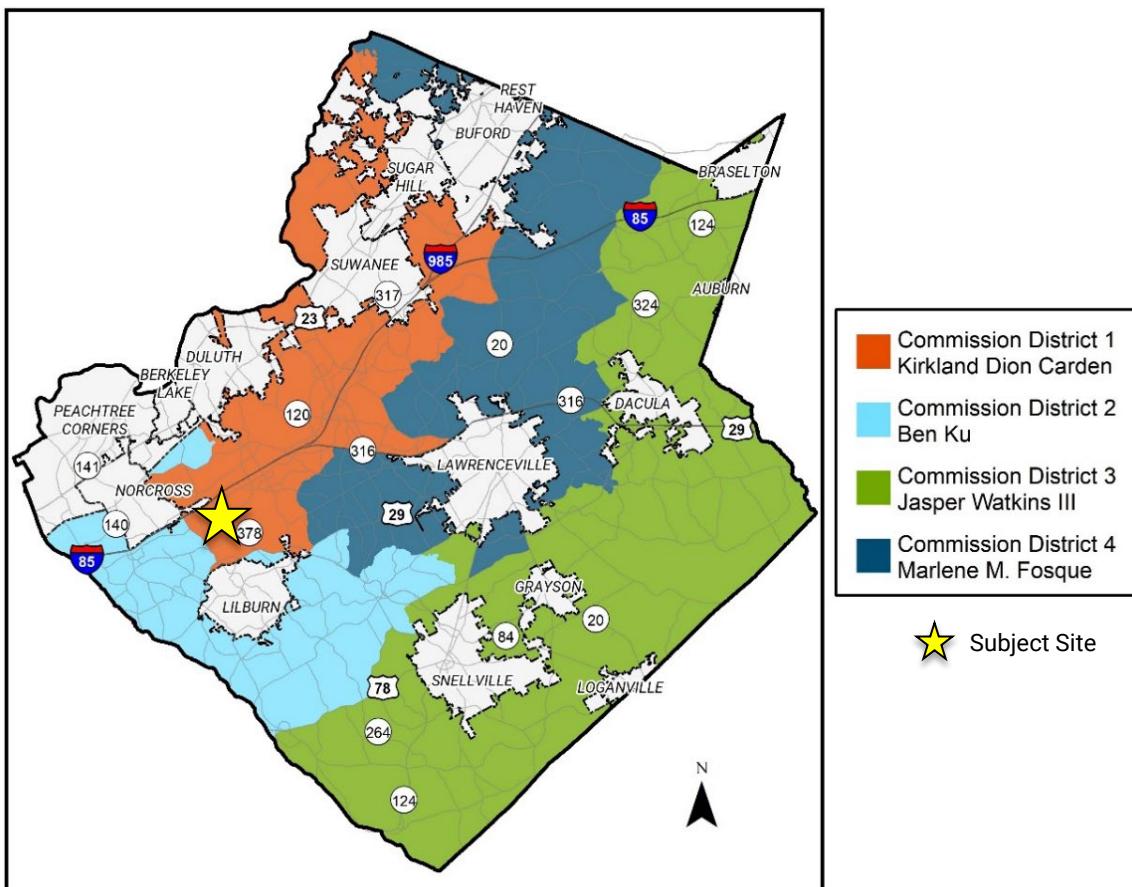




## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

<b>Case Number:</b>	<b>RZC2022-00013</b>
<b>Current Zoning:</b>	<b>C-2 (General Business District), M-1 (Light Industry District)</b>
<b>Overlay District:</b>	Gateway 85 Overlay District
<b>Request:</b>	Rezoning to <b>M-2 (Heavy Industry District)</b>
<b>Address:</b>	1500 and 1700 Block of Beaver Ruin Road 4200 Block of Steve Reynolds Boulevard
<b>Map Number:</b>	R6184 266, R6200 004, and R6201 007, 008B, 016
<b>Site Area:</b>	19.26 acres
<b>Proposed Development:</b>	Quarry and Borrow Pit
<b>Commission District:</b>	District 1 - Commissioner Carden
<b>Character Area:</b>	Workplace Center
<b>Staff Recommendation:</b>	<b>APPROVAL WITH CONDITIONS</b>
<b>Case Number:</b>	<b>CIC2022-00012</b>
<b>Current Zoning:</b>	<b>M-2 (Heavy Industry District)</b>
<b>Overlay District:</b>	Gateway 85 Overlay District
<b>Request:</b>	Change In Conditions
<b>Address:</b>	1500 Block of Beaver Ruin Road
<b>Map Number:</b>	R6201 007A and 051
<b>Site Area:</b>	7.90 acres
<b>Proposed Development:</b>	Quarry and Borrow Pit
<b>Commission District:</b>	District 1 - Commissioner Carden
<b>Character Area:</b>	Workplace Center
<b>Staff Recommendation:</b>	<b>APPROVAL WITH CONDITIONS</b>

**Case Number:** SUP2022-00020  
**Current Zoning:** C-2 (General Business District), M-1 (Light Industry District), M-2 (Heavy Industry District)  
**Overlay District:** Gateway 85 Overlay District  
**Request:** Special Use Permit  
**Address:** 1500 and 1700 Block of Beaver Ruin Road  
 4200 Block of Steve Reynolds Boulevard  
**Map Number:** R6184 266, R6200 004, and R6201 007, 007A, 008B, 016, and 051  
**Site Area:** 27.16 acres  
**Proposed Development:** Quarry and Borrow Pit  
**Commission District:** District 1 - Commissioner Carden  
**Character Area:** Workplace Center  
  
**Staff Recommendation:** APPROVAL WITH CONDITIONS



<b>Applicant:</b> Vulcan Lands, Inc. c/o Melody A. Glouton, Andersen, Tate & Carr, PC 1960 Satellite Boulevard, Suite 4000 Duluth, GA 30097	<b>Owners:</b> Souter Holdings II, LLC 1567 Beaver Ruin Road Norcross, GA 30093
	Green Implementation Group, LLC / Read-Norcross, LLC 300 E. Smoketree Terrace Alpharetta, GA 30005
	QuikTrip Corporation 4705 S. 129th East Avenue Tulsa, OK 74134
	Vulcan Lands, Inc. 1200 Urban Center Drive Vestavia, AL 35242
<b>Contact:</b> Melody A. Glouton, Esq.	<b>Contact Phone:</b> 770.822.0900

## Zoning History

The subject properties are zoned M-1 (Light Industry District), M-2 (Heavy Industry District), and C-2 (General Business District). The site is an assemblage of seven parcels. The following is the zoning history of the subject property:

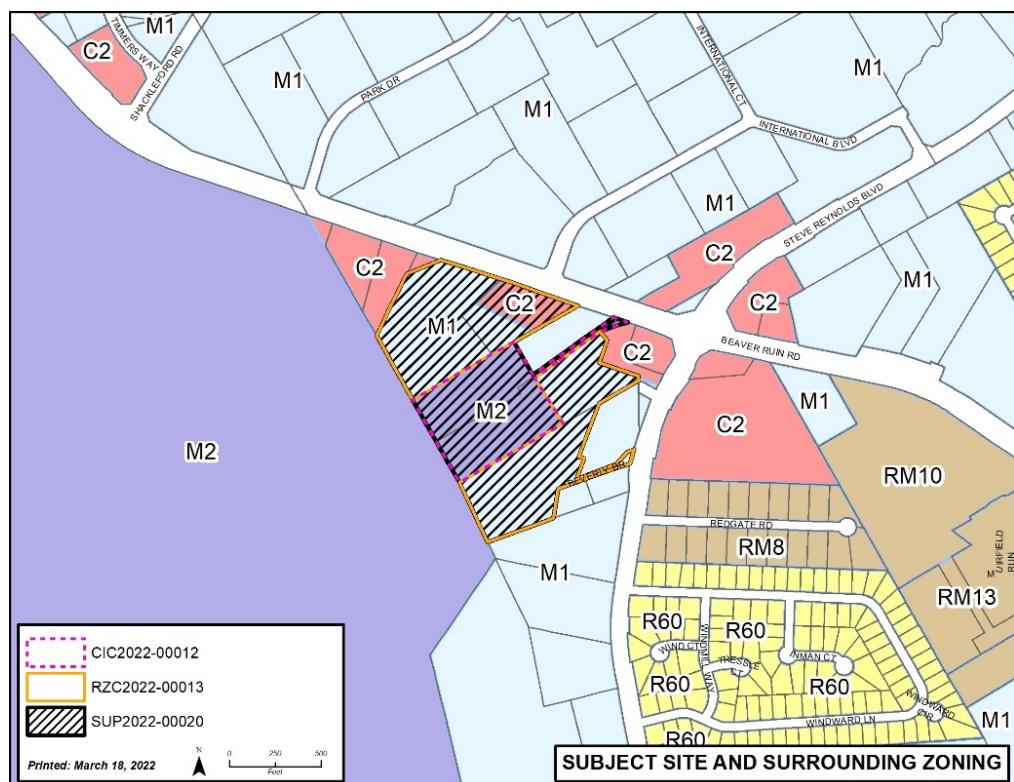
- Parcel R6200 004 is split zoned with M-1 and M-2 zoning districts. The portion fronting Beaver Ruin Road is zoned M-1. The rest of the parcel is zoned M-2 where the existing quarry is located. No prior zoning requests are on record for this property.
- Parcel R6201 016 and R62010 08B are zoned M-1. A 1987 rezoning case, REZ1987-00074, rezoned a portion of Parcel R62010 08B fronting Beaver Ruin Road from M-1 to C-2. In 2019, a special use permit was approved for both parcels for an automobile repair shop pursuant to SUP2019-00059 and for a trucking terminal pursuant to SUP2019-00060.
- Parcels R6201 051 and R6201 007A are zoned M-2. A 1980 rezoning case REZ1980-00022 rezoned both parcels from R-75 (Single-Family Residence District) to M-1. In addition, a special use permit was approved for Parcel R6201 051 for a metal recycling center pursuant to SUP2014-00037 and SUP2015-00022. Furthermore, a special use permit was approved for Parcel R6201 007A for a contractors office/heavy/civil construction/ logging, pursuant to SUP2017-00006. Subsequently, in 2019, a special use permit was approved for a contractors office/heavy/civil construction and an automobile, truck, or vehicle storage lot, pursuant to SUP2019-00023. Lastly, a 2021 rezoning case RZC2021-00001 rezoned both parcels, from M-1 to M-2, and a special use permit was approved for a solid waste transfer station pursuant to SUP2021-00003.
- Parcel R6201 007 is zoned M-1. In a 1980 rezoning case, REZ1980-00022 rezoned the property from R-75 to M-1.
- Parcel R6184 266 is zoned M-1. In 2017, a special use permit was approved for a contractors office/heavy/civil construction/ logging, pursuant to SUP2017-00006. In 2019, a special use permit was approved for a contractor's office/heavy/civil construction and an automobile, truck, or vehicle storage lot pursuant to SUP2019-00023.

## Existing Site Condition

The subject site is a 27.16-acre assemblage of seven parcels located near the intersection of Beaver Ruin Road and Steve Reynolds Boulevard. The site has frontage along Beaver Ruin Road and Steve Reynolds Boulevard. A 20-foot-wide driveway provides access to the site. Parts of the subject site are heavily wooded while other areas are developed with industrial and commercial structures and uses. A trucking company, repair shop, and junk yard, are existing on the subject property. The property slopes down approximately 35 feet from the road frontage along Beaver Ruin Road to the rear property line. There are several elevation changes throughout the site creating several high points and low points. Sidewalks are present along the road frontages of Beaver Ruin Road and Steve Reynolds Boulevard. The nearest Gwinnett County Transit stop is approximately 380 feet from the site.

## Surrounding Use and Zoning

The subject site is surrounded by industrial and commercial uses. To the north, across Beaver Ruin Road, is a restaurant, a place of worship, and an equipment sales and service center. There are also a number of industrial, light industrial, and distribution facilities located to the north. To the east, along Steve Reynolds Boulevard, is a distribution center, an industrial park and a restaurant. To the south is a construction supply store and a thrift store, and to the west is the Vulcan Materials Quarry. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Quarry and Borrow Pit	M-2	N/A
North	Light Industrial/Commercial/Place of Worship	M-1	N/A
East	Light Industrial/Commercial	C-2	N/A
South	Light Industrial	M-1	N/A
West	Heavy Industrial	M-2	N/A

## Project Summary

The applicant requests a rezoning, a special use permit, and a change in conditions for a 27.16-acre assemblage of parcels to expand the business and berm for the existing 641 acre rock quarry on the adjacent parcel, including:

- Expansion of the existing Vulcan Norcross Quarry, which is a supplier of construction aggregate such as gravel, sand and crushed stone.
- Rezoning five of the seven parcels from M-1 to M-2, which allows a quarry and borrow pit as a special use permit.
- A change in conditions of zoning case, RZC2021-00001, for two of seven parcels which are currently zoned M-2. Conditions currently restrict the use to a "solid waste transfer station of construction debris/waste only." The applicant is requesting to strike all conditions related to this prior zoning request.
- Use of the subject property to store finely ground material, known as fines, left over after the processing of aggregate is complete. The area will also be used to store overburden which is the dirt and material lying above the granite that must be removed for access to the rock.
- Construction of a berm area created from approximately 429,000 truck hauls of dirt, clay, and rock, that would otherwise need to be relocated offsite. The berm will have a 3:1 slope with a maximum height of 14 feet.
- An existing main entrance to the quarry located on Beaver Ruin Road at the intersection of Park Drive. An existing rear entrance to the quarry, located on Hillcrest Road. No new external access points are proposed.
- Existing sidewalks along Beaver Ruin Road and Steve Reynolds Boulevard.
- A 100-foot-wide undisturbed buffer along non-Vulcan owned adjacent parcels and along a portion of Beaver Ruin Road.
- A 10-foot-wide landscape strip along Beaver Ruin Road.
- Removal of two existing buildings, one approximately 26,000 square foot truck and shipping building and another approximately 15,000 square foot truck repair building.
- Removal of junk, debris, and dilapidated fencing and accessory buildings located throughout the site.
- Retention of two buildings totalling approximately 30,000 square feet that will be rezoned from M-1 to M-2. Businesses within these multi-tenant industrial buildings include a mixture of industrial and commercial uses.
- No new building or streets are proposed for the site.

## Zoning and Development Standards

The applicant is requesting a rezoning to M-2, Heavy Industry District, a Special Use Permit, and a Change in Conditions for a borrow pit and rock quarry. 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'	NO*
Rear Yard Setback	Minimum 50'	> 50'	YES
Landscape Strip	10'	10'	YES
Minimum Lot Size	1 acre	> 1 acre	YES
Minimum Lot Width	150'	> 150 feet	YES
Maximum Building Height	45'	< 45	YES

\*It appears that the applicant is retaining two existing buildings toward the east of the site. One of these buildings does not meet the minimum side yard, however no changes are proposed and the building is considered "legal non-conforming".

In addition, the following standards apply to development in the Gateway 85 Overlay District:

Standard	Meets Standard?
Streetscapes shall include a sidewalk landscape strip adjacent to the roadway (Minimum 2 feet), a sidewalk (minimum 8 feet), and a landscape strip (minimum 10 feet) at the back of the sidewalk on private property.	NO

The site is located in the Gateway 85 Overlay District. The submitted site plan does not indicate these requirements. Section 220-10.2 of the UDO states that "In any case where the conditions of approval for rezoning or special use permit approved by the Board of Commissioners conflict with the provisions of an overlay district, the conditions shall take precedence." Therefore, a condition allowing exemption from these requirements would allow the development to proceed as proposed by the applicant.

## Internal and External Agency Review

In addition to these Development Standards, the applicant must meet all other UDO requirements related to infrastructure improvements. External agency review comments are attached (Exhibit 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, Change in Conditions, and Special Use Permit Analysis:** According to the UDO, if a proposed amendment is for the rezoning of property and involves a change in zoning classification, or change in conditions, the Department shall evaluate the request and make a recommendation with respect to the standards governing exercise of zoning power as defined in Section 270-20.5. For Special Use Permits, 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, change in conditions, and special use permit will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

The surrounding area includes properties developed with commercial and light to heavy industrial uses along Steve Reynolds Boulevard and Beaver Ruin Road, with retail uses located at their intersection. There are no residentially zoned parcels in the adjacent area. The nearest residential uses are located on the east side of Steve Reynolds Boulevard, approximately 0.3 miles south of the intersection with Beaver Ruin Road. The property to the west is owned by Vulcan Quarry and the proposed rezoning, special use permit, and change in conditions would allow the Vulcan Quarry to construct a borrow pit area on the property and reconfigure their existing facility for the storing of fines and overburden. Therefore, the proposed use is suitable in view of the use and development of adjacent and nearby property.

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

The existing use and usability of adjacent or nearby properties would not be impacted by the proposed changes. As identified in the zoning history for the subject site, parcels within the subject site were approved for various industrial uses in the past such as a metal recycling facility, contractors office/heavy/civil construction, and automobile truck storage. Additionally, the Vulcan Quarry is an existing use on the adjacent 641 acres. The acquisition of additional acreage will allow Vulcan to construct a berm on the property. As mentioned by the applicant in the letter of intent, this will eliminate the need for Vulcan to make approximately 429,000 roundtrip truck hauls of dirt, clay, and rock that would otherwise need to be relocated offsite which would prevent over 21 million truck miles from traveling state and county roadways. Therefore, the proposed rezoning, change in conditions, and special use permit will not adversely affect the existing use or usability of adjacent or nearby property.

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

The property has reasonable economic use as currently zoned.

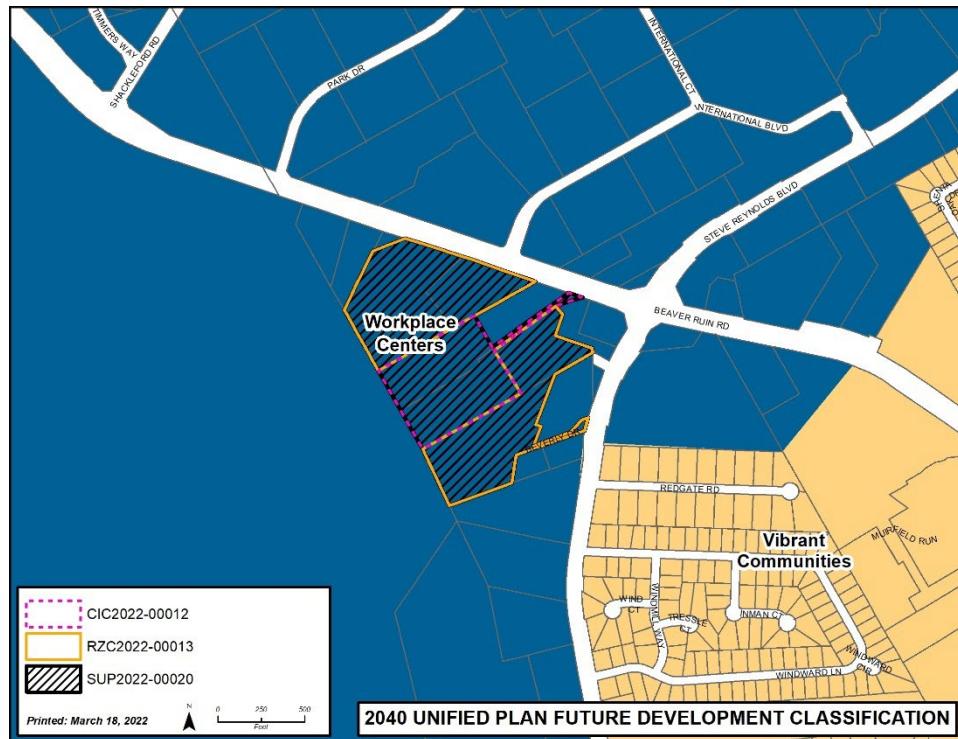
**D. Whether the proposed rezoning, change in conditions, and special use permit will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

Impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development 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, change in conditions, and special use permit is in conformity with the policy and intent of the Unified Plan and Future Development Map.**

The 2040 Unified Plan and Future Development Map indicates that the subject property lies within the Workplace Center Character Area. This area is intended for office parks, industrial parks, and locations for freight oriented and logistic uses that would attract a larger share of the

region's service employment to offset anticipated shrinking in manufacturing, light industrial, and retail employment and help maintain Gwinnett's overall employer variety and household incomes. The proposed industrial use would allow the expansion of an existing industrial business in the County, which could result in more industrial jobs. Therefore, the proposal is in conformance 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 and special use permit.**

The nearby areas are predominantly developed with light to heavy industrial uses. A wholesale food store, concrete product supplier, pallets manufacturing and recycling company, and granite and countertop showroom are some of the industrial uses in the surrounding area. The Vulcan Quarry sits on the adjacent 641 acres property. Two of the parcels of the subject property were also recently approved for solid waste transfer station in 2021. The proposed rezoning, change in conditions, and special use permit will allow the Vulcan Quarry to construct a borrow pit eliminating the need to make several roundtrips truck hauls of dirt, clay, and rock that would otherwise need to be relocated offsite. The proposed development would be compatible with the surrounding uses which gives supporting grounds for approval of the proposed rezoning, change in conditions, and special use permit.

### Staff Recommendation

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

## Staff Recommended Conditions

### RZC2022-00013

Approval as M-2 (Heavy Industry District) for the construction of a quarry and borrow pit, subject to the following conditions:

- 1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received March 14, 2022, with revisions required by conditions of approval, and the Unified Development Ordinance, as reviewed and approved by the Planning and Development Department.**
- 2. Uses shall be limited to those permitted in the M-1 zoning district with the exception of a quarry and borrow pit as a special use.**
- 3. The proposed berm shall not exceed 14 feet in height, as indicated on Exhibit B.**
- 4. All necessary permits shall be received prior to the demolition of existing buildings.**

### CIC2022-00012

Approval as M-2 (Heavy Industry District) for the construction of a quarry and borrow pit, subject to the following conditions:

NOTE: The conditions below are those from RZC2021-00001 with suggested changes in bold or strikethrough.

- 1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received March 14, 2022, with revisions required by conditions of approval, and the Unified Development Ordinance, as reviewed and approved by the Planning and Development Department.**
- 2. Uses shall be limited to those permitted in the M-1 zoning district with the exception of a quarry and borrow pit as a special use.**
- 3. The proposed berm shall not exceed 14 feet in height, as indicated on Exhibit B.**
- 4. All necessary permits shall be received prior to the demolition of existing buildings.**

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

- ~~Use as a solid waste transfer station of construction debris/waste only and borrow pit.~~
- ~~Outdoor activities and storage of salvaged materials shall be prohibited. All weighing, unloading, sorting, and repackaging of salvaged materials for transportation shall occur within the proposed enclosed structure.~~

- C. ~~Metals or other recyclables from construction debris may be processed, however; metal automobile or other vehicle parts may not be recycled. The property shall not be used as a junk yard for the dismantling of wrecked automobiles or other vehicles.~~
- D. ~~There shall be no limitation on the hours of office activities. The hours of operation for delivery and receiving of materials shall be limited to:~~
  - a. ~~6:00 a.m. to 8:00 p.m., Monday through Friday.~~
  - b. ~~9:00 a.m. to 4:00 p.m. on Saturday.~~
- E. ~~No "Hazardous Substances" as defined by the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (with current amendments, and associated regulations promulgated thereunder) shall be stored or handled on the site.~~
- F. ~~Abide by all applicable requirements of the DRI #3208 GRTA Notice of Decision.~~
- G. ~~The solid waste transfer building and access driveways shall be designed so that trucks enter the building to deliver or accept loads of solid waste materials and exit through a different side of the building. The building shall not be designed so that trucks enter the building and exit through the same vehicle entrance. Building layout and design to accomplish this objective shall be subject to review and approval of the Director of Planning and Development.~~
- H. ~~The transfer station shall be a fully enclosed building with reinforced concrete floors. The floors shall be designed and installed so as to have a positive slope to the required drainage system. The design of the facility shall include the installation of a leachate collection system designed to capture and treat leachate at a wastewater treatment facility and shall further include the design and installation of a proper sanitary sewer collection system, all of which shall be designed and operated to meet local, state, and federal requirements. The building and the required systems shall be subject to review and approval of the Director of Planning and Development.~~
- I. ~~Building catch basins, floor drains, and drainage systems shall be maintained to prevent odor-causing emissions. Drainage systems shall be treated periodically with odor neutralizing and bacteria inhibiting solutions.~~
- J. ~~The developer shall seal concrete and other semi-porous surfaces to prevent the absorption of odor-producing residues and shall eliminate or screen cracks and openings in and around foundations, waste containers, and holding areas. These requirements shall be subject to review and approval of the Building Plan Review Section.~~
- K. ~~All waste must be removed from the floor of the transfer station facility daily.~~

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

- A. ~~Owner shall repair or repaint any graffiti or vandalism that occurs on the property within 72 hours.~~
- B. ~~Lighting shall be placed in such a fashion so as to be directed away from adjoining properties and rights-of-way.~~

**SUP2022-00020**

Approval of a Special Use Permit for the construction of a quarry and borrow pit, subject to the following conditions:

- 1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received March 14, 2022, with revisions required by conditions of approval, and the Unified Development Ordinance, as reviewed and approved by the Planning and Development Department.**
- 2. Uses shall be limited to those permitted in the M-1 zoning district with the exception of a quarry and borrow pit as a special use.**
- 3. The proposed berm shall not exceed 14 feet in height, as indicated on Exhibit B.**
- 4. All necessary permits shall be received prior to the demolition of existing buildings.**

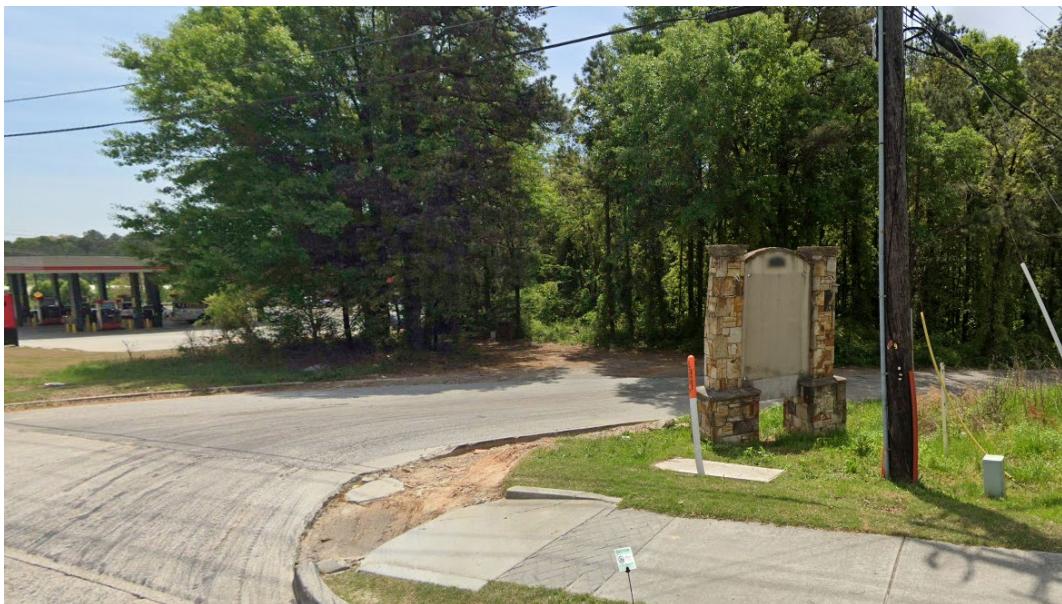
**Exhibits:**

- 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

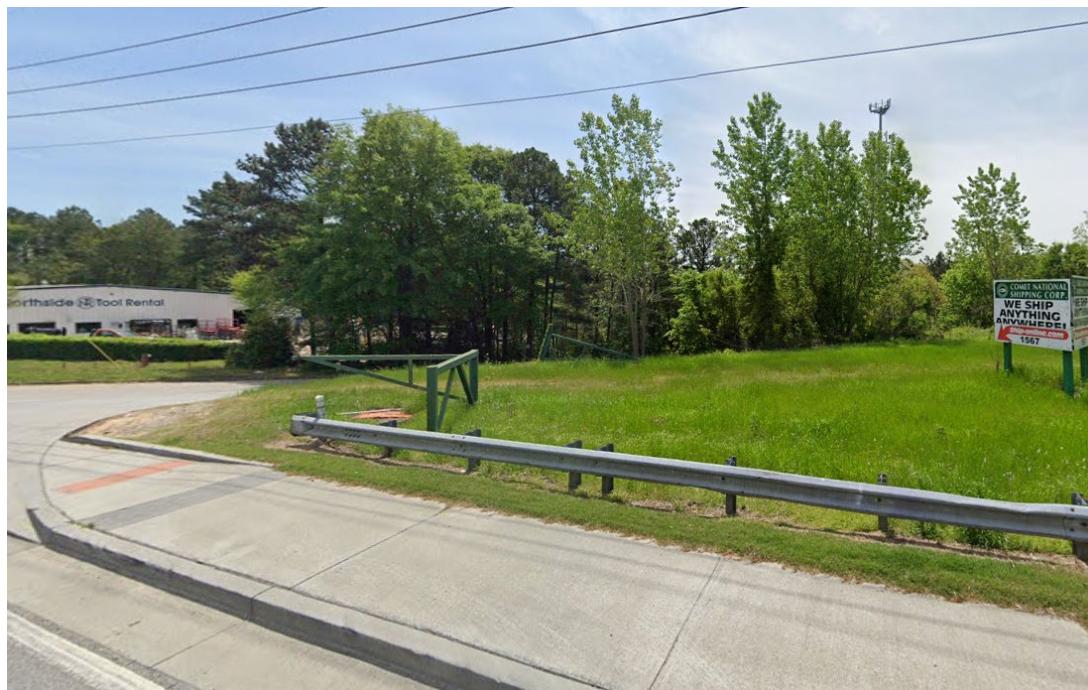
**Exhibit A: Site Visit Photos**

**[attached]**

## Exhibit A: Site Visit Photos



View from Beaver Ruin Road



View from Beaver Ruin Road



Existing buildings on the site



Existing entrance to Vulcan Quarry

**Exhibit B: Site Plan**

**[attached]**

# Norcross Quarry Overview





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

**[attached]**

3/14/2022

March 14, 2022

**LETTER OF INTENT AND JUSTIFICATION FOR  
REZONING,  
SPECIAL USE PERMIT AND  
CHANGE IN CONDITIONS**

**Rezoning, Special Use Permit, and Change in Conditions Applications  
Gwinnett County, Georgia**

**Applicant:**  
Vulcan Materials Company

for  
Tax Parcel IDs R6200 004, R6201 008B, R6201 016, R6201 051,  
R6201 007A, R6184 266, and R6201 007  
±27.18 Acres of Land  
Located at 1707 Beaver Ruin Road, Norcross, Georgia  
and  
1537 Beaver Ruin Road, Norcross, Georgia  
**From M-1 and C-2 to M-2 with an SUP**

**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](mailto:mglouton@atclawfirm.com)

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3/14/2022

**INTRODUCTION**

These Applications for Rezoning, Special Use Permit (“SUP”), and Change in Conditions (“CIC”) are submitted for a 27.161-acre assemblage of land located in specific land lots of the 6<sup>th</sup> District of Gwinnett County, Norcross, and identified as seven (7) different tax parcels (hereinafter the “Property”)<sup>1</sup> on the legal survey prepared by Alliance Land Surveying dated December 29, 2021, and filed with these Applications. The Property that is the subject of these Applications is under multiple ownership and is further identified below:



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<sup>1</sup> The Property consists of seven (7) tax parcels. Specifically:

	Property Owner	Address	Tax Parcel ID	Current Zoning	Current Use
1	SOUTER HOLDINGS II LLC	0 BEAVER RUIN RD	6201 008B	M1 & C2	Owner Occupied + Vacant
2	SOUTER HOLDINGS II LLC	1567 BEAVER RUIN RD	6201 016	M1	Owner Occupied
3	READ-NORCROSS LLC	1537 BEAVER RUIN RD	6201 051	M2	Solid Waste Transfer Station
4	READ-NORCROSS LLC	0 BEAVER RUIN RD	6201 007A	M2	Solid Waste Transfer Station
5	GREEN IMPLEMENTATION GROUP LLC	4227 STEVE REYNOLDS BLVD*	6184 266	M1	Land plus Flex Office
6	QUIKTRIP CORPORATION	0 BEAVER RUIN RD	6201 007	M1	Vacant
7	VULCAN LANDS, INC.	1707 BEAVER RUIN RD	6200 004	M1	Rock Quarry

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**3/14/2022** The Property is currently zoned both M-1 (Light Industrial District) and C-2 (General Business District) pursuant to the Gwinnett County Unified Development Ordinance (the “UDO”). The Applicant, Vulcan Materials Company (“Vulcan”) now seeks approval to rezone the entire Property to M-2 (Heavy Industrial District) to permit the continued operation and development of a Rock Quarry and Borrow Pit, consistent with the existing facility on the adjacent 641 acres owned by the Applicant. 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. Due to the overall size and scope of the project, the Applicant has identified the request for the Rezoning, SUP and CIC below:

The requested **Rezoning** applies to the following **five (5) tax parcels (19.256 acres)**:

	Property Owner	Address	Tax Parcel ID	Current Zoning
1	SOUTER HOLDINGS II LLC	0 BEAVER RUIN RD	6201 008B	M1 & C2
2	SOUTER HOLDINGS II LLC	1567 BEAVER RUIN RD	6201 016	M1
3	GREEN IMPLEMENTATION GROUP LLC	4227 STEVE REYNOLDS BLVD	6184 266	M1
4	QUIKTRIP CORPORATION	0 BEAVER RUIN RD	6201 007	M1
5	VULCAN LANDS, INC.	1707 BEAVER RUIN RD	6200 004	M1

The requested **CIC** applies to the following **two (2) tax parcels (7.905 acres)**:

	Property Owner	Address	Tax Parcel ID	Current Zoning
1	READ-NORCROSS LLC	1537 BEAVER RUIN RD	6201 051	M2
2	READ-NORCROSS LLC	0 BEAVER RUIN RD	6201 007A	M2

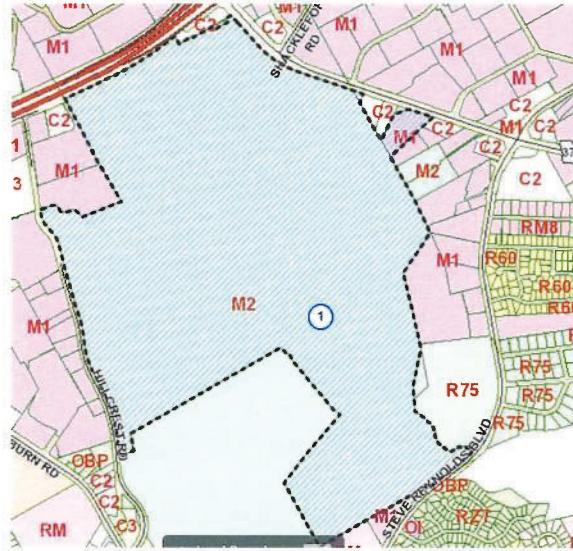
Finally, the requested **SUP** applies to all **seven (7) tax parcels (27.161 acres)**.

