

PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: RZC2024-00005
Current Zoning: O-I (Office-Institutional District)
Request: Rezoning to M-1 (Light Industry District)
Additional Requests: Variances
Address: 4417 Stone Mountain Highway
Map Number: R6064 072
Site Area: 4.62 acres
Proposed Development: Automobile or Truck Storage Lot with Outdoor Storage including Heavy Equipment
Commission District: District 2 – Commissioner Ku
Character Area: Vibrant Communities

Staff Recommendation: APPROVAL WITH CONDITIONS

**Planning Commission
Recommendation:** DENIAL

Case Number: SUP2024-00008
Current Zoning: O-I (Office-Institutional District)
Requested Zoning: M-1 (Light Industry District)
Request: Special Use Permit
Addresses: 4417 Stone Mountain Highway
Map Number: R6064 072
Site Area: 25.80 acres
Proposed Development: Automobile or Truck Storage Lot with Outdoor Storage including Heavy Equipment
Commission District: District 2 – Commissioner Ku
Character Area: Vibrant Communities

Staff Recommendation: APPROVAL WITH CONDITIONS

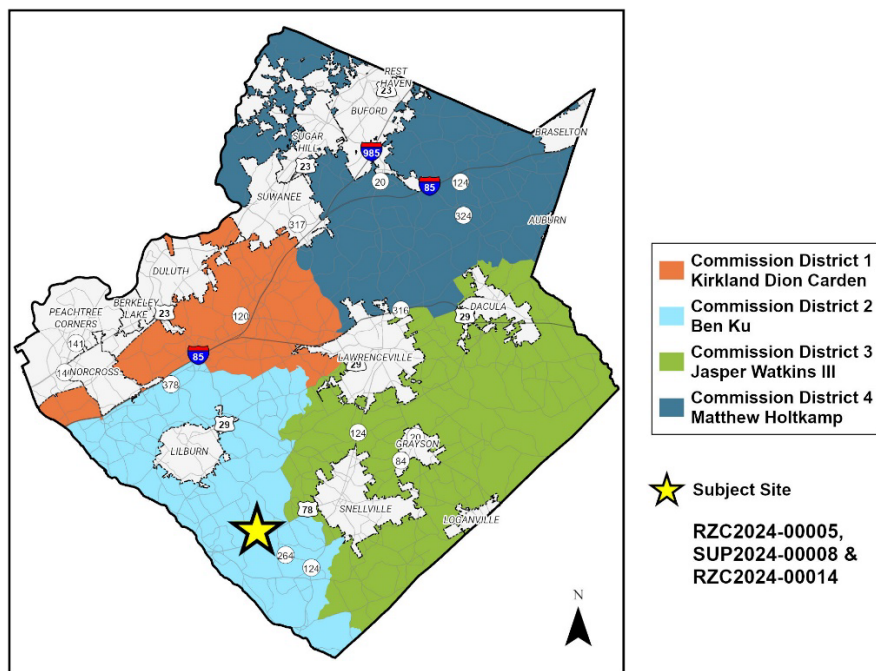
**Planning Commission
Recommendation:** DENIAL

**Planning Commission Advertised Public Hearing Date: 3/5/2024 (Public Hearing Tabled to 4/9/2024);
Remanded by the Board of Commissioners on 5/14/2024; Advertised Public Hearing Date: 7/8/2024
Board of Commissioners Advertised Public Hearing Date: 3/26/2024 (Public Hearing Tabled to
4/23/2024); (Public Hearing Tabled to 5/14/2024); Advertised Public Hearing Date: 7/23/2024**

Case Number: RZC2024-00014
Current Zoning: M-1 (Light Industry District), O-I (Office-Institutional District), and C-2 (General Business District)
Request: Rezoning to C-2 (General Business District)
Additional Request: Variance
Addresses: 4421 Stone Mountain Highway
Map Numbers: R6064 020
Site Area: 3.20 acres
Proposed Development: Commercial Development
Commission District: District 2 – Commissioner Ku
Character Area: Community Mixed-Use

Staff Recommendation: APPROVAL WITH CONDITIONS

Planning Commission Recommendation: DENIAL



Applicant: Yellow River Ventures, LLC
 c/o Mahaffey Pickens Tucker, LLP
 600 Peachtree Street, Suite 3000
 Atlanta, GA 30308

Owners: Yellow River Ventures, LLC
 4351 Pleasantdale Road
 Atlanta, GA 30340

Contact: Shane Lanham

Contact Phone: 770.232.0000

Zoning History

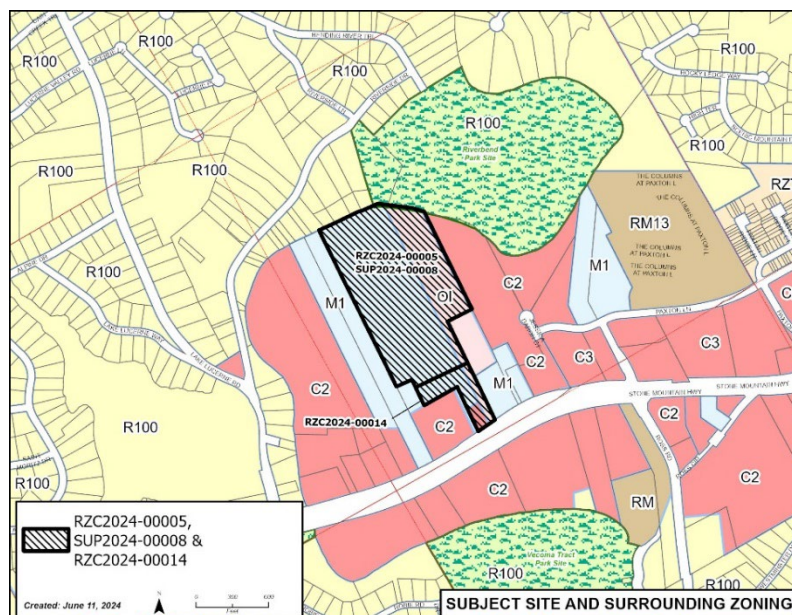
The subject property consists of two split-zoned parcels: R6064 020 zoned C-2 (General Business District), M-1 (Light Industry District), and O-I (Office-Institutional District); and R6064 072 zoned M-1 and O-I. In 1973, as part of an area-wide rezoning, the site was rezoned from R-100 (Single-Family Residence District) to M-1. An eastern portion of the property was rezoned from M-1 to O-I in 1980, pursuant to RZ-80-129. A small portion of the property along Stone Mountain Highway was rezoned from M-1 to C-2, and a special use permit was granted for automobile sales and service, pursuant to RZ-84-90 and SUP-50-90.

Existing Site Condition

The subject property is a 29-acre assemblage of two parcels located along the north side of Stone Mountain Highway, east of its intersection with Lake Lucerne Road. The Yellow River, associated buffers, floodplain, and wetlands are located along the northern property line. The site gradually slopes up approximately 20 feet from the right-of-way to the middle of the site, then slopes downward approximately 80 feet to the rear of the property. The center portion of the site has been graded and filled with dirt and topped with gravel. There is dense vegetation along the north property line, abutting nearby residential lots. A 200-foot-tall telecommunications tower is located at the southwestern corner of the property. Access to the site is provided by a concrete apron that connects to a damaged asphalt driveway. There is crusher run and gravel washout in the driveway and the apron. The nearest Gwinnett County Transit stop is approximately 2.3 miles from the subject property.

Surrounding Use and Zoning

The property is surrounded by residential, commercial, and industrial uses. To the north are single-family residential lots and a County-owned property. To the east is heavy equipment sales fronting Stone Mountain Highway, a place of worship, and an automobile repair shop. To the southwest, the property abuts a medical office, and to the south across Stone Mountain Highway is an automobile leasing service. Immediately to the west is an undeveloped M-1 zoned property.



Location	Land Use	Zoning
Proposed	Automobile or Truck Storage Lot Commercial Use	M-1 C-2
North	Residential	R-100
East	Place of Worship Commercial	M-1, O-I C-2
South	Medical	C-2
West	Undeveloped Commercial	M-1 C-2

Project Summary

The applicant requests rezoning of a 3.20-acre parcel (R6064 020) from C-2, O-I, and M-1 to C-2 for commercial use; and rezoning of a 4.62-acre portion of parcel (R6064 072) from O-I to M-1, and a special use permit for the entire 25.80-acre parcel (R6064 072) for an automobile truck storage lot with outdoor storage of heavy equipment, including:

- A gravel parking lot for parking tractor trailers and trucks, and outdoor storage of heavy equipment including bulldozers, graders, etc.
- 202 parking spaces for semi-trucks.
- Grass vegetation around the perimeter of the gravel parking lot.
- Evergreen plantings spaced 10 feet on center along the eastern property line.
- An asphalt and gravel driveway with concrete apron and gated access from the street.
- A 6-foot-tall vinyl chain link fence around the perimeter of the site.
- Reservation of the proposed commercial tract for potential combination with adjacent parcels to accommodate future commercial development.

