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**MUNICIPAL-GWINNETT COUNTY
PLANNING COMMISSION**

PUBLIC HEARING AGENDA

**GWINNETT JUSTICE AND ADMINISTRATION CENTER
TUESDAY, AUGUST 2, 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 (JULY 5, 2011 MEETING)
- C. OLD BUSINESS - TABLED CASES FROM PREVIOUS MEETINGS
- D. NEW BUSINESS

- I. CASE NUMBER :**RZC2011-00017**
- APPLICANT :AMRUT INVESTMENT LLC
- CONTACT :ARJUN PATEL
- PHONE NUMBER :678.382.2755
- ZONING :R-100 TO O-1
- LOCATION :2700 BLOCK OF CENTERVILLE HIGHWAY
- MAP NUMBER :R6033 018
- ACREAGE :1.0 ACRE
- PROPOSED DEVELOPMENT :ADULT DAYCARE CENTER
- SQUARE FEET :1,389 SQUARE FEET
- COMMISSION DISTRICT :(3) BEAUDREAU
- DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

2. CASE NUMBER :**SUP2011-00020 (AMENDED)**
APPLICANTS :AMRUT INVESTMENT LLC
CONTACT :ARJUN PATEL
PHONE NUMBER :678.382.2755
ZONING :O-1 (PROPOSED)
LOCATION :2700 BLOCK OF CENTERVILLE HIGHWAY
MAP NUMBERS :R6033 018
ACREAGE :1.0 ACRE
PROPOSED DEVELOPMENT :ADULT DAYCARE CENTER
SQUARE FEET :1,389 SQUARE FEET
COMMISSION DISTRICT :(3) BEAUDREAU
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
3. CASE NUMBER :**SUP2011-00037**
APPLICANT :ANGELA ALEXA AND ALEXANDRU BANCIU
CONTACT :NICK BANCIU
PHONE NUMBER :404.392.5085
ZONING :RA-200
LOCATION :2900 BLOCK OF HOSCH VALLEY ROAD
MAP NUMBER :R1002 807
ACREAGE :2.77 ACRES
PROPOSED DEVELOPMENT :FAMILY PERSONAL CARE HOME
SQUARE FEET :3,200 SQUARE FEET
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
4. CASE NUMBER :**SUP2011-00038**
APPLICANT :DARRON UNDERWOOD
CONTACT :DARRON UNDERWOOD
PHONE NUMBER :678.362.5253
ZONING :C-2
LOCATION :2000 BLOCK OF LAWRENCEVILLE HIGHWAY
MAP NUMBER :R5050 005
ACREAGE :0.92 ACRE
PROPOSED DEVELOPMENT :OUTDOOR SALES (PINESTRAW)
SQUARE FEET :576 SQUARE FEET
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**DENIAL**

5. CASE NUMBER :**SUP2011-00039**
APPLICANT :CHIN WOO LEE
CONTACT :CHIN WOO LEE
PHONE NUMBER :703.898.9895
ZONING :C-2
LOCATION :2700 BLOCK OF LAWRENCEVILLE-SUWANEE RD
MAP NUMBER :R7152 263
ACREAGE :3.56 ACRES
PROPOSED DEVELOPMENT :POOL / BILLARDS HALL
SQUARE FEET :3,750 SQUARE FEET
COMMISSION DISTRICT :(1) LASSETER
DEPARTMENT RECOMMENDATION :**DENIAL**
6. CASE NUMBER :**SUP2011-00040 (WITHDRAWN)**
7. CASE NUMBER :**SUP2011-00041**
APPLICANT :SAT SERVICES, INC.
CONTACT :ROBERT J. WILSON
PHONE NUMBER :770.962.0100
ZONING :C-2
LOCATION :6800 BLOCK OF PEACHTREE INDUSTRIAL BLVD
MAP NUMBER :R6276 005
ACREAGE :2.21 ACRES
PROPOSED DEVELOPMENT :PAWN SHOP
SQUARE FEET :1,600 SQUARE FEET
COMMISSION DISTRICT :(2) HOWARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
8. CASE NUMBER :**SUP2011-00042**
APPLICANT :CHARLES SMITH
CONTACT :CHARLES SMITH
PHONE NUMBER :770.330.5501
ZONING :M-1
LOCATION :3700 BLOCK OF PEACHTREE CREST DRIVE
:1800 BLOCK OF PEACHTREE INDUSTRIAL BLVD
MAP NUMBER :R7206 265
ACREAGE :5.62 ACRES
PROPOSED DEVELOPMENT :ATHLETICS TRAINING FACILITY (INDOOR)
SQUARE FEET :27,831 SQUARE FEET
COMMISSION DISTRICT :(1) LASSETER
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

9. CASE NUMBER :**SUP2011-00043**
APPLICANT :DENNIS KELLY
CONTACT :DENNIS KELLY
PHONE NUMBER :678.618.1383
ZONING :R-100
LOCATION :700 BLOCK OF TOM SMITH ROAD
MAP NUMBER :R6103 337
ACREAGE :1.69 ACRES
PROPOSED DEVELOPMENT :ACCESSORY CHURCH USES
SQUARE FEET :5,600 SQUARE FEET
COMMISSION DISTRICT :(2) HOWARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

10. CASE NUMBER :**SUP2011-00044**
APPLICANT :MEMBERS AUTO CHOICE, LLC
CONTACT :TRACEY BLASI
PHONE NUMBER :770.963.6909
ZONING :C-2
LOCATION :700 BLOCK OF BUFORD HIGHWAY
:4200 BLOCK OF WOODWARD MILL ROAD
MAP NUMBER :R7256 134
ACREAGE :1.69 ACRES
PROPOSED DEVELOPMENT :AUTOMOBILE SALES (USED)
SQUARE FEET :720 SQUARE FEET
COMMISSION DISTRICT :(4) HEARD
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 AND SPECIAL USE PERMIT ANALYSIS**

CASE NUMBER :**RZC2011-00017**
ZONING CHANGE :R-100 TO O-I
LOCATION :2700 BLOCK OF CENTERVILLE HIGHWAY
MAP NUMBER :R6033 018
ACREAGE :1.0 ACRE
PROPOSED DEVELOPMENT :ADULT DAYCARE CENTER (REDUCTION IN BUFFERS)
SQUARE FEET :1,389 SQUARE FEET
COMMISSION DISTRICT :(3) BEAUDREAU

CASE NUMBER :**SUP2011-00020 (AMENDED)**
ZONING :O-I (PROPOSED)
LOCATION :2700 BLOCK OF CENTERVILLE HIGHWAY
MAP NUMBER :R6033 018
ACREAGE :1.0 ACRE
PROPOSED DEVELOPMENT :ADULT DAYCARE CENTER
SQUARE FEET :1,389 SQUARE FEET
COMMISSION DISTRICT :(3) BEAUDREAU

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

APPLICANT: AMRUT INVESTMENT, LLC
2704 CENTERVILLE HIGHWAY
SNELLVILLE, GA 30039

CONTACT: KAMLESH PATEL PHONE: 770.651.7412
ARJUN PATEL PHONE: 678.382.2755

OWNER: AMRUT INVESTMENT, LLC
2704 CENTERVILLE HIGHWAY
SNELLVILLE, GA 30039

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests to rezone a 1.0-acre parcel from R-100 (Single Family Residence District) to O-I (Office-Institution District) and a Special Use Permit to allow an adult daycare center. The property is located on the east side of Centerville Highway, south of its intersection with Gwinestone Circle. The site is currently lightly wooded and developed with a single-family residence and a detached accessory building.

The applicant proposes to utilize the existing single-family dwelling as a group day care home to provide day care services for a maximum of 18 elderly individuals. There is one point of access from Centerville Highway and there appears to be sufficient space for vehicle turn-around.

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 CIR2011-00043.

ZONING HISTORY:

The subject property has been zoned R-100 since 1970. A request to rezone the property to C-1 (Neighborhood Business District), and revised during the public hearings to O-1 (Office-Institutional District), was denied in September of 2008 pursuant to RZC-08-077.

GROUNDWATER RECHARGE AREA:

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

WETLANDS INVENTORY:

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

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

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

Coordinate with the Georgia D.O.T. regarding access to Centerville Highway.

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 western right-of-way of Centerville Highway.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 50 feet northeast of the property.

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. Architectural design of any proposed exterior modification shall incorporate the requirements of the Activity Center/Corridor Overlay District, Section 1315 of the 1985 Zoning Resolution of Gwinnett County.
6. Upon completion of plan review approvals, the applicant shall obtain a building permit for any required modification/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 objections to the above rezoning requests, under the following conditions:

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

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

DEPARTMENT ANALYSIS:

The subject 1.0-acre property is located on the east side of Centerville Highway, south of its intersection with Gwinstone Circle. The site is currently lightly wooded and developed with a single-family residence and accessory building.

The 2030 Unified Plan Future Development Map indicates that the subject property lies within an Existing/Emerging Suburban Character Area. The subject site adjoins a church and office uses to the south, and the Board has approved both C-2 and O-1 zoning on properties directly across Centerville Highway. The past Board actions suggest that an O-1 zoning district could be appropriate at this location.

The surrounding area is characterized by residential developments with scattered non-residential uses along Centerville Highway. Abutting the property to the north are single-family homes in the Gwinstone subdivision. Across Centerville Highway to the west are the Trotters Walk subdivision, a small pet grooming facility in a converted residential home, zoned C-2, and a tract of undeveloped land, zoned O-1. Abutting the property to the south is land zoned R-100 developed with a church. Further to the south are single-family homes zoned R-100 and a small piece of land zoned O-1, used as offices in converted residential structures. These nearby commercial and office rezonings could give supporting grounds for the applicant's request.

With appropriate conditions, the proposed O-1 zoning could be compatible with neighboring uses, and consistent with similar rezonings granted by the Board in the immediate area for conversion of residences to commercial and office uses. Therefore, the Department recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as O-I with a Special Use Permit to allow a daycare center subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Professional office and accessory uses and structures, which may include a daycare center as a special use. The daycare shall be limited to no more than 18 persons, further subject to building and fire codes.
 - B. Prior to business occupancy, the site and building shall be brought up to all applicable codes through the issuance of a development permit and a building permit.
 - C. Abide by all requirements of Section 1315 (Activity Center/Corridor Overlay District). This condition shall not preclude a variance application.
2. To satisfy the following site development considerations:
 - A. Provide a 25-foot undisturbed buffer adjacent to the north (side) property line and a 10-foot landscaped strip adjacent to the south and east property lines adjoining church property. Where sparsely vegetated, the buffer along the north property line shall be planted with evergreens to provide an effective visual screen.
 - B. Hours of dumpster pick-up shall be limited to between 7:00 am and 7:00 pm.
 - C. Ground signs shall be externally illuminated and overall sign height shall not exceed 6 feet in height.
 - D. Billboards or oversized signs shall be prohibited.
 - E. Exterior lighting shall be contained in cut-off type luminaries, and directed so as not to shine directly into adjacent or nearby properties.
 - F. Peddlers and/or parking lot sales shall be prohibited.
 - G. No temporary banners, streamers or roping decorated with flags, tinsel, or other similar materials shall be displayed, hung, or strung on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
 - H. 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

Office-Institutional zoning could be suitable at this location in view of the adjacent church and office/commercial zoning and non-residential activity on this segment of Centerville Highway.

ADVERSE IMPACTS

Impacts in the form of visual intrusion upon nearby residences could be mitigated by providing buffers and restricting lighting and signage.

REASONABLE ECONOMIC USE AS ZONED

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

IMPACT ON PUBLIC FACILITIES

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

CONFORMITY WITH POLICIES

The proposed rezoning could be consistent with similar rezoning actions for commercial and office-institutional zoning and uses along this segment of Centerville Highway.

CONDITIONS AFFECTING ZONING

The adjacent church site and nearby rezoning actions give supporting grounds for approval with conditions of the request. Requiring buffers could assist in providing a transition to adjacent residences.

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

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

NO

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

YES

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

NO

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

YES

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

No



Letter of Intent for Zoning

The property, which is the subject of this application, is currently zoned R-100 on a one acre parcel and is located on Georgia State Highway-124 in Snellville, GA. The owner is requesting the property be re-zoned under the O-I with SUP for an adult day care facility.

Currently the location serves as an adult family day care center which operates between the times of 9 AM to 4 PM from Monday through Friday. This facility is a structure wherein supervision is provided for less than twenty-four hours a day. Transportation for all of the adults, to and from the facility, is provided. This facility provides a place where senior adults are kept physically and mentally healthy which results in them making less frequent visits to the hospital. A variety of activities and trips are carried out to places like nearby parks and stores. Because the owner, a licensed RN, has a long stretched experience, the adults' health and well being are under good care.


Based on the County's current regulations, the owner would like to apply to re-zone the property as an O-I zone, with a special use permit for an adult day care. In the close proximity of this location, many commercial permitted facility exists. The Church Of God borders this location and the Bosnian Community Center is directly across the street.

The property can be said to have a positive impact in the community and be economic friendly as it sits on a four lane state highway.

The applicant respectfully requests your approval of the special use permit and hereby offers to meet with the staff of the Gwinnett County Planning and Development Department to address any concerns that they may have.

Stated on 01st June, 2011.

Respectfully submitted,

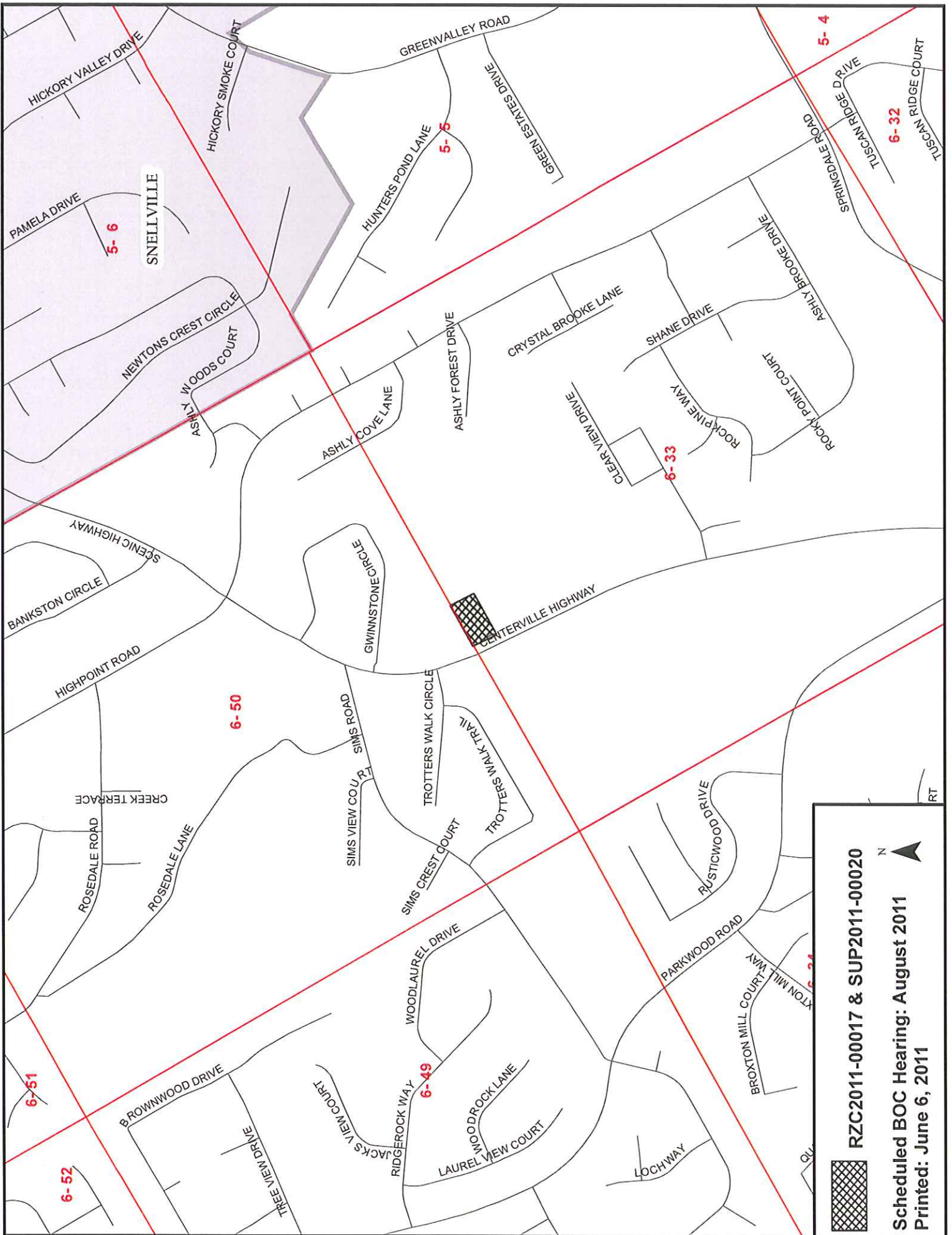


K.C. Patel, Amrut Investment LLC.,

2704 Centerville Hwy
Snellville, GA 30078



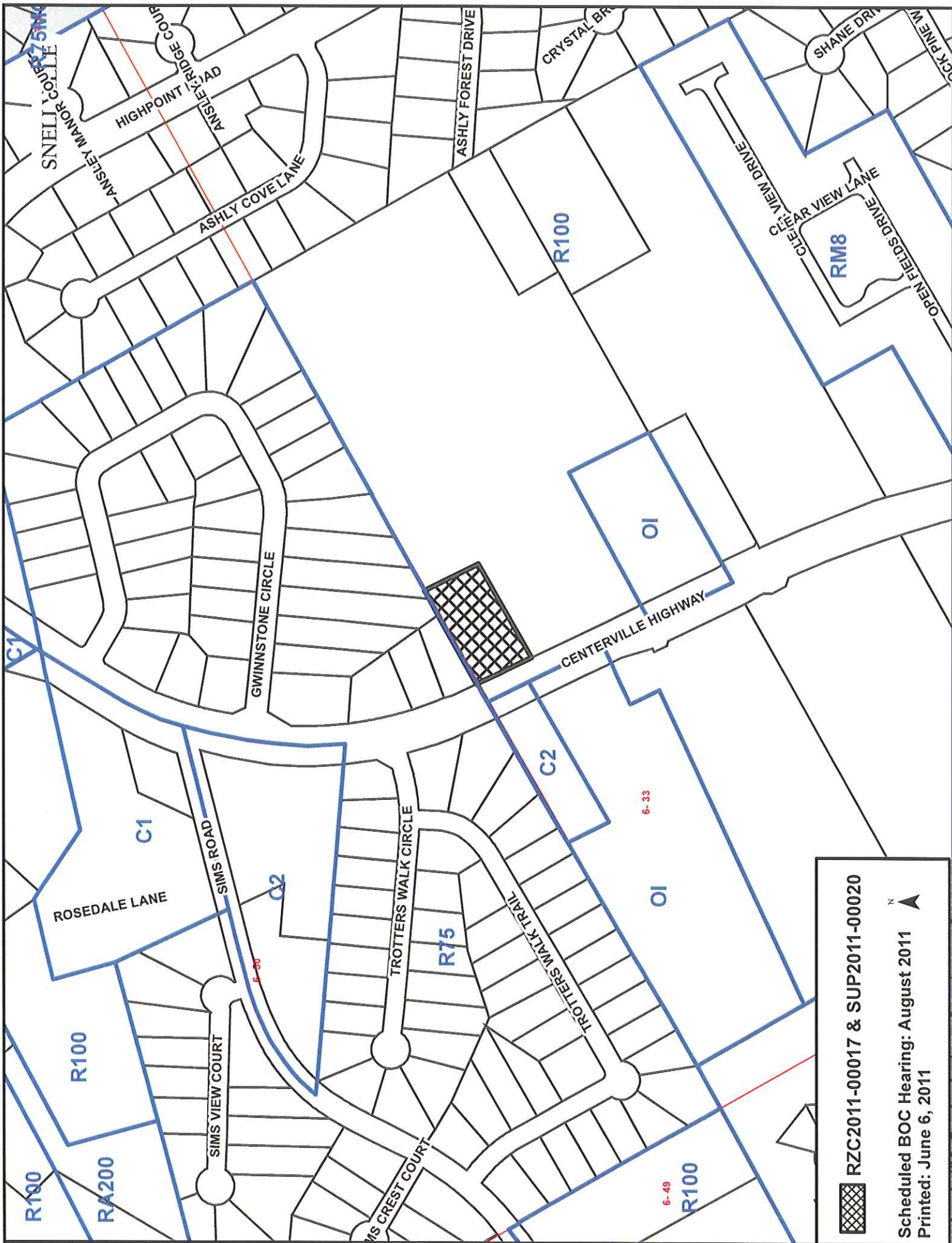
RECEIVED 6-3-11
RZC2011-00017




RZC2011-00017 & SUP2011-00020

**Scheduled BOC Hearing: August 2011
Printed: June 6, 2011**





 RZC2011-00017 & SUP2011-00020
 Scheduled BOC Hearing: August 2011
 Printed: June 6, 2011



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

CASE NUMBER :**SUP2011-00037**
ZONING :RA-200
LOCATION :2900 BLOCK OF HOSCH VALLEY ROAD
MAP NUMBER :R1002 807
ACREAGE :2.77 ACRES
PROPOSED DEVELOPMENT :FAMILY PERSONAL CARE HOME
SQUARE FEET :3,200 SQUARE FEET
COMMISSION DISTRICT :(4) HEARD

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

APPLICANT: ANGELA ALEXA AND ALEXANDRU BANCIU
2940 HOSCH VALLEY ROAD
BUFORD, GA 30519

CONTACT: NICK BANCIU PHONE: 404.392.5085

OWNER: ALEXANDRU BANCIU
2940 HOSCH VALLEY ROAD
BUFORD, GA 30519

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests a Special Use Permit on a 2.77-acre parcel, zoned RA-200 (Agriculture-Residence District), to allow a family personal care home. The property is located on the west side of Hosch Valley Road, north of the Thompson Mill Road intersection.

The property is developed with a two-story, single-family dwelling, a barn/garage and an existing concrete driveway/parking area. The adjacent property at 2950 Hosch Valley Road, also owned by the applicant but not included in this request, contains a single-family residence which shares the driveway with the subject property. The remainder of the property is a grass field with little tree cover.

The letter of intent states that the family personal care home would serve 4 adults. There is no indication of the proposed staffing level necessary to care for the 4 residents. A total of 6 existing parking spaces including one additional new handicap parking space are shown on the submitted site plan. The applicant proposes no modifications to the structure.

ZONING HISTORY:

The subject property has been zoned RA-200 (Agriculture-Residence District) 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.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

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 an 8-inch water main located on the western right-of-way of Hosch Valley 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 1,400 feet northeast of the parcel in the right-of-way of Keenly Valley Drive.

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

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

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

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

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no comments. 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 property is located on the west side of Hosch Valley Road, north of its intersection with Thompson Mill Road. The property is developed with a single-family dwelling, barn and garage and with the remainder of the site being a grass field.

The 2030 Unified Plan Future Development Map indicates that the site is located within an Existing/Emerging Suburban Character Area. This Character Area primarily supports

residential uses, and encourages a variety of housing options. The subject property's use as a Family Personal Care Home for elderly housing and care could be compatible with the recommendations of the Unified Plan.

The surrounding area is developed with single-family homes on large lots within the RA-200 zoning district. The subject property contains 2.77-acres, is not part of a platted subdivision and is adequately separated from neighboring residences. Given these circumstances, a family personal care home could be compatible with adjacent and nearby residential uses.

In conclusion, the requested Special Use Permit could be compatible with policies of the Unified Plan and the residential zoning and development patterns of the area. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of a Special Use Permit for a Family Personal Care Home subject to the following enumerated conditions:

1. Limited to a Family Personal Care Home providing residence and care for up to a maximum of four individuals (clients) residing in the home.
2. Prior to commencing the business, obtain all necessary permits to bring the dwelling and property up to code for Family Personal Care Home occupancy.
3. Exterior signage advertising the Family Personal Care Home shall be prohibited.
4. No exterior changes shall be permitted which alter the residential character of the dwelling, except those required to bring the dwelling up to code for family personal care home occupancy. Any future renovations or additions shall be subject to review and approval of the Director of Planning and Development.
5. The existing accessory buildings may be utilized for activities, but may not be used or converted for residential/sleeping quarters.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The requested Special Use Permit for a family personal care home could be suitable in light of the residential nature of zoning and development in the area, and the property's size and separation from neighboring residences.

ADVERSE IMPACTS

With conditions limiting the number of residents, prohibiting signage and requiring the residence to meet all applicable State and County codes, potential impacts could be reduced.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

It is anticipated there would be some additional impacts on public facilities in the form of traffic and utility demand. Potential future building or parking expansions could be expected to increase storm water runoff.

CONFORMITY WITH POLICIES

The request could be considered compatible with policies of the 2030 Unified Plan, which support residential uses for the area.

CONDITIONS AFFECTING ZONING

The property is located in an area that is developed primarily with single-family residences on large lots. Prohibiting exterior commercial signage for the family personal care home could help maintain the residential character of the area.

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:

_____ *NO* _____



Letter Of Intent

Property Address: 2940 Hosch Valley Road

Owner: Alexandru Banciu
4085 N. Puckett Road
Buford, Georgia 30519-5418

The owners intent is to convert the existing residence (RA-200) into a personal care home with a maximum of 4 beds. A SUP is required to do so with no change in zoning requested.

The total tract size is 2.77 Acres. The number of lots is 1 and does not expect to change.

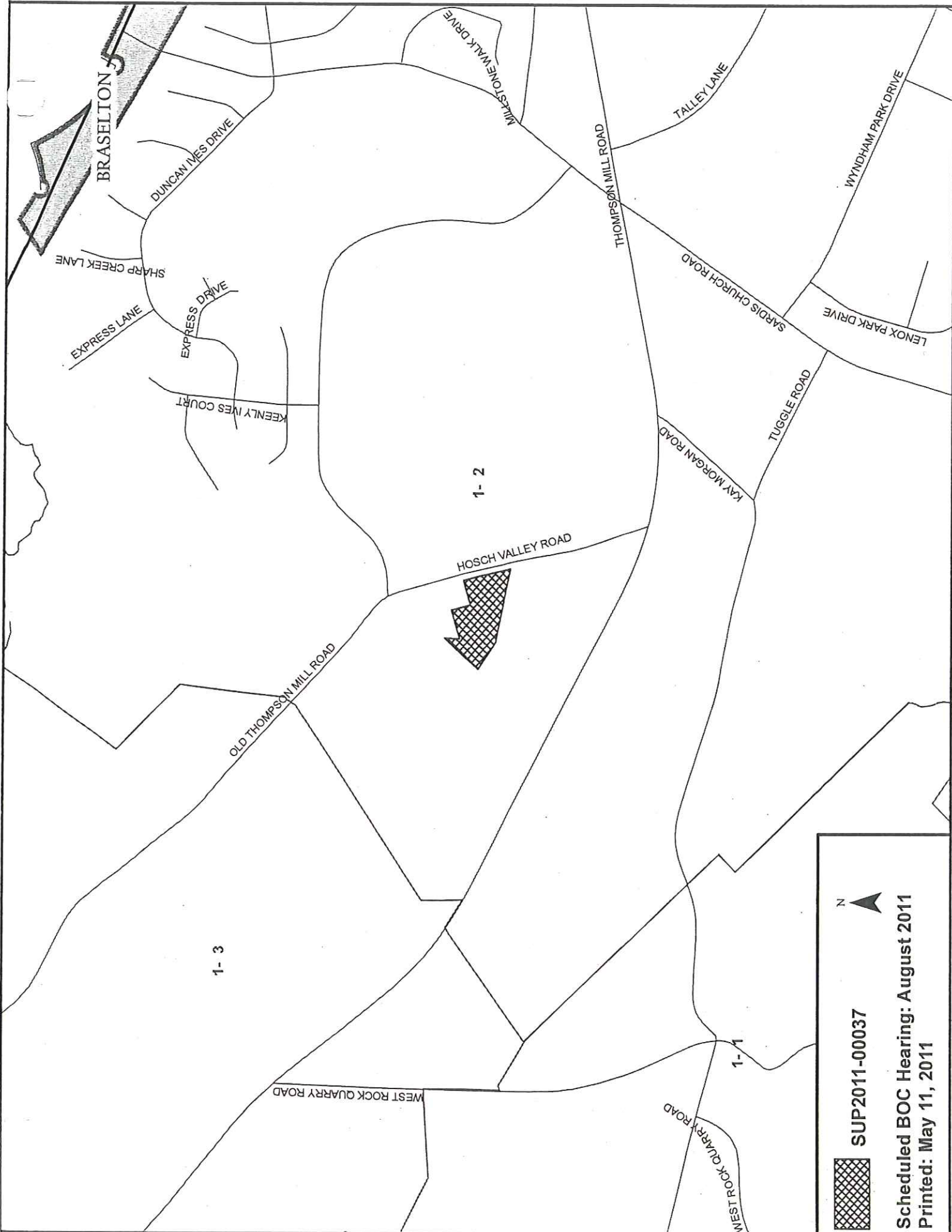
The number of parking spaces required is 2, and currently 6 exist. However 1 handicap space will be added as shown on the site plan.

Total height of the building is two stories as currently existing, no modifications are required or necessary.

There are no proposed changes in building setbacks or buffers. Property currently meets all setback requirements.



RECEIVED 5-11-11
SUP2011-00037



BRASELTON 5

DUNCAN IVES DRIVE

MILESTONE WALK DRIVE

TALLEY LANE

WYNDHAM PARK DRIVE

SHARP CREEK LANE

EXPRESS DRIVE

EXPRESS LANE

KEENLY IVES COURT

THOMPSON MILL ROAD

SARDIS CHURCH ROAD

LENOX PARK DRIVE

TUGGLE ROAD

KAY MORGAN ROAD

1-2

HOSCH VALLEY ROAD

OLD THOMPSON MILL ROAD

1-3

WEST ROCK QUARRY ROAD

1-1

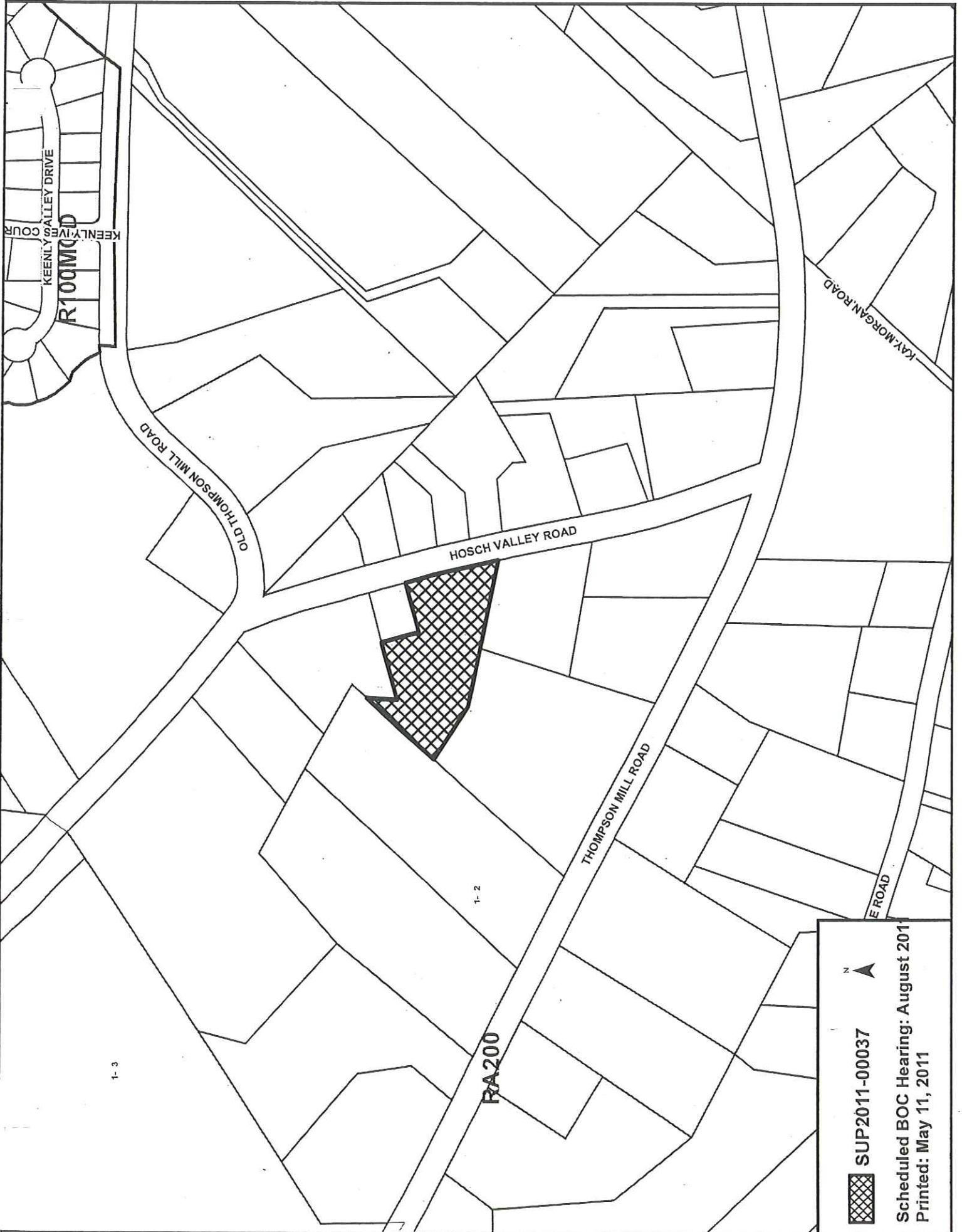
WEST ROCK QUARRY ROAD



SUP2011-00037



Scheduled BOC Hearing: August 2011
Printed: May 11, 2011



 SUP2011-00037

Scheduled BOC Hearing: August 2011
Printed: May 11, 2011

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

CASE NUMBER :**SUP2011-00038**
ZONING :C-2
LOCATION :2000 BLOCK OF LAWRENCEVILLE HIGHWAY
MAP NUMBER :R5050 005
ACREAGE :0.92 ACRE
PROPOSED DEVELOPMENT :OUTDOOR SALES (PINE STRAW)
SQUARE FEET :576 SQUARE FEET
COMMISSION DISTRICT :(4) HEARD

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

APPLICANT: DARRON UNDERWOOD
333 REGAL DRIVE
LAWRENCEVILLE, GA 30046

CONTACT: DARRON UNDERWOOD PHONE: 678.362.5253

OWNER: DARRON UNDERWOOD
333 REGAL DRIVE
LAWRENCEVILLE, GA 30046

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant request a Special Use Permit on a 0.92 acre parcel, zoned C-2 (General Business District), to allow the outdoor sales of pine straw from semi trailers. The subject property is located on the southeast side of Lawrenceville Highway, across from Clearwater Place.

The site is developed with a 576 square foot building and associated parking lot. Access is provided through an existing driveway onto Lawrenceville Highway. The property was formerly a used car lot, which has been closed for several months. The applicant began selling pine straw from the back of semi-trailer(s), after the used car lot closed, without the necessary Special Use Permit from the County. On a recent site visit it was noted that three pine straw trailers were parked on the site.

The applicant's request is the result of a Code Enforcement case (CEU2011-01452) on the subject property for outdoor sales without the required Special Use Permit.

ZONING HISTORY:

In 1970, the subject property was zoned C-1 (Neighborhood Business District). In 1972, the subject property was rezoned to C-2 (General Business District), pursuant to RZ-6-72. In 1995,

a Special Use Permit was approved for auto sales, pursuant to SUP-95-021. In 1996, a Special Use Permit was approved for truck rental, pursuant to SUP-96-038.

GROUNDWATER RECHARGE AREA:

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

WETLANDS INVENTORY:

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

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

U.S. 29 (Lawrenceville Highway) is a State Route and Georgia D.O.T. right-of-way requirements govern.

Coordinate with the Georgia D.O.T. regarding access to Lawrenceville Highway.

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 Lawrenceville Highway, and an 8-inch water main (DDC longside connection) crossing Lawrenceville Highway just north of the property.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 50 feet east of the property in the right-of-way of Lawrenceville Highway.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

- I. The location of the trailers shall comply with the 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 structure from property lines and other buildings.

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. For assistance, you may contact our 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 southeast side of Lawrenceville Highway, across from Clearwater Place. The property is developed with a 576 square foot building, associated driveways and parking.

The 2030 Unified Plan Future Development Map indicates the site is located within a Corridor Mixed-Use Character Area. The Unified Plan may not support use of the site for parking of semi-trailers for the sale of pine straw, potentially degrading the appearance of the property and negatively impacting the Lawrenceville Highway corridor.

The surrounding area is characterized by commercial/retail uses with residential developments located beyond this segment of Lawrenceville Highway. Adjacent to the subject site to the southeast is a mini-warehouse facility. The Landings at River Park subdivision is located to the north of the subject property, across Lawrenceville Highway. Although outdoor sales could be a suitable use, cluttering the site with semi-trailers could be considered visual blight negatively affecting nearby residential properties and the Lawrenceville Highway corridor. Therefore, given the potential for negative impacts affecting the surrounding area, pine straw sales out of semi-trailers may not be considered appropriate at this location.

In conclusion, the proposed request for the outdoor sales of pine straw could adversely impact the surrounding community, and may 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 outdoor sales (pine straw) subject to the following enumerated conditions:

1. Retail, service-commercial and accessory uses which may include outdoor sales of pine straw.
2. Pine straw sales out of semi-trailers shall be prohibited.
3. Pine straw sales shall be restricted to the rear of the subject property, within an enclosed structure or fenced area. Design of these facilities shall be subject to review and approval of the Director of Planning and Development.
4. 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.
5. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
6. Peddlers and/or parking lot sales shall be prohibited.
7. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

Cluttering the site with semi-trailers for the sale of pine straw could degrade the appearance of the property and negatively impacting the surrounding community.

ADVERSE IMPACTS

Adverse impacts in the form of clutter and visual blight could be associated with allowing outdoor sales of pine straw from semi-trailers.

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

Pine straw sales out of the back of semi-trailers may not be considered consistent with the Gwinnett County 2030 Unified Plan. The proposal may lead to a use which is not encouraged by the Unified Plan, and undesirable for the surrounding area.

CONDITIONS AFFECTING ZONING

The property currently has a pending Code Enforcement Unit investigation for the non-conforming use of outdoor sales 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 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:

SHOULD HAVE LITTLE TO NO IMPACT

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

NO ADVERSE AFFECT

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

IT WOULD ADD BENEFIT

- (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 EXCESS BURDEN

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

IT WILL WORK FINE

- (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 ADVERSE AFFECT

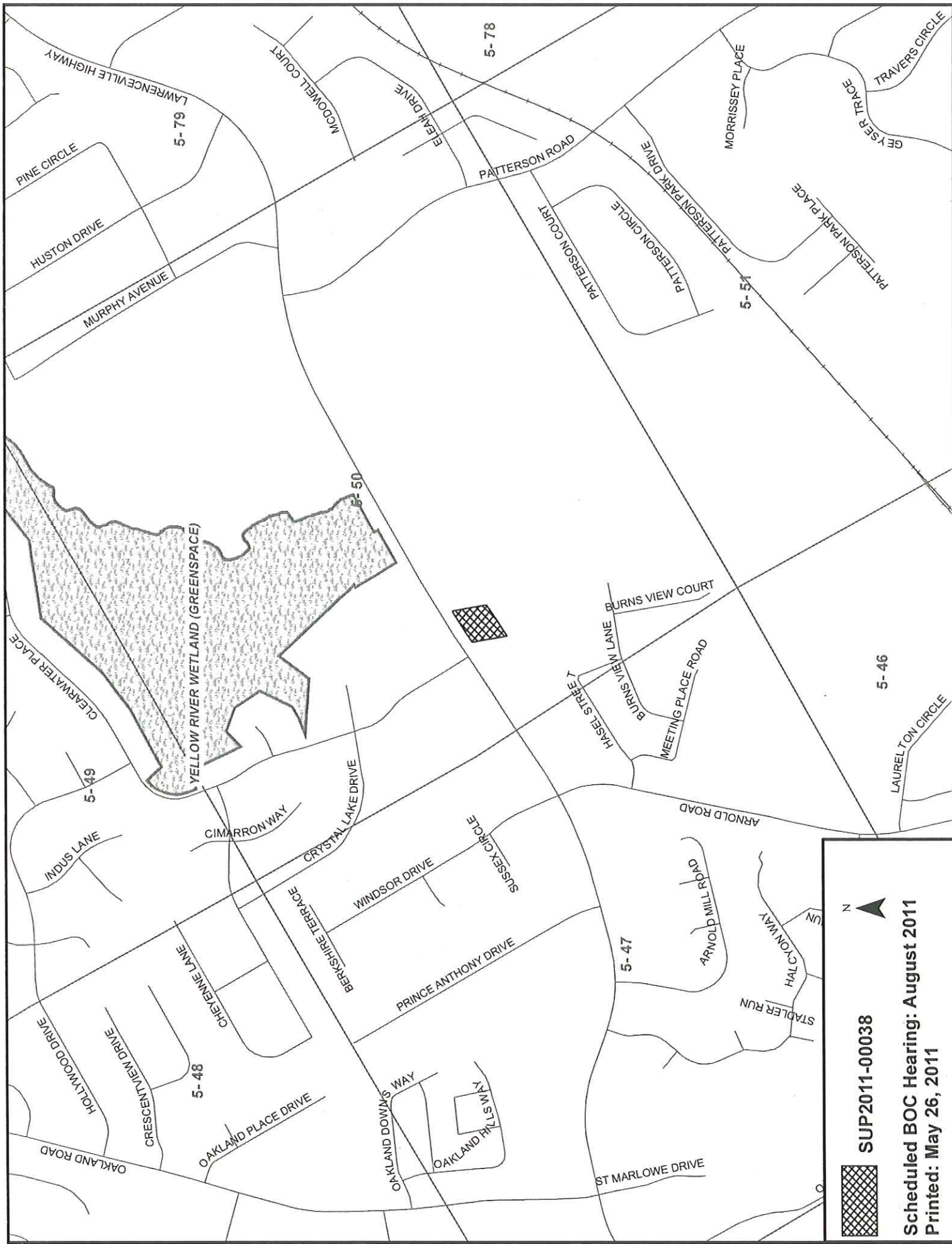



It is our plan to store and sell pine straw.
No more than 1-4 trailers at a time. On the
Right side of the property (looking at the
property from hwy 29). Hours will be M-F
7am-5pm Sat. 8am-3pm.

IT IS OUR PLAN TO STORE
AND SELL PINE STRAW. NO MORE
THAN 1-4 TRAILERS AT A TIME. ON
THE RIGHT SIDE OF THE PROPERTY
(LOOKING AT THE PROPERTY FROM HWY 29).
HOURS WILL BE M-F 7am-5pm SAT. 8am-3pm.



RECEIVED 5-25-11
SUP2011-00038




SUP2011-00038
Scheduled BOC Hearing: August 2011
Printed: May 26, 2011



H/F. C.C. VENABLE
ZONED C-2

RECEIVED 5-25-11
SUP2011-00038



BUILDING "A" 40 X 50' = 2000 SQ. FT.

BUILDING "B" 30' X 40' = 1200 SQ. FT.

BUILDING "C" 20' X 30' = 600 SQ. FT.

BUILDING "D"

BUILDING "E"

6" HIGH

3' ROW WHITE PINE

H/F. 20215

S. 12° 01' 32" E. 807.18'

OFFICE
YARD

S. 10° 52' 00" E. 198.88'

PROPOSED RETAIL
PARCEL "B" = 0.92 AC.

N. 10° 52' 00" W. 200.00'

ONE ROW PINES EXISTING OR PROPOSED
TO BE REMOVED

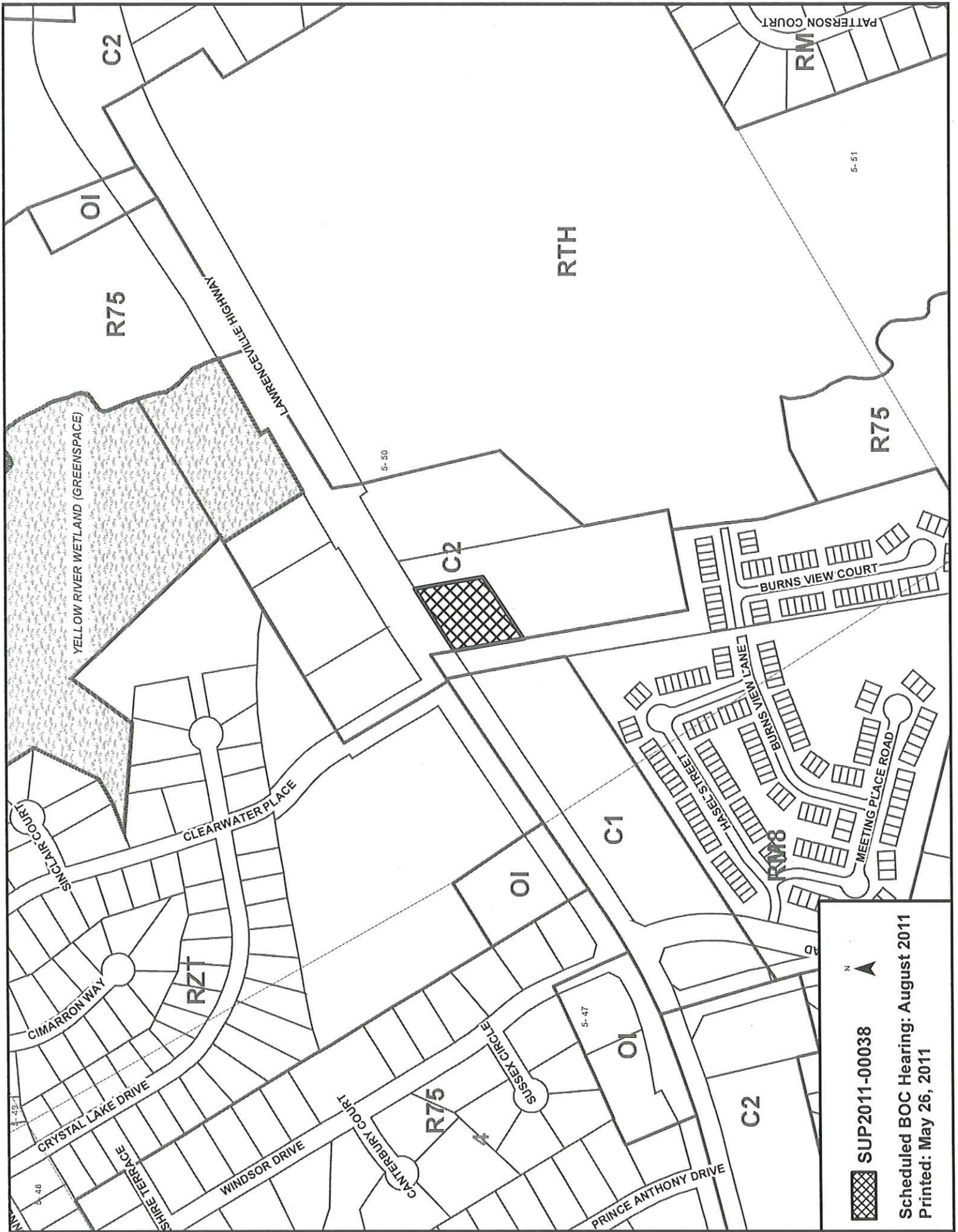
R=157.74 CH=11.57
A=92.45
S. 17° 04' 21" E. 92.45'

R=157.74 CH=11.57
A=92.45
S. 17° 04' 21" E. 92.45'

U.S. ROUTE 29
(120' R/W)

IES
FROM A BOUNDARY SURVEY
2006 AND C-B ENGINEERING
30 DEC. 11, 1989.
C-2 GENERAL BUSINESS
WHICH IS ZONED R-75.

EXHIBIT A



SUP2011-00038

Scheduled BOC Hearing: August 2011
 Printed: May 26, 2011

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

CASE NUMBER	: SUP2011-00039
ZONING	:C-2
LOCATION	:2700 BLOCK OF LAWRENCEVILLE-SUWANEE ROAD
MAP NUMBER	:R7152 263
ACREAGE	:3.56 ACRES
PROPOSED DEVELOPMENT	:POOL / BILLARDS HALL
SQUARE FEET	:3,750 SQUARE FEET
COMMISSION DISTRICT	:(I) LASSETER

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

APPLICANT: CHIN WOO LEE
2790 LAWRENECVILLE-SUWANEE ROAD, SUITE 130
SUWANEE, GA 30024

CONTACT: CHIN WOO LEE PHONE: 703.989.9895

OWNER: CHIN WOO LEE
2790 LAWRENECVILLE-SUWANEE ROAD, SUITE 130
SUWANEE, GA 30024

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant requests a Special Use Permit on 3.56-acre parcel zoned C-2 (General Business District) to allow a pool hall. The property, known as the JC Retail Center, is located on the west side of Lawrenceville-Suwanee Road, across from its intersection with Crestridge Drive.

