



**MUNICIPAL-GWINNETT COUNTY
PLANNING COMMISSION**

PUBLIC HEARING AGENDA

**GWINNETT JUSTICE AND ADMINISTRATION CENTER
TUESDAY, DECEMBER 6, 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 (NOVEMBER 1, 2011 MEETING)
- C. OLD BUSINESS - TABLED CASES FROM PREVIOUS MEETINGS

1. CASE NUMBER : **RZC2011-00023**
 APPLICANT : VIVIAN D. SINGLETON
 CONTACT : TONY SINGLETON
 PHONE NUMBER : 404.502.6818
 ZONING : M-1 TO M-2
 LOCATION : 4400 BLOCK OF BUFORD HIGHWAY
 : 4400 BLOCK OF FREEDOM LANE
 MAP NUMBER : R6259 049 & R6259 050
 ACREAGE : 2.73 ACRES
 PROPOSED DEVELOPMENT : SALVAGE OPERATION &
 RECOVERED MATERIALS PROCESSING
 COMMISSION DISTRICT : (2) HOWARD
 DEPARTMENT RECOMMENDATION : **DENIAL**

2. CASE NUMBER : **SUP2011-00064**
 APPLICANT : VIVIAN D. SINGLETON
 CONTACT : TONY SINGLETON
 PHONE NUMBER : 404.502.6818
 ZONING : M-2 (PROPOSED)
 LOCATION : 4400 BLOCK OF BUFORD HIGHWAY
 : 4400 BLOCK OF FREEDOM LANE
 MAP NUMBER : R6259 049 & R6259 050
 ACREAGE : 2.73 ACRES
 PROPOSED DEVELOPMENT : SALVAGE OPERATION &
 RECOVERED MATERIALS PROCESSING
 COMMISSION DISTRICT : (2) HOWARD
 DEPARTMENT RECOMMENDATION : **DENIAL**

gwinnettcountry

3. CASE NUMBER :**CIC2011-00022**
APPLICANT :TIM JONES COMMUNITIES, INC.
CONTACT :JEFF MAHAFFEY
PHONE NUMBER :770.232.0000
ZONING :R-ZT
LOCATION :0-100 BLOCK OF JOHNSON ROAD
:0-200 BLOCK OF CASSADY TRACE
:100-200 BLOCK OF AUGUST WEST WAY
:1100-1300 BLOCK OF STELLA COURT
MAP NUMBER :R5082 200 THRU 214, R5083 436 THRU 443,
R5083 445 THRU 446, R5083 448 THRU 495
ACREAGE :15.83 ACRES
PROPOSED DEVELOPMENT :CHANGE IN CONDITIONS TO REDUCE DWELLING
SIZE, REVISE BUILDING MATERIALS, AND
REDUCE GARAGE REQUIREMENT
UNITS :73 UNITS
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION : **DENIAL**

D. NEW BUSINESS

1. CASE NUMBER :**SUP2011-00066**
APPLICANT :GMH AND COMPANY, LLC
CONTACT :GEORGE HOGAN
PHONE NUMBER :404.925.6358
ZONING :C-2
LOCATION :5400 BLOCK OF JIMMY CARTER BOULEVARD
MAP NUMBER :R6195 129
ACREAGE :1.07 ACRES
PROPOSED DEVELOPMENT :PAWN SHOP AND TITLE LOAN FACILITY
SQUARE FEET :2,400 SQUARE FEET
COMMISSION DISTRICT :(1) LASSETER
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

2. CASE NUMBER :**SUP2011-00067**
APPLICANT :BOB ISRAEL
CONTACT :BOB ISRAEL
PHONE NUMBER :770.476.9192
ZONING :O-1
LOCATION :1200 BLOCK OF SATELLITE BOULEVARD
MAP NUMBER :R7155 562
ACREAGE :0.50 ACRE
PROPOSED DEVELOPMENT :VETERINARY CLINIC
SQUARE FEET :2,850 SQUARE FEET
COMMISSION DISTRICT :(1) LASSETER
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

3. CASE NUMBER :**SUP2011-00068**
APPLICANT :BAHRAM KARIMI
CONTACT :ERIC JOHANSEN
PHONE NUMBER :678.571.4843
ZONING :C-2
LOCATION :5000 BLOCK OF BUFORD HIGHWAY
MAP NUMBER :R6257 001
ACREAGE :1.09 ACRES
PROPOSED DEVELOPMENT :OUTDOOR SALES/STORAGE (RENEWAL)
SQUARE FEET :1,171 SQUARE FEET
COMMISSION DISTRICT :(2) HOWARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

4. CASE NUMBER :**SUP2011-00069**
APPLICANT :ANNETTE COFFEE
CONTACT :ANNETTE COFFEE
PHONE NUMBER :770.330.1319
ZONING :RA-200
LOCATION :4600 BLOCK OF SPOUT SPRINGS ROAD
MAP NUMBER :R3007 034
ACREAGE :7.04 ACRES
PROPOSED DEVELOPMENT :CHURCH PRESCHOOL
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

5. CASE NUMBER :**SUP2011-00070**
APPLICANT :SU FACILITY #10, LLC
CONTACT :MARK KILBY
PHONE NUMBER :404.201.6130
ZONING :M-1
LOCATION :5400 BLOCK OF PEACHTREE PARKWAY
:5500 BLOCK OF SPALDING DRIVE
:5500 BLOCK OF TRIANGLE PARKWAY
MAP NUMBER :R6302 121
ACREAGE :5.24 ACRES
PROPOSED DEVELOPMENT :PRIVATE SCHOOL (UNIVERSITY)
SQUARE FEET :50,000 SQUARE FEET
COMMISSION DISTRICT :(2) HOWARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

6. CASE NUMBER :**SUP2011-00071**
APPLICANT :NISHI SHARMA
CONTACT :NISHI SHARMA
PHONE NUMBER :678.477.2743
ZONING :C-1
LOCATION :3700 BLOCK OF LENORA CHURCH ROAD
:2900 BLOCK OF TEMPLE JOHNSON ROAD
:2900 BLOCK OF XAVIER RAY COURT

MAP NUMBER :R5002 012
ACREAGE :4.95 ACRES
PROPOSED DEVELOPMENT :RESTAURANT (RENEWAL)
SQUARE FEET :3,500 SQUARE FEET
COMMISSION DISTRICT :(3) BEAUDREAU
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
7. CASE NUMBER :**SUP2011-00072**
APPLICANT :WORLD CHANGERS CHURCH INTERNATIONAL
CONTACT :MICHAEL L. SULLIVAN
PHONE NUMBER :770.822.0900
ZONING :M-1
LOCATION :6900 BLOCK OF JIMMY CARTER BOULEVARD
:6300 BLOCK OF PEACHTREE INDUSTRIAL BLVD.
:6300 BLOCK OF CASH COURT

MAP NUMBER :R6275 001A
ACREAGE :7.07 ACRES
PROPOSED DEVELOPMENT :RESIDENTIAL SHELTER
SIZE :16 BEDS
COMMISSION DISTRICT :(2) HOWARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
- E. AMENDMENT TO THE 1985 ZONING RESOLUTION
- I. **ZRA2011-00002** - AN ORDINANCE TO AMEND THE 1985 ZONING RESOLUTION OF GWINNETT COUNTY, ARTICLE XIII USE PROVISIONS TO PROVIDE REVISED ZONING REQUIREMENTS FOR CERTAIN BUSINESSES IN UNINCORPORATED GWINNETT COUNTY.
- F. AUDIENCE COMMENTS
- G. COMMITTEE REPORTS
- H. COMMENTS BY STAFF AND PLANNING COMMISSION
- I. ADJOURNMENT

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

CASE NUMBER :RZC2011-00023
ZONING CHANGE :M-1 TO M-2
LOCATION :4400 BLOCK OF BUFORD HIGHWAY
:4400 BLOCK OF FREEDOM LANE
MAP NUMBER :R6259 049 & 6259 050
ACREAGE :2.73 ACRES
PROPOSED DEVELOPMENT :SALVAGE OPERATION &
RECOVERED MATERIALS PROCESSING
COMMISSION DISTRICT :(2) HOWARD

CASE NUMBER :SUP2011-00064
ZONING :M-2 (PROPOSED)
LOCATION :4400 BLOCK OF BUFORD HIGHWAY
:4400 BLOCK OF FREEDOM LANE
MAP NUMBER :R6259 049 & R6259 050
ACREAGE :2.73 ACRES
PROPOSED DEVELOPMENT :SALVAGE OPERATION &
RECOVERED MATERIALS PROCESSING
COMMISSION DISTRICT :(2) HOWARD

FUTURE DEVELOPMENT MAP: PREFERRED OFFICE

APPLICANT: VIVIAN D. SINGLETON
7334 WILLIAMS ROAD
FLOWERY BRANCH, GA 30542

CONTACT: TONY SINGLETON PHONE: 404.502.6818

OWNER: VIVIAN D. SINGLETON
7334 WILLIAMS ROAD
FLOWERY BRANCH, GA 30542

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant requests rezoning of a 2.73-acre parcel assemblage from M-1 (Light Industry District) to M-2 (Heavy Industry District) with a Special Use Permit to allow a salvage operation and recovered materials processing business. The property is located on the northwest side of Buford Highway, just north of South Berkeley Lake Road. The property also adjoins Freedom Lane, a gravel roadway that runs parallel to the Norfolk Southern Railway right-of-way.

The business is already operating without proper County approvals, and staff notes that this application is a result of a citation issued by the Gwinnett Police Code Enforcement Unit to the current tenant; Joe's Trucking (CEU2011-07839).

The overall property is comprised of two parcels. The smaller of the two parcels is developed with a single-family dwelling and the larger parcel contains the salvage yard and processing operation. The applicant indicates that the existing dwelling is being rented for residential purposes and Joe's Trucking utilizes Lot C as depicted on the attached site plan to crush concrete and store fill dirt.

A recent visit by staff revealed that large piles of concrete debris, fill dirt materials, dump trucks and heavy equipment for crushing concrete were present on the property. Two travel trailers are also located on the site with electrical cords extending to the adjoining residence. The letter of Intent indicates that the travel trailers are used as a restroom and office space. Although there is no plan to pave the property or construct new buildings, the applicant states that the existing fences would be supplemented with slats or fabric to provide a better visual barrier.

ZONING HISTORY:

The 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:

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.

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

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

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

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

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

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

STORMWATER REVIEW SECTION COMMENTS:

Stormwater best management practices must be addressed upon development permit issuance, if applicable.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

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

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

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

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

Contact GCEHD concerning septic involvement. Must submit preliminary plan with a minimum of level 3 soil report, site plan showing proposed location of streets and lot configurations, soils transposed, and topo map on 2 foot increment.

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 southeastern right-of-way of Buford Highway, and an 8-inch water main crossing Buford Highway and connecting to a hydrant adjacent to the property.

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 600 feet northeast of the property, in the right-of-way of Buford Highway.

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

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

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

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

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

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

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

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

GWINNETT COUNTY FIRE SERVICES COMMENTS:

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

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

For assistance, you may contact 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 2.73- acre parcel assemblage located on the northwest side of Buford Highway, just north of South Berkeley Lake Road and adjoining Freedom Lane. The property is developed with a single-family dwelling; however, most of the site is currently being used to store demolished concrete, fill dirt and equipment related to the existing business. Access to the site is via two driveways extending from Buford Highway and one from Freedom Lane.

The 2030 Unified Plan Future Development Map indicates that the property lies within a Preferred Office Character Area. The property has been zoned M-1 since 1970, and under the current zoning office uses would be permitted. The Unified Plan discourages heavy industrial uses for the site, and thus may not support rezoning the property to a higher intensity M-2 zoning classification. The manner in which the business is being conducted could further limit support for the operation and may not be suitable within a Preferred Office category.

The surrounding area is characterized by a mix of commercial, office, industrial and residential uses fronting along the Buford Highway corridor. At the intersection of Buford Highway and South Berkeley Lake Road is a motorcycle repair shop. Adjacent to the south is a vacant lot

zoned C-2, and adjacent to the north is a wrecker service and impound lot, zoned M-2. A convenience store, zoned C-2, and a mobile home park, zoned MH, are located across Buford Highway to the southeast of the subject property. Also located across Buford Highway is a vehicle salvage operation, which has been in operation for many years. Although the Buford Highway corridor has many older industrial uses including salvage and junk yards, the Unified Plan recommends a change in this pattern for the future.

Over the past few years, there have been zoning approvals by the Board for salvage and recycling of materials, including two facilities nearby on Simpson Circle and for Metro Green on Pleasantdale Road. Differing from the subject request, these other properties are developed with permanent industrial buildings, proper commercial driveways and paved surfaces. The subject request, with minimal site improvements and utilizing portable structures, is not consistent with the way similar activities have been recently approved and operating in the County and nearby to this site.

In conclusion, the requested rezoning and Special Use Permit may not be suitable in light of the manner the existing business is being operated on the site, nor consistent with the recommendations of the Unified Plan. Therefore, the Department of Planning and Development recommends **DENIAL**.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

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

Approval as M-2 with a Special Use Permit for a recovered materials processing facility and salvage operation, subject to the following enumerated conditions:

1. The sole M-2 use of the property shall be as a recovered materials processing facility and salvage operation for concrete and soil. Auto salvage, metal salvage, tire dumps, municipal solid waste, biological and/or hazardous waste shall be prohibited. All other use of the site shall conform to the M-1 zoning classification.
2. The existing camper trailers shall be removed, and a permanent building shall be constructed to house the business office, restrooms and ancillary activities. If the existing residence on the site is used for residential purposes, it shall be separated from the site by exemption plat. If the existing residence on the site is used for business purposes, it shall be brought up to code for business occupancy.
3. The site shall be brought up to all applicable zoning, development and building codes within 180 days of zoning approval.
4. Access and improvements to Freedom Lane shall be subject to Gwinnett Department of Transportation approval.
5. Hours of operation for deliveries and crushing operations shall be limited to between the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday. Saturday hours of operation for deliveries shall be limited to between the hours of 7:00 a.m. to 2:30 p.m. Crushing activities shall be prohibited on Saturday, and all operations shall be prohibited on Sunday.
6. Provide landscaping and a 10-foot high opaque noise barrier fence with architectural treatments (in order to provide an effective visual and noise screen) along the Buford Highway frontage. The 10-foot fence shall also be located along Freedom Lane and along both (side) property lines. Landscape plans and fence design shall be subject to review and approval of the Director of Planning and Development.
7. Materials shall not be placed or stacked at a height exceeding the required screening fence. Stockpile areas, maximum heights and screening fences shall be depicted on the site plans submitted to the County for construction permits.
8. Owner shall obtain and abide by any required air quality permits issued by State and/or Federal authorities.
9. Incineration activities shall be prohibited.

10. A water-based sprinkler dust suppression system shall be utilized during any operation that creates airborne particulate matter. The sprinkler system shall be subject to the review and approval of the Director of Planning and Development. A water truck and/or stand alone water delivery system (i.e., water tank, etc.) shall also be located on site to manage dust.
11. Any outdoor lighting shall be placed in such a fashion as to be directed away from adjoining properties.
12. Oversized signs or billboards shall be prohibited.
13. Owner shall repair or repaint any graffiti or vandalism that occurs on the property within 72 hours.
14. 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.
15. Peddlers and/or parking lot sales shall be prohibited.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The proposed rezoning and Special Use Permit may not be suitable at this location given the limited improvements proposed on the property for conducting the business activity.

ADVERSE IMPACTS

Without proper improvements to the property, adverse impacts in the form of noise, dust and debris could be expected from the proposed use.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

It is anticipated that there would be some additional impacts on public facilities in the form of heavy truck traffic and potential siltation from storm water runoff.

CONFORMITY WITH POLICIES

The requested rezoning and Special Use Permit for a concrete salvage operation and recovered materials processing business, and the current condition of the site with minimal improvements proposed, may not be suitable within a Preferred Office land use category.

CONDITIONS AFFECTING ZONING

The use of the site without proper County approvals resulted in the issuance of citations from the Code Enforcement Unit of the police Department. The applicant's submitted plan does not propose bringing the site up to a standard which could be supported for approval.

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



August 29, 2011

Board of Commissioners, Gwinnett County Georgia
Department of Planning and Development
Gwinnett Justice and Administration Center
75 Langley Avenue
Lawrenceville, GA 30045

Letter of Intent:

Reference: Application for M2/W Special Use Permit/RECOVERED MATERIALS PROCESS

To Whom it May Concern:

Respectfully request favorable consideration for M2/ W Special Use Permit/Recovered materials process (of the property referenced below):

4465 & 4449 Buford Highway
Norcross, GA 30071

Boundary survey and land description attached property total 2.73 acres.

subject property is to be used for storage for heavy equipment, light equipment, along with trucks and other related

materials and equipment, top soil storage and concrete recycling. Small construction trailers for use for men to have a

restroom and store paper work and get out of the weather. Our desire is to come into complinace with the county's M2 zoning.

We understand this is to allow us, a broader range of tenants. At present we understand we need a SUP Permit to allow current

tenant to crush concrete and store fill dirt above fence limit. There are similar activities in the area. The rear property entrance

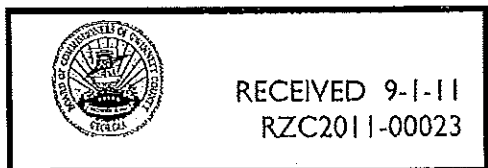
is located on a dirt road next to the railroad track. It is now screened with plants and trees and barely visible from Buford Hwy.

If deemed necessary we would like to screen the existing fence with black screening and be able to park heavy equipment

on gravel. We thank you for your consideration on this matter, since it is our livelihood and to pay our property taxes.

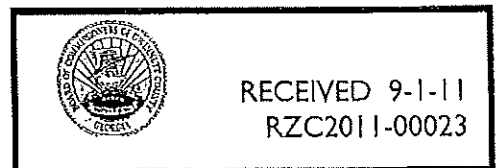
We are not a large company just citizens trying to make a living.

