

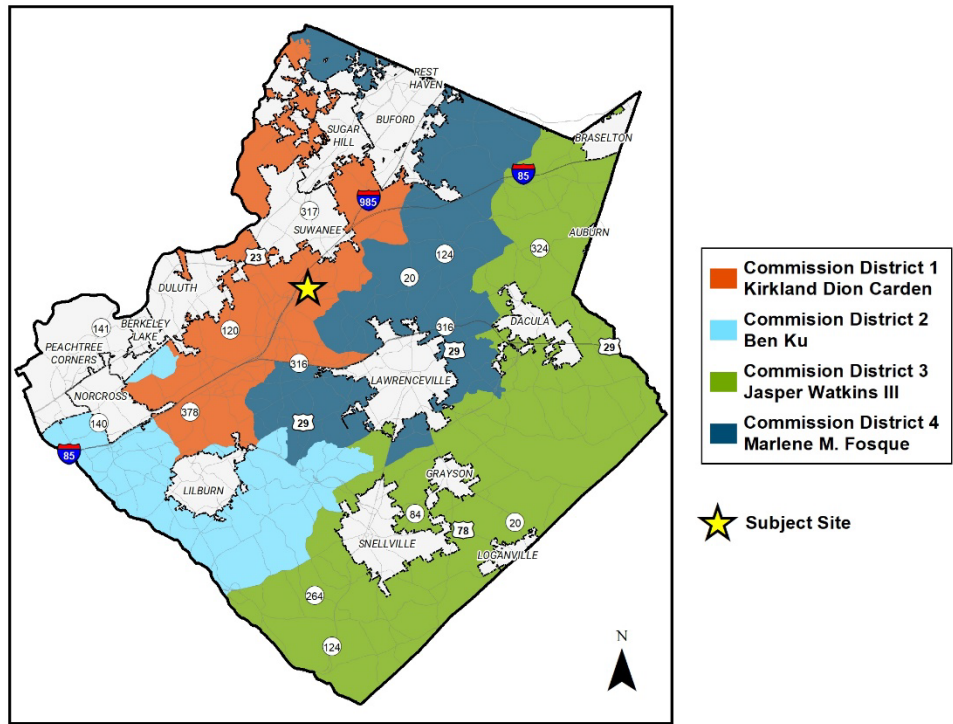


## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

**Case Number:** CIC2022-00022  
**Current Zoning:** M-1 (Light Industry District)  
**Request:** Change in Conditions  
**Additional Request:** Variance  
**Address:** 2560 Northlake Drive  
**Map Number:** R7125 129  
**Site Area:** 4.90 acres  
**Square Feet:** 41,848  
**Proposed Development:** Cold Storage Plant  
**Commission District:** District 1 – Commissioner Carden  
**Character Area:** Workplace Centers

**Staff Recommendation:** APPROVAL WITH CONDITIONS

**Planning Commission Recommendation:** APPROVAL WITH CONDITIONS



**Planning Commission Advertised Public Hearing Date: 8/3/2022**  
**Board of Commissioners Advertised Public Hearing Date: 8/23/2022**

**Applicant:** Leon Prime Management, LLC  
c/o Andersen, Tate, and Carr, P.C.  
1960 Satellite Blvd, Suite 4000  
Duluth, GA 30097

**Owner:** Maxey Group IV LLC  
1230 Peachtree Street, S-800  
Atlanta, GA 30309

**Contact:** Melody A. Glouton, Esq.

**Contact Phone:** 770.822.0900

## Zoning History

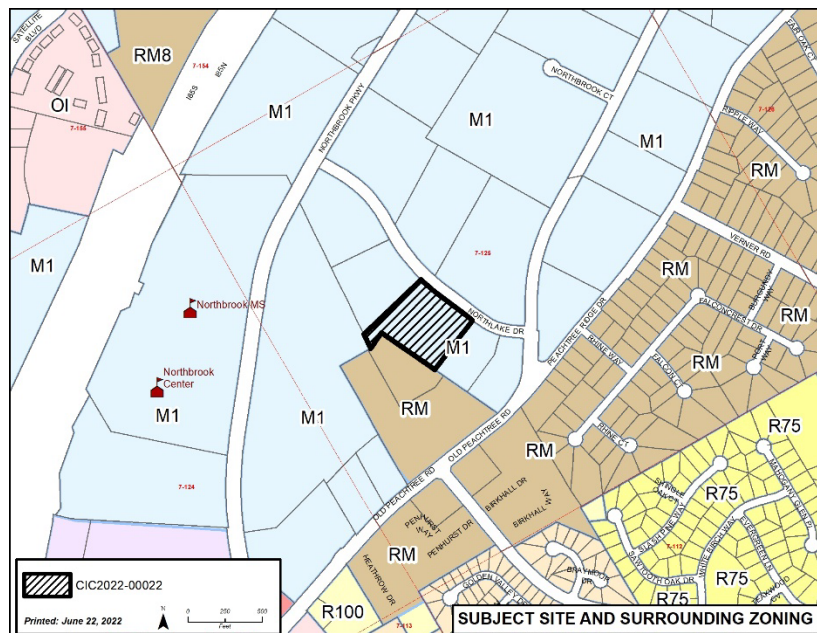
The subject property is zoned M-1 (Light Industry District). In 1985 the property was rezoned from O-I (Office-Institutional District) and RM (Multi-Family Residence District) to M-1, pursuant to REZ1985-00207 for an office and warehouse distribution center. The request is to amend conditions from this approval.

## Existing Site Condition

The subject site is a 4.90-acre undeveloped parcel located along Northlake Drive, west of its intersection with Old Peachtree Road. The parcel is densely vegetated and generally slopes down from east to west by approximately 38 feet towards an existing stream with associated buffers. No sidewalks or overhead utilities are located along the frontage. The nearest Gwinnett County Transit stop is located 2.2 miles from the subject site.

## Surrounding Use and Zoning

The subject site is surrounded primarily by industrially zoned offices and distribution centers to the north, west, and east. To the south is the common area for a townhouse community located on Old Peachtree Road. Uses further east on the opposite side of Old Peachtree Road consist primarily of single-family subdivisions and townhouse communities. Further west from the site is Interstate 85. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Cold Storage Facility	M-1	N/A
North	Light Industrial	M-1	N/A
East	Light Industrial	M-1	N/A
South	Townhouses	RM	10.02 units per acre
West	Light Industrial	M-1	N/A

## Project Summary

The applicant requests a change in conditions for a 4.90-acre property zoned M-1 to allow for a cold storage facility, including:

- A change in conditions of case REZ1985-00207. The applicant is requesting revisions to the following conditions:
  - Condition 5, *“A 75-foot-wide strip of the natural tree line, replanted where sparse, is to be left as a buffer adjacent to the existing right-of-way. In addition, the first 25 feet of the buffer is to be enhanced where necessary and where enhancement is required there shall contain a minimum of three (3) staggered rows of understory evergreen plantings to adequately screen the development from view from the level to a first-floor window across the right-of-way. The minimum height of enhancement at the time of construction on the lots shall be 5 feet and 15 feet minimum height at maturity.”* The applicant is requesting to remove this condition in its entirety.
  - Condition 6. *“The buildings in this area shall be all brick construction with a maximum height of 25 feet and limited to one story. These buildings shall be setback a minimum of 100 feet from the existing right-of-way.”* The applicant proposes to remove the first sentence of the condition in its entirety.
- A 41,848 square foot, two-story cold storage facility, which will store and distribute meat and seafood products. No manufacturing will occur on the property.
- 25 parking spaces along the eastern property line.
- 10 loading spaces and loading docks along the western façade of the proposed building.
- A full access driveway onto Northlake Drive.
- A dumpster enclosure at the southeastern corner of the property.
- A 30-foot-wide internal driveway wrapping around the proposed building.
- A five-foot wide sidewalk along Northlake Drive, which will connect to an existing sidewalk to the northwest.
- A 50-foot-wide undisturbed zoning buffer adjacent to the RM zoned property to the south.
- Encroachment into the 50 foot no disturbance stream buffer and the 75-foot, no impervious surface stream buffer setback. This will require approval of a Stream Buffer Variance from the Board of Construction Adjustments and Appeals.
- An underground detention pond located beneath the loading area and within the stream buffers, as well as a bioretention area at the front of the site.
- Facades finished primarily with white insulated metal wall panels, with accents of grey brick and textured wood around the office component. These elevations are not in compliance with Category 1, of the Gwinnett County Architectural requirements.

## Zoning and Development Standards

The applicant is requesting a change in conditions in the M-1, Light Industry District. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 25'/ One Story* Maximum 45'	56'-5"/ Two Stories	NO
Front Yard Setback	Minimum 50' Minimum 100'*	67'	NO*
Side Yard Setback	Minimum 25'	>25'	YES
Rear Yard Setback	Minimum 50'	>50'	YES
Off-Street Parking	Minimum: 17 spaces Maximum 84 spaces	25 spaces	YES
Loading Spaces	3	10	YES
Landscape Strip	Minimum 10'	10'	YES
Zoning Buffer	Minimum 50'	50'	YES

\*Per the conditions of approval of REZ1985-00207. The applicant is proposing a building closer than 100 feet from the right of way.

## Variance Request

In addition to the change in conditions request, the applicant is seeking a variance from the following provision of Title II of the UDO:

1. **Section 230-10 Dimensional Standards of Zoning Districts:** To exceed the maximum building height allowed under M-1 zoning.

The applicant is proposing to increase the maximum permitted building height from 45' to 56'-5".

## Internal and External Agency Review

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

## Staff Analysis

**Change in Conditions Request Analysis:** According to the UDO, if a proposed amendment is for the rezoning of property and involves a change in zoning classification or a change in conditions the Department shall evaluate the request and make a recommendation with respect to the standards governing exercise of zoning power as defined in Section 270-20.5. After this evaluation, staff makes the following findings based on the standards from the UDO:

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

The subject property is surrounded by industrial uses to the north, east, and west. The site to the south of the development is residentially zoned but is the common area for a townhouse community. The proposed change in conditions would be suitable given the surrounding use and development.

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

The proposed development is consistent with the size, scale, and use of adjacent properties. The property to the south is a townhouse community, however the site is adjacent to the common area space of this development, which is heavily wooded. In addition, the development will include the required undisturbed 50-foot zoning buffer. As proposed, the change in conditions will not adversely affect the existing use or usability of adjacent or nearby property.

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

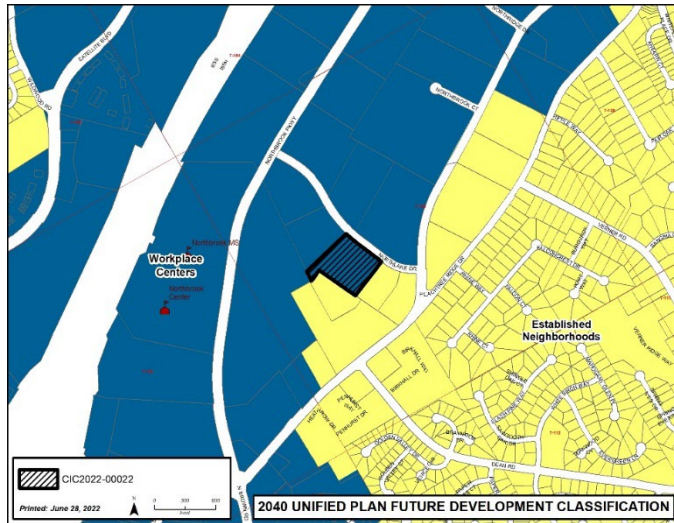
The property has a reasonable economic use as currently zoned.

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

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

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

The 2040 Unified Plan Future Development Map indicates that the subject property lies within the Workplace Centers Character Area. The Character Area is for predominantly employment-oriented uses and includes office parks, industrial parks, and locations for freight oriented and logistic uses. The proposed development of the site into a cold storage plant for the storing and distribution of meat and seafood products would be in conformity with the policy and intent of the Unified Plan and Future Development Map.



**F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed change in conditions request.**

The proposed change in conditions seeks to modify the previously approved conditions of approval from 1985. This approval was for a larger development that has now been subdivided. Without a change in conditions, the current conditions of approval and the requirements of the UDO, would make it challenging to develop the site. The site would need to include a 75-foot buffer along the frontage of the site, a 50-foot zoning buffer along the south, and a stream buffer to the west. Additionally, the building would need to be setback 100 feet from the right of way and could be no taller than 25 feet. Without a change in conditions, development of this site would be extremely difficult and therefore gives supporting grounds for the approval of the site.

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

The requested variance is to allow the building to be approximately 56 feet tall. The UDO limits buildings in the M-1 zoning district to a maximum height of 45 feet. The building is adjacent to other uses and buildings that are similar in size. The site to the south is the common area for a townhouse community and has dense vegetation, in addition to the required 50-foot zoning buffer. The distance between the subject building and the nearest residential building mitigates any potential negative impact. Therefore, the variance to exceed the maximum building height can be supported.

**Staff Recommendation:**

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

Staff recommends **APPROVAL** of the following variance request:

1. Section 230-10, to increase the maximum permitted height from 45' to 56'-5".

### **Planning Commission Recommendation**

Based on staff's evaluation of the request, information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of the change in conditions request.

Planning Commissioner recommends **APPROVAL** of the following variance request:

1. Section 230-10, to increase the maximum permitted height from 45' to 56'-5".

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

NOTE: The conditions below are those from REZ1985-00207 with suggested changes in bold or strikethrough.

Approval as M-1 (Light Industry District), subject to the following conditions:

1. No outside storage throughout the development unless adequately screened.
2. No truck terminals, truck repair or maintenance facilities.
3. No billboards, (except for billboard advertising development which will be removed when development is completed)
4. No airfields or landing pads unless approved by the Board of Commissioners after receiving recommendations from the Planning Director and Planning Commission and after a public hearing.
5. ~~A 75-foot-wide strip of the natural tree line, replanted where sparse, is to be left as a buffer adjacent to the existing right-of-way. In addition, the first 25 feet of the buffer is to be enhanced where necessary and where enhancement is required there shall contain a minimum of three (3) staggered rows of understory evergreen plantings to adequately screen the development from view from the level to a first-floor window across the right-of-way. The minimum height of enhancement at the time of construction on the lots shall be 5 feet and 15 feet minimum height at maturity.~~
6. ~~The buildings in this area shall be all brick construction with a maximum height of 25 feet and limited to one story. These buildings shall be set back a minimum of 100 feet from the existing right-of-way.~~
7. ~~No parking or driveway areas shall be between the rear of the buildings and the existing right-of-way unless approved by the Planning Commission.~~
8. No lighting shall be directed toward the existing right-of-way. Cut-off type luminaries mounted on the building are permissible for security lighting requirements.
9. ~~No access to existing right-of-way on Old Peachtree Road.~~
10. ~~All buildings to be of a similar style and architecture found in the developers Gwinnett Park project. Each building site shall be heavily landscaped as in the same referenced project and all~~

~~landscaped areas and buffers shall be under the control and responsibility of a single management entity.~~

11. Existing tree stands are to be preserved wherever possible and be incorporated into the overall landscaping plan for the development. Tree stands are to remain on the undeveloped lots until the commencement of building activity on each lot.
12. ~~The entrances to the development at either end of Old Peachtree Road shall contain a minimum of ½ acre of heavy landscaping. Signage at these points shall be limited to 10 feet in height.~~
13. All lighting shall be cut-off type luminaries **and shall be directed in, towards the property, as to not shine directly into adjacent properties or rights of way.**
14. ~~A final subdivision plan shall be submitted to the Planning Commission for approval prior to the issuing of any permits.~~
15. **The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received, June 14, 2022, with revisions required by conditions of approval and the Unified Development Ordinance. The final site design shall be subject to the review and approval of the Director of Planning and Development.**
16. **All buildings shall comply with the requirements of Gwinnett County Architectural Design Category 1. The final building elevations shall be submitted for review and approval by the Department of Planning and Development.**
17. Natural vegetation shall remain on the property until the issuance of a development permit.
18. All grassed areas shall be sodded.
19. **No temporary tents, temporary canopies, temporary banners, temporary streamers, or temporary roping decorated with flags, tinsel, or other similar materials shall be displayed, hung, or strung on the site, except within 60 days of the grand opening and during special events which shall occur no more than twice per calendar year and last no longer than seven day each.**

**Exhibits:**

- A. Site Visit Photos
- B. Site Plan
- C. Building Elevations
- D. Letter of Intent and Applicant's Response to Standards
- E. Internal and External Agency Review Comments
- F. BOC Resolution REZ1985-00207
- G. Maps

**Exhibit A: Site Visit Photos**



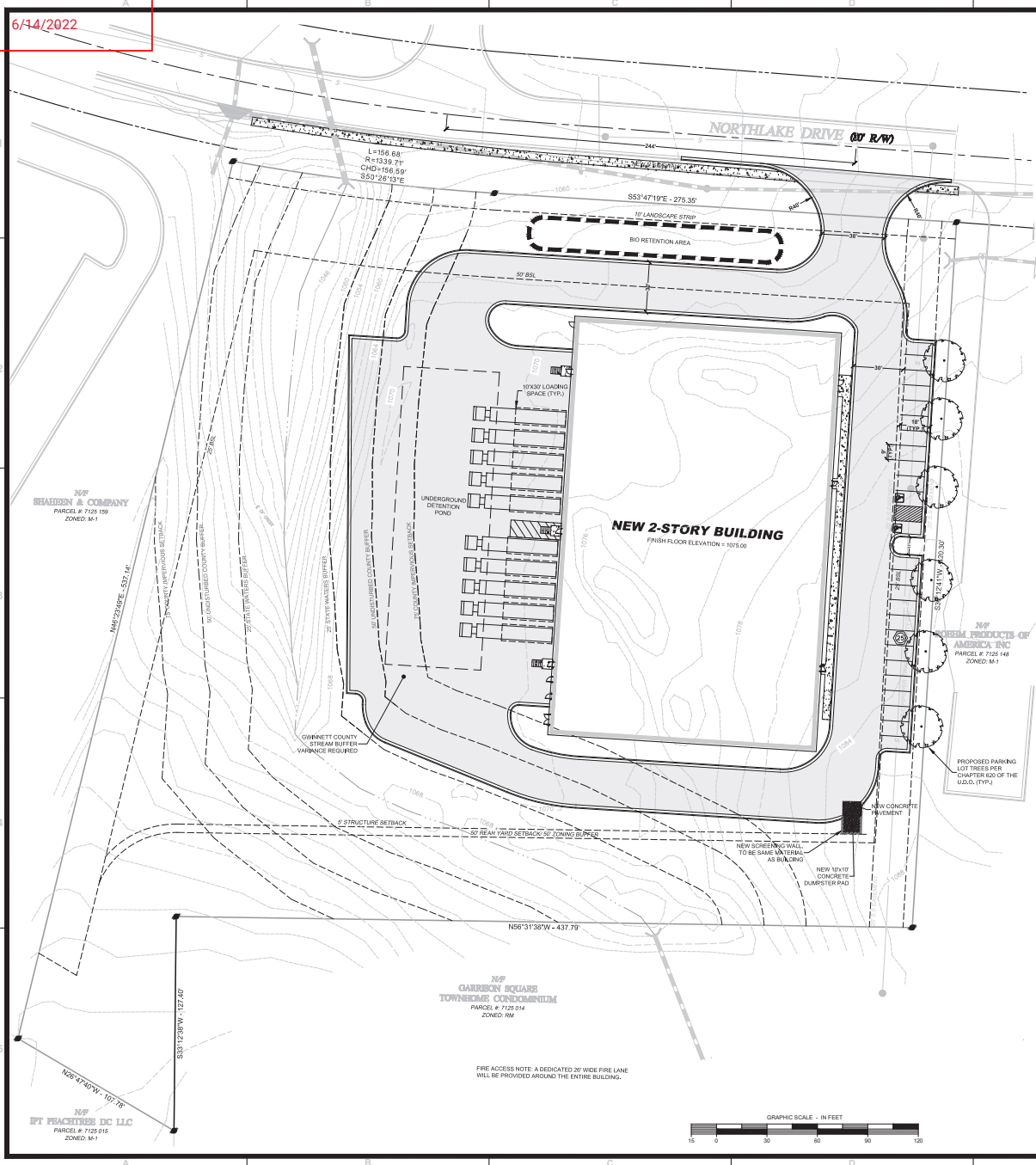
**Existing Conditions of the Subject Site**



**View of Northlake Drive facing northwest (subject property on left)**

**Exhibit B: Site Plan**

**[attached]**



**ORIGINAL ZONING CONDITIONS**

WINNETT COUNTY BOARD OF COMMISSIONERS  
 PLANNING AND ZONING RESOLUTION TO AMEND THE OFFICIAL ZONING MAP BOOK 33

WHEREAS, the Municipal-Ordinist County Planning Commission has filed a final recommendation to the Ordinate County Board of Commissioners upon an Application to Amend the Official Zoning Map from M-1 to M-1-1 by A. P. Meats & Associates, 4897 Park Drive, Marietta, Ga., 30067

FOR THE proposed use of Office/Showroom/Distribution Pack on a tract of land described by the attached legal description, and

WHEREAS, notice to the public regarding said amendment to the Official Zoning Map has been published as follows, the Official News Page of DeKalb County, and

WHEREAS, a Public Hearing was held in the Commission Meeting Room by the Ordinate County Board of Commissioners on October 13, 2021 and objections were not filed,

WHEREAS, BE IT RESOLVED that the Ordinate County Board of Commissioners do hereby APPROVE/CONSENT the Amendment to the Official Zoning Map from M-1 to M-1-1 on the 22 day of October, 2021.

*Leticia White*  
 Leticia White, Chairman

- PLANNING AND ZONING**  
 CONDITIONS
- SEE ATTACHMENT FOR LIST OF CONDITIONS.
1. No outside storage throughout the development unless adequately screened.
  2. No truck terminals, truck repair or maintenance facilities.
  3. No billboards, except for billboard advertising development which will be removed when development is completed.
  4. No airfields or landing pads unless approved by the Board of Commissioners after receiving recommendations from the Planning Director and Planning Ordinate and after a public hearing.
  5. A 75 foot wide strip of the nearest tree line, established where appropriate, to be left as a buffer adjacent to the existing right-of-way. In addition the first 25 feet there shall contain a minimum of three (3) staggered rows of ornamental plantings to adequately screen the development from the front lot line. No 6" pipe of construction on the side shall be 3 feet and 15 feet minimum height at maturity.
  6. The buildings in this area shall be all single construction with a maximum height of 25 feet and limited to one story. These buildings shall be set back a minimum of 20 feet from the existing right-of-way.
  7. No parking or driveway areas shall be between the rear of the building and the existing right-of-way unless approved by the Planning Commission.
  8. No lighting shall be directed toward the adjacent right-of-way. All type luminaires shall be on the building and professional LED recessed lighting requirements.
  9. No access to existing right-of-way on Old Peachtree Road.
  10. All buildings to be of a similar style and architecture found in the developer's Submittal Plan project. Each building site shall be heavily landscaped as in the same reference project and all landscape areas and buffers shall be under the control and responsibility of a single management entity.
  11. Existing tree stands are to be preserved wherever possible and be incorporated into the overall landscaping plan for the development. Three stands are to remain on site.
  12. The entrance to the development at either end of Old Peachtree Road shall contain a minimum of 1/2 acre of heavy landscaping. Slope at these points shall be limited to 10 feet in height.
  13. All lighting shall be cut-off type luminaires.
  14. A final subdivision plan shall be submitted to the Planning Commission for approval prior to the issuing of any permits.



**DEVELOPER**  
**EL REY US MEATS**  
 2151 W 74TH STREET  
 CHICAGO, IL 60638

**24 HOUR EMERGENCY CONTACT**  
 MR. DANIEL LEON  
 708-766-6668  
 E-mail: [emanager@elreymeat.com](mailto:emanager@elreymeat.com)

**SITE ZONING:** M-1 (R2-207-85)  
**SITE AREA:** 4.90 ACRES  
**TAX PARCEL ID:** 7125 129

**BUILDING SETBACK LINES:**  
 FRONT YARD: 50 FT.  
 REAR YARD: 50 FT.  
 SIDE YARD: 5 FT.

**BUILDING SUMMARY:**  
 2 STORY  
 BUILDING FOOT PRINT: 41,848 SQ. FT.  
 BUILDING HEIGHT: 56' 0"

**PARKING SUMMARY**

DESCRIPTION	MIN. REQUIRED	MAX. REQUIRED	PROVIDED
REGULAR PARKING	15	76	23
ADA ACCESSIBLE PARKING	1	4	2
TOTAL PARKING SPACES	16	80	25

\*ONE SPACE PER 2,000 SQUARE FEET OF GROSS FLOOR AREA.  
 \*TWO SPACE PER 500 SQUARE FEET OF GROSS FLOOR AREA.

**LOADING SPACE SUMMARY**

DESCRIPTION	REQUIRED	PROVIDED
TOTAL LOADING SPACES	3	10

\*THREE LOADING SPACES FOR A GROSS FLOOR AREA BETWEEN 40,000-60,000 S.F.

**REVISIONS**

NO.	DATE	DESCRIPTION



**ZONING SITE PLAN**

**2560 NORTHLAKE DRIVE - COLD STORAGE**

2560 NORTHLAKE DRIVE - LAND LOT 25 - 7TH DISTRICT - WINNETT COUNTY, GEORGIA

For The Firm  
 Travis Pruitt & Associates, Inc.

DATE: 05/02/2022  
 SCALE: 1" = 30'  
 C#: 20115CP  
 J#: 1-22-0119  
 FN: 169-050

**SHEET NO: 1 OF 1**

**Exhibit C: Building Elevations**

**[attached]**

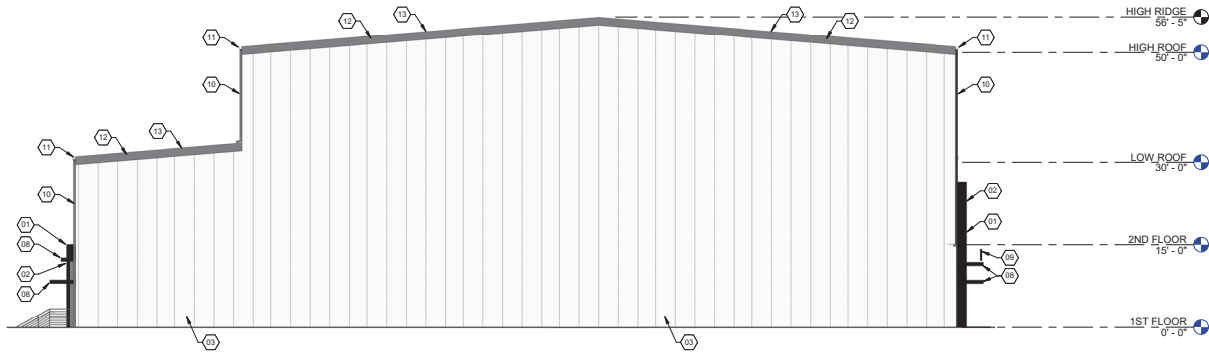




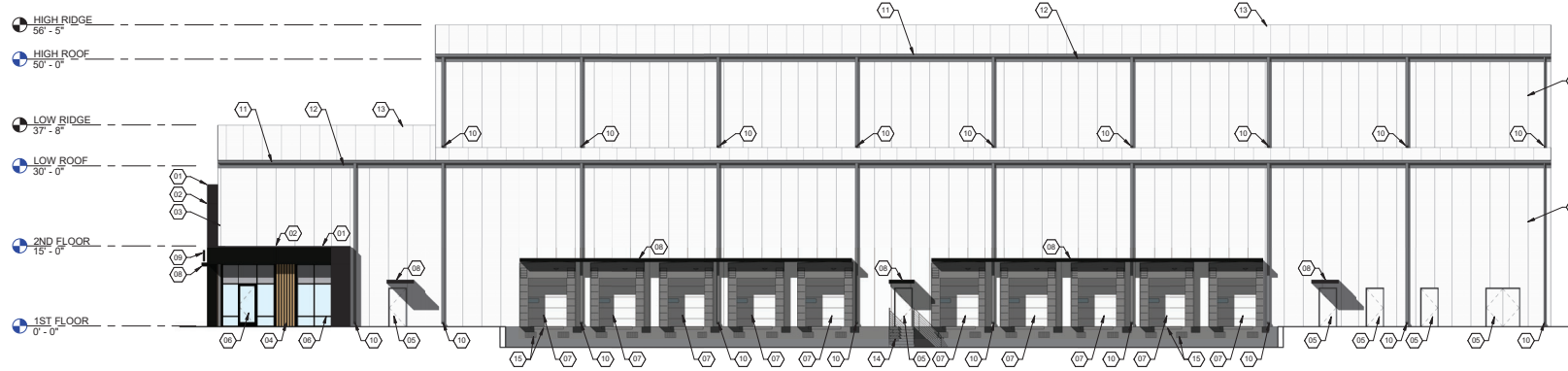
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6/14/2022



**C1** PRELIMINARY SOUTH ELEVATION  
SCALE: 3/32" = 1'-0"



**A1** PRELIMINARY WEST ELEVATION  
SCALE: 3/32" = 1'-0"

**GENERAL NOTES - ELEVATIONS**

- SEE SHEET A-100 FOR PRELIMINARY RENDERING.
- THESE DRAWINGS ARE PRELIMINARY IN NATURE. MINOR CHANGES COULD OCCUR IN FUTURE DESIGN PHASES. THESE DRAWINGS WILL ACCOMPANY A CHANGE IN CONDITIONS ZONING APPLICATION FOR GWINNETT COUNTY.
- BUILDING FINISH FLOOR ELEVATION 0'-0" CORRESPONDS TO 1075.00 ON THE CIVIL DRAWINGS.
- KEYNOTES INDICATED WITH ○

**KEYNOTES - A-202 - EXTERIOR ELEVATIONS**

KEY #	KEYNOTE DESCRIPTION
01	COMPOSITE METAL PANEL SYSTEM (COLOR: BLACK)
02	METAL REVEAL, TYP.
03	INSULATED METAL WALL PANEL - TEXTURED SURFACE (COLOR: WHITE)
04	PHENOLIC WALL PANEL (COLOR: WOOD TEXTURED)
05	INSULATED HOLLOW METAL DOOR AND FRAME, TYP. (COLOR: WHITE)
06	ALUMINUM STOREFRONT SYSTEM (COLOR: BLACK)
07	OVERHEAD SECTIONAL DOOR WITH DOCK DOOR SEAL (DOOR COLOR: WHITE) (SEAL COLOR: GREY)
08	PREFINISHED METAL CANOPY (COLOR: BLACK)
09	PAINTED ALUMINUM SIGNAGE (COLOR: BLACK)
10	PREFINISHED METAL DOWNSPOUT (COLOR: GREY)
11	PREFINISHED METAL GUTTER (COLOR: GREY)
12	PREFINISHED METAL FASCIA (COLOR: GREY)
13	STANDING SEAM INSULATED METAL ROOF PANEL (COLOR: WHITE)
14	CONCRETE STAIR WITH PAINTED STEEL GUARDRAILS AND HANDRAILS (COLOR: GREY)
15	DOCK LEVELER AND BUMPER, TYP.



