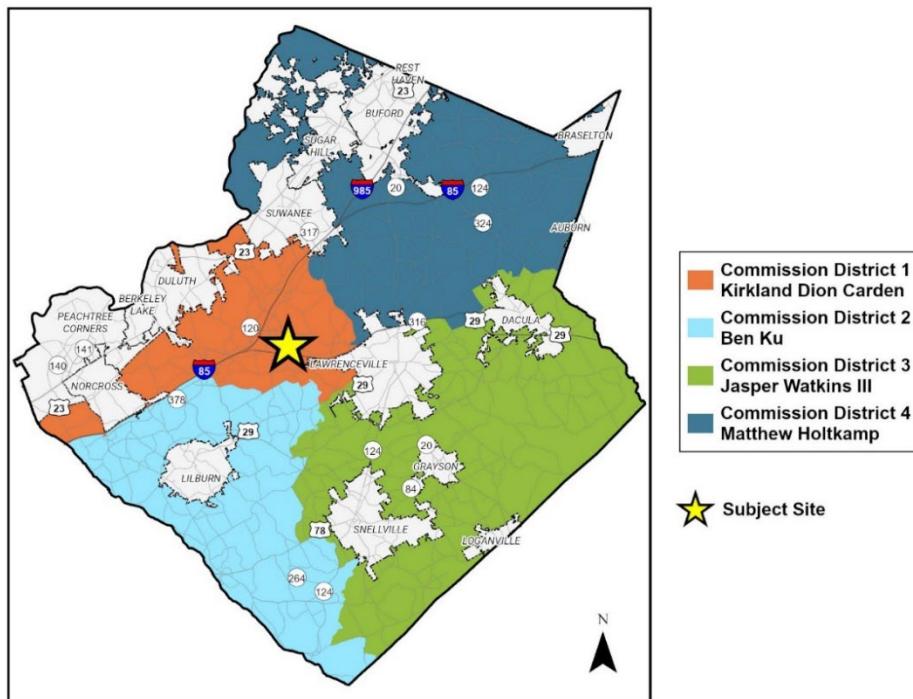




PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number:	RZC2023-00002
Current Zoning:	R-100 (Single-Family Residence District), R-ZT (Single-Family Residence District), and C-2 (General Business District)
Request:	Rezoning to C-1 (Neighborhood Business District)
Additional Request:	Waiver
Addresses:	5300 Block of and 5390 Sugarloaf Parkway
Map Numbers:	R7043 136 and 138
Site Area:	1.50 acres
Square Feet:	4,800
Proposed Development:	Convenience Store with Fuel Pumps and Restaurant/Retail Uses
Commission District:	District 1 – Commissioner Carden
Character Area:	Established Neighborhoods
Staff Recommendation:	DENIAL
Planning Commission Recommendation:	DENIAL



Planning Commission Advertised Public Hearing Date: 1/4/2023 (Public Hearing Tabled to 2/7/2023)
Board of Commissioners Advertised Public Hearing Date: 1/24/2023 (Public Hearing Tabled to 2/28/2023)

Applicant: Triton Properties
c/o Alliance Engineering and Planning
4525 S Lee Street
Buford, GA 30518

Owner: Larry N. Husdon
1043 Mealor Road
Lawrenceville, GA 30043

Contact: Tyler Lasser

Contact Phone: 770.225.4730 Ext. 819

Zoning History

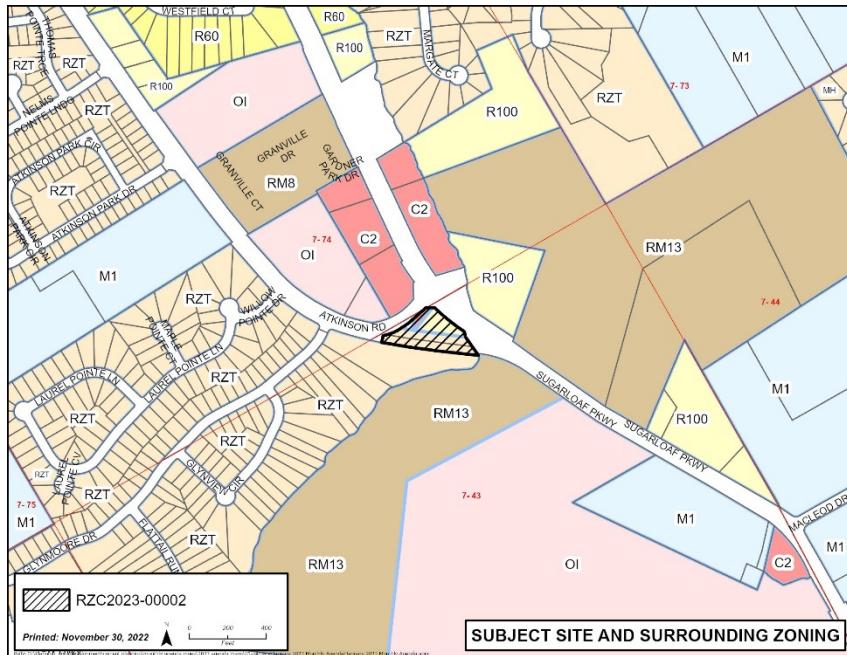
The subject property is zoned R-100 (Single-Family Residence District), R-ZT (Single-Family Residence District), and C-2 (General Business District). In 2018, a rezoning request to C-2 for a convenience store with fuel pumps was denied, pursuant to RZC2018-00019.

Existing Site Condition

The subject property is a 1.50-acre assemblage of two parcels on the southwest corner of Sugarloaf Parkway and Atkinson Road. There is a vacant one-story house constructed in 1950 on the property, accessed by a single gravel driveway, with a portion of the driveway paved on Atkinson Road. A sidewalk spans the length of the property frontage on Sugarloaf Parkway with a guardrail along a small portion of the property frontage. The site slopes downward from west to east approximately 16 feet. A stream and associated flood hazard area run behind the site on the adjoining property to the south. The nearest Gwinnett County Transit stop is located at the proposed access driveway entrance for the site on Atkinson Road.

Surrounding Use and Zoning

The subject site is surrounded by offices to the west and Gwinnett Technical College to the east on Sugarloaf Parkway. A single-family detached subdivision is to the south of the site and is accessible from Atkinson Road. There are several detached single-family homes across Sugarloaf Parkway. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Convenience Store with Fuel Pumps	C-1	N/A
North	Undeveloped	C-2	N/A
East	Single-Family Residential	R-100	0.28 units per acre
	Multi-Family Residential	RM-13	13 units per acre
South	Single-Family Residential	R-ZT	3.21 units per acre
West	Commercial Office	C-2 O-I	N/A

Project Summary

The applicant requests rezoning of a 1.50-acre assemblage of two parcels from R-100, R-ZT, and C-2 to C-1 for a convenience store with fuel pumps with additional restaurant/retail space, including:

- A 4,800 square-foot multi-tenant building constructed of brick, glass, fiber cement, and stucco.
 - A small patio on the northeast side of the site in front of the building for outdoor dining, related to a proposed coffee shop.
 - A canopy with eight fuel pumps located on the western portion of the site along Atkinson Road.
 - 13 parking spaces on the west side and in front of the building.
 - A 10-foot-wide landscape strip and five-foot-wide sidewalk along the property frontage of Atkinson Road and Sugarloaf Parkway.
 - A six-foot-wide sidewalk in front of the building and a 10-foot-wide sidewalk connecting the outdoor patio to the existing sidewalk on Sugarloaf Parkway.
 - A 20-foot-wide graded and replanted buffer along the southern property line, adjacent to the R-ZT zoned property
 - Underground detention on the northeast portion of the site located in front of the building.
 - Right-in/right-out access to the site on Atkinson Road and Sugarloaf Highway.
 - A deceleration lane along Sugarloaf Parkway.
 - A dumpster and enclosure located in the rear yard within an existing sanitary sewer easement along the southern property line.
 - A loading space on the western side of the building adjacent to the surface parking.

Zoning and Development Standards

The applicant is requesting a rezoning to C-1 (Neighborhood Business District). The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 35'	26'	YES
Front Yard Setback	Minimum 15'	15'	YES
Side Yard Setback	Minimum 10'	>10'	YES
Rear Yard Setback	Minimum 30'	>30'	YES
Landscape Strip	10'	10'	YES
Off-Street Parking	Minimum: 10 spaces Maximum 38 spaces	13 spaces	YES
Buffer	50'	0	NO*

*The applicant is requesting a buffer reduction waiver.

Waiver Request

In addition to the rezoning request, the applicant is seeking a waiver from the following provision of Title III of the UDO:

1. Section 610-20.5. Minimum Buffer Requirements:

- A. Required buffers shall be provided in conformity [with] Table 610.0 "Table of Minimum Buffer Requirements".

A 50-foot-wide undisturbed zoning buffer adjacent to R-ZT property.

The applicant is requesting a waiver to eliminate the required 50-foot-wide undisturbed buffer to the adjacent R-ZT zoned property to the south of the site. A 20-foot-wide graded and replanted buffer is proposed.

