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8/29/2024

CHANGE IN CONDITIONS APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
Name: <u>HP Properties Georgia, LLC c/o Andersen Tate & Carr</u> Address: <u>1960 Satellite Blvd , Suite 4000</u> City: <u>Duluth</u> State: <u>GA</u> ZIP: <u>30097</u> Phone: <u>770-822-0900</u> Email: <u>mglouton@atclawfirm.com</u>	Name: <u>HP Properties Georgia, LLC</u> Address: <u>950 Northbrook Parkway</u> City: <u>Suwanee</u> State: <u>GA</u> ZIP: <u>30024</u> Phone: <u>770-822-0900</u> Email: <u>NavidY@paiindustries.com</u>
Contact Person: <u>Melody A. Glouton</u> Phone: <u>770-822-0900</u> Contact's Email: <u>mglouton@atclawfirm.com</u>	
APPLICANT IS THE: <input type="checkbox"/> Owner's Agent <input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Contract Purchaser	
Zoning District(s): <u>M-1</u> Prior Zoning Case No.: <u>RZ-207-85</u> Parcel Number(s): <u>R7154 010</u> Acreage: <u>7.14</u> Property Address(es): <u>875 Northbrook Parkway, Suwanee, GA 30024</u> Proposed Change in Conditions: <u>Revisions to conditions 5, 6, 10 and 14</u> Variance(s): _____ Waiver(s): _____	
RESIDENTIAL DEVELOPMENT: No. of Dwelling Units: _____ Dwelling Unit Sq. Ft.: _____ Density: _____ Floor Area Ratio (LRR, MRR, HRR): _____	NON-RESIDENTIAL DEVELOPMENT No. of Buildings: <u>1</u> Total Building Sq. Ft.: <u>55,000 sq. ft.</u> Floor Area Ratio: _____
MIXED-USE DEVELOPMENT No. of Dwelling Units: _____ Dwelling Unit Sq. Ft.: _____ Total Non-Residential Sq. Ft.: _____ Floor Area Ratio: _____	

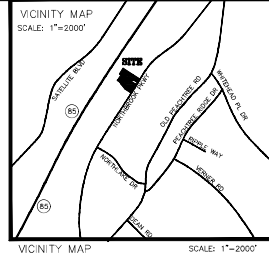
TRACT DESCRIPTION

FOR 875 NORTHBROOK PKWY
 SUWANNEE, GA 30024-2528
 ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 153 AND 154 OF THE 7th DISTRICT, SUWANNEE, GWINNETT COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT A 1/2 INCH REBAR RE-SET AT GEORGIA STATE PLANE (WEST ZONE-NAD83) COORDINATES OF NORTH 146094.97, EAST 328850.61, SAID 1/2 REBAR SET ALSO BEING ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF NORTHBROOK PARKWAY (HAVING 160 FOOT WIDE RIGHT-OF-WAY);
 THENCE FROM THE POINT OF BEGINNING AS THUS ESTABLISHED, RUNNING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF NORTHBROOK PARKWAY SOUTH 32 DEGREES 17 MINUTES 20 SECONDS WEST A DISTANCE OF 98.83 FEET TO A POINT, THENCE NORTH 57 DEGREES 50 MINUTES 26 SECONDS WEST A DISTANCE OF 176.83 FEET TO A POINT, THENCE SOUTH 83 DEGREES 46 MINUTES 59 SECONDS WEST A DISTANCE OF 77.06 FEET TO A POINT, THENCE SOUTH 57 DEGREES 18 MINUTES 36 SECONDS EAST A DISTANCE OF 176.88 FEET TO A POINT, THENCE SOUTH 32 DEGREES 50 MINUTES 20 SECONDS WEST A DISTANCE OF 221.05 FEET TO A POINT, THENCE SOUTH 32 DEGREES 42 MINUTES 55 SECONDS WEST A DISTANCE OF 115.00 FEET TO A POINT, THENCE DEPARTING SAID RIGHT-OF-WAY LINE NORTH 57 DEGREES 11 MINUTES 01 SECOND WEST A DISTANCE OF 209.27 FEET TO A POINT, THENCE NORTH 49 DEGREES 38 MINUTES 25 SECONDS WEST A DISTANCE OF 200.45 FEET TO A POINT, THENCE NORTH 57 DEGREES 11 MINUTES 01 SECOND WEST A DISTANCE OF 86.24 FEET TO A POINT, THENCE NORTH 32 DEGREES 48 MINUTES 59 SECONDS EAST A DISTANCE OF 220.00 FEET TO A POINT, THENCE NORTH 57 DEGREES 11 MINUTES 01 SECONDS WEST A DISTANCE OF 60.00 FEET TO A POINT, THENCE NORTH 32 DEGREES 48 MINUTES 59 SECONDS EAST A DISTANCE OF 225.50 FEET TO A POINT, THENCE SOUTH 57 DEGREES 11 MINUTES 01 SECONDS EAST A DISTANCE OF 661.24 FEET TO SAID 1/2 REBAR RE-SET LOCATED AT THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 310,987 SQUARE FEET, BEING 7.14 ACRES.

SITE SUMMARY:
 TOTAL SITE AREA: 7.14 A.C., 310,987 S.F.
 EXISTING ZONING: M1
 FLOOD PLAIN AREA: 0.00 A.C.
 MAXIMUM BUILDING HEIGHT: 40 FEET
 PROPOSED BUILDING HEIGHT: 56 FEET (VARIANCE APPLIED FOR)
SETBACKS:
 FRONT YARD = 50 FEET
 SIDE YARD = 25 FEET
 REAR YARD = 15 FEET
 PROPOSED COVERAGE: 3.26 AC. / (6.13+1) 7.13 AC. = 45.7%
 PROPOSED BUILDING COVERAGE: 55,000 S.F. / 310,987 = 17.7%
 REQUIRED BUILDING: 55,000 S.F.
 REQUIRED PARKING:
 MIN.=1 PER 3000 S.F.=55,000/3000=19 SPACES
 MAX.=1 PER 1500 S.F.=55000/1500=37 SPACES
TOTAL PROVIDED PARKING: 21 SPACES (INCLUDE 2 H.C.)

NOTE: PROPOSED BUILDING HAS TOILET FACILITIES WITH NO INDUSTRIAL PROCESSING DISCHARGE.

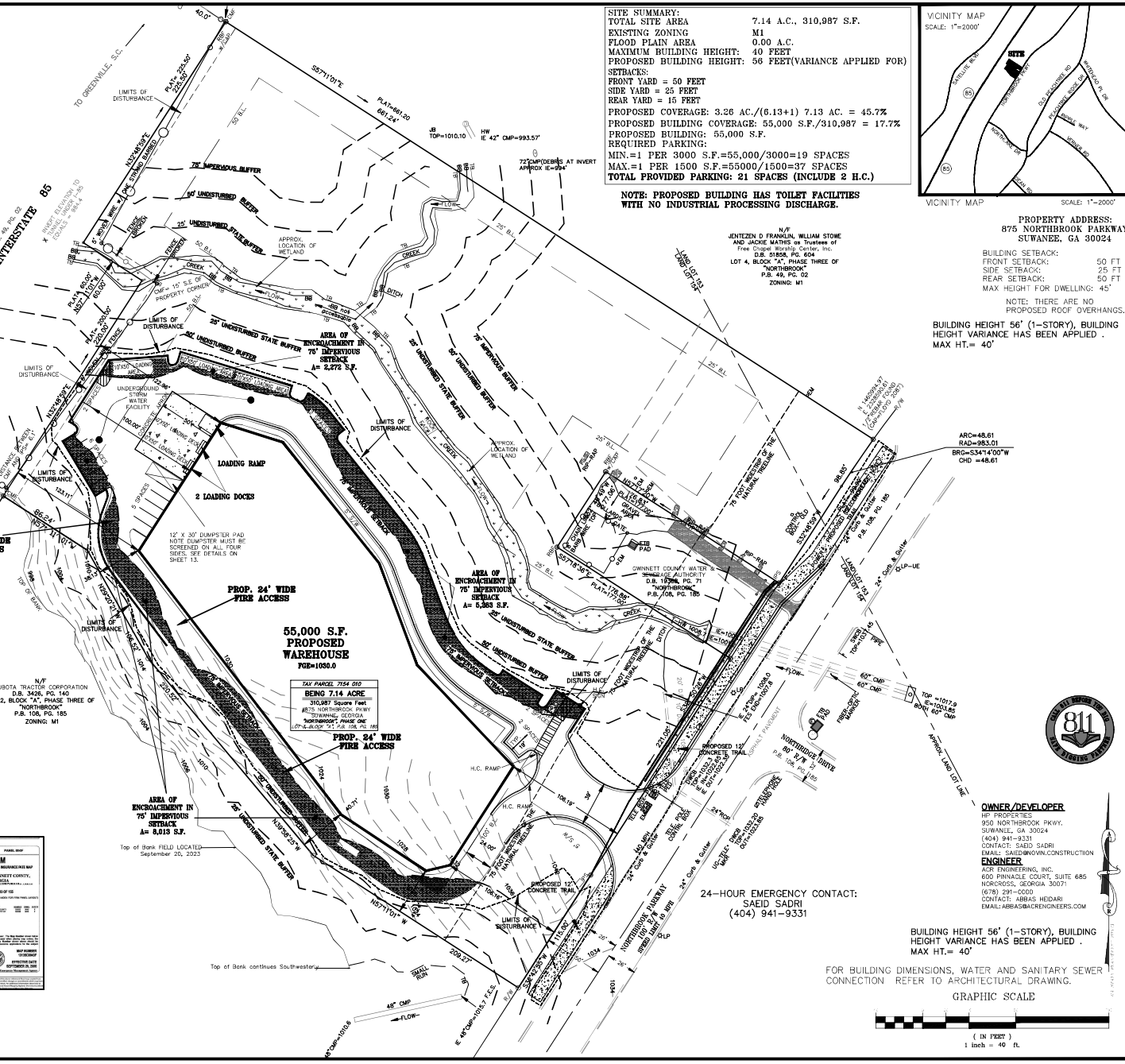


PROPERTY ADDRESS:
 875 NORTHBROOK PARKWAY
 SUWANNEE, GA 30024

BUILDING SETBACK: 50 FT
FRONT SETBACK: 50 FT
SIDE SETBACK: 25 FT
REAR SETBACK: 50 FT
MAX HEIGHT FOR DWELLING: 45'

NOTE: THERE ARE NO PROPOSED ROOF OVERHANGS.
BUILDING HEIGHT 56' (1-STORY), BUILDING HEIGHT VARIANCE HAS BEEN APPLIED .
MAX HT. = 40'

**GWINNETT COUNTY
 PLANNING AND DEVELOPMENT
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 9/13/2024**



55,000 S.F. PROPOSED WAREHOUSE
 PGB=1080.0

TAX PARCEL 7504 000
 BEING 7.14 ACRE
 310,987 Square Feet
 875 NORTHBROOK PARKWAY
 SUWANNEE, GEORGIA
 NORTHBROOK, PHASE ONE
 OF 6-4-00, P. 17, P. 108, 109, 110

PROP. 24' WIDE FIRE ACCESS

PROP. 24' WIDE FIRE ACCESS

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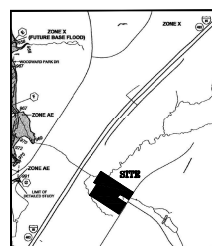
SOURCE OF BOUNDARY AND TOPOGRAPHIC INFORMATION IS BOUNDARY AND TOPOGRAPHIC SURVEY FOR "HP PROPERTIES" PREPARED BY ACR ENGINEERING, INC. REVISION DATED 10/2/23.

Each building and its relative location to property lines and other structures shall comply with the 2012 International Building Code (IBC) with Georgia State Amendments with regards to the height and area requirements of IBC Table 502 and the fire resistance and horizontal separation requirements of IBC Tables 601 and 602."

NOTE: Sidewalks are not allowed within fifteen feet from the edge of the roadway without curb and gutter and any necessary drainage structures.

LEGEND

- 1. 1"=1000' FIRM MAP
- 2. 1"=1000' FIRM PANEL
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- 100. 1"=1000' FIRM PANEL



FIRM MAP 1" = 1000'
FIRM PANEL
 1"=1000' PANEL 100 OF 130
 MAP NUMBER: 13138000-01
 MAP DATED: SEPTEMBER 29, 2008
 According to F.A.M. Community Panel 13138000-01 dated September 29, 2008, no portion of this site lies within a designated flood plain.



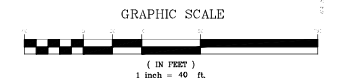
OWNER/DEVELOPER
 HP PROPERTIES
 990 NORTHBROOK PKWY.
 SUWANNEE, GA 30024
 (404) 941-8331
 CONTACT: SAED SADR
 EMAIL: SAED@HPVCONSTRUCTION.COM

ENGINEER
 ACR ENGINEERING, INC.
 600 PINNACLE COURT, SUITE 685
 NORCROSS, GEORGIA 30071
 (678) 291-0200
 CONTACT: ABBAS HEIDARI
 EMAIL: ABBAS@ACRENGINEERS.COM

24-HOUR EMERGENCY CONTACT:
 SAED SADR
 (404) 941-9331

BUILDING HEIGHT 56' (1-STORY), BUILDING HEIGHT VARIANCE HAS BEEN APPLIED .
MAX HT. = 40'

FOR BUILDING DIMENSIONS, WATER AND SANITARY SEWER CONNECTION REFER TO ARCHITECTURAL DRAWING.



ACR Engineering, inc.
 ARCHITECTURAL & RESIDENTIAL ENGINEERING
 600 PINNACLE COURT
 SUWANNEE, GA 30024
 (678) 291-0200
 FAX: (678) 291-0207

PRELIMINARY SITE PLAN
 FOR
875 NORTHBROOK PKWY
 GWINNETT COUNTY, GEORGIA
 L.L. 153 & 154, 7TH DISTRICT

Rev/Issue	Date	By
1	7/9/24	HP
2	7/9/24	HP
3	7/9/24	HP
4	8/10/24	HP

No.	Parcel #	Land Lot	Therret.	Section	State	County	Surveyed
1	7154 010	153 & 154	7th	10	GA	GWINNETT	1/1/20

Sheet	of
1	1

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TRACT DESCRIPTION

FOR 875 NORTHBROOK PKWY
SUWANNE, GA 30024-2928

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SAID TRACT OR PARCEL OF LAND CONTAINS 310,987 SQUARE FEET, BEING 7.14 ACRE.

1824

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GWINNETT COUNTY BOARD OF COMMISSIONERS
RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

RZ-207-85

PLANNING AND ZONING
BOOK 5

000748

WHEREAS, the Municipal-Gwinnett County Planning Commission has filed a formal recommendation to the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from O-I & RM to M-1 by A. R. Weeks & Associates, 4497 Park Drive, Norcross, Ga. 30093

for the proposed use of Office/Warehouse/Distribution Park on a tract of land described by the attached legal description, and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been published in BUSINESS GWINNETT, the Official News Organ of Gwinnett County, and

WHEREAS, a Public Hearing was held in the Commission Meeting Room by the Gwinnett County Board of Commissioners on OCTOBER 22, 1985 and objections were not filed.

THEREFORE, BE IT RESOLVED that the Gwinnett County Board of Commissioners do hereby APPROVED/CONDITIONS the Amendment to the Official Zoning Map from O-I & RM to M-1 on the 22 day of October, 1985.

CONDITIONS:

SEE ATTACHMENT FOR LIST OF CONDITIONS.

GWINNETT COUNTY BOARD OF COMMISSIONERS

Lillian Webb

LILLIAN WEBB, CHAIRMAN

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PLANNING AND ZONING
BOOKS

000714

CONDITIONS FOR APPROVAL OF
RZ-207-85

1. No outside storage throughout the development unless adequately screened.
2. No truck terminals, truck repair or maintenance facilities.
3. No billboards, (except for billboard advertising development which will be removed when development is completed).
4. No airfields or landing pads unless approved by the Board of Commissioners after receiving recommendations from the Planning Director and Planning Commission and after a public hearing.
5. ~~A 75 foot wide strip of the natural treeline, replanted where sparse, is to be left as a buffer adjacent to the existing right-of-way. In addition the first 25 feet of the buffer is to be enhanced where necessary and where enhancement is required there shall contain a minimum of three (3) staggered rows of understory evergreen plantings to adequately screen the development from view from the level of a first floor window across the right-of-way. The minimum height of enhancement at the time of construction on the lots shall be 5 feet and 15 feet minimum height at maturity.~~
6. ~~The buildings in this area shall be all brick construction with a maximum height of 25 feet and limited to one story. These buildings shall be set-back a minimum of 100 feet from the existing right-of-way.~~ The building shall be a maximum of 45 feet and set-back a minimum of 50 feet from the existing right-of-way.
7. No parking or driveway areas shall be between the rear of the buildings and the existing right-of-way unless approved by the Planning Commission.
8. No lighting shall be directed toward the existing right-of-way. Cut-off type luminaires mounted on the building are permissible for security lighting requirements.
9. No access to existing right-of-way on Old Peachtree Road.
10. ~~All buildings to be of a similar style and architecture found in the developer's Gwinnett Park project. Each building site shall be heavily landscaped as in the same referenced project and all landscaped areas and buffers shall be under the control and responsibility of a single management entity.~~
11. Existing tree stands are to be preserved wherever possible and be incorporated into the overall landscaping plan for the development. Three stands are to remain on the undeveloped lots until the commencement of building activity on each lot.
12. The entrances to the development at either end of Old Peachtree Road shall contain a minimum of 1/2 acre of heavy landscaping. Signage at these points shall be limited to 10 feet in height.
13. All lighting shall be cut-off type luminaries.
14. ~~A final subdivision plan shall be submitted to the Planning Commission for approval prior to the issuing of any permits.~~

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ANDERSEN | TATE | CARR

August 29, 2024

LETTER OF INTENT
AND JUSTIFICATION FOR CHANGE IN CONDITIONS

Change in Conditions Application
Gwinnett County, Georgia

Applicant:
HP Properties Georgia, LLC

Property:
Tax Parcel ID R7154 010
±7.14 Acres of Land
Located at 875 Northbrook Parkway, Suwanee, Georgia
(M-1)

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

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I.

INTRODUCTION

This Application for Change in Conditions is submitted for a 7.14-acre parcel of land located at 875 Northbrook Parkway, Suwanee, Georgia, and identified as Tax Parcel ID R7154 010 (hereinafter the “Property”). The Property is located on Northbrook Parkway at the intersection with Northridge Drive.

The Property that is the subject of this Change in Conditions application is shown on the survey prepared by ACR Engineering, dated August 11, 2023¹. The Property is further identified as shown below from the Gwinnett County Geographical Information System:



The Property is currently zoned M-1 (Light Industry District) pursuant to the Gwinnett County Unified Development Ordinance (the “UDO”). The Applicant, HP Properties Georgia, LLC (the “Applicant”), now seeks approval of a Change in Conditions to the existing Zoning Resolution to construct an additional warehouse on the Property. The Applicant is the current owner of the site, as well as the property across the street located at 950 Northbrook Parkway that operates as PAI Industries, Inc. (“PAI”). PAI manufactures and distributes quality service parts to the heavy-duty truck industry. For over 50 years, PAI has been supplying distributors throughout the world. The Change in Conditions will allow for the Applicant to expand its existing facilities and continue operations. As such, the Applicant is requesting to amend the following conditions of Zoning Resolution RZ-207-85 (attached as Exhibit A) as follows:

- ~~5. A 75 foot wide strip of the natural treeline, replanted where sparse, is to be left as a buffer adjacent to the existing right of way. In addition the first 25 feet of the~~

¹ The Applicant acquired an additional 1.0 acres from the adjacent property owner as referenced on the Combination Plat prepared by ACR Engineering, Inc., dated March 6, 2024. A copy of the Combination Plat is included with this Application.

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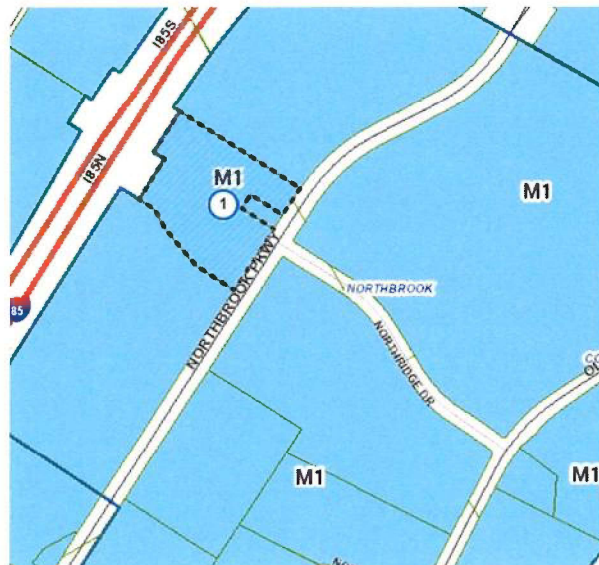
~~buffer is to be enhanced where necessary and where no enhancement is required there shall contain a minimum of three (3) staggered rows of understory evergreen plantings to adequately screen the development from view from the level of first floor window across the right-of-way. The minimum height of enhancement at the time of construction on the lots shall be 5 feet and 15 feet minimum height at maturity.~~

6. ~~The buildings in this area shall be all brick construction with a maximum height of 45 feet 25 feet and limited to one story. These buildings shall be setback a minimum of 50 feet 100 feet from the existing right-of-way.~~
10. ~~All buildings to be of a similar style and architecture found in the developer's Gwinnett Park project. Each building site shall be heavily landscaped as in the same referenced project and all landscaped areas and buffers shall be under the control and responsibility of a single management entity.~~
14. ~~A final subdivision plan shall be submitted to the Planning Commission for approval.~~

This document is submitted as the Letter of Intent, Response to Standard Governing the Exercise of Zoning Power, and other materials required by the Gwinnett County UDO.

II. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

The Property is a single parcel fronting Northbrook Parkway in Suwanee, Georgia. It is a relatively square tract with one access point to Northbrook Parkway. The Property is surrounded entirely by properties zoned M-1. The following is a summary of the surrounding zoning classifications:



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The subject site is currently undeveloped and heavily wooded. It is surrounded by developed parcels and industrial uses. To the north is Free Chapel Worship Center, which is buffered by existing trees and surface parking. Across Northbrook Parkway and to the northeast is the J. Alvin Willbanks Instructional Support Building and Central Office of Gwinnett County Public Schools. The Applicant's existing facility is also located across Northbrook Parkway to the southeast. To the south is Kubota Tractor Corporation which also maintains a significant buffer with dense vegetation. To the west and across Interstate 85 is an office warehouse located on Satellite Boulevard.

III. PROJECT SUMMARY

The applicant requests a Change in Conditions to the existing Zoning Resolution to construct a new warehouse across the street from its current operations. The proposed new warehouse will be 55,000 square feet, with a maximum height of 45 feet. The Applicant has previously filed a Stream Buffer Variance application due to the significant topographical challenges with the site. As previously indicated, the Applicant is the manufacturer of heavy-duty truck parts. They currently employ 400 people worldwide, with approximately 350 of those employees being at the existing location on Northbrook Parkway. Due to their successful business operations, they have reached capacity in their existing site and are seeking to expand the business in close proximity. The proposed new warehouse would include high-end technology, including an advanced robotic system. The Applicant has been a long-standing business in Gwinnett County and would like to continue to maintain their location on Northbrook Parkway.

Pursuant to the Gwinnett County 2045 Plan, this site is located in the Workplace Center-Light future development area. The 2045 Plan specifically provides that light industrial uses, light manufacturing, warehouses, heavy commercial, and offices are all anticipated types of development in the Workplace Center-Light area. As a result, approval of the Applicant's Change in Conditions would allow an appropriate use within this area.

IV. SITE IMPACT ANALYSIS

Pursuant to UDO § 270-20.6, entitled "Impact Analysis," the Applicant submits its written impact analysis which shows that the requested Change in Conditions, satisfies UDO § 270-20.5, entitled "Standards Governing Exercise of the Zoning Power," as follows:

(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 proposed use of a warehouse is consistent with the area.

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

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No, the proposed Change in Conditions Application will not adversely affect the existing use or usability of any of the nearby properties.

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

The Applicant submits that due to the existing typography, size, and natural features of the Property, it is not able to meet the conditions set forth in the Zoning Resolution. Accordingly, it does not have reasonable economic use. The Applicant's proposal would allow for the Property to be developed as a warehouse and serve as expanded operations for the existing business located across the street.

(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 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 in the area. The Change in Conditions will not result in a use that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

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

The proposed change in conditions application is in conformity with the policy and intent of the Gwinnett County 2045 Unified Plan. The Property is located within the Workplace Center-Low development area, which specifically supports warehouses.

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

The Applicant submits that the character of the surrounding developments and the existing industrial uses in the area provide supporting reasons for approval of the change in conditions request. The Applicant submits that the Property's close proximity to Interstate 85 provides further support for approval.

V. JUSTIFICATION FOR CHANGE IN CONDITIONS

The portions of the Gwinnett County Unified Development Ordinance, as amended, (the "UDO") which classify or may classify the Subject Property which is the subject of the Change in Conditions application into any more or less intensive zoning classification, development and/or conditions other than as requested by the Applicant are, and would be, unconstitutional in

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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 and the existing conditions in the Zoning Resolution, as applied to the Subject Property, which restricts its use to the present zoning classification 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 Subject Property while not substantially advancing legitimate state interests. Under *Lathrop v. Deal*, the application of the UDO in a way that constitutes a taking shall be deemed a waiver of sovereign immunity.²

The Subject Property is presently suitable for development under the M-1 zoning classification with the requested change in conditions by the Applicant. A denial of the requested change in conditions would constitute an arbitrary and capricious act by the Gwinnett County Board of Commissioners without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

VI. 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 29th day of August, 2024.

ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.

Enclosures
MAG/dwb
4871-9977-2894, v. 1

² *Lathrop v. Deal*, 301 Ga 408, 880-881 S.E. 2d 867 (2017)

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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 six (6) months from the date of last action by the Board of Commissioners.

Melody A. Glouton

08/29/2024

Signature of Applicant

Date

Melody A. Glouton, Attorney for Applicant

Type or Print Name and Title

D. Wilson

08/29/2024

Signature of Notary Public

Date



Notary Seal

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Gwinnett County Planning Division
Change in Conditions Application
Last Updated 12/2023

CHANGE IN CONDITIONS PROPERTY OWNER'S CERTIFICATION

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

Melody A. Glouton 08/29/2024
Signature of Property Owner Date

Melody A. Glouton, Attorney for Applicant *and property owner*
Type or Print Name and Title

Dm 08/29/2024
Signature of Notary Public Date



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Name and Official Position of Government Official	Contributions (list all which aggregate to \$250 or more)	Date Contribution Was Made (within last two years)
Nicole Love Hendrickson and/or Love4Gwinnett	\$1,500.00 \$1,000.00 \$800.00	03/03/2023 06/07/2023 10/05/2023
Kirkland Carden and/or Kirkland 4 Gwinnett, LLC Kirkland 4 Gwinnett, LLC	\$500.00 \$2,000.00 \$800.00	05/05/2022 07/17/2023 02/05/2024
Ben Ku and/or Ku For You	\$1,000.00 \$1,500.00	03/25/2022 10/06/2022
Matthew Holtkamp and/or Matthew For Gwinnett	\$2,500.00 \$800.00	9/15/2023 01/24/2024

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**VERIFICATION OF CURRENT PAID PROPERTY TAXES
FOR CHANGE IN CONDITIONS**

The undersigned below is authorized to make this application. The undersigned certifies that all Gwinnett County property taxes billed to date for the parcel listed below have been paid in full to the Gwinnett County Tax Commissioner. In no case shall an application or reapplication for change in conditions be processed without such property verification.

A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE CHANGE IN CONDITIONS REQUEST.

Parcel I.D. Number: R7154-010
(Map Reference Number)

Melody A. Glouton
Signature of Applicant

06/21/2024

Date

Melody A. Glouton, Attorney for Applicant

Type or Print Name and Title

PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE. THIS FORM MUST BE SIGNED BY A REPRESENTATIVE OF THE TAX COMMISSIONER'S OFFICE.

TAX COMMISSIONERS USE ONLY

Payment of all property taxes billed to date for the above referenced parcel has been verified as paid current and confirmed by the signature below.

J. Fialy
Name

ISA
Title

6-21-2024
Date

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8/29/2024

Gwinnett

July 29, 2024

Saeid Sadri
Novin Construction
950 Northbrook Parkway
Suwanee, GA 30024

APPROVED

DENIED

CONDITIONALLY APPROVED

Sewer Capacity Request #C2024-182-07

Expiration Date: 07/29/2025

Tie-In Manhole FID: 205810

RE: Sewer Availability for Proposed Development – 875 Northbrook Parkway
Parcel ID 7154 010

Dear Saeid Sadri:

Gwinnett County Department of Water Resources (GCDWR) has reviewed the impact of the proposed development consisting of a 55,000-sf warehouse on the above parcel 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 **1.0 gpm** discharging to the sewer tie-in manhole at Facility ID **205810**. **This request is for anticipated flows from the development's toilet facilities only; no industrial processing discharges are covered as none were identified for this capacity request.**

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.

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Gwinnett

GWINNETT COUNTY
DEPARTMENT OF WATER RESOURCES

684 Winder Highway | Lawrenceville, GA 30045-5012

678.376.6700

www.gwinnettcounty.com | www.gwinnetth2o.com

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

Sincerely,

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES

Lorraine Campagne, PE
Section Manager, Development Support
678.376.7058

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

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SEWER CAPACITY CERTIFICATION REQUEST

Submit completed, signed, sealed form, and documents to: DWRCapacityCertification@GwinnettCounty.com

Select Request Type:

- Pre-Rezoning
- New Request
- Renew Request
SCC # _____
- Revise Existing Request
SCC # _____
(Describe revision changes in Project Description below)

DWR Use Only:

Capacity Certification Request No. C2024-182-07

Approved Conditionally Approved* Denied

*(See attached letter for conditions)

Printed Name: Lorraine Campagne, Section Manager, Development Support

Signature:

Gwinnett County Planning and Development Permit No.: _____

Check if development/project requires public or private pump station: Pumping Rate (gpm) _____

Development/Project Name: 875 NORTHBROOK PARKWAY

Development Address: 875 Northbrook Parkway (City) Suwanee (Zip) 30024

Parcel Number(s): 7154 010

Project Description: proposed 55,000 square foot warehouse

(Provide appropriate square footage and number of units in the project description)

Total Area of Development: 7.14 acres

If residential, total number of units: --- Density: --- units/acre

Property Owner Name: HP Properties

Property Owner Email: saeid@novin.construction Phone #: 404-941-9331

Developer Contact: Saeid Sadri Company: Novin Construction

Address: 950 Northbrook Parkway City: Suwanee Zip: 30024

Developer Email: saeid@novin.construction Phone #: 404-941-9331

Engineering Contact: Mark Miller Engineering Firm: ACR Engineering, Inc.

Engineer Email: mmiller@acengineers.com Phone #: 678-291-0000

Additional Recipients: Abbas Heidari /CR Engineering, Inc.

Recipient(s) Email(s): abbas@acengineers.com

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8/29/2024
DWR Use Only

Capacity Certification Request No.: C2024-182-07

Development/Project Name: 875 Northbrook Parkway

Gwinnett County Planning and Development Permit No.: _____ (if available)

Downstream Pump Station: NORTHBROOK NORTH Sewer Basin: SUWANEE

Total requested annual average daily flow (AADF) in gallons per minute (gpm): 1 (AADF)

Flow (gpm) 1.0 gpm to tie-in manhole facility ID: ~~10374~~ 205870

Flow (gpm) _____ to tie-in manhole facility ID: _____

Flow (gpm) _____ to tie-in manhole facility ID: _____

Flow (gpm) _____ to tie-in manhole facility ID: _____

Flow (gpm) _____ to tie-in manhole facility ID: _____

Provide your BEST estimated dates for:

Zoning Submittal: 6/27/2024 Plan Submittal 10/1/224 Begin Construction: 3/1/2025

Zoning Approval: 9/24/2024 Completion/Occupancy: 3/1/2026

Include the following in the submittal package:

- GIS map highlighting proposed development, surrounding utilities, and location of tie-in manhole.
<https://gis.gwinnettcountry.com/GISDataBrowser>
- Detailed flow calculations for proposed development project based on the most current wastewater flow estimation guidelines:
<https://www.gwinnettcountry.com/static/departments/water/pdf/wastewater-flow-estimation-guidance.pdf>
 - Annual average daily flow (gpm)
 - Peak flow (gpm) for all heavy water users (i.e. laundromats, carwashes, industrial, etc.) – please note that the peaking factor has been changed from 2.5 to 4.0 unless justification can be provided.
 - Batch discharges from processing facilities (breweries, industrial, etc.)
 - Pump station flow rates – If a pump has been selected, provide a pumping rate and pump curve. If a pump has not been selected, assume a minimum pumping rate of 4 times the AADF. Be sure to provide the pump flow rate on page 1 of the request form.

Proposed utility plan

Design Professional sign/seal:  Date: 7/3/24



Once a complete package with all supporting documentation has been received

PLEASE ALLOW A MINIMUM OF 10 BUSINESS DAYS FOR PROCESSING

If additional analysis or flow monitoring is required
PLEASE ALLOW AN ADDITIONAL 20 BUSINESS DAYS FOR PROCESSING

DWR Received
July 5, 2024

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8/29/2024



Gwinnett

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 1 Planning Commissioners and Commissioner Carden.

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 the Applicant's existing location, 950 Northbrook Parkway, Suwanee, Georgia.

The building is located directly across the street from the proposed site.

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 2, 2024, 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.



Below is rendering and material is PEMB structure with a mix of horizontal and vertical IMP (Insulated Metal Panel) skin. There are many colors available.

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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9/13/2024