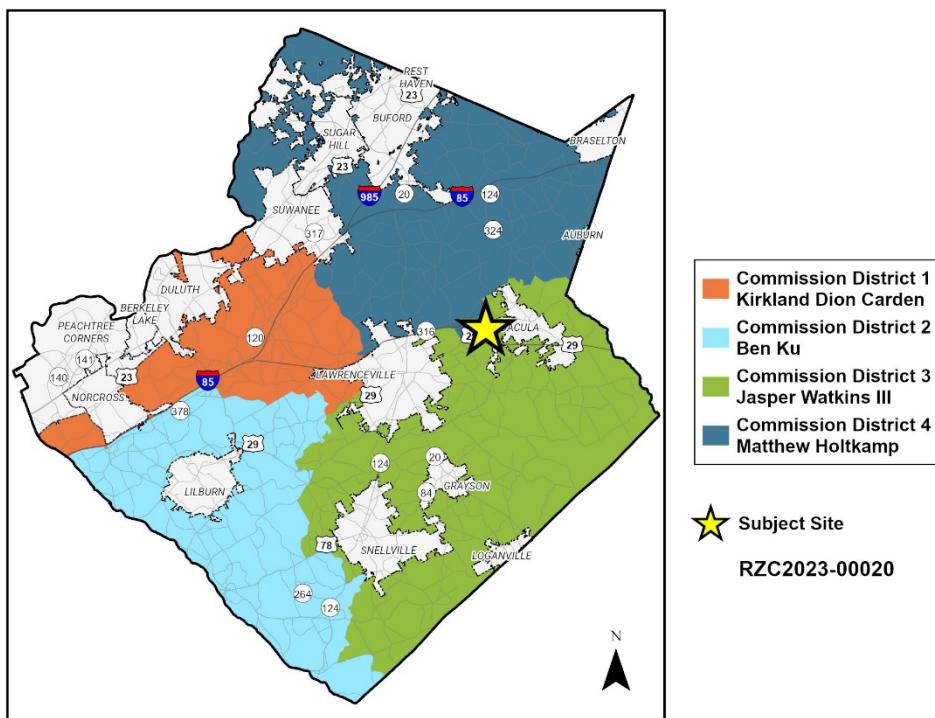




## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

<b>Case Number:</b>	<b>RZC2023-00020</b>
<b>Current Zoning:</b>	<b>C-2 (General Business District)</b>
<b>Request:</b>	Rezoning to <b>M-2 (Heavy Industry District)</b>
<b>Additional Requests:</b>	Variances
<b>Address:</b>	1610 Winder Highway
<b>Map Number:</b>	R5242 026
<b>Site Area:</b>	5.24 acres
<b>Proposed Development:</b>	Automobile or Truck Storage Lot
<b>Commission District:</b>	District 4 – Commissioner Holtkamp
<b>Character Area:</b>	Innovation District
<b>Staff Recommendation:</b>	<b>DENIAL</b>
<b>Planning Commission Recommendation:</b>	<b>DENIAL</b>



**Applicant:** Porro Property Group, LLC  
c/o Alliance Engineering and Planning  
4525 South Lee Street  
Buford, GA 30518

**Owner:** RBD Holdings, LLC  
2639 Ivy Plantation Drive  
Buford, GA 30519

**Contact:** Tyler Lasser

**Contact Phone:** 470.202.9321

## **Zoning History**

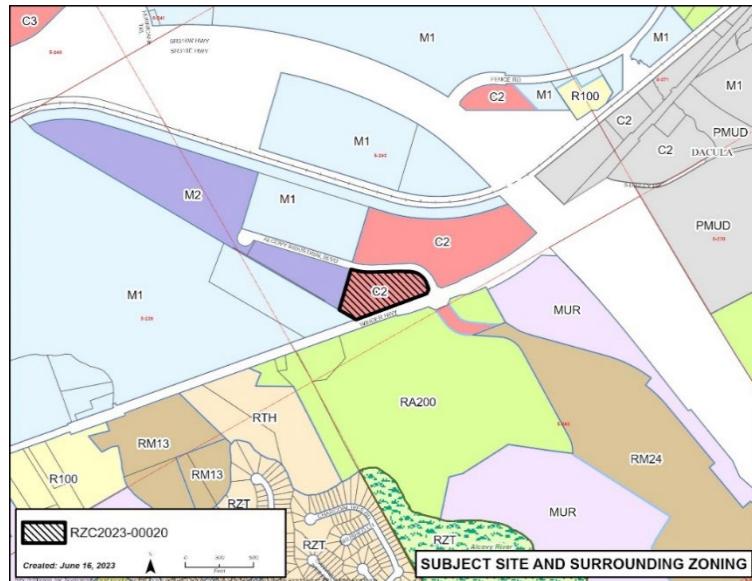
The subject property is zoned C-2 (General Business District). In 1975, the property was rezoned from RA-200 (Agriculture-Residence District) to M-1 (Light Industry District) as part of an area wide rezoning. In 1985, the property was part of a larger rezoning from R-100 (Single-Family Residence District) and M-1 to M-1, pursuant to RZ-136-85. In 2003, the property was rezoned from M-1 to C-2 for commercial and retail uses, pursuant to RZC-03-008.

## **Existing Site Condition**

The subject property is a 5.24-acre parcel, located on the northwest corner of the intersection at Winder Highway and Alcovy Industrial Boulevard. The property is undeveloped with dense vegetation. A centrally located stream and its associated buffers bisect the site. There are wetlands adjacent to the stream and a detention pond in the southwest corner of the parcel. The topography of the site is gently sloping along the northwestern and eastern portions of the site, with more pronounced changes in grade in the southwest of the site and around the stream. There are no sidewalks along either the Winder Highway or Alcovy Industrial Boulevard frontages. A sidewalk exists on Alcovy Industrial Boulevard across from the subject property. The nearest Gwinnett County Transit stop is approximately 4.5 miles from the subject property.

## **Surrounding Use and Zoning**

The subject property is surrounded by a mix of industrial, commercial, and residential uses. Across Alcovy Industrial Boulevard to the east is a multi-tenant commercial shopping center. Across Alcovy Industrial Boulevard to the northwest is a large industrial warehouse. Across Winder Highway to the south is a single-family residence, undeveloped land, and various small-scale agricultural uses. A building material supply warehouse is located to the west of the site. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Vehicle Storage Lot	M-2	N/A
North	Commercial	C-2	N/A
East	Commercial	C-2	N/A
South	Residential	RA-200	0.02 units per acre
West	Industrial	M-2, M-1	N/A

## Project Summary

The applicant requests rezoning of a 5.24-acre property from C-2 to M-2 for an automobile or truck storage lot, including:

- Combining the subject property with an adjoining 5.28-acre parcel located to the west and identified on the site plan as Lot 1.
- A total of 199 parking spaces for vehicle storage on the combined parcels including 44 - 11'x29' spaces, six - 11'x30' spaces, 36 - 11'x40' spaces, and 113 - 11'x75' parking spaces. Vehicles to include semi-trucks, boats, recreational vehicles, box trucks, and trailers.
- The storage lot would be self-service with no buildings on-site, but with solar powered parking lot lighting and security cameras.
- Gated access to the vehicle storage lot from two access points on Alcovy Industrial Boulevard. Ingress from the driveway closest to Winder Highway and egress from the driveway in the cul-de-sac of Alcovy Industrial Boulevard.
- Asphalt millings to be used for the parking surface.
- An 8-foot-tall metal fence surrounding the perimeter of the storage lot. A second five-foot-tall chain link fence surrounding a portion of the stormwater detention pond.
- The frontage of Winder Highway and a portion of Alcovy Industrial Boulevard will remain undisturbed to preserve a number of wetlands, easements, and environmental features.
- A 15-foot wide graded and replanted buffer along the site's Winder Highway and Alcovy Industrial Boulevard frontages.
- A portion of the ephemeral stream will be piped, and the existing detention pond located in the southwest corner of the site will be maintained.

## Zoning and Development Standards

The applicant is requesting a rezoning to M-2, Heavy Industry District, for an automobile or truck storage lot. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Front Yard Setback	Minimum 50'	>50'	YES
Side Yard Setback	Minimum 25'	>25'	YES
Rear Yard Setback	Minimum 50'	>50'	YES
Lot size	Minimum 10 acres	10.52 acres	YES
Zoning Buffer	Minimum 25' to Non-Residential Property Minimum 15' Undisturbed from Public Street	25' 15'	YES NO*
Surface Material	Pavement	Asphalt Millings	NO**

\*The applicant is requesting a variance to grade and replant the 15-foot-wide buffer.

\*\*The applicant is requesting a variance to allow asphalt millings for portions of the parking area.

Variance approval by the Zoning Board of Appeals is required for any deviations from the UDO including to eliminate the 25-foot-wide buffer adjacent to non-residential zoning districts, to exceed the maximum driveway width, and to not pave the entire parking area on Lot 1. Only Lot 3, as indicated on the site plan, is included in the rezoning application for which concurrent variances are allowed.

## Variance Requests

In addition to the rezoning request, the applicant is seeking variances from the following provision of Title II of the UDO:

1. Section 230-130.3.E.2 Automobile, Truck or Vehicle Storage Lot (Other than impound lot)
  - A. The entire lot shall be surrounded by a 15-foot in depth buffer adjacent to any public street, a 25-foot in depth buffer adjacent to a non-residential zoning district, and a 50-foot in depth buffer adjacent to any mixed-use or residential zoning district.

The applicant requests a variance to grade and replant the 15-foot-wide zoning buffer adjacent to the Alcove Industrial Boulevard right of way. It appears that a 25-foot-wide buffer will be maintained adjacent to the M-1 zoning district, southwest of the site on Wider Highway.

2. 240-10.3.A Parking Surfaces
  - A. In any non-residential district, the parking of any vehicle on other than a paved surface (or other system approved by the Director) is prohibited.

The applicant requests a variance to allow the construction of a non-paved surface with asphalt millings throughout the site, per the site plan.

### 3. Section 240-70.1.C Interior Driveways

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

The applicant requests a variance to allow a driveway width of over 24-feet for two-way traffic. It is not clearly indicated on the site plan the width of the driveways pertaining to the proposed rezoned lot. However, the entrance driveway is shown as 30-feet-wide with the drive aisle increasing significantly in width between the 11'x75' parking spaces and the 11'x40' parking spaces.

### **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 E). Standard site and infrastructure improvements will also be required related to stormwater, transportation, water, and sewer utilities. Recommended improvements not already required by the UDO have been added as staff recommended conditions.

### **Staff Analysis**

**Rezoning Request 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.**

The site is surrounded by a mixture of uses including industrial, commercial, and residential uses. It is located in an area immediately adjacent to industrial zoning districts to the west and north, and approximately 1,200 feet west of the Winder Highway and University Parkway exit. However, a commercial shopping center is west of the site across Alcovy Industrial Boulevard and single-family residences are south of the site across Winder Highway. Additionally, the proposed site plan does not meet many standards of the UDO which requires the applicant to request several variances including paving materials, driveway width, and buffer requirements. Therefore, an automobile and truck storage lot is not suitable at this location.

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

An automobile and truck storage lot will adversely impact the current and proposed residential uses located across Winder Highway. Large-scale truck parking is not compatible with either the residences along Winder Highway or the shopping center just east of the site. The issue of compatibility is compounded by the proposed variances. These variances to reduce and eliminate the required buffers, combined with the proposal to use new plantings instead of existing mature vegetation, will not provide adequate screening for either the residential or nonresidential uses in close proximity to the site. Finally, the large parking lot using asphalt

millings in areas rather than a paved surface throughout the site has the potential for stormwater runoff to affect the creek, which runs into nearby properties.

**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.

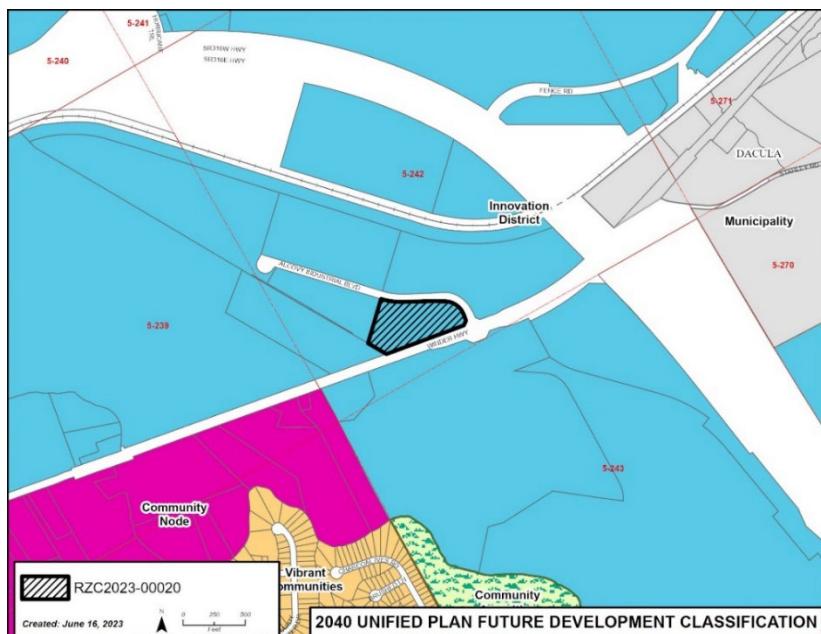
**D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

An increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff. No impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning request are attached (Exhibit E).

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

This property is located within the Innovation District Character Area, which is intended to accommodate research and development, technological uses, industrial parks, and areas where there are colleges and universities. These elements should be supported where appropriate by opportunities for transit-oriented development and high-density mixed-use to support nearby research and development uses.

The character area recommends research, technological, and industrial park uses, supported by transit-oriented development, high-density mixed-use, and offices. The recommended non-residential uses are anticipated to be strong employment generators. The proposed vehicle storage lot is not a use recommended by the character area nor does it provide any employment opportunities. This type of use would not be in conformity with the policy and intent of the Unified Plan and Future Development Map.



**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.**

A vehicle storage lot allowing semi-trucks, boats, recreational vehicles, box trucks, and trailers to be parked for extended periods of time without any on-site management or facilities is not appropriate at this location. Single-family residences are located south of the site across Winder Highway and a commercial shopping center is located just east of the site across Alcovy Industrial Boulevard. Although the site is undeveloped and the adjoining property to the north is zoned M-2, the less intense industrial zoning of M-1 comprises the majority of industrial uses along Winder Highway and provides employment opportunities for nearby residents. Vehicle ingress and egress to the site is also a potential safety concern. Although there is a right turn lane onto Alcovy Industrial Boulevard from Winder Highway, any larger vehicles leaving the lot and headed east on Winder Highway to access University Parkway or headed into the site from the west on Winder Highway only have the two-lane road to accommodate access. Additionally, the numerous variance requests support a recommendation of denial as even as the existing M-2 portion of the development cannot meet the supplemental standards of the UDO.

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

The first requested variance is to provide a graded and replanted 15-foot-wide buffer along Alcovy Industrial Boulevard. The required buffer is intended to mitigate the impacts of an automobile or truck storage lot from adjoining nonresidential developments. These variances are not reasonable as it reduces and/or eliminates the buffering intended to mitigate the impacts of the use and it does not appear to be caused by unusual site restraints or characteristics.

The applicant also requests a variance to allow the construction of a non-paved surface, specifically asphalt millings. This standard is in place to allow for uniform paving standards of non-residential properties and to reduce reliance on non-paved surfaces like gravel or others, which eventually break down and may become unsightly or harm nearby streams. The proposed material may affect proper stormwater management for the site.

Finally, the applicant requests a variance to allow a driveway width of over 24-feet for two-way traffic. This variance may be necessary due to the large vehicles and semi-trailers that are associated with an automobile and truck storage lot. Although this variance may be reasonable, staff cannot support the request due to the larger issues associated with the proposed use.

### **Staff Recommendation**

Based on the staff's evaluation of the request and the standards governing the exercise of zoning power, the Department of Planning and Development recommends **DENIAL** of the rezoning request.

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

1. To grade and replant the 15-foot in depth buffer adjacent to any public street.
2. To allow asphalt millings for the parking area.

3. To allow a driveway width of over 24-feet for two-way traffic.

### **Staff Recommended Conditions**

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

Approval as M-2 Heavy Industry District subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received June 8, 2023, with revisions required by conditions of approval and the Unified Development Ordinance as reviewed and approved by the Department of Planning and Development.
2. No vehicle sales or service of any kind shall be permitted.
3. No overnight resting or sleeping shall be permitted on the property.
4. No inoperable vehicles shall be stored on the property.
5. Outdoor storage of automotive parts or tires shall be prohibited.
6. All vehicles shall be parked on an approved surface and within striped parking spaces. Parking within the right of way shall be prohibited.
7. 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 grand opening and during special events which shall occur no more than twice per calendar year, and last no longer than seven days each.
8. Fencing along the perimeter of the property shall be of metal material and 8-feet in height, subject to the review and approval of the Department of Planning and Development.
9. Provide a 15-foot-wide graded and replanted buffer along the Winder Highway and Alcovy Industrial Boulevard road frontages, subject to the review and approval of the Department of Planning and Development.
10. Stormwater BMP facilities shall be screened from view of adjoining properties and rights of way by a decorative fence and landscaping that complies with the Gwinnett County Stormwater Management Manual.
11. Natural vegetation shall remain on the property until the issuance of a development permit.
12. There shall be no vehicular access onto Winder Highway.

## **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 variance requests:

1. To grade and replant the 15-foot in depth buffer adjacent to any public street.
2. To allow asphalt millings for the parking area.
3. To allow a driveway width of over 24-feet for two-way traffic.

**Exhibits:**

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

## Exhibit A: Site Visit Photos



**View of property from Winder Highway**



**View of Alcovy Industrial Boulevard entrance, with subject property to the left**



**View of Alcovy Industrial Boulevard**



**View of the interior of the property**

**Exhibit B: Site Plan**

**[attached]**



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

**[attached]**

### **Applicant's Letter of Intent**

Parcel # 5242 026

Rezoning C-2 to M-2

The applicant, Porro Property Group LLC, requests a rezoning to construct a vehicle and trailer storage lot at the corner of Alcovy Industrial Boulevard and Winder Highway. The development will consist of two parcels totaling approximately 10.52 acres. The approximately 5.24-acre subject parcel was previously zoned M-1 and has since been rezoned to C-2. The adjacent 5.28-acre parcel has remained zoned M-2 since being rezoned from the M-1 classification. To create consistency between the two parcels, the applicant requests to rezone the subject parcel to M-2.

The development will offer self-service semi-truck, RV, boat, box truck, and trailer parking, catered to residents and businesses of the surrounding area. Overall, the development will include 199 total parking spaces with four variations of parking space size. The parking spaces, in addition to the drive aisles will be surfaced with asphalt millings, which is a recycled product that is more environmentally friendly and requires little to no maintenance. The business offers storage only and does not permit any vehicle maintenance, sales, or overnight resting. An on-site office will not be constructed, and all contracts and payments will be processed online. At the time of payment, a parking space will be assigned to the driver, and a gate code will be provided to enter the site. Site access will be provided on Alcovy Industrial Boulevard, which is a dead-end street with a cul-de-sac that services primarily existing industrial uses, many of which store/park trucks and trailers. The driveway closest to Winder Highway will be used for entry into the site, and the driveway in the cul-de-sac will be used for exiting the site. There will not be any direct access onto Winder Highway. There will be an 8-foot metal fence around the site and gates at each driveway. The gates, in addition to the site's lighting and surveillance cameras will be powered by on-site solar panels. As proposed, the site will not be visible from Winder Highway or from a portion of Alcovy Industrial Boulevard due to the existing detention pond, easements, and wetlands within the eastern and southeastern portions of site. This area will be dedicated as open space and will remain densely vegetated. Additional open space will be included in the 15-foot graded and replanted buffer adjacent to Alcovy Industrial Boulevard, and within the large nitrification field easement at the northwest corner of the site, adjacent to Alcovy Industrial Boulevard. In addition to the special use permit request, the applicant requests variances to reduce the in-depth buffer adjacent to a non-residential zoning from 25 feet to 0 feet, to reduce in depth buffer adjacent to public street from 15 feet to 15 feet graded and replanted (section 230-130.3D.2), to exceed the 24-feet maximum width for a driveway (section 240-70.1.C) and to allow asphalt millings as a paved surface material (section 240-10.3.A). The 15-foot buffers will only need to be disturbed where necessary, specifically where there are proposed parking spaces. The 25-foot buffers will be reduced adjacent to the cul-de-sac, across from other industrial-zoned property, and adjacent to the gas easement between the subject site and another industrial-zoned property.

