

**SPECIAL USE PERMIT APPLICATION**

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

NAME: <u>Empire Transportation</u> ADDRESS: <u>950 Herrington Rd</u> CITY: <u>Lawrenceville</u> STATE: <u>Ga</u> ZIP: <u>30044</u> PHONE: <u>404 663-2721</u>	NAME: <u>CRUSE CROSSING PARTNERS, LLC</u> ADDRESS: <u>990 PEACHTREE IND. BLDG # 260A</u> CITY: <u>SUWANEE</u> STATE: <u>GA</u> ZIP: <u>30024</u> PHONE: <u>770 904 2389</u>
CONTACT PERSON: <u>Garina Smith</u> PHONE: <u>404-663-2721</u> CONTACT'S E-MAIL: <u>empire2trans@gmail.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:**

OWNER'S AGENT   
  PROPERTY OWNER   
  CONTRACT PURCHASER

EXISTING/PROPOSED ZONING: C2    BUILDING/LEASED SQUARE FEET: 1,000 sq.ft.

PARCEL NUMBER(S): 32 OF 7TH DISTRICT    ACREAGE: 11.9 ACRES

ADDRESS OF PROPERTY: 950 HERRINGTON ROAD, LAWRENCEVILLE, GA 30044

SPECIAL USE REQUESTED: Please allow (10) vans park in parking lot at location

**PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED**

**SUP2018-00034**

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BK 4 8 4 2 6 PG 0 0 6 5

EXHIBIT "A"

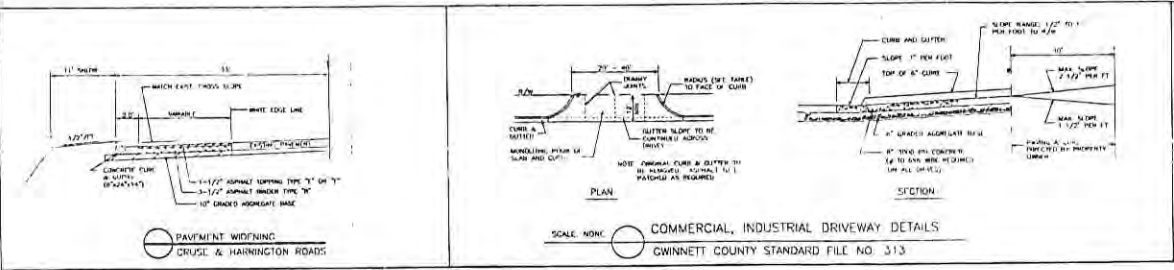
ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 38 of the 7<sup>th</sup> District of Gwinnett County, Georgia, and being more particularly described as follows:

BEGINNING at a ½ inch rebar found on the Northwest right of way of Cruse Road (right of way varies) at its intersection with the Southwest line of Land Lot 38; thence leaving said right of way line and following said Land Lot line North 30 degrees 55 minutes 29 seconds West a distance of 533.81 feet to a ½ inch rebar found; thence leaving said Land Lot line North 59 degrees 03 minutes 23 seconds East a distance of 1,089.22 feet to a ½ inch rebar set on the West right of way line of Herrington Road (right of way varies); thence following said right of way South 11 degrees 40 minutes 49 seconds East a distance of 165.52 feet to a point; thence South 78 degrees 19 minutes 11 seconds West a distance of 10.00 feet to a ½ inch rebar found; thence South 11 degrees 40 minutes 49 seconds East a distance of 175.21 feet to a point; thence 163.55 feet along a curve to the West, said curve having a chord of South 02 degrees 43 minutes 16 seconds East a distance of 162.88 feet and a radius of 522.96 feet to a point; thence South 06 degrees 14 minutes 17 seconds West a distance of 52.30 feet to a point; thence South 32 degrees 40 minutes 52 seconds West a distance of 53.55 feet to a point located at the intersection of said right of way line with the Northwest right of way line of Cruse Road; thence following said right of way line of Cruse Road South 59 degrees 18 minutes 20 seconds West a distance of 591.00 feet to a point; thence South 31 degrees 41 minutes 40 seconds East a distance of 10.00 feet to a point; thence South 59 degrees 18 minutes 20 seconds West a distance of 219.89 feet to the POINT OF BEGINNING.

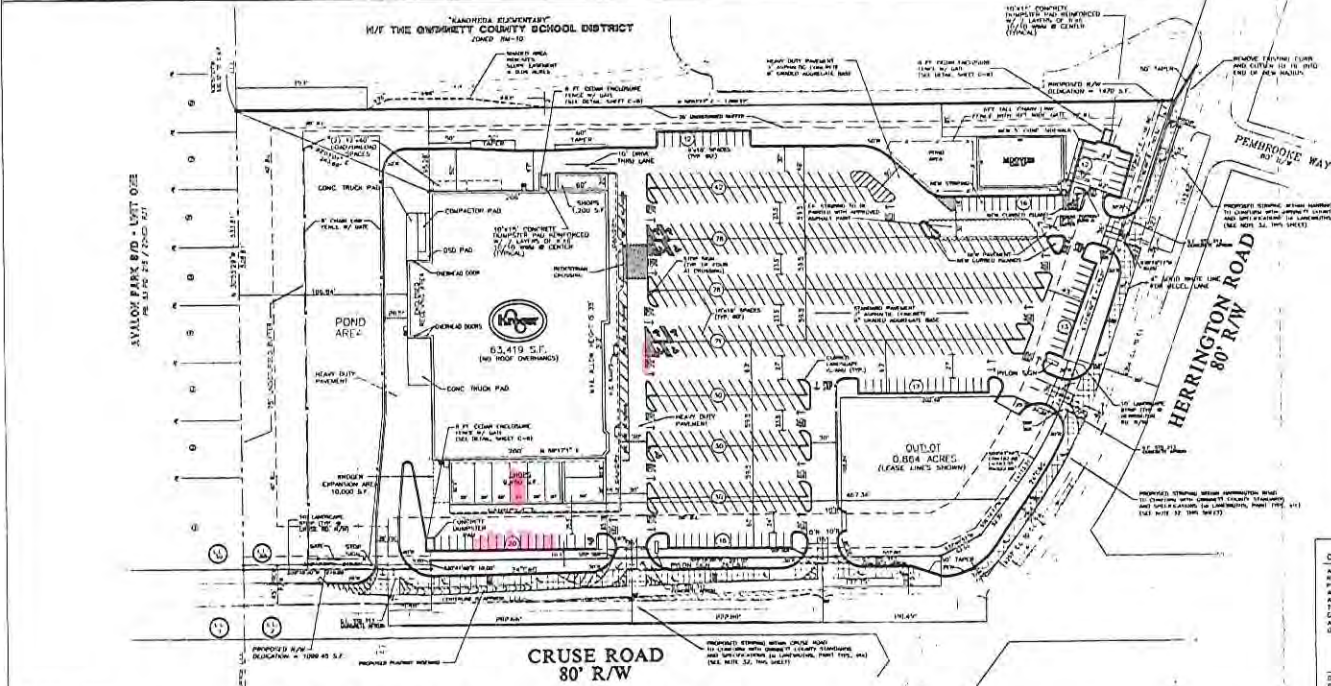
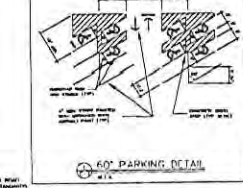
SAID TRACT CONTAINS 11.89 acres, as shown and delineated on that ALTA/ACSM Survey for Black Sox, LLC, Artesia Mortgage Capital Corporation, its successors and/or assigns, [and] Chicago Title Insurance Company, prepared by Ricky C. Busbee, Georgia Registered Land Surveyor No. 2497 of Busbee Surveying Co., Inc., dated April 25, 2006, last revised May 17, 2006, which Survey is hereby referred to, incorporated herein and made a part hereof by this reference.

F:\WP\WORK\076-17\Exhibit A.wpd

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STREET ADDRESS:  
950 HERRINGTON ROAD  
(SEE GENERAL NOTE 14, THIS SHEET)



- GENERAL NOTES**
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE GWINNETT COUNTY ZONING ORDINANCES AND ALL CITY ORDINANCES.
  2. ALL UTILITIES SHALL BE DEEPENED AND REPAIRED TO MEET THE REQUIREMENTS OF THE GWINNETT COUNTY ZONING ORDINANCES.
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14. A STATEMENT OF DEVELOPMENT CONTINGENCIES SHALL BE SUBMITTED TO THE GWINNETT COUNTY PLANNING AND ZONING DEPARTMENT AS PART OF THE DEVELOPMENT PERMIT APPLICATION.
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**SITE PLAN**

SCALE: 1" = 10'

**PAVING LEGEND**

[Symbol]	NORMAL DUTY PAVING
[Symbol]	HEAVY DUTY PAVING
[Symbol]	PAVEMENT IN R/W

**SITE ANALYSIS**

BUILDING (NET TAIL)	63,419 S.F.
SHOPS (NET TAIL)	10,000 S.F.
MOOVES (NET TAIL)	6,000 S.F.
TOTAL BUILDING AREA	80,000 S.F.
PARKING REQUIRED	400 SPACES
PARKING PROVIDED	450 SPACES
PARKING RATIO	5.625/ACR
OUTLOT	0.804 ACRES
TOTAL LAND AREA	11,901 ACRES
R/W TO BE DEDICATED	0.044 ACRES

**PAULSON & ASSOCIATES, INC.**  
LAND PLANNERS  
ENGINEERS  
1000 W. BIRCHWOOD DRIVE  
DUBLIN, GA 31008  
PHONE: (404) 581-1887  
FAX: (404) 581-1815



PROJECT  
**CRUSE CROSSING**  
GINNETT CO., GA

FOR:  
**EMBRYO DEVELOPMENT COMPANY**  
ATLANTA, GA

**SITE PLAN**

JOB NUMBER: 93-238  
DATE: 3-0-93

REVISIONS:

3-24-95	COUNTY COMMENTS
5-24-95	REVISIONS
6-15-95	REVISIONS
6-20-95	REVISIONS
6-22-95	REVISIONS
7-13-95	ROOF CHANGES
7-16-95	REVISIONS
7-27-95	REVISIONS
8-10-95	SITE REVISION NOTES
8-23-95	SITE REVISION NOTES
8-26-95	SITE REVISION NOTES
9-2-98	SITE REVISION NOTES

SHEET NUMBER  
**C-1**

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

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

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

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

Vehicles will be in permitted or designated area. Vehicles will be uniformed and parked away from businesses common parking which does not affect customer parking privileges.

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

Vehicles will not affect existing use of nearby property. This location has 5 exits and the times we are exiting and entering the parking lot are before and after heavy traffic pattern.

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

Empire Transportation won't affect this location and has great relationship with most businesses there is no conflict of interest.

- (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:**

Empire Transportation don't have a lot of in and out traffic and our vans are gone most of the day.

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

Allowing this special use permit will allow Empire Transportation to align with Gwinnett County Zoning compliance

- (F) **WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED SPECIAL USE PERMIT-**

This permit will be a bridge until we find a permanent building location. We will abide by Gwinnett County code and compliance. There will be no changes to the existing business until we move in permanent location.

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## Letter of Intent

To whom it may concern,

Empire Transportation is an existing transportation company located at 950 Herrington Rd Ste H Lawrenceville Ga 30044. I am requesting a special use permit for my Transportation business at this location.

We have been operating for two years and recently my business has expanded adding more vehicles to the business. The business started very small and now we are operating 9 vans and 1 small bus. We operate from 5:30am to 7pm Mon- Fri. We will not add any more vehicles until we are secured in our new business location.

We are a special need transportation company and would like to continue providing service at this location until we find a building. We are currently shopping for a building to operate our small business. This special use permit will allow us the time needed to finalize this process.

We found two locations that we are doing our due diligence, officer Kim Samples with code enforcement and Abigail Harwell with the Planning Division has been very helpful with this search.

If a special use permit is allowed, we will continue to park in the permitted or designated area. As the vans return to the parking lot all advertisement are removed from the vans. We don't have a lot of in and out traffic when vans are exiting or entering the parking lot. Our vans are gone most of the day. We cater to most businesses at this location and has not affected existing use of nearby property. This location has 5 exits which has reduced traffic jams or being a burden to existing streets. The vehicles are parked away from businesses common parking which does not affect customer parking privileges.

Our business has no conflict of interest to other businesses at this location. We have grown to have great relationship with Kroger gas, Oil change business, Kroger grocery store and restaurants. Please allow my business this special use permit as a bridge and to continue providing transportation service.

Thanks  
Ms. Smith

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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

04-05-18  
Date

Garina Smith  
Type or Print Name and Title

  
Signature of Notary Public

04/05/2018  
Date



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*BWALT*

**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.

*[Handwritten Signature]* , PROPERTY MANAGER/BROKER 4/6/18  
Signature of Property Owner Date

Alan Calloni, SUP, PROPERTY MANAGER/BROKER  
Type or Print Name and Title

*[Handwritten Signature]* 4/6/18 [Handwritten Initials]  
Signature of Notary Public 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.

*Garina Smith* <sup>4-05-18</sup> ~~4-18-18~~ *Garina Smith -owner*  
 SIGNATURE OF APPLICANT                      DATE                      TYPE OR PRINT NAME AND TITLE

*Garina Smith* *4-05-18* *Garina Smith*  
 SIGNATURE OF APPLICANT'S                      DATE                      TYPE OR PRINT NAME AND TITLE  
 ATTORNEY OR REPRESENTATIVE

*V. Patel* *04/05/2018*  
 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    *Garina Smith*  
 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.



Final

**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:** 7th - 38 - 32  
(Map Reference Number) District Land Lot Parcel

[Signature] 4/4/18  
Signature of Applicant Date

ALAN CALLIONI, SUP, Property Manager and Broker  
Type or Print Name and Title FOR CRUSE CROSSINGS, LLC

**\*\*\*PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.\*\*\***

**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)

Debi Smith tax service associates  
NAME TITLE

April 6, 2018  
DATE