTAL UNITS		262 UNITS
DENSITY		14.00 UNITS
PARKING PROVIDED		532 SPACES
PARKING RATIO		1.82 SPACES / D.U.

DENSITY ALLOCATION CHART

1. PERmitted USE IS PER FLOODPLAIN AND UTILITY EASEMENTS	23.81 AC
2. PERmitted USE IS PER FLOODPLAIN AND UTILITY EASEMENTS	1.74 AC
3. TOTAL PERmitted USE	25.55 AC



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RZM 17 00 5



SATELLITE PTE

PRESTON PARK DR

185S

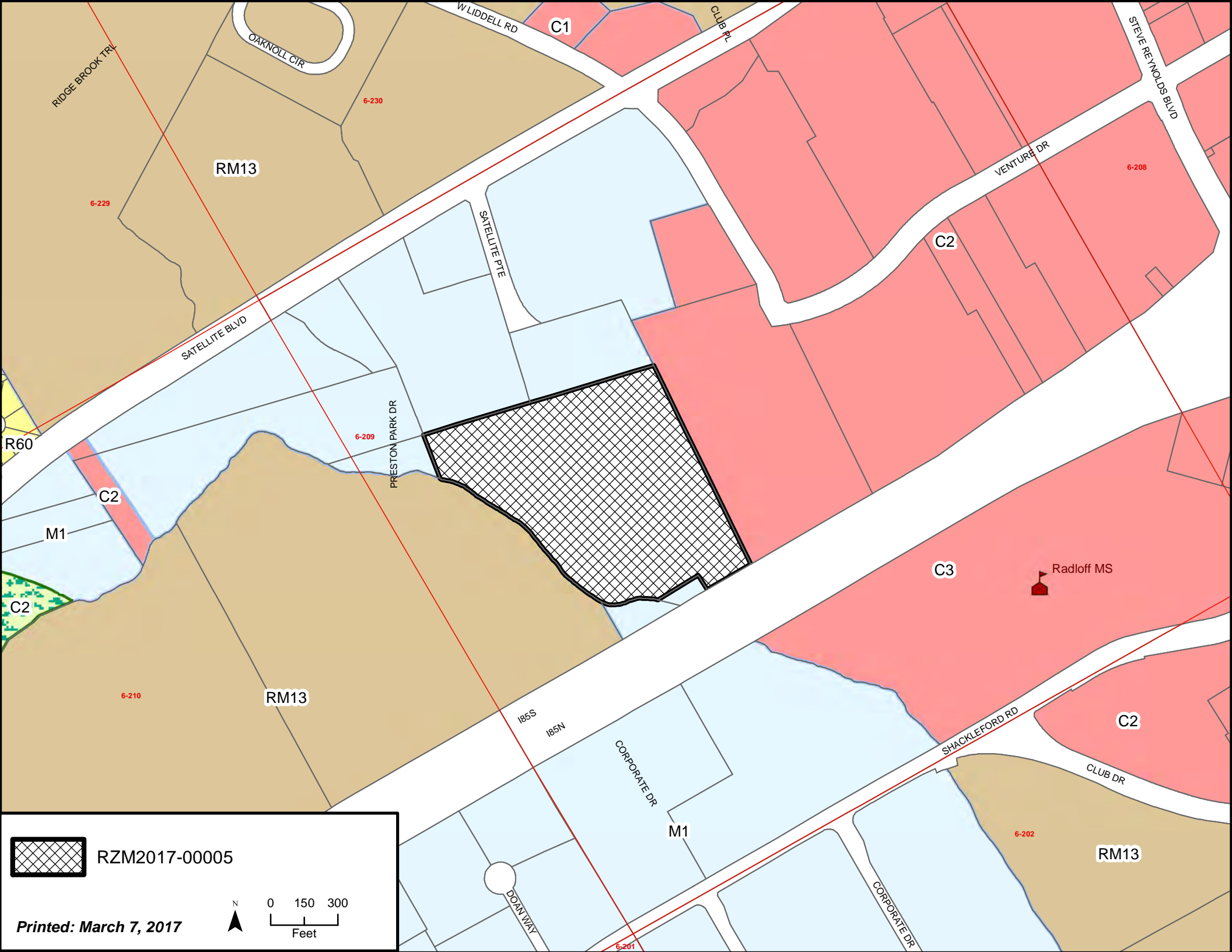
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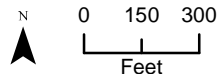
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 RZM2017-00005



Printed: March 7, 2017

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

CASE NUMBER :**SUP2017-00014**
ZONING :C-2
LOCATION :4700 BLOCK OF STONE MOUNTAIN HIGHWAY
MAP NUMBER :R6063B008F
ACREAGE :1.28 ACRES
SQUARE FEET :1,200 SQUARE FEET
PROPOSED DEVELOPMENT :AUTOMOBILE SERVICE (RENEWAL)
COMMISSION DISTRICT :(2) HOWARD

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

APPLICANT: 78 CARWASH LLC
2565 WESLEY CHAPEL ROAD
DECATUR, GA 30035

CONTACT: RAMESH NAIK PHONE: 678.492.7850

OWNER: RAMESH NAIK
PO BOX 955
HARTWELL, GA 30643

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant requests renewal of a Special Use Permit on a 1.28-acre property zoned C-2 (General Business District) to allow the continued operation of an automobile service facility in conjunction with an existing automated and self-service car wash facility. The automobile service facility was approved in 2013 and again in 2015 (SUP2013-00009 and SUP2015-00007), with an initial time limitation of two years. This application is to renew the Special Use Permit. The property is located on the north side of Stone Mountain Highway, between Lake Lucerne Drive and Lake Lucerne Road and across from Gresham Circle.

After the initial approval, the County received two complaints (CEU2014-10520 and 10521) asserting the business (GearHead) was operating in violation of County rules and the conditions of the Special Use Permit, including operating without a business license and storing junk vehicles on the property. Since that time, the County received an additional complaint (CEU2016-06330) indicating the current tenant (GearHead) was operating without a business license. The tenant was reminded of the County's requirement to obtain a business license in order to operate a business in unincorporated Gwinnett County. Additionally, the applicant has failed to secure the proper building permits for the required building modifications that included the installation of sound proofing materials at a defined Sound Transmission Class rating (STC) as required by zoning. Furthermore, the required ten-foot landscape strip along

Stone Mountain Highway is void of vegetation and would need to be replanted in order to comply with the rules and regulation of the Unified Development Ordinance.

ZONING HISTORY:

The property has been zoned C-2 since 1970. In 2013, a Special Use Permit was approved an automobile service facility to be operated from the subject property (SUP2013-00009), which included a two-year time limitation. In 2015, a renewal of a Special Use Permit was approved with a two-year time limitation allowing an automobile service facility to operate from the subject property (SUP2015-00007).

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:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Stone Mountain Highway 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 24-inch water main located on the southeast right-of-way of Stone Mountain Highway.

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 Stone Mountain Highway.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject site is a 1.28-acre property located on the north side of Stone Mountain Highway, between Lake Lucerne Drive and Lake Lucerne Road, across from Gresham Circle. The property is developed with a multi-bay automated and self-service car wash facility, associated parking spaces and driveways.

The 2030 Unified Plan Future Development Map indicates the property lies within a Corridor Mixed-Use Character Area. The recommendations of this Character Area and previous Board approval support the renewal of the requested Special Use Permit allowing an automobile service facility. However, the previous approvals of the Special Use Permits required the applicant to abide by all of the conditions of zoning and failure to do so could result in the loss of permits. As of publication of this report, the applicant has not applied for a permit for the building modifications as required by the established zoning conditions. In light of these circumstances, support of this request would be inconsistent with the policies of the 2030 Unified Plan and the previous approvals of the Board.

The character of the surrounding area consists of intensely developed commercial/retail uses fronting along the Stone Mountain Highway corridor. There are various auto-related commercial uses in the area, including automobile repair shops and sales facilities that suggest compatibility with the surrounding area. During the past four years and two public hearings, the applicant has not made a noticeable effort to comply with the conditions of zoning. Through the public hearing process, the established conditions of zoning provided the surrounding residential property owners with a level of assurance that certain impacts derived from the automobile service facility would not infringe on their quality of life.

In conclusion, the inconsistency with respect to the omission of the current conditions of zoning and failure to obtain the necessary permits suggest that the renewal of a Special Use Permit would conflict with the recommendations and policies of the 2030 Unified Plan, and with

the previous approvals by the Board. Therefore, the Department of Planning and Development recommends **DENIAL** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

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

Approval of a Special Use Permit (renewal) for automobile service/repair, subject to the following enumerated conditions:

1. Retail, service commercial and accessory uses, which may include automotive service as a special use.
2. Prior to business occupancy, obtain all necessary development and building permits, and bring the site and structure up to applicable zoning, development and building codes for automobile service.
3. No outdoor sales, storage or display of tires, parts, or junk/debris shall be allowed. No vehicles parked overnight shall be taller than the screening fence.
4. ~~Abide by all applicable requirements of the US 78 Overlay District (Activity Center/Corridor Overlay District). This condition shall not preclude a variance application.~~
5. 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.
6. Peddlers and/or parking lot sales shall be prohibited.
7. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
8. A double-staggered row of native trees shall be planted within the buffer to "enhanced buffer" standards per the Buffer, Landscape and Tree Ordinance (to a point not to encroach upon any potential state waters within the drainage basin) within 180 days of Board approval. The property owner shall submit landscape plans to the Director of Planning and Development for review and approval.
9. Automotive service garage walls and doors adjacent to the Lake Lucerne residential community shall be insulated to achieve a Sound Transmission Class (STC) rating of at least 52, and the ceiling shall be insulated to achieve an STC rating of 39, to aid in the abatement of sound being emitted from the garage area. Garage doors shall be closed when air wrenches are in use.

10. These conditions shall be strictly enforced. Failure to abide by the conditions shall result in loss of permits.
11. The use as a tire store shall be excluded under this Special Use Permit application.
12. The Special Use Permit contained in this application shall be valid for no more than a one-year period at which time the Special Use Permit must be reapplied for and approved by the Board of Commissioners to continue the use.
13. The automotive service garage area shall continue to be equipped with its current separating-system floor drain (in order to separate oil, water and other residue) for treating any garage surface run-off prior to entering into the sanitary sewer system.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The applicant's disregard for the conditions of zoning and the failure to obtain the necessary permits to operate a business from this location do not reflect positively upon the request to renew the Special Use Permit.

ADVERSE IMPACTS

Adverse impacts on neighboring properties could be anticipated from the failure of the applicant to comply with the previous conditions and requirements of zoning.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

An additional traffic and utility demand could be anticipated from the continued operation of a non-compliant automobile service facility at this location.

CONFORMITY WITH POLICIES

The applicant has demonstrated a certain level of contempt for the policies and procedures of Gwinnett County. Given the record of non-compliance, the renewal of the requested Special Use Permit would not be appropriate at this juncture.

CONDITIONS AFFECTING ZONING

Commercial developments along the Stone Mountain Highway corridor should be held to a higher standard in order to improve the appearance and viability of the commercial corridor. The applicant's past disregard for County requirements suggests approval of this request would be inappropriate.

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

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

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

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

Please see attached.

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

Please see attached.

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

Please see attached.

- (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:

Please see attached.

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

Please see attached.

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

Please see attached.

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STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) Yes, the proposed Special Use Permit Application will permit a use that is suitable in view of the use and development of adjacent and nearby property.
- (B) No, the requested Special Use Permit Application will not adversely affect the existing use or usability of adjacent or nearby property but, to the contrary, will be compatible and consistent with such uses as currently exist or as are contemplated in the future.
- (C) The property which is the subject of the requested Special Use Permit Application does have reasonable economic use as currently zoned; however, such economic use is enhanced with the approval of the requested Special Use Permit. Applicant therefore submits the highest and best use of the subject tract is for C-2 with the Special Use requested due to the existing infrastructure and prior Special Use permit allowing the same use.
- (D) No, the requested SUP will not result in a use which will or could cause an excessive or burdensome use of the existing streets, transportation facilities, utilities or schools.
- (E) Yes. The requested SUP is in conformity with the intent of the 2030 Unified Plan and the subject tract is adequately served by transportation thoroughfares providing appropriate ingress and egress to and from the property.
- (F) Yes, the existing zonings of adjacent and nearby properties give additional supporting grounds for the approval of the requested SUP.

SUP '17 014

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FEB 27 2017
Planning & Development

78 Carwash LLC.
2565 Wesley Chapel Rd,
Decatur, GA, 30643.

On behalf of the Applicant, 78 Carwash LLC. Ramesh K Naik submits this special use permit Application for the purpose of permanently renewing an existing Special use Permit (SUP) for an auto repair shop on a 1.2778 acre tract located at 4747 Highway 78, Lilburn, Georgia 30047 (The "property"). The Property is currently zoned C-2, General business District. On March 26th 2013. The Gwinnett County Board of Commissioners unanimously voted to approve SUP2013-0009, attached hereto as Exhibit A, for automobile Services to be treated as special use on the property. And same again SUP2015-00007 was approved on April 28th 2015. The applicant is now requesting a permanent renewal of SUP2015-0007 in order to continue operating automobile services on the Property.

The Property was originally developed in 2004 as a carwash and oil change and emissions center. The oil change and emissions center leased approximately 1,200 square feet of the development for the purpose of changing oil and emissions testing for the surrounding community from 2005 through 2009. In 2009, same space was leased by an automotive repair company who offered additional auto repair services such as tune-ups, oil change, engine repair, and breaks. In 2010, 78 Carwash LLC purchased the Property and shortly thereafter had to apply for a Special Use Permit in order to continue allowing tenant to operate auto repair services on the property.

On March 26th 2013. And again on April 28th, 2015 the Board of Commissioners voted to approve SUP2013-00009 and SUP 2015-00007 with certain specific conditions in order to operate an auto repair business. The applicant, complied with the conditions set by the Board of Commissioners so the Tenant could lawfully operate an auto repair business on the Property. The applicant, pursuant to condition of SUP2015-00007 (two-year reapplication requirement), is now reapplying to permanently renew the Special Use Permit so an auto repair business lawfully continue operating on the property.

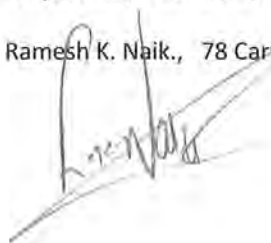
The Applicant welcomes the opportunity to meet with Staff of Gwinnett County Department of planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application filed herewith.

The Applicant respectfully requests your approval of this Application.

This 27th day of February 2017.

Respectfully submitted, Applicant.

Ramesh K. Naik., 78 Carwash LLC.



SUP '17 014

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Planning & Development

CASE NUMBER SUP2013-00009
GCID 2013-0136

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>
Charlotte J. Nash, Chairman	<u>YES</u>
Jace Brooks, District 1	<u>YES</u>
Lynette Howard, District 2	<u>YES</u>
Tommy Hunter, District 3	<u>YES</u>
John Heard, District 4	<u>YES</u>

On motion of COMM. HOWARD, 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 78 CARWASH, LLC for the proposed use of AUTOMOBILE SERVICE on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

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

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on MARCH 26, 2013 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 26th day of MARCH, 2013 that the aforesaid application for a Special Use Permit is hereby **APPROVED** with the following enumerated conditions:

1. Retail, service commercial and accessory uses, which may include automotive service as a special use.
2. Obtain all necessary development and building permits, and bring the site and structure up to all applicable zoning, development and building codes for automobile service within 90 days of Board approval.
3. No outdoor sales, storage or display of tires, parts, or junk/debris shall be allowed. No vehicles parked overnight shall be taller than the screening fence.
4. Abide by all requirements of Section 1315 (Activity Center/Corridor Overlay District). This condition shall not preclude a variance application.
5. 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.
6. Peddlers and/or parking lot sales shall be prohibited.
7. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
8. A double-staggered row of native trees shall be planted within the buffer to "enhanced buffer" standards per the Buffer, Landscape and Tree Ordinance (to a point not to encroach upon any potential state waters within the drainage basin) within 180 days of Board approval. The property owner shall submit landscape plans to the Director of Planning and Development for review and approval.

9. Automotive service garage walls and doors adjacent to the Lake Lucerne residential community shall be insulated to achieve a Sound Transmission Class (STC) rating of at least 52, and the ceiling shall be insulated to achieve an STC rating of 39, to aid in the abatement of sound being emitted from the garage area. Garage doors shall be closed when air wrenches are in use.
10. These conditions shall be strictly enforced. Failure to abide by the conditions shall result in loss of permits.
11. The use as a tire store shall be excluded under this Special Use Permit application.
12. The Special Use Permit contained in this application shall be valid for no more than a two year period at which time the Special Use Permit must be reapplied for and approved by the Board of Commissioners to continue the use.
13. The automotive service garage area shall continue to be equipped with its current separating-system floor drain (in order to separate oil, water and other residue) for treating any garage surface run-off prior to entering into the sanitary sewer system.

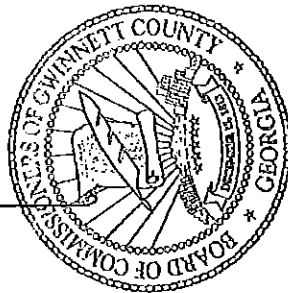
GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 3/29/13

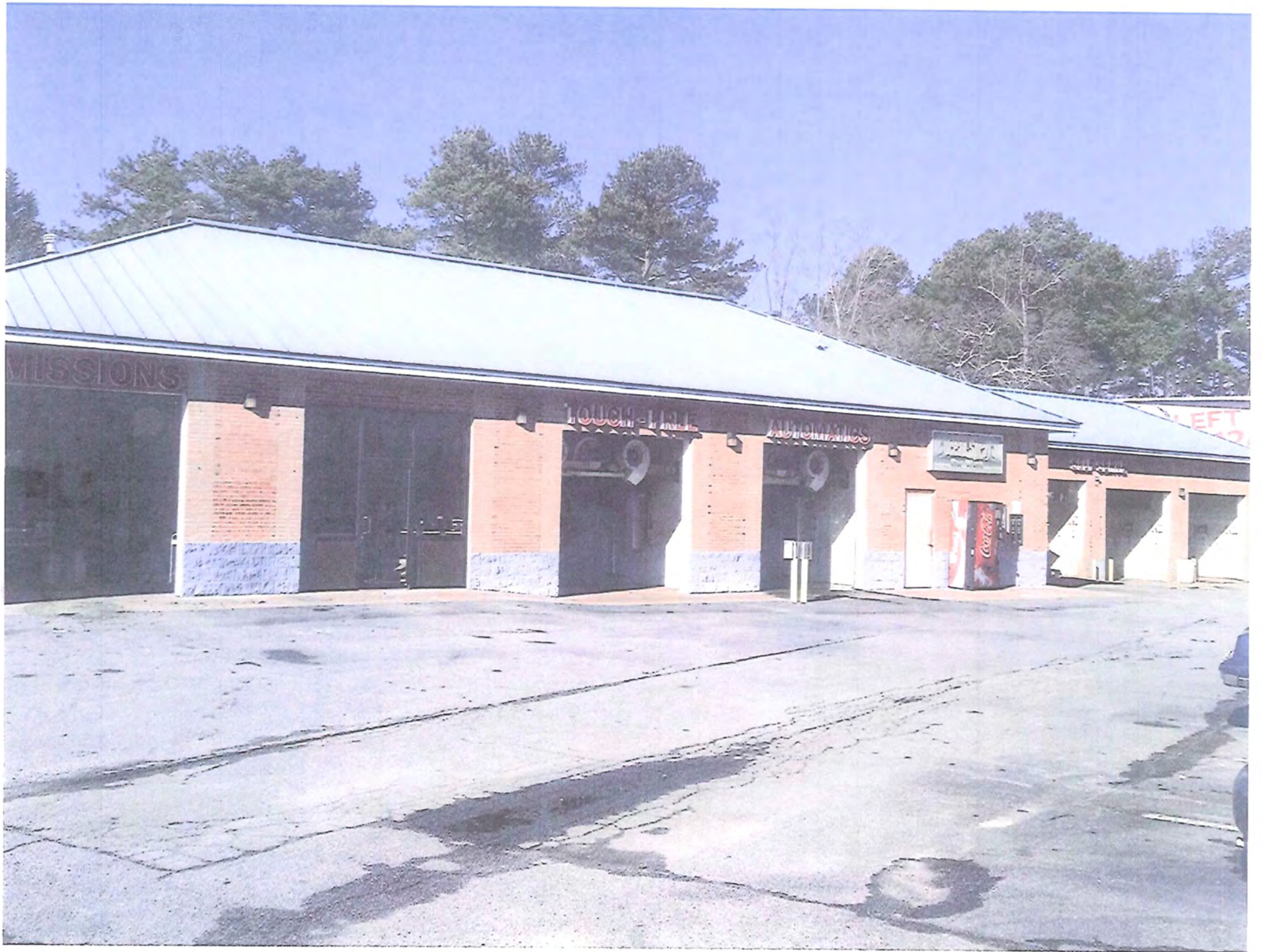
ATTEST:

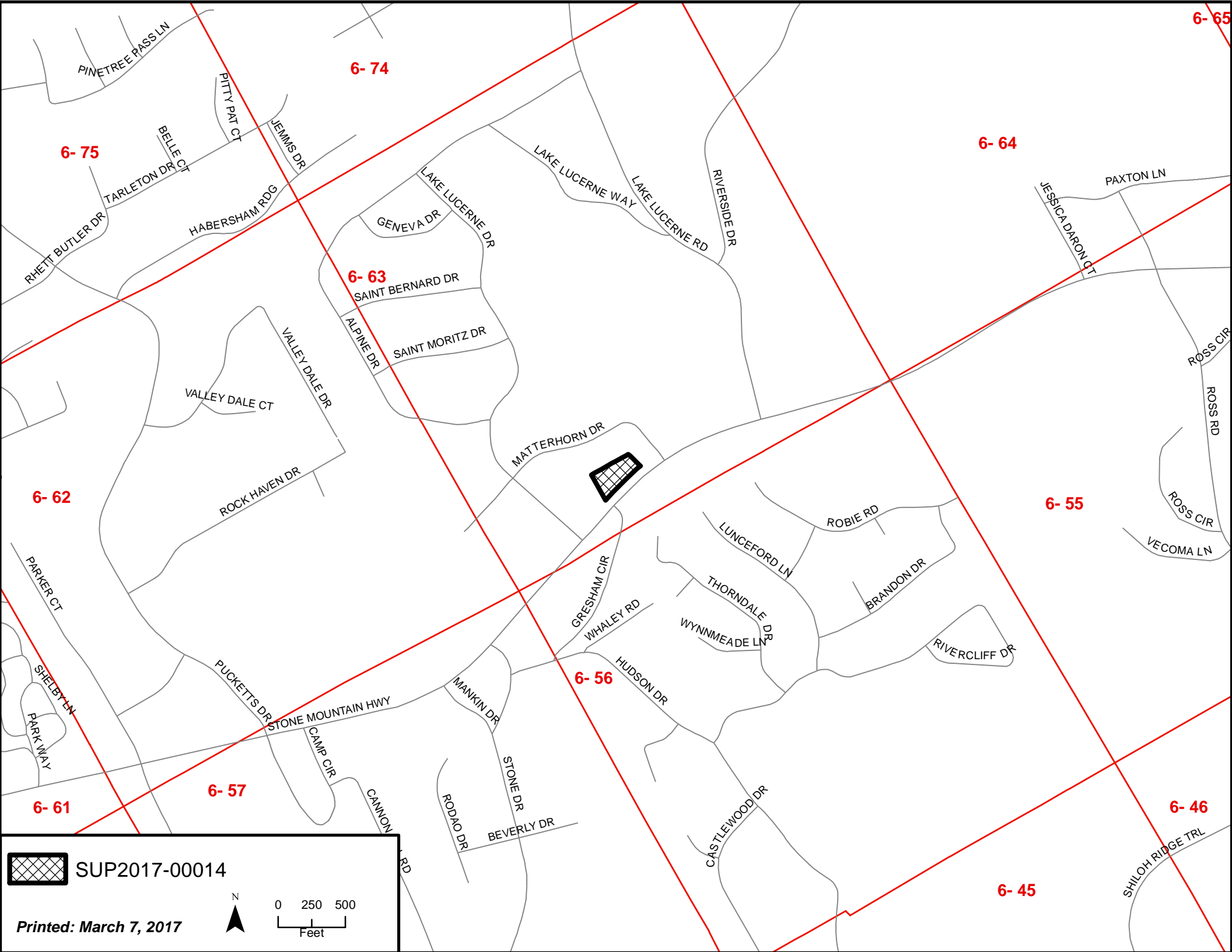
Diane Kemp
County Clerk/Deputy County Clerk











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 SUP2017-00014




0 250 500
Feet

Printed: March 7, 2017

MATTERHORN DR

STONE MOUNTAIN HWY

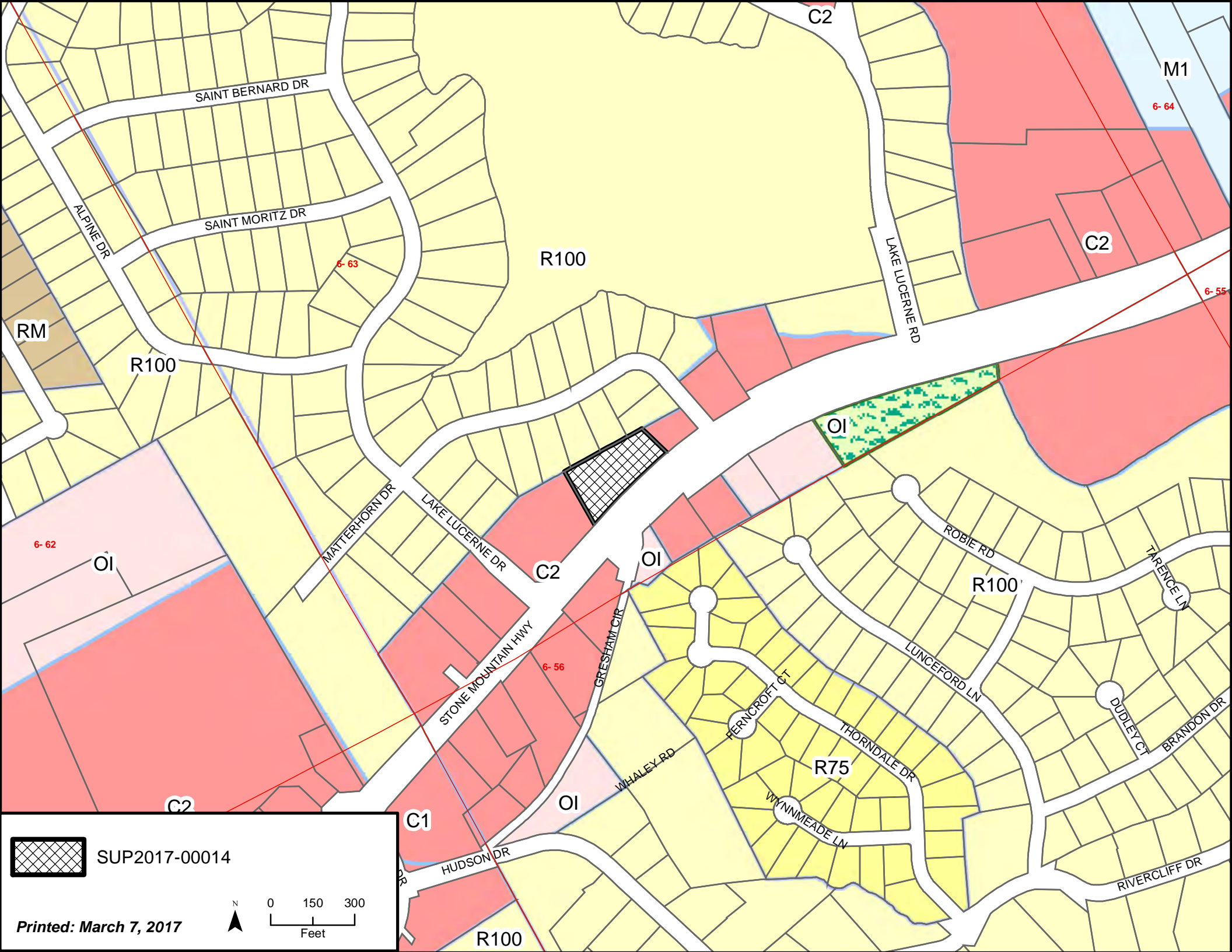


 SUP2017-00014



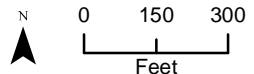
0 25 50
Feet

Printed: March 7, 2017



 SUP2017-00014

Printed: March 7, 2017



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

CASE NUMBER :**RZC2017-00013**
ZONING CHANGE :R-100 TO O-I
LOCATION :1200 BLOCK OF BRASELTON HIGHWAY
MAP NUMBER :R7054 007
ACREAGE :5.28 ACRES
SQUARE FEET :9,000 SQUARE FEET
PROPOSED DEVELOPMENT :DAYCARE FACILITY
COMMISSION DISTRICT :(4) HEARD

CASE NUMBER :**SUP2017-00020**
ZONING :O-I (PROPOSED)
LOCATION :1200 BLOCK OF BRASELTON HIGHWAY
MAP NUMBER :R7054 007
ACREAGE :5.28 ACRES
SQUARE FEET :9,000 SQUARE FEET
PROPOSED DEVELOPMENT :DAYCARE FACILITY
COMMISSION DISTRICT :(4) HEARD

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

APPLICANT: DOCHINGOZI HOUEY
1288 BRASELTON HIGHWAY
LAWRENCEVILLE, GA 30043

CONTACT: TAYLOR CARSTARPHEN PHONE: 678.581.4241

OWNER: UNITED COMMUNITY BANK
1001 POLK STREET
MARIETTA, GA 30064

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests the rezoning of a 5.28-acre parcel of land from R-100 (Single Family Residence District) to O-I (Office Institutional District), along with a Special Use Permit allowing a day care facility. The subject property is located on the west side of Braselton Highway, near the intersection of Braselton Highway, Azalea Drive, and Old Fountain Road. The Branch Christian Academy once occupied the property, and the existing development consists of a multiple buildings, accessory uses and associated driveways and parking lot.

Initially developed as a private school in 2008, the site contains three-buildings totaling approximately 9,000 square foot, which included eight elementary level classrooms, and four

high school level classrooms. A total of 42 parking spaces are available on the site, with access being provided by a single curb cut off of Braselton Highway. As required through the previous public hearing process (SUP2004-00080) the owner of the property has preserved a 20-foot wide undisturbed buffer along all the exterior property lines of the site where adjacent to residentially zoned properties, as well as maintaining a ten-foot wide landscape strip along Braselton Highway. Additionally, an existing stormwater management facility is located in the northeast corner of the property along Braselton Highway.

ZONING HISTORY:

The property has been zoned R-100 (Single family Residence District) since 1970. In 2004, the Board of Commissioners approved a request allowing a private school as a special use, pursuant to SUP2004-00080.

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 the Gwinnett County Board of Health for septic system information and/or Gwinnett Department of Public Utilities regarding availability of sanitary sewer for this site.

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:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

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

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Braselton Highway SR 124 is a State Route and Georgia D.O.T. right-of-way requirements govern.

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

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 southeast right-of-way of Braselton Highway.

The available utility records show that the subject development is currently in the vicinity of an eight-inch sanitary sewer main located approximately 891 feet southwest of parcel R7054 007 in the right-of-way of Nathan Mauldin Drive and an eight-inch sanitary sewer main located approximately 993 feet southeast of parcel R7054 007 in the right-of-way of Ruby Nelson Court.

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 or exterior modification (remodel) for review and approval by Building Plan Review.
2. Architectural design of any proposed exterior modification shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Design Category 3.
3. Upon completion of plan review approvals, the applicant shall obtain a building permit 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 property is a 5.28-acre tract located on the west side of Braselton Highway, near the intersection of Braselton Highway, Azalea Drive, and Old Fountain Road. The applicant intends to utilize the site as a day care facility.

The 2030 Unified Plan Future Development Map indicates the property is located within an Existing/Emerging Suburban Character Area. The request for a Special Use Permit is consistent with established policies for the area. However, the current conditions on the property will require the preservation or enhancement of buffers and landscaping in order to buffer residential single-family uses from the day-to-day activities often associated with this type of use.

The range of office-institutional activity has been limited to an area extending from the intersection of Old Fountain, Azalea Road, and Braselton Highway to the north where Braselton Highway intersects with Prospect Road. Primarily single-family large-lot residences and single-family subdivisions, with several office-institutional uses exist along this small segment of Braselton Highway, characterize the surrounding area, which includes the Central Christian Church, Cross Roads Baptist Church, and the now non-operational Hope Springs Christian Learning Center and Branch Christian Academy. Furthermore, the north side of the Braselton Highway, Old Fountain Road, and Azalea Road intersection includes several Board approved office-institutional uses and zoning that at one time included a day care facility, private school, a medical office, and an engineering firm. The Board has consistently approved requests for office-institutional zoning and uses along this particular segment of Braselton Highway.

In conclusion, the requested Special Use Permit for a day care facility is compatible with the 2030 Unified Plan, and consistent with the precedent established by the Board regarding the limited range of activity taking place along this segment of Braselton Highway. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS
RZC2017-00013

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

- I. To restrict the use of the property as follows:
 - A. Limited to use as a Day Care Facility pursuant to SUP2017-00020.
 - B. Buildings shall be finished with architectural treatments of 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 Braselton Highway.
 - 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. Any outdoor recreation fields shall not be lighted.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS
SUP2017-00020

Approval as a Special Use Permit for a Day Care Facility, subject to the following enumerated conditions:

1. Limited to a Day Care Facility not to exceed 9,000 square feet and a total of 100 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 day care facility.
5. Abide by all applicable conditions of RZC2017-00013.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The proposed day care facility could be considered suitable for the site and compatible with adjacent and nearby developments, which include a church, small private school, and professional offices.

ADVERSE IMPACTS

With conditions including maintaining, enhancing existing buffers, and lighting restrictions no significant adverse impacts on adjacent properties would be anticipated from the proposed school.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

Impacts from increased traffic and stormwater runoff would be anticipated from this proposal.

CONFORMITY WITH POLICIES

Within the O-I zoning district, the Unified Development Ordinance allows the operation of day care facility provided a Special Use permit is approved for the site. Additionally, the Board has approved various rezoning and Special Use Permits for similar uses in the immediate area.

CONDITIONS AFFECTING ZONING

The proposed zoning and the possibility to redevelop an abandoned site, and other similar Board approvals in the area further provides support for the approval of this request.

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

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

No

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

No

- (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

- (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:

No

RECEIVED BY

MAR 16 2017

RZC 17013

Dochingozi Houey
288 Braselton Highway
Lawrenceville, GA 30043
770-856-4233.

March 1st, 2017.

Ladies and Gentlemen:

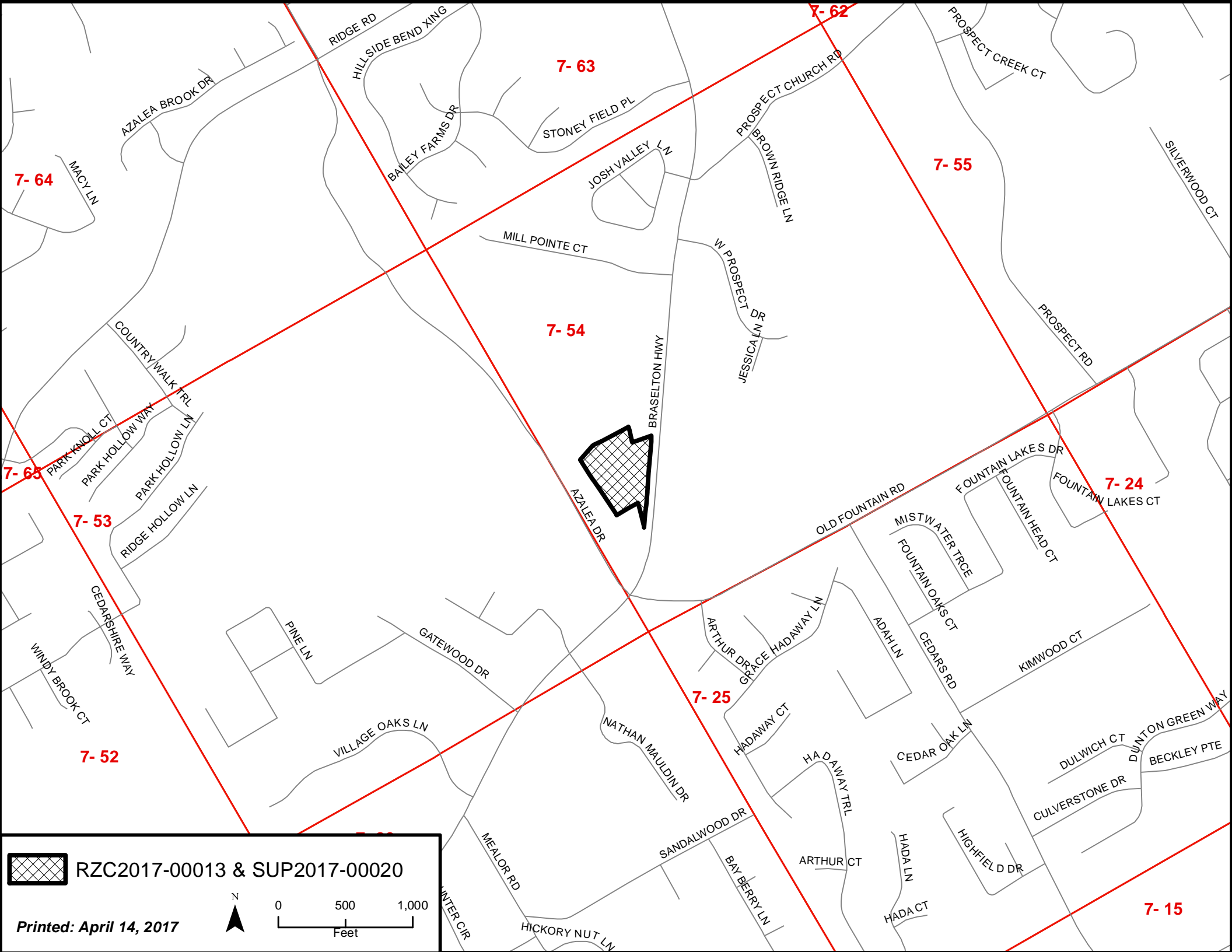
We are requesting a zoning change from Residential with special use permit for private school to I+O with special use permit for daycare. When we took over the building we were told the zoning would need to be changed. This property has been previously used as a private school. Thank you for your careful consideration. Have a blessed day.

Sincerely,
Dochingozi Houey
Dochingozi Houey
RZC '17 013

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MAR 16 2017

Planning & Development



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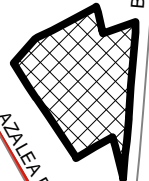
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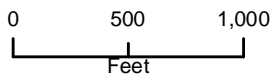
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 RZC2017-00013 & SUP2017-00020

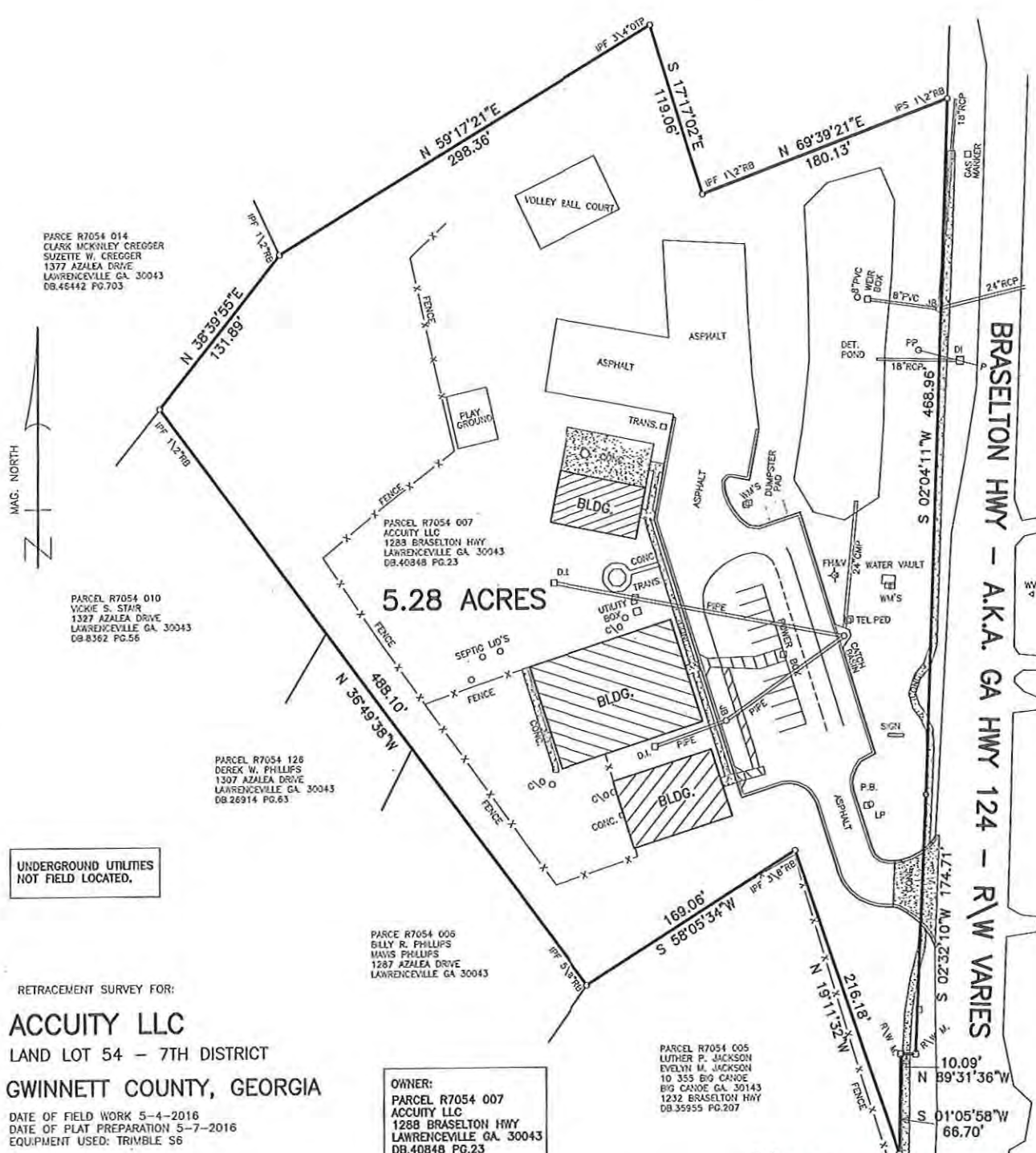


Printed: April 14, 2017

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 160-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-167, AUTHORITY O.C.G.A. SECS. 15-6-97, 43-15-4, 43-15-6, 43-15-19, 43-15-22.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 43,505 FEET AND AN ANGULAR ERROR OF 03" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 379,162 FEET.

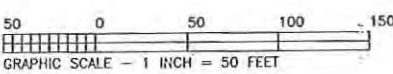
PASCEL R7054 082
WORLD OUTREACH CHURCH
FOR ALL NATION
1294 BRASELTON HWY
LAWRENCEVILLE, GA. 30043
DB.49797 PG.195-197



UNDERGROUND UTILITIES
NOT FIELD LOCATED.

RETRACEMENT SURVEY FOR:
ACCUTY LLC
LAND LOT 54 - 7TH DISTRICT
GWINNETT COUNTY, GEORGIA

DATE OF FIELD WORK 5-4-2016
DATE OF PLAT PREPARATION 5-7-2016
EQUIPMENT USED: TRIMBLE S6



OWNER:
PARCEL R7054 007
ACCUTY LLC
1288 BRASELTON HWY
LAWRENCEVILLE GA. 30043
DB.40848 PG.23



PATRICK & ASSOCIATES, INC.
SURVEYING & ENGINEERING
928 BLACKLAWN ROAD
CONYERS, GEORGIA 30094
PHONE: 770-483-9745 - FAX: 770-483-9219



P.O.B.
S 55°05'34"W 484.75'
TO INTERSECTION OF
CENTER LINES OF
BRASELTON HWY. &
AZALEA DRIVE.

RECEIVED BY
MAR 16 2017


Planning & Development OF NO. 16-178
DWG. NO. 30423

RZC 17013
SUP 17020



BRASELTON HWY

AZALEA

 RZC2017-00013 & SUP2017-00020

Printed: April 14, 2017

N

0 50 100
Feet



AZALEA DR


BRASELTON HWY

JESSICA LN

OLD FOUNTAIN RD

ARTHUR DR

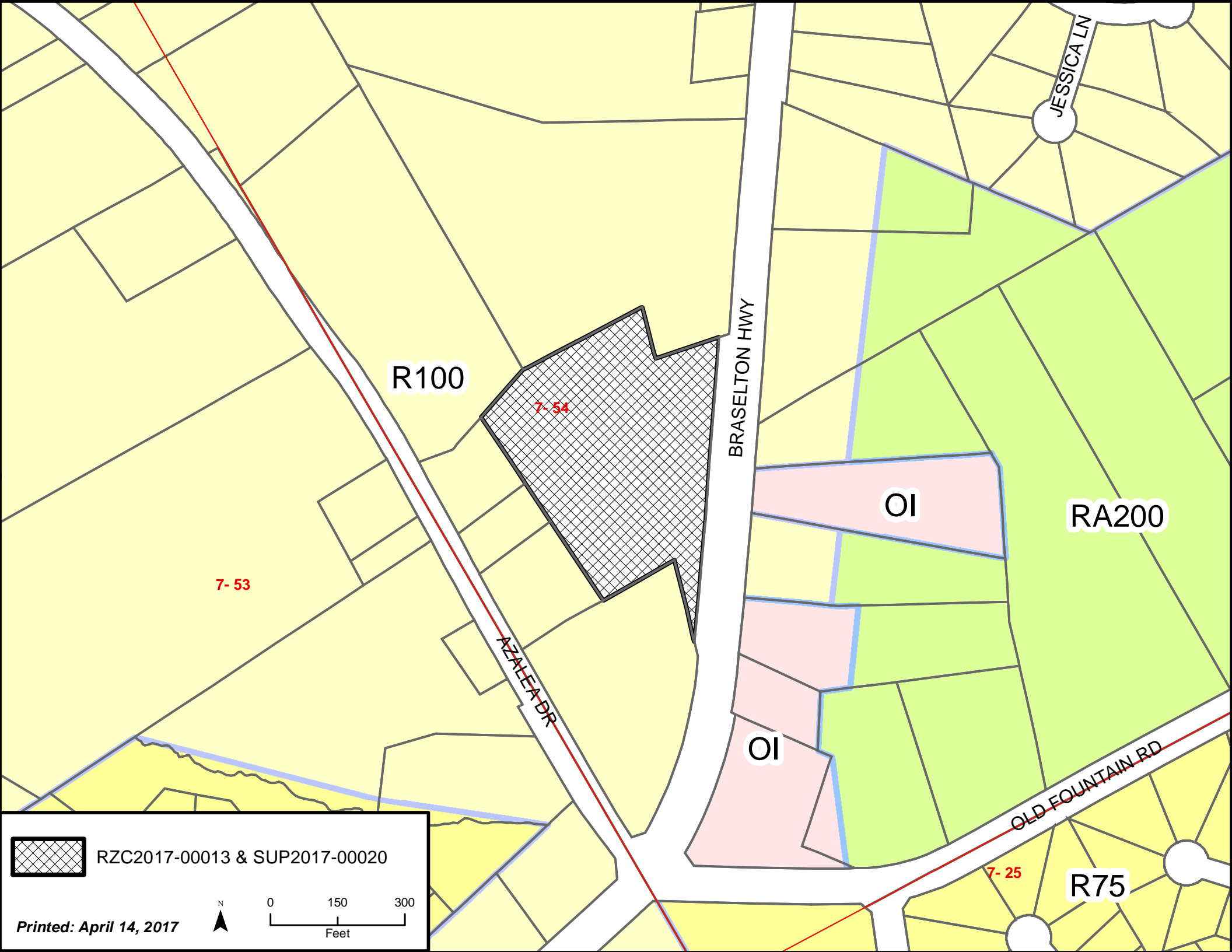
ADAH CT

 RZC2017-00013 & SUP2017-00020

Printed: April 14, 2017

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Feet



R100

7-54

7-53

AZALEA DR

BRASELTON HWY

OI

RA200

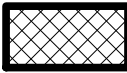
JESSICA LN

OI

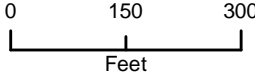
OLD FOUNTAIN RD

7-25

R75



RZC2017-00013 & SUP2017-00020



Printed: April 14, 2017

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

CASE NUMBER :**RZC2017-00014**
ZONING CHANGE :R-100 TO O-I
LOCATION :1400 BLOCK OF SCENIC HIGHWAY
MAP NUMBER :R5074 298
ACREAGE :0.41 ACRE
SQUARE FEET :1,329 SQUARE FEET
PROPOSED DEVELOPMENT :TUTORING CENTER (BUFFER REDUCTION)
COMMISSION DISTRICT :(3) HUNTER

CASE NUMBER :**SUP2017-00026**
ZONING :O-I (PROPOSED)
LOCATION :1400 BLOCK OF SCENIC HIGHWAY
MAP NUMBER :R5074 298
ACREAGE :0.41 ACRE
SQUARE FEET :1,329 SQUARE FEET
PROPOSED DEVELOPMENT :TUTORING CENTER (BUFFER REDUCTION)
COMMISSION DISTRICT :(3) HUNTER

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

APPLICANT: ANKURKUMAR JOSHI
2701 BRENTFORD LANE
SNELLVILLE, GA 30078

CONTACT: ANKURKUMAR JOSHI PHONE: 678.935.2006

OWNER: ANKURKUMAR JOSHI
2701 BRENTFORD LANE
SNELLVILLE, GA 30078

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests rezoning from R-100 (Single Family Residence District) to O-I (Office-Institutional District) with a Special Use Permit to convert an existing single family residence to a tutoring center. The subject 0.41-acre property is located on the west side of Scenic Highway, north of the city limits of Snellville. The site currently shares a driveway with the adjacent residence to the north.

