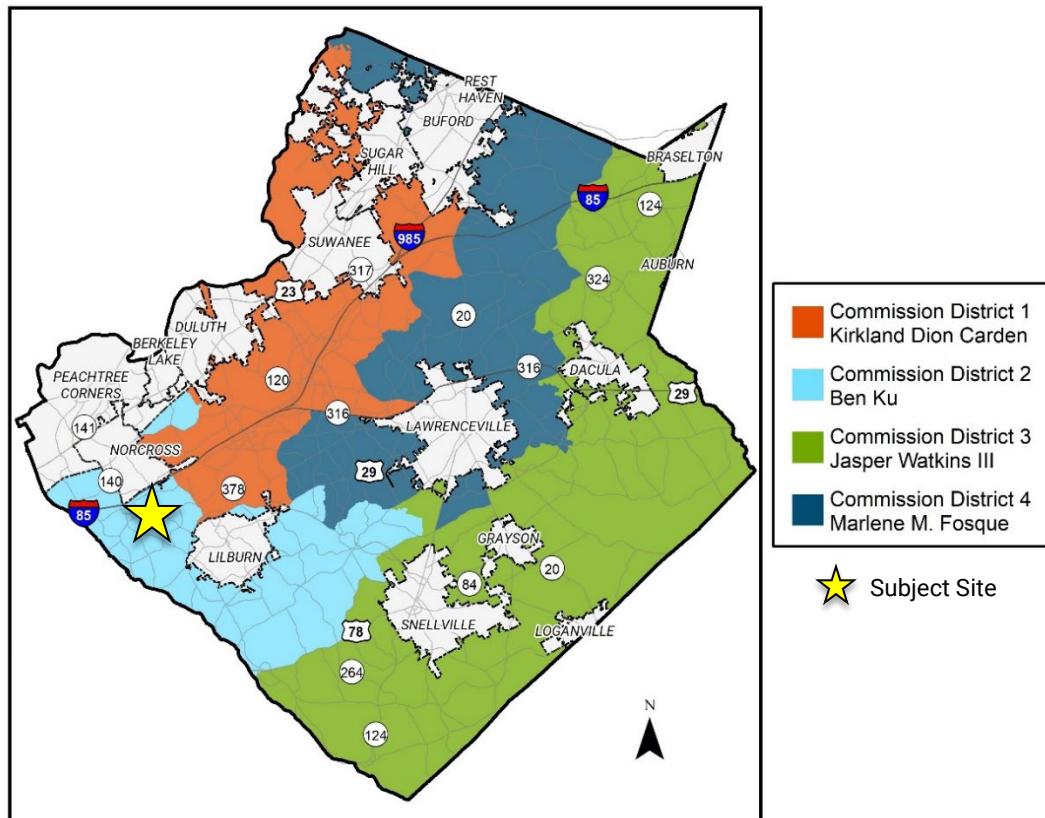




PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number:	RZC2022-00018
Current Zoning:	O-I (Office-Institutional District) R-75 (Single-Family Residence District)
Overlay District:	Gateway 85 Overlay District
Request:	Rezoning to C-1 (Neighborhood Business District)
Address:	5624, 5634, and 5644 Singleton Road
Map Number:	R6188 017, 360, and 361
Site Area:	3.59 acres
Square Feet:	15,200
Proposed Development:	Retail Development with Fuel Pumps
2022 Commission District:	District 2 – Commissioner Ku
Character Area:	Vibrant Communities

Staff Recommendation: DENIAL



Applicant: GMI1, Inc.
c/o Andersen, Tate & Carr, PC
1960 Satellite Boulevard
Suite 4000
Duluth, GA 30097

Owners: David K. Giang and Maria C. Giang
60 Cross Creek Drive
Lilburn, GA 30047

Daniel W. Williams
2781 Gardenwood Court SW
Lilburn, GA 30047

GMI1, Inc.
Bharti Mehta
1867 Independence Square, Suite D
Dunwoody, GA 30338

Contact: Melody A. Glouton

Contact Phone: 770.339.0475

Zoning History

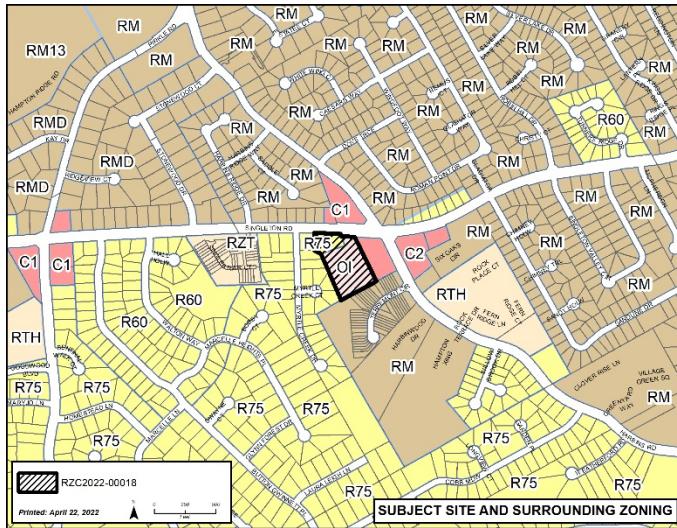
The subject property is zoned O-I (Office-Institutional District) and R-75 (Single-Family Residence District). A 1995 rezoning case, RZ-95-077, rezoned Parcel 6188 017 from R-75 to O-I for a commercial development that was never constructed. No other rezoning cases are on record for Parcels 6188 360 and 361.

Existing Site Condition

The subject site is a 3.59-acre assemblage of three parcels located along Singleton Road, west of its intersection with Harbins Road. Parcels R6188 360 and 361 are currently developed with single-family residences constructed in 1981. Parcel R6188 017 is undeveloped and heavily vegetated. Driveways for the single-family residences are located along Singleton Road. Sidewalks are present along the road frontage. The site slopes down approximately 42 feet from the road frontage to the rear of the property. Sidewalks are present along the road frontage. The nearest Gwinnett County Transit stop is along the frontage of the parcel adjacent to the subject site, at the intersection of Harbins Road and Singleton Road.

Surrounding Use and Zoning

The subject site is surrounded by single-family residences and commercial uses. To the north are commercial uses, including a convenience store with fuel pumps at the intersection of Singleton Road and Harbins Road. To the south is a townhouse development. To the west are single-family subdivisions. To the east are a discount retail store and an early childhood education center. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Commercial	C-1	N/A
North	Commercial	C-1	N/A
East	Commercial	C-1	N/A
South	Townhouses	RM	5.44 units per acre
West	Single-Family Residential	R-75	2.34 units per acre

Project Summary

The applicant requests rezoning of a 3.59-acre assemblage of three parcels from O-1 and R-75 to C-1 for a retail development with fuel pumps, including:

- A 15,200 square foot retail development with fuel pumps, including a 4,346 square foot convenience store, 9,600 square feet of retail tenant space, and 2,400 square feet of restaurant tenant space.
- 93 parking spaces with 13 of the parking spaces located in front of the convenience store and seven located behind the retail building.
- A fuel canopy along Singleton Road covering six fuel pumps.
- One full access driveway with a deceleration lane from Singleton Road and one interparcel driveway from the adjacent discount retail store to the east.
- An existing five-foot wide sidewalk along Singleton Road.
- An internal five-foot wide sidewalk providing a connection from the existing sidewalk on Singleton Road to the proposed retail building.
- Two dumpster enclosures located to the west and south of the primary structure, and one dumpster enclosure located in front of the convenience store.
- A 50-foot wide zoning buffer adjacent to R-75 and RM zoned single-family attached and detached subdivisions.
- No stormwater management facility is indicated on the site plan.
- A 10-foot wide landscape strip along Singleton Road.
- One electric vehicle charging station toward the front of the site.

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'	<35'	YES
Front Yard Setback	Minimum 15'	>15'	YES
Side Yard Setback	Minimum 10'	>10'	YES
Rear Yard Setback	Minimum 30'	>30'	YES
Off-Street Parking	Minimum: 44 spaces Maximum: 115 spaces	93 spaces	YES
Landscape Strip	10'	10'	YES
Sidewalk	Minimum 8' along Major Arterial	5'	NO*
Zoning Buffer	50' – R-75	50'	YES

*Table 220.4 of the UDO requires a minimum eight-foot wide sidewalk for developments within the Gateway 85 Overlay District. This will be required during construction of the project.

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 D). 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 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 zoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The site is primarily surrounded by residentially zoned properties. Commercial activity in the immediate area includes a convenience store with fuel pumps, a dollar store, and an early childhood learning facility. A retail center with fuel pumps would not be suitable given the surrounding use and development. Office uses, as currently permitted, would be a more appropriate transitional use between the existing commercial development and adjacent residences.

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

Surrounding properties would be negatively impacted by the proposed rezoning request. Rezoning the property to a commercial designation for an automotive oriented use would negatively impact adjacent properties. Due to the site's proximity to multiple Gwinnett County Transit stops, a non-automotive oriented use would more positively support accessibility and usability of these stops. Also, an additional curb cut onto Singleton Road would negatively impact pedestrian access in the area, as well as create additional vehicular traffic adjacent to existing single-family detached residences.

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

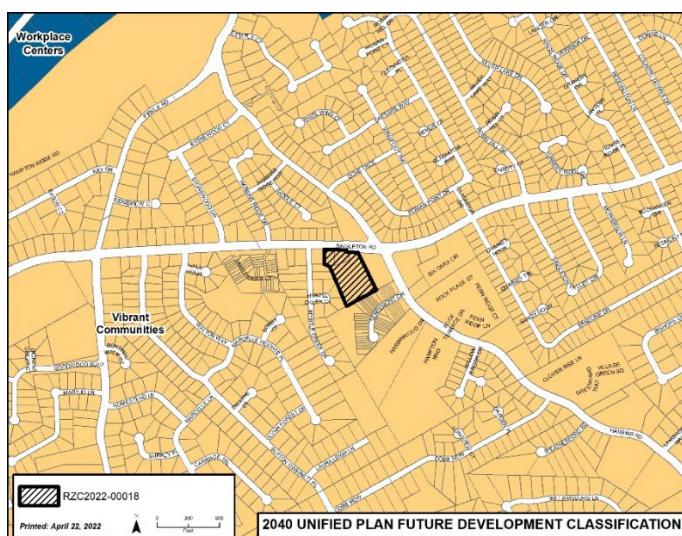
The property has a reasonable economic use as currently zoned.

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, stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. No impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this special use permit request is attached (Exhibit D).

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 Development Map indicates that the subject property lies within the Vibrant Communities Character Area. This Character Area is intended to serve as a transition between neighborhood nodes and mixed-use activity centers and surrounding, established single-family residential areas, and is generally located away from primary intersections where activity centers and nodes are located. The addition of a convenience store with fuel pumps would not be appropriate in this Character Area which should be utilized for more neighborhood serving retail and employment uses within walking distance of adjacent and nearby residential 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 nearby area is already developed with neighborhood serving commercial uses and single-family residences. Much of the surrounding area is already developed, leaving few properties currently zoned for office uses or other similar neighborhood serving uses. Professional office uses within walking distance of adjacent and nearby residential properties, along with the development's proximity to an existing Gwinnett County Transit stop, would be a more appropriate given the existing condition of the surrounding area.

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.

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 retail development 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 April 19, 2022 with revisions required by conditions of approval and the Unified Development Ordinance, as reviewed and approved by the Department of Planning and Development.
2. Buildings 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. 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.
4. Outdoor loudspeakers shall be prohibited.
5. Natural vegetation shall remain on the property until the issuance of a development permit.
6. Billboards shall be prohibited.
7. Fuel pumps shall be prohibited.

Exhibits:

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

Exhibit A: Site Visit Photos



View of Singleton Road and adjacent driveway



View of adjacent driveway



View across Singleton Road

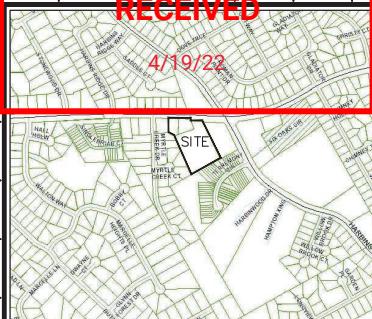
Exhibit B: Site Plan

[attached]

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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4/19/22



VICINITY MAP

N.T.S.

THIS PROPERTY IS NOT LOCATED WITHIN A 100 YEAR FLOOD PLAIN AS SHOWN ON F.I.R.M. COMMUNITY PANEL NUMBER 131350009F DATED 12/10/2006.

EXPLANATION: NOTE THERE ARE NUMEROUS UNDERGROUND UTILITIES. ALL SHALL BE FIELD LOCATED PRIOR TO CONSTRUCTION OF DRIVEWAY AND PROPOSED UTILITY AND STORM DRAIN CROSSINGS. THIS SITE IS THE ATTENTION OF OWNERS AND CONTRACTORS FOR UTILITY PROVISIONS OF EXISTING UTILITIES.

SITE PLAN DEVELOPED FROM A SURVEY PROVIDED BY THE CLIENT BY IRONSTONE SURVEYING. CCE RESERVES THE RIGHT TO REVERSE THE SITE PLAN AS ADDITIONAL INFORMATION IS MADE AVAILABLE. SITE PLAN SUBJECT TO CHANGE.

CIVIL ENGINEER

CIVL CONSULTING ENGINEERS INC.
211 E. MAIN STREET
CANTON, GA 30114

DESIGNER: TERRY BOOMER

PHONE: 678.461.4072

DEVELOPER

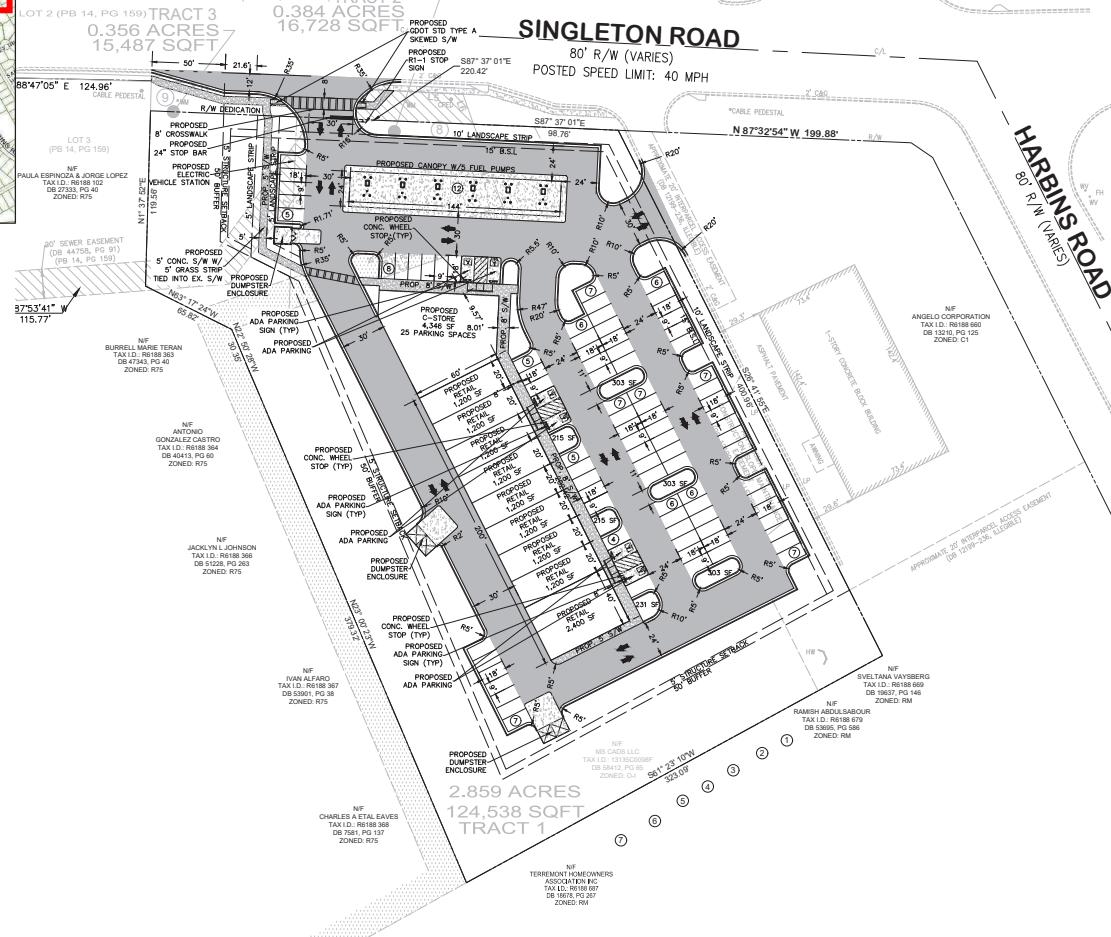
MEITA ENTERPRISES, LLC
1876 INDEPENDENT SQUARE
SUITE D
CANTON, GA 30338
CONTACT: SUNNY MEITA
PHONE: 404.363.5500
EMAIL: SUNNYMEITA@GMAIL.COM

OWNER

5644 SINGLETON RD
MS CADS LLC
2025 14TH ST
SUITE 218
PALMETTO BAY, FL 33776

5644 SINGLETON RD
GANG, DAVID K & MARIA C
40 CROSS CREEK DR
LAWRENCE, GA 30246

5644 SINGLETON RD
WILLIAMS, DANIEL W
2781 GREENWOOD CT SW
LAWRENCE, GA 30246



SITE DATA

PARCEL ID (REFERENCE):	6188361, 6188360 & 61887
FUTURE LAND USE:	RESIDENTIAL
DESIGNER:	OFFICE
CURRENT ZONING CLASSIFICATION:	C1
OVERLAY DISTRICT CLASSIFICATION:	GENERAL OVERLAY DISTRICT
LAND USE ZONE:	GENERAL OVERLAY DISTRICT
FLOOD ZONE CLASSIFICATION:	ZONE X
PROPOSED SITE AREA:	15227.39 SF OR 3.50 AC
PROPOSED SITE AREA (ACRES):	4.000 SF OR 0.10 AC
C-STORE BUILDING AREA:	4346 SF
RETAIL BUILDING AREA:	9600 SF
RESTAURANT BUILDING AREA:	24,000 SF
TOTAL BUILDING AREA:	15,000 SF

DIRECTION	PROPERTY USE	ZONING
NORTH	RESIDENTIAL	RM
SOUTH	RESIDENTIAL	RM
WEST	RESIDENTIAL	RM
EAST	COMMERCIAL	C1

DIRECTION	REQUIRED SETBACK	PROVIDED SETBACK
FRONT	15'	SEE PLAN
REAR	40' BUFFER	SEE PLAN
SIDE	15'	SEE PLAN
END	40' BUFFER	SEE PLAN

PROPOSED PARKING DATA

CONVENIENCE STORE, GASOLINE STATION MIN: 1 PER 300 SF MAX: 1 PER 125 SF
4346/200=21.75
4346/125=35
RETAIL USE MIN: 1 PER 500 SF MAX: 1 PER 200 SF
9600/200=48
RESTAURANT MIN: 1 PER 50 SF MAX: 1 PER 75 SF
2400/75=32
MINIMUM PARKING REQUIRED: 44 MAXIMUM PARKING ALLOWED: 115 TOTAL PARKING PROVIDED: 4342 (AT FUEL PUMPS)=105 W/ 6 ADA PARKING SPACES

SITE DATA

1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE PLANS AND SITE WORK SPECIFICATIONS AND SHALL COMPLY APPLICABLE FEDERAL, STATE, AND COUNTY DEVELOPMENT REGULATIONS.
2. REFERENCED ARCHITECTURAL PLANS FOR BUILD DIMENSIONS, TRUCK DOCKS, SIDEWALKS, STEPS, TRANSFORMER PADS, ETC.
3. TOPOGRAPHIC BOUNDARY SURVEY, PROPERTY LINES, LEGAL DESCRIPTION, EXISTING UTILITIES, SITE TOPOGRAPHY WITH SPOT ELEVATIONS, OUTSTANDING PHYSICAL CONDITIONS AND EXISTING STRUCTURE LOCATIONS WAS PROVIDED BY IRONSTONE SURVEYING.
4. ALL ACCESSIBLE PARKING SIGNS AND STRIPING SHALL BE IN ACCORDANCE WITH THE AMERICAN WITH DISABILITY ACT (ADA) REQUIREMENTS AND THE 2012 ADA STANDARDS.
5. ALL TRAFFIC SIGNS SHALL CONFORM TO THE TRAFFIC CONTROL MANUAL AND THE STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION. ALL STRIPING SHALL BE THERMOPLASTIC.
6. ALL STRIPED OR CURBED RADII SHALL BE 5' UNLESS OTHERWISE NOTED.
7. THE CONTRACTOR IS RESPONSIBLE FOR REPAIR OF ANY DAMAGE TO ANY EXISTING UTILITIES, SIDEWALKS, SIDEWALK RADII, SIDEWALKS, PAVEMENT, RADII, STORM DRAINAGE, ETC. THE REPAIR MUST BE APPROVED BY THE ENGINEER AND SHALL SUPPLY A ONE YEAR WARRANTY CERTIFICATE.
8. CONTRACTOR SHALL OBTAIN ALL PERMITS BEFORE CONSTRUCTION BEGINS.
9. CONTRACTOR SHALL SUPPLY AS-BUILT PLANS INDICATING ALL CHANGES AND DEViations.
10. ANY DEVIATION FROM THESE PLANS MAY CAUSE THE WORK TO BE UNACCEPTABLE.
11. ANY UNANTICIPATED CONDITIONS ENCOUNTERED DURING THE CONSTRUCTION PROCESS SHALL BE IDENTIFIED TO THE ENGINEER IMMEDIATELY.
12. ALL CONCRETE SHALL BE 4,000 PS 28 DAY COMPRESSIVE STRENGTH.
13. PROJECT SIGNAGE SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
14. ALL CURB AND GUTTER WITHIN THE DEVELOPMENT SHALL BE 24" UNLESS OTHERWISE NOTED.
15. WATER AND SEWER PROVIDED BY GWINNETT COUNTY.
16. WATER AND SEWER PROVIDED BY GWINNETT COUNTY.

0 40' 60' 80'

SCALE: 1=40'

GWINNETT COUNTY PROJECT NUMBER: _

LEGEND - PROPOSED

SETBACK LINE	WATER METER	SIDEWALKS AND ARCHITECTURAL CONCRETE
PROPERTY LINE	ADA RAMP	HEAVY DUTY ASPHALT
PROPOSED CURB & GUTTER	TRANSFORMER PAD	CONCRETE WHEEL STOP
PARKING SPACE NUMBER	CHARLES L ETAL SAVES TAX ID: R6188368 DB 5851, PG 137 ZONED: R1	HEAVY DUTY CONCRETE
DIRECTIONAL ARROWS	TERREMONTE HOMEOWNERS ASSOCIATION INC TAX ID: R6188369 DB 16078, PG 207 ZONED: R1/RM	STANDARD DUTY ASPHALT
STOP BAR	CHARLES L ETAL SAVES TAX ID: R6188368 DB 5851, PG 137 ZONED: R1	ID SIGN
ACCESSIBLE SPACES	TERREMONTE HOMEOWNERS ASSOCIATION INC TAX ID: R6188369 DB 16078, PG 207 ZONED: R1/RM	
ID SIGN	TERREMONTE HOMEOWNERS ASSOCIATION INC TAX ID: R6188369 DB 16078, PG 207 ZONED: R1/RM	

NF HAK LEE TAX ID: R6188360 DB 50935, PG 363 ZONED: RM	NF MASOOD MED TAX ID: R6188361 DB 54967, PG 872 ZONED: RM	NF ELU VILLATORO VILMA TAX ID: R6188362 DB 58162, PG 224 ZONED: RM	NF CHERYL CALLIPAS TAX ID: R6188363 DB 57632, PG 1 ZONED: RM	NF MARC BUDING TAX ID: R6188364 DB 58565, PG 437 ZONED: RM	NF 5770 TERREMONTE LLC TAX ID: R6188365 DB 58950, PG 437 ZONED: RM	NF YIBN XUE TAX ID: R6188366 DB 58950, PG 31 ZONED: R1	NF DAVID K AND MARIA C GWING TAX ID: R6188367 DB 40644, PG 239 ZONED: R1	NF DANIEL W WILLIAMS TAX ID: R6188368 DB 40644, PG 31 ZONED: R1
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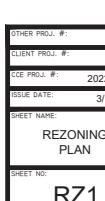


Exhibit C: Letter of Intent and Applicant's Response to Standards

[attached]

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4.4.2022

ANDERSEN | TATE | CARR

April 4, 2022

LETTER OF INTENT AND JUSTIFICATION FOR REZONING

**Rezoning Application
Gwinnett County, Georgia**

Applicant:
GMI 1, Inc.

Property:
Tax Parcel ID R6188 360, R6188 361, R6188 007
±3.599 Acres of Land
Located at 5624 Singleton Road, Norcross, Georgia
From O-I and R-75 to C-1

Submitted for Applicant by:

Melody A. Glouton, Esq.
ANDERSEN TATE & CARR, P.C.
One Sugarloaf Centre
1960 Satellite Blvd.
Suite 4000
Duluth, Georgia 30097
770.822.0900
mglouton@atclawfirm.com

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4.4.2022

I. INTRODUCTION

This Application for Rezoning is submitted for a 3.599-acre assemblage of land located in Land Lots 188 of the 6th District of Gwinnett County, Georgia, Norcross, and identified as Parcel IDs R6188 360, R6188 361, and R6188 007 (hereinafter the “Property”). The Property is located near the corner of Singleton Road and Harbins Road.

The Property that is the subject of this rezoning application is shown on the survey prepared by IronStone Surveying, dated February 16, 2022. The Property is further identified as shown below from the Gwinnett County Geographical Information System:



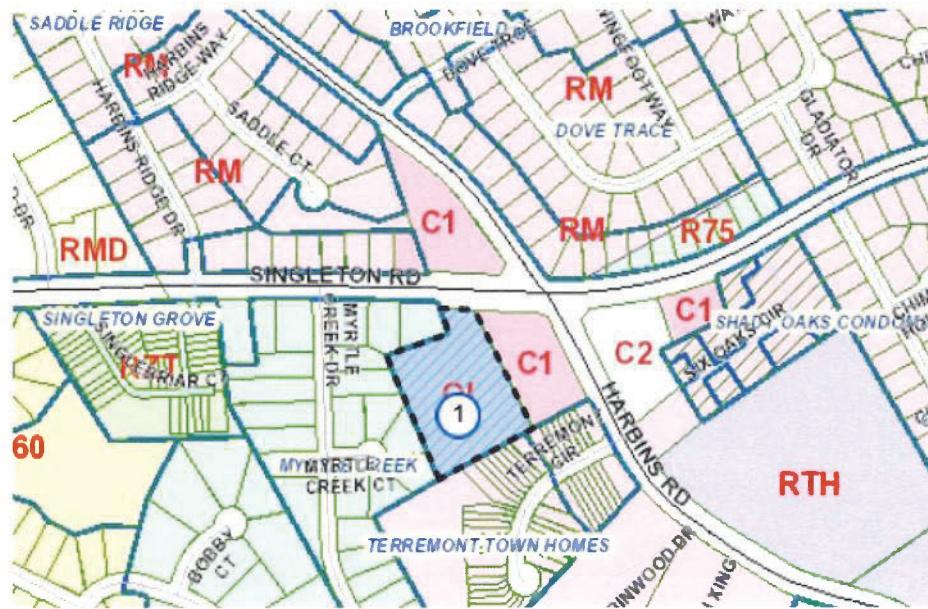
The Property is currently zoned O-I (Office-Institutional District) and R-75 (Single-Family Residence District) pursuant to the Gwinnett County Unified Development Ordinance (the “UDO”). The Applicant, GMI 1, Inc. (the “Applicant”) now seeks approval to rezone the 3.599-acres to C-1 (Neighborhood Business District) to develop a neighborhood serving convenience store with fuel pumps and multi-tenant one-story retail building. The rezoning of the Property will allow for a quality commercial development that will service the surrounding community in accordance with the 2040 Comprehensive Plan. The proposed development will consist of five (5) gas pumps under a single canopy and two buildings totaling approximately 15,200 square feet.

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

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4.4.2022 II. **DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA**

The Property is an assemblage of three parcels fronting Singleton Road, in Norcross, Georgia. It is a mostly rectangular tract with access to both Singleton and Harbins Road through inter-parcel connectivity with the adjacent commercial development to the east. The Property is surrounding by residential and commercial uses. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning
Subject Property	Convenience Store with Retail/Restaurant tenant spaces	C-1
North	Convenience Store; Tax Service; Insurance; Multifamily residential	C-1; RM
East	Dollar General	C-1
South	Multifamily Residential	RM
West	Single Family Residential	R-75

It is bounded on the North and East by properties that are zoned both C-1 (Neighborhood Business District).

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4.4.2022 Pursuant to the Gwinnett County Unified Development Ordinance, the C-1 zoning classification is intended to provide for commercial uses of a convenience nature for nearby residential neighborhoods. These uses are intended to be facilities serving the everyday needs of these nearby neighborhoods rather than the larger community. Due to the size and layout of the Property, the Property is not suited for residential development. The Applicant submits that the current zoning classification of O-I and R-75 is inappropriate for this location, given the size and topography of the site. Instead, development of the site for a for commercial purposes would yield a more desirable development that provides services to the existing residential.

The Future Development Map of the Gwinnett County 2040 Unified Plan (the “2040 Plan”) classifies this Property as within the “Vibrant Communities Character Area,” of the Gwinnett County Future Development Map. The Vibrant Communities Character Area is intended to serve as a transition between neighborhood nodes and mixed-use activity centers and surrounding, established single-family residential areas, and is generally located away from the primary intersections where the various types of activity centers and nodes are located.

