

**SPECIAL USE PERMIT APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: PSFD, LLC c/o Melody Glouton, Esq. ADDRESS: 1960 Satellite Blvd., Ste 4000 CITY: Duluth STATE: GA ZIP: 30097 PHONE: 770-822-0900	NAME: PSFD, LLC c/o Melody Glouton, Esq. ADDRESS: 1960 Satellite Blvd., Ste 4000 CITY: Duluth STATE: GA ZIP: 30097 PHONE: 770-822-0900
CONTACT PERSON: Melody A. Glouton, Esq. PHONE: 770-822-0900 CONTACT'S E-MAIL: mglouton@atclawfirm.com	

\*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: C2	BUILDING/LEASED SQUARE FEET: 20,511 +/-
PARCEL NUMBER(S): R3002 077	ACREAGE: 2.70
ADDRESS OF PROPERTY: 3210 Sardis Church Rd., Buford, GA 30519	
SPECIAL USE REQUESTED: Enclosed Climate Controlled Self-Storage Facility and RV parking lot	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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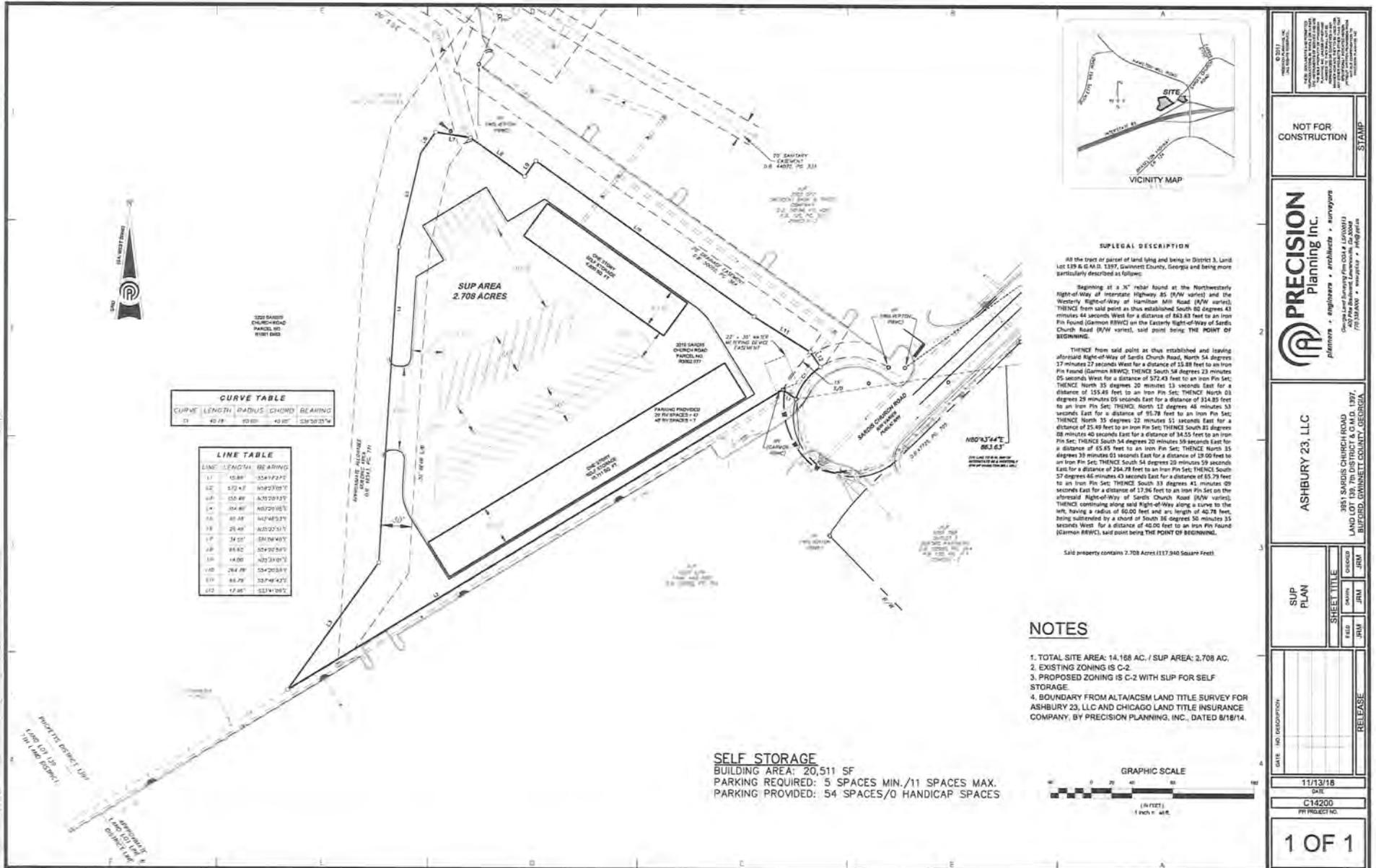
**SUP2019-00014**

Legal Description

All that tract or parcel of land lying and being in Land Lot 139 of the 7th District, 1397<sup>th</sup>, Pucketts G.M.D, Gwinnett County, Georgia being depicted as Outparcel, containing 2.708 acres according to a plat of survey for "PSHM, LLC, PSFD, LLC and Towne Center Pond, LLC" dated November 9, 2017, as prepared by Precision Planning, Inc. and being recorded in Plat Book 140, Page 235, Gwinnett, Georgia records.

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**CURVE TABLE**

CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	45.78	10.00'	43.00'	S30°30'34"

**LINE TABLE**

LINE	LENGTH	BEARING
L1	15.88	S54°22'30" E
L2	1.02	S78°23'00" E
L3	150.49	S70°20'15" E
L4	104.40	S02°29'00" E
L5	40.48	N42°44'32" E
L6	26.48	N02°20'31" E
L7	34.00	S81°06'40" E
L8	85.62	S24°20'53" E
L9	14.00	N02°34'00" E
L10	284.89	S54°20'33" E
L11	88.78	S37°46'43" E
L12	17.00	S33°14'00" E

**LEGAL DESCRIPTION**

All the tract or parcel of land lying and being in District 3, Land Lot 129 B-G-10-2, 1297, Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at a "X" rebar found at the Northwestly Right-of-Way of Interstate Highway 85 (R/W varies) and the Westerly Right-of-Way of Hamilton Mill Road (R/W varies); THENCE from said point as thus established South 80 degrees 43 minutes 44 seconds West for a distance of 843.63 feet to an Iron Pin found (Garrison BRVCI) on the Easterly Right-of-Way of Saughs Church Road (R/W varies), said point being THE POINT OF BEGINNING;

THENCE from said point as thus established and leaving off-south Right-of-Way of Saughs Church Road, North 54 degrees 17 minutes 27 seconds West for a distance of 15.88 feet to an Iron Pin found (Garrison BRVCI), THENCE South 58 degrees 23 minutes 05 seconds West for a distance of 572.43 feet to an Iron Pin Set; THENCE North 35 degrees 20 minutes 13 seconds East for a distance of 155.48 feet to an Iron Pin Set; THENCE North 03 degrees 29 minutes 05 seconds East for a distance of 314.85 feet to an Iron Pin Set; THENCE North 12 degrees 48 minutes 33 seconds East for a distance of 18.78 feet to an Iron Pin Set; THENCE North 35 degrees 22 minutes 51 seconds East for a distance of 35.48 feet to an Iron Pin Set; THENCE South 82 degrees 08 minutes 40 seconds East for a distance of 34.55 feet to an Iron Pin Set; THENCE South 34 degrees 20 minutes 59 seconds East for a distance of 65.95 feet to an Iron Pin Set; THENCE North 35 degrees 39 minutes 03 seconds East for a distance of 19.00 feet to an Iron Pin Set; THENCE South 54 degrees 20 minutes 59 seconds East for a distance of 264.78 feet to an Iron Pin Set; THENCE South 57 degrees 46 minutes 43 seconds East for a distance of 65.79 feet to an Iron Pin Set; THENCE South 33 degrees 41 minutes 09 seconds East for a distance of 17.36 feet to an Iron Pin Set on the off-south Right-of-Way of Saughs Church Road (R/W varies); THENCE continuing along said Right-of-Way along a curve to the left, having a radius of 60.00 feet and arc length of 40.78 feet, being subtended by a chord of South 36 degrees 40 minutes 31 seconds West for a distance of 40.00 feet to an Iron Pin found (Garrison BRVCI), said point being THE POINT OF BEGINNING.

Said property contains 2.708 Acres 117,940 Square Feet.

- NOTES**
- TOTAL SITE AREA: 14.168 AC. / SUP AREA: 2.708 AC.
  - EXISTING ZONING IS C-2
  - PROPOSED ZONING IS C-2 WITH SUP FOR SELF STORAGE.
  - BOUNDARY FROM ALTA/ACSM LAND TITLE SURVEY FOR ASHBURY 23, LLC AND CHICAGO LAND TITLE INSURANCE COMPANY, BY PRECISION PLANNING, INC., DATED 8/18/14.

**SELF STORAGE**  
 BUILDING AREA: 20,511 SF  
 PARKING REQUIRED: 5 SPACES MIN./11 SPACES MAX.  
 PARKING PROVIDED: 54 SPACES/0 HANDICAP SPACES



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**NOT FOR CONSTRUCTION**

**PRECISION**  
 Planning Inc.  
 planners • engineers • architects • surveyors  
 1000 Peachtree Street, N.E., Suite 1000  
 Atlanta, Georgia 30309  
 770.333.8888 • www.precisionplanning.com

**ASHBURY 23, LLC**

385 SAUGHS CHURCH ROAD  
 LAND LOT 129 B-G-10-2, 1297,  
 GWINNETT COUNTY, GEORGIA

SUP PLAN	SHEET TITLE	
	FIELD	CHECKED
DATE: 11/13/18	JAM	JIM
	JAM	JIM
GATE: 11/13/18	RELEASE	
	DATE	
C14200		
PP PROJECT NO.		
<b>1 OF 1</b>		

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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:

Please see attached

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

Please see attached

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

Please see attached

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- (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:

Please see attached

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

Please see attached

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- (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:

Please see attached

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**SPECIAL USE PERMIT APPLICANT PSFD, LLC'S**  
**RESPONSE TO STANDARDS GOVERNING THE EXERCISE OF ZONING POWER**

- 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. Climate-controlled self-storage and RV parking lot uses create conditions and provide support for a true live-work environment. The proposed, quality storage use, as well as the RV parking lot, will support the influx of businesses and residents in the Hamilton Mill area.

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

No. The proposed Special Use Permit will not adversely affect the existing uses or usability of any of the nearby properties. The continued use of the property for retail and commercial uses is compatible with surrounding development. Self-storage and RV parking uses generally have minimal access, typically after work and on weekends. Due to the limited customer use, there will be nominal traffic and parking compared to similarly-sized retail uses. The proposed development is appropriate for this property, located at the back of a secondary commercial corridor, and is entirely consistent with the current zoning and nearby commercial uses. This request will result in an attractive, high-quality and unobtrusive self-storage facility with far fewer adverse impacts than the currently approved retail and commercial uses for this property.

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

No. The existing configuration, nearby retail uses, Wal-Mart, and other factors, make development of the entire property under the current zoning conditions extremely difficult, if not impossible. As a result of those factors, prior projects have fallen through. Moreover, due to the size, layout, location, and topography of the subject property, the Applicant submits that the subject property does not have reasonable economic use as currently zoning without the requested special use permit.

- 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:

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No. The proposed Special Use Permit Application will not result in an excessive or burdensome use of the infrastructure systems. The subject property is located off of Sardis Church Road with access to utilities. The proposed self-storage facility and RV parking would also be a far less intensive use than traditional office/commercial/retail uses from the standpoint of generating far less traffic, noise, and impact on utilities and sewer. Public water and sewer is readily available as needed and little to no utility infrastructure is required.

The subject property is located in a mixed-retail and commercial area; on a secondary commercial corridor with ample access and multiple routes to I-85, and commercial corridors. The requested special use permit will actually have far less impact on existing streets, transportation facilities and utilities than the currently approved large-scale retail uses and will have absolutely no impact on the schools and minimal impact on roads and utilities.

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

Yes. The proposed Special Use Permit Application is in conformity with the policy and intent of the 2030 Land Use Plan. The proposed self-storage and RV parking use presents a significant down-zoning from the large-scale retail uses currently permitted and planned for this property. The subject property is located in a retail node near I-85, across from a park and ride, with easy access to Hamilton Mill Road. The proposed self-storage facility is consistent with the use and development of adjacent and nearby properties, a majority of which include more intense commercial and retail uses. The proposed self-storage facility would also be a far less intensive use than traditional commercial/retail uses from the standpoint of generating a far less impact on traffic, noise, infrastructure and utilities.

(F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER THE APPROVAL OR DISAPPROVAL OF THE ZONING PROPOSAL:

Yes. The request is supported by: (1) the location of the subject property near a secondary road and intense, existing commercial/retail and (2) the need for self-storage and RV parking uses for nearby residents and businesses.

Melody A. Glouton  
Email: [mglouton@atclawfirm.com](mailto:mglouton@atclawfirm.com)

Telephone: 770.822.0900  
Direct Dial: 770.339.0475  
Direct Fax: 770.236.9719

December 4, 2018

**VIA HAND DELIVERY**

Gwinnett County Planning and Development  
c/o Kathy Holland, Director of Planning and Development  
446 West Crogan Street  
Lawrenceville, GA 30046-2440

**RE: LETTER OF INTENT FOR SPECIAL USE PERMIT OF PSFD, LLC**

Dear Director and Staff:

Andersen, Tate & Carr, P.C., submits this Letter of Intent and attached Special Use Permit Application (the "Application") on behalf of PSFD, LLC, (the "Applicant"), for the purpose of requesting a Special Use Permit for the use of a climate-controlled self-storage facility and RV parking lot on an approximately 2.7 acre-tract of vacant land (the "Property") located at 3221 Sardis Church Road, Buford, Georgia.

The Property is currently zoned C-2. The adjacent Walmart was zoned in 1997 for intense retail use. Nearby uses also include a Tires Plus automotive repair store and service center, located across the street from the subject property, and an industrial-zoned distribution center.

The requested Special Use Permit would allow the Applicant to develop the remaining acreage for a quality self-storage and RV parking use on 2.7 acres, for approximately 20,511 sq. ft. of storage space. The Applicant is experienced in developing and operating quality self-storage businesses, including existing location in Buford, Georgia, at 3220 Sardis Church Road and 2240 Sparta Way. Both locations are known as *Premier Storage*. Self-storage and RV parking uses have been permitted in similar locations throughout Gwinnett County. The proposed materials emphasize high-quality design standards, to include brick fronts with high-quality metal frames. The proposed storage facility would also include certain units which will allow for boat and automobile storage, serving many of the residents in the area. The proposed self-storage and RV parking use is compatible with the adjacent residents and businesses.

In addition to the shared access on Sardis Church Road, a secondary road, the Property will share a management and leasing office with the existing location at 3220 Sardis Church

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Road, including security fencing around the self-storage property. The Property includes extensive screening and buffering from the adjacent residential property due to the existing stream bed and buffer requirements, which will not be disturbed. The proposed self-storage and RV parking use presents a significant down-zoning from the retail uses permitted and planned for this property.

As historically supported by infrastructure and services, self-storage uses allow for a true live-work environment by supporting businesses, entrepreneurs and residents alike. Recent studies show that business uses account for more than 40% of all self-storage units in the United States. The proposed use would also be designed to meet the Gwinnett County overlay and development standards and requirements, and would be entirely consistent with the existing commercial and retail node in which it is located.

The Applicant proposes a site plan that is also in compliance with many of the existing conditions and is working with Wal-Mart, the adjacent property owner, to address any existing covenants. While creating additional tax revenue, self-storage facilities are a quiet, low-impact use. The proposed use will generate far less traffic than large-scale retail uses previously proposed for this property, which included more than 120,000 sq. ft. of retail space.

The Property is located on a secondary road with easy access to multiple routes and major roads, including I-85 and I-985, with little to no impact on traffic. The Property's close proximity to residential and commercial uses will allow the Applicant to serve those customers with minimal impact on neighboring property owners. The concept site plan provides efficient circulation for ingress/egress, and allows for inter-parcel access. The Property has access to a public water supply, public sanitary sewer, and convenient access to collector streets, major thoroughfares and a major state highway. The Property has remained undeveloped due to its size, shape and location, and the current zoning district and conditions make the Property unmarketable with no reasonable, economic use.

The Applicant respectfully requests that the Board of Commissioners, Planning Commission, and staff recommend and approve the Applicant's request for a special use permit. The proposed use is effectively down-zoning of the subject property to a less intense use than the existing retail uses, while providing the Applicant and property owner with a viable, economic use.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application filed herewith. The Applicant respectfully requests your approval of this Application.

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Respectfully submitted this 4<sup>th</sup> day of December, 2018.

ANDERSEN, TATE & CARR, P.C.

*Melody A. Glouton*

Melody A. Glouton, Esq.  
Attorney for the Applicant

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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

11-27-18

Date

Ken Gary, Manager

Type or Print Name and Title



Signature of Notary Public

11-27-18

Date



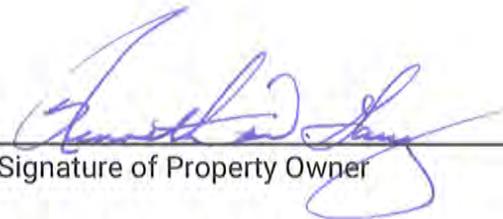
Notary Seal

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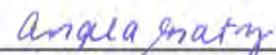
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**SPECIAL USE PERMIT PROPERTY OWNER'S CERTIFICATION**

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 \_\_\_\_\_ Date 11-27-18

Ken Gary, Manager  
Type or Print Name and Title \_\_\_\_\_

  
Signature of Notary Public \_\_\_\_\_ Date 11-27-18



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**SPECIAL USE PERMIT IN A  
RESIDENTIAL DISTRICT**

(Only submit with Special Use Permit Application for a use within a residence)

I, the undersigned applicant, understand and agree that the Special Use Permit, if approved, shall automatically terminate in the event that this property is sold, transferred or otherwise conveyed to any other party, or the business which operates the special use is sold, transferred, otherwise conveyed or discontinued.



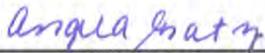
Signature of Applicant

Ken Gary, Manager

Type or Print Name

11-27-18

Date



Signature of Notary Public

11-27-18

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.

*Ken Gary* 11-27-18 Ken Gary, Manager  
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

*Melody A. Glouton* 11/27/18 Melody A. Glouton, Attorney  
 SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE  
 ATTORNEY OR REPRESENTATIVE

*Angela Inatry* 11-27-18  
 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 Andersen, Tate & Carr, P.C.  
 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)
See Exhibit "B"		

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

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**EXHIBIT B AND DISCLOSURE OF CAMPAIGN CONTRIBUTIONS  
BY ANDERSEN, TATE & CARR, P.C., ATTORNEY FOR APPLICANT**

<b>NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL</b>	<b>CONTRIBUTIONS</b>	<b>DATE CONTRIBUTION WAS MADE</b>
Charlotte Nash Commission Chairman	\$1,000 \$500 \$578.10	March 2016 October 20, 2016 October 20, 2016
Jace Brooks District 1 Commissioner	\$500	March 2016
Tommy Hunter, District 3 Commissioner	\$500	January 27, 2016
Lynette Howard District 2 Commissioner	\$500	April 10, 2018
John Heard District 4 Commissioner	\$500	June 15, 2018

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