As the first step in converting an existing residence to a commercial use, a Compliance Inspection Report was requested by the applicant on March 22, 2017 (CIR2017-00044). According to discussions with the applicant, the 1,329-square foot structure would

accommodate seven elementary and middle school students within three classrooms. The site plan indicates five new parking spaces for customers, which is adequate for the proposed tutoring center. If approved for O-I zoning, 50-foot wide buffers would be required adjacent to the north (side) and west (rear) property lines. The west property line has adequate room to provide the 50-foot buffer. However, the existing house, driveway and proposed parking encroach into the buffer along the north property line, and a buffer reduction would be necessary.

ZONING HISTORY:

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

GROUNDWATER RECHARGE AREA:

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

WETLANDS INVENTORY:

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

OPEN SPACE AND GREENWAY MASTER PLAN:

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.

Parking spaces shall be provided at a ratio of:

Minimum one space per 500 square feet.

Maximum one space per 225 square feet.

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.

Project access and required improvements along State routes or U.S. Highways (i.e., number and design of driveways, deceleration lanes, median breaks, etc.) will be subject to review and approval of the Georgia Department of Transportation. (Section 900-90.3F of the Unified Development Ordinance).

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 Scenic Highway.

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:

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

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Scenic Highway SR 124 is a State Route and Georgia D.O.T. right-of-way requirements govern.

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

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 24-inch water main located on the northwest right-of-way of Scenic Highway.

The available utility records show that the subject development is currently in the vicinity of an eight-inch sanitary sewer main located approximately 740 feet south of parcel R5074 298 on parcel R5073 003.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall abide by the building code compliance inspection report, CIR2017-00044, of the existing building by the Building Construction Section of Department of Planning and Development and shall comply with inspection results.
2. The applicant shall submit civil site drawings to Building Plan Review for review and approval.
3. The applicant shall submit plans which clearly indicate any new construction as proposed by the applicant and as required by compliance inspection report for review and approval by Building Plan Review.
4. Upon completion of plan review approvals, the applicant shall obtain a building permit for any required renovation work 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 property is located on the west side of Scenic Highway, near the northern city limits of Snellville. The site is currently developed with a single-family residence that shares a driveway with the adjacent residence to the north.

The 2030 Unified Plan Future Development Map indicates that the site lies within an Existing/Emerging Suburban Character Area. Encouraged uses within this character area are commercial/office uses at appropriate locations adequately buffered from surrounding single family residential. There have been several similar rezonings from R-100 to O-1 for residential office conversions in the immediate area and adjacent to the subject site to the south. The proposed rezoning for a tutoring center could be compatible with the Unified Plan and with previous Board approvals for non-residential uses along this section of Scenic Highway.

The surrounding area is characterized by residences, offices and commercial shopping centers fronting along Scenic Highway, with residential subdivision development extending beyond the Scenic Highway corridor. Several similar homes along this segment of Scenic Highway have been rezoned for office uses (RZC2010-00016 and RZ-00-152) and two daycare centers (SUP2007-00081 and SUP2007-00016). As such, the proposed tutoring center could be compatible with these surrounding land uses, if adequate buffering is provided along the west property line.

With appropriate conditions to limit impacts on the adjacent residential property, the proposed rezoning for a tutoring center could be suitable at this location. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of these requests.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS
RZC2017-00014

Approval as O-I (Office-Institutional) with a Special Use Permit for a tutoring center, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Office, institutional and accessory uses, which may include a tutoring center as a special use.
 - B. Any new construction shall be residential in appearance. Elevations shall be submitted for review and approval of the Director of Planning and Development prior to the issuance of a building permit.
2. To satisfy the following site development considerations:
 - A. Provide a 50-foot enhanced buffer adjacent to residentially-zoned property to the west (rear), with a 6-foot high opaque wooden fence interior to the required buffer. Said fence shall extend along the north (side) property line for a distance of approximately 130 feet to the existing concrete drive. Screening and planting requirements shall be subject to review and approval by the Director of Planning and Development.
 - B. The entrance must be designed and constructed to Gwinnett County Development Regulations for commercial driveways. The design, number and location of driveways are subject to Gwinnett County D.O.T. and Georgia D.O.T. approval.
 - C. Ground signage shall be limited to one monument type sign, with a minimum two-foot high brick or stacked stone base. Maximum sign height shall be six feet.
 - D. Outdoor storage shall be prohibited.
 - E. Dumpsters shall be prohibited.
 - F. Outdoor loudspeakers shall be prohibited.
 - G. 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.
 - 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.

- I. Peddlers and/or parking lot sales shall be prohibited.
- J. 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
SUP2017-00026

Approval as a Special Use Permit for a Tutoring Center, subject to the following enumerated conditions:

1. Limited to a Tutoring Center in the existing residential structure, not to exceed a total of 21 students.
2. The hours of operation shall be limited to 6:00 a.m. to 7:00 p.m., Monday through Saturday.
3. Abide by all applicable conditions of RZC2017-00014.

PLANNING AND DEVELOPMENT DEPARTMENT
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

In light of the other similar office and institutional conversions fronting Scenic Highway in the immediate area, the requested rezoning for a tutoring center could be suitable at this location.

ADVERSE IMPACTS

With the recommended conditions, potential adverse impacts upon nearby residential properties could be reduced.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACT ON PUBLIC FACILITIES

An increase in traffic and utilities usage could be anticipated from this request.

CONFORMITY WITH POLICIES

The proposed rezoning for a tutoring center could be compatible with the Unified Plan and with previous Board approvals for office uses along this section of Scenic Highway.

CONDITIONS AFFECTING ZONING

In light of adjacent residential properties, the provision of adequate buffers and screening would be appropriate.

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. The proposed rezoning will not affect the existing use or usability of nearby property.

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

Yes. It will help to enhance the economic use

- (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:

It will not affect.

RECEIVED BY

APR 06 2017

Letter of Intent

Wednesday, April 5, 2017

To,
Gwinnet County
Department of Planning & Development
Planning Division.

Sub: Letter of Intent for 1461 Scenic Highway - zoning

Dear Sir/Mam,

I, Ankurkumar Joshi, owner of the property located at 1461 Scenic highway, (LL 74, 5th District, Gwinnett County, GA) Snellville, 30078, would like to use this property as after school learning/Tutoring center. With this letter of intent I am applying for rezoning the property with required special permit, which can comply with Gwinnett county Department of Planning and Development instruction and procedure.

1. Purpose and Proposed Use:

The property is located on Hwy 124 a.k.a. Scenic Highway , which is growing rapidly for past 10 years in most economic sectors like residential, commercial, education, medical. With current increasing demand for education it is very essential that students should be more focused towards the learning activities and academic grades. My proposed business (Best Brains franchise) is an after school-learning/tutoring center that helps our student community in their academic and career growth. The property is ideal for after school learning/tutoring center as it is located in Scenic highway, which can be easily commutable and accessible for all nearby school cluster students.

2. Property Details:

Address: 1461 Scenic Hwy, Snellville, GA, 30078

Description: LL 74, 5th District, Gwinnett County

Existing Zoning: R100

Proposed Zoning: O&I w/ Special Permit

Parcel Number: R5074-298,

Acreage: 0.413

Building Sq. Feet: 1329

No. Of Parking Space: (Proposed): 7 including Handicap Parking.

I would like to request you to grant the zoning application with required special permit.

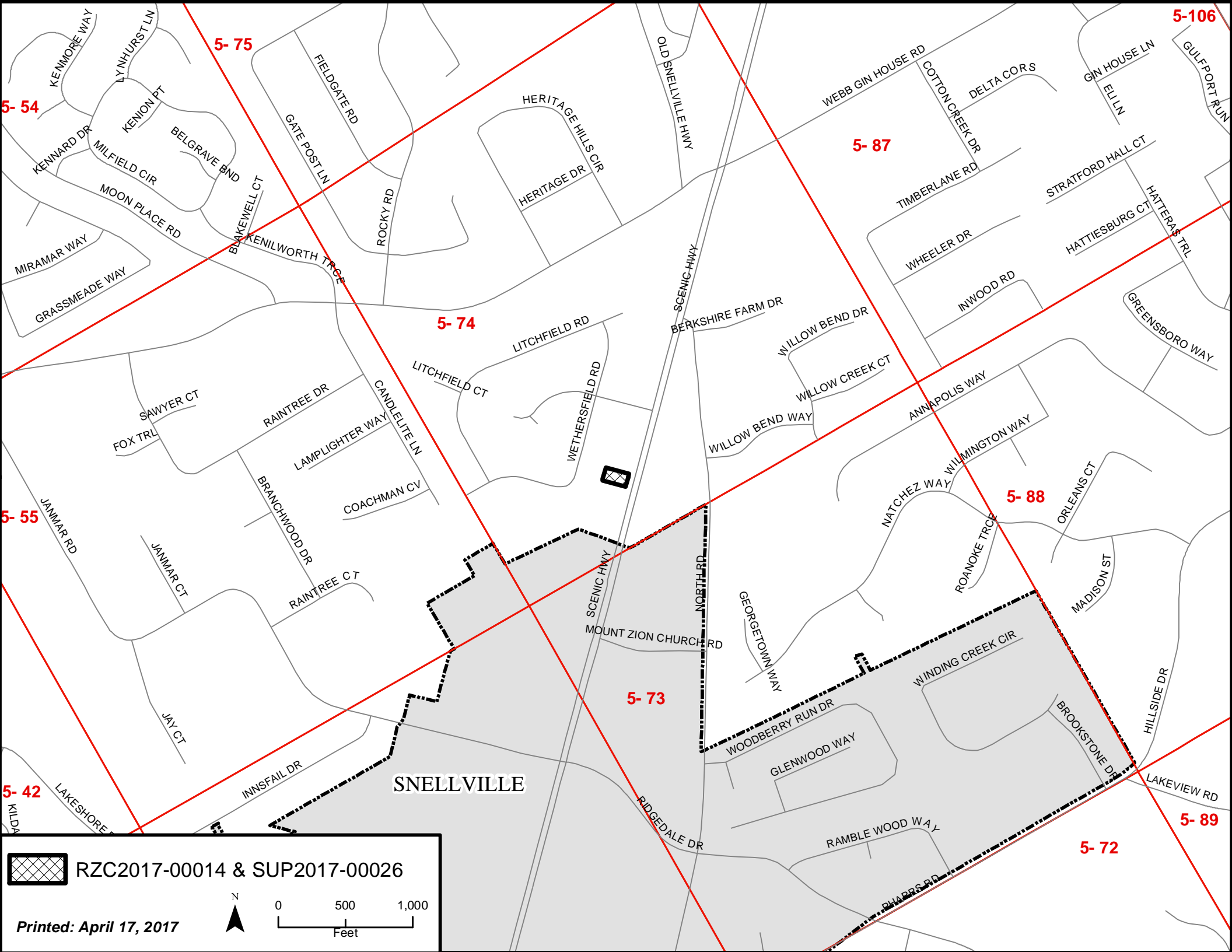
Sincerely,
Ankurkumar Joshi


RECEIVED BY

RZC '17014

APR 06 2017

Planning & Development



 RZC2017-00014 & SUP2017-00026



0 500 1,000
Feet

Printed: April 17, 2017

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APR 06 2017

Planning & Development

FOR OFFICIAL USE ONLY

RZC '17014

SUP '17026

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON, THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE 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 EMPLOYEES, HIS CONSULTANTS, AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON.

UNLESS STATED OTHERWISE HEREON, ONLY EVIDENCE OF EASEMENTS OR STRUCTURES THERETO WHICH ARE READILY APPARENT FROM A CASUAL ABOVE GROUND VIEW OF PREMISES ARE SHOWN. NO LIABILITY IS ASSUMED BY THE UNDERSIGNED FOR LOSS RELATING TO THE EXISTENCE OF ANY EASEMENT NOT DISCOVERED FROM MY CASUAL ABOVE GROUND VIEW OF THE PREMISES.

UNLESS STATED OTHERWISE HEREON, THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF AN ABSTRACT OF TITLE. NO LIABILITY IS ASSUMED BY THE UNDERSIGNED FOR LOSS RELATING TO ANY MATTER THAT MIGHT BE DISCOVERED BY AN ABSTRACT OR TITLE SEARCH OF THE PROPERTY.

THIS PLAT OF SURVEY MAKES NO WARRANTY OR GUARANTEE AS TO THE EXISTENCE OF ANY EASEMENTS OF ANY TYPE. NO ABSTRACT OR TITLE SEARCH WAS PERFORMED TO DISCOVER THE EXISTENCE OF ANY EASEMENTS.

ONLY ACTS OF POSSESSIONS, IF ANY, THAT ARE VISIBLE FROM CASUAL INSPECTION OF THE PROPERTY ARE SHOWN HEREON. NO WARRANTY OR GUARANTEE IS IMPLIED AS TO THE EXISTENCE OF ACTS OF POSSESSION BY THE ADJOINERS TO THE LANDS SHOWN AND DESCRIBED HEREON.

UNLESS STATED OTHERWISE, GOVERNMENTAL JURISDICTIONAL AREAS OR NEGATIVE EASEMENT, IF ANY, WHICH MIGHT IMPACT ON THE USE OF THE PREMISES WERE NOT LOCATED. NO LIABILITY IS ASSUMED BY THE UNDERSIGNED FOR ANY LOSS RESULTING FROM THE EXERCISE OF ANY GOVERNMENTAL JURISDICTION AFFECTING THE USE OF THE PREMISES.

REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SIGNED, DATED, AND SEALED WITH A SURVEYOR'S SEAL.

FOR OFFICIAL USE ONLY

N/F
RAMSUCHIT RELAWRENCE
RAMSUCHIT PRABOUTI
P.B. 20, PG. 25

N/F
KEMPTON OWEN P
KEMPTON CHRISTIAN A
P.B. 48, PG. 132

ZONING
GWINNETT COUNTY, GEORGIA
ZONED R-100
(Single-Family Residence District)
BUILDING SETBACK REQUIREMENTS:
FRONT - 35' OR 50'
SIDE - 10' ONE YARD
 25' TWO YARDS
REAR - 40'
MINIMUM LOT SIZE
15,000 SQ. FT. SEWER
25,500 SQ. FT. SEPTIC
MINIMUM LOT WIDTH - 100'
MINIMUM HEATED FLOOR AREA - 1,400 SQ. FT.

NOTES:

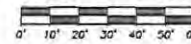
FIELD INFORMATION FOR THIS SURVEY WAS OBTAINED WITH A 5 SECOND THEODOLITE AND AN ELECTRONIC DISTANCE METER.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 18,610 FEET AND AN ANGULAR ERROR OF 08 SECOND(S) PER ANGLE POINT AND WAS ADJUSTED BY LEAST SQUARES.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURES AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1,000,000+ FEET.

ALL IRON PINS LABELED AS SET OR FOUND (IPS OR IPF) ARE 1/2" REBAR RODS, UNLESS OTHERWISE NOTED.

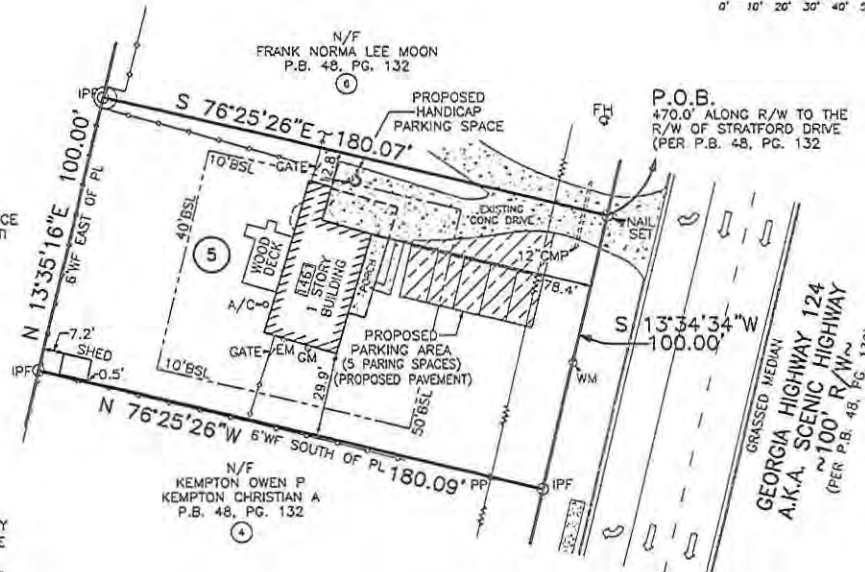
SCALE: 1" = 30'



MAGNETIC

LEGEND

- A/C AIR CONDITIONING
- R/W RIGHT-OF-WAY
- N/F ADJOINING OWNERSHIP
- CLF CHAIN LINK FENCE
- BSL BUILDING SETBACK LINE
- CO CLEAN-OUT
- CONC CONCRETE
- CONC CONCRETE
- CMF CONCRETE MONUMENT FOUND
- C&G CURB & GUTTER
- EM ELECTRICITY METER
- FH FIRE HYDRANT
- GM GAS METER
- IPF IRON PIN FOUND
- IPS IRON PIN SET
- PL PROPERTY LINE
- PP POWER POLE
- D.B. DEED BOOK
- P.B. PLAT BOOK
- PC PAGE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- RB REBAR
- WF WOOD FENCE
- TYP TYPICAL
- WM WATER METER
- OVERHEAD UTILITY LINES



AREA
0.413 ACRES
18,008 SQ. FEET

FLOOD HAZARD STATEMENT:
THIS PROPERTY DOES NOT LIE WITHIN THE 1% ANNUAL FLOOD (100-YEAR FLOOD) FEDERAL FLOOD HAZARD AREA AS PER PANEL NO. 13135C 0117F
DATE: SEPTEMBER 29, 2006

IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITIES NAMED HEREON. NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY PERSONS OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

UTILITY PROTECTION CENTER
IF YOU DIG GEORGIA...
CALL US FIRST!
811
IT'S THE LAW
THREE WORKING DAYS BEFORE YOU DIG

AS REQUIRED BY SUBSECTION (c) OF O.C.G.A. SECTION 15-6-67 THE REGISTERED LAND SURVEYOR HEREBY CERTIFIES THAT THIS MAP, PLAT OF PLAN HAS BEEN APPROVED FOR FILING BY ANY AND ALL APPLICABLE MUNICIPAL COUNTY PLANNING COMMISSIONS OR COUNTY GOVERNING AUTHORITIES OR THAT SUCH GOVERNMENTAL AUTHORITIES OR THAT SUCH GOVERNMENTAL BODIES HAVE AFFIRMED IN WRITING THAT APPROVAL IS NOT REQUIRED.

THE FOLLOWING GOVERNMENTAL BODIES HAVE APPROVED THIS MAP, PLAT OR PLAN FOR FILING.
(OR THE FOLLOWING GOVERNMENTAL BODIES HAVE AFFIRMED THAT APPROVAL IS NOT REQUIRED)

SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY SUCH PURCHASER AS TO INTENDED USE OF ANY PARCEL. THE REGISTERED LAND SURVEYOR FURTHER CERTIFIES THAT THIS MAP, PLAT OR PLAN COMPLIES WITH THE MINIMUM STANDARDS AND SPECIFICATIONS OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE GEORGIA SUPERIOR COURT CLERKS COOPERATIVE AUTHORITY. THE APPROVAL SIGNATURES ABOVE WERE NOT IN PLACE THIS SURVEY WAS ISSUED AND ARE TO BE PROPERLY OBTAINED PRIOR TO RECORDING.

(SURVEYOR NAME) 2867 4/3/17
(R.L.S.#) DATE



DATE OF PLAT PREPARATION	4/3/17	BY: DWJ
DATE OF FIELD SURVEY	3/24/17	BY: AMB
DEED: 42842, PG. 140		
PLAT: 48, PG. 132		
SCALE: 1"=30'		
SHEET # 1 OF 1		
17082		

REVISIONS	PROJECT DESCRIPTION:	GWINNETT COUNTY SITE PLAN FOR:
		ANKUR JOSHI
		1461 GEORGIA HIGHWAY 124, SNELLVILLE, GEORGIA
		LOT 5, BLOCK 5, UNIT SIX, FAIRFIELD FARMS SUBDIVISION
	COUNTY: GWINNETT	DISTRICT: 5TH
	LAND LOT: 74	SECTION:


ADAM & LEE LAND SURVEYING
5640 GA. HWY. 20 S.
LOGANVILLE, GA. 30052 (770)554-8995
www.adamandlee.com FAX:(770)564-8134

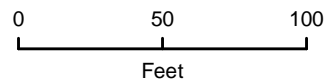
WETHERSFIELD RD

SCENIC HWY

SCENIC HWY



 RZC2017-00014 & SUP2017-00026



Printed: April 17, 2017



LITCHFIELD RD

STRATFORD DR

STRATFORD CT

LITCHFIELD RD

WETHERSFIELD RD


SCENIC HWY

SCENIC HWY

NORTH RD

WILLOW BEND WAY

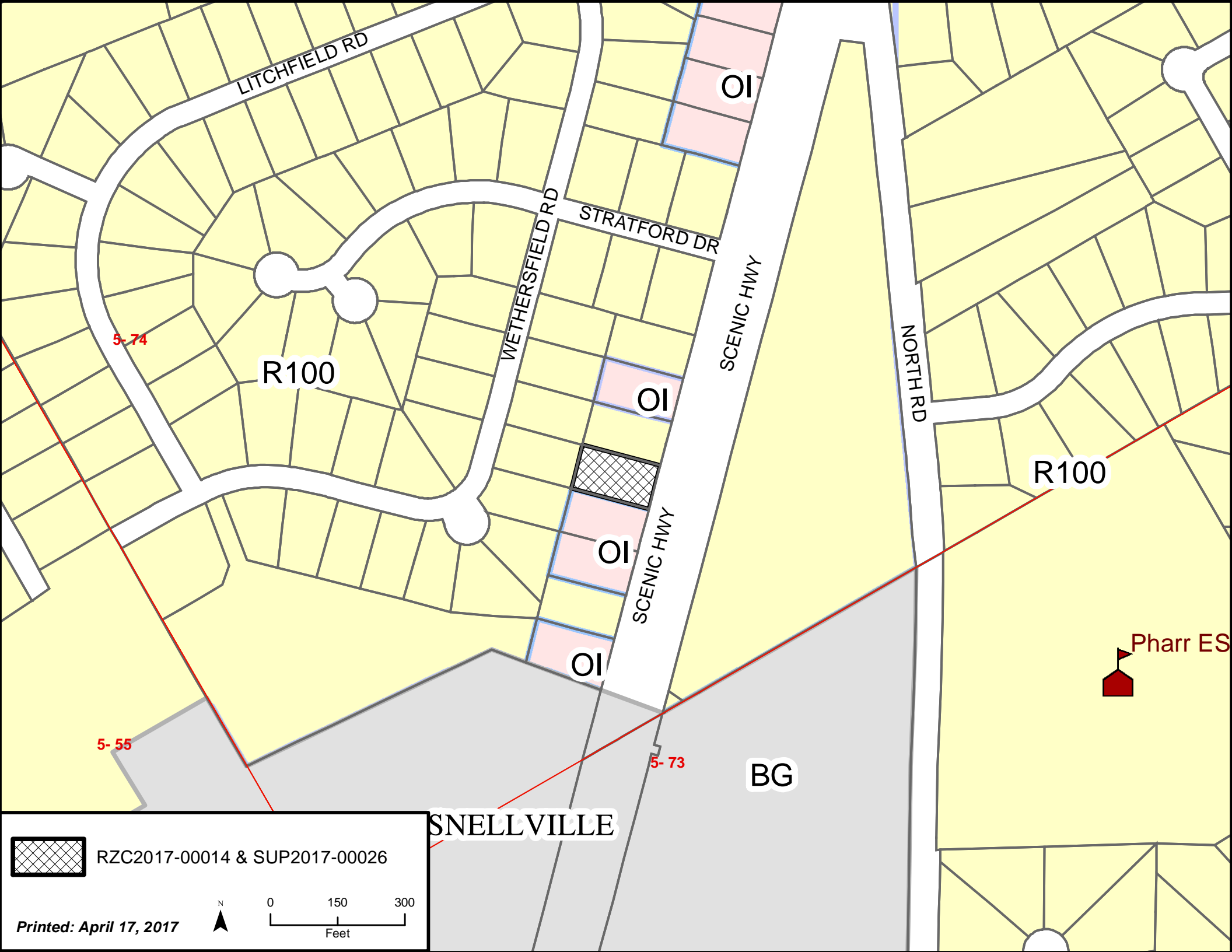


 RZC2017-00014 & SUP2017-00026

Printed: April 17, 2017

N

0 50 100
Feet



LITCHFIELD RD

OI

STRATFORD DR

SCENIC HWY

5-74

R100

WETHERSFIELD RD

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NORTH RD

R100

OI

SCENIC HWY

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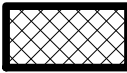
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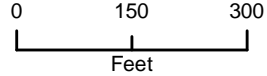
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BG

5-73

SNELLVILLE

 RZC2017-00014 & SUP2017-00026



Printed: April 17, 2017

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

CASE NUMBER :**RZC2017-00015**
ZONING CHANGE :C-2 TO M-I
LOCATION :3400 BLOCK OF BRECKENRIDGE BOULEVARD
:INTERSTATE 85 (NORTHBOUND)
MAP NUMBER :R6207 050 & 095
ACREAGE :3.76 ACRES (14.07 ACRES TOTAL)
SQUARE FEET :144,435 SQUARE FEET (EXISTING)
PROPOSED DEVELOPMENT :WAREHOUSE/OFFICE
COMMISSION DISTRICT :(I) BROOKS

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

APPLICANT: CHRIS SEWARD
3340 PEACHTREE ROAD NE
TOWER 100, SUITE 1950
ATLANTA, GA 30326

CONTACT: CHRIS SEWARD PHONE: 404.591.7646

OWNER: DCT-GA 2004 RN PORTFOLIO U, LLC
3340 PEACHTREE ROAD NE
TOWER 100, SUITE 1950
ATLANTA, GA 30326

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests rezoning from C-2 (General Business District) to M-I (Light Industry District) of 3.76 acres across two properties, with the remaining 10.31 acres currently zoned M-I. The total 14.07 acres of the two parcels are located on the north side of Breckenridge Boulevard, just east of Pleasant Hill Road, and Interstate 85 bordering to the north. The two parcels are currently developed with a 54,200-square foot warehouse (3445 Breckinridge Blvd) and 90,204-square foot warehouse (3435 Breckinridge Blvd), and have a total of 368 parking spaces. No new development or changes to existing conditions are proposed with this request. The applicant would like to remove the dual zoning across the two properties so both are consistently zoned M-I to reflect the existing warehousing use, which is a permitted use in the M-I zoning district but not in the C-2 zoning district.

ZONING HISTORY:

In 1974, the portion of the two properties received approval to be rezoned from C-2 to M-I (REZ1974-00031) for an office building and commercial use. The following year, the remaining portion was rezoned from RA-200 to C-2 (Agriculture-Residence District) as part of a County

initiated areawide rezoning to match the remaining area that was already zoned C-2. A multiple property rezoning request was approved in 1982, including the two subject properties, rezoning portions of the properties from C-2 to the current M-1 zoning that is seen today (REZ1982-00044). Records indicate that the two existing buildings received certificates of occupancy in 1999, and have regularly obtained business licenses for new tenants utilizing the warehousing buildings and offices.

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:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

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

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Breckinridge Boulevard 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 12-inch water main located on the northwest right-of-way of Breckinridge Boulevard.

The available utility records show that the subject development is currently in the vicinity of an eight-inch sanitary sewer main located on parcel R6207 050 and parcel R6207 095.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The site contains two properties totaling 14.07 acres in size, on the north side of Breckinridge Boulevard, just east of Pleasant Hill Road and bordering Interstate 85 to the north. The properties are currently developed with two warehouse buildings and associated surface parking lots.

The 2030 Unified Plan Future Development Map indicates that the site is located in a Regional Mixed-Use Character Area. This character area is considered the County's most intense concentration and mix of commercial, employment and residential developments. Although not strictly consistent with the policies of the 2030 Unified, the site has been used for office and industrial related activities for several years. The warehousing use is permitted within the M-I zoning district, and the site is consistent with the other office and industrial business also located on the north side of Breckinridge Blvd. The proposed rezoning would provide consistent zoning on the property and could be consistent with the intensity and style of development for this character area.

The surrounding area is characterized by a mix of intense commercial and office uses and zoning located along Breckinridge Blvd. The subject property is bounded to the north by Interstate 85 and surrounded by a mix of zoning districts, consisting of C-2 for an extended stay hotel and RA-200 (Agricultural-Residential District) for a cemetery to the west, O-I (Office-Institutional District) with approval for retirement community and C-2 vacant property to the south, and M-I to the east for a commercial storage facility. Given the wide range of uses and zoning in the immediate area, the proposed M-I zoning for an overall consistent M-I zoning on two properties actively used for warehouse uses could be considered appropriate with the surrounding area.

In conclusion, the requested M-I zoning could be consistent with the 2030 Unified Plan policies within this Character Area. The continued use could be compatible with the adjacent and nearby uses in the area, and serve the employment needs of the community. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS**.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as M-1, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Office and industrial use, with accessory uses.
2. To satisfy the following site development considerations:
 - A. If further subdivided, provide five-foot wide landscaped strips adjacent to all internal property lines except where interparcel access is provided.
 - B. Any new buildings shall be finished with architectural treatments of glass and/or brick, stone or stucco. Style and color shall be similar to the existing buildings.
 - C. 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.
 - D. 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.
 - 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. Billboards or oversized signs are shall be prohibited.
 - G. Dumpsters shall be screened by a 100% opaque brick fence or wall.
 - H. Outdoor lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to reflect into adjacent properties or I-85 right-of-way.
 - I. Peddlers and/or parking lot sales shall be prohibited.
 - J. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The proposed rezoning may be suitable as the property will be maintain their current use as is allowed within the proposed zoning district, and allows the property to be consistently zoned as used.

ADVERSE IMPACTS

The proposed rezoning is not expected to introduce adverse impacts on neighboring properties.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

The property has reasonable economic use as currently zoned.

CONFORMITY WITH POLICIES

The property is located along the established within an area that includes commercial, institutional, and light industrial activities. The integrity of the surrounding area would not be compromised by allowing the property to be consistently zoned to reflect the active and established use of the property. Therefore, the proposed rezoning would be considered consistent with the policies of the 2030 Unified Plan.

CONDITIONS AFFECTING ZONING

The area includes nearby office buildings and industrial uses have been approved for M-I in the past, suggesting the requested rezoning and Special Use Permits could be considered consistent with the surrounding area and precedent established by the Board.

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, current industrial property

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

No, current industrial property

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

No, current industrial building on site

- (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, current industrial property

- (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:

Yes, current existing industrial building on site

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3 RZC '17 015

APR 06 2017

Planning & Development

DCT Industrial acquired the buildings and land located at 3435 and 3445 Breckinridge Boulevard in 2004. The buildings were designed and developed for warehouse distribution given the size, clear height, dock doors, car parking and truck court depth. At the time of acquisition and during the timeframe in which we have owned the assets and land the buildings have been occupied and used for industrial warehouse and distribution. All seven (7) existing tenants in the buildings have valid business licenses provided by Gwinnett County with their use conforming to M-1 zoning. It was recently brought to our attention during an active lease negotiation in the 3445 Breckinridge building that the property has dual zoning of both M1 and C2. Our request is to rezone the smaller C-2 portion of the property to the intended and existing use of M-1. There will be no modifications to the exterior of the building, the building design or the land. This request is purely for having the appropriate zoning for the entire building and site.

Additional details to support our request are as follows:

- Total Acreage: 14.07 acres
 - Acreage zoned M-1: 10.31 acres or 73.3%
 - Acreage zoned C-2: 3.76 acres or 26.7%

- Total Industrial warehouse square footage existing and to remain
 - 3445 Breckinridge: 54,200sf
 - 3435 Breckinridge: 90,204sf

- Automobile Parking spaces
 - 3445 Breckinridge: 250 parking spaces
 - 3435 Breckinridge: 118 parking spaces

- The buildings both have an internal clear height of 24'
- There are no requests to make changes in buffers.

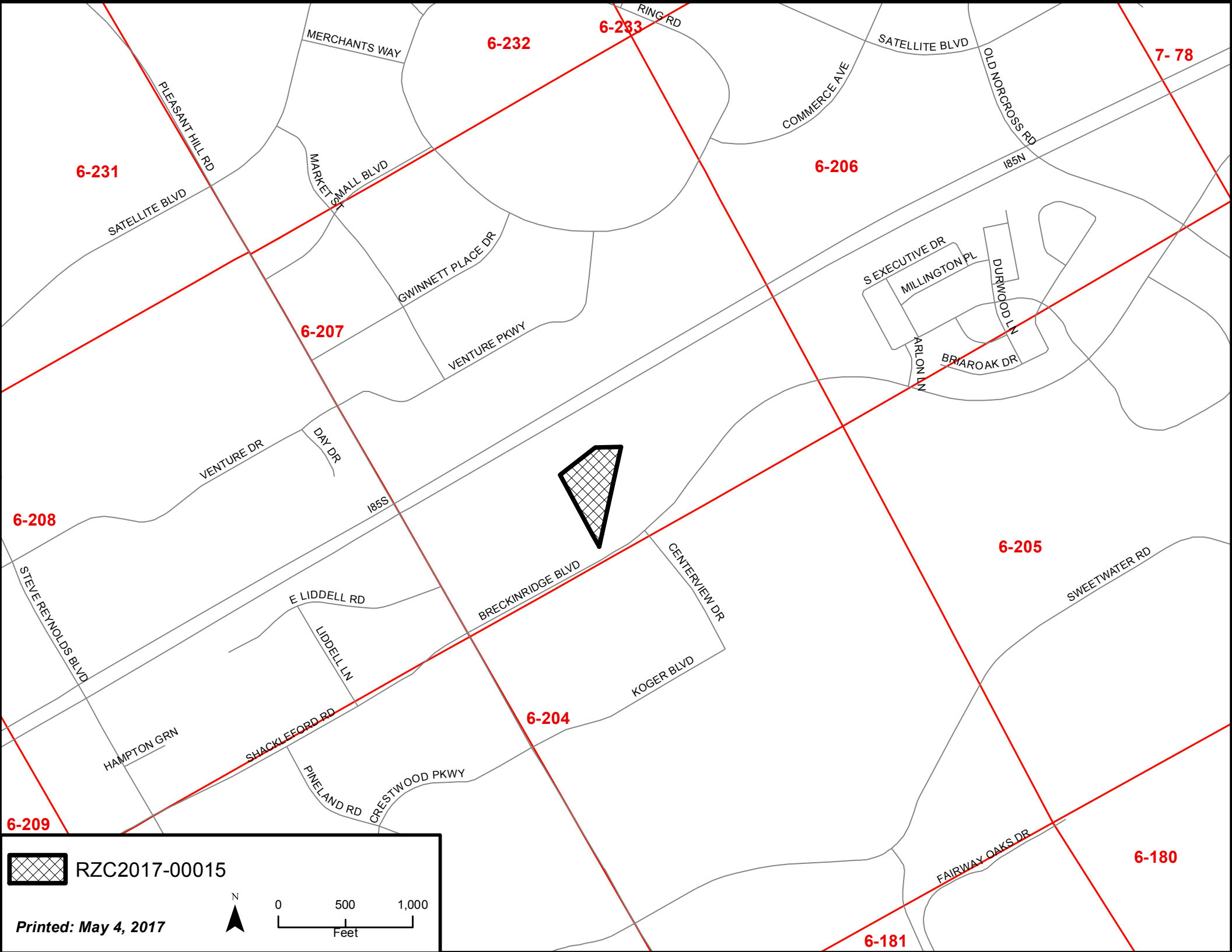
Thank you for your assistance and consideration,




Nick Faber

DCT Industrial

RZC '17 015
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APR 06 2017
Planning & Development



 RZC2017-00015



0 500 1,000
Feet

Printed: May 4, 2017

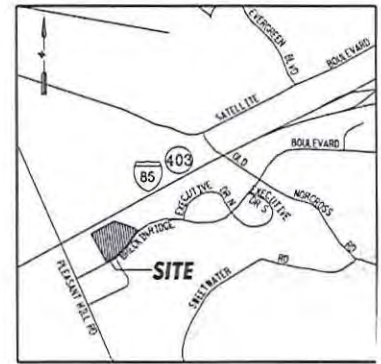
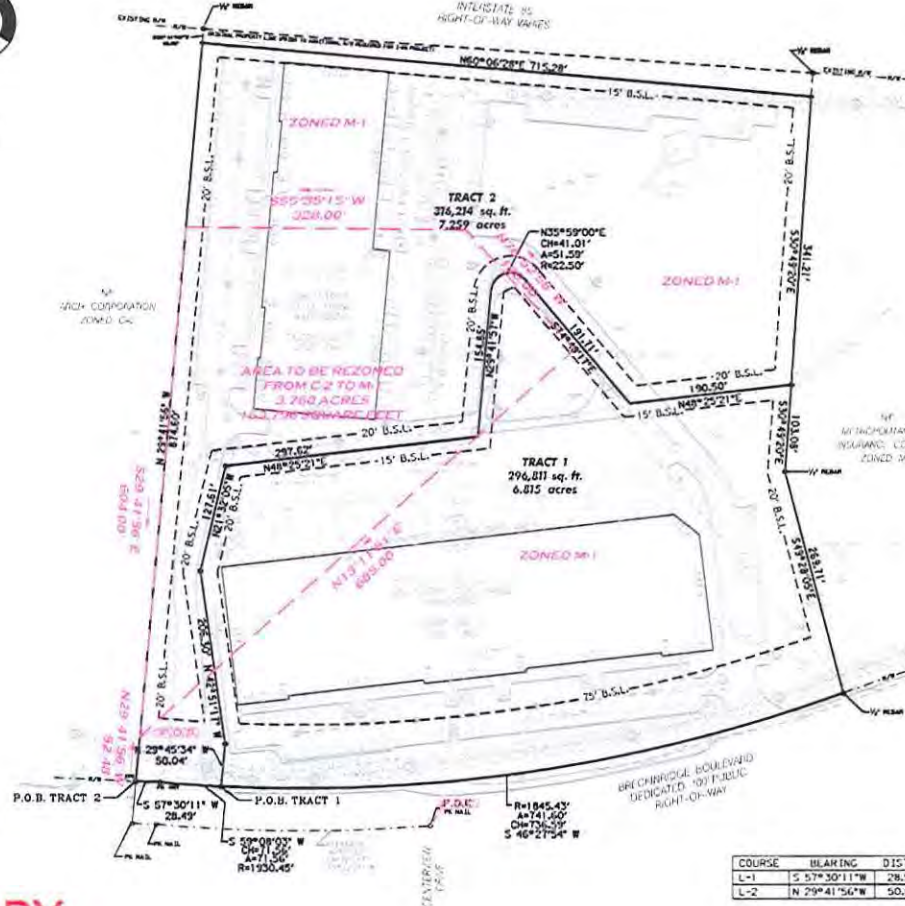
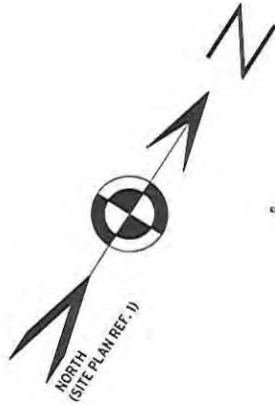
AREA TO BE REZONED DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING IN AND BEING IN LAND LOT 207 OF THE 6TH DISTRICT, GWINNETT COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A P.K. NAIL FOUND AT THE INTERSECTION OF THE CENTERLINE OF BRECKINRIDGE BOULEVARD (HAVING A PUBLICLY DEDICATED, 100-FOOT RIGHT OF WAY) AND THE CENTERLINE OF CENTERVIEW DRIVE (HAVING A PUBLICLY DEDICATED, VARIABLE WIDTH RIGHT OF WAY), THENCE LEAVING SAID INTERSECTION AND CONTINUING ALONG SAID CENTERLINE OF BRECKINRIDGE BOULEVARD THE FOLLOWING COURSES AND DISTANCES: ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1888.76 FEET AND AN ARC DISTANCE OF 321.52 FEET, WITH A CHORD BEARING OF SOUTH 55 DEGREES 22 MINUTES 21 SECONDS WEST AND A CHORD DISTANCE OF 321.13 FEET TO A P.K. NAIL FOUND; SOUTH 57 DEGREES 30 MINUTES 11 SECONDS WEST A DISTANCE OF 28.54 FEET TO A P.K. NAIL FOUND; THENCE LEAVING SAID CENTERLINE OF BRECKINRIDGE BOULEVARD NORTH 29 DEGREES 41 MINUTES 56 SECONDS WEST A DISTANCE OF 50.00 FEET TO A 1/2-INCH REBAR FOUND ON THE NORTHERLY RIGHT OF WAY OF BRECKINRIDGE BOULEVARD; THENCE LEAVING SAID RIGHT OF WAY OF BRECKINRIDGE BOULEVARD NORTH 29 DEGREES 41 MINUTES 56 SECONDS WEST A DISTANCE OF 52.48 FEET TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING. THENCE NORTH 13 DEGREES 11 MINUTES 51 SECONDS EAST A DISTANCE OF 685.00 FEET TO A POINT; THENCE NORTH 76 DEGREES 52 MINUTES 58 SECONDS WEST A DISTANCE OF 190.00 FEET TO A POINT; THENCE SOUTH 55 DEGREES 35 MINUTES 15 SECONDS WEST A DISTANCE OF 328.00 FEET TO A POINT; THENCE SOUTH 29 DEGREES 41 MINUTES 56 SECONDS EAST A DISTANCE OF 604.00 FEET TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING. SAID TRACT OR PARCEL OF LAND CONTAINS 3.760 ACRES (163,796 SQUARE FEET).

ALL PROPERTY LINES AND IMPROVEMENTS SHOWN PER SITE PLAN REFERENCE 1.

SITE PLAN REFERENCES

1) SUBDIVISION PLAT, CADDT BUSINESS CENTER AT BRECKINRIDGE PREPARED BY POST, BUCKLEY, SCHUM, & JERNIGAN, INC. DATED AUGUST 14, 2006.



VICINITY MAP

- LEGEND**
- 1/2" REBAR/P.K. NAIL SET/FOUND
 - SINGLE CATCH BASIN
 - DOUBLE CATCH BASIN
 - FIRE HYDRANT
 - UTILITY POLE
 - WATER VALVE
 - TELEPHONE MANHOLE
 - UNDERGROUND TELEPHONE
 - GUY WIRE
 - SANITARY SEWER MANHOLE
 - WATER METER
 - OVERHEAD POWER
 - OVERHEAD CABLE T.V.
 - OVERHEAD TELEPHONE
 - U.P. UNDERGROUND POWER
 - UNDERGROUND GAS
 - WATER LINE
 - STORM MANHOLE
 - DROP INLET
 - TRANSFORMER/ELECTRIC METER
 - MONITORING WELL
 - CLEAN OUT
 - SIGN
 - GAS METER
 - LIGHT POLE
 - R/W MONUMENT



COURSE	BEARING	DISTANCE
L-1	S 57°30'11" W	28.54'
L-2	N 29°41'56" W	50.00'

RZC '17015

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Planning & Development

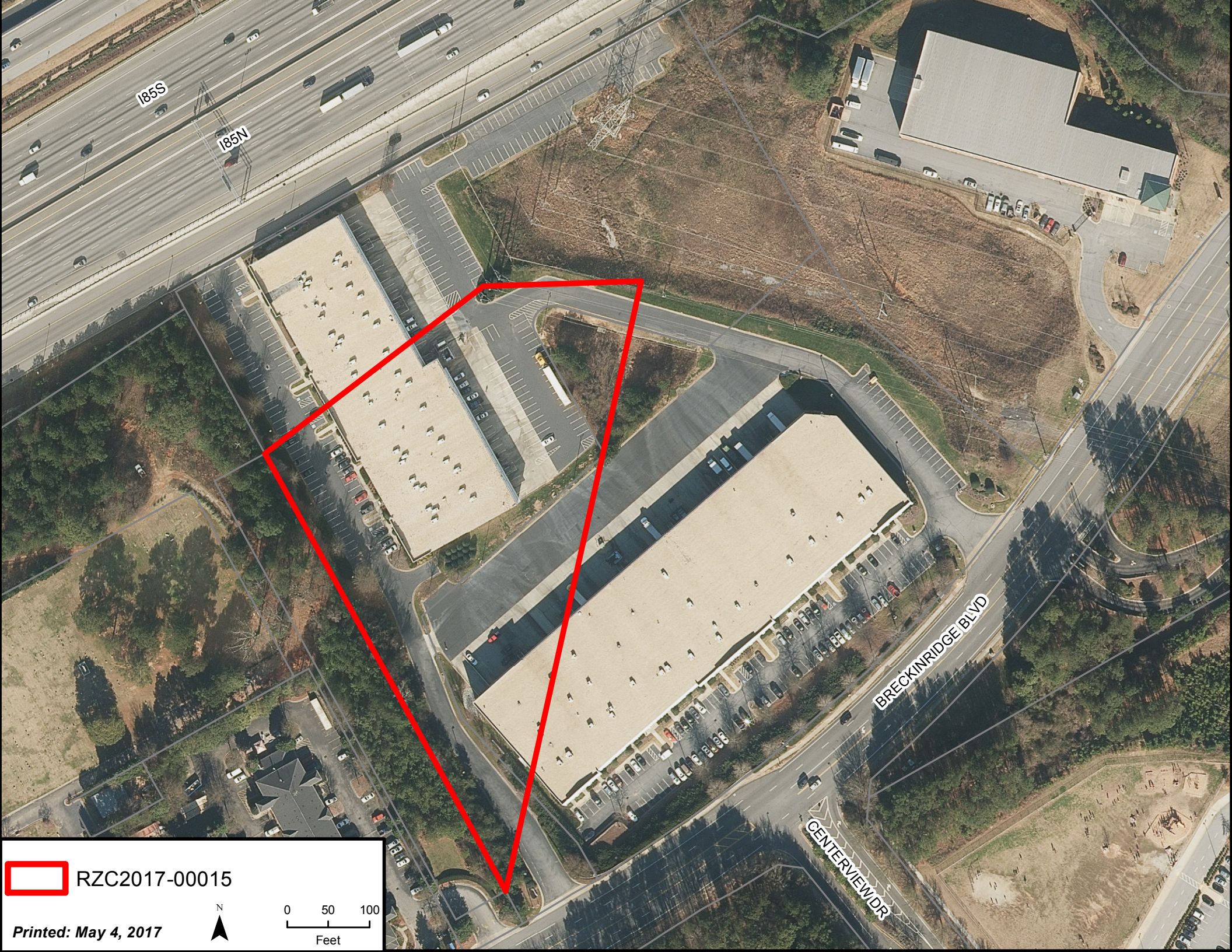


317 GRASSDALE ROAD
 CARTERSVILLE, GA 30121
 770-334-8186
 WWW.LOWERYLANDSURVEYS.COM
 INFO@LOWERYLANDSURVEYS.COM
 GEORGIA C.O.A.: LSF-001102

THE PURPOSE OF THIS SITE PLAN IS TO REZONE THE PORTION OF THE SUBJECT PROPERTY CURRENTLY ZONED C-2 TO M-1.

SITE PLAN OF:
 3435 & 3435 BRECKINRIDGE BOULEVARD
 PREPARED FOR:
 DCT-GA 2004 RN PORTFOLIO U, LLC

DATE: APRIL 4, 2017	SCALE: 1"=100'
STATE: GEORGIA	COUNTY: GWINNETT
LAND LOT: 207	DISTRICT: 6TH
JOB #: 171842	SHEET: 1 OF 1



185S

185N

BRECKINRIDGE BLVD

CENTERVIEW DR



RZC2017-00015



0 50 100
Feet

Printed: May 4, 2017



OWNNET PLACE DR

MARKET ST

VENTURE PKWY

85N

85S

BECKWIDGE BLVD

CENTER AVE

EDELLE RD

PLEASANT HILL RD

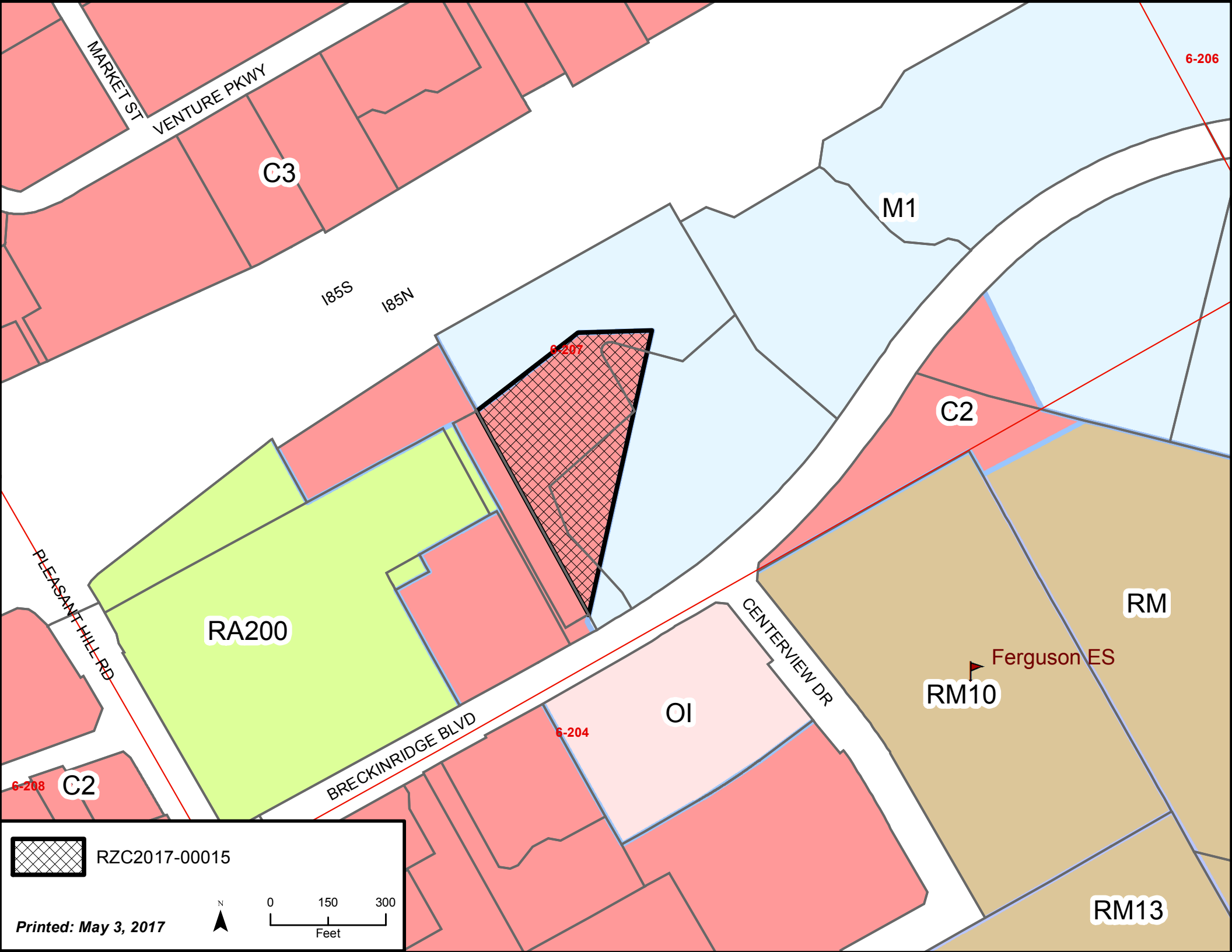
KOSER BLVD

 RZC2017-00015

Printed: May 4, 2017

N 

0 50100  Feet



6-206

C3

M1

185S

185N

6-207

C2

RA200

RM

PLEASANT HILL RD

Ferguson ES

RM10

OI

CENTERVIEW DR


6-204

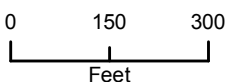
BRECKINRIDGE BLVD

6-208

C2

RM13

 RZC2017-00015



Printed: May 3, 2017

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

CASE NUMBER :**RZR2017-00010**
ZONING CHANGE :R-100 TO TND
LOCATION :1200 -1300 BLOCKS OF LAKEVIEW ROAD
MAP NUMBERS :R5089 006, 016, 018, 020, 070, & 072
ACREAGE :27.65 ACRES
UNITS :32 UNITS
PROPOSED DEVELOPMENT :TRADITIONAL NEIGHBORHOOD DEVELOPMENT (BUFFER
REDUCTION)
COMMISSION DISTRICT :(3) HUNTER

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

APPLICANT: JUSTIN BRADY
1279 LAKEVIEW ROAD
GRAYSON, GA 30017-1140

CONTACT: JUSTIN BRADY PHONE: 404.998.1857

OWNERS: JUSTIN BRADY
1279 LAKEVIEW ROAD
GRAYSON, GA 30017-1140

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant seeks rezoning from R-100 (Single Family Residence District) to TND (Traditional Neighborhood District) on a 27.65-acre parcel assemblage. The subject site is located on the north side of Lakeview Road east of Pharrs Road and contains two vacant single family residences, a creek, a pond, an open grassed area and woodlands.

The applicant requests rezoning of the site to TND (Traditional Neighborhood Development District) in order to develop a neighborhood community with 32 single family detached homes, a café, other unspecified light commercial uses, a community garden with greenhouse, a recreational pond with a boat house, dock, beach area and fire pit, walking trails on the periphery of the site and special events such as weddings and school field trips as a future use. The applicant also indicates plans for a barn for small farm animals such as chickens and goats; however these uses are not permitted in TND zoning. According to discussions with the applicant, a Farmer's Market may be added in the future. A Special Use Permit would be required for that use at a later date.

Staff notes that the applicant owns 22.94 acres adjacent to the subject site on the northwest, but it is proposed to remain zoned R-100. A portion of the pond is located on this property

and a small “natural amphitheater” overlooking the pond is proposed for use by the residents. Connecting walking trails are also shown on this site.

The residential units are proposed on lots ranging in size from 5,500 square feet to 20,000 square feet, with most lots being in the 6,000 to 8,000 square foot range. The proposed net residential density is 1.43 units per acre as the site contains flood plain areas. Three access points from Lakeview Road are shown on the site plan. One new roadway with a security gate/guardhouse is proposed for nine of the residential lots located directly adjacent to Lakeview Road. The remaining 23 lots would have access from another new roadway from Lakeview Road, also proposed with a security gate/guardhouse. The third access point is for the small commercial lot of approximately 18,000 square feet and would be open to the public.

The TND zoning district requires buffers around the periphery of the site ranging from 30 feet to 35 feet in width. The site plan indicates a security fence around the perimeter of the site, including the adjacent 22.94-acre property owned by the applicant. Given that the applicant intends to develop the adjacent acreage and connect it to the proposed TND development with walking trails, staff supports the elimination of the 35-foot wide buffer along that property line. However, the site plan indicates that reductions of the 30 and 35-foot wide buffers to 15 feet are proposed along the remaining property lines.

Proposed parking for the residential and commercial uses meets the minimum requirement. No stormwater detention areas are shown on the site plan, but there appears to be more than sufficient areas for detention, including the existing pond. The site plan indicates the development will be well over the 20% minimum requirement of the TND district.

ZONING HISTORY:

The subject property was zoned RA-200 in 1970 and rezoned to R-100 through an areawide zoning map revision on September 13, 1973.

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 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).

Provide a 30-foot natural, undisturbed buffer adjacent to R-100 and R-100 MOD 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 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.

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.

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.

STORMWATER REVIEW SECTION COMMENTS:

The property appears to contain stream buffers and floodplain. The proposed conceptual plan may require revision to show the appropriate stream buffer and floodplain areas. All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Lakeview 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.

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

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.

Dead end streets shall provide a cul-de-sac turn around as per the current UDO.

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 10-inch water main located on the northeast right-of-way of Lakeview 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 the right-of-way of Lakeview Road.

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:

Building Plan Review has no objections under the following conditions:

- I. 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, Design Category 2 for a Traditional Neighborhood District.
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.

DEPARTMENT ANALYSIS:

The applicant seeks rezoning from R-100 (Single Family Residence District) to TND (Traditional Neighborhood District) on a 27.65-acre parcel assemblage. The subject site is located on the north side of Lakeview Road east of Pharrs Road and contains two vacant single family residences, a creek, a pond, an open grassed area and woodlands.

The 2030 Unified Plan Future Development Map indicates the property lies within the Existing/Emerging Suburban Character Area. Unified Plan policies for this Character Area encourage compatible infill development and new residential development under 3.0 units per acre. The proposed traditional neighborhood development at a residential density of 1.43 dwelling units per acre together with neighborhood-level commercial, on-site recreational uses community gardening could be considered compatible with these policies. Provided the recommended conditions are incorporated into the project, the proposed TND could also be compatible with adjacent and surrounding residential developments.

The area surrounding the subject property is zoned R-100 and characterized by single family subdivisions, residences on large lots and undeveloped tracts. The Pinehurst at Lakeview subdivision is adjacent to the east and zoned R-100 Modified (SUP1995-00019). The Waterton subdivision, zoned R-100, is located further east of the site. Undeveloped wooded property and the Castle Pointe subdivision lies to the north of the property, zoned R-100. Scattered single family homes on large lots lie to the south and west of the site along Lakeview Road. The development of TND subdivision at a density of 1.43 units per acre could be compatible with existing and anticipated development in the area.

In conclusion, the proposed Traditional Neighborhood Development may be appropriate at this location if developed in accordance with the site plan submitted and with staff recommended conditions. Staff is of the opinion that the proposed project is supported by Unified Plan policies to encourage compatible infill development, provide housing options for residents, support neighborhood-level commercial, and be consistent with existing established residential densities in the surrounding area. Staff supports the inclusion of unique on-site recreational and community gardening facilities which incorporate the natural features of the property. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as TND (Traditional Neighborhood Development District), subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. A traditional neighborhood development, including no more than 32 single family detached dwellings, commercial and accessory uses and structures. Commercial activities shall be limited 1.5% of the total acreage encompassed by this rezoning.
 - B. The development shall be in accordance with the site plan submitted on April 6, 2017. The final site plan is subject to the review and approval of the Director of Planning and Development.
 - C. The following uses shall be prohibited:
 - Copy, blueprint or printing shop
 - Electronics or computer store
 - Jewelry store
 - Sporting goods stores
 - Club, lodge, or fraternal organization
 - Daycare facility
 - Place of worship
 - D. All commercial development shall be limited to one story and shall be of a residential character, subject to the review and approval of the Director of Planning and Development.
 - E. Homes shall be constructed in accordance with the elevations submitted on April 6, 2017. All of the homes shall have a minimum three-foot brick or stacked stone water table on all sides. Final approval for building materials and elevations shall be subject to the approval of the Director of Planning and Development.
 - F. All dwellings shall have at least a double-car garage.
2. To satisfy the following site development considerations:
 - A. External road frontage and project entrances shall be landscaped by the developer, and shall be maintained by the Homeowner's Association. Entrances shall include decorative masonry entrance features. Landscape and signage plans shall be subject to review and approval of the Director of Planning and Development.
 - B. Provide a 25-foot wide natural undisturbed buffer adjacent to all residentially-zoned property, except along the northwest property line, which buffer may be eliminated.

Buffers shall be enhanced where sparsely vegetated, and may be graded and replanted per approval of the Director of Planning and Development.

- C. Provide a minimum ten-foot wide landscaped strip adjacent to Lakeview Road.
- D. Underground utilities shall be provided throughout the development.
- E. Natural vegetation shall remain on the property prior to the issuance of a Development Permit.
- F. All grassed areas on dwelling lots shall be sodded.
- 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. Commercial 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. Prior to the approval of a Development Permit, the developer shall submit a Signage Concept Plan for all signage on the site. Signs shall be externally lit only and compatible with the residential character of the project. The Signage Concept Plan shall be subject to the review and approval of the Director of Planning and Development.
- J. Billboards or oversized signs shall be prohibited.
- K. 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.
- L. As it pertains to commercial portions of the development, 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.
- M. Peddlers and/or parking lot sales shall be prohibited in commercial areas.
- N. The property owners 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

If developed in accordance with the submitted site plan and staff's recommended conditions, the request for a traditional neighborhood development could be suitable at this location.

ADVERSE IMPACTS

Minimal adverse impacts on surrounding properties would be anticipated from this request, provided recommended conditions are incorporated into development of the project.

REASONABLE ECONOMIC USE AS ZONED

The property may have a reasonable economic use as zoned.

IMPACTS ON PUBLIC FACILITIES

Increased impacts could be anticipated in the form of utility demand, traffic, school-age children and stormwater runoff.

CONFORMITY WITH POLICIES

The proposed rezoning could be compatible with the surrounding area and consistent with the goals and policies of the Unified Plan, such as providing compatible infill development, providing diverse housing options, and establishing neighborhood-level commercial development with pedestrian connectivity throughout the development.

CONDITIONS AFFECTING ZONING

The proposed TND project could be appropriate at this location provided the recommended conditions to limit the development to the submitted site plan and to provide a greenway trail are incorporated into the overall project.

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:

The proposed zoning of TND is suitable in view of the use and development of adjacent and nearby properties.

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

This proposed rezoning will not 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:

The property does have current economic use.

- (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:

The proposed rezoning will not result in a use which will or could cause and excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This proposed development would create a low density, pedestrian friendly, community with abundant common space.

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

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:

There are no existing or changing conditions affecting the use and development of the property which gives supporting grounds for either approval or disapproval of the proposed rezoning.

1279,1329,1389 Lakeview Rd.

Justin Brady
1279 Lakeview Rd.
Grayson, Ga. 30017-1140

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Gwinnett Department of Planning and Development
Planning Division
446 W. Crogan St.
Lawrenceville, Georgia 30046
678-518-6000

RE: Letter of Intent
Subject Parcels 5/089/
Parcels 006,016,018,020,070,072
April 4, 2017

To Whom It May Concern,

Enclosed is an application for a rezoning of the above referenced subject property. The subject property is zoned R-100. All of the adjacent parcels are zoned R-100 and R-100MOD.

The subject parcels are currently zoned R-100 and this rezoning application would request a change in zoning to TND for 27.657 acres of the 50.587 total acreage of the combined parcels. The property currently consists of two un-occupied homes, a creek and pond, open grassed area, and woodlands.

Mission:

Our mission is to preserve a unique, natural landscape and grow a community of like-minded contributors to share in its costs and enjoyment... property owners who have a shared interests in maintaining a safe and enjoyable place to call home. The centerpieces of the community are a working farm and recreational lake. And this is just the beginning...

Community is a priority. We're trying to create a special place that people are excited about and interested in keeping it as near perfect as possible. The folks who will live here will be neighbors who know each other and look out for each other's interests, as well as their collective interests in maintaining the property to a high standard. Creating welcoming places to gather is an important part of the overall design. These gathering places will include a sitting porch attached to a barn overlooking the lake, an amphitheater, a rustic boat house, a café/community market, a fire circle near the water, and a beach area. Further, the property will lend itself to a regularly held farmers market and potentially other light commercial uses and special events. The real community will come from folks engaging with those around them. The home sites are situated closely together to encourage people to know their neighbors. Humans are social animals and we thrive through our interaction with one another. Further, creating

intentional spaces for conversation to happen will go a long way toward building community.

A working farm is a critical part of our design vision. Vegetables, eggs, and meat will be grown for consumption by the home owners, then available to the public via the farmers market. Owners can obtain farm-produced goods seven days a week, at certain hours. The public may buy at a regular weekly or semi-weekly market. The glass building over the existing pool at the northern edge of the farm will become a greenhouse for year-around vegetable production. Some live-stock will be kept, as well. Perhaps not in a robust production capacity, but as necessary for ambiance. Chickens for egg production, and maybe broilers. Goats, and or sheep, and possibly a dairy cow. Animal quarters will be contained and kept neat, clean, and without offensive odors and cool-season crops and cover crops will maintain aesthetics through the winter months. The farm area is intended as an amenity rather than for quantifiable production but my hope is for the availability of local produce year-round.

Working with the natural landscape that exists is another priority. Specimen trees have been identified and will be preserved as focal points. Water quality and detention will be handled via dry and wet swales. Storm runoff will be contained and channeled slowly through vegetated areas and introduced into the creek, upstream from the lake. The lake will be used for geothermal heating and cooling with the runoff from the pumps combining into water amenities that form small creeks and pools in and around the living spaces. Geothermal climate control systems work efficiently and very quietly. Therefore, residents will be able to enjoy time outdoors without listening to the constant hum of air conditioners and heat pumps. Geothermal systems also have twice the lifespan of air to air systems and are much more efficient. This means less traffic from repair technicians and lower cost of operation. Additionally, regarding water features, the entrance drive over the dam will be divided and the normal flow from the lake diverted between the lanes into a designed mountain stream with waterfalls cascading down to the existing creek. Farm and common area irrigation will also be from clean and clean lake water.

General Considerations:

The conservation spaces and common areas will include recreational trails for walking, horseback riding, and golf carts. Golf carts put smiles on faces and are an important part of the community atmosphere. A complete fence will be maintained around the perimeter of the property as well as a perimeter trail for fence inspection and repair. The trail will also be available to owners for horseback riding, walking, golf carts, etc.

The purchase of a home site will entitle each owner to use of the shared common and conservation areas. Maintenance of the property at large will be funded by a monthly fee assessed to home owners. The fee will be adjusted annually as needed to be sure the property can be maintained in top condition. When an owner reports a defect such as a downed tree, failed fence, washed out trail, or other deficiencies, a protocol will be in place for making reports and the defect will corrected promptly. Owners may elect to hire on site grounds crew for

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lawn and landscape maintenance, as they so desire. Prices will be very competitive to encourage maintenance done "in-house" for quality control. We need absolute control of exterior aesthetics in order to maintain a high level appearance, either by covenant or duty.

For unimaginable success, we're tasked with creating something really special. We're attempting to build a formula where the sum can be greater than the parts, and if we can find a way to engage existing neighborhoods, this effort could grow into something much bigger than we can imagine today. I believe that people want to know their neighbors and be a part of a community. The explosion of social media has indicated that we yearn to share our experiences with others. Our suburban landscape has physically separated us from our friends and neighbors creating a sort of high pressure to share. We're bursting at the seams with a desire to express ourselves to anyone who'll listen. I believe that the energy of this desire can be harnessed to pull the plow of rejuvenation through our tired subdivisions, cultivating these type neighborhoods to grow a community for which we all yearn.

Sincerely,

Justin Brady
Owner and Applicant

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

Case #	Schools	Current Projections									Proposed Zoning
		2016-17			2017-18			2018-19			Approximate additional Student Projections from Proposed Developments
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZR2017-00010	Grayson HS	2847	2,125	722	2927	2,125	802	3009	2,125	884	10
	Bay Creek MS	1111	1,150	-39	1148	1,150	-2	1186	1,150	36	7
	Grayson ES	944	950	-6	973	950	23	1003	950	53	15

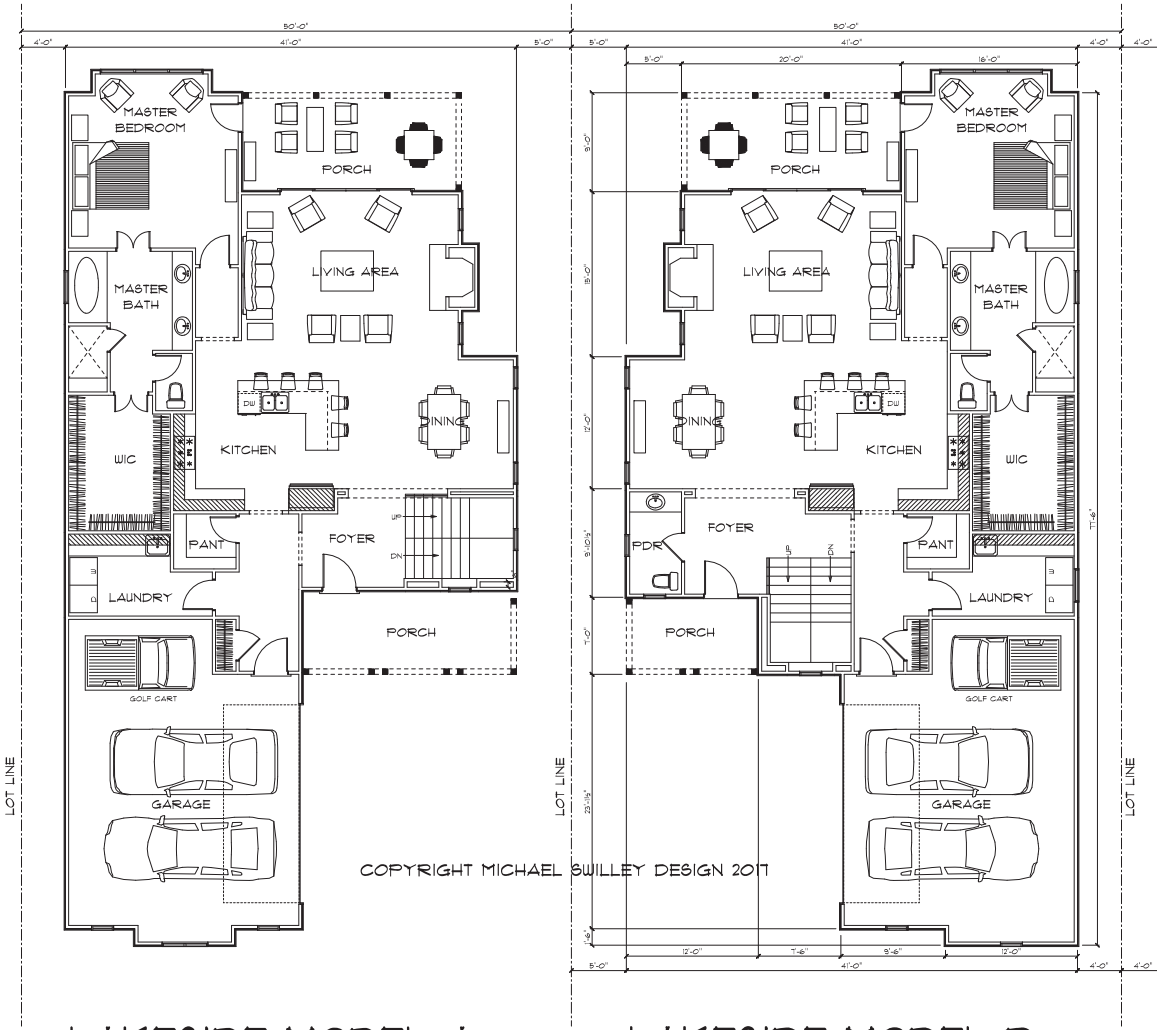
Current projections do not include new developments



Rayleen

ARCHITECTURAL STYLE, MATERIAL AND COLOR PALETTE





LAKESIDE MODEL A

MAIN FLOOR 1,672
 UPPER FLOOR 1,021 ESTIMATE
 TOTAL 2,693 S.F.

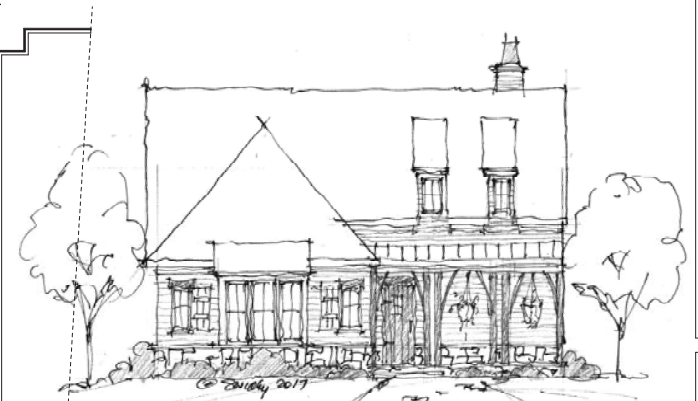
LOWER LEVEL 1,223 S.F. (OPTIONAL)

LAKESIDE MODEL B

MAIN FLOOR 1,743
 UPPER FLOOR 1,123 ESTIMATE
 TOTAL 2,866 S.F.

LOWER LEVEL 1,256 S.F. (OPTIONAL)

NOTE: SQUARE FOOTAGES SHOWN ARE PROJECTIONS.
 PLANS ARE SUBJECT TO FURTHER MODIFICATION.



LAKESIDE MODEL A



LAKESIDE MODEL B

MICHAEL SWILLEY
 RESIDENTIAL DESIGN

Office: 478-300-3804 / Fax: 774-844-6200 / Email: msd@mswilleymichael.com

GENERAL NOTES:
 THESE SKETCHES REPRESENT AN APPROXIMATE CONCEPTUAL DESIGN. THEY ARE NOT TO BE USED FOR PERMITS OR CONTRACTS. ALL DIMENSIONS ARE APPROXIMATE. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.

Bludress Farm
 LAKESIDE - MODEL PLANS A + B

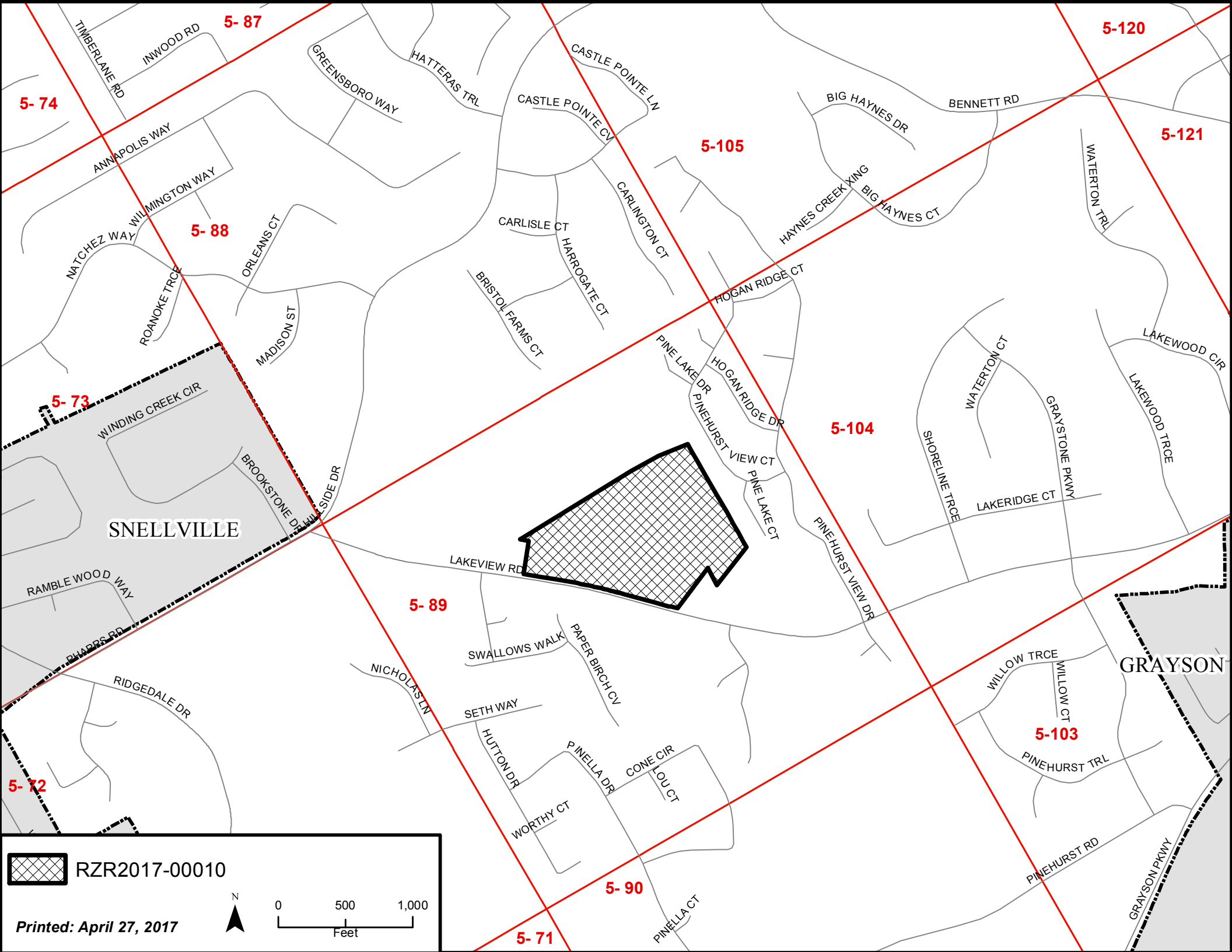
REVISIONS:


ISSUE DATE:
 5.9.2017

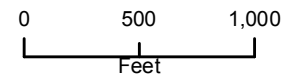
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PROJECT NO.:
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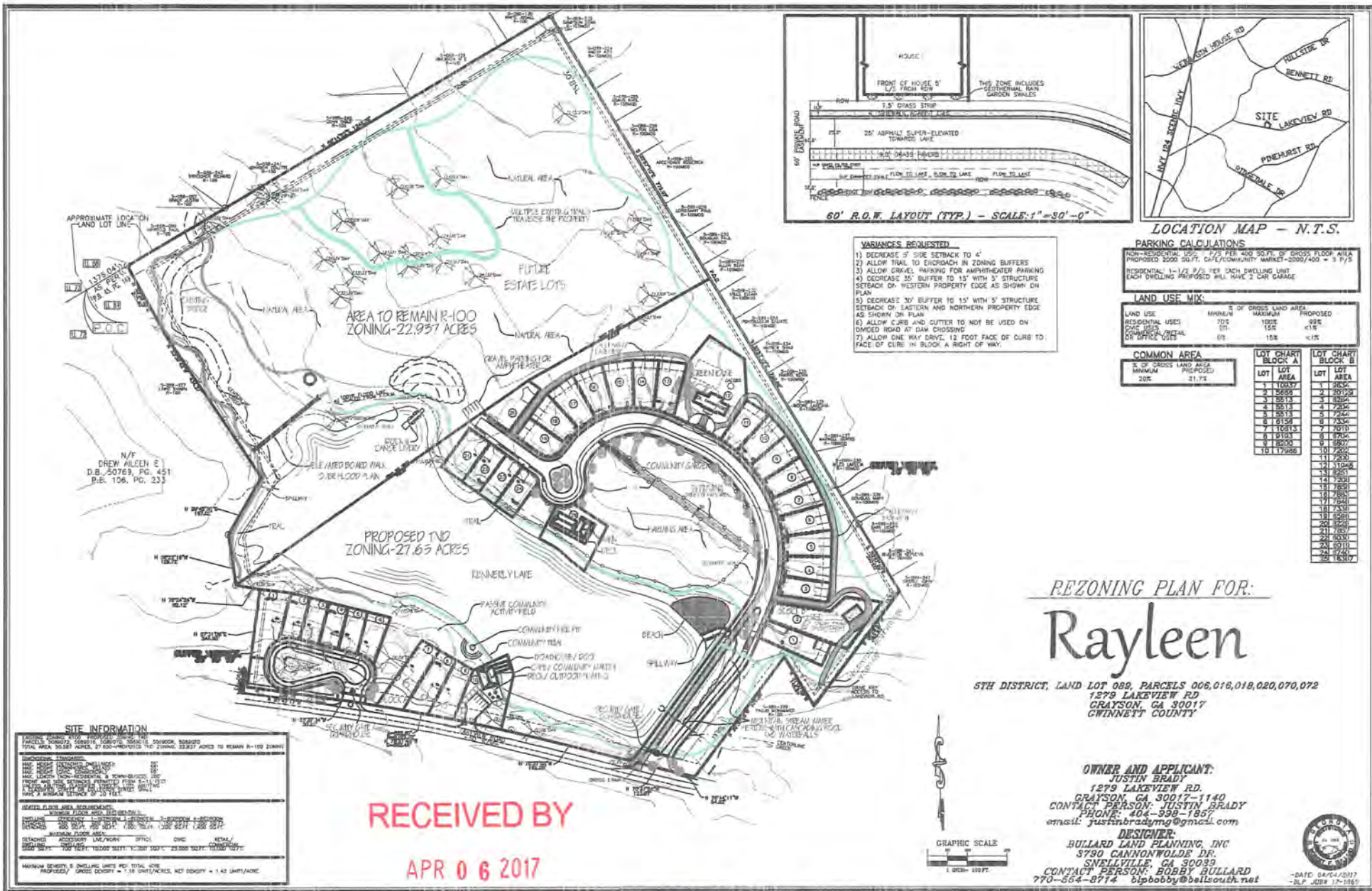
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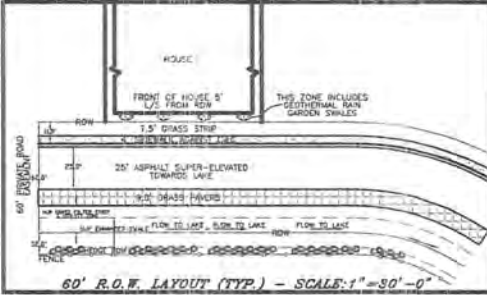
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APPROXIMATE LOCATION
"LAND LOT LINE"

AREA TO REMAIN R-100
ZONING-22.937 ACRES

PROPOSED TND
ZONING-27.633 ACRES



- VARIANCES REQUESTED**
- 1) DECREASE 5' SIDE SETBACK TO 4'
 - 2) ALLOW TRAIL TO ENDOUCH IN ZONING BUFFERS
 - 3) ALLOW DRIVE/PARKING FOR AMPHITHEATER PARKING
 - 4) DECREASE 35' BUFFER TO 15' WITH 5' STRUCTURE SETBACK ON WESTERN PROPERTY EDGE AS SHOWN ON PLAN
 - 5) DECREASE 30' BUFFER TO 15' WITH 5' STRUCTURE SETBACK ON EASTERN AND NORTHERN PROPERTY EDGE AS SHOWN ON PLAN
 - 6) ALLOW CURB AND CUTTER TO NOT BE USED ON DIVIDED ROAD AT DAM CROSSING
 - 7) ALLOW ONE WAY DRIVE, 12 FOOT FACE OF CURB TO FACE OF CURB TO BLOCK A RIGHT OF WAY.

PARKING CALCULATIONS

NON-RESIDENTIAL: 2250 ± 1778 FEET 400 SQ.FT. OF GROSS FLOOR AREA
 PROPOSED 2000 SQ.FT. CAVE/COMMUNITY MARKET-2000/400 = 5 P/S

RESIDENTIAL: 1-1/2 P/S PER EACH DWELLING UNIT
 EACH DWELLING PROPOSED WILL HAVE 2 CAR GARAGE

LAND USE MIX:

LAND USE	MINIMUM	% OF GROSS LAND AREA	MAXIMUM	PROPOSED
RESIDENTIAL USES	70%	100%	100%	80%
COMMERCIAL USES	0%	15%	15%	<1%
OFFICE USES	0%	15%	15%	<1%

COMMON AREA

% OF GROSS LAND AREA	MINIMUM	PROPOSED
MINIMUM	20%	21.7%

LOT CHART

BLOCK A		BLOCK B	
LOT	AREA	LOT	AREA
1	10037	1	1282
2	15858	2	20129
3	15113	3	10254
4	15113	4	7300
5	15113	5	7300
6	15113	6	7300
7	10315	7	7010
8	15103	8	12706
9	15090	9	15987
10	17286	10	7280
11	12331	11	2331
12	11026	12	11026
13	12821	13	12821
14	12331	14	2331
15	16281	15	16281
16	16281	16	16281
17	16281	17	16281
18	16281	18	16281
19	16281	19	16281
20	16281	20	16281

REZONING PLAN FOR:
Rayleen

5TH DISTRICT, LAND LOT 088, PARCELS 006,016,018,020,070,072
 1279 LAKEVIEW RD
 GRAYSON, GA 30017
 WINNETT COUNTY

OWNER AND APPLICANT:
 JUSTIN BRADY
 1279 LAKEVIEW RD.
 GRAYSON, GA 30017-1140
 CONTACT PERSON: JUSTIN BRADY
 PHONE: 404-358-1857
 email: justinbradygm@gmail.com

DESIGNER:
 BULLARD LAND PLANNING, INC
 3790 CANNONWOLFE DR.
 SNELLVILLE, GA 30039
 CONTACT PERSON: BOBBY BULLARD
 770-554-8714 bpbobby@bellsouth.net

SITE INFORMATION

PROJECT NUMBER: 100-177-0000-0000
 PARCELS NUMBER: 006,016,018,020,070,072
 TOTAL AREA: 30.561 ACRES, 97,600 ± SQ.FT. TO ZONING 22.937 ACRES TO REMAIN R-100 ZONING

MEASUREMENTS:
 DISTANCE: 1"=100 FT.
 AREA: 1"=100 FT.
 CURVE: 1"=100 FT.
 ELEVATION: 1"=10 FT.
 GRADE: 1"=10 FT.
 SLOPE: 1"=10 FT.
 TYPICAL: 1"=10 FT.

DETAILED FLOOR AREA REQUIREMENTS:

MINIMUM	RECOMMENDED	MAXIMUM
200 SQ.FT.	200 SQ.FT.	1,000 SQ.FT.

DETACHED RESIDENTIAL FLOOR AREA:

MINIMUM	RECOMMENDED	MAXIMUM
1,000 SQ.FT.	1,000 SQ.FT.	25,000 SQ.FT.

MINIMUM DENSITY: 2 DWELLING UNITS PER TOTAL ACRES
 PROPOSED: GROSS DENSITY = 7.18 UNITS/ACRES, NET DENSITY = 1.43 UNITS/ACRE

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DATE: 04/04/2017
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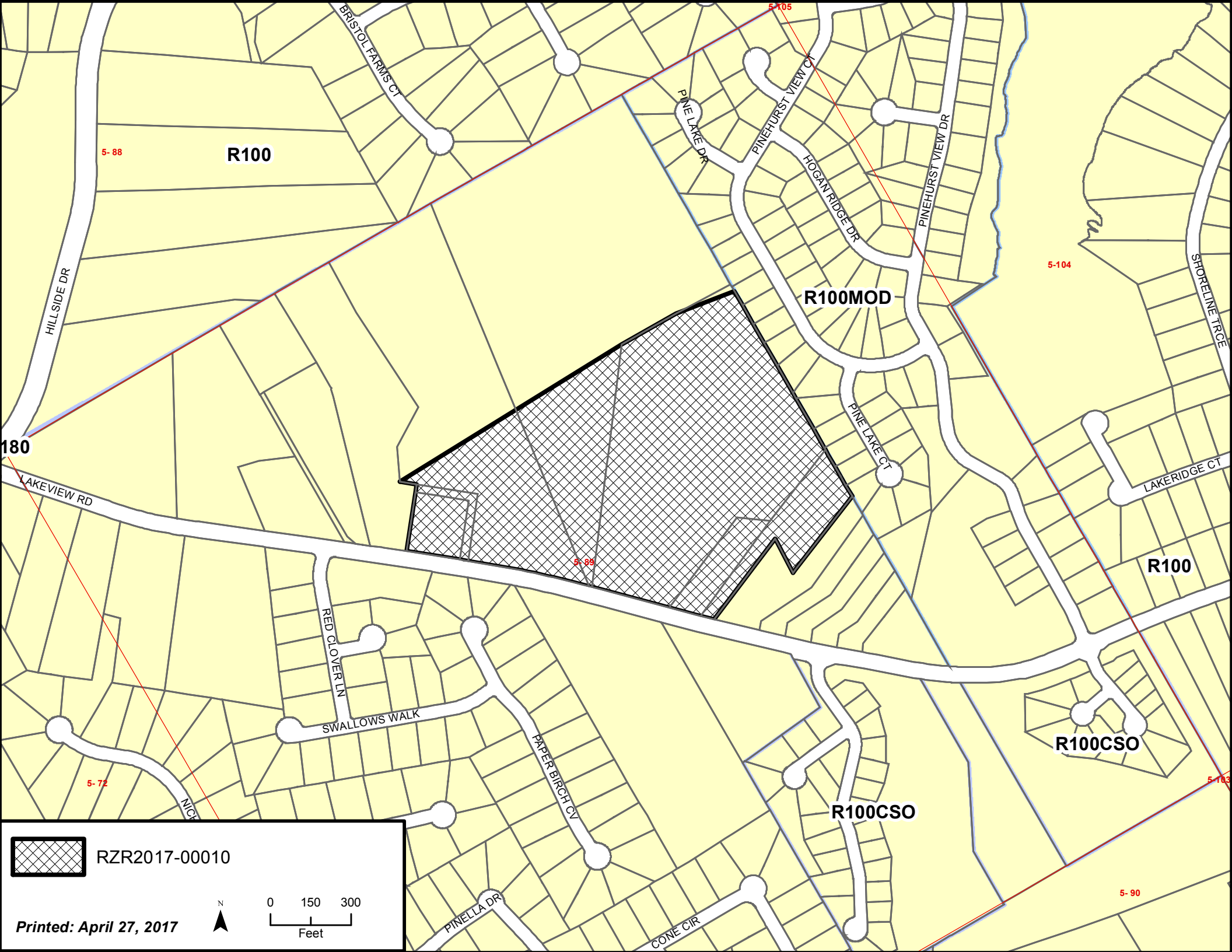
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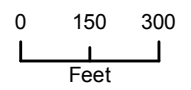
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Printed: April 27, 2017



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

CASE NUMBER : **CIC2017-00014**
ZONING : C-2
LOCATION : 2000 BLOCK OF LAWRENCEVILLE HIGHWAY
MAP NUMBER : R5050 004
ACREAGE : 2.95 ACRES
PROPOSAL : CHANGE IN CONDITIONS OF ZONING
(BUFFER REDUCTION)
COMMISSION DISTRICT : (4) HEARD

FUTURE DEVELOPMENT MAP: **CORRIDOR MIXED USE**

APPLICANT: ISB HOLDING, LLC
432 ATLANTA STREET
ROSWELL, GA 30075

CONTACT: CARL BURNETT PHONE: 404.583.7655

OWNER: ISB HOLDING, LLC
432 ATLANTA STREET
ROSWELL, GA 30075

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

CHANGE IN CONDITIONS SUMMARY:

The applicant requests a Change in Conditions of a previous Special Use Permit (SUP-95-052) in order to redevelop the property to operate a used car lot including auto repair as an ancillary use. The 2.95-acre property is located on the south side of Lawrenceville Highway east of Arnold Road. It is currently developed with a single building and gravel parking lot and has been operating as a used car sales business.

The applicant is proposing to build an 8,000 square-foot building at the rear of the property along with 108 parking spaces and a driveway connecting to the existing pavement at the front of the property. A 75-foot buffer is required adjacent to R-TH zoning. The applicant is requesting a buffer reduction as part of this request from 75-feet to 37.5-feet on both the rear and side property lines.

The Change in Conditions request is to remove condition 2.I. of SUP-95-052 which prohibits repairing vehicles on site. The condition currently reads as follows:

- 2.I. No repair of vehicles shall be allowed on site for car lot or taxi service.

An additional request is to remove condition 2.K. of SUP-95-052, which places restrictions on a taxi office from a previous Special Use Permit (SUP-17-89). The condition reads as follows:

2.K. Taxi office shall comply with Special Use Permit SUP-17-89 conditions within 60 days of approval of this current Special Use Permit request of SUP-17-89 shall be initiated for revocation.

The applicant wishes to operate the used car lot business with auto repair as an ancillary use. The current conditions of zoning would not allow him to repair vehicles on site, therefore making this request necessary to operate the business as proposed.