The pool hall would occupy approximately 3,750 square feet of the 63,000 square foot, two-story shopping center. The pool hall would be located in second floor tenant space (Suite 270) that is presently vacant. Based on conversations with the applicant, it is noted that the pool hall would be associated with a Korean restaurant which is located on the ground level of the shopping center (Suite 130), and may also have access through the restaurant.

ZONING HISTORY:

The subject property was zoned R-100 (Single Family Residence District) in 1970. The property was rezoned to C-2 in 1975 through an area wide rezoning. A Special Use Permit request for a pool/billiards hall was denied in 2008 (SUP-08-074).

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:

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 water main located on the western right-of-way of Lawrenceville-Suwanee 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 property is a 3.56-acre parcel located on the west side of Lawrenceville-Suwanee Road, south of its intersection with Old Peachtree Road and across from Crestridge Drive. The site is developed with a two-story shopping center.

The Gwinnett 2030 Future Development Map identifies the subject property as lying within an Existing/Emerging Suburban Character Area. Guidelines of the Unified Plan for residential character areas discourage uses which could have a negative effect on nearby residential areas. It is noted that Brynfield subdivision is located across the street from the subject property. Additionally, in 2008 the Board denied a similar request for a pool hall on the subject property, pursuant to SUP-08-074. Therefore, the requested Special Use Permit may not be consistent with the Unified Plan or with past Board precedent established for this location.

The area surrounding the subject property is characterized by commercial zonings and uses surrounding the Interstate 85 interchange with Lawrenceville-Suwanee Road, while southward along Lawrenceville-Suwanee Road the corridor is predominately residential in nature. Immediately to the west of the property is Peachtree Road Baptist Church, zoned RA-200. Adjacent to the north and south are shopping centers in C-2 zoning. Across Lawrenceville-Suwanee Road is a daycare center in C-2 zoning, and the Brynfield residential development which includes townhomes in RM-8 zoning, and single-family homes in R-ZT zoning.

Impacts from pool halls could include noise, traffic and potential late-night parking lot activity which may not be compatible with other businesses in the shopping center or nearby residential neighbors. In light of the Board's past denial of a pool hall request for the shopping center in 2008, and the subject property's proximity to residential, church and daycare uses, a pool hall may not be an appropriate use for this shopping center.

In conclusion, given the past Board decision for the property and its proximity to residential and institutional neighbors, 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 choose to approve the request.

Approval of a Special Use Permit for a pool hall subject to the following enumerated conditions:

1. Retail and service commercial and accessory uses, which may include one pool hall in the shopping center as a special use. The pool hall shall not exceed 3,800 square feet of space.
2. The hours of operation for the pool hall shall be between 11:00 a.m. and 11:00 p.m.
3. Peddlers and/or parking lot sales shall be prohibited.
4. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
5. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The proposed Special Use Permit for a pool hall may not be suitable at this location given the proximity of residential, church and daycare uses.

ADVERSE IMPACTS

Adverse impacts in the form of noise, traffic and potential late-night parking lot activity may be anticipated.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

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

CONFORMITY WITH POLICIES

In 2008, the Board denied a similar request for a pool hall on the subject property, pursuant to SUP-08-074. In light of the Board's past denial of a pool hall request for the shopping center, a pool hall may not be consistent with the Unified Plan or past Board policy for this location.

CONDITIONS AFFECTING ZONING

There have been no changes in the area since the denial of a pool hall Special Use Permit in 2008 that would support the applicant's current 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:

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:

NONE



JC Properties of Georgia, LLC
5103-A Backlick Road
Annandale, Virginia 22003

MAY 31 2011

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

RE: Special Use Permit Application to Allow a Billiard Hall in a C-2 General Business District
2790 Lawrenceville Suwanee Road/ JC Retail Center
Gwinnett County District/Land Lot/Parcel # 7-152-040

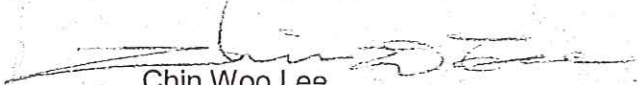
Dear Ladies and Gentlemen:

This letter shall serve as the official Letter of Intent to accompany our Application for a Special Use Permit for the above property. The property is currently zoned C-2 General Business District and comprises approximately 3.84 acres. We have a 2-story, 71,314 square feet (total gross area) shopping center, JC Retail Center, under construction on the property (CDP #2007-00184, BDP #2007-08831). We are applying for a Special Use Permit to allow a billiard hall (with more than 3 tables) to occupy a portion of the center.

The number of parking spaces shown on the enclosed site plan will not change. The height of the building will not change, nor will any other aspect of the building aesthetics as approved by your department during the shell building plan review process. The size of existing landscape buffers will not be affected by the billiard hall and neither will the current density in gross square footage per acre. It is our belief that allowing a billiard hall to occupy a portion of JC Retail Center will not adversely affect the neighboring properties in any way.

We thank you for your time and efforts put forth in considering our request. If you have any questions please do not hesitate to call.

Yours Truly,
JC Properties of Georgia, LLC


Chin Woo Lee
Vice President

c.c.: file

Enclosures
CWL/gel
Billards Letter of Intent.doc



RECEIVED 6-1-11
SUP2011-00039



330 Town Center Avenue • Suwanee, Georgia 30024
(770) 945-8996 • Fax (770) 945-2792
www.suwanee.com • Email: info@suwanee.com

June 27, 2011

Attn: Alicia McElheney
Gwinnett County Department of Planning and Development
446 West Crogan Street
Lawrenceville, GA 30046

RE: SUP2011-00039

Ms. McElheney:

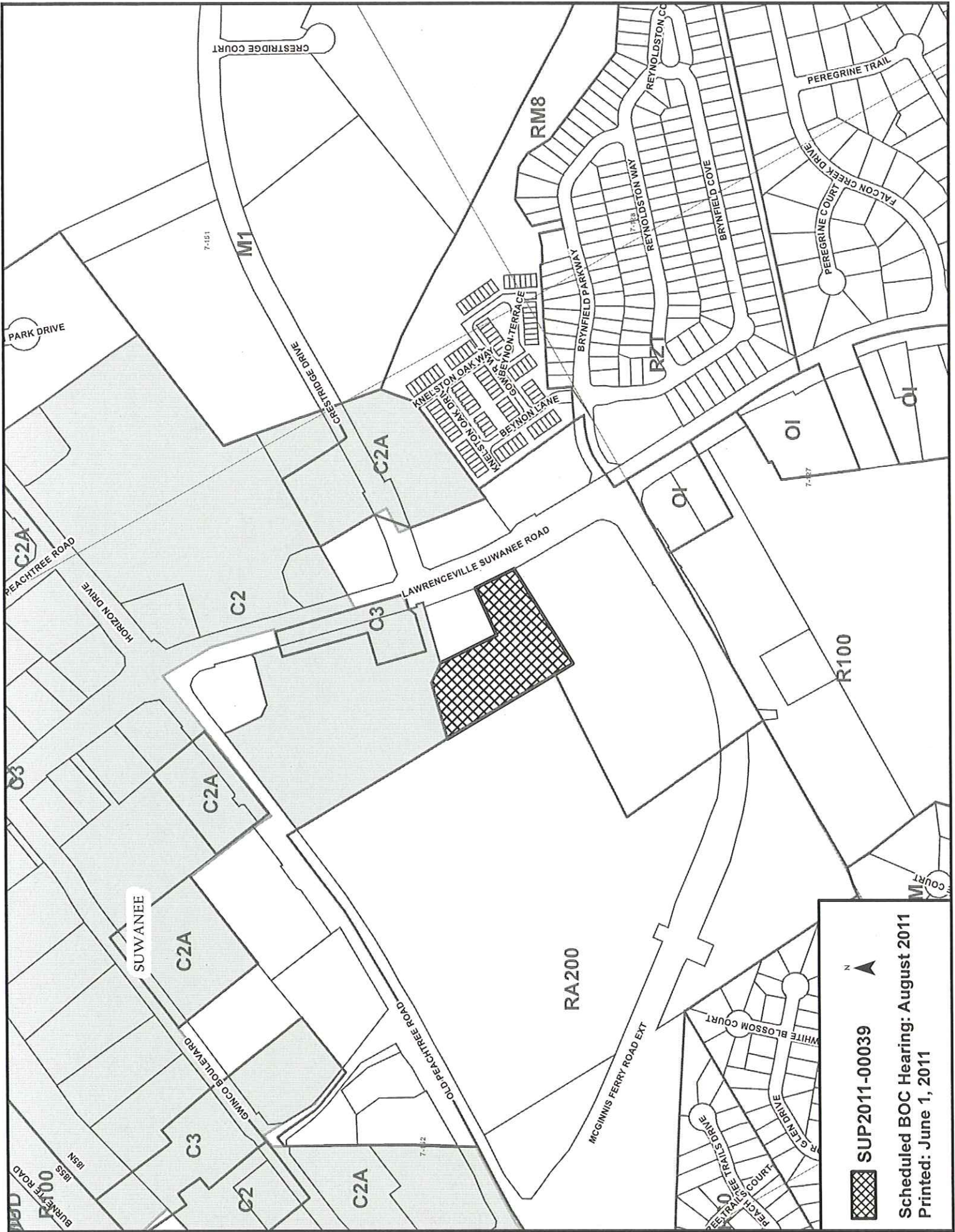
Regarding SUP2011-00039, the City of Suwanee Police Department has some public safety concerns. As a consequence of the location of the subject property abutting Suwanee City Limits, the City's Police Department could be the first responders in the event of 911 service call. These calls will obligate Suwanee police action for extended periods of time. It is the professional opinion of the Police Department that these types of calls could be limited if alcohol was prohibited from being sold at the proposed billiard hall.

Therefore, if the Gwinnett County Board of Commissioners chooses to approve SUP2011-0039, the City of Suwanee respectfully requests adoption of a condition prohibiting the sale of alcohol.

If you have any questions or comments please contact me at 770-945-8996.

Sincerely,

Josh Campbell
Director of Planning and Inspections, City of Suwanee



SUP2011-00039



Scheduled BOC Hearing: August 2011
 Printed: June 1, 2011

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

CASE NUMBER :**SUP2011-00041**
ZONING :C-2
LOCATION :6800 BLOCK OF PEACHTREE INDUSTRIAL BOULEVARD
MAP NUMBER :R6276 005
ACREAGE :2.21 ACRES
PROPOSED DEVELOPMENT :PAWN SHOP
SQUARE FEET :1,600 SQUARE FEET
COMMISSION DISTRICT :(2) HOWARD

FUTURE DEVELOPMENT MAP: **PREFERRED OFFICE**

APPLICANT: SAT SERVICES, INC.
4631 N. SPRINGS COURT
DUNWOODY, GA 30338

CONTACT: ROBERT J. WILSON PHONE: 770.962.0100

OWNER: GATEWAY VILLAGE HOLDINGS, LLC
780 OLD ROSWELL PLACE, SUITE 100
ROSWELL, GA 30076

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests a Special Use Permit on a 2.21-acre property, zoned C-2 (General Business District), to allow a pawn shop. The property is developed with a single-story, multi-tenant shopping center, and is located on Peachtree Industrial Boulevard south of Green Pointe Parkway.

The site is developed with a 25,600 square foot retail building, and an exhibit submitted by the applicant indicates that the pawn shop would occupy Suite L, which contains 1,600 square feet of space. There are no changes proposed to exterior of the structure or shopping center grounds. On a recent site visit, it was noted that other shopping center tenants include a small grocery, a church, an auto parts store and a coin operated laundry. Several other suites in the retail center are presently vacant.

ZONING HISTORY:

The property was zoned M-2 (Heavy Industry District) in 1970. The site was rezoned to M-1 (Light Industry District) pursuant to an area wide rezoning in 1972. The property was rezoned to C-2 pursuant to RZ-41-80 on March 25, 1980.

GROUNDWATER RECHARGE AREA:

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

WETLANDS INVENTORY:

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

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

No comment.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

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

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 300 feet north of 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 2.21 acre property located on Peachtree Industrial Boulevard, south of Green Pointe Parkway. The site is developed with a 25,600 square foot retail shopping center. A billboard is located on the northwest corner of the property.

The 2030 Unified Plan Future Development Map indicates that the site is located in a Preferred Office Character Area. The property is located in an intensely developed commercial corridor which includes a mix of retail, light industrial and office uses. A pawn shop utilizing a suite within the strip center could be a suitable use of vacant retail space.

This segment of the Peachtree Industrial Boulevard is developed primarily with commercial/retail, industrial and office uses, with residential developments located beyond the corridor. In light of the nature and intensity of uses in the area, a pawn shop business could be suitable at this location. However, to protect the aesthetics of the property, the Department recommends appropriate conditions regarding signage, outdoor storage/display, and hours of operation.

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

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

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

1. Retail, service commercial, office and accessory uses which may include a pawn shop as a special use.
2. The pawn shop shall be restricted to Suite L (1,600 +/- square feet of space).
3. Hours of operation for the pawn shop shall be limited to between 8:00 a.m. and 10 p.m.
4. Outdoor sales, storage or display of merchandise (including vehicles) shall be prohibited.
5. Wall signage for the pawn shop shall not exceed the requirements of the Gwinnett County Sign Ordinance.
6. Window signage (signs displayed on the interior or exterior of the pawn shop 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.
7. Neon, LED or blinking window signs or wall signs shall be prohibited.
8. 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.
9. Peddlers and/or parking lot sales shall be prohibited.
10. 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 pawn shop may be suitable at this location in light of the mix of commercial and light industrial uses in the area.

ADVERSE IMPACTS

If properly conditioned, the establishment of a pawn shop at this location, utilizing a relatively small suite within a larger retail building, may 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 pawn shop business at this location could be consistent with the established zoning pattern of the Peachtree Industrial Boulevard corridor, and with past approvals by the Board in similar commercial areas.

CONDITIONS AFFECTING ZONING

The proposed use would occupy vacant space in the retail center and, if properly conditioned, could be a suitable use at this 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. The proposed use is part of a larger shopping center which is partially vacant at this time. This use is compatible with other uses in the center.

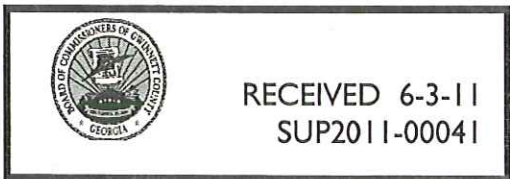
- (B) WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:
No. The use will complement existing commercial uses.

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED SPECIAL USE PERMIT HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:
This space has been vacant indicating limited utility without the special use permit.

- (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. The use will create additional jobs and decrease travel times and vehicle trips.

- (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 approval of the permit will allow for the creation of 4 jobs immediately and the potential to create additional jobs in the future.



WEBB, TANNER,
POWELL, MERTZ & WILSON LLP
ATTORNEYS AT LAW

10 LUMPKIN STREET
LAWRENCEVILLE, GA 30046
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TELEPHONE: (770) 962-0100
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JONES WEBB
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JODY C. CAMPBELL
BRIAN EDWARDS
MELODY A. GLOUTON
J. DAVID GUSSIO
BENJAMIN A. JOFFE

June 3, 2011

Charlotte J. Nash, Chairman
Shirley Lasseter
Lynette Howard
Mike Beaudreau
John Heard
Gwinnett County Board of Commissioners
75 Langley Drive
Lawrenceville, GA 30045

Re: Letter of Intent
6889 Peachtree Industrial Boulevard, Suite L

Dear Chairman Nash and Members of the Board:

Our firm represents Thomas Goode, the applicant and tenant at the above-referenced location. The applicant proposes to use the subject property for a pawn shop.

The property is fully developed and is a part of a larger 24,800 square foot shopping center. Mr. Goode proposes to occupy a suite containing 1600 square feet. The site plan filed with the application demonstrates that the existing parking area satisfies the requirements of the zoning ordinance. The property is located in an area of intense commercial development; therefore, the proposed use is compatible with other uses in the area.

The applicant would be happy to meet with you or the staff to address any issues or concerns you have. Thank you for your consideration of this request.

With best regards, I am

Very truly yours,

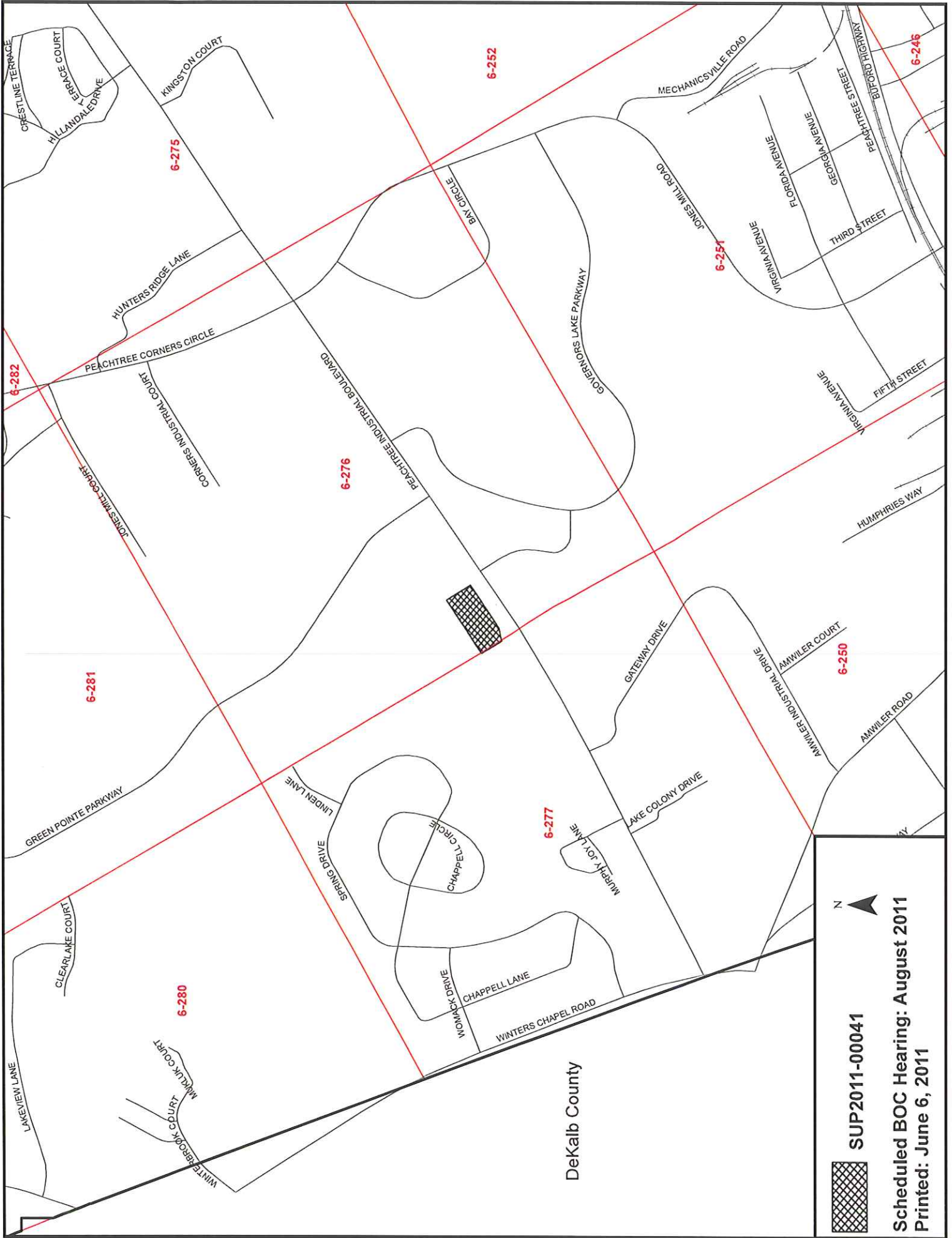
WEBB, TANNER,
POWELL, MERTZ & WILSON, LLP

Robert Jackson Wilson

RJW/ms



RECEIVED 6-3-11
SUP2011-00041



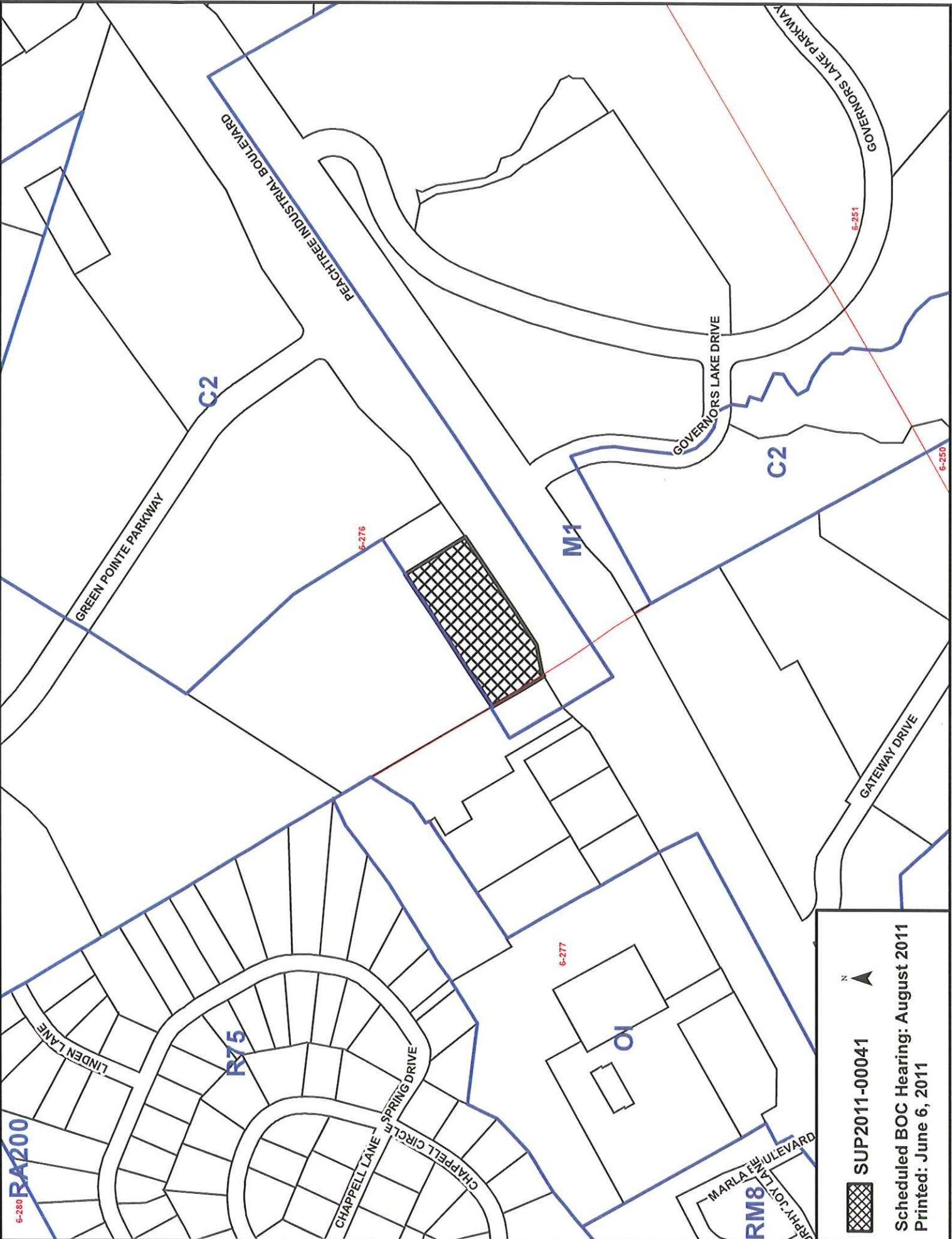
DeKalb County



SUP2011-00041

Scheduled BOC Hearing: August 2011
 Printed: June 6, 2011





SUP2011-00041

Scheduled BOC Hearing: August 2011
Printed: June 6, 2011



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

CASE NUMBER :**SUP2011-00042**
ZONING :M-1
LOCATION :3700 BLOCK OF PEACHTREE CREST DRIVE
:1800 BLOCK OF PEACHTREE INDUSTRIAL BOULEVARD
MAP NUMBER :R7206 265
ACREAGE :5.62 ACRES
PROPOSED DEVELOPMENT :ATHLETICS TRAINING FACILITY (INDOOR)
SQUARE FEET :27,831 SQUARE FEET
COMMISSION DISTRICT :(1) LASSETER

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

APPLICANT: CHARLES SMITH
848 BIG HORN HOLLOW
SUWANEE, GA 30024

CONTACT: CHARLES SMITH PHONE: 770.330.5501

OWNER: RRR HOLDINGS
 JUDITH RAYMER / LYNNE RILEY
 140 FERNLY PARK DRIVE
 JOHNS CREEK, GA 30022

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests a Special Use Permit on a 5.62-acre parcel, zoned M-1 (Light Industry District), to allow an indoor football training facility. The subject property is located within the Peachtree Crest Business Center, at the intersection of Peachtree Crest Drive and Peachtree Industrial Boulevard.

The football training activities would include instruction for both players and coaches. The building space would be fitted with a 50-yard indoor turf field, sprint tracks, a weight room and classroom space. The facility would also offer physical therapy/rehabilitation services.

The site is developed with an office/warehouse building totaling 27,831 square feet, with associated driveways and parking. The training facility would occupy the entire building. Access to the property is via two driveways onto Peachtree Crest Drive. A total of 31 parking spaces are shown on the submitted site plan and no exterior changes are proposed to the site or building as part of this application.

ZONING HISTORY:

The subject property has been zoned M-1 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.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

No comment.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 12-inch water main located on the northern right-of-way of Peachtree Crest Drive, and a 16-inch water main located on the eastern right-of-way of Peachtree Industrial Boulevard.

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 each building for review and approval by Building Plan Review. The existing building shall comply with the requirements of the 2006 International Mechanical and Plumbing Code with Georgia state amendments based on occupancy group.

2. 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.
3. Upon completion of plan review approvals, the applicant shall obtain a building permit for each building and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

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

GWINNETT COUNTY FIRE SERVICES COMMENTS:

Fire Plan Review has no 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 5.62-acre parcel, located at the southeast intersection of Peachtree Crest Drive and Peachtree Industrial Boulevard. The subject property is located within the Peachtree Crest Business Center, and is developed with an existing building and associated parking.

The 2030 Unified Plan Future Development Map indicates the site is located within the Corridor Mixed-Use Character Area. The proposed indoor sports training facility could be considered compatible with the Unified Plan. Additionally, within the Peachtree Crest Business Park the Board has previously approved two similar special use requests, one for an indoor skateboard facility and one for a dance studio. The subject request could be consistent with the nature of these past Board approvals.

The surrounding area includes numerous office/warehouse uses and light industrial zoned properties along the east side of the Peachtree Industrial Boulevard corridor. Located within the Peachtree Crest Business Center are other office/warehouse buildings, some with space being used as indoor training facilities. Given the past Board approvals of similar indoor recreation and training centers within the same office park, this request could be considered suitable at this location.

In conclusion, the requested Special Use Permit for an indoor recreation and training center would be consistent with Board precedent for uses within industrial buildings, and would be considered compatible with the adjacent and nearby land uses. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS**.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of a Special Use Permit for an indoor athletics training facility subject to the following enumerated conditions:

1. Light industrial uses, which may include an indoor sports training facility as a special use.
2. Outdoor activities, competitions, or special events shall be prohibited.
3. Parking shall be provided on-site, and shall not include any on-street parking along Peachtree Crest Drive.
4. Any 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.
5. 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.
6. No tents, canopies, 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.
7. Peddlers and/or parking lot sales are prohibited.
8. 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

Given the nature of surrounding uses and zoning, the requested Special Use Permit for an indoor sports training center could be suitable at this location.

ADVERSE IMPACTS

With the recommended conditions, including restrictions on parking and outdoor activities, any potential impacts on adjacent and nearby properties could be reduced.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACT ON PUBLIC FACILITIES

Some minor impacts on public facilities in the form of 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 indoor recreation and sports training facilities within the Peachtree Crest Business Center.

CONDITIONS AFFECTING ZONING

The building would be entirely occupied by the indoor training facility, thereby eliminating the potential for conflicting activities with other office/warehouse tenants.

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, THE PROPOSED SHOULD BE SIMILAR TO THE SURROUNDINGS
- (B) WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:
NO ADVERSE AFFECT SHOULD BE ANTICIPATED
- (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 MORE THEN 15-20 CARS WILL BE @ THE LOCATION AT ONETIME
- (E) WHETHER THE PROPOSED SPECIAL USE PERMIT IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:
THE SPECIAL USE PERMIT SHOULD NOT AFFECT
- (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:
THERE ARE NO CONDITIONS AT THE PROPERTY CHANGING AND TRAFFIC WILL NOT INCREASE. SUCH A BUSINESS SHOULD NOT BRING ANY UN-WANTED ACTIVITIES.



5/31/2011

Letter of intent
Special use permit

3770 Peachtree Crest Dr. , Duluth, Ga. 30097

To whom it may concern,

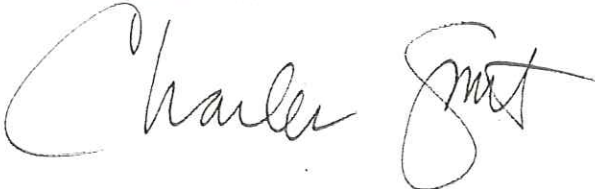
My name is Charles Smith and I am a former NFL player who enjoyed a 9 year career with the Atlanta Falcons as a Defensive end. Even though I enjoyed playing football, I have always felt there was something more for me. Over the past few years I have experienced the other side of football which is TEACHING. After spending time with the NY Jets as an assistant Defensive line coach and pass rush specialist and the defensive line coach for the University of Tennessee, I have decided to come home to fulfill my passion of TEACHING players.

Football 365 is my passion. Here is where I will share my knowledge that I have gained over the past 30 years. Not only with the local school levels but the professional levels as well. I want to provide a facility for players as well as coaches to expand their abilities on and off the field. Football 365 will consist of a 50 yard indoor field turf, sprint tracks and weight room to help expand the seasons training year round. Whether it's the high school and college players, trying to make it to the next level, or the current NFL players wanting to continue perfecting their position Football 365 is the answer. A physical therapy (rehab) office and class rooms will also encompass the facility we call Football 365.

