Gwinnett County Board of Commissioners' Resolutions for BRD, CIC, RZC, RZM, RZR, MIH, MUO, MUR, and/or SUP Cases and Amendments acted upon in March 2019

CASE NUMBER RZC2018-00020
GCID 2018-1660

GWINNETT COUNTY

BOARD OF COMMISSIONERS

LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: AMENDMENT TO THE OFFICIAL ZONING MAP

ADOPTION DATE: MARCH 5, 2019

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

	Present	Vote
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Yes	Aye
Ben Ku, District 2	Yes	Nay
Tommy Hunter, District 3	Yes	Aye
Marlene Fosque, District 4	Yes	Aye

On motion of COMM. HUNTER, which carried 4-1, 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 O-I & R-100 to C-2 by SUSAN ALIAS for the proposed use of a COMMERCIAL RETAIL (BUFFER REDUCTION) 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 DECEMBER 18, 2018 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, this the 5th day of MARCH 2019, that the aforesaid application to amend the Official Zoning Map from O-I & R-100 to C-2 is hereby **APPROVED** with the following enumerated conditions:

1. To restrict the use of the property as follows:
   A. Retail and service-commercial, office and accessory uses. The following uses shall be prohibited:
      - adult bookstores or entertainment
      - automotive parts stores
      - billboards or oversized signs
      - contractors offices
      - convenience stores and gasoline pumps
      - dance clubs
      - drive-thru restaurants or facilities
      - emission inspection stations
      - equipment rental
      - fortune telling, palm or physic reading
      - funeral homes
      - hotels or motels, bed & breakfast inns

- kennels or pet boarding
- liquor stores
- massage parlors
- night clubs or lounges
- pawn shops
- smoke shops/novelty stores
- taxidermists
- tattoo parlors
- title loan facilities

B. Hours of business operation shall be limited to between 8:00 a.m. and 10:00 p.m.

C. Buildings shall be constructed of four sides brick or stone (stucco may only be used as an accent material). Non-stucco masonry finishes shall not be painted. The building shall be designed to have a storefront façade design facing all three public street frontages (to include windows and functioning or faux door openings). Final building elevations shall be submitted to the Director of Planning and Development for review and approval.

D. Building height shall be limited to one story.

2. To satisfy the following site development considerations:

A. The development shall abide by all applicable standards of the Unified Development Ordinance, unless otherwise specified in these conditions or through approval of a variance by the Zoning Board of Appeals.

B. The building shall be located as close to Centerville Highway, as practical, with the majority of parking located to the rear and side. Final site plan shall be subject to the review and approval of the Director of Planning and Development.

C. Vehicular access shall be limited to Castle Gate Drive. Direct access to Anderson Livesy Lane and Centerville Highway shall be prohibited.

D. Entrance/exit shall be located midpoint on Castle Gate Drive between Centerville Highway and Anderson Livsey Lane.

E. Provide a ten-foot wide landscaped strip adjacent to all abutting rights-of-way.

F. Provide 50 foot wide enhanced natural buffer adjacent to the rear property line contiguous to Anderson Livsey Lane. The buffer may be enhanced by the planting of understory shrubs, such as Hollies and Azaleas or clearing of underbrush to create a "park-like" appearance. If fencing of any type is provided, it shall be placed along the development side of the buffer.

G. Ground signage shall be limited to a single monument-type sign, and shall be subject to review and approval by the Director of Planning and Development. The sign shall include a minimum two-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the sign cabinet shall be fully recessed and surrounded by the same materials. Ground signage shall not exceed eight-feet in height.

H. Wall signage shall not exceed the requirements of the Gwinnett County Sign Ordinance, and shall only utilize neutral (non-white earth tone) background colors for the sign cabinet.

I. Window signage (signs displayed on the interior or exterior of the business storefront windows) shall be prohibited, except for open/closed signs or signs required by county, state or federal law. Flashing or blinking signs and exposed neon or LED signs shall be prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.

J. Billboards or oversized signs shall be prohibited.

I. 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 a.m. and 7:00 p.m.

J. 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.

K. 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.

L. Peddlers and/or parking lot sales shall be prohibited.

M. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

CASE NUMBER RZC2018-00020
GCID 2018-1660

GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 4/2/19

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk

GWINNETT COUNTY • GEORGIA • ESTABLISHED 1818

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 5, 6th District, Gwinnett County, Georgia and being more particularly described as follows:

BEGINNING at a concrete monument found at the Intersection of the Northern Right-of-Way of Castle Gate Drive (R/W varies) and the Western Right-of-Way of Anderson Livsey Lane (100' R/W); thence along the Right-of-Way of said Castle Gate Drive South 87°47'44" West, a distance of 210.61 feet to a concrete monument found; thence North 75°08'20" West, a distance of 67.71 feet to a concrete monument found on the Eastern Right-of-Way of Centerville Highway, A.K.A. S.R. 124 (R/W varies); thence along said Right-of-Way North 12°49'53" West, a distance of 172.34 feet to a concrete monument found; thence North 09°37'40" East, a distance of 244.45 feet to an iron pin set (1/2" rebar with a yellow plastic cap stamped "Rochester LSF000484"); thence leaving said Right-of-Way and along the property now or formerly of The Georgia Department of Transportation South 76°05'56" East, a distance of 260.84 feet to a point on the Western Right-of-Way of said Anderson Livsey Lane; thence along said Right-of-Way 214.26 feet along an arc of a curve to the right having a radius of 1585.19 feet and a chord bearing and distance of South 04°47'00" East, 214.10 feet to a point; thence South 00°53'58" East, a distance of 142.31 feet to the **POINT OF BEGINNING.**

Said tract contains 2.583 Acres.

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Planning & Development
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CASE NUMBER SUP2019-00003
GCID 2019-0057

GWINNETT COUNTY

BOARD OF COMMISSIONERS

LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: GRANT OF A SPECIAL USE PERMIT

ADOPTION DATE: MARCH 5, 2019

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

	Present	Vote
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Yes	Aye
Ben Ku, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
Marlene Fosque, District 4	Yes	Aye

On motion of COMM. HUNTER, which carried 5-0, 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 DR. HAFIZ A. G. KHAN for the proposed use of a CEMETERY 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 FEBRUARY 26, 2019 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, this the 5th day of MARCH 2019, 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. A cemetery and accessory uses as a special use.
   B. Except where greater requirements are contained herein, abide by the Supplemental Use Standards of the Unified Development Ordinance for Cemeteries as found in Section 230-130.3.
   C. Prior to any burials taking place, obtain a Development Permit and satisfy applicable zoning and development requirements, and the zoning conditions contained herein.
   D. The cemetery shall be closed and securely gated between the hours of 8:00 p.m. or sunset (whichever is earlier), and sunrise.
   E. Structures shall not be constructed on the property.
   F. Temporary restroom facilities are prohibited.
2. To satisfy the following site development considerations:
   A. Cemetery plots shall be located a minimum of 50 feet from the Berry Hall Road right-of-way and 75 feet from the northern property line, and shall not be located in any required buffer.
   B. Provide a 50-foot wide landscaped buffer along Berry Hall Road and the northern property line. The landscaped buffers shall be planted as a minimum with a mixture of double staggered row of evergreen and deciduous plantings

(minimum 70% evergreen species of Thuga Green Giant, Southern Magnolia, Cryptomeria and Tree Form Holly), with the final design and plantings subject to the review and approval by the Director of Planning and Development. Buffer plants are not required along Berry Hall Road at the southern portion where large existing mature stand of trees will remain. Existing Leland Cypress shall be counted towards the required plantings.

C. Along Berry Hall Road remove all existing wire fencing and install a decorative wrought iron-style fence with brick or stacked stone columns every 50 feet.

D. Limited to a single access driveway onto Berry Hall Road.

E. Existing trees located at the southern portion of the property shall not be removed until the last phase of the cemetery development.

F. Graves shall be a minimum of six-feet in depth.

G. At a minimum, a wooden casket shall be used for the internment of the body.

H. A rectangular lidless vault comparable in design specifications and quality to a "Vantage" polypropylene vault shall be placed in the grave and inverted over the casket before the grave is filled in.

I. Grave markers shall be standardized, flush with the ground, and shall be of metal or stone.

J. Graves shall not be excavated more than 24 hours prior to burial.

K. Burial areas shall be sodded. Graves shall be sodded after burial. Grass shall be cut at least twice monthly.

L. After each burial, a certification by a funeral burial service company or individual licensed by the Georgia State Board of Funeral Services shall be provided and kept with all records of the cemetery ensuring that all requirements, Federal and State, along with Local requirements indicated in these conditions are met.

3. Abide by the following requirements, dedications and improvements:

   A. Prior to the issuance of a Development Permit for the cemetery, a plat of survey delineating the cemetery limits and covenant for perpetual care shall be recorded with the Gwinnett County Clerk of Superior Court.

   B. Prior to the issuance of a Development Permit for the cemetery, the owner shall establish an irrevocable trust fund for the perpetual maintenance of the

cemetery. The owner shall deposit the sum of $10,000.00 in such trust fund prior to the issuance of the Development Permit for the cemetery. It shall be the continuing duty of the owner to maintain a minimum $5,000.00 balance within this trust fund after the first year of the first burial plot. All monies deposited in the trust fund shall be used for the perpetual care of the cemetery, fencing, buffers and landscaping.

GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 4/2/19

ATTEST:

County Clerk/Deputy County Clerk

LEGAL DESCRIPTION MUSLIM CEMETERY

GEORGIA ISLAMIC INSTITUTE

All that tract or parcel of land lying and being in Land Lot 343 of Land District 5 In Gwinnett County, Georgia, containing 9.877 acres and being more particularly described as follows:

Beginning at a point on the west right of way line of Berry Hall Road (80' R/W) that is South 13 degrees 29 minutes 57 seconds East 537.60 feet from the centerlines intersection of Harbins Road and Berry Hall Road; thence run along said right of way South 17 degrees 43 minutes 49 seconds East 773.43 feet to a point; thence leaving said right of way, run South 72 degrees 16 minutes 11 seconds West 479.49 feet to a point; thence run North 40 degrees 52 minutes 36 seconds West 278.83 feet to a point; thence run North 17 degrees 43 minutes 49 seconds West 478.57 feet to a point; thence run North 68 degrees 32 minutes 00 seconds East 590.35 feet to a point and the point of beginning.

CASE NUMBER SUP2019-00005
GCID 2019-0058

GWINNETT COUNTY

BOARD OF COMMISSIONERS

LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: GRANT OF A SPECIAL USE PERMIT

ADOPTION DATE: MARCH 26, 2019

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

	Present	Vote
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Yes	Aye
Ben Ku, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
Marlene Fosque, District 4	Yes	Aye

On motion of COMM. KU, which carried 5-0, 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 MOSTAFA MAHAMUD for the proposed use of a COMMUNITY CENTER & CULTURAL FACILITY (BUFFER REDUCTION) on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

CASE NUMBER SUP2019-00005
GCID 2019-0058

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 MARCH 26, 2019 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, this the 26th day of MARCH 2019, 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: 4/2/19

ATTEST:

County Clerk/Deputy County Clerk

LEGAL DESCRIPTION:

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 220 of the 6th District, Gwinnett County, Georgia, being known as Club Site, Block Q, Oakcliff Estates Subdivision, Portion of Section Three, Unit Two , as per plat recorded in Plat Book K, Page 76, Gwinnett County, Georgia Records, which plat is incorporated herein by reference and made a part of this description.

Tax ID#: R6220-015

Subject to any Easements or Restrictions of Record

This document is for pre-title clearance purposes only and is not a commitment for title or legally binding for title commitment, policy purposes and/or any insurance related purposes. Furthermore, this document shall not be relied upon for the purchase, sale, and/or refinance of real estate or any other transactions. This document cannot be relied upon and will not insure against loss or damage resulting from the terms and provisions of any lease or easement and will include.

SU 39-015

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CASE NUMBER SUP2019-00012
GCID 2019-0202

GWINNETT COUNTY

BOARD OF COMMISSIONERS

LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: GRANT OF A SPECIAL USE PERMIT

ADOPTION DATE: MARCH 26, 2019

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

	Present	Vote
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Yes	Aye
Ben Ku, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
Marlene Fosque, District 4	Yes	Aye

On motion of COMM. KU, which carried 5-0, 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 GRESHAM LANDSCAPE & CONSTRUCTION, INC. for the proposed use of AUTOMOBILE REPAIR & BODY SHOP 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 MARCH 26, 2019 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, this the 26th day of MARCH 2019, that the aforesaid application for a Special Use Permit is hereby **APPROVED** with the following enumerated conditions:

1. Limited to light industrial uses, which may include automobile repair and automobile body repair as special uses. Salvage/junkyard operations shall be prohibited. No vehicle sales of any kind shall occur at this location.
2. Salvage of inoperable vehicles and outdoor storage of automotive parts or tires shall be prohibited. No inoperable vehicles shall be stored on the property for more than ten days. Any vehicles abandoned by their owners, whether before or after repair, shall be removed from the property within five days after they become abandoned under State and/or County law.
3. Any new buildings shall be of a brick, stacked stone and/or glass finish on all sides (stucco may only be used as an accent material). Final building elevations shall be submitted for review by the Director of Planning and Development.
4. All repair activities shall take place indoors. No repairs may be conducted in the parking lot.
5. The property owner shall stripe parking spaces in accordance with Gwinnett County parking standards. All vehicles must be parked in a striped parking space on a paved surface.
6. All vehicles awaiting repair shall be parked in the paved area along the side and rear of the building behind the existing fence and gate. The existing fence shall be fitted with screening slats or fabric, to provide an effective screen from view of Arcadia Industrial Circle. The paved area at the front of the lot, between Arcadia Industrial Circle and the front building façade and fence/gate, shall remain free of vehicles

awaiting repair at all times, and shall be utilized for rear access and customer parking only.

7. Outdoor storage shall be limited to the rear of the property and screened per the requirements of the Unified Development Ordinance.
8. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure.
9. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
10. Obtain all necessary development and building permits, and bring the site and structure(s) up to all applicable zoning, development and building codes within 180 days of zoning approval.

GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 4/2/19

ATTEST:

County Clerk/Deputy County Clerk

GEORGIA • 1818 • ESTABLISHED

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 125 OF THE 6TH DISTRICT, GWINNETT COUNTY, GEORGIA, BEING PART OF LOT 5, ARCADIA INDUSTRIAL PARK SUBDIVISION, FOR G. A. NASH, AS PER PLAT RECORDED IN PLAT BOOK 7, PAGE 153A, GWINNETT COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY SIDE OF ARCADIA INDUSTRIAL CIRCLE, THE SAME HAVING AN 80 FOOT RIGHT OF WAY, 810.4 FEET NORTHEASTERLY AS MEASURED ALONG THE SOUTHEASTERLY SIDE OF ARCADIA INDUSTRIAL CIRCLE, FROM THE INTERSECTION OF THE SOUTHEASTERLY SIDE OF ARCADIA INDUSTRIAL CIRCLE WITH THE SOUTHERLY SIDE OF ARCADIA ROAD; ALSO KNOWN AS ARCADO ROAD; RUNNING THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY SIDE OF ARCADIA INDUSTRIAL CIRCLE, AND ALONG A RADIUS OF 612.958 FEET A DISTANCE OF 100.00 FEET TO A POINT; RUNNING THENCE SOUTH 56 DEGREES 37 MINUTES 55 SECONDS EAST 268.05 FEET TO A POINT; RUNNING THENCE SOUTH 05 DEGREES 33 MINUTES 13 SECONDS WEST 119.73 FEET TO A POINT; RUNNING THENCE SOUTH 07 DEGREES 45 MINUTES 35 SECONDS EAST 111.63 FEET TO A POINT; RUNNING THENCE NORTH 44 DEGREES 01 MINUTES 06 SECONDS WEST 413.42 FEET TO THE POINT OF BEGINNING; BEING THE SAME PROPERTY AS SHOWN ON INDIVIDUAL SURVEY FOR FRANK L. HAYNIE AND SALLY M. HAYNIE, PREPARED BY TIBBITTS LAND SURVEYING, INC. DATED 1/16/91, SAID TRACT OF LAND CONTAINING 1.014 ACRES.

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PLANNING & DEVELOPMENT

SUP2019-00012

CASE NUMBER SUP2019-00015
GCID 2019-0205

GWINNETT COUNTY

BOARD OF COMMISSIONERS

LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: GRANT OF A SPECIAL USE PERMIT

ADOPTION DATE: MARCH 26, 2019

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

	Present	Vote
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Yes	Aye
Ben Ku, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
Marlene Fosque, District 4	Yes	Aye

On motion of COMM. BROOKS, which carried 5-0, 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 CALIBER CAR WASH for the proposed use of a CAR WASH (EXPRESS SERVICE) on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

CASE NUMBER SUP2019-00015
GCID 2019-0205

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 MARCH 26, 2019 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, this the 26th day of MARCH 2019, that the aforesaid application for a Special Use Permit is hereby **DENIED WITHOUT PREJUDICE.**

GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 4/2/19

ATTEST:

County Clerk/Deputy County Clerk

LEGAL DESCRIPTION - THE RETAIL LOT

LOT 1 - BLOCK "B"
Peachtree North Business Center

ALL That tract or parcel of land lying or being in Land Lot 124, of the 7th District, Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at the northerly end of the mitered intersection of the easterly right-of-way line of Northbrook Parkway (100-foot right-of-way) and the northerly right-of-way line of Old Peachtree Road (right-of-way varies) said point being the POINT OF BEGINNING;

THENCE from said Point of Beginning thus established, run along the said easterly right-of-way line of Northbrook Parkway North 16 degrees 25 minutes 51 seconds West, a distance of 291.81 feet to a point;

THENCE continuing along the said easterly right-of-way line of Northbrook Parkway, run northerly a distance of 67.39 feet along the arc of a curve to the right, said curve having a radius of 2434.10 feet and a chord that bears North 15 degrees 38 minutes 16 seconds West, for a distance of 67.39 feet, to a one-half inch diameter rebar found;

THENCE departing the said easterly right-of-way line of Northbrook Parkway North 76 degrees 20 minutes 15 seconds East, a distance of 99.10 feet to aone-half inch diameter rebar found;

THENCE run South 49 degrees 34 minutes 03 seconds East, a distance of 278.03 feet to a point on the said northerly right-of-way line of Old Peachtree Road (right-of-way width varies);

THENCE along said northerly right-of-way, run South 49 degrees 34 minutes 03 seconds East, a distance of 10.00 feet to a point on the said northerly right-of-way line of Old Peachtree Road (right-of-way width varies);

THENCE continuing along the said northerly right-of-way line of Old Peachtree Road, run South 40 degrees 05 minutes 51 seconds West, a distance of 210.47 feet to a concrete right-of-way monument found;

THENCE continuing along the said northerly right-of-way line of Old Peachtree Road, run southwesterly a distance of 44.47 feet along the arc of a curve to the right, said curve having a radius of 769.00 feet and a chord that bears South 41 degrees 44 minutes 48 seconds West, for a distance of 44.47 feet, to a point at the mitered intersection of the said northerly right-of-way of Old Peachtree Road and the easterly right-of-way line of Northbrook Parkway;

THENCE along the said mitered intersection, run North 75 degrees 34 minutes 02 seconds West, a distance of 51.28 feet to the POINT OF BEGINNING.

