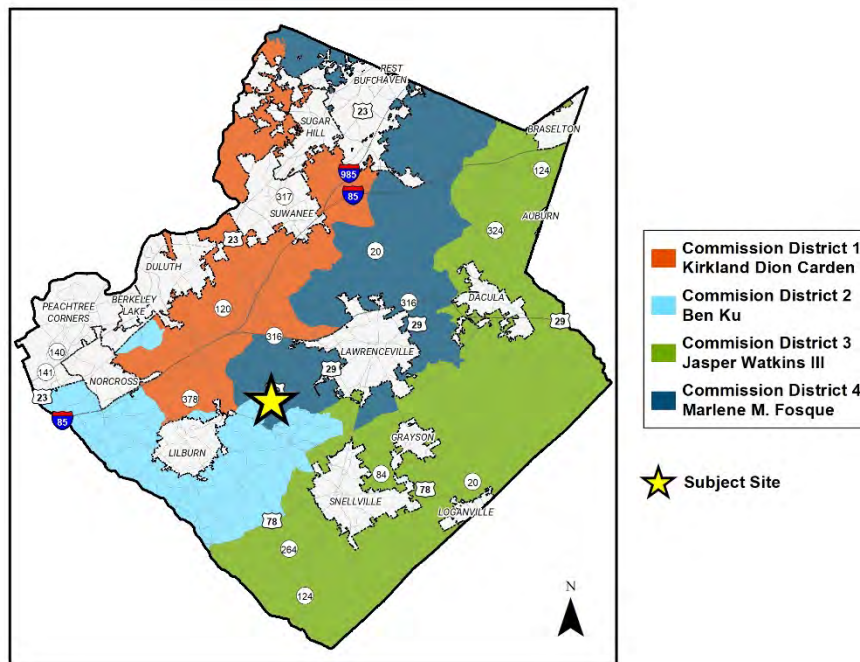


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: SUP2022-00006
Current Zoning: RA-200 (Agriculture-Residence District)
 R-100 (Single-Family Residence District)
 R-75 (Single-Family Residence District)
Request: Special Use Permit
Address: 85 Gloster Road
Map Number: R5015 300
Site Area: 15.74 acres
Square Feet: 1,160
Proposed Development: Day Care Facility within existing Place of Worship
Commission District: District 4 – Commissioner Fosque*
Character Area: Established Neighborhoods

Staff Recommendation: APPROVAL WITH CONDITIONS

Planning Commission Recommendation: APPROVAL WITH CONDITIONS



*Commission District 2 effective January 1, 2023.

Planning Commission Advertised Public Hearing Date: 9/6/2022
Board of Commissioners Advertised Public Hearing Date: 9/27/2022

Applicant: St. Marguerite d'Youville Catholic Church,
Lawrenceville, Inc.
85 Gloster Road
Lawrenceville, GA 30044

Owner: AOA Parish Real Estate Trust
2401 Lake Park Drive SE
Smyrna, GA 30080

Contact: W. Charles Ross, Esq.

Contact Phone: 770.962.0100

Zoning History

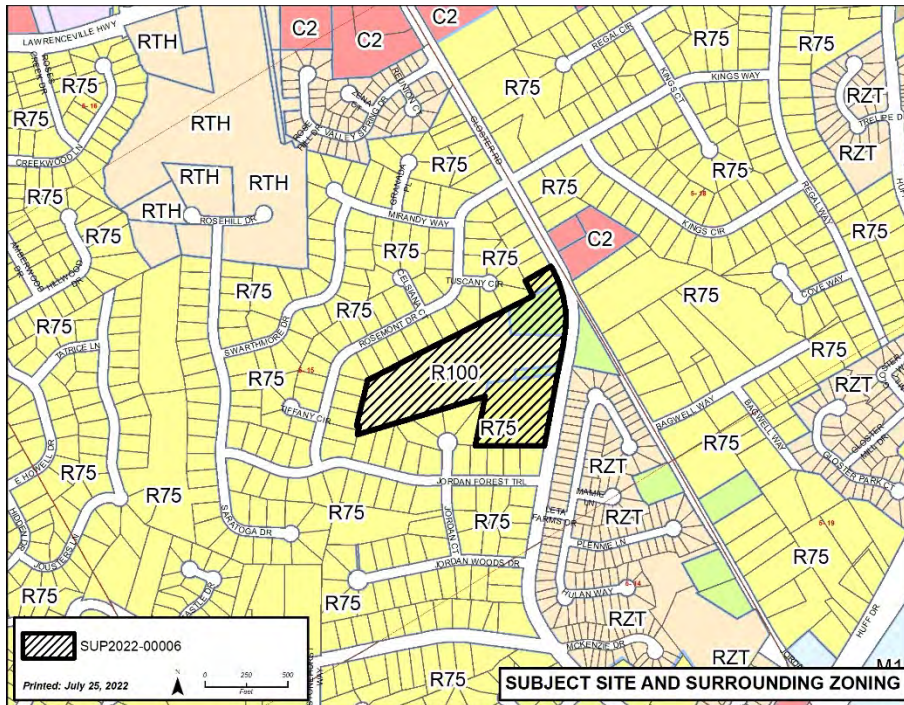
The subject property is zoned RA-200 (Agriculture-Residence District), R-100 (Single-Family Residence District), and R-75 (Single-Family Residence District). A 1976 rezoning, RZ-083-76, was approved on a portion of the property from R-75 to RA-200 for a plant nursery. A 1986 rezoning, RZ-007-1986, was approved on the same portion of the property from RA-200 to R-100. A 1987 special use permit, SUP-003-1987, was approved for a place of worship. A 1989 special use permit, SUP-12-1989, was approved for a change in conditions for the previously approved place of worship. Lastly, a 2014 special use permit, SUP2014-00058, was approved for an adult day care facility within the existing place of worship.

Existing Site Condition

The subject site is a 15.74-acre property located along Gloster Road, across from its intersection with Jordan Drive. The property is developed with a 31,180 square foot place of worship, constructed in 1998. Also present on the property is a single-family residence and garage, constructed in 1940, converted for use by the place of worship. The property slopes upwards approximately 18 feet from Gloster Road to a hill in front of the place of worship, then slopes down from the center of the property to the western property line approximately 44 feet. Overhead utilities are present along Gloster Road. No sidewalks exist along the road frontage. The nearest Gwinnett County Transit stop is approximately 3.2 miles from the site.

Surrounding Use and Zoning

The subject site is surrounded entirely by single-family subdivisions. Low intensity commercial developments, including a neighborhood grocery store and office space, are located to the northeast. More intense commercial activity located along Lawrenceville Highway is further north. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Day Care Facility	RA-200	N/A
		R-100	N/A
		R-75	N/A
North	Single-Family Residential	R-75	1.71 units per acre
East	Single-Family Residential	RA-200	0.88 units per acre
		RZT	4.71 units per acre
		R-75	0.99 units per acre
South	Single-Family Residential	R-75	2.26 units per acre
West	Single-Family Residential	R-75	1.89 units per acre

Project Summary

The applicant requests a special use permit on a 15.74-acre property zoned RA-200, R-100, and R-75 for a day care facility, including:

- Classrooms within the basement of an existing 31,180 square foot place of worship, totaling 1,160 square feet.
- A weekday pre-school/day care program for up to 17 students between two and five years of age.
- Hours of operation between 9am and 1pm, Monday through Friday.
- An outdoor playground to comply with state pre-school regulations.
- Existing access driveway from Gloster Road.
- An adult day care facility special use permit has been present on the property since 2014 (SUP2014-00058). This permit allows for up to 40 individuals within the existing structure from 8am to 4pm, Monday through Friday.

Zoning and Development Standards

The applicant is requesting a special use permit for a day care facility in the RA-200, Agriculture-Residence District, R-100, Single-Family District, and R-75 Single-Family Residence District. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Existing	Meets Standard?
Front Yard Setback	Minimum 50'	>50'	YES
Side Yard Setback	Minimum 30'	>30'	YES
Rear Yard Setback	Minimum 30'	>30'	YES
Zoning Buffer	20' adjacent to Residential 50' for Recreation adjacent to Residential	>20' >50'	YES YES
Off-Street Parking	255 existing spaces	255 spaces	YES

Internal and External Agency Review

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

Staff Analysis

Special Use Permit Request 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 of Planning and Development shall evaluate the request and make a recommendation with respect to the standards governing exercise of zoning power as defined in Section 270-20.5. After this evaluation, staff makes the following findings based on the standards from the UDO:

A. Whether the special use is a use that is suitable in view of the use and development of adjacent and nearby property.

The subject property is surrounded by established single-family subdivisions. The day care will be located within the existing place of worship. Providing an additional small scale day care is suitable given the surrounding residential area.

B. Whether the special use permit will adversely affect the existing use or usability of adjacent or nearby property.

The existing use and usability of adjacent or nearby properties would not be impacted by the special use permit. The requested special use permit will provide a use which is not inherently harmful to surrounding uses and nearby properties.

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

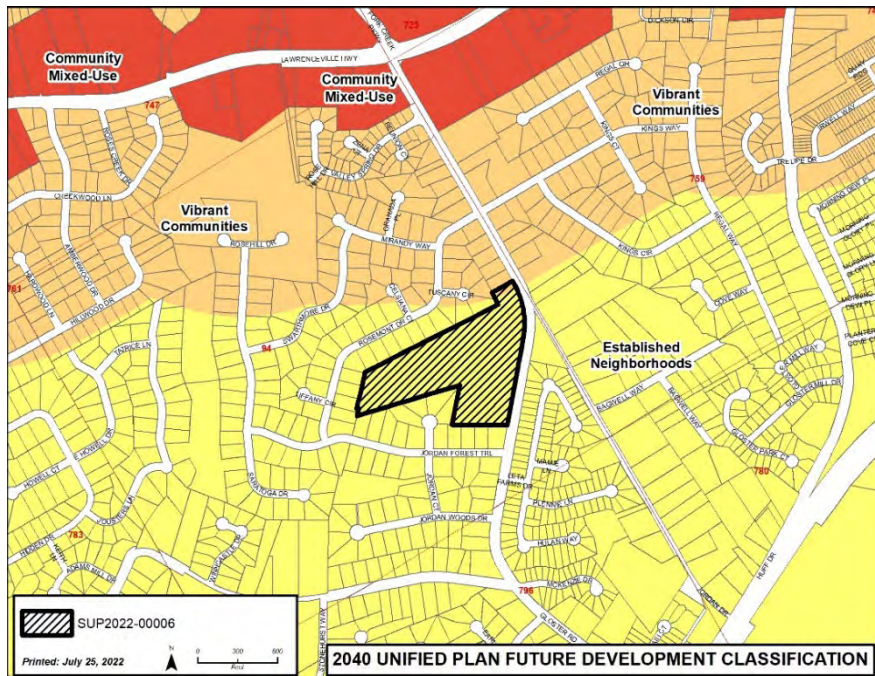
The property has a reasonable economic use as currently zoned.

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 requested special use permit would create minimal impacts on public facilities in the form of traffic and utility demand. No impact is anticipated on school enrollment or stormwater runoff. Agency review comments related to any potential improvements concerning this special use permit request are attached (Exhibit D).

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

The 2040 Unified Plan Future Development Map indicates that the subject property lies within the Established Neighborhoods Character Area. This designation is intended for well-established neighborhoods and single-family residential areas that are unlikely to undergo any significant changes in the next 20 years. The addition of a day care within an existing place of worship would be appropriate at this location.



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.

The nearby areas are developed primarily with single-family residential uses. The subject property will not adversely impact the surrounding area with the addition of a day care within an existing place of worship. Residential development in the area supports this type of institutional use.

Staff Recommendation

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

Planning Commission Recommended Conditions (includes Staff Recommended Conditions)

Approval of a special use permit for a day care facility, subject to the following conditions:

1. The daycare shall not exceed occupancy limits as set by the Fire Marshall, and shall be subject to applicable building and fire/life safety codes.
2. Hours of operation for the daycare shall be limited to between 9:00am to 1:00pm, Monday through Friday.

Exhibits:

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

Exhibit A: Site Visit Photo



Existing Place of Worship

Exhibit B: Site Plan

[attached]

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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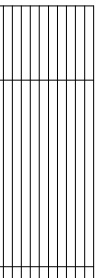


3330 Cumberland Blvd, SE
Suite 105
Atlanta, GA 30338
770.432.0019
www.cdhamblers.com

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ST. MARGUERITE CYOUILLE CATHOLIC CHURCH
Academy for Little Lambs
85 Gloser Rd NW, Lawrenceville, GA, 30044

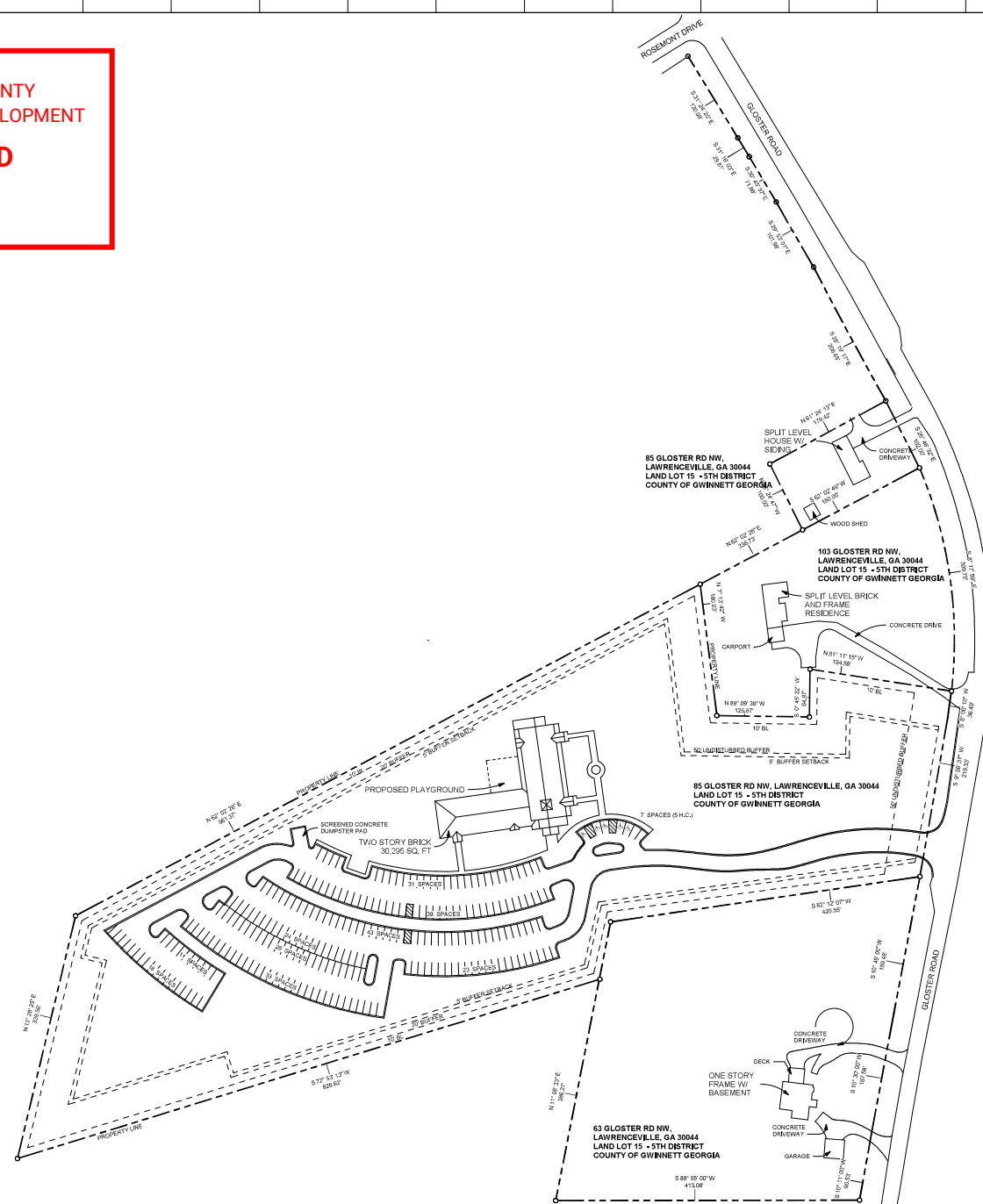
PROJECT NO. Project Number
SITE PLAN 06/20/2022



SHEET TITLE
**ARCHITECTURAL
SITE PLAN**

SHEET NUMBER

AS01



A1 SITE PLAN

ASD1 1" = 60'-0"

SUP2022-00006

Page 10 of 23

LW

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

[attached]

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Brian Edwards
7/7/2022
Nathan Powell
W. Charles Ross



POWELL & EDWARDS
ATTORNEYS AT LAW

Mandy Williams
Jay Crowley
Rob Poston
Laura Walsh
Laura Shoop

July 7, 2022

Susan Canon, Director
Gwinnett County Planning & Development
75 Langley Drive
Lawrenceville, Georgia 30046

**RE: APPLICATION FOR SPECIAL USE PERMIT AND LETTER OF INTENT FOR
ST. MARGUERITE D'YOUVILLE CATHOLIC CHURCH, LAWRENCEVILLE,
INC., FOR 85 GLOSTER ROAD, LAWRENCEVILLE.**

Dear Ms. Canon:

Powell & Edwards, P.C. submit this Letter of Intent on behalf of **St. Marguerite d'Youville Catholic Church, Lawrenceville, Inc.** (the "Applicant") to request a Special Use Permit to operate a small, weekday, pre-school program within the existing church located at 85 Gloster Road, Lawrenceville and having Gwinnett County Tax ID Number of R5015 300.

