

7/12/2024

Gwinnett County Planning Division Change in Conditions Application Last Updated 10/2021

CHANGE IN CONDITIONS APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*		
NAME: Katie Fitzjarrald	NAME: Home Depot, USA		
ADDRESS: 445 24th Street, Suite 200	ADDRESS: 2455 Paces Ferry Road		
CITY: Vero Beach	CITY: Atlanta		
STATE: FL ZIP: 32960	STATE: GA ZIP: 30339		
PHONE: <u>772-794-4130</u>	PHONE:		
EMAIL: katie.fitzjarrald@kimley-horn.com	EMAIL:		
CONTACT PERSON: Katie Fitzjarrald PHONE: 772-794-4130			
CONTACT'S E-MAIL: katie.fitzjarrald@kimley-horn.com			

APPLICANT IS THE: OWNER'S AGENT PROPERTY OWNER CONTRACT PURCHASER			
CONING DISTRICTS(S): C-2 PRIOR ZONING CASE:			
PARCEL NUMBER(S): R3002 384	MBER(S): R3002 384ACREAGE: 12.97		
ADDRESS OF PROPERTY: 2120 Hamilton Creek Pkwy, Dacula, GA 30019			
PROPOSED CHANGE IN CONDITIONS: Updated site plan for outdoor storage - SUP-00-054			
RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:		
NO. OF LOTS/DWELLING UNITS:	NO. OF BUILDINGS/LOTS: 1		
DWELLING UNIT SIZE (Sq. Ft.):	TOTAL GROSS SQUARE FEET: 110,079		
GROSS DENSITY:	DENSITY:		
NET DENSITY:			

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED



March 13, 2024

Gwinnett County
Department of Planning and Development
Planning Division
446 West Crogan Street
Suite 300
Lawrenceville, GA 30046

Home Depot 161 Dacula, GA - Site Plan Amendment for Proposed Outdoor Storage

To whom it may concern:

Home Depot is proposing to move forward with an amendment to SUP-00-054 to allow for permanent and seasonal outdoor display/storage of goods and material. A Special Use Permit is also being requested to allow for rental vehicles and equipment on site.

- Rental Equipment
- Live Goods Displays
- Palleted Goods (Sod, Concrete & Mulch)
- Shed Display
- Lumber

Said outdoor storage is reflected via color coding on the site plan with an updated data table to reflect the net loss of spaces.

With Kimley-Horn, you should expect more and will experience better. Please contact me at (772) 794-4130 or katie.fitzjarrald@kimley-horn.com should you have any guestions.

Sincerely,

Katie Fitzjarrald
Project Coordinator

Kimley-Horn and Associates, Inc.

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

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

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

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

Yes, the proposed change in conditions will provide a suitable view.

- (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 will not adversely effect the existing use or nearby properties.
- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:
 - Yes, the property is an existing retail store and the proposed change will allow for the additional products/materials in demand.
- (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:
 - No, the proposed change in conditions will not result in a use that will be considered excessive or burdensome.
- (E) WHETHER THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

 Yes, the proposed change in conditions will conform with the policy and intent of the land use plan.
- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED CHANGE IN CONDITIONS:

Yes, changing the existing conditions provide a solution for the demand of supplies and materials needed.



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CHANGE IN CONDITIONS APPLICANT'S CERTIFICATION

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

Signature of Applicant

3/14/2024 Date

Katie Fitzjarrald, Project Coordinator

Type or Print Name and Title

Signature of Notary Public

Date

JANICE LAPERNA
Notary Public - State of Florida
Commission # HH 325113
My Comm. Expires Dec 18, 2026
Bonded through National Notary Assn.

Notary Seal



Gwinnett County Planning Division Change in Conditions Application Last Updated 5/2021

CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS

_		ge in conditions, has complied with eq. Conflict of Interest in Zoning	
Actions, and has submitted or at http://www.ald	tached the required in 3 14 WW	formation on the forms provided. Katie Fitzjarrald, Project Coordinator	
Signature of Applicant	Date	Type of Print Name and Title	
Signature of Applicant's Attorney or Representative	Date	Type or Print Name and Title	
Darin Lalran	3/14/2124	JANICE LAPERNA Notary Public - State of Florida Commission # HH 325113 My Comm. Expires Dec 18, 2026 Bonded through National Notary Assn	
Signature of Notary Public	Date	Notary Seal	
DISCLO	SURE OF CAMPAIGN	CONTRIBUTIONS	
	ating \$250.00 or moi	the filing of this application, made re to a member of the Board of lanning Commission?	
YES NO Katie	Fitzjarrald		
	Your Name		
If the answer is yes, please comp	lete the following sec	ion:	
NAME AND OFFICAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTION (List all which aggreto \$250 or More	egate MADE	

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



Gwinnett County Planning Division Change in Conditions Application Last Updated 5/2021

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR CHANGE IN CONDITIONS

THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

* <u>NOTE</u>: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.

PARCEL I.D. NUMBER:	R3002 384	—	30 (Maria American Andreas And	
(Map Reference Number)	District	Land Lot	Parcel	
Katu fitzgavald			3/14/2024	
Signature of Applicant			Date	
Katie Fitzjarrald, Project Cod	ordinator			
Type or Print Name and Title				
PLEASE TAKE THIS FORM JUSTICE AND ADMINISTRA BELOW.				
	TAX COMMISSION	NERS USE ONLY		
(PAYMENT OF ALL PROPER PARCEL HAVE BEEN VERIFIE BELOW)	TY TAXES BILLED T	O DATE FOR THE		
PARCEL HAVE BEEN VERIFIE	TY TAXES BILLED T ED AS PAID CURREI	O DATE FOR THE		
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2120 HAMILTON CREEK PARKWAY DACULA, GEORGIA STORE NO. 0161 OUTDOOR STORAGE AND EQUIPMENT RENTALS

SITE DATA

PROPERTY 692,016 SF

 IMPERVIOUS AREA
 575,293 SF
 83.13%

 PERVIOUS AREA
 116,723 SF
 16.87%

 100%
 100%

STORE AREAS

HOME DEPOT ONLY 110,079SF

(BASED UPON GWINNETT COUNTY TAX ASSESSOR OFFICE)

PROPERTY CARD

TOTAL 110,079SF

PARKING REQUIRED:

MINIMUM 1 PER 500SF = 220 MAXIMUM 1 PER 300SF = 367

PERMANENT PARKING LOST

SALES (TEMPORARY) 31 STORAGE (TEMPORARY) 32

STORAGE (PERMANENT) 153

TOTAL 216 (63 TEMPORARY)

PARKING PROVIDED

HOME DEPOT 59

(BASED OFF NEARMAPS AERIAL DATED 01/20/2023)

STALLS LOST 198 TOTAL 393

OVERALL SITE PLAN IS A SCANNED IMAGE OF A SITE PLAN APPROVAL DOCUMENT AND DOES NOT NECESSARILY REPRESENT THE CURRENT CENTER CONFIGURATION. THIS SHOULD BE USED FOR REFERENCE ONLY.



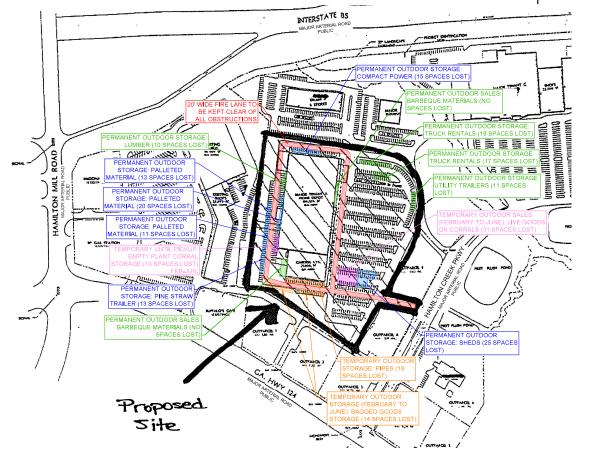
GWINNETT COUNTY
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SITE PLAN 1" = 150'

Kimley » Horn
48 24th STREIT 20 BEACH, IL 23380
HOLE 775-14-100

* STORY OF THE PROPERTY OF THE

DATE
07-10-2024
SCALE AS SHOWN
DESIGNED BY KF

SITE PLAN

DACULA, GA #0161 PREPARED FOR THE HOME DEPOT

C-100

SUP-00-054

BOARD OF COMMISSIONERS

GWINNETT* COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

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

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

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

A RESOLUTION TO GRANT A SPECIAL USE PERMIT

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 for a Special Use Permit by

HOME DEPOT USA for the proposed use of
OUTDOOR SALES/STORAGE OF BUILDING MATERIALS on a
tract of land described by the attached legal description, which
is incorporated herein and made a part hereof by reference; and

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CASE NUMBER SUP-00-054

WHEREAS, notice to the public regarding said Special Use

Permit Application 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 <u>MARCH 28, 2000</u> and objections

were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 25^{TH} day of APRIL , 2000 that the aforesaid application for a Special Use Permit is hereby APPROVED subject to the following enumerated conditions:

- 1. To restrict the use of the property as follows:
 - A. Retail and service commercial uses with outdoor storage of building materials as an accessory use.
 - B. The overall development shall not exceed a gross density of 674,600 square feet.
 - C. Develop in general accordance with the site plan received February 14, 2000, with modifications as necessary to meet conditions of zoning.
 - D. Outparcel development along Braselton Highway shall be limited to no more than two (2) sites. Additional outparcel development shall be contingent upon the issuance of building permits for the development which exceeds 100,000 square feet on the remaining portion of the property.
- 2. To satisfy the following site development considerations:
 - A. Provide a 25-foot wide landscaped strip adjacent to residentially zoned property.

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CASE NUMBER SUP-00-054

- B. Provide a 25-foot wide natural buffer adjacent to the right-of-way of I-85. The buffer may be converted to a landscaped strip subject to submission to the Department of Planning and Development of an acceptable landscape design and enhancement plan.
- C. Provide a 10-foot wide landscaped strip outside the dedicated right-of-way of Braselton Highway.
- D. Provide a five-foot wide landscaped strip adjacent to all internal property lines.
- E. Exit/entrance design and location shall be subject to the approval of the Gwinnett and Georgia Departments of Transportation.
- F. Buildings shall be finished with architectural treatments of glass and/or brick, stone or stucco; or submit alternate architectural plans for the review and approval of the Planning Director prior to issuance of a building permit. Architectural design of buildings shall be similar and compatible with the adjacent Hamilton Mill Village Shopping Center.
- G. Signage shall not exceed the requirements of the Gwinnett County Sign Ordinance. Grounds signs shall be limited to monument type signs of masonry construction matching the materials of the buildings. A single project (shopping center) identification sign may be allowed adjacent to I-85 and Braselton Highway. These signs shall meet minimum requirements except as may be approved by the Zoning Board of Appeals.
- H. No billboards are permitted.
- I. Dumpsters shall be screened by a fence or wall. Hours of dumpster pick-up shall be limited to between 7:00 a.m. and 9:00 p.m.
- J. Provide interparcel access as required by the Development Division.

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- K. Provide sidewalks and pedestrian corridors throughout the development, and along Braselton Highway and across the entire property frontage connecting to adjacent properties. A pedestrian access plan for these amenities shall be submitted for review and approval of the Department of Planning and Development prior to the issuance of a Development Permit.
- L. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to reflect into adjacent and nearby residential properties.
- M. Outdoor building material sales and storage areas shall be located adjacent to the building or under the lumber canopy and shall be screened subject to the review and approval of the Director of Planning and Development.
- N. Sales/storage trailers shall be limited to designated areas and shall be screened with slatted chain link fence. Location of sales/s Location of sales/storage trailers shall remain subject to the review and a consistent with the site plan dated May 29, Planning and Development.
- 3. To abide by the following requirements, dedications and improvements:
 - A. In conjunction with the overall Hamilton Mill Village II development, design, fund, and construct the transportation improvements and four-lane entrance driveway recommended in the Traffic Impact Study prepared by Day Wilburn Associates, Inc. on file with the Planning Division. Timing of construction and final design of all improvements shall be subject to review and approval of the Gwinnett County Department of Transportation and Department of Planning & Development. At a minimum, traffic improvements shall include:
 - Dual eastbound left-turn lanes on Highway 124.
 - ii) An additional lane across the entire property frontage.

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CASE NUMBER SUP-00-054

iii) Signalized intersection at main project entrance.

4

GWINNETT COUNTY BOARD OF COMMISSIONERS

Date Signed: May 3, 2000

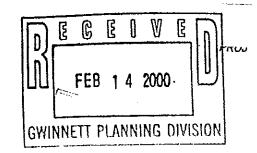
ATTEST:

Brenda Mædelez County Clerk

DATE:6/December 22, 1999.

This Survey is made for the benefit of:

HOME DEPOT U.S.A., INC., AND FIRST AMERICAN TITLE INSURANCE COMPANY



STAND

C8

CIMP

CMF

CTP

FND

GALY INV

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DI FNC

I, Roger L. Owenby, Registered Land Surveyor, do heraby certify to the oforesaid parties, as of the date set forth above, that I have made a careful survey of a tract of land described as follows:

Property Line Description

All that tract or parcel of land lying and being in Duncans G.M.D. NO. 1749 of Gwinnett County, Georgia, and being more particularly described as follows:

Commencing at the Eastern 160 foot right of way of Hamilton Mill and the Northern right of way of Georgia Highway No. 124; Thence along the Northern right of way of Georgia Highway No. 124, 856.65 feet to a 1/2 inch rebar found; Thence leaving said right of way North 07 degrees 14 minutes 47 seconds East, 280,11 feet to a 5/8 inch rebar set; said point being THE TRUE POINT OF BEGINNING; Thence North O7 degrees 14 minutes 47 seconds East, 674.55 feet to a 5/8 inch rebar set; Thence South 82 degrees 45 minutes 02 seconds East, 578.37 feet to a 5/8 inch rebar set; thence along a curve to the right, an arc distance of 394.45 feet, said curve having a radius of 200.00 feet and being subtended by a chord of 333.56 feet, at South 26 degrees 15 minutes 01 second East, to a 5/8 inch rebar set; Thence South 30 degrees 15 minutes 00 seconds West, 69.20 feet to a 5/8 inch rebar set; Thence South 59 degrees 49 minutes 00 seconds East, 26.00 feet to a 5/8 inch rebar set; Thence South 30 degrees 15 minutes 00 seconds West, 152.00 feet to a 5/8 inch rebar set; Thence South 30 degrees 15 minutes 00 seconds West, 153.89 feet to a 5/8 Inch rebar set; Thence South 59 degrees 49 minutes 00 seconds East, 164.00 feet to a 5/8 inch rebar set; Thence South 30 degrees 15 minutes 00 seconds West, 60.00 feet to a 5/8 inch rebar set; Thence North 59 degrees 49 minutes 00 seconds West, 164.00 feet to a 5/8 inch rebar set; Thence South 30 degrees 15 minutes 00 seconds West, 224.26 feet to a 5/8 inch rebar set; Thence North 59 degrees 37 minutes 45 seconds West, 56.00 feet to a 5/8 Inch rebar set; Thence North 59 degrees 37 minutes 45 seconds West, 229.49 feet to a 5/8 inch rebar set; Thence North 30 degrees 22 minutes 15 seconds East, 29.00 feet to a 5/8 inch rebar set; Thence North 59 degrees 37 minutes 45 seconds West, 168.74 feet to a 5/8 inch rebar set; Thence North 75 degrees 28 minutes 21 seconds West, 123.38 feet to a 5/8 inch rebar set; said point being the TRUE POINT OF BEGINNING. Said tract contains 12.775 acres.

I further certify that:

- 1. The accompanying survey was made on the ground and correctly shows the location of all buildings, structures and other improvements situated on the above premises; and that the property described hereon is the same as the property described in First American Title insurance Company Commitment No.1003A.105 dated July 31, 1999 and that all easements, covenants and restrictions referenced in said title commitment have been plotted hereon or otherwise noted as to their effect on the subject property; that there are no building encroachments on the subject property or upon adjacent land abutting said property unless shown hereon.
- 2. This map or plat and the survey on which it is based was made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and ACSM in 1992 and meet the accuracy requirements of a Class A Survey, as defined therein, and including Items 1—4,10,13 in Table A contained therein.
- 3. Said described property is located within an area having a Zone Designation "X" by the Secretary of Housing and Urban Development, on Flood Insurance Map No. 0085C with a date of identification of May 4, 1992, for Community No. 130322, in Gwinnett County, State of Georgia which is the current Flood Insurance Rate Map for the community in which said premises is situated.
- 4. All setback, side yard and rear yard lines shown on the recorded plot or set forth in the applicable zoning ordinance are shown on the survey.
- 5. The Property has direct Lucess to Georgia Highway No. 124, a actuated public street or highway.

Roger L. Owenby, R.L.S. Nc. 63

507-00-054

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CLASS

VAN



Cargo Van

- 6-speed automatic transmission
- Air conditioning
- AM/FM radio with digital auxiliary jack
- Seating capacity: dual bucket seats
- GVWR: 9,500
- 4-wheel anti-lock braking system
- Overload warning system
- Front airbags: dual airbags with passenger front-impact side cancellable airbag
- Side impact airbags: dual seat mounted side airbags
- Cargo tie downs
- Cargo light
- Reverse sensing system
- Regular unleaded fuel
- Fuel Tank Capacity: 26 gal
- Interior cargo maximum width: 70.2"
- Interior cargo minimum width: 54.8"
- Interior cargo volume: 277.7 cu. ft.
- Load floor height: 28.7"
- Vehicle must be refueled before returning to store

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TRUCKS



F250 Flatbed Truck

- 6-speed electronic automatic transmission with overdrive
- Air conditioning
- Seating capacity: 3
- 4-wheel anti-lock braking system with 4 ABS channels
- Dual seat mounted side airbag
- Backup alarm
- V-8 engine
- AM/FM stereo, clock, seek-scan
- GVWR: 10,000
- Dual airbags with passenger front-impact side cancellable airbag
- Curtain 1st row overhead airbag
- Regular unleaded fuel
- Fuel Tank Capacity: 35 gal
- Exterior cargo volume: 77.3 cu. ft.
- Load floor height: 35.2"
- Vehicle must be refueled before returning to store



T250 Flatbed Truck

- 6-speed electronic automatic transmission with overdrive
- Air conditioning
- Seating capacity: 2
- 4-wheel anti-lock braking system with 4 ABS channels
- Dual seat mounted side airbag
- Backup alarm
- V-6 engine
- AM/FM stereo, clock, seek-scan
- GVWR: 9,000
- Dual airbags with passenger front-impact side cancellable airbag
- 2 12V DC power outlets
- Regular unleaded fuel
- Fuel Tank Capacity: 25 gal
- Exterior cargo volume: 200 cu. ft.
- Load floor height: 29.2 in
- Vehicle must be refueled before returning to store



^{7/1}℃nevy 22' Eox Truck



Ford 20' 5" Box Truck

