

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>New Hope Express, LLC</u>	NAME: <u>Vicki Bowen St. Clair</u>
ADDRESS: <u>PO Box 465283</u>	ADDRESS: <u>365 Thornhill Drive</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Braselton</u>
STATE: <u>GA</u> ZIP: <u>30042</u>	STATE: <u>GA</u> ZIP: <u>30517</u>
PHONE: <u>770-375-8923</u>	PHONE: _____
CONTACT PERSON: <u>c/o Eric Johansen</u> PHONE: <u>678-571-4843</u>	
CONTACT'S E-MAIL: <u>fwj3ventures@gmail.com</u>	

APPLICANT IS THE:

OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): R-100 REQUESTED ZONING DISTRICT: C-2

PARCEL NUMBER(S): 5183 427 ACREAGE: +/- 1.73 acres

ADDRESS OF PROPERTY: New Hope Road (no numerical address located)

PROPOSED DEVELOPMENT: C-Store with Gas Pumps, Retail shops, with a proposed 75' Buffer Reduction

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units _____	No. of Buildings/Lots: <u>1</u>
Dwelling Unit Size (Sq. Ft.): _____	Total Building Sq. Ft. <u>8,900 SF</u>
Gross Density: _____	Density: <u>5,144 SF/Acre</u>
Net Density: _____	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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All that tract or parcel of land lying and being in Land Lot 183 of the 5th Land District, Gwinnett County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the mitered right of way intersection of Glenbrook Cove Connector (right of way varies) and New Hope Road (right of way varies; thence along the northerly aforesaid right of way of Glenbrook Cove Connector (right of way varies) South 55°37'17" West, a distance of 230.22 feet to a point; thence continuing along the aforesaid northerly right of way of Glenbrook Cove Connector (right of way varies) along a curve to the Right for an arc distance of 63.59 feet, said curve having a chord bearing of South 67°00'27" West and a chord distance of 63.17 feet and a radius of 160.00 feet to a point; thence leaving the aforesaid right of way of Glenbrook Cove Connector (right of way varies); thence North 02°38'35" East, a distance of 461.96 feet to a point; thence North 13°08'12" East, a distance of 68.25 feet to a point on the westerly aforesaid right of way of New Hope Road (right of way varies); thence along the aforesaid right of way of New Hope Road (right of way varies) South 66°02'33" East, a distance of 6.98 feet to a point; thence along the aforesaid right of way of New Hope Road (right of way varies) South 34°22'43" East, a distance of 373.00 feet to a point on the westerly aforesaid right of way of New Hope Road (Right of Way Varies); thence along the mitered aforesaid right of way of New Hope Road (right of way varies) South 05°09'52" West, a distance of 62.83 feet to a point, being the Point of Beginning;

Containing 1.732 Acres more or less

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LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 183 of the 5th Land District, Gwinnett County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the mitered right of way intersection of Glenbrook Cove Connector (right of way varies) and New Hope Road (right of way varies); thence along the northerly aforesaid right of way of Glenbrook Cove Connector (right of way varies) South 55°37'17" West, a distance of 230.22 feet to a point; thence continuing along the aforesaid northerly right of way of Glenbrook Cove Connector (right of way varies) along a curve to the Right for an arc distance of 63.53 feet; said curve having a chord bearing of South 57°02'21" West and a chord distance of 63.17 feet and a radius of 160.00 feet to a point; thence leaving the aforesaid right of way of Glenbrook Cove Connector (right of way varies); thence North 02°26'35" East, a distance of 461.96 feet to a point; thence North 13°08'12" East, a distance of 68.25 feet to a point on the westerly aforesaid right of way of New Hope Road (right of way varies); thence along the aforesaid right of way of New Hope Road (right of way varies) South 66°02'33" East, a distance of 6.88 feet to a point; thence along the aforesaid right of way of New Hope Road (right of way varies) South 34°22'43" East, a distance of 373.00 feet to a point on the westerly aforesaid right of way of New Hope Road (right of way varies); thence along the mitered aforesaid right of way of New Hope Road (right of way varies) South 05°09'52" West, a distance of 62.83 feet to a point, being the Point of Beginning;

