



**GWINNETT COUNTY
BOARD OF COMMISSIONERS**

75 Langley Drive | Lawrenceville, GA 30046-6935
O: 770.822.7000 | F: 770.822.7097
GwinnettCounty.com

Nicole L. Hendrickson, Chairwoman
Kirkland Dion Carden, District 1
Ben Ku, District 2
Jasper Watkins III, District 3
Matthew Holtkamp, District 4

Public Hearing Agenda Tuesday, February 17, 2026 - 7:00 PM

I. Call To Order

II. Opening Remarks by Chairwoman

III. Approval of Agenda

IV. Approval of Minutes:

- **Work Session:** February 3, 2026
- **Informal Presentation 11:00 a.m.:** February 3, 2026
- **Business Session:** February 3, 2026

V. Announcements:

- **Special Presentation:** Gwinnett Youth Commission Minute
- **Proclamation:** Celebrating Eagle Scout Kaylin Landrian-Shrewsbury
- **Proclamation:** Celebrating Go Red for Women: American Heart Month

VI. Public Hearing - Old Business

1. Planning & Development/Matt Dickison

2025-1296 SUP2025-00019, Applicant: Lotus Grounds; Owner: Niloofar Etemadhaeri; Tax Parcel No. R6046 127; 4497 Shiloh Ridge Trail; Special Use Permit with Concurrent Variances in an RA-200 and R-100 Zoning District for a Community Center; 13.25 acres; District 2/Ku (Tabled on 1/27/2026) (Public hearing was not held) [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Deny w/out Prejudice]

VI. Public Hearing - Old Business

1. Planning & Development/Matt Dickison

2025-1298 REZ2025-00025, Applicant: Walker Anderson Homes, LLC c/o Weener Nathan Phillips, LLP; Owner: Bradenton Investors, LLC; Rezoning with Concurrent Variances of Tax Parcel Nos. R7119 002A, 100, 114, 116, and 118; 2449 Duluth Highway and 2800 Block of McDaniel Road; C-2 and O-I to R-TH for Townhouses; 20.87 acres; District 1/Carden (Tabled on 1/27/2026) (Public hearing was not held) [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

VII. Public Hearing - New Business

1. Change in Conditions

2026-0247 CIC2026-00002, Applicant: Brownsmill Enterprises Corporation c/o Andersen, Tate & Carr, P.C.; Owner: Sanaa Nassar; Tax Parcel Nos. R7002 015A, 116, and 117; 884 Bethesda School Road, 2596 and 2606 Cruse Road; Change of Conditions with Concurrent Variances and Waiver of Zoning for Property Zoned C-1; 1.42 acres; District 2/Ku [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

2. Special Use Permits

2026-0246 SUP2026-00004, Applicant: Shaphalie Bavani; Owner: Cans Investors, LLC; Tax Parcel No. R6140 023; 6330 Lawrenceville Highway; Special Use Permit with Concurrent Variance in a C-2 Zoning District for a Hookah Lounge; 2.81 acres; District 2/Ku [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Approve with Conditions]

VIII. New Business

1. Law Department/Jenny Carter

2026-0182 Approval/authorization for the Chairwoman to execute an Amendment to the Agreement for Ad Valorem Tax Billing and Collection with the City of Berkeley Lake, and a related Agreement for Ad Valorem Tax Billing and Collection with the Gwinnett County Tax Commissioner.

2. Planning & Development/Matt Dickison

2026-0208 Ratification of Plat approvals for January 1, 2026, through January 31, 2026. (Recommendation: Approval)

Public Hearing Agenda
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VIII. New Business

3. Planning & Development/Matt Dickison

2026-0263 Approval/authorization for the Chairwoman to execute a Memorandum of Agreement by and between the Georgia Department of Community Affairs and Gwinnett County, to maintain Gwinnett County's designation as a PlanFirst Community for a three-year period ending December 31, 2028. (Recommendation: Approval)

IX. Comments from Audience

X. Adjournment

MEMORANDUM

To: Chairwoman Hendrickson
District 1 Commissioner Carden
District 2 Commissioner Ku
District 3 Commissioner Watkins
District 4 Commissioner Holtkamp

From: Ashia Gallo, Communications Department

The following item(s) will be on the agenda for the BOC public hearing on **February 17, 2026**, under the item of business announcements as a resolution of recognition, award, etc., as indicated:

- 1) **Special Presentation:** Gwinnett Youth Commission Minute
Requested by: Muriam Nafees, Civic Engagement and Social Impact Director
Attendee(s): Johana Caracoza-Perez and Julissa Lopez-Sobalvarro, South Gwinnett High School
Presented by: Johana Caracoza-Perez and Julissa Lopez-Sobalvarro, South Gwinnett High School
- 2) **Proclamation:** Celebrating Eagle Scout Kaylin Landrian-Shrewsbury
Requested by: David Shrewsbury and Diana Landrian, Parents of Kaylin Landrian-Shrewsbury
Attendee(s): Kaylin Landrian-Shrewsbury and family, Scoutmaster Allison Silvey, and representatives from Scouting America Troop 5508 and Venturing Crew 20
Presented by: Chairwoman Nicole Love Hendrickson
- 3) **Proclamation:** Celebrating Go Red for Women: American Heart Month
Requested by: Kimberly Goodloe, American Heart Association Advocate
Attendee(s): Kimberly Goodloe and members of Gwinnett County Alumni Chapter of Delta Sigma Theta Inc.
Presented by: Chairwoman Nicole Love Hendrickson

cc:	Glenn Stephens	Betrand Williams
	Buffy Rainey	Arteen Afshar
	Joe Sorenson	Hunter Coleman
	Heather Sawyer	Neshanta Banks
	Kimberly Banner	Katie Gill
	Tina King	Tammy Gibson
	Carli Primavera	Jeanie Donaldson
	Lauren Gamel	Chad Wasdin
	Lindsey Gravitt	Deborah Tuff

Gwinnett County Board of Commissioners Agenda Request

GCID #		Group With GCID #:			
20251296				<input checked="" type="checkbox"/> Rezoning <input checked="" type="checkbox"/> Public Hearing	
Department:		Planning & Development		Date Submitted: 12/02/2025	
Working Session:		Business Session:		Public Hearing: 02/17/2026	
Submitted By:		yturruviates			
Agenda Type		Rezoning		Rezoning Type SUP	
Item of Business: 2025-00019, Applicant: Lotus Grounds; Owner: Niloofar Etemadhaeri; Tax Parcel No. R6046 127; 4497 Shiloh Ridge Trail; Special Use Permit with Concurrent Variances in an RA-200 and R-100 Zoning District for a Community Center; 13.25 acres; District 2/Ku					
Land Lot:	046	Parcel:	127		
District:	6				
Attachments		Department Case Report with Planning Commission Recommendation			
Authorization:		Chairwoman's Signature? Yes			
Department Head		jjleitch (2/11/2026)			
District		For	Against	Abstained	Absent
District 1	Jamin Harkness	X			
District 1	Nick Nicolosi	X			
District 2	Anthony Crotser				X
District 2	Pinkie Farver	X			
District 3	Katrina Fellows	X			
District 3	Ben Archer	X			
District 4	Buzz Brockway				X
District 4	Chris Franklin	X			
At Large	Scott Haggard	X			
Comments					

County Clerk Use Only	Planning and Development	Planning Commission
Working Session: <input type="text"/> Action: Tabled Tabled: 01/27/2026 Motion: Ku 2nd by: Carden 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Holtkamp-Yes Vote: <input type="text"/>	Recommendation: <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Conditions <input type="checkbox"/> Appr w/ Cond As <input type="text"/> <input type="checkbox"/> Deny w/out Prejudice <input checked="" type="checkbox"/> Deny PH was Held? <input type="checkbox"/> <input type="checkbox"/> No Recommendation	Recommendation: <input type="checkbox"/> Tabled - Date <input type="text"/> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Conditions <input type="checkbox"/> Approve with Conditions As <input type="text"/> <input type="checkbox"/> Deny <input checked="" type="checkbox"/> Deny w/out Prejudice <input type="checkbox"/> No Recommendation

PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: SUP2025-00019

Current Zoning: RA-200 (Agriculture-Residence District) and R-100 (Single-Family Residence District)

Request: Special Use Permit

Additional Requests: Variances

Address: 4497 Shiloh Ridge Trail

Map Number: R6046 127

Site Area: 13.25 acres

Square Feet: 1,200

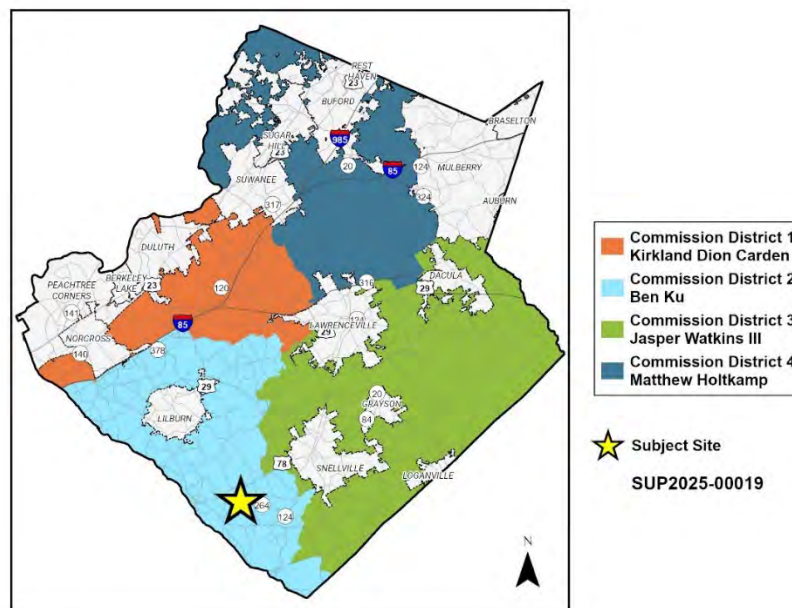
Proposed Development: Community Center

Commission District: District 2 – Commissioner Ku

Future Development Type: Neighborhood Traditional

Staff Recommendation: DENIAL

Planning Commission Recommendation: DENIAL WITHOUT PREJUDICE



Planning Commission Advertised Public Hearing Date: 12/2/2025 (Public Hearing Tabled to 1/6/2026/Public Hearing Not Held)

Board of Commissioners Advertised Public Hearing Date: 12/9/2025 (Public Hearing Tabled to 1/27/2026)

Applicant: Lotus Grounds
4497 Shiloh Ridge Trail
Snellville, GA 30039

Owner: Niloofar Etemadhaeri
4497 Shiloh Ridge Trail
Snellville, GA 30039

Contact: Ofir Hackmon

Phone: 314.397.9055

Zoning History

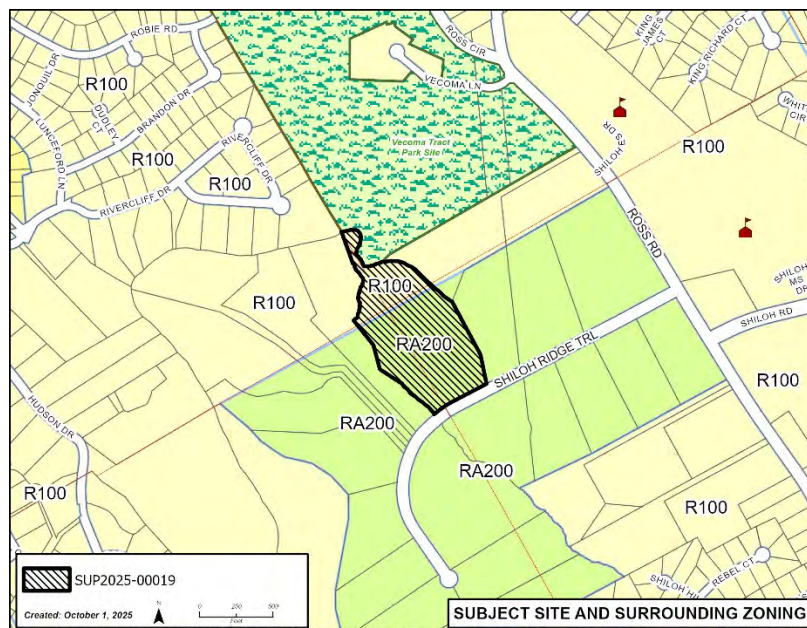
The subject property is zoned RA-200 (Agriculture-Residence District) and R-100 (Single-Family Residence District). In 1973, the southern portion of the property was rezoned to RA-200 as part of an areawide rezoning.

Existing Site Condition

The subject property is a 13.25-acre parcel located along Shiloh Ridge Trail, west of its intersection with Ross Road. The site contains one single-family residence with accessory structures. Dense vegetation, a stream, and floodplain lie along the northern and eastern property lines, and two ponds are located along the western and eastern property lines. There is no sidewalk along the road frontage. The nearest Ride Gwinnett transit stop is approximately 1.2 miles from the subject property.

Surrounding Use and Zoning

The property is surrounded by residential, commercial, and institutional uses. Single-family residences within the Rivercliff subdivision and a special event facility are located to the north. Single-family residences on large lots are to the east, south, and west. Shiloh Elementary, Middle, and High School are farther east, across Ross Road. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning
Proposed	Community Center	RA-200 and R-100
North	Single-Family Residential (Rivercliff) Commercial (Special Event Facility)	R-100 R-100
East	Single-Family Residential Institutional	RA-200 and R-100 R-100
South	Single-Family Residential	RA-200
West	Single-Family Residential	RA-200 and R-100

Project Summary

The applicant requests a special use permit for a community center, including:

- Use of an existing 1,200-square-foot building for guided meditations, counseling sessions, wellness workshops, and small group gatherings.
- Group sizes ranging from 5 to 25 individuals per gathering, with gathering frequency based on interest and facilitator availability.
- 19 parking spaces, including 17 in a new gravel parking area, and 2 paved ADA spaces in front of the community center.
- Maintaining existing vegetation adjacent to residentially-zoned properties.

Zoning and Development Standards

The following is a summary of applicable standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Lot Size	Minimum 40,000 sq ft	Minimum 40,000 sq ft	YES
Lot Width	Minimum 200'	Minimum 200'	YES
Front Yard	Minimum 35'	Minimum 35'	YES
Rear Yard	Minimum 40'	Minimum 40'	YES
Side Yard	Minimum 20'	Minimum 20'	YES
Building Height	Maximum 35'	Maximum 35'	YES
Parking	Minimum 20 spaces Maximum 26 spaces	19 spaces	NO*

* The applicant is requesting a variance from this standard.

Staff Analysis

Special Use Permit Analysis: The standards governing the exercise of zoning power are outlined in Section 270-20.6 of the UDO. Staff makes the following findings related to the zoning request:

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

The property is located in a low-density residential area. The proposed special use permit is not suitable in view of the use and development of adjacent and nearby property.

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

The property is located in a large-lot residential subdivision on a cul-de-sac street. Introducing a community center to a low-density residential area would adversely affect the existing use and usability of the adjacent properties.

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

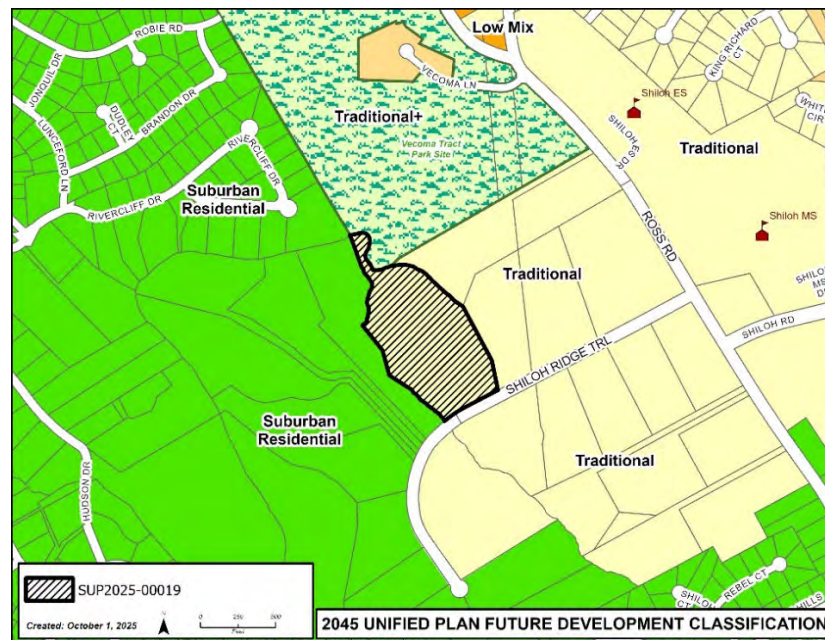
The property has a reasonable economic use as currently zoned.

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.

Impacts on public facilities would be anticipated for the special use permit in the form of traffic, utility demand, stormwater runoff. No impact is anticipated on school enrollment.

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

The Unified Plan's Future Development Map indicates "Neighborhood Traditional" for the subject property, which envisions low-density single-family residential development. Community centers are not recommended in this future development type. Therefore, the proposed special use permit is not in conformity with the policy and intent of the Unified Plan and Future Development Map.



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.

There are no other conditions giving support for approval or disapproval of the proposal.

Variance Requests and Analyses:

The applicant is seeking variances from the following provisions of the UDO:

1. Section 240-20.1 Minimum Parking Space Requirements. The applicant is requesting to reduce the minimum parking requirement from 20 spaces to 19 spaces.

Analysis: Staff recommends denial of the special use permit, thus the denial of the variance.

2. Section 240-60.3 Improvement of off-street parking lots. The applicant is requesting to allow a gravel parking area.

Analysis: Staff recommends denial of the special use permit, thus the denial of the variance.

Staff Recommendation

Based on the staff's evaluation of the request and the standards governing the exercise of zoning power, the Department of Planning and Development recommends **DENIAL** of the special use permit and **DENIAL** of the following variances:

1. To reduce the minimum parking requirement from 20 spaces to 19 spaces.
2. To allow a gravel parking area.

Staff Recommended Conditions

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

Approval of a special use permit for a community center in RA-200 (Agriculture-Residence District) and R-100 (Single-Family Residence District), subject to the following conditions:

1. The special use of the property shall be limited to a community center. Residential uses shall not be permitted.
2. The proposed use shall be in general conformance with Exhibit B: Site Plan dated received December 31, 2025, with revisions required by zoning conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.
3. The parking lot shall be located behind the community center, subject to review and approval of the Department of Planning and Development.

Planning Commission Recommendation

Based on staff's evaluation of the request, information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **DENIAL WITHOUT PREJUDICE** of the special use permit request and **DENIAL WITHOUT PREJUDICE** of the following variances:

1. To reduce the minimum parking requirement from 20 spaces to 19 spaces.
2. To allow a gravel parking area.

Exhibits:

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

Exhibit A: Site Visit Photos



Property from Shiloh Ridge Trail



Existing building to be converted into facility and parking area



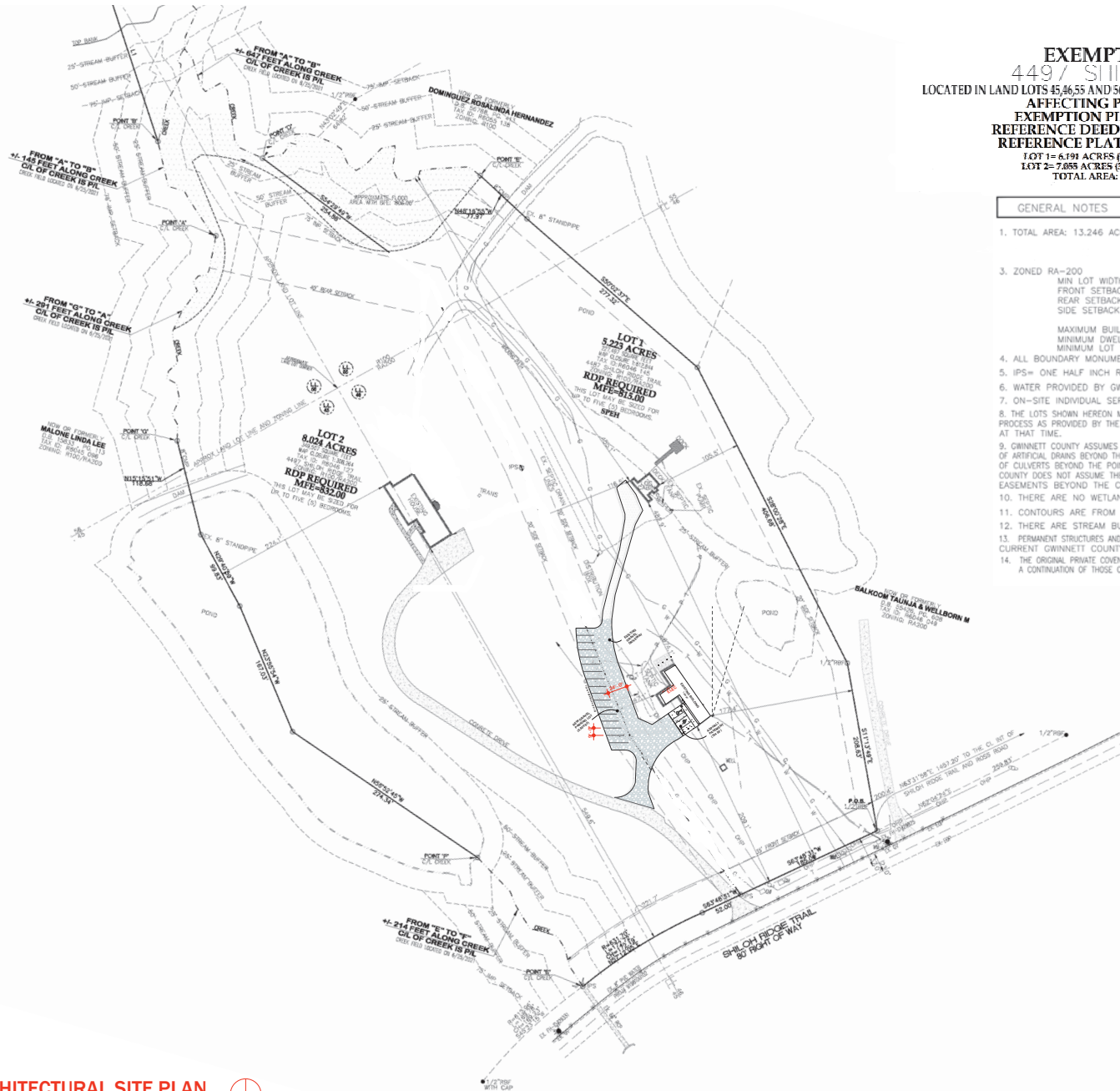
East of subject property, towards Ross Road



Pond and vegetation on site

Exhibit B: Site Plan

[attached]



EXEMPTION PLAT FOR:
4497 SHILOH RIDGE TRAIL
LOCATED IN LAND LOTS 45, 46, 55 AND 56 OF THE 6TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA
AFFECTING PARENT PARCEL: R6046 127
EXEMPTION PLAT CASE NO. XP12021-00047
REFERENCE DEEDS: DEED BOOK 9900, PAGE 160
REFERENCE PLAT: PLAT BOOK 16, PAGE 193
LOT 1= 6.191 ACRES (269,874 SF) TAX PARCEL: R6046 145
LOT 2= 7.055 ACRES (307,130 SF) TAX PARCEL: R6046 127
TOTAL AREA: 13.246 ACRES (577,004 SF)

GENERAL NOTES

1. TOTAL AREA: 13.246 ACRES
2. ZONED RA-200
MIN LOT WIDTH=200' AT B/L
FRONT SETBACK= 35'
REAR SETBACK= 40'
SIDE SETBACK= 20'
MAXIMUM BUILDING HEIGHT= 35'
MINIMUM DWELLING SIZE= 1,400 S.F.
MINIMUM LOT SIZE= 40,000 S.F.
3. ALL BOUNDARY MONUMENTS FOUND OR SET AS DESCRIBED.
4. IPS= ONE HALF INCH REBAR PIN WITH CAP.
5. WATER PROVIDED BY GWINNETT COUNTY.
6. ON-SITE INDIVIDUAL SEPTIC SYSTEMS TO SERVE EACH LOT.
7. THE LOTS SHOWN HEREON MAY NOT BE RE-SUBDIVIDED EXCEPT THROUGH THE SUBDIVISION PROCESS AS PROVIDED BY THE GWINNETT COUNTY DEVELOPMENT REGULATIONS IN AFFECT AT THAT TIME.
8. GWINNETT COUNTY ASSUMES NO RESPONSIBILITY FOR OVERFLOW OR EROSION OF NATURAL OF ARTIFICIAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT OF WAY, OR FOR THE EXTENSION OF CULVERTS BEYOND THE POINT SHOWN ON THE APPROVED AND RECORDED PLAN. GWINNETT COUNTY DOES NOT ASSUME THE RESPONSIBILITY FOR THE MAINTENANCE OF PIPES IN DRAINAGE EASEMENTS BEYOND THE COUNTY RIGHT OF WAY.
9. THERE ARE NO WETLANDS BEING DISTURBED ON THIS SITE.
10. CONTOURS ARE FROM GWINNETT COUNTY GIS.
11. THERE ARE STREAM BUFFERS ON THIS PROPERTY.
12. PERMANENT STRUCTURES AND TREES NOT ALLOWED IN SANITARY SEWER EASEMENT ACCORDING TO CURRENT GWINNETT COUNTY POLICY.
13. THE ORIGINAL PRIVATE COVENANTS FOR THIS SUBDIVISION ARE RECORDED IN DEED BOOK 2128 PAGE 313. A CONTINUATION OF THOSE COVENANTS WAS FILED ON 3-05-2001 IS RECORDED IN DEED BOOK 22436 PAGE 0211.

Exhibit C: Building Elevations

[attached]

4497 Shiloh Ridge Trail, Snellville, GA 30039

Color Elevations & Photographs Submission Package:

Front Elevation – 4497 Shiloh Ridge Trail



Side Elevation – 4497 Shiloh Ridge Trail



Rear Elevation – 4497 Shiloh Ridge Trail (Aerial Perspective)



Aerial View – Context on Lot



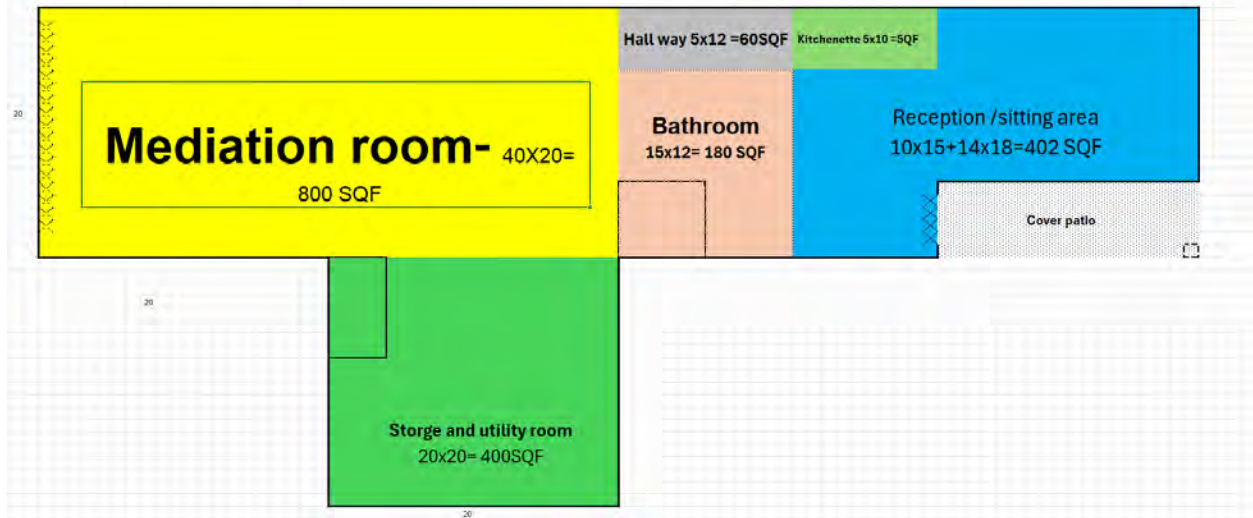


Exhibit D: Letter of Intent and Applicant's Response to Standards

[attached]

Letter of Intent

Dear Planning Department,

I am writing to respectfully submit this Letter of Intent regarding the proposed establishment of a spiritual retreat and healing center at 4497 Shiloh Ridge Trail, Snellville, GA. The property is currently zoned RA-200, and we are seeking a Special Use Permit under Section 210-140.7 to operate a small, non-residential community facility offering wellness, spiritual reflection, and counseling services in a natural setting. The center will serve individuals and small groups seeking emotional and spiritual support in a peaceful, minimally developed environment.

Applicant & Property Information

Applicant: Address: 4497 Shiloh Ridge Trail, Snellville, GA 30039

Zoning District: RA-200 and R-100

Parcel Size: Approx. 13.25 acres

Current Use: Single-family residence with existing structure (~1,200 sq ft)

Project Purpose & Use Description

The proposed center will provide a space for emotional wellness, spiritual reflection, and healing. Activities include guided meditation, counseling sessions, wellness workshops, and small group gatherings focused on inner transformation. The intent is to maintain a quiet, low-traffic environment where attendees can find support in a natural, wooded setting. Group sizes will typically range from 5 to 25 individuals per gathering, with no daily or repetitive worship services. Events will be scheduled flexibly, based on interest and facilitator availability.

Site Description & Proposed Improvements

The site includes an existing 1,200 sq. ft. structure that will serve as the main retreat facility. No new buildings are proposed at this time. A 17 -spaces gravel parking lot and 2 ADA asphalt spaces are planned, located adjacent to the main entry building.

The Log cabin which also resides on the lot is not planned to be part of the spiritual retreat

The lot was historically dived into two plots, for the benefit of the doubt there is no intention to subdivide this lot as part of the plan or in the foreseeable future

Variance Request – Gravel Parking/ UDO 240-60.3. and Minimum Parking/ UDO 240-20.1

We respectfully request a variance to allow the use of 17 spaces gravel surfacing for the parking lot in lieu of paved materials. We also request to reduce the required minimum parking from 20 to 19 spaces.

The limited size and frequency of gatherings, along with the site's rural character and mission for spiritual healing, make gravel a more appropriate and environmentally sensitive choice. Gravel allows better drainage, blends with the natural surroundings, and reduces the cost burden on a community-oriented initiative. As noted above and as can be seen in the site plan for the ADA compliant parking lot , we will use Asphalt.

Community Compatibility & Benefits

The project is designed to be quiet, non-disruptive, and visually harmonious with the neighborhood. A 50 ft vegetative buffer will be maintained along all neighboring property lines. No outdoor sound amplification will be used. Parking and site access are designed to ensure smooth traffic flow with no congestion. The center will serve as a valuable resource for individuals seeking emotional, spiritual, or mental healing in a respectful, natural space.

We appreciate your time and consideration of this proposal. We are committed to working closely with the County and the community to ensure the success and alignment of this project. Please do not hesitate to contact us with any questions or to arrange a site visit.

Sincerely,

Variance Request from Sections 240-60.3 and 240-20.1

Gravel Surface for Parking Area

ZAM2025-00213 – 4497 Shiloh Ridge Trail/ Parcel ID **6046 127**

As part of our Special Use Permit application to operate a small-scale cultural/community center on our 13.25-acre property, we respectfully request a variance from

1. Code Section 240-60.3 of the Gwinnett County Unified Development Ordinance, which requires parking to be on a paved surface.
 2. Code Section 240-20.1 of the Gwinnett County Unified Development Ordinance, which required minimum number of parking in relates to the building occupancy
- Code Section 240-60.3/240-20.1 Variance Justification:
 1. Low-Impact Use and Intermittent Traffic
The facility will host occasional gatherings, workshops, and spiritual retreats with limited daily traffic. Unlike high-turnover commercial operations, the frequency and volume of parking use is expected to remain low and sporadic, making a fully paved surface unnecessary and cost-inefficient.
 2. Environmental Considerations
A gravel surface provides improved stormwater infiltration compared to asphalt or concrete, helping reduce runoff and maintain the natural topography of this primarily wooded property. This aligns with the County's broader sustainability goals and minimizes disruption to the land's ecological integrity.
 3. Aesthetic Harmony and Rural Character
The property is located in a rural residential area (RA-200) surrounded by natural greenery and wooded lots. A gravel parking area better complements the surrounding environment and preserves the natural, retreat-like feel of the facility.
 4. Cost-Effective for a Community-Oriented Operation
As a nonprofit, community-focused initiative, minimizing unnecessary infrastructure costs is critical to our ability to remain sustainable and serve local residents. Paving the parking area would place an undue financial burden on the operation without corresponding public benefit.
 5. Precedent and Flexibility
Similar variances have been granted in other low-intensity community or rural-use cases. We are open to working with County staff to use a gravel system that meets load bearing, dust suppression, and maintenance standards as approved by the Director.
 6. Two ADA compliant parking spots are planned to be on asphalt, the reminder 17 parking spots will be on gravel.
 7. The building occupancy is designed for 25 participants but given the notes above and the neighbors' concerns regarding potential traffic and noise, we are requesting a reduction in the minimum required parking spaces from 20 to 19. Of these, 17 spaces

will be located on gravel, and 2 ADA-compliant asphalt paved parking spaces will be positioned adjacent to the building

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.

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

Yes. The proposed use — preserving the existing structure and adding low-impact features such as walking trails, benches, a small meditation platform, and decorative ponds — is suitable and compatible with nearby properties. These improvements are designed to enhance the land's natural setting and support quiet, passive enjoyment of the property. The project aligns with the surrounding area's peaceful, residential character and does not introduce any disruptive or incompatible elements.

- B. Whether a proposed special use permit will adversely affect the existing use or usability of adjacent or nearby property:

No. The proposed use is quiet, non-intrusive, and designed to blend into the natural environment. There will be no loud noise, bright lighting, or significant traffic, and additions such as benches, a meditation platform, and ponds are intended to foster tranquility and harmony with nature. We are not requesting any rezoning, and our goal is to preserve and respect the character of the surrounding area.

- C. Whether the property to be affected by a proposed special use permit has reasonable economic use as currently zoned:

Yes. The property already has a reasonable economic use under current zoning. Our project works within those limits by making light-touch, beautifying enhancements that preserve the structure and landscape while supporting community wellness and peaceful outdoor use.

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

No. The proposed use will have minimal or no impact on roads, utilities, or public services. There are no new buildings or commercial functions, and no expected strain on schools or traffic infrastructure. The additions are passive and nature-oriented.

- E. Whether the proposed special use permit is in conformity with the policy and intent of the Unified Plan and Future Development Map:

Yes. The proposed use aligns closely with Gwinnett County's land use goals, which emphasize preservation of natural resources, responsible development, and community wellness. By using the land for trails, benches, meditation spaces, and ponds, we are promoting a low-impact, enriching use of the land that fits the vision for the area.

- F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed special use permit:

Yes. There are several supporting conditions that justify approval of the proposed use:

The property has an existing structure that will be preserved and reused, avoiding unnecessary construction or land disruption.

The surrounding area is experiencing a growing interest in wellness, nature-based recreation, and passive outdoor uses, which our project directly supports.

The proposed additions — benches, a meditation platform, and decorative ponds — are consistent with a broader trend toward low-impact, community-centered development.

There is also an opportunity to enhance the environmental and aesthetic value of the property without overdevelopment, which supports long-term community goals for land stewardship and quality of life.

We believe these conditions, combined with the project's alignment with zoning intent and land use policy, support the approval of this request.

Exhibit E: Application and Disclosure of Campaign Contributions

[attached]

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
Name: <u>Lotus Grounds</u>	Name: <u>NILOOFAR ETEMADHAERI</u>
Address: <u>4497 Shiloh Ridge Trail</u>	Address: <u>4497 Shiloh Ridge Trail</u>
City: <u>Snellville</u>	City: <u>Snellville</u>
State: <u>GA</u> ZIP: <u>30039</u>	State: <u>GA</u> ZIP: <u>30039</u>
Phone: <u>314.397.9055</u>	Phone: <u>858.722.2950</u>
Email: <u>ofirinbl@gmail.com</u>	Email: <u>niloofar1963@yahoo.com</u>
Contact Person: <u>Ofir Hackmon</u> Phone: <u>314.397.9055</u>	
Contact's Email: <u>ofirinbl@gmail.com</u>	
APPLICANT IS THE:	
<input checked="" type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER	
Existing/Proposed Zoning District(s): <u>RA-200 and R-100</u>	
Parcel Number(s): <u>6046 127</u> Acreage: <u>13.25</u>	
Property Address(es): <u>4497 Shiloh Ridge Trail Snellville GA 30039</u>	
Proposed Development: <u>Community Center</u>	
Variance(s): <u>240-60.3 and 240-20.1</u> Waiver(s): _____	
Building/Leased Sq. Ft.: <u>1200</u> Floor Area Ratio: _____	



Gwinnett

GWINNETT COUNTY
PLANNING AND DEVELOPMENT
PROPERTY OWNER CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon in less than six (6) months from the date of last action by the Board of Commissioners.

Property Owner

Name: Niloofar Etemadhaeri

Signature: Niloofar Etemadhaeri

Date: 07/31/2025

Notary Public

Name: Eric Lopez

Signature: Eric Lopez

Date: 07/31/2025



Notary Seal

See notary attached

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Diego

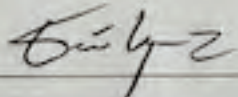
On July 31, 2025, before me, Eric Lopez, Notary Public
(insert name and title of the officer)

personally appeared Niloufar Etemadhaeri
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

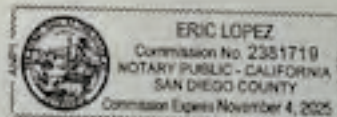
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)





The undersigned certifies that all Gwinnett County property taxes are current. In no such case shall an application or reapplication be processed without such property tax verification.

Name: Niloo Far Etemad haeri

Signature: Mikaela Emerald Date: 4.3.2025

Property Information 4497 Shiloh Ridge Trails Snellville, GA

Enter all parcel IDs in the table below. [Search for Parcel ID](#)

[illegible]

All Gwinnett County property taxes are current for the above referenced parcel(s) and confirmed by the signature below.

Name: Binh Tran Title: TSA

Signature: N. B... Date: 9/4/2025

016BNT



Disclosure of campaign contributions aggregating to \$250.00 or more to a member of the Board of Commissioners is required pursuant to Section 270-25.E. of the Unified Development Ordinance.

Name: NILOOFAR ETEMADHAERI

Relationship to Application (Applicant or Representative of Applicant):

Campaign Contributions? No

Contributions:

Official Name	Contribution Amount	Date of Contribution	Contributor



Disclosure of campaign contributions aggregating to \$250.00 or more to a member of the Board of Commissioners is required pursuant to Section 270-25.E. of the Unified Development Ordinance.

Name: Ofir Hackmon

Relationship to Application (Applicant or Representative of Applicant):

Campaign Contributions? No

Contributions:

Official Name	Contribution Amount	Date of Contribution	Contributor

Exhibit F: Internal and External Agency Review Comments

[attached]



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:		10.17.2025	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 2	
Reviewer Email Address:		Brent.Hodges@gwinnettcountry.com	
Case Number:		SUP2025-00019	
Case Address:		4497 Shiloh Ridge Trail, Snellville, 30039	
Comments:		<input checked="" type="checkbox"/> X	<input type="checkbox"/> YES <input type="checkbox"/> NO
1	Shiloh Ridge Trail is a local street. There is no Average Daily Traffic (ADT) Volume available.		
2	The nearest Ride Gwinnett facility is located 1.2 miles away at Stone Mountain Highway (SR 10) and Paxton Drive (Stop 7023 / Route 70).		
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/> YES	<input checked="" type="checkbox"/> X NO
1			
2			
3			
4			
5			
6			

Note: Attach additional pages, if needed

Revised 7/26/2021



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:		
Department/Agency Name:	DWR	
Reviewer Name:	Lorraine Campagne	
Reviewer Title:	Section Manager	
Reviewer Email Address:	Lorraine.campagne@gwinnettcounty.com	
Case Number:	SUP2025-00019	
Case Address:	4497 Shiloh Ridge Trl	
Comments:		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
1	Water: GCDWR does not have comments for this Special Use Permit. The existing building is connected to public water.	
2	Sewer: GCDWR does not have comments for this Special Use Permit. The existing building is on septic and will remain on septic.	
3		
4		
5		
6		
7		
Recommended Zoning Conditions:		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
1		
2		
3		
4		
5		
6		

Note: Attach additional pages, if needed

Revised 7/26/2021

RIVERCLIFF DR








6046
127

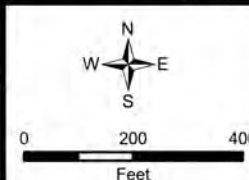
SHILOH RIDGE TRL

8 Inch

8 Inch

LEGEND

- | | | | | | |
|--|-----------------|---|---------------------|---|--------------------------|
|  | Flow Management |  | Hydrant |  | Sewer Collector |
|  | Pump Station |  | City |  | Sewer Interceptor |
|  | Regional |  | Water Main |  | Sewer Force Main |
|  | Manhole |  | Proposed Water Main |  | Proposed Sewer Collector |

4497 Shiloh Ridge Trl
RA-200**Water & Sewer
Utility Map**

LOCATION



Water Comments: GCDWR does not have comments for this Special Use Permit. The existing building is connected to public water.

Sewer Comments: GCDWR does not have comments for this Special Use Permit. The existing building is on septic and will remain on septic.

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

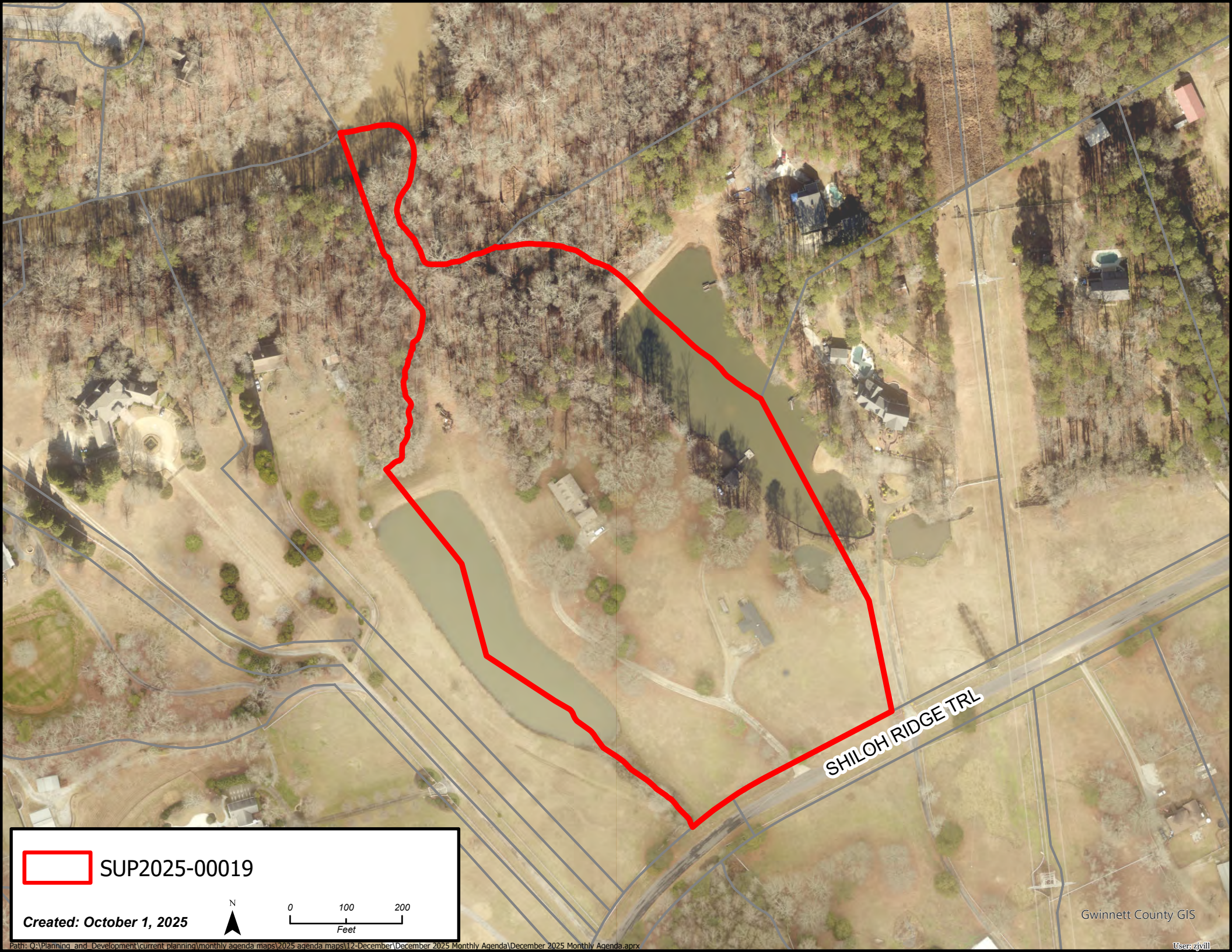
Sewer Availability: A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station,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

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

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

Exhibit G: Maps

[attached]



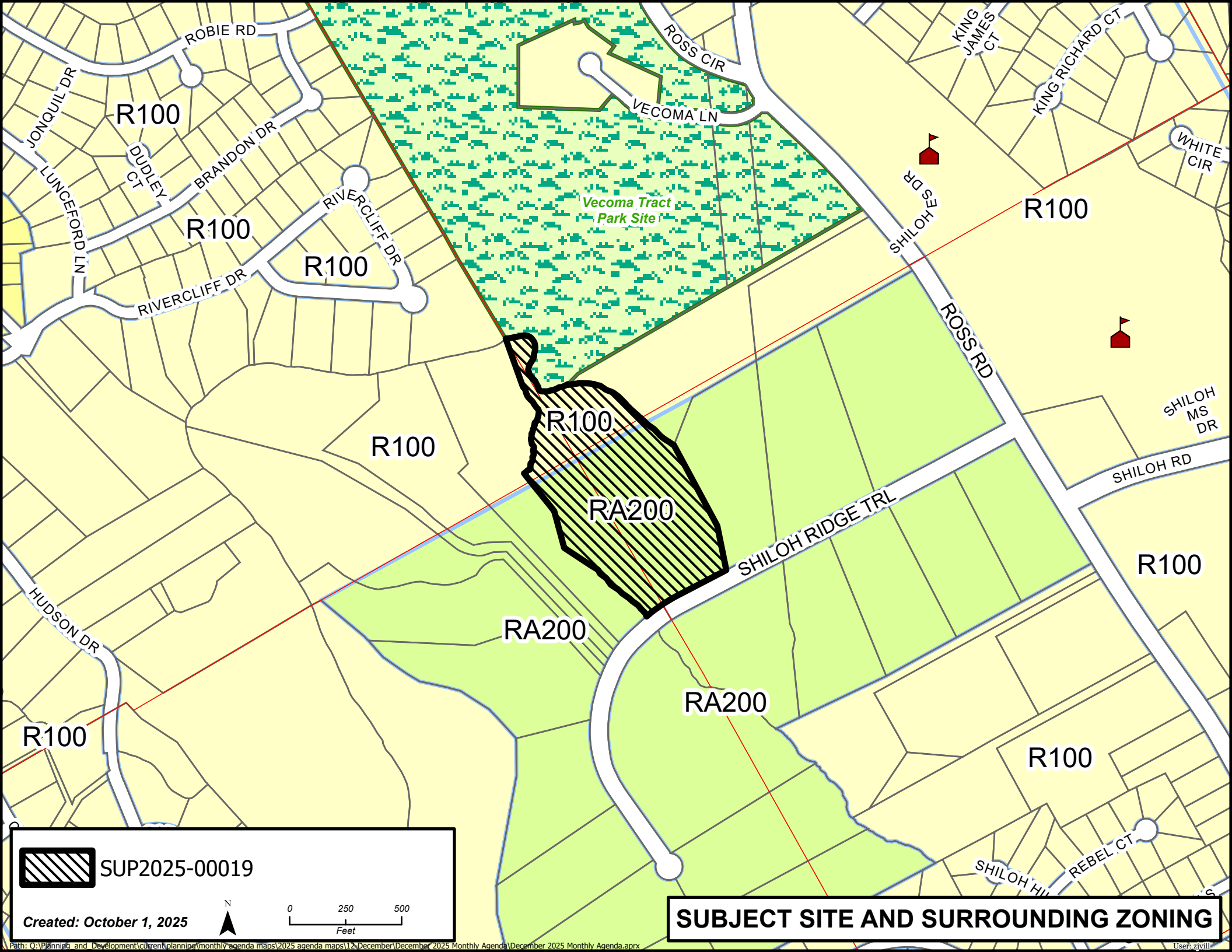
SUP2025-00019

Created: October 1, 2025



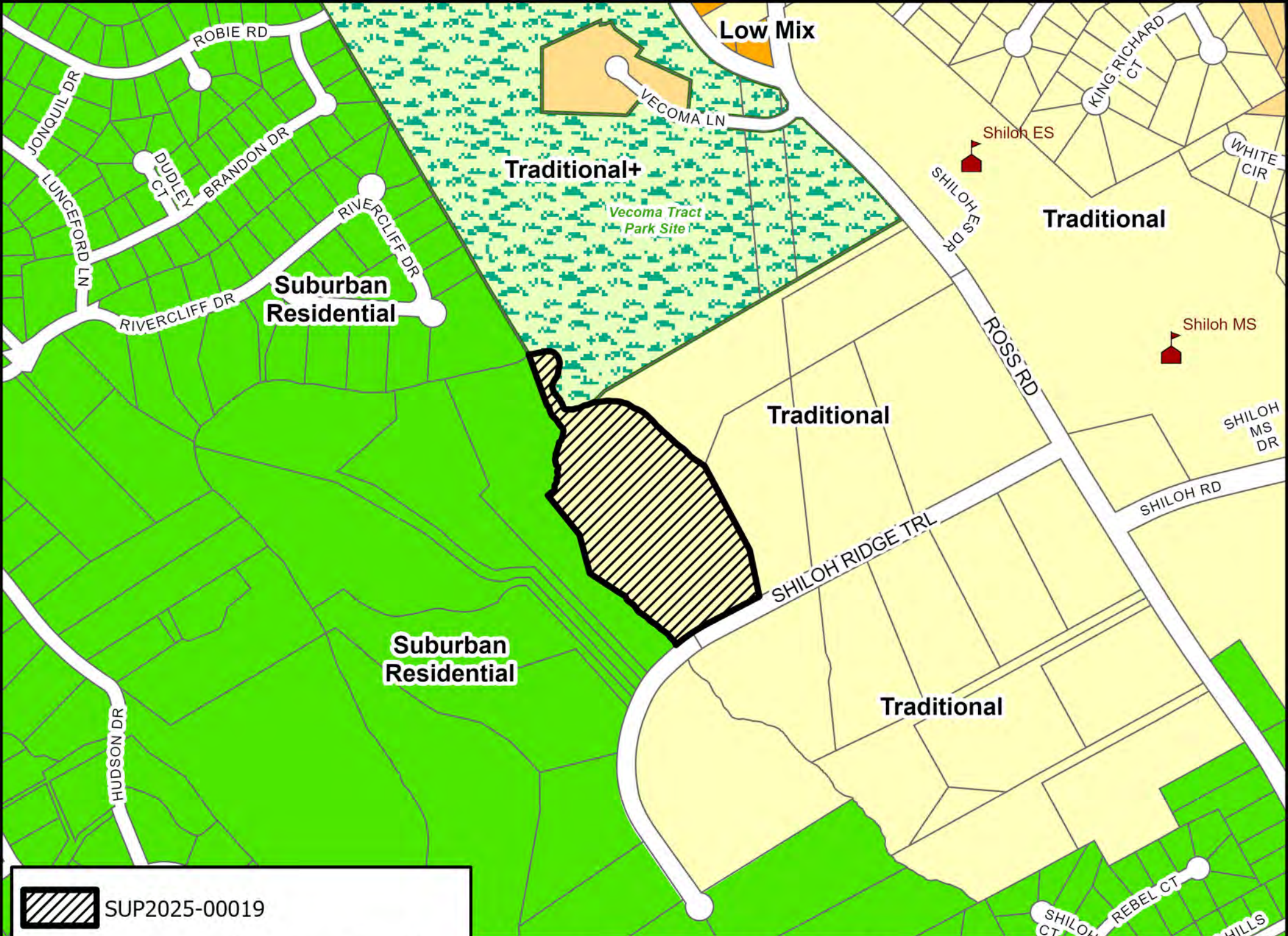
0 100 200
Feet

Gwinnett County GIS



Created: October 1, 2025

SUBJECT SITE AND SURROUNDING ZONING



 SUP2025-00019

Created: October 1, 2025

 0 250 500 Feet

2045 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

Gwinnett County Board of Commissioners Agenda Request

GCID #		Group With GCID #:			
20251298				<input checked="" type="checkbox"/> Rezoning <input checked="" type="checkbox"/> Public Hearing	
Department:		Planning & Development		Date Submitted: 12/02/2025	
Working Session:		Business Session:		Public Hearing: 02/17/2026	
Submitted By:		yturruvates			
Agenda Type		Rezoning		Rezoning Type: REZ	
Item of Business: 2025-00025, Applicant: Walker Anderson Homes, LLC c/o Weener Nathan Phillips, LLP; Owner: Bradenton Investors, LLC; Rezoning with Concurrent Variances of Tax Parcel Nos. R7119 002A, 100, 114, 116, and 118; 2449 Duluth Highway and 2800 Block of McDaniel Road; C-2 and O-I to R-TH for Townhouses; 20.87 acres; District 1/Carden					
Land Lot:	119	Parcel:	002A, 100, 114, 116, and 118		
District:	7				
Attachments		Department Case Report with Planning Commission Recommendation			
Authorization:		Chairwoman's Signature? Yes			
Department Head		jjleitch (2/10/2026)			
District		For	Against	Abstained	Absent
District 1	Jamin Harkness	X			
District 1	Nick Nicolosi	X			
District 2	Anthony Crotser	X			
District 2	Pinkie Farver	X			
District 3	Katrina Fellows	X			
District 3	Ben Archer	X			
District 4	Buzz Brockway	X			
District 4	Chris Franklin	X			
At Large	Scott Haggard		X		
Comments					

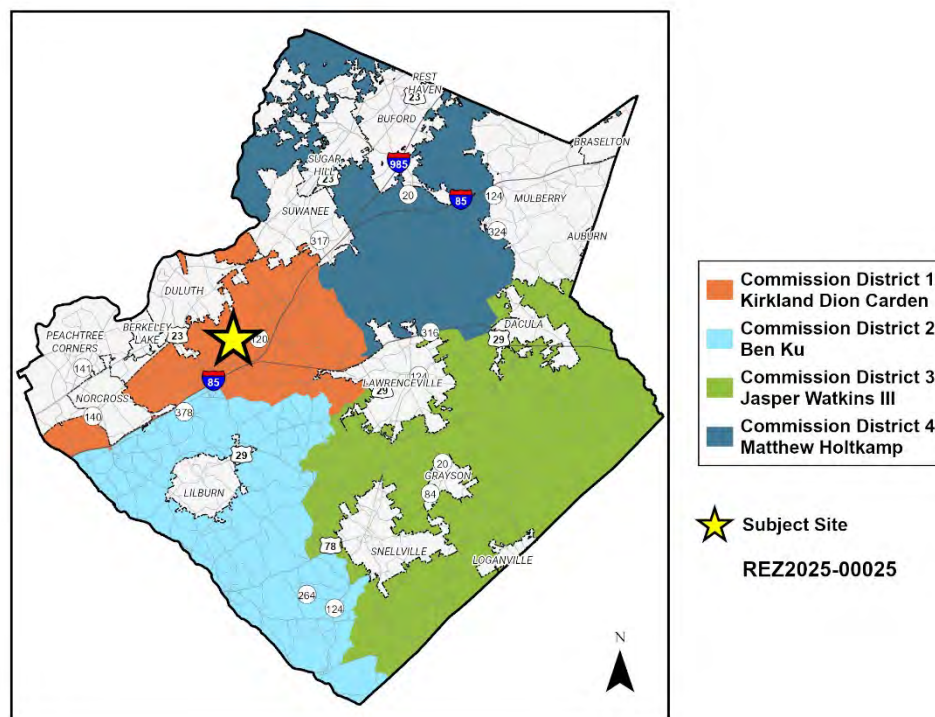
County Clerk Use Only	Planning and Development	Planning Commission
Working Session: <input type="text"/> Action: Tabled Tabled: 01/27/2026 Motion: Carden 2nd by: Ku Vote: 5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Holtkamp-Yes	Recommendation: <input type="checkbox"/> Approve <input checked="" type="checkbox"/> Approve with Conditions <input type="checkbox"/> Appr w/ Cond As <input type="text"/> <input type="checkbox"/> Deny w/out Prejudice <input type="checkbox"/> Deny PH was Held? <input type="checkbox"/> <input type="checkbox"/> No Recommendation	Recommendation: <input type="checkbox"/> Tabled - Date <input type="text"/> <input type="checkbox"/> Approve <input checked="" type="checkbox"/> Approve with Conditions <input type="checkbox"/> Approve with Conditions As <input type="text"/> <input type="checkbox"/> Deny <input type="checkbox"/> Deny w/out Prejudice <input type="checkbox"/> No Recommendation

PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: REZ2025-00025
Current Zoning: C-2 (General Business District) and O-I (Office-Institutional District)
Request: R-TH (Single-Family Townhouse District)
Additional Requests: Variances
Addresses: 2449 Duluth Highway and 2800 Block of McDaniel Road
Map Numbers: R7119 002A, 100, 114, 116, and 118
Site Area: 20.87 acres
Units: 170
Proposed Development: Townhouses
Commission District: District 1 – Commissioner Carden
Future Development Type: Neighborhood Traditional+

Staff Recommendation: APPROVAL WITH CONDITIONS

**Planning Commission
Recommendation:** APPROVAL WITH CONDITIONS



Planning Commission Advertised Public Hearing Date: 12/2/2025 (Public Hearing Held/
Recommendation Tabled to 1/6/2026)
Board of Commissioners Advertised Public Hearing Date: 12/9/2025 (Public Hearing Tabled to
2/17/2026)

Applicant: Walker Anderson Homes, LLC
c/o Weener Nathan Phillips, LLP
3680 Pleasant Hill Road
Duluth, GA 30096

Owner: Bradenton Investors, LLC
P.O. Box 1597
Kennesaw, GA 30156

Contact: Eric Nathan

Phone: 770.392.9004

Zoning History

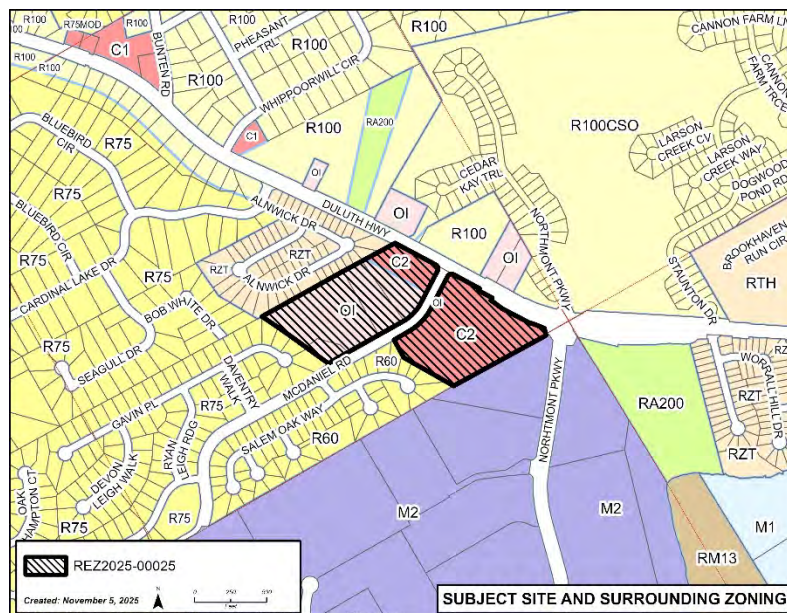
The subject property is split-zoned C-2 (General Business District) and O-I (Office-Institutional District). In 1991 and 1992, portions of the property were rezoned to C-2 pursuant to RZ-91-014 and RZ-92-062, and O-I pursuant to RZ-91-015. In 2022, requests to rezone the entire property to MU-R (Regional Mixed-Use District) were denied, pursuant to RZC2022-00001 and RZC2022-00002.

Existing Site Condition

The subject property is a 20.87-acre assemblage of five parcels located along both sides of McDaniel Road at its intersection with Duluth Highway. The property is undeveloped and wooded. A decorative stacked stone wall and landscaping is located at the intersection of Duluth Highway and McDaniel Road. A stream runs along the property line abutting the Hampton Place subdivision. A pond with a dock is located south of the stream. There are no sidewalks along either street frontage. The nearest Ride Gwinnett transit stop is approximately 0.8 miles from the subject property.

Surrounding Use and Zoning

The property is located in an area with a mixture of residential and non-residential uses. A place of worship and small-scale offices are located to the north across Duluth Highway. Flex industrial buildings accessed by Northmont Parkway are located to the east. Brookhaven at Sugarloaf, a senior-oriented attached villa community, is located farther east along Duluth Highway. The Hampton Place and Hampton Hall subdivisions are located to the south along McDaniel Road. The Village at Cardinal Lake subdivision is located to the west. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Townhouses	R-TH	8.15 units per acre
North	Place of Worship Office	R-100 O-I	N/A N/A
East	Industrial Senior-Oriented Villas	M-2 R-TH	N/A 5.19 units per acre
South	Single-Family Residential	R-60 R-75	3.34 units per acre 2.10 units per acre
West	Single-Family Residential	R-ZT	4.38 units per acre

Project Summary

The applicant requests rezoning of a 20.87-acre assemblage of five parcels from C-2 and O-I to R-TH for townhouses, including:

- 170 townhouses, including 71 rear-loaded units and 99 front-loaded units, yielding a density of 8.15 units per acre.
- Two- and three-story townhouses with two-car garages and a minimum heated floor area of 1,800 square feet.
- Exterior building materials of brick and cementitious siding, board and batten, and shake with a brick water table.
- 10.33 acres of open space, including 1.56 acres of usable open space comprised of a swimming pool and cabana, neighborhood park, dog park, and the existing pond with dock.
- 66 on-street parallel parking spaces dispersed throughout the development.
- Two stormwater management facilities: one on the eastern portion and one on the western portion of the property.
- A 35-foot-wide undisturbed buffer along the property line abutting the Hampton Place subdivision, and a 35-foot-wide landscaped buffer along the property lines abutting the Village at Cardinal Lake and Hampton Hall subdivisions.
- A 10-foot-wide landscape strip along Duluth Highway and McDaniel Road.
- One full-access entrance and a 5-foot-wide sidewalk along both sides of McDaniel Road. Of note, a 12-foot-wide multi-use path will be provided along Duluth Highway during permitting.
- Existing decorative stacked stone wall and landscaping features to remain.

Zoning and Development Standards

The following is a summary of applicable standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Density	Maximum 10 units per acre	8.15 units per acre	YES
Front Yard	Minimum 10'	Minimum 10'	YES
Rear Yard	Minimum 20'	Minimum 20'	YES
Side Yard	Minimum 5'	Minimum 5'	YES
Building Height	Maximum 40'	Maximum 40'	YES
Open Space	Minimum 10% or 2.09 acres	49% or 10.33 acres	YES
Usable Open Space	Minimum 5% or 1.04 acres	7% or 1.56 acres	YES
Guest Parking	Minimum 43 spaces	57 spaces	YES
Recreation Area Parking	Minimum 9 spaces	9 spaces	YES

Standard	Required	Proposed	Meets Standard?
Zoning Buffer	Minimum 35'	0'	NO*
Street Frontage Setback	Minimum 40'	27' (Unit 5)	NO*

*The applicant has requested a variance from these standards.

Public Participation

A community meeting was held by a previous applicant for a 178-unit townhouse development on September 23, 2025, at the Duluth Festival Center. There were 19 community members in attendance, who raised concerns regarding traffic, density, stormwater management, and wetlands. A new applicant reinitiated the application after the initial community meeting. The current applicant held a meeting on October 29, 2025, at the same location, for a 170-unit townhouse development with greater separation between the proposed townhouses and the surrounding subdivisions. Those in attendance expressed concerns regarding traffic and density. The public participation plan and report are shown in Exhibit H.

Staff Analysis

Rezoning Request Analysis: The standards governing the exercise of zoning power are outlined in Section 270-20.6 of the UDO. Staff makes the following findings related to the zoning requests:

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

The subject property abuts single-family detached uses to the west and south, office and institutional uses to the north, and industrial uses to the east. The proposed townhouses would provide an appropriate transition between residential and non-residential uses. The Brookhaven at Sugarloaf, an attached villa community is located to the east. The proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.

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

The subject property is zoned C-2 and O-I, which allows retail, service commercial, and office uses. The proposed townhouse development is less intense than the by-right uses, and would be more compatible with surrounding residential uses. In addition, a 35-foot buffer is provided abutting all single-family detached subdivisions. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.

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

The property has a reasonable economic use as currently zoned.

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

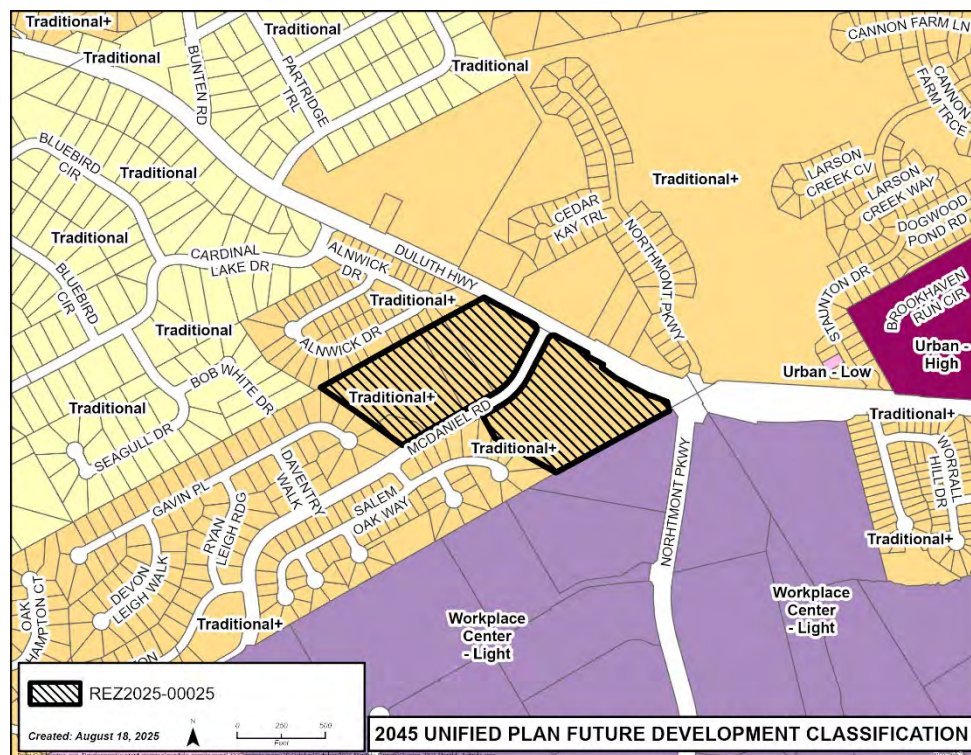
An increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts could be mitigated with appropriate conditions, site development requirements, and planning. The traffic impact study (Exhibit G),

which was based on 183 units, estimates the development would generate 89 morning and 106 evening peak hour trips, and the level of service at the McDaniel Road and Duluth Highway intersection would remain unchanged. The traffic impact study does not recommend any roadway improvements. However, given the existing level of service at the McDaniel Road and Duluth Highway intersection, staff has recommended a condition requiring a Stage 2 Intersection Control Evaluation, and any recommended improvements. An increased impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning request are attached (Exhibit I).

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

The Unified Plan's Future Development Map indicates "Neighborhood Traditional+" for the subject property, which encourages gentle density through smaller footprint homes in predominantly single-family residential areas. A variety of single-family attached and detached housing types are recommended for this future development type. Street and sidewalk connectivity are encouraged, and greens and passive parks are preferred park typologies.

Townhouses are a recommended land use and R-TH is a recommended zoning district. The proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map.



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.

There are no other conditions giving support for approval or disapproval of the proposal.

Variance Requests and Analyses

The applicant is seeking variances from the following provisions of Title II of the UDO:

1. **Section 210-120 Dimensional Standards.** The applicant is requesting to reduce the 40-foot-wide setback along McDaniel Farm to 27 feet for Unit 5.

Analysis: Unit 5 could be relocated to achieve compliance without reducing the total unit count.

2. **Section 210-140.18 C. Townhouse Building Orientation.** The applicant is requesting to orient the rears and sides of certain buildings toward external streets.

Analysis: The proposed building layout matches the existing development pattern and would not nullify the intent of the UDO.

3. **Section 230-100.1 Zoning Buffers.** The applicant is requesting to replace the undisturbed zoning buffers with landscaped buffers abutting the Hampton Hall and the Village at Cardinal Lake subdivisions.

Analysis: The applicant is proposing to grade and replant the buffers to buffer standards. This request meets the spirit of the UDO while allowing for development of the property.

Staff Recommendation

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

2. To orient the rears and sides of certain townhouse buildings toward external streets.
3. To replace the undisturbed zoning buffers with landscaped buffers abutting residential property lines.

Staff recommends **DENIAL** of the following variance:

1. To reduce the 40-foot-wide street frontage setback to 27 feet.

Planning Commission Recommendation

Based on staff's evaluation of the request, information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of the rezoning request and **APPROVAL** of the following variance requests:

2. To orient the rears and sides of certain townhouse buildings toward external streets.
3. To replace the undisturbed zoning buffers with landscaped buffers abutting residential property lines.

Staff recommends **DENIAL** of the following variance:

1. To reduce the 40-foot-wide street frontage setback to 27 feet.

Planning Commission Recommended Conditions (includes Staff Recommended Conditions, as Amended)

Approval as R-TH (Single-Family Townhouse District) for townhouses, subject to the following conditions:

1. The development shall be limited to townhouses and accessory uses, not exceeding ~~170~~ **120** units.
2. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received October 27, 2025, and Exhibit C: Elevations, dated received October 23, 2025, and October 29, 2025, with revisions required by zoning conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.
3. Residences shall have a minimum heated floor area of 1,800 square feet.
4. Usable open space shall be provided in general conformance with Exhibit B: Site Plan dated received October 27, 2025, including, but not limited to, a swimming pool with cabana, a neighborhood park with playground, and a dog park, subject to the review and approval of the Department of Planning and Development.
5. Two full-access entrances shall be provided along McDaniel Road, in general conformance with Exhibit B: Site Plan dated received October 27, 2025, prior to the issuance of a Certificate of Occupancy, subject to the review and approval of the Gwinnett County Department of Transportation.
6. A Stage 2 Intersection Control Evaluation (ICE) shall be submitted to the Gwinnett County Department of Transportation and the Georgia Department of Transportation, prior to the issuance of a land disturbance permit. Recommendations in the Stage 2 ICE shall be constructed, provided prior to the issuance of a Certificate of Occupancy, subject to review and approval of the Gwinnett County Department of Transportation and the Georgia Department of Transportation.
7. Natural vegetation shall remain on the property until the issuance of a development permit.
8. All grassed areas within lots and usable open space shall be sodded.

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Building Elevations
- D. Letter of Intent and Applicant's Response to Standards
- E. Application and Disclosure of Campaign Contributions
- F. DWR Sewer Capacity Certification Letter
- G. Traffic Impact Study
- H. Public Participation Plan and Report
- I. Internal and External Agency Review Comments
- J. Maps

Exhibit A: Site Visit Photos



View of property frontage along McDaniel Road



View of property frontage along Duluth Highway



View of existing pond on the property



View of entrance feature and landscaping on the property



View of abutting residences in The Village at Cardinal Lake



View of abutting residences in Hampton Hall

Exhibit B: Site Plan

[attached]



SITE

VICINITY MAP



BLUE LANDWORKS
CONTACT: JAMES WALKER
PHONE: 404.251.1000
WWW.BLUELANDWORKS.COM

WALKER ANDERSON
ARCHITECTS
CONTACT: JAMES WALKER
PHONE: 404.251.1000
WWW.WALKERANDERSON.COM

ISSUE #	DATE	REVISIONS
1	10/20/26	CLIENT REVIEW
2	10/24/26	ADDRESS COUNTY REVIEW COMMENT

Exhibit C: Building Elevations

[attached]



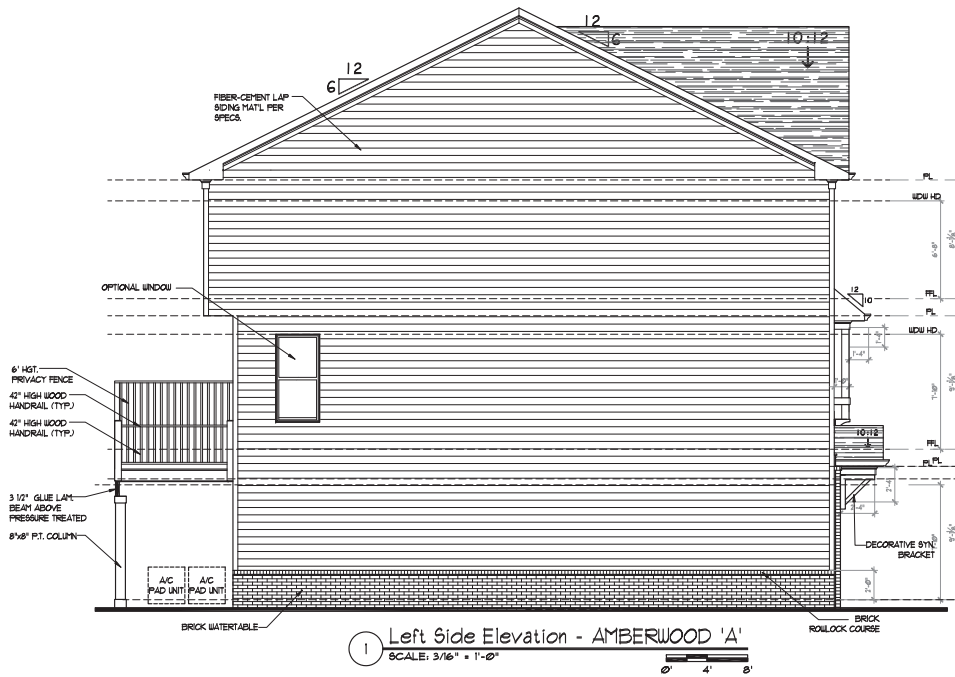
1 Front Elevation
SCALE: 3/16" = 1'-0"



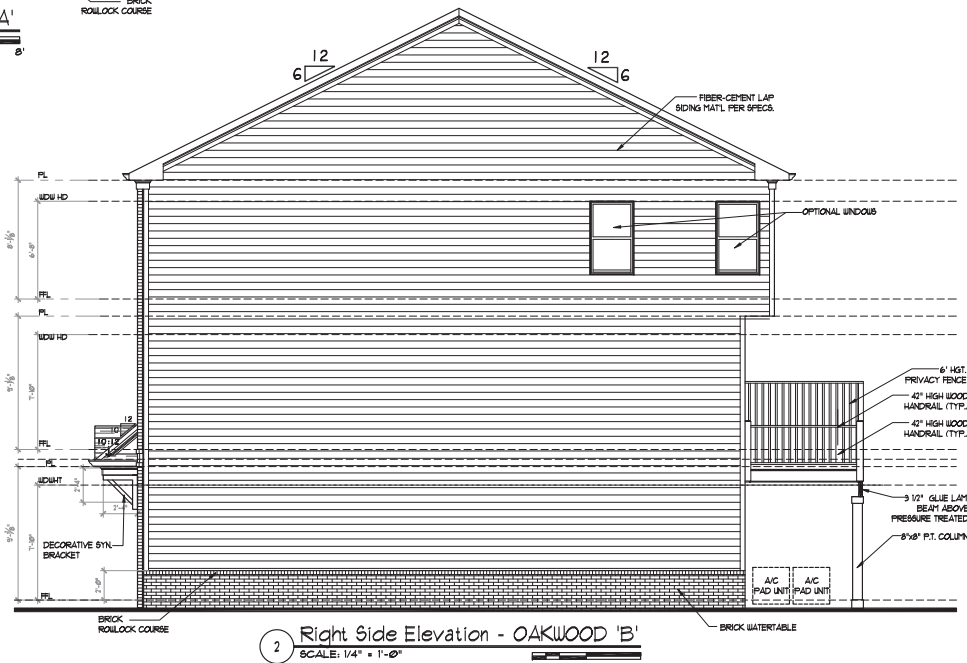
2 Rear Elevation
SCALE: 3/16" = 1'-0"

DESIGNER :	DATE :
NO.	DESCRIPTION :
<p>VIEWPOINT DESIGN 4841 BELLE ESTATES RD. SUWANEE, GEORGIA 30024 gc.viewpointdesign@gmail.com PHONE: (404) 518-0956</p>	
<p>PROJECT NAME : MCDANIEL ROAD TYP. 6 UNITS BUILDING AMBERWOOD & OAKWOOD DULUTH, GA 30096</p>	
<p>CLIENT/ BUILDER WALKER ANDERSON 390 BROGDON RD., SUWANEE, GA 30024</p>	
<p>SHEET TITLE FRONT & REAR ELEVATIONS</p>	
Date	10/23/2025
Scale	AS NOTED
Drawn By	GC
Job No.	N/A
Sheet	A1.1

GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
10.23.25



1 Left Side Elevation - AMBERWOOD 'A'
SCALE: 3/16" = 1'-0"



2 Right Side Elevation - OAKWOOD 'B'
SCALE: 1/4" = 1'-0"

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

10.23.25
REZ2025-00025

NO.	DESCRIPTION	DATE

DESIGNER :
VIEWPOINT DESIGN
4841 BELLE ESTATES RD.
SUWANEE, GEORGIA 30024
gc.viewpointdesign@gmail.com
PHONE (404) 518-0956

PROJECT NAME :
MCDANIEL ROAD
TYP. 6 UNITS BUILDING
AMBERWOOD & OAKWOOD
DULUTH, GA 30096

CLIENT/BUILDER
WALKER ANDERSON
390 BROGDON RD.,
SUWANEE, GA 30024

SHEET TITLE
SIDE ELEVATIONS

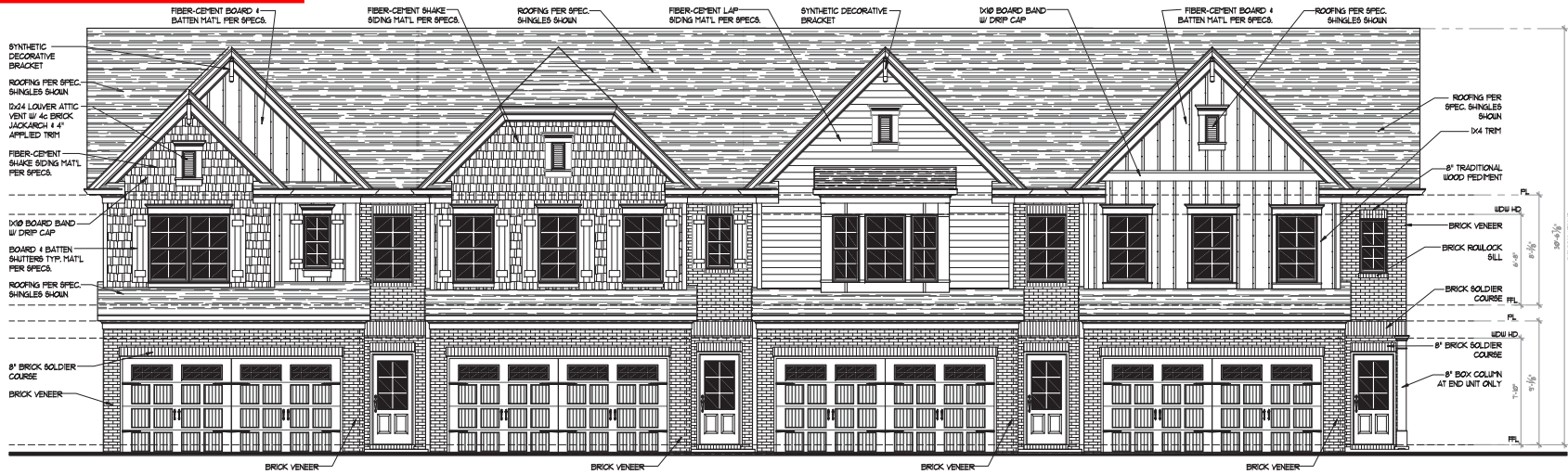
Date 10/23/2025
Scale AS NOTED
Drawn By GC
Job No. N/A
Sheet

A1.2

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1 Front Elevation
SCALE: 1/4" = 1'-0"

NOTE:
FRONT ELEVATIONS EXCEED 50%
BRICK AS PRIMARY MATERIAL.



2 Rear Elevation
SCALE: 1/4" = 1'-0"

NO.	DESCRIPTION	DATE

DESIGNER:
**VIEWPOINT
DESIGN**
4841 BELLE ESTATES RD.
SUWANEE, GEORGIA 30024
gc.viewpointdesign@gmail.com
PHONE (404) 518-4956

PROJECT NAME:
MCDANIEL ROAD
TYP. 4 UNITS BUILDING
PINELAND
DULUTH, GA 30096

CLIENT: BUILDER
**WALKER
ANDERSON**
390 BROGDON RD.,
SUWANEE, GA 30024

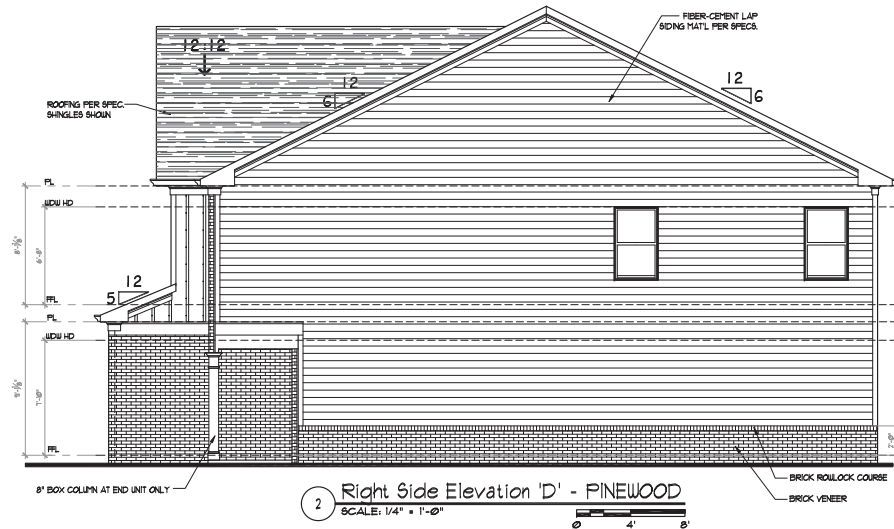
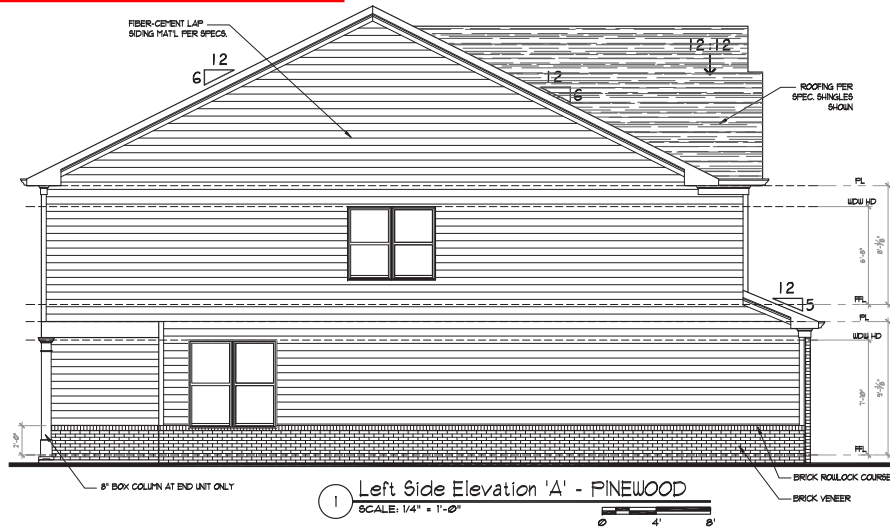
SHEET TITLE
FRONT & REAR
ELEVATIONS

Date: 10/29/2025
Scale: AS NOTED
Drawn By: GC
Job No.: N/A
Sheet: A1.1

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NO.	DESCRIPTION	DATE

DESIGNER:
VIEWPOINT DESIGN
4841 BELLE ESTATES RD.
SUWANEE, GEORGIA 30024
gc.viewpointdesign@gmail.com
PHONE (404) 518-0956

PROJECT NAME:
MCDANIEL ROAD
TYP. 4 UNITS BUILDING
PINEWOOD
DULUTH, GA 30096

CLIENT/BUILDER:
WALKER ANDERSON
390 BROGDON RD.,
SUWANEE, GA 30024

SHEET TITLE
SIDE ELEVATIONS

Date: 10/29/2025
Scale: AS NOTED
Drawn By: GC
Job No.: N/A
Sheet

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

[attached]



Eric J. Nathan

October 23, 2025

5887 GLENRIDGE DRIVE NE
SUITE 275
ATLANTA, GEORGIA 30328
T: (770) 392-9004
F: (770) 522-9004
W: WNPLLP.COM
nathan@wnpllp.com

VIA ELECTRONIC DELIVERY

Gwinnett County
Department of Planning and Development
446 West Crogan Street
Lawrenceville, Georgia 30046-2440

RE: **Letter of Intent in Support of the Rezoning Application, ZON2025-00052, of Walker Anderson Homes, LLC (the “Applicant”) for +/- 20.872 acres located on McDaniel Road, Gwinnett County, Georgia (the “Property”) owned by Bradenton Investors LLC (the “Property Owner”) and Justification for Rezoning**

Sir or Madam:

The above-named law firm serves as counsel to the Applicant and the Property Owner in connection with its submission of its Rezoning Application related to the Property, seeking rezoning of the Property from C2 and OI to R-TH to allow for the development of 170 residential units.

Request for Rezoning

Applicant seeks to rezone the Property from its current, no longer viable C2 and OI zoning to R-TH, consistent with the Gwinnett County Unified Development Ordinance (“UDO”). The subject parcel is divided into two tracts on the north and south side of McDaniel Road and Hwy. 120. The total acreage being rezoned is 20.872 acres as shown on the survey by MDA dated 6-17-2020. The Applicant proposes 170 units on the Property as shown on the site prepared by Blue Landworks. These townhouses will have a minimum of three bedrooms and a minimum heated square footage of 1,800 sf each. The proposed townhouse development would have public streets. Applicant also seeks three variances to work through site conditions with regard to the layout. The requested variances are for Sections 210-140-18.C, 230.100.1 and 210-120. The open space will be landscaped where disturbed and will have an amenity with pool and cabana.

Justification for Rezoning

The portions of the UDO, as amended, which classify or condition the Property into any more or less intensive zoning classification and/or zoning conditions other than as requested by the Applicant are and would be unconstitutional in that they would destroy the

Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the UDO, as applied to the Property, which restricts its use to the present zoning classification, uses, regulations, requirements and conditions is unconstitutional, illegal, null and void, constituting a taking of the Applicant's property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States denying the Applicant any economically viable use of the Property while not substantially advancing legitimate state interests.

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

A refusal by the Gwinnett County Board of Commissioners to approve Applicant's requested rezoning request from C2 and OI to R-TH, with only such additional conditions as agreed to by Applicant, so as to permit the only feasible economic use of the Property, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

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

WEENER NATHAN PHILLIPS LLP

The Applicant respectfully requests that the Gwinnett County Board of Commissioners, Planning Commission and Planning staff recommend and approve the Applicant's Rezoning Application, to allow the Applicant a viable, quality and economic use of its Property. The Applicant and its representatives welcome the opportunity to meet with the Gwinnett County Board of Commissioners, Planning Commission and Planning staff to answer any questions.

Respectfully submitted this 23rd day of October, 2025.

WEENER NATHAN PHILLIPS LLP



Eric J. Nathan
Attorneys for Applicant and Property Owner

Pursuant to requirements of the United 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.

- A. Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property:
Residential town home rezoning will be more similar to adjacent residential properties vs. the current commercial and industrial zoning.
- B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property:
Currently the existing use on the site is undeveloped. Adjacent zoning is residential which is more compatible than existing commercial/industrial zoning.
- C. Whether the property to be affected by a proposed rezoning has reasonable economic use as currently zoned:
Currently the existing use on site is wooded. Research by the owner has deemed current commercial and office industrial zoning is not in demand or practical.
- D. Whether the proposed rezoning will result in a use which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:
A traffic study was done by A&R engineering, which is attached, and they found there to be no major impacts if the site were to be developed. Utilities present on the site today.
- E. Whether the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map:
A pre-submittal meeting was conducted on 02/24/25 and staff stated that our plan meets the future and 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:
Market conditions support residential development vs. commercial and industrial zoning.

Exhibit E: Application and Disclosure of Campaign Contributions

[attached]

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
Name: <u>Walker Anderson Homes LLC</u>	Name: <u>Bradenton Investors, LLC</u>
Address: <u>390 Brogdon Road</u>	Address: <u>999 Peachtree Street Suite 855</u>
City: <u>Suwanee</u>	City: <u>Atlanta</u>
State: <u>GA</u> ZIP: <u>30024</u>	State: <u>GA</u> ZIP: <u>30309-4452</u>
Phone: <u>404-210-9925</u>	Phone: <u>678-331-1661</u>
Email: <u>cwoods@bfhcompany.com</u>	Email: <u>eltery@terry-corp.com</u>
Contact Person: <u>Eric Nathan</u> Phone: <u>770-392-9004</u>	
Contact's Email: <u>nathan@wnpllp.com</u>	
APPLICANT IS THE:	
<input type="checkbox"/> Owner's Agent <input type="checkbox"/> Property Owner <input checked="" type="checkbox"/> Contract Purchaser	
Current Zoning District(s): <u>OI C2</u> Requested Zoning District: <u>RTH</u>	
Parcel Number(s): <u>7119 100, 71119 114, 71119 116, 71119 118, 7119 002A</u> Acreage: <u>20.872</u>	
Property Address(es): <u>McDaniel Road at Duluth Highway</u>	
Proposed Development: <u>Townhome Development</u>	
Variance(s): <u>230.100.1, 210-140.18 C, 210-120</u> Waiver(s): _____	
RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Dwelling Units: <u>170</u>	No. of Buildings: _____
Dwelling Unit Sq. Ft.: <u>1800</u>	Total Building Sq. Ft.: _____
Density: <u>8.15 units/acre</u>	Floor Area Ratio: _____
Floor Area Ratio (LRR, MRR, HRR): _____	
MIXED-USE DEVELOPMENT	
No. of Dwelling Units: _____ Dwelling Unit Sq. Ft.: _____	
Total Non-Residential Sq. Ft.: _____ Floor Area Ratio: _____	



GWINNETT COUNTY
PLANNING AND DEVELOPMENT | PLANNING DIVISION
DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Disclosure of campaign contributions aggregating to \$250.00 or more to a member of the Board of Commissioners is required pursuant to Section 270-25.E. of the Unified Development Ordinance.

Name: Garbitt Woods

Relationship to Application: ☐ Applicant ☒ Representative of Applicant

Campaign Contributions? ☐ Yes ☒ No

Contributions:

Official Name	Contribution Amount	Date of Contribution	Contributor

Signature: Garbitt Woods

Date: 10/10/25



The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon in less than six (6) months from the date of last action by the Board of Commissioners.

Property Owner

Name: Bradenton Investors LLC - Edward L Terry

Signature: [Signature]

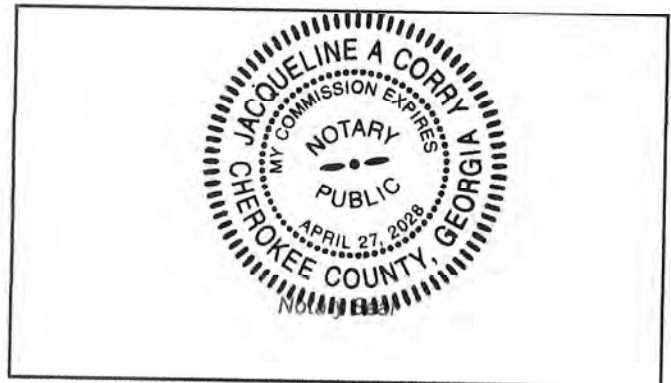
Date: 4/22/2025

Notary Public

Name: Jacqueline A Corry

Signature: Jacqueline A. Corry

Date: 4/22/2025





The undersigned certifies that all Gwinnett County property taxes billed to date for the parcel listed below have been paid in full to the Tax Commissioner of Gwinnett County, Georgia. In no such case shall an application or reapplication be processed without such property tax verification.

Applicant Information

Name: Casey Durden C/O Hill Foley Rossi & Associates

Signature: Casey Durden Date: 5-16-2025

Property Information

Enter all parcel IDs in the table below. [Search for Parcel ID](#)

Parcel ID(s) (by Applicant)	Property Taxes Paid (Yes or No) (Tax Commissioner Use Only)
7119 100	Yes
7119 114	Yes
7119 116	Yes
7119 118	Yes
7119 002A	Yes

Tax Commissioner Affirmation

The payment of all property taxes billed to date for the above referenced parcels were verified by:

Name: Jacquelleen Garcia Title: Tax Associate II

Signature: Jacquelleen Garcia Date: 5/16/2025

Exhibit F: DWR Sewer Capacity Certification Letter

[attached]



April 11, 2025

Edward Terry
Brandenton Investors LLC
2449 Duluth Highway
Duluth, GA. 30097



APPROVED



DENIED



CONDITIONALLY APPROVED

Sewer Capacity Request #C2025-088-04

Expiration Date: 04/11/2026

P&D Number: ZAM2025-00042

Tie-In Manhole FID: 437921

RE: Sewer Availability for Proposed Development – Development at McDaniel Road
Parcel ID 7119 118, 7119 114, 7119 002A

Dear Mr. Terry:

Gwinnett County Department of Water Resources (GCDWR) has reviewed the impact of the proposed development consisting of 183 townhomes on the above parcel(s) and determined:

Gwinnett County has adequate sewer capacity to serve the proposed development.

This confirmation is based on your anticipated annual average daily flow of **31.8 gpm** discharging to the sewer tie-in manhole at Facility ID **437921**.

Capacity Allocation: Sewer capacities are allocated only upon the issuance of a Development Permit, by Gwinnett County Planning & Development and after all applicable conditions established in this Sewer Capacity Certification, if any, are met.

Certification Expiration: The Sewer Capacity Certification is valid for 12 months from the date of this letter. If rezoning is approved, GCDWR will issue a revised Sewer Capacity Certification based on the approved units, as needed. The capacity request can be renewed for an additional 12 months. If a Development Permit has not been obtained by the expiration date above the developer may apply for renewal by providing evidence of active rezoning, plan review, or permitting efforts.

Once the Sewer Capacity Certification expires, the capacity is no longer allocated, and a new Sewer Capacity Certification request must be submitted for re-evaluation with no guarantee of available capacity. The evaluation will be based on the updated conditions of the sewer system.

Certification Invalidation: This certification is not valid if there are proposed changes to your development that could impact downstream sewer capacity (e.g. land use density, sewer tie-in manhole, parcel changes, and/or rezoning). In this case the development must resubmit for a new Sewer Capacity Request with updated information prior to the expiration of the previous one.



Please contact us at 678-376-7026 if you have any questions.

Sincerely,

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES

Della Taylor, PE
Division Director, Infrastructure Support
678.376.2130

C: Gwinnett County DWR – Lorraine Campagne, Section Manager; Raghu Vemuru, Engineer V; Mikala Weston, Engineer III
Gwinnett County P&D – Charli Young, Planning Manager; Geniva Sylvain, Engineer I; Christina Dejarnette, Engineer I;
Wendell Tumale Engineer III

Exhibit G: Traffic Impact Study

[attached]

**TRAFFIC IMPACT STUDY
FOR
MCDANIEL ROAD RESIDENTIAL DEVELOPMENT
GWINNETT COUNTY, GEORGIA**



Prepared for:

***Hill Foley Rossi and Associates, LLC
3680 Pleasant Hill Road, Suite 200
Duluth, GA 30096***

Prepared By:



A&R Engineering Inc.

2160 Kingston Court, Suite O
Marietta, GA 30067
Tel: (770) 690-9255 Fax: (770) 690-9210
www.areng.com

May 1, 2025
A & R Project # 25-063

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1.0 INTRODUCTION

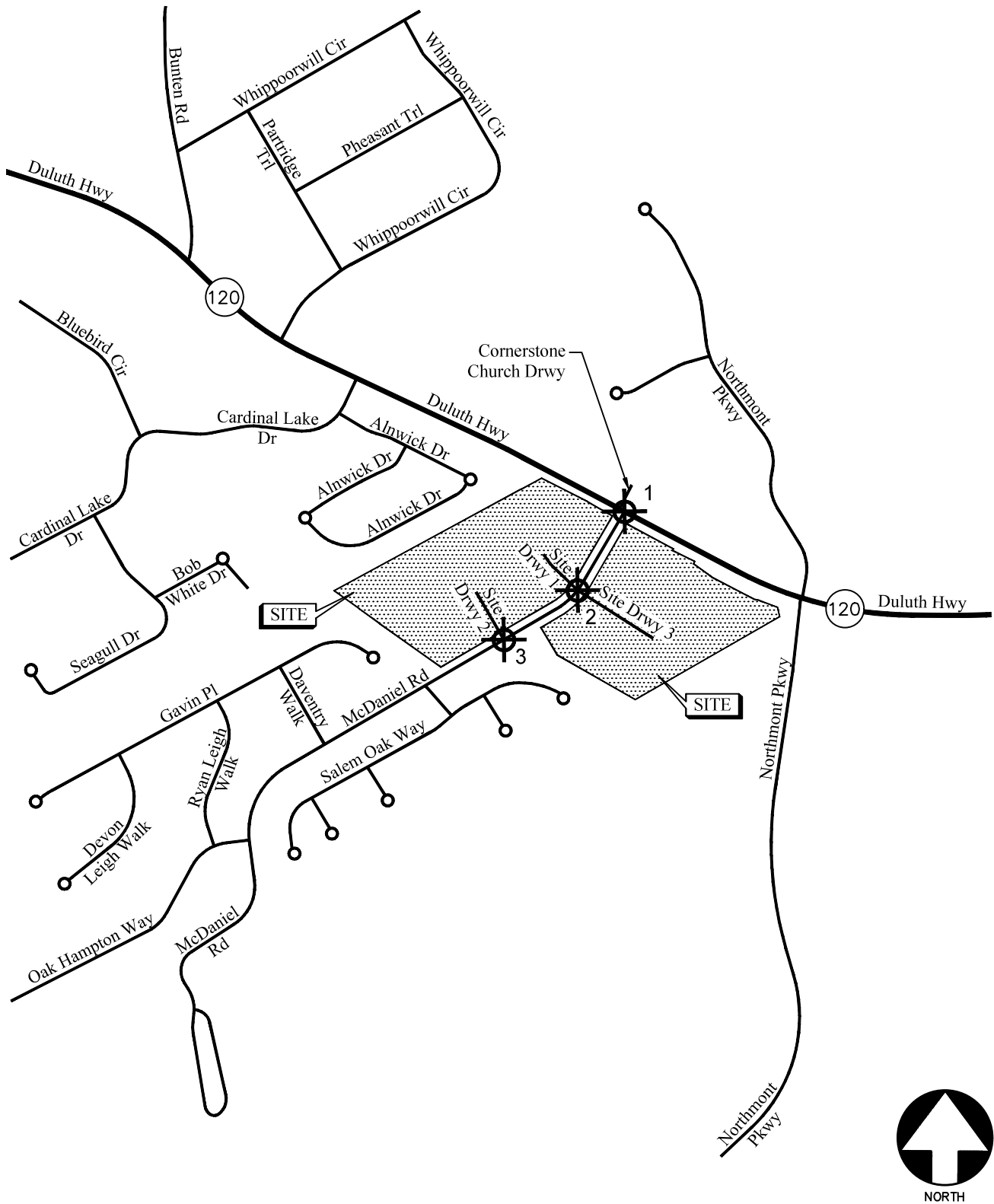
The purpose of this study is to determine the traffic impact from the proposed residential development that will be located on McDaniel Road to the south of SR 120 (Duluth Highway) in Gwinnett County, Georgia. The traffic analysis evaluates the current operations and the future conditions with the traffic generated by the development. The proposed development will consist of 130 townhomes located to the west of McDaniel Road and another 53 townhomes located to the east of McDaniel Road.



The development proposes two full access driveways on McDaniel Road for the western tract, and a third full access driveway on McDaniel Road for the eastern tract.

The AM and PM peak hours have been analyzed in this study. In addition to the site access points, this study includes the evaluation of traffic operations at the intersection of SR 120 (Duluth Highway) and McDaniel Road / Cornerstone Church Driveway.

Recommendations to improve traffic operations have been identified as appropriate and are discussed in detail in the following sections of the report. The location of the development and the surrounding roadway network are shown in Figure 1.



LOCATION MAP

FIGURE 1
A&R Engineering Inc.

2.0 EXISTING FACILITIES / CONDITIONS

2.1 Roadway Facilities

The following is a brief description of each of the roadway facilities located in proximity to the site:

2.1.1 SR 120 (Duluth Highway)

SR 120 (Duluth Highway) is an east-west, two-lane, undivided roadway with a posted speed limit of 45 mph in the vicinity of the site. Georgia Department of Transportation (GDOT) traffic counts (Station ID 135-0163) indicate that the daily traffic volume on Duluth Highway in 2023 was 18,100 vehicles per day east of McDaniel Road. Duluth Highway is classified by Gwinnett County as a major arterial roadway.

2.1.2 McDaniel Road

McDaniel Road is a two-lane roadway with a posted speed limit of 25 mph in the vicinity of the site.

3.0 STUDY METHODOLOGY

In this study, the methodology used for evaluating traffic operations at each of the subject intersections is based on the criteria set forth in the Transportation Research Board Highway Capacity Manual, 6th edition (HCM 6). Synchro 11 software, which utilizes the HCM methodology, was used for analysis. The following is a description of the methodology employed for the analysis of unsignalized and signalized intersections.

3.1 Unsignalized Intersections

For unsignalized intersections controlled by a stop sign on minor streets, the level of service (LOS) for motor vehicles with controlled movements is determined by the computed control delay according to the thresholds stated in Table 1 below. LOS is determined for each minor street movement (or shared movement), as well as major street left turns. LOS is not defined for the intersection as a whole or for major street approaches. The LOS of any controlled movement which experiences a volume-to-capacity ratio greater than 1 is designed as “F” regardless of the control delay.

Control delay for unsignalized intersections includes initial deceleration delay, queue move-up time, stopped delay and final acceleration delay. Several factors affect the control delay for unsignalized intersections, such as the availability and distribution of gaps in the conflicting traffic stream, critical gaps and follow-up time for a vehicle in the queue.

Level of service is assigned a letter designation from “A” through “F”. Level of service “A” indicates excellent operations with little delay to motorists, while level of service “F” exists when there are insufficient gaps of acceptable size to allow vehicles on the side street to cross the main road without experiencing long delays.

TABLE 1 — LEVEL OF SERVICE CRITERIA FOR UNSIGNALIZED INTERSECTIONS		
Control Delay (sec/vehicle)	LOS by Volume-to-Capacity Ratio*	
	v/c ≤ 1.0	v/c > 1.0
≤ 10	A	F
> 10 and ≤ 15	B	F
> 15 and ≤ 25	C	F
> 25 and ≤ 35	D	F
> 35 and ≤ 50	E	F
> 50	F	F

*The LOS criteria apply to each lane on a given approach and to each approach on the minor street. LOS is not calculated for major-street approaches or for the intersection.

Source: Highway Capacity Manual, 6th edition, Exhibit 20-2 *LOS Criteria: Motorized Vehicle Mode*

3.2 Signalized Intersections

According to HCM procedures, LOS can be calculated for the entire intersection, each intersection approach, and each lane group. HCM uses control delay alone to characterize LOS for the entire intersection or an approach. Control delay per vehicle is composed of initial deceleration delay, queue move-up time, stopped delay and final acceleration delay. Both control delay and volume-to-capacity ratio are used to characterize LOS for a lane group. A volume-to-capacity ratio greater than 1.0 for a lane group indicates failure from capacity perspective. Therefore, such a lane group is assigned LOS F regardless of the amount of control delay.

Table 2 below summarizes the LOS criteria from HCM for motorized vehicles at signalized intersections.

TABLE 2 — LEVEL OF SERVICE CRITERIA FOR SIGNALIZED INTERSECTIONS		
Control Delay (sec/vehicle)*	LOS for Lane Group by Volume-to-Capacity Ratio*	
	v/c ≤ 1.0	v/c > 1.0
≤ 10	A	F
> 10 and ≤ 20	B	F
> 20 and ≤ 35	C	F
> 35 and ≤ 55	D	F
> 55 and ≤ 80	E	F
> 80	F	F

*For approach-based and intersection wide assessments, LOS is defined solely by control delay

Source: Highway Capacity Manual, 6th edition, Exhibit 19-8 *LOS Criteria: Motorized Vehicle Mode*

LOS A is typically assigned when the volume-to-capacity (v/c) ratio is low and either progression is exceptionally favorable, or the cycle length is very short. LOS B is typically assigned when the v/c ratio is low and either progression is highly favorable, or the cycle length is short. However, more vehicles are stopped than with LOS A. LOS C is typically assigned when progression is favorable, or the cycle length is moderate. Individual cycle failures (one or more queued vehicles are not able to depart because of insufficient capacity during the cycle) may begin to appear at this level. Many vehicles still pass through the intersection without stopping, but the number of vehicles stopping is significant. LOS D is typically assigned when the v/c ratio is high and either progression is ineffective, or the cycle length is long. There are many vehicle-stops and individual cycle failures are noticeable. LOS E is typically assigned when the v/c ratio is high, progression is very poor, the cycle length is long, and individual cycle failures are frequent. LOS F is typically assigned when the v/c ratio is very high, progression is very poor, the cycle length is long, and most cycles fail to clear the queue.

4.0 ADDITIONAL INFORMATION – GWINNETT COUNTY LEVEL 2 TRAFFIC IMPACT STUDY

The following sections have been included per Gwinnett County's Traffic Impact Study Guidelines (updated June 30, 2023) to meet the requirements of a Level 2 traffic study. Additional information regarding access management/spacing, intersection sight distance, or connectivity and circulation should be requested from the civil site engineer.

4.1 Future ADT Volumes

According to GDOT data, the daily traffic volume on SR 120 (Duluth Highway) in 2023 was 18,100 vehicles per day east of McDaniel Road. Based on the proposed site traffic generation/distribution and factoring in the local growth rate, it is estimated that the ADT on this section of SR 120 (Duluth Highway) will be approximately 19,300 vehicles per day following the completion of the development in 2027.

4.2 Truck Volumes and Circulation

Based on recorded GDOT data, SR 120 (Duluth Highway) has a density of 4% truck/heavy vehicle traffic (Station ID # 135-0163) in the vicinity of the study intersection. Since the proposed site will be residential use, it is not expected to have any notable long-term impact on truck volumes/circulation in the study network.

4.3 Summary of Existing Pedestrian and Bicycle Facilities and Connectivity

No pedestrian crosswalks or sidewalks exist at the intersection of SR 120 (Duluth Highway) and McDaniel Road. There is a sidewalk to the south of this intersection on the south side of McDaniel Road along the frontage of the Hampton Hall residential subdivision. The proposed development will add additional sidewalks along both sides of McDaniel Road as well as on the south side of SR 120 along its site frontage. Any additional information regarding planned pedestrian and/or bicycle facilities within the proposed residential development itself should be requested from the civil site engineer.

4.4 Existing Transit Routes and Stops/Proposed Transit Routes

None of Gwinnett County's current transit routes or stops are located within a 0.5-mile radius of the proposed development. No transit routes have been proposed to service this development in the future.

4.5 Traffic Operation Analysis Requirements

A detailed description of the study methodology is available in section 3 on pages 4-5. A description of the site trip generation and distribution estimations is available on page 13.

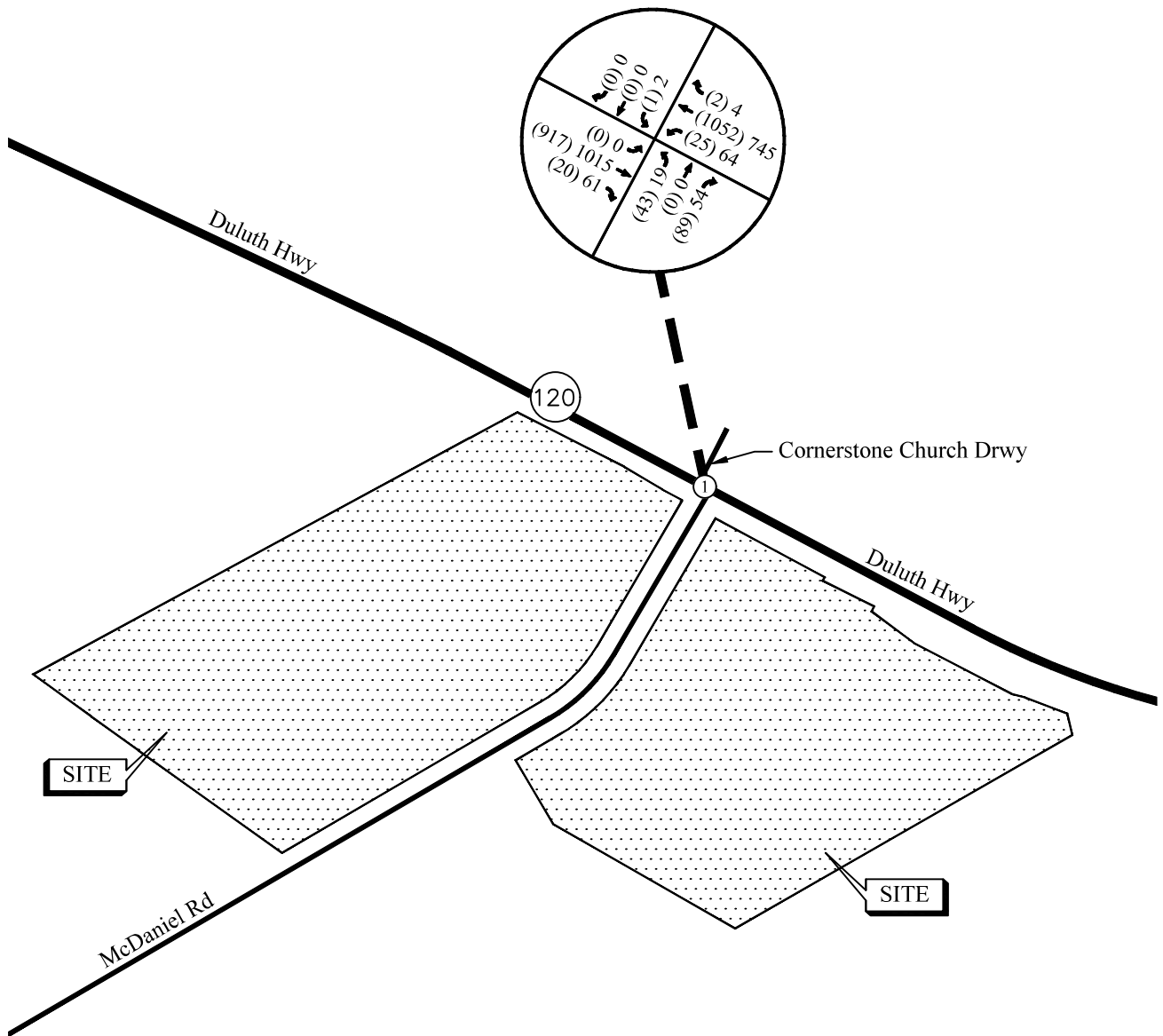
4.6 Future Identified Projects (i.e., GCCTP, GDOT, SPLOST)

There are no planned/scheduled GDOT/Gwinnet County projects that will be completed within the study network or that will have a notable impact on the study network.

5.0 EXISTING 2025 TRAFFIC ANALYSIS

5.1 Existing Traffic Volumes

Existing traffic counts were collected at the study intersection of SR 120 (Duluth Highway) and McDaniel Road / Cornerstone Church Driveway on Tuesday, April 01, 2025. All turning movement counts were recorded during the AM and PM peak hours between 7:00 AM to 9:00 AM and 4:00 PM to 6:00 PM, respectively. The four consecutive 15-minute interval volumes that produced the highest volume at the intersection were then determined. These volumes make up the peak hour traffic volumes for the intersection counted and are shown in Figure 2. The existing traffic control and lane geometry for the intersection are shown in Figure 3.



(AM) PM





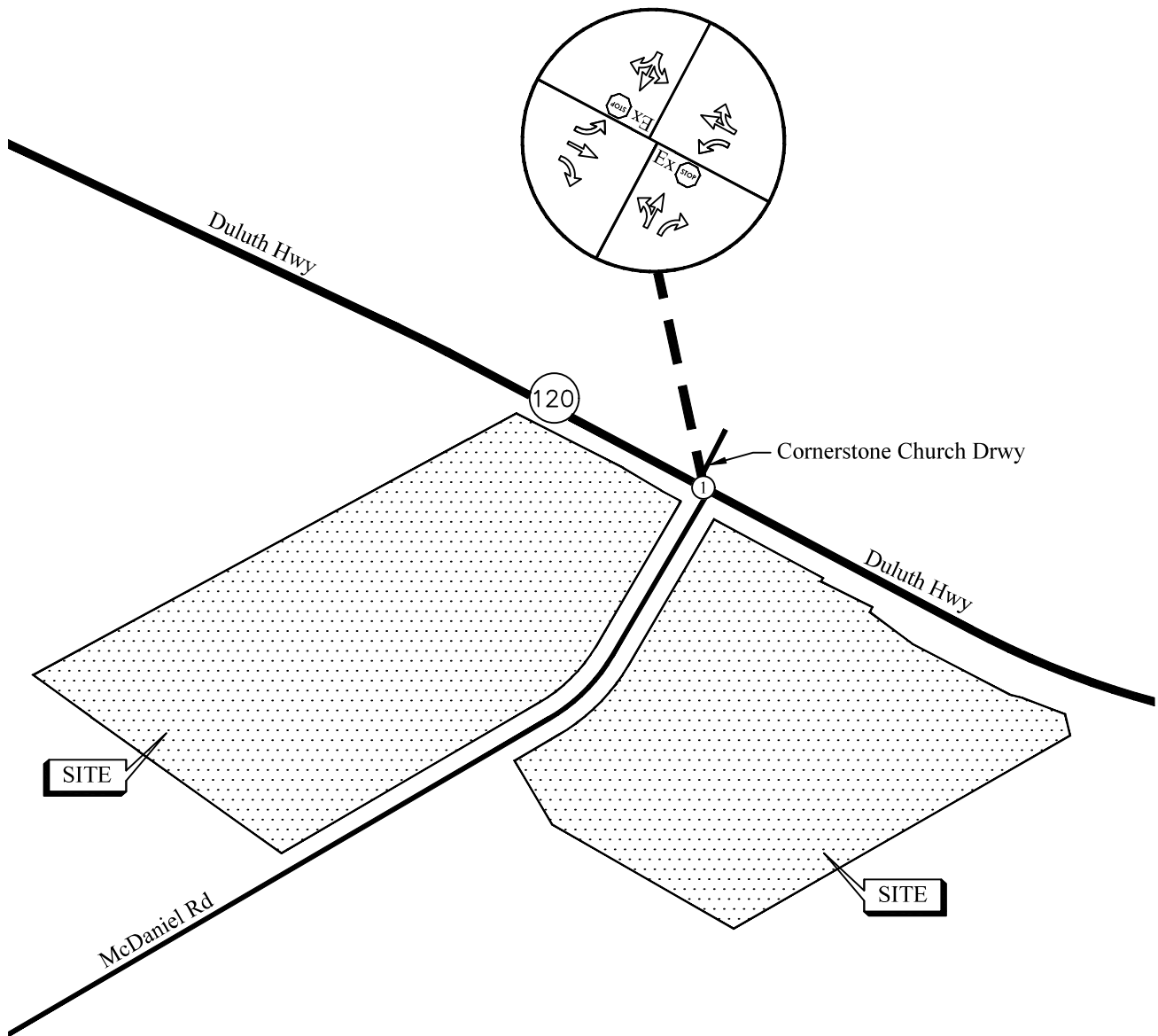
EXISTING WEEKDAY PEAK-HOUR VOLUMES

FIGURE 2

A&R Engineering Inc.

LEGEND

- Ex  Existing Signed Approach
-  Existing Lane Geometry



EXISTING TRAFFIC CONTROL AND LANE GEOMETRY

FIGURE 3

A&R Engineering Inc.

5.2 Existing Traffic Operations

Existing 2025 traffic operations were analyzed at the study intersection in accordance with the HCM methodology. The results of the analysis are shown in Table 3.

TABLE 3 — EXISTING 2025 INTERSECTION OPERATIONS				
Intersection		Traffic Control	LOS (Delay)	
			AM Peak Hour	PM Peak Hour
1	<u>SR 120 (Duluth Highway) @ McDaniel Road /</u>	Stop Controlled on NB and SB Approaches		
	<u>Cornerstone Church Driveway</u>			
	-Eastbound Left		B (10.8)	A (9.2)
	-Westbound Left		B (10.3)	B (10.9)
	-Northbound Approach		F (162.6)	E (49.7)
	-Southbound Approach		F (169.0)	F (107.9)

The results of the existing conditions analysis indicate that the eastbound/westbound approaches on SR 120 (Duluth Highway) are operating at a level of service “B” or better in the AM and PM peak hours, while the approaches on the stop-controlled side streets (McDaniel Road / Cornerstone Church Driveway) are operating at a level of service “E/F” with peak hour traffic. These higher delay times on the minor streets can be primarily attributed to the heavy east-west through traffic on Duluth Highway, which exceeds at least 700 vehicles in each direction during AM/PM peak hours.

6.0 PROPOSED DEVELOPMENT

The proposed residential development will be located on McDaniel Road to the south of SR 120 (Duluth Highway) in Gwinnett County, Georgia. The development will consist of 130 townhomes located to the west of McDaniel Road and another 53 townhomes located to the east of McDaniel Road.



The development proposes two full access driveways on McDaniel Road for the western tract, and a third full access driveway on McDaniel Road for the eastern tract.

A site plan is shown in Figure 4.

SUMMARY

TOTAL NUMBER OF TOWNHOUSES: 183
EXISTING ZONING: OI / C2 (OFFICE-INSTITUTIONAL DISTRICT/ COMMERCIAL)
PROPOSED ZONING: R-TH (SINGLE-FAMILY TOWNHOUSE DISTRICT)
BUFFERS: (UDO TABLE 230.2)
R-TH TO SINGLE FAMILY DETACHED RESIDENTIAL IS 35'
TOTAL SITE ACRES: 11.504 + 9.368 = 20.872 ACRES
TOTAL OPEN SPACE REQUIRED - 10% * 20.872 AC = 2.0872 ACRES
TOTAL USABLE SPACE REQUIRED = 50% * 2.0872 AC = 1.0436 ACRES
TOTAL OPEN SPACE AREA PROVIDED = ±5.5 ACRES
TOTAL USABLE SPACE (US-X) PROVIDED = ± 1.2 ACRES

SETBACKS: (UDO SECT. 210-120)

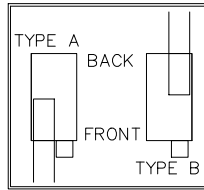
10' FRONT
5' SIDE
25' REAR

PARKING REQUIREMENTS

NUMBER OF UNITS * .25
183 UNITS * .25 = 46 PARKING SPACES REQUIRED
48 SPACES PROVIDED

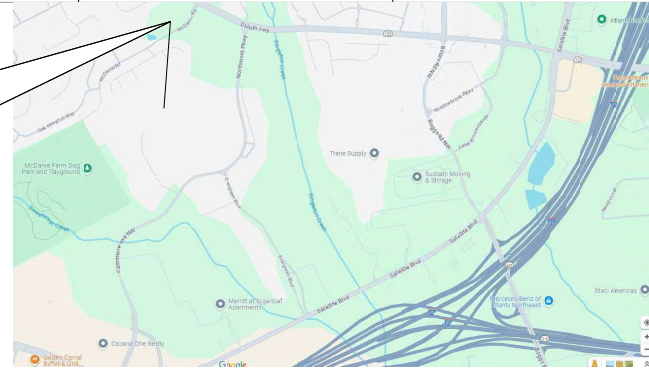
TYP. 20' BETWEEN EVERY 6 UNITS
OPEN PONDS FOR DETENTION

TO CITY OF DULUTH



BUILDING TYPES
2 STORY TOWNHOMES
900 SF * 2 = 1,800 SF

SITE



PROPOSED DEVELOPMENT AT McDANIEL ROAD

2449 DULUTH HWY.
DULUTH, GA 30097

TERRY CORPORATION
MR. EDWARD TERRY
PO BOX 1597
KENNESAW, GA 30155



Hill Foley Rossi & Associates
ARCHITECTURE + ENGINEERING
3680 Pleasant Hill Road
Suite 200
Duluth, GA 30096
770-622-8858

SEALS AND SIGNATURES

ISSUED DATE: 2/26/2025

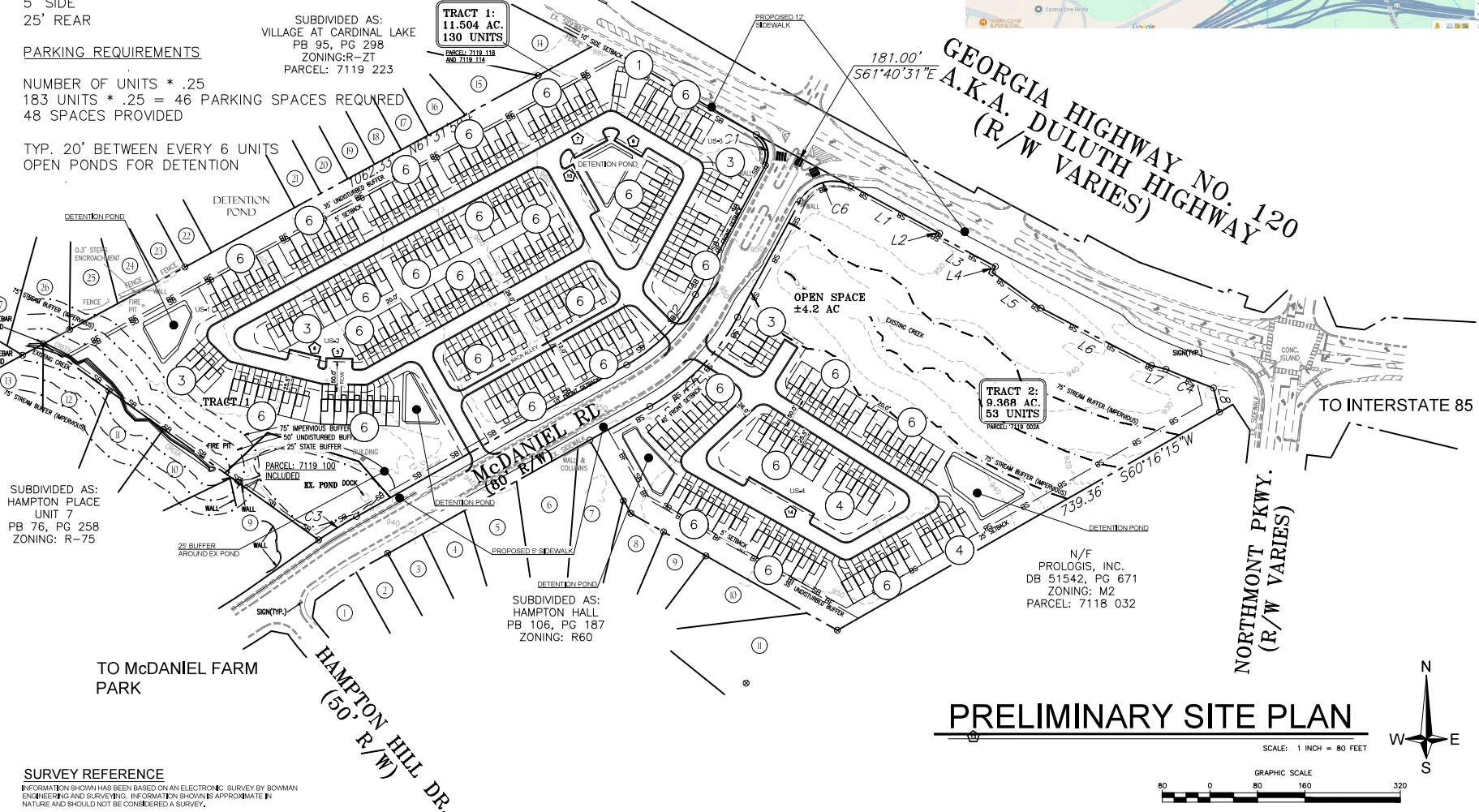
NO. DATE ISSUE

SHEET TITLE
PRELIMINARY SITE PLAN

PROJECT NUMBER HFR 24,164

SHEET NUMBER
CP.5

NOT FOR CONSTRUCTION

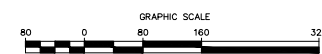


SURVEY REFERENCE

INFORMATION SHOWN HAS BEEN BASED ON AN ELECTRONIC SURVEY BY BOWMAN ENGINEERING AND SURVEYING. INFORMATION SHOWN IS APPROXIMATE IN NATURE AND SHOULD NOT BE CONSIDERED A SURVEY.

PRELIMINARY SITE PLAN

SCALE: 1" = 80 FEET



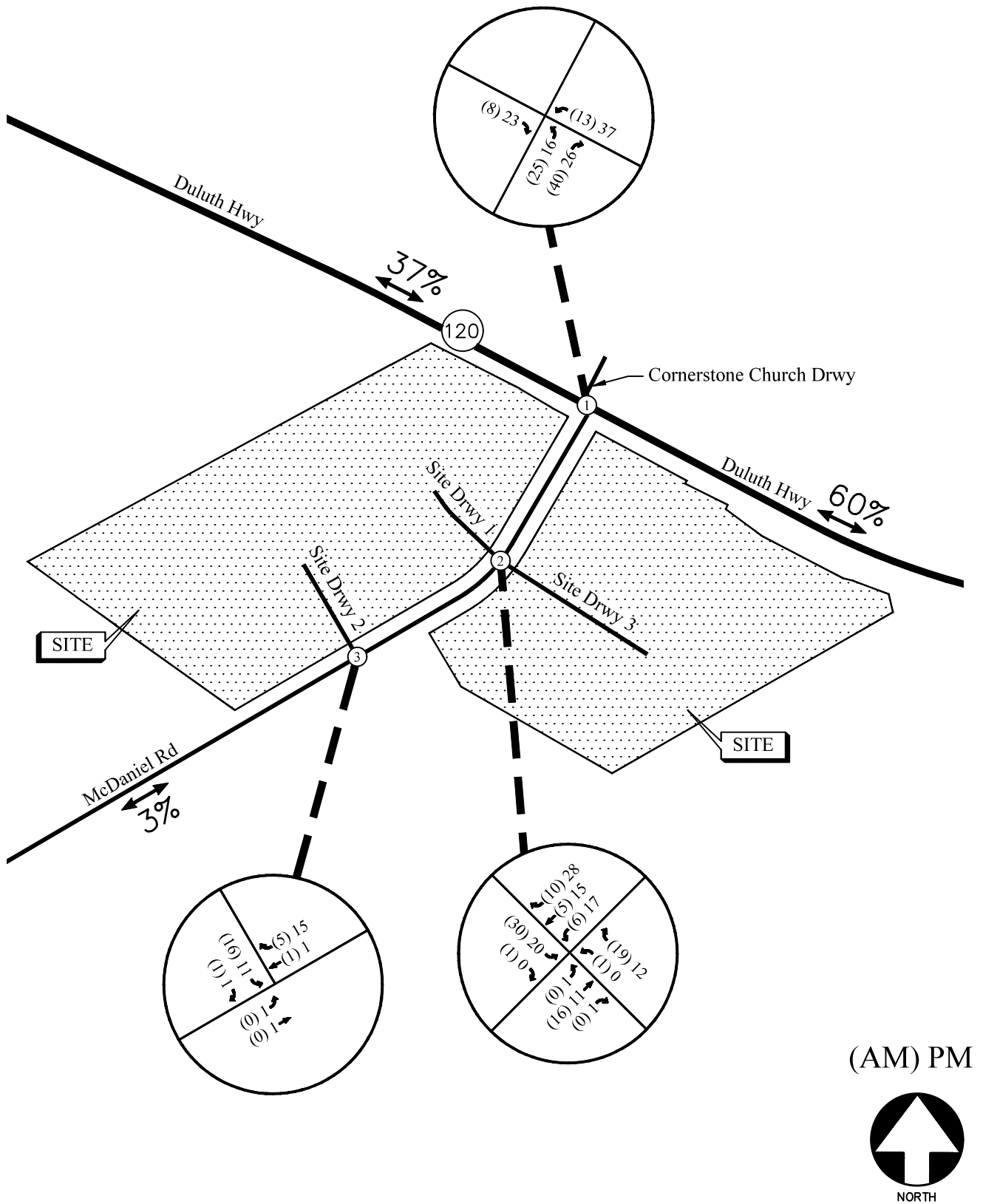
6.1 Trip Generation

Trip generation estimates for the project were based on the rates and equations published in the 11th edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. This reference contains traffic volume count data collected at similar facilities nationwide. The trip generation estimations were based on the ITE land use category 215 – *Single-Family Attached Housing*. The calculated trip generation volumes for the proposed development are shown in Table 4.

TABLE 4 – TRIP GENERATION								
Land Use	Size	AM Peak Hour			PM Peak Hour			24 Hour
		Enter	Exit	Total	Enter	Exit	Total	Two-Way
ITE 215 – Single-Family Attached Housing	183 Units	22	67	89	62	44	106	1,344

6.2 Trip Distribution

The trip distribution describes how traffic arrives and departs from the site. An overall trip distribution was developed for the site based on a review of the existing travel patterns in the area and the locations of major roadways and highways that will serve the development. The site-generated peak hour traffic volumes, shown in Table 4, were assigned to the study area intersections based on this distribution. The outer-leg distribution and AM and PM peak hour traffic generated by the site are shown in Figure 5.



TRIP DISTRIBUTION AND SITE-GENERATED
WEEKDAY PEAK HOUR VOLUMES

FIGURE 5
A&R Engineering Inc.

7.0 FUTURE 2027 TRAFFIC ANALYSIS

The future 2027 traffic operations are analyzed under “No-Build” and “Build” conditions.

7.1 Future “No-Build” Conditions

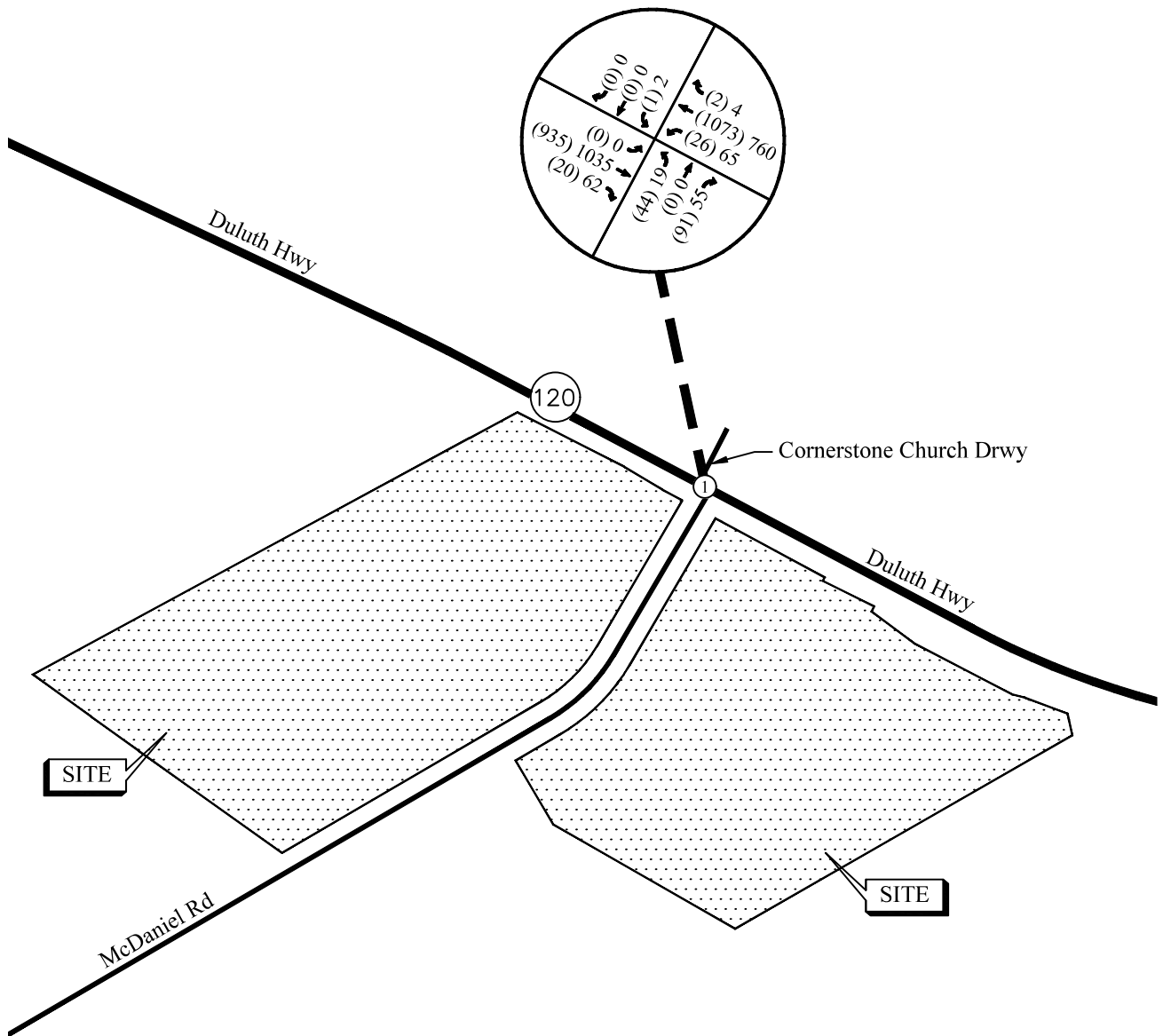
The “No-Build” (or background) conditions provide an assessment of how traffic will operate in the study horizon year without the study site being developed as proposed, with projected increases in through traffic volumes due to normal annual growth. The future “No-Build” volumes consist of the existing traffic volumes (Figure 2) plus increases due to the annual growth of traffic.

7.1.1 Annual Traffic Growth

To evaluate future traffic operations in this area, a projection of normal traffic growth was applied to the existing volumes. The Georgia Department of Transportation recorded average daily traffic volumes at several locations in the vicinity of the site. Reviewing the growth over the last five years (2018-2019 & 2021-2023) revealed a traffic volume increase of approximately 1% in the area. This growth factor was applied to the existing traffic volumes to estimate the future year traffic volumes prior to the addition of site-generated traffic. The resulting future “No-Build” volumes on the roadway are shown in Figure 6.

7.2 Future “Build” Conditions

The “Build” or development conditions include the estimated background traffic from the “No-Build” conditions plus the traffic from the proposed development. To evaluate future traffic operations in this area, the additional traffic volumes from the site (Figure 5) were added to base traffic volumes (Figure 6) to calculate the future traffic volumes after the construction of the development. These total future “Build” traffic volumes are shown in Figure 7.



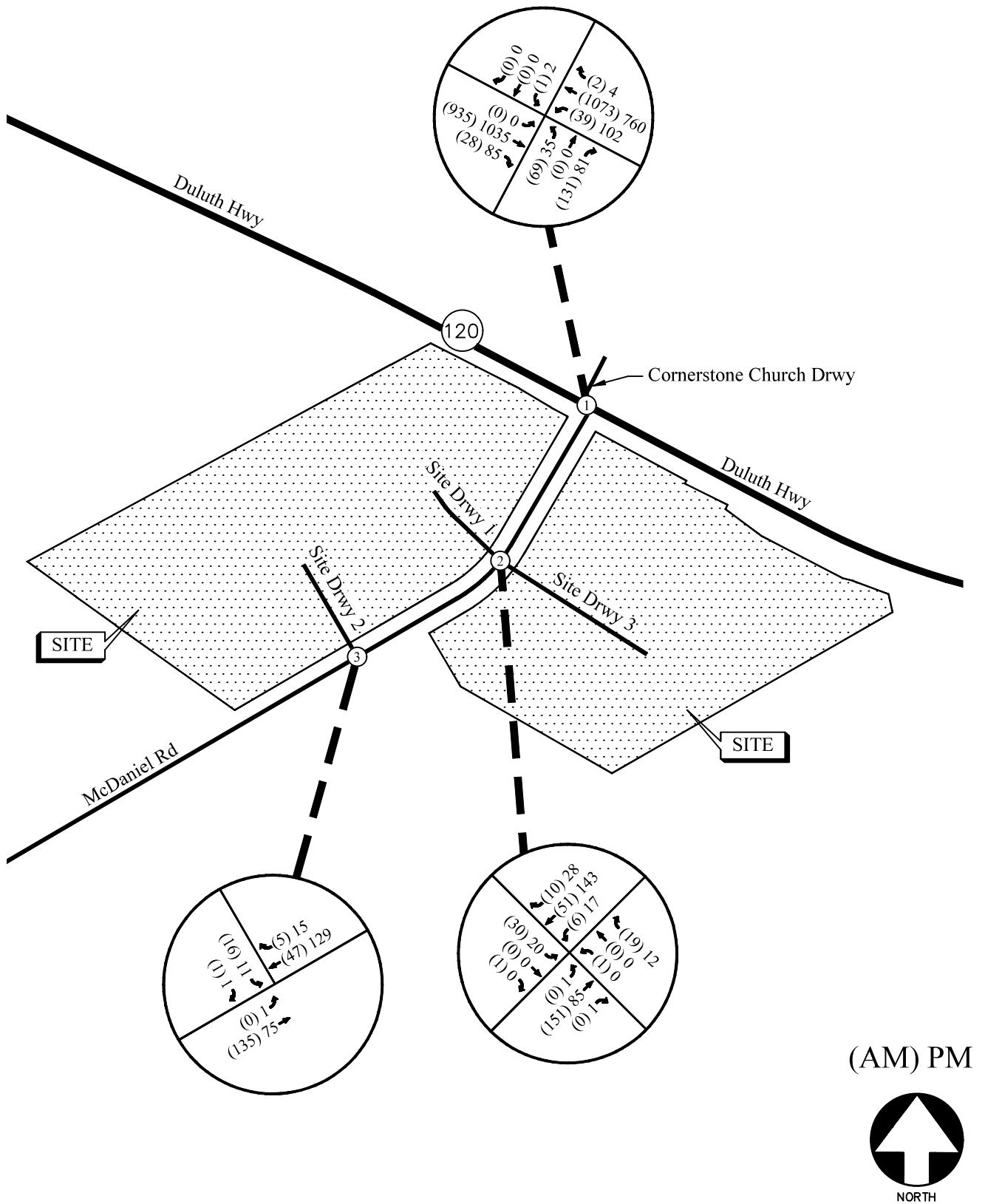
(AM) PM



FUTURE (NO-BUILD) WEEKDAY PEAK HOUR VOLUMES

FIGURE 6

A&R Engineering Inc.



FUTURE (BUILD) WEEKDAY PEAK HOUR VOLUMES

FIGURE 7
A&R Engineering Inc.

7.3 Auxiliary Lane Analysis

Included below are analyses for turn lanes for the site driveways as per Gwinnett County standards.

7.3.1 Left Turn Lane Analysis

According to Gwinnett County Criteria and Guidelines for Left Turn Lanes, left turn lanes must be provided at each subdivision street that accesses a minor/major collector street or major thoroughfare if the characteristics of the major street and site density exceed certain thresholds (Table 1 – Residential Developments). However, these thresholds are not applicable for the driveways proposed for this development, as they will not intersect a roadway classified by Gwinnett County as a collector street or a major thoroughfare. The development proposes three full access driveways on McDaniel Road, which is a 25-mph roadway with low traffic volumes and no outlet to the south. Therefore, left turn lanes are not recommended for the site driveways.

7.3.2 Deceleration Turn Lane Analysis

According to Gwinnett County Unified Development Ordinance (UDO) Standards, a right turn deceleration lane shall be required at each subdivision street entrance that is provided street access to a Minor/Major Collector Street or Major Thoroughfare (900-30.2). However, since McDaniel Road is classified as a local roadway and has a speed limit of 25 mph, right turn lanes are not warranted at the proposed site driveways.

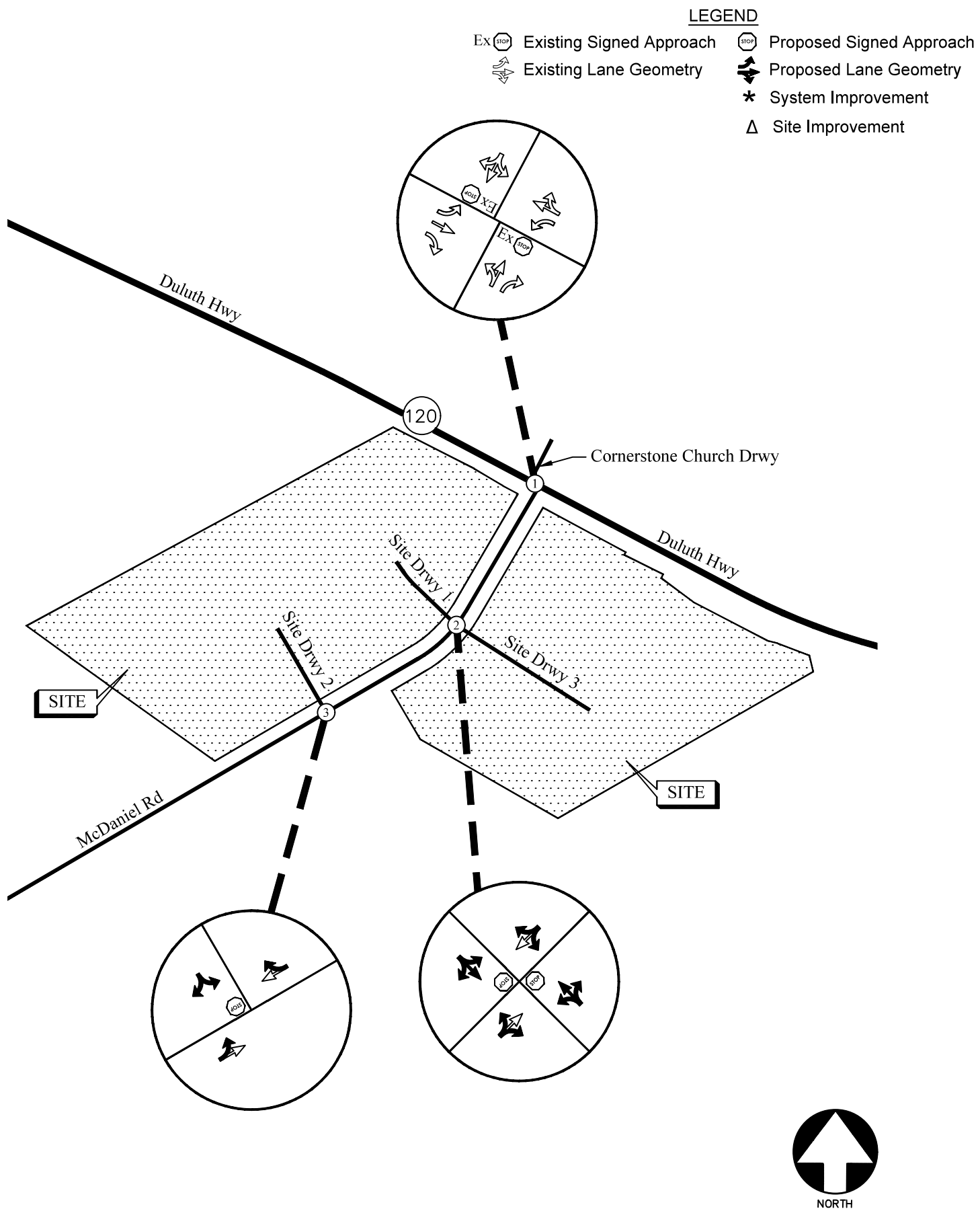
7.4 Future Traffic Operations

The future “No-Build” and “Build” traffic operations were analyzed using the volumes in Figures 6 and 7, respectively. The results of the future traffic operations analyses are shown below in Table 5. Recommendations for future traffic control and lane geometry are shown in Figure 8.

TABLE 5 — FUTURE 2027 INTERSECTION OPERATIONS					
Intersection		LOS (Delay)			
		NO-BUILD		BUILD	
		AM Peak	PM Peak	AM Peak	PM Peak
1	<u>SR 120 (Duluth Highway) @ McDaniel Road / Cornerstone Church Driveway</u>				
	-Eastbound Left	B (10.9)	A (9.3)	B (10.9)	A (9.3)
	-Westbound Left	B (10.4)	B (11.1)	B (10.5)	B (11.5)
	-Northbound Approach	F (191.2)	F (53.2)	F (*)	F (107.1)
	-Southbound Approach	F (185.4)	F (117.5)	F (245.5)	F (154.9)
2	<u>McDaniel Road @ Site Driveway 1 / Site Driveway 3</u>				
	-Eastbound Approach			B (10.5)	B (10.9)
	-Westbound Approach	-	-	A (9.2)	A (8.8)
	-Northbound Left			A (0.0)	A (7.6)
	-Southbound Left			A (7.6)	A (7.4)
3	<u>McDaniel Road @ Site Driveway 2</u>				
	-Eastbound Approach	-	-	A (9.6)	A (9.8)
	-Northbound Left			A (0.0)	A (7.5)

* Delay exceeds 300 seconds

The results of both the “No-Build” and “Build” traffic operations analyses indicate that the stop-controlled approaches at the study intersections will operate at a level of service “B” or better in the AM and PM peak hours, except for the approaches on the stop-controlled side streets (McDaniel Road / Cornerstone Church Driveway) at intersection 1, which will operate at a level of service “F” with peak hour traffic. It is not uncommon for minor side streets that are stop-controlled to experience higher delays due to the time gap required for vehicles to make turning movements on busy arterial roadways. The traffic volumes on McDaniel Road and the Cornerstone Church Driveway will not be sufficient to meet traffic signal warrants under either “No-Build” or “Build” conditions.



FUTURE TRAFFIC CONTROL AND LANE GEOMETRY

FIGURE 8
A&R Engineering Inc.

8.0 CONCLUSIONS AND RECOMMENDATIONS

Traffic impacts were evaluated for the proposed residential development that will be located on McDaniel Road to the south of SR 120 (Duluth Highway) in Gwinnett County, Georgia. The development will consist of 130 townhomes located to the west of McDaniel Road and another 53 townhomes located to the east of McDaniel Road.

The development proposes two full access driveways on McDaniel Road for the western tract, and a third full access driveway on McDaniel Road for the eastern tract.

Existing and future operations after the completion of the project were analyzed at the intersections of:

1. SR 120 (Duluth Highway) at McDaniel Road / Cornerstone Church Driveway
2. McDaniel Road at Site Driveway 1 / Site Driveway 3
3. McDaniel Road at Site Driveway 2

The analysis included the evaluation of future operations under “No-Build” and “Build” conditions, both of which account for increases due to the annual growth of through traffic. The results of both the “No-Build” and “Build” traffic operations analyses indicate that the stop-controlled approaches at the study intersections will operate at a level of service “B” or better in the AM and PM peak hours, except for the approaches on the stop-controlled side streets (McDaniel Road / Cornerstone Church Driveway) at intersection 1, which will operate at a level of service “F” with peak hour traffic. It is not uncommon for minor side streets that are stop-controlled to experience higher delays due to the time gap required for vehicles to make turning movements on busy arterial roadways. The traffic volumes on McDaniel Road and the Cornerstone Church Driveway will not be sufficient to meet traffic signal warrants under either “No-Build” or “Build” conditions.

8.1 Recommendations for Site Access Configuration

The following access configurations are recommended for the proposed site driveway intersections:

- Site Driveway 1: Full Access Driveway for the Western Tract (Aligned with Site Driveway 3)
 - One entering lane and one exiting lane
 - Stop sign controlled on the driveway approach with McDaniel Road remaining free flow
- Site Driveway 2: Full Access Driveway for the Western Tract
 - One entering lane and one exiting lane
 - Stop sign controlled on the driveway approach with McDaniel Road remaining free flow
 - Provide/confirm adequate sight distance per AASHTO standards
- Site Driveway 3: Full Access Driveway for the Eastern Tract (Aligned with Site Driveway 1)
 - One entering lane and one exiting lane
 - Stop sign controlled on the driveway approach with McDaniel Road remaining free flow

Exhibit H: Public Participation Plan and Report

[attached]



Public Participation Plan

1. Who do you intend to contact in addition to property owners within 1,000 feet of the site, if any?

N/A

2. Where do you plan to host the Public Participation Meeting? Ensure that the meeting is held in person at a convenient location for interested parties.

Duluth City Hall

3. What date and time do you plan to host the Public Participation Meeting? Ensure that the meeting is held at a convenient time for interested parties, e.g. not during typical work hours on weekdays.

To be determined based on availability of Duluth City Hall

4. What is your method for providing opportunities for discussion with interested parties at the Public Participation Meeting?

Brief presentation with open forum

Public Participation Report - Meeting Background

The Public Participation meeting on September 23, 2025 was conducted primarily as a question and answer session, with the goal of listening to the neighbors' concerns about the proposed townhome development. The concerns were noted, neighborhood leaders exchanged contact information with Applicant's Representative, Eric J. Nathan, Esquire and the communications channels were opened. The Applicant and Owner took note of the expressed concerns and promised additional communication and a follow-up meeting. The site plan was revised (through a dialogue with the replacement Applicant and Planning and Development Staff) and was shared with the neighbors prior to the follow-up meeting.

At the follow-up meeting on October 28, 2025, a revised site plan was presented that added more green space, added amenities, including a dog park, a pool, a cabana and a playground, and density was reduced. The replacement applicant is the actual builder/developer and its Representative took the lead in explaining the site plan, answering questions and showing actual elevations of townhomes it has built in the area that the attendees and other neighbors could visit. The dialogue was open, frank and at times spirited, but always respectful. The concerns raised by the attendees were heard, addressed as appropriate and as possible, and further dialogue was encouraged between the date of the meeting and the date of the Planning Commission meeting. The Applicant did its best to address any issues within its control.

Public Participation Report - Meeting Response

The primary concern raised at the Public Participation meeting on September 23, 2025 was related to traffic at the McDaniel Road and Duluth Highway intersection. The meeting was well attended by representatives from the neighborhoods off of McDaniel Road behind the Property and the attendees appeared to represent a well-organized neighborhood group. Other concerns raised at the time were storm water control and the presence of wetlands. The attendees also expressed concern about the density of the development, the lack of any amenities and the single car garages shown on the then current site plan.

Following the change of Applicant, communications were sent to a representative group of the prior attendees (who had identified themselves at the prior meeting as neighborhood leaders) about a follow-up meeting and a revised site plan was circulated prior to the meeting, which was held at the Duluth Festival Center on October 29, 2025. The meeting was well attended and the site plan details were presented to the attendees. The primary concern again was traffic at the McDaniel Road/Duluth Highway intersection. There was additional concern express about the density of the project with queries from the attendees about different uses for the property, including potentially detached single-family homes.

Exhibit I: Internal and External Agency Review Comments

[attached]



Department of Planning and Development TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:		09.19.2025	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 2	
Reviewer Email Address:		Brent.hodges@gwinnettcountry.com	
Case Number:		REZ2025-00025	
Case Address:		2449 Duluth Highway, Duluth, 30096	
Comments:		<input checked="" type="checkbox"/> X	<input type="checkbox"/> YES <input type="checkbox"/> NO
1	Duluth Highway (State Route 120) is a major arterial. The Average Daily Traffic (ADT) volume is 18,300.		
2	The nearest Ride Gwinnett facility is located 0.8 miles to the east of the site at Boggs Road and Duluth Highway (Stop #1002 / Route 10A and 10B).		
3	Per Section 360-100 of the UDO, a 12' concrete trail shall be constructed along the frontage of Duluth Highway and a 5' sidewalk along the McDaniel Road frontage.		
4	Per the submitted Traffic Impact Study: the site projects to add (65) AM NB approaches (25-left/40-right) to the intersection of McDaniel Road and Duluth Highway and (42) PM NB approaches (16-left / 26-right).		
5	The NB approach fails in existing conditions in AM and shows a level of service E in PM peak hour. SB fails in both AM and PM in existing conditions. The AM NB approach projects to worsen from a 185.4 second delay to more than 300 seconds from the no-build to the build. The PM NB approach projects to worsen from 53.2 seconds to 107.1 seconds delay from the no-build to the build conditions.		
6			
7			
Recommended Zoning Conditions:		<input checked="" type="checkbox"/> X	<input type="checkbox"/> YES <input type="checkbox"/> NO
1	The applicant shall complete a Stage 2 Intersection Control Evaluation (ICE) in addition to the previously submitted Stage 1 ICE, for the intersection of Duluth Highway (SR 120) and McDaniel Road. Both the Stage 1 and Stage 2 ICE analyses shall be submitted to the Georgia Department of Transportation for review.		
2	The developer shall implement any improvements recommended in the Stage 1 and Stage 2 Intersection Control Evaluations (ICE) for the intersection of Duluth Highway (SR 120) and McDaniel Road, subject to review and approval by the Georgia Department of Transportation (GDOT). If GDOT does not concur with the ICE analysis recommendations, the developer shall implement any improvements required by GDOT.		
3			
4			

Note: Attach additional pages, if needed

Revised 7/26/2021

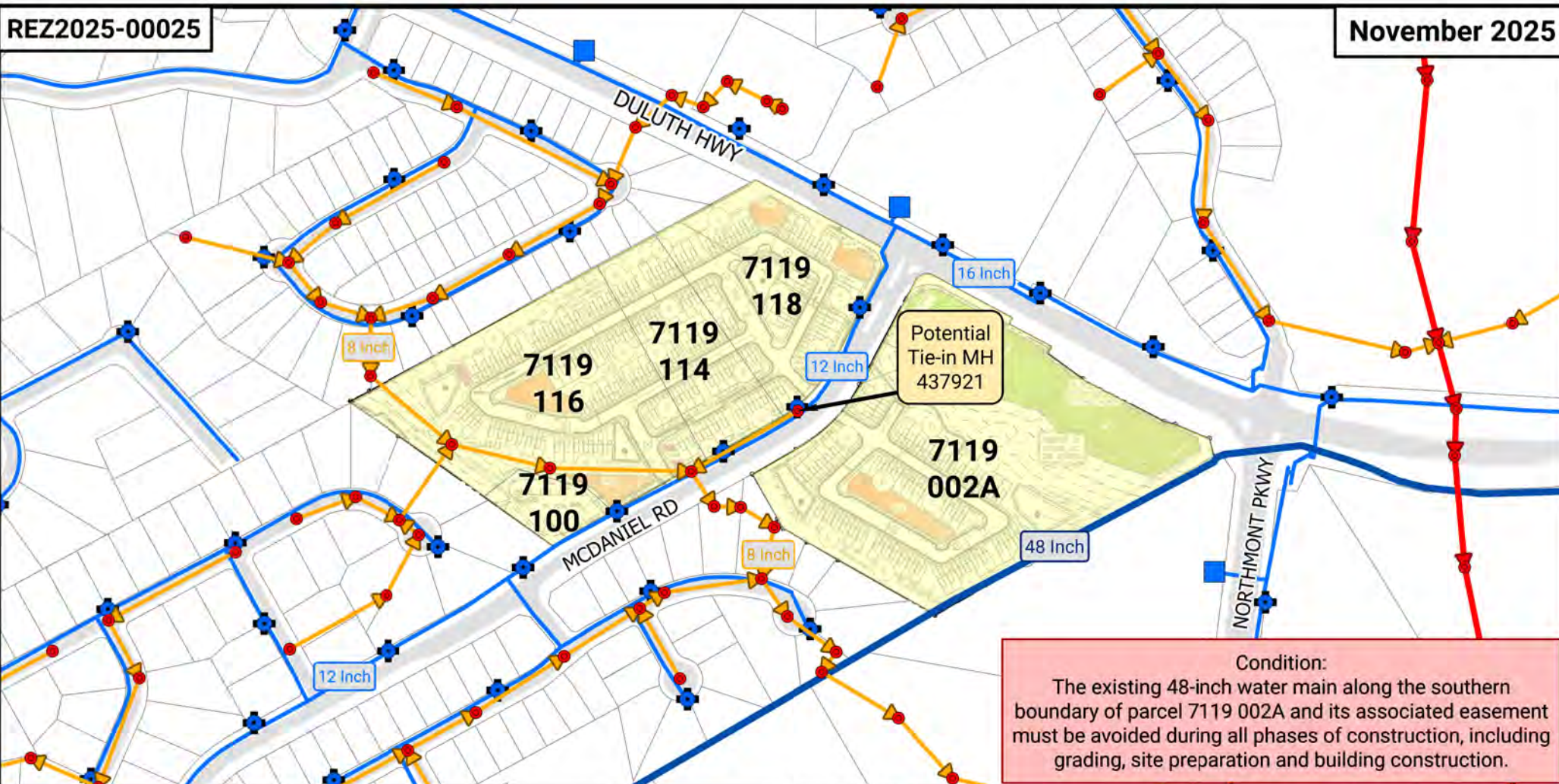


Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:			
Department/Agency Name:		DWR	
Reviewer Name:		Lorraine Campagne	
Reviewer Title:		Section Manager	
Reviewer Email Address:		Lorraine.Campagne@gwinnettcountry.com	
Case Number:		REZ2025-00025	
Case Address:		2449 Duluth Hwy	
Comments:		<input checked="" type="checkbox"/> X	<input type="checkbox"/> YES
		<input type="checkbox"/>	<input type="checkbox"/> NO
1	Water: The proposed development may connect to an existing 12-inch water main on the northern-right-of-way of McDaniel Road. The existing 48-inch water main along the southern boundary of parcel 7119 002A and its associated easement must be avoided during all phases of construction, including grading, site preparation and building construction.		
2	Sewer: A Sewer Capacity Certification (C2025-088-04) was approved in April 2025 for 183 townhomes. The proposed development plans to connect to an existing 8-inch gravity sewer within the McDaniel Road right-of-way.		
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input checked="" type="checkbox"/> X	<input type="checkbox"/> YES
		<input type="checkbox"/>	<input type="checkbox"/> NO
1	Water: The existing 48-inch water main along the southern boundary of parcel 7119 002A and its associated easement must be avoided during all phases of construction, including grading, site preparation and building construction.		
2			
3			
4			
5			
6			

Note: Attach additional pages, if needed

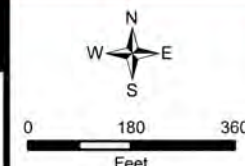
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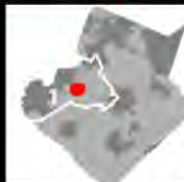
LEGEND

- | | | |
|-----------------|---------------------|--------------------------|
| Flow Management | Hydrant | Sewer Collector |
| Pump Station | City | Sewer Interceptor |
| Regional | Water Main | Sewer Force Main |
| Manhole | Proposed Water Main | Proposed Sewer Collector |

2449 Duluth Hwy
OI & C-2 to R-TH
**Water & Sewer
Utility Map**



LOCATION



Water Comments: The proposed development may connect to an existing 12-inch water main on the northern-right-of-way of McDaniel Road. The existing 48-inch water main along the southern boundary of parcel 7119 002A and its associated easement must be avoided during all phases of construction, including grading, site preparation and building construction.

Sewer Comments: A Sewer Capacity Certification (C2025-088-04) was approved in April 2025 for 183 townhomes. The proposed development plans to connect to an existing 8-inch gravity sewer within the McDaniel Road right-of-way.

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

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

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

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

Residential Rezoning Impact on Local Schools Prepared for Gwinnett County BOC, November, 2025											
											Proposed Zoning
	School	2025-26			2026-27			2027-28			Approximate Student Projections from Proposed Developments
		Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	
	Duluth High School	2428	2,650	-222	2,415	2,650	-235	2,390	2,650	-260	24
REZ2025-00025	Duluth Middle School	1200	1,775	-575	1,182	1,775	-593	1,215	1,775	-560	16
	Harris Elementary School	646	750	-104	653	750	-97	644	750	-106	31
	Mountain View High School	2217	2,300	-83	2,250	2,300	-50	2,284	2,300	-16	4
REZ2025-00028	Twin Rivers Middle School	1702	2,150	-448	1,720	2,150	-430	1,737	2,150	-413	3
	Freemans Mill Elementary School	1000	925	75	981	925	56	972	925	47	6
	Archer High School	2933	3,325	-392	2,977	3,325	-348	3,005	3,325	-320	35
ZON2025-00044	McConnell Middle School	1967	1,775	192	2,005	1,775	230	2,045	1,775	270	24
	Harbins Elementary School	1303	1,225	78	1,329	1,225	104	1,355	1,225	130	45

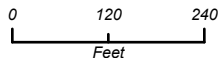
Exhibit J: Maps

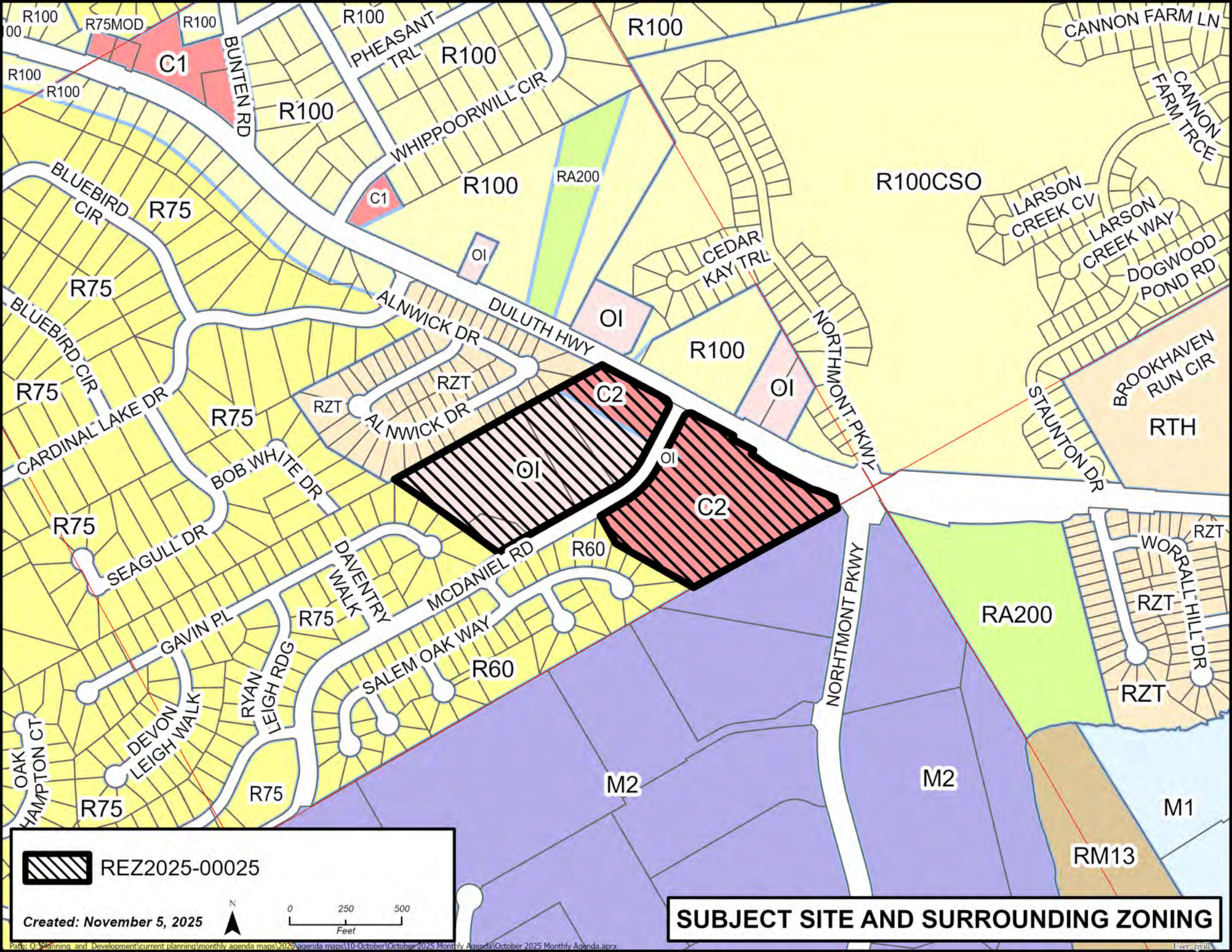
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REZ2025-00025

Created: August 18, 2025





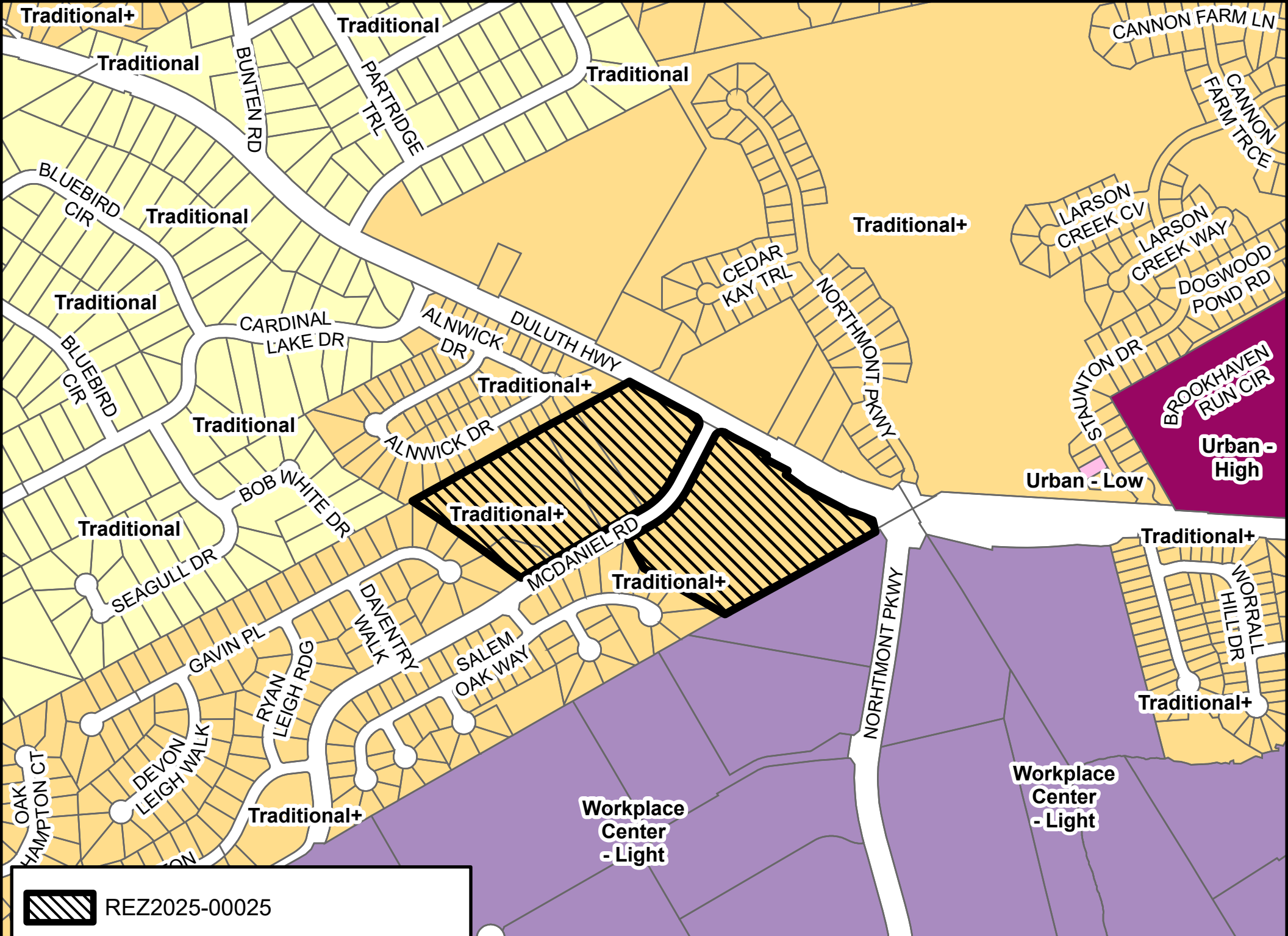
 REZ2025-00025


Created: November 5, 2025




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Feet

SUBJECT SITE AND SURROUNDING ZONING



**REZ2025-00025**

Created: August 18, 2025



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Feet

2045 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

Gwinnett County Board of Commissioners Agenda Request

GCID #		Group With GCID #:			
20260247				<input checked="" type="checkbox"/> Rezoning <input checked="" type="checkbox"/> Public Hearing	
Department:		Planning & Development		Date Submitted: 02/09/2026	
Working Session:		Business Session:		Public Hearing: 02/17/2026	
Submitted By:		yturruviates			
Agenda Type		Rezoning		Rezoning Type CIC	
Item of Business: 2026-00002, Applicant: Brownsmill Enterprises Corporation c/o Andersen, Tate & Carr, P.C.; Owner: Sanaa Nassar; Tax Parcel Nos. R7002 015A, 116, and 117; 884 Bethesda School Road, 2596 and 2606 Cruse Road; Change of Conditions with Concurrent Variances and Waiver of Zoning for Property Zoned C-1; 1.42 acres; District 2/Ku					
Land Lot:	002	Parcel:	015A, 116, and 117		
District:	7				
Attachments		Department Case Report with Planning Commission Recommendation			
Authorization:		Chairwoman's Signature? Yes			
Department Head		jjleitch (2/10/2026)			
District		For	Against	Abstained	Absent
District 1	Jamin Harkness	X			
District 1	Nick Nicolosi	X			
District 2	Anthony Crotser				X
District 2	Pinkie Farver	X			
District 3	Katrina Fellows	X			
District 3	Ben Archer	X			
District 4	Buzz Brockway	X			
District 4	Chris Franklin	X			
At Large	Scott Haggard	X			
Comments					

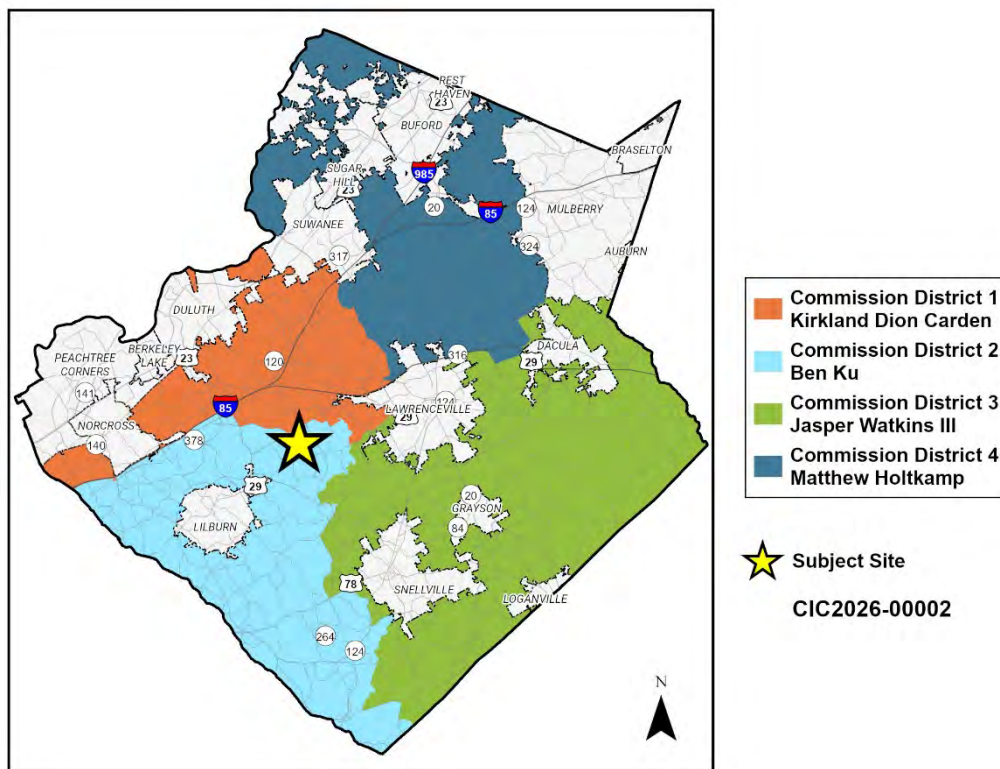
County Clerk Use Only Working Session: <input style="width: 100%;" type="text"/> Action: <input style="width: 100%;" type="text" value="Public Hearing"/> Tabled: <input style="width: 100%;" type="text"/> Motion: <input style="width: 100%;" type="text"/> 2nd by: <input style="width: 100%;" type="text"/> Vote: <div style="border: 1px solid black; height: 80px; width: 100%;"></div>	Planning and Development Recommendation: <input type="checkbox"/> Approve <input checked="" type="checkbox"/> Approve with Conditions <input type="checkbox"/> Appr w/ Cond As <input style="width: 100%;" type="text"/> <input type="checkbox"/> Deny w/out Prejudice <input type="checkbox"/> Deny PH was Held? <input type="checkbox"/> <input type="checkbox"/> No Recommendation	Planning Commission Recommendation: <input type="checkbox"/> Tabled - Date <input style="width: 100%;" type="text"/> <input type="checkbox"/> Approve <input checked="" type="checkbox"/> Approve with Conditions <input type="checkbox"/> Approve with Conditions As <input style="width: 100%;" type="text"/> <input type="checkbox"/> Deny <input type="checkbox"/> Deny w/out Prejudice <input type="checkbox"/> No Recommendation
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PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: CIC2026-00002
Current Zoning: C-1 (Neighborhood Business District)
Request: Change in Conditions
Additional Requests: Variances and Waiver
Addresses: 884 Bethesda School Road, 2596 and 2606 Cruse Road
Map Numbers: R7002 015A, 116, and 117
Site Area: 1.42 acres
Square Feet: 13,840
Proposed Development: Shopping Center
Commission District: District 2 – Commissioner Ku
Future Development Type: Suburban Residential

Staff Recommendation: APPROVAL WITH CONDITIONS

**Planning Commission
Recommendation:** APPROVAL WITH CONDITIONS



Applicant: Brownsmill Enterprises Corporation
c/o Andersen, Tate & Carr, P.C.
5198 Georgia Highway 85
Forest Park, GA 30096

Owner: Sanaa Nassar
1361 Pinshyre Court
Lawrenceville, GA 30043

Contact: Melody Glouton

Phone: 770.822.0900

Zoning History

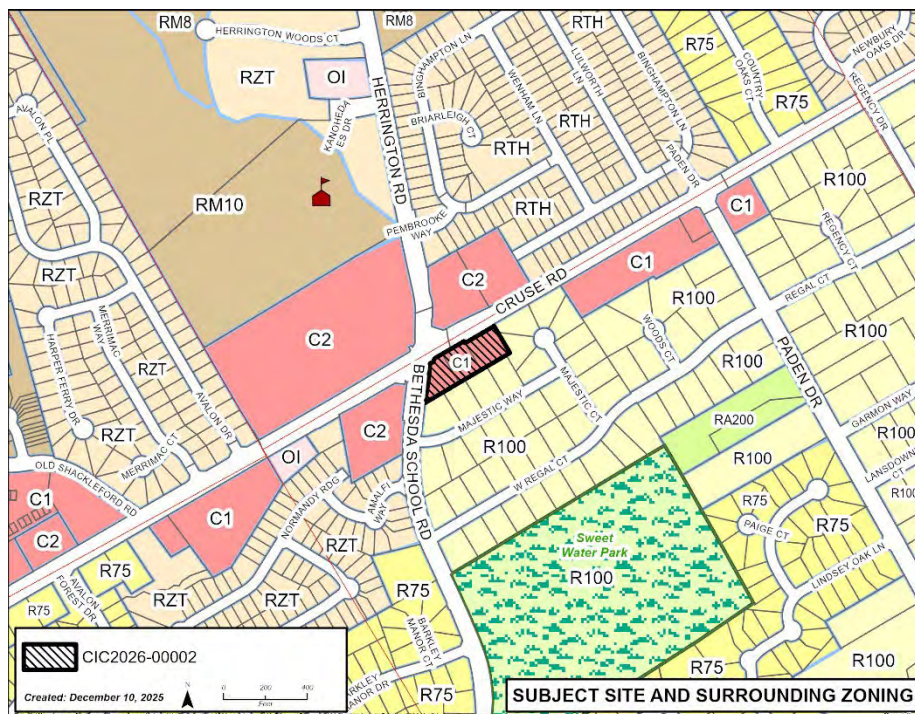
The subject property is zoned C-1 (Neighborhood Business District). In 2016, the property was rezoned from R-100 (Single-Family Residence District) to C-1, pursuant to RZC2016-00009.

Existing Site Condition

The subject property is a 1.42-acre assemblage of three parcels located at the intersection of Cruse Road and Bethesda School Road. The property contains three single-family detached residences with two accessed from Cruse Road and one from Bethesda School Road. A 5-foot-wide sidewalk is located along both road frontages. The nearest Ride Gwinnett transit stop is approximately 1.1 miles from the subject property.

Surrounding Use and Zoning

The site is located at a commercial intersection. Multiple retail and service establishments, restaurants, and auto-related uses are located to the north and west, and the Regal Forest subdivision is located to the east and south. Farther east is a multi-tenant commercial shopping center. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning
Proposed	Shopping Center	C-1
North	Commercial (Shopping Center)	C-2
East	Single-Family Residential (Regal Forest) Commercial (Shopping Center)	R-100 C-1
South	Single-Family Residential (Regal Forest)	R-100
West	Commercial (Shopping Center)	C-2

Project Summary

The applicant requests a change in conditions for a property zoned C-1 for a shopping center, including:

- Demolition of three single-family detached residences.
- Two, one-story buildings with 12 tenant suites totaling 13,840 square feet, yielding a floor area ratio (FAR) of 0.22. *(The original conditions limited the building size to 11,250 square feet.)*
- Exterior building materials of EIFS, concrete composite siding, brick and glass. *(The original conditions required a pitched roof.)*
- 28 parking spaces located to the front and side of the buildings, and a dumpster enclosure located between the buildings. *(The original conditions required the dumpster enclosure to be located 35 feet from the southern property line.)*
- Underground stormwater detention beneath the front parking lot.
- A 25-foot-wide landscaped buffer along the eastern and southern property lines, and 10-foot-wide landscape strips along Curse Road and Bethesda School Road. *(The original conditions required a 35-foot-wide landscaped buffer along the southern property line.)*
- Right-in/right-out access along both road frontages and a deceleration lane along Cruse Road while maintaining the 5-foot-wide sidewalk.

Zoning and Development Standards

The following is a summary of applicable standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Floor Area Ratio	Maximum 0.5	0.22	YES
Lot Coverage	Maximum 80%	60.1%	YES
Building Height	Maximum 35'	25'	YES
Parking	Minimum 28 spaces Maximum 46 spaces	28 spaces	YES
Zoning Buffer	Minimum 50'	25'	NO*

*The applicant is requesting a variance from this standard.

Public Participation

The applicant held a community meeting on October 15, 2025, at the New Hope Christian Church in Lawrenceville. There was one community member in attendance, who raised questions regarding potential tenants and traffic. The applicant responded to these concerns by discussing the permitted uses allowed in the C-1 zoning district and the traffic impact study.

Staff Analysis

Change in Conditions Request Analysis: The standards governing exercise of zoning power as defined in Section 270-20.5. After this evaluation, staff makes the following findings based on the standards from the UDO:

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

The property is located at a commercial intersection and surrounded by a mixture of commercial uses. The proposed change in conditions is suitable in view of the use and development of adjacent and nearby property.

B. Whether the proposed change in conditions will adversely affect the existing use or usability of adjacent or nearby property.

The applicant is requesting to change several conditions regarding building size and design, buffer width, and dumpster location. Staff has recommended a condition to install a six-foot-tall privacy fence to mitigate potential impacts on existing residences. With proper conditions, the proposed change in conditions would not adversely affect the existing use or usability of adjacent or nearby properties.

C. Whether the property to be affected by the proposed change in conditions has a reasonable economic use as currently zoned.

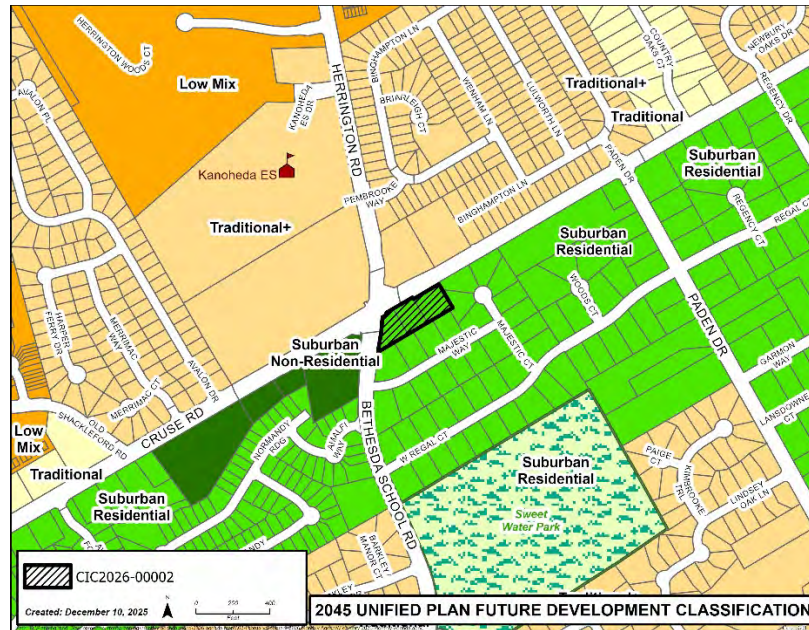
The property has a reasonable economic use as currently zoned.

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.

An increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts could be mitigated with appropriate conditions, site development requirements, and planning. The traffic impact study estimates that the development would generate 36 morning and 138 evening peak hour trips. The study recommends a right-in/right-out entrance along both road frontages and a deceleration lane along Cruse Road. To improve pedestrian safety, staff has recommended a condition to provide pedestrian connections from the buildings to the 5-foot-wide sidewalk. No impact is anticipated on school enrollment.

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

The Unified Plan's Future Development Map indicates "Suburban Residential" for the subject property, which envisions single-family detached residential development. Although C-1 is not a recommended zoning district, the zoning predates the adoption of the 2045 Unified Plan and is also compatible with surrounding uses.



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.

There are no other conditions giving support for approval or disapproval of the proposal.

Variance and Waiver Requests Analyses:

The applicant is seeking variances and waiver from the following provisions of the UDO:

1. Section 230-100.1.D Zoning Buffer. The applicant is requesting to replace the zoning buffer with a 25-foot landscaped buffer along the southern property line.

Analysis: A buffer reduction from 50 to 35 feet along the southern property line was approved in 2016. Buffers are intended to separate incompatible land uses. The site is adjacent to single-family detached residences. Further reduction of the buffer would nullify the intent of the UDO.

2. Section 230-100.1.C Structure Setback. The applicant is requesting to encroach into the 5-foot-wide structure setback along a portion of the eastern property line.

Analysis: The 5-foot-wide structure setback is intended to protect critical root zones of buffer trees. Given that the 2016 rezoning approved disturbance in the buffer, and that the encroachment is only 70 square feet, approval of the variance request would not nullify the intent of the UDO.

3. Section 360-100 Sidewalk Width. The applicant is requesting to not provide a 12-foot-wide multi-use path along Cruse Road and Bethesda School Road.

Analysis: A 5-foot-wide sidewalk exist along both road frontages. Due to topographical constraints, approval of the waiver request would not nullify the intent of the UDO.

Staff Recommendation

Based on the staff's evaluation of the request and the standards governing the exercise of zoning power, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the change in conditions request and **APPROVAL** of the following variance and waiver:

2. To encroach into the 5-foot-wide structure setback along a portion of the eastern property line.
3. To not provide a 12-foot-wide multi-use path along Cruse Road.

Staff recommends **DENIAL** of the following variance:

1. To replace the zoning buffer with a 25-foot-wide landscaped buffer along the southern property line.

Planning Commission Recommendation

Based on staff's evaluation of the request, information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of the change in conditions request and **APPROVAL** of the following variances:

1. To replace the zoning buffer with a 25-foot-wide landscaped buffer along the southern property line.
2. To encroach into the 5-foot-wide structure setback along a portion of the eastern property line.
3. To not provide a 12-foot-wide multi-use path along Cruse Road.

Planning Commission Recommended Conditions (includes Staff Recommended Conditions, as Amended)

Approval of a change in conditions for a shopping center in C-1 (Neighborhood Business District), subject to the following conditions:

- ~~1. To restrict the use of the property as follows:~~
 - ~~A. Retail, service-commercial, office and accessory uses. The following uses shall be prohibited:~~
 - ~~• adult bookstores or entertainment~~
 - ~~• automotive parts stores~~
 - ~~• contractors offices~~
 - ~~• emissions inspection stations~~
 - ~~• equipment rental~~
 - ~~• extended stay hotels or motels~~
 - ~~• fast food restaurants with drive-thru windows~~
 - ~~• recovered materials processing facilities~~
 - ~~• smoke shops/novelty stores~~
 - ~~• tattoo parlors~~
 - ~~• taxidermists~~
 - ~~• yard trimmings composting facilities~~
 - ~~B. No more than 11,250 square feet of gross floor area.~~

- ~~C. Buildings shall be limited to one-story. 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.~~
- ~~D. Buildings shall be residential in appearance, constructed with pitched roofs and shall include at least two of the following features:
 - ~~Steep sections of roof with at least six-in-twelve pitch~~
 - ~~Dormers~~
 - ~~Cupolas~~
 - ~~Spires~~
 - ~~Gables~~~~
- ~~E. Pitched roof buildings shall incorporate articulated features which are compatible with residential building design. Fully pitched roof buildings may have a flat roof well located in the central area of the roof, not to exceed 50 percent of the roof area, with a pitched roof similar to a mansard design on all sides of the building. The height of the partial (mansard design) pitched roof profile must be equal to 60% of the ridge height of a fully pitched roof for that building.~~

~~2. To abide by the following site development considerations:~~

- ~~A. Provide a graded and enhanced buffer adjacent to all residentially-zoned properties. The buffer shall be enhanced across the entire area as per the site plan dated April 20, 2016. The southern property line will contain a 35-foot enhanced buffer with an additional ten-foot building setback. The dumpster location shall have a 35-foot enhanced buffer with no additional setback required. The eastern property line will contain a 25-foot enhanced buffer with an additional five-foot setback.~~
- ~~B. Provide a seven-foot wooden fence along the top of the slope as shown on the site plan dated April 20, 2016.~~
- ~~C. Provide ten-foot wide landscaped strips adjacent to all rights-of-way.~~
- ~~D. Natural vegetation shall remain on the property until the issuance of a development permit.~~
- ~~E. Ground signage shall be limited to monument-type sign(s), and shall be subject to review and approval by the Director of Planning & 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 sign(s) shall not exceed eight feet in height.~~
- ~~F. Wall signage shall not exceed the requirements of the Gwinnett County Sign Ordinance, and shall only utilize neutral (non-white earthtone) background colors for the sign cabinet.~~
- ~~G. 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.~~
- ~~H. Billboards or oversized signs shall be prohibited.~~
- ~~I. 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.~~
- ~~J. Outdoor storage shall be prohibited.~~
- ~~K. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure. The back of the dumpster enclosure shall be in line with the 35-foot enhanced buffer and wooden fence as per the site plan dated April 20, 2016. Hours of~~

~~dumpster pick-up shall be limited to between 7:00 am and 7:00 pm.~~

~~L. 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.~~

~~M. Outdoor loudspeakers shall be prohibited.~~

~~N. Peddlers and/or parking lot sales shall be prohibited.~~

~~O. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.~~

~~3. To abide by the following requirements, dedications and improvements:~~

~~A. Dedicate at no cost to Gwinnett County the right-of-way and easements needed for the Gwinnett D.O.T. project to improve Cruse Road from Club Drive to Paden Drive (F-0581-01).~~

~~B. A landscape plan shall be provided which meets the density intent as described on the site plan dated April 20, 2016. The enhanced landscape and buffer plan shall be stamped by a registered landscape architect. The plan shall be included in the submitted set of plans subject to review and approval by the Director of Planning and Development.~~

~~C. Ingress/egress shall be as located on the site plan as per Gwinnett County D.O.T. meetings and subject to right-in and right-out limitations.~~

- 1. The property shall be limited to uses allowed in C-1, not exceeding 13,000 square feet, with the following uses prohibited:**
 - a. Lodging Establishments**
 - b. Smoke, Novelty, or CBD Shop**
- 2. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan, dated received January 8, 2026, and Exhibit C: Building Elevations, dated received November 19, 2025, with revisions required by zoning conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.**
- 3. A 25-foot-wide landscaped buffer along the eastern property line and a 3525-foot-wide landscaped buffer along the southern property line shall be provided.**
- 4. A 6-foot-tall privacy fence shall be provided along the eastern and southern property lines, adjacent to the residentially zoned properties to best screen the building from adjacent residences,, subject to the review and approval of the Department of Planning and Development.**
- 5. A 5-foot-wide pedestrian connection shall be provided from the building to the sidewalk in the rights-of-way, subject to the review and approval of the Department of Planning and Development.**
- 6. The following roadway improvements shall be provided in general conformance with Exhibit B: Site Plan dated received January 8, 2026, prior to the issuance of a Certificate of Occupancy, subject to the review and approval of the Gwinnett County Department of Transportation:**
 - a. A right-in/right-out entrance and deceleration lane along Cruse Road.**
 - b. A right-in/right-out entrance along Bethesda School Road.**

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Building Elevations
- D. Letter of Intent and Applicant's Response to Standards
- E. Redlined Resolution (RZC2016-00009)
- F. Application and Disclosure of Campaign Contributions
- G. DWR Sewer Capacity Certification Letter
- H. Traffic Impact Study
- I. Public Participation Plan and Report
- J. Internal and External Agency Review Comments
- K. Maps

Exhibit A: Site Visit Photos



View of Cruse Road frontage



View of Bethesda School Road frontage



View of existing dwelling



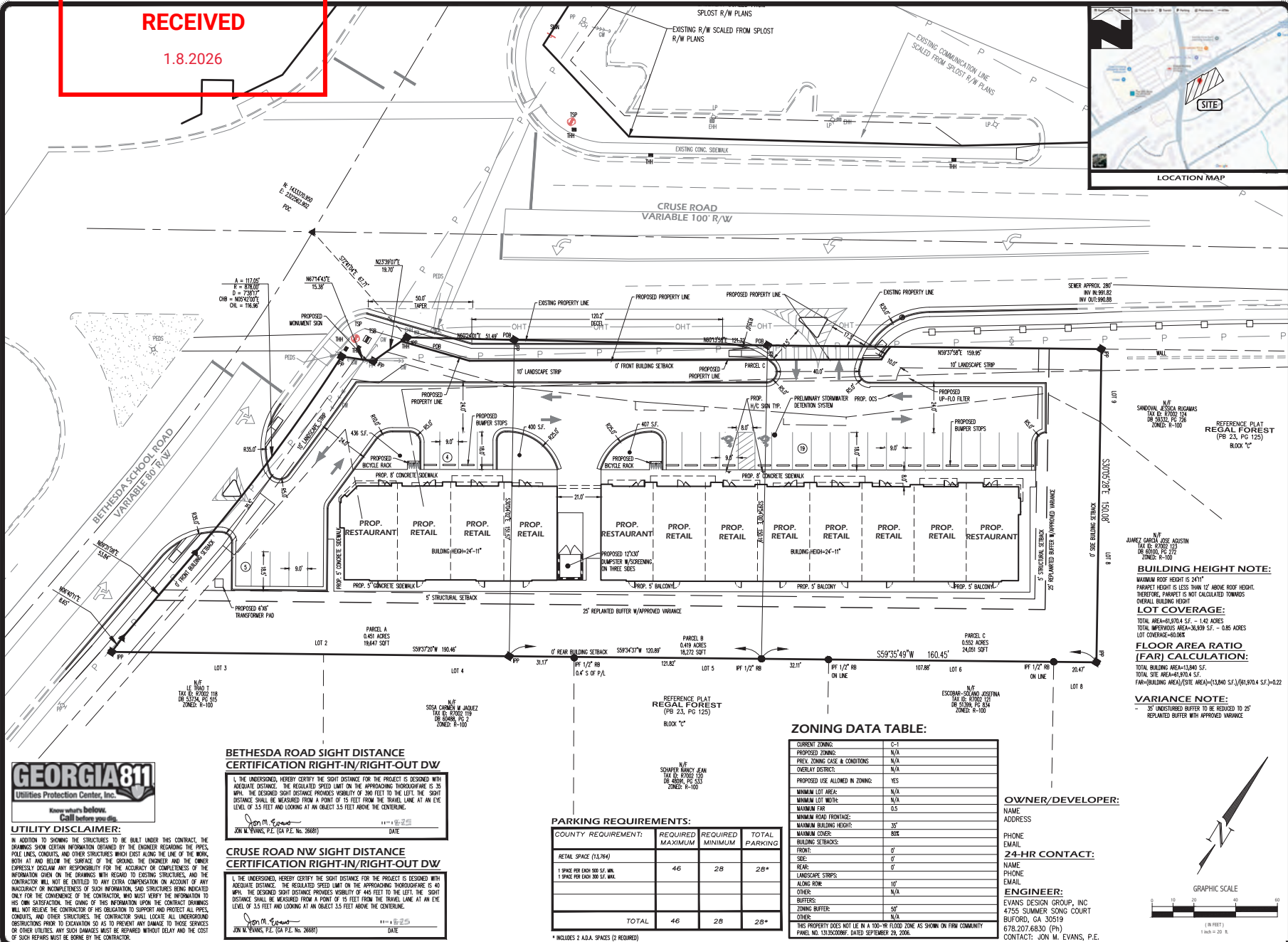
View of rear property boundary

Exhibit B: Site Plan

[attached]

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1.8.2026



Evans Design Group, Inc.
Civil Engineering /
Site Planning /
Land Development Services
4755 Summer Song Court
Buford, GA 30519
(PH) 678.207.6830
jevans@evansdg.com



PROJECT NAME
CRUSE RD
RETAIL

DATE:
03-10-25

DESIGN BY: JME
DRAWN BY: JME
CHECKED BY: JME

OWNER/DEVELOPER

DATE:
03-10-25

OWNER/DEVELOPER

DATE:
03-10-25

OWNER/DEVELOPER

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03-10-25

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OWNER/DEVELOPER

DATE:
03-10-25

OWNER/DEVELOPER



UTILITY DISCLAIMER:

IN ADDITION TO SHOWING THE STRUCTURES TO BE BUILT UNDER THIS CONTRACT, THE DRAWINGS SHOW CERTAIN INFORMATION OBTAINED BY THE ENGINEER REGARDING THE PIPES, POLE LINES, CONDUITS, AND OTHER STRUCTURES WHICH EXIST ALONG THE LINE OF THE WORK, BOTH AT AND BELOW THE SURFACE OF THE GROUND. THE ENGINEER AND THE OWNER EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION GIVEN ON THE DRAWINGS WITH REGARD TO EXISTING STRUCTURES, AND THE CONTRACTOR WILL NOT BE ENTITLED TO ANY EXTRA COMPENSATION ON ACCOUNT OF ANY INACCURACY OR INCOMPLETENESS OF SUCH INFORMATION. SUCH STRUCTURES BEING INDICATED ONLY FOR THE CONVENIENCE OF THE CONTRACTOR, WHO MUST VERIFY THE INFORMATION TO HIS OWN SATISFACTION. THE GIVING OF THIS INFORMATION UPON THE CONTRACT DRAWINGS WILL NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATION TO SUPPORT AND PROTECT ALL PIPES, CONDUITS, AND OTHER STRUCTURES. THE CONTRACTOR SHALL LOCATE ALL UNDERGROUND STRUCTURES PRIOR TO EXCAVATION SO AS TO PREVENT ANY DAMAGE TO THOSE SERVICES OR OTHER UTILITIES. ANY SUCH DAMAGES MUST BE REPAIRED WITHOUT DELAY AND THE COST OF SUCH REPAIRS MUST BE BORNE BY THE CONTRACTOR.

**BETHESDA ROAD SIGHT DISTANCE
CERTIFICATION RIGHT-IN/RIGHT-OUT DW**

I, THE UNDERSIGNED, HEREBY CERTIFY THE SIGHT DISTANCE FOR THE PROJECT IS DESIGNED WITH ADEQUATE DISTANCE. THE REGULATED SPEED LIMIT ON THE APPROACHING THOROUGHFARE IS 35 MPH. THE DESIGNED SIGHT DISTANCE PROVIDES VISIBILITY OF 300 FEET TO THE LEFT. THE SIGHT DISTANCE SHALL BE MEASURED FROM A POINT OF 15 FEET FROM THE TRAVEL LANE AT AN EYE LEVEL OF 3.5 FEET AND LOOKING AT AN OBJECT 3.5 FEET ABOVE THE CENTERLINE.

Jon M. Evans
JON M. EVANS, P.E. (GA P.E. NO. 26881)
DATE: 03-10-25

**CRUSE ROAD NW SIGHT DISTANCE
CERTIFICATION RIGHT-IN/RIGHT-OUT DW**

I, THE UNDERSIGNED, HEREBY CERTIFY THE SIGHT DISTANCE FOR THE PROJECT IS DESIGNED WITH ADEQUATE DISTANCE. THE REGULATED SPEED LIMIT ON THE APPROACHING THOROUGHFARE IS 40 MPH. THE DESIGNED SIGHT DISTANCE PROVIDES VISIBILITY OF 445 FEET TO THE LEFT. THE SIGHT DISTANCE SHALL BE MEASURED FROM A POINT OF 15 FEET FROM THE TRAVEL LANE AT AN EYE LEVEL OF 3.5 FEET AND LOOKING AT AN OBJECT 3.5 FEET ABOVE THE CENTERLINE.

Jon M. Evans
JON M. EVANS, P.E. (GA P.E. NO. 26881)
DATE: 03-10-25

PARKING REQUIREMENTS:

COUNTY REQUIREMENT:	REQUIRED MAXIMUM	REQUIRED MINIMUM	TOTAL PARKING
RETAIL SPACE (13,749)			
1 SPACE PER 400 SQ. FT. MIN.	46	28	28*
1 SPACE PER 400 SQ. FT. MIN.			
TOTAL	46	28	28*

* INCLUDES 2 ADA SPACES (2 REQUIRED)

ZONING DATA TABLE:

CURRENT ZONING:	C-1
PROPOSED ZONING:	N/A
PREV. ZONING CASE & CONDITIONS:	N/A
OVERLAY DISTRICT:	N/A
PROPOSED USE ALLOWED IN ZONING:	YES
MINIMUM LOT AREA:	N/A
MINIMUM LOT WIDTH:	N/A
MAXIMUM FAR:	0.5
MINIMUM ROAD FRONTAGE:	N/A
MINIMUM BUILDING HEIGHT:	35'
OTHER:	800'
BUILDING TRACKS:	
FRONT:	0'
SIDE:	0'
REAR:	0'
LANDSCAPE STRIPS:	
ALONG ROW:	10'
OTHER:	N/A
BUFFER:	50'
ZONING BUFFER:	50'
OTHER:	

OWNER/DEVELOPER:

NAME:
ADDRESS:
PHONE:
EMAIL:
24-HR CONTACT:
NAME:
PHONE:
EMAIL:
ENGINEER:
EVANS DESIGN GROUP, INC
4755 SUMMER SONG COURT
BUFORD, GA 30519
678.207.6830 (PH)
CONTACT: JON M. EVANS, P.E.

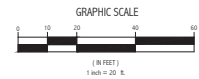
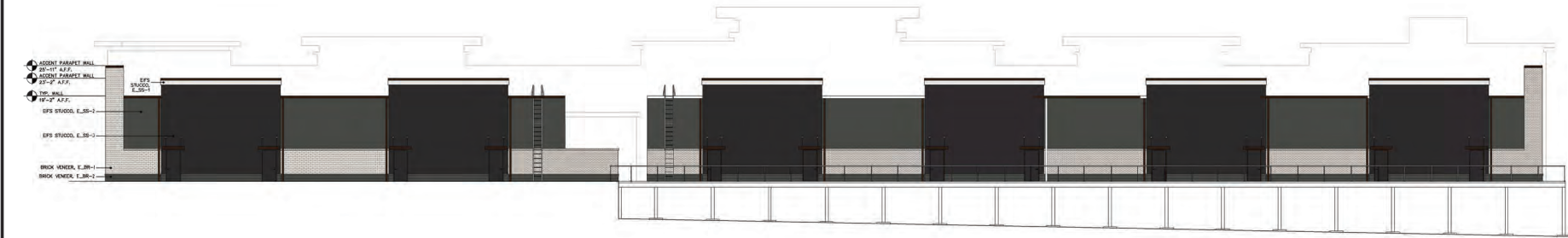


Exhibit C: Building Elevations

[attached]



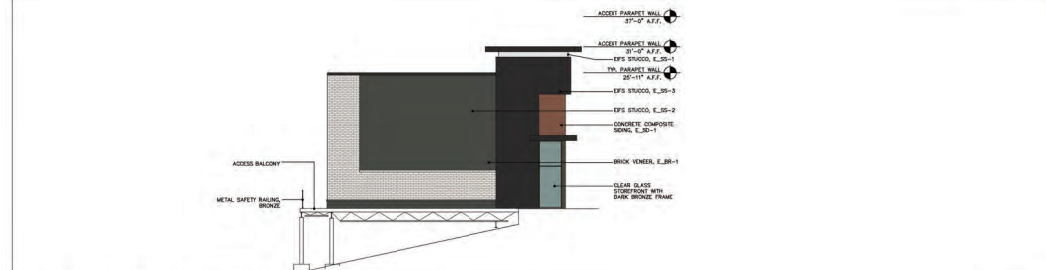
1 PROPOSED FRONT (CRUSE RD. SIDE) BUILDING ELEVATION SCALE: NTS



2 PROPOSED BACK BUILDING ELEVATION SCALE: NTS



3 PROPOSED RIGHT (SCHOOL RD. SIDE) BUILDING ELEVATION SCALE: NTS



4 PROPOSED LEFT BUILDING ELEVATION SCALE: NTS

FINISH SCHEDULE				
SYMB	KEY	ITEM	MANUFACTURER	DESCRIPTION
	E_FP-1	EXTERIOR PAINT	SHERWIN WILLIAMS	SW 7028 INCREDIBLE WHITE
	E_FP-2	EXTERIOR PAINT	SHERWIN WILLIAMS	SW 6258 TROGORN BLACK
	E_SS-1	EPS STUCCO	DRYVIT OR EQ	COLOR TO MATCH E_FP-1
	E_SS-2	EPS STUCCO	DRYVIT OR EQ	COLOR TO MATCH E_FP-2
	E_BR-1	ARCHITECTURAL BRICK VENEER	GENERAL SHALE	MIDNIGHT, GROUT COLOR: IVORY
	E_BR-2	ARCHITECTURAL BRICK VENEER	GENERAL SHALE	NOLIN RIVER, GROUT COLOR: IVORY
	E_SC-1	CONCRETE COMPOSITE Siding	NOR-PA	RIFT SAWN WOOD SERIES, PECAN COLOR
	E_MF-1	METAL CANOPES	TBD	COLOR: DARK BRONZE

FINISHES PHOTO

5 PROPOSED EXTERIOR FINISHES

PH: 404.954.0806
EMAIL: TREINIS@GMAIL.COM
WWW.TREINIS.COM

PLAN NORTH

"CRUSE RD RETAIL"
NEW RETAIL
BUILDING

2606
CRUSE RD NW,
LAWRENCEVILLE, GA
30044

1	DATE FOR REVIEW	REVIEWER
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STATE OF GEORGIA
COUNTY OF WINNETT
RECEIVED

This drawing is the property of D. Treinis and is not to be reproduced or used in whole or in part without the written consent of D. Treinis. It is to be used only for the project and is to be returned upon request. No other reproduction or use is permitted without the express written consent of D. Treinis.

ISSUING TITLE: NEW RETAIL BUILDING PROPOSED FRONT ELEVATION
ISSUE DATE:
DRAWN BY: DT
CHECKED BY: DT
SCALE: A1.00

CIC2026-00002 Page 15 of 70 YP

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

[attached]

December 9, 2025

REVISED LETTER OF INTENT FOR CHANGE IN CONDITIONS

**Change in Conditions Application
Gwinnett County, Georgia**

Applicant:
Brownsmill Enterprises Corporation

Property:
Tax Parcel IDs R7002 015A, R7002 116, and R7002 117
±1.42 Acres of Land
Located at 884 Bethesda School Road and 2596, 2606 Cruse Road, Lawrenceville, GA
C-1 (No zoning change)

Submitted for Applicant by:
Melody A. Glouton, Esq.
ANDERSEN TATE & CARR, P.C.
One Sugarloaf Centre
1960 Satellite Blvd.
Suite 4000
Duluth, Georgia 30097
770.822.0900
mglouton@atclawfirm.com

I. INTRODUCTION

This Application for Change in Conditions is submitted for a 1.42-acre assemblage of parcels located at 884 Bethesda School Road, 2596 and 2606 Cruse Road, Lawrenceville, Georgia, and identified as Tax Parcel IDs R7002 015A, R7002 116, and R7002 117 (hereinafter the “Property”). The Property that is the subject of this Change in Conditions application is shown on the survey prepared by IronStone Consulting & Design, dated May 13, 2025. The Property is further identified as shown below from the Gwinnett County Geographical Information System:



The Property is currently zoned C-1 (Neighborhood Business District) pursuant to the Gwinnett County Unified Development Ordinance (the “UDO”). The Applicants, Brownsmill Enterprises Corporation (the “Applicant”), now seek approval of a Change in Conditions to modify the existing zoning conditions associated with the Property. The Change in Conditions will allow the property owners to construct a single-story building to create tenant units for retail and restaurant. The Change in Conditions will allow for a quality commercial development that will service the surrounding community. The Applicants are requesting to amend the zoning conditions of RZC2016-00009 as reflected on the redline zoning resolution attached to this application.

II. DESCRIPTION OF THE PROPERTY & PROJECT SUMMARY

The Property is an assemblage of three parcels at the intersection of Bethesda School Road and Cruse Road. The Property is located in an area characterized by commercial and residential uses, including zoning classifications of C-2, R-TH, RM10, RZT, and R100. Pursuant to the Gwinnett County Unified Development Ordinance, the C-1 zoning classification is intended to provide for commercial uses of a convenience nature for nearby residential neighborhoods. These uses are intended to be facilities serving the everyday needs of these

nearby neighborhoods rather than the larger community. The Applicant submits that the Site Plan submitted with this application is appropriate development for this location, given the size and topography of the site. This proposal will yield a more desirable development that can provide neighborhood-serving businesses to support the existing residential properties. The Future Development Map of the Gwinnett County 2045 Unified Plan (the “2045 Plan”) classifies this Property as within the Suburban Residential character area. However, given the proximity of existing commercial development along the Cruse Road corridor, the property could be considered Suburban Nonresidential due to the fact that the area along Cruse Road is already developed in a traditional suburban pattern of commercial uses. Properties in the Suburban Nonresidential character area are anticipated to largely stay the same, though some redevelopment may occur. These areas play an important role as an alternative (and more affordable) leasing opportunity for small and emerging businesses.

As shown on the overall site plan prepared by Evans Design Group, Inc., dated March 10, 2025, and filed with this Application (hereinafter the “Site Plan”), the Applicant proposes to develop the Property as a commercial development to include retail and restaurant uses. The Change in Conditions will allow the Applicant to develop the site with a quality commercial development that will service the surrounding community. The development will consist of two, single-story buildings totaling 13,840 square feet to include twelve tenant spaces. Currently, the Property is required to be developed in compliance with a previously approved Site Plan, dated April 20, 2016.

As shown on the Site Plan, the Applicant is requesting the following concurrent variances and/or waivers in order to develop the site:

- (1) Waiver from UDO 360-100 to reduce the frontage trail sidewalk width from 12 feet to 5 feet;
- (2) Variance from UDO 230-100.1(C) to encroach on the 5-foot structural setback on the northeast corner of the site; and
- (3) Variance from UDO 230-100.1(D), Table 230-2, to reduce the required zoning buffer to a 25-foot landscaped/replanted buffer.¹

In consideration of the size, layout, and location of the Subject Property, the building cannot be developed under the current development requirements. Under the UDO, a variance may be granted in cases of unnecessary hardship by a finding that the application of the Ordinance to a particular piece of property (such as the Subject Property) would create unnecessary hardship, there are extraordinary and exceptional conditions, that such conditions are unique to this particular property, such conditions are not a result of the owner, and relief, if granted, would not cause substantial detriment to the public good or impair the intent of the Ordinance. The Applicant’s requested waivers and variances are the minimum necessary to

¹ Under the existing zoning conditions of RZC2016-00009, the site development requirements include providing a 35-foot enhanced buffer along the southern property line. The eastern property line is required to maintain a 25-foot enhanced buffer. The Applicant is seeking to have consistent buffers around the perimeter of the property in order to properly develop the site under its current constraints.

afford the Applicant relief so that the Subject Property may be developed with an economically viable use as permitted under the current C-1 zoning.

III. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests this Application for Change in Conditions be approved. The Applicant welcomes the opportunity to meet with the Gwinnett County Planning Department staff to answer any questions or to address any concerns relating to this Letter of Intent or supporting materials.

Respectfully submitted this 9th day of December, 2025.

ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.

Enclosures
MAG/dwb
4905-2684-2493, v. 2

Pursuant to requirements of the United 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.

- 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:

Yes, approval of the proposed Change in Conditions will permit a use that is suitable in view of the use and development of adjacent and nearby property. The Property and development of a neighborhood-serving commercial and retail uses will complement both the adjacent residential and nearby commercial properties.

- B. Whether a proposed change in conditions will adversely affect the existing use or usability of adjacent or nearby property:

No, the proposed Change in Conditions Application will not adversely affect the existing use or usability of any of the nearby properties. The proposed change in conditions would allow for a high-quality commercial development that is compatible with existing intense commercial uses on adjacent and nearby properties. Rather the proposed development would complement existing commercial uses and provide neighborhood serving commercial uses for the surrounding community.

- C. Whether the property to be affected by a proposed change in conditions has reasonable economic use as currently zoned:

The Applicant submits that due to the size, location, layout, topography, and natural features of the Property, it is not able to develop the Property in compliance with the previously approved rezoning. Accordingly, it does not have reasonable economic use. The Applicant's proposal would allow for the Property to be developed for a use that is consistent with surrounding properties.

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

No, the subject property is located in an area with public water and sewer availability, and convenient access to major thoroughfares and state highways. The Change in Conditions is consistent with the existing uses, and this development will bring additional commercial and retail uses to the community. The proposal will not cause excessive use of existing streets, transportation facilities or utilities, and will have no impact whatsoever on the schools. Furthermore, any impact on the surrounding properties or existing infrastructure can be mitigated with proper zoning conditions.

- E. Whether the proposed change in conditions is in conformity with the policy and intent of the Unified Plan and Future Development Map:

Pursuant to the 2045 Plan, the property is located in the Suburban Residential character area, which does not support commercial development. However, the property is already zoned C-1 and is more closely aligned with the Suburban Nonresidential character area, which is consistent with the properties immediately to the west of the site. As such, development of the site under its current zoning classification is proper and would allow for the development of a commercial building to support small and emerging businesses.

- F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed change in conditions:

The Applicant submits that the character of the surrounding development and the existing mix of the same or similar intense commercial uses in the area provide supporting reasons for approval of the change in conditions request. The Applicant submits that the Property's location, size, and dimensions provide further support for approval of the proposed change in conditions application.

Exhibit E: Redlined Resolution (RZC2016-00009)

[attached]

GWINNETT COUNTY
BOARD OF COMMISSIONERS
LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: Amendment to the Official Zoning Map of Gwinnett County

ADOPTION DATE: MAY 24, 2016

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

Name	Present	Vote
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Yes	Aye
Lynette Howard, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
John Heard, District 4	Yes	Aye

On motion of Commissioner COMM. HEARD, which carried a 5-0 vote, the following Resolution to Amend the Official Zoning Map of Gwinnett County is hereby adopted:

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from R- 100 to C-I by RINGO ABERNATHY for the proposed use of COMMERCIAL/RETAIL (REDUCTION IN BUFFERS) 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 MAY 24, 2016 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, that the aforesaid application to amend the Official Zoning Map from R-1 00 to CC-1 is hereby APPROVED with the following enumerated conditions:

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

A. Retail, service-commercial, office and accessory uses. The following uses shall be prohibited:

- adult bookstores or entertainment
- automotive parts stores
- contractors offices
- emissions inspection stations
- equipment rental
- extended stay hotels or motels
- fast food restaurants with drive-thru windows
- recovered materials processing facilities
- smoke shops/novelty stores
- tattoo parlors
- taxidermists
- yard trimmings composting facilities

B. No more than ~~11,250~~ 14,000 square feet of gross floor area.

C. Buildings shall be limited to one-story. 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.

~~D. Buildings shall be residential in appearance, constructed with pitched roofs and shall include at least two of the following features:-~~

- ~~• Steep sections of roof with at least six-in-twelve pitch~~
- ~~• Dormers~~
- ~~• Cupolas~~
- ~~• Spires~~
- Gables

~~E. Pitched roof buildings shall incorporate articulated features which are compatible with residential building design. Fully pitched roof buildings may have a flat roof well located in the central area of the roof, not to exceed 50 percent of the roof area, with a pitched~~

~~roof similar to a mansard design on all sides of the building. The height of the partial (mansard design) pitched roof profile must be equal to 60% of the ridge height of a fully pitched roof for that building.~~

2, To abide by the following site development considerations:

- A. Provide a 25-foot graded and enhanced buffer adjacent to all residentially-zoned properties. ~~The buffer shall be enhanced across the entire area as per the site plan dated April 20, 2016. The southern property line will contain a 35-foot enhanced buffer with an additional ten-foot building setback. The dumpster location shall have a 35-foot enhanced buffer with no additional setback required. The eastern property line will contain a 25-foot enhanced buffer with an additional five-foot setback.~~
- B. ~~Provide a seven-foot wooden fence along the top of the slope as shown on the site plan dated April 20, 2016.~~
- C. Provide ten-foot wide landscaped strips adjacent to all rights-of-way.
- D. Natural vegetation shall remain on the property until the issuance of a development permit.
- E. Ground signage shall be limited to monument-type sign(s), and shall be subject to review and approval by the Director of Planning & 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 sign(s) shall not exceed eight feet in height,
- F. Wall signage shall not exceed the requirements of the Gwinnett County Sign Ordinance, and shall only utilize neutral (non-white earthtone) background colors for the sign cabinet.
- G. 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.
- H. Billboards or oversized signs shall be prohibited.
- I. 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.
- J. Outdoor storage shall be prohibited.

- K. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure. ~~The back of the dumpster enclosure shall be in line with the 35-foot enhanced buffer and wooden fence as per the site plan dated April 20, 2016.~~ Hours of dumpster pick-up shall be limited to between 7:00 am and 7:00 pm.
 - L. 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.
 - M. Outdoor loudspeakers shall be prohibited.
 - N. Peddlers and/or parking lot sales shall be prohibited.
 - O. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
3. To abide by the following requirements, dedications and improvements:
- A. Dedicate at no cost to Gwinnett County the right-of-way and easements needed for the Gwinnett D.O.T. project to improve Cruse Road from Club Drive to Paden Drive (F0581-01).
 - 4. ~~A landscape plan shall be provided which meets the density intent as described on the site plan dated April 20, 2016. The enhanced landscape and buffer plan shall be stamped by a registered landscape architect. The plan shall be included in the submitted set of plans subject to review and approval by the Director of Planning and Development,~~
 - 5. Ingress/egress shall be as located on the site plan as per Gwinnett County D.O.T. meetings and subject to right-in and right-out limitations.

Exhibit F: Application and Disclosure of Campaign Contributions

[attached]

CHANGE IN CONDITIONS APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
Name: <u>Brownsmill Enterprises Corporation</u> Address: <u>5198 Georgia Hwy 85</u> City: <u>Forest Park</u> State: <u>Georgia</u> ZIP: <u>30096</u> Phone: <u>(770)822-0900</u> Email: <u>mglouton@atclawfirm.com</u>	Name: <u>Sanaa Nassar</u> Address: <u>1361 Pinshyre Ct</u> City: <u>Lawrenceville</u> State: <u>Georgia</u> ZIP: <u>30043</u> Phone: _____ Email: _____
Contact Person: <u>Melody Glouton</u> Phone: <u>(770)822-0900</u> Contact's Email: <u>mglouton@atclawfirm.com</u>	
<p style="text-align: center;">APPLICANT IS THE:</p> <p><input type="checkbox"/> Owner's Agent <input type="checkbox"/> Property Owner <input checked="" type="checkbox"/> Contract Purchaser</p>	
Zoning District(s): <u>C-1</u> Prior Zoning Case No.: <u>RZC2016-00009</u> Parcel Number(s): <u>R7002 015A, 116, 117</u> Acreage: <u>1.42</u> Property Address(es): <u>884 Bethesda School Road, 2596 and 2606 Cruse Road</u> Proposed Change in Conditions: _____ Variance(s): <u>To reduce zoning buffer, to waive 5-foot structure setback</u> Waiver(s): <u>To reduce sidewalk from 12 feet to 5 feet</u>	
RESIDENTIAL DEVELOPMENT: No. of Dwelling Units: _____ Dwelling Unit Sq. Ft.: _____ Density: _____ Floor Area Ratio (LRR, MRR, HRR): _____	NON-RESIDENTIAL DEVELOPMENT No. of Buildings: <u>2</u> Total Building Sq. Ft.: <u>13,840</u> Floor Area Ratio: <u>0.22</u>
MIXED-USE DEVELOPMENT No. of Dwelling Units: _____ Dwelling Unit Sq. Ft.: _____ Total Non-Residential Sq. Ft.: _____ Floor Area Ratio: _____	



The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon in less than six (6) months from the date of last action by the Board of Commissioners.

Property Owner

Name: Sanaa M. Nassar

Signature: [Handwritten Signature]

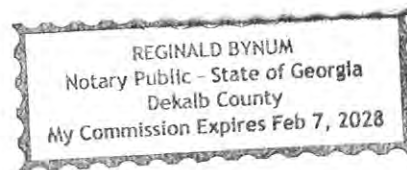
Date: 5/12/25

Notary Public

Name: Reginald Bynum

Signature: [Handwritten Signature]

Date: 5/12/2025



Notary Seal



GWINNETT COUNTY
PLANNING AND DEVELOPMENT
PROPERTY TAX VERIFICATION

The undersigned certifies that all Gwinnett County property taxes are current. In no such case shall an application or reapplication be processed without such property tax verification.

Applicant Information

Brownsmill Enterprises Corporation

Name: Melody A. Glouton, Attorney for Applicant

Signature: Melody A. Glouton Date: May 5, 2025

Property Information

Enter all parcel IDs in the table below. [Search for Parcel ID](#)

Parcel ID(s) (by Applicant)	Property Taxes Paid (Yes or No) (Tax Commissioner Use Only)
R7002 15A	Yes
R7002 116	Yes
R7002 117	Yes

Tax Commissioner Affirmation

All Gwinnett County property taxes are current for the above referenced parcel(s) and confirmed by the signature below.

Name: Syrena Johnson Title: TSA I

Signature: Syrena Johnson Date: 5/5/2025

CONFLICT OF INTEREST CERTIFICATION FOR REZONING

The undersigned below, applying for a rezoning, has complied with the Official Code of Georgia Section 36-67A-1 and has submitted or attached the required information on the forms provided.

Melody A. Glouton
Signature of applicant

10/24/25
Date

Melody A. Glouton, Attorney for Applicant
Type or print name and title

10/24/25
Date

[Signature]
Signature of notary public

10/24/25
Date



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250 or more to a member of the Gwinnett County Board of Commissioners or a member of the Gwinnett County Planning Commission?

☐ Yes

☒ No

Brownmill Enterprises

Name

If the answer is yes, please complete the following section:

Name and Official Position of Government Official	Contributions (List all which aggregate to \$250 or more)	Date Contribution Was Made (Within last two years)

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

CONFLICT OF INTEREST CERTIFICATION FOR REZONING

The undersigned below, applying for a rezoning, has complied with the Official Code of Georgia Section 36-67A-1 and has submitted or attached the required information on the forms provided.

Melody A. Glouton
Signature of applicant

10/24/25
Date

Melody A. Glouton, Partner
Type or print name and title

10/24/25
Date

[Signature]
Signature of notary public

10/24/25
Date



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250 or more to a member of the Gwinnett County Board of Commissioners or a member of the Gwinnett County Planning Commission?

☒ Yes ☐ No See attached - Andersen Tate & Carr
Name

If the answer is yes, please complete the following section:

Name and Official Position of Government Official	Contributions (List all which aggregate to \$250 or more)	Date Contribution Was Made (Within last two years)

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

ATC Campaign Contributions

Gwinnett County Board of Commissioners

Commissioner	Amount	Date
Nicole Love Hendrickson	\$800.00	October 5, 2023
Matthew Holtkamp	\$1,500.00	June 19, 2025
	\$800.00	January 25, 2024
Kirkland Carden	\$800.00	February 5, 2024
Ben Ku	\$2,000.00	May 6, 2025

Exhibit G: DWR Sewer Capacity Certification Letter

[attached]



November 10, 2025

Sunny Mehta
1675 Sugarloaf Club Drive
Duluth, GA 30097

<input checked="" type="checkbox"/>	APPROVED
<input type="checkbox"/>	DENIED
<input type="checkbox"/>	CONDITIONALLY APPROVED
Sewer Capacity Request #C2025-302-11	
Expiration Date: 11/10/2026	
Tie-In Manhole FID: 396075	

RE: Sewer Availability for Proposed Development – Cruse Road
Retail Parcel ID 7002 117, 7002 116, 7002 015A

Dear Sunny Mehta:

This letter supersedes the earlier Sewer Capacity Certification C2025-133-06 dated June 4, 2025.

Gwinnett County Department of Water Resources (GCDWR) has reviewed the impact of the proposed development consisting of 16,721 square feet of retail space and 75 restaurant seats on the above parcels and determined:

Gwinnett County has adequate sewer capacity to serve the proposed development.

This confirmation is based on your anticipated annual average daily flow of 4.03 gpm discharging to the sewer tie-in manhole at Facility ID **396075**.

Capacity Allocation: Sewer capacities are allocated only upon the issuance of a Development Permit, by Gwinnett County Planning & Development and after all applicable conditions established in this Sewer Capacity Certification, if any, are met.

Certification Expiration: The Sewer Capacity Certification is valid for 12 months from the date of this letter. If rezoning is approved, GCDWR will issue a revised Sewer Capacity Certification based on the approved units, as needed. The capacity request can be renewed for an additional 12 months. If a Development Permit has not been obtained by the expiration date above the developer may apply for renewal by providing evidence of active rezoning, plan review, or permitting efforts.

Once the Sewer Capacity Certification expires, the capacity is no longer allocated, and a new Sewer Capacity Certification request must be submitted for re-evaluation with no guarantee of available capacity. The evaluation will be based on the updated conditions of the sewer system.

Certification Invalidation: This certification is not valid if there are proposed changes to your development that could impact downstream sewer capacity (e.g. land use density, sewer tie-in manhole, parcel changes, and/or rezoning). In this case the development must resubmit for a



new Sewer Capacity Request with updated information prior to the expiration of the previous one.

Please contact us at 678-376-7026 if you have any questions.

Sincerely,

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES

Della Taylor, PE
Division Director, Infrastructure Support
678.376.2130

C: Gwinnett County DWR – Lorraine Campagne, Section Manager; Raghu Vemuru, Engineer V; Mikala Weston, Engineer III;
Geniva Sylvain, Engineer III
Gwinnett County P&D – Charli Young, Planning Manager; Christina Dejarnette, Engineer II; Wendell Tumale, Engineer III;
Dominique Graves, Engineer II

Exhibit H: Traffic Impact Study

[attached]

A LEVEL 2 TRAFFIC IMPACT STUDY
for
CRUSE ROAD RETAIL
2606 CRUSE ROAD
GWINNETT COUNTY, GEORGIA



Prepared for

TRITON HOLDINGS, INC.
1675 Sugarloaf Club Drive
Duluth, Georgia 30097
August 15, 2025

Prepared by





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Introduction

The purpose of this study is to determine the traffic impact that will result from the proposed development that will be located on Cruse Road and Bethesda School Road in Gwinnett County, Georgia, as shown in Figure 1. The traffic analysis evaluates the current operations as stated in the current edition of the Gwinnett County Traffic Impact Study Guidelines. This study will follow the guidelines for a Level 2 study. The proposed development will be a single building consisting of 2 - 1,402 s.f. restaurants, 1 - 1,499 s.f. restaurant and 9- retail stores at 1,402 s.f.



Figure 1. Location Map

Access to the proposed development will consist of two right-in / right-out driveways; one each on Cruse Road and the other on Bethesda School Road.

The AM and PM peak hours have been analyzed in this study. In addition to the site access points, this study includes the evaluation of traffic operations at the following intersections:

1. Bethesda School Road/Herrington at Cruse Road
2. Cruse Road at Driveway 1
3. Bethesda School Road at Driveway 2

Recommendations to improve traffic operations have been identified as appropriate and are discussed in detail in the following sections of the report. The location for the development and the surrounding roadway network within the study area is shown in Figure 2.

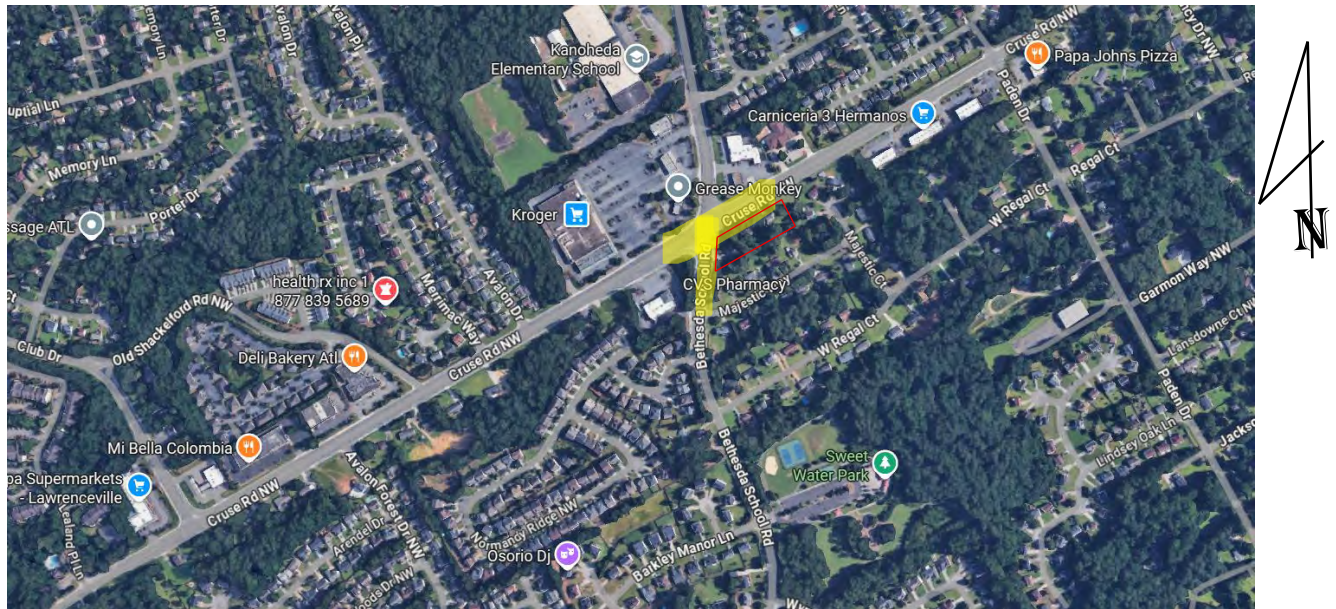


Figure 2 – Study Area Map

Existing Facilities / Conditions

The following is a brief description of each of the roadway facilities located in the proximity of the site:

Cruse Road - is a two (2) lane undivided roadway with a posted speed limit of 40 mph traveling in the east west directions. The approach from the west transitions from a one lane to two lanes with a two-way-left-turn-lane (LWTL) to dual left turn lanes, two through lanes and a separate right turn lane. From the east, Cruse Road transitions from a one lane approach to a separate left turn lane, one through lane and shared through/right turn lane at the intersection of Herrington Road/Bethesda School Road in the vicinity of the site. Cruse Road is functionally classified as a Major Collector. There are sidewalks on both sides of Cruse Road.

Bethesda School Road / Herrington Road - is a two (2) lane undivided roadway that travels in the north / south directions with a posted speed limit of 35 mph. The roadway functional classification is a local road. Sidewalk exist on the west side of the roadway.

Bethesda School Road is south of the Cruse Road intersection. Its northbound approach transitions from one lane to a separate left turn lane, a through lane and a shared through/right turn lane at the intersection. In the southbound approach, Herrington Road is a two-lane roadway divided by a two-way-left-turn-lane. It transitions into one right turn lane, a through lane and a left turn lane.

The intersection of Cruse Road and Bethesda School Road/Herrington Road is controlled by a fully actuated traffic signal operation, complete with pedestrian signals and push buttons. ADA ramps and crosswalks are present at each corner.

Existing Transit Routes and Stops

According to the Gwinnett Transit Authority - Ride Gwinnett, there are no routes or stops on Cruse Road, Bethesda School Road or Herrington Road.

Study Methodology

In this study, the methodology used for evaluating traffic operations at each of the study area intersections is based on the criteria set forth in the Gwinnett County Traffic Impact Study Guidelines for a Level 2 study. Synchro software, which utilizes the Highway Capacity Manual (HCM) methodology, was used for the analysis. ITE Trip Generation, 11th Edition was used to analyze the land uses in the project. The methodology for this study was presented to Brent Hodges, Zoning and Development Review Manager in the Department of Transportation and approved.

Unsignalized Intersections

For unsignalized intersections at which the side street or minor street is controlled by a stop sign, the criteria for evaluating traffic operations are the level-of-service (LOS) for the turning movements at the intersections and/or the approaches to the intersections. Level-of-service is based on control delay incurred at the intersection. Control delay for unsignalized intersections includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. Several factors affect the control delay for unsignalized intersections, such as the availability and distribution of gaps in the conflicting traffic stream, critical gaps, and follow-up time for a vehicle in the queue.

Level-of-service is assigned a letter designation from “A” to “F.” Level-of-service A indicates excellent operations with little to no delays to motorists, while LOS F exists whether are insufficient gaps of acceptable size to allow vehicles on the side street to cross safely, resulting in extremely long total delays and long queues. The LOS criteria for two-way stop controlled and all-way stop sign-controlled intersections are given in Table 1.

Table 1 - Level-of-Service Criteria for Unsignalized Intersections	
Level-of-Service	Control Delay (sec)
A	≤ 10
B	>10 and ≤ 15
C	>15 and ≤ 25
D	>25 and ≤ 35
E	>35 and ≤ 50
F	>50

Source: Highway Capacity Manual

Signalized Intersections

For signalized intersections, it is necessary to evaluate both capacity and level-of-service in order to evaluate the overall operation of the intersection. The capacity analysis of an intersection is performed by comparing the volume of traffic using the various lane groups at the intersection to the capacity of those lane groups, this results in a volume/capacity ratio (v/c) for each lane group. A v/c ratio greater than 1.0 indicates that the volume of traffic has exceeded the capacity available, resulting in a temporary excess of demand. Although the capacity of the entire intersection is not defined, a composite v/c ratio for the critical lane groups within the intersection is computed. This composite v/c ratio is an indication of the overall intersection sufficiency.

Level-of-service for a signalized intersection is defined in terms of average controlled delay per vehicle, which is composed of initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. The level-of-service criteria for signalized intersections, based on control delay, are shown in Table 2. Level-of-Service “A” indicates operations with very low control delay, while LOS F describes operations with extremely high control delay. Level-of-service D is typically considered to be the limit of acceptable delay in an urban setting, and LOS of E or worst are unacceptable by most drivers.

Table 2 - Level-of-Service Criteria for Signalized Intersections	
Level-of-Service	Control Delay (sec)
A	≤ 10
B	>10 and ≤ 20
C	>20 and ≤ 35
D	>35 and ≤ 55
E	>55 and ≤ 80
F	>80

Source: Highway Capacity Manual

Existing 2025 Traffic Analysis

Existing Traffic Volumes

Existing traffic turning movement counts were obtained at the following intersection:

- 1. Cruse Road at Bethesda School / Herrington Road

Turning movement counts were collected on Thursday, August 7, 2025. All turning movement counts were recorded during the AM and PM peak hours between 7:00 AM to 9:00 AM and 4:00 PM to 6:00 PM, respectively. The four consecutive 15-minute interval volumes that summed to produce the highest volume at the intersections were then determined. These volumes make up the peak hour traffic volumes for the intersections counted and are shown in Figure 3.

Twenty-four-hour traffic data was collected on Cruse Road and Bethesda School Road Thursday, August 7, 2025. In summary the 24-hour count on Cruse Road was 18,369, with 8,594 (46.8%) vehicles in the northbound direction and 9,775 (53.2%) vehicles in the southbound direction. The 24-hour traffic count on Bethesda School Road is 15,122, with 6,765 (44.7%) vehicles in the eastbound direction and 8,357 (55.3%) vehicles in the westbound direction.

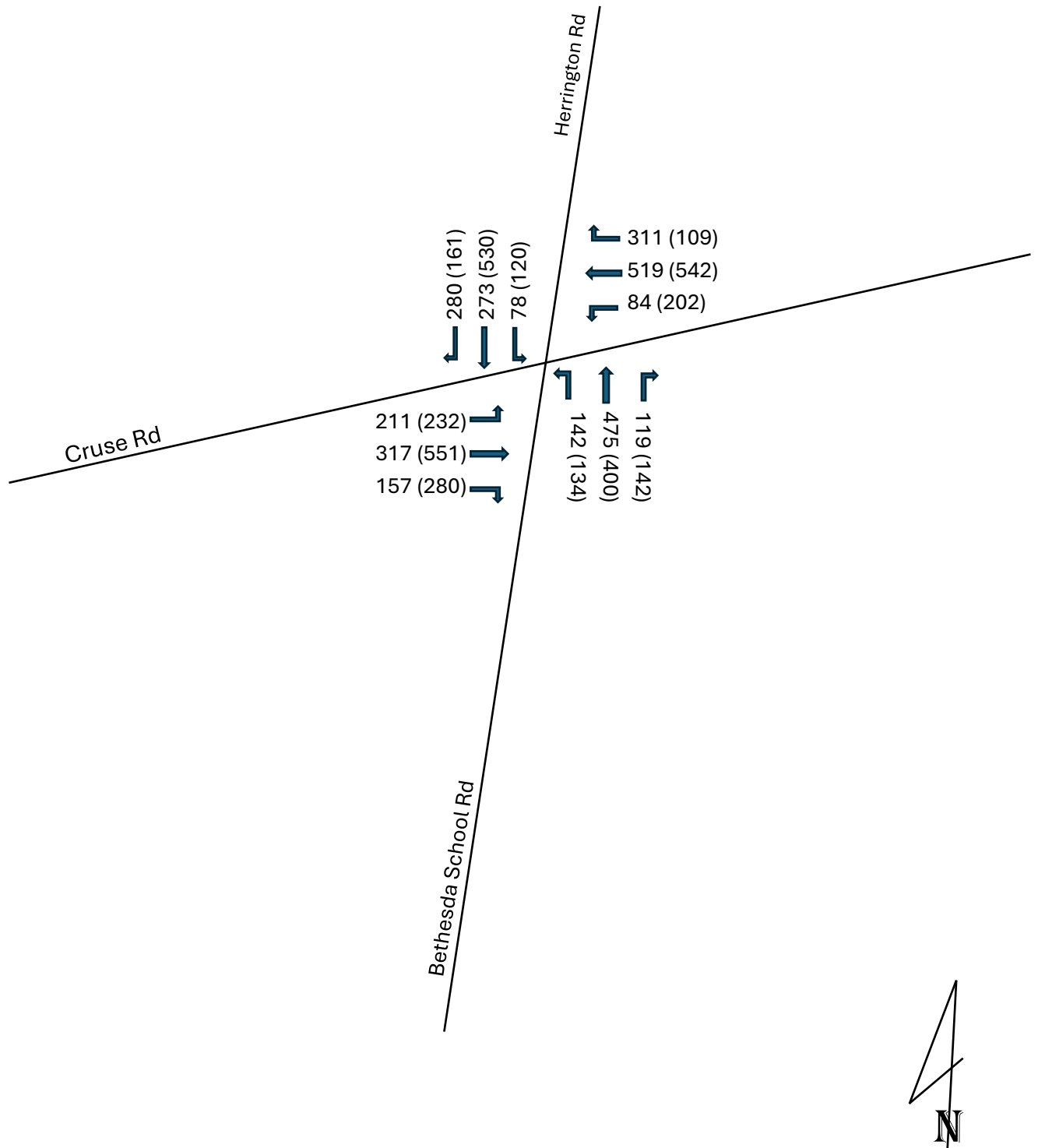
Annual Traffic Growth

Historic traffic data was used as provided by the Georgia Department of Transportation to calculate the annual traffic growth in this area of the proposed site development. Per the GDOT TADA database, Count Station #135-6701, over a 9-year period, there were three years that traffic was actually counted. Within the 9-year time span, data indicated that traffic decreased at an average annual rate of 1.40%. A 1.0% growth rate was agreed to by Gwinnett County and was used in the traffic projections.

Projected Traffic Volumes

The 1% annual growth rate was used to project the ADTs to the base or opening year of the proposed development and the 20-year horizon as shown in Table 3.

Table 3. Projected Traffic Volumes				
Roadway	Current ADT Volumes	$FV = PV(1+r\%)^t$	Opening year (2027)	20-Year Horizon (2047)
Cruse Road	15,122		15,426	18,823
Bethesda School Road	18,369		18,738	22,864



AM (PM)

FIGURE 3. EXISTING PEAK HOUR VOLUMES – 2025

Existing Traffic Operations

Existing 2025 traffic operations were analyzed at the study intersections in accordance with the HCM methodology. The results of the analyses are shown in Table 4.

TABLE 4 - EXISTING INTERSECTION OPERATIONS			
Intersections	Traffic Control	LOS (Delay, sec.)	
		AM Peak Hour	PM Peak Hour
Cruse Rd @ Bethesda School Rd	Signalized	D (48.8)	D (46.7)

The results of existing traffic operations analysis indicate the signalized intersection of Cruse Road at Bethesda School Road/Herrington Road is operating at an acceptable level-of-service “D” during the AM and PM peak hours.

The existing traffic control and lane geometry for the intersections are shown in Figure 4.

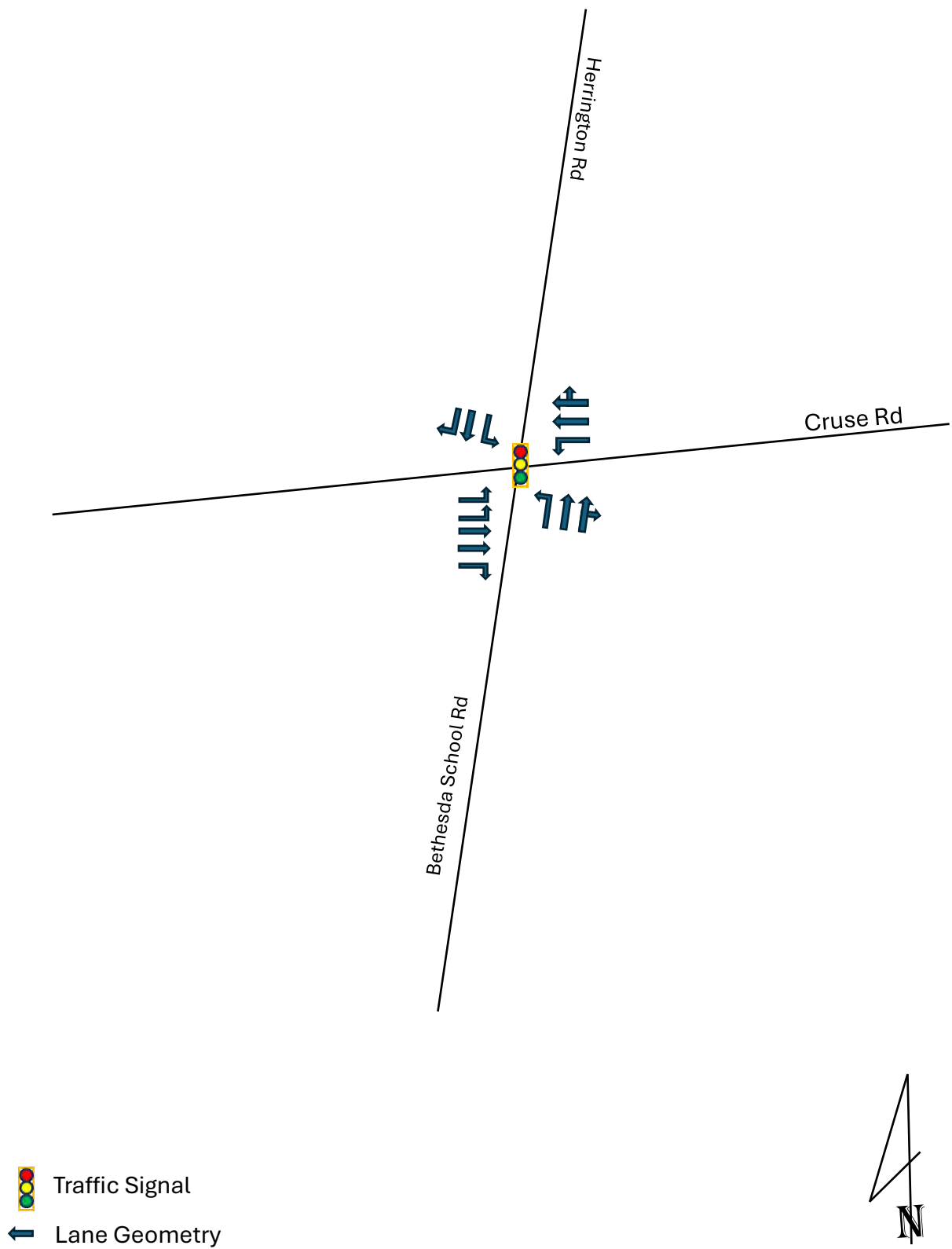


FIGURE 4. Existing Traffic Control and Lane Geometry

Proposed Development

The purpose of this study is to determine the traffic impact that will result from the proposed retail development located on Cruse Road and Bethesda School Road in Gwinnett County, Georgia. The proposed retail development will consist of 3 restaurants and 9 - 1,402 sq. ft. retail stores. A site plan is shown in Figure 5.

The development proposes access at the following locations:

- Site Driveway 1: Right-In/Right-Out driveway on Cruse Road
- Site Driveway 2: Right-In/Right-Out driveway on Bethesda School Road

Trip Generation

Trip generation estimates for the project were based on the rates and equations published in the 11th Edition of the Institute of Transportation Engineers (ITE) Trip Generation report. This reference contains traffic volume count data collected at similar facilities nationwide. The trip generation was based on the following ITE Land Use: 822 - *Strip Retail Plaza <40ksf and 930 - Fast Casual Restaurant*. The calculated total trip generation for the proposed development is shown in Table 5.

As shown in Table 5, the trips generated by this development consist of primary trips only. This is due to the nature of the proposed land uses. Primary trips are new trips on the roadway network. Primary trips typically enter the site and exit in the direction from which they entered or back to its origin.

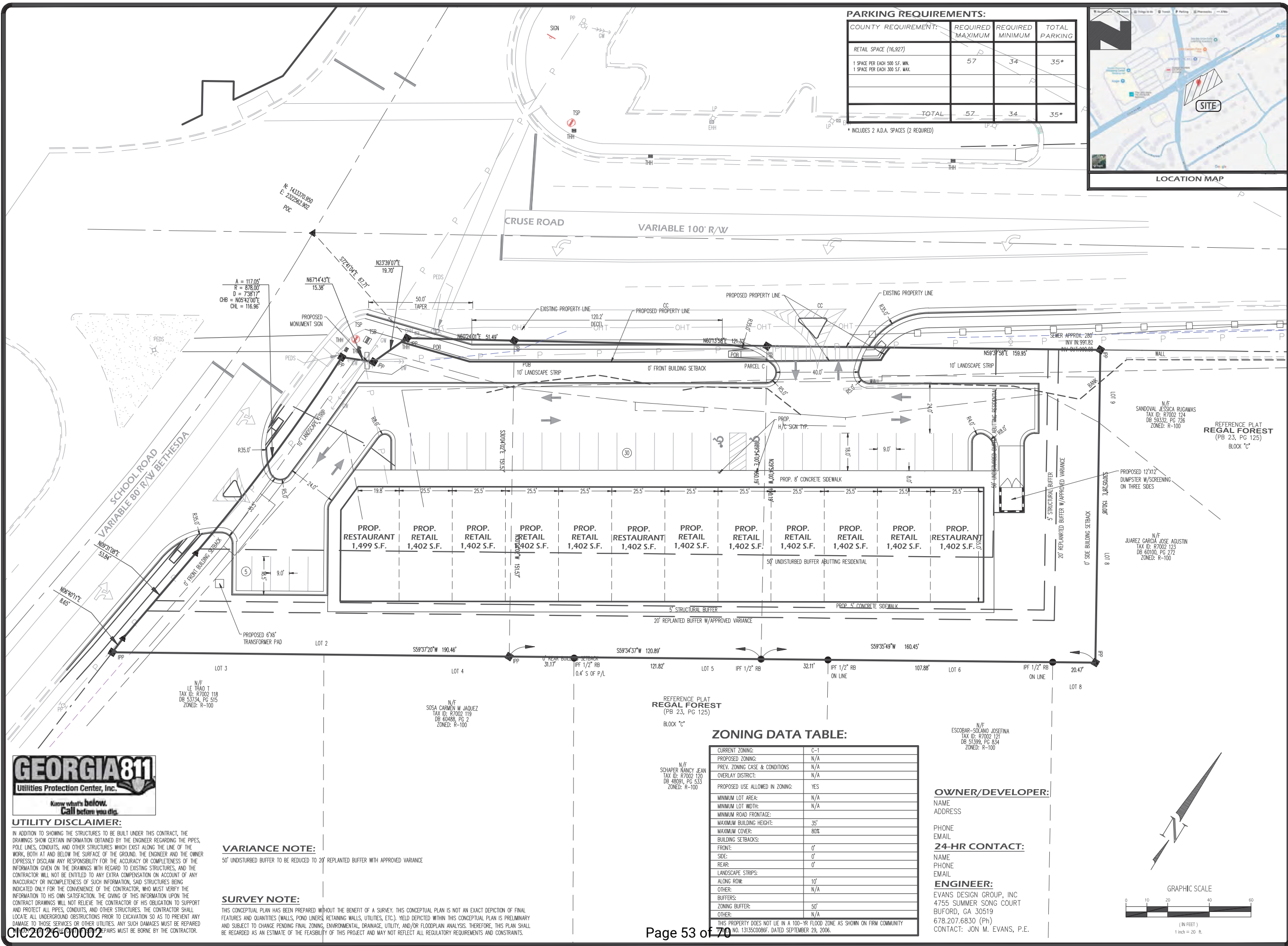
TABLE 5 - Trip Generation - Proposed Development								
Land Use (Code)	Intensity	Daily Trips	AM Peak Hr.			PM Peak Hr.		
			Enter	Exit	Total	Enter	Exit	Total
Strip Retail Plaza (<40k) (822)	12.618 sf	686	18	12	30	42	41	83
Fast Casual Restaurant (930)	1,499 sf	146	1	1	2	10	9	19
2 - Fast Casual Restaurant (930)	2,804 sf	272	2	2	4	20	16	36
Total Trips		1,104	21	15	36	72	66	138

Trip Distribution

Trip distribution for each land use is calculated using the data provided by ITE Trip Generation. The trip distribution determines the percentage of trips entering and exiting the proposed site. The total trip patterns for the proposed land uses will be consistent with the existing background traffic.

Since Cruse Road is an undivided roadway, no U-turn maneuvers are permitted. Therefore, all trips entering into the site will enter from the west on Cruse Road, from the south on Bethesda School Road and southbound left turns from Herrington Road into the site's right-in/right-out driveways.

After the trips were distributed along the existing roadway network, they were then assigned to the access point of the proposed development with a certain level of reasonableness, based on the location of the driveways and the land use layout, as shown in Figure 6 through Figure 8. Figure 9 shows the total trips generated by the combined land uses on the site.



PARKING REQUIREMENTS:			
COUNTY REQUIREMENT:	REQUIRED MAXIMUM	REQUIRED MINIMUM	TOTAL PARKING
RETAIL SPACE (16,927)			
1 SPACE PER EACH 500 S.F. MIN.	57	34	35*
1 SPACE PER EACH 300 S.F. MAX.			
TOTAL	57	34	35*



Evans Design Group, Inc.
Civil Engineering /
Site Planning /
Land Development Services
4755 Summer Song Court
Buford, GA 30519
(Ph) 678.207.6830
jevans@evansdg.com



PROJECT NAME
**CRUSE RD
RETAIL**

**2606 CRUSE RD NW
L.L. 002, 7th DIST.
GWINNETT COUNTY
GEORGIA**

DATE:
03-10-25

DESIGN BY: JME
DRAWN BY: JME
CHECKED BY: JME

☐ Not Released For Construction
☒ Released For Construction

OWNER/DEVELOPER

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HEREIN WITHOUT WRITTEN PERMISSION
FROM AND DUE COMPENSATION TO EVANS
DESIGN GROUP, INC.

REVISIONS	

JOB NUMBER:
25-012

SHEET TITLE
**SITE
PLAN**

C-4yp

ZONING DATA TABLE:

CURRENT ZONING:	C-1
PROPOSED ZONING:	N/A
PREV. ZONING CASE & CONDITIONS	N/A
OVERLAY DISTRICT:	N/A
PROPOSED USE ALLOWED IN ZONING:	YES
MINIMUM LOT AREA:	N/A
MINIMUM LOT WIDTH:	N/A
MINIMUM ROAD FRONTAGE:	N/A
MAXIMUM BUILDING HEIGHT:	35'
MAXIMUM COVER:	80%
BUILDING SETBACKS:	
FRONT:	0'
SIDE:	0'
REAR:	0'
LANDSCAPE STRIPS:	
ALONG ROW:	10'
OTHER:	N/A
BUFFERS:	
ZONING BUFFER:	50'
OTHER:	N/A
THIS PROPERTY DOES NOT LIE IN A 100-YR FLOOD ZONE AS SHOWN ON FIRM COMMUNITY MAP NO. 13135C0086F, DATED SEPTEMBER 29, 2006.	

OWNER/DEVELOPER:

NAME
ADDRESS

PHONE
EMAIL

24-HR CONTACT:

NAME
PHONE
EMAIL

ENGINEER:

EVANS DESIGN GROUP, INC
4755 SUMMER SONG COURT
BUFORD, GA 30519
678.207.6830 (Ph)
CONTACT: JON M. EVANS, P.E.



UTILITY DISCLAIMER:

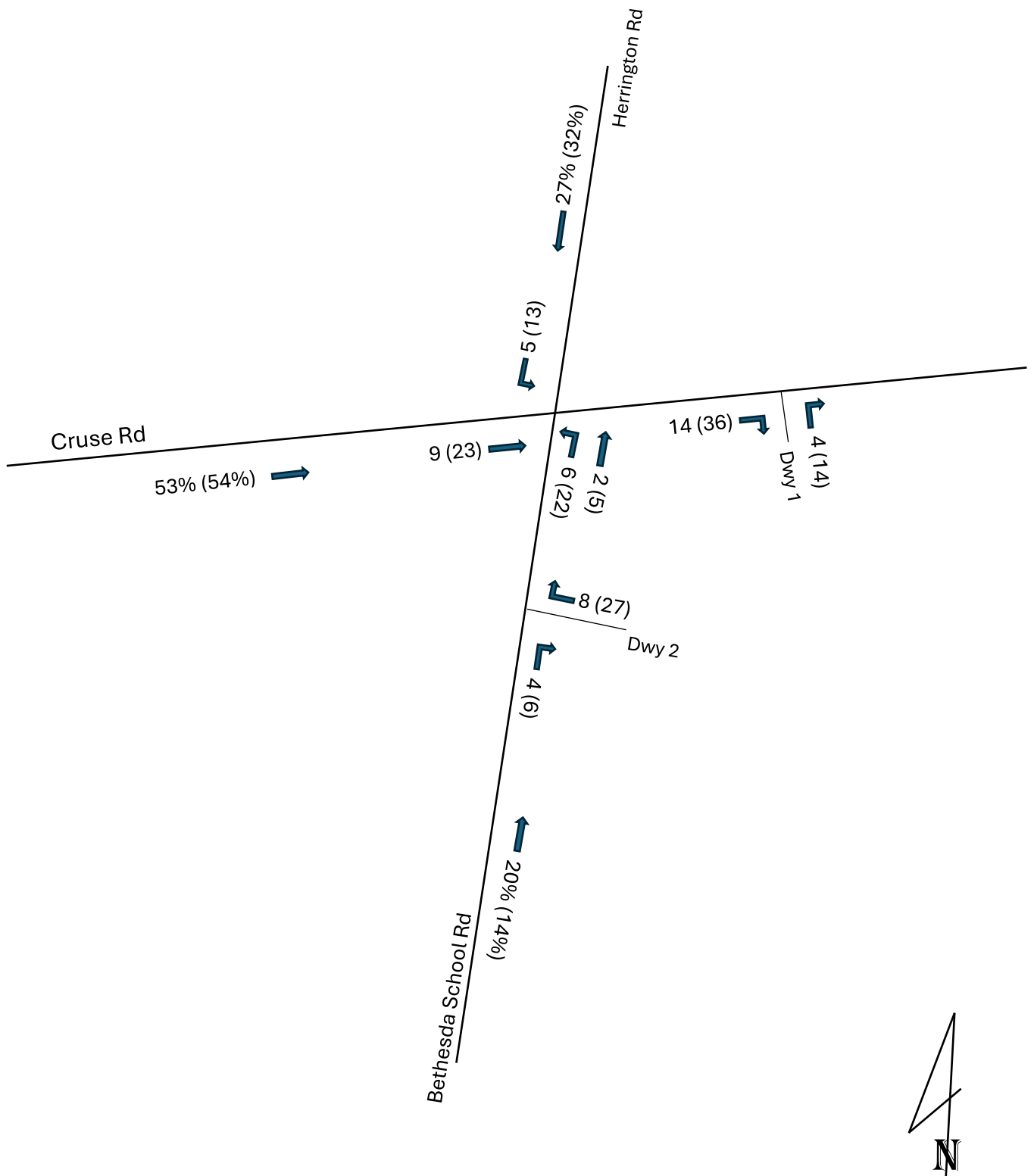
IN ADDITION TO SHOWING THE STRUCTURES TO BE BUILT UNDER THIS CONTRACT, THE DRAWINGS SHOW CERTAIN INFORMATION OBTAINED BY THE ENGINEER REGARDING THE PIPES, POLE LINES, CONDUITS, AND OTHER STRUCTURES WHICH EXIST ALONG THE LINE OF THE WORK, BOTH AT AND BELOW THE SURFACE OF THE GROUND. THE ENGINEER AND THE OWNER EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION GIVEN ON THE DRAWINGS WITH REGARD TO EXISTING STRUCTURES, AND THE CONTRACTOR WILL NOT BE ENTITLED TO ANY EXTRA COMPENSATION ON ACCOUNT OF ANY INACCURACY OR INCOMPLETENESS OF SUCH INFORMATION, SAID STRUCTURES BEING INDICATED ONLY FOR THE CONVENIENCE OF THE CONTRACTOR, WHO MUST VERIFY THE INFORMATION TO HIS OWN SATISFACTION. THE GIVING OF THIS INFORMATION UPON THE CONTRACT DRAWINGS WILL NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATION TO SUPPORT AND PROTECT ALL PIPES, CONDUITS, AND OTHER STRUCTURES. THE CONTRACTOR SHALL LOCATE ALL UNDERGROUND OBSTRUCTIONS PRIOR TO EXCAVATION SO AS TO PREVENT ANY DAMAGE TO THOSE SERVICES OR OTHER UTILITIES. ANY SUCH DAMAGES MUST BE REPAIRED BY THE CONTRACTOR.

VARIANCE NOTE:

50' UNDISTURBED BUFFER TO BE REDUCED TO 20' REPLANTED BUFFER WITH APPROVED VARIANCE.

SURVEY NOTE:

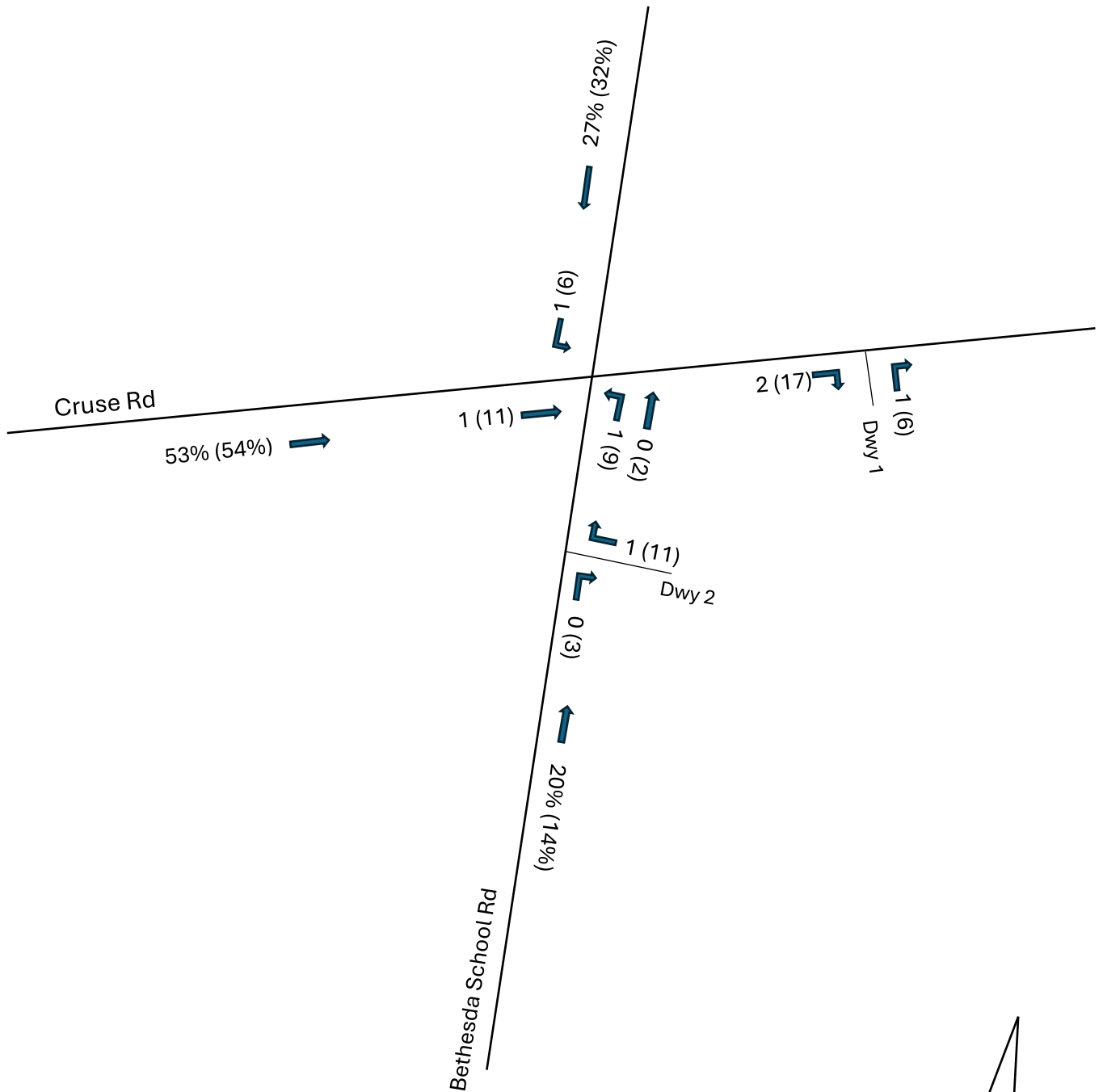
THIS CONCEPTUAL PLAN HAS BEEN PREPARED WITHOUT THE BENEFIT OF A SURVEY. THIS CONCEPTUAL PLAN IS NOT AN EXACT DEPICTION OF FINAL FEATURES AND QUANTITIES (WALLS, POND LINERS, RETAINING WALLS, UTILITIES, ETC.). YIELD DEPICTED WITHIN THIS CONCEPTUAL PLAN IS PRELIMINARY AND SUBJECT TO CHANGE PENDING FINAL ZONING, ENVIRONMENTAL, DRAINAGE, UTILITY, AND/OR FLOODPLAIN ANALYSIS. THEREFORE, THIS PLAN SHALL BE REGARDED AS AN ESTIMATE OF THE FEASIBILITY OF THIS PROJECT AND MAY NOT REFLECT ALL REGULATORY REQUIREMENTS AND CONSTRAINTS.



AM (PM)

FIGURE 6. TRIP DISTRIBUTION AND SITE GENERATED WEEKDAY PEAK HOUR VOLUMES - Strip Retail Plaza

AM (PM)



AM (PM)

FIGURE 7. SITE GENERATED WEEKDAY PEAK HOUR VOLUMES -
2 Restaurant @ (1,402 sq. ft. ea.)

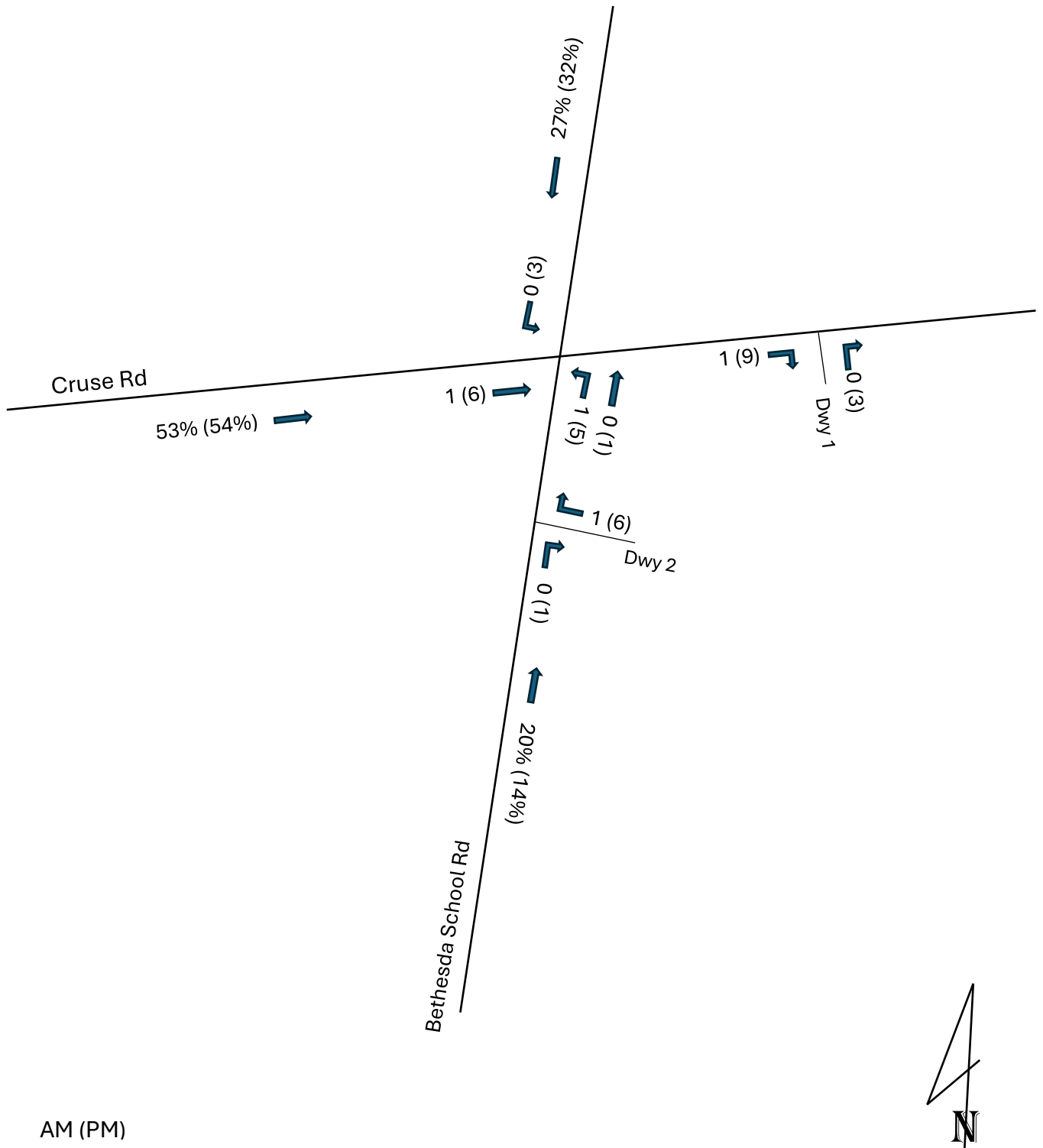


FIGURE 8. SITE GENERATED WEEKDAY PEAK HOUR VOLUMES -
Restaurant (1,499 sq. ft.)

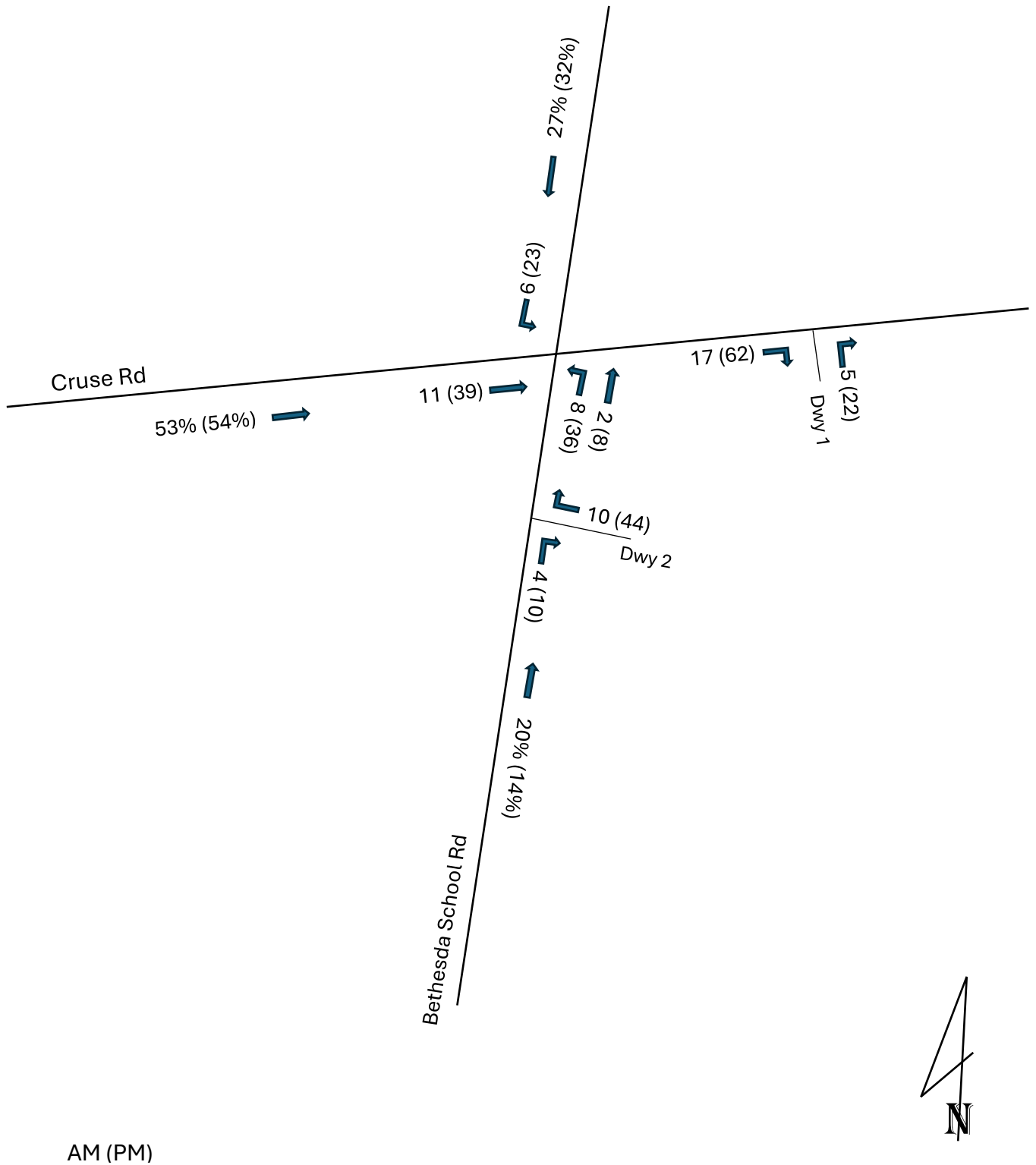


FIGURE 9. TOTAL SITE GENERATED WEEKDAY PEAK HOUR VOLUMES

Sight Distance

In accordance with the guidelines per Gwinnett County Unified Development Ordinance, Section 900-40.4 Corner Sight Distance, all driveways approaching a Minor Collector or Major Throughfare shall provide adequate corner sight distance, and shall meet or exceed the following design standards:

- A. The sight distance criteria are based on the time required for a vehicle to make a left turn from a stop controlled approach to the Highway (AASHTO Case B1). The time to execute the maneuver is based on recommendations contained in NCHRP Report 383, Intersection Sight Distance. The sight distances, for a two-lane road, are the distances traveled at the arterial speed during 7.5 seconds. The time is increased by 0.5 seconds for each additional lane to be crossed.
- B. The sight distances given in [Table 900.2](#) are for undivided highways and streets. If the highway or street is divided, the effect of the median should be considered in determining the required sight distance. Based on the conditions, it may be feasible for the crossing maneuver to be done in two stages with a stop in the median. However, the intersection should only be treated in this manner if the signing and marking is accordingly provided. Otherwise, the sight distance requirements should be increased to account for the additional width that must be crossed. See AASHTO Green Book, Chapter 9 Intersections, for adjustments due to grades greater than 3 percent and design vehicles other than passenger cars.

Per Table 900.2 Sight Distance, the minimum required sight distance is as follows:

Cruse Road - $1.47 (40\text{mph})(7.5 \text{ sec.}) = 441.00 \text{ feet}$ (**design 445 feet**)

Bethesda School Road - $1.47 (35\text{mph})(7.5 \text{ sec.}) = 385.88 \text{ feet}$ (**design 390 feet**)

$$\text{ISD} = 1.47(V_{\text{major}}) t_g \quad \text{where,}$$

V_{major} is the design speed of the major roadway (mph)

t_g is the time gap for the design vehicle (sec)

7.5 seconds for passenger vehicles making a right turn

Future Identified Projects

Gwinnett County Department of Transportation does not have any future improvement programs or projects identified for implementation in the vicinity of the proposed site development.

Turn Lane Analysis

Included below are analysis for left-turn lanes and deceleration lanes for all site driveways per GDOT Regulations for Driveways and Encroachment Control manual. The analysis below are based off trip distribution included in aforementioned **Trip Distribution** section. According to the trip distribution, 343 vehicles will enter and 343 will exit the retail stores in the strip retail plaza; 141 vehicles will enter, and 141 vehicles will exit the restaurants for a total of 968 vehicles entering and exiting the site daily.

Tables 6 shows the minimum GDOT required number of right-turn vehicles to warrant a right-turn lane deceleration lane.

Table 6. GDOT Requirements for Deceleration Lanes				
Intersections	Right turn traffic (% total entering)	Right-turn vol (veh/day)	Roadway Speed/Lanes/ ADT	GDOT Threshold (veh/day)
Cruse Road @ Driveway #1	80%	$484 \times 0.80 = 387$	45 mph / >2- lanes / >6,000	75
Bethesda School Rd @ Driveway #2	20%	$484 \times 0.20 = 97$	35 mph / 2- lanes / >6,000	100

According to the deceleration required analysis, a right turn deceleration lane is required for driveway 1 on Cruse Road. A deceleration lane is not required for Driveway 2 on Bethesda School Road.

Since the development is proposing two right-in / right-out driveways, a left turn lane analysis was not required.

Summary Findings

The results of this Level 2 Traffic Impact Study for the proposed redevelopment of a strip retail plaza with restaurants that is less than 40,000 square feet overall indicate that, under existing conditions, the signalized intersection within the study area are currently operating at a Level of Service (LOS) D during the AM and PM peak hour.

Turn lane analyses were conducted at the proposed site's access points. Currently, there are no auxiliary or dedicated left-turn lanes on Cruse Road or Bethesda School Road serving the existing single residential housing units. However, based on GDOT's turn lane criteria, the analyses indicate that the volume of right turns on Cruse Road at the proposed Driveway 1 exceeds the threshold for a deceleration lane. As such, a deceleration lane is warranted at Driveway 1 but is not warranted at Driveway 2.

Recommendations

Based on the results of the turn lane analysis, the following is recommended:

Cruse Road at Driveway 1

At a posted speed limit of 40 mph, the right turn lane is recommended to be installed with 125 feet of storage and a 50-foot taper. Also, install sidewalk to match the existing sidewalk in-kind, along the proposed site frontage.

Both driveways should be designed in accordance with Gwinnett County Transportation standards for right-in/right-out driveways.

Exhibit I: Public Participation Plan and Report

[attached]



Public Participation Plan

1. Who do you intend to contact in addition to property owners within 1,000 feet of the site, if any?

The Applicant will notify all property owners within 1,000 feet of the site, with mailing addresses as provided by the Planning Department. The Applicant will also contact District 2 Planning Commissioners and Commissioner Ku.

2. Where do you plan to host the Public Participation Meeting? Ensure that the meeting is held in person at a convenient location for interested parties.

The meeting will be held at Gwinnett County Public Library, Five Forks Branch, 2780 Five Forks Trickum Road, Lawrenceville, Georgia 30044

3. What date and time do you plan to host the Public Participation Meeting? Ensure that the meeting is held at a convenient time for interested parties, e.g. not during typical work hours on weekdays.

The meeting will be held on Wednesday, October 15, 2025 at 5:30 p.m.

4. What is your method for providing opportunities for discussion with interested parties at the Public Participation Meeting?

The Applicant will conduct a brief presentation and overview of the proposed development and open up the meeting to address any questions or concerns from community members. The Applicant will also follow-up with any property owner that has additional questions following the public participation meeting.



Public Participation Report

- 1. List all groups that you notified of the requested application. Include a copy of the notification package and stamped Postal Service Form 3877 (attached) with itemized name and address of each addressee.**

All property owners within the notification zone were notified of the requested application. District 2 Planning Commissioners and Commissioner Ben Ku were notified of the public participation meeting via a calendar invitation from Counsel for Applicant.

- 2. Provide the date, time, and location of all meeting(s) that the applicant and/or representative attended to discuss an application with interested parties.**

The public participation meeting was held on Wednesday, October 15, 2025 from 5:30 p.m. to 6:30 p.m. at New Hope Christian Church, 1982 Old Norcross Road, Lawrenceville, GA

- 3. Provide the number of people who participated in the meeting(s). Include the sign-in sheet(s) with meeting date, time, location, and attendee names.**

There was one surrounding property owner in attendance. Attached is a copy of the sign-in sheet.

- 4. What issues and concerns were expressed by attendees at the meeting(s)?**

The property owner who attended the meeting inquired about the types of tenants/businesses that may occupy the spaces. It was explained that at this time, no specific tenants had been secured. The development will be targeted to neighborhood serving businesses as allowed under the existing C-1 zoning classification. The property owner in attendance also inquired about the traffic impact.

- 5. What are the applicant's responses to the issues and concerns that were expressed at the meetings? What changes to the development will be made?**

As noted, the tenants for the development have not been identified at this time. The applicant discussed the proposed right in/right out driveway onto Cruse Road, as well as the right in/right out driveway onto Bethesda Church Road. The traffic study indicates 36 total trips for AM peak hour, and 138 total trips for PM peak hour. A right turn decel lane will be required for the Cruse Road driveway.

Exhibit J: Internal and External Agency Review Comments

[attached]



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:		December 19, 2025	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 2	
Reviewer Email Address:		Brent.Hodges@gwinnettcountry.com	
Case Number:		CIC2026-00002	
Case Address:		884 Bethesda School Road, Lawrenceville, 30044	
Comments:		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
1	Cruse Road is a minor arterial. The Average Daily Traffic (ADT) volume is 20,246. Bethesda School Road is a major collector. The Average Daily Traffic (ADT) volume is 14,182.		
2	The nearest Ride Gwinnett facility is located 1.1 miles away at Boggs Road and Old Norcross Road (Stop 4007 / Route 40).		
3	Due to the proximity of the site and the site access from the signalized intersection of Bethesda School Road and Cruse Road (signal # 160), the site driveway from each roadway shall be restricted to a right-in/right-out design, so as to minimize conflict with the signalized operation as well as existing left and right turn lanes.		
4			
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
1			
2			
3			
4			
5			
6			
7			

Note: Attach additional pages, if needed

Revised 7/26/2021

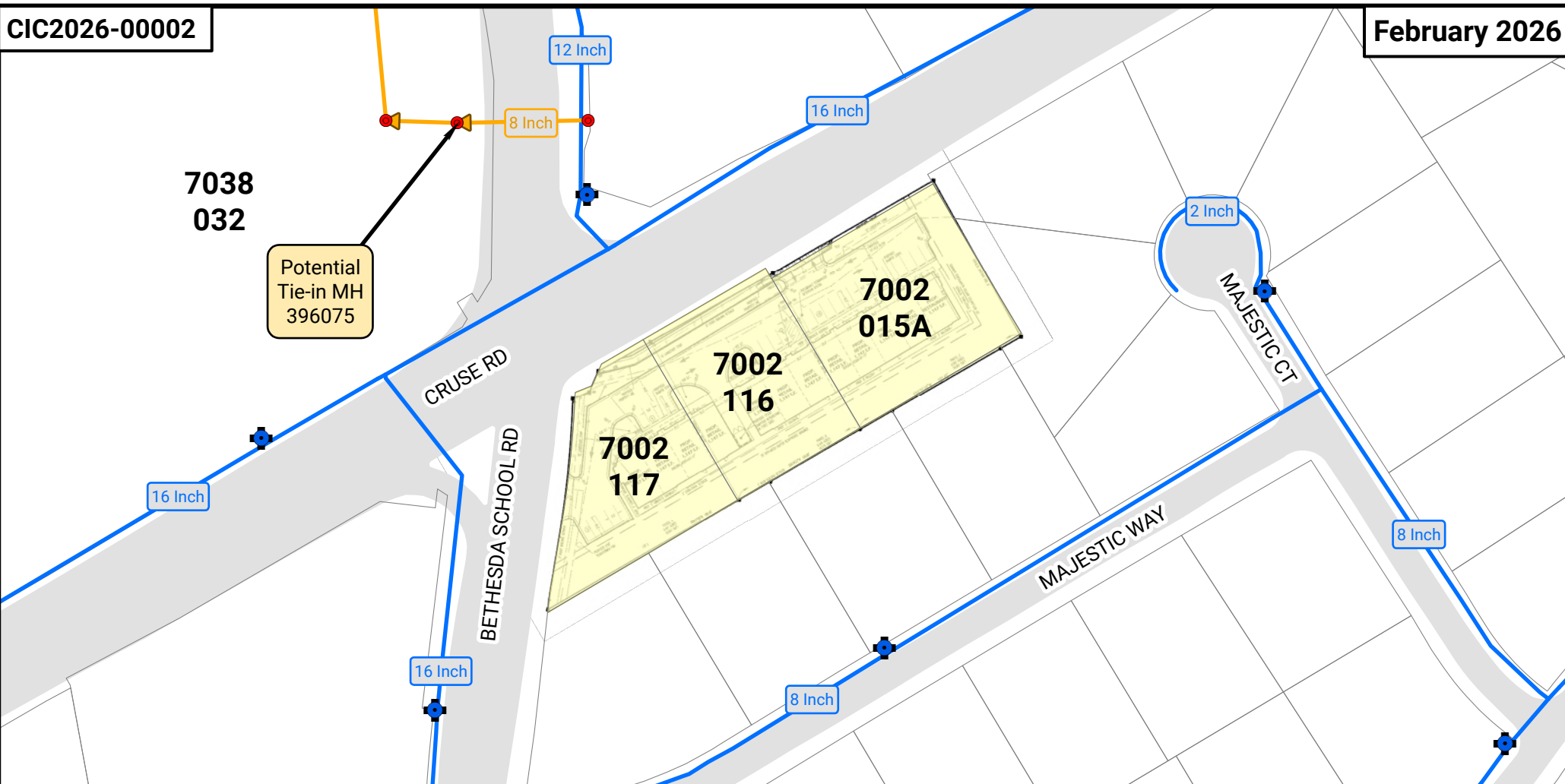


Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:			
Department/Agency Name:		DWR	
Reviewer Name:		Lorraine Campagne	
Reviewer Title:		Section Manager	
Reviewer Email Address:		Lorraine.campagne@gwinnettcountry.com	
Case Number:		CIC2026-00002	
Case Address:		884 Bethesda School Rd	
Comments:		<input checked="" type="checkbox"/>	YES
		<input type="checkbox"/>	NO
1	Water: The proposed development may connect to the existing 16-inch water main on the western right-of-way of Bethesda School Road or on the northern right-of-way of Cruse Road. A jack-and-bore will be required.		
2	Sewer: A Sewer Capacity Certification (C2025-302-11) was approved in November 2025 for 12 tenant spaces. The proposed development plans to connect to an existing 8-inch gravity sewer located on parcel 7038 032. Jack-and-bores across Cruse Road and Herrington Roads, as well as offsite easements, will be required.		
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/>	YES
		<input checked="" type="checkbox"/>	NO
1			
2			
3			
4			
5			
6			

Note: Attach additional pages, if needed

Revised 7/26/2021



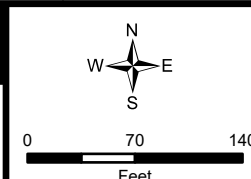
LEGEND

- | | | | | | |
|--|-----------------|--|---------------------|--|--------------------------|
| | Flow Management | | Hydrant | | Sewer Collector |
| | Pump Station | | City | | Sewer Interceptor |
| | Regional | | Water Main | | Sewer Force Main |
| | Manhole | | Proposed Water Main | | Proposed Sewer Collector |

884 Bethesda School Rd

C-1

Water & Sewer Utility Map



LOCATION



Water Comments: The proposed development may connect to the existing 16-inch water main on the western right-of-way of Bethesda School Road or on the northern right-of-way of Cruse Road. A jack-and-bore will be required.

Sewer Comments: A Sewer Capacity Certification (C2025-302-11) was approved in November 2025 for 12 tenant spaces. The proposed development plans to connect to an existing 8-inch gravity sewer located on parcel 7038 032. Jack-and-bores across Cruse Road and Herrington Roads, as well as offsite easements, will be required.

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

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

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

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

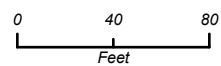
Exhibit K: Maps

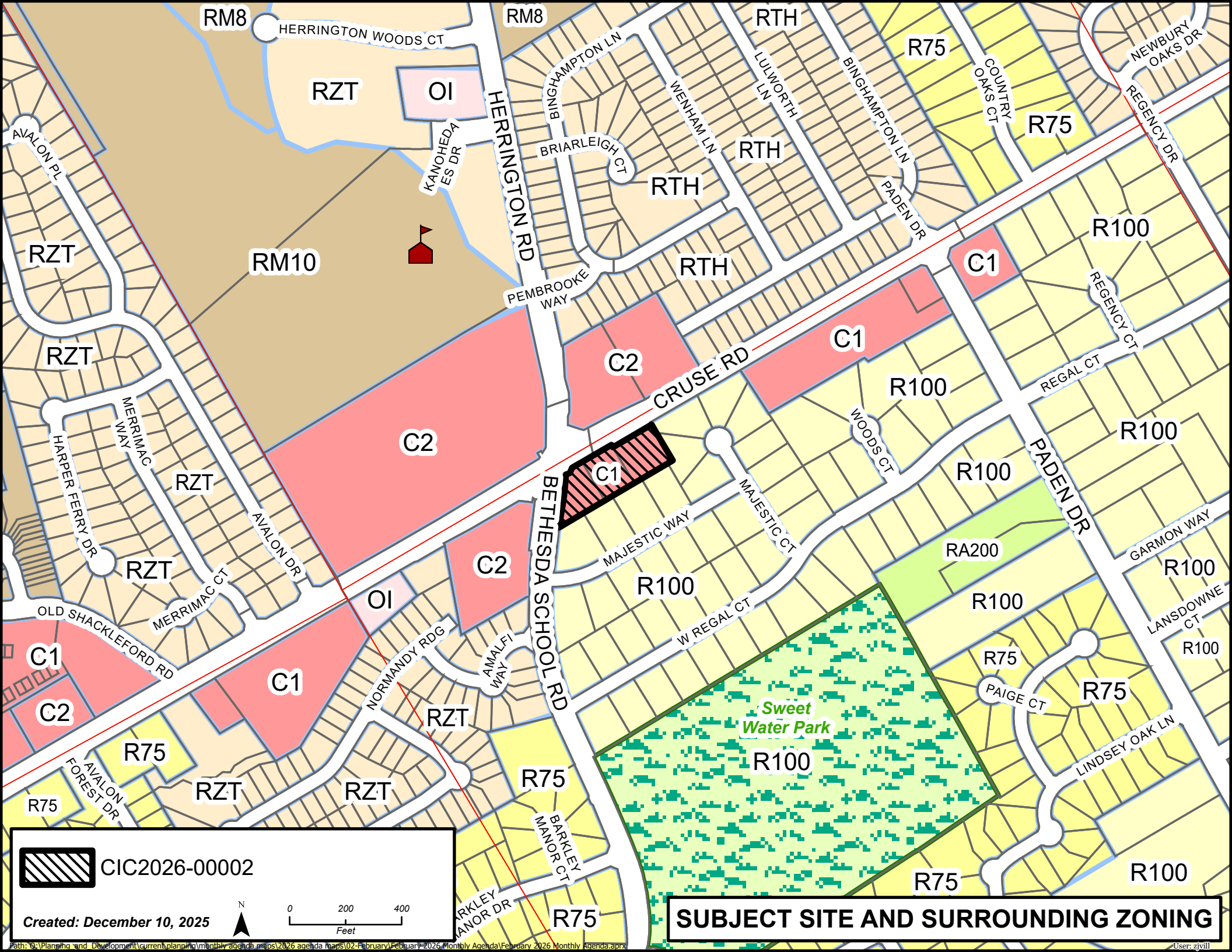
[attached]



CIC2026-00002

Created: December 10, 2025



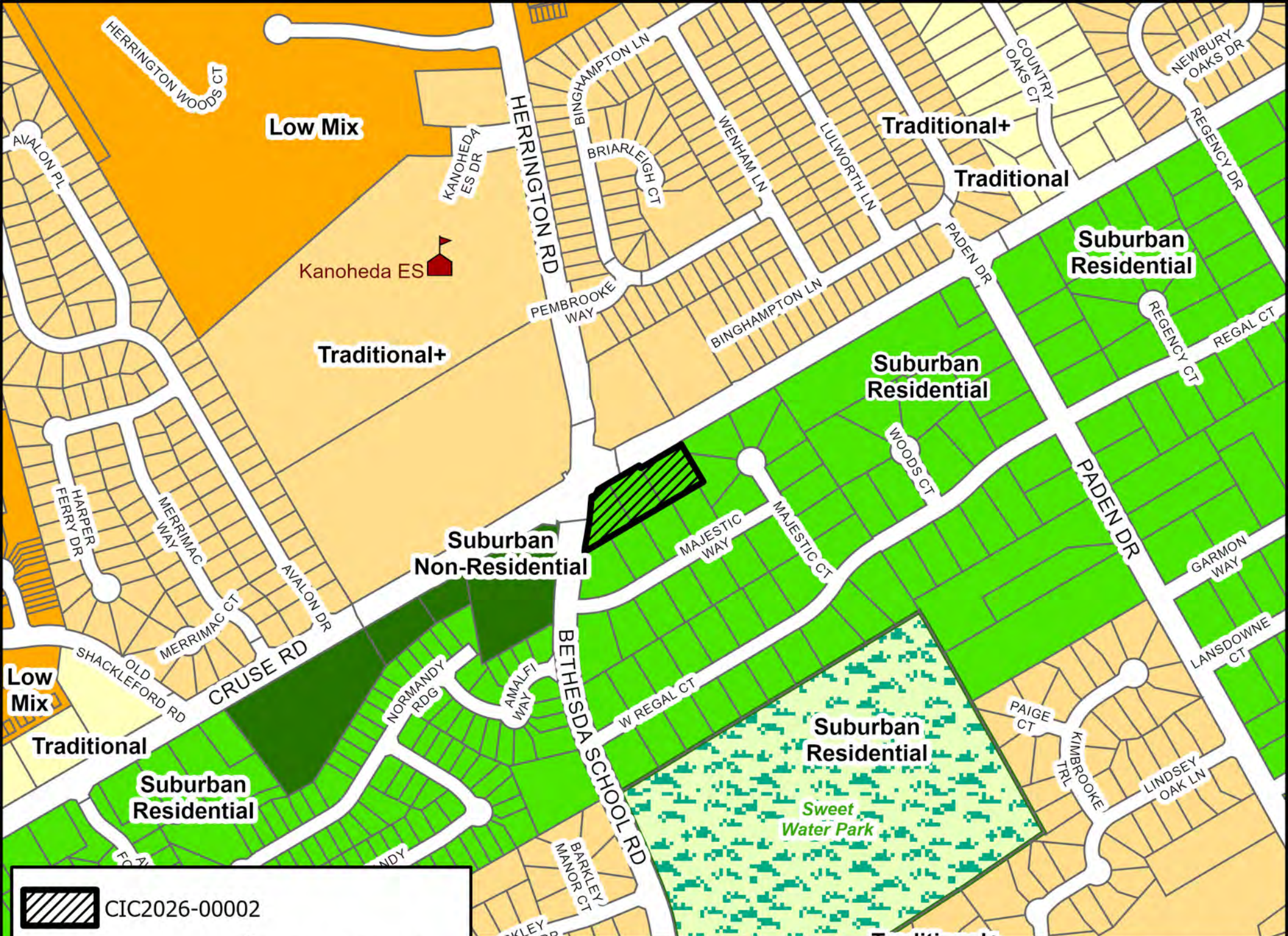


CIC2026-00002

Created: December 10, 2025



SUBJECT SITE AND SURROUNDING ZONING

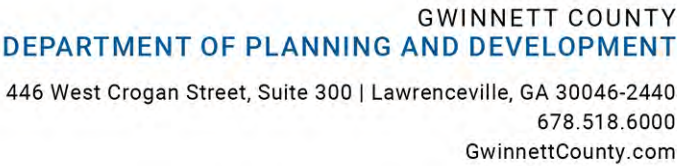


2045 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

Gwinnett County Board of Commissioners Agenda Request

GCID #		Group With GCID #:			
20260246				<input checked="" type="checkbox"/> Rezoning <input checked="" type="checkbox"/> Public Hearing	
Department:		Planning & Development		Date Submitted: 02/09/2026	
Working Session:		Business Session:		Public Hearing: 02/17/2026	
Submitted By:		yturruviates			
Agenda Type		Rezoning		Rezoning Type SUP	
Item of Business: 2026-00004, Applicant: Shaphalie Bavani; Owner: Cans Investors, LLC; Tax Parcel No. R6140 023; 6330 Lawrenceville Highway; Special Use Permit with Concurrent Variance in a C-2 Zoning District for a Hookah Lounge; 2.81 acres; District 2/Ku					
Land Lot:	140	Parcel:	023		
District:	6				
Attachments		Department Case Report with Planning Commission Recommendation			
Authorization:		Chairwoman's Signature? Yes			
Department Head		jjleitch (2/10/2026)			
District		For	Against	Abstained	Absent
District 1	Jamin Harkness	X			
District 1	Nick Nicolosi	X			
District 2	Anthony Crotser				X
District 2	Pinkie Farver	X			
District 3	Katrina Fellows	X			
District 3	Ben Archer	X			
District 4	Buzz Brockway	X			
District 4	Chris Franklin	X			
At Large	Scott Haggard	X			
Comments					

County Clerk Use Only Working Session <input type="text"/> Action <input type="text"/> Public Hearing Tabled <input type="text"/> Motion <input type="text"/> 2nd by <input type="text"/> <div style="border: 1px solid black; height: 100px; width: 100%;"></div> Vote	Planning and Development Recommendation: <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Conditions <input type="checkbox"/> Appr w/ Cond As <input type="text"/> <input type="checkbox"/> Deny w/out Prejudice <input checked="" type="checkbox"/> Deny PH was Held? <input type="checkbox"/> <input type="checkbox"/> No Recommendation	Planning Commission Recommendation: <input type="checkbox"/> Tabled - Date <input type="text"/> <input type="checkbox"/> Approve <input checked="" type="checkbox"/> Approve with Conditions <input type="checkbox"/> Approve with Conditions As <input type="text"/> <input type="checkbox"/> Deny <input type="checkbox"/> Deny w/out Prejudice <input type="checkbox"/> No Recommendation
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Planning Commission Advertised Public Hearing Date: 2/3/2026
Board of Commissioners Advertised Public Hearing Date: 2/17/2026

Applicant: Shaphalie Bavani
6330 Lawrenceville Highway
Tucker, GA 30084

Owner: Cans Investors, LLC
2239 Sugarloaf Club Drive
Duluth, GA 30097

Contact: Shaphalie Bavani

Phone: 404.948.7325

Zoning History

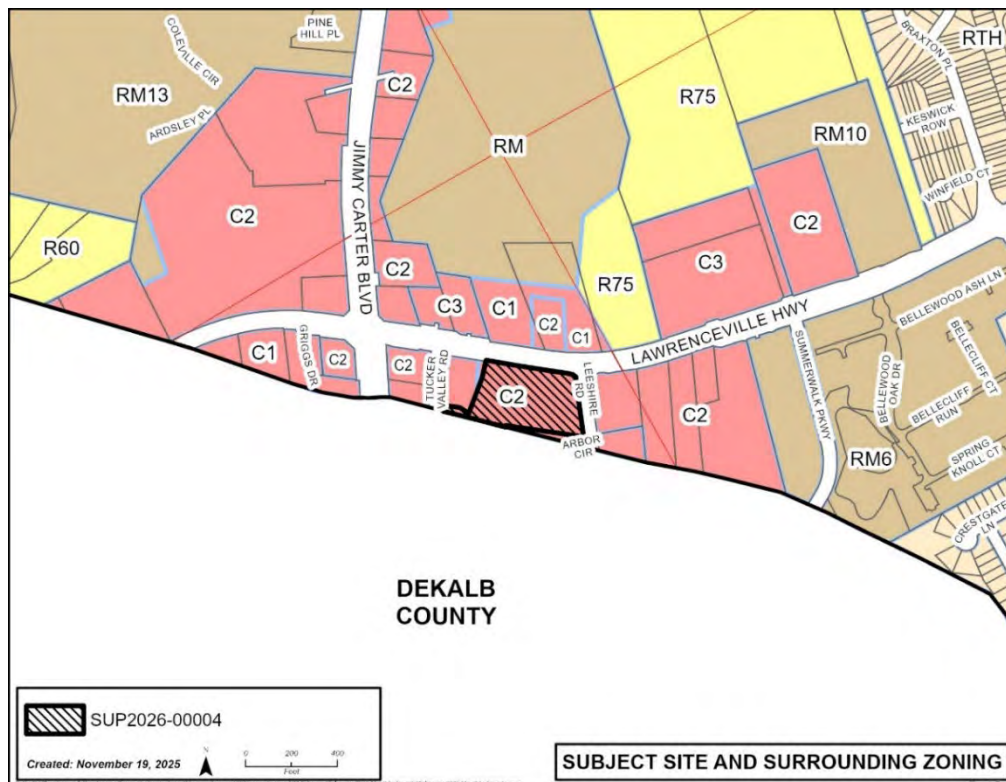
The subject property is zoned C-2 (General Business District). In 2010, the property was rezoned from C-1 (Neighborhood Business District) and C-2 to C-2, pursuant to RZC2010-00001.

Existing Site Condition

The subject property is a 2.81-acre parcel located along Lawrenceville Highway, east of its intersection with Jimmy Carter Boulevard. The property contains a one-story, approximately 32,000-square-foot multi-tenant commercial center with parking surrounding the building. There are two entrances along Lawrenceville Highway and one entrance along Leeshire Road. There are no sidewalks along the road frontages. The nearest Ride Gwinnett transit stop is approximately 100 feet from the subject property.

Surrounding Use and Zoning

The property is surrounded by a mixture of commercial, multifamily and single-family detached residential uses. Undeveloped commercial properties are located to the north, across Lawrenceville Highway. A convenience store with fuel pumps is located to the east, across Leeshire Road. Apartments and single-family residences within DeKalb County are located to the south. A retail establishment is located to the west. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning
Proposed	Hookah Lounge	C-2
North	Commercial (undeveloped)	C-1, C-2, C-3
East	Commercial (convenience store with fuel pumps)	C-2
South	Apartments and Single-Family Residential	RM-85 and R-75 (DeKalb County)
West	Commercial (retail)	C-2

Project Summary

The applicant requests a special use permit to allow the smoking of hookah in an existing 5,230-square-foot restaurant and bar. No modifications are proposed to the site.

A code enforcement case (CEU2024-03477) was initiated in April 2024, for the smoking of hookah at a lounge without a special use permit. This application aims to address the deficiencies.

Zoning and Development Standards

The following is a summary of applicable standards from the Unified Development Ordinance (UDO):

Standard	Required	Existing	Meets Standard?
Floor Area Ratio	Maximum 1.0	0.27	YES
Lot Coverage	80%	>80%	NO*
Building Height	Maximum 45'	<45'	YES
Off-Street Parking	Minimum 64 spaces Maximum 106 spaces	147 spaces	NO*
Alcohol and food	No alcohol or food allowed	Alcohol and food served	NO**

* The site was constructed in 1986 and is legally non-conforming.

**The applicant is requesting a variance from this standard.

Staff Analysis

Special Use Permit Analysis: The standards governing the exercise of zoning power are outlined in Section 270-20.6 of the UDO. Staff makes the following findings related to the zoning requests:

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

The proposed use abuts single-family residential uses to the south. The proposed special use permit is not suitable in view of the use and development of adjacent and nearby property.

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

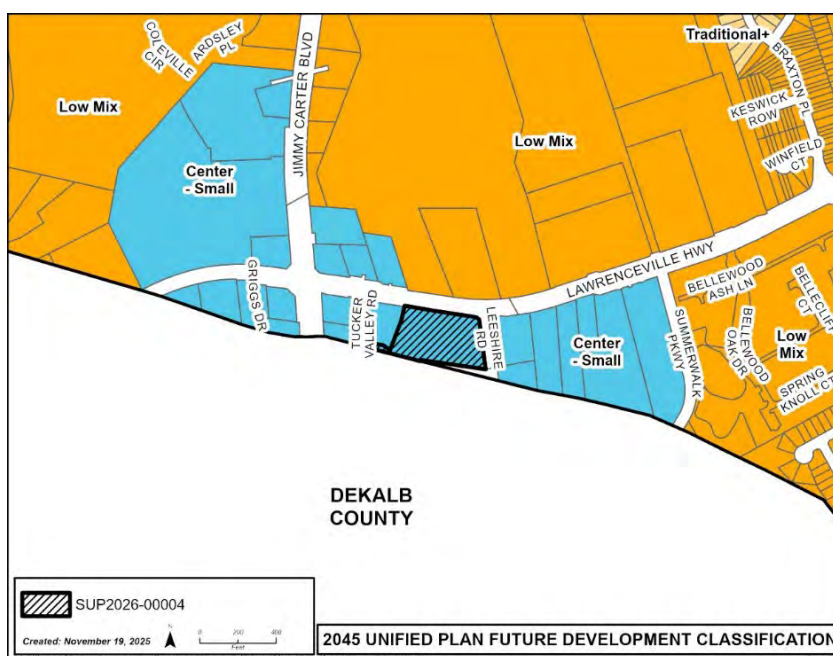
The existing establishment has been serving hookah without a special use permit since April 2024. Complaints from the neighbors have been received by Gwinnett County, regarding the use, noise, hours of operation and other related nuisance issues. The proposed special use permit would adversely affect the existing use or usability of adjacent or nearby property.

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

The property has a reasonable economic use as currently zoned.

No additional impacts on public facilities would be anticipated for the proposal in the form of traffic, utility demand, stormwater runoff, or schools.

The Unified Plan's Future Development Map indicates "Village Center – Small" for the subject property, which envisions small mixed-use centers with clusters of restaurants, retail, and diverse housing options to meet residents' daily needs. A hookah lounge is not expressly addressed in the Unified Plan, however the use is not complimentary to the use listed in this future development type. The proposed special use permit is not in conformity with the policy and intent of the Unified Plan and Future Development Map.



In 2022, Gwinnett County adopted the Smoke-Free Air Ordinance to protect public health and welfare by prohibiting smoking in public places, and public and private places of employment. Hookah bars are exempted if certain conditions are met, including not serving alcohol and food. The applicant is asking to vary from the established standard, which gives supporting grounds for denial of the special use permit.

Variance Request and Analysis:

The applicant is seeking a variance from the following provision of the UDO:

1. **Section 211-90.10.A Alcohol and Food Requirements.** The applicant requests to allow the smoking of hookah in an establishment that serves alcohol and food.

Analysis: Staff recommends denial of the special use permit, thus the denial of the variance.

Staff Recommendation

Based on the staff's evaluation of the request and the standards governing the exercise of zoning power, the Department of Planning and Development recommends **DENIAL** of the special use permit request and following variance:

1. To allow the smoking of hookah in an establishment that serves alcohol and food.

Planning Commission Recommendation

Based on staff's evaluation of the request, information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of the special use permit request and **APPROVAL** of the following variance request:

1. To allow the smoking of hookah in an establishment that serves alcohol and food.

Planning Commission Recommended Conditions (includes Staff Recommended Conditions, as Amended)

Approval of a special use permit for a Hookah Bar in C-2 (General Business District), subject to the following conditions:

1. The special use of suites 7, 8, and 9 shall be limited to a Hookah Lounge.
2. The special use permit shall be valid **until the end of the year, December 31 of 2026** ~~for a one-year period,~~ at which time the use shall cease, or an application shall be made for renewal of the Special Use Permit.

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Floorplan
- D. Letter of Intent and Applicant's Response to Standards
- E. Application and Disclosure of Campaign Contributions
- F. Internal and External Agency Review Comments
- G. Maps
- H. Documents Presented at the February 3, 2026, Planning Commission Public Hearing

Exhibit A: Site Visit Photos



View of multi-tenant commercial center



View of restaurant and lounge

Exhibit B: Site Plan

[attached]

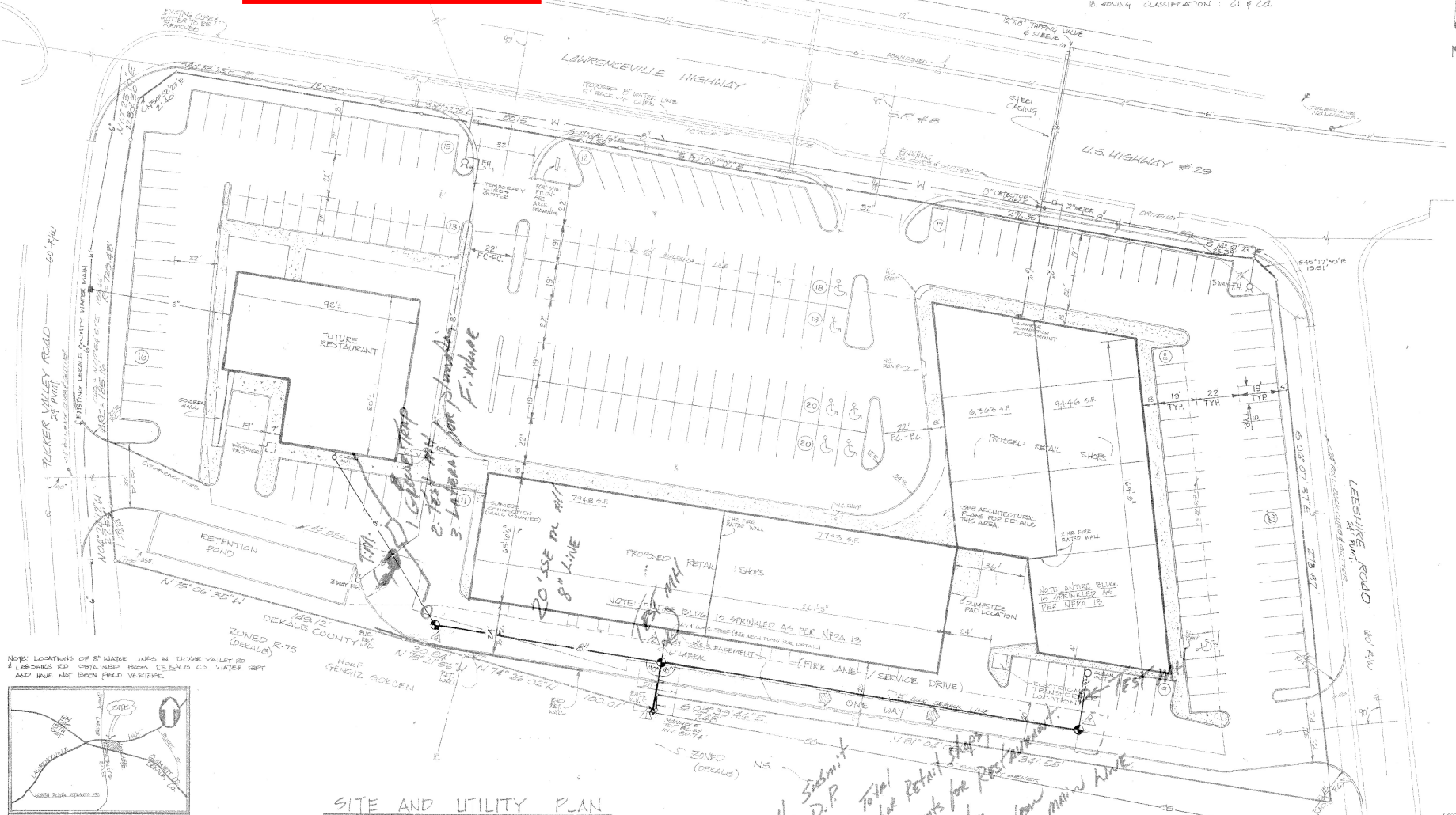
WINNETT COUNTY
PLANNING AND DEVELOPMENT

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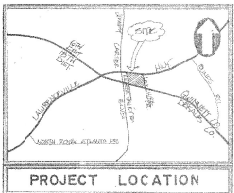
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GENERAL NOTES AND SITE INFORMATION

- 1) CONSTRUCTION SHALL CONFORM TO WINNETT COUNTY REQUIREMENTS.
- 2) ALL EROSION CONTROL MEASURES SHALL BE IN PLACE PRIOR TO BEGINNING CONSTRUCTION AND SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
- 3) ADDITIONAL EROSION CONTROL MEASURES TO BE PROVIDED AS REQUIRED.
- 4) ALL DISTURBED AREAS (ON-SITE AND OFF-SITE) SHALL BE REVEGETATED AS SOON AS POSSIBLE TO PREVENT EROSION.
- 5) CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL UTILITIES LOCATED AND SHALL PROTECT SAME DURING CONSTRUCTION.
- 6) CONTRACTOR SHALL VERIFY EXISTING FIELD CONDITIONS AND NOTIFY PROJECT ENGINEER OF ANY DISCREPANCIES.
- 7) ALL FILL SLOPES SHALL BE A MAX OF 2:1.
- 8) ALL CUT SLOPES SHALL BE A MAX OF 2:1.
- 9) BENCHMARK AND TOPOGRAPHIC INFORMATION FROM A SURVEY BY R.W. SPENCER JR., DATED 10/22/04.
- 10) TOTAL AREA = 3.615 ACRES.
- 11) TOTAL BUILDING AREA = 51,000 SQ. FT.
- 12) TOTAL NO. OF PARKING SPACES REQUIRED = 1500 SPACES (5 SPACES / 1000 SQ. FT.).
- 13) TOTAL NO. OF PARKING SPACES PROVIDED = 2111.
- 14) ONE 20' FT. X 50' FT. LOADING SPACE PROVIDED.
- 15) ALL DRAINAGE BASEMENTS SHALL BE TO BE GRADED AND PUMP-OUT AS REQUIRED FOR REGIONAL CONTROL.
- 16) THE WINNETT COUNTY INSPECTOR SHALL BE NOTIFIED 24 HRS. PRIOR TO BEGINNING EACH PHASE OF CONSTRUCTION.
- 17) DEKALB COUNTY DEPT. OF WATER & SEWER WILL TAP EXISTING MAIN & INSTALL METER, AND SURVEY THE TAP TO THE EXISTING SANITARY SEWER MAIN.
- 18) SEWER CLASSIFICATION: C1 & C2.



SITE AND UTILITY PLAN



BOULEVARD WALK

J.S. ROSS & ASSOCIATES

CONSULTING ENGINEERS
PLANNERS - SURVEYORS

SHEET
1



THE ORIGINAL SITE PLAN DOES NOT QUALIFY FOR RECORDING IN THE PUBLIC RECORDS OF THE STATE OF GEORGIA. THE ORIGINAL SITE PLAN IS THE PROPERTY OF J.S. ROSS & ASSOCIATES, INC. AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF J.S. ROSS & ASSOCIATES, INC.

SUP2026-00004

MR

Exhibit C: Floorplan

[attached]

RECEIVED

6/23/2025

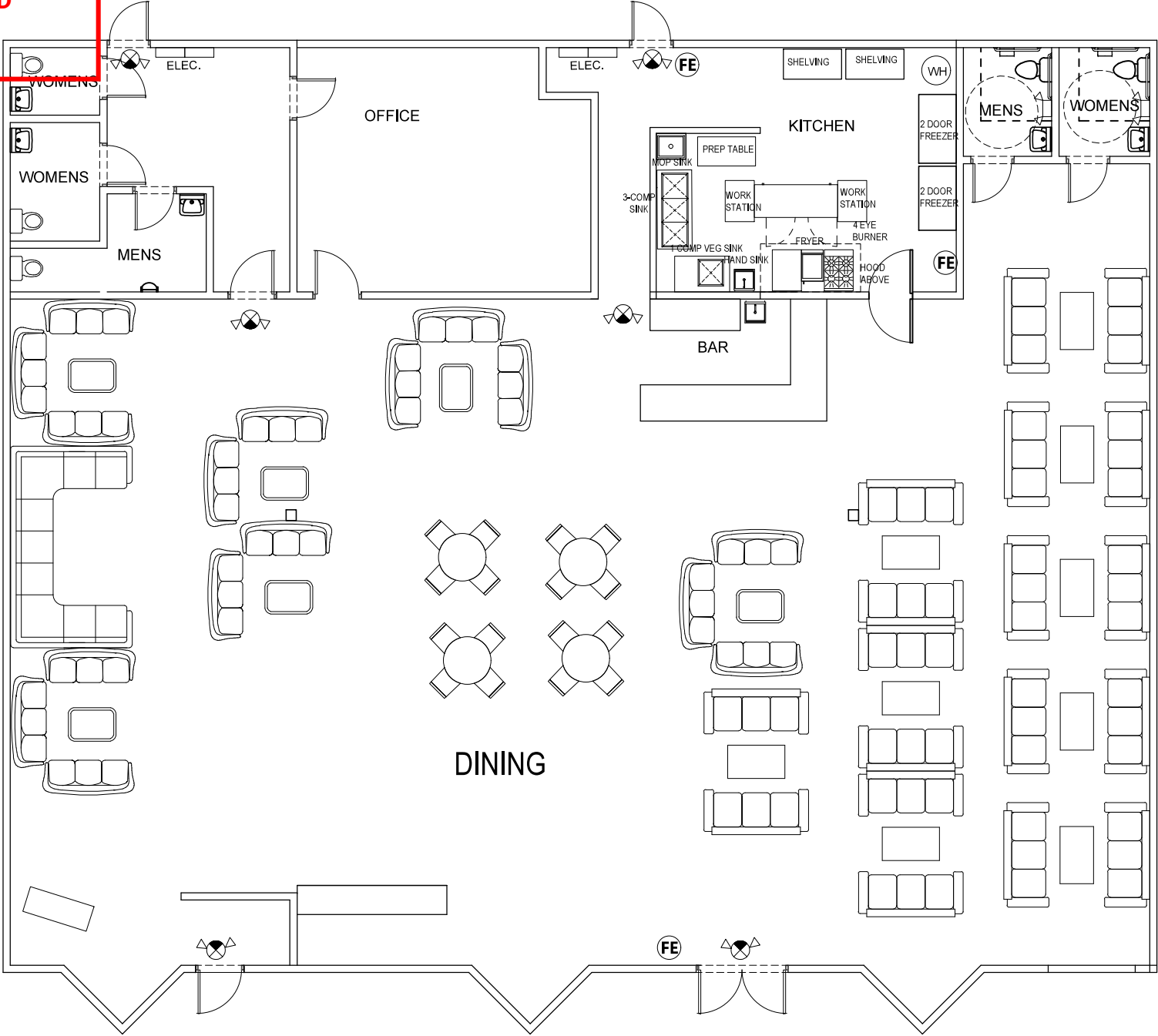


Exhibit D: Letter of Intent and Applicant's Response to Standards

[attached]

Tamaasha Lounge Inc
6330 Lawrenceville Hwy, Suite 7,8,9
Tucker, GA, 30084
Shaphalie.bavani@gmail.com
404-948-7325

June 05, 2025

To:

Planning and Zoning Division
Gwinnett County

RE: Letter of Intent – Request for Special Use Permit and Variance to Allow Hookah, Alcohol, and Food Service at One Location

Dear Planning and Zoning Staff,

I am writing on behalf of Tamaasha Lounge Inc located at 6330 Lawrenceville Hwy, Suite 7,8,9 Tucker GA 30084 to formally request a Special Use Permit and Variance to allow for the continued operation of our hookah lounge and restaurant, which offers hookah, alcohol, and food in a single establishment.

Our request specifically includes a variance to the County's Smoke-Free Ordinance, which restricts smoking—including hookah—on premises where food is served. While we fully respect the intent of this ordinance, we believe our long-standing operations demonstrate a unique and responsible exception that merits consideration.

Background and Current Operation:

Our establishment has been in continuous operation since 2021. In that time, we have built a reputation for being a safe, well-managed, and culturally vibrant venue that has not generated complaints, code violations, or negative impact on the surrounding community.

Notably, the location of our business is not situated in a high-traffic commercial corridor or dense residential zone, further minimizing any external impact. We have maintained excellent relationships with our neighbors and have consistently followed best practices to ensure that our operations remain compliant, discreet, and community-focused.

Basis for Variance Request:

We respectfully request a variance to allow the sale and consumption of hookah alongside food service at our existing location. This request is rooted in the following justifications:

- Demonstrated track record of compliance and harmony with the neighborhood since our establishment opened.
- Low-density traffic location, which reduces concerns regarding exposure or public nuisance.
- Physical layout and ventilation of our premises, which include separate zones and a strong HVAC system that limits smoke migration and upholds indoor air quality standards.
- Strict age verification procedures ensuring only patrons 21 and over are allowed to access hookah or alcohol.
- Cultural significance of hookah as a social experience when paired with food, which is a defining characteristic of our concept and clientele.

Community and Economic Contribution:

Our business supports the local economy through job creation, vendor partnerships, and by offering a safe and inclusive social space for adult patrons. We take pride in promoting diversity and community engagement through events, cultural programming, and responsible service practices.

Commitment:

If granted the variance and Special Use Permit, we will continue to:

- Operate within all safety, fire, and health code requirements.
- Maintain a smoke management system that meets county standards.
- Ensure sound and activity levels remain non-disruptive.
- Collaborate with county officials to ensure ongoing compliance.

Conclusion:

We are committed to working with the County to preserve the spirit of its ordinances while respectfully requesting a variance that reflects the unique nature of our business. We ask for your support in allowing us to legally continue the operation of hookah, food, and alcohol service in one location, as we have responsibly done since 2021.

We are available for any hearings, site visits, or further documentation that may be required.

Sincerely,
Simran Amlani

Owner / Applicant
Tamaasha Lounge Inc

Pursuant to requirements of the United 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.

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

YES. The proposed use is consistent with surrounding commercial development, which includes restaurants, lounges, and other retail businesses. Hookah and vapor-related establishments are not incompatible with the area's existing uses and will not alter the established character of the corridor.

- B. Whether a proposed special use permit will adversely affect the existing use or usability of adjacent or nearby property:

NO. The continued operation of Tamaasha Lounge in its current form—including hookah and vapor service—has not adversely affected neighboring properties. The variance simply preserves a longstanding, established use, and appropriate ventilation and operational controls can ensure no adverse impacts to nearby businesses or patrons.

- C. Whether the property to be affected by a proposed special use permit has reasonable economic use as currently zoned:

NO. Without the ability to offer hookah or vapor, the economic viability of the lounge is substantially impaired. Hookah service is a core part of the business model and customer experience, and disallowing this use under the current zoning would render the space economically infeasible for its intended and historically continuous use.

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

No. A lounge with the same format has operated at this location for some time and fully integrated into the infrastructure demands of the area. The requested variance does not expand the size or intensity of use, so there will be no additional burden on public facilities or services.

- E. Whether the proposed special use permit is in conformity with the policy and intent of the Unified Plan and Future Development Map:

YES. The subject property lies in a commercially designated corridor. Allowing a lounge that incorporates hookah/vapor services is consistent with the intent to support diverse, culturally inclusive, and economically vibrant commercial environments. The variance allows flexibility without violating the broader goals of the Unified 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 special use permit:

YES. The business has operated with hookah and vapor as a core feature prior to changes in nearby property uses or updates to county code. The proximity of a new location with potentially conflicting business interests should not retroactively impair the use rights of an existing, lawfully operating business. This long-standing use, coupled with recent changes in the area, supports the need for equitable treatment through variance approval.

Exhibit E: Application and Disclosure of Campaign Contributions

[attached]

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
Name: <u>Shaphalie Bavani</u>	Name: <u>Cans Investors LLC</u>
Address: <u>6330 Lawrenceville Hwy</u>	Address: <u>2239 Sugarloaf Club Dr</u>
City: <u>Tucker</u>	City: <u>Duluth</u>
State: <u>GA</u> ZIP: <u>30084</u>	State: <u>GA</u> ZIP: <u>30097</u>
Phone: <u>(404)948-7325</u>	Phone: <u>(404)948-7325</u>
Email: <u>shaphalie.bavani@gmail.com</u>	Email: <u>shaphalie.bavani@gmail.com</u>
Contact Person: <u>Shaphalie Bavani</u> Phone: <u>(404)948-7325</u>	
Contact's Email: <u>shaphalie.bavani@gmail.com</u>	
APPLICANT IS THE:	
<input checked="" type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER	
Existing/Proposed Zoning District(s): <u>C-2</u>	
Parcel Number(s): <u>R6140 023</u> Acreage: <u>2.81</u>	
Property Address(es): <u>6330 Lawrenceville Hwy</u>	
Proposed Development: <u>Hookah Lounge</u>	
Variance(s): <u>To allow hookah with alcohol and food</u> Waiver(s): <u>N/A</u>	
Building/Leased Sq. Ft.: <u>5,230</u> Floor Area Ratio: <u>N/A</u>	



Gwinnett

GWINNETT COUNTY
PLANNING AND DEVELOPMENT
PROPERTY OWNER CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon in less than six (6) months from the date of last action by the Board of Commissioners.

Property Owner

Name: CARS Investors LLC

Signature: [Signature]

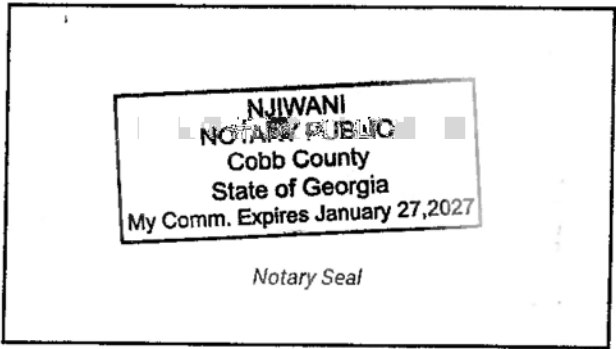
Date: 06/18/2025

Notary Public

Name: Niharika Jiwani

Signature: [Signature]

Date: 06.18.2025





Gwinnett

GWINNETT COUNTY
PLANNING AND DEVELOPMENT
PROPERTY TAX VERIFICATION

The undersigned certifies that all Gwinnett County property taxes are current. In no such case shall an application or reapplication be processed without such property tax verification.

Applicant Information

Name: TAMAASHA Lounge Inc / CANS INVESTORS LLC.

Signature: [Signature]

Date: 10/5/25

Property Information

Enter all parcel IDs in the table below. [Search for Parcel ID](#)

Parcel ID(s) (by Applicant)	Property Taxes Paid (Yes or No) (Tax Commissioner Use Only)
26140 023	Yes for 2024 / 2025 Due 11/15/25

Tax Commissioner Affirmation

All Gwinnett County property taxes are current for the above referenced parcel(s) and confirmed by the signature below.

Name: Jessilyn MS Duffe

Title: TSA

Signature: [Signature]

Date: 11/6/25



Disclosure of campaign contributions aggregating to \$250.00 or more to a member of the Board of Commissioners is required pursuant to Section 270-25.E. of the Unified Development Ordinance.

Name: Shaphalie Bavani

Relationship to Application: ☒ Applicant ☐ Representative of Applicant

Campaign Contributions? ☐ Yes ☒ No

Contributions:

Official Name	Contribution Amount	Date of Contribution	Contributor

Exhibit F: Internal and External Agency Review Comments

[attached]



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:		November 26, 2025	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 2	
Reviewer Email Address:		Brent.Hodges@gwinnettcountry.com	
Case Number:		SUP2026-00004	
Case Address:		6330 Lawrenceville Highway, Tucker, 30084	
	Comments:	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
1	Lawrenceville Highway (SR 8) is a principal arterial. The Average Daily Traffic (ADT) volume is 28,500.		
2	The nearest Ride Gwinnett facility is located approximately 100' away at Lawrenceville Highway and Tucker Valley Road (Stop 3075 / Route 30).		
3			
4			
5			
6			
7			
	Recommended Zoning Conditions:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
1			
2			
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7			

Note: Attach additional pages, if needed

Revised 7/26/2021

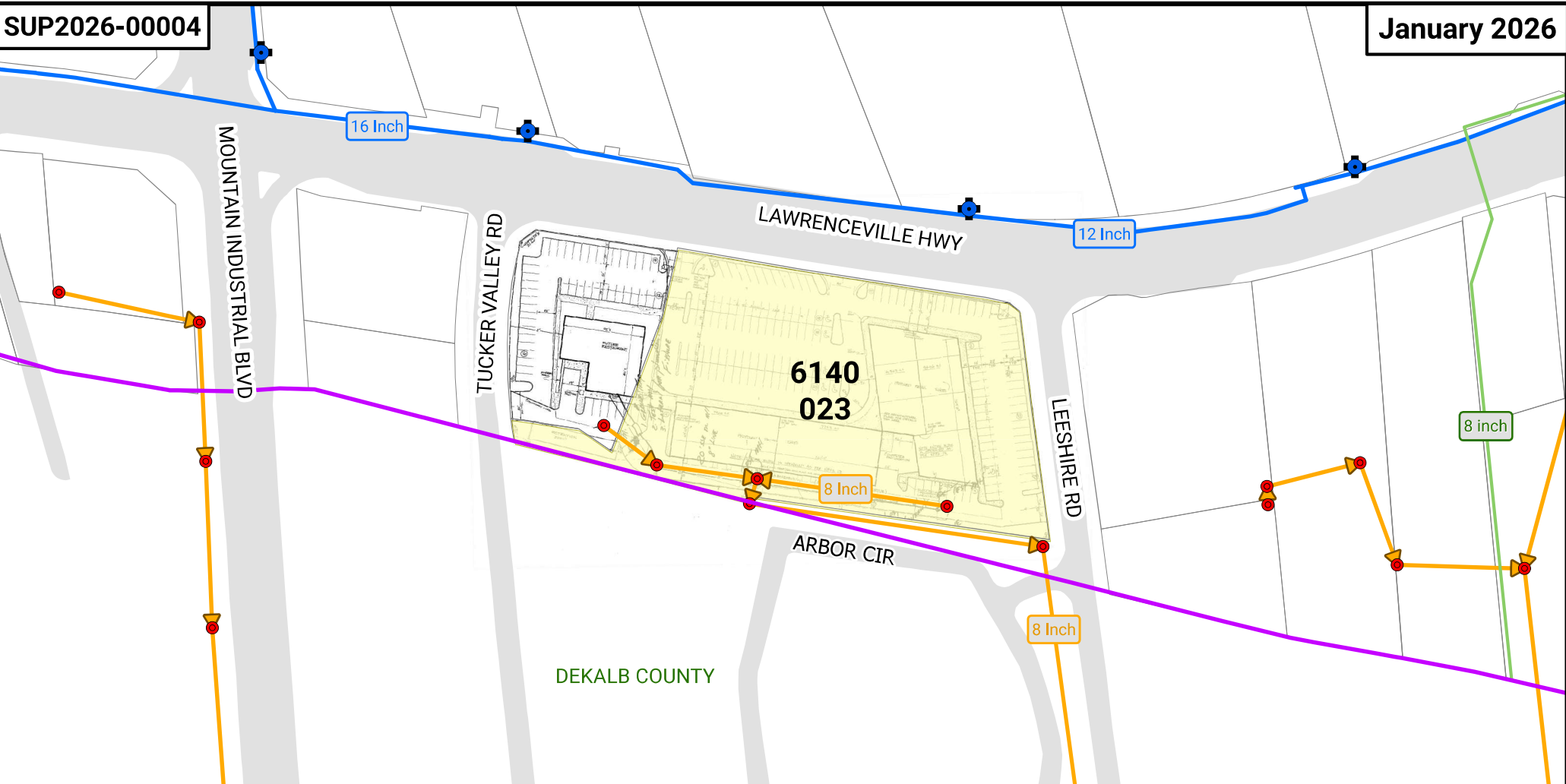


Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:		
Department/Agency Name:	DWR	
Reviewer Name:	Lorraine Campagne	
Reviewer Title:	Section Manager	
Reviewer Email Address:	Lorraine.campagne@gwinnettcountry.com	
Case Number:	SUP2026-00004	
Case Address:	6330 Lawrenceville Hwy	
Comments:		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
1	Water: GCDWR does not have comments for this Special Use Permit. The existing building is connected to public water.	
2	Sewer: GCDWR does not have comments for this Special Use Permit. The existing building is connected to public sewer.	
3		
4		
5		
6		
7		
Recommended Zoning Conditions:		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
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Note: Attach additional pages, if needed

Revised 7/26/2021

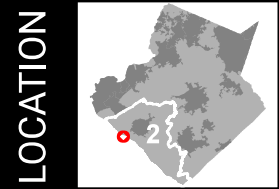
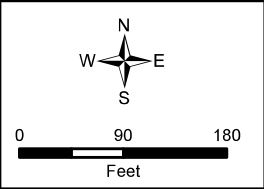


LEGEND

	Flow Management		Hydrant		Sewer Collector
	Pump Station		City		Sewer Interceptor
	Regional		Water Main		Sewer Force Main
	Manhole		Proposed Water Main		Proposed Sewer Collector

6330 Lawrenceville Hwy
M-1

Water & Sewer
Utility Map



Water Comments: GCDWR does not have comments for this Special Use Permit. The existing building is connected to public water.

Sewer Comments: GCDWR does not have comments for this Special Use Permit. The existing building is connected to public sewer.

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

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

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

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

Exhibit G: Maps
[attached]



TUCKER VALLEY RD

LAWRENCEVILLE HWY

LEESHIRE RD

ARBOR CIR

DEKALB COUNTY

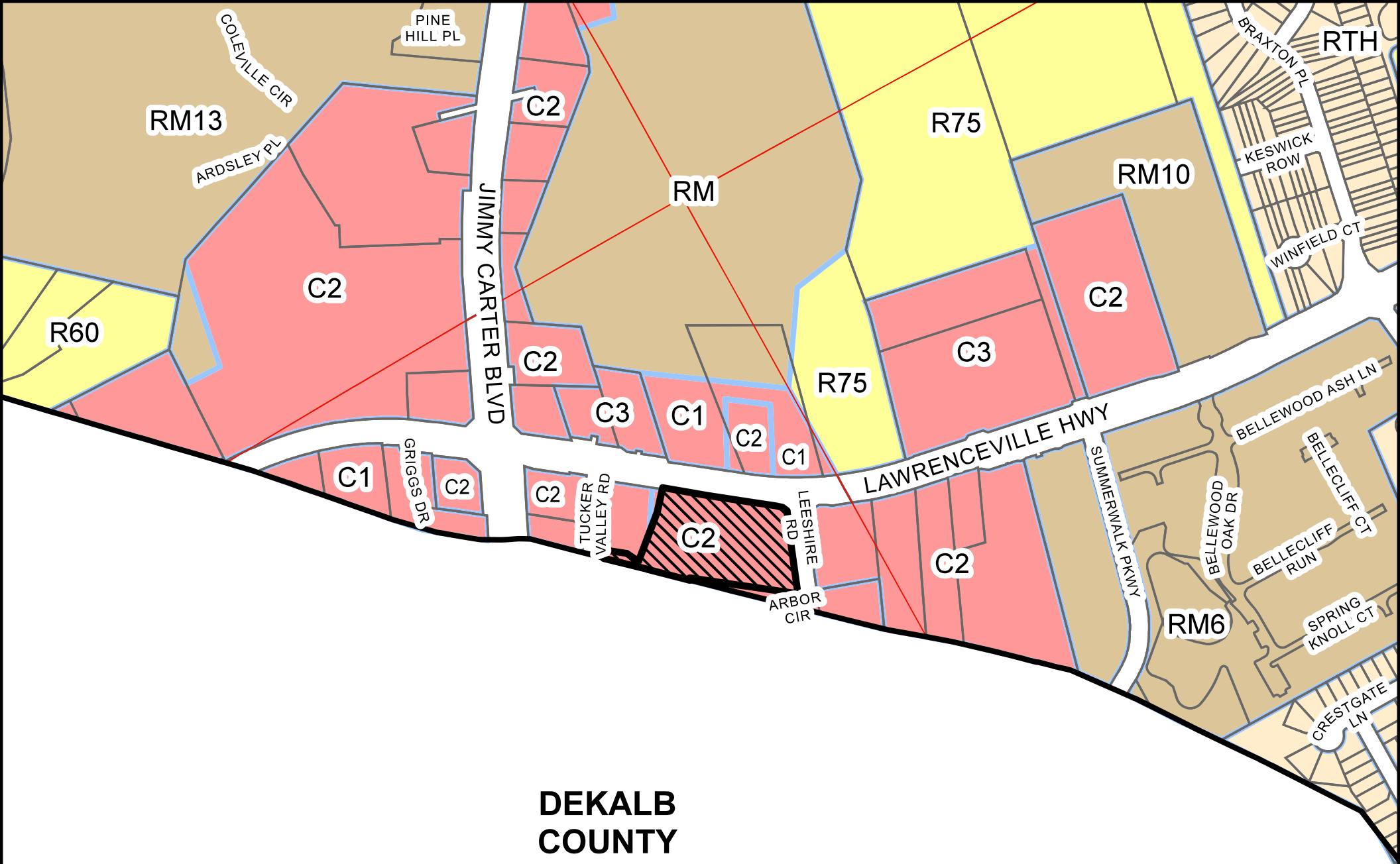
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Gwinnett County GIS



**DEKALB
COUNTY**

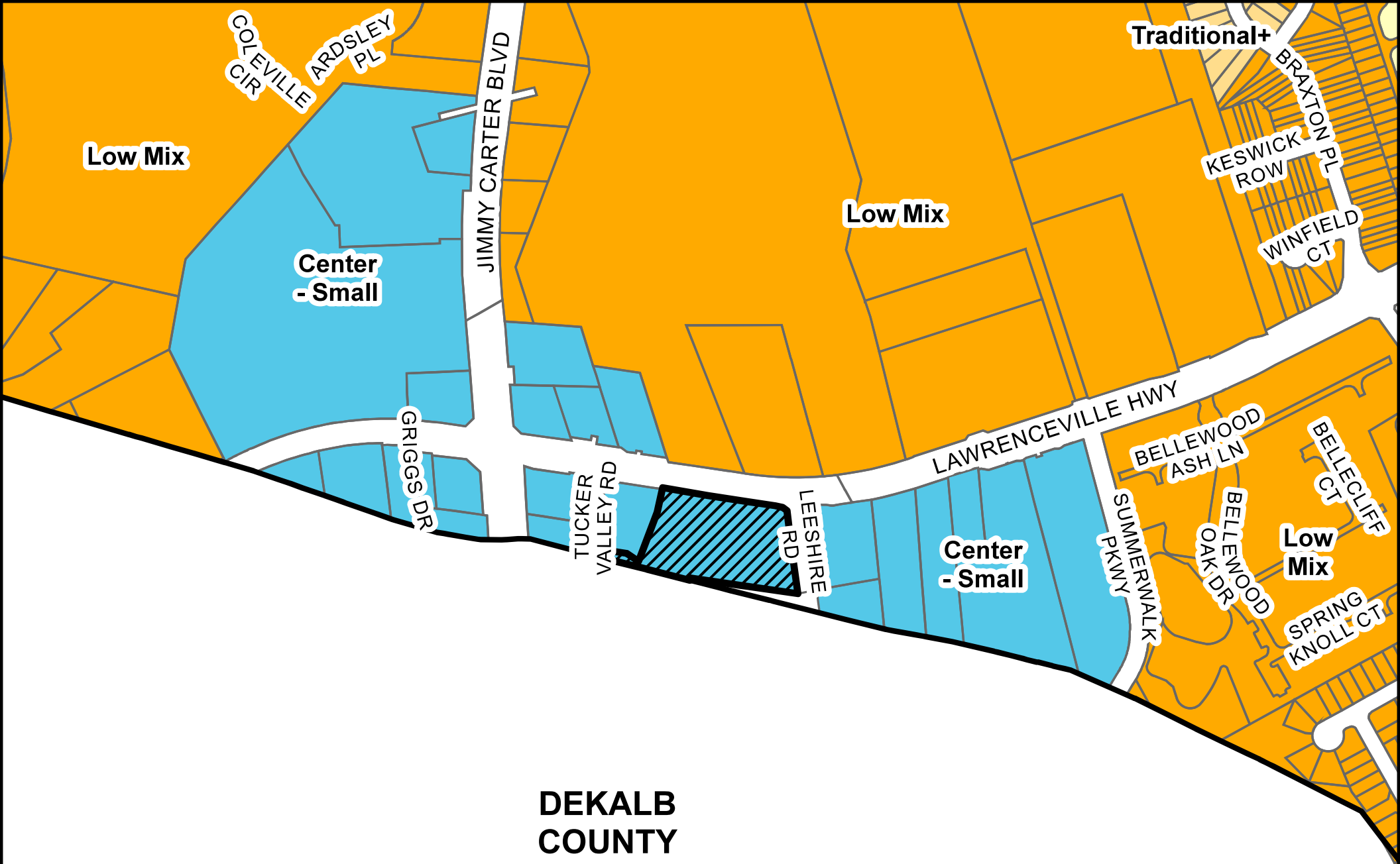
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Created: November 19, 2025



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SUBJECT SITE AND SURROUNDING ZONING



SUP2026-00004

Created: November 19, 2025



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2045 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

**Exhibit H: Documents Presented at the February 3, 2026, Planning Commission Public
Hearing
[attached]**

Letter of Support – Salon Neighbor

Hair Designs
6330 Lawrenceville Hwy B6
Tucker, GA

February 03, 2026

To Whom It May Concern,

As a neighboring business owner in the same shopping plaza as Tamaasha Lounge, I'd like to share my positive experience working near them.

Their staff is friendly and professional, and the business is managed with care and attention to detail. The area around their storefront is always kept clean, and I have never had any issues related to their customers or employees.

Tamaasha Lounge contributes positively to the environment here, and I hope they are able to continue operating under their current management.

Sincerely,

Diane Land
Diane Land
Owner, Hair Designs

State of Georgia
County of Gwinnett

On this 3 day of Feb, 2026, before me, the undersigned Notary Public, personally appeared DIANE LAND, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this document and acknowledged that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument, the person executed the instrument.

NOTARY PUBLIC
Cobb County
State of Georgia
WITNESS my hand and official seal.
My Comm. Expires January 27, 2027

[Signature]

Notary Public
My Commission Expires: Jan 27, 2027

Best Group Tax Services LLC
6330 Lawrenceville Hwy, Suite A-2
Tucker, GA

February 03, 2026

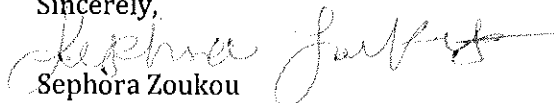
To the Planning Commission,

I've operated a business in this plaza for several years, and I want to offer my support for Tamaasha Lounge and their team.

They've proven to be respectful neighbors, always keeping their space clean and running their business in a professional manner. Their staff is courteous, and I've observed that their customers are well-managed and never disruptive.

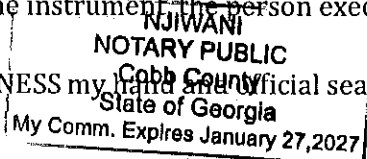
Their presence brings positive energy to the plaza, and I believe they are committed to being responsible long-term members of the business community.

Sincerely,


Sephora Zoukou
Manager, Best Group Tax Services LLC

State of Georgia
County of Gwinnett

On this 3 day of Feb, 2026, before me, the undersigned Notary Public, personally appeared Sephora Zoukou, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this document and acknowledged that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument, the person executed the instrument.


NOTARY PUBLIC
Cobb County
State of Georgia
My Comm. Expires January 27, 2027


Notary Public

My Commission Expires: Jan 27, 2027

Letter of Support – Neighboring Restaurant

BoxedFood By Kingstar Kitchen
6330 Lawrenceville Hwy, Suite B5
Tucker, GA

February 02, 2026

To Whom It May Concern,

I operate a restaurant in the same shopping plaza as Tamaasha Lounge, and I am writing to express my support for their request for a Special Use Permit and variance. Since the new ownership took over, I have noticed significant improvements in their professionalism, customer behavior, and management.

Their staff is courteous, the establishment is well-maintained, and their business practices reflect a high level of integrity. The presence of their customers has never caused disruption or concern. I have seen firsthand how they maintain a clean environment and engage respectfully with other businesses.

I believe they are an asset to our plaza and contribute to the overall vibrancy and professionalism of the area. I fully support their continued operation.

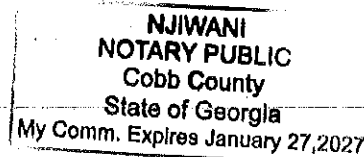
Sincerely,
Debra Charles
Owner, BoxedFood By Kingstar Kitchen



State of Georgia
County of Gwinnett

On this 2 day of Feb, 2026, before me, the undersigned Notary Public, personally appeared Debra Charles, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this document and acknowledged that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument, the person executed the instrument.

WITNESS my hand and official seal.



Notary Public
My Commission Expires: Jan 27, 2027



INVOICE

Atai Construction
1400 Indian Trail Lilburn Road Northwest
Norcross, Georgia 30093
United States

BILL TO
Tamasha, Tucker
6330 Lawrenceville Highway
Tucker, Georgia 30084
United States

Invoice Number: 551

Invoice Date: December 7, 2024

Payment Due: December 7, 2024

Amount Due (USD): \$74,284.23

Items	Amount
Architectural plan and permit work	\$18,500.00
Fire	\$12,893.00
- Plan design and permitting for fire system.	
- Replace all the fire sprinkler	
- Add new fire sprinklers	
- Fire system testing and certification	
- Compliance testing and letter approval	
Electrical work	\$19,421.00
- Demo old wiring from the ceiling	
- Redo 75% of the wiring to bring it upto code	
- Fix outlets	
- Additional power for new HVAC unit	
- Update existing panel with new breaker for additional power use	
Ceiling Tile	\$8,500.00
- Take out and put back ceiling tiles multiple times	
- Replacement of damaged ceiling tile - -- Repaint of Ceiling	
Misc	\$7,640.00
- Fix roof penetration for new HVAC	
- Fix old HVAC cooling issue	
- Demo new bathroom that was built	
- Fix kitchen plumbing under sink	
- Adjust sink locations in the kitchen as per plan	
- Dumpsters for whole project	
- Mini Pod for Ceiling tiles	
- Other Misc work	
HVAC	\$31,000.00
- 2 New 5ton HVAC system	
- New duct work with new registers	
Atai's Project Management Fee	\$11,330.23
Previous Payment	(\$5,000.00)
Architectural initial deposit	



INVOICE

Atai Construction
1400 Indian Trail Lilburn Road Northwest
Norcross, Georgia 30093
United States

Items	Amount
Previous Payment Payment 1	(\$15,000.00)
Previous Payment Payment 2	(\$15,000.00)
Total:	\$74,284.23
Amount Due (USD):	\$74,284.23

**Training Institute for
Responsible Vendors,
Inc.**

INVOICE

P.O.Box 421128
Atlanta, GA
30342
Office-404-531-9237
Cell-404-788-8838
Email-spalermo57@gmail.com

Bill To

Tamaasha Lounge and Bar
6330 Lawrenceville Hwy.
Tucker, Ga. 30084

Invoice #

1976

Invoice Date

01/09/2026

DESCRIPTION	AMOUNT
Mystery Shopper results on 1/9/26 @ 5:45pm Server: Ask checked ID and refused service. Mgr: Kristna	50.00
TOTAL	\$50.00

Terms & Conditions

Include invoice # on check

**Training Institute for
Responsible Vendors,
Inc.**

INVOICE

P.O.Box 421128
Atlanta, GA
30342
Office-404-531-9237
Cell-404-788-8838
Email-spalermo57@gmail.com

Bill To

Tamaasha Lounge and Bar
6330 Lawrenceville Hwy.
Tucker, Ga. 30084

Invoice #

1840

Invoice Date

12/03/2025

DESCRIPTION	AMOUNT
Mystery Shopper results on 12/3/25 * 5pm Server/Mgr: Kristna Dalia checked ID and refused service.	50.00
TOTAL	\$50.00

Terms & Conditions

Include invoice # on check

**Training Institute for
Responsible Vendors,
Inc.**

INVOICE

P.O.Box 421128
Atlanta, GA
30342
Office-404-531-9237
Cell-404-788-8838
Email-spalermo57@gmail.com

Bill To
Tamaasha Lounge and Bar
6330 Lawrenceville Hwy.
Tucker, Ga. 30084

Invoice # 1707
Invoice Date 11/05/2025

DESCRIPTION	AMOUNT
Mystery Shopper results on 11/5/25. Server/Mgr: Krishna Dalia checked ID and refused service.	50.00
TOTAL	\$50.00

Terms & Conditions

Include invoice # on check

**Training Institute for
Responsible Vendors,
Inc.**

INVOICE

P.O.Box 421128
Atlanta, GA
30342
Office-404-531-9237
Cell-404-788-8838
Email-spalermo57@gmail.com

Bill To

Tamaasha Lounge and Bar
6330 Lawrenceville Hwy.
Tucker, Ga. 30084

Invoice #

1576

Invoice Date

10/07/2025

DESCRIPTION	AMOUNT
Mystery Shopper results on 10/7/25 4:47pm Server: Alex SS checked ID and refused service. Mgr: Krishna	50.00
TOTAL	\$50.00

Terms & Conditions

Include invoice # on check

**Training Institute for
Responsible Vendors,
Inc.**

INVOICE

P.O.Box 421128
Atlanta, GA
30342
Office-404-531-9237
Cell-404-788-8838
Email-spalermo57@gmail.com

Bill To

Tamaasha Lounge and Bar
6330 Lawrenceville Hwy.
Tucker, Ga. 30084

Invoice #

1481

Invoice Date

09/06/2025

DESCRIPTION	AMOUNT
Mystery Shopper results on 9/6/25 @ 4:45 PM SERVER: Keishi Andale checked ID and refused service. Mgr: Krishna	50.00
TOTAL	\$50.00

Terms & Conditions

Include invoice # on check

**Training Institute for
Responsible Vendors,
Inc.**

INVOICE

P.O.Box 421128
Atlanta, GA
30342
Office-404-531-9237
Cell-404-788-8838
Email-spalermo57@gmail.com

Bill To

Tamaasha Lounge and Bar
6330 Lawrenceville Hwy.
Tucker, Ga. 30084

Invoice #

1331

Invoice Date

08/06/2025

DESCRIPTION	AMOUNT
Mystery Shopper results on 8/6/25 @ 3pm Server: Faith Peter checked ID and refused service. Mgr: Krishna	50.00
TOTAL	\$50.00

Terms & Conditions

Include invoice # on check

**Training Institute for
Responsible Vendors,
Inc.**

INVOICE

P.O.Box 421128
Atlanta, GA
30342
Office-404-531-9237
Cell-404-788-8838
Email-spalermo57@gmail.com

Bill To

Tamaasha Lounge and Bar
6330 Lawrenceville Hwy.
Tucker, Ga. 30084

Invoice #

1233

Invoice Date

07/08/2025

DESCRIPTION	AMOUNT
Mystery Shopper results on 7/12/25 at 6:53pm. Server: Roma Herrera did not check and served. Mgr: Krishna	50.00
TOTAL	\$50.00

Terms & Conditions

Include invoice # on check

**Training Institute for
Responsible Vendors,
Inc.**

INVOICE

P.O.Box 421128
Atlanta, GA
30342
Office-404-531-9237
Cell-404-788-8838
Email-spalermo57@gmail.com

Bill To

Tamaasha Lounge and Bar
6330 Lawrenceville Hwy.
Tucker, Ga. 30084

Invoice #

1097

Invoice Date

06/10/2025

DESCRIPTION	AMOUNT
Mystery Shopper results on 6/10/25 Server/Mgr: Krishna Dalia checked ID and refused service.	50.00
TOTAL	\$50.00

Terms & Conditions

Include invoice # on check

**Training Institute for
Responsible Vendors,
Inc.**

INVOICE

P.O.Box 421128
Atlanta, GA
30342
Office-404-531-9237
Cell-404-788-8838
Email-spalermo57@gmail.com

Bill To

Tamaasha Lounge and Bar
6330 Lawrenceville Hwy.
Tucker, Ga. 30084

Invoice #

990

Invoice Date

05/10/2025

DESCRIPTION	AMOUNT
Mystery Shopper results on 5/10/25 4:47 pm Server: Lashawn McDaniel checked ID and refused service. Mgr: Krishna	50.00
TOTAL	\$50.00

Terms & Conditions

Include invoice # on check

**Training Institute for
Responsible Vendors,
Inc.**

INVOICE

P.O.Box 421128
Atlanta, GA
30342
Office-404-531-9237
Cell-404-788-8838
Email-spalermo57@gmail.com

Bill To

Tamaasha Lounge and Bar
6330 Lawrenceville Hwy.
Tucker, Ga. 30084

Invoice #

870

Invoice Date

04/15/2025

DESCRIPTION	AMOUNT
Mystery Shopper results on 4/15/25 11:20pm Server: Alex SS. checked ID and refused service. Mgr: Knichnai	50.00
TOTAL	\$50.00

Terms & Conditions

Include invoice # on check

**Training Institute for
Responsible Vendors,
Inc.**

INVOICE

P.O.Box 421128
Atlanta, GA
30342
Office-404-531-9237
Cell-404-788-8838
Email-spalermo57@gmail.com

Bill To

Tamaasha Lounge and Bar
6330 Lawrenceville Hwy.
Tucker, Ga. 30084

Invoice #

759

Invoice Date

03/08/2025

DESCRIPTION	AMOUNT
Mystery Shopper results on 3/8/25 @ 11pm Server: LaShawn Mcdaniels checked and refused service. Mgr: Sufarez	50.00
TOTAL	\$50.00

DESCRIPTION

AMOUNT

Mystery Shopper results on 3/8/25 @ 11pm
Server: LaShawn Mcdaniels checked and refused service.
Mgr: Sufarez

50.00

TOTAL

\$50.00

Terms & Conditions

Include invoice # on check

**Training Institute for
Responsible Vendors,
Inc.**

INVOICE

P.O.Box 421128
Atlanta, GA
30342
Office-404-531-9237
Cell-404-788-8838
Email-spalermo57@gmail.com

Bill To

Tamaasha Lounge and Bar
6330 Lawrenceville Hwy.
Tucker, Ga. 30084

Invoice #

640

Invoice Date

02/04/2025

DESCRIPTION	AMOUNT
Mystery shopper results on 2/4/25 @ 1:00pm Server: Alex SS checked ID and refused service. Mgr: Harry	50.00
TOTAL	\$50.00

Terms & Conditions

Include invoice # on check

**Training Institute for
Responsible Vendors,
Inc.**

INVOICE

P.O.Box 421128
Atlanta, GA
30342
Office-404-531-9237
Cell-404-788-8838
Email-spalermo57@gmail.com

Bill To

Tamaasha Lounge and Bar
6330 Lawrenceville Hwy.
Tucker, Ga. 30084

Invoice #

528

Invoice Date

01/13/2025

DESCRIPTION	AMOUNT
Mystery Shopper results on 1/13/25 @ 6:02pm Server: Alex checked ID and refused service Mgr: Harry	50.00
TOTAL	\$50.00

Terms & Conditions

Include invoice # on check

Gwinnett County Board of Commissioners Agenda Request

GCID #	Group With GCID #:	<input type="checkbox"/> Grants	<input type="checkbox"/> Public Hearing	<input type="checkbox"/> Renewals
20260182				
Department:	Law Department	Date Submitted:	01/27/2026	
Working Session:		Business Session:	Public Hearing:	02/17/2026
Submitted By:	dvamaral		Multiple Depts?	
Agenda Type	Approval/authorization			
Item of Business:		Locked by Purchasing		No
<p>for the Chairwoman to execute an Amendment to the Agreement for Ad Valorem Tax Billing and Collection with the City of Berkeley Lake, and a related Agreement for Ad Valorem Tax Billing and Collection with the Gwinnett County Tax Commissioner.</p>				
Attachments	Justification Memo, Agreements			
Authorization:	Chairwoman's Signature?	Yes		
Staff Recommendation				
BAC Action:				
Department Head	mpludwiczak (2/3/2026)			
Attorney	mfwilson (2/12/2026)			
Agenda Purpose Only				

Financial Action

Budgeted	Fund Name	Current Balance	Requested Allocation	Director's Initials
No	General	*	*	brainey (2/12/2026)
Finance Comments	*Additional costs will be absorbed within the Tax Commissioners Personnel Services budget.			FinDir's Initials
				raroyal (2/12/2026)

☐ Budget Adjust ☐ Grand Jury

County Clerk Use Only			PH was Held? <input type="checkbox"/>
Working Session	<input style="width: 90%;" type="text"/>	Vote	<div style="border: 1px solid black; height: 100px; padding: 5px;">No Action Taken</div>
Action	<input style="width: 90%;" type="text"/>		
Tabled	<input style="width: 90%;" type="text"/>		
Motion	<input style="width: 90%;" type="text"/>		
2nd by	<input style="width: 90%;" type="text"/>		



TO: Chairwoman
District Commissioners

FROM: Michael P. Ludwiczak *ML*
County Attorney

SUBJECT: GCID 2026-0182
Agreements for Ad Valorem Tax Billing and Collection with the City of Berkeley Lake and
Gwinnett County Tax Commissioner

DATE: January 30, 2026

ITEM OF BUSINESS

Approval/authorization for the Chairwoman to execute an Amendment to the Agreement for Ad Valorem Tax Billing and Collection with the City of Berkeley Lake, and to execute a related Agreement for Ad Valorem Tax Billing and Collection with the Gwinnett County Tax Commissioner.

BACKGROUND AND DISCUSSION

Pursuant to Official Code of Georgia Annotated Section 48-5-359.1(a)(3), Gwinnett County entered into a billing and collection agreement with the City of Berkeley Lake on March 22, 2022. That agreement is proposed to be extended for an additional four years until December 31, 2028. The City has agreed to continue to be bound by the terms of the billing and collection agreement with an increase in fees from \$1.80 to \$3.10 per parcel. The County will keep \$2.10 per parcel. The related agreement with the Tax Commissioner provides that \$1 from the \$3.10 per parcel fee that the County receives from the City of Berkeley Lake will be paid to the Gwinnett County Tax Commissioner. Accordingly, this agenda item requests approval and authorization for the Chairwoman to execute an Amendment to the Agreement for Ad Valorem Tax Billing and Collection with the City of Berkeley Lake. Additionally, this agenda item also requests approval and authorization for the Chairwoman to execute an Agreement for Ad Valorem Tax Billing and Collection with the Gwinnett County Tax Commissioner for payment for tax billing and collection of ad valorem property taxes with the City of Berkeley Lake.

Should you have any questions concerning this matter, please contact me at 770.822.8715.

STATE OF GEORGIA

COUNTY OF GWINNETT

**AGREEMENT FOR PAYMENT OF PER PARCEL FEE FOR AD VALOREM TAX AND
BILLING AND COLLECTION FOR THE CITY OF BERKELEY LAKE**

This Agreement, by and between **GWINNETT COUNTY, GEORGIA**, a political subdivision of the State of Georgia, by and through its Board of Commissioners ("Gwinnett County"), and Denise R. Mitchell, the **GWINNETT COUNTY TAX COMMISSIONER**, ("Tax Commissioner"), (hereinafter collectively referred to as the "Parties") is executed this ____ day of _____, 2026.

WHEREAS, pursuant to the laws and Constitution of the State of Georgia and the provisions of O.C.G.A. § 48-5-359.1, Gwinnett County contracted with the City of Berkeley Lake for the purpose of billing, processing, receiving and collecting ad valorem taxes levied by and on behalf of City of Berkeley Lake, Georgia; and

WHEREAS, O.C.G.A. § 48-5-359.1, mandates that the contract between the parties specify an amount to be paid by the municipality to the County, which amount will substantially approximate the cost to the County of providing the service to the municipality; and

WHEREAS, by an Amendment to that Agreement executed on _____, 2026, the City will be paying \$3.10 per parcel to the County beginning January 1, 2026, or the date that Gwinnett County executes the Amendment through December 31, 2028; and

WHEREAS, the Parties agree that the Tax Commissioner shall be entitled to \$1.00 per parcel from that amount in consideration of the services that she will provide to the County in connection with the County fulfilling its obligation pursuant to the Agreement with the City of Berkeley Lake as amended; and

WHEREAS, the Parties desire to enter into this Agreement for such services according to the terms and conditions set forth herein.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants set forth herein, it is now agreed between the Parties as follows:

- a) Gwinnett County shall pay the Tax Commissioner, through the payroll system, an annual amount for each year this Agreement is in effect equal to one dollar (\$1.00) per parcel billed for the City of Berkeley Lake, subtracting from such amount any adjustments necessary for all applicable taxes and benefits. Gwinnett County shall make said payment to the Tax Commissioner within thirty (30) days of the date that Gwinnett County receives payment of the amounts invoiced by the Tax Commissioner to City of Berkeley Lake under the terms of the County's Amended Agreement with the City of Berkeley Lake attached hereto as Appendix A.
- b) The payments made in connection with this Agreement to the Tax Commissioner shall be in addition to the regular salary paid and any fees or supplements paid by Gwinnett County to the Tax Commissioner. Any salary, or any fees or supplements received by the Tax Commissioner that are outside of this Agreement shall be unaffected by and not be adjusted in any manner because of any monies received pursuant to this Agreement.
- c) This Agreement shall be effective beginning January 1, 2026, or the date that Gwinnett County executes the Amendment Agreement with the City through December 31, 2028.

IN WITNESS WHEREOF, the Parties have caused this Amendment to be executed and sealed as follows:

Gwinnett County, Georgia

Nicole Love Hendrickson
Chairwoman, Gwinnett County

Gwinnett County Tax Commissioner

Denise R. Mitchell
Tax Commissioner, Gwinnett County

Board of Commissioners

ATTEST:

Tina King
Clerk, Gwinnett County
Board of Commissioners

APPROVED AS TO FORM:

Michael P. Ludwiczak
County Attorney

STATE OF GEORGIA

COUNTY OF GWINNETT

**FIRST AMENDMENT TO AGREEMENT FOR AD VALOREM TAX
BILLING AND COLLECTION**

This First Amendment to Agreement, by and between **GWINNETT COUNTY, GEORGIA**, a political subdivision of the State of Georgia, by and through its Board of Commissioners ("Gwinnett County"), and **CITY OF BERKELEY LAKE, GEORGIA**, a municipal corporation of the State of Georgia, by and through its governing body ("City"), (hereinafter collectively referred to as the "Parties") is executed this ____ day of _____, 202__.

WHEREAS, pursuant to the laws and Constitution of the State of Georgia and the provisions of O.C.G.A. § 48-5-359.1, Gwinnett County contracted with the City of Berkeley Lake for the purpose of billing, processing, receiving and collecting ad valorem taxes levied by and on behalf of City of Berkeley Lake, Georgia; and

WHEREAS, O.C.G.A. § 48-5-359.1, mandates that the contract between the parties specify an amount to be paid by the municipality to the county, which amount will substantially approximate the cost to the county of providing the service to the municipality,

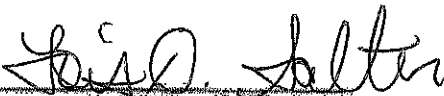
WHEREAS, the Parties desire to extend the agreement dated March 22, 2022, for an additional three-year term beginning on January 1, 2026, or the date that Gwinnett County executes this Amendment, through December 31, 2028.

NOW, THEREFORE, it is agreed between the Parties that the Agreement dated March 22, 2022 for the billing and collection of ad valorem property taxes, for and on behalf of the City shall be extended under the same terms and conditions and shall


remain in effect for the period beginning January 1, 2026 through December 31, 2028, except a new per parcel billing and collection fee of \$3.10 per parcel as specified in Section 1g shall be substituted for the prior fee of \$1.80.

IN WITNESS WHEREOF, the Parties have caused this Amendment to be executed and sealed as follows:


City of Berkeley Lake, Georgia


Lois D. Salter
Mayor

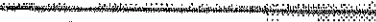
ATTEST:


Leigh Threadgill
Clerk, City of Berkeley Lake

APPROVED AS TO FORM:


Richard Carothers, Esq
City Attorney, City of Berkeley Lake

Gwinnett County, Georgia

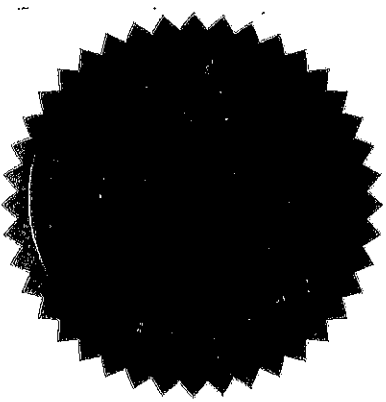

Nicole Love Hendrickson
Chairwoman, Gwinnett County
Board of Commissioners

ATTEST:


Tina King
Clerk, Gwinnett County
Board of Commissioners

APPROVED AS TO FORM:


Michael P. Ludwiczak
County Attorney



Gwinnett County Board of Commissioners Agenda Request

GCID #	Group With GCID #:	<input type="checkbox"/> Grants	<input type="checkbox"/> Public Hearing	<input type="checkbox"/> Renewals
20260208				
Department:	Planning & Development		Date Submitted:	02/04/2026
Working Session:		Business Session:	Public Hearing:	02/17/2026
Submitted By:	cdwylie		Multiple Depts?	No
Agenda Type	Ratification			
Item of Business:			Locked by Purchasing	No
of Plat approvals for January 1, 2026, through January 31, 2026.				
Attachments	Plat Ratification Report and Map			
Authorization:	Chairwoman's Signature?	No		
Staff Recommendation	Approval			
BAC Action:				
Department Head	jjleitch (2/11/2026)			
Attorney	jennyscarter (2/12/2026)			
Agenda Purpose Only				

Financial Action

Budgeted	Fund Name	Current Balance	Requested Allocation	Director's Initials
	N/A	*	N/A	brainey (2/12/2026)
Finance Comments	*No budget impact.			FinDir's Initials
				raroyal (2/12/2026)

☐ Budget Adjust ☐ Grand Jury

County Clerk Use Only			PH was Held? <input type="checkbox"/>
Working Session	<input type="text"/>	Vote	No Action Taken
Action	<input type="text" value="New Item"/>		
Tabled	<input type="text"/>		
Motion	<input type="text"/>		
2nd by	<input type="text"/>		



Gwinnett County
Department of Planning & Development

Plat Ratification Report

From 1/1/2026 to 1/31/2026

Final Plats Approved

CASE NUMBER : PLAT2024-00274		ADDRESS : LAWRENCEVILLE HWY (6100 BLOCK), TUCKER, GA 30084		PROJECT : CHANDLER RUN PHASE 1	
COMMISSION DIST: 2		TOTAL ACRES : 24.02		DEVELOPER	
PARCEL # : 6139 030		DENSITY : 9.5		DESIGNER	
				NEY F. AYALA PLANNERS AND ENGINEERS COLLABORATIVE 350 RESEARCH COURT PEACHTREE CORNERS, GA 30092	
				BRIAN TAYLOR TAYLOR MORRISON 4400 NORTH POINT PARKWAY, SUITE 295 ALPHARETTA, GA 30022	
STATUS : Revision Authorized		NO. OF LOTS : 87			
RECEIVED ON : 5/15/2024					
ISSUED ON : 1/8/2026					

PROJECT DESCRIPTION : SINGLE FAMILY SUBDIVISION, PHASE 1, R-TH PER RZM2022-00020, 87 UNITS, 24.02 ACRES, 3.84 ACRES OPEN SPACE, SEWER

CASE NUMBER : PLAT2024-00478		ADDRESS : BEAVER RUIN RD (1000 BLOCK), NORCROSS, GA 30093		PROJECT : FERN PARC TOWNHOMES	
COMMISSION DIST: 2		TOTAL ACRES : 9.39		DEVELOPER	
PARCEL # : 6175 063		DENSITY : 7.78		DESIGNER	
				MARK RICHARDSON RICH-WEST PROPERTIES, LLC 290 CONSTITUTION BOULEVARD LAWRENCEVILLE, GA 30046	
				DONALD EDWARD JAMES PRECISION PLANNING, INC. 400 PIKE BOULEVARD LAWRENCEVILLE, GA 30046	
STATUS : Revision Authorized		NO. OF LOTS : 75			
RECEIVED ON : 11/25/2024					
ISSUED ON : 1/30/2026					

PROJECT DESCRIPTION : SINGLE-FAMILY SUBDIVISION, R-TH PER RZM2021-00013, 75 UNITS, 9.39 ACRES, 1.77 ACRES OPEN SPACE, SEWER

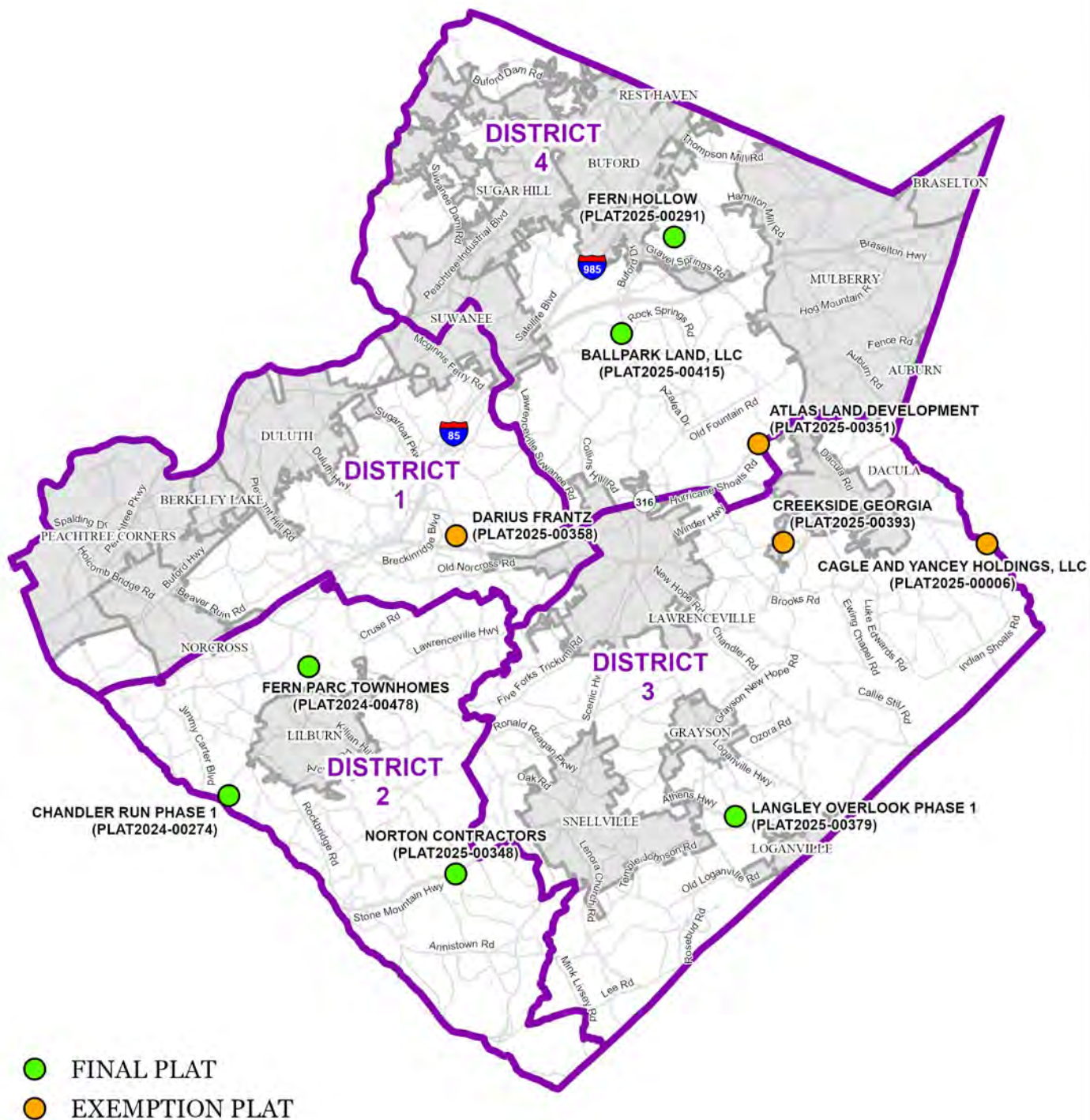
CASE NUMBER : PLAT2025-00006		ADDRESS : KILCREASE RD (1700 BLOCK), BETHLEHEM, GA 30620		PROJECT : CAGLE AND YANCEY HOLDINGS, LLC (XPL)	
COMMISSION DIST: 3		TOTAL ACRES : 19.65		DESIGNER	
PARCEL # : 5357 011		DENSITY : N/A		KEVIN V. RINGO RINGO ABERNATHY & ASSOCIATES, INC. 257 PINECREST LANE BRASELTON, GA 30517	
STATUS : Plans Authorized		NO. OF LOTS : 6			
RECEIVED ON : 1/7/2025					
ISSUED ON : 1/8/2026					
PROJECT DESCRIPTION : CAGLE AND YANCEY HOLDINGS, LLC (XPL), RA-200, 6 LOTS, 19.65 ACRES, SEWER					
CASE NUMBER : PLAT2025-00291		ADDRESS : KILGORE RD (2300 BLOCK), BUFORD, GA 30519		PROJECT : FERN HOLLOW	
COMMISSION DIST: 4		TOTAL ACRES : 22.52		DESIGNER	
PARCEL # : 7185 007		DENSITY : 2.0		TRAVIS N. PRUITT JR. TRAVIS PRUITT & ASSOCIATES, INC. 4317 PARK DRIVE NORCROSS, GA 30093	
STATUS : Plans Authorized		NO. OF LOTS : 45			
RECEIVED ON : 7/29/2025					
ISSUED ON : 1/23/2026					
PROJECT DESCRIPTION : SINGLE-FAMILY SUBDIVISION, OSC PER RZR2023-00015, 45 LOTS, 22.52 ACRES, 11.21 ACRES OPEN SPACE, SEWER					
CASE NUMBER : PLAT2025-00348		ADDRESS : STONE MOUNTAIN HWY (4100 BLOCK), LILBURN, GA 30047		PROJECT : NORTON CONTRACTORS	
COMMISSION DIST: 2		TOTAL ACRES : 8.38		DESIGNER	
PARCEL # : 6054 016		DENSITY : N/A		CLYDE R. ELDREDGE ATWELL, LLC 1850 PARKWAY PLACE, SUITE 650 MARIETTA, GA 30067	
STATUS : Plans Authorized		NO. OF LOTS : 1			
RECEIVED ON : 9/17/2025					
ISSUED ON : 1/22/2026					
PROJECT DESCRIPTION : COMMERCIAL PLATTING ONLY, C-2, 1 LOT, 8.38 ACRES, SEWER					
CASE NUMBER : PLAT2025-00351		ADDRESS : HURRICANE SHOALS RD (1900 BLOCK), DACULA, GA 30019		PROJECT : ATLAS LAND DEVELOPMENT (XPL)	
COMMISSION DIST: 4		TOTAL ACRES : 6.14		DESIGNER	
PARCEL # : 7017 022		DENSITY : N/A		LEE JAY JOHNSON LAND DEVELOPMENT SURVEYORS, INC. P.O. BOX 2050 DACULA, GA 30019	
STATUS : Plans Authorized		NO. OF LOTS : 4			
RECEIVED ON : 9/18/2025					
ISSUED ON : 1/5/2026					
PROJECT DESCRIPTION : ATLAS LAND DEVELOPMENT (XPL), R-100 PER REZ1981-00105, 4 LOTS, 6.14 ACRES, SEPTIC					

CASE NUMBER : PLAT2025-00358		ADDRESS : GLYNMOORE DR (1900 BLOCK), LAWRENCEVILLE, GA 30043		PROJECT : FRANTZ, DARIUS (XPL)	
COMMISSION DIST: 1		TOTAL ACRES : 2.47		DEVELOPER	
PARCEL # : 7043 079		DENSITY : N/A		ANTHONY FRANT 26 EAST ATHENS STREET WINDER, GA 30680	
STATUS : Plans Authorized		NO. OF LOTS : 2		LEE JAY JOHNSON LAND DEVELOPMENT SURVEYORS, INC. P.O. BOX 2050 DACULA, GA 30019	
RECEIVED ON : 9/25/2025					
ISSUED ON : 1/8/2026					
PROJECT DESCRIPTION : FRANTZ, DARIUS (XPL), R-ZT PER REZ1991-00098, 2 LOTS, 2.47 ACRES, SEWER					
CASE NUMBER : PLAT2025-00379		ADDRESS : ATHENS HWY (600 BLOCK), LOGANVILLE, GA 30052		PROJECT : LANGLEY OVERLOOK PHASE 1	
COMMISSION DIST: 3		TOTAL ACRES : 3.32		DEVELOPER	
PARCEL # : 5126 004A		DENSITY : 5.44		MICHAEL BUSER DRB GROUP, LLC 160 WHITNEY STREET FAYETTEVILLE, GA 30214	
STATUS : Plans Authorized		NO. OF LOTS : 18		ALBERT W. GRAMLING GUNNIN LAND SURVEYING, LLC 141 RAILROAD STREET, SUITE 116 CANTON, GA 30114	
RECEIVED ON : 10/16/2025					
ISSUED ON : 1/29/2026					
PROJECT DESCRIPTION : SINGLE-FAMILY SUBDIVISION, PHASE 1, R-TH PER RZM2022-00036, 18 LOTS, 3.32 ACRES, 2.15 ACRES OPEN SPACE, SEWER					
CASE NUMBER : PLAT2025-00393		ADDRESS : ALCOVY RD (1500 BLOCK), LAWRENCEVILLE, GA 30045		PROJECT : CREEKSIDE GEORGIA (XPL)	
COMMISSION DIST: 3		TOTAL ACRES : 10.58		DEVELOPER	
PARCEL # : 5245 008		DENSITY : N/A		ANDREW J. PERRY BURCH003, LLC P.O. BOX 76133 ATLANTA, GA 30358	
STATUS : Plans Authorized		NO. OF LOTS : 7		THOMAS EDWARD PEAY III FRONTLINE SURVEYING & MAPPING, INC. 3595 CANTON ROAD, SUITE 116 MARIETTA, GA 30066	
RECEIVED ON : 10/27/2025					
ISSUED ON : 1/23/2026					
PROJECT DESCRIPTION : CREEKSIDE GEORGIA (XPL), R-75 PER RZR2022-00012, 7 LOTS, 10.58 ACRES, SEPTIC					

CASE NUMBER : PLAT2025-00415		ADDRESS : BALLPARK LN (1100 BLOCK), LAWRENCEVILLE, GA 30043		PROJECT : BALLPARK LAND, LLC	
COMMISSION DIST: 4		TOTAL ACRES : 7.15		DESIGNER	
PARCEL # : 7132 006		DENSITY : N/A		AUBREY JONATHAN AKIN TECHNICAL SURVEY SERVICES, INC. 1641 AUTUMN BOULEVARD, SOUTHWEST CONYERS, GA 30012	
STATUS : Plans Authorized		NO. OF LOTS : 2		JONATHON BARGE BRAND PROPERTIES 2827 PEACHTREE ROAD, NORTHEAST ATLANTA, GA 30305	
RECEIVED ON : 11/18/2025					
ISSUED ON : 1/5/2026					
PROJECT DESCRIPTION : COMMERCIAL PLATTING ONLY, MU-R PER RZM2022-00027 & C-2, 2 LOTS, 7.15 ACRES, SEWER					
TOTAL FOR : Plat		NO. OF CASES : 10		TOTAL ACRES : 113.62	
GRAND TOTALS		NO. OF CASES : 10		TOTAL ACRES : 113.62	

Gwinnett County Department of Transportation will notify the Georgia Department of Transportation of the additional of all accepted roads systems as required by O.C.GA. 32-4-41(4).

Final Plats and Exemption Plats
Approved in January 2026
by Planning and Development



Gwinnett County Board of Commissioners Agenda Request

GCID #	Group With GCID #:	<input type="checkbox"/> Grants	<input checked="" type="checkbox"/> Public Hearing	<input type="checkbox"/> Renewals
20260263				
Department:	Planning & Development		Date Submitted:	02/10/2026
Working Session:		Business Session:	Public Hearing:	02/17/2026
Submitted By:	yturruvates		Multiple Depts?	
Agenda Type	Approval/authorization			
Item of Business:			Locked by Purchasing	No
<p>for the Chairwoman to execute a Memorandum of Agreement by and between the Georgia Department of Community Affairs and Gwinnett County, to maintain Gwinnett County's designation as a PlanFirst Community for a three-year period ending December 31, 2028.</p>				
Attachments	Justification Letter and Justification Support			
Authorization:	Chairwoman's Signature?	Yes		
Staff Recommendation	Approval			
BAC Action:				
Department Head	jjleitch (2/11/2026)			
Attorney	jennyscarter (2/12/2026)			
Agenda Purpose Only				

Financial Action

Budgeted	Fund Name	Current Balance	Requested Allocation	Director's Initials
	N/A	*	N/A	brainey (2/12/2026)
Finance Comments	*No budget impact.			FinDir's Initials
				raroyal (2/12/2026)

☐ Budget Adjust ☐ Grand Jury

County Clerk Use Only			PH was Held?
Working Session	<input type="text"/>	Vote	<div style="border: 1px solid black; padding: 5px;">No Action Taken</div>
Action	<input type="text" value="Public Hearing"/>		
Tabled	<input type="text"/>		
Motion	<input type="text"/>		
2nd by	<input type="text"/>		



MEMORANDUM

TO: Chairwoman
District Commissioners

FROM: Matthew Dickison, Director MD

SUBJECT: Memorandum of Agreement with the Georgia Department of Community Affairs

DATE: February 3, 2026

ITEM OF BUSINESS

Authorization for the Chairwoman to execute a Memorandum of Agreement by and between the Georgia Department of Community Affairs and Gwinnett County, to maintain Gwinnett County's designation as a PlanFirst Community for a three-year period ending December 31, 2028.

BACKGROUND AND DISCUSSION

The Georgia Department of Community Affairs (DCA) awarded Gwinnett County a renewal of the PlanFirst Community. Gwinnett County must enter into a Memorandum of Agreement with DCA to remain in the program and have access to all program benefits.

Benefits of the PlanFirst Designation include: 1) three years of tools and support provided by DCA to help meet plan implementation goals, 2) statewide recognition for plan implementation successes, 3) access to three additional bonus points on Housing Tax Credit applications, and 4) interest rate reduction of one percent through the Employment Incentive Program, the Redevelopment Fund Program and the Downtown Development Revolving Loan Fund Program.

Staff recommend approval of the Memorandum of Agreement.

**STATE OF GEORGIA
COUNTY OF FULTON**

**MEMORANDUM OF AGREEMENT BETWEEN
GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS AND
GWINNETT COUNTY**

This Memorandum of Agreement (the “MOA”) is made and entered into this _____ day of _____, 20____ (“Effective Date”) by and between the Georgia Department of Community Affairs (“DCA”), whose address is 60 Executive Park South, NE, Atlanta, Georgia 30329 and Gwinnett County (“Designee”), whose address is 75 Langley Drive, Lawrenceville, GA 30046, collectively referred to as the Parties.

WHEREAS, DCA offers a PlanFirst (“PlanFirst”) program that recognizes and rewards communities that clearly demonstrate an established pattern of successfully implementing their local comprehensive plan;

WHEREAS, the PlanFirst designation is awarded to local governments on an individual basis;

WHEREAS, on May 15, 2025, the Designee applied to be considered an eligible community under the PlanFirst program;

WHEREAS, on September 15, 2025, DCA approved, recognized, and awarded the Designee to be designated as a PlanFirst community; and

NOW, THEREFORE, in consideration of the mutual promises contained herein, DCA and the Designee do hereby agree as follows:

1. **Term:**

- a. This initial term of this MOA shall commence on the Effective Date and shall be for a period of three (3) years from the 1st day, of January 2026 to the 31st day, of December 2028, unless terminated pursuant to the termination provision contained in this MOA.

2. **DCA’s Responsibilities:**

- a. DCA agrees to the following:
 - i. To provide the Designee access to DCA tools and assistance in support of the Designee’s plan implementation goals for the duration of this MOA;

- ii. To provide the Designee state-wide recognition for plan implementation successes:
 - 1. To recognize the Designee on DCA's website;
 - 2. To list the Designee on all PlanFirst outreach flyers;
 - 3. To list the Designee on all PlanFirst presentations; and
 - 4. To provide and award the Designee one plaque and one certificate for their recognition as a PlanFirst Designee.
- iii. To provide the Designee access to three additional bonus points on Housing Tax Credit applications with an approved revitalization plan;
- iv. To provide the Designee eligibility to compete annually (rather than biannually) for state-administered Community Development Block Grant ("CDBG") funding (Department of Housing and Urban Development CDBG non-entitlement communities, only);
- v. To provide the Designee interest rate reduction of one hundred basis points (1%) for approved loans through the Employment Incentive Program ("EIP");
- vi. To provide the Designee interest rate reduction of one hundred basis points (1%) for approved loans through DCA's Redevelopment Fund Program;
- vii. To provide the Designee interest rate reduction of one hundred basis points (1%) for approved loans through DCA's Downtown Development Revolving Loan Fund Program ("DDRLF");
- viii. To provide the Designee free attendance at any community planning institute event for up to two community representatives per PlanFirst designation cycle;
- b. DCA agrees to refer the Designee to GEFA for an interest rate reduction of 50 basis points (½%) for approved state loans.

3. **The Designee's Responsibilities:**

- a. The Designee agrees to the following:
 - i. To continue to strive for planning excellence in all areas of comprehensive plan development and implementation;
 - ii. To participate in the PlanFirst program by supporting a staff member's participation as a PlanFirst Reviewer, for application review as well as on-site visits to applicant;
 - iii. To participate as a presenter at a community planning institute event, when and if called upon;
 - iv. To submit one plan implementation success story for inclusion on DCA's planning success stories and best practices when requested by DCA's program manager (no more than once per year);
 - v. To maintain eligibility as a qualified local government ("QLG") by having an approved comprehensive plan and service delivery strategy and being current on all required reporting to DCA. In the event of loss

- of the QLG status by a PlanFirst community, the incentives awarded by designation will be suspended until QLG status is restored; and
- vi. To promulgate the comprehensive plan and foster local access to the plan by making it generally available through the community's website.

4. **General Provisions:**

- a. **Entirety of Agreement:** This MOA represents the entire MOA between the Parties and supersedes all prior negotiations, representations, and agreements, whether written or oral.
- b. **Amendments:** Either party may request changes to this MOA. Any changes, modifications, revisions, or amendments to this MOA, that are mutually agreed upon by and between the Parties to this MOA, shall be incorporated by written instrument, and effective when executed and signed by all Parties to this MOA.
- c. **Termination:**
 - i. If the Designee violates any of its responsibilities under this MOA, DCA shall thereupon have the right to terminate this MOA; however, DCA must give a written notice of this intention to do so by providing at least thirty (30) days notice to the Designee.
 - ii. Once this MOA is terminated, the Designee shall return any affected loan percentage rates back to the current normal interest rate and discontinue using any PlanFirst branding or identifying marks associated with the PlanFirst designation.
- d. **Authority.** The undersigned hereby attests that he/she is authorized to enter into this MOA on behalf of the Designee and certifies that neither the Designee nor its officials have violated any applicable provision of state law in the execution of this MOA.

[REMAINDER OF THE PAGE INTENTIONALLY LEFT BLANK]
[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Parties have executed this MOA to be effective as of the day and year first written above.

GWINNETT COUNTY

**GEORGIA DEPARTMENT OF
COMMUNITY AFFAIRS**

By: _____

Name: Nicole Hendrickson

Title: Chair of Board of Commissioners

By: _____

Name: G. Christopher Nunn

Title: Commissioner