Said described tract or parcel of land contains 63,896 square feet or 1.4669 acres

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Planning & Development

CASE NUMBER RZR2019-00002
GCID 2019-0051

GWINNETT COUNTY

BOARD OF COMMISSIONERS

LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: AMENDMENT TO THE OFFICIAL ZONING MAP

ADOPTION DATE: MARCH 26, 2019

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

	Present	Vote
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Yes	Aye
Ben Ku, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
Marlene Fosque, District 4	Yes	Aye

On motion of COMM. FOSQUE, which carried 5-0, 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-100 to TND by EMBRY DEVELOPMENT COMPANY, LLC for the proposed use of a SINGLE-FAMILY SUBDIVISION 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 MARCH 26, 2019 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, this the 26th day of MARCH 2019, that the aforesaid application to amend the Official Zoning Map from R-100 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 structures with the following limitations:

      i. No more than 20% of the total number of lots may be categorized as "small villa lots" per the TND standards within the Unified Development Ordinance.

      ii. No more than 29% of the total number of lots may be categorized as "mid- or large lots" per the TND standards within the Unified Development Ordinance.

      iii. No more than 51% of the total number of lots may be categorized as Townhomes per the TND standards within the Unified Development Ordinance.

   B. The minimum heated floor area per dwelling shall be as follows:

i.	Small Lot dwellings:	2,200 square feet
ii.	Mid-size Lot and larger dwellings:	2,400 square feet
iii.	Townhomes	2,000 square feet

   C. Homes shall be constructed with front and side facades primarily of brick and/or stacked stone. The balance of the home may be the same or of cedar or fiber-cement siding or shake with a minimum three-foot brick or stacked stone water table.

D. All dwellings shall have a minimum two-car garage. "Small lot" residences shall have rear entry garages served by alleys. Alleys shall be constructed with a maximum width of 16 feet with no curb or roll-back curb only. No utility easements shall be allowed within any alley. One access point from a public right-of-way or a private street to the alley shall be required for every eight homes served by the alley. Final layout shall be subject to the review and approval of the Director of Planning and Development.

E. A minimum of one on-street parking space shall be provided for every three rear-entry homes. On-street parking shall be designed so as to provide landscaped islands between every four spaces and parking shall be offset on the other side of the street so as to only allow parking on one side of the street at any given location.

2. To satisfy the following site development considerations:

A. Provide a 50-foot buffer along all exterior property lines adjacent to residentially-zoned property.

B. Maintain a minimum 40-foot building setback from the right-of-way of Old Peachtree Road.

C. The Old Peachtree Road frontage shall be landscaped by the developer and maintained by the Homeowner's Association, and shall include decorative masonry entrance features. A decorative fence shall be required along the Old Peachtree Road right-of-way. Landscaping plans, entrance features and fencing shall be subject to the review and approval of the Director of Planning and Development.

D. A mandatory Homeowner's Association shall be established and shall be responsible for maintenance of all common areas/facilities and street frontage landscaping.

E. Common area and a recreation area shall be provided in general accordance with the submitted rezoning exhibit. Pocket parks with amenities shall be provided along the internal street network and evenly spaced throughout the development. Design and location of all recreational areas shall be subject to the review and approval of the Director of Planning and Development.

F. All utilities shall be placed underground.

G. Detention pond(s) shall be fenced with a black vinyl-coated chain link fence a minimum of four feet in height, and shall be screened from view of adjacent residences with a double staggered row of evergreens.

H. Natural vegetation shall remain on the property prior to the issuance of a Development Permit.

I. All grassed areas on dwelling lots shall be sodded.

J. No direct lot access shall be allowed to Old Peachtree Road.

K. A 6-foot high wooden opaque privacy fence shall be required along the northeastern and northwestern property line. The fence shall be subject to review and approval of the Director of Planning and Development.

3. To abide by the following requirements, dedications and improvements.

A. Provide a left turn lane on Old Peachtree Road at the project entrance.

B. Provide an acceleration lane along the frontage of the property, which shall extend south toward the intersection of Buford Drive.

GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 4/2/19

ATTEST:

County Clerk/Deputy County Clerk

LEGAL DESCRIPTION FOR 1274 OLD PEACHTREE RD., LAWRENCEVILLE

BEGINNING at a point on the original Land Lot line separating Land Lots 133 and 104 and said point of beginning being 369.70 feet Northeast from the Land Lot corner common to Land Lots 104, 105, 132 and 133; thence North 58 degrees 21 minutes 37 seconds East 833.45 feet to an iron pin found; thence South 31 degrees 53 minutes 00 seconds East 1708.30 feet to an axle found on Old Peachtree Road; thence South 73 degrees 09 minutes 26 seconds West 138.42 feet to a point; thence South 70 degrees 58 minutes 59 seconds West 143.45 feet to a point; thence South 74 degrees 54 minutes 05 seconds West 102.30 feet to a point; thence South 82 degrees 02 minutes 26 seconds West 98.34 feet to a point; thence North 88 degrees 54 minutes West 94.65 feet to a point; thence North 81 degrees 21 minutes 11 seconds West 75.13 feet to a point; thence North 67 degrees 01 minutes 16 seconds West 124.79 feet to a point; thence North 57 degrees 26 minutes 54 seconds West 123.48 feet to a point; thence North 53 degrees 27 minutes 03 seconds West 168.34 feet to a point; thence North 54 degrees 50 minutes 05 seconds West 102.66 feet to a point; thence North 62 degrees 36 minutes 17 seconds West 82.66 feet to an iron pin set; thence North 21 degrees 26 minutes 36 seconds West 188.19 feet to an iron pin set; thence North 32 degrees 36 minutes 29 seconds West 243.92 feet to an iron pin set; thence North 31 degrees 35 minutes 07 seconds West 509.66 to the POINT OF BEGINNING.

Virginia Roberta Lee died testate, a resident of Gwinnett County, Georgia. Her Will has been probated in solemn form at file no. 18-E-140 in the records of the Probate Court of Gwinnett County, Georgia. Letters Testamentary have been issued by said Court to Sandra L. Kenerly and Sharon L. Davis.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

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Planning&Development

CASE NUMBER SUP2019-00025
GCID 2019-0288

GWINNETT COUNTY

BOARD OF COMMISSIONERS

LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: GRANT OF A SPECIAL USE PERMIT

ADOPTION DATE: MARCH 26, 2019

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

	Present	Vote
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Yes	Aye
Ben Ku, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
Marlene Fosque, District 4	Yes	Aye

On motion of COMM. BROOKS, which carried 5-0, 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 SCOTT SMITH for the proposed use of an ACCESSORY STRUCTURES 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 MARCH 26, 2019 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, this the 26th day of MARCH 2019, that the aforesaid application for a Special Use Permit is hereby **APPROVED** with the following enumerated conditions:

1. No additional square footage of accessory structures shall be constructed.
2. The accessory building located along the rear property line shall be removed or relocated to meet the standard setback of 15 feet.
3. Metal buildings shall not be permitted.
4. The accessory structures shall not be used in the operation of a commercial business or home occupation.
5. No provisions for kitchens, plumbing, or human habitation shall be permitted in the structures.
6. All lighting shall be directed in toward the structures so as not to shine directly into adjacent properties.

CASE NUMBER SUP2019-00025
GCID 2019-0288

GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 4/2/19

ATTEST:

County Clerk/Deputy County Clerk

Legal Description

695 Old Peachtree Road
PIN: 7-131-158

All that tract or parcel of land lying and being in Land Lot 131, District 7, Gwinnett County Georgia and more particularly described as follows:

Beginning at the intersection of the Northerly Right of Way of Old Peachtree Road with its intersection of the Westerly right of Way of Sandstone Drive; Thence continue in a Westerly direction along the Right of Way of Old Peachtree Road 58.82 feet to the TRUE POINT OF BEGINNING

Thence continue along said Right of Way N 81°00'28" W a distance of 200.00 feet to a point;
Thence leaving said Right of Way N 12°04'48" W a distance of 297.92 feet to a point;
Thence S 80°31'48" E a distance of 200.02 feet to a point;
Thence S 12°11'37" E a distance of 296.36 to a point on the Northerly Right of Way of Old Peachtree Road and the point of beginning.

Said Tract is Lot 2 and Lot 3 of a Plat for Terry Cohron recorded in Plat Book 56, Page 42, and contains 55,345 Sq. Ft/1.27 Acres

SUP '19 025

RECEIVED BY
OCT 04 2019
Planning & Development

CASE NUMBER RZC2019-00004
GCID 2019-0280

GWINNETT COUNTY

BOARD OF COMMISSIONERS

LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: AMENDMENT TO THE OFFICIAL ZONING MAP

ADOPTION DATE: MARCH 26, 2019

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

	Present	Vote
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Yes	Aye
Ben Ku, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
Marlene Fosque, District 4	Yes	Aye

On motion of COMM. KU, which carried 5-0, 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 O-I to C-2 by OSCAR CORDON for the proposed use of a CONTRACTOR'S OFFICE (BUFFER REDUCTION) 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 MARCH 26, 2019 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, this the 26th day of MARCH 2019, that the aforesaid application to amend the Official Zoning Map from O-I to C-2 is hereby **APPROVED** with the following enumerated conditions:

1. To restrict the use of the property as follows:

   A. Electrical Contractor's Office and accessory uses and structures only. The C-2 zoned portion of the property shall be limited to 10-feet off the existing asphalt parking in the rear of the structure, the remainder of the property to be R-75.

   B. Obtain all necessary development and buildings permits and bring site and structure(s) into compliance with applicable zoning, development and building codes prior to electrical contractor's office occupancy.

   C. No outdoor storage other than service vehicles related to the business, which are limited to the rear of the building.

2. To satisfy the following site development considerations:

   A. Final architectural plans, landscape plans and site plans shall be subject to review and approval of the Director of Planning and Development.

   B. 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.

   C. Outdoor loudspeakers shall be prohibited.

D. 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.

E. Provide a minimum 75-foot wide buffer adjacent to residentially-zoned properties. The buffer shall be supplemented with evergreen plantings where sparsely vegetated. Final buffer design shall be subject to review and approval by the Director of Planning and Development.

F. Provide a ten-foot wide landscaped strip adjacent to Lawrenceville Highway.

G. Ground signage shall be limited to a single monument type sign with a minimum two-foot high brick or stacked stone base. Ground signage shall not exceed 8 feet in height, and shall be subject to review and approval by the Director of Planning and Development.

H. Wall signage shall not exceed the requirements of the Gwinnett County Sign Ordinance, and shall only utilize neutral (non-white earth tone) background colors for the sign cabinet.

I. Window signage (signs displayed on the interior or exterior of the business storefront windows) shall be prohibited, except for open/closed signs or signs required by county, state or federal law. Flashing or blinking signs and exposed neon or LED signs shall be prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.

J. Billboards or oversized signs shall be prohibited.

K. 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.

L. Flashing or blinking signs and exposed neon or LED signs shall be prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.

M. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

N. The development shall abide by all applicable standards of the Unified Development Ordinance, unless otherwise specified in these conditions or

through administrative approval of a variance or by the Zoning Board of Appeals, as appropriate.

O. Six-foot high opaque wooden fence, with an option of adding a gate, shall be constructed at the edge of the zoning line.

GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 4/2/19

ATTEST:

County Clerk/Deputy County Clerk

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 16 OF THE 85TH DISTRICT OF GWINNETT COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A 1/2" REBAR SET ON THE SOUTHEASTERN REQUIRED RIGHT-OF-WAY LINE OF S. R. 8, ALSO KNOWN AS LAWRENCEVILLE HIGHWAY AT THE POINT OF ITS INTERSECTION WITH THE LAND LOT AND DISTRICT LINE COMMON TO SAID LAND LOT 16 OF THE 15TH DISTRICT AND LAND LOT 153 OF THE 6TH DISTRICT, RUN THENCE, ALONG AFORESAID REQUIRED RIGHT-OF-WAY N 58°32'05" E A DISTANCE OF 205.68' TO A REBAR SET; THENCE, LEAVING SAID RIGHT-OF-WAY, S 17°35'58" E A DISTANCE OF 159.36' TO A 1/2" REBAR FOUND; THENCE S 63°30'35" E A DISTANCE OF 78.77' TO A 1/2" REBAR FOUND; THENCE N 75°19'26" E A DISTANCE OF 91.70' TO A 1/2" REBAR FOUND; THENCE S 34°25'53" E A DISTANCE OF 252.08' TO A 1/2" REBAR FOUND; THENCE S 56°25'50" W A DISTANCE OF 91.38' TO A 1/2" REBAR FOUND; THENCE N 61°24'39" W A DISTANCE OF 154.66' TO A 1/2" REBAR FOUND; THENCE S 42°45'30" W A DISTANCE OF 139.09' TO A 1/2" REBAR SET; ON AFORESAID LAND LOT AND DISTRICT LINE; THENCE N 32°33'53" W A DISTANCE OF 406.95' TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PROPERTY, CONTAINING 2.355 ACRES IS MORE PARTICULARLY SHOWN ON AND DESCRIBED ACCORDING TO RIGHT-OF-WAY DEDICATION PLAT PREPARED BY TOTAL SITE SOLUTIONS, DATED 4-24-14.

RZC '19 00 4

JAN 04 2019

CASE NUMBER RZC2019-00005
GCID 2019-0281

GWINNETT COUNTY

BOARD OF COMMISSIONERS

LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: AMENDMENT TO THE OFFICIAL ZONING MAP

ADOPTION DATE: MARCH 26, 2019

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

	Present	Vote
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Yes	Aye
Ben Ku, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
Marlene Fosque, District 4	Yes	Aye

On motion of COMM. BROOKS, which carried 5-0, 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, O-I & R-100 to MU-R by GWINNETT COUNTY BOC for the proposed use of a REGIONAL 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 MARCH 26, 2019 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, this the 26th day of MARCH 2019, that the aforesaid application to amend the Official Zoning Map from C-2, O-I & R-100 to MU-R is hereby **APPROVED** with the following enumerated conditions:

1. To restrict the use of the property as follows:
   A. The mixed-use development shall be in general accordance with the submitted site plan dated March 22, 2019 prepared by Kimley-Horn and Associates. Any site plan changes, including those necessary to meet conditions of zoning or UDO requirements, shall be subject to review and approval of the Director of Planning and Development.
   B. Final site plans, landscape plans, signage and building elevations (including building materials and color palettes) shall be subject to review and approval of the Director of Planning and Development.
   C. New buildings and exterior remodeling of existing buildings shall meet the Category 4 Architectural Standards of the UDO. Variations in these building design or architectural requirements shall be subject to review and approval of the Director of Planning and Development.
   D. Building heights in excess of those depicted on the site plan may be permitted, subject to review and approval of the Director of Planning and Development.
2. Abide by the following requirements, dedications and improvements:
   A. All conditions of the Development of Regional Impact (DRI: 2822) GRTA Notice of Decision shall be incorporated into the development.

B. Design of all access points for ingress/egress, traffic signalization and signal timing shall be 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 the first certificate of occupancy, construct all road improvements recommended by the Transportation Analysis for Revel/Infinite Energy Center prepared by Kimley-Horn and Associates, dated September 7, 2018. Design and construction of all such improvements shall be subject to review and approval of the Gwinnett Department of Transportation.

D. Prior to the issuance of a Development Permit, provide a pedestrian and bicycle access plan for review and approval by the Director of Planning and Development addressing internal and external circulation and site amenities for these facilities. The elements of this plan shall be incorporated into the final site design.

GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 4/2/19

ATTEST:

County Clerk/Deputy County Clerk

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 115, 116, 121, AND 122 OF THE 7th DISTRICT, GWINNETT COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE NORTH END OF THE MITERED INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY OF SUGARLOAF PARKWAY (RIGHT-OF-WAY VARIES) WITH THE NORTHWESTERLY RIGHT-OF-WAY OF SATELLITE BOULEVARD (RIGHT-OF-WAY VARIES); THENCE WITH SAID MITERED INTERSECTION, SOUTH 06 DEGREES 36 MINUTES 21 SECONDS EAST A DISTANCE OF 59.12 FEET TO A POINT AT THE SOUTH END OF SAID MITERED INTERSECTION; THENCE DEPARTING SAID MITERED INTERSECTION AND WITH SAID NORTHWESTERLY RIGHT-OF-WAY OF SATELLITE BOULEVARD THE FOLLOWING THREE (3) COURSES AND DISTANCES: SOUTH 23 DEGREES 35 MINUTES 05 SECONDS WEST A DISTANCE OF 135.83 FEET TO A POINT; SOUTH 28 DEGREES 39 MINUTES 55 SECONDS WEST A DISTANCE OF 219.42 FEET TO A POINT AND FOLLOWING THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 174.98 FEET (SAID ARC BEING SUBTENDED BY A RADIUS OF 953.00 FEET AND A CHORD OF SOUTH 38 DEGREES 18 MINUTES 11 SECONDS WEST A DISTANCE OF 174.74 FEET) TO A POINT IN THE DIVISION LINE BETWEEN GWINNETT COUNTY, GEORGIA (PER DEED BOOK 6153, PAGE 274, DEED BOOK 14939, PAGE, 232, DEED BOOK 30005, PAGE 190 AND DEED BOOK 56152, PAGE 575, GWINNETT COUNTY RECORDS) TO THE NORTHEAST, NORTH AND WEST, RESPECTIVELY, AND SUGARLOAF HOTEL PARTNERS, LLC (PER DEED BOOK 53378, PAGE 536 AND DEED BOOK 56152, PAGE 585, GWINNETT COUNTY RECORDS) TO THE SOUTHWEST, SOUTH AND EAST, RESPECTIVELY; THENCE DEPARTING SAID NORTHWESTERLY RIGHT-OF-WAY OF SATELLITE BOULEVARD AND WITH SAID DIVISION LINE THE FOLLOWING ELEVEN (11) COURSES AND DISTANCES: NORTH 49 DEGREES 41 MINUTES 11 SECONDS WEST A DISTANCE OF 62.08 FEET TO A POINT; NORTH 40 DEGREES 53 MINUTES 26 SECONDS WEST A DISTANCE OF 93.28 FEET TO A POINT; FOLLOWING THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 27.10 FEET (SAID ARC BEING SUBTENDED BY A RADIUS OF 320.00 FEET AND A CHORD OF NORTH 38 DEGREES 27 MINUTES 52 SECONDS WEST A DISTANCE OF 27.09 FEET) TO A POINT; NORTH 36 DEGREES 02 MINUTES 18 SECONDS WEST A DISTANCE OF 104.15 FEET TO A POINT; SOUTH 53 DEGREES 57 MINUTES 42 SECONDS WEST A DISTANCE OF 188.28 FEET TO A POINT; NORTH 84 DEGREES 11 MINUTES 20 SECONDS WEST A DISTANCE OF 52.66 FEET TO A 1/2-INCH REBAR WITH CAP FOUND; SOUTH 72 DEGREES 40 MINUTES 26 SECONDS WEST A DISTANCE OF 47.18 FEET TO A 1/2-INCH REBAR WITH CAP FOUND; SOUTH 63 DEGREES 25 MINUTES 06 SECONDS WEST A DISTANCE OF 120.70 FEET TO A 1/2-INCH REBAR WITH CAP FOUND; NORTH 83 DEGREES 53 MINUTES 13 SECONDS WEST A DISTANCE OF 47.25 FEET TO A 1/2-INCH REBAR WITH CAP FOUND; SOUTH 09 DEGREES 20 MINUTES 58 SECONDS EAST A DISTANCE OF 140.42 FEET TO A POINT AND SOUTH 36 DEGREES 03 MINUTES 33 SECONDS EAST A DISTANCE OF 289.97 FEET TO A MAG NAIL FOUND ON SAID NORTHWESTERLY RIGHT-OF-WAY OF SATELLITE BOULEVARD; THENCE WITH SAID NORTHWESTERLY RIGHT-OF-WAY OF SATELLITE BOULEVARD THE FOLLOWING TWO (2) COURSES AND DISTANCES: FOLLOWING THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 589.17 FEET (SAID ARC BEING SUBTENDED BY A RADIUS OF 1822.95 FEET AND A CHORD OF SOUTH 44 DEGREES 40 MINUTES 54 SECONDS WEST A DISTANCE OF 586.61 FEET) TO A POINT AND SOUTH 82 DEGREES 11 MINUTES 07 SECONDS WEST A DISTANCE OF 64.81 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT FOUND IN THE DIVISION LINE BETWEEN SAID GWINNETT COUNTY, GEORGIA TO THE NORTHEAST AND SUGARLOAF APARTMENTS-PATRICIAN, LLC & SUGARLOAF APARTMENTS-MAPA, LLC (PER DEED BOOK 23119, PAGE 225, GWINNETT COUNTY RECORDS) TO THE SOUTHWEST; THENCE DEPARTING SAID NORTHWESTERLY RIGHT-OF-WAY OF SATELLITE BOULEVARD AND WITH SAID DIVISION LINE THE FOLLOWING THREE (3) COURSES AND DISTANCES: NORTH 62 DEGREES 48 MINUTES 55 SECONDS WEST A DISTANCE OF 316.92 FEET TO A 1/2-INCH REBAR FOUND; NORTH 23 DEGREES 40 MINUTES 49 SECONDS WEST A DISTANCE OF 902.33 FEET TO A POINT AND NORTH 52 DEGREES 22 MINUTES 15 SECONDS WEST A DISTANCE OF 239.51 FEET TO A POINT IN THE DIVISION LINE BETWEEN SAID GWINNETT COUNTY, GEORGIA TO THE EAST AND THE LANDINGS AT SUGARLOAF CONDOMINIUM (PER PLAT BOOK CD4, PAGE 236, GWINNETT COUNTY RECORDS) TO THE WEST; THENCE WITH SAID DIVISION LINE THE FOLLOWING THREE (3) COURSES AND DISTANCES: NORTH 52 DEGREES 22 MINUTES 15 SECONDS WEST A DISTANCE OF 28.48 FEET TO A 1/2-INCH REBAR FOUND; NORTH

17 DEGREES 34 MINUTES 45 SECONDS WEST A DISTANCE OF 293.91 FEET TO A POINT AND NORTH 05 DEGREES 27 MINUTES 36 SECONDS EAST A DISTANCE OF 280.44 FEET TO A POINT IN THE CENTERLINE OF A BRANCH (UNNAMED TRIBUTARY OF LEE DANIEL CREEK), SAID BRANCH MARKING THE DIVISION LINE BETWEEN SAID GWINNETT COUNTY, GEORGIA TO THE EAST AND SAID SUGARLOAF APARTMENTS-PATRICIAN, LLC & SUGARLOAF APARTMENTS-MAPA, LLC AND CONTINUING WITH MADISON-MF DULUTH GA LLC (PER DEED BOOK 52298, PAGE 384, GWINNETT COUNTY RECORDS) TO THE WEST; THENCE WITH THE CENTERLINE OF SAID BRANCH THE FOLLOWING ONE HUNDRED FORTY (140) COURSES AND DISTANCES: NORTH 04 DEGREES 12 MINUTES 23 SECONDS EAST A DISTANCE OF 9.21 FEET TO A POINT; NORTH 40 DEGREES 00 MINUTES 30 SECONDS WEST A DISTANCE OF 5.52 FEET TO A POINT; NORTH 22 DEGREES 32 MINUTES 46 SECONDS WEST A DISTANCE OF 15.84 FEET TO A POINT; NORTH 01 DEGREES 16 MINUTES 20 SECONDS WEST A DISTANCE OF 10.20 FEET TO A POINT; NORTH 19 DEGREES 35 MINUTES 47 SECONDS EAST A DISTANCE OF 8.23 FEET TO A POINT; NORTH 03 DEGREES 38 MINUTES 41 SECONDS WEST A DISTANCE OF 11.93 FEET TO A POINT; NORTH 07 DEGREES 14 MINUTES 56 SECONDS EAST A DISTANCE OF 8.36 FEET TO A POINT; NORTH 40 DEGREES 01 MINUTES 52 SECONDS EAST A DISTANCE OF 10.32 FEET TO A POINT; NORTH 03 DEGREES 28 MINUTES 04 SECONDS EAST A DISTANCE OF 4.39 FEET TO A POINT; NORTH 18 DEGREES 41 MINUTES 50 SECONDS WEST A DISTANCE OF 27.95 FEET TO A POINT; NORTH 18 DEGREES 44 MINUTES 05 SECONDS EAST A DISTANCE OF 13.69 FEET TO A POINT; NORTH 06 DEGREES 58 MINUTES 47 SECONDS WEST A DISTANCE OF 9.91 FEET TO A POINT; NORTH 04 DEGREES 47 MINUTES 14 SECONDS WEST A DISTANCE OF 13.02 FEET TO A POINT; NORTH 16 DEGREES 41 MINUTES 04 SECONDS EAST A DISTANCE OF 26.69 FEET TO A POINT; NORTH 03 DEGREES 25 MINUTES 50 SECONDS WEST A DISTANCE OF 12.17 FEET TO A POINT; NORTH 12 DEGREES 53 MINUTES 32 SECONDS EAST A DISTANCE OF 26.35 FEET TO A POINT; NORTH 06 DEGREES 54 MINUTES 31 SECONDS EAST A DISTANCE OF 14.92 FEET TO A POINT; NORTH 11 DEGREES 01 MINUTES 21 SECONDS WEST A DISTANCE OF 20.74 FEET TO A POINT; NORTH 13 DEGREES 10 MINUTES 13 SECONDS EAST A DISTANCE OF 4.88 FEET TO A POINT; NORTH 42 DEGREES 53 MINUTES 03 SECONDS EAST A DISTANCE OF 15.00 FEET TO A POINT; NORTH 03 DEGREES 37 MINUTES 57 SECONDS EAST A DISTANCE OF 17.15 FEET TO A POINT; NORTH 20 DEGREES 02 MINUTES 24 SECONDS WEST A DISTANCE OF 13.29 FEET TO A POINT; NORTH 02 DEGREES 51 MINUTES 35 SECONDS EAST A DISTANCE OF 22.04 FEET TO A POINT; NORTH 21 DEGREES 25 MINUTES 15 SECONDS EAST A DISTANCE OF 10.70 FEET TO A POINT; NORTH 00 DEGREES 52 MINUTES 40 SECONDS WEST A DISTANCE OF 29.20 FEET TO A POINT; NORTH 17 DEGREES 07 MINUTES 20 SECONDS EAST A DISTANCE OF 9.17 FEET TO A POINT; NORTH 05 DEGREES 32 MINUTES 38 SECONDS EAST A DISTANCE OF 11.49 FEET TO A POINT; NORTH 05 DEGREES 58 MINUTES 04 SECONDS EAST A DISTANCE OF 25.18 FEET TO A POINT; NORTH 16 DEGREES 44 MINUTES 07 SECONDS WEST A DISTANCE OF 5.62 FEET TO A POINT; NORTH 13 DEGREES 59 MINUTES 36 SECONDS WEST A DISTANCE OF 6.78 FEET TO A POINT; NORTH 15 DEGREES 30 MINUTES 26 SECONDS WEST A DISTANCE OF 9.03 FEET TO A POINT; NORTH 08 DEGREES 10 MINUTES 57 SECONDS WEST A DISTANCE OF 15.02 FEET TO A POINT; NORTH 38 DEGREES 40 MINUTES 03 SECONDS WEST A DISTANCE OF 5.94 FEET TO A POINT; NORTH 01 DEGREES 14 MINUTES 43 SECONDS WEST A DISTANCE OF 9.79 FEET TO A POINT; NORTH 13 DEGREES 38 MINUTES 30 SECONDS EAST A DISTANCE OF 16.35 FEET TO A POINT; NORTH 41 DEGREES 38 MINUTES 58 SECONDS EAST A DISTANCE OF 10.37 FEET TO A POINT; NORTH 11 DEGREES 55 MINUTES 24 SECONDS WEST A DISTANCE OF 8.65 FEET TO A POINT; NORTH 32 DEGREES 48 MINUTES 30 SECONDS WEST A DISTANCE OF 6.93 FEET TO A POINT; NORTH 70 DEGREES 00 MINUTES 51 SECONDS WEST A DISTANCE OF 6.61 FEET TO A POINT; NORTH 83 DEGREES 12 MINUTES 38 SECONDS WEST A DISTANCE OF 4.62 FEET TO A POINT; NORTH 32 DEGREES 38 MINUTES 43 SECONDS WEST A DISTANCE OF 9.29 FEET TO A POINT; NORTH 65 DEGREES 25 MINUTES 13 SECONDS WEST A DISTANCE OF 13.60 FEET TO A POINT; SOUTH 89 DEGREES 19 MINUTES 32 SECONDS WEST A DISTANCE OF 14.14 FEET TO A POINT; SOUTH 15 DEGREES 51 MINUTES 12 SECONDS WEST A DISTANCE OF 8.82 FEET TO A POINT; SOUTH 41 DEGREES 57 MINUTES 14 SECONDS WEST A DISTANCE OF 8.15 FEET TO A POINT; NORTH 88 DEGREES 09 MINUTES 04 SECONDS WEST A DISTANCE OF 5.43 FEET TO A POINT; NORTH 25 DEGREES 27 MINUTES 36 SECONDS WEST A DISTANCE OF 22.18 FEET TO A POINT; NORTH 67 DEGREES 32 MINUTES 19 SECONDS WEST A DISTANCE OF 20.91 FEET TO A POINT; NORTH 65 DEGREES 58 MINUTES 45 SECONDS WEST A DISTANCE OF 13.61 FEET TO A POINT; NORTH 53

DEGREES 57 MINUTES 23 SECONDS WEST A DISTANCE OF 11.04 FEET TO A POINT; NORTH 17 DEGREES 43 MINUTES 56 SECONDS WEST A DISTANCE OF 3.79 FEET TO A POINT; NORTH 00 DEGREES 41 MINUTES 34 SECONDS WEST A DISTANCE OF 5.85 FEET TO A POINT; NORTH 29 DEGREES 07 MINUTES 18 SECONDS EAST A DISTANCE OF 16.66 FEET TO A POINT; NORTH 23 DEGREES 31 MINUTES 04 SECONDS EAST A DISTANCE OF 13.07 FEET TO A POINT; NORTH 15 DEGREES 16 MINUTES 32 SECONDS WEST A DISTANCE OF 28.99 FEET TO A POINT; NORTH 56 DEGREES 38 MINUTES 35 SECONDS WEST A DISTANCE OF 11.72 FEET TO A POINT; NORTH 46 DEGREES 07 MINUTES 00 SECONDS WEST A DISTANCE OF 8.25 FEET TO A POINT; NORTH 08 DEGREES 19 MINUTES 31 SECONDS EAST A DISTANCE OF 8.94 FEET TO A POINT; NORTH 19 DEGREES 16 MINUTES 49 SECONDS EAST A DISTANCE OF 6.27 FEET TO A POINT; NORTH 32 DEGREES 31 MINUTES 14 SECONDS WEST A DISTANCE OF 7.69 FEET TO A POINT; NORTH 66 DEGREES 11 MINUTES 57 SECONDS WEST A DISTANCE OF 11.14 FEET TO A POINT; NORTH 52 DEGREES 30 MINUTES 25 SECONDS WEST A DISTANCE OF 13.30 FEET TO A POINT; NORTH 07 DEGREES 57 MINUTES 22 SECONDS WEST A DISTANCE OF 11.44 FEET TO A POINT; NORTH 52 DEGREES 40 MINUTES 31 SECONDS EAST A DISTANCE OF 7.12 FEET TO A POINT; NORTH 46 DEGREES 20 MINUTES 44 SECONDS EAST A DISTANCE OF 14.93 FEET TO A POINT; NORTH 04 DEGREES 32 MINUTES 49 SECONDS WEST A DISTANCE OF 5.23 FEET TO A POINT; NORTH 50 DEGREES 01 MINUTES 01 SECONDS WEST A DISTANCE OF 13.04 FEET TO A POINT; NORTH 30 DEGREES 31 MINUTES 16 SECONDS WEST A DISTANCE OF 14.52 FEET TO A POINT; NORTH 44 DEGREES 56 MINUTES 02 SECONDS WEST A DISTANCE OF 5.41 FEET TO A POINT; NORTH 81 DEGREES 54 MINUTES 14 SECONDS WEST A DISTANCE OF 11.22 FEET TO A POINT; NORTH 49 DEGREES 25 MINUTES 29 SECONDS WEST A DISTANCE OF 5.54 FEET TO A POINT; NORTH 11 DEGREES 08 MINUTES 58 SECONDS WEST A DISTANCE OF 17.21 FEET TO A POINT; NORTH 37 DEGREES 01 MINUTES 53 SECONDS WEST A DISTANCE OF 6.32 FEET TO A POINT; NORTH 59 DEGREES 39 MINUTES 41 SECONDS WEST A DISTANCE OF 11.32 FEET TO A POINT; NORTH 22 DEGREES 20 MINUTES 59 SECONDS WEST A DISTANCE OF 5.18 FEET TO A POINT; NORTH 09 DEGREES 02 MINUTES 14 SECONDS WEST A DISTANCE OF 22.02 FEET TO A POINT; NORTH 34 DEGREES 21 MINUTES 04 SECONDS WEST A DISTANCE OF 7.60 FEET TO A POINT; SOUTH 80 DEGREES 50 MINUTES 10 SECONDS WEST A DISTANCE OF 3.95 FEET TO A POINT; SOUTH 41 DEGREES 28 MINUTES 33 SECONDS WEST A DISTANCE OF 8.73 FEET TO A POINT; NORTH 82 DEGREES 24 MINUTES 16 SECONDS WEST A DISTANCE OF 4.18 FEET TO A POINT; NORTH 43 DEGREES 25 MINUTES 44 SECONDS WEST A DISTANCE OF 9.22 FEET TO A POINT; NORTH 38 DEGREES 07 MINUTES 07 SECONDS WEST A DISTANCE OF 8.82 FEET TO A POINT; NORTH 39 DEGREES 26 MINUTES 26 SECONDS WEST A DISTANCE OF 21.74 FEET TO A POINT; NORTH 31 DEGREES 45 MINUTES 32 SECONDS WEST A DISTANCE OF 9.02 FEET TO A POINT; NORTH 76 DEGREES 18 MINUTES 02 SECONDS WEST A DISTANCE OF 18.40 FEET TO A POINT; NORTH 29 DEGREES 37 MINUTES 23 SECONDS WEST A DISTANCE OF 8.81 FEET TO A POINT; NORTH 13 DEGREES 15 MINUTES 45 SECONDS WEST A DISTANCE OF 16.63 FEET TO A POINT; NORTH 25 DEGREES 16 MINUTES 47 SECONDS WEST A DISTANCE OF 14.63 FEET TO A POINT; NORTH 38 DEGREES 11 MINUTES 19 SECONDS WEST A DISTANCE OF 28.66 FEET TO A POINT; NORTH 59 DEGREES 03 MINUTES 45 SECONDS WEST A DISTANCE OF 11.97 FEET TO A POINT; NORTH 35 DEGREES 58 MINUTES 17 SECONDS WEST A DISTANCE OF 3.62 FEET TO A POINT; NORTH 31 DEGREES 03 MINUTES 45 SECONDS EAST A DISTANCE OF 4.73 FEET TO A POINT; NORTH 86 DEGREES 33 MINUTES 25 SECONDS EAST A DISTANCE OF 10.47 FEET TO A POINT; NORTH 02 DEGREES 33 MINUTES 30 SECONDS WEST A DISTANCE OF 5.52 FEET TO A POINT; NORTH 31 DEGREES 08 MINUTES 00 SECONDS WEST A DISTANCE OF 13.57 FEET TO A POINT; NORTH 26 DEGREES 51 MINUTES 22 SECONDS WEST A DISTANCE OF 22.14 FEET TO A POINT; NORTH 51 DEGREES 58 MINUTES 59 SECONDS WEST A DISTANCE OF 11.93 FEET TO A POINT; NORTH 34 DEGREES 44 MINUTES 17 SECONDS WEST A DISTANCE OF 9.59 FEET TO A POINT; NORTH 13 DEGREES 43 MINUTES 04 SECONDS EAST A DISTANCE OF 4.77 FEET TO A POINT; NORTH 39 DEGREES 11 MINUTES 28 SECONDS EAST A DISTANCE OF 5.39 FEET TO A POINT; NORTH 28 DEGREES 38 MINUTES 36 SECONDS WEST A DISTANCE OF 4.39 FEET TO A POINT; NORTH 68 DEGREES 27 MINUTES 56 SECONDS WEST A DISTANCE OF 7.83 FEET TO A POINT; NORTH 16 DEGREES 41 MINUTES 21 SECONDS EAST A DISTANCE OF 3.26 FEET TO A POINT; NORTH 44 DEGREES 29 MINUTES 10 SECONDS EAST A DISTANCE OF 17.82 FEET TO A POINT; NORTH 22 DEGREES 12 MINUTES 01 SECONDS WEST A DISTANCE OF 2.73 FEET TO A POINT; NORTH 17 DEGREES 46 MINUTES 31 SECONDS WEST A DISTANCE OF 4.89 FEET TO A POINT; NORTH 50 DEGREES 40 MINUTES 02

SECONDS WEST A DISTANCE OF 7.74 FEET TO A POINT; NORTH 15 DEGREES 27 MINUTES 43 SECONDS WEST A DISTANCE OF 7.44 FEET TO A POINT; NORTH 03 DEGREES 04 MINUTES 21 SECONDS EAST A DISTANCE OF 7.02 FEET TO A POINT; NORTH 48 DEGREES 53 MINUTES 13 SECONDS EAST A DISTANCE OF 6.99 FEET TO A POINT; NORTH 76 DEGREES 07 MINUTES 05 SECONDS EAST A DISTANCE OF 8.56 FEET TO A POINT; NORTH 58 DEGREES 10 MINUTES 12 SECONDS EAST A DISTANCE OF 3.44 FEET TO A POINT; NORTH 27 DEGREES 58 MINUTES 06 SECONDS EAST A DISTANCE OF 11.04 FEET TO A POINT; NORTH 34 DEGREES 08 MINUTES 12 SECONDS WEST A DISTANCE OF 11.91 FEET TO A POINT; NORTH 61 DEGREES 19 MINUTES 44 SECONDS WEST A DISTANCE OF 8.94 FEET TO A POINT; SOUTH 86 DEGREES 55 MINUTES 09 SECONDS WEST A DISTANCE OF 11.76 FEET TO A POINT; NORTH 67 DEGREES 36 MINUTES 11 SECONDS WEST A DISTANCE OF 6.78 FEET TO A POINT; NORTH 26 DEGREES 24 MINUTES 54 SECONDS WEST A DISTANCE OF 11.51 FEET TO A POINT; NORTH 28 DEGREES 16 MINUTES 26 SECONDS EAST A DISTANCE OF 6.41 FEET TO A POINT; NORTH 38 DEGREES 21 MINUTES 52 SECONDS EAST A DISTANCE OF 8.55 FEET TO A POINT; NORTH 16 DEGREES 54 MINUTES 02 SECONDS EAST A DISTANCE OF 14.27 FEET TO A POINT; NORTH 25 DEGREES 00 MINUTES 19 SECONDS EAST A DISTANCE OF 16.15 FEET TO A POINT; NORTH 42 DEGREES 48 MINUTES 43 SECONDS EAST A DISTANCE OF 10.23 FEET TO A POINT; NORTH 37 DEGREES 25 MINUTES 26 SECONDS WEST A DISTANCE OF 24.45 FEET TO A POINT; NORTH 38 DEGREES 19 MINUTES 32 SECONDS WEST A DISTANCE OF 6.18 FEET TO A POINT; NORTH 20 DEGREES 14 MINUTES 15 SECONDS WEST A DISTANCE OF 5.67 FEET TO A POINT; NORTH 68 DEGREES 34 MINUTES 05 SECONDS EAST A DISTANCE OF 7.99 FEET TO A POINT; NORTH 55 DEGREES 19 MINUTES 04 SECONDS EAST A DISTANCE OF 3.69 FEET TO A POINT; NORTH 07 DEGREES 08 MINUTES 55 SECONDS WEST A DISTANCE OF 5.95 FEET TO A POINT; NORTH 36 DEGREES 35 MINUTES 27 SECONDS WEST A DISTANCE OF 13.83 FEET TO A POINT; NORTH 47 DEGREES 38 MINUTES 22 SECONDS WEST A DISTANCE OF 29.42 FEET TO A POINT; NORTH 50 DEGREES 30 MINUTES 34 SECONDS WEST A DISTANCE OF 27.24 FEET TO A POINT; NORTH 29 DEGREES 08 MINUTES 03 SECONDS WEST A DISTANCE OF 16.68 FEET TO A POINT; NORTH 18 DEGREES 41 MINUTES 24 SECONDS EAST A DISTANCE OF 13.23 FEET TO A POINT; NORTH 14 DEGREES 44 MINUTES 01 SECONDS EAST A DISTANCE OF 30.00 FEET TO A POINT; NORTH 17 DEGREES 48 MINUTES 00 SECONDS EAST A DISTANCE OF 29.50 FEET TO A POINT; NORTH 04 DEGREES 16 MINUTES 06 SECONDS WEST A DISTANCE OF 6.77 FEET TO A POINT; NORTH 15 DEGREES 17 MINUTES 59 SECONDS WEST A DISTANCE OF 12.60 FEET TO A POINT; NORTH 33 DEGREES 08 MINUTES 00 SECONDS WEST A DISTANCE OF 22.00 FEET TO A POINT; NORTH 04 DEGREES 43 MINUTES 12 SECONDS WEST A DISTANCE OF 1.80 FEET TO A POINT; THENCE DEPARTING THE CENTERLINE OF SAID BRANCH AND WITH THE DIVISION LINE BETWEEN SAID GWINNETT COUNTY, GEORGIA TO THE SOUTH AND SAID MADISON-MF DULUTH GA LLC TO THE NORTH, NORTH 65 DEGREES 20 MINUTES 10 SECONDS EAST A DISTANCE OF 36.20 FEET TO A 1-1/4-INCH OPEN TOP PIPE FOUND IN THE DIVISION LINE BETWEEN GWINNETT COUNTY, GEORGIA (PER DEED BOOK 54005, PAGE 737, GWINNETT COUNTY RECORDS) TO THE EAST AND SAID MADISON-MF DULUTH GA LLC TO THE WEST; THENCE WITH SAID DIVISION LINE, NORTH 29 DEGREES 37 MINUTES 03 SECONDS WEST A DISTANCE OF 331.13 FEET TO A NAIL SET AT A 1/2-INCH STEEL ROD FOUND IN THE DIVISION LINE BETWEEN GWINNETT COUNTY, GEORGIA (PER DEED BOOK 48242, PAGE 340, GWINNETT COUNTY RECORDS) TO THE NORTHWEST AND NORTHEAST, RESPECTIVELY, AND SAID MADISON-MF DULUTH GA LLC TO THE SOUTHEAST AND SOUTHWEST, RESPECTIVELY; THENCE WITH SAID DIVISION LINE THE FOLLOWING THREE (3) COURSES AND DISTANCES: SOUTH 50 DEGREES 21 MINUTES 46 SECONDS WEST A DISTANCE OF 324.29 FEET TO A 1/2-INCH REBAR FOUND; NORTH 24 DEGREES 44 MINUTES 26 SECONDS WEST A DISTANCE OF 242.21 FEET TO A 1/2-INCH REBAR FOUND AND NORTH 05 DEGREES 06 MINUTES 38 SECONDS WEST A DISTANCE OF 47.43 FEET TO A 1/2-INCH REBAR FOUND ON THE SOUTHEASTERLY RIGHT-OF-WAY OF MEADOW CHURCH ROAD (RIGHT-OF-WAY VARIES); THENCE WITH SAID SOUTHEASTERLY RIGHT-OF-WAY OF MEADOW CHURCH ROAD THE FOLLOWING TEN (10) COURSES AND DISTANCES: NORTH 20 DEGREES 31 MINUTES 25 SECONDS EAST A DISTANCE OF 224.15 FEET TO A POINT; FOLLOWING THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 112.48 FEET (SAID ARC BEING SUBTENDED BY A RADIUS OF 423.73 FEET AND A CHORD OF NORTH 28 DEGREES 07 MINUTES 42 SECONDS EAST A DISTANCE OF 112.15 FEET) TO A 1/2-INCH REBAR WITH CAP FOUND; FOLLOWING THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 157.73 FEET (SAID ARC BEING SUBTENDED BY A RADIUS OF 423.73 FEET AND A

CHORD OF NORTH 46 DEGREES 23 MINUTES 48 SECONDS EAST A DISTANCE OF 156.82 FEET) TO A POINT; FOLLOWING THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 42.17 FEET (SAID ARC BEING SUBTENDED BY A RADIUS OF 3154.65 FEET AND A CHORD OF NORTH 57 DEGREES 26 MINUTES 37 SECONDS EAST A DISTANCE OF 42.17 FEET) TO A POINT; FOLLOWING THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 120.41 FEET (SAID ARC BEING SUBTENDED BY A RADIUS OF 3154.65 FEET AND A CHORD OF NORTH 58 DEGREES 55 MINUTES 12 SECONDS EAST A DISTANCE OF 120.40 FEET) TO A POINT; NORTH 60 DEGREES 00 MINUTES 48 SECONDS EAST A DISTANCE OF 428.08 FEET TO A POINT; NORTH 60 DEGREES 00 MINUTES 48 SECONDS EAST A DISTANCE OF 76.80 FEET TO A POINT; FOLLOWING THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 23.67 FEET (SAID ARC BEING SUBTENDED BY A RADIUS OF 4125.85 FEET AND A CHORD OF NORTH 60 DEGREES 10 MINUTES 39 SECONDS EAST A DISTANCE OF 23.67 FEET) TO A POINT; NORTH 60 DEGREES 20 MINUTES 22 SECONDS EAST A DISTANCE OF 224.64 FEET TO A 1/2-INCH REBAR FOUND AND SOUTH 28 DEGREES 34 MINUTES 08 SECONDS EAST A DISTANCE OF 10.20 FEET TO A POINT IN THE DIVISION LINE BETWEEN GWINNETT COUNTY, GEORGIA (PER DEED BOOK 54005, PAGE 731, GWINNETT COUNTY RECORDS) TO THE SOUTHWEST AND SUGARLOAF GD, LLC (PER DEED BOOK 54798, PAGE 1, GWINNETT COUNTY RECORDS) TO THE NORTHEAST; THENCE DEPARTING SAID SOUTHEASTERLY RIGHT-OF-WAY OF MEADOW CHURCH ROAD AND WITH SAID DIVISION LINE, SOUTH 28 DEGREES 34 MINUTES 08 SECONDS EAST A DISTANCE OF 373.54 FEET TO A 1/2-INCH REBAR FOUND IN THE DIVISION LINE BETWEEN SAID SUGARLOAF GD, LLC TO THE NORTHWEST AND SAID GWINNETT COUNTY, GEORGIA (PER DEED BOOK 6153, PAGE 274, DEED BOOK 14939, PAGE, 232, DEED BOOK 30005, PAGE 190 AND DEED BOOK 56152, PAGE 575, GWINNETT COUNTY RECORDS) TO THE SOUTHEAST; THENCE WITH SAID DIVISION LINE, NORTH 56 DEGREES 34 MINUTES 11 SECONDS EAST A DISTANCE OF 430.20 FEET TO A POINT ON SAID SOUTHWESTERLY RIGHT-OF-WAY OF SUGARLOAF PARKWAY; THENCE WITH SAID SOUTHWESTERLY RIGHT-OF-WAY OF SUGARLOAF PARKWAY THE FOLLOWING FOURTEEN (14) COURSES AND DISTANCES: SOUTH 28 DEGREES 13 MINUTES 07 SECONDS EAST A DISTANCE OF 154.01 FEET TO A POINT; NORTH 61 DEGREES 46 MINUTES 53 SECONDS EAST A DISTANCE OF 15.00 FEET TO A POINT; SOUTH 28 DEGREES 13 MINUTES 07 SECONDS EAST A DISTANCE OF 274.24 FEET TO A POINT; FOLLOWING THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 514.41 FEET (SAID ARC BEING SUBTENDED BY A RADIUS OF 1085.92 FEET AND A CHORD OF SOUTH 14 DEGREES 38 MINUTES 52 SECONDS EAST A DISTANCE OF 509.61 FEET) TO A POINT; SOUTH 01 DEGREES 04 MINUTES 37 SECONDS EAST A DISTANCE OF 409.48 FEET TO A POINT; SOUTH 01 DEGREES 04 MINUTES 37 SECONDS EAST A DISTANCE OF 96.67 FEET TO A POINT; FOLLOWING THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 212.03 FEET (SAID ARC BEING SUBTENDED BY A RADIUS OF 1014.93 FEET AND A CHORD OF SOUTH 07 DEGREES 03 MINUTES 43 SECONDS EAST A DISTANCE OF 211.65 FEET) TO A POINT; ALONG A CURVE TO THE LEFT A DISTANCE OF 199.99 FEET (SAID ARC BEING SUBTENDED BY A RADIUS OF 1014.78 FEET AND A CHORD OF SOUTH 14 DEGREES 45 MINUTES 09 SECONDS EAST A DISTANCE OF 199.66 FEET) TO A POINT; ALONG A CURVE TO THE LEFT A DISTANCE OF 268.68 FEET (SAID ARC BEING SUBTENDED BY A RADIUS OF 1014.78 FEET AND A CHORD OF SOUTH 34 DEGREES 24 MINUTES 21 SECONDS EAST A DISTANCE OF 267.89 FEET) TO A POINT; SOUTH 41 DEGREES 59 MINUTES 28 SECONDS EAST A DISTANCE OF 108.55 FEET TO A POINT; SOUTH 48 DEGREES 00 MINUTES 30 SECONDS WEST A DISTANCE OF 35.36 FEET TO A POINT; SOUTH 41 DEGREES 59 MINUTES 30 SECONDS EAST A DISTANCE OF 125.00 FEET TO A POINT; SOUTH 78 DEGREES 51 MINUTES 41 SECONDS EAST A DISTANCE OF 50.00 FEET TO A POINT AND SOUTH 41 DEGREES 59 MINUTES 30 SECONDS EAST A DISTANCE OF 16.62 FEET TO A POINT IN THE DIVISION LINE BETWEEN SAID GWINNETT COUNTY, GEORGIA TO THE NORTHWEST, WEST AND SOUTH, RESPECTIVELY, AND KAPOOR & SONS, LLC (PER DEED BOOK 49934, PAGE 873, GWINNETT COUNTY RECORDS) TO THE SOUTHEAST, EAST AND NORTH, RESPECTIVELY); THENCE DEPARTING SAID SOUTHWESTERLY RIGHT-OF-WAY OF SUGARLOAF PARKWAY AND WITH SAID DIVISION LINE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: SOUTH 57 DEGREES 03 MINUTES 18 SECONDS WEST A DISTANCE OF 453.64 FEET TO A 1/2-INCH REBAR FOUND; SOUTH 06 DEGREES 53 MINUTES 13 SECONDS EAST A DISTANCE OF 578.86 FEET TO A 1/2-INCH REBAR FOUND; SOUTH 87 DEGREES 04 MINUTES 42 SECONDS EAST A DISTANCE OF 12.13 FEET TO A POINT AND NORTH 68 DEGREES 25 MINUTES 15 SECONDS EAST A DISTANCE OF 83.23 FEET TO A POINT IN THE DIVISION LINE BETWEEN SAID GWINNETT COUNTY, GEORGIA TO THE SOUTH AND HEAP HOLDINGS, LLC

(PER DEED BOOK 53088, PAGE 492, GWINNETT COUNTY RECORDS) TO THE NORTH; THENCE WITH SAID DIVISION LINE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: NORTH 68 DEGREES 25 MINUTES 15 SECONDS EAST A DISTANCE OF 14.63 FEET TO A POINT; NORTH 81 DEGREES 52 MINUTES 29 SECONDS EAST A DISTANCE OF 84.85 FEET TO A POINT; SOUTH 86 DEGREES 42 MINUTES 22 SECONDS EAST A DISTANCE OF 87.14 FEET TO A POINT AND SOUTH 75 DEGREES 40 MINUTES 21 SECONDS EAST A DISTANCE OF 22.69 FEET TO A POINT IN THE DIVISION LINE BETWEEN SAID GWINNETT COUNTY, GEORGIA TO THE SOUTH AND SOUTHEAST, RESPECTIVELY, AND PEANUT BUTTER ASSOCIATES, LLC (PER DEED BOOK 50411, PAGE 529, GWINNETT COUNTY RECORDS) TO THE NORTH AND NORTHWEST, RESPECTIVELY; THENCE WITH SAID DIVISION LINE THE FOLLOWING SIX (6) COURSES AND DISTANCES: SOUTH 75 DEGREES 40 MINUTES 21 SECONDS EAST A DISTANCE OF 25.82 FEET TO A POINT; NORTH 69 DEGREES 55 MINUTES 22 SECONDS EAST A DISTANCE OF 99.02 FEET TO A POINT; NORTH 56 DEGREES 32 MINUTES 50 SECONDS EAST A DISTANCE OF 204.96 FEET TO A POINT; NORTH 01 DEGREES 36 MINUTES 32 SECONDS WEST A DISTANCE OF 71.03 FEET TO A POINT; NORTH 19 DEGREES 17 MINUTES 41 SECONDS EAST A DISTANCE OF 127.14 FEET TO A POINT AND NORTH 28 DEGREES 56 MINUTES 29 SECONDS EAST A DISTANCE OF 63.80 FEET TO A POINT ON SAID SOUTHWESTERLY RIGHT-OF-WAY OF SUGARLOAF PARKWAY; THENCE WITH SAID SOUTHWESTERLY RIGHT-OF-WAY OF SUGARLOAF PARKWAY THE FOLLOWING TWO (2) COURSES AND DISTANCES: SOUTH 37 DEGREES 17 MINUTES 54 SECONDS EAST A DISTANCE OF 127.94 FEET TO A POINT AND SOUTH 41 DEGREES 23 MINUTES 47 SECONDS EAST A DISTANCE OF 179.57 FEET BACK TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL CONTAINING 120.2318 ACRES (5,237,297 SQUARE FEET).