Containing 1.732 Acres more or less

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GENERAL NOTES

1. THIS REZONING SITE PLAN IS INTENDED TO CONVEY THE PROPOSED LAND USE CHANGE FROM R-100 TO C-2 FOR THE PURPOSE OF DEVELOPING A C-STORE WITH GAS PUMPS AND ADJACENT RETAIL/COMMERCIAL SHOP SPACES THAT COULD INCLUDE RESTAURANTS.
2. ALL ITEMS DEPICTED ON THIS REZONING SITE PLAN ARE CONCEPTUAL IN NATURE AND WILL REQUIRE THE APPROVAL OF GWINNETT COUNTY THRU THE COMMERCIAL DEVELOPMENT PERMIT PROCESS.
3. ALL LANDSCAPING SHOWN ON THIS SITE PLAN IS CONCEPTUAL AND IS SUBJECT TO THE REVIEW AND APPROVAL OF GWINNETT COUNTY.
4. ALL EXISTING INFORMATION WAS OBTAINED FROM PREVIOUS SURVEYS PROVIDED BY THE APPLICANT TO THE DESIGNER, GWINNETT COUNTY GIS, READILY AVAILABLE AERIAL INFORMATION, AND VISUAL INSPECTION FROM A SITE VISIT PERFORMED BY THE DESIGNER.
5. ANY CONFLICTS WILL BE RESOLVED DURING THE PERMITTING PROCESS.

24 HOUR CONTACT

MR. AMIN MERCHANT
770-375-8923 cell
merchantllc@gmail.com

REZONING CHANGE

R-100 (EXISTING)
C-2 (PROPOSED)

PROPOSED VARIANCE REQUESTS

1. TO REDUCE THE REQUIRED SEVENTY FIVE (75) FOOT RESIDENTIAL BUFFER TO A TWENTY FIVE (25) FOOT RE-GRADED AND RE-PLANTED LANDSCAPE STRIP ALONG ALL COMMON PROPERTY LINES WHERE THE PROPOSED DEVELOPMENT ADJUTS RESIDENTIALLY ZONED PROPERTY.
2. INSTALL A DOUBLE STAGGERED ROW OF EVERGREEN TREES PLANTED ON TWENTY (20) FOOT CENTERS WITHIN EACH ROW, EACH TREE SHALL BE A MINIMUM OF EIGHT (8) FEET TALL AT TIME OF INSTALLATION.
3. CONSTRUCT AN EARTHEN BERM WITHIN THE TWENTY FIVE (25) FOOT WITHIN THE LANDSCAPE STRIP. THE HEIGHT OF THE EARTHEN BERM WILL BE DETERMINED AFTER FINAL ENGINEERING HAS BEEN COMPLETED AT THE TIME OF DEVELOPMENT PERMITTING.
4. TO PERMIT THE ABOVE GROUND DETENTION FACILITY TO BE LOCATED, UP TO A MAXIMUM DISTANCE OF FIFTEEN (15) FEET, WITHIN THE PROPOSED TWENTY FIVE (25) FOOT LANDSCAPE STRIP.

SITE DATA CHART

GWINNETT COUNTY TAX PARCEL	R5183 427
ADDRESS OF PROPERTY	INTERSECTION OF NEW HOPE ROAD & GLENBROOK COVE CONNECTOR
AREA OF SUBJECT PROPERTY	±1.732 ACRES
EXISTING ZONING OF SUBJECT PROPERTY	R-100
PROPOSED ZONING OF SUBJECT PROPERTY	C-2
PROPOSED USE OF SUBJECT PROPERTY	C-STORE WITH GAS PUMPS & RETAIL/COMMERCIAL USES INCLUDING RESTAURANTS
PROPOSED BUILDING SQUARE FOOTAGE	±8,900 SF
PROPOSED CANOPY SQUARE FOOTAGE	±5,400 SF
PARKING SPACES REQUIRED	SEE ADJACENT PARKING REQUIREMENTS
PARKING SPACES SHOWN (INCLUDING HQ)	50 PARKING SPACES

PARKING RQMT'S

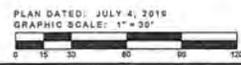
C-STORE	1 SPACE / 500 SF (MIN)
	1 SPACE / 125 SF (MAX)
RETAIL/COMMERCIAL	1 SPACE / 500 SF (MIN)
	1 SPACE / 200 SF (MAX)
RESTAURANT	1 SPACE / 150 SF (MIN)
	1 SPACE / 175 SF (MAX)

OWNER / DEVELOPER:
NEW HOPE EXPRESS, LLC
PO BOX 465283
LAWRENCEVILLE, GA 30042
CONTACT: AMIN MERCHANT
PHONE: (770) 375-8923 cell

LAND PLANNER:
JB FREE DEVELOPMENT & CONSULTING SERVICES, LLC
6566 WHITE SPRUCE AVENUE
BRASELTON, GA 30517
CONTACT: JOHNNY FREE
PHONE: (678) 925-6904 cell



Know what's below. Call before you dig.