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

The Property is an assemblage of parcels that form the northeast quadrant of the existing site near the intersection of Beaver Ruin Road and Steve Reynolds Boulevard. The surrounding area includes properties developed with light to heavy industrial uses along Steve Reynolds Boulevard and Beaver Ruin Road, with retail uses located at the intersection of these two roads. The majority of the adjacent parcels are zoned M-1 (Light Industry District) and C-2 (General Business District). There are some residential zoning classifications near the Property, which include RM8 (currently an inactive zoning classification), and R-60 (Single Family Residence District). The surrounding uses and zoning classifications for the Property are identified below:

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3/14/2022



The Future Development Map of the Gwinnett County 2040 Unified Plan (the “2040 Plan”) classifies this Property as within the “Workplace Center Character Area,” of the Gwinnett County Future Development Map. The Workplace Center Character Area is for predominantly employment oriented uses and includes office parks, industrial parks, and locations for freight oriented and logistic uses. In keeping with the policies of the Workplace Center Character Area, the future development of the existing Vulcan rock quarry would be consistent with the other light and heavy industrial uses established in the area and the proposal would be in conformity with similar recent approvals in the surrounding area.

### **III. PROJECT SUMMARY**

Vulcan is a supplier and distributor of construction materials. It offers construction aggregates, including gravel, sand and crushed stone, for use in building bridges, parking lots, roads, airport runways, houses, hospitals, apartments, schools, commercial buildings and more. Since 1957, Vulcan has successfully operated the Norcross Quarry. The location of the Norcross Quarry is strategically located in close proximity to Interstate 85 and relieves burdens on transportation infrastructure by providing convenient delivery options to plant customers without burdening residents.

As shown on the conceptual site plan filed with these Applications (hereinafter the "Site Plan"), Vulcan proposes to acquire additional property in order to continue existing operations on the site and to better conduct operations, and store fines and overburden<sup>2</sup>. The acquisition of additional acreage will allow Vulcan to construct a buffer and berm area on the Property which will significantly improve the area to the northeast. More importantly, this will eliminate the need for Vulcan to make approximately 429,000 roundtrip truck hauls of dirt, clay, and rock that would otherwise need to be relocated offsite. The proposed rezoning and SUP permit would prevent over 21 million truck miles from traveling state and County

<sup>2</sup> Fines are the finely ground materials left over after the processing of aggregate is complete. Overburden is the dirt and material lying above the granite that must be removed for access to rock.

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roadways. The additional property would allow Vulcan to build a buffer and berm area and allow the existing rock quarry to continue uninterrupted. The SUP would allow Vulcan to continue to provide necessary construction aggregates and support for public road and construction projects. The ingress and egress to the existing Norcross Quarry will remain the same. The main entrance to the quarry is located on Beaver Ruin Road at the intersection of Park Drive. There is also a rear entrance to the quarry, located on Hillcrest Road.

3/14/2022

Pursuant to the UDO, a rock quarry, mining, and borrow pit are permitted uses in the M-2 zoning classification, with a SUP. As such, the Applicant is requesting an SUP as related to all seven (7) tax parcels. As previously indicated, five of the seven parcels require a rezoning to the M-2 zoning classification as parcels R6201 007A and R6201 051 are currently zoned M2. With regard to the existing M-2 parcels, the Applicant is seeking a CIC to remove the current conditions on the property that specifically restrict the use of the property to a “solid waste transfer station of construction debris/waste only.” The Applicant requests to modify existing conditions of RZC2021-00001 and SUP2021-00003 by striking Conditions 1 and 2 in their entirety and replacing them with the appropriate conditions as applicable to the Applicant’s SUP application. The Applicant submits that approval of the CIC application would allow the continued operation of the quarry, while also eliminating an existing solid waste transfer station use as previously permitted on the Property.

**IV. RESPONSE TO STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER**

Pursuant to UDO § 270-20.6, entitled “Impact Analysis,” the Applicant submits its written impact analysis which shows that rezoning to M-2, 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 proposed development will permit a use that is suitable in view of the use and development of adjacent and nearby property. The proposed rezoning and SUP will permit Applicant to reconfigure their existing facility for the storing of fines and overburden. The Property is located in an industrial area which is surrounded by other industrial properties and the continued operations would remain out of sight from any adjoining property owner. There are no issues with the current operation, and the proposed use and rezoning will be harmonious with the existing uses of the adjacent and nearby parcels.

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

No, approval of the proposed rezoning and SUP will not adversely affect the existing use or usability of adjacent or nearby properties from an environmental, noise, easement, accessibility, traffic, or any other standpoint. The Property is currently zoned both M-1 and

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**3/14/2022** C-2 and the proposed rezoning to M-2 will have no effect upon the existing use or usability of the adjacent properties. The site access will remain the same. Moreover, the immediate area already has several industrial uses, and the addition of the parcels to the existing facility would be complementary to what is already in the vicinity.

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

The Applicant submits that due to the size, location, layout, topography, market conditions, and natural features of the Property, it does not have reasonable economic use as currently zoned. As indicated above, some of the current Property is used as a solid waste transfer station. This rezoning would allow for the overall site to be restored to buffer and berm area, and incorporated into the existing Vulcan facility, resulting in a more cohesive development.

**(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 proposed development will not result in an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The Property has been used for a similar industrial operation. Vulcan will not access either Beaver Ruin or Steve Reynolds Boulevard from the additional acquired Property. To be clear, the additional acreage will prevent the need for approximately 429,000 roundtrip truck hauls of dirt, clay, and rock on state and County roads.

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

The proposed rezoning and SUP applications are in conformity with the policy and intent of the Gwinnett County 2040 Unified Plan. The Property is located within the Workplace Center Character Area of the 2040 Future Development Map. In keeping with the policies with the policies and intent of this Workplace Center Character Area, industrial parks are encouraged land uses and this proposed development would be compatible with the surrounding uses.

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

Given the position of the Property and its proximity to existing industrial, as well as the Beaver Ruin, Steve Reynolds, and I-85, the proposed development is an appropriate use for this site. The acquisition of additional parcels will allow Vulcan to continue operations of

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their existing facility, construct a buffer and berm area on the acquired parcels, store fines and  
3/14/2022 overburden materials, and relocate the central shop area.

**V. JUSTIFICATION FOR REZONING AND SPECIAL USE PERMIT**

The Applicant respectfully submits that "The Unified Development Ordinance of Gwinnett County, Georgia" (the "Ordinance"), as amended from time to time, to the extent that it classifies the Property in any zoning district that would preclude development and issuance of a special use permit for a rock quarry and borrow pit (M-2), is unconstitutional as a taking of property, a denial of equal protection, an arbitrary and capricious act, and an unlawful delegation of authority under the specific constitutional provisions later set forth herein. Any existing inconsistent zoning of the Property pursuant to the Ordinance deprives the Applicant and Property owner of any alternative reasonable use and development of the Property. Additionally, all other zoning classifications, including ones intervening between the existing classification and that requested herein, would deprive the Applicant and Property owner of any reasonable use and development of the Property. Further, any attempt by the Gwinnett County Board of Commissioners to impose greater restrictions upon the manner in which the Property will be developed than presently exist would be equally unlawful.

Accordingly, Applicant submits that the current zoning classification and any other zoning of the Property save for what has been requested as established in the Ordinance constitute an arbitrary and unreasonable use of the zoning and police powers because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant and Property owner. All inconsistent zoning classifications between the existing zoning and the zoning requested hereunder would constitute an arbitrary and unreasonable use of the zoning and police powers because they bear or would bear no substantial relationship to the public health, safety, morality, or general welfare of the public and would substantially harm the Applicant and Property owner. Further, the existing inconsistent zoning classification constitutes, and all zoning and plan classifications intervening between the existing inconsistent zoning classification and that required to develop this Project would constitute, a taking of the owner's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States.

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

Finally, the Applicant respectfully submits that the Gwinnett County Board of Commissioners cannot lawfully impose more restrictive standards upon the development of the Property than presently exist, as to do so not only would constitute a taking of the Property as set

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forth above, but also would amount to an unlawful delegation of their authority, in response to ~~3/14/2022~~ neighborhood opposition, in violation of Article IX, Section IV, Paragraph II of the Georgia Constitution.

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

**VI. CONCLUSION**

For the foregoing reasons, the Applicant respectfully requests that these Applications to Rezone from M-1 and C-2 to M-2 with a SUP, as well as the CIC, 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 14<sup>th</sup> day of March, 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]**

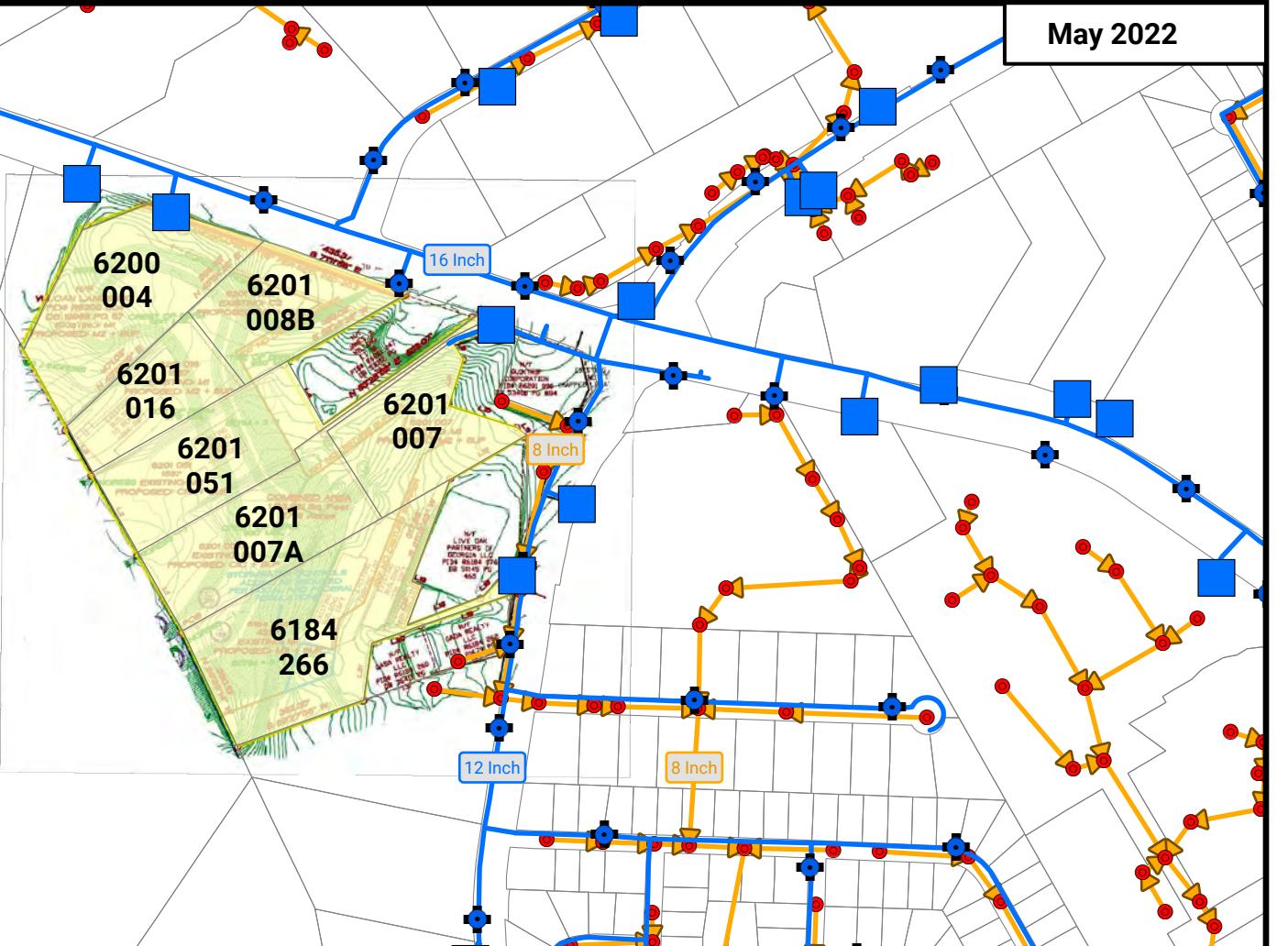


**Department of Planning and Development  
TECHNICAL REVIEW COMMITTEE**

<b>TRC Meeting Date:</b> 4/13/2022		
Department/Agency Name: Transportation		
Reviewer Name: Brent Hodges		
Reviewer Title: Construction Manager 1		
Reviewer Email Address: Brent.Hodges@GwinnettCounty.com		
Case Number: CIC2022-00012, RZC2022-00013, & SUP2022-00020		
Case Address: 1537 Beaver Ruin Road		
<b>Comments:</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
1	Beaver Ruin Road is a Major Arterial. ADT = 33,800. 380 feet to nearest Transit facility #2335379 Beaver Ruin Road & Shell Gas Station.	
2		
3		
4		
5		
6		
7		
<b>Recommended Zoning Conditions:</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
1	Developer shall not add any additional Truck access to Beaver Ruin Road. There can also not be any direct access to Steve Reynolds Boulevard.	
2	Coordinate with Gwinnett County Department of Transportation (GCDOT) on any needed right-of-way dedication.	
3		
4		
5		
6		
7		

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

*Revised 7/26/2021*



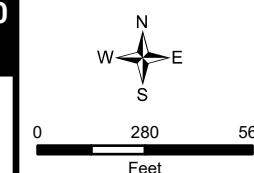
## LEGEND

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

CIC2022-00012, RZC2022-00013 &amp; SUP2022-00020

M-2

## Water & Sewer Utility Map



## LOCATION



Water Comments: No DWR Comments

Sewer Comments: No DWR Comments

**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.

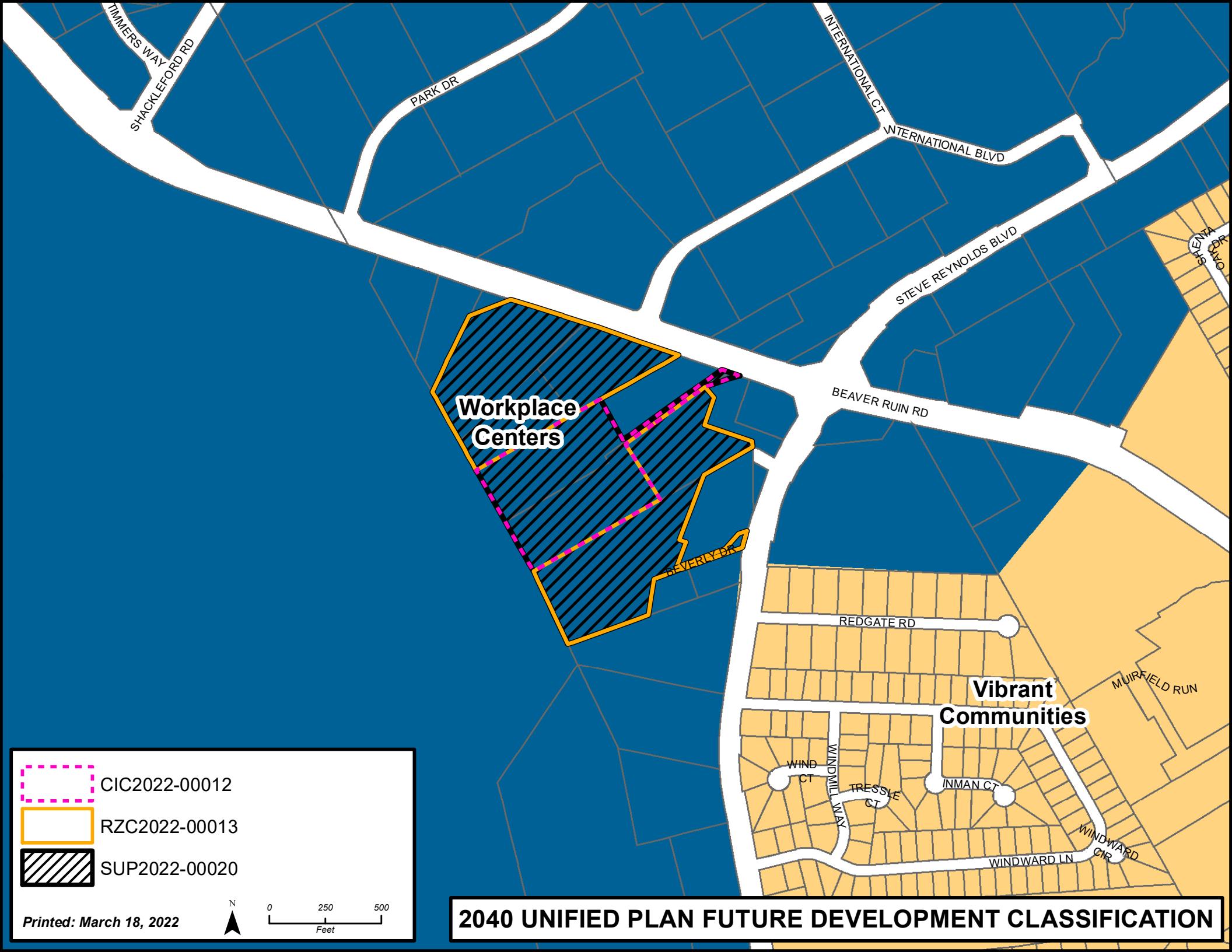
**Sewer Availability:** A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump 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.

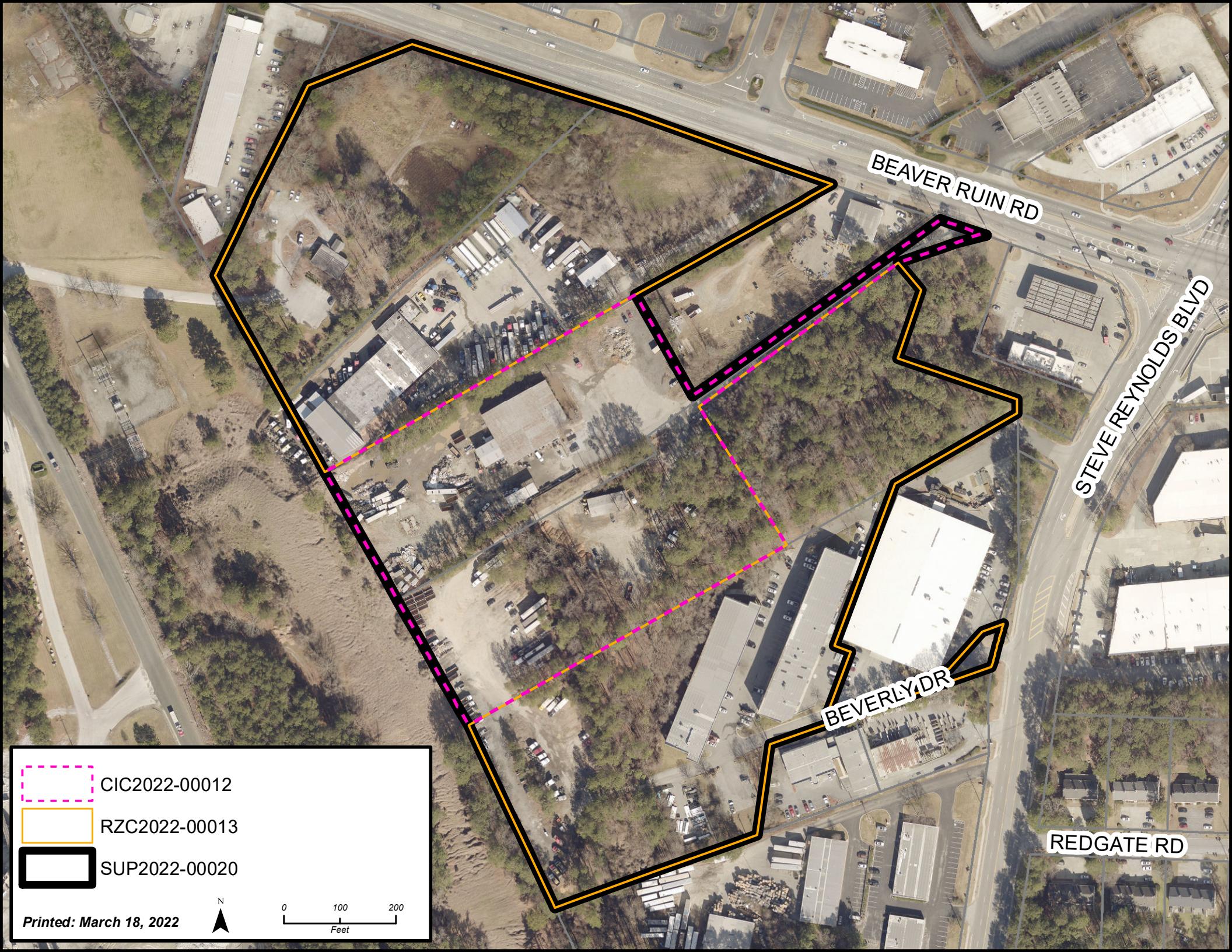
**Water and Sewer Design and Construction Requirements:** Extensions to the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications,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

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

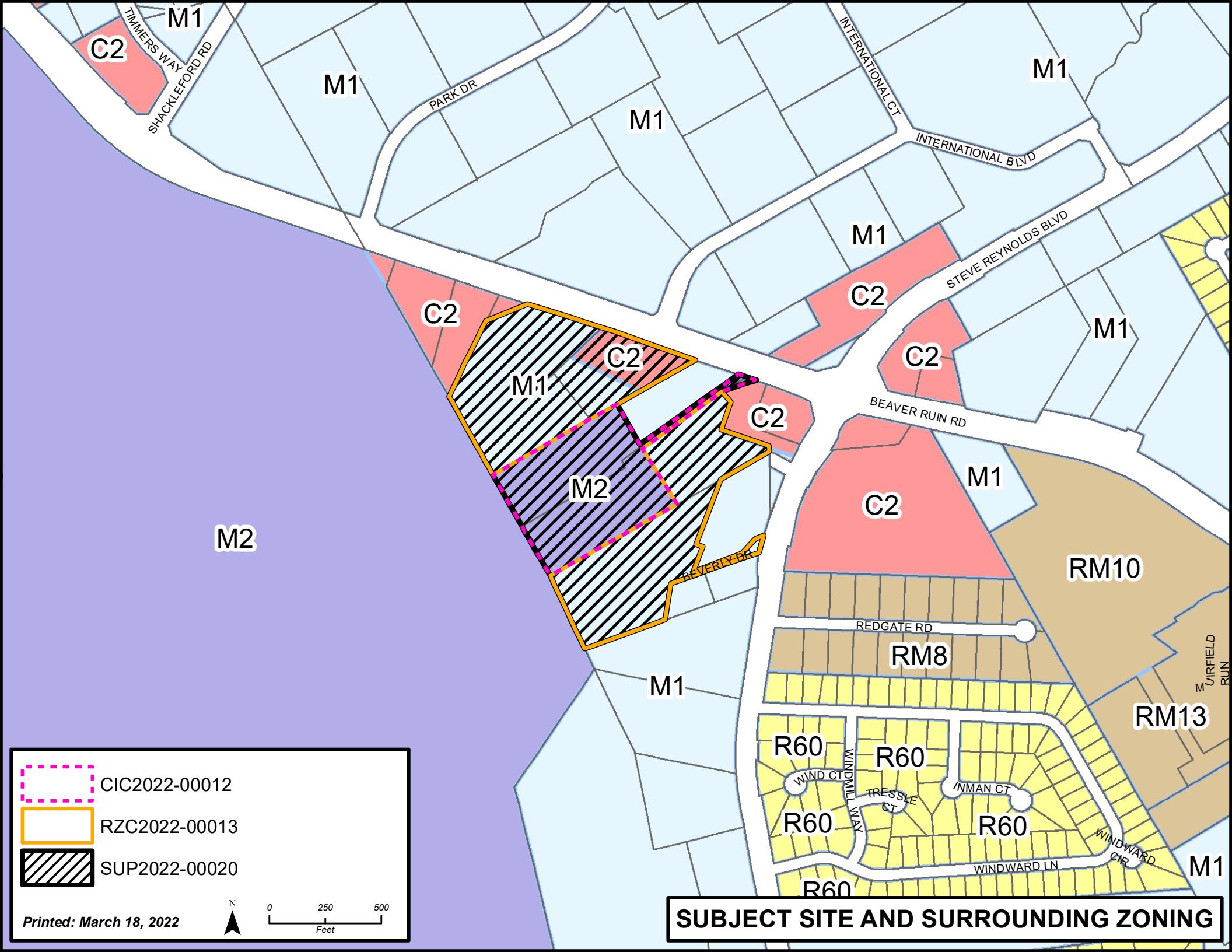
**Exhibit E: Maps**

**[attached]**





0 100 200  
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3/14/2022

**REZONING APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Vulcan Lands, Inc. c/o Melody A. Glouton Andersen, Tate &amp; Carr, P.C.</u>	NAME: <u>Please see attached</u>
ADDRESS: <u>1960 Satellite Blvd., Suite 4000</u>	ADDRESS: _____
CITY: <u>Duluth</u>	CITY: _____
STATE: <u>GA</u> ZIP: <u>30097</u>	STATE: _____ ZIP: _____
PHONE: <u>770-822-0900</u>	PHONE: _____
EMAIL: <u>mglouton@atclawfirm.com</u>	EMAIL: _____
CONTACT PERSON: <u>Melody A. Glouton, Esq.</u> PHONE: <u>770-822-0900</u>	
CONTACT'S E-MAIL: <u>mglouton@atclawfirm.com</u>	
<b>APPLICANT IS THE:</b>	
<input type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER	
M1 and PRESENT ZONING DISTRICT(S): <u>C2</u> REQUESTED ZONING DISTRICT: <u>M2</u>	
PARCEL NUMBER(S): <u>Please see attached</u> ACREAGE: <u>19.256</u>	
ADDRESS OF PROPERTY: <u>1707 Beaver Ruin Road, Norcross, GA 30093</u>	
PROPOSED DEVELOPMENT: <u>rock quarry; borrow pit</u>	

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

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

**RECEIVED**

3/14/2022

Vulcan Rezoning Application

Property Owner and Parcel Information

1. Parcel No. R6201 008 B

0 Beaver Ruin Rd.

Souter Holdings II, LLC  
1567 Beaver Ruin Rd.  
Norcross, GA 30093

2. Parcel No. R6201 016

1567 Beaver Ruin Rd.

Souter Holdings II, LLC  
1567 Beaver Ruin Rd.  
Norcross, GA 30093

5. Parcel No. R6184 266

4227 Steve Reynolds Blvd.

Green Implementation Group, LLC  
Read-Norcross, LLC  
300 E. Smoketree Ter  
Alpharetta, GA 30005

6. Parcel No. R6201 007

Beaver Ruin Rd.

QuikTrip Corporation  
4705 S. 129<sup>th</sup> East Ave.  
Tulsa, OK 74134

7. Parcel No. R6200 004

1707 Beaver Ruin Road

Vulcan Lands, Inc.  
1200 Urban Center Drive  
Vestavia, AL 35242-2545

**RECEIVED**

3/14/2022

**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.



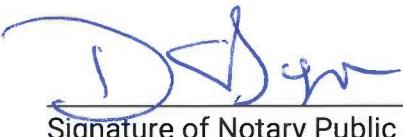
Signature of Applicant

3/14/2022

Date

Melody A. Glouton, Attorney for Applicant

Type or Print Name and Title



Signature of Notary Public

3/14/2022

Date



**RECEIVED**

3/14/2022

**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.

*Melody A. Glouton*

Signature of Property Owner

3/14/2022

Date

Melody A. Glouton, Attorney for Applicant

Type or Print Name and Title

*D. Wilson*

Signature of Notary Public

*3/14/2022*

Date

Notary Seal



## **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.

DATE

TYPE OR PRINT NAME AND TITLE

**SIGNATURE OF APPLICANT'S  
ATTORNEY OR REPRESENTATIVE**

3/14/2022

Melody A. Glouton, Attorney for Applicant

**SIGNATURE OF APPLICANT'S  
ATTORNEY OR REPRESENTATIVE**

DATE

---

TYPE OR PRINT NAME AND TITLE

198

SIGNATURE OF NOTARY PUBLIC      DATE

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

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

3/14/2022

**SPECIAL USE PERMIT APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Vulcan Lands, Inc. c/o Melody A. Glouton Andersen, Tate &amp; Carr, PC</u>	NAME: <u>Please see attached</u>
ADDRESS: <u>1960 Satellite Blvd., Suite 4000</u>	ADDRESS: _____
CITY: <u>Duluth</u>	CITY: _____
STATE: <u>GA</u> ZIP: <u>30097</u>	STATE: _____ ZIP: _____
PHONE: <u>770-822-0900</u>	PHONE: _____
EMAIL: <u>mglouton@atclawfirm.com</u>	EMAIL: _____
CONTACT PERSON: <u>Melody A. Glouton, Esq.</u> PHONE: <u>770-822-0900</u>	
CONTACT'S E-MAIL: <u>mglouton@atclawfirm.com</u>	

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

APPLICANT IS THE:		
<input type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER	<input checked="" type="checkbox"/> CONTRACT PURCHASER
EXISTING/PROPOSED ZONING: <u>M1/C2 to M2</u> BUILDING/LEASED SQUARE FEET: <u>N/A</u>		
PARCEL NUMBER(S): <u>Please see attached</u> ACREAGE: <u>27.161</u>		
ADDRESS OF PROPERTY: <u>1707 Beaver Ruin Road, Norcross, GA 30093</u>		
SPECIAL USE REQUESTED: <u>Continued operations of Rock Quarry, mining, borrow pit</u>		

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

**RECEIVED**

3/14/2022

Vulcan Special Use Permit Application  
Property Owner and Parcel Information

1. Parcel No. R6201 008 B  
0 Beaver Ruin Rd.  
Souter Holdings II, LLC  
1567 Beaver Ruin Rd.  
Norcross, GA 30093
2. Parcel No. R6201 016  
1567 Beaver Ruin Rd.  
Souter Holdings II, LLC  
1567 Beaver Ruin Rd.  
Norcross, GA 30093
3. Parcel No. R6201 051  
1537 Beaver Ruin Rd.  
Read-Norcross, LLC  
300 E. Smoketree Ter  
Johns Creek, GA 30005
4. Parcel No. R6201 007A  
Beaver Ruin Rd.  
Read-Norcross, LLC  
300 E. Smoketree Ter  
Johns Creek, GA 30005
5. Parcel No. R6184 266  
4227 Steve Reynolds Blvd.  
Green Implementation Group, LLC  
Read-Norcross, LLC  
300 E. Smoketree Ter  
Alpharetta, GA 30005
6. Parcel No. R6201 007  
Beaver Ruin Rd.  
QuikTrip Corporation  
4705 S. 129<sup>th</sup> East Ave.  
Tulsa, OK 74134
7. Parcel No. R6200 004  
1707 Beaver Ruin Road  
Vulcan Lands, Inc.  
1200 Urban Center Drive  
Vestavia, AL 35242-2545

**RECEIVED**

3/14/2022

**SPECIAL USE PERMIT APPLICANT'S CERTIFICATION**

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

Melody A. Gloton  
Signature of Applicant

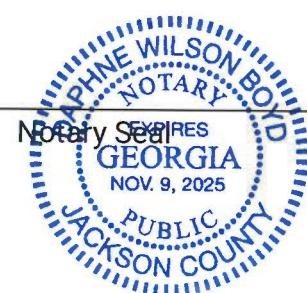
3/14/2022

Date

Melody A. Gloton, Attorney for Applicant  
Type or Print Name and Title

D. S. Son  
Signature of Notary Public

3/14/2022  
Date



**RECEIVED**

3/14/2022

**SPECIAL USE PERMIT PROPERTY OWNER'S CERTIFICATION**

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

*Melody A. Glouton*

Signature of Property Owner

3/14/2022

Date

Melody A. Glouton, Attorney for Applicant  
Type or Print Name and Title

*D. S. B.*

Signature of Notary Public

*3/14/2022*

Date

Notary Seal



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3/14/2022

Gwinnett County Planning Division  
Special Use Permit Application  
Last Updated 10/2021

## **CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT**

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

DATE

TYPE OR PRINT NAME AND TITLE

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

Melody A. Glouton, Attorney for Applicant

SIGNATURE OF APPLICANT'S  
ATTORNEY OR REPRESENTATIVE

**TYPE OR PRINT NAME AND TITLE**

SIGNATURE OF NOTARY PUBLIC DATE

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

Vulcan Materials Company

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.

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3/14/2022

Gwinnett County Planning Division  
Change in Conditions Application  
Last Updated 10/2021

**CHANGE IN CONDITIONS APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: Vulcan Lands, Inc. c/o Melody A. Glouton Andersen, Tate & Carr, P.C.	NAME: Please see attached
ADDRESS: 1960 Satellite Blvd. S-4000	ADDRESS:
CITY: Duluth	CITY:
STATE: GA ZIP: 30097	STATE: ZIP:
PHONE: 770-822-0900	PHONE:
EMAIL: mglouton@atclawfirm.com	EMAIL:
CONTACT PERSON: Melody A. Glouton, Esq.	PHONE: 770-822-0900
CONTACT'S E-MAIL: mglouton@atclawfirm.com	

APPLICANT IS THE:		
<input type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER	<input checked="" type="checkbox"/> CONTRACT PURCHASER
ZONING DISTRICT(S): M2	PRIOR ZONING CASE:	M2
PARCEL NUMBER(S): Please see attached	ACREAGE:	7.905
ADDRESS OF PROPERTY: 1537 Beaver Ruin Road, Norcross, GA 30093		
PROPOSED CHANGE IN CONDITIONS: <u>strike conditions 1 and 2; operate as rock quarry; borrow pit</u>		
RESIDENTIAL DEVELOPMENT:		NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS:		NO. OF BUILDINGS/LOTS:
DWELLING UNIT SIZE (Sq. Ft.):		TOTAL GROSS SQUARE FEET:
GROSS DENSITY:		DENSITY:
NET DENSITY:		

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

**RECEIVED**

3/14/2022

Vulcan Change in Conditions Application

Property Owner and Parcel Information

3. Parcel No. R6201 051

1537 Beaver Ruin Rd.

Read-Norcross, LLC

300 E. Smoketree Ter

Johns Creek, GA 30005

4. Parcel No. R6201 007A

Beaver Ruin Rd.

Read-Norcross, LLC

300 E. Smoketree Ter

Johns Creek, GA 30005

CASE NUMBER SUP2021-00003  
GCID 2021-0043

GWINNETT COUNTY  
BOARD OF COMMISSIONERS  
LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: GRANT OF A SPECIAL USE PERMIT

ADOPTION DATE: FEBRUARY 23, 2021

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

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	<u>Present</u>	<u>Vote</u>
Nicole L. Hendrickson, Chairwoman	Yes	Aye
Kirkland Carden, District 1	Yes	Aye
Ben Ku, District 2	Yes	Aye
Jasper Watkins, III, District 3	Yes	Aye
Marlene Fosque, District 4	Yes	Aye

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On motion of COMMISSIONER CARDEN, which carried 5-0, the following Resolution was adopted:

A RESOLUTION TO GRANT A SPECIAL USE PERMIT

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application for a Special Use Permit by READ HOLDING, LLC for the proposed use of SOLID WASTE TRANSFER STATION on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Special Use Permit Application has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on FEBRUARY 23, 2021 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, this the 23<sup>rd</sup> day of FEBRUARY 2021, that the aforesaid application for a Special Use Permit is hereby **APPROVED** with the following enumerated conditions:

- 1 To restrict the use of the property as follows:
  - A. Use as a solid waste transfer station of construction debris/waste only.
  - B. Outdoor activities and storage of salvaged materials shall be prohibited. All weighing, unloading, sorting, and repackaging of salvaged materials for transportation shall occur within the proposed enclosed structure.
  - C. Outdoor storage of equipment and vehicles shall be contained within a screened storage yard. Screening fence materials and height shall be subject to the approval of the Director of Planning and Development.
  - D. Metals or other recyclables from construction debris may be processed, however; metal automobile or other vehicle parts may not be recycled. The property shall not be used as a junk yard for the dismantling of wrecked automobiles or other vehicles.
  - E. There shall be no limitation on the hours of office activities. The hours of operation for delivery and receiving of materials shall be limited to:
    - a. 6:00 a.m. to 8:00 p.m., Monday through Friday;
    - b. 9:00 a.m. to 4:00 p.m. on Saturday.
  - F. No "Hazardous Substances" as defined by the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (with current amendments,

and associated regulations promulgated thereunder) shall be stored or handled on the site.

- G. Abide by all applicable requirements of the DRI #3208 GRTA Notice of Decision.
- H. The solid waste transfer building and access driveways shall be designed so that trucks enter the building to deliver or accept loads of solid waste materials and exit through a different side of the building. The building shall not be designed so that trucks enter the building and exit through the same vehicle entrance. Building layout and design to accomplish this objective shall be subject to review and approval of the Director of Planning and Development.
- I. The transfer station shall be a fully enclosed building with reinforced concrete floors. The floors shall be designed and installed so as to have a positive slope to the required drainage system. The design of the facility shall include the installation of a leachate collection system designed to capture and treat leachate at a wastewater treatment facility and shall further include the design and installation of a proper sanitary sewer collection system, all of which shall be designed and operated to meet local, state, and federal requirements. The building and the required systems shall be subject to review and approval of the Director of Planning and Development.
- J. Building catch basins, floor drains, and drainage systems shall be maintained to prevent odor-causing emissions. Drainage systems shall be treated periodically with odor neutralizing and bacteria inhibiting solutions.
- K. The developer shall seal concrete and other semi-porous surfaces to prevent the absorption of odor-producing residues and shall eliminate or screen cracks and openings in and around foundations, waste containers, and holding areas. These requirements shall be subject to review and approval of the Building Plan Review Section.
- L. All waste must be removed from the floor of the transfer station facility daily.
- M. The applicant shall provide architectural elevations and façade treatment to be approved by the Director of Planning and Development prior to the issuance of a land development permit.

2. To satisfy the following site development considerations:

- A. Owner shall repair or repaint any graffiti or vandalism that occurs on the property within 72 hours.

B. Lighting shall be placed in such a fashion so as to be directed away from adjoining properties and rights-of-way.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Nicole L. Hendrickson  
Nicole L. Hendrickson, Chairwoman

Date Signed: 3/10/2021

ATTEST:

Diane K.  
County Clerk/Deputy County Clerk



## LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 201 of the 6<sup>th</sup> District, Gwinnett County, Georgia, containing 7.896 acres, more and less, and being more particularly described as follows:

Begin at a point located at the intersection of Land Lot 200, Land Lot 201, Land Lot 185, and Land Lot 184, said point being the TRUE POINT OF BEGINNING; from said TRUE POINT OF BEGINNING, run thence along said land lot line common to Land Lot 200 and Land Lot 201 North 30 degrees 45 minutes 00 seconds West a distance of 255.00 feet to a point; continue thence along said land lot line North 30 degrees 45 minutes 00 seconds West a distance of 261.94 feet to a point; thence leaving said land lot line, run North 59 degrees 23 minutes 55 seconds East a distance of 633.45 feet to a point; run thence South 30 degrees 37 minutes 13 seconds East a distance of 205.40 feet to a point; run thence North 53 degrees 23 minutes 47 seconds East a distance of 539.03 feet to a point located on the southwesterly right-of-way line of Beaver Ruin Road (having a 130-foot right-of-way); run thence along said right-of-way line South 72 degrees 28 minutes 25 seconds East a distance of 40.00 feet to a point; continue thence along said right-of-way line South 72 degrees 28 minutes 25 seconds East a distance of 40.00 feet to a point; thence leaving said right-of-way line, run South 69 degrees 39 minutes 10 seconds West a distance of 152.99 feet to a point; run thence South 53 degrees 23 minutes 47 seconds West a distance of 440.29 feet to a point; run thence South 33 degrees 19 minutes 25 seconds East a distance of 290.52 feet to a point located on the land lot line common to Land Lot 201 and Land Lot 184; run thence along said land lot line South 58 degrees 59 minutes 00 seconds West a distance of 647.02 feet to a point located at the intersection of Land Lot 200, Land Lot 201, Land Lot 185, and Land Lot 184, said point being the TRUE POINT OF BEGINNING.

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GWINNETT COUNTY  
PLANNING AND DEVELOPMENT  
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3/14/2022

**ANDERSEN | TATE | CARR**

March 14, 2022

**LETTER OF INTENT AND JUSTIFICATION FOR**  
**REZONING,**  
**SPECIAL USE PERMIT AND**  
**CHANGE IN CONDITIONS**

**Rezoning, Special Use Permit, and Change in Conditions Applications  
Gwinnett County, Georgia**

**Applicant:**  
Vulcan Materials Company

for  
Tax Parcel IDs R6200 004, R6201 008B, R6201 016, R6201 051,  
R6201 007A, R6184 266, and R6201 007  
±27.18 Acres of Land  
Located at 1707 Beaver Ruin Road, Norcross, Georgia  
and  
1537 Beaver Ruin Road, Norcross, Georgia  
**From M-1 and C-2 to M-2 with an SUP**

**Submitted for Applicant by:**

Melody A. Glouton, Esq.  
Andersen Tate & Carr, P.C.  
One Sugarloaf Centre  
1960 Satellite Blvd.  
Suite 4000  
Duluth, Georgia 30097  
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[mglouton@atclawfirm.com](mailto:mglouton@atclawfirm.com)

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3/14/2022

**INTRODUCTION**

These Applications for Rezoning, Special Use Permit (“SUP”), and Change in Conditions (“CIC”) are submitted for a 27.161-acre assemblage of land located in specific land lots of the 6<sup>th</sup> District of Gwinnett County, Norcross, and identified as seven (7) different tax parcels (hereinafter the “Property”)<sup>1</sup> on the legal survey prepared by Alliance Land Surveying dated December 29, 2021, and filed with these Applications. The Property that is the subject of these Applications is under multiple ownership and is further identified below:



<sup>1</sup> The Property consists of seven (7) tax parcels. Specifically:

	Property Owner	Address	Tax Parcel ID	Current Zoning	Current Use
1	SOUTER HOLDINGS II LLC	0 BEAVER RUIN RD	6201 008B	M1 & C2	Owner Occupied + Vacant
2	SOUTER HOLDINGS II LLC	1567 BEAVER RUIN RD	6201 016	M1	Owner Occupied
3	READ-NORCROSS LLC	1537 BEAVER RUIN RD	6201 051	M2	Solid Waste Transfer Station
4	READ-NORCROSS LLC	0 BEAVER RUIN RD	6201 007A	M2	Solid Waste Transfer Station
5	GREEN IMPLEMENTATION GROUP LLC	4227 STEVE REYNOLDS BLVD*	6184 266	M1	Land plus Flex Office
6	QUIKTRIP CORPORATION	0 BEAVER RUIN RD	6201 007	M1	Vacant
7	VULCAN LANDS, INC.	1707 BEAVER RUIN RD	6200 004	M1	Rock Quarry

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**3/14/2022** The Property is currently zoned both M-1 (Light Industrial District) and C-2 (General Business District) pursuant to the Gwinnett County Unified Development Ordinance (the “UDO”). The Applicant, Vulcan Materials Company (“Vulcan”) now seeks approval to rezone the entire Property to M-2 (Heavy Industrial District) to permit the continued operation and development of a Rock Quarry and Borrow Pit, consistent with the existing facility on the adjacent 641 acres owned by the Applicant. 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. Due to the overall size and scope of the project, the Applicant has identified the request for the Rezoning, SUP and CIC below:

The requested **Rezoning** applies to the following **five (5) tax parcels (19.256 acres)**:

	Property Owner	Address	Tax Parcel ID	Current Zoning
1	SOUTER HOLDINGS II LLC	0 BEAVER RUIN RD	6201 008B	M1 & C2
2	SOUTER HOLDINGS II LLC	1567 BEAVER RUIN RD	6201 016	M1
3	GREEN IMPLEMENTATION GROUP LLC	4227 STEVE REYNOLDS BLVD	6184 266	M1
4	QUIKTRIP CORPORATION	0 BEAVER RUIN RD	6201 007	M1
5	VULCAN LANDS, INC.	1707 BEAVER RUIN RD	6200 004	M1

The requested **CIC** applies to the following **two (2) tax parcels (7.905 acres)**:

	Property Owner	Address	Tax Parcel ID	Current Zoning
1	READ-NORCROSS LLC	1537 BEAVER RUIN RD	6201 051	M2
2	READ-NORCROSS LLC	0 BEAVER RUIN RD	6201 007A	M2

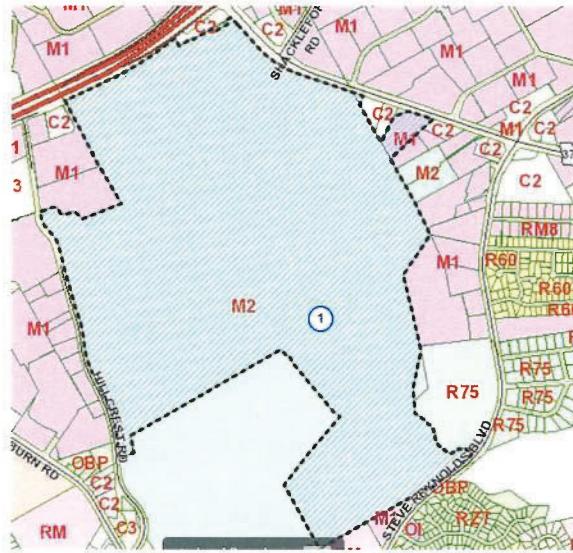
Finally, the requested **SUP** applies to all **seven (7) tax parcels (27.161 acres)**.

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

The Property is an assemblage of parcels that form the northeast quadrant of the existing site near the intersection of Beaver Ruin Road and Steve Reynolds Boulevard. The surrounding area includes properties developed with light to heavy industrial uses along Steve Reynolds Boulevard and Beaver Ruin Road, with retail uses located at the intersection of these two roads. The majority of the adjacent parcels are zoned M-1 (Light Industry District) and C-2 (General Business District). There are some residential zoning classifications near the Property, which include RM8 (currently an inactive zoning classification), and R-60 (Single Family Residence District). The surrounding uses and zoning classifications for the Property are identified below:

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The Future Development Map of the Gwinnett County 2040 Unified Plan (the “2040 Plan”) classifies this Property as within the “Workplace Center Character Area,” of the Gwinnett County Future Development Map. The Workplace Center Character Area is for predominantly employment oriented uses and includes office parks, industrial parks, and locations for freight oriented and logistic uses. In keeping with the policies of the Workplace Center Character Area, the future development of the existing Vulcan rock quarry would be consistent with the other light and heavy industrial uses established in the area and the proposal would be in conformity with similar recent approvals in the surrounding area.

### **III. PROJECT SUMMARY**

Vulcan is a supplier and distributor of construction materials. It offers construction aggregates, including gravel, sand and crushed stone, for use in building bridges, parking lots, roads, airport runways, houses, hospitals, apartments, schools, commercial buildings and more. Since 1957, Vulcan has successfully operated the Norcross Quarry. The location of the Norcross Quarry is strategically located in close proximity to Interstate 85 and relieves burdens on transportation infrastructure by providing convenient delivery options to plant customers without burdening residents.

As shown on the conceptual site plan filed with these Applications (hereinafter the “Site Plan”), Vulcan proposes to acquire additional property in order to continue existing operations on the site and to better conduct operations, and store fines and overburden<sup>2</sup>. The acquisition of additional acreage will allow Vulcan to construct a buffer and berm area on the Property which will significantly improve the area to the northeast. More importantly, this will eliminate the need for Vulcan to make approximately 429,000 roundtrip truck hauls of dirt, clay, and rock that would otherwise need to be relocated offsite. The proposed rezoning and SUP permit would prevent over 21 million truck miles from traveling state and County

<sup>2</sup> Fines are the finely ground materials left over after the processing of aggregate is complete. Overburden is the dirt and material lying above the granite that must be removed for access to rock.

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roadways. The additional property would allow Vulcan to build a buffer and berm area and allow the existing rock quarry to continue uninterrupted. The SUP would allow Vulcan to continue to provide necessary construction aggregates and support for public road and construction projects. The ingress and egress to the existing Norcross Quarry will remain the same. The main entrance to the quarry is located on Beaver Ruin Road at the intersection of Park Drive. There is also a rear entrance to the quarry, located on Hillcrest Road.

3/14/2022

Pursuant to the UDO, a rock quarry, mining, and borrow pit are permitted uses in the M-2 zoning classification, with a SUP. As such, the Applicant is requesting an SUP as related to all seven (7) tax parcels. As previously indicated, five of the seven parcels require a rezoning to the M-2 zoning classification as parcels R6201 007A and R6201 051 are currently zoned M2. With regard to the existing M-2 parcels, the Applicant is seeking a CIC to remove the current conditions on the property that specifically restrict the use of the property to a “solid waste transfer station of construction debris/waste only.” The Applicant requests to modify existing conditions of RZC2021-00001 and SUP2021-00003 by striking Conditions 1 and 2 in their entirety and replacing them with the appropriate conditions as applicable to the Applicant’s SUP application. The Applicant submits that approval of the CIC application would allow the continued operation of the quarry, while also eliminating an existing solid waste transfer station use as previously permitted on the Property.

**IV. RESPONSE TO STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER**

Pursuant to UDO § 270-20.6, entitled “Impact Analysis,” the Applicant submits its written impact analysis which shows that rezoning to M-2, 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 proposed development will permit a use that is suitable in view of the use and development of adjacent and nearby property. The proposed rezoning and SUP will permit Applicant to reconfigure their existing facility for the storing of fines and overburden. The Property is located in an industrial area which is surrounded by other industrial properties and the continued operations would remain out of sight from any adjoining property owner. There are no issues with the current operation, and the proposed use and rezoning will be harmonious with the existing uses of the adjacent and nearby parcels.

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

No, approval of the proposed rezoning and SUP will not adversely affect the existing use or usability of adjacent or nearby properties from an environmental, noise, easement, accessibility, traffic, or any other standpoint. The Property is currently zoned both M-1 and

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**3/14/2022** C-2 and the proposed rezoning to M-2 will have no effect upon the existing use or usability of the adjacent properties. The site access will remain the same. Moreover, the immediate area already has several industrial uses, and the addition of the parcels to the existing facility would be complementary to what is already in the vicinity.

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

The Applicant submits that due to the size, location, layout, topography, market conditions, and natural features of the Property, it does not have reasonable economic use as currently zoned. As indicated above, some of the current Property is used as a solid waste transfer station. This rezoning would allow for the overall site to be restored to buffer and berm area, and incorporated into the existing Vulcan facility, resulting in a more cohesive development.

**(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 proposed development will not result in an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The Property has been used for a similar industrial operation. Vulcan will not access either Beaver Ruin or Steve Reynolds Boulevard from the additional acquired Property. To be clear, the additional acreage will prevent the need for approximately 429,000 roundtrip truck hauls of dirt, clay, and rock on state and County roads.

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

The proposed rezoning and SUP applications are in conformity with the policy and intent of the Gwinnett County 2040 Unified Plan. The Property is located within the Workplace Center Character Area of the 2040 Future Development Map. In keeping with the policies with the policies and intent of this Workplace Center Character Area, industrial parks are encouraged land uses and this proposed development would be compatible with the surrounding uses.

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

Given the position of the Property and its proximity to existing industrial, as well as the Beaver Ruin, Steve Reynolds, and I-85, the proposed development is an appropriate use for this site. The acquisition of additional parcels will allow Vulcan to continue operations of

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their existing facility, construct a buffer and berm area on the acquired parcels, store fines and  
3/14/2022 overburden materials, and relocate the central shop area.

**V. JUSTIFICATION FOR REZONING AND SPECIAL USE PERMIT**

The Applicant respectfully submits that "The Unified Development Ordinance of Gwinnett County, Georgia" (the "Ordinance"), as amended from time to time, to the extent that it classifies the Property in any zoning district that would preclude development and issuance of a special use permit for a rock quarry and borrow pit (M-2), is unconstitutional as a taking of property, a denial of equal protection, an arbitrary and capricious act, and an unlawful delegation of authority under the specific constitutional provisions later set forth herein. Any existing inconsistent zoning of the Property pursuant to the Ordinance deprives the Applicant and Property owner of any alternative reasonable use and development of the Property. Additionally, all other zoning classifications, including ones intervening between the existing classification and that requested herein, would deprive the Applicant and Property owner of any reasonable use and development of the Property. Further, any attempt by the Gwinnett County Board of Commissioners to impose greater restrictions upon the manner in which the Property will be developed than presently exist would be equally unlawful.

Accordingly, Applicant submits that the current zoning classification and any other zoning of the Property save for what has been requested as established in the Ordinance constitute an arbitrary and unreasonable use of the zoning and police powers because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant and Property owner. All inconsistent zoning classifications between the existing zoning and the zoning requested hereunder would constitute an arbitrary and unreasonable use of the zoning and police powers because they bear or would bear no substantial relationship to the public health, safety, morality, or general welfare of the public and would substantially harm the Applicant and Property owner. Further, the existing inconsistent zoning classification constitutes, and all zoning and plan classifications intervening between the existing inconsistent zoning classification and that required to develop this Project would constitute, a taking of the owner's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States.

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

Finally, the Applicant respectfully submits that the Gwinnett County Board of Commissioners cannot lawfully impose more restrictive standards upon the development of the Property than presently exist, as to do so not only would constitute a taking of the Property as set

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forth above, but also would amount to an unlawful delegation of their authority, in response to ~~3/14/2022~~ neighborhood opposition, in violation of Article IX, Section IV, Paragraph II of the Georgia Constitution.

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

**VI. CONCLUSION**

For the foregoing reasons, the Applicant respectfully requests that these Applications to Rezone from M-1 and C-2 to M-2 with a SUP, as well as the CIC, 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 14<sup>th</sup> day of March, 2022.

ANDERSEN, TATE & CARR, P.C.

*Melody A. Glouton*

Melody A. Glouton, Esq.

Enclosures  
MAG/ag

# Norcross Quarry Overview





GWINNETT COUNTY  
Vulcan Norcross – Tract 1  
PLANNING AND DEVELOPMENT

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A parcel of land lying in Land Lot 201 of the 6th District of Gwinnett County, Georgia, and being more  
2/3/2022 4:08PM particularly described as follows:

Commence at the common corner of Land Lots 184, 185, 200, and 201; thence leaving said common corner, run North 30 Degrees 40 Minutes 50 Seconds West along the common line of Land Lots 200 and 201 for a distance of 255.00 feet to a point; thence run North 30 Degrees 39 Minutes 50 Seconds West along said common line for a distance of 261.94 feet to a point, said point being the POINT OF BEGINNING for the parcel herein described; thence run North 30 Degrees 17 Minutes 51 Seconds West along said common line for a distance of 149.83 feet to a point; thence leaving said common line, run North 45 Degrees 56 Minutes 19 Seconds East for a distance of 471.08 feet to a point; thence run South 38 Degrees 55 Minutes 44 Seconds East for a distance of 263.00 feet to a point; thence run South 59 Degrees 29 Minutes 05 Seconds West for a distance of 497.03 feet to the POINT OF BEGINNING.

Said parcel contains 98,933 square feet, or 2.271 acres.

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A parcel of land lying in Land Lot 201 of the 6th District of Gwinnett County, Georgia, and being more  
2/3/2022 4:08PM particularly described as follows:

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Said parcel contains 127,490 square feet, or 2.927 acres.

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A parcel of land lying in Land Lot 201 of the 6th District of Gwinnett County, Georgia, and being more  
2/3/2022 4:08PM particularly described as follows:

Commence at the common corner of Land Lots 184, 185, 200, and 201; thence leaving said common corner, run North 30 Degrees 40 Minutes 50 Seconds West along the common line of Land Lots 200 and 201 for a distance of 255.00 feet to a point, said point being the POINT OF BEGINNING for the parcel herein described; thence run North 30 Degrees 39 Minutes 50 Seconds West along said common line for a distance of 261.94 feet to a point; thence leaving said common line, run North 59 Degrees 29 Minutes 05 Seconds East for a distance of 497.03 feet to a point; thence run North 59 Degrees 29 Minutes 05 Seconds East for a distance of 136.42 feet to a point; thence run South 30 Degrees 32 Minutes 03 Seconds East for a distance of 205.40 feet to a point; thence run North 53 Degrees 28 Minutes 52 Seconds East for a distance of 538.07 feet to a point lying on the southerly right-of-way of Beaver Ruin Road (130' right-of-way); thence run South 73 Degrees 27 Minutes 39 Seconds East along said right-of-way for a distance of 40.58 feet to a point; thence leaving said right-of-way, run South 63 Degrees 19 Minutes 27 Seconds West for a distance of 125.28 feet to a point; thence run South 53 Degrees 28 Minutes 10 Seconds West for a distance of 547.45 feet to a point; thence run South 30 Degrees 22 Minutes 11 Seconds East for a distance of 34.67 feet to a point; thence run South 59 Degrees 32 Minutes 35 Seconds West for a distance of 526.08 feet to the POINT OF BEGINNING.

Said parcel contains 168,897 square feet, or 3.877 acres.

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A parcel of land lying in Land Lot 201 of the 6th District of Gwinnett County, Georgia, and being more  
2/3/2022 4:08PM particularly described as follows:

Begin at the common corner of Land Lots 184, 185, 200, and 201; thence leaving said common corner, run North 30 Degrees 40 Minutes 50 Seconds West along the common line of Land Lots 200 and 201 for a distance of 255.00 feet to a point; thence leaving said common line, run North 59 Degrees 32 Minutes 35 Seconds East for a distance of 526.08 feet to a point; thence run North 30 Degrees 22 Minutes 11 Seconds West for a distance of 34.67 feet to a point; thence run North 53 Degrees 28 Minutes 10 Seconds East for a distance of 547.45 feet to a point; thence run North 63 Degrees 19 Minutes 27 Seconds East for a distance of 125.28 feet to a point lying on the southerly right-of-way of Beaver Ruin Road (130' right-of-way); thence run South 72 Degrees 17 Minutes 06 Seconds East along said right-of-way for a distance of 40.30 feet to a point; thence leaving said right-of-way, run South 69 Degrees 45 Minutes 06 Seconds West for a distance of 152.99 feet to a point; thence run South 53 Degrees 29 Minutes 46 Seconds West for a distance of 440.29 feet to a point; thence run South 33 Degrees 13 Minutes 27 Seconds East for a distance of 290.52 feet to a point; thence run South 59 Degrees 33 Minutes 23 Seconds West for a distance of 647.02 feet to the POINT OF BEGINNING.

Said parcel contains 175,468 square feet, or 4.028 acres.

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A parcel of land lying in Land Lot 201 of the 6th District of Gwinnett County, Georgia, and being more  
2/3/2022 4:08PM particularly described as follows:

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Said parcel contains 130,466 square feet, or 2.995 acres.

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A parcel of land lying in Land Lot 184 of the 6th District of Gwinnett County, Georgia, and being more  
2/3/2022 4:08PM particularly described as follows:

Begin at the common corner of Land Lots 184, 185, 200, and 201; thence leaving said common corner, run North 59 Degrees 33 Minutes 23 Seconds East along the common line of Land Lots 184 and 201 for a distance of 647.02 feet to a point; thence run North 59 Degrees 33 Minutes 23 Seconds East along said common line for a distance of 234.61 feet to a point; thence leaving said common line, run South 21 Degrees 02 Minutes 43 Seconds West for a distance of 317.89 feet to a point; thence run South 68 Degrees 47 Minutes 36 Seconds East for a distance of 30.47 feet to a point; thence run South 21 Degrees 10 Minutes 23 Seconds West for a distance of 121.12 feet to a point; thence run North 69 Degrees 32 Minutes 08 Seconds East for a distance of 233.84 feet to a point; thence run North 49 Degrees 46 Minutes 13 Seconds East for a distance of 68.01 feet to a point; thence run North 69 Degrees 32 Minutes 08 Seconds East for a distance of 56.10 feet to a point lying on the westerly right-of-way of Steve Reynolds Boulevard (100' right-of-way); thence run South 05 Degrees 57 Minutes 03 Seconds West along said right-of-way for a distance of 44.66 feet to a point; thence leaving said right-of-way, run South 69 Degrees 32 Minutes 09 Seconds West for a distance of 288.82 feet to a point; thence run South 69 Degrees 32 Minutes 05 Seconds West for a distance of 148.94 feet to a point; thence run South 07 Degrees 05 Minutes 17 Seconds West for a distance of 163.00 feet to a point; thence run South 69 Degrees 27 Minutes 36 Seconds West for a distance of 382.30 feet to a point; thence run North 26 Degrees 36 Minutes 14 Seconds West for a distance of 360.13 feet to the POINT OF BEGINNING.

Said parcel contains 264,115 square feet, or 6.063 acres.

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

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3/14/2022

BK 19968 PG 0067 H38224

FILED & RECORDED  
CLERK SUPERIOR COURT  
GWINNETT COUNTY, GA.

2000 FEB -1 PM 2:00

TOM LAWLER, CLERK

GWINNETT CO. GEORGIA  
REAL ESTATE TRANSFER TAX

2/16.20

\$ 216.20  
TOM LAWLER CLERK OF  
SUPERIOR COURT

*Send tax notice to:*

Vulcan Lands, Inc.  
P. O. Box 80730  
Atlanta, GA 30366-0730

*This instrument prepared by:*

John E. Hagefstration, Jr.  
Bradley Arant Rose & White LLP  
2001 Park Place, Suite 1400  
Birmingham, Alabama 35203

STATE OF GEORGIA )  
:   
COUNTY OF GWINNETT )

### LIMITED WARRANTY DEED

THIS INDENTURE made as of this 31st day of December, 1998, between VULCAN MATERIALS COMPANY, a New Jersey corporation (herein called "Grantor"), and VULCAN LANDS, INC., a New Jersey corporation (herein called "Grantee").

**WITNESSETH:** That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, cash in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto Grantee all that tract or parcel of land situated in Gwinnett County, Georgia, more particularly described on **Exhibit A**, attached hereto and made a part hereof (the "Property").

**TO HAVE AND TO HOLD** the Property, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of Grantee, forever, **IN FEE SIMPLE**.

Grantor will warrant and forever defend the right and title to the Property unto Grantee against the lawful claims of all persons owning, holding or claiming by, through or under Grantor and not otherwise.

This Deed and the limited warranty of title contained herein are made expressly subject to ad valorem taxes for the current year, matters that would be revealed by a current survey of the

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

subject property and all easements, restrictions, rights-of-way and other matters of record applicable  
to the Property.  
3/14/2022

BK 19968 PG 0068

IN WITNESS WHEREOF, Grantor has signed and sealed this Deed, the day and year first  
above written.

Signed, sealed and delivered  
in the presence of:

Angie M. Moulard

Witness

Janet O. Callan

Notary Public

My commission expires:

10/17/02

(NOTARY SEAL)

VULCAN MATERIALS COMPANY

By: William F. Denson, III  
William F. Denson, III  
Its Senior Vice President-Law and Secretary

[CORPORATE SEAL]



GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

3/14/2022

EXHIBIT "A"

all that tract or parcel of

land lying and being in Land Lot 201 of the 6th District, Gwinnett County, Georgia, more particularly described as follows:

BEGINNING at an iron pin on the line between said Land Lot 201 and Land Lot 200, 666.9 feet northwest of the common corner of Land Lots 200, 201, 184 and 185; running thence North 30 degrees 48 minutes West along said land lot line 255 feet to an iron pin; thence North 24 degrees 42 minutes East 506 feet to an iron pin on the southwest side of Arcadia Road; thence South 72 degrees 31 minutes East along the southwest side of Arcadia Road 490 feet to an iron pin; thence South 45 degrees 53 minutes West 763 feet to the point of beginning.

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

RECEIVED

SURVEY NOTES

2/3/2022 4:08PM The surveyor has knowledge are shown hereon; others may exist of which the surveyor has no knowledge and of which there is no observable.

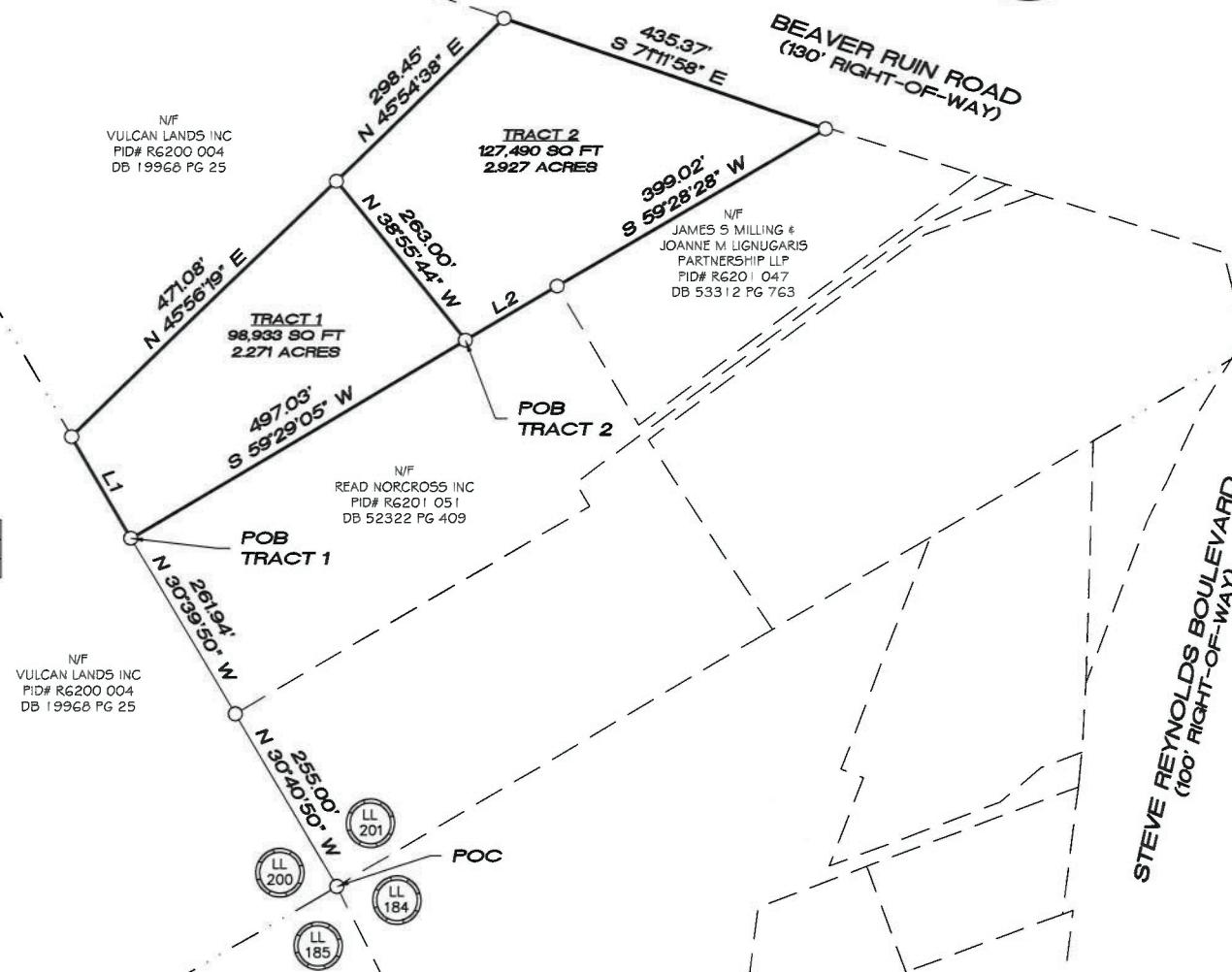
1. All easements and restrictions of record both written and unwritten.
2. The property shown hereon is subject to all easements and restrictions of record both written and unwritten.
3. According to the Flood Insurance Rate Map (FIRM) for Gwinnett County, Georgia, (Community-panel number 13135CO054F & 13135CO099F, dated September 29, 2006), all of the subject property lies within Zone X, defined as "areas determined to be outside the 0.2% annual chance floodplain."
4. North arrow and bearings shown hereon are based on GA West Zone - NAD83 adjusted 2011. Using Global Positioning System (GPS) and obtained by RTK observations on 2/23/2021 using the Leica Smartnet System. All distances are horizontal ground measurements expressed in U.S. Survey Feet.
5. This plat has been calculated for closure and is found to be accurate within one foot in 837,266 feet.
6. This plat was prepared for the exclusive use of the person, persons, or entity named hereon. This plat does not extend to any unnamed person, persons, or entity without express written certification by the surveyor naming said person, persons, or entity.
7. State, County, and Local buffers and setbacks might exist on the subject property that are not shown hereon.
8. This survey is not valid without the Original Signature and Seal of a Georgia Licensed Surveyor.
9. Alliance Surveying does not warrant the existence or nonexistence of any wetlands or hazardous wastes located on the Subject Property.
10. This exhibit was produced using the subject property as well as adjoining properties deeds. This is a property exhibit and shall not be used to convey property.
11. Current Property Owner: Souter Holdings II LLC

**COMBINED AREA**  
**226,425 SQ FT**  
**5.198 ACRES**

LINE	BEARING	DISTANCE
L1	N 30°17'51" W	149.83'
L2	S 59°29'05" W	136.42'

LEGEND

- LL 263 LAND LOT
- COMPUTED POINT
- PROPERTY LINE
- ADJACENT PROPERTY LINE



<b>GEORGIA</b> PROFESSIONAL LAND SURVEYOR No. 3465 MICHAEL C. BELL																
MD 63 (2011)	MD 63 (2011)															
GEORGIA SURVEY GRID NORTH	GEORGIA SURVEY GRID NORTH															
150'	150'															
300'	300'															
GRAPHIC SCALE - FEET 1" = 150'																
L.S.F. 1322 4525 SOUTHLAKE STREET 801 CLOUD, GA 30018 770-225-4730   www.aesplatl.com																
<table border="1"> <thead> <tr> <th>REVISIONS</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td></td> <td>12/29/2021</td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>		REVISIONS	DATE	DESCRIPTION		12/29/2021										
REVISIONS	DATE	DESCRIPTION														
	12/29/2021															
<table border="1"> <thead> <tr> <th>PROPERTY EXHIBITS FOR:</th> <th>VULCAN LANDS INC</th> </tr> </thead> <tbody> <tr> <td>LAND LOT:</td> <td>201</td> </tr> <tr> <td>6TH DISTRICT</td> <td></td> </tr> <tr> <td>GWINNETT COUNTY, GEORGIA</td> <td></td> </tr> <tr> <td>DATE:</td> <td>12/29/21</td> </tr> <tr> <td>DRAWN BY:</td> <td>TC5</td> </tr> <tr> <td>CHECKED BY:</td> <td>MCB</td> </tr> </tbody> </table>		PROPERTY EXHIBITS FOR:	VULCAN LANDS INC	LAND LOT:	201	6TH DISTRICT		GWINNETT COUNTY, GEORGIA		DATE:	12/29/21	DRAWN BY:	TC5	CHECKED BY:	MCB	
PROPERTY EXHIBITS FOR:	VULCAN LANDS INC															
LAND LOT:	201															
6TH DISTRICT																
GWINNETT COUNTY, GEORGIA																
DATE:	12/29/21															
DRAWN BY:	TC5															
CHECKED BY:	MCB															

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

RECEIVED

SURVEY NOTES

2/3/2022 4:08PM  
All easements and rights of way which the surveyor has knowledge are shown hereon; others may exist of which the surveyor has no knowledge and of which there is no observable evidence.

- The property shown hereon is subject to all easements and restrictions of record both written and unwritten.
- According to the Flood Insurance Rate Map (FIRM) for Gwinnett County, Georgia, (Community panel number 313500099, dated September 29, 2006), all of the subject property lies within Zone X, defined as "areas determined to be outside the 0.2% annual chance floodplain."
- North arrow and bearings shown hereon are based on GA West Zone - NAD83 adopted 2011 using Global Positioning System (GPS) and obtained by RTK observations on 1/23/2021 using the Leica Smartnet System. All distances are horizontal ground measurements expressed in U.S. Survey Feet.
- This plat has been calculated for closure and is found to be accurate within one foot in 1,464,798 feet.
- This plat was prepared for the exclusive use of the person, persons, or entity named hereon. This plat does not extend to any unnamed person, persons, or entity without express written certification by the surveyor naming said person, persons, or entity.
- State, County, and Local buffers and setbacks might exist on the subject property that are not shown hereon.
- This survey is not valid without the Original Signature and Seal of a Georgia Licensed Surveyor.
- Alliance Surveying does not warrant the existence or nonexistence of any wetlands or hazardous wastes located on the Subject Property.
- This exhibit was produced using the subject property as well as adjoining properties' deeds. This is a property exhibit and shall not be used to convey property.
- Current Property Owner: Read Norcross LLC

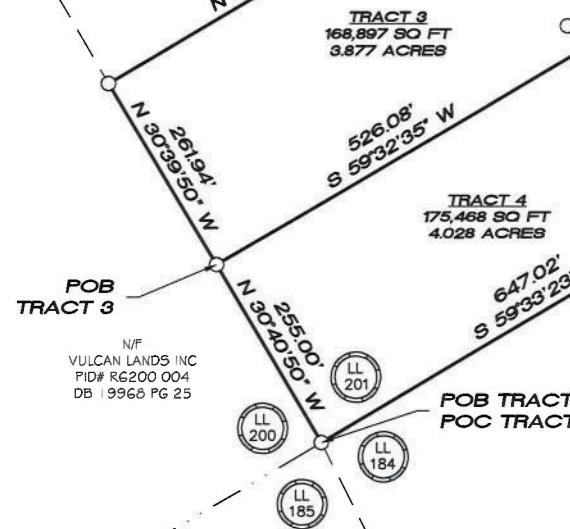
**COMBINED AREA**  
344,366 SQ FT  
7.906 ACRES



LEGEND

LAND LOT  
COMPUTED POINT  
PROPERTY LINE  
ADJACENT PROPERTY LINE

LINE	BEARING	DISTANCE
L1	N 59°29'05" E	136.42'
L2	S 30°32'03" E	205.40'
L3	S 73°27'39" E	40.58'
L4	S 63°19'27" W	125.28'
L5	S 30°22'11" E	34.67'
L6	S 72°17'06" E	40.30'
L7	S 69°45'06" W	152.99'



**BEAVER RUIN ROAD**  
(130' RIGHT-OF-WAY)

N/F  
QUIKTRIP CORPORATION  
PID# R6201 007  
DB 54869 PG 268

N/F  
SOUTER HOLDINGS II LLC  
PID# R6201 066  
DB 52484 PG 366

N/F  
JAMES S MILLING &  
JOANNE M LIGNUGARIS  
PARTNERSHIP LLP  
PID# R6201 047  
DB 53312 PG 763

N/F  
GREEN IMPLEMENTATION  
GROUP LLC  
PID# R6184 266  
DB 53261 PG 762

N/F  
VULCAN LANDS INC  
PID# R6200 004  
DB 19968 PG 25

**STEVE REYNOLDS BOULEVARD**  
(100' RIGHT-OF-WAY)

PROPERTY EXHIBITS FOR:	DATE	DESCRIPTION	REVISIONS
VULCAN LANDS INC	12/29/2021		
LAND LOT: 201			
6TH DISTRICT			
GWINNETT COUNTY, GEORGIA			
DATE: 12/29/21			
DRAWN BY: TCS			
CHECKED BY: MCB			

GRAPHIC SCALE - FEET  
SCALE: 1" = 150'  
0' 150' 300'

L.S.F. 1322  
4825 SOUTH LEE STREET  
BUFORD, GA 30518  
770.225.4730 | www.aepatl.com

**ALIANCE**  
LAND SURVING

GRAPHIC SCALE - FEET  
SCALE: 1" = 150'  
0' 150' 300'

SHEET  
2 OF 4

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

RECEIVED

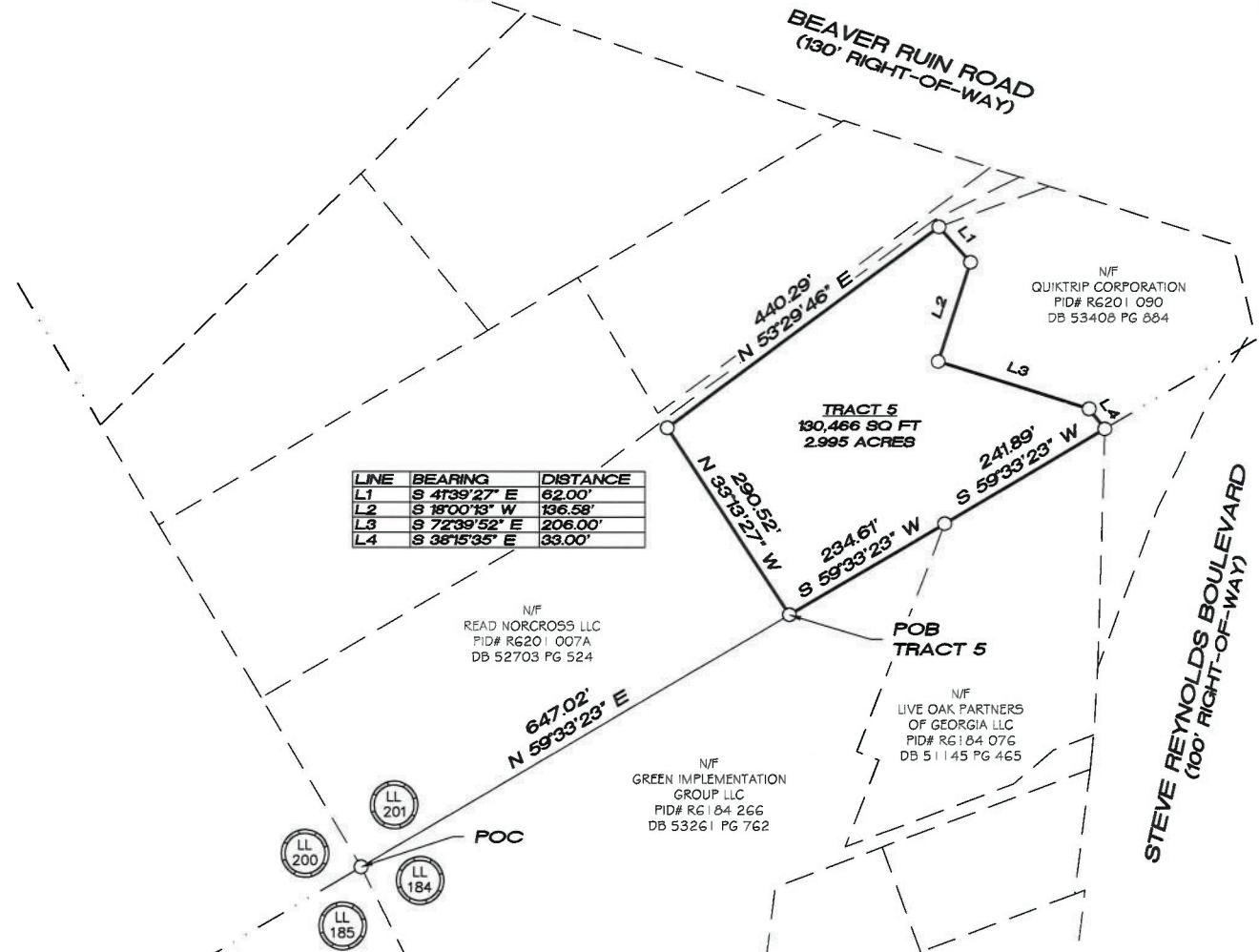
2/3/2022 1:08PM

- All easements and rights of way of which the surveyor has knowledge are shown because those amount of which the surveyor has no knowledge and of which there is no observable evidence.
- The property shown hereon is subject to all easements and restrictions of record both written and unwritten.
- According to the Flood Insurance Rate Map (FIRM) for Gwinnett County, Georgia, (Community-panel number 1313500999, dated September 29, 2006), all of the subject property lies within Zone X, defined as "areas determined to be outside the 0.2% annual chance floodplain."
- North arrows and bearings shown hereon are based on GA West Zone - NAD83 adjusted 2011. Using Global Positioning System (GPS) and obtained by RTK observations on 1/23/2021 using the Leica SmartNet System. All distances are horizontal ground measurements expressed in U.S. Survey Feet.
- This plat has been calculated for closure and is found to be accurate within one foot in 728.01 feet.
- This plat was prepared for the exclusive use of the person, persons, or entity named hereon. This plat does not extend to any unnamed person, persons, or entity without express written certification by the surveyor naming said person, persons, or entity.
- State, County, and local buffers and setbacks might exist on the subject property that are not shown hereon.
- This survey is not valid without the Original Signature and Seal of a Georgia Licensed Surveyor.
- Alliance Surveying does not warrant the existence or nonexistence of any wetlands or hazardous wastes located on the Subject Property.
- This exhibit was produced using the subject property as well as adjoining properties deeds. This is a property exhibit and shall not be used to convey property.
- Current Property Owner: Quiktrip Corporation



LEGEND

LL 263	LAND LOT
O	COMPUTED POINT
---	PROPERTY LINE
---	ADJACENT PROPERTY LINE



GEORGIA  
MD 83 (2011)  
GEORGIA STATE PLANE  
EAST NORTH  
SCALE: 1" = 150'

GRAPHIC SCALE - FEET  
150'  
100'  
50'  
300'

**ALIS ALLIANCE**  
AND SURVEYING

L.S.F. 1322  
4625 SOUTH LEE STREET  
SUITE 301  
770-225-4730 | [www.alisatl.com](http://www.alisatl.com)

PROPERTY EXHIBITS FOR:	DATE:	REVISIONS
VULCAN LANDS INC	1/29/2021	
LAND-LOTS-201		
6TH DISTRICT		
GWINNETT COUNTY, GEORGIA		
DATE: 1/29/21		
DRAWN BY: LCS		
CHECKED BY: MCB		

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

RECEIVED

SURVEY NOTES  
2/3/2022 1:08PM

1. All easements and rights of way of which the surveyor has knowledge are shown herein, others may exist of which the surveyor is not aware.
2. The property shown herein is subject to all easements and restrictions of record both written and unwritten.
3. According to the Flood Insurance Rate Map (FIRM) for Gwinnett County, Georgia, (Community-panel number 13135C0099F, dated September 29, 2006), all of the subject property lies within Zone X, defined as "areas determined to be outside the 0.2% annual chance floodplain."
4. North arrow and bearings shown herein are based on GA West Zone - NAD83 Adjusted 2011. Using Global Positioning System (GPS) and obtained by RTK observations on 1/23/2021 using the Leica SmartNet System. All distances are horizontal ground measurements expressed in U.S. Survey Feet.
5. This plat has been calculated for closure and is found to be accurate within one foot in 980,993 feet.
6. This plat was prepared for the exclusive use of the person, persons, or entity named herein. This plat does not extend to any unnamed person, persons, or entity without express written certification by the surveyor naming said person, persons, or entity.
7. State, County, and Local buffers and setbacks might exist on the subject property that are not shown herein.
8. This survey is not valid without the Original Signature and Seal of a Georgia Licensed Surveyor.
9. Alliance Surveying does not warrant the existence or nonexistence of any wetlands or hazardous wastes located on the Subject Property.
10. This exhibit was produced using the subject property as well as adjoining properties' deeds. This is a property exhibit and shall not be used to convey property.
11. Current Property Owner: Green Implementation Group LLC



LEGEND

LL 263 LAND LOT  
O COMPUTED POINT  
— PROPERTY LINE  
- - - ADJACENT PROPERTY LINE

LINE	BEARING	DISTANCE
L1	S 68°47'36" E	30.47'
L2	S 27°10'23" W	121.12'
L3	N 49°46'13" E	68.01'
L4	N 69°32'08" E	56.10'
L5	S 05°57'03" W	44.66'
L6	S 69°32'05" W	148.94'
L7	S 07°05'17" W	163.00'

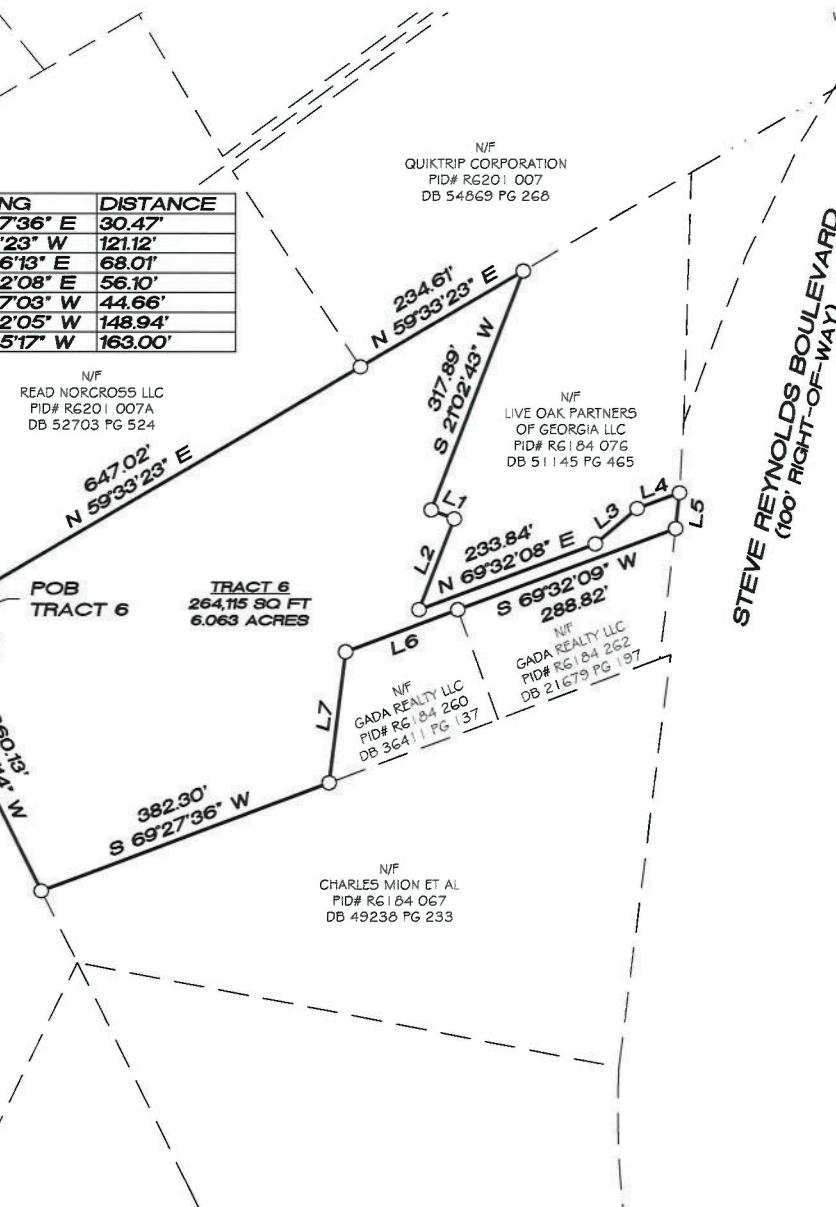
N/F  
READ NORCROSS LLC  
PID# R6201 007A  
DB 52703 PG 524

POB  
TRACT 6

TRACT 6  
264,115 SQ FT  
6.063 ACRES

N/F  
VULCAN LANDS INC  
PID# R6200 004  
DB 19968 PG 25

N/F  
CHARLES MION ET AL  
PID# RG 184 067  
DB 49238 PG 233



REVISIONS

DATE	DESCRIPTION
1/29/2021	

PROPERTY EXHIBITS FOR:  
VULCAN LANDS INC  
LAND LOT 184  
6TH DISTRICT  
GWINNETT COUNTY, GEORGIA  
DATE: 1/29/21  
DRAWN BY: TCS  
CHECKED BY: MCB



L.S.F. 1322  
4628 SOUTH LEE STREET  
BUCKHEAD, GA 30088  
770-225-4731 | [www.deptl.com](http://www.deptl.com)

GRAPHIC SCALE - FEET  
SCALE: 1" = 150'  
GEORGIA STATE PLANE  
NAD 83 (2011)  
GRAD MELL SMITH  
SHEET 4 OF 4

RECEIVED

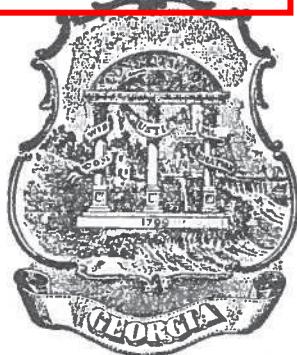
WARRANTY DEED-FORM 36A

3/14/2022

143

American Seal & Stamp Co. — Atlanta, Ga.

STANDARD WARRANTY DEED



STATE OF GEORGIA,

Ga. Real Property Tax  
\$45.00  
Paid 5-5-71  
Clerk Gwinnett Co.

County.

THIS INDENTURE, made this 30<sup>th</sup> day of April

in the year of our Lord One Thousand Nine Hundred and Seventy-One

between J. T. O'SHIELDS, JR.

of the State of Georgia and County of Gwinnett of the first part

and VULCAN MATERIALS COMPANY, a New Jersey corporation.

of the State of New Jersey and County of \_\_\_\_\_ of the second part

WITNESSETH; That the said part Y of the first part, for and in consideration of the sum of TEN DOLLARS, and other good and valuable consideration. XXXXXX  
in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged  
ha S granted, bargained, sold and conveyed and by these presents do es grant, bargain, sell and convey unto  
the said part Y of the second part, its successors XXX and assigns, all that tract or parcel of  
land lying and being in Land Lot 201 of the 6th District, Gwinnett County,  
Georgia, more particularly described as follows:

BEGINNING at an iron pin on the line between said Land Lot 201 and  
Land Lot 200, 666.9 feet northwest of the common corner of Land  
Lots 200, 201, 184 and 185; running thence North 30 degrees 48  
minutes West along said land lot line 255 feet to an iron pin; thence  
North 24 degrees 42 minutes East 506 feet to an iron pin on the south-  
west side of Arcadia Road; thence South 72 degrees 31 minutes East  
along the southwest side of Arcadia Road 490 feet to an iron pin;  
thence South 45 degrees 53 minutes West 763 feet to the point of  
beginning.



**RECEIVED**

SETTLEMENT STATEMENT IN THE SALE OF REAL PROPERTY IN LAND LOT  
3/14/2022 201 OF THE 6TH DISTRICT, GWINNETT COUNTY, BY J. T. O'SHIELDS,  
JR. TO VULCAN MATERIALS COMPANY CLOSED ON THE 24<sup>th</sup> DAY OF APRIL,  
1971.

PURCHASE PRICE . . . . . \$45,000.00

Less:

Seller's Share 1971 Taxes \$44.08

Georgia State Transfer Tax 45.00

89.08

TOTAL DUE SELLER . . . . . \$44,910.92

161920 \$10,900.00

Special Stipulations

1. 1971 taxes were prorated on the basis of the 1971 tax assessment and rate. Purchaser will pay 1971 tax bill when due; however, in the event that there is a substantial difference in the tax bill when received, parties will re-prorate the difference between themselves.
2. The following items of personal property shall remain the property of the Seller and shall be removed from the premises prior to closing:
  - a. Ceiling light fixture in den.
  - b. Farm bell on post in yard.
  - c. Rose bushes in yard.
  - d. Propane gas tank belongs to Green's Fuel Company.



RECEIVED

3/14/2022

Warranty Deed

April 13, 1971

J. J. O'Shields Jr.  
Legal description:

All that tract or parcel of land, lying  
and being in land Lot 201 of the 6th  
Land District of Gwinnett County, Georgia,  
Containing 5.00 Acres and Particularly:  
described according to Plat of S. R. Fields,  
Surveyor, dated August 17, 1965 as follows:

Beginning at a Point 666.9 feet Northwesterly  
from the Common Corner of Land Lots 200, 201,  
185 and 184 of said District and running  
thence North 30 degrees 48 Minutes West 255.0 feet  
along the line between Land Lots 200 and  
201 to an Iron Pin; thence North 24  
degrees 42 Minutes East 506.0 feet to an iron  
Pin; thence South 72 degrees 31 Minutes East  
490.0 feet Parallel to Arcachon Road to an  
Iron Pin; thence South 45 degrees 53 Minutes  
West 763.2 feet to the Point beginning.

Having theron a dwelling. Further identified  
as Box 250 Route One, Norcross Gwinnett County  
Georgia.

Said Plat recorded in Plat Book P-Page 103  
Gwinnett County records, and being Recorded  
1000 910 40-220 BB 113 1st.

RECEIVED

2/3/2022 4:08PM

**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:** R6 - 201 - 008B  
(Map Reference Number) District Land Lot Parcel

Melody A. Gloton  
Signature of Applicant

1/5/22  
Date

Melody A. Gloton, Attorney for Applicant  
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)

Arte Flower  
NAME

Tax Services Assoc II  
TITLE

1-5-2022  
DATE

TAXES ARE CURRENT

RECEIVED

2/3/2022 4:08PM

**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:** \_\_\_\_\_ R6 - 201 - 016  
(Map Reference Number) District Land Lot Parcel

Melody A. Glouton \_\_\_\_\_ 1/5/22 \_\_\_\_\_  
Signature of Applicant Date

Melody A. Glouton, Attorney for Applicant

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)

Atlanta Flowers \_\_\_\_\_  
NAME

1-5-2022  
DATE

Tax Services Assoc II \_\_\_\_\_  
TITLE

TAXES ARE CURRENT

## GWINNETT COUNTY PLANNING AND DEVELOPMENT

RECEIVED

2/3/2022 4:08PM

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:** R6 - 201 - 051  
(Map Reference Number)      District      Land Lot      Parcel

Melody A. Houston  
Signature of Applicant

1/5/22

Signature of Applicant

Date \_\_\_\_\_

Melody A. Glouton, Attorney for Applicant

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)

## Arte Flows

## TAX SERVICES ASSOCIATE II

1-5-2022  
DATE

TAXES ARE CURRENT

RECEIVED

2/3/2022 4:08PM

**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:** R6 - 201 - 007A  
(Map Reference Number) District Land Lot Parcel

Melody A. Glouton  
Signature of Applicant

1/5/22  
Date

Melody A. Glouton, Attorney for Applicant  
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)

Amie Flowers  
NAME

1-5-2022  
DATE

Tax Services Assoc II  
TITLE

TAXES ARE CURRENT

RECEIVED

2/3/2022 4:08PM

**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:** R6 - 184 - 266  
(Map Reference Number)      District      Land Lot      Parcel

Melody A. Glouton  
Signature of Applicant

1/5/22  
Date

Melody A. Glouton, Attorney for Applicant  
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)

Anna Flower  
NAME  
1-5-2022  
DATE

Tax Services Assoc II  
TITLE

Taxes are current

RECEIVED

2/3/2022 4:08PM

**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:** R6 - 201 - 007  
(Map Reference Number)      District      Land Lot      Parcel

Melody A. Glouton  
Signature of Applicant

1/5/22  
Date

Melody A. Glouton, Attorney for Applicant  
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)

Amber Flowers  
NAME

Tax Services Assoc II  
TITLE

1-5-2022  
DATE

TAXES ARE CURRENT

**RECEIVED**

3/14/2022

**VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT**

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 SPECIAL USE PERMIT REQUEST.

**PARCEL I.D. NUMBER:** R6 - 200 - 004  
(Map Reference Number)      District      Land Lot      Parcel

Melody A. Glouton      03/14/2022  
Signature of Applicant      Date

Melody A. Glouton, Attorney for Applicant  
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.\*\*\***

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**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)

Anita Flowers  
NAME

Tax Services Assoc II  
TITLE

3-14-22  
DATE

Taxes are current