Zoning and Development Standards

The application was received prior to January 1, 2024, and is subject to the previous Unified Development Ordinance (UDO) standards. The following is a summary of applicable development standards for M-1 and C-2 from the UDO:

M-1:

Standard	Required	Proposed	Meets Standard?
Front Yard Setback	Minimum 50'	>50'	YES
Side Yard Setback	Minimum 25'	>25'	YES
Rear Yard Setback	Minimum 50'	>50'	YES
Lot Size for Truck or Vehicle Storage	Minimum 10 acres	29 acres	YES
Zoning Buffer	Minimum 25' to Non-Residential Property	0'	NO*

C-2:

Standard	Required	Proposed	Meets Standard?
Front Yard Setback	Minimum 15'	>15'	YES
Side Yard Setback	Minimum 10'	>10'	YES
Rear Yard Setback	Minimum 30'	>30'	YES
Zoning Buffer	Minimum 15' Undisturbed from Public Street	0'	NO*

* Applicant is requesting a variance from the buffer standard.

Variance Requests

In addition to the rezoning and special use permit requests, the applicant is seeking variances from the following provisions of Title II of the UDO:

1. Section 240-10.3(A) – Off-Street Parking Standards – Parking Surfaces (R6064 072 only)

In any non-residential district, the parking of any vehicle on other than a paved surface (or other system approved by the Director) is prohibited.

The applicant is requesting a variance to allow for the entire parking area to be gravel.

2. Section 240-70.1(B) – Driveways – Interior Driveways (R6064 072 and R6064 020)

Inter-parcel driveway connection or provision of a future inter-parcel driveway stub (with appropriate cross-access easements) shall be required between adjacent non-residential properties. This requirement may be waived by the Director only if it is demonstrated that an inter-parcel connection is not feasible due to traffic safety or topographic concerns.

The applicant is requesting a variance to not provide for future inter-parcel connections or driveway stubs to the adjoining properties to the south, east, and west.

3. Section 240-70.1(C) – Driveways – Interior Driveways (R6064 072 and R6064 020)

Interior driveways, with or without parking, shall be 10 to 12 feet wide for one-way traffic, and 22 to 24 feet wide for two-way traffic. Driveways that are determined to be essential fire access shall be increased to a minimum of 20 feet in width.

The applicant is requesting a variance to increase the maximum 24-foot-wide driveway width to 70 feet.

4. Section 230-130.3(E)(2) – Supplemental Use Standards (R6064 072 and R6064 020)

The entire lot shall be surrounded by a 15-foot in depth buffer adjacent to any public street, and a 25-foot in depth buffer adjacent to a non-residential zoning district.

The applicant is requesting a variance to eliminate the 15-foot-wide buffer adjacent to public streets and the 25-foot-wide buffer adjacent to a non-residential zoning district.

Internal and External Agency Review

In addition to these Development Standards, the applicant must meet all other UDO requirements related to infrastructure improvements. Internal and External agency review comments are attached (Exhibit F). Standard site and infrastructure improvements will also be required related to stormwater, transportation, water, and sewer utilities. Recommended improvements not already required by the UDO have been added as staff recommended conditions.

Staff Analysis

Rezoning and Special Use Permit Requests Analysis: According to the UDO, if a proposed amendment is for the rezoning of property and involves a change in zoning classification, the Department shall evaluate the request and make a recommendation with respect to the standards governing exercise of zoning power as defined in Section 270-20.5. For special use permits, the Department shall also evaluate the request and make a recommendation with respect to the standards governing exercise of zoning power as defined in Section 270-20.5. After this evaluation, staff makes the following findings based on the standards from the UDO:

A. Whether a proposed rezoning and special use permit will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The proposed commercial use and a truck parking lot with outdoor storage of heavy equipment would be suitable in view of the use and development of adjacent and nearby property. The site is surrounded by a mixture of commercial and institutional uses. The site abuts a place of worship to the east, a medical office to the southwest, and the Yellow River to the north. The property is in close proximity to nearby highways and a fleet service business to the east.

B. Whether a proposed rezoning and special use permit will adversely affect the existing use or usability of adjacent or nearby property.

The proposed rezoning and special use permit would not adversely impact the existing use or usability of adjacent or nearby property. Evergreen screening is proposed along the property line adjacent to the place of worship. A substantial portion of the property will remain undeveloped due to the stream and buffers in the rear of the site, abutting residential properties to the north. Existing topography, additional plantings, and appropriate conditions would mitigate any potential negative impacts.

C. Whether the property to be affected by a proposed rezoning and special use permit has a reasonable economic use as currently zoned.

The property has a reasonable economic use as currently zoned.

D. Whether the proposed rezoning and 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.

An increase in impacts on public facilities would be anticipated in the form of traffic; however, the impacts would be mitigated with appropriate conditions, site development requirements, and planning. A trip generation report estimates that the proposal will generate 52 daily trips. No impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning request are attached (Exhibit F).

E. Whether the proposed rezoning and special use permit is in conformity with the policy and intent of the Unified Plan and Future Development Map; and

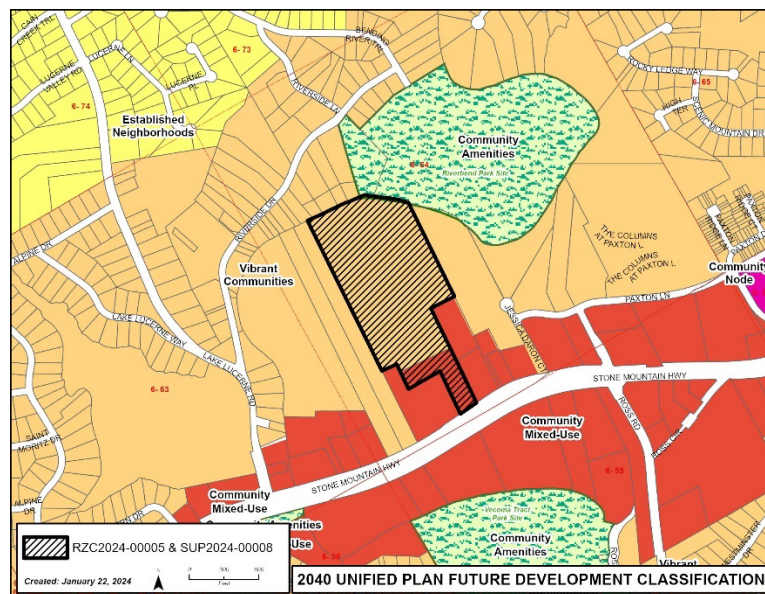
The 2040 Unified Plan Future Development Map indicates the majority of the subject property, the parcel in the rear, is within the Vibrant Communities Character Area (R6064 072), and a small

portion of the property, the L-shaped portion with frontage on Stone Mountain Highway, is within the Community Mixed-Use Character Area (R6064 020).

The Vibrant Communities Character Area is intended to serve as a transition between nodes and mixed-use activity centers and surrounding, established single-family residential areas. This Character Area is generally located away from the primary intersections where the activity centers and nodes are located. Depending on existing land use, zoning patterns and development intensity, new development and redevelopment in Vibrant Communities may contain a mix of housing types, including small-lot single-family housing, townhomes, multifamily housing, and senior housing.

The Community Mixed-Use Character Area is intended for connecting areas outside of Regional Activity Centers and Community Nodes. A mixture of uses, both vertically and horizontally, are envisioned for this character area, with a focus on pedestrian connectivity.

An automobile and truck storage lot with heavy equipment outdoor storage is not in conformity with the policy or intent of the Unified Plan; however, with appropriate conditions, it would be compatible with surrounding uses. In addition, the use requires a level of development that would not prohibit future redevelopment more in line with the future development map when feasible.



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 and special use permit.

There are no other conditions giving support for approval or denial of the proposal.

Variance Requests Analysis: The standards for granting variances are outlined in Section 270-100.7 of the UDO. Staff makes the following findings related to the variance request:

The applicant requests variances to allow for the entire parking area to be gravel, to not provide inter-parcel access or stub-out streets for future connections to the adjacent non-residentially

zoned properties, to exceed the maximum 24-foot-wide driveway width, and to not install 15-foot buffers adjacent to public streets nor 25-foot-wide buffers adjacent to non-residential properties.

With appropriate conditions, the gravel parking can be mitigated from any potential impacts to the Yellow River and adjacent properties. Due to topographical and environmental constraints on the property, inter-parcel connectivity would be challenging. The proposed use and configuration of the lot requires 70-foot-wide internal driveways and the buffer reduction to the adjacent non-residential properties. These variance requests are not opposed to the general spirit and intent of the UDO.

Staff Recommendation

Based on the staff's evaluation of the request and the standards governing the exercise of zoning power, the Department of Planning and Development recommends **APPROVAL** of the rezoning and special use permit requests.

In addition, staff recommends **APPROVAL** of the following variances:

1. To allow for the entire parking area to be gravel. (R6064 072 only)
2. To not provide future inter-parcel connections or driveway stubs. (R6064 072 and R6064 020)
3. To increase the 24-foot-wide maximum driveway width to 70 feet. (R6064 072 and R6064 020)
4. To eliminate the 15-foot buffer required adjacent to public streets and the 25-foot buffer required adjacent to a non-residential zoning district. (R6064 072 and R6064 020)

Staff Recommended Conditions

RZC2024-00005

Approval of rezoning of a 4.62-acre portion of parcel R6064 072 from O-I to M-1 for an automobile and truck storage lot with outdoor storage of heavy equipment, subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received May 13, 2024, with revisions required by conditions of approval and the Unified Development Ordinance as reviewed and approved by the Department of Planning and Development.
2. No vehicle sales or service shall be permitted on the property.
3. No overnight resting or sleeping shall be permitted on the property.
4. No inoperable vehicles shall be stored on the property.
5. No outdoor storage of automotive parts or tires shall be permitted on the property.
6. All vehicles shall be parked on an approved surface and within striped parking spaces. The

gravel parking area shall be confined by landscaping timbers, railroad cross-ties, concrete curbing, masonry or rock walls, or other materials, as reviewed and approved by the Department of Planning and Development.

7. Fencing along the perimeter of the property shall be of metal material that provides for screening and 8 feet in height, subject to the review and approval of the Department of Planning and Development.
8. Stormwater BMP facilities shall be screened from view of adjoining properties and rights-of-way by a decorative fence and landscaping that complies with the Gwinnett County Stormwater Management Manual.
9. Natural vegetation shall remain on the property until the issuance of a development permit.

SUP2024-00008

Approval of a special use permit for the 25.80-acre parcel R6064 072 for an automobile and truck storage lot with outdoor storage of heavy equipment, subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received May 13, 2024, with revisions required by conditions of approval and the Unified Development Ordinance as reviewed and approved by the Department of Planning and Development.
2. The special use permit shall be valid for five years from the date of approval, at which time the use shall cease or an application shall be made for renewal of the special use permit.
3. No vehicle sales or service shall be permitted on the property.
4. No overnight resting or sleeping shall be permitted on the property.
5. No inoperable vehicles shall be stored on the property.
6. No outdoor storage of automotive parts or tires shall be permitted on the property.
7. All vehicles shall be parked on an approved surface and within striped parking spaces. The gravel parking area shall be confined by landscaping timbers, railroad cross-ties, concrete curbing, masonry or rock walls, or other materials, as reviewed and approved by the Department of Planning and Development.
8. Fencing along the perimeter of the property shall be of metal material that provides for screening and 8 feet in height, subject to the review and approval of the Department of Planning and Development.
9. Stormwater BMP facilities shall be screened from view of adjoining properties and rights-of-way by a decorative fence and landscaping that complies with the Gwinnett County Stormwater Management Manual.
10. Natural vegetation shall remain on the property until the issuance of a development permit.

RZC2024-00014

Approval of rezoning of the 3.20-acre parcel R6064 020 from C-2, O-I, and M-1 to C-2 for future commercial use.

Planning Commission Recommendation

Based on staff's evaluation of the request, information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **DENIAL** of the rezoning and special use permit requests.

In addition, the Planning Commission recommends **DENIAL** of the following variance requests:

1. To allow for the entire parking area to be gravel. (R6064 072 only)
2. To not provide future inter-parcel connections or driveway stubs. (R6064 072 and R6064 020)
3. To increase the 24-foot-wide maximum driveway width to 70 feet. (R6064 072 and R6064 020)
4. To eliminate the 15-foot buffer required adjacent to public streets and the 25-foot buffer required adjacent to a non-residential zoning district. (R6064 072 and R6064 020)

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Letter of Intent and Applicant's Response to Standards
- D. Application and Disclosure of Campaign Contributions
- E. Traffic Impact Study
- F. Internal and External Agency Review Comments
- G. Maps

Exhibit A: Site Visit Photos



View of existing entrance to property



View facing north



View of property facing north



View of property facing west

Exhibit B: Site Plan

[attached]

RECEIVED

05/13/2024

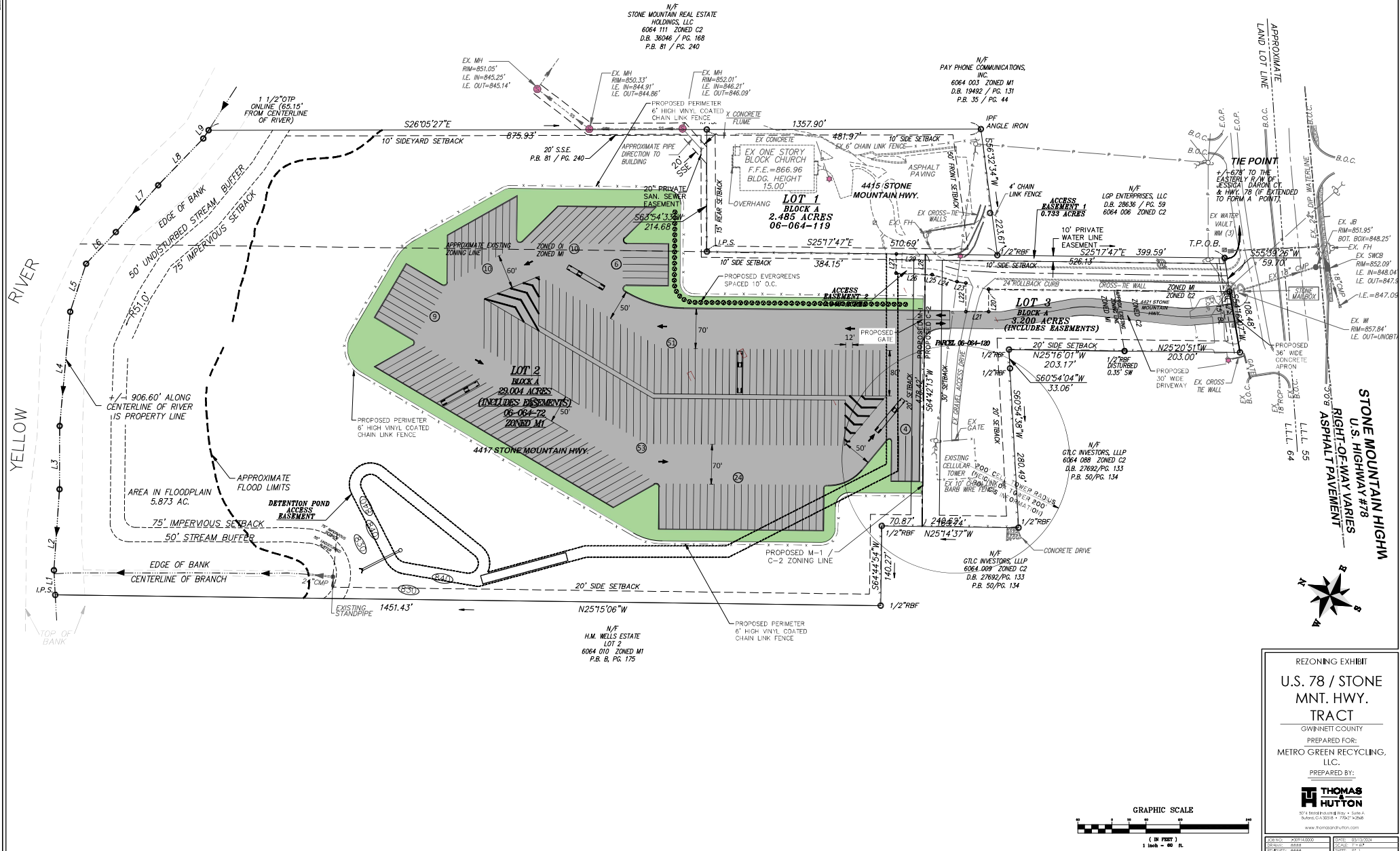


Exhibit C: Letter of Intent and Applicant's Response to Standards

[attached]

RECEIVED

05/13/2024



Matthew P. Benson
Catherine W. Davidson
Gerald Davidson, Jr.*
Brian T. Easley
Rebecca B. Gober
Christopher D. Holbrook
Shane M. Lanham
Jessica R. Kelly

Julia A. Maxwell
Jeffrey R. Mahaffey
Steven A. Pickens
Jack M. Ryan
Gabrielle H. Schaller
S. Tess Shaheen
Andrew D. Stancil
R. Lee Tucker, Jr.

*Of Counsel

**COMBINED AMENDED LETTER OF INTENT FOR
REZONING AND SPECIAL USE PERMIT APPLICATIONS OF
YELLOW RIVER VENTURES, LLC**

Mahaffey Pickens Tucker, LLP submits the attached amended rezoning and special use permit applications (the “Amended Applications”) on behalf of the property owner, Yellow River Ventures, LLC (the “Applicant”), relating to an approximately 29.004-acre tract (the “Overall Property”) located along Stone Mountain Highway (U.S. Route 78) in southern Gwinnett County. The Property is located on the northerly side of Stone Mountain Highway, is primarily zoned M-1, and is located in the Vibrant Communities and Community Mixed-Use Character Areas according to the 2040 Unified Plan.

The bulk of the Overall Property is zoned M-1 with no conditions with a small portion zoned C-2 and O-I pursuant to case numbers RZ-84-1990 and RZ-129-1980, respectively. The Applicant submits the Amended Applications to reduce the scope of the proposed Automobile or Truck Storage Lot (excl. junk/wrecked vehicles) and to expand the commercially-zoned land along Stone Mountain Highway. The Amended Applications would carve out the entirety of Parcel R6064 020 from the proposed storage lot and rezone it to the C-2 zoning classification. Accordingly, the Applicant submits the following as the Amended Applications: (i) an application

Sugarloaf Office || 1550 North Brown Road, Suite 125, Lawrenceville, Georgia 30043

NorthPoint Office || 11175 Cicero Drive, Suite 100, Alpharetta, Georgia 30022

TELEPHONE 770 232 0000

FACSIMILE 678 518 6880

Page 17 of 52
www.mptlawfirm.com

RZC2024-00005, SUP2024-00008, &
RZC2024-00014

AR

RECEIVED

05/13/2024

to rezone Parcel R6064 020 to C-2, (ii) an application to rezone the non-M-1 portions of Parcel R6064 072 to M-1, and (iii) a special use permit application applicable only to Parcel R6064 072 requesting approval of an “Automobile or Truck Storage Lot (excl. junk/wrecked vehicles).” As stated in the original applications, the Applicant would also utilize Parcel R6064 072 for outdoor storage, including of heavy equipment, as permitted by right in M-1 as set forth in the Unified Development Ordinance (the “UDO”).

While outdoor storage is permitted on gravel surfaces and the proposed use is an “Automobile or Truck Storage Lot,” the Applicant, out of an abundance of caution, restates its request, to the extent necessary, for a variance from §240-10.3(A) and/or other relief from the requirements of the UDO to allow the proposed Automobile or Truck Storage Lot on the existing gravel-surface lot. The Applicant also requests a variance from §240-70.1 and/or other relief from the provisions of the UDO which would require inter-parcel access among the Property and adjacent non-residential properties. The nature of the proposed use as a secure storage area as well as the provisions of the UDO which require fencing around the perimeter of the Property are frustrated by a strict interpretation of UDO §240-70. The Applicant also requests a variance from UDO §240-70.1(C) to increase the maximum driveway width to 70 feet. The storage lot would be provided according to the layout depicted on the site plan submitted with the application. Storage spaces would be marked with durable ground caps driven into the ground to delineate discrete storage spaces. Based on the Property’s shape and the nature of the proposed use, wider driveways are appropriate to facilitate safe ingress and egress of trucks. Driveway standards in the UDO are drafted contemplating typical passenger automobiles and do not provide appropriate standards for the proposed use, the nature of which relates to tractor-trailers and heavy equipment. Additionally, the Applicant restates its request for a variance from §230-130.3(E) to reduce the buffers required

RECEIVED

05/13/2024

adjacent to non-residential zoning districts to zero feet. A row of evergreen screen trees is proposed along adjacent Parcel R6064 119, which, in conjunction with existing topographical differences, would provide effective screening and separation.

The requested variances arise from conditions that are unique and peculiar to the land, structures and buildings involved. They are necessary because the particular physical surroundings, the size, shape and topographical condition of the Property would result in unnecessary hardship for the owner, lessee, or occupants; as distinguished from a mere inconvenience, if the provisions of Title 2 of the UDO are literally enforced. The conditions requiring the requested relief are not ordinarily found in properties of the same zoning district as the subject property. The conditions are created by the regulations of Title 2 of the UDO and not by an action or actions of the property owner or the applicant. The granting of the variances will not impair or injure other property or improvements in the neighborhood in which the Property is located, nor impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety or substantially diminish or impair property values within the neighborhood. The variances requested represent the minimum variance that will make possible the reasonable use of the land, building or structures. Approval of the requested variances would not be contrary to the general spirit and intent of Title 2 of the UDO or the purpose and intent of the Gwinnett County Unified Plan.

The Property's location on a heavily-developed major transportation corridor in close proximity to commercial, industrial, distribution, and logistics uses makes it an appropriate site for a secure truck parking/storage use. The location of the proposed parking/storage area at the rear of the site will screen the proposed use from Stone Mountain Highway and preserve the aesthetics of

RECEIVED

05/13/2024

that roadway. The proposed use is significantly lower-intensity than many of the uses allowed by right in M-1 and even less intense than the medium density residential and mixed-use land uses encouraged by the 2040 Plan. The proposed use is compatible with the policy and intent of the land use plan which designates the property as split between the Vibrant Communities and Community Mixed-Use Character Areas. The proposed development is in many ways less intense than the medium density (8-13 units/acre) residential uses recommended by the 2040 Plan. While the subject property is not a good candidate for large-scale commercial or office uses given its shape and limited road frontage, it can play a supporting role for other mixed-use, commercial, and office uses recommended for the Community Mixed-Use Character Area. The proposed use will be quiet, screened from view, will reduce illegal truck parking, increase safety for motorists, and have no impact on school enrollment. Additionally, the reduced scope of the proposed storage lot will further reduce any impacts to surrounding uses and will also preserve and expand a commercial corridor along Stone Mountain Highway.

The Applicant respectfully submits that the proposed development is consistent with the spirit and intent Gwinnett County 2040 Unified Plan and would be compatible with adjacent properties. The Applicant welcomes the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Applications filed herewith. The Applicant respectfully requests your approval of the Applications.

This 6th day of May, 2024.

Respectfully Submitted,
MAHAFFEY PICKENS TUCKER, LLP

Shane Lanham

Shane M. Lanham
Attorneys for Applicant

RECEIVED

12/21/2023

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

- A. Approval of the proposed rezoning and special use permit will permit a use that is suitable in view of the use and development of adjacent and nearby property. The subject property is located along a major transportation route in an area that is heavily developed with a diverse mixture of zoning classifications including industrial, commercial, multi-family, and single-family residential.
- B. Approval of the proposed rezoning and special use permit will not adversely affect the existing use or usability of adjacent or nearby property. Rather, the proposed development is compatible with and will complement nearby industrial and commercial uses. Existing buffers and stormwater facilities will mitigate negative impacts to other surrounding uses.
- C. Based on its shape, size, location, and other characteristics, the Applicant respectfully submits that the subject property of the application does not have a reasonable economic use as currently zoned. The tax parcels which compose the overall property are split-zoned a combination of M-1, O-I, and/or C-2. Approval of the proposed rezoning would unify the zoning classification of the overall property.
- D. Approval of the proposed rezoning and special use permit will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The proposed use is meant to serve existing residents and businesses by providing a safe and convenient facility for the parking and storage of trucks.
- E. Approval of the proposed rezoning and special use permit is in conformity with the policy and intent of the land use plan which designates the property as split between the Vibrant Communities and Community Mixed-Use Character Areas. The proposed development is in many ways less intense than the medium density (8-13 units/acre) residential uses recommended by the 2040 Plan. While the subject property is not a good candidate for large-scale commercial or office uses given its shape, it can play a supporting role for other mixed-use, commercial, and office uses recommended for the Community Mixed-Use Character Area.
- F. The subject property's location on a major transportation corridor, its current M-1 zoning classification, and the wide buffers separating the subject property from residential uses give additional supporting grounds for approval of the proposed rezoning. Moreover, as transportation, distribution, and logistics uses become more prevalent in Gwinnett County, supporting and ancillary uses will be in much greater demand. High-quality truck parking uses located along major transportation corridors can help alleviate issues relating to truck congestion and illegal parking.

Exhibit D: Application and Disclosure of Campaign Contributions

[attached]

RECEIVED

05/13/2024

REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF WINNETT COUNTY, GA.

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Owner c/o Mahaffey Pickens Tucker, LLP</u>	NAME: <u>Yellow River Ventures, LLC</u>
ADDRESS: <u>1550 North Brown Road, Suite 125</u>	ADDRESS: <u>4351 Pleasantdale Road</u>
CITY: <u>Lawrenceville, GA 30043</u>	CITY: <u>Atlanta</u>
STATE: <u>Georgia</u> ZIP: <u>30043</u>	STATE: <u>Georgia</u> ZIP: <u>30340</u>
PHONE: <u>770 232 0000</u>	PHONE: <u>770 232 0000</u>
EMAIL: <u>slanham@mptlawfirm.com</u>	EMAIL: <u>slanham@mptlawfirm.com</u>
CONTACT PERSON: <u>Shane Lanham</u> PHONE: <u>770 232 0000</u>	
CONTACT'S E-MAIL: <u>slanham@mptlawfirm.com</u>	
<p align="center">APPLICANT IS THE:</p> <p> <input type="checkbox"/> OWNER'S AGENT <input checked="" type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER </p>	
PRESENT ZONING DISTRICTS(S): <u>O-1</u> REQUESTED ZONING DISTRICT: <u>M-1</u>	
PARCEL NUMBER(S): <u>R6064 072</u> ACREAGE: <u>+/- 4.62</u>	
ADDRESS OF PROPERTY: <u>4417 Stone Mountain Highway</u>	
PROPOSED DEVELOPMENT: <u>Automobile or Truck Storage Lot (excl. junk/wrecked vehicles) and Outdoor Storage (other than junk/salvage yards) including heavy</u>	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>NA</u>	No. of Buildings/Lots: <u>0 buildings/ 1 lot</u>
Dwelling Unit Size (Sq. Ft.): <u>NA</u>	Total Building Sq. Ft. <u>0</u>
Gross Density: <u>NA</u>	Density: <u>NA</u>
Net Density: <u>NA</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

05/13/2024

SPECIAL USE PERMIT APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF GWINNETT COUNTY, GA.

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Owner c/o Mahaffey Pickens Tucker, LLP</u>	NAME: <u>Yellow River Ventures, LLC</u>
ADDRESS: <u>1550 North Brown Road, Suite 125</u>	ADDRESS: <u>4351 Pleasantdale Road</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Atlanta</u>
STATE: <u>Georgia</u> ZIP: <u>30043</u>	STATE: <u>Georgia</u> ZIP: <u>30340</u>
PHONE: <u>770 232 0000</u>	PHONE: <u>770 232 0000</u>
EMAIL: <u>slanham@mptlawfirm.com</u>	EMAIL: <u>slanham@mptlawfirm.com</u>
CONTACT PERSON: <u>Shane Lanham</u> PHONE: <u>770 232 0000</u>	
CONTACT'S E-MAIL: <u>slanham@mptlawfirm.com</u>	

*Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:
<input type="checkbox"/> OWNER'S AGENT <input checked="" type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER
EXISTING/PROPOSED ZONING: <u>O-I/M-1</u> BUILDING/LEASED SQUARE FEET: <u>0</u>
PARCEL NUMBER(S): <u>R6064 072</u> ACREAGE: <u>+/- 25.804</u>
ADDRESS OF PROPERTY: <u>4417 Stone Mountain Highway</u>
SPECIAL USE REQUESTED: <u>Automobile or Truck Storage Lot (excl. junk/wrecked vehicles)</u>

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

05/13/2024

REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF GWINNETT COUNTY, GA.

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Owner c/o Mahaffey Pickens Tucker, LLP</u>	NAME: <u>Yellow River Ventures, LLC</u>
ADDRESS: <u>1550 North Brown Road, Suite 125</u>	ADDRESS: <u>4351 Pleasantdale Road</u>
CITY: <u>Lawrenceville, GA 30043</u>	CITY: <u>Atlanta</u>
STATE: <u>Georgia</u> ZIP: <u>30043</u>	STATE: <u>Georgia</u> ZIP: <u>30340</u>
PHONE: <u>770 232 0000</u>	PHONE: <u>770 232 0000</u>
EMAIL: <u>slanham@mptlawfirm.com</u>	EMAIL: <u>slanham@mptlawfirm.com</u>
CONTACT PERSON: <u>Shane Lanham</u> PHONE: <u>770 232 0000</u>	
CONTACT'S E-MAIL: <u>slanham@mptlawfirm.com</u>	
<p align="center">APPLICANT IS THE:</p> <p> <input type="checkbox"/> OWNER'S AGENT <input checked="" type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER </p>	
<p align="center">M-1, C-2,</p> <p>PRESENT ZONING DISTRICTS(S) & <u>O-I</u> REQUESTED ZONING DISTRICT: <u>C-2</u></p> <p>PARCEL NUMBER(S): <u>R6064 020</u> ACREAGE: <u>+/- 3.2</u></p> <p>ADDRESS OF PROPERTY: <u>4421 Stone Mountain Highway</u></p> <p>PROPOSED DEVELOPMENT: <u>Rezone to commercial use</u></p>	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>NA</u>	No. of Buildings/Lots: <u>0 buildings/ 1 lot</u>
Dwelling Unit Size (Sq. Ft.): <u>NA</u>	Total Building Sq. Ft. <u>0</u>
Gross Density: <u>NA</u>	Density: <u>NA</u>
Net Density: <u>NA</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

PRE-APPLICATION INFORMATION FORM

NOTE: Once the Pre-Application Meeting is complete, staff will provide the applicant with a signed copy of this form. This signed copy must be submitted with your official zoning/variance application.

Applicant Information:

Name: Shane Lanham

Company: Yellow River Ventures, LLC c/o Mahaffey Pickens Tucker, LLP

Mailing Address: 1550 North Brown Road, Suite 125

City, State, Zip Code: Lawrenceville, GA 30043

Phone Number: 770 232 0000 Email Address: slanham@mptlawfirm.com

Project Summary:

Address of Project: 4417 Stone Mountain Hwy (R6064 072)

Name of Project: Stone Mountain Hwy Truck Parking

Application Type (Rezoning, Change in Conditions, Special Use Permit, Buffer Reduction, Variance, Other):
SUP

Total Project Acreage: +/-29.0 Total Square Footage: 0 Total Number of Lots/Units: 1

Detailed Description (Include Proposed Use(s) and Square Footage of Floor Area for each use):
Automobile/Truck Storage Lot (gravel surface)

Pre-Application Information Form Submittal Checklist:

- ☐ Completed Pre-Application Information Form
- ☐ One PDF digital version of Concept Plan

For Internal Use Only:

Pre-Application Meeting Date: 11/30/2023

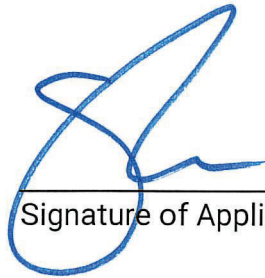
Staff Printed Name: Brian Ford Signed: Brian Ford

RECEIVED

12/21/2023

REZONING APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.



Signature of Applicant

12/19/23

Date

Shane Lanham, attorney for Applicant

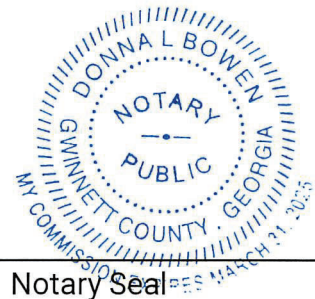
Type or Print Name and Title



Signature of Notary Public

12/19/23

Date



Notary Seal

RECEIVED

12/21/2023

Gwinnett County Planning Division
Rezoning Application
Last Updated 7/2023

REZONING APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.



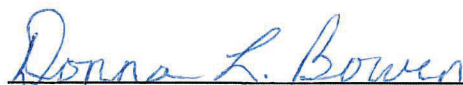
Signature of Applicant

12/21/23

Date

Mitchell Stephens managing member

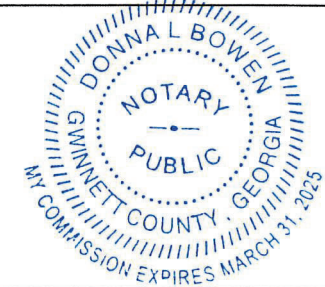
Type or Print Name and Title



Signature of Notary Public

12/21/23

Date



Notary Seal

RECEIVED

12/21/2023

Gwinnett County Planning Division
Rezoning Application
Last Updated 7/2023

REZONING PROPERTY OWNER'S CERTIFICATION

THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.

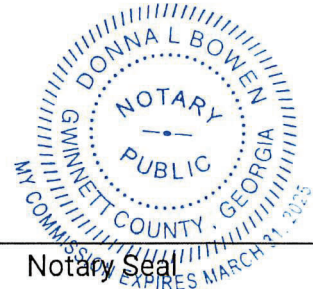
[Signature]
Signature of Property Owner

12/21/23
Date

MITCHELL STEPHENS managing member
Type or Print Name and Title

Donna L. Bowen
Signature of Notary Public

12/21/23
Date



Notary Seal

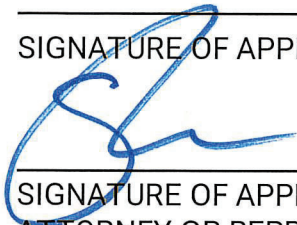
RECEIVED

12/21/2023

CONFLICT OF INTEREST CERTIFICATION FOR REZONING

The undersigned below, making application for a Rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE



12/14/23

Shane Lanham, attorney for Applicant

SIGNATURE OF APPLICANT'S
ATTORNEY OR REPRESENTATIVE

DATE

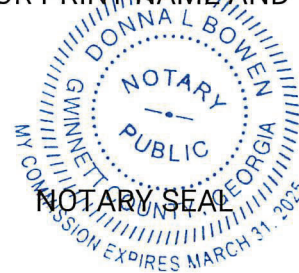
TYPE OR PRINT NAME AND TITLE



12/19/23

SIGNATURE OF NOTARY PUBLIC

DATE



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?



YES



NO

Mahaffey Pickens Tucker, LLP

YOUR NAME

If the answer is yes, please complete the following section:

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)
Please see attached		

Attach additional sheets if necessary to disclose or describe all contributions.

RECEIVED

12/21/2023

**CONFLICT OF INTEREST CERTIFICATION FOR REZONING/CHANGE IN
CONDITIONS AND SPECIAL USE PERMIT APPLICATIONS**

MAHAFFEY PICKENS TUCKER, LLP

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE
Ben Ku, Commissioner	\$1,500	10/03/2022
Matt Holtkamp, Commissioner	\$1,000	04/13/2023
Nicole Love Hendrickson, Chairwoman	\$2,500	08/11/2023
Matt Holtkamp, Commissioner	\$3,300	09/18/2023
Kirkland Carden, Commissioner	\$3,300	09/27/2023

Lee Tucker, Attorney at Law, P.C.

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE
Kirkland Carden, Commissioner	\$2,000	10/25/2023

Jeffrey Mahaffey, Attorney at Law, Individually

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE
Nicole Love Hendrickson, Chairwoman	\$1,000	08/14/2023

RECEIVED

12/21/2023

Gwinnett County Planning Division
Rezoning Application
Last Updated 7/2023

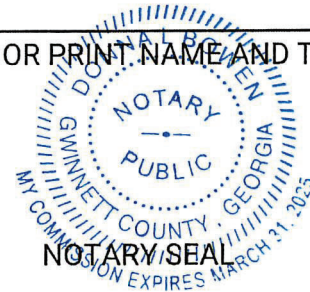
CONFLICT OF INTEREST CERTIFICATION FOR REZONING

The undersigned below, making application for a Rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

[Signature] 12/21/23 Mitchell Stephens
managing member
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE DATE TYPE OR PRINT NAME AND TITLE

Donna L. Bowen 12/21/23
SIGNATURE OF NOTARY PUBLIC DATE



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?

☐ YES ☒ NO Yellow River Ventures, LLC
YOUR NAME

If the answer is yes, please complete the following section:

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)

Attach additional sheets if necessary to disclose or describe all contributions.

RECEIVED

12/21/2023

Gwinnett County Planning Division
Rezoning Application
Last Updated 7/2023

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

***Note: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.**

PARCEL I.D. NUMBER: 6 - 064 - 072
(Map Reference Number) District Land Lot Parcel

Signature of Applicant

Date

Type or Print Name and Title

*****PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.*****

TAX COMMISSIONERS USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

NAME

TITLE

DATE

RECEIVED

12/21/2023

Gwinnett County Planning Division
Rezoning Application
Last Updated 7/2023

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

***Note: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.**

PARCEL I.D. NUMBER: 6 - 064 - 020
(Map Reference Number) District Land Lot Parcel

Signature of Applicant

Date

Type or Print Name and Title

*****PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.*****

TAX COMMISSIONERS USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

T. Finley TSA
NAME TITLE
12-18-2023
DATE

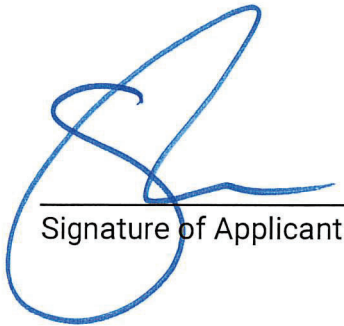
RECEIVED

12/21/2023

Gwinnett County Planning Division
Special Use Permit Application
Last Updated 7/2023

SPECIAL USE PERMIT APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.



Signature of Applicant

12/19/23

Date

Shane Lanham, attorney for Applicant

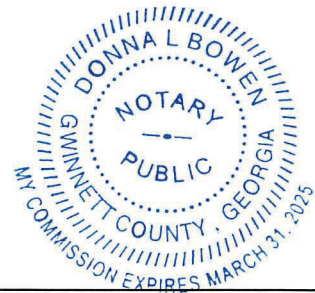
Type or Print Name and Title



Signature of Notary Public

12/19/23

Date



Notary Seal

RECEIVED

12/21/2023

Gwinnett County Planning Division
Special Use Permit Application
Last Updated 7/2023

SPECIAL USE PERMIT APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.




Signature of Applicant

12/21/23

Date

mitchell stephens managing member

Type or Print Name and Title

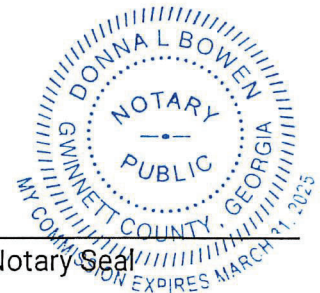


Signature of Notary Public

12/21/23

Date

Notary Seal




RECEIVED

12/21/2023


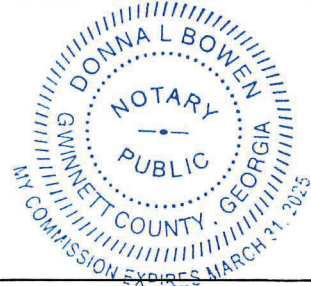
Gwinnett County Planning Division
Special Use Permit Application
Last Updated 7/2023

SPECIAL USE PERMIT PROPERTY OWNER'S CERTIFICATION

THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.

 12/21/23
Signature of Property Owner Date

MITCHELL STEPHENS managing member
Type or Print Name and Title

 12/21/23 
Signature of Notary Public Date Notary Seal

RECEIVED

12/21/2023

Gwinnett County Planning Division
Special Use Permit Application
Last Updated 7/2023

CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

The undersigned below, making application for a Special Use Permit, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

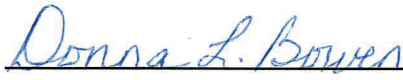
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE



12/19/23

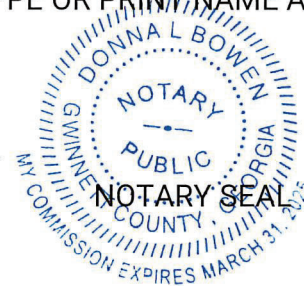
Shane Lanham, attorney for Applicant

SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE DATE TYPE OR PRINT NAME AND TITLE



12/19/23

SIGNATURE OF NOTARY PUBLIC DATE



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?



YES



NO

Mahaffey Pickens Tucker, LLP

YOUR NAME

If the answer is yes, please complete the following section:

NAME AND OFFICAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)
See attached		

Attach additional sheets if necessary to disclose or describe all contributions.

RECEIVED

12/21/2023

**CONFLICT OF INTEREST CERTIFICATION FOR REZONING/CHANGE IN
CONDITIONS AND SPECIAL USE PERMIT APPLICATIONS**

MAHAFFEY PICKENS TUCKER, LLP

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE
Ben Ku, Commissioner	\$1,500	10/03/2022
Matt Holtkamp, Commissioner	\$1,000	04/13/2023
Nicole Love Hendrickson, Chairwoman	\$2,500	08/11/2023
Matt Holtkamp, Commissioner	\$3,300	09/18/2023
Kirkland Carden, Commissioner	\$3,300	09/27/2023

Lee Tucker, Attorney at Law, P.C.

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE
Kirkland Carden, Commissioner	\$2,000	10/25/2023

Jeffrey Mahaffey, Attorney at Law, Individually

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE
Nicole Love Hendrickson, Chairwoman	\$1,000	08/14/2023

RECEIVED

12/21/2023

Gwinnett County Planning Division
Special Use Permit Application
Last Updated 7/2023

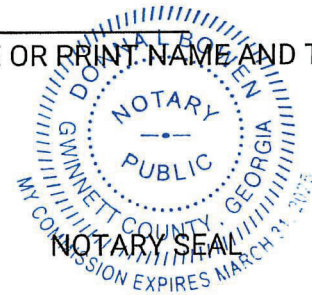
CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

The undersigned below, making application for a Special Use Permit, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

[Signature] 12/21/23 Mitchell Stephens
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE
managing member

SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE DATE TYPE OR PRINT NAME AND TITLE

Donna L. Bowen 12/21/23
SIGNATURE OF NOTARY PUBLIC DATE



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?

☐ YES ☒ NO Yellow River ventures, LLC
YOUR NAME

If the answer is yes, please complete the following section:

NAME AND OFFICAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)

Attach additional sheets if necessary to disclose or describe all contributions.

RECEIVED

12/21/2023

Gwinnett County Planning Division
Rezoning Application
Last Updated 7/2023

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

***Note: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.**

PARCEL I.D. NUMBER: 6 - 064 - 072
(Map Reference Number) District Land Lot Parcel

Signature of Applicant

Date

Type or Print Name and Title

*****PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.*****

TAX COMMISSIONERS USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

NAME

TITLE

DATE

RECEIVED

12/21/2023

Gwinnett County Planning Division
Rezoning Application
Last Updated 7/2023

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

***Note: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.**

PARCEL I.D. NUMBER: 6 - 064 - 020
(Map Reference Number) District Land Lot Parcel

Signature of Applicant

Date

Type or Print Name and Title

*****PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.*****

TAX COMMISSIONERS USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

T. Finley
NAME

TSA
TITLE

12-18-2023
DATE

Exhibit E: Traffic Impact Study

[attached]

RECEIVED

01/30/2024



5074 BRISTOL INDUSTRIAL WAY, SUITE A
 BUFORD, GA 30518 | 770.271.2868
 WWW.THOMASANDHUTTON.COM

MEMORANDUM

TO: Metro Green Recycling LLC
FROM: Doyle Kelley, P.E.
DATE: January 30, 2024
RE: Trip Generation for US 78/Stone Mountain Highway Tract (30914.0000)

The US 78/Stone Mountain Highway Tract is a proposed tractor trailer parking facility that is located north of Stone Mountain Highway (US 78), west of Ross Road, and east of Lake Lucerne Road in Lilburn, Georgia. The development is proposed to consist of 215 parking spaces. The development has one proposed driveway on Stone Mountain Highway (US 78) frontage road.

Trips generated by the proposed development are estimated using information provided by the client regarding estimated daily roundtrips and the number of parking spaces at similar facilities in the vicinity. It is estimated that 24% of the parking spaces have turnover on an average day. The trip generation equation is shown below. The trip generation is shown in Table 1.

Daily Roundtrips = 0.24 * number of parking spaces

Table 1. Trip Generation

	Size	Daily	
		In	Out
Tractor Trailer Parking Facility	215 Parking Spaces	52	52

Exhibit F: Internal and External Agency Review Comments

[attached]



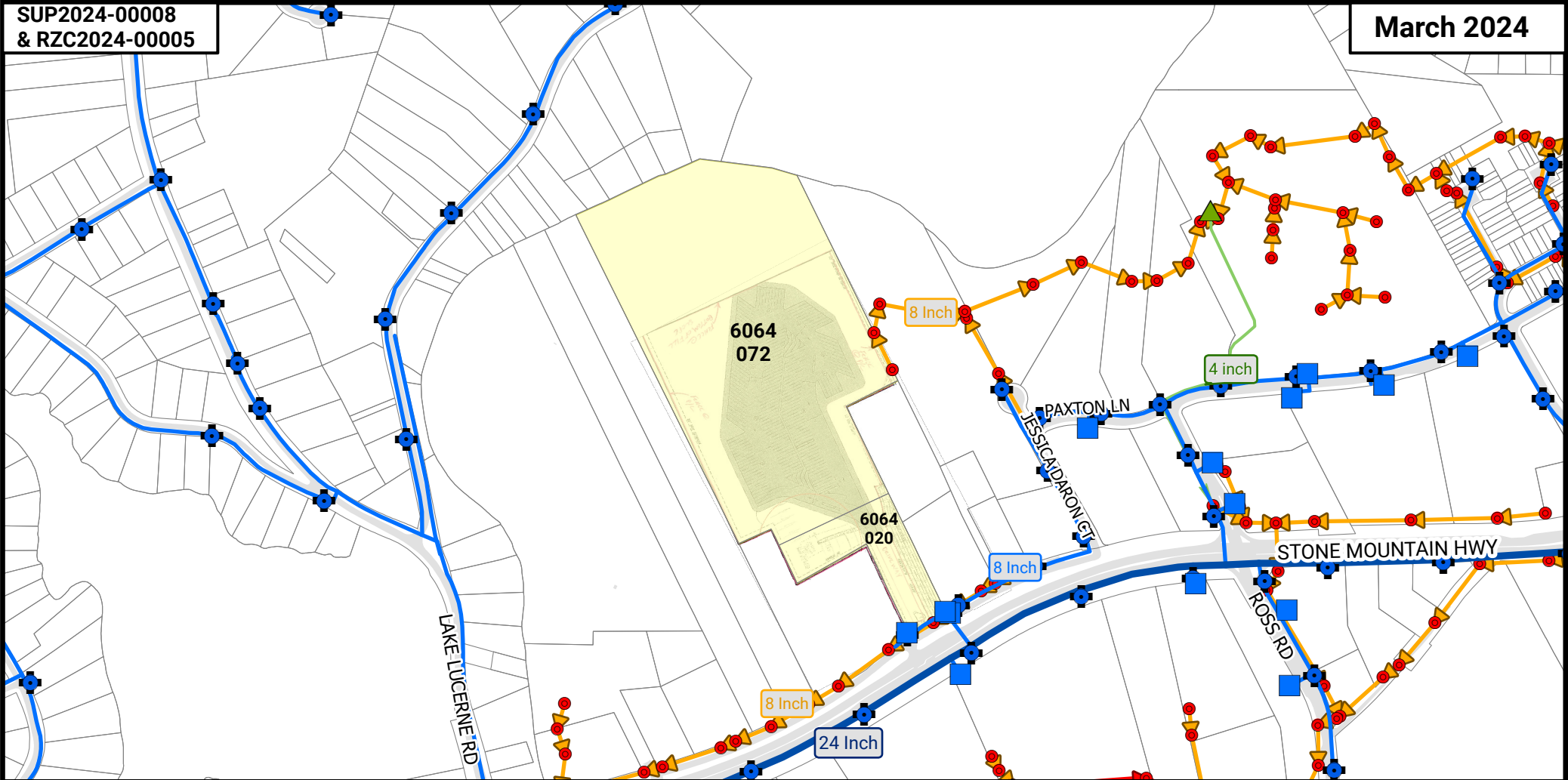
Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:		02.01.2024	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		Brent.Hodges@gwinnettcountry.com	
Case Number:		SUP2024-00008 / RZC2024-00005	
Case Address:		4417 – 4421 Stone Mountain Highway, Lilburn, 30047	
Comments:		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
1	Stone Mountain Highway (SR 10) is a principal arterial. ADT = 59,200.		
2	2.3 miles to the nearest transit facility, located along route (70) at Park Place Boulevard and Bermuda Road.		
3	The developer shall coordinate with the Georgia Department of Transportation (GDOT) on if any improvements are needed along the entrance.		
4			
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
1			
2			
3			
4			
5			
6			
7			



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:				
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		Michael.pappas@gwinnettcountry.com		
Case Number:		SUP2024-00008 & RZC2024-00005		
Case Address:		4417 & 4421 Stone Mountain Highway		
Comments:		<input type="checkbox"/>	YES	<input checked="" type="checkbox"/> X NO
1	Water: GCDWR does not have comments for this rezoning case. The proposed development does not intend to install occupied space requiring water service.			
2	Sewer: GCDWR does not have comments for this rezoning case. The proposed development does not intend to install occupied space requiring sewer service.			
3				
4				
5				
6				
7				
Recommended Zoning Conditions:		<input type="checkbox"/>	YES	<input checked="" type="checkbox"/> X NO
1				
2				
3				
4				
5				
6				
7				



LEGEND

Water Main

Hydrant

Master Vault

Manhole

Sewer Collector

Pump Station

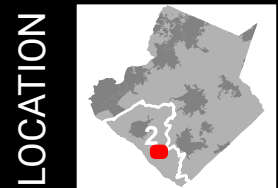
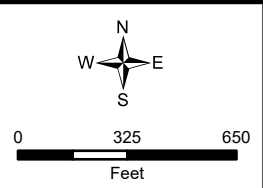
Sewer Force Main

4417 & 4421 Stone Mountain Hwy

C-2 & O-1 to M-1

Water & Sewer

Utility Map



Water Comments: GCDWR does not have comments for this rezoning case. The proposed development does not intend to install occupied space requiring water service.

Sewer Comments: GCDWR does not have comments for this rezoning case. The proposed development does not intend to install occupied space requiring sewer service.

Water Availability: Water demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development. Current Gwinnett County Standards require a minimum of 12" pipe size for commercial developments and a minimum of 8" pipe size for residential developments. Additionally, connection to a minimum of 12" and 8" mains are required for commercial and residential developments, respectively. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

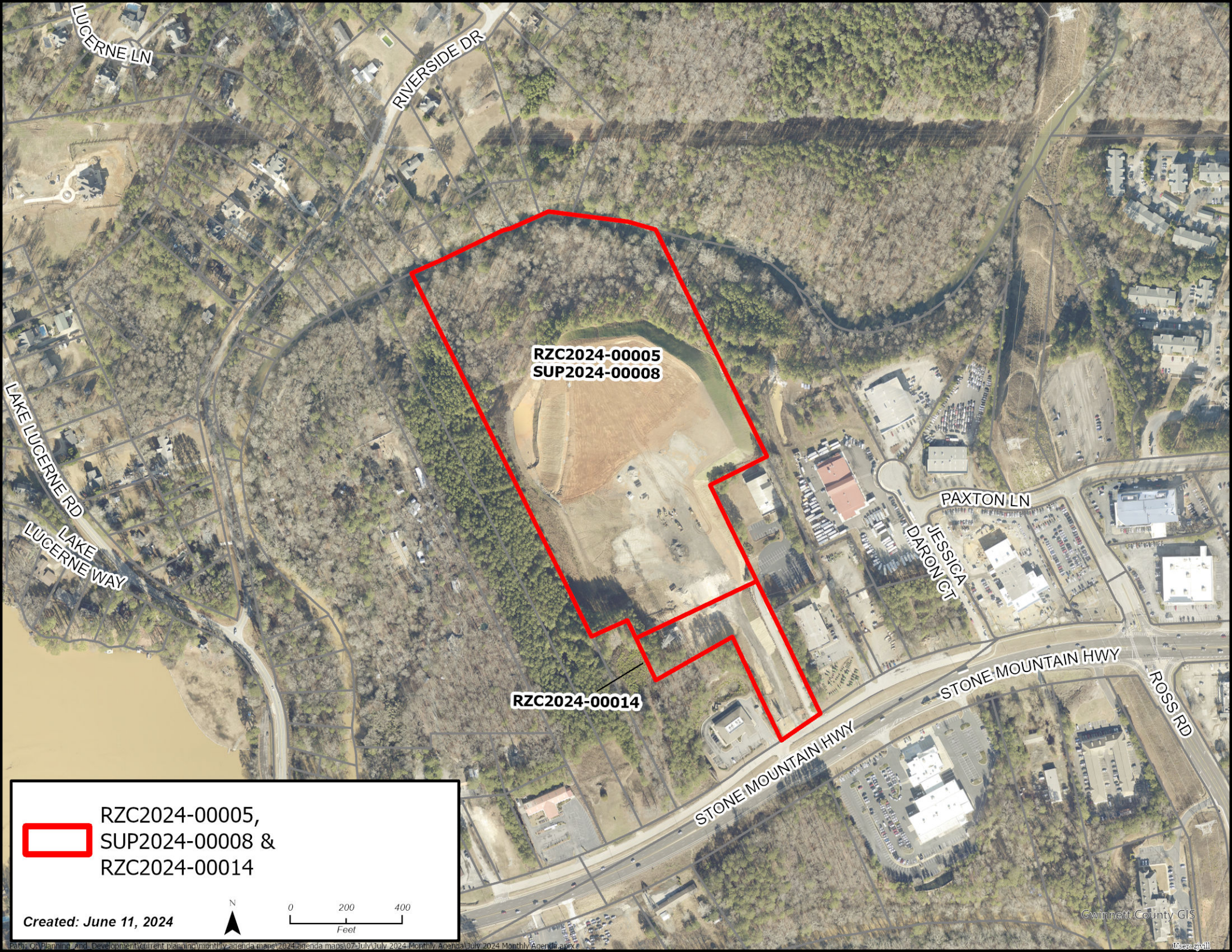
Sewer Availability: A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Water and Sewer Design and Construction Requirements: Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Private Road Developments: Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

Exhibit G: Maps

[attached]



RZC2024-00005,
SUP2024-00008 &
RZC2024-00014

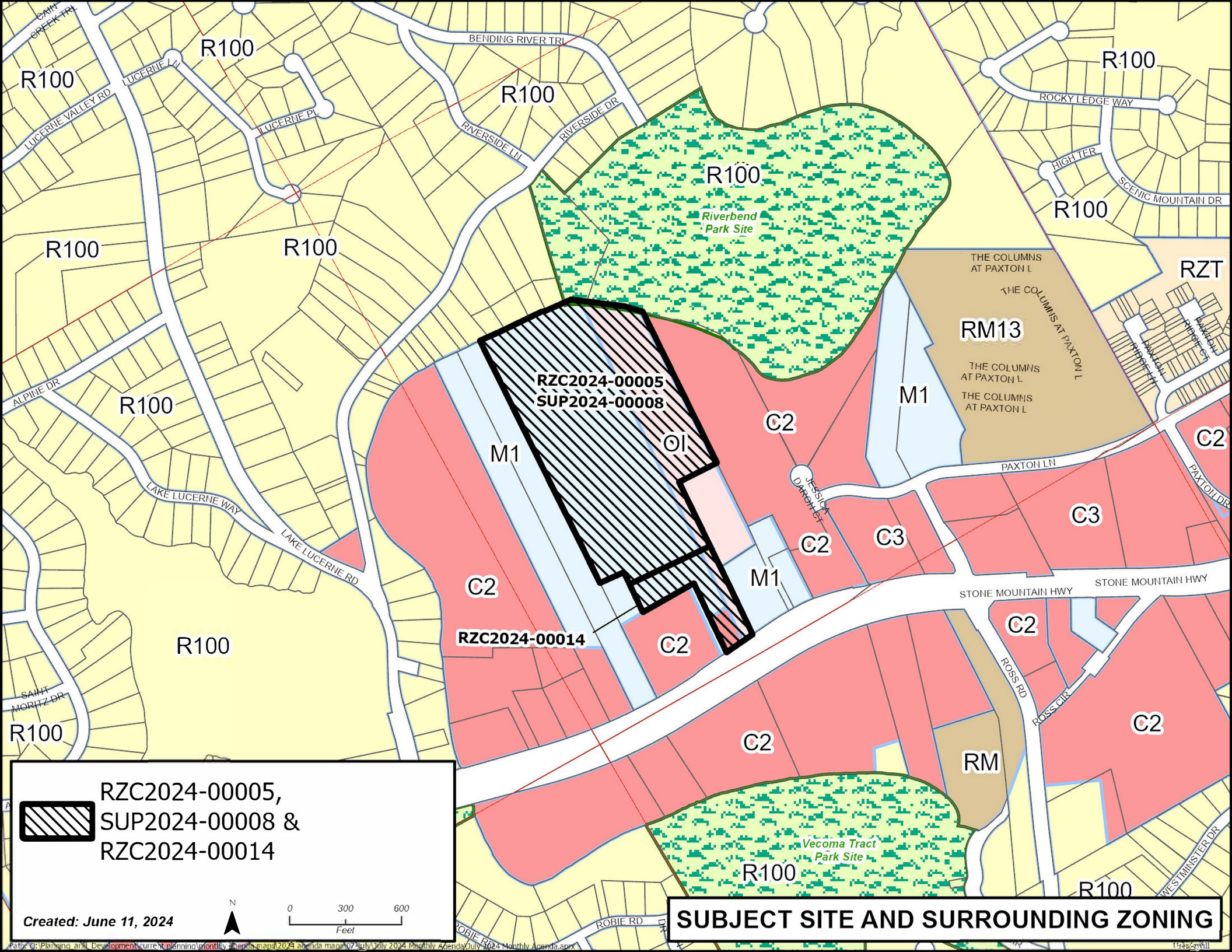
Created: June 11, 2024



0 200 400
Feet

Gwinnett County GIS

Use as a guide only



R100

R100

R100

R100

R100

R100

RZT

RM13

R100

M1

M1

C2

C2

C3

C3

C2

C2

C2

C2

RM

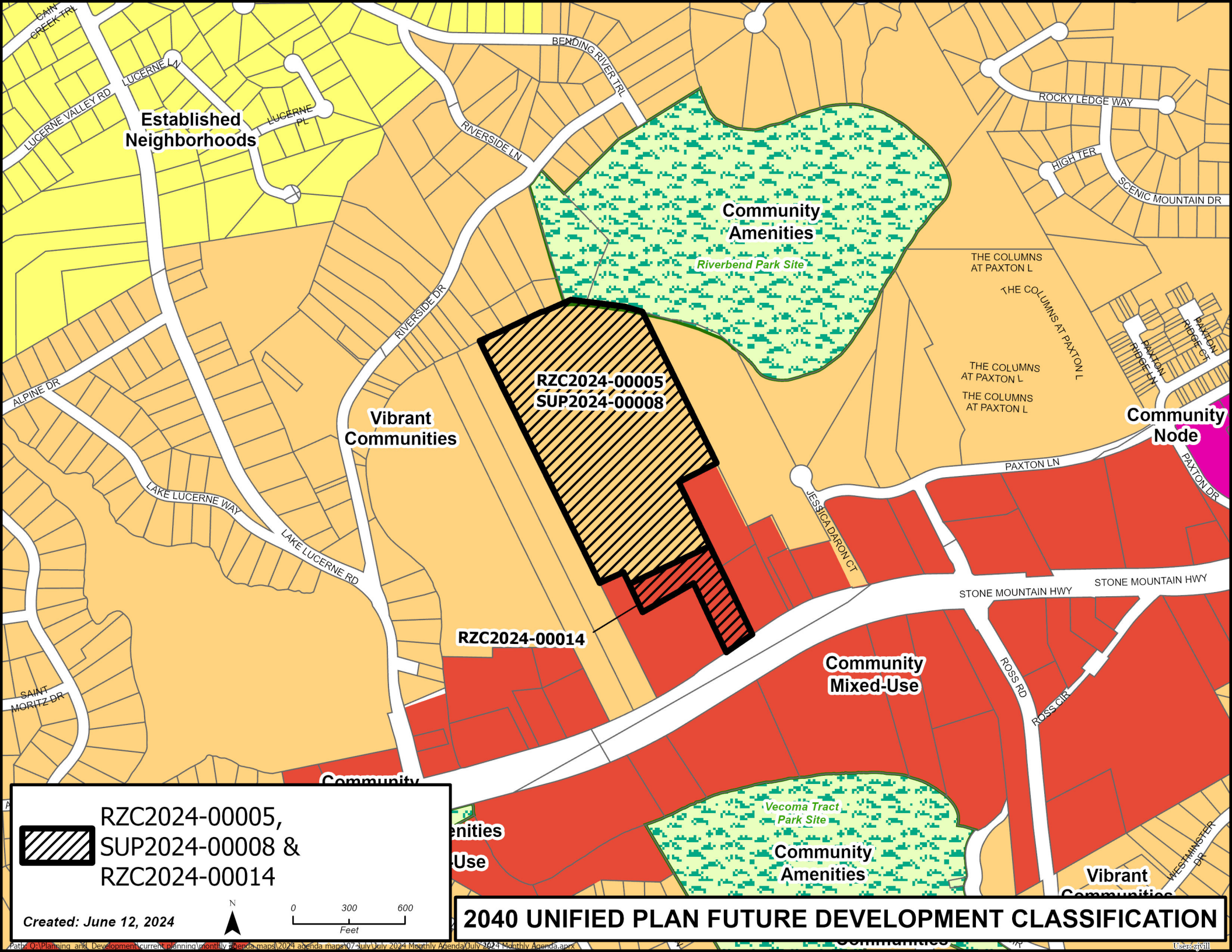
C2


R100

RZC2024-00005,
SUP2024-00008 &
RZC2024-00014

Created: June 11, 2024

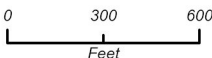

SUBJECT SITE AND SURROUNDING ZONING





RZC2024-00005,
SUP2024-00008 &
RZC2024-00014

Created: June 12, 2024



2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION