

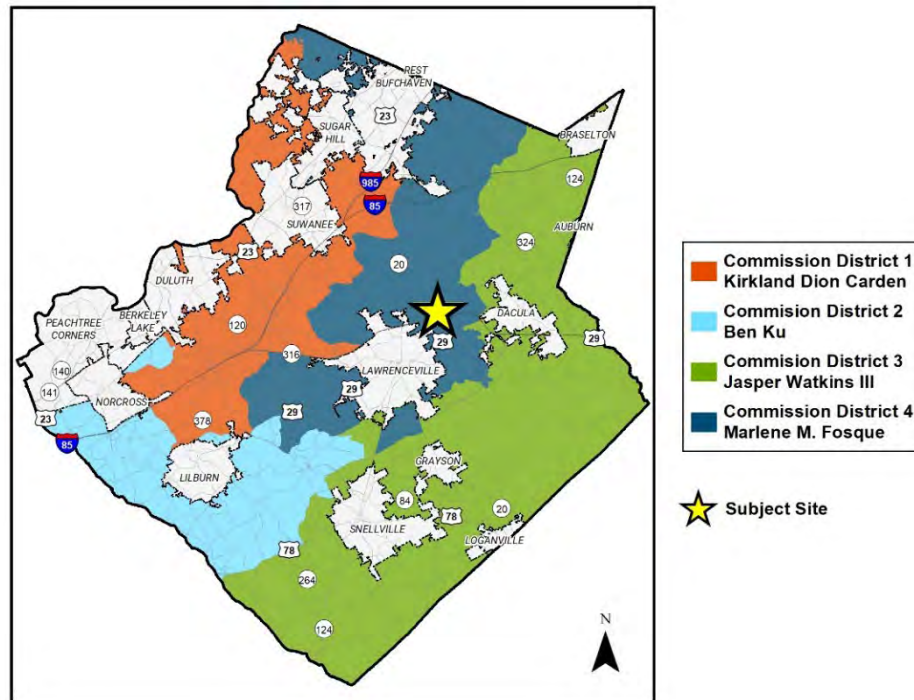


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: SUP2022-00051
Current Zoning: M-1 (Light Industry District)
Request: Special Use Permit
Additional Request: Variance
Address: 800 Block of Hurricane Shoals Road
Map Number: R5209 021
Site Area: 7.20 acres
Square Feet: 10,000
Proposed Development: Automobile or Truck Storage Lot
Commission District: District 4 – Commissioner Fosque
Character Area: Innovation District

Staff Recommendation: DENIAL

Planning Commission Recommendation: APPROVAL WITH CONDITIONS



Planning Commission Advertised Public Hearing Date: 9/7/2022
Board of Commissioners Advertised Public Hearing Date: 9/27/2022 (Public Hearing Held/Action Tabled to 10/25/2022)

Applicant: GPC316, LLC
PO Box 906
Braselton, GA 30517

Owner: GPC316, LLC
PO Box 906
Braselton, GA 30517

Contact: W. Charles "Chuck" Ross, Esq.

Contact Phone: 770.962.0100

Zoning History

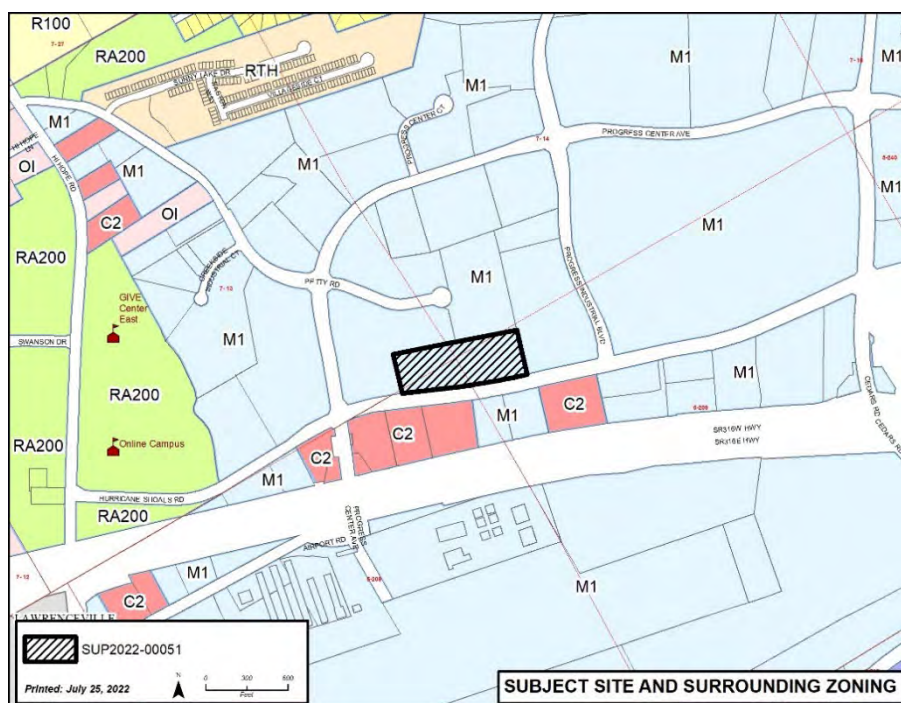
The subject property is zoned M-1 (Light Industry District). A small portion of the property along the northern property line was part of an areawide rezoning in 1975 from R-100 (Single-family Residence District) to M-1. Likewise, a small portion of the property along the western property line was part of a rezoning in 1988 from C-2 (General Business District) and O-I (Office-Institutional District) to M-1 for light industrial uses, pursuant to RZ-128-88.

Existing Site Condition

The subject site is a 7.20-acre parcel located along the northern side of Hurricane Shoals Road, between the intersections of Progress Center Avenue and Progress Industrial Boulevard. The site is within the Gwinnett Progress Center office industrial park. The property is undeveloped and slopes downward approximately 35 feet from west to east. A stormwater detention pond is located at the east end of the site. No sidewalks exist along Hurricane Shoals Road. The nearest Gwinnett County Transit stop is 1.9 miles from the subject site.

Surrounding Use and Zoning

The subject property is surrounded by office warehouse uses to the north, east, and west. Offices and vacant land are located to the south. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning
Proposed	Truck storage lot	M-1
North	Industrial	M-1
East	Industrial	M-1
South	Industrial	M-1
	Undeveloped	C-2
West	Industrial	M-1

Project Summary

The applicant requests a special use permit on a 7.20-acre property zoned M-1 for a truck storage lot, including:

- A total of 150 truck parking spaces, consisting of 103 full-sized stalls and 47 half-sized stalls.
- A 10,000 square-foot building containing an office and an attached four-bay indoor truck cab storage area with a maximum building height of 45 feet.
- A single driveway from Hurricane Shoals Road.
- Required buffers, including a 15-foot-wide planted buffer adjacent to the right of way, 25-foot-wide buffer along the side property lines, and 25-foot-wide buffer along the rear property line.
- A 6-foot-tall chain link security fence enclosing the lot, which is required by the UDO
- A 5-foot-wide sidewalk along the right of way.
- An existing stormwater management facility located behind the building at the northeast corner of the site.

Zoning and Development Standards

The applicant is requesting a special use permit for a truck storage lot in the M-1, Light Industry District. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 45'	45'	YES
Front Yard Setback	Minimum 50'	50'	YES
Side Yard Setback	Minimum 25'	>25'	YES
Rear Yard Setback	Minimum 50'	>50'	YES
Off-Street Parking	Minimum: 4 spaces Maximum 20 spaces	4 (non-truck parking) spaces	YES
Landscape Strip	Minimum 10'	10'	YES
Zoning Buffer*	15' adjacent to public street 25' adjacent to non-residential zoning	15' 25'	YES
Acreage*	Minimum 10	7.20	NO**

*Per supplemental use standards for automobile, truck, or vehicle storage lots.

** The applicant requests a variance to reduce the required minimum acreage for a truck storage lot.

Variance Request

In addition to the special use permit request, the applicant is seeking a variance from the following provision of Title II of the UDO:

1. **Section 230-130.3.E Supplemental Use Standards:** To allow an automobile or truck storage lot on less than 10 acres.

The applicant is proposing a truck storage lot on a 7.20-acre property.

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 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 270-20.5. After this evaluation, staff makes the following findings based on the standards from the UDO:

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 surrounding area consists of primarily industrial properties with commercially zoned parcels to the south. Surrounding uses consist of office warehouses and office buildings. The requested special use permit is not compatible with adjacent and nearby office warehouses, which include employment-related land uses with considerably fewer tractor trailer parking and loading spaces.

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

The applicant requests a reduction of nearly 30 percent in the minimum lot size for truck storage lots. The requested special use permit will adversely affect the existing use and usability of adjacent and nearby property by allowing the storage lot in an area not large enough to accommodate the use.

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

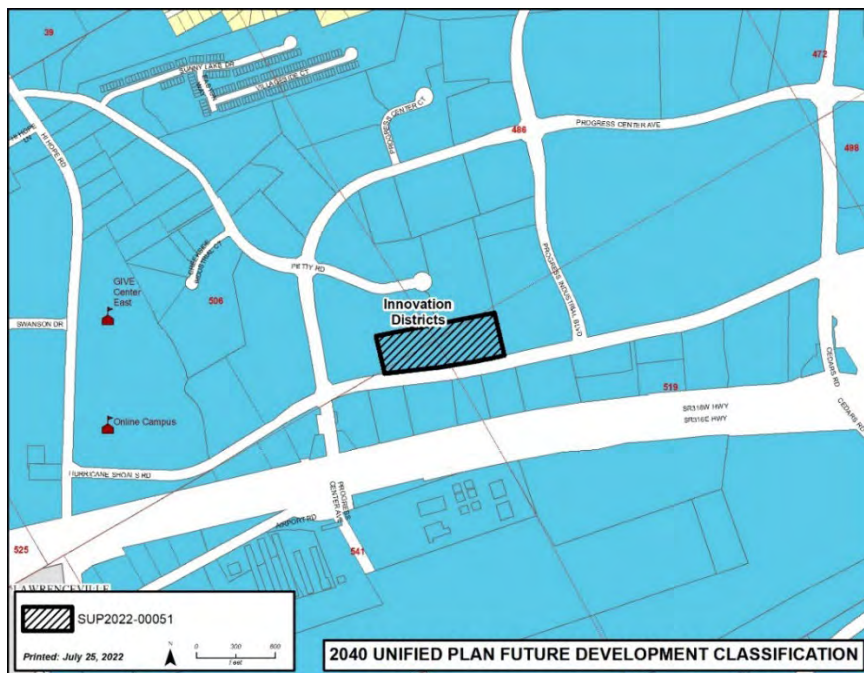
The property has a reasonable economic use as currently zoned.

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 proposed special use would create impacts on public facilities in the form of traffic, utility demand, and stormwater runoff; however, appropriate conditions, site development requirements, and planning would mitigate these impacts. No impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this 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 and Future Development Map indicate the subject property lies within the Innovation Districts Character Area. This designation promotes technology and research, and development uses, and it encourages an enterprise-type relationship between universities and research and development companies. Industrial parks are included as a potential development type to support nearby research and development and technological ventures. Truck storage would provide no opportunity for technology and research and development facilities and would instead be an automobile-oriented use providing little to no employment opportunities. The proposed special use permit would not be in conformity with the policy and intent of the Unified Plan and Future Development Map.



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

The nearby Rowen project will result in the development of a knowledge community to include a combination of offices, research facilities, and related uses. The subject site's proximity to this development and nearby Briscoe Field makes it an ideal candidate for technology, research,

development, or related uses. These factors provide supporting grounds for denial of the proposed special use permit.

Variance Request Analysis: The standards for granting variances are outlined in Section 270-100.7 of the UDO. Staff makes the following findings:

The variance request is due to the size of the subject property containing fewer than 10 acres. This requirement is intended to discourage the adjacent location of incompatible land uses, and to offer protection to surrounding properties from truck noise, debris, pollution, and traffic. In addition, the hardship is self-created by the applicant by proposing the use on a lot not meeting the minimum required size. Therefore, the requested variance would nullify the intent of the UDO.

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 **DENIAL** of the special use permit request.

In addition, staff recommends **DENIAL** of the following variance:

1. To allow an automobile or truck storage lot on less than 10 acres.

Planning Commission Recommendation

Based on the 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.

In addition, the Planning Commission recommends **APPROVAL** of the following variance:

1. To allow an automobile or truck storage lot on less than 10 acres.

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

Approval of a special use permit for an automobile or truck storage lot, subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received July 21, 2022, with revisions required by conditions of approval and the Unified Development Ordinance as reviewed and approved by the Department of Planning and Development.
2. No vehicle sales or service of any kind shall be permitted.
3. No vehicles shall remain on the storage lot for longer than ~~72 hours~~ **five days** at any given time.
4. No inoperable vehicles shall be stored on the property.

5. Outdoor storage of automotive parts or tires shall be prohibited.
6. All semi-trucks and trailers shall be parked on a paved surface and within striped parking spaces. Parking within the right of way shall be prohibited.
7. Any buildings shall be of a brick, stacked stone and or/glass finish on all sides. Stucco may only be used as an accent material. Final building elevations shall be submitted for review and approval by the Department of Planning and Development.
8. Showers and overnight sleeping accommodations shall be prohibited.
9. No temporary tents, temporary canopies, temporary banners, temporary streamers, or temporary roping decorated with flags, tinsel, or other similar materials shall be displayed, hung, or strung on the site, except within 60 days of grand opening and during special events which shall occur no more than twice per calendar year, and last no longer than seven days each.
10. Stormwater BMP facilities shall be screened from view of adjoining properties and rights of way by a decorative fence and landscaping that complies with the Gwinnett County Stormwater Management Manual.
11. Natural vegetation shall remain on the property until the issuance of a development permit.
12. Fencing along the side and rear property lines shall be black vinyl coated chain-link fence. Fencing along the front property line shall be decorative wrought iron style or solid wood screening fence, subject to the review and approval of the Department of Planning and Development.

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



View from Hurricane Shoals Road

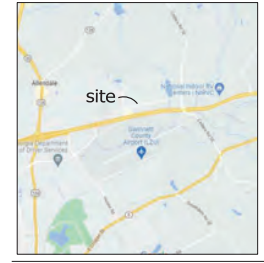
Exhibit B: Site Plan

[attached]

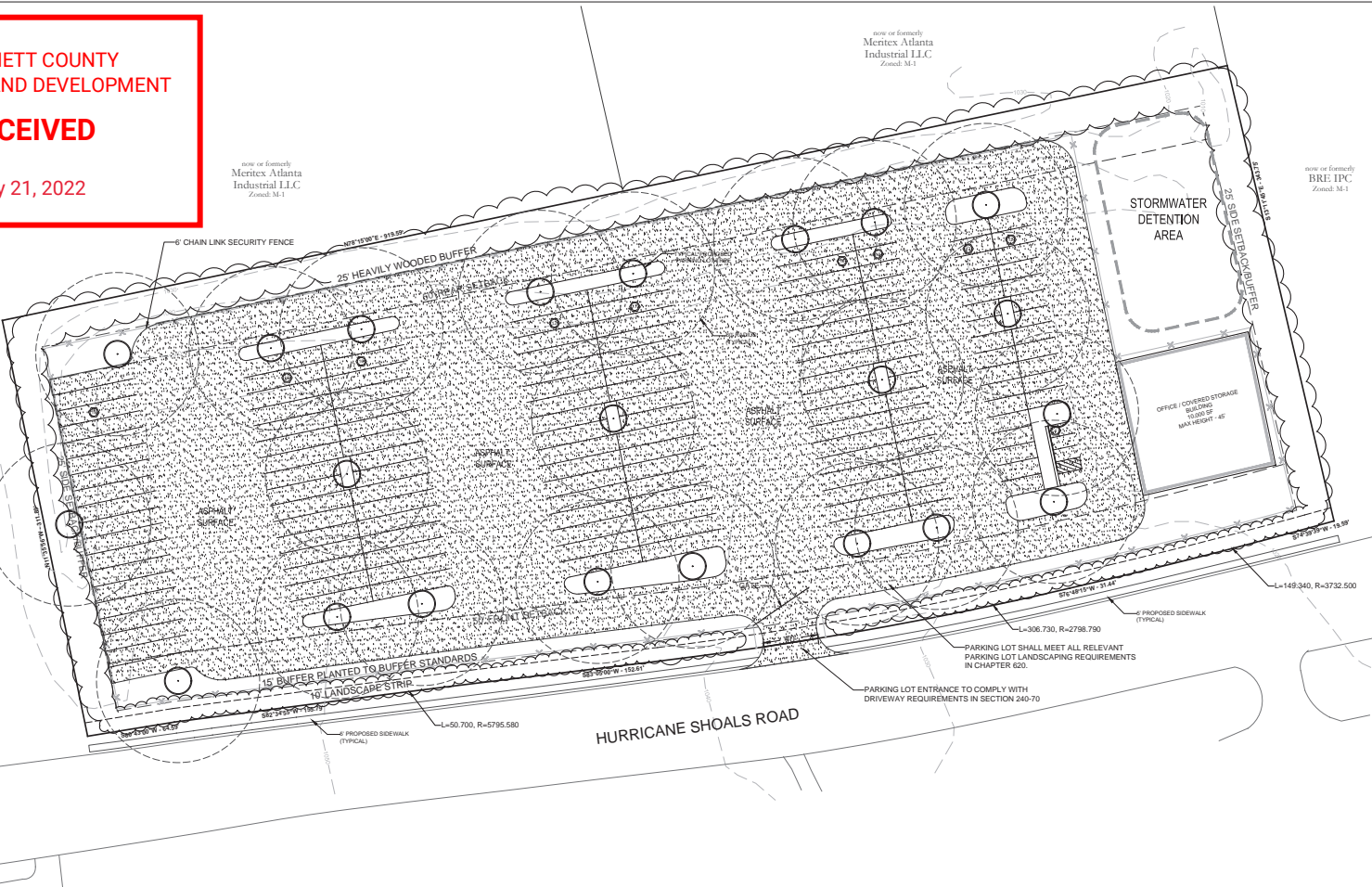
**GWINNETT COUNTY
PLANNING AND DEVELOPMENT**

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July 21, 2022



VICINITY MAP
not to scale



SURVEY NOTES:

1. All site data used is from a survey by Precision Planning for GP Enterprises, Inc.

NOTE: Information regarding the reputed presence, size, character and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information and it shall be considered as that lightly based on this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and utilities and structures not shown may be encountered. The owner, his/her employees, his/her consultants and his/her contractors shall hereby distinctly understand that the engineer/surveyor is not responsible for the correctness or sufficiency of this information.

APPLICANT
GPC 316 LLC.
1500 Hwy 124
Auburn
Barrow County, GA 30011
Aaron Frampton
6787064549
aframpton@gpsant.com

4317 Park Drive, Suite 400
Norcross, Georgia 30093
Phone: (770)416-7511
Fax: (770)416-6759
www.travispruit.com



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TREE DENSITY CALCULATIONS
DENSITY REQUIREMENTS WILL BE MET WITH A COMBINATION OF PARKING LOT TREES AND EXISTING TREES TO REMAIN.

PARKING LOT LANDSCAPE CALCULATIONS
PARKING REQUIREMENT = 1 TREE PER 7 SPACES
154 SPACES / 7 = 22
22 TREES PARKING LOT TREES REQUIRED

VARIANCES:
1. VARIANCE REQUESTED OF SECTION 230-130.3.E.1 TO ALLOW REDUCTION IN MINIMUM SITE AREA FROM 10 ACRES TO 7.70 ACRES

SUP PLAN
**Hurricane Shoals
Vehicle Storage**
800 Block of Hurricane Shoals Road
Land Lot 13, 14, 208, 209, 5th & 7th District, Parcel ID 5209 021
Gwinnett County, Georgia

DATE: 07-21-2022
SCALE: 1" = 40'
CN: 2203160P03
LBV:
JN:
FN:
For The Firm
Travis Pruitt
Associates, Inc.
1 of 1



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

[attached]

Tony Powell
Brian Edwards
Nathan Powell
W. Charles Ross



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 GPC316, LLC., 800 BLOCK OF HURRICANE SHOALS ROAD,
LAWRENCEVILLE.**

Dear Ms. Canon:

Powell & Edwards, P.C. submits this Letter of Intent on behalf of GPC316, LLC (the "Applicant") to request a Special Use Permit to allow for an Automobile or Truck Storage Lot (excluding junk/wrecked vehicles) upon property located in the Progress Center at the 800 Block of Hurricane Shoals Road in Lawrenceville and having Gwinnett County Tax ID Number of R5209 021 (the "Property").

The vacant 7.20 acre lot is zoned M-1 and is surrounded on three sides by tractor trailer loading docks. Although the lot has considerable frontage on Hurricane Shoals Road, it is a fairly narrow parcel. Given the constraints of buffers and setbacks, coupled with the surrounding truck loading docks on all other sides of the property, the site has sat undeveloped even though stormwater retention was already built into the site. The proposed Special Use provides the Applicant an opportunity to finally realize development of this parcel. However, in order to obtain this Special Use, the Applicant must also request a variance to provide relief from Section 230-130.3 E of the Unified Development Ordinance (UDO) which precludes a commercial vehicle storage lot on less than 10 acres. Based upon the unique factors noted above limiting the use of this property, Applicant believes the relief requested is appropriate. Additionally, there is at least one other truck facility located in the same Industrial Park which operates on an even smaller parcel.

The proposed development would be enclosed by a security fence and the entire lot surrounded by a buffer of fifteen feet on the front, with a ten-foot landscape strip and twenty-five feet to the rear and sides. The site itself will contain a permanent building which will house a 1,500 square foot office with an attached 4-bay indoor truck cab storage area. The building would not exceed 45' in height. The remainder of the property would be paved, marked parking spaces for outdoor truck storage. The property would have 150 parking spaces for storage, plus an additional four spaces as required for the building. As noted on our site plan, the driveway complies with the requirements contained in Section 240-70 of the UDO. Additionally, parking lot landscaping requirements, including maintaining the required tree density, will be achieved through retaining existing trees and the addition of parking lot trees.

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July 21, 2022

It should also be noted that the National Wetlands Inventory current mapping indicates an area of wetlands onsite. However, this information is based upon the former presence of a “farm pond” that was filled when the site was cleared and graded with the surrounding industrial park in the late 1980's. As a result of that land disturbance, an ephemeral stormwater ditch now exists along the north and west boundary, that carries intermittent runoff and is piped offsite. After a thorough review, the Applicant does not believe any wetlands or state waters currently exist on this property. Should wetlands or state waters be identified by an environmental professional, all pertinent federal, state, and local permits and regulations will be observed and obtained prior to any land disturbance.

The proposed facility is appropriately located within the Innovation District Character Area which specifically encourages uses such as Industrial Parks. Further, its use is consistent with the similar M-1 zoning of the immediately adjacent properties, which all have loading docks facing the subject property. As you are aware, the Progress Center is one of the primary logistics hubs for the region, as such, this Special Use is certainly appropriately located.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning and Development to answer any questions or to address any concern 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

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7/7/2022

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 within the Gwinnett Progress Center in Lawrenceville which is comprised of commercial businesses, offices and warehouses. This property is surrounded on three sides by truck loading docks, and across the street from commercial office buildings and manufacturing/distribution facilities. The Applicant's Special Use will be harmonious with the uses of the adjacent and nearby properties.

- (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 affect upon the existing use or usability of the adjacent property. There will be minimal traffic in and out of the facility and will have fewer on-site employees than any of the surrounding businesses.

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

The property has a unique shape in that it is fairly narrow with a lot of road frontage, which due to setbacks and buffers, has severely impacted the Owner's ability to sell the property. Additionally, as noted above, it is surrounded by loading docks making the property unsuitable for office use. The issue is not zoning, but rather utility. The Applicant proposes a use that does not require a large building footprint and is harmonious with the surrounding uses. This opportunity provides the best economic use for the property.

- (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 vehicles here are being stored for periods of time and there will not be a constant inflow and outflow of traffic as exists at most of the other locations within this industrial development. In light of the heavy industrial use of this area which includes a Publix warehouse and truck terminal, such proposed use will not cause an excessive or burdensome use of existing streets, transportation, facilities, utilities or schools.

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

7/7/2022

The 2040 Unified Plan classifies this area as the Innovation District. The district encourages uses which include Industrial Park. Being located close to Stte Highway 316, this project is in complete conformity with the policy and intent of the Land Use 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:

This property, even after being prepared for stormwater retention, has remained unsold for years due to its inherent limitations discussed above. The Applicant's business provides the perfect opportunity to develop this already properly zoned parcel to a harmonious use with the surrounding businesses.

Exhibit D: Internal and External Agency Review Comments

[attached]



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

TRC Meeting Date:		8.17.22	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		Brent.Hodges@gwinnettcountry.com	
Case Number:		SUP2022-00051	
Case Address:		800 Block of Hurricane Shoals Road	
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	Hurricane Shoals Road is a major collector. ADT = 6,521.		
2	1.9 miles to nearest transit facility (#2454819) Collins Hill Road and Collins Industrial Way.		
3	Prior to the issuance of a development permit, a sight distance certification shall be provided.		
4	Standard deceleration lanes with appropriate taper and adequate right-of-way will be required.		
5	Minimum separation from a driveway, public road, or side street shall be provided as specified in the Gwinnett County Unified Development Ordinance.		
6	A 5' sidewalk will be required along the property frontage.		
7	Please reference the following site for important information pertaining to SR 316 and future access: https://transformingsr316-gdot.hub.arcgis.com/		
Recommended Zoning Conditions:		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		YES	NO
1			
2			
3			
4			
5			
6			
7			

Note: Attach additional pages, if needed

Revised 7/26/2021

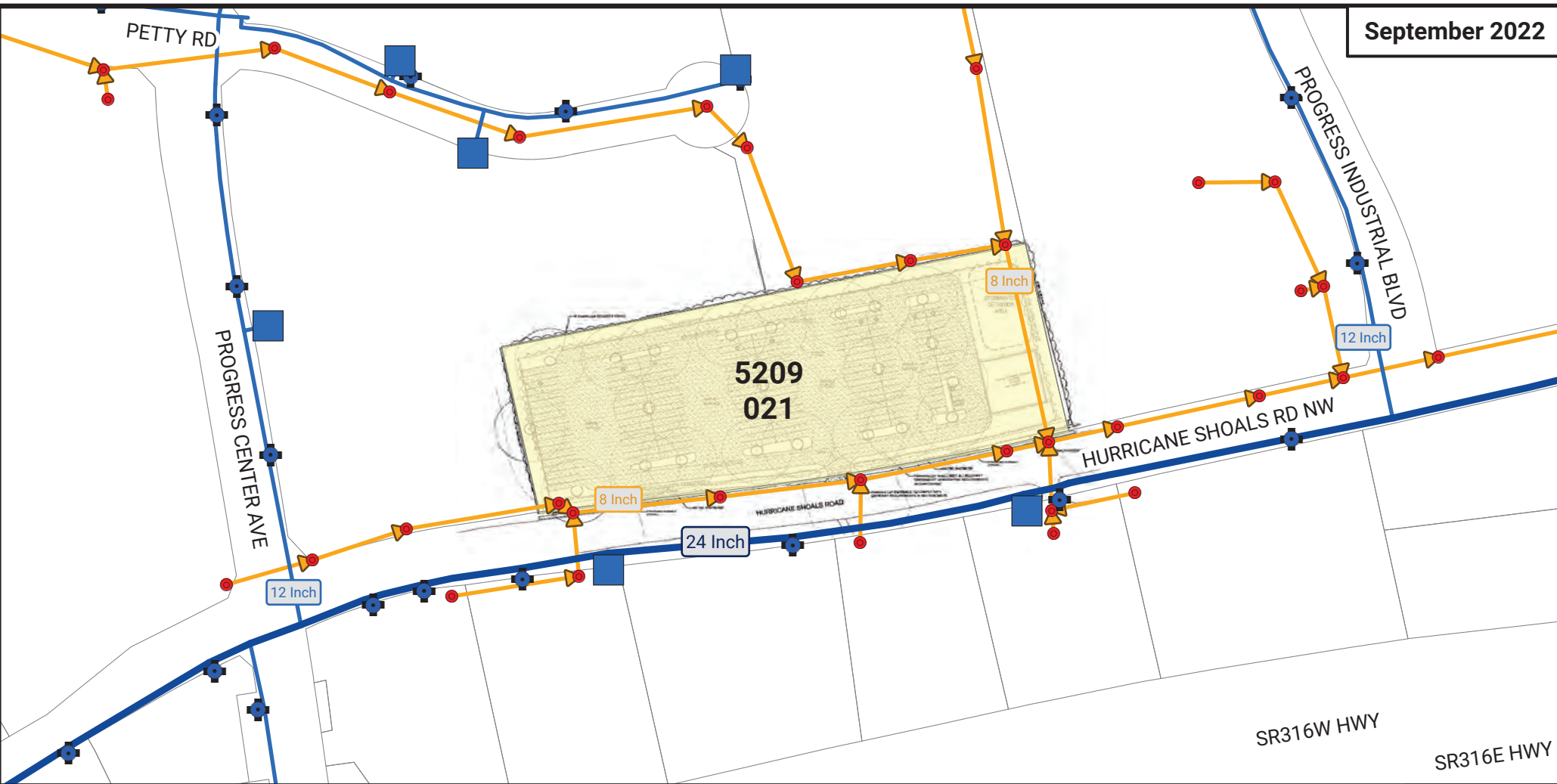


**Department of Planning and Development
TECHNICAL REVIEW COMMITTEE**

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:		SUP2022-00051		
Case Address:		800 Block of Hurricane Shoals Road		
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Water: The development may connect to an existing 12-inch water main located approximately 600 feet east on the west right-of-way of Progress Industrial Boulevard.			
2	Water: The existing 24-inch transmission main located on the south right-of-way of Hurricane Shoals Road must be avoided during all phases of construction.			
3	Sewer: A Sewer Capacity Certification is required to confirm capacity.			
4	Sewer: Pending available capacity, the proposed development may connect to an existing 8-inch sanitary sewer main located on the subject property.			
5				
6				
7				
Recommended Zoning Conditions:		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1				
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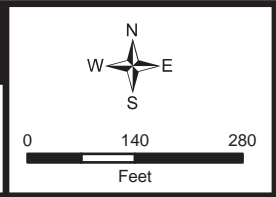
Note: Attach additional pages, if needed

Revised 7/26/2021



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

SUP2022-00051
M-1
Water & Sewer
Utility Map



Water Comments: The development may connect to an existing 12-inch water main located approximately 600 feet east on the west right-of-way of Progress Industrial Boulevard. The existing 24-inch transmission main located on the south right-of-way of Hurricane Shoals Road must be avoided during all phases of construction.

Sewer Comments: A Sewer Capacity Certification is required to confirm capacity. Pending available capacity, the proposed development may connect to an existing 8-inch sanitary sewer main located on the subject property.

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

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

Water and Sewer Design and Construction Requirements: Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance of the project, 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]

PETTY RD

PROGRESS CENTER AVE

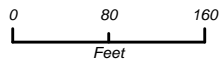
HURRICANE SHOALS RD

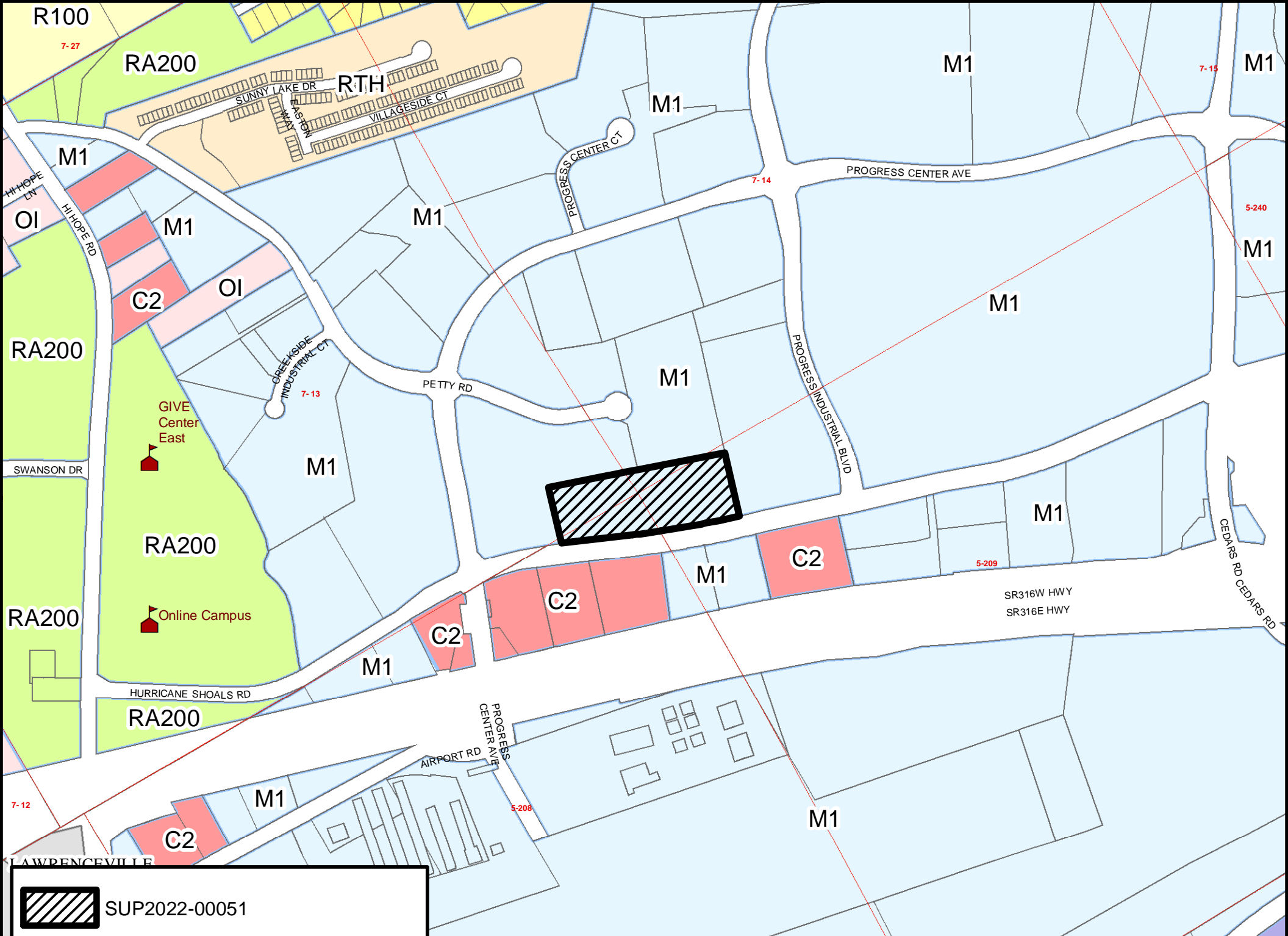
SR316W HWY




SUP2022-00051


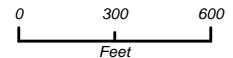
Printed: July 25, 2022



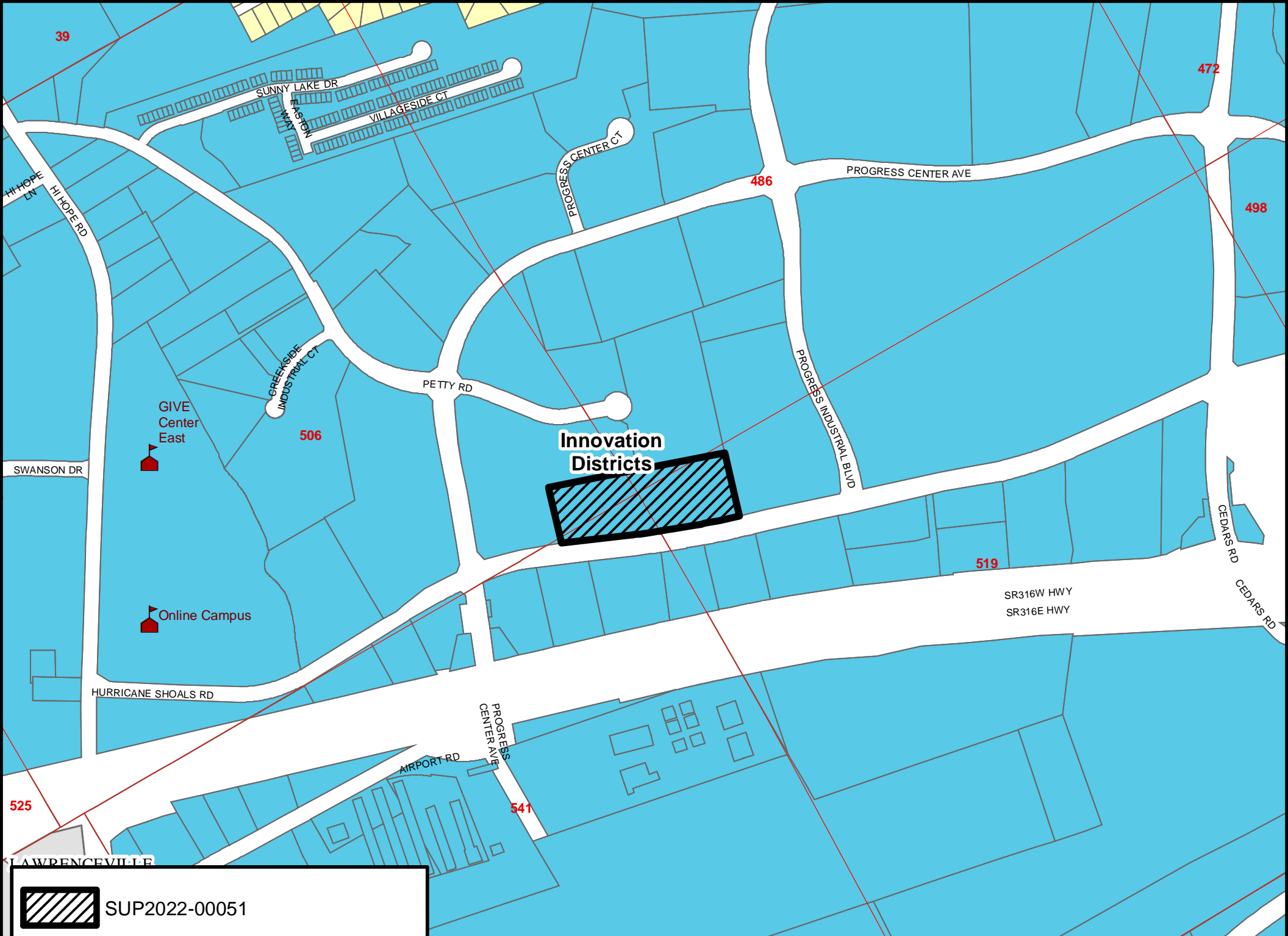



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Printed: July 25, 2022

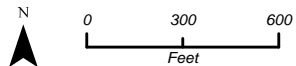



SUBJECT SITE AND SURROUNDING ZONING



 SUP2022-00051

Printed: July 25, 2022



2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

RECEIVED

July 21, 2022

AN APPLICATION

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>GPC316, LLC</u>	NAME: <u>GPC316, LLC</u>
ADDRESS: <u>PO Box 906</u>	ADDRESS: <u>PO Box 906</u>
CITY: <u>Braselton</u>	CITY: <u>Braselton</u>
STATE: <u>Georgia</u> ZIP: <u>30517</u>	STATE: <u>Georgia</u> ZIP: <u>30517</u>
PHONE: <u>770-945-0810</u>	PHONE: <u>770-945-0810</u>
EMAIL: <u>moneal@gpsent.com</u>	EMAIL: <u>moneal@gpsent.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>M-1</u> BUILDING/LEASED SQUARE FEET: <u>1,500</u>
PARCEL NUMBER(S): <u>R5209 021</u> ACREAGE: <u>7.20</u>
ADDRESS OF PROPERTY: <u>800 Block of Hurricane Shoals Road</u>
SPECIAL USE REQUESTED: <u>Automobile or Truck Storage Lot. Applicant additionally requests a variance from the Supplemental Use Standard to allow for such storage upon 7.20 acres instead of 10 acres.</u>

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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BK53520 PG0549

EXHIBIT "A"

(Legal Description)

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 13 and 14 of the 7th District, and Land Lots 208 and 209 of the 5th District, Gwinnett County, Georgia and being more particularly described as follows:

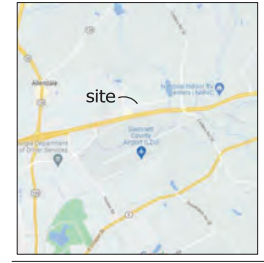
BEGINNING at a ½ inch RBF on the northerly right of way of Hurricane Shoals Road (right of way width varies) located a distance of 380.06 feet as measured along said right of way from the southern most end of the mitered intersection of the easterly 100 foot right of way of Progress Center Avenue (100 foot right of way width) with the northerly right of way of Hurricane Shoals Road; thence from said point of beginning as thus established, leaving the right of way of Hurricane Shoals Road, North 11 degrees 35 minutes 56 seconds West a distance of 311.89 feet to a ½ inch RBF; thence North 78 degrees 15 minutes 00 seconds East a distance of 919.59 feet to a ½ inch RBF; thence South 13 degrees 11 minutes 45 seconds East a distance of 343.75 feet to a ½ inch RBF on the northerly right of way of Hurricane Shoals Road; thence along said right of way the following courses and distances, following a clockwise curve with an arc distance of 19.59 feet, having a radius of 3764.50 feet, subtended by a chord bearing and distance of South 74 degrees 39 minutes 39 seconds West, 19.59 feet to a point, thence following a clockwise curve with an arc distance of 149.34 feet, having a radius of 3732.50 feet, subtended by a chord bearing and distance of South 75 degrees 39 minutes 29 seconds West, 149.33 feet to a point; thence South 76 degrees 48 minutes 15 seconds West a distance of 31.44 feet to a point; thence following a clockwise curve with an arc distance of 306.73 feet, having a radius of 2798.79 feet, subtended by a chord bearing and distance of South 79 degrees 56 minutes 38 seconds West, 306.57 feet to a point; thence South 83 degrees 05 minutes 00 seconds West a distance of 152.61 feet to a point; thence following a counterclockwise curve with an arc distance of 50.70 feet, having a radius of 5795.58 feet, subtended by a chord bearing and distance of South 82 degrees 49 minutes 58 seconds West, 50.70 feet to a point; thence South 82 degrees 34 minutes 55 seconds West a distance of 155.79 feet to a point; thence South 80 degrees 43 minutes 00 seconds West a distance of 64.59 feet to a ½ inch RBF on the right of way of Hurricane Shoals Road BEING THE POINT OF BEGINNING.

The above described property is shown on an ALTA/ACSM Land Title Survey for: Genoa Realty Services, Inc., and/or its successors and assigns; Gwinnett Associates Limited Liability Company, and Chicago Title Insurance Company as Tract No. 10 containing 7.1972 acres (AKA Lot 6, Block "E", Unit Two, Gwinnett Progress Center) prepared by Hannon, Meeks & Bagwell, Surveyors & Engineers, Inc., dated June 6, 2001, last revised August 6, 2001.

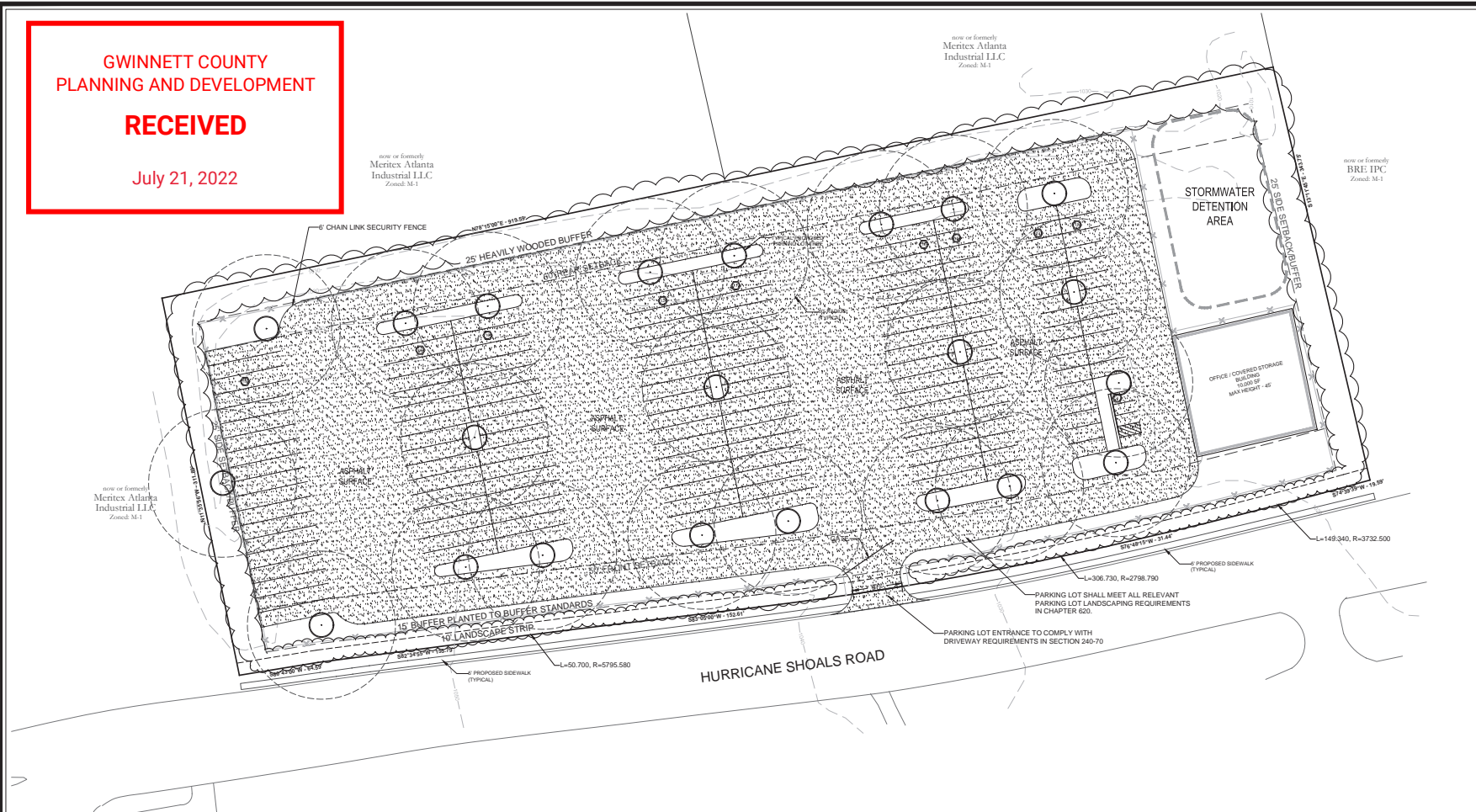
**GWINNETT COUNTY
PLANNING AND DEVELOPMENT**

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July 21, 2022



VICINITY MAP
not to scale



SURVEY NOTES:

1. All site data used is from a survey by Precision Planning for GP Enterprises, Inc.

NOTE: Information regarding the reputed presence, size, character and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information and it shall be considered as that rightly stated on this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and utilities and structures not shown may be encountered. The owner, his/her employees, his/her consultants and his/her contractors shall hereby distinctly understand that the engineer/surveyor is not responsible for the correctness or sufficiency of this information.

APPLICANT
GPC 316 LLC.
1500 Hwy 124
Auburn
Barrow County, GA 30011
Aaron Frampton
ph: 770.646.6410
aframpton@gpsant.com

4317 Park Drive, Suite 400
Norcross, Georgia 30093
Phone: (770)416-7511
Fax: (770)416-6759
www.travispruit.com

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TREE DENSITY CALCULATIONS
DENSITY REQUIREMENTS WILL BE MET WITH A COMBINATION OF PARKING LOT TREES AND EXISTING TREES TO REMAIN.

PARKING LOT LANDSCAPE CALCULATIONS
PARKING REQUIREMENT = 1 TREE PER 7 SPACES
154 SPACES / 7 = 22
22 TREES PARKING LOT TREES REQUIRED

TOTAL SITE AREA	7.197 ACRES
ZONING/USE	
EXISTING ZONING	M-1
PROPOSED ZONING	M-1
ZONING JURISDICTION	GWINNETT COUNTY
EXISTING USE	VACANT
PROPOSED USE	AUTOMOBILE OR TRUCK STORAGE LOT (EXCLUDING JUNK/WRECKED VEHICLES)
DEVELOPMENT STANDARDS	
PROPOSED BUILDING	10,000 SQ FEET
FRONT SETBACK	50 FEET
REAR SETBACK	60 FEET
SIDE SETBACK	25 FEET
MINIMUM LOT SIZE	10 ACRE (SEE VARIANCE NOTE)
MINIMUM LOT WIDTH	150 FEET
BUFFERS	
SIDE/REAR	25 FEET
FRONT	15 FEET
PARKING CALCULATIONS	
REQUIRED PARKING (WAREHOUSE INCLUDING OFFICE)	1 PER 2,500 SF
REQUIRED PARKING	4 PARKING SPACES
PROPOSED PARKING	4 PARKING SPACES
TRUCK PARKING TOTAL	
HALF	47 STALLS
FULL	103 STALLS
TOTAL	150 TOTAL

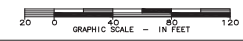
- NOTES**
1. AUTOMOBILE, TRUCK AND VEHICLE STORAGE LOTS SHALL BE SUBJECT TO THE FOLLOWING REQUIREMENTS AND RESTRICTIONS:
 - 1) A SECURITY FENCE OR WALL IS REQUIRED ENCODING THE LOT. THE SECURITY FENCE SHALL MEET THE REQUIREMENTS OF SECTION 230-80
 - 2) NO OUTDOOR SOUND AMPLIFICATION DEVICE IS PERMITTED.
 - 3) NO INOPERABLE OR JUNK VEHICLES ARE PERMITTED.
 - 4) OUTDOOR LIGHTING SHALL CONSIST OF CUT-OFF LUMINAIRES THAT SHALL BE DIRECTED INWARD SO AS NOT TO DIRECT LIGHT ONTO ADJACENT RESIDENTIAL PROPERTY.
 2. ALL PARKING LOT LANDSCAPE REQUIREMENTS AND DENSITY REQUIREMENTS WILL BE MET WITH A COMBINATION OF PARKING LOT TREES AND EXISTING TREES TO REMAIN.
 3. NATIONAL WETLANDS INVENTORY CURRENT MAPPING INDICATES AN AREA OF WETLANDS ONSITE. THIS INFORMATION IS BASED ON THE FORMER PRESENCE OF A "FARM POND" THAT WAS FILLED WHEN THE SITE WAS CLEARED AND GRADED WITH THE SURROUNDING INDUSTRIAL PARK IN THE LATE 1980'S. AS A RESULT OF THAT LAND DISTURBANCE, AN EPHEMERAL STORMWATER DITCH NOW EXISTS ALONG THE NORTH AND WEST BOUNDARY, THAT CARRIES INTERMITTENT RUNOFF AND IS PIPED OFFSITE. WE DO NOT BELIEVE ANY WETLANDS OR STATE WATERS CURRENTLY EXIST ON THIS PROPERTY. SHOULD WETLANDS OR STATE WATERS BE IDENTIFIED BY AN ENVIRONMENTAL PROFESSIONAL, ALL PERTINENT FEDERAL, STATE, AND LOCAL PERMITS AND REGULATIONS WILL BE OBSERVED AND OBTAINED PRIOR TO ANY LAND DISTURBANCE.
 4. THIS DRAWING IS CONCEPTUAL IN NATURE. FINAL DESIGN WILL MEET ALL RELEVANT COUNTY REQUIREMENTS.

VARIANCES:

1. VARIANCE REQUESTED OF SECTION 230-130.3.E.1 TO ALLOW REDUCTION IN MINIMUM SITE AREA FROM 10 ACRES TO 7-7.0 ACRES

SUP PLAN
**Hurricane Shoals
Vehicle Storage**
800 Block of Hurricane Shoals Road
Land Lot 13, 14, 208, 209, 5th & 7th District, Parcel ID 5209 021
Gwinnett County, Georgia

DATE: 07-21-2022
SCALE: 1" = 40'
CN: 220316P03
LBV:
JN:
FN:
For The Firm
Travis Pruitt
Associates, Inc.
GEORGIA REGISTERED PROFESSIONAL ENGINEER
HOWARD J. ANDERSON
1 of 1



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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 within the Gwinnett Progress Center in Lawrenceville which is comprised of commercial businesses, offices and warehouses. This property is surrounded on three sides by truck loading docks, and across the street from commercial office buildings and manufacturing/distribution facilities. The Applicant's Special Use will be harmonious with the uses of the adjacent and nearby properties.

- (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 affect upon the existing use or usability of the adjacent property. There will be minimal traffic in and out of the facility and will have fewer on-site employees than any of the surrounding businesses.

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

The property has a unique shape in that it is fairly narrow with a lot of road frontage, which due to setbacks and buffers, has severely impacted the Owner's ability to sell the property. Additionally, as noted above, it is surrounded by loading docks making the property unsuitable for office use. The issue is not zoning, but rather utility. The Applicant proposes a use that does not require a large building footprint and is harmonious with the surrounding uses. This opportunity provides the best economic use for the property.

- (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 vehicles here are being stored for periods of time and there will not be a constant inflow and outflow of traffic as exists at most of the other locations within this industrial development. In light of the heavy industrial use of this area which includes a Publix warehouse and truck terminal, such proposed use will not cause an excessive or burdensome use of existing streets, transportation, facilities, utilities or schools.

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

7/7/2022

The 2040 Unified Plan classifies this area as the Innovation District. The district encourages uses which include Industrial Park. Being located close to Stte Highway 316, this project is in complete conformity with the policy and intent of the Land Use 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:

This property, even after being prepared for stormwater retention, has remained unsold for years due to its inherent limitations discussed above. The Applicant's business provides the perfect opportunity to develop this already properly zoned parcel to a harmonious use with the surrounding businesses.

Tony Powell
Brian Edwards
Nathan Powell
W. Charles Ross



Mandy Williams
Jay Crowley
Rob Poston
Laura Walsh
Laura Shoop

WINNETT COUNTY
PLANNING AND DEVELOPMENT

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July 21, 2022

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 GPC316, LLC., 800 BLOCK OF HURRICANE SHOALS ROAD,
LAWRENCEVILLE.**

Dear Ms. Canon:

Powell & Edwards, P.C. submits this Letter of Intent on behalf of GPC316, LLC (the "Applicant") to request a Special Use Permit to allow for an Automobile or Truck Storage Lot (excluding junk/wrecked vehicles) upon property located in the Progress Center at the 800 Block of Hurricane Shoals Road in Lawrenceville and having Gwinnett County Tax ID Number of R5209 021 (the "Property").

The vacant 7.20 acre lot is zoned M-1 and is surrounded on three sides by tractor trailer loading docks. Although the lot has considerable frontage on Hurricane Shoals Road, it is a fairly narrow parcel. Given the constraints of buffers and setbacks, coupled with the surrounding truck loading docks on all other sides of the property, the site has sat undeveloped even though stormwater retention was already built into the site. The proposed Special Use provides the Applicant an opportunity to finally realize development of this parcel. However, in order to obtain this Special Use, the Applicant must also request a variance to provide relief from Section 230-130.3 E of the Unified Development Ordinance (UDO) which precludes a commercial vehicle storage lot on less than 10 acres. Based upon the unique factors noted above limiting the use of this property, Applicant believes the relief requested is appropriate. Additionally, there is at least one other truck facility located in the same Industrial Park which operates on an even smaller parcel.

The proposed development would be enclosed by a security fence and the entire lot surrounded by a buffer of fifteen feet on the front, with a ten-foot landscape strip and twenty-five feet to the rear and sides. The site itself will contain a permanent building which will house a 1,500 square foot office with an attached 4-bay indoor truck cab storage area. The building would not exceed 45' in height. The remainder of the property would be paved, marked parking spaces for outdoor truck storage. The property would have 150 parking spaces for storage, plus an additional four spaces as required for the building. As noted on our site plan, the driveway complies with the requirements contained in Section 240-70 of the UDO. Additionally, parking lot landscaping requirements, including maintaining the required tree density, will be achieved through retaining existing trees and the addition of parking lot trees.

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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July 21, 2022

It should also be noted that the National Wetlands Inventory current mapping indicates an area of wetlands onsite. However, this information is based upon the former presence of a "farm pond" that was filled when the site was cleared and graded with the surrounding industrial park in the late 1980's. As a result of that land disturbance, an ephemeral stormwater ditch now exists along the north and west boundary, that carries intermittent runoff and is piped offsite. After a thorough review, the Applicant does not believe any wetlands or state waters currently exist on this property. Should wetlands or state waters be identified by an environmental professional, all pertinent federal, state, and local permits and regulations will be observed and obtained prior to any land disturbance.

The proposed facility is appropriately located within the Innovation District Character Area which specifically encourages uses such as Industrial Parks. Further, its use is consistent with the similar M-1 zoning of the immediately adjacent properties, which all have loading docks facing the subject property. As you are aware, the Progress Center is one of the primary logistics hubs for the region, as such, this Special Use is certainly appropriately located.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning and Development to answer any questions or to address any concern 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

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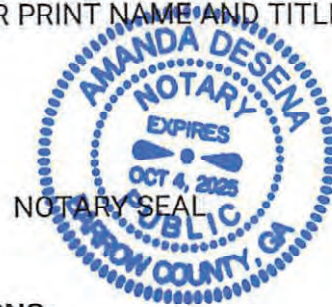
CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

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.

George P. Flanigan 7/6/2022 George P. Flanigan, Managing Member
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

W. Charles Ross 7/6/2022 W. Charles Ross, Esquire
SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE
ATTORNEY OR REPRESENTATIVE

Amanda DeSena 7-6-2022
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 _____
George P. Flanigan
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)
Ben KU, Commissioner	\$ 2,500.00	1-31-2022
Kirkland Carlen, Commissioner	\$ 2,500.00	3-1-2022
Marlene Fosave, Commissioner	\$ 3,000.00	6-9-2022

Attach additional sheets if necessary to disclose or describe all contributions.