Applicant, as a church of the Archdiocese of Atlanta, is the owner of the various parcels which comprise the overall 15.74-acre tax parcel identified above. The tax parcel contains the church, the proposed pre-school, as well as a clergy house and outbuildings. The tax parcel, which is an assemblage of several properties which have been donated to the church over the period of many years and through several different instruments, contain parcels which are zoned R-100, R-75 and RA-200. The Applicant intends to utilize 1,160 square feet of the basement of the church to operate the St. Marguerite's Academy for Little Lambs, a weekday pre-school program for approximately seventeen (17) children. This space is used for Sunday School programming on Sundays but sits unused during the week absent the pre-school program.

The project will not require any structural modifications as the area is already configured for this use and therefore does not require any change in building height, density, or buffers. In addition to the seventeen students, the program would employ three teachers. Being an existing church, there currently exist 255 parking spaces of which five are designated handicap accessible, which is well in excess of the three spaces which would be required for a private school with two classrooms or a daycare center of 1,200 square feet. Additionally, the church sits far back on the property and has a long driveway and a deceleration lane which would easily accommodate any vehicles entering or leaving the property without disruption to the flow of traffic on Gloster Road. The addition of seventeen children in and out of the church will have a negligible effect on any infrastructure or neighboring properties, but the benefits to these young minds attending the program will be immense.

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The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this Letter of Intent or in its application for a Special Use Permit filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted,

POWELL & EDWARDS, P.C.



W. Charles "Chuck" Ross
Attorney for Applicant

Enclosures

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1/6/2022

SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENT OF THE UNIFIED 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 AN 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:

The proposed special use is located entirely within the existing church structure. The church itself sits well back from the road on a large parcel, which is well-insulated from the surrounding properties. Providing Christian-based pre-school during the week is consistent with the existing Sunday School programming that currently exists on this site.

- (B) WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

The proposed special use will have no effect upon the existing use or usability of the adjacent properties. The church itself sits well back from the road on a large parcel. The program only expects approximately seventeen (17) participants at this time, which would not effect any of the adjacent properties. The church also has a deceleration lane and a very long driveway which can accommodate well over the small number of vehicles entering and exiting the church.

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

As St. Marguerite d'Youville Catholic Church already exists on the site, the property does have a reasonable economic use as currently zoned. However, the classrooms would go unused during the week, and the highest and best use of this property is to allow the church to nourish young minds during the week, rather than only on Sundays.

- (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:

As noted above, there are only seventeen anticipated participants. Even if each participant came in a separate vehicle, which is unlikely, the existing infrastructure which is designed to accommodate large crowds entering and leaving on Sundays is more than sufficient to accommodate this use.

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

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The 2040 Comprehensive Plan classifies this area as Established Neighborhoods. These areas specifically include neighborhood institutional uses such as churches. The proposed special use in this application is simply a complementary use of a church that has served this community for many years. The proposed special use and its secluded location within the district makes it the perfect operation for this district and is fully in conformity with both the policy and intent of the Plan.

- (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:

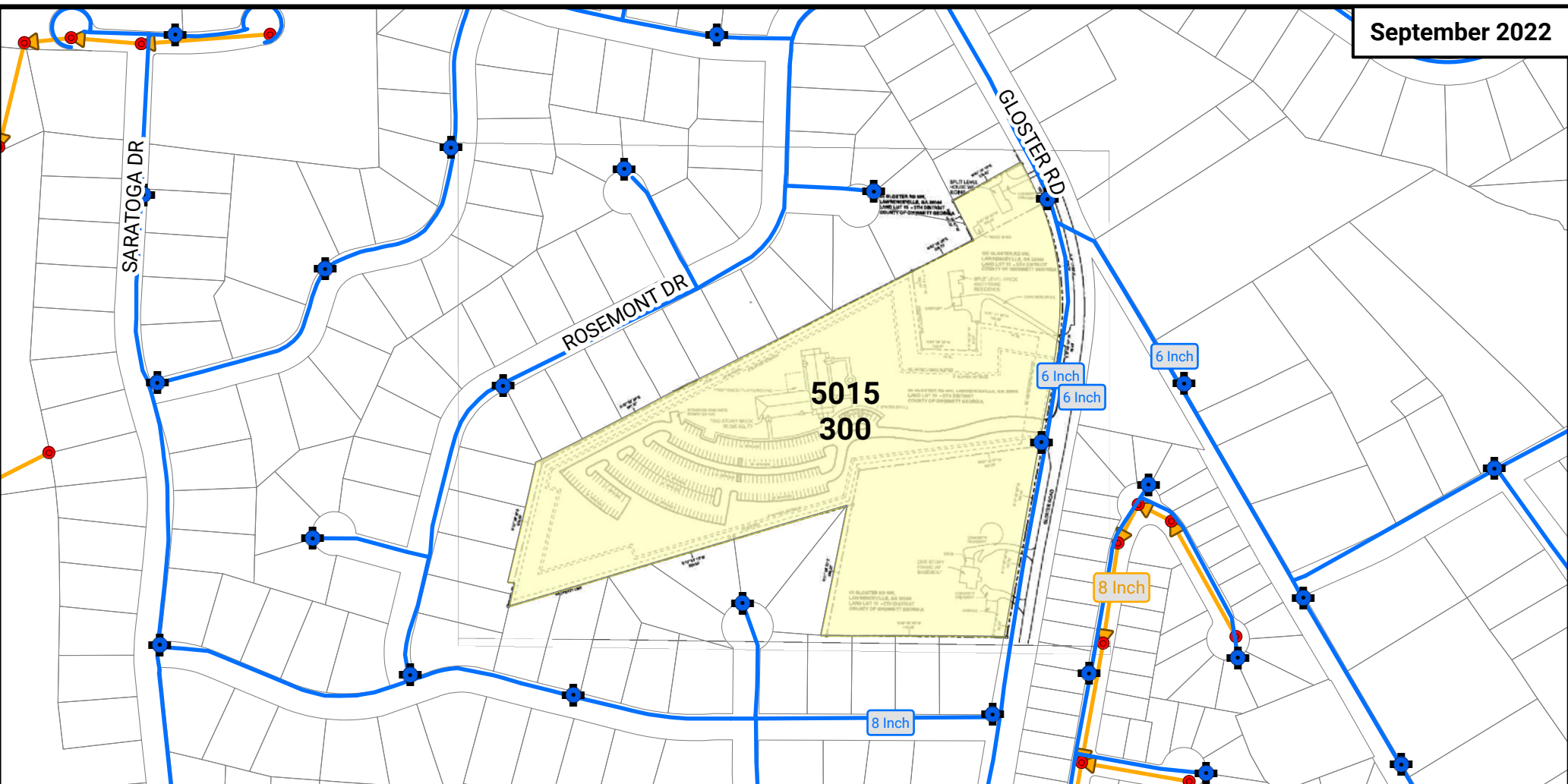
As noted above, the proposed special use is for Christian-based pre-school during the week in an existing church location. They simply will be teaching during the week in addition to Sunday and on a much smaller scale.

Exhibit D: Internal and External Agency Review Comments

[attached]

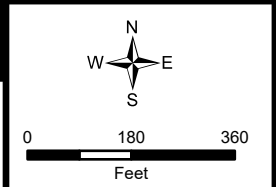
TRC Meeting Date:		8.17.22	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		Brent.Hodges@gwinnettcounty.com	
Case Number:		SUP2022-00006	
Case Address:		85 Gloster Road	
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	Gloster Road is a minor collector. ADT = 6,894.		
2	3.2 miles to nearest transit facility (#2335220) Lawrenceville Highway and Pleasant Hill Road.		
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		YES	NO
1			
2			
3			
4			
5			
6			
7			

TRC Meeting Date:		8/17/2022		
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		Michael.pappas@gwinnettcounty.com		
Case Number:		SUP2022-00006		
Case Address:		85 Gloster Road		
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Water: The existing church is already connected to the 6-inch water main located on the west right-of-way of Gloster Road.			
2	Sewer: There are no DWR Comments for this case. The existing church is on septic and will remain on septic.			
3				
4				
5				
6				
7				
Recommended Zoning Conditions:		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1				
2				
3				
4				
5				
6				
7				



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

SUP2022-00006
 R-100, R-75 and RA-200
Water & Sewer
Utility Map



Water Comments: The existing church is already connected to the 6-inch water main located on the west right-of-way of Gloster Road.

Sewer Comments: There are no DWR Comments for this case. The existing church is on septic and will remain on septic.

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 E: Maps

[attached]



SWARTHMORE DR

CELSIANA CT

TUSCANY CIR

GLOSTER RD

ROSEMONT DR

JORDAN DR

TIFFANY CIR

HULAN WAY

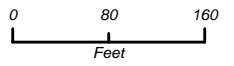
JORDAN CT

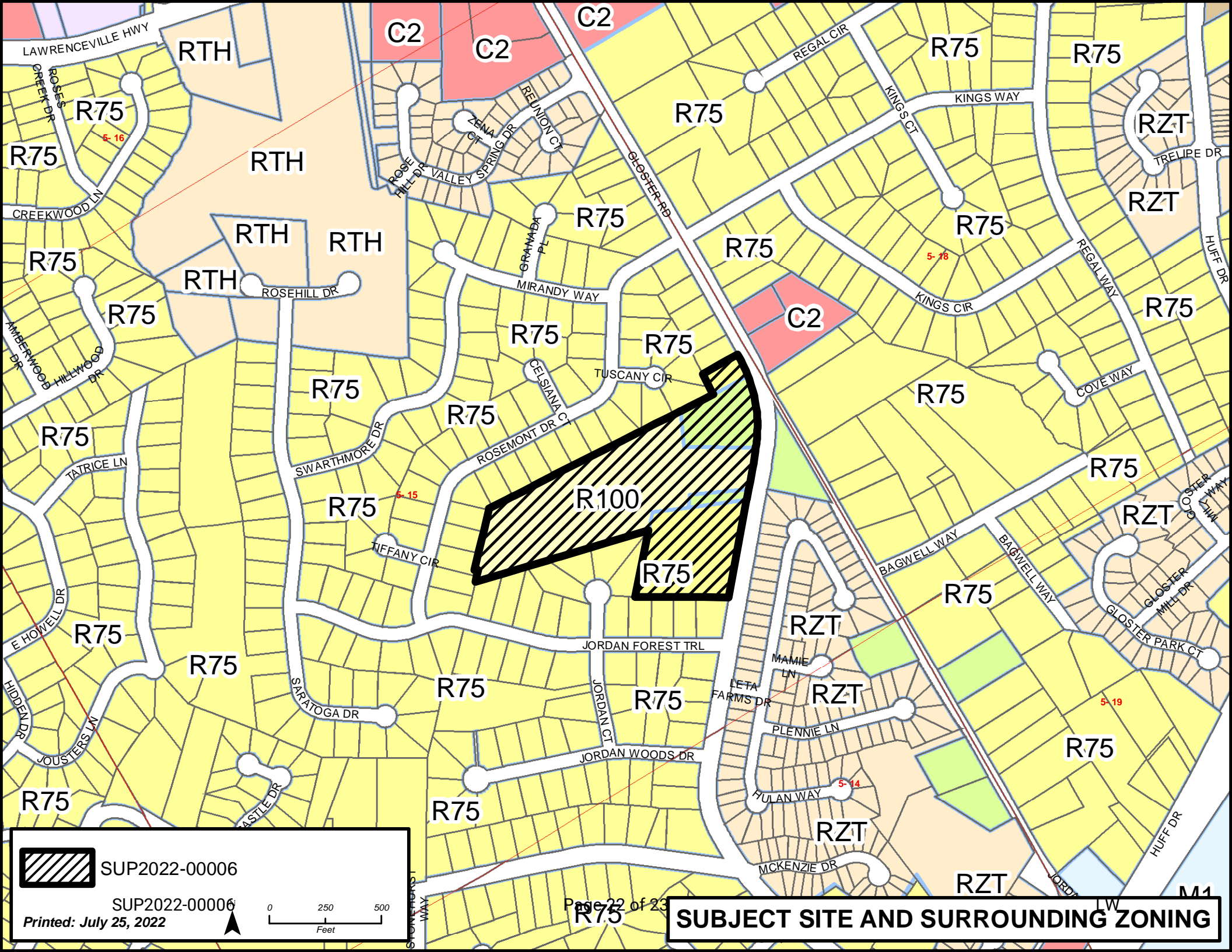


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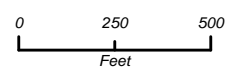
Printed: July 25, 2022



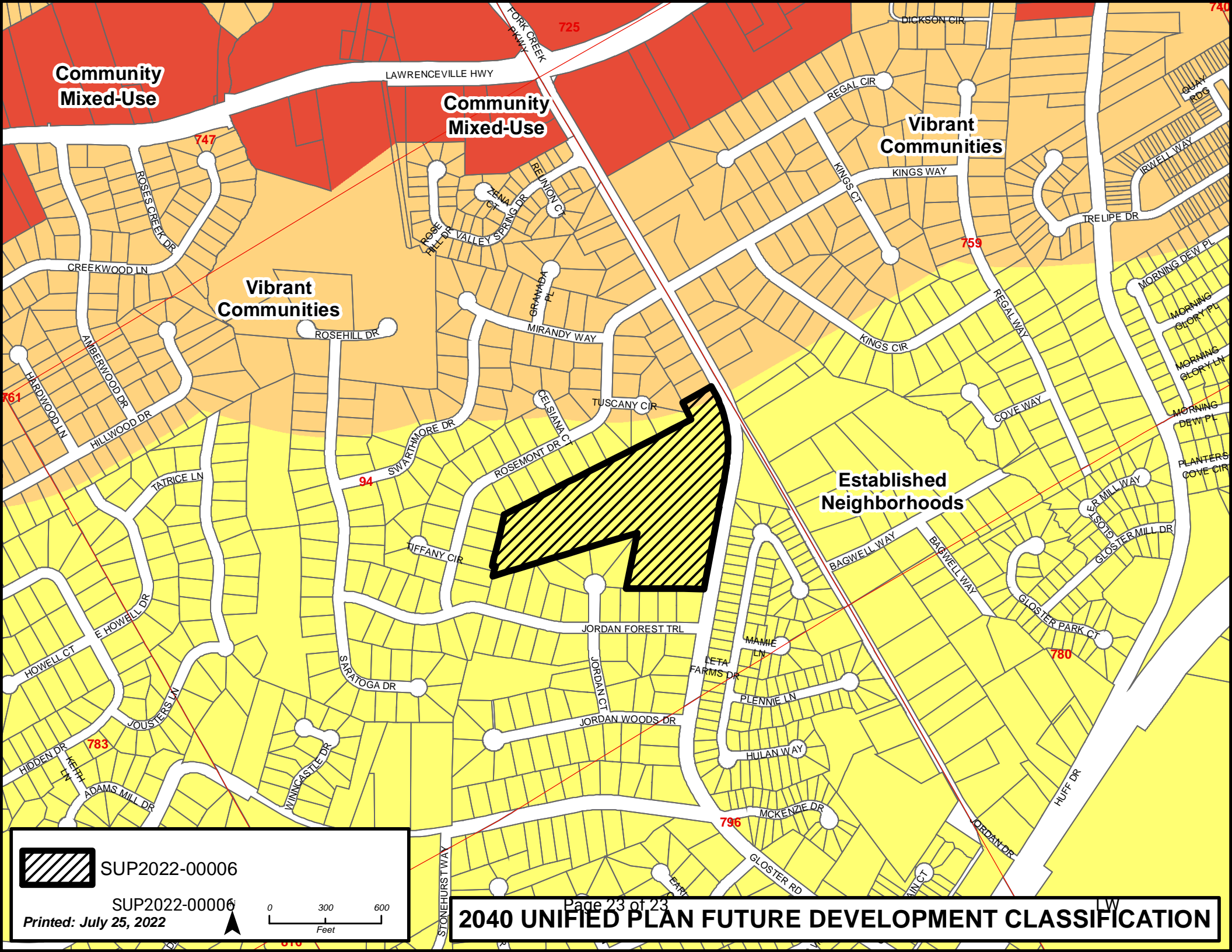


 SUP2022-00006

SUP2022-00006
Printed: July 25, 2022



SUBJECT SITE AND SURROUNDING ZONING



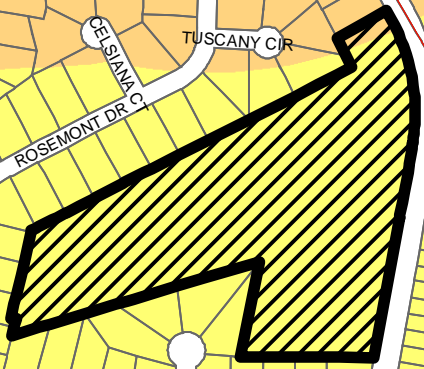
**Community
Mixed-Use**

**Community
Mixed-Use**

**Vibrant
Communities**

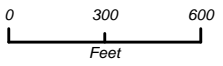
**Vibrant
Communities**

**Established
Neighborhoods**



 SUP2022-00006

SUP2022-00006
Printed: July 25, 2022



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7/7/2022

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>St. Marguerite d'Youville Catholic Church, Lawrenceville, Inc.</u>	NAME: <u>AOA Parish Real Estate Trust</u>
ADDRESS: <u>85 Gloster Road</u>	ADDRESS: <u>2401 Lake Park Drive SE</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Smyrna</u>
STATE: <u>Georgia</u> ZIP: <u>30044</u>	STATE: <u>Georgia</u> ZIP: <u>30080</u>
PHONE: <u>770-962-0100</u>	PHONE: <u>770-962-0100</u>
EMAIL: <u>cross@powelledwards.com</u>	EMAIL: <u>cross@powelledwards.com</u>
CONTACT PERSON: <u>W. Charles "Chuck" Ross, Esq.</u> PHONE: <u>770-962-0100</u>	
CONTACT'S E-MAIL: <u>cross@powelledwards.com</u>	

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

APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT	<input checked="" type="checkbox"/> PROPERTY OWNER
<input type="checkbox"/> CONTRACT PURCHASER	
EXISTING/PROPOSED ZONING: <u>R100, R75</u> BUILDING/LEASED SQUARE FEET: <u>1,160</u>	
PARCEL NUMBER(S): <u>R5015 300</u>	ACREAGE: <u>15.74</u>
ADDRESS OF PROPERTY: <u>85 Gloster Road, Lawrenceville, Georgia 30044</u>	
SPECIAL USE REQUESTED: <u>To operate a Pre-School in the basement of the existing church,</u> <u>for approximately 17 students, operating weekday mornings from 9:00 AM to 1:00 PM.</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

Brian Edwards
7/7/2022
Nathan Powell
W. Charles Ross



POWELL & EDWARDS
ATTORNEYS AT LAW

Mandy Williams
Jay Crowley
Rob Poston
Laura Walsh
Laura Shoop

July 7, 2022

Susan Canon, Director
Gwinnett County Planning & Development
75 Langley Drive
Lawrenceville, Georgia 30046

**RE: APPLICATION FOR SPECIAL USE PERMIT AND LETTER OF INTENT FOR
ST. MARGUERITE D'YOUVILLE CATHOLIC CHURCH, LAWRENCEVILLE,
INC., FOR 85 GLOSTER ROAD, LAWRENCEVILLE.**

Dear Ms. Canon:

Powell & Edwards, P.C. submit this Letter of Intent on behalf of **St. Marguerite d'Youville Catholic Church, Lawrenceville, Inc.** (the "Applicant") to request a Special Use Permit to operate a small, weekday, pre-school program within the existing church located at 85 Gloster Road, Lawrenceville and having Gwinnett County Tax ID Number of R5015 300.

Applicant, as a church of the Archdiocese of Atlanta, is the owner of the various parcels which comprise the overall 15.74-acre tax parcel identified above. The tax parcel contains the church, the proposed pre-school, as well as a clergy house and outbuildings. The tax parcel, which is an assemblage of several properties which have been donated to the church over the period of many years and through several different instruments, contain parcels which are zoned R-100, R-75 and RA-200. The Applicant intends to utilize 1,160 square feet of the basement of the church to operate the St. Marguerite's Academy for Little Lambs, a weekday pre-school program for approximately seventeen (17) children. This space is used for Sunday School programming on Sundays but sits unused during the week absent the pre-school program.

The project will not require any structural modifications as the area is already configured for this use and therefore does not require any change in building height, density, or buffers. In addition to the seventeen students, the program would employ three teachers. Being an existing church, there currently exist 255 parking spaces of which five are designated handicap accessible, which is well in excess of the three spaces which would be required for a private school with two classrooms or a daycare center of 1,200 square feet. Additionally, the church sits far back on the property and has a long driveway and a deceleration lane which would easily accommodate any vehicles entering or leaving the property without disruption to the flow of traffic on Gloster Road. The addition of seventeen children in and out of the church will have a negligible effect on any infrastructure or neighboring properties, but the benefits to these young minds attending the program will be immense.

A PROFESSIONAL CORPORATION

P.O. Box 1390 • Lawrenceville, Georgia 30046-1390 • powelledwards.com • 770.962.0100

Street Address For Direct Deliveries Only • 10 Lumpkin Street Lawrenceville, GA 30046

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7/7/2022

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this Letter of Intent or in its application for a Special Use Permit filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted,

POWELL & EDWARDS, P.C.



W. Charles "Chuck" Ross
Attorney for Applicant

Enclosures

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1/6/2022

SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENT OF THE UNIFIED 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 AN 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:

The proposed special use is located entirely within the existing church structure. The church itself sits well back from the road on a large parcel, which is well-insulated from the surrounding properties. Providing Christian-based pre-school during the week is consistent with the existing Sunday School programming that currently exists on this site.

- (B) WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

The proposed special use will have no effect upon the existing use or usability of the adjacent properties. The church itself sits well back from the road on a large parcel. The program only expects approximately seventeen (17) participants at this time, which would not effect any of the adjacent properties. The church also has a deceleration lane and a very long driveway which can accommodate well over the small number of vehicles entering and exiting the church.

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

As St. Marguerite d'Youville Catholic Church already exists on the site, the property does have a reasonable economic use as currently zoned. However, the classrooms would go unused during the week, and the highest and best use of this property is to allow the church to nourish young minds during the week, rather than only on Sundays.

- (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:

As noted above, there are only seventeen anticipated participants. Even if each participant came in a separate vehicle, which is unlikely, the existing infrastructure which is designed to accommodate large crowds entering and leaving on Sundays is more than sufficient to accommodate this use.

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

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The 2040 Comprehensive Plan classifies this area as Established Neighborhoods. These areas specifically include neighborhood institutional uses such as churches. The proposed special use in this application is simply a complementary use of a church that has served this community for many years. The proposed special use and its secluded location within the district makes it the perfect operation for this district and is fully in conformity with both the policy and intent of the Plan.

- (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 noted above, the proposed special use is for Christian-based pre-school during the week in an existing church location. They simply will be teaching during the week in addition to Sunday and on a much smaller scale.

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Legal Description

All that tract or parcel of land lying and being in Land Lot 15 of the 5th District, Gwinnett County, Georgia, and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence at a point located at the intersection of the southeasterly right-of-way line of Rosemont Drive with the southwesterly right-of-way line of Gloster Road; run thence along said southwesterly right-of-way line of Gloster Road the following five (5) courses and distances: (i) South 31 degrees 24 minutes 20 seconds East a distance of 130.08 feet to a point; (ii) South 31 degrees 16 minutes 03 seconds East a distance of 29.81 feet to a point; (iii) South 30 degrees 45 minutes 37 seconds East a distance of 71.86 feet to a point; (iv) South 29 degrees 53 minutes 01 second East a distance of 101.98 feet to a point; (v) South 28 degrees 19 minutes 17 seconds East a distance of 206.65 feet to a point, said point being the TRUE POINT OF BEGINNING; from said TRUE POINT OF BEGINNING, continue along said right-of-way line of Gloster Road South 26 degrees 46 minutes 32 seconds East a distance of 102.00 feet to a point; continue thence along said right-of-way line South 08 degrees 17 minutes 59 seconds East a distance of 309.79 feet to a point; continue thence along said right-of-way line South 08 degrees 00 minutes 10 seconds West a distance of 36.49 feet to a point; continue thence along said right-of-way line South 09 degrees 56 minutes 31 seconds West a distance of 219.33 feet to a point; continue thence along said right-of-way line South 10 degrees 49 minutes 00 seconds West a distance of 189.48 feet to a point; continue thence along said right-of-way line South 10 degrees 30 minutes 00 seconds West a distance of 167.58 feet to a point; continue thence along said right-of-way line South 10 degrees 11 minutes 00 seconds West a distance of 90.53 feet to a point; thence leaving said right-of-way line, run South 89 degrees 55 minutes 00 seconds West a distance of 413.06 feet to a point; run thence North 11 degrees 08 minutes 33 seconds East a distance of 386.27 feet to a point; run thence South 72 degrees 53 minutes 13 seconds West a distance of 828.62 feet to a point; run thence North 13 degrees 28 minutes 25 seconds East a distance of 339.56 feet to a point; run thence North 62 degrees 02 minutes 26 seconds East a distance of 961.37 feet to a point; continue thence North 62 degrees 02 minutes 26 seconds East a distance of 336.73 feet to a point; run thence North 26 degrees 24 minutes 47 seconds West a distance of 100.00 feet to a point; run thence North 61 degrees 24 minutes 13 seconds East a distance of 179.42 feet to a point located on the southwesterly right-of-way line of Gloster Road, said point being the TRUE POINT OF BEGINNING.

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SPECIAL USE PERMIT APPLICANT'S CERTIFICATION

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



Signature of Applicant

1/5/22

Date

Lyndsay Adu, Director for St. Marguerite's Academy for Little Lambs/Archdiocese of Atlanta

Type or Print Name and Title



Signature of Notary Public

1/5/22

Date



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SPECIAL USE PERMIT PROPERTY OWNER'S CERTIFICATION

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



Signature of Property Owner

1/5/22

Date

Lyndsay Adu, Director for St. Marguerite's Academy for Little Lambs/Archdiocese of Atlanta

Type or Print Name and Title



Signature of Notary Public

1/5/22

Date



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**SPECIAL USE PERMIT IN A
RESIDENTIAL DISTRICT**

(Only submit with Special Use Permit Application for a use within a residence)

I, the undersigned applicant, understand and agree that the Special Use Permit, if approved, shall automatically terminate in the event that this property is sold, transferred or otherwise conveyed to any other party, or the business which operates the special use is sold, transferred, otherwise conveyed or discontinued.



Signature of Applicant

Lyndsay Adu, Director for St. Marguerite's Academy for Little Lambs/Archdiocese of Atlanta
Type or Print Name

1/5/22
Date



Signature of Notary Public

1/5/22
Date




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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.

 1/5/22 Lyndsay Adu, Director for St. Marguerite's Academy for Little Lambs/Archdiocese of Atlanta

SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

 1/5/22 W. Charles Ross, Esquire

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

 1/5/22

SIGNATURE OF NOTARY PUBLIC DATE



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

YES NO _____
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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Interior Layout of Existing Classrooms