REZONING SITE PLAN - PROPOSED C-STORE W/ GAS PUMPS

NEW HOPE ROAD

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS 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 REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes, the proposed C-2 development will be consistent with the changes associated with the roadways and interchanges in the immediate area

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

No, the proposed rezoning should not adversely affect the existing uses or nearby properties as the immediate area has been changed by the expansion of Sugarloaf Parkway and New Hope Road causing commercial nodes to occur at the interchanges

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

No, the property as currently zoned would be hard pressed to be used as a residential use as R-100. The changes to the immediate and surrounding area as a result of the road changes would make the subject property not a desirable place to live and raise a family.

- (D) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

No, the proposed use as C-2 will not cause an excessive or burdensome use of the existing streets, transportation facilities, utilities or schools. The proposed use will be a compliment and will blend in perfectly to the immediate and surrounding area.

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

Yes, the proposed use is in conformity with the policy and intent of the Land Use Plan. The proposed use would provide service commercial uses for the immediate and surrounding residential communities.

- (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 REZONING:

None other than those stated above and located within the Letter of Intent as part of this application.

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JBFree Development & Consulting Services, LLC
6566 White Spruce Avenue
Braselton, GA 30517

July 5, 2019

Gwinnett County Board of Commissioners
c/o Kathy Holland
Director of Planning and Development
446 West Crogan Street
Lawrenceville, GA 30045

Re: New Hope Road and Glenbrooke Cove Connector – Rezoning Letter of Intent
Tax Parcel: R5183 427
Gwinnett County, GA

Dear Ms. Holland,

JBFree Development & Consulting Services, LLC (“JBFree”) has been retained by New Hope Express, LLC (the “Applicant”) to pursue a Rezoning Application (the “Application”) for real property located near the intersection of New Hope Road, Glenbrooke Cove Connector, and Sugarloaf Parkway, and further described as Gwinnett County Tax Parcel R5183 427 that is approximately ±1.73 acres (the “Subject Property”). **The Applicant is Contract Purchaser of the Subject Property.** The Subject Property is currently zoned R-100 and is surrounded by other similarly zoned residential properties along with all of the recent transportation improvements caused by the expansion of Sugarloaf Parkway from GA 20 to Highway 316 that has created a defined commercial node.

The Applicant is proposing a Rezoning of the Subject Property to C-2 (General Business District) for a proposed C-Store with Gas Pumps and complimentary Retail/Commercial in-line shop spaces that could also be used for Restaurant purposes.

The New Hope Road and Sugarloaf Parkway commercial corridor within the immediate vicinity of the Subject Property has an average daily traffic count of 14,085 ADT based on the Gwinnett County Department of Transportation 2018 traffic data. Additionally, the University Parkway (Highway 316) and Sugarloaf Parkway intersection has an average daily traffic count of 40,700 ADT based on Georgia Department of Transportation 2018 traffic data. Finally, the Glenbrooke Cove Connector travel path has an average daily traffic count of 9,750 ADT based on Georgia Department of Transportation 2018 traffic data. The Subject Property is bordered by an R-100 residentially zoned property to the rear, Sugarloaf Parkway to the north, New Hope Road to the east, and Glenbrooke Cove Connector to the south. New Hope Road has been recently upgraded to a six (6) lane road to facilitate the future transportation demands of the intersection of New Hope Road and Sugarloaf Parkway which will serve as the commercial node for this corridor.

The proposed C-2 development will include the construction of C-Store building with adjacent Retail/Commercial uses that will be packaged in the form of traditional in-line shop spaces. The C-Store will be complimented by a Gas Canopy that would have the ability to utilize five (5) bays each using a double pump system for a total of twenty (20) gas pumps for customers to use. On-site there are fifty (50) parking spaces proposed that will be shared between the C-Store customers and the Retail/Commercial customers. Additionally, the proposed development will feature a five (5) foot concrete sidewalk surrounding the property on both New Hope Road and Glenbrooke Cove Connector. Finally, the development will have a ten (10) foot landscape strip on all road frontages that will be planted with street trees. The proposed architecture for the C-Store complex will be complimentary to the immediate and surrounding area and will utilize a mixture of brick, stone, glass, metal, EIFS, and other complimentary architectural treatments.

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The Applicant is also requesting the County to consider reducing the required seventy-five (75) foot residential buffer to a twenty-five (25) foot re-graded and re-planted evergreen landscape strip. The existing vegetation will need to be removed for the construction and development of the Subject Property and would be better served by the construction of a small earthen berm with evergreen trees planted on top of said proposed berm. Our proposal for the reduction of the buffer would be as follows:

1. To permit a 25 foot re-graded and re-planted landscape strip along the common property line where the proposed development is adjacent to residentially zoned property.
2. The 25 foot re-graded and re-planted landscape strip will be planted with a double staggered row of evergreen trees that will be a minimum of 8 feet tall at the time of planting and spaced on 20-foot centers within each row.
3. Installation of an earthen berm that will be solely located within the proposed 25 foot re-graded and re-planted landscape strip, the height to be determined once the final engineering and grading of the proposed landscape strip area has been completed.
4. To permit the proposed above ground detention facility to be located within the 25 foot re-graded and re-planted landscape strip, as needed, to achieve the necessary detention pond, water quality, and channel protection volumes.
5. All plant materials installed within the 25 foot re-graded and re-planted landscape strip shall be given credit towards any/all required tree density units required for the proposed development on the Subject Property.

We respectfully request your approval of this request for the Rezoning from R-100 to C-2 for the proposed C-Store with Gas Pumps and adjacent Retail/Commercial inline shop spaces located on the Subject Property. The proposed use on the Subject Property is consistent with the current Unified Plan and creates an opportunity to for commercial uses located at a defined commercial node. We are available to meet with the County staff and District Representatives at any time to further discuss the merits of this Application upon request.

Thank you for your consideration of this Application.

Sincerely,



Eric Johansen, RLA
Consultant for JBFree Development & Consulting Services, LLC
Agent for the Applicant

cc: Applicant
File

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REZONING 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.

Amin Merchant *07/05/2019*

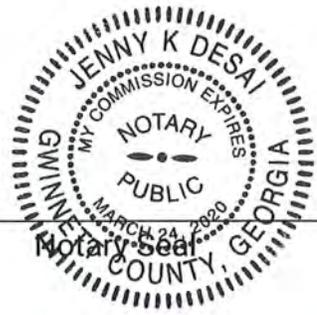
Signature of Applicant Date

Amin Merchant *Managing Member*

Type or Print Name and Title

Jenny K Desai *07/05/2019*

Signature of Notary Public Date



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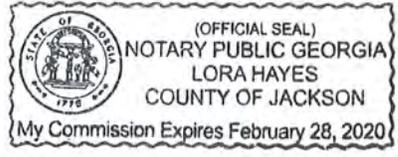
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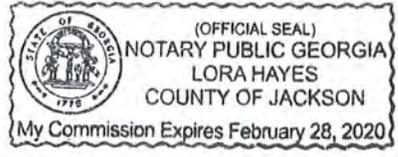
REZONING PROPERTY OWNER'S CERTIFICATION

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.

Vicki Bowen St. Clair 07-05-2019
Signature of Property Owner Date

Vicki Bowen St. Clair Property Owner
Type or Print Name and Title

Lora Hayes 7/5/19 
Signature of Notary Public Date Notary Seal



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CONFLICT OF INTEREST CERTIFICATION FOR REZONING

The undersigned below, making application for a Rezoning, 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.

[Signature] 7/5/19 AMIN MERCHANT / MEMBER MANAGER
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

[Signature] 7/5/2019
 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 New Hope Express, LLC, and Eric Johansen
 YOUR NAME

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

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

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

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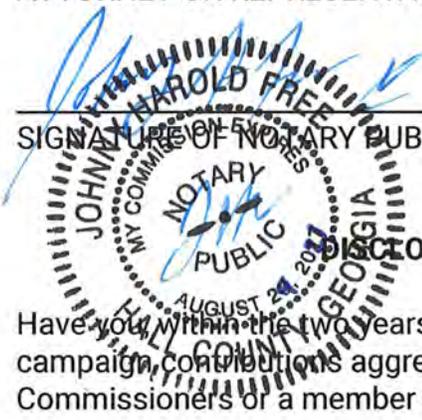
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

[Handwritten Signature] 07.05.2019

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

[Handwritten Signature] 07/05/2019

 SIGNATURE OF NOTARY PUBLIC DATE NOTARY SEAL



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

New Hope Express, LLC, and Eric Johansen

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)

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