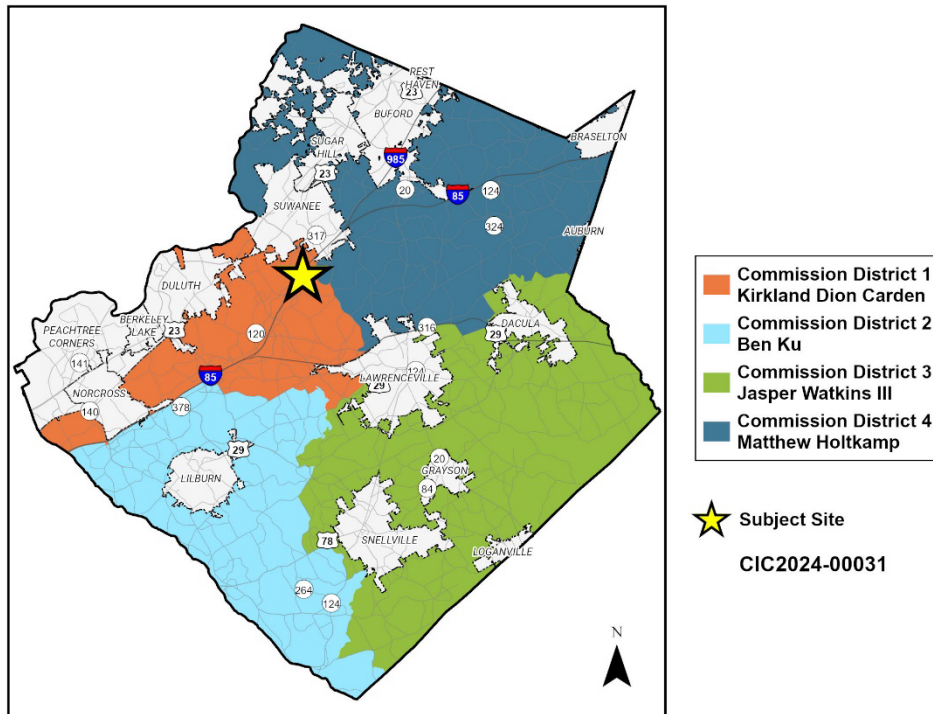


## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

**Case Number:** CIC2024-00031  
**Current Zoning:** M-1 (Light Industry District)  
**Request:** Change in Conditions  
**Address:** 875 Northbrook Parkway  
**Map Number:** R7154 010  
**Site Area:** 7.14 acres  
**Square Feet:** 55,000  
**Proposed Development:** Warehouse  
**Commission District:** District 1 – Commissioner Carden  
**Future Development Type:** Workplace Center Light

**Staff Recommendation:** APPROVAL WITH CONDITIONS

**Planning Commission Recommendation:** APPROVAL WITH CONDITIONS



**Applicant:** HP Properties Georgia, LLC  
c/o Andersen Tate & Carr  
1960 Satellite Boulevard, Suite 4000  
Duluth, GA 30097

**Owners:** HP Properties Georgia, LLC  
950 Northbrook Parkway  
Suwanee, GA 30024

**Contact:** Melody A. Glouton

**Contact Phone:** 770.822.0900

## Zoning History

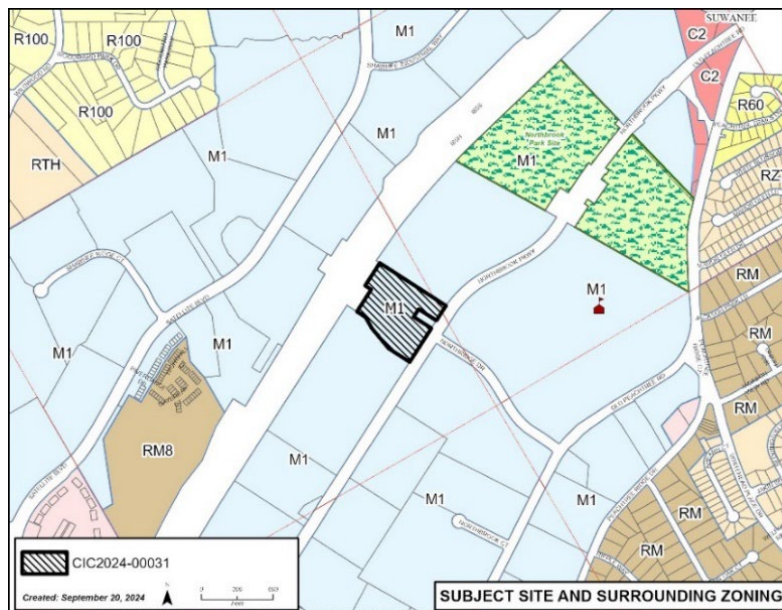
The subject property is zoned M-1 (Light Industry District). In 1985, the property was rezoned from O-I (Office-Institutional District) to M-1, as part of a 292-acre industrial park rezoning, pursuant to RZ-207-85.

## Existing Site Condition

The subject property is a 7.14-acre parcel located along Northbrook Parkway at its intersection with Northridge Drive. The subject property is located within the Northbrook Industrial Park and abuts Interstate 85. The property is undeveloped and wooded, with a stream running through the northern half of the property. The area proposed for development slopes down from Northbrook Parkway towards Interstate 85 by approximately 50 feet. A five-foot-tall chain link fence with barbed wire is located along the Interstate 85 frontage. Multiple utility easements are located near the front of the property. There is no sidewalk along Northbrook Parkway. The nearest Gwinnett County Transit stop is approximately 2.5 miles from the subject property.

## Surrounding Use and Zoning

The subject property is surrounded primarily by industrial and institutional uses within the Northbrook Industrial Park. Interstate 85 is to the west of the property. Institutional uses including a place of worship and the Gwinnett County Board of Education Instructional Support Center are located to the north and east. Light industrial uses are located to the south along Northbrook Parkway. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning
Proposed	Light Industrial	M-1
North	Place of Worship	M-1
East	Institutional Light Industrial	M-1
South	Light Industrial	M-1
West	Light Industrial	M-1

## Project Summary

The applicant requests a change in conditions to RZ-207-85 on a 7.14-acre property zoned M-1 for a warehouse. The applicant requests the following changes:

- Strike Condition 5 to allow for a 75-foot-wide landscape strip along Northbrook Parkway, instead of a 75-foot-wide buffer.
- Modify Condition 6 to remove the all-brick façade requirement, the 25-foot height restriction, and the 100-foot setback requirement.
- Strike Condition 10 to remove architectural and landscaping requirements.
- Strike Condition 14 which requires Planning Commission approval of the overall industrial park subdivision.

The proposed development includes the following:

- A 55,000-square-foot warehouse that is approximately 45 feet tall, located in the southern half of the property.
- Exterior building materials consisting of horizontal and vertical insulated metal panels.
- 21 parking spaces, six loading spaces, and 24-foot-wide drive aisles surrounding the warehouse and within the 75-foot-wide impervious stream setback.
- One dumpster enclosure at the rear of the warehouse.
- An underground stormwater management facility.
- One full-access driveway, one deceleration lane, and a 12-foot-wide concrete trail along Northbrook Parkway.
- A 75-foot-wide landscaped buffer along Northbrook Parkway.
- Maintaining the existing 5-foot-high woven wire fence along the Interstate 85 frontage.

## Zoning and Development Standards

The applicant is requesting a change in conditions for a warehouse on a property zoned M-1. The following is a summary of applicable development standards:

Standard	Required	Proposed	Meets Standard?
Floor Area Ratio	Maximum 1.0	0.18	YES
Minimum Lot Size	Minimum 1 acre	7.14 acres	YES
Minimum Lot Width	Minimum 150'	>150'	YES
Lot Coverage	Maximum 80%	45.7%	YES
Front Yard Setback	Minimum 100'	106.19'	YES
Rear Yard Setback	Minimum 50'	122.96'	YES
Side Yard Setback	Minimum 25'	38.13'	YES
Building Height	Maximum 25'	45'	No*

Parking	Minimum 19 spaces Maximum 37 spaces	21 spaces	YES
Loading Spaces	Minimum 3 loading spaces	6 loading spaces	YES

\* Current zoning condition requires a maximum building height of 25 feet, and the applicant is requesting to change this condition. The maximum building height in the M-1 zone is 45 feet.

**Public Participation**

The applicant held a community meeting on October 3, 2024, at 950 Northbrook Parkway in Suwanee. There were two community members in attendance. The public participation plan and report are shown in Exhibit H.

**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 I). 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**

**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 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 270-20.6. 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 site is surrounded by light industrial and institutional uses within the Northbrook Industrial Park. The proposed use would be allowed by rights and is compatible with surrounding uses. The change in conditions request is only to revise the building façade, height, setback, buffer and landscaping requirements. The proposed change in conditions will permit a use that is suitable in view of the use and development of adjacent and nearby property.

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

The applicant proposes striking Condition 5, which requires a 75-foot-wide buffer planted to buffer standards. The applicant instead proposes a 75-foot-wide landscaped buffer containing the existing tree lines, which could provide vegetation screening and also keep up with the aesthetics along Northbrook Parkway.

The applicant proposes modification of Condition 6 to remove the all-brick façade requirement, to change the maximum height from 25 feet to 45 feet, and to change the minimum setback from 100 feet to 50 feet. While most of the buildings along Northbrook Parkway comply with the building façade requirements, several nearby buildings have been constructed with other

building materials such as the adjacent place of worship. Staff has recommended a zoning condition to meet the spirit of architectural standards while providing flexibility in building design. In addition, the place of worship also received approval to exceed the maximum building height of 25 feet. However, most buildings have retained the 100-foot minimum setback to maintain a consistent frontage along Northbrook Parkway.

The applicant proposes striking Condition 10, which requires all buildings to have similar architectural and landscaping design. Finally, Condition 14 regarding Planning Commission approval has been satisfied and therefore is no longer applicable.

The proposed change in conditions with staff's recommended 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.

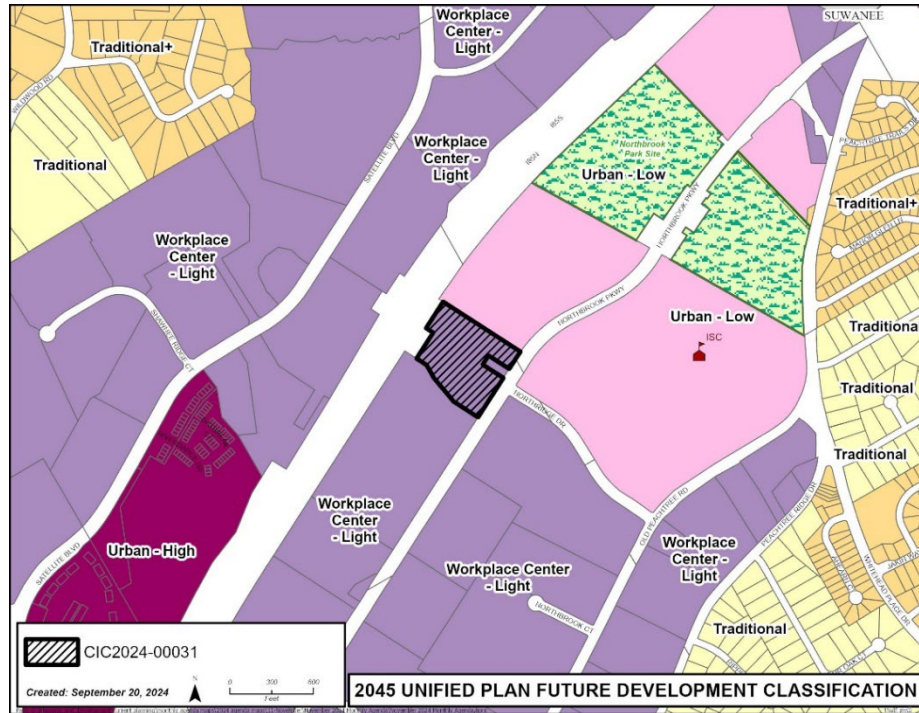
**D. Whether the proposed change in conditions will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

An increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. The traffic impact study estimated the proposal would generate 31 morning and 34 evening peak hour trips, and would not impact the level of service of nearby intersections. The study recommends a deceleration lane along Northbrook Parkway and to confirm adequate site distance. No impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this change in conditions request are attached (Exhibit I).

**E. Whether the proposed 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 identified "Workplace Center – Light" for the subject property, which envisions non-residential uses, including office, flex/light industrial and institutional use.

Industrial use is a recommended land use, and M-1 is a recommended zoning district. A 12-foot-wide trail is proposed along the frontage of the property, as part of the future Northbrook Parkway Trail, bringing pedestrian connectivity that is not typically provided in these areas. In addition, the building will be set back more than 75 feet from the right-of-way which is another recommendation of the Unified Plan. The proposal is 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.**

Other properties within the Northbrook Industrial Park have been granted a change in conditions to modify the brick materials, height, and other conditions of RZ-207-85. These approved resolutions include: CIC-05-008, which increased maximum building height to 30 feet; CIC-07-022, which increased maximum height to 35 feet; CIC-15-005, which reduced the amount of required brick on the building façade; and CIC-2022-00022, which eliminated the 25-foot maximum height and brick requirements completely and conditioned the project to comply with the Gwinnett County Architectural Design Category 1 standards.

**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 request.

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

Approval of a change in conditions for a warehouse in M-1 (Light Industry District), subject to the following conditions:

1. **The development shall be limited to a warehouse and accessory uses and structures, not to exceed 60,000 square feet.**
2. **The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received September 13, 2024, subject to the review and approval of the Department of Planning and Development.**
3. ~~Exterior building materials shall be brick along the front façade facing Northbrook Parkway and the first 100 feet of the northern building façade. The remainder of~~ **The building shall comply with the Architectural Design Standards for Commercial and Non-residential Buildings, subject to the review and approval of the Department of Planning and Development.**
4. **A full-access driveway, a deceleration lane, and a 12-foot-wide concrete trail shall be provided along Northbrook Parkway, in general conformance with Exhibit B: Site Plan dated and received September 13, 2024, subject to the review and approval by the Gwinnett County Department of Transportation and the Department of Community Services.**
- ~~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 landscaped buffer strip containing the natural tree line shall be provided along Northbrook Parkway**; 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.~~
- ~~5. 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.~~

7. No lighting shall be directed toward the existing right-of-way. **All lighting shall be cut-off type luminaires.** Cut-off type luminaires mounted on the building are permissible for security lighting requirements.
- ~~6. No access to existing right-of-way on Old Peachtree Road.~~
- ~~7. 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.~~
- ~~8. 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.~~
- ~~9. 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.~~
- ~~10. All lighting shall be cut-off type luminaries.~~
- ~~11. A final subdivision plan shall be submitted to the Planning Commission for approval prior to the issuing of any permits.~~

**Exhibits:**

- A. Site Visit Photos
- B. Site Plan
- C. Building Elevations
- D. Letter of Intent and Applicant's Response to Standards
- E. Application and Disclosure of Campaign Contributions
- F. DWR Sewer Capacity Certification Letter
- G. Traffic Impact Study
- H. Public Participation Plan and Report
- I. Internal and External Agency Review Comments
- J. Maps

**Exhibit A: Site Visit Photos**



View of adjacent place of worship



View of property



View of property



View of property across Northbrook Parkway

**Exhibit B: Site Plan**

**[attached]**



**Exhibit C: Building Elevations**

**[attached]**



Below is rendering and material is PEMB structure with a mix of horizontal and vertical IMP (Insulated Metal Panel) skin. There are many colors available.

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

**[attached]**

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# ANDERSEN | TATE | CARR

August 29, 2024

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

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

**Applicant:**

HP Properties Georgia, LLC

**Property:**

Tax Parcel ID R7154 010

±7.14 Acres of Land

Located at 875 Northbrook Parkway, Suwanee, Georgia  
**(M-1)**

**Submitted for Applicant by:**

Melody A. Glouton, Esq.

ANDERSEN TATE & CARR, P.C.

One Sugarloaf Centre

1960 Satellite Blvd.

Suite 4000

Duluth, Georgia 30097

770.822.0900

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

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I.

## INTRODUCTION

This Application for Change in Conditions is submitted for a 7.14-acre parcel of land located at 875 Northbrook Parkway, Suwanee, Georgia, and identified as Tax Parcel ID R7154 010 (hereinafter the “Property”). The Property is located on Northbrook Parkway at the intersection with Northridge Drive.

The Property that is the subject of this Change in Conditions application is shown on the survey prepared by ACR Engineering, dated August 11, 2023<sup>1</sup>. The Property is further identified as shown below from the Gwinnett County Geographical Information System:



The Property is currently zoned M-1 (Light Industry District) pursuant to the Gwinnett County Unified Development Ordinance (the “UDO”). The Applicant, HP Properties Georgia, LLC (the “Applicant”), now seeks approval of a Change in Conditions to the existing Zoning Resolution to construct an additional warehouse on the Property. The Applicant is the current owner of the site, as well as the property across the street located at 950 Northbrook Parkway that operates as PAI Industries, Inc. (“PAI”). PAI manufactures and distributes quality service parts to the heavy-duty truck industry. For over 50 years, PAI has been supplying distributors throughout the world. The Change in Conditions will allow for the Applicant to expand its existing facilities and continue operations. As such, the Applicant is requesting to amend the following conditions of Zoning Resolution RZ-207-85 (attached as Exhibit A) as follows:

- ~~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~~

<sup>1</sup> The Applicant acquired an additional 1.0 acres from the adjacent property owner as referenced on the Combination Plat prepared by ACR Engineering, Inc., dated March 6, 2024. A copy of the Combination Plat is included with this Application.

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~~buffer is to be enhanced where necessary and where no 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 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 45 feet 25 feet and limited to one story. These buildings shall be setback a minimum of 50 feet 100 feet from the existing right-of-way.~~
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.~~
14. ~~A final subdivision plan shall be submitted to the Planning Commission for approval.~~

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

## II. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

The Property is a single parcel fronting Northbrook Parkway in Suwanee, Georgia. It is a relatively square tract with one access point to Northbrook Parkway. The Property is surrounded entirely by properties zoned M-1. The following is a summary of the surrounding zoning classifications:



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The subject site is currently undeveloped and heavily wooded. It is surrounded by developed parcels and industrial uses. To the north is Free Chapel Worship Center, which is buffered by existing trees and surface parking. Across Northbrook Parkway and to the northeast is the J. Alvin Willbanks Instructional Support Building and Central Office of Gwinnett County Public Schools. The Applicant's existing facility is also located across Northbrook Parkway to the southeast. To the south is Kubota Tractor Corporation which also maintains a significant buffer with dense vegetation. To the west and across Interstate 85 is an office warehouse located on Satellite Boulevard.

### **III. PROJECT SUMMARY**

The applicant requests a Change in Conditions to the existing Zoning Resolution to construct a new warehouse across the street from its current operations. The proposed new warehouse will be 55,000 square feet, with a maximum height of 45 feet. The Applicant has previously filed a Stream Buffer Variance application due to the significant topographical challenges with the site. As previously indicated, the Applicant is the manufacturer of heavy-duty truck parts. They currently employ 400 people worldwide, with approximately 350 of those employees being at the existing location on Northbrook Parkway. Due to their successful business operations, they have reached capacity in their existing site and are seeking to expand the business in close proximity. The proposed new warehouse would include high-end technology, including an advanced robotic system. The Applicant has been a long-standing business in Gwinnett County and would like to continue to maintain their location on Northbrook Parkway.

Pursuant to the Gwinnett County 2045 Plan, this site is located in the Workplace Center-Light future development area. The 2045 Plan specifically provides that light industrial uses, light manufacturing, warehouses, heavy commercial, and offices are all anticipated types of development in the Workplace Center-Light area. As a result, approval of the Applicant's Change in Conditions would allow an appropriate use within this area.

### **IV. SITE IMPACT ANALYSIS**

Pursuant to UDO § 270-20.6, entitled "Impact Analysis," the Applicant submits its written impact analysis which shows that the requested Change in Conditions, 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 proposed use of a warehouse is consistent with the area.

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

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No, the proposed Change in Conditions Application will not adversely affect the existing use or usability of any of the nearby properties.

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

The Applicant submits that due to the existing typography, size, and natural features of the Property, it is not able to meet the conditions set forth in the Zoning Resolution. Accordingly, it does not have reasonable economic use. The Applicant's proposal would allow for the Property to be developed as a warehouse and serve as expanded operations for the existing business located across the street.

(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 subject property is located in an area with public water and sewer availability, and convenient access to major thoroughfares and state highways. The Change in Conditions is consistent with the existing uses in the area. The Change in Conditions will not result in a use that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

(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 2045 Unified Plan. The Property is located within the Workplace Center-Low development area, which specifically supports warehouses.

(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 industrial uses in the area provide supporting reasons for approval of the change in conditions request. The Applicant submits that the Property's close proximity to Interstate 85 provides further support for approval.

V. JUSTIFICATION FOR CHANGE IN CONDITIONS

The portions of the Gwinnett County Unified Development Ordinance, as amended, (the "UDO") which classify or may classify the Subject Property which is the subject of the Change in Conditions application into any more or less intensive zoning classification, development and/or conditions other than as requested by the Applicant are, and would be, unconstitutional in

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that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the UDO and the existing conditions in the Zoning Resolution, as applied to the Subject Property, which restricts its use to the present zoning classification and conditions, is unconstitutional, illegal, null and void, constituting a taking of the Applicant's property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States denying the Applicant any economically viable use of the Subject Property while not substantially advancing legitimate state interests. Under *Lathrop v. Deal*, the application of the UDO in a way that constitutes a taking shall be deemed a waiver of sovereign immunity.<sup>2</sup>

The Subject Property is presently suitable for development under the M-1 zoning classification with the requested change in conditions by the Applicant. A denial of the requested change in conditions would constitute an arbitrary and capricious act by the Gwinnett County Board of Commissioners without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

## VI. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests 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 29<sup>th</sup> day of August, 2024.

ANDERSEN, TATE & CARR, P.C.

*Melody A. Glouton*

Melody A. Glouton, Esq.

Enclosures  
MAG/dwb  
4871-9977-2894, v. 1

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

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

**[attached]**

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**CHANGE IN CONDITIONS APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
Name: <u>HP Properties Georgia, LLC c/o Andersen Tate &amp; Carr</u>	Name: <u>HP Properties Georgia, LLC</u>
Address: <u>1960 Satellite Blvd , Suite 4000</u>	Address: <u>950 Northbrook Parkway</u>
City: <u>Duluth</u>	City: <u>Suwanee</u>
State: <u>GA</u> ZIP: <u>30097</u>	State: <u>GA</u> ZIP: <u>30024</u>
Phone: <u>770-822-0900</u>	Phone: <u>770-822-0900</u>
Email: <u>mglouton@atclawfirm.com</u>	Email: <u>NavidY@paiindustries.com</u>
Contact Person: <u>Melody A. Glouton</u> Phone: <u>770-822-0900</u>	
Contact's Email: <u>mglouton@atclawfirm.com</u>	
<b>APPLICANT IS THE:</b>	
<input type="checkbox"/> Owner's Agent <input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Contract Purchaser	
Zoning District(s): <u>M-1</u> Prior Zoning Case No.: <u>RZ-207-85</u>	
Parcel Number(s): <u>R7154 010</u> Acreage: <u>7.14</u>	
Property Address(es): <u>875 Northbrook Parkway, Suwanee, GA 30024</u>	
Proposed Change in Conditions: <u>Revisions to conditions 5, 6, 10 and 14</u>	
Variance(s): _____ Waiver(s): _____	
<b>RESIDENTIAL DEVELOPMENT:</b>	<b>NON-RESIDENTIAL DEVELOPMENT</b>
No. of Dwelling Units: _____	No. of Buildings: <u>1</u>
Dwelling Unit Sq. Ft.: _____	Total Building Sq. Ft.: <u>55,000 sq. ft.</u>
Density: _____	Floor Area Ratio: _____
Floor Area Ratio (LRR, MRR, HRR): _____	
<b>MIXED-USE DEVELOPMENT</b>	
No. of Dwelling Units: _____ Dwelling Unit Sq. Ft.: _____	
Total Non-Residential Sq. Ft.: _____ Floor Area Ratio: _____	

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Name and Official Position of Government Official	Contributions (list all which aggregate to \$250 or more)	Date Contribution Was Made (within last two years)
Nicole Love Hendrickson and/or Love4Gwinnett	\$1,500.00 \$1,000.00 \$800.00	03/03/2023 06/07/2023 10/05/2023
Kirkland Carden and/or Kirkland 4 Gwinnett, LLC Kirkland 4 Gwinnett, LLC	\$500.00 \$2,000.00 \$800.00	05/05/2022 07/17/2023 02/05/2024
Ben Ku and/or Ku For You	\$1,000.00 \$1,500.00	03/25/2022 10/06/2022
Matthew Holtkamp and/or Matthew For Gwinnett	\$2,500.00 \$800.00	9/15/2023 01/24/2024

4864-7245-2500, v. 1

**Exhibit F: DWR Sewer Capacity Certification Letter**

**[attached]**

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Gwinnett

July 29, 2024

Saeid Sadri  
Novin Construction  
950 Northbrook Parkway  
Suwanee, GA 30024

**APPROVED**

**DENIED**

**CONDITIONALLY APPROVED**

**Sewer Capacity Request #C2024-182-07**

**Expiration Date: 07/29/2025**

**Tie-In Manhole FID: 205810**

RE: Sewer Availability for Proposed Development – 875 Northbrook Parkway  
Parcel ID 7154 010

Dear Saeid Sadri:

Gwinnett County Department of Water Resources (GCDWR) has reviewed the impact of the proposed development consisting of a 55,000-sf warehouse on the above parcel and determined:

Gwinnett County has adequate sewer capacity to serve the proposed development.

This confirmation is based on your anticipated annual average daily flow of **1.0 gpm** discharging to the sewer tie-in manhole at Facility ID **205810**. **This request is for anticipated flows from the development's toilet facilities only; no industrial processing discharges are covered as none were identified for this capacity request.**

**Capacity Allocation:** Sewer capacities are allocated only upon the issuance of a Development Permit, by Gwinnett County Planning & Development and after all applicable conditions established in this Sewer Capacity Certification, if any, are met.

**Certification Expiration:** The Sewer Capacity Certification is valid for 12 months from the date of this letter. If rezoning is approved, GCDWR will issue a revised Sewer Capacity Certification based on the approved units, as needed. The capacity request can be renewed for an additional 12 months. If a Development Permit has not been obtained by the expiration date above the developer may apply for renewal by providing evidence of active rezoning, plan review, or permitting efforts.

Once the Sewer Capacity Certification expires, the capacity is no longer allocated, and a new Sewer Capacity Certification request must be submitted for re-evaluation with no guarantee of available capacity. The evaluation will be based on the updated conditions of the sewer system.

**Certification Invalidation:** This certification is not valid if there are proposed changes to your development that could impact downstream sewer capacity (e.g. land use density, sewer tie-in manhole, parcel changes, and/or rezoning). In this case the development must resubmit for a new Sewer Capacity Request with updated information prior to the expiration of the previous one.

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8/29/2024



Gwinnett

GWINNETT COUNTY  
DEPARTMENT OF WATER RESOURCES

684 Winder Highway | Lawrenceville, GA 30045-5012

678.376.6700

[www.gwinnettcounty.com](http://www.gwinnettcounty.com) | [www.gwinnetth2o.com](http://www.gwinnetth2o.com)

Please contact us at 678-376-7026 if you have any questions.

Sincerely,

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES

Lorraine Campagne, PE  
Section Manager, Development Support  
678.376.7058

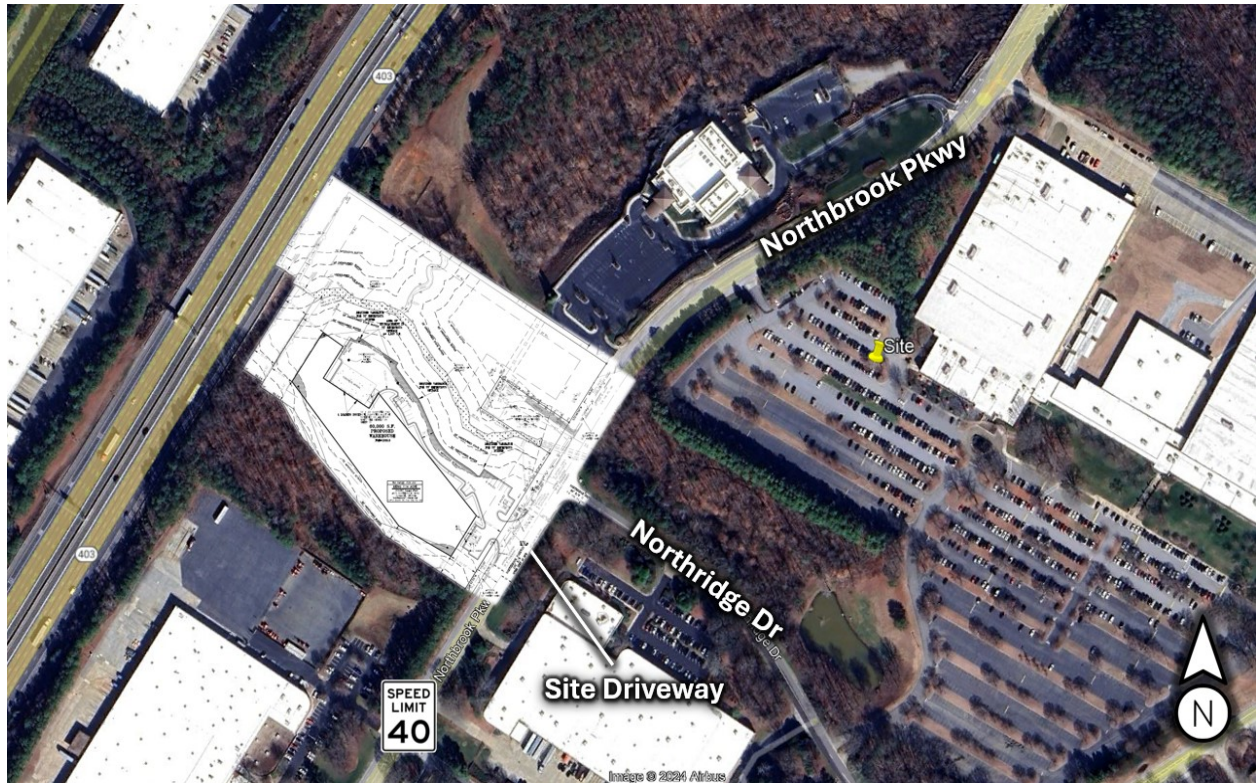
C: Gwinnett County DWR – Raghu Vemuru, Engineer V; Mikala Weston, Engineer III  
Gwinnett County P&D – Charli Young, Planning Manager; Geniva Sylvain, Engineer I; Christina Dejarnette, Engineer I

**Exhibit G: Traffic Impact Study**

**[attached]**

# 1.0 INTRODUCTION

The purpose of this study is to determine the traffic impact from the proposed warehouse development that will be located at 875 Northbrook Parkway in Gwinnett County, Georgia. The traffic analysis includes evaluation of the current operations and future conditions with the traffic generated by the development. The proposed development will consist of 60,000 sf of warehouse.



The development proposes one full access driveway on Northbrook Parkway.

The AM and PM peak hours have been analyzed in this study. In addition to the site access points this study includes the evaluation of traffic operations at the intersections of:

- Northbrook Parkway at Northridge Drive

Recommendations to improve traffic operations have been identified as appropriate and are discussed in detail in the following sections of the report. The location of the development and the surrounding roadway network are shown in Figure 1.

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

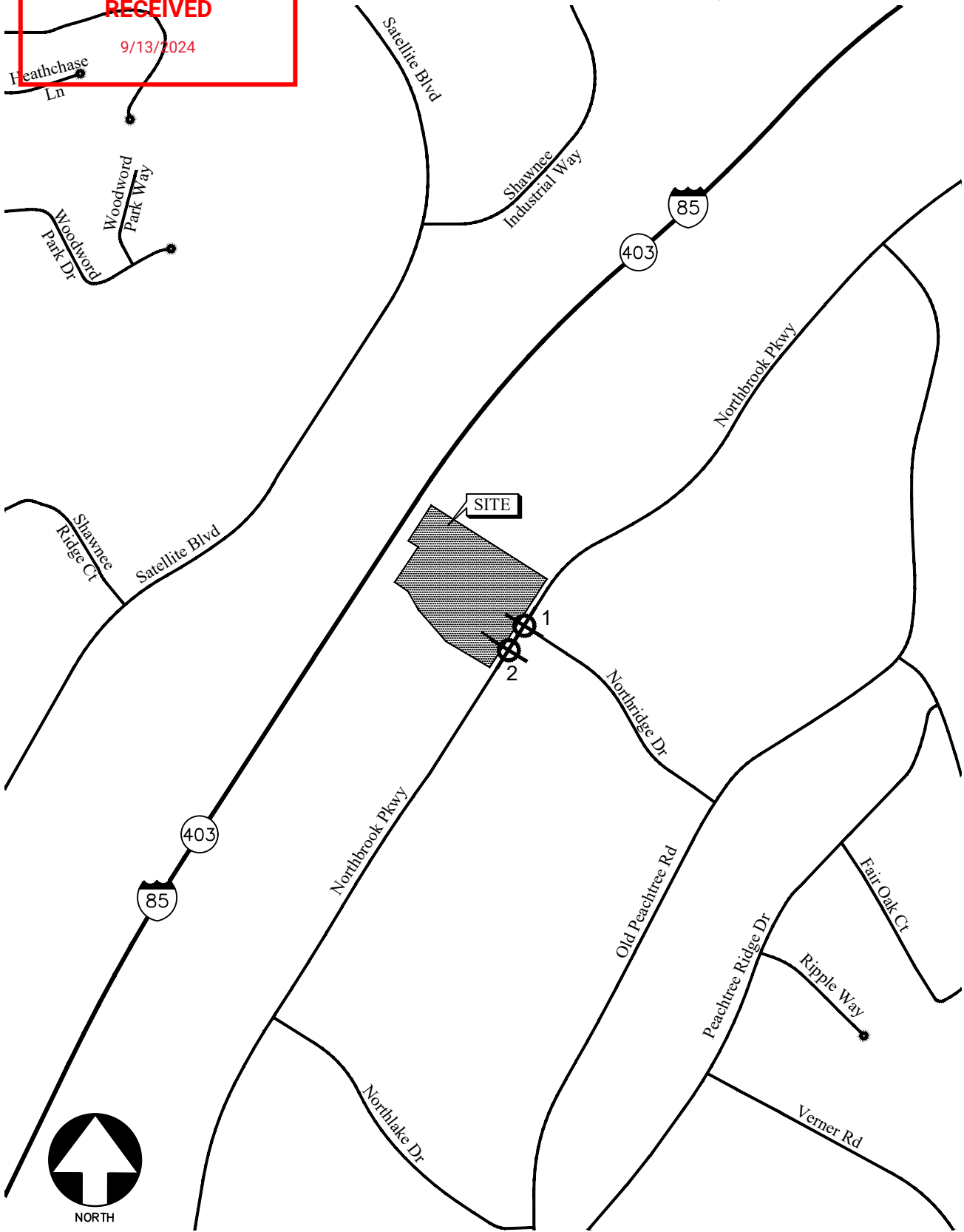
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9/13/2024

# Study Intersection



LOCATION MAP

FIGURE 1

A&R Engineering Inc.

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## 5.2 Existing Traffic Operations

Existing 2024 traffic operations were analyzed at the study intersections in accordance with the HCM methodology. The results of the analyses are shown in Table 3.

TABLE 3 – EXISTING INTERSECTION OPERATIONS				
Intersection		Traffic Control	LOS (Delay)	
			AM Peak Hour	PM Peak Hour
1	<b><u>Northbrook Parkway @ Northridge Drive</u></b> -Westbound Approach -Southbound Left	Stop Controlled on WB Approach	B (10.4) A (7.8)	C (19.1) B (10.2)

The results of existing traffic operations analysis indicate that the stop-controlled approach at the unsignalized study intersection is operating at a level of service “C” or better in both the AM and PM peak hours.

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**6.1 Trip Generation**

9/13/2024

Trip generation estimates for the project were based on the rates and equations published in the 11<sup>th</sup> edition of the Institute of Transportation Engineers (ITE) Trip Generation report. This reference contains traffic volume count data collected at similar facilities nationwide. The trip generation was based on the ITE land use category 150 - *Warehousing*. The calculated total trip generation for the proposed development is shown in Table 4.

TABLE 4— TRIP GENERATION								
Land Use	Size	AM Peak Hour			PM Peak Hour			24 Hour
		Enter	Exit	Total	Enter	Exit	Total	Two-way
ITE 150 – Warehousing (Cars)	60,000 sf	23	7	30	8	24	32	93
ITE 150 – Warehousing (Trucks)		1	0	1	1	1	2	40
<b>Total External Trips</b>		<b>24</b>	<b>7</b>	<b>31</b>	<b>9</b>	<b>25</b>	<b>34</b>	<b>133</b>

**6.2 Trip Distribution**

The trip distribution describes how traffic arrives and departs from the site. An overall trip distribution was developed for the site based on a review of the existing travel patterns in the area and the locations of major roadways and highways that will serve the development. The site-generated peak hour traffic volumes, shown in Table 4, were assigned to the study area intersections based on this distribution. The outer-leg distribution and AM and PM peak hour new traffic generated by the site is shown in Figure 5.

## 8.0 CONCLUSIONS AND RECOMMENDATIONS

Traffic impacts were evaluated for the proposed warehouse development that will be located at 875 Northbrook Parkway in Gwinnett County, Georgia. The proposed development will consist of 60,000 sf of warehouse and proposes one full access driveway on Northbrook Parkway.

Existing and future operations after completion of the project were analyzed at the intersections of:

1. Northbrook Parkway at Northridge Drive
2. Northbrook Parkway at Site Driveway

The analysis included the evaluation of future operations for “No-Build” and “Build” conditions, with the differences between “No-Build” and “Build” accounting for an increase in traffic due to the proposed development. The results of future “No-Build” and “Build” conditions traffic analysis indicate that the stop-controlled approaches at the un-signalized intersections will be operating at a level of service “B” or better in the AM peak hours and level of service “C” or better in the PM peak hours. Based on the analysis, the proposed development will have minimal impact on traffic operations in the study network.

### 8.1 Recommendations for Site Access Configuration

The following access configuration is recommended for the proposed site driveway intersections:

- Site Driveway: Full Access Driveway on Northbrook Parkway
  - One entering lane and one exiting lane
  - Stop-sign controlled on the driveway approach with Northbrook Parkway remaining free flow
  - Deceleration lane for entering traffic
  - Provide / Confirm adequate sight distance per AASHTO standards

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

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**Exhibit H: Public Participation Plan and Report**

**[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?**

The Applicant will notify all property owners within 1,000 feet of the site, with mailing addresses as provided by the Planning Department. The Applicant will also contact District 1 Planning Commissioners and Commissioner Garden.

**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.**

The meeting will be held at the Applicant's existing location, 950 Northbrook Parkway, Suwanee, Georgia.

The building is located directly across the street from the proposed site.

**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.**

The meeting will be held on Wednesday, October 3, 2024, at 5:30 p.m.

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

The Applicant will conduct a brief presentation and overview of the proposed development and open up the meeting to address any questions or concerns from community members. The Applicant will also follow-up with any property owner that has additional questions following the public participation meeting.

## 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.**

All property owners within the notification zone were notified of the requested application. District 1 Planning

Commissioners and Commissioner Kirkland Carden were notified of the public participation meeting via a calendar invitation from counsel for Applicant. Commissioner Carden attended the meeting.

- 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.**

The public participation meeting was held on Thursday, October 3, 2024 at 5:30 pm at

PAI Industries located at 950 Northbrook Parkway, Suwanee, Georgia (across the street from the site).

- 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.**

There were propoerty owners or community members in attendance. Commissioner Carden and several representatives for the Applicant were in attendance. Attached is a copy of the sign-in sheet.

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

The Applicant made a brief presentation (see attached).

- 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?**

The Applicant has not proposed any changes to the development at this time.

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

**[attached]**



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

<b>TRC Meeting Date:</b>		10.04.2024	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 2	
Reviewer Email Address:		<a href="mailto:Brent.Hodges@gwinnettcounty.com">Brent.Hodges@gwinnettcounty.com</a>	
Case Number:		CIC2024-00031	
Case Address:		875 Northbrook Parkway, Suwanee, 30024	
<b>Comments:</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<b>YES</b>	<b>NO</b>
1	Northbrook Parkway is a minor arterial. The Average Daily Traffic (ADT) volume is 12,324.		
2	The nearest Ride Gwinnett facility is located 2.5 miles away at 1817 North Brown Road.		
3	Per section 360-30.2 of the UDO, a right-turn deceleration lane shall be provided along Northbrook Parkway into the site.		
4	Per section 360-100 of the UDO, a 12' concrete trail shall be provided along the site frontage, as Northbrook Parkway is classified as a Priority Trail within the GC Trails Master Plan. The full width of the trail and deceleration lane shall be located within right-of-way.		
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			

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

*Revised 7/26/2021*

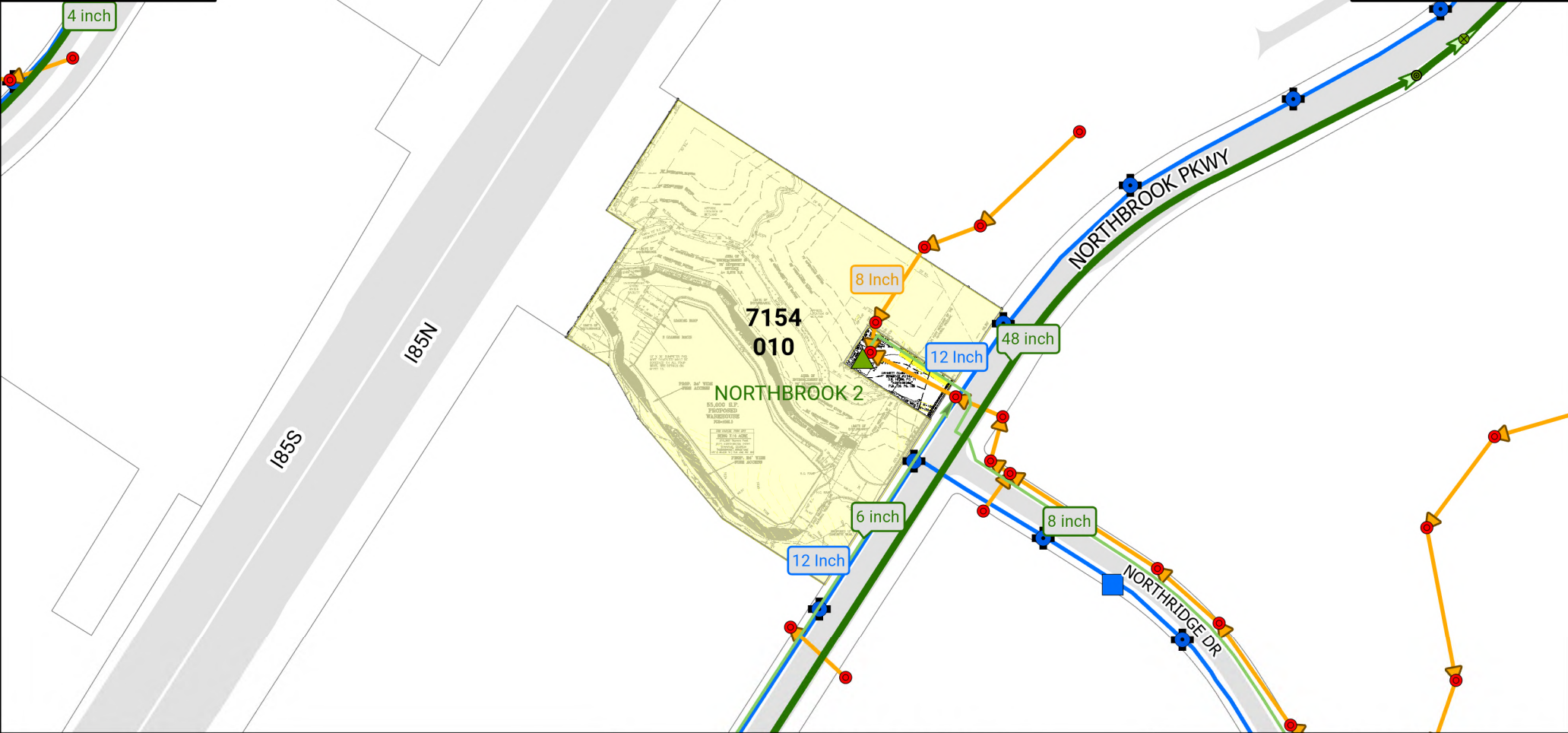


**Department of Planning and Development  
TECHNICAL REVIEW COMMITTEE**

<b>TRC Meeting Date:</b>				
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		<a href="mailto:Michael.pappas@gwinnettcounty.com">Michael.pappas@gwinnettcounty.com</a>		
Case Number:		CIC2024-00031		
Case Address:		875 Northbrook Parkway		
<b>Comments:</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Water: The proposed development may connect to an existing 12-inch water main along the western right-of-way of Northbrook Pkwy.			
2	Sewer: A Sewer Capacity Certification (C2024-182-07) has been approved for the domestic flows from the 55,000 square foot warehouse and must be updated to reflect the water usage for the manufacturing process. Pending available capacity, the proposed development plans to connect to an existing 8-inch gravity sewer located on the subject site.			
3				
4				
5				
6				
7				
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1				
2				
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7				

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

*Revised 7/26/2021*

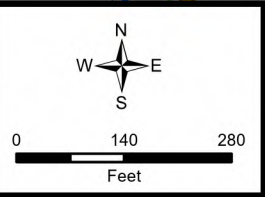


**LEGEND**

	Water Main		Sewer Collector		Manhole
	Hydrant		Sewer Force Main		Pump Station
	Master Vault				

**875 Northbrook Pkwy  
M-1**

**Water & Sewer  
Utility Map**



**Water Comments:** The proposed development may connect to an existing 12-inch water main along the western right-of-way of Northbrook Pkwy.

**Sewer Comments:** A Sewer Capacity Certification (C2024-182-07) has been approved for the domestic flows from the 55,000 square foot warehouse and must be updated to reflect the water usage for the manufacturing process. Pending available capacity, the proposed development plans to connect to an existing 8-inch gravity sewer located on the subject site.

**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 J: Maps**

**[attached]**



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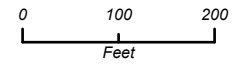
NORTHBROOK PKWY

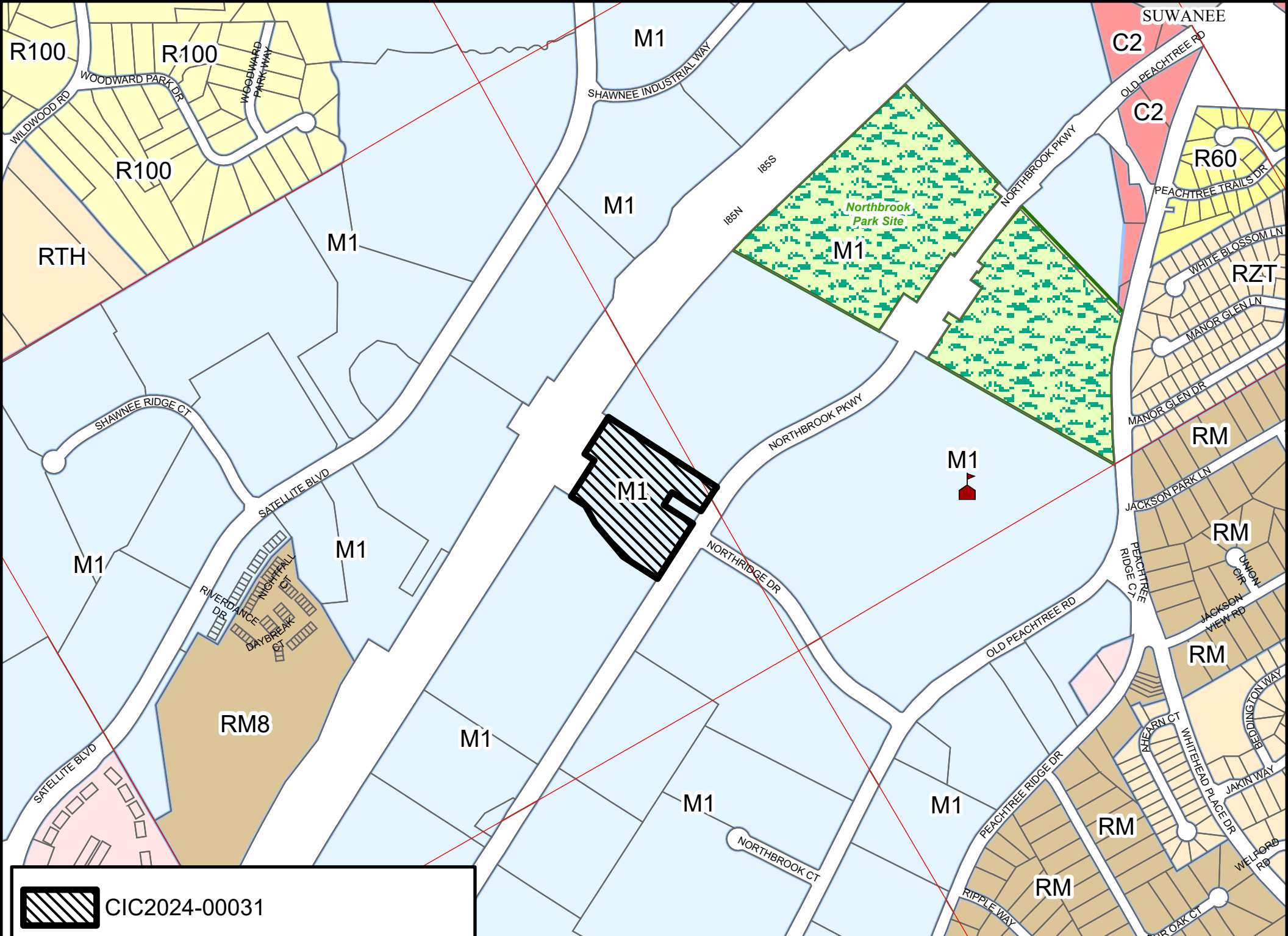
NORTHRIDGE DR



CIC2024-00031

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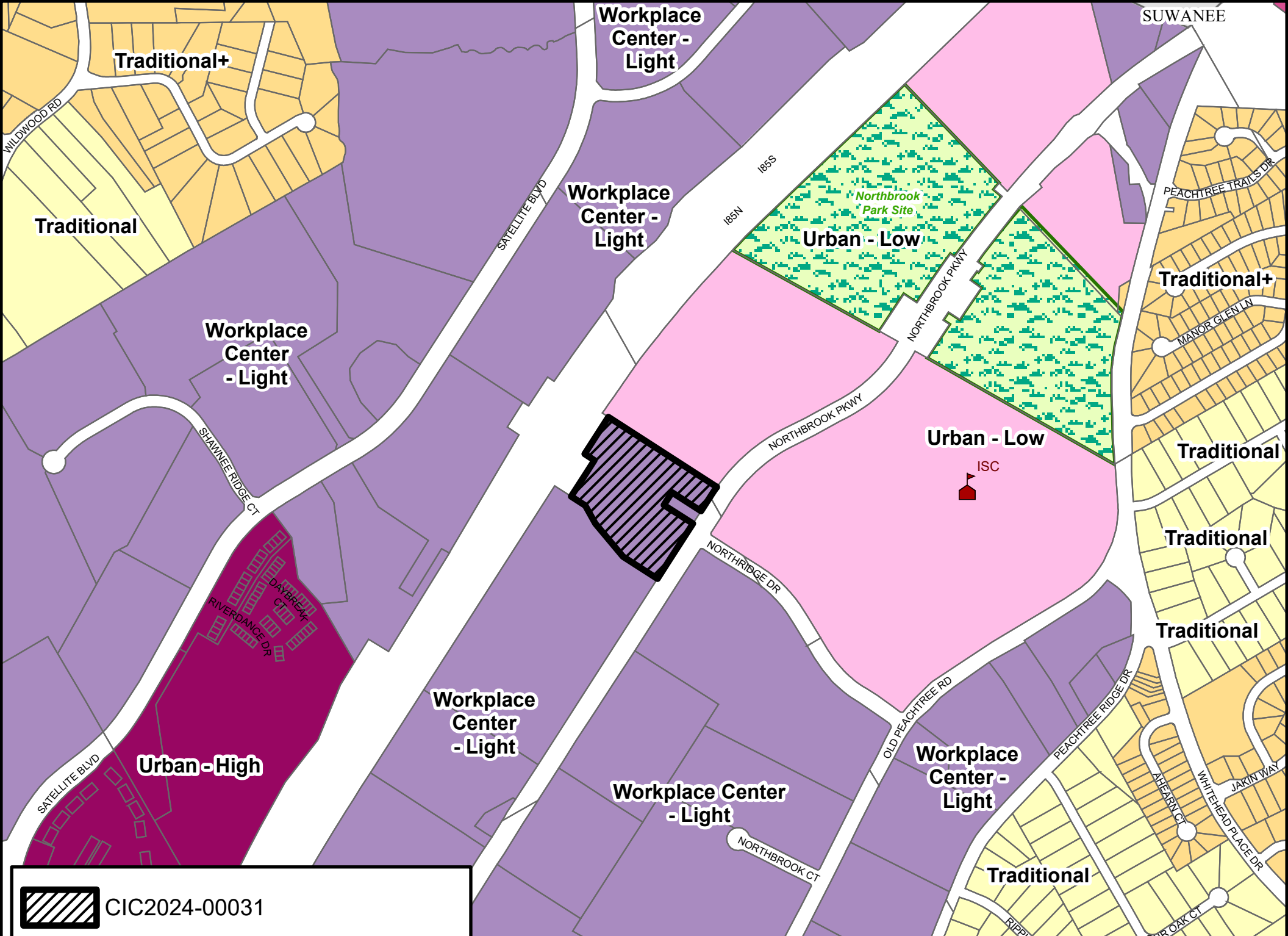
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 N

 0 300 600  
Feet

**SUBJECT SITE AND SURROUNDING ZONING**



SUWANEE

Traditional+

Workplace Center - Light

Traditional

Workplace Center - Light

Urban - Low

Northbrook Park Site

Traditional+

Workplace Center - Light

Traditional

Urban - Low



ISC

Traditional

Traditional


Workplace Center - Light

Workplace Center - Light

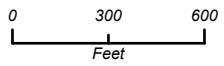
Workplace Center - Light

Urban - High

Traditional

 CIC2024-00031

Created: September 20, 2024



**2045 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION**