SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: READ Holding LLC	NAME: READ-Norcross LLC
ADDRESS: 300 East Smoketree Terrace	ADDRESS: 300 East Smoketree Terrace
CITY: Johns Creek	CITY: Johns Creek
STATE: GA ZIP: 30005	STATE: GA ZIP: 30005
PHONE: 678-458-4834	PHONE: 678-458-4834

CONTACT PERSON: W. Charles "Chuck" Ross, Esq. PHONE: 770-962-0100

CONTACT'S E-MAIL: chuck@wtp.legal

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

APPLICANT IS THE:

☐ OWNER'S AGENT ■ PROPERTY OWNER ☐ CONTRACT PURCHASER

EXISTING/PROPOSED ZONING: M-1/M-2 BUILDING/LEASED SQUARE FEET: 70,600

PARCEL NUMBER(S): R6201 051, R6201 007A ACREAGE: 3.876/4.02

ADDRESS OF PROPERTY: 1527 & 1537 Beaver Ruin Road

SPECIAL USE REQUESTED: Construction Material Recycling Solid Waste Transfer Station

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 201 of the 6th District, Gwinnett County, Georgia, containing 7.896 acres, more and less, and being more particularly described as follows:

Begin at a point located at the intersection of Land Lot 200, Land Lot 201, Land Lot 185, and Land Lot 184, said point being the TRUE POINT OF BEGINNING; from said TRUE POINT OF BEGINNING, run thence along said land lot line common to Land Lot 200 and Land Lot 201 North 30 degrees 45 minutes 00 seconds West a distance of 255.00 feet to a point; continue thence along said land lot line North 30 degrees 45 minutes 00 seconds West a distance of 261.94 feet to a point; thence leaving said land lot line, run North 59 degrees 23 minutes 55 seconds East a distance of 633.45 feet to a point; run thence South 30 degrees 37 minutes 13 seconds East a distance of 205.40 feet to a point; run thence North 53 degrees 23 minutes 47 seconds East a distance of 539.03 feet to a point located on the southwesterly right-of-way line of Beaver Ruin Road (having a 130-foot right-of-way); run thence along said right-of-way line South 72 degrees 28 minutes 25 seconds East a distance of 40.00 feet to a point; continue thence along said right-of-way line South 72 degrees 28 minutes 25 seconds East a distance of 40.00 feet to a point; thence leaving said right-of-way line, run South 69 degrees 39 minutes 10 seconds West a distance of 152.99 feet to a point; run thence South 53 degrees 23 minutes 47 seconds West a distance of 440.29 feet to a point; run thence South 33 degrees 19 minutes 25 seconds East a distance of 290.52 feet to a point located on the land lot line common to Land Lot 201 and Land Lot 184; run thence along said land lot line South 58 degrees 59 minutes 00 seconds West a distance of 647.02 feet to a point located at the intersection of Land Lot 200, Land Lot 201, Land Lot 185, and Land Lot 184, said point being the TRUE POINT OF BEGINNING.

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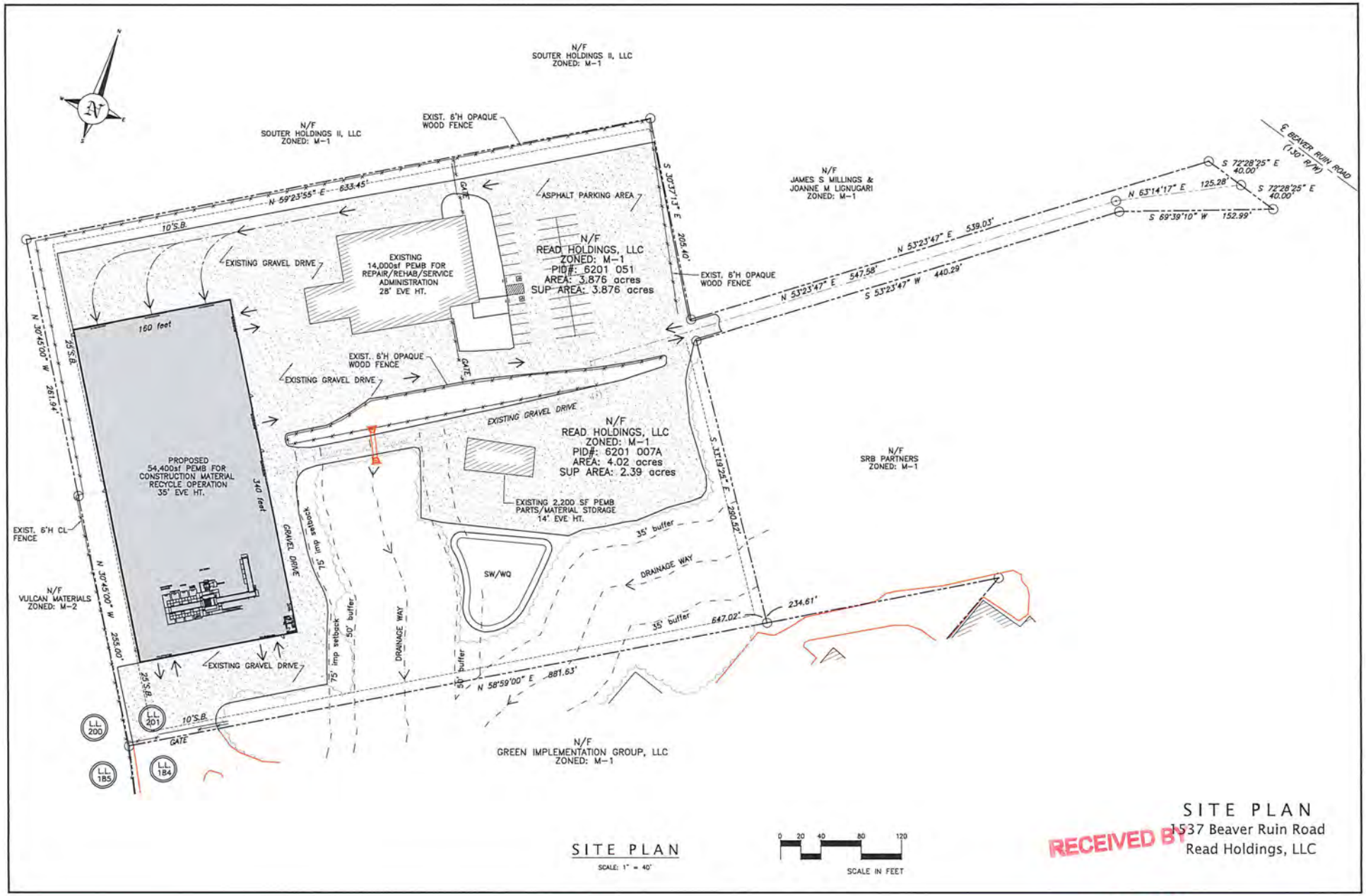

SITE PLAN

SCALE: 1" = 40'

0 20 40 80 120

SCALE IN FEET

SITE PLAN

1537 Beaver Ruin Road

Read Holdings, LLC

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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:

The proposed special use is located within entirely enclosed facilities. These facilities are located in an industrial area which is surrounded by other industrial properties and the operations areas are all out of sight from any adjoining property including any roads. There have been no issues with the current operation, and the proposed use, will bring all processing operations indoors. The Applicant's Special Use will therefore be harmonious with the existing uses of the adjacent and nearby properties.

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

The proposed special use will have no effect upon the existing use or usability of the adjacent properties. The proposed special use will occur inside a fully enclosed facility. The adjacent properties are all heavy industrial uses, including Vulcan Materials. The location is currently occupied by a similar operation and there have been no complaints from the adjacent or nearby properties.

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

A metals recycling transfer operation is currently located upon the property pursuant to a Special Use Permit. However, the current tenant is experiencing financial difficulty and will be leaving the property. Based upon this, Applicant has determined that a more cost-effective and environmentally friendly operation can be realized by moving away from scrap metal transfer to the processing and transfer of construction materials. The Applicant is also developing a similar operation in other locations in the Metro Atlanta area after considerable study into the existing marketplace and determined that the proposed use is the highest and best use for this property.

(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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This property has been used for a similar industrial operation for some time with no such issues. The proposed special use will have no impact upon any of the existing streets, transportation facilities, utilities or schools.

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

The 2040 Comprehensive Plan classifies this area as a Workplace Center. These areas are intended for predominantly employment-oriented uses. The proposed special use and its secluded location within the district makes it the perfect operation for this district and is fully in conformity with both the policy and intent of the plan.

(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:

As noted above, the existing tenant is experiencing financial distress and will be ceasing its operation. Allowing the Applicant to modernize the operation and bring all processing indoors will provide a valuable service to the County while protecting our environment and reducing the materials being sent to landfills.

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Tony Powell
Brian Edwards
Nathan Powell

POWELL & EDWARDS
ATTORNEYS AT LAW

W. Charles Ross
Christopher Day
Jay Crowley
Mandy Williams
Cara Schlosser

October 30, 2020

Kathy Holland, Director
Gwinnett County Planning & Development
75 Langley Drive
Lawrenceville, Georgia 30046

RE: **REZONING AND SPECIAL USE PERMIT APPLICATIONS AND LETTER OF INTENT FOR READ HOLDING, LLC., FOR 1527 AND 1537 BEAVER RUIN ROAD, NORCROSS.**

Dear Ms. Holland:

Powell & Edwards, Attorneys at Law, P.C. submit this Letter of Intent on behalf of READ Holding, LLC. (the "Applicant") to request a Rezoning and a Special Use Permit for a construction material recycling solid waste transfer station to be located at 1527 and 1537 Beaver Ruin Road and having Gwinnett County Tax ID Numbers of R6201 051 and R6201 007A (the "Property").

Applicant is the owner of the 3.876 and 4.02 acre adjoining parcels and the two buildings currently upon them which are currently zoned M-1. Applicant currently leases the 051 parcel to a metals recycler who brings materials in containers to the site, where they are sorted and then hauled off to other locations for disposal. The 007A parcel is currently used for tractor trailer parking pursuant to SUP2019-00023. The metals transfer operation has been successfully operated under Gwinnett County Special Use Permit SUP2015-00022. However, Applicant believes that a better use of the property and one that is friendlier to the environment, is to process recyclable construction materials on-site before they are sent to processors and disposers. This provides for a more cost-effective process and one that drastically reduces the amount of materials sent to our landfills. The Applicant has spoken with the Planning Department and it is understood that this use will require a change in zoning to M-2 as well as a Special Use Permit. This facility will ONLY process **non-hazardous, non-putrescible construction materials** from the demolition, construction, remodeling and renovation trades, there will be **no household waste** allowed on the site. The only change to the site from its current use will be the addition of a fifty-four thousand, four hundred (54,400) square foot building, having an overall height of thirty-five (35) feet, which will house the processing conveyor system. All processing will be conducted indoors and the facility will only operate Mondays through Fridays from 8:00 AM until 5:00 PM. Further, all materials will be housed indoors and there will be no exposed storage. The facility will fully comply with all applicable EPA and Georgia EPD requirements. Further, the site itself is naturally insulated from public view and the surrounding property owners have all been contacted and do not have any opposition to the rezoning or the issuance of a special use permit.

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The proposed facility will employ approximately fifteen (15) employees and will encompass an average floor area density of only 8,948.04 square feet per acre. The only customers entering the site will be the truck drivers delivering the recovered building materials to the facility and truck drivers removing the processed materials from the facility. The existing asphalt parking area will be restriped to accommodate thirty-six (36) parking spaces. The recycling areas are screened by a 100% opaque fence and gate. There has been a suggestion from your staff that this facility also allow homeowners to deliver construction materials for recycling. While this was not the original plan of the Applicant, should the Planning Department believe that such provisions would be desirable the Applicant is certainly open to provide this access to the public with the same constraints regarding allowable materials.

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 of Intent or in its Applications for rezoning and a Special Use Permit filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted,

POWELL & EDWARDS,
ATTORNEYS AT LAW, P.C.

W. Charles "Chuck" Ross
Attorney for Applicant

Enclosures

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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.

10/22/20

Signature of Applicant — Date

Alex Tsynman, Manager

Type or Print Name and Title

JAY PATEL NOTARY PUBLIC GEORGIA FORSYTH COUNTY EXPIRES February 18, 2024

10/22/2020

Signature of Notary Public — Date — Notary Seal

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SPECIAL USE PERMIT PROPERTY OWNER'S CERTIFICATION

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

Signature of Property Owner — Date: 10/22/20

Alex Tsynman, Manager

Type or Print Name and Title

Signature of Notary Public — Date: 10/22/2020 — Notary Seal

JAY PATEL NOTARY PUBLIC FORSYTH COUNTY GEORGIA EXPIRES February 18, 2024

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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.

[signature]	10/22/20	Alex Tsynman, Manager
SIGNATURE OF APPLICANT	DATE	TYPE OR PRINT NAME AND TITLE
[signature]	10/22/2020	W. Charles "Chuck" Ross, Esq.
SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE	DATE	TYPE OR PRINT NAME AND TITLE
[signature]	10/22/2020	
SIGNATURE OF NOTARY PUBLIC	DATE	NOTARY SEAL

JAY PATEL NOTARY PUBLIC GEORGIA EXPIRES February 18, 2024 FORSYTH COUNTY

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 Alex Tsynman, Manager

YOUR NAME

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

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

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

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VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT

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

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

PARCEL I.D. NUMBER: (Map Reference Number) 6 (District) - 201 (Land Lot) - 007A (Parcel)

Signature of Applicant — Date: 10/22/20

Alex Tsynman, Manager

Type or Print Name and Title

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

TAX COMMISSIONERS USE ONLY

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

Jessilyn McDuffie — NAME

TSA — TITLE

10/20/20 — DATE

2019 Current
2020 Due 12/1/20

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VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT

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

PARCEL I.D. NUMBER: (Map Reference Number) 6 (District) - 201 (Land Lot) - 051 (Parcel)

Signature of Applicant — 10/22/20 (Date)

Alex Tsynman, Manager

Type or Print Name and Title

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

TAX COMMISSIONERS USE ONLY

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

Jessilyn McDuffie — NAME

TSA — TITLE

10/28/20 — DATE

2019 current
2020 due 12/01/20

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