

**MUNICIPAL-GWINNETT COUNTY
PLANNING COMMISSION****PUBLIC HEARING AGENDA****GWINNETT JUSTICE AND ADMINISTRATION CENTER
TUESDAY, FEBRUARY 5, 2019 AT 7:00 P.M.**

AS SET FORTH IN THE AMERICANS WITH DISABILITIES ACT OF 1992, THE GWINNETT COUNTY GOVERNMENT DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY AND WILL ASSIST CITIZENS WITH SPECIAL NEEDS GIVEN PROPER NOTICE (SEVEN WORKING DAYS). FOR INFORMATION, PLEASE CALL THE FACILITIES MANAGEMENT DIVISION AT 770.822.8165.

- A. CALL TO ORDER, INVOCATION, PLEDGE TO FLAG
- B. OPENING REMARKS BY CHAIRMAN AND RULES OF ORDER
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES (JANAURY 2, 2019 MEETING)
- E. ANNOUNCEMENTS
- F. OLD BUSINESS

- 1. CASE NUMBER :**RZR2018-00022 (PUBLIC HEARING HELD)**
 - APPLICANT :GCIP SIX, LLC
 - CONTACT :SHANE LANHAM
 - PHONE NUMBER :770.232.0000
 - ZONING CHANGE :R-100 TO OSC
 - LOCATION :3900 BLOCK OF LAKE CARLTON ROAD
 - MAP NUMBERS :R5127 090 & R5128 002
 - ACREAGE :55.23 ACRES
 - UNITS :126 UNITS
 - PROPOSED DEVELOPMENT :SINGLE-FAMILY SUBDIVISION
 - COMMISSION DISTRICT :(3) HUNTER
 - DEPARTMENT RECOMMENDATION :**DENIAL**

2. CASE NUMBER :**RZR2017-00011**
APPLICANT :HOME SOUTH COMMUNITIES, LLC
CONTACT :SHANE LANHAM
PHONE NUMBER :770.232.0000
ZONING CHANGE :RA-200 TO OSC
LOCATION :2400 BLOCK OF SUNNY HILL ROAD
:2500 BLOCK OF MORGAN ROAD
MAP NUMBER :R7136 001
ACREAGE :86.15 ACRES
UNITS :112 UNITS
PROPOSED DEVELOPMENT :SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT :(4) FOSQUE
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
3. CASE NUMBER :**RZR2019-00002**
APPLICANT :EMBRY DEVELOPMENT COMPANY, LLC
CONTACT :MELODY A. GLOUTON, ESQ.
PHONE NUMBER :770.822.0900
ZONING CHANGE :R-100 TO TND
LOCATION :1200 BLOCK OF OLD PEACHTREE ROAD
MAP NUMBER :R7104 029
ACREAGE :29.15 ACRES
UNITS :152 UNITS
PROPOSED DEVELOPMENT :SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT :(4) FOSQUE
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
4. CASE NUMBER :**CIC2019-00001**
APPLICANT :BRAND PARTNERS, LP
CONTACT :SHANE LANHAM
PHONE NUMBER :770.232.0000
ZONING :O-I
LOCATION :2300 BLOCK OF SEVER ROAD
MAP NUMBER :R7114 236
ACREAGE :9.96 ACRES
PROPOSED DEVELOPMENT :CHANGE IN CONDITIONS OF ZONING
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

5. CASE NUMBER :**SUP2019-00007**
APPLICANT :BRAND PARTNERS, LP
CONTACT :SHANE LANHAM
PHONE NUMBER :770.232.0000
ZONING :O-I
LOCATION :2300 BLOCK OF SEVER ROAD
MAP NUMBER :R7114 236
ACREAGE :9.96 ACRES
UNITS :166 UNITS
PROPOSED DEVELOPMENT :RETIREMENT COMMUNITY (INDEPENDENT LIVING)
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
6. CASE NUMBER :**SUP2019-00008**
APPLICANT :BRAND PARTNERS, LP
CONTACT :SHANE LANHAM
PHONE NUMBER :770.232.0000
ZONING :O-I
LOCATION :2300 BLOCK OF SEVER ROAD
MAP NUMBER :R7114 236
ACREAGE :9.96 ACRES
PROPOSED DEVELOPMENT :BUILDING HEIGHT INCREASE TO 60 FEET
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
7. CASE NUMBER :**SUP2019-00003 (PUBLIC HEARING HELD)**
APPLICANT :DR. HAFIZ A. G. KHAN
CONTACT: :MOHSIN ASHFAQUE
PHONE NUMBER :678.704.7838
ZONING :RA-200
LOCATION :2200 BLOCK OF BERRY HALL ROAD
MAP NUMBER :R5343 015
ACREAGE :9.88 ACRES
PROPOSED DEVELOPMENT :CEMETERY
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
8. CASE NUMBER :**SUP2019-00005**
APPLICANT :MOSTAFA MAHAMUD
PHONE NUMBER :404.455.0964
ZONING :R-75
LOCATION :3300 BLOCK OF LAUREL OAK COURT
MAP NUMBER :R6220 015
ACREAGE :3.79 ACRES
SQUARE FEET :3,600 SQUARE FEET
PROPOSED DEVELOPMENT :COMMUNITY CENTER & CULTURAL FACILITY (BUFFER
REDUCTION)
COMMISSION DISTRICT :(2) KU
DEPARTMENT RECOMMENDATION :**DENIAL**

9. CASE NUMBER :**SUP2019-00009 (PUBLIC HEARING HELD)**
APPLICANT :DAVID A. SHERMAN
PHONE NUMBER :678.873.0910
ZONING :R-100
LOCATION :2800 BLOCK OF OZORA CHURCH ROAD
MAP NUMBER :R5197 013
ACREAGE :2.82 ACRES
SQUARE FEET :1,600 SQUARE FEET
PROPOSED DEVELOPMENT :METAL ACCESSORY BUILDING
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

G. NEW BUSINESS

1. CASE NUMBER :**RZC2019-00002**
APPLICANT :DUNG NGUYEN
PHONE NUMBER :678.697.7555
ZONING CHANGE :R-75 TO O-I
LOCATION :6000 BLOCK OF SINGLETON ROAD
:6000 BLOCK OF DAWN WAY
MAP NUMBER :R6195 025
ACREAGE :0.43 ACRE
SQUARE FEET :1,620 SQUARE FEET
PROPOSED DEVELOPMENT :INSURANCE OFFICE (BUFFER REDUCTION)
COMMISSION DISTRICT :(2) KU
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

2. CASE NUMBER :**RZC2019-00003**
APPLICANT :BEVERLY J. SEARLES FOUNDATION, INC.
CONTACT :SHANE LANHAM
PHONE NUMBER :770.232.0000
ZONING CHANGE :C-2 TO O-I
LOCATION :3000-3100 BLOCKS OF OLD PEACHTREE ROAD
:2100-2200 BLOCKS OF HURRICANE SHOALS ROAD
MAP NUMBER :R7018 028
ACREAGE :16.67 ACRES
UNITS :240 UNITS
SQUARE FEET :3000,000 SQUARE FEET
PROPOSED DEVELOPMENT :INDEPENDENT LIVING, RETIREMENT COMMUNITY
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

3. CASE NUMBER :**SUP2019-00016**
APPLICANT :BEVERLY J. SEARLES FOUNDATION, INC.
CONTACT :SHANE LANHAM
PHONE NUMBER :770.232.0000
ZONING :O-I (PROPOSED)
LOCATION :3000-3100 BLOCKS OF OLD PEACHTREE ROAD
:2100-2200 BLOCKS OF HURRICANE SHOALS ROAD
MAP NUMBER :R7018 028
ACREAGE :16.67 ACRES
PROPOSED DEVELOPMENT :BUILDING HEIGHT INCREASE TO 65 FEET
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**DENIAL**
4. CASE NUMBER :**SUP2019-00017**
APPLICANT :BEVERLY J. SEARLES FOUNDATION, INC.
CONTACT :SHANE LANHAM
PHONE NUMBER :770.232.0000
ZONING :O-I (PROPOSED)
LOCATION :3000-3100 BLOCKS OF OLD PEACHTREE ROAD
:2100-2200 BLOCKS OF HURRICANE SHOALS ROAD
MAP NUMBER :R7018 028
ACREAGE :16.67 ACRES
UNITS :240 UNITS
SQUARE FEET :3000,000 SQUARE FEET
PROPOSED DEVELOPMENT :INDEPENDENT LIVING, RETIREMENT COMMUNITY
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
5. CASE NUMBER :**RZR2019-00003**
APPLICANT :OBO FOODS
CONTACT :SHAUN R. ADAMS, ESQ.
PHONE NUMBER :770.822.0900
ZONING CHANGE :R-100 TO RA-200
LOCATION :3200 BLOCK OF BROOKS DRIVE
MAP NUMBER :R5100 049
ACREAGE :3.0 ACRES
SQUARE FEET :4,968 SQUARE FEET
PROPOSED DEVELOPMENT :AGRICULTURAL USES/GREENHOUSE
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

6. CASE NUMBER :**RZR2019-00004**
APPLICANT :EDGE CITY PROPERTIES, INC.
CONTACT :SHANE LANHAM
PHONE NUMBER :770.232.000
ZONING CHANGE :R-100 TO OSC
LOCATION :1100-1200 BLOCKS OF OLD LOGANVILLE ROAD
:3700 BLOCK OF STEPHENS ROAD

MAP NUMBER :R5095 007
ACREAGE :84.65 ACRES
UNITS :204 UNITS
PROPOSED DEVELOPMENT :SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
7. CASE NUMBER :**RZR2019-00005**
APPLICANT :MS & DALE MABRY, LLC
CONTACT :AZIZ DHANANI
PHONE NUMBER :678.665.8928
ZONING CHANGE :O-I TO RA-200
LOCATION :1800 BLOCK OF ROCKBRIDGE ROAD
:1700-1800 BLOCKS OF POUNDS ROAD

MAP NUMBER :R6060 016
ACREAGE :5.82 ACRES
SQUARE FEET :3,000 SQUARE FEET
PROPOSED DEVELOPMENT :CHURCH & CEMETERY
COMMISSION DISTRICT :(2) KU
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
8. CASE NUMBER :**SUP2019-00019**
APPLICANT :MS & DALE MABRY, LLC
CONTACT :AZIZ DHANANI
PHONE NUMBER :678.665.8928
ZONING :RA-200 (PROPOSED)
LOCATION :1800 BLOCK OF ROCKBRIDGE ROAD
:1700-1800 BLOCKS OF POUNDS ROAD

MAP NUMBER :R6060 016
ACREAGE :5.82 ACRES
PROPOSED DEVELOPMENT :CEMETERY (ACCESSORY)
COMMISSION DISTRICT :(2) KU
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

9. CASE NUMBER :**SUP2019-00011**
APPLICANT :YING TAN
CONTACT :KEVIN CHEN
PHONE NUMBER :706.680.4078
ZONING :M-1
LOCATION :2300 BLOCK OF BUFORD HIGHWAY
MAP NUMBER :R7205 008
ACREAGE :5.26 ACRES
SQUARE FEET :8,000 SQUARE FEET
PROPOSED DEVELOPMENT :AUTOMOBILE ACCESSORIES SALES & INSTALLATION
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
10. CASE NUMBER :**SUP2019-00012**
APPLICANT :GRESHAM LANDSCAPE & CONSTRUCTION INC.
CONTACT :MIKE GRESHAM
PHONE NUMBER :404.557.5452
ZONING :M-1
LOCATION :4100 BLOCK OF ARCADIA INDUSTRIAL CIRCLE
MAP NUMBER :R6125 106
ACREAGE :1.01 ACRES
SQUARE FEET :2,100 SQUARE FEET
PROPOSED DEVELOPMENT :AUTOMOBILE REPAIR & BODY SHOP
COMMISSION DISTRICT :(2) KU
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
11. CASE NUMBER :**SUP2019-00013**
APPLICANT :MICHAEL D. SWAIM
PHONE NUMBER :404.702.8277
ZONING :M-1
LOCATION :4100 BLOCK OF ARCADIA INDUSTRIAL CIRCLE
MAP NUMBER :R6132 046
ACREAGE :1.5 ACRES
SQUARE FEET :7,500 SQUARE FEET
PROPOSED DEVELOPMENT :AUTOMOBILE REPAIR & BODY SHOP
COMMISSION DISTRICT :(2) KU
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

12. CASE NUMBER :**SUP2019-00014**
APPLICANT :PSFD, LLC
CONTACT :MELODY A. GLOUTON, ESQ.
PHONE NUMBER :770.822.0900
ZONING :C-2
LOCATION :3200 BLOCK OF SARDIS CHURCH ROAD
MAP NUMBER :R3002 077
ACREAGE :2.71 ACRES
SQUARE FEET :20,511 SQUARE FEET
PROPOSED DEVELOPMENT :CLIMATE CONTROLLED SELF-STORAGE FACILITY &
OUTDOOR RECREATIONAL VEHICLE STORAGE

COMMISSION DISTRICT :(4) FOSQUE
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

13. CASE NUMBER :**SUP2019-00015**
APPLICANT :CALIBER CAR WASH
CONTACT :ERIC BROWN
PHONE NUMBER :404.556.4336
ZONING :C-2
LOCATION :900 BLOCK OF OLD PEACHTREE ROAD
:1400 BLOCK OF NORTHBROOK PARKWAY

MAP NUMBER :R7124 022
ACREAGE :1.47 ACRES
SQUARE FEET :3,648 SQUARE FEET
PROPOSED DEVELOPMENT :CAR WASH (EXPRESS SERVICE)
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**DENIAL**

14. CASE NUMBER :**SUP2019-00018 (WITHDRAWN)**

H. AUDIENCE COMMENTS

I. COMMITTEE REPORTS

J. COMMENTS BY STAFF AND PLANNING COMMISSION

K. ADJOURNMENT

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

CASE NUMBER :**RZR2018-00022**
ZONING CHANGE :R-100 TO OSC
LOCATION :3900 BLOCK OF LAKE CARLTON ROAD
MAP NUMBERS :R5127 090 & R5128 002
ACREAGE :55.23 ACRES
UNITS :126 UNITS
PROPOSED DEVELOPMENT :SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT :(3) HUNTER

FUTURE DEVELOPMENT MAP: **EXISTING/EMERGING SUBURBAN**

APPLICANT: GCIP SIX, LLC
C/O MAHAFFEY PICKENS TUCKER, LLP
1550 NORTH BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACT: SHANE LANHAM PHONE: 770.232.0000

OWNER: GCIP SIX, LLC
390 BROGDON ROAD
SUWANEE, GA 30024

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant requests rezoning of a 55.23-acre parcel assemblage from R-100 (Single-Family Residence District) to OSC (Open Space Conservation District), to construct a 126-lot single-family subdivision. The subject property is located on the southern side of Lake Carlton Road. The property is wooded and undeveloped, with a stream, floodplain and wetlands along the western portion of the site.

The net area of the subject property is 53.13-acres, as the property contains 4.2-acres of floodplain area. The proposed net density of 2.37 units per acre is less than the maximum 2.5 units per acre allowed in the OSC zoning district. The submitted site plan indicates a total of 20.3-acres (approximately 36.7 percent of the gross land area) would be set aside as conservation space. A recreation area is proposed on the eastern portion of the development. Primary and secondary conservation areas are proposed adjacent to the stream and within the floodplain. A single point of access is proposed into the development at the terminus of this section of Lake Carlton Road. Two proposed stormwater management ponds would be provided adjacent to the existing stream on the west side of the property, not included in the conservation area calculation.

The proposed development would have a lot width of 60 feet and a minimum lot area of 7,500 square feet, which meets the minimum zoning district requirements. The applicant has proposed a minimum home size of 1,400 square feet with two-car garages. Further, the exteriors of all dwellings are proposed to be a mixture of brick, stone, board and batten, or fiber-cement siding on the front façade, with the balance of the home the same or wood, cedar shake and siding.

An OSC zoned development requires a form of transition when located adjacent to agricultural or single-family residential uses. The UDO (Unified Development Ordinance) provides three options, and the applicant has chosen to provide a 50-foot conservation strip adjacent to properties zoned R-100 (Single-Family Residence District). The site plan reflects a 50-foot conservation strip along the exterior property lines in order to meet this requirement.

ZONING HISTORY:

In 1970 the subject property was zoned R-100.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property contains areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development. The applicant/developer shall obtain all required approvals from the Gwinnett County Department of Water Resources and the U.S. Army Corps of Engineers for construction or land disturbance activities which may impact floodplain or wetland areas.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

No Existing Features Analysis Plan for this site has been provided for review.

Portions of this site appear to be heavily wooded and may include specimen trees which are required by the UDO to be preserved. Alternate designs to preserve specimen trees must be explored. A Specimen Tree Survey and a Specimen Tree Concept Plan must be submitted and approved prior to submittal of development plans for review.

A subdivision Concept Plan for OSC subdivisions must be submitted and approved prior submittal of Development Plans for review.

Five-foot wide sidewalks are required along Lake Carlton Road frontage. Although the road was closed many years ago when the dam breached, the existing right of way provides a great opportunity for a pedestrian connection.

Although the letter of intent refers to a network of sidewalks, the only sidewalks apparent on the rezoning exhibit are those along the interior subdivision streets referenced on the Typical Lot Layout.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

The property appears to contain floodplain and stream buffers. The proposed conceptual plan may require revision to show the appropriate floodplain and stream buffers.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Lake Carlton Road is a Local Residential Street and 25 feet of right of way is required from the centerline.

Lake Carlton Road is currently a substandard road and will require to be brought up to current minimum standards as per the Unified Development Ordinance.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 6-inch water main located on the north and northeast right of way of Lake Carlton Road.

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 and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of 8-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8- and 24-inch sanitary sewer main located on parcel R5128 002.

The subject development is located within the Lower Big Haynes service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

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 and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 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.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The applicant seeks rezoning of a parcel assemblage from R-100 to OSC in order to develop a 126-lot single-family residential subdivision. The subject property is located on the southern side of Lake Carlton Road. The property is wooded and undeveloped, with a stream, floodplain and wetlands on the site.

The 2030 Unified Plan Future Development Map indicates the property is located within an Existing/Emerging Suburban Character Area. Policies for this Character Area encourage residential in-fill development at densities and architectural character compatible with existing development. Lake Carlton Road is a substandard local residential street and the addition of 126 homes to this area may be out of character and incompatible with the recommendations of the Unified Plan.

Lake Carlton Road is developed with 38 single-family homes on large lots. The size of these lots range from 18,731 square feet to 6.0 acres. The combined density of the existing homes is estimated at 1.12 units per acre. The addition of 126 homes at a density of 2.37 would triple the number of homes along this segment of Lake Carlton Road. Beyond the immediate Lake Carlton Road area, to the north is the Bradford Park subdivision, zoned R-100, to the west is the Cobblestone Mill subdivision, zoned R-100 Modified, to the south is the Breckinridge Club subdivision zoned R16 (City of Loganville), and to the east is the Hogans Mill subdivision, zoned R-100. Only the Hogans Mill and Bradford Park subdivisions access Lake Carlton Road and do so within 1,500 feet of its intersection with Old Loganville Road. The proposed OSC subdivision would be constructed at the terminus of Lake Carlton Road, approximately one mile from its intersection with Old Loganville Road. Therefore, development of this property as proposed may be inconsistent with the development pattern of nearby residential subdivisions.

The requested OSC zoning may not be consistent with policies of the Unified Plan which require that infill development be consistent or compatible in scale with immediate surrounding uses. The proposed subdivision may not be compatible in scale with the low density subdivisions and estate homes on acreage that comprise the surrounding area. Therefore, the Department of Planning and Development recommends **DENIAL** of the request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Note: The following conditions are provided as a guide should the Board choose to approve the request.

Approval as OSC (Open Space Conservation Subdivision), subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Single-family detached dwellings and accessory uses and structures, not to exceed 126 lots.
 - B. The minimum heated floor area per dwelling unit shall be 2,200 square feet for one-story homes and 2,400 square feet for two-story homes.
 - C. Homes shall be constructed with front facades of primarily brick or stacked stone. The balance of the home may be the same, or of fiber-cement siding or shake with a minimum three-foot high brick or stacked stone water table.
 - D. All dwellings shall have at least a double-car garage.
2. To satisfy the following site development considerations:
 - A. Provide a centrally located open space within the development. Open Space shall include a community park green space, recreational area features to include a pool, cabana, tennis courts and playground to be located centrally to the homes within the development. Design and location of open space and community features shall be subject to review and approval of the Director of Planning and Development.
 - B. A minimum 50-foot wide conservation space strip shall be provided around the perimeter of the property.
 - C. No direct lot access shall be allowed onto Lake Carlton Road.
 - D. The Lake Carlton Road frontage and project entrance shall be landscaped by the developer and maintained by the Homeowners Association. Entrance shall include a decorative masonry entrance feature. Landscape and entrance feature plans shall be subject to review and approval of the Director of Planning and Development.
 - E. Natural vegetation shall remain on the property until the issuance of a development permit.
 - F. All grassed areas on dwelling lots shall be sodded.

- G. All utilities shall be placed underground.
 - H. Building lots shall not be located within any required stream buffers or accompanying impervious surface setback areas.
 - I. Detention pond(s) shall be designed and constructed in a manner which creates a visual amenity within the development. Concrete walls shall be prohibited. Any fencing shall be decorative in nature only. Final stormwater detention pond plans shall be subject to the review and approval of the Director of Planning and Development.
3. To abide by the following requirements, dedications and improvements:
- A. Lake Carlton Road shall be brought up to current minimum standards as per the Unified Development Ordinance and the Gwinnett County Department of Transportation.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The proposed OSC project with smaller lot sizes and increased density may not be suitable in light of the neighboring single-family homes with larger lots.

ADVERSE IMPACTS

With the recommended conditions, potential impacts should be minimized.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

An increased impact on public facilities could be anticipated in the form of increased traffic, school enrollment, stormwater runoff and utility demand.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates that the site is located in the Existing/Emerging Suburban Character Area. The requested OSC zoning may not be in accordance with recommended policies of the 2030 Unified Plan that emphasizes compatibility with neighboring single-family development.

CONDITIONS AFFECTING ZONING

The proposed OSC subdivision would be constructed at the terminus of Lake Carlton Road, approximately one mile from its intersection with Old Loganville Road. Therefore development of this property as proposed may be inconsistent with the development pattern of nearby residential subdivisions.

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:

Please see attached

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

Please see attached

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

Please see attached

- (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:

Please see attached

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

Please see attached

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED REZONING:

Please see attached

RECEIVED BY

JUN 01 2018

RZR '18 022

Planning & Development

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) Approval of the proposed development, as a single-family residential neighborhood that will conserve important natural areas, will permit a use that is suitable in view of the use and development of adjacent and nearby properties.
- (B) The proposed rezoning will not adversely affect the existing use or usability of nearby properties. The proposed development is compatible with surrounding development.
- (C) Due to the size, layout, location, and topography of the subject property, the Applicant submits that the subject property does not have reasonable economic use as currently zoned.
- (D) The proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems. The subject property is located off of Lake Carlton Road with access to utilities. The proposed development would also have convenient access to U.S. Route 78 via Midway Road and Old Loganville Road.
- (E) The proposed rezoning is in conformity with the policy and intent of the Land Use Plan. The Property is located in the Existing/Emerging Suburban Character Area where single-family residential subdivisions are encouraged by the Gwinnett County 2030 Unified Plan.
- (F) The Applicant submits that the single-family residential nature of the area as well as the extensive conservation areas that would be preserved further justify approval of the application.

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 Thomas A. Simpson
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 R. Lee Tucker, Jr.
 *Of Counsel

**LETTER OF INTENT FOR REZONING APPLICATION
 OF GCIP SIX, LLC**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Rezoning Application (the “Application”) on behalf of GCIP SIX, LLC (the “Applicant”) for the purpose of rezoning to the OSC zoning classification an approximately 55.23 acre tract of land (the “Property”) situated along Lake Carlton Road in southeastern Gwinnett County. The Property is currently zoned R-100.

The Applicant proposes to develop the Property for use as a single-family residential community including 126 single-family homes at a net density of approximately 2.37 units per acre, which is below the maximum allowed density of 2.5 units per acre prescribed for the OSC zoning classification in the Gwinnett County Unified Development Ordinance (the “UDO”). Further, the Property is located within the Existing/Emerging Suburban Character Area as set forth on the Gwinnett County 2030 Unified Plan Future Development Map. Promoting a variety of housing options for Gwinnett County residents is one of the policy goals of the Unified Plan and encouraged land uses for the Existing/Emerging Suburban Character Area include single-family residential development which is compatible with surrounding land uses. The Unified Plan further provides that “new residential development within the Existing/Emerging Suburban Character Area and in the vicinity of existing low density, single-family subdivisions should not

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exceed the 3.0 units per acre density.” At a net density of 2.37 units per acre, the proposed development is compatible with the policies of the Unified Plan.

The proposed single-family community would consist of homes at a size, quality, and price-point commensurate with or exceeding homes in the surrounding area and would also be compatible with other property along the nearby Brushy Fork Road zoned R-100 CSO, R-100 Modified, and OSC. The proposed homes would contain a minimum of 1,400 square feet of heated floor area and include two-car garages and covered entrances. Exteriors of the homes would be constructed with an attractive mix of brick, stone, board and batten, and/or fiber-cement shake or siding.

The proposed development would also include substantial buffering along adjacent property zoned R-100. At a minimum, the UDO calls for a 50-foot buffer around the perimeter of the development, which is depicted on the site plan. Further, more than 20 acres of land is set aside within the proposed development as primary and secondary conservation space which is nearly 40% of the Property’s gross area. This proposed conservation space, which exceeds the minimum amounts required by the UDO, provides additional open/green space which further buffers the proposed development from adjacent properties. Additionally, this conservation space would provide an amenity for residents and would be accessible at multiple points by way of sidewalks which run throughout the proposed development. The proposed network of sidewalks, pocket parks, and conservation space create a walkable environment which promotes a healthy lifestyle.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address

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any concerns relating to the matters set forth in this letter or in the Rezoning Application filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted this 1st day of June, 2018.

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham

Attorneys for Applicant

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Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, August 2018

Case #	Schools	Current Projections									Proposed Zoning Approximate additional Student Projections from Proposed Developments
		2018-19			2019-20			2020-21			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZM2018-00012	Parkview HS	3,016	2,500	516	3,061	2,500	561	3,107	2,900	207	11
	Trickum MS	2,187	1,775	412	2,220	1,775	445	2,253	1,775	478	8
	Arcado ES	1,016	750	266	1,001	750	251	1,017	750	267	15
RZM2018-00013	Grayson HS	3,044	2,125	919	3,128	2,125	1,003	3,222	2,125	1,097	22
	Couch MS	1,080	1,150	-70	1,102	1,150	-48	1,124	1,150	-26	16
	Starling ES	1,034	1,200	-166	1,065	1,200	-135	1,097	1,200	-103	31
RZM2018-00014	Grayson HS	3,044	2,125	919	3,128	2,125	1,003	3,222	2,125	1,097	44
	Couch MS	1,080	1,150	-70	1,102	1,150	-48	1,124	1,150	-26	32
	Starling ES	1,034	1,200	-166	1,065	1,200	-135	1,097	1,200	-103	62
RZR2018-00016	South Gwinnett HS	2,634	2,750	-116	2,674	2,750	-76	2,714	2,750	-36	27
	Grace Snell MS	1,254	1,200	54	1,273	1,200	73	1,292	1,200	92	19
	Rosebud ES	1,050	1,200	-150	1,040	1,200	-160	1,051	1,200	-149	38
RZR2018-00019	Mill Creek HS	3,674	2,800	874	3,729	2,800	929	3,785	2,800	985	41
	Jones MS	981	975	6	1,001	975	26	1,021	975	46	29
	Ivy Creek ES	1,214	1,275	-61	1,263	1,275	-12	1,313	1,275	38	57
RZR2018-00020	Dacula HS	2,205	2,550	-345	2,271	2,550	-279	2,339	2,550	-211	45
	Dacula MS	1,681	1,900	-219	1,731	1,900	-169	1,783	1,900	-117	32
	Mulberry ES	780	975	-195	819	975	-156	860	975	-115	63
RZR2018-00021	Brookwood HS	3,625	2,575	1,050	3,669	2,575	1,094	3,713	2,575	1,138	10
	Five Forks MS	1,150	1,150	0	1,173	1,150	23	1,197	1,150	47	7
	Gwin Oaks ES	994	875	119	1,004	875	129	1,015	875	140	13
RZR2018-00022	South Gwinnett HS	2,634	2,750	-116	2,674	2,750	-76	2,714	2,750	-36	40
	Grace Snell MS	1,254	1,200	54	1,273	1,200	73	1,292	1,200	92	29
	Magill ES	1,141	1,525	-384	1,152	1,525	-373	1,163	1,525	-362	57
RZR2018-00023	Mill Creek HS	3,674	2,800	874	3,729	2,800	929	3,785	2,800	985	1
	Osborne MS	1,712	1,575	137	1,729	1,575	154	1,746	1,575	171	1
	Duncan Creek ES	1,336	1,300	36	1,376	1,300	76	1,417	1,300	117	2

Current projections do not include new developments



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LEFT SIDE ELEVATION



REAR ELEVATION



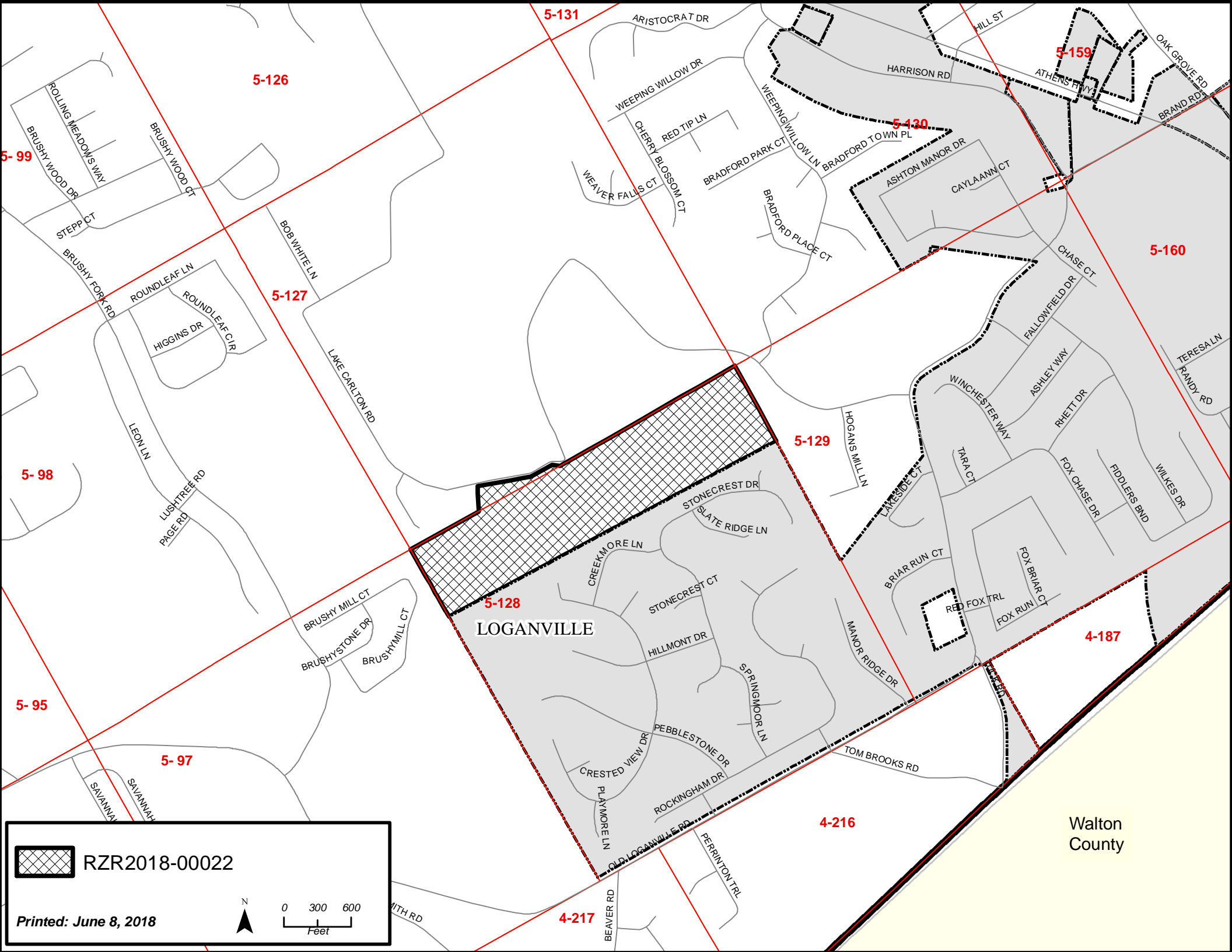
RIGHT SIDE ELEVATION

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Walton County

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Feet



LAKECROFT RD

STONECREST DR

STONECREST LN

SLATE RIDGE LN

CREEKMORE LN



RZR2018-00022



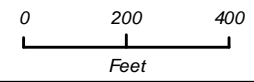
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LAKE CARLTON RD

CARLTON COVE CT

MILL CT

CREAKMORE LN

CRESTED VIEW DR

CRESTED VIEW CIR

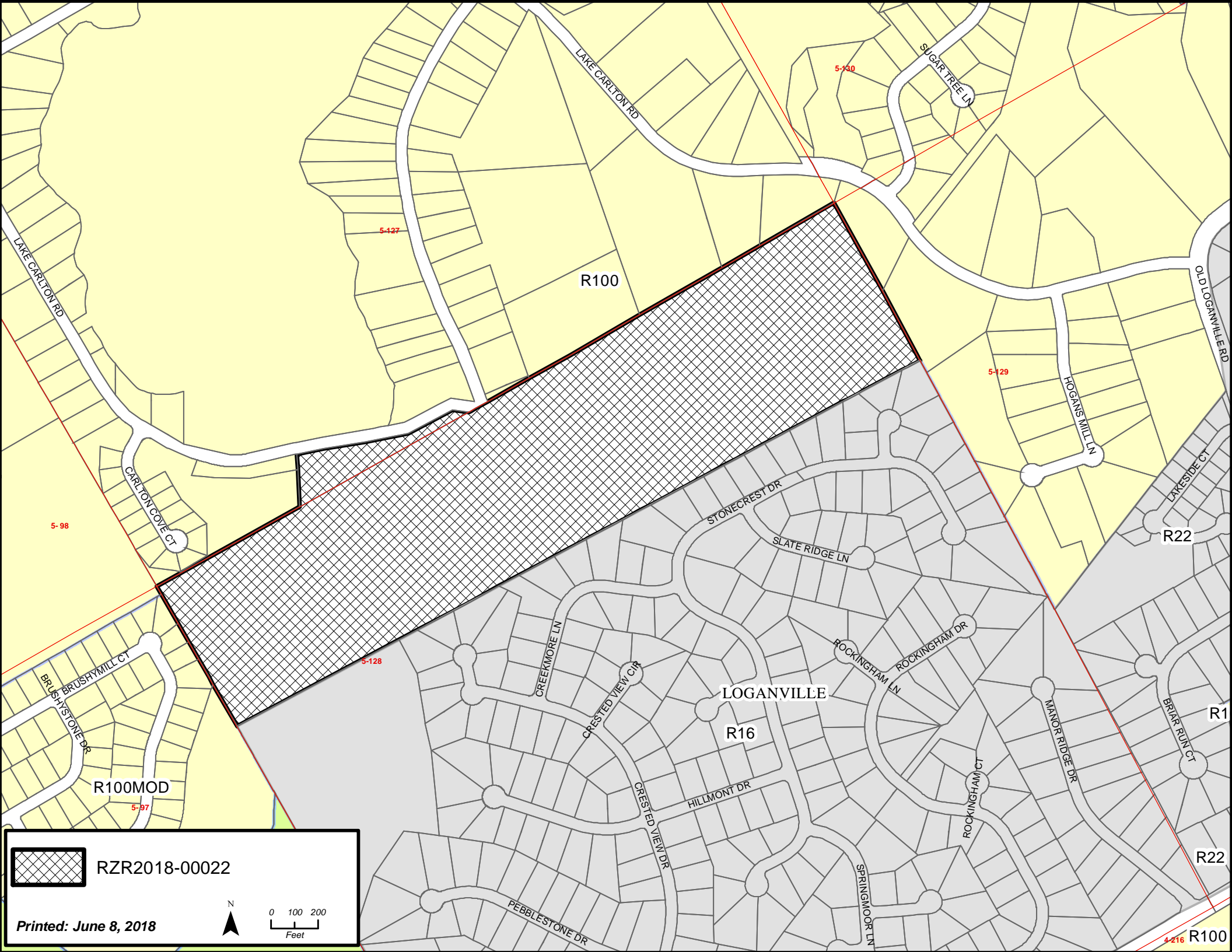



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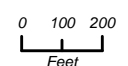
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4-216 R100

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

CASE NUMBER :RZR2017-00011
ZONING CHANGE :RA-200 TO OSC
LOCATION :2400 BLOCK OF SUNNY HILL ROAD
:2500 BLOCK OF MORGAN ROAD
MAP NUMBER :R7136 001
ACREAGE :86.15 ACRES
UNITS :112 UNITS
PROPOSED DEVELOPMENT :SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT :(4) HEARD

FUTURE DEVELOPMENT MAP: **EXISTING/EMERGING SUBURBAN**

APPLICANT: HOME SOUTH COMMUNITIES, LLC
C/O MAHAFFEY PICKENS TUCKER, LLP
1550 N. BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACT: SHANE LANHAM PHONE: 770.232.0000

OWNER: JOHN T. LAMB
2496 SUNNY HILL ROAD
BUFORD, GA 30519

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests rezoning of an 86.15-acre parcel from RA-200 (Agriculture-Residence District) to OSC (Open Space Conservation District), to construct a 112-lot single-family subdivision. The property is located on both sides of Sunny Hill Road, just south of its intersection with Morgan Road, and south of Interstate 85. The property is presently developed with an existing single-family residence, a few accessory structures, pastureland, wooded areas, ponds, and Little Ivy Creek that runs east to west across the southern portion of the property. The right-of-way of Sunny Hill Road separates the property into two portions, and a portion of the proposed Sugarloaf Parkway would bisect the property from north to south.

The subject site contains 30.75 acres of floodplain on the property. The proposed total 112-unit development would have a gross density of 1.3 units per acre and net density of 1.58 units per acre. The site plan shows that the smaller portion of the property east of Sunny Hill Road would have 20 lots accessed via one new roadway off Morgan Road at the north side of the property, with a stormwater management area, and 10.45 acres of primary and secondary open space. The western, larger portion of the property is proposed with 92 lots accessed via one

new roadway off Sunny Hill Road, with its own stormwater management area and a total of 42.48 acres of primary and secondary open space, exceeding the minimum requirement of 21.5 acres (25 percent of the property). Some proposed lots encroach into the required impervious setback and would require Variance approval for reduced setbacks.

According to the site plan, the minimum lot width for the development would be 60 feet, with a minimum lot area of 7,500 square feet, meeting the minimum requirements for the requested zoning classification. The applicant has proposed a minimum dwelling size of 2,250 square feet, and all units would include two-car garages. Submitted elevations indicate homes would be primarily brick, stone and shake on the front façade, with the remaining sides of each home being constructed with fiber-cement siding.

An OSC-zoned development requires a form of transition when located adjacent to agricultural or single-family residential uses. The Unified Development Ordinance (UDO) provides three options, and the applicant has chosen to provide a 50-foot conservation space strip adjacent to properties zoned R-100 and RA-200. The site plan reflects a 50-foot undisturbed stream buffer and 75-foot imperious setback along Little Ivy Creak located on the south side of the property. Also reflected on the submitted site plan is the required 50-foot street frontage buffer along the right-of-way of Sunny Hill Road/Morgan Road for both portions of the property.

ZONING HISTORY:

The property has been zoned RA-200 since 1970.

GROUNDWATER RECHARGE AREA:

The subject property is located within an identified Significant Groundwater Recharge Area. The Georgia Department of Community Affairs and Department of Natural Resources have mandated that Significant Groundwater Recharge Areas be identified and that minimum lot sizes for septic tanks be increased in these resource areas. Please contact Gwinnett County Environmental Health for septic system information and/or Gwinnett Department of Water Resources regarding availability of sanitary sewer for this site.

WETLANDS INVENTORY:

The subject property contains areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development. The applicant/developer shall obtain all required approvals from the Gwinnett Department of Public Utilities and the U.S. Army Corps of Engineers for construction or land disturbance activities which may impact floodplain or wetland areas.

OPEN SPACE AND GREENWAY MASTER PLAN:

No Comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Protection Section of the Unified Development Ordinance (Chapter 620) requires submittal and approval of a Tree Preservation and Replacement Plan prepared by a professional landscape architect prior to securing a Land Disturbance or Development permit.

Parking lots and interior driveways shall be designed in accordance with Chapter 240 of the Unified Development Ordinance.

Section 900-20.7 of the Unified Development Ordinance requires either direct alignment of public streets opposite each other, or have offsets as shown in Table 900.3.

Section 900-30 of the Unified Development Ordinance requires a 200-foot deceleration lane with a 50-foot taper at each project entrance that proposes access to a Minor Collection Street or Major Thoroughfare. Right-of-way dedication to accommodate the deceleration lane and an 11-foot shoulder is also required. Reduction in length of a deceleration lane requires approval of a Modification by the Development Division; elimination of a deceleration lane requires approval of a Waiver by the Board of Commissioners.

Section 900-90 of the Unified Development Ordinance requires construction of five-foot wide sidewalks along all exterior roadways adjoining the project, and four-foot wide sidewalks adjacent to both sides of all interior public streets (excluding cul-de-sac turnarounds).

Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a Development Permit Application.

The developer must submit a concept plan for review and approval of the Development Division prior to submittal and acceptance of a development permit application.

The developer must submit a preliminary plat (construction plans), including a grading plan, tree plan, and road/sewer profiles for review and approval of the Development Division prior to any construction.

Section 800-20 of the Unified Development Ordinance requires submittal of a Stormwater Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

Section 700-40.1A of the Unified Development Ordinance requires that the lowest floor, including the basement, of all residential building be constructed at an elevation of at least three feet above the 100-year floodplain.

Note that all recreation areas, open space and/or common areas (including stormwater detention facility lots) located within the development shall be controlled by a mandatory Property Owner's Association (to include reported bylaws) with responsibility for maintenance, insurance, and taxes for open space areas.

The United States Postal Service may require a centralized mail delivery kiosk for this proposed development, replacing individual mail boxes. Mail delivery kiosk must be located outside of right-of-way access easement (if private street). Location and access must be approved by Gwinnett County D.O.T.

STORMWATER REVIEW SECTION COMMENTS:

The property appears to contain stream buffers and floodplain. The proposed conceptual plan may require revision to show the appropriate stream buffer and floodplain areas. All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Sunny Hill Road is a Minor Collector and 30 feet of right-of-way is required from the centerline.

Standard deceleration lane with appropriate taper and adequate right-of-way will be required.

The project entrance shall align with opposing roads or driveways in accordance with the Gwinnett County Unified Development Ordinance.

Prior to the issuance of a Development Permit, a sight distance certification shall be provided.

The number and locations of driveways are subject to Gwinnett County D.O.T. approval.

Minimum separation from a driveway, public road, or side street shall be provided as specified in the Gwinnett County Unified Development Ordinance.

Project must comply with Gwinnett County D.O.T. Criteria and Guidelines for left turn lanes.

Development is within the path of the future Gwinnett County roadway extension of Sugarloaf Parkway. Right-of-way for the future roadway project must be reserved before a development permit can be issued.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 2 and 48-inch water main located on the northeast right-of-way of Sunny Hill Road and a 48-inch water main located on the southeast right-of-way of Morgan Road.

Due to the uncontrollable variables, the Department of Water Resources (DWR) makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. Demands imposed by the proposed development may require reinforcements or extensions of existing water mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department.

The available utility records show that the subject development is currently in the vicinity of an eight and 36-inch sanitary sewer main located on parcel R7136 007.

The subject development is located within the Ivy Creek service area. There are currently no connection restrictions within this service area. Treatment capacity within this area is presently available on a first come - first serve basis.

Demands imposed by the proposed development may require reinforcements or extensions of existing sewer mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department. Developer shall provide easements for future sewer connection to all locations designated by DWR during plan review.

As-built information for this department is dependent upon outside entities to provide record drawings for the utilities. Therefore, this department does not guarantee the accuracy of the information provided.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances. Proceeding design, construction, inspection, and final acceptance of the required utilities, service to these utilities would then become available under the applicable utility permit rate schedules.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The property is located on both sides of Sunny Hill Road, south of its intersection with Morgan Road, and south of Interstate 85. The applicant requests rezoning from RA-200 (Agriculture-

Residence District) to OSC (Open Space Conservation District) to construct a 112-lot single-family subdivision. The property is currently developed with a single-family residence, a few accessory structures, pastureland, wooded areas, ponds, and Little Ivy Creek that runs east to west across the southern portion of the property.

The 2030 Unified Plan Future Development Map indicates the property is located within an Existing/Emerging Suburban Character Area. Policies for this Character Area encourage single-family residential uses, and promote a variety of housing options. With conditions to ensure the quality of development and its compatibility with the surrounding area, an OSC subdivision at a density of 1.58 units per acre could be consistent with these policies and map designation.

Developments in the immediate area consist of single-family subdivisions and homes on large acreage tracts. To the west of the subject property are large acre residential properties zoned RA-200 and R-100. To the south, on the west side of Sunny Hill Road, is the Wynnfield Manor subdivision zoned R-100MOD (Modified Single-Family Development) and property zoned R-100. Located on the east side of Sunny Hill Road south of the subject property are undeveloped properties zoned RA-200 that are part the Mountain View High School complex. To the east of the subject property is the Mill Creek Plantation subdivision, which received rezoning approval to R-100 CSO (Conservation Subdivision Overlay District) in 2002 (RZR2002-00006). To the north are developed residential properties zoned RA-200, and some properties owned by the County and designated for the planned Sugarloaf Parkway extension. In light of continuing a development pattern of low-density, single-family subdivisions with preservation of natural amenities and open space, an OSC subdivision conditioned to protect the environmental features could be consistent with similar subdivisions and prior Board precedent in the area.

In conclusion, the proposed OSC development could be consistent with the policies of the 2030 Unified Plan and existing single-family residential development of the area. The OSC zoning district lends itself to preservation and protection of stream buffers and other sensitive areas, which may be appropriate for this tract. Therefore, the Planning Department recommends **APPROVAL WITH CONDITIONS**.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as OSC (Open Space Conservation Subdivision), subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Single-family detached dwellings and accessory uses and structures.
 - B. The minimum heated floor area per dwelling shall be 2,400 square feet.
 - C. Homes shall be constructed primarily of brick, stacked stone, or shake on three sides. The rear shall be the same or of fiber-cement siding or shake with a minimum 3-foot brick or stacked stone water table.
 - D. All homes shall have at least a double-car garage.
2. To satisfy the following site development considerations:
 - A. All primary conservation space shall remain undisturbed.
 - B. No part of any private lot shall contain stream buffers or setbacks.
 - C. Natural vegetation shall remain on the property until the issuance of a development permit.
 - D. The exterior street frontages and project entrance shall be landscaped by the developer and maintained by the Homeowner's Association. Entrance shall include a decorative masonry entrance feature. Landscape and entrance feature plans shall be subject to review and approval of the Director of Planning and Development.
 - E. A center pocket park or designated open space shall be added in the center of the residential development, and unpaved pedestrian connections to the primary and secondary conservation shall be provided throughout the development. Final layout shall be subject to the review and approval of the Director of Planning and Development.
 - F. No direct lot access shall be allowed to Sunny Hill road or Morgan Road.
 - G. All grassed areas on dwelling lots shall be sodded.
 - H. All utilities shall be placed underground.
3. To abide by the following requirements, dedications and improvements:

- A. Developer shall reserve right-of-way for the future extension of Sugarloaf Parkway per the requirements of the Gwinnett Department of Transportation.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF THE ZONING

SUITABILITY OF USE

The request could be considered suitable at this location in light of existing R-100 MOD and R-100 CSO subdivision developments in the area, and the preservation of a substantial portion of the site as primary and secondary conservation space.

ADVERSE IMPACTS

With the recommended conditions, potential impacts should be minimized.

REASONABLE ECONOMIC USE AS ZONED

The subject property has a reasonable economic use as currently zoned.

IMPACT ON PUBLIC FACILITIES

An increased impact on public facilities could be anticipated in the form of increased traffic, school enrollment, stormwater runoff and utility demand.

CONFORMITY WITH POLICIES

The request could be considered consistent with policies the 2030 Unified Plan, which encourage single-family residential uses, promoting a variety of housing options, with similar zoning and developments to the surrounding area.

CONDITIONS AFFECTING ZONING

The preservation of wooded areas, streams, and proposed pocket parks on the site lend supporting grounds for approval of OSC zoning for this site.

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:

Please see attached

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

Please see attached

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

Please see attached

- (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:

Please see attached

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

Please see attached

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED REZONING:

Please see attached

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REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) The proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The proposed development is a single-family residential neighborhood that will conserve important natural areas.
- (B) The proposed rezoning will not adversely affect the existing use or usability of any of the nearby properties. The proposed development is compatible with surrounding development.
- (C) Due to the size, layout, location, and topography of the subject property, the Applicant submits that the subject property does not have reasonable economic use as currently zoned.
- (D) The proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems. The subject property is located off of Sunny Hill Road with access to utilities. Further, the relatively low development density will not overly burden infrastructure systems.
- (E) The proposed rezoning is in conformity with the policy and intent of the Land Use Plan.
- (F) Applicant submits that the single-family residential nature of the area as well as the proximity to Interstate 85 provide additional support of this Application.

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*Of Counsel

**LETTER OF INTENT FOR REZONING APPLICATION
OF HOME SOUTH COMMUNITIES, LLC**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Rezoning Application (the “Application”) on behalf of Home South Communities, LLC (the “Applicant”) for the purpose of rezoning to the OSC zoning classification an approximately 86.15 acre tract of land (the “Property”) situated along Sunny Hill Road at its intersection with Morgan Road in northern Gwinnett County. The Property is currently zoned RA-200. The Property is located in very close proximity to Interstate 85 just west of Gravel Springs Road.

The Applicant proposes to develop a single-family residential community including 112 detached single-family homes. The proposed development would have a net density of approximately 1.58 units per acre, which below the maximum allowed density of 2.5 units per acre prescribed for the OSC zoning classification in the Gwinnett County Unified Development Ordinance (the “UDO”). The proposed development’s gross density is approximately 1.3 units per acre. The proposed single-family community would consist of homes at a size, quality, and price-point commensurate with or exceeding homes in the surrounding area. The proposed homes would include two-car garages and covered entrances as well as other attractive architectural elements. The facades of proposed homes would be constructed primarily of brick, stone, board and batten, and/or fiber-cement or shake siding. The homes in the proposed

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development would contain a minimum of 2,250 square feet of heated floor area. Surrounding development and existing homes would not face major negative impacts as a result of the proposed development in part because of the substantial buffering required under the UDO in conjunction with extensive additional buffering preserved by the Applicant as conservation space. As depicted on the site plan, the adjacent property to the south would lie approximately 320 feet away from the nearest proposed lot. To the west the distance is even greater at over 530 feet. At a minimum, the UDO calls for a 50-foot buffer around the perimeter of the development.

In addition to being a quality development that is compatible with homes in the surrounding area, the proposed development will preserve important green space in a rapidly-growing area of Gwinnett County. Specifically, the proposed development would preserve nearly 55 acres of open space which is approximately 64 percent of the entire development. Further, as depicted on the site plan submitted with the Application, the proposed development would provide over 30 acres of Primary Open Space which is more than double the amount required by the UDO for the OSC zoning classification.

The subject property contains a mixture of existing pasture, hardwoods, pine, and creek bottoms including Little Ivy Creek which flows through the property from east to west before entering into Suwanee Creek and eventually the Chattahoochee River. The proposed development was designed so that homes would generally be concentrated in existing pasture areas limiting land disturbance across the site as a whole. Since the home sites are essentially pre-cleared, much of the existing hardwood and pine trees will remain on-site. The proposed development would enhance land, water, air, and tree resources by minimizing the area of land disturbance and would significantly contribute to the protection of the headwaters of the Chattahoochee River.

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

Respectfully submitted this 3rd day of May, 2017.

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham
Attorneys for Applicant

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Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, July 2017

Case #	Schools	Current Projections									Proposed Zoning
		2017-18			2018-19			2019-20			Approximate additional Student Projections from Proposed Developments
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZM2017-00006	Central Gwinnett HS	2131	2,300	-169	2174	2,300	-126	2217	2,300	-83	36
	Moore MS	974	1,350	-376	989	1,350	-361	1003	1,350	-347	26
	Winn Holt ES	1103	1,200	-97	1120	1,200	-80	1136	1,200	-64	51
RZM2017-00007	Brookwood HS	3558	2,575	983	3530	2,575	955	3494	2,575	919	25
	Crews MS	1387	1,150	237	1374	1,150	224	1360	1,150	210	18
	Brookwood ES	1288	1,250	38	1302	1,250	52	1315	1,250	65	35
RZM2017-00008	Brookwood HS	3558	2,575	983	3530	2,575	955	3494	2,575	919	15
	Crews MS	1387	1,150	237	1374	1,150	224	1360	1,150	210	8
	Brookwood ES	1288	1,250	38	1302	1,250	52	1315	1,250	65	16
RZR2017-00011	Mountain View HS	2531	2,300	231	2689	2,300	389	2729	2,300	429	36
	Twin Rivers MS	1950	2,150	-200	1979	2,150	-171	2009	2,150	-141	26
	Freeman's Mill ES	935	925	10	930	925	5	949	925	24	50

Current projections do not include new developments

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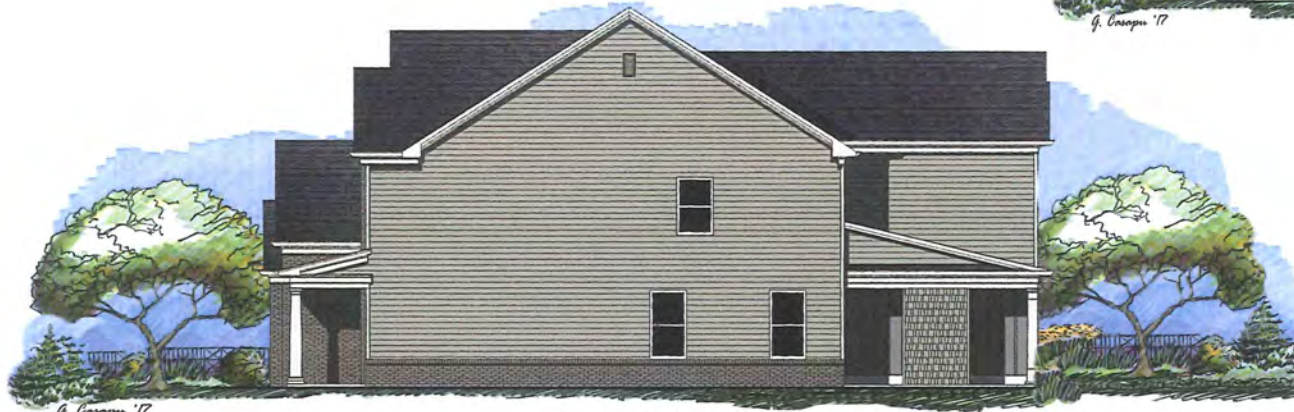




LEFT SIDE ELEVATION



REAR ELEVATION



RIGHT SIDE ELEVATION

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BUFORD

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7-136

7-100

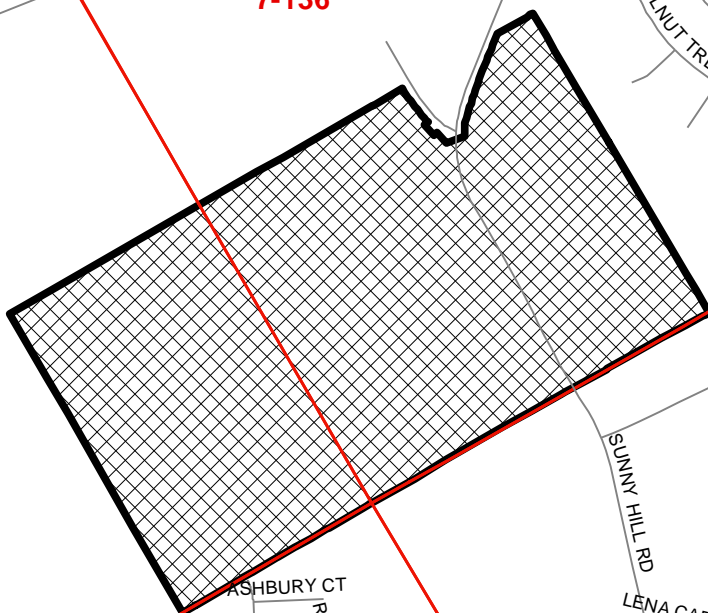
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 RZR2017-00011

Printed: May 16, 2017



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Feet

IVY STONE TRL

ROCK SPRINGS RD

MANOR OAK LN

ROCKSRAM DR

WATER CT
ROCKSRAM CT

ASHBURY CT

ROCKY WATERS TRL

SUNNY HILL RD

LENA CARTER WAY

SUNNY HILL RD

BROWN RD

185S

185N

FIELDVIEW DR

FIELDVIEW WAY

GRISTHAVEN DR

WALNUT TREE LN

GRISTHAVEN LN

SOUTHAVEN LN

WODFORD LN

MAPLE MILL DR

MORGAN RD

GRAVEL SPRINGS RD

KIRKSTONE DR

BANCROFT WAY

MCCAHILL CT

LENA CARTER RD

BRASELTON HWY

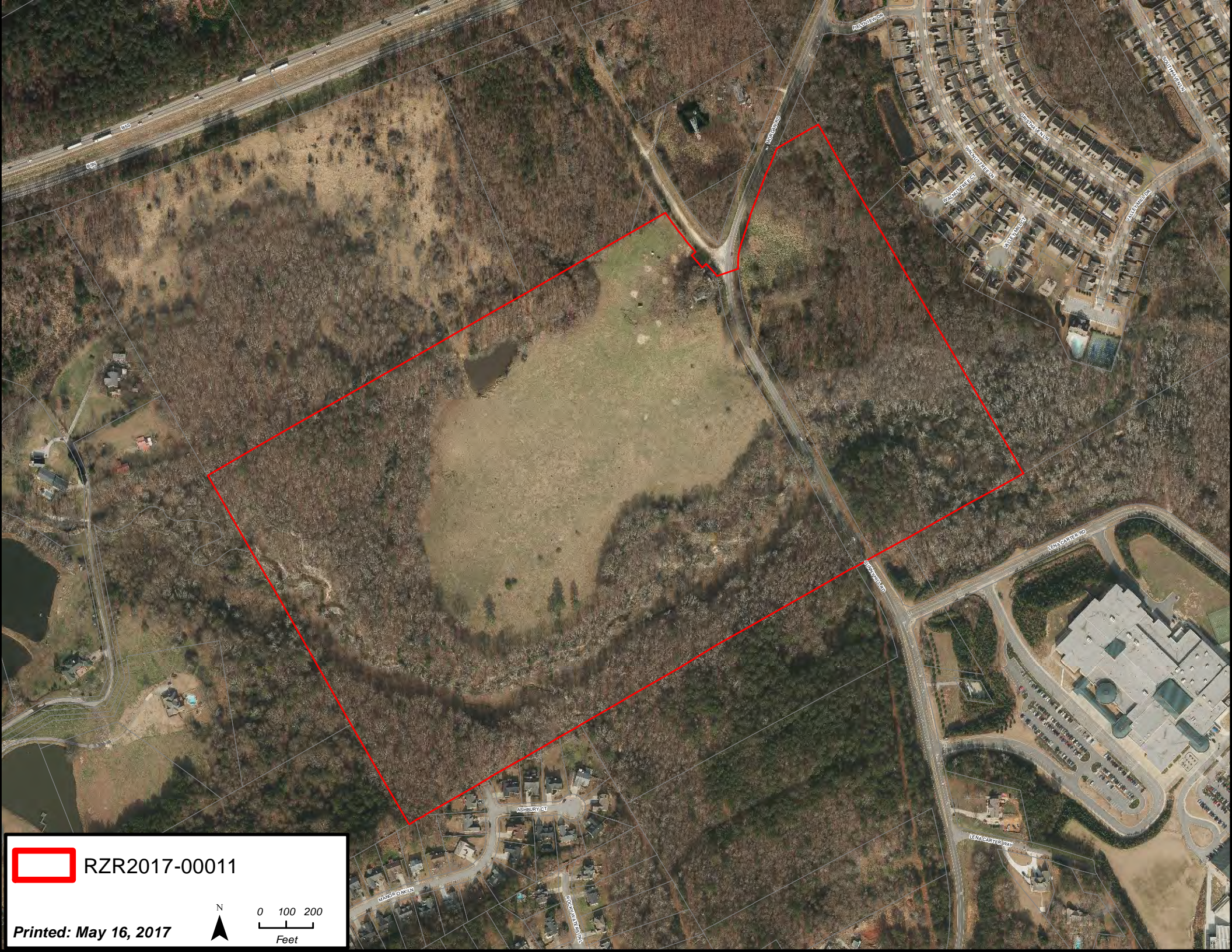



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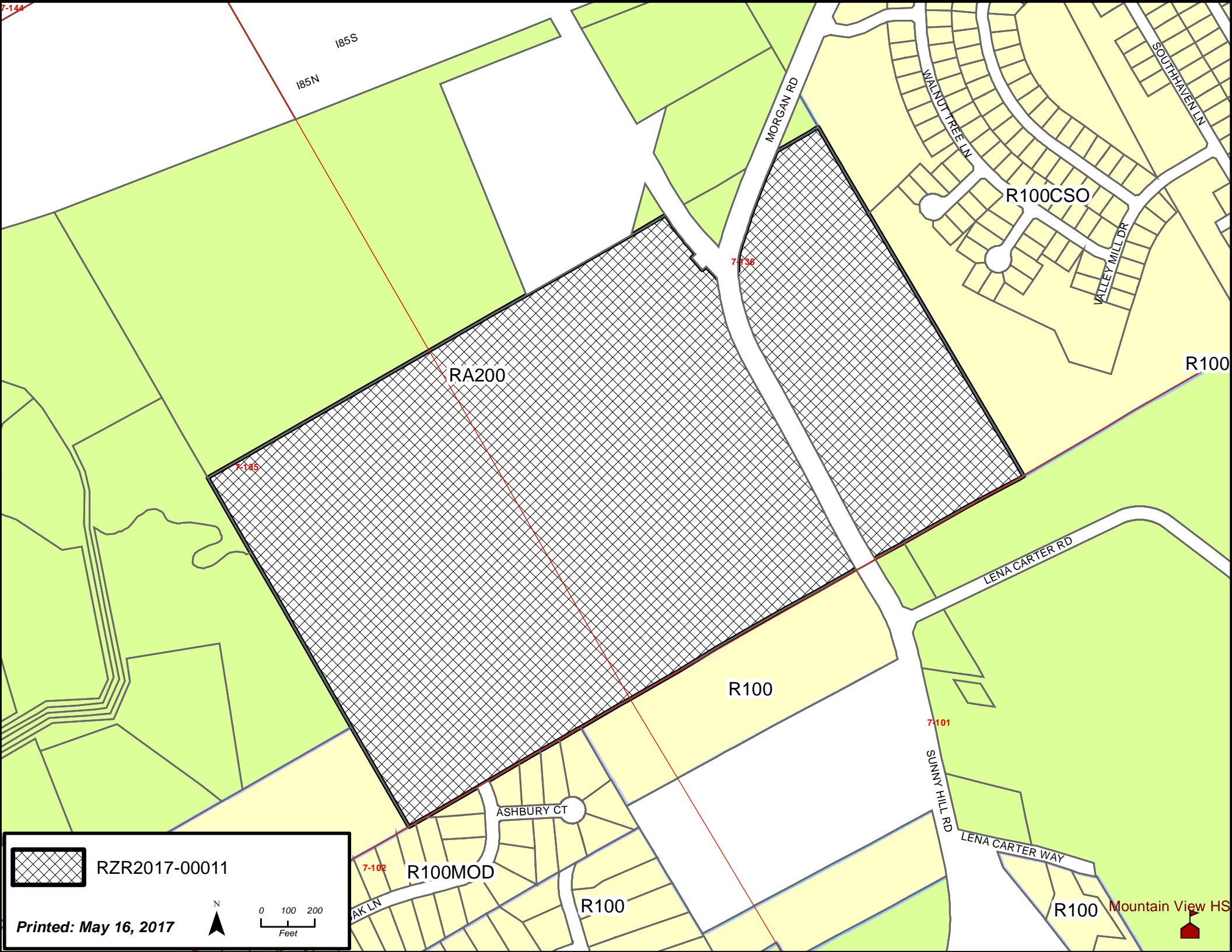


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Mountain View HS

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

CASE NUMBER :RZR2019-00002
ZONING CHANGE :R-100 TO TND
LOCATION :1200 BLOCK OF OLD PEACHTREE ROAD
MAP NUMBER :R7104 029
ACREAGE :29.15 ACRES
UNITS :152 UNITS
PROPOSED DEVELOPMENT :SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT :(4) FOSQUE

FUTURE DEVELOPMENT MAP: **EXISTING / EMERGING SUBURBAN**

APPLICANT: EMBRY DEVELOPMENT COMPANY, LLC
C/O MELODY A. GLOUTON, ESQ.,
ANDERSEN TATE & CARR, P.C.
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GA 30097

CONTACT: MELODY A. GLOUTON, ESQ. PHONE: 770.822.0900

OWNERS: SANDRA L. KENERLY & SHARON L. DAVIS
CO-EXECUTORS OF THE ESTATE OF MACK THOMAS LEE, JR.
5220 BELFORD ROAD
JACKSONVILLE, GA 32256

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests the rezoning of a 29.15-acre parcel from R-100 (Single-Family Residence District) to TND (Traditional Neighborhood Development District) to construct a 152 unit subdivision consisting of 50 single-family detached residences and 102 attached townhouses. The proposed development is located on the north side of Old Peachtree Road, and east of its intersection with Buford Drive. The property is mostly open pasture and presently contains two single-family residences and a small pond.

The overall development of 152 residences would result in a density of 5.21 units per acre. Of the proposed 50 detached units, 28 are proposed to be mid-size lots (7,500-9,499 square feet in area) with front entry two-car garages; and, 22 units are proposed to be small lots (5,000-7,499 square feet in area) with rear entry two-car garages accessed via private alleys. The proposed 102 townhouse lots (2,000-5,999 square feet

in area) would consist of 20 units with front entry garages and 82 units with rear entry garages accessed via private alleys.

The proposed minimum heated floor areas are 1,800-square feet for townhouses, and 2,000-square feet for the detached residences. Elevations submitted by the applicant indicate that the facades of the detached residences with front entry garages would have primarily masonry front facades. Detached residences with rear entry garages would be constructed of siding and/or board and batten. Townhouses are shown to be a mix of brick, siding and/or board and batten.

The site plan indicates that a 50-foot buffer would be provided along all external property lines, adjacent to R-100 property. A total of 5.83-acres of common area (23 percent) would be provided in a primary area along the west property line and in several pocket parks distributed throughout the development, which meets the minimum 20 percent required for TND. Amenities for the subdivision include a pool, playground area and a short walking trail. Two separate stormwater management areas are proposed for the development along the northern side of the development, a second stormwater management area centrally located adjacent to an existing stream. The required 50-foot stream buffers and 75-foot impervious setbacks are shown on the site plan, but it is noted that there are several lots that encroach within these restricted development areas.

ZONING HISTORY:

In 1970, the subject property was split-zoned zoned RA-200 and R-100. In 1975, the RA-200 portion was rezoned to R-100 per an areawide rezoning.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

This site appears to be heavily wooded and may include specimen trees which are required by Unified Development Ordinance Section 630-70 to be preserved. Alternate designs to preserve specimen trees must be explored. A Specimen Tree Survey and a Specimen Tree Concept Plan must be submitted and approved prior to submittal of Development Plans for review.

Section 210-80.20 of the Unified Development Ordinance requires submittal of a concept plan for review and approval of the Development Division prior to submittal and acceptance of a development permit application.

Project access and required improvements along Old Peachtree Road will be subject to review and approval of Gwinnett County Department of Transportation.

A 200-foot deceleration lane with a 50-foot taper is required at the project entrance.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance. The property appears to contain stream buffers. The proposed conceptual plan may require revision to show the appropriate stream buffers.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Old Peachtree Road is a Major Collector and 40 feet of right of way is required from the centerline.

A left turn shall be provided at the project entrances.

Entrances shall be provided to the site per current development regulations.

Standard deceleration lane with appropriate taper and adequate right of way will be required.

The developer shall be limited to one curb cut.

The project entrance shall align with opposing roads or driveways in accordance with the Gwinnett County Unified Development Ordinance.

Prior to the issuance of a development permit, a sight distance certification shall be provided.

Minimum separation from a driveway, public road, or side street shall be provided as specified in the Gwinnett County Unified Development Ordinance.

A five-foot wide sidewalk is required along property road frontage.

Provide a 40-foot building setback from the right of way of Old Peachtree Road.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 6-inch water main located on the northeast right of way of Old Peachtree Road and a 48-inch water main located on the southwest right of way of Old Peachtree Road.

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 and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of 8-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 1,600 feet north of R7104 029 in the right of way of White Bluff Way. Easements will be required. Depending on grading, may be able to access 8-inch sewer approximately 200 feet south in the right of way of Line Drive approximately 600 feet west in the right of way of Old Peachtree Road. Currently, a portion of the proposed subdivision would be 10 to 20 feet below existing sewer inverts.

The subject development is located within the Patterson service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

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 and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 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.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The applicant requests the rezoning of a 29.15-acre parcel from R-100 to TND. The proposal is for a 152 unit subdivision consisting of a mix of single-family detached residences and attached townhouses with a density of 5.21 units per acre. The proposed development site is located off Old Peachtree Road, east of its intersection with Buford Drive.

The 2030 Unified Plan Future Development Map indicates the subject site is located in an Existing/Emerging Suburban Character Area. A TND development could be considered appropriate for this primarily residential Character Area, as it is bordered by residential uses, and includes preservation of open space and environmental features. With conditions to ensure the residential project is consistent with the existing development pattern of the area, the proposed TND development may be compatible with the policies of the 2030 Unified Plan.

This segment of Old Peachtree Road is characterized by detached single-family residential uses. The Buford Drive corridor lies to the west and includes several commercial shopping developments serving the area. Beyond Buford Drive are a variety of attached and detached residential developments, including townhomes and apartments in the Georgia Technology Center business park and the Coolray Field mixed-use development. In contrast, residential development on Old Peachtree Road east of Buford Drive is limited to single-family detached subdivisions and homes on acreage lots. North of the property is the Habersham Hills subdivision zoned R-100. Directly abutting the property on both the east and west are large estate lots zoned R-100. To the south, across Old Peachtree Road, is the Infield subdivision zoned R-60, Prospect Estates subdivision zoned R-ZT and homes on large lots zoned R-100. Given this zoning and development pattern, townhomes may not be appropriate for the area, but detached homes could be suitable. The proposed TND project may be appropriate for the subject site, provided that certain conditions are incorporated into the development, including limiting the development to single-family detached homes.

The proposed Traditional Neighborhood Development may be appropriate at this location if developed in accordance with staff recommended conditions. Staff is of the opinion that the proposed project is supported by 2030 Unified Plan policies to encourage compatible development, provide housing options for residents and promote open space and preservation of environmental features; therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as TND (Traditional Neighborhood Development) for a single-family subdivision, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Single family detached dwellings and accessory structures with the following limitations:
 - i. No more than 40% of the total number of lots may be categorized as “small lots” per the TND standards within the Unified Development Ordinance.
 - ii. The remaining 60% of the total number of lots may be categorized as “mid-size or large lots” per the TND standards within the Unified Development Ordinance.
 - iii. Townhomes shall be prohibited.
 - B. The minimum heated floor area per dwelling shall be as follows:
 - i. Small Lot dwellings: 2,200 square feet
 - ii. Mid-size Lot and larger dwellings: 2,400 square feet
 - C. Homes shall be constructed with front and side facades primarily of brick and/or stacked stone. The balance of the home may be the same or of cedar or fiber-cement siding or shake with a minimum three-foot brick or stacked stone water table.
 - D. All dwellings shall have a minimum two-car garage. “Small lot” residences shall have rear entry garages served by alleys. Alleys shall be constructed with a maximum width of 16 feet with no curb or roll-back curb only. No utility easements shall be allowed within any alley. One access point from a public right-of-way or a private street to the alley shall be required for every eight homes served by the alley. Final layout shall be subject to the review and approval of the Director of Planning and Development.
 - E. A minimum of one on-street parking space shall be provided for every three rear-entry homes. On-street parking shall be designed so as to provide landscaped islands between every four spaces and parking shall be offset on the other side of the street so as to only allow parking on one side of the street at any given location.

2. To satisfy the following site development considerations:
 - A. Provide a 50-foot buffer along all exterior property lines adjacent to residentially-zoned property.
 - B. Maintain a minimum 40-foot building setback from the right-of-way of Old Peachtree Road.
 - C. The Old Peachtree Road frontage shall be landscaped by the developer and maintained by the Homeowner's Association, and shall include decorative masonry entrance features. A decorative fence shall be required along the Old Peachtree Road right-of-way. Landscaping plans, entrance features and fencing shall be subject to the review and approval of the Director of Planning and Development.
 - D. A mandatory Homeowner's Association shall be established and shall be responsible for maintenance of all common areas/facilities and street frontage landscaping.
 - E. Common area and a recreation area shall be provided in general accordance with the submitted rezoning exhibit. Pocket parks with amenities shall be provided along the internal street network and evenly spaced throughout the development. Design and location of all recreational areas shall be subject to the review and approval of the Director of Planning and Development.
 - F. All utilities shall be placed underground.
 - G. Detention pond(s) shall be fenced with a black vinyl-coated chain link fence a minimum of four feet in height, and shall be screened from view of adjacent residences with a double staggered row of evergreens.
 - H. Natural vegetation shall remain on the property prior to the issuance of a Development Permit.
 - I. All grassed areas on dwelling lots shall be sodded.
 - J. No direct lot access shall be allowed to Old Peachtree Road.
3. To abide by the following requirements, dedications and improvements.
 - A. Provide a left turn lane on Old Peachtree Road at the project entrance.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

If properly conditioned, a traditional neighborhood development could be suitable in light of the residential character of the surrounding area.

ADVERSE IMPACTS

With the recommended conditions, minimal adverse impacts on surrounding properties would be anticipated.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

Impacts in the form of increased utility demand, traffic, school-age children and stormwater runoff could be anticipated from this request.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates that the site is located in an Existing/Emerging Character Area. If properly limited and conditioned, a traditional neighborhood development could be consistent with the 2030 Unified Plan which encourages a single family developments at low to moderate densities that are compatible with the existing development of the area.

CONDITIONS AFFECTING ZONING

In the immediate area, apartments and townhomes are limited to the west side of Buford Drive. The areas along Old Peachtree Road east of Buford Drive are developed with single-family detached homes. As such, townhomes may not be appropriate for the subject site.

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:

Please see attached

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

Please see attached

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

Please see attached

- (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:

Please see attached

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

Please see attached

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED REZONING:

Please see attached

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REZONING APPLICANT EMBRY DEVELOPMENT COMPANY, LLC'S
RESPONSE TO STANDARDS GOVERNING THE EXERCISE OF ZONING POWER

- A) WHETHER A PROPOSED REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes. The proposed Rezoning Application will permit a use that is suitable in view of the use and development of the adjacent and nearby property. The property is close to Buford Drive and is near land zoned C-2, OI, MUO, R-100, and R60.

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

No. The proposed Rezoning Application will not adversely affect the existing use or usability of any of the nearby properties.

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

Due to the size, location, layout and dimensions of the subject property, the Applicant submits that the property does not have 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:

No, the proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems. The property has convenient access to Buford Highway as well as Interstate 85.

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

Yes. The proposed rezoning application is in conformity with the policy and intent of the Gwinnett County Land Use Plan. The property is designated as within the Existing/Emerging Character Area, which encourages residential infill development and single-family detached and townhouse developments, specifically.

- F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH

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GIVE SUPPORTING GROUNDS FOR EITHER THE APPROVAL OR DISAPPROVAL OF THE ZONING PROPOSAL:

The applicant submits that the subject property's proximity to Interstate 85, Buford Drive and nearby zoning of C-2, OI and MUO provide additional support of this application.

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ANDERSEN | TATE | CARR

Melody A. Glouton
Email: mglouton@atclawfirm.com

Telephone: 770.822.0900
Direct Dial: 770.339.0475
Direct Fax: 770.236.9719

October 31, 2018

VIA HAND DELIVERY

Gwinnett County Planning and Development
c/o Kathy Holland, Director of Planning and Development
446 West Crogan Street
Lawrenceville, GA 30046-2440

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RZR 2019-00002

**RE: LETTER OF INTENT FOR REZONING APPLICATION OF EMBRY
DEVELOPMENT COMPANY, LLC**

Dear Director and Staff:

Andersen Tate & Carr, P.C. submits this Letter of Intent and attached Rezoning Application on behalf of Embry Development Company, LLC (the "Applicant") for the purpose of requesting the rezoning of an approximate 29.15-acre tract (the "Property") located on Old Peachtree Road near the intersection of Buford Drive in northeast Gwinnett County. The Property is currently zoned R-100. The Applicant proposes to develop a distinctive and attractive single-family residential community under the Traditional Neighborhood Development District (TND) consisting of 152 homes with a variety of house style and designs. The proposed development would be served by one entrance on Old Peachtree Road.

The proposed development would include three different home types, including 102 townhomes and 50 detached homes on medium and small lots as set forth in the Gwinnett County Unified Development Ordinance (the "UDO"). The proposed community would also include a mix of front and rear entry homes. Townhomes would be a minimum of 1,800 square feet and the detached single-family homes would be a minimum of 2,000 square feet. The proposed townhomes are positioned toward the front of the development with the medium and small lot detached homes situated internally and along the rear and east side of the Property. Pursuant to the requirements of the UDO, the proposed development must include a 50-foot wide natural undisturbed buffer. The proposed development also includes a large open space on the west side of the property, and eight pocket parks throughout the development which would provide a recreational opportunity for residents. The pocket parks would include pedestrian amenities which would connect to sidewalks in the development creating a walkable environment and promoting healthy lifestyle. The proposed pool and clubhouse located at the front of the development would also create an activity center and gathering place for residents

fostering a sense of community. Including the open space and proposed pocket parks, the development provides for 5.83 acres of common area which is 20% of the Property's gross acreage. In addition to internal walkability, residents would be able to walk to a wide variety of commercial and retail uses located at the intersection of Old Peachtree Road and Buford Drive, including various restaurants, Publix shopping center, and Gwinnett Coolray Field.


The proposed community would consist of homes at a size, quality, and price-point commensurate with or exceeding homes in the surrounding area. The proposed townhomes would include double-car garages as well as attractive architectural elements which are compatible with the surrounding area. The front facades of the homes would be constructed primarily of brick, stone, shake/siding, and/or board and batten as depicted in the building elevations submitted with the Application.

The Gwinnett County 2030 Unified Plan (the "2030 Plan") provides that "promoting a variety of housing options for Gwinnett County residents is one of the policy goals of the Unified Plan." Moreover, the 2030 Plan encourages "single family detached and townhome developments at low to moderate densities" and "residential in-fill development at densities and architectural character compatible with existing development." The proposed development is compatible with the spirit and intent of the 2030 Plan especially when considering that the Property is located in close proximity to land zoned C-2, OI, and MUO.

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

Respectfully submitted this 31st day of October, 2018.

ANDERSEN TATE & CARR, P.C.


Melody A. Glouton, Esq.
Attorneys for Applicant

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RZR 2019-00002



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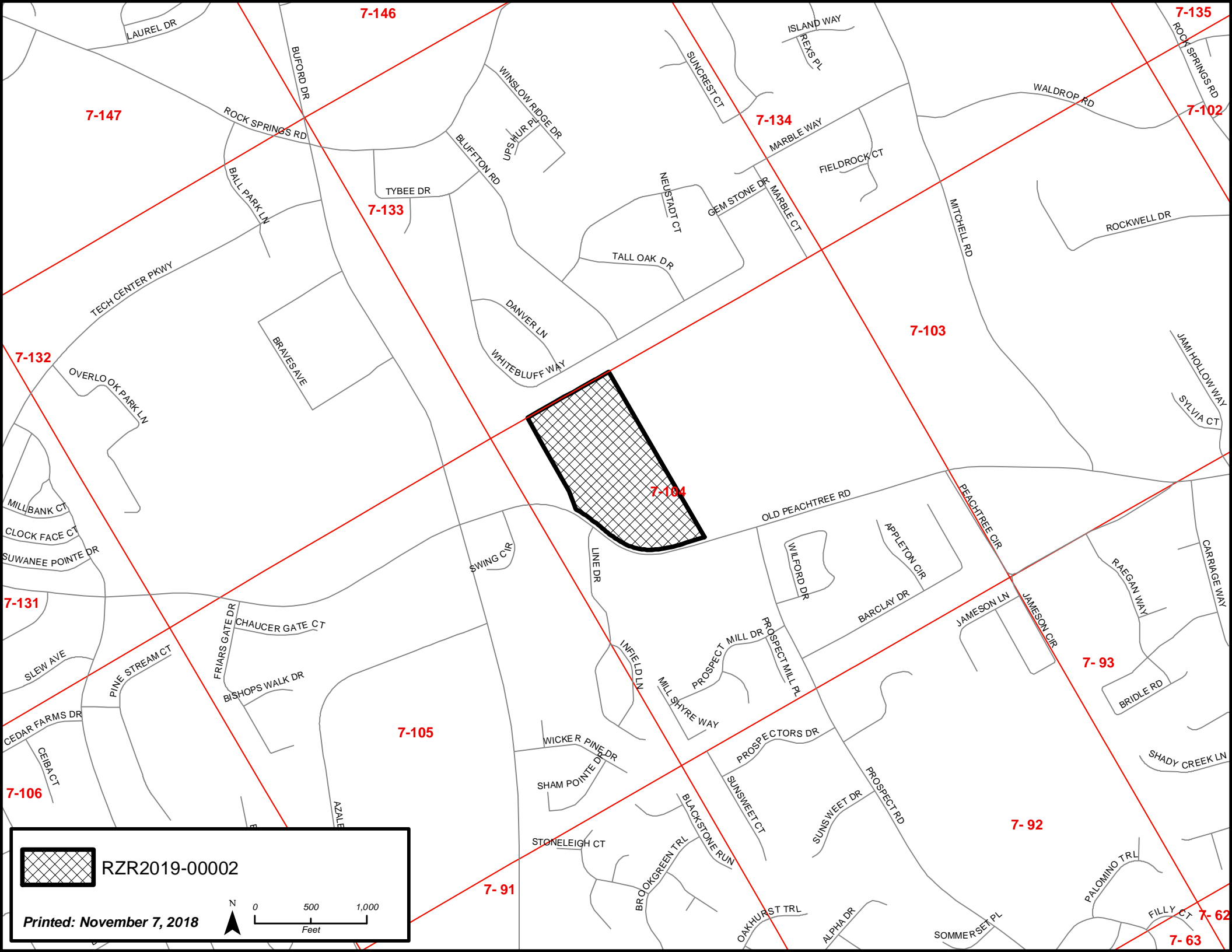
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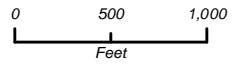
Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, January 2019

Case #	Schools	Current Projections									Proposed Zoning
		2019-20			2020-21			2021-22			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZR2019-00001	Collins Hill HS	3,130	2,625	505	3,145	2,625	520	3,125	2,625	500	1
	Creekland MS	1,977	2,100	-123	1,990	2,100	-110	1,981	2,100	-119	1
	McKendree ES	1,062	1,250	-188	1,056	1,250	-194	1,049	1,250	-201	1
RZR2019-00002	Mountain View HS	2,650	2,300	350	2,703	2,300	403	2,757	2,300	457	39
	Twin Rivers MS	2,071	2,150	-79	2,133	2,150	-17	2,176	2,150	26	28
	Woodward Mill ES	961	1,200	-239	980	1,200	-220	1,000	1,200	-200	55

Current projections do not include new developments



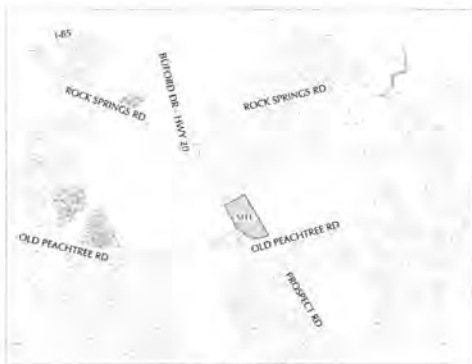
RZR2019-00002



Printed: November 7, 2018

7-62

7-63



VICINITY MAP
NOT TO SCALE

TOTAL SITE AREA	29.154 AC
EXISTING ZONING	EXISTING ZONING
PROPOSED ZONING	TND
TOTAL PROPOSED HOMES	152
GROSS RESIDENTIAL DENSITY	5.21 U/AC
NET RESIDENTIAL DENSITY	5.21 U/AC
20% COMMON AREA	5.83 AC
RESIDENTIAL PARKING 1.5 PER UNIT (INCL. GARAGE SPACES)	
AMENITY PARKING	15 SPACES
MAX. RESIDENTIAL BLDG. HEIGHT	35-FEET

NOTES:

- 1) ACCORDING TO FEMA FIRM PANEL 13135C046E EFFECTIVE 09/29/2006 AND GWINNETT COUNTY GIS MAPPING, NO 100-YEAR FLOOD PLAIN EXISTS ON THIS SITE.
- 2) ACCORDING TO U.S. FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY MAPPING, NO WETLANDS EXIST ON THIS SITE.
- 3) BOUNDARY SOURCE: S. R. FIELDS AND SONS, SURVEYORS, DATED 7/26/84.
- 4) TOPOGRAPHY SOURCE: GWINNETT COUNTY GIS MAPPING.
- 5) SIDEWALKS WILL BE PROVIDED ACCORDING TO COUNTY STANDARDS.
- 6) SEWER AND WATER UTILITIES ARE AVAILABLE TO THE SITE.
- 7) ALL UTILITIES WILL BE LOCATED UNDERGROUND.
- 8) A PROPERTY OWNERS' ASSOCIATION WILL BE ESTABLISHED. THE ASSOCIATION WILL SET BYLAWS AND COVENANTS ACCORDING TO COUNTY REQUIRED STANDARDS. THE ASSOCIATION WILL ASSUME ALL RESPONSIBILITIES REQUIRED BY THE COUNTY ORDINANCE.

DETACHED RESIDENTIAL LOT SETBACKS:

FRONT	5'
SIDE	5'
CORNER SIDE	5'
REAR (ALLEY)	20' (3')

TOWNHOME LOT SETBACKS:

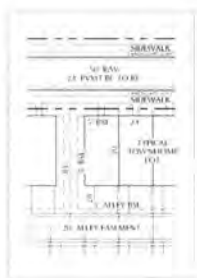
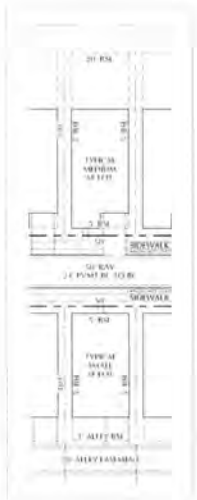
FRONT	5'
SIDE	0'/20' BETWEEN BUILDINGS
CORNER SIDE	5'
REAR (ALLEY)	20' (3')

TYPE	SIZE	YIELD
TOWNHOME LOTS	2,000-5,999 SF	102
SMALL SF LOTS	5,000-7,499 SF	22
MEDIUM SF LOTS	7,500-9,499 SF	28
TOTAL LOTS		152



REVISIONS

NO.	DATE	DESCRIPTION



OLD PEACHTREE ROAD TRACT
GWINNETT COUNTY, GA - LAND LOT 104, 7TH DIST.
EMBRY GROUP LTD, LLC
SUWANEE, GA

ZONING PLAN

DATE:	10/31/18
JOB NO:	18037
DRAWN BY:	18037(pw)
DESIGNED BY:	TS
CHECKED BY:	TS
SCALE:	1"=100'
SHEET:	P-1
	1 OF 1

OLD PEACHTREE ROAD
80' RW - VARIED PVTM WIDTH

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RZR 2019-00002

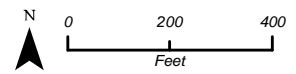
Planning & Development

Not Released for Construction



RZR2019-00002

Printed: November 7, 2018






WHITEBLUFF WAY

DANVER LN

SWING CT

OLD PEACHTREE RD

LINE DR

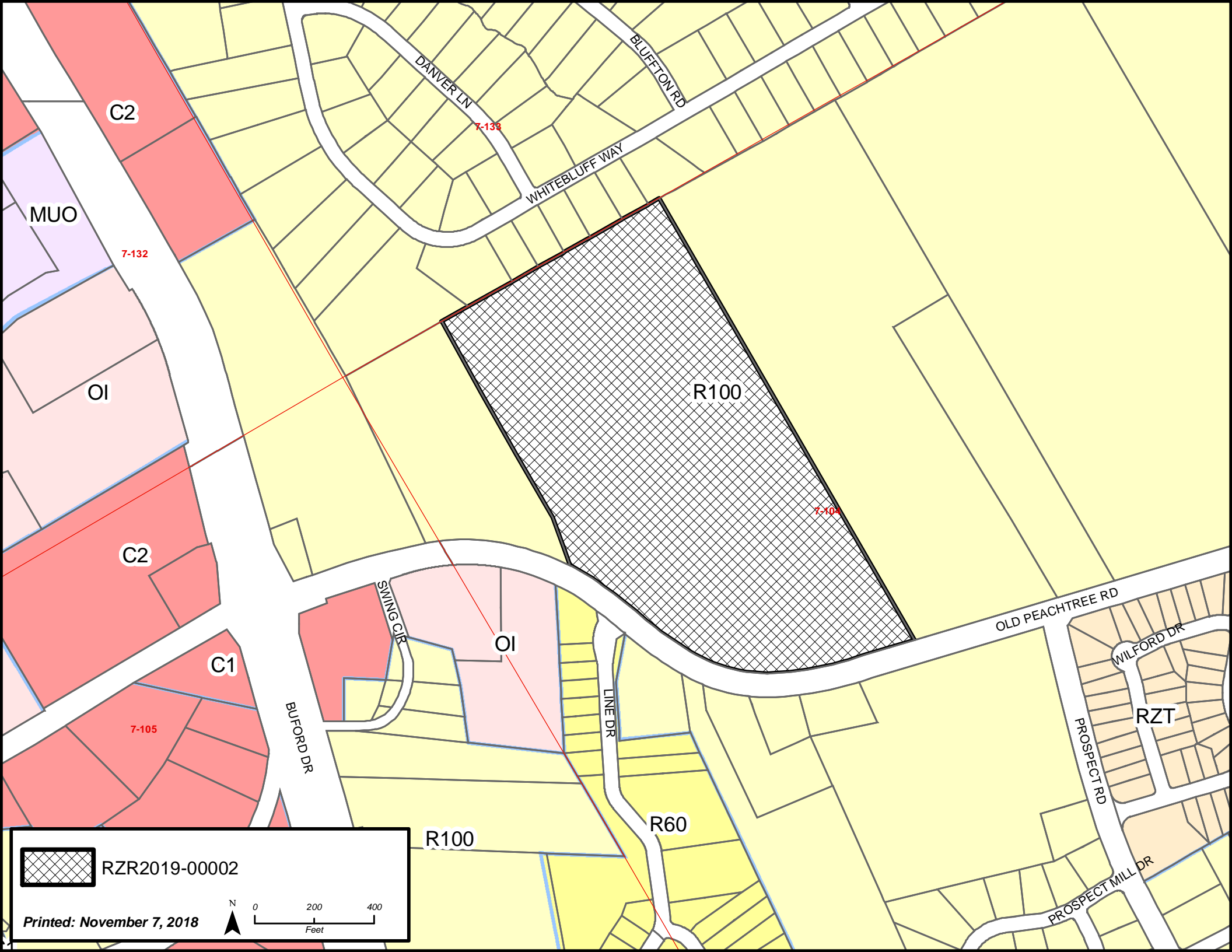
 RZR2019-00002


Printed: November 7, 2018

N

0 125 250

Feet



 RZR2019-00002

Printed: November 7, 2018

N
0 200 400
Feet

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
CHANGE IN CONDITIONS & SPECIAL USE PERMIT ANALYSIS**

CASE NUMBER :**CIC2019-00001**
ZONING :O-I
LOCATION :2300 BLOCK OF SEVER ROAD
MAP NUMBER :R7114 236
ACREAGE :9.96 ACRES
PROPOSAL :CHANGE IN CONDITIONS OF ZONING
COMMISSION DISTRICT :(1) BROOKS

CASE NUMBER :**SUP2019-00007**
ZONING :O-I
LOCATION :2300 BLOCK OF SEVER ROAD
MAP NUMBER :R7114 236
ACREAGE :9.96 ACRES
UNITS :166 UNITS
PROPOSED DEVELOPMENT :RETIREMENT COMMUNITY (INDEPENDENT LIVING)
COMMISSION DISTRICT :(1) BROOKS

CASE NUMBER :**SUP2019-00008**
ZONING :O-I
LOCATION :2300 BLOCK OF SEVER ROAD
MAP NUMBER :R7114 236
ACREAGE :9.96 ACRES
PROPOSED DEVELOPMENT :BUILDING HEIGHT INCREASE TO 60 FEET
COMMISSION DISTRICT :(1) BROOKS

FUTURE DEVELOPMENT MAP: **PREFERRED OFFICE**

APPLICANT: BRAND PARTNERS, LP
C/O MAHAFFEY PICKENS TUCKER, LLP
1550 NORTH BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACT: SHANE LANHAM PHONE: 770.232.0000

OWNER: M.D. HODGES ENTERPRISES, INC.
30 IVAN ALLEN JR. BOULEVARD NW, SUITE 900
ATLANTA, GA 30308

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant is requesting a change in conditions of zoning and a Special Use Permit on a 9.96-acre parcel zoned O-I (Office-Institutional District) to allow for an Independent Living Retirement Community. The applicant has also made an associated Special Use Permit request to allow for a height increase for the building to 60 feet. The property is located on the west side of Sever Road, between Old Peachtree Road and North Brown Road, and bordered by Interstate 85 to the west. The site is presently undeveloped and heavily wooded, and is located within the Civic Center Overlay District.

The applicant requests 166 units to be located within two separate three to four-story buildings, and a two story free-standing townhouse building containing 8 units, resulting in a density of 16.66 units per acre. Also planned are a 3,100 square foot fitness center and a 14,000 square foot leasing/clubhouse which would provide connectivity between the two main apartment buildings. The site plan further indicates outdoor amenities to include a pool, fire pits, outdoor patio areas, a central green, and a mail kiosk. A total of 354 surface parking spaces are proposed, which is within the acceptable range of the Gwinnett County Unified Development Ordinance.

Access is proposed via two entrances off Sever Road utilizing existing driveways of neighboring office park developments. This access configuration will require easements across two properties located to the east and to the south of the subject property. Stormwater facilities are already established for the subject site and adjoining property, as there is an established easement that extends from the property to the southwest, where there is an existing detention pond on its own tract of land.

ZONING HISTORY:

Originally zoned R-100 (Single-Family District) in 1970, the property was part of an area wide rezoning to O-I and C-2 (General Business District) in 1975. In 1982, a portion of the property zoned O-I was rezoned to M-1, pursuant to case RZ-145-82. In 1998, the property was rezoned entirely to O-I for a ten story hotel/motel use in conjunction with the Huntcrest multi-use development (RZ-98-008, SUP-98-005, & SUP-98-006). In 2018 a rezoning request from O-I to RM-24 (RZM2018-00010) for the property was denied without prejudice.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

This site appears to be heavily wooded and may include specimen trees which are required by Unified Development Ordinance Section 630-70 to be preserved. Alternate designs to preserve specimen trees must be explored. A Specimen Tree Survey and a Specimen Tree Concept Plan must be submitted and approved prior to submittal of Development Plans for review.

Project access and required improvements along Sever Road will be subject to review and approval of Gwinnett County Department of Transportation.

A 200-foot deceleration lane with a 50-foot taper is required at the project entrance.

A 10-foot landscape strip adjacent to street right of way shall be provided.

Five-foot wide sidewalks are required along the entire frontage of Sever Road.

Four-foot wide sidewalks are required on both sides of interior streets.

Parking lots and interior driveways shall be in accordance with Chapter 240 of the Unified Development Ordinance.

The U.S Postal service requires a centralized mail delivery kiosk replacing individual mail boxes. The location and access must be approved by Gwinnett County Department of Transportation.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Sever Road is a Major Collector and 40 feet of right of way is required from the centerline.

Entrances shall be provided to the site per current development regulations.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 24-inch water main located on the northeast right of way of Sever Road.

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 and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of 8-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 10 feet north of parcel R7144 236 on parcel R7123 056.

The subject development is located within the Patterson service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

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 and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 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.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit civil site drawings to Building Plan Review for review and approval.
2. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for each building for review and approval by Building Plan Review.
3. Each building shall comply with the height and area limitations of Table 503 and the fire resistive and horizontal separation requirements of Table 601 and 602 of the 2012 International Building Code with Georgia state amendments based on occupancy group classification, type of construction, and location of each building from property lines and other buildings.
4. Architectural design of the proposed building shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Design Category 1.
5. Upon completion of plan review approvals, the applicant shall obtain a building permit for each building and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at 678.518.6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The applicant is requesting a change in conditions of zoning and associated Special Use Permits on a 9.96-acre parcel zoned O-I (Office-Institutional District) to allow for an Independent Living Retirement Community. The property is located on the west side of Sever Road, between Old Peachtree Road and North Brown Road, and bordered by Interstate 85 to the west. The site is presently undeveloped and heavily wooded, and is located within the Civic Center Overlay District.

The Gwinnett County 2030 Unified Plan Future Development Map indicates the property is located within the Preferred Office Character Area. This Character Area encourages professional offices and mixed-use development. Additionally, policies of the Unified Plan support expanded housing opportunities for seniors, providing a residential environment with no or low maintenance responsibilities. The subject site is an undeveloped tract of the much larger Huntcrest mixed-use development that began in the late 1990's to early 2000's. The proposed senior housing development could be considered an appropriate element of the overall mixed-use development and as such, compatible with the policies of the 2030 Unified Plan.

The area is characterized by office-institutional and commercial uses, townhomes and residential subdivisions. To the north is an office building that includes the University of Georgia Gwinnett Campus. To the east is the Lebanon Baptist Church, which was built in the 1940's, and has a documented cemetery on the property. South of the property is an office complex that includes the corporate offices for Sage accounting software, information technology offices, and law offices. To the east across Sever Road is the Villages at Huntcrest, which is zoned RM-10 (Multi-Family Residence District) and was developed with townhouses in 2005. Farther north within the Huntcrest mixed-use development a similar senior housing facility, Discovery Village at Sugarloaf, was also approved and constructed, establishing a precedent in support of the subject request. The property is in an intensely developed area along Interstate 85 and is part of the previously referenced mixed-use development, suggesting that the proposed development could be appropriate for this location. Furthermore, prior Special Use Permit approval on the parent tract, which allowed a height increase up to 10 stories, should be considered to have set precedent concerning the current requested 60-foot height allowance.

The proposed rezoning for a senior housing development could be considered compatible with the Preferred Office Character Area and the policies of the 2030 Unified Plan. The proposed development should also be considered compatible with the uses found in the area. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS**.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of a Change in Conditions and Special Use Permits in O-I zoning for an Independent Living Retirement Community, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Limited to development as a retirement community for occupancy by persons 62 years of age and older as a special use. Final site design for the retirement community shall be subject to review and approval by the Director of Planning and Development.
 - B. The development shall be developed in general accordance with the site plan submitted November 2, 2018, and limited to a maximum of 166 total units.
 - C. Limit the height of the two main buildings to no more than 60 feet.
 - D. Buildings shall be constructed as urban-style, flat-roofed buildings, with internal corridors (no breezeways), with primary exterior treatments of brick or stacked stone on each elevation. The remainder of each elevation may be the same, or fiber-cement shake or siding. Building elevations shall be submitted for review and approval of the Director of Planning and Development prior to the issuance of a development permit.
 - E. All units shall incorporate applicable accessibility standards known as “Easy Living Standards” which shall include the following:
 - Easy access step free feature at each entrance to the home.
 - Easy passage feature, to include 32-inch wide doorways.
 - Easy use feature, all units shall be one level.
2. To satisfy the following site development considerations:
 - A. Provide a 50-foot landscaped buffer adjacent to Lebanon Baptist Church to the east. The buffer shall be enhanced where sparsely vegetated and subject to the review and approval of the Director of Planning and Development.
 - B. Provide a perimeter fence around the entire property, except along driveway easements. Fence location and materials shall be subject to the review and approval of the Director of Planning and Development.

- C. The development shall be a gated community, with automated card access gates at all entrances/exits. The access gate system is required to be properly maintained and functional at all times, with any required repairs to be made within one week.
- D. Natural vegetation shall remain on the property prior to issuance of a Development Permit.
- E. All disturbed grassed areas shall be sodded.
- F. All utilities shall be placed underground.
- G. Ground signage shall be limited to monument-type sign(s), and shall be subject to review and approval by the Director of Planning and Development. The sign shall include a minimum 2-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the sign cabinet shall be fully recessed and surrounded by the same materials. Ground signage shall not exceed 8-feet in height.
- H. Dumpster/trash compactor locations shall be screened by a 100 percent opaque brick or stacked stone wall with an opaque metal gate enclosure.
- I. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights of way.
- J. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
- K. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The proposed retirement community could be considered a suitable use of the subject site given the mix of adjacent and nearby development in the area, including office and both attached and detached housing.

ADVERSE IMPACTS

If developed in conformance with the recommended conditions, the proposed retirement community would not be expected to adversely affect adjacent and nearby properties.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

Some impact may be expected on utility demand, traffic and stormwater runoff.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates that the property is located within the Preferred Office Character Area. The Unified Plan encourages office uses and residential uses incorporated into mixed-use developments within this character area. The proposed development is considered consistent with 2030 Unified Plan policies for a variety of housing options for senior residents and compatibility with existing development, if developed with the attached recommended conditions.

CONDITIONS AFFECTING ZONING

A similar senior housing project, Discovery Village at Sugarloaf, was also approved and constructed within the Huntcrest mixed-use development several years ago, establishing a precedent in support of the subject request.

CHANGE IN CONDITIONS APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Please see attached

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

Please see attached

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

Please see attached

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

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

Please see attached

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED CHANGE IN CONDITIONS:

Please see attached

CIC 2019-00001

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CHANGE IN CONDITIONS AND SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) Yes, approval of the Applications will permit a use that is suitable in view of the use and development of adjacent and nearby property. The subject property is adjacent to two large-scale office developments and is in the vicinity of a wide-ranging mix of uses including commercial, industrial, residential, and office uses and is compatible with the character of surrounding development.
- (B) No, approval of the Applications will not adversely affect the existing use or usability of any of the nearby properties. Rather, the proposed development would complement existing commercial and employment centers. In fact, the proposed development would provide a less intensive use of land than is presently allowed under the Property's current zoning classification.
- (C) In light of the size, location, layout, topography, and natural features of the property and in conjunction with the nature of surrounding development, the Applicant submits that the subject Property does not have reasonable economic use as currently zoned.
- (D) No, approval of the Applications will not result in an excessive or burdensome use of the infrastructure systems. The subject property has convenient access to Interstate 85 as well as Old Peachtree Road and Sugarloaf Parkway via North Brown Road.
- (E) Yes, the proposed development is in conformity with the policy and intent of the Gwinnett County 2030 Unified Plan. Development of a mix of uses is specifically encouraged in the Preferred Office Character Area and the proposed development would provide a high-end residential use mixed in with existing office and commercial uses.
- (F) The Applicant submits that the character of surrounding development, the existing mix of land uses in the area, and the fact that the subject property is adjacent to Interstate 85 provide additional supporting grounds for approval of the Applications.

CIC 2019-00001

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Matthew P. Benson
 Gerald Davidson, Jr.*
 Brian T. Easley
 Kelly O. Faber
 Christopher D. Holbrook
 Nicholas N. Kemper
 Shane M. Lanham
 Austen T. Mabe

Jeffrey R. Mahaffey
 David G. McGee
 Steven A. Pickens
 Catherine V. Schutz
 Thomas A. Simpson
 Andrew D. Stancil
 R. Lee Tucker, Jr.
 *Of Counsel

**COMBINED LETTER OF INTENT FOR
 CHANGE IN CONDITIONS AND SPECIAL USE PERMIT APPLICATIONS OF
 BRAND PARTNERS, LP**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached change in conditions and special use permit applications (the “Applications”) on behalf of Brand Partners, LP (the “Applicant”) in order to permit the development of an age-restricted, active-adult community on an approximately 9.96 acre tract of land located on the westerly side of Sever Road (the “Property”). The Property is bordered by large, existing office developments on its southerly and easterly boundary lines. The Property is adjacent to Interstate 85 to the west and the Interstate 85 exit ramp to Old Peachtree Road on its northerly boundary line. Existing development patterns along Interstate 85 north of University Parkway (State Route 316) are generally characterized by a dense mix of residential, employment, and commercial uses near the interstate which transition into single-family residential uses moving to the east and west. The proposed development would complement this existing land-use mix by providing high-end senior residences in a walkable environment. Surrounding office and institutional uses include the Intellicenter building, Lebanon Baptist Church, and the Sage office building. The Property has direct access to Sever Road.

The Applicant is requesting to modify certain conditions of the Property’s existing O-I zoning classification to allow the land use of “Retirement Community, Independent Living” which is allowed in the O-I zoning classification with a special use permit. In addition to the change in conditions and special use permit for the use of Independent Living, the Applicant is requesting an additional special use permit for a building height increase to 60 feet. The proposed retirement community would provide approximately 166 units of high-end, luxury, age-restricted multifamily homes including 8 “townhome” units designed around a centrally-located amenity area. This focal point and gathering place would provide various amenities for residents including fire pits, a fitness center, pool, and outdoor patio space. The amenity area would also include a recreational green for outdoor activities such as bocce ball or pickle ball.

The proposed senior community is compatible with the policies set forth in the 2030 Unified Plan which encourage the development of a mix of uses within the Preferred Office Character Area. The subject Property is merely 10 acres out of the 85 that comprised the larger 1998 rezoning which created Huntercrest. In fact, pursuant to the original Huntercrest rezoning cases (RZ1998-00008, SUP1998-00005, and SUP2018-00006), the subject Property was designated as a non-office tract and originally included a 6-10 story hotel. Policy A.5.1 of the Unified Plan provides that “[q]uality of life in Gwinnett can be enhanced by making it easier for people to walk through their neighborhoods to and from attractions such as local parks, schools, churches,

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TELEPHONE 770 232 0000

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www.mptlawfirm.com

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Planning & Development

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or even neighborhood shopping.” Residents of the proposed community would have direct pedestrian access to nearby office, commercial, and institutional uses (including Lebanon Baptist Church) therefore improving the walkability of the Sever Road and North Brown Road corridors. Residents would also have convenient access to neighborhood shopping in the Shops at Hunterest shopping center, located just over 1,000 feet to the north along Sever Road, which includes a Publix grocery store and assorted restaurants and retail uses. A wider range of regional shopping, commercial/retail, and entertainment uses are also available just south of the Property at the Sugarloaf Mills Mall. Further, Policy A.4.4 of the 2030 Plan is to “Support Expanded Housing Opportunities for Seniors.” According to the 2030 Plan, “as more people choose to ‘age in place’ and/or relocate to Gwinnett to be closer to children and grandchildren, demand for various forms of senior housing will rise.” The proposed development will create a community for seniors to “age in place” in close proximity to necessary services such as grocery stores, pharmacies, and health care services as well as recreational opportunities at Peachtree Ridge Park.

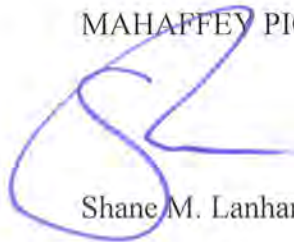
Accordingly, not only is the proposed development compatible with surrounding land uses and the 2030 Plan, it would also represent a decrease in the intensity of potential development on the Property. The currently-entitled hotel and office uses would have a much greater impact on surrounding properties and the overall road network. Office uses in particular would generate significantly more traffic than would be generated by the proposed senior community in large part because many seniors have retired and no longer commute to full-time jobs. As a result, when they choose to drive it is much less frequently and typically during non-peak hours. Seniors also do not typically have school-aged children living with them and the proposed development would not increase school enrollment. The only impact the proposed development would have on the school system is by increased funding as a result of higher property taxes.

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

This 2nd day of November, 2018.

Respectfully Submitted,

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham

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CASE NUMBER RZ-98-008

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

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

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

On motion of COMM. HUGHES, which carried 5-0, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from

M-1, R-100 to O-I
by M. D. HODGES ENTERPRISES, INC. for the proposed use of
OFFICE PARK/HOTELS on a

tract of land described by the attached legal description, which

is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on MARCH 24, 1998, and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 24TH day of MARCH, 1998, that the aforesaid application to amend the Official Zoning Map from M-1, R-100 to O-I is hereby APPROVED as O-I with Special Use Permits for two hotels and building height increases subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Office and accessory uses which may include two hotels and buildings up to 10 stories in height. The gross square footage shall not exceed 1,035,000 square feet.
 - B. Hotel development shall be limited to no more than two hotels. The hotel(s) shall be a minimum of six stories and shall not contain any in-room, apartment type ovens or dishwashers; provided, however, that the hotel(s) may be less than six stories in height upon approval of the type of hotel and the proposed site plan by the Planning Commission. There shall be at least one office site between the southernmost boundary of Tract 2 and the first hotel site.

2. To satisfy the following site development considerations:

- A. Provide a 25-foot wide natural buffer, undisturbed except for approved perpendicular access and utility crossings and replantings where sparsely vegetated, adjacent to residentially zoned property.
- B. Provide a 25-foot wide natural buffer adjacent to the right-of-way of I-85. The buffer may be converted to a landscaped strip subject to submission to the Department of Planning and Development of an acceptable landscape design and enhancement plan.
- C. Provide a 50-foot wide landscaped strip adjacent to the church property on Sever Road.
- D. Buildings shall be finished with architectural treatments of glass, brick, stone, or stucco; or architectural pre-cast concrete, subject to the review and approval of the Director of Planning and Development.
- E. All development under consideration (RZ-98-002 through RZ-98-012 and SUP-98-001 through SUP-98-008) shall conform to a unified development design plan to be incorporated into recorded covenants governing the overall development. This plan shall govern architectural design and exterior finish materials, signage and landscaping, and shall be submitted for review and approval of the Director of Planning and Development prior to the issuance of a development permit on any part of the project.
- F. All ground signage shall be limited to monument-type design.
- G. Natural vegetation shall remain on the property until the issuance of a development permit.
- H. Provide ten-foot wide landscaped strips outside the dedicated rights-of-way of all road frontages.

- I. Provide five-foot wide landscaped strips adjacent to all internal property lines.
 - J. No billboards shall be permitted.
 - K. No outdoor storage shall be allowed.
 - L. Provide interparcel access throughout the development, and as required by the Development Division.
 - M. Dumpsters shall be screened by a fence or wall.
 - N. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property.
 - O. Provide landscaped islands throughout the parking areas. At a minimum, landscaped islands shall consist of a 100-square foot planted area per eighteen (18) spaces of double row parking with a 100-square foot planted area at the end of each row. These landscaped islands shall be a minimum of five feet in height at the time of planting.
 - P. Maintain and upgrade the existing lakes on the property as shown on the Master Plan of the Old Peachtree Road Tract East Side prepared by Hughes, Good, O'Leary & Ryan and dated October 2, 1997 (last revised January 9, 1998).
3. To abide by the following requirements, dedications and improvements:
- A. Dedicate, at no cost to Gwinnett County or the State of Georgia, the following:
 - 1. 40-Feet of right-of-way from centerline of Sever Road and 50-feet from centerline within 500 feet of an intersection; and
 - 2. 50-feet of right-of-way from centerline of Old Peachtree Road, North Brown Road, and 60-feet from centerline within 500 feet of an intersection.

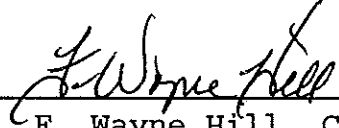
- B. Dedicate, at no cost to Gwinnett County, right-of-way and easements for the North Brown Road Extension, as per plans on file with Gwinnett County Department of Transportation. Right-of-way dedication shall include adequate right-of-way for a four lane divided median roadway with intersection turn lanes.
- C. Reserve right-of-way and easements for the proposed I-85 collector-distributor system, including the interchange reconfiguration at Old Peachtree Road and I-85 as per the proposed plans on file with the Georgia Department of Transportation.
- D. The number, location and design of all entrances/exits shall be subject to the review and approval of the Gwinnett County Department of Transportation.
- E. Contribute 100% of the cost of signalization at the following intersections: North Brown Road/Sever Road and North Brown Road Extension/Old Peachtree Road. Each intersection shall be limited to an amount not to exceed \$60,000. Contributions shall occur prior to issuance of a development permit on any tract abutting an affected intersection.
- F. Contribute 50% of the cost of intersection improvements at the intersection of Old Peachtree Road and Dean Road, to include a left-turn lane onto Old Peachtree Road and a right-turn lane onto Dean Road and signal upgrades as may be required by the Gwinnett DOT, in an amount not to exceed \$70,000. Contribution shall occur when development exceeds 700,000 square feet of office and/or commercial development (or any combination thereof), or 300 hotel rooms.
- G. When development exceeds 700,000 square feet of office or commercial development (or any combination thereof), or 300 hotel rooms; design, dedicate right-of-way and easements and construct intersection improvements at the North Brown Road/Sever Road intersection, to include left-turn lanes on all approaches.

- H. If Sever Road at Old Peachtree Road is limited to right-in/right-out operation due to the Georgia DOT's planned interchange reconfiguration at Old Peachtree Road and I-85, provide an additional left-turn lane at North Brown Road Extension and Old Peachtree Road. If Sever Road at Old Peachtree Road remains full access, make necessary intersection improvements which are to include left turn lanes on all approaches and contribute 50% of the cost of signal upgrades at this intersection as may be required by the Gwinnett DOT in an amount not to exceed \$20,000.
- I. At the time of issuance of a development permit, design and construct one additional lane on each side of existing North Brown Road from the project's southern boundary to its intersection with Sever Road.
- J. At the time of issuance of a development permit, design and construct an additional lane along property frontage on Old Peachtree Road between Sever Road and North Brown Road Extension.
- K. At the time of issuance of a development permit, provide, at a minimum, five-foot wide sidewalks per specifications of the Gwinnett County Development Regulations along both sides of North Brown Road, and Sever Road, and all internal roads, and along the property frontage of Old Peachtree Road. Adjacent to North Brown Road construct an 8-foot wide multi-use path on one side of the road.
- L. Provide a pedestrian and bicycle access plan, covering the entire project, for the review and approval of the Department of Planning and Development prior to the issuance of a development permit on the site.

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- M. Design of the project shall incorporate designated bus/van drop-off and pick-up locations and electric recharging facilities for alternative-fueled vehicles. Final design and location of these facilities shall be subject to review and approval of the Planning and Development Department.

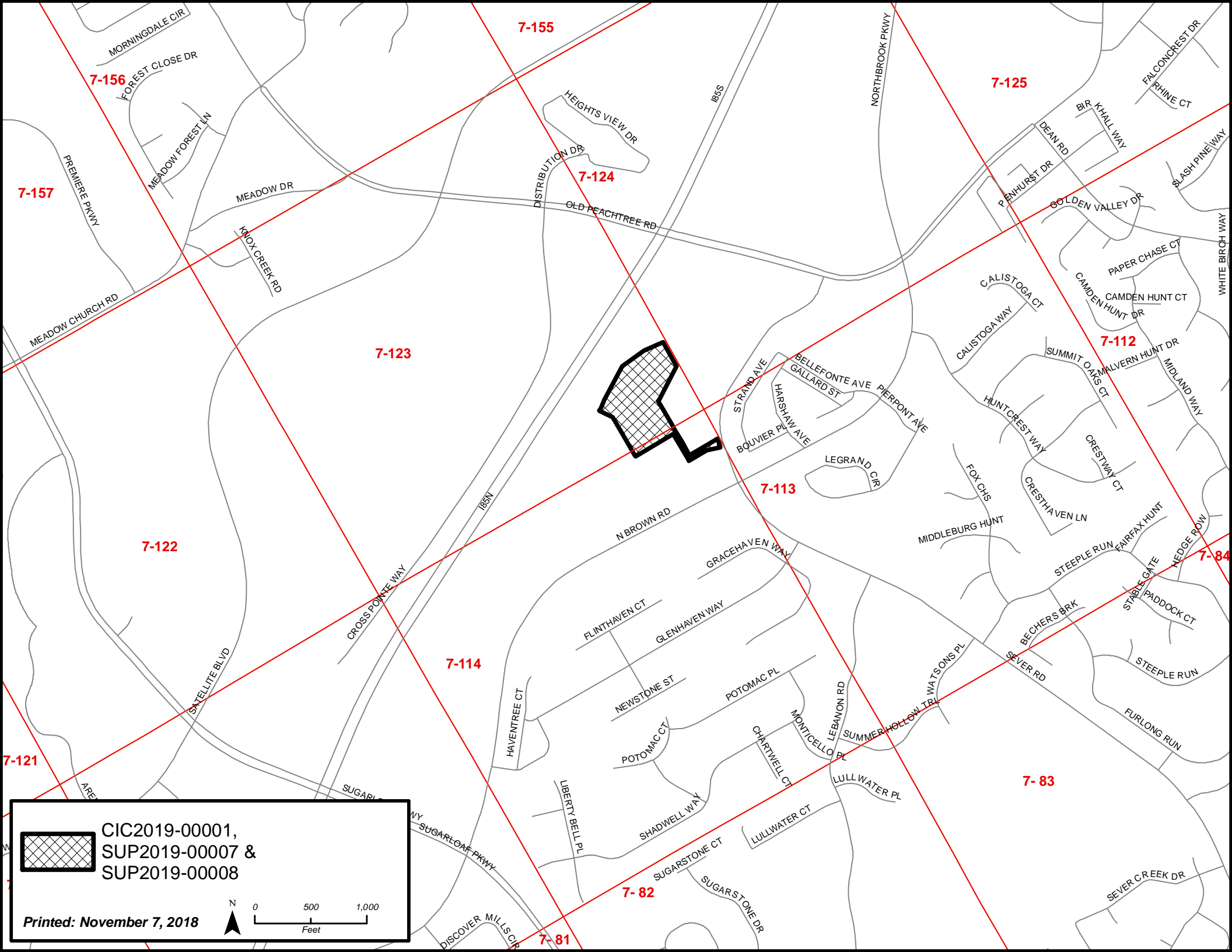
GWINNETT COUNTY BOARD OF COMMISSIONERS

By: 
F. Wayne Hill, Chairman

Date Signed: 4-20-98

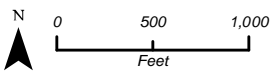
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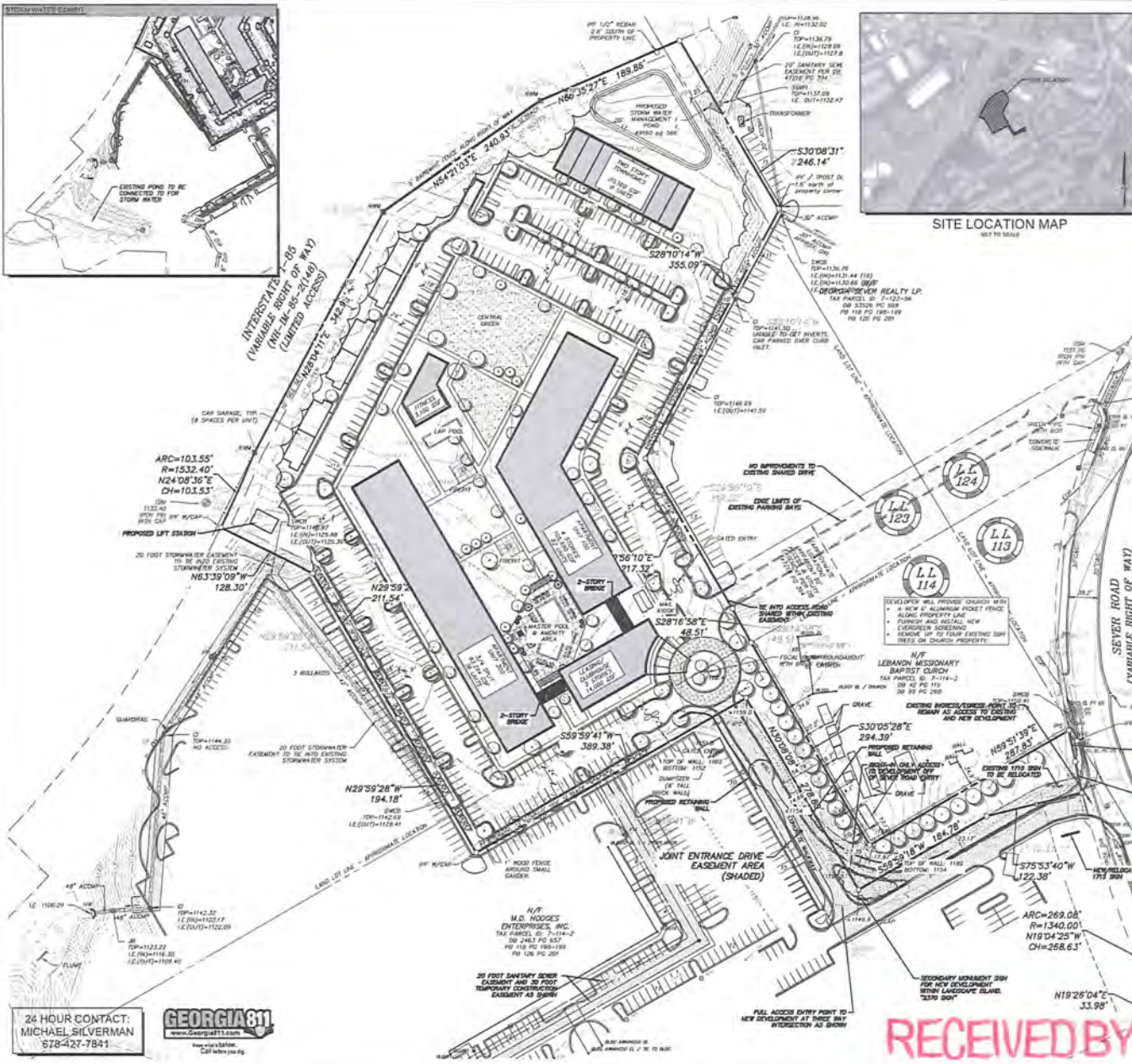
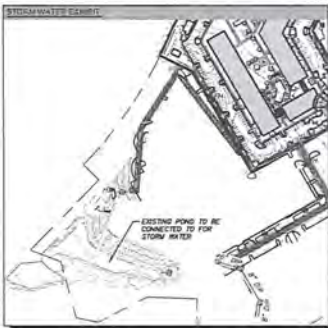

Deputy Clerk



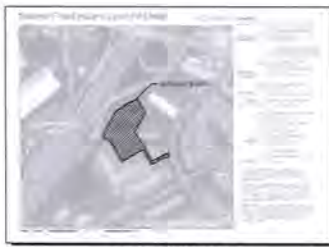
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SUP2019-00008

Printed: November 7, 2018





SITE LOCATION MAP



FEMA FIRM MAP

SITE DATA	
GROSS SITE AREA	8.96 ACRES
NET SITE AREA	8.96 ACRES
EXISTING ZONING	DO OFFICE INSTITUTIONAL
PROPOSED ZONING	DO OFFICE INSTITUTIONAL
ZONING JURISDICTION	CHAMNETT COUNTY, GEORGIA
USE CALCULATION	
TOTAL SITE AREA	9.96 ACRES
TOTAL APARTMENTS PROPOSED	186 UNITS (889 SF ON AVE)
TOTAL NET RESIDENTIAL SF	215,434 SF
MAX DENSITY ALLOWED PER CODE	NONE
TOTAL SITE DENSITY PROPOSED	16.85 UNITS PER ACRE
TOTAL BUILDING AMENITIES	~11,000 SF (GARAGE, CLUB, FITNESS)

SETBACKS/ENCLOSURES	
FRONT YARD SETBACK	15 FEET
SIDE YARD SETBACK	10 FEET
REAR YARD SETBACK	25 FEET
INTERSTATE BUFFER	25 FEET
DEVELOPMENT STANDARDS	
MIN LOT SIZE	NONE
MIN LOT WIDTH	25 FEET
MAX BUILDING HEIGHT	24 FEET
MIN BUILDING SEPARATION	10 FEET RECD, 20 FEET PROP.
MIN UNIT SIZE	NA
COMMON SPACE REQUIREMENTS	
MIN COMMON AREA REQUIRED	NA
COMMON AREA PROPOSED	21.5% OSA OR 2.14 ACRES
PARKING REQUIREMENTS	
MIN/MAX PARKING SPACES RECD.	249 (1.5% UNIT), 499 (3% UNIT)
PARKING SPACES PROVIDED	384 TOTAL SPACES
PARKING RATIO PROVIDED	2.13 SPACES PER UNIT



CLARION / HUNTCREST (2370)

FOR
BRAND PROPERTIES
 3125 PEACOCKE ROAD, N.E.
 ATLANTA, GEORGIA 30329
 PHONE: 678-454-7811

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REVISIONS:

NO.	DATE	BY	DESCRIPTION

This drawing is the property of Planners and Engineers Collaborative and shall not be copied or used in any part in any way without the prior written consent of Planners and Engineers Collaborative.

ZONING SITE PLAN
 SCALE: 1" = 50'
 DATE: NOVEMBER 1, 2018
 PROJECT: 18057.00



24 HOUR CONTACT:
 MICHAEL SILVERMAN
 678-427-7841




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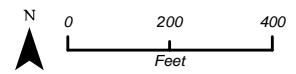
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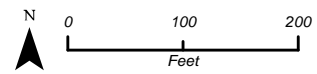
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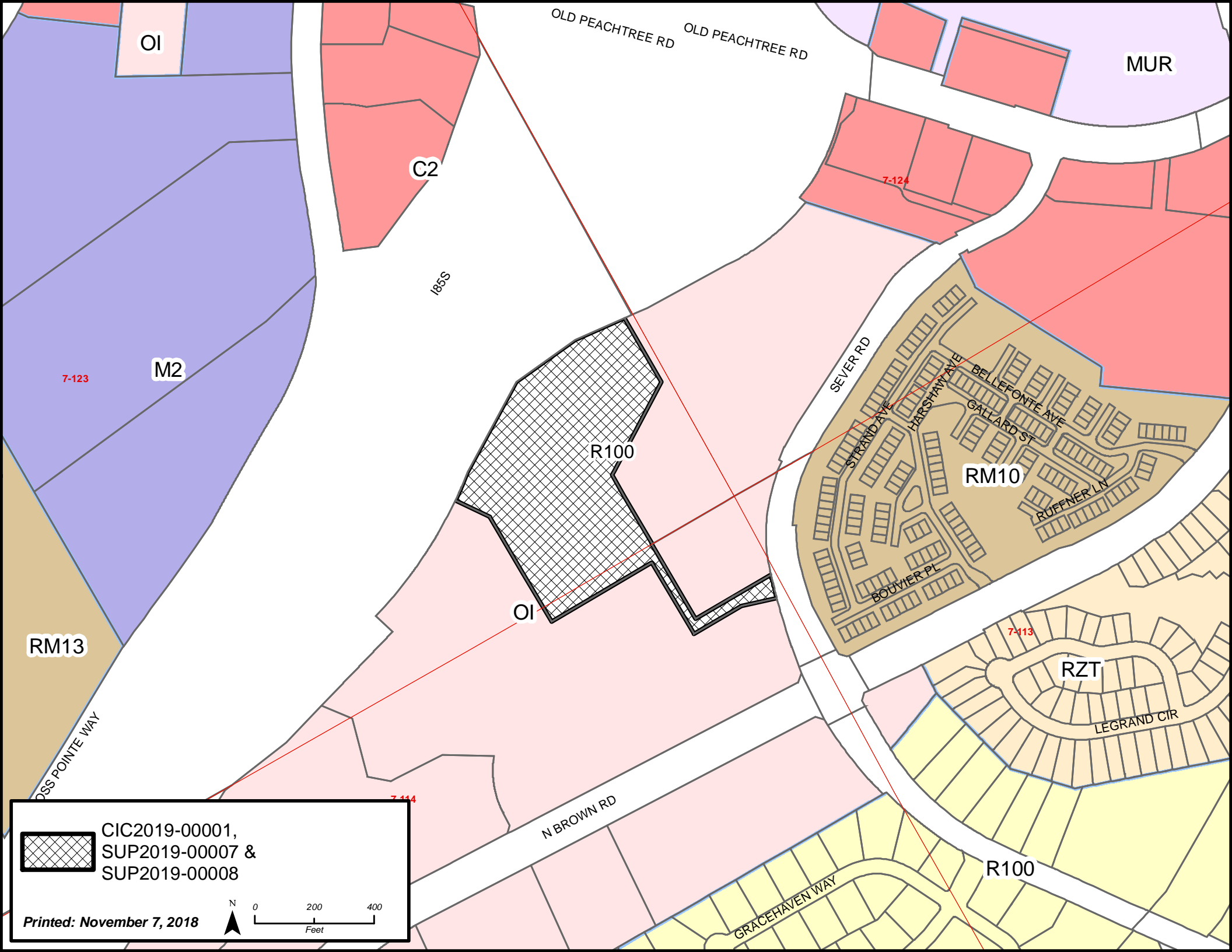




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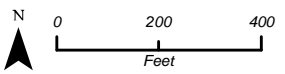
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N BROWN RD

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GRACEHAVEN WAY

DSS POINTE WAY

SEVER RD

STRAND AVE

HARSHAW AVE

BELLEFONTE AVE

GALLARD ST

RUFFNER LN

BOUVIER PL

LEGRAND CIR

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

CASE NUMBER :**SUP2019-00003**
ZONING :RA-200
LOCATION :2200 BLOCK OF BERRY HALL ROAD
MAP NUMBER :R5343 015
ACREAGE :9.88 ACRES
PROPOSED DEVELOPMENT :CEMETERY
COMMISSION DISTRICT :(3) HUNTER

FUTURE DEVELOPMENT MAP: RURAL / ESTATE AREAS

APPLICANT: DR. HAFIZ A. G. KHAN
177 SIMONTON ROAD
LAWRENCEVILLE, GA 30045

CONTACT: MOHSIN ASHFAQE PHONE: 678.704.7838

OWNER: GEORGIA ISLAMIC INSTITUTE OF
RELIGIOUS & SOCIAL SCIENCES, INC.
177 SIMONTON ROAD
LAWRENCEVILLE, GA 30045

DEPARTMENT RECOMMENDATION: APPROVAL WITH CONDITIONS

PROJECT DATA:

The applicant seeks approval of a Special Use Permit for a cemetery on 9.88 acres located on the west side of Berry Hall Road, just south of Harbins Road. The property is zoned RA-200 (Agriculture-Residence District), and is a portion of a larger 21.16-acre parcel owned by the Georgia Islamic Institute. The subject site is mostly open pasture with a small stand of trees at its southern end.

The cemetery would be located at the northern end of the property, adjacent to Berry Hall Road. According to the site plan, the cemetery would accommodate 7,827 burial plots at full capacity. Cemetery access would be from a single driveway onto Berry Hall Road, with an internal network of gravel driveways and a pervious parking area for 39 vehicles. The required 25-foot wide buffer is proposed around the periphery of the site, planted with an evergreen screen of Leyland Cypress, and the required 4-foot decorative fence is proposed along the Berry Hall Road frontage. In lieu of the required 6-foot decorative fence around the balance of the cemetery grounds, the submitted site plan proposes a 6-foot opaque privacy fence along the northern property line (adjacent to

neighboring homes on Harbins Road) and no fencing adjacent to the balance of the parent tract to the south and west, which is owned by the applicant.

ZONING HISTORY:

The subject property has been zoned RA-200 (Agriculture-Residence District) since 1970.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

Portions of this site appear to be heavily wooded and may include specimen trees which are required by the UDO to be preserved. A Specimen Tree Survey and a Specimen Tree Concept Plan must be submitted and approved prior to submittal of Development Plans for review.

Project access and required improvements on Berry Hill Road will be subject to review and approval of Gwinnett County Department of Transportation.

A Five-foot wide sidewalk is required along the entire frontage of Berry Hill Road.

The cemetery shall be bordered by a 25-foot depth buffer and a minimum 6-foot high decorative fence or wall along all its exterior property lines.

A 25-foot in depth buffer and a 4-foot high decorative fence or wall shall be installed along the right of way of Berry Hill Road.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

The property appears to contain stream buffers. The proposed conceptual plan may require revision to show the appropriate stream buffers.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Berry Hall is a Minor Collector and 30 feet of right of way is required from the centerline.

Entrances shall be provided to the site per current development regulations.

Standard deceleration lane with appropriate taper and adequate right of way will be required.

The developer shall be limited to one curb cut.

The project entrance shall align with opposing roads or driveways in accordance with the Gwinnett County Unified Development Ordinance.

Prior to the issuance of a development permit, a sight distance certification shall be provided.

Minimum separation from a driveway, public road, or side street shall be provided as specified in the Gwinnett County Unified Development Ordinance.

A 5-foot sidewalk is required along property frontage.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of an 8-inch water main located on the southwest right of way of Berry Hall Road.

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 and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of 8-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 3,300 feet south of parcel R5343 015 on parcel 5344 111. Multiple easements will be required.

The subject development is located within the Brooks Road service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

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 and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 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.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will

not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject 9.88-acre tract is located on the western side of Berry Hall Road, south of Harbins Road and across from Gates Park Drive. The site is currently undeveloped and is primarily open pasture.

The 2030 Unified Plan Future Development Map indicates that the site is located within the Rural/Estate Character Area. Churches, cemeteries and similar low-intensity institutional uses are considered compatible with this character area designation. In keeping with recommendations of the Unified Plan, measures to afford screening and minimize potential impacts upon neighboring properties would be appropriate.

The surrounding area is rural in nature, with large undeveloped wooded tracts, open pastureland and homes on acreage zoned RA-200, and scattered low-density single-family subdivisions. To the north are several homes on acreage, zoned RA-200, fronting along Harbins Road. To the east across Berry Hall Road is the Stone Gate Park subdivision, zoned R-100. Adjacent to the south and west is the balance of the applicant's property, zoned RA-200. Cemeteries can be compatible uses in predominantly rural and residential areas provided adequate screening and other site considerations are implemented in the development. With conditions to restrict the hours of activity, provide additional fencing and screening, and address signage and other development considerations, the proposed cemetery could be compatible with neighboring uses in the area.

In conclusion, the requested Special Use Permit could be considered compatible with policies of the Unified Plan for the character area and with the existing uses in the area. Additionally, the request is considered consistent with previous Board actions for the approval of cemeteries in residential areas. With appropriate conditions and restrictions, the proposed use could be considered suitable at this location; therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of a Special Use Permit for a cemetery, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. A cemetery and accessory uses and structures as a special use.
 - B. Except where greater requirements are contained herein, abide by the Supplemental Use Standards of the Unified Development Ordinance for Cemeteries as found in Section 230-130.3.
 - C. Prior to any burials taking place, obtain a Development Permit and satisfy applicable zoning and development requirements, and the zoning conditions contained herein.
 - D. The cemetery shall be closed and securely gated between the hours of 8:00 p.m. or sunset (whichever is earlier), and sunrise.
 - E. Buildings shall not be constructed within the cemetery grounds.
 - F. Temporary restroom facilities are prohibited.
2. To satisfy the following site development considerations:
 - A. Cemetery plots shall be located a minimum of 100 feet from the northern property line, and shall not be located in any required buffer.
 - B. Provide a 50-foot wide landscaped buffer along Berry Hall Road and the northern property line. The landscaped buffers shall be planted with a mixture of evergreen and deciduous plantings (minimum 70% evergreen species of Thuga Green Giant, Southern Magnolia, Cryptomeria and Tree Form Holly), with the final design and plantings subject to the review and approval by the Director of Planning and Development.
 - C. Provide a 25-foot wide landscaped buffer along the south and west limits of the cemetery grounds.

- D. Remove all existing wire fencing and install a decorative wrought iron-style fence around the perimeter of the cemetery grounds, with brick or stacked stone columns every 50 feet along Berry Hall Road.
- E. Limited to a single access driveway onto Berry Hall Road.
- F. Ground signage shall be limited to a single externally-illuminated monument type sign, and shall be subject to review and approval by the Director of Planning and Development. The sign shall include a minimum two-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the cabinet shall be fully surrounded by the same materials. Ground sign shall not exceed 6 feet in height.
- G. Natural vegetation shall remain on the property prior to the issuance of a Development Permit.
- H. Graves shall be a minimum of six-feet in depth.
- I. At a minimum, a wooden casket shall be used for the internment of the body.
- J. A rectangular lidless vault comparable in design specifications and quality to a "Vantage" polypropylene vault shall be placed in the grave and inverted over the casket before the grave is filled in.
- K. Grave markers shall be standardized, flush with the ground, and shall be of metal or stone.
- L. Graves shall not be excavated more than 24 hours prior to burial.
- M. Burial areas shall be sodded. Graves shall be sodded after burial. Grass shall be cut at least twice monthly.
- N. A groundwater monitoring well shall be constructed on the property at the owner's expense. Design, construction, and monitoring shall be coordinated with the Environmental Health Department at the owner's expense. In addition to any Environmental Health Department requirements, yearly reports from the groundwater monitoring well shall be provided to the Gwinnett County Department of Planning and Development.

3. Abide by the following requirements, dedications and improvements:
 - A. Prior to the issuance of a Development Permit for the cemetery, a plat of survey delineating the cemetery limits and covenant for perpetual care shall be recorded with the Gwinnett County Clerk of Superior Court.
 - B. Prior to the issuance of a Development Permit for the cemetery, the owner shall establish an irrevocable trust fund for the perpetual maintenance of the cemetery. The owner shall deposit the sum of \$10,000.00 in such trust fund prior to the issuance of the Development Permit for the cemetery. It shall be the continuing duty of the owner to maintain a minimum \$5,000.00 balance within this trust fund after the first year of the first burial plot. All monies deposited in the trust fund shall be used for the perpetual care of the cemetery, fencing, buffers and landscaping.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The proposed cemetery could be suitable in this rural, residential area if approved and developed in accordance with the recommended conditions, which include enhanced buffers, fencing and use restrictions.

ADVERSE IMPACTS

With the recommended conditions, potential impacts on nearby properties could be reduced.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

A small increase in traffic and storm water runoff could be anticipated from this request.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates that the site is located within the Rural/Estate Character Area. If properly conditioned to reduce impacts on neighboring properties, the use as a cemetery could be compatible with the recommendations of the Unified Plan and previous Board actions regarding cemeteries in residential areas.

CONDITIONS AFFECTING ZONING

Given that the property is mostly open land, it is recommended that increased buffers and fencing be included to reduce potential visual impacts.

SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENT OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:
YES, THE APPLICANT BELIEVES THE PROPOSED USE IS SUITABLE UNDER THE CURRENT ZONING RA-200 SUPPL
- (B) WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:
NO, THE PROPOSED USE WILL NOT ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTIES.
- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED SPECIAL USE PERMIT HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:
THE APPLICANT BELIEVES THAT THE SUBJECT PROPERTY DOES NOT HAVE A REASONABLE ECONOMIC USE CURRENTLY ZONED.
- (D) WHETHER THE PROPOSED SPECIAL USE PERMIT WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:
NO, THE PROPOSED USE WILL NOT RESULT IN A USE WHICH WILL CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING INFRASTRUCTURE SYSTEM. IMPACT FROM PROPOSED PASSIVE CEMETERY USE WOULD BE MINIMAL
- (E) WHETHER THE PROPOSED SPECIAL USE PERMIT IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:
YES, THE PROPOSED SPECIAL USE PERMIT IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN UNDER RA-200 SUPPLEMENTAL USE.
- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED SPECIAL USE PERMIT:
PROPOSED CEMETERY IS SUITABLE IN VIEW OF THE RURAL/RESIDENTIAL NATURE OF SURROUNDING AREA

Georgia Islamic Institute of Religious & Social Sciences, Inc.

177 SIMONTON ROAD - LAWRENCEVILLE - GEORGIA 30045

LETTER OF INTENT

October 31, 2018

Gwinnett County Department of
Planning & Development
446 West Crogan Street, Suite 250
Lawrenceville, Georgia 30046

Re: Georgia Islamic Institute of Religious & Social Sciences, Inc.
Application for Special Use Permit for a Cemetery
Parcel No. R5-343-015

Dear Sirs,

The Applicant, Georgia Islamic Institute, desires to establish a cemetery on 9.877 acre parcel zoned RA-200, referenced above.

The proposed site plan calls for 39 parking spaces, with pervious paving, on the front of the property along Berry Hall Road. When completely utilized over time, the cemetery will have approximately 8,000 burial lots.

Georgia Islamic Institute is currently operating a cemetery located at 1849 New Hope Rd., Lawrenceville, Georgia 30045 on Parcel No. R5-217-006B. The New Hope Road cemetery Special Use Permit, Case Number SUP-01-046, was approved by Gwinnett County Board of Commissioners on February 26, 2002 after conducting a very thorough study. By granting the Special Use Permit, the Gwinnett County Board of Commissioners graciously afforded the members of the Islamic faith the essential opportunity to be buried in the same cemetery and, the protection of their other rights, privileges, and immunities secured by the Constitution of Laws of the United States and the State of Georgia.

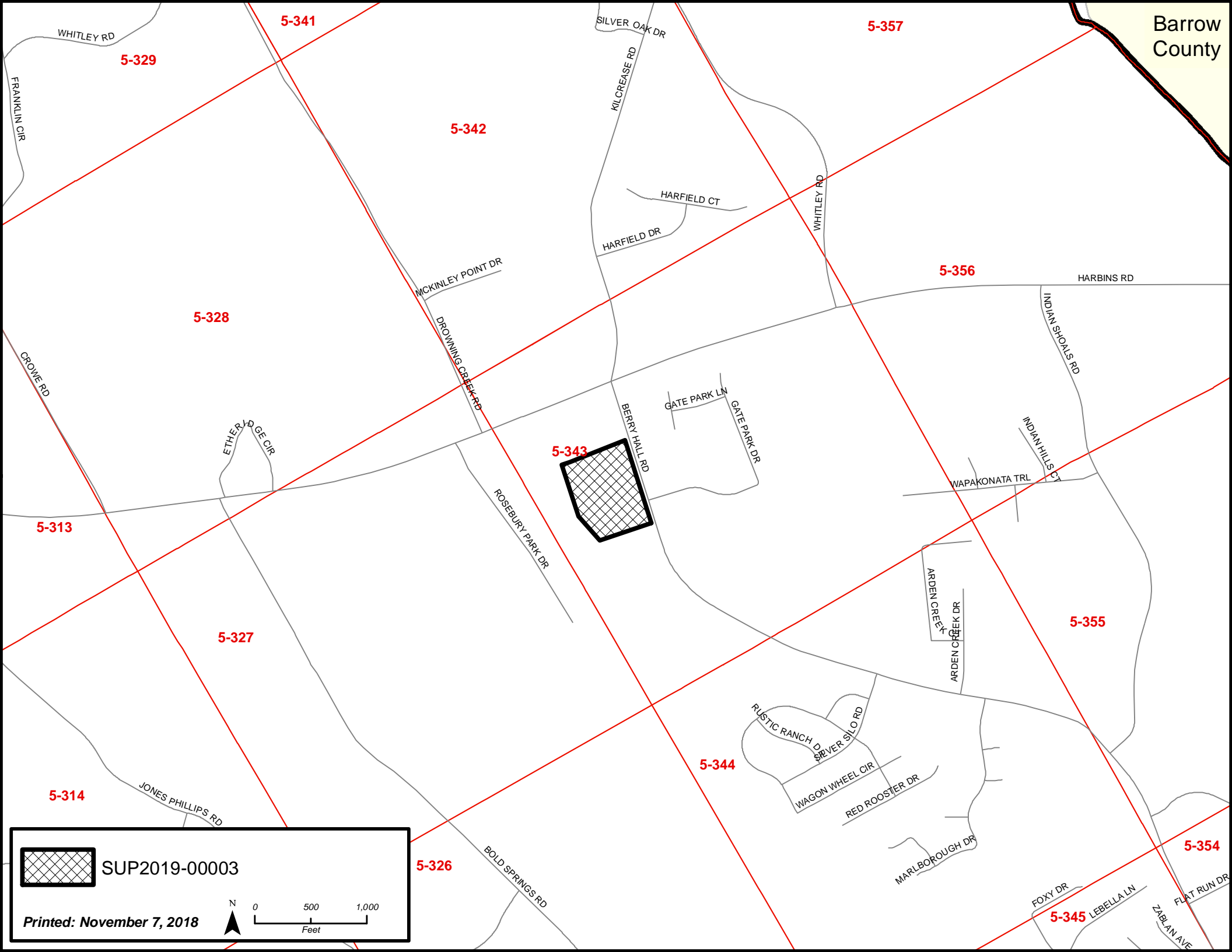
Georgia Islamic Institute has diligently operated and maintained the New Hope Road cemetery in compliance with the approval conditions. As the cemetery is nearing its full capacity, the impending scenario has created an urgent need for additional cemetery in the area. The applicant proposes to comply with all reasonable conditions, as before, and Gwinnett County development standards.

Georgia Islamic Institute requests approval of this application for Special Use Permit in the same spirit and for the same reasons as before and as stated herein above.

Respectfully submitted.

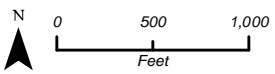
Dr. Hafiz Abdul Ghaffar Khan,
President,
Georgia Islamic Institute of Religious & Social Sciences, Inc.
177 Simonton Road,
Lawrenceville, Georgia 30045.

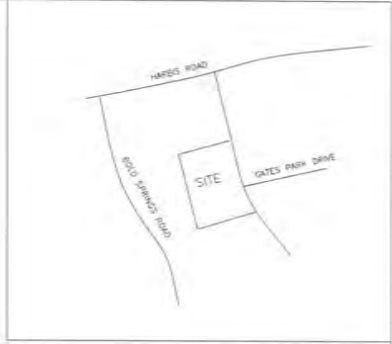
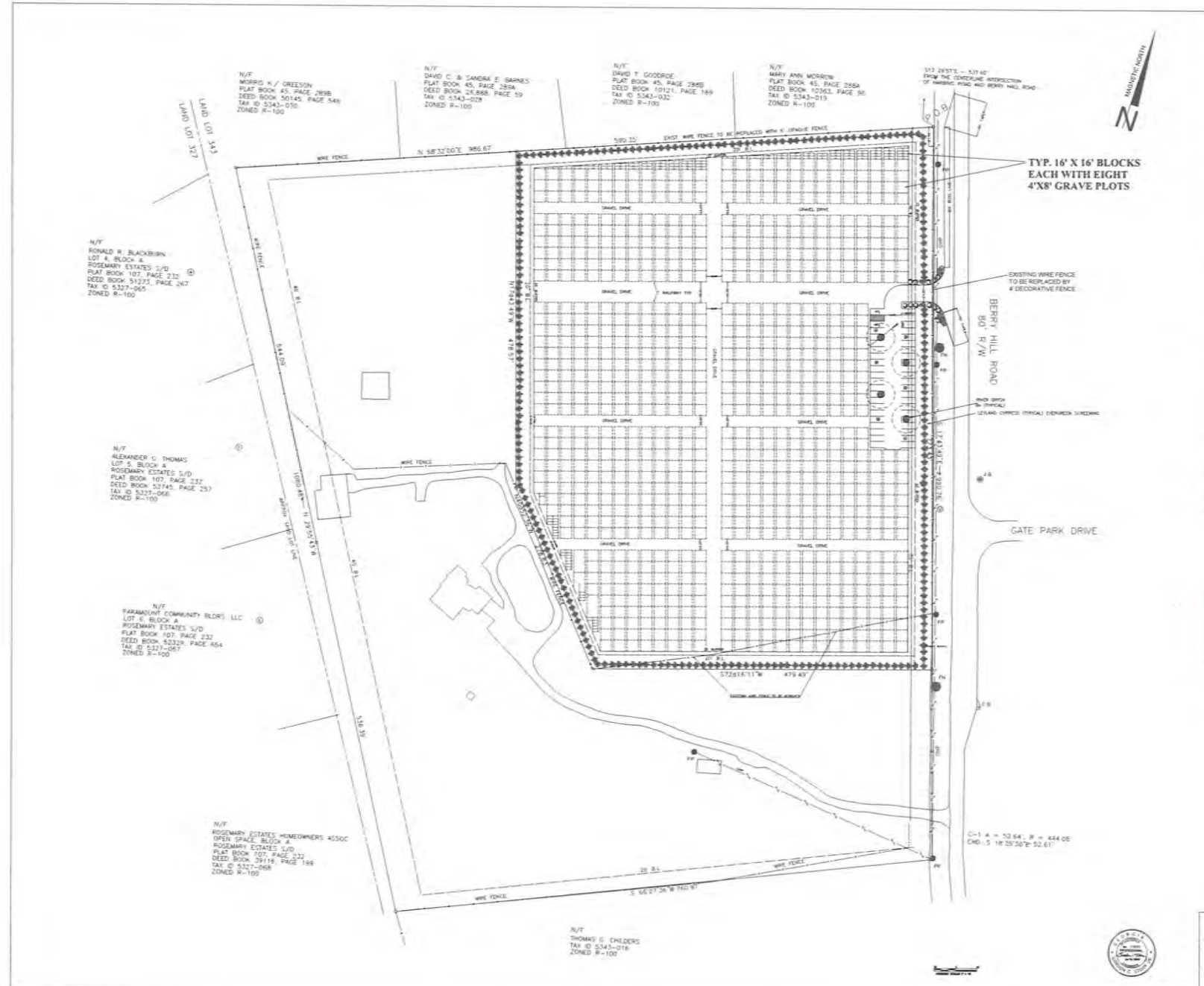
SUP '19 00 3



SUP2019-00003

Printed: November 7, 2018





GENERAL NOTES

1. PROPERTY OWNER: GEORGIA ISLAMIC INSTITUTE
177 SIMONTON RD
LAWRENCEVILLE, GA 30046
CONTACT DR. HANIF ABDUL GHAFAR KHAN, PRESIDENT
TELEPHONE: 678-348-5479
2. PROPERTY AREA: 27.181 ACRES
3. PROPERTY ZONED: R-200
4. BOUNDARY SURVEY BY ADVANCE SURVEY, INC. DATED 03/20/14
5. PROPOSED SPECIAL USE PERMIT FOR A CEMETERY ON 2.677 ACRES
6. TOTAL PROPOSED GRAVE PLOTS: 7,627
7. PAVING: 30 SPACES PROVIDED PERIODIC PAVING
8. BUFFERS: 25' FRONT, SIDES & BACK
9. SETBACKS: FRONT-YE, SIDES & BACK=20'
10. LANDSCAPE TO CONFORM TO GWINNETT COUNTY STANDARDS

24 HOUR CONTACT
MOHSIN ASHFAQE
678-704-7838

RECEIVED
 NOV 01 2018

BY:

SUP '19 003



GORDON STORY, P.E., P.L.S.
 CIVIL ENGINEER - LAND SURVEYOR
 5613 ASPEN COURT
 LUGARVILLE, GA 30052

LAND LOT 743
 GWINNETT COUNTY, GEORGIA
 DATE: 09/27/2018
 JOB: 18-0003
 SHEET: 2 OF 2

SPECIAL USE PLAN
 MUSLIM CEMETERY
 GEORGIA ISLAMIC INSTITUTE
 1777 SIMONTON ROAD
 LAWRENCEVILLE, GA 30046
 CONTACT: DR. HANIF ABDUL GHAFAR KHAN, PRESIDENT

OFFICE PHONE: 678-454-5706
 MOBILE PHONE: 678-454-7838
 EMAIL: gstory@gsd.com

SOURCE: _____
 SHEET OF _____



SUP2019-00003



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Printed: November 7, 2018



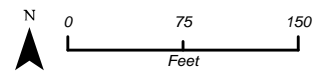
BERRY HALL RD

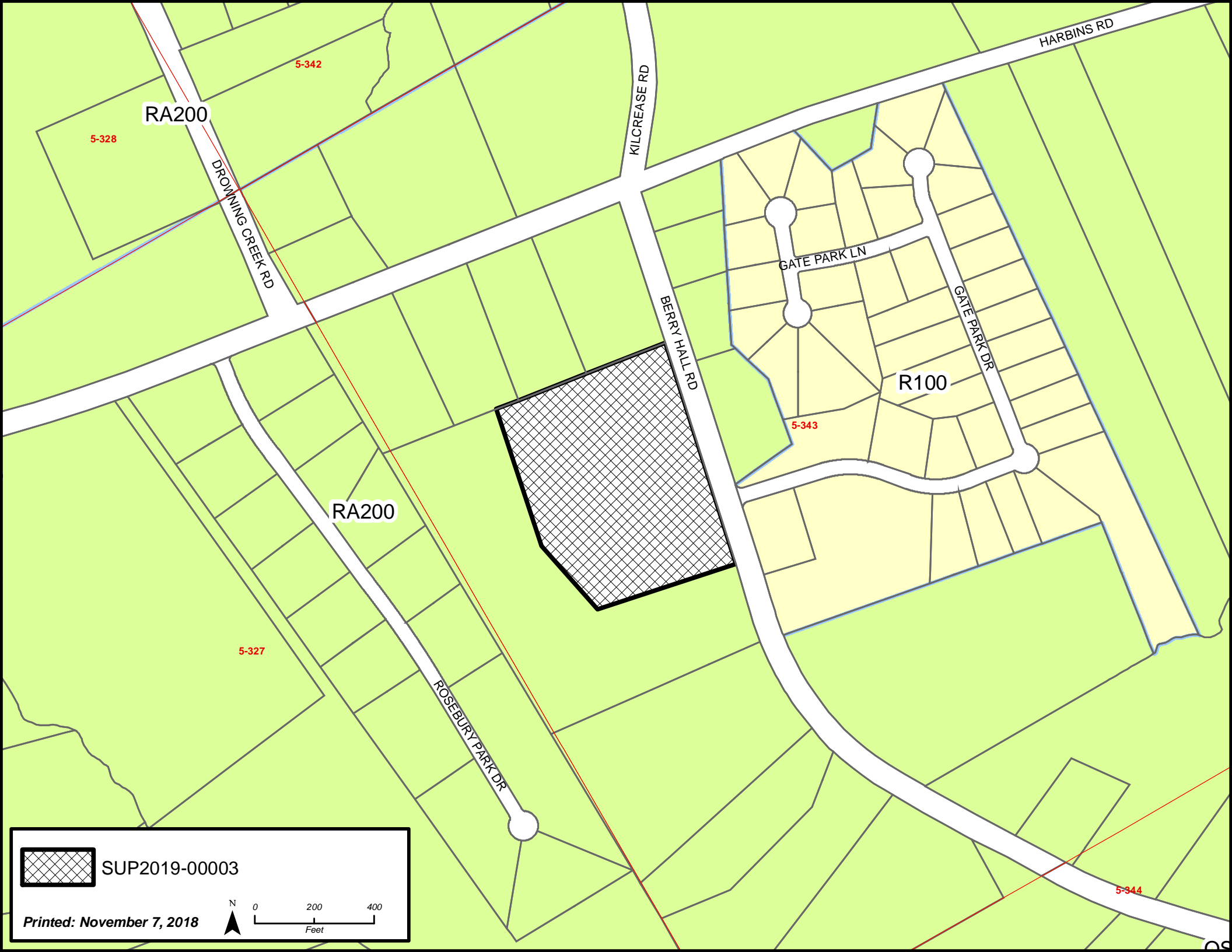
GATE PARK DR



SUP2019-00003

Printed: November 7, 2018





RA200

5-328

5-342

DROWNING CREEK RD

KILCREASE RD

HARBINS RD

GATE PARK LN

GATE PARK DR

R100

BERRY HALL RD

5-343

RA200

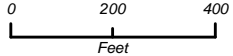
5-327

ROSEBURY PARK DR

5-344



SUP2019-00003



Printed: November 7, 2018

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

CASE NUMBER :**SUP2019-00005**
ZONING :R-75
LOCATION :3300 BLOCK OF LAUREL OAK COURT
MAP NUMBER :R6220 015
ACREAGE :3.79 ACRES
SQUARE FEET :3,600 SQUARE FEET
PROPOSED DEVELOPMENT :COMMUNITY CENTER & CULTURAL FACILITY
(BUFFER REDUCTION)
COMMISSION DISTRICT :(2) KU

FUTURE DEVELOPMENT MAP: **REGIONAL MIXED-USE**

APPLICANT: MOSTAFA MAHAMUD
BANGLADESH ASSOCIATION OF GEORGIA
3227 LAVENTURE DRIVE
CHAMBLEE, GA 30341

CONTACT: MOSTAFA MAHAMUD PHONE: 404.455.0964

OWNER: MOSTAFA MAHAMUD
3227 LAVENTURE DRIVE
CHAMBLEE, GA 30341

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant requests a Special Use Permit to allow the use of an existing neighborhood recreation area as a Community Center & Cultural Facility for the Bangladesh Association of Georgia. The subject property is the 3.79-acre recreation area for the Oakcliff Estates neighborhood, known as The Oaks. The property is zoned R-75 (Single Family Residence District), and is located on Laurel Oak Court in Doraville. The recreation area has existed for many years, but currently appears to be in disuse.

The property is developed with several buildings and structures, including: a 3,000 square foot clubhouse, a 600 square foot pool house, a swimming pool, two tennis courts and a parking area for 80 vehicles. Access is via one gated driveway onto Laurel Oak Court. The buildings are older structures constructed of painted concrete block.

The applicant's letter of intent indicates that the Bangladesh Association proposes to utilize the buildings and grounds for meetings, conferences and cultural events. Specific details regarding the use of the site, such as the number of members/attendees, hours of operation and scope of activities, were not provided. The submitted site plan suggests that the existing structures would be utilized, with no new construction planned for the site.

ZONING HISTORY:

The subject property has been zoned R-75 (Single-Family Residence District) since 1970.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property contains areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development. The applicant/developer shall obtain all required approvals from the Gwinnett County Department of Water Resources and the U.S. Army Corps of Engineers for construction or land disturbance activities which may impact floodplain or wetland areas.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

This site appears to be heavily wooded and may include specimen trees which are required by Unified Development Ordinance Section 630-70 to be preserved. Alternate designs to preserve specimen trees must be explored. A Specimen Tree Survey and a Specimen Tree Concept Plan must be submitted and approved prior to submittal of Development Plans for review.

Parking lots and interior driveways shall be in accordance with Chapter 240 of the Unified Development Ordinance.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance. The property appears to contain stream buffers. The proposed conceptual plan may require revision to show the appropriate stream buffers.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Laurel Oak Court is a Local Residential Street and 25 feet of right of way is required from the centerline.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 2-inch water main located on the northeast right of way of Laurel Oak Court.

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 and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of 8-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 20 feet north of parcel R6220 015 on parcel R6247 409.

The subject development is located within the North Fork Peachtree service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

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 and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 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.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for any proposed interior or exterior modification (remodel) for review and approval by Building Plan Review.
2. Architectural design of any proposed exterior modification shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Design Category 1.
3. Upon completion of plan review approvals, the applicant shall obtain a building permit and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at 678.518.6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

Fire Plan Review has no objections to the above rezoning request. Plans for the proposed use shall be submitted to fire plan review prior to any occupancy. Plan approval and permits are to be obtained.

For assistance, you may contact our office at (678) 518-6000, Monday through Friday, from the hours of 8:00 a.m. to 5:00 p.m.

DEPARTMENT ANALYSIS:

The property is the 3.79-acre recreation area for the Oakcliff Estates neighborhood, zoned R-75 (Single Family Residence District), and located on Laurel Oak Court in Doraville. The recreation area is developed with two buildings, a pool and tennis courts, but currently appears to be in disuse. The property is wooded and contains two streams that traverse the site.

The 2030 Unified Plan and Future Development Map indicate the property lies within the Regional Mixed Use Character Area anchored by the Norcross-Southern Industrial District to the east. The request to convert a neighborhood recreation area for use by an unrelated entity is not considered inconsistent with Unified Plan policies which seek to protect established residential neighborhoods from encroachment by incompatible non-residential uses.

The subject property is located in a long-established single-family residential subdivision. To the north, south and west are residential developments, including: the balance of Oakcliff Estates in DeKalb County, Northwoods Forest, Lake Windsor Heights and Copperleaf. To the east are office/warehouse uses fronting along Pleasantdale Road, zoned M-1 (Light Industry District). The subject property is located at the rear of Oakcliff Estates, accessed only via its local subdivision streets, and the entity proposing to use the site is unrelated to the residential neighborhood. The use of the property as proposed by the applicant would be unsuitable given the site's location and original use of the property as a neighborhood recreation area.

In conclusion, the requested Special Use Permit is considered inconsistent with the policies and intent of the 2030 Unified Plan to protect existing residential neighborhoods and incompatible with the homes in Oakcliff Estates; therefore, the Department of Planning and Development recommends **DENIAL** of the request.

PLANNING AND DEVELOPMENT
RECOMMENDED CONDITIONS

NOTE: The following conditions are provided as a guide should the Board of Commissioners choose to approve the petition.

Approval of a Special Use Permit for a Community Center and Cultural Facility, subject to the following enumerated conditions:

1. Limited to a non-profit residential recreation area, which may be utilized as a community center and cultural facility as a special use.
2. Use of the property shall be limited to the indoor activities of meetings, conferences, private parties and cultural events. Outdoor activities shall be limited to use of the swimming pool and tennis courts.
3. The Special Use Permit shall be exclusively for the Bangladesh Association of Georgia, and shall automatically terminate if the property is sold or title transferred.
4. Obtain all necessary development and building permits, and bring the site and building up to all applicable development and building codes prior to commencement of operations.
5. Any new construction shall be residential in appearance, complementing the architectural style of the existing homes in the neighborhood, and shall be subject to the review and approval of the Director of Planning and Development. This condition does not apply to general exterior maintenance or interior renovation of the existing buildings.
6. Events and functions shall be limited to no more than 100 persons (subject to fire code limitations) at any one time.
7. Hours of operation shall be limited to between 10 a.m. and 9 p.m., Monday through Saturday.
8. Parking shall be restricted to on-site, paved parking areas only. No parking shall be allowed in the neighboring rights-of-way within Oakcliff Estates.
9. No tents, canopies portable buildings or portable toilets shall be allowed on the site.
10. No outdoor loudspeakers shall be allowed.

11. Dumpsters shall be screened by a 100% opaque fence or wall. Hours of pick-up shall be limited to between 7:00 a.m. and 7:00 p.m.
12. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into nearby properties or rights-of-way.
13. Ground signs shall be limited to a single, externally-illuminated sign, not exceed 5-feet in height. Sign materials and appearance shall be subject to the review and approval of the Director of Planning and Development.
14. No streamers or roping decorated with flags, tinsel, or other similar materials shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
15. Owner shall repaint or repair any graffiti or vandalism that occurs that occurs on the property within 72 hours.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The use of a neighborhood recreation area by an outside entity as a community center/cultural facility is considered unsuitable at this location within Oakcliff Estates subdivision.

ADVERSE IMPACTS

Adverse impacts upon adjacent and nearby residential properties would be expected in the form of noise, traffic, light intrusion and incompatible site usage.

REASONABLE ECONOMIC USE AS CURRENTLY ZONED

The subject property has a reasonable economic use as zoned.

IMPACT ON PUBLIC FACILITIES

The use could be expected to increase traffic and utility demand.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates the property lies within a Regional Mixed Use Character Area. The request to convert a neighborhood recreation area for use by an unrelated entity is not considered inconsistent with Unified Plan policies which seek to protect established residential neighborhoods from encroachment by incompatible non-residential uses.

CONDITIONS AFFECTING ZONING

The subject property is located at the rear of Oakcliff Estates, accessed only via its local subdivision streets, and the entity proposing to use the site is unrelated to the residential neighborhood.

SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENT OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY: *YES*

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

NO

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

NO

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

NO

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

YES

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED SPECIAL USE PERMIT:

NO

SUP '19 005

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Planning & Development

3363 LAUREL OAK CT, DORAVILLE, GA-30340

INTEND LETTER:

THIS EXISTING PROPERTY WAS USED FOR CLUB HOUSE AND RECREATION.

THAT IS THE REASON WE BOUGHT IT FOR SAME PURPOSE.

WE HAVE A NON PROFIT ORGANISATION CALLED **BANGLADESH ASSOCIATION OF GEORGIA.**

WE WANT TO USE THIS PLACE FOR OUR ORGANISATION TO HELD OUR MEETING, CONFERENCE AND CULTURAL EVENTS.

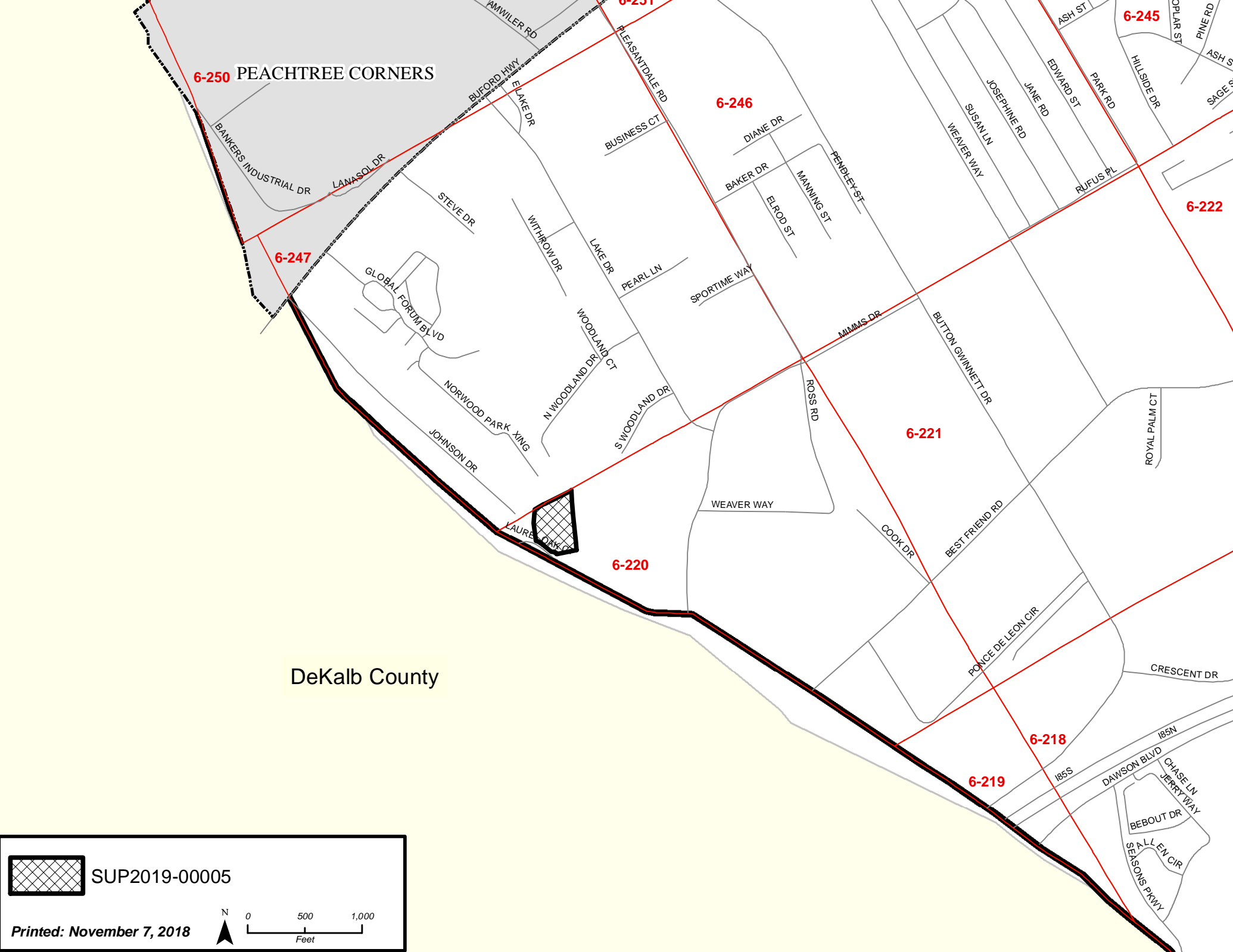
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Planning & Development

6-250 PEACHTREE CORNERS



DeKalb County

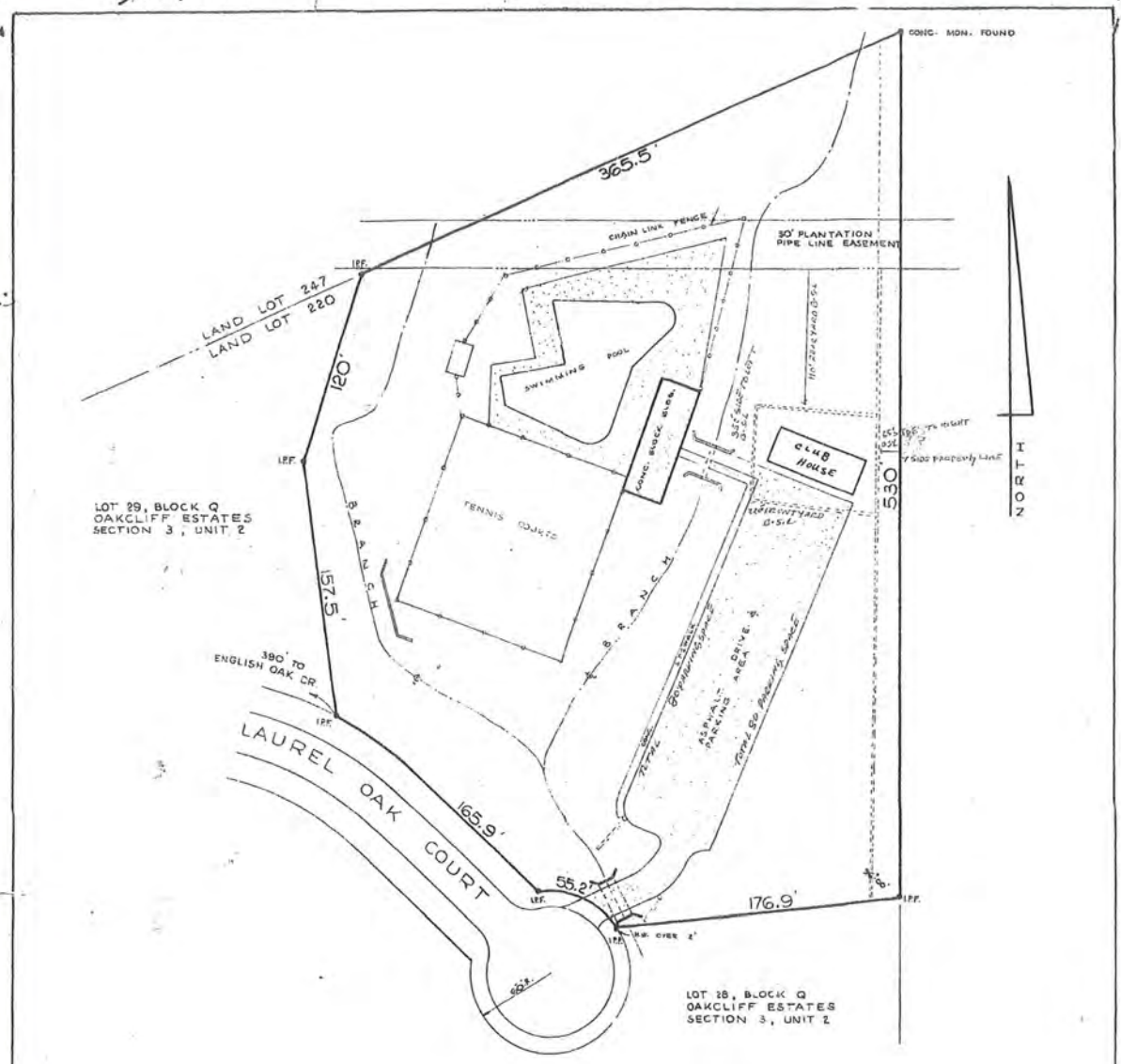
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Printed: November 7, 2018



A north arrow points upwards. Below it is a scale bar with markings for 0, 500, and 1,000 feet.

SITE PLAN



I CERTIFY THAT THIS PLAN IS CORRECT,
AND IS A TRUE REPRESENTATION OF THE
CONDITIONS ON THIS PROPERTY.

C.E. Ruppe

153,210 S.F.
43,560⁷/AC.

3.53 ACRES

C.E. RUPPE
ENGINEER
ATLANTA, GEORGIA

LAND LOT 220 6TH DISTRICT
GWINNETT COUNTY, GEORGIA
SCALE 1"=40' JULY 21, 1965

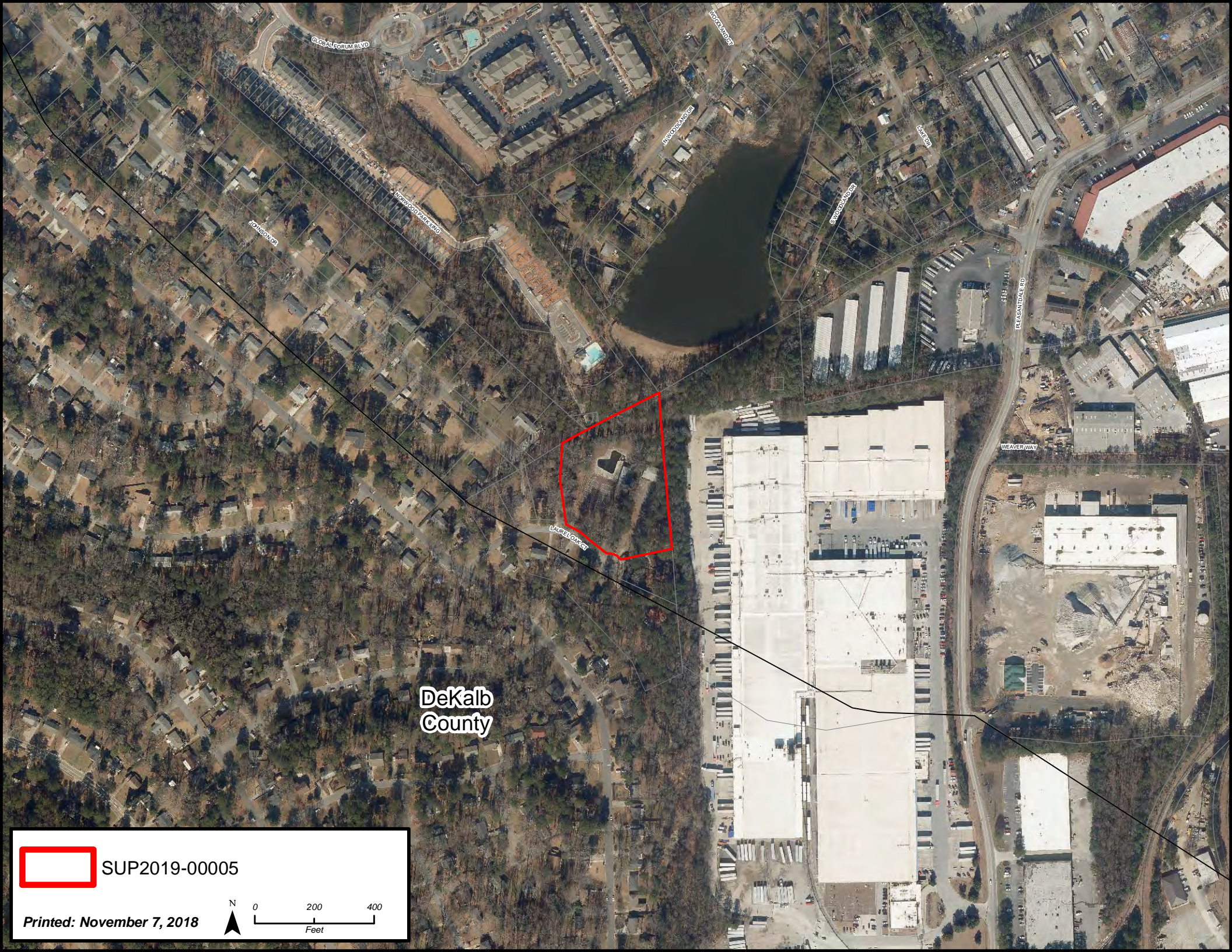
SURVEY FOR:
OAKS COUNTRY CLUB, INC.

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Planning & Development

SUP '19 005



GLOBAL FORUM BLVD

WYWOOD DR

SPRINGWOOD DR

PERKINS DALE RD

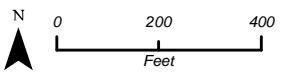
WEAVER WAY

LAUREL OAK CT

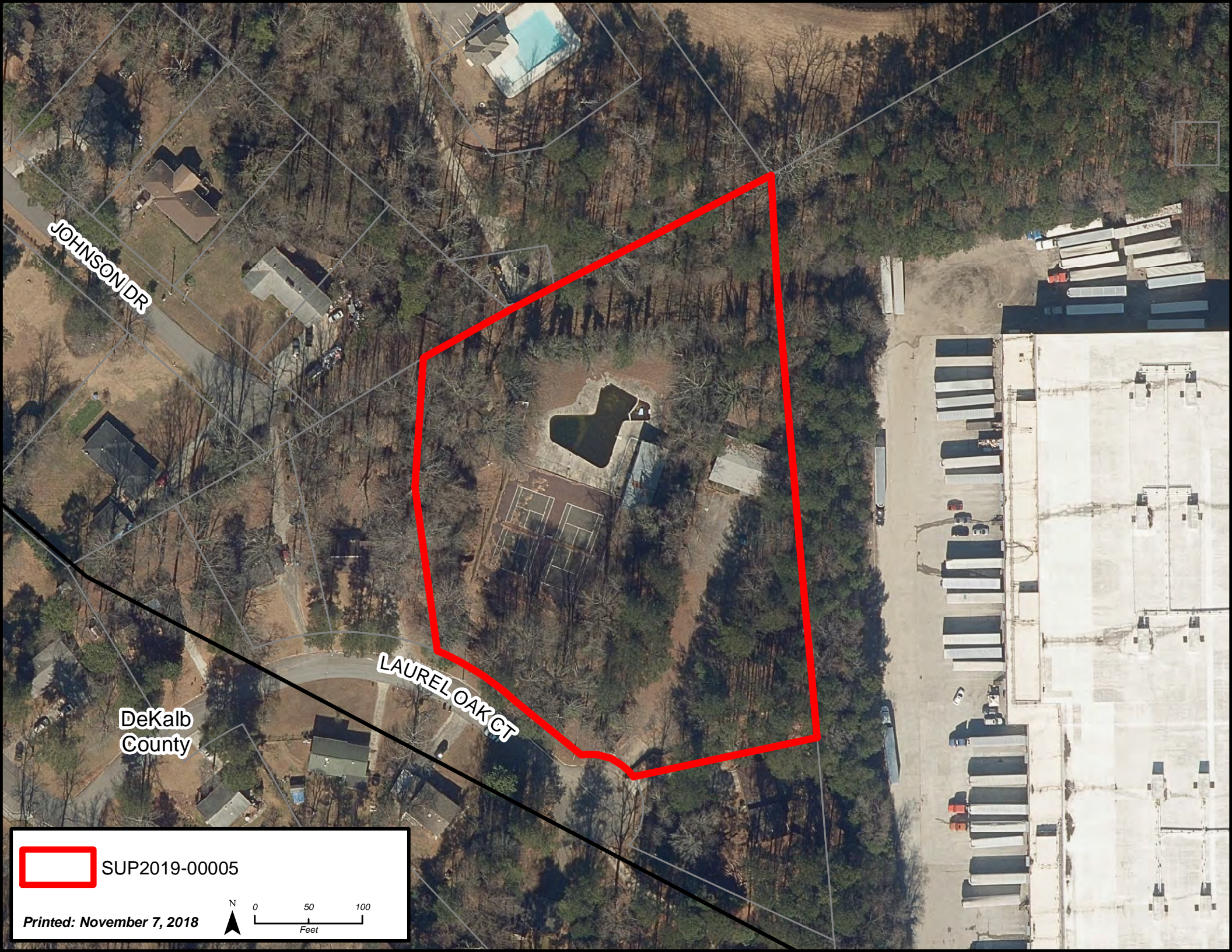
DeKalb
County



SUP2019-00005



Printed: November 7, 2018



JOHNSON DR

LAUREL OAK CT

DeKalb
County

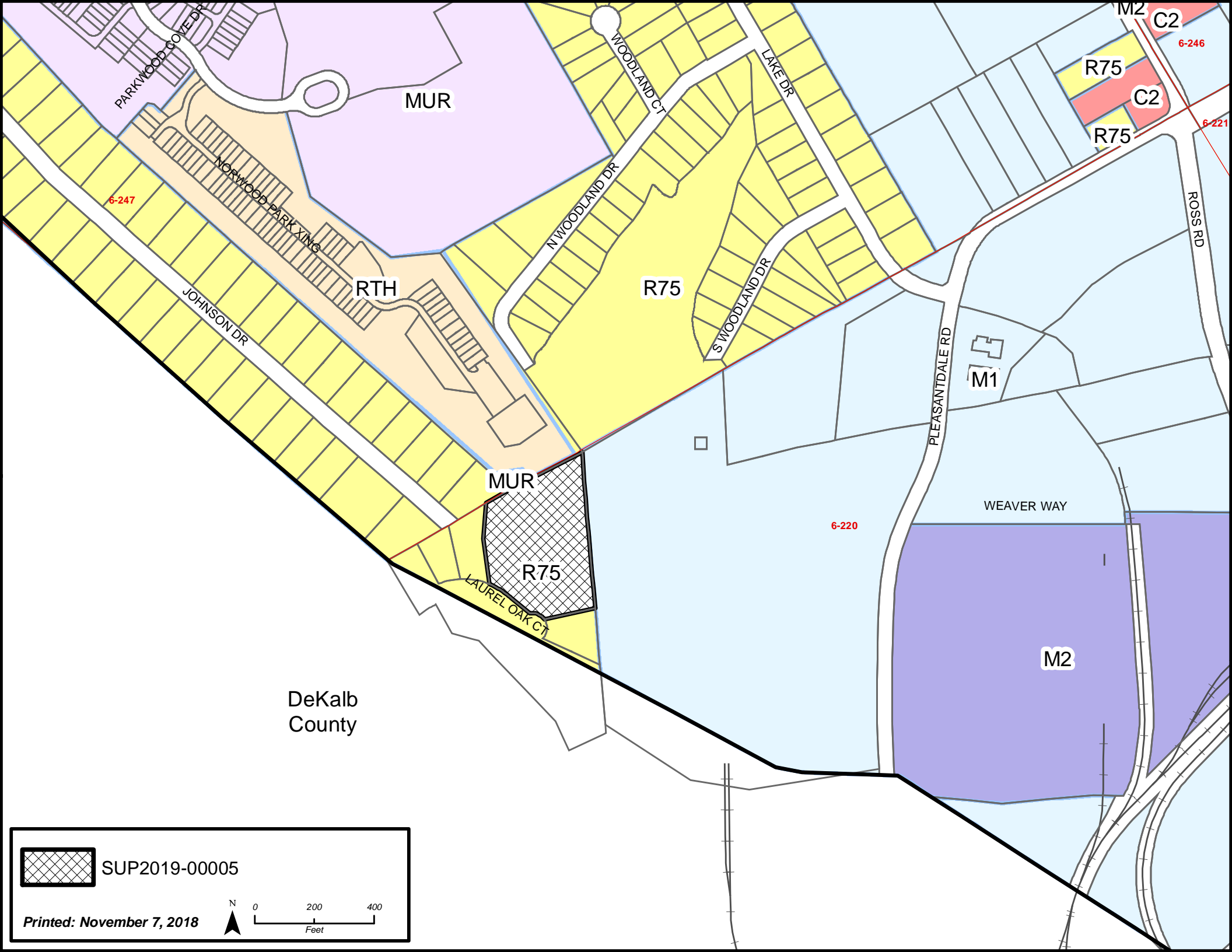


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Printed: November 7, 2018



DeKalb
County

 SUP2019-00005

Printed: November 7, 2018

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

CASE NUMBER :**SUP2019-00009**
ZONING :R-100
LOCATION :2800 BLOCK OF OZORA CHURCH ROAD
MAP NUMBER :R5197 013
ACREAGE :2.82 ACRES
SQUARE FEET :1,600 SQUARE FEET
PROPOSED DEVELOPMENT :METAL ACCESSORY BUILDING
COMMISSION DISTRICT :(3) HUNTER

FUTURE DEVELOPMENT MAP: **RURAL / ESTATE AREAS**

APPLICANT: DAVID A. SHERMAN
2821 OZORA CHURCH ROAD
LOGANVILLE, GA 30052

CONTACT: DAVID A. SHERMAN PHONE: 678.873.0910

OWNER: DAVID A. & TONYA R. SHERMAN
2821 OZORA CHURCH ROAD
LOGANVILLE, GA 30052

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant is requesting a Special Use Permit to allow a 1,600-square foot accessory building on a 2.82-acre parcel zoned R-100 (Single-Family Residence District). The proposed accessory building is intended for personal storage and to house a camper. The property is located on the west side of Ozora Church Road south of the intersection with Ozora Road. A single-family dwelling is currently on the property, and the accessory building would be located 225 feet to the rear of the residence.

According to the letter of intent, the proposed accessory building would be a 1,600-square foot steel structure. Access to the accessory building would be via the property's main driveway and an additional secondary gravel driveway. The Unified Development Ordinance requires a 20-foot building setback for structures over 500 square feet and restricts the height of accessory structures to 12-feet. The proposed accessory structure location meets the setback requirements but would need a variance from the height limitation up to 16-feet.

ZONING HISTORY:

In 1970, the subject property was zoned RA-200 (Agriculture-Residence District). In 1973, the property was rezoned to C-2 (General Business District) per an areawide rezoning. In 1975, the property was rezoned to R-100, pursuant to RZ-08-75.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Ozora Church Road is a Minor Collector and 30 feet of right of way is required from the centerline.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of an 8-inch water main located on the west right of way of Ozora Church Road.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 2,300 feet northeast in the right of way of Cotton Oak Drive.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit civil site drawings to Building Plan Review for review and approval.
2. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for each building for review and approval by Building Plan Review.
3. Each building shall comply with the height and area limitations of Table 503 and the fire resistive and horizontal separation requirements of Table 601 and 602 of the 2012 International Building Code with Georgia state amendments based on occupancy group classification, type of construction, and location of each building from property lines and other buildings.
4. Architectural design of the proposed building shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Design Category 1.
5. Upon completion of plan review approvals, the applicant shall obtain a building permit for each building and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at 678.518.6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The applicant is requesting a Special Use Permit for a metal accessory building exceeding 1,000-square feet on a 2.82-acre parcel zoned R-100. The total proposed square footage for the accessory building is 1,600-square feet. The property is located

on the west side of Ozora Church Road south of the Ozora Road intersection. A single-family dwelling is currently on the property.

The 2030 Unified Plan Future Development Map indicates that the site is located within the Rural/Estate Character Area. Policies for this character area recommend that new development be consistent with established patterns and steps should be taken to reduce negative impacts that may be associated with increased noise, traffic, or incompatible visual appeal. With conditions designed to minimize its visibility, the accessory structure could be consistent with these policies.

Development in the immediate area is characterized by single-family subdivisions zoned R-100 and homes on acreage. With appropriate conditions addressing the location of the structure, the proposed 1,600-square foot accessory structure could be appropriate at this location. The proposed structures location behind the existing residence would not be visible from the road. The existing dense tree cover would also serve to minimize the visibility of the building.

The requested Special Use Permit for an accessory building could be suitable at this location. With the recommended conditions, the proposal could be consistent with the intent of the 2030 Unified Plan to minimize visual intrusion on neighboring properties. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of a Special Use Permit for an accessory building greater than 1,000 square feet, subject to the following enumerated conditions:

1. The metal accessory building may be no greater than 1,600-square feet in area and 16 feet in height.
2. The metal accessory building shall be painted a neutral earth tone color, subject to the review and approval of the Director of Planning and Development.
3. The building shall be set back at least 200 feet from Ozora Church Road and 20 feet from the side and rear property lines. Existing natural vegetation shall be maintained between the building and the immediately adjacent property line as a visual screen. Screening shall be enhanced where sparsely vegetated.
4. The accessory building shall not be used in the conduct of a commercial business or home occupation.
5. No provisions for plumbing or human habitation shall be permitted in the building.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The accessory building could be compatible with the surrounding area in light of its substantial location from the road, and with conditions to screen the building from neighboring homes.

ADVERSE IMPACTS

With the recommended conditions, potential impacts on surrounding properties could be reduced.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as zoned.

IMPACT ON PUBLIC FACILITIES

A negligible change in impacts on public facilities would be anticipated.

CONFORMITY WITH POLICIES

The proposed accessory building could be considered compatible with the recommendations of the 2030 Unified Plan for this residential area.

CONDITIONS AFFECTING ZONING

The location of the accessory building well of the road in a wooded area suggests that it should have no detrimental impact on the neighbors.

SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENT OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

YES

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

NO

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

YES

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

No

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

YES

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED SPECIAL USE PERMIT:

No

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Hello and thank you in advance for your consideration on this. My name is Dave Sherman and I live at 2821 Ozora Church Rd. in Loganville. I am employed as a full-time firefighter and AEMT with the City of Alpharetta.

Our home sits on 2.81 acres which is 150' across the front and rear while the sides are 848' and 887'. I would like to build a 40' wide x 40' long x 16' tall steel structure approximately 225' behind my home. It will be for personal use as a detached garage and storage building for a camper and items from my parents house where my father has moved in with us. It will be on a concrete slab and have a gravel driveway from the side of our current driveway to the front of the building. The location I have in mind would place it nearly halfway back on our property, surrounded by woods to the rear and both sides, and not visible from the roadway.

Included with this application are a couple photos of very similar buildings this company has done before. I have also included a copy of the quote so that you can review specs for the structure as well as the drawing they provided. If you have any questions, please feel free to call me at 678-873-0910. Thank you again!

Sincerely,

Dave Sherman

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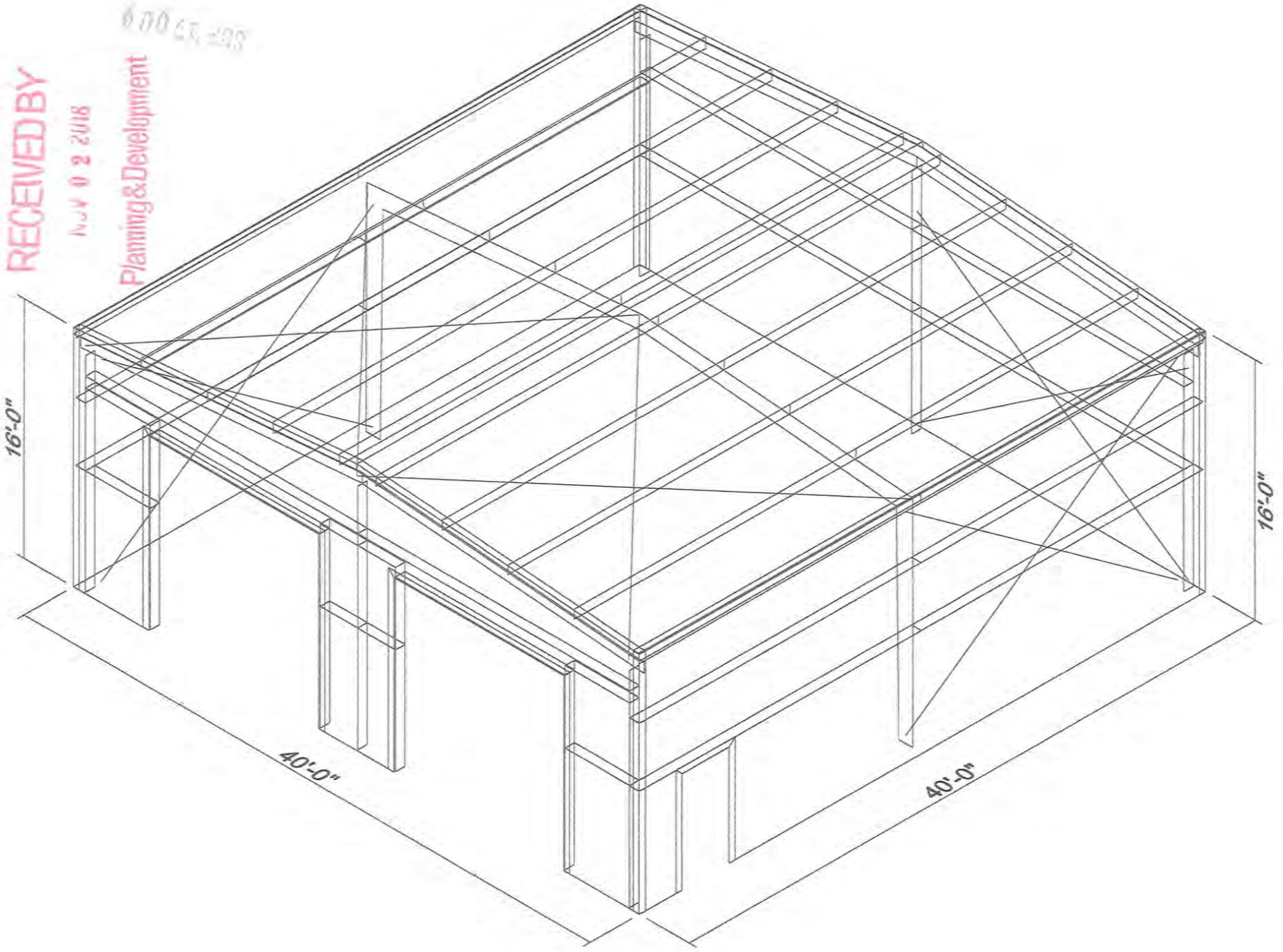
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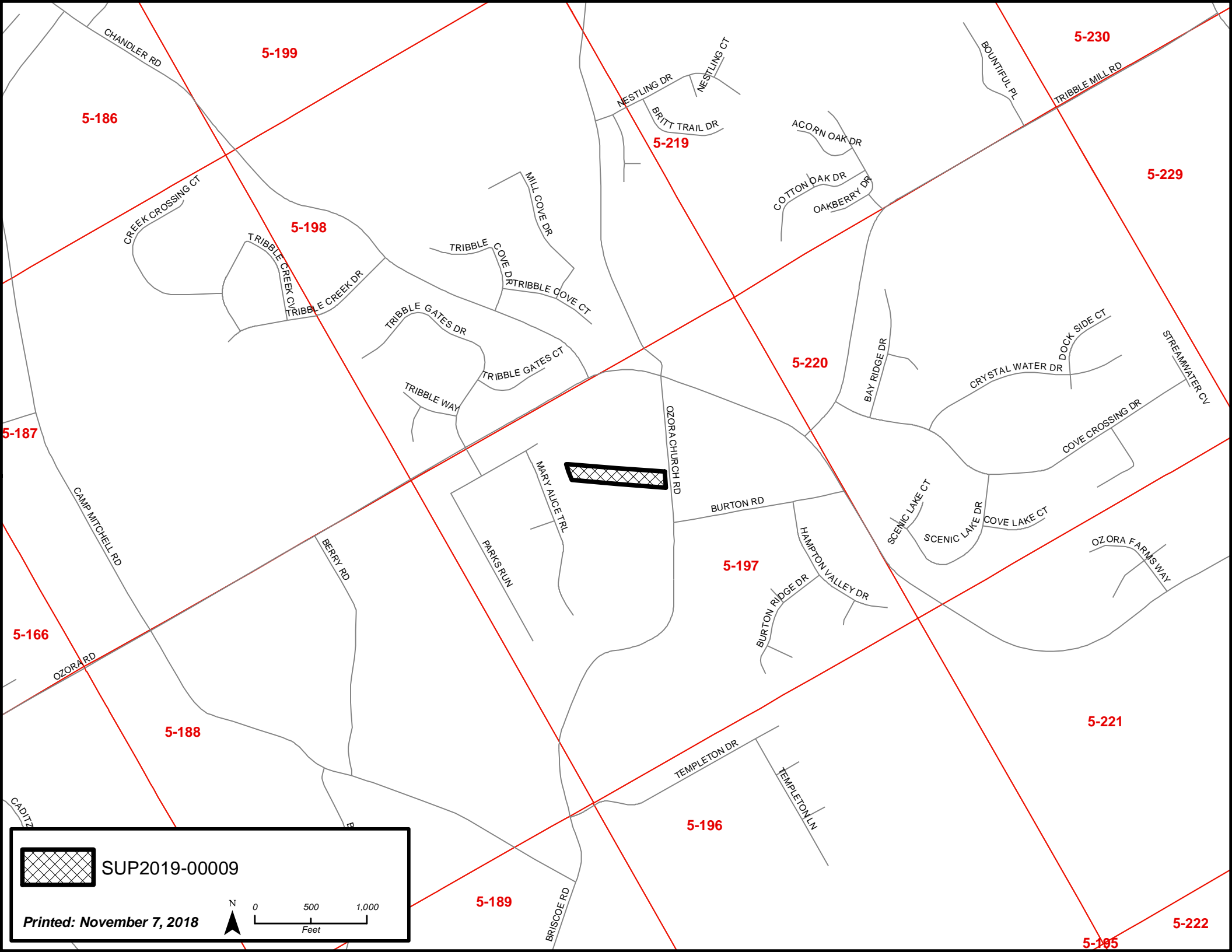
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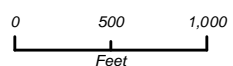
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SUP2019-00009



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AREA
2.819 ACRES
122,831 SQUARE FEET

LEGAL REFERENCE
D.B. 55113, PG. 761
P.B. 3, PG. 99

SCALE : 1" = 80'
0' 40' 80' 160'

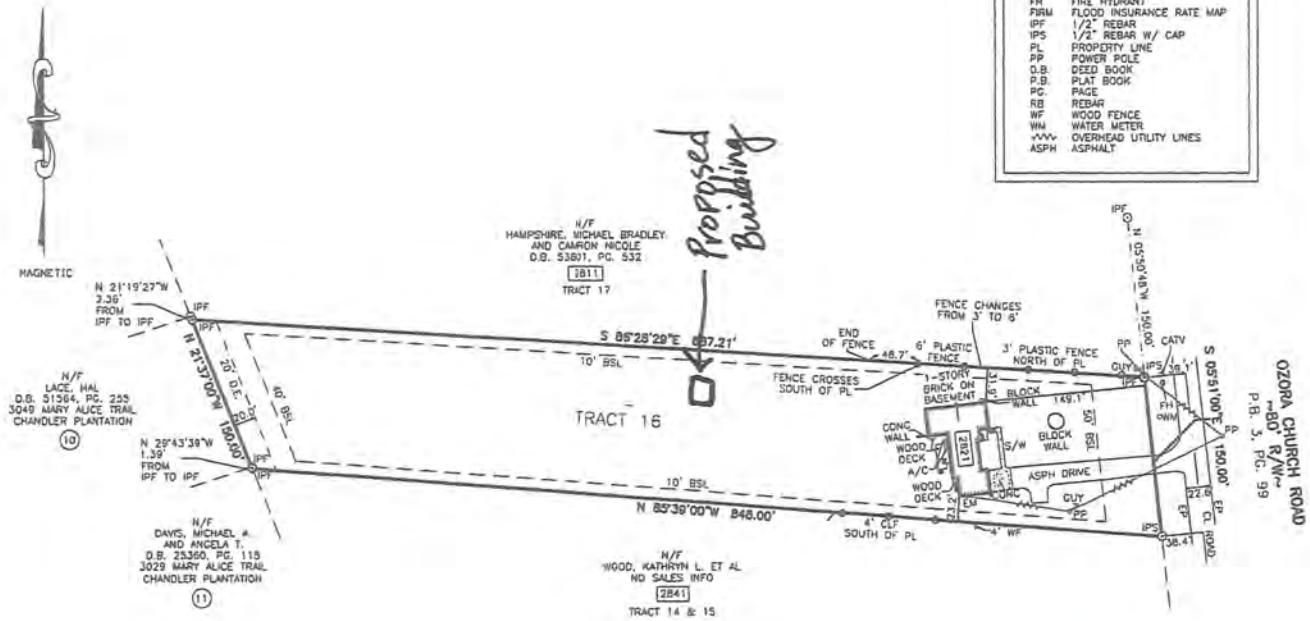
LEGEND

- A/C AIR CONDITIONING
- R/W RIGHT-OF-WAY
- N/W ADJOINING OWNERSHIP
- S/W SIDE WALK
- CATV CABLE TV
- CL CENTERLINE
- B/C BUILDING CORNER
- B/LD BUILDING
- CL/F CHAIN LINK FENCE
- CUY GUY WIRE
- B/S/B BUILDING SETBACK LINE
- CONC CONCRETE
- CMF CONCRETE MONUMENT FOUND
- COR CORNER
- EM ELECTRICITY METER
- EP EDGE OF PAVEMENT
- D.E DRAINAGE EASEMENT
- FI FIRE HYDRANT
- FRM FLOOD INSURANCE RATE MAP
- RF 1/2" REBAR
- TPS 1/2" REBAR W/ CAP
- PL PROPERTY LINE
- PP POWER POLE
- O.B. DEED BOOK
- P.B. PLAT BOOK
- PG. PAGE
- RB REBAR
- WF WOOD FENCE
- WM WATER METER
- U.U. OVERHEAD UTILITY LINES
- ASPH ASPHALT

UTILITY PROTECTION CENTER
IF YOU DIG GEORGIA...
CALL US FIRST!
811
IT'S THE LAW
THREE WORKING DAYS BEFORE YOU DIG

NOTES:
FIELD INFORMATION FOR THIS SURVEY WAS OBTAINED WITH A 5 SECOND THEODOLITE AND AN ELECTRONIC DISTANCE METER.
THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 36,265 FEET AND AN ANGULAR ERROR OF 15 SECONDS PER ANGLE POINT AND WAS ADJUSTED BY LEAST SQUARES.
THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURES AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 506,275 FEET.
ALL IRON PINS LABELED AS SET OR FOUND (SPS OR IPP) ARE 1/2" REBAR RODS, UNLESS OTHERWISE NOTED.
INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON.
UNLESS STATED OTHERWISE HEREON, ONLY EVIDENCE OF EASEMENTS OR STRUCTURES THERETO WHICH ARE READILY APPARENT FROM A CASUAL ABOVE GROUND VIEW OF PREMISES ARE SHOWN. NO LIABILITY IS ASSUMED BY THE UNDERSIGNED FOR LOSS RELATING TO THE EXISTENCE OF ANY EASEMENT NOT DISCOVERED FROM MY CASUAL ABOVE GROUND VIEW OF THE PREMISES.
UNLESS STATED OTHERWISE HEREON, THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF AN ABSTRACT OF TITLE. NO LIABILITY IS ASSUMED BY THE UNDERSIGNED FOR LOSS RELATING TO ANY MATTER THAT MIGHT BE DISCOVERED BY AN ABSTRACT OR TITLE SEARCH OF THE PROPERTY.
THIS PLAT OF SURVEY MAKES NO WARRANTY OR GUARANTEE AS TO THE EXISTENCE OF ANY EASEMENTS OF ANY TYPE. NO ABSTRACT OR TITLE SEARCH WAS PERFORMED TO DISCOVER THE EXISTENCE OF ANY EASEMENTS.
ONLY ACTS OF POSSESSIONS, IF ANY, THAT ARE VISIBLE FROM CASUAL INSPECTION OF THE PROPERTY ARE SHOWN HEREON. NO WARRANTY OR GUARANTEE IS IMPLIED AS TO THE EXISTENCE OF ACTS OF POSSESSION BY THE ADJOINERS TO THE LANDS SHOWN AND DESCRIBED HEREON.
UNLESS STATED OTHERWISE, GOVERNMENTAL JURISDICTIONAL AREAS OR NEGATIVE EASEMENT, IF ANY, WHICH MIGHT IMPACT ON THE USE OF THE PREMISES WERE NOT LOCATED. NO LIABILITY IS ASSUMED BY THE UNDERSIGNED FOR ANY LOSS RESULTING FROM THE EXERCISE OF ANY GOVERNMENTAL JURISDICTION AFFECTING THE USE OF THE PREMISES.
REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SIGNED, DATED, AND SEALED WITH A SURVEYOR'S SEAL.

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IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.
THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITIES NAMED HEREON. NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY PERSONS OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

ZONING INFORMATION:
ZONING PER GWINNETT COUNTY
ZONED R-100
BUILDING SETBACK REQUIREMENTS:
FRONT - 30'
SIDE - 10'
REAR - 40'
NOTE:
ZONING INFORMATION SHOWN HEREON TAKEN FROM ZONING MAPS AND Municode.com ONLINE LIBRARY.
NO ZONING REPORT PROVIDED FOR THIS SURVEY.

FLOOD HAZARD STATEMENT:
THIS PROPERTY DOES NOT LIE WITHIN THE 1% ANNUAL FLOOD (100-YEAR FLOOD).
FEDERAL FLOOD HAZARD AREA AS PER PANEL NO. 1313500120F
DATE: SEPTEMBER 29, 2006

2"=3" FOR OFFICIAL USE ONLY
THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.
SIGNATURE: [Signature] JAMES A. JACOBS
PRINTED NAME: JAMES A. JACOBS
DATE: 6/10/18

REVISIONS	PROJECT DESCRIPTION:	SURVEY FOR:	ADAM & LEE LAND SURVEYING 5640 GA. HWY. 20 S. LOGANVILLE, GA. 30052 (770)554-8995 www.adamandlee.com FAX=(770)554-8134		
	2821 OZORA CHURCH ROAD LOGANVILLE, GEORGIA 30052				DATE OF PLAT PREPARATION: 6/19/18 BY: JHAG
	TRACT 16, CHECK ESTATES SUBDIVISION				DATE OF FIELD SURVEY: 6/12/18 BY: AMB
	COUNTY: GWINNETT DISTRICT: 5TH	SECTION:			DEED D.B. 55113, PG. 761 PLAT: P.B. 3, PG. 99 SCALE: 1" = 80' SHEET # 1 OF 1
LAND LOT: 197			18164		

SUP 2019-00009

1. Proposed 40' x 40' detached garage/storage 25' off of property line on side and approx. 225' from rear of house

2. Proposed 18' x 40' deck w/ stairs to replace existing deck.

3. Proposed gravel drive to garage/storage 10' x 315' w/ 15' gravel pad in front of building.



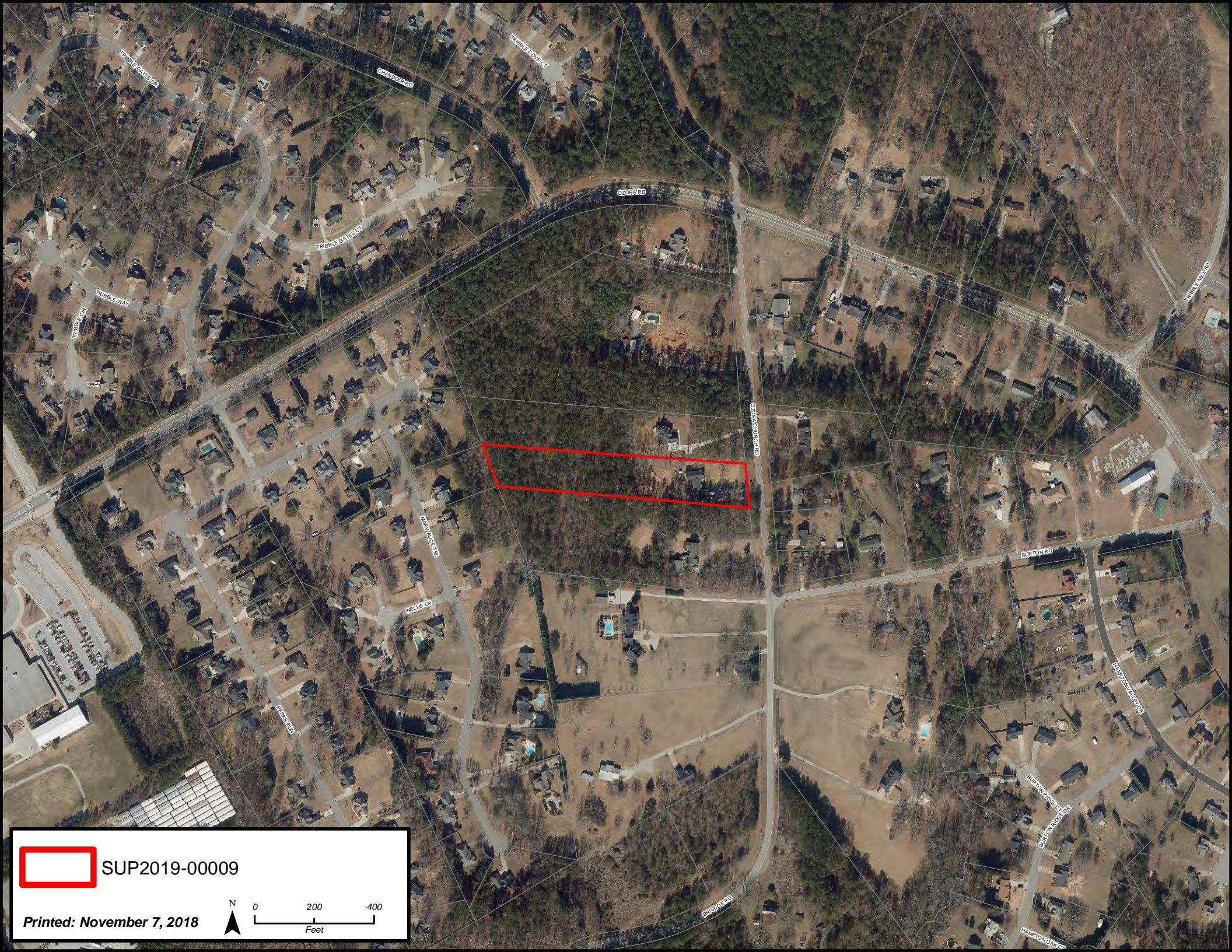
APPROVED
GWINNETT COUNTY ENVIRONMENTAL HEALTH


[Signature]

DATE 10-31-18

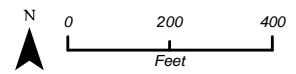
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SUP '19 009



 SUP2019-00009

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CHUMBER RD

TRIBBLE GATE CT

TRIBBLE GATES CT

OZORARD

GRANDVIEW BLVD

DASHY CREEK

NELVE LN

GRACE RD

BURTON RD

BURTON RIDGE CT

BURTON RIDGE DR

HAMPDEN SPQR

HAMPDEN GATE

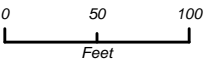
RESERVE RD

TRIBBLE HILL RD

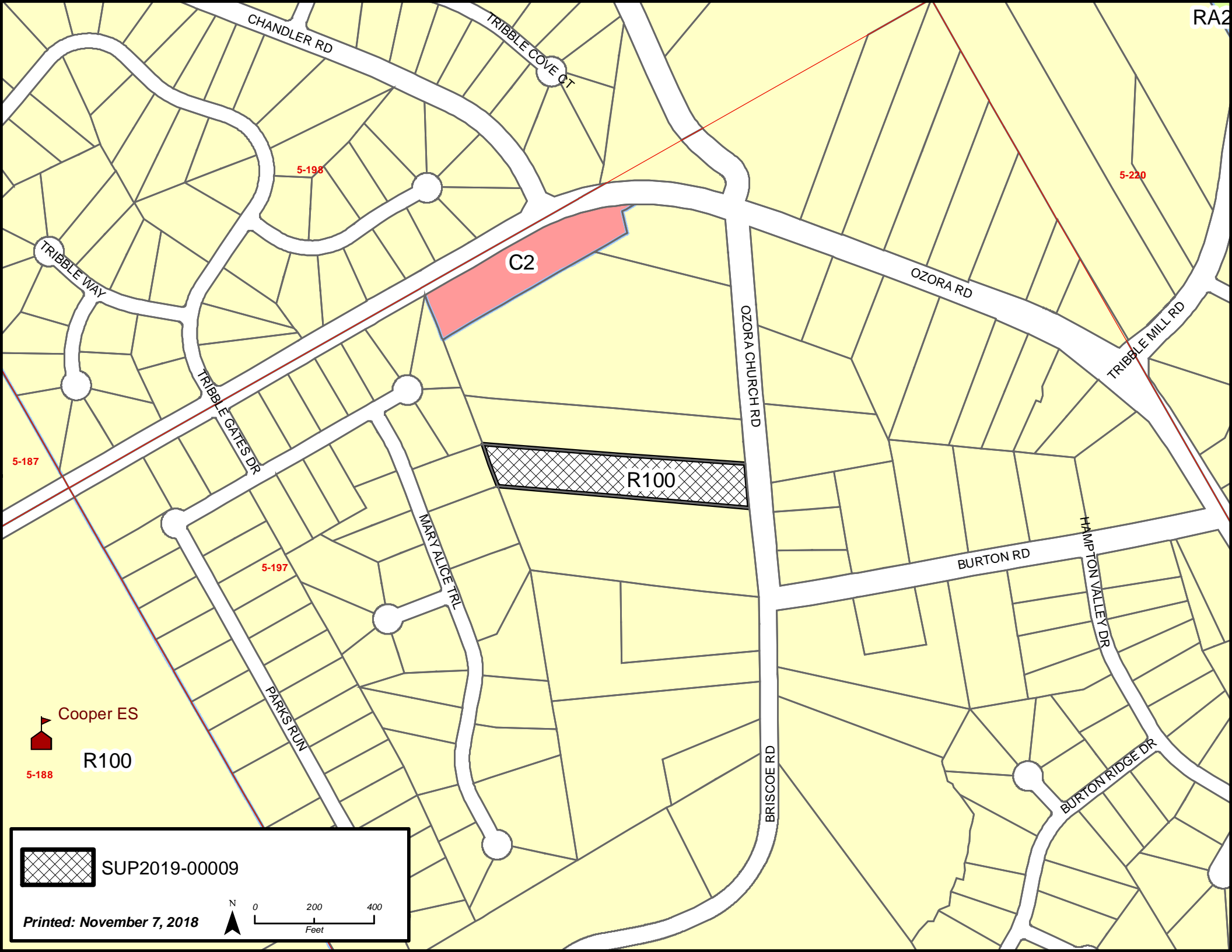
OZORACHURCH RD



SUP2019-00009




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Printed: November 7, 2018

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

CASE NUMBER :RZC2019-00002
ZONING CHANGE :R-75 TO O-I
LOCATION :6000 BLOCK OF SINGLETON ROAD
:6000 BLOCK OF DAWN WAY
MAP NUMBER :R6195 025
ACREAGE :0.43 ACRE
SQUARE FEET :1,620 SQUARE FEET
PROPOSED DEVELOPMENT :INSURANCE OFFICE (BUFFER REDUCTION)
COMMISSION DISTRICT :(2) KU

FUTURE DEVELOPMENT MAP: VIBRANT COMMUNITIES

APPLICANT: DUNG NGUYEN
6035 SINGLETON ROAD
NORCROSS, GA 30093

CONTACT: DUNG NGUYEN PHONE: 678.697.7555

OWNER: DUNG NGUYEN
6035 SINGLETON ROAD
NORCROSS, GA 30093

DEPARTMENT RECOMMENDATION: APPROVAL WITH CONDITIONS

PROJECT DATA:

The applicant is seeking to rezone a single parcel from R-75 to OI. The 0.43 acre property is located at the intersection of Singleton Road and Dawn Way. A single-story house occupies the site and the applicant is seeking to rezone the property to O-I for use as an insurance office. Site access to this corner parcel is through two driveways; one along Dawn Way and the other along Singleton Road. A drive in front of the house connects both driveways together. The applicant has also paved approximately one-half of the rear-yard. A buffer is required adjacent to all residentially zoned property including the northern property line of the subject property, which requires a 50-foot buffer. The applicant is requesting a buffer reduction along said property line.

ZONING HISTORY:

The subject property was originally zoned R-75 (Single Family Residence District). In 2007, per case RZC2007-00013, the site was rezoned to O&I (Office-Institutional

District) and approved with a reduction in buffers. In 2012, per case RZR2012-00002, the rezoning of the site was approved as R-75 (Single-Family Residence District).

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area. The building is served by sanitary sewer, resulting in minimal impact.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

Project access and required improvements along Singleton Road and Dawn Way will be subject to review and approval of Gwinnett County Department of Transportation.

A 5- foot wide sidewalk is required along the entire frontage of Dawn Way.

A landscape strip at least 10 feet in width adjacent to street right of ways must be provided.

Parking lots and interior driveways shall be in accordance with Chapter 240 of the Unified Development Ordinance.

Section 610-20.4B of the Unified Development Ordinance requires an additional 5-foot setback for all structures (driveways, detention ponds, retaining walls, dumpsters, etc.) adjacent to required buffers.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Singleton Road is a Minor Arterial and 40 feet of right of way is required from the centerline, with 50 feet required within 500 feet of a major intersection.

Dawn Way is a Local Residential Street and 25 feet of right of way is required from the centerline.

Entrances shall be provided to the site per current development regulations.

A 5-foot wide sidewalk will be required along the property frontage of Dawn Way.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of an 24-inch water main located on the northwest right of way of Singleton Road and a 6-inch water main located on the northeast right of way of Dawn Way.

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 and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of 8-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 300 feet south of parcel R6195 025 on parcel R6190 231. There are multiple options to connect to gravity sewer, all would require easements.

The subject development is located within the Yellow River service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

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 and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 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.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall obtain a building code compliance inspection of the existing building by the Building Construction Section of Department of Planning and Development and shall comply with inspection results.
2. The applicant shall submit civil site drawings to Building Plan Review for review and approval.
3. The applicant shall submit plans which clearly indicate any new construction as proposed by the applicant and as required by compliance inspection report for review and approval by Building Plan Review.
4. Upon completion of plan review approvals, the applicant shall obtain a building permit for any required renovation work and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at 678.518.6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The applicant is requesting the rezoning of a 0.43-acre parcel from R-75 to O-I to allow its use as an Insurance Office. The applicant is also requesting a buffer reduction. The property is located on the northwest corner of the Singleton Road and Dawn Way intersection. The site is presently developed with a single residential structure.

The Gwinnett County 2040 Unified Plan Future Development Map indicates the property is located within the Vibrant Communities Character Area. This Character Area is intended to serve as a transition between neighborhood nodes and mixed-use activity centers and surrounding, established single-family residential areas. This character area is generally located away from primary intersections. The proposed use of the site as an office and rezoning to O-I may be seen as appropriate and consistent with the policies of the 2040 Unified Plan at this location.

The area surrounding the subject parcel is characterized by a mix of commercial uses and residential subdivisions containing both single and multi-family housing. To the north, and also including a single lot to the west of the subject property, is the Chesterfield Manor subdivision, zoned R-75. The R-75 zoning district and the subdivision extend further to the east for those individual lots fronting Singleton Road and contain a mix of O-I and R-75 zoning.

In conclusion, the subject property is located in a transitional area between existing commercial development to the south and west with the single family residential subdivision to the north and the residences and O-I zoning extending east from the site. Given the mix of residential development and commercial uses in this area, the proposed rezoning at this location may be appropriate and may result in an appropriate transition for this location; therefore the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS**.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of rezoning to O-I for an Insurance Office Use is subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Office, Professional and accessory uses.
 - B. To limit the hours of accessory activities on the site to Monday through Friday, 9:00am until 5:00pm.
2. To satisfy the following site development considerations:
 - A. Provide a 10-foot landscaped buffer along rear property line adjacent to residentially zoned property. The buffer shall be subject to the review and approval of the Director of Planning and Development.
 - B. Provide a perimeter fence around the entire property, except along driveway easements. Fence location and materials shall be subject to the review and approval of the Director of Planning and Development.
 - C. Ground signage shall conform to current regulations and be limited to monument-type sign(s), and shall be subject to review and approval by the Director of Planning and Development. The sign shall include a minimum 2-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the sign cabinet shall be fully recessed and surrounded by the same materials. Ground signage shall not exceed 8-feet in height.
 - D. Dumpster location shall be screened by a 100 percent opaque brick or stacked stone wall with an opaque metal gate enclosure.
 - E. Exterior lighting shall be full cut-off type luminaries and shall be directed inward toward the property and not encroach onto adjacent properties or rights of way.
 - F. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

- G. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The proposed office use could be considered a suitable use on the subject site given the mix of adjacent and nearby uses in the area, including commercial buildings and uses and residential subdivisions.

ADVERSE IMPACTS

The proposed office use would have minimal impacts on the surrounding area.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

Some impact may be expected on utility demand, traffic and stormwater runoff.

CONFORMITY WITH POLICIES

The 2040 Unified Plan Future Development Map indicates that the property is located within the Vibrant Communities Character Area. The proposed development is considered consistent with 2040 Unified Plan policies if developed with the attached recommended conditions.

CONDITIONS AFFECTING ZONING

Previously the subject property was zoned O-I. A number of formerly residential lots fronting Singleton Road have been rezoned to O-I, establishing a precedent in support of the subject request.

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:

YES

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

NO

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

NO

- (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

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

YES

- (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:

NO

November 26, 2018

Property Owner:
Dung Nguyen
6035 Singleton Rd.
Norcross, GA 30093

Property Address: 6035 Singleton Road, Norcross, GA 30093

To: Gwinnett County Planning and Zoning or
To Whom It May Concern;

This letter is to inform you that I bought the house at 6035 Singleton Rd., Norcross, GA 30093 on June 28, 2011 as zoning **O&I** and this property belong to Gwinnett County, but on December 23, 2011 I filed rezoning to R-75 for living there with my children and now I would like to rezone back to O&I for open insurance office. Therefore I write this letter is asking your approval for my chance to work at Gwinnett County.

Thank you very much for your consideration,

Best Regards,

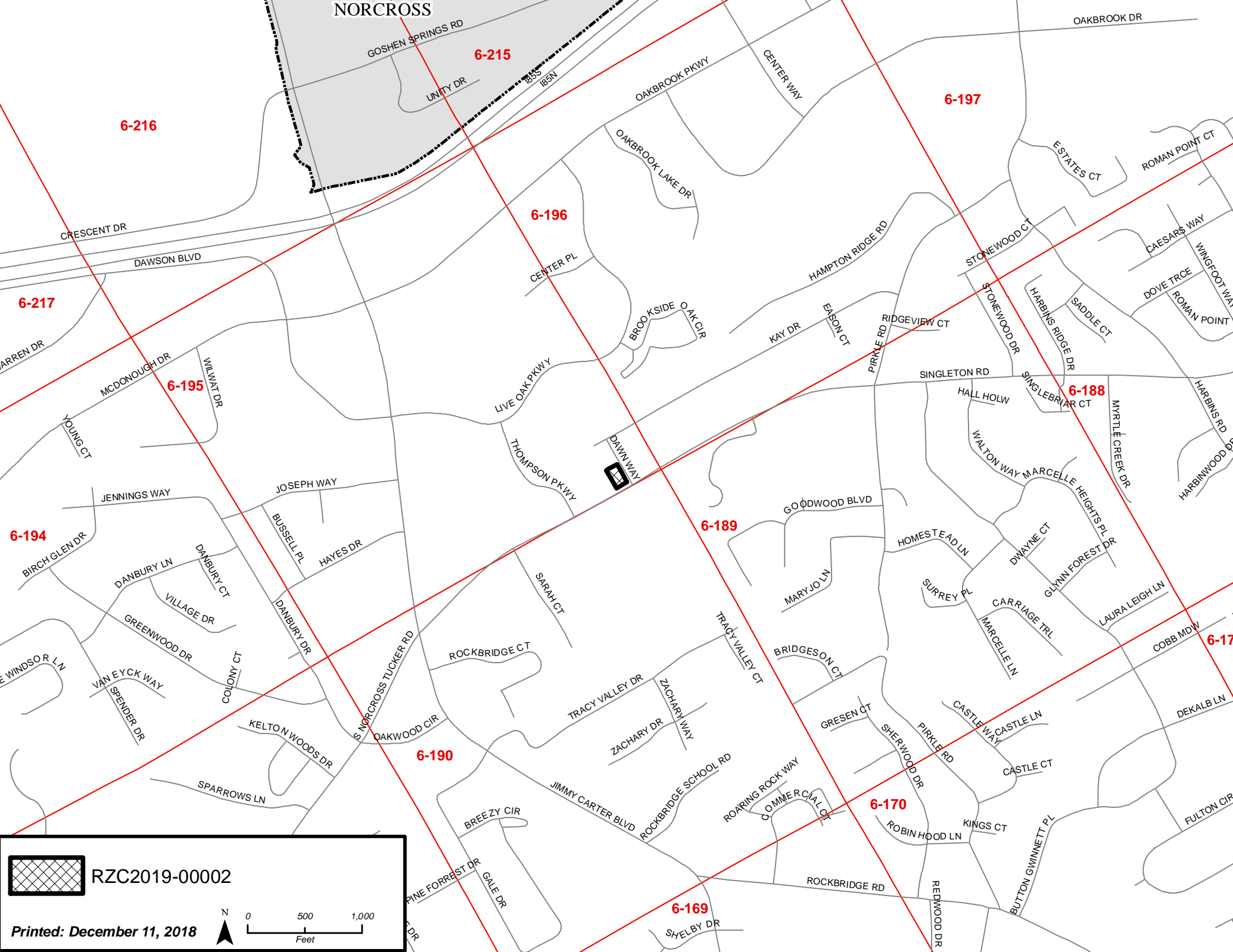


Dung Nguyen

RECEIVED BY
DEC 7 2018
PLANNING & DEVELOPMENT

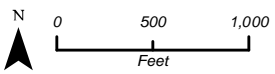
RZC2019-00002

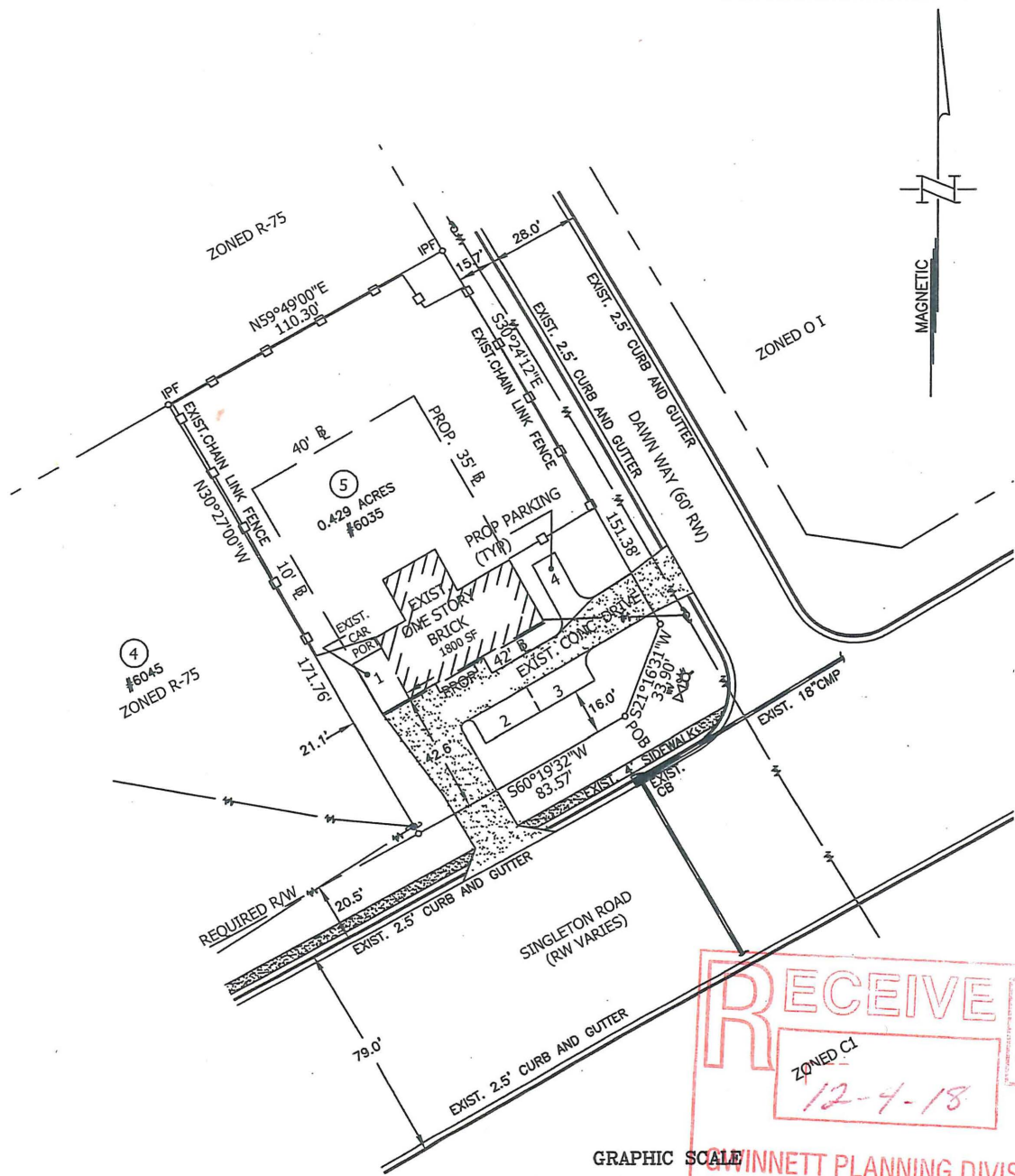
NORCROSS



RZC2019-00002

Printed: December 11, 2018





- LEGEND**
- ⊛ EXISTING FIRE HYDRANT
 - ⊠ EXISTING WATER VALVE
 - ⊕ POWER POLE AND OVERHEAD WIRE

GENERAL NOTES
 CURRENT ZONING = R 75
 PROPOSED ZONING = O & I
 SETBACKS:
 FRONT 50 FT
 SIDE 10 FT
 REAR 40 FT ABUTTING RESIDENTIAL
 PROPOSED FRONT SETBACKS SHOWN REQUIRE A VARIANCE

4 PARKING SPACES PROVIDES FOR UP TO 2000 SF OF OFFICE SPACE.
 PARKING SPACES INCLUDES 3 NEW SPACES AND ONE EXISTING SPACE IN CAR PORT.

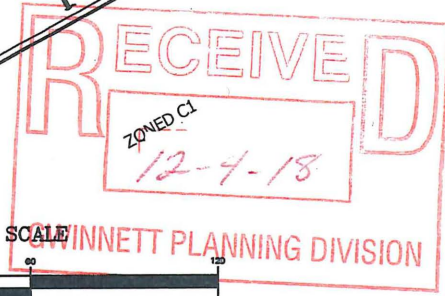
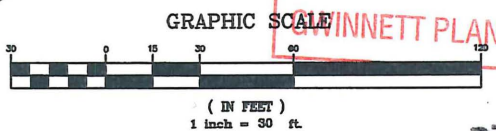
TOTAL AREA = 0.429 ACRES
 18,687 SQ. FT.

SURVEY INFORMATION TAKEN FROM PLAT BY MCCLUNG SURVEYING, INC., DATED MAY 15, 2001 FOR RICHARD H. JONES AND ALINDA A. JONES.

SURVEY NOTES

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES HAVE BEEN PAVED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, THE FOLLOWING OFFICES SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FOR FIELD LOCATIONS.
 TELEPHONE: BELLSOUTH
 ELECTRIC: GEORGIA POWER COMPANY
 WATER AND SEWER: GWINNETT COUNTY
 GAS: ATLANTA GAS LIGHT COMPANY

2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
3. DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
4. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000+ FEET, AND AN ANGULAR ERROR OF 02" PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000+ FEET. LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED BY USING A TOPCON TOTAL STATION.
 BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.
5. RIGHT-OF-WAY INFORMATION TAKEN FROM GWINNETT COUNTY R/W PLANS. PROJECT NO. B21190
 SHEET 2 OF 16



RZC '19002

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS PER GWINNETT COUNTY FLOOD PANEL NUMBER 130322 0165 B

SHEET 1 OF 1

SITE PLAN FOR VINCENT GAROFOLA

LAND LOT 195, 6TH DISTRICT, GWINNETT COUNTY, GA.

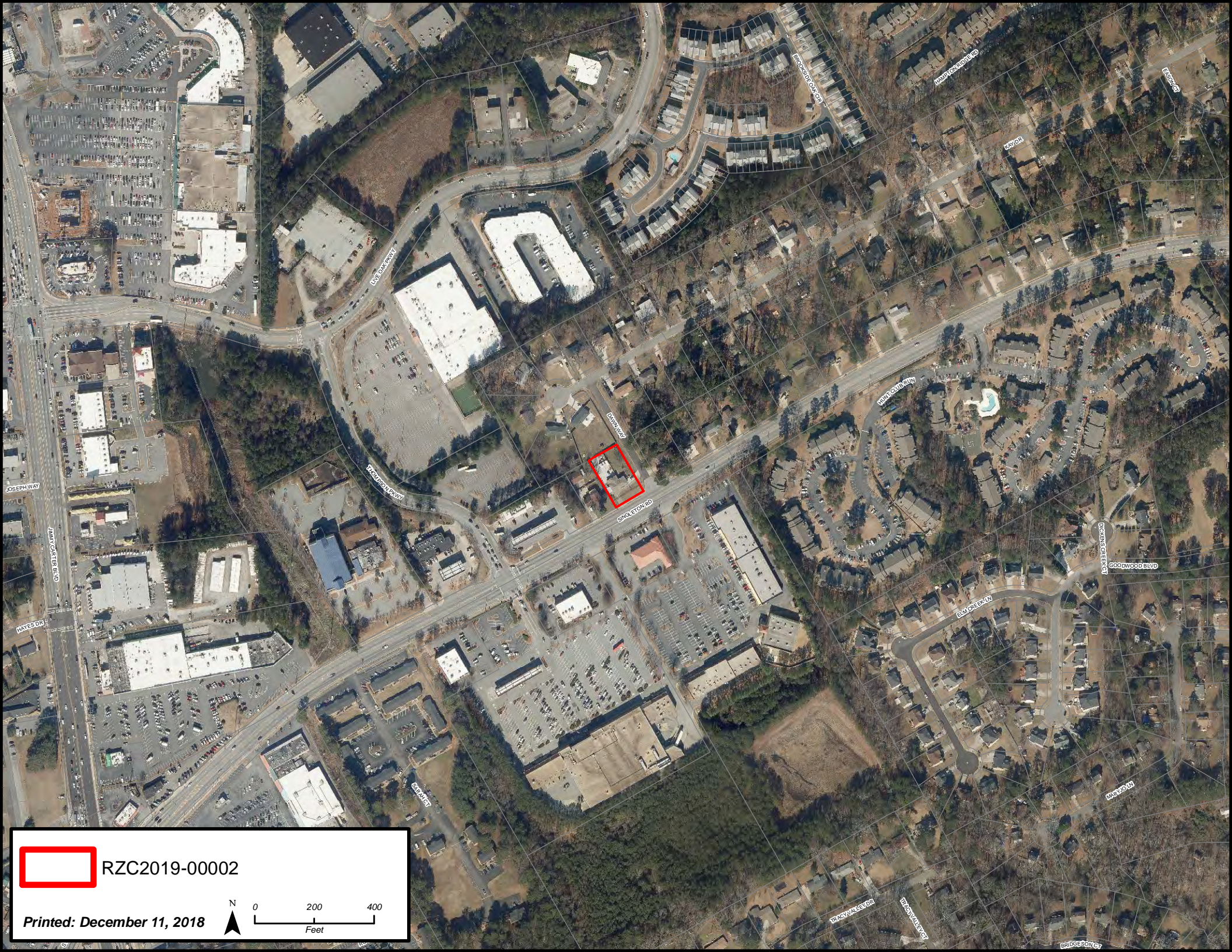
SCALE: 1"=30'
 DATE: 2-21-06
 JOB NO. G6012.00

ACTIVITY	NAME
DESIGNED BY:	S. PATTERSON
DRAWN BY:	M. SHANER
CHECKED BY:	S. TATE
APPROVED BY:	R. GALPIN
REGISTRATION NO.	20938

ashford engineers, inc.
 1995 North Park Place, Suite 450
 Atlanta, Georgia 30339
 Tel. (770) 435-2733 Fax. (770) 435-7639
 civil engineers - land planning - development services

THIS PLAN IS NOT TO BE REPRODUCED WITHOUT THE ENGINEER'S PERMISSION
 THIS PLAN IS NOT CERTIFIED UNLESS AN EMPRESSED SEAL APPEARS

NO.	DATE	DESCRIPTION	BY



RZC2019-00002



0 200 400
Feet

Printed: December 11, 2018

DAWN WAY

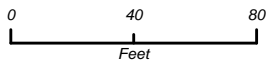
SINGLETON RD



RZC2019-00002



Printed: December 11, 2018



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

CASE NUMBER :**RZC2019-00003**
ZONING CHANGE :C-2 TO O-I
LOCATION :3000-3100 BLOCKS OF OLD PEACHTREE ROAD
:2100-2200 BLOCKS OF HURRICANE SHOALS ROAD
MAP NUMBER :R7018 028
ACREAGE :16.67 ACRES
UNITS :240 UNITS
SQUARE FEET :300,000 SQUARE FEET
PROPOSED DEVELOPMENT :INDEPENDENT LIVING, RETIREMENT COMMUNITY
COMMISSION DISTRICT :(3) HUNTER

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

CASE NUMBER :**SUP2019-00016**
ZONING :O-I (PROPOSED)
LOCATION :3000-3100 BLOCKS OF OLD PEACHTREE ROAD
:2100-2200 BLOCKS OF HURRICANE SHOALS ROAD
MAP NUMBER :R7018 028
ACREAGE :16.67 ACRES
PROPOSED DEVELOPMENT :BUILDING HEIGHT INCREASE TO 65 FEET
COMMISSION DISTRICT :(3) HUNTER

DEPARTMENT RECOMMENDATION: **DENIAL**

CASE NUMBER :**SUP2019-00017**
ZONING :O-I (PROPOSED)
LOCATION :3000-3100 BLOCKS OF OLD PEACHTREE ROAD
:2100-2200 BLOCKS OF HURRICANE SHOALS ROAD
MAP NUMBER :R7018 028
ACREAGE :16.67 ACRES
UNITS :240 UNITS
SQUARE FEET :300,000 SQUARE FEET
PROPOSED DEVELOPMENT :INDEPENDENT LIVING, RETIREMENT COMMUNITY
COMMISSION DISTRICT :(3) HUNTER

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

FUTURE DEVELOPMENT MAP: **EMERGING SUBURBAN**

APPLICANT: BEVERLY J. SEARLES FOUNDATION, INC.
C/O MAHAFFEY PICKENS TUCKER, LLP

1550 NORTH BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACT: SHANE LANHAM PHONE: 770.232.0000

OWNER: GEORGE LIU
1266 W. PACES FERRY ROAD, SUITE 581
ATLANTA, GA 30327

PROJECT DATA:

The applicant is requesting a rezoning and a Special Use Permit on a 16.67-acre parcel to O-I(Office-Institutional District) to allow for an Independent Living Retirement Community. The applicant has also made an associated Special Use Permit request to allow for a height increase for the building to 65 feet. The property is located on the northwestern corner of the Hurricane Shoals Road and Old Peachtree Road intersection. The site is presently undeveloped and heavily wooded.

The applicant requests 240 units to be located within a four-story 300,000-square foot building resulting in a density of 14.40 units per acre. The site plan further indicates outdoor amenities to include a community garden, courtyard, dog washing and walking areas. A total of 262 surface parking spaces are proposed which does not meet the minimum parking requirements per the Gwinnett County Unified Development Ordinance, and would require a variance.

Access is proposed via two entrances one off Hurricane Shoals Road and another off Old Peachtree Road. A stormwater facility is located on the western portion of the property along Hurricane Shoals Road. A 50-foot undisturbed buffer is shown adjacent to the western property line, which meets the buffer requirement for that property line. It is also noted, a buffer is required adjacent to all residentially zoned property including the northern property line, which requires a 50-foot undisturbed buffer also. The applicant has not shown a buffer along this property line.

ZONING HISTORY:

In 1970, the subject property was zoned RA-200 (Agriculture-Residence District). In 1975, a portion of the property was rezoned to C-1 (Neighborhood Business District) per an areawide rezoning. In 1993, a Special Use Permit for a Private School was approved, pursuant to SUP-93-020. In 2000, the property was rezoned to C-2(General Business District).

GROUNDWATER RECHARGE AREA:

The subject property is located within an identified Significant Groundwater Recharge Area. The development would be served by sanitary sewer, resulting in minimal impact.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

This site appears to be heavily wooded and may include specimen trees which are required by Unified Development Ordinance Section 630-70 to be preserved. A Specimen Tree Survey and a Specimen Tree Concept Plan must be submitted and approved prior to submittal of Development Plans for review.

Project access and required improvements along Old Peachtree Road and Hurricane Shoals will be subject to review and approval of Gwinnett County Department of Transportation.

Parking lots and interior driveways shall be in accordance with Chapter 240 of the Unified Development Ordinance.

A 200-foot deceleration lane with a 50-foot taper is required at the project entrance.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance. The property appears to contain stream buffers. The proposed conceptual plan may require revision to show the appropriate stream buffers.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Old Peachtree Road is a Minor Arterial and 40 feet of right of way is required from the centerline, with 50 feet required within 500 feet of a major intersection.

Hurricane Shoals Road is a Major Collector and 40 feet of right of way is required from the centerline.

A left turn shall be provided at the project entrances or driveways to be constructed as right in right out only.

Entrances shall be provided to the site per current development regulations.

Standard deceleration lane with appropriate taper and adequate right of way will be required.

The project entrance shall align with opposing roads or driveways in accordance with the Gwinnett County Unified Development Ordinance.

Prior to the issuance of a development permit, a sight distance certification shall be provided.

The number and locations of driveways are subject to Gwinnett County D.O.T. approval.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 12-inch water main located on the northeast right of way of Old Peachtree Road and a 12-inch water main located on the northwest right of way of Hurricane Shoals Road.

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 and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of 8-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located in the right of way of Hurricane Shoals Road.

The subject development is located within the Alcovy service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

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 and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 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.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit civil site drawings to Building Plan Review for review and approval.

2. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for each building for review and approval by Building Plan Review.
3. Each building shall comply with the height and area limitations of Table 503 and the fire resistive and horizontal separation requirements of Table 601 and 602 of the 2012 International Building Code with Georgia state amendments based on occupancy group classification, type of construction, and location of each building from property lines and other buildings.
4. Architectural design of the proposed building shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Design Category 1.
5. Upon completion of plan review approvals, the applicant shall obtain a building permit for each building and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at 678.518.6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The applicant is requesting a rezoning and a Special Use Permit on a 16.67-acre parcel to O-I (Office-Institutional District) to allow for an Independent Living Retirement Community. The applicant has also made an associated Special Use Permit request to allow for a height increase for the building to 65 feet. The property is located on the northwestern corner of the Hurricane Shoals Road and Old Peachtree Road intersection. The site is presently undeveloped and heavily wooded.

The Gwinnett County 2040 Unified Plan Future Development Map indicates the property is located within the Emerging Suburban Character Area. This Character Area encourages a mix of single family and senior housing. Additionally, policies of the Unified Plan support expanded housing opportunities for seniors, providing a residential environment with no or low maintenance responsibilities. The proposed senior housing development could be consistent with these policies of the 2040 Unified Plan. The proposed use of a senior residential living facility may be appropriate at this location, but the scale and size of the proposed development may not be compatible with the Unified Plan's policies for infill development.

The surrounding area is characterized by commercial uses and residential subdivisions. To the east and west are the Nichols Glen and Retreat at Apalachee subdivisions; both

are zoned R-ZT. To the east and south is commercially developed property within the city limits of Dacula. Further southwest is the Glens at Appalachian Woods subdivision, zoned R-100 Modified and undeveloped property zoned R-SR (Senior-Oriented Residence District) in 2018. North of the property is a private school zoned RA-200. The property is located in a transitional area between existing commercial development to the south and single family residential to the north and east, suggesting that the proposed development could be an appropriate transition for this location. Given the mix of residential development and retail uses in this area, the proposed rezoning for a retirement community at this location may be appropriate; however, the request for a 65 foot tall building with reduced buffers may be out-of-scale with the existing one and two-story development of the area.

The proposed rezoning for a senior housing development could be considered consistent with the Emerging Suburban Character Area and the policies of the 2040 Unified Plan. The proposed use could be an appropriate infill use and compatible with the uses found in the area. Provided the development is restricted in size and location to better reflect the existing scale of development in the area and protect existing residential development. The department recommends **APPROVAL WITH CONDITIONS** of the requested rezoning and Special Use Permit for a retirement community; however, for the reasons outlined in this report the department recommends **DENIAL** of the Special Use Permit for a building height increase.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of a rezoning to O-I and Special Use Permit for an Independent Living Retirement Community, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Office, Professional and accessory uses.
 - B. Limited to development as a retirement community for occupancy by persons 62 years of age and older as a special use. Final site design for the retirement community shall be subject to review and approval by the Director of Planning and Development.
 - C. The development shall be limited to a maximum of 240 total units.
 - D. Limit the height of the buildings to no more than 45 feet.
 - E. Buildings shall be of a brick, stacked stone and/or glass finish on all sides. Final building elevations shall be submitted for review by the Director of Planning and Development.
 - F. All units shall incorporate applicable accessibility standards known as "Easy Living Standards" which shall include the following:
 - Easy access step free feature at each entrance to the home.
 - Easy passage feature, to include 32-inch wide doorways.
 - Easy use feature, all units shall be one level.
2. To satisfy the following site development considerations:
 - A. Provide a 50-foot landscaped buffer adjacent to residentially zoned property. The buffer shall be enhanced where sparsely vegetated and subject to the review and approval of the Director of Planning and Development.
 - B. Provide a perimeter fence around the entire property, except along driveway easements. Fence location and materials shall be subject to the review and approval of the Director of Planning and Development.
 - C. The development shall be a gated community, with automated card access gates at all entrances/exits. The access gate system is required to be properly

maintained and functional at all times, with any required repairs to be made within one week.

- D. Natural vegetation shall remain on the property prior to issuance of a Development Permit.
- E. All disturbed grassed areas shall be sodded.
- F. All utilities shall be placed underground.
- G. Ground signage shall be limited to monument-type sign(s), and shall be subject to review and approval by the Director of Planning and Development. The sign shall include a minimum 2-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the sign cabinet shall be fully recessed and surrounded by the same materials. Ground signage shall not exceed 8-feet in height.
- H. Dumpster/trash compactor locations shall be screened by a 100 percent opaque brick or stacked stone wall with an opaque metal gate enclosure.
- I. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights of way.
- J. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
- K. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The proposed retirement community could be considered a suitable use on the subject site given the mix of adjacent and nearby uses in the area, including commercial and residential subdivisions.

ADVERSE IMPACTS

If developed in conformance with the recommended conditions, the proposed retirement community would have minimal impacts on the surrounding area.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

Some impact may be expected on utility demand, traffic and stormwater runoff.

CONFORMITY WITH POLICIES

The Gwinnett County 2040 Unified Plan Future Development Map indicates the property is located within the Emerging Suburban Character Area. This Character Area encourages single family residential, recreation and conservation development. Additionally, policies of the Unified Plan support expanded housing opportunities for seniors, providing a residential environment with no or low maintenance responsibilities. The proposed senior housing development could be consistent with these policies of the 2040 Unified Plan. The proposed use of a senior residential living facility may be appropriate at this location, but the scale and size of the proposed development may not be compatible with the Unified Plan's policies for infill development.

CONDITIONS AFFECTING ZONING

An R-SR (Senior-Oriented Residence District) development, RZR2018-00015, was recently approved across Hurricane Shoals Road adjacent to Rabbitt Hill Park, for senior housing in the area and therefore establishing a precedent for senior housing in the area.

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:

Please see attached

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

Please see attached

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

Please see attached

- (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:

Please see attached

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

Please see attached

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED REZONING:

Please see attached

RZC 2019-00003

RZC 19 003

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REZONING AND SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

(A) Yes, the proposed Rezoning and Special Use Permit applications (the "Applications") will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The proposed development will provide a transitional use from the commercial uses at the Hurricane Shoals Old Peachtree node to the residential uses to the west.

(B) No, the proposed development will not adversely affect the existing use or usability of adjacent or nearby properties. The proposed development will enhance the surrounding area and serve as an amenity for the community by providing additional housing options for seniors and allowing them to age in place closer to their families.

(C) Due to the location and layout of the subject property and the character of surrounding developments, the subject property does not have reasonable economic use as currently zoned.

(D) No, the proposed Applications will not result in an excessive or burdensome use of existing streets, transportation facilities, utilities or schools. The proposed development will generate less vehicular traffic than other permitted uses in the C-2 and O-I zoning classifications.

(E) Yes, the proposed development is in conformity with the policy and intent of the Gwinnett County 2030 and 2040 Unified Plans. Policy Goal A.4.4 of the 2030 Plan is to "Support Expanded Housing Opportunities for Seniors." Similarly, the 2040 Plan specifically encourages senior living in the Property's designated character area.

(F) The Applicant submits that the commercial/retail nature of the Property and its close proximity to residential areas provides additional support for approval of the Applications as a transitional use.

RZC 2019-00003

RZC 19 0003
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Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Christopher D. Holbrook
Nicholas N. Kemper
Shane M. Lanham
Austen T. Mabe

Jeffrey R. Mahaffey
Steven A. Pickens
Catherine V. Schutz
Thomas A. Simpson
Andrew D. Stancil
R. Lee Tucker, Jr.

*Of Counsel

LETTER OF INTENT FOR
REZONING AND SPECIAL USE PERMIT APPLICATIONS OF
BEVERLY J. SEARLES FOUNDATION, INC.

Mahaffey Pickens Tucker, LLP submits this letter of intent and related rezoning and special use permit applications (the “Applications”) on behalf of the Beverly J. Searles Foundation, Inc. (the “Applicant”) in order to develop an approximately 16.67-acre tract (the “Property”) located at the intersection of Old Peachtree Road and Hurricane Shoals Road just north of University Parkway (State Route 316). The Property is currently zoned C-2 and is located at an established commercial node. To the west, the Property is adjacent to land zoned RA-200 containing Hebron Christian Academy’s elementary school and the Retreat at Apalachee subdivision zoned R-ZT. Across Old Peachtree Road to the north is the Nichols Glen subdivision zoned R-ZT and to the east across Hurricane Shoals Road is a variety of commercial uses including a liquor store, self-storage facility, and convenience store with fuel pumps and restaurant. Additional land across the intersection and caddy corner from the subject Property is also zoned C-2.

The Applicant requests approval of the Applications in order to allow the construction of an approximately 300,000 square foot Independent Living Retirement Community. The Applicant is also partnering with Minnesota-based Dominion, which is a long-term owner, operator, developer and residential management company with 45+ years of experience in housing such as the proposed development. Dominion is among the Nation’s largest of such companies with over 30,000 units owned and managed. Dominion’s long-term approach and decades of experience would ensure a quality development for decades to come. Specifically, the Applicant is requesting (i) to down zone the Property from C-2 to the O-I zoning classification, (ii) a Special Use Permit for the use of Retirement Community, Independent Living, and (iii) an additional Special Use Permit for a building height increase to 65 feet.

The proposed development is compatible with the policies of the 2030 and 2040 Unified Plans which both encourage expanding housing options for seniors. The current 2030 Plan encourages land use decisions which allow residents to “age in place” in their current neighborhoods and communities as a way to increase the quality of life for all citizens of Gwinnett County. Expanding housing options for seniors allows current residents to remain in their communities as they progress through various stages of life and also provides housing options for senior citizens that retire from out of the area and choose to relocate closer to their families. Policy A.4.4 of the 2030 Plan is to “Support Expanded Housing Opportunities for

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RZC 2019-00003

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Seniors.” According to the 2030 Plan, “as more people choose to ‘age in place’ and/or relocate to Gwinnett to be closer to children and grandchildren, demand for various forms of senior housing will rise.” The proposed development will create a community for seniors to “age in place” in close proximity to necessary services such as grocery stores, banks, churches, pharmacies, and health care services as well as recreational activities at Rabbit Hill Park. Additionally, the 2040 Plan provides that while Gwinnett has “a broadly younger population, by 2040 many of the people who fueled Gwinnett’s initial waves of growth when they were young people will be in a dramatically different phase of life. Providing senior housing options will be critical to ensuring these people are able to remain a part of our community.” Similar to the 2030 Plan’s character area designation, the 2040 Plan designates the Property as within the Emerging Suburban Character Area which specifically encourages senior living as one of its “Potential Development Types.” In addition, the Property is located in an area that shares many characteristics with the Neighborhood Node Character Area given the surrounding commercial and institutional uses. The 2040 Plan also encourages senior living in this character area.

In addition to being supported by the land use policies set forth in the Gwinnett 2030 and 2040 Plans, the proposed development is in line with traditional land planning policies by providing an appropriate transition between commercial, institutional, and residential land uses. Approval of the Applications will reduce the intensity of potential development on the Property and will provide an appropriate transition from the high-intensity commercial uses at the Hurricane Shoals Old Peachtree node and the lower-intensity single-family residential uses to the west.

The proposed retirement community is designed for active adults and will provide several amenities to serve future residents. Specifically, the community will include a community garden, courtyard, walkways, benches, and dog washing and walking areas. Interior amenities will include common spaces dedicated for a fitness center, business center, game, card, and craft room, theatre, laundry facilities and beauty salon. Residences would be provided with full kitchens including dishwasher, stove, refrigerator, and microwave. Further, kitchens come equipped with modern powder-based stovetop fire suppression canisters above the stove top. Additionally, each unit will feature an exterior patio/balcony.

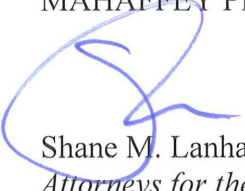
The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Applications filed herewith. The Applicant respectfully requests your approval of these Applications.

This 7th day of December, 2018.

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP

RZC 2019-00003


Shane M. Lanham
Attorneys for the Applicant

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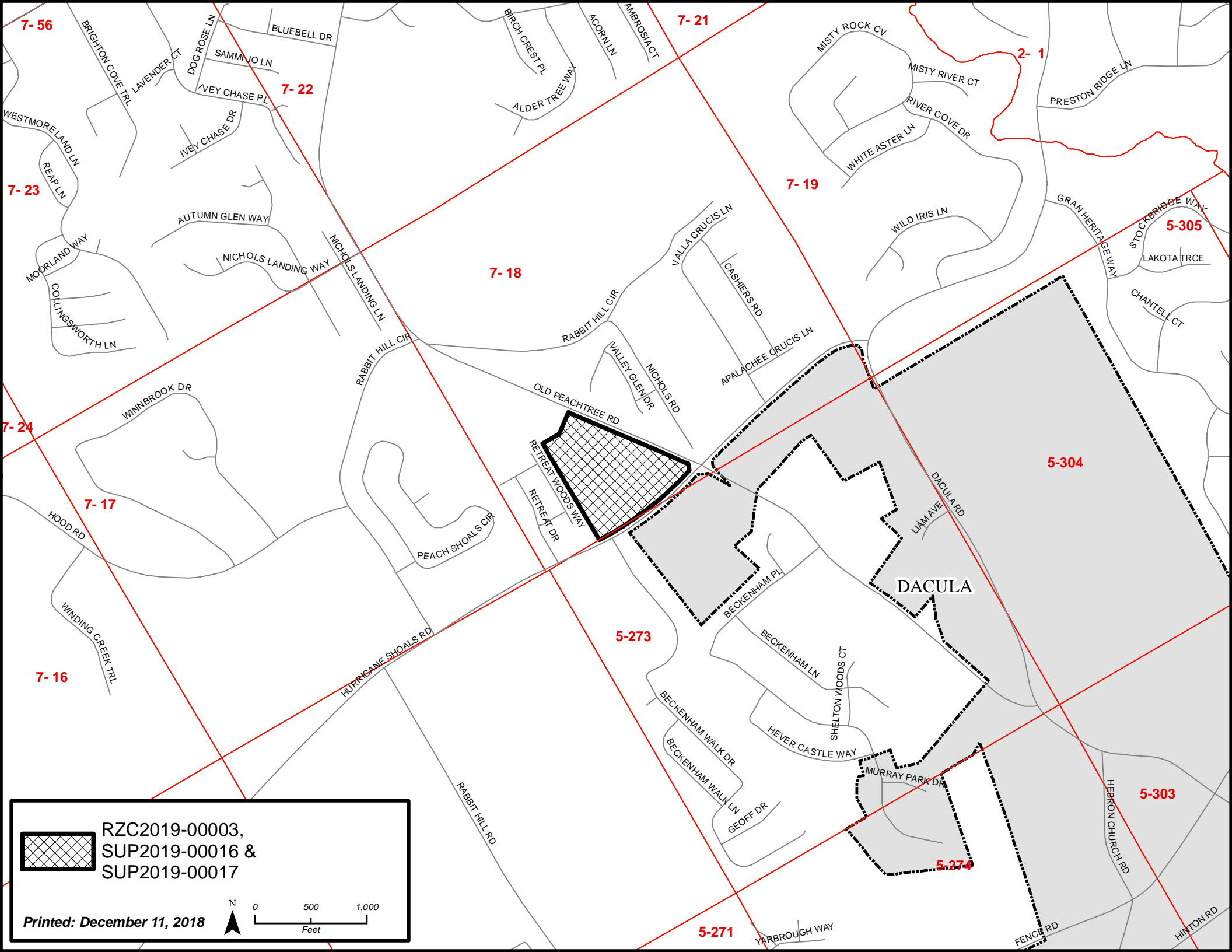
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Planning & Development

**Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, February**

Case #	Schools	Current Projections									Proposed Zoning Approximate additional Student Projections from Proposed Developments
		2019-20			2020-21			2021-22			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZC2019-00003	Mountain View HS	2,650	2,300	350	2,703	2,300	403	2,757	2,300	457	21
SUP2019-00016	Twin Rivers MS	2,071	2,150	-79	2,133	2,150	-17	2,176	2,150	26	11
SUP2019-00017	Dyer ES	890	1,175	-285	903	1,175	-272	917	1,175	-258	16
RZR2019-00004	South Gwinnett HS	2,634	2,750	-116	2,674	2,750	-76	2,714	2,750	-36	65
	Grace Snell MS	1,254	1,200	54	1,273	1,200	73	1,292	1,200	92	47
	Magill ES	1,141	1,525	-384	1,152	1,525	-373	1,163	1,525	-362	92

Current projections do not include new developments



7-56

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2-1

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DACULA

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RZC2019-00003,
SUP2019-00016 &
SUP2019-00017



Printed: December 11, 2018



RABBIT HILL CIR

RABBIT HILL CIR

INDIGO VALLEY DR

WILD GLENA DR

INDIGO DR

NOVA SLENDR

CLIFF DR

WILLOW DR

EMERALD CROISSANT

OLD PEACHTREE RD

RETREATMENT LN

RETREAT WOODS WAY

RETREAT LN

SCALES BEND WAY

N PEACHTREE SPANS RD

PEACHTREE SPANS DR

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BECKENHART DR

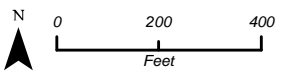
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RZC2019-00003,
SUP2019-00016 &
SUP2019-00017

Printed: December 11, 2018

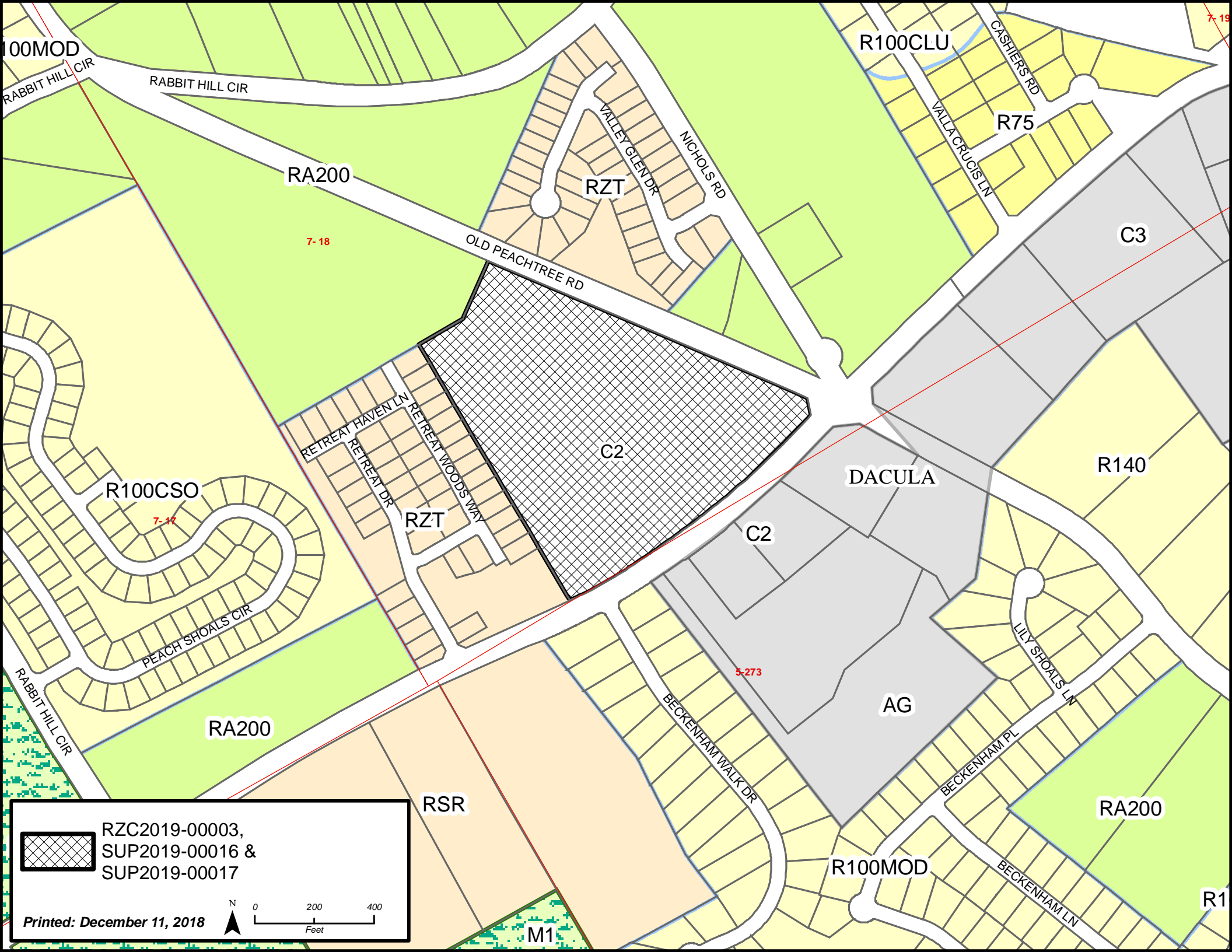





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SUP2019-00016 &
SUP2019-00017

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 RZC2019-00003,
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Printed: December 11, 2018

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R140

C2

RA200

AG

RSR

RA200

R100MOD

M1

R1

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

CASE NUMBER :RZR2019-00003
ZONING CHANGE :R-100 TO RA-200
LOCATION :3200 BLOCK OF BROOKS DRIVE
MAP NUMBER :R5100 049
SQUARE FEET :4,968 SQUARE FEET
ACREAGE :3.0 ACRES
PROPOSED DEVELOPMENT :AGRICULTURAL USES/GREENHOUSE
COMMISSION DISTRICT :(3) HUNTER

FUTURE DEVELOPMENT MAP: **ESTABLISHED NEIGHBORHOODS**

APPLICANT: OBO FOODS
C/O SHAUN ADAMS, ESQ.
ANDERSEN, TATE & CARR, P.C.
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GA 30097

CONTACT: SHAUN R. ADAMS, ESQ. PHONE: 770.822.0900

OWNER: KAREN STOUT
C/O SHAUN ADAMS, ESQ.
ANDERSEN, TATE & CARR, P.C.
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GA 30097

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The subject property contains a 3.0-acre parcel located on the north side of Brooks Drive west of its intersection with Rosebud Road. Currently zoned R-100 (Single-Family Residence District), the applicant seeks rezoning to RA-200 (Agriculture-Residence District) in order to develop an aquaponics greenhouse on the site. A new 4,968-square foot building is proposed to be utilized for the aquaponics greenhouse in addition to the existing one-story, 2,505-square foot home and 1,152-square foot barn, for a total of 8,625-square feet of floor area.

The submitted site plan indicates a single access point off Brooks Drive, from a shared driveway on the adjacent parcel. This driveway would require an access agreement with the adjacent neighbor and being of gravel construction would also require a variance approval with the County. The minimum parking required for a plant nursery of

this size would be 10 spaces; no parking has been indicated on the site plan provided. A reduction in parking could be supported by the department in light of no retail sales occurring on site and wanting to minimize the impact this use would have on the surrounding area. The building is shown 20-feet off the side property line and 40-foot off the rear property line which meets the building setback requirements for RA-200. A 20-foot building setback is shown along the west and east property lines adjacent to existing single-family residences.

ZONING HISTORY:

In 1970, the subject property was zoned RA-200. In 1973, the property was rezoned to R-100(Single-Family Residence District) per an areawide rezoning.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Brooks Drive is a Local Street and 30 feet of right of way is required from the centerline.

The developer shall be limited to one curb cut.

Prior to the issuance of a development permit, a sight distance certification shall be provided.

Commercial Activity will require the current driveway to commercial standards.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of an 8-inch water main located on the southeast right of way of Brooks Drive.

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 and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of 8-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 900 feet west of parcel R5100 049 in the right of way of Brooks Drive. Easements would be required.

The subject development is located within the Lower Big Haynes service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

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 and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 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.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall obtain a residential building permit for the greenhouse structure and achieve satisfactory field inspections for issuance of a Certificate of Completion.

For assistance, you may contact this office at 678.518.6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject property contains a single 3.0-acre parcel located on the north side of Brooks Drive west of its intersection with Rosebud Road. Currently zoned R-100 (Single-Family Residence District), the applicant seeks rezoning to RA-200 (Agriculture-Residence District) in order to develop a greenhouse on the site. The property is currently developed with a single story residence, accessory structures and residential driveway.

The 2040 Unified Plan Future Development Map indicates the subject site lies within the Established Neighborhoods Character Area. This character area primarily encourages low density single family residential development and neighborhood-serving commercial uses and encouraging changes in land use to be consistent with surrounding properties. An aquaponics greenhouse without on-site retail sales could be consistent with policies of the plan to protect the existing character of the residences in the surrounding area. Restrictions on prohibiting on site retail sales, outside employees, and outside storage could mitigate some adverse impacts on adjacent neighbors and the surrounding area.

The surrounding area is characterized by single-family homes on large lots and subdivisions. Adjacent lots to the north, south, east, west and across Brooks Drive to the south are single family homes zoned RA-200 (Agriculture-Residence District) and R-100 (Single-Family Residence District) with several of the lots having accessory buildings. Further west is the St. Oliver's Plunkett Catholic Church, within the city limits of Snellville. Restrictions limiting the use could mitigate any adverse impacts on neighboring properties the greenhouse might cause. Limiting the size of the building and requiring buffering adjacent to single-family residentially zoned property could help mitigate any visual and noise impacts on surrounding properties.

In conclusion, this request for a rezoning for a greenhouse facility on the subject site may be incompatible with the surrounding single-family residences and too intense of a commercial use for this location; therefore, staff recommends **APPROVAL WITH CONDITIONS**.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as RA-200 (Agriculture-Residence District) for an aquaponics greenhouse, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Limited to use as a residence and aquaponics greenhouse facility. Retail or direct customer sales shall be prohibited from the property. The greenhouse shall have no outside employees and no customers are allowed on site.
 - B. One business vehicle is permissible. This vehicle may only be an automobile, pick-up truck, van or sport-utility vehicle to be used for delivering plants to another location for sale.
 - C. Greenhouse building shall be limited to no greater than 5,000-square feet.
 - D. Outdoor storage of materials is prohibited.
 - E. Provide a minimum of 3 unpaved parking spaces.
 - F. Provide a 50-foot wide natural undisturbed buffer adjacent to all residentially-zoned properties. The buffer shall be enhanced where sparsely vegetated.
 - G. Ground signage shall be limited to one externally-illuminated sign, and shall be subject to review and approval by the Director of Planning and Development. Ground signage shall not exceed six feet in height.
 - H. Outdoor storage shall be prohibited. Storage of any items related to aquaponics shall be stored inside a building.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The proposed greenhouse could be consistent with other accessory uses in agriculture zoning districts within the county.

ADVERSE IMPACTS

With staff's recommended conditions, adverse impacts from the proposed greenhouse on adjacent and nearby properties could be reduced.

REASONABLE ECONOMIC USE AS ZONED

The subject property has a reasonable economic use as zoned.

IMPACT ON PUBLIC FACILITIES

An increase in impacts on public facilities in the form of traffic and utility demand could be expected from the proposed use.

CONFORMITY WITH POLICIES

The 2040 Unified Plan Future Development Map indicates the subject site lies within the Established Neighborhood Character Area. This character area primarily encourages low density single family residential development and neighborhood-serving commercial uses. A greenhouse as an accessory to the existing residence could be consistent with the plan provided the use is limited. Restrictions on prohibiting outside employees, customers from coming to the property and outside storage could mitigate some adverse impacts on adjacent neighbors and the surrounding area.

CONDITIONS AFFECTING ZONING

Restrictions limiting the use could mitigate any adverse impacts on neighboring properties the greenhouse might cause. Limiting the size of the building and requiring buffering adjacent to single-family residentially zoned property could help mitigate any visual and noise impacts on surrounding properties.

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.

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Please see attached

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

Please see attached

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

Please see attached

- (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:

Please see attached

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

Please see attached

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED REZONING:

Please see attached

APPLICANT'S RESPONSE
REZONING APPLICATION FOR 3288 BROOKS DRIVE, LOGANVILLE, GA

- A) WHETHER A PROPOSED REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes. The proposed use is consistent with the nearby uses in the area. There will be little to no impact on adjacent and nearby property uses.

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

No. The proposed use would be completely contained within the existing property with appropriate buffers. There would be little to no impact on adjacent and nearby properties and the use would not adversely affect these properties.

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

No. The subject property is currently zoned R100. The rezoning request to RA200 is compatible with the use demands of the market as well as existing uses and usability of the adjacent and nearby properties.

- 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 use will not cause any additional or excessive use of existing streets, transportation facilities or utilities. There will be no impact on the schools. This property is located in an area with public water and sewer availability, and access to major thoroughfares, highways and interstate.

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

Yes. This application is for a rezoning to RA200 is consistent with the 2030 Unified Plan which encourages community serving retail and commercial services within the Corridor Mixed-Use Character 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 REZONING:

RZR 2019-00003

RZR 2019003

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Yes. The proposed use is entirely appropriate in light of emerging needs for Gwinnett citizens and land uses in the surrounding area. The requested rezoning is necessary to enable the Applicant to operate at this location.

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ANDERSEN | TATE | CARR

Shaun R. Adams
Email: sadams@atclawfirm.com

Telephone: 770.822.0900
Direct Dial: 678.518.6855
Direct Fax: 770.236.9702

December 7, 2018

RZR 2019-00003

VIA HAND DELIVERY

Gwinnett County
Attn: Kathy Holland, Director of Planning and Development
446 West Crogan Street
Lawrenceville, Ga 30046-2440

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Planning & Development

**RE: LETTER OF INTENT FOR OBO FOODS REGARDING PROPERTY
LOCATED AT 3288 BROOKS DRIVE LOGANVILLE, GA 30052**

Dear Director and Staff:

Andersen, Tate & Carr, P.C. submits this Letter of Intent and attached rezoning application (the "Application") on behalf of OBO Foods (the "Applicant"), for the purpose of requesting a rezoning from R100 to RA-200 to construct a greenhouse on an approximately 3.00 acre-tract of land, located at 3288 Brooks Drive, Loganville, Ga 30052 (hereinafter "Subject Property"), which is located west of Rosebud Rd on the north side of Brooks Drive. The Applicant is seeking a rezoning of parcel R5100-049.

We are respectfully requesting a rezoning to allow the construction of a greenhouse of approximately 5,000 square feet in size to be built in phases. The three-acre site currently contains a one-story single-family structure, and a detached barn to the rear of the principal dwelling. The Subject Property has a gradual slope towards the rear of the property, with the elevation dropping approximately 20ft from Brooks Drive to the rear property line. The Subject Property also contains a densely wooded natural buffer along the side and rear property boundaries. The combination of the slope and natural boundary buffer will act as a privacy screen between the adjacent property owners and the proposed location of the greenhouse at the rear of the property.

The proposed rezoning to RA-200 is consistent with Gwinnett's 2030 Unified Plan which encourages community serving commercial mixed in with medium density residential in the Corridor Mixed-Use Character Area. There is an existing RA-200 tract that abuts the Subject Property along the rear and left side of the tract and multiple C-1 parcels across the street. The Subject Property has access to a public water supply, public sanitary sewer, and convenient access to connector streets, major thoroughfares, and highways.

RZR 19 0003

The Subject Property is an appropriate location for the proposed rezoning and would have little to no impact on the surrounding properties. The proposed use for the Subject Property is suitable for the location and consistent with the adjacent properties that consist of the same, or similar zoning districts.

The Applicant welcomes the opportunity to meet with the Gwinnett County Planning and Development Staff to answer any questions or address any concerns relating to this letter or the Rezoning Application. The Applicant respectfully requests your approval of the Application.

Respectfully Submitted,

ANDERSEN, TATE & CARR, P.C.

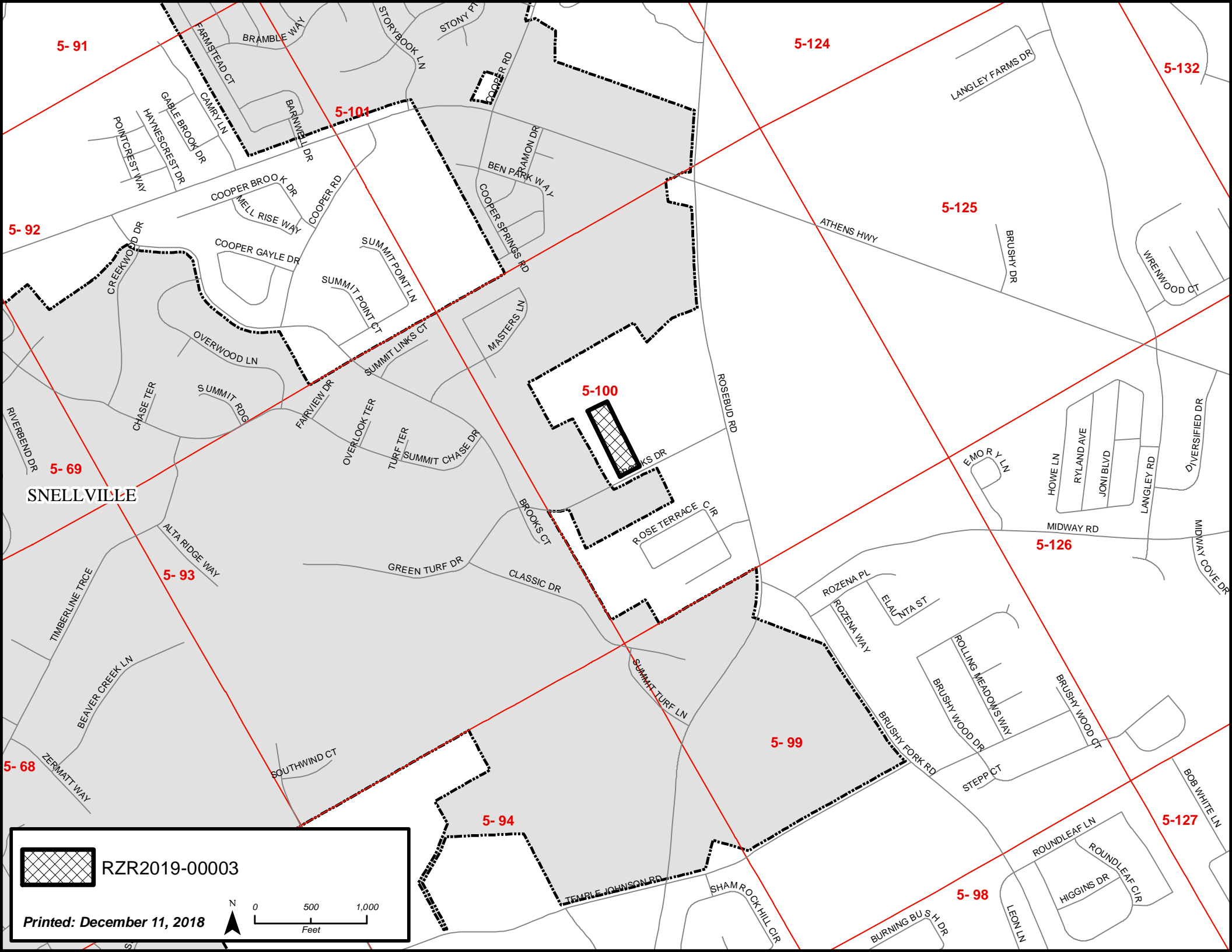


Shaun R. Adams

Enclosure

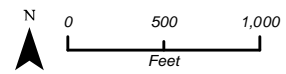
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SUMMIT POINT DR

MASTERS LN

SUMMIT LAWS CT

TRUCKLER

SUMMIT CHASE DR

GREENWAY DR

BROOKS DR

ROSE TERRACE CIR

ROSEBUD RD

MORNING DR

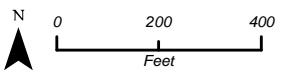
BRUSHY CREEK RD

ROSEVA PL



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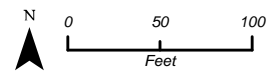
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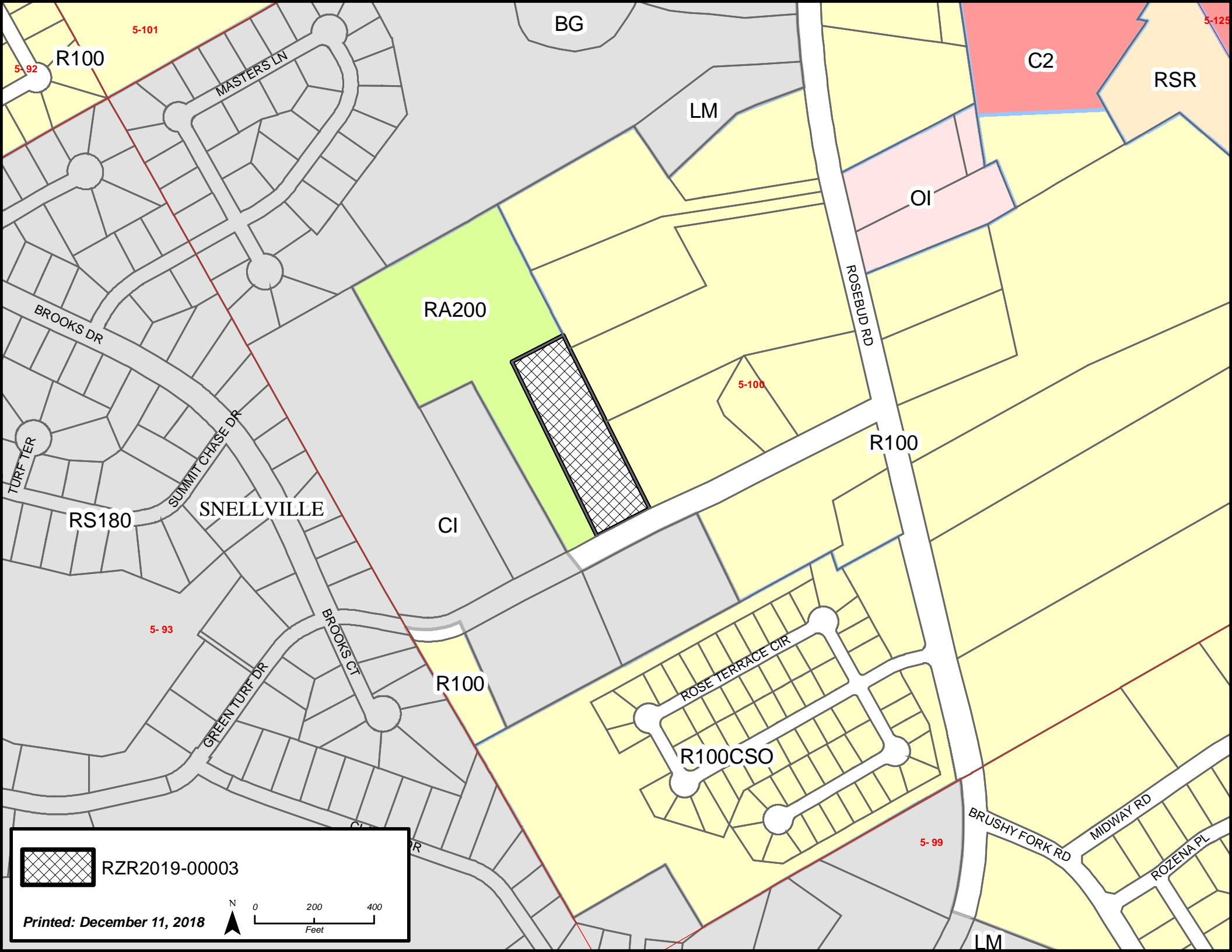


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BROOKS DR



5-92

R100

5-101

MASTERS LN

BG

LM

C2

RSR

5-125

OI

ROSEBUD RD

RA200

5-100

R100

BROOKS DR

TURF TER

SUMMIT CHASE DR

RS180

SNELLVILLE

CI

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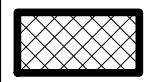
GREEN TURF DR

BROOKS CT

R100

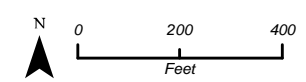
ROSE TERRACE CIR

R100CSO



RZR2019-00003

Printed: December 11, 2018



5-99

BRUSHY FORK RD

MIDWAY RD

ROZENA PL

LM

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

CASE NUMBER :RZR2019-00004
ZONING CHANGE :R-100 TO OSC
LOCATION :1100-1200 BLOCKS OF OLD LOGANVILLE ROAD
 :3700 BLOCK OF STEPHENS ROAD
MAP NUMBER :R5095 007
ACREAGE :84.65 ACRES
UNITS :204 UNITS
PROPOSED DEVELOPMENT :SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT :(3) HUNTER

FUTURE DEVELOPMENT MAP: SUBURBAN ESTATE LIVING

APPLICANT: EDGE CITY PROPERTIES, INC.
 C/O MAHAFFEY PICKENS TUCKER, LLP
 1550 NORTH BROWN ROAD, SUITE 125
 LAWRENCEVILLE, GA 30043

CONTACT: SHANE LANHAM PHONE: 770.232.0000

OWNER: BSD INVESTMENTS, LP
 PO BOX 24
 TUCKER, GA 30085

DEPARTMENT RECOMMENDATION: APPROVAL WITH CONDITIONS

PROJECT DATA:

The applicant requests the rezoning of an 84.65-acre parcel from R-100 (Single-Family Residence District) to OSC (Open Space Conservation District) for construction of a 204 lot single-family residential subdivision. The property is located on the eastern side of Stephens Road and the northern side of Old Loganville Road, between Stephens Road and Brushy Fork Road. The property is primarily undeveloped pasture land with one existing single-family residence. Brushy Fork Creek transects the northern corner of the property. Additional environmental features include an existing pond with an outfall stream flowing offsite into Brushy Fork Creek, and a granite outcropping.

The applicant is proposing a 204 lot OSC subdivision that will conserve 28.2-acres of the 84.65-acre tract. Subtracting the proposed impervious surface of the recreation area (0.32-acre) from the conservation area yields a net conservation of 27.88-acres or 32.9% of the total site area. Since the proposed conservation area of 32.9% is above the

minimum required 25%, the project is eligible for a density bonus of 0.17 dwellings/acre. With the density bonus, the maximum density of the project is 2.67 dwellings/acre. Utilizing the method for calculating net density, which excludes 50% of the site area that is within a floodplain, the proposed net density of the project is 204 units/78.14-acres or 2.61 dwellings/acre.

A traffic calming round-about is planned just interior to a single point of access proposed off Old Loganville Road. The site is designed with minimal dead end or cul de sac streets, primarily utilizing an interconnected street pattern. The terminus of the prominent cul de sac street is the community recreation facility which includes a pool, clubhouse, and parking. Central to the site is the preservation of the existing pond with walking trails surrounding the perimeter, which also connect to the street sidewalks providing a passive recreation amenity. A centralized mail kiosk is provided on proposed street 'D' with 9 parking spaces.

According to the site plan, the typical lot for the development would be 65 feet in width, 8,125 square feet in area, and served by Gwinnett County sanitary sewer. The proposed lots meet the Gwinnett County Unified Development Ordinance (UDO) requirements for OSC. The letter of intent states that the new residences will be a minimum 1,650 square feet for one-story and 2,000 square feet for two-story, with two-car garages, and front facades a mixture of brick, stone, and/or fiber-cement shake/siding (including board and batten).

An OSC-zoned development requires a form of transition when located adjacent to agricultural or single-family residential uses. The Unified Development Ordinance (UDO) provides three options, and the applicant has chosen to provide a 50-foot conservation space strip adjacent to properties zoned R-100 which border the northern and western property lines. The site plan reflects a 50-foot undisturbed stream buffer and 75-foot impervious setback along the existing streams, with all new development located outside of these areas. The site plan indicates portions of the proposed street frontage buffer to be less than the required 50 feet.

Also of note is that several of the proposed lots are shown to be within the floodplain. The applicant indicates the floodplain that is shown on the site plan has not been studied, but will need to be conducted, in the future through the development process if the project is approved.

ZONING HISTORY:

The property has been zoned R-100 since 1973 through an area wide rezoning.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property contains areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development. The applicant/developer shall obtain all required approvals from the Gwinnett Department of Water Resources and the U.S. Army Corps of Engineers for construction or land disturbance activities which may impact floodplain or wetland areas.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

Portions of this site appear to be heavily wooded and may include specimen trees which are required by the UDO to be preserved. A Specimen Tree Survey and a Specimen Tree Concept Plan must be submitted and approved prior to submittal of Development Plans for review.

Some of the lots (17-18, 25-28 and 62) appear to be within approximate floodplain limit. Section 210-50.12 of the Unified development Ordinance requires that the area contained within a residential lot must be exclusive of the 100 –year floodplain, wetlands, stream buffers, required buffers, and slopes exceeding 25 percent.

Project access and required improvements along Old Loganville Road will be subject to review and approval of Gwinnett County Department of Transportation.

A 200-foot deceleration lane with a 50-foot taper is required at the project entrance. The submitted site plan shows 100 feet deceleration lane with 50 feet taper. Applicant must either review the site plan, or seek a modification from the Unified Development Ordinance.

A 50-foot street frontage buffer must be maintained natural and undisturbed as per Unified Development Ordinance Section 210-50.13. The applicant must to review the site plan to remove lots (2, 110, 9 thru16) from 50-foot street frontage buffer.

Four-foot wide sidewalks are required on both sides of interior streets including “eyebrow” turn-around and cul-de-sacs.

The U.S Postal service requires a centralized mail delivery kiosk replacing individual mail boxes. The location and access with parking area must be reviewed and approved by Gwinnett County Department of Transportation.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance. The property appears to contain stream buffers and floodplain. The proposed conceptual plan may require revision to show the appropriate stream buffers and floodplain.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Old Loganville Highway is a Minor Collector and 30 feet of right of way is required from the centerline.

Stephens Road is a Local Street and 30 feet of right of way is required from the centerline.

A left turn shall be provided at the project entrances.

Entrances shall be provided to the site per current development regulations.

Standard deceleration lane with appropriate taper and adequate right of way will be required.

The project entrance shall align with opposing roads or driveways in accordance with the Gwinnett County Unified Development Ordinance.

Prior to the issuance of a development permit, a sight distance certification shall be provided.

Minimum separation from a driveway, public road, or side street shall be provided as specified in the Gwinnett County Unified Development Ordinance.

A 5-foot wide sidewalk will be required along the property frontage.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 12-inch water main located on the northwest right of way of Old Loganville Road and a 2-inch water main located on the southwest right of way of Stephens Road.

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 and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of 8-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located on parcel R5095 007.

The subject development is located within the Lower Big Haynes service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

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 and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 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.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The applicant seeks rezoning from R-100 to OSC in order to develop a 204-lot single-family residential subdivision. The property is located on the eastern side of Stephens Road and the northern side of Old Loganville Road, between Stephens Road and Brushy Fork Road. The property is presently undeveloped pasture land with one existing single-family residence.

The 2040 Unified Plan Future Development Map indicates the property is located within a Suburban Estate Living Character Area. Policies for this Character Area encourage agriculture, estate residential, and conservation. The proposed rezoning is supported by the policies of the 2040 Unified Plan as open space conservation subdivisions are an encouraged potential development type.

The zoning of properties in the surrounding area is a mix of undeveloped and developed R-100, OSC, and CSO. To the south are the Savannah Ridge and Butler Springs subdivisions. To the north is the Compton Woods subdivision and to the east is the Village at Brushy Fork, an OSC subdivision yet to be developed. In the general vicinity of the subject site or more particularly, to the east of Brushy Fork Road are the JC McGill Elementary and Grace Snell Middle Schools.

In conclusion, the proposed OSC development should be considered consistent with the Suburban Estate Living Character Area policies of the 2040 Unified Plan. Further, the proposed development should be seen as compatible with the established development patterns and recent development approvals in the area. Therefore, the Planning and Development Department recommends **APPROVAL WITH CONDITIONS**.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as OSC (Open Space Conservation District) for a Single Family Subdivision, subject to the following enumerated conditions:

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

- A. Single-family detached dwellings and accessory uses and structures not to exceed 204 lots.
- B. The minimum heated floor area per dwelling unit shall be 2,000 square feet for one story homes and 2,400 square feet for two story homes.
- C. Homes shall be constructed with three sides of brick and/or stacked stone. The balance of the home may be the same or of fiber-cement shake or siding with a three-foot brick or stone water table.
- D. All dwellings shall have at least a double-car garage. The garage doors shall be located behind the front façade front door facing the street of access.
- E. Provide amenities as shown on the site plan dated November 2, 2018

2. To satisfy the following site development considerations:

- A. The development shall abide by all applicable standards of the Unified Development Ordinance, unless otherwise specified in these conditions or through approval of an administrative variance or by the Zoning Board of Appeals, as appropriate.
- B. All primary conservation space shall remain undisturbed.
- C. A minimum 50-foot wide conservation space strip shall be provided around the perimeter of the property with the exception of property adjoining OSC property in which case the width of the conservation space strip may be 25 feet.
- D. A specimen tree concept plan and tree survey shall be required with the submittal of a development permit application.
- E. No direct lot access shall be allowed onto Old Loganville Road or Stephens Road.
- F. The Old Loganville Road frontage and project entrance shall be landscaped by the developer and maintained by the Homeowner's Association. Entrance shall

include a decorative masonry entrance feature. Landscape and entrance feature plans shall be subject to review and approval of the Director of Planning and Development.

- G. An active amenity area shall be constructed as shown on the submitted site plan. Off-street unpaved trails and pedestrian connections to the conservation areas and amenity area shall be provided throughout the development. Trails and amenities shall be provided around the detention ponds. Final layout and design of these features shall be subject to the review and approval of the Director of Planning and Development.
- H. Natural vegetation shall remain on the property until the issuance of a development permit.
- I. All grassed areas on dwelling lots shall be sodded.
- J. All utilities shall be placed underground.
- K. Building lots shall not be located within any required stream buffers or accompanying impervious surface setback areas.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF THE ZONING

SUITABILITY OF USE

The OSC request could be considered suitable at this location in light of existing R-100 CSO subdivision developments in the area, and the preservation of a substantial portion of the site as primary conservation space.

ADVERSE IMPACTS

With the recommended conditions, potential impacts should be minimized.

REASONABLE ECONOMIC USE AS ZONED

The subject property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

An increased impact on public facilities could be anticipated in the form of increased traffic, school enrollment, stormwater runoff and utility demand.

CONFORMITY WITH POLICIES

The request could be considered consistent with policies of the 2040 Unified Plan, which open space conservation subdivisions and protection of environmental features.

CONDITIONS AFFECTING ZONING

The preservation of streams and wooded areas on the site, and the incorporation of recommended conditions to provide amenities within the development, lend supporting grounds for approval of OSC zoning for this site.

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:

See attached

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

See attached

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

See attached

- (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:

See attached

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

See attached

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED REZONING:

See attached

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REZONING APPLICANTS RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) Approval of the proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The proposed development is a single-family residential neighborhood that will conserve important natural areas. The Property is adjacent to land that is zoned OSC and is in the general area of several other single-family residential developments.
- (B) The proposed rezoning will not adversely affect the existing use or usability of any of the nearby properties. The proposed development is compatible with existing land use and surrounding development.
- (C) Due to the size, layout, location, and topography of the subject property, the Applicant submits that the subject property does not have reasonable economic use as currently zoned.
- (D) The proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems. The subject property is located off of Old Loganville Road with access to utilities. Further, the relatively low development density will not overly burden infrastructure systems.
- (E) The proposed rezoning is in conformity with the policy and intent of the Land Use Plan.
- (F) Applicant submits that the single-family residential nature of the area, the fact that the Property is adjacent to land already zoned OSC, and the Property's proximity to U.S. Highway 78 provide additional support of this Application.

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Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Christopher D. Holbrook
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Shane M. Lanham
Austen T. Mabe

Jeffrey R. Mahaffey
David G. McGee
Steven A. Pickens
Catherine V. Schutz
Thomas A. Simpson
Andrew D. Stancil
R. Lee Tucker, Jr.
*Of Counsel

**LETTER OF INTENT FOR
REZONING APPLICATION OF EDGE CITY PROPERTIES, INC.**

Mahaffey, Pickens Tucker, LLP submits this Letter of Intent and attached Rezoning Application (the “Application”) on behalf of Edge City Properties, Inc. (the “Applicant”) for the purpose of requesting the rezoning of approximately 84.65 acres of land (the “Property”) situated on the north side of Old Loganville Road between Brushy Fork Road and Rosebud Road in southeastern Gwinnett County. The Property is mostly pasture and woods and is currently zoned R-100 with convenient access to Highway 78 from Rosebud Road/Brushy Fork Road and Old Loganville Road.

The Applicant is requesting to rezone the Property to the OSC zoning classification in order to permit the development of the Property for use as a single-family residential community including a total of 204 detached homes at a size, quality and price commensurate with or exceeding existing homes in the surrounding area. The proposed OSC zoning classification would allow the Applicant to develop the Property for its intended use while also protecting over 25 acres of natural areas as primary conservation space. This proposed conservation subdivision is in line with existing zoning classifications in the area including an adjacent tract zoned OSC which was approved by the Board of Commissioners in October 2017.

The proposed community would include a mixture of one-story ranch and two-story traditional homes with a minimum of 1,650 square feet for the one-story homes and 2,000 square feet for the two-story homes. The homes proposed would contain two-car garages and attractive architectural design similar to homes in the surrounding area. The front façades of the proposed homes would include a mixture of brick, stone, and/or fiber-cement shake/siding (including board and batten). The proposed development would also contain a recreation/amenity area for the use of residents including a pool and clubhouse. The proposed development is a low-intensity residential subdivision which would have an overall density of approximately 2.4 units per acre which is consistent with the policies set forth in the Gwinnett County 2030 Unified Plan as well as the 2040 Unified Plan. The 2040 Plan designates the Property as within the Suburban Estate Living Character Area and it is adjacent to land within the Established Neighborhoods Character Area. Encouraged land uses for both character areas include single-family detached residences at densities and styles compatible with surrounding uses. The Property is adjacent to land zoned R-100 CSO (Gwinnett’s first iteration of conservation zoning) and an existing OSC development with frontage on Brushy Fork Road. Across Brushy Fork Road to the east is the Cobblestone Mill subdivision zoned R-100 Modified. Snell Middle School and Magill Elementary School are also located on the east side of Brushy Fork Road and are large-scale institutional uses despite

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RZR 19 00 4

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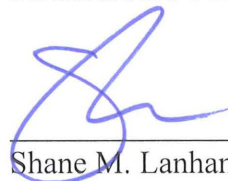
their R-100 zoning classifications. Accordingly, the proposed OSC community is compatible with surrounding zoning classifications and land uses. Moreover, the 2030 Plan and 2040 Plan both specifically encourage Open Space Conservation subdivisions.

The proposed development would be a quality development that is compatible with development in the surrounding area. The proposed development would also preserve important green space in a rapidly-growing area of Gwinnett County. Specifically, the proposed development would preserve over 27.8 acres of net conservation area which is more than 32.5% of the OSC Property's land area. Further, surrounding development and existing homes would not face major negative impacts as a result of the proposed development as a result of the substantial buffering required under the UDO in conjunction with extensive additional buffering preserved by the Applicant as conservation space.

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

Respectfully submitted this 7th day of December 2018.

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham
Attorneys for the Applicant

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RZR 19 00 4

**Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, February**

Case #	Schools	Current Projections									Proposed Zoning Approximate additional Student Projections from Proposed Developments
		2019-20			2020-21			2021-22			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZC2019-00003	Mountain View HS	2,650	2,300	350	2,703	2,300	403	2,757	2,300	457	21
SUP2019-00016	Twin Rivers MS	2,071	2,150	-79	2,133	2,150	-17	2,176	2,150	26	11
SUP2019-00017	Dyer ES	890	1,175	-285	903	1,175	-272	917	1,175	-258	16
RZR2019-00004	South Gwinnett HS	2,634	2,750	-116	2,674	2,750	-76	2,714	2,750	-36	65
	Grace Snell MS	1,254	1,200	54	1,273	1,200	73	1,292	1,200	92	47
	Magill ES	1,141	1,525	-384	1,152	1,525	-373	1,163	1,525	-362	92

Current projections do not include new developments

Single Family Detached Ranch Series



Front Elevation



Side Elevation



Rear Elevation



**EDGE CITY
PROPERTIES**

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Single Family Detached Two-Story Series



Front Elevation

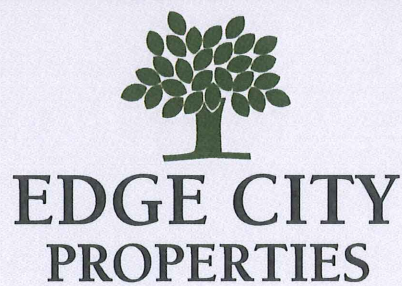


Side Elevation

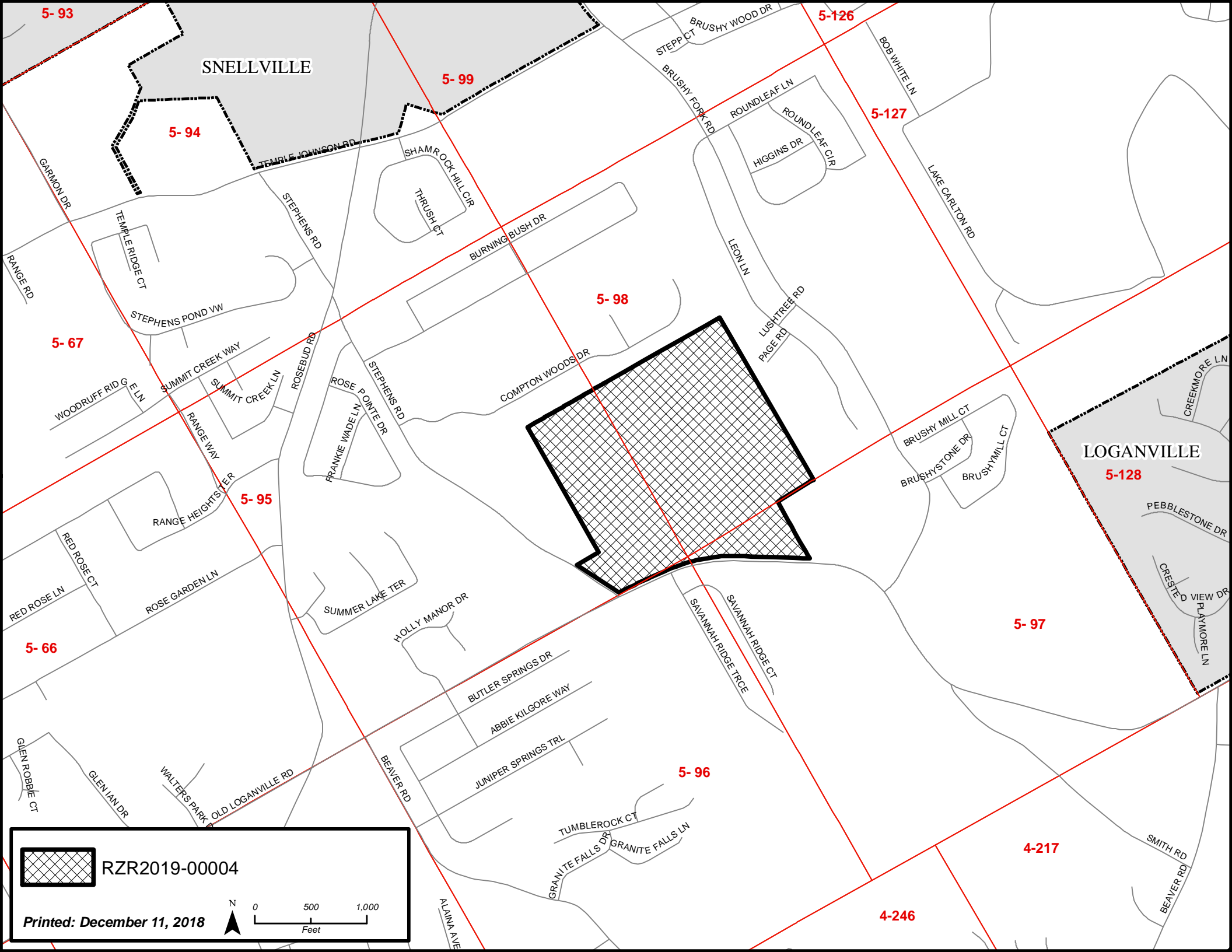


Rear Elevation

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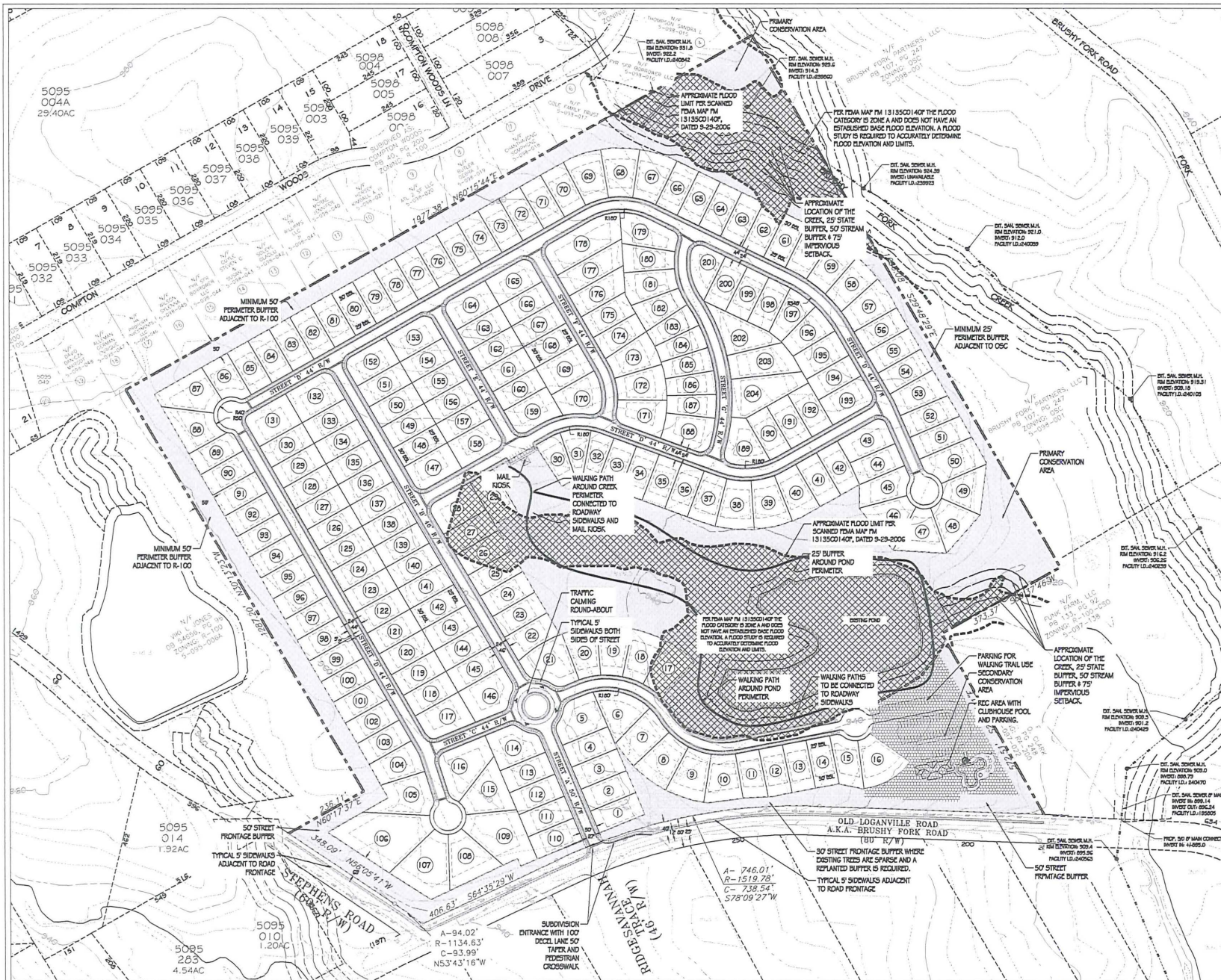
SNELLVILLE

LOGANVILLE

 RZR2019-00004

Printed: December 11, 2018

N
0 500 1,000
Feet



APPLICANT:
 HILLBROOK
 EDGE CITY PROPERTIES, INC.
 6301 DOWNEY
 DUBLIN, GA 30096
 770-942-2000
 MOTER@EDGE.CY

VICINITY MAP

PROPOSED USE:
 THE APPLICANT PROPOSES THE REZONING OF THE SUBJECT PARCEL FOR THE DEVELOPMENT OF A SINGLE FAMILY RESIDENTIAL SUBDIVISION FOLLOWING THE GWINNETT COUNTY DEVELOPMENT STANDARDS FOR AN OPEN SPACE CONSERVATION (OSC) ZONING CATEGORY. EXISTING ZONING FOR THE SUBJECT PARCEL IS R-100 UNINCORPORATED GWINNETT COUNTY.

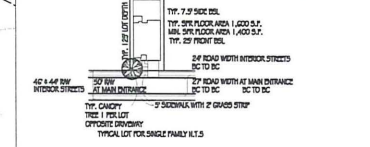
UTILITIES:
 SANITARY SEWER GRAVITY FLOW BY GWINNETT COUNTY.
 WATER SERVICE BY GWINNETT COUNTY.

OSC DIMENSIONAL STANDARDS:
 MINIMUM LOT SIZE: 1000 SQ.FT.
 MAX. NET DENSITY: 13
 MIN. LOT WIDTH: 18 FT.
 MIN. FRONT SETBACK: 25 FT.
 MIN. SIDE SETBACK: 15 FT.
 MIN. REAR SETBACK: 30 FT.
 MIN. SIDEWALK WIDTH: 4.0 FT. @ 1000 SQ.FT.
 MIN. COMMON AREA: 25%
 MAX. BUILDING HEIGHT: 25 FT.

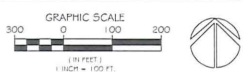
- SITE NOTES:**
- The subject property (Parcel I.D. 5-095-007) is predominantly open pasture. There are certain status wetlands, buffers, 100-year flood zones and wetlands.
 - Site Area: 84.65
 - Total Lots: 204
 - Gross Density: 2.40 Units Per Acre
 - Net Density: Area in Floodzone: 13.25 Acres; 13.25 / 2 = 6.62; 84.65 - 6.62 = 78.04 Net Acreage; 204 / 78.14 = 2.61 Net Units Per Acre, Density Bonus per Table 210.1.1 = 0.11 dwellings / Acre, 2.61 Net Units Per Acre with Bonus
 - Current Zoning: Gwinnett County R-100 Single Family Residential
 - Proposed Zoning: Gwinnett County Open Space Conservation (OSC) Zoning District
 - Minimum Lot Size for OSC Single Family is 7,500 sq.ft.
 - Closed Boundary Survey prepared by Midland-Cover & Associates dated 10-30-2018.
 - Flood Limits per FEMA Flood Panel 13135C01040P dated 9-28-2006. Zone A with no established flood elevation.
 - Only slope at 20% or greater are located at the dam and is proposed to remain undisturbed.

- CONSERVATION SPACE REQUIREMENTS:**
- Site Area: 84.65
 - 20% of the Site shall be Conservation Areas. 84.65 * .25 = 21.16 Acres Min.
 - Proposed Conservation Area: 28.2 Acres
 - Area of Rare Area Impervious: 0.32 Acres
 - Net Conservation Area: 27.88 Acres (32.5%)
 - Density Bonus = 0.11 Dwellings / Acre
 - 27.76 Acres (32.5%) > 21.16 Acres (25%), Conservation Area Satisfied.
 - Primary Conservation Area: 25.41 Acres
 - Secondary Conservation Area: 2.83 Acres - Recreation Area Impervious (0.32 Acres) = 1.87 Acres
 - Total Conservation Area = 27.28 Acres

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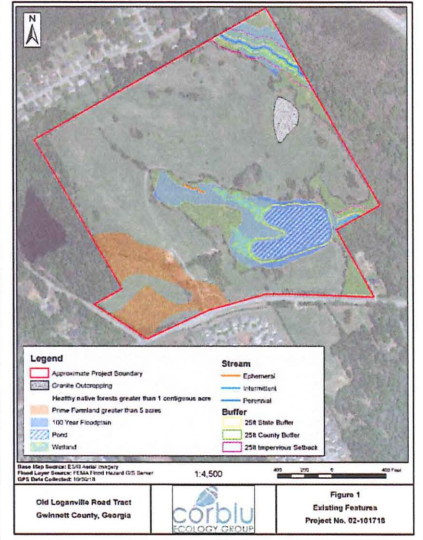
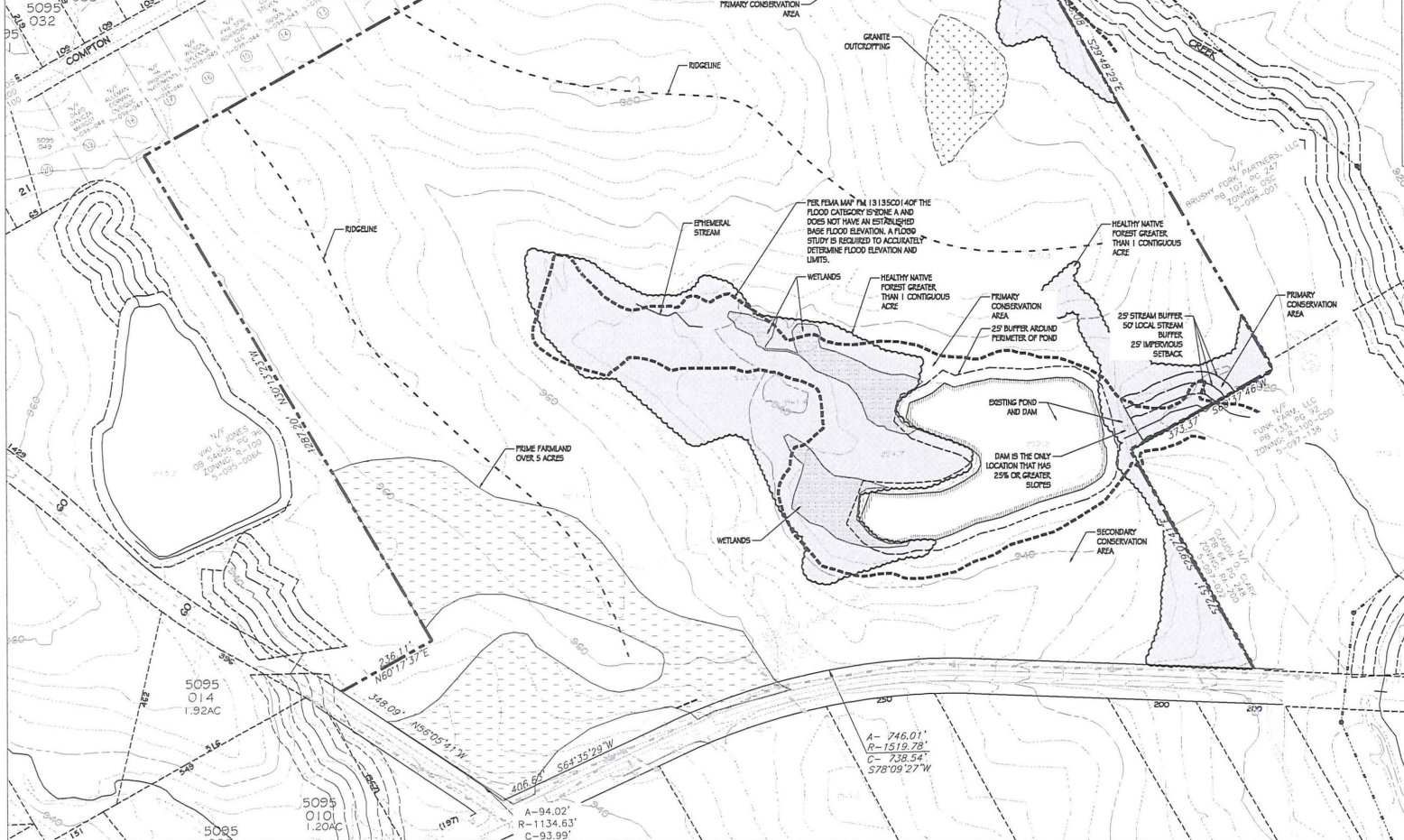
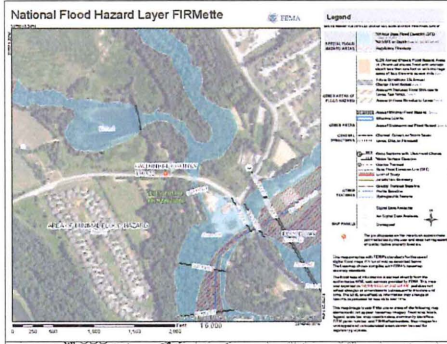


ZONING CONCEPT PLAN
1213 OLD LOGANVILLE RD.
 Loganville, GA. Unincorporated Gwinnett County 5th District, Land Lot 095 Parcel I.D. 5-095-007
 November 2nd, 2018



Plan prepared by:
MDA
 MIDLAND-COVER & ASSOCIATES, INC.
 1000 W. MARKET STREET, SUITE 100
 ATLANTA, GA 30334
 404.525.1100
 MDA@MCA.NET

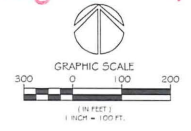
CONTACT: CHRIS MCCLARY - CMCC@MCA.NET - 770-832-6550



EXISTING FEATURES SITE ANALYSIS PLAN

- NOTES:**
- CLOSED BOUNDARY SURVEY FROM MCFARLAND-DYER & ASSOCIATES DATED 10-30-2018.
 - THE FLORA & FAUNA AND JURISDICTIONAL FEATURES WERE SURVEYED BY CORBLU ECOLOGY GROUP ON 10-30-2018.
 - CORBLU'S ANALYSIS REVEALED NO PROTECTED SPECIES WERE FOUND, NOR SUITABLE HABITAT.
 - PER FEMA FIRM PANEL FM 13135C0140F THE SUBJECT PROPERTY CONTAINS ZONE A FLOOD AREAS.
 - THE SUBJECT PROPERTY HAS NOT BEEN TIMBER HARVESTED IN THE PREVIOUS 24 MONTHS.
 - SITE OBSERVATIONS REVEALED NO HISTORICAL OR ARCHAEOLOGICAL FEATURES ON THIS SITE.
 - THE FORESTED AREAS ARE MIXED PINE AND HARDWOOD PRIMARILY COMPOSED OF LOBLOLLY PINE, REDMAPLE, WINGED SUMAC AND SWEETGUM TREES.
 - NO SLOPES OVER 25% EXIST ON THE SITE EXCEPT AT THE POND DAM.

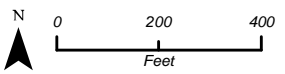
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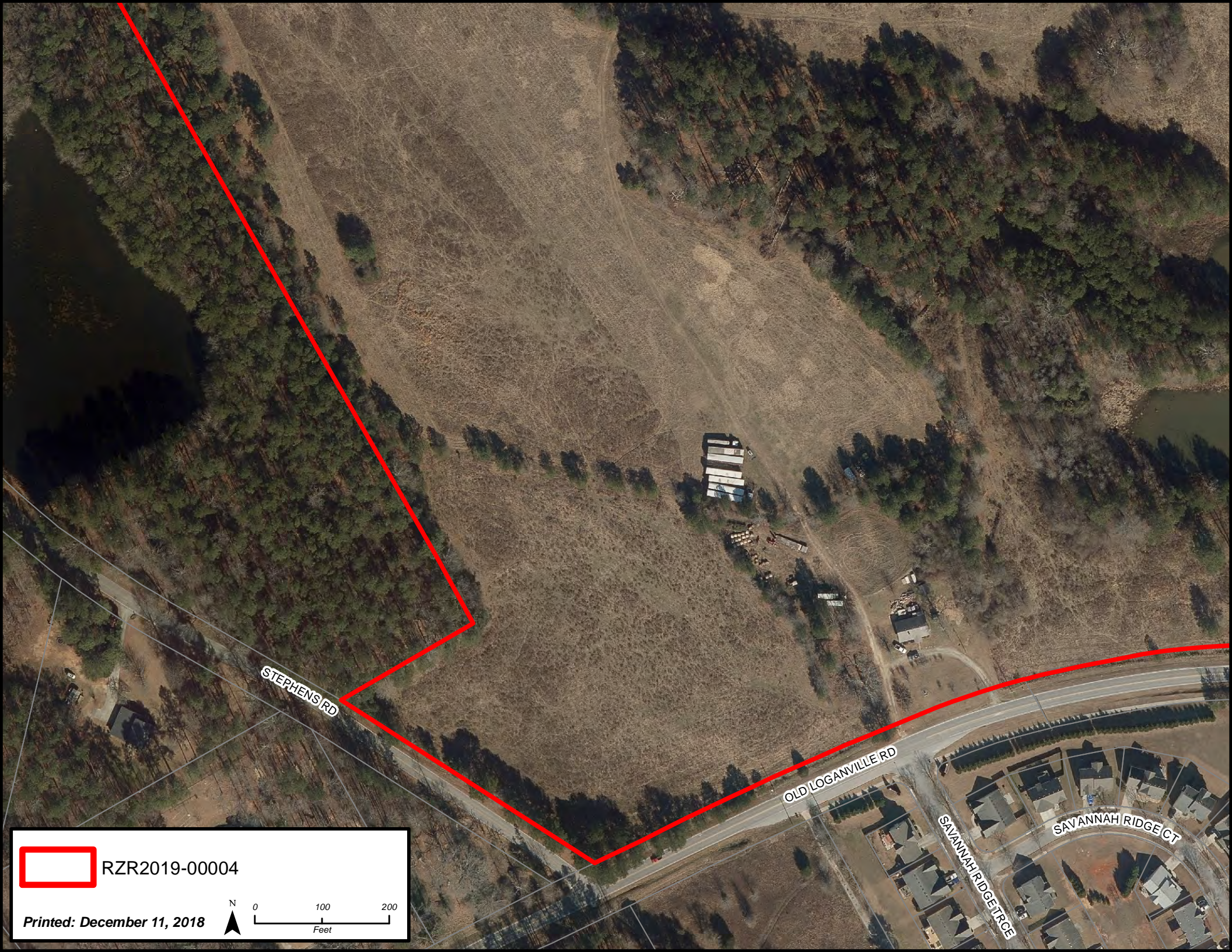




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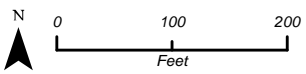
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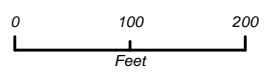
OLD LOGANVILLE RD

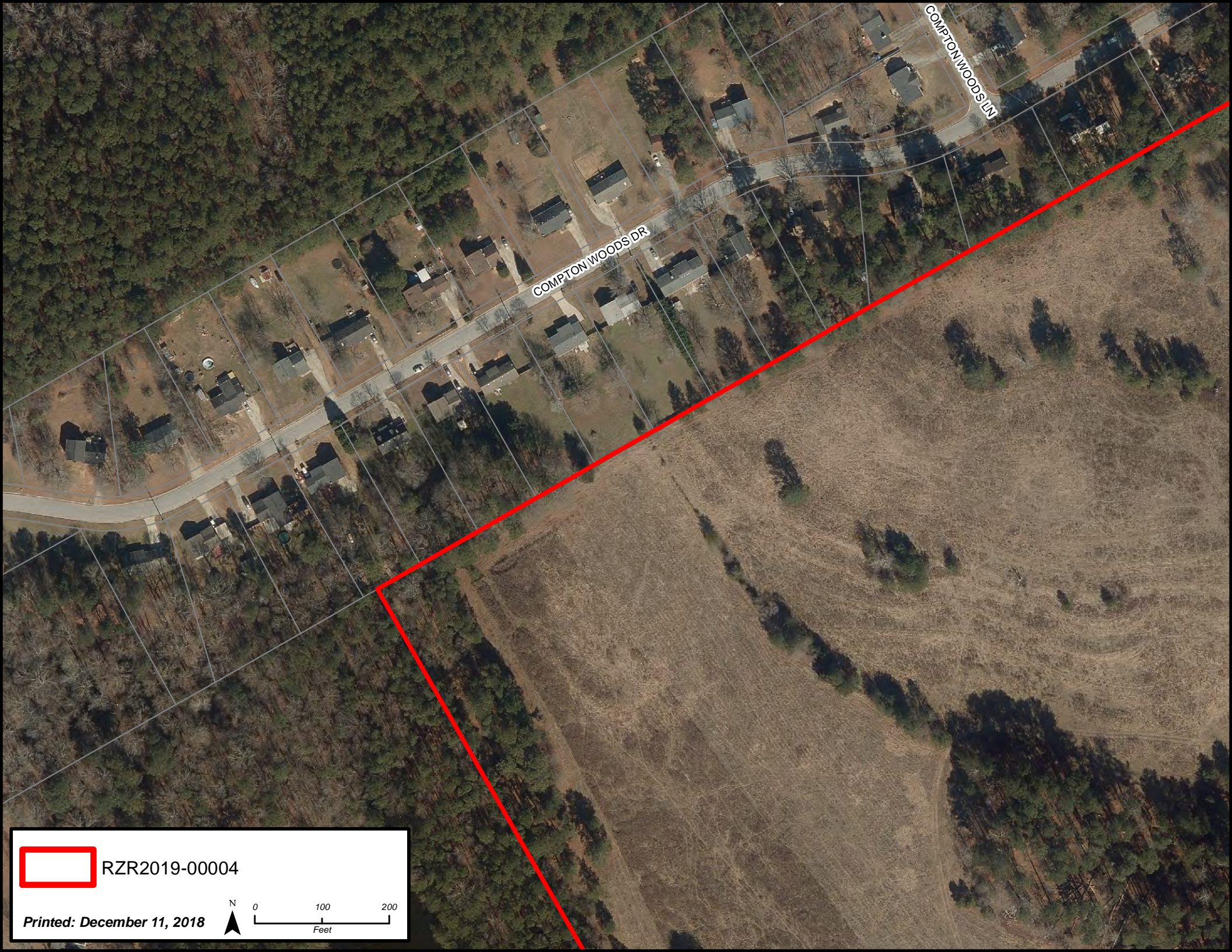


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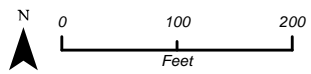
COMPTON WOODS DR

COMPTON WOODS LN



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COMPTON WOODS DR

LUSH TREE RD

BRUSHY FORK RD

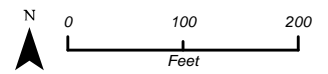
LEON LN

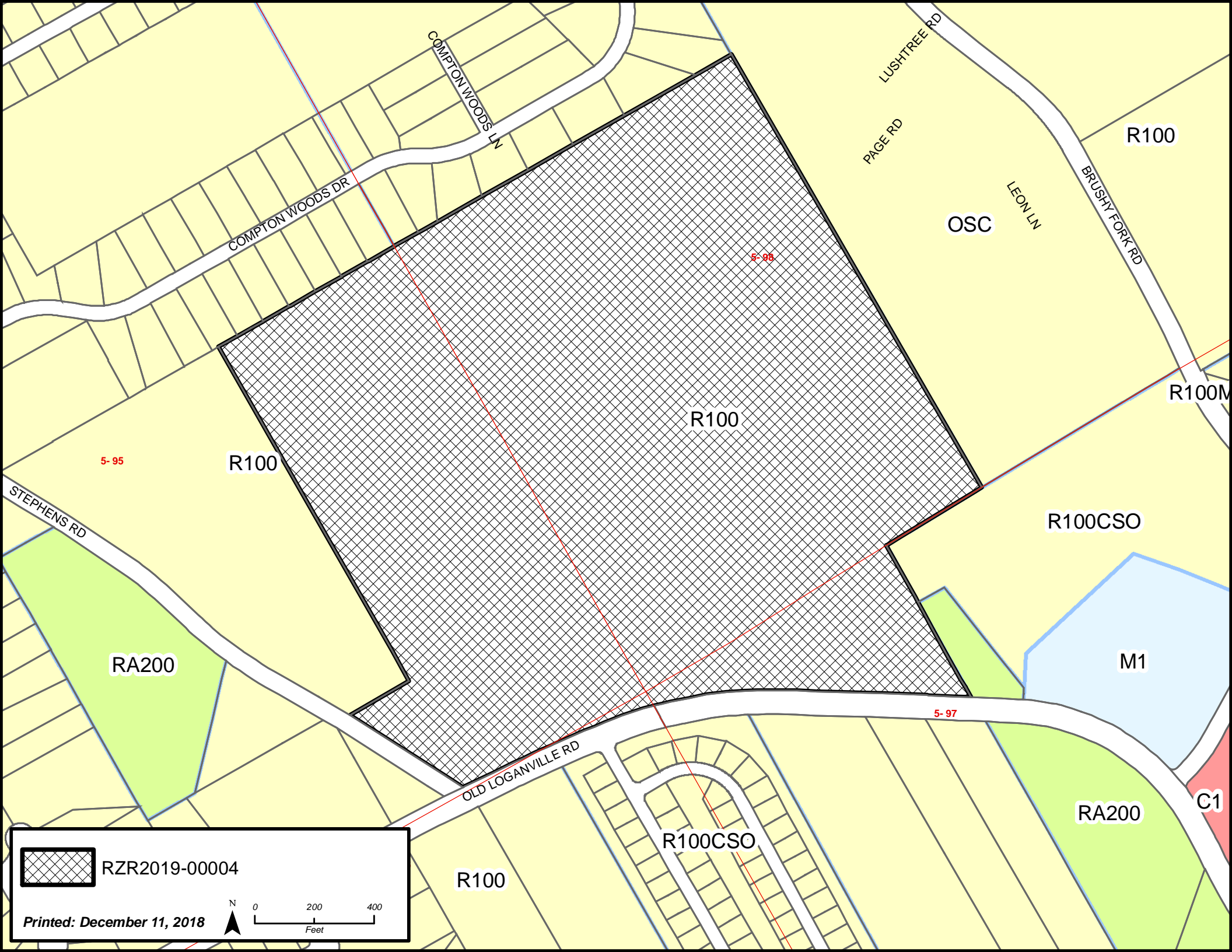
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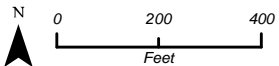
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Printed: December 11, 2018



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

CASE NUMBER :**RZR2019-00005**
ZONING CHANGE :O-I TO RA-200
LOCATION :1800 BLOCK OF ROCKBRIDGE ROAD
:1700-1800 BLOCKS OF POUNDS ROAD
MAP NUMBER :R6060 016
SQUARE FEET: 3,000 SQUARE FEET
ACREAGE :5.82 ACRES
PROPOSED DEVELOPMENT :CHURCH AND CEMETERY
COMMISSION DISTRICT :(2) KU

CASE NUMBER :**SUP2019-00019**
ZONING :RA-200 (PROPOSED)
LOCATION :1800 BLOCK OF ROCKBRIDGE ROAD
:1700-1800 BLOCKS OF POUNDS ROAD
MAP NUMBER :R6060 016
ACREAGE :5.82 ACRES
PROPOSED DEVELOPMENT :CEMETERY (ACCESSORY)
COMMISSION DISTRICT :(2) KU

FUTURE DEVELOPMENT MAP: **COMMUNITY MIXED USE**

APPLICANT: MS & DALE MABRY, LLC
2145 DULUTH HIGHWAY 120, SUITE A
DULUTH, GA 30097

CONTACT: AZIZ DHANANI PHONE: 678.665.8928

OWNER: MS & DALE MABRY, LLC
2145 DULUTH HIGHWAY 120, SUITE A
DULUTH, GA 30097

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant is seeking approval to rezone from O-I (Office-Institutional District), to RA-200 (Agriculture-Residence District) a 5.82 acre parcel for the continuing use as a church, and is also seeking approval of a Special Use Permit for a cemetery as an accessory use.

The property is located on the northeast corner of the intersection of Rockbridge Road and Pounds Road. The subject site currently holds two buildings. The largest is the main church building which has had multiple building additions constructed. These building additions are proposed to be demolished leaving only the original church building and a second residentially scaled building to the east to remain on site. The entire section of the existing parking lot north of the two buildings is to be removed and will become the southern extent of the cemetery. The remainder of the cemetery property is an open field bisected by a small intermittent stream bordered by small scrub trees. The site also contains a large timber, concrete and block structure shown on the survey as a retaining wall; the original intent of this structure and its current and future usefulness is undetermined. An existing septic tank is also shown on the site plan to occupy space called out to be for cemetery use. Its future use or disposition is also not called out. A site plan showing the number of burial plots, their layout and internal road configuration was not provided by the applicant. A 20-foot sanitary sewer easement traverses the northeast edge of the site and then crosses the site from north to south. Cemetery access would be from two driveways, the first along Rockbridge Road and another along Pounds Road. A paved parking area for 49 vehicles is shown adjacent to the church building.

Although not required, staff would suggest a (25-foot wide) buffer be built around the perimeter of the site; although not required, staff would also suggest a 4-foot decorative fence to be placed along the Pounds Road frontage and a 6-foot decorative fence along the north and east property lines, not including the front and side building setbacks.

ZONING HISTORY:

In 1973, the subject property was rezoned to O-I (Office Institutional District) per an area-wide rezoning.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

Portions of this site appear to be heavily wooded and may include specimen trees which are required by the UDO to be preserved. A Specimen Tree Survey and a Specimen Tree Concept Plan must be submitted and approved prior to submittal of Development Plans for review.

Project access and required improvements along Rockbridge Road and Pounds Road will be subject to review and approval of Gwinnett County Department of Transportation.

A 5-foot wide sidewalk is required along the entire frontage of Rockbridge Road and Pounds Road.

Parking lots and interior driveways shall be in accordance with Chapter 240 of the Unified Development Ordinance.

A minimum of 50 foot building setback is required from the right of way of Rockbridge Road and Pounds Road. The applicant must to review the site plan to correct building setback lines including side setback (20 foot) and rear setback (40 foot).

The cemetery shall be bordered by a 25-foot depth buffer and a minimum 6 foot high decorative fence or wall along all its exterior property lines not bordering the frontage street and not extending into the required front yard.

A 25 foot in depth buffer and a 4-foot high decorative fence or wall shall be installed along the right of way of Pounds Road.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Rockbridge Road is a Minor Arterial and 40 feet of right of way is required from the centerline, with 50 feet required within 500 feet of a major intersection.

Pounds Road is a Minor Collector and 30 feet of right of way is required from the centerline.

Entrances shall be provided to the site per current development regulations.

Standard deceleration lane with appropriate taper and adequate right of way will be required.

The number and locations of driveways are subject to Gwinnett County D.O.T. approval.

A 5-foot wide sidewalk is required along the roadway frontage of Rockbridge Road and Pounds Road.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 16-inch water main located on the northeast right of way of Rockbridge Road reducing to a 6-inch water main and a 12-inch water main located on the southwest right of way of Rockbridge Road and a 6-inch water main located on the southeast right of way of Pounds Road.

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 and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of 8-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located on parcel R6060 016.

The subject development is located within the East Park Place service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

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 and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 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.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The church and cemetery site is a 5.82 acre parcel located on the northeast corner of the intersection of Rock Bridge Road and Pounds Road. The subject site currently holds two buildings and a large parking lot. The remainder of the lot is a mix of lightly wooded and open field areas.

The 2040 Unified Plan Future Development Map indicates that the subject site is located within the Community Mixed-Use Character area, one which is meant for activity nodes and the connecting areas between them. Although churches, cemeteries and

similar low-intensity institutional uses may not be considered compatible with this character area designation staff feels this specific location, adjacent to an existing cemetery may be appropriate for such a use if conditioned to minimize impacts on adjacent properties. In keeping with the goals of the Unified Plan, conditions such as buffers and screening, site security and conditions to minimize potential impacts upon neighboring properties would be appropriate controls for use at this location. The south and east sides of the site are surrounded by older commercial areas zoned C-2 (General Business District). To the northeast and abutting the site is a single home on acreage zoned R-100, (Single Family Residential District) and fronting Pounds Road. To the north and west across Pounds Road is the Mountain Forest Subdivision, an Activity Field and an existing cemetery, all zoned R-100.

In conclusion, the requested Special Use Permit for a cemetery may be a compatible use in this Community Mixed Use Character area provided adequate screening and other site improvements and considerations are implemented in the development of the cemetery. With conditions to restrict the hours of activity, provide additional fencing and screening, and addressing signage and other development considerations, the proposed cemetery could be compatible with neighboring uses in the area, therefore; the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS**.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of a Special Use Permit for a cemetery, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. A cemetery and accessory uses and structures as a special use.
 - B. Except where greater requirements are contained herein, abide by the Supplemental Use Standards of the Unified Development Ordinance for Cemeteries as found in Section 230-130.3.
 - C. Prior to any burials taking place, obtain a Development Permit and satisfy applicable zoning and development requirements, and the zoning conditions contained herein.
 - D. The cemetery shall be closed and securely gated between the hours of 8:00 p.m. or sunset (whichever is earlier), and sunrise.
 - E. Buildings shall not be constructed within the cemetery grounds.
 - F. Temporary restroom facilities are prohibited.
2. To satisfy the following site development considerations:
 - A. Provide a 50-foot wide landscaped buffer along Pounds Road and a 25-foot wide buffer along the north east property line. The landscaped buffer along Pounds Road shall be planted with a mixture of evergreen and deciduous plantings (minimum 70% evergreen species of Thuga Green Giant, Southern Magnolia, Cryptomeria and Tree Form Holly), with the final design and plantings subject to the review and approval by the Director of Planning and Development.
 - B. Remove all existing wire fencing and install a decorative wrought iron-style fence around the perimeter of the cemetery grounds, with brick or stacked stone columns every 50 feet along Pounds Road.
 - C. Limited to a single access driveway onto Pounds Road.
 - D. Ground signage shall be limited to a single monument type sign, and shall be subject to review and approval by the Director of Planning and Development. The

sign shall include a minimum two-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the cabinet shall be fully surrounded by the same materials. Ground sign shall not exceed 6 feet in height.

- E. Natural vegetation shall remain on the property prior to the issuance of a Development Permit.
 - F. Graves shall be a minimum of six-feet in depth.
 - G. At a minimum, a wooden casket shall be used for the internment of the body.
 - H. A rectangular lidless vault comparable in design specifications and quality to a "Vantage" polypropylene vault shall be placed in the grave and inverted over the casket before the grave is filled in.
 - I. Grave markers shall be standardized, flush with the ground, and shall be of metal or stone.
 - J. Graves shall not be excavated more than 24 hours prior to burial.
 - K. Burial areas shall be sodded. Graves shall be sodded after burial. Grass shall be cut at least twice monthly.
3. Abide by the following requirements, dedications and improvements:
- A. Prior to the issuance of a Development Permit for the cemetery, a plat of survey delineating the cemetery limits and covenant for perpetual care shall be recorded with the Gwinnett County Clerk of Superior Court.
 - B. Prior to the issuance of a Development Permit for the cemetery, the owner shall establish an irrevocable trust fund for the perpetual maintenance of the cemetery. The owner shall deposit the sum of \$10,000.00 in such trust fund prior to the issuance of the Development Permit for the cemetery. It shall be the continuing duty of the owner to maintain a minimum \$5,000.00 balance within this trust fund after the first year of the first burial plot. All monies deposited in the trust fund shall be used for the perpetual care of the cemetery, fencing, buffers and landscaping.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The proposed cemetery could be suitable if approved and developed in accordance with the recommended conditions, which include enhanced buffers, fencing and use restrictions.

ADVERSE IMPACTS

With the recommended conditions, potential impacts on nearby properties could be reduced.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

A small increase in traffic and storm water runoff could be anticipated from this request.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates that the site is located within the Community Mixed-use Corridor. If properly conditioned to reduce impacts on neighboring properties, the use as a cemetery could be compatible with nearby uses.

CONDITIONS AFFECTING ZONING

Given that the property will be mostly open land, it is recommended that increased buffers and fencing be included to reduce potential visual impacts.

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:

YES. AN EXISTING CEMETERY ON THE OPPOSITE SIDE OF POUNDS ROAD. THE PROPERTY ALSO MEETS THE REQUIREMENTS OF THE SUPPL ZONING REGS

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

NO. TWO OF THE THREE ADJACENT PROPERTIES ARE ALREADY DEVELOPED AS C2 COMMERCIAL. THE THIRD ADJACENT PROPERTY IS ZONED R-100 WITH A PARCEL SIZE OF 2.18 AC

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

THE PROPERTY WAS ZONED O&I FOR A LONG TIME, BUT A USE APPROPRIATE FOR O&I HAS NOT BEEN VIABLE.

- (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:

THE PROPOSED USE SHOULD GENERATE LESS TRAFFIC THAN A POTENTIAL O&I USE AND WILL NOT HAVE ANY IMPACT ON THE SCHOOLS

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

THE FUTURE DEVELOPMENT MAP SHOWS THIS AREA AS AN ESTABLISHED NEIGHBORHOOD, WITH NO MAJOR REDEVELOPMENT EXPECTED IN THE 20 YEARS. AS THIS PROPOSAL FITS IN WITH THE CURRENT CHARACTER, IT IS IN CONFORMITY WITH THE FUTURE 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:

AN EXISTING CEMETERY IS LOCATED ACROSS THE STREET, THEREFORE THIS USE IS SUITABLE.

LETTER OF INTENT

December 7, 2018

Gwinnett County Department of
Planning & Development
446 West Crogan Street, Suite 250
Lawrenceville, Georgia 30046

Re: MS & Dale Mabry, LLC – Application for Special Use Permit for a Cemetery /Rezoning from OI to ~~RA-200~~ RA-200
Parcel No. 6060 016 located at 1836 Rockbridge Road, Stone Mountain GA 30087

Dear Sirs,

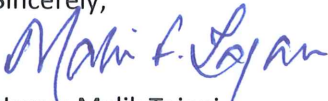
The Applicant, MS Dale Mabry LLC, the current owner of the above listed property, desires to establish a cemetery as an accessory use on the above 5.822 acres property with some modifications to the church buildings.

The property is in the northeast corner of the intersection of Rockbridge Road and Pounds Road. The property was previously used for church use and therefore has building facilities and paved areas for parking on the property. A part of the property towards the east end of the property is grass/undeveloped. There is a connected cluster of buildings on site and a 2,110. sft one story building in the southern corner of the property adjacent to Rockbridge Road. The intent of this application is to retain this 2110 sft. one story building and the original church building labelled as 1-story stone building. The rest of the church buildings are proposed to be demolished. Also, some of the asphalt paved areas are proposed to be removed and used for cemetery purpose. A proposed site plan showing parking layout is attached. ~~A reduction in buffer from 75 ft. to 25 ft is requested adjacent to R100 property on the eastern property boundary.~~

Rockbridge Road is a Minor Arterial. The properties across the roadway from Rockbridge Road are zoned C2 and include WalMart and other retail. The property adjacent to the south along Rockbridge Road is also zoned C2 and is currently occupied by Country Inn & Suites. The property to the north across from Pounds Road is zoned R100 and is currently used as cemetery.

Since the current property is already used as a church and the intent of this application is to continue to use the property with a smaller place of worship and include a cemetery area, we request that this request be approved. Thank you,

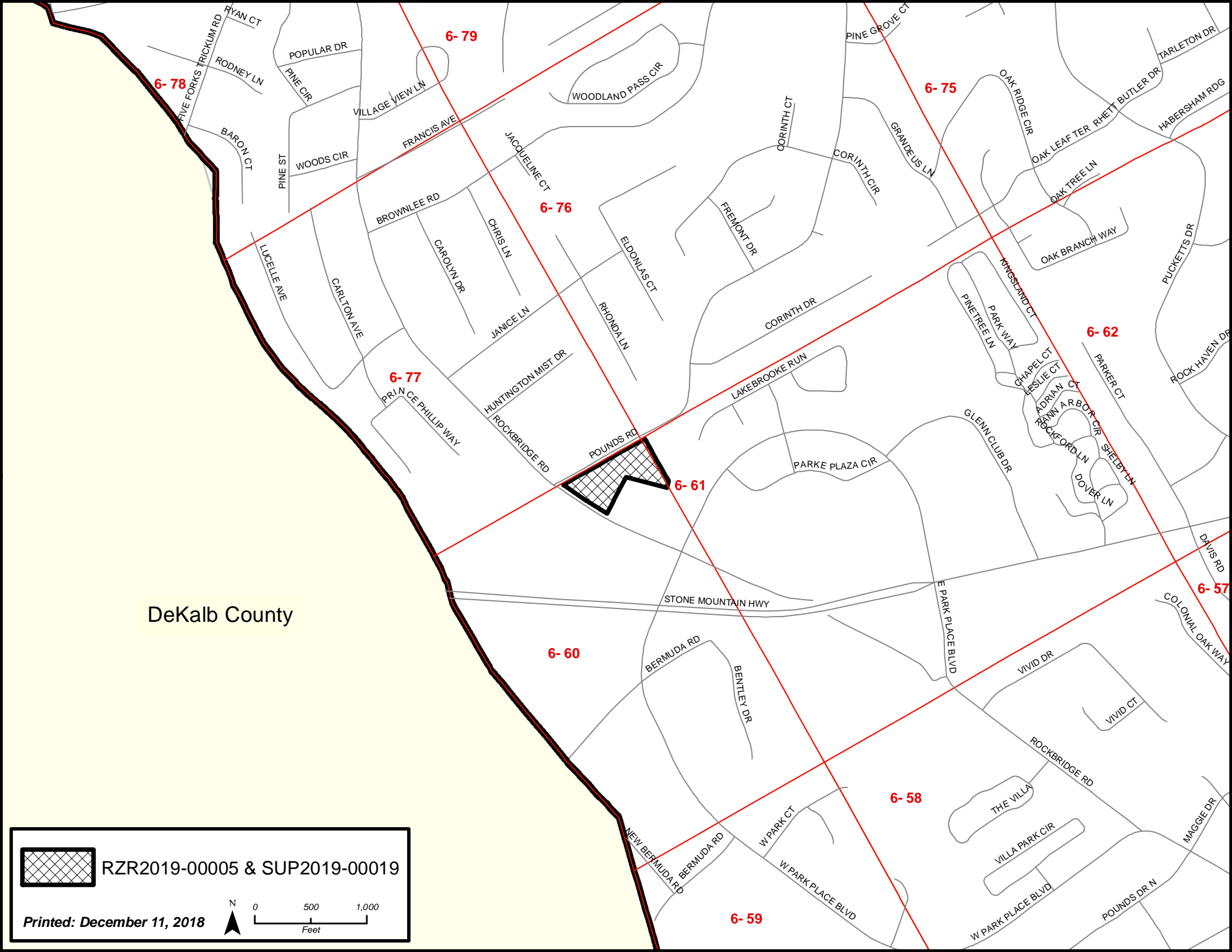
Sincerely,



Name: Malik Tajani
MS & Dale Mabry LLC
2145 Duluth Hwy 120, Suite A,
Duluth, GA 30097

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PLANNING & DEVELOPMENT

RZR2019-00005

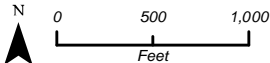


DeKalb County




RZR2019-00005 & SUP2019-00019

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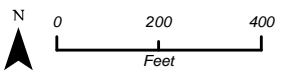




DeKalb
County

 RZR2019-00005 & SUP2019-00019


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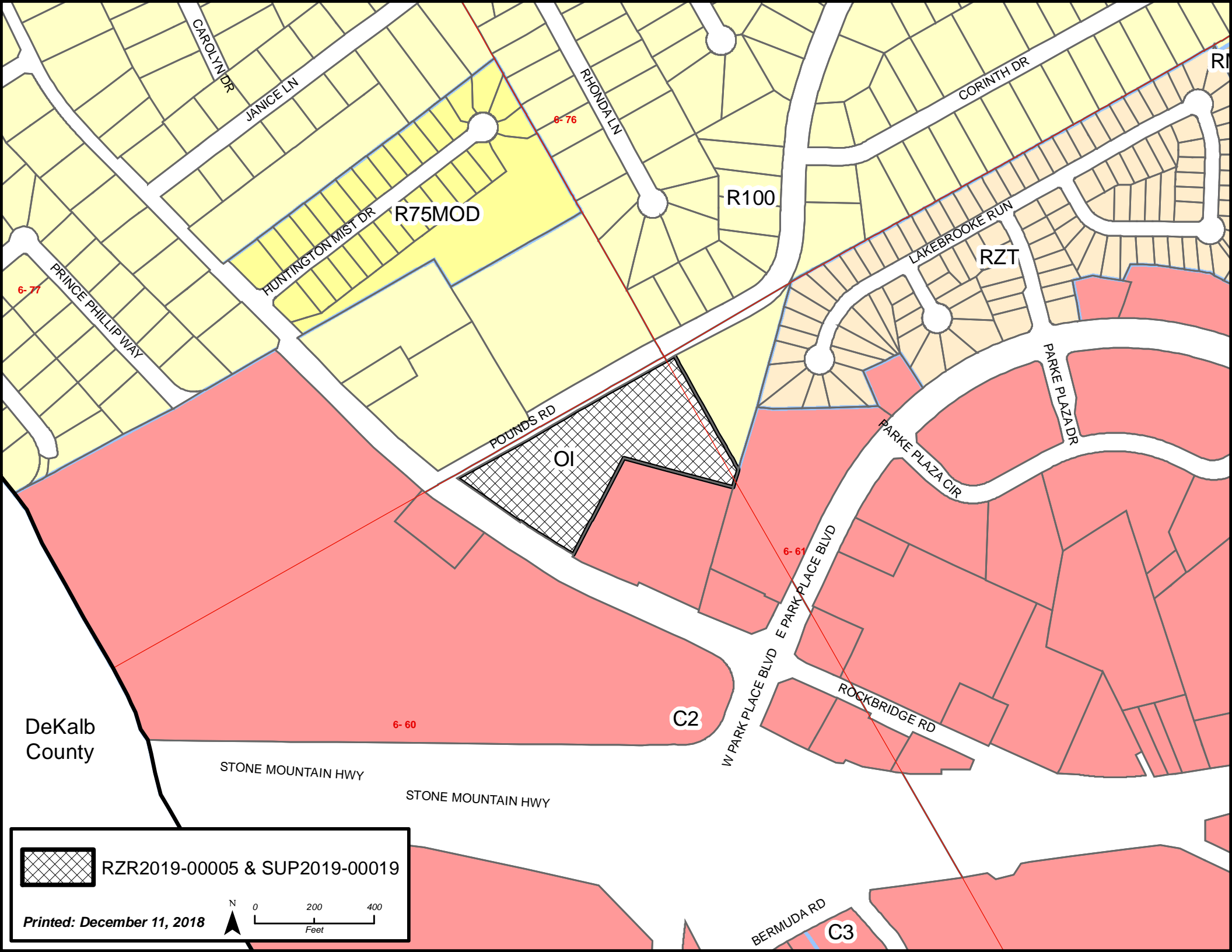
POUNDS RD

ROCKBRIDGE RD


 RZR2019-00005 & SUP2019-00019

Printed: December 11, 2018


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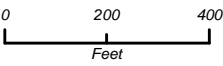


DeKalb County

 RZR2019-00005 & SUP2019-00019

Printed: December 11, 2018

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

CASE NUMBER :**SUP2019-00011**
ZONING :M-1
LOCATION :2300 BLOCK OF BUFORD HIGHWAY
MAP NUMBER :R7205 008
ACREAGE :5.26 ACRES
SQUARE FEET :8,000 SQUARE FEET
PROPOSED DEVELOPMENT :AUTOMOBILE ACCESSORIES SALES & INSTALLATION
COMMISSION DISTRICT :(1) BROOKS

FUTURE DEVELOPMENT MAP: **COMMUNITY MIXED-USE**

APPLICANT: YING TAN
2854 REGENT WALK DRIVE
DULUTH, GA 30069

CONTACT: KEVIN CHEN PHONE: 706.680.4078

OWNER: FINDLEY FAMILY PARTNERSHIP, LP
3952 PINE NEEDLE DRIVE
DULUTH, GA 30096

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant is seeking approval of a Special Use Permit for the operation of an Automobile Accessories Sales and Installation business for the application of window tinting and car wrapping within an existing 8,000 square foot building on a 5.26 acre site located at 2372 Buford Highway. Access to the site is through a single 28-foot wide driveway fronting on Buford Highway. Approximately six unstriped parking spaces are directly in front of the subject building.

ZONING HISTORY:

In 1976, through case number REZ1976-00064 the subject property was rezoned from R-75 (Single-Family Residence District) to M-1 (Light Industry District).

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area. The existing building is served by sanitary sewer, resulting in minimal impact.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Buford Highway is a Principal Arterial and 60 feet of right of way is required from the centerline, with 75 feet required within 500 feet of a major intersection and State Route and Georgia D.O.T. right of way requirements govern.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 10-inch water main located on the southeast right of way of Buford Highway.

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 and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of 8-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to

the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 700 feet southwest of parcel R7205 008 in the right of way of Buford Highway.

The subject development is located within the North Chattahoochee service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

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 and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 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.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for any proposed interior or exterior modification (remodel) for review and approval by Building Plan Review.
2. Architectural design of any proposed exterior modification shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Design Category 1.
3. Upon completion of plan review approvals, the applicant shall obtain a building permit and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at 678.518.6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject property located at 2372 Buford Highway is a 5.26-acre property, zoned M-1 (Light Industry District). The site is developed with seven, single-story, light industrial/office-warehouse buildings. The subject building has approximately six unstriped parking spaces.

The 2040 Unified Plan Future Development Map indicates the property lies within a Community Mixed-Use Character Area. This Character Area is intended for activity nodes and connecting areas along major corridors. As such, the requested Special Use Permit could be considered compatible with the character area.

The surrounding area to the east and west is single-family residential development on acreage to the south is the R-100 zoned Leaf Land Estates subdivision. To the north are individual parcels zoned M-1. Given the established M-1 zoning of the subject site, the request could be considered consistent with the surrounding site and restricting the hours of operation and limiting outdoor activities could reduce potential negative impacts on nearby residences.

If properly conditioned, the requested Special Use Permit for automobile accessories, sales and installation, may be compatible with the zoning and development pattern of the surrounding area and the policies of the 2040 Unified Plan; therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS**.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of a Special Use Permit for automobile accessory sales and installation, subject to the following enumerated conditions:

1. Retail, service, commercial and accessory uses which may include automobile accessory sales and installation as special uses.
2. Any work performed on vehicles shall occur wholly within the enclosed building.
3. The hours of operation shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturdays.
4. Outdoor sales, storage or display of any merchandise, materials or junk shall be prohibited. The site shall be kept free of junk cars and other debris at all times. Any vehicle(s) awaiting repair or parked overnight shall be kept inside the building.
5. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
6. Peddlers and/or parking lot sales shall be prohibited.
7. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The requested Special Use Permit for automobile accessory sales and installation may be considered suitable, given the mix of uses on the subject property.

ADVERSE IMPACTS

With the recommended conditions, the request would not be expected to impose significant impacts on adjacent or nearby properties.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

It is anticipated that there would be few additional impacts on public facilities from the request.

CONFORMITY WITH POLICIES

The requested Special Use Permit could be compatible with the Unified Plan, Future Development Map and goals of the Workplace Center Character Area, which support employment-oriented uses in office and industrial parks.

CONDITIONS AFFECTING ZONING

The requested Special Use Permit is proposed to be conducted entirely indoors, therefore the use could be compatible with nearby developments.

SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENT OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:
Yes.

- (B) WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:
No.

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

- (D) WHETHER THE PROPOSED SPECIAL USE PERMIT WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:
No.

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

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED SPECIAL USE PERMIT:
No

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NOV 05 2018
Planning & Development

SUP '19 011

October 3rd, 2018

Gwinnett County
Dept of Planning & Dev.
Planning Division
446 West Crogan St.
Suite 250
Lawrenceville, GA 30046

Attn: Special Use Permit Div.

RE: Letter Of Intent to apply for a Special Use Permit For the space located at 2372 Buford Highway
Duluth GA 30097

Please accept this formal letter of intent to apply for a special use permit to operate a window tinting/auto wrapping business at the above captioned location- 2372 Buford Highway, Duluth, GA 30097.

The requested permit for use of the space that is currently zoned M-1 falls well within the zoning limits. I would appreciate your consideration in this matter.

Respectfully submitted,

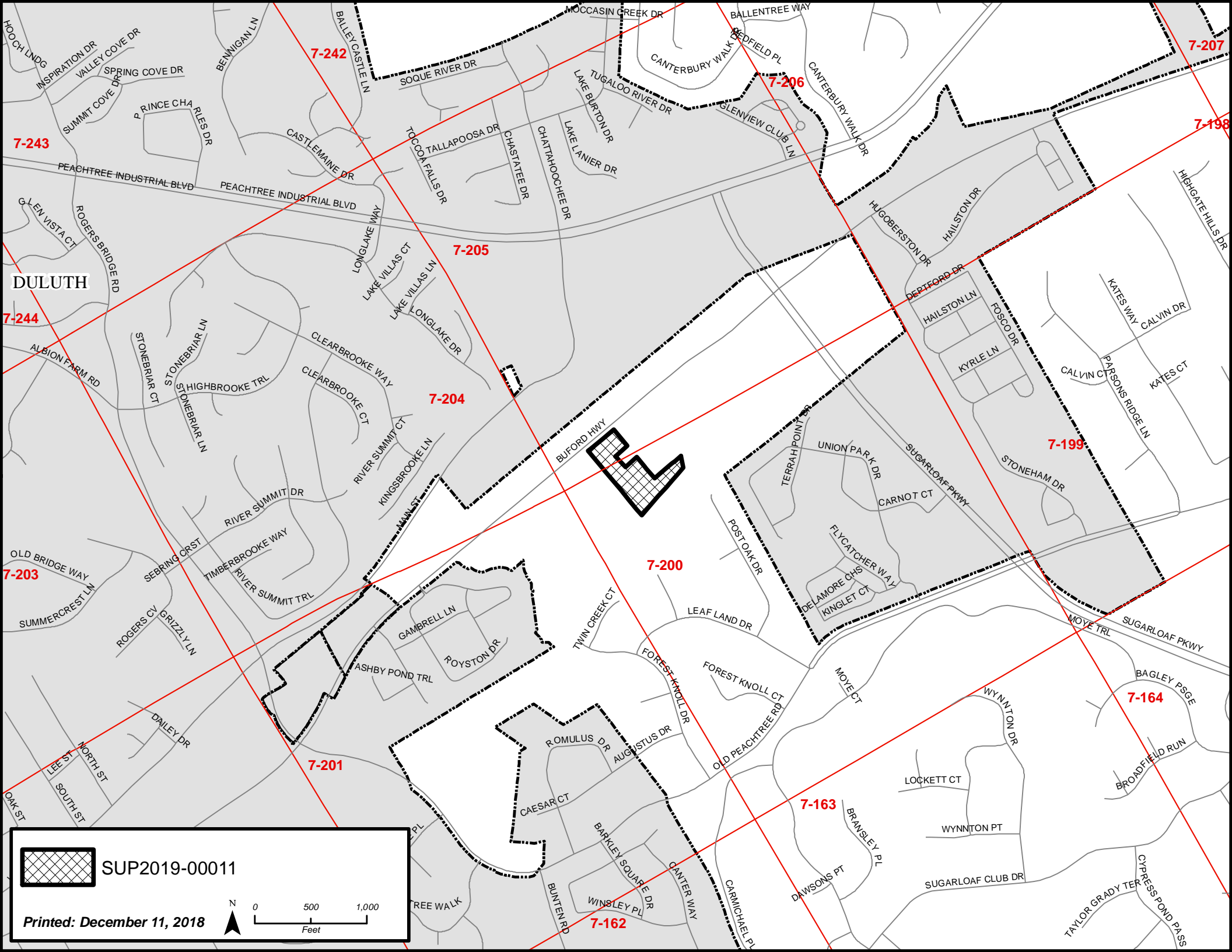
Ying Tan

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SUP '19 011

Planning & Development



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DULUTH

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 SUP2019-00011

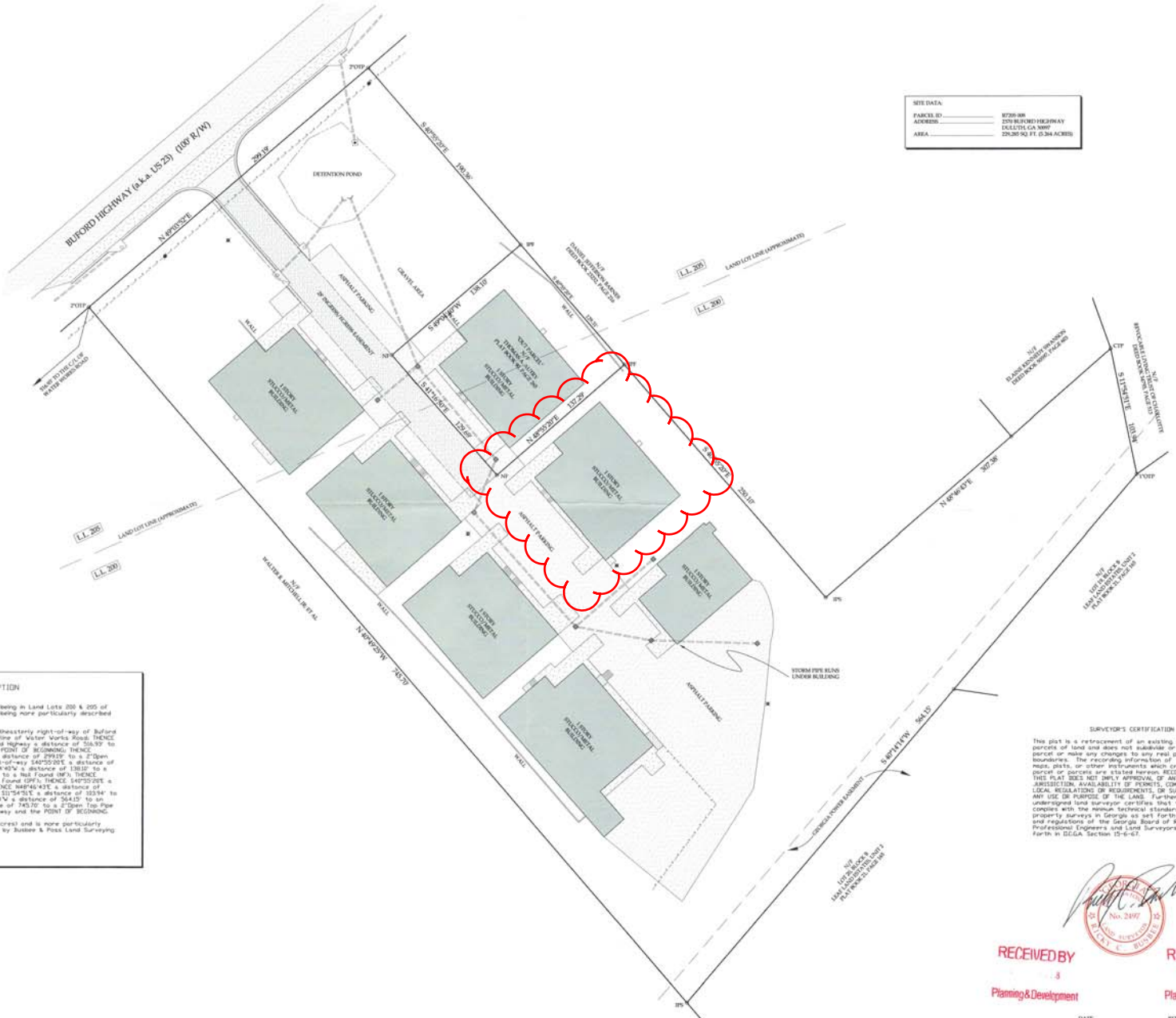
Printed: December 11, 2018

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THIS AREA IS RESERVED FOR THE FLOOR OF SURVEY ONLY

- 1.00' - 1/8" = 1' (Scale)
- 2.00' - 1/4" = 1' (Scale)
- 3.00' - 3/8" = 1' (Scale)
- 4.00' - 1/2" = 1' (Scale)
- 5.00' - 5/8" = 1' (Scale)
- 6.00' - 3/4" = 1' (Scale)
- 7.00' - 7/8" = 1' (Scale)
- 8.00' - 1" = 1' (Scale)
- 9.00' - 1 1/8" = 1' (Scale)
- 10.00' - 1 1/4" = 1' (Scale)
- 11.00' - 1 3/8" = 1' (Scale)
- 12.00' - 1 1/2" = 1' (Scale)
- 13.00' - 1 5/8" = 1' (Scale)
- 14.00' - 1 3/4" = 1' (Scale)
- 15.00' - 1 7/8" = 1' (Scale)
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- 19.00' - 2 3/8" = 1' (Scale)
- 20.00' - 2 1/2" = 1' (Scale)
- 21.00' - 2 5/8" = 1' (Scale)
- 22.00' - 2 3/4" = 1' (Scale)
- 23.00' - 2 7/8" = 1' (Scale)
- 24.00' - 3" = 1' (Scale)
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- 26.00' - 3 1/4" = 1' (Scale)
- 27.00' - 3 3/8" = 1' (Scale)
- 28.00' - 3 1/2" = 1' (Scale)
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- 35.00' - 4 3/8" = 1' (Scale)
- 36.00' - 4 1/2" = 1' (Scale)
- 37.00' - 4 5/8" = 1' (Scale)
- 38.00' - 4 3/4" = 1' (Scale)
- 39.00' - 4 7/8" = 1' (Scale)
- 40.00' - 5" = 1' (Scale)

SITE DATA
 PARCEL ID: 8729-08
 ADDRESS: 276 HEDDEN HIGHWAY
 AREA: 29.20-92 FT. (0.34 ACRES)



LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 200 & 205 of the 7th District, Gwinnett County, Georgia, and being more particularly described as follows:

COMMENCING at the intersection of the southeasterly right-of-way of Buford Highway (also U.S. 29 (33P R/W)) and the centerline of Water Works Road; THENCE northerly along said right-of-way of Buford Highway a distance of 566.52' to a 2" Iron Top Pipe Found (OTPF) found and the POINT OF BEGINNING; THENCE continuing along said right-of-way N49°03'52"E a distance of 299.13' to a 2" Iron Top Pipe Found (OTPF); THENCE leaving said right-of-way S42°55'00"E a distance of 182.52' to an Iron Pin Found (IPF); THENCE S49°04'49"E a distance of 138.10' to a Nail Found (NF) S47°35'00"E a distance of 129.67' to a Nail Found (NF); THENCE N49°55'00"E a distance of 137.22' to an Iron Pin Found (IPF); THENCE S42°55'00"E a distance of 250.37' to an Iron Pin Set (IPS); THENCE N49°45'43"E a distance of 207.08' to a Drop Top Pipe Found (OTPF); THENCE S11°45'12"E a distance of 103.84' to a 1" Iron Top Pipe Found (OTPF); THENCE S49°14'14"E a distance of 54.15' to an Iron Pin Set (IPS); THENCE N49°55'00"E a distance of 745.72' to a 2" Iron Top Pipe Found (OTPF) on the east right-of-way of Buford Highway and the POINT OF BEGINNING.

Said tract contains 0.34205 ac. of land, more particularly as more particularly shown on a survey for "VICKI FRONT", prepared by Justice & Ross Land Surveying Company, dated November 2nd, 2010.

SURVEYOR'S CERTIFICATION

This plot is a retracement of an existing parcel or parcel of land and does not subdivide or create a new parcel or make any change to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated herein. RECORDER OF THIS PLAT SIZES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION AVAILABILITY OF FINANCE, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUSTAINABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in S.C.G.A. Section 47-2-67.

[Signature]
 SUP 19 011

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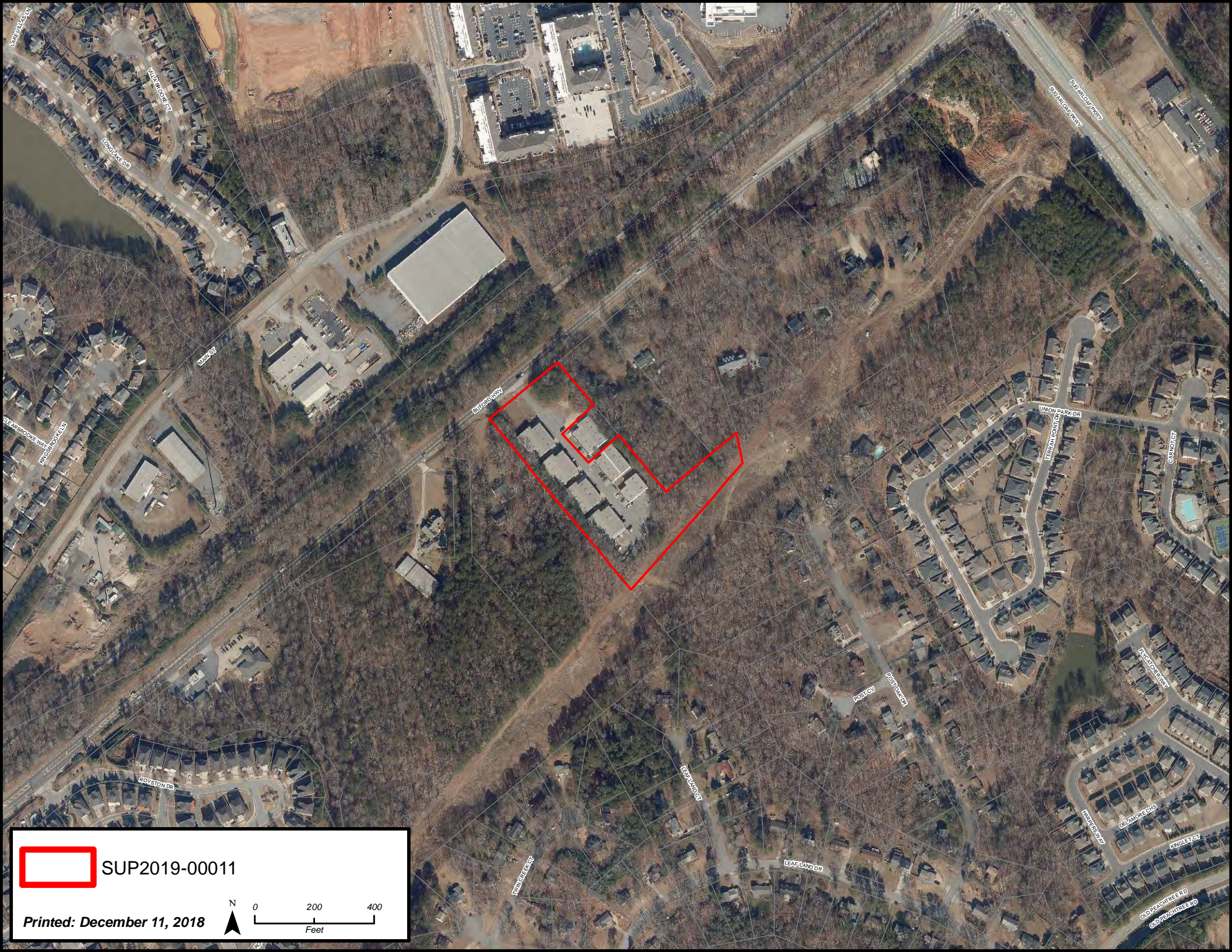
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THIS PROPERTY IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS AS PER SPECIAL FLOOD HAZARD MAP (S.F.H.M.)...

DEED BOOK 6004 PAGE 277
 GWINNETT COUNTY, GEORGIA
 SHELLEY W. JUSTICE-SURVEYOR

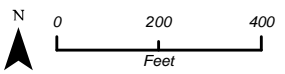
SURVEY FIRM
 VICKI FRONT

RECEIVED BY
 LAND SURVEYING COMPANY
 3406 HOWELL STREET, SUITE 4
 ATLANTA, GEORGIA 30306
 TEL: 770-997-9888
 FAX: 770-997-9889



SUP2019-00011

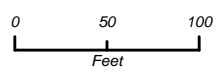
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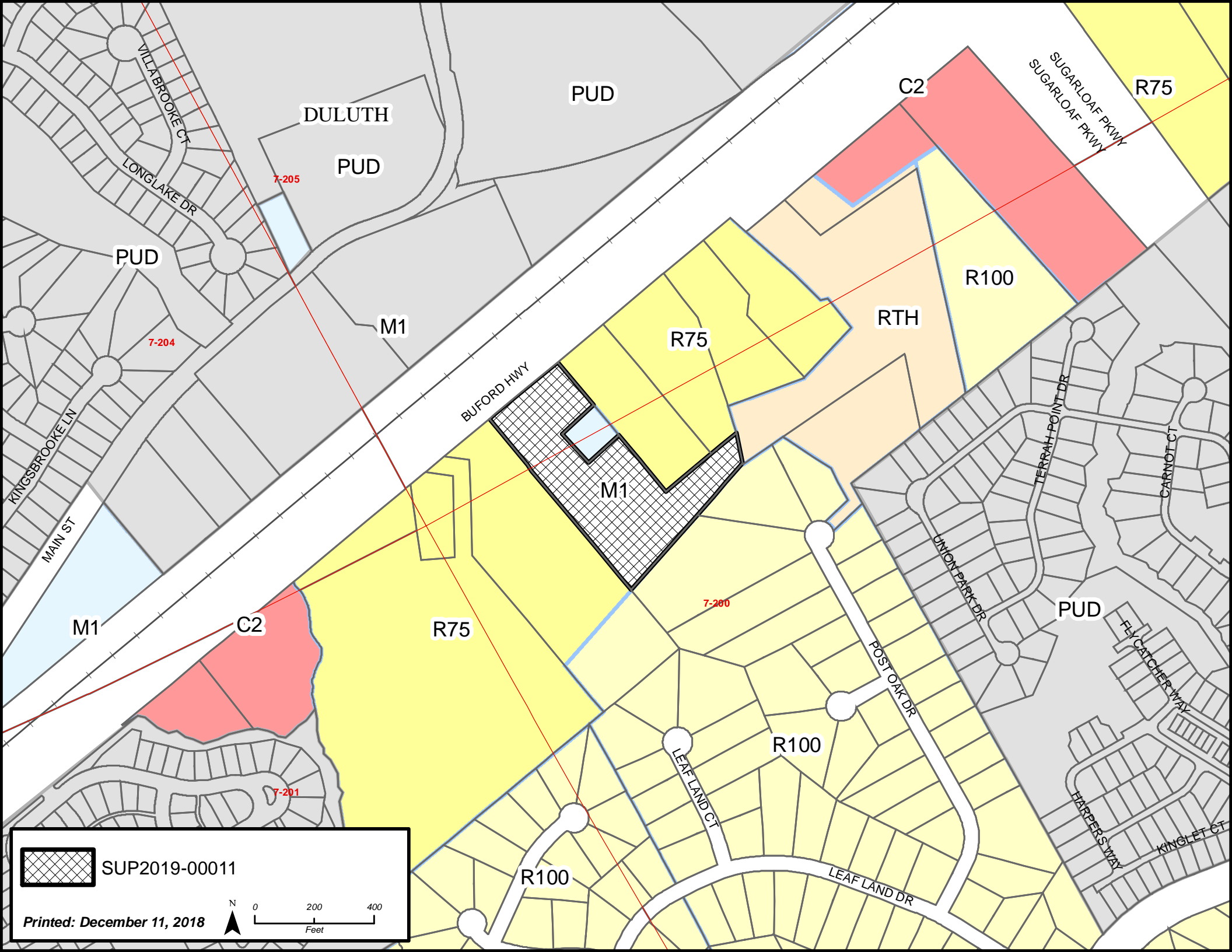
BUFORD HWY



SUP2019-00011

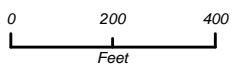


Printed: December 11, 2018



SUP2019-00011

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Printed: December 11, 2018

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

CASE NUMBER :**SUP2019-00012**
ZONING :M-1
LOCATION :4100 BLOCK OF ARCADIA INDUSTRIAL CIRCLE
MAP NUMBER :R6125 106
ACREAGE :1.01 ACRES
SQUARE FEET :2,100 SQUARE FEET
PROPOSED DEVELOPMENT :AUTOMOBILE REPAIR & BODY SHOP
COMMISSION DISTRICT :(2) KU

FUTURE DEVELOPMENT MAP: **ESTABLISHED NEIGHBORHOODS**

APPLICANT: GRESHAM LANDSCAPE & CONSTRUCTION INC.
235 ROBERTS ROAD
COVINGTON, GA 30016

CONTACT: MIKE GRESHAM PHONE: 404.557.5452

OWNER: GRESHAM LANDSCAPE & CONSTRUCTION INC.
235 ROBERTS ROAD
COVINGTON, GA 30016

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests approval of a Special Use Permit for continued use of the property as automobile repair and body shops. The subject property is a 1.01-acre site, zoned M-1 (Light Industry District), and located on the south side of Arcadia Industrial Circle which extends from the east side of Arcado Road. This request is the result of a code enforcement action, and the Special Use Permit would serve to bring the business into zoning conformance.

The site is developed with a single story building that is approximately 2,100-square feet, associated parking areas and driveways. The building exterior is primarily metal but does feature a front façade of brick and also contains roll-up doors along the front and rear of the building. The side and rear parking/loading area is fenced and gated. There are also portions of the property being used for automobile storage that are unpaved. Access to the site is gained through a driveway off of Arcadia Industrial Circle.

ZONING HISTORY:

In 1970, the subject property was zoned R-100 (Single Family Residence District). In 1971, the property was rezoned to M-1, per RZ-59-70, as part of the industrial park.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

Parking lots and interior driveways shall be in accordance with Chapter 240 of the Unified Development Ordinance.

A 50 foot natural and undisturbed buffer adjacent to residential zoned district must be maintained free of encroachments.

Section 610-20.4B of the Unified Development Ordinance requires an additional 5-foot setback for all structures (driveways, dumpsters, parking, pavement, etc.) adjacent to required buffers.

Dumpsters shall be located a minimum of 5 feet from the buffer and be screened on all four sides.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Arcadia Industrial Circle is a Local Street and 30 feet of right of way is required from the centerline.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of an 8-inch water main located on the northwest right of way of Arcadia Industrial Circle.

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 and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of 8-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 1,000 feet of parcel R6125 106 on parcel R6132 017. Easements would be required.

The subject development is located within the Yellow River service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

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 and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 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.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for any proposed interior or exterior modification (remodel) for review and approval by Building Plan Review.
2. Architectural design of any proposed exterior modification shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Design Category 1.
3. Upon completion of plan review approvals, the applicant shall obtain a building permit and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at 678.518.6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject property is a 1.01-acre site, zoned M-1 (Light Industry District) and located on the south side of Arcadia Industrial Circle which extends from the east side of Arcado Road. The site is developed with a single story building, associated parking areas and driveways. The building is currently in use for automobile repair.

The 2040 Unified Plan Future Development Map indicates that the property lies within an Established Neighborhoods Character Area. The Arcadia Industrial Park has existed for many years and is located in a large industrial zone extending along the CSX rail right-of-way between Killian Hill Road and Jackson Creek. The requested Special Use Permit to allow automobile repair and automobile body shops could be suitable given the zoning pattern of the area and industrial developments which have characterized the area for many years.

The property is located in an industrial district which includes M-1 and M-2 zoned properties, lying both in the unincorporated County and within the city limits of Lilburn. In the general area, and along Arcadia Industrial Circle, there are similar industrial properties that include: towing and wrecker services, impound lots, automotive/truck repair and service facilities, machine shops, and a Gwinnett County D.O.T. maintenance barn. Given the similar uses common to the area, the proposed request for an automobile repair shop could be compatible with the surrounding area. Although the use could be suitable, the Department suggests that it would be appropriate to include conditions to improve the appearance of the property, reduce site congestion and eliminate visual clutter.

In conclusion, the use is considered compatible with the 2040 Unified Plan as the site lies within a long-established industrial area. Additionally, the proposed Special Use Permit to allow automobile repair and automobile body shops could be suitable at this location given the similar industrial uses which characterize the area; therefore, the Department recommends **APPROVAL WITH CONDITIONS**.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of a Special Use Permit for Automobile Repair and Automobile Body Repair, subject to the following enumerated conditions:

1. Limited to light industrial uses, which may include automobile repair and automobile body repair as special uses. Salvage/junkyard operations shall be prohibited. No vehicle sales of any kind shall occur at this location.
2. Salvage of inoperable vehicles and outdoor storage of automotive parts or tires shall be prohibited. No inoperable vehicles shall be stored on the property for more than ten days. Any vehicles abandoned by their owners, whether before or after repair, shall be removed from the property within five days after they become abandoned under State and/or County law.
3. Any new buildings shall be of a brick, stacked stone and/or glass finish on all sides (stucco may only be used as an accent material). Final building elevations shall be submitted for review by the Director of Planning and Development.
4. All repair activities shall take place indoors. No repairs may be conducted in the parking lot.
5. The property owner shall stripe parking spaces in accordance with Gwinnett County parking standards. All vehicles must be parked in a striped parking space on a paved surface.
6. All vehicles awaiting repair shall be parked in the paved area along the side and rear of the building behind the existing fence and gate. The existing fence shall be fitted with screening slats or fabric, to provide an effective screen from view of Arcadia Industrial Circle. The paved area at the front of the lot, between Arcadia Industrial Circle and the front building façade and fence/gate, shall remain free of vehicles awaiting repair at all times, and shall be utilized for rear access and customer parking only.
7. Outdoor storage shall be limited to the rear of the property and screened per the requirements of the Unified Development Ordinance.
8. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure.
9. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

10. Obtain all necessary development and building permits, and bring the site and structure(s) up to all applicable zoning, development and building codes within 180 days of zoning approval.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

In light of the intense industrial activity that includes similar uses within the industrial park, the proposed automobile repair shop could be suitable at this location.

ADVERSE IMPACTS

With the recommended conditions designed to improve the appearance of the property, reduce site congestion and eliminate visual clutter, no significant impacts are anticipated from the automobile body and repair shop.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACT ON PUBLIC FACILITIES

Since no new buildings or parking areas are proposed, little or no additional impacts on public facilities would be anticipated from this request.

CONFORMITY WITH POLICIES

The site is located within an industrial area established through zoning actions by the Board and city of Lilburn many years ago, and the requested use could be compatible with these past zoning decisions as well as adjacent and nearby developments.

CONDITIONS AFFECTING ZONING

Numerous similar businesses exist along Arcadia Industrial Circle, and the site is considered adequately separated from residential districts to the south.

SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENT OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Most of the street is Auto Repair Shops

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

No
Most of the street is Auto Repair Shops

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

no

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

no

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

yes

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED SPECIAL USE PERMIT:

no

November 8, 2018

Gwinnett County

Department of Planning and Development

446 West Crogan Street, Suite 250

Lawrenceville, Georgia 30046

Letter of Intent for Special Use Permit Application

My name is Mike Gresham, President of Gresham Landscape & Construction Inc.

My property at 4131 Arcadia Industrial Circle is currently zoned M-1. The property is currently leased to Dompheh Auto Repair which will require a special use permit. The property consist of a 1.014 acre lot with a single story metal building. It has a paved parking lot and numbered spaces. We are not planning on any changes and the existing condition of the property will remain the same. The surrounding area is characterized by other automobile repair and body shops.

Thank you,

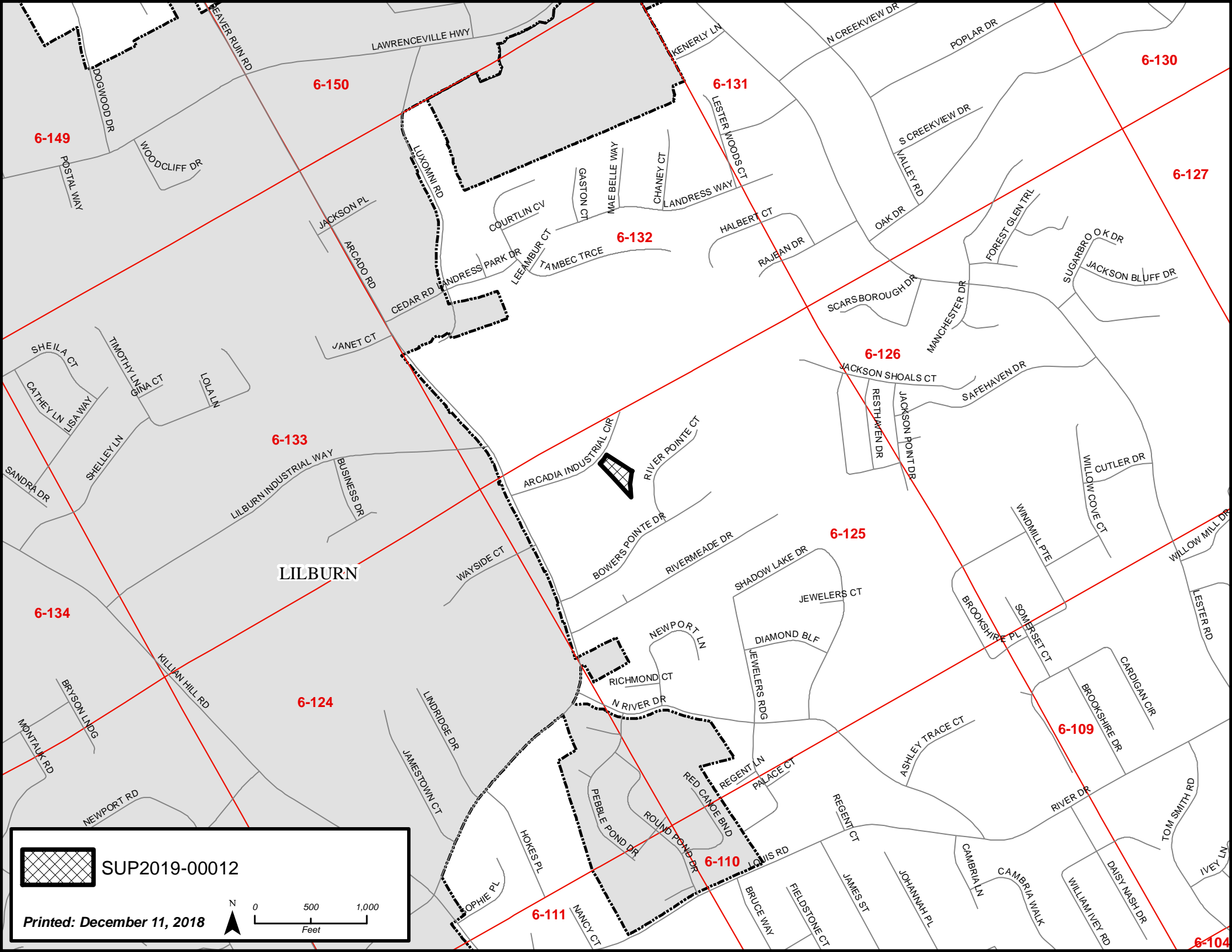


Mike Gresham

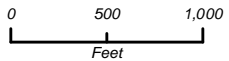
404)557-5452

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PLANNING & DEVELOPMENT

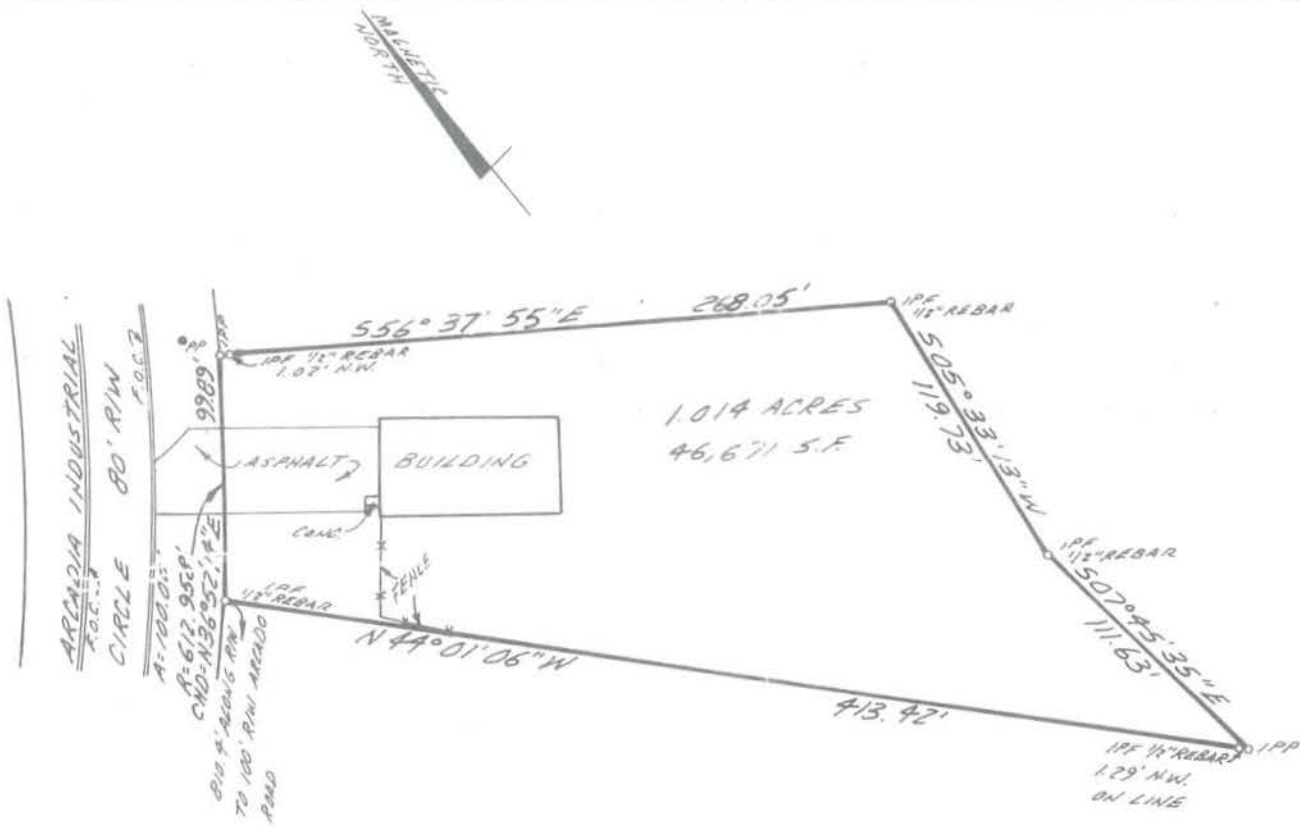
SUP2019-00012



SUP2019-00012



Printed: December 11, 2018



- LEGEND**
- I.P.P. - IRON PIN FOUND
 - L.P.P. - IRON PIN PLACED
 - L.L.L. - LAND LOT LINE
 - L.L. - LAND LOT
 - P.P. - POWER POLE
 - F.P.O. - FOUND
 - D.B. - DEED BOOK
 - P.B. - PLAT BOOK
 - P. - PINE
 - COR. - CORNER
 - C.L. - CENTERLINE
 - R.W. - RIGHT-OF-WAY
 - F.H. - FIRE HYDRANT
 - S.L. - BUILDING LINE
 - W.V. - WATER VALVE
 - W.M. - WATER METER
 - G.V. - GAS VALVE
 - M.H. - MANHOLE
 - S.E. - SANITARY EXHIBIT
 - S.S. - SANITARY SEWER
 - D.E. - DRAINAGE EXHIBIT
 - H.W. - HEADWALL
 - C.B. - CATCH BASIN
 - D.I. - DRAIN INLET
 - N/P. - NOW OR FORMERLY



EQUIPMENT USED :
 THEODOLITE READING TO 0.3 SECONDS;
 ELECTRONIC DISTANCE METER READING DIRECTLY TO .005 FEET.
 THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A HORIZONTAL CLOSURE OF 1" IN 13,199.
 THIS SURVEY HAS BEEN CALCULATED FOR CLOSURE BY LATITUDE AND DEPARTURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 13,199 FEET.
 IRON PINS PLACED ARE 1/2" REBAR.

THIS PARCEL IS NOT IN A SPECIAL FLOOD HAZARD AREA AS PER FEMA FLOOD INSURANCE RATE MAP
 NUMBER: 1303220190B
 PANEL: 190 OF 325
 GWINNETT COUNTY, GEORGIA
 COPYRIGHT TIBBITTS LAND SURVEYING, INC.

TIBBITTS LAND SURVEYING
 1076 HIGHWAY 278
 DALLAS, GEORGIA 30132
 (404) 443-1021
 INC.
 IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.
George A. Randy

SURVEY FOR:	
FRANK L. HAYNIE	
SALLY M. HAYNIE	
LAND LOT: 125	DRAWN BY: B. DRISKELL
DISTRICT: 6	CHECKED BY:
SECTION:	SCALE: 1" = 50'
COUNTY: GWINNETT	DATE: 1-16-91
STATE: GEORGIA	JOB NO: 91003

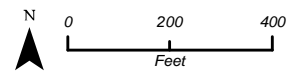
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SUP2019-00012

Printed: December 11, 2018





ARCADIA INDUSTRIAL CIR

RIVER POINTE CT

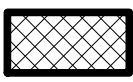
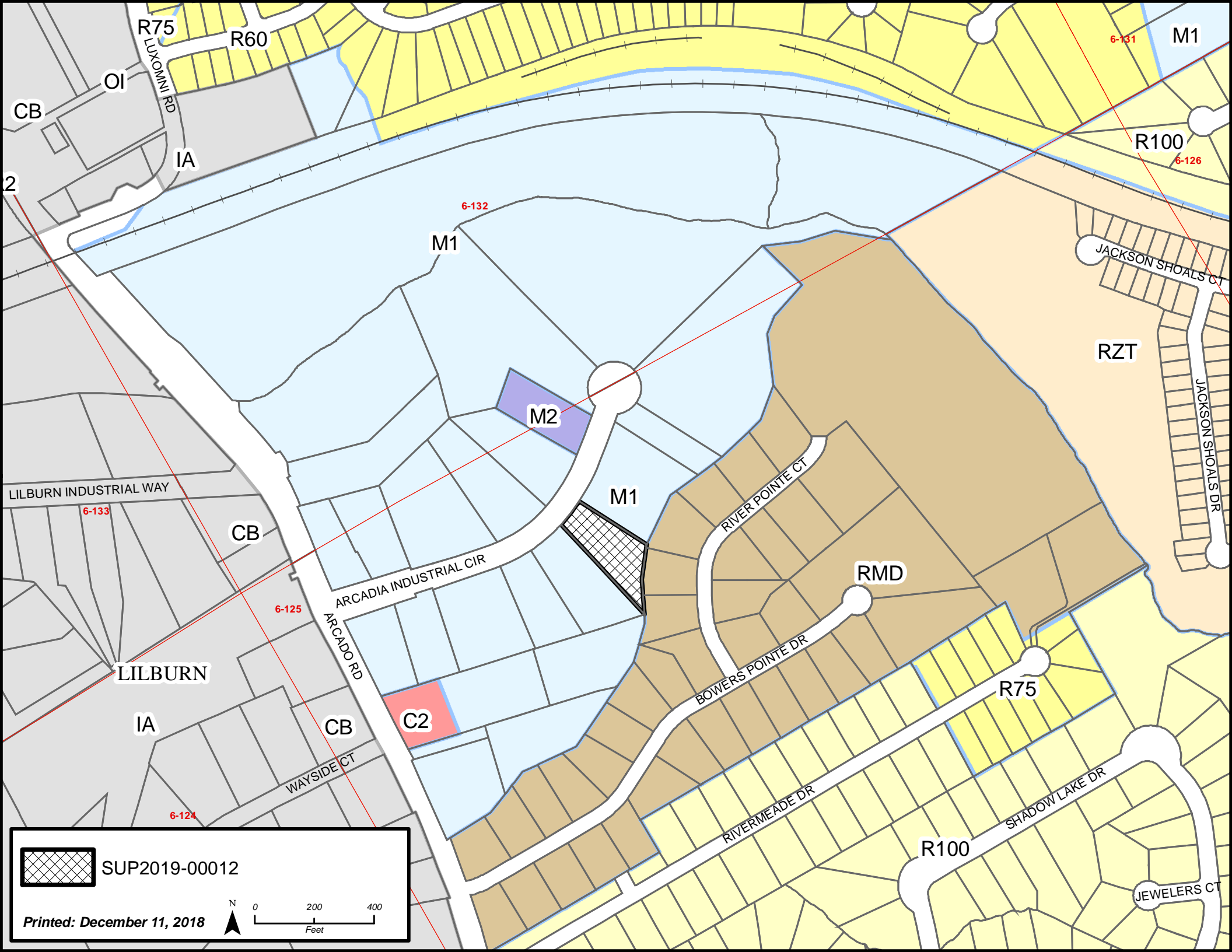


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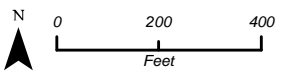
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Printed: December 11, 2018



SUP2019-00012

Printed: December 11, 2018



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

CASE NUMBER :**SUP2019-00013**
ZONING :M-1
LOCATION :4100 BLOCK OF ARCADIA INDUSTRIAL CIRCLE
MAP NUMBER :R6132 046
ACREAGE :1.5 ACRES
SQUARE FEET :7,500 SQUARE FEET
PROPOSED DEVELOPMENT :AUTOMOBILE REPAIR & BODY SHOP
COMMISSION DISTRICT :(2) KU

FUTURE DEVELOPMENT MAP: **ESTABLISHED NEIGHBORHOODS**

APPLICANT: MICHAEL D. SWAIM
5281 MILLER ROAD
LILBURN, GA 30047

CONTACT: MICHAEL SWAIM PHONE: 404.702.8277

OWNER: MICHAEL D. SWAIM
5281 MILLER ROAD
LILBURN, GA 30047

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests approval of a Special Use Permit for continued use of the property as automobile repair and body shops. The subject property is a 1.5-acre site, zoned M-1 (Light Industry District), and located on the north side of Arcadia Industrial Circle which extends from the east side of Arcado Road. The building is currently in use as multiple automobile repair shops. This request is the result of a code enforcement action, and the Special Use Permit would serve to bring the businesses into zoning conformance.

The site is developed with a multi-suite, 7,500-square foot single story metal building, associated parking areas and driveways. The building includes roll-up doors along the side of the building. The side and rear parking/loading area is fenced and gated. The front parking area is also fenced with a wooden privacy fence. There are also portions of the property being used for automobile storage that are unpaved. Access onto Arcadia Industrial Circle occurs from two entry points. One access is paved and was most likely installed as part of the development process. A second access which

appears to provide access to the rear of the property due to excessive congestion is gravel, and most likely is not an approved curb cut.

ZONING HISTORY:

In 1970, the subject property was zoned R-100 (Single Family Residence District). In 1971, the property was rezoned to M-1 (Light Industry District), per RZ-59-70, as part of the industrial park.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

Parking lots and interior driveways shall be in accordance with Chapter 240 of the Unified Development Ordinance.

Dumpster shall be located in the rear or side yards a minimum 5 feet from side or rear property lines.

Dumpsters must be screened on all four sides.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Arcadia Industrial Circle is a Local Street and 30 feet of right way is required from the centerline.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of an 8-inch water main located on the northwest right of way of Arcadia Industrial Circle.

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 and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of 8-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 550 feet northwest of parcel R6132 046 and parcel R6132 017. Easements would be required.

The subject development is located within the Yellow River service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

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 and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 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.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for any proposed interior or exterior modification (remodel) for review and approval by Building Plan Review.
2. Architectural design of any proposed exterior modification shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Design Category 1.
3. Upon completion of plan review approvals, the applicant shall obtain a building permit and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at 678.518.6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject property is a 1.5-acre site, zoned M-1 (Light Industry District) and located on the north side of Arcadia Industrial Circle which extends from the east side of Arcado Road. The site is currently developed with a single-story building, parking and driveway. The building is currently in use for automobile repair with multiple tenants.

The 2040 Unified Plan Future Development Map indicates that the property lies within an Established Neighborhoods Suburban Character Area. The Arcadia Industrial Park has existed for many years and is located in a large industrial zone extending along the CSX rail right-of-way between Killian Hill Road and Jackson Creek. The requested Special Use Permit to allow automobile repair and automobile body shops could be suitable given the zoning pattern of the area and industrial developments which have characterized the area for many years.

The property is located in an industrial district which includes M-1 and M-2 zoned properties, lying both in the unincorporated County and within the city limits of Lilburn. In the general area, and along Arcadia Industrial Circle, there are similar industrial properties that include: towing and wrecker services, impound lots, automotive/truck repair and service facilities, machine shops, and a Gwinnett County D.O.T. maintenance barn. Given the similar uses common to the area, the proposed request for an automobile repair shop could be compatible with the surrounding area. Although the use could be suitable, the Department suggests that it would be appropriate to include conditions to improve the appearance of the property, reduce site congestion and eliminate visual clutter.

In conclusion, the use is considered compatible with the 2040 Unified Plan as the site lies within a long-established industrial area. Additionally, the proposed Special Use Permit to allow automobile repair and automobile body shops could be suitable at this location given the similar industrial uses which characterize the area; therefore, the Department recommends **APPROVAL WITH CONDITIONS**.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of a Special Use Permit for Automobile Repair and Automobile Body Repair, subject to the following enumerated conditions:

1. Limited to light industrial uses, which may include automobile repair and automobile body repair as special uses. Salvage/junkyard operations shall be prohibited. No vehicle sales of any kind shall occur at this location.
2. Salvage of inoperable vehicles and outdoor storage of automotive parts or tires shall be prohibited. No inoperable vehicles shall be stored on the property for more than ten days. Any vehicles abandoned by their owners, whether before or after repair, shall be removed from the property within five days after they become abandoned under State and/or County law.
3. Any new buildings shall be of a brick, stacked stone and/or glass finish on all sides (stucco may only be used as an accent material). Final building elevations shall be submitted for review by the Director of Planning and Development.
4. All repair activities shall take place indoors. No repairs may be conducted in the parking lot.
5. The property owner shall stripe parking spaces in accordance with Gwinnett County parking standards. All vehicles must be parked in a striped parking space on a paved surface.
6. All vehicles awaiting repair shall be parked in the paved area along the side and rear of the building behind the existing fence and gate. The existing fence shall be fitted with screening slats or fabric, to provide an effective screen from view of Arcadia Industrial Circle. The paved area at the front of the lot, between Arcadia Industrial Circle and the front building façade and fence/gate, shall remain free of vehicles awaiting repair at all times, and shall be utilized for rear access and customer parking only. The existing wooden privacy fence in the front yard shall be removed.
7. Outdoor storage shall be limited to the rear of the property and screened per the requirements of the Unified Development Ordinance.
8. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure.
9. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

10. Obtain all necessary development and building permits, and bring the site and structure(s) up to all applicable zoning, development and building codes within 180 days of zoning approval.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

In light of the intense industrial activity that includes similar uses within the industrial park, the proposed automobile repair shop could be suitable at this location.

ADVERSE IMPACTS

With the recommended conditions designed to improve the appearance of the property, reduce site congestion and eliminate visual clutter, no significant impacts are anticipated from the automobile body and repair shop.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACT ON PUBLIC FACILITIES

Since no new buildings or parking areas are proposed, little or no additional impacts on public facilities would be anticipated from this request.

CONFORMITY WITH POLICIES

The site is located within an industrial area established through zoning actions by the Board and city of Lilburn many years ago, and the requested use could be compatible with these past zoning decisions as well as adjacent and nearby developments.

CONDITIONS AFFECTING ZONING

Numerous similar businesses exist along Arcadia Industrial Circle, and the site is considered adequately separated from residential districts to the south.

SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENT OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes the property on each side is Automotive use also.

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

No

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

Yes

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

No

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

Yes

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED SPECIAL USE PERMIT:

No

Michael D Swaim
803 Lakeview Rd
Lavonia, Ga 30553
404-702-8277

Gwinnett Co. Dept. of Planning and Development
446 W Crogan St #150
Lawrenceville, GA 30046

Dear Gwinnett County,

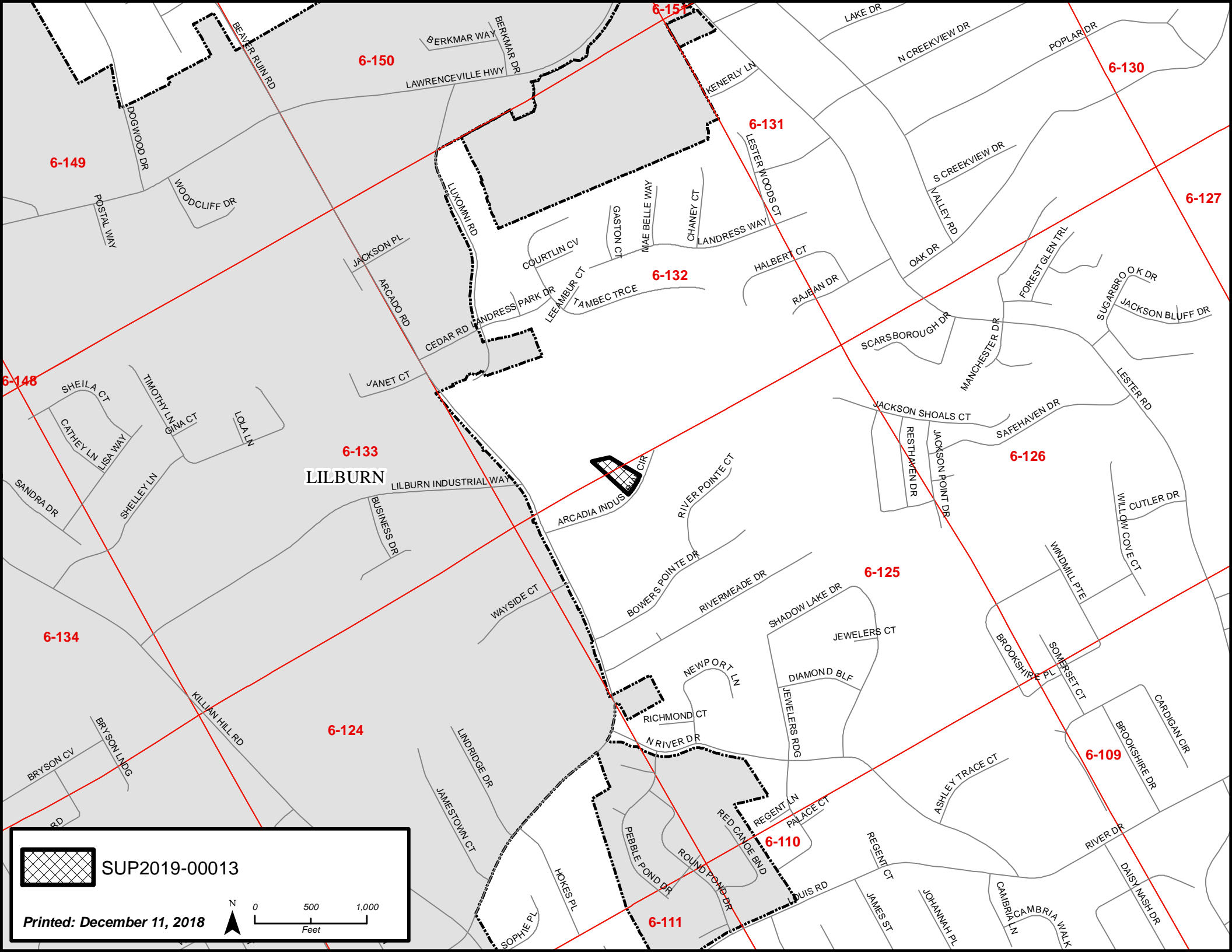
Please accept this letter of intent for a special use permit at 4140 Acadia Industrial Circle
Lilburn, GA 30087. The use of the property will be auto repair and auto body repair. Property
acreage size is 1.50.

Thank you for your consideration,

Michael D Swaim

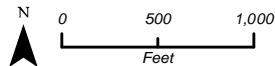
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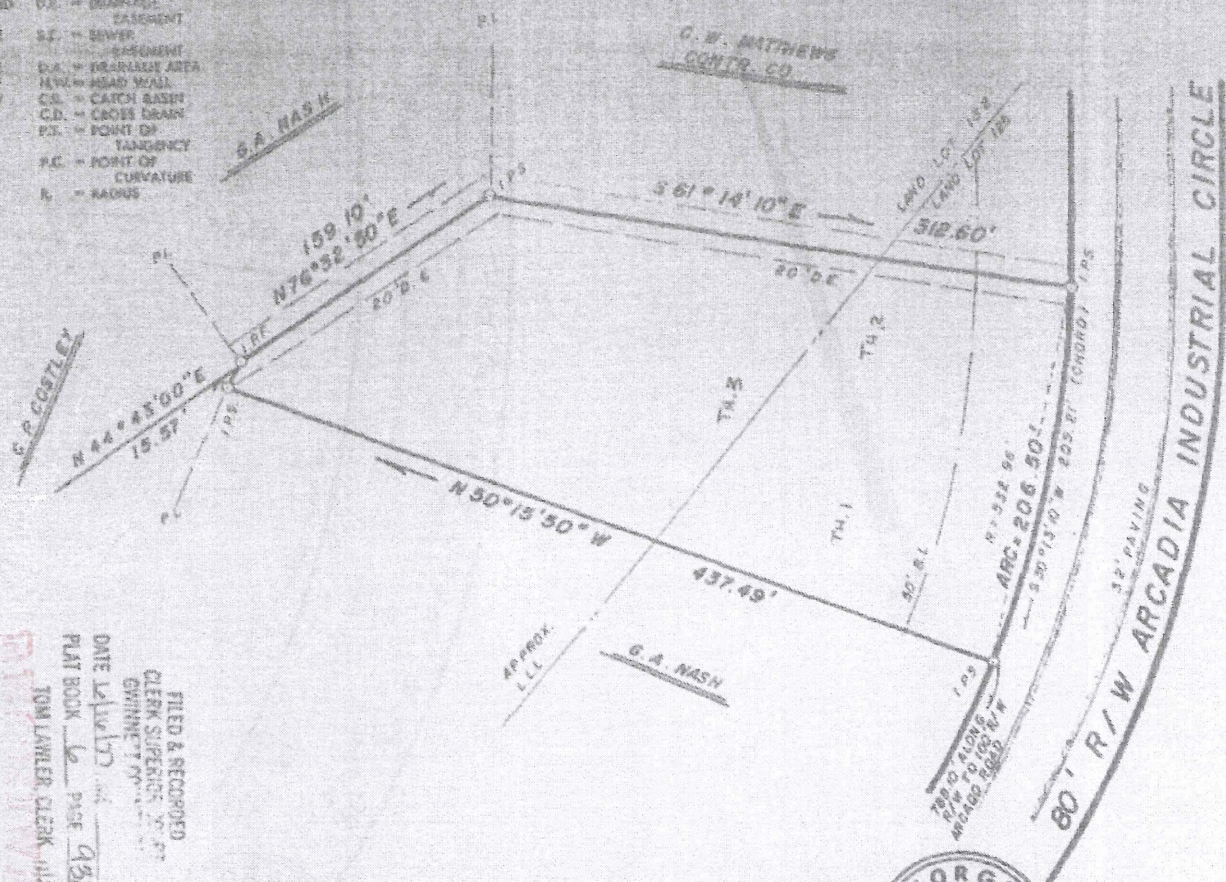
Printed: December 11, 2018



- LEGEND:
- 1/2" = 100' FOUND
 - 1/4" = 100' SET
 - T.L. = PROPERTY LINE
 - C.L. = CENTER LINE
 - S.L. = BOUNDARY LINE
 - L.L. = LAND LOT LINE
 - S.W. = RIGHT-OF-WAY
 - P. = POWER LINE
 - T. = TELEPHONE
 - W. = WATER LINE
 - S. = SEWER LINE
 - T.N. = TEST HOLE
 - M. = MARKER
 - M.T. = MARKED TREE
 - D.E. = DRAINAGE EASEMENT
 - S.E. = SEWER EASEMENT
 - D.A. = DRAINAGE AREA
 - M.W. = HEAD WALL
 - C.B. = CATCH BASIN
 - C.D. = CROSS DRAIN
 - P.T. = POINT OF TANGENCY
 - P.C. = POINT OF CURVATURE
 - R. = RADIUS

Recorded June 16, 1927

Millard Perry C. S.C.



FILED & RECORDED
 CLERK SUPERIOR CT. CT.
 GWINNETT COUNTY
 DATE 11/29/18
 PLAT BOOK 6 PAGE 932
 TOM LAWLER, CLERK

NOV 29 2018



HANNON, MEEKS & BAGWELL,
 SURVEYORS & ENGINEERS, INC.

SURVEY FOR
KENNETH R. BIRCHFIELD

LAND LOT(S) 125 & 126 of the 6TH. DISTRICT
 PART of LOT 10, ARCADIA INDUSTRIAL PARK
 GWINNETT COUNTY, GEORGIA **1.500 ACRES**

DATE: 8-10-77
 SCALE: 1" = 60'

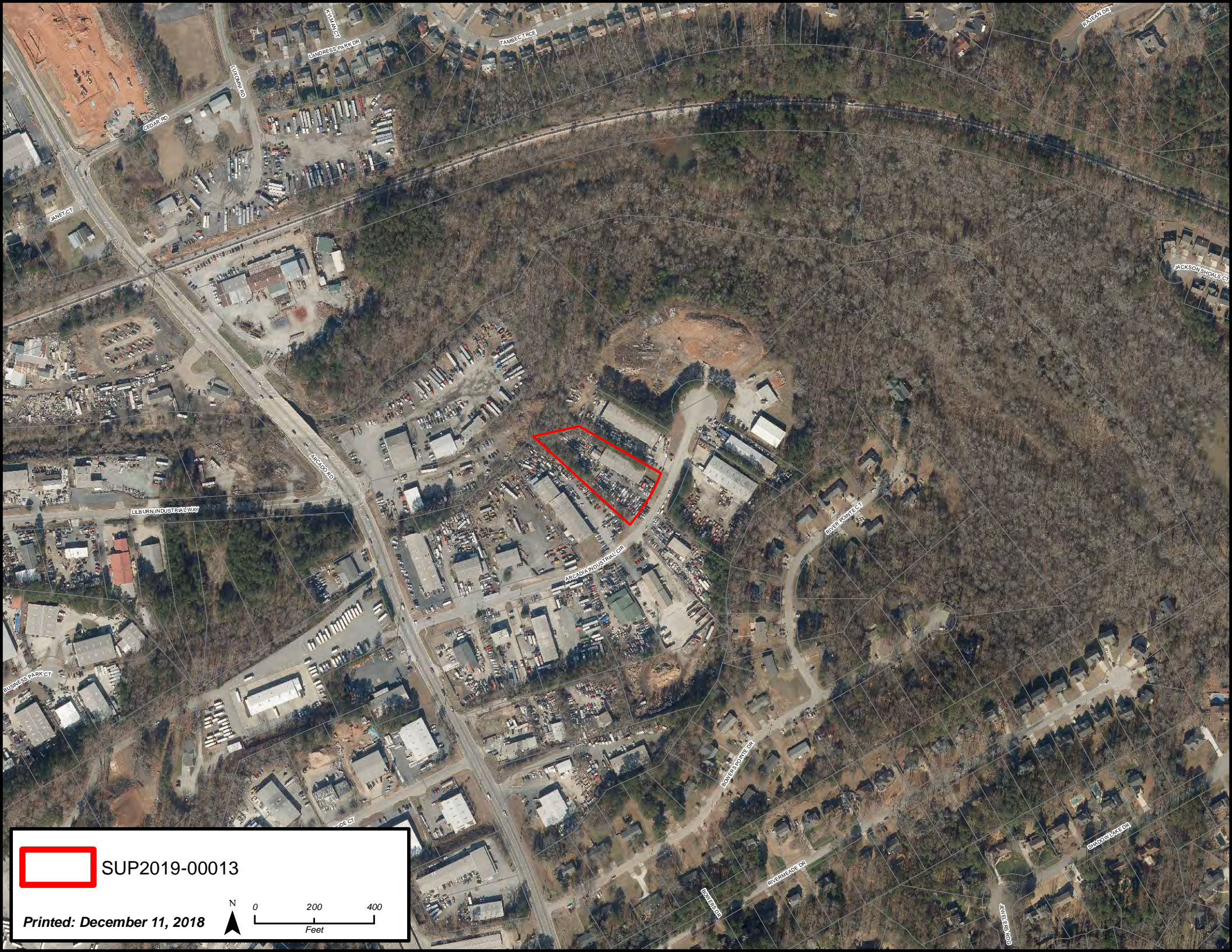
REVISIONS


LAND PLANNING
 LAND SURVEYING
 FEASIBILITY STUDIES & ENGINEERING

IN MY OPINION, THIS PLAT IS A CORRECT
 REPRESENTATION OF THE LAND PLATTED
 AND HAS BEEN PREPARED BY ME IN ACCORDANCE
 WITH THE MINIMUM STANDARDS AND
 REQUIREMENTS OF THE
 SURVEYING AND MAPPING ACT OF 1977

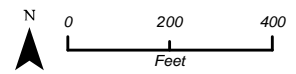
256 BUFORD DRIVE
 LAWRENCEVILLE, GEORGIA 30046
 TELEPHONE 404/963-7181

SUP 19013



 SUP2019-00013

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Map labels include: CEDAR RD, WINDYWOOD, LINDRESS PARK DR, TAMBLETCE, RAZAN DR, ANNET CT, ARCADIA RD, LILBURN INDUSTRIALWAY, BUSINESS PARK CT, RIVER POINTE CT, RIVER POINTE DR, RIVERMEADE DR, SPADWATER DR, and GOLF COUNTRY.

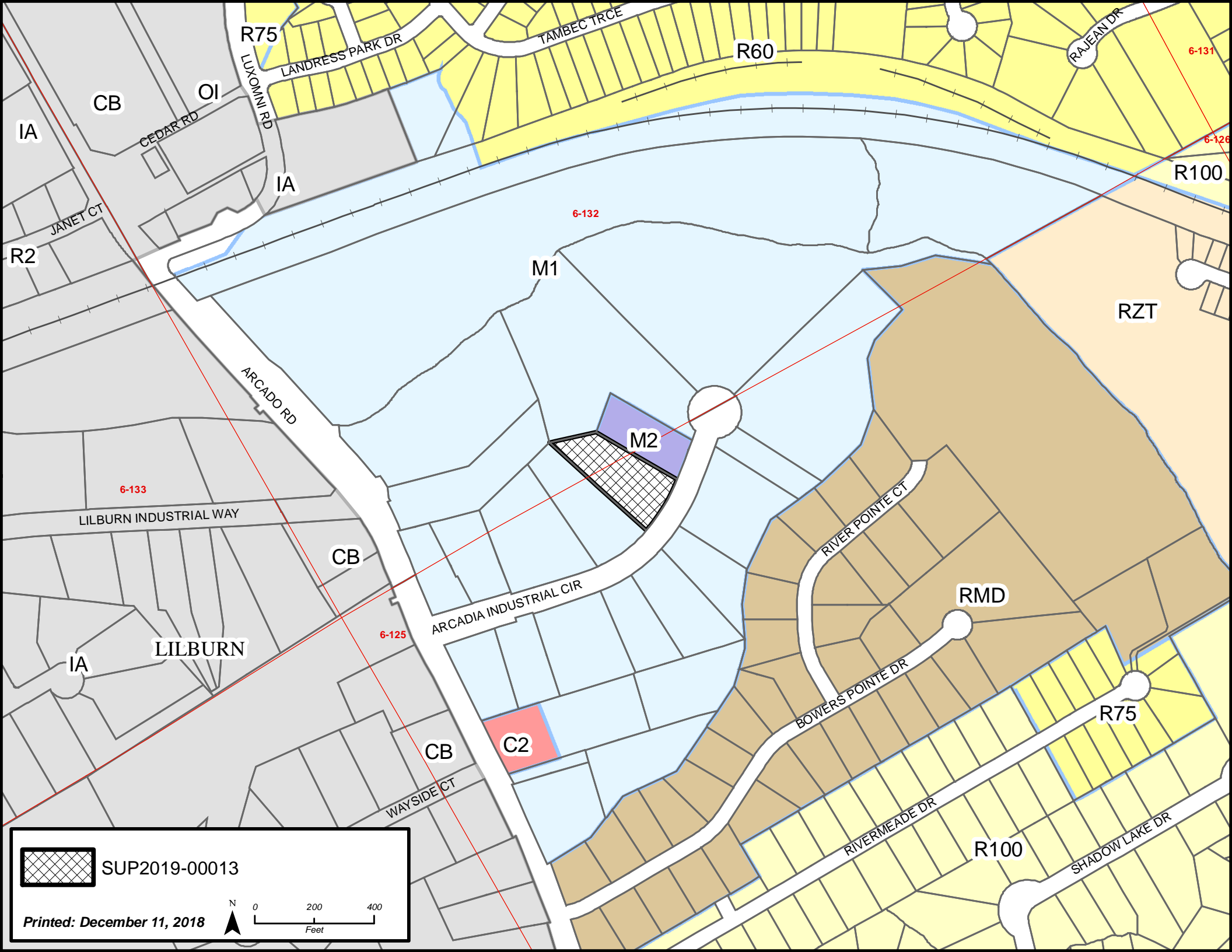


ARCADIA INDUSTRIAL CIR

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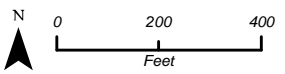
Printed: December 11, 2018

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0 50 100
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SUP2019-00013

Printed: December 11, 2018



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

CASE NUMBER :**SUP2019-00014**
ZONING :C-2
LOCATION :3200 BLOCK OF SARDIS CHURCH ROAD
MAP NUMBER :R3002 077
ACREAGE :2.71 ACRES
SQUARE FEET :20,511 SQUARE FEET
PROPOSED DEVELOPMENT :CLIMATE CONTROLLED SELF-STORAGE FACILITY &
OUTDOOR RECREATIONAL VEHICLE STORAGE
COMMISSION DISTRICT :(4) FOSQUE

FUTURE DEVELOPMENT MAP: **COMMUNITY MIXED-USE**

APPLICANT: PSFD, LLC
C/O MELODY A. GLOUTON, ESQ.
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GA 30097

CONTACT: MELODY A. GLOUTON, ESQ. PHONE: 770.822.0900

OWNER: PSFD, LLC
C/O MELODY A. GLOUTON, ESQ.
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GA 30097

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests a Special Use Permit on a 2.71-acre property zoned C-2 (General Business District), to construct two one-story climate-controlled self-storage buildings that total approximately 20,511 square feet. The applicant also requests approval of outdoor storage for recreational vehicles. The site is located at the end of Sardis Church Road south of Hamilton Mill Road and is currently a vacant, graded lot. The property is part of the GA HWY 124/324/Hamilton Mill Overlay District.

The site plan depicts a central parking and storage area surrounded by two proposed climate-controlled self-storage buildings. The building oriented to the northeast of the site is to be approximately 6,800 square feet, while the building oriented to the southeast of the site is to be approximately 13,711 square-feet. The letter of intent states that in addition to traditional storage units, the facility would also provide for

indoor boat and automobile storage. Management and leasing functions will be provided in the business office at the existing adjacent location at 3220 Sardis Church Road.

Proposed access to the site shall occur to the north of the property through a shared driveway off Sardis Church Road and through the adjacent storage facility. A drainage easement is also shown in this area which provides the site access to a master stormwater facility. The southeastern property line adjoins the Xpress Hamilton Mill Commuter Park-and-Ride facility. The rear façade of one of the proposed buildings is oriented towards this facility.

ZONING HISTORY:

In 1970, the property was zoned RA-200 (Residence Agriculture District). In 2003, it was part of a 78-acre tract rezoned to C-2 pursuant to RZC-03-040 for a large shopping center with outparcels. Pursuant to CIC-05-010, a required buffer was partially reduced on property along Hamilton Mill Road, and did not involve the subject property for this Special Use Permit.

GROUNDWATER RECHARGE AREA:

The subject property is located within an identified Significant Groundwater Recharge Area. The development would be served by sanitary sewer, resulting in minimal impact.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

The required front building setback of 15 feet appears to not be met. The applicant must either review the site plan, or seek a Variance from the Zoning Board of Appeals.

Parking lots and interior driveways shall be in accordance with Chapter 240 of the Unified Development Ordinance.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

The property appears to contain stream buffers. The proposed conceptual plan may require revision to show the appropriate stream buffers.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Sardis Church Road is a Local Street and 30 feet of right of way is required from the centerline.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of an 8-inch water main located on the west right of way of Sardis Church Road.

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 and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of 8-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 50 feet north of parcel R3002 077 on parcel R1001B053 and a sanitary sewer main is located in the right of way of Sardis Church Road.

The subject development is located within the Ivy Creek service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

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 and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 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.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit civil site drawings to Building Plan Review for review and approval.
2. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for each building for review and approval by Building Plan Review.
3. Each building shall comply with the height and area limitations of Table 503 and the fire resistive and horizontal separation requirements of Table 601 and 602 of the 2012 International Building Code with Georgia state amendments based on occupancy group classification, type of construction, and location of each building from property lines and other buildings.

4. Architectural design of the proposed building shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Design Category 3.
5. Upon completion of plan review approvals, the applicant shall obtain a building permit for each building and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at 678.518.6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject property is a 2.71-acre property located at the end of Sardis Church Road south of Hamilton Mill Road, and is currently vacant, graded and undeveloped. The property is part of the GA HWY 124/324/Hamilton Mill Overlay District, and is zoned C-2 (General Business District) pursuant to CIC-05-010.

The 2040 Unified Plan Future Development Map indicates that the property is located in a Community Mixed-Use Character Area. Free-standing commercial/retail uses at established commercial nodes are acceptable components of this character area. Approval of the adjacent facility in 2015 established a precedent that the requested Special Use Permit could be considered consistent with the policies of the Unified Plan.

The property is situated within an intense commercial node along Hamilton Mill Road at its interchange with Interstate 85. To the north and northeast along Hamilton Mill Road is a Walmart Supercenter development and outparcels zoned C-2. To the east is the Towne Center at Hamilton Mill development including a Tires Plus store pursuant to SUP-07-054. Adjacent to the subject site on the south is the Xpress Hamilton Mill Commuter Park-and-Ride facility, also zoned C-2. Adjacent to the west is the Premier Storage at Hamilton Mill approved pursuant to SUP-15-011.

Given the existing C-2 zoning on the property as well as existing commercial development adjacent to the site and at the Hamilton Mill Road/Interstate 85 node, including the previously approved adjacent storage facility, the requested Special Use Permit and proposed outdoor recreational vehicle storage facility may be appropriate for the subject property. An additional element supporting approval of the request is the site design, which utilizes the orientation of the proposed building as screening of the outdoor recreational vehicle storage area. For these reasons, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS**

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of a Special Use Permit for a climate-controlled self-storage facility and outdoor recreational vehicle storage, subject to the following enumerated conditions:

1. Retail and service commercial and accessory uses, which may include a climate-controlled self-storage facility as a special use. The self-storage facility may include indoor automobile and boat storage.
2. Abide by all applicable conditions of CIC-05-010, and the Hamilton Mill Overlay District.
3. Outdoor storage other than recreational vehicle storage shall be prohibited.
4. Outdoor speakers or sound amplification systems shall be prohibited.
5. Peddlers and/or parking lot sales shall be prohibited.
6. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
7. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
8. Building façade material shall match the building architecture of the adjacent storage facility. Architectural interest shall be created on the building façade adjacent to the southeastern property line through the use of building plane variation, different façade materials, and landscaping. Final architectural design shall be subject to the review and approval of the Director of Planning and Development.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

A self-storage facility may be a suitable use of the site, given the existing commercial zoning, the development in the area, and the adjacent storage facility.

ADVERSE IMPACTS

Staff does not anticipate adverse impacts as a result of the development provided the proposed conditions are met.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACT ON PUBLIC FACILITIES

Minimal impact on public facilities would be expected from this request.

CONFORMITY WITH POLICIES

The requested Special Use Permit and proposed self-storage facility are considered to be consistent with the policies and intent of the Unified Plan.

CONDITIONS AFFECTING ZONING

Prior approval of the adjacent storage facility provides support for the approval of the current request.

SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENT OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Please see attached

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

Please see attached

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

Please see attached

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

Please see attached

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

Please see attached

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED SPECIAL USE PERMIT:

Please see attached

SPECIAL USE PERMIT APPLICANT PSFD, LLC'S
RESPONSE TO STANDARDS GOVERNING THE EXERCISE OF ZONING POWER

- A) WHETHER A PROPOSED SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes. Climate-controlled self-storage and RV parking lot uses create conditions and provide support for a true live-work environment. The proposed, quality storage use, as well as the RV parking lot, will support the influx of businesses and residents in the Hamilton Mill area.

- B) WHETHER THE PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USEABILITY OF ADJACENT OR NEARBY PROPERTY:

No. The proposed Special Use Permit will not adversely affect the existing uses or usability of any of the nearby properties. The continued use of the property for retail and commercial uses is compatible with surrounding development. Self-storage and RV parking uses generally have minimal access, typically after work and on weekends. Due to the limited customer use, there will be nominal traffic and parking compared to similarly-sized retail uses. The proposed development is appropriate for this property, located at the back of a secondary commercial corridor, and is entirely consistent with the current zoning and nearby commercial uses. This request will result in an attractive, high-quality and unobtrusive self-storage facility with far fewer adverse impacts than the currently approved retail and commercial uses for this property.

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

No. The existing configuration, nearby retail uses, Wal-Mart, and other factors, make development of the entire property under the current zoning conditions extremely difficult, if not impossible. As a result of those factors, prior projects have fallen through. Moreover, due to the size, layout, location, and topography of the subject property, the Applicant submits that the subject property does not have reasonable economic use as currently zoning without the requested special use permit.

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

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No. The proposed Special Use Permit Application will not result in an excessive or burdensome use of the infrastructure systems. The subject property is located off of Sardis Church Road with access to utilities. The proposed self-storage facility and RV parking would also be a far less intensive use than traditional office/commercial/retail uses from the standpoint of generating far less traffic, noise, and impact on utilities and sewer. Public water and sewer is readily available as needed and little to no utility infrastructure is required.

The subject property is located in a mixed-retail and commercial area; on a secondary commercial corridor with ample access and multiple routes to I-85, and commercial corridors. The requested special use permit will actually have far less impact on existing streets, transportation facilities and utilities than the currently approved large-scale retail uses and will have absolutely no impact on the schools and minimal impact on roads and utilities.

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

Yes. The proposed Special Use Permit Application is in conformity with the policy and intent of the 2030 Land Use Plan. The proposed self-storage and RV parking use presents a significant down-zoning from the large-scale retail uses currently permitted and planned for this property. The subject property is located in a retail node near I-85, across from a park and ride, with easy access to Hamilton Mill Road. The proposed self-storage facility is consistent with the use and development of adjacent and nearby properties, a majority of which include more intense commercial and retail uses. The proposed self-storage facility would also be a far less intensive use than traditional commercial/retail uses from the standpoint of generating a far less impact on traffic, noise, infrastructure and utilities.

(F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER THE APPROVAL OR DISAPPROVAL OF THE ZONING PROPOSAL:

Yes. The request is supported by: (1) the location of the subject property near a secondary road and intense, existing commercial/retail and (2) the need for self-storage and RV parking uses for nearby residents and businesses.

Melody A. Glouton
Email: mglouton@atclawfirm.com

Telephone: 770.822.0900
Direct Dial: 770.339.0475
Direct Fax: 770.236.9719

December 4, 2018

VIA HAND DELIVERY

Gwinnett County Planning and Development
c/o Kathy Holland, Director of Planning and Development
446 West Crogan Street
Lawrenceville, GA 30046-2440

RE: LETTER OF INTENT FOR SPECIAL USE PERMIT OF PSFD, LLC

Dear Director and Staff:

Andersen, Tate & Carr, P.C., submits this Letter of Intent and attached Special Use Permit Application (the "Application") on behalf of PSFD, LLC, (the "Applicant"), for the purpose of requesting a Special Use Permit for the use of a climate-controlled self-storage facility and RV parking lot on an approximately 2.7 acre-tract of vacant land (the "Property") located at 3221 Sardis Church Road, Buford, Georgia.

The Property is currently zoned C-2. The adjacent Walmart was zoned in 1997 for intense retail use. Nearby uses also include a Tires Plus automotive repair store and service center, located across the street from the subject property, and an industrial-zoned distribution center.

The requested Special Use Permit would allow the Applicant to develop the remaining acreage for a quality self-storage and RV parking use on 2.7 acres, for approximately 20,511 sq. ft. of storage space. The Applicant is experienced in developing and operating quality self-storage businesses, including existing location in Buford, Georgia, at 3220 Sardis Church Road and 2240 Sparta Way. Both locations are known as *Premier Storage*. Self-storage and RV parking uses have been permitted in similar locations throughout Gwinnett County. The proposed materials emphasize high-quality design standards, to include brick fronts with high-quality metal frames. The proposed storage facility would also include certain units which will allow for boat and automobile storage, serving many of the residents in the area. The proposed self-storage and RV parking use is compatible with the adjacent residents and businesses.

In addition to the shared access on Sardis Church Road, a secondary road, the Property will share a management and leasing office with the existing location at 3220 Sardis Church

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Road, including security fencing around the self-storage property. The Property includes extensive screening and buffering from the adjacent residential property due to the existing stream bed and buffer requirements, which will not be disturbed. The proposed self-storage and RV parking use presents a significant down-zoning from the retail uses permitted and planned for this property.

As historically supported by infrastructure and services, self-storage uses allow for a true live-work environment by supporting businesses, entrepreneurs and residents alike. Recent studies show that business uses account for more than 40% of all self-storage units in the United States. The proposed use would also be designed to meet the Gwinnett County overlay and development standards and requirements, and would be entirely consistent with the existing commercial and retail node in which it is located.

The Applicant proposes a site plan that is also in compliance with many of the existing conditions and is working with Wal-Mart, the adjacent property owner, to address any existing covenants. While creating additional tax revenue, self-storage facilities are a quiet, low-impact use. The proposed use will generate far less traffic than large-scale retail uses previously proposed for this property, which included more than 120,000 sq. ft. of retail space.

The Property is located on a secondary road with easy access to multiple routes and major roads, including I-85 and I-985, with little to no impact on traffic. The Property's close proximity to residential and commercial uses will allow the Applicant to serve those customers with minimal impact on neighboring property owners. The concept site plan provides efficient circulation for ingress/egress, and allows for inter-parcel access. The Property has access to a public water supply, public sanitary sewer, and convenient access to collector streets, major thoroughfares and a major state highway. The Property has remained undeveloped due to its size, shape and location, and the current zoning district and conditions make the Property unmarketable with no reasonable, economic use.

The Applicant respectfully requests that the Board of Commissioners, Planning Commission, and staff recommend and approve the Applicant's request for a special use permit. The proposed use is effectively down-zoning of the subject property to a less intense use than the existing retail uses, while providing the Applicant and property owner with a viable, economic use.

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

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Respectfully submitted this 4th day of December, 2018.

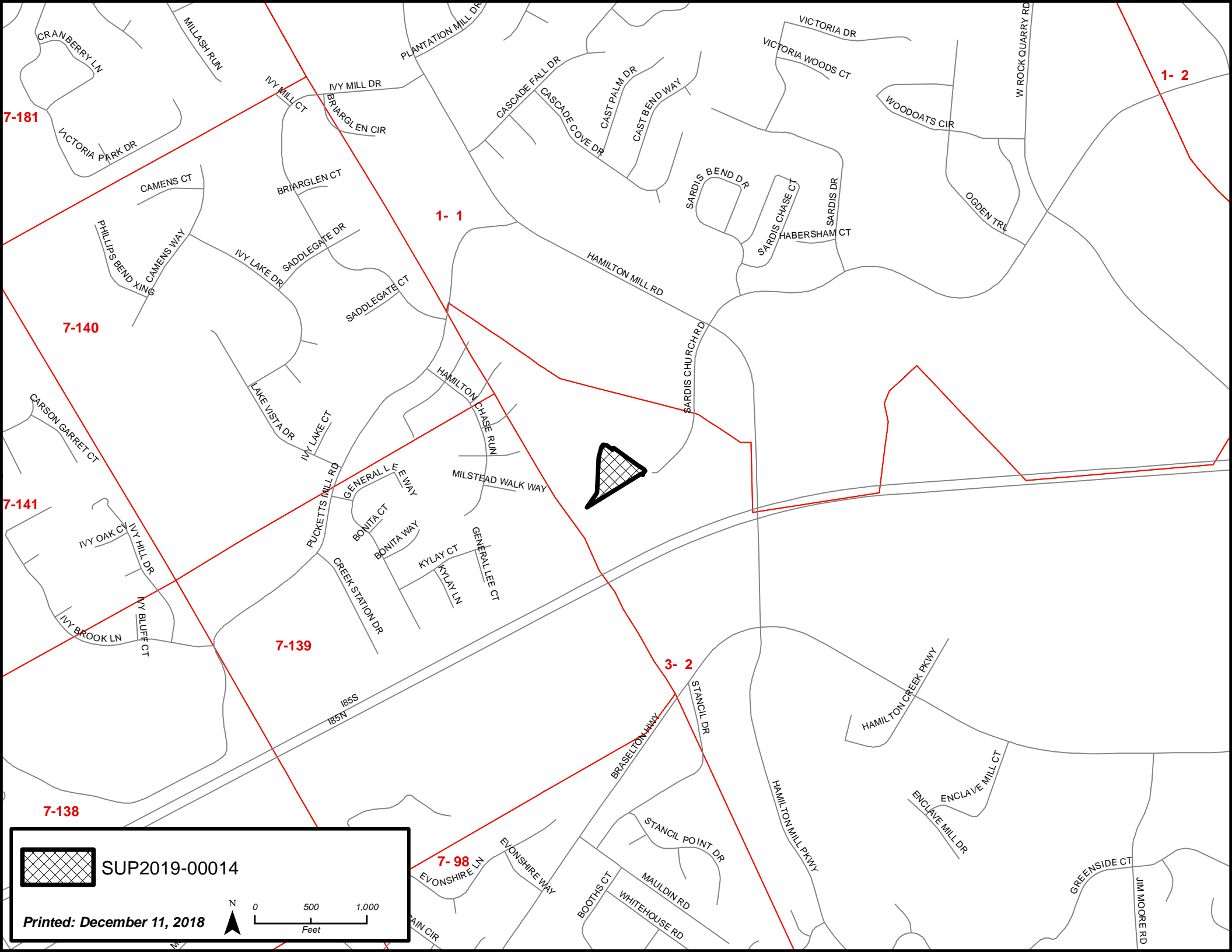
ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.
Attorney for the Applicant

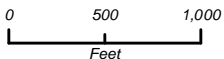
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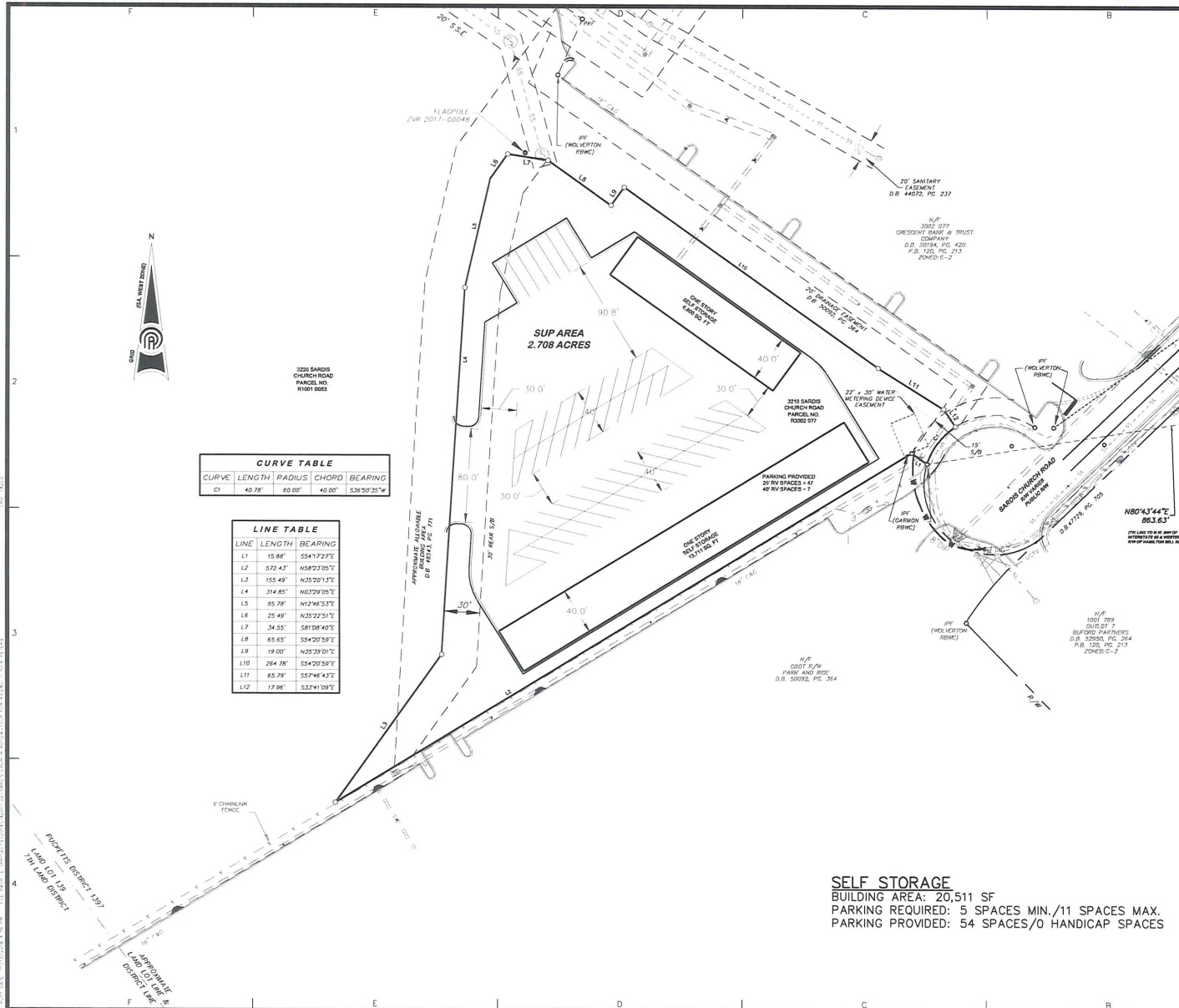
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Printed: December 11, 2018



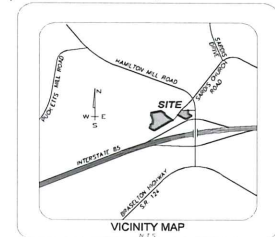


CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	BEARING
CI	49.78'	60.00'	40.00'	S38°30'35"W

LINE TABLE

LINE	LENGTH	BEARING
L1	15.88'	S54°17'22"E
L2	272.43'	N58°23'05"E
L3	155.49'	N25°20'13"E
L4	174.85'	N03°29'05"E
L5	95.78'	N12°46'53"E
L6	25.49'	N32°23'21"E
L7	34.55'	S81°08'40"E
L8	65.65'	S34°20'59"E
L9	18.00'	N35°19'01"E
L10	284.78'	S34°20'59"E
L11	65.79'	S57°46'43"E
L12	17.96'	S33°41'09"E



SUPLEGAL DESCRIPTION

All the tract or parcel of land lying and being in District 3, Land Lot 139 & G.M.D. 1397, Gwinnett County, Georgia and being more particularly described as follows:

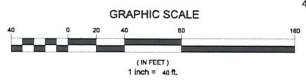
Beginning at a 3" rebar found at the Northwestery Right-of-Way of Interstate Highway 85 (RW/V varies) and the Westerly Right-of-Way of Hamilton Mill Road (RW/V varies); THENCE from said point as thus established South 80 degrees 43 minutes 44 seconds West for a distance of 863.63 feet to an Iron Pin Found (Garmon RBWC) on the Easterly Right-of-Way of Sardis Church Road (RW/V varies); said point being THE POINT OF BEGINNING.

THENCE from said point as thus established and leaving aforesaid Right-of-Way of Sardis Church Road, North 54 degrees 17 minutes 27 seconds West for a distance of 15.88 feet to an Iron Pin Found (Garmon RBWC); THENCE South 58 degrees 23 minutes 05 seconds West for a distance of 572.43 feet to an Iron Pin Set; THENCE North 35 degrees 20 minutes 13 seconds East for a distance of 155.49 feet to an Iron Pin Set; THENCE North 03 degrees 29 minutes 05 seconds East for a distance of 314.85 feet to an Iron Pin Set; THENCE North 12 degrees 46 minutes 53 seconds East for a distance of 65.78 feet to an Iron Pin Set; THENCE North 35 degrees 22 minutes 51 seconds East for a distance of 35.49 feet to an Iron Pin Set; THENCE South 81 degrees 08 minutes 40 seconds East for a distance of 34.55 feet to an Iron Pin Set; THENCE South 54 degrees 20 minutes 59 seconds East for a distance of 65.65 feet to an Iron Pin Set; THENCE North 35 degrees 39 minutes 31 seconds East for a distance of 19.00 feet to an Iron Pin Set; THENCE South 33 degrees 41 minutes 09 seconds East for a distance of 17.96 feet to an Iron Pin Set on the aforesaid Right-of-Way of Sardis Church Road (RW/V varies); THENCE continuing along said Right-of-Way along a curve to the left, having a radius of 60.00 feet and arc length of 40.78 feet, being subtended by a chord of South 36 degrees 50 minutes 35 seconds West for a distance of 40.00 feet to an Iron Pin Found (Garmon RBWC); said point being THE POINT OF BEGINNING.

Said property contains 2.708 Acres (117,940 Square Feet).

NOTES

- TOTAL SITE AREA: 14,168 AC. / SUP AREA: 2.708 AC.
- EXISTING ZONING IS C-2.
- PROPOSED ZONING IS C-2 WITH SUP FOR SELF STORAGE.
- BOUNDARY FROM ALTA/ACSM LAND TITLE SURVEY FOR ASHBURY 23, LLC AND CHICAGO LAND TITLE INSURANCE COMPANY, BY PRECISION PLANNING, INC., DATED 8/18/14.

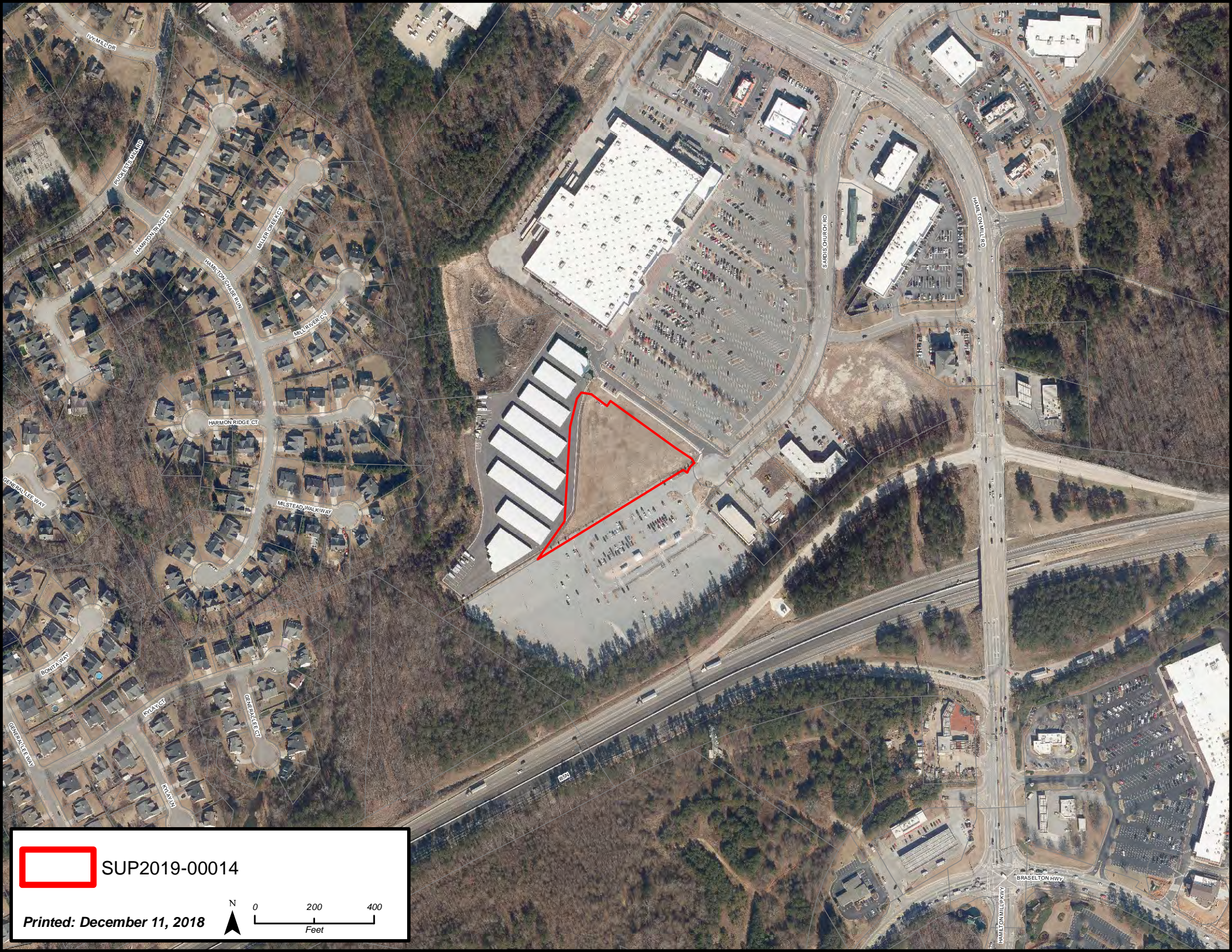


SELF STORAGE
 BUILDING AREA: 20,511 SF
 PARKING REQUIRED: 5 SPACES MIN./11 SPACES MAX.
 PARKING PROVIDED: 54 SPACES/0 HANDICAP SPACES

NOT FOR CONSTRUCTION		STAMP
PRECISION Planning, Inc. planners • engineers • architects • surveyors 7703 Peachtree Dunwoody Road, Suite 1000 Atlanta, Georgia 30328 770.338.8800 • www.precisionplanning.com		
SUP PLAN		ASHBURY 23, LLC
DATE	NO. DESCRIPTION	11/13/18
CHECKED	DRAWN	JRM
FIELD	JRM	JRM
RELEASE		
PROJECT NO.		C14200
SHEET TITLE		1 OF 1

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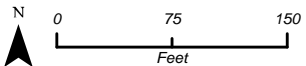


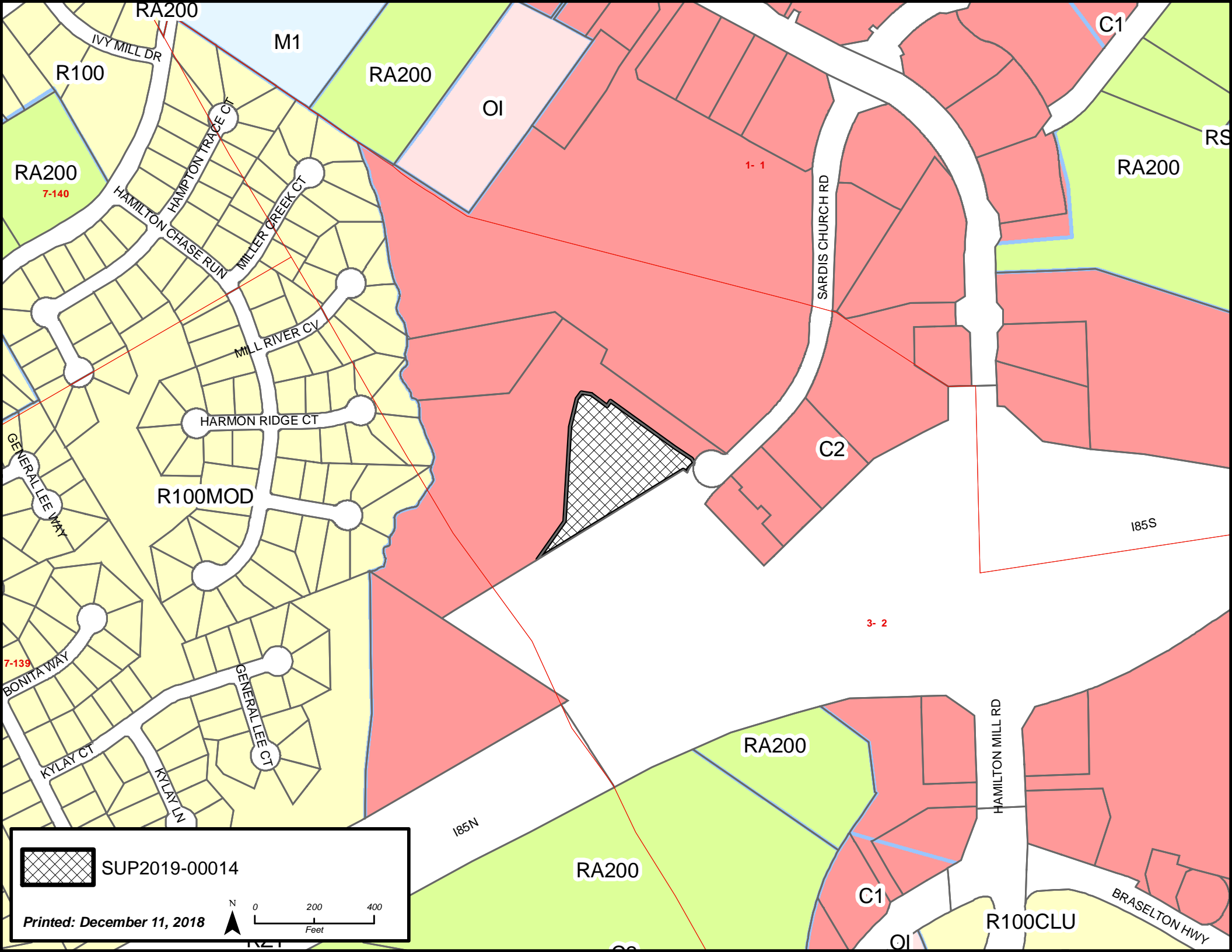
SARDIS CHURCH RD



SUP2019-00014

Printed: December 11, 2018





 SUP2019-00014

Printed: December 11, 2018



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

CASE NUMBER :**SUP2019-00015**
ZONING :C-2
LOCATION :900 BLOCK OF OLD PEACHTREE ROAD
:1400 BLOCK OF NORTHBROOK PARKWAY
MAP NUMBER :R7124 022
ACREAGE :1.47 ACRES
SQUARE FEET :3,648 SQUARE FEET
PROPOSED DEVELOPMENT :CAR WASH (EXPRESS SERVICE)
COMMISSION DISTRICT :(1) BROOKS

FUTURE DEVELOPMENT MAP: **WORKPLACE CENTER**

APPLICANT: CALIBER CAR WASH
PO BOX 19154
ATLANTA, GA 31126

CONTACT: ERIC BROWN PHONE: 404.556.4336

OWNER: MCDONALD DEVELOPMENT COMPANY
3715 NORTHSIDE PARKWAY NW
ATLANTA, GA 30327

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant requests a Special Use Permit on a 1.47-acre parcel, located within a C-2 (General Business District) to allow an express automotive carwash. The property is wooded and undeveloped and located on the northeast corner of Old Peachtree Road and Northbrook Parkway.

The applicant's site plan indicates a 3,648-square foot car wash and a total of 16 parking spaces. A total of 16 parking spaces will be used for vacuum stalls. The applicant has not indicated what the hours of operation would be or what the exterior materials on the building would include.

Access to the facility would be provided through a shared driveway onto Old Peachtree Road. No stormwater facilities have been indicated on the submitted site plan.

ZONING HISTORY:

In 1970, the subject property was zoned R-100 (Single-Family Residence District). In 1990, the property was rezoned to C-2 for a hotel, pursuant to RZ-90-043 and SUP-90-019 for a building height increase.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

This site appears to be heavily wooded and may include specimen trees which are required by Unified Development Ordinance Section 630-70 to be preserved. A Specimen Tree Survey and a Specimen Tree Concept Plan must be submitted and approved prior to submittal of Development Plans for review.

Project access and required improvements along Old Peachtree Road and Northbrook Parkway will be subject to review and approval of Gwinnett County Department of Transportation.

A 5-foot wide sidewalk is required along the entire frontage of Old Peachtree Road and Northbrook Parkway.

Parking lots and interior driveways shall be in accordance with Chapter 240 of the Unified Development Ordinance.

Dumpster shall be located in the rear or side yards a minimum 5 feet from side or rear property lines.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Old Peachtree Road is a Minor Arterial and 40 feet of right of way is required from the centerline, with 50 feet required within 500 feet of a major intersection.

Northbrook Parkway is a Minor Arterial and 40 feet of right of way is required from the centerline, with 50 feet required within 500 feet of a major intersection.

A 5-foot wide sidewalk is required along the property frontage of both Northbrook Parkway and Old Peachtree Road.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 12-inch water main located on the southwest right of way of Northbrook Parkway and a 16-inch water main located on the southeast right of way of Old Peachtree Road.

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 and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of 8-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located in the right of way of Northbrook Parkway.

The subject development is located within the Patterson service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

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 and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 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.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit civil site drawings to Building Plan Review for review and approval.
2. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for each building for review and approval by Building Plan Review.
3. Each building shall comply with the height and area limitations of Table 503 and the fire resistive and horizontal separation requirements of Table 601 and 602 of

the 2012 International Building Code with Georgia state amendments based on occupancy group classification, type of construction, and location of each building from property lines and other buildings.

4. Architectural design of the proposed building shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Design Category 1.
5. Upon completion of plan review approvals, the applicant shall obtain a building permit for each building and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at 678.518.6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The applicant requests a Special Use Permit on a 1.47-acre parcel, located within C-2 (General Business District) zoning, to allow an express automotive car wash. The property is wooded and undeveloped, and located on the northeast corner of Old Peachtree Road and Northbrook Parkway at the entrance to the Peachtree North Business Center Office Park.

The 2040 Unified Plan Future Development Map indicates that the site is located within a Workplace Center Character Area. Encouraged uses in this character area are mixed-use developments, office and industrial parks, and the proposed use may not be consistent with these uses. Additionally, certain aspects of car wash facilities may be inconsistent with policies of the 2040 Unified Plan that encourage enhanced aesthetics for development within the County.

The Old Peachtree Road corridor in this vicinity is characterized by commercial and office uses. North and west of the property are office/warehouse distribution developments within the Peachtree North Business Center Office Park. A mixed use development to include multi-family residential and office uses zoned MU-R (Regional Mixed-Use District) was recently approved at the northwest corner of this intersection (RZC2018-00004). This property's location, situated at the entrance to the Peachtree North Business Center Office Park, may not be appropriate for a car wash. The vacuum stands, colored canopies and signage typically associated with a car wash will be highly visible from Old Peachtree Road and may present an unappealing visual intrusion at the entrance to the business park. Staff's opinion that this location, at a highly visible major

corridor, in an area proposed for mixed-use development, may not be an appropriate location for a car wash.

In conclusion, given the properties location at a highly visible corner, along a major corridor within the county, the requested special use permit may not be suitable at this location; therefore, the Department of Planning and Development recommends **DENIAL**.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

NOTE: The following conditions are provided as a guide should the Board of Commissioners choose to approve the petition.

Approval of a Special Use Permit for an express car wash facility subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Retail and service commercial and accessory uses, which may include an express car wash as a Special Use.
 - B. The building shall be finished with glass, brick, or stone on all sides. Stucco/EIFS may only be used as an accent material. Building design shall be subject to review by the Director of Planning and Development.
 - C. Canopy support columns shall be brick or stacked stone matching the building exterior. Fabric canopies shall be prohibited. Canopy colors must meet the standards of the Activity Center/Corridor Overlay District, and shall subject to review and approval by the Director of Planning and Development.
 - D. Vacuum stands shall not be located in a required front yard, and shall be screened from view along exterior roadways. Screening design shall be subject to review and approval by the Director of Planning and Development. Individual coin-operated vacuum stations shall be prohibited. Vacuum spaces shall be limited to no more than 15.
2. To abide by the following site development considerations:
 - A. All mechanical equipment including compressor units on or around the building must be screened from view from all sides. Screening materials shall be subject to review by the Director of Planning and Development.
 - B. Ground signage shall be limited to a monument-type sign(s), and shall be subject to review and approval by the Director of Planning and Development. The sign shall include a minimum two-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the sign cabinet shall be fully recessed and surrounded by the same materials. Ground signage shall not exceed eight-feet in height.

- C. Wall signage shall not exceed the requirements of the Gwinnett County Sign Ordinance, and shall only utilize neutral (non-white earth tone) background colors for the sign cabinet.
- D. Window signage (signs displayed on the interior or exterior of the business storefront windows) shall be prohibited, except for open/closed signs or signs required by county, state or federal law. Flashing or blinking signs and exposed neon or LED signs shall be prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.
- E. Billboards or oversized signs shall be prohibited.
- F. Outdoor storage shall be prohibited.
- G. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure.
- H. Outdoor loudspeakers shall be prohibited.
- I. Outdoor lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to reflect into adjacent properties or rights-of-way.
- J. Flashing or blinking signs and exposed neon or LED signs shall be prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.
- K. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
- L. Peddlers and/or parking lot sales shall be prohibited.
- M. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
- N. The car wash operator shall enforce the current noise ordinance on the property, including a strict prohibition of boom boxes and car stereos.
- O. 24-hour security cameras shall be provided on site.

- P. The car wash shall employ a water re-use system to be approved by the Director of Planning and Development and shall abide by all applicable Gwinnett County Water Quality Guidelines.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

Staff's opinion is this location, at a highly visible major corridor, in an area proposed for mixed-use development, may not be an appropriate location for a car wash.

ADVERSE IMPACTS

The introduction of a car wash at this intersection could adversely impact the surrounding businesses.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

An increase in utilities usage, traffic and stormwater runoff could be anticipated from this request.

CONFORMITY WITH POLICIES

The 2040 Unified Plan Future Development Map indicates that the site is located within a Workplace Center. Encouraged uses in this character area are mixed-use developments, office and industrial parks and the proposed use may not be consistent with these uses. The proposed car wash may be inconsistent with policies of the 2040 Unified Plan that encourage enhanced aesthetics for development within the county.

CONDITIONS AFFECTING ZONING

This properties location situated at the entrance to the Peachtree North Business Center Park may not be appropriate for a car wash. The vacuum stands, colored canopies and signage typically associated with a car wash will be highly visible from Old Peachtree Road and present a visual intrusion at the entrance to the business park.

SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENT OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes

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

No

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

Yes

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

No

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

Yes

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED SPECIAL USE PERMIT:

No

RECEIVED BY

DEC 07 2018

12/7/2018

446 W Grogan St, #150
Lawrenceville, GA 30046


Dear Recipient:

Caliber Capital, LLC intends to develop an express car wash on the 1.4669 Acre parcel located at the NE corner of Northbrook Parkway and Old Peachtree road in Lawrenceville with parcel ID number, 7124 022. The parcel is currently zoned C2 and Caliber Capital, LLC is applying for a special land use permit in order to develop the car wash and keep the property in the C2 zoning.

The express car wash will total 3,648 square feet and have access through a private drive. The subject parcel was originally part of a larger parcel that was subdivided by the original developer. The subject property is allowed to use the private drives for access onto Old Peachtree Road and Northbrook Pkwy as well as connect to private sewer. There is also a drainage easement in place that we can utilize.

The Property will have an impervious surface ratio of 49% and the wash tunnel will be 18 ft high. There are 15 spaces on the site and 1 accessible parking space. We are not requesting any changes to any buffers at this time. The landscaped sign at the corner of Old Peachtree and Northbrook Pkwy must remain and we will landscape around the corner to help screen the view of the tunnel exit doors.

Sincerely,



Eric Brown

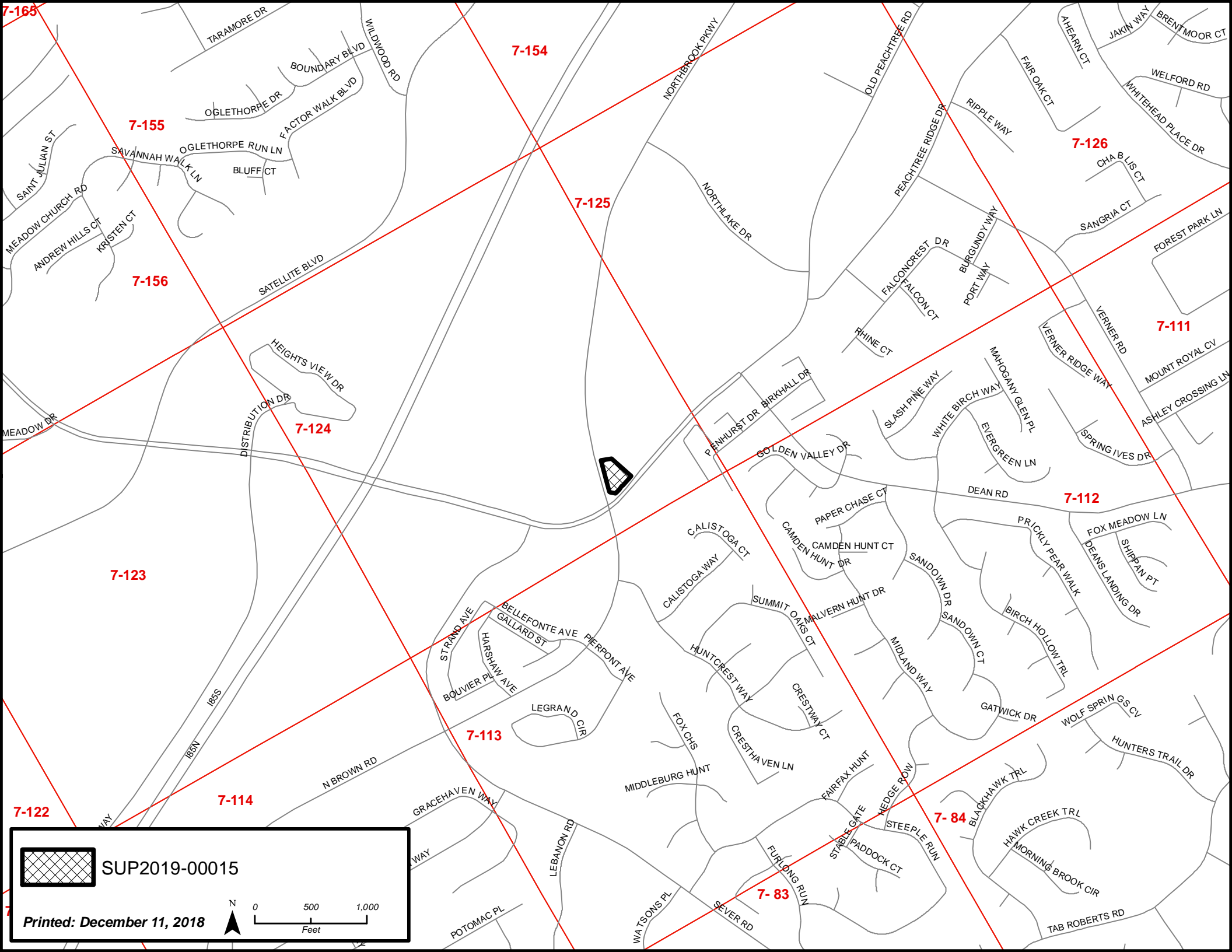
Caliber Capital, LLC

RECEIVED BY

DEC 07 2018

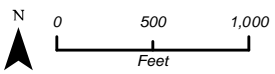
Planning & Development

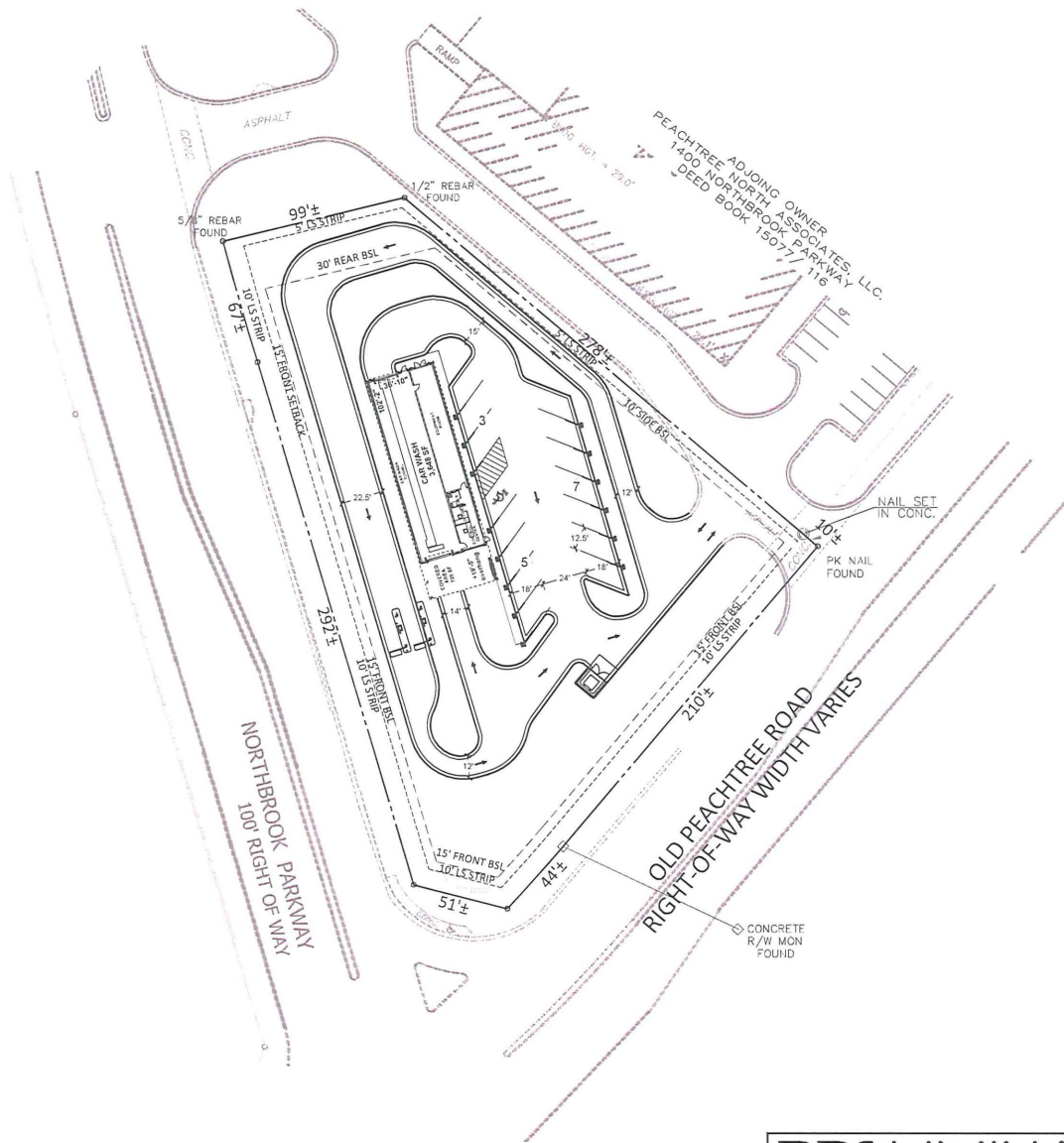
SUP 2019-00015



SUP2019-00015

Printed: December 11, 2018





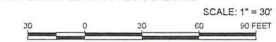
VICINITY MAP

RECEIVED BY
 LEC 07 2018
 Planning & Development
 SUP 19 015

SITE ANALYSIS

CAR WASH	3,648 S.F.
STACKING	34 VEHICLES
VACUUM PARKING	15 SPACES
ACCESSIBLE PARKING	1 SPACE
PARKING RATIO	4.17 SPACE/M.S.F.
IMPERVIOUS AREA	34,010 S.F.
IMPERVIOUS SURFACE RATIO	0.49
TOTAL SITE AREA	1.47 ACRES
NET SITE AREA	1.47 ACRES

*NOT LOCATED IN A FLOOD ZONE



PRELIMINARY SITE PLAN

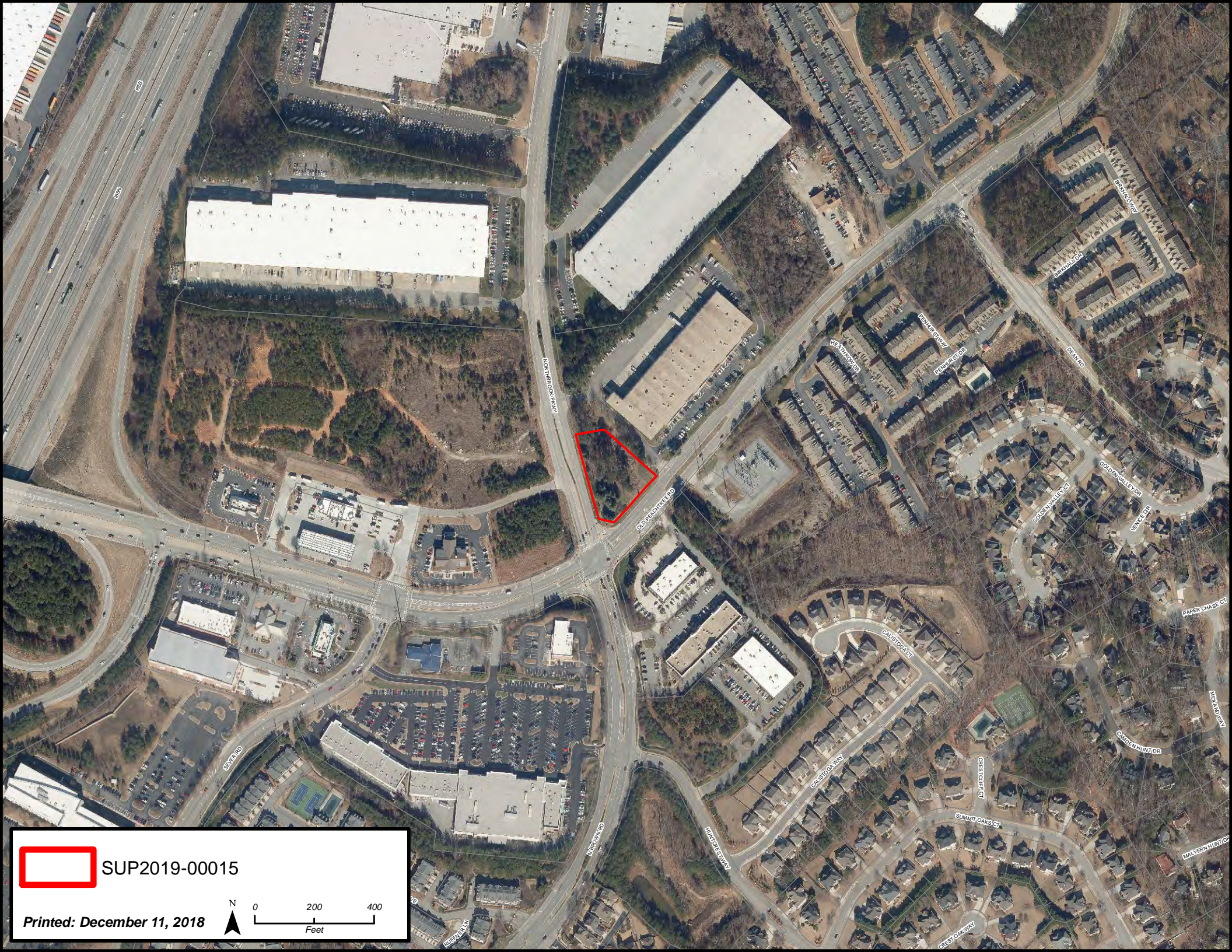
civiloicistix
 500 SUN VALLEY DRIVE, STE H3, ROSWELL, GA 30076
 (404) 594-4103 • civiloicistix.com

SHEET TITLE
PRELIMINARY SITE PLAN
 PROJECT
 NORTHBROOK PKWY CAR WASH
 1248 OLD PEACHTREE RD.
 LAWRENCEVILLE, GA 30043

SHEET NUMBER
CP2
 PROJECT NUMBER
18417

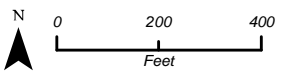
DATE
NOVEMBER 30, 2018

REVISIONS



SUP2019-00015

Printed: December 11, 2018





NORTHBROOK PKWY

OLD PEACHTREE RD

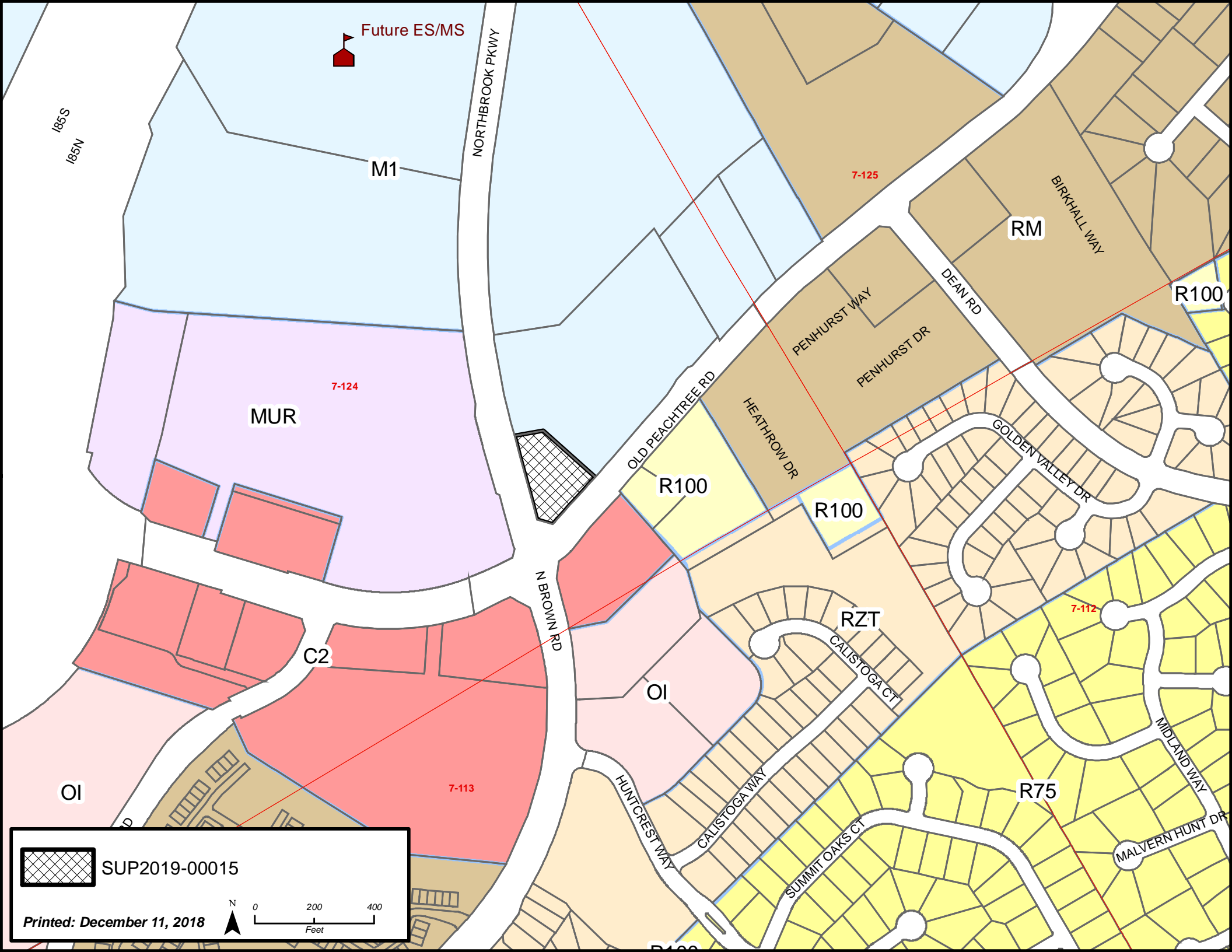
OLD PEACHTREE RD

N BROWN RD

 SUP2019-00015

Printed: December 11, 2018

N
0 50 100
Feet



Future ES/MS

185S
185N

M1

NORTHBROOK PKWY

7-125

RM

R100

7-124

MUR

OLD PEACHTREE RD

R100

R100

PENHURST WAY
PENHURST DR

DEAN RD

GOLDEN VALLEY DR

7-112

N BROWN RD

RZT

C2

OI

CALISTOGA CT

R75

OI

7-113

HUNT CREST WAY

CALISTOGA WAY

SUMMIT OAKS CT

MIDLAND WAY

MALVERN HUNT DR



SUP2019-00015



0 200 400
Feet

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