The applicant looks forward to meeting with staff as well as the community to answer all questions or concerns. Please see attached site plan within the application package for additional information.

**RECEIVED**

~~6/~~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  
SPECIAL USE PERMIT APPLICANT'S RESPONSE**

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 SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:**

Yes. The SUP will allow for a use that is suitable with the surrounding uses. The site is primarily surrounded by industrial uses, all of which include some sort of outdoor storage or parking of large trucks and trailers.

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

No, the special use permit will not adversely affect the use or usability of nearby properties. The site is at the corner of a major highway and industrial street that serves a variety of other industrial uses.

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

The subject site has limited visibility and buildable area due to site constraints. The Applicant submits the SUP would allow for a use more compatible for the site.

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

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

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

Yes, the development is in conformity with the intent of the 2040 plan.

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

The consistency with the uses in the surrounding area, site constraints, and limited visibility give supporting grounds for approval of the proposed SUP. Please see attached letter of intent.

**Exhibit D: 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: Porro Property Group LLC c/o Alliance Engineering and Planning	NAME: RBD Holdings LLC
ADDRESS: 4525 S Lee Street	ADDRESS: 2639 Ivy Plantation Drive
CITY: Buford	CITY: Buford
STATE: GA ZIP: 30518	STATE: GA ZIP: 30519-7041
PHONE: 470.202.9321	PHONE: 470.202.9321
EMAIL: tlasser@allianceco.com	EMAIL: tlasser@allianceco.com
CONTACT PERSON: Tyler Lasser	PHONE: 470.202.9321
CONTACT'S E-MAIL: tlasser@allianceco.com	
<b>APPLICANT IS THE:</b>	
<input type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER
PRESENT ZONING DISTRICT(S): C-2	REQUESTED ZONING DISTRICT: M-2
PARCEL NUMBER(S): 5242 026	ACREAGE: 5.237
ADDRESS OF PROPERTY: 1610 Winder Highway	
PROPOSED DEVELOPMENT: Truck Parking	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units	N/A
Dwelling Unit Size (Sq. Ft.):	No. of Buildings/Lots: _____ N/A
Gross Density:	Total Building Sq. Ft. _____ N/A
Net Density:	Density: _____ N/A

**PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED**

**RECEIVED**

6/8/2023

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

Date

May 17<sup>th</sup> 2023

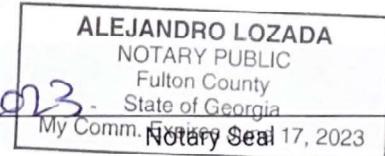
Type or Print Name and Title

Lucia P. Boro

Signature of Notary Public

Date

May 17<sup>th</sup> 2023



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6/8/2023

Gwinnett County Planning Division  
Rezoning Application  
Last Updated 10/2021

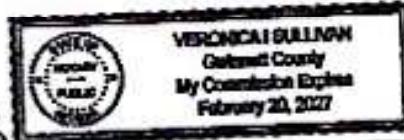
REZONING PROPERTY OWNER'S CERTIFICATION

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

David H. Freeman 5/17/2023  
Signature of Property Owner Date

RBD Holdings, LLC  
by: David H. Freeman Gen Partner  
Type or Print Name and Title

Veronica L. Sullivan 5/17/2023  
Signature of Notary Public Date Notary Seal



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6/8/2023

Gwinnett County Planning Division  
Rezoning Application  
Last Updated 10/2021

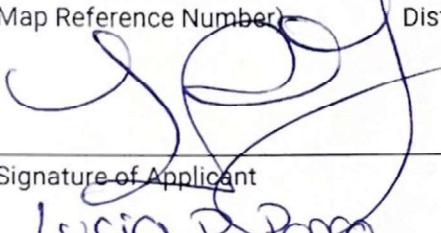
**VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING**

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

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

PARCEL I.D. NUMBER: 5 - 242 - 026  
(Map Reference Number) District Land Lot Parcel

Signature of Applicant



May 17<sup>th</sup> 2023  
Date

Type or Print Name and Title

\*\*\*PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 Langley Drive, for their approval below.\*\*\*

**TAX COMMISSIONERS USE ONLY**

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

**Tax Associate II**

Jacqueleen Garcia

NAME

TITLE

05/19/2023

DATE

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6/8/2023

Gwinnett County Planning Division  
Rezoning Application  
Last Updated 10/2021

**CONFFLICT OF INTEREST CERTIFICATION FOR REZONING**

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

TYLER LASSEN May 17<sup>th</sup> 2023 TYLER LASSEN - AEP  
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