III. PROJECT SUMMARY

As shown on the overall site plan by Civil Consulting Engineering, Inc., dated March 17, 2022, and filed with this Application (hereinafter the “Site Plan”), the Applicant proposes to develop the Property as a neighborhood serving convenience store with fuel pumps. The rezoning of the Property will develop a vacant site and allow for a quality commercial development that will service the surrounding community in accordance with the 2040 Comprehensive Plan. The proposed convenience store will consist of one convenience store totaling 3,200 square feet, and one multi-tenant building totaling 12,000 square feet. The proposal calls for a total of five (5) gas pumps located under a single canopy. The multi-tenant spaces will be intended for use as restaurant and retail, both permitted uses within the C-1 zoning district.

IV. SITE IMPACT ANALYSIS

Pursuant to UDO § 270-20.6, entitled “Impact Analysis,” the Applicant submits its written impact analysis which shows that rezoning to RM-24 and TND, satisfies UDO § 270-20.5, entitled “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:

Yes. The Property and development of a neighborhood-serving convenience store is consistent with, and will complement both the adjacent residential and nearby commercial properties. As the Singleton Road is a heavily developed commercial area, the proposed rezoning is compatible with the adjacent properties.

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

No, this rezoning request proposes a neighborhood-use that is entirely compatible with the adjoining and nearby residential and commercial property, and will not adversely affect those properties. The proposed rezoning is consistent with the existing commercial corridor along Singleton Road and the property is surrounding by other commercial uses.

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

No. The subject property does not have any reasonable economic use. It is not suitable for residential development. The development of the Property will create a neighborhood serving commercial use for residents in the community.

(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:

No, the subject property is located in an area with public water and sewer availability, and convenient access to major thoroughfares and state highways. This rezoning is consistent with the existing uses, and this rezoning is for the development of a convenience store with gas pumps, with additional retail/commercial uses. The Property is currently zoned O-I and R-75. Due to the size and layout of the Property, it is not reasonable to develop the property for residential purposes. The rezoning will not cause excessive use of existing streets, transportation facilities or utilities, and will have no impact whatsoever on the schools.

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

Yes. The 2040 Unified Plan identifies this Property as within the Vibrant Communities Character Area and corner/neighborhood serving non-residential developments may be integrated into the community. The development of the Property is also in compliance with Theme 2 of the 2040 Plan, which supports corner neighborhood-serving stores.

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

Yes, the Board of Commissioners' actions in permitting similar commercial and convenience store uses in the area clearly established the character of this area as a commercial activity center, making utilization of land that cannot be developed as residential to be developed as commercial property. The purpose and intent of the development is the creation of a more viable commercial parcel, which is entirely consistent with the goals for this area.

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4.4.2022

V. JUSTIFICATION FOR REZONING

The portions of the Gwinnett County Unified Development Ordinance, as amended, (the “UDO”) which classify or may classify the Subject Property which is the subject of the rezoning application into any more or less intensive zoning classification, development and/or conditions other than as requested by the Applicant are, and would be, unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the UDO, as applied to the Subject Property, which restricts its use to the present zoning classification, is unconstitutional, illegal, null and void, constituting a taking of the Applicant's 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, Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States denying the Applicant any economically viable use of the Subject Property while not substantially advancing legitimate state interests. Under *Lathrop v. Deal*, the application of the UDO in a way that constitutes a taking shall be deemed a waiver of sovereign immunity.¹

The Subject Property is presently suitable for development under the C-1 zoning classification as requested by the Applicant and is not economically suitable for development under its present O-I and R-75 zoning classifications of Gwinnett County. A denial of the requested rezoning would constitute an arbitrary and capricious act by the Gwinnett County Board of Commissioners without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Gwinnett County Board of Commissioners to rezone the Subject Property to C-1 zoning classification, with only such additional conditions as agreed to by the Applicant, so as to permit the only feasible economic use of the Subject Property, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution.

Any rezoning of the Subject Property to the C-1 classification, subject to conditions which are different from the requested conditions by which the Applicant may amend its application, to the extent such different conditions would have the effect of further restricting the Applicant's utilization of the Subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would

¹ *Lathrop v. Deal*, 301 Ga 408, 880-881 S.E. 2d 867 (2017)

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4.4.2022 Likewise violate each of the provisions of the State and Federal Constitutions as set forth hereinabove.

VI. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Applications to Rezone from O-I and R-75 to C-1 be approved. The Applicant welcomes the opportunity to meet with the Gwinnett County Planning Department staff to answer any questions or to address any concerns relating to this Letter of Intent or supporting materials.

Respectfully submitted this 4th day of April, 2022.

ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.

Enclosures
MAG/ag

Exhibit D: Internal and External Agency Review Comments

[attached]



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

TRC Meeting Date:		5.18.22	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		Brent.Hodges@gwinnettcounty.com	
Case Number:		RZC2022-00018	
Case Address:		5624, 5634, and 5644 Singleton Road	
Comments:		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
1	Singleton Road is a minor arterial. ADT = 22,929.		
2	180 feet to nearest transit facility (#2335468) located at Singleton Road and Myrtle Creek Drive.		
3	Minimum separation from a driveway, public road, or side street shall be provided as specified in the Gwinnett County Unified Development Ordinance (UDO).		
4	Prior to the issuance of a Development Permit, a sight distance certification shall be provided.		
5	Extend proposed deceleration lane as continuous up through the existing deceleration lane into the property located at the corner of Singleton Road and Harbins Road.		
6			
7			
Recommended Zoning Conditions:		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
1	Per the Gateway 85 overlay district, an 8' sidewalk shall be constructed along the frontage of the property.		
2			
3			
4			
5			
6			
7			

Note: Attach additional pages, if needed

Revised 7/26/2021

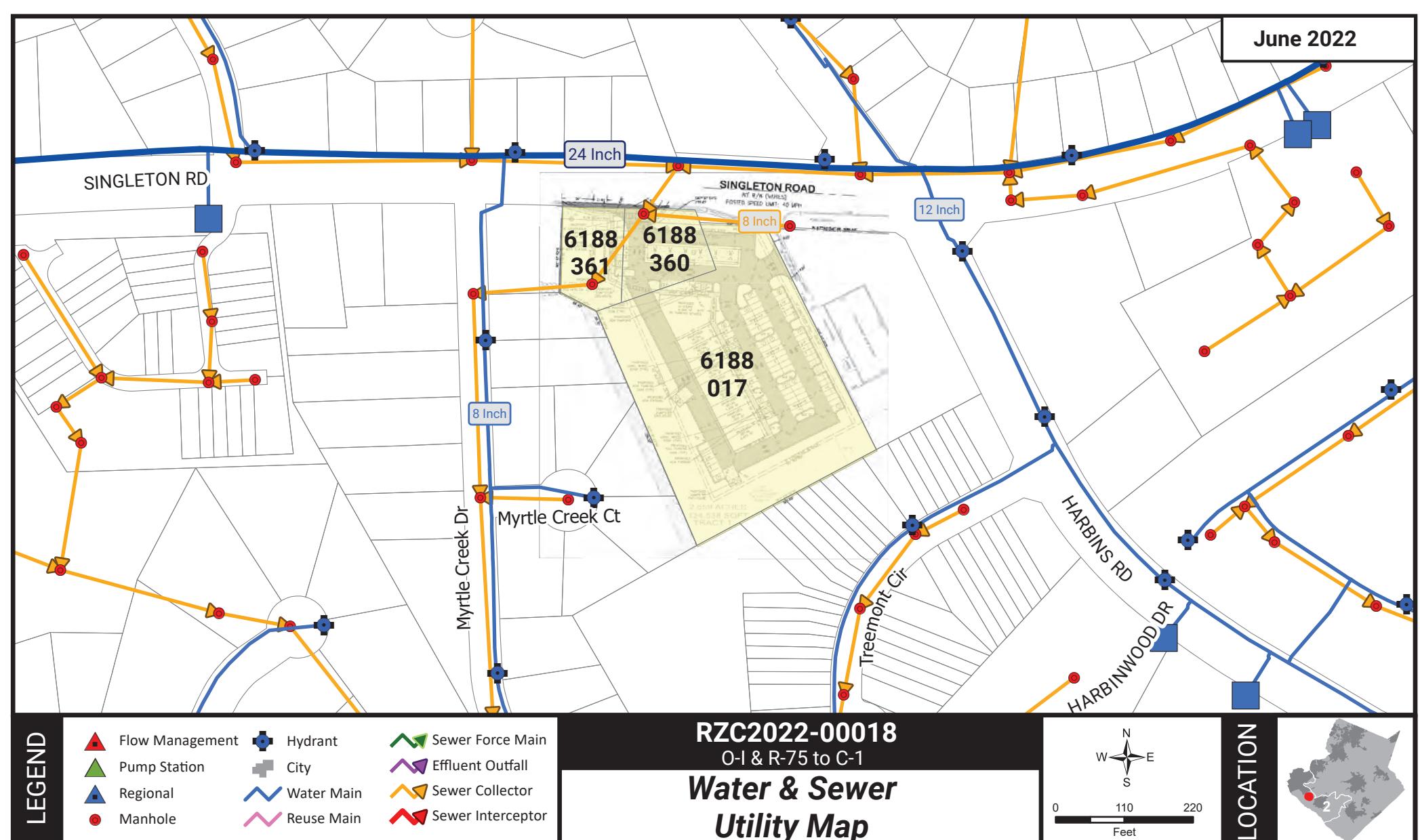


Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:		Wednesday, May 18, 2022			
Department/Agency Name:		DWR			
Reviewer Name:		Mike Pappas			
Reviewer Title:		GIS Planning Manager			
Reviewer Email Address:		Michael.Pappas@gwinnettcounty.com			
Case Number:		RZC2022-00018			
Case Address:		5624, 5634, and 5644 Singleton Road			
Comments:		<input checked="" type="checkbox"/> X	YES	<input type="checkbox"/>	NO
1	Water: There is a 12-inch water main located approximately 280 feet east at the intersection of Harbins Road and Singleton Road that will need to be extended approximately 600 feet across the frontage of the development.				
2	Water: Connection to the existing 24-inch water transmission main on Singleton Road is not allowed.				
3	Sewer: A Sewer Capacity Certification is required to confirm capacity.				
4	Sewer: Pending available sewer capacity, the development may be able to connect to an existing 8-inch sanitary sewer main located on subject property.				
5	Sewer: The developer must contact DWR if a private pump station is proposed.				
6					
7					
Recommended Zoning Conditions:		<input type="checkbox"/>	YES	<input checked="" type="checkbox"/> X	NO
1					
2					
3					
4					
5					
6					
7					

Note: Attach additional pages, if needed

Revised 7/26/2021



Water Comments: There is a 12-inch water main located approximately 280 feet east at the intersection of Harbins Road and Singleton Road that will need to be extended approximately 600 feet across the frontage of the development. Connection to the existing 24-inch water transmission main on Singleton Road is not allowed.

Sewer Comments: A Sewer Capacity Certification is required to confirm capacity. Pending available sewer capacity, the development may be able to connect to an existing 8-inch sanitary sewer main located on subject property. The developer must contact DWR if a private pump station is proposed.

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.

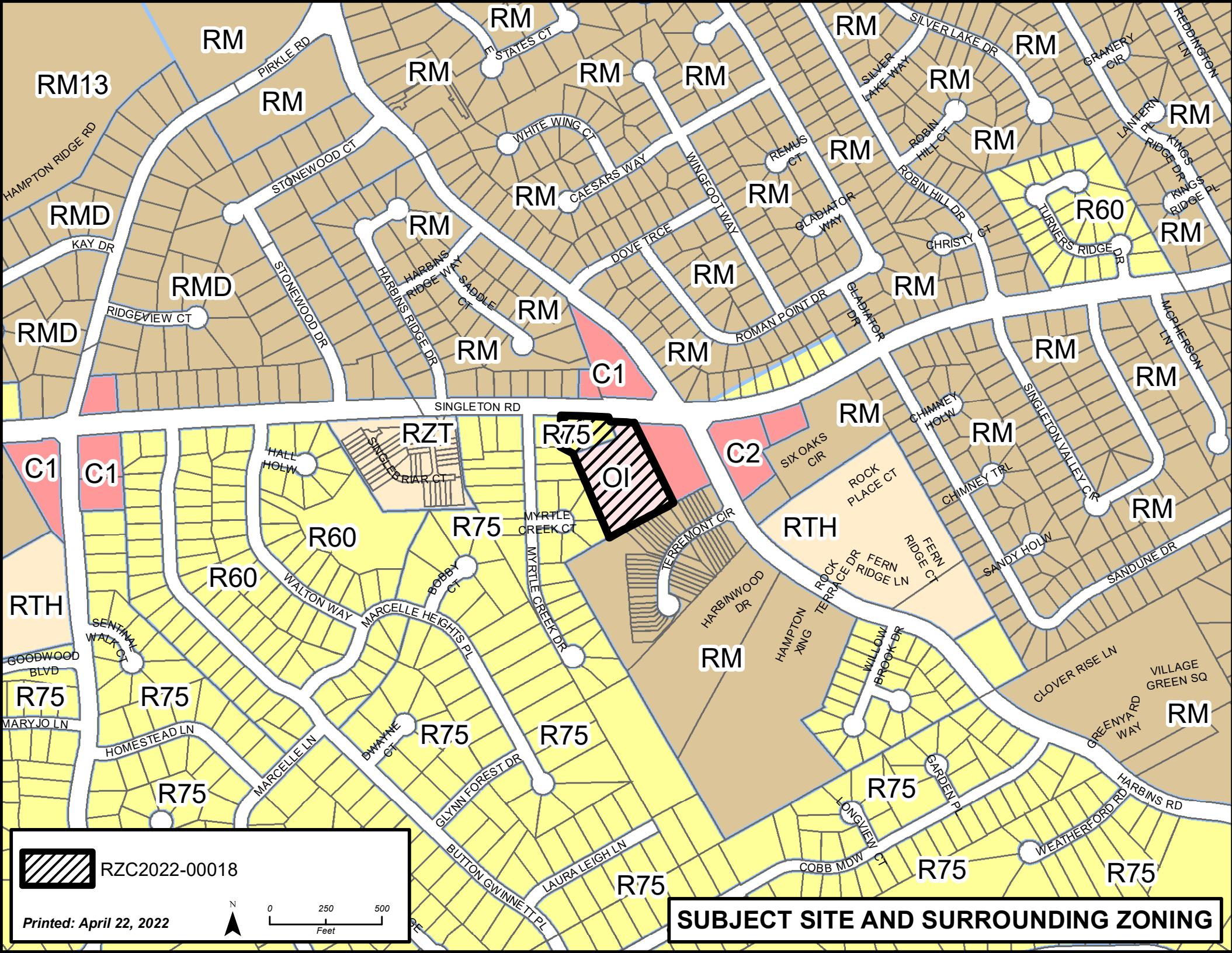
Water and Sewer Design and Construction Requirements: Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards (Z21-2022) dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance by 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 E: Maps

[attached]





RZC2022-00018

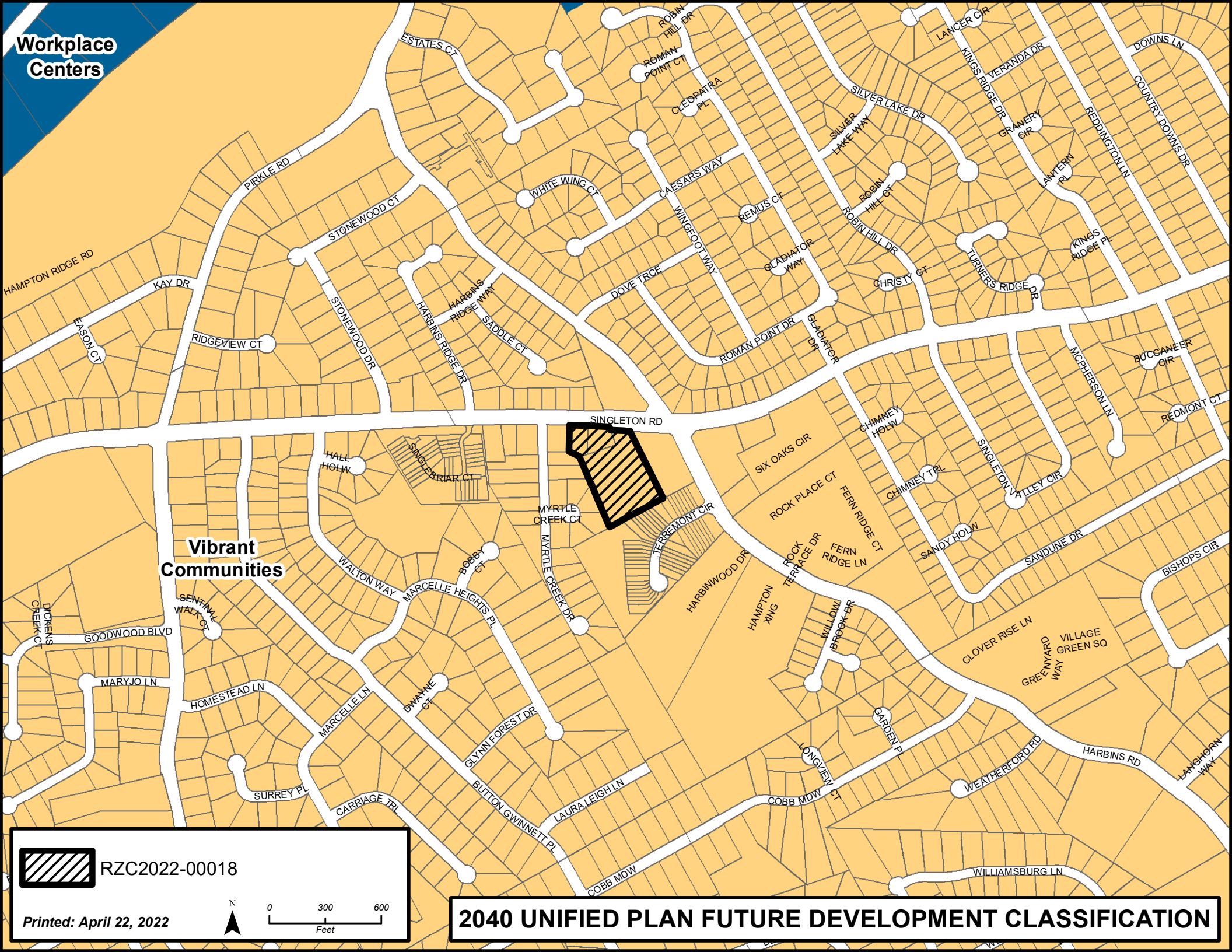
N

A number line starting at 0 and ending at 250, with a tick mark and label "Foot" at 250.

SUBJECT SITE AND SURROUNDING ZONING

Printed: April 22, 2022

Workplace
Centers



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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>GMI1, Inc. c/o Andersen, Tate & Carr, PC</u>	NAME: <u>See Attached</u>
ADDRESS: <u>1960 Satellite Blvd S-4000</u>	ADDRESS: _____
CITY: <u>Duluth</u>	CITY: _____
STATE: <u>GA</u> ZIP: <u>30097</u>	STATE: _____ ZIP: _____
PHONE: <u>770-339-0475</u>	PHONE: _____
EMAIL: <u>mglouton@atclawfirm.com</u>	EMAIL: _____
CONTACT PERSON: <u>Melody A. Glouton</u> PHONE: <u>770-339-0475</u>	
CONTACT'S E-MAIL: <u>mglouton@atclawfirm.com</u>	
APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT <input checked="" type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICT(S): <u>OI/R-75</u> REQUESTED ZONING DISTRICT: <u>C-1</u>	
PARCEL NUMBER(S): <u>R6188 017; R6188 360; R6188 361</u> ACREAGE: <u>3.59</u>	
ADDRESS OF PROPERTY: <u>5624, 5634, and 5644 Singleton Road, Norcross, GA</u>	
PROPOSED DEVELOPMENT: <u>proposed commercial development to include retail, restaurant, convenience store with fuel pumps</u>	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units _____	No. of Buildings/Lots: <u>2 buildings</u>
Dwelling Unit Size (Sq. Ft.): _____	Total Building Sq. Ft. <u>15,200 sq feet</u>
Gross Density: _____	Density: _____
Net Density: _____	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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4.4.2022

Parcel: R6188 360

David K. and Maria C. Giang
60 Cross Creek Drive
Lilburn, GA 30047

Parcel: R6188 361

Daniel W. Williams
2781 Gardenwood Court, SW
Lilburn, GA 30047

Parcel R6188 007

GMI 1, Inc.
Bharti Mehta
1867 Independence Square
Suite D
Dunwoody, GA 30338

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4.4.2022

LEGAL DESCRIPTION – REVISION 1 (AS-SURVEYED)

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 188 OF THE 6TH DISTRICT OF GWINNETT COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 1

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF SINGLETON ROAD (80' VARIABLE RIGHT-OF-WAY) AND BEING LOCATED N87°32'54"W 199.88 FEET FROM THE NORTHWESTERN MOST CORNER OF THE MITERED SOUTHERLY RIGHT-OF-WAY OF SINGLETON ROAD AND THE WESTERLY RIGHT-OF-WAY OF HARBINS ROAD (80' VARIABLE RIGHT-OF-WAY), SAID POINT BEING LABELED AND KNOWN AS "POB 1";

THENCE LEAVING SAID RIGHT-OF-WAY S26°41'55"E A DISTANCE OF 400.96 FEET TO A POINT;

THENCE S61°23'10"W A DISTANCE OF 323.09 FEET TO A FOUND 1/2" REBAR;

THENCE N23°00'23"W A DISTANCE OF 379.32 FEET TO A FOUND 1/2" REBAR;

THENCE N22°50'28"W A DISTANCE OF 30.35 FEET TO A FOUND 1/2" REBAR;

THENCE N71°11'25"E A DISTANCE OF 202.09 FEET TO A FOUND 1/2" MASHED-TOP PIPE;

THENCE N19°29'32"W A DISTANCE OF 79.32 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF SINGLETON ROAD;

THENCE ALONG SAID RIGHT-OF-WAY S87°37'01"E A DISTANCE OF 98.76 FEET TO A POINT, WHICH IS THE POINT OF BEGINNING.

SAID LAND HAVING AN AREA OF 2.859 ACRES, MORE OR LESS.

TOGETHER WITH:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 188 OF THE 6TH DISTRICT OF GWINNETT COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 2

COMMENCING AT A POINT ON THE NORTHWESTERN MOST CORNER OF THE MITERED SOUTHERLY RIGHT-OF-WAY OF SINGLETON ROAD (80' VARIABLE RIGHT-OF-WAY) AND THE WESTERLY RIGHT-OF-WAY OF HARBINS ROAD (80' VARIABLE RIGHT-OF-WAY), THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY OF SINGLETON ROAD N87°32'54"W A DISTANCE OF 199.88 FEET TO A POINT BEING LABELED AND

KNOWN AS "POB 1"; THENCE ALONG SAID RIGHT-OF-WAY N87°37'01"W A DISTANCE OF 98.76 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING, LABELED AND KNOWN AS "POB 2";

THENCE LEAVING SAID RIGHT-OF-WAY S19°29'32"E A DISTANCE OF 79.32 FEET TO A FOUND 1/2" MASHED-TOP PIPE;

THENCE S71°11'25"W A DISTANCE OF 160.81 FEET TO A FOUND 1/2" REBAR;

THENCE N02°16'01"E A DISTANCE OF 152.72 FEET TO A SET 1/2" REBAR ON THE SOUTHERLY RIGHT-OF-WAY OF SINGLETON ROAD, SAID POINT BEING LABELED AND KNOWN AS "POB 3";

THENCE ALONG SAID RIGHT-OF-WAY S87°16'18"E A DISTANCE OF 80.00 FEET TO A POINT;

THENCE S87°06'09"E A DISTANCE OF 32.66 FEET TO A POINT;

THENCE S19°17'37"E A DISTANCE OF 21.74 FEET TO A POINT, WHICH IS THE POINT OF BEGINNING.

SAID LAND HAVING AN AREA OF 0.384 ACRES, MORE OR LESS.

TOGETHER WITH:

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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4.4.2022

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 188 OF THE 6TH DISTRICT OF GWINNETT COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 3

COMMENCING AT A POINT ON THE NORTHWESTERN MOST CORNER OF THE MITERED SOUTHERLY RIGHT-OF-WAY OF SINGLETON ROAD (80' VARIABLE RIGHT-OF-WAY) AND THE WESTERLY RIGHT-OF-WAY OF HARBINS ROAD (80' VARIABLE RIGHT-OF-WAY), THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY OF SINGLETON ROAD N87°32'54"W A DISTANCE OF 199.88 FEET TO A POINT BEING LABELED AND KNOWN AS "POB 1"; THENCE ALONG SAID RIGHT-OF-WAY N87°37'01"W A DISTANCE OF 98.76 FEET TO A POINT BEING LABELED AND KNOWN AS "POB 2"; THENCE N19°17'37"W A DISTANCE OF 21.74 FEET TO A POINT; THENCE N87°06'09"W A DISTANCE OF 32.66 FEET TO A POINT; THENCE N87°16'18"W A DISTANCE OF 80.00 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING, LABELED AND KNOWN AS "POB 3";

THENCE LEAVING SAID RIGHT-OF-WAY S02°16'01"W A DISTANCE OF 152.72 FEET TO A POINT;

THENCE S71°11'25"W A DISTANCE OF 41.29 FEET TO A FOUND 1/2" REBAR;

THENCE N63°17'24"W A DISTANCE OF 65.82 FEET TO A POINT;

THENCE N01°37'52"E A DISTANCE OF 140.00 FEET TO A SET 1/2" REBAR ON THE SOUTHERLY RIGHT-OF-WAY OF SINGLETON ROAD;

THENCE ALONG SAID RIGHT-OF-WAY S87°55'41"E A DISTANCE OF 100.00 FEET TO A POINT, WHICH IS THE POINT OF BEGINNING.

SAID LAND HAVING AN AREA OF 0.356 ACRES, MORE OR LESS.

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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4.4.2022

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4.4.2022

ANDERSEN | TATE | CARR

April 4, 2022

LETTER OF INTENT AND JUSTIFICATION FOR REZONING

**Rezoning Application
Gwinnett County, Georgia**

Applicant:
GMI 1, Inc.

Property:
Tax Parcel ID R6188 360, R6188 361, R6188 007
±3.599 Acres of Land
Located at 5624 Singleton Road, Norcross, Georgia
From O-I and R-75 to C-1

Submitted for Applicant by:

Melody A. Glouton, Esq.
ANDERSEN TATE & CARR, P.C.
One Sugarloaf Centre
1960 Satellite Blvd.
Suite 4000
Duluth, Georgia 30097
770.822.0900
mglouton@atclawfirm.com

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4.4.2022

I. INTRODUCTION

This Application for Rezoning is submitted for a 3.599-acre assemblage of land located in Land Lots 188 of the 6th District of Gwinnett County, Georgia, Norcross, and identified as Parcel IDs R6188 360, R6188 361, and R6188 007 (hereinafter the "Property"). The Property is located near the corner of Singleton Road and Harbins Road.

The Property that is the subject of this rezoning application is shown on the survey prepared by IronStone Surveying, dated February 16, 2022. The Property is further identified as shown below from the Gwinnett County Geographical Information System:



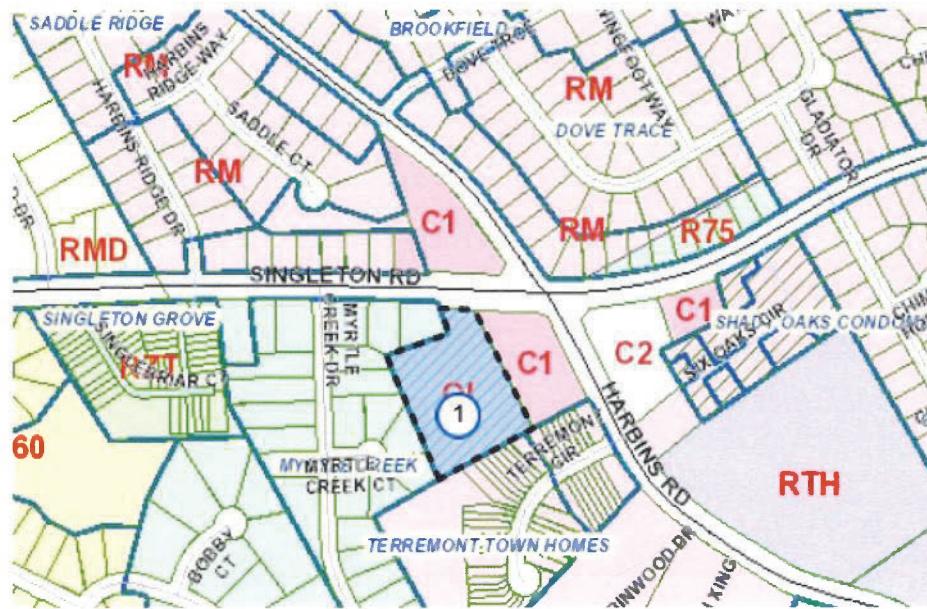
The Property is currently zoned O-I (Office-Institutional District) and R-75 (Single-Family Residence District) pursuant to the Gwinnett County Unified Development Ordinance (the “UDO”). The Applicant, GMI 1, Inc. (the “Applicant”) now seeks approval to rezone the 3.599-acres to C-1 (Neighborhood Business District) to develop a neighborhood serving convenience store with fuel pumps and multi-tenant one-story retail building. The rezoning of the Property will allow for a quality commercial development that will service the surrounding community in accordance with the 2040 Comprehensive Plan. The proposed development will consist of five (5) gas pumps under a single canopy and two buildings totaling approximately 15,200 square feet.

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

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4.4.2022 II. **DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA**

The Property is an assemblage of three parcels fronting Singleton Road, in Norcross, Georgia. It is a mostly rectangular tract with access to both Singleton and Harbins Road through inter-parcel connectivity with the adjacent commercial development to the east. The Property is surrounding by residential and commercial uses. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning
Subject Property	Convenience Store with Retail/Restaurant tenant spaces	C-1
North	Convenience Store; Tax Service; Insurance; Multifamily residential	C-1; RM
East	Dollar General	C-1
South	Multifamily Residential	RM
West	Single Family Residential	R-75

It is bounded on the North and East by properties that are zoned both C-1 (Neighborhood Business District).

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4.4.2022 Pursuant to the Gwinnett County Unified Development Ordinance, the C-1 zoning classification is intended to provide for commercial uses of a convenience nature for nearby residential neighborhoods. These uses are intended to be facilities serving the everyday needs of these nearby neighborhoods rather than the larger community. Due to the size and layout of the Property, the Property is not suited for residential development. The Applicant submits that the current zoning classification of O-I and R-75 is inappropriate for this location, given the size and topography of the site. Instead, development of the site for a for commercial purposes would yield a more desirable development that provides services to the existing residential.

The Future Development Map of the Gwinnett County 2040 Unified Plan (the “2040 Plan”) classifies this Property as within the “Vibrant Communities Character Area,” of the Gwinnett County Future Development Map. The Vibrant Communities Character Area is intended to serve as a transition between neighborhood nodes and mixed-use activity centers and surrounding, established single-family residential areas, and is generally located away from the primary intersections where the various types of activity centers and nodes are located.

III. PROJECT SUMMARY

As shown on the overall site plan by Civil Consulting Engineering, Inc., dated March 17, 2022, and filed with this Application (hereinafter the “Site Plan”), the Applicant proposes to develop the Property as a neighborhood serving convenience store with fuel pumps. The rezoning of the Property will develop a vacant site and allow for a quality commercial development that will service the surrounding community in accordance with the 2040 Comprehensive Plan. The proposed convenience store will consist of one convenience store totaling 3,200 square feet, and one multi-tenant building totaling 12,000 square feet. The proposal calls for a total of five (5) gas pumps located under a single canopy. The multi-tenant spaces will be intended for use as restaurant and retail, both permitted uses within the C-1 zoning district.

IV. SITE IMPACT ANALYSIS

Pursuant to UDO § 270-20.6, entitled “Impact Analysis,” the Applicant submits its written impact analysis which shows that rezoning to RM-24 and TND, satisfies UDO § 270-20.5, entitled “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:**

Yes. The Property and development of a neighborhood-serving convenience store is consistent with, and will complement both the adjacent residential and nearby commercial properties. As the Singleton Road is a heavily developed commercial area, the proposed rezoning is compatible with the adjacent properties.

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4.4.2022

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

No, this rezoning request proposes a neighborhood-use that is entirely compatible with the adjoining and nearby residential and commercial property, and will not adversely affect those properties. The proposed rezoning is consistent with the existing commercial corridor along Singleton Road and the property is surrounding by other commercial uses.

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

No. The subject property does not have any reasonable economic use. It is not suitable for residential development. The development of the Property will create a neighborhood serving commercial use for residents in the community.

(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:

No, the subject property is located in an area with public water and sewer availability, and convenient access to major thoroughfares and state highways. This rezoning is consistent with the existing uses, and this rezoning is for the development of a convenience store with gas pumps, with additional retail/commercial uses. The Property is currently zoned O-I and R-75. Due to the size and layout of the Property, it is not reasonable to develop the property for residential purposes. The rezoning will not cause excessive use of existing streets, transportation facilities or utilities, and will have no impact whatsoever on the schools.

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

Yes. The 2040 Unified Plan identifies this Property as within the Vibrant Communities Character Area and corner/neighborhood serving non-residential developments may be integrated into the community. The development of the Property is also in compliance with Theme 2 of the 2040 Plan, which supports corner neighborhood-serving stores.

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

Yes, the Board of Commissioners' actions in permitting similar commercial and convenience store uses in the area clearly established the character of this area as a commercial activity center, making utilization of land that cannot be developed as residential to be developed as commercial property. The purpose and intent of the development is the creation of a more viable commercial parcel, which is entirely consistent with the goals for this area.

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V. JUSTIFICATION FOR REZONING

The portions of the Gwinnett County Unified Development Ordinance, as amended, (the “UDO”) which classify or may classify the Subject Property which is the subject of the rezoning application into any more or less intensive zoning classification, development and/or conditions other than as requested by the Applicant are, and would be, unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the UDO, as applied to the Subject Property, which restricts its use to the present zoning classification, is unconstitutional, illegal, null and void, constituting a taking of the Applicant's 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, Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States denying the Applicant any economically viable use of the Subject Property while not substantially advancing legitimate state interests. Under *Lathrop v. Deal*, the application of the UDO in a way that constitutes a taking shall be deemed a waiver of sovereign immunity.¹

The Subject Property is presently suitable for development under the C-1 zoning classification as requested by the Applicant and is not economically suitable for development under its present O-I and R-75 zoning classifications of Gwinnett County. A denial of the requested rezoning would constitute an arbitrary and capricious act by the Gwinnett County Board of Commissioners without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Gwinnett County Board of Commissioners to rezone the Subject Property to C-1 zoning classification, with only such additional conditions as agreed to by the Applicant, so as to permit the only feasible economic use of the Subject Property, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution.

Any rezoning of the Subject Property to the C-1 classification, subject to conditions which are different from the requested conditions by which the Applicant may amend its application, to the extent such different conditions would have the effect of further restricting the Applicant's utilization of the Subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would

¹ *Lathrop v. Deal*, 301 Ga 408, 880-881 S.E. 2d 867 (2017)

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4.4.2022 Likewise violate each of the provisions of the State and Federal Constitutions as set forth hereinabove.

VI. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Applications to Rezone from O-I and R-75 to C-1 be approved. The Applicant welcomes the opportunity to meet with the Gwinnett County Planning Department staff to answer any questions or to address any concerns relating to this Letter of Intent or supporting materials.

Respectfully submitted this 4th day of April, 2022.

ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.

Enclosures
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4.4.2022

Gwinnett County Planning Division
Rezoning Application
Last Updated 12/2015

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.

B.A. mehta
Signature of Applicant

3/28/22

Date

Bharti. mehta - Owner
Type or Print Name and Title

Linda B. Wemyss
Signature of Notary Public

3/28/22
Date



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4.4.2022

Gwinnett County Planning Division
Rezoning Application
Last Updated 12/2015

REZONING PROPERTY OWNER'S CERTIFICATION

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

 Signature of Property Owner

Min Giang

3/20/2022
Date

DAVID K. GIANG / MARIA C GIANG OWNERS

Type or Print Name and Title

 Signature of Notary Public

03/20/2022
Date

Notary Seal

SUSAN MACEDO
NOTARY
PUBLIC
GWINNETT COUNTY, GEORGIA
Expires: 02/12/2024

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4.4.2022

Gwinnett County Planning Division
Rezoning Application
Last Updated 12/2015

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.

Daniel M. Williams
Signature of Property Owner

3-18-22
Date

Daniel M. Williams (Owner)
Type or Print Name and Title

D. Katrina Lett
Signature of Notary Public

03/18/2022
Date



RECEIVED

4.4.2022

Gwinnett County Planning Division
Rezoning Application
Last Updated 12/2015

REZONING PROPERTY OWNER'S CERTIFICATION

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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.

B.A. mehta

Signature of Property Owner

3/28/22

Date

Bhashi mehta Owner

Type or Print Name and Title

S. B. Wemyss

3/28/22

Date



RECEIVED

4.4.2022

**Gwinnett County Planning Division
Rezoning Application
Last Updated 12/2015**

CONFLICT OF INTEREST CERTIFICATION FOR REZONING

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

B.A. Mehta
SIGNATURE OF APPLICANT

3 | 28 | 22

Bhasti mehta owned
TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE

TYPE OR PRINT NAME AND TITLE

SIGNATURE OF NOTARY PUBLIC **DATE**



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

Y

NO

B.A. mchta

YOUR NAME

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

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

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

RECEIVED

4.4.2022

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.

SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

Melody A. Glouton 4/4/22 Melody A. Glouton, Esq.
SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE
ATTORNEY OR REPRESENTATIVE

SIGNATURE OF NOTARY PUBLIC DATE



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

YES NO Melody A. Glouton
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)
Nicole Love Hendrickson	\$1,000	09/30/2020
Kirkland Carden	\$2,800	11/16/2021
Commissioner Ben Ku	\$1,000	03/25/2022

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

RECEIVED

4.4.2022

Gwinnett County Planning Division
Rezoning Application
Last Updated 12/2015

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: 06 - 0188 - R6188 017
(Map Reference Number) District Land Lot Parcel

B. A. mehta 3/28/22
Signature of Applicant Date
Bharti mehta owner
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)

Chris Nelson
NAME

Senior Tax Services Associate
TITLE

March 30, 2022
DATE

RECEIVED

4.4.2022

Gwinnett County Planning Division
Rezoning Application
Last Updated 12/2015

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: 06 - 0/88 - R6188 361
(Map Reference Number) District Land Lot Parcel

B.A. Mehta 3/28/22
Signature of Applicant Date
Bharti Mehta Owner
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)

Chris Nelson
NAME

Senior Tax Services Associate
TITLE

March 30, 2022
DATE

RECEIVED

4.4.2022

Gwinnett County Planning Division
Rezoning Application
Last Updated 12/2015

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: 06 - 0188 - R6188 360
(Map Reference Number) District Land Lot Parcel

B.A. mehta 3/28/22
Signature of Applicant Date
Bharti mehta owner
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)

Chris Nelson
NAME

Senior Tax Services Associate
TITLE

March 30, 2022
DATE

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

4.4.2022

BLOCK RESERVED FOR CLERK OF
SUPERIOR COURT

TREE TABLE			TREE TABLE			TREE TABLE			TREE TABLE		
#	SPECIES	DBH	#	SPECIES	DBH	#	SPECIES	DBH	#	SPECIES	DBH
1	MAHOGANY	10"	128	PINE	10"	529	SPRUCE	8"	500	SPRUCE	8"
2	PINE	10"	255	OAK	10"	520	SPRUCE	8"	501	SPRUCE	8"
3	PINE	8"	257	OAK	10"	502	SPRUCE	8"	502	SPRUCE	8"
4	PINE	8"	131	PINE	10"	528	OAK	10"	503	SPRUCE	8"
5	PINE	8"	132	PINE	10"	529	OAK	10"	504	SPRUCE	8"
6	PINE	10"	133	PINE	10"	526	OAK	10"	505	HICKORY	15"
7	PINE	10"	134	PINE	20"	261	OAK	24"	506	BIRCH	8"
8	HICKORY	8"	135	PINE	20"	262	OAK	24"	507	BIRCH	8"
9	SWEETGUM	10"	136	PINE	20"	263	OAK	12"	508	PINE	8"
10	HICKORY	8"	137	PINE	20"	264	OAK	8"	509	SWEET GUM	10"
11	MULBERRY	8"	138	PINE	20"	265	OAK	8"	510	SWEET GUM	10"
12	PINE	10"	139	PINE	10"	266	OAK	8"	511	SWEET GUM	10"
13	PINE	8"	140	PINE	10"	267	OAK	8"	512	PINE	24"
14	PINE	8"	141	PINE	6"	268	OAK	10"	513	PINE	24"
15	MAPLE	8"	142	PINE	6"	269	PINE	24"	514	PINE	24"
16	HORNBEAM	8"	143	PINE	6"	270	PINE	24"	515	PINE	15"
17	MAPLE	8"	144	PINE	6"	271	OAK	30"	516	PINE	15"
18	HORNBEAM	8"	145	PINE	6"	272	OAK	30"	517	PINE	30"
19	HORNBEAM	8"	146	PINE	6"	273	OAK	24"	518	MAGNOLIA	15"
20	HORNBEAM	8"	147	PINE	10"	274	OAK	24"	519	MAGNOLIA	15"
21	HORNBEAM	8"	148	PINE	10"	275	OAK	24"	520	POPLAR	12"
22	HORNBEAM	8"	149	PINE	10"	276	OAK	24"	521	PINE	15"
23	HORNBEAM	10"	150	PINE	8"	277	OAK	24"	522	PINE	15"
24	HORNBEAM	8"	151	PINE	10"	278	OAK	24"	523	POPLAR	10"
25	OAK	25"	152	PINE	10"	279	PINE	10"	524	PINE	15"
26	PINE	20"	153	PINE	10"	280	OAK	10"	525	OAK	8"
27	HORNBEAM	8"	154	PINE	10"	281	OAK	10"	526	OAK	8"
28	HORNBEAM	8"	155	PINE	8"	282	OAK	24"	527	OAK	8"
29	HORNBEAM	8"	156	PINE	8"	283	OAK	24"	528	OAK	8"
30	HORNBEAM	8"	157	PINE	8"	284	OAK	24"	529	OAK	8"
31	HORNBEAM	8"	158	PINE	20"	285	OAK	20"	530	OAK	10"
32	HORNBEAM	8"	159	PINE	20"	286	OAK	20"	531	OAK	20"
33	PINE	15"	160	PINE	8"	287	OAK	20"	532	HICKORY	10"
34	CHERRY	15"	161	PINE	10"	288	OAK	10"	533	HICKORY	10"
35	MULBERRY	8"	162	PINE	20"	289	OAK	24"	534	HICKORY	24"
36	PINE	20"	163	PINE	8"	290	PINE	24"	535	OAK	15"
37	HORNBEAM	15"	164	PINE	10"	291	OAK	20"	536	OAK	15"
38	HORNBEAM	15"	165	PINE	10"	292	OAK	20"	537	OAK	15"
39	PINE	8"	166	PINE	10"	293	OAK	8"	538	HICKORY	8"
40	SWEETGUM	16"	167	PINE	10"	294	OAK	8"			
41	PINE	10"	168	PINE	10"	295	OAK	10"			
42	PINE	10"	169	PINE	8"	296	PINE	24"			
43	PINE	10"	170	PINE	10"	297	PINE	24"			
44	MAPLE	8"	171	PINE	10"	298	OAK	10"			
45	PINE	15"	172	PINE	20"	299	OAK	8"			
46	PINE	10"	173	PINE	20"	300	OAK	20"			
47	PINE	10"	174	PINE	20"	301	OAK	24"			
48	PINE	8"	175	PINE	6"	302	OAK	24"			
49	PINE	10"	176	PINE	10"	303	OAK	24"			
50	PINE	8"	177	PINE	10"	304	OAK	24"			
51	PINE	10"	178	PINE	8"	305	OAK	10"			
52	PINE	10"	179	PINE	8"	306	PINE	10"			
53	PINE	10"	180	PINE	10"	307	PINE	24"			
54	PINE	10"	181	PINE	10"	308	PINE	24"			
55	CHERRY	8"	182	PINE	20"	309	PINE	10"			
56	MULBERRY	45"	183	PINE	20"	310	PINE	20"			
57	PINE	10"	184	PINE	20"	311	PINE	20"			
58	HORNBEAM	10"	185	OAK	10"	312	PINE	20"			
59	HORNBEAM	10"	186	OAK	10"	313	OAK	10"			
60	HORNBEAM	10"	187	OAK	10"	314	OAK	10"			
61	HORNBEAM	8"	188	OAK	10"	315	PINE	24"			
62	HORNBEAM	8"	189	OAK	10"	316	PINE	24"			
63	HORNBEAM	8"	190	OAK	6"	317	PINE	24"			
64	HORNBEAM	8"	191	OAK	10"	318	PINE	20"			
65	HORNBEAM	8"	192	OAK	10"	319	PINE	20"			
66	HORNBEAM	8"	193	PINE	6"	320	PINE	20"			
67	HORNBEAM	10"	194	PINE	20"	321	PINE	30"			
68	PINE	20"	195	PINE	20"	322	PINE	20"			
69	OAK	10"	196	PINE	24"	323	OAK	24"			
70	ASH	15"	197	OAK	6"	324	OAK	20"			
71	ASH	15"	198	OAK	10"	325	OAK	20"			
72	PINE	25"	199	OAK	20"	326	OAK	20"			
73	PINE	20"	200	OAK	20"	327	OAK	20"			
74	ASH	10"	201	OAK	6"	328	OAK	28"			
75	ASH	20"	202	OAK	6"	329	PINE	28"			
76	PINE	20"	203	OAK	6"	330	PINE	10"			
77	PINE	20"	204	OAK	10"	331	PINE	10"			
78	PINE	20"	205	OAK	10"	332	PINE	24"			
79	PINE	20"	206	OAK	10"	333	PINE	24"			
80	ASH	8"	207	OAK	6"	334	OAK	8"			
81	HORNBEAM	20"	208	PINE	20"	335	PINE	20"			
82	HORNBEAM	20"	209	PINE	20"	336	PINE	20"			
83	ASH	10"	210	PINE	10"	337	PINE	24"			
84	PINE	20"	211	PINE	20"	338	PINE	20"			
85	PINE	25"	212	PINE	10"	339	OAK	8"			
86	PINE	25"	213	PINE	20"	340	PINE	24"			
87	PINE	20"	214	PINE	20"	341	PINE	24"			
88	PINE	20"	215	PINE	6"	342	PINE	10"			
89	ASH	20"	216	PINE	30"	343	PINE	20"			
90	ASH	20"	217	PINE	30"	344	PINE	20"			
91	PINE	25"	218	PINE	30"	345	OAK	8"			
92	PINE	20"	219	PINE	20"	346	PINE	24"			
93	PINE	20"	220	PINE	20"	347	PINE	24"			
94	PINE	20"	221	PINE	20"	348	PINE	24"			
95	PINE	20"	222	PINE	20"	349	PINE	24"			
96	PINE	20"	223	PINE	20"	350	OAK	20"			
97	PINE	6"	224	OAK	10"	351	OAK	28"			
98	PINE	20"	225	OAK	20"	352	OAK	20"			
99	PINE	6"	226	OAK	10"	353	OAK	10"			
100	PINE	6"	227	OAK	20"	354	OAK	10"			
101	PINE	6"	228	OAK	20"	355	OAK	10"			
102	PINE	6"	229	PINE	20"	356	OAK	12"			
103	PINE	6"	230	PINE	20"	357	OAK	12"			
104	PINE	20"	231	PINE	20"	358	OAK	8"			
105	PINE	20"	232	PINE	20"	359	OAK	10"			
106	PINE	20"	233	PINE	20"	360	OAK	8"			
107	PINE	20"	234	PINE	20"	361	OAK	10"			
108	PINE	20"	235	PINE	20"	362	OAK	8"			
109	PINE	20"	236	PINE	20"	363	OAK	10"			
110	PINE	6"	237	PINE	20"	364	OAK	8"			
111	PINE	6"	238	PINE	20"	365	OAK	10"			
112	PINE	6"	239	PINE	20"	366	OAK	10"			
113	PINE	6"	240	PINE	30"	367	OAK	8"			
114	PINE	6"	241	PINE	30"	368	OAK	10"			
115	PINE	6"	242	PINE	24"	369	OAK	10"			
116	PINE	6"	243	PINE	24"	370	OAK	8"			
117	PINE	6"	244	PINE	24"	371	OAK	10"			
118	PINE	6"	245	PINE	24"	372	OAK	20"			
119	PINE	6"	246	OAK	6"	373	OAK	10"			
120	PINE	6"	247	OAK	20"	374	OAK	20"			
121	OAK	20"	248	OAK	6"	375	OAK	10"			
122	OAK	20"	249	OAK	20"	376	OAK	10"			
123	PINE	6"	250	OAK	20"	377	PINE	45"			
124	PINE	6"	251	PINE	30"	378	PINE	8"			
125	PINE	6"	252	OAK	20"						
126	PINE	6"	253	OAK	20"						
127	PINE	6"	254	OAK	10"						

LEGEND

	CONCRETE LINE
	ASPHALT FLOOR ELEVATION
	CABLE PEDESTAL
	CABLE PEDESTAL
	CABLE PED

