

03/28/2023

Gwinnett County Planning Division Special Use Permit Application Last Updated 10/2021

**PROPERTY OWNER INFORMATION\*** 

## SPECIAL USE PERMIT APPLICATION

**APPLICANT INFORMATION** 

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

NAME: Lift One LLC c/o Alliance Engineering and Planning	NAME: PP TANGO GA LLC
ADDRESS: 4525 S. Lee Street	ADDRESS: PO BOX A3879
CITY: Buford	CITY: CHICAGO
STATE: GAZIP:30518	STATE: IL ZIP: 60690-3879
PHONE:	PHONE:
EMAIL:tlasser@allianceco.com	EMAIL: tlasser@allianceco.com
CONTACT PERSON: Tyler Lasser	PHONE:770.225.4730 ext.819
CONTACT'S E-MAIL: tlasser@allianceco.com	
*Include any person having a property interesting any business entity having property interesting and the second s	st and any person having a financial interest st (use additional sheets if necessary).
APPLICAN  OWNER'S AGENT PROPERTY OWNER	
EXISTING/PROPOSED ZONING: M-1 BUILDI	NG/LEASED SQUARE FEET: 46,866
PARCEL NUMBER(S):	_ACREAGE:43.7
ADDRESS OF PROPERTY: 2408 Tech Center	Parkway
SPECIAL USE REQUESTED: Heavy Equipment	Rental, Sales, and Service

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

03/22/2023

**Gwinnett County Planning Division** Special Use Permit Application Last Updated 10/2021

### 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.

	ASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ACHMENT 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
(B)	WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY: Please see attached
	-
(C)	WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED SPECIAL USE PERMIT HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED: Please see attached
(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
(E)	WHETHER THE PROPOSED SPECIAL USE PERMIT IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN: Please see attached
(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

3/22/2023

### 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.

Au Gra - SVP Signature of Applicant

Tebran 13,2023

Stacy Gray-S

Type or Print Name and Title

LORIEI Notary F My Co

LORIEN V LEAMAN-FAY Notary Public, North Carolina Union County My Commission Expires August 29, 2023

Signature of Notary Public

Date

**Notary Seal** 

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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03/22/2023

Gwinnett County Planning Division Special Use Permit Application Last Updated 10/2021

### SPECIAL USE PERMIT PROPERTY OWNER'S CERTIFICATION

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DocuSigned by:		
Klenn Wyles		2/15/2023
Signature of Property Owner		Date
Glenn E. Wylie		Vice President
Type or Print Name and Title		
		Amy M Geddes
		NOTARY PUBLIC
Docusigned by: Amy Geddes	2/15/2023	DeKalb County, GEORGIA
Signature of Notary Public	Date	My Commission Expires 02/23/2026

Gwinnett County Planning Division Special Use Permit Application Last Updated 10/2021

## **CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT**

		al Use Permit, has complied with the
and has submitted or attached		•
Stan Goo	2-13-23	Stacy Gray - SVP TYPE OR PRINT NAME AND TITLE
SIGNATURE OF APPLICANT	DATE	TYPE OR PRINT NAME AND TITLE
Stan Gre	2-13-23	Stacy Gray - General TYPE OR PRINT NAME AND TITLE
SIGNATURE OF APPLICANT'S	DATE	TYPE OR PRINT NAME AND TITLE
Louis V. Lesman -		LORIEN V LEAMAN-FAY Notary Public, North Carolina
SIGNATURE OF NOTARY PUBLI	C DATE	NOTARY SEAL
Disclos	URE OF CAMPAIGN COM	ITRIBUTIONS
Have you, within the two years in campaign contributions aggregations. Commissioners or a member of	ating \$250.00 or more to	

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.

03/22/2023

Gwinnett County Planning Division Special Use Permit Application Last Updated 10/2021

## **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)  Liftone LLC	7 District	Land Lot	281 Parcel
Signature of Applicant  Type or Print Name and Title	SUP		2-13-23 Date
***PLEASE TAKE THIS FORM GWINNETT JUSTICE AND ADM APPROVAL BELOW.***			
	TAX COMMISSION	IERS USE ON	LY
(PAYMENT OF ALL PROPERTY HAVE BEEN VERIFIED AS PAID	TAXES BILLED TO CURRENT AND CO	DATE FOR TH	HE ABOVE REFERENCED PARCEL THE SIGNATURE BELOW)
Jacqueleen Garcia		Т	ax Associate I
NAME		_	TITLE
02/16/2023			
DATE			

03/22/2023

Gwinnett County Planning Division Change in Conditions Application Last Updated 10/2021

### **CHANGE IN CONDITIONS APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: Liftone LLC c/o Alliance Engineering and Planning	NAME: PP Tango GA LLC
ADDRESS: 4525 S. Lee Street	ADDRESS: PO Box A3879
CITY: Buford	CITY: Chicago
STATE: GA ZIP: 30518	STATE: IL ZIP: 60690-3879
PHONE:	PHONE:
EMAIL:tlasser@allianceco.com	EMAIL: tlasser@allianceco.com
CONTACT PERSON: Tyler Lasser PF	HONE: 770.225.4730 ext.819
CONTACT'S E-MAIL:tlasser@allianceco.com	_
APPLICAL OWNER'S AGENT PROPERTY OWNE	NT IS THE:  R X CONTRACT PURCHASER
ZONING DISTRICTS(S): M-1	PRIOR ZONING CASE: REZ2000-00137
PARCEL NUMBER(S): 7147 281	ACREAGE: 43.7
ADDRESS OF PROPERTY: 2407 Tech Center Par	kway
PROPOSED CHANGE IN CONDITIONS: $1.A.$	
RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS:	NO. OF BUILDINGS/LOTS: 1
DWELLING UNIT SIZE (Sq. Ft.):	TOTAL GROSS SQUARE FEET: 46,866
GROSS DENSITY:	DENSITY:
NET DENSITY:	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

Gwinnett County Planning Division Change in Conditions Application Last Updated 10/2021

03/22/2023

### **CHANGE IN CONDITIONS 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 CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Please see attached

(B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

Please see attached

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

Please see attached

(D) WHETHER THE PROPOSED CHANGE IN CONDITIONS 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

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

Please see attached

(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 CHANGE IN CONDITIONS:

Please see attached



03/22/2023

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Gwinnett County Planning Division Change in Conditions Application Last Updated 10/2021

## CHANGE IN CONDITIONS APPLICANT'S CERTIFICATION

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Wat My		3-14-2023
Signature of Applicant		Date
Matthew Nazzero	00/cf0	
Type or Print Name and Title		NOTAR PLO
Signature of Notary Public  My commission expres April 21, 2023	Date	Notary Seal



03/22/2023

Gwinnett County Planning Division Change in Conditions Application Last Updated 5/2021

## CHANGE IN CONDITIONS PROPERTY OWNER'S CERTIFICATION

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M WD	3/20/23	
Signature of Property Owner	Date	-
Glenn Wylie, Authorized Signatory		
Type or Print Name and Title		-

Signature of Notary Public

Date

Notary Seal
Amy M Geddes
NOTARY PUBLIC
DeKalb County, GEORGIA
My Commission Expires
02/23/2026



Gwinnett County Planning Division Change in Conditions Application Last Updated 5/2021

### CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS

The undersigned below, making application for a change in conditions, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, <u>Conflict of Interest in Zoning Actions</u>, and has submitted or attached the required information on the forms provided.

Signature of Applicant  Date  Type of Print Name and Title  Type of Applicant's  Signature of Applicant's  Attorney or Representative  Date  Type or Print Name and Title  Type or Print Name and Title  Type or Print Name and Title  NOTARE  NOTARE  Signature of Notary Public  My commodity Expires April 21,2023  Disclosure of Campaign Contributions
Signature of Applicant's Attorney or Representative  Type or Print Name and Title  NOTAR  Signature of Notary Public  My Commission Expires April 21,2023  Disclosure of Campaign Contributions
Signature of Applicant's Date Type or Print Name and Title Attorney or Representative  Type or Print Name and Title No Tap AMES NAMES NO TAP TO BLIC SO SIGNATURE OF NO TAP TO BLIC SO SIGNATURE SEAL STATE
Signature of Notary Public Date  My (ommission Expires April 21, 2023  DISCLOSURE OF CAMPAIGN CONTRIBUTIONS
Signature of Notary Public Date  My (ommission Expires April 21, 2023  DISCLOSURE OF CAMPAIGN CONTRIBUTIONS
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 Matthew Nazzaro
Your Name
If the answer is yes, please complete the following section:
NAME AND OFFICAL CONTRIBUTIONS DATE CONTRIBUTION W POSITION OF (List all which aggregate GOVERNMENT OFFICIAL to \$250 or More) (Within last two years)

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

## GWINNETT COUNTY PLANNING AND DEVELOPMENT

### **RECEIVED**

03/22/2023

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# VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR CHANGE IN CONDITIONS

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 REZONING REQUEST.

(Map Reference Number) District Land Lot Parcel	
Signature of Applicant Date	
Type or Print Name and Title	
***PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINN JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROBLEM.***	Control of the
TAX COMMISSIONERS USE ONLY	
(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCE PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURELOW)	
Jacqueleen Garcia Tax Associate I	
NAME	
03/21/2023	
DATE	



4525 South Lee Street, Buford, Georgia 30518 t 770.225.4730 Allianceco.com LJA.com

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

### RECEIVED

03/28/2023

### **Applicant's Letter of Intent**

Parcel # 7147 281
Special Use Permit and Change-in-Conditions Request

Liftone, a material handling and warehouse solutions supplier, has been in operation since 1926. Currently with 20 locations throughout the Southeast, Liftone is now pursuing to expand further into the Metro-Atlanta market by opening their newest location in the existing industrial building located at 2408 Tech Center Parkway. The primary focus for the new location is sales, rental, and service of numerous types of forklifts. Additionally, Liftone offers automated products including warehouse software, order fulfillment technologies, conveyor systems, etc. The proposed new location will employ 50-60 employees in a variety of positions including sales, rental, operations, and service technicians. Hours of operation for the business would be 7am – 5-pm Monday – Friday. To operate in the proposed location, Liftone requests a special use permit for heavy equipment sales or service, per the Unified Development Ordinance. The approximately 43-acre parcel is part of the Technology Center of Georgia industrial park and includes three large industrial buildings with various suites. Liftone intends to operate out of Suite 200 of the 2408 building, which is 46,866 square feet in size. Suite 200 is located at the far end of the building away from Tech Center Parkway, surrounded by other industrial uses. The site's layout will remain the same apart from creating a fenced-in portion of the existing truck court adjacent to the rear of the suite. The improved area is intended to safely contain a few spotter trucks, and for short periods of time, lift trucks that have arrived at the facility or are pending delivery. No junk parts or partial lift trucks will be stored outside. The fencing will be slatted chain-link and will exceed the height of the tallest vehicle for year-round screening and will not be visible from Tech Center Parkway or internal to site form adjacent suites. No vehicles or products contained in the fenced area will exceed the height of the fence. As proposed, Liftone's business will remain consistent with the surrounding warehouse, manufacturing, and industrial uses; most of which likely utilize forklifts or similar material handling machinery daily.

In addition to the special use permit request, the Applicant requests a change in conditions from the original zoning case, REZ2000-00137. Specifically, to alter condition 1.A. to include heavy equipment as a permitted use. Below is the Applicant's proposed amendment to condition 1.A.

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

A. Office, office/distribution, light manufacturing, heavy equipment rental, sales and services, and accessory uses, excluding truck terminals, building materials sales with outdoor storage; wholesale membership clubs (i.e., Costco, Sam's Club, etc.), recovered materials processing facilities, and yard trimming composting facilities."

The Applicant looks forward to meeting with staff as well as the community to answer all questions or concerns. Please see attached site plan and additional materials within the application package for more information.

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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### SPECIAL USE PERMIT APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

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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, the proposed use will be within an existing industrial park with various industrial, manufacturing and warehousing uses.

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

No, the adjacent or nearby uses are consistent with the proposed use and are within an existing industrial development.

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

No, the suite currently does not have a long-term Tennant. As proposed, Liftone will be providing over 50 jobs within the County. The Applicant submits that the proposed use is more beneficial economically.

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:

The SUP will not result in excessive or burdensome use of streets, transportation facilities, utilities, or schools. Liftone will only be occupying an existing suite in an existing building suite.

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

Yes, the business will be within an existing building that was constructed as a result of the property being rezoned in 2000 with the intention for manufacturing, industrial and warehouse uses. The use will remain consistent.

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:

The site is within an existing industrially zoned building. The use will remain consistent with existing and prior uses surrounding the site.

# GWINNETT COUNTY PLANNING AND DEVELOPMENT

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### **CHANGE IN CONDITIONS APPLICANT'S RESPONSE**

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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 CHANGE IN CONDITIONS:

The site is within an existing industrially zoned building. The use will remain consistent with existing and prior uses surrounding the site.

Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the zoning request will constitute a taking of property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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03/22/2023

Legal Description Note: The surveyed legal description and the legal description from Exhibit A of the title commitment describe the same property.

### LEGAL DESCRIPTION (AS DESCRIBED IN EXHIBIT A OF TITLE COMMITMENT):

Title to the insured estate or interest in the land is at the Effective Date hereof vested in:

TCG PARTNERS, LLC, a Georgia limited liability company, by virtue of that certain Limited Warranty De from BRAND PARTNERS, LP, a Georgia limited partnership, dated August 15, 2002 and recorded August 2002 in Deed Book 2492, Page 243 in the records of the Clerk of the Superior Court of Georgia, as re-recorded September 18, 2002 in Deed Book 28814, Page 254, aloresoid records;

Congress on Constant, logic and in the relation of these in the signature. Good in Sections Config.

ALL Bell 1996.CT OF PARIOT, Of LADO, type and being a loss (see 15). The Config.

ALL Bell 1996.CT OF PARIOT, OF EXECUTION, commence of the Intervention of the land of the Section of the Config.

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THE SECTION OF THE SECTION OF SECTION OF THE CONFIG. TH

ren n. u.v.d., GET TERROR (SPE 1.6, USE).

UNE THE WAY OF THE STATE OF

ALSO TOCETHER WITH and benefiting the subject property, the easement created in that certain Roadway Easement by and between Brand Pertons, L.P., a Georgia limited partnership, and TGC Partners, LLC, a Georgia limited liability company, dated August 16, 2002, filed for record August 19, 2002 at 10.39 a.m., recorded in Deed Blook 28450, Page 1, adversabl Records.

LESS AND EXCEPT that property conveyed in that certain Right-of-way Deed from TCG Portners, LLC, to Gwinnett County, a political subdivision of the State of Georgia, dated September 20, 2004 and recorded it Deed Book 40289, page 27, oferspaid records.

TOZI NET WITH and benefiting the subject property, the assuments creeted is that certain Deciseration of Incidency Comments by that Partners, L.F., Georgia lended partnership, Contributed investment in the Comment of the Comment of

ALSO TOCETHER WITH and benefiting the subject property, the easements created in that certain Decipration of Easements, Covenants and Assessments for Technology Center of Georgia by Broad Partnera, L.P., dated as of January 1, 2004, recorded in Deed Book 27328, Page 172 dereased Record

The above described property is shown on an ALTA/ACSM Land Title Survey for TCG Partners LLC Broad Performer, E.P., sun Trust Bank, M.A. and Chlogo Tille Insurance Company as Tract "A", Person Find, containing 0.5299 are prepared by Honora, Meeks & Bagwell, Surveyers & Engineers, Inc., dated February 25, 2003, and lost revised April 29, 2003.

### LEGAL DESCRIPTION (AS DESCRIBED IN EXHIBIT A OF TITLE COMMITMENT):

LEGAL DESCRIPTION TRACT 2

TCG PARTICES 8, LLC, a Georgia limited liability company, by virtue of that certain Limited Warranty Dees from BIAND PARTICES, LP-, a Georgia limited partnership, dated July 6, 2005, recorded July 7, 2005 in Deed Back 4341, Paga 17 in the records of the Clark of the Superior Court of Grimnett County, Care

PARCEL 1: BUILDING SITE 1:

ALL THAT TRACE OF PARCEL OF LAND Jying and being in Land Lots 131, 132, 148 and 149 of the 7th District of Jennett County, Georgia, being Lot. 3 Block 8, of the Fland Pist of Technology Content of Georgia, Birth Cong. propered by Flancow, besides 4 Bloyest Surveyor 4 Explorers, this searching the second Congraph Congraph of the Congraph Congraph of Surveyor 15, benefits the second Congraph of Surveyors and Congraph of Surveyors and Congraph Country 1, 2004, recorded the Pist Block 105, Plays 244, Records of General County, Ceorgia, and

Sections 4, Code, National Processing Code, Page 444, Internal of control Coding Coding, and SES AND DISTOP from the close for the Michigan policy for page 446 and 112 and 147 of the 78 District, ALL Best SERCE OF PARCILL OF LIAD (Jung and Selegia in Code 115 Lian and 147 of the 78 District, ALL Best SERCE OF PARCILL OF LIAD (Jung and Selegia in Code) and SES AND SERCE OF PARCILL OF LIAD (Jung and Selegia in Code 115 Lian and SES AND SERCE OF SERCE AND SERCE OF SERCE AND SERCE OF SERC

The obove properly is shown on an ALTA/ACSH Land Tille Survey for TCC Partners R, LLC, Brand Partners, L.P., SunThust Bank and Oktopa Tille insurance Company, dated Jane 20, 2005, prepared by Hotman, Medis & Bögeell, Surveyard & Etipheren, Re., conclaiming XASTP cares, being a part of Lct J. Bock "2" (On. Parknology Center of Georgia, bearing the stamp and seed of Mics H. Hannan, Georgia Registered Land Surveyer No. 1236.

LESS AND EXCEPT that property conveyed in that certain Right-of-way Deed from TCC Partners II, LLC, to Gwinnett County, a political subdivision of the State of Georgia, dated May 28, 2009 and recorded in Deed Book 49515, page 287, aforeacid records. PARCEL 2:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 132 AND 147 OF THE 7TH DISTRICT, GRINNETT COUNTY, GEORGIA AND BEING MORE PARTICINARY Y DESCRIPTO AS FOLLOWS:

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THE ABOVE DESCRIBED PROPERTY IS SHOWN ON AN ALTA/ACSM LAND TILE SURVEY FOR TOO PARTNERS I LLC, BRAND PARTNERS, LP, SURTIUST BUNK AND ONCHOOL TILE RUSEANCE COMPANY, DATED, AME 20, 2005, PROPARED BY HANDON, MESTS & BROULL, SURVEYORS & BROWNERS, MC, CONTINUENC SUBJECT ACKS, BROND A PAPI OF LOT, BLOCK "ST, ONLY ON, EXPONED, ON CONTINUENCY DESTROY, STARM AND SEA, OF UNEST, HANDON, CORGAN RESISTERS UND SURVEYOR IN CHARGE.

### LEGAL DESCRIPTION (AS SURVEYED):

All that Iract or parcel of land lying and being in land lots 132 and 147 of the 7th district, Gwinnett county, Georgia, being Lot 2, Block '87', Unit One of Technology Center of Georgia, as recorded in Plot Block 105, Page 244, and being more particularly described as follows:

complex days (i.e., a larger of the contraction) of the contraction of

Said percel of land contains 26 9625 areas

All that tract or parcel of land lying and being in land lots 131, 132, 147 and 148 of the 7th district, Gelonett County, Georgia, being a partien of Lot 3, Black "B", Unit One of Technology Center of Ceorgia, as recorded in Plat Book 105, Po 244, and being more particularly described or follows:

sections of 25% and 15% and 15

**GWINNETT COUNTY** PLANNING AND DEVELOPMENT

RECEIVED

03/22/2023

### TITLE EXCEPTIONS:

13. All mothers disclosed by plot filed September 24, 2024 and recorded in Plot Book 105, Page 244, obsessed Records, Comment: Affects the nublical property

All matters disclosed by plot filed August 12, 2008 and recorded in Plot Book 124, Page 151 and 152, starseoid records, Comment: Affects the subject property.

regs as on 7.6, comment resonal, continued, intern an adaptic sprange, Software Meeting Vision Law of Law

Essenant from ITC Portners II, LLC to Cwinnett County Water and Sewinge Authority, dated October 10, 2006, Red October 12, 2006 and recorded in Deed Book 47131, Page 575, ofcressid Records. Comment: Affects the subject property on shown benen.

Essement from TCC Portners II, LLC to Geinnett County Water and Severage Authority, dated October II, 2006, Red December S, 2006 and recorded in Deed Blook 47527, Page 779, altersald Records. Comment: Affects the subject property as shown hereof.

20. Water Molaring Davice Essenset by and between Topin & Mettin//TOS Partners 8, 11.C and General County Water and Sewence Astronizy, dated June 19, 2008, Wile Gotaler (2008) and County Water and Sewence Astronizy, dated June 19, 2008, Wile Gotaler (2008) and County of Water (2008) and County (2008) and (2018) and

Essement for Right-af-Way from Genn D. Robertson, et al., to Georgia Power Company, dated July 18, 1974, filed Jusput 26, 1974 and recorded in Geof Book 863, Page 102, ofcresaid records. Comment: Affects the subject property as shown hereon.

Right-of-Way Essement from Continental Investment, Ltd., to Jackson Electric Membership Corporation, dated March 23, 1992, Red May 20, 1992 and recorded in Deed Book 7461, Page 142, directal Records. Comment: Does not affect the subject property.

coon real, regards, another interests and forests, LP, a Georgia limited portnership, Continental investment Group IV, LLC, a Georgia limited portnership, Continental investment Group IV, LLC, a Georgia limited portnership, Continental investment Chiespirias, LP, a Georgia limited portnership, Continental investment Chiespirias, LP, a Georgia limited portnership, Continental Investment Chiespirias, Continental Investment Chiespirias, Continental Investment Chiespirias, Continental Investment Chiespirias, Continental Chiespirias, Continental

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27. Eastment Agreement by and between Strand Partners, L.P., a Georgia Sixtled partnership, and TDC Partners, L.C. a Georgia Sixtled Sixbilly company, dated August 16, 2002, Bed August 18, 2002 and recorded in Deed Book 28430, Page 1, aforesoid Records. Comment: Affocts the subject property as shown harrow.

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736, dereased Records. Comment. Attein the subject property as a store became 150 Comment Agreement of an other New To Preserve. [1.6. d Graphy British Districts of 150 Comment Agreement of the Section of the Secti

33. Extension between Branch Britisms, LP, and Geleviet Councy Britis and Sewings Geleviet Councy Britisms and Councy Britisms and Councy Britisms and Celebra 24, 2021 and recorded in Beed Blook 2033, Page 112, otherwise Britisms and cellected by Council and Berlingses to Geometri by Sonitor Blook, 606th Spatisms 21, 2020, Blook Council and Council and Council Blook, 606th Spatisms 21, 2020, Blook Council Blook, 606th Spatisms 21, 2020, Blook Council Blook, 606th Spatisms 21, 2020, Blook Council Blook, 606th Spatisms 212, 2020, Blook Council Blook Spatisms 212, 2020, Blook Council Blook Council Blook Spatisms 212, 2020, Blook Spatisms

AC Examinat Night-of-Way from Clien D. Robertson, et al., to Georgia Power Company, dotted July 16, 1974, Red Jugust 26, 1974 and recorded in Deed Book 863, Page 102, ofcresold records. Comment: Affects the subject property as shown hereon.

heet No. 4 of 4

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USED IN ANY WAY WITHOUT THE WITTON PERMIS

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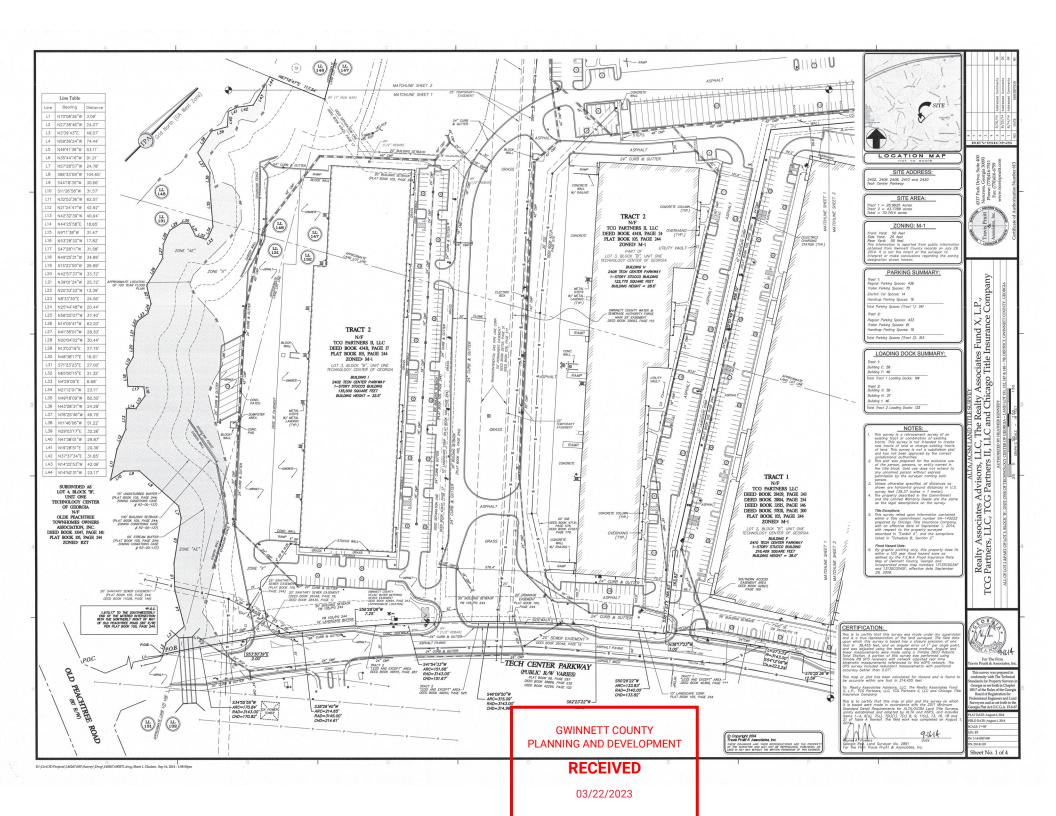
Travis Pruitt

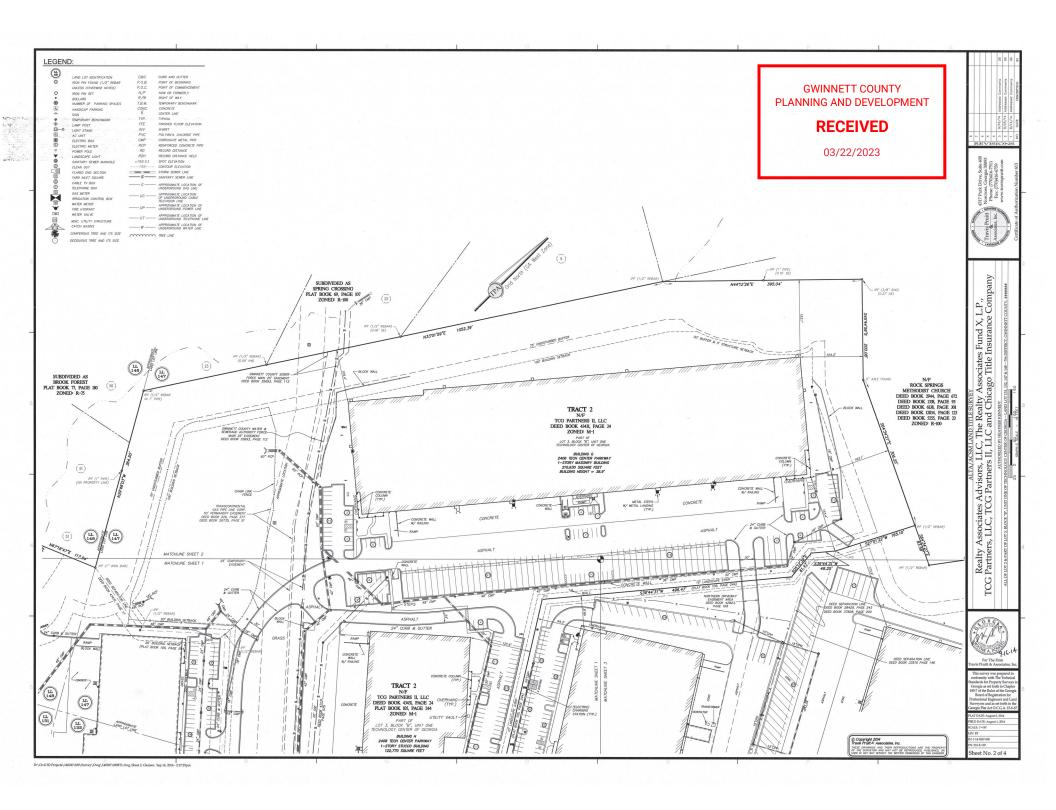
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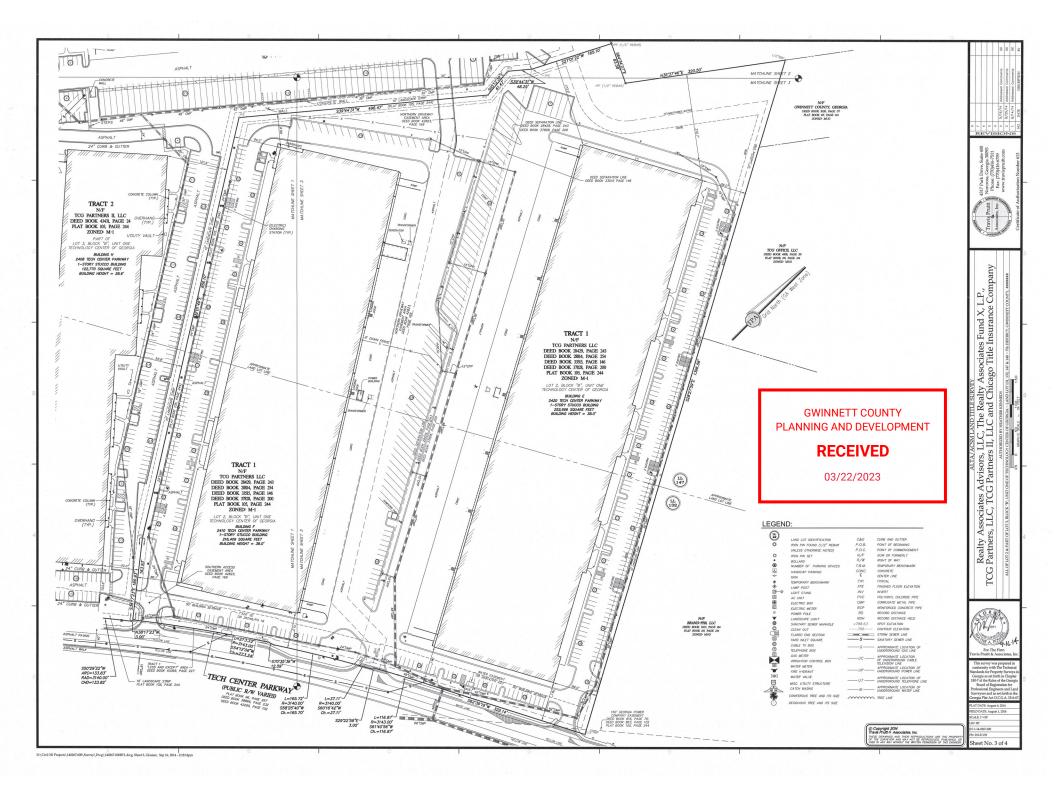
ALTA/ACSN ssociates Advisors, LLC LLC, TCG Partners II, ALL OF LOT 2 & PART OF LOT 3, BLOCK "B", UNIT ONE OF TECHNO

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03/22/2023

# LEGAL DESCRIPTION (AS SURVEYED):

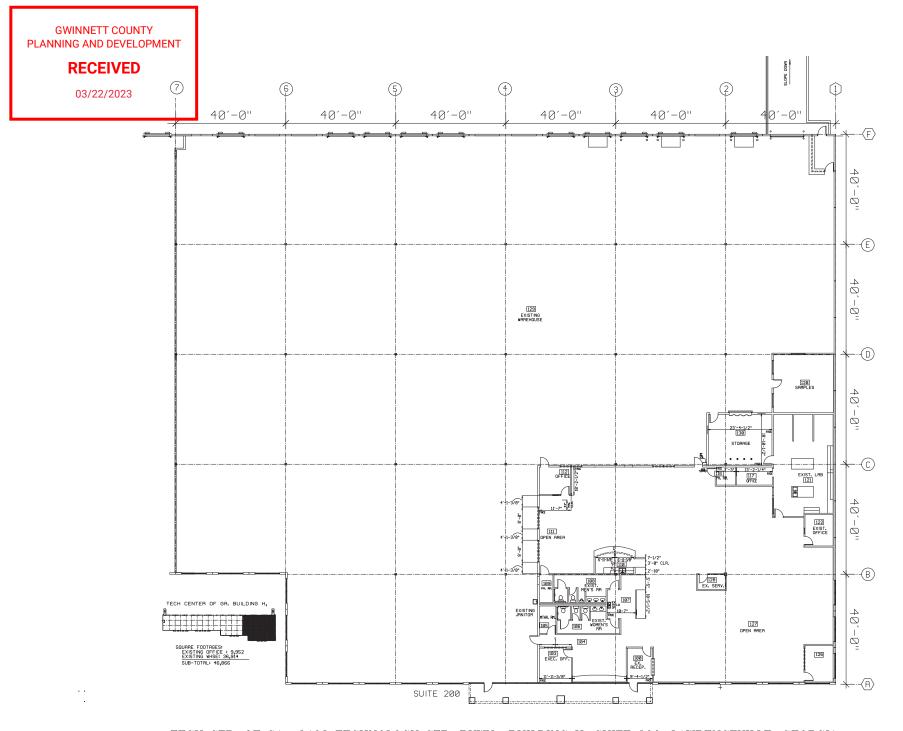
LEGAL DESCRIPTION Tract 2

All that tract or parcel of land lying and being in land lots 131, 132, 147 and 148 of the 7th district, Gwinnett County, Georgia, being a portion of Lot 3, Block "B", Unit One of Technology Center of Georgia, as recorded in Plat Book 105, Page 244, and being more particularly described as follows:

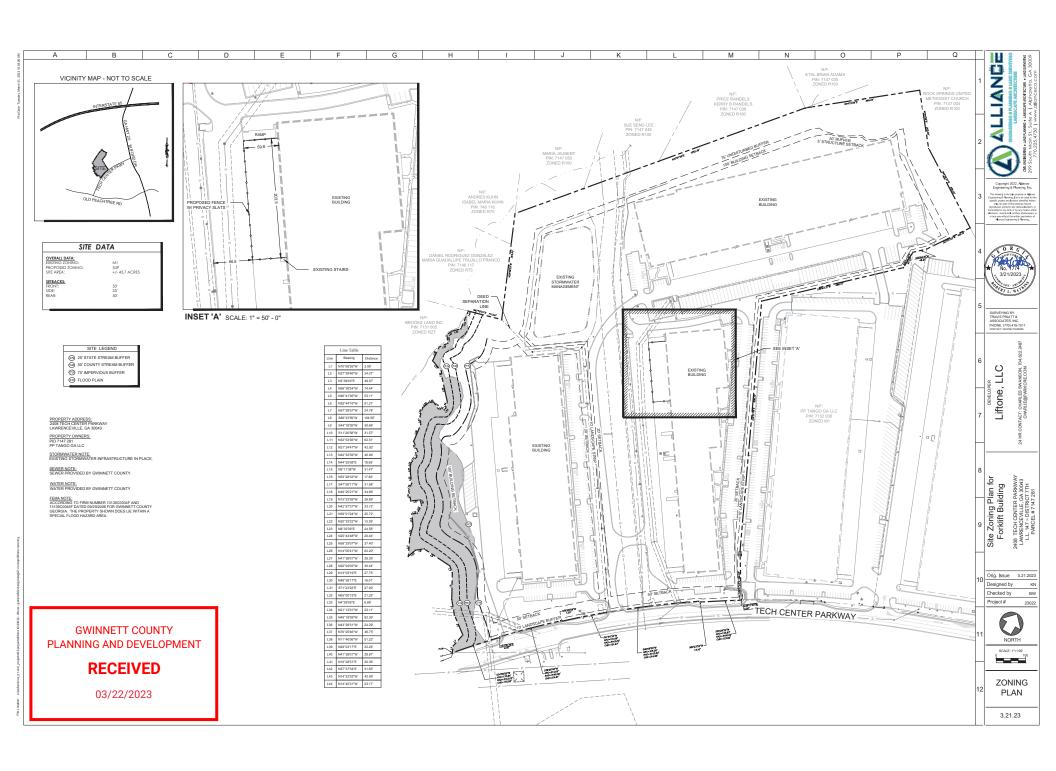
Commencing at the southwesterly end of the mitered intersection of the northerly right of way of Old Peachtree Road (80 foot right of way) and the northwesterly right of way of Tech Center Parkway (right of way width varies); thence proceeding northeasterly along said right of way of Tech Center Parkway a distance of 1,670.17 feet to a point on the centerline of the creek, thence leaving said right of way of Tech Center Parkway and proceeding along said centerline of the creek North 70 degrees 08 minutes 26 seconds West a distance of 3.09 feet to a point, said point being the TRUE POINT OF BEGINNING;

Thence from the TRUE POINT OF BEGINNING, as thus established, continuing along said centerline of the creek the following courses and distances: North 27 degrees 38 minutes 46 seconds West a distance of 24.07 feet to a point, North 03 degrees 39 minutes 43 seconds East a distance of 49.07 feet to a point, North 59 degrees 39 minutes 24 seconds West a distance of 74.44 feet to a point, North 46 degrees 41 minutes 36 seconds West a distance of 53.11 feet to a point, North 35 degrees 44 minutes 16 seconds West a distance of 91.21 feet to a point, North 57 degrees 28 minutes 57 seconds West a distance of 24.78 feet to a point, South 86 degrees 33 minutes 59 seconds West a distance of 104.65 feet to a point, South 44 degrees 18 minutes 35 seconds West a distance of 30.66 feet to a point, South 11 degrees 26 minutes 58 seconds West a distance of 31.57 feet to a point, North 32 degrees 53 minutes 36 seconds West a distance of 62.51 feet to a point, North 21 degrees 24 minutes 47 seconds West a distance of 42.92 feet to a point, North 42 degrees 32 mirutes 39 seconds West a distance of 40.94 feet to a point, North 44 degrees 25 minutes 58 seconds East a distance of 18.65 feet to a point; North 09 degrees 11 minutes 38 seconds West a distance of 31.47 feet to a point, North 53 degrees 28 minutes 32 seconds West a distance of 17.82 feet to a point, South 47 degrees 28 minutes 11 seconds West a distance of 31.58 feet to a point, North 49 degrees 25 minutes 21 seconds West a distance of 34.89 feet to a point, North 15 degrees 22 minutes 59 seconds West a distance of 26.89 feet to a point, North 42 degrees 57 minutes 37 seconds West a distance of 33.72 feet to a point, North 39 degrees 01 minutes 24 seconds West a distance of 25.72 feet to a point, North 20 degrees 33 minutes 22 seconds West a distance of 13.39 feet to a point, North 08 degrees 33 minutes 39 seconds East a distance of 24.56 feet to a point, North 25 degrees 44 minutes 48 seconds West a distance of 20.44 feet to a point, North 58 degrees 25 minutes 07 seconds West a distance of 37.40 feet to a point, North 14 degrees 05 minutes 41 seconds West a distance of 62.20 feet to a point, North 41 degrees 38 minutes 01 seconds West a distance of 28.30 feet to a point, North 20 degrees 04 minutes 02 seconds West a distance of 30.44 feet to a point, North 13 degrees 03 mirutes 19 seconds East a distance of 27.75 feet to a point, North 48 degrees 38 minutes 17 seconds East a distance of 16.01 feet to a point, South 71 degrees 23 minutes 23 seconds East a distance of 27.00 feet to a point, North 65 degrees 00 minutes 15 seconds East a distance of 21.32 feet to a point, North 04 degrees 29 minutes 05 seconds East a distance of 5.68 feet to a point, North 21 degrees 12 minutes 01 seconds West a distance of 23.11 feet to a point, North 49 degrees 18 minutes 09 seconds West a distance of 82.30 feet to a point, North 43 degrees 28 minutes 31 seconds West a distance of 24.29 feet to a point, North 76 degrees 25 minutes 46 seconds West a distance of 46.75 feet to a point, North 11 degrees 46 minutes 06 seconds West a distance of 51.22 feet to a point, North 29 degrees 03 minutes 17 seconds East a cistance of 32.26 feet to a point, North 41 degrees 38 minutes 01 seconds West a distance of 29.87 feet to a point, North 19 degrees 28 minutes 51 seconds East a distance of 20.36 feet to a point, North 37 degrees 37 minutes 34 seconds East a distance of 31.65 feet to a point, North 14 degrees 22 minutes 53 seconds West a distance of 42.06 feet to a point, and North 14 degrees 40 minutes 31 seconds West a distance of 23.17 feet to a point; thence leaving said centerline of the creek and proceeding North 67 degrees 18 minutes 47 seconds East a distance of 117.54 feet to a 1" iron bar found; thence North 29 Degrees 48 Minutes 03 Seconds West a distance of 364.50 feet to a 1/2 inch rebar found in a 1 inch pipe; thence North 33 Degrees 01 Minutes 59 Seconds East a distance of 1052.39 feet to a 1/2 inch rebar found: thence North 44 Degrees 12 Minutes 26 Seconds East a distance of 395.04 feet to a point; thence South 45 Degrees 44 Minutes 56 Seconds East a distance of 200.08 feet to a 5 inch axle found; thence South 64 Degrees 34 Minutes 27 Seconds East a distance of 306.25 feet to a 1/2 inch rebar found; thence South 27 Degrees 01 Minutes 22 Seconds West a distance of 165.10 feet to a 1/2 inch rebor set; thence South 39 Degrees 44 Minutes 31 Seconds West a distance of 48.25 fee! to a 1/2 inch rebar set; thence South 05 Degrees 12 Minutes 32 Seconds East a distance of 61.47 feet to a 1/2 inch rebor set; thence South 39 Degrees 44 Minutes 31 Seconds West a distance of 496.47 feet to a 1/2 inch rebor set; thence South 32 Degrees 01 Minutes 49 Seconds East a distance of 856.10 feet to a 1/2 inch rebar set; thence South 38 Degrees 17 Winutes 23 Seconds East a distance of 166.93 feet to a 1/2 inch rebar found on the northerly right of way of Tech Certer Parkway (right of way width varies); thence along said right of way, following a counterclockwise curve with an arc distance of 133.83 feet, having a radius of 3140.00 feet, subtended by a chord bearing and distance of South 50 Degrees 29 Minutes 22 Seconds West, 133.82 feet to a point; thence South 62 Degrees 23 Minutes 22 Seconds West a distance of 13.10 feet to a point; thence following a counterclockwise curve with an arc distance of 315.09 feet, having a radius of 3143.00 feet, subtended by a chord bearing and distance of South 46 Degrees 09 Minutes 50 Seconds West , 314.96 feet to a 1/2 inch rebar set on the northerly right of way of Tech Center Parkway (right of way width varies); thence along a curve to the left with a radius of 3143.00 feet and an arc length of 151.68 feet (said curve having a chord bearing of South 41 degrees 54 minutes 33 seconds West and a chord distance of 151.67 feet) to a point, thence South 56 degrees 28 minutes 08 seconds West a distance of 7.25 feet to a point, thence along a curve to the left with a radius of 3145.00 feet and an arc length of 214.65 feet (said curve having a chord bearing of South 38 degrees 26 minutes 40 seconds West and a chord distance of 214.61 feet) to a point, thence South 53 degrees 30 minutes 39 seconds East a distance of 2.00 feet to a point, thence along a curve to the left with a radius of 3143.00 feet and an arc length of 170.84 feet (said curve having a chard bearing of South 34 degrees 55 minutes 55 seconds West and a chard distance of 170.82 feet) to the TRUE POINT

Said parcel of land contains 43.7789 acres



TECH CTR. OF GA., 2408 TECHNOLOGY CTR. PKWY., BUILDING H, SUITE 200, LAWRENCEVILLE, GEORGIA



03/22/2023

### CASE NUMBER RZ-00-137

### BOARD OF COMMISSIONERS

### GWINNETT COUNTY

## LAWRENCEVILLE, GEORGIA

### RESOLUTION

### READING AND ADOPTION:

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

Present	VOTE
Wayne Hill, Chairman Tommy Hughes, District 1 Patti Muise, District 2 Judy Waters, District 3 Kevin Kenerly, District 4	AYE AYE AYE AYE AYE

On motion of  $\underline{\text{COMM. HUGHES}}$ , which carried  $\underline{5-0}$ , 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 M-1	
pà -	TAYLOR & MATHIS, INC.	for the proposed use of
	OFFICE/WAREHOUSE/DISTRIBUTION	on a tract of land
desc	ribed by the attached legal descr	iption, which

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CASE NUMBER RZ-00-137

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 NOVEMBER 28, 2000 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the  $28^{TH}$  day of NOVEMBER, 2000, that the aforesaid application to amend the Official Zoning Map from R-100 to M-1 is hereby APPROVED subject to the following enumerated conditions:

- 1. To restrict the use of the property as follows:
  - A. Office, office/distribution, light manufacturing and accessory uses, excluding truck terminals, building materials sales with outdoor storage, wholesale membership clubs (i.e., Costco, Sam's Club, etc.), recovered materials processing facilities, and yard trimming composting facilities.
  - B. Development shall be subject to the requirements of the Mall of Georgia Overlay District.
- 2. To satisfy the following site development considerations:
  - A. Provide a 25-foot wide natural, undisturbed buffer adjacent to Rock Springs Road and Old Peachtree Road, except for approved access and utility crossings.

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- B. Provide a 75-foot wide natural, undisturbed buffer adjacent to all residentially zoned property, except for approved access and utility crossings. Where sparsely vegetated, the buffer shall be enhanced with a double staggered row of evergreens eight feet on center. Trees shall be a minimum of six feet in height at the time of planting.
- C. Provide a ten-foot wide landscaped strip along the proposed internal roadway.
- D. Provide a minimum 100-foot building setback adjacent to all residentially zoned property.
- E. Provide ten-foot wide landscaped strips adjacent to all internal property lines.
- F. Except for approved access, maintain a minimum 50-footbuffer adjacent to any streams/tributaries located on the property.
- G. Prior to the issuance of a development permit, design and submit a comprehensive pedestrian access plan for review and approval of the Development Division and Gwinnett County Department of Transportation. At a minimum, the pedestrian access plan shall include provision of sidewalks, designated crosswalks, bicycle parking areas and other features as required by the Department of Planning and Development.
- H. Billboards shall be prohibited.
- I. Buildings in the development shall be finished with architectural treatments of glass and/or brick, architectural precast concrete or stone.

  Architectural renderings shall be submitted for review and approval to the Director of Planning and Development prior to the issuance of building permits.
- J. All ambient lighting shall be directed to the interior streets or parking lots and away from any adjoining residentially zoned property.

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- K. Building G as shown on the site plan prepared by Hughes, Good, O'Leary & Ryan dated August 23, 2000 will have loading docks along the front of the building and shall have no loading docks in the rear.
- L. During the construction process, the developer agrees to meet with the representatives of the Collins Hill Coalition, Mill Creek Coalition, and the Rock Springs Coalition monthly to inform them of the construction process and status.
- 3. Abide by the following requirements, dedications, and improvements:
  - A. The Gwinnett Department of Transportation has received the applicant's traffic study. The Department is reviewing the study and its conclusions, and will provide comments and recommended conditions prior to the scheduled public hearings.
  - B. Prior to the issuance of certificates of occupancy totaling 250,000 square feet on the M-1 property, the Developer shall acquire right-of-way and easements, and design and construct modifications on Rock Springs Roads at its intersection with Buford Drive. The modifications shall be the addition of east bound, dual left turn lanes, and the addition of a dedicated, east bound right turn lane onto Buford Drive. This work shall also include modifications to west bound Rock Springs Road to align the lanes across the intersection. All design and construction will be subject to review and approval by the Gwinnett and Georgia Department of Transportation.
  - C. Prior to the issuance of certificates of occupancy totaling 250,000 square feet on the M-1 property, acquire right-of-way and easements to widen Rock Springs Road to a three lane road between Buford Drive and the western property line. The Developer shall design, construct, and stripe the road to provide a center turn lane. All design and construction will be subject to review and approval by the Gwinnett and Georgia Departments of Transportation.

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- Prior to the issuance of the first development permit D. on the C-2 property, prepare signal warrant studies for the two proposed signals on Buford Drive. proposed median cut is approved by the Georgia Department of Transportation and if the warrant studies support the signals, Gwinnett Department of Transportation will recommend to the Georgia Department of Transportation that signal permits be approved. Prior to the first certificate of occupancy on the C-2 property, design and construct the median cut and the proposed signals with connection to, and extension of, the existing fiber optics interconnect cable on Buford Drive. All design and construction will be subject to review and approval by the Gwinnett and Georgia Departments of Transportation. the proposed signals, median cuts, and/or driveways on Buford Drive are denied by the Georgia Department of Transportation, the Developer shall be responsible for revising the traffic impact study accordingly.
- E. Prior to the issuance of the first development permit on the R-ZT property, prepare a signal warrant study for the proposed signal on Old Peachtree Road for review and approval by the Gwinnett Department of Transportation. Provided the signal is approved, acquire all necessary right-of-way and easements, and design and install the proposed signal prior to issuance of the first certificate of occupancy on the R-ZT property. All design and construction will be subject to the review and approval of the Gwinnett Department of Transportation.
- F. Prior to the issuance of the first Certificate of Occupancy (CO) on the R-ZT property, acquire all right-of-way and easements and design and construct a center left turn lane on Old Peachtree Road at the proposed driveway. All design and construction will be subject to review and approval by the Gwinnett Department of Transportation.

# GWINNETT COUNTY PLANNING AND DEVELOPMENT

### **RECEIVED**

03/22/2023

- G. Prior to the issuance of certificates of occupancy totaling 500,000 square feet on the M-1 property and certificate of occupancy for 400 units on the R-ZT property, acquire all necessary right-of-way and easements on Old Peachtree Road, and design and construct a dedicated east bound right turn lane onto south bound Buford Drive. All design and construction will be subject to review and approval by the Gwinnett and Georgia Departments of Transportation.
- The Traffic Impact Study prepared by Street Smarts, H. dated September, 2000 indicates that dual left turn lanes will be needed, in the future, on Old Peachtree Road (east bound) at its intersection with Buford The developer will be required to contribute Drive. 50% of the actual costs to acquire necessary right-ofway and easements, and design and construct the left turn lanes, and modify the existing signal at the intersection. All design and construction will be subject to review and approval of the Georgia and Gwinnett Departments of Transportation. This money will be paid prior to the issuance of the final certificate of occupancy on the R-ZT property and the final certificate of occupancy on the M-1 property.
- I. The Traffic Impact Study prepared by Street Smarts, dated September, 2000 indicates that dual left turn lanes will be needed, in the future, on Buford Drive (north bound) at its intersection with Old Peachtree Road. The developer will be required to contribute 25% of the actual costs to acquire necessary right-ofway and easements, and design and construct the left turn lanes, and modify the existing signal at the intersection. All design and construction will be subject to review and approval of the Georgia Department of Transportation. This money will be paid prior to the issuance of the final certificate of occupancy on the R-ZT property and the final certificate of occupancy on the M-1 property.

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- J. The Traffic Impact Study prepared by Street Smarts, dated September, 2000 indicates that dual left turn lanes will be needed, in the future, on Buford Drive (north bound) at the proposed south driveway to the project. The Developer shall acquire all necessary right-of-way and easements, and design and construct the dual left turn lanes, and modifications to the signal. All design and construction will be subject to review and approval of the Georgia Department of Transportation. This work will be done no later than the issuance of the first certificate of occupancy on the C-2 property.
- K. Prior to the issuance of a development permit, submit an Alternate Mode Transportation Plan for review and approval by the Gwinnett County Department of Transportation and the Gwinnett County Department of Planning and Development. At a minimum, this plan shall include the following transportation management strategies to be incorporated into the development:
  - a. Pedestrian facilities,
  - b. Bicycle facilities,
  - c. Provision of shuttle service, including connection to Gwinnett County's transit system,
  - d. Provision of shuttle and bus drop-off/pick-up areas near main building entrances,
  - e. Participation in a Transportation Management Association,
  - f. Incorporation of alternate fuel vehicles for onsite maintenance and services,
  - g. Provision of electric vehicle recharging stations for use by employees and visitors, and

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CASE NUMBER RZ-00-137

Other potential transportation demand management h. strategies not specifically identified here, but which may be feasible or desirable at the time the Alternate Mode Transportation Plan is written and reviewed.

GWINNETT COUNTY BOARD OF COMMISSIONERS

Date Signed:

ATTEST: