

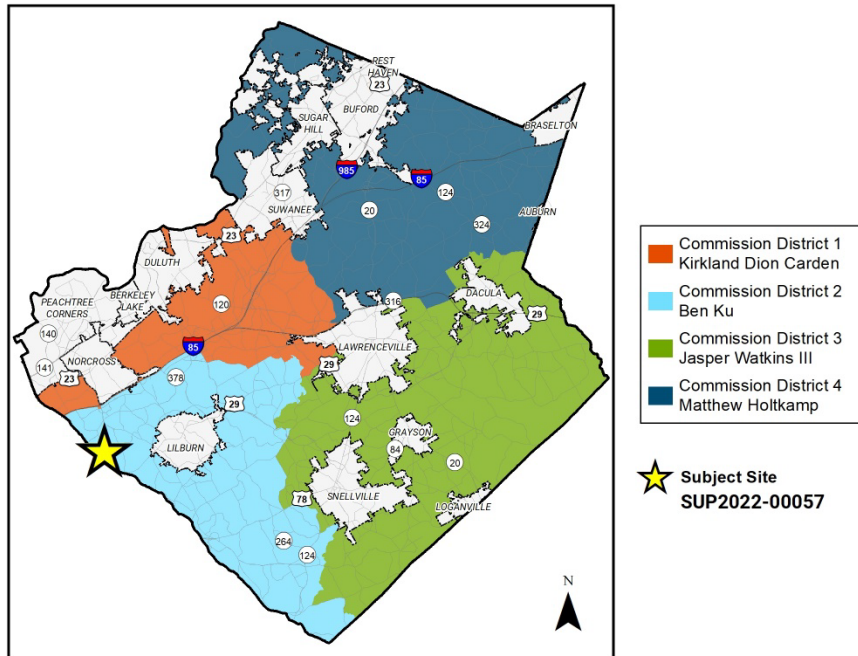


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: SUP2022-00057
Current Zoning: C-2 (General Business District)
Overlay District: Gateway 85
Request: Special Use Permit
Additional Requests: Buffer Reduction Waiver
Address: 4578 Britt Road
Map Number: R6165 030
Site Area: 2.79 acres
Square Feet: 4,080
Proposed Development: Car Wash
Commission District: District 2 – Commissioner Ku
Character Area: Vibrant Communities

Staff Recommendation: APPROVAL WITH CONDITIONS

Planning Commission Recommendation: APPROVAL WITH CONDITIONS



Planning Commission Advertised Public Hearing Date: 10/4/2022
Board of Commissioners Advertised Public Hearing Date: 10/25/2022 (Public Hearing Tabled to 1/24/2023)

Applicant: Akber Lassi
21 Kent Valley Circle
Tucker, GA 30084

Owner: 4578 Britt Road, LLC
4578 Britt Road
Tucker, GA 30084

Contact: Akber Lassi

Contact Phone: 404.735.6274

Zoning History

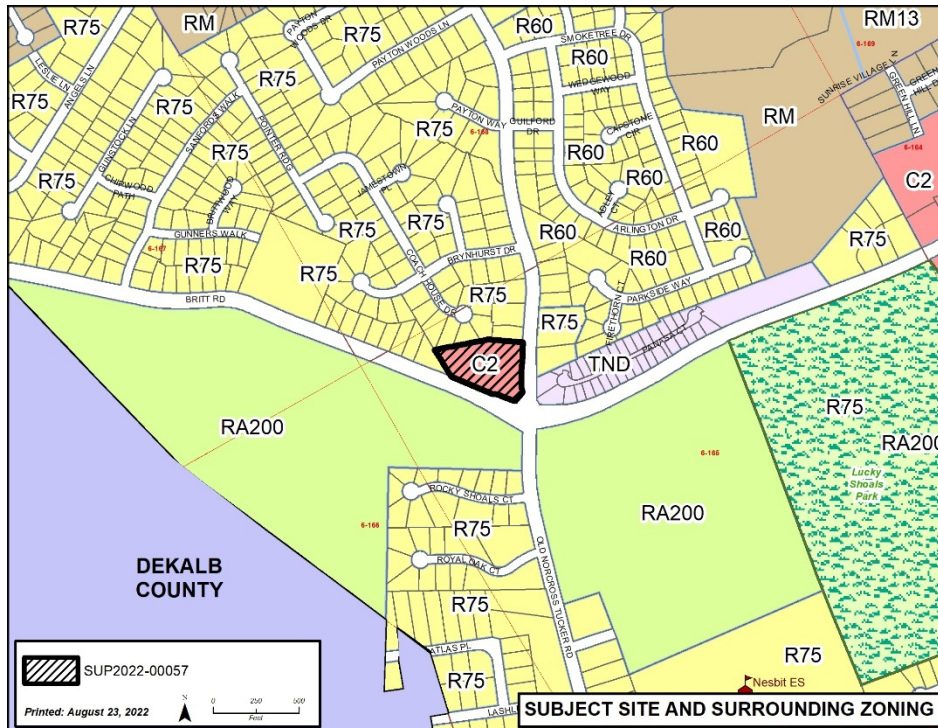
The subject property is zoned C-2 (General Business District). No prior zoning requests are on record for this property. In 2021, the property was included within the Gateway 85 Overlay District.

Existing Site Condition

The subject site is a 2.79-acre parcel located at the intersection of Old Norcross Tucker Road and Britt Road. The property contains an existing one-story convenience store with six fuel pumps and a canopy, a parking lot, and an existing self-service car wash. There is a full access driveway entrance on Old Norcross Tucker Road and a limited right-in/right-out driveway on Britt Road. Sidewalks exist along Britt Road and Old Norcross Tucker Road. The nearest Gwinnett County Transit stop is 0.75 miles from the subject site.

Surrounding Use and Zoning

The subject site is surrounded by residential uses to the north, east, and west. A golf course is located to the south of the subject property, across Britt Road. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Car wash	C-2	N/A
North	Single-Family Residential	R-75	1.74 units per acre
East	Single-Family Residential	R-60	0.59 units per acre
	Single-Family Residential	TND	4.05 units per acre
South	Golf Course	RA-200	N/A
West	Single-Family Residential	R-75	1.74 units per acre

Project Summary

The applicant requests a special use permit on a 2.79-acre property zoned C-2 for a car wash, including:

- Demolition of the existing self-service car wash.
- A 4,080 square-foot, single-story, conveyor car wash including a 120-foot-long carwash tunnel with a 700 square-foot equipment room.
- Two pay stations with canopies and one stacking lane.
- A total of 24 parking spaces including 21 vacuum spaces and three employee spaces.
- Vacuum equipment for the vacuum bay services screened by 6-foot-tall opaque fencing along the Britt Road frontage and the western property line.
- Additional vegetative screening between the northern property line and the drive-thru stacking lane.
- A bypass lane proposed near the entrance of the tunnel that connects through the vacuum parking spaces on the south side of the parking lot.
- Access provided by two existing driveways, one each from Old Norcross Tucker Road and Britt Road, through the adjacent convenience store parking lot.
- Stormwater management provided through an underground detention system on the north side of the car wash tunnel.
- Shared use of the existing dumpster enclosure located in the rear yard behind the convenience store.
- Car wash hours from 8:00 am to 8:00 pm in the summer months and 8:00 am to 6:00 pm in the winter months.
- Exterior building materials consisting primarily of glass, stucco, stone veneer, and split face block veneer.

Zoning and Development Standards

The applicant is requesting a special use permit for a car wash in the C-2, General Business 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 15'	>15'	YES
Side Yard Setback	Minimum 10'	>10'	YES
Rear Yard Setback	Minimum 30'	>30'	YES
Off-Street Parking	Minimum 12 spaces Maximum 26 spaces	24 spaces	YES
Landscape setback	Minimum 10'	10'	YES
Zoning Buffer	Minimum 75'	40'	NO

In addition, the following standards apply to development in the Gateway 85 Overlay District:

Standard	Meets Standard?
Sidewalks shall be constructed with an additional 2' x 8' concrete pad, located outside of the right-of-way, designed to accommodate existing or future pedestrian amenities such as benches, planters, and trash containers	NO
8-foot-wide sidewalk located on Principal Arterial, Major Arterial, Minor Arterial, Major Collector	NO
Streetlights shall be provided.	NO

The property is located within the Gateway 85 Overlay District. The Overlay District has additional requirements over and above the base zoning requirements. Items such as streetscape, lighting, pedestrian access, access management, and building design all have additional requirements. The table above lists items that are not addressed on the proposed site plan. The items listed above must be provided prior to the issuance of a certificate of occupancy, if approved.

Waiver Request

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

1. Section 610.20.5, Minimum Buffer Requirements:
 - A. Required buffers shall be provided in conformity (with) Table 610.0 "Table of Minimum Buffer Requirements".

A 75-foot zoning buffer is required between the C-2 zoned property and adjacent R-75 zoned properties.

A C-2 development adjacent to existing R-75 zoned properties requires a 75-foot buffer. The applicant is proposing to reduce the 75-foot undisturbed buffer to a 40-foot undisturbed buffer adjacent to R-75 to the west and to the north.

Internal and External Agency Review

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

Staff Analysis

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 residential properties to the north, east, and west of the subject site. A golf course and residential community are located to the south across Britt Road. The new car wash will replace an existing car wash. Therefore, a new use is not being introduced on the property.

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

The requested special use permit will not adversely affect the existing use or usability of adjacent or nearby property. The applicant is proposing to upgrade the existing car wash facility which will improve the visual quality of the site and minimize external impacts on adjacent and nearby property.

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

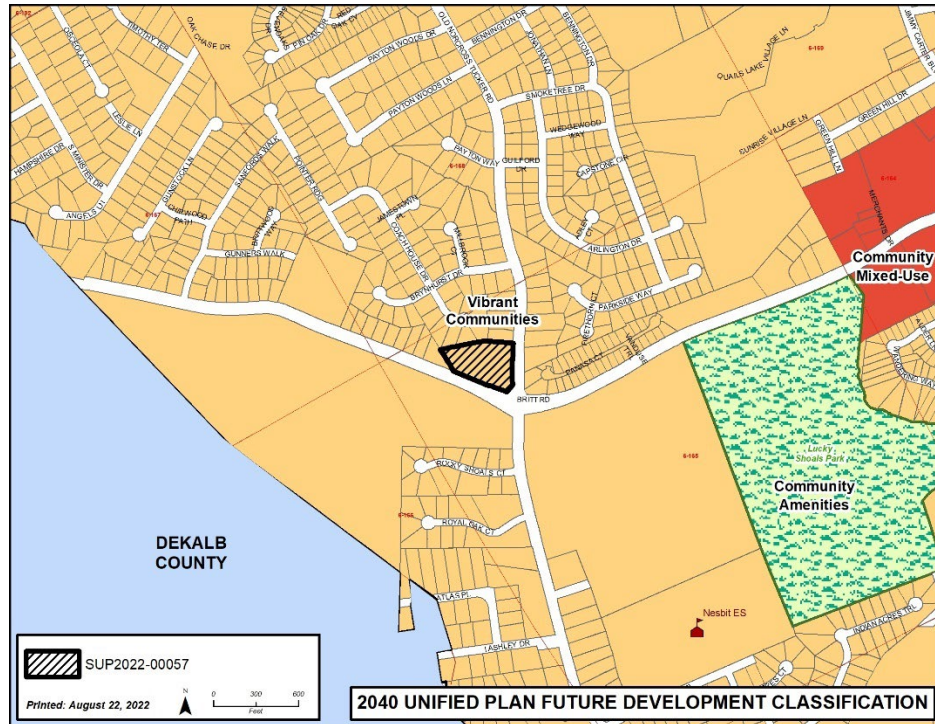
The property has a reasonable economic use as currently zoned.

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 E).

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 Vibrant Communities Character Area. This classification is intended to serve as a transition between neighborhood nodes and mixed-use activity centers and surrounding, established single-family residential areas. While primarily residential in potential development types, neighborhood serving non-residential or institutional development uses may be integrated into the Vibrant Communities. The proposed car wash is compatible with the existing commercial business currently serving the community. The requested special use permit 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 special use permit.

The proposed car wash would complement the existing commercial use at the intersection of Old Norcross-Tucker Road and Britt Road by upgrading the existing self-service car wash with a modern express car wash. Access to the site will remain unchanged with access from Britt Road and Old Norcross-Tucker Road. An upgraded car wash at this location would be an appropriate use based on the existing commercial services in the area.

Waiver Request Analysis: When considering waivers from Title III of the UDO, staff is required to review whether an undue hardship may result from strict compliance with the regulations and that approval would not adversely affect the general public welfare or nullify the intent of the Development Regulations. In addition, there must be a determination that there are unusual topographical or other exceptional conditions. Staff makes the following findings related to the waiver request:

The requested buffer reduction is located to the north and west of the property as it is adjacent to residential properties zoned R-75. The C-2 development adjacent to existing R-75 zoned properties requires a 75-foot-wide buffer. The applicant requests a buffer reduction to 40 feet to match the 40-foot building setback. The applicant is proposing additional evergreen plantings to help mitigate sound and light escaping the property. The applicant is proposing a double row of evergreen plantings along the western portion of the site to mitigate any potential negative effects.

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 special use permit request.

In addition, staff recommends **APPROVAL** of the following Waiver request:

1. To reduce the 75-foot-wide zoning buffer adjacent to R-75 on the north and west to a 40-foot-wide undisturbed buffer.

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.

The Planning Commission recommends **DENIAL** of the following Waiver request:

1. To reduce the 75-foot-wide zoning buffer adjacent to R-75 on the north and west to a 40-foot-wide undisturbed buffer.

Planning Commission Recommendation Conditions (includes Staff Recommended Conditions as amended)

Approval of a special use permit for a car wash, subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan, dated received August 1, 2022, by the Department of Planning and Development, with revisions required by conditions and the Unified Development Ordinance, subject to review and approval of the Department of Planning and Development.
2. Buildings shall comply with the requirements of Architectural Design Category 3. Final building design shall be subject to review and approval by the Department of Planning and Development.
3. Vacuum stations and all mechanical equipment, including compressor units on or around the building, shall be screened from view of exterior roadways. Screening design shall be subject to review and approval of the Department of Planning and Development.
4. 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.
5. **Provide a 75-foot wide natural and enhanced buffer adjacent to all residentially zoned properties. Buffer shall be enhanced where sparsely vegetated and include an 8-foot-high wooden opaque privacy fence along the property line. Buffer and landscape plans shall be subject to review and approval by the Director of Planning and Development.**

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Building Elevations
- D. Letter of Intent and Applicant's Response to Standards
- E. Internal and External Agency Review Comments
- F. Maps
- G. Application and Disclosure of Campaign Contributions

Exhibit A: Site Visit Photos



Existing self-service car wash



Convenience store with fuel pumps



Property frontage on Britt Road

Exhibit B: Site Plan

[attached]

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

[attached]

RECEIVED

LETTER OF INTENT

8.25.22

The subject property consists of a convenience store with attached restaurant/retail space, a six pump fuel station with canopy, and a self-service car wash. Our Special Use Permit request consists of the removal of an existing self-service car wash equipped with 6 “spray wand and brush” car wash bays and one automated car wash bay. This facility is to be demolished and replaced with a new automated 120 foot long car wash tunnel and 21- 15 ft. wide vacuum bays w/canopies. Patrons will enter the property by two existing driveways, one each off Britt Road and Old Norcross-Tucker Road, then transcend around the east side of the existing Convenience store building to a proposed “stacking lane” driveway behind the existing building before reaching the “pay stations” for wash type selection and payment. Then vehicles continue to, and through, the car wash tunnel before exiting with the choice to leave the property or hoop into one of the 21 vacuum bays for vehicle interior clean out. This facility is self-service, the customers never leave their vehicles for employees to service. 2-4 employees operate the facility per shift. The car wash hours are from 8 am to 8 pm in the Summer months and 8 am to 6 pm in the Winter months.

The existing dumpster services both existing facilities and will continue to do so. Stormwater detention for the new car wash will be in the vicinity of the existing detention pond but located underground, on the north side of the car wash tunnel as illustrated on the Exhibit. Vacuum producers for vacuum bay services will be screened by 6-foot opaque fencing on the Britt Road, and west (residential) side of the equipment. An escape lane is proposed near the entrance of the tunnel connecting to the front driveway.

In addition the Special Use Permit request we also are asking for a rezoning buffer reduction. The subject property is adjacent to properties zoned R-75 to the north and west, a 75-foot zoning buffer is required on commercial C-2 zoning. Our request is a buffer reduction to 40 feet, to follow the existing 40 foot building setback line. As illustrated in the “Aerial Photo” of the Exhibit the buffer is currently vegetated in mature woodlands. Our proposed clearing will be bordered by an existing sanitary sewer easement near the stacking/pay station lane and no more that 20 feet off the proposed improvements to the west or to the proposed 40 foot buffer line, whichever is less. The proposed clearing outside of the proposed 40 foot buffer will be enhanced with a planting of evergreen trees 6-7 ft. tall, planted 10 ft. on center. Double row on the west side of the property, and single row between the proposed stacking lane and the existing sanitary sewer easement. No plantings are proposed within the sanitary sewer easement. Note, two existing stormwater detention ponds are within the existing buffer along the northern property line. These detention ponds do not serve the commercial development, we can only assume that they were originally constructed for the adjacent subdivision.

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:

YES, A NEW CAR WASH REPLACING AN EXISTING SELF SERVICE CAR WASH

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

NO, CHANGES IN USE, JUST A NEW BUILDING.

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

YES

- (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:

NO

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

YES

- (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:

SUPPORT FOR APPROVAL, EXISTING CAR WASH IS BEING REPLACED WITH A NEW AUTOMATED CAR WASH TUNNEL³.

Exhibit D: Internal and External Agency Review Comments

[attached]



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:		9.16.2022	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		Brent.Hodges@gwinnettcounty.com	
Case Number:			
Case Address:		4578 Britt Road	
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	Britt Road is a minor collector. ADT = 10,978.		
2	0.75 mile to nearest transit facility (#2335011) Jimmy Carter Boulevard and Britt 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			

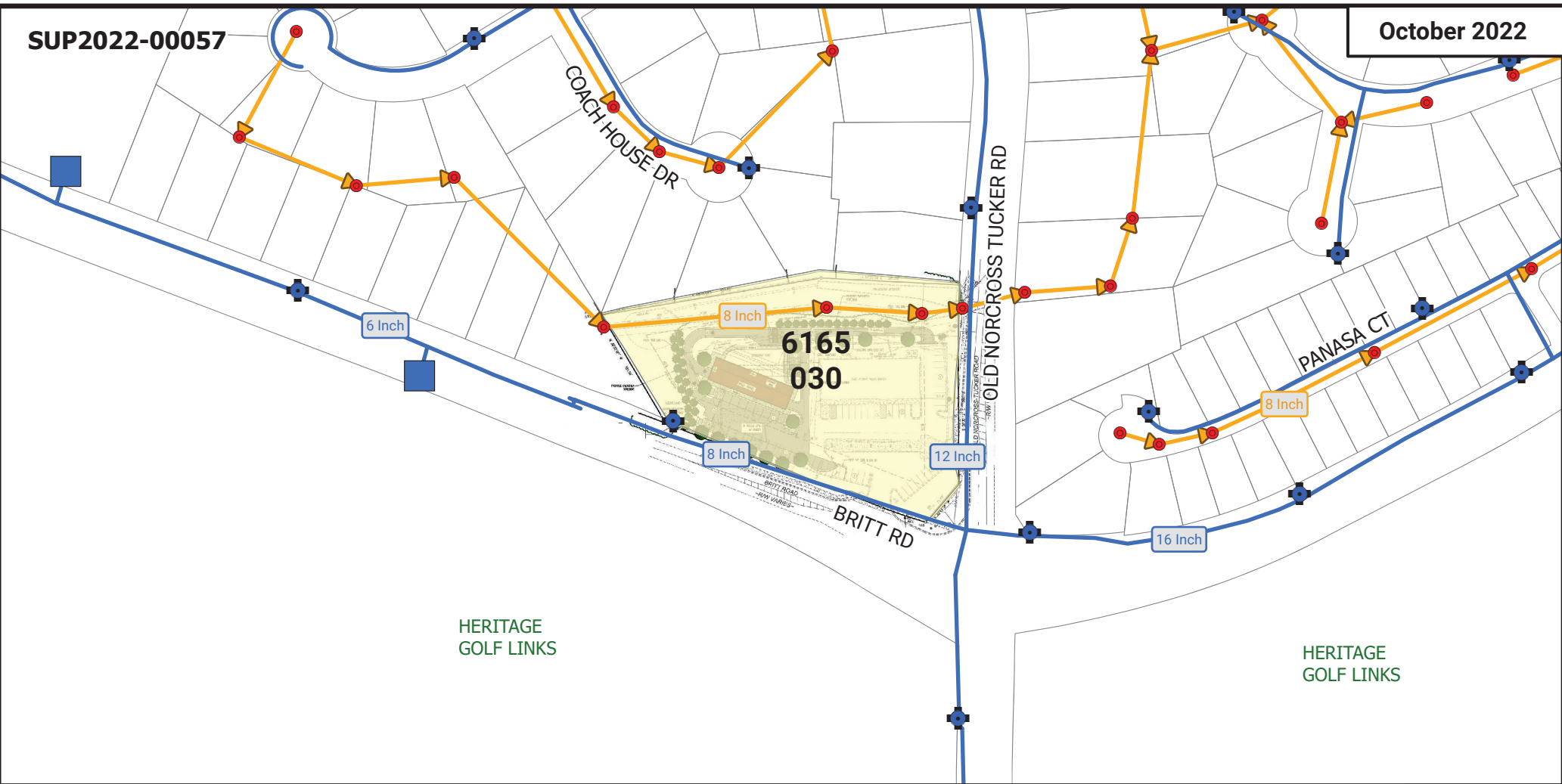
Note: Attach additional pages, if needed

Revised 7/26/2021



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

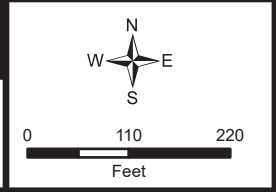
TRC Meeting Date:				
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		Michael.pappas@gwinnettcounty.com		
Case Number:		SUP2022-00057		
Case Address:		4578 Britt Road		
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Water: The existing building is already connected to public water.			
2	Sewer: 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 in the subject property.			
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

4578 Britt Rd
C-1

Water & Sewer Utility Map



Water Comments: There are no DWR comments for this case. The existing building is already connected to public water.

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 in the subject property.

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

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

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

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

Exhibit E: Maps

[attached]

COACH
HOUSE DR

OLD NORCROSS TUCKER RD

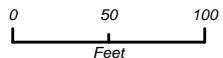
PANASA
CT

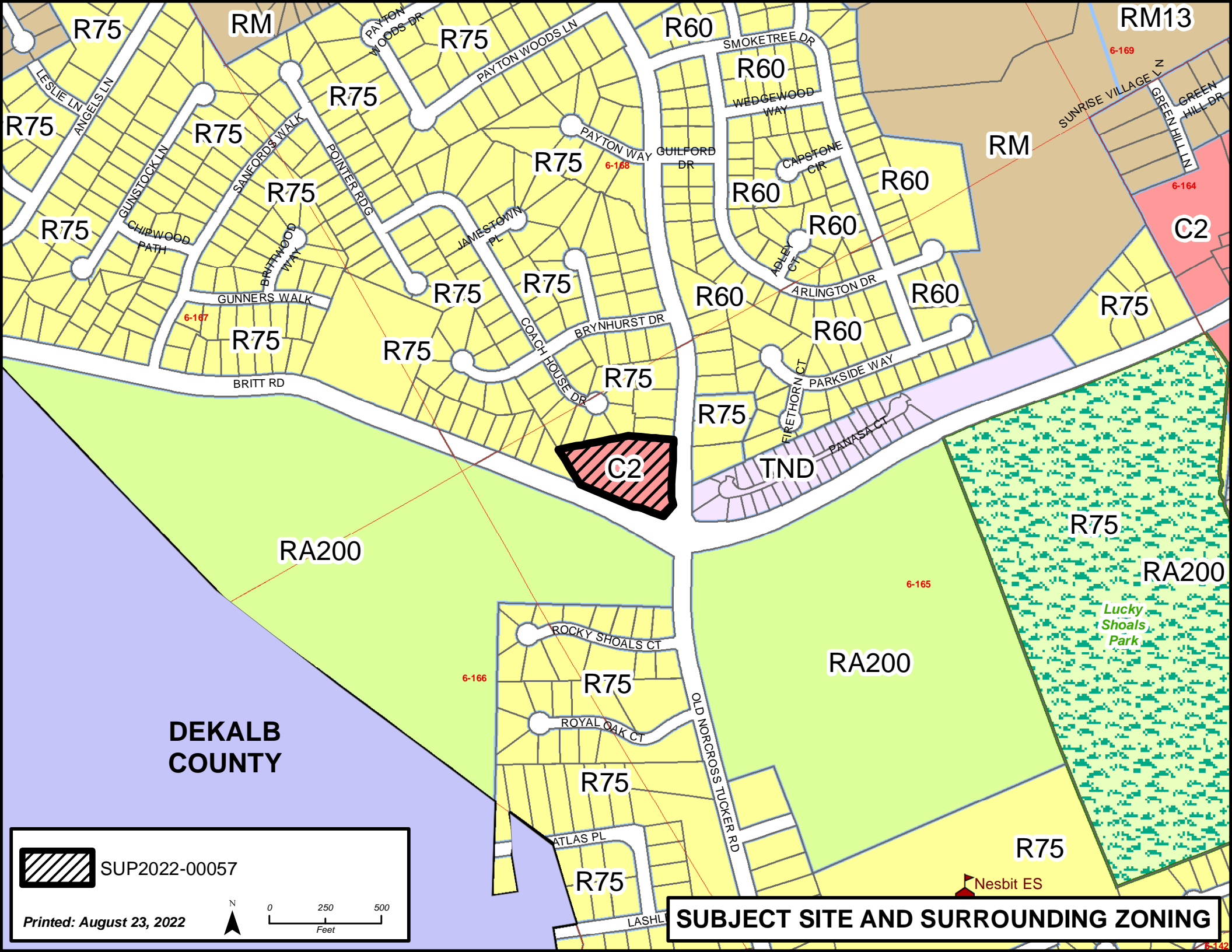
BRITT RD




SUP2022-00057

Printed: August 22, 2022



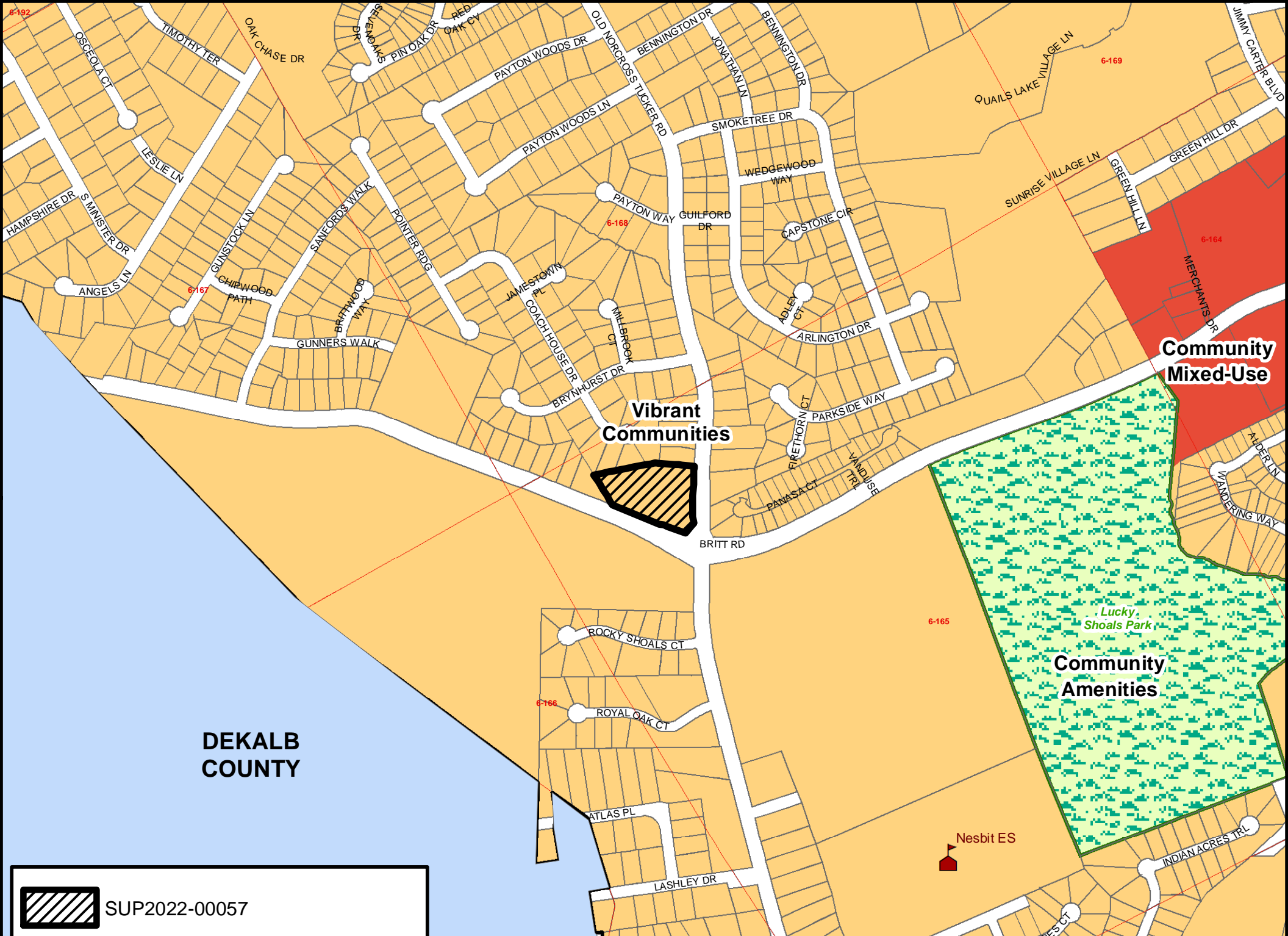


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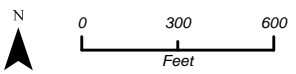
Printed: August 23, 2022



SUBJECT SITE AND SURROUNDING ZONING



Printed: August 22, 2022



2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

DEKALB COUNTY

 SUP2022-00057

Vibrant Communities

Community Mixed-Use

Community Amenities

Nesbit ES

Lucky Shoals Park

6-192

6-167

6-168

6-169

6-164

6-165

6-166

Exhibit G: Application and Disclosure of Campaign Contributions

[attached]

RECEIVED

8/2/2022 3:59PM

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Akber Iassi</u>	NAME: <u>4578 Britt Road, LLC</u>
ADDRESS: <u>21 Keef Valley Cir</u>	ADDRESS: <u>4578 Britt Road</u>
CITY: <u>Tucker</u>	CITY: <u>Tucker</u>
STATE: <u>Ga</u> ZIP: <u>30084</u>	STATE: <u>Ga</u> ZIP: <u>30084</u>
PHONE: <u>404-735-6274</u>	PHONE: <u>404-735-6274</u>
EMAIL: <u>akberlassi@bellsouth.net</u>	EMAIL: <u>akberlassi@bellsouth.net</u>
CONTACT PERSON: <u>AKBER IASSI</u> PHONE: <u>404-735-6274</u>	
CONTACT'S E-MAIL: <u>akberlassi@bellsouth.net</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:

OWNER'S AGENT PROPERTY OWNER CONTRACT PURCHASER

EXISTING/PROPOSED ZONING: G-2 BUILDING/LEASED SQUARE FEET: 4,080 SF

PARCEL NUMBER(S): R-6165030 ACREAGE: 1 AC

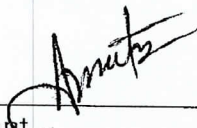
ADDRESS OF PROPERTY: 4578 Britt Road, Tucker, Ga, 30084

SPECIAL USE REQUESTED: Automated Car Wash
Tunnel & Vacuum Bays

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

SPECIAL USE PERMIT APPLICANT'S CERTIFICATION

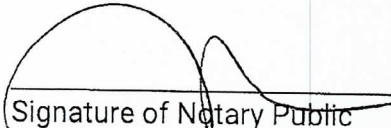
THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL 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 07-28-2022
Date

AKBER IASSI CFO

Type or Print Name and Title



Signature of Notary Public 7/28/2022
Date Notary Seal

JANITZIA DELOSSANTOS
NOTARY PUBLIC
Gwinnett County
State of Georgia
My Comm. Expires June 24, 2025

SPECIAL USE PERMIT PROPERTY OWNER'S CERTIFICATION

THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 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.

N. Lalani

Signature of Property Owner
4578 BRITT ROAD LLC

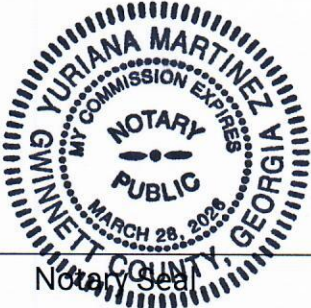
Date
07-28-2022

Mehboob Jabani *OWNER*

Type or Print Name and Title

Spina Mack

Signature of Notary Public
7/28/2022

Date

Notary Seal

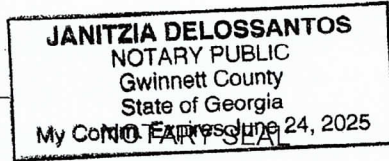
CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

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.

[Signature] 07-28-2022 AXBER JASSI CFO
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

[Signature] 7/28/2022
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 _____
YOUR NAME

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

NAME AND OFFICIAL 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.

RECEIVED

8/2/2022 3:59PM

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Akber Iassi</u>	NAME: <u>4578 Britt Road, LLC</u>
ADDRESS: <u>21 Keef Valley Cir</u>	ADDRESS: <u>4578 Britt Road</u>
CITY: <u>Tucker</u>	CITY: <u>Tucker</u>
STATE: <u>Ga</u> ZIP: <u>30084</u>	STATE: <u>Ga</u> ZIP: <u>30084</u>
PHONE: <u>404-735-6274</u>	PHONE: <u>404-735-6274</u>
EMAIL: <u>akberlassi@bellsouth.net</u>	EMAIL: <u>akberlassi@bellsouth.net</u>
CONTACT PERSON: <u>AKBER IASSI</u> PHONE: <u>404-735-6274</u>	
CONTACT'S E-MAIL: <u>akberlassi@bellsouth.net</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:

OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

EXISTING/PROPOSED ZONING: 6-Z BUILDING/LEASED SQUARE FEET: 4,080 SF

PARCEL NUMBER(S): R-6165030 ACREAGE: 1 AC

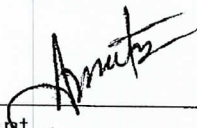
ADDRESS OF PROPERTY: 4578 Britt Road, Tucker, Ga, 30084

SPECIAL USE REQUESTED: Automated Car Wash
Tunnel & Vacuum Bays

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

SPECIAL USE PERMIT APPLICANT'S CERTIFICATION

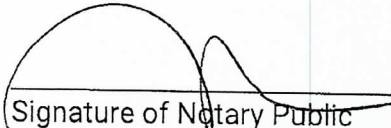
THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL 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 07-28-2022
Date

AKBER IASSI CFO

Type or Print Name and Title



Signature of Notary Public 7/28/2022
Date Notary Seal

JANITZIA DELOSSANTOS
NOTARY PUBLIC
Gwinnett County
State of Georgia
My Comm. Expires June 24, 2025

SPECIAL USE PERMIT PROPERTY OWNER'S CERTIFICATION

THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 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.

N. Lalani

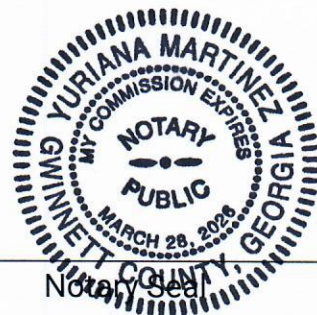
Signature of Property Owner
4578 BRITT ROAD LLC
Date
07-28-2022

Mehboob Lalani *OWNER*

Type or Print Name and Title

Spina Mack

Signature of Notary Public
Date
7/28/2022
Notary Seal



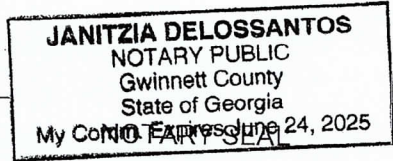
CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

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.

[Signature] 07-28-2022 AXBER JASSI CFO
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

[Signature] 7/28/2022
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 _____
YOUR NAME

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

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)

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APPLICANT IS THE:	
<input checked="" type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER
<input type="checkbox"/> CONTRACT PURCHASER	
EXISTING/PROPOSED ZONING: <u>6-2</u> BUILDING/LEASED SQUARE FEET: <u>4,080 SF</u>	
PARCEL NUMBER(S): <u>R-6165030</u> ACREAGE: <u>1 AC</u>	
ADDRESS OF PROPERTY: <u>4578 Britt Road, Tucker, Ga, 30084</u>	
SPECIAL USE REQUESTED: <u>Automated Car Wash</u>	
<u>Tunnel & Vacuum Bays</u>	

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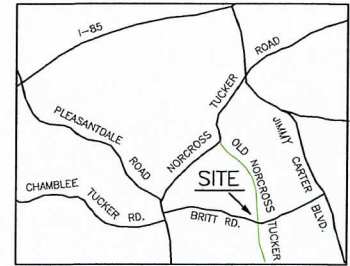
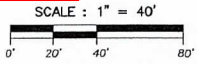
LEGAL DESCRIPTION

4576 BRITT ROAD, TAX PARCEL 6165 030

Beginning at a point located at the intersection of the western right-of-way of Old Norcross-Tucker Road and the northern right-of-way of Britt Road being the TRUE POINT OF BEGINNING; thence running North 70 degrees, 40 minutes, 14 seconds West for a distance of 118.18 feet to a point; thence running North 85 degrees, 30 minutes, 31 seconds West for a distance of 24.23 feet to a point; thence running North 88 degrees, 54 minutes, 53 seconds West for a distance of 240.78 feet to a point; thence running North 30 degrees, 55 minutes, 00 seconds West for a distance of 181.98 feet to a point; thence running North 80 degrees, 16 minutes, 00 seconds East for a distance of 320.62 feet to a point; thence running South 87 degrees, 23 minutes, 59 seconds East for a distance of 200.20 feet to a point; thence running along a arc having a radius of 1472.39 feet, and arc length of 77.86 feet and being subtended by a chord bearing of South 01 degrees, 00 minutes, 28 seconds West for a distance of 77.85 feet to a point; thence running South 00 degrees, 30 minutes, 12 seconds East for a distance of 9.78 feet to a point; thence running South 04 degrees, 48 minutes, 33 seconds West for a distance of 57.43 feet to a point, thence running South 02 degrees, 26 minutes, 18 seconds West for a distance of 46.49 feet to a point; thence running South 00 degrees, 59 minutes, 06 seconds East for a distance of 60.96 feet to a point; thence running South 15 degrees, 41 minutes, 57 seconds East for a distance of 27.45 feet to a point; thence running South 00 degrees, 30 minutes, 17 seconds for a distance of 6.35 feet to a point; thence running South 39 degrees, 43 minutes, 58 seconds West for a distance of 67.12 feet to a point being the TRUE POINT OF BEGINNING and terminus of this description.

RECEIVED

8/1/2022 4:17PM



VICINITY MAP
(NOT TO SCALE)

LEGEND:

- A ARC
- R RADIUS
- C CHORD
- R/W RIGHT OF WAY
- N/F ADJOINING OWNERSHIP
- IFS IRON PIN SET
- IPF IRON PIN FOUND
- CMF CONCRETE MONUMENT FOUND
- CO CLEAN-OUT
- WV WATER VALVE
- WM WATER METER
- GM GAS METER
- EM ELECTRIC METER
- DI DROP INLET
- JB JUNCTION BOX
- MH MANHOLE
- CMP CORRUGATED METAL PIPE
- FH FIRE HYDRANT
- CLF CHAIN LINK FENCE
- SSE SANITARY SEWER EASEMENT
- LP LIGHT POLE
- PP POWER POLE
- D.B. DEED BOOK
- PG. PAGE
- P.O.B. POINT OF BEGINNING
- RB REBAR
- OT OPEN TOP PIPE
- FENCE
- OVERHEAD POWER LINE
- - - WATER LINE
- - - GAS LINE
- - - UNDERGROUND TELEPHONE

MAGNETIC

121,873 SQ. FT.
2.797 ACRES

SURVEYOR'S CERTIFICATION

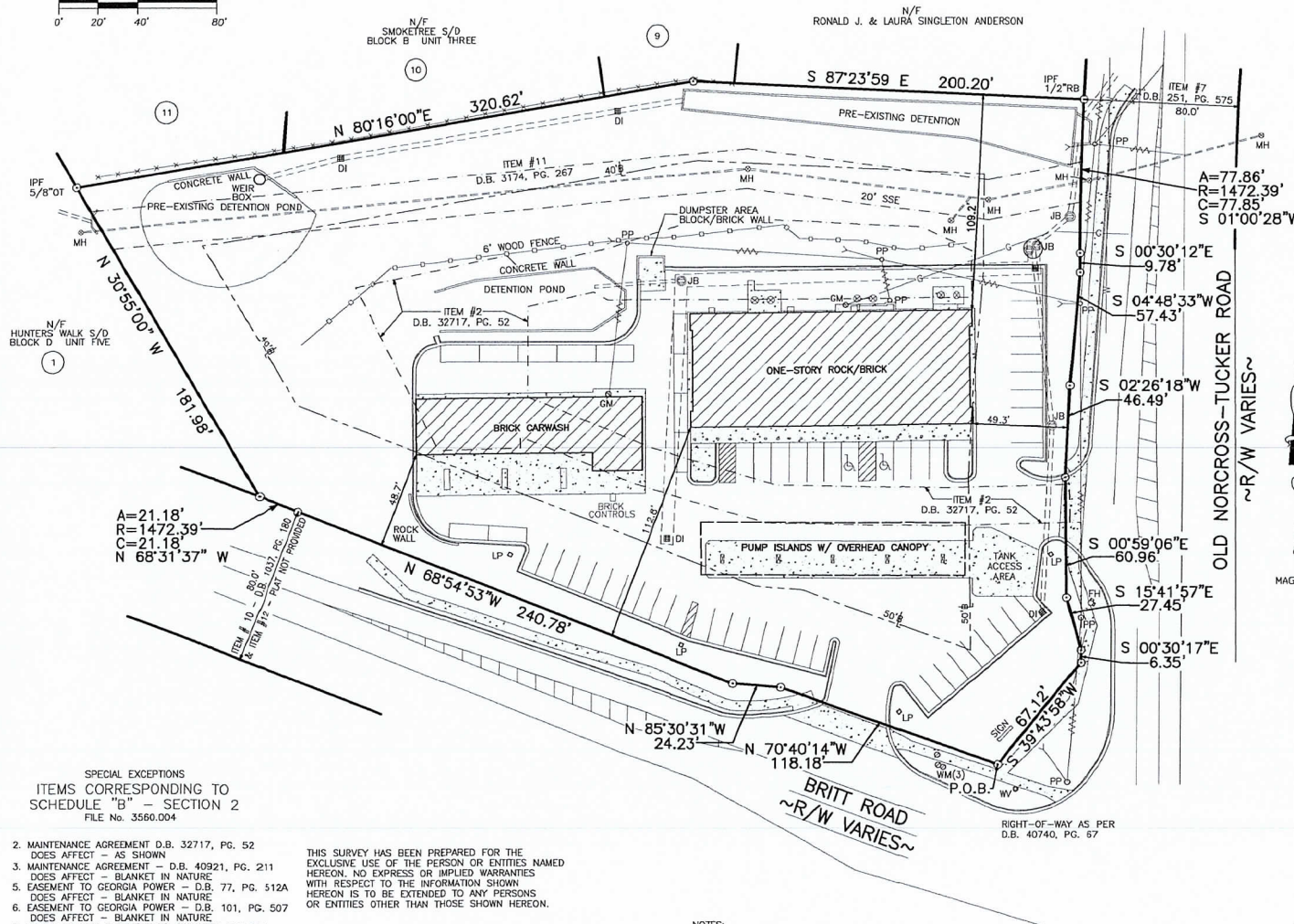
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1 - 4, 6, 9, 11(a), 13, & 14, OF "A" THEREOF.

SIGNED: _____ DATE: 07/03/12
GARY L. COOPER

REGISTRATION NO.: 2606

OFFICE:	06/11/12
BY:	AMB/DWJ
FIELD:	06/11/12
BY:	AMB
SCALE:	1"=40'
SHEET #	1 OF 1

12083



SPECIAL EXCEPTIONS
ITEMS CORRESPONDING TO
SCHEDULE "B" - SECTION 2
FILE No. 3560.004

2. MAINTENANCE AGREEMENT D.B. 32717, PG. 52 DOES AFFECT - AS SHOWN
3. MAINTENANCE AGREEMENT - D.B. 40921, PG. 211 DOES AFFECT - BLANKET IN NATURE
5. EASEMENT TO GEORGIA POWER - D.B. 77, PG. 512A DOES AFFECT - BLANKET IN NATURE
6. EASEMENT TO GEORGIA POWER - D.B. 101, PG. 507 DOES AFFECT - BLANKET IN NATURE
7. RIGHT-OF-WAY EASEMENT TO GWINNETT COUNTY D.B. 251, PG. 575 - DOES AFFECT - AS SHOWN
8. EASEMENT TO GWINNETT COUNTY D.B. 764, PG. 115 & 117 AFFECTS AS OFF-SITE SEWER
9. EASEMENT TO GWINNETT COUNTY D.B. 803, PG. 215 - MAY NOT AFFECT AFFECTS AS OFF-SITE SEWER
10. RIGHT-OF-WAY DEED - D.B. 1037, PG. 180 DOES AFFECT - AS SHOWN
11. SEWER EASEMENT TO GWINNETT COUNTY D.B. 3174, PG. 287 - DOES AFFECT - AS SHOWN
12. RIGHT-OF-WAY DEED - D.B. 3187, PG. 127 DOES AFFECT - AS SHOWN

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITIES NAMED HEREON. NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY PERSONS OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

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 IN THAT LIGHT BY THOSE USING 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 EMPLOYEES, HIS CONSULTANTS, AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON.

NOTES:
FIELD INFORMATION FOR THIS SURVEY WAS OBTAINED WITH A 5 SECOND THEODOLITE AND AN ELECTRONIC DISTANCE METER.
THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 36,846 FEET AND AN ANGULAR ERROR OF 01 SECOND PER ANGLE POINT AND WAS ADJUSTED BY LEAST SQUARES.
THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURES AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 174,869 FEET.

FLOOD STATEMENT:
THIS PROPERTY DOES NOT LIE WITHIN A FEDERAL FLOOD HAZARD AREA AS PER PANEL NO. 13135C 0111F DATED: SEPTEMBER 29, 2006

IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW

PROJECT DESCRIPTION:		
ALTA-SURVY FOR: 4578 BRITT ROAD, LLC, K K IMPEX, INC., BANK OF ATLANTA, GA RESOURCE CAPITAL, INC., U.S. SMALL BUSINESS ADMINISTRATION, CHICAGO TITLE INSURANCE COMPANY 4578 BRITT ROAD		
COUNTY: GWINNETT	DISTRICT: 6TH	D.B. 46560, PG. 408
LAND LOT: 165	SECTION: 10	D.B. 46560, PG. 404

ADAM & LEE LAND SURVEYING
5640 GA. HWY. 20 S.
LOGANVILLE, GA. 30052 (770)554-8995
www.adamandlee.com FAX=(770)554-8134



REVISIONS

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:

YES, A NEW CAR WASH REPLACING AN EXISTING SELF SERVICE CAR WASH.

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

NO, CHANGES IN USE, JUST A NEW BUILDING.

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

YES

- (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:

NO

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

YES

- (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:

SUPPORT FOR APPROVAL, EXISTING CAR WASH IS BEING REPLACED WITH A NEW AUTOMATED CAR WASH TUNNEL³.

LETTER OF INTENT

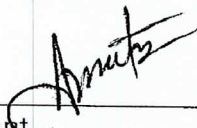
The subject property consists of a convenience store with attached restaurant/retail space, a six pump fuel station with canopy, and a self-service car wash. Our Special Use Permit request consists of the removal of an existing self-service car wash equipped with 6 “spray wand and brush” car wash bays and one automated car wash bay. This facility is to be demolished and replaced with a new automated 120 foot long car wash tunnel and 21- 15 ft. wide vacuum bays w/canopies. Patrons will enter the property by two existing driveways, one each off Britt Road and Old Norcross-Tucker Road, then transcend around the east side of the existing Convenience store building to a proposed “stacking lane” driveway behind the existing building before reaching the “pay stations” for wash type selection and payment. Then vehicles continue to, and through, the car wash tunnel before exiting with the choice to leave the property or hoop into one of the 21 vacuum bays for vehicle interior clean out. This facility is self-service, the customers never leave their vehicles for employees to service. 2-4 employees operate the facility per shift. The car wash hours are from 8 am to 8 pm in the Summer months and 8 am to 6 pm in the Winter months.

The existing dumpster services both existing facilities and will continue to do so. Stormwater detention for the new car wash will be underground and located on the north side of the car wash tunnel as illustrated on the Exhibit. Vacuum producers for vacuum bay services will be screened by 6-foot opaque fencing on the Britt Road, and west (residential) side of the equipment. An escape lane is proposed near the entrance of the tunnel connecting to the front driveway.

In addition the Special Use Permit request we also are asking for a rezoning buffer reduction. The subject property is adjacent to properties zoned R-75 to the north and west, a 75-foot zoning buffer is required on commercial C-2 zoning. Our request is a buffer reduction to 40 feet, to follow the existing 40 foot building setback line. As illustrated in the “Aerial Photo” of the Exhibit the buffer is currently vegetated in mature woodlands. Our proposed clearing will be bordered by an existing sanitary sewer easement near the stacking/pay station lane and no more that 20 feet off the proposed improvements to the west or to the proposed 40 foot buffer line, whichever is less. The proposed clearing outside of the proposed 40 foot buffer will be enhanced with a planting of evergreen trees 6-7 ft. tall, planted 10 ft. on center. Double row on the west side of the property, and single row between the proposed stacking lane and the existing sanitary sewer easement. Note, two existing stormwater detention ponds are within the existing buffer along the northern property line. These detention ponds do not serve the commercial development, we can only assume that they were originally constructed for the adjacent subdivision.

SPECIAL USE PERMIT APPLICANT'S CERTIFICATION

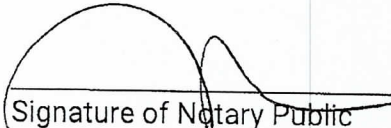
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Signature of Applicant 07-28-2022
Date

AKBER IASSI CFO

Type or Print Name and Title



Signature of Notary Public 7/28/2022
Date Notary Seal

JANITZIA DELOSSANTOS
NOTARY PUBLIC
Gwinnett County
State of Georgia
My Comm. Expires June 24, 2025

RECEIVED

8/2/2022 4:14PM

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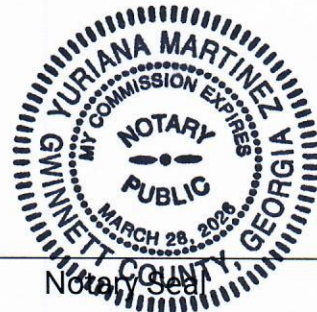
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4578 BRITT ROAD LLC
Date
07-28-2022

Mehboob Jabani *OWNER*

Type or Print Name and Title

Spina Mack

Signature of Notary Public
Date
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Notary Seal



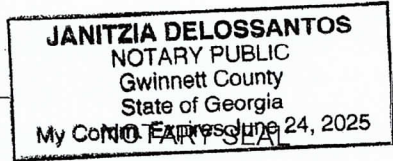
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ATTORNEY OR REPRESENTATIVE

[Signature] 7/28/2022
SIGNATURE OF NOTARY PUBLIC DATE



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YES NO _____
YOUR NAME

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