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 transportation, stormwater, water, and sewer utilities. Recommended improvements not already required by the UDO have been added as staff recommended conditions.

Staff Analysis

Rezoning 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. After this evaluation, staff makes the following findings based on the standards from the UDO:

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

Office and commercial uses are located to the north across Atkinson Road and Gwinnett Technical College is to the south on Sugarloaf Parkway. A single-family residential subdivision is located adjacent to the property to the south, accessed from Atkinson Road. Although rezoning the site to C-1, Neighborhood Business District, would permit commercial uses of a convenience nature for nearby residential neighborhoods, a convenience store with fuel pumps would not be compatible with existing businesses or residences in the nearby area. In addition, this use would be geared towards those passing through the area as opposed to "neighborhood" uses. Uses in the C-1 zoning district are intended to be facilities serving the everyday needs of nearby neighborhoods rather than the larger community.

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

The existing use and usability of adjacent or nearby properties would be impacted by the rezoning. The site is surrounded by low density commercial, and office uses as well as single-family residences. Vehicular and pedestrian safety concerns exist due to the access points of the site in proximity to the corner of Sugarloaf Parkway and Atkinson Road. Additionally, existing nearby businesses in the area have limited hours of operation which reduces potential impacts from vehicular congestion and light or noise pollution that may negatively affect residents. Constructing an automobile related use with all limited access entrances would be problematic and introduce new traffic patterns to the area.

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

The property has a reasonable economic use as currently zoned.

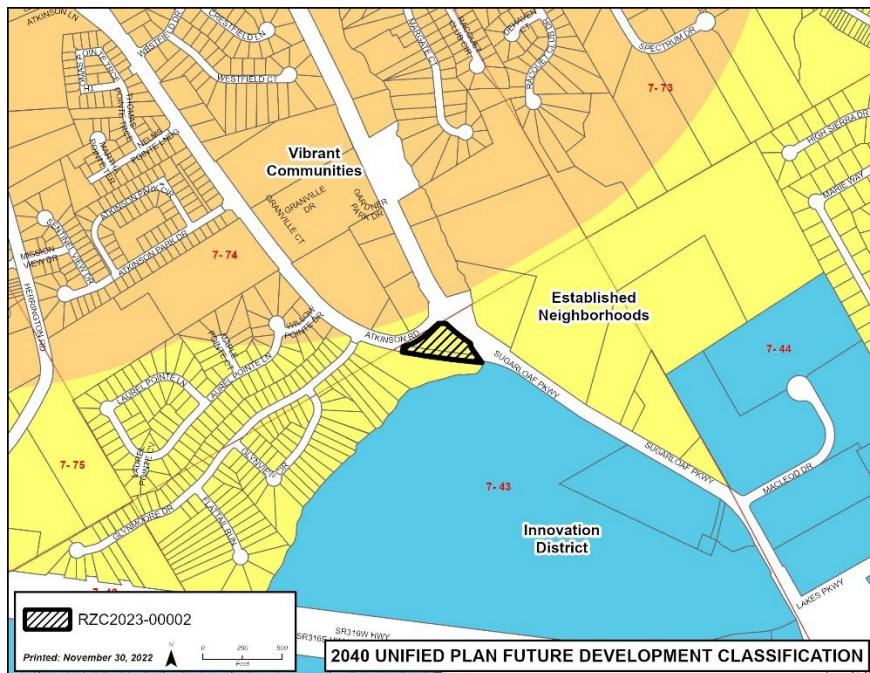
D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

An increased impact on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development regulations, and planning. No impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning and special use permit request is attached (Exhibit F).

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

The 2040 Unified Plan Future and Development Map indicates that the subject property lies within the Established Neighborhoods Character Area. This area designates well established neighborhoods and single-family residential areas that are unlikely to undergo any significant changes or redevelopment in the next 20 years. This Character Area includes those areas where changes in land use are not anticipated or encouraged, and any new development should be consistent in scale, architecture, and use with surrounding properties. The surrounding area is developed with office and low-density commercial uses to the north and Gwinnett Technical College to the south on Sugarloaf Parkway. A single-family residential subdivision is adjacent to

the site to the south. The proposed development of a convenience store with fuel pumps is not in conformity with the policy or intent of the Unified Plan and Future Development Map since it is not consistent with the scale, architecture, and use of the surrounding properties.



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.

The proposed convenience store with fuel pumps and restaurant/retail space on the southwest corner of Sugarloaf Parkway and Atkinson Road is an inappropriate use considering the nearby office, institutional, commercial, and residential uses. Existing convenience stores with fuel pumps are located approximately less than one mile to the north and south on Duluth Highway and Sugarloaf Parkway, respectively. These businesses are easily accessible and serve the community and commuters passing through the area. A similar request for a convenience store with fuel pumps on this site was previously denied in 2018.

Waiver Request Analysis: When considering waivers from Title III of the UDO, staff is required to review whether an undue hardship may result from strict compliance with the regulations and that approval would not adversely affect the general public welfare or nullify the intent of the Development Regulations. In addition, there must be a determination that there are unusual topographical or other exceptional conditions. Staff makes the following findings related to the waiver request:

The applicant requests to eliminate the required 50-foot-wide undisturbed zoning buffer to the adjacent R-ZT zoned property to the south. A 20-foot-wide graded and replanted buffer is proposed along the southern property line. Although the adjacent property is a single parcel with a significant portion of the rear yard within a flood hazard area and the residence farther to the east on Atkinson Road, a reduction in the required buffer would nullify the intent of the UDO to protect adjoining properties from a more intense use.

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 **DENIAL** of the rezoning request.

In addition, staff recommends **DENIAL** of the following waiver request:

1. To eliminate the 50-foot-wide undisturbed zoning buffer to the adjacent R-ZT zoned property.

Staff Recommended Conditions

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

Approval as C-1 (Neighborhood Business District) for a convenience store with fuel pumps, subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received, November 15, 2022, and Exhibit C: Building Elevations dated received November 16, 2022, with revisions required by conditions of approval and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.
2. The building and canopy shall comply with the requirements of Architectural Design Category 3. Final building elevations shall be submitted for review and approval by the Department of Planning and Development.
3. Outdoor loudspeakers shall be prohibited.
4. Natural vegetation shall remain on the property until the issuance of a development permit.
5. No temporary tents, temporary canopies, temporary banners, temporary streamers, or temporary roping decorated with flags, tinsel, or other similar materials shall be displayed, hung, or strung on the site, except within 60 days of the grand opening and during special events which shall occur no more than twice per calendar year and last no longer than seven day each.
6. Stormwater management facilities shall be screened from view of the right of way and adjacent properties. The final design shall be subject to the review and approval of the Gwinnett County Department of Planning and Development.
7. Hours of operation shall be limited to 7:00am to 11:00pm daily.
8. The site access shall be revised to right-in only on Sugarloaf Parkway to address spacing and safety concerns, subject to the review and approval by the Gwinnett County Department of Transportation.
9. A right-turn deceleration lane shall be provided for the entrances on Sugarloaf Parkway and Atkinson Road, subject to the review and approval by the Gwinnett County Department of Transportation.

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 request.

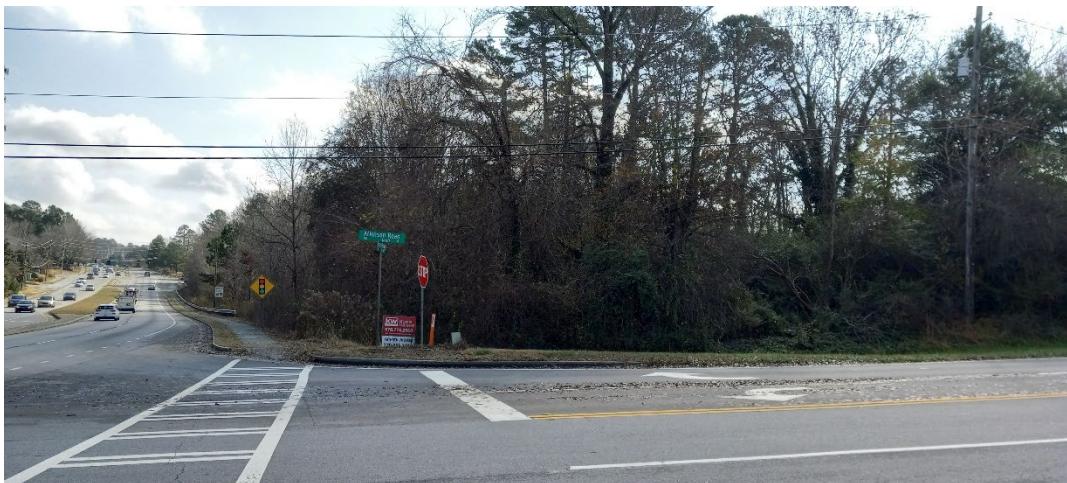
In addition, the Planning Commission recommends **DENIAL** of the following waiver request:

1. To eliminate the 50-foot-wide undisturbed zoning buffer to the adjacent R-ZT zoned property.

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Building Elevations
- 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

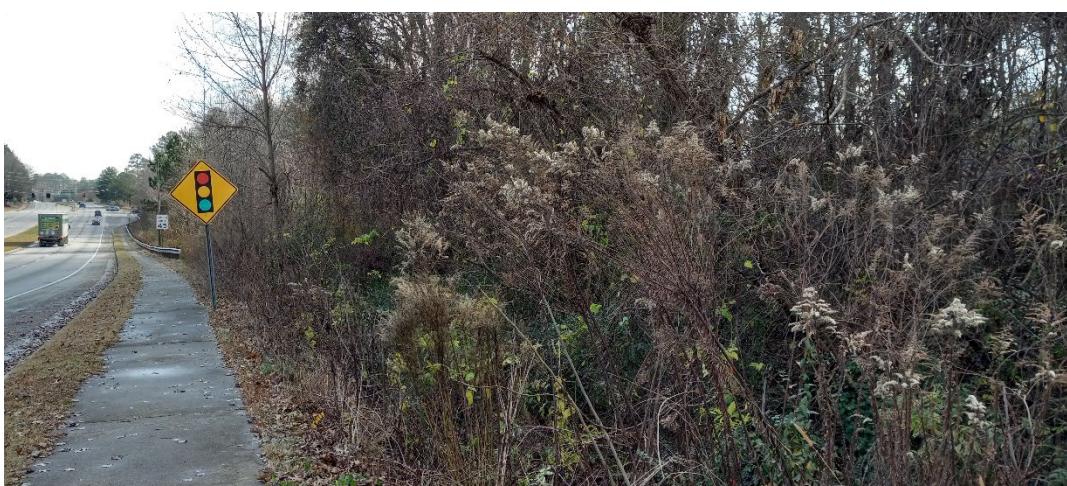
Exhibit A: Site Visit Photos



View of Subject Property Across Atkinson Road



Existing Property Frontage on Atkinson Road



Existing Property Frontage on Sugarloaf Parkway

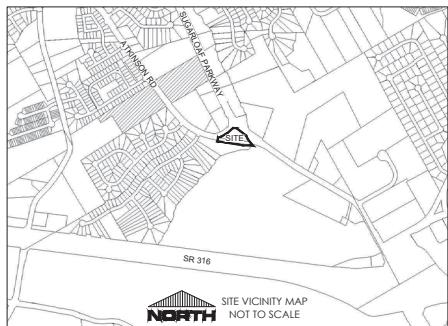


Existing Residence and Vegetation

Exhibit B: Site Plan

[attached]

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
SITE DATA SUMMARY: GWINNETT COUNTY																
GROSS ACRES (EXISTING): +/- 1.54 ACRES NET ACRES (PROPOSED): +/- 1.47 ACRES																
MINUS: 0.041 ACRES (PROPOSED R/W TO BE REMOVED FROM TAX PARCEL R7043 136)																
ZONING (EXISTING): R-ZT																
ZONING (PROPOSED): C-1																
COMMERCIAL BLDG.: +/- 4,800 S.F. TOTAL																
MAX BUILDING HEIGHT: 35'																
SETBACKS																
FRONT YARD:	15'															
SIDE YARD:	10'															
REAR YARD:	30'															
LS STRIP:	10'															
BUFFERS:	50' (* REDUCTION TO 20' & GRADED AND REPLANTED VARIANCE)															
PARKING ANALYSIS																
TYPE PROVIDED		MIN. REQUIRED		SPACES PROVIDED												
4,800 S.F. C- STORE		1 PER 500 SF: (10)				21										
AT THE MULTIPLE PRODUCT DISPENSERS		N/A				8										
LOADING SPACES PROVIDED		N/A				1										
TOTAL																



PROJECT APPLICANT/CONTACT
TRITON PROPERTIES INC.
PHONE #: 678-691-1818

PROPERTY BORDER
SUGARLOAF PARKWAY
PROPERTY OWNERS:
PID: R7043 136 - LARRY N. HUDSON, ET AL
PID: R7043 138 - LARRY N. HUDSON, ET AL
MAILING ADDRESS:
1001 MCKEE ROAD
LAWRENCEVILLE, GA, 30043

SEWER NOTE:
SEWER PROVIDED BY GWINNETT COUNTY;
SANITARY LINE TO CONNECT WITH EXISTING
SEWER LOCATED ON THE PROPERTY.

STORMWATER NOTE:
STORMWATER TO BE MANAGED
ON-SITE, WITHIN AN UNDERGROUND
DETENTION VAULT.

WATER NOTE:
WATER PROVIDED BY GWINNETT COUNTY;
WATER AVAILABLE ON THE PROPERTY.

LEGEND:
25' STREAM BUFFER
50' STREAM BUFFER
75' IMPERVIOUS STREAM SETBACK

FLOOD ZONE:
A PORTION OF THIS PROPERTY IS LOCATED IN A FEMA FLOOD
HAZARD AREA AS PER FEMA PANEL NO. 1313SC0071F, DATED
09/29/2009.

PLAN NOTE:
THIS DRAWING IS CONCEPTUAL IN NATURE AND DOES NOT
CONSTITUTE APPROVAL FOR CONSTRUCTION OR DEVELOPMENT.
ADDITIONAL REGULATIONS SHALL APPLY PRIOR TO PERMIT
ISSUANCE.

CANOPY NOTE:
EXISTING TREE CANOPY COVERS THE ENTIRE SITE. THE
SITE MAY CONTAIN SPECIMEN TREES. RECOMPENSE
FOR REMOVAL IS 100 PERCENT.

UTILITIES:
THE DEVELOPER SHALL BE RESPONSIBLE FOR ANY CONFLICTS
WITH EXISTING UTILITIES.

STREAM NOTE:
STREAMS AND WETLANDS HAVE NOT BEEN VERIFIED WITH A FIELD
RUN DELINEATION.

EXISTING BUILDINGS:
ALL EXISTING BUILDINGS ON THIS SITE ARE TO BE REMOVED.

VARIANCES FROM CODE:
1) BUFFER REDUCTION FROM 50' TO 0' AS SHOWN
2) GRADED AND REPLANTED BUFFER (REFERENCE VARIANCE 1, 2, 3)
3) WHERE THE 20' BUFFER INCLUDES A UTILITY OR PIPELINE
EASEMENT, NO ADDITIONAL BUFFER WILL BE REQUIRED TO BE MET
OUTSIDE THE EASEMENT AREA (R10-20.C; 610-20.3.F).

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NOT
RELEASED
FOR
CONSTRUCTION

SURVEYING BY
NORTHEAST LAND
SURVEYING, LLC
PHONE: (678) 776-1264
FAX: 800-444-4400, TOLL: GA 30037

SITE ZONING PLAN FOR
ATKINSON ROAD STORE
GWINNETT COUNTY, GA
LAND LOT 43 DISTRICT 7TH

Orig. Issue 10-26-2022
Designed by JW
Checked by BW
Project # 221299

NORTH
Scale: 1" = 30'
0' 10' 20' 30' 40' 50' 60' 70' 80' 90' 100'

ZONING PLAN

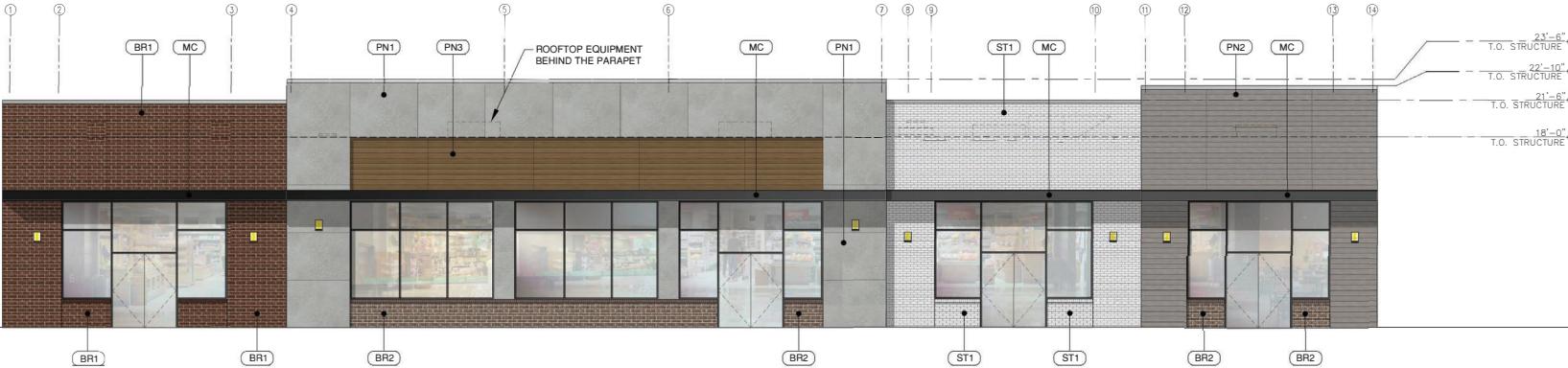
11.14.22

Exhibit C: Building Elevations

[attached]

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11/16/22



JOB NUMBER : 177001
DRAWN BY : YH, PP
CHECKED BY : YS

YUNG ARCHITECTURE
34 83 Satellite Blvd 310 South
Duluth, Georgia 30036
yungarchitecture@gmail.com

YUNG
ARCHITECTURE

REVISIONS
DATE DESCRIPTION
 COUNTY COMMENT #1 08092021

1 ELEVATION (FRONT)

SCALE : 3/16"=1'-0"

MATERIAL NOTES



- BR1 BRICK: TRIANGLE BRICK(MANUFACTURER)/CAMDEN(MODEL#)/BROWN COLOR
- BR2 BRICK: TRIANGLE BRICK(MANUFACTURER)/CHESAPEAKE GREY(MODEL#)/GRAY COLOR
- PN1 NICHIIHA / CONCRETE SERIES, INDUSTRIAL BLOCK / GRAY
- PN2 NICHIIHA / WOOD SERIES, VINTAGE WOOD / ASH
- PN3 NICHIIHA / WOOD SERIES, VINTAGE WOOD / CEDAR
- ST1 STUCCO /BRICK PATTERN /STO(MANUFACTURE)/ STOCREATIVE BRICK / BRICK 10/ COLOR: SHERWIN WILLIAMS, SW7757 HIGH REFLECTIVE WHITE
- ST2 STUCCO /STO(MANUFACTURE)/ STO POWERFLEX SILCO / 80286 STO POWERFLEX SILCO MEDIUM /SHERWIN WILLIAMS /SW7655 STAMPED CONCRETE
- CMU STUCCO FINISH(STO /STO POWERFLEX SILCO / 80286 STO POWERFLEX SILCO MEDIUM ON 8" CMU /SHERWIN WILLIAMS /SW7531 CANVAS TAN
- SCR1 PAINT ON SCREEN /SHERWIN WILLIAMS /SW7531 CANVAS TAN
- SCR2 PAINT ON SCREEN /SHERWIN WILLIAMS /SW6003 PROPER GRAY
- MC METAL CANOPY / BLACK

This drawing, as an instrument of service, is the sole property of the architect and may be copied or removed from the office of the architect and shall not be reproduced, published or distributed in whole or in part without the permission of the architect.

T C

2 ELEVATION (EAST)

SCALE : 3/16"=1'-0"

EXTERIOR
ELEVATION

EL1

DATE : 10/29/2020

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

[attached]

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Applicant's Letter of Intent

C-2, RZT and R-100 to C-1

7043 136 and 7043 138

The Applicant, Triton Properties requests a rezoning for the purpose of constructing a convenience store with fuel pumps and additional restaurant/retail space at the southwest corner of Sugarloaf Parkway and Atkinson Road. The approximately 1.5-acre site comprises of two parcels that are currently split-zoned between C-2, RZT and R-100. The site is primarily surrounded by commercial, office, townhouse and multi-family uses along Atkinson Road and Sugarloaf Parkway. The rear of the subject site abuts the rear of one lot within the Glynwater residential subdivision. However, the portion of the residential lot that abuts the subject site is unbuildable as it contains substantial stream buffers and floodplain. In accordance with the submitted site plan, the development would include an approximately 4,800 square foot building, and a canopy with eight fuel pumps. The building will contain multiple suites consisting of a convenience store, as well as a coffee shop with a patio for outdoor dining. Site access will be provided via right-in-right-out access driveway on Atkinson Road and a right-in-right-out driveway on Sugarloaf Parkway. Additional site improvements will include a deceleration lane on Sugarloaf Parkway, expanded sidewalks, and a 10-foot landscape strip along both road frontages. To develop the site as proposed, the Applicant requests to rezone the site to C-1 (Neighborhood Business District). The subject site is within the Established Neighborhoods character area of the Gwinnett County 2040 Comprehensive Plan and is adjacent to the Innovation District and Vibrant Communities Character areas. One of the encouraged uses within the Established Neighborhoods character area is corner/neighborhood serving retail. At an ideal location, the primary intent of the convenience store and coffee shop is to serve the students and faculty at Gwinnett Technical College, residents in the dense residential communities, and employees in the offices within proximity. Currently, there are few options for either coffee or everyday items within walking distance of the site. Additionally, there are limited options for fuel on Sugarloaf Parkway, particularly the southbound side of the thoroughfare near 316. At the proposed location, the development will fill the need of a use absent from the area and will provide a great convenience, especially for those within walking distance of the subject site and motorists traveling south toward 316. Due to site constraints, the Applicant further requests to reduce the buffer at the rear of the site to a 20-foot graded and replanted buffer, which will be densely vegetated for year-round screening.

The applicant looks forward to meeting with staff as well as the community to answer all questions or concerns. Please refer to the attached documents for additional details regarding the layout and appearance of the proposed convenience store.

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Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the zoning request will constitute a taking of property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

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Standards Governing the Exercise of the Zoning Power

To further demonstrate that the proposed rezoning and land use is consistent with the intent of the UDO and 2040 Unified Plan, the applicant submits its response to the Standards Governing Exercise of the Zoning Power as follows:

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

Rezoning the subject site to C-1 for the purpose of constructing new convenience store with additional retail/restaurant space is suitable in relation to the adjacent and nearby properties. The site is situated on a major thoroughfare, across from an office park, and behind Gwinnett Tech.

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

The proposed rezoning will not adversely affect the use of the surrounding properties. The subject site abuts only the rear of a residential property that is heavily wooded and comprises primarily of stream buffer and floodplain.

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

Due to the size and location of the property, the property owners have been unable to utilize or sell the property. The applicant believes that the subject property does not have a reasonable economic use as currently zoned. The applicant submits the rezoning would allow for a use more compatible with the surrounding properties.

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

The rezoning will not result in an excessive use of existing streets, transportation facilities, utilities or schools.

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

The proposed rezoning is in conformity with the intent of the 2040 Unified Plan. The subject property is located within the established neighborhoods character area and directly adjacent to the vibrant communities and innovation district character areas of the 2040 Future Development Map. The proposed use would be small-scale and neighborhood serving, which would benefit the surrounding area.

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

Please see attached letter of intent.

Exhibit E: Application and Disclosure of Campaign Contributions

[attached]

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REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*	
NAME: <u>Triton Properties c/o Alliance Engineering and Planning</u>	NAME: <u>Larry N Hudson</u>	
ADDRESS: <u>4525 S Lee Street</u>	ADDRESS: <u>1043 Mealor Rd</u>	
CITY: <u>Buford</u>	CITY: <u>Lawrenceville</u>	
STATE: <u>GA</u> ZIP: <u>30518</u>	STATE: <u>GA</u> ZIP: <u>30043</u>	
PHONE: <u>770-225-4730 ext. 819</u>	PHONE: <u>770-225-4730 ext. 819</u>	
EMAIL: <u>Tylerl@allianceco.com</u>	EMAIL: _____	
CONTACT PERSON: <u>Tyler Lasser</u>	PHONE: <u>770-225-4730 ext. 819</u>	
CONTACT'S E-MAIL: <u>Tylerl@allianceco.com</u>	_____	
APPLICANT IS THE:		
<input type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER	<input type="checkbox"/> CONTRACT PURCHASER
PRESENT ZONING DISTRICT(S): <u>C-2</u>		REQUESTED ZONING DISTRICT: <u>C-1</u>
PARCEL NUMBER(S): <u>7043 136, 7043 138</u>		ACREAGE: <u>1.49</u>
ADDRESS OF PROPERTY: <u>5390 Sugarloaf Parkway</u>		
PROPOSED DEVELOPMENT: <u>Convenience Store</u>		

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units	No. of Buildings/Lots: <u>1</u>
Dwelling Unit Size (Sq. Ft.):	Total Building Sq. Ft. <u>4,800</u>
Gross Density:	Density: <u>N/A</u>
Net Density:	_____

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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11/15/22

Gwinnett County Planning Division
Rezoning Application
Last Updated 10/2021

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

10/24/2022

Date

USMAN I. GANDHI

Type or Print Name and Title


Signature of Notary Public

October 24, 2022

Date

Notary Seal



RECEIVED

11/15/22

REZONING PROPERTY OWNER'S CERTIFICATION

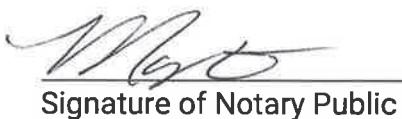
THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY
CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION
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ACTION BY THE BOARD OF COMMISSIONERS.


Signature of Property Owner

10-25-22

Date

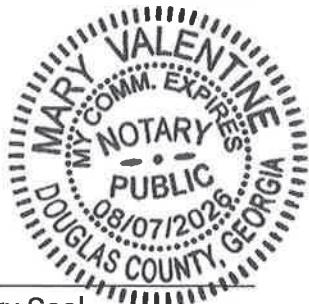
Larry Hudson, owner
Type or Print Name and Title


Signature of Notary Public

10/25/2022

Date

Notary Seal



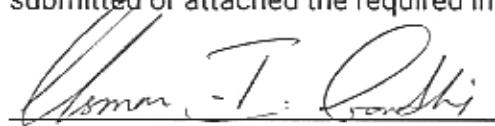
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Gwinnett County Planning Division
Rezoning Application
Last Updated 10/2021

CONFFLICT OF INTEREST CERTIFICATION FOR REZONING

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SIGNATURE OF APPLICANT

DATE

Usman Gandhi

TYPE OR PRINT NAME AND TITLE

 10/24/22

SIGNATURE OF APPLICANT'S

DATE

Tyler Lasser AEP

ATTORNEY OR REPRESENTATIVE

 October 24, 2022

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

USMAN T. GANDHI

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)
Om Duggal	\$ 2000.00	March, 2022
Om Duggal	\$ 2000.00	October, 2022
Kirkland Carden	\$ 2800.00	Year, 2020.
Vote for Gabe	\$ 1000.00	March, 2022

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

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11/15/22

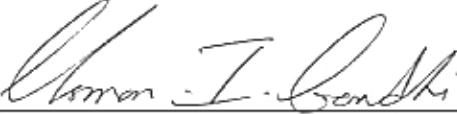
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VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

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

PARCEL I.D. NUMBER: 7 043 136
(Map Reference Number) District Land Lot Parcel


Signature of Applicant
10/21/2022
Date
USMAN I. GANDHI
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)

Jacqueleen Garcia

NAME

11/03/2022

DATE

Tax Associate I

TITLE

RECEIVED

11/15/22

Gwinnett County Planning Division
Rezoning Application
Last Updated 10/2021

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

PARCEL I.D. NUMBER: 7 - 043 - 138
(Map Reference Number) District Land Lot Parcel

Usman T. Gandhi 10/24/2022
Signature of Applicant Date
USMAN T. GANDHI
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)

Jacqueleen Garcia

Tax Associate I

NAME

TITLE

11/03/2022

DATE

Exhibit F: Internal and External Agency Review Comments

[attached]



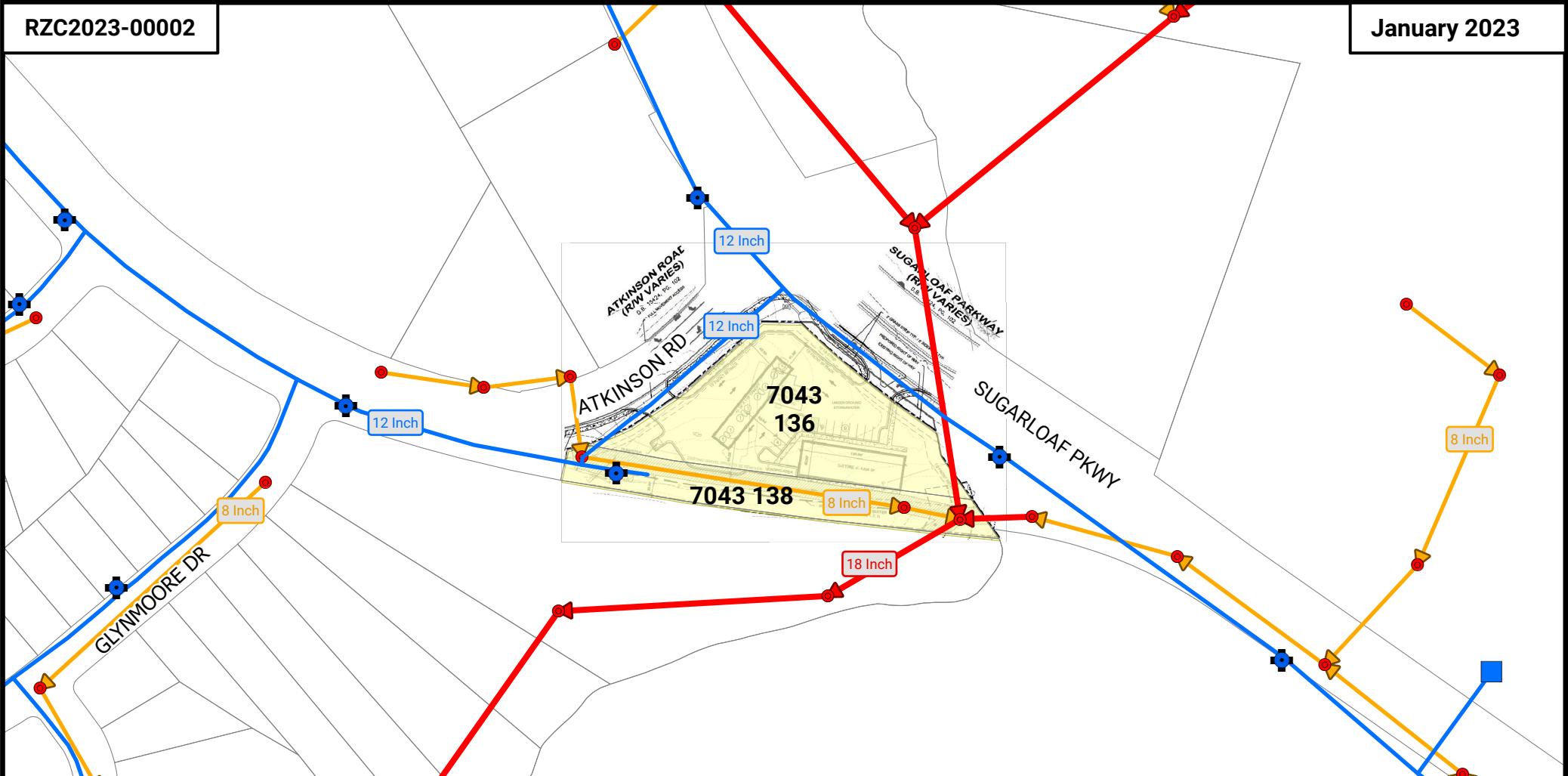
Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:		12.14.2022	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		Brent.Hodges@gwinnettcounty.com	
Case Number:		RZC2023-00002	
Case Address:		5390 Sugarloaf Parkway	
Comments:		<input checked="" type="checkbox"/> X	YES
1	Sugarloaf Parkway is a principal arterial. ADT = 32,503.		
2	Nearest transit facility (#2334775) Atkinson Road and Sugarloaf Parkway is located directly at the proposed Atkinson Road access point.		
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input checked="" type="checkbox"/> X	YES
1	To address spacing and safety concerns, the developer shall revise the Sugarloaf Parkway access point to a right-in only.		
2	The developer shall construct a right-turn deceleration lane for the entrance along Sugarloaf Parkway as well as the entrance along Atkinson Road.		
3			
4			
5			
6			
7			



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

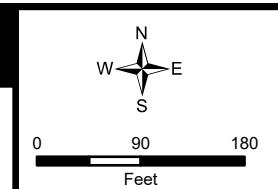
TRC Meeting Date:	
Department/Agency Name: DWR	
Reviewer Name: Mike Pappas	
Reviewer Title: GIS Planning Manager	
Reviewer Email Address: Michael.pappas@gwinnettcounty.com	
Case Number: RZC2023-00002	
Case Address: 5390 Sugarloaf Parkway	
Comments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
1	Water: The developer may connect to an existing 12-inch water main along eastern right-of-way of Atkinson Road or along the southern right-of-way of Sugarloaf Parkway.
2	Sewer: A Sewer Capacity Certification is required for this development. Pending available capacity, the developer may connect to an existing 8-inch gravity sewer located on the subject property.
3	
4	
5	
6	
7	
Recommended Zoning Conditions: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
1	
2	
3	
4	
5	
6	
7	



LEGEND

▲ Flow Management	◆ Hydrant	▲ Sewer Force Main
▲ Pump Station	◆ City	▲ Effluent Outfall
▲ Regional	◆ Water Main	▲ Sewer Collector
● Manhole	◆ Reuse Main	▲ Sewer Interceptor

5390 Sugarloaf Parkway RZT, R-100, C-2 to C-1 Water & Sewer Utility Map



LOCATION



Water Comments: The developer may connect to an existing 12-inch water main along eastern right-of-way of Atkinson Road or along the southern right-of-way of Sugarloaf Parkway.

Sewer Comments: A Sewer Capacity Certification is required for this development. Pending available capacity, the developer may connect to an existing 8-inch gravity sewer located on the subject property.

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.

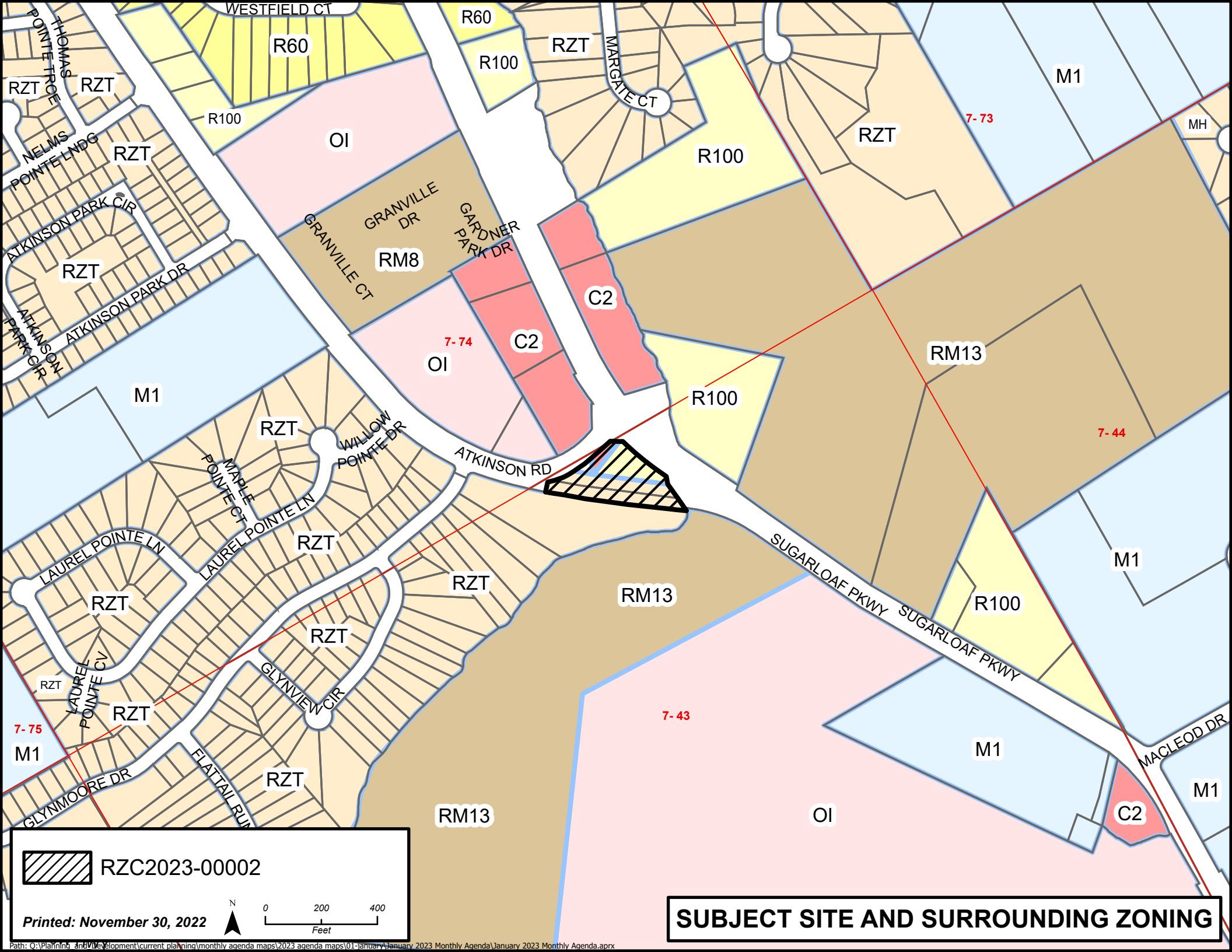
Water and Sewer Design and Construction Requirements: Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, 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]





 RZC2023-00002

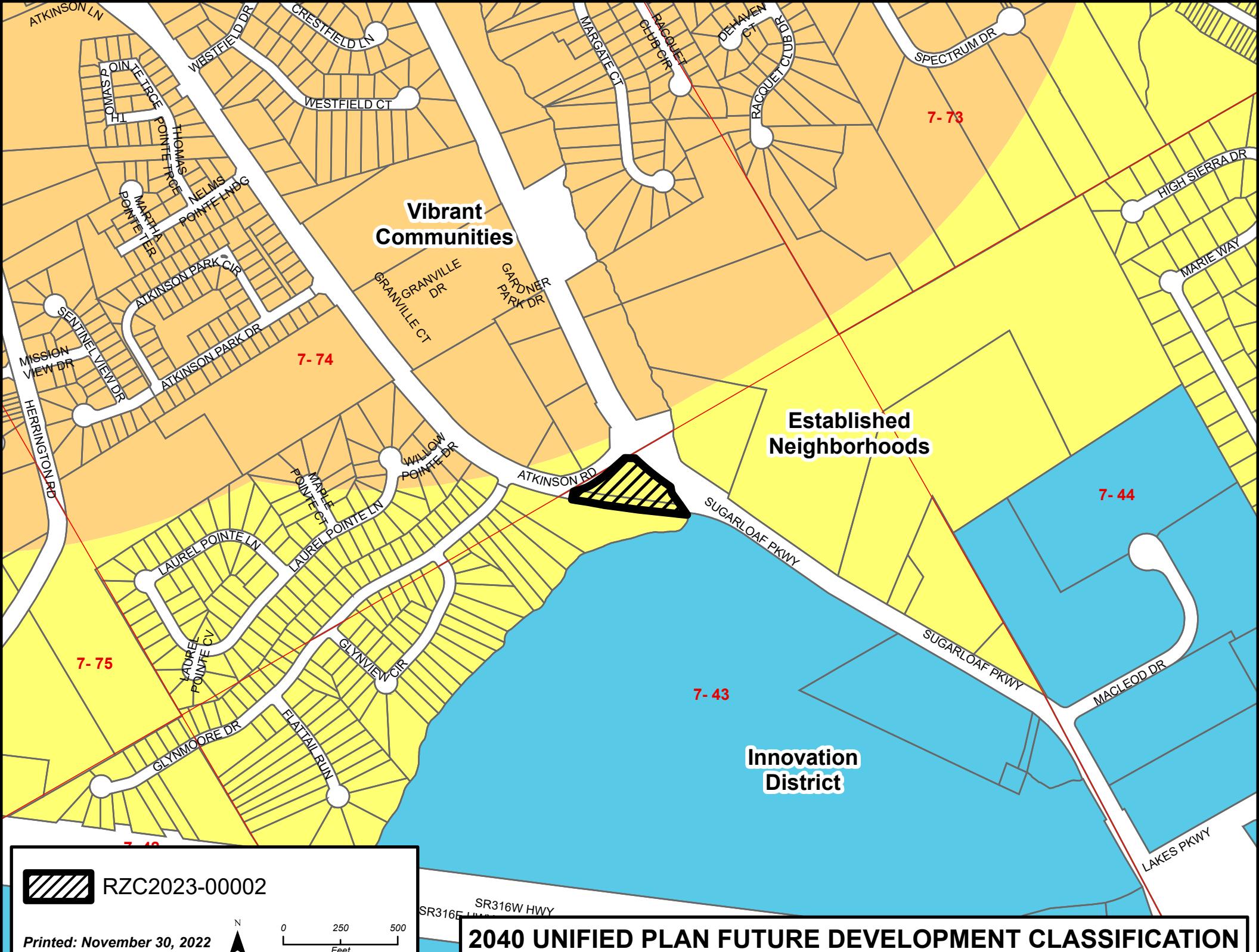
Printed: November 30, 2022

N

0 200

A horizontal number line starting at 0 and ending at 400. There is a tick mark at 5.

SUBJECT SITE AND SURROUNDING ZONING



RECEIVED

11/15/22

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*	
NAME: <u>Triton Properties c/o Alliance Engineering and Planning</u>	NAME: <u>Larry N Hudson</u>	
ADDRESS: <u>4525 S Lee Street</u>	ADDRESS: <u>1043 Mealor Rd</u>	
CITY: <u>Buford</u>	CITY: <u>Lawrenceville</u>	
STATE: <u>GA</u> ZIP: <u>30518</u>	STATE: <u>GA</u> ZIP: <u>30043</u>	
PHONE: <u>770-225-4730 ext. 819</u>	PHONE: <u>770-225-4730 ext. 819</u>	
EMAIL: <u>Tylerl@allianceco.com</u>	EMAIL: _____	
CONTACT PERSON: <u>Tyler Lasser</u>	PHONE: <u>770-225-4730 ext. 819</u>	
CONTACT'S E-MAIL: <u>Tylerl@allianceco.com</u>	_____	
APPLICANT IS THE:		
<input type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER	<input type="checkbox"/> CONTRACT PURCHASER
PRESENT ZONING DISTRICT(S): <u>C-2</u>		REQUESTED ZONING DISTRICT: <u>C-1</u>
PARCEL NUMBER(S): <u>7043 136, 7043 138</u>		ACREAGE: <u>1.49</u>
ADDRESS OF PROPERTY: <u>5390 Sugarloaf Parkway</u>		
PROPOSED DEVELOPMENT: <u>Convenience Store</u>		

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units	No. of Buildings/Lots: <u>1</u>
Dwelling Unit Size (Sq. Ft.):	Total Building Sq. Ft. <u>4,800</u>
Gross Density:	Density: <u>N/A</u>
Net Density:	_____

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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11/15/22

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

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

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

- (A) WHETHER A PROPOSED REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:
Please see attached
-
- (B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:
Please see attached
-
- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:
Please see attached
-
- (D) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:
Please see attached
-
- (E) WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:
Please see attached
-
- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED REZONING:
Please see attached
-

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Signature of Applicant

10/24/2022

Date

USMAN I. GANDHI

Type or Print Name and Title


Signature of Notary Public

October 24, 2022

Date

Notary Seal



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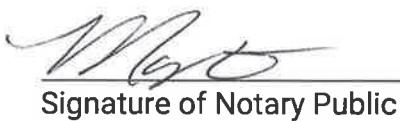
Signature of Property Owner

10-25-22

Date

Larry Hudson, owner

Type or Print Name and Title

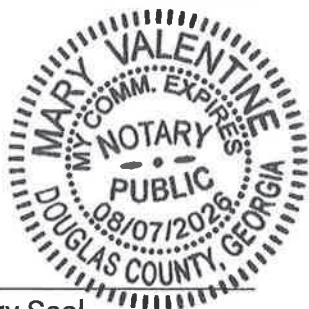


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DATE

Tyler Lasser AEP

ATTORNEY OR REPRESENTATIVE

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YES

NO

USMAN T. GANDHI

YOUR NAME

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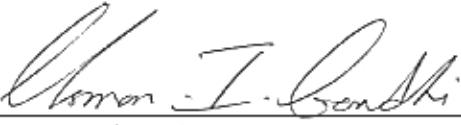
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***Note:** A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.

PARCEL I.D. NUMBER: 7 043 136
(Map Reference Number) District Land Lot Parcel


Signature of Applicant
10/21/2022
Date

USMAN I. GANDHI
Type or Print Name and Title

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Jacqueleen Garcia

NAME

11/03/2022

DATE

Tax Associate I

TITLE

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PARCEL I.D. NUMBER: 7 - 043 - 138
(Map Reference Number) District Land Lot Parcel

Usman T. Gandhi 10/24/2022
Signature of Applicant Date
USMAN T. GANDHI
Type or Print Name and Title

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Jacqueleen Garcia

Tax Associate I

NAME

TITLE

11/03/2022

DATE

RECEIVED

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Standards Governing the Exercise of the Zoning Power

To further demonstrate that the proposed rezoning and land use is consistent with the intent of the UDO and 2040 Unified Plan, the applicant submits its response to the Standards Governing Exercise of the Zoning Power as follows:

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

Rezoning the subject site to C-1 for the purpose of constructing new convenience store with additional retail/restaurant space is suitable in relation to the adjacent and nearby properties. The site is situated on a major thoroughfare, across from an office park, and behind Gwinnett Tech.

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

The proposed rezoning will not adversely affect the use of the surrounding properties. The subject site abuts only the rear of a residential property that is heavily wooded and comprises primarily of stream buffer and floodplain.

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

Due to the size and location of the property, the property owners have been unable to utilize or sell the property. The applicant believes that the subject property does not have a reasonable economic use as currently zoned. The applicant submits the rezoning would allow for a use more compatible with the surrounding properties.

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

The rezoning will not result in an excessive use of existing streets, transportation facilities, utilities or schools.

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

The proposed rezoning is in conformity with the intent of the 2040 Unified Plan. The subject property is located within the established neighborhoods character area and directly adjacent to the vibrant communities and innovation district character areas of the 2040 Future Development Map. The proposed use would be small-scale and neighborhood serving, which would benefit the surrounding area.

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

Please see attached letter of intent.

RECEIVED

11/15/22

Applicant's Letter of Intent

C-2, RZT and R-100 to C-1

7043 136 and 7043 138

The Applicant, Triton Properties requests a rezoning for the purpose of constructing a convenience store with fuel pumps and additional restaurant/retail space at the southwest corner of Sugarloaf Parkway and Atkinson Road. The approximately 1.5-acre site comprises of two parcels that are currently split-zoned between C-2, RZT and R-100. The site is primarily surrounded by commercial, office, townhouse and multi-family uses along Atkinson Road and Sugarloaf Parkway. The rear of the subject site abuts the rear of one lot within the Glynwater residential subdivision. However, the portion of the residential lot that abuts the subject site is unbuildable as it contains substantial stream buffers and floodplain. In accordance with the submitted site plan, the development would include an approximately 4,800 square foot building, and a canopy with eight fuel pumps. The building will contain multiple suites consisting of a convenience store, as well as a coffee shop with a patio for outdoor dining. Site access will be provided via right-in-right-out access driveway on Atkinson Road and a right-in-right-out driveway on Sugarloaf Parkway. Additional site improvements will include a deceleration lane on Sugarloaf Parkway, expanded sidewalks, and a 10-foot landscape strip along both road frontages. To develop the site as proposed, the Applicant requests to rezone the site to C-1 (Neighborhood Business District). The subject site is within the Established Neighborhoods character area of the Gwinnett County 2040 Comprehensive Plan and is adjacent to the Innovation District and Vibrant Communities Character areas. One of the encouraged uses within the Established Neighborhoods character area is corner/neighborhood serving retail. At an ideal location, the primary intent of the convenience store and coffee shop is to serve the students and faculty at Gwinnett Technical College, residents in the dense residential communities, and employees in the offices within proximity. Currently, there are few options for either coffee or everyday items within walking distance of the site. Additionally, there are limited options for fuel on Sugarloaf Parkway, particularly the southbound side of the thoroughfare near 316. At the proposed location, the development will fill the need of a use absent from the area and will provide a great convenience, especially for those within walking distance of the subject site and motorists traveling south toward 316. Due to site constraints, the Applicant further requests to reduce the buffer at the rear of the site to a 20-foot graded and replanted buffer, which will be densely vegetated for year-round screening.

The applicant looks forward to meeting with staff as well as the community to answer all questions or concerns. Please refer to the attached documents for additional details regarding the layout and appearance of the proposed convenience store.

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Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the zoning request will constitute a taking of property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

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Rezoning Legal Description

All that tract or parcel of land lying and being in Land Lot 43 of the 7th Land District of Gwinnett County, Georgia, being more particularly described as follows:

Beginning at a point at the intersection of the southeasterly right-of-way of Atkinson Road (right-of way varies) and the southwesterly right-of-way of Sugarloaf Parkway (right-of-way varies), said point being the POINT OF BEGINNING;

THENCE along the right-of-way of Sugarloaf Parkway the following five (5) courses and distances: along a curve to the left having a radius of 1024.35 feet, an arc length of 157.53 feet, being subtended by a chord bearing of South 50 degrees 09 minutes 31 seconds East for a distance of 157.38 feet to a point;

THENCE South 54 degrees 33 minutes 52 seconds East for a distance of 42.60 feet to a point;
THENCE South 11 degrees 26 minutes 57 seconds East for a distance of 27.31 feet to a point;
THENCE South 35 degrees 18 minutes 08 seconds East for a distance of 61.16 feet to a point;
THENCE South 35 degrees 18 minutes 08 seconds East for a distance of 55.93 feet to a point;
THENCE leaving said right-of-way North 82 degrees 22 minutes 33 seconds West for a distance of 225.03 feet to a point;

THENCE along a curve to the left having a radius of 1577.00 feet, an arc length of 120.62 feet, being subtended by a chord bearing of North 82 degrees 11 minutes 15 seconds West for a distance of 120.59 feet to a point;

THENCE South 79 degrees 59 minutes 33 seconds East for a distance of 163.57 feet to a point on the southeasterly right-of-way of Atkinson Road;

THENCE along said right-of-way the following six (6) courses and distances: North 12 degrees 24 minutes 33 seconds West for a distance of 35.79 feet to a point;

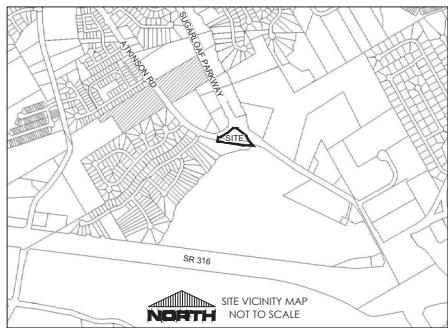
THENCE along a curve to the left having a radius of 300.43 feet, an arc length of 22.40 feet, being subtended by a chord bearing of North 75 degrees 37 minutes 37 seconds East for a distance of 22.40 feet to a point;

THENCE along a curve to the left having a radius of 300.43 feet, an arc length of 55.60 feet, being subtended by a chord bearing of North 68 degrees 11 minutes 20 seconds East for a distance of 55.52 feet to a point;

THENCE North 56 degrees 14 minutes 07 seconds East for a distance of 72.39 feet to a point;
THENCE North 48 degrees 11 minutes 01 seconds East for a distance of 120.80 feet to a point;
THENCE South 89 degrees 14 minutes 13 seconds East for a distance of 44.81 feet to the POINT OF BEGINNING.

Said property having an area of 1.499 acres and being designated as Tract One and Tract Two on a survey for Larry Hudson, prepared by Northeast Land Surveying, LLC, dated 10/31/22.

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
SITE DATA SUMMARY: GWINNETT COUNTY																
GROSS ACRES (EXISTING): +/- 1.54 ACRES NET ACRES (PROPOSED): +/- 1.47 ACRES																
MINUS: 0.041 ACRES (PROPOSED R/W TO BE REMOVED FROM TAX PARCEL R7043 136)																
ZONING (EXISTING): R-ZT																
ZONING (PROPOSED): C-1																
COMMERCIAL BLDG.: +/- 4,800 S.F. TOTAL																
MAX BUILDING HEIGHT: 35'																
SETBACKS																
FRONT YARD:	15'															
SIDE YARD:	10'															
REAR YARD:	30'															
LS STRIP:	10'															
BUFFERS:	50' (* REDUCTION TO 20' & GRADED AND REPLANTED VARIANCE)															
PARKING ANALYSIS																
TYPE PROVIDED		MIN. REQUIRED		SPACES PROVIDED												
4,800 S.F. C- STORE		1 PER 500 SF: (10)		21												
AT THE MULTIPLE PRODUCT DISPENSERS		N/A		8												
LOADING SPACES PROVIDED		N/A		1												
TOTAL				30												



PROJECT APPLICANT/CONTACT
TRITON PROPERTIES INC.
PHONE #: 678-691-1818

PROPERTY BORDER
SUGARLOAF PARKWAY

PROPERTY OWNERS:
PID: R7043 136 - LARRY N. HUDSON, ET AL
PID: R7043 138 - LARRY N. HUDSON, ET AL

MAILING ADDRESS:
1001 MCKEE ROAD
LAWRENCEVILLE, GA, 30043

SEWER NOTE:
SEWER PROVIDED BY GWINNETT COUNTY;
SANITARY LINE TO CONNECT WITH EXISTING
SEWER LOCATED ON THE PROPERTY.

STORMWATER NOTE:
STORMWATER TO BE MANAGED
ON-SITE, WITHIN AN UNDERGROUND
DETENTION VAULT.

WATER NOTE:
WATER PROVIDED BY GWINNETT COUNTY;
WATER AVAILABLE ON THE PROPERTY.

LEGEND:
25' STREAM BUFFER
50' STREAM BUFFER
75' IMPERVIOUS STREAM SETBACK

FLOOD ZONE:
A PORTION OF THIS PROPERTY IS LOCATED IN A FEMA FLOOD
HAZARD AREA AS PER FEMA PANEL NO. 1313SC0071F, DATED
09/29/2009.

PLAN NOTE:
THIS DRAWING IS CONCEPTUAL IN NATURE AND DOES NOT
CONSTITUTE APPROVAL FOR CONSTRUCTION OR DEVELOPMENT.
ADDITIONAL REGULATIONS SHALL APPLY PRIOR TO PERMIT
ISSUANCE.

CANOPY NOTE:
EXISTING TREE CANOPY COVERS THE ENTIRE SITE. THE
SITE MAY CONTAIN SPECIMEN TREES. RECOMPENSE
FOR REMOVAL IS 100 PERCENT.

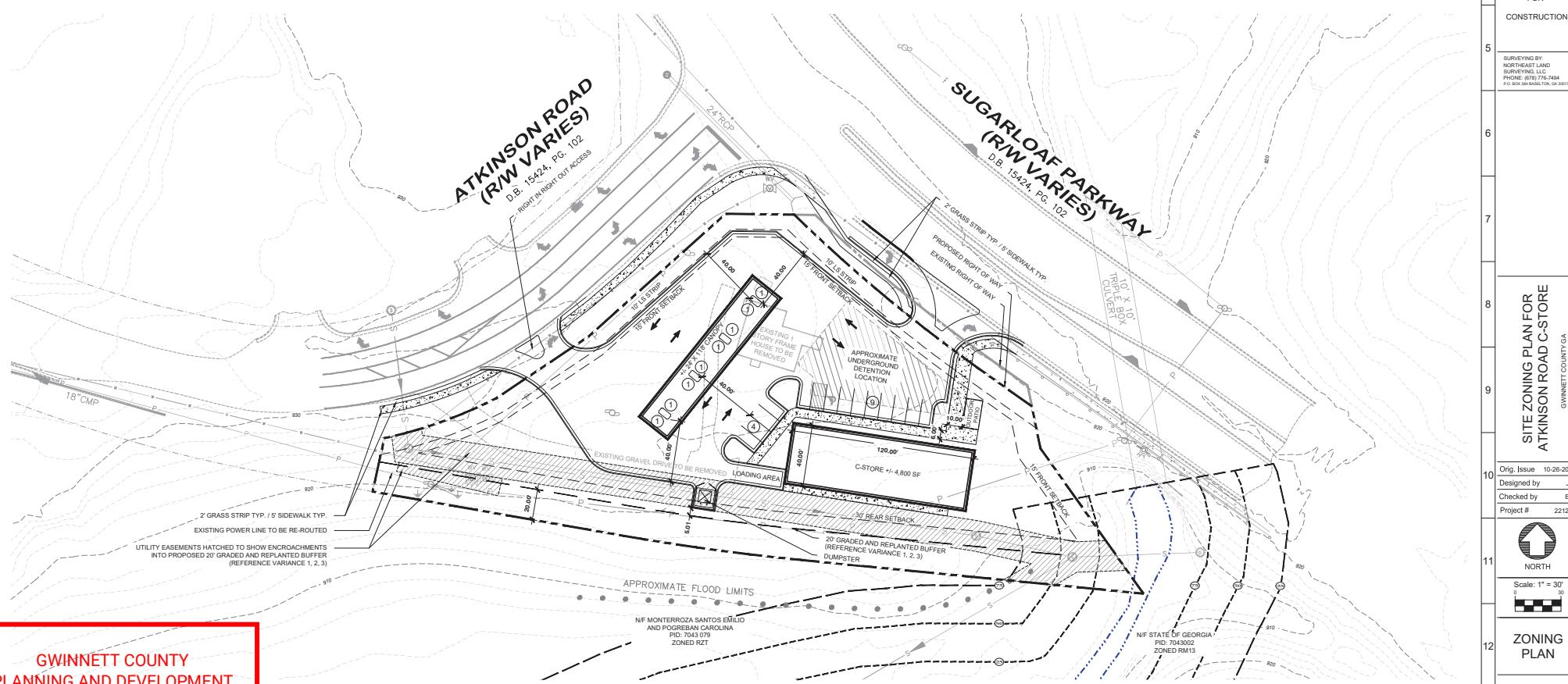
UTILITIES:
THE DEVELOPER SHALL BE RESPONSIBLE FOR ANY CONFLICTS
WITH EXISTING UTILITIES.

STREAM NOTE:
STREAMS AND WETLANDS HAVE NOT BEEN VERIFIED WITH A FIELD
RUN DELINEATION.

EXISTING BUILDINGS:
ALL EXISTING BUILDINGS ON THIS SITE ARE TO BE REMOVED.

VARIANCES FROM CODE:
1) BUFFER REDUCTION FROM 50' TO 0' AS SHOWN
2) GRADED AND REPLANTED BUFFER (REFERENCE VARIANCE 1, 2, 3)
3) WHERE THE 20' BUFFER INCLUDES A UTILITY OR PIPELINE
EASEMENT, NO ADDITIONAL BUFFER WILL BE REQUIRED TO BE MET
OUTSIDE THE EASEMENT AREA (610-20.C; 610-20.3.F).

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Surveying by
NORTHEAST LAND SURVEYING, LLC
Phone: (678) 776-1224
Fax: 800-444-4424, TOLL FREE
404-361-3037



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JOB NUMBER : 177001
DRAWN BY : YH, PP
CHECKED BY : YS

YUNG ARCHITECTURE
34 83 Satellite Blvd 310 South
Duluth, Georgia 30036
yungarchitetur@gmail.com

YUNG
ARCHITECTURE

REVISIONS
DATE
DESCRIPTION
 COUNTY COMMENT #1 08092021

1 ELEVATION (FRONT)

SCALE : 3/16"=1'-0"

MATERIAL NOTES



- [BR1] BRICK: TRIANGLE BRICK(MANUFACTURER)/CAMDEN(MODEL#)/BROWN COLOR
- [BR2] BRICK: TRIANGLE BRICK(MANUFACTURER)/CHESAPEAKE GREY(MODEL#)/GRAY COLOR
- [PN1] NICHIBA / CONCRETE SERIES, INDUSTRIAL BLOCK / GRAY
- [PN2] NICHIBA / WOOD SERIES, VINTAGE WOOD / ASH
- [PN3] NICHIBA / WOOD SERIES, VINTAGE WOOD / CEDAR
- [ST1] STUCCO /BRICK PATTERN /STO(MANUFACTURE)/ STOCREATIVE BRICK / BRICK 10/ COLOR: SHERWIN WILLIAMS, SW7757 HIGH REFLECTIVE WHITE
- [ST2] STUCCO /STO(MANUFACTURE)/ STO POWERFLEX SILCO / 80286 STO POWERFLEX SILCO MEDIUM /SHERWIN WILLIAMS /SW7655 STAMPED CONCRETE
- [CMU] STUCCO FINISH(STO /STO POWERFLEX SILCO / 80286 STO POWERFLEX SILCO MEDIUM ON 8" CMU /SHERWIN WILLIAMS /SW7531 CANVAS TAN
- [SCR1] PAINT ON SCREEN /SHERWIN WILLIAMS /SW7531 CANVAS TAN
- [SCR2] PAINT ON SCREEN /SHERWIN WILLIAMS /SW6003 PROPER GRAY
- [MC] METAL CANOPY / BLACK

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T C

2 ELEVATION (EAST)

SCALE : 3/16"=1'-0"

EXTERIOR
ELEVATION

EL1

DATE : 10/29/2020