

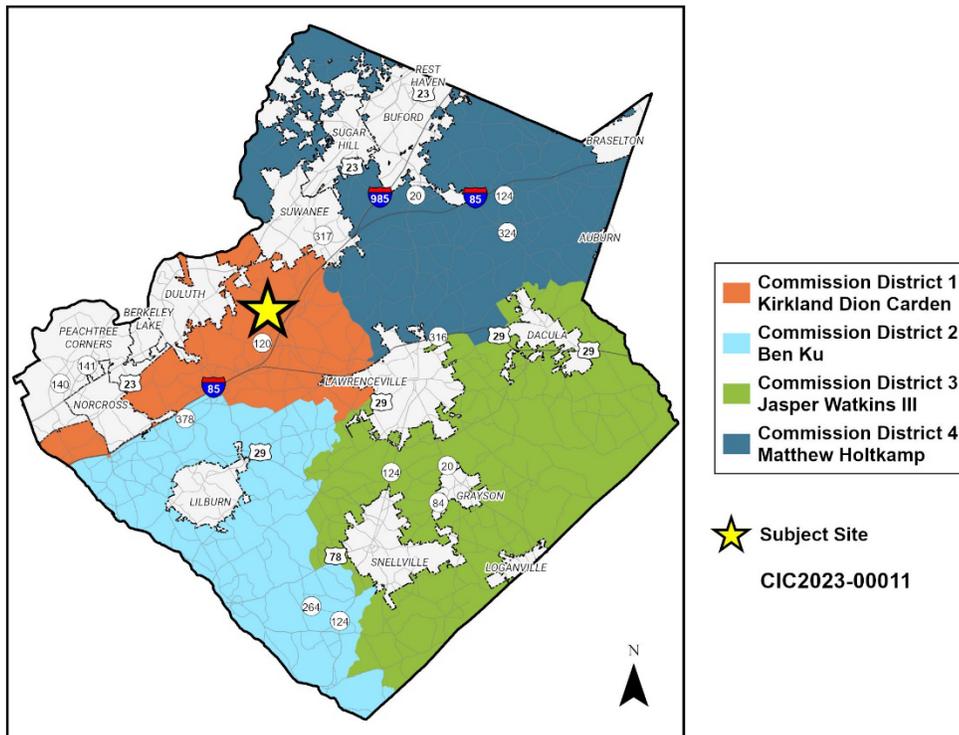


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: CIC2023-00011
Current Zoning: C-2 (General Business District)
Overlay District: Civic Center Overlay District
Request: Change in Conditions
Additional Request: Alternative Architectural Review
Address: 6590 Sugarloaf Parkway
Map Number: R7122 185
Site Area: 1.63 acres
Square Feet: 15,093
Proposed Development: Retail and Restaurant with drive-through
Commission District: District 1 – Commissioner Carden
Character Area: Regional Activity Center

Staff Recommendation: APPROVAL WITH CONDITIONS

Planning Commission Recommendation: APPROVAL WITH CONDITIONS



Planning Commission Advertised Public Hearing Date: 6/6/2023
Board of Commissioners Advertised Public Hearing Date: 6/27/2023

Applicant: 6590 Sugarloaf Investments, LLC
c/o Andersen, Tate & Carr, P.C.
1960 Satellite Boulevard
Suite 4000
Duluth, GA 30097

Owner: 6590 Sugarloaf Investments, LLC
1550 N. Brown Road, Suite 130
Lawrenceville, GA 30043

Contact: Melody A. Glouton

Contact Phone: 770.822.0900

Zoning History

The subject property is zoned C-2 (General Business District). In 1978, the Board of Commissioners approved a request to relocate a house onto the property (MIH-78-002). In 1999, a 3.78-acre parcel comprising of the subject property and the adjacent parcel (7122 186) was rezoned from R-100 (Single-Family Residence District) to C-2 for a commercial/retail development (RZ-99-132). A change in conditions request for a convenience store with fuel pumps was denied in 2022, pursuant to CIC2022-00001. This change in conditions request is to amend the conditions of RZ-99-132. The subject property is located in the Civic Center Overlay District.

Existing Site Condition

The subject property is a 1.63-acre developed parcel located at the southwest corner of the intersection of Sugarloaf Parkway and Meadow Church Road. The property consists of a vacant commercial building (formerly a Walgreens pharmacy), built in 2001, and associated parking spaces. There are existing sidewalks within the right-of-way along both road frontages. The subject property shares access to Sugarloaf Parkway and Meadow Church Road with a small commercial development which surrounds the property to the south and west. The nearest Gwinnett County transit stop is 0.83 miles from the property.

Surrounding Use and Zoning

The subject property is located within a largely non-residential area with substantial commercial, light industrial, office, and entertainment uses in all directions. It is immediately surrounded by a small commercial development which includes retail and restaurants to the west and south. A large multi-tenant shopping center, convenience store with fuel pumps, and other retail uses are located across Sugarloaf Parkway to the east. A multi-tenant shopping center is located to the north across Meadow Church Road. The Gas South District is located approximately 750 feet to the south of the subject property on Sugarloaf Parkway. The following is a summary of surrounding uses and zoning:

Zoning and Development Standards

The applicant is requesting a change in conditions for a property zoned C-2 (General Business District). The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Existing	Proposed	Meets Standard?
Building Height	Maximum 45'	<25'	29'	YES
Front Yard Setback	Minimum 15'	>15'	128'	YES
Side Yard Setback	Minimum 10'	>10'	46'	YES
Rear Yard Setback	Minimum 30'	>30'	>30'	YES
Off-Street Parking	Minimum: 32 spaces Maximum: 81 spaces	91 spaces	75 spaces	YES
Landscape Strip	10'	10'	10'	YES

In addition, the following standards apply to development in the Civic Center Overlay District:

Standard	Meets Standard?
For developments exceeding 7,500 square feet, primary building facades and entrances shall be located no more than 70 feet from the public rights-of-way and shall be oriented toward the street and shall provide a sidewalk connecting the front entrance to a continuous sidewalk placed parallel to the street.	NO*

*The existing building on the property was constructed in 2001, prior to the adoption of the Civic Center Overlay District in 2014. The building is legally non-conforming.

Alternative Architectural Review

In addition to the change in conditions request, the applicant is seeking Alternative Architectural Review from the following provisions of Appendix Section 1.0 of the UDO:

1. Section 6.1.1 Exterior Wall Design

L. Buildings shall incorporate landscape areas immediately in front of the building. Landscape areas shall have live ornamental shrubs and/or trees. Landscape areas shall be located not more than ten (10) feet from the building and shall be provided at intervals not to exceed fifty (50) linear feet. Building facades without windows or storefront shall incorporate landscape areas with vertical height plants. Buildings located on corner lots or double frontage lots, facing either public streets or private driveways shall be considered as having multiple fronts. Landscape areas shall be permanent in-ground installations. Moveable planters do not qualify as permanent installations. Sculptured topiary shrubs shall not depict product shapes or other graphic shapes.

The applicant requests variations from Appendix Section 1.0 of the UDO to allow an existing exterior façade and the absence of landscaping around an existing building to remain without substantial modifications to meet current design standards.

Internal and External Agency Review

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

Staff Analysis

Change in Conditions Request Analysis: According to the UDO, if a proposed amendment is for the rezoning of property and involves a change in zoning classification or a change in conditions 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. After this evaluation, staff makes the following findings based on the standards from the UDO:

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

The proposed drive-through restaurant will be located within an existing building that previously offered a drive-through for pharmacy pick-ups. The surrounding area contains multiple banks and a fast-food restaurant with drive-through facilities. The property is in close proximity to the Gas South District and Sugarloaf Parkway's interchange with Interstate 85, providing a steady stream of potential drive-through traffic for the area. The proposed change in conditions would permit a use that is suitable in view of the uses and development of adjacent and nearby property.

B. Whether a proposed change in conditions will adversely affect the existing use or usability of adjacent or nearby property.

The proposed location of the drive-through for the coffee shop would be located to the rear and side of the building, minimizing its visual impact on the surrounding area. The proposed drive-through configuration creates a one-way drive that would eliminate a direct path from Sugarloaf Parkway to an adjacent strip center within the overall development. Patrons for the adjacent property would now have to drive around the subject building to access the strip center to the west, causing minimal inconvenience. The proposed drive-through meets all stacking lane standards in the UDO.