TYLER LASSEN May 17<sup>th</sup> 2023 TYLER LASSEN - AEP  
SIGNATURE OF APPLICANT'S  
ATTORNEY OR REPRESENTATIVE DATE TYPE OR PRINT NAME AND TITLE

ALEJANDRO LOZADA May 17<sup>th</sup> 2023  
SIGNATURE OF NOTARY PUBLIC DATE  
NOTARY SEAL  
ALEJANDRO LOZADA  
NOTARY PUBLIC  
Fulton County  
State of Georgia  
My Comm. Expires June 17, 2023

**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 \_\_\_\_\_  
YOUR NAME

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

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

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

**Exhibit E: Internal and External Agency Review Comments**

**[attached]**



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

<b>TRC Meeting Date:</b> 07.05.2023	
Department/Agency Name: Transportation	
Reviewer Name: Brent Hodges	
Reviewer Title: Construction Manager 1	
Reviewer Email Address: <a href="mailto:Brent.Hodges@gwinnettcounty.com">Brent.Hodges@gwinnettcounty.com</a>	
Case Number: RZC2023-00020	
Case Address: 1610 Winder Highway, Dacula, 30019	
<b>Comments:</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
1	Winder Highway is a major arterial. ADT = 9,820.
2	4.5 miles to the nearest transit facility (#2334968) Grayson Highway and Lawrenceville Square Plaza.
3	
4	
5	
6	
7	
<b>Recommended Zoning Conditions:</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
1	No direct access shall be provided to Winder Highway.
2	
3	
4	
5	
6	
7	

**Note:** Attach additional pages, if needed

*Revised 7/26/2021*

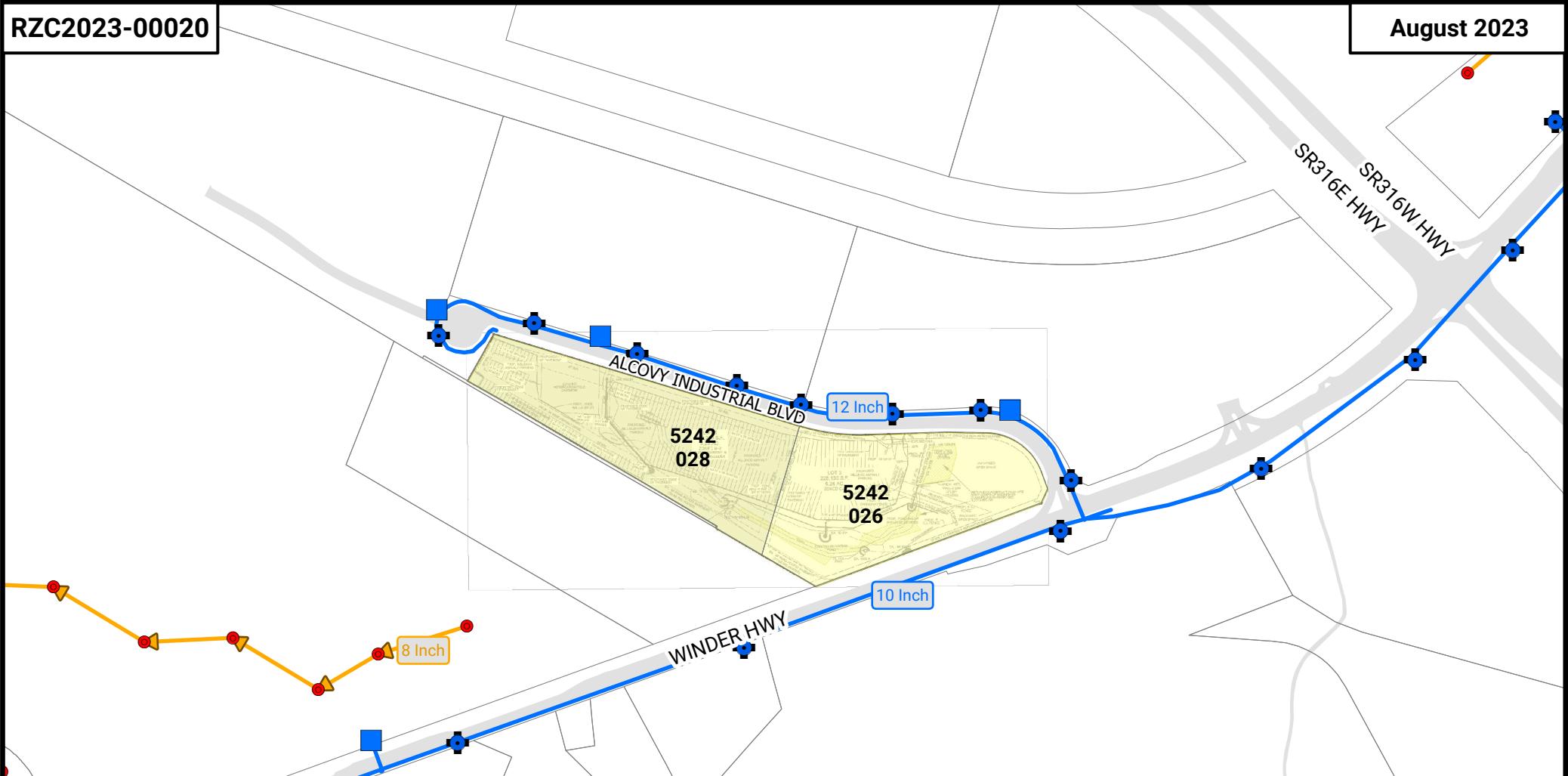


**Department of Planning and Development**  
**TECHNICAL REVIEW COMMITTEE**

<b>TRC Meeting Date:</b>				
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		<a href="mailto:Michael.pappas@gwinnettcounty.com">Michael.pappas@gwinnettcounty.com</a>		
Case Number:		RZC2023-00020		
Case Address:		1610 Winder Hwy		
<b>Comments:</b>		<input type="checkbox"/>	<b>YES</b>	<b>X</b> <b>NO</b>
1	Water: GCDWR does not have comments for this rezoning case. The proposed development does not intend to install occupied space requiring water service.			
2	Sewer: GCDWR does not have comments for this rezoning case. The proposed development does not intend to install occupied space requiring sewer service.			
3				
4				
5				
6				
7				
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/>	<b>YES</b>	<b>X</b> <b>NO</b>
1				
2				
3				
4				
5				
6				
7				

**Note:** Attach additional pages, if needed

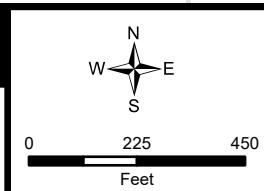
*Revised 7/26/2021*



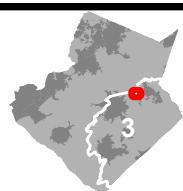
## LEGEND

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

1610 Winder Hwy  
C-2 to M-2  
**Water & Sewer  
Utility Map**



## LOCATION



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

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

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

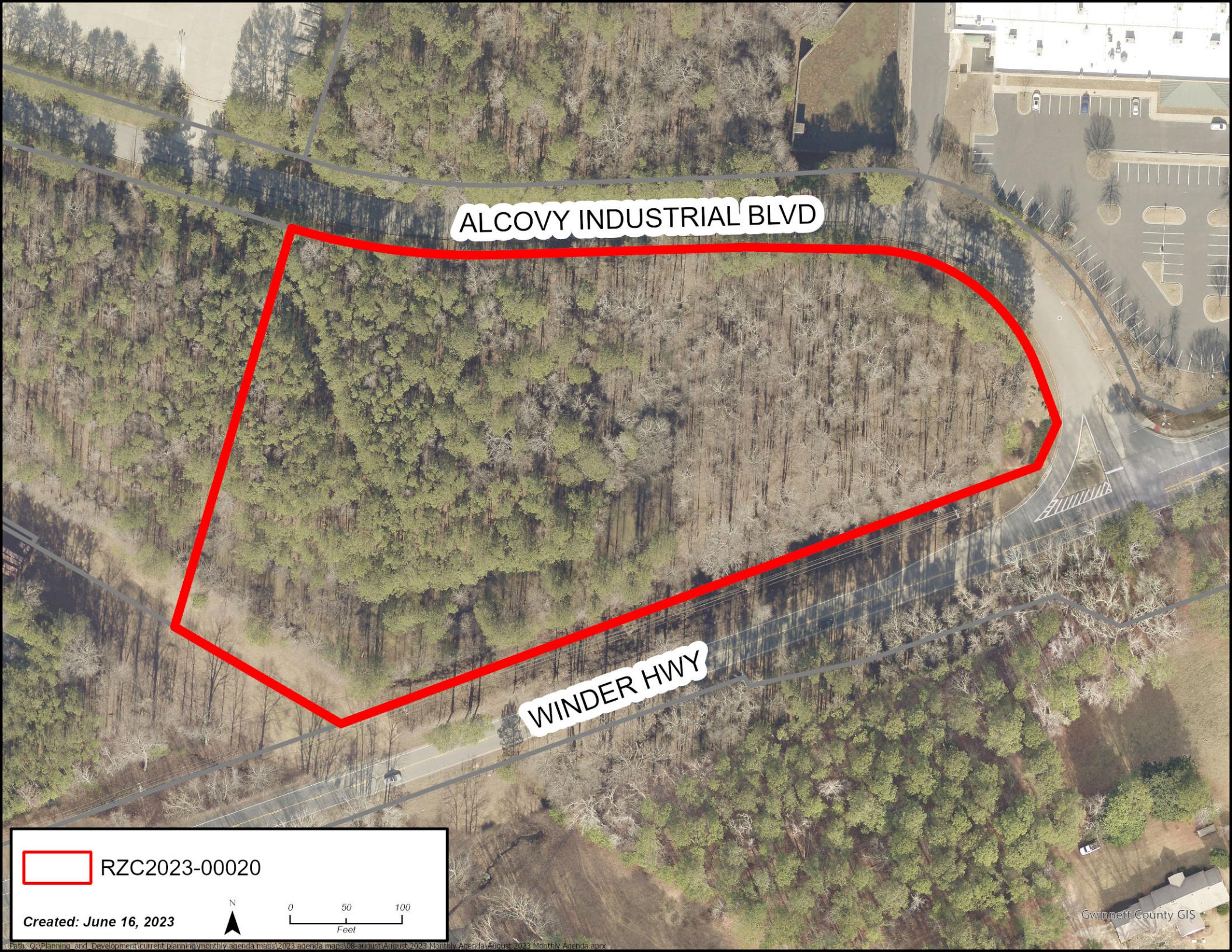
**Sewer Availability:** A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump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

**Water and Sewer Design and Construction Requirements:** Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 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 F: Maps**

**[attached]**



ALCOVY INDUSTRIAL BLVD

WINDER HWY

RZC2023-00020

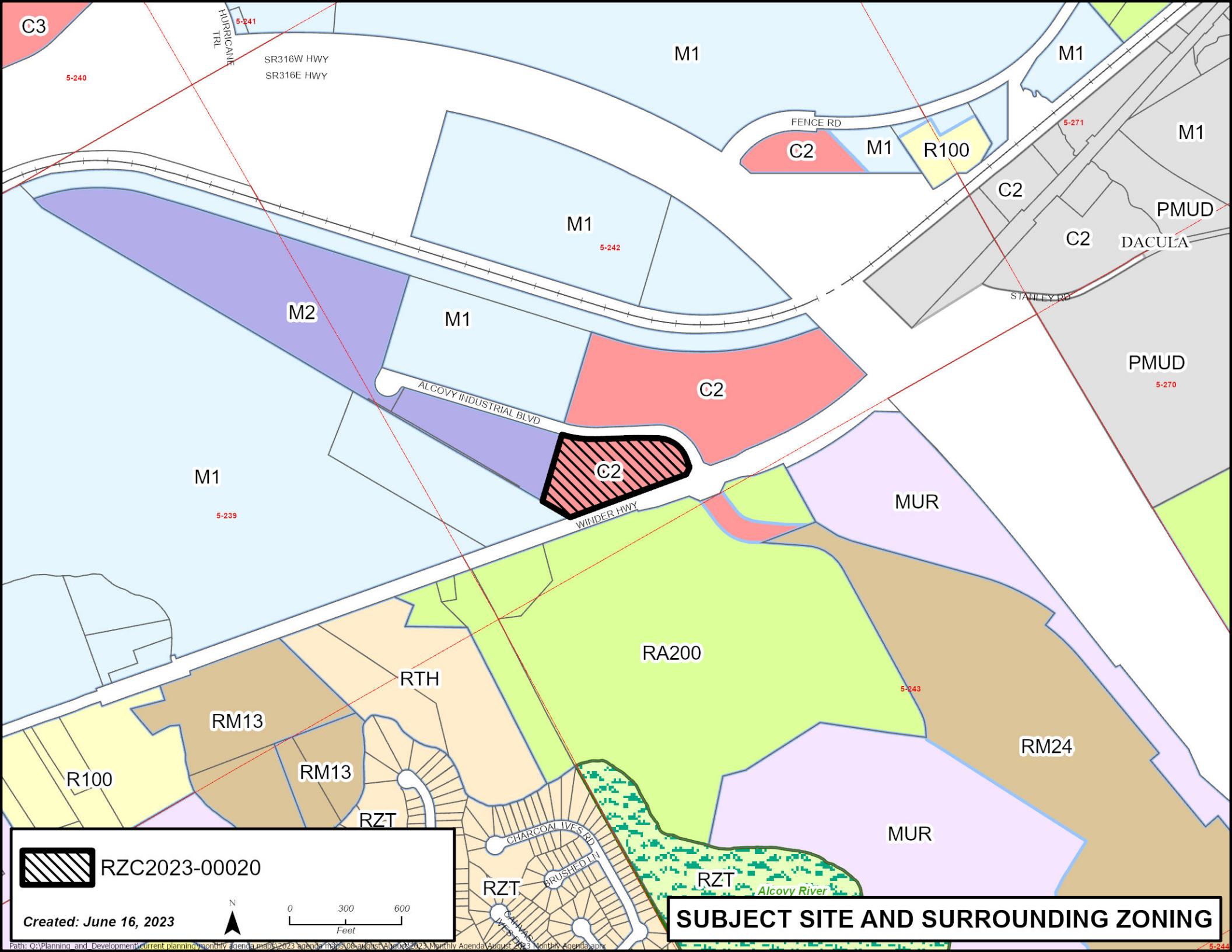


N

0 50 100  
Feet

Created: June 16, 2023

Gwinnett County GIS



RZC2023-00020

Created: June 16, 2023



A horizontal number line with arrows at both ends. The numbers 0, 300, and 600 are marked with small tick marks and labeled above the line. Between 0 and 300, there is a single unlabeled tick mark. Between 300 and 600, there are two unlabeled tick marks, with the second one being directly below the label '500'.

## **SUBJECT SITE AND SURROUNDING ZONING**