PLACE SERVICES, INC.  
201 GATEWAY DRIVE  
DANTON, GA 30115  
OFFICE: 678-880-4777

DRAWING ISSUE:	DATE:	DESCRIPTION:

SEAL:

CLIENT:  
MR. DANIEL LEON, SR. & JR.  
EL REY USA MEATS  
2101 W. 14TH STREET,  
CHICAGO, IL 60636  
management@elreymeat.com  
708-769-9648

PROJECT INFO:  
**COLD STORAGE FACILITY**  
2660 NORTH LAKE DRIVE,  
SUWANEE, GA 30024

JOB # GA25600006AE  
DATE: 04/29/2022  
STATUS: PRELIMINARY DRAWINGS  
DRAWN BY: ASR  
DESIGNED BY: MRC  
TITLE:

PRELIMINARY EXTERIOR ELEVATIONS

SHEET: **A-202**  
SHEET SIZE: 24" x 36"



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

**[attached]**

**GWINNETT COUNTY**  
PLANNING AND DEVELOPMENT  
RECEIVED  
6/14/2022

# ANDERSEN | TATE | CARR

June 14, 2022

**REVISED**  
**LETTER OF INTENT AND JUSTIFICATION FOR CHANGE IN CONDITIONS**

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

**Applicant:**  
Leon Prime Management, LLC

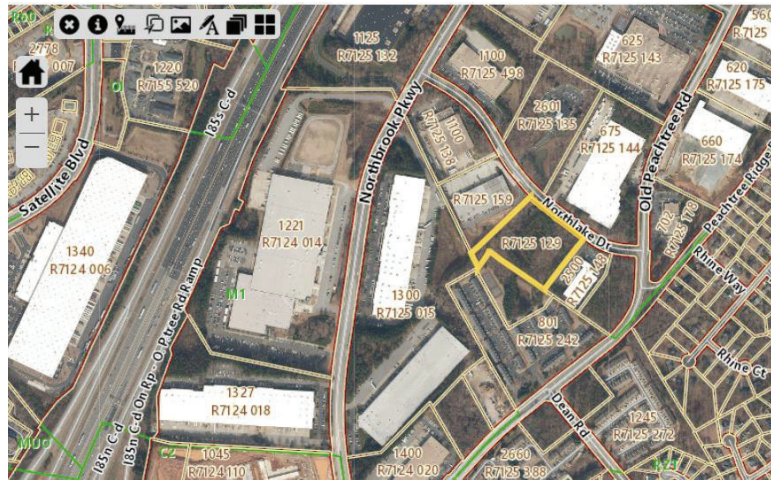
**Property:**  
Tax Parcel ID R7125 129  
Zoning District M-1  
± 4.90 Acres of Land  
Located at Northlake Drive  
Suwanee, Georgia 30024

**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)

**I. INTRODUCTION**

This Application for Change in Conditions is submitted for a 4.90-acre parcel of land located in Land Lot 125 of the 7<sup>th</sup> District of Gwinnett County, Suwanee, Georgia, and further identified as Tax Parcel R7125 129 at Northlake Drive (hereinafter the “Property”). The Property is currently zoned M-1 pursuant to RZ-207-85.

The Property is shown on the survey prepared by Watts & Browning Engineers, Inc., dated November 8, 2021, and filed with this Application. The Property that is the subject of this Change in Conditions application is owned by Maxey Group IV, LLC and further identified below from the Gwinnett County GIS:



The Applicant, Leon Prime Management, LLC (the “Applicant”) now seeks approval to remove condition #5 and revise condition #6 of RZ-207-85 to allow for the construction of a two story building for purposes of developing an approximately 41,848 square foot cold storage warehouse facility. The Applicant is a merchant wholesale distributor of meat and seafood products with headquarters based in Chicago, Illinois. The new facility will only be used for storage of product and no processing of food will take place on the premises. The proposed facility is anticipated to be approximately 55 feet in height. As such, this application includes a corresponding variance request to increase the height of the proposed building. Specifically, the Applicant seeks to eliminate condition #5 regarding the 75-foot buffer and the requirement under Condition #6 regarding the “all brick construction.”

Accordingly, the Applicant is requesting to amend the Conditions of Approval of RZ-207-85 (attached as Exhibit A) as follows:

Condition #5:

5. ~~A 75 foot wide strip of the natural treeline, replanted where sparse, is to be left as a buffer adjacent to the existing right of way. In addition the first 25 feet of the buffer is to be~~

~~enhanced where necessary and where enhancement is required there shall contain a minimum of three (3) staggered rows of understory evergreen plantings to adequately screen the development from view from the level to a first floor window across the right-of-way. The minimum height of enhancement at the time of construction on the lots shall be 5 feet and 15 feet minimum height at maturity.~~

The Applicant is requesting to remove the requirement for the 75 foot buffer adjacent to the right-of-way. The site plan does comply with the current front, side and rear setback requirements set forth under the M-1 zoning classification. As shown on the site plan filed with the application, and in consideration of the size, layout, and location of the Subject Property, the 75’ buffer requirement would significantly impair the ability of the property to be developed. Therefore, strict adherence to the language of the UDO would effectively prohibit the Applicant from developing the Subject Property with a proposed use that is permitted under the M-1 zoning classification of the UDO. Due to the size, existing layout, and location of the Subject Property, strict adherence to Condition #5 would impose an unnecessary hardship on the property and its ability to be developed based on the 75 foot buffer requirement.

Condition #6:

- 6. ~~The buildings in this area shall be all brick construction with a maximum height of 25 feet and limited to one story.~~ These buildings shall be set-back a minimum of 100 feet from the existing right-of-way.

Variance Request:

As shown on the enclosed site plan, the Applicant is also seeking the waiver of the following:

- (a) Pursuant to UDO 230-20.9, an increase in height of ten (10) feet or less for an structure other than a sign or fence may be requested under the provisions of Section 270-130 as an Administrative Variance, however no increase may be granted in the number of stories which would otherwise be permitted under the applicable zoning district. As shown on the site plan filed with this application, the 10 foot increase would not allow the building to be developed as a cold storage facility. It is compatible with the surrounding industrial uses in the area and is the minimum necessary to afford the Applicant relief so that the Subject Property may be developed with an economically viable use as permitted under the M-1 zoning classification.

The Applicant submits that granting relief of the above-referenced variance would not cause substantial detriment to the public good. Rather, by granting relief, the Property would be developed as a permitted use under the M-1 zoning classification, and complement surrounding land uses.

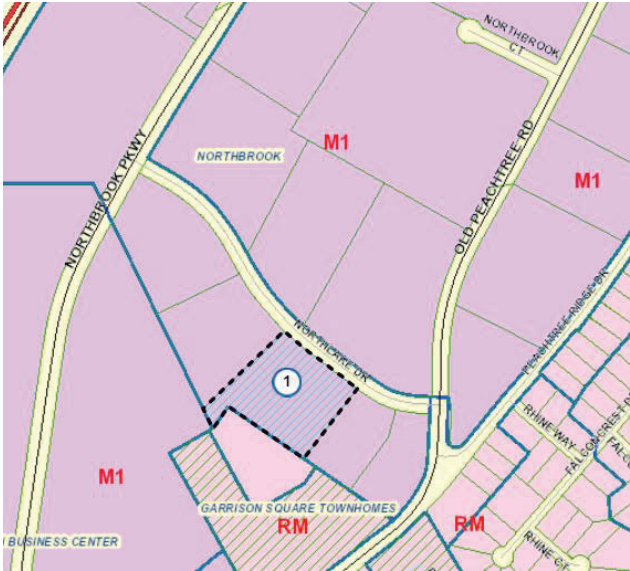
This document is submitted as the Letter of Intent, Response to Standards Governing the Exercise of Zoning Power, and other materials required by the Gwinnett County UDO.

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

The Property is a 4.90 acre parcel, zoned M-1 (Light Industry District). The property is located along Northlake Drive, near the intersection of Old Peachtree Road. The parcel is heavily wooded and undeveloped. The Applicant requests approval of a Change in Conditions to a prior rezoning to allow the construction of cold storage facility.

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 development of the cold storage facility 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.

As referenced above, the surrounding properties in this corridor are zoned industrial. Below is a summary of the surrounding uses and zoning:



Location	Land Use	Zoning
Property	Cold Storage Facility	M-1
North	Siemens Energy/Georgia PCOM Marketing	M-1
East	Roehm Products of America	M-1
South	Garrison Square Townhomes/Empire Today	RM/M-1
West	Prorey Corp./JTC Tools USA/Land 'N Sea Distributing	M-1

**III. PROJECT SUMMARY AND REQUESTED CHANGE**

As shown on the zoning site plan prepared by Travis Pruitt & Associates, Inc. dated May 2, 2022, and filed with this Application (hereinafter the “Site Plan”), the Applicant proposes to develop a cold storage facility to establish another location for the operation of their meat wholesale business. The UDO currently provides that the maximum height for buildings within the M-1 zoning classification shall be 45 feet. A copy of Table 230.3 is set forth below:

Table 230.3: Dimensional Standards for Non-Residential, HRR, and Mixed-Use Districts

Zoning District	Min. Lot Size	Max. Net Density/ FAR	Max Height	Min. Lot Width	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Min. % Common Area
O-R	15,000 sq. ft.	None	35 ft.	100 ft.	25 ft.	7.5 ft.	25 ft.	NA
O-I	None	None	35 ft.	50 ft.	15 ft.	10 ft.	25 ft.	NA
C-1	None	None	35 ft.	None	15 ft.	10 ft.	30 ft.	NA
C-2	None	None	45 ft.	None	15 ft.	10 ft.	30 ft.	NA
C-3	None	None	45 ft.	None	15 ft.	10 ft.	30 ft.	NA
HRR	None	Varies	Min 5 stories	75 ft.	15 ft.	0 ft. <sup>a</sup> /10 ft.	25 ft.	20%
MU-N, MU-C, MU-R	None	Varies per Sec. 210-190 through 210-225						15%
M-1/ M-2	1 acre	None	45 ft.	150 ft.	50 ft.	25 ft.	50 ft.	NA

<sup>a</sup>Applies to attached units in a single building.

As such, the Applicant is requesting to remove the height restriction from the current condition which limits the building to a maximum height of 25 feet. The Applicant is also requesting to remove the requirement that the building be constructed of *all* brick. A proposed architectural rendering of the facility, including exterior elevation materials, is filed with this Application.

**IV. SITE IMPACT ANALYSIS**

Pursuant to UDO § 270-20.6, entitled “Impact Analysis,” the Applicant submits its written impact analysis which shows that a change in conditions for the subject property is warranted, satisfies UDO § 270-20.5, entitled “Standards Governing Exercise of the Zoning Power,” as follows:

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

Yes, approval of the proposed Change in Conditions will permit a use that is suitable in view of the use and development of adjacent and nearby property. The Property is located along Northlake Drive near the intersection of Old Peachtree Road. The Property is adjacent to intense, large-scale commercial and industrial developments.

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

No, the proposed Change in Conditions Application will not adversely affect the existing use or usability of any of the nearby properties. The proposed change in conditions would allow for a development that is compatible with existing intense commercial and industrial uses on adjacent and nearby properties.

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

The Applicant's proposal would allow for the Property to be developed for a use that is consistent with surrounding properties and those along Northlake Drive and Northbrook Parkway. Further, maintaining the restriction on the Property that the Applicant is seeking to delete would place an undue burden on the Property by putting it at an economic disadvantage to other properties within the same area.

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

No, the proposed change in conditions application will not result in an excessive or burdensome use of the infrastructure systems. The Property has convenient access to Old Peachtree Road and Interstate 85. The proposed development would be compatible with the existing industrial and commercial uses in the area.

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

The proposed change in conditions application is in conformity with the policy and intent of the Gwinnett County 2040 Unified Plan. The Property is located within the Workplace Centers Character Area of the 2040 Future Development Map, which is predominantly for employment oriented uses and includes office parks, industrial parks, and locations for freight oriented and logistic uses.

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

The Applicant submits that the character of the surrounding developments and the existing mix of the same or similar intense industrial and commercial uses in the area provide supporting reasons for approval of the change in conditions request. The Applicant submits that the Property's location, size, and dimensions, as well as its location and close

proximity to I-85, provide further support for approval of the proposed change in conditions application.

## V. JUSTIFICATION FOR REZONING

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

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

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

Finally, the Applicant respectfully submits that the Gwinnett County Board of Commissioners cannot lawfully impose more restrictive standards upon the development of the Property than presently exist, as to do so not only would constitute a taking of the Property as set forth above, but also would amount to an unlawful delegation of their authority, in response to

neighborhood opposition, in violation of Article IX, Section IV, Paragraph II of the Georgia Constitution.

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

**VI. CONCLUSION**

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

Respectfully submitted this 14<sup>th</sup> day of June, 2022.

**ANDERSEN, TATE & CARR, P.C.**

*Melody A. Glouton*

Melody A. Glouton, Esq.

Enclosures  
MAG/dwb

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

**[attached]**



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

<b>TRC Meeting Date:</b>		7.13.22	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		<a href="mailto:Brent.Hodges@gwinnettcountry.com">Brent.Hodges@gwinnettcountry.com</a>	
Case Number:		CIC2022-00022	
Case Address:		2560 Northlake Drive	
<b>Comments:</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<b>YES</b>	<b>NO</b>
1	Northlake Drive is a local street. ADT is not listed.		
2	2.2 miles to nearest transit facility (#2334860) North Brown Road and Sugarloaf Parkway.		
3	Prior to the issuance of a Development Permit, a sight distance certification shall be provided.		
4	A 5' sidewalk will be required along the property frontage.		
5	Minimum separation from a driveway, public road, or side street shall be provided as specified in the Gwinnett County Unified Development Ordinance.		
6			
7			
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<b>YES</b>	<b>NO</b>
1			
2			
3			
4			
5			
6			
7			

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

Revised 7/26/2021

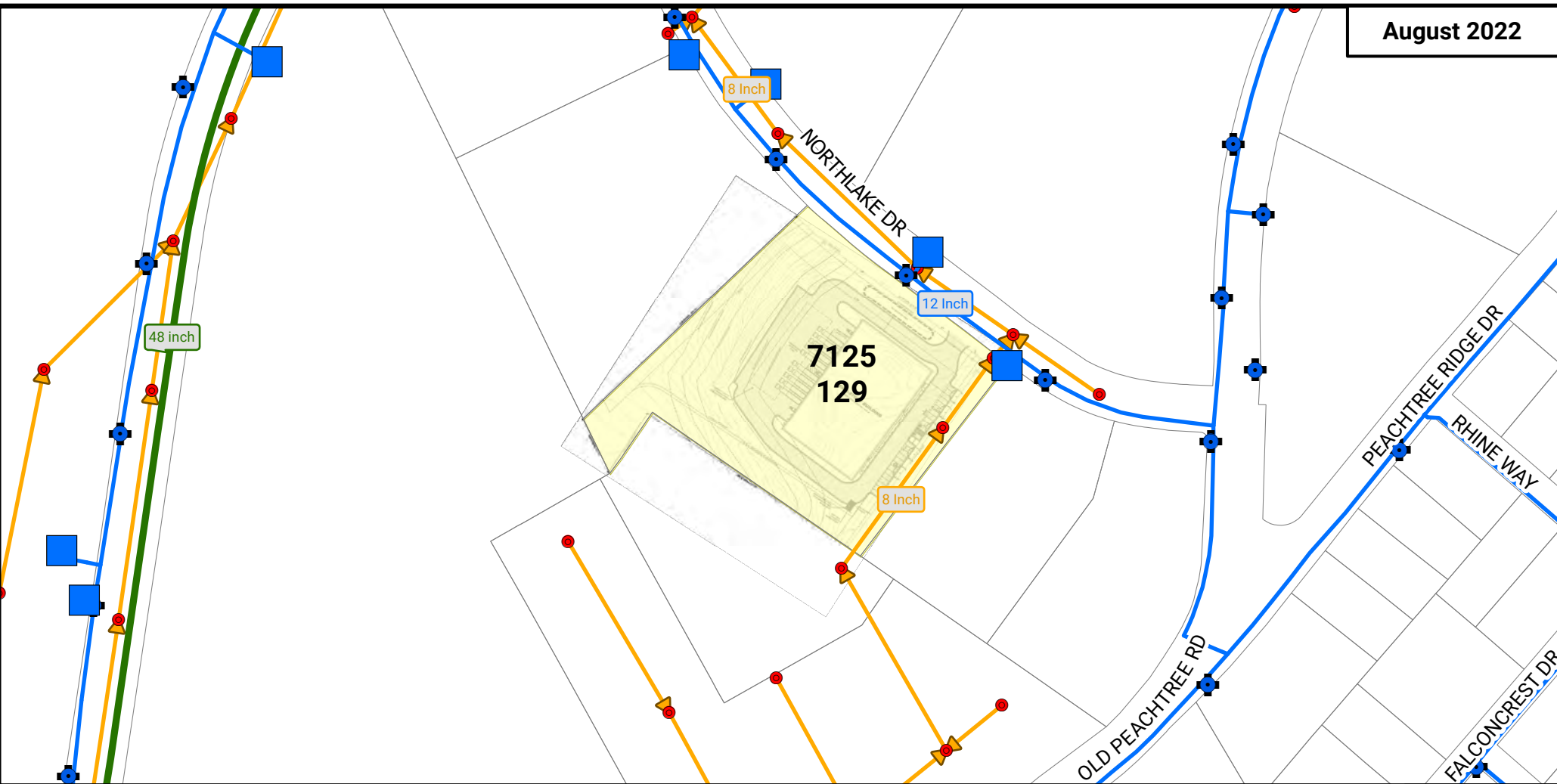


Department of Planning and Development  
**TECHNICAL REVIEW COMMITTEE**

<b>TRC Meeting Date:</b>		7/13/2022		
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		<a href="mailto:Michael.pappas@gwinnettcountry.com">Michael.pappas@gwinnettcountry.com</a>		
Case Number:		CIC2022-00022		
Case Address:		2560 Northlake Drive		
<b>Comments:</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>1</b>	Water: The development may connect to an existing 12-inch water main located on the south right-of-way of Northlake Drive.			
<b>2</b>	Sewer: An updated Sewer Capacity Request will be required to confirm available capacity.			
<b>3</b>	Sewer: Pending available sewer capacity, the proposed development may connect to an existing 8-inch sanitary sewer main located on the subject property.			
<b>4</b>				
<b>5</b>				
<b>6</b>				
<b>7</b>				
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>1</b>				
<b>2</b>				
<b>3</b>				
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<b>7</b>				

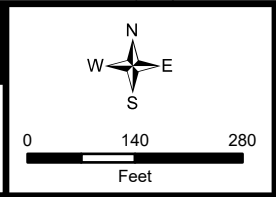
**Note:** Attach additional pages, if needed

Revised 7/26/2021



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

**CIC2022-0022**  
M-1  
**Water & Sewer**  
**Utility Map**



**Water Comments:** The development may connect to an existing 12-inch water main located on the south right-of-way of Northlake Drive.

**Sewer Comments:** An updated Sewer Capacity Request will be required to confirm available capacity. Pending available sewer capacity the proposed development may connect to an existing 8-inch sanitary sewer main located on the subject property.

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

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

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

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

**Exhibit F: BOC Resolution REZ1985-00207**

**[attached]**

GWINNETT COUNTY BOARD OF COMMISSIONERS  
RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

RZ-207-85

PLANNING AND ZONING  
BOOK 5

000748

WHEREAS, the Municipal-Gwinnett County Planning Commission has filed a formal recommendation to the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from RM to M-1 <sup>O-I &</sup> by A. R. Weeks & Associates, 4497 Park Drive,  
Norcross, Ga. 30093

for the proposed use of Office/Warehouse/Distribution Park on a tract of land described by the attached legal description, and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been published in BUSINESS GWINNETT, the Official News Organ of Gwinnett County, and

WHEREAS, a Public Hearing was held in the Commission Meeting Room by the Gwinnett County Board of Commissioners on OCTOBER 22, 1985 and objections were not filed.

THEREFORE, BE IT RESOLVED that the Gwinnett County Board of Commissioners do hereby APPROVED/CONDITIONS the Amendment to the Official Zoning Map <sup>O-I &</sup> from RM to M-1 on the 22 day of October, 1985.

CONDITIONS:

SEE ATTACHMENT FOR LIST OF CONDITIONS.

GWINNETT COUNTY BOARD OF COMMISSIONERS

*Lillian Webb*

LILLIAN WEBB, CHAIRMAN

PLANNING AND ZONING  
BOOKS

000712

CONDITIONS FOR APPROVAL OF  
RZ-207-85

1. No outside storage throughout the development unless adequately screened.
2. No truck terminals, truck repair or maintenance facilities.
3. No billboards, (except for billboard advertising development which will be removed when development is completed).
4. No airfields or landing pads unless approved by the Board of Commissioners after receiving recommendations from the Planning Director and Planning Commission and after a public hearing.
5. A 75 foot widestrip of the natural treeline, replanted where sparse, is to be left as a buffer adjacent to the existing right-of-way. In addition the first 25 feet of the buffer is to be enhanced where necessary and where enhancement is required there shall contain a minimum of three (3) staggered rows of understory evergreen plantings to adequately screen the development from view from the level of a first floor window across the right-of-way. The minimum height of enhancement at the time of construction on the lots shall be 5 feet and 15 feet minimum height at maturity.
6. The buildings in this area shall be all brick construction with a maximum height of 25 feet and limited to one story. These buildings shall be set-back a minimum of 100 feet from the existing right-of-way.
7. No parking or driveway areas shall be between the rear of the buildings and the existing right-of-way unless approved by the Planning Commission.
8. No lighting shall be directed toward the existing right-of-way. Cut-off type luminaires mounted on the building are permissible for security lighting requirements.
9. No access to existing right-of-way on Old Peachtree Road.
10. All buildings to be of a similar style and architecture found in the developer's Gwinnett Park project. Each building site shall be heavily landscaped as in the same referenced project and all landscaped areas and buffers shall be under the control and responsibility of a single management entity.
11. Existing tree stands are to be preserved wherever possible and be incorporated into the overall landscaping plan for the development. Three stands are to remain on the undeveloped lots until the commencement of building activity on each lot.
12. The entrances to the development at either end of Old Peachtree Road shall contain a minimum of 1/2 acre of heavy landscaping. Signage at these points shall be limited to 10 feet in height.
13. All lighting shall be cut-off type luminaries.
14. A final subdivision plan shall be submitted to the Planning Commission for approval prior to the issuing of any permits.

## Land Description

All that tract or parcel of land lying and being in Land Lots 125, 126, 153 and 154 of the 7th Land District, Gwinnett County, Georgia, containing 292.45 acres more or less, and being more particularly described as follows:

Beginning at the intersection of the Land Lot line separating Land Lots 124 and 125 with the southeasterly right-of-way of Interstate 85, said point being the True Point of Beginning; thence continuing in a northeasterly direction along said right-of-way an arc distance of 1091.2 feet to a point (said arc having a chord bearing of N.29°00'E. and chord distance of 1090.8 feet); thence continuing along said right-of-way N.31°48'E., a distance of 1891.7 feet to a point; thence continuing along said right-of-way S.58°14'E., a distance of 99.4 feet to a point; thence continuing along said right-of-way N.31°48'E., a distance of 218.5 feet to a point; thence continuing along said right-of-way N.62°14'W., a distance of 60.00 feet to a point; thence continuing along said right-of-way N.31°42'E., a distance of 225.5 feet to a point; thence continuing along said right-of-way N.58°58'W., a distance of 39.7 feet to a point; thence continuing along said right-of-way an arc distance of 1078.4 feet to a point (said arc having a chord bearing of N.37°24'E. and a chord distance of 1076.7 feet); thence S.61°24'E., a distance of 2253.4 feet to a point on the northwesterly right-of-way of Old Peachtree Road; thence in a southwesterly direction along the northwesterly right-of-way of Old Peachtree Road and following the curvature thereof a distance of 881.6 feet to a point; thence S.66°45'W., a distance of 153.4 feet to a point; thence S.41°44'W., a distance of 250.3 feet to a point, thence S.30°28'E., a distance of 186.4 feet to a point on the northwesterly right-of-way of Old Peachtree Road; thence in a southwesterly direction along the northwesterly right-of-way of Old Peachtree Road and following the curvature thereof a distance of 3694.4 feet to a point; thence N.56°33'W., a distance of 952.4 feet to a point; thence S.33°13'W., a distance of 127.4 feet to a point; thence N.26°48'W., a distance of 1294.0 feet to a point; thence S.89°06'W., a distance of 719.5 feet to the True Point of Beginning.

*Correct legal  
R2-207-85*

**Exhibit G: Maps**

**[attached]**



NORTHBROOK PKWY

NORTHLAKE DR

PEACHTREE RIDGE DR


RHINE WAY

FALCONCREST DR

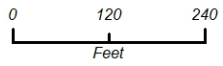
OLD PEACHTREE RD

BIRKHAL WAY

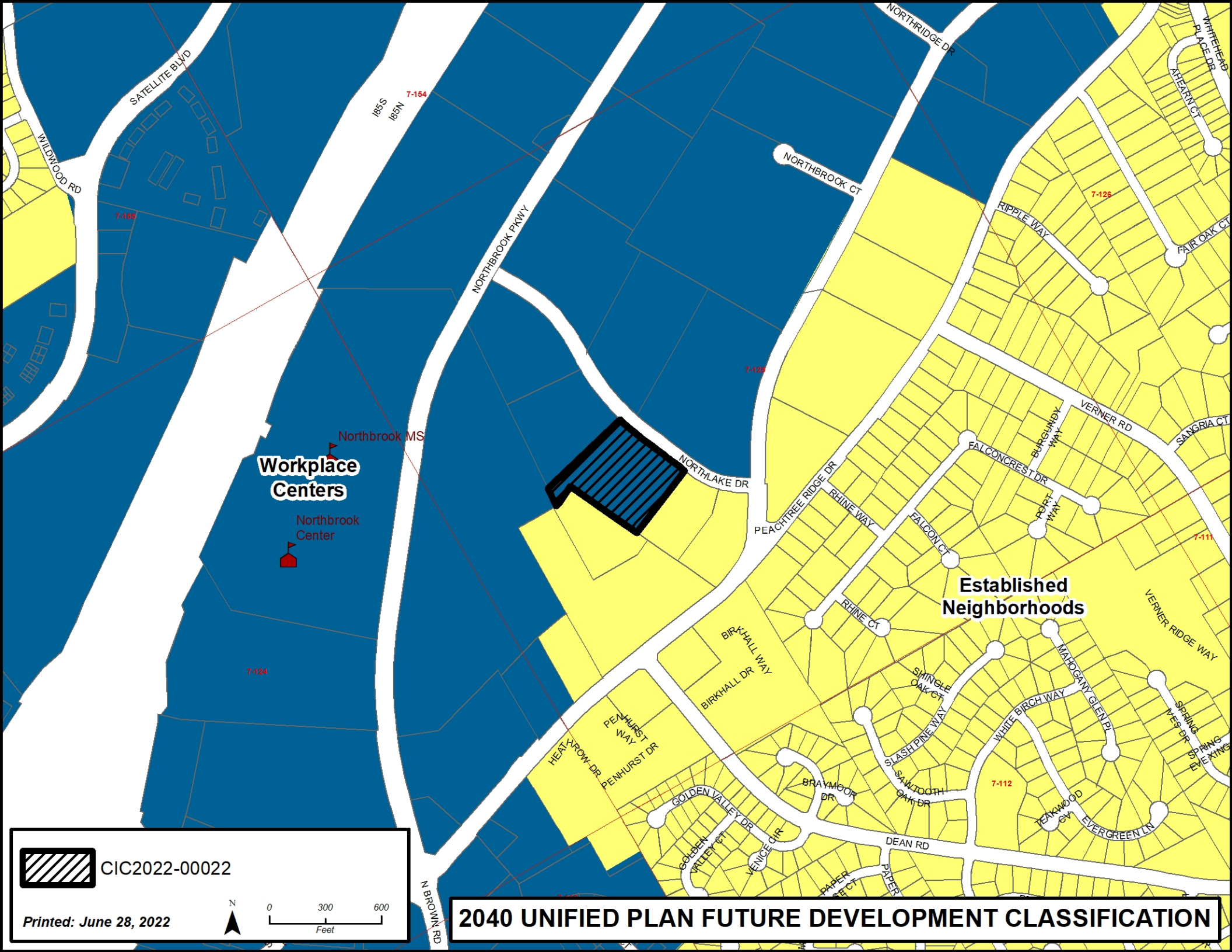
DEAN RD

 CIC2022-00022

Printed: June 22, 2022






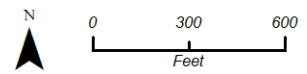


**Workplace Centers**

**Established Neighborhoods**

 CIC2022-00022

Printed: June 28, 2022



**2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION**

**RECEIVED**

6.2.2022

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: Leon Prime Management, LLC c/o Andersen, Tate & Carr, P.C.	NAME: Maxey Group IV LLC
ADDRESS: 1960 Satellite Blvd. Suite 4000	ADDRESS: 1230 Peachtree Street, S-800
CITY: Duluth	CITY: Atlanta
STATE: GA ZIP: 30097	STATE: GA ZIP: 30309
PHONE: 770-822-0900	PHONE: 404-561-9895
EMAIL: mglouton@atclawfirm.com	EMAIL: mike.spears@colliers.com
CONTACT PERSON: Melody A. Glouton 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 DISTRICTS(S): M-1	PRIOR ZONING CASE: R7-207-85
PARCEL NUMBER(S): R7125 129	ACREAGE: 4.90
ADDRESS OF PROPERTY: 2560 Northlake Drive, Suwanee, GA 30024	
PROPOSED CHANGE IN CONDITIONS: increase max. building height and change exterior materials	
RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: _____	NO. OF BUILDINGS/LOTS: 1
DWELLING UNIT SIZE (Sq. Ft.): _____	TOTAL GROSS SQUARE FEET: 41,848
GROSS DENSITY: _____	DENSITY: 8,540 S.F./Acre
NET DENSITY: _____	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

**GWINNETT COUNTY**  
PLANNING AND DEVELOPMENT  
RECEIVED  
6/14/2022

# ANDERSEN | TATE | CARR

June 14, 2022

**REVISED**  
**LETTER OF INTENT AND JUSTIFICATION FOR CHANGE IN CONDITIONS**

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

**Applicant:**  
Leon Prime Management, LLC

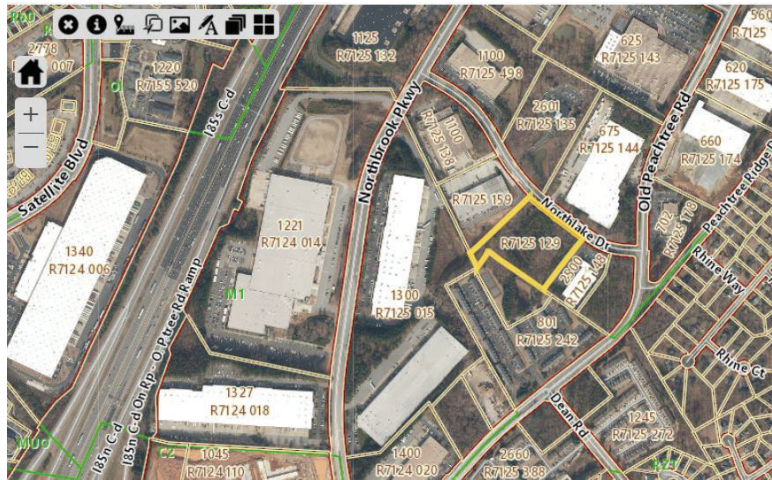
**Property:**  
Tax Parcel ID R7125 129  
Zoning District M-1  
± 4.90 Acres of Land  
Located at Northlake Drive  
Suwanee, Georgia 30024

**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)

## I. INTRODUCTION

This Application for Change in Conditions is submitted for a 4.90-acre parcel of land located in Land Lot 125 of the 7<sup>th</sup> District of Gwinnett County, Suwanee, Georgia, and further identified as Tax Parcel R7125 129 at Northlake Drive (hereinafter the “Property”). The Property is currently zoned M-1 pursuant to RZ-207-85.

The Property is shown on the survey prepared by Watts & Browning Engineers, Inc., dated November 8, 2021, and filed with this Application. The Property that is the subject of this Change in Conditions application is owned by Maxey Group IV, LLC and further identified below from the Gwinnett County GIS:



The Applicant, Leon Prime Management, LLC (the “Applicant”) now seeks approval to remove condition #5 and revise condition #6 of RZ-207-85 to allow for the construction of a two story building for purposes of developing an approximately 41,848 square foot cold storage warehouse facility. The Applicant is a merchant wholesale distributor of meat and seafood products with headquarters based in Chicago, Illinois. The new facility will only be used for storage of product and no processing of food will take place on the premises. The proposed facility is anticipated to be approximately 55 feet in height. As such, this application includes a corresponding variance request to increase the height of the proposed building. Specifically, the Applicant seeks to eliminate condition #5 regarding the 75-foot buffer and the requirement under Condition #6 regarding the “all brick construction.”

Accordingly, the Applicant is requesting to amend the Conditions of Approval of RZ-207-85 (attached as Exhibit A) as follows:

### Condition #5:

5. ~~A 75 foot wide strip of the natural treeline, replanted where sparse, is to be left as a buffer adjacent to the existing right of way. In addition the first 25 feet of the buffer is to be~~

~~enhanced where necessary and where enhancement is required there shall contain a minimum of three (3) staggered rows of understory evergreen plantings to adequately screen the development from view from the level to a first floor window across the right-of-way. The minimum height of enhancement at the time of construction on the lots shall be 5 feet and 15 feet minimum height at maturity.~~

The Applicant is requesting to remove the requirement for the 75 foot buffer adjacent to the right-of-way. The site plan does comply with the current front, side and rear setback requirements set forth under the M-1 zoning classification. As shown on the site plan filed with the application, and in consideration of the size, layout, and location of the Subject Property, the 75' buffer requirement would significantly impair the ability of the property to be developed. Therefore, strict adherence to the language of the UDO would effectively prohibit the Applicant from developing the Subject Property with a proposed use that is permitted under the M-1 zoning classification of the UDO. Due to the size, existing layout, and location of the Subject Property, strict adherence to Condition #5 would impose an unnecessary hardship on the property and its ability to be developed based on the 75 foot buffer requirement.

Condition #6:

6. ~~The buildings in this area shall be all brick construction with a maximum height of 25 feet and limited to one story.~~ These buildings shall be set-back a minimum of 100 feet from the existing right-of-way.

Variance Request:

As shown on the enclosed site plan, the Applicant is also seeking the waiver of the following:

- (a) Pursuant to UDO 230-20.9, an increase in height of ten (10) feet or less for an structure other than a sign or fence may be requested under the provisions of Section 270-130 as an Administrative Variance, however no increase may be granted in the number of stories which would otherwise be permitted under the applicable zoning district. As shown on the site plan filed with this application, the 10 foot increase would not allow the building to be developed as a cold storage facility. It is compatible with the surrounding industrial uses in the area and is the minimum necessary to afford the Applicant relief so that the Subject Property may be developed with an economically viable use as permitted under the M-1 zoning classification.

The Applicant submits that granting relief of the above-referenced variance would not cause substantial detriment to the public good. Rather, by granting relief, the Property would be developed as a permitted use under the M-1 zoning classification, and complement surrounding land uses.

**GWINNETT COUNTY**  
 PLANNING AND DEVELOPMENT  
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 6/14/2022

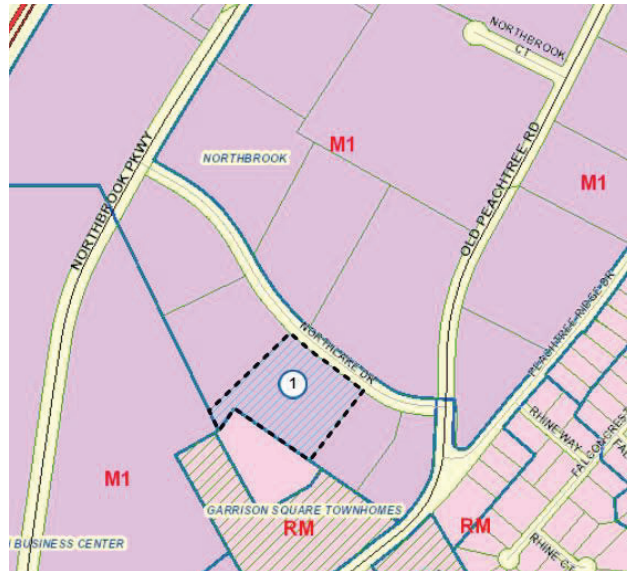
This document is submitted as the Letter of Intent, Response to Standards Governing the Exercise of Zoning Power, and other materials required by the Gwinnett County UDO.

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

The Property is a 4.90 acre parcel, zoned M-1 (Light Industry District). The property is located along Northlake Drive, near the intersection of Old Peachtree Road. The parcel is heavily wooded and undeveloped. The Applicant requests approval of a Change in Conditions to a prior rezoning to allow the construction of cold storage facility.

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 development of the cold storage facility 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.

As referenced above, the surrounding properties in this corridor are zoned industrial. Below is a summary of the surrounding uses and zoning:



Location	Land Use	Zoning
Property	Cold Storage Facility	M-1
North	Siemens Energy/Georgia PCOM Marketing	M-1
East	Roehm Products of America	M-1
South	Garrison Square Townhomes/Empire Today	RM/M-1
West	Prorey Corp./JTC Tools USA/Land 'N Sea Distributing	M-1

**III. PROJECT SUMMARY AND REQUESTED CHANGE**

As shown on the zoning site plan prepared by Travis Pruitt & Associates, Inc. dated May 2, 2022, and filed with this Application (hereinafter the “Site Plan”), the Applicant proposes to develop a cold storage facility to establish another location for the operation of their meat wholesale business. The UDO currently provides that the maximum height for buildings within the M-1 zoning classification shall be 45 feet. A copy of Table 230.3 is set forth below:

Table 230.3: Dimensional Standards for Non-Residential, HRR, and Mixed-Use Districts

Zoning District	Min. Lot Size	Max. Net Density/ FAR	Max Height	Min. Lot Width	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Min. % Common Area
O-R	15,000 sq. ft.	None	35 ft.	100 ft.	25 ft.	7.5 ft.	25 ft.	NA
O-I	None	None	35 ft.	50 ft.	15 ft.	10 ft.	25 ft.	NA
C-1	None	None	35 ft.	None	15 ft.	10 ft.	30 ft.	NA
C-2	None	None	45 ft.	None	15 ft.	10 ft.	30 ft.	NA
C-3	None	None	45 ft.	None	15 ft.	10 ft.	30 ft.	NA
HRR	None	Varies	Min 5 stories	75 ft.	15 ft.	0 ft. <sup>a</sup> /10 ft.	25 ft.	20%
MU-N, MU-C, MU-R	None	Varies per Sec. 210-190 through 210-225						15%
M-1/ M-2	1 acre	None	45 ft.	150 ft.	50 ft.	25 ft.	50 ft.	NA

<sup>a</sup>Applies to attached units in a single building.

As such, the Applicant is requesting to remove the height restriction from the current condition which limits the building to a maximum height of 25 feet. The Applicant is also requesting to remove the requirement that the building be constructed of *all* brick. A proposed architectural rendering of the facility, including exterior elevation materials, is filed with this Application.

**IV. SITE IMPACT ANALYSIS**

Pursuant to UDO § 270-20.6, entitled “Impact Analysis,” the Applicant submits its written impact analysis which shows that a change in conditions for the subject property is warranted, satisfies UDO § 270-20.5, entitled “Standards Governing Exercise of the Zoning Power,” as follows:

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

Yes, approval of the proposed Change in Conditions will permit a use that is suitable in view of the use and development of adjacent and nearby property. The Property is located along Northlake Drive near the intersection of Old Peachtree Road. The Property is adjacent to intense, large-scale commercial and industrial developments.

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

No, the proposed Change in Conditions Application will not adversely affect the existing use or usability of any of the nearby properties. The proposed change in conditions would allow for a development that is compatible with existing intense commercial and industrial uses on adjacent and nearby properties.

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

The Applicant's proposal would allow for the Property to be developed for a use that is consistent with surrounding properties and those along Northlake Drive and Northbrook Parkway. Further, maintaining the restriction on the Property that the Applicant is seeking to delete would place an undue burden on the Property by putting it at an economic disadvantage to other properties within the same area.

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

No, the proposed change in conditions application will not result in an excessive or burdensome use of the infrastructure systems. The Property has convenient access to Old Peachtree Road and Interstate 85. The proposed development would be compatible with the existing industrial and commercial uses in the area.

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

The proposed change in conditions application is in conformity with the policy and intent of the Gwinnett County 2040 Unified Plan. The Property is located within the Workplace Centers Character Area of the 2040 Future Development Map, which is predominantly for employment oriented uses and includes office parks, industrial parks, and locations for freight oriented and logistic uses.

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

The Applicant submits that the character of the surrounding developments and the existing mix of the same or similar intense industrial and commercial uses in the area provide supporting reasons for approval of the change in conditions request. The Applicant submits that the Property's location, size, and dimensions, as well as its location and close

proximity to I-85, provide further support for approval of the proposed change in conditions application.

## V. JUSTIFICATION FOR REZONING

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

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

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

Finally, the Applicant respectfully submits that the Gwinnett County Board of Commissioners cannot lawfully impose more restrictive standards upon the development of the Property than presently exist, as to do so not only would constitute a taking of the Property as set forth above, but also would amount to an unlawful delegation of their authority, in response to

**GWINNETT COUNTY**

PLANNING AND DEVELOPMENT

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neighborhood opposition, in violation of Article IX, Section IV, Paragraph II of the Georgia Constitution.

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

## **VI. CONCLUSION**

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

Respectfully submitted this 14<sup>th</sup> day of June, 2022.

**ANDERSEN, TATE & CARR, P.C.**

*Melody A. Glouton*

Melody A. Glouton, Esq.

Enclosures  
MAG/dwb

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6.2.2022

## Survey Description of Property

All of that tract or parcel of land lying and being in land lot 125 of the 7<sup>th</sup> district, of Gwinnett County, Georgia and being more particularly described as follows:

**To reach the point of beginning** commence at the southerly most point on a radial right of way intersection formed by the westerly right of way of Old Peachtree Road (variable right of way) and the southwesterly right of way of Northlake Drive (80' right of way) and proceed thence along the southwesterly right of way of Northlake Drive (80' right of way) the following courses and distances;

1. 18.85 feet along the arc of a curve to the left, said curve having a radius of 12.00 feet and being subtended by a chord of north 43°24'56" west, 16.97 feet to a point;
2. North 88°24'56" west for a distance of 53.00 feet to a point;
3. 256.82 feet along the arc of a curve to the right, said curve having a radius of 424.96 feet and being subtended by a chord of north 71°06'06" west, 252.93 feet to a point;
4. North 53°47'19" west for a distance of 50.88 feet to a magnetic nail found and the true **point of beginning**.

From the **point of beginning** thus established, thence departing the southwesterly right of way of Northlake Drive (80' right of way) proceed south 36°12'41" west for a distance of 420.30 feet to an iron pin found (IPF 1/2" rebar); thence north 56°31'38" west for a distance of 437.79 feet to an iron pin found (IPF 1/2" rebar); thence south 33°12'38" west for a distance of 127.40 feet to an iron pin found (IPF 1/2" rebar); thence north 26°47'40" west for a distance of 107.78 feet to an iron pin found (IPF 1/2" rebar); thence north 46°23'49" east for a distance of 537.14 feet to an iron pin found (IPF 1/2" RB) on the an iron pin found right of way of Northlake Drive (80' right of way) thence along the an iron pin found right of way of Northlake Drive (80' right of way) the following courses and distances;

1. 156.68 feet along the arc of a curve to the left, said curve having a radius of 1339.71 feet and being subtended by a chord of south 50°26'15" east, 156.59 feet to a point;
2. South 53°47'19" east for a distance of 275.35 feet to the **point of beginning**.

Said tract or parcel containing 4.90082 acres or 213,480 square feet.

LEGEND

Table with 2 columns: Symbol and Description. Includes symbols for A - ARC, AE - ACCESS EASEMENT, AL - ALIEN EASEMENT, etc.

SYMBOL LEGEND

Table with 2 columns: Symbol and Description. Includes symbols for AC - ACRODONTORNIUS, AD - ADJUSTMENT, etc.



SURVEYORS NOTES:

- 1. THE DISTANCES SHOWN HEREON ARE ELECTRIC GROUND DISTANCES.
2. THIS SURVEY IS PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED IN THE CERTIFICATION HEREON. SAID CERTIFICATION DOES NOT EXTEND TO ANY UNNAMED ENTITIES WITHOUT AN EXPRESSED RECITATION BY THE SURVEYOR NAMING SAID ENTITIES.
3. ABOVE GROUND UTILITY LOCATIONS WERE OBTAINED FROM FIELD OBSERVATIONS. WATTS & BROWNING HAS NOT RESEARCHED UNDERGROUND UTILITY LOCATIONS. INFORMATION SHOWN HEREON REGARDING THE EXISTENCE, SIZE, TYPE AND LOCATION OF UNDERGROUND UTILITIES IS BASED ON MARKINGS IN THE FIELD AND INFORMATION FURNISHED BY OTHERS AND WATTS & BROWNING ENGINEERS IS UNABLE TO CERTIFY TO THE ACCURACY OR COMPLETENESS OF THIS INFORMATION. INDICATED LOCATIONS SHOULD BE CONFIRMED IN THE FIELD WITH UTILITY COMPANIES PRIOR TO PROCEEDING WITH PLANNING, DESIGN OR CONSTRUCTION.
4. ANY DEPICTION OF GROUNDWATER FEATURES (RIVERS, STREAMS, CREEKS, SPRINGS, DITCHES, PONDS, LAKES), NATURAL OR OTHERWISE, SHOWN ON THIS SURVEY ARE MERELY OBSERVATIONS AT THE TIME OF THE SURVEY AND NOT A STATEMENT AS TO THE EXISTENCE OR NON-EXISTENCE OF ANY ENVIRONMENTAL CONDITION. WATTS & BROWNING ENGINEERS, INC. SURVEY PERSONNEL ARE NOT ENVIRONMENTAL PROFESSIONALS. WATTS & BROWNING ENGINEERS, INC. OFFERS NO CERTIFICATION AS TO THE EXISTENCE OR NON-EXISTENCE OF ANY GROUNDWATER FEATURE OR ENVIRONMENTALLY SENSITIVE AREAS ON OR NEAR THE SUBJECT PROPERTY AS MAY BE DEFINED BY FEDERAL, STATE OR LOCAL GOVERNMENTAL REGULATIONS. PRIOR TO PLANNING OR CONSTRUCTION, AN ENVIRONMENTAL PROFESSIONAL SHOULD BE CONSULTED TO DETERMINE HOW THE SUBJECT PROPERTY MAY, OR MAY NOT, BE AFFECTED BY ENVIRONMENTAL ISSUES.
5. BEARING BASIS: MAGNETIC NORTH WAS ESTABLISHED BY ORIENTING THE PARCEL LINES OF THE SUBJECT PARCEL TO THE PARCEL LINES SHOWN ON THE PLAT OF RECORD (REFERENCE ITEM 4).
6. AT THE TIME OF THIS SURVEY, THERE WAS NO OBSERVABLE EVIDENCE OF HUMAN BURIALS OR CEPTERIES.
7. ALL FIELD MEASUREMENTS MATCHED RECORD DIMENSIONS WITHIN THE PRECISION REQUIREMENTS OF ALTANSPS SPECIFICATIONS UNLESS OTHERWISE SHOWN.
8. THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180.7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 14-6-07.
9. THE DEEDS OF ADJOINING PROPERTIES HAVE NOT BEEN FURNISHED TO THE SURVEYOR FOR REVIEW AS REQUIRED IN SECTION 4 OF THE 2021 ALPANSIS MINIMUM STANDARD DETAIL REQUIREMENTS, EFFECTIVE FEBRUARY 23, 2021.
10. PERTAINING TO TABLE A, ITEM 6, THE ZONING CLASSIFICATION AND BULK RESTRICTIONS HAVE NOT BEEN FURNISHED TO THE SURVEYOR FOR REVIEW AS REQUIRED IN SECTION 4 AND TABLE A, ITEMS 6(A) AND 6(B) OF THE 2021 ALTANSPS MINIMUM STANDARD DETAIL REQUIREMENTS, EFFECTIVE FEBRUARY 23, 2021.
11. PERTAINING TO TABLE A, ITEM 10, CERTAIN DIVISION OR PARTY WALLS AS DESIGNATED BY THE CLIENT, THERE IS NO DIVISION OR PARTY WALLS WITH RESPECT TO ADJOINING PROPERTIES LOCATED ON SUBJECT PROPERTY.
12. PERTAINING TO TABLE A, ITEM 11, OBSERVED EVIDENCE OF UTILITIES COLLECTED PURSUANT TO SECTION 8.5.IV HAS BEEN INCLUDED IN CONJUNCTION WITH PLANS AND/OR REPORTS PROVIDED BY THE CLIENT (WITH SOURCES OF INFORMATION).
13. PERTAINING TO TABLE A, ITEM 16, AT THE TIME OF THIS SURVEY, THERE WAS NO OBSERVABLE SURFACE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
14. PERTAINING TO TABLE A, ITEM 18, NO INFORMATION REGARDING OFFSITE APPURTANANCE EASEMENTS HAS BEEN FURNISHED TO THE SURVEYOR FOR REVIEW.
15. THE PROPERTY HAS DIRECT PHYSICAL ACCESS TO NORTHLAKE DRIVE, A PUBLICLY DESIGNATED ROAD RIGHT OF WAY.

SURVEY DESCRIPTION OF PROPERTY

ALL OF THAT TRACT OR PARCEL OF LAND LYING AND BEING LAND LOT 125 OF THE 7TH DISTRICT OF WINNETT COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
TO REACH THE POINT OF BEGINNING COMMENCE AT THE SOUTHEASTERLY MOST POINT ON A RADIAL RIGHT OF WAY INTERSECTION FORMED BY THE WESTERLY RIGHT OF WAY OF OLD PEACHTREE ROAD (VARIABLE RIGHT OF WAY) AND THE SOUTHWESTERLY RIGHT OF WAY OF NORTHLAKE DRIVE (80' RIGHT OF WAY) AND PROCEED THENCE ALONG THE SOUTHWESTERLY RIGHT OF WAY OF NORTHLAKE DRIVE (80' RIGHT OF WAY) THE FOLLOWING COURSES AND DISTANCES:
1. 18.89 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 12.00 FEET AND BEING SUBTENDED BY A CHORD OF NORTH 47°30'00" WEST, 16.87 FEET TO A POINT;
2. NORTH 28°20'00" WEST FOR A DISTANCE OF 53.00 FEET TO A POINT;
3. 25.82 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 42.00 FEET AND BEING SUBTENDED BY A CHORD OF NORTH 17°00'00" WEST, 25.33 FEET TO A POINT;
4. NORTH 23°18'00" WEST FOR A DISTANCE OF 50.88 FEET TO A MAGNETIC NAIL FOUND AND THE TRUE POINT OF BEGINNING.
FROM THE POINT OF BEGINNING THENCE ESTABLISHED, THENCE DEPARTING THE SOUTHWESTERLY RIGHT OF WAY OF NORTHLAKE DRIVE (80' RIGHT OF WAY) PROCEED SOUTH 30°12'21" WEST FOR A DISTANCE OF 420.30 FEET TO AN IRON PIN FOUND (IP 12" REBAR), THENCE NORTH 83°32'00" WEST FOR A DISTANCE OF 427.79 FEET TO AN IRON PIN FOUND (IP 12" REBAR), THENCE SOUTH 30°12'21" WEST FOR A DISTANCE OF 127.40 FEET TO AN IRON PIN FOUND (IP 12" REBAR), THENCE NORTH 84°40'00" WEST FOR A DISTANCE OF 107.78 FEET TO AN IRON PIN FOUND (IP 12" REBAR), THENCE NORTH 40°27'00" EAST FOR A DISTANCE OF 224.74 FEET TO AN IRON PIN FOUND (IP 12" REBAR), THENCE ALONG THE AN IRON PIN FOUND RIGHT OF WAY OF NORTHLAKE DRIVE (80' RIGHT OF WAY) THE FOLLOWING COURSES AND DISTANCES:
1. 15.86 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 120.17 FEET AND BEING SUBTENDED BY A CHORD OF SOUTH 92°19'54"00" WEST, 15.89 FEET TO A POINT;
2. SOUTH 53°14'00" EAST FOR A DISTANCE OF 275.35 FEET TO THE POINT OF BEGINNING.
SAID TRACT OR PARCEL CONTAINING 4.90022 ACRES OR 213.400 SQUARE FEET.

RECORD LEGAL DESCRIPTION BY LIMITED WARRANTY DEED DEED BOOK 49191, PAGE 44

PARCEL ONE:
LOT 1 BLOCK E, PHASE TWO OF NORTHBROOK, AS PER THE FINAL PLAT THEREOF RECORDED IN PLAT BOOK 63, PAGE 154, WINNETT COUNTY, GEORGIA RECORDS

WATTS & BROWNING ENGINEERS, INC. HAS EXAMINED THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) FLOOD INSURANCE RATE MAP (FIRM) AND BY CHRONICALLY PLOTTING THE LOCATION OF THE SUBJECT PROPERTY ONTO WINNETT COUNTY FIRM MAP NUMBER 13135C0079 DATED 09/29/2006 THE REFERENCED PROPERTY IS LOCATED IN THE ZONE LISTED BELOW:
ZONE X (UNSHADED) AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
THE FLOOD LINE, IF SHOWN, IS APPROXIMATE AND THE ACTUAL LIMITS OF FLOOD LINE BASED ON PUBLISHED ELEVATIONS MAY EXTEND BEYOND THOSE SHOWN HEREON.

REFERENCE MATERIAL

- 1. TITLE COMMITMENT: FIDELITY NATIONAL TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE COMMITMENT NO. 2-4092, DATED SEPTEMBER 23, 2021.
2. ZONING: NO CURRENT ZONING REPORT OR ZONING VERIFICATION LETTER HAS BEEN FURNISHED TO THE UNDERGROUND SURVEYOR FOR REVIEW AT THIS TIME.
3. DEED, LIMITED WARRANTY DEED DATED OCTOBER 24, 2005, BETWEEN WEEKS DEVELOPMENT PARTNERSHIP TO MARY GROUP IV, L.L.C. FILED FOR RECORD NOVEMBER 1, 2005 IN DEED BOOK 49101, PAGE 42 OF WINNETT COUNTY RECORDS, GEORGIA.
4. PLAT: FINAL PLAT FOR PHASE TWO, NORTHBROOK, LOCATED IN LAND LOTS 125 AND 124, 7TH DISTRICT, WINNETT COUNTY, GEORGIA, PREPARED BY DEVELOPMENT CONSULTANTS GROUP, DATED NOVEMBER 19, 1986, FILED FOR RECORD, AUGUST 4, 1994, IN PLAT BOOK 63, PAGE 154 OF WINNETT COUNTY RECORDS, GEORGIA.
5. PLAT: FINAL PLAT FOR PEACHTREE NORTH BUSINESS CENTER, LOCATED IN LAND LOTS 124 AND 125, 7TH DISTRICT, WINNETT COUNTY, GEORGIA, PREPARED BY PINCH AND MAGUIRE/LAND SURVEYORS, INC. DATED NOVEMBER 7, 1994.
6. PLAT: SURVEY FOR WINNETT PARTNERS, LLC AND CHICAGO TITLE INSURANCE COMPANY, LOCATED IN LAND LOT 128, 7TH DISTRICT, WINNETT COUNTY, GEORGIA, PREPARED BY TAMBOR ASSOCIATES, INC., DATED JANUARY 5, 2001.

NOTES CORRESPONDING TO ITEMS IN SCHEDULE B, PART B OF REFERENCE MATERIAL NO. 1

- (6) MEADOWBROOK I PARTNERSHIP, LTD. AND DAVID ROAN, DATED MARCH 11, 1986, FILED FOR RECORD MARCH 14, 1986 AT 3:54 P.M., RECORDED IN DEED BOOK 408, PAGE 118, RECORDS OF WINNETT COUNTY, GEORGIA, AS AFFECTED BY THAT CERTAIN ACKNOWLEDGEMENT OF COMPLIANCE WITH DECLARATION OF PROTECTIVE COVENANTS BY ALVIN RAY WEEKS, JR., FOREST W. ROBINSON AND S.J. FLEET, DATED JUNE 16, 1986, FILED FOR RECORD JUNE 17, 1986 AT 1:31 P.M., RECORDED IN DEED BOOK 695, PAGE 119, AFFORSAID RECORDS, AS ASSIGNED BY THAT CERTAIN ASSIGNMENT OF DECLARATION OF PROTECTIVE COVENANTS FOR NORTHBROOK BY AND BETWEEN WEEKS NORTHBROOK MEADOWBROOK I PARTNERSHIP, LTD., A GEORGIA LIMITED PARTNERSHIP AND WEEKS DEVELOPMENT PARTNERSHIP, A GEORGIA GENERAL PARTNERSHIP DATED AUGUST 24, 1994, FILED FOR RECORD SEPTEMBER 1, 1994 AT 3:31 P.M., RECORDED IN DEED BOOK 3943, PAGE 286, AFFORSAID RECORDS AS FURTHER ASSIGNED BY THAT CERTAIN ASSIGNMENT AND ASSUMPTION OF DESIGNATED GRANTORS RIGHT AND BETWEEN WEEKS DEVELOPMENT PARTNERSHIP, A GEORGIA GENERAL PARTNERSHIP AND FRITCAL INDUSTRIAL 3 ACQUISITION, LLC, A DELAWARE LIMITED LIABILITY COMPANY, DATED SEPTEMBER 29, 2005, FILED FOR RECORD OCTOBER 12, 2005 AT 10:58 A.M., RECORDED IN DEED BOOK 4848, PAGE 186, AFFORSAID RECORDS.
THIS ITEM APPEARS TO AFFECT THE SUBJECT PROPERTY, HOWEVER, IT IS NOT SHOWN HEREON BECAUSE IT IS BLANKET IN NATURE AND CANNOT BE PLOTTED.
(10) SANITARY SEWER EASEMENT BY AND BETWEEN WEEKS DEVELOPMENT PARTNERSHIP, A GEORGIA GENERAL PARTNERSHIP AND OLD PEACHTREE INDUSTRIAL RESIDENTIAL, LLC, A GEORGIA LIMITED LIABILITY COMPANY, DATED MARCH 20, 2002, FILED FOR RECORD APRIL 5, 2002 AT 3:21 P.M., RECORDED IN DEED BOOK 2669, PAGE 26, AFFORSAID RECORDS.
THIS ITEM APPEARS TO AFFECT THE SUBJECT PROPERTY. THIS ITEM APPEARS TO ESTABLISH A SANITARY SEWER EASEMENT AND IS SHOWN HEREON.
(11) WATER METERING DEED EASEMENT FROM MARY GROUP IV, L.L.C. TO WINNETT COUNTY WATER AND SEWERAGE AUTHORITY, A POLITICAL SUBDIVISION OF THE STATE OF GEORGIA, DATED APRIL 28, 2007, FILED FOR RECORD MAY 3, 2007 AT 2:00 P.M., RECORDED IN DEED BOOK 4763, PAGE 376, AFFORSAID RECORDS.
THIS ITEM APPEARS TO AFFECT THE SUBJECT PROPERTY, HOWEVER, IT IS NOT SHOWN HEREON BECAUSE IT IS BLANKET IN NATURE AND CANNOT BE PLOTTED.

ALTANSPS LAND TITLE SURVEY FOR
LEON PRIME MANAGEMENT, LLC, AND
FIDELITY NATIONAL TITLE INSURANCE COMPANY
LOCATED IN
LAND LOT 125
7TH DISTRICT
WINNETT COUNTY, GEORGIA



REVISIONS table with columns: NO., DATE, BY, DESCRIPTION.

SURVEYORS CERTIFICATION

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LEGAL REQUIREMENTS OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERGROUND LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 14-6-07.

Brock J. Buchholz
BROCK J. BUCHHOLZ, GEORGIA REGISTERED LAND SURVEYOR NUMBER 11080201
GEORGIA REGISTERED LAND SURVEYOR NUMBER 11080201

TO: LEON PRIME MANAGEMENT, LLC, AND FIDELITY NATIONAL TITLE INSURANCE COMPANY.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTANSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY THE BOARD OF DIRECTORS, NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS, ON OCTOBER 30, 2020.

THE FIELD WORK WAS COMPLETED ON 11/09/2021
DATE OF PLAT MAP: 10/06/2021

Brock J. Buchholz
BROCK J. BUCHHOLZ, GEORGIA REGISTERED LAND SURVEYOR NO. 11080201

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE OF ONE FOOT IN 50,000 FEET (ONE PART IN 50,000) FOR AN ANGULAR POINT AND TWO LEAST SQUARES ADJUSTED.

A LEICA TSO6+ TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.



WATTS & BROWNING ENGINEERS, INC.
1349 OLD 41 HWY. N.E. STE. 225
MARIETTA, GEORGIA 30060
PHONE: (770) 824-8878
WWW.WBENG.COM
LSF000429 - PEF000714

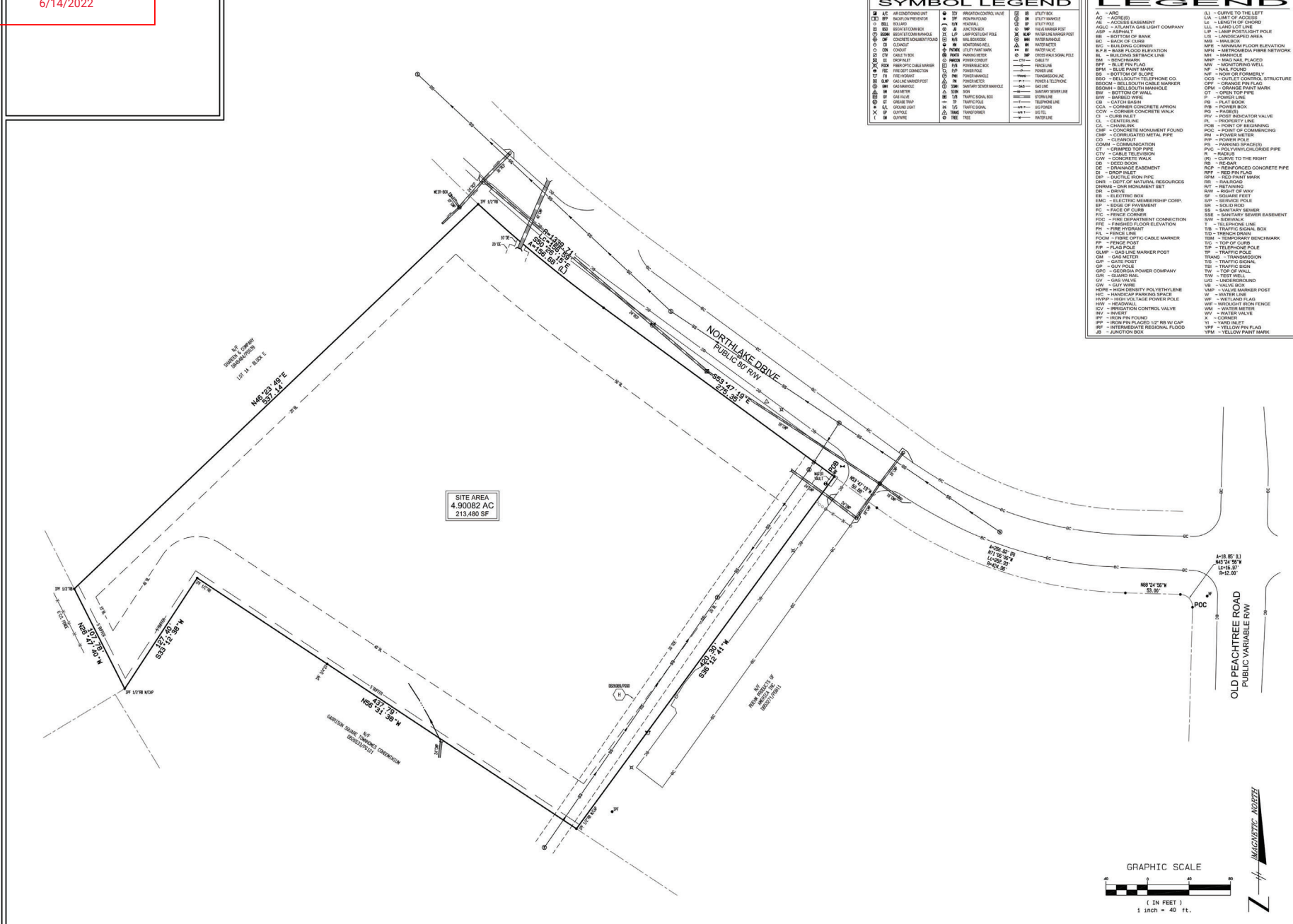
Table with columns: SCALE, DATE SURVEYED, DATE UPDATED, DATE DRAFTED, DRAIN BY, CHECKED BY, DRAIN NO., FOLDER NUMBER, DISC FILE NO., COUNT/FILE NO., PLAT FILE, SHEET.

SYMBOL LEGEND

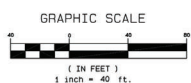
Table with 3 columns of symbols and their corresponding descriptions for utility and site markers.

LEGEND

Table with 2 columns of symbols and their corresponding descriptions for various engineering and surveying features.



SITE AREA 4.90082 AC 213,480 SF



ALTANSPS LAND TITLE SURVEY FOR LEON PRIME MANAGEMENT, LLC, AND FIDELITY NATIONAL TITLE INSURANCE COMPANY LOCATED IN LAND LOT 125 7TH DISTRICT GWINNETT COUNTY, GEORGIA

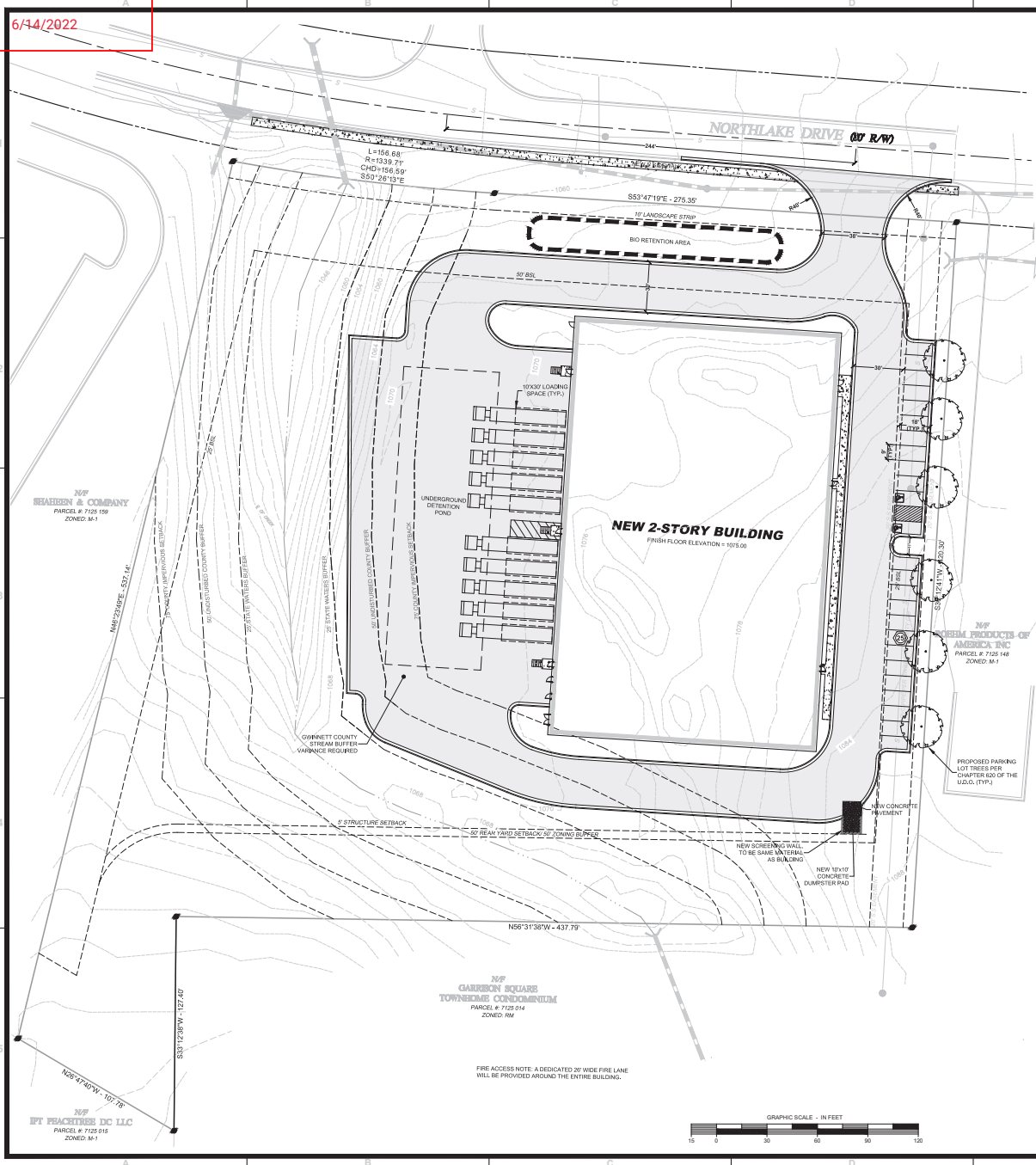


REVISIONS table with columns for NO., DATE, BY, and DESCRIPTION.



WATTS & BROWNING ENGINEERS, INC. CIVIL ENGINEERS & LAND SURVEYORS 1349 OLD 41 HWY NN STE 225 MARIETTA, GEORGIA 30060

Project details table including SCALE, DATE SURVEYED, DATE DRAFTED, and other technical specifications.



**ORIGINAL ZONING CONDITIONS**

WINNETT COUNTY BOARD OF COMMISSIONERS  
 PLANNING AND ZONING DEPARTMENT TO AMEND THE OFFICIAL ZONING MAP BOOK 3  
 RESOLUTION NO. 2022-05  
 6/07/22

WHEREAS, the Municipal-Ordinist County Planning Commission has filed a final recommendation to the Ordinate County Board of Commissioners upon an Application to Amend the Official Zoning Map from M-1 to M-1.1 by A. P. Webb & Associates, 4897 Park Drive, Marietta, GA, 30067 for the proposed use of Office/Showroom/Distribution Park on a tract of land described by the attached legal description, and WHEREAS, notice to the public regarding said amendment to the Official Zoning Map has been published as required by law, the Official News Service of DeKalb County, and WHEREAS, a Public Hearing was held in the Commission Meeting Room by the Ordinate County Board of Commissioners on October 13, 2021 and objections were not filed, and WHEREAS, BE IT RESOLVED that the Ordinate County Board of Commissioners do hereby APPROVE/CONSENT the amendment to the Official Zoning Map from M-1 to M-1.1 on the 22 day of October, 2022.

**COMMENTS:**  
 SEE ATTACHMENT FOR LIST OF CONDITIONS.

WINNETT COUNTY BOARD OF COMMISSIONERS  
*Leticia Webb*  
 Leticia Webb, Chairman

- PLANNING AND ZONING DEPARTMENT**
- CONDITIONS FOR APPROVAL OF RZ-207-85**
- No outside storage throughout the development unless adequately screened.
  - No truck terminals, truck repair or maintenance facilities.
  - No billboards, except for billboard advertising development which will be removed when development is completed.
  - No airfields or landing pads unless approved by the Board of Commissioners after receiving recommendations from the Planning Director and Planning Commission and after a public hearing.
  - A 75 foot wide strip of the nearest tree line, unlanded where none, is to be left as a buffer between the building and the existing right-of-way. In addition the first 25 feet there shall contain a minimum of three (3) staggered rows of ornamental evergreen plantings to abutment with the development from the front to the rear. A 10 foot wide strip of construction on the side shall be 5 feet and 15 feet minimum height at maturity.
  - The buildings in this area shall be all single construction with a maximum height of 25 feet and limited to one story. These buildings shall be set back a minimum of 25 feet from the existing right-of-way.
  - No parking or driveway areas shall be between the rear of the building and the existing right-of-way unless approved by the Planning Commission.
  - No lighting shall be directed toward the adjacent right-of-way. All type luminaires shall be on the building and professional LED recessed lighting requirements.
  - No access to existing right-of-way on Old Peachtree Road.
  - All buildings to be of a similar style and architecture found in the developer's Submittal Plan project. Each building site shall be heavily landscaped as in the same reference project and all landscape areas and buffers shall be under the control and responsibility of a single management entity.
  - Existing tree stands are to be preserved wherever possible and be incorporated into the overall landscaping plan for the development. Three stands are to remain on site.
  - The entrance to the development as either end of Old Peachtree Road shall contain a minimum of 1/2 acre of heavy landscaping. Slope at these points shall be limited to 10 feet in height.
  - All lighting shall be cut-off type luminaires.
  - A final subdivision plan shall be submitted to the Planning Commission for approval prior to the opening of any service.



**DEVELOPER**  
**EL REY US MEATS**  
 2151 W 74TH STREET  
 CHICAGO, IL 60638

**24 HOUR EMERGENCY CONTACT**  
 MR. DANIEL LEON  
 708-766-6668  
 E-mail: [leandaniel@elreymeat.com](mailto:leandaniel@elreymeat.com)

**SITE ZONING:** M-1 (RZ-207-85)  
**SITE AREA:** 4.90 ACRES  
**TAX PARCEL ID:** 7125 129

**BUILDING SETBACK LINES:**  
 FRONT YARD: 50 FT.  
 REAR YARD: 50 FT.  
 SIDE YARD: 5 FT.

**BUILDING SUMMARY:**  
 2 STORY  
 BUILDING FOOT PRINT: 41,848 SQ. FT.  
 BUILDING HEIGHT: 56' 0"

**PARKING SUMMARY**

DESCRIPTION	MIN. REQUIRED	MAX. REQUIRED	PROVIDED
REGULAR PARKING	15	76	23
ADA ACCESSIBLE PARKING	1	4	2
TOTAL PARKING SPACES	16	80	25

**LOADING SPACE SUMMARY**

DESCRIPTION	REQUIRED	PROVIDED
TOTAL LOADING SPACES	3	10

\*THREE LOADING SPACES FOR A GROSS FLOOR AREA BETWEEN 40,000-60,000 SQ. FT.

**REVISIONS**

NO.	DATE	DESCRIPTION



**ZONING SITE PLAN**

**2560 NORTHLAKE DRIVE - COLD STORAGE**

2560 NORTHLAKE DRIVE - LAND LOT 25 - 7TH DISTRICT - WINNETT COUNTY, GEORGIA

NOTE ALL CURB RADI ARE 5:11, UNLESS OTHERWISE NOTED.  
 NOTE ALL DIMENSIONS ARE TO FACE OF CURB, FACE OF BUILDING, OR CENTER OF STRUCTURE, UNLESS OTHERWISE NOTED.

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 Travis Pruitt & Associates, Inc.

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DATE: 05/02/2022  
 SCALE: 1" = 30'  
 C#: 201156P  
 J#: 1-22-0119  
 FN: 169-050



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6/14/2022

**GENERAL NOTES - ELEVATIONS**

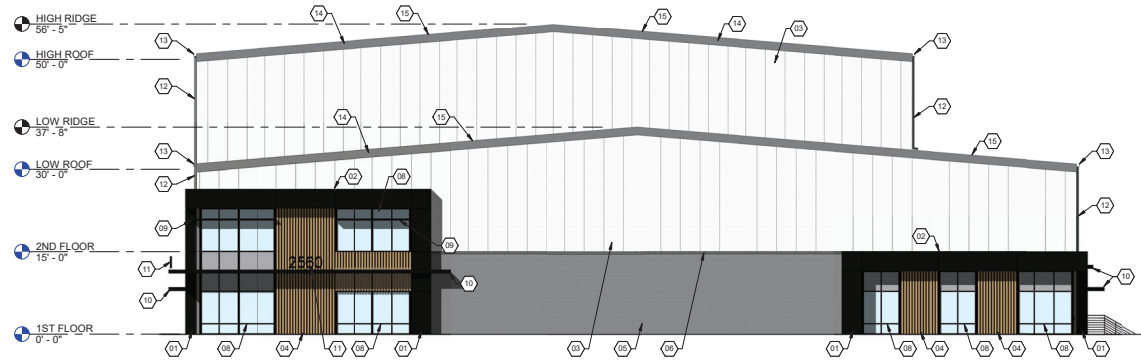
- SEE SHEET A-100 FOR PRELIMINARY RENDERING.
- THESE DRAWINGS ARE PRELIMINARY IN NATURE. MINOR CHANGES COULD OCCUR IN FUTURE DESIGN PHASES. THESE DRAWINGS WILL ACCOMPANY A CHANGE IN CONDITIONS ZONING APPLICATION FOR GWINNETT COUNTY.
- BUILDING FINISH FLOOR ELEVATION 0'-0" CORRESPONDS TO 1075.00 ON THE CIVIL DRAWINGS.
- KEYNOTES INDICATED WITH ○



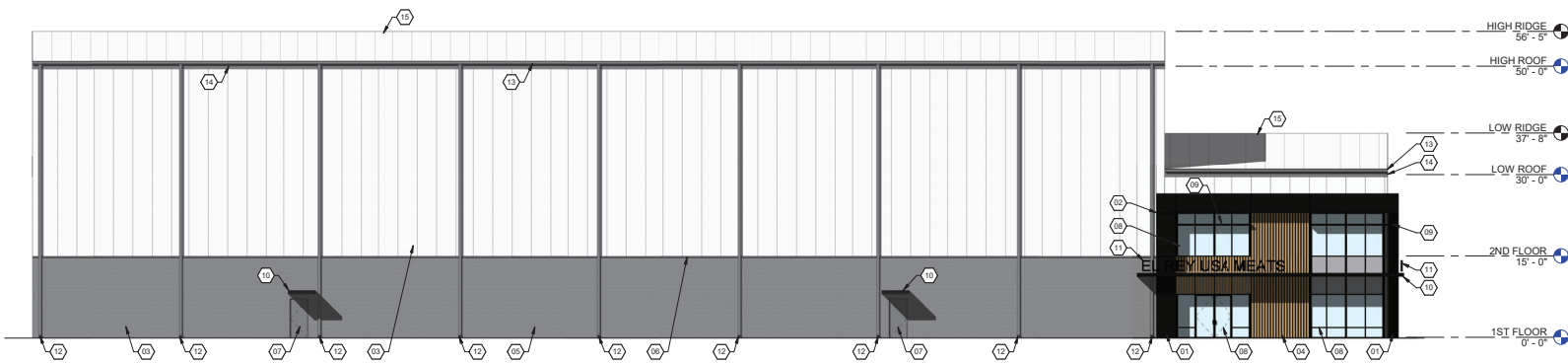
PLACE SERVICES, INC.  
201 GATEWAY DRIVE  
DANTON, GA 30115  
OFFICE: 678-880-4777

**KEYNOTES - A-201 - EXTERIOR ELEVATIONS**

KEY #	KEYNOTE DESCRIPTION
01	COMPOSITE METAL PANEL SYSTEM (COLOR: BLACK)
02	METAL REVEAL, TYP.
03	INSULATED METAL WALL PANEL - TEXTURED SURFACE (COLOR: WHITE)
04	PHENOLIC WALL PANEL (COLOR: WOOD TEXTURED)
05	BRICK VENEER - RUNNING PATTERN (COLOR: GREY)
06	CAST STONE (COLOR: GREY)
07	INSULATED HOLLOW METAL DOOR AND FRAME, TYP. (COLOR: GREY)
08	ALUMINUM STOREFRONT SYSTEM (COLOR: BLACK)
09	ALUMINUM SUN SHADE DEVICE INTEGRAL WITH WINDOW SYSTEM (COLOR: BLACK)
10	PREFINISHED METAL CANOPY (COLOR: BLACK)
11	PAINTED ALUMINUM SIGNAGE (COLOR: BLACK)
12	PREFINISHED METAL DOWNSPOUT (COLOR: GREY)
13	PREFINISHED METAL GUTTER (COLOR: GREY)
14	PREFINISHED METAL FASCIA (COLOR: GREY)
15	STANDING SEAM INSULATED METAL ROOF PANEL (COLOR: WHITE)



**C1** PRELIMINARY NORTH ELEVATION  
SCALE: 3/32" = 1'-0"



**A1** PRELIMINARY EAST ELEVATION  
SCALE: 3/32" = 1'-0"

DRAWING ISSUE	DATE	DESCRIPTION

SEAL:

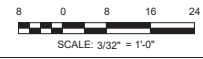
CLIENT:  
MR. DANIEL LEON, SR. & JR.  
EL REY USA MEATS  
2101 W. 14TH STREET,  
CHICAGO, IL 60636  
management@elreysmeats.com  
708-769-9648

PROJECT INFO:  
**COLD STORAGE FACILITY**  
2660 NORTH LAKE DRIVE,  
SUWANEE, GA 30024

JOB # G42980006AE  
DATE: 04/29/2022  
STATUS:  
PRELIMINARY DRAWINGS  
DRAWN BY: ASR  
DESIGNED BY: MRC  
TITLE:

PRELIMINARY EXTERIOR ELEVATIONS

SHEET: **A-201**  
SHEET SIZE: 24" x 36"

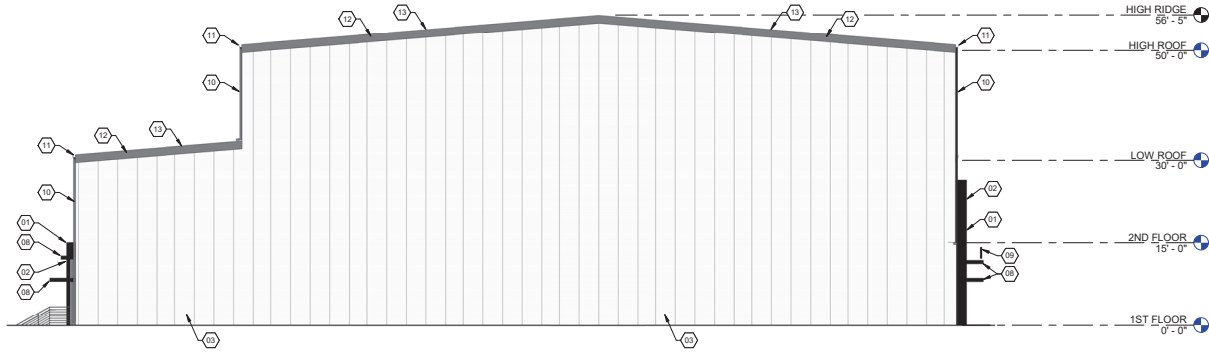


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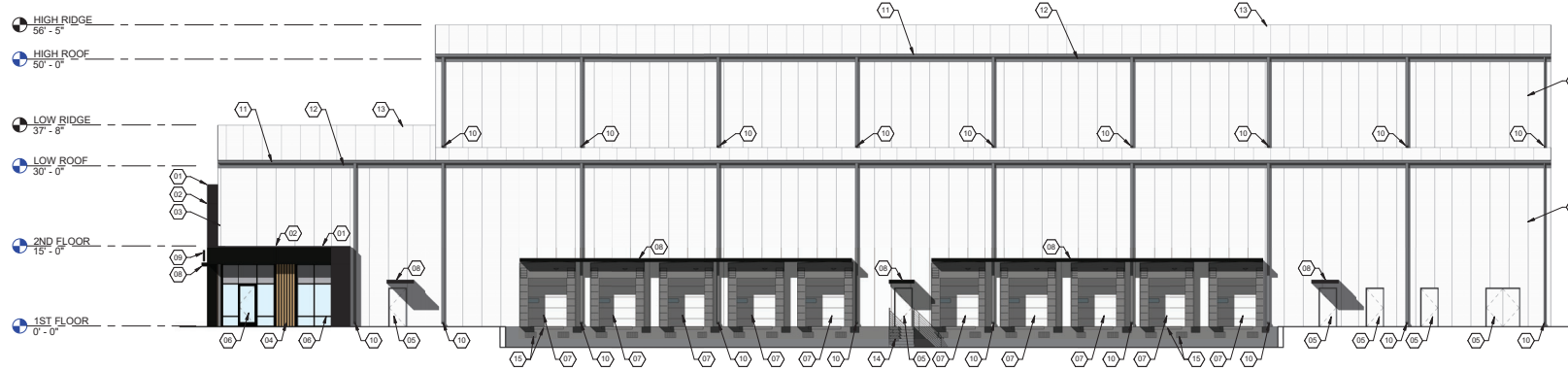
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6/14/2022



**C1** PRELIMINARY SOUTH ELEVATION  
SCALE: 3/32" = 1'-0"



**A1** PRELIMINARY WEST ELEVATION  
SCALE: 3/32" = 1'-0"

**GENERAL NOTES - ELEVATIONS**

- SEE SHEET A-100 FOR PRELIMINARY RENDERING.
- THESE DRAWINGS ARE PRELIMINARY IN NATURE. MINOR CHANGES COULD OCCUR IN FUTURE DESIGN PHASES. THESE DRAWINGS WILL ACCOMPANY A CHANGE IN CONDITIONS ZONING APPLICATION FOR GWINNETT COUNTY.
- BUILDING FINISH FLOOR ELEVATION 0'-0" CORRESPONDS TO 1075.00 ON THE CIVIL DRAWINGS.
- KEYNOTES INDICATED WITH ○

**KEYNOTES - A-202 - EXTERIOR ELEVATIONS**

KEY #	KEYNOTE DESCRIPTION
01	COMPOSITE METAL PANEL SYSTEM (COLOR: BLACK)
02	METAL REVEAL, TYP.
03	INSULATED METAL WALL PANEL - TEXTURED SURFACE (COLOR: WHITE)
04	PHENOLIC WALL PANEL (COLOR: WOOD TEXTURED)
05	INSULATED HOLLOW METAL DOOR AND FRAME, TYP. (COLOR: WHITE)
06	ALUMINUM STOREFRONT SYSTEM (COLOR: BLACK)
07	OVERHEAD SECTIONAL DOOR WITH DOCK DOOR SEAL (DOOR COLOR: WHITE) (SEAL COLOR: GREY)
08	PREFINISHED METAL CANOPY (COLOR: BLACK)
09	PAINTED ALUMINUM SIGNAGE (COLOR: BLACK)
10	PREFINISHED METAL DOWNSPOUT (COLOR: GREY)
11	PREFINISHED METAL GUTTER (COLOR: GREY)
12	PREFINISHED METAL FASCIA (COLOR: GREY)
13	STANDING SEAM INSULATED METAL ROOF PANEL (COLOR: WHITE)
14	CONCRETE STAIR WITH PAINTED STEEL GUARDRAILS AND HANDRAILS (COLOR: GREY)
15	DOCK LEVELER AND BUMPER, TYP.



PLACE SERVICES, INC.  
201 GATEWAY DRIVE  
DANTON, GA 30115  
OFFICE: 678-880-4777

DRAWING ISSUE:	DATE:	DESCRIPTION:

SEAL:

CLIENT:  
MR. DANIEL LEON, SR. & JR.  
EL REY USA MEATS  
2101 W. 14TH STREET,  
CHICAGO, IL 60636  
management@elreymeat.com  
708-769-9648

COLD STORAGE FACILITY  
2660 NORTHLAKE DRIVE,  
SUWANEE, GA 30024

PROJECT INFO:  
JOB # GA25600006A  
DATE: 04/29/2022  
STATUS: PRELIMINARY DRAWINGS  
DRAWN BY: ASR  
DESIGNED BY: MRC  
TITLE:

PRELIMINARY EXTERIOR ELEVATIONS

SHEET: A-202  
SHEET SIZE: 24" x 36"



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6.2.2022

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

**CHANGE IN CONDITIONS APPLICANT'S CERTIFICATION**

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

*Daniel Leon*

Signature of Applicant

5/4/22

Date

Daniel Leon

Type or Print Name and Title

*Christine Brown Leggins*

Signature of Notary Public

5/4/2022

Date



Notary Seal

**RECEIVED**

6.2.2022

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

**CHANGE IN CONDITIONS PROPERTY OWNER'S CERTIFICATION**

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



5/10/2022

Signature of Property Owner

Date

Michael Spears, Managing Partner  
Type or Print Name and Title



5-10-22

Signature of Notary Public

Date



**RECEIVED**

6.2.2022

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

**CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS**

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

Daniel Leon 5/4/22 Daniel Leon Member  
Signature of Applicant                      Date                      Type of Print Name and Title

\_\_\_\_\_  
Signature of Applicant's                      Date                      Type or Print Name and Title  
Attorney or Representative

CL Brown Leggins

5/4/2022



Signature of Notary Public

Date

Notary Seal

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

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

YES     NO

Daniel Leon  
Your Name

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

NAME AND OFFICAL 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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6.2.2022

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

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

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

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

PARCEL I.D. NUMBER:      R7      -      125      -      129  
(Map Reference Number)      District      Land Lot      Parcel

Melody A. Glouton      6/2/22  
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)

TAMIA CHARMON      TSA  
NAME      TITLE  
5.4.2022  
DATE