C. Whether the property to be affected by a proposed change in conditions has a reasonable economic use as currently zoned.

The property has a reasonable economic use as currently zoned.

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.

The surrounding area is currently auto-centric in nature and includes banks and a fast-food restaurant with drive-through facilities serving interstate and event traffic. The site previously had a drive-through window with no adverse impact on the area. A convenience store with fuel pumps was recently denied since it would convert the site into a predominantly automobile-oriented site. However, the current proposal includes several uses with the drive-through for only one site.

Alternative Architectural Review: Alternate building designs, architectural materials or color selections that vary from the architectural design standards of Category 2, 3, or 4, shall be reviewed and approved by the Planning Commission. Creative, innovative, and unique designs are encouraged, but care must be taken to maintain compatibility to surrounding buildings and community features. Staff makes the following findings related to the request:

The proposed development is not altering the footprint of the building. The building was constructed prior to the Civic Center Overlay requirements and therefore, does not provide the required 10-foot-wide landscape area around the building. Requiring the 10-foot-wide landscape area around the building will result in unnecessary land disturbance. This area could be used for outdoor seating for the coffee shop or some other active use which could be well received by patrons of the redevelopment. Approval of the alternative architectural review would allow for a streamlined permitting process for an adaptive reuse of a vacant building.

Staff Recommendation

Based on the staff's evaluation of the request and the standards governing exercise of zoning power, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the change in conditions request.

In addition, staff recommends approval of the Alternative Architecture Review.

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 **APPROVAL WITH CONDITIONS** of the change in conditions request.

In addition, the Planning Commission recommends **APPROVAL** of the Alternative Architecture Review.

Planning Commission Recommended Conditions (includes Staff Recommended Conditions, as Amended)

The conditions below are from RZ-99-132 with additions in bold and deletions in strikethrough.

Approval of a Change in Conditions for a restaurant with a drive-through, subject to the following conditions:

1. Uses shall be limited to office, retail, and restaurant uses, one of which may include a drive-through.
2. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received, March 31, 2023, subject to the review and approval of the Department of Planning and Development.
3. Provide a 15-foot wide landscaped strip outside the right-of-way of Sugarloaf Parkway. Provide a 10-foot wide landscaped strip outside the right-of-way of Meadow Church Road.
4. Provide interparcel access to adjacent development.
5. The development shall be limited to existing curb cuts. Any modifications to existing curb cuts shall be subject to review and approval of the Gwinnett Department of Transportation.
6. Provide landscaped islands throughout the parking areas. At a minimum, landscaped islands shall consist of a 100-square foot planted area per eighteen (18) spaces of double row parking with a 100-square foot planted area at the end of each row. These landscaped islands shall be a minimum of five feet in height at the time of planting. Submit landscape plans for review and approval by the Development Review Section. Alternate planting plans consistent with the intent of this condition may be submitted for review and approval of the Planning Director.
7. Buildings shall be finished with architectural treatments of glass and brick.
8. Dumpsters shall be screened by a brick fence or wall matching the building. Dumpster pickup shall be limited to between the hours of 7:00 a.m. and 7:00 p.m.
9. Existing and proposed signage shall comply with all requirements of the Gwinnett County Sign Ordinance.
10. Gas pumps shall be prohibited.

~~1. To restrict the use of the property as follows:~~

~~a. Retail and service commercial and accessory uses.~~

~~b. Outparcel development fronting Sugarloaf Parkway shall be limited to restaurants (excluding drive-through restaurants), financial institutions, office professional and accessory uses.~~

~~2. To satisfy the following site development considerations:~~

~~a. 3. Provide a 15-foot wide landscaped strip outside the right-of-way of Sugarloaf Parkway. Provide a ten10-foot wide landscaped strip outside the right-of-way of Meadow Church Road.~~

~~b. Provide a minimum 10-foot wide landscaped strip adjacent to residentially-zoned property.~~

- c. ~~Provide a five-foot wide landscaped strip adjacent to all internal property lines except where interparcel access is provided.~~
 - d. ~~Provide interparcel access throughout the development.~~
 - e. ~~The development shall be limited to one shared curb cut per road frontage. The design and location of curb cuts shall be subject to review and approval of the Gwinnett Department of Transportation.~~
 - f. ~~Provide landscaped islands throughout the parking areas. At a minimum, landscaped islands shall consist of a 100-square foot planted area per eighteen (18) spaces of double row parking with a 100-square foot planted area at the end of each row. These landscaped islands shall be a minimum of five feet in height at the time of planting. Submit landscape plans for review and approval by the Development Review Section. Alternate planting plans consistent with the intent of this condition may be submitted for review and approval of the Planning Director.~~
 - g. ~~Buildings shall be finished with architectural treatments of glass and brick.~~
 - h. ~~At the time of development, provide minimum 5-foot wide sidewalks along both road frontages.~~
 - i. ~~Dumpsters shall be screened by a brick fence or wall matching the buildings. Dumpster pickup shall be limited to between the hours of 7:00 am and 7:00 pm.~~
 - j. ~~Signage shall comply with all requirements of the Gwinnett County sign regulations. Ground signs shall be monument type signs architecturally consistent with the shopping center development across Sugarloaf Parkway, and subject to review and approval of the Development Division.~~
 - k. ~~No billboards shall be permitted.~~
 - l. ~~Building, signage, and landscape plans shall be submitted for review and approval by the Planning Commission. Landscaping shall be consistent with the standards of the Sugarloaf Farms development and adjacent and nearby commercial/office development.~~
3. ~~Install an eight foot high fence along the common property line of Robert H. McIntyre (Tax Parcel #7-122-002).~~

Exhibits:

- A. Site Visit Photos
- B. Previously Approved Resolution
- C. Proposed Site Plan
- D. Letter of Intent and Applicant's Response to Standards
- E. Application and Disclosure of Campaign Contributions
- F. Internal and External Agency Review Comments
- G. Maps
- H. Building Elevations Presented at the June 6, 2023, Planning Commission Public Hearing

Exhibit A: Site Visit Photos



View of existing building and parking area.



View of frontage along Sugarloaf Parkway, subject on right.



View of Sugarloaf Parkway at Meadow Church Road.



View of Meadow Church Road, subject on left.

Exhibit B: Previously Approved Resolution

[attached]

CASE NUMBER RZ-99-132

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

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

<u>Present</u>	<u>VOTE</u>
Wayne Hill, Chairman	<u>AYE</u>
Tommy Hughes, District 1	<u>AYE</u>
Patti Muise, District 2	<u>AYE</u>
Judy Waters, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

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

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

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

R-100 to C-2

by ANCHOR DEVELOPMENT, LLC for the proposed use of

COMMERCIAL/RETAIL (REDUCTION IN BUFFERS) on a

tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

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

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on DECEMBER 14, 1999, and objections were not filed.

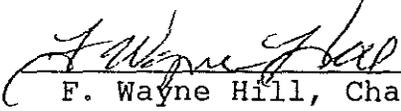
NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 14TH day of DECEMBER, 1999, that the aforesaid application to amend the Official Zoning Map from R-100 to C-2 is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Retail and service commercial and accessory uses.
 - B. Outparcel development fronting Sugarloaf Parkway shall be limited to restaurants (excluding drive-through restaurants), financial institutions, office professional and accessory uses.
2. To satisfy the following site development considerations:
 - A. Provide a 15-foot wide landscaped strip outside the right-of-way of Sugarloaf Parkway. Provide a ten-foot wide landscaped strip outside the right-of-way of Meadow Church Road.
 - B. Provide a minimum 10-foot wide landscaped strip adjacent to residentially-zoned property.
 - C. Provide a five-foot wide landscaped strip adjacent to all internal property lines except where interparcel access is provided.

- D. Provide interparcel access throughout the development.
- E. The development shall be limited to one shared curb cut per road frontage. The design and location of curb cuts shall be subject to review and approval of the Gwinnett Department of Transportation.
- F. Provide landscaped islands throughout the parking areas. At a minimum, landscaped islands shall consist of a 100-square foot planted area per eighteen (18) spaces of double row parking with a 100-square foot planted area at the end of each row. These landscaped islands shall include at least two trees per island. Trees shall be a minimum of five feet in height at the time of planting. Submit landscape plans for review and approval by the Development Review Section. Alternate planting plans consistent with the intent of this condition may be submitted for review and approval of the Planning Director.
- G. Buildings shall be finished with architectural treatments of glass and brick.
- H. At the time of development, provide minimum 5-foot wide sidewalks along both road frontages.
- I. Dumpsters shall be screened by a brick fence or wall matching the buildings. Dumpster pickup shall be limited to between the hours of 7:00 am and 7:00 pm.
- J. Signage shall comply with all requirements of the Gwinnett County sign regulations. Ground signs shall be monument type signs architecturally consistent with the shopping center development across Sugarloaf Parkway, and subject to review and approval of the Development Division.
- K. No billboards shall be permitted.
- L. Building, signage, and landscape plans shall be submitted for review and approval by the Planning Commission. Landscaping shall be consistent with the standards of the Sugarloaf Farms development and adjacent and nearby commercial/office development.

3. Install an eight foot high wooden fence along the common property line of Robert H. McIntyre (Tax Parcel #7-122-002).

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: 
F. Wayne Hill, Chairman

Date Signed: Dec. 28, 1999

ATTEST:

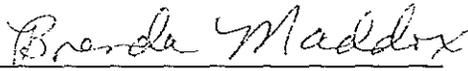
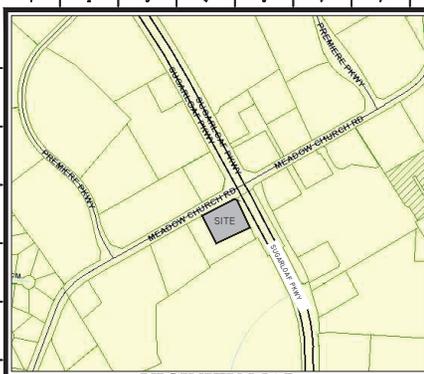

County Clerk

Exhibit C: Proposed Site Plan

[attached]



SITE DATA

PARCEL ID (REFERENCE): 7122 186
 FUTURE LAND USE: COMMUNITY ACTIVE CENTER
 EXISTING ZONING CLASSIFICATION: COMMERCIAL
 CURRENT ZONING CLASSIFICATION: C-2
 CURRENT LOCAL JURISDICTION: GWINNETT COUNTY
 OVERLAY DISTRICT: CIVIC CENTER OVERLAY DISTRICT
 FLOOD ZONE CLASSIFICATION: 100-YEAR FLOOD ZONE
 SITE AREA: 70,901 SF OR 1.63 ACRES

PROPOSED PARKING DATA

RETAIL USE
 GROSS BUILDING FLOOR AREA: 16,213 SF
 MIN. 1 PER 600 SF: 16,213/600 = 27
 MAX. 1 PER 200 SF: 16,213/200 = 81
 MIN. PARKING REQUIRED: 49
 MAX. PARKING ALLOWED: 107
 TOTAL PARKING PROVIDED: 72 1/2 BAYS ADA PARKING SPACES

DIRECTION	PROPERTY USE	ZONING
NORTH	COMMERCIAL	C-2
SOUTH	COMMERCIAL	C-2
WEST	COMMERCIAL	C-2
EAST	COMMERCIAL	C-2

DIRECTION	REQUIRED SEEBACK	PROVIDED SEEBACK
FRONT	15'	SEE PLAN
REAR	30'	SEE PLAN
SIDE	15'	SEE PLAN
SIDE	10'	SEE PLAN

VICINITY MAP

N.T.S.

THIS PROJECT IS NOT LOCATED WITHIN A 100 YEAR FLOOD PLAIN AS SHOWN ON F.I.E.M. COMMUNITY PANEL NUMBER 1313300066, DATED MARCH 4, 2013.

GWINNETT COUNTY NOTES

- CONTRACTOR SHALL CALL DEVELOPMENT INSPECTIONS TO SCHEDULE A PRE-CONSTRUCTION MEETING PRIOR TO THE START OF ANY CONSTRUCTION AT 678-618-6000.
- ALL CONSTRUCTION TO COMPLY WITH GWINNETT COUNTY STANDARDS.
- NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL SITE IMPROVEMENTS HAVE BEEN COMPLETED.
- NO OUTSIDE STORAGE PROPOSED. THIS INCLUDES SUPPLIES, EQUIPMENT, VEHICLES, PRODUCTS, ETC.
- SIGNS, LOCATION, NUMBER, AND SIZE ARE NOT APPROVED UNDER THIS BUILDING PERMIT. A SEPARATE PERMIT IS REQUIRED FOR EACH SIGN.
- NO OVERSIZED SIGNS ARE PERMITTED.
- NATURAL VEGETATION SHALL REMAIN ON THE PROPERTY UNTIL USAGE OF A DEVELOPMENT PERMIT. NO INTERMEDIATE LAND DISTURBANCE PERMITS SHALL BE ISSUED.
- SIDEWALKS SHALL BE LOCATED AT LEAST 2 FEET FROM THE BACK OF CURB AND SHALL BE CONSTRUCTED OF CONCRETE A MINIMUM OF FIVE FEET (5') IN WIDTH AND 4" THICK WITH A CROSS SLOPE OF 2% PER FOOT. CONCRETE SHALL BE CLASS "B" AND HAVE A STRENGTH OF 2500 PSI AT 28 DAYS.
- PARKING LOTS SHALL BE MAINTAINED IN GOOD CONDITION, FREE OF POTHOLES, WEEDS, DUST, TRASH AND DEBRIS.
- SITE DESIGN SHALL COMPLY WITH CURRENT GWINNETT COUNTY REGULATIONS AND ORDINANCES.
- CONTRACTOR TO CONTACT BRITTON LOCKHART AT 678-639-8800/BRITTON.LOCKHART@GWINNETTCOUNTY.COM OR TOM WHITLOCK AT 678-639-8814/TOM.WHITLOCK@GWINNETTCOUNTY.COM PRIOR TO ANY LANE CLOSURES OR OPEN CUTS.
- ALL TRAFFIC CONTROL SIGNS THAT ARE REMOVED OR DAMAGED MUST BE REINSTALLED OR REPLACED. ALL SIGNS MUST BE REINSTALLED TO THE STANDARDS IN THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).

NOTES

- ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE PLANS AND SITE WORK SPECIFICATIONS AND SHALL COMPLY APPLICABLE FEDERAL, STATE AND LOCAL CODES.
- REFERENCE ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS, TRUCK DOCKS, SIDEWALKS, STEPS, TRANSFORMER PADS, ETC.
- ALL DIMENSIONS AND RADII ARE TO THE FACE OF CURB, UNLESS OTHERWISE NOTED. ALL DIMENSIONS SHOWN TO BUILDINGS ARE TO OUTSIDE FACE OF BUILDING.
- ALL HANDICAP ACCESSIBLE PARKING SIGNS AND STRIPING SHALL BE IN ACCORDANCE WITH THE AMERICAN WITH DISABILITY ACT (ADA) REQUIREMENTS AND STATE CODE.
- ALL TRAFFIC SIGNS SHALL CONFORM TO THE UNIFORM TRAFFIC CONTROL MANUAL AND THE STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION.
- ALL STRIPED OR CURBED RADII SHALL BE 5' UNLESS OTHERWISE NOTED.
- THE CONTRACTOR IS RESPONSIBLE FOR REPAIR OF ANY DAMAGE TO ANY EXISTING IMPROVEMENTS, DRIVEWAYS OR OFF SITE SUCH AS PAVEMENT, UTILITIES, STORED YELLOW STRIPING. THE REPAIR MUST BE APPROVED BY THE ENGINEER AND BE EQUAL OR BETTER THAN EXISTING CONDITIONS.
- SITE LIGHTING SHALL BE INCLUDED IN THE GENERAL CONTRACTOR'S SCOPE OF WORK. ALL PARKING LOT LIGHTING HOLES, BASES, FIXTURES WITH LAMP SHALL BE INSTALLED BY THE GENERAL CONTRACTOR'S ELECTRICAL CONTRACTOR AND SHALL SUPPLY A ONE YEAR WARRANTY CERTIFICATE.
- CONTRACTOR SHALL OBTAIN ALL PERMITS BEFORE CONSTRUCTION BEGINS.
- SITE CONTRACTOR SHALL SUPPLY AS-BUILT PLANS INDICATING ALL CHANGES AND DEVIATIONS.
- ANY DEVIATION FROM THESE PLANS MAY CAUSE THE WORK TO BE UNACCEPTABLE.
- ANY UNANTICIPATED CONDITIONS ENCOUNTERED DURING THE CONSTRUCTION PROCESS SHALL BE IDENTIFIED TO THE ENGINEER IMMEDIATELY.
- ALL CONCRETE SHALL BE 4,000 PSI 38 DAY COMPRESSIVE STRENGTH.
- PROJECT SIGNAGE SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
- ALL CURBS AND GUTTER WITHIN THE DEVELOPMENT SHALL BE 24" UNLESS OTHERWISE NOTED.
- PARKING LOT STRIPING SHALL BE INCLUDED IN PARKING CONTRACTOR'S SCOPE FOR WORK. STRIPING WILL BE ACCORDING TO OWNER'S SPECIFICATIONS. ALL STRIPING IS TO HAVE TWO (2) COATS OF PAINT (MIN).
- LIGHT POLE BASES SHALL BE PAINTED PER SITE WORK SPECIFICATIONS.
- ALL STOP BARS, DIRECTIONAL ARROWS AND DOUBLE YELLOW STRIPING ARE TO BE THERMOPLASTIC, BOTH ON SITE AND WITHIN THE DOT RIGHT OF WAY. PARKING STALL STRIPING IS TO BE 4" WIDE WHITE PAINT.
- UNLOADING AND LOADING OF ANY TRUCKS MUST TAKE PLACE ON-SITE. NO LOADING OR UNLOADING WILL BE ALLOWED IN THE COUNTRY RIGHT OF WAY.
- GROUND & FLOOR SURFACES ALONG ACCESSIBLE ROUTES AND WALKS, RAMP, STAIRS, AND CURB RAMP, SHALL BE "B" STAIRS FROM "B" SURF-RESISTANT, AND SHALL COMPLY WITH RULE 120-3-20-16A19 GEORGIA ACCESSIBILITY CODE
- THE PROPOSED HEIGHT OF THE BUILDING IS 29 FEET
- THE BUILDING WILL NOT HAVE A SPRINKLER SYSTEM
- OCCUPANCY TYPE IS MERCANTILE
- SITE IS LOCATED IN THE CIVIC CENTER OVERLAY DISTRICT AND SHALL MEET OVERLAY REQUIREMENTS.

SITE AREA CALCULATIONS

	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
TOTAL SITE AREA	70,901	1.63	100.0
EXISTING ON-SITE IMPERVIOUS AREA	61,094	1.40	86.00
EX IMPERVIOUS INITIALLY REMOVED (SEAL)	5,443	0.12	0.07
PROPOSED IMPERVIOUS	11,885	0.28	0.17
NEW IMPERVIOUS AREA (IMPERVIOUS DECREASED)	58,916	1.35	83.00
EXISTING BUILDING	15,093	0.35	21.00

THIS DEVELOPMENT FALLS UNDER 800-30.2 C SINCE THE NEW IMPERVIOUS AREA IS LESS THAN THE PRE-DEVELOPED CONDITIONS.

LINE TABLE

LINE	BEARING	DISTANCE
L1	S28°10'10"E	235.89'
L2	S61°50'35"W	293.07'
L3	N28°08'12"W	238.46'
L4	N60°24'00"E	283.10'
L5	S73°48'45"E	13.88'

EXISTING BUILDING DATA

BUILDING FLOOR AREA:	15,093 SF
BUILDING MAX HEIGHT:	45'
BUILDING HEIGHT:	24.5'
STORIES:	1
DENSITY:	218

PROPOSED BUILDING DATA

BUILDING FLOOR AREA:	15,213 SF
UPPER PART (RESTAURANT)	1000'
GROSS BUILDING AREA:	16,213'
BUILDING MAX HEIGHT:	45'
BUILDING HEIGHT:	29'
STORIES:	2
DENSITY:	218

EACH BUILDING AND ITS RELATIVE LOCATION TO PROPERTY LINES AND OTHER STRUCTURES SHALL COMPLY WITH THE 2018 INTERNATIONAL BUILDING CODE (IBC) WITH GEORGIA STATE AMENDMENTS WITH REGARD TO THE HEIGHT AND AREA REQUIREMENTS OF IBC TABLES 601.5.1.1 AND THE FIRE RESISTANCE AND HORIZONTAL SEPARATION REQUIREMENTS OF IBC TABLES 601 AND 602.

SIDEWALKS ARE NOT ALLOWED WITHIN THIRTY FEET FROM THE EDGE OF THE ROADWAY WITHOUT CURB AND GUTTER AND ANY NECESSARY DRAINAGE STRUCTURES.

GOOD NOTE: THE GENERAL CONTRACTOR IS RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH ANY RELOCATION OR DAMAGE TO GWINNETT COUNTY DOT (GODOT) TRAFFIC SIGNAL OR AIMS INFRASTRUCTURE (LOOP LEAD-IN, FIBER OPTICS, CONDUIT, RAIL BOX, ETC.) DUE TO CONSTRUCTION ACTIVITIES AND MUST USE A GODOT APPROVED CONTRACTOR TO PERFORM ANY WORK ON SAID INFRASTRUCTURE. NOTIFY GODOT AT 678-639-8800 OF ANY ACTIVITY.

A SEPARATE BUILDING PERMIT IS REQUIRED FOR SITE LIGHTING.

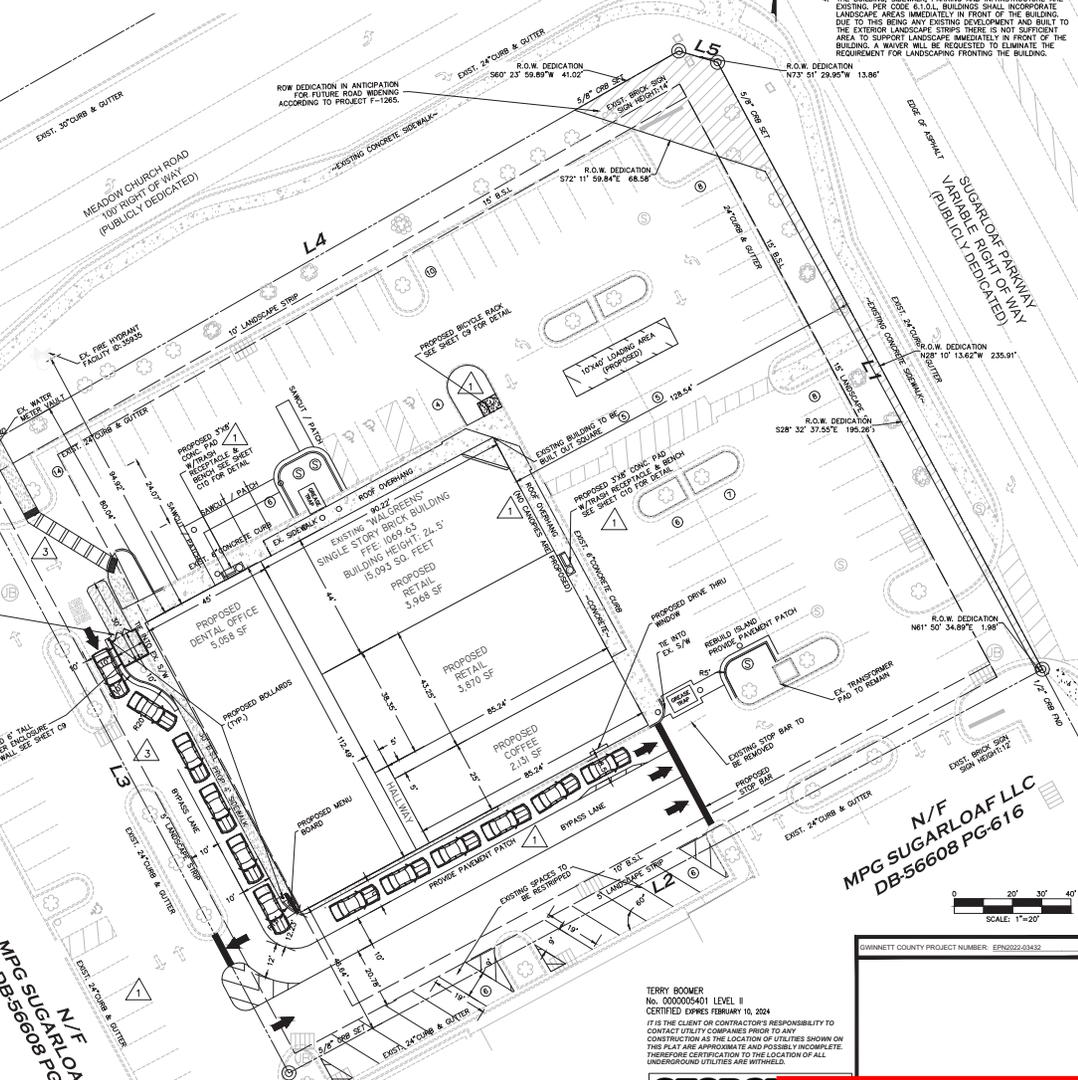
LEGEND - PROPOSED

- SEEBACK LINE
- PROPOSED LINE
- PROPOSED CURB & GUTTER
- PARKING SPACE NUMBER
- DIRECTIONAL ARROWS
- STOP BAR
- ACCESSIBLE SPACES
- ID SIGN
- WATER METER
- ADA RAMP
- CONCRETE WHEEL STOP
- TRANSFORMER PAD
- SIDEWALKS AND ARCHITECTURAL CONCRETE
- HEAVY DUTY ASPHALT
- HEAVY DUTY CONCRETE
- STANDARD DUTY ASPHALT

OWNER/DEVELOPER/PRIMARY PERMITTEE
 6590 SUGARLOAF INVESTMENTS, LLC
 1550 NORTH BROWN RD
 DULUTH, GA 30043
 CONTACT: HUSEIN HAMIRANI
 PHONE: 678-267-0587
 EMAIL: HHAMIRANI@GMAIL.COM

PROJECT NOTE

- THE EXISTING BUILDING SHALL BE REMOVED. THERE WILL BE ADDITIONS TO THE BUILDING FOOT PRINT.
- THE OVERALL PROPOSED BUILDING IS 13,093 SF PER CDC 220-30.3.E.4 PARKING AND ACCESSORY STRUCTURES FROM THIS SECTION REQUIREMENTS EXCEEDING 7,500 SQUARE FEET. PRIMARY BUILDING FACADES AND ENTRANCES SHALL BE LOCATED NO MORE THAN 10 FEET FROM THE PUBLIC RIGHT-OF-WAY. THE EXISTING ENTRANCE IS 128.45' FROM SUGARLOAF PARKWAY AND 83.32' FROM MEADOW CHURCH ROAD. A VARIANCE WILL BE APPLIED FOR TO ALLOW ENTRANCES TO BE MORE THAN 70 FEET FROM RIGHT OF WAY.
- THE BUILDING ARCHITECTURAL STANDARDS WILL COMPLY WITH GWINNETT COUNTY UDO.
- THE BUILDING, SIDEWALK, PARKING AND INFRASTRUCTURE ARE EXISTING PER 2008 I.C.O.L. BUILDINGS SHALL INCORPORATE LANDSCAPE AREAS IMMEDIATELY IN FRONT OF THE BUILDING. TO THIS MEANS ANY EXISTING DEVELOPMENT AND BUILT TO AREA TO SUPPORT LANDSCAPE IMMEDIATELY IN FRONT OF THE BUILDING. A WAIVER WILL BE REQUESTED TO ELIMINATE THE REQUIREMENT FOR LANDSCAPING FRONTING THE BUILDING.



Civil Consulting Engineers, Inc.
 211 EAST MAIN STREET
 CANTON, GA 30114
 678-462-0072
 CCE@civilengineersinc.com
 einc.

STATE OF GEORGIA
 PROFESSIONAL ENGINEER
 TERRY S. BOOPER, P.E.
 03/30/2023

MIXED USE @ SHOPS AT SUGARLOAF
 PROJECT ADDRESS:
 6590 SUGARLOAF PARKWAY
 DULUTH, GA 30077
 CLIENT NAME:
 6590 SUGARLOAF INVESTMENTS, LLC.
 COUNTY ADDRESS:
 1550 N. BROWN RD STE 130
 LAWRENCEVILLE, GA 30043

REVISIONS

NO.	REVISION DATE	DESCRIPTION
1	12/18/2022	REVISION GWINNETT COUNTY NOTES
2	1/27/2023	INDICATE SIGNAGE FOR CLIENT
3	1/27/2023	INDICATE SIGNAGE FOR CLIENT

OTHER PROJ. #:
 CLIENT PROJ. #:
 CCE PROJ. # 2021-050
 ISSUE DATE: 11/15/2022

DATE: 03/30/2023
 TIME: 10:00 AM
 SHEET NO: C1

Georgia811
 www.Georgia811.com
 Know what's below. Call before you dig.

GWINNETT COUNTY
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Exhibit D: Letter of Intent and Applicant's Response to Standards

[attached]

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1/26/2023

January 26, 2023

LETTER OF INTENT AND JUSTIFICATION FOR CHANGE IN CONDITIONS

**Change in Conditions Application
Gwinnett County, Georgia**

Applicant:

6590 Sugarloaf Investments, LLC

Property:

Tax Parcel ID R7122 185

±1.6277 Acres of Land

Located at 6590 Sugarloaf Parkway, Duluth, Georgia 30097

Submitted for Applicant by:

Melody A. Glouton, Esq.

ANDERSEN TATE & CARR, P.C.

One Sugarloaf Centre

1960 Satellite Blvd.

Suite 4000

Duluth, Georgia 30097

770.822.0900

mglouton@atclawfirm.com

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I. INTRODUCTION

This Application is for a Change in Conditions Request (the “CIC” or “Request”) for a 1.6277-acre parcel of land located in Land Lot 122 of the 7th District of Gwinnett County, Georgia, Duluth, and known as 6590 Sugarloaf Parkway (the “Property”). The Property is currently zoned C-2 according to RZ-99-132 and is designated within the “Regional Activity Center” character area on the Gwinnett County 2040 Unified Plan Future Development Map. The Property is shown on the survey prepared by Grant Shepherd & Associates, Inc., dated February 6, 2013, and filed with this Application. The Property is owned by 6590 Sugarloaf Investments, LLC and further identified below from the Gwinnett County GIS:



The Applicant, 6590 Sugarloaf Investments, LLC (the “Applicant”) now seeks approval to renovate the interior of the existing building to create tenant units for retail, restaurant, to include a drive through restaurant. In order to do so, the Applicant is requesting to amend Condition 1.B. of Zoning Resolution RZ-99-132 (attached as Exhibit A) as follows:

1. To restrict the use of the property as follows:

A. Retail and service commercial and accessory uses.

~~B. Outparcel development fronting Sugarloaf Parkway shall be limited to restaurants (excluding drive-through restaurants), financial institutions, office professional and accessory uses.~~

This document is submitted as the Letter of Intent, Response to Standard Governing the Exercise of Zoning Power, and other materials required by the Gwinnett County UDO.

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II. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

The Property is a square tract at the intersection of Sugarloaf Parkway and Meadow Church Road in Duluth, Georgia. The Property is an outparcel of a larger C-2 development with existing restaurant and retail uses and is adjacent to the Gas South District on the southern and eastern property boundaries. All corners of the intersection are zoned C-2 with additional commercial uses extending in all direction off of the intersection. Uses include retail, restaurant, gas stations, grocery stores, and restaurants with drive-thru windows.

The Future Development Map of the Gwinnett County 2040 Unified Plan (the “2040 Plan”) classifies this Property as within the “Regional Activity Center” Character Area, of the Gwinnett County Future Development Map. The Regional Activity Center Character Area is intended for areas that have intense commercial and office activity. Potential development types include retail, shopping plazas, and large-scale mixed-use developments incorporating such uses.

As referenced above, the surrounding properties in this corridor are zoned commercial. Below are maps of the surrounding uses and the zoning classifications by parcel:



III. PROJECT SUMMARY AND VARIANCE REQUEST

As shown on the conceptual site plan prepared by Civil Consulting Engineers, Inc., dated January 26, 2023, and filed with this Application (the “Site Plan”), the Applicant proposes to redevelop the existing vacant building into a multi-tenant building that would include six retail spaces including a coffee shop, and additional retail spaces. The approximate square footage of each retail space will be as follows: two 2,003 sq. ft. spaces; one 3,497 sq. ft. space; one 1,875 sq. ft. space; one 2,075 sq. ft. for a proposed coffee shop; and 3,536 sq. ft. space for a proposed bank; totaling approximately 15,213 sq. ft. The Applicant would use the existing building footprint, which totals approximately 15,157 093 sq. ft. As part of the request, the Applicant

proposes reconfiguring the parking lot for ADA Accessibility, bike parking, a stacking queue for the proposed coffee shop location, and an updated façade to serve multiple tenants. The proposed retail spaces will be permitted within the C-2 zoning district. The existing utilities will be used based on the electrician, plumber, and licensed contractor’s direction. The pavement will be replaced as such that the drainage basin and drainage path will be unaltered. The Property will continue to use the existing access points on Meadow Church Road and Sugarloaf Parkway. As shown on the site plan, the building, sidewalk, parking, and infrastructure are part of a longstanding use within the existing site footprint. As such, the Applicant is additionally requesting a waiver from the requirement outlined in the UDO that buildings shall incorporate landscape areas immediately in front of the building since this is an existing development and there is not sufficient landscape area directly in front of the existing structure to incorporate new space.

The Applicant is requesting variances and/or waivers in order to redevelop the property as depicted on the site plan. Specifically, a variance from Section 220-30.3(E)(4) which requires primary structures within an Activity Center/Overlay District that are larger than 7,500 gross square feet to be located no further than 70’ from the public right-of-way. As shown on the site plan and in consideration of the size, layout, and location of the Subject Property, the 70’ limitation would not leave enough spacing for development. Therefore, strict adherence to the language of the UDO would effectively prohibit the Applicant from redeveloping the Property. The applicant is also seeking relief from the architectural landscape requirement pursuant to Appendix 1, Section 6.1.1 (L) of the UDO to eliminate the required landscape area with 10’ of the building façade.

Under the UDO, a variance may be granted in cases of unnecessary hardship by a finding that the application of the Ordinance to a particular piece of property (such as the Subject Property) would create unnecessary hardship, there are extraordinary and exceptional conditions, that such conditions are unique to this particular property, such conditions are not a result of the owner, and relief, if granted, would not cause substantial detriment to the public good or impair the intent of the Ordinance. The Applicant’s requested variances are the minimum necessary to afford the Applicant relief so that the Subject Property may be redeveloped with an economically viable use as permitted under the current C-2 zoning. Due to the size, existing layout, and location of the Subject Property, strict adherence to the requirements of the UDO would cause an unnecessary hardship on the property and its ability to develop an otherwise permitted use. Further, granting the requested relief would not cause a substantial detriment to the public good. Rather, by granting relief, the Subject Property will be consistent with adjacent and nearby properties along Sugarloaf Parkway within the Overlay.

IV. SITE IMPACT ANALYSIS

Pursuant to UDO § 270-20.6, entitled “Impact Analysis,” the Applicant submits its written impact analysis which shows that rezoning to C-2, satisfies UDO § 270-20.5, entitled “Standards Governing Exercise of the Zoning Power,” as follows:



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

Yes, approval of the proposed Change in Conditions will permit a use that is suitable in view of the use and development of adjacent and nearby property. The Property is located at the intersection of Sugarloaf Parkway and Meadow Church Rd. The Property is adjacent to intense, large-scale commercial developments and across the street from existing commercial uses that are consistent with the Applicant's proposal.

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

No, the proposed Change in Conditions Application will not adversely affect the existing use or usability of any of the nearby properties. The proposed change in conditions would allow for a redevelopment that is compatible with existing intense commercial uses on adjacent and nearby properties. Rather the proposed development would complement existing commercial uses and provide a convenient neighborhood serving commercial use for the surrounding community and existing traffic volume on Sugarloaf Parkway.

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

The Applicant submits that due to the size, location, layout, topography, and natural features of the Property, it does not have reasonable economic use as currently zoned. The Applicant's proposal would allow for the Property to be redeveloped for a use that is consistent with surrounding properties and those on the other corners of the intersection. Further, maintaining the restriction on the Property that the Applicant is seeking to delete would place an undue burden on the Property by putting it at an economic disadvantage to other properties located at the same intersection.

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

No, the proposed change in conditions application will not result in an excessive or burdensome use of the infrastructure systems. The Property has convenient access to Sugarloaf Parkway as well as Meadow Church Road. The proposed redevelopment would complement the existing commercial uses in the area by providing a neighborhood serving use that is absent on the east bound side of Sugarloaf Parkway.

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

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The proposed change in conditions application is in conformity with the policy and intent of the Gwinnett County 2040 Unified Plan. The Property is located within the Regional Activity Center Character Area of the 2040 Future Development Map. Encouraged land uses for the Regional Activity Character Area specifically include intense commercial and retail uses. The proposed development would be compatible with and successfully co-exist with the surrounding uses.

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

The Applicant submits that the character of the surrounding development and the existing mix of the same or similar intense commercial uses in the area provide supporting reasons for approval of the change in conditions request. The Applicant submits that the Property's location, size, and dimensions, as well as its location at the intersection of Sugarloaf Parkway and Meadow Church Road and intense commercial corridor provide further support for approval of the proposed change in conditions application.

V. JUSTIFICATION FOR REZONING

The Applicant respectfully submits that "The Unified Development Ordinance of Gwinnett County, Georgia" (the "Ordinance"), as amended from time to time, to the extent that it classifies the Property in any zoning district, or conditions the Property, in such a way that would preclude development of a convenience store with fuel pumps and other retail uses is unconstitutional as a taking of property, a denial of equal protection, an arbitrary and capricious act, and an unlawful delegation of authority under the specific constitutional provisions later set forth herein. Any existing inconsistent zoning or conditions of the Property pursuant to the Ordinance deprives the Applicant and Property owner of any alternative reasonable use and development of the Property. Additionally, all other zoning classifications would deprive the Applicant and Property owner of any reasonable use and redevelopment of the Property. Further, any attempt by the Gwinnett County Board of Commissioners to impose greater restrictions upon the manner in which the Property will be redeveloped than presently exist would be equally unlawful.

Accordingly, Applicant submits that the current zoning classification and any other zoning of the Property save for what has been requested as established in the Ordinance constitute an arbitrary and unreasonable use of the zoning and police powers because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant and Property owner. All inconsistent zoning classifications and changes to conditions different than requested hereunder would constitute an arbitrary and unreasonable use of the zoning and police powers because they bear or would bear no substantial relationship to the public health, safety, morality, or general welfare of the public and would substantially harm the Applicant and Property owner. Further, the existing inconsistent zoning conditions on the Property constitutes a taking of the owner's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth

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Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States.

Further, the Applicant respectfully submits that failure to approve the requested change in conditions application would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and Property owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

Finally, the Applicant respectfully submits that the Gwinnett County Board of Commissioners cannot lawfully impose more restrictive standards upon the development of the Property than presently exist, as to do so not only would constitute a taking of the Property as set forth above, but also would amount to an unlawful delegation of their authority, in response to neighborhood opposition, in violation of Article IX, Section IV, Paragraph II of the Georgia Constitution.

This Application meets favorably with the prescribed test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning and planning as an expression of the government's police power. See Guhl v. Holcomb Bridge Road Corp., 238 Ga. 322 (1977).

VI. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Application for change in conditions be approved. The Applicant welcomes the opportunity to meet with the Gwinnett County Planning Department staff to answer any questions or to address any concerns relating to this Letter of Intent or supporting materials.

Respectfully submitted this 26th day of January, 2023.

ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.

Enclosures
MAG/dwb



Exhibit E: Application and Disclosure of Campaign Contributions

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1/26/2023

CHANGE IN CONDITIONS APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: 6590 Sugarloaf Investments, LLC c/o Andersen Tate & Carr	NAME: 6590 Sugarloaf Investments, LLC
ADDRESS: 1960 Satellite Blvd S-4000	ADDRESS: 1550 N. Brown Road, Suite 130
CITY: Duluth	CITY: Lawrenceville
STATE: GA ZIP: 30097	STATE: GA ZIP: 30043
PHONE: 770-822-0900	PHONE:
EMAIL: mglouton@atclawfirm.com	EMAIL:
CONTACT PERSON: Melody Glouton PHONE: 770-822-0900	
CONTACT'S E-MAIL: mglouton@atclawfirm.com	

APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT	<input checked="" type="checkbox"/> PROPERTY OWNER
<input type="checkbox"/> CONTRACT PURCHASER	
ZONING DISTRICTS(S): C-2 PRIOR ZONING CASE: RZ-99-132	
PARCEL NUMBER(S): R7122 185 ACREAGE: 1.6277	
ADDRESS OF PROPERTY: 6590 Sugarloaf Parkway, Duluth, GA	
PROPOSED CHANGE IN CONDITIONS: Remove Condition 1(B) from RZ-99-132	
RESIDENTIAL DEVELOPMENT: NO. OF LOTS/DWELLING UNITS: _____ DWELLING UNIT SIZE (Sq. Ft.): _____ GROSS DENSITY: _____ NET DENSITY: _____	NON-RESIDENTIAL DEVELOPMENT: NO. OF BUILDINGS/LOTS: 1 TOTAL GROSS SQUARE FEET: 15,213 DENSITY: N/A

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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1/26/2023

CHANGE IN CONDITIONS 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.

Melody A. Glouton

Signature of Applicant

January 26, 2023

Date

Melody A. Glouton, Attorney for Applicant

Type or Print Name and Title

D. Sew

Signature of Notary Public

1/26/2023

Date

Notary Seal



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Gwinnett County Planning Division
Change in Conditions Application
Last Updated 5/2021

CHANGE IN CONDITIONS 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.

Melody A. Glouton

January 26, 2023

Signature of Property Owner

Date

Melody A. Glouton, Attorney for Owner

Type or Print Name and Title

D. Schae

1/26/23

Signature of Notary Public

Date

Notary Seal





CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS

The undersigned below, making application for a change in conditions, 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 of Print Name and Title
<i>Melody A. Glouton</i>	2/10/23	Melody A. Glouton, Attorney
Signature of Applicant's Attorney or Representative	Date	Type or Print Name and Title

<i>Marcy E. Thomas</i>	2/10/23	Notary Seal
Signature of Notary Public	Date	Notary Seal



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 Andersen Tate & Carr
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)
Kirkland Carden	\$2,800	11/16/2021
	\$500	05/05/2022
Commissioner Ben Ku	\$1,000	03/25/2022
	\$1,500	10/06/2022

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

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**VERIFICATION OF CURRENT PAID PROPERTY TAXES
FOR CHANGE IN CONDITIONS**

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: 7th - 122 - 185
(Map Reference Number) District Land Lot Parcel

Melody A. Glouton
Signature of Applicant

01/24/2023

Date

Melody A. Glouton, Attorney

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)

Kathleen M. Lyles
NAME

TSA
TITLE

1/24/2023
DATE

Exhibit F: Internal and External Agency Review Comments

[attached]



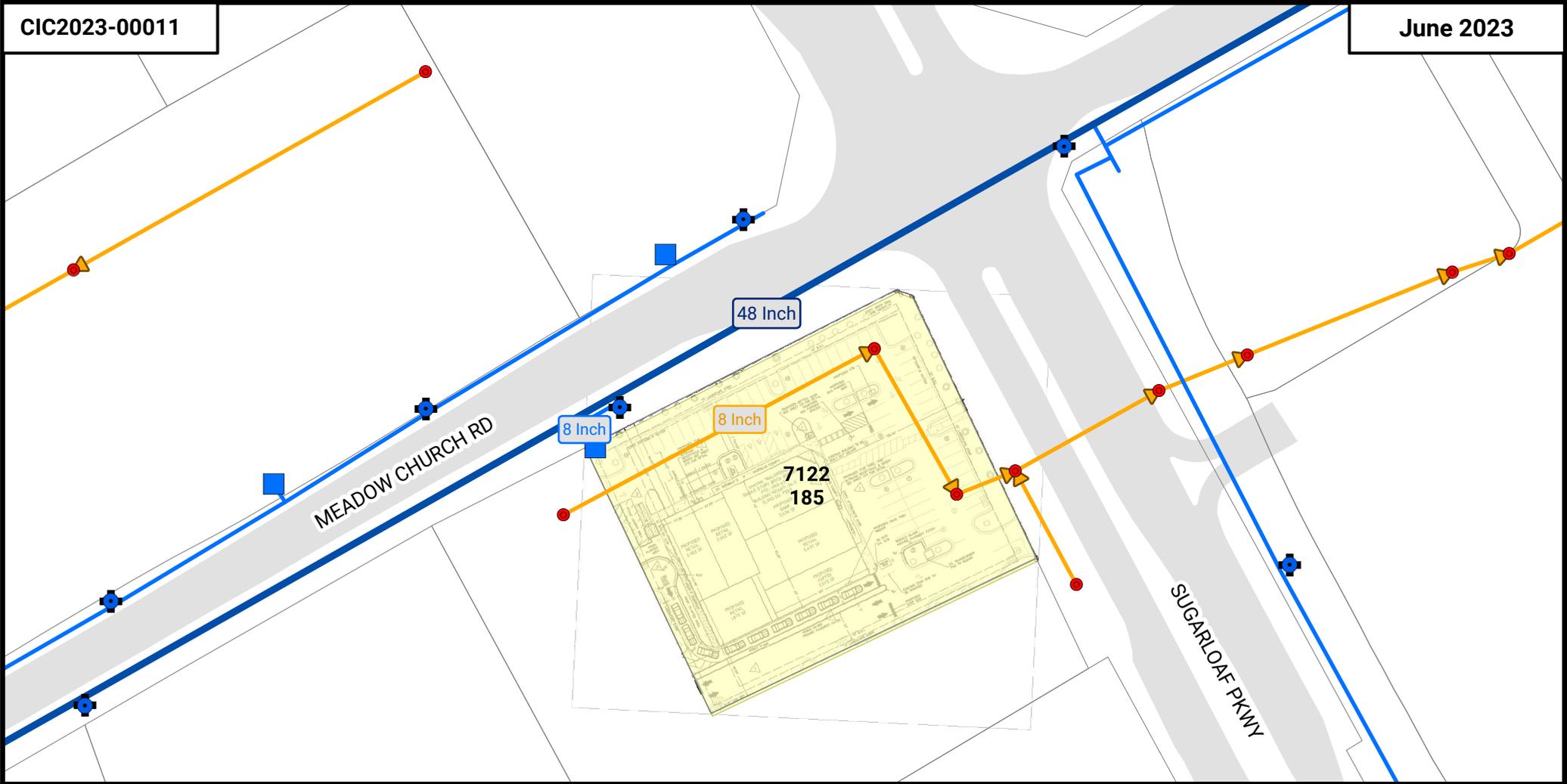
**Department of Planning and Development
TECHNICAL REVIEW COMMITTEE**

TRC Meeting Date:		05.03.2023	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		Brent.Hodges@gwinnettcountry.com	
Case Number:		CIC2023-00011	
Case Address:		6590 Sugarloaf Parkway, Duluth, 30097	
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	Sugarloaf Parkway is a principal arterial. ADT = 36,219.		
2	0.9 mile to the nearest transit facility (#2335244) Satellite Boulevard and Chick-Fil-A.		
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		YES	NO
1			
2			
3			
4			
5			
6			
7			



**Department of Planning and Development
TECHNICAL REVIEW COMMITTEE**

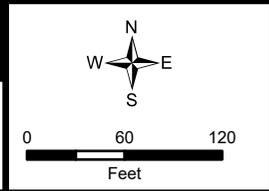
TRC Meeting Date:			
Department/Agency Name:		DWR	
Reviewer Name:		Mike Pappas	
Reviewer Title:		GIS Planning Manager	
Reviewer Email Address:		Michael.pappas@gwinnettcounty.com	
Case Number:		CIC2023-00011	
Case Address:		6590 Sugarloaf Pkwy	
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/> NO
1	Water: DWR does not have comments for this redevelopment. The existing building is connected to public water.		
2	Sewer: A Sewer Capacity Certification (C2023-042-03) has been approved for the proposed redevelopment of 9,378 sf of retail space, 3,536 sf of office space, and a coffee shop. The existing building is connected to public sewer.		
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/>	<input checked="" type="checkbox"/> YES
1			
2			
3			
4			
5			
6			
7			



LEGEND

- Water Main
- Master Vault
- Hydrant
- Sewer Collector
- Manhole

6590 Sugarloaf Pkwy
 C-2 to RZ-99-132
Water & Sewer
Utility Map



Water Comments: DWR does not have comments for this development. The existing building is connected to public water.

Sewer Comments: A Sewer Capacity Certification (C2023-042-03) has been approved for the proposed redevelopment of 9,378 sf of retail space, 3,536 sf of office space, and a coffee shop. The existing building is connected to public sewer.

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]

MEADOW CHURCH RD

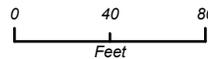
SUGARLOAF PKWY

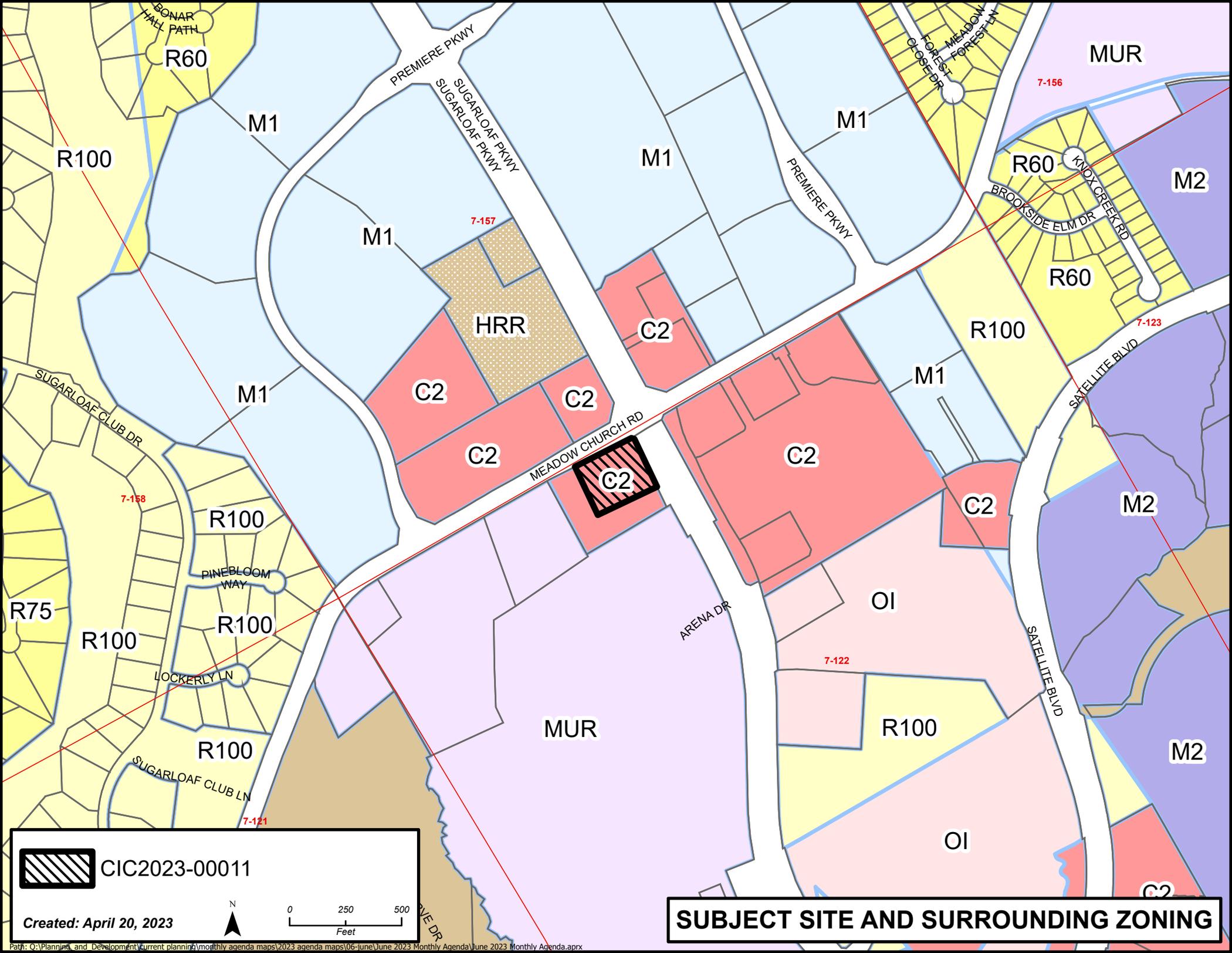
SUGARLOAF PKWY



CIC2023-00011

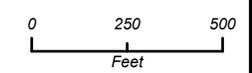
Created: April 20, 2023



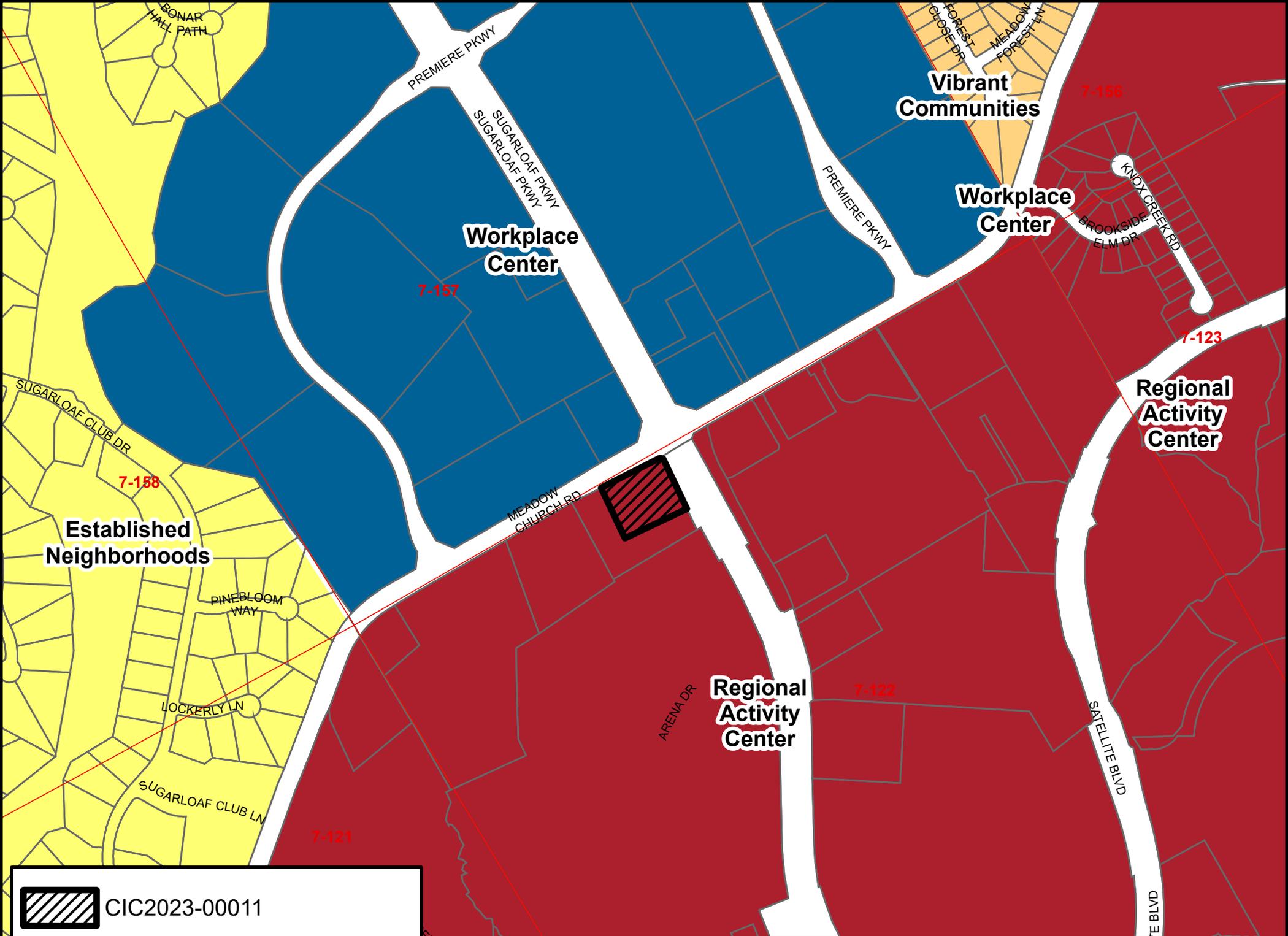


 CIC2023-00011

Created: April 20, 2023



SUBJECT SITE AND SURROUNDING ZONING



 CIC2023-00011

Created: April 20, 2023

0 250 500
Feet

2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

**Exhibit H:
Building Elevations Presented at the June 6, 2023, Planning Commission Public Hearing**

[attached]



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6/6/2023



GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

6/6/2023



GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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6/6/2023



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PLANNING AND DEVELOPMENT

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6/6/2023