



gwinnettcountry

**MUNICIPAL-GWINNETT COUNTY  
PLANNING COMMISSION**

**PUBLIC HEARING AGENDA**

**GWINNETT JUSTICE AND ADMINISTRATION CENTER  
TUESDAY, JULY 5, 2011 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. APPROVAL OF MINUTES (JUNE 7, 2011 MEETING)
- C. OLD BUSINESS - TABLED CASES FROM PREVIOUS MEETINGS

- I. CASE NUMBER :**RZC2010-00021**
- APPLICANT :POINTEBRAND, LLC & POINTEBRAND II, LLC
- CONTACT :JEFF MAHAFFEY
- PHONE NUMBER :770.232.0000
- ZONING CHANGE :R-ZT & C-2 TO M-1
- LOCATION :500-600 BLOCK OF HORIZON DRIVE
- MAP NUMBER :R7172 001 & R7172 009
- ACREAGE :80.27 ACRES
- PROPOSED DEVELOPMENT :OFFICE / WAREHOUSE / DISTRIBUTION  
(REDUCTION IN BUFFERS)
- SQUARE FEET :497,200 SQUARE FEET
- COMMISSION DISTRICT :(4) HEARD
- DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

D. NEW BUSINESS

1. CASE NUMBER :**RZC2011-00016**  
APPLICANT :LILLIAN PICHARDO  
CONTACT :BRENDA CASTRO  
PHONE NUMBER :770.314.6260  
ZONING CHANGE :RMD TO C-1  
LOCATION :5800 BLOCK OF SINGLETON ROAD  
:1400 BLOCK OF PIRKLE ROAD  
MAP NUMBER :R6189 026  
ACREAGE :0.59 ACRE  
PROPOSED DEVELOPMENT :HAIR SALON (REDUCTION IN BUFFERS)  
SQUARE FEET :1,500 SQUARE FEET  
COMMISSION DISTRICT :(1) LASSETER  
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
  
2. CASE NUMBER :**CIC2011-00014**  
APPLICANT :GRANITE HAMILTON MILL, LLC  
CONTACT :TODD SELDOMRIDGE  
PHONE NUMBER :770.447.8999  
ZONING :C-2  
LOCATION :2700 BLOCK OF HAMILTON MILL ROAD  
MAP NUMBER :R1001 024A  
ACREAGE :0.96 ACRE  
PROPOSED DEVELOPMENT :CHANGE IN CONDITIONS TO REMOVE OR REVISE  
ALL CONDITIONS OF ZONING  
SQUARE FEET :8,483 SQUARE FEET  
COMMISSION DISTRICT :(4) HEARD  
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
  
3. CASE NUMBER :**SUP2011-00032**  
APPLICANT :MATTRESSES AND MORE, INC.  
CONTACT :ALAN LASKY  
PHONE NUMBER :770.935.7780  
ZONING :C-2  
LOCATION :700 BLOCK OF BEAVER RUIN ROAD  
MAP NUMBER :R6158 011  
ACREAGE :0.97 ACRE  
PROPOSED DEVELOPMENT :TRUCK RENTAL  
COMMISSION DISTRICT :(2) HOWARD  
DEPARTMENT RECOMMENDATION :**DENIAL**

4. CASE NUMBER :**SUP2011-00033**  
APPLICANT :LIGHTHOUSE CHAPEL INTERNATIONAL  
CONTACT :PATRICK ACQUAH  
PHONE NUMBER :678.350.5360  
ZONING :M-1  
LOCATION :1600 BLOCK OF OAKBROOK DRIVE  
MAP NUMBER :R6196 113  
ACREAGE :4.21 ACRES  
PROPOSED DEVELOPMENT :CHURCH  
SQUARE FEET :5,120 SQUARE FEET  
COMMISSION DISTRICT :(1) LASSETER  
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
5. CASE NUMBER :**SUP2011-00034**  
APPLICANT :IGLESIA EVANGELICA PENIEL  
CONTACT :MISAEEL REYES  
PHONE NUMBER :770.206.0307  
ZONING :M-1  
LOCATION :4300 BLOCK OF STEVE REYNOLDS BOULEVARD  
MAP NUMBER :R6184 244  
ACREAGE :3.32 ACRES  
PROPOSED DEVELOPMENT :CHURCH  
SQUARE FEET :12,240 SQUARE FEET  
COMMISSION DISTRICT :(1) LASSETER  
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
6. CASE NUMBER :**SUP2011-00035**  
APPLICANT :SUGARLOAF UNITED METHODIST CHURCH  
CONTACT :NANCY BURNS  
PHONE NUMBER :678.684.6007  
ZONING :R-100  
LOCATION :1700 BLOCK OF OLD PEACHTREE ROAD  
:3300 BLOCK OF SOUTH SCALES ROAD  
MAP NUMBER :R7198 001  
ACREAGE :17.52 ACRES  
PROPOSED DEVELOPMENT :DAYCARE CENTER  
SQUARE FEET :10,447 SQUARE FEET  
COMMISSION DISTRICT :(1) LASSETER  
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

7. CASE NUMBER :**SUP2011-00036**  
APPLICANT :CHRISTOPHER M. QUIGLEY  
CONTACT :CHRISTOPHER M. QUIGLEY  
PHONE NUMBER :404.457.9616  
ZONING :C-2  
LOCATION :5300 BLOCK OF JIMMY CARTER BOULEVARD  
:6000 BLOCK OF SINGLETON ROAD  
MAP NUMBER :R6195 032  
ACREAGE :7.26 ACRES  
PROPOSED DEVELOPMENT :TITLE LOAN FACILITY  
SQUARE FEET :1,525 SQUARE FEET  
COMMISSION DISTRICT :(1) LASSETER  
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

E. AUDIENCE COMMENTS

F. COMMITTEE REPORTS

G. COMMENTS BY STAFF AND PLANNING COMMISSION

H. ADJOURNMENT

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

CASE NUMBER :**RZC2010-00021**  
ZONING CHANGE :R-ZT & C-2 TO M-1  
LOCATION :500 - 600 BLOCK OF HORIZON DRIVE  
MAP NUMBER :R7172 001 & R7172 009  
ACREAGE :80.27 ACRES  
PROPOSED DEVELOPMENT :OFFICE / WAREHOUSE / DISTRIBUTION  
(REDUCTION IN BUFFERS)  
SQUARE FEET :497,200 SQUARE FEET  
COMMISSION DISTRICT :(4) HEARD

FUTURE DEVELOPMENT MAP: **PREFERRED OFFICE**

APPLICANT: POINTEBRAND, LLC & POINTEBRAND II, LLC  
1550 NORTH BROWN ROAD, SUITE 125  
LAWRENCEVILLE, GA 30043

CONTACT: JEFF MAHAFFEY PHONE: 770.232.0000

OWNER: POINTEBRAND, LLC & POINTEBRAND II, LLC  
1550 NORTH BROWN ROAD, SUITE 125  
LAWRENCEVILLE, GA 30043

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

**PROJECT DATA:**

The applicant requests the rezoning of an 80.27-acre tract from R-ZT (Single Family Residence District) and C-2 (General Business District) to M-1 (Light Industry District) for the development of a business park. The subject property is located on the south side of Interstate 85 at its interchange with Interstate 985, and would be accessed by a proposed extension of Horizon Drive.

The submitted site plan indicates the development would consist of five office/warehouse buildings, totaling 497,200 square feet, along with associated parking, driveways and truck docks. The applicant's letter of intent states that the property would be developed for light industrial and/or office/warehouse uses. Access to the individual buildings would be provided via direct entrances onto the proposed Horizon Drive extension.

A 100-foot wide Georgia Power Company easement is located along the southern property line, separating the site from Rock Springs Park. Streams also traverse the site, and floodplain and wetlands are present on a large portion of the property's southwest end. The required stream buffer and setbacks have been identified along these watercourses. A 75-foot zoning

buffer is also shown adjacent to undeveloped R-ZT property along the entire northeastern property line.

#### ZONING HISTORY:

In 1970, the subject property was zoned R-100 (Single Family Residence District). In 2000, the subject property was rezoned to M-1, pursuant to REZ-00-085. The subject property was rezoned to R-ZT and C-2 in 2007, pursuant to RZR-06-051, RZM-06-007 and RZC-07-005.

#### GROUNDWATER RECHARGE AREA:

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

#### WETLANDS INVENTORY:

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

#### DEVELOPMENT REVIEW SECTION COMMENTS:

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

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

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

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

Parking spaces shall be provided for Warehouse (including office greater than 250,001 square feet) at a ratio of:

- One space per 2,500 square feet (Minimum)
- One space per 1,000 square feet (Maximum)

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

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

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

A 50-foot building setback is required from the right-of-way of Horizon Drive.

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

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

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

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

Section 1.5.1.c of the Floodplain Management Ordinance requires that the lowest floor, including the basement, of all non-residential buildings 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:**

Horizon Drive is a local, non-residential street and 60 feet of right-of-way is required.

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

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

**GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:**

No comment.

**GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:**

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

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

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 450 feet south of the property in the right-of-way of Spriggs Road.

The subject development is located within the North Chattahoochee 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 authorization.
2. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for each building for review and authorization of a building permit by Building Plan Review.
3. Each building shall comply with the height and area limitations of Table 503 and the fire

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

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

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

#### GWINNETT COUNTY FIRE SERVICES COMMENTS:

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

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

For assistance, you may contact our office at 678.518.6129, Monday through Friday, from the hours of 8:00 a.m. to 5:00 p.m.

#### DEPARTMENT ANALYSIS:

The subject property is an 80.27-acre tract located on the south side of Interstate 85 at its interchange with Interstate 985. The site is vacant and mostly wooded, with tributaries of Ivy Creek traversing along the western and southern boundary of the subject property.

The 2030 Unified Plan Future Development Map indicates that the property lies within the Preferred Office Character Area. Although the proposed warehouse/distribution activities may not be strictly consistent with recommendations of the Unified Plan, the proposed office activities within the development could be consistent with these recommendations for Preferred Office. The requested light industrial rezoning could be suitable in view of the predominately light industrial development along Horizon Drive, and could be a logical extension of that existing business park.

The subject property is surrounded by various uses including office/warehouse buildings along Horizon Drive, located within the city of Suwanee. Rock Springs Park (a Gwinnett County Park) is located to the south and residential subdivisions are situated farther to the north and east. The area immediately to the east of the subject property was zoned to R-ZT along with the subject tract in 2007, and has remained undeveloped since that time. The subject property

is separated from developed residential areas both by the County Park and the undeveloped R-ZT property. With appropriate conditions including architectural, landscaping and signage controls, the proposed light industrial use could be compatible with the surrounding area and consistent with similar industrial land uses along the I-85 corridor adjacent to the south.

It is noted that the original M-I conditions of zoning established in 2000 (RZ-00-085; see attached) included increased tree density requirements, increased buffers and setbacks adjacent to residentially-zoned properties, limitations on project access and a requirement for an Alternate Mode Transportation Plan. As these conditions were designed to ensure compatibility with the area, and were crafted with input from the community, several of these conditions have been carried into the staff's recommended conditions for this request.

In conclusion, the requested M-I zoning with proper conditions could be consistent with office/warehouse development adjacent to the south, and is partially consistent with recommendations of the Unified Plan for office developments. The site is separated from established residential areas, further suggesting that the rezoning could be suitable. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS**.

PLANNING AND DEVELOPMENT DEPARTMENT  
RECOMMENDED CONDITIONS

Approval as M-I subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
  - A. Office, office/warehouse/distribution, light manufacturing and accessory uses. The following uses shall be prohibited:
    - Aircraft landing pads
    - Recovered materials processing facilities
    - Truck terminals
    - Wood chipping and shredding
    - Yard trimmings composting facilities
  - B. The development shall be in general accordance with the submitted site plan. Variations from the plan shall be subject to review and approval by the Director of Planning and Development.
  - C. Buildings shall be finished with architectural treatments of glass and/or brick, textured architectural precast concrete or stone. Architectural renderings shall be submitted for review and approval of the Director of Planning and Development prior to issuance of building permits.
  - D. Outdoor storage of equipment or materials shall be prohibited.
2. To satisfy the following site development considerations:
  - A. Provide a 100-foot wide natural, undisturbed buffer adjacent to all residentially-zoned property. Along the southern property line the buffer shall be 50 feet in width and located outside of the Georgia Power Company easement. Where sparsely vegetated, buffers shall be enhanced with a double staggered row of evergreens eight feet on center. Trees shall be a minimum of six feet in height at the time of planting.
  - B. Provide a minimum 150-foot building setback adjacent to all residentially zoned property.
  - C. Provide ten-foot wide landscaped strips adjacent to all internal property lines and public rights-of-way.
  - D. Provide minimum 4-foot wide internal sidewalk connections from public streets to buildings. Location of internal sidewalks shall be subject to review of the Director of Planning and Development.
  - E. Natural vegetation shall remain on the property until the issuance of a commercial development permit.

- F. Provide, at a minimum, 20 Tree Density Units per acre. Plantings shall be in compliance with Gwinnett County's Buffer, Landscape and Tree Ordinance. Landscape plans shall be submitted for review and approval by the Director of Planning and Development.
  - G. Dumpsters shall be screened by a 100% opaque masonry wall with an opaque metal gate enclosure. Dumpster pickup shall be between the hours of 7:00 a.m. and 7:00 p.m.
  - 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.
  - I. Outdoor loudspeakers shall be prohibited.
  - J. Provide interparcel access throughout the site.
  - K. Ground signs shall be limited to monument type signs with a minimum two-foot high brick or stacked stone base matching the building(s), not to exceed 8 feet in height. Ground signs shall be prohibited along the Interstate 85 frontage.
  - L. Billboards or oversized signs shall be prohibited.
3. To abide by the following requirements, dedications, and improvements:
- A. Design required stormwater detention facilities such that they are not located within any required landscaped strips or buffers.
  - B. Sole project access, including truck traffic, shall be via the extension of Horizon Drive from its existing intersection with Old Peachtree Road. Public street or private driveway access to Rock Springs Road or Spriggs Road shall be prohibited.
  - C. Prior to the issuance of a development permit for this property, the applicant agrees to provide an Alternate Mode Transportation Plan subject to approval by the Gwinnett County Department of Transportation and the Gwinnett County Department of Planning and Development. At a minimum, this plan should include discussion of how the following transportation management strategies will be incorporated in the development. Inclusion of these strategies in the final AMTP shall be at the discretion of the Department of Transportation:
    - (a) Pedestrian facilities,
    - (b) Bicycle facilities,
    - (c) Provision of shuttle service, including connection to Gwinnett County's transit system
    - (d) Provision of shuttle and bus drop-off/pick-up areas near main building entrances,
    - (e) Participation in a Transportation Management Association

- (f) Other potential transportation demand management strategies not specifically identified here, but which may be feasible or desirable at the time the Alternate Mode Transportation Plan is written and reviewed.
  - (g) Provision of designated carpool parking spaces (minimum 3% of overall parking).
- D. The number, locations and design of all driveways shall be subject to Gwinnett County Department of Transportation review and approval.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS  
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The property is adjacent to an office/warehouse development within the city limits of Suwanee, and would function as an expansion of that existing industrial zoning. With the recommended conditions designed to afford protection to the surrounding area, the proposed rezoning and use could be suitable at this location.

ADVERSE IMPACTS

With the recommended conditions, potential impacts could be minimized on adjacent or nearby properties.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACT ON PUBLIC FACILITIES

An increase in traffic, utility demand, and storm water run-off would be anticipated from development of the property as proposed.

CONFORMITY WITH POLICIES

The proposed development could serve as a logical extension of the business park located adjacent to the southwest and could be compatible with light industrial land uses in the area. The proposed development could be consistent with adopted policies within the 2030 Unified Plan Future Development Map, which recommends attracting high-quality businesses in areas with adequate infrastructure.

CONDITIONS AFFECTING ZONING

The subject property was zoned M-I from 2000 to 2007. As such, rezoning the property back to M-I could be suitable; however, certain conditions attached to the original 2000 rezoning should be included in this case to provide for compatibility of the development with the area.

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

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

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

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

\_\_\_\_\_  
Please see attached.

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

\_\_\_\_\_  
Please see attached.

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

\_\_\_\_\_  
Please see attached.

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

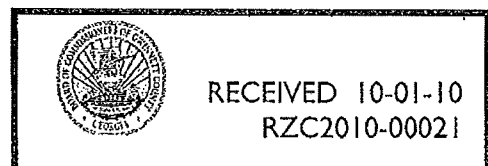
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Please see attached.

- (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.



**STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER**

- (A) Yes, the proposed Rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property. The proposed rezoning is compatible with the zonings and uses currently in effect or contemplated for adjacent and nearby properties.
- (B) No, the proposed Rezoning will not adversely affect the existing use or usability of adjacent or nearby property but, to the contrary, will be compatible and consistent with such uses as currently exist or as are contemplated in the future.
- (C) The property which is the subject of this proposed Rezoning does not have reasonable economic use as currently zoned; however, given its proximity to Interstate 85 and nearby commercial uses, office warehouse and light industrial uses could be beneficial for several of the surrounding businesses.
- (D) No, the proposed Rezoning will not result in a use which will or could cause an excessive or burdensome use of the existing streets, transportation facilities, utilities or schools.
- (E) Yes. The proposed rezoning to M-1 is in conformity with the intent of the Land Use Plan. Also, the subject tract is adequately served by transportation thoroughfares providing appropriate ingress and egress to and from the property.
- (F) Yes, the existing zonings of adjacent and nearby properties and the fact that the subject tract is located in close proximity to the interstate system give additional supporting grounds for the approval of the requested rezoning. Additionally, the property has no reasonable economic use under its current zoning thereby giving additional support for the approval of this Application.



RECEIVED 10-01-10  
RZC2010-00021



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

Kelly O. Faber  
Andrew D. Stancil  
E. Michelle Rothmeier  
Kenneth W. Stroud  
Bartow B. Duncan, III  
Shawn F. Bratton  
Jill H. Harris,  
of Counsel

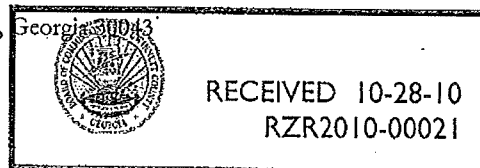
**AMENDED**  
**LETTER OF INTENT FOR**  
**REZONING APPLICATION OF POINTEBRAND, LLC**  
**AND POINTEBRAND II, LLC**

The Applicant, Pointebrand, LLC and Pointebrand II, LLC, collectively, submits this Rezoning Application for the purpose of rezoning to the M-1 zoning classification an approximately 80.27 acre tract (hereinafter, the "Property") located on Horizon Drive and adjacent to Interstate 85. The Property consists of three separate tracts, being a 26.05 acre tract (hereinafter, "Tract One"), a 15.05 acre tract (hereinafter, "Tract Two") and a 39.17 acre tract (hereinafter, "Tract Three"). Tract One and Tract Three are currently zoned R-ZT and Tract Two is currently zoned C-2.

The use and development of the Property as either R-ZT or C-2 is not economically feasible and is not the highest and best use of the Property. The development of the Property as an M-1 development under the guidelines of Gwinnett County is appropriate for the subject tract and is consistent with the surrounding property. As stated in the Rezoning Application, the Applicant intends to develop the Property for light industrial and/or office warehouse uses.

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

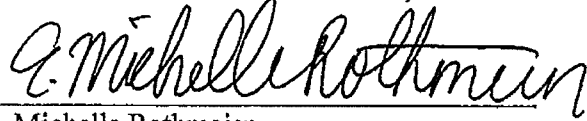
1550 North Brown Road, Suite 125, Lawrenceville, Georgia 30043  
TELEPHONE 770 232 0000  
FACSIMILE 678 518 6880  
www.mptlawfirm.com



any concerns relating to the matters set forth in this letter or in the Rezoning Application filed herewith. The Applicant respectfully requests your approval of this Application.

This 28<sup>th</sup> day of October, 2010.

MAHAFFEY PICKENS TUCKER, LLP



E. Michelle Rothmeier  
*Attorneys for Applicant*



RECEIVED 10-28-10  
RZR2010-00021

ORIGINAL  
M-1 ZONING

CASE NUMBER RZ-00-085

BOARD OF COMMISSIONERS

WINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

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

<u>Present</u>	<u>VOTE</u>
Wayne Hill, Chairman	<u>AYE</u>
Tommy Hughes, District 1	<u>AYE</u>
Patti Muise, District 2	<u>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 AMEND THE OFFICIAL ZONING MAP

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

R-100 to M-1

by TAYLOR & MATHIS, INC. for the proposed use of

INDUSTRIAL PARK (REDUCTION IN BUFFERS) on a

tract of land described by the attached legal description, which

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

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

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on JULY 25, 2000, and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 25<sup>TH</sup> day of JULY, 2000, that the aforesaid application to amend the Official Zoning Map from R-100 to M-1 (APPROVED AS M-1 AND O-I) is hereby APPROVED AS M-1 AND O-I subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
  - A. Areas on the submitted site plan (received July 14, 2000) containing buildings A, B, C, D, E, F, G and L shall be zoned M-1. Areas containing buildings H, I, and K and including the Rock Springs Road and Old Peachtree Road frontage shall be zoned O-I. Submit a revised boundary survey and legal descriptions within 60 days of approval delineating the M-1 and O-I districts.
  - B. Office, office/distribution, light manufacturing and accessory uses, excluding truck terminals, for the M-1 zoned area.
  - C. Office, office/professional and accessory uses for the O-I zoned area.

2. To satisfy the following site development considerations:
  - A. Provide a 100-foot wide natural, undisturbed buffer adjacent to Spriggs Road, Rock Springs Road, and Old Peachtree Road, except for approved access and utility crossings.
  - B. Provide a 100-foot wide natural, undisturbed buffer adjacent to all residentially zoned property, except for approved access and utility crossings. Where sparsely vegetated, the buffer shall be enhanced with a double staggered row of evergreens eight feet on center. Trees shall be a minimum of six feet in height at the time of planting.
  - C. Provide a minimum 150-foot building setback adjacent to all residentially zoned property.
  - D. Provide ten-foot wide landscaped strips adjacent to all internal property lines.
  - E. Natural vegetation shall remain on the property until the issuance of a commercial development permit.
  - F. Buildings shall be finished with architectural treatments of glass and/or brick, architectural precast concrete or stone. Architectural renderings shall be submitted for review and approval of the Director of Planning and Development prior to issuance of building permits.
  - G. Dumpsters shall be screened by a 100% opaque masonry wall. Dumpster pickup shall be between the hours of 7:00 a.m. and 7:00 p.m.
  - 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.
  - I. Provide minimum 5-foot wide sidewalks adjacent to Old Peachtree Road, Rock Springs and Spriggs Road and proposed internal public streets. Provide minimum 4-foot wide internal sidewalk connections from public streets to buildings. Location of internal sidewalks shall be subject to review of the Director of Planning and Development.

- J. Ground signs shall be limited to monument type signs with masonry bases matching the building(s), not to exceed five feet in height. Ground signs shall be prohibited along the Interstate 85 frontage.
  - K. Provide interparcel access throughout the site.
  - L. Provide, at a minimum, 20 Tree Density Units per acre. Plantings shall be in compliance with Gwinnett County's Buffer, Landscape and Tree Ordinance. Landscape plans shall be submitted for review and approval by the Director of Planning and Development.
  - M. Except for approved access, maintain a minimum 50-foot buffer adjacent to any streams/tributaries located on the property.
3. To abide by the following requirements, dedications, and improvements:
- A. Design required stormwater detention facilities such that they are not located within any required landscaped strips or buffers.
  - B. Abide by the following dedications:
    - 1) Dedicate at no cost to Gwinnett County 50 feet of right-of-way from the centerline along Old Peachtree Road frontage, and 60 feet of right-of-way from the centerline along the frontage within 500 feet of its intersection with another classified road.
    - 2) Dedicate at no cost to Gwinnett County 40 feet of right-of-way from the centerline along Rock Springs Road frontage.
  - C. Sole project access, including truck traffic, shall be via the extension of Horizon Drive from its existing intersection with Old Peachtree Road. Public street or private driveway access to Rock Springs Road or Spriggs Road shall be prohibited. Should access to the Horizon Drive/Old Peachtree Road intersection not be acquired by January 1, 2002, alternate access to

the property may be considered, provided a feasibility/traffic study is received and subsequently approved by the Gwinnett County Department of Transportation. The petitioner shall pay all costs for the study and shall pay for the design, acquisition of all necessary right(s)-of-way and easements required by said design, and all costs of construction of roadway modifications. Said design and construction shall be subject to review and approval of the Gwinnett County Department of Transportation. Prior to the issuance of a development permit for this property:

- 1) Subject to the approval of the Gwinnett County Department of Transportation, the applicant agrees to, at the option of the Gwinnett County Department of Transportation, either design and construct a traffic signal at the intersection of the Proposed Roadway and Horizon Drive/Old Peachtree Road, or pay 100% of design and construction costs, in an amount not to exceed \$60,000. The design and installation will be subject to Gwinnett County Department of Transportation review and approval.
- 2) Subject to the approval of the Gwinnett County Department of Transportation, the applicant agrees to design and construct necessary intersection modifications to provide for turn lanes and through lanes at the intersection of the Proposed Roadway and Horizon Drive/Old Peachtree Road as indicated in the applicants traffic study. These modifications would include the addition of a through lane from Horizon Drive to the Proposed Roadway and at minimum a left turn lane, through lane, and right turn lane on the approach of the Proposed Roadway. The design and construction will be subject to Gwinnett County Department of Transportation review and approval.

D. Prior to the issuance of a development permit for this property:

1) The applicant agrees to provide an Alternate Mode Transportation Plan subject to approval by the Gwinnett County Department of Transportation and the Gwinnett County Department of Planning and Development. At a minimum, this plan should include discussion of how the following transportation management strategies will be incorporated in the development:

- (a) Pedestrian facilities,
- (b) Bicycle facilities,
- (c) Provision of shuttle service, including connection to Gwinnett County's transit system
- (d) Provision of shuttle and bus drop-off/pick-up areas near main building entrances,
- (e) Participation in a Transportation Management Association
- (f) Incorporation of alternate fuel vehicles for on-site maintenance and services,
- (g) Provision of electric vehicle recharging stations for use by employees and visitors
- (h) Other potential transportation demand management strategies not specifically identified here, but which may be feasible or desirable at the time the Alternate Mode Transportation Plan is written and reviewed.
- (i) Provision of designated carpool parking spaces (minimum 3% of overall parking).

E. The number, locations and design of all driveways shall be subject to Gwinnett County Department of Transportation review and approval.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_

*F. Wayne Hill*  
(F. Wayne Hill, Chairman)

Date Signed: \_\_\_\_\_

*August 2, 2000*

ATTEST:

*Brenda Maddox*  
\_\_\_\_\_  
County Clerk







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

CASE NUMBER :RZC2011-00016  
ZONING CHANGE :RMD TO C-1  
LOCATION :5800 BLOCK OF SINGLETON ROAD  
:1400 BLOCK OF PIRKLE ROAD  
MAP NUMBER :R6189 026  
ACREAGE :0.59 ACRE  
PROPOSED DEVELOPMENT :HAIR SALON (REDUCTION IN BUFFERS)  
SQUARE FEET :1,500 SQUARE FEET  
COMMISSION DISTRICT :(1) LASSETER

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

APPLICANT: LILLIAN PICHARDO  
2718 SUMMIT HILL DRIVE  
TUCKER, GA 30084

CONTACT: BRENDA CASTRO                      PHONE: 770.314.6260

OWNER: LILLIAN PICHARDO  
2718 SUMMIT HILL DRIVE  
TUCKER, GA 30084

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

**PROJECT DATA:**

The applicant requests the rezoning of a 0.59-acre parcel from RMD (Multi-Family Residence District) to C-1 (Neighborhood Business District) to allow a hair salon. The property is located at the northeastern corner of the intersection of Singleton Road and Pirkle Road.

According to the submitted letter of intent, the applicant plans to convert the existing 1,500 square foot residential structure into a hair salon. The site would be accessed via two entrances/exits onto Singleton Road and Pirkle Road. The site plan proposes six parking spaces, to be located to the side and rear of the structure. Due to the size of the lot, a reduction in the required buffer from 50-feet to 25-feet along the side and rear property lines is also requested.

A building code compliance inspection has been conducted on the home, and a report indicating the improvements necessary to bring the structure up to code for the proposed use is attached (CIR2011-00099).

ZONING HISTORY:

In 1970, the subject property was zoned R-75 (Single Family Residence District). In 1976, the property was rezoned to RMD per an area wide rezoning. A request to rezone the property to O-I (Office-Institutional District) for a real estate office was denied in 2000.

GROUNDWATER RECHARGE AREA:

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

WETLANDS INVENTORY:

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

DEVELOPMENT REVIEW SECTION COMMENTS:

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

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

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

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

Parking spaces shall be provided at a ratio of:  
Minimum one space per 500 square feet  
Maximum one space per 200 square feet

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

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

A 50-foot building setback is required from the rights-of-way of Pirkle Road and Singleton Road.

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

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

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

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

**GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:**

Singleton 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.

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

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

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

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

**GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:**

Must connect to sanitary sewer if available to property (within 200 feet or property line). If sewer is not available, contact GCEHD concerning septic involvement. Must submit level 3 soil report and detailed site plan with 2 foot topo and soils transposed onto plat.

**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 northern right-of-way of Singleton Road and an 8-inch water main located on the eastern right-of-way of Pirkle Road.

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

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 225 feet south of the property.

The subject development is located within the Jackson 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 obtain a building code compliance inspection (CIR) of each existing building by the Building Construction Section of Department of Planning and Development and shall comply with the 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 the compliance inspection report for review and approval by Building Plan Review.
4. Each building shall comply with the height and area limitations of Table 503 and the fire resistive and horizontal separation requirements of Table 601 and 602 of the 2006 International Building Code with Georgia State amendments based on occupancy group classification, type of construction, and location of each building from property lines and other buildings.

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 678.518.6040 Monday through Friday from the hours of 8:00 am to 5:00 pm.

#### GWINNETT COUNTY FIRE SERVICES COMMENTS:

Fire plan Review has no objection to the request under the following conditions:

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

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

#### DEPARTMENT ANALYSIS:

The subject property is a 0.59-acre parcel, located at the intersection Singleton Road and Pirkle Road. The site is currently developed with a single-family residence with a paved parking area along the front of the property. A wooden privacy fence is located along Pirkle Road and the northern property line, enclosing the rear yard.

The 2030 Unified Plan Future Development Map indicates that the subject property lies within an Existing / Emerging Suburban Character Area. Encouraged uses within this character include neighborhood convenience uses located at appropriate intersections. The proposed rezoning to C-1 for a hair salon could be compatible within this Character Area and consistent with previous Board approval for commercial uses at this intersection.

The surrounding area is characterized by a mix of commercial, office and residential uses along Singleton Road, with established residential neighborhoods extending along and beyond the corridor. Numerous properties fronting Singleton Road have been rezoned for office conversion. A commercial shopping center, zoned C-1 (RZC2005-00005), is located at the southwest corner of the intersection of Singleton Road and Pirkle Road, diagonally across the intersection from the subject property. A hair salon in C-1 zoning could be suitable given the recent C-1 approval at this intersection in 2005.

With appropriate conditions to minimize impacts on the nearby residential properties, the proposed rezoning for a hair salon could be suitable at this location. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT  
RECOMMENDED CONDITIONS

Approval as C-I for a hair salon subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
  - A. Limited to professional office use or a hair salon.
  - B. New buildings or renovations to the existing building shall be finished with architectural treatments of glass, brick and/or stacked stone on all sides (stucco may only be used as an accent material). Final building elevations shall be submitted for review by the Director of Planning and Development.
2. To satisfy the following site development considerations:
  - A. Provide a 10-foot landscape strip outside the rights-of-way of Singleton Road and Pirkle Road.
  - B. Provide a 25-foot wide enhanced buffer adjacent to residentially-zoned properties.
  - C. Ground signs shall be limited to a single monument type sign with a minimum 2-foot high brick or stacked stone base. Ground sign(s) shall not exceed 6 feet in height.
  - D. Internally-illuminated wall or ground signs shall be prohibited.
  - E. 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.
  - F. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
  - G. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
  - H. Peddlers and/or parking lot sales shall be prohibited.
  - I. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS  
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

In light of the Board's previous approval of C-1 zoning at this intersection, the requested rezoning for a hair salon could be suitable at this location.

ADVERSE IMPACTS

With the recommended conditions, minimal adverse 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

Minor impacts on public roadways and utilities could be anticipated from the proposed development.

CONFORMITY WITH POLICIES

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

CONDITIONS AFFECTING ZONING

The proximity to residential properties suggests that limitations on signage, outdoor lighting and enhanced buffers may be appropriate.

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

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

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

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

Yes, the rezoning will permit a use that is suitable and will not affect the public health, safety nor morality.

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

The proposed rezoning will not adversely affect any existing, adjacent or nearby properties.

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

The property proposed is currently a single family property and has no 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, the proposed rezoning will be limited to private parking and is not located near transportation facilities, utility establishments nor schools.

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

Yes, the rezoning is in conformity and will only be making parking-space adjustments on the property to accomodate guest.

- (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, most if not all nearby properties are being used for commercial use.



**Lillian Pichardo**  
**2718 Summit Hill Drive**  
**Tucker, GA 30084**  
**678-697-4257**

NOVEMBER 09, 2010

**Re: Letter of Intent**  
*Property: 5809 Singlenton Rd*  
*Norcross, GA 30093*

To whom it may concern:

This letter of intent is in order to comply with the rules and requirements as specified by the Gwinnett County Planning Division and Special Use Permit Application. The following is an explanation of the activities to be conducted in the location listed above.

**Use:** The location will be used as Beauty Salon and the business will conduct normal business hours. The number of Parking Spaces used will be exclusive to owners land and will be constructed on that land.

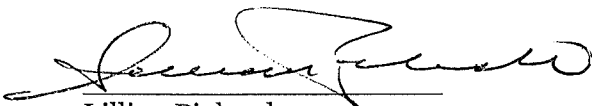
- The Size of the Land is: 0.590 Acreage
- The Zoning Qualification is: C-1
- The Dwelling Unit Size is: 25,727 Square Ft
- 
- The Person in Charge of the Beauty Salon and Owner is:

Lillian Pichardo  
5809 Singlenton Rd  
Norcross, GA 30093  
Tel: 678-697-4257

The applicant therefore respectfully requests your approval of the Special Use Permit.

If you have any questions, please feel free to contact me.

Sincerely,



Lillian Pichardo



RECEIVED 5-04-11  
RZC2011-00016



## COMPLIANCE INSPECTION REPORT

<b>CASE NUMBER:</b>	<b>CIR2011-00099</b>
<b>RECEIVED DATE:</b>	5/5/2011
<b>APPLICATION NAME:</b>	LILLYS HAIR PLUS
<b>APPLICATION ADDRESS:</b>	5809 SINGLETON ROAD, NORCROSS, GA 30093
<b>APPLICANT:</b>	Lillian Pichardo
	2718 Summit Hill Drive Tucker, GA 30084
<b>REQUEST TYPE:</b>	Existing Building Compliance Report
<b>NFPA OCCUPANCY:</b>	
<b>CURRENT OCCUPANCY USE:</b>	
<b>PROPOSED OCCUPANCY USE:</b>	
<b>DEVELOPMENT TYPE:</b>	
<b>CONSTRUCTION TYPE:</b>	

**COMMENTS:**

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.

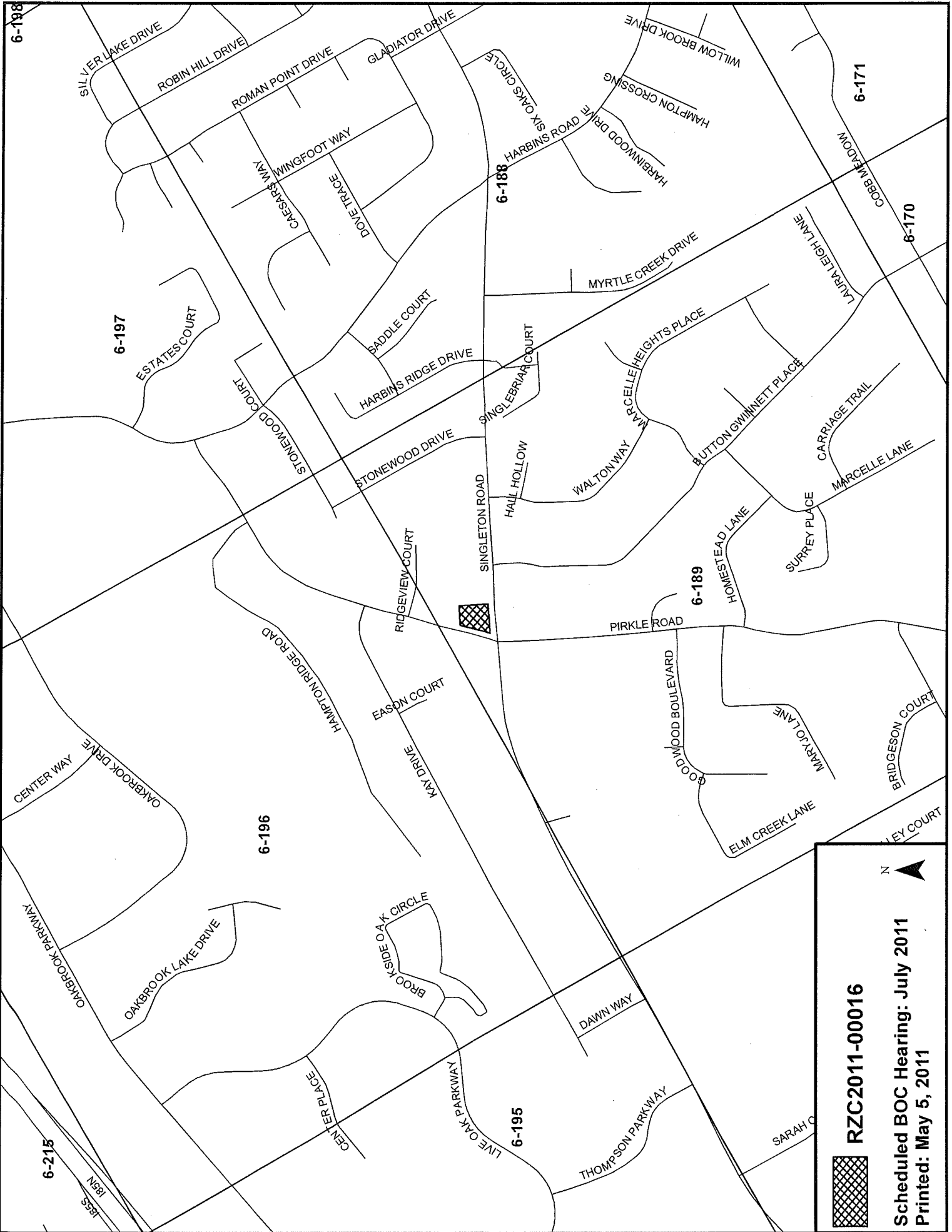
DATE	ITEM	COMMENT	INSPECTOR	STATUS
<b>Electrical Code Compliance</b>				
5/6/2011	The electrical system for the proposed occupancy is suitable for intended use.	2008 NEC house wired residential code not meet electric code as to circuit requirement for hair salon will need to have electric eng draw plans. also service does not meet cde requirements	Johnny Lyons	Fail
5/6/2011	Ground fault circuit interrupter (GFCI) in bathroom, kitchen, and outside receptacles.	NEC 210.8	Johnny Lyons	Fail
5/6/2011	Grounding type receptacles.	NEC 406 al lot of the recp are not grounded	Johnny Lyons	Fail
5/6/2011	Grounding to metal water pipe, building steel, ground rods.	NEC 250-3	Johnny Lyons	Fail
5/6/2011	Working clearance in front of equipment.	NEC 110.26 have built incloser around panel and waer heater also no lighting panel area	Johnny Lyons	Fail
5/6/2011	Location of service disconnect.	NEC 230.70 service disconnect required to be at meter location not inside with panel	Johnny Lyons	Fail
5/6/2011	Service equipment - Illumination of service and/or panels.	NEC 110.26(d) no ighting at service panel	Johnny Lyons	Fail
5/6/2011	Service equipment - Fault current rating.	NEC 110.9	Johnny Lyons	Fail
5/6/2011	Service equipment - Load calculation.	NEC 220	Johnny Lyons	Fail
5/6/2011	Proper equipment grounding conductor size.	NEC 250.122	Johnny Lyons	Fail
5/6/2011	Required location for lights and switches.	NEC 210	Johnny Lyons	Pass

DATE	ITEM	COMMENT	INSPECTOR	STATUS
<b>Electrical Code Compliance</b>				
5/6/2011	Occupant to have access to service equipment.	NEC 230.72(c)	Johnny Lyons	Pass
5/6/2011	Approved covers on junction boxes and accessible.	NEC 314	Johnny Lyons	Pass
5/6/2011	Junction boxes - Correct size for box volume.	NEC 314.16	Johnny Lyons	Pass
5/6/2011	Conductors - Correct size for overcurrent device.	NEC 310	Johnny Lyons	Pass
5/6/2011	Physical condition of conductors.	NEC 310	Johnny Lyons	Pass
5/6/2011	Disconnects for appliances and HVAC equipment -Required locations and accessible.	NEC 422.30 NEC 440.11	Johnny Lyons	Pass
5/6/2011	Overcurrent devices - Correct type per panel manufacturer.	NEC 110.3	Johnny Lyons	Pass
5/6/2011	Number of overcurrent devices for panel.	NEC 110.3	Johnny Lyons	Pass
<b>Fire Compliance</b>				
5/12/2011	Exterior: Address/Suite Marking	Street address clearly marked on both sides of the mail box or on the structure facing the main road.	James Jackson	Fail
5/12/2011	Interior: Doors and Hardware	Commerical grade lever type hardware on all exterior exit doors.	James Jackson	Fail
5/12/2011	Interior: Interior Finish	This is a duplex to be converted to a beauty salon in both units. No tenant demising wall necessary. Provide plans to show layout of hair salon.	James Jackson	Fail
5/12/2011	Fire Protection Equipment: Exit Signs	Exit/Emergency combo units above exit doors.	James Jackson	Fail
5/12/2011	Fire Protection Equipment: Fire Extinguisher	Provide one (1) 2A 10BC extinguisher for every 3000 sqft.	James Jackson	Fail
5/12/2011	Miscellaneous: Vent Hood Test/Cert.	All cooking appliances must be removed or provide residential hood/hood suppression coverage. Plan submittal required for this as well.	James Jackson	Fail
5/12/2011	Miscellaneous: Other Suppression Systems	All cooking appliances must be removed or provide residential hood/hood suppression coverage. Plan submittal required for this as well.	James Jackson	Fail
5/12/2011	Miscellaneous: Elect. Panels/Rooms	Properly label all circuit breakers in the panel. Exit signs and emergncy lights will need to be wired to the lighting circuit of the area they serve.	James Jackson	Fail
5/12/2011	Miscellaneous: Wiring & Extension Cords	All extension cords must be replaced with either additional outlets or relocateable power taps.	James Jackson	Fail
5/12/2011	Miscellaneous: Mechanical Rooms	All clothes dryers must have solid duct run directly to the outside from the dryers.	James Jackson	Fail
5/12/2011	Miscellaneous	A percentage of any renovation cost must be dedicated to ADA upgrades such as building access, interior access, ADA restrooms, etc. Submit plans for approval to Planning and Development.	James Jackson	Fail
5/12/2011	Exterior: Hydrant		James Jackson	Pass

DATE	ITEM	COMMENT	INSPECTOR	STATUS
<b>Fire Compliance</b>				
5/12/2011	Exterior: Ramp/Landings		James Jackson	Pass
5/12/2011	Exterior: Level Landing At Door		James Jackson	Pass
5/12/2011	Exterior: Stairs (Risers/Treads)	Current stairs have handrails at one of two front doors.	James Jackson	Pass
5/12/2011	Exterior: Exit Discharge		James Jackson	Pass
5/12/2011	Interior: Exit Way/Width		James Jackson	Pass
<b>Mechanical Code Compliance</b>				
5/6/2011	The mechanical system for the proposed occupancy is suitable for intended use.	does not meet the 2009 energy code requirements	Johnny Lyons	Fail
5/6/2011	Ducts and duct systems - Allowable materials.		Johnny Lyons	Fail
5/6/2011	Ducts and duct systems - Joints, seams, and connections.	sealing of all joints mastic	Johnny Lyons	Fail
5/6/2011	Duct insulation.	must meet a R6 insulation old ductwork R4	Johnny Lyons	Fail
5/6/2011	Ducts and duct systems - complies with Georgia State Energy Code.		Johnny Lyons	Fail
5/6/2011	Equipment - Location.	must have service access to all equipment walk way platform and light in attic and crawl	Johnny Lyons	Fail
5/6/2011	Equipment - Accessibility.		Johnny Lyons	Fail
5/6/2011	Complies with Georgia State Energy Code		Johnny Lyons	Fail
5/6/2011	Fresh air system - allowable material.		Johnny Lyons	Fail
5/6/2011	Fresh air system - Location on intakes.		Johnny Lyons	Fail
5/6/2011	Fresh air system - ASHRAE air systems.	install as required per Mech. code table 403	Johnny Lyons	Fail
5/6/2011	Exhaust systems - Bath fan vents and termination.	all bathroom required 75 cfm and vented to outside	Johnny Lyons	Fail
5/6/2011	Chimneys and vents systems - Allowable materials.	double wall pipe required under crawl and attic	Johnny Lyons	Fail
5/6/2011	Chimneys and vents systems - Fire stops.		Johnny Lyons	Fail
5/6/2011	Grease Hoods - Allowable material.	install if required by fire if they have kitchen area	Johnny Lyons	Fail
5/6/2011	Grease Hoods - Outside make-up air.		Johnny Lyons	Fail
5/6/2011	Grease Hoods - Duct system for hood and make-up air for hood.		Johnny Lyons	Fail
5/6/2011	Refrigeration system - Material.		Johnny Lyons	Fail
5/6/2011	Refrigeration system - Piping insulation.	insulation tubing set require R3	Johnny Lyons	Fail
5/6/2011	Combustion and ventilation air - Allowable material.		Johnny Lyons	Pass
5/6/2011	Combustion and ventilation air - Capacity for space.		Johnny Lyons	Pass
5/6/2011	Combustion and ventilation air - Termination.		Johnny Lyons	Pass
5/6/2011	Equipment - Clearance.		Johnny Lyons	Pass
5/6/2011	Equipment - Support.		Johnny Lyons	Pass

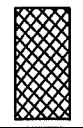
DATE	ITEM	COMMENT	INSPECTOR	STATUS
<b>Mechanical Code Compliance</b>				
5/6/2011	Separation ventilation system for incompatible material - Flammable vapors.		Johnny Lyons	Pass
5/6/2011	Separation ventilation system for incompatible material - Corrosive vapors.		Johnny Lyons	Pass
5/6/2011	Separation ventilation system for incompatible material - Noxious gases.		Johnny Lyons	Pass
5/6/2011	Separation ventilation system for incompatible material - Other.		Johnny Lyons	Pass
5/6/2011	Chimneys and vents systems - Capacity.		Johnny Lyons	Pass
5/6/2011	Chimneys and vents systems - Location.		Johnny Lyons	Pass
5/6/2011	Chimneys and vents systems - Termination.		Johnny Lyons	Pass
5/6/2011	Fuel gas piping - Allowable material.		Johnny Lyons	Pass
5/6/2011	Fuel gas piping - Location.		Johnny Lyons	Pass
5/6/2011	Fuel gas piping - Joints.		Johnny Lyons	Pass
5/6/2011	Fuel gas piping - Support.		Johnny Lyons	Pass
5/6/2011	Fuel gas piping - Air test.		Johnny Lyons	Pass
5/6/2011	Refrigeration system - Location		Johnny Lyons	Pass
<b>Plumbing Code Compliance</b>				
5/6/2011	The plumbing system for the proposed occupancy is suitable for intended use.		Johnny Lyons	Fail
5/6/2011	Water heaters - install thermal expansion device.	IPC 607.3	Johnny Lyons	Fail
5/6/2011	This occupancy requires drinking fountains to be installed.	IPC 403.1	Johnny Lyons	Fail
5/6/2011	Provide separate toilet rooms for male and female.	IPC 403.2	Johnny Lyons	Fail
5/6/2011	Change all water closets to elongated with open front seats.	IPC 420.2	Johnny Lyons	Fail
5/6/2011	Install double check valve assembly and certify device.	IPC 608.1	Johnny Lyons	Fail
5/6/2011	Install pressure reducing valve in main water service.	IPC 604.8	Johnny Lyons	Fail
5/6/2011	Install vacuum brakers on all hose bibbs.	IPC 608.11	Johnny Lyons	Fail
5/6/2011	Water heaters - Provide combustion air from outside.	IPC 504.5-504.6	Johnny Lyons	Pass
5/6/2011	Water heaters - Provide 3/4 T&P relief line using approved pipe.	IPC 502.4	Johnny Lyons	Pass
5/6/2011	Water heaters - Repair or replace vent with approved vent pipe.		Johnny Lyons	Pass
5/6/2011	Incorporate safe waste system for kitchen and/or bar area.	IPC 912.4	Johnny Lyons	Pass
5/6/2011	Replace/repair water distribution pipe to comply with 2006 IPC.	IPC 601.1	Johnny Lyons	Pass
5/6/2011	Replace/repair drain waste vent system to comply with 2006 IPC.	IPC 701.1	Johnny Lyons	Pass

DATE	ITEM	COMMENT	INSPECTOR	STATUS
<b>Structural Code Compliance</b>				
5/12/2011	Wood grades, spans, floor joist, ceiling and rafters.	IBC 2308 NEED ENGINEER FLOOR LOAD LETTER	Todd Herget	Fail
5/12/2011	Insulation in attic.	IECC 502 NO LADDER UNABLE TO ACCESS ATTIC	Todd Herget	Fail
5/12/2011	Insulation in crawlspace.	IECC 502 UNABLE TO ACCESS	Todd Herget	Fail
5/12/2011	Attic Access.	IBC 1209.9 2X2 - TOO SMALL	Todd Herget	Fail
5/12/2011	Decks, guardrails.	IBC 1013.3 IBC 1607.7 NEEDS TO BE UPGARDED TO MET STANDARDS	Todd Herget	Fail
5/12/2011	Attic Ventilation.	IBC 1203	Todd Herget	Pass
5/12/2011	Crawlspace ventilation.	IBC 1203	Todd Herget	Pass
5/12/2011	Ground clearance.	IBC 2304.11	Todd Herget	Pass
5/12/2011	Tempered glass for doors and windows.	IBC 2406	Todd Herget	Pass



**RZC2011-00016**

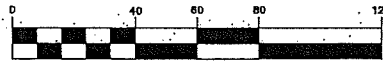
Scheduled BOC Hearing: July 2011  
 Printed: May 5, 2011



**FLOOD STATEMENT**

NO PORTION OF THIS PROPERTY IS LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY "F.I.A. OFFICIAL FLOOD HAZARD MAP PANEL # 13135C097F DATE 9/29/2006

**GRAPHIC SCALE**



( IN FEET )  
1 inch = 40' ft.

**NOTES:**

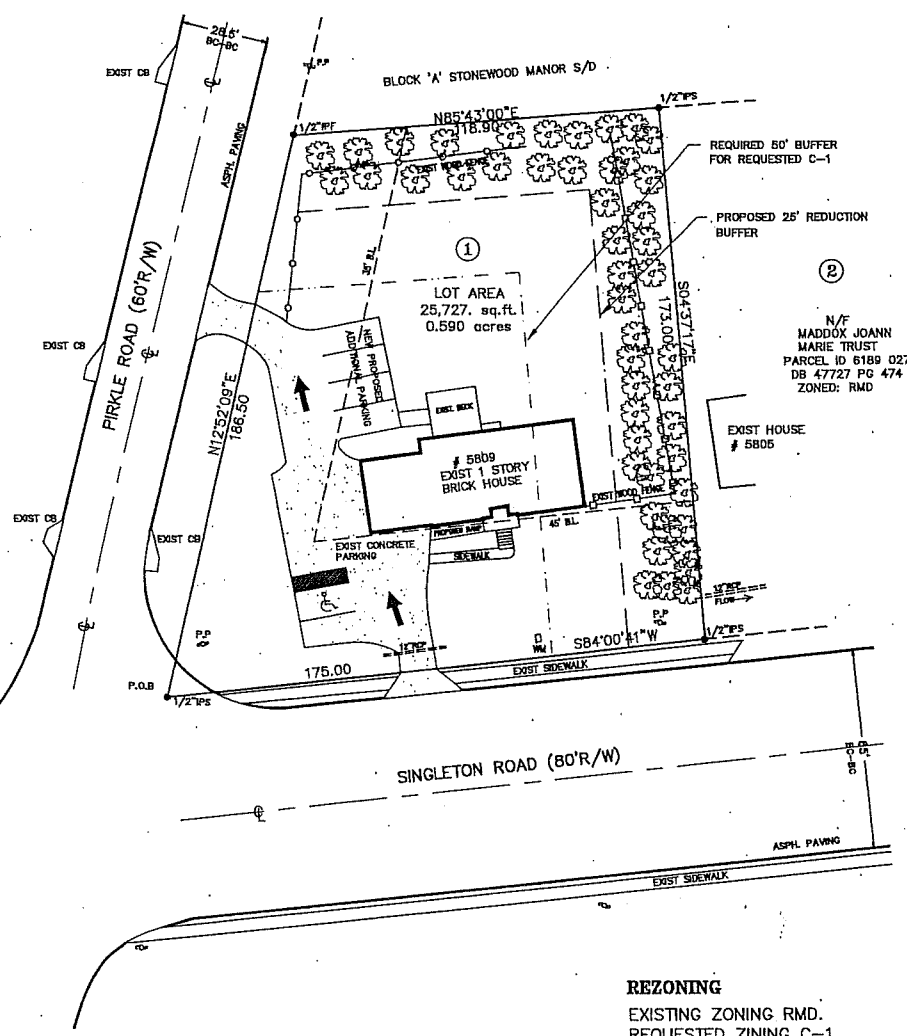
INSTRUMENT USED:  
NIKON DTM-520 TOTAL STATION

REFERENCE USE: PLAT BOOK N PAGE 59

THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE BASE ON FIELD OBSERVATION THE ACTUAL LOCATION SHOULD BE VERIFIED PRIOR TO ANY CONSTRUCTION

N/F  
ROBLERO NEPTALI  
PARCEL ID 6189 024  
DB 39303 PG 28  
# 1484  
ZONED: RMD

- LEGEND**
- P.O.B. POINT OF BEGINNING
  - P.O.R. POINT OF REFERENCE
  - I.P.S. 1/2" IRON PIN SET
  - O.H.P. OVERHEAD POWER LINE
  - P.P. POWER POLE
  - L.P. LIGHT POLE
  - CMP CORRUGATED METAL PIPE
  - L.L.L. LAND LOT LINE
  - I.P.F. 1/2" IRON PIN FOUND
  - C.L. CENTER LINE
  - (X) LOT NUMBER
  - WM WATER METER
  - ← GUY WIRE
  - A/C AIR CONDITION
  - N/F NOW OR FORMERLY

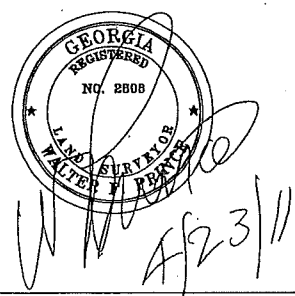


N/F  
MADDOX JOANN  
MARIE TRUST  
PARCEL ID 6189 027  
DB 47727 PG 474  
ZONED: RMD

**REZONING**  
EXISTING ZONING RMD.  
REQUESTED ZINING C-1

**NOTE:**  
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 65,680 FEET AND AN ANGULAR ERROR OF 00 00'06" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1: 293,383 FEET

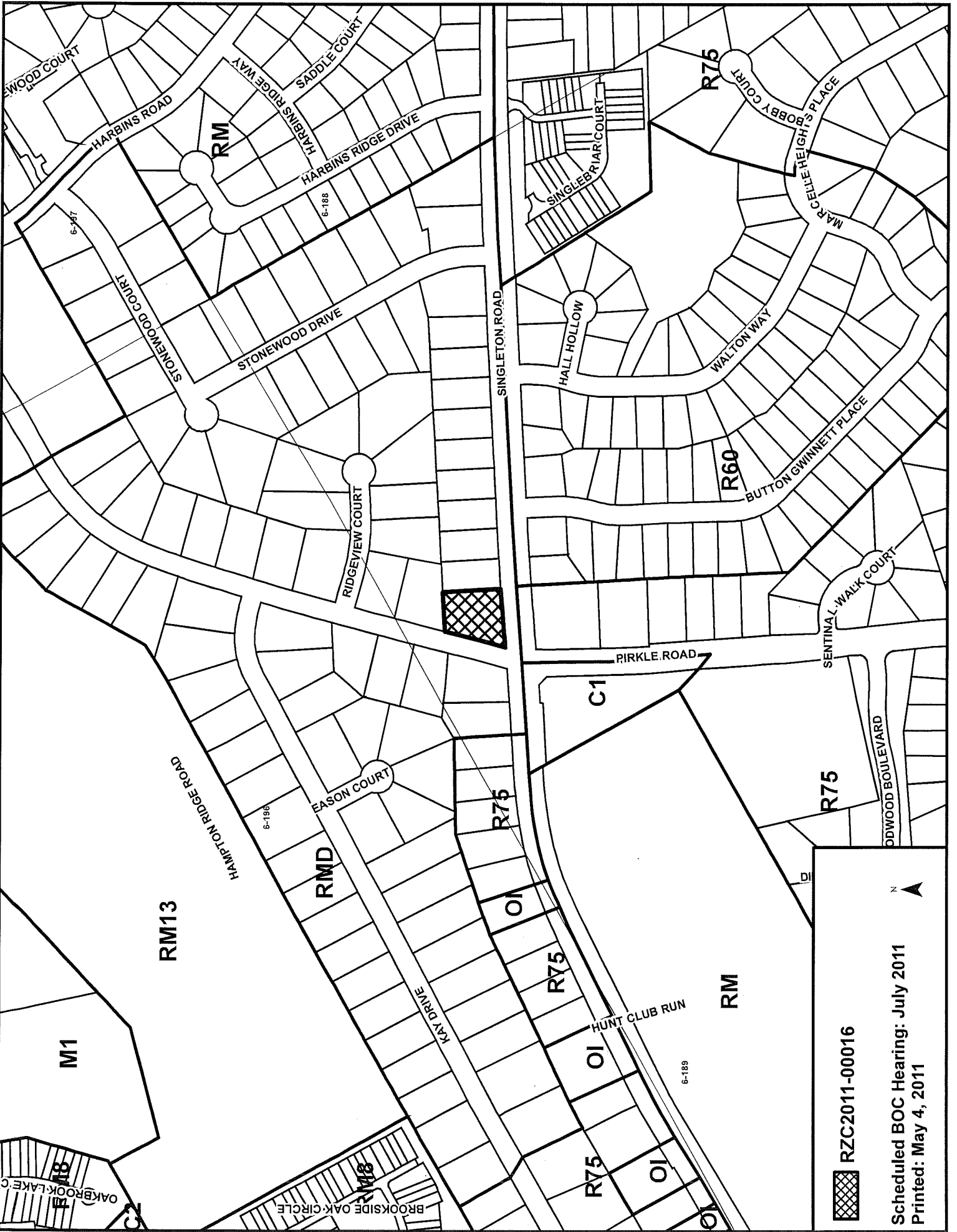
IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE" THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN:



**SURVEY PLAT FOR:**  
**LILLIAN PICHARDO**  
5809 SINGLETON ROAD  
NORCROSS, GA 30093  
LAND LOT; 189 6TH DISTRICT  
GWINNETT COUNTY, GEORGIA  
SCALE 1" = 40' DATE: APRIL 23, 2011

**HUND PRINCIPLES & ASSOCIATES, INC.**  
\*Consulting & Surveyors\*  
110 Stockbridge Street  
Stockbridge, GA 30281-1427  
Phone (770) 474-7487 Fax (770) 474-7487  
JOB # 25077

**RECEIVED 5-04-11**  
**RZC2011-00016**



 RZC2011-00016

Scheduled BOC Hearing: July 2011  
 Printed: May 4, 2011

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

CASE NUMBER :CIC2011-00014  
ZONING :C-2  
LOCATION :2700 BLOCK OF HAMILTON MILL ROAD  
MAP NUMBER :R1001 024A  
ACREAGE :0.96 ACRE  
PROPOSED DEVELOPMENT :CHANGE IN CONDITIONS TO REMOVE OR REVISE ALL  
ZONING CONDITIONS  
SQUARE FEET :8,483 SQUARE FEET  
COMMISSION DISTRICT :(4) HEARD

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

APPLICANT: GRANITE HAMILTON MILL, LLC  
415 PISGAH CHURCH ROAD  
GREENSBORO, NC 27455

CONTACT: TODD SELDOMRIDGE PHONE: 770.447.8999

OWNER: GRANITE HAMILTON MILL, LLC  
415 PISGAH CHURCH ROAD  
GREENSBORO, NC 27455

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

The applicant seeks to change conditions of a previous rezoning case, RZC-01-026. The subject property is a 0.96-acre parcel, zoned C-2 (General Business District), and located in the 2700 block of Hamilton Mill Road near the Wal-Mart Supercenter development. The property is located within the Hamilton Mill Overlay District.

The applicant proposes to remove or revise the following conditions which read as follows:

- I.A. Provide a 25-foot landscaped buffer along Hamilton Mill Road, planted with evergreens to provide an effective visual screen.
- I.B. Provide a 75-foot undisturbed buffer from the rear of the property, abutting RA-200 zoning, replanted where sparsely vegetated. The existing building encroachment in the buffer may remain.
- I.C. Provide a 20-foot undisturbed buffer from the northwest side, abutting an RA-200 use, replanted where sparsely vegetated.
- I.D. Dumpsters shall be screened with an opaque fence or wall. Hours of dumpster pickup shall be between 7:00 AM and 7:00 PM.

- I.E. Billboards shall not be permitted.
- I.F. Signage shall be limited to a single monument-type ground sign, not to exceed six feet in height, nor to exceed 32 square feet in area.
- I.G. Building and landscape plans shall be submitted for review and approval by the Director of Planning and Development.
- I.H. Access shall be limited to a single entrance/exit onto Hamilton Mill Road.
- I.I. Lighting shall be directed in toward the property so as not to reflect onto adjacent properties or roadways.
- I.J. Parking shall be provided to the rear of the existing structure.

The applicant requests that all existing conditions be removed with the exception of I.H., which is proposed to be revised to read as follows; “the number, design and location of exits / entrances shall be subject to review and approval of the Gwinnett Department of Transportation.”

The applicant requests that conditions requiring buffers be removed since the neighboring properties have also been rezoned to C-2. The letter further states that several other conditions are either governed by the Hamilton Mill Overlay District, the Buffer, Landscape and Tree Ordinance or the Sign Ordinance. The applicant also indicates that there have been similar requests approved on adjoining and nearby parcels.

The subject property is planned to be developed as part of a larger row of commercial buildings fronting Hamilton Mill Road. The subject property would contain two, single-story commercial buildings totaling 8,483 square feet of retail space and 66 parking spaces. Two driveways are proposed onto Hamilton Mill Road for the overall development, with a provision for interparcel access to adjoining outparcels.

The 2030 Unified Plan Future Development Map indicates that the property lies within an Existing/Emerging Suburban Character Area. This section of Hamilton Mill Road is characterized by commercial/retail uses with residential uses located beyond the commercial node. At the time of the rezoning of the subject property to C-2, the adjacent properties to the west and across Hamilton Mill Road to the north were zoned RA-200 (Agriculture-Residence District). In order to insure compatibility between these different uses, buffer requirements were placed on the subject property. Since 2001 the affected neighboring properties have also been rezoned to C-2. In light of the commercial zoning of these adjacent properties, the buffers would no longer be necessary, and their removal could be suitable.

The Department also notes that in 2006 the Hamilton Mill Overlay District requirements were established to ensure a higher development standard along these roadways. Therefore, the requested removal of redundant conditions of zoning from RZC-01-026 could be appropriate.

This would also be supported by a similar change in conditions action approved by the Board pursuant to CIC2010-00018 on the adjacent property to the east.

The subject property is planned to be developed in conjunction with the neighboring property governed by zoning case CIC2010-00018. As such, the Department suggests that the identical conditions be placed on the subject tract to ensure consistency within the development. A copy of the Board Resolution for CIC2010-00018 is attached for reference.

In light of the adoption of the Overlay District, the rezoning of the neighboring properties to C-2, and the change in condition actions by the Board on adjacent property, the Department could support the requested change in conditions and recommends **APPROVAL WITH CONDITIONS** of this request.

**ZONING HISTORY:**

The property was zoned RA-200 (Agriculture-Residence District) in 1970. The property was rezoned to C-2 in 2001, pursuant to RZC-01-026.

**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.

**DEVELOPMENT REVIEW SECTION COMMENTS:**

No comment.

**GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:**

Hamilton Mill 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.

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

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

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

**GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:**

Contact GCEHD concerning food service establishments planned for the project.

**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 and a 48-inch water main located on the northern right-of-way of Hamilton Mill Road.

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

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

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 175 feet southeast of the property.

The subject development is located within the North Chattahoochee 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 COMMENT SECTION:**

Building Plan Review has no objections under the following conditions:

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

3. Each building shall comply with the height and area limitations of Table 503 and the fire resistive and horizontal separation requirements of Table 601 and 602 of the 2006 International Building Code with Georgia state amendments based on occupancy group classification, type of construction, and location of each building from property lines and other buildings.
4. Architectural design of the proposed building (s) shall incorporate the requirements of the Activity Center/Corridor Overlay District, Section 1315 of the 1985 Zoning Resolution of Gwinnett County.
5. Upon completion of plan review approvals, the applicant shall obtain a building permit for each building and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

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

**GWINNETT COUNTY FIRE SERVICES COMMENTS:**

Fire plan Review has no objection to the request under the following conditions:

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

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

PLANNING AND DEVELOPMENT DEPARTMENT  
RECOMMENDED CONDITIONS

Additions in **BOLD**

Deletions in ~~STRIKETHROUGH~~

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

- I. To **restrict the use of the property and** satisfy the following site development considerations:
  - A. **Retail, service commercial and accessory uses.**
  - B. **Abide by all requirements of Section 1315 (Activity Center/Corridor Overlay District). This condition shall not preclude a variance application. Stucco may only be used as an accent building material.**
  - A. ~~Provide a 25-foot landscaped buffer along Hamilton Mill Road, planted with evergreens to provide an effective visual screen.~~
  - B. ~~Provide a 75-foot undisturbed buffer from the rear of the property, abutting RA-200 zoning, replanted where sparsely vegetated. The existing building encroachment in the buffer may remain.~~
  - C. ~~Provide a 20-foot undisturbed buffer from the northwest side, abutting an RA-200 use, replanted where sparsely vegetated.~~
  - D. ~~Dumpsters shall be screened with an opaque fence or wall. Hours of dumpster pickup shall be between 7:00 AM and 7:00 PM.~~
  - E. ~~Billboards shall not be permitted.~~
  - F. ~~Signage shall be limited to a single monument-type ground sign, not to exceed six feet in height, nor to exceed 32 square feet in area. **Ground signs shall be limited to monument-type signs with masonry bases matching the materials of the buildings.**~~
  - G. ~~Building and landscape plans shall be submitted for review and approval by the Director of Planning and Development.~~
  - H. ~~Access shall be limited to a single entrance/exit onto Hamilton Mill Road. **The number, design and location of exits/entrances shall be subject to review and approval of the Gwinnett and Georgia Departments of Transportation.**~~

- I. ~~Lighting shall be directed in toward the property so as not to reflect onto adjacent properties or roadways.~~ **Lighting shall be contained in cut-off type luminaries and shall be directed inward so as not to shine directly into adjacent and nearby residential properties.**
- J. ~~Parking shall be provided to the rear of the existing structure.~~
- K. **Provision of interparcel access with the adjacent commercial properties shall be required as determined by the Director of Planning and Development.**
- 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. 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.**
- N. **The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.**

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS  
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

In light of the rezoning of the surrounding properties to C-2 and establishment of the Hamilton Mill Overlay District, amending and or eliminating certain conditions could be suitable at this location.

ADVERSE IMPACTS

With anticipated commercial activity on the adjoining properties, the change in conditions and proposed use would not be expected to have adverse impacts on the community.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

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

CONFORMITY WITH POLICIES

The property is located at an established commercial node, surrounded by other commercial tracts. Conditions for buffers are not typically required between similarly-zoned properties, giving supporting grounds for approval of the request. Adjusting or removing other conditions could be consistent with previous Board approvals in the area (CIC2010-00018), as well as the Hamilton Mill Overlay District.

CONDITIONS AFFECTING ZONING

The subject property is planned to be developed in conjunction with the neighboring property governed by zoning case CIC2010-00018. As such, identical conditions should be placed on the subject tract to ensure consistency within the development.

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

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

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

- (A) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY: Yes, all adjacent properties are zoned "C-2" General Business District.
- 
- (B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY: No
- 
- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED: No, the sites to the south & west of the subject site have been rezoned to C-2 in 2005 and most conditions no longer apply. In addition, the 25' landscape buffer along Hamilton Mill is not consistent with the 2 sites to the east & west of the site. This buffer will significantly reduce the economic use
- (D) WHETHER THE PROPOSED CHANGE IN CONDITIONS WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS: No
- 
- (E) WHETHER THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN: Yes, the property zoning conforms with the Gwinnett County 2020 Land Use Plan.
- 
- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED CHANGE IN CONDITIONS: Yes, the property is no longer surrounded by RA 200 sites. All have been rezoned to "C-2" General Business. The subject site and surrounding sites will all follow the Highway 124/324/Hamilton Mill Overlay.



# W Wolverton & Associates

March 4, 2011

Gwinnett County, GA  
Department of Planning & Development  
446 West Crogan Street, Suite 275  
Lawrenceville, Georgia 30045

RE: Letter of Intent for Change in Conditions Application  
Granite Hamilton Mill, LLC (Parcel 1-001-024A)  
2740 Hamilton Mill Road, Buford, Georgia  
W&A Project No.: 08-124

To Whom It May Concern:

The attached proposed Change In Conditions (CIC) application is being submitted by Wolverton & Associates on behalf of Granite Hamilton Mill, LLC. The site is referenced as Parcel 1-001-024A and is 0.964 acre (41,974 S.F.). It is surrounded by Parcel 1-001-856 (aka BWD Hamilton Mill, LLC) to the east, Parcel 1-001-032 (aka Holliday property) to the west and south, and Hamilton Mill Road to the north, as shown on the Site Plan. The intent of the proposed Change In Conditions request is to remove the majority of the conditions imposed by zoning case RZC-01-026, dated August 8, 2001, from Parcel 1-001-024A as the surrounding properties have since been rezoned from RA-200 to C-2 and the Hamilton Mill Overlay District is now in effect.

The proposed commercial development on the affected property consists of two one-story buildings totaling 8,483 S.F. and 66 parking spaces. The proposed buildings will be less than 35' in height per the C-2 zoning classification requirements. When Parcel 1-001-024A was rezoned in August 2001, the neighboring Holliday property to the west and south was zoned RA 200. Therefore, because of the non-similar zoning uses at the time, the conditions of the RZC-01-026 required a 25' landscape buffer along Hamilton Mill Road, a 75' undisturbed buffer along the south property line and a 20' undisturbed buffer along the western property line.

In October 2005, the Parcel 1-001-032 (to the west and south) was rezoned C-2 with conditions per RZC-05-054. In addition, Parcels 1-001-856/857 (to the east) were rezoned (case CIC 05-010) to C-2 and more recently amended in case CIC 2010-00018. The enclosed CIC application requests that RZC-01-026 be amended to remove all conditions except H from Parcel 1-001-024A. Many of the conditions in RZC-01-026 were based directly on Gwinnett County's Activity Center / Corridor Overlay District Requirements because the Georgia Highway 124/324/Hamilton Mill Overlay District did not exist when RZC-01-026 was approved. The attached summary lists each condition in case RZC-01-026 and explains in detail the justification for removal or modification thereof. It is the intent of this CIC request to allow Parcel 1-001-024A to be developed in accordance with Gwinnett County's current zoning code overlay



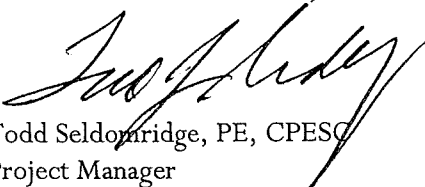
Gwinnett Co. Dept. of Planning & Development  
March 4, 2011  
Page 2

district requirements and development regulations in an effort to simplify the review process for County staff and therefore minimize the County resources required to complete this project.

Should you have any questions or need any further information in order to process this Change In Conditions application, please do not hesitate to contact me.

Sincerely,

**Wolverton & Associates, Inc.**

  
Todd Seldomridge, PE, CPESC  
Project Manager

Enclosures: Summary of RZC-01-026  
CIC Application  
CIC Checklist (with corresponding information attached)  
Gwinnett County Land Use Map (with site identified)

C: Edward Tam, BWD Hamilton Mill, LLC



RECEIVED 5-06-11  
CIC2011-00014

**Summary of Case Number RZC-01-026**  
**Page 1**

Note: Response comments by Applicant are shown in italics.

**Condition 1A** – Provide a 25' landscape buffer along Hamilton Mill Road, planted with evergreens to provide an effective visual screen.

*We would like to request that this condition be removed and allow the Hamilton Mill Overlay District and Section 4.1.1.a & 4.2.1 of Gwinnett County Buffer, Landscape & Tree Ordinance requirements to govern since the surrounding properties are zoned C-2. This would require a 10 ft landscape strip at the frontage of the property. The Hamilton Mill Overlay District requirements were not in place at the time of the last rezoning (case RZC-01-026).*

**Condition 1B** – Provide a 75' undisturbed buffer from the rear of the property, abutting RA-200 zoning, replanted where sparsely vegetated. The existing building encroachment in the buffer may remain.

*We would like to request removal of this condition and allow the Hamilton Mill Overlay District requirements to govern as the adjoining property to the north-west has been rezoned from RA-200 to C-2 (case number RZC-05-054). The Hamilton Mill Overlay District requirements were not in place at the time of the last rezoning (case RZC-01-026).*

**Condition 1C** – Provide a 20' undisturbed buffer from north-west side, abutting an RA-200 use, replanted where sparsely vegetated.

*We would like to request removal of this condition and allow the Hamilton Mill Overlay District requirements to govern as the adjoining property to the north-west has been rezoned from RA-200 to C-2 (case number RZC-05-054). The Hamilton Mill Overlay District requirements were not in place at the time of the last rezoning (case RZC-01-026).*

**Condition 1D** – Dumpster shall be screened with an opaque fence or wall. Hours of dumpster's pick-up shall be between 7:00 AM & 7:00 PM.

*Section 2.E of the Overlay ordinance requires the dumpsters to be screened on all four sides. We would like to request that this condition be removed and allow the Hamilton Mill Overlay District requirements to govern since the surrounding properties are zoned C-2. The Hamilton Mill Overlay District requirements were not in place at the time of the last rezoning (case RZC-01-026).*

**Condition 1E** – Billboards shall not be permitted.

*This condition is a requirement of the overlay ordinance (Section 4.A). We would like to request that this condition be removed and allow the Hamilton Mill Overlay District requirements to govern since the surrounding properties are zoned C-2. The Hamilton Mill Overlay District requirements were not in place at the time of the last rezoning (case RZC-01-026).*



RECEIVED 5-06-11  
CIC2011-00014

Summary of Case Number RZC-01-026  
Page 2

**Condition 1F** – Signage shall be limited to a single monument-type ground sign, not to exceed six-feet in height, nor to exceed 32 square feet in area.

*We would like to request that this condition be removed and allow the County's signage ordinance and Hamilton Mill Overlay District requirements to govern since the surrounding properties are zoned C-2. This will allow the same signage rights as the adjacent surrounding properties.*

**Condition 1G** – Building and landscape plans shall be submitted for review and approval by the Director of Planning & Development.

*We would like to request this condition be removed since the project is governed by the landscaping and architectural requirements of the Hamilton Mill Overlay District. The Hamilton Mill Overlay District requirements were not in place at the time of the last rezoning (case RZC-01-026).*

**Condition 1H** – Access shall be limited to a single entrance/ exit onto Hamilton Mill Road.

*We would like to have this condition revised to read as follows:*

*The number, design and location of exits/ entrances shall be subject to review and approval of the Gwinnett County Department of Transportation.*

**Condition 1I** – Lighting shall be directed in toward the property so as to not reflect onto adjacent properties or roadways.

*We would like to request that this condition be removed and allow the lighting requirements of the Hamilton Mill Overlay District and Gwinnett County Zoning ordinance (Section 1008 a – d) to govern since the surrounding properties are zoned C-2.*

**Condition 1J** – Parking shall be provided to the rear of the existing structure.

*We would like to request that this condition be removed and allow the Hamilton Mill Overlay District parking requirements (Section 3.D) to govern the proposed development since the surrounding properties are zoned C-2. The Hamilton Mill Overlay District requirements were not in place at the time of the last rezoning (case RZC-01-026).*



RECEIVED 5-06-11  
CIC2011-00014

CASE NUMBER RZC-01-026

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

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

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

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

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

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

RA-200 to C-2

by ROBERT W. ADAIR for the proposed use of

COMMERCIAL/RETAIL USES (REDUCTION IN BUFFERS) on a

tract of land described by the attached legal description, which

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

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

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on JULY 24, 2001 and objections were not filed.

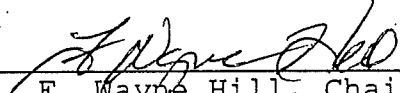
NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 24<sup>TH</sup> day of JULY, 2001, that the aforesaid application to amend the Official Zoning Map from RA-200 to C-2 is hereby APPROVED subject to the following enumerated conditions:

1. To satisfy the following site development considerations:
  - A. Provide a 25-foot landscaped buffer along Hamilton Mill Road, planted with evergreens to provide an effective visual screen.
  - B. Provide a 75-foot undisturbed buffer from the rear of the property, abutting RA-200 zoning, replanted where sparsely vegetated. The existing building encroachment in the buffer may remain.
  - C. Provide a 20-foot undisturbed buffer from the northwest side, abutting an RA-200 use, replanted where sparsely vegetated.
  - D. Dumpsters shall be screened with an opaque fence or wall. Hours of dumpster pickup shall be between 7:00 AM and 7:00 PM.

- E. Billboards shall not be permitted.
- F. Signage shall be limited to a single monument-type ground sign, not to exceed six feet in height, nor to exceed 32 square feet in area.
- G. Building and landscape plans shall be submitted for review and approval by the Director of Planning and Development.
- H. Access shall be limited to a single entrance/exit onto Hamilton Mill Road.
- I. Lighting shall be directed in toward the property so as not to reflect onto adjacent properties or roadways.
- J. Parking shall be provided to the rear of the existing structure.

GWINNETT COUNTY BOARD OF COMMISSIONERS

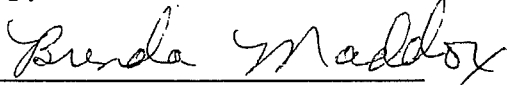
By:

  
F. Wayne Hill, Chairman

Date Signed:

Aug 8, 2001

ATTEST:

  
County Clerk

CASE NUMBER CIC2010-00018  
GCID 2010-1034

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>
Chairman	<u>VACANT</u>
Shirley Lasseter, District 1	<u>AYE</u>
Albert Nasuti, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>ABSENT</u>

On motion of COMM. BEAUDREAU, which carried 3-0, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from C-2 to C-2 by BWD HAMILTON MILL, LLC for a CHANGE IN CONDITIONS OF ZONING TO ELIMINATE BERM AND CERTAIN CONDITIONS OF ZONING 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 DECEMBER 14, 2010 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this the 14TH day of DECEMBER 2010, that the aforesaid application to amend the Official Zoning Map from C-2 to C-2 (CHANGE IN CONDITIONS) is hereby

**APPROVED** subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
  - A. Retail, service commercial, and accessory uses.
  - B. Abide by all requirements of Section 1315 (Activity Center/Corridor Overlay District). This condition shall not preclude a variance application. Stucco may only be used as an accent building material.
2. To satisfy the following site development considerations:
  - A. The number, design and location of exits/entrances shall be subject to review and approval of the Gwinnett and Georgia Departments of Transportation.
  - B. Ground signs shall be limited to monument-type signs with masonry bases matching the materials of the buildings.
  - C. Lighting shall be contained in cut-off type luminaries and shall be directed inward so as not to shine directly into adjacent and nearby residential properties.
  - D. Provision of interparcel access with the adjacent commercial properties shall be required as determined by the Director of Planning and Development.

- 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 shall be prohibited.
- F. Peddlers and/or parking lot sales shall be prohibited.
- G. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

GWINNETT COUNTY BOARD OF COMMISSIONERS

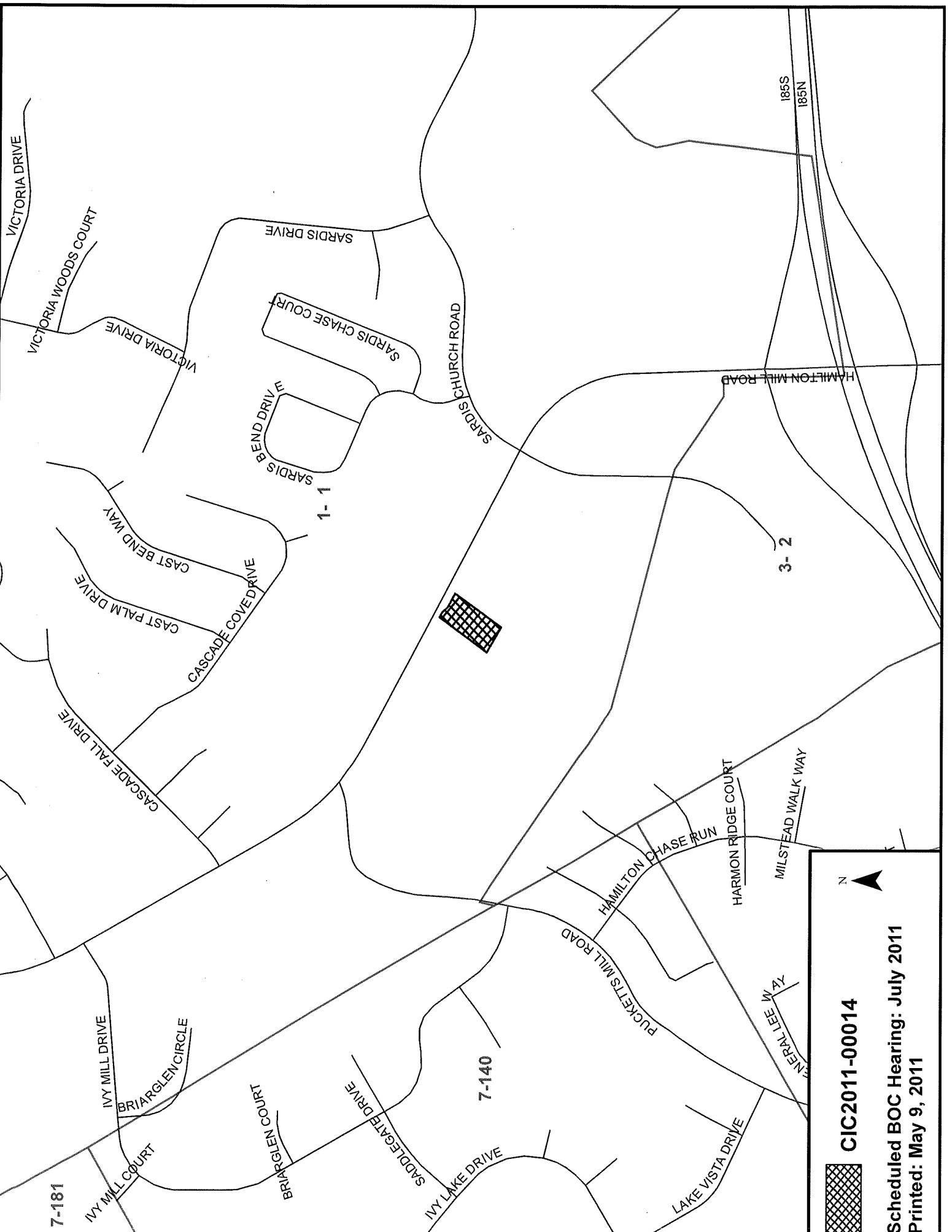
By: *Shirley Lasseter*  
Shirley Lasseter, Vice Chairman

Date Signed: 12/29/10

ATTEST:

*Diana Kemp*  
County Clerk/Deputy County Clerk





**CIC2011-00014**



**Scheduled BOC Hearing: July 2011**  
**Printed: May 9, 2011**

7-181

7-140

3-2

1-1

VICTORIA DRIVE

VICTORIA WOODS COURT

VICTORIA DRIVE

SARDIS DRIVE

SARDIS CHASE COURT

SARDIS BEND DRIVE

SARDIS CHURCH ROAD

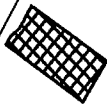
HAMILTON MILL ROAD

185S  
185N

CAST BEND WAY

CAST PALM DRIVE

CASCADE COVE DRIVE



CASCADE FALL DRIVE

HAMILTON CHASE RUN

HARMON RIDGE COURT

MILSTEAD WALK WAY

IVY MILL DRIVE

BRIARGLEN CIRCLE

BRIARGLEN COURT

SADDLEGATE DRIVE

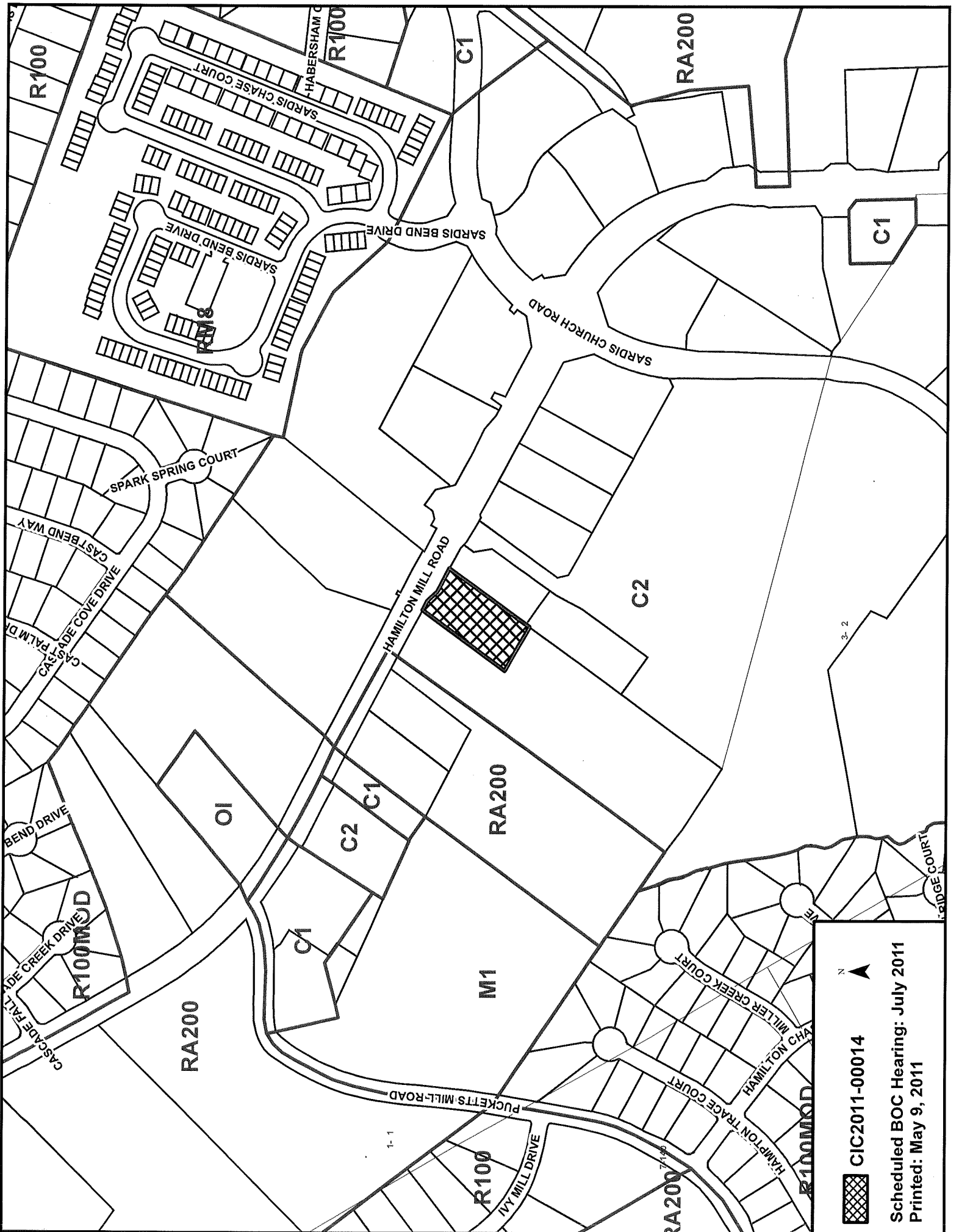
IVY LAKE DRIVE

BUCKETTS MILL ROAD

GENERAL LEE WAY

LAKE VISTA DRIVE





 CIC2011-00014

Scheduled BOC Hearing: July 2011  
 Printed: May 9, 2011



N

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

CASE NUMBER :**SUP2011-00032**  
ZONING :C-2  
LOCATION :700 BLOCK OF BEAVER RUIN ROAD  
MAP NUMBER :R6158 011  
ACREAGE :0.97 ACRE  
PROPOSED DEVELOPMENT :TRUCK RENTAL  
COMMISSION DISTRICT :(2) HOWARD

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

APPLICANT: MATTRESSES AND MORE, INC.  
715 BEAVER RUIN ROAD  
LILBURN, GA 30047

CONTACT: ALAN LASKY           PHONE: 770.935.7780

OWNER:       DEWEY PAUL MARTIN  
              POST OFFICE BOX 1301  
              WINDER, GA 30680

DEPARTMENT RECOMMENDATION: **DENIAL**

**PROJECT DATA:**

The applicant request a Special Use Permit on a 0.97 acre parcel, zoned C-2 (General Business District), to allow truck rental. The subject property is located on the southwest side of Beaver Ruin Road, just south of Shady Drive. The site is developed with a 5,105 square foot building, associated parking, driveways and accessory structures. Access would be provided through the existing driveway onto Beaver Ruin Road.

Mattresses and More, Inc., a mattress and furniture store, currently occupies the subject property, and has been renting trucks for several months without the necessary Special Use Permit from the County. The applicant's request is the result of a Code Enforcement Unit case (CEU2011-01915).

The letter of intent proposes rental trucks ranging in size from 16 to 26 feet. The trucks would be parked to the side and rear of the building, and five to ten trucks could be on the property at any given time.

**ZONING HISTORY:**

The subject property has been zoned C-2 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.

DEVELOPMENT REVIEW SECTION COMMENTS:

Parking spaces shall be provided at a ratio of:

Minimum one space per 300 square feet for Truck Rental (no minimum for inventory)

Maximum one space per 150 square feet for Truck Rental (no maximum for inventory)

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

No comment.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

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

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

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

Fire plan Review has no objection to the request under the following conditions:

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

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

DEPARTMENT ANALYSIS:

The subject property is located on southwest side of Beaver Ruin Road, just south of Shady Drive. The property is currently developed with a 5,105 square foot mattress and furniture store, associated driveways, parking and accessory buildings.

The 2030 Unified Plan Future Development Map indicates the site is located within an Existing/Emerging Suburban Character Area. The Unified Plan may not support further congesting the site with rental trucks, potentially degrading the appearance of the property and negatively impacting the surrounding community.

The area surrounding the site is characterized by commercial and residential uses along this segment of Beaver Ruin Road. The uses within the immediate area consist of a skating rink, office uses, places of worship, convenience, drug and grocery stores. The Falling Leaf Estate subdivision is located adjacent to the west of the subject property. It is noted that the property is narrow and would have little room for parking trucks out of view of Beaver Ruin Road. In the Department's opinion, the rear of the property is unsuitable for parking of large box trucks and would be difficult to navigate. The addition of five to ten rental trucks could lead to undue congestion, clutter, visual blight, and other impacts in light of the small size and visibility of the property's location. Therefore, given the potential for negative impacts affecting the surrounding area, truck rental would not be considered appropriate at this location.

In conclusion, the proposed request for truck rental could adversely impact the surrounding community, may be too intense for the size of the site, and could be considered incompatible with the Unified Plan. 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 for truck rental subject to the following enumerated conditions:

1. Retail, service-commercial and accessory uses which may include truck rental.
2. Truck rental shall be limited to no more than three trucks. Rental trucks shall be no larger than 16-foot box trucks, which must be parked to the side or rear of the building, outside of the 50 foot front yard setback.
3. Tow-behind rental trailers shall be prohibited.
4. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
5. Peddlers and/or parking lot sales shall be prohibited.
6. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS  
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

In light of adjacent residential uses and the narrow, congested configuration of the site, the proposed use may not be suitable at this location.

ADVERSE IMPACTS

Adverse impacts in the form of congestion, clutter, visual blight and other impacts, such as noise and traffic, could be associated with allowing truck rental on the scale proposed by the applicant.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

A small increase in traffic could be anticipated from the proposed use.

CONFORMITY WITH POLICIES

Truck rental may not be considered consistent with the Gwinnett County 2030 Unified Plan, the property is small and narrow, and allowing 5-10 large box trucks at this location could introduce an intensity of use which is not supported by the Unified Plan, and is undesirable for the surrounding area.

CONDITIONS AFFECTING ZONING

The property currently has a pending Code Enforcement Unit citation for the non-conforming use of the site as a truck rental facility without proper County approval.

**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 IF NECESSARY:

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

Yes. The Property is currently zoned C-2, general business. Accordingly, all nearby and adjacent property developments are commercial in nature.

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

No. The rental of Penske Trucks will not negatively impede upon the viability of those businesses.

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

No. Under current economic conditions, the supplemental income from truck rental (Special Use) will help ensure that business remains on the property.

- D. WHETHER THE PROPOSED SPECIAL USE PERMIT WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR SURDEN SOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES OR SCHOOLS?

No. The small size of the rental fleet will not create any burden to existing streets.

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

Yes. Truck rental is a contemplated special use under "Section 1308" of the 1985 Zoning Regulations, as Amended. Please see "Special Uses", Paragraph 9

- 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?

Yes. The rental of moving trucks is a compliments the sale of mattresses for relocating families.



RECEIVED 4-13-11  
SUP2011-00032

# **MATTRESSES AND MORE, INC.**

**715 BEAVER RUIN ROAD**

**LILBURN, GA 30047**

PHONE (770) 935-7780

FAX-(770) 935-7790

## **Via Hand Delivery**

Gwinnett County  
Department of Planning & Development  
Planning Division  
446 West Crogan Street, Suite 275  
Lawrenceville, GA 30046

### **LETTER OF INTENT**

To Whom It May Concern,

This is to supplement the Application of Mattresses and More, Incorporated's (the "Company") Application for a Special Use Permit for the rental of Penske Moving Trucks on the property located at 715 Beaver Ruin Road, Lilburn, Gwinnett County, Georgia (the "Property").

If permitted, the Company will inventory and offer for rent approximately five moving vans; to wit: three 16 foot trucks, one 22 foot truck and one 26 foot truck. The number of vans on the Property may vary slightly on occasion depending upon supply and customer traffic. The maximum number of vans on the Property at any one time will never, however, exceed ten vans.

The enclosed boundary line survey/site plan illustrates that there is ample room for the storage of the vans in the rear and side of the eastern most building closest to Beaver Ruin Road. Storage in the rear and on the side of the building will prevent the trucks from occupying space preserved for the Company's mattress and furniture sales. Furthermore, it will prevent any visibility issues for traffic on Beaver Ruin Road or adjacent land owners.

The rental of moving vans is a special use contemplated by the current Zoning Regulations, As Amended for the Commercial 2 District. Furthermore, the rental of moving vans supplements the sale of furniture and mattresses for relocating families. Also, the rental and storage of these vans will not negatively impact the surrounding area or businesses. Finally, the supplemental income will provide additional income needed to maintain a successful/charitable (see attached letters) business on the Property.

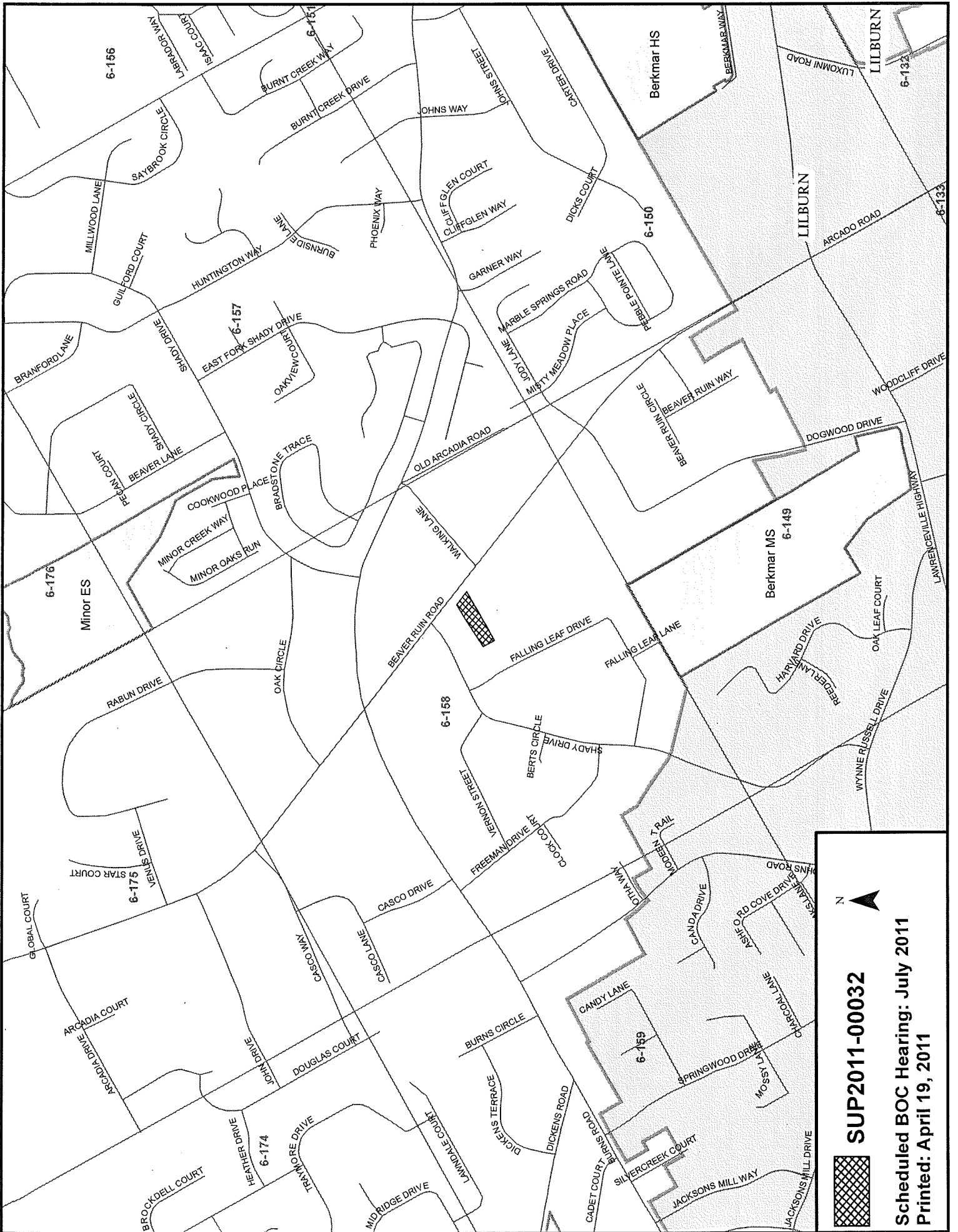
For the reasons above, Mattresses and More, Inc. respectfully requests the applied for Special Use Permit. I am available to answer any questions at the number above. Thank you for your consideration.

Sincerely,

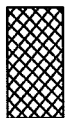
Alan Lasky, Sr., President  
Mattresses and More, Inc.  
*Please see the attached letters of recommendation.*



RECEIVED 4-13-11  
SUP2011-00032

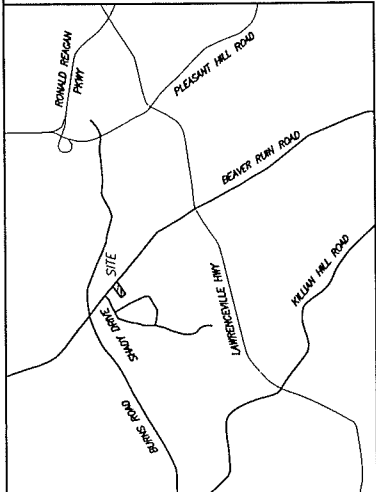
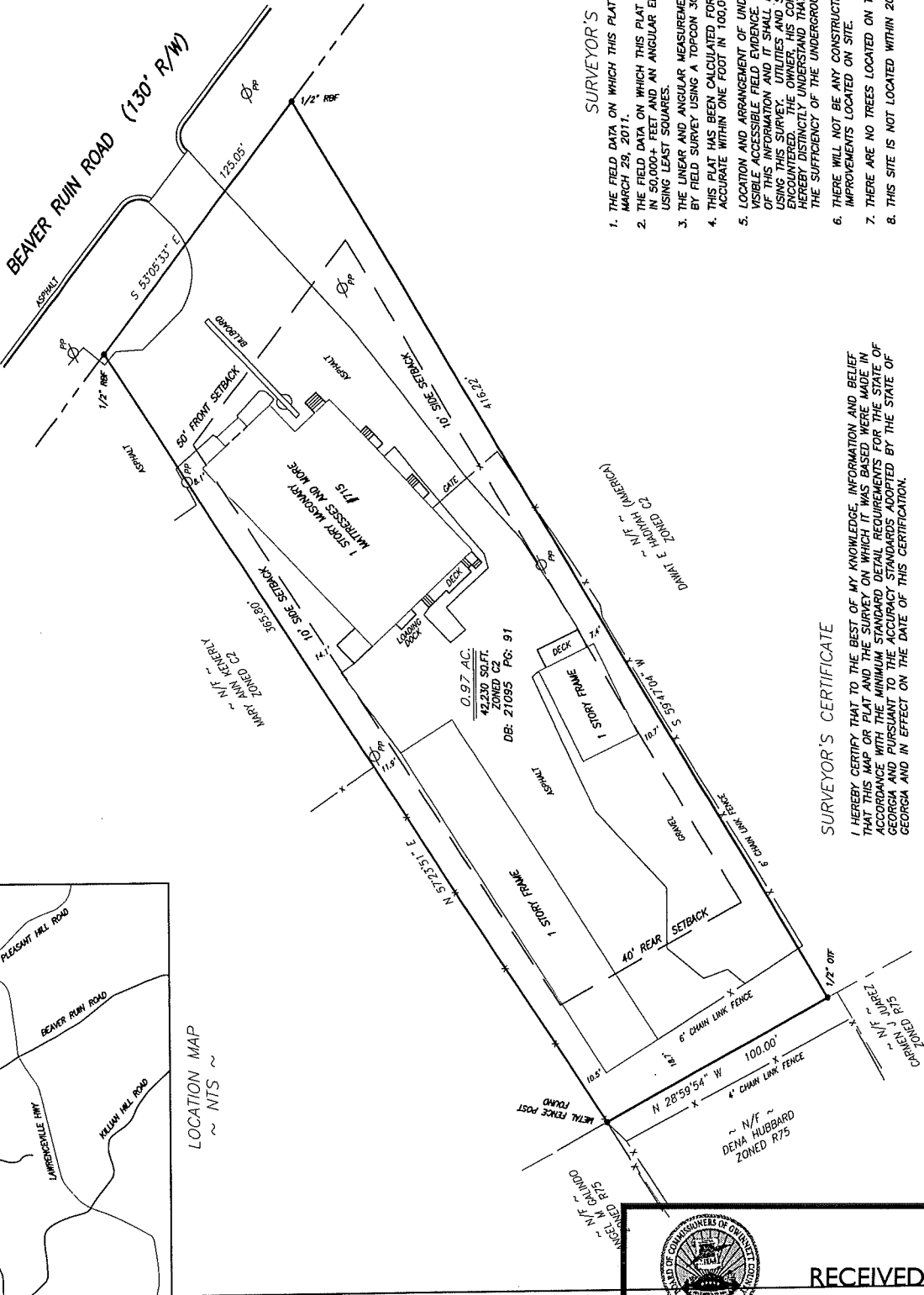


**SUP2011-00032**



**Scheduled BOC Hearing: July 2011  
Printed: April 19, 2011**

OWNER/CONTACT:  
 MATTRESSES AND MORE  
 ALAN LASKY, SR.  
 715 BEAVER RUIN ROAD  
 LILBURN, GA 30047  
 (770) 935-7780



**SURVEYOR'S NOTES**

1. THE FIELD DATA ON WHICH THIS PLAN IS BASED WAS COMPLETED ON MARCH 28, 2011.
2. THE FIELD DATA ON WHICH THIS PLAN IS BASED HAS A CLOSURE OF ONE FOOT IN 5000+ FEET AND AN ANGULAR ERROR OF 1" PER ANGLE, AND WAS ADJUSTED USING LEAST SQUARES.
3. THE LINEAR AND ANGULAR MEASUREMENTS SHOWN ON THIS PLAN WERE OBTAINED BY FIELD SURVEY USING A TOPCON 3003 ELECTRONIC TOTAL STATION.
4. THIS PLAN HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000+ FEET.
5. LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES ARE PROVIDED BY VISIBLE ACCESSIBLE FIELD EVIDENCE. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS SURVEY. UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS CONSULTANT, AND THE SURVEYOR IS NOT RESPONSIBLE FOR HEREBY DISTINCTLY UNDERSTANDING THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE SUFFICIENCY OF THE UNDERGROUND UTILITY INFORMATION PROVIDED HEREON.
6. THERE WILL NOT BE ANY CONSTRUCTION, DEMOLITION OR REMOVAL OF ANY IMPROVEMENTS LOCATED ON SITE.
7. THERE ARE NO TREES LOCATED ON THIS SITE.
8. THIS SITE IS NOT LOCATED WITHIN 200' OF ANY STATE WATERS.

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT WAS BASED WERE MADE IN ACCORDANCE WITH THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR THE STATE OF GEORGIA AND PURSUANT TO THE ACCURACY STANDARDS ADOPTED BY THE STATE OF GEORGIA AND IN EFFECT ON THE DATE OF THIS CERTIFICATION.

DRAWN BY: JIMY
APPROVED BY: JIMY
DATE: 3-22-11
PROJECT: 11050
DWG NAME: TAYLORSVILLE9AC.DWG

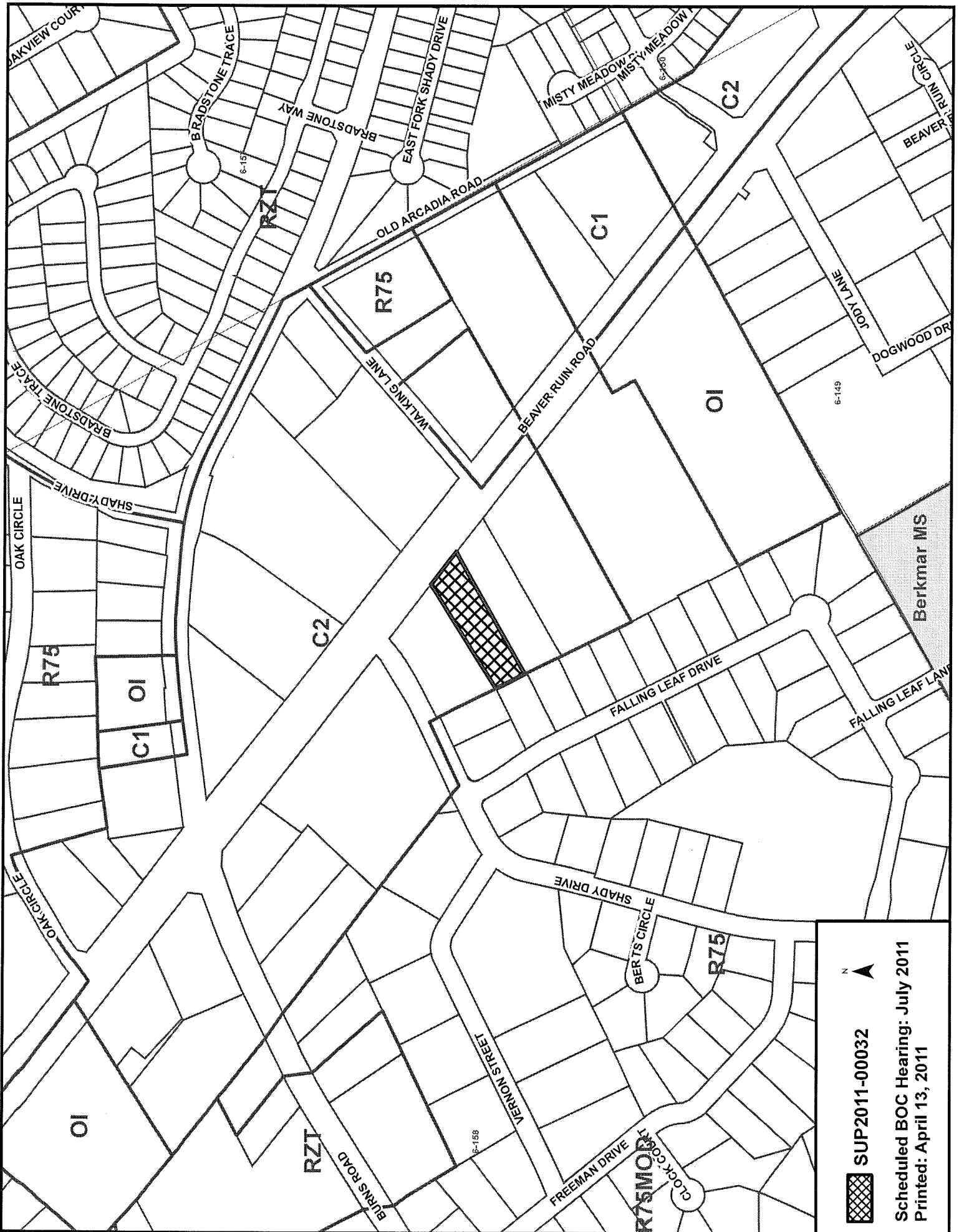
SITE PLAN FOR:  
 ALAN LASKY  
 MATTRESSES AND MORE  
 715 BEAVER RUIN ROAD  
 LAND LOT 158 ~ 5TH DISTRICT  
 GWINNETT COUNTY, GEORGIA



773 CHANSON DRIVE  
 MARIETTA, GA 30064  
 PHONE: (770) 862-0799  
 WWW.LANDANSWERS.NET  
 EMAIL: QUESTIONS@LANDANSWERS.NET



RECEIVED 4-13-11  
 SUP2011-00032



SUP2011-00032

Scheduled BOC Hearing: July 2011  
 Printed: April 13, 2011



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

CASE NUMBER :**SUP2011-00033**  
ZONING :M-1  
LOCATION :1600 BLOCK OF OAKBROOK DRIVE  
MAP NUMBER :R6196 113  
ACREAGE :4.21 ACRES  
PROPOSED DEVELOPMENT :CHURCH  
SQUARE FEET :5,120 SQUARE FEET  
COMMISSION DISTRICT :(1) LASSETER

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

APPLICANT: LIGHTHOUSE CHAPEL INTERNATIONAL  
9135 RUEL LANE  
SUWANEE, GA 30024

CONTACT: PATRICK ACQUAH                      PHONE: 678.350.5360

OWNER: BUSINESS PARK INVESTORS GROUP, LLC  
1600 OAKBROOK DRIVE, SUITE 540  
NORCROSS, GA 30093

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

**PROJECT DATA:**

The applicant requests a Special Use Permit on a 4.21-acre parcel, zoned M-1 (Light Industry District), to allow a church within an existing office/warehouse building. . The property is located within the Five Oaks/Oakbrook Center business park, on the south side of Oakbrook Drive, west of its intersection with Center Way.

The church would occupy Suite 540, which contains 5,120 square feet of floor area. Access is via two driveways onto Oakbrook Drive, and there are 178 existing parking spaces shared among the various suites. The applicant's letter of intent states that the leased space would primarily be used as a church for 50-75 people for weekly worship. Additionally, the church functions as a non-profit outreach organization for the greater community, providing counseling programs for financial management, employment, education, and assistance with food and clothing. These programs are designed to assist the economically disadvantaged in the community.

The applicant is reminded that if a private school or a commercial daycare is planned in the future, approval of additional Special Use Permits would be required.

**ZONING HISTORY:**

In 1970, the subject property was zoned M-1 and RM (Multifamily Residence District). The RM portion of the property was rezoned to M-1 per an area-wide rezoning in 1972.

**GROUNDWATER RECHARGE AREA:**

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

**WETLANDS INVENTORY:**

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

**DEVELOPMENT REVIEW SECTION COMMENTS:**

Parking spaces shall be provided at a ratio of:  
Minimum one space per 5 seats in main Sanctuary  
Maximum one space per 2 seats in main Sanctuary

**GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:**

No comment.

**GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:**

No comment.

**GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:**

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

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

**BUILDING CONSTRUCTION SECTION COMMENTS:**

Building Plan Review has no objections under the following conditions:

- I. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for any proposed interior tenant space modifications or exterior modifications for review and approval by Building Plan Review.

2. Upon completion of plan review approvals, the applicant shall obtain a building permit for any proposed modification/renovation work and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.
3. The applicant shall submit structural details for fences exceeding 8 feet in height and achieve satisfactory field inspections for a Certificate of Occupancy.

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

#### GWINNETT COUNTY FIRE SERVICES COMMENTS:

Fire plan Review has no objection to the request under the following conditions:

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

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

#### DEPARTMENT ANALYSIS:

The subject property is a 4.21-acre parcel located on the south side of Oakbrook Drive, west of its intersection with Center Way. The property is developed with an existing office/warehouse building within the Five Oaks/Oakbrook Center business park.

The 2030 Unified Plan Future Development Map indicates that the property lies within the Regional Mixed-Use Corridor. Church activities within an office/warehouse building could be compatible with this designation. Over the past several years, the Board has approved numerous similar requests to locate churches within office and industrial parks throughout the County, suggesting that this request could be suitable.

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, Vision Flooring Solutions and Nanston Dental Group. Adjacent to the rear of the property are the Oakbrook Point apartments. If properly conditioned, the proposed church could be compatible with these nearby uses since church services typically operate during different hours of the day and days of the week than neighboring businesses.

With conditions, the proposed church and community outreach programs within the existing building could be consistent with past Board actions approving churches within industrial zones

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 church subject to the following enumerated conditions:

1. A church and accessory outreach ministry, 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 community outreach activities shall be conducted indoors.
4. 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 or bandit signs shall be prohibited.
5. Peddlers or parking lot sales shall be prohibited.
6. 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 existence of adequate parking facilities, the requested Special Use Permit allowing a church could be suitable at this location.

ADVERSE IMPACTS

With the recommended conditions, including a restriction on outdoor activities, potential impacts on fellow tenants of the office park or 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 churches within office/business parks in the County.

CONDITIONS AFFECTING ZONING

The site's proximity to other businesses and multifamily residences suggests that it is appropriate to prohibit church activities outdoors.

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

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

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

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

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

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

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(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 attachment)

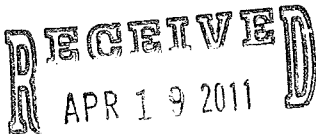
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(E) WHETHER THE PROPOSED SPECIAL USE PERMIT IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:  
(See attachment)

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(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 attachment)

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**STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER**

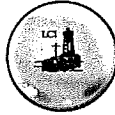
PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE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

- 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:  
Zoning resolution requires that during the review process, particular emphasis be given to the evaluation of the characteristics of the proposed use in relationship to its immediate neighborhood and the compatibility of the proposed use with its neighborhood. The applicant shows that the proposed church use is a use that is suitable in view of the use and development of nearby properties and the need for a place of worship so that Lighthouse members in Lawrenceville/Norcross area may practice their faith in Norcross, GA. The proposed property will be suitable in view of the use and development of adjacent and nearby property. The comprehensive area is a mixture of business offices, shops and subdivisions where some of the members of Lighthouse Chapel reside.
  
- 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 affect the existing use or usability of adjacent or nearby property. Our meeting times don't conflict with regular business hours. The building won't be occupied during regular business hours i.e. 8am-5pm and will be used only during off peak and weekends only. The density of development and neighboring properties will not be affected by the height or structure of the building. The applicant is not making any structural changes to the property.
  
- C. WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED SPECIAL USE PERMIT HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED: Further, without the grant of the special use permit, the property as zoned has no other reasonable economic use to the congregation. The congregation's sole purpose is religious worship and bible education. The congregation does not engage in any agricultural endeavors. The use of the property as a church will not be disruptive to the surrounding neighborhood as the congregation does not operate day-care, school or host any out-door sporting events.
  
- 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 result in burdensome or excessive use of existing streets. The study reflects 35 vehicles on Sundays traversing the Oakbrook parkway, when applicant will be attending meeting of worship. On average 60 people attend one service on Sundays (10am-12.30pm) and 20 people attend on service on Tuesday evenings (7.30pm-8.30pm)
  
- 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: Applicant is not aware of any conditions that gives support for grounds of disapproval

SUP '11 0 3 3

**RECEIVED**  
APR 19 2011

BY: .....



Lighthouse Chapel International  
3040 Holcomb Bridge Road, Norcross, GA 30071

**Chairman, Board of Commissioners**

Gwinnett County  
Department of Planning & Development  
Planning Division  
446 West Crogan Street, Suite 275  
Lawrenceville, Georgia 30046  
**(678) 518-6020**

**Re: Application for Special Use Permit**

**LETTER OF INTENT**

**Dear Commissioners:**

The Norcross Congregation of Lighthouse Chapel International request a special use permit to have building 1600 Oakbrook Parkway (suite 540), Norcross, GA for church office and assembly

This formal request for a Special Use Permit is made to Gwinnett County Department of Planning & Development, GA on behalf of The Lighthouse Chapel International by Patrick Acquah, Pastor of Local Branch of Lighthouse Chapel International. This document along with the accompanying application is submitted to request that the stated building be granted Special Use for Church office/assembly.

**Statement of Commitment**

Lighthouse Chapel International is totally committed to upholding a standard of excellence in the Norcross community. We will work closely with building owners and other tenants to enhance the attractiveness, aesthetic value and appearance of the premises and common areas. We will conduct ourselves according the Biblical principles in the community and uphold the standards of Jesus Christ in our conduct and character. All events will be conducted in compliance with City of Norcross laws and ordinances. Our congregation is totally committed to good citizenship and stewardship in the City of Norcross and we pledge to work in partnership with fellow Churches, faith-based organizations, social, and service organizations to raise a standard of excellence for families and youth of the city.

**Norcross/Gwinnett County Community Involvement**

Lighthouse Chapel International members are active in the Norcross/Gwinnet County community and have been for several years. We are totally committed to fostering Biblical family values by sustaining strong marriages, training our children to be excellent in spirit, character, reputation, relationships and work habits. We are committed to "letting our light so shine before men that they may see our good works and glorify our father which is in heaven".

SUP '11 0 3 3



*Lighthouse Chapel International*  
3040 Holcomb Bridge Road, Norcross, GA 30071

We have been actively involved in the life of the City of Norcross.

In addition to the regular worship services and Bible studies, Lighthouse Chapel International will offer the following expanded programs and ministries to the Norcross community.

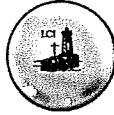
- Food Distribution Ministry – Occasional distribution of fresh, canned and dried foods to families in need
- Employment workshop
- Financial management workshops for Families and Youth
- Family Life Workshop

Lighthouse Chapel International will operate in full compliance with the Gwinnet County Codes and Ordinances. Our new location at 1670 Oakbrook Drive, Suite 380 places us in the Jimmy Carter Gateway of the city. We will work closely with owners and other tenants to enhance the attractiveness, aesthetic value and appearance of the premises and common areas. All outdoor events will be conducted in compliance with City of Norcross laws and ordinances. Our congregation is totally committed to good citizenship and stewardship in the City of Norcross and we pledge to work in partnership with fellow Churches, faith-based organizations, social, and service organizations to raise a standard of excellence for families and youth of the city.

#### **LEGAL DESCRIPTION:**

All that tract or parcel of land lying and being in Land Lot 196, 6th District, Gwinnett County, Georgia, and being more particularly described as follows:

COMMENCING at an iron pin on the southwesterly right-of-way of Oakbrook Drive (80 foot right-of-way) said iron being 736.00 feet southeasterly from the intersection of the southwesterly right-of-way of Oakbrook Drive and the southerly right-of-way of Oakbrook Parkway if said rights-of-way were extended to intersect; thence along the southwesterly right-of-way of Oakbrook Drive, South 40°22'15" East a distance of 14.68 feet to a point; thence continuing along said right-of-way, along the arc of a curve to the left having a radius of 300.44 feet an arc distance of 45.49, and a chord bearing of South 44°42'12" East a distance of 45.45 feet to an iron pin found, thence continuing along the southwesterly right-of-way of Oakbrook Drive (80' right-of-way) along the arc of a curve to the left, an arc distance of 144.83 feet, said curve having a radius of 300.44 feet and a chord bearing of South 62°51'05" East, a distance of 143.43 feet to an iron pin found; thence along the arc of a curve to the left a distance of 136.42 feet, said curve having a radius of 300.44 feet and a chord bearing of South 89°40'10" East, a distance of 135.25 feet to point; thence continuing along said right-of-way along the arc of a curve to the left a distance of 193.53 feet, said curve having a radius of 300.44 feet, and a chord bearing of North 58°52'06" East a distance of 190.20 feet to a point, thence North 40°25'00" East a distance of 105.19



Lighthouse Chapel International  
3040 Holcomb Bridge Road, Norcross, GA 30071

feet to a point, and the TRUE POINT OF BEGINNING; thence North 40°25'00" East a distance of 329.89 feet to a point, thence leaving said right-of-way South 49°38'00" East a distance of 485.00 feet to a point, thence South 44°55'00" West a distance of 452.00 feet to a point, thence North 34°36'07" West a distance of 465.35 feet to a point, on the southerly right-of-way of Oakbrook Drive, and the TRUE POINT OF BEGINNING;

Said property contains 4.211 acres, more or less and more particularly shown on that drawing labeled Final Plat Five Oaks Business Park #1600, #1650 & #1670 Oakbrook Drive, prepared by ARCADIS, last revised February 09, 2007.

**Proposed use of the property:**

The attached site plan proposes a 5,120 square foot, brick building with a seating capacity of 50-75 people for weekly worship. The congregation does not engage in any other business or economic endeavors. The congregation's sole purpose is religious worship and bible study. The use of the property as a church will not be disruptive to the surrounding businesses as the congregation will not operate day care, school or host any outdoor activity. Our normal meetings are held after hours on Tuesdays 7.30pm to 9pm and Sundays, 10am-12:30pm.

The church building will provide a much needed place for worship for 60 members residing in the Norcross area. These members love the Norcross area and have been very instrumental in community outreaches-food and clothing drive. Granting them the special use permit will allow them to continually be engaged in city/county they love to live in.

**Acreage or size of the tract:** 183,414 square feet or 4.211 acres

**Zoning classification requested:** The congregation of Lighthouse Chapel International is requesting zoning reclassification to enable the congregation to have church office/assembly area. Current location is zoned M1 and need reclassification for church office/assembly.

**Number of lots or number of dwelling units proposed house size proposed:** All that tract or parcel of land lying and being in Land Lot 196, 6th District, Gwinnett County, Georgia has 3 lots (Lots 3, 4, 5). The request SUP applies to Lot 5.

**Density in terms of gross square footage per acre for proposed commercial, industrial, office or institutional use)-**Per the attached site plan, the entire size of Tract 3, where our church will be located is 183,414 or 4.211 square feet

**Number of parking spaces:** The total number of parking is 571 regular spaces and 17 handicap spaces. Tract 3 where our church will be located has 174 regular spaces and 4 handicap spaces.



Lighthouse Chapel International  
3040 Holcomb Bridge Road, Norcross, GA 30071

**Height of buildings: 20 feet**

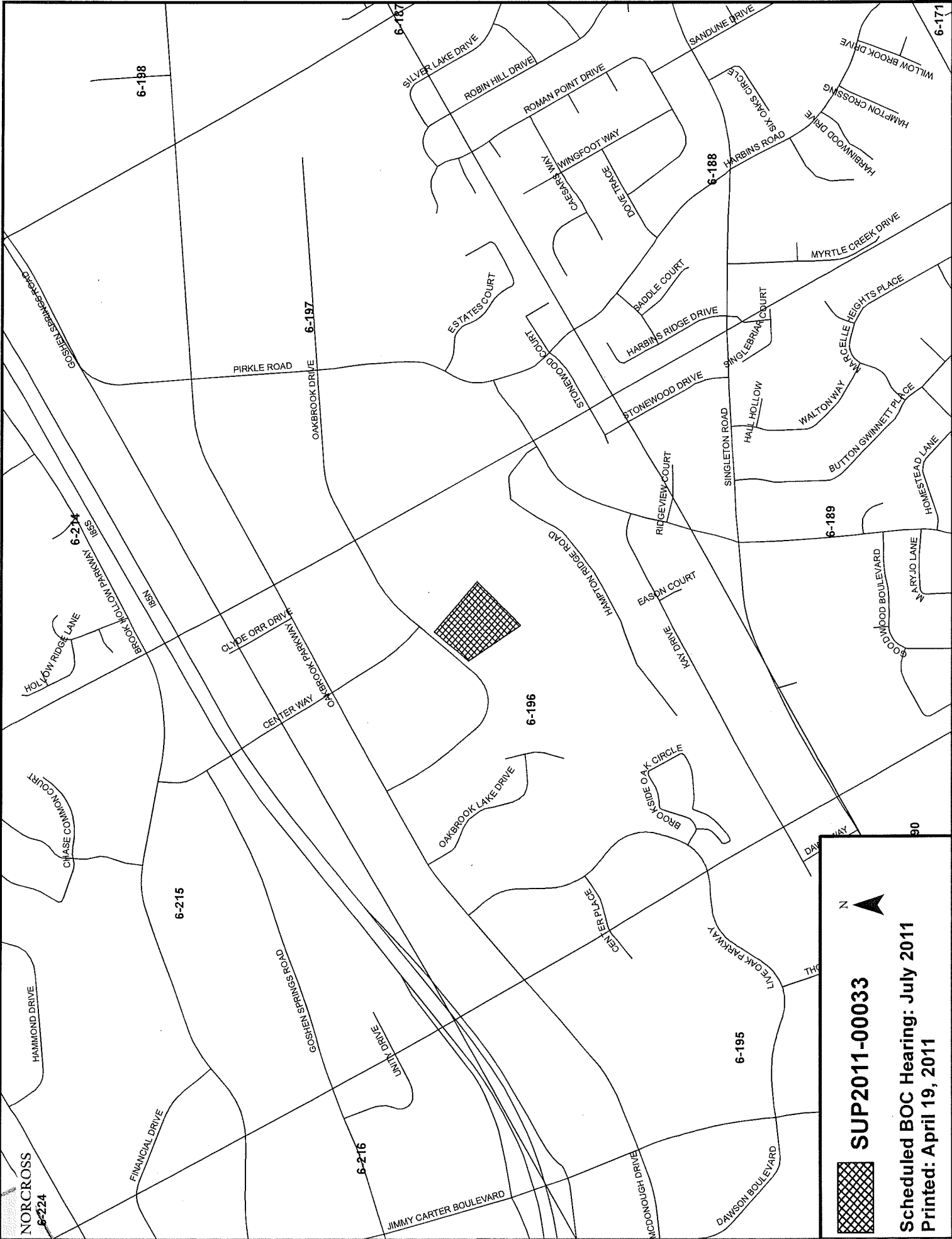
**Any requested change in buffers: There is no proposed change in buffer for this location**


**CC: Rev. Joel Obuobisa, General Superintendent, Lighthouse Chapel International North America**  
**Dr. Kodwo Orleans-Lindsay-General Overseer, Ethos Diocese**  
**Dzinyo Amekudzi-Associate Pastors, Lighthouse Chapel International, Norcross, GA**  
**Emmanuel Kwakye-Associate Pastor, Lighthouse Chapel International, Norcross, GA**

**RECEIVED**  
**APR 19 2011**

**BY: .....**

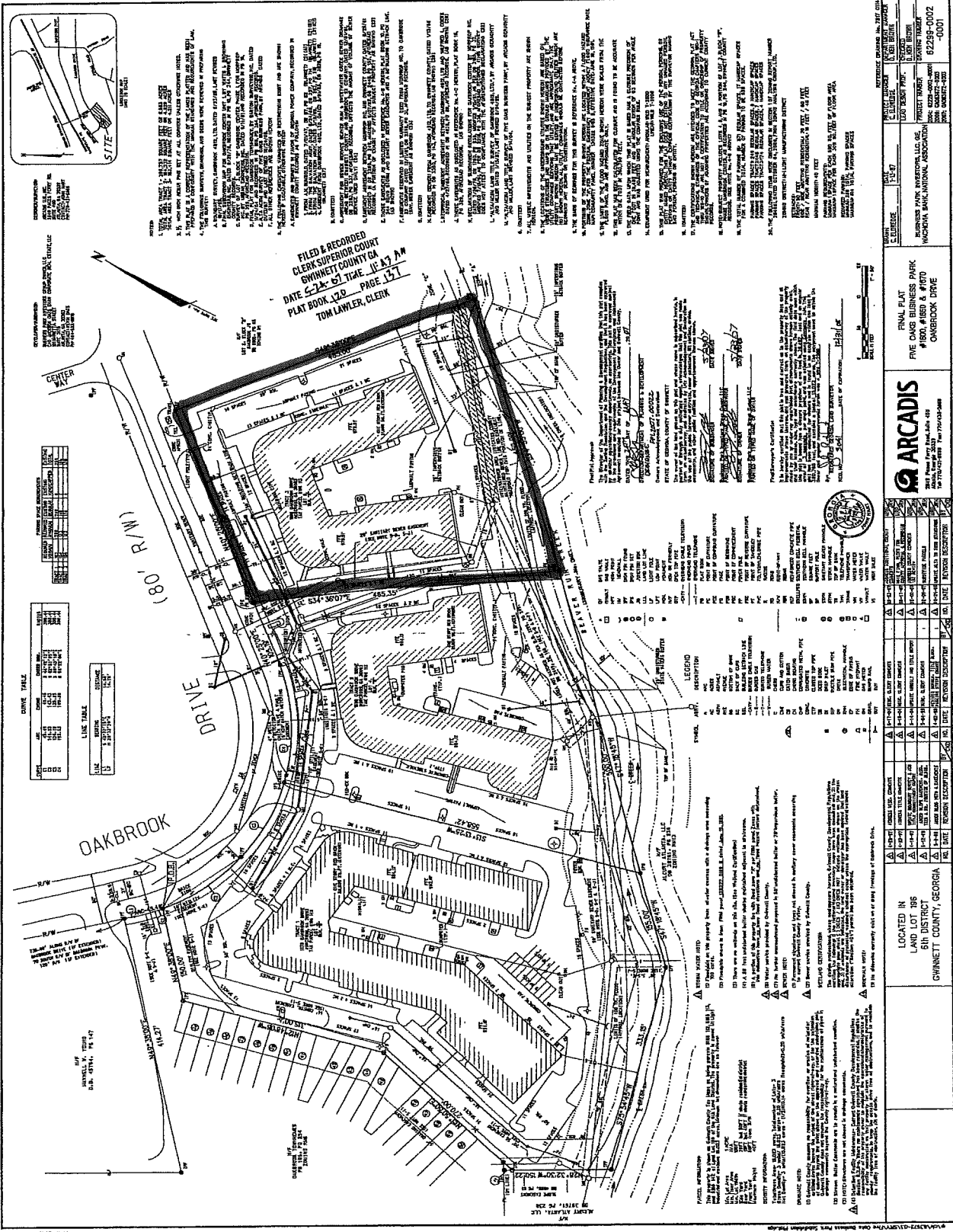
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**SUP2011-00033**  
 Scheduled BOC Hearing: July 2011  
 Printed: April 19, 2011

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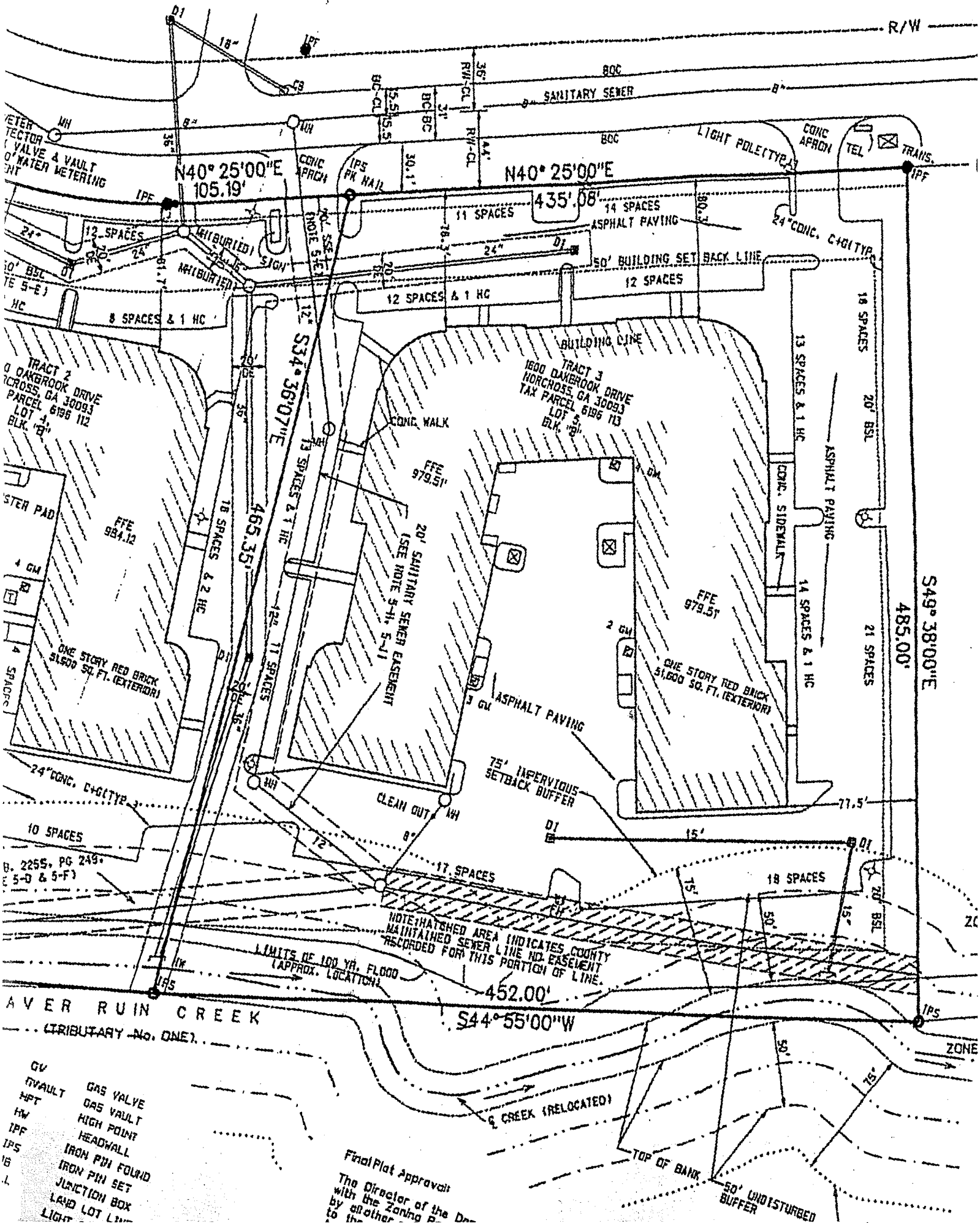
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NO.	DATE	REVISION DESCRIPTION
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3	05/14/10	ISSUE FOR PERMIT
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94	05/14/10	ISSUE FOR PERMIT
95	05/14/10	ISSUE FOR PERMIT
96	05/14/10	ISSUE FOR PERMIT
97	05/14/10	ISSUE FOR PERMIT
98	05/14/10	ISSUE FOR PERMIT
99	05/14/10	ISSUE FOR PERMIT
100	05/14/10	ISSUE FOR PERMIT

DRIVE

(80 R/W)



METER  
TECTOR  
( VALVE & VAULT  
O' WATER METERING

TRACT 2  
O OAKBROOK DRIVE  
HORCHISS, GA 30093  
PARCEL 6196 112  
LOT 4  
BLK. 'B'

TRACT 3  
1600 OAKBROOK DRIVE  
HORCHISS, GA 30093  
TAX PARCEL 6196 113  
LOT 5  
BLK. 'B'

STER PAD  
4 CM  
4 SPACES  
ONE STORY RED BRICK  
31,500 SQ. FT. (EXTERIOR)

ONE STORY RED BRICK  
31,000 SQ. FT. (EXTERIOR)

10 SPACES  
B. 2255, PG 249  
E 5-D & 5-F

NOTE: HATCHED AREA INDICATES COUNTY  
MAINTAINED SEWER LINE NO. EASEMENT  
RECORDED FOR THIS PORTION OF LINE.

AVER RUIN CREEK  
(TRIBUTARY No. ONE)

452.00'  
S44°55'00"W

- GV
- GV VAULT
- HPT
- HW
- IPF
- IPS
- 16
- L
- GAS VALVE
- OAS VALVE
- HIGH POINT
- HEADWALL
- IRON PIN FOUND
- IRON PIN SET
- JUNCTION BOX
- LAND LOT LINE
- LIGHT

Final Plat Approval  
The Director of the Dept. of  
with the Zoning P  
by another

TOP OF BANK  
50' UNDISTURBED  
BUFFER



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

CASE NUMBER :**SUP2011-00034**  
ZONING :M-1  
LOCATION :4300 BLOCK OF STEVE REYNOLDS BOULEVARD  
MAP NUMBER :R6184 244  
ACREAGE :3.32 ACRES  
PROPOSED DEVELOPMENT :CHURCH  
SQUARE FEET :12,240 SQUARE FEET  
COMMISSION DISTRICT :(1) LASSETER

FUTURE DEVELOPMENT MAP: **PREFERRED OFFICE AREA**

APPLICANT: IGLESIA EVANGELICA PENIEL  
4325 STEVE REYNOLDS BOULEVARD  
NORCROSS, GA 30093-3362

CONTACT: MISAEL REYES      PHONE: 770.206.0307

OWNER:      LUIS U. FLORES  
4325 STEVE REYNOLDS BOULEVARD  
NORCROSS, GA 30093-3362

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

**PROJECT DATA:**

The applicant requests a Special Use Permit on a 3.32-acre parcel, zoned M-1 (Light Industry District), to allow a church within an existing office/warehouse building. The property is located on the west side of Steve Reynolds Boulevard, south of its intersection with Beaver Ruin Road.

The site is developed with a 12,240 square foot building, associated parking and driveways. Access would be provided through the existing driveway onto Steve Reynolds Boulevard. A total of 56 parking spaces are shown on the submitted site plan. The church would occupy the entire building, and intends to use the site for worship services and daily administrative activities.

The applicant is reminded that if a private school or a daycare is planned in the future, approval of additional Special Use Permit(s) would be required.

**ZONING HISTORY:**

In 1970, the subject property was zoned R-75 (Single Family Residence District). In 1972, the eastern half of the property was rezoned to M-1 through an areawide rezoning. In 1983, the balance of the property was rezoned to M-1, pursuant to RZ-228-83.

GROUNDWATER RECHARGE AREA:

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

WETLANDS INVENTORY:

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

DEVELOPMENT REVIEW SECTION COMMENTS:

Parking spaces shall be provided at a ratio of:

Minimum one space per 5 seats in main Sanctuary

Maximum one space per 2 seats in main Sanctuary

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

No comment.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

Must connect to sanitary sewer if available to property (within 200 feet or property line). If sewer is not available, contact GCEHD concerning septic involvement. Must submit level 3 soil report and detailed site plan with 2 foot topo and soils transposed onto plat.

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 western right-of-way of Steve Reynolds Boulevard.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 250 feet south of the property on the western right-of-way of Steve Reynolds Boulevard.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for any proposed interior tenant space modifications or exterior modifications for review and approval by Building Plan Review.
2. Upon completion of plan review approvals, the applicant shall obtain a building permit for any proposed modification/renovation work and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

3. The applicant shall submit structural details for fences exceeding 8 feet in height and achieve satisfactory field inspections for a Certificate of Occupancy.

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

#### GWINNETT COUNTY FIRE SERVICES COMMENTS:

Fire plan Review has no objection to the request under the following conditions:

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

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

#### DEPARTMENT ANALYSIS:

The subject property is a 3.32-acre parcel located on the west side of Steve Reynolds Boulevard, south of its intersection with Beaver Ruin Road. The property is developed with a 12,240 square foot commercial building with associated parking and driveways.

The 2030 Unified Plan Future Development Map indicates that the property lies within the Preferred Office Character Area extending along Steve Reynolds Boulevard. Church activities within an office/warehouse building could be compatible with this designation. The Board has approved numerous requests to locate churches within M-1 zoned office and industrial parks throughout the County, therefore establishing a precedent for this type of use within industrial zones.

The surrounding area is developed with a mix of office/warehouse, institutional, commercial and residential uses. The area along the west side of Steve Reynolds Boulevard consists predominately of office/warehouse, commercial and public-institutional uses in M-1 and C-2 zoning, including Meadowcreek High School and Fire Station 23. The area along the east side of Steve Reynolds Boulevard consists predominately of residential uses including the Windtree and Redgate Commons subdivisions. As the subject site lies along the west side of the thoroughfare, it is anticipated that the proposed church will not conflict with the surrounding uses within the immediate area. Therefore, with appropriate conditions to ensure compatibility with neighboring properties, the requested Special Use Permit could be suitable at this location.

With conditions, the proposed church activity within the existing building could be consistent with past Board actions approving churches within industrial zones 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 church subject to 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. New 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 8 feet in height.
4. 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.
5. Outdoor loudspeakers or lighted outdoor recreation areas shall be prohibited.
6. 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 or bandit signs shall be prohibited.
7. Peddlers or parking lot sales shall be prohibited.
8. 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

The requested Special Use Permit allowing a church could be suitable at this location given the development of office/warehouse and institutional uses along the west side of Steve Reynolds Boulevard.

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 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 churches within industrial buildings in various locations throughout the County.

CONDITIONS AFFECTING ZONING

The proposed church would be the sole use of the property and appears to be adequately buffered and separated from neighboring uses, suggesting that this is an appropriate location.

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

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

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

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

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

---



**Iglesia Evangelica Peniel  
4325 Steve Reynolds Blvd.  
Norcross, GA 30093-3362**

Gwinnett County Dept.  
of Planning and Development

Re: Letter of Intent  
Rezoning and Special Use Permit Application  
4325 Steve Reynolds Blvd.  
Norcross, GA 30093-3362

Dear Planning Department:

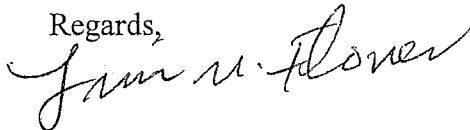
Iglesia Evangelica Peniel is pleased to submit the following letter of intent, which is being submitted with the rezoning and special use permit applications on behalf of our Church. Iglesia Evangelica Peniel recently purchased this property located at 4325 Steve Reynolds Blvd. Norcross, GA 30093-3362 (Land District 6 Land Lot 01 Acreage 3.02).

We intend to use this property for worship services and daily administrative activities.

On December 1999, our God profoundly ministered to me. The church, Iglesia Evangelica Peniel Inc., began on January 1, 2000. We just recently celebrated our 11<sup>th</sup> year anniversary. Our Vision is to have a place where the Holy Spirit's reigns, a clinic where many come from the cold world to receive the warmth of the almighty and feel his hands full of love. We welcome all nationalities in order to comply with God's purpose. Our intention with this property is to comply with our vision, which is God's purpose. For more information on our Church history please see our enclosed Biography.

Please do not hesitate to contact us if you have any questions or concerns. (770)206-0307.

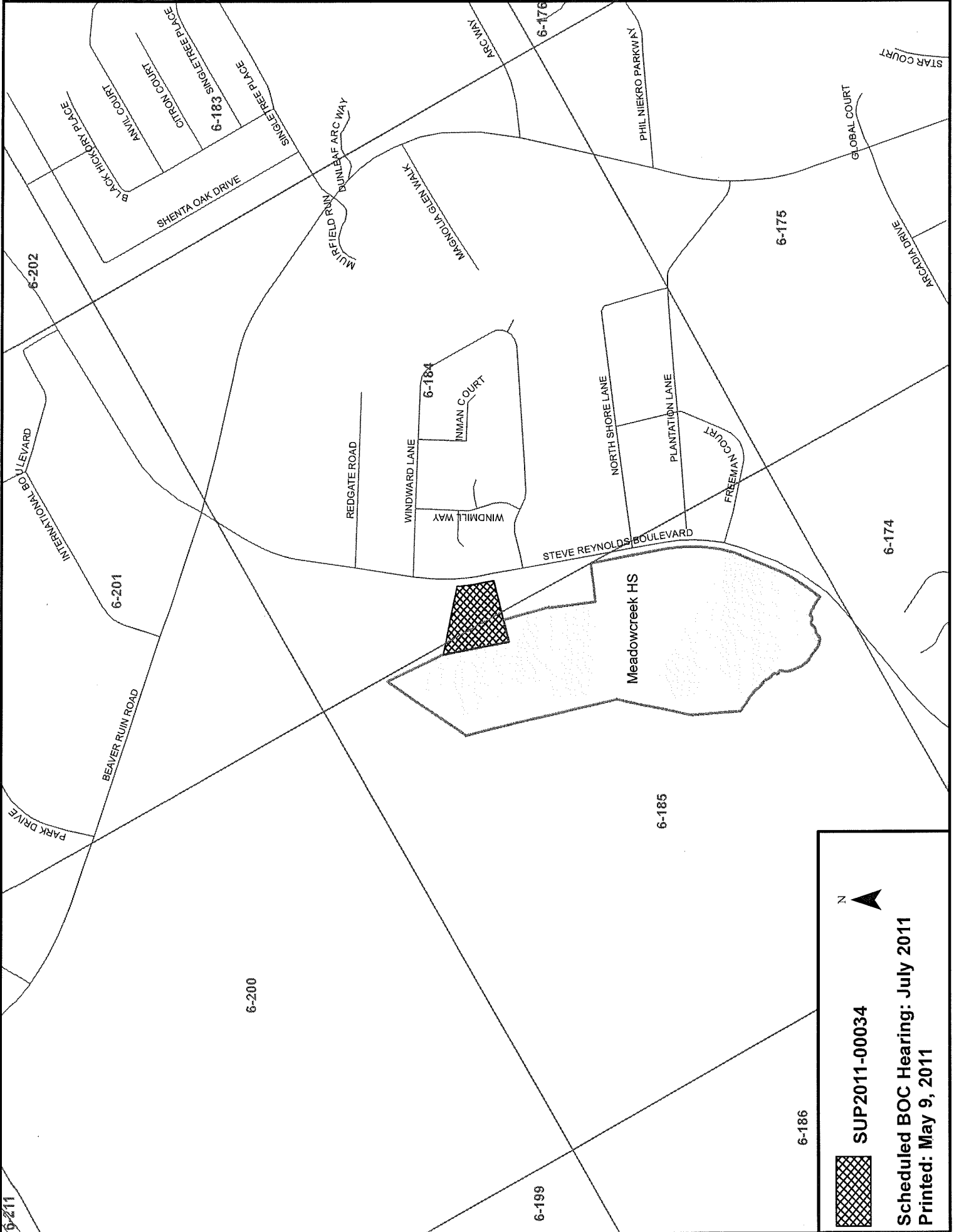
Regards,



Brother Luis U. Flores  
Senior Pastor



RECEIVED 5-05-11  
SUP2011-00034



**SUP2011-00034**



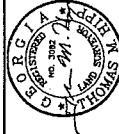
**Scheduled BOC Hearing: July 2011  
Printed: May 9, 2011**



**Hayes James**  
 ENGINEERS, PLANNERS & SURVEYORS  
 4145 SHACKLEFORD ROAD  
 SUITE 300  
 NORCROSS, GA 30093  
 TEL: (770) 823-1600  
 FAX: (770) 823-4202

ALTA/C&M LAND TITLE SURVEY  
 FOR  
 NORTH ATLANTA LAW GROUP, P.C.;  
 IRON PIN TITLE & ABSTRACT, L.L.C.;  
 TOUCHMARK NATIONAL BANK; AND  
 CHICAGO TITLE INSURANCE COMPANY

**PROJECT LOCATION**  
 Land Lots: 184 and 185  
 District: 8th  
 County: Gwinnett  
 State: Georgia

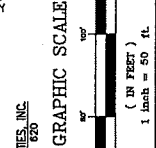
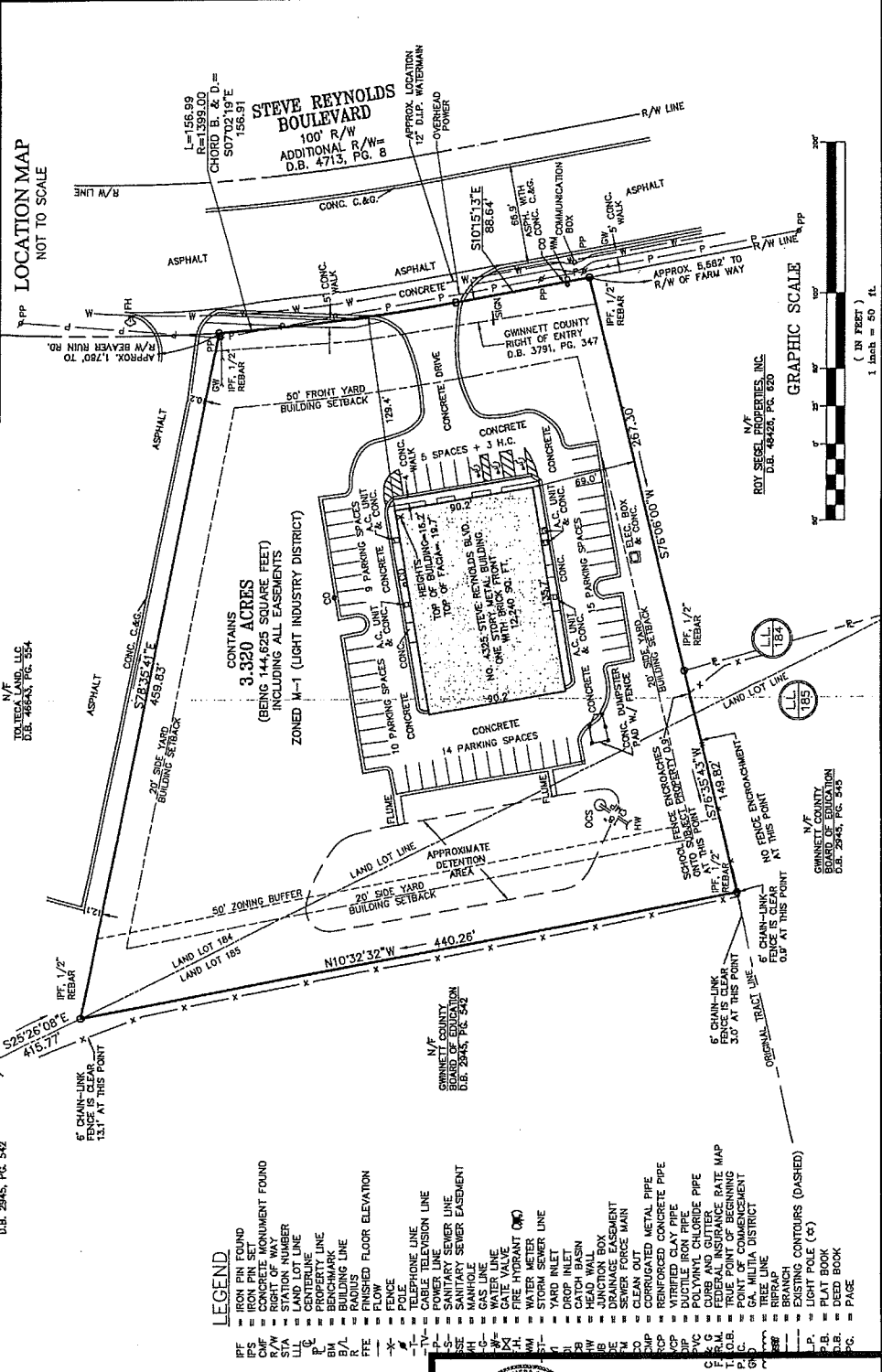
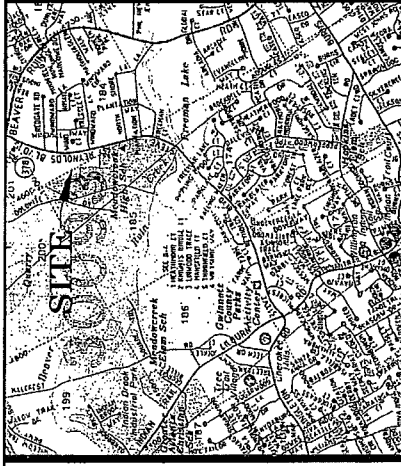


Project No. 11-029-C  
 Drawn By: TH  
 Checked By: CHR  
 Date: April 6, 2011  
 Scale: 1" = 50'

NO.	DESCRIPTION	DATE	BY	APP.
1	ADDED COMMENT	4-26-11	TH	CHR

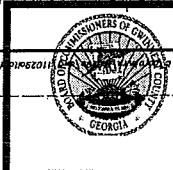
© Copyright 2011  
 HAYES, JAMES & ASSOCIATES, INC.  
 This drawing and its reproduction are the property of Hayes, James & Associates, Inc. and shall not be used for any other project without the written permission of the engineer.

Sheet Number **2 of 2**

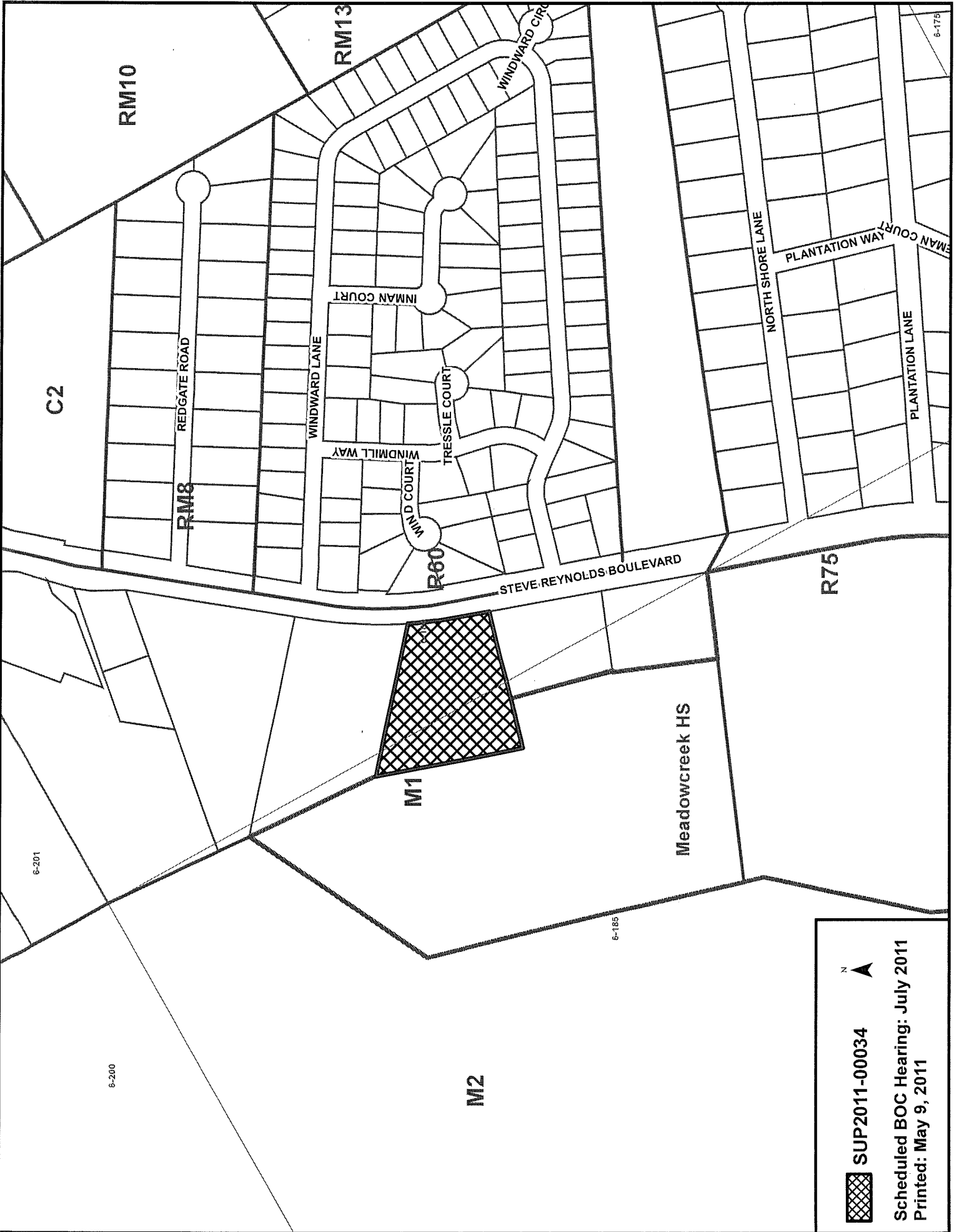


NOTE: DIMENSIONS FOR THIS SURVEY ARE  
 BASED ON THE ASSUMPTION THAT THE  
 SURFACE OF THE EARTH IS FLAT AND  
 THAT THE CURVATURE OF THE EARTH  
 CAN BE IGNORED. THIS SURVEY IS  
 CONSIDERED TO BE A SURVEY OF  
 THE SURFACE OF THE EARTH AND NOT  
 A SURVEY OF THE CURVED SURFACE  
 OF THE EARTH.

- LEGEND**
- IRON PIN FOUND
  - CONCRETE MONUMENT FOUND
  - RIGHT OF WAY
  - LAND LOT LINE
  - CENTERLINE
  - PROPERTY LINE
  - BENCHMARK
  - FINISHED FLOOR ELEVATION
  - FENCE
  - FLOW
  - TELEPHONE LINE
  - CABLE TELEVISION LINE
  - POWER LINE
  - SANITARY SEWER LINE
  - SANITARY SEWER EASEMENT
  - MANHOLE
  - GAS LINE
  - WATER LINE
  - FIRE HYDRANT (FH)
  - STORM SEWER LINE
  - YARD INLET
  - DROP INLET
  - HEAD WALK
  - JUNCTION BOX
  - DRAINAGE EASEMENT
  - SEWER FORCE MAIN
  - CORRUGATED METAL PIPE
  - REINFORCED CONCRETE PIPE
  - VITRIFIED CLAY PIPE
  - DUCTILE IRON PIPE
  - CURB AND GUTTER
  - FEDERAL INSURANCE RATE MAP
  - TRUE POINT OF BEGINNING
  - COMMENCEMENT
  - COMMUNITY DISTRICT
  - TREE LINE
  - BRANCH
  - CONTOURS (DASHED)
  - LIGHT POLE (L)
  - PLAT BOOK
  - DEED BOOK
  - PAGE



RECEIVED 5-05-11  
 SUP2011-00034



SUP2011-00034

Scheduled BOC Hearing: July 2011  
Printed: May 9, 2011



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

CASE NUMBER :**SUP2011-00035**  
ZONING :R-100  
LOCATION :1700 BLOCK OF OLD PEACHTREE ROAD  
:3300 BLOCK OF SOUTH SCALES ROAD  
MAP NUMBER :R7198 001  
ACREAGE :17.52 ACRES  
PROPOSED DEVELOPMENT :DAYCARE CENTER  
SQUARE FEET :10,447 SQUARE FEET  
COMMISSION DISTRICT :(1) LASSETER

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

APPLICANT: SUGARLOAF UNITED METHODIST CHURCH  
1795 OLD PEACHTREE ROAD  
DULUTH, GA 30097

CONTACT: NANCY BURNS PHONE: 678.684.6007

OWNER: SUGARLOAF UNITED METHODIST CHURCH  
1795 OLD PEACHTREE ROAD  
DULUTH, GA 30097

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

**PROJECT DATA:**

Sugarloaf United Methodist Church requests a Special Use Permit to continue its daycare facility/preschool. The property is zoned R-100 (Single Family Residence District), and is located at the northwest corner of the Old Peachtree Road and Scales Road intersection. The site is developed with the church, adjunct buildings, an outdoor playground, and parking facilities.

Buildings located on the site include two, single-story buildings that accommodate the main sanctuary, Sunday school activities and a congregation events hall. A single-story brick and stucco building with a basement is where the daycare center would continue to operate. The outdoor playground is located to the rear of the daycare structure and is enclosed with a chain-link fence. The letter of intent indicates that the daycare is for children between the ages of one and five years, and that the hours of operation are from 9:30 a.m. to 1:00 p.m., Monday through Friday.

**ZONING HISTORY:**

The 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.

**DEVELOPMENT REVIEW SECTION COMMENTS:**

No comment.

**GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:**

No comment.

**GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:**

No comment.

**GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:**

The available utility records show that the subject development is currently in the vicinity of a 10-inch and a 48-inch water main located on the western right-of-way of Scales Road.

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

**BUILDING CONSTRUCTION SECTION COMMENTS:**

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for any proposed interior tenant space modifications or exterior modifications for review and approval by Building Plan Review.
2. Upon completion of plan review approvals, the applicant shall obtain a building permit for any proposed modification/renovation work and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.
3. The applicant shall submit structural details for fences exceeding 8 feet in height and achieve satisfactory field inspections for a Certificate of Occupancy.

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

**GWINNETT COUNTY FIRE SERVICES COMMENTS:**

Fire plan Review has no objection to the request under the following conditions:

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

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

**DEPARTMENT ANALYSIS:**

The 17.52-acre property is located on the northwest corner of the Old Peachtree Road and Scales Road intersection. The site is developed as a church, with accessory buildings and associated parking. A large portion of the site to the rear of the Church complex remains undeveloped.

The 2030 Unified Plan Future Development Map identifies the property as lying within an Existing / Emerging Suburban Character Area. A daycare center as an accessory use to a church would be considered consistent with this designation.

The surrounding area is characterized by single-family residential uses, churches and schools, zoned R-100. Surrounding the subject site are residential subdivisions and scattered residences on large lots. South of the site, across Old Peachtree Road, is Duluth Montessori School. Further south along Old Peachtree Road are Old Peachtree Presbyterian Church and Georgia New Seoul Baptist Church, which was granted a Special Use Permit in July of 2009 for an accessory daycare pursuant to SUP-09-040. Also in the nearby vicinity are Peachtree Ridge High School, Hull Middle School and Parson's Ridge Elementary School. In light of these existing institutional uses, the proposed accessory daycare could be considered compatible with adjacent and nearby developments and could serve as a neighborhood convenience for the area.

In conclusion, the proposed daycare as an accessory use to the existing church could be considered consistent with the Unified Plan and compatible with nearby institutional 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 church daycare, subject to the following enumerated conditions:

1. Limited to a church and accessory uses which may include a church daycare as a special use.
2. Hours of operation for the daycare shall be limited to 9:00 a.m. to 2:00 p.m., Monday through Friday.

PLANNING AND DEVELOPMENT DEPARTMENT  
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The surrounding area is primarily developed with residences, interspersed with churches and schools. The daycare center as an accessory use to an existing church could be suitable in light of existing uses in the area.

ADVERSE IMPACTS

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

Since the preschool program has been operating at this location, minimal changes in impacts in the form of traffic and utilities usage would be anticipated from this request.

CONFORMITY WITH POLICIES

The existing accessory daycare center and requested Special Use Permit are consistent with suggested uses for the Existing/Emerging Suburban Character Area.

CONDITIONS AFFECTING ZONING

The accessory daycare will continue to be located within an existing church building and outdoor play area, with no new construction proposed.

**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:

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:

Church property has existing ample parking and two ingress/egress entrances on separate streets to alleviate burdens on traffic. No changing conditions are expected in the near future.





May 5, 2011

Gwinnett County  
Department of Planning and Development  
446 West Crogan Street, Suite 275  
Lawrenceville, Georgia 30046

Re: Letter of Intent

Sugarloaf United Methodist Church, by this letter, is requesting a special use permit for the operation of a preschool on our campus for ages 12 month to young 5 year olds. The details of the use as a preschool are as follows:

**Facilities:** Currently, Sugarloaf United Methodist Church occupies that land designated in Exhibit "A" (legal description) in Gwinnett County, Georgia. Our property has four primary buildings for regular use, including a two-level main sanctuary building, a two -level secondary building in which the preschool will be housed, a third single story building used primarily for Sunday school services (not to be used by the preschool) and a forth single story building used primarily as a large group gathering area (not to be used by the preschool). All buildings are depicted on the enclosed site plan. In addition, our property hosts a playground area and an activity field which are both kept in conformance with Gwinnett County regulations. Our property contains an outdoor parking lot with capacity for approximately 423 vehicles.

The preschool activities will be housed in the lower floor of the secondary building referenced above. The lower floor contains 18 rooms for preschool use, 2 three stall bathrooms for use, 4 entrance/exits, all maintained in accordance with applicable regulations promulgated by Gwinnett County.

**Operations:** Currently, we anticipate an immediate enrollment of approximately 178 children between the ages of 12 months to young 5 years old. The preschool operations will be conducted by 37 adults who have a combined over 200 years of preschool management and operations experience. The preschool hours of operations are expected to be from 9:30 a.m. to 1:00 p.m. on Monday through Friday of each week, excluding normal holidays and will operate from September to May each year. The days of operation are not expected to overlap any normal major church activities which would require excess parking or additional public use facilities.

Enclosed in this packet are the necessary documents for our request. Please let me know if you need any further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy Burns", written over a horizontal line.

Nancy Burns

Operations Manager

Sugarloaf United Methodist Church

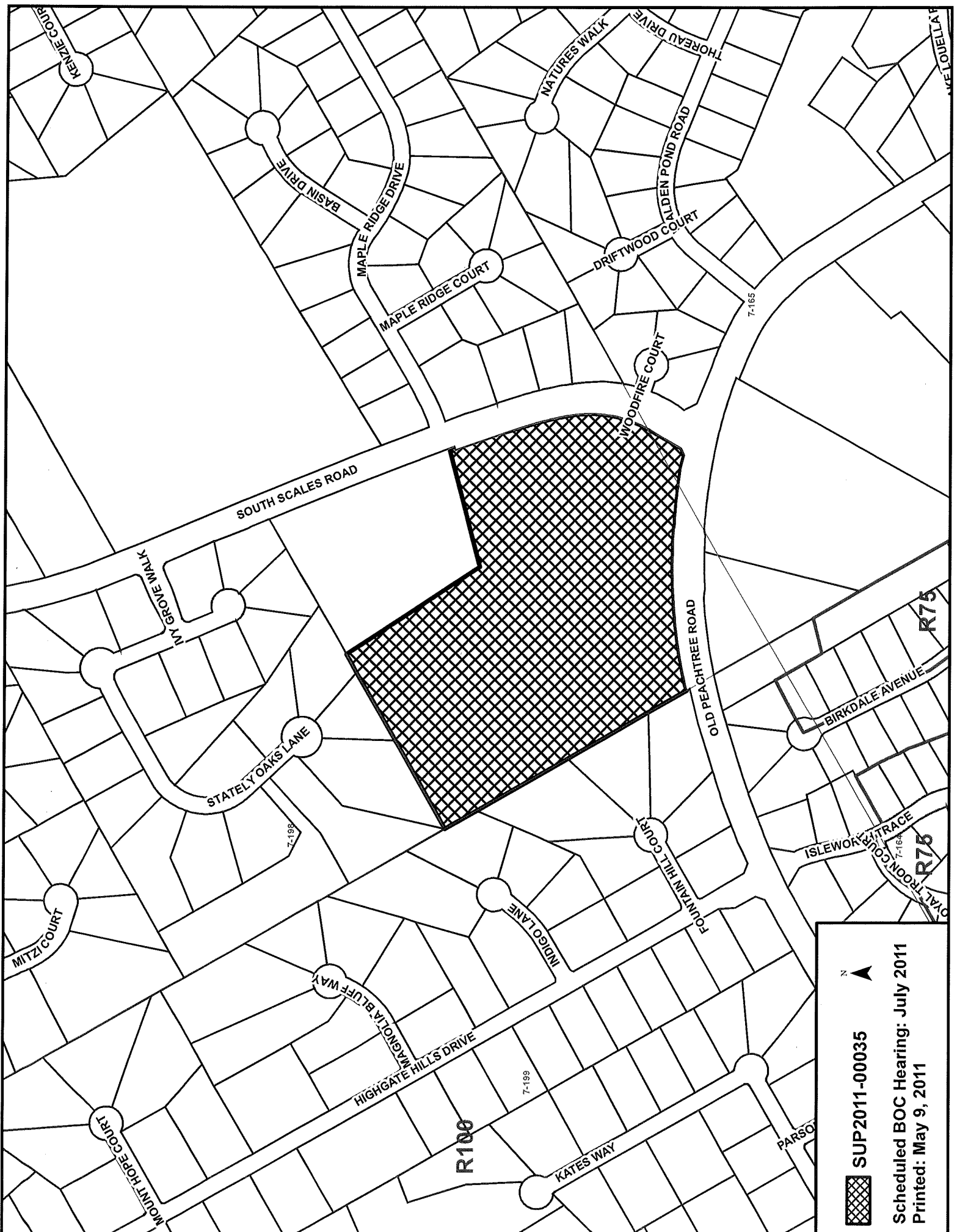
[nbburns@sugarloaf.org](mailto:nbburns@sugarloaf.org)

678-684-6007



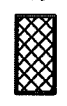






**SUP2011-00035**

Scheduled BOC Hearing: July 2011  
Printed: May 9, 2011



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

CASE NUMBER :**SUP2011-00036**  
ZONING :C-2  
LOCATION :5300 BLOCK OF JIMMY CARTER BOULEVARD  
:6000 BLOCK OF SINGLETON ROAD  
MAP NUMBER :R6195 032  
ACREAGE :7.26 ACRES  
PROPOSED DEVELOPMENT :TITLE LOAN FACILITY  
SQUARE FEET :1,525 SQUARE FEET  
COMMISSION DISTRICT :(1) LASSETER

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

APPLICANT: CHRISTOPHER M. QUIGLEY  
3256 BROWNLEE LANE, S.W.  
LILBURN, GA 30047

CONTACT: CHRISTOPHER M. QUIGLEY      PHONE: 404.457.9616

OWNER: GWINNETT HORIZONS, LLC  
85-A MILL STREET, SUITE 100  
ROSWELL, GA 30075

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

**PROJECT DATA:**

The applicant requests a Special Use Permit on a 7.26-acre property, zoned C-2 (General Business District), to allow a title loan facility. The property is developed with Gwinnett Horizons, a single-story, multi-tenant shopping center that is anchored with an Aldi food store, and located on the northeastern corner of the Jimmy Carter Boulevard and Singleton Road intersection.

The site is developed with a 65,403 square foot retail building, and the applicant indicates that the title loan business would occupy suite D, which contains 1,525 square feet of space. There are no changes proposed to exterior of the structure or shopping center grounds.

**ZONING HISTORY:**

The property was zoned R-75 (Single Family Residence District) in 1970. The property was rezoned to O-1 (Office-Institutional District) in 1972 through an area wide rezoning map revision. In 1975, the property was rezoned to C-2, pursuant to RZ-5-75. A request for truck rental was denied in December of 1999, pursuant to SUP-99-110.

GROUNDWATER RECHARGE AREA:

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

WETLANDS INVENTORY:

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

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

No comment.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 10-inch water main located on the eastern right-of-way of Jimmy Carter Boulevard and a 24-inch water main located on the northern right-of-way of Singleton Road.

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

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for any proposed interior tenant space modifications or exterior modifications for review and approval by Building Plan Review.
2. Upon completion of plan review approvals, the applicant shall obtain a building permit for any proposed modification/renovation work and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.
3. The applicant shall submit structural details for fences exceeding 8 feet in height and achieve satisfactory field inspections for a Certificate of Occupancy.

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

**GWINNETT COUNTY FIRE SERVICES COMMENTS:**

Fire plan Review has no objection to the request under the following conditions:

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

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

**DEPARTMENT ANALYSIS:**

The subject site is a 7.26 acre property located on the northeastern corner of Jimmy Carter Boulevard and Singleton Road. The site is developed with the 65,403 square foot Gwinnett Horizons shopping center.

The 2030 Unified Plan Future Development Map indicates that the site is located in an Existing/ Emerging Suburban Character Area. The property is located at an intensely developed commercial intersection, and a title loan facility utilizing a suite within a large shopping center could be a suitable use of the vacant retail space.

The intersection of Jimmy Carter Boulevard and Singleton Road is developed primarily with commercial/retail and office uses, with residential developments located beyond the commercial corridor. Commercial activities in the immediate area include restaurants, retail centers, a pawn shop, and another title loan facility. In light of the intensity of commercial activity in the area, a title loan business could be appropriate at this location.

In conclusion, the requested special use may be suitable given the intensely developed commercial nature of the area. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS.**

PLANNING AND DEVELOPMENT DEPARTMENT  
RECOMMENDED CONDITIONS

Approval of a Special Use Permit to allow a title loan facility subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
  - A. Retail, service commercial, office and accessory uses which may include a title loan facility as a special use.
  - B. On-site sales, storage or display of repossessed vehicles shall be prohibited.
  - C. The title loan business shall be restricted to suite D (1,525+/- square feet of space).
2. To satisfy the following site development considerations:
  - A. Wall signage for the title loan business shall not exceed the requirements of the Gwinnett County Sign Ordinance.
  - B. Window signage (signs displayed on the interior or exterior of the title loan business' storefront windows), other than "open/closed" signs, hours of operation, or those signs required by local, state or federal law shall be prohibited. Allowable window signage shall not exceed 4 square feet.
  - C. Neon, LED or blinking window signs or wall signs shall be prohibited.
  - D. No banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
  - E. Peddlers and/or parking lot sales shall be prohibited.
  - F. 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

The requested Special Use Permit for a title loan facility may be suitable at this location in light of the intense commercial nature of the area, which also includes another nearby title loan business.

ADVERSE IMPACTS

If properly conditioned, the establishment of a title loan at this location, utilizing a relatively small suite within a large shopping center, would not be expected to have adverse impacts on surrounding uses.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

There would be negligible additional impacts on public facilities anticipated from this request.

CONFORMITY WITH POLICIES

Approval of a Special Use Permit for a title loan business at this location could be consistent with previous zoning and special use permit approvals by the Board in the area.

CONDITIONS AFFECTING ZONING

The proposed use could be compatible with existing uses within the shopping center, giving supporting grounds for approval of the request.

PLANNING AND DEVELOPMENT DEPARTMENT  
RECOMMENDED CONDITIONS

Approval of a Special Use Permit to allow a title loan facility subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
  - A. Retail, service commercial, office and accessory uses which may include a title loan facility as a special use.
  - B. On-site sales, storage or display of repossessed vehicles shall be prohibited.
  - C. The title loan business shall be restricted to suite D (1,525+/- square feet of space).
2. To satisfy the following site development considerations:
  - A. Wall signage for the title loan business shall not exceed the requirements of the Gwinnett County Sign Ordinance.
  - B. Window signage (signs displayed on the interior or exterior of the title loan business' storefront windows), other than "open/closed" signs, hours of operation, or those signs required by local, state or federal law shall be prohibited. Allowable window signage shall not exceed 4 square feet.
  - C. Neon, LED or blinking window signs or wall signs shall be prohibited.
  - D. No banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
  - E. Peddlers and/or parking lot sales shall be prohibited.
  - F. 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

The requested Special Use Permit for a title loan facility may be suitable at this location in light of the intense commercial nature of the area, which also includes another nearby title loan business.

ADVERSE IMPACTS

If properly conditioned, the establishment of a title loan at this location, utilizing a relatively small suite within a large shopping center, would not be expected to have adverse impacts on surrounding uses.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

There would be negligible additional impacts on public facilities anticipated from this request.

CONFORMITY WITH POLICIES

Approval of a Special Use Permit for a title loan business at this location could be consistent with previous zoning and special use permit approvals by the Board in the area.

CONDITIONS AFFECTING ZONING

The proposed use could be compatible with existing uses within the shopping center, giving supporting grounds for approval of the request.

**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:

The proposed permit use will be professional in appearance and add to the aesthetics of the area.

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

Our business is situated within the center and will not adversely affect adjacent business.

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

The property does have reasonable economic viability as currently zoned. This special use will add strength.

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- (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:

Our expectation is to draw from the current traffic flow to grow our business.

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

It is within conformity regarding policy and intent.

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- (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 existing area could use a clean professional looking business.

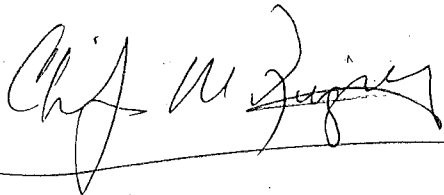
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## Rezoning Applicants Letter of Intent

The Applicant, on behalf of the owner, Gwinnett Horizons, LLC, requests a Special Use Permit on 7.2615 acres in an existing 65,403 square foot building, for the purpose of opening a title pawn facility. The subject property is located at 5345 Jimmy Carter Blvd and is found in the 6<sup>th</sup> District Land Lot 195 in Gwinnett County.

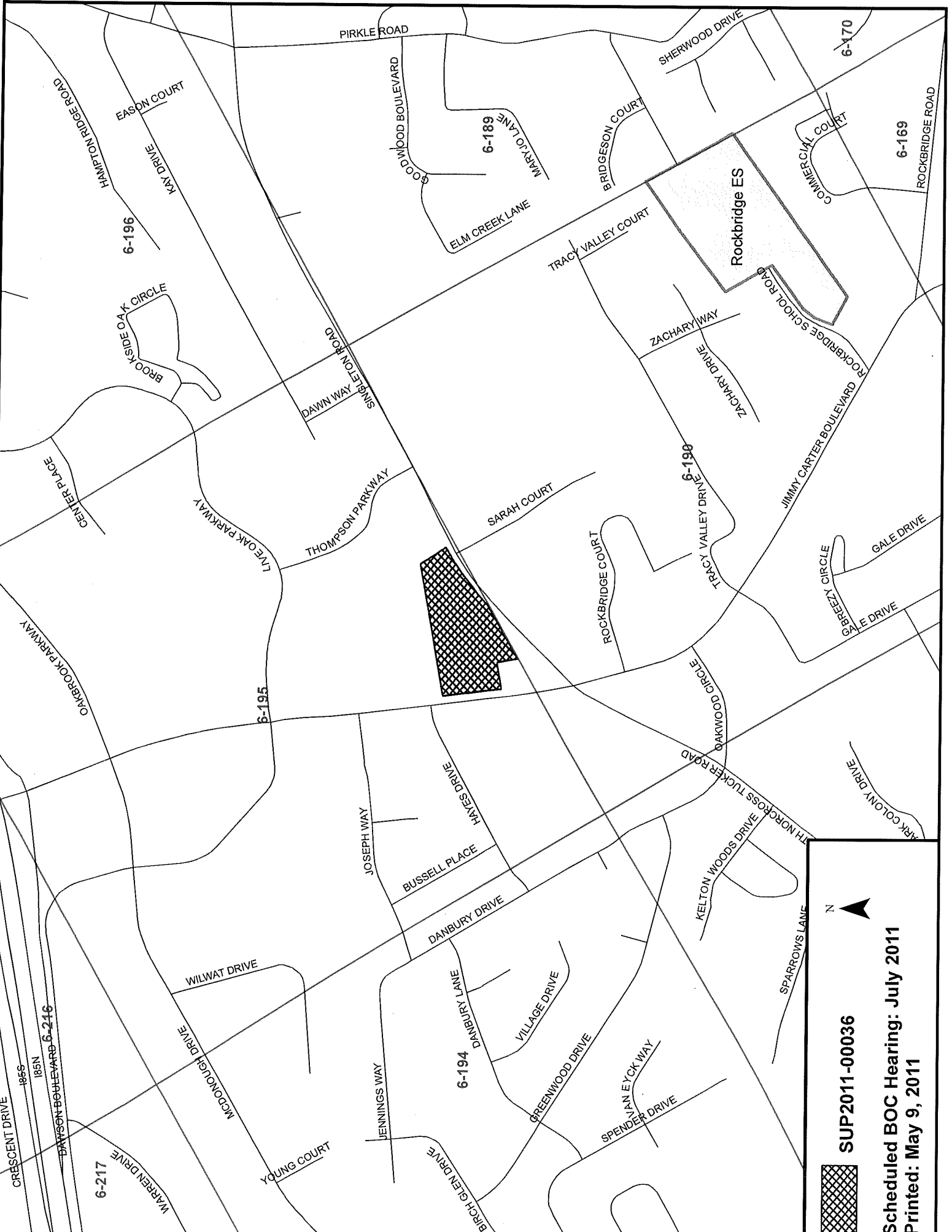
The owner has identified a potential tenant for the location. This tenant has 12 title pawn facilities located within the state of Georgia. Tenant has been operating since 2007 and has contributed to local community in each of its locations. The proposed change will allow said tenant to obtain a business license and occupy a 1600 square foot space within the listed center. This change will not adversely affect traffic or the look of the area. The owner respectfully requests approval of this change at this location.



Applicant.



RECEIVED 5-06-11  
SUP2011-00036



N

SUP2011-00036



Scheduled BOC Hearing: July 2011  
Printed: May 9, 2011



MIMMS ENTERPRISES  
85-A MILL ST.  
ROSWELL, GA 30075  
770-518-1100

GWINNETT HORIZONS SHOP CTR  
5345 JIMMY CARTER BLVD  
NORCROSS, GA 30083

LEASING PLAN

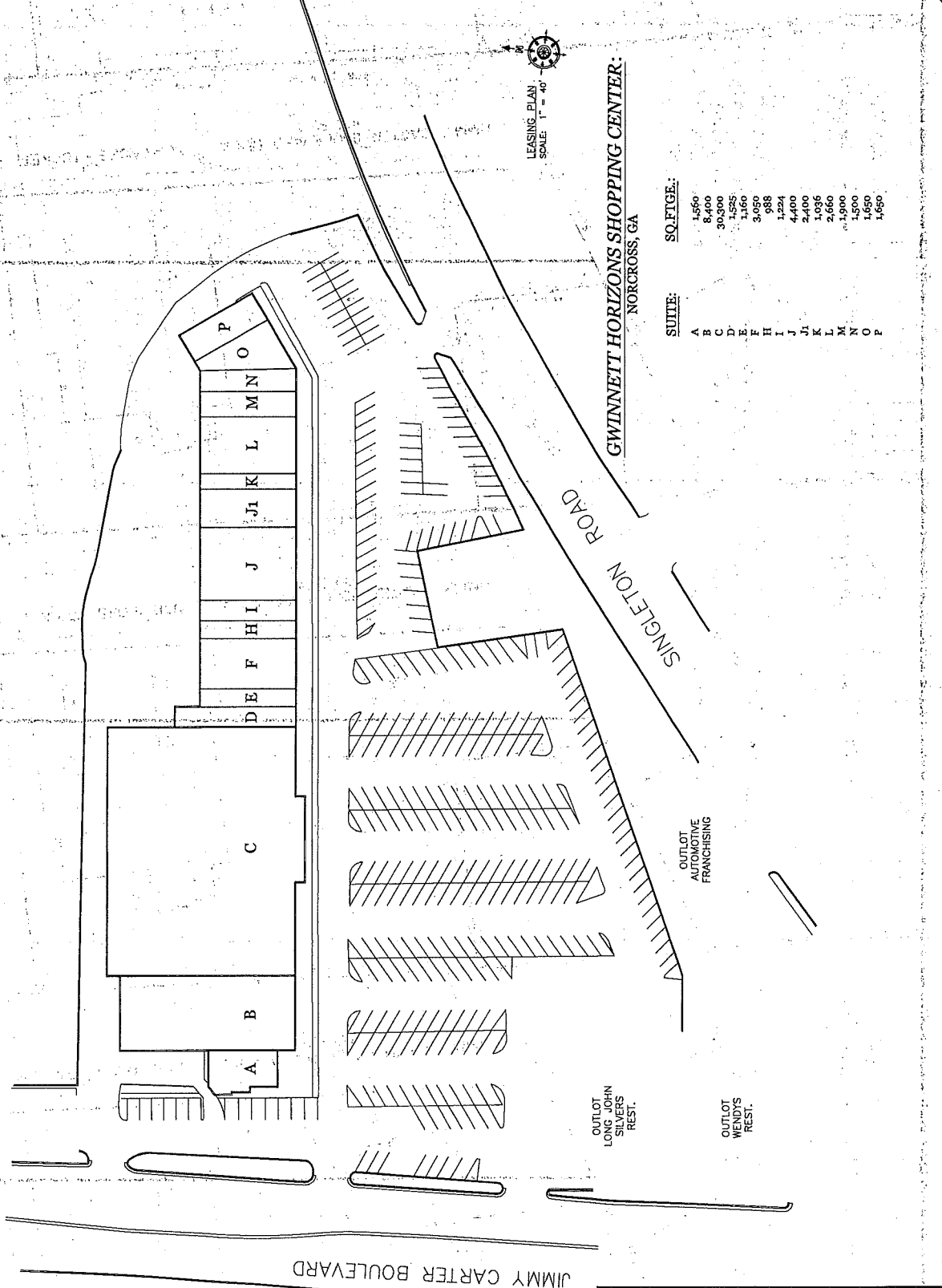
DRAWN	JDS
DATE	5/27/2005
SCALE	AS SHOWN
JOB NO.	MIMMS4412
SHEET	A-1

1 OF 1 SHEETS

LEASING PLAN  
SCALE: 1" = 40'

GWINNETT HORIZONS SHOPPING CENTER:  
NORCROSS, GA

SUITE:	SQ. FTGE.:
A	1,560
B	8,400
C	30,300
D	1,525
E	1,160
F	3,050
H	988
I	1,224
J	4,400
K	4,400
L	2,660
M	1,900
N	1,500
O	1,660
P	1,660



RECEIVED 5-06-11  
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