

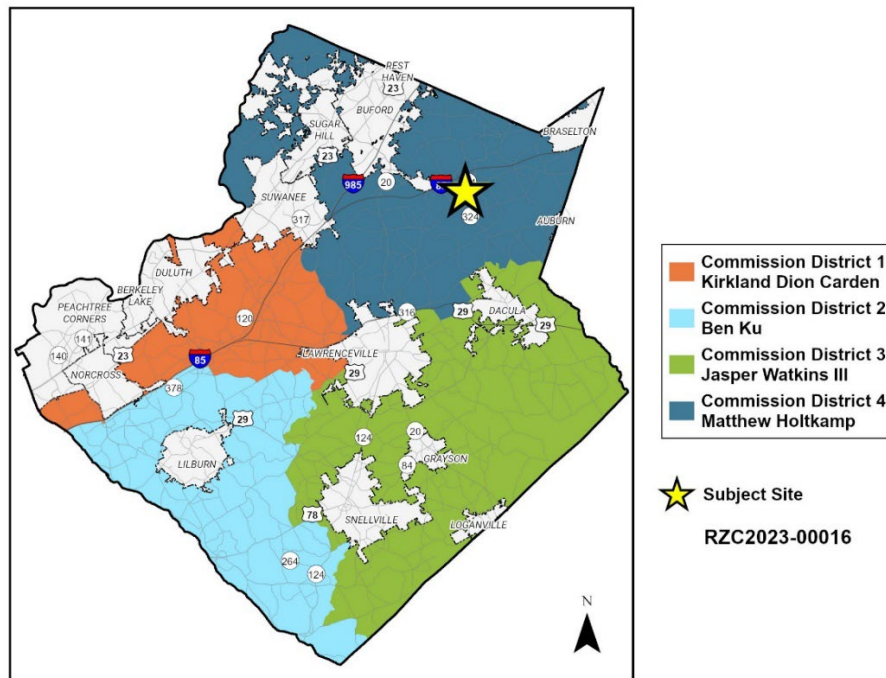


## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

**Case Number:** RZC2023-00016  
**Current Zoning:** O-I (Office-Institutional District)  
**Request:** Rezoning to C-1 (Neighborhood Business District)  
**Additional Request:** Variance  
**Overlay District:** Highway 124/324/Hamilton Mill Road  
**Address:** 2103 Braselton Highway  
**Map Numbers:** R7099 002  
**Site Area:** 4.44 acres  
**Square Feet:** 32,972  
**Proposed Development:** Shopping Center  
**Commission District:** District 4 – Commissioner Holtkamp  
**Character Area:** Established Neighborhoods

**Staff Recommendation:** APPROVAL WITH CONDITIONS

**Planning Commission Recommendation:** DENIAL



**Planning Commission Advertised Public Hearing Date: 7/10/2023 (Public Hearing Held/Recommendation Tabled to 9/5/2023)**

**Board of Commissioners Advertised Public Hearing Date: 7/25/2023 (Public Hearing Tabled to 9/26/2023)**

**Applicant:** Tramanh Nguyen  
1796 Buckhead Valley Lane NE  
Atlanta, GA 30324

**Owner:** Braselton Professional Center  
2103 Braselton Highway  
Dacula, GA 30019

**Contact:** Jenny Jang

**Contact Phone:** 678.492.0361

## Zoning History

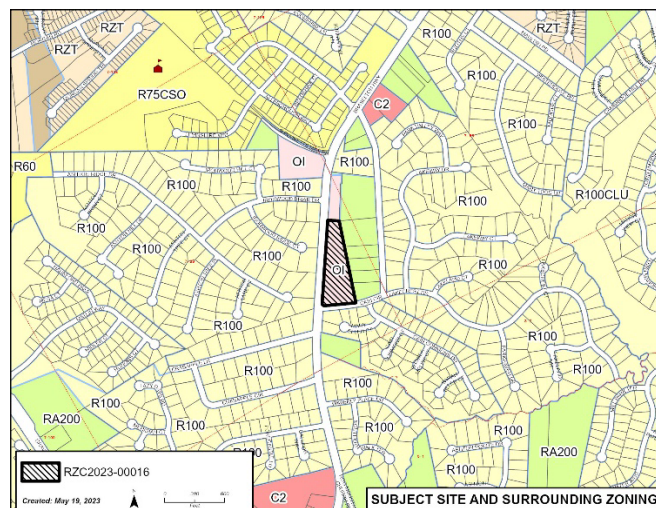
The subject property is zoned O-I (Office-Institutional District). In 1998, a rezoning application was approved and rezoned most of the parcel from RA-200 (Agriculture-Residence District) to O-I for office uses, pursuant to RZ-98-171. The following year, the southernmost portion of the property was also rezoned from RA-200 to O-I for office uses, pursuant to RZ-99-095. The site is located within the Highway 124/324/Hamilton Mill Road Overlay District.

## Existing Site Condition

The subject property is a 4.44-acre parcel located at the northeast corner of the Braselton Highway and Cain Circle intersection. The site is currently under development with a one-story 32,972 square foot multi-tenant commercial building and parking lot containing 122 spaces. The building facade features brick and glass. The stormwater pond servicing the site is located at the northern point of the parcel. As part of the development, a five-foot-wide sidewalk and 10-foot-wide landscape strip has been installed along Braselton Highway and Cain Circle. The nearest Gwinnett County transit stop is 6.0 miles from the property.

## Surrounding Use and Zoning

The subject site is surrounded by residential uses. An undeveloped parcel is located to the north of the subject property along Braselton Highway. The heavily commercialized intersection of Braselton Highway and Hamilton Mill Road is located approximately one mile north of the subject property. Single-family residences on large lots are located to the east of the property on Cain Circle. Hamilton Manor, a single-family detached subdivision, is located to the south of the subject property across Cain Circle. Another heavily commercialized intersection is located a half-mile to the south at the intersection of Auburn Road and Braselton Highway. Ashton Wood, a single-family detached neighborhood is across Braselton Highway to the west. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Shopping Center	C-1	N/A
North	Undeveloped	O-I	N/A
East	Single-Family Residential	RA-200	1.16 units per acre
South	Single-Family Residential	R-100MOD	2.25 units per acre
West	Single-Family Residential	R-100	1.36 units per acre

## Project Summary

The applicant requests rezoning of a 4.44-acre parcel from O-I to C-1 for a shopping center, including:

- A one-story, 32,972 square foot multi-tenant shopping center consisting of up to 10 suites. The site is currently under construction for office only. The rezoning would allow commercial and retail uses as well.
- Building façade materials featuring brick and glass.
- 122 parking spaces located to the front, side, and rear of the building, including three electric vehicle charging spaces.
- Access to the site via a full-access driveway onto Cain Circle.
- An internal 5-foot-wide sidewalk connecting to the 5-foot-wide sidewalks on Cain Circle and Braselton Highway. The internal sidewalk encircles the building, providing access to every suite within the building.
- A 2-foot by 8-foot concrete pad, located outside of the Braselton Highway right-of-way, to accommodate future pedestrian amenities such as benches, planters, and trash containers as required by the Overlay District.
- A detention pond and bio-retention pond serving the site, located in the northernmost section of the parcel adjacent to Braselton Highway surrounded by a four-foot-tall vinyl coated chain link fence.
- A separate vehicular access entrance is proposed from Braselton Highway for detention pond maintenance.
- A dumpster enclosure located on the eastern side of the building.
- One monument sign located at the corner of Braselton Highway and Cain Circle.
- A 50-foot-wide undisturbed zoning buffer along the eastern property line, adjacent to the RZ-200 zoned parcels.
- Development permit CDP2020-00079 was issued in July 2022, with revisions approved in April 2023. Building permit BLD2020-05584 was issued in August 2021. The site work and building construction is nearing completion.

## Zoning and Development Standards

The applicant is requesting a rezoning to C-1, Neighborhood Commercial District, for a shopping center. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 35'	<35'	YES
Front Yard Setback	Minimum 15'	>15'	YES
Side Yard Setback	Minimum 10'	>10'	YES
Rear Yard Setback	Minimum 30'	>30'	YES
Standard	Required	Proposed	Meets Standard?

Off-Street Parking	Minimum: 66 spaces Maximum: 165 spaces	122 spaces	YES
Internal Driveway Width	Two Way: 22' – 24'	24'	YES
Landscape Strip	Minimum 10'	10'	YES
Zoning Buffer	Minimum 50'	50'	YES

In addition, the following standards apply to development in the Highway 124/324/Hamilton Mill Road Overlay District:

Standard	Meets Standard?
Streetscape Standards. 8-foot-wide sidewalk on Priority Corridors (Loganville Hwy) with two-foot-wide landscape strip. 2'x8' concrete pad, located outside of the right-of-way, designed to accommodate existing or future pedestrian amenities such as benches, planters, and trash containers. Streetlights shall be provided.	YES
Pedestrian Access. A walkway shall be provided from all buildings to an adjacent public right of way.	YES
Provide interparcel vehicle access points between all contiguous commercial, office, industrial, or attached residential tracts.	NO*
For developments exceeding 7,500 square feet, primary building facades and entrances shall be located no more than 70 feet from the public rights-of-way.	YES

\*The applicant is requesting a variance from this section of the Overlay District requirements.

### Variance Request

In addition to the rezoning request, the applicant is seeking a variance from the following provision of Title II of the UDO:

- Section 220-30.3.A. Transportation/Infrastructure

- 1. Provide interparcel vehicle access points between all contiguous commercial, office, industrial or attached residential tracts.***

The applicant is proposing not to provide interparcel access to the adjacent O-I zoned property to the north.

### Internal and External Agency Review

In addition to these Development Standards, the applicant must meet all other UDO requirements related to infrastructure improvements. Internal and external agency review comments are attached (Exhibit E). Standard site and infrastructure improvements will also be required related to transportation, stormwater, water, and sewer utilities. Recommended improvements not already required by the UDO have been added as staff recommended conditions.

### Staff Analysis

**Rezoning Request Analysis:** According to the UDO, if a proposed amendment is for the rezoning of property and involves a change in zoning classification, the Department shall evaluate the request and make a recommendation with respect to the standards governing exercise of zoning power as defined

in Section 270-20.5. After this evaluation, staff makes the following findings based on the standards from the UDO:

**A. Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

The requested rezoning from O-I to C-1 is suitable given that development will provide neighborhood serving uses to the nearby residential properties. The site is currently under construction and the rezoning will allow additional retail, service, and restaurant uses that are not currently allowed in the O-I zoning district. The zoning change will not result in any change to the already-approved building and development permits. Further, the proposed C-1 zoning classification is appropriate along an arterial road such as Braselton Highway.

**B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.**

The proposed rezoning would not adversely impact the existing use or usability of adjacent properties. The site is currently under construction with a 32,972 square foot building. The proposed rezoning is to allow more retail, service, and restaurant uses to be located within the building. The C-1 zoning district allows uses that nearby residences can patronize on a regular basis. Any use allowed in C-1 that could adversely affect adjacent and nearby properties can be prohibited through appropriate zoning conditions. In addition, the applicant is providing the required buffer along the shared property line with residences so any potential visual and noise disturbances should be mitigated.

**C. Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned.**

The property has a reasonable economic use as currently zoned.

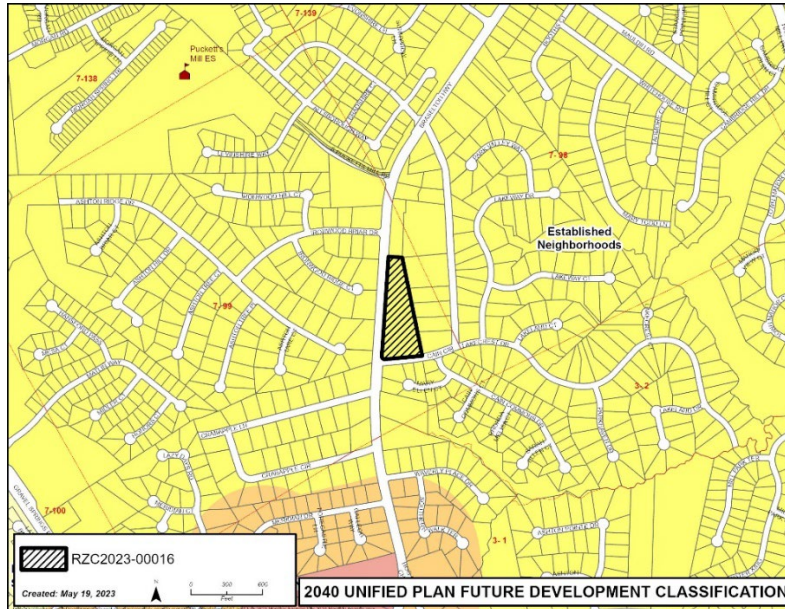
**D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

An increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. An increased impact is not anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning request is attached (Exhibit E).

**E. Whether the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map.**

The 2040 Unified Plan and Future Development Map indicates that the subject property lies within the Established Neighborhoods Character Area. This character area is intended for well established neighborhoods and single-family residential areas that are unlikely to undergo any significant changes or redevelopment in the next 20 years. The subject property was zoned for non-residential uses prior to the adoption of the 2040 Unified Plan. As such, building permits and land development permits were issued for the multi-tenant building on the site. The proposed rezoning, while not meeting the stated vision of the Unified Plan, can be a benefit for the surrounding neighborhoods that are in close proximity by providing uses that the residences

could patronize frequently.



**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.**

As previously stated, the subject property is currently under construction with a 32,972 square foot multi-tenant building. The proposed rezoning will not result in any change to the site plan or layout of the property. Approval of the rezoning will allow retail, service, and restaurant uses not currently allowed in the O-I zoning district. Providing essential neighborhood serving uses would be a benefit to the large number of residences in the area.

**Variance Requests Analysis:** The standards for granting variances are outlined in Section 270-100.7 of the UDO. According to the UDO, if a proposed amendment is for the rezoning of property and involves a change in zoning classification the Department shall evaluate the request and make a recommendation with respect to the standards governing exercise of zoning power as defined in Section 270-20.5. Staff makes the following findings related to the variance requests:

The applicant requests a variance from the standards of the Highway 124/324/Hamilton Mill Road Overlay District. This Overlay requires interparcel access to adjacent non-residential properties. The approved layout of the site does not include an access point to the adjacent O-I property. As currently designed, the water quality ponds are located between the developed portion of the site and the adjacent parcel. Requiring interparcel access would result in redesigning the site for a minimal benefit as the adjacent parcel to the north is rather narrow which poses a challenge for future development.

**Staff Recommendation**

Based on the staff’s evaluation of the request and the standards governing the exercise of zoning power, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the rezoning request.

In addition, staff recommends **APPROVAL** of the following Variance:

1. To not provide interparcel access to the adjacent O-I property to the north along Braselton Highway.

### **Staff Recommendation**

Approval as C-1 for a shopping center, subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received, May 9, 2023 and subject to the review and approval of the Department of Planning and Development.
2. All permitted uses within the C-1 zoning district shall be permitted with the exception of:
  - a. Automobile Brokerage
  - b. Convenience Store with Fuel Pumps
  - c. Drive-in or drive-through Restaurants
3. Stormwater management facilities shall be screened from view of the right of way and adjacent properties. The final design shall be subject to the review and approval of the Gwinnett County Department of Planning and Development. Fencing shall be limited to decorative fencing or wooden privacy fencing.
4. No temporary tents, temporary canopies, temporary banners, temporary streamers, or temporary roping decorated with flags, tinsel, or other similar materials shall be displayed, hung, or strung on the site, except within 60 days of the grand opening and during special events which shall occur no more than twice per calendar year and last no longer than seven day each.

### **Planning Commission Recommendation**

Based on staff's evaluation of the request, information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **DENIAL** of the rezoning request.

In addition, the Planning Commission recommends **DENIAL** of the following variance request:

1. To not provide interparcel access to the adjacent O-I property to the north along Braselton Highway.

**Exhibits:**

- A. Site Visit Photos
- B. Site Plan
- C. Letter of Intent and Applicant's Response to Standards
- D. Application and Disclosure of Campaign Contributions
- E. Internal and External Agency Review Comments
- F. Maps



**Exhibit A: Site Visit Photos**



**Building from Braselton Highway**



**Building from Cain Circle**

**Exhibit B: Site Plan**

**[attached]**



AEC

50 Warm Springs Circle  
Atlanta, Georgia 30375  
770.541.1911 • www.aec.com

SITE LAYOUT PLAN

BRASELTON PROFESSIONAL CENTER  
2103 CAIN CIRCLE  
GWINNETT COUNTY, GEORGIA 30019  
LL: 99, 7th DISTRICT, ID: 70995.002

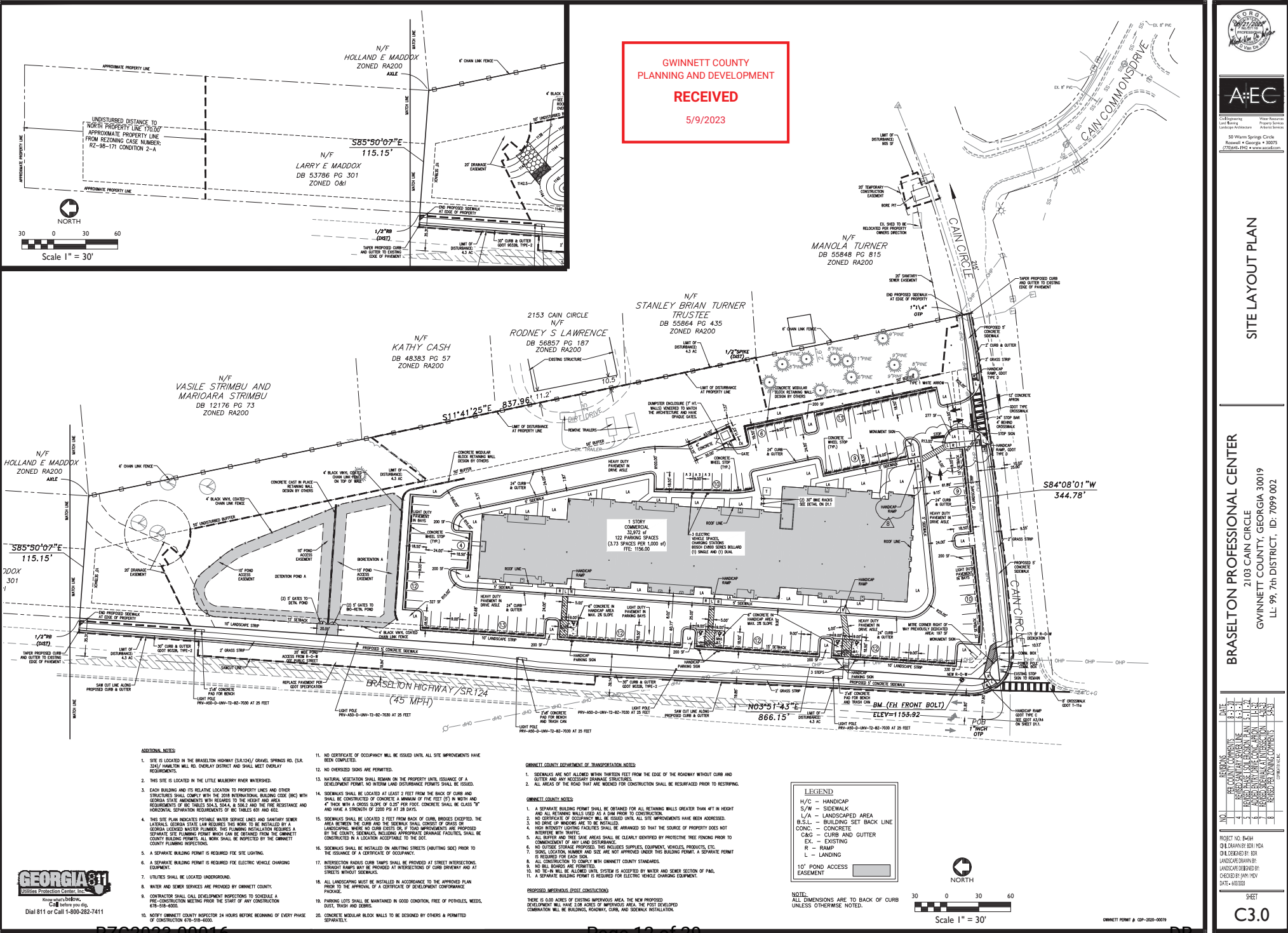
NO.	REVISIONS	DATE
1	PER COUNTY COMMENTS	11/14/23
2	REVISIONS TO PERMITS	11/14/23
3	REVISIONS TO PERMITS	11/14/23
4	REVISIONS TO PERMITS	11/14/23
5	REVISIONS TO PERMITS	11/14/23
6	REVISIONS TO PERMITS	11/14/23
7	REVISIONS TO PERMITS	11/14/23
8	REVISIONS TO PERMITS	11/14/23
9	REVISIONS TO PERMITS	11/14/23
10	REVISIONS TO PERMITS	11/14/23

PROJECT NO: 18-044  
Q: 18-044-001-001  
DATE CADD: 11/14/23  
DATE DESIGNED: 11/14/23  
DATE CHECKED: 11/14/23  
DATE APPROVED: 11/14/23  
CREATED BY: PMH/MCH  
DATE: 11/14/23

SHEET

C3.0

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT  
RECEIVED  
5/9/2023

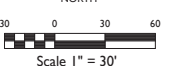


- ADDITIONAL NOTES**
1. SITE IS LOCATED IN THE BRASELTON HIGHWAY (SR124) / GRAVEL SPRINGS RD. (SR 324) / HAWLTON MILL RD. OVERLAY DISTRICT AND SHALL MEET ALL REQUIREMENTS.
  2. THIS SITE IS LOCATED IN THE LITTLE WALKERLY RIVER WATERSHED.
  3. EACH BUILDING AND ITS RELATIVE LOCATION TO PROPERTY LINES AND OTHER STRUCTURES SHALL COMPLY WITH THE 2018 INTERNATIONAL BUILDING CODE (IBC) WITH GEORGIA STATE AMENDMENTS WITH REGARD TO THE HEIGHT AND AREA REQUIREMENTS OF THE TABLES SOA, SOA-A, SOA-B AND THE FIRE RESISTANCE AND HORIZONTAL SEPARATION REQUIREMENTS OF IBC TABLES 603 AND 602.
  4. THIS SITE PLAN INDICATES POTABLE WATER SERVICE LINES AND SANITARY SEWER LATERALS. GEORGIA STATE LAW REQUIRES THIS WORK TO BE INSTALLED BY A GEORGIA LICENSED MASTER PLUMBER. THIS PLUMBING INSTALLATION REQUIRES A SEPARATE 218 PLUMBING PERMIT WHICH CAN BE OBTAINED FROM THE GWINNETT COUNTY BUILDING PERMITS. ALL WORK SHALL BE INSPECTED BY THE GWINNETT COUNTY PLUMBING INSPECTORS.
  5. A SEPARATE BUILDING PERMIT IS REQUIRED FOR SITE LIGHTING.
  6. A SEPARATE BUILDING PERMIT IS REQUIRED FOR ELECTRIC VEHICLE CHARGING EQUIPMENT.
  7. UTILITIES SHALL BE LOCATED UNDERGROUND.
  8. WATER AND SEWER SERVICES ARE PROVIDED BY GWINNETT COUNTY.
  9. CONTRACTOR SHALL CALL DEVELOPMENT INSPECTORS TO CONDUCT A PRE-CONSTRUCTION MEETING FROM THE START OF ANY CONSTRUCTION. 678-518-4000.
  10. NOTIFY GWINNETT COUNTY 24 HOURS BEFORE BEGINNING OF EVERY PHASE OF CONSTRUCTION 678-518-4000.
  11. NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL SITE IMPROVEMENTS HAVE BEEN COMPLETED.
  12. NO OVERSIZED SIGNS ARE PERMITTED.
  13. NATURAL VEGETATION SHALL REMAIN ON THE PROPERTY UNTIL ISSUANCE OF A DEVELOPMENT PERMIT. NO INTERIM LAND DISTURBANCE PERMITS SHALL BE ISSUED.
  14. SIDEWALKS SHALL BE LOCATED AT LEAST 3 FEET FROM THE BACK OF CURB AND SHALL BE CONSTRUCTED OF CONCRETE A MINIMUM OF FIVE FEET (5') IN WIDTH AND 4" THICK WITH A CROSS SLOPE OF 0.25" PER FOOT. CONCRETE SHALL BE CLASS "II" AND HAVE A STRENGTH OF 2200 PSI AT 28 DAYS.
  15. SIDEWALKS SHALL BE INSTALLED ON ABUTTING STREETS (ABUTTING SIDE) PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
  16. SIDEWALKS SHALL BE INSTALLED ON ABUTTING STREETS (ABUTTING SIDE) PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
  17. INTERSECTION RADIUS CURB RAMP SHALL BE PROVIDED AT STREET INTERSECTIONS. STRAIGHT RAMP MAY BE PROVIDED AT INTERSECTIONS OF CURB DRIVEWAY AND AT STREETS WITHOUT SIDEWALKS.
  18. ALL LANDSCAPING MUST BE INSTALLED IN ACCORDANCE TO THE APPROVED PLAN PRIOR TO THE APPROVAL OF A CERTIFICATE OF DEVELOPMENT CONFORMANCE PACKAGE.
  19. PARKING LOTS SHALL BE MAINTAINED IN GOOD CONDITION, FREE OF POTHOLES, WEEDS, DUST, TRASH AND DEBRIS.
  20. CONCRETE MODULAR BLOCK WALLS TO BE DESIGNED BY OTHERS & PERMITTED SEPARATELY.

- GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION NOTES**
1. SIDEWALKS ARE NOT ALLOWED WITHIN THIRTY FEET FROM THE EDGE OF THE ROADWAY WITHOUT CURB AND GUTTER AND ANY NECESSARY DRAINAGE STRUCTURES.
  2. ALL AREAS OF THE ROAD THAT ARE MARKED FOR CONSTRUCTION SHALL BE RESURFACED PRIOR TO RESTORING.
- GWINNETT COUNTY NOTES**
1. A SEPARATE BUILDING PERMIT SHALL BE OBTAINED FOR ALL RETAINING WALLS GREATER THAN 4 FT IN HEIGHT AND ALL RETAINING WALLS USED AS A DAM PRIOR TO CONSTRUCTION.
  2. NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL SITE IMPROVEMENTS HAVE BEEN ADDRESSED.
  3. NO DRIVE IN TRUCKS ARE TO BE INSTALLED.
  4. HIGH INTENSITY LIGHTING FACILITIES SHALL BE ARRANGED SO THAT THE SOURCE OF PROPERTY DOES NOT INTERFERE WITH TRAFFIC.
  5. ALL BUFFERS AND TREE SAFE AREAS SHALL BE CLEARLY IDENTIFIED BY PROTECTIVE TREE FENCING PRIOR TO CONSTRUCTION.
  6. NO OUTSIDE STORAGE PROPOSED. THIS INCLUDES SUPPLIES, EQUIPMENT, VEHICLES, PRODUCTS, ETC.
  7. SPECIFIC LOCATION, NUMBER AND SIZE ARE NOT APPROVED UNDER THIS BUILDING PERMIT. A SEPARATE PERMIT IS REQUIRED FOR EACH SIGN.
  8. ALL CONSTRUCTION SHALL COMPLY WITH GWINNETT COUNTY STANDARDS.
  9. NO BILL BOARDS ARE PERMITTED.
  10. NO TIE-IN SHALL BE ALLOWED UNTIL SYSTEM IS ACCEPTED BY WATER AND SEWER SECTION OF PAID.
  11. A SEPARATE BUILDING PERMIT IS REQUIRED FOR ELECTRIC VEHICLE CHARGING EQUIPMENT.
- PROPOSED INTERMEDIATE DUST CONSTRUCTION**
- IF THERE IS 0.20 ACRES OF EXISTING IMPERVIOUS AREA, THE NEW PROPOSED IMPERVIOUS AREA SHALL BE 2.00 ACRES OF IMPERVIOUS AREA. THE POST DEVELOPED COMBINATION WILL BE BUILDINGS, ROADS, CURB, AND SIDEWALK INSTALLATION.

- LEGEND**
- H/C - HANDICAP
  - S/W - SIDEWALK
  - L/A - LANDSCAPED AREA
  - B.S.L. - BUILDING SET BACK LINE
  - CONC. - CONCRETE
  - C&G - CURB AND GUTTER
  - EX. - EXISTING
  - R - RAMP
  - L - LANDING
  - 10' POND ACCESS
  - EASEMENT

NOTE: ALL DIMENSIONS ARE TO BACK OF CURB UNLESS OTHERWISE NOTED.



GWINNETT PERMIT # CP-2023-00019

GEORGIA 811  
Utilities Protection Center, Inc.  
www.811.ga.gov  
Call before you dig  
Dial 811 or Call 1-800-282-7411

RZC2023-00016

DR

**Exhibit C: Letter of Intent and Applicant's Response to Standards**

**[attached]**

**RECEIVED**

5/9/2023

May 9, 2023

Gwinnett County Planning Commission  
75 Langley Drive  
Lawrenceville, GA 30046

Re: Tramanh Nguyen (Braselton Professional Center)  
Rezoning-Letter of Intent

Gwinnett County Board of Commissioners,

I am writing to express my intent to propose a rezoning request for the property located at 2103 Braselton Hwy, Dacula, GA 30019. The current zoning classification for the property is O/I (Office/Institutional), and I am seeking to rezone it to C-1 (Neighborhood Commercial).

The purpose of this rezoning proposal is to accommodate the changing needs of the community and the surrounding area. As a C-1 zoning classification allows for a broader range of commercial uses, it would provide more opportunities for local businesses to thrive and serve the community's needs. This would include diverse small-scale retail, personal services, and other commercial activities compatible with the surrounding residential areas. Furthermore, the rezoning to C-1 would align with the future development plans of the area and would contribute to the economic growth and vitality of the community.

As part of the rezoning proposal, I am committed to complying with all applicable zoning regulations and engaging in meaningful community outreach to address any concerns or questions from neighboring property owners and community members. Rezoning the property from O/I to C-1 would benefit both the community and the local economy by creating opportunities for small business owners/entrepreneurs and contributing to the growth and development of the area. I am excited about the potential of this rezoning proposal and look forward to working closely with the Planning and Zoning Department and other relevant stakeholders throughout the process.

In addition, we are requesting a variance to eliminate the connection between the commercial and office-zoned property. The office-zoned property is a single-family residence and also there is a detention pond.

Thank you for considering my letter of intent. Please do not hesitate to contact me at [jenny@ptenterprise.co](mailto:jenny@ptenterprise.co) if you require additional information or have any questions.

Sincerely,



Tramanh Nguyen

RECEIVED

4/20/2023 1:53PM

**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:

The proposed rezoning is designed to be compatible with the surrounding properties and is intended to contribute positively to the overall use and development of the area.

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

The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby properties.

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

We believe that the proposed rezoning will provide additional economic opportunities and contribute positively to the long-term economic growth and impact for Gwinnett County.

- (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:

Our proposed rezoning will not result in a use that could cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

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

Our proposal aligns with the overall vision and goals of the land use plan and supports the intended land use and development patterns for the area.

- (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:

The property is in an area that has experienced significant changes such as increase demand for certain type of land use development.

Our proposed rezoning is in response to these changing market conditions and aligns with the evolving needs of the community.

**Exhibit D: Application and Disclosure of Campaign Contributions  
[attached]**



**RECEIVED**

5/9/2023

**REZONING APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Tramanh Nguyen</u>	NAME: <u>Braselton Professional Center</u>
ADDRESS: <u>1796 Buckhead Valley Ln NE</u>	ADDRESS: <u>2103 Braselton Hwy</u>
CITY: <u>Atlanta</u>	CITY: <u>Dacula</u>
STATE: <u>GA</u> ZIP: <u>30324</u>	STATE: <u>GA</u> ZIP: <u>30019</u>
PHONE: <u>678-656-5219</u>	PHONE: <u>678-656-5219</u>
EMAIL: <u>tram@ptenterprise.co</u>	EMAIL: <u>tram@ptenterprise.co</u>
CONTACT PERSON: <u>Jenny Jang</u> PHONE: <u>678-492-0361</u>	
CONTACT'S E-MAIL: <u>jenny@ptenterprise.co</u>	
<b>APPLICANT IS THE:</b>	
<input type="checkbox"/> OWNER'S AGENT <input checked="" type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICTS(S): <u>O-1</u> REQUESTED ZONING DISTRICT: <u>C-1</u>	
PARCEL NUMBER(S): <u>R7099 002</u> ACREAGE: <u>4.44</u>	
ADDRESS OF PROPERTY: <u>2103 Braselton Hwy, Decula, GA 30019</u>	
PROPOSED DEVELOPMENT: <u>10-unit commercial property for diverse small-owned businesses to grow, thrive and serve the needs of the community.</u>	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units _____	No. of Buildings/Lots: <u>1/1</u>
Dwelling Unit Size (Sq. Ft.): _____	Total Building Sq. Ft. <u>32,972 Sq. Ft.</u>
Gross Density: _____	Density: <u>0.17</u>
Net Density: _____	

**PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED**

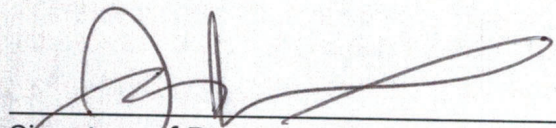


**RECEIVED**

4/20/2023 1:53PM

**REZONING PROPERTY OWNER'S CERTIFICATION**

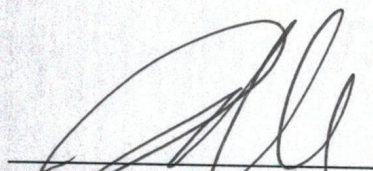
THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE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

  
\_\_\_\_\_  
Signature of Property Owner

4/19/2023

\_\_\_\_\_  
Date

Tramanh Nguyen      Owner  
\_\_\_\_\_  
Type or Print Name and Title

  
\_\_\_\_\_  
Signature of Notary Public

4/19/23  
\_\_\_\_\_  
Date

ALLEENA OUM  
NOTARY PUBLIC  
Gwinnett County  
State of Georgia  
My Comm. Expires March 14, 2026

\_\_\_\_\_  
Notary Seal



**RECEIVED**

4/20/2023 1:53PM

**VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING**

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 REZONING REQUEST.**

**PARCEL I.D. NUMBER:** \_\_\_\_\_ - \_\_\_\_\_ - R7099 002  
(Map Reference Number)                      District                      Land Lot                      Parcel

  
\_\_\_\_\_  
Signature of Applicant

4/19/2023  
\_\_\_\_\_  
Date

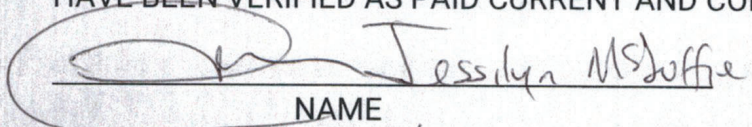
Tramanh Nguyen    Owner

\_\_\_\_\_  
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)

  
\_\_\_\_\_  
NAME

ISA  
\_\_\_\_\_  
TITLE

4/19/23  
\_\_\_\_\_  
DATE

**Exhibit E: Internal and External Agency Review Comments**

**[attached]**



**Department of Planning and Development  
TECHNICAL REVIEW COMMITTEE**

<b>TRC Meeting Date:</b>		06.14.2023	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		<a href="mailto:Brent.Hodges@gwinnettcounty.com">Brent.Hodges@gwinnettcounty.com</a>	
Case Number:		RZC2023-00016	
Case Address:		2103 Braselton Highway, Dacula, 30019	
<b>Comments:</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<b>YES</b>	<b>NO</b>
1	Braselton Highway (SR 124) is a minor arterial. ADT = 19,100.		
2	6.0 miles to the nearest transit facility (#2334754) Buford/SR 20 Park and Ride.		
3			
4			
5			
6			
7			
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<b>YES</b>	<b>NO</b>
1			
2			
3			
4			
5			
6			
7			

**Note:** Attach additional pages, if needed

Revised 7/26/2021



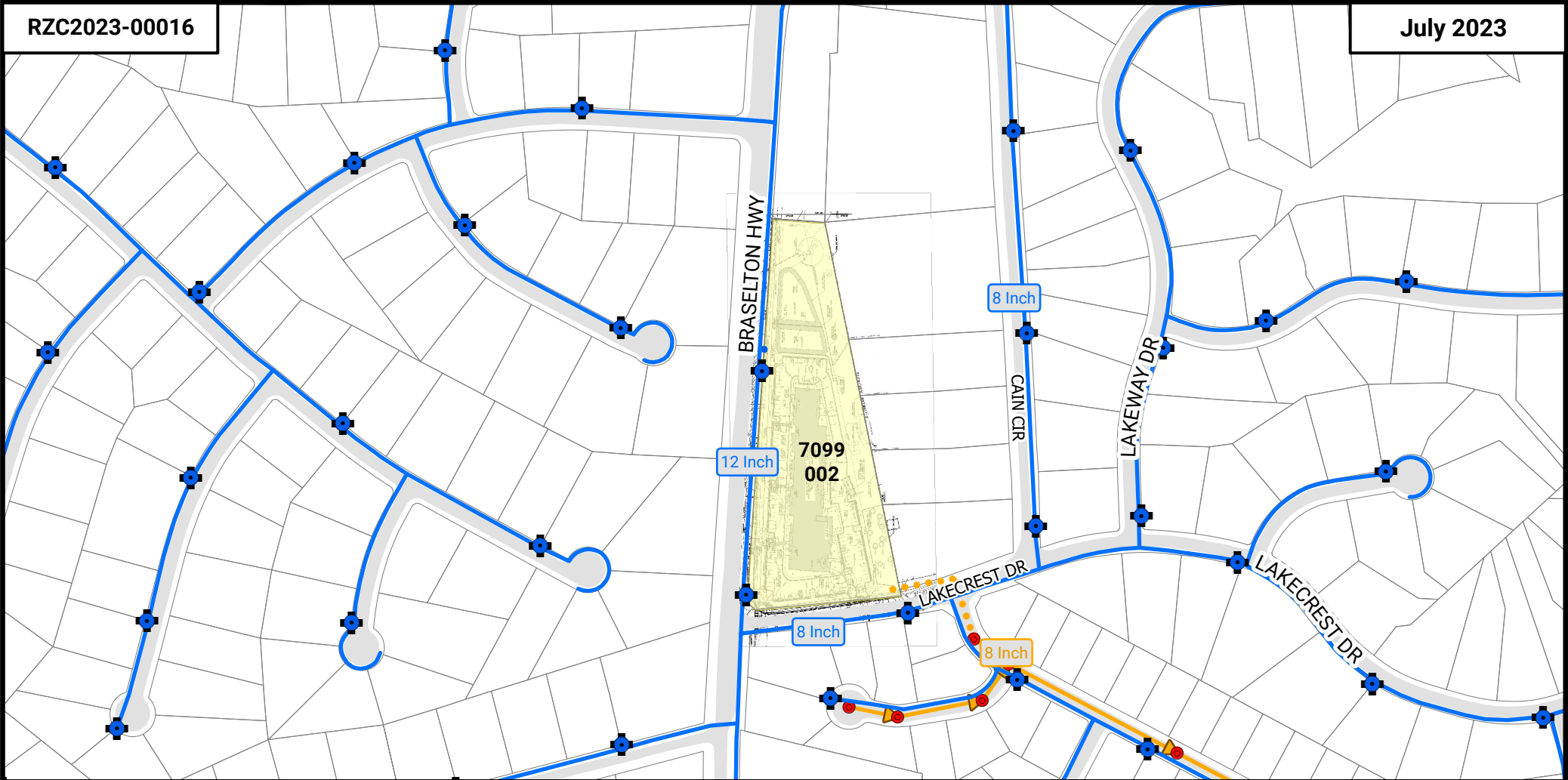
**Department of Planning and Development  
TECHNICAL REVIEW COMMITTEE**

<b>TRC Meeting Date:</b>				
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		<a href="mailto:Michael.pappas@gwinnettcountry.com">Michael.pappas@gwinnettcountry.com</a>		
Case Number:		RZC2023-00016		
Case Address:		2103 Braselton Highway		
<b>Comments:</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>1</b>	Water: The proposed development plans to connect to the existing 12-inch water main on Braselton Highway. Water connection is currently under construction to serve the site.			
<b>2</b>	Sewer: The proposed development plans to connect to an existing 8-inch gravity sewer on Cain Commons Drive. Sewer infrastructure is currently under construction to serve the site. Sewer Capacity Certification (C2020-02-03) was approved for 33,000 square feet of office space.			
<b>3</b>				
<b>4</b>				
<b>5</b>				
<b>6</b>				
<b>7</b>				
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>1</b>				
<b>2</b>				
<b>3</b>				
<b>4</b>				
<b>5</b>				
<b>6</b>				
<b>7</b>				

**Note:** Attach additional pages, if needed

*Revised 7/26/2021*





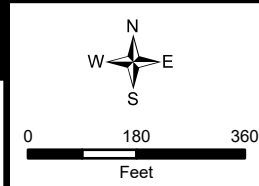
### 2103 Braselton Hwy

O-I to C-1

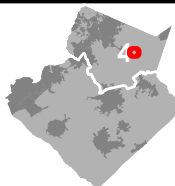
## Water & Sewer Utility Map

LEGEND

-  Water Main
-  Proposed Water Main
-  Hydrant
-  Manhole
-  Sewer Collector
-  Proposed Sewer Main



LOCATION



**Water Comments:** The proposed development plans to connect to the existing 12-inch water main on Braselton Highway. Water connection is currently under construction to serve the site.

**Sewer Comments:** The proposed development plans to connect to an existing 8-inch gravity sewer on Cain Commons Drive. Sewer infrastructure is currently under construction to serve the site. Sewer Capacity Certification (C2020-02-03) was approved for 33,000 square feet of office space.

**Water Availability:** Water demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development. Current Gwinnett County Standards require a minimum of 12" pipe size for commercial developments and a minimum of 8" pipe size for residential developments. Additionally, connection to a minimum of 12" and 8" mains are required for commercial and residential developments, respectively. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

**Sewer Availability:** A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

**Water and Sewer Design and Construction Requirements:** Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

**Private Road Developments:** Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

**Exhibit F: Maps**

**[attached]**



IRONWOOD HILL CT

IRONWOOD BRIAR DR

IRONWOOD RIDGE CT

BRASELTON HWY

CAIN CIR

LAKEWAY DR

LAKEWAY CT

LAKELAND CT

LAKECREST DR

ASHTON TARE CT

ASHTON RIDGE DR

MARY ELLEN CT

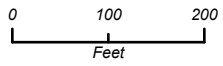
CAIN COMMONS CT

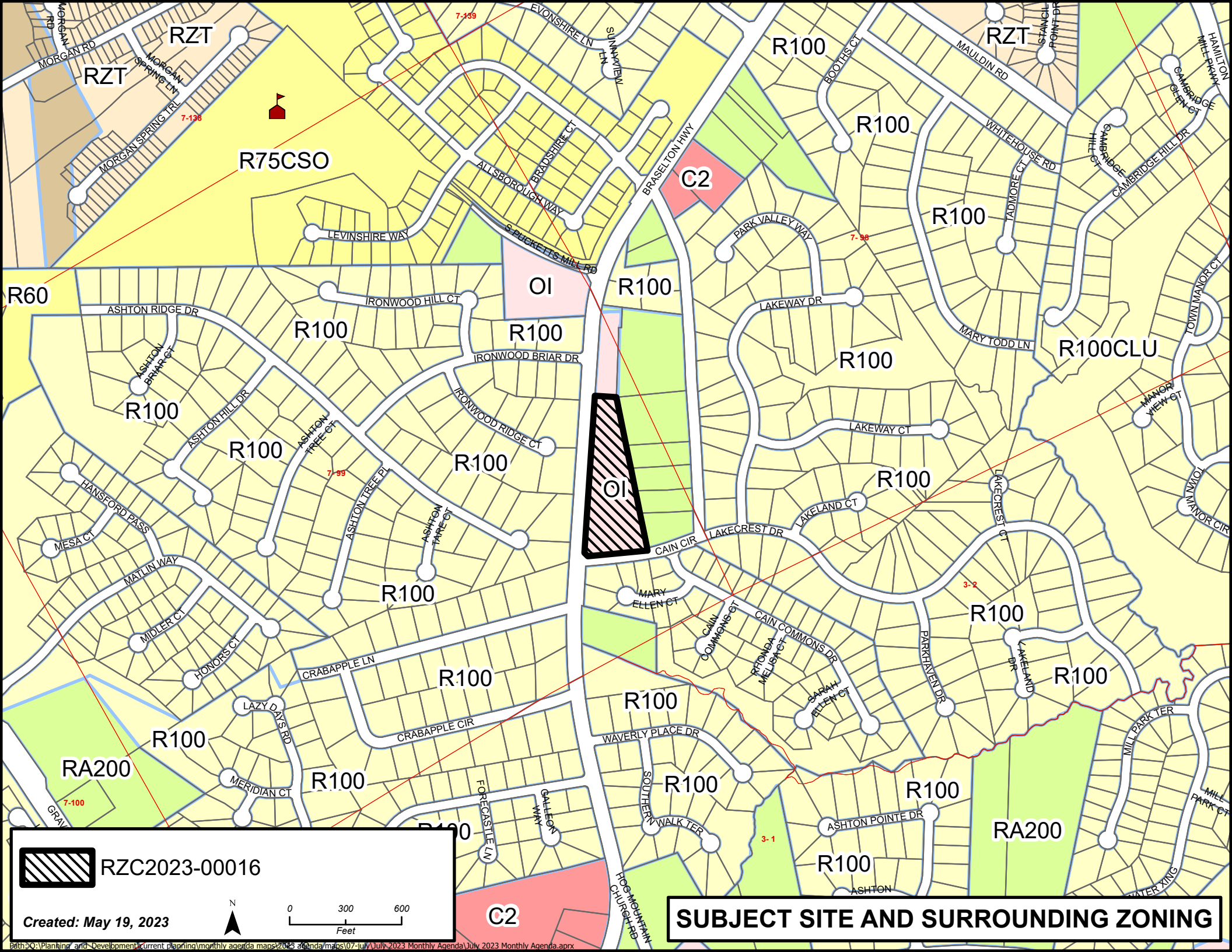
CAIN COMMONS DR




RZC2023-00016

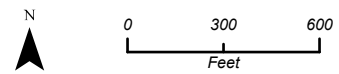
Created: May 19, 2023





 RZC2023-00016

Created: May 19, 2023



**SUBJECT SITE AND SURROUNDING ZONING**