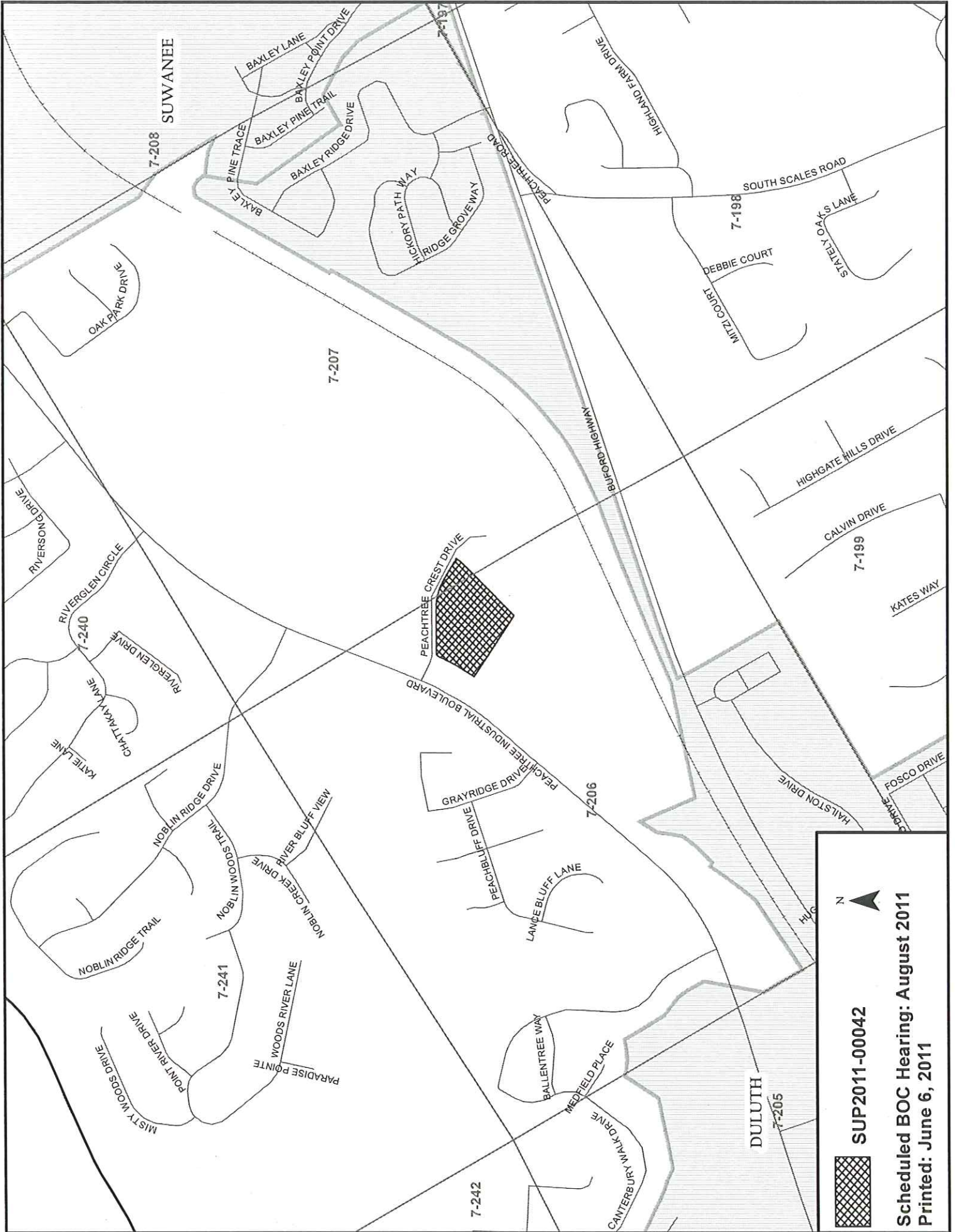
I look forward to getting started on what I believe will be a great opportunity to service the community as well as helping to grow a business that I can be proud of.

Sincerely,

Charles Smith



RECEIVED 6-3-11
SUP2011-00042



SUP2011-00042



Scheduled BOC Hearing: August 2011
Printed: June 6, 2011

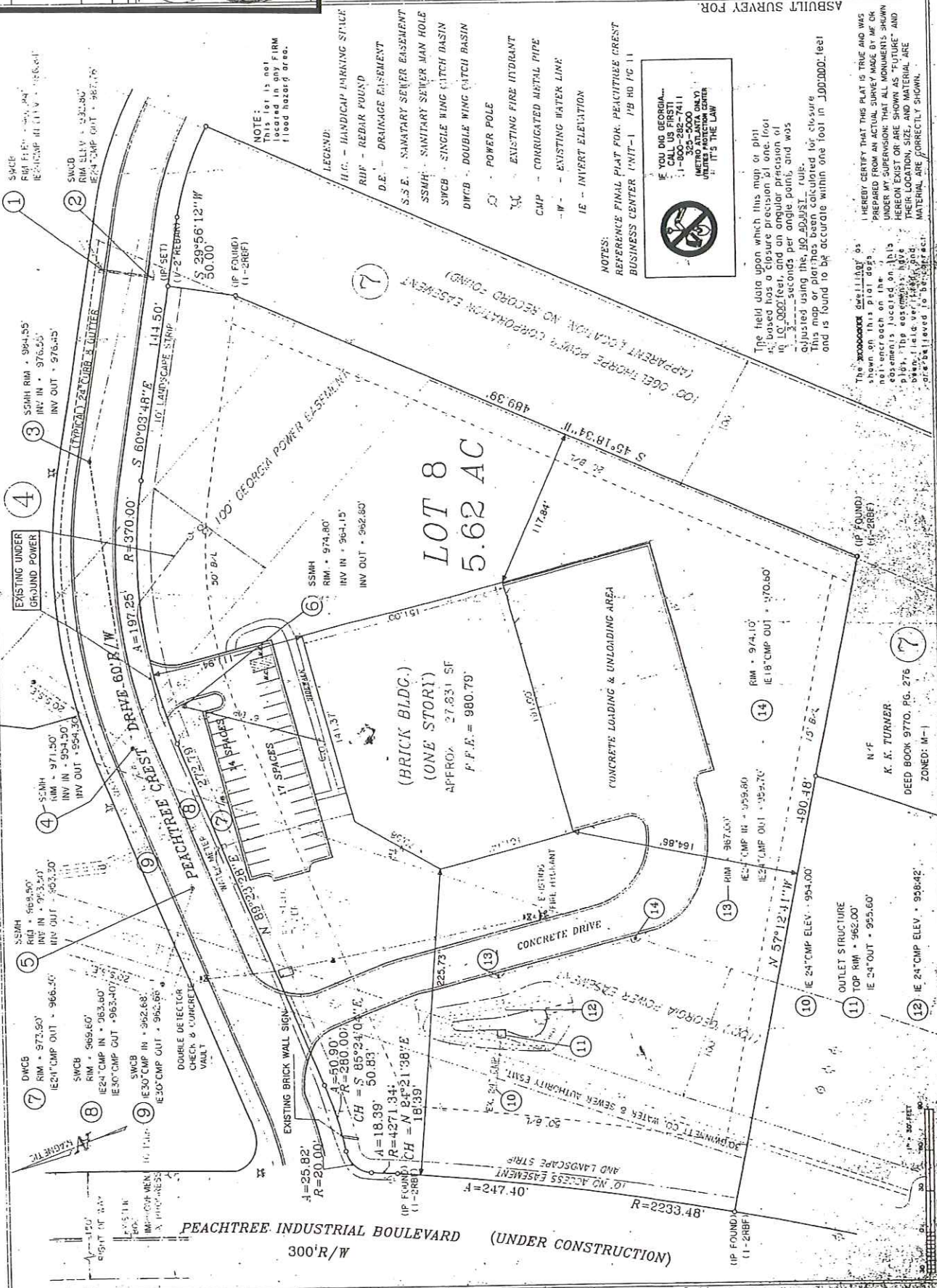
RECEIVED 6-3-11
 SUP2011-00042



MICHAEL C. BROWN P.L.S.
 Professional Land Surveyor
 3300 Buford Drive, Suite 5
 Atlanta, Georgia 30328
 Phone: (770) 811-0414 Fax: (770) 811-8324

NYGARD PROPERTIES
 LOCATED IN LAND LOT 206 & 207 - 7TH DISTRICT - PARCEL 14
 GWINNETT COUNTY, GEORGIA

LOT 8
 5.62 AC
 PG 1 OF 1



NOTE:
 This lot is not
 located in any firm
 flood hazard area.

- LEGEND:
- H.C. - HANDICAP MARKING STIPPLE
 - RUF - REBAR FOUND
 - D.E. - DRAINAGE EASEMENT
 - S.S.E. - SANITARY SEWER EASEMENT
 - SSMH - SANITARY SEWER MAN HOLE
 - SWCB - SINGLE WING CATCH BASIN
 - DWCB - DOUBLE WING CATCH BASIN
 - PO - POWER POLE
 - XC - EXISTING FIRE IRRADIANT
 - CMP - CORRUGATED METAL PIPE
 - W - EXISTING WATER LINE
 - IE - INVERT ELEVATION

NOTES:
 REFERENCE FINAL PLAT FOR PEACHTREE CREST
 BUSINESS CENTER (UNIT-1) 1/9 HD PG 11



The field data upon which this map or plat is based has a closure precision of one foot in 10,000 feet, and an angular precision of 3 seconds per angle point, and was adjusted using the BO ADJUST rule. This map or plat has been calculated for closure and is found to be accurate within one foot in 100,000 feet.

The 'proposed' detailing as shown on this plat does not encroach on the easements located on this plat. The easements have been located on the ground and are shown as 'FUTURE' and are believed to be correct.

LOT 8
 5.62 AC

(BRICK BLDG.)
 (ONE STORY)
 AFFROA 27,831 SF
 F.F.E. = 980.79'

N.F.
 K. K. TURNER
 DEED BOOK 9770, PG. 275
 ZONED: M-1

PEACHTREE INDUSTRIAL BOULEVARD
 300' R/W
 (UNDER CONSTRUCTION)

PEACHTREE CREST DRIVE 60' R/W

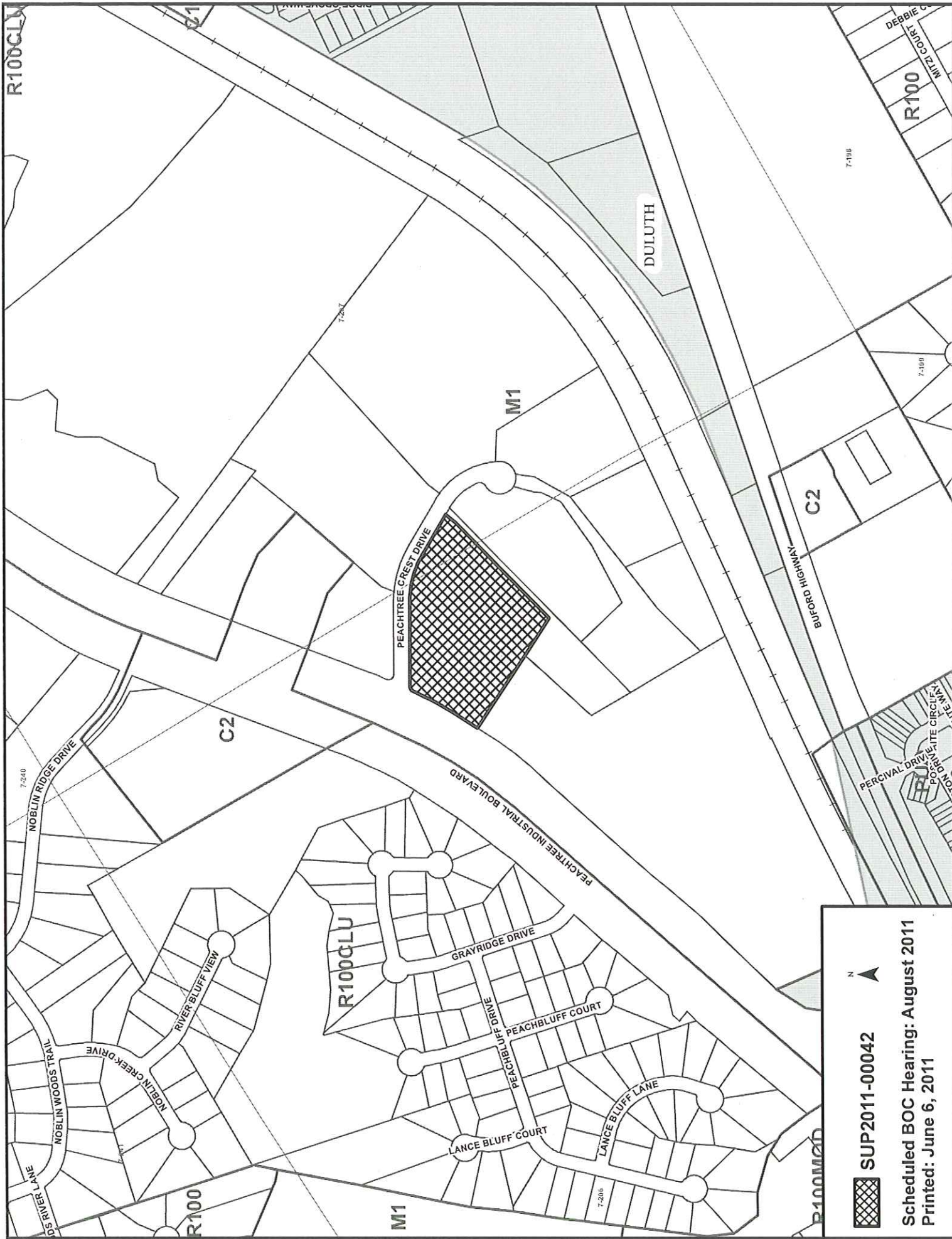
CONCRETE DRIVE

EXISTING UNDER GROUND POWER

10' NO ACCESS EASEMENT AND LANDSCAPE STRIP

10' GEORGIA POWER EASEMENT

10' GEORGIA POWER EASEMENT



 SUP2011-00042

Scheduled BOC Hearing: August 2011
 Printed: June 6, 2011

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

CASE NUMBER :**SUP2011-00043**
ZONING :R-100
LOCATION :700 BLOCK OF TOM SMITH ROAD
MAP NUMBER :R6103 337
ACREAGE :1.69 ACRES
PROPOSED DEVELOPMENT :CHURCH USES
SQUARE FEET :5,600 SQUARE FEET
COMMISSION DISTRICT :(2) HOWARD

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

APPLICANT: DENNIS KELLY
THE ROMAN CATHOLIC ARCHDIOCESE OF ATLANTA
2401 LAKE PARK DRIVE
SMYRNA, GA 30080-8862

CONTACT: DENNIS KELLY PHONE: 678.618.1383

OWNER: SHARRON WOMACK
2467 MISTY ROSE LANE
LOGANVILLE, GA 30052

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests a Special Use Permit to add a neighboring 1.69-acre property to the existing St. John Neumann Catholic Church and School campus located on Tom Smith Road. The subject property is addressed as 741 Tom Smith Road and is developed with a two story, single-family dwelling, zoned R-100 (Single Family Residence District). The total area of the church and school, with the added property, would be 21.43 acres.

Staff notes that over the past 25 years the St. John Neumann Parish has assembled several properties along Tom Smith Road to accommodate the growth of their facility, which includes a main church sanctuary, a private school and before and after school care. Recently, a change in conditions was approved to increase the allowable school enrollment and expand its hours of operation, pursuant to CIC09-004 (see attached conditions).

The parish intends to use the existing residence as a meeting place for smaller ministries that require less space. There is no current plan to expand the dwelling and all parking would occur on the existing church/school property, with no new parking proposed on the subject site. A fence is located along the north property line.

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 (CIR2011-00130).

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:

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

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

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

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

Parking spaces shall be provided at a ratio of:

One space per 5 seats in main sanctuary for a Church (Minimum).

One space per 2 seats in main sanctuary for a Church (Maximum).

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 lowers floor including the basement, of all non-residential building be constructed at an elevation of at least one foot above the 100-year floodplain.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

No comment.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

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 16-inch water main located on the eastern right-of-way of Tom Smith 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 500 feet south of the property.

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

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

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

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

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

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall 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 site is a 1.69-acre parcel developed with a two story, single-family dwelling, which is setback approximately 300 feet from the roadway. A fence is located along the north property line and a large portion of the property is wooded.

The 2030 Unified Plan Future Development Map identifies the property as lying within an Existing / Emerging Suburban Character Area. A small addition to the existing St. John Neumann Church campus could be considered compatible with this Character Area designation.

Staff notes that in 1986 and 1987, Special Use Permits (SUP-10-86 and SUP-20-87) were approved for the neighboring church and private school. Recently a change in conditions was approved to increase the allowable enrollment and expand the school operation hours, pursuant to CIC09-004. With proper conditions, the addition of the requested Special Use Permit could be consistent with these past Board approvals for St. John Neumann Church and School.

The surrounding area is characterized by single-family residential uses, including subdivisions and scattered residences on large lots. The proposed new addition could be suitable and consistent with past Board approvals and the additional 1.69-acre property would not be expected to significantly increase the church's impact on the surrounding community.

In conclusion, the proposed expansion of the church property for limited activities within the existing dwelling could be considered consistent with the Unified Plan and compatible with past Board approvals involving the Church and Private School. 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 accessory church uses, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Use of the building shall be limited to small ministry meetings and shall not be used for church services, daycare or private school activities, except as specifically reviewed and approved by the Director of Planning and Development.
 - B. Redevelopment of the site (other than walking trails), including any new building(s) or changes to the site and grounds shall be subject to the review and approval of the Director of Planning and Development.
 - C. Abide by all applicable conditions of CIC-09-004 governing the St. John Neumann Church and School.
 - D. Obtain all necessary development and building permits, and bring the site and structure(s) up to all applicable zoning, development and building codes prior to church occupancy.
2. To satisfy the following site development considerations:
 - A. Provide a 20-foot wide buffer and an 8-foot high, 100% opaque wood fence along the north property line adjacent to residential properties. The buffer may contain existing residential encroachments. Buffer and fencing plans shall be subject to review and approval of the Director of Planning and Development.

If the site is redeveloped in the future, a full 50-foot buffer shall be maintained adjacent to neighboring non-church properties.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The surrounding area is primarily developed with residences, and the existing church has been a part of the community for 25 years. A small addition to the church complex could be suitable in light of the existing church and low intensity uses in the area.

ADVERSE IMPACTS

With the recommended conditions and limitations, 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 no additional parking or building expansion is proposed to the existing dwelling, minimal changes in impacts in the form of traffic and utilities usage would be anticipated from this request.

CONFORMITY WITH POLICIES

The existing church and school and requested Special Use Permit to expand the property to utilize an existing building are consistent with suggested uses for the Existing/Emerging Suburban Character Area.

CONDITIONS AFFECTING ZONING

Limited use of the property for church related ministry meetings in an existing dwelling that is setback approximately 300 feet from the roadway and adjacent to a 20-acre church and school complex, gives supporting grounds for approval with conditions 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:
YES - NO IMPACT ON NEIGBORS
- (B) WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:
NO ADVERSE EFFECT ON ADJACENT PROPERTIES.
- (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 ADDED TRAFFIC. CHURCH NEIGHBOR ALREADY EXISTS. ACCESS TO PROPOSED SUP TROPERTY WILL BE VIA CHURCH PROPERTY.
- (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: YES
CHURCH WILL BE ABLE TO BETTER SERVE ALL GWINNETT COUNTY RESIDENTS



THE ROMAN CATHOLIC
ARCHDIOCESE
OF **ATLANTA**

June 2, 2011

Via: Personal Delivery

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

**Re: Special Use Permit Letter of Intent For
741 Tom Smith Rd.
Lilburn, Georgia 30047
Gwinnett County Plat Book : 37, Page: 83
1.69 Acres**

Dear Sirs / Madams:

As regards the above referenced property, I would like to offer the following:

The Roman Catholic Archdiocese of Atlanta has entered into a purchase agreement with the owner of 741 Tom Smith Road. This property is directly adjacent to the Catholic Church of St. John Neumann.

It is the Parish's intent to use the existing house on this property as a meeting place for their smaller ministries and other misc. groups. They also plan on building a Prayer Trail through the grounds surrounding the house as soon as funds become available.


Please note the following with regards to St. John Neumann's usage of this property:

- The existing church parking lot will be used by all meeting attendees. No parking will be allowed on the 741 Tom Smith Road property.
- At this time the Parish has no plan to add any square footage to the existing building.
- The Parish is not requesting any kind of Variance or change to the existing Buffers.
- The Parish is not requesting a change to the existing Zoning.

I thank you for your consideration of this matter and ask that you please share this letter with all Gwinnett County personal who may be involved in the permitting process.

Should you have any questions or concerns, I can be reached at (404) 920-7868.

Yours truly,


Dennis Kelly
Senior Project Manager
Catholic Construction Services Inc.
Roman Catholic Archdiocese of Atlanta

cc: Ms. Sharron Womack
Father John Howren, Pastor – St. John Neumann Catholic Church



CASE NUMBER CIC-09-004
GCID 2009-0107

BOARD OF COMMISSIONERS
GWINNETT COUNTY
LAWRENCEVILLE, GEORGIA
RESOLUTION

READING AND ADOPTION:

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

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

On motion of COMM. NASUTI, which carried 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 R-100 to R-100 by JAMES M. ANDERSON for a CHANGE IN 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 JANUARY 27, 2009 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 27TH day of JANUARY 2009, that the aforesaid application to amend the Official Zoning Map from R-100 to R-100 (Change in Conditions) is hereby **APPROVED** subject to the following enumerated conditions:

- I. To the owner's agreement to restrict use of the subject property as follows:
 - A. Church and accessory uses only for the structure.
 - B. Elementary school and accessory uses, grades K through 8, will not exceed an enrollment of 675 students.
 - C. Hours of operation for the school shall be from 7 a.m. to 6 p.m. This shall include before and after school programs.
 - D. The outside bells shall only ring to signal the start and end of each school day. During holidays and vacations, the outside bells shall be silent.
 - E. Outside paging of faculty and students shall be used only for emergencies and mandated emergency drills. All other communications will be conducted via personal radios.
 - F. No outdoor events and/or celebrations shall extend beyond 10 p.m. during weekdays and 11 p.m. on Fridays and Saturdays.

2. To the owner's agreement to the following site development considerations:
 - A. Provide an 8-foot high, 100% opaque wood fence on the north property line adjacent to Parcel 4.
 - B. There shall be no more entrances on Tom Smith Road than presently exist.
 - C. Provide a ten-foot landscaped strip adjacent to Tom Smith Road.
 - D. Dedicated at no cost to Gwinnett County, prior to the issuance of a development permit, at least 40 feet of right-of-way from the centerline of Tom Smith Road.
 - E. Provide traffic control at the entrance of the school on Tom Smith Road one hour prior to the opening of school and at the closing of school (30 minutes prior to the school closing and one hour after the school is closed).
 - F. Provide traffic control at the intersection of Tom Smith Road and Five Forks-Trickum Road when the classes are in effect.
 - G. The developer shall construct a left turn lane on Tom Smith Road at the entrance driveway of the private school.
 - H. The developer shall construct proper and safe driveway designs and good traffic circulation patterns in the parking lot of the private school.
 - I. Provide a 50-foot undisturbed buffer, replanted where sparsely vegetated, to include a 4-foot cyclone fence. The location of this fence shall be subject to the approval of Director of Development and the neighbors involved. The fence shall be located 50-feet back from the boundary line ~~from~~ of the neighbors.

CASE NUMBER CIC-09-004
GCID 2009-0107

- J. Install an 8-foot high, 100% opaque fence around the air conditioning unit(s) beside the gym for purposes of noise abatement.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: 
Charles E. Bannister, Chairman

Date Signed: 1/29/09

ATTEST:


County Clerk/Deputy County Clerk





COMPLIANCE INSPECTION REPORT

CASE NUMBER:	CIR2011-00130
RECEIVED DATE:	6/16/2011
APPLICATION NAME:	DENNIS KELLY - THE ROMAN CATHOLIC ARCHDIOCESE OF ATLANTA
APPLICATION ADDRESS:	741 TOM SMITH ROAD, LILBURN, GA 30047
APPLICANT:	Dennis Kelly - The Roman Catholic Archdiocese Of Atlanta 2401 Lake Park Drive Smyrna, GA 30080-8862
REQUEST TYPE:	Existing Building Compliance Report
NFPA OCCUPANCY:	
CURRENT OCCUPANCY USE:	R-1 (IBC) Residential
PROPOSED OCCUPANCY USE:	A-2 (IBC) Assembly
DEVELOPMENT TYPE:	Other
CONSTRUCTION TYPE:	(IBC) TYPE VB UNSPRINKLERED

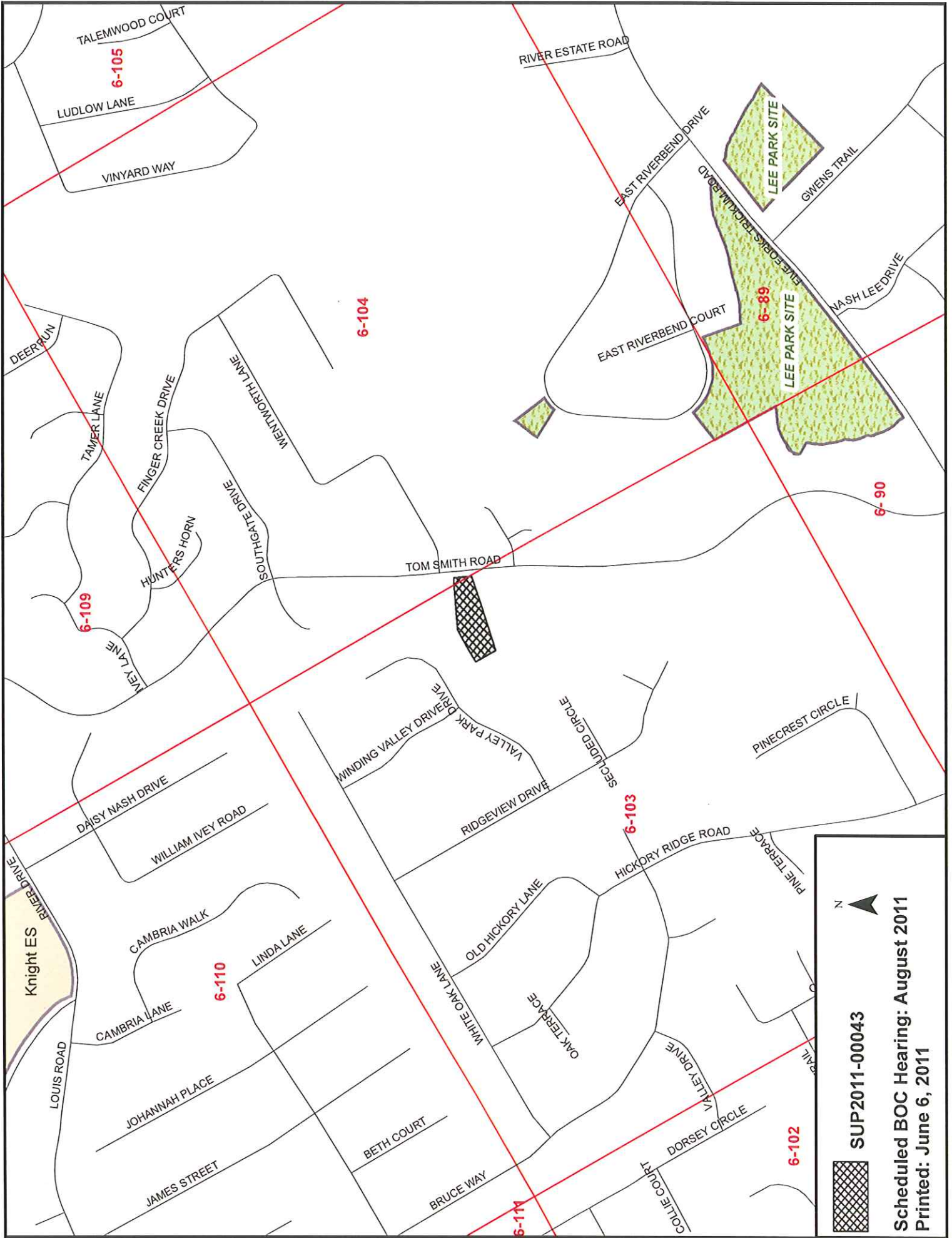
COMMENTS:


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
Electrical Code Compliance				
6/22/2011	Ground fault circuit interrupter (GFCI) in bathroom, kitchen, and outside receptacles.	NEC 210.8	John Brown	Fail
6/22/2011	Required location for receptacles.	NEC 210 need gfci receptacle at outside air conditionong units location	John Brown	Fail
6/22/2011	Grounding type receptacles.	NEC 406	John Brown	Pass
6/22/2011	Required location for lights and switches.	NEC 210	John Brown	Pass
6/22/2011	Grounding to metal water pipe, building steel, ground rods.	NEC 250-3	John Brown	Pass
6/22/2011	Working clearance in front of equipment.	NEC 110.26	John Brown	Pass
6/22/2011	Location of service disconnect.	NEC 230.70	John Brown	Pass
6/22/2011	Service equipment - Illumination of service and/or panels.	NEC 110.26(d)	John Brown	Pass
6/22/2011	Service equipment - Fault current rating.	NEC 110.9	John Brown	Pass
6/22/2011	Occupant to have access to service equipment.	NEC 230.72(c)	John Brown	Pass
6/22/2011	Conductors - Correct size for overcurrent device.	NEC 310	John Brown	Pass
6/22/2011	Physical condition of conductors.	NEC 310	John Brown	Pass
6/22/2011	Proper equipment grounding conductor size.	NEC 250.122	John Brown	Pass

DATE	ITEM	COMMENT	INSPECTOR	STATUS
Electrical Code Compliance				
6/22/2011	Disconnects for appliances and HVAC equipment -Required locations and accessible.	NEC 422.30 NEC 440.11	John Brown	Pass
6/22/2011	Sub-Panels - Location of panels	NEC 110.26	John Brown	Pass
6/22/2011	Sub-Panels - working clearance in front of panels.	NEC 110.26	John Brown	Pass
6/22/2011	Sub-Panels - Illumination of panels.	NEC 110.26(d)	John Brown	Pass
6/22/2011	Overcurrent devices - Correct type per panel manufacturer.	NEC 110.3	John Brown	Pass
6/22/2011	Number of overcurrent devices for panel.	NEC 110.3	John Brown	Pass
Failed items forElectrical Inspection,Electrical Code Compliance				
6/22/2011	Ground fault circuit interrupter (GFCI) in bathroom, kitchen, and outside receptacles.	NEC 210.8	Charles Anderson	Fail
6/22/2011	Required location for receptacles.	NEC 210 need gfci receptacle at outside air conditionong units location	Charles Anderson	Fail
Failed items forPlumbing Inspection,Plumbing Code Compliance				
6/22/2011	The plumbing system for the proposed occupancy is suitable for intended use.		Charles Anderson	Fail
6/22/2011	This occupancy requires drinking fountains to be installed.	IPC 403.1	Charles Anderson	Fail
6/22/2011	Change all water closets to elongated with open front seats.	IPC 420.2	Charles Anderson	Fail
6/22/2011	Install vacuum brakers on all hose bibbs.	IPC 608.11	Charles Anderson	Fail
Plumbing Code Compliance				
6/22/2011	The plumbing system for the proposed occupancy is suitable for intended use.		John Brown	Fail
6/22/2011	This occupancy requires drinking fountains to be installed.	IPC 403.1	John Brown	Fail
6/22/2011	Change all water closets to elongated with open front seats.	IPC 420.2	John Brown	Fail
6/22/2011	Install vacuum brakers on all hose bibbs.	IPC 608.11	John Brown	Fail
6/22/2011	Water heaters - Provide combustion air from outside.	IPC 504.5-504.6	John Brown	Pass
6/22/2011	Water heaters - Provide 3/4 T&P relief line using approved pipe.	IPC 502.4	John Brown	Pass
6/22/2011	Water heaters - Repair or replace vent with approved vent pipe.		John Brown	Pass
6/22/2011	Repair or replace water heater.	IPC 501.1	John Brown	Pass
6/22/2011	Water heaters - install thermal expansion device.	IPC 607.3	John Brown	Pass
6/22/2011	Install pressure reducing valve in main water service.	IPC 604.8	John Brown	Pass
Structural Code Compliance				
6/22/2011	Wood grades, spans, floor joist, ceiling and rafters.	IBC 2308 need engineer load letter for second floor system	Todd Herget	Fail
6/22/2011	Cut, sawed, drilled, damaged wood (interior and exterior)	IBC 2303 attic ridge beam needs support	Todd Herget	Fail

DATE	ITEM	COMMENT	INSPECTOR	STATUS
Structural Code Compliance				
6/22/2011	Insulation, flamespread.	IBC 719 exposed paperback insulation	Todd Herget	Fail
6/22/2011	Insualtion in attic.	IECC 502	Todd Herget	Pass
6/22/2011	Attic Ventilation.	IBC 1203	Todd Herget	Pass
6/22/2011	Ground clearance.	IBC 2304.11	Todd Herget	Pass
6/22/2011	Attic Access.	IBC 1209.9	Todd Herget	Pass
6/22/2011	Minimum ceiling heights.	IBC 1208.2	Todd Herget	Pass





SUP2011-00043

Scheduled BOC Hearing: August 2011

Printed: June 6, 2011





SUP2011-00043

Scheduled BOC Hearing: August 2011
Printed: June 6, 2011



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

CASE NUMBER :**SUP2011-00044**
ZONING :C-2
LOCATION :700 BLOCK OF BUFORD HIGHWAY
:4200 BLOCK OF WOODWARD MILL ROAD
MAP NUMBER :R7256 134
ACREAGE :1.69 ACRES
PROPOSED DEVELOPMENT :AUTOMOBILE SALES (USED)
SQUARE FEET :720 SQUARE FEET
COMMISSION DISTRICT :(4) HEARD

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

APPLICANT: MEMBERS AUTO CHOICE, LLC
175 S. CLAYTON STREET
LAWRENCEVILLE, GA 30045

CONTACT: TRACEY BLASI PHONE: 770.963.6909

OWNER: HOWINGTON HOLDINGS, LLC
704 DOGWOOD CIRCLE
NORCROSS, GA 30071

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests a Special Use Permit on a 1.69-acre property, zoned C-2 (General Business District), to allow a used automobile sales lot. The subject property is located on the northeast corner of the intersection of Buford Highway and Woodward Mill Road. The building and site were formerly used as a legal non-conforming, "grandfathered" automobile sales lot; however, in March 2010 the business license expired, and in order to reopen the business a Special Use Permit is required. The building is presently vacant, and the submitted letter of intent states that there would be no repair or service of vehicles on-site.

The subject property is developed with a 720 square-foot single-story commercial building, associated driveways and parking lot. Access would be provided through the two existing driveways onto Buford Highway. The rear of the property is pasture with scattered trees. At this time, the applicant does not plan to expand the use with additional paving, buildings or landscaping. Staff would note that the front of the business, including the parking area and a portion of the building, appear to be located within the Buford Highway right-of-way. Staff notes that the right-of-way may have been expanded by the Georgia Department of Transportation several years after development of the site.

ZONING HISTORY:

The 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:

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

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Coordinate with the Georgia D.O.T. regarding access to Buford Highway and improvements within the existing right-of-way.

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 16-inch water main located on the southern right-of-way of Buford Highway.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 1,700 feet east of 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 renovation of the existing building for review and approval by Building Plan Review.
2. Upon completion of plan review approvals, the applicant shall obtain a building permit for the renovation 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.

DEPARTMENT ANALYSIS:

The subject site is a 1.69-acre property is located on the northeast corner of the Buford Highway and Woodward Mill Road intersection. The subject property is developed with a 720 square-foot single-story commercial building, associated driveways and parking lot. The rear of the property is pasture with scattered trees.

The 2030 Unified Plan Future Development Map indicates that the site is located in an Existing/Emerging Suburban Character Area. The property is zoned C-2 and was used as an automobile sales lot for many years. Allowing the car lot to reopen would be consistent with its past longstanding use, and could be considered compatible with recommendations of the Unified Plan.

The surrounding area is developed with a mix of residential, commercial and industrial uses scattered along the Buford Highway corridor. Several non-residential uses are located along the highway in the immediate area. Located to the south are a boat sales facility, small-scale industrial uses, and an automobile service business that includes U-Haul rental. The requested

Special Use Permit that would allow an automobile sales lot to reopen on a site previously used for this purpose for several years could be compatible with nearby commercial activity scattered along the Buford Highway corridor.

In conclusion, the requested special use may be suitable given the mix of uses in the area that includes automobile related activities. The use is also consistent with the previous use of the site. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS.**

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of a Special Use Permit for an automobile sales facility:

- I. To restrict the use of the property as follows:
 - A. Retail, service-commercial, office and accessory uses, which may include automobile sales as a special use.
 - B. Any new buildings shall be finished with architectural treatments of glass, brick and/or stacked stone (stucco may only be used as an accent material). Final building elevations shall be submitted for review and approval by the Director of Planning and Development. Portable office trailers shall be prohibited.
 - C. Outdoor sales/storage of merchandise other than automobiles (such as trailers, utility buildings, rental trucks, automotive parts, junked vehicles, etc.) shall be prohibited.
 - D. Repair or servicing of vehicles shall be prohibited.
2. To satisfy the following site development considerations:
 - A. Provide a 75-foot wide buffer natural undisturbed buffer adjacent to residentially zoned property. The buffer shall be enhanced where sparsely vegetated.
 - B. Any new ground sign shall be limited to a monument type sign with a minimum two-foot high brick or stacked stone base. Ground sign shall not exceed 10 feet in height.
 - C. 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.
 - D. Billboards or oversized signs shall be prohibited.
 - E. Outdoor loudspeakers shall be prohibited.
 - F. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure.
 - 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 shall be prohibited.

- I. 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 for an automobile sales lot could be suitable in light of the previous use of the property and the mix of uses in the area.

ADVERSE IMPACTS

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

REASONABLE ECONOMIC USE AS ZONED

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

IMPACT ON PUBLIC FACILITIES

Since no new construction is proposed, it is anticipated that there would be few additional impacts on public facilities from the request.

CONFORMITY WITH POLICIES

The proposal is considered compatible with policies of the Unified Plan for established commercial properties. The proposed automobile sales facility could be suitable in light of nearby automobile related uses and non-residential developments.

CONDITIONS AFFECTING ZONING

The site was a used automobile sales lot for many years, which recently lost its grandfathered status. Approval of this request would allow the resumption of the previous business occupancy.

SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER
SPECIAL USE APPLICATION OF MEMBERS AUTO CHOICE LLC

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

This property has been used for used car sales since 1972; however, the property lost its "grandfathered" status because the Applicant is the new Tenant, planning to operate a used car lot partnering with the Gwinnett Federal Credit Union. Accordingly, a Special Use Permit ("SUP") is required in order for the property to continue this use with this Tenant.

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

The SUP will provide for continuation of the same use on this property that has been in place for the past 39 years, a used car lot operating in partnership with the Gwinnett Federal Credit Union, and, as such, will not adversely affect the existing use or usability of adjacent or nearby property.

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

The property has not been used as anything except a used car lot for the past 39 years and would not have reasonable economic use as currently zoned without the SUP.

- (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:

This property has no history of causing an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools for the past 39 years as it has been used as a used car lot and would not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools in its continued use as a used car lot, partnering with the Gwinnett Federal Credit Union.

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

This property is currently zoned C-2 and has always been zoned C-2, with no conditions, pursuant to Gwinnett's original Land Use Plan. The SUP has become necessary because of changes in the Zoning Ordinance since the property was purchased coupled with the change to a new Tenant leasing the property.



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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 PERMIT USE:

Even though the current zoning ordinance requires a SUP to operate this used car lot, it is anticipated that this use as a used car lot will be less intense than the use previously in place. This Applicant has four other locations where they sell used cars in partnership with the Gwinnett Federal Credit Union who then finances the purchase. (This would be their fifth location.) As such, this business is not a "buy here/pay here" lot, it only sells cars which are 2008 or newer models, and no service would be offered at this location.



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LETTER OF INTENT
FOR
SPECIAL USE PERMIT APPLICATION OF
MEMBERS AUTO CHOICE, LLC

June 3, 2011

Gwinnett County Department of Planning and Development
One Justice Square
446 West Crogan Street
Lawrenceville, GA 30046

RE: Special Use Application of Members Auto Choice LLC concerning property located at 765 Buford Highway, Buford, GA 30516

Dear Sirs:

I am writing to you as the attorney for the Applicant in the above-referenced case. We are respectfully requesting your approval of a Special Permit Use on this property currently zoned C-2 to allow for the continued use of a used car lot here. As we have stated in the Application Form and in the Standards Governing the Exercise of the Zoning Power, no repair, maintenance, or other services would be offered on this property. In fact, the Applicant works in partnership to list for sale used cars for the Gwinnett Federal Credit Union while they finance the purchase of the cars. An approval of this SUP would allow for the continued use, if not less intensive use, on the property which has existed over the past 39 years. The Applicant plans to continue using the existing 720 square foot building on the property which consists of 1.69 acres.

This property has been used in this manner for the past 39 years, and is on a major highway, Buford Highway. The surrounding area is characterized by similar uses. In conclusion, the requested SUP would be appropriate in light of the existing use and the character of the surrounding area.

We are happy to answer any questions or meet with any of you at your convenience.

Thank you again for your time and attention to this matter.

Sincerely,

TRACEY MASON BLASI, LLC



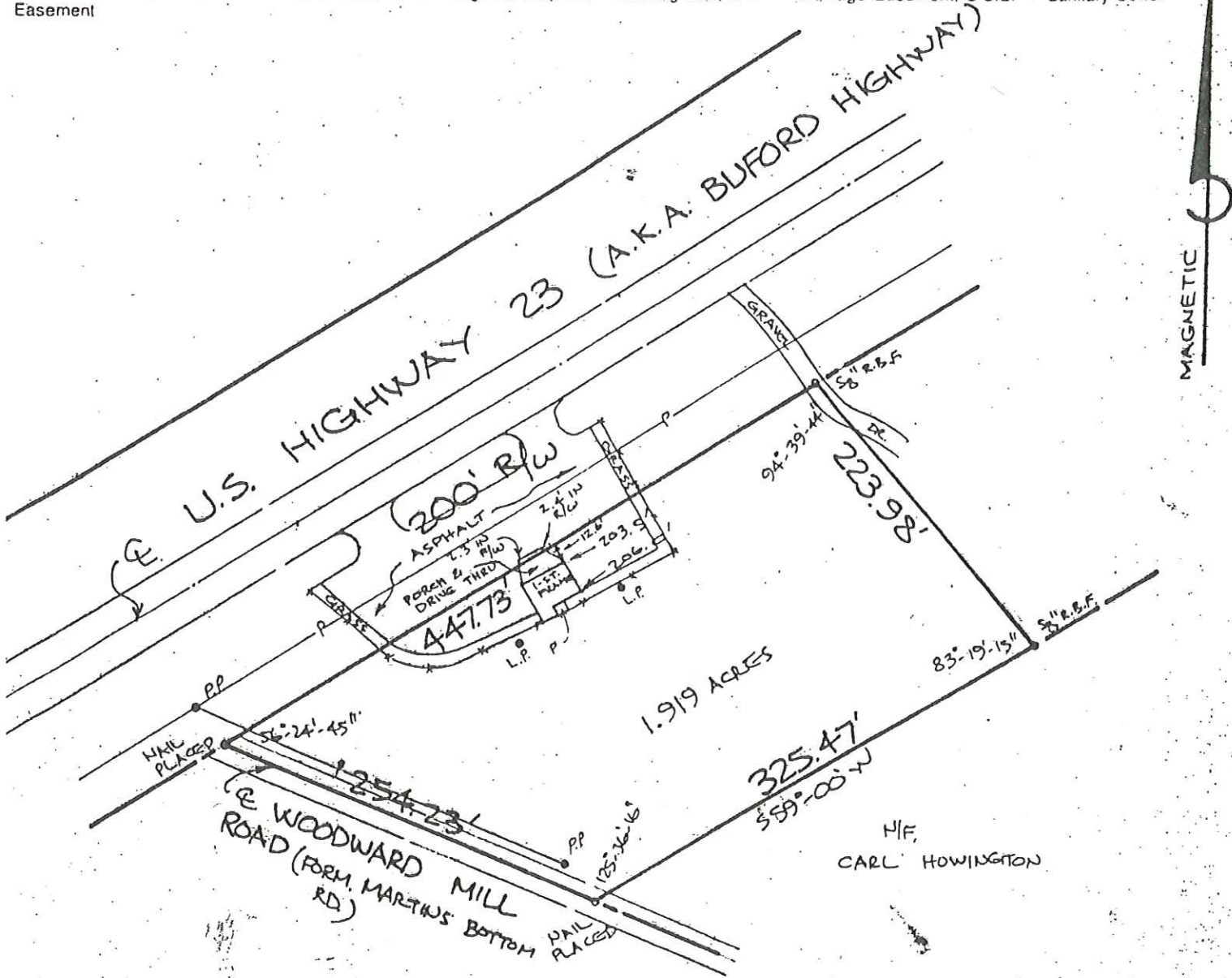
By: Tracey Blasi
Attorney for Applicant

cc: Members Auto Choice, LLC



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The field data upon which this map or plat is based has a closure precision of one foot in 5,000 ± feet and an angular error of 08" per angle point, and was adjusted using COMPASS rule. This map or plat has been calculated for closure and is found to be accurate within one foot in 5,000 ± feet. Legend: R.B.F. = Rebar Found, R.B.P. = Rebar Placed, M.H. = Manhole, C.B. = Catch Basin, H.W. = Head Wall, D.I. = Drop Inlet, J.B. = Junction Box, R.W. = Right of Way, B.L. = Building Line, D.E. = Drainage Easement, S.S.E. = Sanitary Sewer Easement



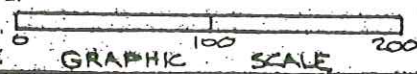
Survey for T.T. HOWINGTON
 and
 of property at
 of
 and lot 256, 7th District, Gwinnett County, Georgia



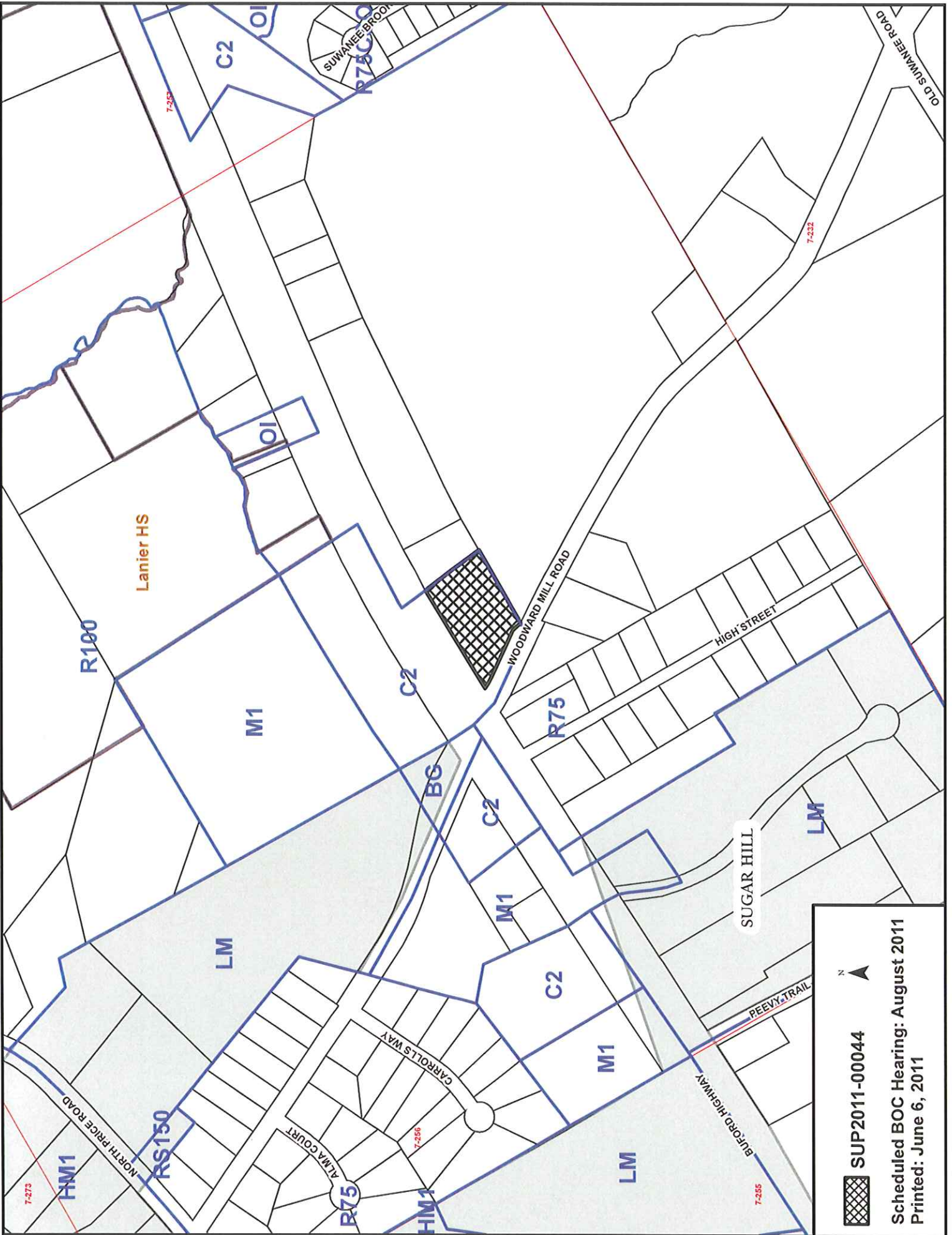
Date: 1/6/94 Scale: 1" = 100'
 THIS PROPERTY IS NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY "FIA OFFICIAL FLOOD HAZARD MAPS"

In my opinion, this plat is a correct representation of the land platted and has been prepared in conformity with the minimum standards and requirements of law

BY: **ESTON PENDLEY & ASSOC., INC.**
 REGISTERED LAND SURVEYORS
 EQUIPMENT USED: TRANSIT AND 100' TAPE



Eston Pendley
 Member S.A.M.S.O.G.
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Scheduled BOC Hearing: August 2011
Printed: June 6, 2011

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