ZONING HISTORY:

The property was zoned C-1 (Neighborhood Business District) in 1970. In 1975 per an areawide rezoning it was rezoned to C-2 (General Business District). In 1989 a Special Use Permit for a taxi cab business was approved, pursuant to SUP-17-89. In 1995, a Special Use Permit for used car lot was approved, pursuant to SUP-95-052.

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.

Project access and required improvements along State routes or U.S. Highways (i.e., number and design of driveways, deceleration lanes, median breaks, etc.) will be subject to review and approval of the Georgia Department of Transportation. (Section 900-90.3F of the Unified Development Ordinance).

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 75-foot natural, undisturbed buffer adjacent to R-TH 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 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:

Lawrenceville Hwy US29 SR 8 is a State Route and Georgia D.O.T. right-of-way requirements govern.

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

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

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 Lawrenceville Highway

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 20 feet north of parcel R5050 004 in the right-of-way of Lawrenceville Highway and an eight-inch and 42-inch sanitary sewer main located approximately 229 feet east of parcel R5050 004 on parcel R5050 420.

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

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

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

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

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

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

DEPARTMENT ANALYSIS:

The 2030 Unified Plan Future Development Map indicates that the subject property lies within the Corridor Mixed Use Character Area. This segment of Lawrenceville Highway is an established commercial corridor and the proposed Change in Conditions to allow a car lot to include auto repair could be compatible within this Character Area and policies of the Unified Plan.

The surrounding area is characterized by commercial, office/warehouse and multi-family residential uses fronting along Lawrenceville Highway, with established single-family neighborhoods lying beyond the corridor. Numerous properties along Lawrenceville Highway between Arnold Road and Patterson Road are zoned for commercial/retail and office-institutional uses. A used car lot already operates on the subject property; to the South are a self-storage facility and a used car dealership. A used car dealership with auto repair at this location could be compatible with the surrounding land uses provided that conditions are included to improve the aesthetics of the development and reduce potential impacts on nearby properties.

With appropriate conditions to ensure a quality appearance for the site, the proposed Change in Conditions could be considered reasonable. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

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

SUP-95-052

Additions in **bold**

Deletions in ~~strikethrough~~

- I. To restrict the use of the property as follows:
 - A. Retail and service commercial and accessory uses which **may** include automotive sales **and associated automotive repair as a special use.** ~~as per site plan submitted.~~
 - B. All new buildings shall be of a brick, stacked stone and/or glass finish on all sides. Final building elevations shall be submitted for review and approval by the Director of Planning and Development.**
 - C. Outdoor storage/display of parts, tires, junked/inoperable vehicles or other materials shall be prohibited. All vehicles located outside the building, whether for sale, service, or repair, or belonging to employees or customers, shall be parked on impervious surfaces and only within lined parking spaces. No vehicles shall be displayed on elevated risers or parked within any landscape strip or grassed area.**
2. To satisfy the following site development considerations:
 - ~~A. Remove existing mobile home from property within 60 days of approval of Special Use Permit. The existing building and parking areas shall be demolished and removed from the property prior to the issuance of any Certificate of Occupancy for new construction.~~
 - B. Erect an eight-foot high opaque fence along rear property line of automobile sales facility.
 - ~~C. Building exterior shall be upgraded as shown on building elevation submitted June 12, 1995.~~
 - D. Provide a 10-foot wide enhanced landscaped strip outside the ~~new~~ dedicated right-of-way of U.S. Highway 29.
 - F. No billboards are permitted.

- G. Dumpsters shall be screened by a ~~fence or wall~~ **100% opaque brick or stacked stone wall with an opaque metal gate enclosure**. Dumpster pickup shall be limited between the hours of 7:00 a.m. and 10:00 p.m.
- F. 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.
- ~~G. No outdoor storage of junk cars, parts, used tires, or other debris shall be permitted.~~
- H. ~~No flags, banners, or outdoor speakers shall be allowed.~~ **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. No repair of vehicles shall be allowed on site for car lot or taxi service.~~
- J. Submit plans for a development permit and obtain all other necessary permits and inspections prior to the offering of any cars on the property for sale.
- ~~K. Taxi office shall comply with Special Use Permit SUP-17-89 conditions within 60 days of approval of this current Special Use Permit request of SUP-17-89 shall be initiated for revocation.~~ **Special Use Permit for Taxi Service (SUP-17-89) shall be terminated upon approval of CIC2017-00014.**
- L. **Parking for customers, employees, and inventory shall be limited to 53 spaces.**
- M. **Provide a 37.5-foot wide natural undisturbed buffer adjacent to all residentially-zoned properties. The buffer shall be enhanced where sparsely vegetated.**
- N. **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 signage shall not exceed eight-feet in height.**
- O. **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.**

- P. 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.**
- Q. 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.**
- R. Peddlers and/or parking lot sales shall be prohibited.**
- S. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.**

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The requested automobile dealership with automotive repair could be suitable at this location given the development of commercial/retail, office and light industrial uses along this portion of Lawrenceville Highway.

ADVERSE IMPACTS

With the recommended conditions, potential impacts on nearby residential properties could be reduced.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACT ON PUBLIC FACILITIES

Additional impacts on public facilities in the form of utility demand and traffic could be anticipated.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates that the subject property lies within the Existing/Emerging Suburban Character Area. With appropriate conditions, the proposed automotive dealership with automotive repair could be compatible with the existing commercial and office uses in the area.

CONDITIONS AFFECTING ZONING

If properly conditioned, including enhancement of the buffer and architectural treatment of the building, and limiting parking the request could result in an improved appearance on the site.

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 call dealership shall go next to the existing commercial use storage facility with two side bordering being flood plain

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

The adjacent project is commercial unaffected; the two other sides are residential zone however can not be built due to flood plain.

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

The proposed business model is a high end car dealership bring buyers with buying power that will positively impact the areas businesses.

- (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 facility is located directly of Lawrenceville highway which has two lanes each direction for a total of four, which will not place any burdens on the traffic flow.

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

in discussion with staff early this week (Jerry & kathy), they indicated that the plan that we are submitting is exactly what the intended use was. The previous restrictions was due to the previous owner's under development of the site full potential.

- (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:

Their no other existing CIC items except items I. and K from the currently effect SUP-95-052.

CIC '17 014

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APR 10 2017

Planning & Development

Gwinnett County Planning Board
446 W Crogan Street,
Lawrenceville, GA 30044

UI Auto Group
Head Office: 432 S Atlanta St,
Roswell, GA. 30075
% Jon Malik - CEO
1895 River Falls Dr,
Roswell, GA 30076

Dear Board,

It is our pleasure to announce that we are going to be a part of growing business community in Lawrenceville. We are a group of automotive dealerships that have been in operating in GA and VA markets for past 13 years successfully.

Our marketing and operations are very carefully planned and executed using Online services and tools. We are a purely an internet based operation and rely on online adversity such as targeted marketing on Google, Facebook, Autotrader, Cars.com, Truecar.com, to name a few. We are exclusively approved to do business with Employers like IBM, Military, Emory hospital and University, Northside Hospital and all of USAA members as well as Navy Federal Credit Union and all of Capital One and Chase members. We are a Number One preferred vendor with tons of employers as well as Banks and Credit Unions.

Our existing locations in Roswell and VA and Marietta have been at the forefront of the local businesses in those areas and donate locally to Fire and Police departments and always finding ways to give back to the surrounding communities. This is in form of participating in planting trees, taking care of landscape of not just our properties but also any abandoned properties around us, clean up campaigns, Own a Road program, and again heavily donating to locally advertising and county city sponsored marketing programs.

Our plan is to build a high end vehicle sales facility at the address 2016 Lawrenceville Hwy. This facility will be modern and tastefully done. We have plans to do a great landscape outside the dealership to add curb appeal as well as add to the outlook of the entire area. Our track record of working in one of the most stringent counties in the country - FairFax and Loudoun in VA - is impeccable has prepared us well to be compliant with the highest standards. We want to bring the same experience to Lawrenceville.

Part of our growing business also includes software development for the automotive companies. For that purpose we have launched a separate company from within our dealership platforms which is focussed on making our as well as partner dealers more compliant with local City, County, State as well as Secretary of State license board laws. This software company was

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Planning & Development

CIC '17 014

supposed to have its head office in the future moved to Lawrenceville as well as part of this Marquee facility that we are planning to build. This brings good high paying jobs as well as tons of exposure to the area.

Our customer base is very diverse and we cater to mostly educated, tech savvy, internet shoppers who find us from all over the country and usually fly in to Atlanta to purchase vehicles. We offer airport pickup service. Such clients always add to the exposure as well as local tax dollars by buying goods and services locally when they arrive to complete their purchase.

We also rely on online reputation management and always strive to earn good reviews on websites like Google Reviews, CarGurus, DealerRater, BBB A+ ratings and more. This is how our customers also find us and recommend us.

Being in business so many years and having sold over 25,000 vehicles in last decade, we are very much confident that automotive businesses backbone is its inventory and staff. Inventory is not going to be quality and problem free until and unless serviced at a 5 Star facility. That's why we were planning to build a very modern technology oriented facility to service vehicles at the Lawrenceville location as well. Without service, you can end up having a plethora of issues which makes it a cumbersome business to run and complaints. Our service department includes Mechanical, Electrical, Tires, Wheels, Alignment, suspension, body as well as Interior inspection and a hand car wash facility. We are glad to be compliant with any environmental and local state and county and city laws however enabling this service department will alleviate any distastefulness from this automotive business which otherwise is unfortunately attributed to this business like a stigma.

We request the honorable authorities and board members to enable us in accomplishing this goal and we open and make ourselves available at any time for such question answer sessions.

We thank you for your consideration.

Sincerely,
Jon Malik
CEO - UI Autos Group
Direct: 678-720-8787
Jon@uiautos.com

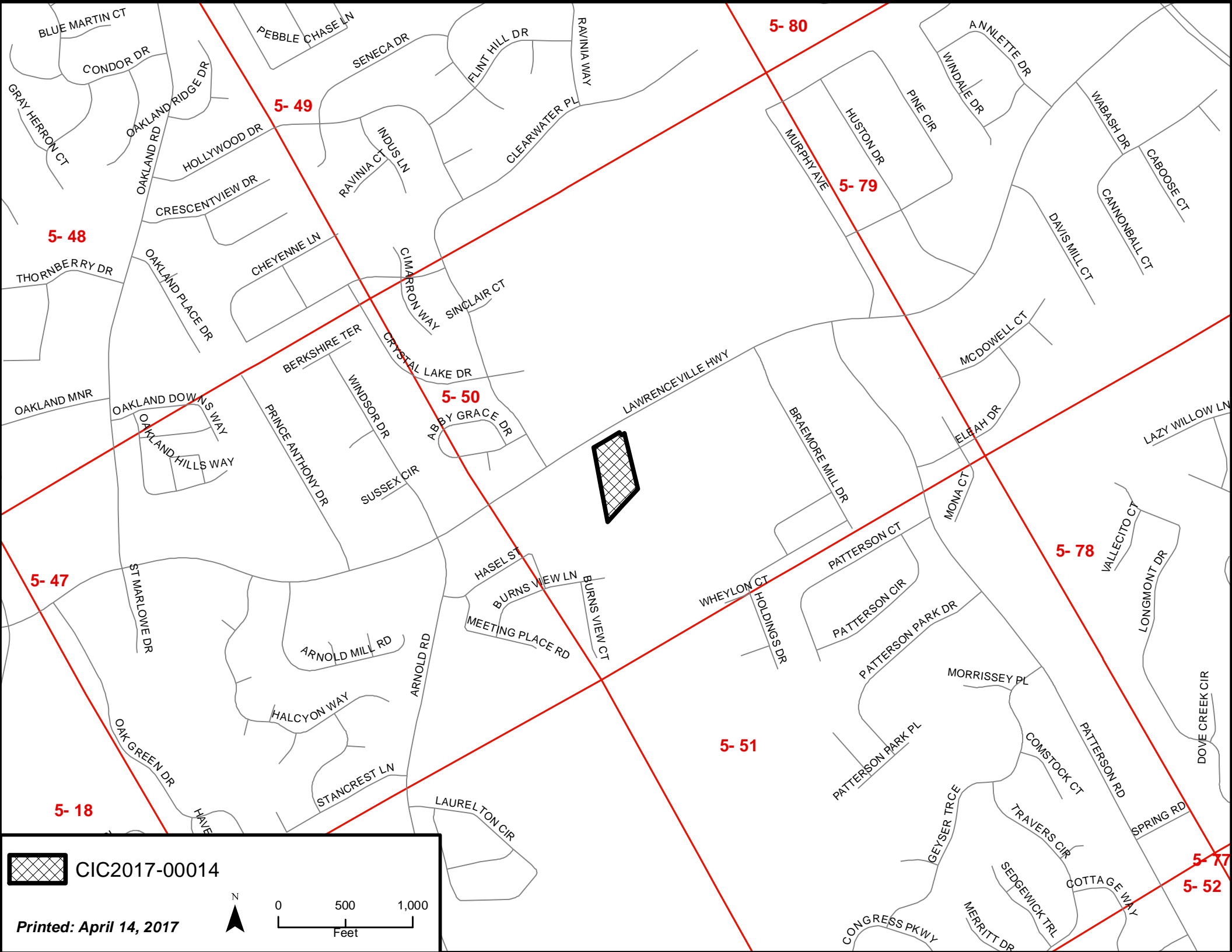



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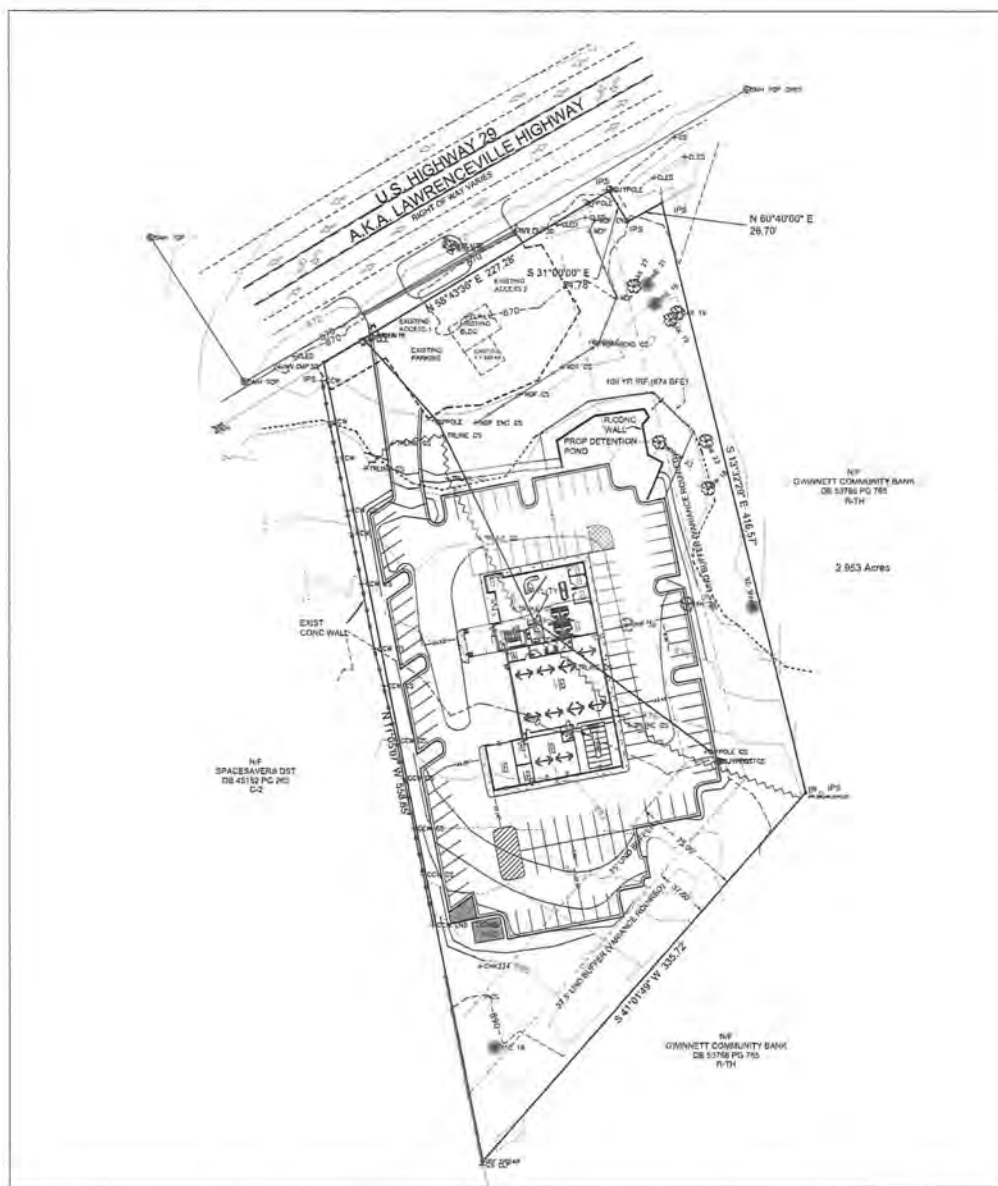


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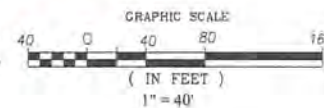


CIC '17014

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 Planning & Development

DATE: 04/10/17
 DRAWN BY: AMM
 CHECKED BY: AMM
 ENGINEER: AMM
 REGISTRATION NO: GA P.E. No. 20288
 DATE: 04/10/17

GENERAL NOTES:
 1. SEE BOUNDARY SURVEY DONE BY WARDEN ENGINEERING, INC. FOR ADJACENT SITES.
 2. SEE PROPERTY PLANS IN A PUBLIC RECORD DISTRICT IN THE COUNTY OF DEKALB, GEORGIA, COMMUNITY PLAN NO. 1342000007 (A) CD 04 04 2014 AND 1342000007 (A) CD 04 04 2014.
 3. ALL UTILITIES AND TOP SURFACE SHALL BE CLEARLY IDENTIFIED BY PLACING AND/OR MARKING PRIOR TO COMMENCEMENT OF ANY LAND SURVEYING.
 4. FUTURE WELL DEPTH DONE BY WARDEN ENGINEERING, INC. 04/10/17.



TAX PARCEL ID 5050-004

NO.	DATE	REVISIONS	BY	PROJECT NO.	DATE	PREPARED BY:	OWNER/BUILDER	TITLE	SCALE
			AMM			MANSUR ENGINEERING, INC.	ISB HOLDING COMPANY LLC.	INDICATED LAYOUT PLAN	1" = 40'
						1810 PEACHTREE IND. BLVD. SUITE 140 DULUTH, GEORGIA 30097 PHONE: (770) 476-7014 Fax: (770) 476-7363	432 ATLANTA STREET ROSWELL, GA. 30075 PHONE: (770) 329 - 7363	2016 LAWRENCEVILLE HWY LAND LOT 50, 5TH DISTRICT GWINNETT COUNTY, GEORGIA	SHEET NO. 1" = 40' FILE NO.

CASE NUMBER SUP-95-052

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>
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. KENERLY, 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 MIKE CARR for the proposed use of USED CAR LOT on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

CASE NUMBER SUP-95-052

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

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on June 27, 1995, and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 27th day of June, 1995, that the aforesaid application for a Special Use Permit is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Retail and service commercial and accessory uses which include automotive sales as per site plan submitted.
2. To satisfy the following site development considerations:
 - A. Remove existing mobile home from property within 60 days of approval of Special Use Permit.
 - B. Erect an eight-foot high opaque fence along rear property line of automobile sales facility.
 - C. Building exterior shall be upgraded as shown on building elevation submitted June 12, 1995.
 - D. Provide a 10-foot wide enhanced landscaped strip outside the new dedicated right-of-way of U. S. Highway 29.
 - F. No billboards are permitted.
 - G. Dumpsters shall be screened by a fence or wall. Dumpster pickup shall be limited between the hours of 7:00 a.m. and 10:00 p.m.

CASE NUMBER SUP-95-052

- F. 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.
- G. No outdoor storage of junk cars, parts, used tires, or other debris shall be permitted.
- H. No flags, banners, or outdoor speakers shall be allowed.
- I. No repair of vehicles shall be allowed on site for car lot or taxi service.
- J. Submit plans for a development permit and obtain all other necessary permits and inspections prior to the offering of any cars on the property for sale.
- K. Taxi office shall comply with Special Use Permit SUP-17-89 conditions within 60 days of approval of this current Special Use Permit request of SUP-17-89 shall be initiated for revocation.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: *F. Wayne Hill*
F. Wayne Hill, Chairman

Date Signed: 7-24-95

ATTEST:

Barbara G. Bruce
Clerk

CASE NUMBER SUP-17-89

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.

Present

VOTE

Lillian Webb, Chairman	<u>AYE</u>
W. J. Dodd, District 1	<u>AYE</u>
Scott Ferguson, District 2	<u>AYE</u>
J. Curtis McGill, 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 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

CASE NUMBER SUP-17-89

by DEANE STOKES for the proposed use of CONTINUANCE OF TAXI CAB BUSINESS (REDUCTION OF 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 News, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on APRIL 25, 1989 and objections were NOT filed;

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 25TH day of APRIL, 1989 that the aforesaid application for a Special Use Permit is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Retail and service commercial and accessory uses, which may include a taxi-cab service and landscaping contractor.
2. To satisfy the following site development considerations:
 - A. At time of construction of the proposed development, provide a 50-foot natural buffer, undisturbed except for approved access and utility crossings and replantings where sparsely vegetated, adjacent to the south property line, to include a six-foot high, 100 percent opaque, chain-link fence.
 - B. Provide a ten-foot wide landscape strip outside the new dedicated right-of-way of U.S. Highway 29.
 - C. Provide a five-foot wide landscape strip adjacent to the east and west property lines.
 - D. No billboards are permitted.

CASE NUMBER SUP-17-89

- E. Dumpsters shall be screened by a fence or wall.
 - F. Parking area for taxi-cabs shall be screened by a six-foot high, 100 percent opaque fence facing U.S. Highway 29.
 - G. Any outdoor storage areas other than plants, hay or pinestraw, shall be screened by a six-foot high, 100 percent opaque fence. Approval of outdoor storage areas and screening subject to the Director of the Development Division.
 - H. All current structures shall meet or be brought up to County code.
 - I. Truck trailers shall be relocated to the rear of the tract and shall be screened by a six-foot high, 100 percent opaque fence facing U.S. Highway 29, within 30 days of the approval of the Special Use Permit.
 - J. Provide interparcel access as may be required by the Development Division.
 - K. Buildings shall be finished with architectural treatments of brick, stone, stucco or other masonry finish. Other construction materials shall be subject to the review and approval by the Planning Commission.
3. To abide by the following requirements, dedications and improvements:
- A. Dedicate, at no cost to Gwinnett County, 50 feet of right-of-way from the centerline of U.S. Highway 29.
 - B. Design required on-site storm water detention facilities such that they are not located within any required buffers.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Lillian Webb
Lillian Webb, Chairman


Date Signed: 5-5-89

ATTEST:

Barbara C. Bruce
Clerk

LAWRENCEVILLE HWY

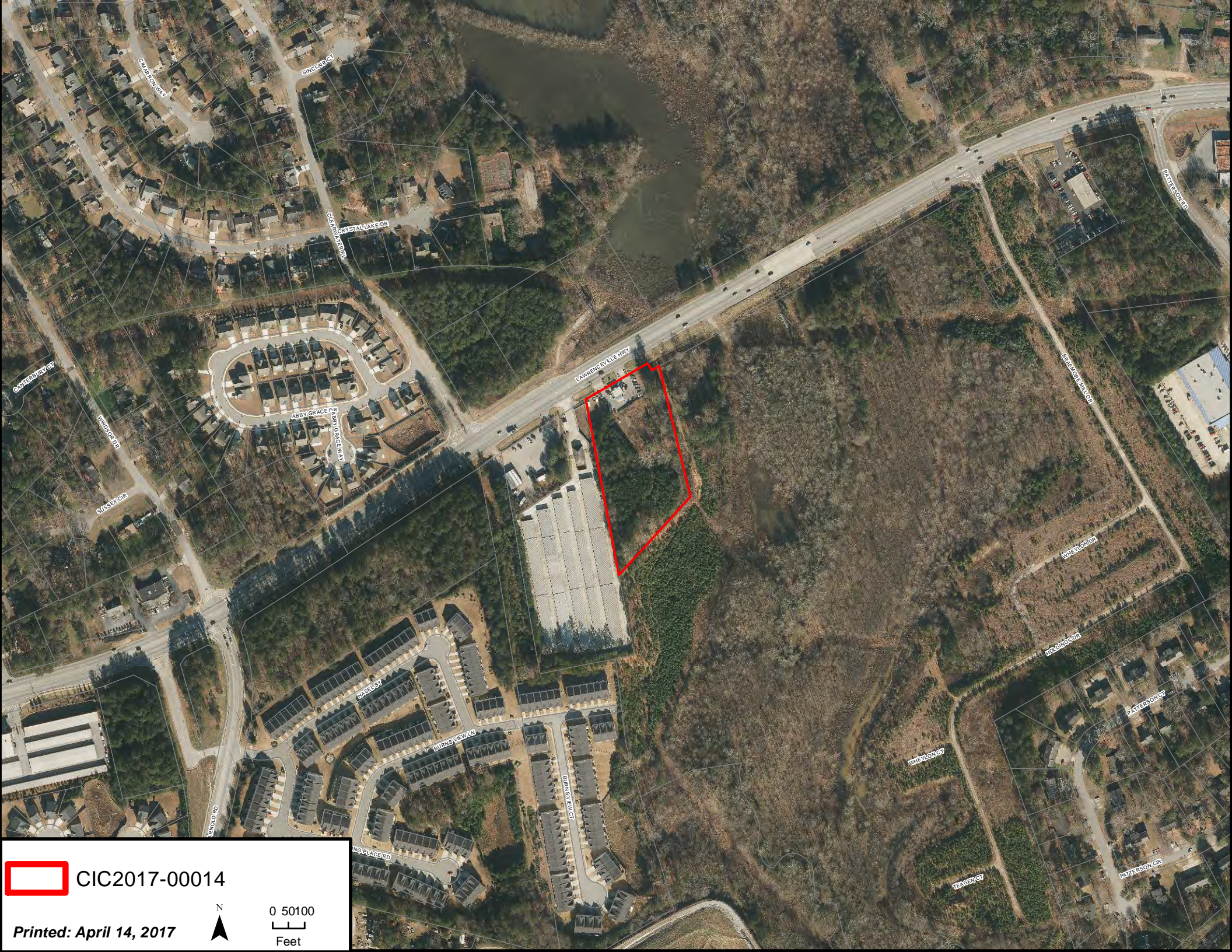


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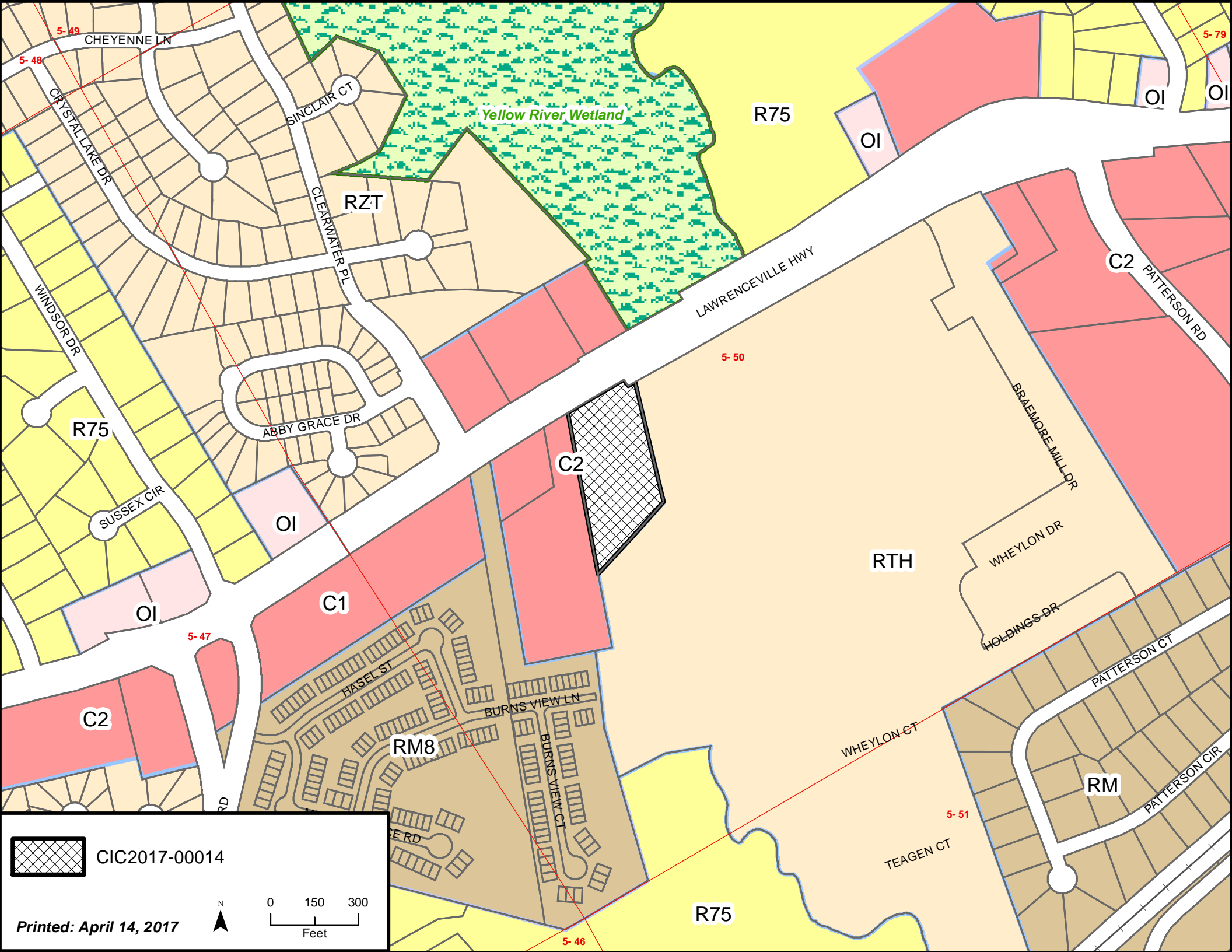


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Yellow River Wetland

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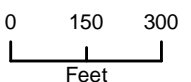
RM8

RM

R75

CIC2017-00014

Printed: April 14, 2017



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

CASE NUMBER :**CIC2017-00015**
ZONING :R-100
LOCATION :2100 BLOCK OF COLLINS HILL ROAD
MAP NUMBER :R7108 002
ACREAGE :5.31 ACRES
PROPOSAL :CHANGE IN CONDITIONS OF ZONING
COMMISSION DISTRICT :(4) HEARD

CASE NUMBER :**SUP2017-00029**
ZONING :R-100
LOCATION :2100 BLOCK OF COLLINS HILL ROAD
MAP NUMBER :R7108 002
ACREAGE :5.31 ACRES
SQUARE FEET :1,792 SQUARE FEET
PROPOSED DEVELOPMENT :MODULAR BUILDING
COMMISSION DISTRICT :(4) HEARD

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

APPLICANT: LYNN NEHEZ
2145 COLLINS HILL ROAD
LAWRENCEVILLE, GA 30043

CONTACT: LYNN NEHEZ PHONE: 770.963.8303

OWNER: EDUCATIONAL ALTERNATIVE INC.
DBA OAK MEADOW MONTESSORI SCHOOL
2145 COLLINS HILL ROAD
LAWRENCEVILLE, GA 30043

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

CHANGE IN CONDITIONS SUMMARY:

The applicant requests a Change in Conditions of a previous Special Use Permit case, SUP-99-075, to amend the required architectural treatments in order to place a modular classroom building on the rear of the property. This request also requires an additional Special Use Permit to specifically allow the modular building in an R-100 zoning classification. The subject property is a 5.31-acre parcel, located on the east side of Collins Hill Road, just north of its intersection with Camden Creek Court near Collins Hill Park. The Oak Meadows Montessori School occupies the site, which consists of a one-story brick-building, parking lot and associated driveways.

The request is to modify the architectural standard to locate a 1,792-square foot multi-classroom modular building to the rear of the existing development. As proposed, the architectural treatments of the proposed building would consist of fiber-cement siding, painted with a color scheme to match the existing building. The proposed building would accommodate a new classroom as the school's projected growth necessitates expanding outside of the existing structure.

The request is to modify condition 2.B. of SUP-99-075, which reads as follows:

B. Buildings shall be residential in appearance, with a pitched roof (minimum 4/12 visible pitch) and finished with architectural treatments of brick and/or glass. Final building plans shall be submitted to the Director of Planning for review and approval.

The applicant is requesting to amend the condition to allow a modular building utilizing fiber-cement siding as an exterior architectural treatment, painted with a color scheme that is compatible with the existing structure.

ZONING HISTORY:

In 1970, the property was zoned R-100 (Single-Family Residence District). In 2009, the Board, pursuant to SUP-99-075, approved a Special Use Permit allowing for the development of a private school and accessory uses.

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 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 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:

The property appears to contain stream buffers and floodplain. The proposed conceptual plan may require revision to show the appropriate stream buffer and floodplain areas. All storm water best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Collins Hill 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.

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 Collins Hill Road.

The available utility records show that the subject development is currently in the vicinity of an eight-inch sanitary sewer main located approximately 7 feet south of parcel R7108 002 in the right-of-way of Collins Hill Road.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit civil site drawings to Building Plan Review for review and approval.
2. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for each building for review and approval by Building Plan Review.
3. Each building shall comply with the height and area limitations of Table 503 and the fire resistive and horizontal separation requirements of Table 601 and 602 of the 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 modular building shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Design Category I which shall include an ornamental foundation cover.
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:

Fire Plan Review has no objections to the above Planning Commission request submissions, however, during the permitting and plan review phase, Gwinnet County Fire will request a fire hydrant to be within 400 feet of the proposed structure per the 2012 Gwinnett County Ordinance for Fire Protection and Life Safety, section 46-37(c).

DEPARTMENT ANALYSIS:

The subject property is a 5.31-acre parcel located on the east side of Collins Hill Road, just north of its intersection with Camden Creek Court near the Collins Hill Park. The site is developed with a one-story brick building, parking lot and associated driveways.

The 2030 Unified Plan Future Development Map identifies the property as lying within an Existing/Emerging Suburban Character Area. Modifying the architectural standards for the expansion of a small Montessori school would be compatible within this land use designation.

The area surrounding the property consists of single-family subdivisions, public/institutional uses and residentially zoned tracts of land. Adjoining the property to the south and east are single-family dwellings located on tracts of land zoned R-100. Further to the south is the Shrewsbury at Camden Creek and Buckingham subdivisions both zoned R-100. To the west, across Collins Hill Road, is the Collins Hill High school, zoned R-100. To the north is a vacant tract of land and the Collins Hill Park both zoned R-100. The proposed modification to the architectural standards could be compatible with the surrounding area, in light of similar institutional and civic uses located on nearby properties. However, the applicant should maintain or enhance existing buffers to ensure compatibility with neighboring residential properties and uses.

Modifying the architectural standards to allow for the use of a modular building as a classroom may be appropriate in light of the Board approving similar request throughout the county. Therefore, the Department recommends **APPROVAL WITH CONDITIONS** of these requests.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

SUP-99-075

Additions in **bold**

Deletions in ~~strikethrough~~

Approval of a Change-in-Conditions of the Special Use Permit (SUP-99-075) for a private school, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Private school and accessory uses.
 - B. **A single modular classroom building (no greater than 2,000 square feet) shall be allowed subject to SUP2017-00029.**
2. To satisfy the following site development considerations:
 - A. Provide a ten-foot wide landscaped strip outside the dedicated right-of-way of Collins Hill Road and along the northern and southern property line adjacent to residential zoning. Provide a solid, opaque fence, at least six-feet in height, adjacent to the northern and southern property lines in the vicinity of the parking area, building and play areas.
 - B. Buildings shall be residential in appearance with a pitched roof (minimum 4/12 visible pitch) and finished with architectural treatments of brick and/or glass. Final building plans shall be submitted to the Director of Planning for review and approval.
 - C. Dumpsters shall be screened by a 100% opaque fence or wall at least six feet in height. Dumpster pickup shall be limited to between the hours of 7:00 a.m. and 7:00 p.m.
 - D. 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 residential properties. Outdoor playgrounds may not be lit.
 - E. Provide sidewalks, a minimum of 5 feet in width, adjacent to Collins Hill Road.
 - F. Ground signs shall be limited to a single monument type sign with a masonry base matching the building. Signage shall not exceed the requirements of the ~~1985 Zoning Resolution~~ **Gwinnett County Sign Ordinance.**
3. To abide by the following requirements, dedications and improvements:

- A. Coordinate with the Department of Public Utilities regarding the NRCS Lake Dam. Placement of any structures within the dam breach zone is prohibited.
- ~~B. Prior to the issuance of a development permit, a sight distance certification shall be provided.~~

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS
SUP2017-00029

Approval of a Special Use Permit allowing a modular building utilized as a classroom, subject to the following enumerated conditions:

1. One modular classroom building (no greater than 2,000 square feet) shall be allowed to be located on the subject property. The location of the modular building shall be subject to the review and approval of the Director of Planning and Development.
2. The modular classroom building shall be finished with architectural treatments of glass, brick, stacked stone, and/or fiber-cement siding on all sides. Final architectural elevations, building materials and colors shall be submitted for the review and approval of the Director of Planning and Development.

PLANNING AND DEVELOPMENT DEPARTMENTS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The proposed change in conditions to amend the architectural standards on the property could be suitable in light of similar uses in the surrounding area.

ADVERSE IMPACTS

Adverse impacts on the aesthetic appearance of the building would be mitigated by conditions on the color and location of the proposed modular building.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

The proposed change in conditions would have a negligible effect on public facilities.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates the property is located within an Existing/Emerging Suburban Character Area. Modifying the architectural standards to allow for a modular building could be consistent with the Unified Plan with appropriate conditions to protect surrounding and adjacent neighbors.

CONDITIONS AFFECTING ZONING

In light of the existing structure being residential in character, allowing a modular building with a fiber-cement siding exterior could be consistent with the existing building on the property.

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: This addition would be in keeping with the existing use of the property. The addition would not be in view of nearby homes.
- (B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY: It will not adversely affect the existing use.
- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED: Yes.
- (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, classroom will be used to ease the use of space in existing building, maybe 8-10 additional students will be added.
- (E) WHETHER THE PROPOSED CHANGE IN CONDITIONS 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 CHANGE IN CONDITIONS: Current Special use Permit allows for our small, private Montessori school to operate. We purchased land at 2165 Collins Hill Rd., so now we are adjacent to Collins Hill Park, a positive use of the property.

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April 7, 2017

Letter of Intent

on behalf of
Educational Alternatives, Inc.
Db a Oak Meadow Montessori School
2145 Collins Hill Rd.
Lawrenceville, GA 30043
(770) 963-8303

To Whom It May Concern:

Oak Meadow Montessori School is a private Montessori school operating in Lawrenceville, Ga. The school is 24 years old and has been in operation at its current location for 16 years. The school operates under a Special Use Permit (No. SUP-99-075) and is zoned R-100. The school has operated successfully while adhering to the SUP and has been a good neighbor to those living nearby.

The school has decided it would like to have more room to accommodate its growing elementary classroom. It would like to add a modular classroom space to the property, to be located on an existing playground that is very near the main building. While it would allow for more children, the main purpose is to allow more space per child, as Oak Meadow Montessori is now Quality Rated under DECAL and would like to add materials to the classroom without taking away space from children's work places. We anticipate we will add 8 – 10 children net to our current 125 children enrolled. We do not anticipate needing additional parking or more teachers. We are simply spreading out a bit to allow our elementary students more space.

Our current acreage is 5.72 acres. We believe our current sewer, electrical, and water utilities, along with our stormwater detention pond, would not be adversely affected. We will position the building to allow underground pipes to be laid. We will add access ramps as directed and those plans will be supplied if the SUP change is approved. Also, note that the school bought the property at 2165 Collins Hill Rd. adjacent to its site as a buffer between the school and the park, therefore reducing the impact on the neighborhood even further.

We are requesting that our Special Use Permit be amended to allow for Hardi-siding or other residential siding that would be compatible with our attached proposed modular classroom. We will paint the siding in the same colors as the existing building. We request that we be allowed to add this modular space to our site. The zoning would remain the same.

Sincerely,

A handwritten signature in black ink that reads "Lynn Nehez".

Lynn Nehez
Executive Director

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Planning & Development

CASE NUMBER SUP-99-075

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>
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 EDUCATIONAL ALTERNATIVES, INC. for the proposed use of PRIVATE SCHOOL 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

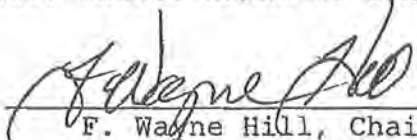
WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on AUGUST 24, 1999, and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 24TH day of AUGUST, 1999 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. Private school and accessory uses.
2. To satisfy the following site development considerations:
 - A. Provide a ten-foot wide landscaped strip outside the dedicated right-of-way of Collins Hill Road and along the northern and southern property line adjacent to residential zoning. Provide a solid, opaque fence, at least six-feet in height, adjacent to the northern and southern property lines in the vicinity of the parking area, building and play areas.
 - B. Buildings shall be residential in appearance, with a pitched roof (minimum 4/12 visible pitch) and finished with architectural treatments of brick and/or glass. Final building plans shall be submitted to the Director of Planning for review and approval.

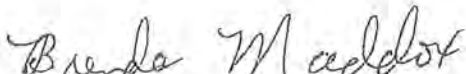
- C. Dumpsters shall be screened by a 100% opaque fence or wall at least six feet in height. Dumpster pickup shall be limited to between the hours of 7:00 a.m. and 7:00 p.m.
 - D. Outdoor lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to reflect into adjacent residential properties. Outdoor playgrounds may not be lit.
 - E. Provide sidewalks, a minimum of 5 feet in width, adjacent to Collins Hill Road.
 - F. Ground signs shall be limited to a single monument type sign with a masonry base matching the building. Signage shall not exceed the requirements of the 1985 Zoning Resolution.
3. To abide by the following requirements, dedications and improvements:
- A. Coordinate with the Department of Public Utilities regarding the NRCS Lake Dam. Placement of any structures within the dam breach zone is prohibited.
 - B. Prior to the issuance of a development permit, a sight distance certification shall be provided.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: 
F. Wayne Hill, Chairman

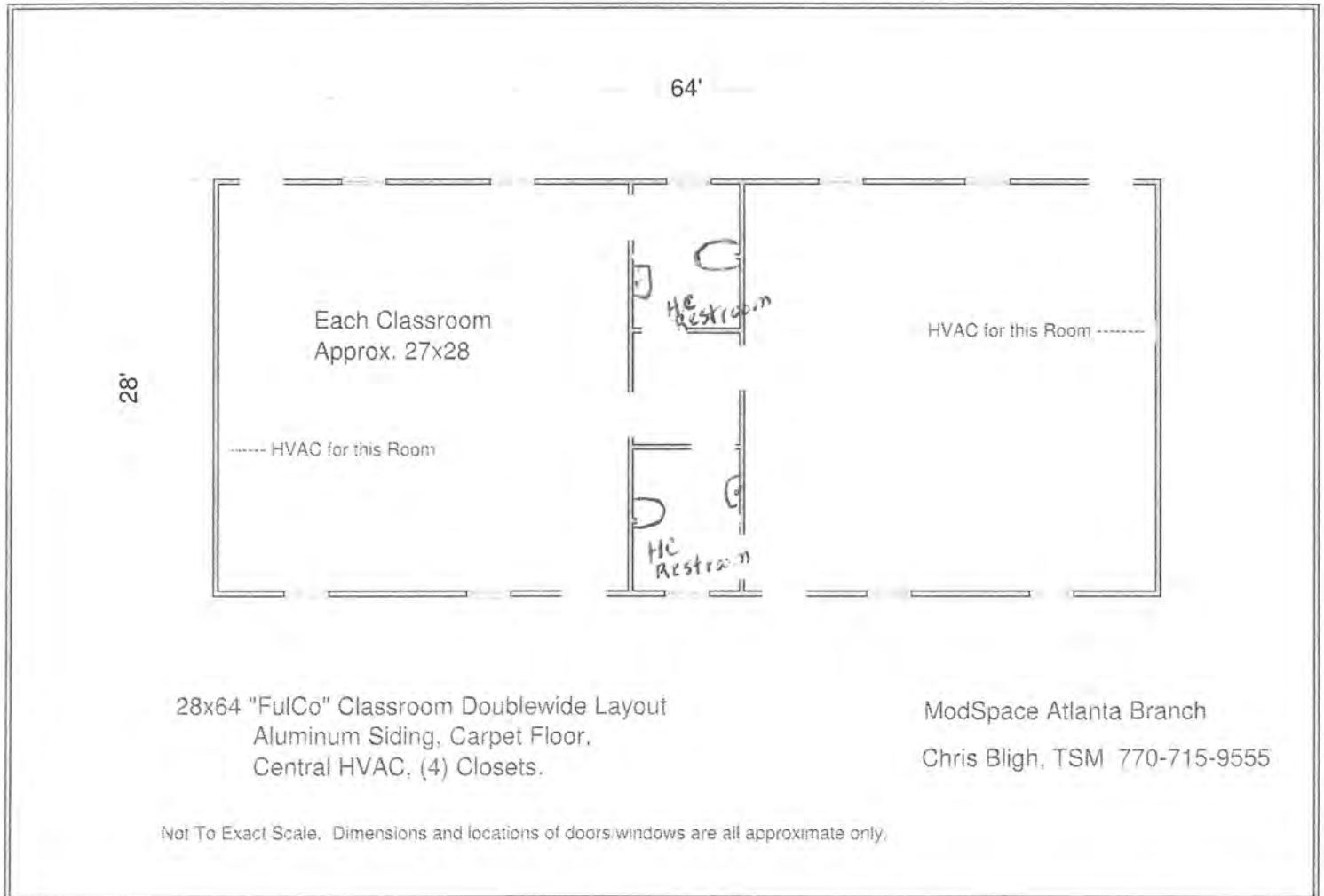
Date Signed: September 1, 1999

ATTEST:


County Clerk

Dak Meadow Montessori School

Proposed Modular Space for Additional Classroom



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Planning & Development

GENERAL NOTES: 1994 SBC
1991 NFPA 101

- ACCESS TO BUILDING FOR PERSONS IN WHEELCHAIRS IS REQUIRED BY AND FIELD SHALL BE PROVIDED AND SUBJECT TO LOCAL JURISDICTION. THE PRIMARY ENTRANCE MUST BE ACCESSIBLE.
- ALL DOORS SHALL BE OPENABLE FROM THE EXTERIOR SIDE WITHOUT THE USE OF A KEY, TOOL, SPECIAL KNOWLEDGE OR EFFORT. MANUALLY OPERATED FLUSH BOLTS OR SURFACE BOLTS SHALL NOT BE USED.
- ALL CLADDING WITHIN A 34 INCH RADIUS OF CURVE, WHOSE BOTTOM EDGE IS LESS THAN 36 INCHES ABOVE THE FLOOR, AND ALL CLADDING IN DOORS SHALL BE SAFETY GLAZED OR ACrylic PLASTIC SHEET.
- FLOOR DESIGN LIVE LOAD - 40 PSF (MULTI-PURPOSE PLANK LINE LOAD OF 50 PSF)
- WINDHARD WIND SPEED - 60 MPH
- SEISMIC PERFORMANCE CATEGORY C
- OCCUPANCY IS EDUCATIONAL (1.4 IN IBC 101)
- OCCUPANT LOAD IS BASED ON 1 PERSON PER 20 SQUARE FEET OF FLOOR AREA FOR MEANS OF EGRESS PURPOSES.
- ALL STEEL STRIPS REINFORCED ON FLOOR PLAN SHALL BE 1/2 INCH X 3/8 INCH X 36 INCH WITH 7 - 18 GA. #7/8 INCH CHAIRS X 1 INCH SPACED EACH END OF STRIP OR EQUIVALENT FROM EDGE BOW TO COLUMN, AND COLUMN TO FLOOR.
- PORTABLE FIRE EXTINGUISHER PER NFPA - 10 INSTALLED BY OTHERS ON SITE AND SUBJECT TO LOCAL JURISDICTION APPROVAL.
- THE USE OF THIS BUILDING WITHOUT ADEQUATE PLUMBING FACILITIES (SAL OR PARTIAL) IS DECLINED.
- DECLINED.
- PROVISIONS FOR EXIT DISCHARGE LIGHTING ARE THE RESPONSIBILITY OF THE BUILDING OWNER AND SUBJECT TO LOCAL JURISDICTION APPROVAL WHEN NOT SHOWN ON THE FLOOR PLAN.
- FIRE PROTECTIVE (SMOKE SYSTEMS) FOR NFPA-72 AND FIRE DETECTION SYSTEMS SHALL BE DESIGNED AND SIZED INSTALLED BY OTHERS SUBJECT TO LOCAL JURISDICTION APPROVAL.
- ALL WORK ON SITE INSPECTION AND MAINTENANCE SHOULD BE PERFORMED BY QUALIFIED PERSONNEL ON A REGULAR BASIS. GENERAL MAINTENANCE REQUIREMENTS MAY BE OBTAINED FROM THE FACTORY OR COMPONENT MANUFACTURER'S.

ELECTRICAL NOTES: 1996 NEC

- ALL CIRCUITS AND EQUIPMENT SHALL BE GROUNDED IN ACCORDANCE WITH THE APPROPRIATE ARTICLES OF THE NATIONAL ELECTRICAL CODE (NEC).
- MINI LUMI FIXTURES ARE INSTALLED IN CLUSTERS THEY SHALL BE SURFACE MOUNTED OR RECESSED. RECESSED FIXTURES SHALL HAVE COMPLETELY ENCLOSED LAMP. SURFACE MOUNTED RECESSED FIXTURES SHALL HAVE A MINIMUM CLEARANCE OF 12 INCHES AND ALL OTHER FIXTURES SHALL HAVE A MINIMUM CLEARANCE OF 8 INCHES FROM STORAGE AREA AS DEFINED BY NEC 410-164.
- WHERE WATER HEATERS ARE INSTALLED THEY SHALL BE PROVIDED WITH READILY ACCESSIBLE SWITCHES ADJACENT TO THE WATER HEATERS SERVED. THE SWITCH CIRCUIT SWITCH OR CIRCUIT BREAKER SHALL BE PERMITTED TO SERVE AS THE DISCONNECTING MEANS ONLY WHERE THE SWITCH OR CIRCUIT BREAKER IS WITHIN SIGHT FROM THE WATER HEATER OR IS CAPABLE OF BEING LOCKED IN THE OPEN POSITION.
- HVAC EQUIPMENT SHALL BE PROVIDED WITH READILY ACCESSIBLE DISCONNECTS ADJACENT TO THE EQUIPMENT SERVED. A UNIT SWITCH WITH A MARKED "OFF" POSITION THAT IS A PART OF THE HVAC EQUIPMENT AND DISCONNECTS ALL UNGROUNDED CONDUCTORS SHALL BE PERMITTED AS THE DISCONNECTING MEANS OVER OTHER DISCONNECTING MEANS ARE ALSO PROVIDED BY A READILY ACCESSIBLE CIRCUIT BREAKER.
- PRIOR TO ENERGIZING THE ELECTRICAL SYSTEM THE INTERRUPTING RATING OF THE MAIN BREAKER MUST BE CHECKED AND VERIFIED AS BEING IN COMPLIANCE WITH SECTION 110-8 OF THE NEC BY LOCAL ELECTRICAL CONSULTANT.
- THE MAIN ELECTRICAL PANEL AND FEEDERS ARE GROUNDING BY OTHERS, SITE INSTALLED AND SUBJECT TO LOCAL JURISDICTION APPROVAL.
- ALL CIRCUITS CARRYING OVER VOLTAGE WITHIN LIMITED SHALL BE SITE CONNECTED WITH APPROVED ACCESSIBLE JUNCTION BOXES OR CABLE CONNECTIONS.
- FIRE ALARM PULL STATION OPERABLE DEVICE SHALL BE LOCATED 42 TO 48 INCHES ABOVE THE FLOOR. FIRE ALARM HORN/STROBE DEVICE SHALL BE WALL MOUNTED WITH THE BOTTOM EDGE 60 INCHES ABOVE THE FLOOR.

MECHANICAL NOTES: 1994 SMC

- ALL SUPPLY AIR EXHAUSTERS SHALL BE 18 INCHES ABOVE THE FLOOR UNLESS OTHERWISE SPECIFIED. DUCTS SHALL BE 6-8 INCHES ABOVE THE FLOOR FOR AIR RETURN AS/ON AS NOTED ON FLOOR PLAN.
- HVAC EQUIPMENT SHALL BE EQUIPPED WITH OUTSIDE FRESH AIR INTAKES PROVIDING 7.5 CFM FOR EACH OCCUPANT.
- MECHANICAL SYSTEM DESIGNED FOR:
 - A. A PEAK OCCUPANT LOAD OF 200 OCCUPANTS.
 - B. EACH HVAC UNIT SHALL APPLY THE CLEARANCE AND REUSE FLOOR AREA WITHIN 4'-0" TYPICAL.
 - C. THE SYSTEM SHALL BE MAINTAINED WITHIN THE DESIGN CAPACITY.
- SEE THE FIELD MARKED AND SHALL

ACCESSIBILITY NOTES: ADA / ANSI A117.1

- THE INTERIORWAY, STAIRS, OF ACCESSIBILITY SHALL BE INSTALLED AT ALL ACCESSIBLE RESTROOM FACILITIES AND AT ACCESSIBLE BUILDING ENTRANCES UNLESS ALL ENTRANCES ARE ACCESSIBLE. ACCESSIBLE ENTRANCES SHALL HAVE SLOPED WALKWAYS INDICATING THE ROUTE TO THE NEAREST ACCESSIBLE ENTRANCE.
- ACCESSIBLE BATHING FACILITIES SHALL HAVE A SPOUT HEIGHT NO HIGHER THAN 36 INCHES ABOVE THE FLOOR AND SIDE OF BATH NO HIGHER THAN 34 INCHES ABOVE THE FLOOR FOR WHEELCHAIR AND WHEELCHAIR. ADDITIONALLY, BATHING WATER PROVISIONS SHALL BE MADE FOR INDIVIDUALS WHO HAVE DIFFICULTY IN BENDING. WHERE STORAGE FACILITIES SUCH AS CABINETS, DRAWERS, CLOSETS, AND DRAWERS ARE PROVIDED AT LEAST ONE OF EACH TYPE PROVIDED SHALL CONTAIN STORAGE SPACE COMPLYING WITH THE FOLLOWING:
 - DOORS, ETC. TO SUCH SPACES SHALL BE ACCESSIBLE TO TOUCH LATCHES, U-SHAPED PULLERS, ENDS SHALL BE WITHIN 15 INCHES MINIMUM AND 48 INCHES MAXIMUM OF THE FLOOR FOR FORWARD REACH OR 8 INCHES MINIMUM AND 54 INCHES MAXIMUM OF THE FLOOR FOR SIDE REACH. CLOTHES RODS SHALL BE A MAXIMUM OF 54 INCHES ABOVE THE FLOOR (48 INCHES MAXIMUM WHEN DISTANCE FROM WHEELCHAIR TO ROD EXCEEDS 12 INCHES).
 - REACHING HEIGHTS SHALL BE NO MORE THAN 48 INCHES ABOVE THE FLOOR FOR FORWARD APPROACH OR 54 INCHES ABOVE THE FLOOR FOR SIDE APPROACH. RECEPTACLES ON WALLS SHALL BE MOUNTED NO LESS THAN 15 INCHES ABOVE THE FLOOR. EXCEPTION: HEIGHT LIMITATIONS DO NOT APPLY WHERE THE USE OF SPECIAL EQUIPMENT INDICATES OTHERWISE OR WHERE ELECTRICAL RECEPTACLES ARE NOT NORMALLY INTENDED FOR USE BY BUILDING OCCUPANTS.
- WHICH EMERGENCY WARNING SYSTEMS ARE PROVIDED, THEY SHALL INCLUDE BOTH AUDIBLE AND VISUAL ALARMS. THE VISUAL ALARMS SHALL BE LOCATED THROUGHOUT, INCLUDING STAIRWAYS, AND PLACED 60 INCHES ABOVE THE FLOOR OR 8 INCHES BELOW CEILING, WHICHEVER IS LOWER.
- DOORS TO ALL ACCESSIBLE SPACES SHALL HAVE ACCESSIBLE HORIZONTAL (L-LEVEL) OPERATED PUSH-TYPE (U-SHAPED) MOUNTED NO HIGHER THAN 48 INCHES ABOVE THE FLOOR.
- FLOOR SURFACES SHALL BE STABLE, FIRM, AND SLIP-RESISTANT, CHANGED IN LEVEL BETWEEN 0.25 INCH AND 0.5 INCH SHALL BE BEVELLED WITH A SLOPE NO GREATER THAN 1:2. CHANGES IN LEVEL GREATER THAN 0.5 INCH REQUIRE RAMP. CURB PILE THICKNESS SHALL BE 0.5 INCH MAX. OBSTACLES IN FLOOR SHALL HAVE SPACES NO GREATER THAN 0.5 INCH WIDE IN THE DIRECTION. GROUNDING THRESHOLDS SHALL NOT EXCEED 0.5 INCH IN HEIGHT.

SYMBOLS

- SMOKE DETECTOR
- DOUBLE RECEPTACLE 120 V
- SINGLE RECEPTACLE 240 V
- NON-GLAZED LIGHT WITH 1-80 W. BULB
- VENT FAN
- COIL VENT FAN & LIGHT
- SUPPLY AIR REGISTER
- RETURN AIR REGISTER
- PLUMBING J-BOX (1/2" W. H.A.S.T.)
- J-BOX ONLY
- FIRE ALARM PULL STATION
- FIRE ALARM HORN/STROBE
- FIRE ALARM STROBE LIGHT
- TELEPHONE
- FLUORESCENT FIXTURE WITH 2-40W TUBES
- EXIT SIGN
- JUNCTION BOX WITH POWERED UNLESS CIRCUIT (NO. 0 3-INCH)
- TELEPHONE JACK
- SWITCH & 2-40W SWITCH
- FLUORESCENT FIXTURE WITH 4-40W TUBES

ELECTRICAL SCHEDULE 'A'

CIRCUIT	DESCRIPTION	BREAKER (AMP)	WIRE (CU)
1, 5A	HVAC	SIZE PER MPC SPEC	
2A	RECEPTACLES	20 A (1P)	12-2 NM
4, 5A	LIGHTING	20 A	12-2 NM
6A	DEDICATED Ckt. (1.9 kW 120V, 1.8)	20 A (1P)	12-2 NM

ELECTRICAL PANEL SIZING:

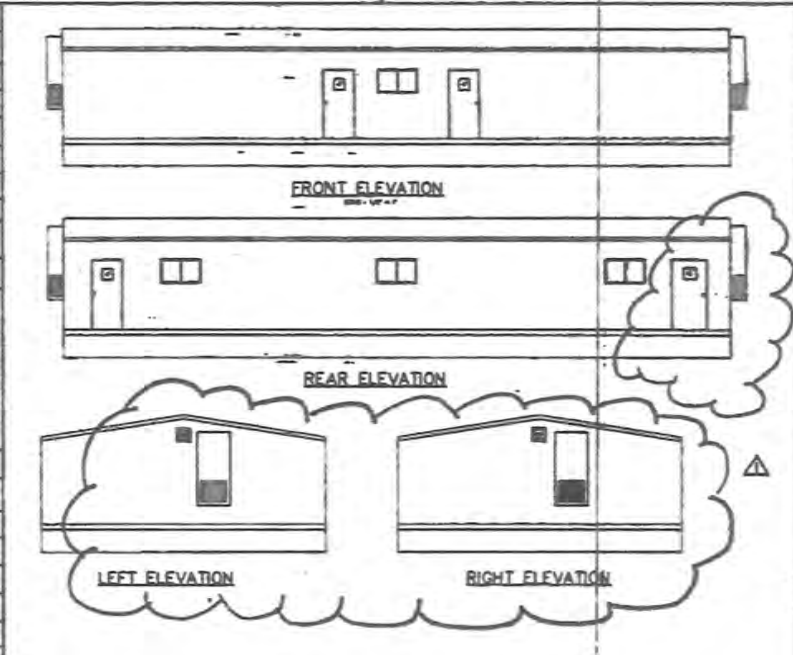
DESCRIPTION	PANEL 'A'	KVA
GENERAL LIGHTING		0.9
0.035 KW/SF X 900 SF X 1.25 =		1.1
RECEPTS AT 180VA/1000		
WATER HEATER 1.8 KW X 1.25 =		
W. FANS AT 3 KW X 1.25 =		10.5
HVAC		2.4
DEDICATED Ckt. 1.9 kW X 1.25 =		
TOTAL	17.9 kW	
TOTAL / 240 V 1000 =	75 AMP	
INSTALL 100 AMP PANEL		
120/240 V 1Ø		

ELECTRICAL SCHEDULE 'B'

CIRCUIT	DESCRIPTION	BREAKER (AMP)	WIRE (CU)
1, 5B	HVAC	SIZE PER MPC SPEC	
2B	RECEPTACLES	20 A (1P)	12-2 NM
4, 5B	LIGHTING	20 A	12-2 NM
6B	DEDICATED Ckt. (1.9 kW 120V, 1.8)	20 A (1P)	12-2 NM

ELECTRICAL PANEL SIZING:

DESCRIPTION	PANEL 'B'	KVA
GENERAL LIGHTING		0.7
0.035 KW/SF X 849 SF X 1.25 =		1.1
RECEPTS AT 180VA/1000		
WATER HEATER 1.8 KW X 1.25 =		
W. FANS AT 3 KW X 1.25 =		10.5
HVAC		2.4
DEDICATED Ckt. 1.9 kW X 1.25 =		
TOTAL	17.7 kW	
TOTAL / 240 V 1000 =	74 AMP	
INSTALL 100 AMP PANEL		
120/240 V 1Ø		



REVISION NOTES: TYPICAL
SEE CROSS SECTIONS FOR METHOD OF ROOF VENTILATION.
HANDICAP RAMP(S), STAIR(S), AND HANDRAILS ARE SIZED INSTALLED, DESIGNED BY OTHERS, AND SUBJECT TO LOCAL JURISDICTION.
FOUNDATION ENCLOSURE (WHEN PROVIDED) MUST BE 1 SQUARE FOOT PER VENT AREA PER 1/1500 OF THE FLOOR AREA, AND AN 18" X 24" MINIMUM CLEARANCE ACCESS. SEE INSTALLED BY OTHERS SUBJECT TO LOCAL JURISDICTION.

PLUMBING NOTES: 1994 SPC

- CUSTOMER ASSUMES ALL RESPONSIBILITY FOR PROVIDING WATER FACILITIES WHEN NOT SHOWN ON FLOOR PLAN.

GENERAL TRADE PARTY AGENCY APPROVAL

DATE: 05-19-98	REVISIONS:
SCALE: -N/A-	10/20/98
DATE LABEL: 05/19/98	REVISIONS:
SCALE: -N/A-	10/20/98

DESIGN SPACE, INC. SOUTHLAND MODULAR
1110 DEL. PARK BL. 1110 DEL. PARK BL.
MARIETTA, GA 30067 MARIETTA, GA 30067

ROBERT C. GREGG
REG. ARCHITECT
CLEARWATER, FL.

Planning & Development

DATE: 05-19-98
SCALE: -N/A-
DATE LABEL: 05/19/98
SCALE: -N/A-
REVISIONS: 10/20/98
REVISIONS: 10/20/98
BY: R.E.G.
SHEET 1 OF 4

17015

View 1 Photo of proposed site for modular classroom



CIC '17015

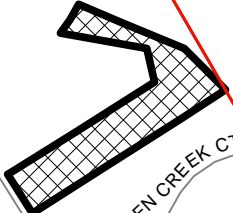
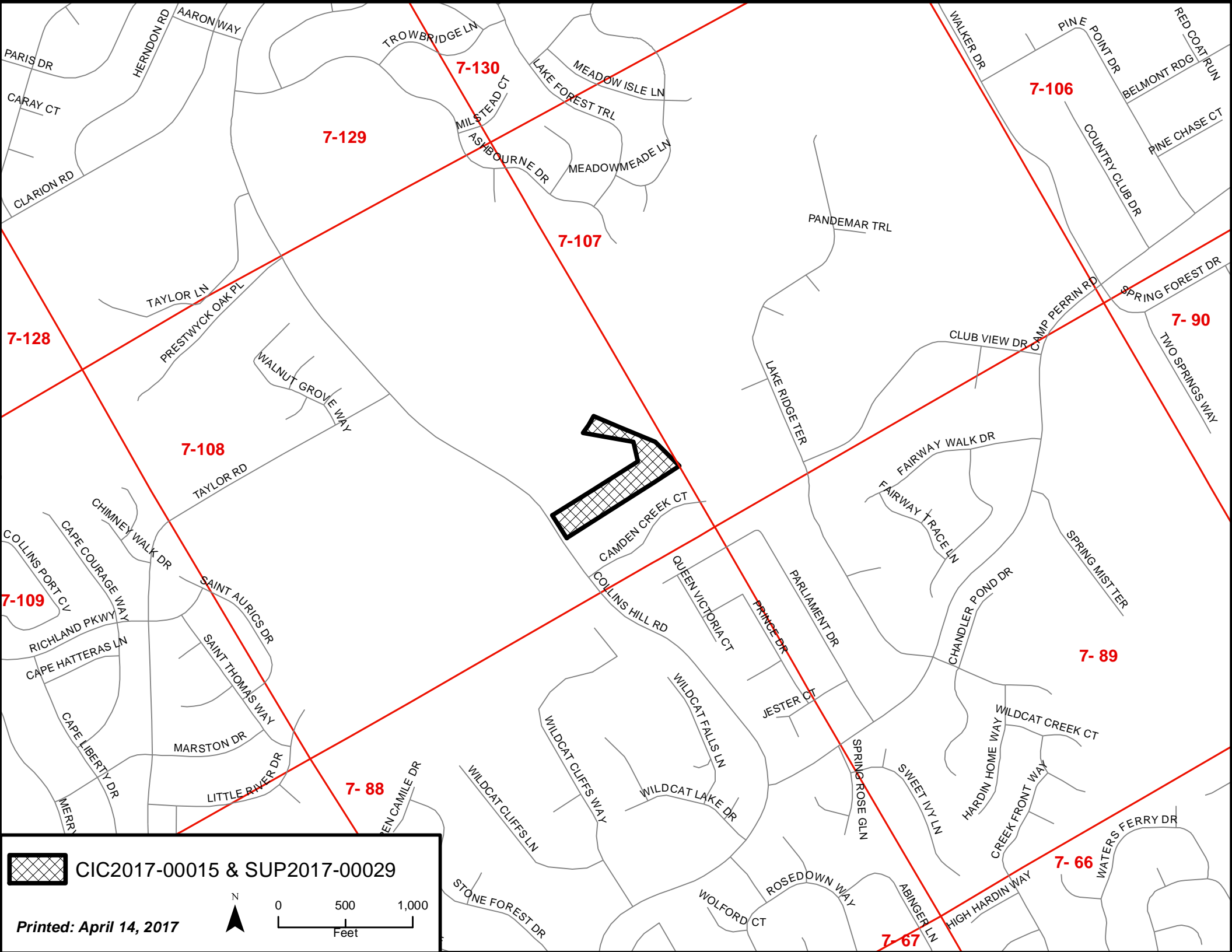
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View 2 Photo of proposed site for modular classroom

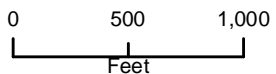


CIC 17015

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2/20/17
Planning & Development



 CIC2017-00015 & SUP2017-00029



Printed: April 14, 2017



COLLINS HILL ROAD
80' R/W

COLLINS HILL PARK
GWINNETT COUNTY

N 31°19'24"E
145.20'

N 78°09'41"W 376.09'

S 66°12'34"E 502.45'

Proposed
Modular
Classroom

753.05' N 58°50'48"E

150.00'
N 33°39'32"W

PROPOSED
ONE STORY
BRICK & METAL BLDG.
21' x 45' BLDG.

S 58°27'48"W 987.82'
N 77°09'41"W 1195.94'

CIC 17015

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Planning & Development

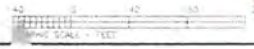
SURVEY NOTES:
1. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT OF 1997.
2. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
3. ALL ANGLES ARE IN DEGREES, MINUTES AND SECONDS.
4. THIS SURVEY WAS CONDUCTED ON THE DATE OF NOVEMBER 29, 1999.
5. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE GWINNETT COUNTY PLAT BOOKS AND HAS FOUND NO OTHER PLATS AFFECTING THIS SURVEY.
6. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE GWINNETT COUNTY PLAT BOOKS AND HAS FOUND NO OTHER PLATS AFFECTING THIS SURVEY.
7. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE GWINNETT COUNTY PLAT BOOKS AND HAS FOUND NO OTHER PLATS AFFECTING THIS SURVEY.
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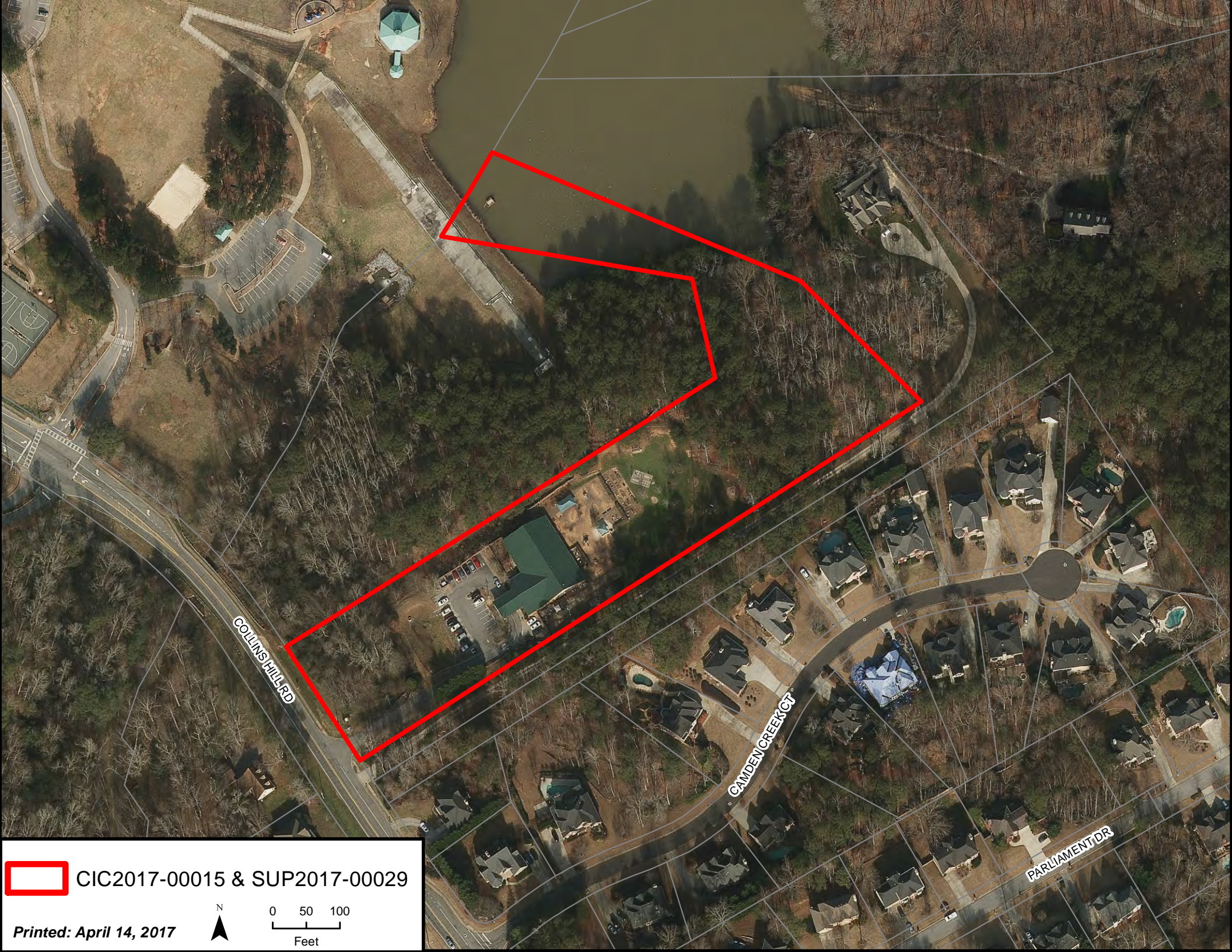
REVISIONS
1. MARCH 08, 2001 TO SHOW IMPROVEMENTS

Arton & Associates
Professional Surveying
1400 Mountain Street, Lawrenceville, Georgia 30045
770-963-7754



SURVEY FOR:
EDUCATIONAL ALTERNATIVES, INC.
5.6893 ACRES (247,827 S.F.)
LAND LOT 108 of the 7th DISTRICT
GWINNETT COUNTY, GEORGIA
DATE: NOVEMBER 29, 1999 SCALE: 1" = 40'






COLLINS HILL RD

CAMDEN CREEK CT

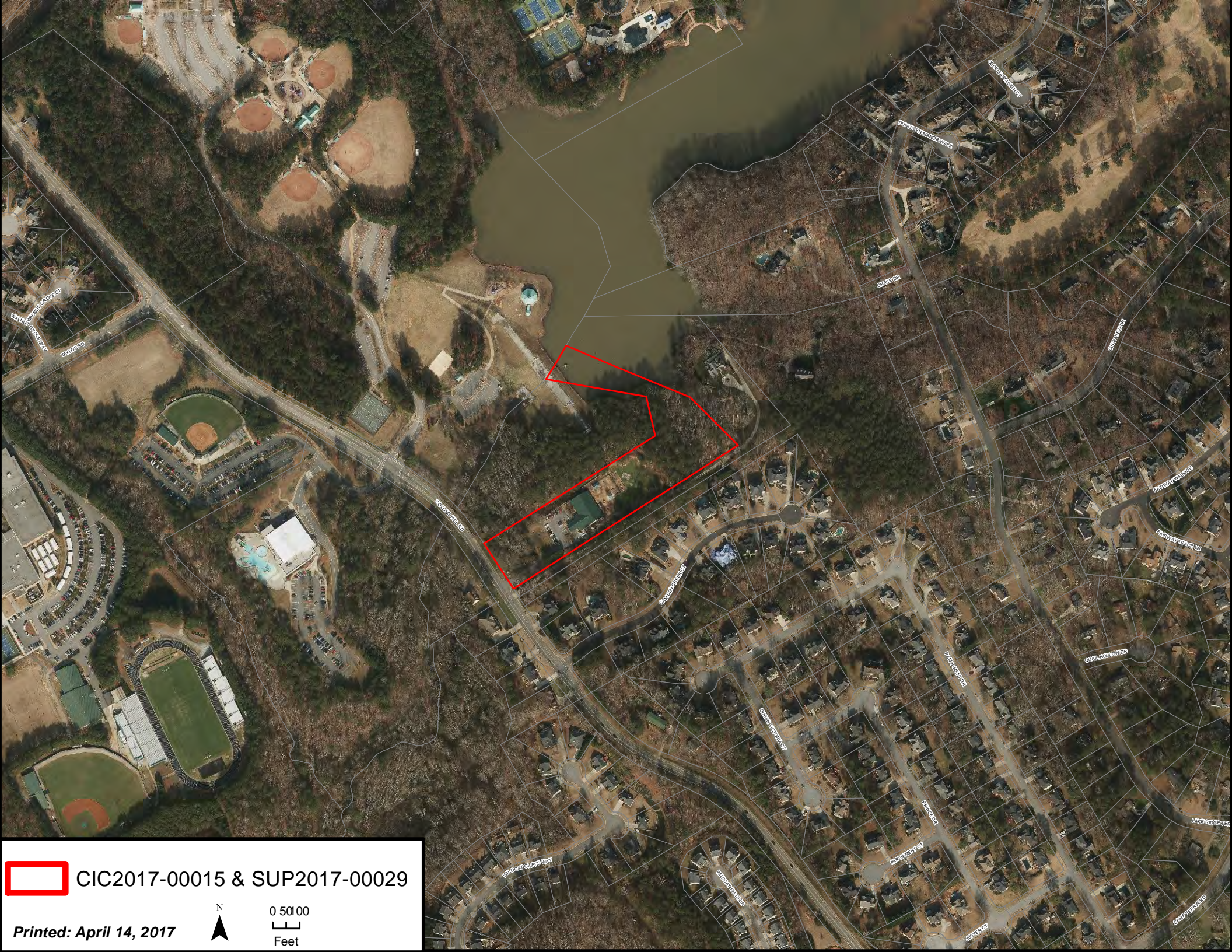
PARLIAMENT DR


 CIC2017-00015 & SUP2017-00029

Printed: April 14, 2017

N

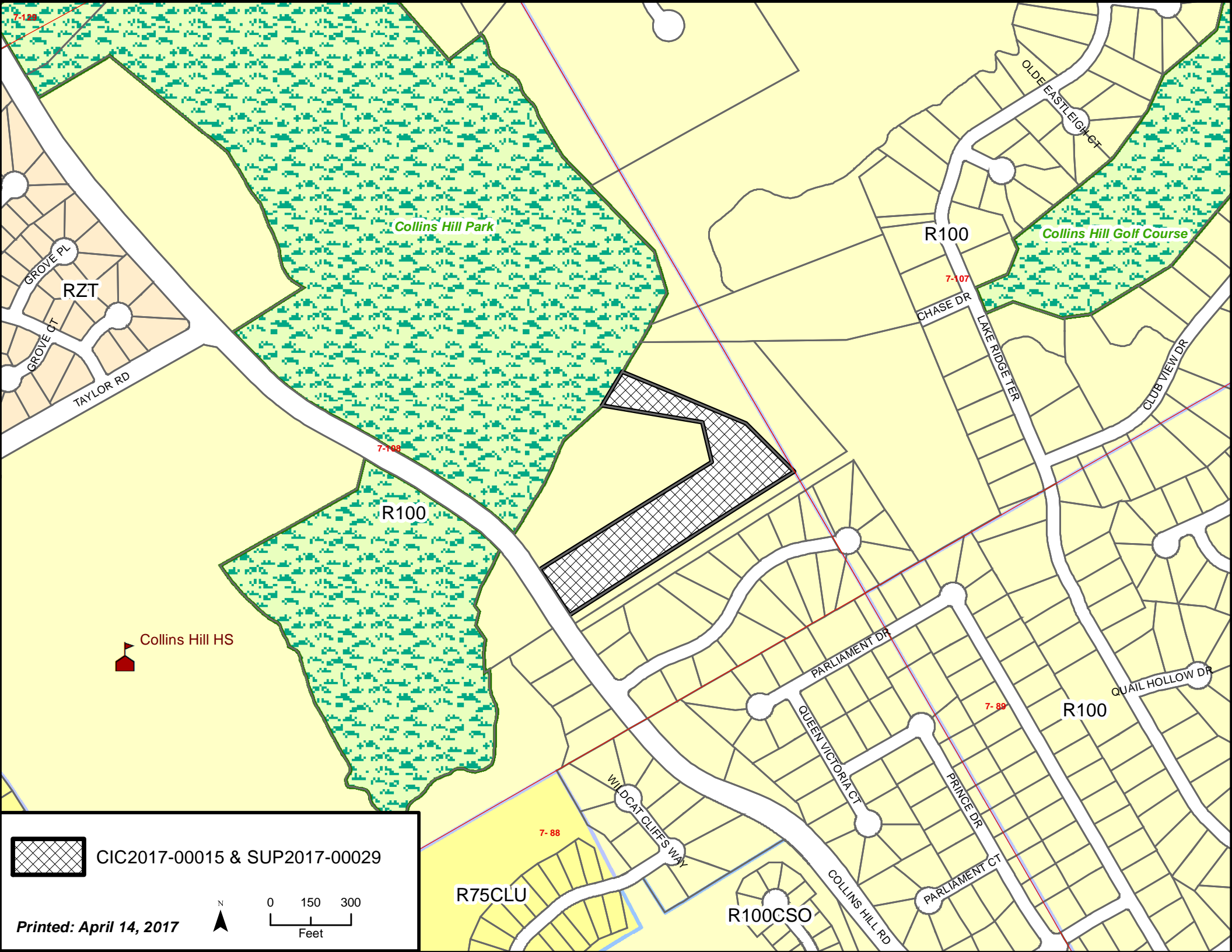
0 50 100
Feet



 CIC2017-00015 & SUP2017-00029

Printed: April 14, 2017

N
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Feet



Collins Hill Park

Collins Hill Golf Course

Collins Hill HS

RZT

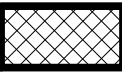
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R100

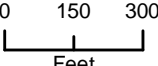
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 CIC2017-00015 & SUP2017-00029

Printed: April 14, 2017



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

CASE NUMBER :**CIC2017-00016**
ZONING :C-2
LOCATION :6900 BLOCK OF BUFORD HIGHWAY
MAP NUMBER :R6247 023A & 392
ACREAGE :3.09 ACRES
PROPOSAL :CHANGE IN CONDITIONS OF ZONING
COMMISSION DISTRICT :(2) HOWARD

CASE NUMBER :**SUP2017-00022**
ZONING :C-2
LOCATION :6900 BLOCK OF BUFORD HIGHWAY
MAP NUMBERS :R6247 023A & 392
ACREAGE :3.09 ACRES
SQUARE FEET :105,117 SQUARE FEET
PROPOSED DEVELOPMENT :SELF-STORAGE FACILITY (CLIMATE CONTROLLED)
COMMISSION DISTRICT :(2) HOWARD

CASE NUMBER :**SUP2017-00023**
ZONING :C-2
LOCATION :6900 BLOCK OF BUFORD HIGHWAY
MAP NUMBERS :R6247 023A & 392
ACREAGE :3.09 ACRES
SQUARE FEET :105,117 SQUARE FEET
PROPOSED DEVELOPMENT :OUTDOOR SALES/STORAGE
COMMISSION DISTRICT :(2) HOWARD

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

APPLICANT: ADEVCO CORPORATION
400 NORTHRIDGE ROAD, SUITE 620
ATLANTA, GA 30350

CONTACT: ERIC JOHANSEN PHONE: 678.571.4843

OWNER: 6956 BUFORD HWY, LLC
2322 CRIMSON KING DRIVE
BRASELTON, GA 30517

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests a Change-in-Conditions of a prior Rezoning approval (RZC2011-00012) and Special Use Permit (SUP2011-00024) to amend Condition I.C., prohibiting outdoor sales and storage on the property. The applicant also requests two additional Special Use Permits to allow for the construction of a climate controlled self-storage facility with outdoor storage. The property is a 3.09-acre two parcel assemblage, zoned C-2 (General Business District), and is located on the south side of Buford Highway, across from the highway's intersection with Amwiler Road and the city limits of Peachtree Corners. The smaller property adjacent to Buford Highway (6968 Buford Highway) appears to have been cleared of its previous use as a restaurant, as shown on the survey, with only paving and a pole sign remaining. The larger property (6960 Buford Highway) is paved at the front but mostly heavily wooded.

The request is to eliminate condition I.C. of RZC2011-00012 and SUP2011-00024, which reads as follows:

I.C. Outdoor sales/storage of merchandise other than automobiles(such as trailers, utility buildings, rental trucks, automotive parts, junked vehicles, etc.) shall be prohibited.

In addition to the Change-in-Conditions request, the applicant is requesting Special Use Permits to allow for outdoor storage in conjunction with the proposed climate controlled self-storage facility. The site would be cleared to construct a new 105,117 square foot building measuring 42 feet tall. A total of 24 parking spaces will be provided at the front of the property for employees and customers, while the rear and western side of the building will be paved and enclosed with a six foot tall fence to allow for the outdoor storage of automobiles, trucks, boats, and recreational vehicles, according to the applicant. Access is provided to the site via a single driveway onto Buford Highway. The site plan indicates a large detention pond at the rear of the property to address stormwater management, and the property has access to public sewer service.

ZONING HISTORY:

In 1970, the subject property was zoned C-1 (Neighborhood Business District) and R-75 (Single Family Residence District). In 1987, a portion of the property was rezoned to C-2, pursuant to RZ-87-161, for use as a motel. In 1998, a Special Use Permit was approved for mini-warehouses on the C-2 portion of the subject property, pursuant to SUP-98-115. In 2011, rezoning of the properties was approved to be consistently C-2 (RZC2011-00012), with a Special Use Permit granted for an automobile sales facility (SUP2011-00024).

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.

Project access and required improvements along State routes or U.S. Highways (i.e., number and design of driveways, deceleration lanes, median breaks, etc.) will be subject to review and approval of the Georgia Department of Transportation. (Section 900-90.3F of the Unified Development Ordinance).

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:

Buford Highway SR 13 is a State Route and Georgia D.O.T. right-of-way requirements govern.

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

Coordinate with the Georgia D.O.T. regarding Signal Modification.

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 southeast right-of-way of Buford Highway.

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 parcels R6247 023A and R6247 392.

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. 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, Design 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.

DEPARTMENT ANALYSIS:

The subject site is 3.09 acres located on the south side of Buford Highway, across from the highway's intersection with Amwiler Road and the city limits of Peachtree Corners. The site is presently vacant, with all prior development removed with only asphalt or wooded areas remaining.

The 2030 Unified Plan Future Development Map indicates that the site is located in Regional Mixed-Use Character Area. The property is located along an established commercial corridor, along which there are numerous automobile sales and service businesses, and within an area of

established light industrial uses, developed with numerous office/warehouse uses. Based upon the existing character of the area, the requested change in condition and use of a self-storage facility and outdoor storage could be considered compatible with the Regional Mixed-Use Character Area.

The area surrounding the site consists predominately of businesses with similar intensity of use and zoning. Nearby uses include automobile repair and machine shops, used car lots, contractor's offices, and business parks, within commercial and light industrial zoning districts. Previous approvals for the site include an automobile sales facility, a mini-warehouse storage facility and a motel. Given the zoning and development pattern of the Buford Highway corridor, a self-storage facility with outdoor storage could be considered consistent with the area and may be suitable at this location with appropriate conditions of approval.

In conclusion, the requested Change-in-Conditions and Special Use Permits may be suitable in light of the industrial nature of the area, and could be considered compatible with the policy and intent of the 2030 Unified Plan and Future Development Map. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of these requests.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

RZC2011-00012:

Additions in **bold**

Deletions in ~~strikethrough~~

Approval as C-2 (Change-In-Conditions,) with Special Use Permits for **a self-storage facility with outdoor storage** ~~an automobile/motorcycle customization, modification, rebuilding, body repair and painting,~~ subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Retail, service-commercial, office and accessory uses, with a Special Use Permits for **a self-storage facility (climate controlled) with outdoor storage.** ~~an automobile sales facility.~~ The following uses shall be prohibited:
 - Adult bookstores or entertainment
 - Recovered materials processing facilities
 - Smoke shop/novelty stores
 - Yard trimmings composting facilities
 - B. New buildings or renovations to the existing building shall be finished with architectural treatments of glass, brick and/or stacked stone ~~(stucco may only be used as an accent materials).~~ Final building elevations shall be submitted for review and approval by the Director of Planning and Development. Portable office trailers shall be prohibited.
 - C. ~~Outdoor sales/storage of merchandise other than automobiles (such as trailers, utility buildings, rental trucks, automotive parts, junked vehicles, etc.) shall be prohibited~~ **shall only be allowed through approval of a Special Use Permit.**
2. To satisfy the following site development considerations:
 - A. Provide a ten-foot wide landscaped strip adjacent to Buford Highway. Vehicles shall not be parked within the landscape strip or right-of-way.
 - B. Provide a five-foot wide landscaped strip adjacent to all internal property lines, with the exception of the east (external) property line.
 - C. Natural vegetation shall remain on the rear of the property until the issuance of a development permit.
 - D. Ground signage shall be limited to a monument type sign ~~with a minimum two-foot high brick or stacked stone base. Ground sign shall not exceed 10 feet in height. ,~~ **and shall be subject to review and approval by the Director of Planning**

- and 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 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 earthtone) 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/close signs or signs required by county, state or federal law. Flashing or blinking signs and neon or LED signs shall be prohibited. Exposed or visible LED strips mounted on the building or around window frames shall be prohibited.**
 - G. Chain link fencing shall not be installed within the front yard. Any fencing within the required front yard setback shall be decorative, and shall be subject to the review and approval by the Director of Planning and Development.
 - H. Light 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. Billboards or oversized signs shall be prohibited.
 - J. Outdoor loudspeakers shall be prohibited.
 - K. 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.**
 - L. 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. Blinking, neon, portable or temporary signage shall be prohibited. 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.
 - M. Peddlers **and/or parking lot sales** shall be prohibited.
 - N. Owner shall repair graffiti or vandalism that occurs on the property within 72 hours.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS
SUP2017-00022

Approval of a Special Use Permit for self-storage (climate controlled), subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Retail, service commercial and accessory uses, with Special Use Approval of a climate controlled self-storage facility with accessory outdoor storage.
2. To satisfy the following site development considerations:
 - A. Any recreational vehicles, boat or other outdoor storage areas shall be located at the rear of the site and screened with an 8-foot high solid wood fence.
 - B. Security fencing within front yard setback area shall be brick and wrought iron construction.
 - C. Design stormwater detention facilities such that they are not located in any required buffer areas.
 - D. No truck rentals shall be permitted from the property.
 - E. Abide by all applicable conditions of CIC2017-00016.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS
SUP2017-00023

Approval of a Special Use Permit for accessory outdoor storage, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Retail, service commercial and accessory uses, with Special Use Approval of a climate controlled self-storage facility with accessory outdoor storage.
2. To satisfy the following site development considerations:
 - A. Any recreational vehicles, boat or other outdoor storage areas shall be located at the rear of the site and screened with an 8-foot high solid wood fence.
 - B. Security fencing within front yard setback area shall be brick and wrought iron construction.
 - C. Design stormwater detention facilities such that they are not located in any required buffer areas.
 - D. No truck rentals shall be permitted from the property.
 - E. Abide by all applicable conditions of CIC2017-00016.

PLANNING AND DEVELOPMENT DEPARTMENT
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The required Change-in-Conditions and Special Use Permits for a self-storage facility with outdoor storage could be suitable in light of the mix of intensity of commercial and industrial uses in the area. However, certain conditions and limitations should be placed on the site to protect the adjacent properties.

ADVERSE IMPACTS

With the recommended conditions, potential impacts on adjacent and nearby properties could be reduced.

REASONABLE ECONOMIC USE AS ZONED

The subject property has reasonable economic use as currently zoned.

IMPACT ON PUBLIC FACILITIES

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

CONFORMITY WITH POLICIES

The proposal is considered compatible with policies of the 2030 Unified Plan for established commercial corridors. The proposed self-storage facility with outdoor storage could be suitable in light of the intensity of surrounding developments.

CONDITIONS AFFECTING ZONING

If properly conditioned, including architectural treatment of the building and screening of the outdoor storage area, the request could result in an improved appearance on the site.

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:

see attached

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

see attached

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

see attached

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

see attached

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

see attached

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

see attached

SPECIAL USE PERMIT APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) Yes, the proposed Special Use Permit Application will permit a use that is suitable in view of the use and development of adjacent and nearby properties.
- (B) No, the proposed Special Use Permit Application will not adversely affect the existing use or usability of any of the nearby properties.
- (C) Applicant submits that the property does have reasonable economic use as currently zoned, however, such economic use is enhanced with the approval of the requested SUP. Applicant therefore submits the highest and best use of subject tract is for the Special Use requested.
- (D) No, the proposed Special Use Permit Application will not result in an excessive or burdensome use of the infrastructure systems. The project itself will not have any effect on the school system other than to generate revenue through an increase in taxes on the subject property. The use is a low traffic generator therefore the roads and other infrastructure systems are minimally affected.
- (E) Yes, the proposed Special Use Permit Application is in conformity with the policy and intent of the Gwinnett County Land Use Plan.
- (F) Applicant submits that the commercial/retail nature of the area provides additional support of this application. Further, this project will provide revitalization stimulus for properties within the area.

SUP '17 022

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Planning & Development

LETTER OF INTENT FOR

SPECIAL USE PERMIT APPLICATION OF ADEVCO CORPORATION

The Applicant, ADEVCO Corporation, submits this Special Use Permit Application for the purpose of developing a self-storage facility on an approximate 3.085 acre tract (the "Property") located at 6956 Buford Highway, Atlanta, GA. The property is currently zoned C-2.

The Applicant respectfully request a Special Use Permit to allow the development of a climate controlled self-storage facility on the subject Property. The proposed self-storage facility will consist of approximately 105,117 +/- square feet of climate controlled self-storage constructed as a 3-story brick and stucco building. The number of parking spaces proposed to support the facility will be 26+/- parking spaces.

The development of a self-storage facility on the property is appropriate for the subject tract and is consistent with developments in the surrounding area. Moreover, the development of a self-storage facility on the Property will afford the owner the opportunity provide a needed amenity for the surrounding area.

The applicant welcomes the opportunity to meet with staff of the Gwinnett County Department of Planning to answer any questions or to address any concerns relating to the matters set forth in the letter or in the Application. The Applicant respectfully request your approval of this Application.

SUP '17 022

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APR 05 2017

Planning & Development

Harwell, Abigail

Subject: FW: Need a CIC for the 6956 Buford Hwy Self-Storage project

Abigail,

We apologize for any confusion we have caused on the recent submittal for a Special Use Permit for real property located at 6956 Buford Highway and now realize that there is also a need for a Change in Conditions for the same application. The Applicant is requesting to completely REMOVE Zoning Condition 1.C. within the RZC2011-00012 and SUP2011-00024 previous BOC decisions:

- Zoning Condition 1 (C) - Outdoor sales/storage of merchandise other than automobiles (such as trailers, utility buildings, rental trucks, automotive parts, junked vehicles, etc.) shall be prohibited.

Please accept this email as our revised Letter of Intent to Gwinnett County of the intended changes and items we would like to keep associated with the Subject Property. Additionally, this email shall serve as a supplement to any previously submitted information regarding the proposed Special Use Permit request.

The intended use of the Subject Property is to remain zoned C-2, and for all other previously approved Special Uses to remain intact, and to permit a Special Use Permit that will allow for the use of a three story Climate Controlled Storage Facility that would have a complimentary use of Outdoor Storage for automobiles, trucks, boats, and recreational vehicles. The proposed Outdoor Storage would be a service that is provided to the Climate Controlled Storage Facility operator for its customers. We proposed to provide chain link security fencing that is a minimum of 6 feet tall around the perimeter of the storage area, and all items located within the storage area will be under the surveillance of the security system installed and maintain by the operator of the facility.

The Applicant would also like to add the ability for the Climate Controlled Storage Facility to have rental trucks that complement the moving process and their customers bringing items to their facility for storage.

If you need any additional information regarding this matter please call me at 678-571-4843 cell or reach me by email at eric@inlandllc.com

Thanks

Eric Johansen, RLA, GCLT | Inland Group, LLC
2180 Satellite Boulevard
Suite 400-15
Duluth, GA 30097

(404) 355-6700 phone
(404) 355-6760 fax
(678) 571-4843 cell
eric@inlandllc.com

CIC '17016

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Planning & Development

CASE NUMBER RZC2011-00012
GCID 2011-0407

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>
Charlotte J. Nash, Chairman	<u>AYE</u>
Shirley Lasseter, District 1	<u>AYE</u>
Lynette Howard, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
John Heard, District 4	<u>AYE</u>

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

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from C-1 & C-2 to C-2 by 6956 BUFORD HIGHWAY, LLC for the proposed use of AUTOMOBILE SALES 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 MAY 24, 2011 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this, the 24th day of MAY 2011, that the aforesaid application to amend the Official Zoning Map from C-1 & C-2 to C-2 is hereby **APPROVED** with the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Retail, service-commercial, office and accessory uses, with a Special Use Permit for an automobile sales facility. The following uses shall be prohibited:
 - adult bookstores or entertainment
 - recovered materials processing facilities
 - smoke shops/novelty stores
 - yard trimmings composting facilities
 - B. New buildings or renovations to the existing building shall be finished with architectural treatments of glass, brick and/or stacked stone (stucco may only be used as an accent material). Final building elevations shall be submitted for review and approval by the Director of Planning and Development. Portable office trailers shall be prohibited.
 - C. Outdoor sales/storage of merchandise other than automobiles (such as trailers, utility buildings, rental trucks, automotive parts, junked vehicles, etc.) shall be prohibited.
2. To satisfy the following site development considerations:
 - A. Provide a ten-foot wide landscaped strip adjacent to Buford Highway. Vehicles shall not be parked within the landscape strip or right-of-way.
 - B. Provide a five-foot wide landscaped strip adjacent to all internal property lines, with the exception of the east (external) property line.
 - C. Natural vegetation shall remain on the rear of the property until the issuance of a development permit.
 - D. Ground signage shall be limited to a monument type sign with a minimum two-foot high brick or stacked stone base. Ground sign shall not exceed 10 feet in height.

- E. Chain link fencing shall not be installed within the front yard. Any fencing within the required front yard setback shall be decorative, and shall be subject to review and approval by the Director of Planning and Development.
- F. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
- G. Billboards or oversized signs shall be prohibited.
- H. Outdoor loudspeakers shall be prohibited.
- I. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure.
- J. 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. Blinking, neon, portable and temporary signage shall be prohibited. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs shall be prohibited.
- K. Peddlers shall be prohibited.
- L. Owner shall repair or repaint any graffiti or vandalism that occurs on the property within 72 hours.

GWINNETT COUNTY BOARD OF COMMISSIONERS

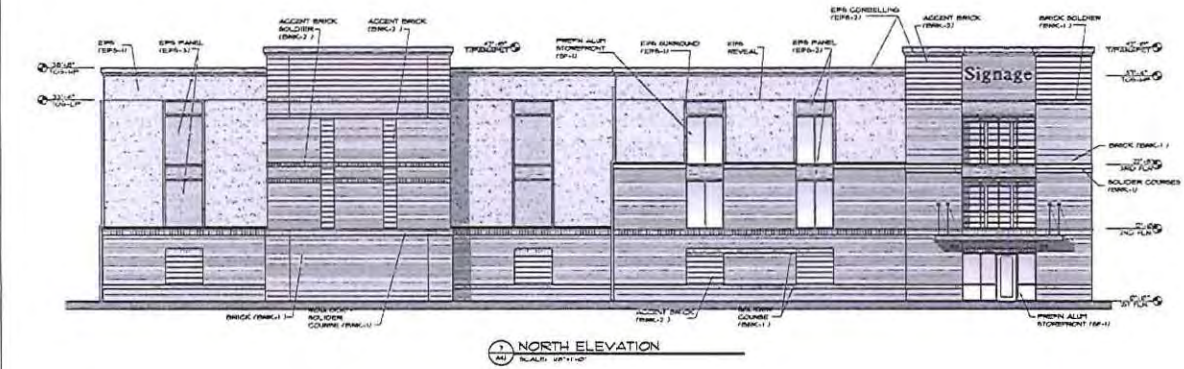
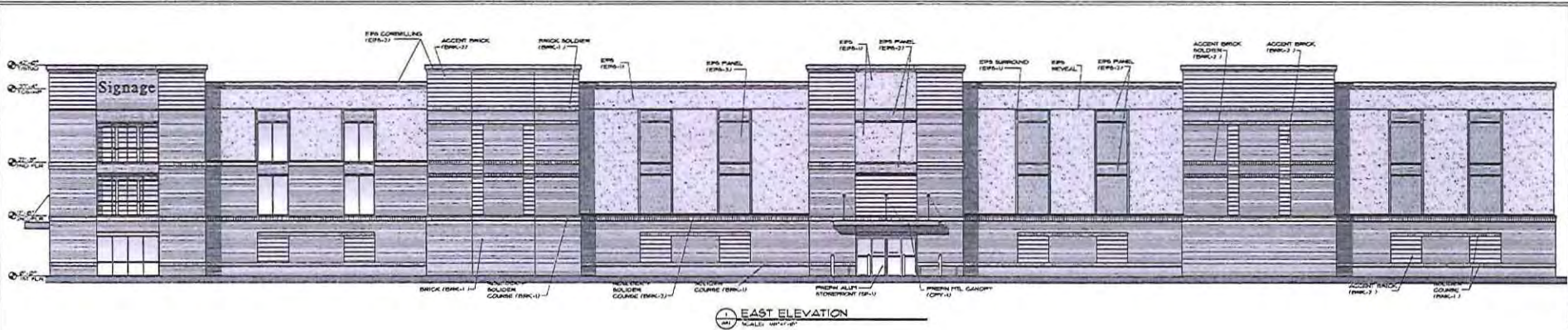
By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 5/31/11

ATTEST:

Diane K...
County Clerk/Deputy County Clerk





Buford Hwy Self Storage
 6956 Buford Hwy
 Gwinnett County, GA

STANDARD
PERFECTLINE
INC.

3000 W. WILSON AVENUE
 FARMERSBURG, GA 30204
 770-426-1234



PROJECT YEAR: 2017
DATE: 3-27-17

A4.1

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 APR 05 2017
 Planning & Development

SUP '17022
 SUP '17023



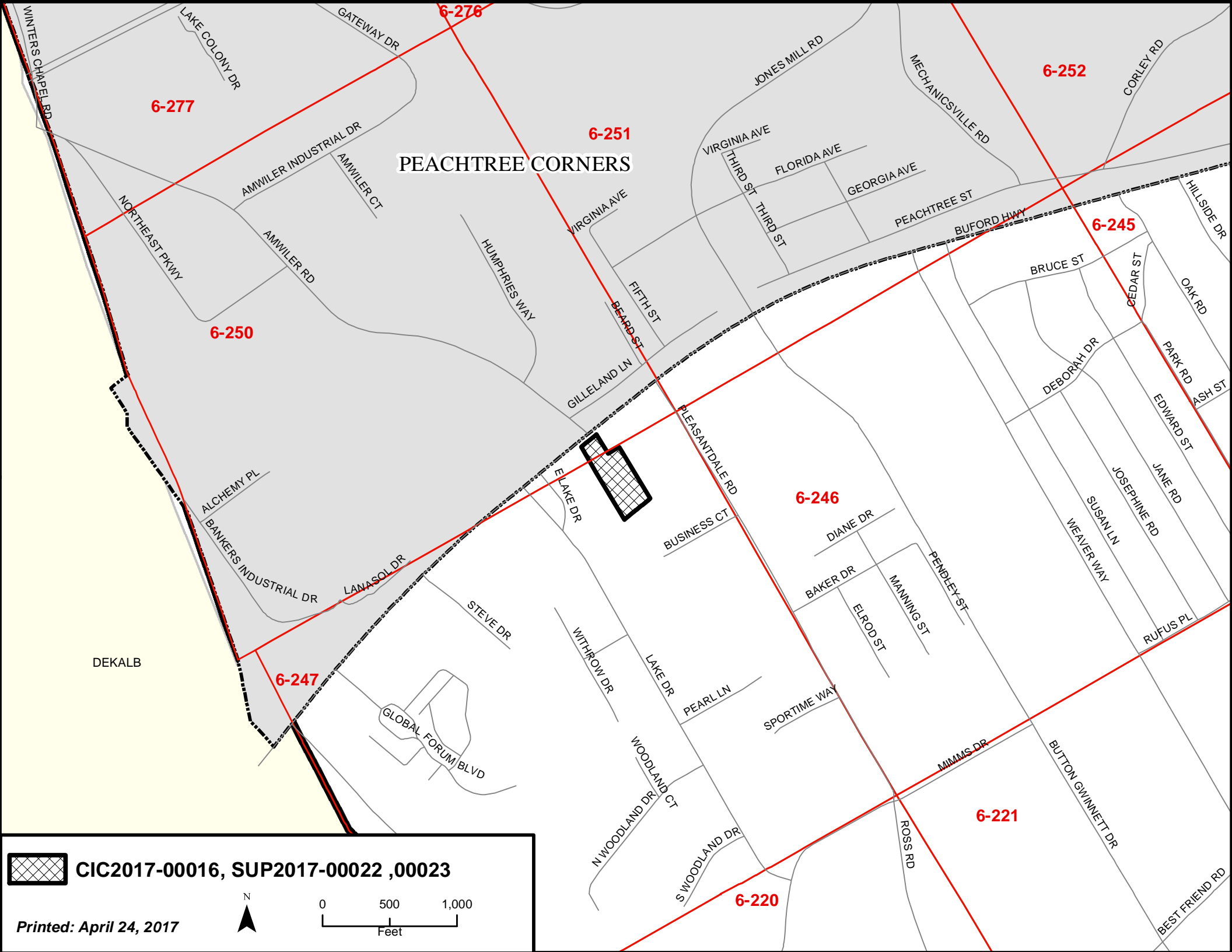
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PEACHTREE CORNERS

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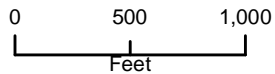
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 CIC2017-00016, SUP2017-00022 ,00023



Printed: April 24, 2017

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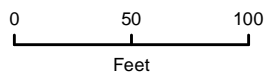
GLOBAL FORUM BLVD



BUFORD HWY

ELAKED DR

 CIC2017-00016, SUP2017-00022 ,00023



Printed: April 24, 2017



HUMPHRIES WAY

GILLELAND LN

AMWILER RD

BUFORD HWY

E LAKE DR

PLEASANTDALE RD

LAKE DR

BUSINESS CT

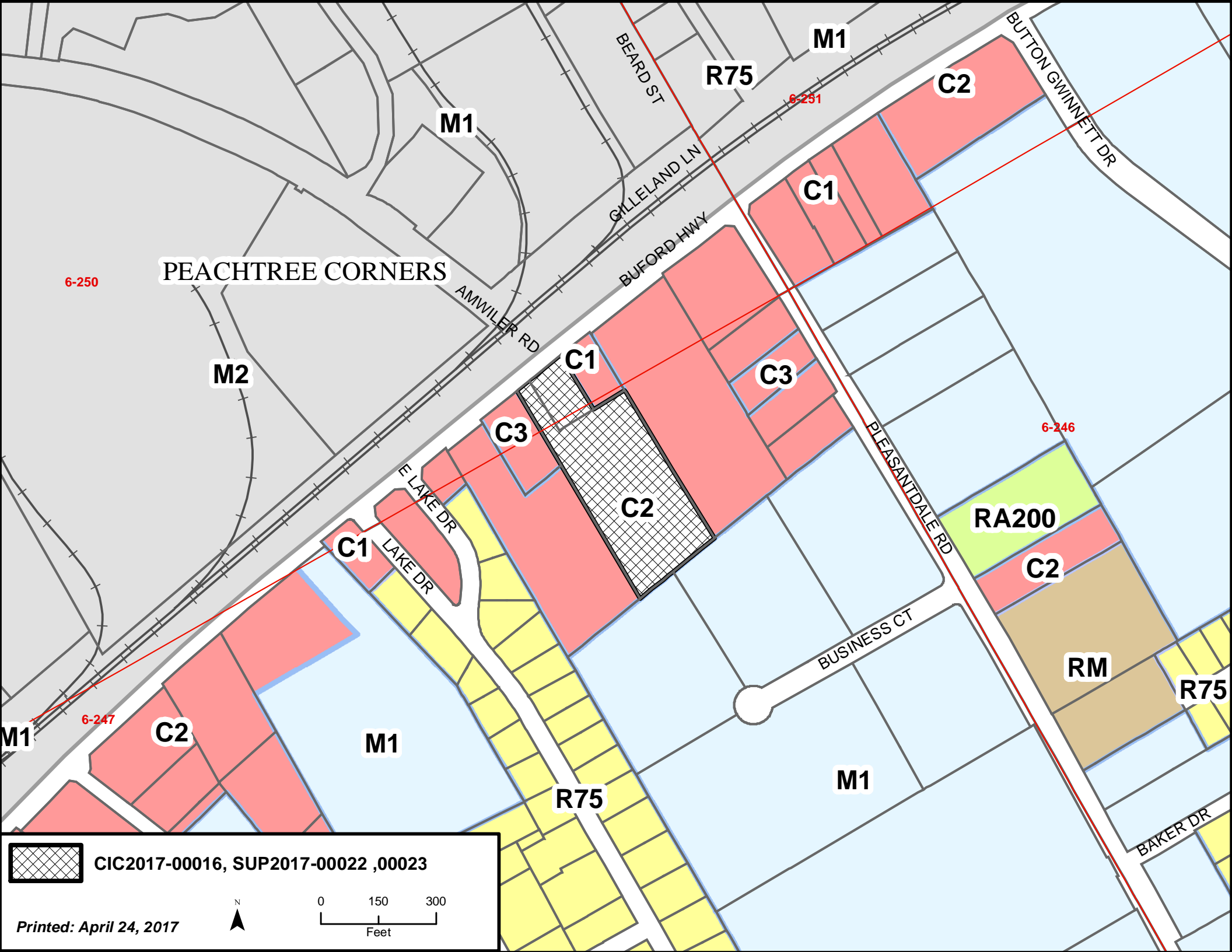


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Printed: April 24, 2017



PEACHTREE CORNERS

 CIC2017-00016, SUP2017-00022 ,00023

Printed: April 24, 2017

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

CASE NUMBER	: SUP2017-00019
ZONING	:C-2
LOCATION	:600 BLOCK OF BUFORD HIGHWAY
MAP NUMBER	:R7256 002
ACREAGE	:2.80 ACRES
SQUARE FEET	:2,361 SQUARE FEET
PROPOSED DEVELOPMENT	:AUTOMOBILE SALES
COMMISSION DISTRICT	:(1) BROOKS

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

APPLICANT: ARCADE DESIGN CORPORATION
4958 BERKLEY RUN XING
PEACHTREE CORNERS, GA 30092

CONTACT: JOSE F. JIMENEZ, RA PHONE: 770.527.1429

OWNER: RODOLFO A. SIXTOS
644 BUFORD HIGHWAY
SUGAR HILL, GA 30518

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant requests a Special Use Permit on a 2.80-acre property, zoned C-2 (General Business District), to allow a used automobile sales facility. The subject property is located on the northwest side of Buford Highway, near its intersection with Woodward Mill Road. Currently, the property consists of a single-family dwelling, an accessory structure (garage), and associated driveways. Access to the site is through a single curb cut extending from Buford Highway.

The applicant intends to develop the site as an automobile sales facility while incorporating the certain conditions of the property into the plan by utilizing the existing single-family dwelling as a sales office. Therefore, all items related to the Compliance Inspection Report (CIR2017-00035) must be satisfied prior to the issuance of a building permit. The applicant has not determined their intent for the existing accessory structure (garage) on the property. The site enhancements would include the expansion of the existing concrete driveway along with 33 parking spaces, with the majority used for display. According to the submitted site plan, a portion of the existing concrete driveway intended for display is located within the existing right-of-way of Buford Highway.

This request is the result of a Code Enforcement Unit case (CEU2017-01235). Per that report, the owner of the property operates a used automobile sales facility in the Lawrenceville area, and is currently using this location to store additional inventory. Additionally, the Code Enforcement Unit indicates that owner of the property resides at this location as well, and the applicant and owner should be aware that the C-2 zoning classification does not permit residential use of the property.

ZONING HISTORY:

In 1970, the property was zoned M-1 (Light Industry District). In 1974, the Board of Commissioners denied a request to locate a mobile home on the property, pursuant to REZ1974-00034. In 1983, the Board of Commissioners approved a request to rezone the property to C-2 (General Business District), pursuant to REZ1983-00220.

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.

Project access and required improvements along State routes or U.S. Highways (i.e., number and design of driveways, deceleration lanes, median breaks, etc.) will be subject to review and approval of the Georgia Department of Transportation. (Section 900-90.3F of the Unified Development Ordinance).

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 Highway.

Provide a 75-foot natural, undisturbed buffer adjacent to R-75 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:

Buford Highway SR 13 is a State Route and Georgia D.O.T. right-of-way requirements govern.

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

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

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 southeast right-of-way of Buford Highway.

The available utility records show that the subject development is currently in the vicinity of an eight-inch sanitary sewer main located approximately 1,626 feet southwest of parcel R7256 002 in the right-of-way of Morning Rise Drive and an eight-inch sanitary sewer main located approximately 1,693 feet southeast of parcel R7256 002 on parcel R7232 015.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall obtain a building code compliance inspection of both existing buildings by the Building Construction Section of Department of Planning and Development and shall comply with inspection results.
2. The existing building elevations shall be renovated to incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Design Category I.
3. The applicant shall submit civil site drawings to Building Plan Review for review and approval.
4. The applicant shall submit plans which clearly indicate any new construction as proposed by the applicant and as required by compliance inspection report for review and approval by Building Plan Review.
5. Upon completion of plan review approvals, the applicant shall obtain a building permit for any required renovation work 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 property is located along the northwest side of Buford Highway, near its intersection with Woodward Mill Road. The property consists of a single-family dwelling and

accessory structure. The applicant has proposed to establish an automobile sales facility at this location.

The 2030 Unified Plan Future Development Map indicates this property lies within an Existing/Emerging Suburban Character Area. The Unified Plan recommends that commercial uses be restricted to appropriate roadways and intersections, and not encroach upon residential areas. Although the proposed use may be consistent with other uses in the immediate area, the intent of the 2030 Unified Plan is to discourage inappropriate activities that may cast a negative or blighting influence on the surrounding area.

A mixture of commercial/retail, light industrial and residential uses along this segment of the Buford Highway corridor characterize the area surrounding the subject property. To the north is the Carroll's Crossing single-family subdivision zoned R-75. Immediately to the west is an existing non-conforming single-family use on property zoned M-1. Further to the west and to the south across Buford Highway are properties located within the city limits of Sugar Hill, zoned LM (Light Manufacturing). Immediately to the east is Glaze Tire and U-Haul, a legal non-conforming tire store having operated from this particular location prior to the County requiring a Special Use Permit for automobile related uses. Furthermore, as recently as 2002, the owner Glaze Tire and U-Haul was able to obtain a Special Use Permit allowing U-Haul truck rental (SUP2002-00015). Additionally, in 2011, property located at the intersection of Buford Highway and Woodward Mill Road received approval of a Special Use Permit (SUP2011-00044) from the Board allowing an automobile sales facility at this location. This particular facility operated as a legal non-conforming automobile sales facility until losing its status in 2010, and in order to reopen the business the owner obtained a Special Use Permit. Approval of the requested Special Use Permit would require compliance with the rules and regulations of the County. Given that surrounding uses were long established prior to County regulations, allowing an additional automobile sales facility to operate in this area may not be suitable at this time.

In conclusion, the requested special use would be inconsistent with the policies of the 2030 Unified Plan and the precedent established by the Board to limit the expansion of neighborhood serving commercial uses located in the immediate area. Therefore, the Department of Planning and Development recommends **DENIAL** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS
SUP2017-00019

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

Approval of a Special Use Permit for an automobile sales facility subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. To allow an automobile sales facility as a special use. Repair or servicing of vehicles shall be prohibited.
 - B. Outdoor storage/display of parts, tires, junked/inoperable vehicles or other materials shall be prohibited. All vehicles located outside the building, whether for sale, service, or repair, or belonging to employees or customers, shall be parked on impervious surfaces and only within lined parking spaces. No vehicles shall be displayed on elevated risers or parked within any landscape strip or grassed area.
 - C. Outdoor sales/storage of merchandise other than automobiles (such as trailers, utility buildings, rental trucks, automobile parts, junked vehicles, etc.) shall be prohibited.
 - D. All new buildings and modifications/additions to existing buildings shall be limited to one story and shall be of a residential character constructed of brick and/or stacked stone, subject to the review and approval of the Director of Planning and Development.
 - E. Prior to issuance of a Certificate of Occupancy, the existing one-story frame building (accessory structure) shall be demolished or removed from the property.
2. To satisfy the following site development considerations:
 - A. Provide a 75-foot wide buffer natural undisturbed buffer adjacent to residentially zoned property. The buffer shall be enhanced where sparsely vegetated.
 - B. Commercial ground signage shall be limited to a 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 signage shall not exceed six-feet in height.

- C. Commercial 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.
- D. Commercial 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.
- E. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
- F. Billboards or oversized signs shall be prohibited.
- G. Outdoor loudspeakers shall be prohibited.
- H. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure.
- 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 shall be prohibited.
- K. Owner shall repair or repaint any graffiti or vandalism that occurs on the property within 72 hours.
- L. The Special Use Permit shall be valid for a one-year period, at which time the use shall cease or an application shall be made for renewal of the Special Use Permit.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

Other similar uses in the area have been in operation prior to the establishment of county regulations regarding automotive uses, therefore expansion of new uses in the area may not be considered suitable.

ADVERSE IMPACTS

The proposed automobile sales facility may adversely affect the policies of the County by introducing an incompatible zoning precedent.

REASONABLE ECONOMIC USE AS ZONED

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

IMPACT ON PUBLIC FACILITIES

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

CONFORMITY WITH POLICIES

The requested special use may be inconsistent with policies of the Unified Plan, which discourages expansion of commercial uses encroaching into residential areas.

CONDITIONS AFFECTING ZONING

The existing house and site will require extensive renovations to bring into compliance with current county standards.

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:

THE PROPOSED USE AS A AUTOMOBILE SALES IS SUITABLE TO THE ADJACENT AUTO REPAIR BUSINESS.

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

THE PROPOSED USE WILL NOT ADVERSELY AFFECT THE USE OR THE USABILITY OF THE NEARBY PROPERTIES.

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

AS A C-2 ZONING THE PROPERTY HAS A REASONABLE ECONOMIC USE AND ALLOWS FOR AUTOMOTIVE SERVICES, THE PROPOSED S.U.P. WILL SUSTAIN THE CURRENT USES AND THE ECONOMIC CONDITIONS OF THE AREA.

- (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:

THE PROPOSED USE WILL NOT CAUSE ADDITIONAL OR EXCESSIVE USE OF THE EXISTING BUFORD HIGHWAY CORRIDOR AND IT IS IN LINE WITH THE CURRENT USE OF THE ADJACENT PROPERTIES.

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

THE PROPOSED USE IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE CURRENT 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 SPECIAL USE PERMIT:

THE USE OF THE ADJACENT PROPERTIES OVER BUFOR HIGHWAY PROVIDES SUPPORTING GROUNDS FOR APPROVAL, AND THERE ARE NO EXISTING OR CHANGING CONDITIONS THAT COULD NEGATEVELY AFFECT OR DISAPPROVED OF THE SUP.

RECEIVED BY

MAR 13 2017

March 10, 2017

WINNETT COUNTY
Department of Planning & Development
Planning Division
446 Crogan Street, Suite 250
Lawrenceville, GA 30043

Re.: SUP – 644 Buford Highway, Sugarhill

Dear Sirs,

This is to express the intent to apply for a Special Use Permit for a new automobile sales at the above reference location.

The following are the considerations affecting this application:

- Current C2 Zoning allows for auto sales under a SUP
- The area of the existing property is 2.8 acres and it is sufficient for the business needs
- This proposal includes one single lot or property parcel
- The proposed number of parking spaces is 4 for customers including one HC and 28 car display parking stalls
- The building height will be within the 35 feet allowed.
- This SUP will not require a modification of the required setbacks or buffer areas and no new pavement areas

The enclosed documentation is submitted for your review and consideration.

Cordially,

Jose Fernando Jimenez
GA Registered Architect
Off: 770-338-9938
Cell: 770-527-1429
jfdojimenez@arcadesign.com

RECEIVED BY

MAR 13 2017

Planning & Development

SUP '17 019



COMPLIANCE INSPECTION REPORT

CASE NUMBER:	CIR2017-00035
RECEIVED DATE:	3/13/2017
APPLICATION NAME:	GTO AUTO SALES
APPLICATION ADDRESS:	644 BUFORD HWY, SUGAR HILL, GA 30518
APPLICANT:	Jose Jimenez 4958 Berkeley Run Crossing Peachtree Corners, GA 30092
REQUEST TYPE:	Existing Building Compliance Report
NFPA OCCUPANCY:	Mercantile – Bulk Merchandising Retail
CURRENT OCCUPANCY USE:	R-1 (IBC) Residential
PROPOSED OCCUPANCY USE:	B (IBC) Business
DEVELOPMENT TYPE:	Single Family Detached Dwelling
CONSTRUCTION TYPE:	(IBC) TYPE VB UNSPRINKLERED

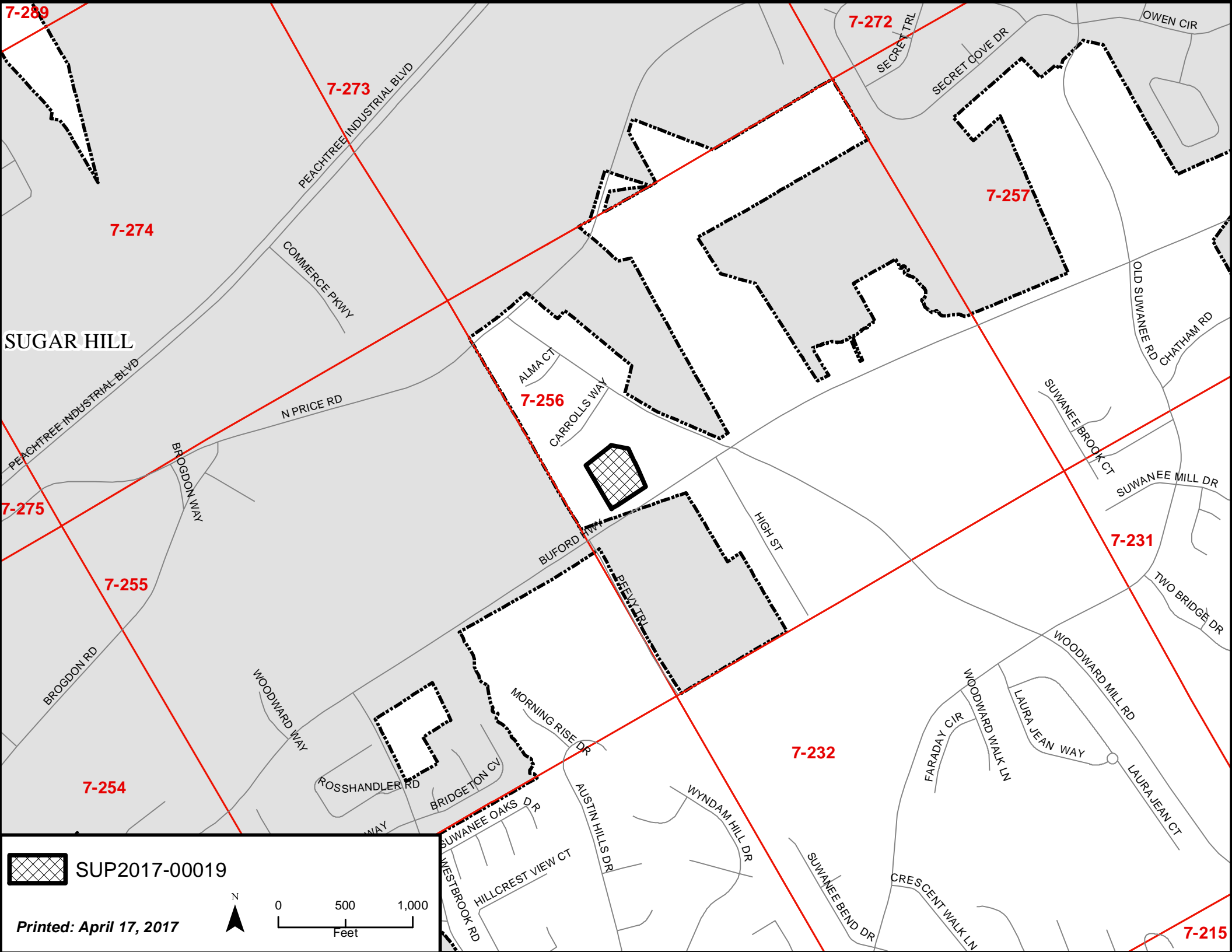
The following is the code compliance inspection report for the proposed occupancy and use. If you have any questions, please contact Building Plan Review at 678.518.6000. Construction drawings must be submitted to Building Plan Review and Fire Plan Review for code compliance review and authorization of a building permit before any construction work or repair work is performed.


	ITEM	COMMENT	INSPECTOR	STATUS
Electrical Code Compliance				
3/20/2017	The electrical system for the proposed occupancy is suitable for intended use.	2008 NEC Ranch house on crawlspace. 100 panel in utility closet off carport. service to small electric heat, electric stove, electric water heater, 60 amp sub feed to building out back. new panel and new wiring with in the last year. multiple violations Note: all work will require plans permits and required inspection and issuance of CO.	Johnny Lyons	Fail
3/20/2017	Ground fault circuit interrupter (GFCI) in bathroom, kitchen, and outside receptacles.	NEC 210.8	Johnny Lyons	Fail
3/20/2017	Required location for lights and switches.	NEC 210	Johnny Lyons	Fail
3/20/2017	Grounding to metal water pipe, building steel, ground rods.	NEC 250-3	Johnny Lyons	Fail
3/20/2017	Working clearance in front of equipment.	NEC 110.26 no access to panel washer dryer in way. also no access service are air handler attic.	Johnny Lyons	Fail
3/20/2017	Location of service disconnect.	NEC 230.70	Johnny Lyons	Fail
3/20/2017	Service equipment - Illumination of service and/or panels.	NEC 110.26(d)	Johnny Lyons	Fail
3/20/2017	Service equipment - Fault current rating.	NEC 110.9	Johnny Lyons	Fail
3/20/2017	Service equipment - Load calculation.	NEC 220	Johnny Lyons	Fail
3/20/2017	Approved covers on junction boxes and accessible.	NEC 314	Johnny Lyons	Fail
3/20/2017	Junction boxes - Correct size for box volume.	NEC 314.16	Johnny Lyons	Fail

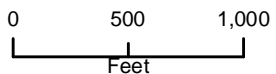
	ITEM	COMMENT	INSPECTOR	STATUS
Electrical Code Compliance				
3/20/2017	Conductors - Correct size for overcurrent device.	NEC 310	Johnny Lyons	Fail
3/20/2017	Disconnects for appliances and HVAC equipment -Required locations and accessible.	NEC 422.30 NEC 440.11 no disconnect for air handler attic	Johnny Lyons	Fail
3/20/2017	Sub-Panels - Location of panels	NEC 110.26	Johnny Lyons	Fail
3/20/2017	Sub-Panels - working clearance in front of panels.	NEC 110.26	Johnny Lyons	Fail
3/20/2017	Sub-Panels - Illumination of panels.	NEC 110.26(d)	Johnny Lyons	Fail
3/20/2017	Overcurrent devices - Correct type per panel manufacturer.	NEC 110.3	Johnny Lyons	Fail
3/20/2017	Number of overcurrent devices for panel.	NEC 110.3	Johnny Lyons	Fail
3/20/2017	Grounding type receptacles.	NEC 406	Johnny Lyons	Pass
3/20/2017	Occupant to have access to service equipment.	NEC 230.72(c)	Johnny Lyons	Pass
3/20/2017	Physical condition of conductors.	NEC 310	Johnny Lyons	Pass
3/20/2017	Proper equipment grounding conductor size.	NEC 250.122	Johnny Lyons	Pass
Fire Compliance				
3/20/2017	Exterior: Level Landing At Door	Install level landing outside rear exit. NFPA 101 7.2.1.3.2	Fredrick Anderson	Fail
3/20/2017	Fire Protection Equipment: Exit Signs	Install continuously illuminated exit signs above exits. Exit signs shall also operate on battery back up power.	Fredrick Anderson	Fail
3/20/2017	Fire Protection Equipment: Fire Extinguisher	Provide a 2A 10BC fire extinguisher within 75 feet of travel distance. Fire extinguisher needs to be tagged by a certified fire extinguisher company.	Fredrick Anderson	Fail
3/20/2017	Miscellaneous	Provide a floor plan to Fire Plan Review prepared by a licensed professional. The above noted deficiencies does not represent all deficiencies noted during the time of the CIR Inspection. For exact requirements for your occupancy, submit plans/floor plan to Fire Plan Review. The licensed professional preparing the plans shall include occupancy type and occupant load.	Fredrick Anderson	Fail
Mechanical Code Compliance				
3/20/2017	The mechanical system for the proposed occupancy is suitable for intended use.	new heat pump heating system install with in the last year. serial # 1604405436 2 1/2 ton goodman heatpump install in attic. no service area no lighting multiple code violations Note:; all work will require plans permits and all required inspections and issuance CO.	Johnny Lyons	Fail
3/20/2017	Ducts and duct sytems - Joints, seams, and connections.		Johnny Lyons	Fail
3/20/2017	Equipment - Accessibility.		Johnny Lyons	Fail
3/20/2017	Equipment - Clearance.		Johnny Lyons	Fail
3/20/2017	Equipment - Support.		Johnny Lyons	Fail
3/20/2017	Fresh air system - allowable material.		Johnny Lyons	Fail
3/20/2017	Fresh air system - Location on intakes.		Johnny Lyons	Fail
3/20/2017	Fresh air system - ASHRAE air systems.		Johnny Lyons	Fail
3/20/2017	Exhaust systems - Bath fan vents and termination.		Johnny Lyons	Fail
3/20/2017	Condensate drains piping and termination.		Johnny Lyons	Fail

	ITEM	COMMENT	INSPECTOR	STATUS
Mechanical Code Compliance				
3/20/2017	Refrigeration system - Material.		Johnny Lyons	Fail
3/20/2017	Refrigeration system - Location		Johnny Lyons	Fail
3/20/2017	Refrigeration system - Joints and refrigerant containing part in plenum.		Johnny Lyons	Fail
3/20/2017	Refrigeration system - Piping insulation.		Johnny Lyons	Fail
3/20/2017	Ducts and duct systems - Allowable materials.		Johnny Lyons	Pass
3/20/2017	Duct insulation.		Johnny Lyons	Pass
3/20/2017	Ducts and duct systems - complies with Georgia State Energy Code.		Johnny Lyons	Pass
3/20/2017	Equipment - Location.		Johnny Lyons	Pass
3/20/2017	Complies with Georgia State Energy Code		Johnny Lyons	Pass
Plumbing Code Compliance				
3/20/2017	The plumbing system for the proposed occupancy is suitable for intended use.	house has been renovated completely new plumbing fixtures and 50 gal electric water heater. Note: all work will require plans permits and inspections	Johnny Lyons	Fail
3/20/2017	Water heaters - Provide combustion air from outside.	IPC 504.5-504.6	Johnny Lyons	Fail
3/20/2017	Water heaters - Provide 3/4 T&P relief line using approved pipe.	IPC 502.4	Johnny Lyons	Fail
3/20/2017	This occupancy requires drinking fountains to be installed.	IPC 403.1	Johnny Lyons	Fail
3/20/2017	Provide separate toilet rooms for male and female.	IPC 403.2	Johnny Lyons	Fail
3/20/2017	Install double check valve assembly and certify device.	IPC 608.1	Johnny Lyons	Fail
3/20/2017	Install pressure reducing valve in main water service.	IPC 604.8	Johnny Lyons	Fail
3/20/2017	Install vacuum breakers on all hose bibbs.	IPC 608.11	Johnny Lyons	Fail
3/20/2017	Water heaters - install thermal expansion device.	IPC 607.3	Johnny Lyons	Pass
3/20/2017	Change all water closets to elongated with open front seats.	IPC 420.2 toilet not energy code compliant 1.6 gal not 1.2	Johnny Lyons	Pass
Structural Code Compliance				
3/20/2017	S15: Wood grades, spans, floor joist, ceiling and rafters, and Light Frame Construction.	IBC 2308 (Need engineer review of floor system and deck for compliance with commercial loads) there is a structural support issue for the girder that is supporting the floor system. see photo in documents.	Alex Shiao	Fail
3/20/2017	S13: Insulation in attic.	IECC 502 insufficient	Alex Shiao	Fail
3/20/2017	S3: Insulation in crawlspace.	IECC 502 no insulation in crawlspace	Alex Shiao	Fail
3/20/2017	S14: Insulation in walls.	IECC 502 unable to inspect, walls are complete	Alex Shiao	Fail
3/20/2017	S9: Fireplaces.	IBC 2111 there appears to be a fireplace that has been covered	Alex Shiao	Fail
3/20/2017	S5: Decks, guardrails.	IBC 1013; IBC 1607.8 stair guard rails are not code compliant	Alex Shiao	Fail
3/20/2017	S17: Tempered glass for doors and windows.	IBC 2406 all the windows are not energy code compliant	Alex Shiao	Fail

	ITEM	COMMENT	INSPECTOR	STATUS
Structural Code Compliance				
3/20/2017	S1: Additional Data / Plans.	GCCC 103.2.2 there is and additional building on the property that is not included in this request. it appears to be a storage building but access was restricted.	Alex Shiao	Fail



 SUP2017-00019



Printed: April 17, 2017

FLOOD HAZARD STATEMENT

THIS PROPERTY IS NOT LOCATED IN AN AREA DESIGNATED AS FLOOD HAZARD AREA AS PER FLOOD INSURANCE RATE MAP DISBOROUGH

PROPERTY LOCATED AT:

LAND LOT 206, 7th LAND DISTRICT
GUNNETT COUNTY, GEORGIA
TAX PARCEL NO. 1256 0002

SURVEY DATA

EXISTING SITE INFORMATION TAKEN FROM THE GUNNETT COUNTY GIS SYSTEM. SITE OBSERVATION AND DATA FROM A SURVEY DATED FEBRUARY 9, 2007 PREPARED BY:
GA PROFESSIONAL LAND SURVEYING, LLC
58 ANDERSON TRAIL, NE
CARTERSVILLE, GA 30011
TEL: 770-476-9114

PARKING

NOTE: EXISTING CONCRETE DRIVEWAY TO REMAIN

- TOTAL CUSTOMER PARKING SPACES: 3
- INC. ACCESSIBLE PARKING: ONE
- TOTAL NEW PARKING SPACES: 4
- SALES PARKING SPACES: N/A

LEGAL DESCRIPTION

644 BUFORD HIGHWAY
TAX PARCEL: 1256 0002
SURVEYED LEGAL DESCRIPTION
ALL THAT TRACT OR PARCEL OF LAND LYING OR BEING IN LAND LOT 206 OF THE 7th LAND DISTRICT, GUNNETT COUNTY, GEORGIA, AS SHOWN AND DELINEATED AS 2.88 ACRES, MORE OR LESS, ON PLAT OF SURVEY FOR 644 BUFORD HIGHWAY BY GA PROFESSIONAL LAND SURVEYING, LLC DATED FEBRUARY 9, 2007, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT AN IRON PIN ON THE NORTHEASTERN RIGHT OF WAY OF BUFORD HIGHWAY (200 FOOT RIGHT OF WAY); SAID IRON PIN BEING NORTH 84 DEGREES 34 MINUTES 00 SECONDS EAST, AS MEASURED ALONG SAID RIGHT OF WAY, A DISTANCE OF 738.9 FEET FROM INTERSECTION OF SAID NORTHEASTERN RIGHT OF WAY AND THE ORIGINAL LAND LOT 206; THENCE BEING NORTH 84 DEGREES 34 MINUTES 00 SECONDS EAST, A DISTANCE OF 373.6 FEET; THENCE BEING NORTH 78 DEGREES 05 MINUTES 00 SECONDS EAST, A DISTANCE OF 234.9 FEET; TO AN IRON PIN FOUND; THENCE BEING SOUTH 04 DEGREES 14 MINUTES 00 SECONDS EAST, A DISTANCE OF 549.5 FEET; TO AN IRON PIN FOUND ON THE NORTHEASTERN RIGHT OF WAY OF BUFORD HIGHWAY; THENCE BEING SOUTH 84 DEGREES 34 MINUTES 00 SECONDS WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 389.9; TO AN IRON PIN, THE PLACE OR POINT OF BEGINNING.

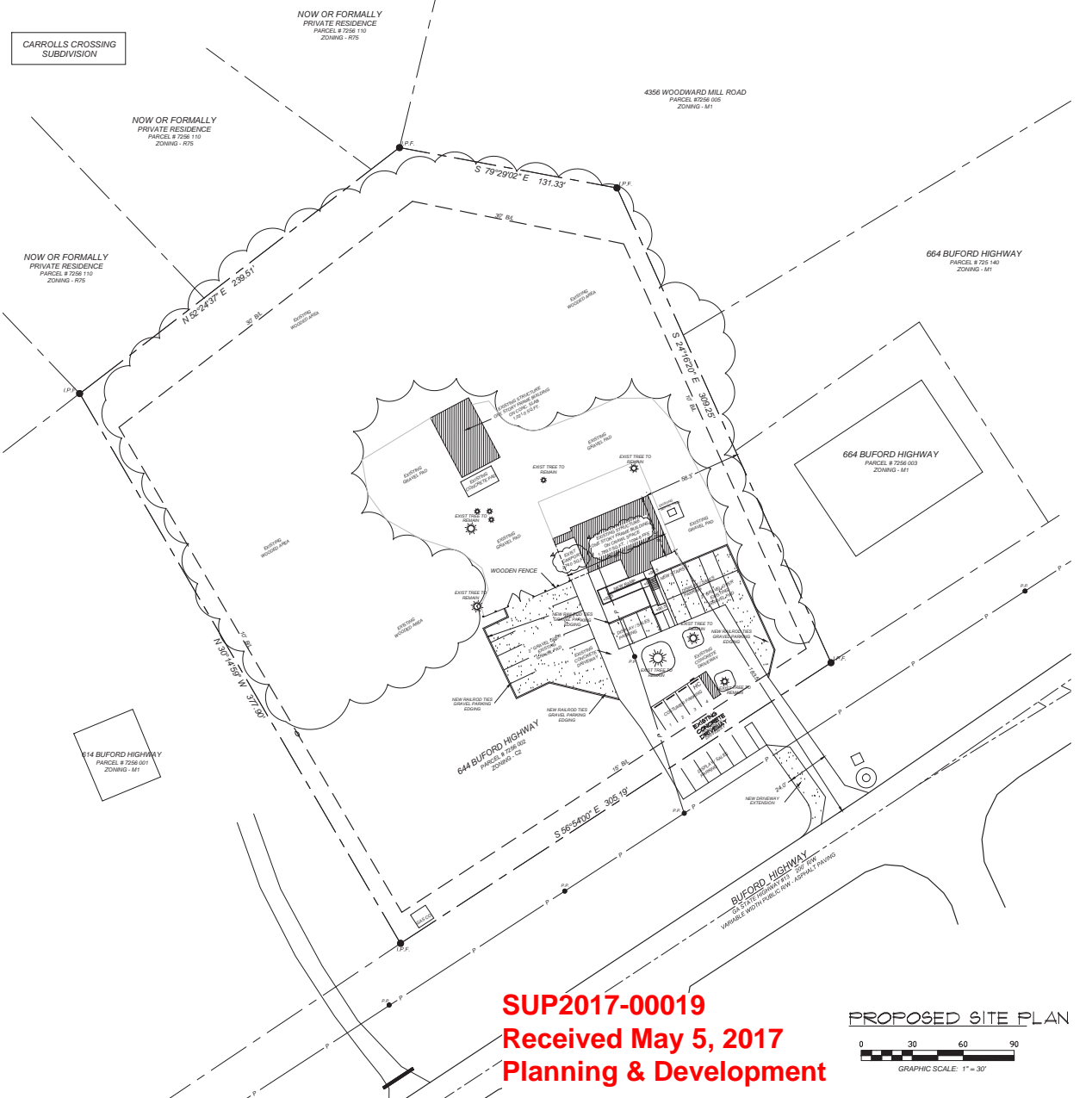
LEGEND

- BOUNDARY LINE
- SETBACK LINE
- EXISTING BUILDING
- CONTOUR LINE
- CONTOUR ELEV. 1020
- IRON PIN FOUND
- POWER LINE
- POWER POLE



MAGNETIC NORTH

ZONING DISTRICT
EXISTING: C2



SUP2017-00019
Received May 5, 2017
Planning & Development



JOSE F. JIMENEZ, P.A.
ARCHITECT
1275-243-8888
www.jfjdesign.com



SPECIAL USE PERMIT
GTO AUTO SALES
644 BUFORD HIGHWAY
SUGAR HILL, GEORGIA 30518

PROJECT No.:


REVISIONS	
MARK	DATE
A	05-04-2017

DATE: 03-03-2017

SHEET No.:

SP2



 SUP2017-00019

Printed: April 17, 2017

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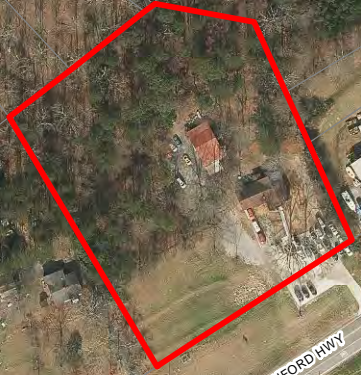


M PRICE RD

ALMA CT

CAROLLS WAY

WOODWARD MILL RD



BUFORD HWY

PRENTISS

PICK ST

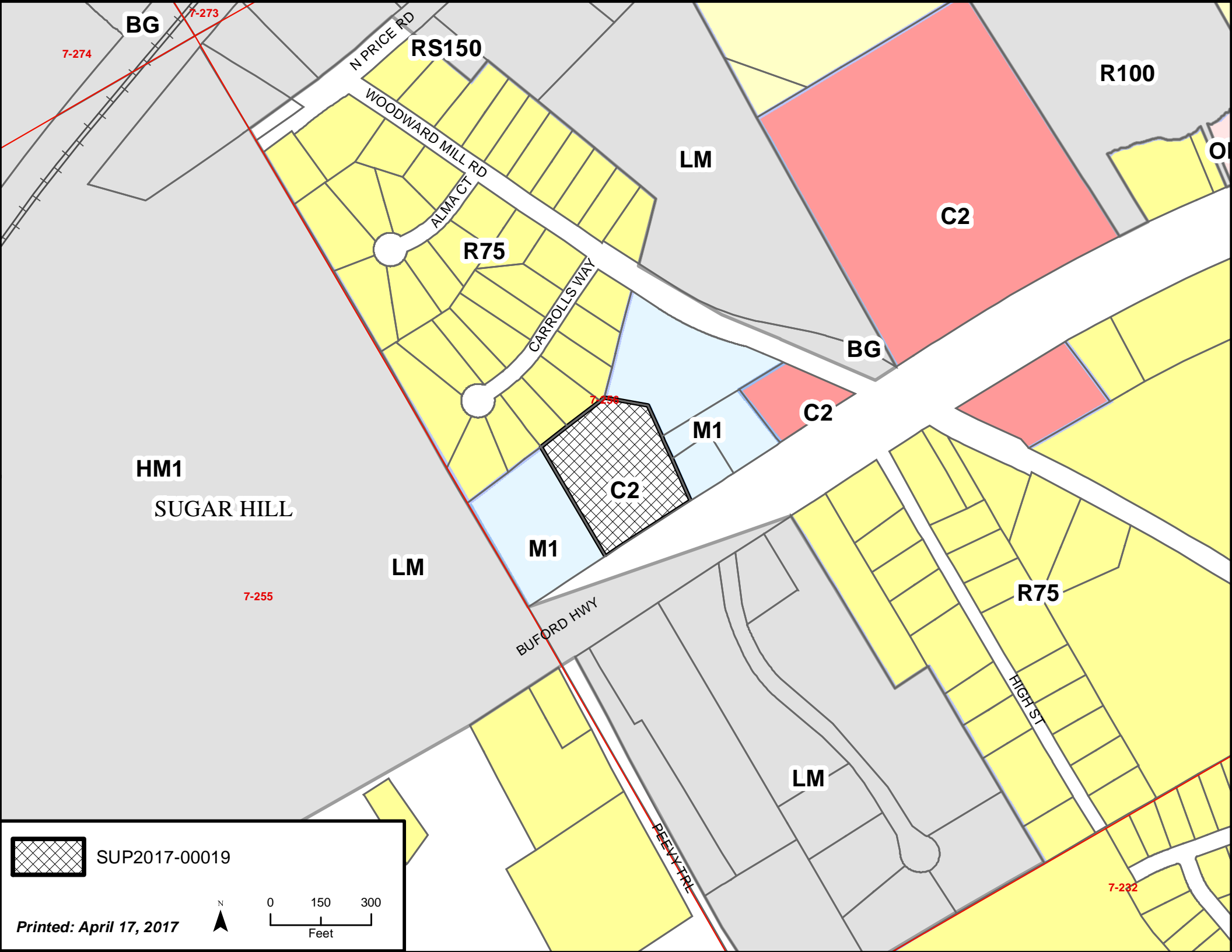


SUP2017-00019



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Printed: April 17, 2017



 SUP2017-00019

Printed: April 17, 2017

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 0 150 300 Feet

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

CASE NUMBER :**SUP2017-00021**
ZONING :M-I
LOCATION :1500 BLOCK OF OAKBROOK DRIVE
MAP NUMBER :R6196 122
ACREAGE :4.75 ACRES
SQUARE FEET :26,350 SQUARE FEET
PROPOSED DEVELOPMENT :DAY CARE FACILITY
COMMISSION DISTRICT :(2) HOWARD

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

APPLICANT: STILL WATERS LEARNING CENTER, INC.
C/O MAHAFFEY PICKENS TUCKER, LLP
1550 NORTH BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACT: SHANE LANHAM PHONE: 770.232.0000

OWNER: OAKSTON, LLC
754 ROCKY POINT ROAD
COVINGTON, GA 30014

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests a Special Use Permit (SUP) on a 4.75-acre parcel zoned M-I (Light Industry District) to allow a day care center within a proposed place of worship and a private school. The site is currently developed with two existing office/warehouse buildings totaling 26,350 square feet. The property is located within the Oakbrook Center business park, on the south side of Oakbrook Drive, across from its intersection with Center Way.

According to correspondence with the applicant, the day care center would occupy 3,032 square feet of the 12,832-square foot building located at 1590 Oakbrook Drive. A maximum of 52 children are proposed for the day care center, to be located within the proposed private school for Pre-K through 4th grades. Special Use Permits are not required for a Place of Worship and Private School in the M-I zoning district. Access is provided by two existing driveways on Oakbrook Drive, and there are 92 existing parking spaces shared among the various suites as indicated on the site plan. With the exception of a new playground for the day care facility to the rear of the building, no new land disturbance is anticipated.

ZONING HISTORY:

The subject property has been zoned M-I since 1970. In 2011, a Special Use Permit for a Church within an existing office/warehouse building was approved by the Board of Commissioners (SUP2011-00063). On March 31, 2017, the Special Use Permit was terminated by the property owner because an SUP is no longer required within the M-I zoning district.

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:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Oakbrook Drive 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.

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

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 10-inch water main located on the northwest right-of-way of Oakbrook Drive

The available utility records show that the subject development is currently in the vicinity of an eight-inch and 12-inch sanitary sewer main located on parcel R6196 122.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The applicant requests a Special Use Permit on a 4.75-acre parcel zoned M-1 (Light Industry District) to allow a day care center within a proposed place of worship and a private school. The property is located within the Oakbrook Center business park, on the south side of Oakbrook Drive, across from its intersection with Center Way.

The subject site is located within a Regional Mixed-Use Character Area of the 2030 Unified Plan Future Development Map. The proposed day care facility could be considered compatible with Unified Plan policies which encourage a mix of commercial and office-institutional land uses. Given that the proposed day care facility would be available to the public, approval of this SUP could provide an important service to area residents and members of the place of worship.

The surrounding area is developed with a mix of office, office/warehouse and multifamily residential uses. Surrounding the site are numerous office/warehouse and light industrial buildings, including the Masada Bakery adjacent to the east, Vision Flooring Solutions to the west and XXI Century Entertainment further west. Adjacent to the rear of the property are the Oakbrook Point apartments, zoned RM-13. If properly conditioned, the proposed day care facility could be compatible with these nearby uses.

With conditions, the proposed day care facility within the existing building could be consistent with past Board actions approving day care facilities within office and industrial areas and could be compatible with existing 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 of a Special Use Permit for a Day Care Facility, subject to the following conditions:

1. Office, institutional, and industrial uses which may include a Day Care Facility with a State License for no more than 52 children.
2. Prior to business occupancy, obtain any necessary permits to bring the structure and property up to code for day care center occupancy.
3. Child pick-up and drop-off shall occur on-site, on approved paved surfaces, and shall not impede traffic along Oakbrook Drive.
4. Exterior modifications to the existing grounds or structure shall be subject to the review and approval of the Director of Planning and Development, including any parking, playground or drop-off area requirements.
5. Hours of operation for the day care facility shall be between 6:30 a.m. and 6:00 p.m., Monday through Friday, and between 9:30 a.m. to 4:00 p.m. on Sunday.
6. Playground areas shall be fenced and located in the rear yard.
7. Ground signage for the entire site shall be limited to one monument-type sign(s), and shall be subject to review and approval by the Director of Planning & Development. The sign shall include 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 six feet in height.
8. Wall signage for the entire site shall not exceed the requirements of the Gwinnett County Sign Ordinance, and shall only utilize neutral (non-white earthtone) background colors for the sign cabinet.
9. Window signage for the entire site (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.
10. Outdoor storage shall be prohibited on the property for any use.

11. All 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.
12. All 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 right-of-way.
13. Outdoor loudspeakers shall be prohibited.
14. As it pertains to all uses, no tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar materials 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.
15. As it pertains to all uses, peddlers and/or parking lot sales shall be prohibited.
16. Owner shall repair or repaint any graffiti or vandalism that occurs on the property within 72 hours.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

Given the size of the property and adequate parking facilities, the requested Special Use Permit allowing a day care facility within a private school could be suitable at this location.

ADVERSE IMPACTS

With the recommended conditions, potential impacts on nearby residential properties could be reduced.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACT ON PUBLIC FACILITIES

Some impacts on public facilities in the form of additional utility demand and traffic could be anticipated.

CONFORMITY WITH POLICIES

The requested Special Use Permit could be consistent with the Board's approval of similar requests to locate day care facilities within office/business parks in the County.

CONDITIONS AFFECTING ZONING

The site's proximity to multifamily residences suggests that it is appropriate if developed in compliance with the attached recommended conditions.

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:

Please see attached

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

Please see attached

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

Please see attached

- (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:

Please see attached

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

Please see attached

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

Please see attached

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APR 03 2017

SUP '17021

Planning & Development

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

- (A) Yes, the proposed Special Use Permit Application will permit a use that is suitable in view of the use and development of adjacent and nearby properties.
- (B) No, the proposed Special Use Permit Application will not adversely affect the existing use or usability of any of the nearby properties.
- (C) The Applicant submits that the property may have some economic use as currently zoned.
- (D) No, the proposed Special Use Permit Application will not result in an excessive or burdensome use of the infrastructure systems. The subject property is located in an established heavy commercial and industrial area with convenient access to major roadways such as Oakbrook Parkway, Jimmy Carter Boulevard, and I-85.
- (E) Yes, the proposed Special Use Permit Application is in conformity with the policy and intent of the Gwinnett County 2030 Land Use Plan.
- (F) Applicant submits that the commercial/industrial nature of the area provides additional support of this Application.

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APR 03 2017

SUP '17 021

Planning & Development



Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Christopher D. Holbrook
Frances H. Kim
Shane M. Lanham

Austen T. Mabe
Jeffrey R. Mahaffey
David G. McGee
Steven A. Pickens
Andrew D. Stancil
R. Lee Tucker, Jr.
*Of Counsel

**LETTER OF INTENT FOR SPECIAL USE PERMIT APPLICATION OF
STILL WATERS LEARNING CENTER, INC.**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Special Use Permit Application (the "Application") on behalf of the Applicant, Still Waters Learning Center, Inc., for the purpose of requesting a special use permit for a Day Care Facility on an approximately 4.75 acre tract (the "Property") located on Oakbrook Drive at its intersection with Center Way. The Property is currently zoned M-1.

The subject Property is located just east of Interstate 85 where it passes under Center Way. The Property is surrounded on three sides by land zoned M-1 and bordered on its southeasterly boundary by land zoned RM-13. The Property contains two buildings with approximately 13,600 square feet of space each which were constructed in 1989. The Applicant plans to utilize the subject Property for a church and private school. As a component of the private school, the Applicant plans to operate a day care facility which is required to be licensed or commissioned by the Georgia Department of Human Resources. Though the uses of Place of Worship and Private School are permitted by right in the M-1 zoning classification under the current Gwinnett County Unified Development Ordinance, a special use permit is required for a Day Care Facility.

The proposed use of the Property is consistent with the policies of the Gwinnett County Unified Development Plan which designates the Property as within the Regional Mixed-Use Character Area. Moreover, the subject Property was recently utilized as church pursuant to

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

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APR 03 2017

SUP '17021

Planning & Development

SUP2011-00063 which was approved by the Gwinnett County Board of Commissioners on November 15, 2011. In addition to warehousing and distribution uses, office uses are a major component of the surrounding area including several other current or former churches. Accordingly, the proposed use is compatible with these existing uses as well as the overall character of the area. As a relatively low-intensity use of existing buildings, the requested special use permit will not have an adverse impact on nearby or surrounding properties.

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

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham
Attorneys for the Applicant

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APR 03 2017
Planning & Development

SUP '17 021

Department of Planning and Development

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



To: Board of Commissioners
From: Todd Hargrave, Planning and Development
Through: Municipal-Gwinnett Planning Commission
Date: March 31, 2017
Subject: Voluntary Termination of Special Use Permit (SUP2011-00063)

Please be advised that the owner of property located at 1590 Oakbrook Drive has voluntarily terminated the Special Use Permit on their property (SUP2011-00063). The Special Use Permit was for a church and accessory uses along Oakbrook Drive.

This notice, in accordance with Section 270-30.8 of the Unified Development Ordinance, results in termination of the Special Use Permit.

Copies of the property owner's termination letter, the Board of Commissioners Resolution, the site plan and location maps are attached for reference.

cc: Kathy Holland, Director, Planning and Development
Jerry Oberholtzer, Current Planning Manager, Planning and Development
Case file: SUP2011-00063



Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Christopher D. Holbrook
Frances H. Kim
Shane M. Lanham

Writer's e-mail: slanham@mptlawfirm.com

March 30, 2017

Austen T. Mabe
Jeffrey R. Mahaffey
David G. McGee
Steven A. Pickens
Andrew D. Stancil
R. Lee Tucker, Jr.
*Of Counsel

VIA HAND DELIVERY AND EMAIL TO: Kathy.Holland@gwinnettcountry.com

Kathy Holland, Director
Gwinnett County Department of Planning and Development
One Justice Square
446 West Crogan Street
Lawrenceville, Georgia 30046

Re: Voluntary Termination of Special Use Permit SUP2011-00063 (the "SUP") for property located at 1590 Oakbrook Drive, Norcross, Georgia 30093 bearing tax parcel number 6196 122 (the "Property")

Dear Kathy:

Please accept this letter as the Property owner's request to voluntarily terminate the SUP which was approved by the Board of Commissioners on November 15, 2011. Pursuant to the Gwinnett County Unified Development Ordinance which was adopted subsequent to the SUP, the use of "Place of Worship" is permitted by right in the M-1 zoning classification. Accordingly, the SUP is no longer necessary. Please let me know if I can provide any additional information.

Sincerely yours,

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham

SML/wmf
Cc: Gerald T. Oberholzter

CASE NUMBER SUP2011-00063
GCID 2011-0910

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>
Charlotte J. Nash, Chairman	<u>AYE</u>
Shirley Lasseter, District 1	<u>ABSENT</u>
Lynette Howard, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
John Heard, District 4	<u>AYE</u>

On motion of COMM. HOWARD, 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 GLORIOUS GLOBAL APOSTOLIC CHURCH for the proposed use of a 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 15, 2011 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 15TH day of NOVEMBER, 2011 that the aforesaid application for a Special Use Permit is hereby **APPROVED** with the following enumerated conditions:

1. A church and accessory uses, not including a commercial daycare or private school unless approved by an additional Special Use Permit(s).
2. Any new buildings or exterior architectural modifications to the existing building shall be subject to review and approval by the Director of Planning and Development.
3. All church functions and activities shall be conducted indoors.
4. Outdoor/exterior loud speakers shall be prohibited.
5. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar materials 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.
6. Peddlers or parking lot sales shall be prohibited.
7. Owner shall repair or repaint any graffiti or vandalism that occurs on the property within 72 hours.

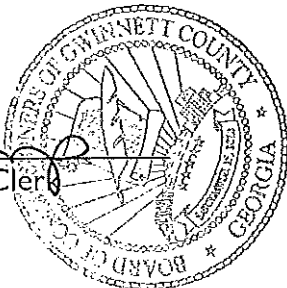
GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 11/29/11

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



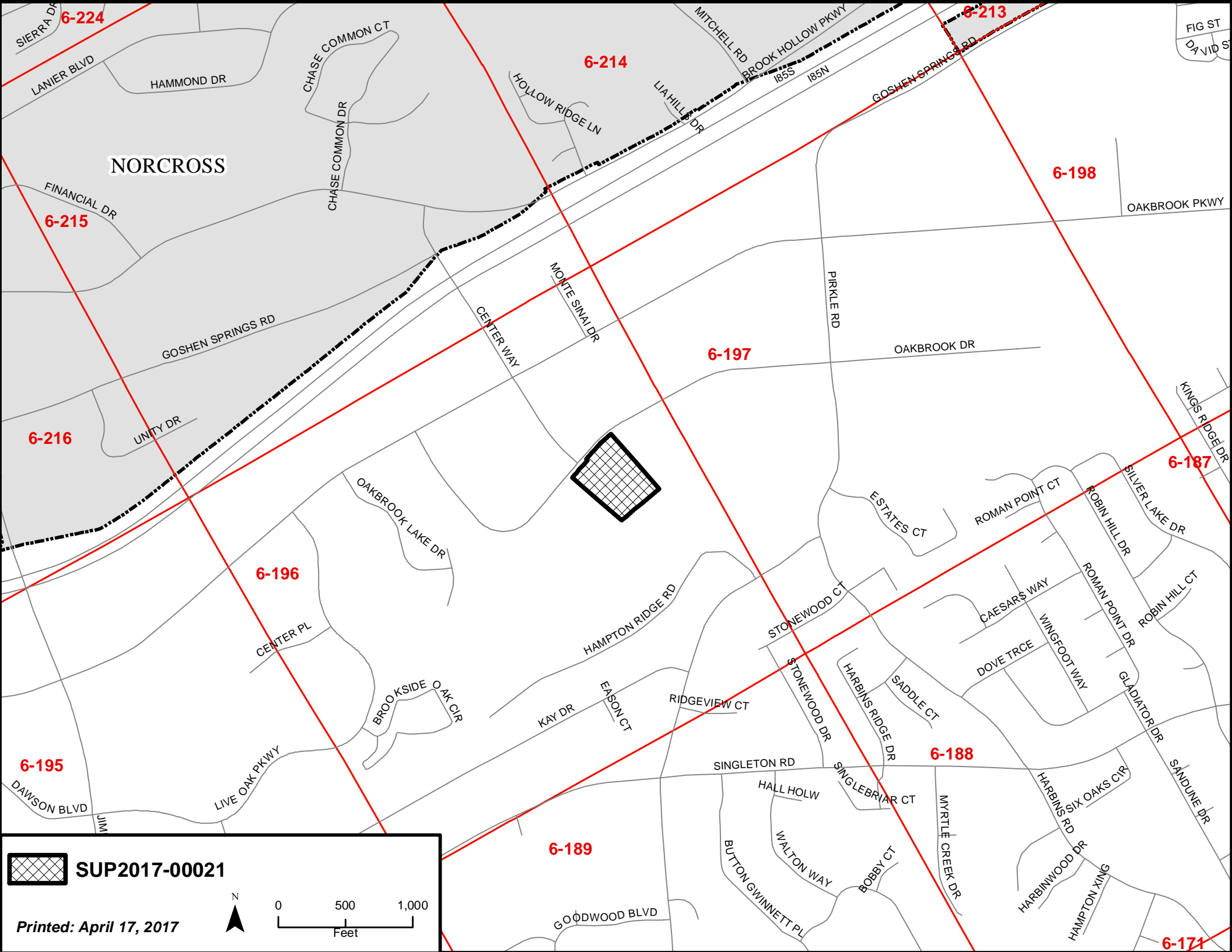
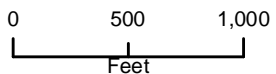


FIG ST
DAVID S

NORCROSS

 SUP2017-00021



Printed: April 17, 2017


6-171



CENTER WAY

OAKBROOK DR

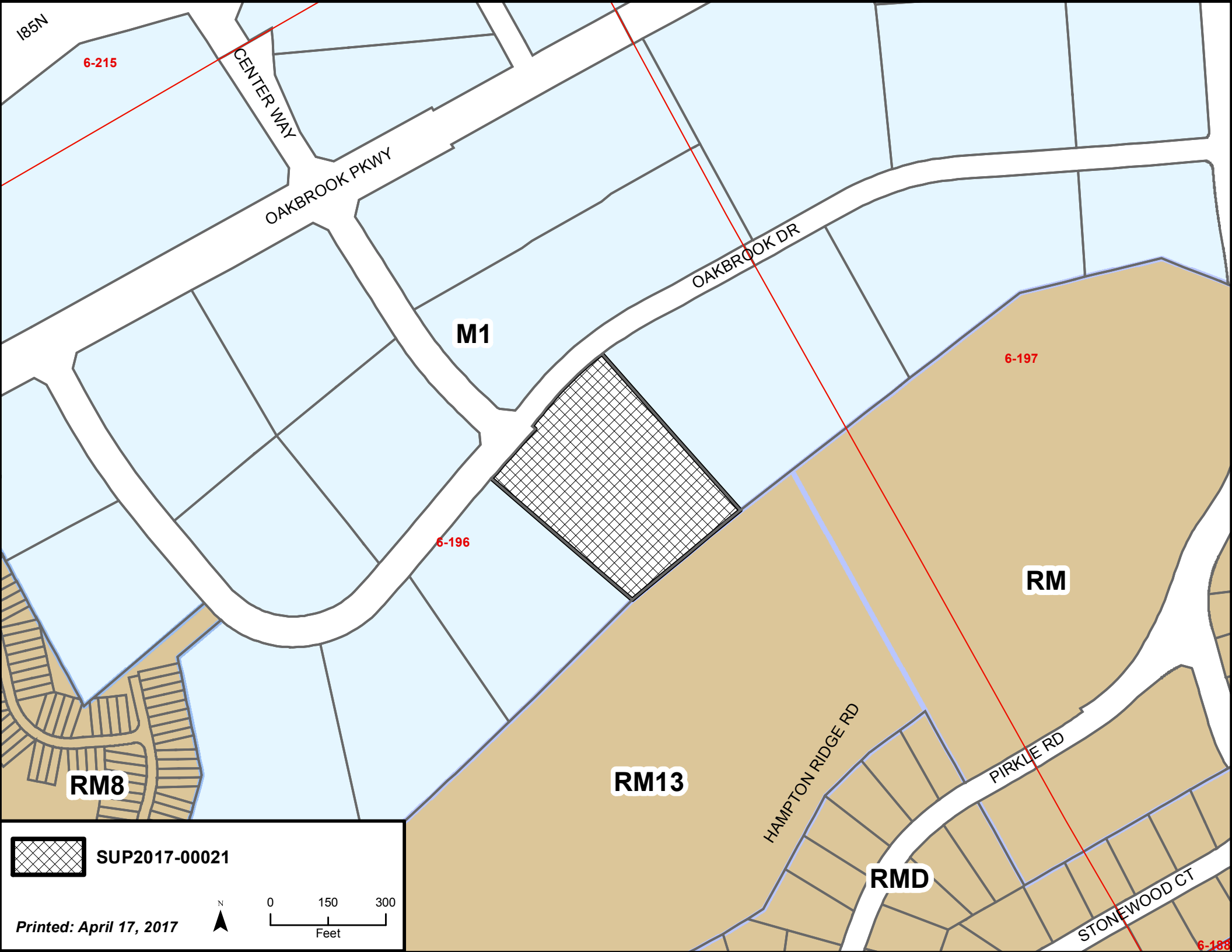


 SUP2017-00021

Printed: April 17, 2017

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CENTER WAY

OAKBROOK PKWY

M1

OAKBROOK DR

6-197

6-196

RM

RM8

RM13

HAMPTON RIDGE RD

RMD

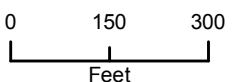
PIRKLE RD

STONEWOOD CT

6-188



SUP2017-00021



Printed: April 17, 2017

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

CASE NUMBER :**SUP2017-00024**
ZONING :R-100
LOCATION :1400 BLOCK OF CALVIN DAVIS CIRCLE
:1300 BLOCK OF BUFORD DRIVE
MAP NUMBER :R7051 141
ACREAGE :12.37 ACRES
SQUARE FEET :37,926 SQUARE FEET
PROPOSED DEVELOPMENT :PRIVATE SCHOOL
COMMISSION DISTRICT :(4) HEARD

CASE NUMBER :**SUP2017-00025**
ZONING :R-100
LOCATION :1400 BLOCK OF CALVIN DAVIS CIRCLE
:1300 BLOCK OF BUFORD DRIVE
MAP NUMBER :R7051 141
ACREAGE :12.37 ACRES
SQUARE FEET :37,926 SQUARE FEET
PROPOSED DEVELOPMENT :DAY CARE FACILITY (GROUP)
COMMISSION DISTRICT :(4) HEARD

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

APPLICANT: NEW BRIDGE CHURCH
C/O MITCH PEEVY
4480 COMMERCE DRIVE
BUFORD, GA 30518

CONTACT: MITCH PEEVY PHONE: 770.614.6511

OWNER: NEW BRIDGE CHURCH
1446 CALVIN DAVIS CIRCLE
LAWRENCEVILLE, GA 30043

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests two Special Use Permits on a 12.37-acre parcel, zoned R-100 (Single Family Residence District), to allow a private school and a day care facility at an existing church. The property is located on the southwest side of the Buford Drive and Calvin Davis Circle intersection.

The site is developed with three buildings totaling 37,926 square feet, associated parking, driveways and an existing detention pond near the rear property line. The private school and daycare plan to use the existing building. The applicant has indicated they currently have a total of 41 students and the hours of operation would be from 8:00 a.m. to 3:00 p.m. Monday through Friday. No new construction is planned.

Access would be provided through the existing driveway onto Calvin Davis Circle. A total of 550 existing parking spaces are shown on the submitted site plan.

ZONING HISTORY:

In 1970, the property was zoned R-100. In 1997, a special use permit for a metal building greater than 550-square feet was approved, pursuant to SUP-97-120. In 2002, a special use permit for a church use was approved, pursuant to SUP-02-024.

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:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Calvin Davis Circle is a Minor Collector and 30 feet of right-of-way is required from the centerline.

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 an eight-inch water main located on the northeast right-of-way of Calvin Davis Circle and a 12-inch water main located on the northwest right-of-way of Buford Drive.

The available utility records show that the subject development is currently in the vicinity of an eight-inch sanitary sewer main located approximately 1,011 feet west of parcel R7051 141 in the right-of-way of Tara Oaks Court and an eight-inch sanitary sewer main located approximately 692 feet north of parcel R7051 141 on parcel R7052 120.

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 or exterior modification (remodel) for review and approval by Building Plan Review.
2. Architectural design of any proposed exterior modification shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Design Category I.
3. Upon completion of plan review approvals, the applicant shall obtain a building permit 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 applicant requests two Special Use Permits on a 12.37-acre parcel, zoned R-100(Single Family Residence District), to allow a private school and a day care facility at an existing church. The property is located on the southwest side of the Buford Drive and Calvin Davis Circle intersection.

The 2030 Unified Plan Future Development Map identifies that the subject property is located within an Existing/Emerging Character Area. This character area promotes neighborhood-serving uses therefore, a private school and daycare facility as an accessory use to the church could be considered consistent with this land use designation.

Surrounding the subject site are residences and residential subdivisions along Calvin Davis Circle and Buford Drive south of the Calvin Davis Circle intersection, with office and commercial uses located along the Buford Drive and Russell Road intersection north of Calvin Davis Circle. South of the subject property is 12 Stone Church. North across Calvin Davis Circle, west and east across Buford Drive are single family residences zoned R-100. In light of the mix of residential, commercial and institutional uses which characterize the surrounding area, the proposed accessory private school and daycare could be considered compatible with adjacent and nearby developments. The church has ample parking facilities and is accessed solely off Calvin Davis Circle, further suggesting that the proposed private school use could be suitable for the site.

In conclusion, the private school and group daycare as an accessory use to the existing church could be considered consistent with the recommendations of the Unified Plan and compatible with surrounding 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 of a Special Use Permit for an accessory private school and group daycare, subject to the following enumerated conditions:

1. Limited to a church and accessory uses which may include a private school and group daycare as a special use.
2. Hours of operation for the private school shall be limited to 8:00 a.m. to 3:00 p.m., Monday through Friday.
3. Student pick-up and drop-off shall be conducted on the interior of the site, and shall not result in queuing of vehicles on Calvin Davis Circle.

PLANNING AND DEVELOPMENT DEPARTMENT
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The surrounding area is primarily developed with residential uses, with commercial development situated at the Buford Drive and Russell Road intersection. The private school and daycare as an accessory use to an existing church could be suitable in light of existing uses in the area.

ADVERSE IMPACTS

With the recommended conditions, minimal impacts would be anticipated from this request.

REASONABLE ECONOMIC USE AS ZONED

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

IMPACT ON PUBLIC FACILITIES

Some additional impacts on public facilities in the form of traffic and utility demand could be anticipated from this request.

CONFORMITY WITH POLICIES

The requested accessory private school could be considered consistent with recommended uses for the Existing/Emerging Suburban Character Area.

CONDITIONS AFFECTING ZONING

The accessory private school and daycare would be located within an existing church building, on a large lot with adequate parking and driveways for the additional activity, suggesting that the request could be suitable to the site.

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 SPECIAL USE PERMIT.

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

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

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

THE SUBJECT PROPERTY IS DESIGNATED AS EXISTING/EMERGING SURBURBAN.

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

SEE LETTER OF INTENT.

.....
PLANNING DIVISION USE ONLY

CASE NUMBER _____

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SUP '17 024

Planning & Development

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

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SUP '17 024

Letter of Intent

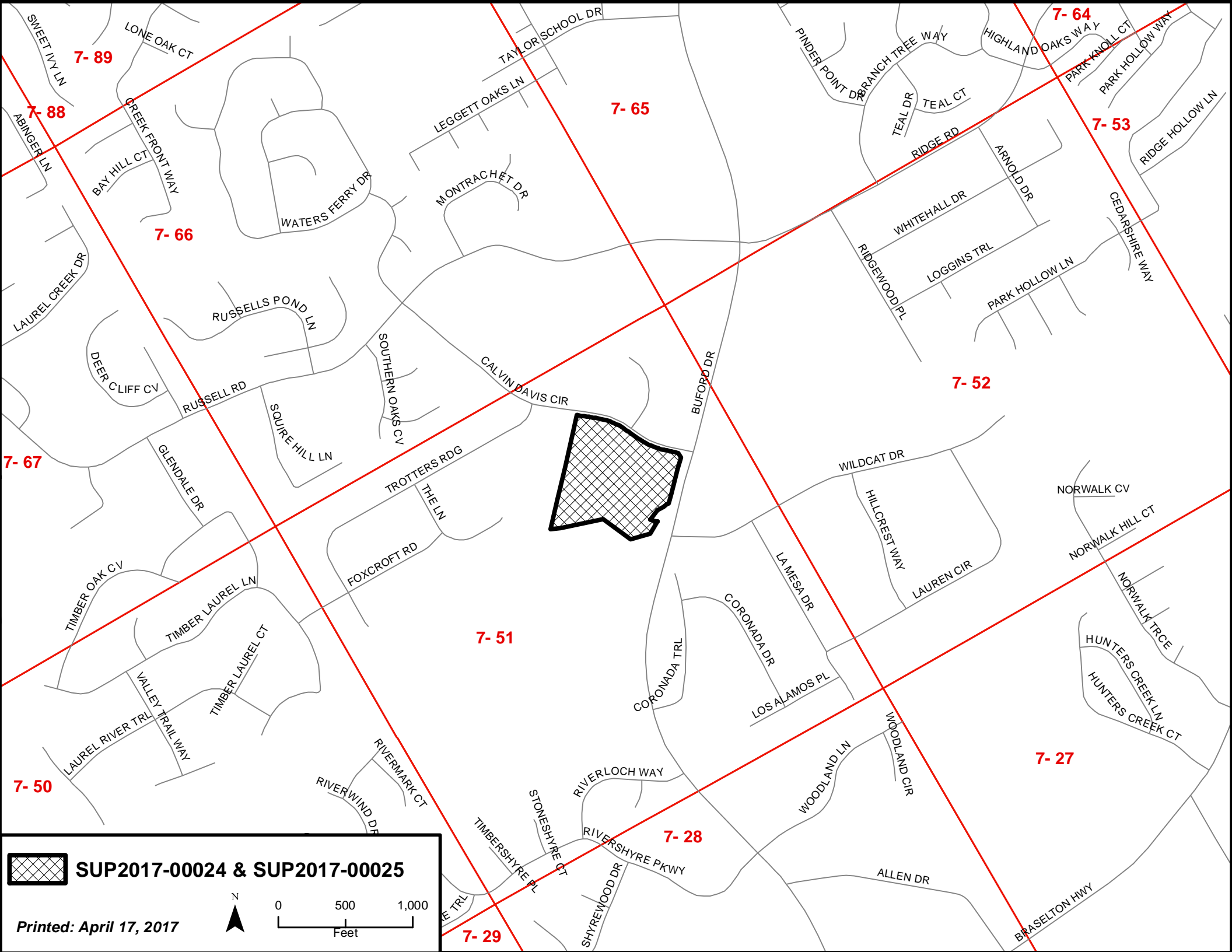
The applicant and owner New Bridge Church requests a special use permit to allow a Daycare, a Primary and Secondary school at their campus located at 1446 Calvin Davis Circle. The church is located on 12.33 acres with a total of 3 buildings and 550 parking spaces. The school, Hope Academy, will be serving the primary and secondary grades. They are partnering with New Bridge who has offered their campus as they have a large facility and it is currently only used about 2 days a week. The school plans to offer a 3 and a 5 day per week program for the students with ratios of 10-12 students to 1 teacher. The hours of operation will be from 8am to 3pm and the school currently has a total of 41 students. No new construction is planned as the buildings are large enough and are already set up for classes and auditorium space. The daycare will be mostly for parents involved with the school and church and will act as a feeder for the school as well as a mothers morning out.

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SUP '17 024



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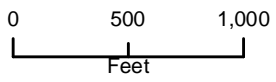
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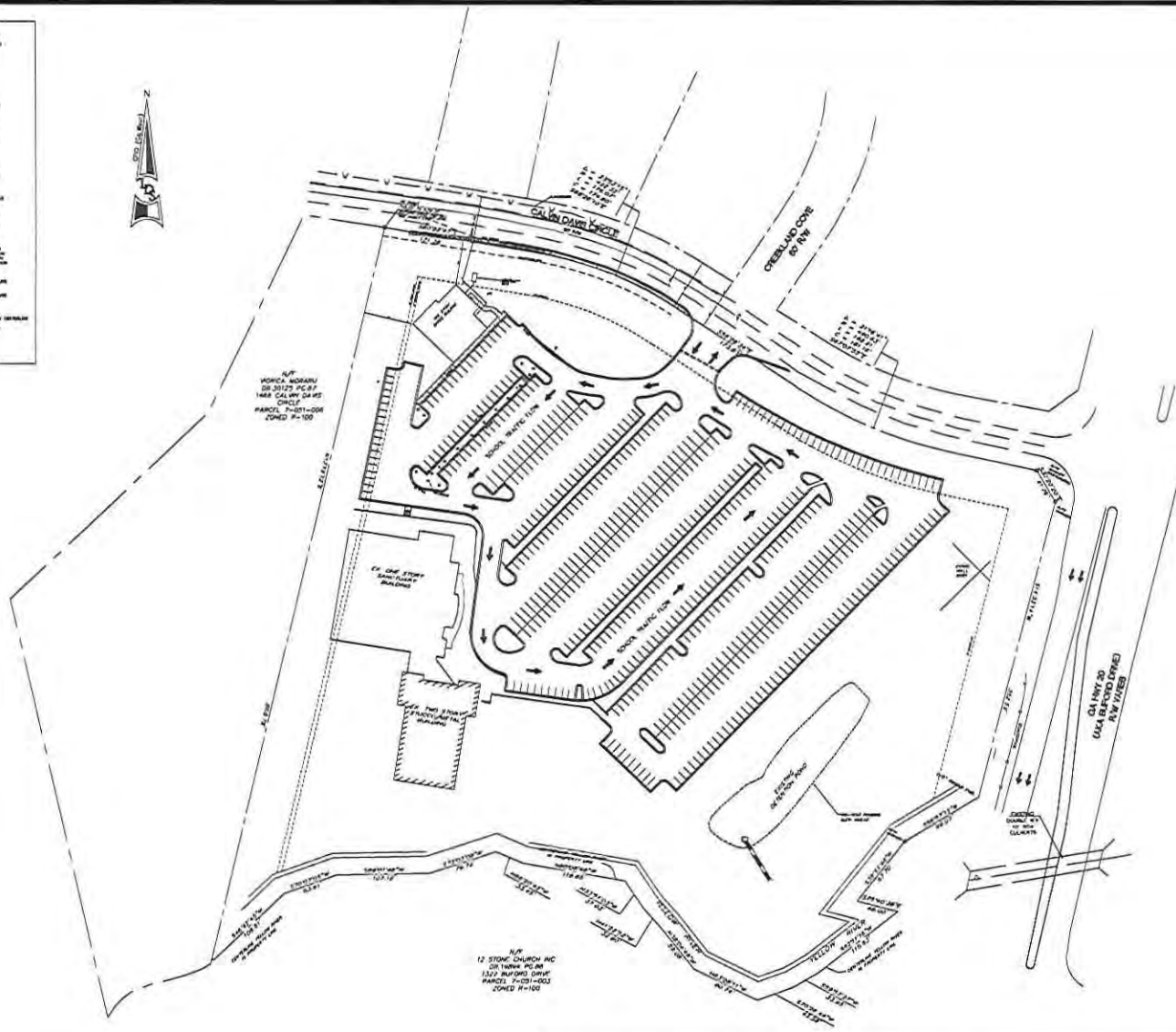
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Printed: April 17, 2017

LEGEND

- 1. ALL LINES SHOWN ARE BASED ON SURVEY DATA
- 2. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF
- 3. ALL DIMENSIONS ARE MEASURED FROM THE CORNER TO CORNER
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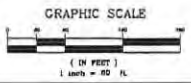
CENTRAL CITY NOTES:
 1) OWNER: NEW BRIDGE CHURCH OF DAUGHT INC.
 2) PROPERTY ADDRESS: 1448 CALUM DRIVE CIRCLE LAWRENCEVILLE, GA 30043 ZONED R-100
 3) PARCEL # 7031-141
 4) TOTAL LOT AREA: 12.32 AC
 5) ZONING INFORMATION TAKEN FROM GWINNETT COUNTY ZONING MAPS
 6) 553 PARKING SPACES

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

INFORMATION REGARDING THE RESULTS PROVIDED, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE 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 SURVEYOR, HIS EMPLOYERS, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY DISTINGUISH AND WARRANT THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.



1 OF 1	DATE	NO	DESCRIPTION	ZONING EXHIBIT FOR: NEW BRIDGE CHURCH LOCATED IN LAND LOT 051 OF THE 7TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA SCALE: 1"=80'
	3/28/17			

LD S
Land Development Surveyors, Inc.
 P.O. BOX 2050
 Dacula, GA 30016
 (770) 662-8206
 LOGANSVILLE SOUTH EAST CORNERS




CALVIN DAVIS CIR

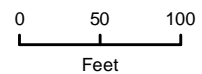
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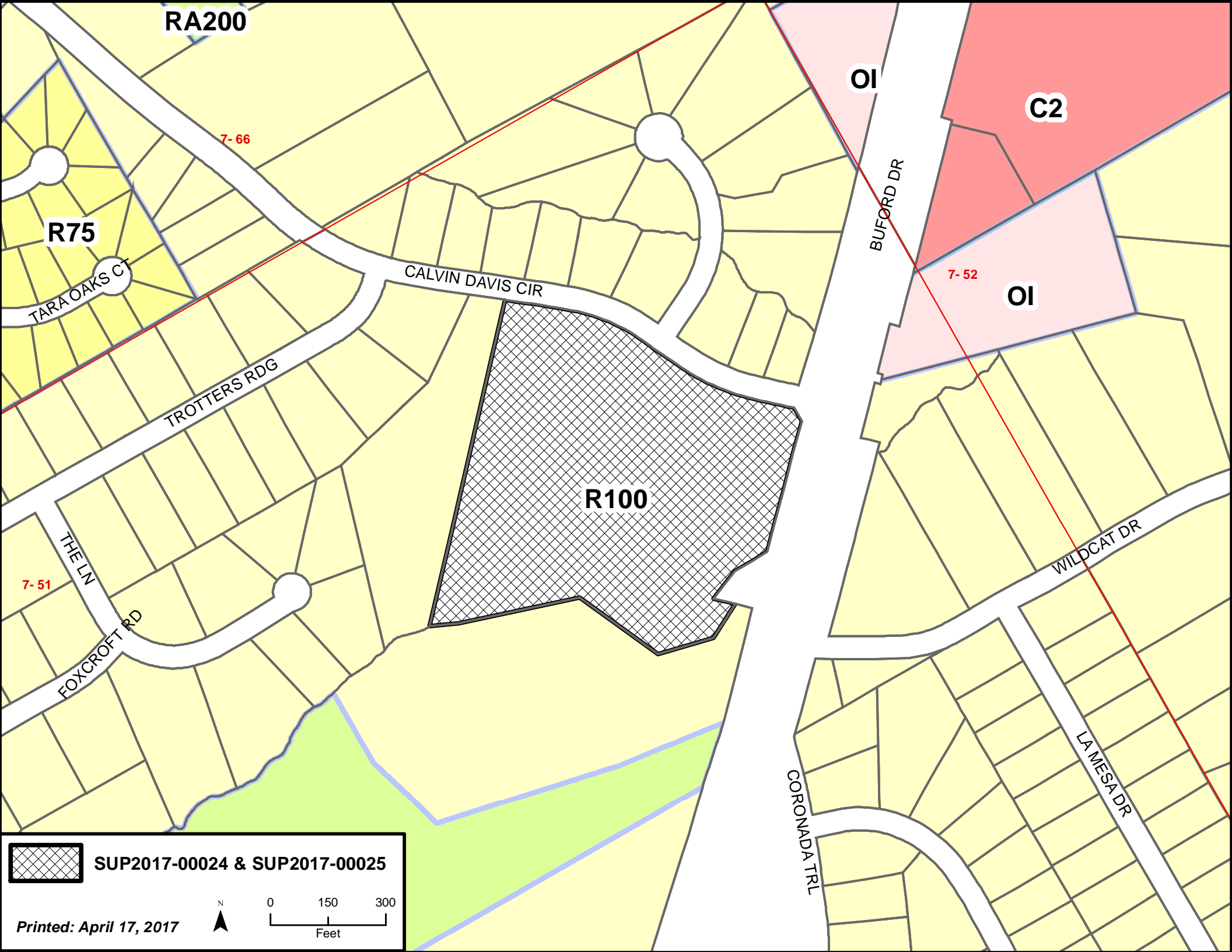


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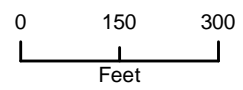
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TARAOAKS CT

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WILDCAT DR

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

CASE NUMBER :**SUP2017-00027**
ZONING :R-100
LOCATION :400 BLOCK OF PATTERSON ROAD
MAP NUMBER :R5052 023
ACREAGE :1.05 ACRES
SQUARE FEET :2,240 SQUARE FEET
PROPOSED DEVELOPMENT :PERSONAL CARE HOME (FAMILY)
COMMISSION DISTRICT :(4) HEARD

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

APPLICANT: VERONICA ILENRE
478 PATTERSON ROAD
LAWRENCEVILLE, GA 30044

CONTACT: VERONICA ILENRE PHONE: 678.755.9449

OWNER: VERONICA ILENRE
587 SYDNEY MICHELLE LANE
LAWRENCEVILLE, GA 30046

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant seeks approval of a Special Use Permit on a 1.05-acre parcel, zoned R-100 (Single Family Residence District), to operate a family personal care home serving three residents in an existing single family home. The property is located at 478 Patterson Road north of the Five Forks Trickum Road intersection. It is developed with an existing 1-story, 2,240-square foot home. The property is served by an existing driveway accessing Patterson Road. The applicant hasn't indicated how many parking spaces would be provided.

ZONING HISTORY:

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

GROUNDWATER RECHARGE AREA:

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

WETLANDS INVENTORY:

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

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Patterson 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.

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 10-inch water main located on the northeast right-of-way of Patterson Road.

The available utility records show that the subject development is currently in the vicinity of an eight-inch sanitary sewer main located approximately 1,449 feet south of parcel R5052 023 on parcel R5053 497 and an eight-inch sanitary sewer main located approximately 1,079 feet southwest of parcel R5052 023 in the right-of-way of Rocky Mill Drive.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The applicant seeks approval of a Special Use Permit on a 1.05-acre parcel, zoned R-100 (Single Family Residence District), for a family personal care home serving three residents in an existing single family home. The property is located at 478 Patterson Road north of the Five Forks Trickum Road intersection. It is currently developed with a 1-story, 2,240-square foot home.

The 2030 Unified Plan Future Development Map indicates that the property lies within the Existing/Emerging Character Area. Within this character area, protecting the character of existing neighborhoods is encouraged; approval of the request for this location could create an unnecessary encroachment upon the neighboring properties. This proposed personal care home may not meet the intent of the policies of the 2030 Unified Plan due to its location within an established residential area, the temporary residency of its clients, and the amount of activity associated with the staff and clients coming and going from the property. Given these factors, the proposed use may be unsuitable at this location.

The surrounding area is characterized by single-family subdivisions and single family homes on large lots, zoned R-100 and R-75. To the north and south are large lots that are zoned R-100. To the east, are homes located within the Inglenook subdivision zoned R-75 (Single Family Residence District). Although along a classified road, this segment of Patterson Road is developed with a residential character similar to the subdivisions in the area, with single family homes located close together without adequate separation from adjacent residential neighbors. This close proximity to adjacent neighboring residences creates the potential for land use conflicts, the additional traffic to the property may not be appropriate at this location and therefore, the use may not be suitable.

In conclusion, the requested Special Use Permit could create an unnecessary encroachment upon the neighboring properties and may be better suited on a property with adequate separation from adjacent residential neighbors. Therefore, the Department of Planning and Development recommends **DENIAL** of the request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

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

Approval of a Special Use Permit for a Family Personal Care Home, subject to the following enumerated conditions:

1. Limited to a State-licensed Family Personal Care Home providing residence and care for a maximum of three residents in the existing single-family home.
2. Exterior signage advertising the Family Personal Care Home shall be prohibited.
3. Existing vehicle parking areas in the driveway shall not be further expanded, and spaces may not be striped.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

Although along a classified road, this segment of Patterson Road is developed with a residential character similar to the subdivisions in the area, with single family homes located close together without adequate separation from adjacent residential neighbors. This close proximity to adjacent neighboring residences creates the potential for land use conflicts, the additional traffic to the property may not be appropriate at this location and therefore, the use may not be suitable.

ADVERSE IMPACTS

The proposed use may have adverse impacts on adjacent and nearby residential properties from a potential increase in activity on the site not consistent with a typical single-family residence.

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 and utility demand.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates that the property lies within the Existing/Emerging Character Area. Within this character area, protecting the character of existing neighborhoods is encouraged; approval of the request for this location could create an unnecessary encroachment upon the neighboring properties.

CONDITIONS AFFECTING ZONING

Approval of the request could create an excessive encroachment upon the neighbors.

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

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

NO

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

YES

- (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

- (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:

NO

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APR 06 2017

SUP '17 027

Planning & Development

Gwinnett County Planning Division
446 West Crogan Street Suite 250
Lawrenceville, GA 30046
ATTN: Board of Commisioners
RE: Intent for Personal Care Home Permit

To Whom It May Concern:

I am seeking approval for a special use permit for a Personal Care Home. The purpose of this home is to serve the elderly population and provide personalized care including boarding, meals, and bathing. I have over twenty-one years of experience with working with the elderly and currently run a personal care home less than a mile away located at 1757 Scholar Drive. We have been running this location for eight years.

The Personal Care Home will be located at 478 Patterson Road Lawrenceville, GA 30044. The home will house three adults and will be staffed twenty- four hours a day. The home will comply with all state and county rules and regulations. The home will not cause any additional traffic or an increase in sound. Thank you for your attention to this matter.

Sincerely,

Veronica Ilenre
(678)755-9449
aalvg10@aol.com



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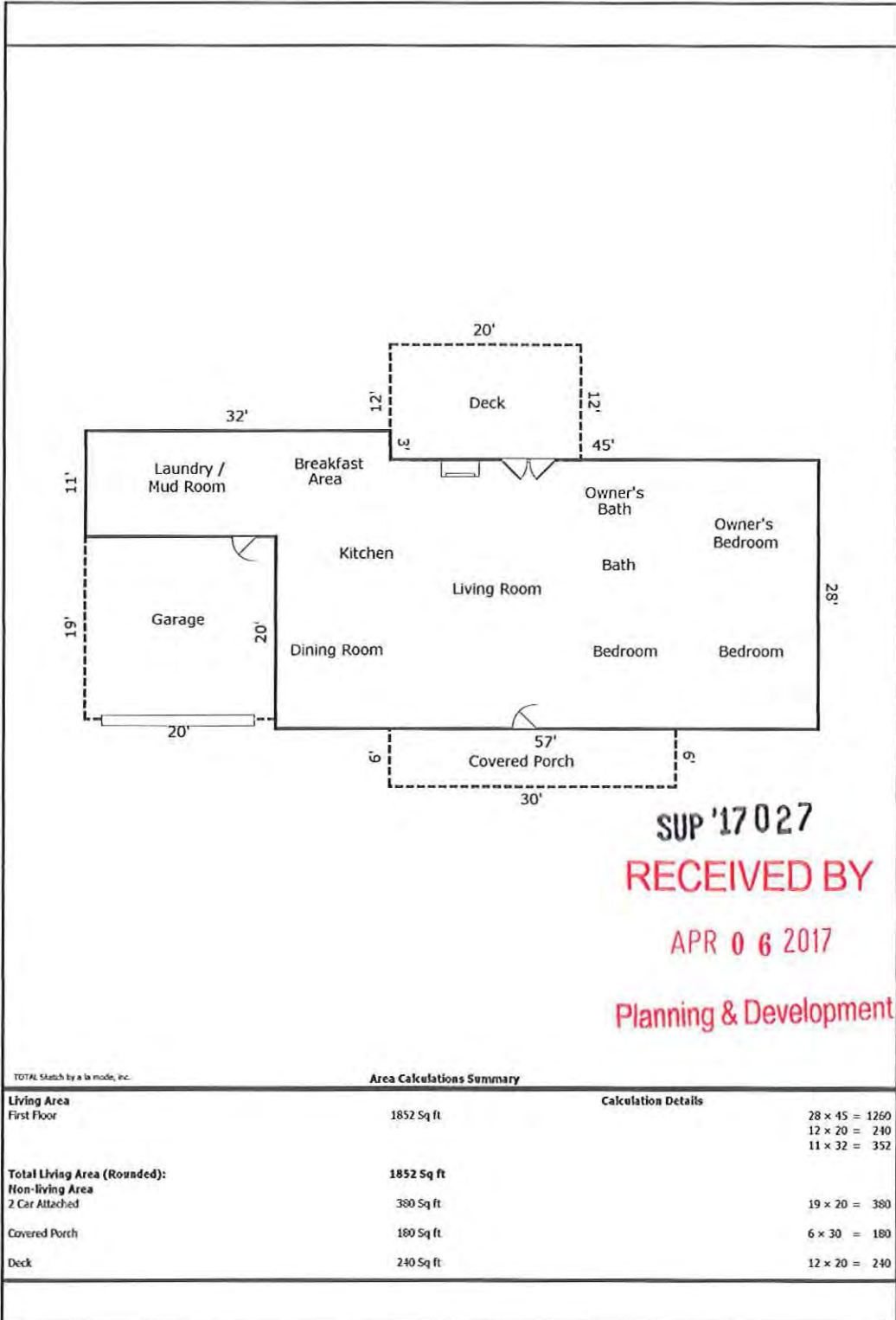
APR 06 2017

SUP '17 027

Planning & Development

Building Sketch

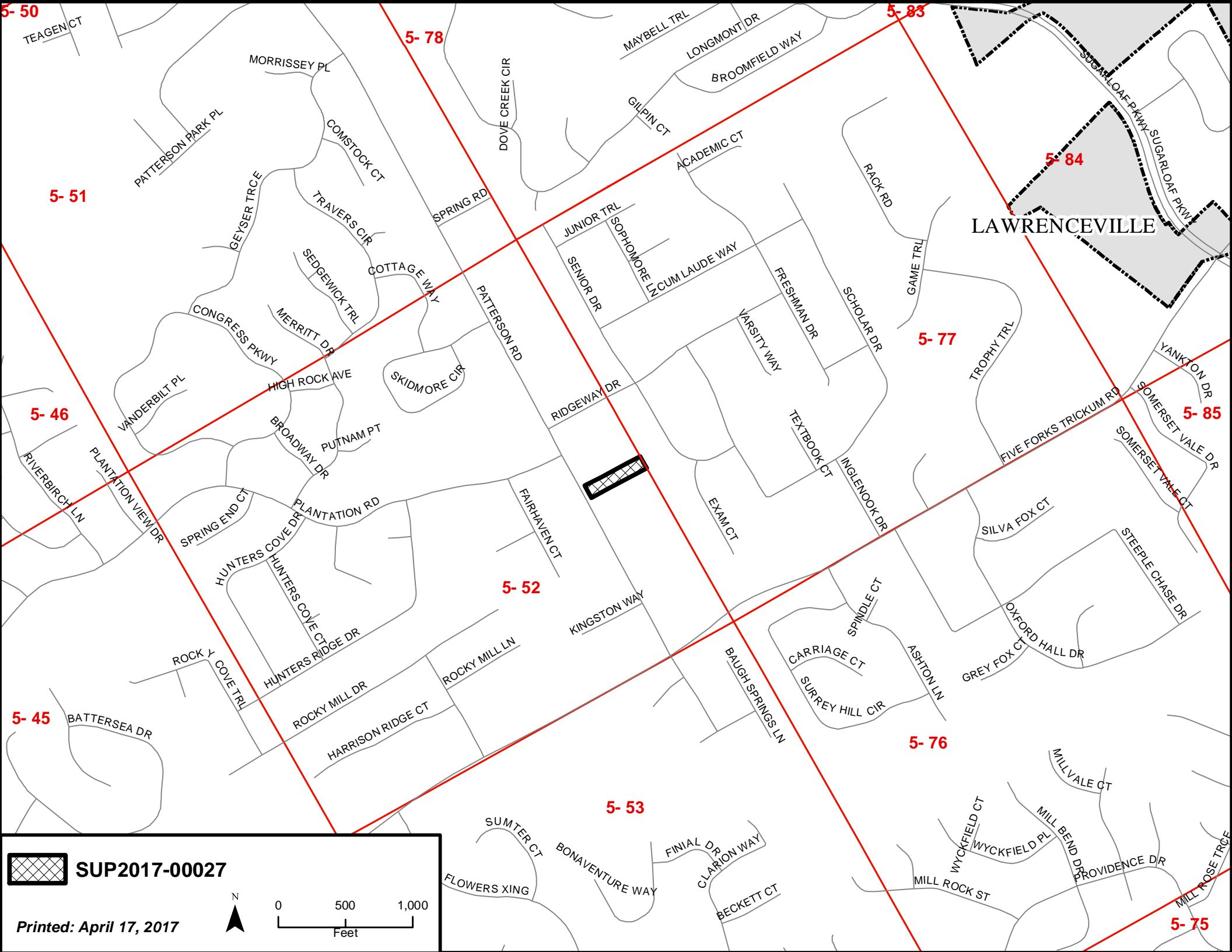
Borrower/Client	Lienre, Veronica				
Property Address	478 Patterson Rd				
City	Lawrenceville	County	Gwinnet	State	GA
Zip Code	30044				
Lender	First Community Mortgage, Inc (BROKER)				



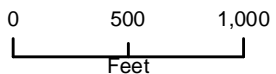
TOTAL Sketch by a la mode, inc.

Area Calculations Summary

	Area Calculations Summary	Calculation Details
Living Area		
First Floor	1852 Sq ft	$28 \times 45 = 1260$ $12 \times 20 = 240$ $11 \times 32 = 352$
Total Living Area (Rounded):	1852 Sq ft	
Non-living Area		
2 Car Attached	380 Sq ft	$19 \times 20 = 380$
Covered Porch	180 Sq ft	$6 \times 30 = 180$
Deck	240 Sq ft	$12 \times 20 = 240$



 SUP2017-00027



Printed: April 17, 2017

24 HR CONTACT:
 THE ANCHOR HOLDS
 VERONICA ILENRE
 (678) 755-9449
 478 PATTERSON ROAD SOUTHWEST
 LAWRENCEVILLE, GA 30044

NO	REVISION	DATE
1	XXXXXXXXXX	00/00/00
2	XXXXXXXXXX	00/00/00
3	XXXXXXXXXX	00/00/00
4	XXXXXXXXXX	00/00/00

SITE PLAN FOR:
 THE ANCHOR HOLDS
 478 PATTERSON ROAD SOUTHWEST
 LAWRENCEVILLE, 30044
 PATTERSON EAST SUBDIVISION
 UNIT 1, BLOCK A, LOT 16
 LAND LOT 52 OF THE 5TH DISTRICT
 GWINNETT COUNTY, GEORGIA

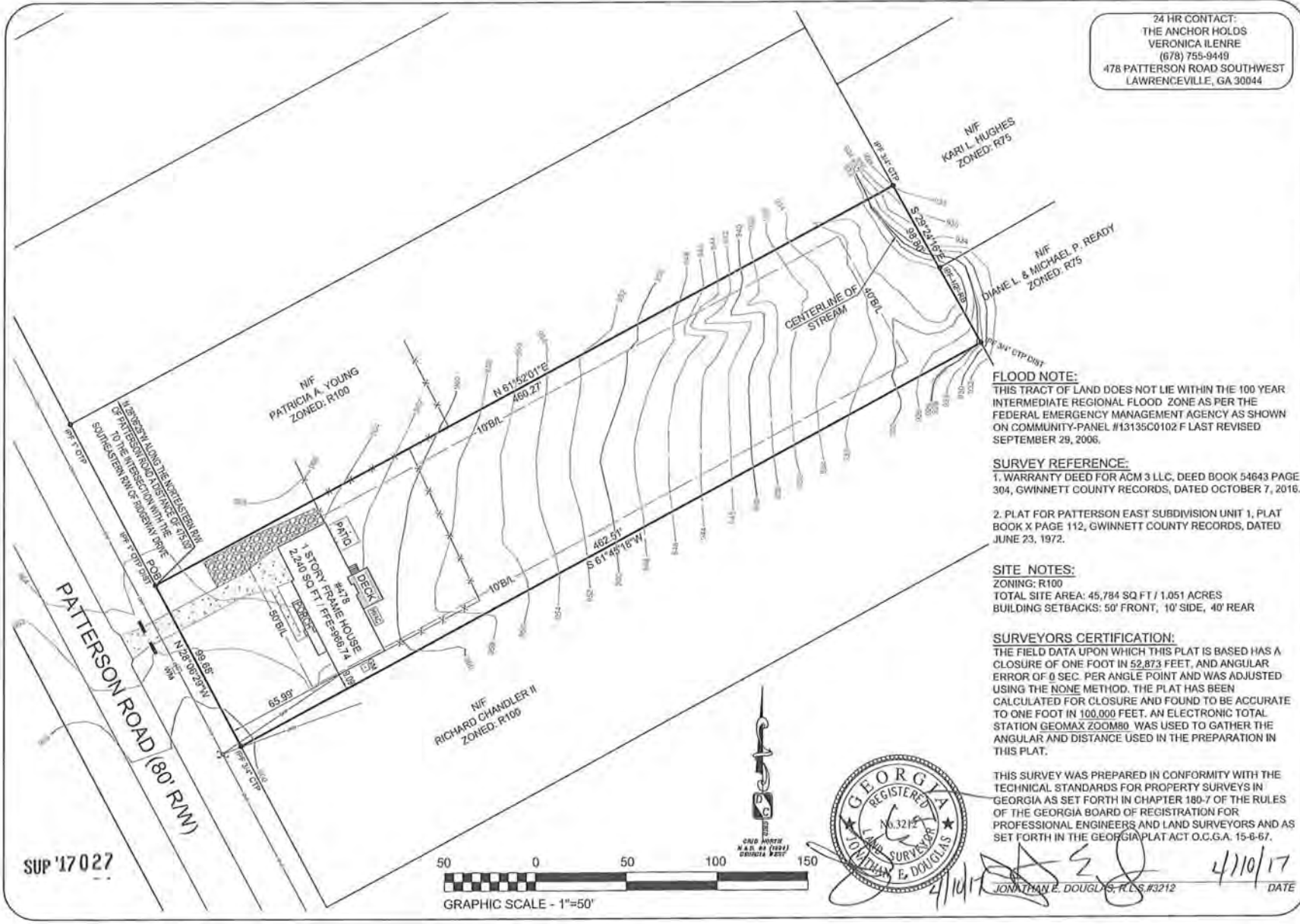
DOUGLAS CONSULTING LLC
 248 Gilliam Ct.
 Locust Grove, GA 30248
 LSF001174
 Cell: (770) 334-4477
 Office: (770) 334-1117
 Fax: (770) 334-1117
 douglasconsulting@gsnet.net



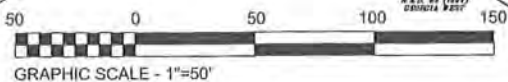
CHECKED: JED
 DRAWN: LMS
 SCALE: 1"=50'
 FIELD DATE: 04-09-2017
 DWG. DATE: 04-10-2017

JOB NO. 17A PATTERSON RD
 SHEET
1 OF 1

Planning & Development




SUP '17 027



ANY REVISIONS TO THIS PLAN, DOCUMENT OR THE WORKS HEREIN MUST BE IN WRITING AND BE APPROVED BY THE ENGINEER.



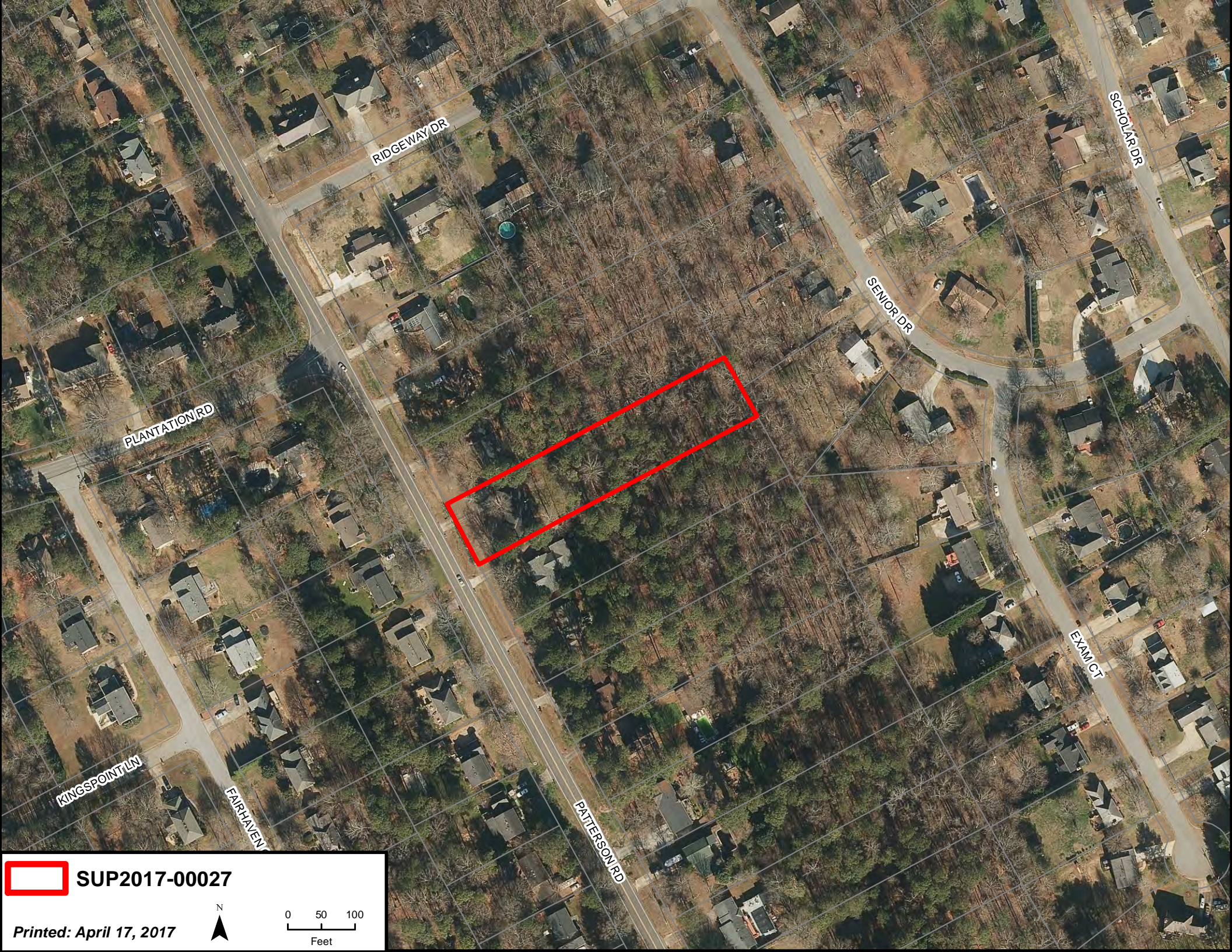
PATTERSON RD

 SUP2017-00027

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N

0 50 100
Feet



RIDGEWAY DR

SCHOLAR DR

SENIOR DR

PLANTATION RD

KINGPOINT LN

FARHAVEN

PATERSON RD

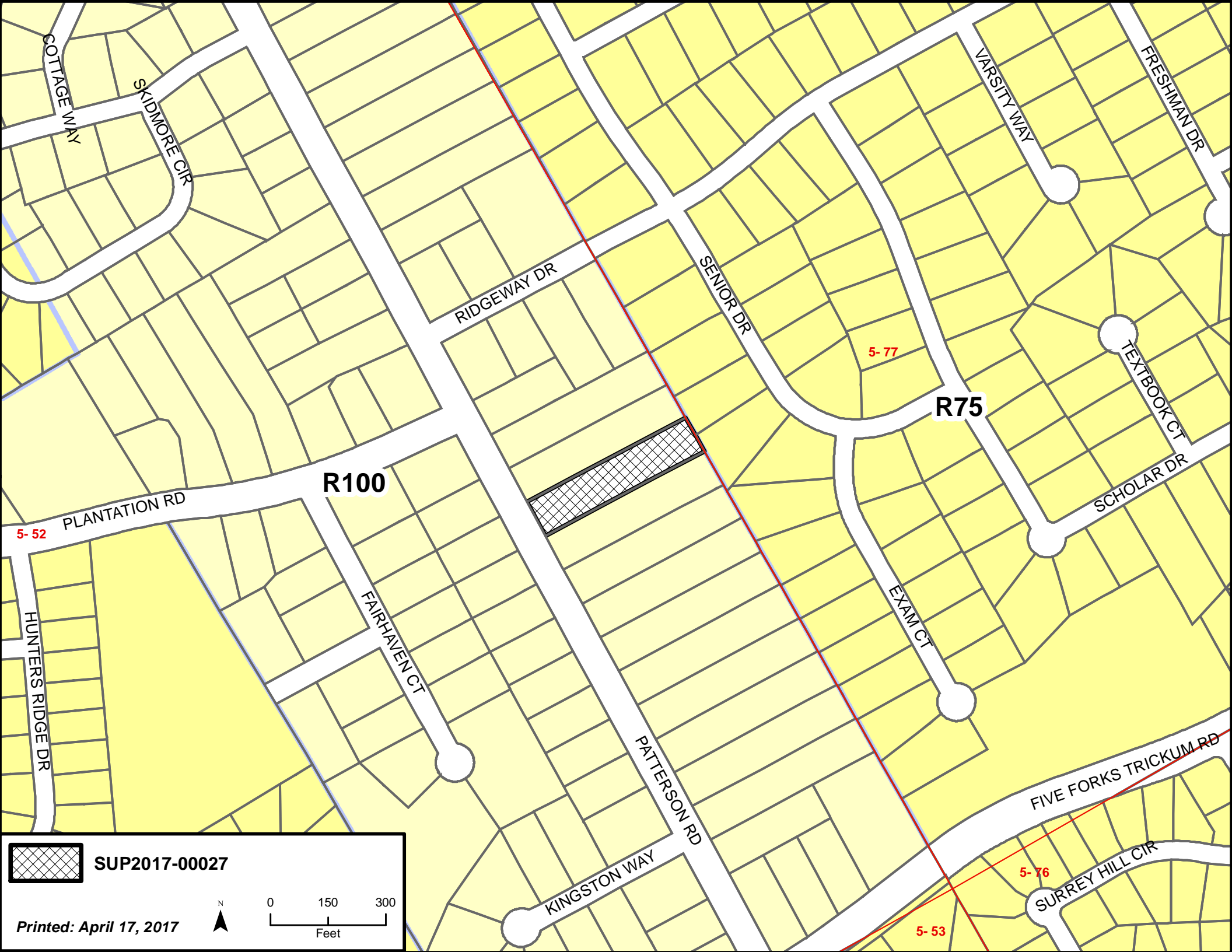
EXAM CT

 SUP2017-00027

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N

0 50 100
Feet



COTTAGE WAY
SKIDMORE CIR

VARSITY WAY
FRESHMAN DR

RIDGEWAY DR
SENIOR DR

5-77

R75

TEXTBOOK CT
SCHOLAR DR

5-52
PLANTATION RD
R100

HUNTERS RIDGE DR
FAIRHAVEN CT

EXAM CT

PATTERSON RD
KINGSTON WAY

FIVE FORKS TRICKUM RD

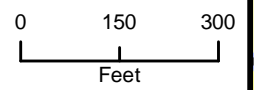
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SURREY HILL CIR

5-53

 SUP2017-00027

Printed: April 17, 2017



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

CASE NUMBER	: SUP2017-00028
ZONING	:C-2
LOCATION	:1900 BLOCK OF BOGGS ROAD :2500 BLOCK OF SATELLITE BOULEVARD :INTERSTATE 85 (RAMP)
MAP NUMBERS	:R7079 006 & 037
ACREAGE	:9.29 ACRES
SQUARE FEET	:12,395 SQUARE FEET
PROPOSED DEVELOPMENT	:OUTDOOR SALES/STORAGE
COMMISSION DISTRICT	:(1) BROOKS

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

APPLICANT: GEO. SCHOFIELD CO., INC.
C/O ANDERSEN TATE & CARR, P.C.
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GA 30097

CONTACT: R. MATTHEW REEVES, ESQ. PHONE: 770.822.0900

OWNER: DULUTH HDLS, LLC
C/O RAM REALTY SERVICES
4801 PGA BOULEVARD
PALM BEACH GARDENS, FL 33418-3941

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests a Special Use Permit for a 9.29-acre two parcel assemblage to allow for a building materials business to store and display materials outside. The business plans to locate within the abandoned Home Depot Landscape Supply building, located south of Satellite Boulevard, partially bordered to the west by Boggs Road, and bordered by an Interstate 85 out-ramp to the south.

The site contains an existing 12,395-square foot building with greenhouses and a 77 space parking lot. Material will be stored primarily within a 42,000 square foot area at the north side of the property, with the parking lot at the south side of the property remaining unchanged. The applicant is requesting to display merchandise outside adjacent to the parking lot area as well. The site plan indicates that 18,000 square feet of the greenhouse at the front of the building will be removed to allow for the outdoor storage, with the remaining 6,750 square feet of greenhouse to be enclosed.

Access to the site is provided via an existing driveway off Satellite Boulevard. Along the eastern side of the property contains floodplain, as there is an existing lake that continues onto the property to the east and is utilized for stormwater facilities.

ZONING HISTORY:

The subject property was zoned M-1 (Light Industry District) until 2000. Then in 2000, approval of rezoning to C-2 (REZ2000-00026) was granted for retail and service commercial and accessory uses, with a Special Use Permit to allow a hotel up to five stories in height (SUP2000-00055) that was never constructed. The existing building at the site was formally used by Home Depot and completed constructed in 2002.

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:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

The property appears to contain floodplain. The proposed conceptual plan may require revision to show the appropriate floodplain areas. All storm water best management practices will be applicable upon development permit issuance.

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.

Boggs 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 16-inch water main located on the northwest right-of-way of Satellite Boulevard.

The available utility records show that the subject development is currently in the vicinity of an eight-inch sanitary sewer main located on parcels R7079 006 and R7079 037. And a 36-inch sanitary sewer main located on parcel R7079 006.

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 or exterior modification (remodel) for review and approval by Building Plan Review.
2. Architectural design of any proposed exterior modification shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Design Category I.
3. Upon completion of plan review approvals, the applicant shall obtain a building permit 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 site is a 9.29-acre two parcel assemblage located south of Satellite Boulevard, partially bordered to the west by Boggs Road, and bordered to the south by an Interstate 85 off-ramp. The applicant plans to utilize the abandoned Home Depot Landscape Supply building and greenhouses on the developed property for a building materials business, requesting to allow for outdoor storage of materials.

The 2030 Unified Plan Future Development Map indicates that the property lies within a Regional Mixed-Use Character Area. Policies for this character area support free-standing

commercial/retail uses as minor components. There are multiple businesses along the Satellite Boulevard corridor that are zoned C-2 and developed for various commercial uses. The proposed building materials business is similar to the previous use of the site as a home improvement retailer, and could be considered compatible with the character area.

The surrounding area is characterized by light industrial uses associated with several business parks and nearby commercial uses at the intersection of Satellite Boulevard and Boggs Road. This includes the approval and operation of an existing automobile sales and service business at the intersection, which includes the approval for outdoor storage. With appropriate conditions to screen the outdoor storage of building materials at the project site, the proposed use would be similar to other existing and previous uses approved in the immediate area without being out of character.

The subject property could be suitable for the proposed use of outdoor storage as it is surrounded by other properties zoned and developed for commercial, industrial and office uses. The proposal could also be considered consistent with the 2030 Unified Plan and the commercial nature of this segment of Satellite Boulevard. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS**.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of a Special Use Permit for outdoor sales and storage, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Retail and service uses and accessory uses, which may include outdoor sales and storage as an accessory special use to the building supply business.
2. To abide by the following site development considerations:
 - A. Provide a minimum 12-foot high, opaque fence around the periphery of the area utilized for the storage of all materials.
 - B. Provide a 15-foot wide landscape strip along Satellite Boulevard. Landscape plantings shall include a mix of deciduous and evergreen trees and shrubs. Trees and shrubs shall be grouped and arranged to create an effective and aesthetic visual screen. The final landscape plan shall be subject to review and approval by the Director of Planning and Development.
 - C. Ground signage shall be limited to a 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 signage shall not exceed eight-feet in height.
 - D. 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.
 - E. 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.
 - F. Billboards or oversized signs shall be prohibited.
 - G. Additional or replacement billboards or oversized signs shall be prohibited.
 - H. 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. Outdoor loudspeakers 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 to 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. Owner shall repair or repaint 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

If properly conditioned and screened, the proposed outdoor sales and storage of building materials may be suitable at the site given the existing commercial, industrial and office uses in the area.

ADVERSE IMPACTS

With the recommended conditions, potential impacts from the use could be reduced.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACT ON PUBLIC FACILITIES

A negligible increase in impacts on public facilities would be expected from this request.

CONFORMITY WITH POLICIES

The requested Special Use Permit for outdoor sales and storage of building materials at a site that has been used as a home improvement retail location in the past could be consistent with the policies and intent of the Unified Plan.

CONDITIONS AFFECTING ZONING

The site is located in an area consisting of commercial, industrial and office uses. With conditions to screen the outdoor storage areas, the proposed use may have minimal impact on the surrounding uses within the zoning district.

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, approval of outdoor sales, storage or display of retail products to a retail building sales business is similar to the former Home Depot Garden Center, and is compatible with the retail center, gas station, car dealerships, and office buildings adjacent and nearby, and with the Satellite Boulevard - Boggs Road area.

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

No, the Applicant's Schofield Stone's business will not adversely affect the retail center, gas station, car dealerships, and office buildings adjacent and nearby, and other properties in the Satellite Boulevard - Boggs Road area.

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

Based on the long term vacancy of the property, the Applicant does not believe that the subject property has a reasonable economic use as currently zoned, without an SUP for outdoor sales, storage or display of retail products relating to a retail building material sales business.

- (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, the former Home Depot Garden Center did not create any such excessive or burdensome use, and the Applicant's business will revitalize this property without causing a detrimental impact upon existing streets, transportation facilities, utilities or schools.

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

Yes, this Special Use on a aproter which has been zoned C2 for many years conforms 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 SPECIAL USE PERMIT:

Based on the long term vacancy of the subject property, approval of a Special Use Permit to permit a business that is somewhat similar to the former Home Depot Garden Center provides grounds for approval of the SUP.

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SUP '17028

ANDERSEN | TATE | CARR

ONE SUGARLOAF CENTRE
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GEORGIA 30097
(770) 822-0900
FACSIMILE (770) 822-9680
www.atclawfirm.com

R. Matthew Reeves
Direct Phone: (770) 236-9768
Direct Fax: (770) 236-9778

Email: mreeves@atclawfirm.com

April 7, 2017

VIA HAND-DELIVERY

Gwinnett County Department
of Planning and Development
446 West Crogan Street, Suite 225
Lawrenceville, GA 30046-2440

**Re: Special Use Permit Application
Geo. Schofield Co., Inc.
1905 and 2560 Satellite Blvd., Duluth, Georgia
Tax Parcels R7079 006 and R7079 037**

Dear Ms. Holland and Planning and Development Staff:

This Letter of Intent is written on behalf of Applicant Geo. Schofield Co., Inc. in support of a Special Use Permit for outdoor sales, storage or display of retail items, relating to a retail building materials sales business, at the former Home Depot Garden Center, located at the 9.28+-acre site near Satellite Boulevard and Boggs Road at 1905 and 2560 Satellite Blvd., Duluth, Georgia, Tax Parcels R7079 006 and R7079 037.

The property is zoned C-2 with conditions from a rezoning in 2000. Geo. Schofield Co., Inc.'s retail building material sales business is a permitted use in C-2. However, Geo. Schofield Co., Inc. would like to relocate its Tucker, Georgia location to the property, and this will require approval by the County of outdoor sales, storage or display of retail products, which is a Special Use in C-2.

Geo. Schofield Co., Inc.'s Schofield Stone Center business (www.schofieldstone.com) which would be relocated to the property from Tucker sells retail man-made and natural stone hardscape products including pavers, irregular and pattern flagstone, wall cap, treads and other dimensional cut stone, building and field stone, natural and man-made stone veneers, decorative aggregates, topsoil, mulch and masonry supplies, and other similar retail products. Geo. Schofield Co., Inc. will bring jobs to the long-vacant location, generate sales taxes through customer purchases, and enhance the dormant property's value. The improvements that customers would make to their homes using Schofield Stone's products would also increase property values in Gwinnett County.

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Planning & Development

Schofield Stone Center SUP Letter of Intent

April 7, 2017

Page 2 of 2

The subject property is a compatible location for this new Gwinnett County business. Schofield Stone's business is generally similar to the former Home Depot Garden Center. There are a retail center, gas station, car dealerships, and office buildings in the immediate vicinity, which are compatible uses, and there are abundant residential customers within a convenient proximity and across Gwinnett County.

Approval of Geo. Schofield Co., Inc.'s Special Use Permit application will revitalize a long term vacant site, and bring jobs, customers, and enhanced property values.

Enclosed for review are the Applicant's site plan by Lecraw Engineering, survey, legal description, response to standards governing the exercise of zoning power, and other application materials. Thank you for your analysis of Geo. Schofield Co., Inc.'s Special Use Permit Application. The Applicant and I are glad to answer questions that you may have concerning the application.

Very truly yours,

ANDERSEN, TATE & CARR, P.C.


R. Matthew Reeves

cc: Geo. Schofield Co., Inc.
2890641_1

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11385 Alpharetta Highway | Roswell, GA 30076 | 770-664-6637 | 6211 Lawrenceville Hwy | Tucker, GA 30084 | 770-381-5578

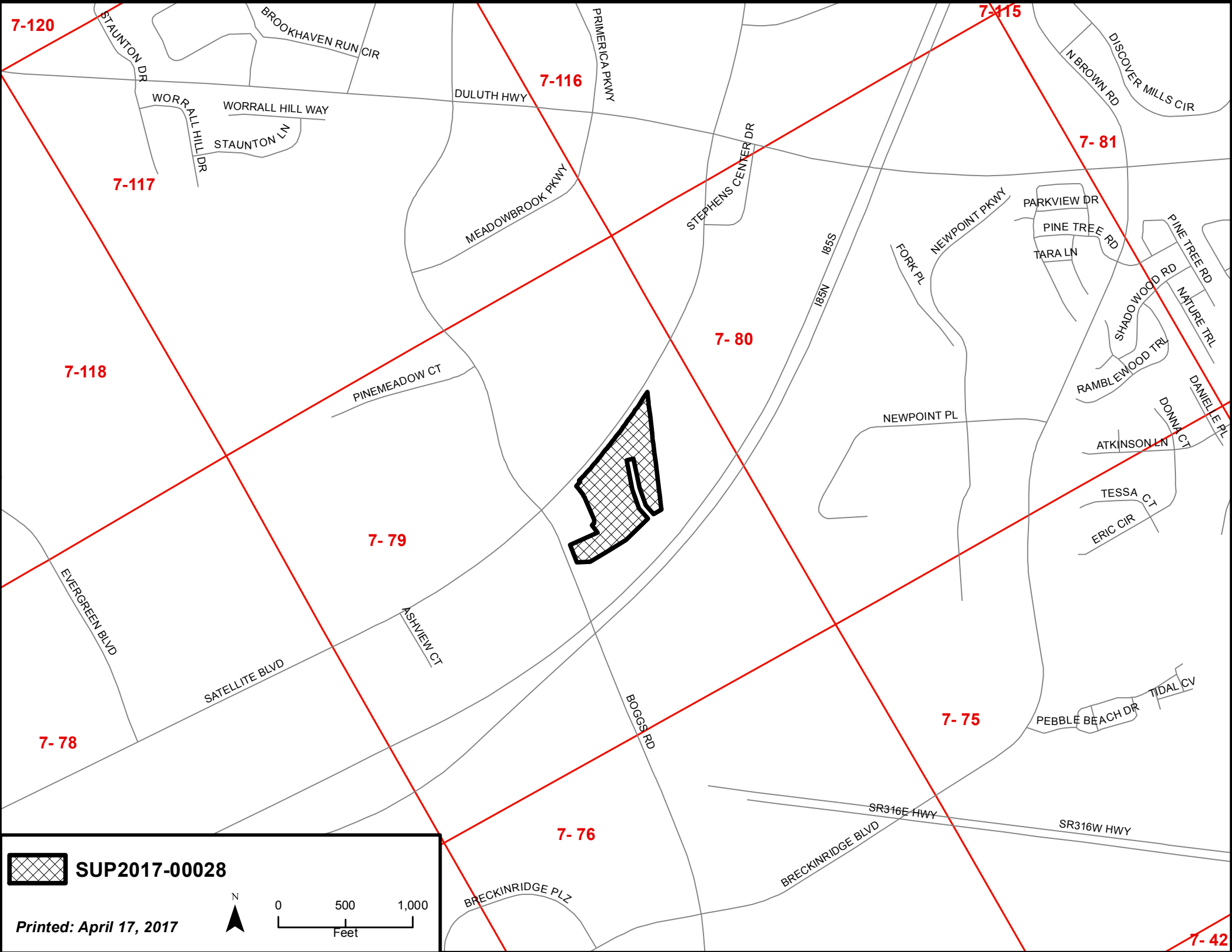
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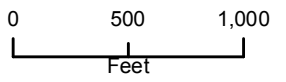
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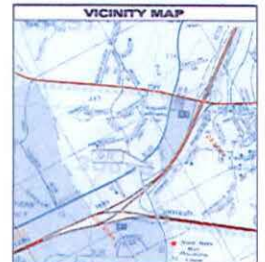


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LEGAL DESCRIPTION

All that part or parcel of land lying and being in Land Lot 79 of the 7th District, ...

SITE PHOTOGRAPHS



GENERAL NOTES

THE PROPERTY IS LOCATED IN THE 7TH DISTRICT ...

ZONING NOTES

THE PROPERTY IS ZONED IN THE 7TH DISTRICT ...

UTILITY CONTACTS

GAAS POWER AND LIGHTING COMPANY ...

PARKING TABULATION

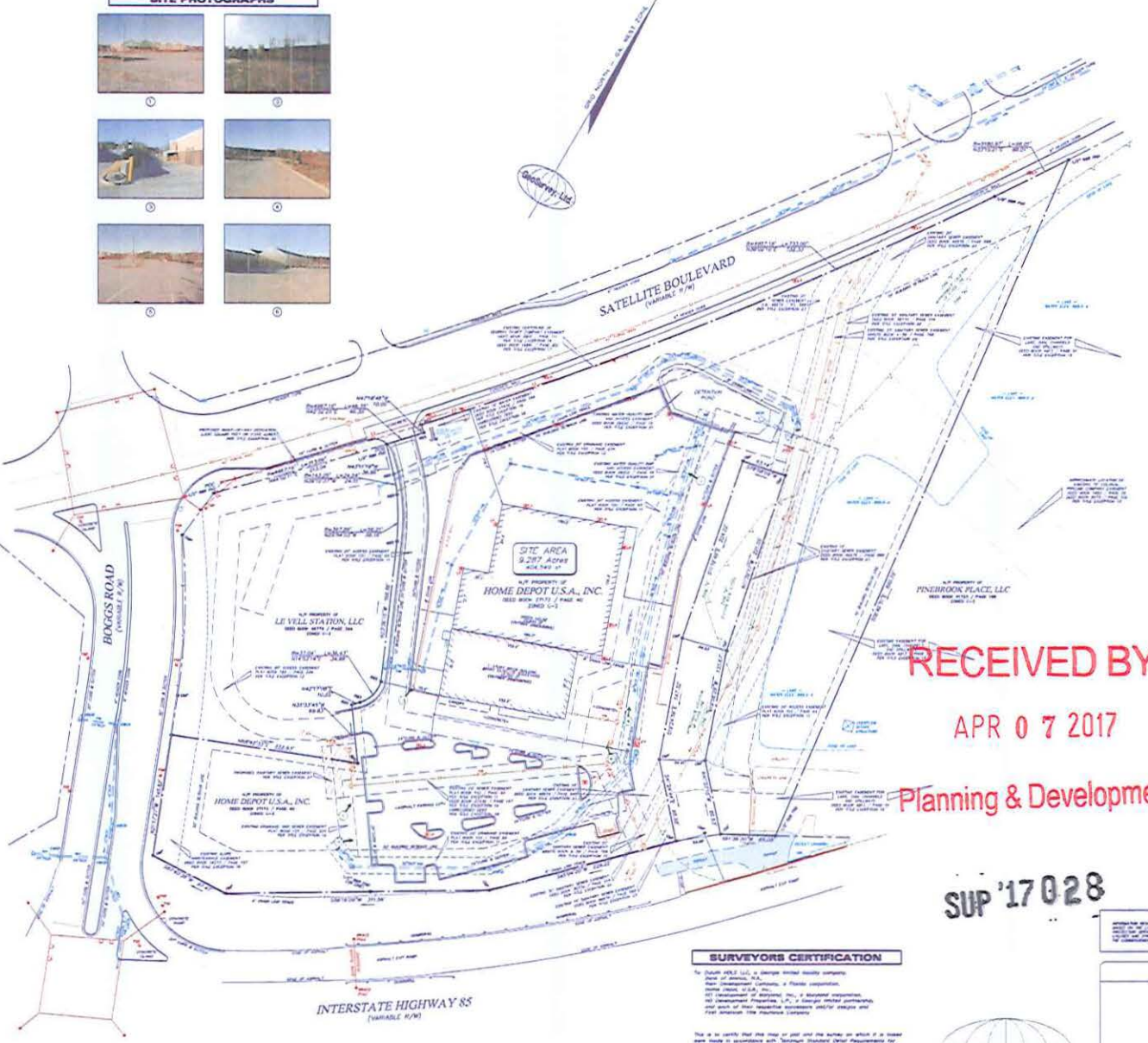
TOTAL SPACES 79 ...

LEGEND

STANDARD ABBREVIATIONS	STANDARD SYMBOLS
LAZ	ROAD RIGHT-OF-WAY
LAZ	ROAD CENTERLINE
LAZ	ROAD RIGHT-OF-WAY
LAZ	ROAD CENTERLINE
LAZ	ROAD RIGHT-OF-WAY
LAZ	ROAD CENTERLINE
LAZ	ROAD RIGHT-OF-WAY
LAZ	ROAD CENTERLINE
LAZ	ROAD RIGHT-OF-WAY
LAZ	ROAD CENTERLINE

TITLE EXCEPTIONS

- 1. Easement for utility lines ...
- 2. Easement for water lines ...
- 3. Easement for sewer lines ...
- 4. Easement for gas lines ...
- 5. Easement for telephone lines ...
- 6. Easement for electric lines ...
- 7. Easement for cable television lines ...
- 8. Easement for fire hydrant lines ...
- 9. Easement for storm water lines ...
- 10. Easement for drainage lines ...
- 11. Easement for irrigation lines ...
- 12. Easement for flood control lines ...
- 13. Easement for flood damage prevention lines ...
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- 100. Easement for flood control lines ...



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SURVEYORS CERTIFICATION

By this I certify that the map or plan ...



Land Surveying & Mapping
1170 Atlanta Industrial Drive
Marietta, Georgia 30067
Phone: (770) 795-9900
Fax: (770) 795-9900

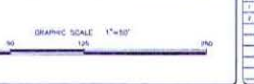
IF YOU DO GEORGIA

IF YOU DO GEORGIA, THIS SURVEY HAS BEEN PREPARED FOR YOU BY A LICENSED SURVEYOR ...

CLOSURE INFORMATION

THIS PLAT CLOSURE WHICH THIS PLAT IS BASED UPON ...

GRAPHIC SCALE



REVISIONS

No.	Date	Description
1	02/01/17	Issue
2	02/01/17	Issue

ALTA/ACSM LAND TITLE SURVEY FOR
Duluth HDLS LLC
Bank of America, N.A.
Rem Development Company
Home Depot U.S.A., Inc.
HD Development of Maryland, Inc.
HD Development Properties, L.P.
First American Title Insurance Company

CITY: DULUTH COUNTY: GWINNETT STATE: GEORGIA
LAND LOT: 79 DISTRICT: 7TH
PLAT NO.: 2017-028
SURVEY DATE: DECEMBER 17, 2017 DRAWING SCALE: 1" = 50'
US Dwg File: 20021061-01.dwg US Dwg No.: 20021061



SATELLITE BLVD

BOGGS RD

185S

185N

 SUP2017-00028

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0 50 100
Feet



PINEMADOW CT

BOGGS RD

SATELLITE BLVD

85S

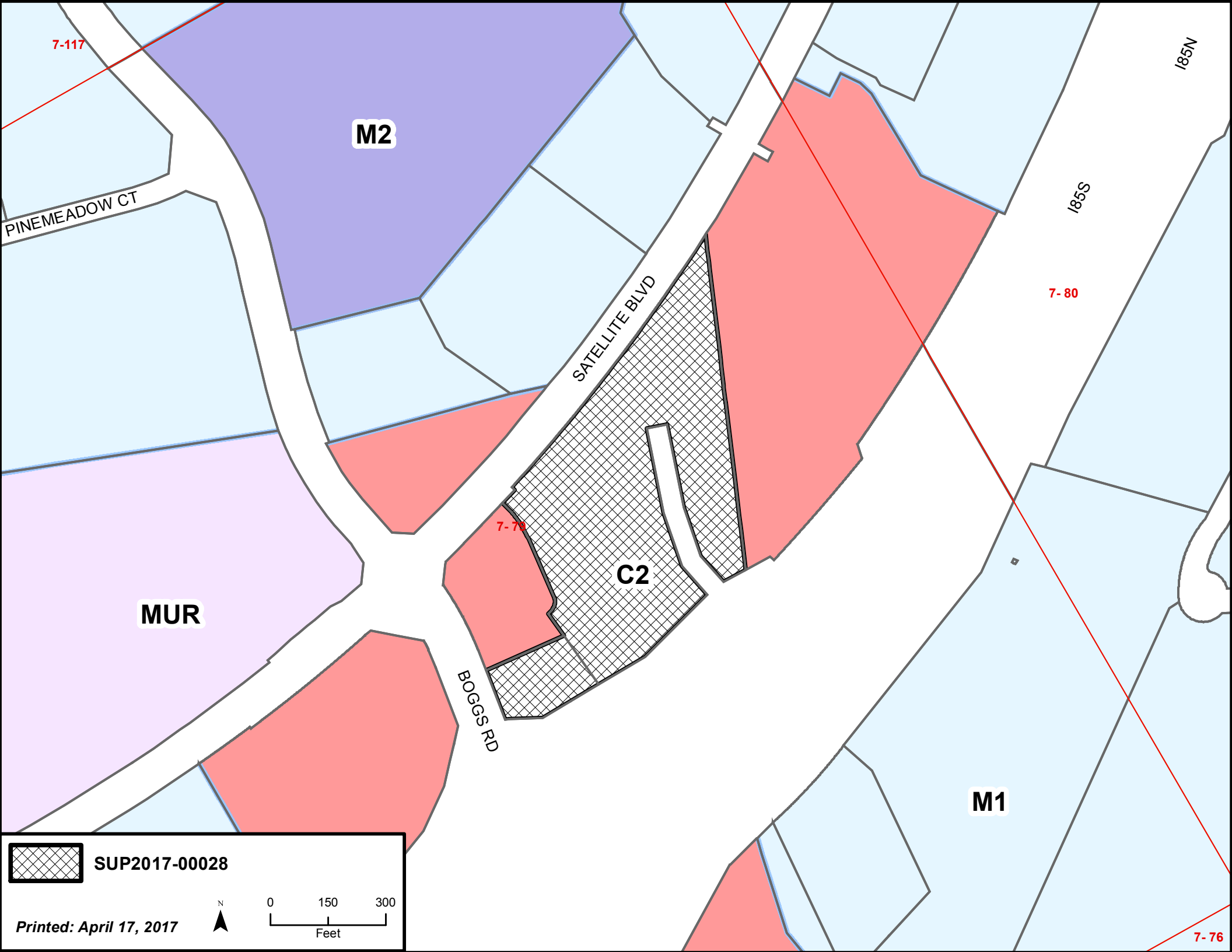
165N

 **SUP2017-00028**

Printed: April 17, 2017

N

0 50 100
Feet



7-117

M2

PINEMEADOW CT

SATELLITE BLVD

185S

185N

7-80

MUR

7-79

C2

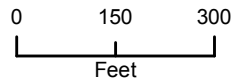
BOGGS RD

M1

7-76



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