

DRAFT PRELIMINARY AGENDA - SUBJECT TO CHANGE

CASES SCHEDULED FOR PUBLIC HEARINGS – MAY 2017

Attached are site plans, locations maps, and letters of intent for Rezoning and Special Use Permit applications pending action by the Gwinnett County Board of Commissioners and the Gwinnett County Planning Commission

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING & SPECIAL USE PERMIT ANALYSIS**

CASE NUMBER :**RZC2017-00012**
ZONING CHANGE :R-100 TO O-1
LOCATION :2500 BLOCK OF MEADOW CHURCH ROAD
MAP NUMBERS :R7121 093, 174, 013, & 014
ACREAGE :7.68 ACRES
SQUARE FEET :181,500 SQUARE FEET
PROPOSED DEVELOPMENT :SENIOR LIVING FACILITY (BUFFER REDUCTION)
COMMISSION DISTRICT :(1) BROOKS

CASE NUMBER :**SUP2017-00016**
ZONING :O-1 (PROPOSED)
LOCATION :2500 BLOCK OF MEADOW CHURCH ROAD
MAP NUMBERS :R7121 093, 174, 013, & 014
ACREAGE :7.68 ACRES
SQUARE FEET :181,500 SQUARE FEET
PROPOSED DEVELOPMENT :BUILDING HEIGHT INCREASE (BUFFER REDUCTION)
COMMISSION DISTRICT :(1) BROOKS

CASE NUMBER :**SUP2017-00018**
ZONING :O-1 (PROPOSED)
LOCATION :2500 BLOCK OF MEADOW CHURCH ROAD
MAP NUMBERS :R7121 093, 174, 013, & 014
ACREAGE :7.68 ACRES
SQUARE FEET :181,500 SQUARE FEET
PROPOSED DEVELOPMENT :SENIOR LIVING FACILITY (BUFFER REDUCTION)
COMMISSION DISTRICT :(1) BROOKS

FUTURE DEVELOPMENT MAP:

APPLICANT: GEORGIA SENIOR LIVING, LLC
C/O ADVANCED ENGINEERING & PLANNING
4480 COMMERCE DRIVE, SUITE A
BUFORD, GA 30518

CONTACT: MITCH PEEVY PHONE: 770.614.6511

OWNER: MEADOW CHURCH REAL ESTATE, LLC
6123 OAKBROOK PARKWAY, SUITE A
NORCROSS, GA 30093

DEPARTMENT RECOMMENDATION:

PROJECT DATA:
ZONING HISTORY:
GROUNDWATER RECHARGE AREA:
WETLANDS INVENTORY:
OPEN SPACE AND GREENWAY MASTER PLAN:
DEVELOPMENT REVIEW SECTION COMMENTS:
STORMWATER REVIEW SECTION COMMENTS:
GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:
GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:
GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:
BUILDING CONSTRUCTION SECTION COMMENTS:
GWINNETT COUNTY FIRE SERVICES COMMENTS:
DEPARTMENT ANALYSIS:

REZONING APPLICANT'S LETTER OF INTENT

The Applicant, Georgia Senior Living, LLC, requests a Rezoning and a Special Use Permit for 7.675 acres for the purpose of developing a retirement community for residents 55 and older. The subject property is located on Meadow Church Road and the property was cleared for a subdivision that was never built. The request is to utilize the existing detention pond that was built for the subdivision and of course upgraded to the requirements for the new project. That detention pond was built along the rear property line and will require a buffer reduction in that area to 0' and because of the need to be able to access the pond and allow emergency fire truck access to that side of the building we are asking for a 25 foot buffer reduction along the remainder of that property line. The adjoining property in that area is open space and along the northern property line where we abut single family property, we are providing the full 50 foot buffer. Building 1, as shown on the plan, is a 19,000 square foot memory care single story assisted living facility with 20 units. Building 2 is a mix of 146 independent and 20 assisted living units and will also contain the main activity, kitchen and dining area for all the residents. The main building will be 3 stories looking from Meadow Church but due to the topo of the property it will only look like 2 stories along the side that abuts the 50 foot buffer and the single family home property. This building will require a Height Increase to 44 feet as the proposal is to have a pitched roof to give the facility a residential feel. Then finally, building 3 will be a 3,500 square foot 1 story medical building that will serve the residents as well as other folks in the surrounding neighborhoods. The buildings will be brick, stone and glass on all sides with a gated covered parking area for the independent living residents with a roof top patio\garden on top of the garage. The applicant estimates that the project will create 60 permanent jobs.

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Planning & Development

RZC 17012



" The Meadow " Senior Care Campus @ Sugarloaf **RECEIVED BY**
for: Georgia Senior Living LLC, Diplomat InfraProp Consultants INC **MAR 03 2017**

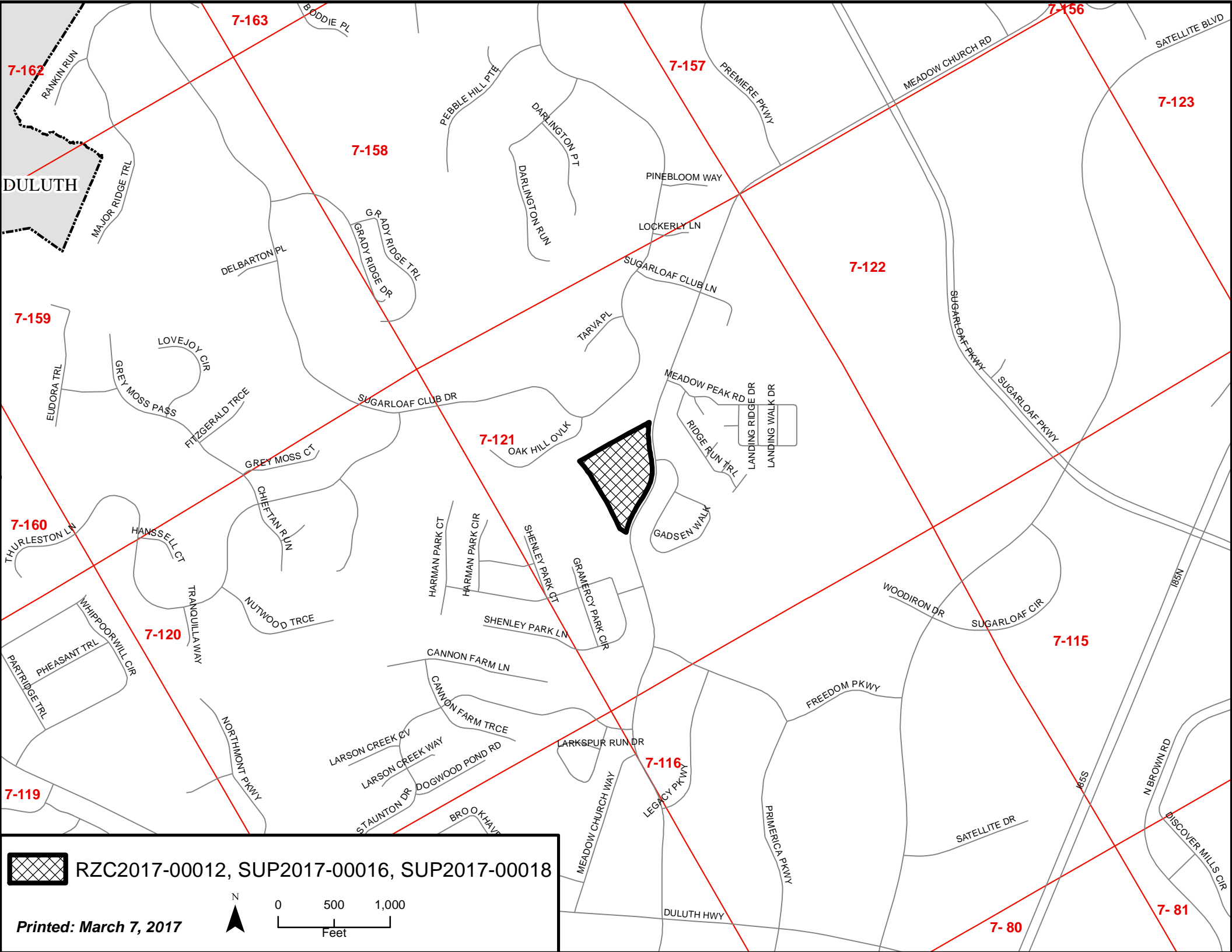
RZC '17012

6340 SUGARLOAF PKWY, SUITE 200 DULUTH, GA 30097

CONTACT: Diplomat.in@Live.Com OM DUGGAL 1-706-589-0900 **Planning & Development**

Earl C. Mitchell ARCHITECT
4120 LANSFAIRE TER. SUWANEE, GA 30024 770 401 5297

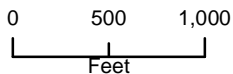
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DULUTH

 RZC2017-00012, SUP2017-00016, SUP2017-00018

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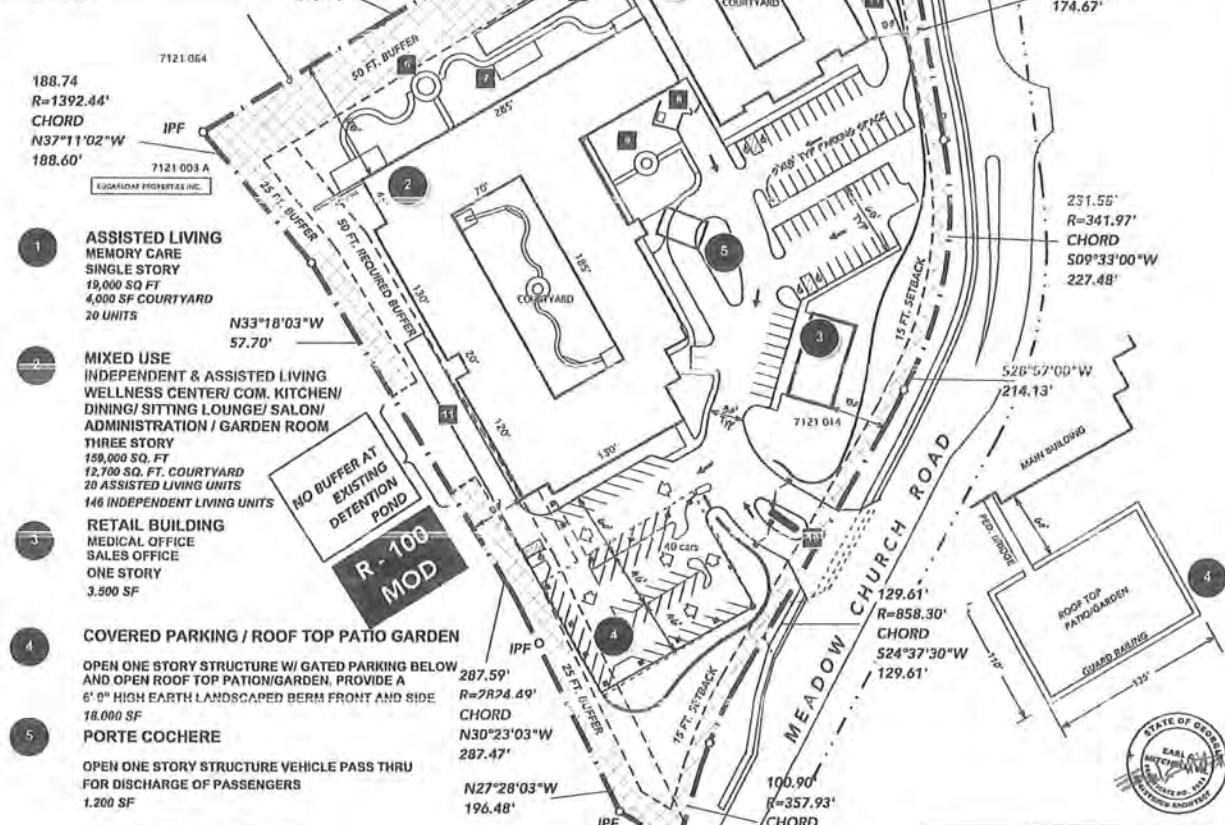


This Drawing Is Property of Earl C. Mitchell, Architect and is created as an instrument of service. He retains all common law and statutory rights including copyright. This drawings may not be Used or Reproduced without his written Approval.

TOTAL ACREAGE = 7.675
 Lndlot 121 District 7



VICINITY MAP
 SCALE: 1" = 1000'



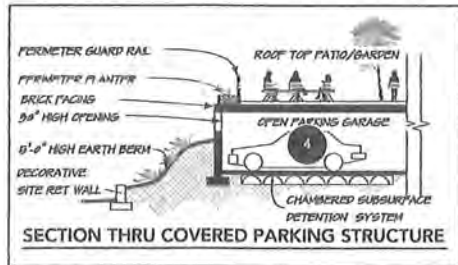
CONCEPT SITE PLAN
 SCALE: 1" = 50'

- 1 **ASSISTED LIVING MEMORY CARE SINGLE STORY**
 19,000 SQ FT
 4,000 SF COURTYARD
 20 UNITS
- 2 **MIXED USE INDEPENDENT & ASSISTED LIVING WELLNESS CENTER/ COM. KITCHEN/ DINING/ SITTING LOUNGE/ SALON/ ADMINISTRATION / GARDEN ROOM**
 THREE STORY
 159,000 SQ. FT
 12,700 SQ. FT. COURTYARD
 20 ASSISTED LIVING UNITS
 146 INDEPENDENT LIVING UNITS
- 3 **RETAIL BUILDING MEDICAL OFFICE SALES OFFICE ONE STORY**
 3,500 SF
- 4 **COVERED PARKING / ROOF TOP PATIO GARDEN**
 OPEN ONE STORY STRUCTURE W/ GATED PARKING BELOW AND OPEN ROOF TOP PATIO/GARDEN. PROVIDE A 6" HIGH EARTH LANDSCAPED BERM FRONT AND SIDE
 18,000 SF
- 5 **PORTE COCHERE**
 OPEN ONE STORY STRUCTURE VEHICLE PASS THRU FOR DISCHARGE OF PASSENGERS
 1,200 SF

TOTAL UNITS = 186 UNITS
 COVERED PARKING = 40 SPACES
 OTHER PARKING = 77 SPACES
 TOTAL PARKING = 116 SPACES (maximum)

Required min 3500 SF Medical Office = 3500/500 = 7
 maximum medical Office = 3500/150 = 23
 required minimum Personal Care = 186/3 = 62
 maximum Personal Care = 186/2 = 93

- 11 **GAZEBO**
 - 12 **RAISED GARDEN**
 - 13 **GATED RECEIVING AREA / Dumpster**
 - 14 **LANDSCAPE FOUNTAIN**
 - 15 **GATED ENTRY / MONUMENT SIGN**
 - 16 **20' WIDE FIRE DEPT ACCESS (PERVIOUS SURFACE)**
- ↓ DIRECTION OF SURFACE FLOW



PARCELS

7-121 -013	2549 MEADOWS CHURCH ROAD TRACK NO 2 = 1.8974 ACRES
7-121-170	2540 MEADOWS CHURCH ROAD TRACK NO 1 = 2.5107 ACRES
7-121-014	TRACK NO 3 = 1.89 ACRES
7-121 093	TRACK NO 4 = 1.4 ACRES
TOTAL TRACKS 1,2,3 & 4 = 7.675 ACRES	

"The Meadow"
 Senior Care Campus @ Sugarloaf

for: Georgia Senior Living LLC, Diplomat InfraProp Consultants INC
 6340 Sugarloaf Pkwy, Suite 200 DULUTH GA 30097

CONTACT: Diplomat.in@live.Com OM DUGGAL
 Duluth, Ga 30097 + 1-706-589-0900

Earl C. Mitchell
 ARCHITECT

4170 LANSAIRF TFR.
 SUWANEE, GA 30024
 770 401 5297

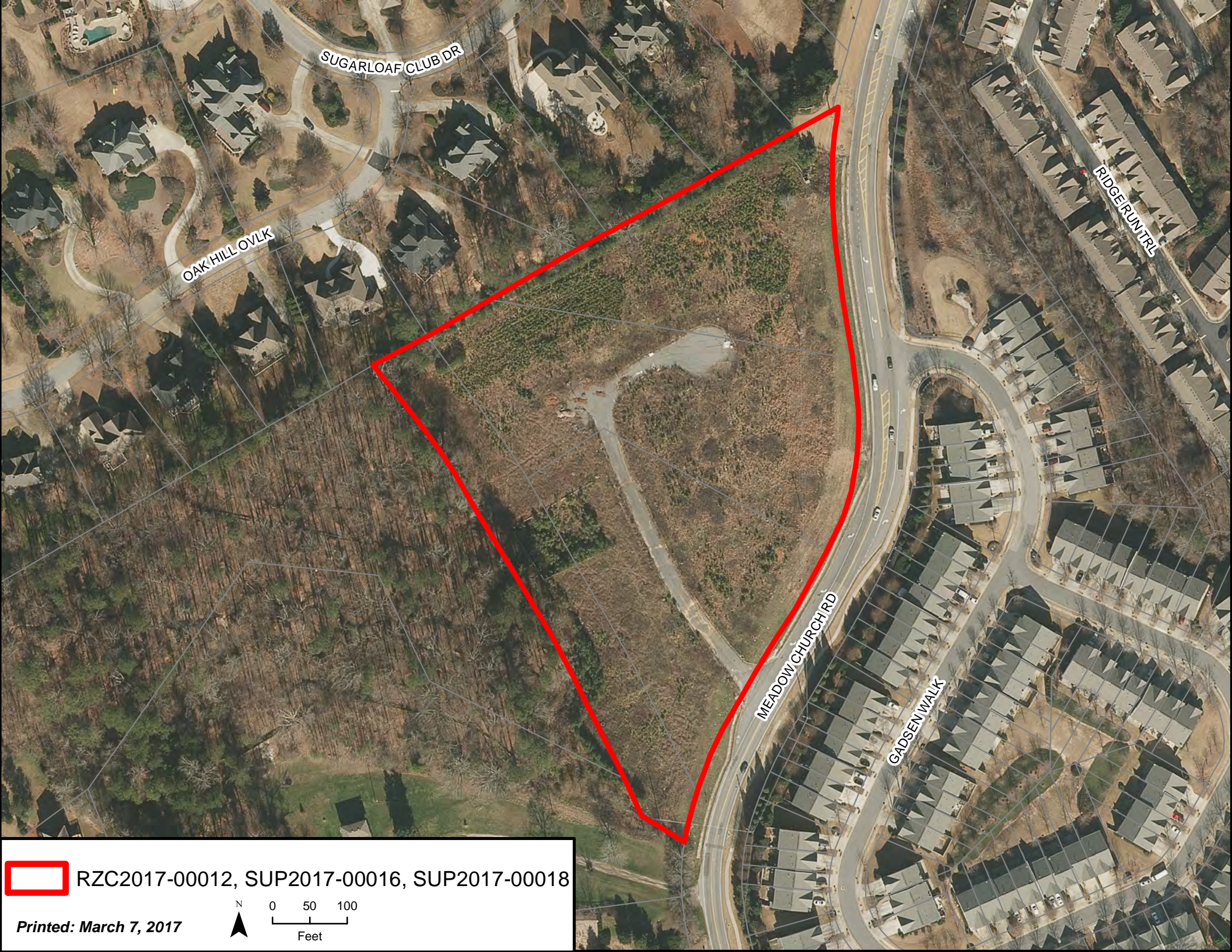
DATE OF DRAWING: JANUARY 5, 2017

REVISIONS: DATE: JAN 12, 2017

MARCH 3 2017

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SUGARLOAF CLUB DR

OAK HILL OVLK

RIDGERUN TRLS

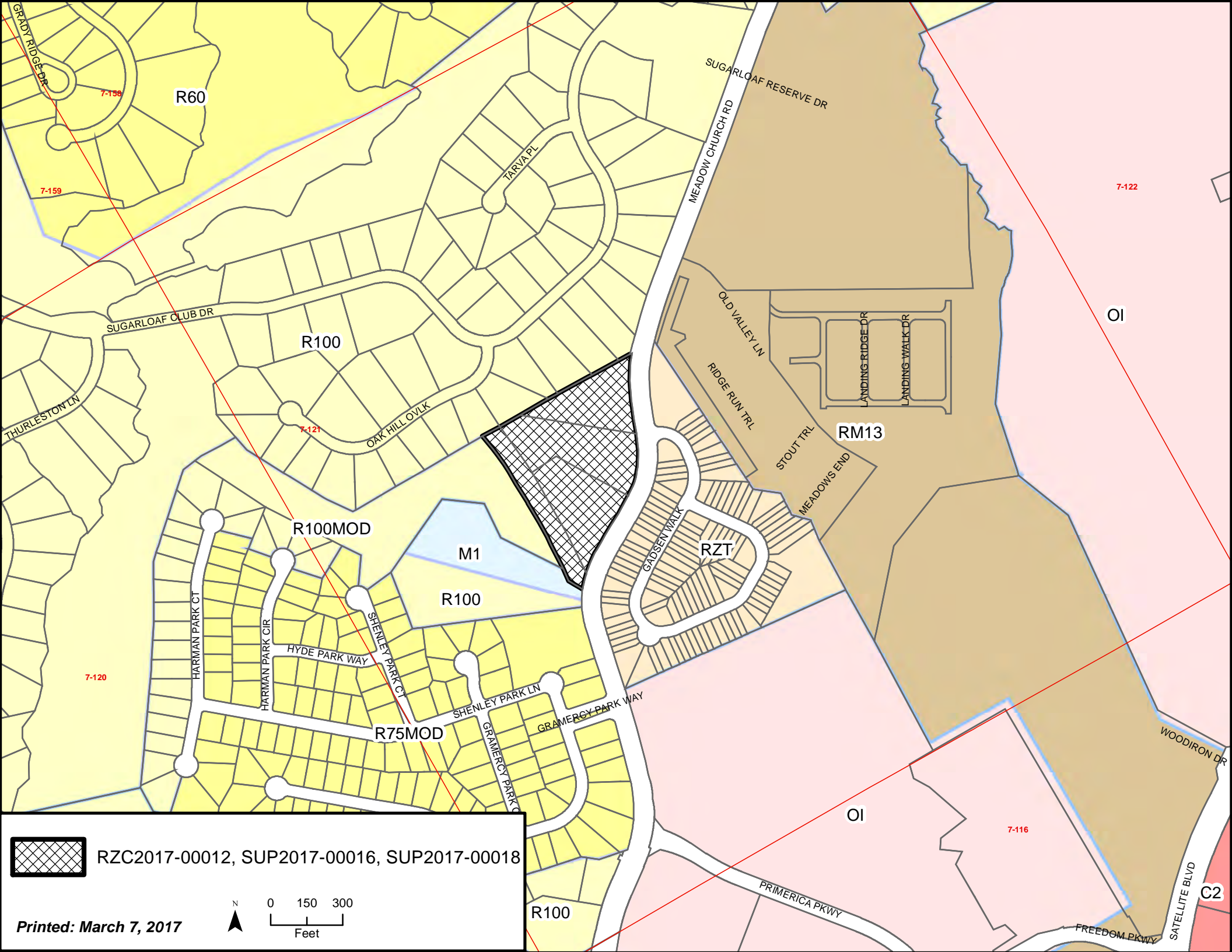
MEADOW CHURCH RD

GADSEN WALK

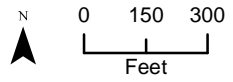
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**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS**

CASE NUMBER :**RZM2017-00005**
ZONING CHANGE :M-1 TO RM-24
LOCATION :4100 BLOCK OF SATELLITE BOULEVARD
MAP NUMBER :R6209 001A
ACREAGE :20.12 ACRES
UNITS :292 UNITS
PROPOSED DEVELOPMENT :APARTMENTS
COMMISSION DISTRICT :(1) BROOKS

FUTURE DEVELOPMENT MAP:

APPLICANT: QUINTUS DEVELOPMENT, LP
1827 POWERS FERRY ROAD, SE STE 2-200
ATLANTA, GA 30339

CONTACT: KELLY KEAPPLER PHONE: 770.951.2279

OWNER: GWINN-LIDELL ASSOCIATES, LLC
2197 CANTON ROAD, SUITE 2600
MARIETTA, GA 30066

DEPARTMENT RECOMMENDATION:

PROJECT DATA:

ZONING HISTORY:

GROUNDWATER RECHARGE AREA:

WETLANDS INVENTORY:

OPEN SPACE AND GREENWAY MASTER PLAN:

DEVELOPMENT REVIEW SECTION COMMENTS:

STORMWATER REVIEW SECTION COMMENTS:

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

BUILDING CONSTRUCTION SECTION COMMENTS:

GWINNETT COUNTY FIRE SERVICES COMMENTS:

DEPARTMENT ANALYSIS:

**LETTER OF INTENT
FOR QUINTUS DEVELOPMENT**

March 3, 2017

VIA HAND DELIVERY AND E-MAIL

Gwinnett County of Board of Commissioners
Planning & Development Department
c/o Jerry Oberholtzer, Planning Manager
446 West Crogan Street,
Lawrenceville, GA 30046

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RZM '17 005

RE: Letter of Intent in support of the Rezoning Application by Quintus Development, LP (the "Applicant") for the property located at Satellite Pointe, Parcel ID No. R6209 001A , Duluth, Georgia (the "Property")

Dear Board of Commissioners and staff,

This Application for Rezoning and Letter of Intent is submitted by Quintus Development, LP, for the requested rezoning of the property, Parcel ID No. R6209 001A and known as Satellite Pointe, Duluth, Gwinnett County, Georgia (hereinafter, the "Subject Property"). The Applicant seeks to rezone approximately 20.1 acres from M-1 to RM-24, to allow for a quality residential development to attract young professionals to support the Gwinnett Place area, residents and businesses.

Application for Rezoning

The Subject Property has remained vacant while multiple big box and strip retail developments have grown around it. The Subject Property's entrance includes a power station and an office-style aviation maintenance training campus. The Subject Property is surrounded by aging residential developments and in need of a quality, high-end development to encourage the redevelopment of nearby properties. As currently zoned, a 20 acre industrial development is not consistent with or supported by the land use plans for this area.

Quintus is an experienced developer of quality, residential communities throughout Metro-Atlanta. One of its recent Gwinnett communities includes Suwanee Station, where amenities are geared towards Millennials and young professionals who are looking to live near the growing job and tech opportunities, and nearby colleges. The Subject Property's location is similarly desirable to young professionals due to its proximity to I-85, and because it is surrounded by a variety of diverse, award-winning restaurants, coffee shops and bakeries. The site is also conveniently located near numerous retail and shopping options, the Infinite Energy Center, and Satellite Boulevard.

The requested residential rezoning allows for a viable mixture of residential and

commercial uses along the I-85 and Satellite corridors. The Subject Property is located on an existing commercial corridor which includes a variety of similar commercial and retail uses, including, but not limited to, the Cumberland Square North shopping center and commercial properties being developed in the immediate vicinity. The addition of newer, higher-density residential options in this area is consistent with the recently-approved Venture Drive Overlay, Gwinnett County Unified Plan, and the Future Land Use Map, all of which support and encourage a mixture of residential and commercial uses.

Constitutional Objections

The portions of the Gwinnett County Unified Development Ordinance (the "UDO" and/or "Zoning Ordinance") which classifies or conditions the Subject Property into any more or less intensive zoning classification and/or zoning conditions other than as requested by the Applicant and property owner are and would be unconstitutional in that they would destroy the Applicant's and property owner's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Zoning Ordinance, as applied to the Subject Property, which restricts its use to the present zoning classification, uses, regulations, requirements, and conditions is unconstitutional, illegal, null and void, constituting a taking of the Applicant's and the property owner's 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, Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States denying economic and viable use of the Subject Property while not substantially advancing legitimate state interests.

The Subject Property is presently suitable for the residential uses proposed in the requested rezoning, as amended by the Applicant, and is not economically suitable for uses restricted under its present zoning and development classification, conditions, regulations, and restrictions due to its location, shape, size, surrounding development, and other factors. A denial of the requested rezoning would constitute an arbitrary and capricious act by the Gwinnett County Board of Commissioners without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment.

A refusal by the Gwinnett County Board of Commissioners to approve the Property Owner's requested rezoning request, with only such additional conditions as agreed to by the Applicant, so as to permit the only feasible economic use of the Property, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property

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in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution.

Any zoning designation, condition, or variance related to the Property subject to conditions which are different from the requested variances and conditions by which the Applicant may amend its application, to the extent such different conditions would have the effect of further restricting the Applicant's and the property owner's utilization of the Subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions as set forth hereinabove.

Conclusion

Given the saturated commercial and retail market, the Applicant and its representatives respectfully request that the Gwinnett County Board of Commissioners, Planning Commission and Planning staff approve the Applicant's rezoning request, from M-1 to RM-24, for the only economically-viable use of the Subject Property.

In support of this request, the Applicant and its representatives welcome the opportunity to meet with all interested parties and representatives.

Respectfully,

Enclosures

Quintus Development, LP

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RZM '17 005

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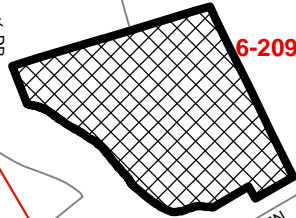
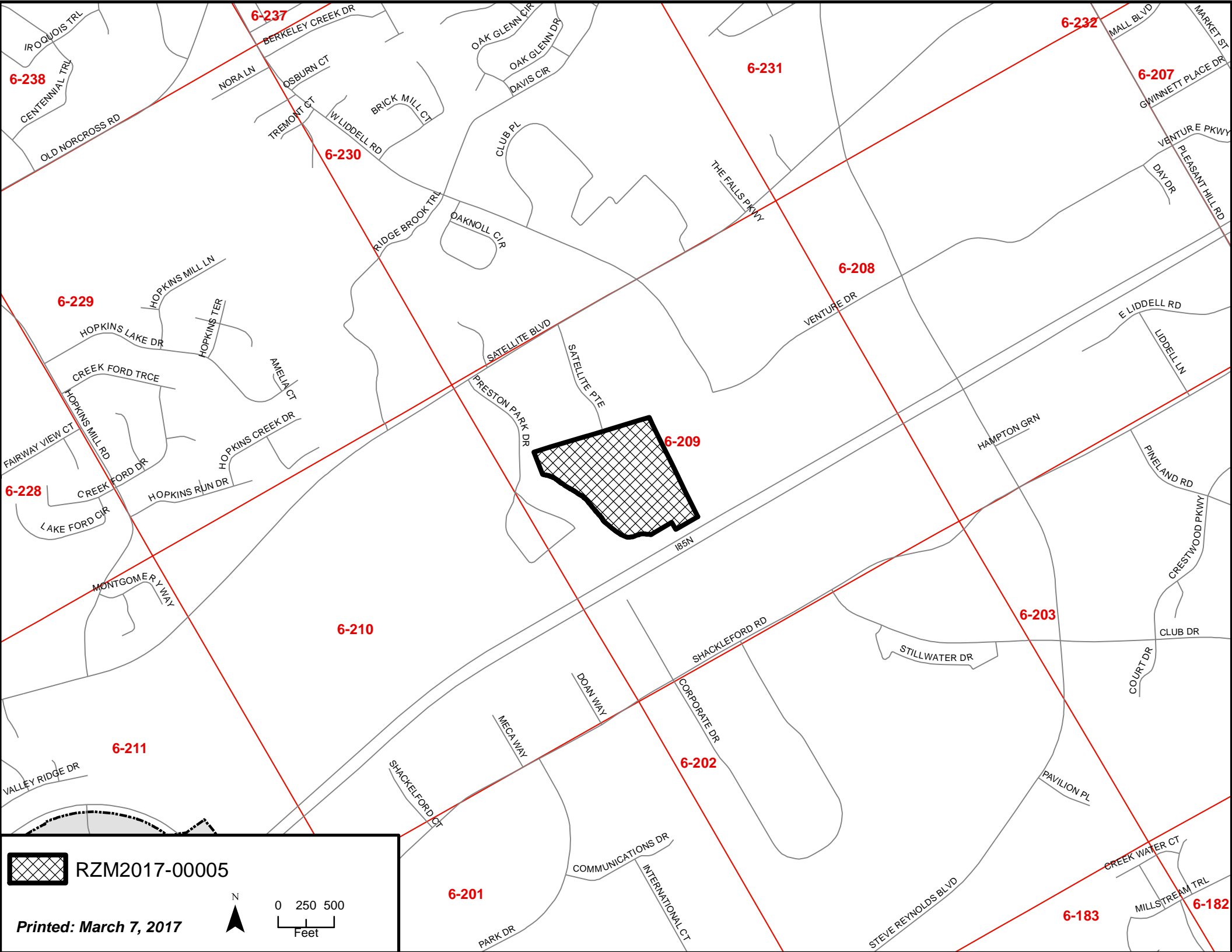


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RZM '17 005



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SATELLITE PTE

PRESTON PARK DR

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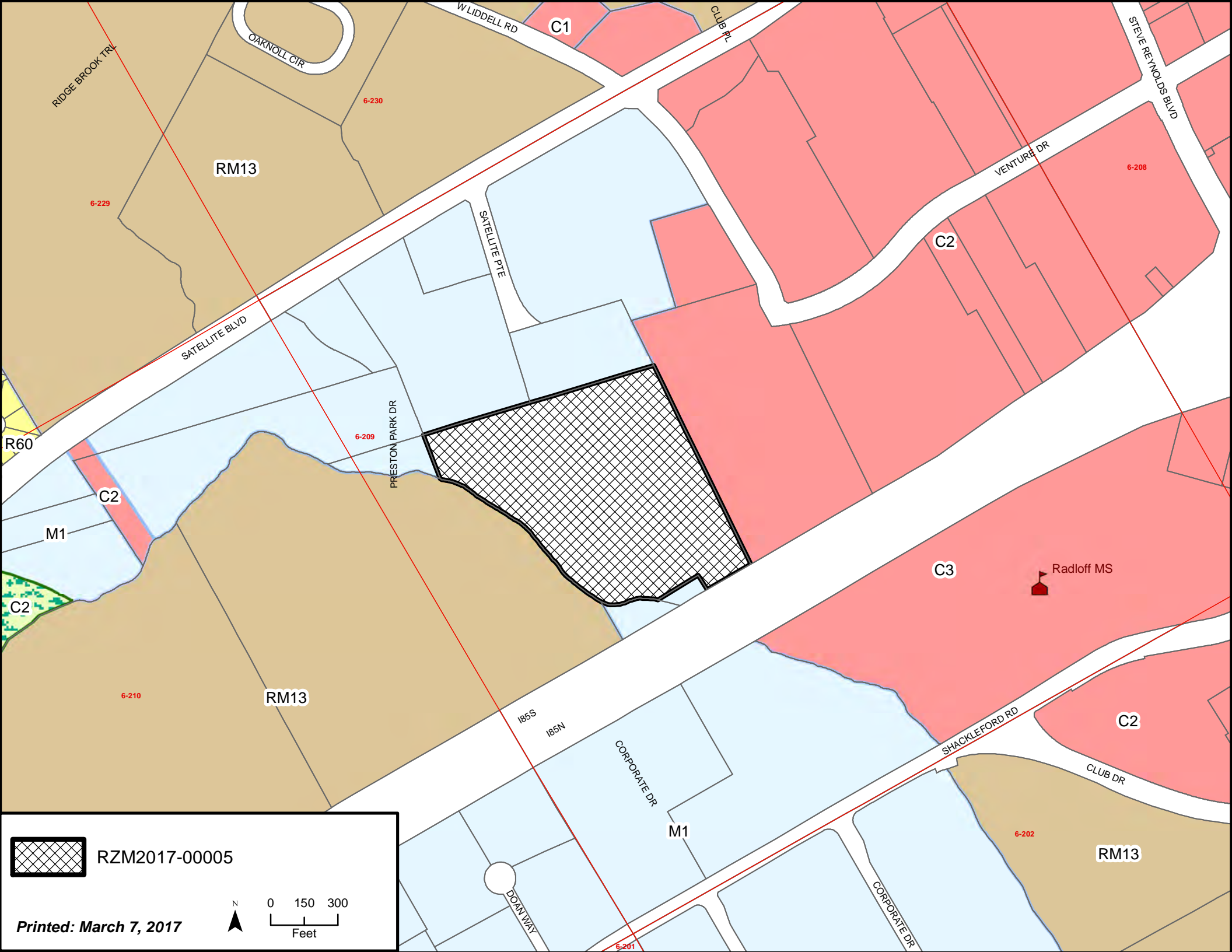
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Printed: March 7, 2017

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**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS**

CASE NUMBER :RZR2017-00009
ZONING CHANGE :RA-200 TO R-100
LOCATION :4800 BLOCK OF SPOUT SPRINGS ROAD
:2100 BLOCK OF OLD FLOWERY BRANCH ROAD
MAP NUMBER :R3007 187
ACREAGE :2.43 ACRES
UNITS :3 UNITS
PROPOSED DEVELOPMENT :SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT :(3) HUNTER

FUTURE DEVELOPMENT MAP:

APPLICANT: JOSE RAMOS
4181 LANTERN HILL DRIVE
DACULA, GA 30019

CONTACT: ALEJANDRO RAMOS PHONE: 770.560.2149

OWNERS: JOHN STEVEN TAYLOR
282 JEWELERS RIDGE SW
LILBURN, GA 30047

DEPARTMENT RECOMMENDATION:

PROJECT DATA:

ZONING HISTORY:

GROUNDWATER RECHARGE AREA:

WETLANDS INVENTORY:

OPEN SPACE AND GREENWAY MASTER PLAN:

DEVELOPMENT REVIEW SECTION COMMENTS:

STORMWATER REVIEW SECTION COMMENTS:

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

BUILDING CONSTRUCTION SECTION COMMENTS:

GWINNETT COUNTY FIRE SERVICES COMMENTS:

DEPARTMENT ANALYSIS:

LETTER OF INTENT

FOR REZONING

February 28, 2017

Gwinnett County Department of Planning and Development

446 West Grogan Street

Lawrenceville Ga. 30046-2440

Re; Re/Zoning Application

Letter of Intent

This is a rezoning application is to rezone this 2.438 acres parcel currently zoned RA-200 to R-100 with the intent to divide this property into 3 building home sites, within all of the R-100 zoning county guide lines. The homes will be 3200 + square feet of heated area, 5 bedrooms and septic tanks, based on approval by Environmental Health Dept.

We see this request to be suitable to all neighbors. If you have any questions, about this application, please call Wayne Slappey (Realtor)

770-560-4335.

Thanks

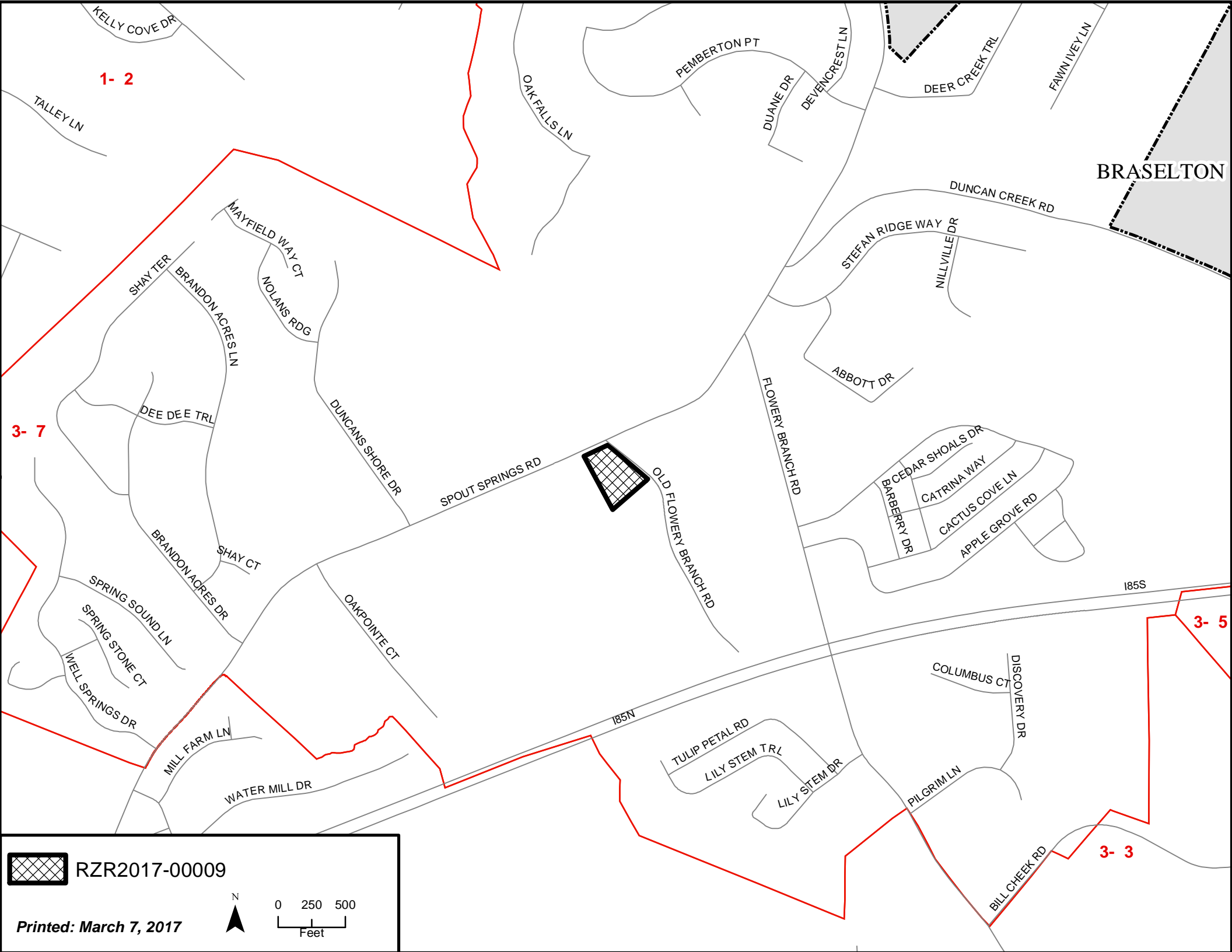
Jose Ramos

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RZR '17 009

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BRASELTON

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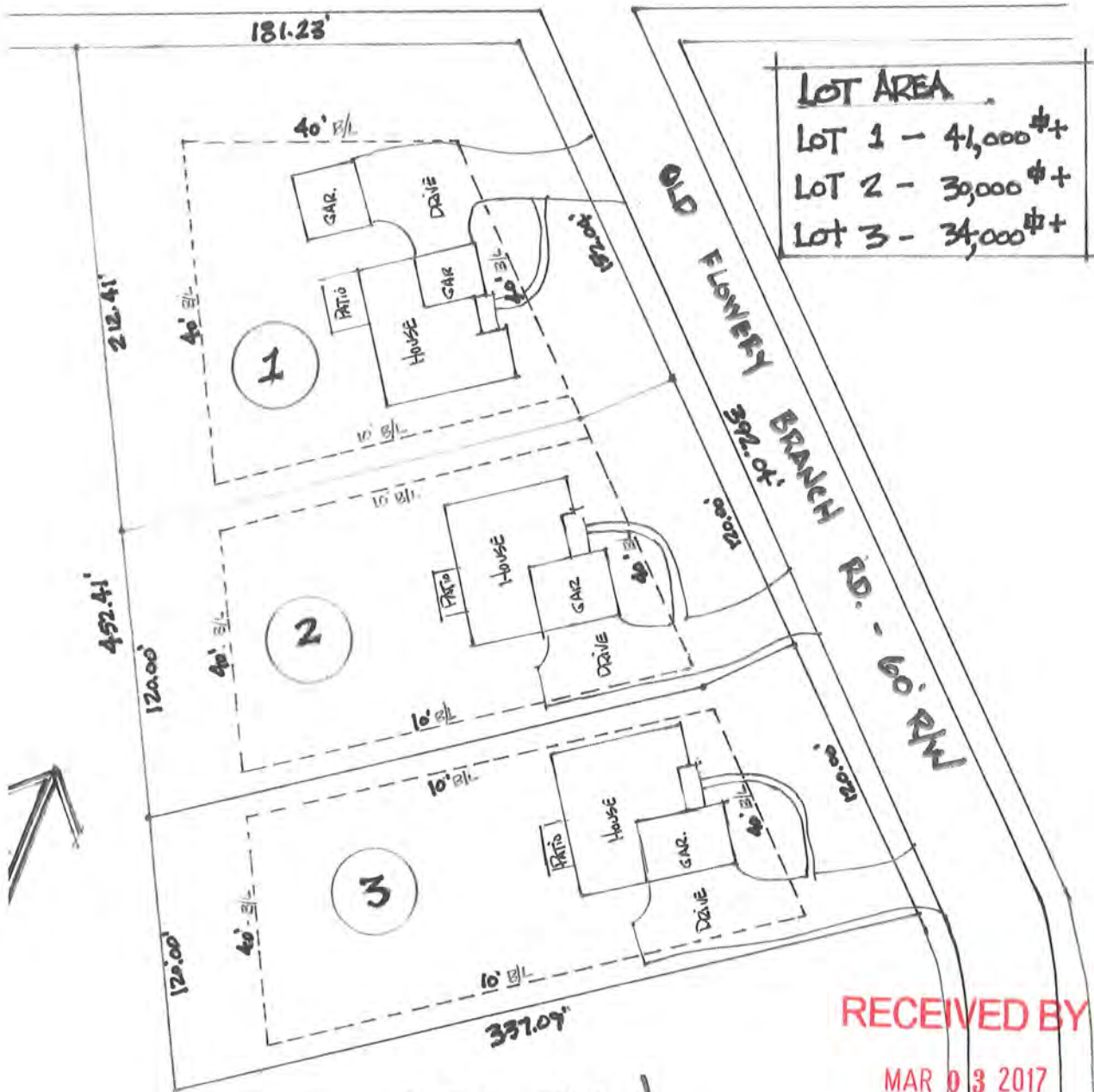
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Printed: March 7, 2017

SPOUT SPRINGS ROAD - 80' R/W



LOT AREA	
LOT 1	- 41,000 sq. ft.
LOT 2	- 30,000 sq. ft.
LOT 3	- 34,000 sq. ft.

SITE PLAN
 SCALE: 1" = 50'

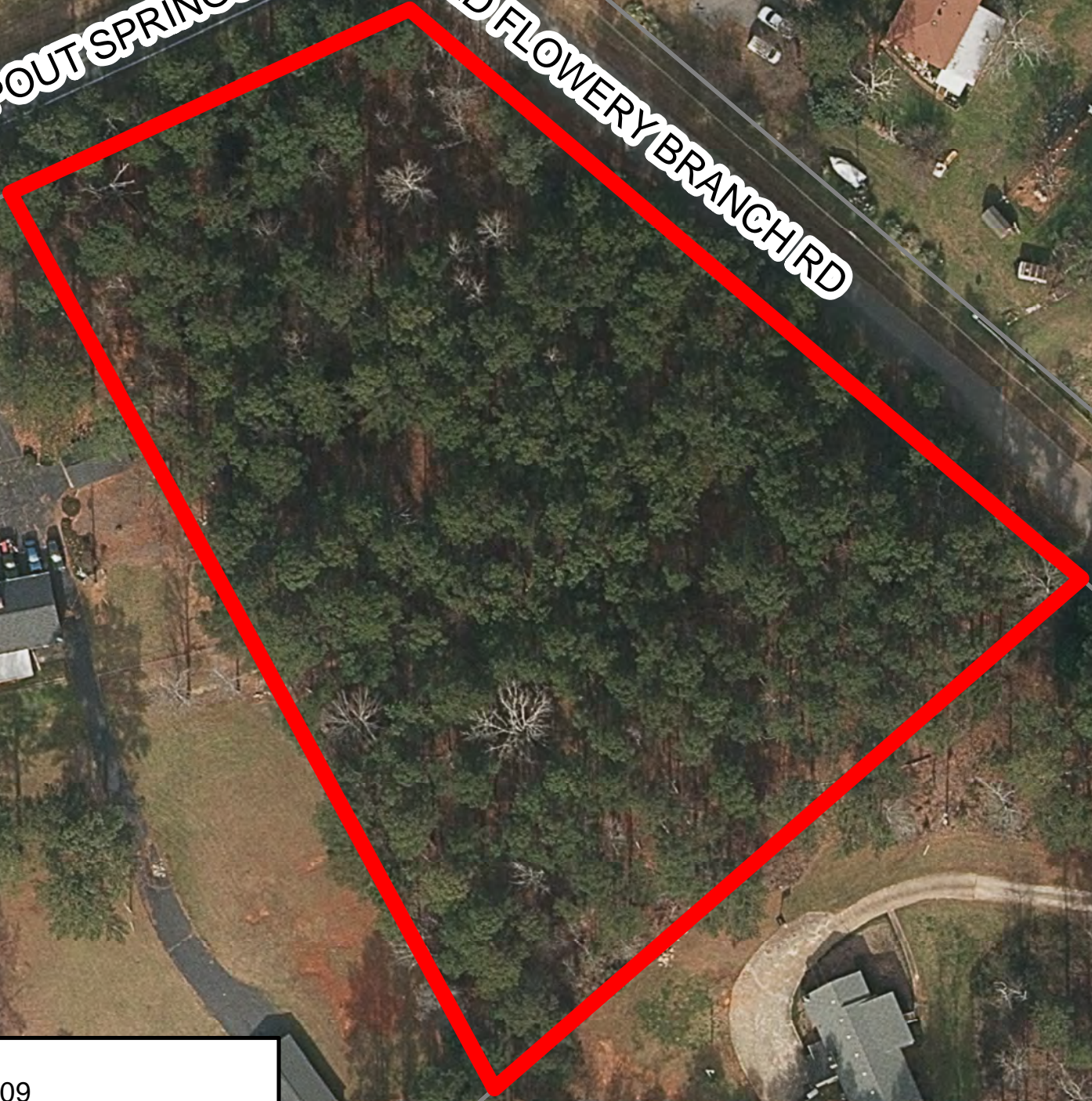
2.438 ACRES
 3200 SQ. FT. HEATED AREA HOME (MINIMUM)

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RZR 17 009

POUNT SPRINGS RD

OLD FLOWERY BRANCH RD

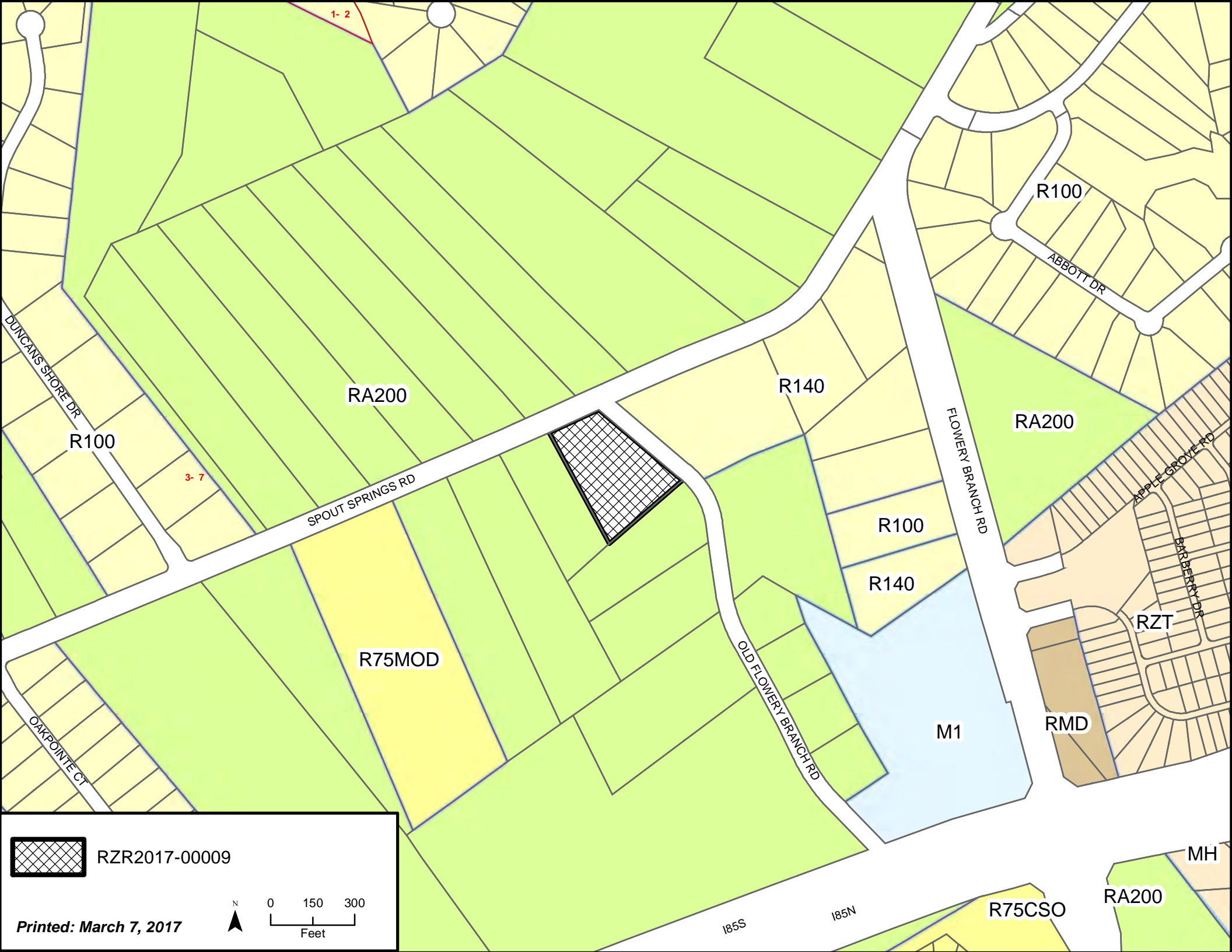


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**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
CHANGE IN CONDITIONS ANALYSIS**

CASE NUMBER :CIC2017-00013
ZONING :O-R
LOCATION :2500 BLOCK OF LOGANVILLE HIGHWAY
MAP NUMBERS :R5155 029
ACREAGE :5.54 ACRES
PROPOSAL :CHANGE IN CONDITIONS OF ZONING
COMMISSION DISTRICT :(3) HUNTER

FUTURE DEVELOPMENT MAP:

APPLICANT: LOGISTICS & ENGINEERING SOLUTIONS, INC.
2564 LOGANVILLE HIGHWAY
GRAYSON, GA 30017

CONTACT: MICHAEL BONSELL PHONE: 404.510.4728

OWNER: LOGISTICS & ENGINEERING SOLUTIONS, INC.
2564 LOGANVILLE HIGHWAY
GRAYSON, GA 30017

DEPARTMENT RECOMMENDATION:

PROJECT DATA:

ZONING HISTORY:

GROUNDWATER RECHARGE AREA:

WETLANDS INVENTORY:

OPEN SPACE AND GREENWAY MASTER PLAN:

DEVELOPMENT REVIEW SECTION COMMENTS:

STORMWATER REVIEW SECTION COMMENTS:

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

BUILDING CONSTRUCTION SECTION COMMENTS:

GWINNETT COUNTY FIRE SERVICES COMMENTS:

DEPARTMENT ANALYSIS:



March 12th, 2017

Re: Letter of Intent for Change in Conditions (1C)

To whom it may concern, this letter of intent is being submitted to Gwinnett County's Department of Planning and Development for a request to change the condition of a previously approved O/R rezoning case.

Logistics & Engineering Solutions, Inc. is requesting to change condition 1C from the Board of Commissioners resolutions. This condition requires that an "enclosed heated space" be built to connect the proposed building to the existing building. We are requesting this condition to be changed for several reasons stated below:

- 1) Because the buildings are at different elevations (crawl space vs. slab on grade), the connection would require excessive engineering in order to make it a functioning corridor.
- 2) This connection would cause us to have to reconfigure the interior of the existing house in order to accommodate a new opening.
- 3) Both of the conditions listed above are costly and put a burdensome financial impact on this small development.

In lieu of building an enclosed heated corridor, we are proposing to build an open-air walkway between the 2 buildings. The walkway will have landscaping running on either side and a wooden arbor over the walkway. These architectural elements will give the impression that the buildings are connected.

Because the buildings are setback hundreds of feet into the property and surrounded by trees all around, we feel that this change will not affect the original intent of the O/R zoning.

We thank you for your reviewing our proposal, and look forward to a successful approval of this change.

Thank You,

Michael Bonsell

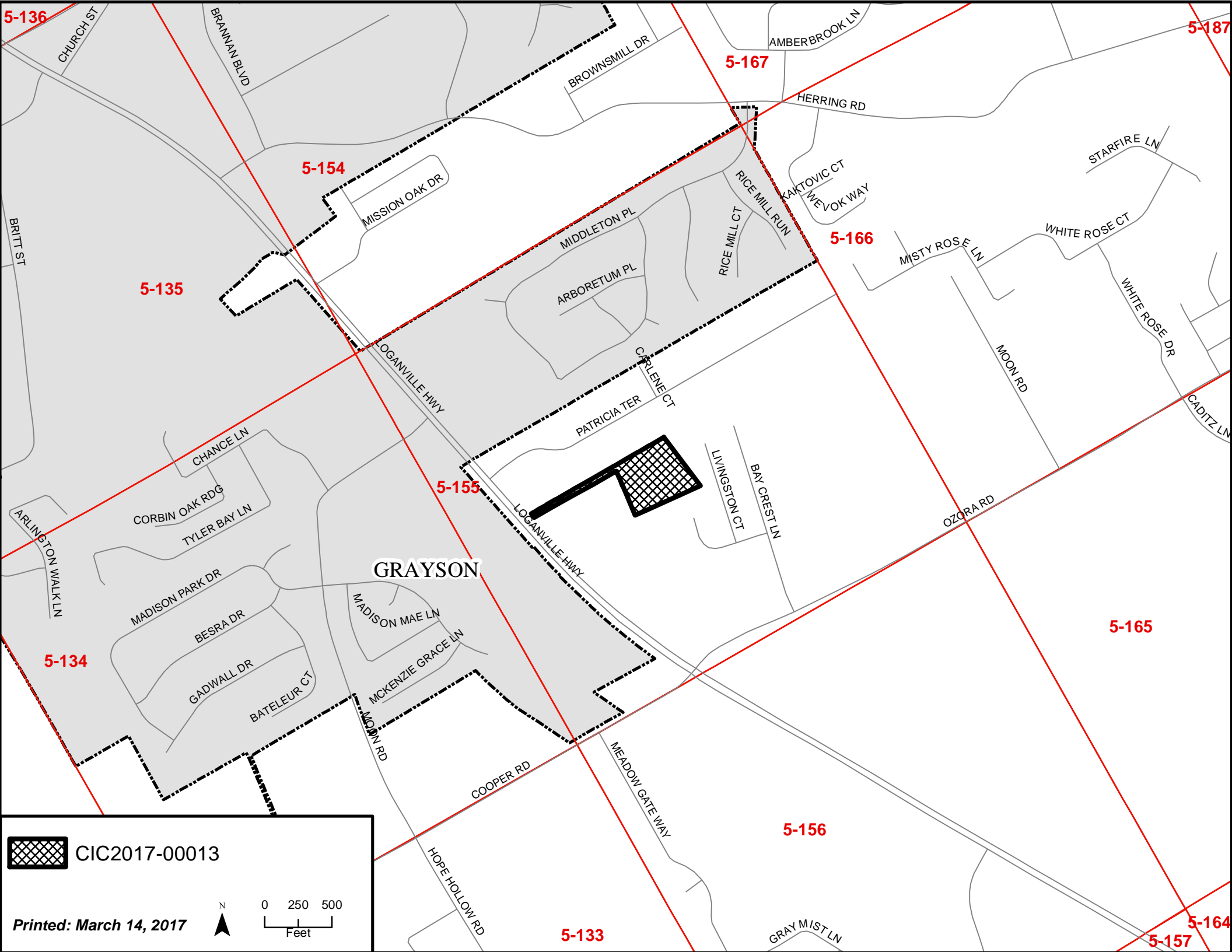
Owner

CIC '17 013

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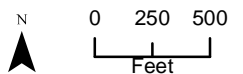
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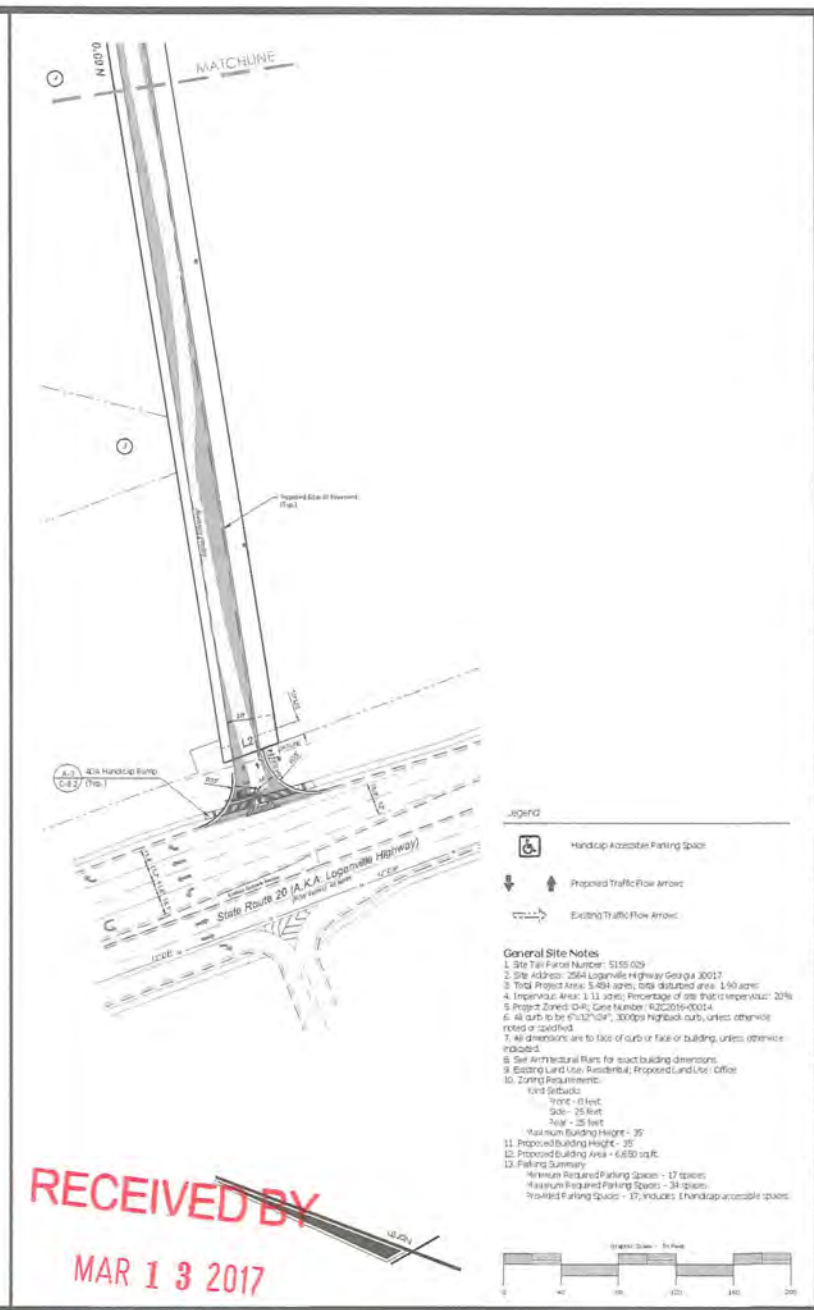
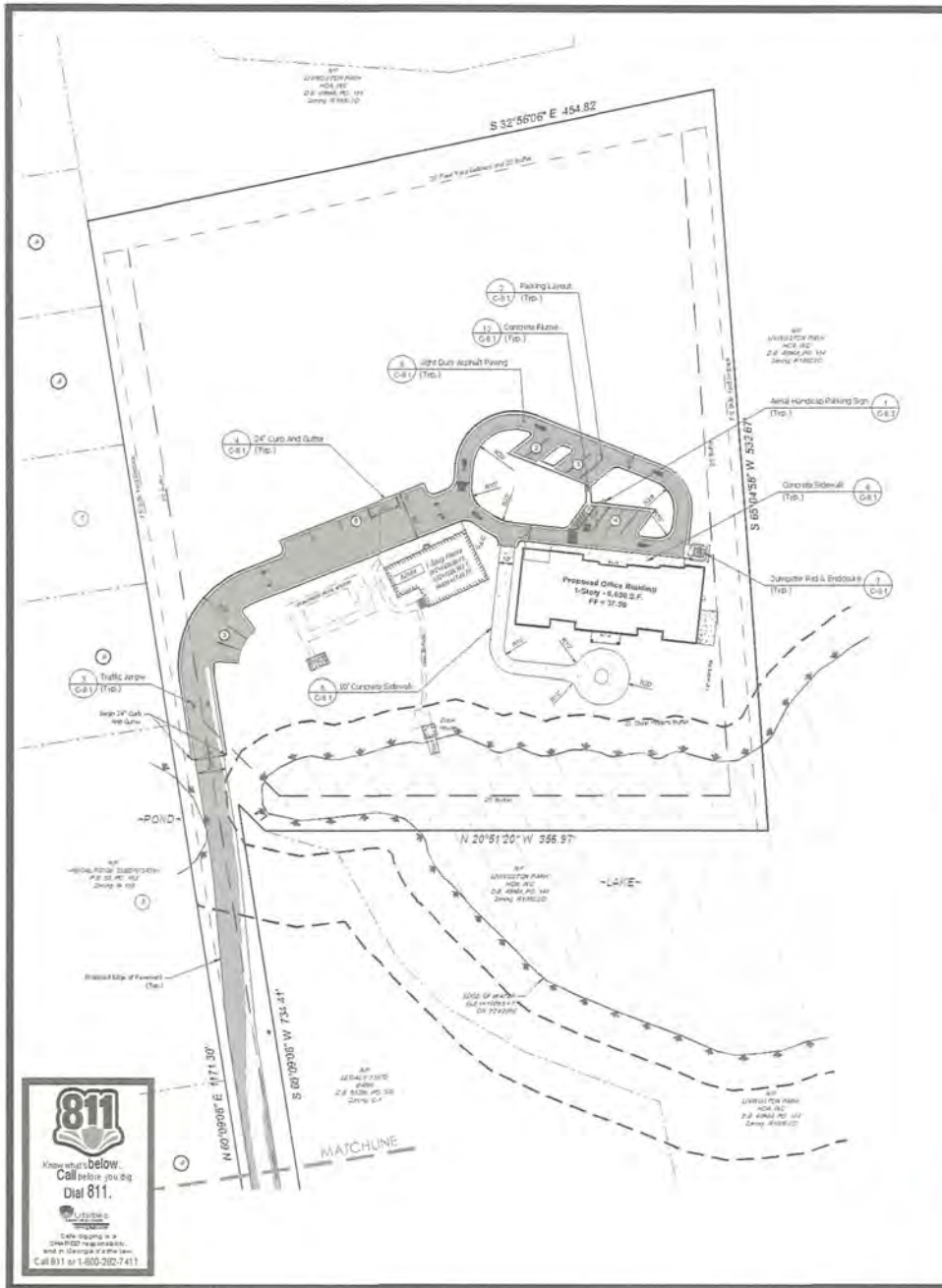
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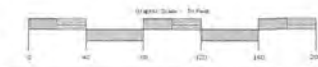
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MAR 13 2017



QCD
Quality Civil Designs
Planners - Engineers - Environmental
Landscape Architects Inc.

2144 Buford Hwy
Suite 212
Atlanta, GA 30318
Phone: 478-204-9722
www.QualityCivilDesigns.com



Grayson Lake Office

2564 Loganville Highway
Grayson, Georgia 30017

Parcel: S155 029

Land Lot 155
5 District
Gwinnett County Georgia

Owner/Developer
Land E.L. Inc.
2564 Loganville Hwy
Grayson, GA 30017

24 hour Emergency Contact
Mike Bonnell
Phone: 478-731-7530
Email: mbonnell@landelevation.com

Legend

Revisions

Rev. #	Date	Description

PRELIMINARY
NOT FOR CONSTRUCTION

Site & Staking Plan

Scale: 1" = 40'
PN: 16032

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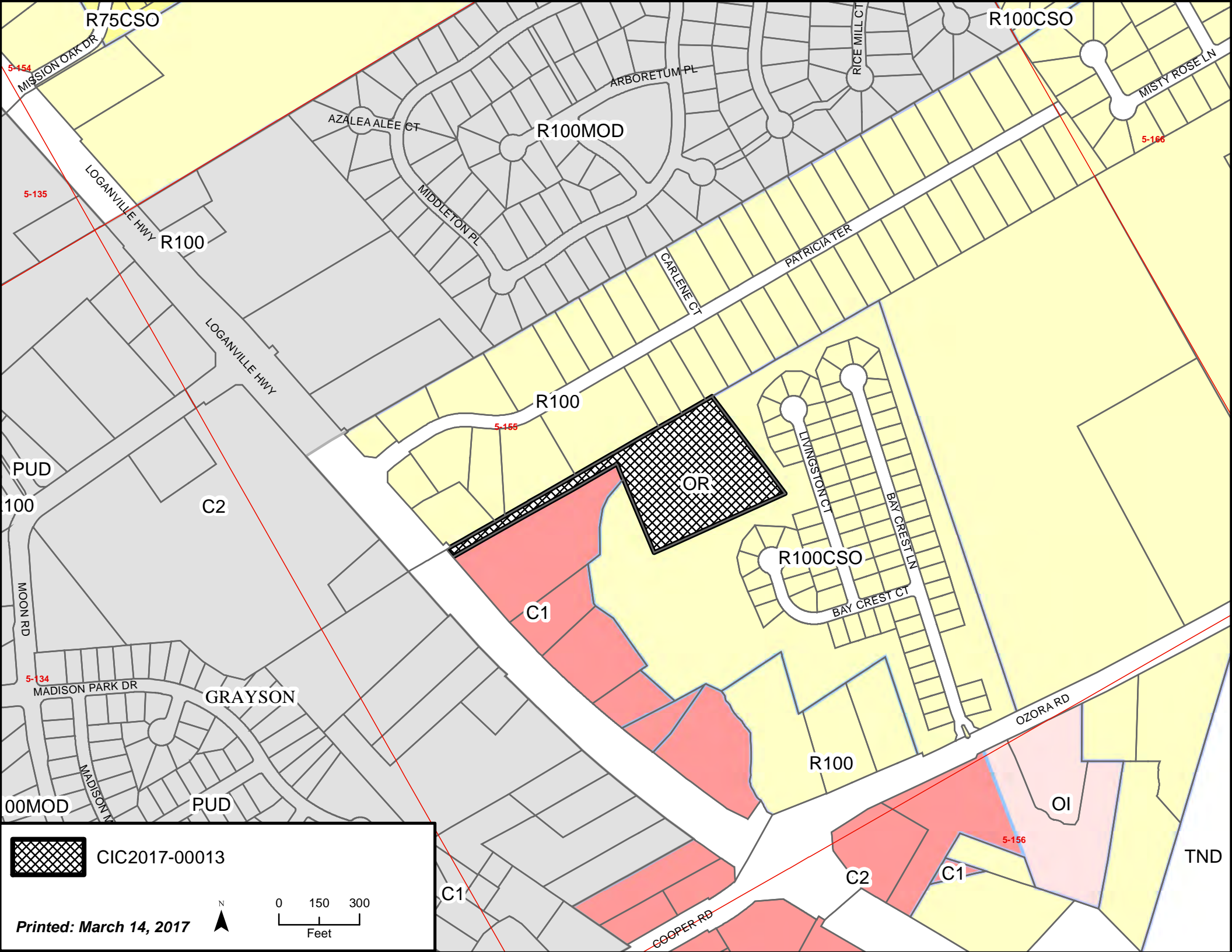
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**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
SPECIAL USE PERMIT ANALYSIS**

CASE NUMBER :**SUP2017-00014**
ZONING :C-2
LOCATION :4700 BLOCK OF STONE MOUNTAIN HIGHWAY
MAP NUMBER :R6063B008F
ACREAGE :1.28 ACRE
SQUARE FEET :1,200 SQUARE FEET
PROPOSED DEVELOPMENT :AUTOMOBILE SERVICE
COMMISSION DISTRICT :(2) HOWARD

FUTURE DEVELOPMENT MAP:

APPLICANT: 78 CARWASH LLC
2565 WESLEY CHAPEL ROAD
DECATUR, GA 30035

CONTACT: RAMESH NAIK PHONE: 678.492.7850

OWNER: RAMESH NAIK
PO BOX 955
HARTWELL, GA 30643

DEPARTMENT RECOMMENDATION:

PROJECT DATA:

ZONING HISTORY:

GROUNDWATER RECHARGE AREA:

WETLANDS INVENTORY:

OPEN SPACE AND GREENWAY MASTER PLAN:

DEVELOPMENT REVIEW SECTION COMMENTS:

STORMWATER REVIEW SECTION COMMENTS:

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

BUILDING CONSTRUCTION SECTION COMMENTS:

GWINNETT COUNTY FIRE SERVICES COMMENTS:

DEPARTMENT ANALYSIS:

78 Carwash LLC.
2565 Wesley Chapel Rd,
Decatur, GA, 30643.

On behalf of the Applicant, 78 Carwash LLC. Ramesh K Naik submits this special use permit Application for the purpose of permanently renewing an existing Special use Permit (SUP) for an auto repair shop on a 1.2778 acre tract located at 4747 Highway 78, Lilburn, Georgia 30047 (The "property"). The Property is currently zoned C-2, General business District. On March 26th 2013. The Gwinnett County Board of Commissioners unanimously voted to approve SUP2013-0009, attached hereto as Exhibit A, for automobile Services to be treated as special use on the property. And same again SUP2015-00007 was approved on April 28th 2015. The applicant is now requesting a permanent renewal of SUP2015-0007 in order to continue operating automobile services on the Property.

The Property was originally developed in 2004 as a carwash and oil change and emissions center. The oil change and emissions center leased approximately 1,200 square feet of the development for the purpose of changing oil and emissions testing for the surrounding community from 2005 through 2009. In 2009, same space was leased by an automotive repair company who offered additional auto repair services such as tune-ups, oil change, engine repair, and breaks. In 2010, 78 Carwash LLC purchased the Property and shortly thereafter had to apply for a Special Use Permit in order to continue allowing tenant to operate auto repair services on the property.

On March 26th 2013. And again on April 28th, 2015 the Board of Commissioners voted to approve SUP2013-00009 and SUP 2015-00007 with certain specific conditions in order to operate an auto repair business. The applicant, complied with the conditions set by the Board of Commissioners so the Tenant could lawfully operate an auto repair business on the Property. The applicant, pursuant to condition of SUP2015-00007 (two-year reapplication requirement), is now reapplying to permanently renew the Special Use Permit so an auto repair business lawfully continue operating on the property.

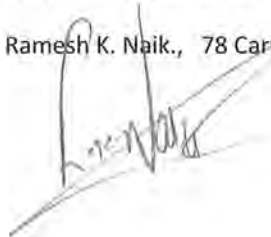
The Applicant welcomes the opportunity to meet with Staff of Gwinnett County Department of planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application filed herewith.

The Applicant respectfully requests your approval of this Application.

This 27th day of February 2017.

Respectfully submitted, Applicant.

Ramesh K. Naik., 78 Carwash LLC.



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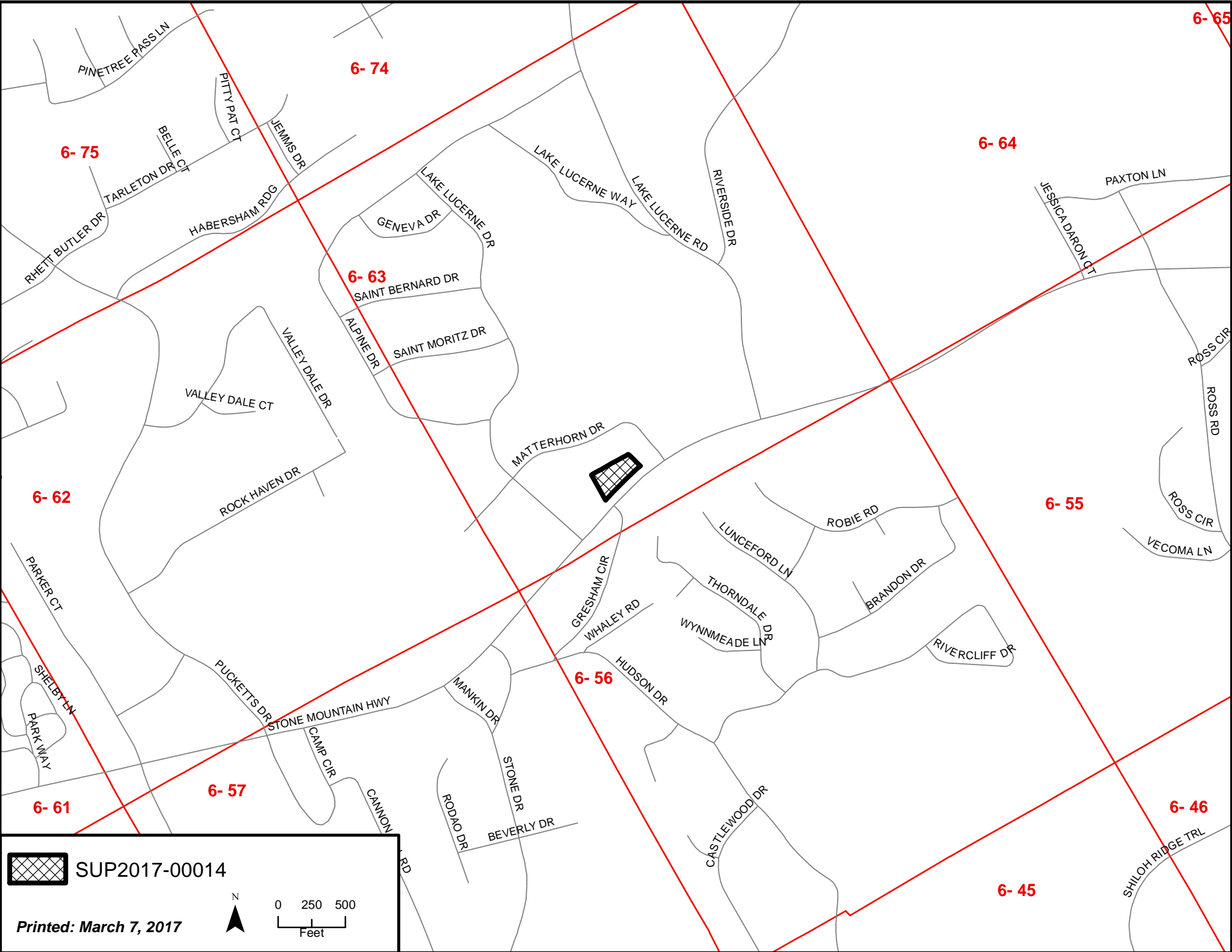
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BELLE CT

TARLETON DR

RHETT BUTLER DR

HABERSHAM RDG

GENEVA DR

LAKE LUCERNE DR

LAKE LUCERNE WAY

LAKE LUCERNE RD

RIVERSIDE DR

JESSICA DARRON CT

PAXTON LN

SAINT BERNARD DR

ALPINE DR

SAINT MORITZ DR

VALLEY DALE DR

VALLEY DALE CT

ROCK HAVEN DR

MATTERHORN DR



GRESHAM CIR

WHALEY RD

HUDSON DR

LUNCEFORD LN

ROBIE RD

BRANDON DR

THORNDALE DR

WYNNMEADE LN

RIVERCLIFF DR

PARKER CT

SHELBY LN

PARK WAY

PUCKETTS DR

CAMP CIR

STONE MOUNTAIN HWY

MANKIN DR

RODAO DR

STONE DR

BEVERLY DR

CASTLEWOOD DR

ROSS CIR

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ROSS CIR


VECOMA LN

SHILOH RIDGE TRL

MATTERHORN DR

STONE MOUNTAIN HWY

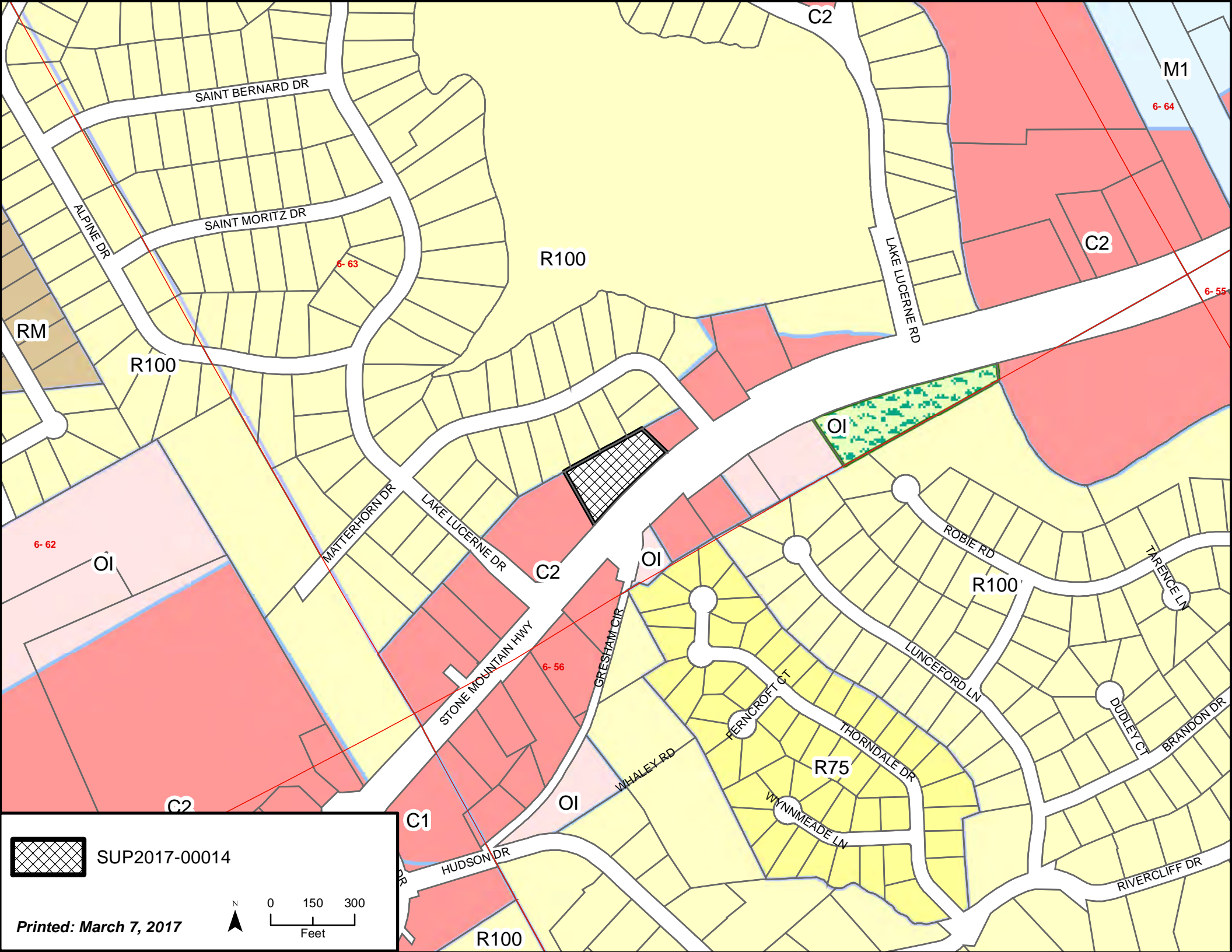


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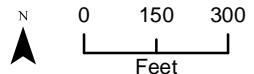
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Printed: March 7, 2017



**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
SPECIAL USE PERMIT ANALYSIS**

CASE NUMBER :**SUP2017-00017**
ZONING :M-1
LOCATION :1700 BLOCK OF JEURGENS COURT
MAP NUMBER :R6198 055
ACREAGE :23.55 ACRE
SQUARE FEET :128,800 SQUARE FEET
PROPOSED DEVELOPMENT :MAINTENANCE SHOP
COMMISSION DISTRICT :(2) HOWARD

FUTURE DEVELOPMENT MAP:

APPLICANT: ENTERPRISE LEASING COMPANY OF GEORGIA, LLC
C/O ANDERSEN, TATE & CARR, P.C.
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GA 30097

CONTACT: R. MATTHEW REEVES, ESQ. PHONE: 770.822.0900

OWNER: TENANTS IN COMMON
ATTN: IAN SMITH, AGENT, KNIGHTSWOOD, INC.
2964 PEACHTREE ROAD, SUITE 150
ATLANTA, GA 30305

DEPARTMENT RECOMMENDATION:

PROJECT DATA:

ZONING HISTORY:

GROUNDWATER RECHARGE AREA:

WETLANDS INVENTORY:

OPEN SPACE AND GREENWAY MASTER PLAN:

DEVELOPMENT REVIEW SECTION COMMENTS:

STORMWATER REVIEW SECTION COMMENTS:

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

BUILDING CONSTRUCTION SECTION COMMENTS:

GWINNETT COUNTY FIRE SERVICES COMMENTS:

DEPARTMENT ANALYSIS:

ANDERSEN | TATE | CARR

ANDERSEN, TATE & CARR, P.C.
ONE SUGARLOAF CENTRE
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GEORGIA 30097
(770) 822-0900
FACSIMILE: (770) 236-9702
www.atclawfirm.com

R. Matthew Reeves, Esq.

E-mail: mreeves@atclawfirm.com

March 3, 2017

VIA HAND DELIVERY

Gwinnett County
Department of Planning and Development
Attn: Ms. Kathy Holland
446 West Crogan Street
Lawrenceville, GA 30046-2440

RE: LETTER OF INTENT AND RESPONSES IN SUPPORT OF SPECIAL USE PERMIT EXTENSION

Dear Ms. Holland:

This letter of intent is written on behalf of Applicant Enterprise Leasing Company of Georgia, LLC ("Enterprise") and the owners, as recorded tenants-in-common, with regard to the requested rezoning and changes in conditions for the North Atlanta Trade Center property located at 1700 Jeurgens Court, Norcross, Georgia 30093 (the "Property").

In 2016, the County approved several measures to allow the Applicant to enter into a long-term lease for the Property for use of the Property and existing building as a regional business location for Enterprise's fleet rental vehicle center, service and indoor maintenance. The Applicant and owner hereby seek to extend the Special Use Permit pursuant to Condition M in SUP2016-00010, in order to allow for the proposed fleet storage, office and maintenance uses.

The subject property is a fully accessible, existing industrial site, previously occupied and operated by Conway Trucking for a more intense, daily 18-wheeler use. The requested uses are consistent with and less intense than that prior industrial and trucking use, where the Applicant proposed a much smaller parking area for parking trucks for his construction business, and in the future, a small office and shop and limited outdoor storage of materials and/or construction equipment.

The subject property was also previously zoned M-1, was rezoned in 2013 to M-2 by Conway Freight, Inc. for that more intense use, is buffered from but adjacent to Highway 316, and is surrounded by similarly-zoned property and uses. Accordingly, the requested uses, zoning and conditions are suitable in view of the use and development of the adjacent and nearby property. As reflected in 2030 Comprehensive Plan for Gwinnett County, the subject property is intended for Regional Mixed-Use. The intent of that 2030 land use goals are met by the proposed extension.

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As reflected in the Unified Development Ordinance (the "UDO"), the proposed uses are permitted by right under the M-1 zoning district. Consistent with the requested rezoning, the Property was previously zoned M-1 and is surrounded by similar M-1 uses, including the neighboring Advanced Disposal and Bus Max fleet, transit and business centers. The 2030 Unified Plan and Future Land Use Map for Gwinnett County also specifically identify this area as appropriate and intended for similar Regional Mixed-Use development.

The intent of that 2030 land use goals are met by the proposed uses and long-term business partner. The fleet and maintenance uses are compatible with the mixed-use corridor within which this Property is located. Nearby properties have similarly been zoned and developed for and feature fleet maintenance, storage, business and industrial uses. Those specific uses have proven to be entirely suitable to the other land uses in the vicinity of the subject Property, demonstrating the suitability of the uses requested.

The North Atlanta Trade Center was rezoned in 1989 from M-1 to C-3, pursuant to Gwinnett Zoning Case No. RZ-73-89 and SUP-37-89, with a Special Use Permit to allow for trade center, event and exhibition uses. Time and economic factors have decreased the use and activity at the trade center. Accordingly, the Applicant and property owners seek to add a well-established, long-term business to better serve the property and area as a whole, via the SUP extension.

Enterprise operates and supports 18 business locations in Gwinnett County, and collectively paid over \$2.3 million in taxes in 2015. Enterprise operates a similar business center and service location in Atlanta in order to serve its regional rental offices. Having a central storage and service location provides needed employment opportunities and helps to better serve Enterprise locations throughout the Southeast. The existing building and parking lot would be improved where necessary, and the County's approval of this rezoning request will allow for a quality, long-term business in that part of Gwinnett County. This location would operate as one of Enterprise's major fleet centers, and all of their business locations maintain an excellent reputation.

II. Constitutional and Statutory Justifications

The Property is presently suitable for development subject only to the approval of the SUP extension hereby requested by the Applicant, and is not economically suitable for development without said extension due to its existing uses, location, shape, size, surrounding development, and other factors.

The portions of the Unified Development Ordinance which classify or condition the Property into any more or less intensive classification and/or conditions other than as requested by the Applicant and property owner via the extension are and would be unconstitutional in that they would destroy the Applicant's and property owner's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Gwinnett Unified Development Ordinance, as applied to the Property, which restricts its use to the present site plan, uses, regulations, requirements, and conditions is unconstitutional, illegal, null and void, constituting a taking of the Applicant's and the property owner's property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process

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Clause of the Fourteenth Amendment to the Constitution of the United States, Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States denying the Applicant and property owner any economically viable use of the Property while not substantially advancing legitimate state interests.

A denial of any of the special use permit extension request would constitute an arbitrary and capricious act by Gwinnett County and the Board of Commissioners without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Gwinnett County Board of Commissioners to approve the extension with only such conditions as agreed to by the Applicant, so as to permit the only feasible economic use of the Property, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution.

Any action subjecting the Property to conditions which are different from the requested conditions by which the Applicant may amend its application, to the extent such different conditions would have the effect of further restricting the Applicant's and the Owner's utilization of the subject Property, also constitutes an arbitrary, capricious and discriminatory act classification and would likewise violate each of the provisions of the State and Federal Constitutions as set forth hereinabove.

III. Conclusion

Approval of the SUP extension will result in a quality use and long-term business and community partner in this part of Gwinnett County. The Applicant hereby submits the attached exhibits and responses in further support of these zoning requests. We welcome the opportunity to meet with staff, County representatives and neighbors to discuss these zoning applications. The Applicant and property owners respectfully request your approval of the requested Special Use Permit extension.

This 3rd day of March, 2017.

Respectfully submitted,

ANDERSEN, TATE & CARR, P.C.



R. Matthew Reeves
Attorney for Applicant

Enclosures

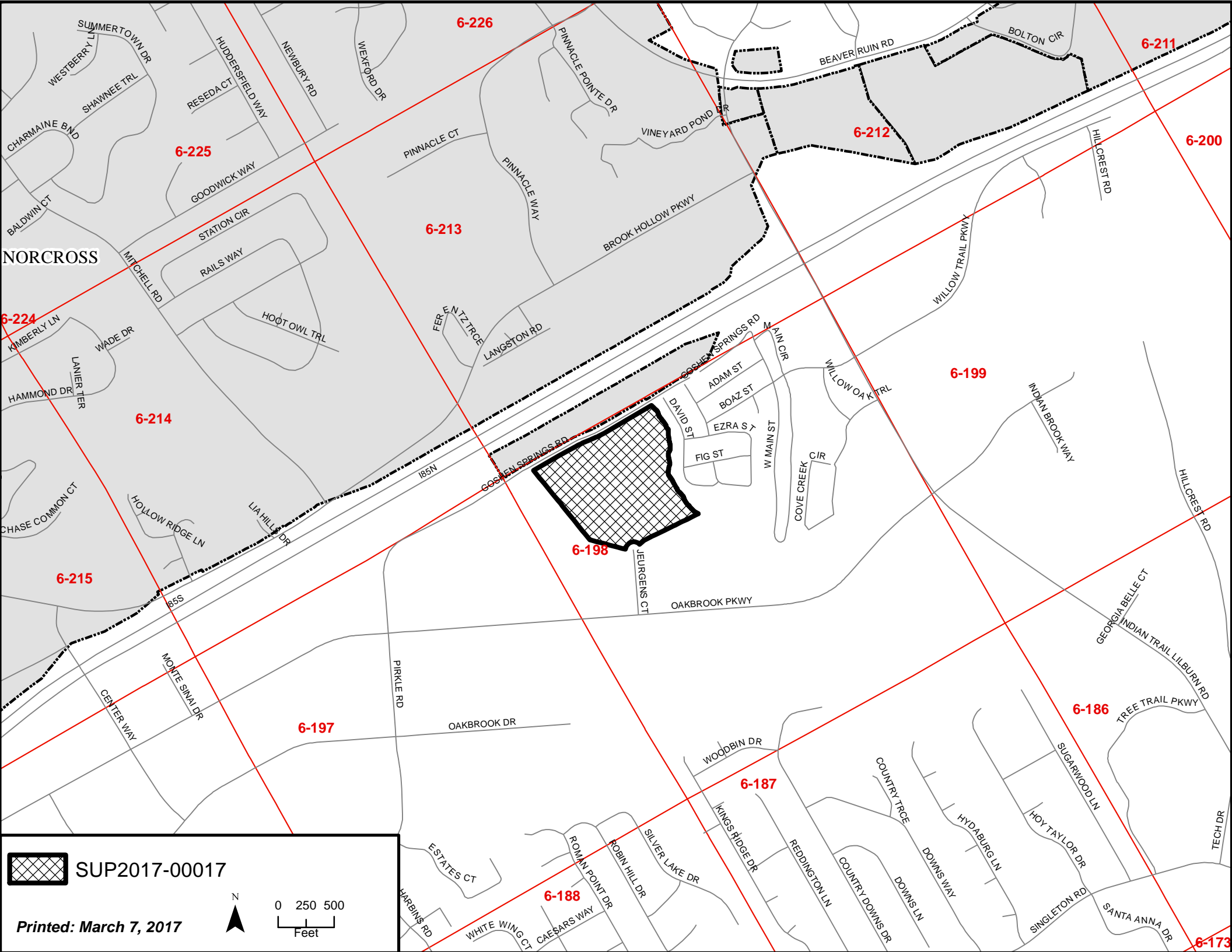
- cc: Ian Smith (Knightswood, Inc.)
- Dan Miller, VP/GM for Enterprise
- Derek Griffin (Allied Commercial Properties)

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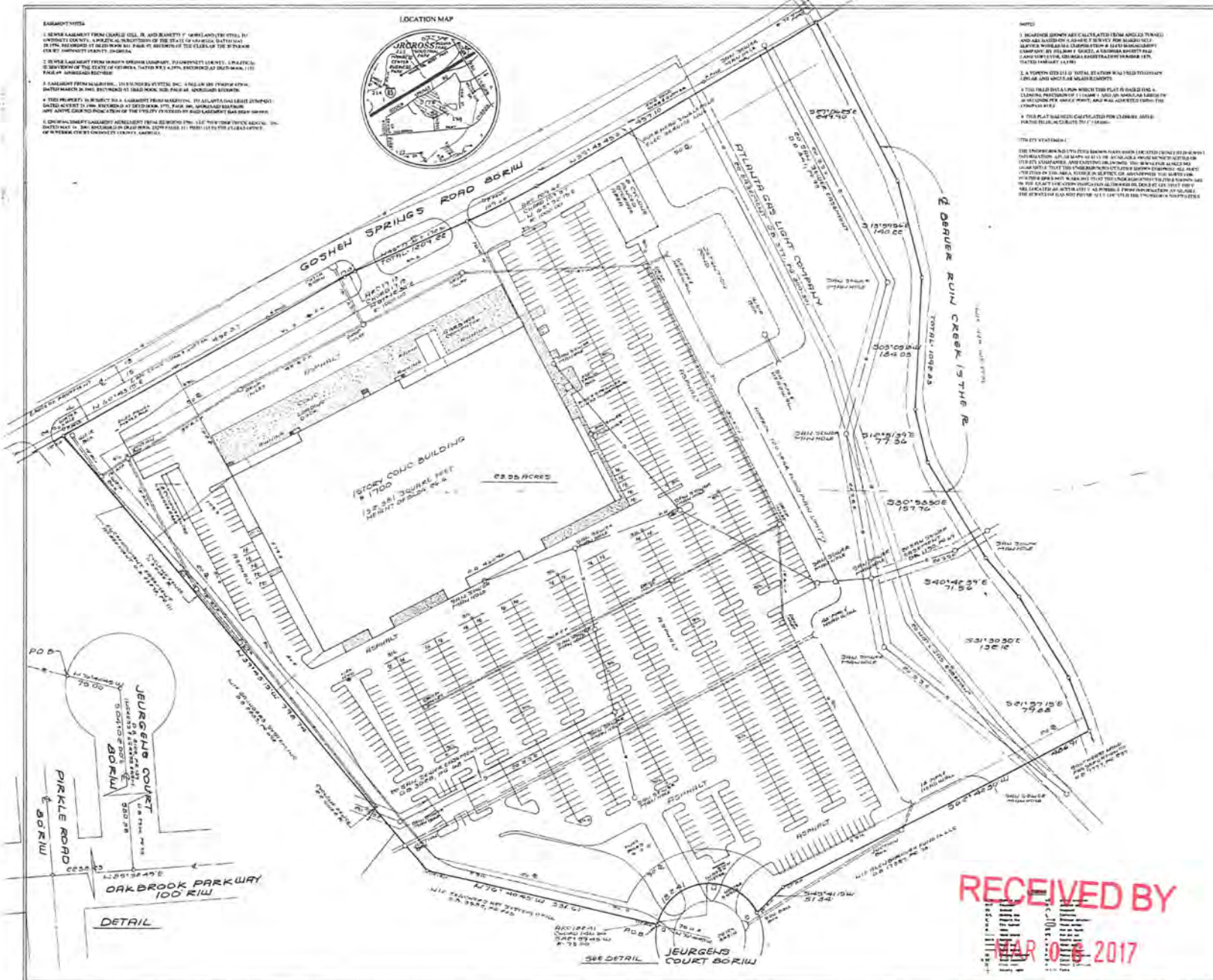
LEGEND:

1. SURVEY MADE FROM CORNER OF S. 1/4 SECTION 17, T. 12 N., R. 10 W., S. 17 E., IN GWINNETT COUNTY, GEORGIA, A PORTION OF THE STATE OF GEORGIA, DATUM 1983, BY JOHN W. KIRKLEY, LAND SURVEYOR, IN THE PRESENCE OF TWO PUBLIC OFFICIALS, THE CLERK OF THE SUPERIOR COURT AND THE COUNTY ENGINEER, ON FEBRUARY 14, 2000.
2. SURVEY MADE FROM THE CORNER OF S. 1/4 SECTION 17, T. 12 N., R. 10 W., S. 17 E., IN GWINNETT COUNTY, GEORGIA, A PORTION OF THE STATE OF GEORGIA, DATUM 1983, BY JOHN W. KIRKLEY, LAND SURVEYOR, IN THE PRESENCE OF TWO PUBLIC OFFICIALS, THE CLERK OF THE SUPERIOR COURT AND THE COUNTY ENGINEER, ON FEBRUARY 14, 2000.
3. SURVEY MADE FROM THE CORNER OF S. 1/4 SECTION 17, T. 12 N., R. 10 W., S. 17 E., IN GWINNETT COUNTY, GEORGIA, A PORTION OF THE STATE OF GEORGIA, DATUM 1983, BY JOHN W. KIRKLEY, LAND SURVEYOR, IN THE PRESENCE OF TWO PUBLIC OFFICIALS, THE CLERK OF THE SUPERIOR COURT AND THE COUNTY ENGINEER, ON FEBRUARY 14, 2000.
4. THIS PROPERTY IS SUBJECT TO A EASEMENT FROM THE STATE OF GEORGIA, A PORTION OF THE STATE OF GEORGIA, DATUM 1983, BY JOHN W. KIRKLEY, LAND SURVEYOR, IN THE PRESENCE OF TWO PUBLIC OFFICIALS, THE CLERK OF THE SUPERIOR COURT AND THE COUNTY ENGINEER, ON FEBRUARY 14, 2000.
5. SURVEY MADE FROM THE CORNER OF S. 1/4 SECTION 17, T. 12 N., R. 10 W., S. 17 E., IN GWINNETT COUNTY, GEORGIA, A PORTION OF THE STATE OF GEORGIA, DATUM 1983, BY JOHN W. KIRKLEY, LAND SURVEYOR, IN THE PRESENCE OF TWO PUBLIC OFFICIALS, THE CLERK OF THE SUPERIOR COURT AND THE COUNTY ENGINEER, ON FEBRUARY 14, 2000.



NOTES:

1. BEARING AND DISTANCE CALCULATED FROM ANGLES TO THE NEAREST SECOND AND DISTANCE TO THE NEAREST TENTH OF AN INCH.
2. THE TOTAL AREA OF THIS TRACT IS 10.00 ACRES.
3. THIS TRACT IS SUBJECT TO A EASEMENT FROM THE STATE OF GEORGIA, A PORTION OF THE STATE OF GEORGIA, DATUM 1983, BY JOHN W. KIRKLEY, LAND SURVEYOR, IN THE PRESENCE OF TWO PUBLIC OFFICIALS, THE CLERK OF THE SUPERIOR COURT AND THE COUNTY ENGINEER, ON FEBRUARY 14, 2000.
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PROPERTY LOCATED AT:
 1700 GOSHEL SPRINGS ROAD SEBRIW
 GWINNETT COUNTY, GEORGIA

DATE: OCTOBER 05, 2000
REVISION DATE: AUGUST 14, 2001
REVISED DATE: SEPTEMBER 22, 2001

MADE BY: ROBERT M. KIRKLEY, LAND SURVEYOR
 PHONE: 770-478-1862 FAX: 770-478-3270



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GOSHEN SPRINGS RD

DAVID ST

CHURCH ST

BOAZ ST


EZRA ST

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GOSHEN ST

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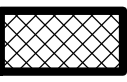
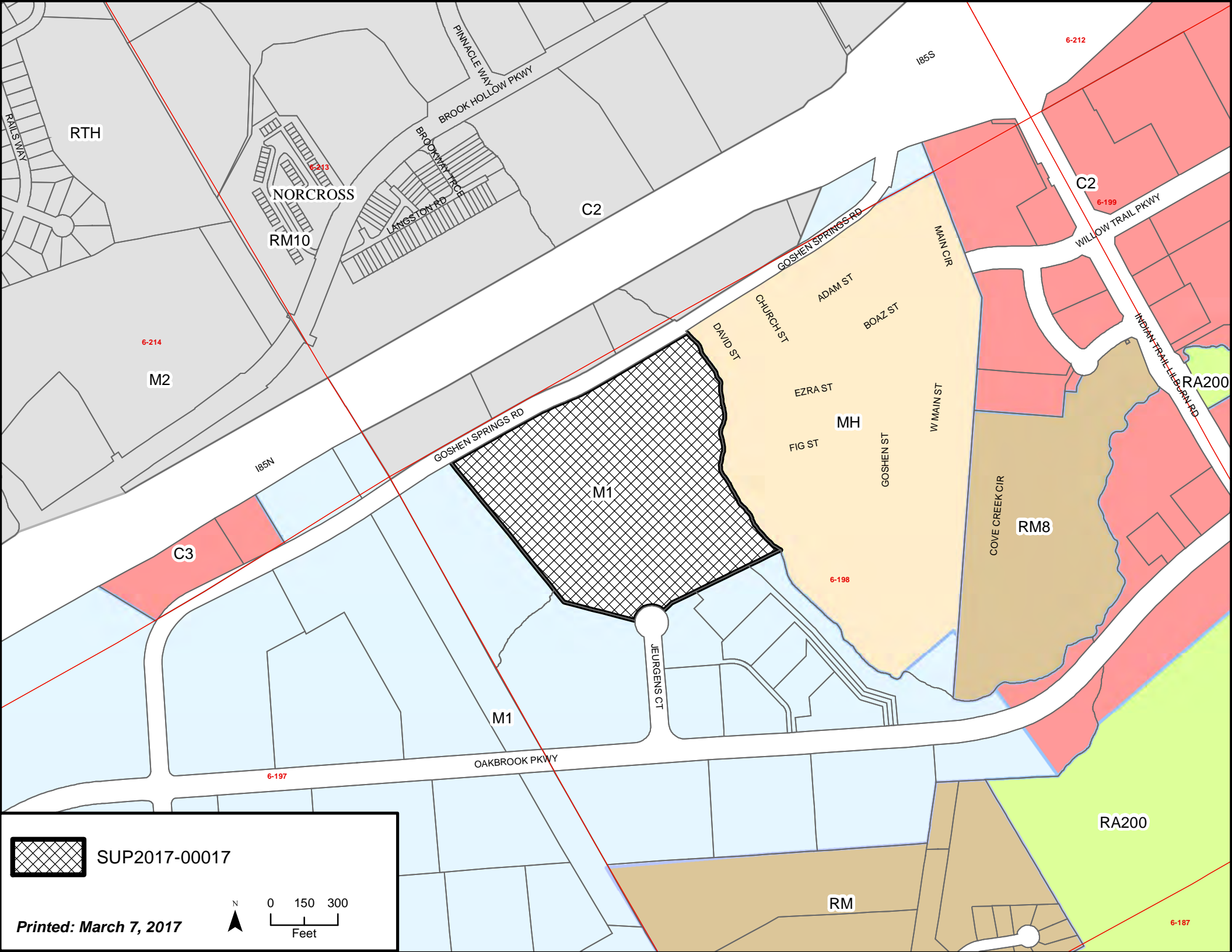
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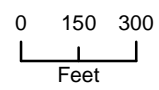
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