

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Ramin Motahar</u>	NAME: <u>Ramin Motahar</u>
ADDRESS: <u>2870 Peachtree Rd #817</u>	ADDRESS: <u>2870 Peachtree Rd #817</u>
CITY: <u>Atlanta</u>	CITY: <u>Atlanta</u>
STATE: <u>GA</u> ZIP: <u>30305</u>	STATE: <u>GA</u> ZIP: <u>30305</u>
PHONE: <u>404-840-6770</u>	PHONE: <u>404-840-6770</u>
CONTACT PERSON: <u>Ramin Motahar</u> PHONE: <u>404-840-6770</u>	
CONTACT'S E-MAIL: <u>Ramin@Wemarathon.com</u>	

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

APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT	<input checked="" type="checkbox"/> PROPERTY OWNER
<input type="checkbox"/> CONTRACT PURCHASER	
EXISTING/PROPOSED ZONING: <u>OI</u>	BUILDING/LEASED SQUARE FEET: <u>~15,000</u>
LAND DISTRICT(S): <u>07</u>	LAND LOT(S): <u>85</u> ACREAGE: <u>0.604</u>
ADDRESS OF PROPERTY: <u>2008 Lawrenceville-Smyrna Road</u>	
SPECIAL USE REQUESTED: <u>10' Building height increase</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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EXHIBIT A

TRACT 3A

All that tract or parcel of land lying and being in Land Lot 85 of the 7th District, Gwinnett County, Georgia and being more particularly described as follows:

To find the true point of beginning, commence at the intersection of the Northeastern most miter of the right-of-way of Elisa Gina Terrace (50 foot right-of-way) with the Southwesterly right-of-way of Lawrenceville-Suwanee Road (120 foot right-of-way), and then run North 40 degrees 15 minutes 56 seconds East along the Southwesterly right-of-way of Lawrenceville-Suwanee Road 212.56 feet to the true point of beginning; from the true point of beginning thus established, running thence South 49 degrees 44 minutes 04 seconds West 300.00 feet to a point; running thence North 40 degrees 15 minutes 04 seconds West 88.00 feet to a point; running thence North 49 degrees 44 minutes 04 seconds East 299.98 feet to a point on the Southwesterly right-of-way of Lawrenceville-Suwanee Road; running thence South 40 degrees 15 minutes 56 seconds East along the Southwesterly right-of-way of Lawrenceville-Suwanee Road 88.01 feet to the true point of beginning, being outparcel number 3A as shown on final plat for The Meadows at Lawrenceville-Suwanee subdivision by Mark Veal, Registered Land Surveyor dated March 11, 2002, last revised August 15, 2002.

TRACT 3B

All that tract or parcel of land lying and being in Land Lot 85 of the 7th District, Gwinnett County, Georgia and being more particularly described as follows:

To find the true point of beginning, commence at the intersection of the Northeastern most miter of the right-of-way of Elisa Gina Terrace (50 foot right-of-way) with the Southwesterly right-of-way of Lawrenceville-Suwanee Road (120 foot right-of-way), and then continue North 40 degrees 15 minutes 56 seconds West along the Southwesterly right-of-way of Lawrenceville-Suwanee Road 300.57 feet to the true point of beginning; from the true point of beginning thus established, running thence South 49 degrees 44 minutes 04 seconds East 299.98 feet to a point; running thence North 40 degrees 15 minutes 04 seconds West 69.62 feet to a point; running thence North 40 degrees 18 minutes 45 seconds West 18.39 feet to a point; running thence North 49 degrees 44 minutes 04 seconds East 299.98 feet to a point on the Southwesterly right-of-way of Lawrenceville-Suwanee Road; running thence South 40 degrees 15 minutes 56 seconds East along the Southwesterly right-of-way of Lawrenceville-Suwanee Road 88.01 feet to the true point of beginning, being outparcel number 3B as shown on final plat for The Meadows at Lawrenceville-Suwanee subdivision by Mark Veal, Registered Land Surveyor dated March 11, 2002, last revised August 15, 2002.

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ZONING CONDITIONS

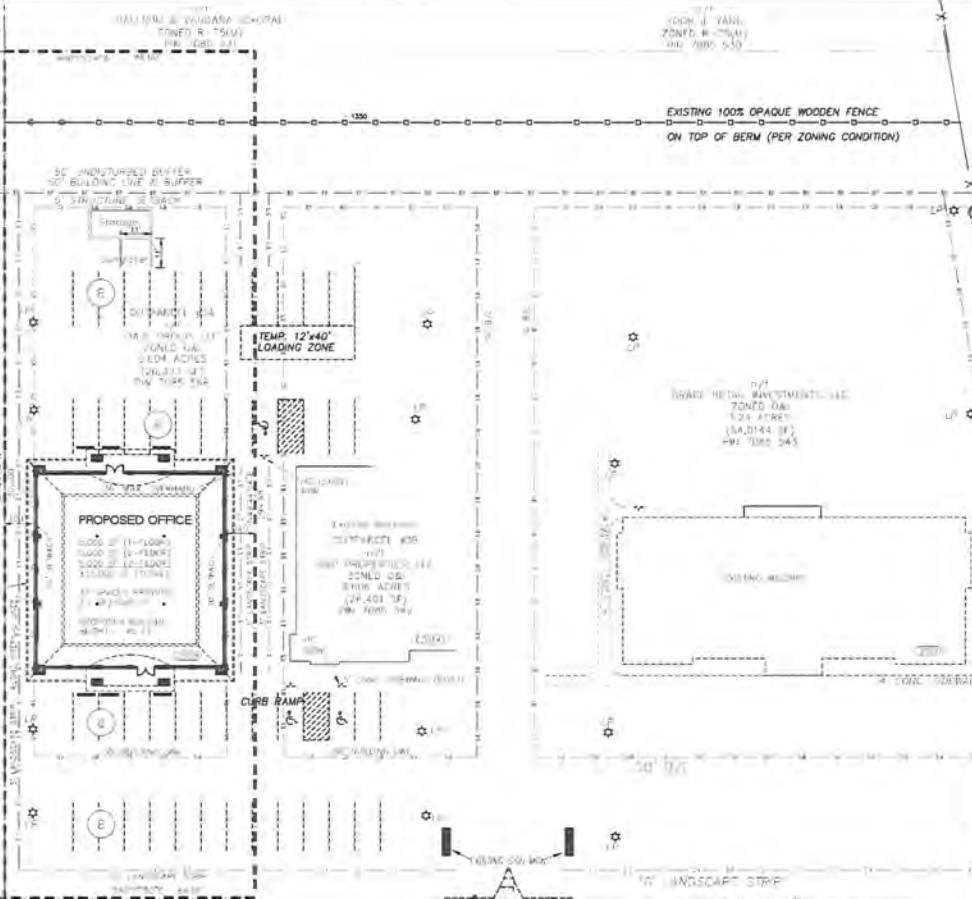
RZ-10-153 APPROVED ON APRIL 8, 2009
 THE 0-4 PORTION SHALL BE LIMITED TO THE LAWRENCEVILLE-SUWANEE ROAD
 PORTAGE FOR A DEPTH OF 150 FEET WITH THE BALANCE OF THE SITE ZONED
 RZ-10-153. THE PROPERTY SHALL BE SUBJECT TO THE FOLLOWING DISCRETIONARY
 CONDITIONS:

- TO RESTRICT THE USE OF THE PROPERTY AS FOLLOWS:
 - OFFICE, PROFESSIONAL AND ACCESSORY USES WHICH MAY INCLUDE GATED DAYCARE, VETERINARY CLINIC AND DRIVE THRU DRIVE-THROUGH FACILITIES AS SPECIAL USES.
 - RESIDENTS SHALL HAVE FENCED YARDS (MINIMUM 4 FT HIGH) AND SHALL BE PROVIDED WITH ARCHITECTURAL TREATMENTS OF BRICK AND / OR GLASS FENCE. FENCING PLANS SHALL BE SUBMITTED TO THE PLANNING COMMISSION FOR REVIEW AND APPROVAL.
- TO SATISFY THE FOLLOWING SITE DEVELOPMENT CONSIDERATIONS:
 - PROVIDE A 50-FOOT WIDE UNDISTURBED BUFFER ADJACENT TO ALL RESIDENTIALLY ZONED ADJACENT LOTS FOR APPROVED ACCESS AND UTILITY SERVICES. SEPARATED BY A 4-FOOT HIGH, 100% OPAQUE WOOD FENCE ALONG THE INTERIOR OF THE BUFFER.
 - PROVIDE A 10-FOOT WIDE LANDSCAPE STRIP ADJACENT TO ALL PUBLIC RIGHTS-OF-WAY. THE LANDSCAPE STRIP SHALL BE MAINTAINED TO A 25-FOOT WIDE LANDSCAPED BUFFER. WHERE THERE IS RESIDENTIAL ZONING (RZ-10) ADJACENT LAWRENCEVILLE-SUWANEE ROAD, THERE SHALL BE A 5-FOOT WIDE LANDSCAPE STRIP ADJACENT TO ALL INTERNAL PROPERTY LINES.
 - GROUND SIGNAGE SHALL BE LIMITED TO MOUNTAIN-TYPE SIGNS WITH BRICK BASES. THE SIGNAGE AND SHALL BE NO MORE THAN 3 FEET IN HEIGHT. ALL OTHER SIGNAGE SHALL MEET THE MINIMUM REQUIREMENTS OF THE 1992 ZONING RESOLUTION.
 - NATURAL VEGETATION SHALL REMAIN ON THE PROPERTY UNLESS THE ISSUANCE OF A COMMERCIAL DEVELOPMENT PERMIT.
 - BILLBOARDS SHALL BE PROHIBITED.
 - NO BANNERS, STENCILS OR SIGNAGE DECORATED WITH FLAGS (OTHER THAN US AND / OR STATE OF GEORGIA FLAGS), SIGNS, OR OTHER SIMILAR MATERIALS SHALL BE DISPLAYED ON OR ISSUED ON THE SITE. NO DECORATIVE BILLBOARDS OR SIGN-BILLBOARDS SHALL BE DISPLAYED ON THE SITE.
 - LIMITED TO NO MORE THAN ONE SHARED COMMERCIAL CURB-CUT ONTO LAWRENCEVILLE-SUWANEE ROAD. ALL OTHER ACCESS SHALL BE FROM THE PROPOSED INTERNAL PUBLIC STREET.
 - DUMPSTERS SHALL BE SCREENED BY A 100% OPAQUE BRICK WALL. DUMPSTER PICK-UP SHALL BE LIMITED TO BETWEEN THE HOURS OF 7:00 AM AND 7:00 PM.
 - LOADING SHALL BE CONTAINED IN OUT-OF-THE-REARWAYS AND SHALL BE DIRECTED BY SIGNAGE THE PROPERTY SO AS NOT TO REFLECT INTO ADJACENT RESIDENTIAL PROPERTIES.
 - PROVIDE A MINIMUM 5-FOOT WIDE SCENERY ADJACENT TO LAWRENCEVILLE-SUWANEE ROAD AND THE PROPOSED INTERNAL PUBLIC STREET.
 - INTERFENCE ACCESS SHALL BE PROVIDED THROUGHOUT THE DEVELOPMENT.

BOUNDARY INFORMATION HAS BEEN BASED UPON A FINAL PLAT BY MARK WELLS, PLS, DATED 01/11/02.

CALL OUT DIMENSIONS NOT GRAPHICALLY IN WHITE = LOCAL HAZARD AREA PER FEMA MAP 4540AM0004B WITH AN EFFECTIVE DATE OF 06/18/2006.

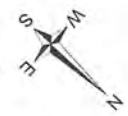
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ELISA GINA TERRACE NW
 (50' R/W)

LAWRENCEVILLE - SUWANEE ROAD (120' R/W)

preliminary site plan



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1155 Pleasant Hill Road
 Suite 200
 Marietta, Georgia 30066
 770.422.8811
 770.422.8811
 www.hillholerossi.com



Georgia Facial & Oral Surgery
 2008 Lawrenceville-Suwanee Rd
 Suwanee, GA 30024

10-00-01 (continued)
 mk date issue
 preliminary site plan

CP.1
 HFR 14.191

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

PURSUANT TO REQUIREMENT OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes

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

No, shadow study shows that worse case scenario of shadows on residential properties at southwest of site is fine.

- (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:

Yes, senior housing project expected with four stories at 1611 Lawrenceville-Suwanee Road

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March 31, 2016

Gwinnett County Department of Planning and Development
Planning Division
446 West Crogan Street, Suite 250
Lawrenceville, Georgia 30046

Letter of Intent – Special Use Permit:
2008 Lawrenceville-Suwanee Road
Suwanee, GA 30024
PIN 7085 568 - Outparcel #3A

To whom it may concern

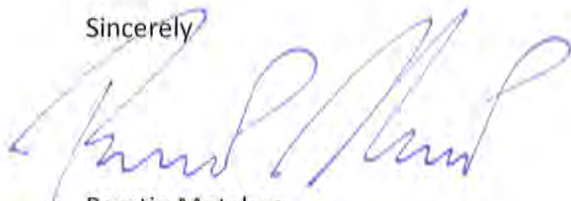
We are requesting approval of a height increase for a proposed three-story office building to be located at 2008 Lawrenceville-Suwanee Road. The parcel PIN ID is 7085 568 and is zoned as an O/I (Office-Institutional) use. Per the Code of Ordinances for Gwinnett County, O/I uses are restricted to a maximum height of thirty-five (35) feet. We are requesting approval of a 10 foot height increase and a maximum height of forty-five (45) feet. This property underwent an approved rezoning for which the conditions can be found under case number RZ-00-153.

Our site (outparcel #3A) is 0.604 acres (26,323 square feet) in size. Our proposed building has a footprint of 5,000 square feet. There is an existing building on the adjoining property to the northwest (PIN: 7085 542). The adjoining property to the southeast is vacant (PIN: 7085 541). There is a residential property to the southwest of our site (PIN: 7085 531).

The height increase allows us to design a more attractive and functional building in respect to the use of three floors. Our proposed building will also add an increased standard for design quality along this particular section of Lawrenceville-Suwanee Road and may generate interest in the development of the vacant adjoining lot. We have included, in addition to the required documents, our exterior elevations which show the design of our proposed building.

We appreciate your time in consideration of our requested building height increase.

Sincerely



Ramtin Motahar

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SPECIAL USE PERMIT APPLICANT'S CERTIFICATION

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



Signature of Applicant

March 31, 2016

Date

Ranstin Gotzhar, Member

Type or Print Name and Title



Signature of Notary Public

March 31, 2016

Date

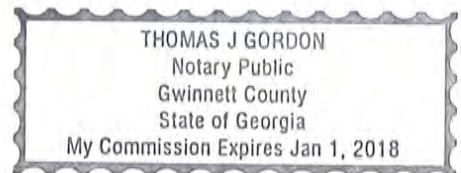
Notary Seal

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SPECIAL USE PERMIT PROPERTY OWNER'S CERTIFICATION

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



Signature of Property Owner

March 31, 2016

Date

Ravatin Motahar, Member

Type or Print Name and Title



Signature of Notary Public

March 31, 2016

Date

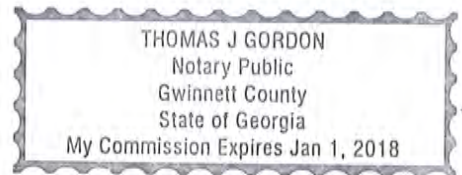
Notary Seal

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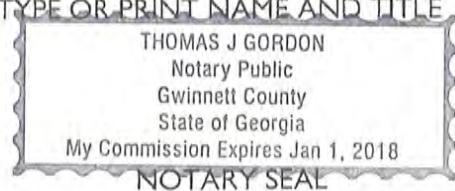
CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

The undersigned below, making application for a Special Use Permit, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

[Handwritten Signature] *March 31, 2016* *Ravutin Kotshar, Member*
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

[Handwritten Signature] *March 31, 2016*
 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 *Ravutin Kotshar*
 YOUR NAME

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

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

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

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VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

***Note: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE SPECIAL USE PERMIT REQUEST.**

PARCEL I.D. NUMBER: 07 - 85 - R7085⁵⁶⁸
(Map Reference Number) District Land Lot Parcel

[Signature] _____
Signature of Applicant Date

Ravindra Notahar, Member
Type or Print Name and Title

TAX COMMISSIONERS USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

[Signature] _____ NAME TSAI _____ TITLE
3-31-16 _____ DATE

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