Sincerely,



Letter_of_intent1

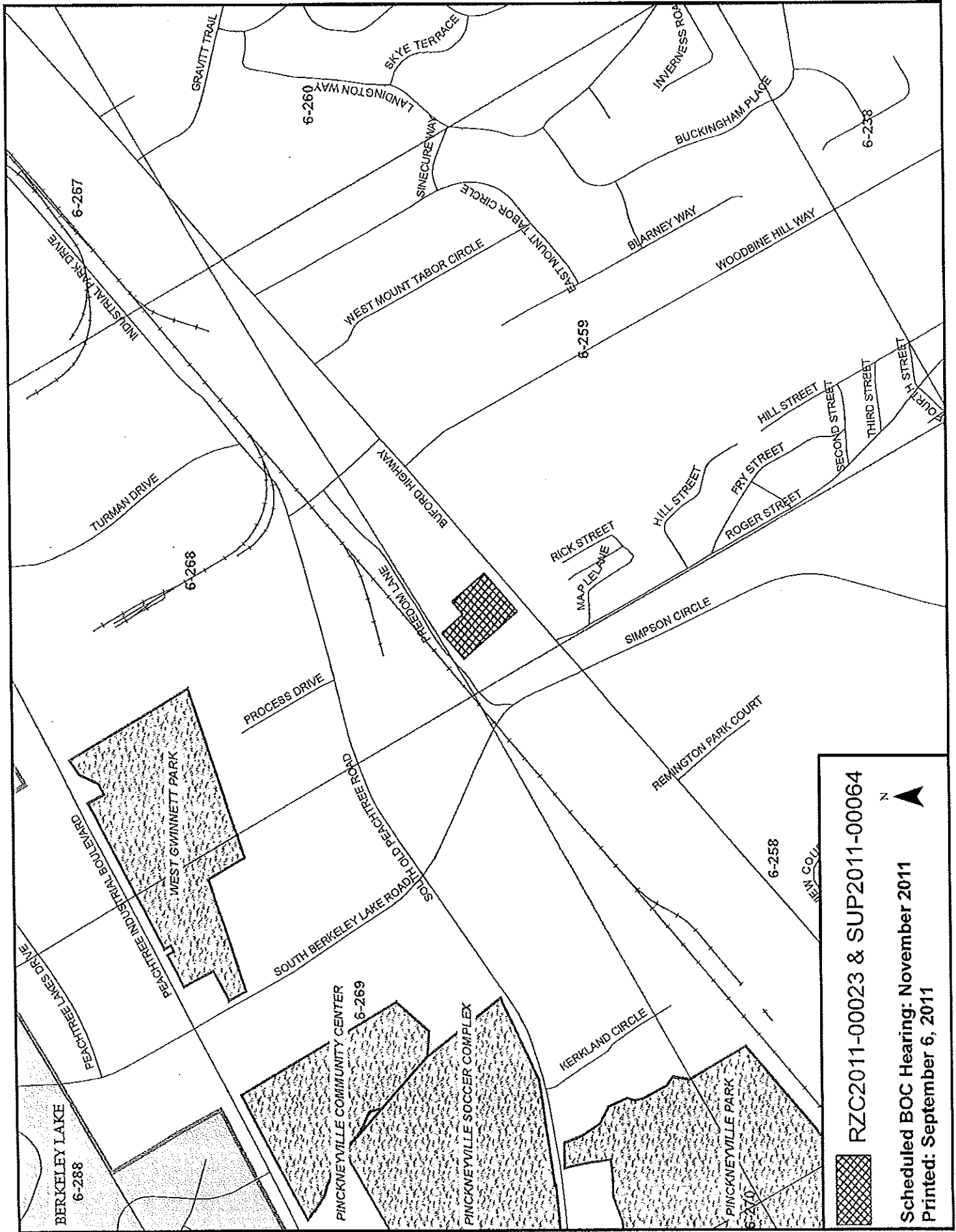
Tony & Vivian Singleton












 RZC2011-00023 & SUP2011-00064



Scheduled BOC Hearing: November 2011
 Printed: September 6, 2011

6268 005
4464

6268 001
4464

6268 063
4424

6259 088
4428

6-268

6259 051
4431

Gate

6259 064
4454

FREEDOM LANE

Gravel

6259 050
4449

6-259

6259 040
4465

6259 048
0

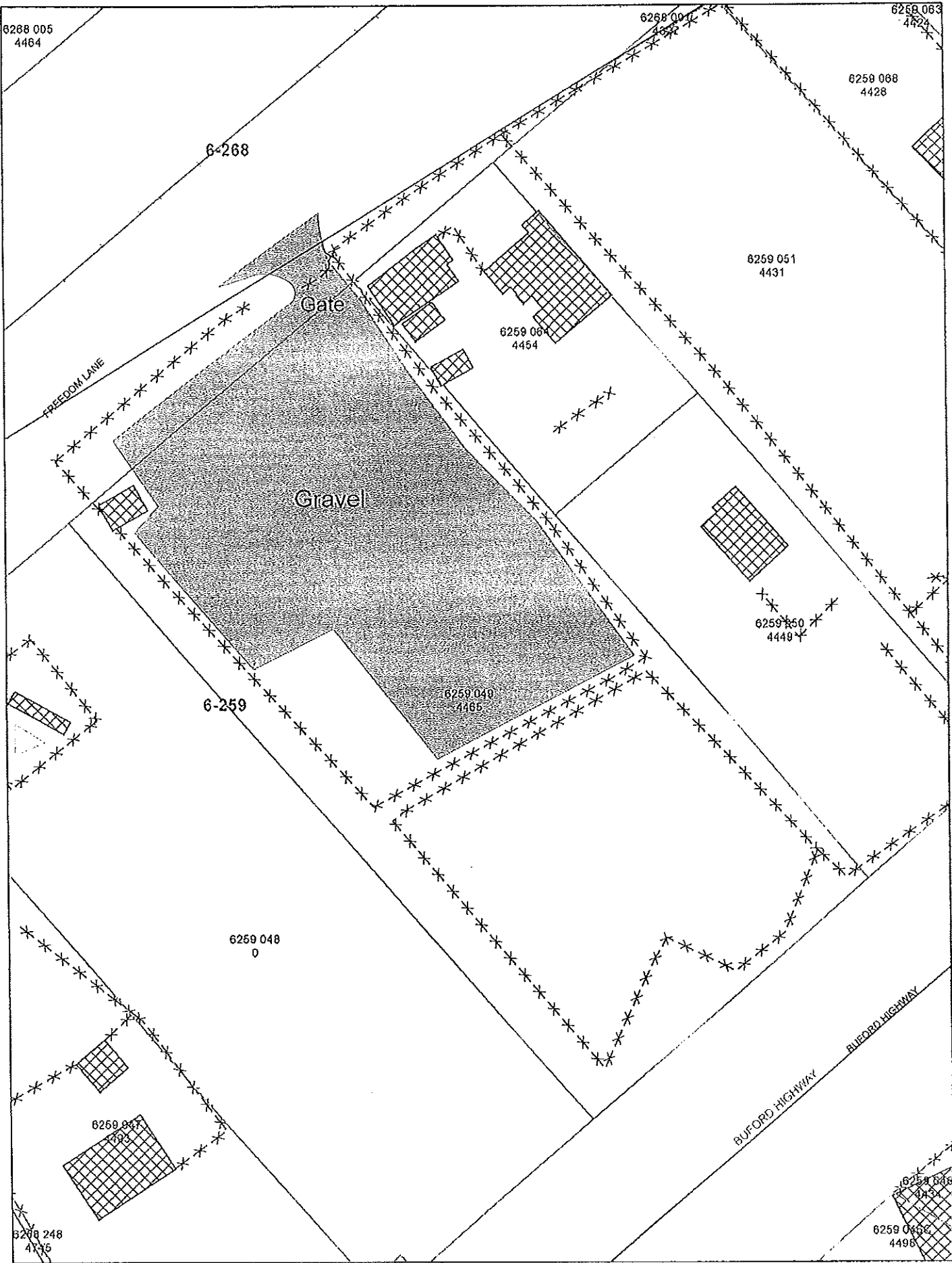
BUFORD HIGHWAY

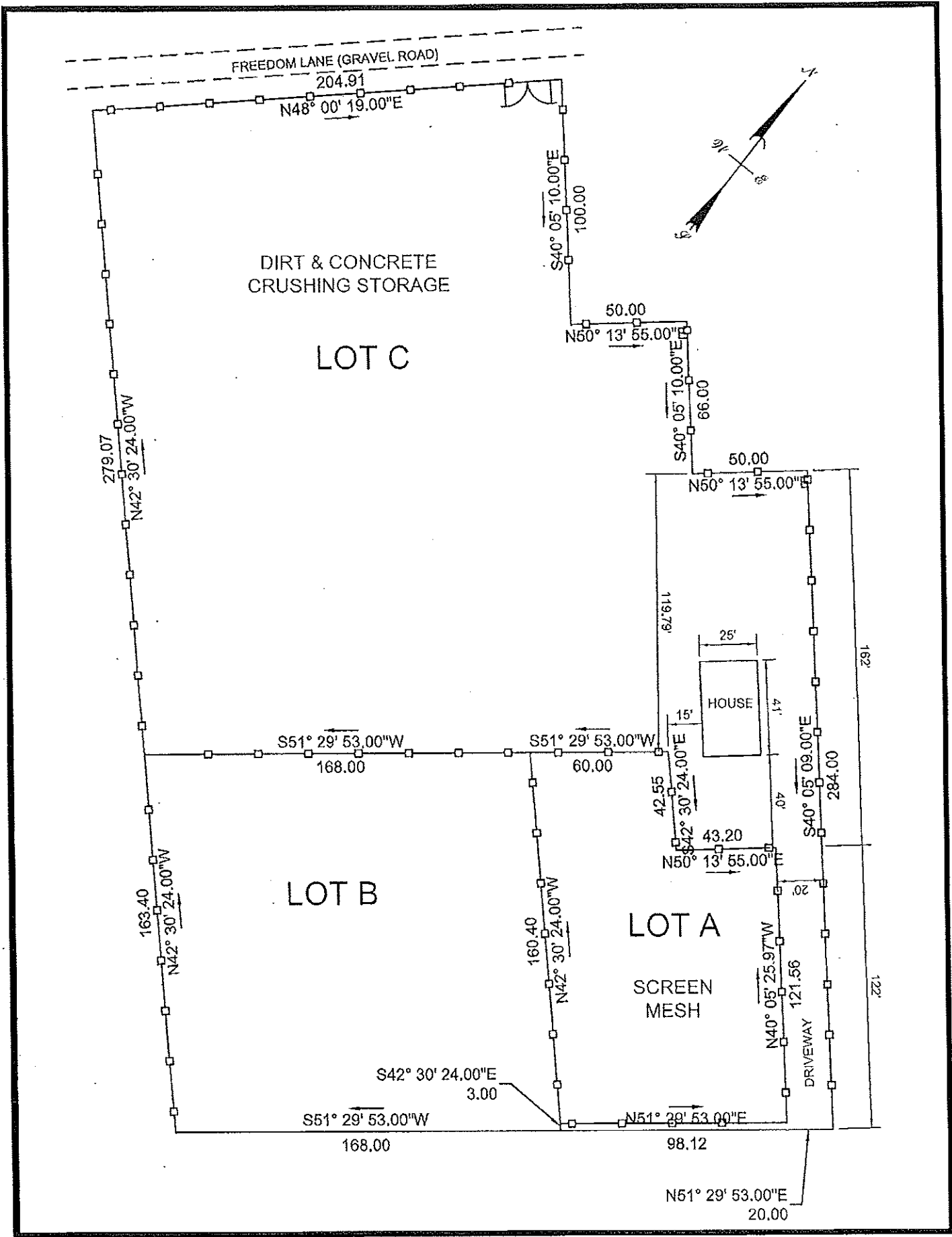
6259 047
4465

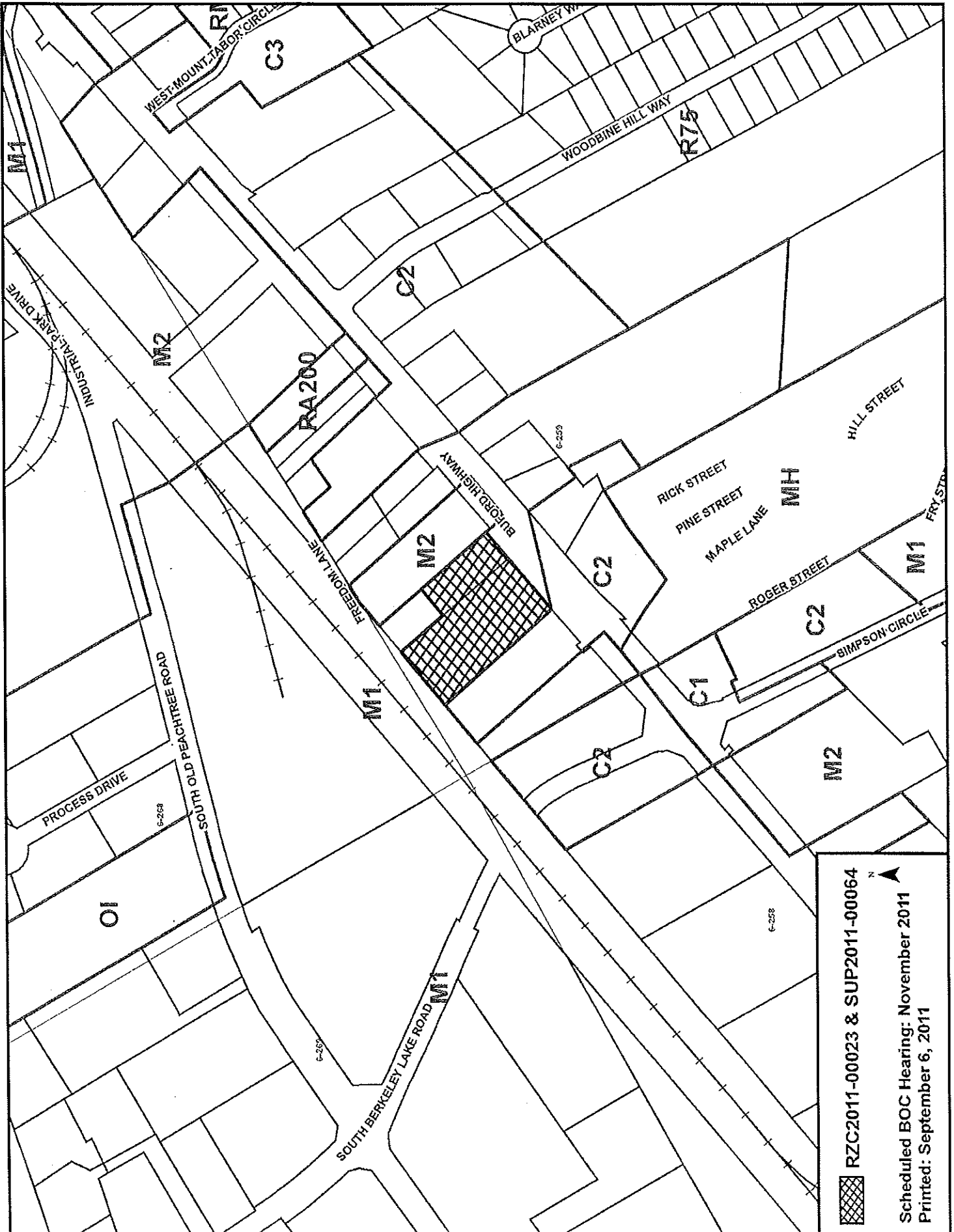
6268 248
4435

6259 046
4431

6259 045
4495







 RZC2011-00023 & SUP2011-00064



Scheduled BOC Hearing: November 2011
 Printed: September 6, 2011

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

CASE NUMBER :CIC2011-00022
ZONING :R-ZT
LOCATION :0-100 BLOCK OF JOHNSON ROAD
:0-200 BLOCK OF CASSADY LANE
:100-200 BLOCK OF AUGUST WEST WAY
:1100-1300 BLOCK OF STELLA COURT
MAP NUMBER :R5082 200-214, R5083 436-443, R5083 445-446,
R5083 448-495
ACREAGE :15.83 ACRES
PROPOSED DEVELOPMENT :CHANGE IN CONDITIONS TO REDUCE DWELLING
SIZE, REVISE BUILDING MATERIALS, AND REDUCE
GARAGE REQUIREMENT
UNITS :73 UNITS
COMMISSION DISTRICT :(4) HEARD

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

APPLICANT: TIM JONES COMMUNITIES, INC.
C/O MAHAFFEY PICKENS TUCKER, LLP
1550 NORTH BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACT: JEFF MAHAFFEY PHONE: 770.232.0000

OWNER: TIM JONES COMMUNITIES, INC.
C/O MAHAFFEY PICKENS TUCKER, LLP
1550 NORTH BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

DEPARTMENT RECOMMENDATION: **DENIAL**

CHANGE IN CONDITIONS SUMMARY:

The applicant requests a change in conditions of zoning for the Johnson Place subdivision, to reduce the minimum heated floor area of the dwellings, revise the list of required building materials and modify the condition requiring all dwellings to have at least a double-car garage. The property is located adjacent to the south side of Lawrenceville Highway and west side of Johnson Road.

In 2003, the subject property was proposed for rezoning to RM-13 for an apartment complex. Through the public hearing process, it was instead rezoned to R-ZT (Single Family Residence District) with conditions of zoning to promote compatibility with the surrounding area. In 2004,

a change in conditions of the R-ZT zoning was approved to delete a requirement for turn lanes on Johnson Road and Lawrenceville Highway, pursuant to CIC-04-019.

The overall subdivision contains a total of 75 lots. Two of the lots contain homes which have been sold to private homeowners and are not included in this CIC application. Of the remaining 73 lots, 10 homes have been constructed, and 63 lots remain vacant.

The applicant is requesting to amend the following conditions of CIC-04-019: Condition I. B. governs the minimum dwelling size, condition I. C. governs the exterior treatments of the homes and condition I.D. governs the requirement for double-car garages. The conditions read as follows:

I.B. The minimum heated floor area per dwelling unit shall be 1,800 square feet for single-story homes and 2,000 square feet for two story homes.

The applicant proposes to amend condition I.B., to reduce the minimum heated floor area for one-story dwellings from 1,800 square feet to 1,600 square feet, and for two-story dwellings from 2,000 square feet to 1,750 square feet.

I.C. Front facades of all homes shall be finished with architectural treatments of brick, stacked stone or stucco. The remainder of each home may be finished with same or fiber-cement type siding. Architectural elevations shall be submitted for review and approval of the Director of Planning and Development.

The applicant proposes to amend condition I.C., to allow fiber-cement type siding as an approved building material for the front façade of the homes for the remaining lots.

I.D. All dwellings shall have at least double-car garages. Where garages are front entry, driveways shall be a minimum of 16 feet in width.

The applicant proposes to amend condition I.D., to allow the remaining dwellings to be constructed with single-car garages. The submitted architectural renderings reflect the proposed changes to the current conditions of zoning.

The 2030 Unified Plan Future Development Map indicates that the property is located within an Existing/Emerging Suburban Character Area. The Unified Plan stresses protecting the character of existing neighborhoods in rezoning actions. As proposed, the applicant's request may be counter to this emphasis of the Unified Plan. The requested change in conditions to reduce the dwelling unit size for homes, diminishing the architectural standards and eliminating the double-car garage requirements may not be appropriate in view of the two previous rezoning requests, which were considered through the public hearing process with input from the surrounding community. The conditions of zoning were designed to preserve the integrity of the surrounding community and ensure that homes would be constructed to desired standards.

The area surrounding the subject property is characterized by a mixture of residential, commercial/retail, and institutional land uses along Lawrenceville Highway, and low-density

residential uses along Johnson Road, from which the subject property is accessed. Johnson Place subdivision was rezoned with conditions requiring the current building size and architectural standards and several units have been constructed meeting these standards. It may not be appropriate to lower these standards in light of these existing dwellings and the previous Board actions.

In conclusion, diminishing the current development standards, which were put in place to preserve the integrity of the subdivision and the surrounding area, may not be appropriate for the subject property. Therefore, the Department of Planning and Development recommends **DENIAL** of the request.

ZONING HISTORY:

In 1970, the subject property was zoned R-75 (Single Family Residence District). In 2003, the subject property was rezoned to R-ZT, pursuant to RZM-03-053. In 2004, a Change in Conditions was approved to remove conditions requiring turn lanes onto both Johnson Road and Lawrenceville Highway, pursuant to CIC-04-019.

GROUNDWATER RECHARGE AREA:

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

WETLANDS INVENTORY:

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

DEVELOPMENT REVIEW SECTION COMMENTS:

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 an 8-inch water main located on the northern right-of-way of August West Way, Cassady Lane, and Stella Court.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located in the right-of-way of August West Way, Cassady Lane, and Stella Court.

BUILDING CONSTRUCTION COMMENT SECTION:

Building Plan Review has no objections under the following conditions:

- I. The applicant shall obtain a residential 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 not 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.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

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

Additions in **bold**

Deletions in ~~strike~~through

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

1. To restrict the use of the property as follows:
 - A. Single-family detached dwellings and accessory uses at a maximum density of 5.0 units per acre.
 - B. The minimum heated floor area per dwelling unit shall be ~~4,800~~ **1,600** square feet for one-story homes and ~~2,000~~ **1,800** square feet for two-story homes.
 - C. Front facades of all homes shall be finished with architectural treatments of **at least 50% brick or stacked stone or stucco with the remainder being the same or fiber-cement siding.** The ~~remainder side and rear elevations of~~ each home may be finished with ~~same or fiber-cement type siding~~ **any combination of the same materials.** Architectural elevations shall be submitted for review and approval of the Director of Planning and Development.
 - D. All dwellings shall have at least double-car garages. Where garages are front entry, driveways shall be a minimum of 16 feet in width.
2. To satisfy the following site development considerations:
 - A. Provide a 30-foot wide undisturbed buffer adjacent to residentially zoned properties, with orange tree-save fencing installed at the buffer line. Where abutting developed subdivisions the buffer shall be supplemented with a 6-foot high opaque wood privacy fence with brick columns, and plantings of Leyland Cypress. Buffer/fence design shall be subject to review and approval of the Director of Planning and Development.
 - B. Provide a 30-foot wide enhanced landscaped buffer adjacent to Lawrenceville Highway and Johnson Road. The landscaped buffer shall include a decorative fence or wall and landscaping (which may incorporate existing vegetation). Fence/wall shall be constructed as a solid brick wall or wrought iron-style fence with brick or stacked stone columns (30-feet on center). Landscape buffer and fence/wall design shall be subject to review and approval of the Director of Planning and Development.

- C. The development shall have a decorative brick or stacked stone entrance feature with landscaping. Design shall be subject to review and approval of the Director of Planning and Development.
 - D. Direct lot access to Lawrenceville Highway and Johnson Road shall be prohibited.
 - E. The location and design of entrances/exits shall be subject to review and approval of the Gwinnett and Georgia Departments of Transportation.
 - F. Natural vegetations shall remain on the property until the issuance of a development permit.
 - G. All utilities shall be placed underground.
 - H. All grassed areas in front and side yards shall be sodded.
 - I. Provide a stub street to the adjacent property to the west.
3. To abide by the following requirements, dedications, and improvements:
- A. The subdivision shall include a mandatory property owner's association responsible for perpetual maintenance of the required fences, buffers and landscaping.
 - B. Install a 6-foot high opaque wooden privacy fence along the common southeastern property line with the Cassidy's.

PLANNING AND DEVELOPMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The proposed change in conditions to reduce the dwelling size, diminish the architectural standards and eliminate the double-car garage requirement may not be suitable in view of the development standards of the existing dwellings within the subdivision.

ADVERSE IMPACTS

The proposed change in conditions could have adverse impacts on the existing homes located within Johnson Place subdivision, through a reduction in the standard of development for new homes.

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 from this request.

CONFORMITY WITH POLICIES

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

CONDITIONS AFFECTING ZONING

The requested change in conditions may not be an appropriate approval for the subject property, which could diminish the development standards put in place to preserve the integrity of the subdivision and the surrounding area.

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

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

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

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

Please see attached.

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

Please see attached.

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

Please see attached.

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

Please see attached.

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

Please see attached.

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

Please see attached.



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

- (A) As stated on the Application, the purpose of this Change in Conditions Application is limited in its nature, that is to say, Applicant does not seek to rezone the property to a different zoning classification but merely requests the modification of three conditions of zoning for the subject property. Accordingly, the change of conditions requested will permit a use that is suitable in view of the use and development of adjacent and nearby property.
- (B) No, the change of conditions requested will not adversely affect the existing use or usability of adjacent or nearby properties.
- (C) The property which is the subject of this application does have reasonable economic use as currently zoned and this application does not seek to change that use but merely to allow for a more suitable and appropriate development of the property.
- (D) No, the change in conditions will not result in any use which would or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.
- (E) Yes, the proposed application is in conformity with the policy and intent of the Gwinnett County 2030 Unified Land Use Plan, as the Land Use Plan shows the subject property for predominately residential uses. Applicant's application does not seek to change those uses.
- (F) Yes, the property's location provides supporting grounds for development of the property in accordance with the application.



RECEIVED 9-2-11
CIC2011-00022



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

Andrew D. Stancil
E. Michelle Rothmeier
Kenneth W. Stroud
Shawn R. Bratton
Alissa L. Cummo
Jill H. Harris,
of Counsel

**LETTER OF INTENT FOR
CHANGE IN CONDITIONS APPLICATION OF
TIM JONES COMMUNITIES, INC.**

The property which is the subject of this Application is currently zoned R- ZT (Change in Conditions) as a part of CIC-04-019, approved by Resolution of the Board of Commissioners of Gwinnett County, Georgia on September 24, 2004 (the "Resolution"). The R-ZT zoning classification permits single-family residences in certain locations within Gwinnett County.

The Resolution contains conditions governing the development of the subject property. The subject property is located at the intersection of Johnson Road and Highway 29 (a/k/a Lawrenceville Highway). The property contains seventy-five lots, as seen on the attached site plan, in a subdivision that has been developed with only twelve homes. Only two of these homes have been purchased by homeowners.

The Applicant files this Change in Conditions Application requesting that three of the conditions of zoning found in the Resolution be changed so as to be compatible with the manner in which the Applicant seeks to further develop its property. The Applicant's proposals would aid the Applicant in its ability to develop and improve the subject property to meet and accommodate the current market conditions. More specifically, Applicant desires the following:

Condition 1B of the Resolution currently reads as follows:

"The minimum heated floor area per dwelling unit shall be 1,800 square feet for one-story homes and 2,000 square feet for two-story homes."

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



The Applicant respectfully requests that Condition 1B be modified to read as follows:

“The minimum heated floor area per dwelling unit shall be ~~1,800~~ 1,600 square feet for one-story homes and ~~2,000~~ 1,750 square feet for two-story homes.”

Condition 1C of the Resolution currently reads as follows:

“Front facades of all homes shall be finished with architectural treatments of brick, stacked stone or stucco. The remainder of each home may be finished with same or fiber-cement type siding. Architectural elevations shall be submitted for review and approval of the Director of Planning and Development.”

The Applicant respectfully requests that Condition 1C be modified to read as follows:

“Front facades of all homes shall be finished with architectural treatments of brick, stacked stone, *fiber-cement type siding* or stucco. The remainder of each home may be finished with same or ~~fiber-cement-type-siding~~. Architectural elevations shall be submitted for review and approval of the Director of Planning and Development.”

Condition 1D of the Resolution currently reads as follows:

“All dwellings shall have at least double-car garages. Where garages are front entry, driveways shall be a minimum of 16 feet in width.”

The Applicant respectfully requests that Condition 1D be modified to read as follows:

“All dwellings shall have at least ~~double-car garages~~ a single car garage. Where garages are front entry, driveways shall be a minimum of 16 feet in width.”



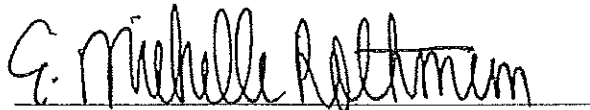
RECEIVED 9-2-11
CIC2011-00022

The Applicant respectfully requests your approval of the requested change of conditions and hereby offers to meet with staff of the Gwinnett County Department of Planning & Development to address any concerns they may have.

This 2nd day of September, 2011.

Respectfully submitted,

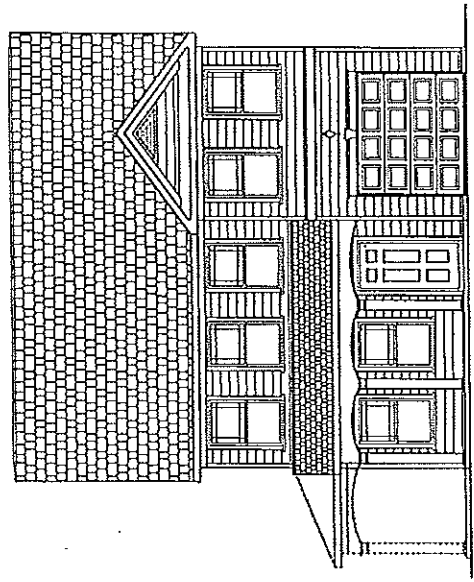
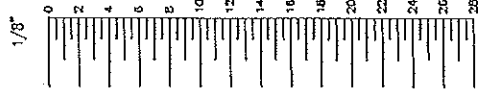
MAHAFFEY PICKENS TUCKER, LLP



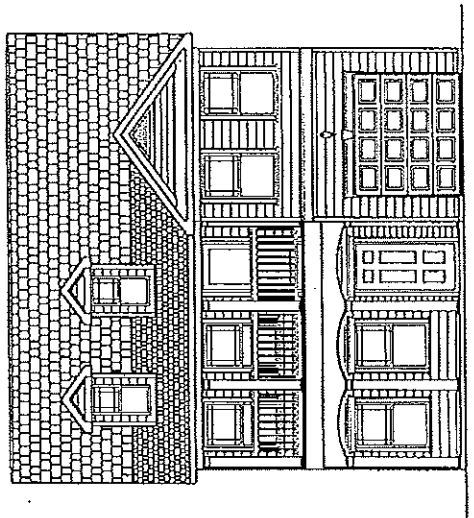
E. Michelle Rothmeier



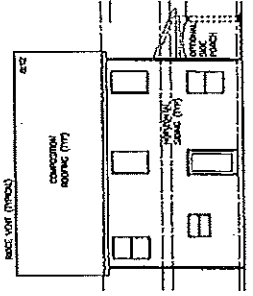
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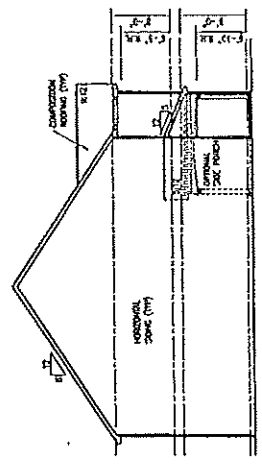
HATTERAS
FRONT ELEVATION
AS1



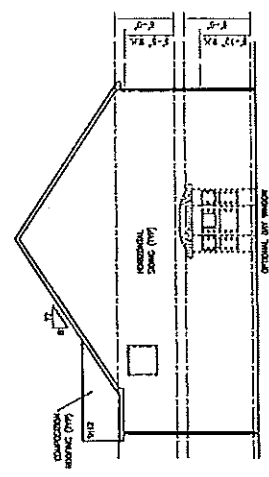
HATTERAS
FRONT ELEVATION
CS1



REAR ELEVATION



LEFT ELEVATION



RIGHT ELEVATION

		T. J. Tomies ENGINEER License No. 1111 State of North Carolina
RECEIVED 9-12-11 CIVIL 2011-00022	PERSON NUMBER DESIGN NUMBER SET NUMBER SHEET NO.	PROJECT NO. A1 ELEVATIONS HATTERAS CONCEPT PLAN - Elev. 1801 9.8.11 RELEASE DATE 1/8" = 1'-0"

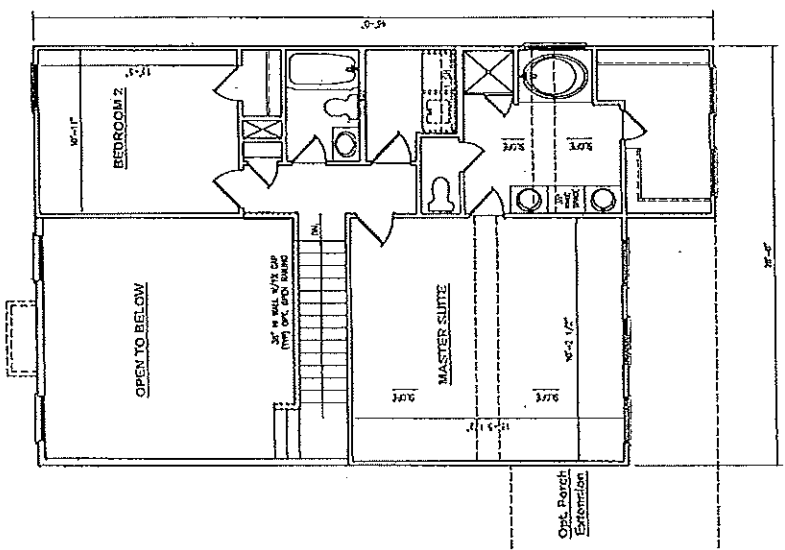
T. J. Tomies hereby certifies that he is a duly licensed Professional Engineer in the State of North Carolina. These plans and related drawings are prepared by him or under his direct supervision and without violation of the laws of North Carolina.

RECEIVED 9-12-11
 CIVIL ENGINEER
 CIVIL ENGINEER
 CIVIL ENGINEER
 CIVIL ENGINEER
 CIVIL ENGINEER



Taylor Homes expressly
 reserves its property
 rights in this plan and
 all rights in the
 drawings. These plans
 and related drawings are
 to be used only for the
 project without comment.

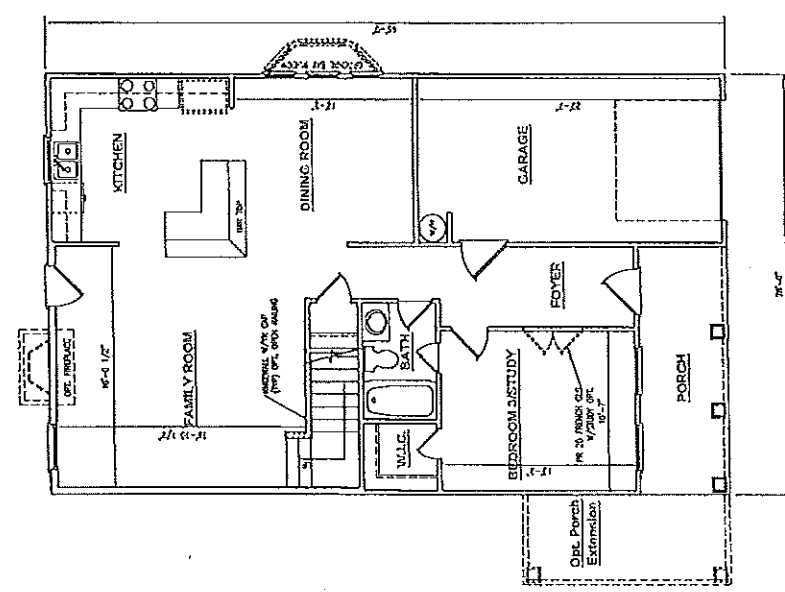
DATE	9.8.11	RELEASE DATE	1/8" = 1'-0"
PROJECT NO.	1801	CONCEPT FLOOR PLAN	
OWNER	HATTERAS		
DESIGN TITLE			
OFFICE	2150 E. 12th St.		
ELEVATIONS	A2		
SEQUENCE NO.	A2		



HATTERAS
 SECOND FLOOR PLAN

AREA TABULATION

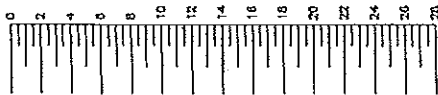
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FLOOR 1 LIVING	535	3'
FLOOR 2 LIVING	243	3'
TOTAL LIVING	1014	3'



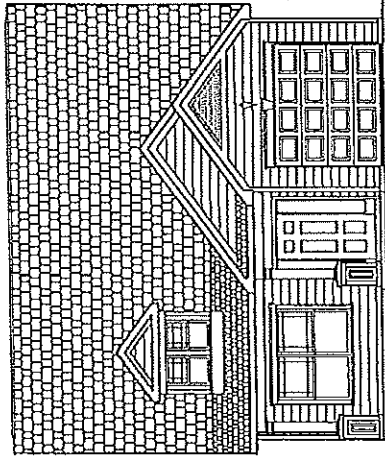
HATTERAS
 FIRST FLOOR PLAN



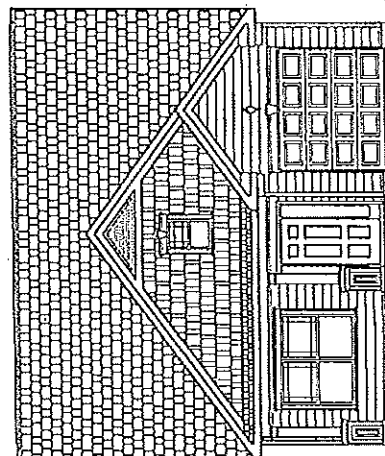
1/8"



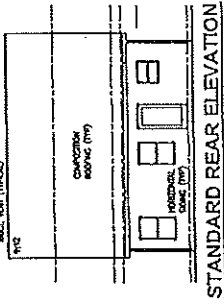
3/16"



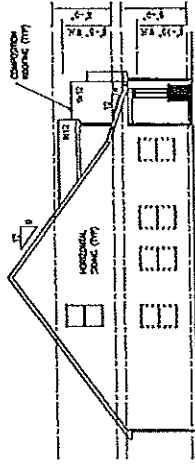
SINCLAIR
FRONT ELEVATION
ASI



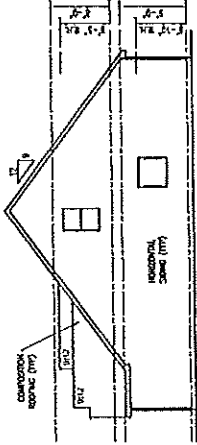
SINCLAIR
FRONT ELEVATION
CSI



STANDARD REAR ELEVATION



LEFT ELEVATION



RIGHT ELEVATION

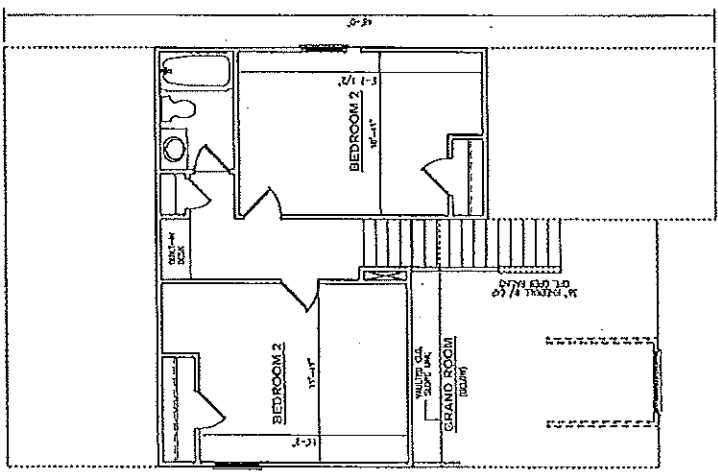
		Teton Homes expressly warrants its property drawings, specifications, and related drawings are correct and complete without written consent.	
DESIGN NO. 1604	SHEET NUMBER 9.8.11	PROJECT NO. SINCLAIR	DRAWING TITLE CONCEPT PLAN - ELEV.
0'-0" = 1'-0"		1/8" = 1'-0"	
RECEIVED 9-17-11 CIVIC 2011-00022		RECEIVED 9-17-11 CIVIC 2011-00022	

RECEIVED 9-17-11
 CIVIL 2011-00022



TAILORED HOMES expressly warrants that the drawings, specifications and other documents prepared by it for the project are complete and correct as of the date of issue. This plan shows the proposed construction and the client agrees to build the project without further comment.

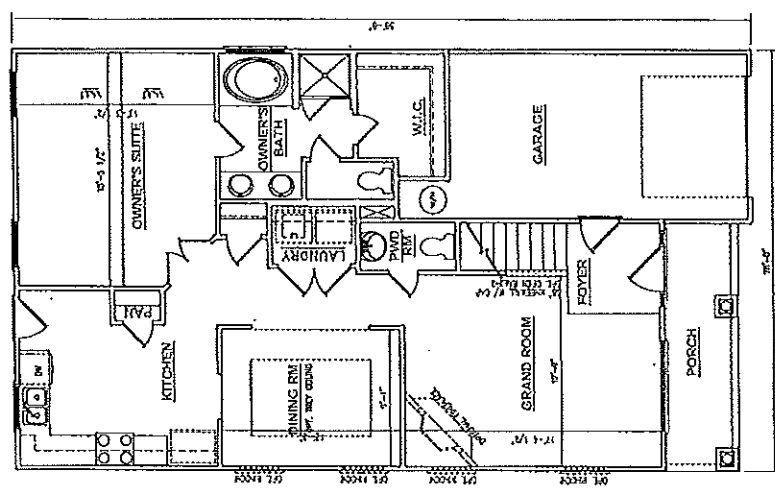
RELEASE DATE	9.8.11
STY NUMBER	1604
PROJECT NO.	1604
CONCEPT FLOOR PLAN	
SINCLAIR	
DRAWING TITLE	
PROJECT DESCRIPTION	
SHEET NO.	A2
ELEVATIONS	
SEQUENCE NO.	A2



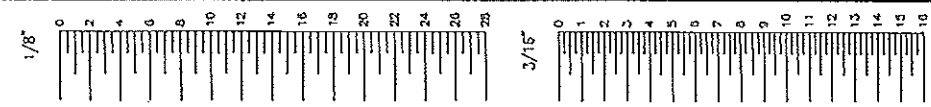
SINCLAIR
 SECOND FLOOR PLAN

AREA TABULATION

GARAGE	237	SF
FLOOR 1 LIVING	1001	SF
FLOOR 2 LIVING	240	SF
TOTAL LIVING	1004	SF



SINCLAIR
 FIRST FLOOR PLAN



CITY OF LAWRENCEVILLE

P.O. Box 2200
Lawrenceville, Georgia 30046
770/963-2414

October 3, 2011

Ms. Alicia McElhenny
Current Planning Section
446 West Crogan Street
Lawrenceville, Georgia 30046-2440

RE: Change in Conditions Application
CIC2011-00022

Ms. McElhenny:

The City of Lawrenceville Planning and Zoning Department has reviewed the referenced Application for Change in Conditions. The Department does not support approval of the requested Change in Conditions.

Best Regards,



Dennis Billev, Director
Planning and Zoning

RECEIVED
OCT 03 2011

BY:

CIC '11 022

CASE NUMBER CIC-04-019

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

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

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

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

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

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

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

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

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on AUGUST 24, 2004 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 24TH day of AUGUST, 2004, that the aforesaid application to amend the Official Zoning Map from R-ZT to R-ZT (CHANGE IN CONDITIONS) is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Single-family detached dwellings and accessory uses at a maximum density of 5.0 units per acre.
 - B. The minimum heated floor area per dwelling unit shall be 1,800 square feet for one-story homes and 2,000 square feet for two-story homes.
 - C. Front facades of all homes shall be finished with architectural treatments of brick, stacked stone or stucco. The remainder of each home may be finished with same or fiber-cement type siding. Architectural elevations shall be submitted for review and approval of the Director of Planning and Development.
 - D. All dwellings shall have at least double-car garages. Where garages are front entry, driveways shall be a minimum of 16 feet in width.

2. To satisfy the following site development considerations:
 - A. Provide a 30-foot wide undisturbed buffer adjacent to residentially zoned properties, with orange tree-save fencing installed at the buffer line. Where abutting developed subdivisions the buffer shall be supplemented with a 6-foot high opaque wood privacy fence with brick columns, and plantings of Leyland Cypress. Buffer/fence design shall be subject to review and approval of the Director of Planning and Development.
 - B. Provide a 30-foot wide enhanced landscaped buffer adjacent to Lawrenceville Highway and Johnson Road. The landscaped buffer shall include a decorative fence or wall and landscaping (which may incorporate existing vegetation). Fence/wall shall be constructed as a solid brick wall or wrought iron-style fence with brick or stacked stone columns (30-feet on center). Landscape buffer and fence/wall design shall be subject to review and approval of the Director of Planning and Development.
 - C. The development shall have a decorative brick or stacked stone entrance feature with landscaping. Design shall be subject to review and approval of the Director of Planning and Development.
 - D. Direct lot access to Lawrenceville Highway and Johnson Road shall be prohibited.
 - E. The location and design of entrances/exits shall be subject to review and approval of the Gwinnett and Georgia Departments of Transportation.
 - F. Natural vegetations shall remain on the property until the issuance of a development permit.
 - G. All utilities shall be placed underground.
 - H. All grassed areas in front and side yards shall be sodded.

- I. Provide a stub street to the adjacent property to the west.
3. To abide by the following requirements, dedications, and improvements:
- A. The subdivision shall include a mandatory property owner's association responsible for perpetual maintenance of the required fences, buffers and landscaping.
 - B. Install a 6-foot high opaque wooden privacy fence along the common southeastern property line with the Cassidy's.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By:

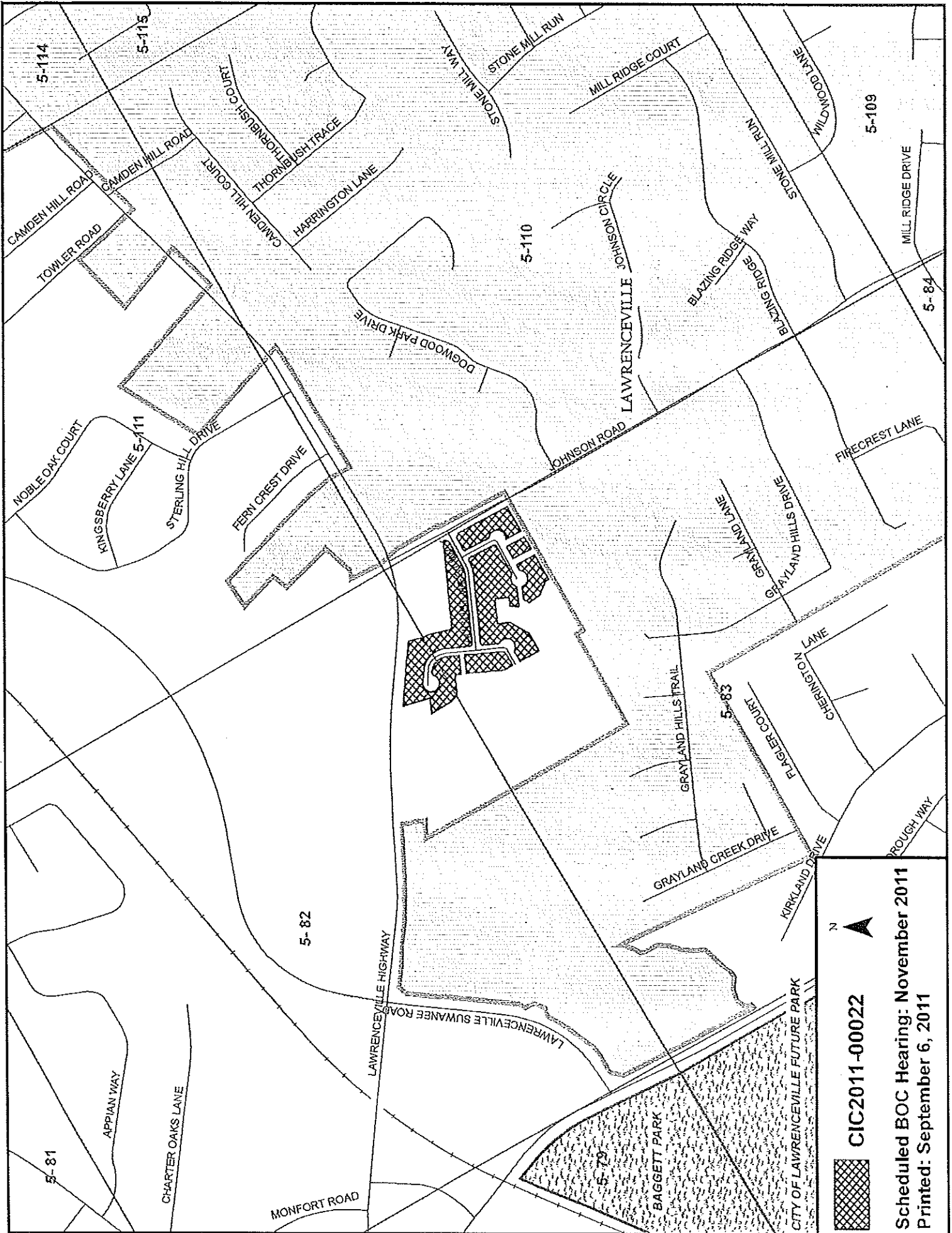
F. Wayne Hill
C F. Wayne Hill, Chairman

Date Signed:

Sept 24, 2004

ATTEST:

Brenda Maddox
County Clerk



CIC2011-00022

Scheduled BOC Hearing: November 2011
 Printed: September 6, 2011



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

CASE NUMBER :SUP2011-00066
ZONING :C-2
LOCATION :5400 BLOCK OF JIMMY CARTER BOULVEARD
MAP NUMBER :R6195 129
ACREAGE :1.07 ACRES
PROPOSED DEVELOPMENT :PAWN SHOP AND TITLE LOAN FACILITY
SQUARE FEET :2,400 SQUARE FEET
COMMISSION DISTRICT :(1) LASSETER

FUTURE DEVELOPMENT MAP: REGIONAL MIXED-USE

APPLICANT: GMH AND COMPANY, LLC
475 CLUBFIELD DRIVE
ROSWELL, GA 30075

CONTACT: GEORGE HOGAN PHONE: 404.925.6358

OWNER: AMIN TEJANI
2788 ARBOR SPRINGS TRACE
TUCKER, GA 30084

DEPARTMENT RECOMMENDATION: APPROVAL WITH CONDITIONS

PROJECT DATA:

The applicant requests a Special Use Permit on a 1.07-acre property, zoned C-2 (General Business District), to allow a pawn shop and title loan facility. The property is developed with a single-story, multi-tenant retail center, with a gasoline pump canopy. The property is located on the southwest side Jimmy Carter Boulevard between McDonough Drive and Dawson Boulevard.

The site contains a 6,600 square foot square foot retail building, and the applicant indicates that the pawn shop and title loan business would occupy suites 101 and 102, which total 2,400 square feet of space within the retail center. The stated hours of operation would be from 9:00 a.m. to 7:00 p.m. There are no changes proposed to exterior of the structure or shopping center grounds as part of this application.

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:

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 16-inch water main located on the western right-of-way of Jimmy Carter 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 objection 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.

For assistance, you may contact this office at (689) 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 1.07-acre property, located on the southwest side of Jimmy Carter Boulevard between McDonough Drive and Dawson Boulevard. The site is developed with a 6,600 square foot retail center and gasoline convenience store with three additional suites, one of which is occupied by a nail salon.

The 2030 Unified Plan Future Development Map indicates that the site is located in a Regional Mixed-Use Character Area. The property is located in an intensely developed commercial corridor which includes a mix of retail, restaurant, hotel and office uses. If properly conditioned, a pawn shop and title loan facility utilizing a suite within the strip center could be a suitable use of the vacant retail space, and could be compatible with the Unified Plan.

The surrounding area is intensely developed with commercial/retail, service and office uses, with residential uses beyond the Jimmy Carter Boulevard commercial corridor. Nearby businesses include similar title loan facilities and pawn shops along with shopping centers, restaurants, offices and hotels. Given the intensity of retail development in the area, a pawn shop and title loan business may be compatible with the surrounding area.

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

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

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

1. Retail, service commercial, office and accessory uses which may include a pawn shop and title loan facility as a special use.
2. The pawn shop and title loan business shall be restricted to suites 101 and 102 (2,400 +/- square feet of space).
3. Outdoor sales or display of pawned merchandise shall be prohibited.
4. On-site sales, storage or display of repossessed vehicles shall be prohibited.
5. Wall signage for the pawn shop and title loan business 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 and title loan business' storefront windows), other than "open/closed" signs, hours of operation, or those signs required by local, state or federal law shall be prohibited. Allowable window signage shall not exceed 4 square feet.
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 and title loan facility may be suitable at this location in light of the intense commercial nature of the area, which also includes other nearby pawn shop and title loan businesses.

ADVERSE IMPACTS

If properly conditioned, the establishment of a pawn shop and title loan business at this location, utilizing a relatively small suite within an existing retail center, would not be expected to adversely impact 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

The request is considered compatible with the Regional Mixed Use designation of the Unified Plan. Approval of the requested Special Use Permit at this location could also be consistent with previous zoning and special use permit approvals by the Board in the area.

CONDITIONS AFFECTING ZONING

The location of the property in a very intense commercial area, situated away from residential neighborhoods, gives supporting grounds for approval of the request.

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

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

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

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

yes

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

No

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

yes

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

No

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

yes

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

No



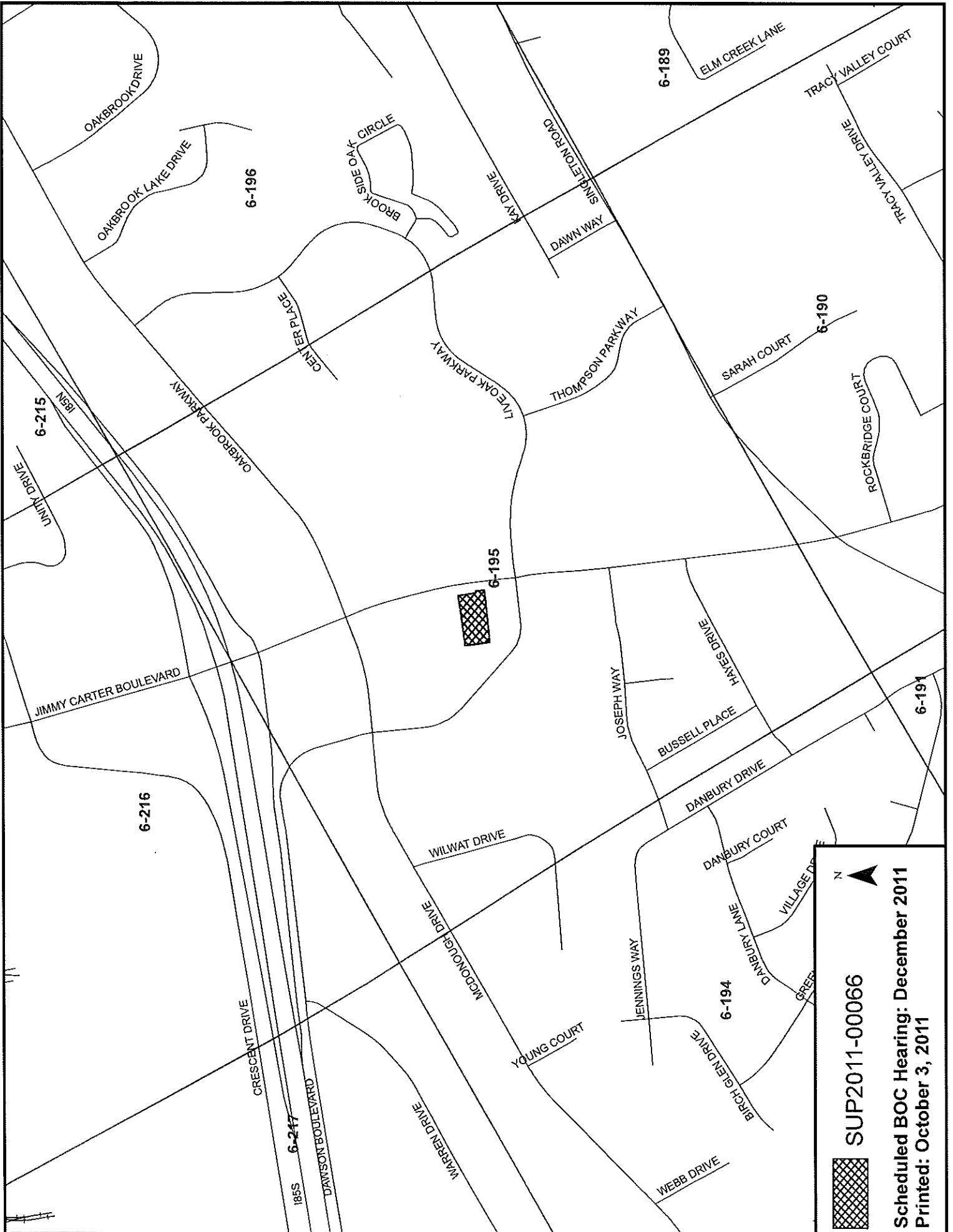
Rezoning Applicant's Letter Of Intent

The Applicant, GMH and Company, LLC, requests a special use permit for the purpose of opening a Pawn and Title loan business located at: 5476 Jimmy Carter Boulevard. This property is found in the 6th District, land lot 195. The square footage totals 2400.

The site consists of all commercial business surrounding this particular site. The hours of operation would be 9:00 am until 7:00 pm. This is a new Food Mart / Shell gas station and the signage and inside will reflect nothing less than a well kept and organized store. No merchandise will be stored outside per the lease stipulations. Formally, the applicant was with I-Deal Jewelry and Pawn, which currently has five locations. These stores are very clean, organized, and understand the necessity of being a role model store for other Pawn shops to follow.



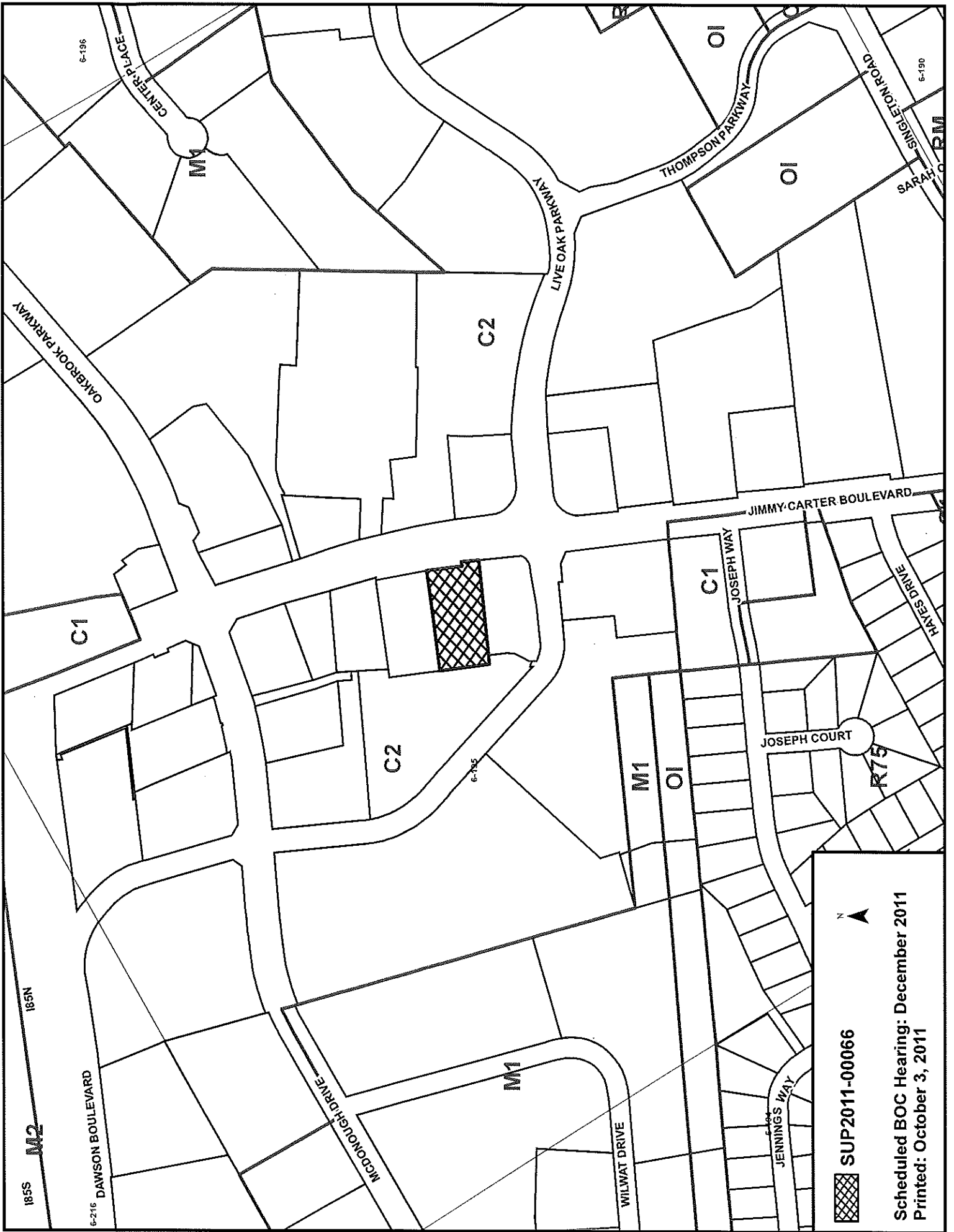
RECEIVED 9-30-11
SUP2011-00066



SUP2011-00066



Scheduled BOC Hearing: December 2011
 Printed: October 3, 2011



 SUP2011-00066

Scheduled BOC Hearing: December 2011
Printed: October 3, 2011

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

CASE NUMBER :**SUP2011-00067**
ZONING :**O-I**
LOCATION :**1200 BLOCK OF SATELLITE BOULEVARD**
MAP NUMBER :**R7155 562**
ACREAGE :**0.50 ACRE**
PROPOSED DEVELOPMENT :**VETERINARY CLINIC**
SQUARE FEET :**2,850 SQUARE FEET**
COMMISSION DISTRICT :**(1) LASSETER**

FUTURE DEVELOPMENT MAP: **PREFERRED OFFICE**

APPLICANT: BOB ISRAEL
1230 SATELLITE BOULEVARD
SUWANEE, GA 30024

CONTACT: BOB ISRAEL PHONE: 770.476.9192

OWNER: WILDWOOD PROFESSIONAL PROPERTIES LLC
1230 SATELLITE BOULEVARD
SUWANEE, GA 30024

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests a Special Use Permit on a 0.50-acre parcel, zoned O-I (Office-Institutional District), to allow a veterinary clinic within an existing office building. The property is located on the southeast side of Satellite Boulevard, across from its intersection with Wildwood Road, and north of its intersection with Old Peachtree Road.

The property contains a single building with two suites. The veterinary clinic would occupy one of the suites, utilizing 2,850 square feet of the 5,433 square foot building, while a dental office would continue to occupy the other suite. Access is provided by a single shared driveway off of Satellite Boulevard. A total of 20 parking spaces are provided, which meets the parking requirements for the building.

The applicant's letter of intent indicates the veterinary clinic would treat domestic animals with occasional overnight stays as part of surgery recovery, illnesses, observation and/or diagnosis. Boarding would only be conducted indoors, and no outside kenneling or dog runs, long term boarding or shelter housing are proposed.

ZONING HISTORY:

In 1970, the subject property was zoned R-100 (Single Family Residence District). The property was rezoned to M-1 in 1984, pursuant to RZ-25-84. In 1998, a request to rezone the property to RM-13 was approved as O-1, pursuant to RZ-06-098. A special use permit for a retirement community was approved in 2005, pursuant to SUP-05-069. A change in conditions to allow increased density, building height increase and a revised layout was approved in 2006.

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 16-inch water main located on the western right-of-way of Satellite Boulevard, with an 8-inch extension to the western right-of-way Satellite Boulevard, connecting to DDC.

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 objection 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.

For assistance, you may contact this office at (689) 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 located southeast of Satellite Boulevard, across from its intersection with Wildwood Road. The site is part of a larger development which contains an assisted living facility and office condominium buildings. The site currently contains a single story 5,433- square foot building with shared access to Satellite Boulevard. The applicant intends to utilize 2,850-square feet of the building for the veterinary clinic.

The 2030 Unified Plan Future Development Map indicates that the site is located within a Preferred Office Character Area. Encouraged uses within the Preferred Office Character Area include professional office uses, such as that contemplated by this application. The proposed Special Use Permit for a veterinary clinic is expected to be a

use of low impact, and could be consistent with the scope of the policies of the 2030 Unified Plan.

The surrounding area is characterized by a mix of office, office/warehouse, and residential uses. North of the property are the Satellite Park at Huntcrest office condominiums and the Lawson Products office/warehouse building. East of the property is Noble Village, an assisted living facility. Land to the south is zoned O-1 and M-1, and is cleared for development. West of the property, across Satellite Boulevard, are the Gates at Sugarloaf office complex and the Hui Tz Temple, with single-family residential uses lying beyond the Satellite Boulevard corridor. With conditions prohibiting outdoor runs or boarding of animals, the proposed use could be suitable to the zoning and development pattern of the area.

In conclusion, the proposed Special Use Permit could be suitable in view of the development pattern of the area, and the professional/office uses recommended by the Unified Plan. However, conditions should be placed on the subject property to protect surrounding residential and office developments, including a requirement that all activities take place indoors. With such a limitation, the Department recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval for a Special Use Permit for a veterinary clinic, subject to the following enumerated conditions:

1. Limited to professional/office uses, which may include a veterinary clinic as a special use.
2. All activities and facilities related to the veterinary clinic shall be conducted and contained indoors. Outdoor dog runs or kennels shall be prohibited.
3. Animal boarding shall not exceed a length of stay of 10 days, and shall not be utilized for animal rescue or shelter housing.
4. Install acoustical insulation within the building as may be required 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
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The approval of a Special Use Permit for a veterinary clinic at this location could be suitable in view of the nature of development in the area, which includes numerous professional office uses along Satellite Boulevard.

ADVERSE IMPACTS

Potential impacts associated with a veterinary clinic could be minimized with appropriate conditions and a prohibition on outdoor activities/facilities.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as zoned.

IMPACT ON PUBLIC FACILITIES

A minimal impact from increased traffic and utility demand could be anticipated from this proposal.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates that the site is located within a Preferred Office Character Area. The proposed Special Use Permit for a veterinary clinic is expected to be a use of low impact, and could be consistent with the scope of the policies of the 2030 Unified.

CONDITIONS AFFECTING ZONING

The proximity of the property to an assisted living facility suggests that limiting all activities to the indoors and prohibiting any outdoor dog runs or kennels would be appropriate.

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 adjacent property is pet friendly and would benefit from this use.

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

No, we perceive this use as an asset only.

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

Yes, the surrounding community would continue to access the services at this property.

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

No, this use is well suited for this space and existing road ways.

- (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

1230 Satellite Blvd

Proposed Use of the Property: There is an existing building located on the subject property which currently houses a dental practice in a portion. This Special Use Permit request is to allow utilization of the vacant portion for a Veterinary Clinic. The Veterinary Clinic office is to be established for the main intention of treating domestic animals (to include surgery).

It may be necessary for animals to stay overnight as part of the surgery recovery, illnesses, observation as part of the diagnosis process, etc. Further, the veterinary would board only small animals (inside kennels only – NO outside kenneling or runs) if there is additional capacity beyond animal patients in the small # of inside kennels, but this would only be ancillary to the main purpose of the facility/business operations.

Each stay would range from overnight to 10 days maximum. There would *not* be long term boarding offered for rescue animals, shelter housing, long term boarding (i.e. for owner long term travel or owner sicknesses/home removal, etc).

The acreage/size of tract: 0.50 acres

Zoning Classification Requested: The property is currently zoned O/I and a Special Use Permit is being requested per the Gwinnett County Planning Division procedures.

The number of lots or number of dwelling units proposed house size proposed: Only one O/I zoned lot is under consideration for this Special Use Permit request.

The density in terms of gross square footage per acre for proposed commercial, industrial, office or institutional use: The proposed Use of Veterinary Clinic would be in approximately 2,850 sf of a 5,590 sf existing building located on 0.50 acres.

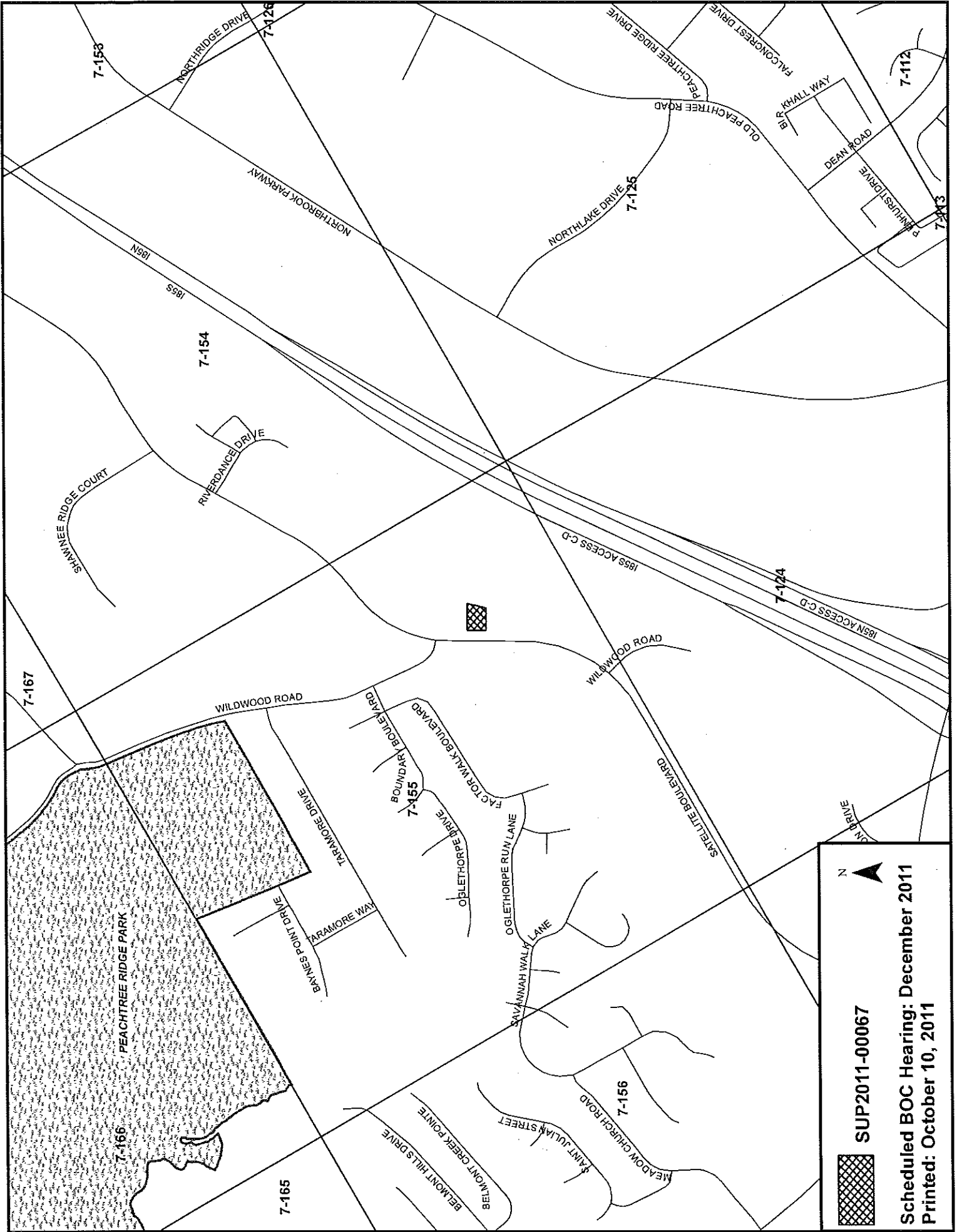
The number of parking spaces: There are 19 regular spaces + 1 handicapped space; total of 20 spaces

The height of buildings: The height of the existing building is 18 feet to top of brick

Requested change in buffers: N/A



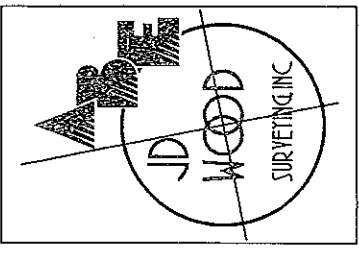
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SUP2011-00067



SUP2011-00067



Scheduled BOC Hearing: December 2011
 Printed: October 10, 2011



32 BARRETT SQUARE RD
 LAWRENCEVILLE, GA 30047
 706.303.1961
 706.313.1947 FAX

BOUNDARY SURVEY FOR:
WILDWOOD PROPERTIES, LLC AND IRONSTONE BANK
 SATELLITE BOULEVARD
 GWINNETT COUNTY, GA
 124th & 155th LL., 7th DISTRICT

DATE	REVISION

STATE OF GEORGIA
 SURVEYOR
 JERRY D. WOOD
 706.425.9031 FAX

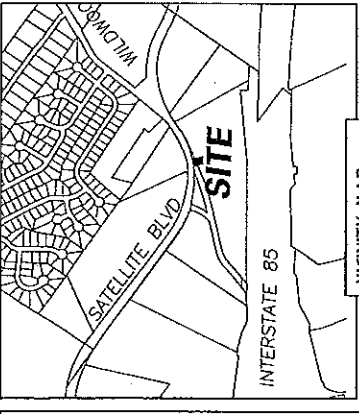


DATE
 08/23/07

PROJECT
 05-100-035

BOUNDARY SURVEY

SHEET
 7 OF 7



VICINITY MAP NTS
 PROJECT DATA
 OWNERS:
 WILDWOOD PROFESSIONAL PROPERTIES, LLC & IRONSTONE BANK
 3450 PIEDMONT ROAD, SUITE 1200
 ATLANTA, GA 30305

AUTHORIZED AGENT:
 JERRY D. WOOD SURVEYING, INC.
 CONTACT: JERRY D. WOOD, GRLS
 32 BARRETT SQUARE RD
 LAWRENCEVILLE, GA 30047

1. TOTAL PROJECT ACRES: 0.50 ACRES
 2. FLOOD PLAIN: NO PORTION OF THE PROPERTY LIES WITHIN A FLOOD ZONE
 ACCORDING TO FIRM COMMUNITY PANEL NUMBER 13150C 0057 5.
 DATED SEPTEMBER 29, 2006.
 3. WATER SUPPLY: GWINNETT COUNTY PUBLIC UTILITIES
 4. SERVICE DEPOSITS: GWINNETT COUNTY PUBLIC UTILITIES
 5. SERVICE DEPOSITS: GWINNETT COUNTY PUBLIC UTILITIES
 6. SURVEY WAS DONE WITHOUT THE BENEFIT OF A COMPLETE TITLE SEARCH.

SURVEY CLOSURE STATEMENT
 The field data upon which this plot is based has a \pm $\frac{1}{1000}$ inch per foot, and an angular error of \pm 1" per angle point, and was not adjusted. This plot has been calculated for closure and is found to be accurate within one foot in \pm 60,000 feet.
 Linear Measurement obtained using TOPCON 605. Field Work completed 08-21-07.

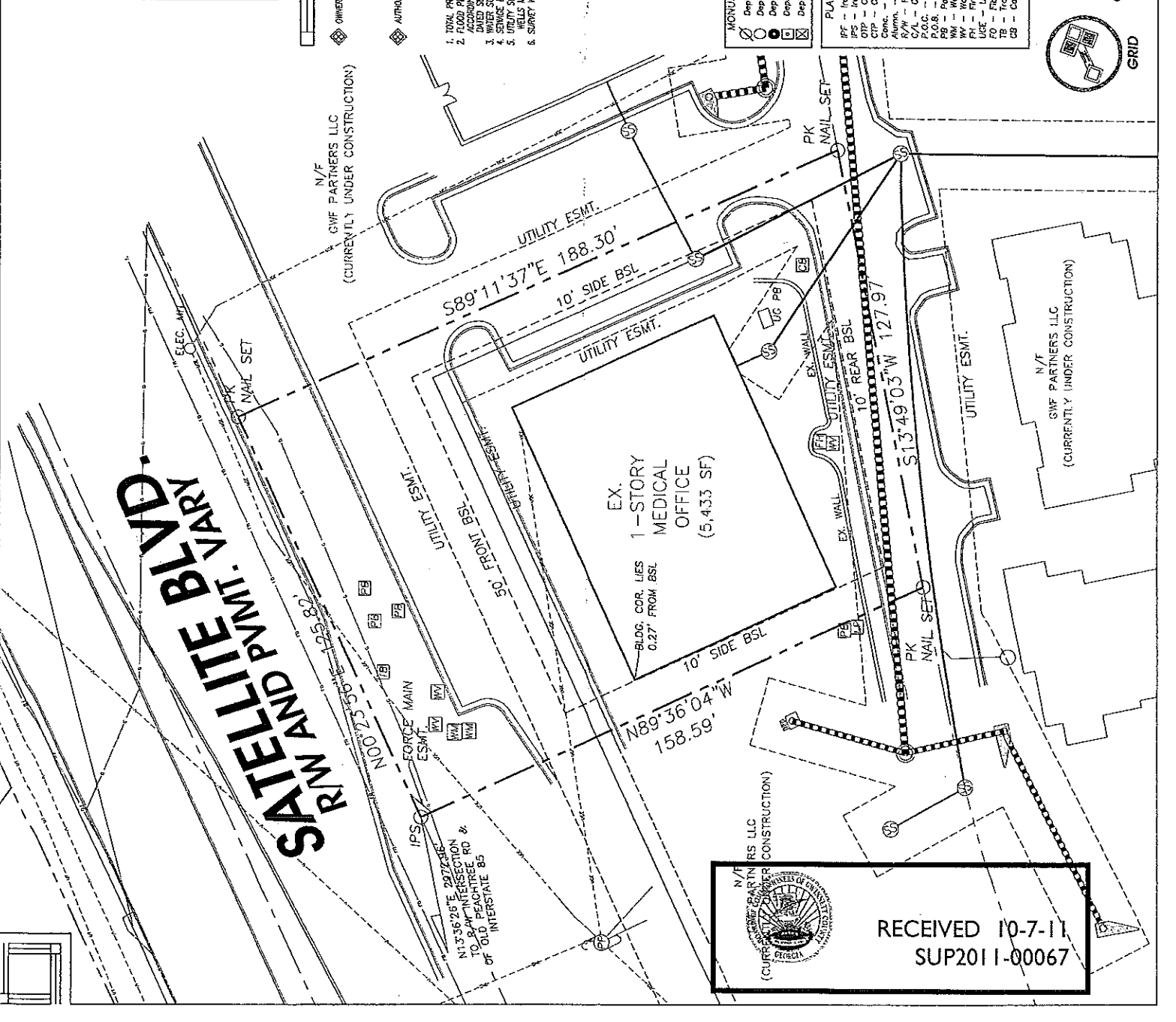
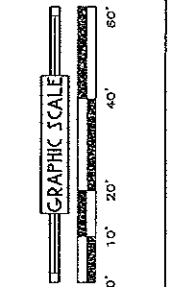
SURVEYOR: JERRY D. WOOD
 GEORGIA R.L.S. #1971
 1871 Marietta Dr., Suite 201
 Bogart, GA 30022
 706.425.9031 FAX

NOTE: THIS PLAT IS NOT VALID FOR RECORDING PURPOSES UNLESS SURVEYOR'S SIGNATURE APPEARS IN ORIGINAL BLACK INK OVER THE STAMP.

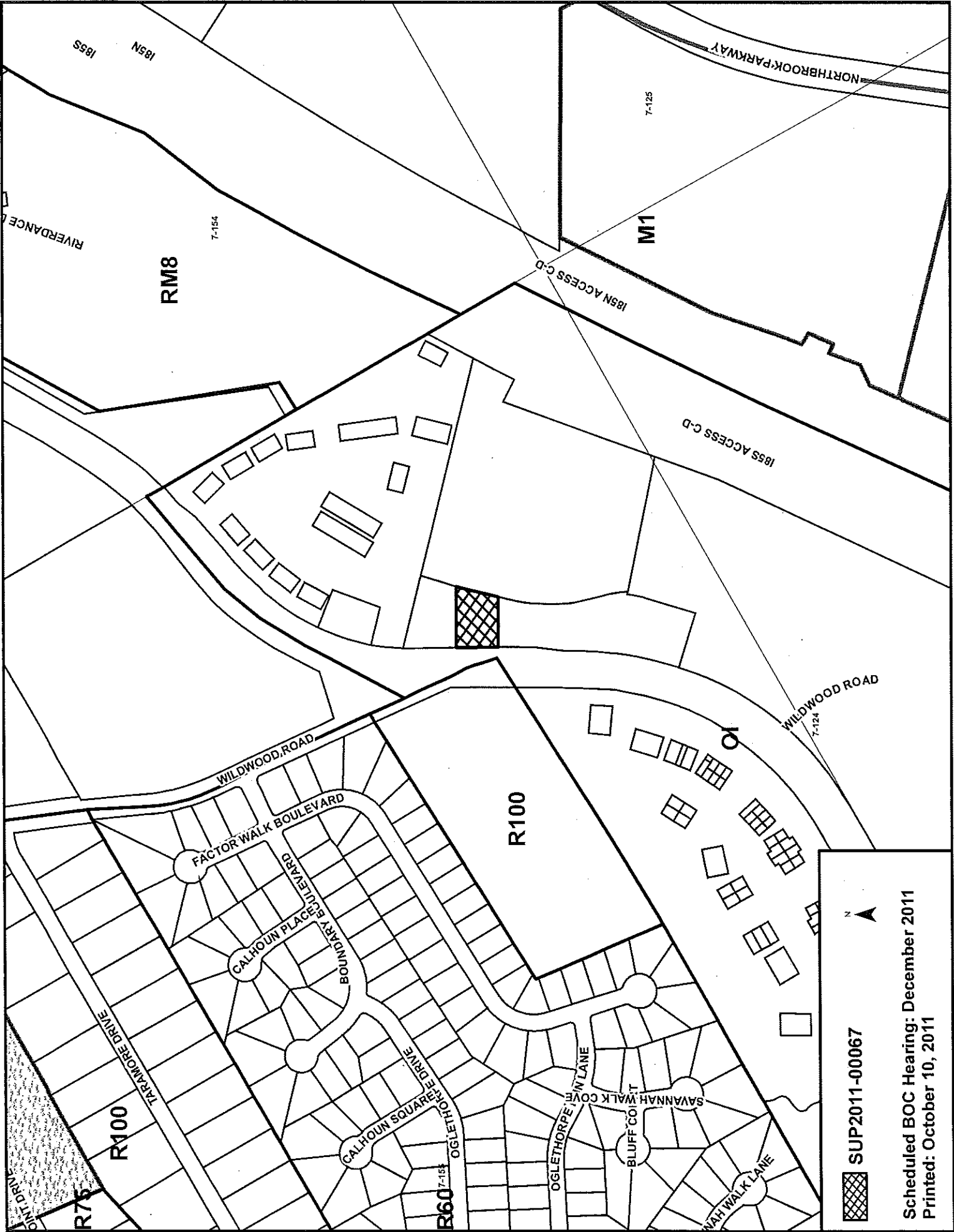
In my opinion, this plat is a true and correct representation of the land plotted and has been prepared in conformity with minimum standards and requirements of law.

MONUMENTATION LEGEND
 Depicts Computed Point Only
 Depicts Iron Pin Set
 Depicts Iron Pin Found
 Depicts Monument Set
 Depicts Monument Found

PLAT ABBREVIATIONS
 PF - Iron Pin Found
 IF - Iron Pin Set
 OTP - Open Top Pipe
 CTP - Closed Top Pipe
 Conc. - Concrete
 C/A - Right of Way
 P.O.C. - Point of Commencement
 P.O.B. - Point of Beginning
 W - Power Pole
 W - Water Valve
 PH - Fire Hydrant
 UG - Underground Electric
 FO - Fiber Optic
 CB - Traffic Light Box
 GB - Cable Box



RECEIVED 10-7-11
 SUP2011-00067



SUP2011-00067

Scheduled BOC Hearing: December 2011
Printed: October 10, 2011

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

CASE NUMBER :**SUP2011-00068**
ZONING :C-2
LOCATION :5000 BLOCK OF BUFORD HIGHWAY
MAP NUMBER :R6257 001
ACREAGE :1.09 ACRES
PROPOSED DEVELOPMENT :OUTDOOR SALES/STORAGE (RENEWAL)
SQUARE FEET :1,171 SQUARE FEET
COMMISSION DISTRICT :(2) HOWARD

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

APPLICANT: BAHRAM KARIMI
9725 BRECKENRIDGE CLOSE
ALPHARETTA, GA 30022

CONTACT: ERIC JOHANSEN PHONE: 678.571.4843

OWNER: BAHRAM KARIMI
9725 BRECKENRIDGE CLOSE
ALPHARETTA, GA 30022

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests the renewal of a Special Use Permit on a 1.09 acre, C-2 (General Business District) zoned property, to allow the continuation of outdoor sales and storage of stone products. The subject property is occupied by Aztec Stone Empire, a stone sales facility, located on the northwest side of Buford Highway, southwest of its intersection with Pittman Circle.

The site consists of two buildings with pallets of stacked stone stored and displayed throughout the property. A wrought iron-style fence and some vegetation has been installed along the Buford Highway frontage to improve the appearance of the site.

In 2006, the subject property was rezoned from M-1 to C-2, with the intention of redeveloping the site as a retail strip center. As part of that rezoning, it was indicated that Aztec Stone Empire would relocate their business to a site across Buford Highway. As of this date, the subject property has not been redeveloped, and Aztec Stone Empire continues to lease the property from the applicant, with the intention of remaining at the site for the foreseeable future.

ZONING HISTORY:

In 1970, the subject property was zoned M-1 (Light Industry District). In 2006, the subject property was rezoned to C-2. In 2007, a Change in Conditions and Special Use Permit were approved to remove a condition prohibiting outdoor sales and storage, pursuant to CIC-07-032 and SUP-07-101.

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.

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 16-inch water main located on the southeastern right-of-way of Buford Highway, and an 8-inch water main crossing Buford Highway to the northwestern 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 400 feet north of the property.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

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

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

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

DEPARTMENT ANALYSIS:

The subject property is a 1.09-acre parcel, located on the northwest side of Buford Highway, southwest of its intersection with Pittman Circle. The subject property is currently occupied by Aztec Stone Empire, which is a stone sales facility. The site consists of two buildings and pallets of stacked stone stored throughout the property.

The 2030 Unified Plan Future Development Map indicates that the property lies within a Regional Mixed-Use Character Area. Although not consistent with the recommended land use, the requested Special Use Permit renewal may be consistent with previous Board policy for this property which has allowed the outdoor storage and sales of stone for several years.

The surrounding area is characterized by a mix of commercial, industrial and office uses along this portion of Buford Highway, many of which also include outdoor storage. Located directly across Buford Highway is the Aztec Stone Village, which was approved for outdoor sales and storage of stone products in 2008, pursuant to RZC-08-020 and SUP-08-056. Given the existence of the business at this location for several years, the requested renewal of this Special Use Permit and continued operation of the business could be considered suitable for the area.

In conclusion, the requested Special Use Permit renewal could be suitable in light of the industrial nature of the Buford Highway corridor, and the previous Board approval allowing the stone sales facility. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS.**

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Additions in **bold**

Deletions in strikethrough

Approval of a Special Use Permit for outdoor sales and storage (renewal), subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Retail and service commercial and accessory uses. Gas pumps and convenience stores shall be prohibited.
 - B. Outdoor sales and/or storage of stone products and landscape materials may be permitted as a special use, provided the applicant obtains the necessary development permit and completes the site development requirements contained herein (including fencing and landscaping) ~~within 120 days of zoning approval.~~
 - C. Buildings shall be finished with architectural treatments of glass and/or brick or stone. Submit architectural and site plans for approval by the Director of Planning and Development prior to issuance of a building permit.
 - D. ~~The Special Use Permit shall automatically terminate after 2 years from the date of approval, at which time the operation shall cease or the applicant may apply for renewal.~~
2. To satisfy the following site development considerations:
 - A. The Buford Highway frontage shall include a 10-foot landscape strip planted with 3-inch caliper street trees as approved by the Gwinnett County Buffer, Landscape and Tree Ordinance. The street trees shall be spaced on a maximum of 20-foot centers and shall include groupings of evergreen shrubs every 50-feet on center. The landscape strip shall be in general conformity with the rendering placed in the record at the June 16, 2009, Board of Commissioners meeting. The landscape plans shall be subject to review and approval by the Director of Planning and Development.
 - B. Install a decorative metal fence with masonry columns. The masonry columns shall be spaced at a maximum distance of every 50 feet on center and treated with either brick or stone that is within an earth tone color scheme. The decorative metal fence shall not exceed 5-feet in height. The decorative fence shall be similar in nature to the rendering placed in the record at the June 16, 2009, Board of Commissioners meeting. The

materials, design and layout of the fence shall be subject to review and approval by the Director of Planning and Development.

- C. Oversized signs shall be prohibited.
- D. 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 or bandit signs shall be prohibited.
- E. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent residential property.
- F. Dumpsters shall be screened by a brick wall at least 6-feet in height. Hours of pickup shall be limited to 7:00 a.m. to 7:00 p.m.
- G. Peddlers or parking lot sales shall be prohibited.
- H. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
- I. Ground signs shall be limited to monument-type with a brick base of at least 2 feet in height and shall match the masonry construction of the building.
- J. Provide a 5-foot wide sidewalk across the Buford Highway frontage.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The requested Special Use Permit renewal for outdoor sales and storage could be suitable in light of the industrial nature of the Buford Highway corridor, which includes several other businesses with similar outdoor sales and storage activities.

ADVERSE IMPACTS

With appropriate conditions and limitations, the proposed Special Use Permit renewal would not be expected to adversely impact neighboring properties.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

There would be no change in impacts on public facilities anticipated from this request.

CONFORMITY WITH POLICIES

Although not strictly consistent with the recommended land use of the Unified Plan, the subject request is consistent with past Board policy as established in the previous Change In Conditions and Special Use Permit (CIC-07-032 & SUP-07-101) allowing outdoor sales and storage of stone products.

CONDITIONS AFFECTING ZONING

In 2006, the applicant intended to redevelop the site as retail strip center. The applicant no longer plans to redevelop the property in the near term; therefore, continued operation of the stone sales business may be suitable as requested.

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

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

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

- (A) WHETHER A PROPOSED SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:
The proposed SUP is an extension of the previously granted SUP
- (B) WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:
The proposed SUP will not adversely affect the adjacent properties
- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED SPECIAL USE PERMIT HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:
Yes, that is why we are requesting an extension of the previously approved SUP without any time tables for expiration.
- (D) WHETHER THE PROPOSED SPECIAL USE PERMIT WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:
No, the proposed SUP will not cause any impact to the above mentioned factors as the SUP has been operable for the last two years without issue
- (E) WHETHER THE PROPOSED SPECIAL USE PERMIT IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:
Yes the proposed SUP conforms with the current Land Use Plan for the immediate and surrounding areas of the Subject Property
- (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:
SUP previously granted with a two year time table to expire. All conditions of previous SUP were met and the Property Owner/Applicant desires to seek a permanent SUP for the Subject Property.



October 6, 2011

Gwinnett County Board of Commissioners
75 Langley Drive
Lawrenceville, GA 30045

**Re: 5055 Buford Highway – Special Use Permit LOI
Parcel R6257 001
Gwinnett County, GA**

Dear Commissioners,

Bahram Karimi (the "Applicant and Property Owner") is seeking a permanent Special Use Permit ("SUP") for real property located at 5055 Buford Highway, Norcross, GA, Parcel R6257 001 (the "Subject Property"). Previously, SUP-07-101 was approved for the Subject Property in June 2009. To date, the Applicant and Property Owner has fully complied with the Conditions that were approved as part of the previous SUP and would request this Board to grant permanent SUP status for the efforts they have shown.

As with most SUP renewals, the Applicant and Property Owner did not receive any notifications from Gwinnett County (the "County") informing him that his SUP was set to expire. Within the last few months the Gwinnett County Code Enforcement Division has visited the property and cited the existing tenant, Aztec Stone Empire, with citations, one being for not complying with the Conditions of the SUP. After further research and discussions with the Code Enforcement Officer and the County Planning Staff, it was determined that the SUP had expired. All other issues that were brought up to the existing tenant have been fully addressed and remedied. Upon approval of this SUP request, Aztec Stone Empire will continue to remain as the tenant on the Subject Property.

The Applicant and Property Owner had no intentions of not meeting his obligations to the County and letting the SUP expire. As with other properties he owns that have had SUP's, it was a usual and customary practice of receiving notice from the County roughly three months prior to the expiration of the SUP and then he would file for renewal or permanent SUP status at the appropriate times to avoid the expiration of previously granted approvals. The Applicant and Property Owner is taking full responsibility for this and wants to correct this issue by filing this request for a permanent SUP status on the Subject Property given that he has fully complied with the previous requests from the County.

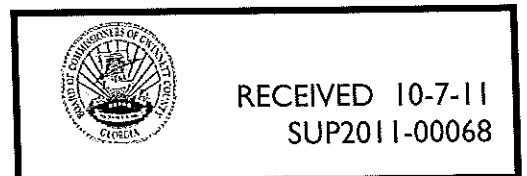
We respectfully request this Board's approval of this request and would be happy to meet with the appropriate parties from the County Staff to further discuss this SUP Application.

Thank you for your consideration of this request.

Sincerely,



Inland Group, LLC
Agent for the Applicant and Property Owner



CASE NUMBER CIC-07-032
GCID 2008-2520

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>AYE</u>
Albert Nasuti, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>ABSENT</u>

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

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from C-2 to C-2 by BAHRAM KARIMI for a CHANGE IN CONDITIONS on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

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

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on NOVEMBER 27, 2007 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 16TH day of JUNE 2009, that the aforesaid application to amend the Official Zoning Map from C-2 to C-2 (CHANGE IN CONDITIONS) is hereby **APPROVED** subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Retail and service commercial and accessory uses. Gas pumps and convenience stores shall be prohibited.
 - B. Outdoor sales and/or storage of stone products and landscape materials may be permitted as a special use, provided the applicant obtains the necessary development permit and completes the site development requirements contained herein (including fencing and landscaping) within 120 days of zoning approval.
 - C. Buildings shall be finished with architectural treatments of glass and/or brick or stone. Submit architectural and site plans for approval by the Director of Planning and Development prior to issuance of a building permit.
 - D. The Special Use Permit shall automatically terminate after 2 years from the date of approval, at which time the operation shall cease or the applicant may apply for renewal.

2. To satisfy the following site development considerations:
- A. The Buford Highway frontage shall include a 10-foot landscape strip planted with 3-inch caliper street trees as approved by the Gwinnett County Buffer, Landscape and Tree Ordinance. The street trees shall be spaced on a maximum of 20-foot centers and shall include groupings of evergreen shrubs every 50-feet on center. The landscape strip shall be in general conformity with the rendering placed in the record at the June 16, 2009, Board of Commissioners meeting. The landscape plans shall be subject to review and approval by the Director of Planning and Development.
 - B. Install a decorative metal fence with masonry columns. The masonry columns shall be spaced at a maximum distance of every 50 feet on center and treated with either brick or stone that is within an earth tone color scheme. The decorative metal fence shall not exceed 5-feet in height. The decorative fence shall be similar in nature to the rendering placed in the record at the June 16, 2009, Board of Commissioners meeting. The materials, design and layout of the fence shall be subject to review and approval by the Director of Planning and Development.
 - C. Oversized signs shall be prohibited.
 - D. 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 or bandit signs shall be prohibited.
 - E. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent residential property.
 - F. Dumpsters shall be screened by a brick wall at least 6-feet in height. Hours of pickup shall be limited to 7:00 a.m. to 7:00 p.m.
 - G. Peddlers or parking lot sales shall be prohibited.
 - H. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

CASE NUMBER CIC-07-032
GCID 2008-2520

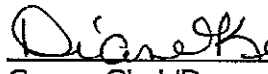
- I. Ground signs shall be limited to monument-type with a brick base of at least 2 feet in height and shall match the masonry construction of the building.
- J. Provide a 5-foot wide sidewalk across the Buford Highway frontage.


GWINNETT COUNTY BOARD OF COMMISSIONERS

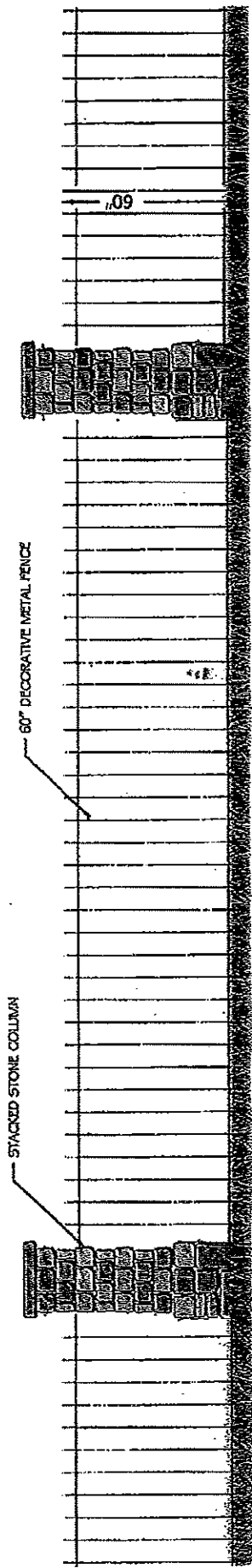
By: 
Charles E. Bannister, Chairman

Date Signed: June 17, 2009

ATTEST:


County Clerk/Deputy County Clerk

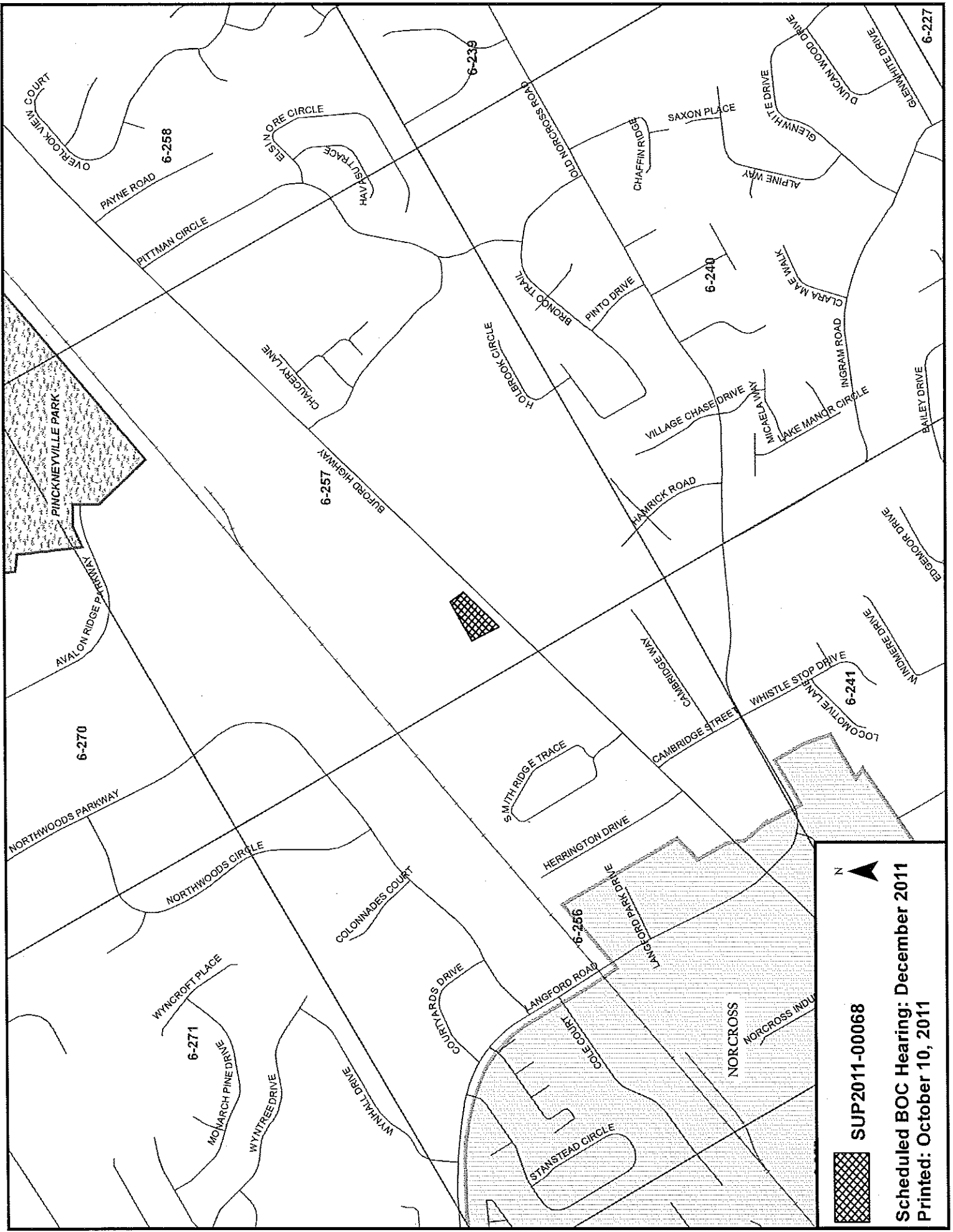




50' MAX SPACING ON CENTER
 STONE FENCING DETAIL - WITHIN THE 10' LANDSCAPE STRIP

RECEIVED
 JUN 16 2009
 GWINNETT PLANNING DIVISION

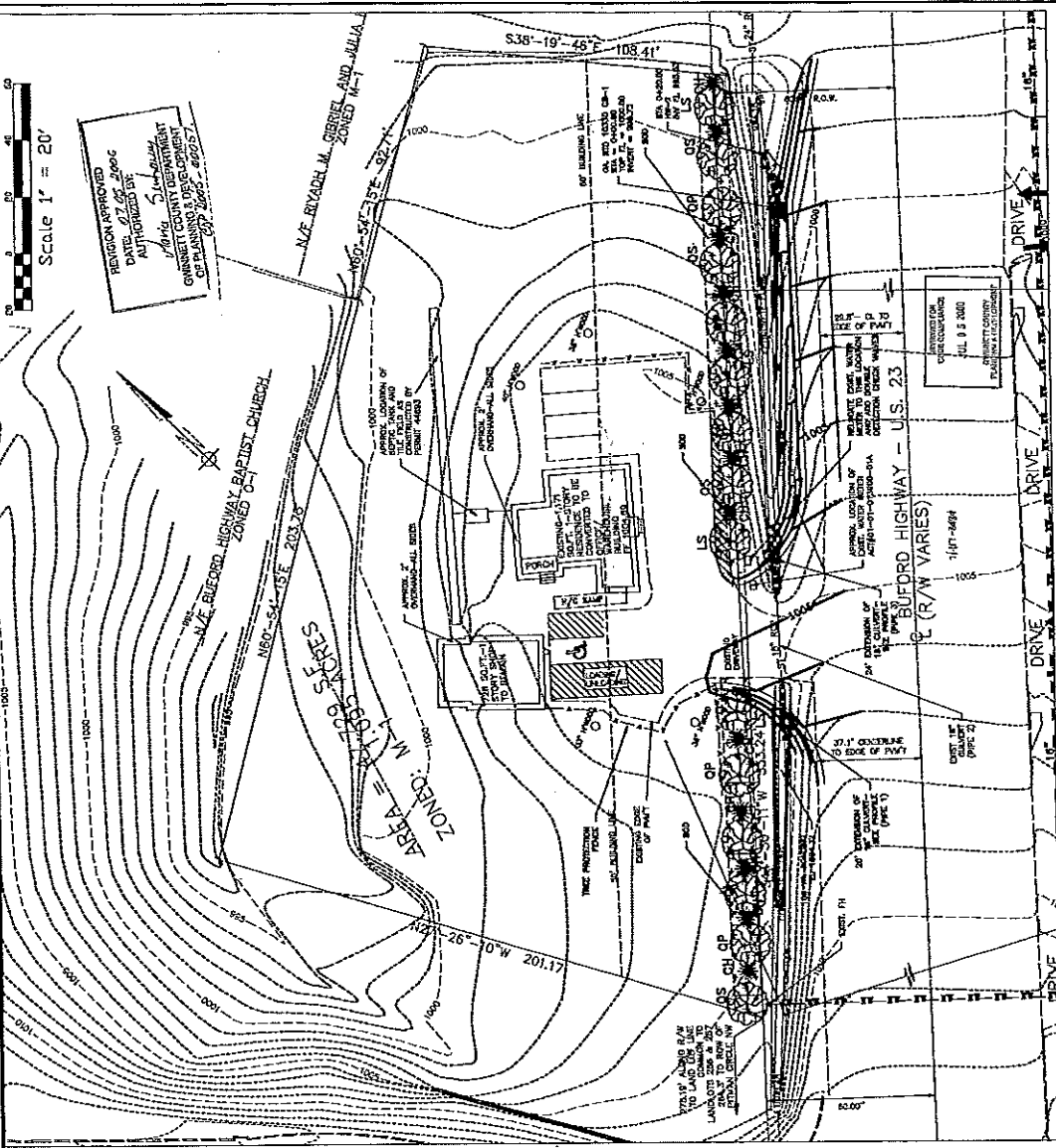
CIC 07032



SUP2011-00068

Scheduled BOC Hearing: December 2011
 Printed: October 10, 2011





REVISION APPROVED
DATE: 07/22/2006
AUTHORIZED BY:
M. J. Stone
CHIEF ENGINEER
COUNTY DEPARTMENT
OF PLANNING & DEVELOPMENT
CITY OF JACKSONVILLE
07/22/2006 - 09/05/07

PRECISION
ENGINEERING
LANDSCAPE & TREE
PLAN
AZTECA STONE EMPIRE
PROJECT #105-000
DATE: 10/27/06
SCALE: 1/8" = 1'-0"

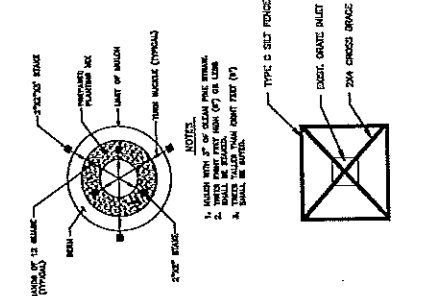
PARCEL 6-257 001



PLANT LIST

NO.	SYMBOL	COMMON NAME	QUANTITY	SIZE	HEIGHT	UNIT/VERTICAL
1	(Symbol)	FLORIDA PALM	1	12"	10'	10'
2	(Symbol)	FLORIDA PALM	1	12"	10'	10'
3	(Symbol)	FLORIDA PALM	1	12"	10'	10'
4	(Symbol)	FLORIDA PALM	1	12"	10'	10'
5	(Symbol)	FLORIDA PALM	1	12"	10'	10'
6	(Symbol)	FLORIDA PALM	1	12"	10'	10'
7	(Symbol)	FLORIDA PALM	1	12"	10'	10'
8	(Symbol)	FLORIDA PALM	1	12"	10'	10'
9	(Symbol)	FLORIDA PALM	1	12"	10'	10'
10	(Symbol)	FLORIDA PALM	1	12"	10'	10'

PLEASE NOTE: ORDINANCE REQUIRES PAVING SPACES FOR LOTS WITH 3 OR MORE SPACES. THIS LIST HAS ONLY 2 SPACES THIS NO PARKING TREES ARE REQUIRED.



Sd2 FOR GRATE INLET

SOD INSTALLATION

- Sod should be installed out one corner, 1/4" or more.
- 1/4" of 1/4" of sod to be laid on the other side within.
- 2" or 3" of sod to be laid on the other side within.
- 3" or 4" of sod to be laid on the other side within.
- 4" or 5" of sod to be laid on the other side within.
- 5" or 6" of sod to be laid on the other side within.
- 6" or 7" of sod to be laid on the other side within.
- 7" or 8" of sod to be laid on the other side within.
- 8" or 9" of sod to be laid on the other side within.
- 9" or 10" of sod to be laid on the other side within.

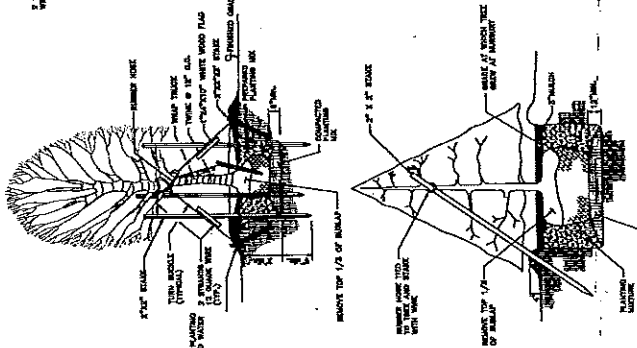
Table 1-1-1

Tree	Species	Quantity	Size	Height	Unit/Vertical
1	FLORIDA PALM	1	12"	10'	10'
2	FLORIDA PALM	1	12"	10'	10'
3	FLORIDA PALM	1	12"	10'	10'
4	FLORIDA PALM	1	12"	10'	10'
5	FLORIDA PALM	1	12"	10'	10'
6	FLORIDA PALM	1	12"	10'	10'
7	FLORIDA PALM	1	12"	10'	10'
8	FLORIDA PALM	1	12"	10'	10'
9	FLORIDA PALM	1	12"	10'	10'
10	FLORIDA PALM	1	12"	10'	10'

NOTES:
1. ALL TREES TO BE PLANTED IN THE LANDSCAPE WITH PROTECTIVE PLASTIC PROPER FOR PROTECTION.
2. ALL TREES TO BE PLANTED IN THE LANDSCAPE WITH PROTECTIVE PLASTIC PROPER FOR PROTECTION.
3. ALL TREES TO BE PLANTED IN THE LANDSCAPE WITH PROTECTIVE PLASTIC PROPER FOR PROTECTION.
4. ALL TREES TO BE PLANTED IN THE LANDSCAPE WITH PROTECTIVE PLASTIC PROPER FOR PROTECTION.
5. ALL TREES TO BE PLANTED IN THE LANDSCAPE WITH PROTECTIVE PLASTIC PROPER FOR PROTECTION.
6. ALL TREES TO BE PLANTED IN THE LANDSCAPE WITH PROTECTIVE PLASTIC PROPER FOR PROTECTION.
7. ALL TREES TO BE PLANTED IN THE LANDSCAPE WITH PROTECTIVE PLASTIC PROPER FOR PROTECTION.
8. ALL TREES TO BE PLANTED IN THE LANDSCAPE WITH PROTECTIVE PLASTIC PROPER FOR PROTECTION.
9. ALL TREES TO BE PLANTED IN THE LANDSCAPE WITH PROTECTIVE PLASTIC PROPER FOR PROTECTION.
10. ALL TREES TO BE PLANTED IN THE LANDSCAPE WITH PROTECTIVE PLASTIC PROPER FOR PROTECTION.

Table 1-1-2

Tree	Species	Quantity	Size	Height	Unit/Vertical
1	FLORIDA PALM	1	12"	10'	10'
2	FLORIDA PALM	1	12"	10'	10'
3	FLORIDA PALM	1	12"	10'	10'
4	FLORIDA PALM	1	12"	10'	10'
5	FLORIDA PALM	1	12"	10'	10'
6	FLORIDA PALM	1	12"	10'	10'
7	FLORIDA PALM	1	12"	10'	10'
8	FLORIDA PALM	1	12"	10'	10'
9	FLORIDA PALM	1	12"	10'	10'
10	FLORIDA PALM	1	12"	10'	10'



Calculations for Stakeholder County Tree Ordinance

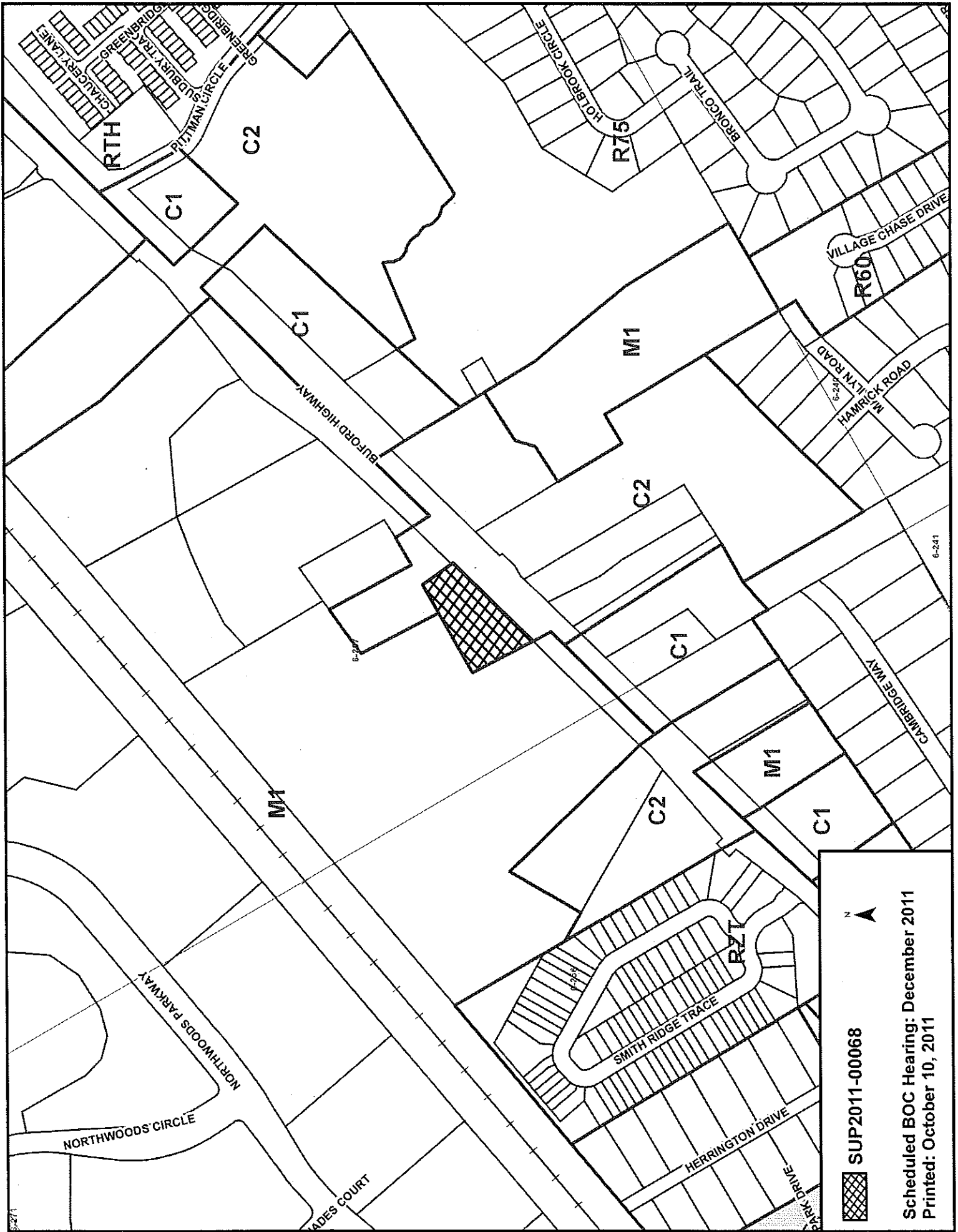
Total Average	1.0000
18.5 Average	17.62
4-1/2" AN	7.00
18.5 Average	17.62
4-1/2" AN	7.00
18.5 Average	17.62
4-1/2" AN	7.00

TREE PRESERVATION UNIT TABLE

Tree	Species	Quantity	Size	Height	Unit/Vertical
1	FLORIDA PALM	1	12"	10'	10'
2	FLORIDA PALM	1	12"	10'	10'
3	FLORIDA PALM	1	12"	10'	10'
4	FLORIDA PALM	1	12"	10'	10'
5	FLORIDA PALM	1	12"	10'	10'
6	FLORIDA PALM	1	12"	10'	10'
7	FLORIDA PALM	1	12"	10'	10'
8	FLORIDA PALM	1	12"	10'	10'
9	FLORIDA PALM	1	12"	10'	10'
10	FLORIDA PALM	1	12"	10'	10'



RECEIVED 10-7-11
SUP2011-00068



 SUP2011-00068

Scheduled BOC Hearing: December 2011
Printed: October 10, 2011

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

CASE NUMBER :**SUP2011-00069**
ZONING :RA-200
LOCATION :4600 BLOCK OF SPOUT SPRINGS ROAD
MAP NUMBER :R3007 034
ACREAGE :7.04 ACRES
PROPOSED DEVELOPMENT :CHURCH PRESCHOOL
COMMISSION DISTRICT :(4) HEARD

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

APPLICANT: ANNETTE COFFEE
2505 HAMMOCK COURT
SUWANEE, GA 30024

CONTACT: ANNETTE COFFEE PHONE: 770.330.1319

OWNER: THE CROSSING, A CHURCH OF THE NAZARENE, INC.
4682 SPOUT SPRINGS ROAD
BUFORD, GA 30519

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests a Special Use Permit on a 7.04 acre property, zoned RA-200 (Agriculture-Residence District), to operate a private preschool as an accessory to an existing church. The site is presently occupied by "The Crossing, A Church of the Nazarene" church facility. The subject property is located on the north side of Spout Springs Road, north of its intersection with Doc Hughes Road.

The church preschool would utilize the main sanctuary of the church, from 9 a.m. until 1 p.m. Monday through Friday. The preschool anticipates there would be approximately 20 students for the upcoming 2012 school year.

The site is developed with a 6,030 square foot building, associated parking and driveways. Access is provided through one existing driveway onto Spout Springs Road. A total of 50 parking spaces are shown on the submitted site plan.

ZONING HISTORY:

The subject property has been zoned RA-200 since 1970.

GROUNDWATER RECHARGE AREA:

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

WETLANDS INVENTORY:

The subject property 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:

If a play ground is planned, 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.

STORMWATER REVIEW SECTION COMMENTS:

Stormwater best management practices must be addressed upon development permit issuance, if applicable.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

No comment.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

Contact GCEHD concerning septic involvement.

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 southern right-of-way of Spout Springs Road.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 1,000 feet southwest of the property on the right-of-way of Spring Sound Lane.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objection under the following conditions:

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

For assistance, you may contact this office at (689) 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 7.04-acre parcel located on the north side of Spout Springs Road, north of its intersection with Doc Hughes Road. The property is developed with a 6,030 square foot church building with associated parking and driveways.

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

The surrounding area is characterized primarily by single-family large-lot residences zoned RA-200 and single-family subdivisions zoned R-100. Adjacent to the north and west of the site is Brandon Acres subdivision, zoned R-100. Across Spout Springs Road to the south is Calvary Chapel church, zoned RA-200, and Oakpointe subdivision zoned R-100. To the east are large-lot residences zoned RA-200, and further to the east along Spout Springs Road is Duncans

Shore subdivision, zoned R-100. The proposed church preschool, with proper conditions, could be a suitable use for this area.

In conclusion, the proposed preschool as an accessory use to the existing church could be considered consistent with the Unified Plan and compatible with nearby residential and church uses in the area. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

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

1. Limited to a church and accessory uses which may include a preschool as a special use.
2. Preschool enrollment shall be limited to no more than 30 children.
3. The hours of operation for the preschool shall be limited to between 8:00 a.m. and 2:00 p.m., Monday through Friday.
4. Outdoor activity/play ground areas shall be limited to the rear of building.

PLANNING AND DEVELOPMENT DEPARTMENT
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The surrounding area is primarily developed with residentially zoned properties, with similar church uses within the immediate vicinity. The preschool as an accessory use to an existing church could be suitable in light of existing uses in the area.

ADVERSE IMPACTS

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

REASONABLE ECONOMIC USE AS ZONED

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

IMPACT ON PUBLIC FACILITIES

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

CONFORMITY WITH POLICIES

The requested church preschool could be considered consistent with recommended uses for the Existing/Emerging Suburban Character Area.

CONDITIONS AFFECTING ZONING

The accessory preschool would be located within an existing church building, on a large lot with adequate room for the additional activity, suggesting that the request is appropriate.

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, proposed use is a private preschool within the existing church
- (B) WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:
No, proposed use will not affect properties in the vicinity because all are zoned R-100 or RA 200
- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED SPECIAL USE PERMIT HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:
Yes the property has reasonable economic use as currently zoned
- (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:
Proposed use does not increase use of existing streets, transportation facilities, utilities, or schools.
- (E) WHETHER THE PROPOSED SPECIAL USE PERMIT IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:
Per the Future Development map, the property is designated as Existing/Emerging Suburban and the proposed use is consistent with this designation.
- (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 surrounding property is currently zoned residential and the proposed use is in harmony with the existing development.



**EXHIBIT FIVE
SPECIAL USE PERMIT
APPLICANT: FOUR SEASONS MONTESSORI**

LETTER OF INTENT

This application for a special use permit is being submitted to request permission to open a private preschool within the existing church ("The Crossing") located at 4682 Spout Springs Road, Buford, GA. The property parcel id is: 3-007-034. The property is zoned RA 200 and is 7.035 acres. The RA200 zoning regulations allow for a private preschool to operate under a special use permit. The properties along the west boundary line of the existing site are zoned R100, while the property to the east boundary line is zoned RA200. A private preschool is in harmony with the existing use of the area.

The primary function of this property is a religious facility and will continue to operate in this capacity. We are seeking to have the private preschool utilize this facility during weekday hours. This use does not encumber the property with additional needs for parking, driveway modifications, or setbacks/buffers. No modifications to the existing building as permitted in January of 2010 will be required.

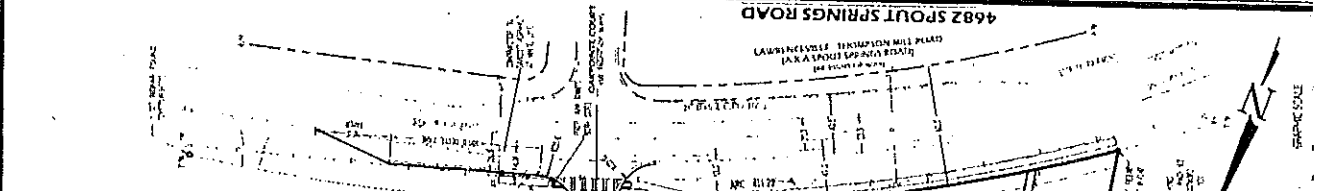
The application is respectfully submitted on behalf of "The Crossing".



Annette Coffee (applicant)



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SUP2011-00069



EXISTING AND PROPOSED UTILITIES
 ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE LOCATION AND DEPTH OF UTILITIES SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.

PROPOSED CHURCH BUILDING
 THE CHURCH BUILDING IS PROPOSED TO BE CONSTRUCTED ON THE EAST SIDE OF THE PROPERTY. THE BUILDING SHALL BE 20 FEET WIDE AND 40 FEET DEEP.

PARKING REQUIREMENTS:
 1. 10 SPACES
 2. 5 SPACES
 3. 5 SPACES

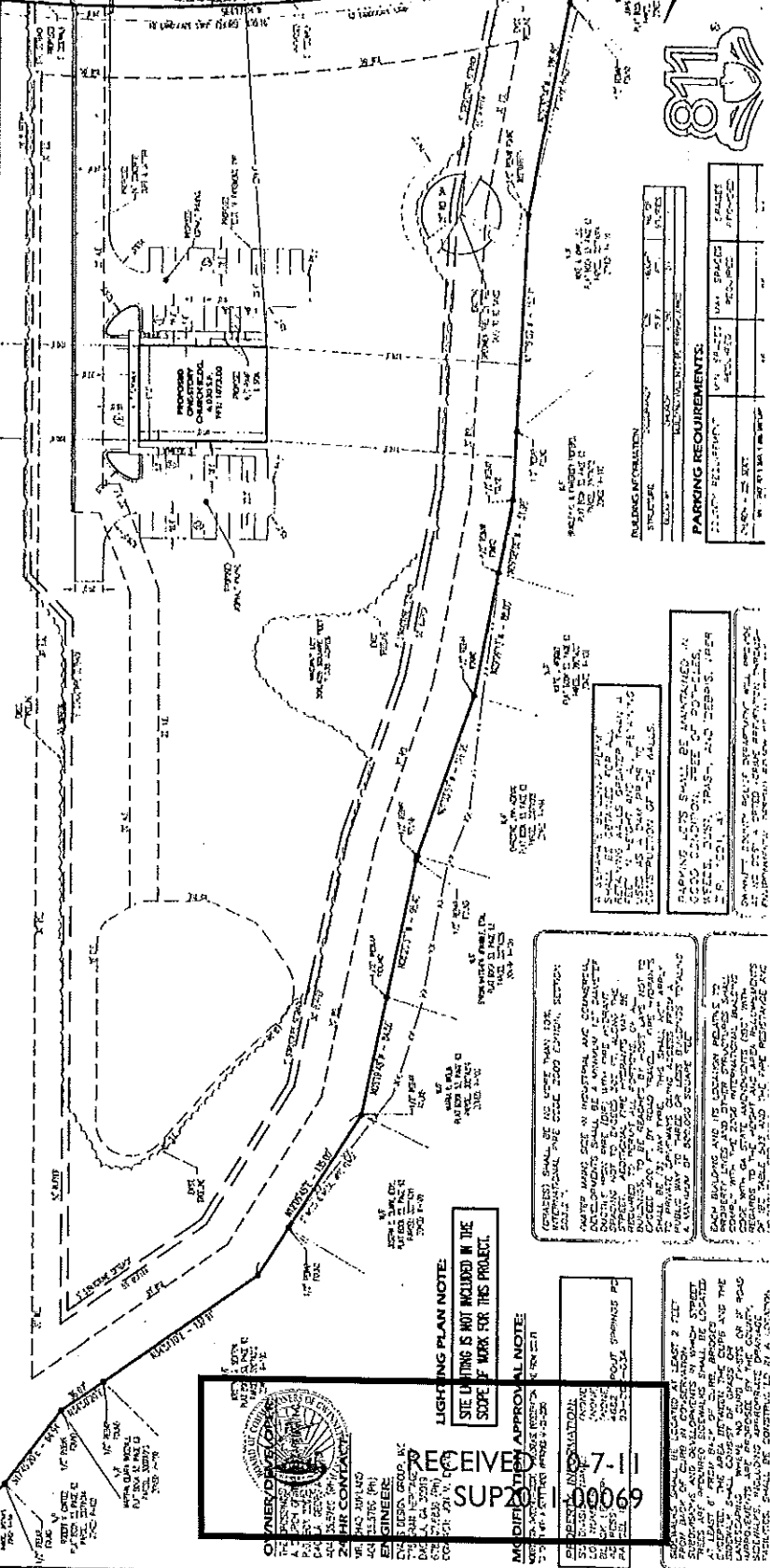
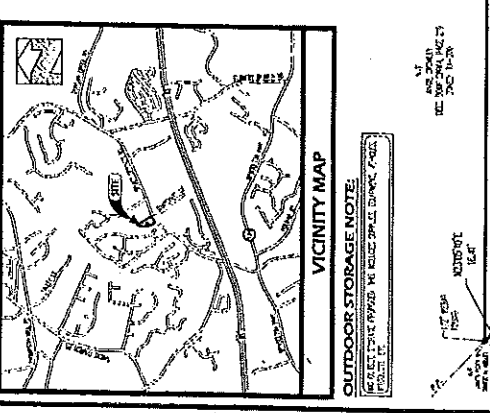
PREVIOUS PERMIT NOTE:
 THIS PROJECT WAS PREVIOUSLY PERMITTED BY THE COUNTY IN 2015. THE PERMIT WAS FOR THE CONSTRUCTION OF A CHURCH BUILDING AND PARKING LOTS. THE PROJECT WAS COMPLETED IN 2016.

ADDITIONAL NOTE:
 THE CHURCH BUILDING SHALL BE CONSTRUCTED WITHIN THE EXISTING FOOTPRINT. THE PARKING LOTS SHALL BE CONSTRUCTED TO THE WEST AND SOUTH OF THE BUILDING.

SIGHT DISTANCE CERTIFICATION
 I, the undersigned, certify that the sight distance for the proposed intersection of Spout Springs Road and the proposed church driveway is adequate for the proposed traffic volume.

SPROUT SPRINGS ROAD
 THE PROPOSED CHURCH DRIVWAY SHALL BE CONSTRUCTED TO THE WEST AND SOUTH OF THE BUILDING. THE PARKING LOTS SHALL BE CONSTRUCTED TO THE WEST AND SOUTH OF THE BUILDING.

SWM SITE PLAN NOTES:
 1. THE SWM SYSTEM SHALL BE DESIGNED TO TREAT 100% OF THE RAINFALL THAT FALLS ON THE IMPERVIOUS AREAS OF THE SITE.
 2. THE SWM SYSTEM SHALL BE DESIGNED TO TREAT 100% OF THE RAINFALL THAT FALLS ON THE IMPERVIOUS AREAS OF THE SITE.
 3. THE SWM SYSTEM SHALL BE DESIGNED TO TREAT 100% OF THE RAINFALL THAT FALLS ON THE IMPERVIOUS AREAS OF THE SITE.

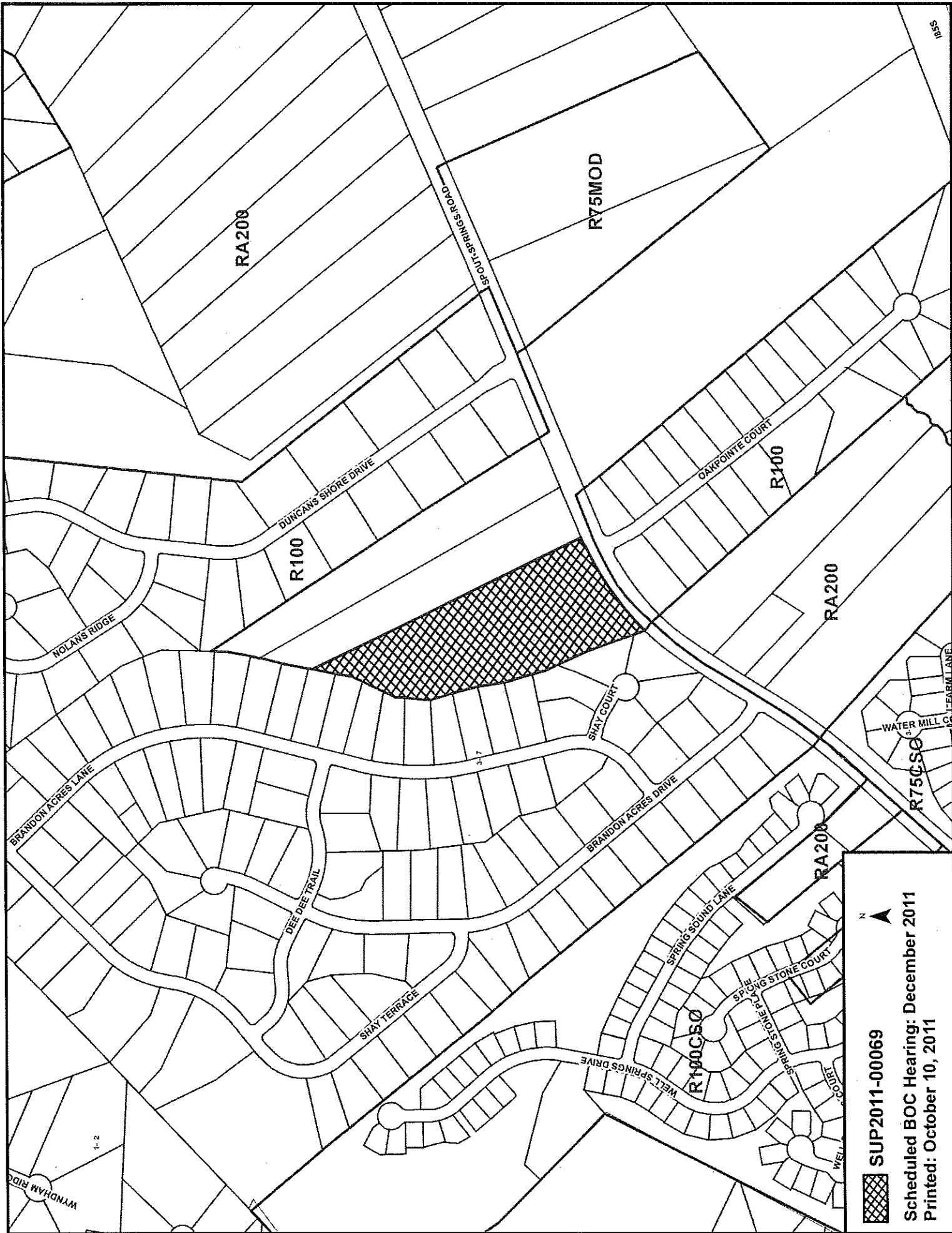


OUTDOOR STORAGE NOTE:
 ALL OUTDOOR STORAGE SHALL BE SCREENED BY A FENCE OR WALL. THE SCREENING SHALL BE AT LEAST 6 FEET HIGH AND SHALL BE MAINTAINED AT ALL TIMES.

LIGHTING PLAN NOTE:
 LIGHTING IS NOT INCLUDED IN THE SCOPE OF WORK FOR THIS PROJECT.

APPROVAL NOTE:
 THIS PROJECT HAS BEEN REVIEWED AND APPROVED BY THE COUNTY ENGINEER.

RECEIVED SUPPLY
 7-11



 SUP2011-00069

Scheduled BOC Hearing: December 2011
Printed: October 10, 2011



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

CASE NUMBER :SUP2011-00070
ZONING :M-1
LOCATION :5400 BLOCK OF PEACHTREE PARKWAY
:5500 BLOCK OF SPALDING DRIVE
:5500 BLOCK OF TRIANGLE PARKWAY
MAP NUMBER :R6302 121
ACREAGE :5.24 ACRES
PROPOSED DEVELOPMENT :PRIVATE SCHOOL (UNIVERSITY)
SQUARE FEET :50,000 SQUARE FEET
COMMISSION DISTRICT :(2) HOWARD

FUTURE DEVELOPMENT MAP: **PREFERRED OFFICE**

APPLICANT: SU FACILITY #10, LLC
800 EAST 96TH STREET, SUITE 175
INDIANAPOLIS, IN 46240

CONTACT: MARK KILBY PHONE: 404.201.6130

OWNER: LAND INVESTMENT PARTNERS, LLC 7
2303 CUMBERLAND PARKWAY
ATLANTA, GA 30339

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant, South University, requests a Special Use Permit on a 5.24-acre parcel, zoned M-1 (Light Industry District), to allow a private university. The property is developed with a vacant two-story, brick office building that contains a total floor area of 50,000 square feet. The site is located at the northwest corner of the intersection of Spalding Drive and Peachtree Parkway, extending to Triangle Parkway.

South University offers Bachelors and Masters Degrees in a range of fields, as outlined in their letter of intent (see attached). The university plans to utilize the entire 50,000-square foot building to accommodate ten class rooms, two computer labs, three health labs, a 2,450-square foot assembly area, and various administrative and ancillary offices.

Access to the building is from two driveways; one onto Triangle Parkway and one onto Spalding Drive. The applicant's letter of intent indicates that no new buildings or building expansions are contemplated. However, the applicant plans to expand the parking lot with an additional 123 parking spaces, for a total of 328 parking spaces which exceeds the allowable parking spaces. The applicant has submitted a Variance request

(ZVR2011-00082) for the 328 parking spaces, pending consideration by the Zoning Board of Appeals in December 2011. Additionally, a Land Disturbance Permit for tree thinning and removal of the trees in front of the building fronting Peachtree Pkwy and along Spalding Drive was issued on September 28, 2011 (LDP2011-00009) in preparation for the parking lot expansion.

This property is located within the Peachtree Corners Overlay District and will be subject to overlay requirements. Staff notes that the applicant has indicated in their letter of intent that they wish to vary from the Peachtree Corners Overlay District design requirements for sidewalks, street furniture pads, decorative street lights and shade trees along the Peachtree Parkway frontage. It is indicated that the topography along Peachtree Parkway, combined with Georgia DOT permitting requirements, would result in substantial land disturbance and tree loss if those Overlay improvements are installed.

ZONING HISTORY:

The subject property has been zoned M-1 since 1970.

GROUNDWATER RECHARGE AREA:

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

WETLANDS INVENTORY:

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

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.

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

Parking spaces shall be provided at a ratio of:

Minimum for a university - 5 per classroom

Maximum for a university - 10 per classroom, plus 1 per 50 sq. ft. of largest assembly area

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

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

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

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

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

STORMWATER REVIEW SECTION COMMENTS:

Stormwater Management does not object to the request for a private school. However, best management practices must be addressed upon issuance of a land disturbance permit for additional parking areas.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

No comment.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

Contact GCEHD regarding any food service review and permitting requirements.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 12-inch water main located on the northern right-of-way of Triangle Drive, and a 16-inch water main located on the southern right-of-way of Spalding Drive.

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

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objection under the following conditions:

1. The applicant shall submit civil site drawings to Building Plan Review for review and approval.
2. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for any proposed interior or exterior modifications for review and approval by Building Plan Review.
3. Any exterior modification shall incorporate the requirements of the Activity Center/Corridor Overlay District, Section 1315 of the 1985 Zoning Resolution of Gwinnett County.
4. Upon completion of plan review approvals, the applicant shall obtain a building permit and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at (689) 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 5.24-acre parcel located at the northwest corner of the intersection of Spalding Drive and Peachtree Parkway, extending to Triangle Parkway. The property is developed with an existing office building within the Spalding Triangle business park, and contains mature vegetation along both road frontages.

The 2030 Unified Plan Future Development Map indicates that the property lies within the Preferred Office character area. The proposed private university within an existing office building could be consistent with this land use designation, and is considered compatible with the Unified Plan.

The surrounding area is intensely developed with office/business park and commercial/retail uses along the Peachtree Parkway corridor. North and west of the subject property are office buildings zoned M-1 located within the Spalding Triangle Business Park. To the south across Spalding Drive are retail and church uses in C-2 zoning, a US Post Office and Gwinnett County Fire Station and Library facilities. Across Peachtree Parkway to the east is a commercial shopping center including fast food restaurants, with additional office uses to the southeast. Given the upscale business park environment, proximity to public library, retail and restaurant amenities and separation from residential areas, the proposed use could be suitable at this location. If properly conditioned, the proposed university could be compatible with these nearby uses and an appropriate use of this vacant facility.

With appropriate conditions, the proposed private school within the existing building could be compatible with existing uses in the area, and compatible with the recommendations of the Unified Plan. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of a Special Use Permit for a private university in M-1 zoning, subject to the following enumerated conditions:

1. Office and accessory uses which may include a private university as a special use.
2. The private university shall be as described in their letter of intent and application package, submitted October 7, 2011.
3. Classes and scheduled activities shall be limited to between the hours of 6:00 a.m. and 10:00 p.m.
4. Abide by all requirements of Section 1315 (Activity Center/Corridor Overlay District). This condition shall not preclude a variance application. Modification of the streetscape requirements along Peachtree Parkway shall be subject to review and approval by the Director of Planning and Development.
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. Provide 10-foot wide landscaped buffer strip along side and rear property lines.
7. All school functions and activities shall be conducted indoors, except as authorized by the Director of Planning and Development.
8. Outdoor loud speakers shall be prohibited.
9. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar materials shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
10. Peddlers or parking lot sales shall be prohibited.
11. Owner shall repair or repaint any graffiti or vandalism that occurs on the property within 72 hours.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

Given the size of the property and its location in a business park, separated from residential areas, the requested Special Use Permit allowing a private university could be suitable at this location.

ADVERSE IMPACTS

With the recommended conditions, including a restriction on outdoor activities, potential impacts on fellow tenants of the office park or nearby residential properties could be reduced.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACT ON PUBLIC FACILITIES

Impacts on public facilities in the form of additional traffic, stormwater runoff and utility demand could be anticipated.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates that the property lies within the Preferred Office character area. University/school activities within an office building could be compatible with this land use designation, which encourages office/professional uses.

CONDITIONS AFFECTING ZONING

The site's location within a business park, its proximity to public library, retail and restaurant amenities and its separation from residential areas gives supporting grounds for approval. To reduce potential impacts on neighboring properties, a limitation on outdoor activities may be appropriate.

SPECIAL USE PERMIT APPLICANT'S RESPONSES

For 5515 Triangle Parkway SUP Application dated October 7, 2011

(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:

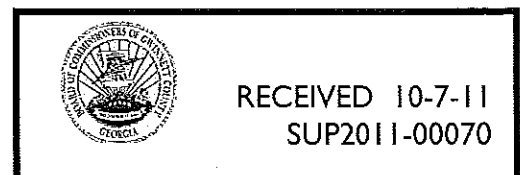
South University is a private university offering bachelor and master degrees in the following fields:

Accounting	Information Technology
Advertising Design	Interior Design
Anesthesiologist Assistant	Leadership
Art of Cooking	Legal Studies
Baking & Pastry	Media Arts & Animation
Business Administration	Medical Assisting
Criminal Justice	Nursing
Culinary Arts	Nursing RN to BSN Degree Completion
Culinary Management	Paralegal Studies
Design & Media Management	Photography
Digital Filmmaking & Video Production	Physical Therapist Assisting
Digital Image Management	Physician Assistant Studies
Dual Degree: Pharmacy & Business Administration	Professional Counseling
Fashion & Retail Management	Psychology
Fashion Design	Public Administration
Fashion Retailing	Restaurant & Catering Management
Graphic Design	RN to Master of Science in Nursing
Health Science	Video Production
Healthcare Administration	Web Design & Development I
Healthcare Management	Web Design & Development II
Information Systems & Technology	Web Design & Interactive Media

The professional nature of the degrees offered is in keeping with the nature of the surrounding development. Spalding Triangle is an office development to the north and west of the subject property with professional businesses that could be potential employers of graduating students. The property borders commercial developments on the opposite 3 quadrants of the intersection of Spalding Drive and Peachtree Parkway. The commercial developments include branch banking, fast food, retail stores and a gas station. There a Gwinnett County Fire Station and Library immediately southwest of the property. There is no adjacent residential property.

The student population would likely utilize nearby retail outlets increase activity in the local economy.

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



The granting of a SUP for South University is not anticipated to create an adverse affect on the use or usability of adjacent or nearby properties.

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

The subject property is currently vacant and has been for some time. The property has been actively marketed for office use; but due to the current economic conditions in the Atlanta Metropolitan Area and the amount of vacant office space in the immediate surrounding area of Peachtree Corners the use of the subject property for office use although possible is not practical for the foreseeable future.

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

The potential student commute to the South University campus is anticipated to be distributed throughout the day including off-peak periods; therefore is not anticipated to adversely impact peak hour traffic volumes in the immediate vicinity of the subject property. Since the existing building is not anticipated to be enlarged the utility loads would be roughly equivalent to its previous office use. Therefore no adverse affect on existing utility systems is anticipated. The proposed Private School use will not impact K-12 school facilities and in fact will provide added higher education opportunities within the Peachtree Corners Community.

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

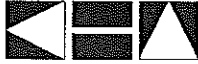
The Private School use is an allowable special use under the M-1 Zoning Classification. Although this portion of Spalding Triangle is zoned Light Industrial the actual land uses or office campuses are more suited to a University Campus environment.

(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 South University will provide higher education degree advancement that does not exist in Peachtree Corners today. Similarly South University will provide new employment opportunities for teachers that will fill much needed job creation for the area.



RECEIVED 10-7-11
SUP2011-00070



Kimley-Horn
and Associates, Inc.

J. Mark Kilby
Kimley-Horn & Associates
817 W. Peachtree Street, N.W., Suite 601
Atlanta, GA 30308

RE: 5515 Spalding Drive
Special Use Permit (SUP) Application

To whom it may concern:

Please accept this letter as a "Letter of Intent" to the Gwinnett County Department of Planning and Development in support of the SUP application for site addressed 5515 Triangle Parkway for use as a Private School. The current vacant office building will be utilized by South University for their flagship campus in Atlanta. South University has 11 campuses in the following cities:

Montgomery AL
Tampa, FL
West Palm Beach, FL
Savannah, GA
Novi, MI
Columbia, SC

Austin, TX
The Art Institute of Dallas
The Art Institute of Fort Worth
Richmond, VA
Virginia Beach, VA

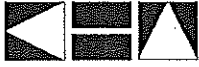
The following degrees are offered at these 11 campuses as well as online:

Accounting
Advertising Design
Anesthesiologist Assistant
Art of Cooking
Baking & Pastry
Business Administration
Criminal Justice
Culinary Arts
Culinary Management
Design & Media Management
Digital Filmmaking & Video Production
Digital Image Management
Dual Degree: Pharmacy & Business Administration
Fashion & Retail Management
Fashion Design
Fashion Retailing
Graphic Design
Health Science
Healthcare Administration
Healthcare Management
Information Systems & Technology

Information Technology
Interior Design
Leadership
Legal Studies
Media Arts & Animation
Medical Assisting
Nursing
Nursing RN to BSN Degree Completion
Paralegal Studies
Photography
Physical Therapist Assisting
Physician Assistant Studies
Professional Counseling
Psychology
Public Administration
Restaurant & Catering Management
RN to Master of Science in Nursing
Video Production
Web Design & Development I
Web Design & Development II
Web Design & Interactive Media



RECEIVED 10-7-11
SUP2011-00070



Kimley-Horn
and Associates, Inc.

The site is currently zoned M-1 and no alternative zoning is requested. However, a Special Use Permit is requested for a Private School that offers bachelors and masters programs.

Currently, the 5.244 acre site consists of one 50,000 square foot office building with surface parking, loading dock, and full movement access drives from Spalding Drive and Triangle Parkway. The proposed improvements consist of the addition of approximately 123 parking spaces to be constructed to the southeast and north of the existing building. This additional parking will bring the total parking on-site to 328 spaces which will allow South University to function for its intended build-out student load. The required number and type of ADA accessible parking spaces and routes will be provided to meet Gwinnett County's Development Regulations. No new buildings nor building expansions are being contemplated.

Street furniture pads and decorative street lights are proposed to be constructed within the right-of-way of Spalding Drive from the west property line to the intersection with Peachtree Parkway in accordance with the Peachtree Corners Overlay District Requirements. As part of the SUP Application, we respectfully request a waiver from the Peachtree Corners Overlay District Requirements to provide sidewalks, street furniture pads, decorative street lights and shade trees along the Peachtree Parkway frontage within the right-of-way. Due to the extreme topography (up to 16 feet of elevation difference at back of right-of-way), existing dense tree growth within right-of-way of Peachtree Parkway, and lack of clear zone distance from existing edge of pavement and guardrail along Peachtree Parkway frontage, it is impractical to construct these improvements. Furthermore, there is no continuation of such pedestrian facilities to the north of this property. The Georgia Department of Transportation requirements entail a clear zone distance for Peachtree Parkway to be 26 feet. The existing distance from the edge of pavement to the guardrail is 7 feet; therefore there is not enough distance to safely construct a sidewalk. The removal of mature trees and filling required to bring this area to street grade would require a GDOT encroachment permit which would likely not be approved due to the removal of vegetation required.

Thank you for your time and consideration in this matter.

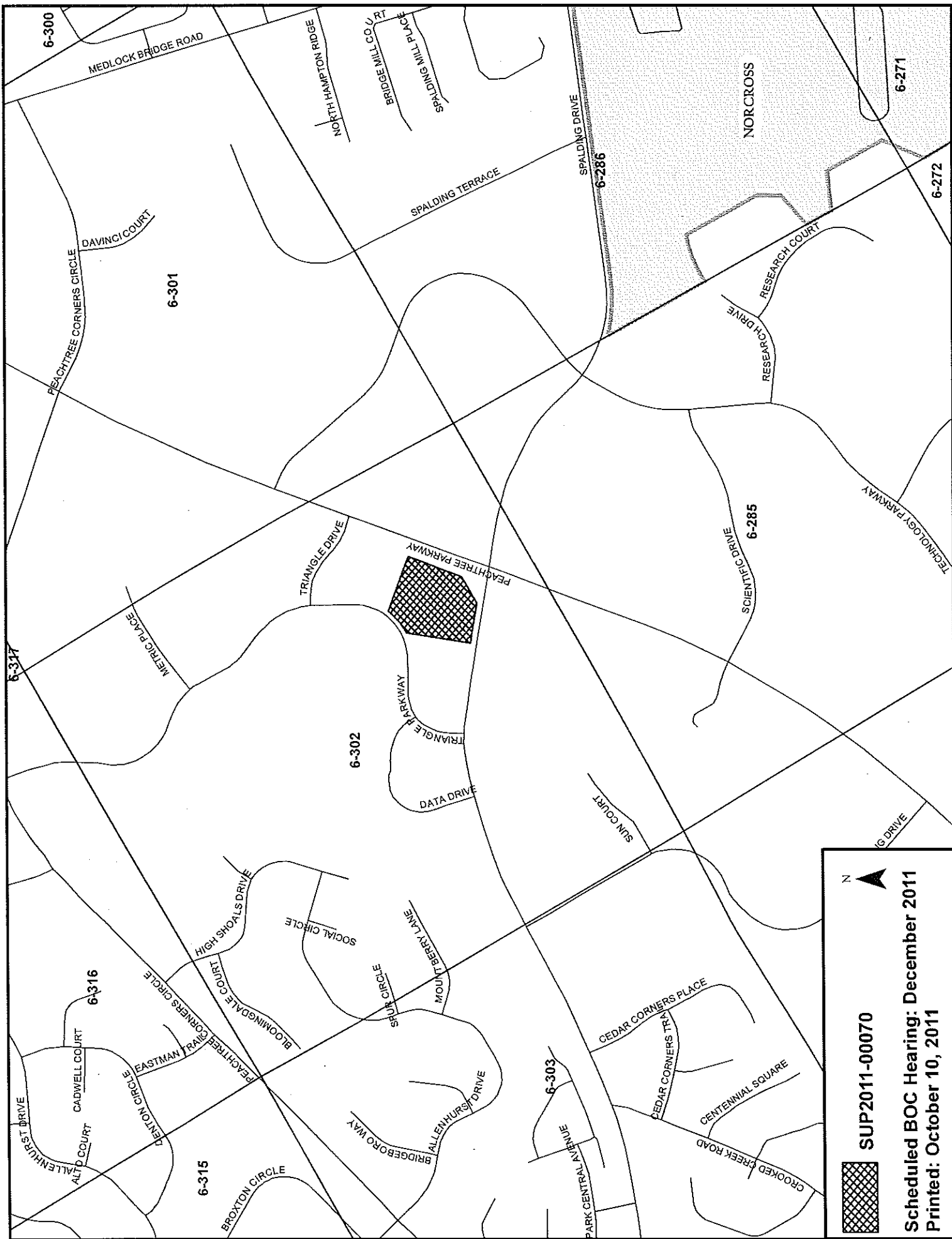
Sincerely,


A handwritten signature in black ink that reads "J. Mark Kilby".

J. Mark Kilby, P.E.
Kimley-Horn & Associates, Inc.



RECEIVED 10-7-11
SUP2011-00070



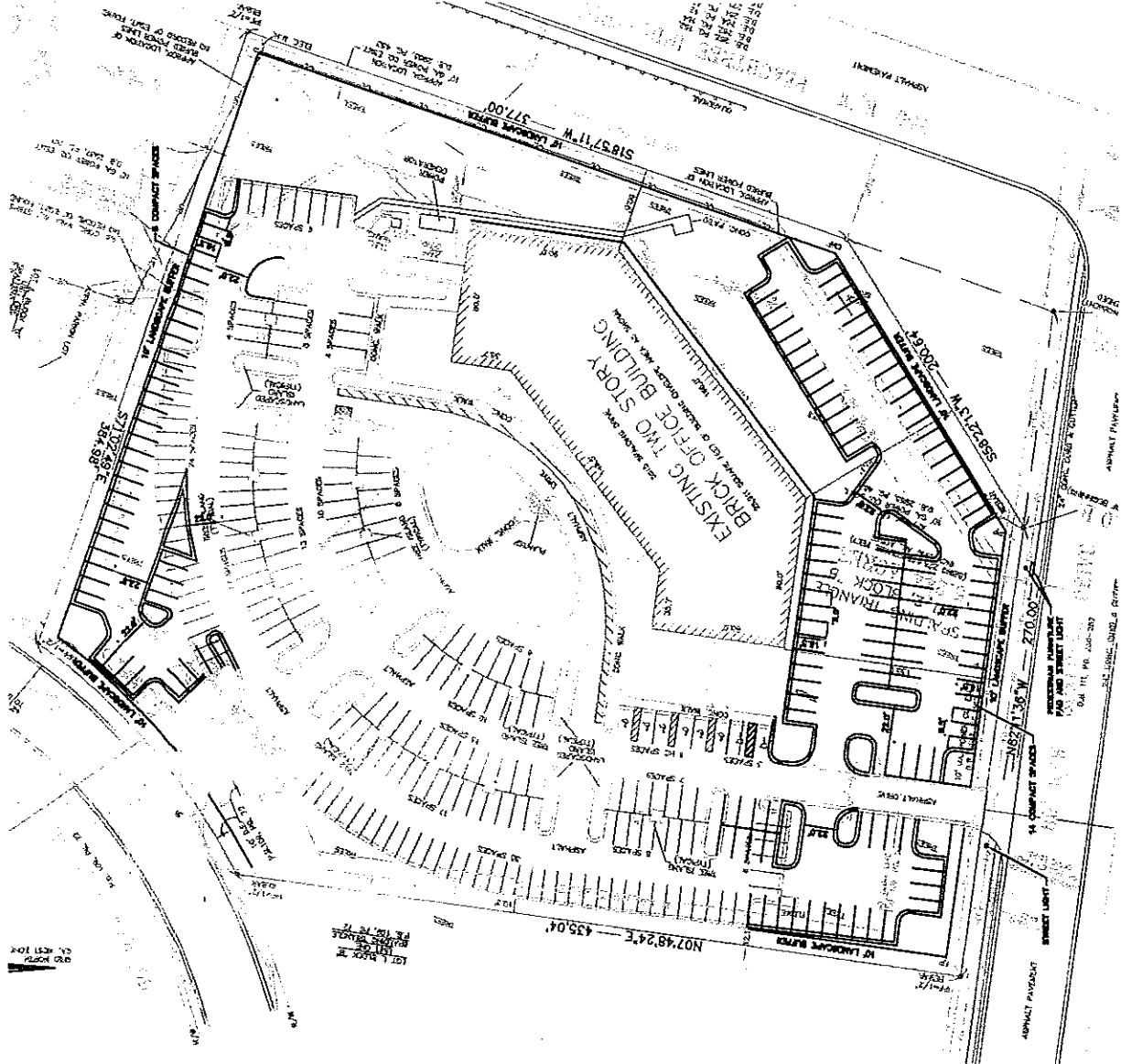


SUP2011-00070

Scheduled BOC Hearing: December 2011

Printed: October 10, 2011





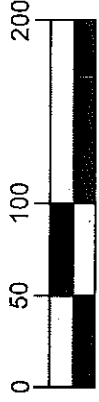
SITE DATA:
 TOTAL ACRES 5.244 AC
 EXISTING BUILDING SQUARE FOOTAGE 50,000 SF
 M-1
 PROPOSED ZONING

PARKING SUMMARY:
 ADDITIONAL REGULAR SPACES 121 SPACES
 ADDITIONAL HANDICAP SPACES 2 SPACES
 TOTAL ADDITIONAL SPACES 123 SPACES
 TOTAL SPACES ON SITE 328 SPACES




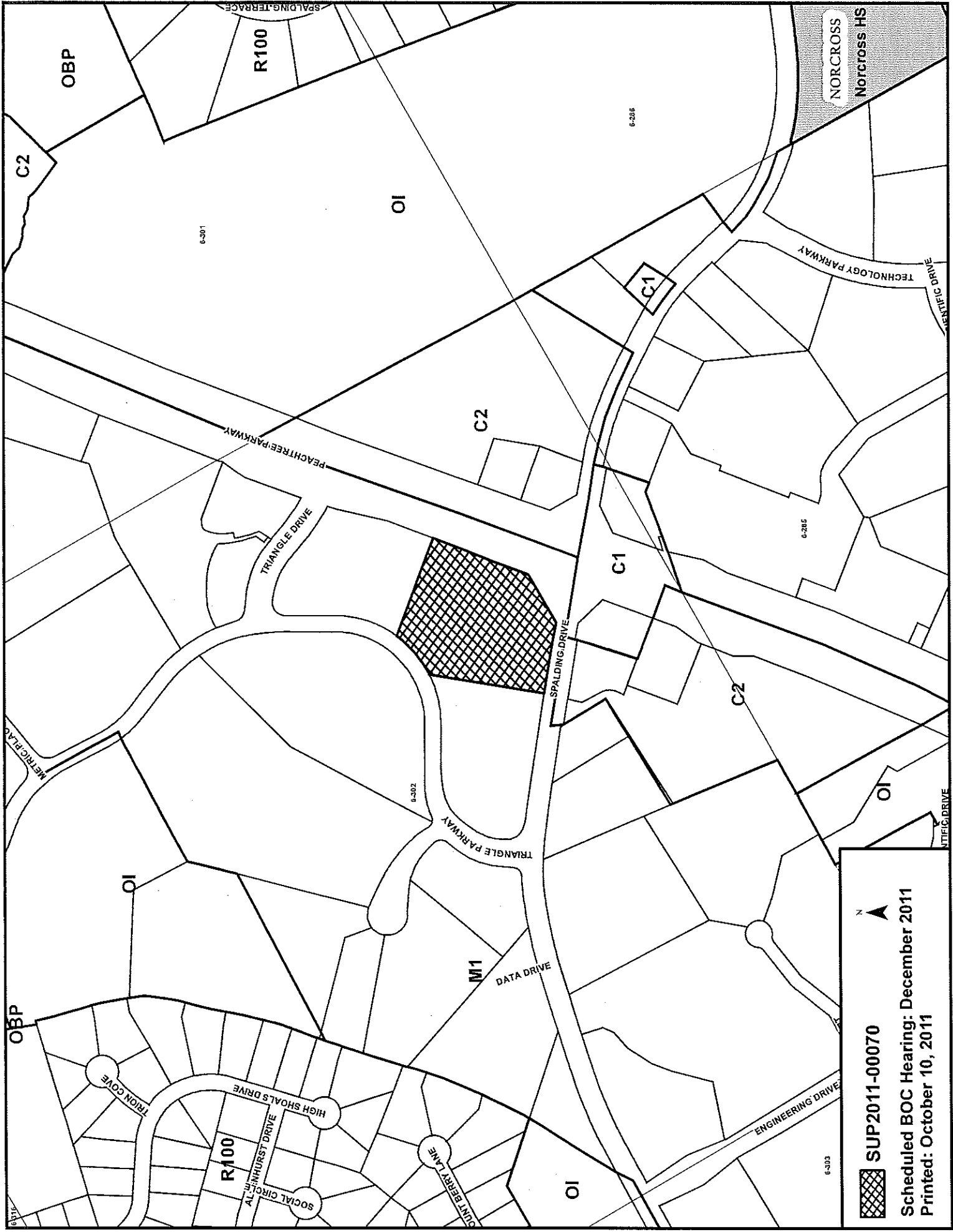
SUP '11 070

GRAPHIC SCALE



(IN FEET)
 1 inch = 100 ft.

 <p>Kimley-Horn and Associates, Inc. 817 WEST PEACHTREE ST. NW - SUITE 601, ATLANTA, GEORGIA 30308 PHONE: (404) 419-8700 FAX: (404) 419-8701</p>	<p>PROJECT: PEACHTREE CORNERS SOUTH UNIVERSITY 5515 TRIANGLE PKWY NORCROSS, GA 30092</p>	<p>SITE PLAN</p>
	<p>JOB NUMBER: 019139003</p>	<p>SCALE: 1" = 100'</p>
	<p>800 EAST 96TH STREET SUITE 175 INDIANAPOLIS, IN 46240</p>	<p>SHEET: 1</p>



 SUP2011-00070

Scheduled BOC Hearing: December 2011
Printed: October 10, 2011

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

CASE NUMBER :**SUP2011-00071**
ZONING :C-1
LOCATION :3700 BLOCK OF LENORA CHURCH ROAD
:2900 BLOCK OF TEMPLE JOHNSON ROAD
:2900 BLOCK OF XAVIER RAY COURT
MAP NUMBER :R5002 012
ACREAGE :4.95 ACRES
PROPOSED DEVELOPMENT :RESTAURANT (RENEWAL)
SQUARE FEET :3,500 SQUARE FEET
COMMISSION DISTRICT :(3) BEAUDREAU

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

APPLICANT: NISHI SHARMA
4536 CEDAR WOOD DRIVE
LILBURN, GA 30047

CONTACT: NISHI SHARMA PHONE: 678.477.2743

OWNER: NISHI SHARMA
4536 CEDAR WOOD DRIVE
LILBURN, GA 30047

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests renewal of a Special Use Permit on a 4.95-acre property, zoned C-1 (Neighborhood Business District), to allow a restaurant within existing retail space.

In December 2009, a request to rezone the site to C-2 (General Business District) was approved as C-1 with a Special Use Permit allowing a sandwich-type restaurant, pursuant to RZC2009-00039. That approval was limited to a two-year period; however, since that time no restaurant has occupied the building and the retail space remains available. Therefore, the applicant seeks renewal of the Special Use Permit for a potential restaurant tenant.

The property is located at the southeast corner of the intersection of Lenora Church Road and Temple Johnson Road. The site also has road frontage on the west side of Xavier Ray Court. The property is developed with a 6,600 square foot retail center that contains a convenience store with gas pumps, attached retail tenant suites and associated parking.

ZONING HISTORY:

The property was zoned RA-200 until 1973 when the site was rezoned to C-1 as part of an area wide map revision. On September 28, 1999, a Special Use Permit was approved for an automated car wash, pursuant to SUP-99-079, which was voluntarily terminated on October 28, 2004. A request to rezone the site to C-2 was approved as C-1 with a Special Use Permit, pursuant to RZC2009-00039 in December of 2009.

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:

Contact GCEHD regarding the food service review and permitting requirements.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of an 8-inch water main located on the southern right-of-way of Temple Johnson Road, and a 24-inch water main located on the western right-of-way of Lenora Church 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:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

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

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

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

DEPARTMENT ANALYSIS:

The subject property is a 4.95-acre parcel located at the southeast corner of the intersection of the Lenora Church Road and Temple Johnson Road. The property is developed with a small retail center that includes a convenience store with gas pumps.

The 2030 Unified Plan Future Development Map indicates that the property is located within an Existing/Emerging Suburban Character Area. Encouraged uses within this Character Area include neighborhood-serving retail and commercial services at key nodes or intersections. Renewal of the Special Use Permit allowing a restaurant serving the neighborhood could be consistent with the Unified Plan and the previous approval and conditions established by the Board.

The surrounding area is characterized by homes on acreage, single-family subdivision developments and institutional uses. To the north, across Temple Johnson Road is the Sagewood single family subdivision and several homes on large lots. To the south, across Xavier Ray Court is R.L. Norton elementary school and a residential subdivision development. Adjacent to the subject site's south property line is a daycare center and further south is a church. Also in the area is industrial property developed with a Walton Electric Municipal Corporation facility. The requested Special Use Permit renewal could be compatible with adjacent and nearby land uses and with the previous approval by the Board.

In conclusion, the requested Special Use Permit may be consistent with previous Board approval. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS.**

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Additions in **bold**

Deletions in ~~strikethrough~~

Approval of a Special Use Permit (renewal) for a sandwich-type restaurant (with no drive-thru) subject to the following enumerated conditions:

1. Restrict the use of the property to as follows:
 - A. Retail, service-commercial, office and accessory uses, with a Special Use Permit for a sandwich-type restaurant (with no drive-thru) within the existing building. ~~The Special Use Permit shall expire in two years at which time the restaurant use shall cease or the Special Use Permit shall be renewed.~~ The following uses shall be prohibited:
 - adult bookstores or entertainment
 - automotive parts stores
 - contractors offices
 - emission inspection stations
 - equipment rental
 - extended stay hotels or motels
 - recovered materials processing facilities
 - smoke shops/novelty stores
 - taxidermists
 - yard trimmings composting facilities
 - B. New buildings shall be finished with architectural treatments of glass, brick and/or stacked stone on all sides (stucco may only be used as an accent material). Final building elevations shall be submitted for review by the Director of Planning and Development.
2. To satisfy the following site development considerations:
 - A. Provide a ten-foot wide landscaped strip adjacent to all adjoining rights-of-way.
 - B. Provide a five-foot wide landscaped strip adjacent to all internal property lines.
 - C. Any new ground signage shall be limited to monument type sign(s) with a minimum two-foot high brick or stacked stone base. New ground sign(s) shall not exceed six feet in height.
 - D. Any new lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent residential property.
 - E. Billboards or oversized signs shall be prohibited.

- F. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure. Hours of dumpster pick-up shall be limited to between 7:00 am and 7:00 pm.
- 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. Blinking, neon, portable and temporary signage shall be prohibited. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
- H. Peddlers and/or parking lot sales are 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 EXERCISE OF ZONING

SUITABILITY OF USE

In light of the existing commercial retail uses on the property and the previous Board approval for a restaurant, renewal of the Special Use Permit could be suitable at this location provided the previously approved conditions are maintained.

ADVERSE IMPACTS

No significant adverse impacts are anticipated from the renewal of the Special Use Permit for a restaurant.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

Renewal of the Special Use Permit may not be expected to impact public facilities.

CONFORMITY WITH POLICIES

The proposed Special Use Permit renewal could be considered consistent with the previous Board approval for RZC2009-00039, which required that a new application be submitted for review and approval if continued use is desired.

CONDITIONS AFFECTING ZONING

There appear to be no change in conditions affecting the zoning since the Board's previous approval of RZC2009-00039. The retail center currently has vacant retail space and renewing the Special Use Permit for a restaurant could be an appropriate retail activity for the commercial center, lending support for approval of the special use 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:

NO



DEAR Gwinnett County Zoning Board,

I would like
to request the renewal of a S.U.P.
for restaurant in a C-1 zoning.

Thanks

Phasme 09.19.2011



RECEIVED 9-19-11
SUP2011-00071

CASE NUMBER RZC2009-00039
GCID 2009-1282

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>AYE</u>
Albert Nasuti, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

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

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from C-1 to C-2 by NISHI SHARMA for the proposed use of a COMMERCIAL/RETAIL USES on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

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

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on DECEMBER 15, 2009 and objections were filed.

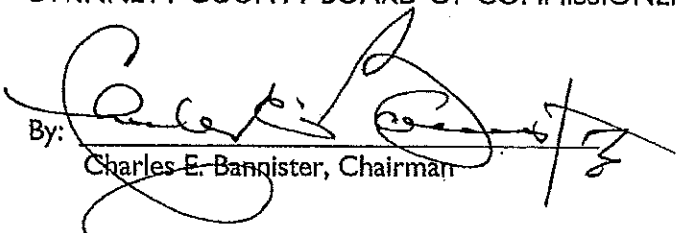
NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 15TH day of DECEMBER 2009, that the aforesaid application to amend the Official Zoning Map from C-1 to C-2 is hereby **APPROVED AS C-1 WITH A SPECIAL USE PERMIT** subject to the following enumerated conditions.

1. Restrict the use of the property to as follows:
 - A. Retail, service-commercial, office and accessory uses, with a Special Use Permit for a sandwich-type restaurant (with no drive-thru) within the existing building. The Special Use Permit shall expire in two years at which time the restaurant use shall cease or the Special Use Permit shall be renewed. The following uses shall be prohibited:
 - adult bookstores or entertainment
 - automotive parts stores
 - contractors offices
 - emission inspection stations
 - equipment rental
 - extended stay hotels or motels
 - recovered materials processing facilities
 - smoke shops/novelty stores
 - taxidermists
 - yard trimmings composting facilities
 - B. New buildings shall be finished with architectural treatments of glass, brick and/or stacked stone on all sides (stucco may only be used as an accent material). Final building elevations shall be submitted for review by the Director of Planning and Development.
2. To satisfy the following site development considerations:
 - A. Provide a ten-foot wide landscaped strip adjacent to all adjoining rights-of-way.

- B. Provide a five-foot wide landscaped strip adjacent to all internal property lines.
- C. Any new ground signage shall be limited to monument type sign(s) with a minimum two-foot high brick or stacked stone base. New ground sign(s) shall not exceed six feet in height.
- D. Any new lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent residential property.
- E. Billboards or oversized signs shall be prohibited.
- F. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure. Hours of dumpster pick-up shall be limited to between 7:00 am and 7:00 pm.
- 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. Blinking, neon, portable and temporary signage shall be prohibited. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs shall be prohibited.
- H. Peddlers and/or parking lot sales are prohibited.
- I. Owner shall repair or repaint any graffiti or vandalism that occurs on the property within 72 hours.

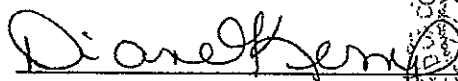
GWINNETT COUNTY BOARD OF COMMISSIONERS

By:

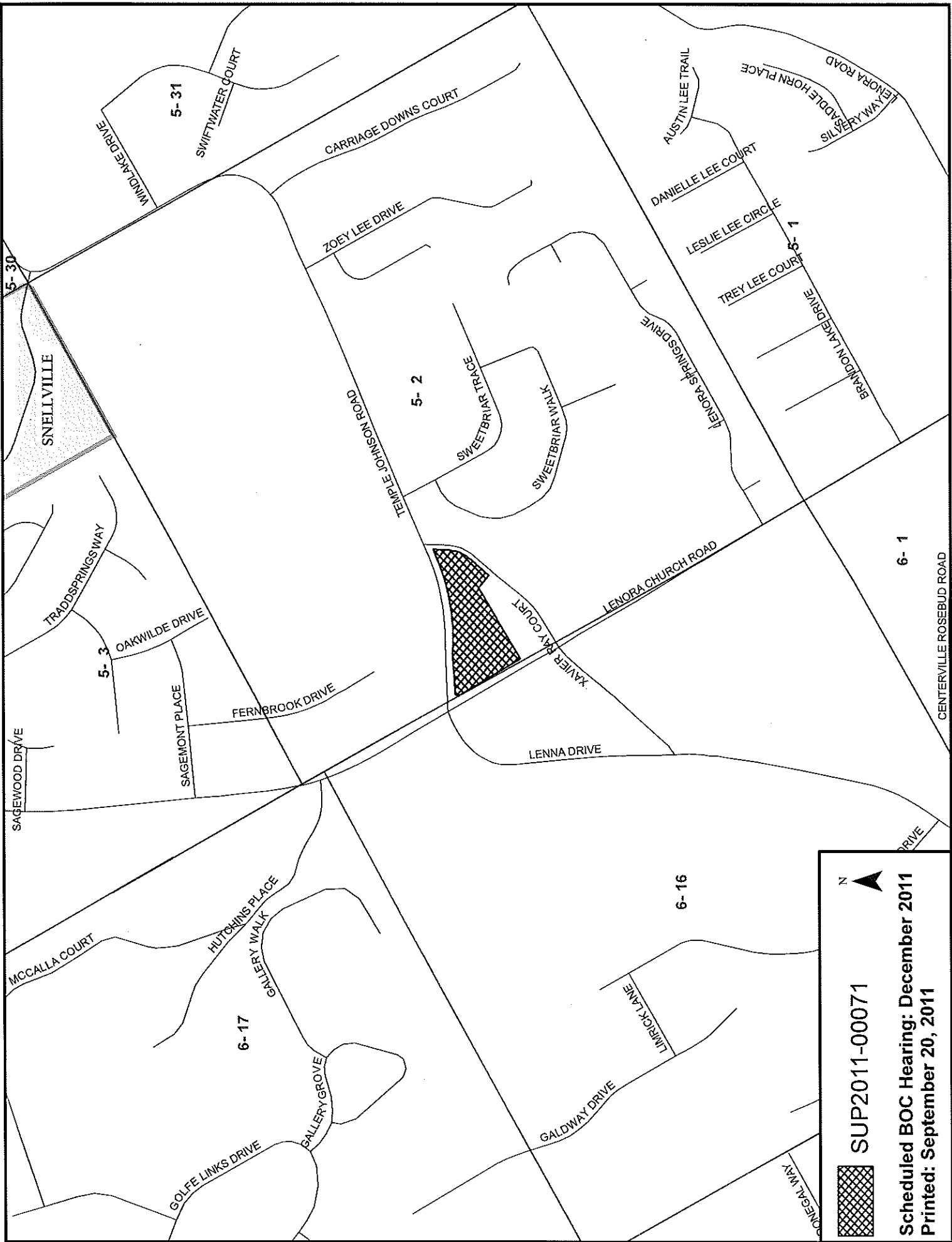

Charles E. Bannister, Chairman

Date Signed: 11/4/10

ATTEST:


County Clerk/Deputy County Clerk





SUP2011-00071

Scheduled BOC Hearing: December 2011
 Printed: September 20, 2011



SHEET
2

DATE
12-11-03
JOB NO.
98028
JOB NAME
S AND P FOODS, INC.

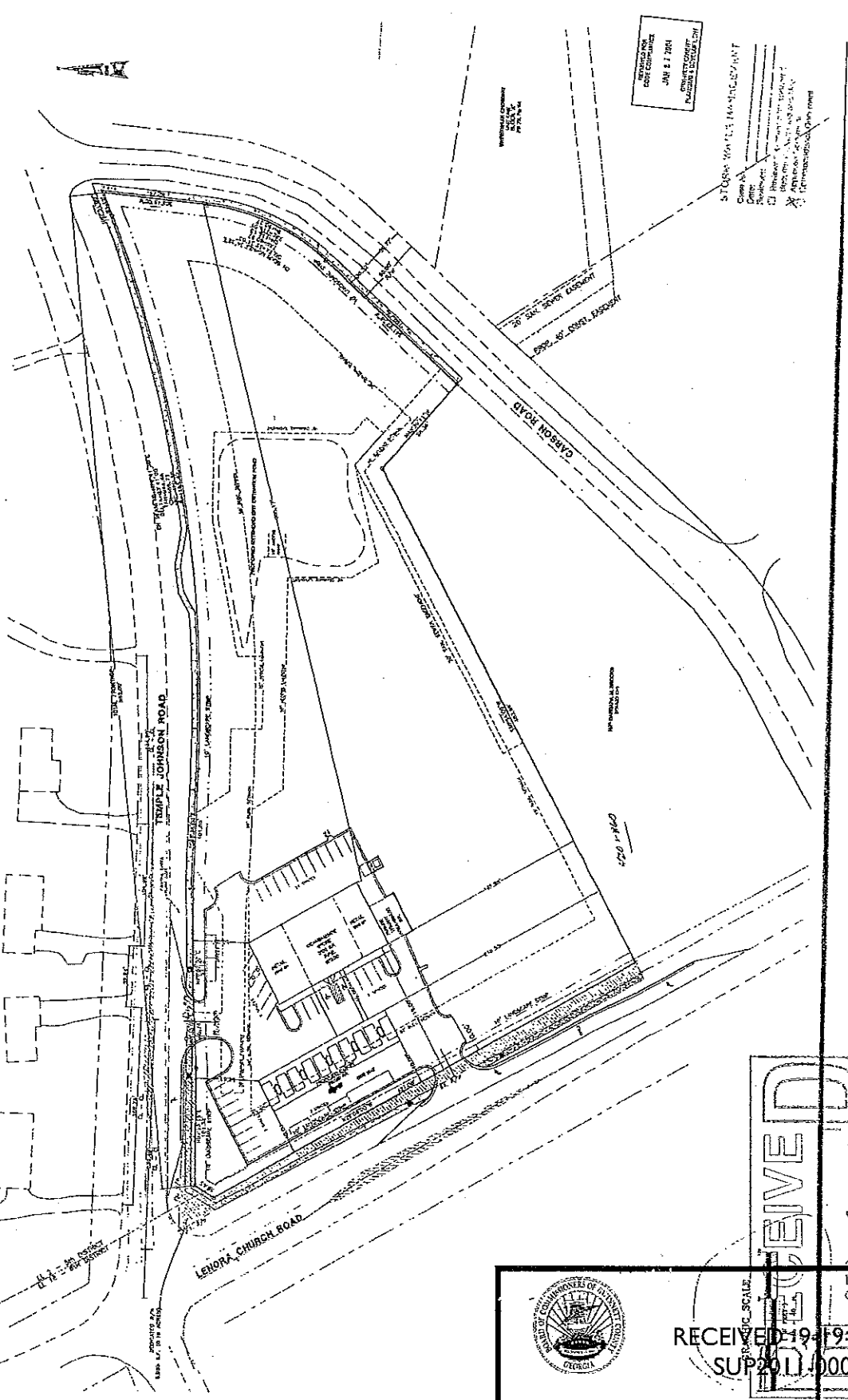


PROJECT
S AND P FOODS, INC.
2500 LENOVA CHURCH ROAD
CORPORATION
PH: 503-638-0000
1400 1ST 2ND AVENUE, SUITE 100, PORTLAND, OREGON 97208

REVISION
DATE
NO. DESCRIPTION
1/18/04
2/26/04
3/10/04
4/15/04
5/20/04
6/25/04
7/30/04
8/30/04
9/30/04
10/30/04
11/30/04
12/30/04

PROJECT
S AND P FOODS, INC.
2500 LENOVA CHURCH ROAD
CORPORATION
PH: 503-638-0000
1400 1ST 2ND AVENUE, SUITE 100, PORTLAND, OREGON 97208

STORER: WALTER H. HANCOCK, INC.
OWNER:
DESIGNER:
DATE: JAN 17 2004
PROJECT: S AND P FOODS, INC.
DRAWN BY: J. J. STAMPS
CHECKED BY: J. J. STAMPS
SCALE: AS SHOWN



NOTICE: THIS PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. ANY CHANGES TO THIS PLAN MUST BE APPROVED BY THE DESIGNER. THE DESIGNER IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PLAN.

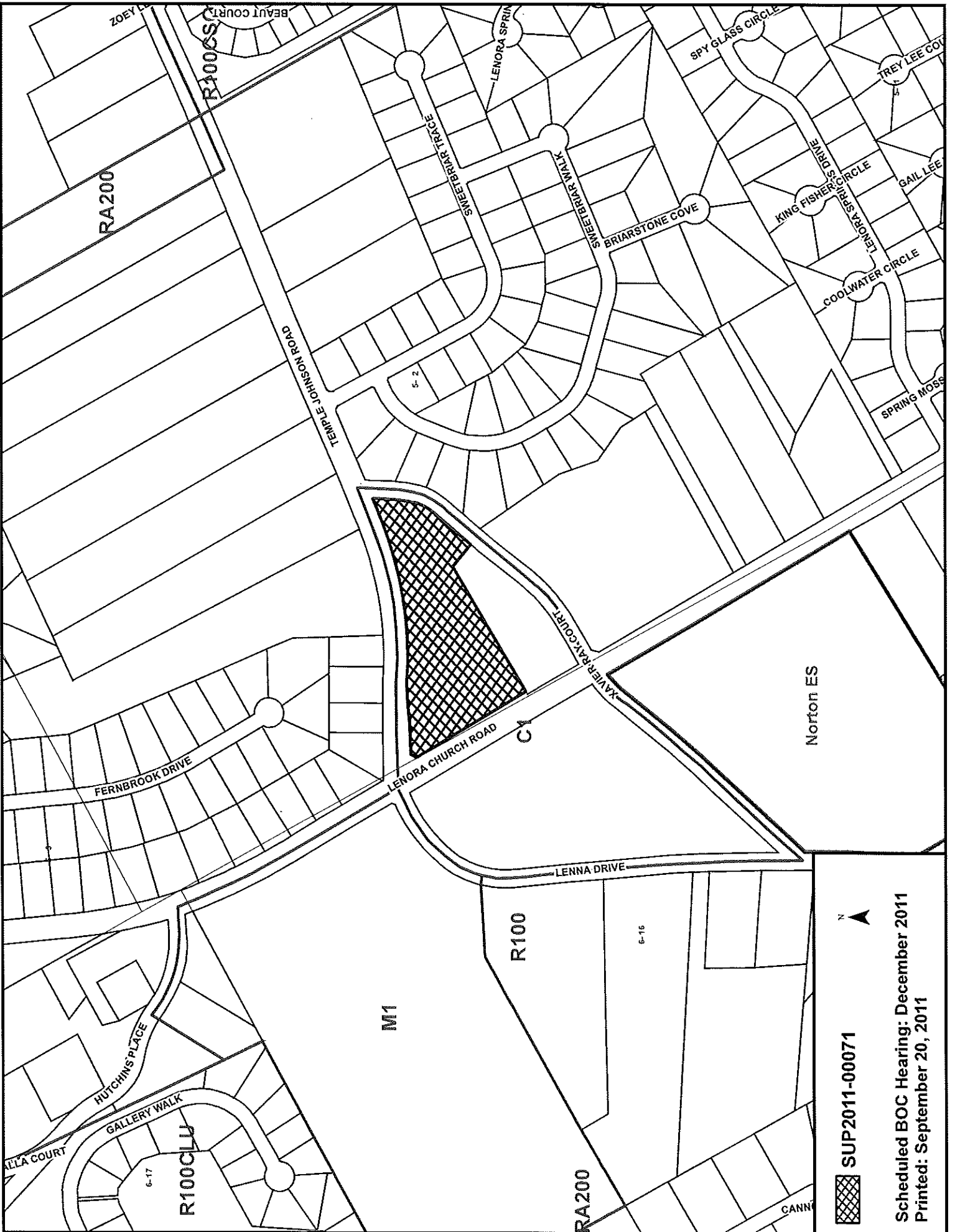
CONTRACT NO. 123456789 - SHOWS DEVELOPMENT OF LENOVA CHURCH & TEMPLE JOHNSON AREAS

DATE: 12/20/04
BY: J. J. STAMPS
PROJECT: S AND P FOODS, INC.
DRAWN BY: J. J. STAMPS
CHECKED BY: J. J. STAMPS
SCALE: AS SHOWN



RECEIVED
SEP 19 2011
SUP 2011.00071

GWINNETT PLANNING DIVISION



SUP2011-00071

Scheduled BOC Hearing: December 2011
 Printed: September 20, 2011

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

CASE NUMBER :**SUP2011-00072**
ZONING :M-1
LOCATION :6900 BLOCK OF JIMMY CARTER BOULEVARD
:6300 BLOCK OF PEACHTREE INDUSTRIAL BOULEVARD
:6300 BLOCK OF CASH COURT
MAP NUMBER :R6275 001A
ACREAGE :7.07 ACRES
PROPOSED DEVELOPMENT :RESIDENTIAL SHELTER
SIZE :16 BEDS
COMMISSION DISTRICT :(2) HOWARD

FUTURE DEVELOPMENT MAP: **PREFERRED OFFICE**

APPLICANT: WORLD CHANGERS CHURCH INTERNATIONAL
C/O ANDERSEN, TATE & CARR, P.C.
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GA 30097

CONTACT: MICHAEL L. SULLIVAN PHONE: 770.822.0900

OWNER: WORLD CHANGERS CHURCH INTERNATIONAL
C/O ANDERSEN, TATE & CARR, P.C.
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GA 30097

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

World Changers Church International seeks a Special Use Permit on a 7.07-acre property, zoned M-1 (Light Industry District), to allow a residential shelter as an accessory use within their existing church building. The property is located on Cash Court at the intersection of Jimmy Carter and Peachtree Industrial Boulevards.

The residential shelter would be operated by the Lady of Prestige ministry, a joint ministry of several organizations: World Changers Church, 12 Stone Church, Street Grace and Wellstone Living. The facility would assist at-risk female residents with shelter, counseling and basic needs. To accommodate the facility, the existing church building would be remodeled to convert a portion of the church for the residential use. The existing structure contains 50,029 square feet of space and the residential shelter facility would provide a maximum number of 16 beds. No changes are proposed to the exterior of the structure and no signs would advertise the shelter ministry.

ZONING HISTORY:

The subject property has been zoned M-1 since 1970. A Special Use Permit for a billboard was denied in 2001 (SUP-01-064). A Special Use Permit for a church was approved in 2001 (SUP-01-074) and another Special Use Permit was approved for a daycare center in 2003 (SUP-03-075). Two change-in-condition applications were approved for a sign height increase in June of 2004, pursuant to CIC-04-011 and CIC-04-014.

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:

Contact GCEHD concerning the food service review and permitting process.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 24-inch water main located on the southern right-of-way of Peachtree Industrial Boulevard, and the western right-of-way of Jimmy Carter Boulevard.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located in the right-of-way of Cash Court and Jimmy Carter Boulevard.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objection under the following conditions:

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

For assistance, you may contact this office at (689) 518-6040 Monday through Friday, from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

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

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

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

DEPARTMENT ANALYSIS:

The subject site is a 7.07-acre property located on Cash Court at the intersection of Jimmy Carter and Peachtree Industrial Boulevards. The site is developed with a 50,029 square foot church building and associated parking lots and access drives.

The 2030 Unified Plan Future Development Map indicates that the property lies within a Preferred Office Character Area. The property has been zoned M-1 since 1970, and under the current zoning, office-institutional uses are permitted. The use of the building as a church with a small accessory residential shelter could be compatible with previous approvals by the Board and with the Unified Plan.

The surrounding area is intensely developed with commercial and office warehouse uses at the Jimmy Carter Boulevard and Peachtree Industrial Boulevard intersection. Nearby uses include industrial buildings, shopping centers, restaurants, and hotels. Given the intensity of the office,

industrial and retail developments in the area, a residential shelter as an accessory use to an existing church facility may be compatible with the surrounding area. Due to the proposed small size and scope of the shelter, it is anticipated that the use would have no significant impacts upon the surrounding area and would result in no noticeable change evidenced from the exterior of the building. Given those factors, the Department could support the use as proposed by the applicant.

In conclusion, the requested special use may be suitable given the intensely developed commercial nature of the area, and the relatively small scope of the proposed accessory use. Therefore, with appropriate limitations, 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 to allow an accessory residential shelter, subject to the following enumerated conditions:

To restrict the use of the property for the shelter as follows:

1. A residential shelter (for a maximum of 16 beds) as an accessory use to the church.
2. All residential shelter related activities shall be conducted indoors.
3. 24-hour security shall be provided for the shelter and church grounds.
4. There shall be no exterior evidence of the residential shelter on the property.
5. Abide by all applicable conditions for CIC-04-011 and CIC-04-014.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The requested Special Use Permit for an accessory residential shelter may be suitable at this location in light of the intense commercial nature of the area.

ADVERSE IMPACTS

If properly conditioned, the establishment of an accessory residential shelter at this location, utilizing a relatively small amount of space within a large church building, would not be expected to have adverse impacts on surrounding uses.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

It is anticipated that there would be minor additional impacts on public facilities in the form of increased utilities usage from this request.

CONFORMITY WITH POLICIES

Approval of a Special Use Permit for an accessory residential shelter at this location could be consistent with the previous special use permit approvals by the Board granting church and related activities for the site.

CONDITIONS AFFECTING ZONING

The proposed use would be located entirely within the church building, with no exterior evidence of the shelter activity, giving supporting grounds for approval of the request.

APPLICANT'S RESPONSE
FOR A RESIDENTIAL SHELTER SPECIAL USE PERMIT
WORLD CHANGERS CHURCH INTERNATIONAL
6920 Jimmy Carter Boulevard

- 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 Residential Shelter would house only 16 women and would be completely contained within the existing church building, with no exterior evidence of the shelter's presence. There would be little to no impact on adjacent and nearby property uses, which are a mixture of commercial, office and industrial uses.

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

No. The proposed Residential Shelter would house only 16 women and would be completely contained within the existing church building, with no exterior evidence of the shelter's presence. There would be little to no impact on adjacent and nearby property and will not adversely affect these properties.

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

The property is currently used as a church campus, which is a not-for-profit use. The proposed use would also be a charitable, not-for-profit use.

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

No. The proposed Residential Shelter would house only 16 women and would not cause excessive use of existing streets, transportation facilities or utilities and there would be no impact on the schools.

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

Yes. The Gwinnett 2030 Unified Plan has designated the area within which the subject property is located for light industrial uses, among others, and the proposed residential shelter is contemplated as a potential use on M-1 zoned property, making this request consistent with the Plan's guidelines for this area.

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

Yes. The area surrounding the subject property is uniformly commercial, office-distribution and light industrial. The proposed residential shelter being located within an area well distant from single-family residential uses and along two major thoroughfares as part of an existing church campus is entirely appropriate in light of existing and emerging development patterns and land uses in the surrounding area.



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ANDERSEN | TATE | CARR

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MICHAEL L. SULLIVAN
Attorney at Law

E-mail: msullivan@atclawfirm.com

LETTER OF INTENT
FOR RESIDENTIAL SHELTER SPECIAL USE PERMIT
WORLD CHANGERS CHURCH INTERNATIONAL
6920 Jimmy Carter Boulevard

The Owner and Applicant, World Changers Church International (hereinafter, "Applicant"), submits this request for a Special Use permit for a Residential Shelter on an approximately 7.065 acre tract of land (hereinafter, the "Property") located at 6920 Jimmy Carter Boulevard at its intersection with Peachtree Industrial Boulevard. The subject property covered by this Application is currently zoned M-1.

The proposed Residential Shelter would be a part of the Lady of Prestige ministry, which is a joint ministry of World Changers Church International, 12 Stone Church, Street Grace and Wellstone Living. Lady of Prestige is targeted at helping at-risk women improve their lives and become productive members of the community. It would house a maximum of 16 female residents within the existing church building. Interior remodeling and renovation would be performed to convert a portion of the existing facility into residential use, but there would be no changes to the exterior of the building or to the exterior portion of the property, which would continue to appear as it does today. Additionally, there would be no exterior signage to indicate the presence of the Lady of Prestige facility. The proposed residential shelter would be essentially invisible to anyone not inside the existing building itself.

The property has access to a public water supply, public sanitary sewer, and convenient access to collector streets, major thoroughfares and a limited access highway. The subject property is also located near public transportation routes and locations already existing and being considered in Gwinnett County.

CONCLUSION

The subject property is an appropriate location for the proposed Residential Shelter for women and would have little to no impact on any surrounding properties or to the citizens in nearby or surrounding areas. Applicant and its representatives welcome the opportunity to meet with the staff of the Gwinnett County Department of Planning and Development to answer any questions or to address any concerns. Applicant respectfully requests your approval of this Application.

This 7th day of October, 2011.

Respectfully submitted,

ANDERSEN, TATE & CARR, P.C.



Michael L. Sullivan
Attorney for the Applicant



RECEIVED 10-7-11
SUP2011-00072

CASE NUMBER CIC-04-011

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

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

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

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

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

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

M-1 to M-1 (CHANGE IN CONDITIONS)

by JOHNNY CRIST for the

proposed use of SIGN HEIGHT INCREASE on a

tract of land described by the attached legal description, which

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

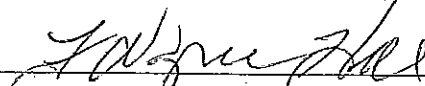
WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on JUNE 22 , 2004 and objections were not filed.

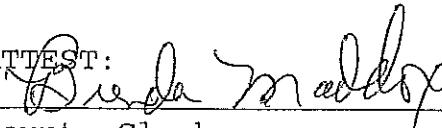
NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 22ND day of JUNE , 2004, that the aforesaid application to amend the Official Zoning Map from M-1 to M-1 (CHANGE IN CONDITIONS) is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Daycare Center as an accessory to a church.
2. To satisfy the following site development considerations:
 - A. Any new construction shall be of brick, stone, and/or stucco and subject to the review of the Director of Planning and Development.
 - B. No Billboards shall be permitted.
 - C. The site shall be limited to a total of one ground sign per street frontage. Any excess ground signs shall be removed prior to the issuance of a permit for the proposed multi-tenant sign. Any new ground signs shall be limited to monument type signs with a masonry base.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: 
F. Wayne Hill, Chairman

Date Signed: July 12, 2004

ATTEST: 
County Clerk

CASE NUMBER CIC-04-014

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

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

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

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

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

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

M-1 to M-1 (CHANGE IN CONDITIONS)

by JOHNNY CRIST for the

proposed use of SIGN HEIGHT INCREASE on a

tract of land described by the attached legal description, which

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

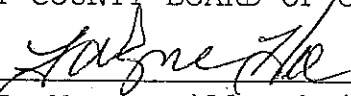
WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on JUNE 22, 2004 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 22ND day of JUNE, 2004, that the aforesaid application to amend the Official Zoning Map from M-1 to M-1 (CHANGE IN CONDITIONS) is hereby APPROVED subject to the following enumerated conditions:

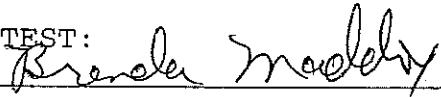
1. To restrict the use of the property as follows:
 - A. Daycare Center as an accessory to a church.
2. To satisfy the following site development considerations:
 - A. Any new construction shall be of brick, stone, and/or stucco and subject to the review of the Director of Planning and Development.
 - B. No Billboards shall be permitted.
 - C. The site shall be limited to a total of one ground sign per street frontage. Any excess ground signs shall be removed prior to the issuance of a permit for the proposed multi-tenant sign. Any new ground signs shall be limited to monument type signs with a masonry base.

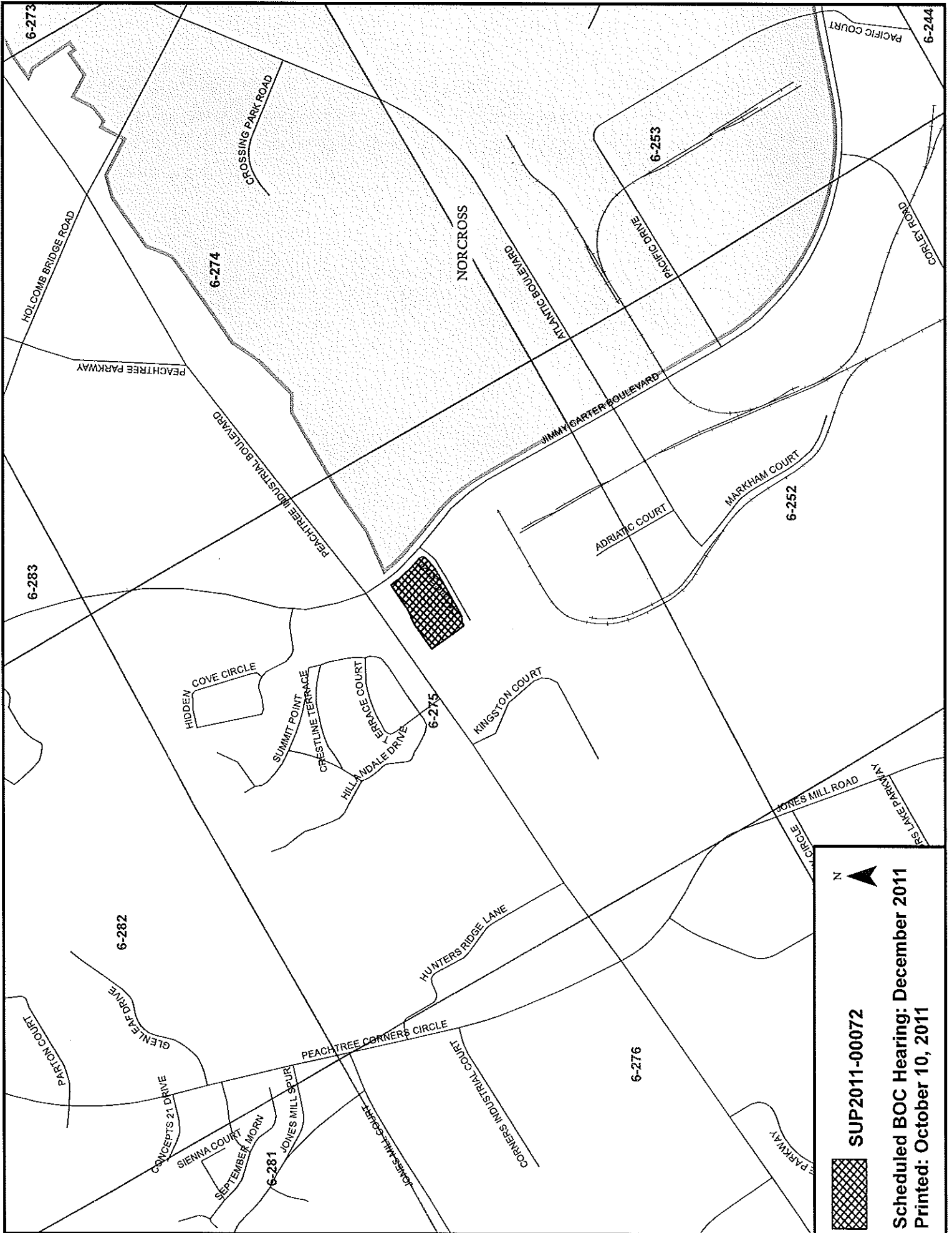
GWINNETT COUNTY BOARD OF COMMISSIONERS

By: 
F. Wayne Hill, Chairman

Date Signed: July 12, 2004

ATTEST:

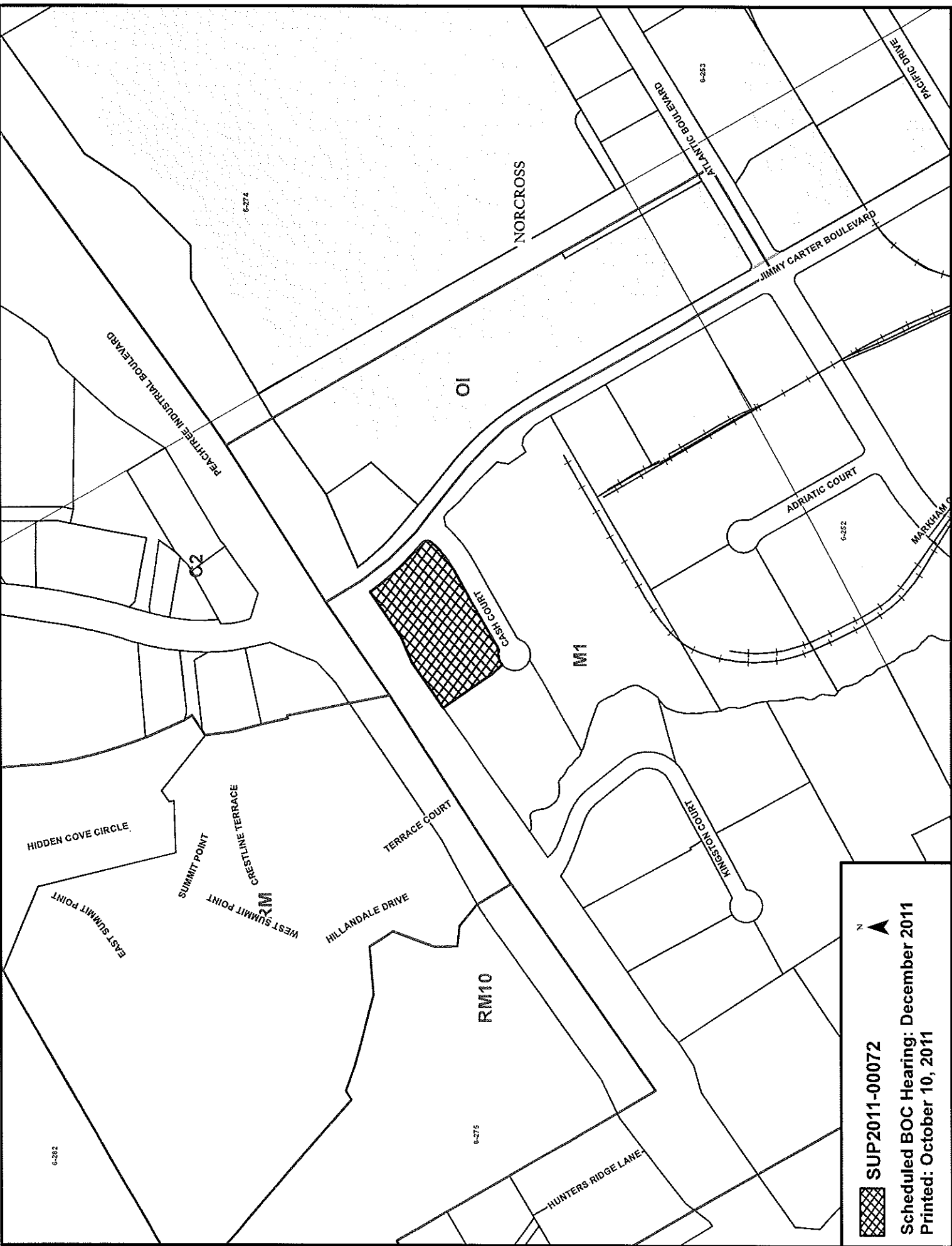

County Clerk




SUP2011-00072



**Scheduled BOC Hearing: December 2011
Printed: October 10, 2011**



 SUP2011-00072
 Scheduled BOC Hearing: December 2011
 Printed: October 10, 2011

6-274

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6-283

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GWINNETT COUNTY
BOARD OF COMMISSIONERS
LAWRENCEVILLE, GEORGIA

ORDINANCE ENTITLED: An Ordinance to amend the 1985 Zoning Resolution of Gwinnett County, Article XIII Use Provisions to provide revised zoning requirements for certain businesses in unincorporated Gwinnett County.

READING AND ADOPTION: December 13, 2011

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

Name	Present	Vote
Charlotte Nash, Chairman		
Shirley Lasseter, District 1		
Lynette Howard, District 2		
Mike Beaudreau, District 3		
John Heard, District 4		

On motion of **Commissioner** _____, which carried ____, the Code of Ordinances of Gwinnett County, Appendix D (1985 Zoning Resolution), Article XIII, **Sections 1307, 1308, 1308A, 1310 and 1311**, is hereby amended:

WHEREAS, the 1985 Zoning Resolution contains lists of permitted and special uses, organized by zoning district, which govern the development and placement of commercial and industrial businesses in unincorporated Gwinnett County; and

WHEREAS, through the Board's actions in zoning cases over the course of the past several years and by careful review of the classification of certain business activities in light of their nature and intensity, it has become evident that several of the commercial and industrial uses contained in the 1985 Zoning Resolution could be more logically and efficiently reclassified; and

WHEREAS, the Gwinnett County Board of Commissioners desires that the 1985 Zoning Resolution provide appropriate and logical regulation of such business activities; and

WHEREAS, the 1985 Zoning Resolution of Gwinnett County was adopted by the Gwinnett County Board of Commissioners on December 30, 1985; and

WHEREAS, the 1985 Zoning Resolution of Gwinnett County provides that the text and maps thereof may be amended from time to time by the Board of Commissioners following submission to the Municipal-Gwinnett County Planning Commission for review and recommendation; and

WHEREAS, the Board of Commissioners finds that the following amendment to the 1985 Zoning Resolution promotes the health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants of Gwinnett County;

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this, the _____ day of _____ 2011, and effective upon adoption of this resolution, that the 1985 Zoning Resolution of Gwinnett County be amended as follows:

That the following items be deleted from Section 1307. C-1 Neighborhood Business District, Permitted Uses, A. Retail and Service Uses, and the remaining items renumbered, as necessary:

Banks or financial institutions (without drive-in facilities). Automatic teller as accessory use (no-drive-in).

That the following items be deleted from Section 1307. C-1 Neighborhood Business District, D. Special Uses, and the remaining items renumbered, as necessary:

Banks or financial institutions with drive-in facilities.

Drug stores.

Travel agencies.

That the following items be inserted alphabetically under Section 1307. C-1 Neighborhood Business District, Permitted Uses, A. Retail and Service Uses, and the remaining items renumbered, as necessary:

Banks or financial institutions, and automatic teller machines.

Drug stores.

Travel agencies.

That the following items be deleted from Section 1308. C-2 General Business District, Permitted Uses, A. Retail and Service Uses, and the remaining items renumbered, as necessary:

Laundries and dry cleaning establishments, not including self-service laundries.

Recreation facilities (indoor, such as bowling alleys, skating rinks, shooting ranges and movie theaters, that do not include the sale of alcohol.

That the following items be deleted from Section 1308. C-2 General Business District, E. Special Uses, and the remaining items renumbered, as necessary:

Laundries, self service (coin operated).

Precious metals dealers.

Recreation facilities (indoor) that include the sale of alcohol.

That the following items be inserted alphabetically under Section 1308. C-2 General Business District, Permitted Uses, A. Retail and Service Uses, and the remaining items renumbered, as necessary:

Laundries and dry cleaning establishments, including self-service laundries.

Precious metals dealers.

Recreation facilities (indoor, such as bowling alleys, skating rinks, shooting ranges and movie theaters).

That the following item be deleted from Section 1308A, C-3 Highway Business District, E. Special Uses, and the remaining items renumbered, as necessary:

Precious metals dealers.

That the following items be inserted alphabetically under Section 1308A, C-3 Highway Business District, Permitted Uses, A. Retail and Service Uses, and the remaining items renumbered, as necessary:

Precious metals dealers.

That the following item be deleted from Section 1310, M-1 Light Industry District, D. Special Uses, and the remaining items renumbered, as necessary:

Mini-Warehouses or Self-Service Storage Facility.

Recreation Facility/Training Center, Indoor (gymnastics schools, baseball academies, etc.).

That the following items be inserted alphabetically under Section 1310, M-1 Light Industry District, A. Permitted Uses, and the remaining items renumbered, as necessary:

Mini-Warehouses or Self-Service Storage Facility.

Recreation Facility/Training Center, Indoor (gymnastics schools, baseball academies, etc.).

That the following item be deleted from Section 1311, M-2 Heavy Industry District, D. Special Uses, and the remaining items renumbered, as necessary:

Mini-Warehouses or Self-Service Storage Facility.

Recreation Facility/Training Center, Indoor (gymnastics schools, baseball academies, etc.).

That the following items be inserted alphabetically under Section 1311. M-2 Heavy Industry District, A. Permitted Uses, and the remaining items renumbered, as necessary:

Mini-Warehouses or Self-Service Storage Facility.

Recreation Facility/Training Center, Indoor (gymnastics schools, baseball academies, etc.).

BE IT FURTHER RESOLVED that all regulations or parts of the same in conflict with this Resolution are hereby rescinded to the extent of said conflict.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: _____
Charlotte J. Nash, Chairman

Date Signed: _____

ATTEST:

By: _____ (Seal)
Diane Kemp, County Clerk

APPROVED AS TO FORM:

By: _____
Van Stephens, County Attorney