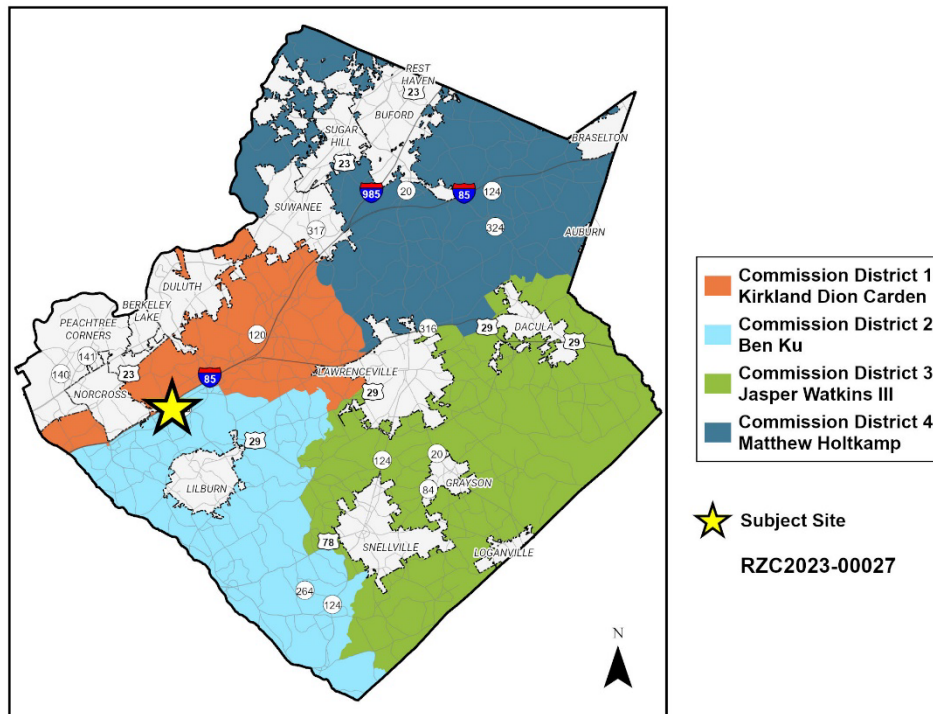


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: RZC2023-00027
Current Zoning: C-2 (General Business District) and M-2 (Heavy Industry District)
Request: Rezoning to M-1 (Light Industry District)
Overlay District: Gateway 85 Overlay District
Additional Requests: Variances
Address: 1793 Beaver Ruin Road
Map Number: R6211 006A
Site Area: 1.80 acres
Square Feet: 11,985
Proposed Development: Distribution Facility
Commission District: District 2 – Commissioner Ku
Character Area: Workplace Center

Staff Recommendation: **APPROVAL WITH CONDITIONS**



Applicant: Yellow Dart, LLC
1078 Citizen's Parkway, Suite B
Morrow, GA 30260

Owners: Atudishu Holding, LLC
657 Vendella Circle
McDonough, GA 30253

Contact: W. Charles "Chuck" Ross, Esq.

Contact Phone: 770.962.0100

Zoning History

The subject property is zoned C-2 (General Business District) and M-2 (Heavy Industry District). The property received a special use permit for a kennel in 2004, pursuant to SUP-04-071. The property is located within the Gateway 85 Overlay District.

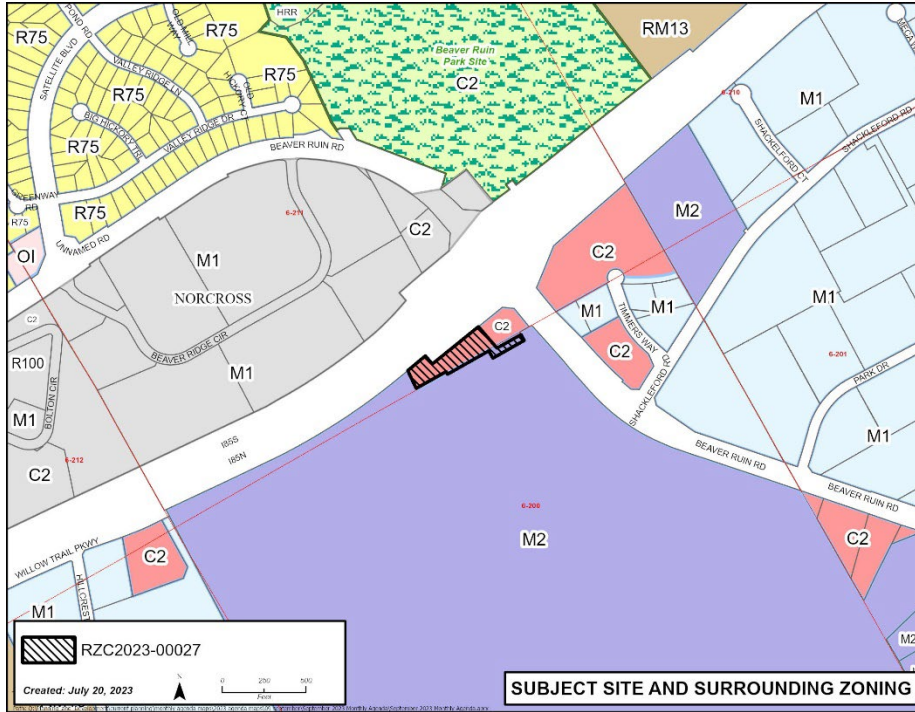
Existing Site Condition

The subject property is a 1.80-acre parcel located in the southwest quadrant of the Interstate 85 interchange with Beaver Ruin Road. The property contains a one-story masonry building with 11,985 gross square feet, constructed in 2005. The building has contained various commercial establishments in recent years and is currently vacant. There is an existing paved parking lot with 18 parking spaces in front of the building. A masonry utility building and concrete pad are located on the south side of the building. The northern side of the building fronts the Interstate 85 northbound off-ramp and includes a grassed area surrounded by a 6-foot-tall wooden fence. The rear of the property also has grassed areas surrounded by 6-foot-tall wood and chain link fences. A shared driveway with an ingress/egress easement provides access from Beaver Ruin Road to both the subject property and the gas station at the corner of Beaver Ruin Road and the Interstate 85 northbound off-ramp.

The property is partially wooded in the western portion of the lot behind the building. The terrain slopes upward from the parking lot's eastern edge approximately 24 feet. The most pronounced slopes are near the western property line and to the rear of the building. There is a 20-foot-wide access easement along the northern property line and a slope easement along the eastern property line by the parking lot. There are overhead utility lines running both along the southern property line and behind the building. The nearest Gwinnett County Transit stop is approximately 0.4 miles from the subject property.

Surrounding Use and Zoning

The subject property is located in a commercial and industrial area at the interchange of Interstate 85 and Beaver Ruin Road. There is a gas station to the east facing Beaver Ruin Road, and a quarry to the south and west of the property. A building supplies company is located just east of the quarry. A place of worship and a gas station are located across Beaver Ruin Road. The northbound off-ramp of Interstate 85 borders the property to the north with light industrial uses on the opposite side of the interstate located within the City of Norcross. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Distribution Facility	M-1	N/A
North	Interstate 85	N/A	N/A
East	Commercial	C-2	N/A
South	Heavy Industrial	M-2	N/A
West	Heavy Industrial	M-2	N/A

Project Summary

The applicant requests rezoning of a 1.80-acre property from C-2 and M-2 to M-1 for a distribution facility, including:

- Interior renovations and cosmetic improvements to the exterior of the existing 11,985 square foot building into a distribution facility for grocery-related products, servicing convenience stores.
- Existing exterior building materials of primarily brick and glass.
- An existing 12' x 11' concrete block storage building between the primary building and the southern property line to remain.
- A landlocked parcel without direct access to Beaver Ruin Road. The existing cross-access easement will be maintained through the adjacent convenience store.
- Utilization of the existing 18 parking spaces in the front of the building.
- Addition of a paved area to the south of the existing building to include a 10' x 50' loading space between the building and the storage building.
- No more than one commercial vehicle, typically limited to delivery vans and standard sized vehicles, entering the property per day.
- Four to five employees.
- An existing 6-foot-tall wooden privacy fence on portions of the site to remain.

Zoning and Development Standards

The applicant is requesting a rezoning to M-1 (Light Industry District), for a distribution facility. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Lot Size	Minimum 1 acre	1.80 acres	YES
Lot Width	Minimum 150'	40'	NO*
Lot Frontage	Minimum 40'	0'	NO*
Building Height	Maximum 45'	>45'	YES
Front Yard Setback	Minimum 50'	137'	YES
Side Yard Setback	Minimum 25'	20'	NO**
Rear Yard Setback	Minimum 50'	46'	NO**
Parking (Commercial)	Minimum 5 spaces Maximum 24 spaces	18 spaces	YES

* The applicant has requested variances from the minimum lot width and frontage requirements.

** The building was constructed in 2005 and is deemed legally non-conforming.

In addition, the following standards apply to development in the Gateway 85 Overlay District:

Standard	Meets Standard?
Parcels under two acres shall provide a walkway with a minimum width of 5 feet from all buildings to an adjacent public right-of-way.	NO*

* The applicant has requested a variance to the walkway requirement.

Variance Requests

In addition to the rezoning request, the applicant is seeking variances from the following provisions of Title II of the UDO:

1. Section 230-70. Road Frontage

No lot shall be created that does not abut for at least 40 feet, upon an open street which shall be either a public street, a publicly approved street, publicly maintained street, or private street.

The applicant proposes a change in use of an existing parcel that does not have road frontage.

2. Table 230.1: Dimensional Standards for Residential Zoning Districts

The minimum lot width in M-1/M-2 zoning districts shall be 150 feet.

The applicant proposes a change in use of an existing parcel that cannot meet the minimum lot width, measured at the front setback line, because it does not have road frontage.

3. Section 220-50.7 A. 1.

Parcels under 2 acres shall provide a walkway with a minimum width of 5 feet from all buildings to an adjacent right-of-way.

The applicant proposes not to install the required 5-foot-wide pedestrian walkway because the site layout exists without a sidewalk and the parcel does not abut the right-of-way.

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 stormwater, transportation, 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 property is located within an industrial area with nearby access to Interstate 85. The appearance of the property will remain largely unchanged since the applicant proposes to reuse the existing building and parking lot with minimal alterations. The proposed distribution facility is suitable for the site.

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

The property and a cross access easement providing access to Beaver Ruin Road are existing. The proposed distribution facility is expected to have less traffic along the shared driveway than many uses permitted by the existing zoning district. The applicant states that there would be four or five employees and that one commercial vehicle would enter the property per day. The proposed rezoning would not adversely affect the existing use or usability of adjacent or nearby property, which consists of existing industrial and commercial property.

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.

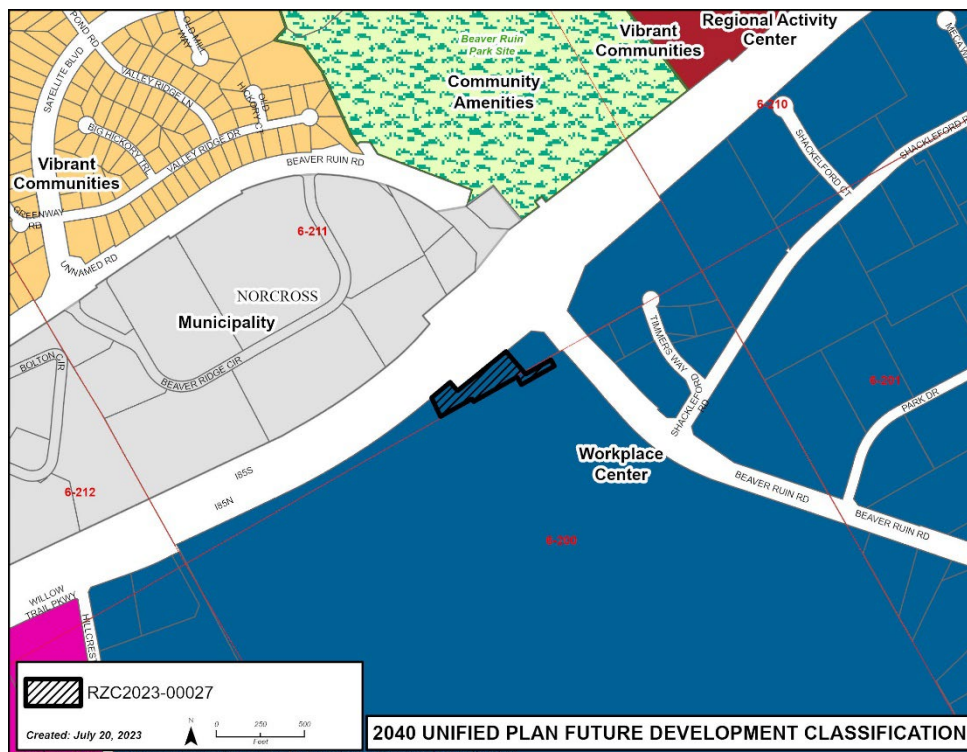
D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

Minimal impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. No impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning request are attached (Exhibit E).

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

The Future Development Map of the Unified Plan indicates the property is located in the Workplace Center Character Area, which is intended to accommodate a mixture of intense non-residential, mixed-use, and high-density residential uses around and near several Regional Activity Centers. Emphasis should be placed on encouraging employment-oriented uses including mid- to high-rise office buildings, industrial parks, and locations for freight oriented and logistic uses, where appropriate.

The request aligns with the intent of the Workplace Center character area, albeit on a smaller scale. The property is viable for many light industrial uses despite the limitations placed on it by the adjacent interstate and quarry. The proposed distribution facility would create jobs in the logistics and freight industry as intended by the character area. Finally, the proposed M-1 zoning is more consistent with the intent of the character area and surrounding industrial uses than the existing C-2 zoning on the property.



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 request will bring a low-traffic, light industrial use to a building that is currently vacant and underutilized. Since many commercial uses require more visibility and direct interstate access to succeed, a light industrial use may have a better chance of success in this location. Approval of this request would be an adaptive reuse of a vacant building, create jobs, and have minimal vehicular traffic impacts on the surrounding area.

Variance Requests Analysis: The standards for granting variances are outlined in Section 270-100.7 of the UDO. Staff makes the following findings related to the variance requests:

The applicant requests variances to the minimum lot frontage and minimum lot width dimensional requirements. In addition, a variance has been requested to the walkway requirement in the Gateway 85 Overlay District. The parcel does not have any road frontage and thus no front setback from which to measure the minimum lot width or which to build a connecting sidewalk. The parcel is existing, and the property lines will not be altered as a result of this request. The variances will remedy an existing non-conforming condition and are reasonable.

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 variances:

1. To reduce the minimum lot frontage from 40 feet to 0 feet.
2. To reduce the minimum lot width from 150 feet to 0 feet.
3. To eliminate the 5-foot-wide walkway from the building to the adjacent right-of-way.

Staff Recommended Conditions

Approval as M-1 (Light Industry District) for a Distribution Facility subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received August 9, 2023, with revisions required by conditions of approval and the Unified Development Ordinance, subject to the review and approval of the Director of Planning and Development.
2. The property shall be limited to distribution, wholesaling, and warehousing (accessory retail <15%) uses.
3. No outdoor storage shall be permitted.

4. No outdoor retail display on the property shall be permitted.
5. An enclosed dumpster shall be provided in compliance with all related UDO requirements.

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



View of existing building and parking lot



View of entrance drive into the property



View of future loading area to the southern side of the building



View of the northern side facing Interstate 85



View of access drive from Beaver Ruin Road



View of Beaver Ruin Road, access drive on right

Exhibit B: Site Plan

[attached]

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

[attached]

Tony Powell
Brian Edwards
Nathan Powell
W. Charles Ross



POWELL & EDWARDS
ATTORNEYS AT LAW

Jay Crowley
Mandy Williams
Laura Walsh
Laura Shoop

June 29, 2023

Matthew Dickison, Director
Gwinnett County Planning & Development
75 Langley Drive
Lawrenceville, Georgia 30046



**RE: REZONING APPLICATION AND LETTER OF INTENT FOR 1793
BEAVER RUIN ROAD, NORCROSS, TAX PARCEL R6211 006A.**

Dear Mr. Dickison:

Powell & Edwards, P.C. submits this Letter of Intent on behalf of Yellow Dart, LLC (the “Applicant”) to request a rezoning from C-2 and M-2 to the M-1 zoning designation to allow for a Distribution Facility for grocery-related products to utilize an existing 11,985 square foot building which is nestled behind a Valero gas station and adjacent the Interstate 85 north off-ramp to Beaver Ruin Road on one side and the Vulcan Materials quarry on the other. The property is located at 1793 Beaver Ruin Road and is identified as tax parcel R6211 006A (the “Property”).

The Applicant is owner of the 1.80-acre parcel which contains the building which was erected in 1985. The Property has served a variety of uses, most recently that of a church. The unique location of the Property next to an Interstate ramp, and one of the largest and most active quarries in metro Atlanta, significantly limits the uses for this property. A Distribution Facility for grocery-related products is an appropriate use for this property. The Applicant does not intend to enlarge the existing building, nor make any exterior changes to the property other than a freshening of the exterior and landscaping. The proposed use is consistent with its location in the Workplace Center future land use designation which specifically includes a focus on freight oriented and logistics uses.

The facility, which services convenience store owners, will employ four (4) to five (5) individuals. Commercial traffic is limited, as there will be no more than one commercial vehicle entering the property per day. Further, the commercial vehicles are typically delivery vans or standard cars. As noted above, the existing building has been in place since 1985, which predates the Unified Development Ordinance (UDO) and thus requires the granting of certain minimum variances by state statute. The applicant is not undertaking any new construction, nor does it anticipate any land disturbance. The Property contains eighteen (18) paved and marked parking spaces and has a gross density of .15 units per acre. Being built pre-UDO, the Applicant requires two (2) variances to allow the existing

A PROFESSIONAL CORPORATION

P.O. Box 1390 • Lawrenceville, Georgia 30046-1390 • powelledwards.com • 770.962.0100
Street Address For Direct Deliveries Only • 10 Lumpkin Street Lawrenceville, GA 30046

Property to conform to the current zoning code. Those variances are a reduction of the 40' minimum lot frontage to 0' pursuant to Section 230-70 and to reduce the required lot width, measured at the minimum front building setback from 150' to 0' pursuant to Section 230-10, Table 230.3. Again, as this parcel and structure pre-date the UDO, the Applicant is entitled by state law to be granted the minimum variances required to make them compliant. No other variances or waivers are needed to revitalize this dormant property. The Applicant does request that pursuant to Section 220-50.7(A)(3)(c&d) that the Applicant not be required to provide a walkway from its building to the right-of-way. In support, the Applicant notes that the existing access driveway abuts the property line and installing a walkway would require the construction of retaining walls, site grading, and site excavation. Additionally, Applicant is not the owner of the property adjacent to the right-of-way, but rather enters the Property via an ingress/egress access agreement located in Gwinnett County Deed Book 12677, Page 74. This easement also allows cross-access to the Valero gas station. Thus, installation of any such walkway would be infeasible due to site-specific constraints.

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

Respectfully submitted,

POWELL & EDWARDS, P.C.



W. Charles "Chuck" Ross
Attorney for Applicant

Enclosures

RECEIVED

6.29.2023

Gwinnett County Planning Division
Rezoning Application
Last Updated
10/2021

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 use of a wholesale grocery-related product distribution facility is located behind a gas station and sandwiched between the Interstate and the Vulcan Materials quarry. There are not a lot of uses that will work here, but the proposed use, which will not be open to the public, has found a perfect location as proposed.

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

As noted above, the surrounding properties are of such intense use, that allowing for a wholesale grocery-related product distribution operation would in no reasonable way effect those adjacent or nearby properties.

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

As exhibited by the fact that everything from a dog kennel to a church has tried to make a go at this location and failed, it clearly does not have a REASONABLE economic use as currently zoned. There is a significant difference between whether a property has SOME economic use and whether the property is being used to its highest potential, which this current zoning does not allow for.

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

No, the proposed wholesale operation will see limited vehicles in and out of the property. These will be small delivery vehicles or personal vehicles as this business caters primarily to the convenience store industry. Considering the already high use of Beaver Ruin Road, any additional trips would be negligible on the streets. There will be no impact to any utilities or schools.

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

The 2040 Unified Plan classifies this area as being within the Workplace Center District. The district encourages uses which are consistent distribution and logistics. This project is completely in conformity with the policy and intent of the Land Use 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 REZONING:

As noted above, this location is unique in that it is not visible to any vehicle traffic on Beaver Ruin and is abutted on all sides by very intense uses, which are incompatible with most commercial and all residential uses. The proposed use clearly is supported by these aggravating factors.

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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6.29.2023
RZC2023-00027

Exhibit D: Application and Disclosure of Campaign Contributions

[attached]

RECEIVED

8.3.2023

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Yellow Dart, LLC</u>	NAME: <u>Atudishu Holding, LLC</u>
ADDRESS: <u>1078 Citizen's Parkway, Suite B</u>	ADDRESS: <u>657 Vendella Circle</u>
CITY: <u>Morrow</u>	CITY: <u>McDonough</u>
STATE: <u>Georgia</u> ZIP: <u>30260</u>	STATE: <u>Georgia</u> ZIP: <u>30253</u>
PHONE: <u>404-452-4313</u>	PHONE: <u>404-452-4313</u>
EMAIL: <u>yellowdartdistro@gmail.com</u>	EMAIL: <u>tejworld@yahoo.com</u>
CONTACT PERSON: <u>W. Charles "Chuck" Ross, Esq.</u> PHONE: <u>770-962-0100</u>	
CONTACT'S E-MAIL: <u>cross@powelledwards.com</u>	
APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT <input checked="" type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICTS(S): <u>C2/M2</u> REQUESTED ZONING DISTRICT: <u>M-1</u>	
PARCEL NUMBER(S): <u>R6211 006A</u> ACREAGE: <u>1.80</u>	
ADDRESS OF PROPERTY: <u>1793 Beaver Ruin Road, Norcross, Georgia 30071</u>	
PROPOSED DEVELOPMENT: <u>Distribution Facility for grocery-related products</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>11,985 square feet</u>
Gross Density: _____	Density: <u>.15 units per acre</u>
Net Density: _____	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

6.29.2023

REZONING APPLICANT'S CERTIFICATION

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

T. P. Shanm

Signature of Applicant

6/29/23

Date

Tejaskumar Bhasvar, Member

Type or Print Name and Title

Sara Miller

Signature of Notary Public

6/29/2023

Date



Notary Seal

RECEIVED

6.29.2023

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.

T. P. Bhasvar

6/29/23

Signature of Property Owner

Date

Tejaskumar Bhasvar, Member

Type or Print Name and Title

Sara Miller

6/29/2023

Signature of Notary Public

Date



Notary Seal

RECEIVED

6.29.2023

CONFLICT OF INTEREST CERTIFICATION FOR REZONING

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

T. P. Bhasvar 6/29/23 Tejaskumar Bhasvar, Member
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

Sara Miller 6/29/2023
SIGNATURE OF NOTARY PUBLIC DATE



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?

YES NO _____
Tejaskumar Bhasvar
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.

RECEIVED

6.29.2023

CONFLICT OF INTEREST CERTIFICATION FOR REZONING

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

SIGNATURE OF APPLICANT	DATE	TYPE OR PRINT NAME AND TITLE
<i>W. Charles Ross</i>	6/29/2023	W. Charles Ross, Esquire

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

<i>Amanda DeSena</i>	<i>6/29/2023</i>
----------------------	------------------

SIGNATURE OF NOTARY PUBLIC	DATE
----------------------------	------



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?

YES NO _____
W. Charles Ross, Esquire
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)
Matthew Holtkamp, Commissioner	\$1,000.00	October 2022

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

RECEIVED

6.29.2023

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: 6 - 211 - 006A
(Map Reference Number) District Land Lot Parcel

T.P. Bhasvar

6/29/23

Signature of Applicant

Date

Tejaskumar Bhasvar, Member

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)

[Signature]

TSA

NAME

TITLE

6/29/23

DATE

Exhibit E: Internal and External Agency Review Comments

[attached]



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

TRC Meeting Date:		08.09.2023	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		Brent.Hodges@gwinnettcountry.com	
Case Number:		RZC2023-00027	
Case Address:		1793 Beaver Ruin Road, Norcross, 30071	
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	Beaver Ruin Road (SR 378) is a major arterial. ADT = 36,200.		
2	0.4 mile to the nearest transit facility (#2335379) Beaver Ruin Road and Shell Gas Station.		
3	Due to Beaver Ruin Road being a Georgia Department of Transportation (GDOT) maintained roadway, the developer shall coordinate with GDOT on any access issues.		
4	The developer shall coordinate with the Gwinnett County Department of Transportation Program Delivery Division on the Beaver Ruin Road / I-85 Intersection Improvement project (M-1062).		
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		YES	NO
1			
2			
3			
4			
5			
6			
7			

Note: Attach additional pages, if needed

Revised 7/26/2021

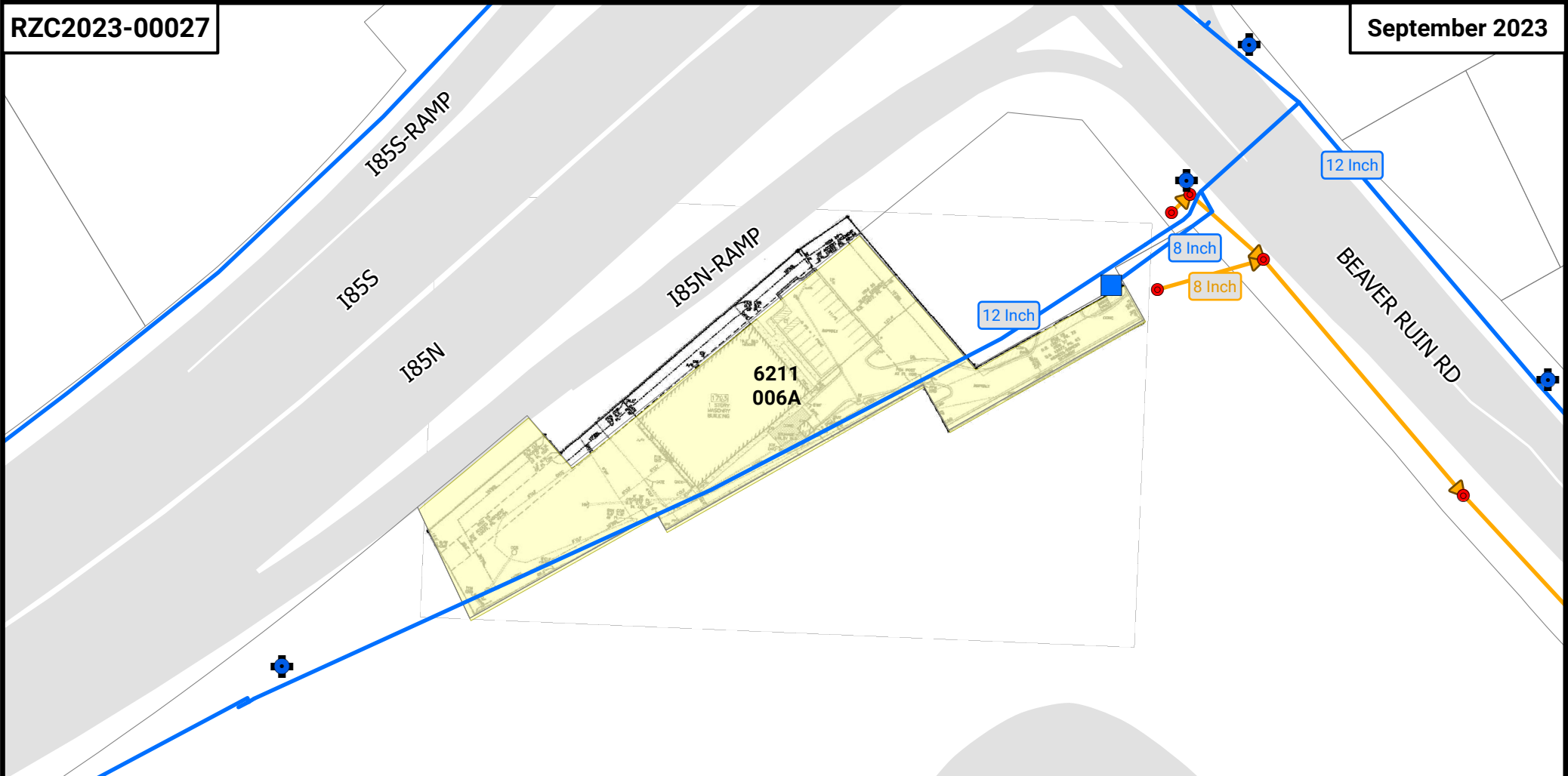


**Department of Planning and Development
TECHNICAL REVIEW COMMITTEE**

TRC Meeting Date:				
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		Michael.pappas@gwinnettcounty.com		
Case Number:		RZC2023-00027		
Case Address:		1793 Beaver Ruin Rd		
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Water: GCDWR does not have comments for this Rezoning case. The existing building is connected to public water.			
2	Sewer: A Sewer Capacity Certification is required for this development. The existing building is connected to public sewer via a private pump station. The developer shall confirm that the private pump station is adequate for the proposed use.			
3				
4				
5				
6				
7				
Recommended Zoning Conditions:		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1				
2				
3				
4				
5				
6				

Note: Attach additional pages, if needed

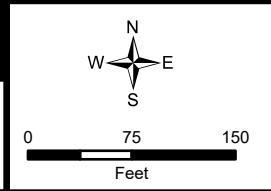
Revised 7/26/2021



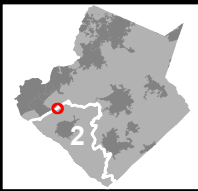
LEGEND

- Water Main
- Hydrant
- Master Vault
- Manhole
- Sewer Collector

1793 Beaver Ruin Rd
 C2/M2 to M-1
Water & Sewer
Utility Map



LOCATION



Water Comments: GCDWR does not have comments for this Rezoning case. The existing building is connected to public water.

Sewer Comments: A Sewer Capacity Certification is required for this development. The existing building is connected to public sewer via a private pump station. The developer shall confirm that the private pump station is adequate for the proposed use.

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]



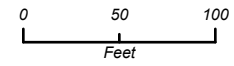
I85S

I85N

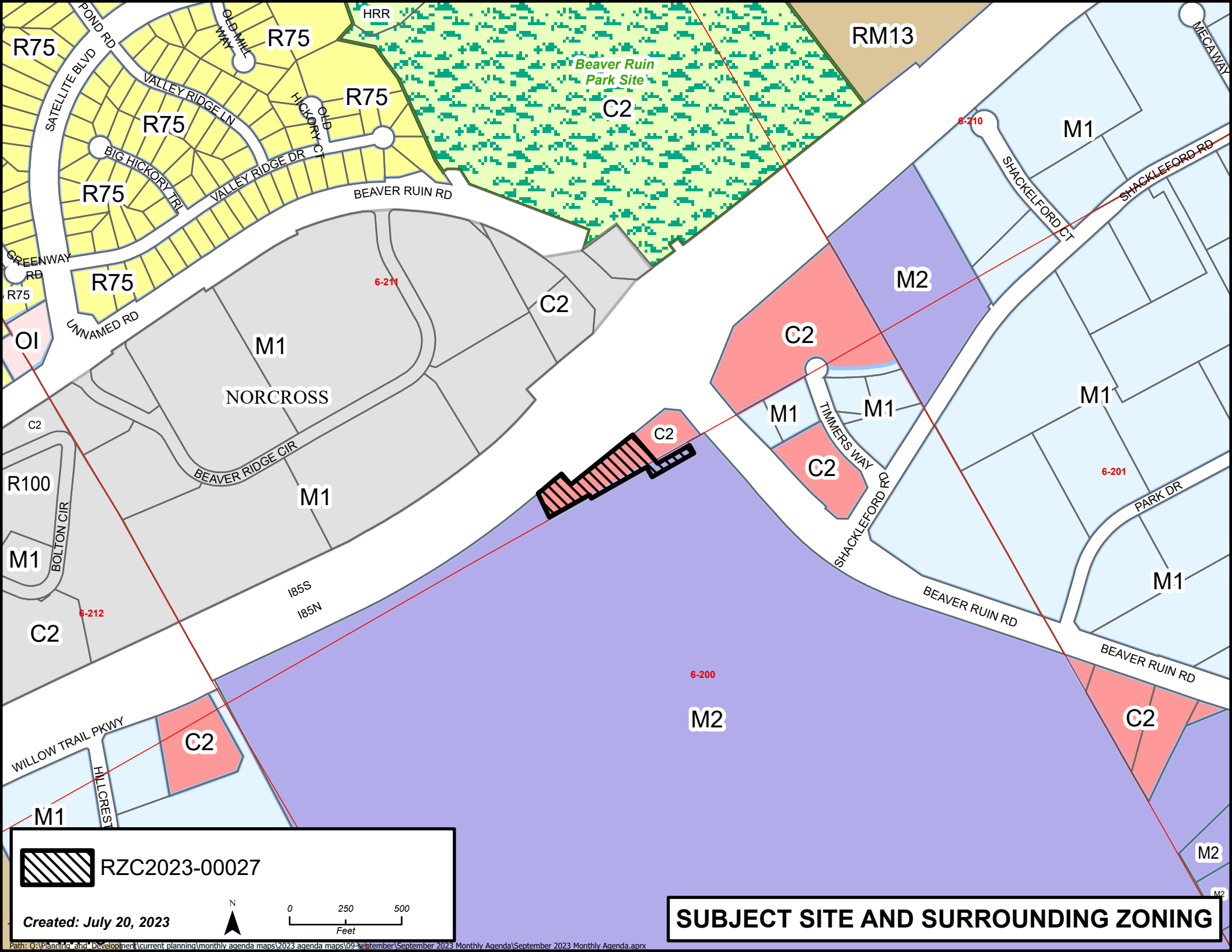
BEAVER RUIN RD
BEAVER RUIN RD


 RZC2023-00027

Created: July 20, 2023

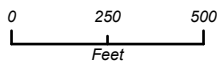


Gwinnett County GIS

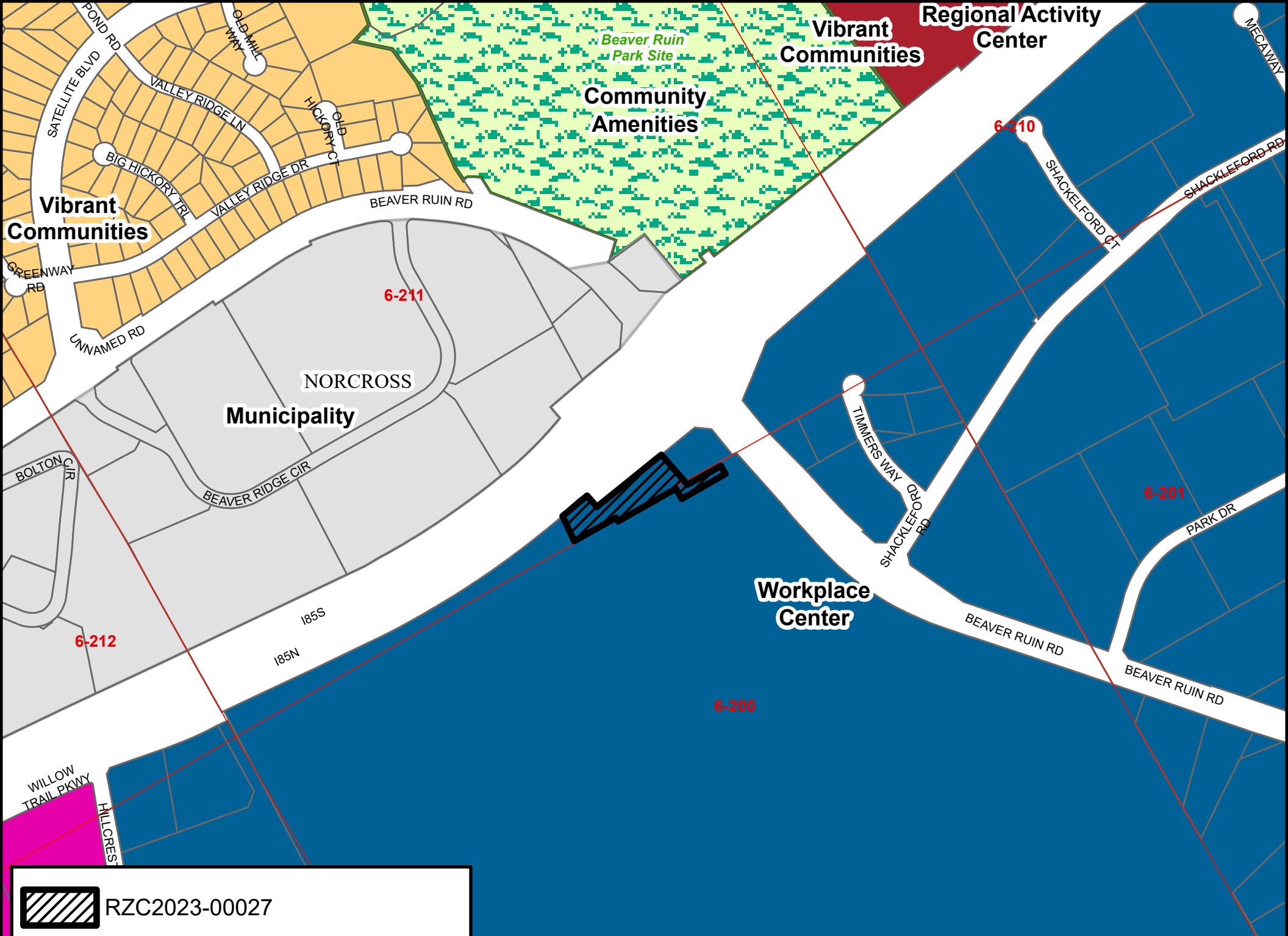



 RZC2023-00027

Created: July 20, 2023

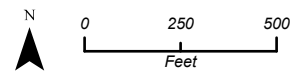


SUBJECT SITE AND SURROUNDING ZONING



 RZC2023-00027

Created: July 20, 2023



2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION