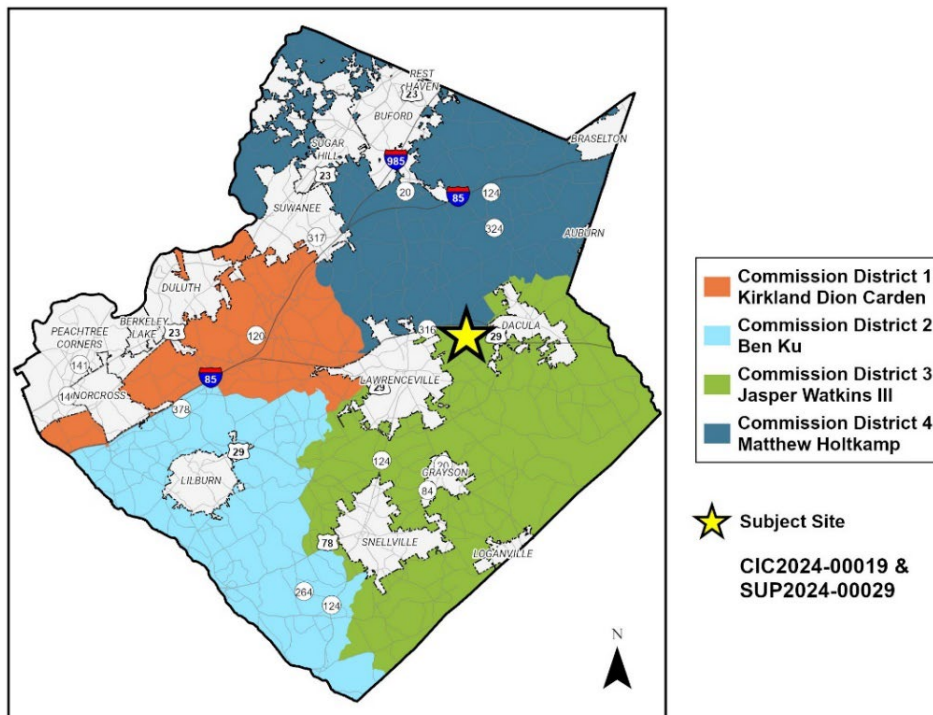


## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

**Case Number:** CIC2024-00019 and SUP2024-00029  
**Current Zoning:** C-2 (General Business District)  
**Request:** Change in Conditions and Special Use Permit  
**Address:** 1200 Winder Highway  
**Map Number:** R5210 316  
**Site Area:** 3.44 acres  
**Square Feet:** 38,000  
**Proposed Development:** Residential Rehab Center (alcohol and/or drug)  
**Commission District:** District 4 – Commissioner Holtkamp  
**Future Development Type:** Workplace Center – Light

**Staff Recommendation:** APPROVAL WITH CONDITIONS

**Planning Commission Recommendation:** APPROVAL WITH CONDITIONS



**Planning Commission Advertised Public Hearing Date: 7/9/2024**  
**Board of Commissioners Advertised Public Hearing Date: 7/23/2024**

**Applicant:** PB Realty–Alana Recovery Centers, LLC  
c/o Dillard Sellers  
1776 Peachtree Street NW, Suite. 415-S  
Atlanta, GA 30309

**Owners:** Gryphon Dacula Properties, LLC  
1200 Winder Hwy  
Dacula, GA 30019

**Contact:** Baxter Russell  
Jeff Haymore

**Contact Phone:** 404.665.1224  
404.665.1243

## Zoning History

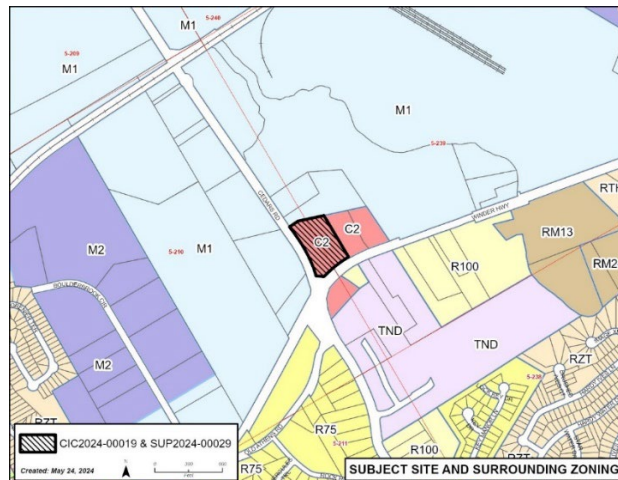
The subject property is zoned C-2 (General Business District). In 2007, the property was rezoned to C-2 from M-1 (Light Industry District) for retail and commercial uses, pursuant to RZC-08-025.

## Existing Site Condition

The subject property is a 3.44-acre parcel located at the northeast corner of Winder Highway and Cedars Road. The site is developed with a one-story, approximately 38,000 square foot brick building and a surface parking lot containing 72 parking spaces. The building was previously used as an assisted living and memory care facility. The property has road frontage along Winder Highway and Cedars Road with sidewalks along both frontages. The site is accessed by a full-access entrance and deceleration lane on Cedars Road. There is an approximate 8-foot-tall privacy fence along portions of the building, enclosing outdoor open space. The site slopes downward approximately 14 feet from Winder Highway to the parking lot and slopes down approximately 30 feet along the property frontage on Cedars Road. The nearest Gwinnett County Transit stop is approximately 3.4 miles from the subject property.

## Surrounding Use and Zoning

The subject property is surrounded by a mix of nonresidential uses. Trucking and freight facilities are located to the north and west of the site. A convenience store with fuel pumps is located to the south, across Winder Highway. Single-family residences on large lots and within subdivisions are located farther south across Winder Highway. A retail store is located to the east of the subject property. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning
Proposed	Residential Rehab Facility	C-2
North	Light Industrial	M-1
East	Commercial	C-2
South	Commercial Single-Family Residential	C-2 R-100
West	Light Industrial	M-1

## Project Summary

The applicant requests a change in conditions to amend condition 1.A. of RZC-08-025 to allow for a residential rehabilitation facility with a special use permit, including:

- Reuse of the existing 38,000 square foot building and surface parking lot to accommodate a rehab center for voluntary mental health and substance abuse disorder treatment, with a maximum of 80 patients.
- A mixture of single and double occupancy rooms with full bathrooms for patients.
- 24-hour care with 40-50 on-site employees including administration and direct care staff.
- No changes to the exterior of the building or site disturbance are being proposed.

## Zoning and Development Standards

The applicant is requesting a change in conditions and special use permit in C-2 District for a residential rehabilitation facility. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Existing	Meets Standard?
Maximum FAR	1.0	0.257	YES
Maximum Lot Coverage	Maximum 80%	56%	YES
Front Yard Setback	Minimum 0'	50'	YES
Side Yard Setback	Minimum 0'	15'	YES
Rear Yard Setback	Minimum 0'	15'	YES
Building Height	Maximum 45'	34'	YES
Parking	Minimum 20 spaces Maximum 40 spaces	72 spaces	NO*
Landscape Strip	Minimum 10'	10'	YES
Fence Height	Maximum 8'	8'	YES

\* A variance was previously approved in 2010 to exceed the maximum number of parking spaces.

## Public Participation

The applicant held a community meeting for the development on May 29, 2024, at the Dacula Park Activity Building - Community Room. No members of the public were in attendance. The public participation plan and report are shown in Exhibit G.

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

## Staff Analysis

**Special Use Permit and Change in Conditions Analysis:** According to the UDO, the staff analysis and recommendation on each application for a Special Use Permit shall follow the same procedures as those contained in Section 270-20. Emphasis shall be given to the evaluation of characteristics of the proposed use in relationship to neighboring properties and the compatibility of the proposed use with its surroundings. For Special Use Permits, the Department shall evaluate the request and make a recommendation with respect to the standards governing exercise of zoning power as defined in Section 270-20.6. After the evaluation, staff makes the following findings based on the standards of the UDO:

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

The site was previously used as an assisted living and memory care center and is surrounded by a mixture of nonresidential uses. The surrounding uses transition from industrial and commercial to residential. The proposed use is suitable within this transition and will provide medical service for the community. The proposal is suitable in view of the use and development of adjacent and nearby property.

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

The previous assisted living facility has been operating on the property since 2010. This proposed use would utilize the same facility with no external site or building renovations. The subject property is surrounded by industrial and commercial uses, is set back over 50 feet from the road with a privacy fence around portions of the building for outdoor activities. There is also ample parking to accommodate employees, residents, and visitors to the site. The proposed use would not adversely affect neighboring properties.

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

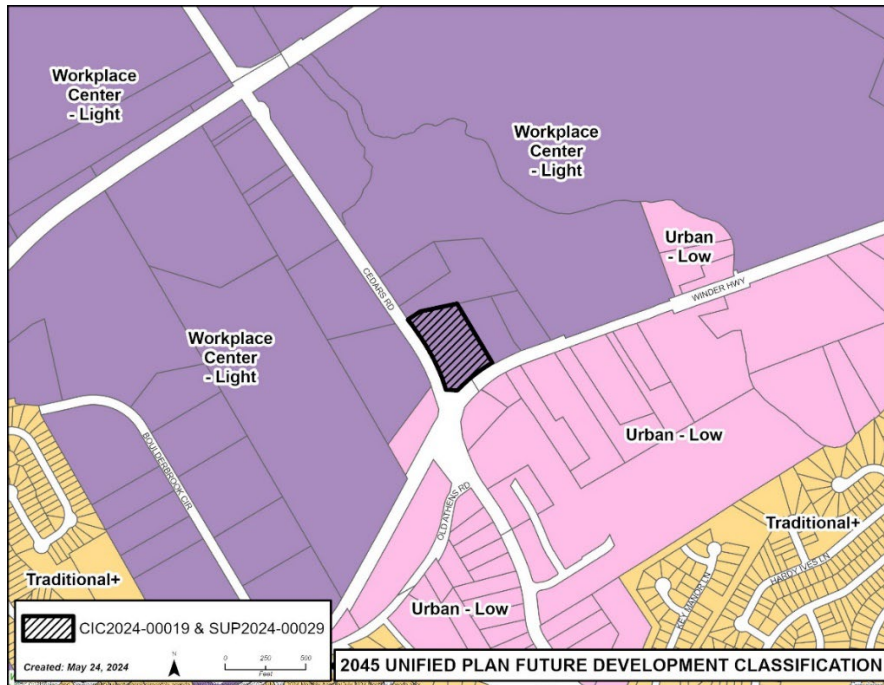
The property has reasonable economic use as currently zoned.

**D. Whether the proposed special use permit and 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.**

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

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

The Unified Plan's Future Development Map indicates "Workplace Center - Light" for the subject property. Although C-2 is not a recommended zoning district, institutional uses are appropriate for this development type, especially given the previous use as an assisted living community. The proposal is in conformity with the 2045 Unified Plan and 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 special use permit and change in conditions.**

There are no other conditions giving support for approval or disapproval of the proposed requests.

**Staff Recommendation**

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

**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 and special use permit requests.

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

**CIC2024-00019**

Approval as C-2 (General Business District) for a residential rehab facility, subject to the following conditions:

1. The proposed development shall be constructed and operated in general conformance with Exhibit B: Site Plan received May 2, 2024, by the Department of Planning and Development, with revisions and as required by conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.
2. To restrict the use of the property as follows:
  - A. Retail, service commercial and accessory uses, **and residential rehabilitation facilities as a special use**. The following uses shall be prohibited: ~~tattoo and piercing parlors~~ **tattoo and piercing parlors**, adult bookstores or entertainment, ~~automotive parts store, emission inspection stations, equipment rental, hotels and motels, on-site laundry or dry cleaning establishments~~ **automotive parts store, emission inspection stations, equipment rental, hotels and motels, on-site laundry or dry cleaning establishments**, liquor stores, mobile buildings, parking lots and garages, ~~plant nursery sales facility, recreation facilities~~ **plant nursery sales facility, recreation facilities**, recovered materials processing facility, taxidermist, yard trimmings composting facility, ~~clubs, lodges, fraternal institutions and meeting halls, caretaker or watchman quarters~~ **clubs, lodges, fraternal institutions and meeting halls, caretaker or watchman quarters**, auto body repair shops, auto repair shops or tire stores, building material sales with outdoor storage, contractors offices or the outside storage of equipment or materials, heavy equipment and farm equipment sales and service and truck rental, ~~mini-warehouse storage facilities~~ **mini-warehouse storage facilities**, mobile home or mobile building leasing or sales lots, ~~taxi cab or limousine services~~ **taxi cab or limousine services**, outdoor storage of any type, ~~check cashing establishments, pawn shops~~ **check cashing establishments, pawn shops**, nightclub-type facilities, and ~~billiard/pool halls~~ **and billiard/pool halls**.
3. Buildings shall be constructed with architectural treatments of glass, brick or stone (stucco may be used as an accent material). Any gasoline canopy supports shall be finished with brick and stacked stone.
- ~~2. To satisfy the following site development considerations:~~
  - ~~a. Provide a 10-foot wide landscaped strip outside the rights-of-way of Cedars Road and Winder Highway.~~
  - ~~b. No billboards or oversized signs shall be permitted.~~
  - ~~c. Ground signs shall be limited to monument type signs with a brick base of at least 2 feet in height. The signs shall be limited to a height of 10 feet.~~
  - ~~d. Dumpsters shall be screened by a 100% opaque brick wall. Hours of pick-up shall be limited to between 7:00 a.m. and 7:00 p.m.~~
  - ~~e. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into nearby residentially zoned property.~~

- ~~f. No outdoor loudspeakers shall be allowed.~~
- ~~g. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar materials shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs shall be prohibited~~
- ~~h. Peddlers shall be prohibited.~~
- ~~i. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.~~

**4. Any proposed changes to the site shall be required to be submitted to the Department of Planning and Development for review.**

**SUP2024-00029**

Approval as C-2 (General Business District) for a residential rehab facility, subject to the following conditions:

1. The proposed development shall be constructed and operated in general conformance with Exhibit B: Site Plan received May 2, 2024, by the Department of Planning and Development, with revisions and as required by conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.

**Exhibits:**

- A. Site Visit Photos
- B. Site Plan
- C. Building Elevations
- D. Previously Approved Resolution for RZC-08-025
- E. Letter of Intent and Applicant's Response to Standards
- F. Application and Disclosure of Campaign Contributions
- G. Public Participation Plan
- H. Internal and External Agency Review Comments
- I. Maps

**Exhibit A: Site Visit Photos**



View of the entrance to the subject property from Cedar Road



View of the interior driveway and privacy fence



View of the outdoor recreation area



View of the front entrance of the facility



View of the road frontage along Cedar Road



View of the road frontage along Winder Highway

**Exhibit B: Site Plan**

**[attached]**



**Exhibit C: Building Elevations**

**[attached]**

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**Exhibit D: Previously Approved Resolution for RZC-08-025**

**[attached]**

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Applicant Redlined Resolution with Proposed Changes

See proposed change to Condition #1.A. on page 2

CASE NUMBER RZC-08-025  
GCID 2007-1555

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

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

<u>Present</u>	<u>VOTE</u>
Charles Bannister, Chairman	<u>AYE</u>
Lorraine Green, District 1	<u>AYE</u>
Albert Nasuti, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. KENERLY, which carried 5-0, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from M-1 to C-2 by CEDARS ROAD ASSOCIATES, LLC for the proposed use of COMMERCIAL RETAIL USES on a tract of land described by the attached legal description, which

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CASE NUMBER RZC-08-025  
GCID 2007-1555

is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on DECEMBER 11, 2007 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 11TH day of DECEMBER 2007, that the aforesaid application to amend the Official Zoning Map from M-1 to C-2 is hereby **APPROVED** subject to the following enumerated conditions:

**\*\*\*See addition to end of first sentence**

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

- A. Retail, service commercial and accessory uses. **\*\*\*** The following uses shall be prohibited: tattoo and piercing parlors, adult bookstores or entertainment, automotive parts store, emission inspection stations, equipment rental, hotels and motels, on-site laundry or dry cleaning establishments, liquor stores, mobile buildings, parking lots and garages, plant nursery sales facility, recreation facilities, recovered materials processing facility, taxidermist, yard trimmings composting facility, clubs, lodges, fraternal institutions and meeting halls, caretaker or watchman quarters, auto body repair shops, auto repair shops or tire stores, building material sales with outdoor storage, contractors offices or the outside storage of equipment or materials, heavy equipment and farm equipment sales and service and truck rental, mini-warehouse storage facilities, mobile home or

**\*\*\*Addition to first sentence to read: "[Retail, service commercial and accessory uses], including Residential Rehab Center use as approved with corresponding SUP by the Board of Commissioners on 7/23/2024."**

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CASE NUMBER RZC-08-025  
GCID 2007-1555

mobile building leasing or sales lots, taxi cab or limousine services, outdoor storage of any type, check cashing establishments, pawn shops, nightclub-type facilities, and billiard/pool halls.

- B. Buildings shall be constructed with architectural treatments of glass, brick or stone (stucco may be used as an accent material). Any gasoline canopy supports shall be finished with brick and stacked stone.

2. To satisfy the following site development considerations:

- A. Provide a 10-foot wide landscaped strip outside the rights-of-way of Cedars Road and Winder Highway.
- B. No billboards or oversized signs shall be permitted.
- C. Ground signs shall be limited to monument-type signs with a brick base of at least 2-feet in height. The signs shall be limited to a height of 10-feet.
- D. Dumpsters shall be screened by a 100% opaque brick wall. Hours of pick-up shall be limited to between 7:00 a.m. and 7:00 p.m.
- E. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into nearby residentially zoned property.
- F. No outdoor loudspeakers shall be allowed.
- G. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar materials shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs shall be prohibited.

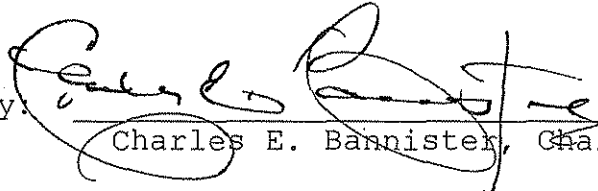
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CASE NUMBER RZC-08-025  
GCID 2007-1555

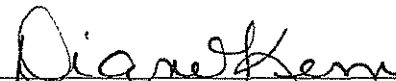
- H. Peddlers shall be prohibited.
- I. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

WINNETT COUNTY BOARD OF COMMISSIONERS

By:   
Charles E. Bannister, Chairman

Date Signed: 12/21/07

ATTEST:

  
County Clerk/Deputy Co



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

**[attached]**

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**Letter of Intent and Impact Analysis**

**Gwinnett County**

**SPECIAL USE PERMIT  
&  
CHANGE IN CONDITIONS**

**Applicant:**

**PB Realty – Alana Recovery Centers, LLC  
dba Promises Behavioral Health**

**Property Owner:**

Gryphon Dacula Properties, LLC

**Property:**

1200 Winder Highway, Dacula, Georgia 30019

**Tax Parcel ID:**

5210 316

**Submitted for Applicant by:**

Jeffrey S. Haymore, Esq.

R. Baxter Russell, Esq.

DILLARD SELLERS

1776 Peachtree Street NW, Suite 415-S

Atlanta, Georgia 30309

(404) 665-1224

jhaymore@dillardsellers.com

brussell@dillardsellers.com

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## I. INTRODUCTION

This firm represents PB Realty – Alana Recovery Centers, LLC doing business as Promises Behavioral Health (“Applicant”). Applicant is the contract purchaser of 1200 Winder Highway, Dacula, Georgia 30019 (“Property”). The 3.44 acre Property is a corner lot fronting both Winder Highway and Cedars Road. The Property is currently improved with a ±38,000 SF craftsman-style building constructed in 2011. The current occupant is Hope Center, a licensed Assisted Living Community that is mix Assisted Living-Memory Care consisting of 64 units with both single and double occupancy rooms with full bathrooms. The current use will cease shortly at the Property.

The Property is zoned C-2 since 1985 pursuant to RZ-134-85.<sup>1</sup> **Applicant applies for a special use permit for a “Residential Rehab Center (alcohol or drug)” as termed in Table set forth in Section 211-80 of the Unified Development Ordinance ("UDO") of Gwinnett County, Georgia.** Upon approval, Applicant will make some interior alterations and will have a maximum occupancy of 80 patients, with both single and double occupancy rooms with full bathrooms. The Property is and will continue to be appropriately screened for privacy and security. No exterior modifications are proposed.

Applicant’s recovery center will operate as an accredited treatment center offering mental health and substance use disorder treatment. The requisite approvals from the Georgia Department of Behavioral Health and Developmental Disabilities include licensure for Residential Sub-Acute Detoxification Program, Residential Intensive Treatment Program, and Residential Mental Health Program. All occupants and patients will voluntarily reside at the Property. Average stay for patients is 14 days, with a maximum stay of 30 days at the center. Rehab center operations require 24-hour-a-day staffing resulting in a large number of total employees. At full operation, Applicant’s residential rehab center will employ up to 120 persons including administrative and direct care staff. At any given time, 40 to 50 employees shall be on site.

**Applicant additionally applies for a change of condition to modify condition # 1 to case number RZ-08-025, approved by the Board on December 11, 2007.** Condition # 1 restricts use of the Property to “retail, service commercial and accessory uses” and also includes a list of prohibited uses. Having been used for an assistant living community for the last fifteen years or so, restricting the use of the Property to retail and service commercial does not further the public health, safety and general welfare. Rather, use of the Property for a rehabilitation center, a use akin to an assistant living center, furthers the public health, safety and general welfare.

<sup>1</sup> See enclosed July 20, 2023 Zoning Certification Letter from Rebecca Payoute, Planner I.

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## SUP Rationale

The proposed use is permitted in the C-2 zoning district upon issuance of a special use permit by the Board of Commissioners (“Board”). A special use permit is a zoning tool that provides for types of **necessary** and **desirable** land uses, but which are *potentially* incompatible with uses usually allowed in the particular district. Dougherty County v. Webb, 256 Ga. 474, 475 (1986) (special use permit for church).

Thus, the question posed by this application is not whether the proposed use is necessary and desirable in C-2; it is, as evidenced by the C-2 zoning district regulations finding this use appropriate in the district. Instead, ***the question posed by this application is only whether the proposed use at this Property is compatible with surrounding uses.*** As discussed below, the proposed use at this Property is compatible with surrounding uses. Webb, at 475; UDO, Sec. 270-30.4 (“In the review process, particular emphasis shall be given to the evaluation of the characteristics of the proposed use in relationship to neighboring properties and the compatibility of the proposed use with its surroundings”).

Because the proposed use is necessary, desirable and compatible, approval of the special use permit furthers the public health, safety and general welfare. Applicant is amenable to reasonable zoning conditions to assuage actual concerns, if any, raised by surrounding property owners at the public hearing.

Historically, state zoning procedures have treated drug rehabilitation centers disparately from all other uses. In addition to the public hearing required by O.C.G.A. § 36-66-4(a), O.C.G.A. § 36-66-4(f) requires, only for this use, that a second public hearing held at least six months and not more than nine months before approval. However, the General Assembly adopted HB 1073 on March 28, 2024 to repeal subsection (f). The bill has been sent to the Governor for signature. This bill recognizes that such discrimination violates the Fair Housing Act, 42 U.S.C. 3601 *et seq.*, and imposes an unnecessary barrier on Georgia residents seeking addiction treatment. It is expected this bill will become law by July 1, 2024.

## II. SPECIAL USE PERMIT IMPACT ANALYSIS

The proposed use satisfies the UDO standards for special use permit as set forth in the Unified Development Ordinance of Gwinnett County (“UDO”), Section 270-20.6 (“Standards Governing Exercise of Zoning Power”). In addition, the proposed use will not have adverse impacts on the surrounding area, including traffic, storm drainage, usability of adjacent and nearby properties and compatibility of land use activities. See, UDO Sec. 270-30.6 For this reason, the special use permit must be granted as requested by the Applicant.<sup>2</sup>

<sup>2</sup> See, Rogers v. Mayor and Alderman of City of Atlanta, 110 Ga. App. 114, 122 (1964) (“The applicants having met all of the objective standards of the zoning ordinance pertaining to special use permits, the superior court is directed to sustain their application for certiorari and make a final decision in their behalf”).

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**A. Whether a proposed [special use permit] will permit a use that is suitable in view of the use and development of adjacent and nearby property;**

Adjacent properties (i.e., contiguous) are used as follows: 1) Dollar General (retail) zoned C-2 (east); 2) Shell (gas/convenience) zoned C-2 (south); 3) Jasmin Transportation (trucking) zoned I (west); and Muftar Transport (trucking) zoned I (north).

The predominant use of nearby properties (i.e., non-contiguous) north of Winder Highway are for commercial and industrial uses, including trucking, logistics, and airport. The predominant use of nearby properties (i.e., non-contiguous) south of Winder Highway are either undeveloped land or low-density residential development.

The UDO does not define the term “suitable”. Webster’s Dictionary defines “suitable” as “adapted to a use or purpose”. It also connotes similar or matching. The proposed use is suitable in view of these adjacent and nearby uses because the Comprehensive Plan and actual land uses recognize Winder Highway as a dividing line for land use and zoning, making the Property suitable for the proposed use. The C-2 district is intended for sites along major streets and intersections such as the Property. It is also intended to serve a greater population than in the C-1 district with “public functions that would serve a community area of several neighborhoods”. UDO § 211-30.1.

**B. Whether a proposed [special use permit] will adversely affect the existing use or usability of adjacent or nearby property;**

The UDO does not define the term “usability”. Webster’s Dictionary defines “usable” as “capable of use”. The proposed use will not adversely affect the existing use or usability of adjacent or nearby property because the adjacent and nearby properties on the north side of Winder Highway are currently developed more intensely than the proposed use. Those adjacent or nearby uses will continue to be useable for their intended purposes; nothing in the proposed use will interrupt those uses. During the application process, the Applicant will notify surrounding property owners and work with them should they have any concerns.

**C. Whether the property to be affected by a proposed [special use permit] has a reasonable economic use as currently zoned;**

The reason the current assisted living use is changing is because the current use is in receivership, due to lack of economic return. Retrofitting the existing assisted living care facility to the proposed use is an economical use of the Property. In contrast, adapting the existing building for a different use permitted by right in the C-2 district is not economically feasible since the building is manifestly built and arranged for treating patients, not general retail, restaurant, offices or other commercial enterprises.

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

The proposed use will not add additional material demand on existing streets or transportation facilities beyond the current assisted living/memory care use of the Property. The proposed use will have no demand on schools. Both the current and proposed use have on-site residents, employees serving those residents, and occasional delivery of goods (i.e., food, supplies, etc.) and services (counseling) incidental to the use. Vehicular ingress and egress is off Cedars Road only. Vehicular traffic will use Winder Highway, which operates at an acceptable level of service.

**E. Whether the proposed [special use permit] is in conformity with the policy and intent of the Unified Plan and Future Development Map; and**

The Gwinnett County 2045 Unified Plan designates the Property as part of the Innovation District, a recognized employment center. Public and institutional uses, such as a residential rehab center, are appropriate in this area. This character area (shaded blue below) includes all land north of Winder Highway in the area. The C-2 zoning classification is consistent with this character area designation. South of and fronting on Winder Highway in this area is the Community Node character area (shaded in magenta below), which includes commercial uses.



Considerations for the future of housing in Gwinnett County are discussed beginning at page 207 of the Unified Plan. Housing for Gwinnett County residents recovering from addiction is not explicitly mentioned in the Unified Plan. However, related to the Unified Plan, Gwinnett County’s 2020-2024 Consolidated Housing Plan has as a goal to “increase housing and supportive services for targeted populations” and to “affirmatively further housing choice.” As a recipient of federal funds, Gwinnett County is obligated to affirmatively further housing choice, including for vulnerable populations. Specifically, page 53 of Gwinnett County’s Consolidated Plan recognizes that needs of this population

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includes “affordable, safe housing opportunities in areas with access to transportation, commercial and job centers, social services, and for education.”

**F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed [special use permit].**

As mentioned in standard A, the proposed use is suitable with existing conditions in the area. The proposed use will operate materially similar to the current use. As mentioned in standard C, the changing economic condition of the current assisted living use supports grant of the special use permit for the proposed use. As mentioned in standard D, the proposed use is consistent with the character area in the Unified Plan.

There are 72 parking spaces on the Property, which is more than adequate to serve occupants, employees, and guests.<sup>3</sup>

**III. CHANGE IN CONDITION IMPACT ANALYSIS**

The proposed change in condition satisfies the UDO standards governing the exercise of the zoning power as set forth in the Unified Development Ordinance of Gwinnett County (“UDO”), Section 270-20.6 (“Standards Governing Exercise of Zoning Power”).

**A. Whether a proposed [change of zoning condition] will permit a use that is suitable in view of the use and development of adjacent and nearby property;**

Condition # 1 to case number RZ-08-025, approved by the Board on December 11, 2007, restricts use of the Property to “retail, service commercial and accessory uses” and also includes a list of prohibited uses (e.g., tattoo and piercing parlors, adult bookstores, liquor stores).

Despite the aforementioned zoning condition, the current assisted living center was permitted by the County (BLD-2010-03694) and built in approximately 2010. The current use has operated without incident since then. While granting the requested special use permit will permit a suitable use in view of adjacent uses, as a practical matter, modifying or removing the restriction on use of the Property to only retail and service commercial is beneficial for the good of the order. Having been used for an assistant living community for the last fifteen years or so, restricting the use of the Property to retail and service commercial does not further the public health, safety and general welfare. As discussed in section II above, use of the Property for a rehabilitation center, a use akin to an assistant living center, furthers the public health, safety and general welfare.

<sup>3</sup> A parking variance for this number of spaces was approved by the County on March 9, 2010 (ZVR2010-00021).

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Adjacent properties (i.e., contiguous) are used as follows: 1) Dollar General (retail) zoned C-2 (east); 2) Shell (gas/convenience) zoned C-2 (south); 3) Jasmin Transportation (trucking) zoned I (west); and Muftar Transport (trucking) zoned I (north).

The predominant use of nearby properties (i.e., non-contiguous) north of Winder Highway are for commercial and industrial uses, including trucking, logistics, and airport. The predominant use of nearby properties (i.e., non-contiguous) south of Winder Highway are either undeveloped land or low-density residential development.

The UDO does not define the term “suitable”. Webster’s Dictionary defines “suitable” as “adapted to a use or purpose”. It also connotes similar or matching. The proposed use is suitable in view of these adjacent and nearby uses because the Comprehensive Plan and actual land uses recognize Winder Highway as a dividing line for land use and zoning, making the Property suitable for the proposed use. The C-2 district is intended for sites along major streets and intersections such as the Property. It is also intended to serve a greater population than in the C-1 district with “public functions that would serve a community area of several neighborhoods”. UDO § 211-30.1.

**B. Whether a proposed [change of zoning condition] will adversely affect the existing use or usability of adjacent or nearby property;**

The UDO does not define the term “usability”. Webster’s Dictionary defines “usable” as “capable of use”. The proposed use will not adversely affect the existing use or usability of adjacent or nearby property because the adjacent and nearby properties on the north side of Winder Highway are currently developed more intensely than the proposed use. Those adjacent or nearby uses will continue to be useable for their intended purposes; nothing in the proposed use will interrupt those uses. During the application process, the Applicant will notify surrounding property owners and work with them should they have any concerns.

Removing or modifying condition # 1, which limits use of the Property to retail and commercial services, will have zero adverse effect on nearby property. Instead, removing condition # 1, what can only be described as a technical “clean-up”, further acknowledges that the Property was built as an assisted living center and the improvements are manifestly designed and suited to serve individuals who have short-term residential and service needs.

**C. Whether the property to be affected by a proposed [change of condition] has a reasonable economic use as currently zoned;**

The reason the current assisted living use is changing is because the current use is in receivership, due to lack of economic return. Retrofitting the existing assisted living care facility to the proposed use is an economical use of the Property. In contrast, adapting the existing building for retail or commercial service consistent with rezoning condition # 1 is not economically feasible since the building is manifestly built and arranged for treating patients, not general retail or commercial service.

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

The proposed removal or modification of condition # 1 will not add additional material demand on existing streets or transportation facilities beyond the current assisted living/memory care use of the Property. In fact, modification or removal of condition # 1, which currently limits use of the Property to retail, will serve to reduce the potential of additional vehicular trips. The proposed rehabilitation use will have no demand on schools. Both the current and proposed use have on-site residents, employees serving those residents, and occasional delivery of goods (i.e., food, supplies, etc.) and services (counseling) incidental to the use. Vehicular ingress and egress is off Cedars Road only. Vehicular traffic will use Winder Highway, which operates at an acceptable level of service.

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

The Gwinnett County 2045 Unified Plan designates the Property as part of the Innovation District, a recognized employment center. Public and institutional uses, such as a residential rehab center, are appropriate in this area. This character area (shaded blue below) includes all land north of Winder Highway in the area. The C-2 zoning classification is consistent with this character area designation. South of and fronting on Winder Highway in this area is the Community Node character area (shaded in magenta below), which includes commercial uses.



Considerations for the future of housing in Gwinnett County are discussed beginning at page 207 of the Unified Plan. Housing for Gwinnett County residents recovering from addiction is not explicitly mentioned in the Unified Plan. However, related to the Unified Plan, Gwinnett County’s 2020-2024 Consolidated Housing Plan has as a goal to “increase housing and supportive services for targeted populations” and to “affirmatively further housing choice.” As a recipient of federal funds, Gwinnett County is obligated to affirmatively further housing choice, including for vulnerable populations. Specifically, page 53 of Gwinnett County’s Consolidated Plan recognizes that needs of this population

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includes “affordable, safe housing opportunities in areas with access to transportation, commercial and job centers, social services, and for education.”

**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 of condition].**

The zoning history supports approval of the proposed change of condition. As discussed above, despite condition # 1 to the 2007 rezoning, the current assisted living center was permitted by the County (BLD-2010-03694) and built in approximately 2010. The current use has operated without incident since then. Removing the restriction on use of the Property to only retail and service commercial is beneficial for the good of the order.

There are 72 parking spaces on the Property, which is more than adequate to serve occupants, employees and guests.<sup>4</sup>

**IV. CONCLUSION**

For the foregoing reasons, the Applicant respectfully requests that this application be granted. If there are any questions about this special use permit with change in conditions, you may contact Jeff Haymore at 404-665-1243 (jhaymore@dillardsellers.com) or Baxter Russell at 404-665-1224 (brussell@dillardsellers.com).

Sincerely,

DILLARD SELLERS, LLC

***/s/ R. Baxter Russell***

R. Baxter Russell

*Attorney for the Applicant*

<sup>4</sup> A parking variance for this number of spaces was approved by the County on March 9, 2010 (ZVR2010-00021).

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**STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER**

Pursuant to requirements of the United Development Ordinance, the Board of Commissioners finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

Please respond to the following standards in the space provided or use attachment as necessary:

- (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:

Please see attached written narrative.

---

- (B) Whether a proposed change in conditions will adversely affect the existing use or usability of adjacent or nearby property:

Please see attached written narrative.

---

- (C) Whether the property to be affected by a proposed change in conditions has reasonable economic use as currently zoned:

Please see attached written narrative.

---

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

Please see attached written narrative.

---

- (E) Whether the proposed change in conditions is in conformity with the policy and intent of the Unified Plan and Future Development Map:

Please see attached written narrative.

---

- (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:

Please see attached written narrative.

---

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**STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER**

Pursuant to requirements of the United Development Ordinance, the Board of Commissioners finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

Please respond to the following standards in the space provided or use attachment as necessary:

- (A) Whether a proposed special use permit will permit a use that is suitable in view of the use and development of adjacent and nearby property:

Please see attached written narrative.

---

---

- (B) Whether a proposed special use permit will adversely affect the existing use or usability of adjacent or nearby property:

Please see attached written narrative.

---

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- (C) Whether the property to be affected by a proposed special use permit has reasonable economic use as currently zoned:

Please see attached written narrative.

---

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- (D) Whether the proposed special use permit will result in a use which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

Please see attached written narrative.

---

---

- (E) Whether the proposed special use permit is in conformity with the policy and intent of the Unified Plan and Future Development Map:

Please see attached written narrative.

---

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- (F) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed special use permit:

Please see attached written narrative.

---

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**Exhibit F: Application and Disclosure of Campaign Contributions**

**[attached]**

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5.20.24

**SPECIAL USE PERMIT APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
Name: <u>PB Realty - Alana Recovery Centers, LLC c/o Dillard Sellers</u> Address: <u>1776 Peachtree St. NW, Ste. 415-S</u> City: <u>Atlanta</u> State: <u>GA</u> ZIP: <u>30309</u> Phone: <u>404-665-1243; 404-665-1224</u> Email: <u>jhaymore@dillardsellers.com; brussell@dillardsellers.com</u>	Name: <u>Gryphon Dacula Properties LLC</u> Address: <u>1200 Winder Hwy.</u> City: <u>Dacula</u> State: <u>GA</u> ZIP: <u>30019</u> Phone: <u>404-665-1243; 404-665-1224</u> Email: <u>jhaymore@dillardsellers.com; brussell@dillardsellers.com</u>
Contact Person: <u>Baxter Russell &amp; Jeff Haymore</u> Phone: <u>404-665-1224; 404-665-1243</u> Contact's Email: <u>brussell@dillardsellers.com; jhaymore@dillardsellers.com</u>	
<b>APPLICANT IS THE:</b>  <input type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER	
Existing/Proposed Zoning District(s): <u>existing and remaining C-2 zoning</u> Parcel Number(s): <u>5210 316</u> Acreage: <u>3.44 acres</u> Property Address(es): <u>1200 Winder Hwy.</u> Proposed Development: <u>Residential Rehab Center (SUP)</u> Variance(s): _____ Waiver(s): _____ Building/Leased Sq. Ft.: <u>+/- 38,000</u> Floor Area Ratio: <u>0.257</u>	

**SPECIAL USE PERMIT APPLICANT'S CERTIFICATION**

The undersigned below is authorized to make this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within six (6) months from the date of last action by the Board of Commissioners.



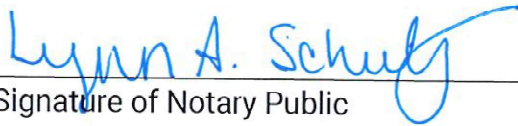
Signature of Applicant

4/29/2024

Date

Scott Sasserson, Chief Executive Officer

Type or Print Name and Title



Signature of Notary Public

4/29/2024

Date



Notary Seal

My commission expires:  
9/21/2025

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

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within six (6) months from the date of last action by the Board of Commissioners.

*Gryphon Dacula Properties, LLC*

by: *DH Cameron*

*5/1/2024*

Signature of Property Owner

Date

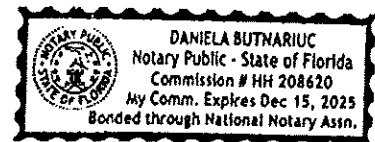
*Douglas H. Cameron*

*Manager*

Type or Print Name and Title

*Daniela Butnariuc*

*05/01/2024*



Signature of Notary Public

Date


Notary Seal

**RECEIVED**

5.5.24

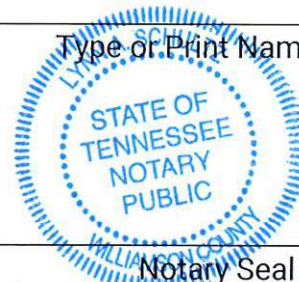
**CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT**

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

      4/29/2024      Scott Sasserson, Chief Executive Officer  
Signature of Applicant      Date      Type of Print Name and Title

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

      4/29/2024  
Signature of Notary Public      Date



*My commission expires: 9/21/2025*

**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?

Yes     No    Scott Sasserson (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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5.20.24

**CHANGE IN CONDITIONS APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
Name: <u>PB Realty - Alana Recovery Centers, LLC c/o Dillard Sellers</u>	Name: <u>Gryphon Dacula Properties LLC</u>
Address: <u>1776 Peachtree St. NW, Ste. 415-S</u>	Address: <u>1200 Winder Hwy.</u>
City: <u>Atlanta</u>	City: <u>Dacula</u>
State: <u>GA</u> ZIP: <u>30309</u>	State: <u>GA</u> ZIP: <u>30019</u>
Phone: <u>404-665-1243; 404-665-1224</u>	Phone: <u>404-665-1243; 404-665-1224</u>
Email: <u>jhaymore@dillardsellers.com; brussell@dillardsellers.com</u>	Email: <u>jhaymore@dillardsellers.com; brussell@dillardsellers.com</u>
Contact Person: <u>Jeff Haymore &amp; Baxter Russell</u> Phone: <u>404-665-1243; 404-665-1224</u>	
Contact's Email: <u>jhaymore@dillardsellers.com; brussell@dillardsellers.com</u>	
<b>APPLICANT IS THE:</b>	
<input type="checkbox"/> Owner's Agent <input type="checkbox"/> Property Owner <input checked="" type="checkbox"/> Contract Purchaser	
Zoning District(s): <u>C-2</u> Prior Zoning Case No.: <u>RZC-08-025</u>	
Parcel Number(s): <u>5210 316</u> Acreage: <u>3.44 acres</u>	
Property Address(es): <u>1200 Winder Hwy.</u>	
Proposed Change in Conditions: <u>Eliminate/modify use restriction condition to allow for Residential Rehab Center use, as described in corresponding SUP application for said use</u>	
Variance(s): _____ Waiver(s): _____	
<b>RESIDENTIAL DEVELOPMENT:</b> No. of Dwelling Units: _____ Dwelling Unit Sq. Ft.: _____ Density: _____ Floor Area Ratio (LRR, MRR, HRR): _____	<b>NON-RESIDENTIAL DEVELOPMENT</b> No. of Buildings: <u>1 building</u> Total Building Sq. Ft.: <u>+/- 38,000</u> Floor Area Ratio: <u>0.257</u>
<b>MIXED-USE DEVELOPMENT</b>	
No. of Dwelling Units: _____ Dwelling Unit Sq. Ft.: _____	
Total Non-Residential Sq. Ft.: _____ Floor Area Ratio: _____	

**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 six (6) months from the date of last action by the Board of Commissioners.

4/29/2024

Signature of Applicant

Date

Scott Sasserson, Chief Executive Officer

Type or Print Name and Title

4/29/2024

Signature of Notary Public

Date



Notary Seal

My commission expires:  
9/21/2025

**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 six (6) months from the date of last action by the Board of Commissioners.

*Gryphon Dacula Properties, LLC*

*Douglas H. Cameron*  
Manager

*5/1/2024*

Signature of Property Owner

Date

*Douglas H. Cameron*  
manager

Type or Print Name and Title

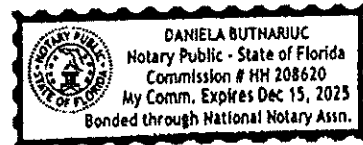
*Daniela Butnariuc*

*05/01/2024*

Signature of Notary Public

Date

Notary Seal




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5.5.24

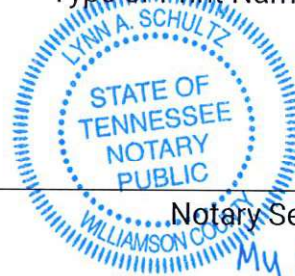
**CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS**

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.

 4/29/2024 Scott Sasserson, Chief Executive Officer  
Signature of Applicant Date Type or Print Name and Title

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

 4/29/2024  
Signature of Notary Public Date



Notary Seal

*My commission expires: 9/21/2025*

**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?

Yes  No Scott Sasserson (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.



**Exhibit G: Public Participation Plan**

**[attached]**

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## Public Participation Plan

1. **Who do you intend to contact in addition to property owners within 1,000 feet of the site, if any?**

Any additional interested parties or property owners identified by the county  
(and/or any additional property owners contacting Applicant team) prior to notification  
letter mailing.

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2. **Where do you plan to host the Public Participation Meeting? Ensure that the meeting is held in person at a convenient location for interested parties.**

Dacula Park Activity Building - Community Room  
2735 Old Auburn Avenue, Dacula GA 30019

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3. **What date and time do you plan to host the Public Participation Meeting? Ensure that the meeting is held at a convenient time for interested parties, e.g. not during typical work hours on weekdays.**

Meeting at 6:00pm, Wednesday May 29, 2024

4. **What is your method for providing opportunities for discussion with interested parties at the Public Participation Meeting?**

Applicant team will provide opportunity for Question + Answer discussion during meeting,  
also providing contact information for follow-up questions and discussion with interested parties.

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**CIC2024-00019 and SUP2024-00029****Public Participation Report**

- 1. List all groups that you notified of the requested application. Include a copy of the notification package and stamped Postal Service Form 3877 (attached) with itemized name and address of each addressee.**

Property owners within 1,000 ft. of subject property, list provided by county staff.

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- 2. Provide the date, time, and location of all meeting(s) that the applicant and/or representative attended to discuss an application with interested parties.**

Meeting held on Wednesday, May 29, 2024 at 6:00pm at the Dacula Park Activity Building  
2735 Old Auburn Avenue, Dacula GA 30019

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- 3. Provide the number of people who participated in the meeting(s). Include the sign-in sheet(s) with meeting date, time, location, and attendee names.**

Applicant representatives included Baxter Russell with Dillard Sellers and Scott Sasserson with Promises Behavioral Health.

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Zero (0) members of the public attended the meeting.

- 4. What issues and concerns were expressed by attendees at the meeting(s)?**

N/A, zero (0) members of the public attended the meeting.

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- 5. What are the applicant's responses to the issues and concerns that were expressed at the meetings? What changes to the development will be made?**

N/A, zero (0) members of the public attended the meeting.

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

**[attached]**



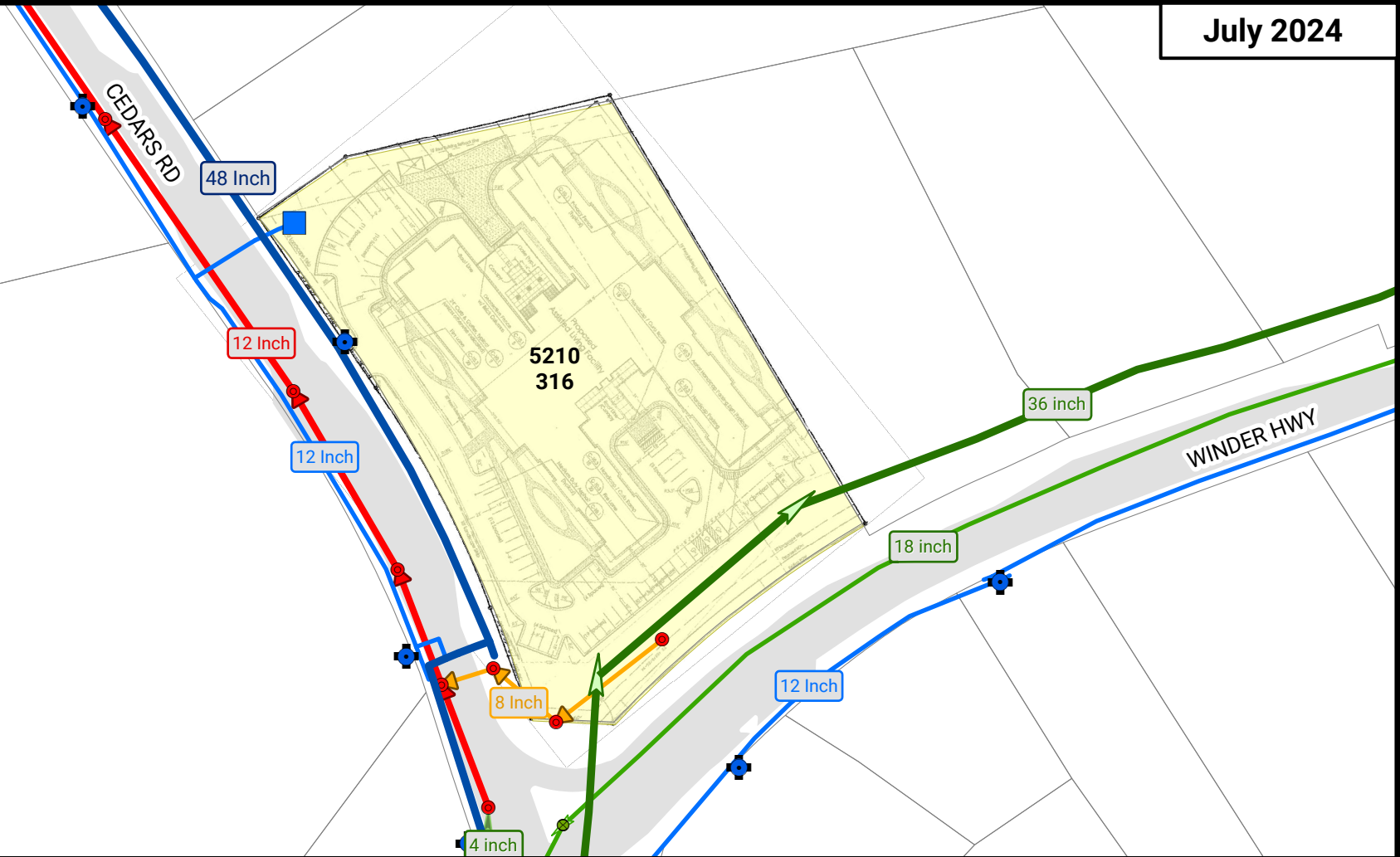
**Department of Planning and Development  
TECHNICAL REVIEW COMMITTEE**

<b>TRC Meeting Date:</b>		06.05.2024	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 2	
Reviewer Email Address:		<a href="mailto:Brent.Hodges@gwinnettcountry.com">Brent.Hodges@gwinnettcountry.com</a>	
Case Number:		CIC2024-00019 & SUP2024-00029	
Case Address:		1200 Winder Highway, Lawrenceville, 30045	
<b>Comments:</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<b>YES</b>	<b>NO</b>
1	Winder Highway is a major arterial. ADT = 10,100.		
2	3.4 miles to the nearest Ride Gwinnett facility located 134 South Clayton Street.		
3			
4			
5			
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			



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

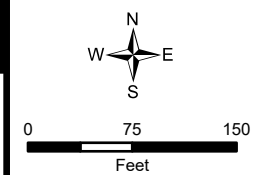
<b>TRC Meeting Date:</b>					
Department/Agency Name:		DWR			
Reviewer Name:		Mike Pappas			
Reviewer Title:		GIS Planning Manager			
Reviewer Email Address:		<a href="mailto:Michael.pappas@gwinnettcounty.com">Michael.pappas@gwinnettcounty.com</a>			
Case Number:		CIC2024-00019 & SUP2024-00029			
Case Address:		1200 Winder Hwy			
<b>Comments:</b>		<input type="checkbox"/>	<b>YES</b>	<input checked="" type="checkbox"/>	<b>NO</b>
1	Water: GCDWR does not have comments for this Special Use Permit. The existing facility is connected to public water.				
2	Sewer: GCDWR does not have comments for this Special Use Permit. The existing facility is connected to public sewer.				
3					
4					
5					
6					
7					
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/>	<b>YES</b>	<input checked="" type="checkbox"/>	<b>NO</b>
1					
2					
3					
4					
5					
6					
7					



1200 Winder Hwy  
C-2

## Water & Sewer Utility Map

- |   |   |
|---|---|
|  Water Main   |  Manhole           |
|  Hydrant      |  Sewer Collector   |
|  Master Vault |  Sewer Interceptor |
|   |  Sewer Force Main  |



**Water Comments:** GCDWR does not have comments for this Special Use Permit. The existing facility is connected to public water.

**Sewer Comments:** GCDWR does not have comments for this Special Use Permit. The existing facility is connected to public sewer.

**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 I: Maps**

**[attached]**



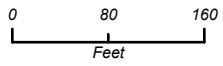
CEDARS RD

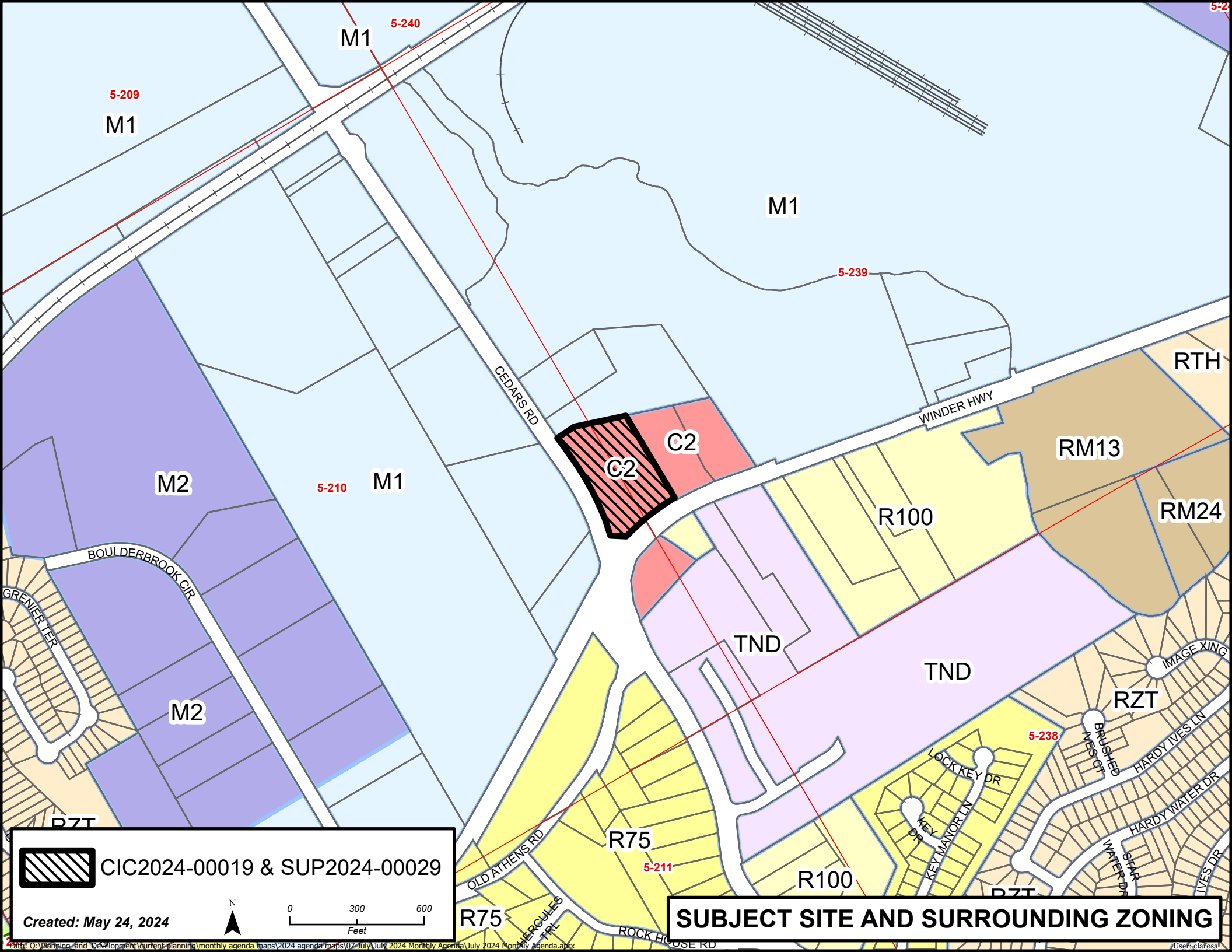
WINDER HWY



CIC2024-00019 & SUP2024-00029

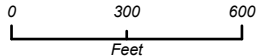
Created: May 24, 2024





CIC2024-00019 & SUP2024-00029

Created: May 24, 2024



**SUBJECT SITE AND SURROUNDING ZONING**

**Workplace  
Center  
- Light**

**Workplace  
Center  
- Light**

**Urban  
- Low**

**Workplace  
Center  
- Light**

**Urban - Low**

**Traditional+**

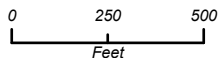
**Traditional+**

**Urban - Low**



**CIC2024-00019 & SUP2024-00029**

*Created: May 24, 2024*



**2045 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION**