

Gwinnett County Board of Commissioners' Resolutions
for BRD, CIC, RZC, RZM, RZR, MIH, MUO, MUR, and/or SUP
Cases and Amendments acted upon in November 2014

CASE NUMBER CIC2014-00015
GCID 2014-1159

BOARD OF COMMISSIONERS
GWINNETT COUNTY
LAWRENCEVILLE, GEORGIA
RESOLUTION

READING AND ADOPTION:

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

<u>Present</u>	<u>VOTE</u>
Charlotte J. Nash, Chairman	<u>YES</u>
Jace Brooks, District 1	<u>YES</u>
Lynette Howard, District 2	<u>YES</u>
Tommy Hunter, District 3	<u>ABSENT</u>
John Heard, District 4	<u>YES</u>

On motion of COMM. BROOKS, which carried 4-0, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from C-2 to C-2 by LECRAW ENGINEERING for a CHANGE IN CONDITIONS OF ZONING (REDUCTION IN BUFFERS) on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

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

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on NOVEMBER 18, 2014 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 18TH day of NOVEMBER 2014, that the aforesaid application to amend the Official Zoning Map from C-2 to C-2 (CHANGE IN CONDITIONS) is hereby **DENIED WITHOUT PREJUDICE.**

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 11/21/14

ATTEST:
Diane Kemp
County Clerk/Deputy County Clerk



LEGAL DESCRIPTION:

All that tract or parcel of land lying and being in land lot 57 of the 6th District of Gwinnett County, Georgia and being more particularly described as follows:

To reach the Point of Beginning commence at the mitered intersection of the eastern right-of-way of Davis Road (Variable R/W) and the southern right-of-way of U.S. Highway # 78 (Variable right-of-way, 59' from centerline at this point); thence along the southern right-of-way of U.S. Highway # 78 in a northeastern direction a distance of 147.2 feet to a nail found; thence leaving said Right of Way and running South 18° 37' 31" East a distance of 179.16 feet to a ½" rebar found; thence S 76° 49' 24" West a distance of 10.30 feet to a point; thence South 27° 03' 00" East a distance of 135.62 feet to a point; thence South 74° 35' 24" West a distance of 166.80 feet to a nail found on the easterly Right of Way of Davis Road (30' R/W); thence along said Right of Way South 25° 50' 00" East a distance of 111.12 feet to a 1/2" rebar found and the Point of Beginning; from point thus established and leaving said Right of Way and running North 74° 39' 45" East a distance of 202.29 feet to a ½" rebar found; thence South 15° 16' 21" East a distance of 159.94 feet to a ½" rebar set; thence South 73° 50' 17" West a distance of 160.78 feet to a 1" open top pipe found (disturbed) on the easterly Right of Way of Davis Road; thence along said Right of Way along a curve to the right an arc distance of 89.98 feet (said curve having a radius of 340.00 feet; a chord bearing of North 32° 56' 10" West and a chord distance of 89.71 feet) to a point; thence North 25° 50' 00" West a distance of 78.04 feet to the POINT OF BEGINNING. Said tract containing 0.686 Acres.

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Planning & Development

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CASE NUMBER RZC2014-00020
GCID 2014-1205

BOARD OF COMMISSIONERS
GWINNETT COUNTY
LAWRENCEVILLE, GEORGIA
RESOLUTION

READING AND ADOPTION:

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

<u>Present</u>	<u>VOTE</u>
Charlotte J. Nash, Chairman	<u>YES</u>
Jace Brooks, District 1	<u>YES</u>
Lynette Howard, District 2	<u>YES</u>
Tommy Hunter, District 3	<u>ABSENT</u>
John Heard, District 4	<u>YES</u>

On motion of COMM. HOWARD, which carried 4-0, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from M-2 to MU-R by JACOBY DEVELOPMENT, INC. for the proposed use of a MIXED USE DEVELOPMENT on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

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

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on NOVEMBER 18, 2014 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 18TH day of NOVEMBER 2014, that the aforesaid application to amend the Official Zoning Map from M-2 to MU-R is hereby **APPROVED** with the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. The mixed-use development shall be in general accordance with the submitted site plan received by the Department of Planning and Development. Any changes, including those necessary to meet conditions of zoning and UDO requirements, must be reviewed and approved by the Director of Planning and Development. At the Director's discretion, residential and non-residential uses may be transferred between the delineated areas depicted on the site plan presented at the November 18, 2014 public hearing to achieve a balanced mix of uses on the site, so long as densities are not increased.
 - B. New buildings and exterior remodeling of existing buildings shall meet the Category 4 Architectural Standards of the UDO. Multi-family residential buildings shall be urban-style structures with flat roofs and interior corridor unit access, and shall be constructed to commercial building code specifications on the ground floor to allow for future vertical mixed-use integration. Vehicle parking for multifamily residences shall be located in internal parking structures incorporated into the building design.
 - C. The development and redevelopment of this site will provide a new gateway into Gwinnett and the building elevations and signage shall reflect and promote an appropriate standard of quality. The site design and layout shall include streetscaping along Jimmy Carter Boulevard and Crescent Drive, with buildings situated close to the roadways with inward facing facades. Final site plans, landscape plans, pedestrian connectivity plan, signage and building elevations (including building materials and color

palettes) shall be subject to review and approval of the Director of Planning and Development.

- D. Minimum building heights shall be 10 stories for office buildings, 7 stories for hotels, and 5 stories for multifamily/student housing buildings. Prior to the issuance of a building permit for any hotel, the hotel operator shall certify in writing to the Director that the average room rates will be within the top 25% of average room rates in the Gwinnett County market. Budget, economy, or extended-stay hotels shall be prohibited.
 - E. Parking structure facades for multi-family residential shall not be visible from external roadways. Parking structure exterior finish materials shall be subject to review and approval of the Director of Planning and Development.
 - F. Structures on the adjoining OFS retained property which suffer casualty loss may be rebuilt to the same or similar use on the pre-casualty loss footprint regardless of the percentage of casualty loss to the replacement value of the structure.
 - G. The mixed-use project shall be undertaken as a phased development, ensuring concurrent construction of the required mix of uses. Once the first 300 units of multi-family and/or student housing have been constructed, all subsequent Development permits or building permits for each 25% of either the total project acreage or gross floor area devoted to residential uses may only be granted upon issuance of a certificate of occupancy for at least 25% of the gross floor area devoted to commercial, hotel or office. This concurrency requirement shall govern the overall mixed-use development through its completion.
2. To satisfy the following site development considerations:
- A. Abide by all site development requirements, standards and specifications of UDO Sections 210-220 and 210-225. This condition shall not preclude a Variance application.
 - B. All public street frontages shall include landscape strips that are consistent with the requirements of the UDO planted with approved street trees per the UDO. The street trees shall be a minimum of 6-inches in caliper at the time of planting and spaced on maximum 50-foot centers. The required shrubs for this landscape strip shall equal one (1) 3-gallon shrub for every 10-feet of road frontage.
 - C. All zero-lot lines and other reduced setbacks shown on the rezoning site plan resulting from the proposed boundary line between the Applicant's rezoned property and the adjoining OFS retained property which do not comply with the current UDO (including but not limited to the zero-lot line between Building 50 (to be acquired by Applicant) and Building 30 (to be retained by OFS) are approved as shown on the rezoning site plan.

- D. Residential buildings shall include outdoor common areas with amenities. The design, location and amenity packages shall be subject to review and approval by the Director of Planning and Development.
3. Abide by the following requirements, dedications and improvements:
- A. All conditions of the Development of Regional Impact (DRI: 2443) GRTA Notice of Decision shall be incorporated into the development.
- B. All access points for ingress/egress are subject to the review and approval of the Georgia Department of Transportation and/or Gwinnett County Department of Transportation.
- C. Prior to the issuance of a Development Permit, the applicant shall provide a signal warrant study and an updated transportation analysis. The signal warrant study and transportation analysis shall demonstrate the specific traffic impacts of each of the proposed phases of development for the overall project and/or proposed buildings and structures within the development, as well as the appropriate phase of development for construction of the traffic improvements required by these conditions. The study is subject to review and approval by the Georgia Department of Transportation and/or Gwinnett County Department of Transportation.
- D. The applicant shall make any road improvements recommended by the Transportation Analysis for Atlanta Media Center that are contained herein prior to the Certificate(s) of Occupancy related to the applicable phase of development, building or structure which warrants the particular road improvement(s) (as per the signal warrant study and transportation analysis required by Condition 3.C. herein and which has been approved by Georgia DOT and Gwinnett DOT) and provided the improvements are approved by the applicable DOT. All design and construction will be subject to review and approval of the Georgia Department of Transportation and/or Gwinnett County Department of Transportation, and shall include all necessary right-of-way dedications by the applicant to accommodate the required improvements contained herein.
- E. If it is determined by a signal warrant study that a signal or signal modification is warranted, and the signal and/or modification is approved by the applicable DOT(s), the developer shall contract for the signal design. The developer shall also contract for the installation and/or modifications by a DOT approved contractor. All signals will be installed and operational prior to the issuance of the certificate of occupancy for the applicable phase of the development.
- F. Include communication capabilities with the existing signal network located along Jimmy Carter Boulevard for any new signal installations along Crescent Drive.

- G. A left turn lane shall be provided for all full-access entrances on Crescent Drive.
- H. Improve the Crescent Drive eastbound approach at Jimmy Carter Boulevard to include a left turn lane, left/through lane and two right turn lanes.
- I. Construct a right turn lane on Button Gwinnett Drive northbound onto Crescent Drive eastbound and if warranted, install a traffic signal.
- J. Construct a fourth southbound through lane along Jimmy Carter Boulevard that extends from the intersection of Jimmy Carter Boulevard at Brook Hollow Parkway to the DDI right turn lane at I-85 presently under construction.
- K. Provide an additional six (6) feet of full-depth pavement along the property frontage of Tract 2 from the DDI to 200 feet north of Crescent Drive to allow for an additional third northbound left-turn installation.
- L. Construct an additional travel lane westbound (inbound) along Crescent Drive from Jimmy Carter Boulevard to Internal Road B.
- M. Construct a dedicated southbound right turn lane on SR 140/Jimmy Carter Boulevard at Crescent Drive.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

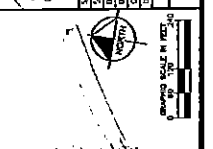
Date Signed: 11/21/14

ATTEST:

Diane Ken
County Clerk/Deputy County Clerk



ATLANTA MEDIA CENTER
 GWINNETT COUNTY, GEORGIA



REZONING SITE PLAN
 DEVELOPER: [Logo]
 SCALE: 1/8" = 1'-0"

KimleyHorn
 1400 Peachtree St. N.E.
 Atlanta, Georgia 30309-1174
 TEL: 404.525.2000
 FAX: 404.525.2001
 WWW.KIMLEYHORN.COM



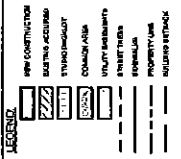
NOTES:

1. THIS PLAN IS A PRELIMINARY DESIGN AND DOES NOT CONSTITUTE A CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF ATLANTA, GWINNETT COUNTY, AND ANY APPLICABLE AGENCIES.
2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF ATLANTA, GWINNETT COUNTY, AND ANY APPLICABLE AGENCIES.
3. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF ATLANTA, GWINNETT COUNTY, AND ANY APPLICABLE AGENCIES.

CONTRACTS:

APPLICANT:
 JACOBY DEVELOPMENT, INC.
 1711 WILSON STREET NW
 SUITE 100
 ATLANTA, GA 30318
 CONTACT: TODD W. ANDERSON
 PHONE: 770.918.8800

ENGINEER:
 KIMLEY HORN AND ASSOCIATES, INC.
 1400 PEACHTREE STREET
 ATLANTA, GA 30309
 CONTACT: BOBBI E. WEST, P.E.
 PHONE: 404.525.2000



LAND USE	APPROXIMATE	PERCENT	ACRES	ADDITIONAL
MULTIFAMILY	2.5	100	0.25	4 STORIES
OFFICE	0.5	100	0.05	8 STORIES
RETAIL	0.5	100	0.05	2 STORIES
HOSPITALITY	0.5	100	0.05	4 STORIES
STUDIO	10.5	100	10.5	4 STORIES
PARKING	2.0	100	2.0	1 STORY
PIPE LINE	0.5	100	0.05	1 STORY
TOTAL	16.0		16.0	

LAND USE SUBDIVISION:

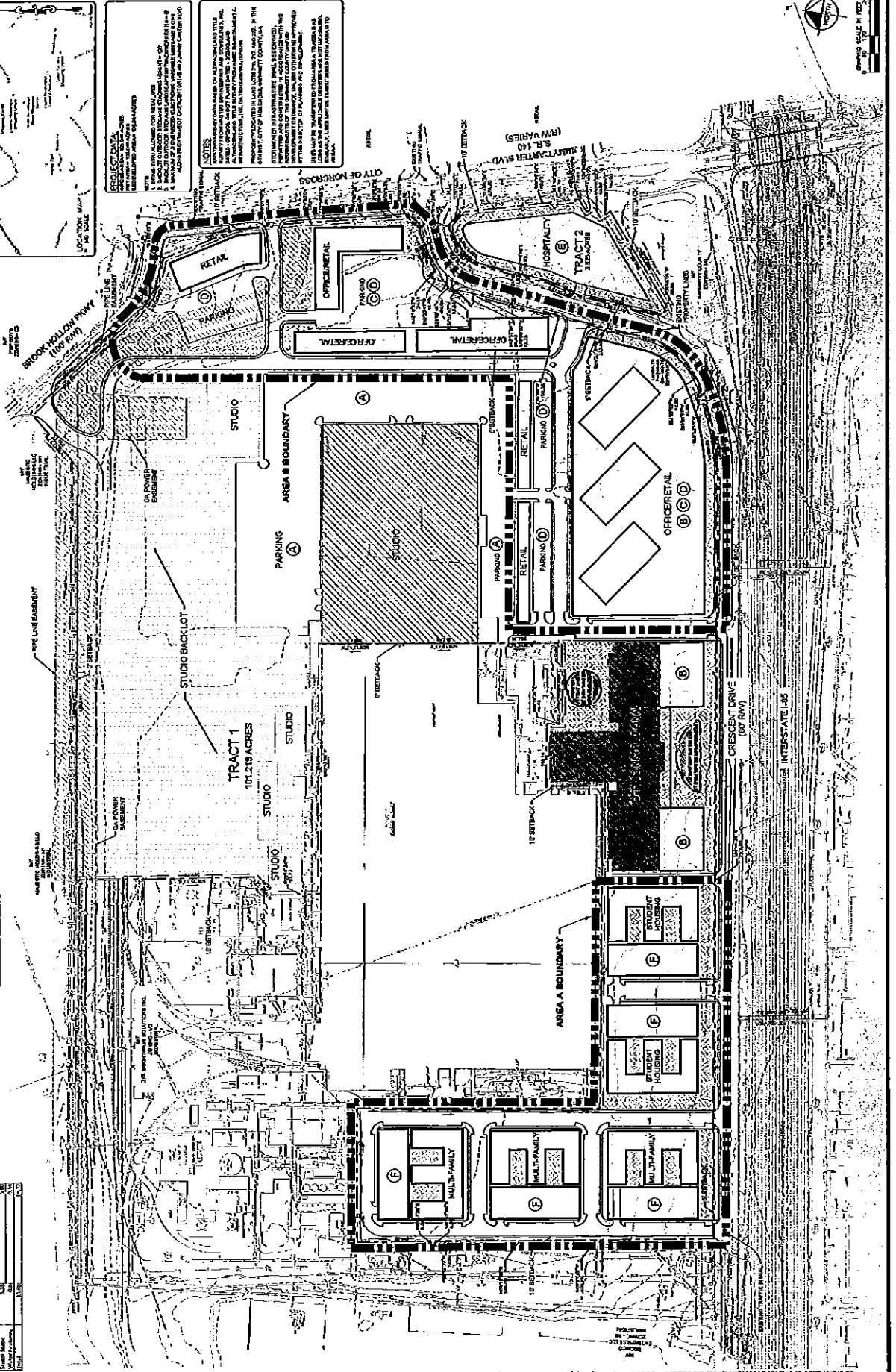
LAND USE	APPROXIMATE	PERCENT	ACRES	ADDITIONAL
MULTIFAMILY	2.5	100	0.25	4 STORIES
OFFICE	0.5	100	0.05	8 STORIES
RETAIL	0.5	100	0.05	2 STORIES
HOSPITALITY	0.5	100	0.05	4 STORIES
STUDIO	10.5	100	10.5	4 STORIES
PARKING	2.0	100	2.0	1 STORY
PIPE LINE	0.5	100	0.05	1 STORY
TOTAL	16.0		16.0	

EXISTING CONDITIONS:

EXISTING	APPROXIMATE	PERCENT	ACRES	ADDITIONAL
MULTIFAMILY	0.0	0	0.0	0 STORIES
OFFICE	0.0	0	0.0	0 STORIES
RETAIL	0.0	0	0.0	0 STORIES
HOSPITALITY	0.0	0	0.0	0 STORIES
STUDIO	0.0	0	0.0	0 STORIES
PARKING	0.0	0	0.0	0 STORIES
PIPE LINE	0.0	0	0.0	0 STORIES
TOTAL	0.0		0.0	

PROPOSED CHANGES:

PROPOSED	APPROXIMATE	PERCENT	ACRES	ADDITIONAL
MULTIFAMILY	2.5	100	0.25	4 STORIES
OFFICE	0.5	100	0.05	8 STORIES
RETAIL	0.5	100	0.05	2 STORIES
HOSPITALITY	0.5	100	0.05	4 STORIES
STUDIO	10.5	100	10.5	4 STORIES
PARKING	2.0	100	2.0	1 STORY
PIPE LINE	0.5	100	0.05	1 STORY
TOTAL	16.0		16.0	



Tract 1 Description

Tract 1

A tract of land situated in Land Lots 216 and 217, 6th District, Gwinnett County, Georgia, the bearings which are based on State Plane Grid (Georgia West Zone), and being more particularly described as follows:

Begin at no.4 rebar found marking the intersection of the southwesterly right-of-line of Brookhollow Parkway (100-foot right-of-way) with the easterly line of lands now or formerly owned by NM Majestic Holdings, LLC (Deed Book 47419 Page 691); said point having State Plane Grid Values of 1425430.79 North and 2282836.10 East; thence along said right-of-way line for the following courses and distances: S51°16'07"E for a distance of 230.03 feet; S51°12'30"E for a distance of 215.88 feet; southeasterly 243.50 feet along the arc of curve, concave to the northeast, having and central angle of 42°48'36", a radius of 325.90 feet, and a chord bearing and distance of S72°36'49"E and 237.88 feet; S15°09'49"E for a distance of 9.62 feet to intersection with the westerly line of Jimmy Carter Boulevard (variable right-of-way) thence along said right-of-way line for the following courses and distances: S30°57'02"E for a distance of 259.80 feet; S15°07'45"E for a distance of 265.00 feet; S74°50'09"W for a distance of 3.52 feet; thence, S12°50'59"E for a distance of 168.91 feet to a rebar found; thence, S11°06'32"E for a distance of 17.39 feet to a rebar found; thence, S12°52'35"E for a distance of 98.96 feet to a rebar found; thence, S15°09'50"E for a distance of 10.30 feet to intersection with the northerly right-of-way line of Crescent Drive; thence along said right-of-way line for the following courses and distances: S28°58'05"W for a distance of 79.42 feet; S74°50'10"W for a distance of 9.70 feet; southwesterly 146.35 feet along the arc of curve, concave to the southeast, having and central angle of 33°09'42", a radius of 252.86 feet, and a chord bearing and distance of S58°15'17"W and 144.32 feet; N48°19'33"W for a distance of 24.12 feet; S18°33'47"W for a distance of 41.48 feet; S25°18'48"W for a distance of 64.09 feet; thence, S32°03'47"W for a distance of 59.52 feet; thence, S82°33'24"E for a distance of 28.62 feet; thence, S06°00'07"W for a distance of 12.73 feet; S04°33'34"W for a distance of 213.82; S02°16'08"W for a distance of 100.08 feet; S04°33'34"W for a distance of 273.60 feet; southwesterly 194.79 feet along the arc of curve, concave to the northwest, having and central angle of 45°16'48", a radius of 246.48 feet, and a chord bearing and distance of S27°11'58"W and 189.76 feet; S51°22'02"W for a distance of 42.68 feet; S61°21'57"W for a distance of 41.85 feet; N30°42'50"W for a distance of 15.00 feet; S59°52'10"W for a distance of 14.28 feet; S28°28'44"E for a distance of 14.98 feet; southeasterly 259.03 feet along the arc of curve, concave to the northwest, having and central angle of 19°45'49", a radius of 750.95 feet, and a chord bearing and distance of S70°53'45"W and 257.75 feet; S80°46'39"W for a distance of 2551.59 feet; thence along a proposed subdivisional line for the following courses and distances: N09°24'48"W for a distance of 406.15 feet; N09°12'32"W for a distance of 566.00 feet; S80°47'28"W for a distance of 8.30 feet; N09°12'32"W for a distance of 12.90 feet; N80°47'28"E for a distance of 8.30 feet; N09°11'50"W for distance of 214.20 feet; N80°43'51"E for a distance of 125.06 feet; N80°31'19"E for a distance of 318.22 feet; S09°13'10"E for a distance of 808.91 feet; N80°46'50"E for a distance of 1046.53; N09°09'55"W for a distance of 188.40 feet; N80°43'50"E for a distance of 210.14 feet; S09°16'34"E for a distance of 44.46 feet;

RZC2014-00020
Received 10-9-2014

Tract 1 Description

N80°43'26"E for a distance of 270.82 feet; N09°16'34"W for a distance of 282.36 feet; N09°12'43"W for a distance of 317.48 feet; N09°12'43"W for a distance of 189.45 feet; thence, S80°43'56"W for a distance of 818.60 feet; N09°16'34"W for a distance of 191.73 feet; N38°01'22"E for a distance of 52.59 feet; N09°15'33"W for a distance of 587.77 feet to intersection with said NM Majestic lands; thence along said lands for the following courses and distances: N80°46'42"E for a distance of 1353.11 feet; N38°47'57"E for a distance of 255.53 feet to the **Point of Beginning** of said Tract. Containing 101.219 acres or 4,409,110 square feet. This description based on a survey prepared by AMEC dated May 13, 2013.

RZC2014-00020
Received 10-9-2014

Tract 2 Description

Tract 2

A tract of land situated in Land Lot 216, 6th District, Gwinnett County, Georgia, the bearings which are based on State Plane Grid (Georgia West Zone), and being more particularly described as follows:

Commence at no.4 rebar found marking the intersection of the southwesterly right-of-line of Brookhollow Parkway (100-foot right-of-way) with the easterly line of lands now or formerly owned by NM Majestic Holdings, LLC (Deed Book 47419 Page 691); said point having State Plane Grid Values of 1425430.79 North and 2282836.10 East; thence S38°47'57"W along said easterly line for a distance of 255.53 feet to a no. 4 rebar found; thence S42°11'36"E for a distance of 1475.84 feet to a point on the northerly right-of-way line of Crescent Drive (variable right-of-way) and the **Point of Beginning** of the Tract herein described; thence S59°02'31"E along said right-of-way line for a distance of 79.42 feet to intersection with the westerly right-of-way line of Jimmy Carter Boulevard (variable right-of-way); thence along said line for the following courses and distances: S14°54'36"E for a distance of 224.70 feet; S16°48'00"E for a distance of 99.75 feet; thence, S14°54'36"E for a distance of 48.79 feet to intersection with the northerly line of a private drive; thence along said drive for the following courses and distances: S50°01'05"W for a distance of 71.65 feet; S39°58'55"E for a distance of 30.00 feet; S50°01'05"W for a distance of 40.00 feet; thence, S39°58'55"E for a distance of 40.00 feet; S50°01'05"W for a distance of 380.00 feet; N39°58'55"W for a distance of 38.56 feet to intersection of said line the easterly right-of-way line of said Crescent Drive; thence along said line for the following courses and distances: N04°48'47"E for a distance of 292.91 feet; N13°54'13"E for a distance of 101.27 feet; N04°48'48"E a distance of 213.82 feet; northeasterly 187.49 feet along the arc of curve, concave to the southeast, having and central angle of 70°16'59", a radius of 152.85 feet, and a chord bearing and distance of N39°57'06"E and 175.96 feet; N75°04'29"E for a distance of 9.70 feet to the **Point of Beginning** of said Tract. Containing 3.825 acres or 166,600 square feet. This description based on a survey prepared by AMEC dated May 13, 2013.

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Planning & Development

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CASE NUMBER SUP2014-00040
GCID 2014-0876

BOARD OF COMMISSIONERS
GWINNETT COUNTY
LAWRENCEVILLE, GEORGIA
RESOLUTION

READING AND ADOPTION:

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

<u>Present</u>	<u>VOTE</u>
Charlotte J. Nash, Chairman	<u>YES</u>
Jace Brooks, District 1	<u>YES</u>
Lynette Howard, District 2	<u>YES</u>
Tommy Hunter, District 3	<u>ABSENT</u>
John Heard, District 4	<u>YES</u>

On motion of COMM. HOWARD, which carried 4-0, the following resolution was adopted:

A RESOLUTION TO GRANT A SPECIAL USE PERMIT

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application for a Special Use Permit by RAFI INVESTMENT, LLC for the proposed use of AUTOMOBILE SALES on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Special Use Permit Application has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on NOVEMBER 18, 2014 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 18th day of NOVEMBER 2014 that the aforesaid application for a Special Use Permit is hereby **DENIED**.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 11/21/14

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



EXHIBIT "A"

ALL THAT TRACT or parcel of land lying and being in Land Lot 79 of the 6th District, Gwinnett County Georgia containing 1.180 acres (more or less), per plat of survey by Bruner Engineering Company, Inc., dated April 24, 1979 which plat is incorporated herein by reference and which property is more particularly described in accordance with said plat as follows:

To find the TRUE POINT OF BEGINNING, begin at a point on the northwest right-of-way (60' right-of-way) of Five Forks Trilokum Road, located 300.0 feet northeasterly from the intersection of the southwest line of Land Lot 79 and the northwest right-of-way at Five Forks Trilokum Road; thence proceed north 40 degrees, 57 minutes 10 seconds west 21.04 feet to an iron pin found on the northwest right-of-way of Five Forks Trilokum Road (100' right-of-way) which point is the TRUE POINT OF BEGINNING. Thence north 40 degrees, 57 minutes 10 seconds west 330.83' to an iron pin found thence north 24 degrees, 55 minutes 30 seconds west 60.80' to a point thence north 58 degrees, 29 minutes 22 seconds east 71.77' to an iron pin found thence south 42 degrees 06 minutes 04 seconds east 151.82' to an iron pin found thence north 49 degrees 51 minutes 38 seconds east 97.50' to an iron pin found thence south 40 degrees 50 minutes 28 seconds east 175.01' to an iron pin found on the right-of-way of Five Forks Trilokum Road (100' right-of-way) thence proceeding along said right-of-way south 30 degrees 37 minutes 13 seconds west 197.37' to an iron pin found which is the TRUE POINT OF BEGINNING.

LESS AND EXCEPT: Any portion of the above-described property conveyed by Right of Way Deed from W. Scott Haugh to Gwinnett County, dated 7/16/1990, filed 7/25/1990, and recorded in Deed Book 6117, Page 248, Gwinnett County, Georgia records.

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JUL 02 2014

Planning & Development

CASE NUMBER RZR2014-00023
GCID 2014-0873

BOARD OF COMMISSIONERS
GWINNETT COUNTY
LAWRENCEVILLE, GEORGIA
RESOLUTION

READING AND ADOPTION:

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

<u>Present</u>	<u>VOTE</u>
Charlotte J. Nash, Chairman	<u>YES</u>
Jace Brooks, District 1	<u>YES</u>
Lynette Howard, District 2	<u>YES</u>
Tommy Hunter, District 3	<u>ABSENT</u>
John Heard, District 4	<u>YES</u>

On motion of COMM. HOWARD, which carried 4-0, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from R-75 to TND by PTL, LLC for the proposed use of TRADITIONAL NEIGHBORHOOD DEVELOPMENT on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

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

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on NOVEMBER 18, 2014 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 18TH day of NOVEMBER 2014, that the aforesaid application to amend the Official Zoning Map from R-75 to TND is hereby **APPROVED** with the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Single-family detached dwellings and accessory uses and structures. Commercial uses shall be prohibited within the development.
 - B. Homes shall be constructed with front façades of brick, stacked stone and shake. The balance of the home may be the same or of fiber-cement shake or siding.
 - C. The minimum heated floor area per dwelling shall be 2,000 square feet.
 - D. All dwellings shall have at least a double-car garage.
2. To satisfy the following site development considerations:
 - A. The Rockbridge Road frontage and entrance shall be landscaped and maintained by the Homeowner's Association. Entrance shall include decorative masonry entrance features. Landscape and signage plans shall be subject to review and approval of the Director of Planning and Development. All other street frontages shall be left undisturbed, or shall be enhanced with a 25-foot buffer strip to screen adjacent land disturbance.
 - B. Provide a 50-foot wide natural undisturbed transitional zone around the perimeter of the property (except for existing structures to be maintained on Lot 45).
 - C. Underground utilities shall be provided throughout the development.

- D. Natural vegetation shall remain on the property prior to the issuance of a Development Permit.
 - E. All grassed areas on dwelling lots shall be sodded.
 - F. Detention pond shall be fenced with black vinyl coated chain linked fence 4 feet in height, and shall be fully screened from view of adjacent residences with a staggered double row of evergreens.
3. To abide by the following requirements, dedications and improvements:
- A. The interior streets shall be private. Design, easement width, pavement width and utility location shall be subject to review and approval of the Gwinnett D.O.T. and Department of Planning and Development.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 11/21/14

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk





3595 Canton Road
Suite 116, PMB 272
Marietta, GA 30066
Ph. (678) 355-9905
Fax (678) 355-9805
www.frontlinesurveying.com

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JUL 09 2014

Planning & Development

LEGAL DESCRIPTION - 14.32 ACRES

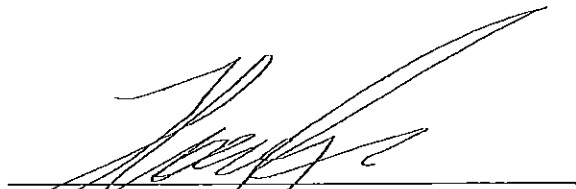
ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 163 of the 6th District, of Gwinnett County, Georgia and being more particularly described as follows:

BEGINNING at a point (Iron Pin Set #4 Capped Re-Bar) on the southerly right-of-way of Williams Road (80' R/W), said point being located a distance of 181.33 feet from a point created by the intersection of the southerly right-of-way of Williams Road (80' R/W) and the westerly right-of-way of Tug Drive (80' R/W);

FROM SAID TRUE POINT OF BEGINNING, leaving said southerly right-of-way of Williams Road, proceed South 08°29'01" East a distance of 197.40 feet to a point, said point being the centerline of an unnamed creek; Thence proceeding along a traverse line about said centerline of creek the following ten (10) courses: 1) South 68°28'21" East a distance of 19.58 feet, 2) South 73°38'24" East a distance of 36.53 feet; 3) North 60°16'30" East a distance of 54.34 feet; 4) South 70°24'12" East a distance of 31.05 feet; 5) South 56°19'54" East a distance of 42.41 feet; 6) South 80°10'50" East a distance of 27.81 feet; 7) South 86°44'28" East a distance of 58.97 feet; 8) Thence South 43°56'43" East a distance of 35.94 feet; 9) South 51°47'16" East a distance of 54.99 feet; 10) South 63°02'59" East a distance of 13.51 feet to a point, said point being located on the westerly right-of-way of said Tug Drive (80' R/W); Thence, following said westerly right-of-way of Tug Drive, proceed South 26°27'01" East a distance of 238.91 feet to a point (Iron Pin Found, #4 Re-Bar); Thence leaving said westerly right-of-way of said Tug Drive proceed South 39°00'52" West a distance of 307.64 feet to a point (Iron Pin Found 1 inch Open Top); Thence proceed South 33°44'45" East a distance of 200.16 feet to a point (Iron Pin Found 1 inch Open Top); Thence proceed South 39°14'20" West a distance of 133.88 feet to a point (Iron Pin Found 1 inch Open Top); Thence proceed North 64°37'35" West a distance of 232.93 feet to a point (Iron Pin Found, #5 Re-Bar); Thence proceed South 17°35'58" West a distance of 213.09 feet to a point (Iron Pin Found, #4 Re-Bar), said point being located on the northerly right-of-way of Rockbridge Road (80' R/W); Thence following said northerly right-of-way of Rockbridge Road, proceed North 61°12'23" West a distance of 296.46 feet to a point (Iron Pin Set #4 Capped Re-Bar); Thence leaving said northerly right-of-way of Rockbridge Road, proceed North 31°41'37" East a distance of 190.00 feet to a point (Iron Pin Found, #4 Re-Bar); Thence proceed North 55°21'16" West a distance of 108.01 feet to a point (Iron Pin Found, #4 Re-Bar); Thence proceed North 54°33'17" West a distance of 199.69 feet to a point (Iron Pin Found, #4 Re-Bar); Thence proceed North 28°40'16" West a distance of 112.29 feet to a point (Iron Pin Found, #4 Re-Bar); Thence proceed North 15°59'42" East a distance of 361.90 feet to a point (Iron Pin Found 1/2 inch Open Top); Thence proceed North 10°34'53" East a distance of 242.23 feet to a point (Iron Pin Found, #4 Re-Bar), said point being on the southerly right-of-way of said Williams Road (80' R/W); Thence following said southerly right-of-way of Williams Road, proceed along an arc to the left a distance of 227.93 feet, said arc having a radius of 1984.86 feet and being subtended by a chord bearing South 78°52'33" East a distance of 227.80 feet to a point; Thence proceed along an arc to the left a distance of 72.83 feet, said arc having a radius of 489.44 feet and being subtended by a chord bearing South 88°22'32" East a distance of 72.76 feet to a point and the POINT OF BEGINNING.

Together with and subject to all covenants, easements, and restrictions of record.

Tract described herein containing 14.32 acres of land (623,653 Square feet), more or less, described on a survey by Frontline Surveying & Mapping, Inc., job number 50899, dated 06/17/2014, also being known as 802 Rockbridge Road according to the current system of numbering in Gwinnett County, Georgia.



Thomas E. Peay, Jr. Ga. RLS 2402
For the Firm of Frontline Surveying & Mapping, Inc.

RRR 11 0 2 3
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JUL 09 2014
Planning & Development

CASE NUMBER SUP2014-00050
GCID 2014-1163

BOARD OF COMMISSIONERS
GWINNETT COUNTY
LAWRENCEVILLE, GEORGIA
RESOLUTION

READING AND ADOPTION:

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

<u>Present</u>	<u>VOTE</u>
Charlotte J. Nash, Chairman	<u>YES</u>
Jace Brooks, District 1	<u>YES</u>
Lynette Howard, District 2	<u>YES</u>
Tommy Hunter, District 3	<u>ABSENT</u>
John Heard, District 4	<u>YES</u>

On motion of COMM. HEARD, which carried 4-0, the following resolution was adopted:

A RESOLUTION TO GRANT A SPECIAL USE PERMIT

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application for a Special Use Permit by AMIN ALI for the proposed use of a PERSONAL CARE HOME (CONGREGATE) on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Special Use Permit Application has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on NOVEMBER 18, 2014 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 18th day of NOVEMBER 2014 that the aforesaid application for a Special Use Permit is hereby **APPROVED** with the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Limited to a congregate personal care home with an adult daycare center and community center as special uses.
 - B. Buildings shall be finished with architectural treatments of glass, brick, stacked stone or fiber-cement siding. Building architecture shall be generally consistent with the submitted elevations, and subject to review and approval by the Director of Planning and Development.
 - C. Provide a security fence around the buildable area. Fence design, location and materials shall be subject to the review and approval by the Director of Planning and Development.
2. To satisfy the following site development considerations:
 - A. Provide a ten-foot wide landscaped strip adjacent to Arnold Road.
 - B. The project shall include a decorative entrance feature with landscaping. Entrance feature design, signage and materials shall be subject to the review and approval by the Director of Planning and Development.
 - C. Ground signage shall be limited to a monument type sign, and shall be subject to review and approval by the Director of Planning and Development. The sign(s) shall include a minimum two-foot high brick or stacked stone base, and the sign cabinet shall be fully surrounded by the same materials, matching the building's architectural treatments. Ground signs shall not exceed 8 feet in height and shall not be internally-illuminated.

- D. Natural vegetation shall remain on the property prior to the issuance of a development permit.
- E. Dumpsters or trash compactors shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure. Hours of dumpster pick-up shall be limited to between 7:00 am and 7:00 pm.
- F. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
- G. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
- H. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 11/21/14

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



Exhibit "A"

All that tract or parcel of land lying and being in Land Lot 46 of the 5th District of Gwinnett County, Georgia and being 11.19 acres, more or less, as per plat of survey prepared for Jim Galian, dated November 29, 2005, and as last revised December 28, 2005, by SCI Development Services and certified by John A. Stearman, GRLS No. 2576, and being more particularly described as follows:

Beginning at the intersection of the easterly right-of-way line of Arnold Road (80 foot right-of-way) with the southerly right-of-way line of Seaboard Coast Line Railroad (200 foot right-of-way) and running thence along said railroad right-of-way along arc of a curve to the left a distance of 594.43 feet; said arc having a radius of 2994.46 feet and being subtended by a chord having a bearing of North 64 degrees 36 minutes 32 seconds east and a length of 593.45 feet to a point; thence North 48 degrees 40 minutes 00 seconds east a distance of 376.41 feet to a point on a centerline of a creek; thence continuing along the centerline of the creek and following the meanderings thereof a distance of 700 feet, more or less, to a point; said point being hereinafter referred to as Point B; Points A and B are connected by a transverse line commencing at Point A and running south 44 degrees 17 minutes 00 seconds east a distance of 89.90 feet; south 25 degrees 14 minutes 00 seconds east a distance of 159.90 feet; south 40 degrees 05 minutes 00 seconds east a distance of 273.40 feet; south 30 degrees 53 minutes 00 seconds east a distance of 161.20 feet to a point at the intersection of said creek and the centerline of the Yellow River; said point being Point B; thence continuing along the centerline of the river and following the meanderings thereof a distance of 845 feet, more or less to a point; said point being referred to hereinafter to as Point C; Points B and C are connected by a transverse line commencing at Point B and running south 75 degrees 33 minutes 00 seconds west a distance of 230.50 feet; south 63 degrees 02 minutes 00 seconds west a distance of 69.30 feet; south 83 degrees 41 minutes 00 seconds west a distance of 143.20 feet; south 60 degrees 09 minutes 00 seconds west a distance of 201.60 feet to Point C; thence leaving the centerline of the Yellow River and running north 57 degrees 34 minutes 24 seconds west a distance of 184.96 feet; south 76 degrees 34 minutes 24 seconds east a distance of 184.96 feet; north 60 degrees 47 minutes 22 seconds east a distance of 304.84 feet to an iron pin set on the easterly right-of-way line of Arnold Road; thence continuing along said right-of-way line along the arc of a curve to the right a distance of 145.98 feet; said arc having a radius of 1937.08 feet and being subtended by a chord having a bearing of north 27 degrees 55 minutes 12 seconds west and a length of 265.77 feet thence continuing along said right-of-way line along the arc of a curve to the right a distance of 145.98 feet; said arc having a radius of 1937.08 feet and being subtended by a chord having a bearing of north 27 degrees 55 minutes 12 seconds west and a length of 265.77 feet to a point; thence north 22 degrees 20 minutes 24 seconds west a distance of 249.31 feet to the true point of the beginning.

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SUP '14 0 5 0

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SUP '14 0 5 0

Planning & Development

CASE NUMBER SUP2014-00051
GCID 2014-1164

BOARD OF COMMISSIONERS
GWINNETT COUNTY
LAWRENCEVILLE, GEORGIA
RESOLUTION

READING AND ADOPTION:

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

<u>Present</u>	<u>VOTE</u>
Charlotte J. Nash, Chairman	<u>YES</u>
Jace Brooks, District 1	<u>YES</u>
Lynette Howard, District 2	<u>YES</u>
Tommy Hunter, District 3	<u>ABSENT</u>
John Heard, District 4	<u>YES</u>

On motion of COMM. HEARD, which carried 4-0, the following resolution was adopted:

A RESOLUTION TO GRANT A SPECIAL USE PERMIT

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application for a Special Use Permit by AMIN ALI for the proposed use of an ADULT DAYCARE CENTER on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Special Use Permit Application has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on NOVEMBER 18, 2014 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 18th day of NOVEMBER 2014 that the aforesaid application for a Special Use Permit is hereby **APPROVED** with the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Limited to a congregate personal care home with an adult daycare center and community center as special uses.
 - B. Buildings shall be finished with architectural treatments of glass, brick, stacked stone or fiber-cement siding. Building architecture shall be generally consistent with the submitted elevations, and subject to review and approval by the Director of Planning and Development.
 - C. Provide a security fence around the buildable area. Fence design, location and materials shall be subject to the review and approval by the Director of Planning and Development.
2. To satisfy the following site development considerations:
 - A. Provide a ten-foot wide landscaped strip adjacent to Arnold Road.
 - B. The project shall include a decorative entrance feature with landscaping. Entrance feature design, signage and materials shall be subject to the review and approval by the Director of Planning and Development.
 - C. Ground signage shall be limited to a monument type sign, and shall be subject to review and approval by the Director of Planning & Development. The sign(s) shall include a minimum two-foot high brick or stacked stone base, and the sign cabinet shall be fully surrounded by the same materials, matching the building's architectural treatments. Ground signs shall not exceed 8 feet in height and shall not be internally-illuminated.

- D. Natural vegetation shall remain on the property prior to the issuance of a development permit.
- E. Dumpsters or trash compactors shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure. Hours of dumpster pick-up shall be limited to between 7:00 am and 7:00 pm.
- F. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
- G. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
- H. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 11/21/14

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



Exhibit "A"

All that tract or parcel of land lying and being in Land Lot 46 of the 5th District of Gwinnett County, Georgia and being 11.19 acres, more or less, as per plat of survey prepared for Jim Gajah, dated November 29, 2005, and as last revised December 28, 2005, by SCI Development Services and certified by John A. Stearman, GRLS No. 2576, and being more particularly described as follows:

Beginning at the intersection of the easterly right-of-way line of Arnold Road (80 foot right-of-way) with the southerly right-of-way line of Seaboard Coast Line Railroad (200 foot right-of-way) and running thence along said railroad right-of-way along arc of a curve to the left a distance of 594.43 feet; said arc having a radius of 2994.46 feet and being subtended by a chord having a bearing of North 64 degrees 36 minutes 32 seconds east and a length of 593.45 feet to a point; thence North 48 degrees 40 minutes 00 seconds east a distance of 376.41 feet to a point on a centerline of a creek; thence continuing along the centerline of the creek and following the meanderings thereof a distance of 700 feet, more or less, to a point; said pint being hereinafter referred to as Point B; Points A and B are connected by a transverse line commencing at Point A and running south 44 degrees 17 minutes 00 seconds east a distance of 89.90 feet; south 25 degrees 14 minutes 00 seconds east a distance of 159.90 feet; south 40 degrees 05 minutes 00 seconds east a distance of 273.40 feet; south 30 degrees 53 minutes 00 seconds east a distance of 161.20 feet to a point at the intersection of said creek and the centerline of the Yellow River; said point being Point B; thence continuing along the centerline of the river and following the meanderings thereof a distance of 845 feet, more or less to a point; said point being referred to hereinafter to as Point C; Points B and C are connected by a transverse line commencing at Point B and running south 75 degrees 33 minutes 00 seconds west a distance of 230.50 feet; south 63 degrees 02 minutes 00 seconds west a distance of 69.30 feet; south 83 degrees 41 minutes 00 seconds west a distance of 143.20 feet; south 60 degrees 09 minutes 00 seconds west a distance of 201.60 feet to Point C; thence leaving the centerline of the Yellow River and running north 57 degrees 34 minutes 24 seconds west a distance of 184.96 feet; south 76 degrees 34 minutes 24 seconds east a distance of 184.96 feet; north 60 degrees 47 minutes 22 seconds east a distance of 304.84 feet to an iron pin set on the easterly right-of-way line of Arnold Road; thence continuing along said right-of-way line along the arc of a curve to the right a distance of 145.98 feet; said arc having a radius of 1937.08 feet and being subtended by a chord having a bearing of north 27 degrees 55 minutes 12 seconds west and a length of 265.77 feet thence continuing along said right-of-way line along the arc of a curve to the right a distance of 145.98 feet; said arc having a radius of 1937.08 feet and being subtended by a chord having a bearing of north 27 degrees 55 minutes 12 seconds west and a length of 265.77 feet to a point; thence north 22 degrees 20 minutes 24 seconds west a distance of 249.31 feet to the true point of the beginning.

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Planning & Development

SUP '14 05 0

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CASE NUMBER SUP2014-00052
GCID 2014-1165

BOARD OF COMMISSIONERS
GWINNETT COUNTY
LAWRENCEVILLE, GEORGIA
RESOLUTION

READING AND ADOPTION:

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

<u>Present</u>	<u>VOTE</u>
Charlotte J. Nash, Chairman	<u>YES</u>
Jace Brooks, District 1	<u>YES</u>
Lynette Howard, District 2	<u>YES</u>
Tommy Hunter, District 3	<u>ABSENT</u>
John Heard, District 4	<u>YES</u>

On motion of COMM. BROOKS, which carried 4-0, the following resolution was adopted:

A RESOLUTION TO GRANT A SPECIAL USE PERMIT

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application for a Special Use Permit by NORTHSTAR AUTO BROKERS, LLC for the proposed use of AUTOMOBILE SALES (RENEWAL) on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Special Use Permit Application has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on NOVEMBER 18, 2014 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 18th day of NOVEMBER 2014 that the aforesaid application for a Special Use Permit is hereby **APPROVED** with the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Retail, service-commercial, office and accessory uses, which may include automobile sales as a special use.
 - B. Any new building or remodel of the existing building shall be finished with architectural treatments of glass, brick and/or stacked stone (stucco may only be used as an accent material). Final building elevations shall be submitted for review and approval by the Director of Planning and Development. Portable office trailers shall be prohibited.
 - C. Outdoor sales/storage of merchandise other than automobiles for sale (such as trailers, utility buildings, rental trucks, automotive parts, junked vehicles, etc.) shall be prohibited.
 - D. Repair or servicing of vehicles shall be prohibited.
2. To satisfy the following site development considerations:
 - A. Any new ground sign shall be limited to a monument type sign with a minimum two-foot high brick or stacked stone base.
 - B. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
 - C. Outdoor loudspeakers shall be prohibited.

- D. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure. Hours of dumpster pick-up shall be limited to between 7:00 am and 7:00 pm.
- E. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
- F. Peddlers shall be prohibited.
- G. Owner shall repair or repaint any graffiti or vandalism that occurs on the property within 72 hours.
- H. The automobile sales lot shall be limited to the lease area depicted in the drawing submitted at the October 2, 2012 Planning Commission meeting (SUP2012-00061).
- I. Parking for the automobile sales lot shall be limited to the front and side of the existing building.
- J. The hours of operation for sales shall be limited to 9 a.m. to 7 p.m., Monday through Saturday.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 11/21/14

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



1150328 P0355

CLERK OF SUPERIOR COURT
DAKOTA COUNTY, SD

OCT 14 AM 8:00

TOM WYMAN CLERK

M. COUNTRIE LYON
Lafon 4 Hill
Attorney at Law
P. O. Box 1276
Roswell, GA 30077-1276
KCL FILE NO. 10-1-113

PT 41046-2010-027959
GWINNETT CO, GEORGIA
REAL ESTATE TRANSFER TAX
\$ 1,257.00
TOM WYMAN CLERK OF
SUPERIOR COURT

TRUSTEES' DEED

STATE OF GEORGIA
COUNTY OF FULTON

This Indenture was the 7 day of October, 2010, between TRACY P. KOLAN AND TOMY E. OABLE, AS CO-TRUSTEES (SUCCESSOR CO-TRUSTEES TO THE ORIGINAL TRUST CO-TRUSTEES, LOUISE H. OABLE AND ROBERT H. OABLE, BOTH NOW DECEASED) OF THE RAO REVOCABLE TRUST U/A DATED 3/29/93, as party of the first part (hereinafter called Grantor) and TRACY P. KOLAN of the State of Georgia and County of [AS TO A 27.51 UNDIVIDED INTEREST], TOMY E. OABLE of the State of Georgia and County of Gwinnett [AS TO A 27.51 UNDIVIDED INTEREST] and TRACY P. KOLAN AND TOMY E. OABLE, AS CO-TRUSTEES OF GWINNETT COUNTY'S TRUST ESTABLISHED UNDER THE RAO REVOCABLE TRUST U/A DATED 3/29/93 [AS TO A 24.91 UNDIVIDED INTEREST], as parties of the second part (hereinafter called Grantees) (the words "Grantor" and "Grantees" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that Grantor, for and in consideration of other good and valuable considerations and the sum of TEN AND 00/100 DOLLARS (\$10.00) in hand paid at and before the signing and delivery of these presents, the receipt whereof is hereby acknowledged, has bargained and sold and by these presents does bargain, sell, remise, release and forever quitclaim unto the said Grantees all the right, title, interest, claim or demand which Grantor has or may have had in and to the following described property, to-wit:

All that tract or parcel of land lying and being in Land Lot 156 of the 6th District of Gwinnett County, Georgia, and being known and designated as Lot 1, containing 0.152 acres, and Lot 3, containing 6.428 acres with an additional 0.25 acres, according to a plat of survey by Cornerstone Planning Co. dated September 20, 1990, and revised November 9, 1990, and recorded in Plat Book 59, Page 86, Gwinnett County Records, which plat by reference is incorporated herein and made part hereof.

DEED TRANSFER ONLY --- TITLE NOT CHECKED

TO HAVE AND TO HOLD the above-described real property unto Grantees so that neither Grantor nor any other person or person claiming under Grantor shall at any time claim or demand any right, title or interest to the above-described real property or its appurtenances.

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12

SUP '14 05 2

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AUG 21 2014

Planning & Development

CASE NUMBER SUP2014-00056
GCID 2014-1169

BOARD OF COMMISSIONERS
GWINNETT COUNTY
LAWRENCEVILLE, GEORGIA
RESOLUTION

READING AND ADOPTION:

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

<u>Present</u>	<u>VOTE</u>
Charlotte J. Nash, Chairman	<u>YES</u>
Jace Brooks, District 1	<u>YES</u>
Lynette Howard, District 2	<u>YES</u>
Tommy Hunter, District 3	<u>ABSENT</u>
John Heard, District 4	<u>YES</u>

On motion of COMM. HEARD, which carried 4-0, the following resolution was adopted:

A RESOLUTION TO GRANT A SPECIAL USE PERMIT

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application for a Special Use Permit by ROOKER PROPERTIES, LLC for the proposed use of a TRUCK TERMINAL on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Special Use Permit Application has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on NOVEMBER 18, 2014 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 18th day of NOVEMBER 2014 that the aforesaid application for a Special Use Permit is hereby **APPROVED** with the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Light industrial, office, office/warehouse and accessory uses and structures which may include a truck terminal and fleet maintenance facility as special uses.
 - B. Building(s) may be concrete with architectural reveals and multiple paint colors approved by the Director of Planning and Development. Glass storefronts shall be installed, brick or stacked stone is not required, as illustrated in the plans shown at the November 18, 2014 Board of Commissioners Public Hearing.
2. To satisfy the following site development considerations:
 - A. Maintain a minimum 50-foot wide natural buffer adjacent to all property lines for screening. The buffers shall be enhanced where sparsely vegetated.
 - B. Natural vegetation shall remain on the property until the issuance of a development permit.
 - C. Billboards and oversized signs shall be prohibited.
 - D. Use of outdoor loudspeakers shall be prohibited.
 - E. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
 - F. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

- G. East of the entrance, in front of the automobile parking and building, install low growing, ornamental foliage; in the island between the automobile parking driveway and the trailer storage area, install two-inch caliper Leyland Cypress staggered at 10 feet on-center; west of the entrance, in front of the bulk of the trailer storage area, install two-inch caliper Leyland Cypress staggered at 10 feet on-center, as illustrated on the plan shown at the November 18, 2014 Board of Commissioners Public Hearing.

- H. The entire perimeter of the developed area shall be enclosed with an 8-foot high vinyl-coated chain-link fence. The fence shall include opaque slats and shall be placed behind the landscaping along the entire length of the property frontage of Progress Industrial Boulevard.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 11/21/14

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



LEGAL DESCRIPTION

14.5927 Acres

All that tract or parcel of land, lying and being located in Land Lots 14 and 15 of the 7th Land District, Gwinnett County, Georgia, being more particularly described as follows,

To find the True Point of Beginning, commence at the Northeastern most point of the mitered Right-of-Way at the intersection of Progress Center Avenue and Progress Industrial Boulevard, thence proceeding North Easterly along the East variable Right-of-Way, following the curvature thereof for a distance of 797.59 ft. to a 1/2" re-bar found, The True Point of Beginning (aforementioned 1/2" re-bar also being located in the centerline of a 187.5 ft. Georgia Power Easement,

THENCE continuing along the South East 80 ft. Right-of-Way Of Progress Industrial Boulevard and along a curve to the right having a radius of 707.99 feet and an arc length of 91.05 feet, being subtended by a chord of North 23 degrees 54 minutes 10 seconds East for a distance of 90.99 feet to a point ;

THENCE continuing along the South East 80 ft. Right-of-Way Of Progress Industrial Boulevard and along a curve to the right having a radius of 778.51 feet and an arc length of 341.47 feet, being subtended by a chord of North 40 degrees 09 minutes 10 seconds East for a distance of 338.74 feet to a point ;

THENCE continuing along the South East 80 ft. Right-of-Way Of Progress Industrial Boulevard North 52 degrees 43 minutes 05 seconds East for a distance of 997.62 feet to a point;

THENCE continuing along the South East 80 ft. Right-of-Way Of Progress Industrial Boulevard and along a curve to the right having a radius of 1105.92 feet and an arc length of 151.23 feet, being subtended by a chord of North 56 degrees 38 minutes 07 seconds East for a distance of 151.11 feet to a point;

THENCE leaving the South East 80 ft. Right-of-Way Of Progress Industrial Boulevard, South 10 degrees 06 minutes 31 seconds East for a distance of 110.84 feet to a point;

THENCE South 13 degrees 07 minutes 46 seconds West for a distance of 90.05 feet to a point;

THENCE South 11 degrees 35 minutes 03 seconds East for a distance of 131.22 feet to a point;

THENCE South 40 degrees 56 minutes 55 seconds East for a distance of 96.64 feet to a 1/2" re-bar found;

THENCE South 17 degrees 01 minutes 46 seconds West for a distance of 551.64 feet to a 1/2" re-bar found;

THENCE South 84 degrees 37 minutes 34 seconds West for a distance of 139.48 feet to a 1/2" re-bar found;

THENCE South 84 degrees 37 minutes 34 seconds West for a distance of 967.77 feet to a 1/2" re-bar found, the True Point of Beginning.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 14.5927 acres .

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RECEIVED

SEP 15 2014

SUP '14 0 5 C

Planning & Development

CASE NUMBER SUP2014-00057
GCID 2014-1170

BOARD OF COMMISSIONERS
GWINNETT COUNTY
LAWRENCEVILLE, GEORGIA
RESOLUTION

READING AND ADOPTION:

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

<u>Present</u>	<u>VOTE</u>
Charlotte J. Nash, Chairman	<u>YES</u>
Jace Brooks, District 1	<u>YES</u>
Lynette Howard, District 2	<u>YES</u>
Tommy Hunter, District 3	<u>ABSENT</u>
John Heard, District 4	<u>YES</u>

On motion of COMM. HEARD, which carried 4-0, the following resolution was adopted:

A RESOLUTION TO GRANT A SPECIAL USE PERMIT

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application for a Special Use Permit by ROOKER PROPERTIES, LLC for the proposed use of a FLEET MAINTENANCE FACILITY on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Special Use Permit Application has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on NOVEMBER 18, 2014 and objections were not filed.

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GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 11/21/14

ATTEST:

Diana Kemp
County Clerk/Deputy County Clerk



L E G A L D E S C R I P T I O N

14.5927 Acres

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