



Small town. Big difference.

City of Lilburn  
76 Main Street  
Lilburn, GA 30047

**City Council**  
**Meeting Agenda**

Auditorium  
Monday, October 10, 2016  
7:30 p.m.

**Council**  
Johnny Crist, Mayor  
Brian Burchik, Post 1  
Scott Batterton, Post 2  
Eddie Price, Post 3  
Tim Dunn, Post 4

*As set forth in the Americans with Disabilities Act of 1990, the City of Lilburn does not discriminate on the basis of disability in the admission or access to, or treatment or employment in its programs or activities. Doug Stacks, 76 Main Street, Lilburn, GA 30047 has been designated to coordinate compliance with the non-discrimination requirements contained in section 13.107 of the Department of Justice regulations, information concerning the provisions of the Americans with Disabilities Act, and the rights provided thereunder, are available from the ADA coordinator.*

*The City of Lilburn will assist citizens with special needs given proper notice (seven working days). Any requests for reasonable accommodations required by individuals to fully participate in any open meeting, program or activity of the City of Lilburn should be directed to Doug Stacks, 76 Main Street, Lilburn, GA 30047, telephone number 770-921-2210.*

- I. **CALL TO ORDER**
- II. **ROLL CALL**
- III. **PLEDGE TO THE FLAG**
- IV. **APPROVAL OF AGENDA**
- V. **ANNOUNCEMENTS**
  - October 11<sup>th</sup> – The last Food Truck Tuesday (5 pm to 8 pm @City Park)
  - October 18<sup>th</sup> – Ribbon Cutting Ceremony for City Hall/Library (4 pm to 5 pm @Lilburn City Hall/Library)
  - October 21<sup>st</sup> – Moonlight Movie & Pokémon GO Night (6 pm to 9 pm @City Park)
  - October 29<sup>th</sup> – Open House for City Hall/Library (11 am to 12 pm @Lilburn City Hall/Library)
  - November 6<sup>th</sup> – Veterans Day Celebration (2 pm to 4 pm @ City Park)
- VI. **CEREMONIAL MATTER – NONE**
- VII. **PUBLIC COMMENT – NONE**
- VIII. **APPROVAL OF MINUTES**
  - Consideration of the **City Council Regular meeting minutes and Executive Meeting Minutes from September 12, 2016.**
- IX. **PUBLIC HEARING**
  1. **PUBLIC HEARING – SUP-2016-03 LILBURN BRADEN DEVELOPMENT, LLC. 5712 LAWRENCEVILLE HIGHWAY – PROPOSED SPECIAL USE PERMIT – AUTOMOBILE SERVICE (CAR WASH FACILITY) – DIRECTOR OF PLANNING & ECONOMIC DEVELOPMENT**

#### ZONING HISTORY

The subject 4.25 acre parcel was annexed and rezoned in 2009 (LRZ-05-09.) The subject parcel was granted an SUP in 2015 (SUP 2015-04) and the western half of the parcel is currently under construction for the approved package store. The parcel is proposed for subdivision and this SUP would apply to the eastern half (2.16 ac) of the property.

#### APPLICANT'S INTENT

The applicant intends to subdivide the 4+ acre parcel and construct a 3,200 square foot self-service car wash facility. The facility is proposed as a self-service express tunnel car wash with three pay stations and 18-20 vacuum stations outside of the building. See applicant's letter of intent and supplemental information for details.

#### ANALYSIS OF SPECIAL USE PERMIT REQUEST

The property is commercially zoned (CB) and is within the U.S. 29 Overlay District. The Special Use Permit is to allow *automobile service as a car wash*. The parcel is located at the intersection of Braden Drive and Lawrenceville Highway and is proposed for subdivision. Access to the property is proposed from Highway 29 and Braden Drive through interparcel connection. Traffic counts in 2009 were in excess of 33,000 vehicles per day.

Automobile service establishments, specifically car washes are permitted in the CB District and within the U.S. 29 Overlay District subject to a Special Use Permit and specific provisions of the zoning resolution. The proposed site plan indicates the intent to comply with most of the use provisions. The lot is adequate, stacking spaces are provided, and exit drives are of sufficient length. Parking spaces are oriented to the side of the building with 18-20 free vacuum stations proposed. Buffers adjacent to residential uses to the east and southeast will be undisturbed and the concept plan respects stream buffers along the eastern property boundary. On-site stormwater management will be reviewed prior to permitting by the Department of Planning & Development and any on-site septic system would require approval by the Department of Environmental Health. Finally, the

developer intends to manage the car wash operations so that all wash water is recycled onsite, and the business use would be subject to applicable water, sewer and/or environmental health regulations.

Specific design criteria of the US Highway 29 Overlay are also applicable to this property, the purpose and intent of which is to provide a pleasing aesthetic/visual quality in landscaping, architecture and signage. Below are highlights from Section 501 of the Zoning Ordinance related to site and building standards of the U.S. 29 Overlay District:

- *Provide inter-parcel access.*
- *Provide pedestrian and bicycle access (5' sidewalks) along Lawrenceville Highway and designate pedestrian routes between the parking lots and the building.*
- *Provide decorative lighting consistent with the Lilburn Town Center Master Plan.*
- *Provide landscaping throughout and to effectively screen the parking lot, screen dumpsters, and provide decorative, commercial-quality bicycle racks, benches, and trash receptacles where applicable.*
- *Architectural design of the building shall include massing and modulation changes, changes in height, horizontal plane, building projections/recessions, roof form and/or other architectural elements. Building materials shall be brick, stone, and glass with textured concrete masonry block, stucco, cement-fiber siding as accents, roof parapets shall be articulated to provide visual diversity, all mechanical, HVAC and like systems shall be screened.*
- *Signage shall meet the standards of the Lilburn Sign Ordinance.*

Though most of these standards can be met with the proposed use, the site plan indicates the building is oriented so that the 100' wash tunnel faces U.S. 29 at an angle. In addition, the tunnel design includes transparent building material and the carwash operates with an interactive "neon light show". The building design warrants additional review under the Lilburn Sign Ordinance and building code, as "Any neon in any shape, whether numbers, words or display of neon shall be considered a sign. Such neon shall not be permitted." The following additional statements are from the adopted sign ordinance.

**Sec. 113-14. - Illumination of Signs:**

- (a) *No sign shall give off light that glares, blinds or has any other such adverse effect on traffic or adjacent properties. The light from an illuminated sign shall be established in such a way that adjacent properties and roadways are not adversely affected and that no direct light is cast upon adjacent properties and roadways...*
- (b) *No sign shall have blinking, flashing, or fluctuating lights or other illuminating devices that have a changing light intensity, brightness or color.*
- (e) *All neon decorative lighting, including strips of neon for decoration and signs that display numerals or words on the exterior of a building shall not be permitted...*

**Sec. 113-9. - Signs and sign devices prohibited.**

- (5) *Flashing, blinking, varying light intensity signs or animated signs, with the exception of signs used for... variable message board signs.*

In cases where existing businesses have applied for such similar window lighting, including rope lighting, they have been denied based on the property maintenance section of the building code (Article III - Property Maintenance, Sec. 105-82. - Decorative features):

*The use of LED rope lighting is not considered decorative in commercial applications and is prohibited when visible from the exterior of the building facing a roadway (whether installed inside or outside of the premises).*

Based upon the above considerations, staff recommends APPROVAL of the request with the following conditions:

1. The Special Use Permit shall apply to a car wash facility only.
2. The building shall be oriented so that the wash bay does not directly face US 29. Alternatively, an opaque screen a minimum 6' in height shall be provided along the front of the bay/tunnel and along the exit drive to the parking lot.
3. Signs and lighting shall comply with applicable codes, specifically prohibiting neon, LED, and rope lighting visible from the exterior of the building.
4. With self-serve business no detailing activities permitted beyond vacuum stations adjacent to the building.
5. Hours of operation shall be 7 am to 9 pm.
6. Access from US 29 shall be permitted through Georgia DOT.
7. Facility must be certified under DNR regulations 391-3-31-.02 or be prohibited from operating during periods of drought.

Required public notice resulted in no opposition. Lilburn Police and Public Works anticipate no adverse impacts. The Planning Commission met on Thursday, September 22 and recommended unanimous approval with the conditions enumerated above.

By unanimous vote, the Planning Commission recommended approval as submitted. **Staff recommends a motion to approve Ordinance No. 2016-506 approving Special Use Permit 2016-03 with conditions.**

Attachments: *Application, Staff Analysis, Planning Commission Minutes, Adoption Ordinance No. 2016-506*

#### **X. AGENDA**

##### **2. ADOPTION – COUNTYWIDE EMERGENCY OPERATIONS PLAN – RESOLUTION #2016-06 – CITY MANAGER**

Every four years the Countywide Emergency operations Plan must be reviewed and adopted by Elected Officials. After adoption, the plan is sent to GEMA and Homeland Security. Staff recommends adoption of Resolution number 2016-06.

**Staff recommends a motion to adopt Resolution No. 2016-06 adopting the countywide Emergency Operations Plan. Further, authorize Mayor to execute Resolution on behalf of the City of Lilburn.**

Attachment: *Resolution 2016-06*

##### **3. MANIHANI KAMALPREET, OWNER OF BRANDED BARREL1, LLC – APPLICATION FOR PACKAGE STORE LICENSE AT 735 PLEASANT HILL RD. – FINANCE DIRECTOR**

The Alcohol Review Board met on October 5<sup>th</sup> and heard the new application. 735 Pleasant Hill Road is a new location that has never held an alcohol license and must be approved by council.

**Staff recommends a motion to approval of the package store license for Branded Barrel 1, LLC. located at 735 Pleasant Hill Road.**

Attachment: *Alcohol License Application, Surveyor Certification*

#### **XI. ADJOURNMENT**

**CITY OF LILBURN**  
**ITEM 1**  
**PUBLIC HEARING**

|                             |   |                      |                          |
|-----------------------------|---|----------------------|--------------------------|
| <b>Date:</b>                | October 3, 2016   | <b>To:</b>           | <b>Mayor and Council</b> |
| <b>From:</b>                | Doug Stacks   | <b>Department:</b>   | Planning & Econ Dev't    |
| <b>Work Session Date:</b>   | October 10, 2016  | <b>Presenter:</b>    | Doug Stacks              |
| <b>Agenda Title:</b>        | SUP-2016-03 Lilburn Braden Development, LLC<br>5712 Lawrenceville Highway<br>Proposed Special Use Permit - Automobile Service (Car Wash Facility) |                      |                          |
| <b>Audio/Visual Req'ts:</b> | n/a   | <b>Meeting Date:</b> | October 10, 2016         |

|   |
|---|
| <b>Agenda Item (Background/History/Details):</b>  |
| <p><u>ZONING HISTORY</u><br/> The subject 4.25 acre parcel was annexed and rezoned in 2009 (LRZ-05-09.) The subject parcel was granted an SUP in 2015 (SUP 2015-04) and the western half of the parcel is currently under construction for the approved package store. The parcel is proposed for subdivision and this SUP would apply to the eastern half (2.16 ac) of the property.</p> <p><u>APPLICANT'S INTENT</u><br/> The applicant intends to subdivide the 4+ acre parcel and construct a 3,200 square foot self-service car wash facility. The facility is proposed as a self-service express tunnel car wash with three pay stations and 18-20 vacuum stations outside of the building. See applicant's letter of intent and supplemental information for details.</p> <p><u>ANALYSIS OF SPECIAL USE PERMIT REQUEST</u><br/> The property is commercially zoned (CB) and is within the U.S. 29 Overlay District. The Special Use Permit is to allow <i>automobile service as a car wash</i>. The parcel is located at the intersection of Braden Drive and Lawrenceville Highway and is proposed for subdivision. Access to the property is proposed from Highway 29 and Braden Drive through interparcel connection. Traffic counts in 2009 were in excess of 33,000 vehicles per day.</p> <p>Automobile service establishments, specifically car washes are permitted in the CB District and within the U.S. 29 Overlay District subject to a Special Use Permit and specific provisions of the zoning resolution. The proposed site plan indicates the intent to comply with most of the use provisions. The lot is adequate, stacking spaces are provided, and exit drives are of sufficient length. Parking spaces are oriented to the side of the building with 18-20 free vacuum stations proposed. Buffers adjacent to residential uses to the east and southeast will be undisturbed and the concept plan respects stream buffers along the eastern property boundary. On-site stormwater management will be reviewed prior to permitting by the Department of Planning &amp; Development and any on-site septic system would require approval by the Department of Environmental Health. Finally, the developer intends to manage the car wash operations so that all wash water is recycled onsite, and the business use would be subject to applicable water, sewer and/or environmental health regulations.</p> <p>Specific design criteria of the US Highway 29 Overlay are also applicable to this property, the purpose and intent of which is to provide a pleasing aesthetic/visual quality in landscaping, architecture and signage. Below are highlights from Section 501 of the Zoning Ordinance related to site and building standards of the U.S. 29 Overlay District:</p> |

- *Provide inter-parcel access.*
- *Provide pedestrian and bicycle access (5' sidewalks) along Lawrenceville Highway and designate pedestrian routes between the parking lots and the building.*
- *Provide decorative lighting consistent with the Lilburn Town Center Master Plan.*
- *Provide landscaping throughout and to effectively screen the parking lot, screen dumpsters, and provide decorative, commercial-quality bicycle racks, benches, and trash receptacles where applicable.*
- *Architectural design of the building shall include massing and modulation changes, changes in height, horizontal plane, building projections/recessions, roof form and/or other architectural elements. Building materials shall be brick, stone, and glass with textured concrete masonry block, stucco, cement-fiber siding as accents, roof parapets shall be articulated to provide visual diversity, all mechanical, HVAC and like systems shall be screened.*
- *Signage shall meet the standards of the Lilburn Sign Ordinance.*

Though most of these standards can be met with the proposed use, the site plan indicates the building is oriented so that the 100' wash tunnel faces U.S. 29 at an angle. In addition, the tunnel design includes transparent building material and the carwash operates with an interactive "neon light show". The building design warrants additional review under the Lilburn Sign Ordinance and building code, as "Any neon in any shape, whether numbers, words or display of neon shall be considered a sign. Such neon shall not be permitted." The following additional statements are from the adopted sign ordinance.

**Sec. 113-14. - Illumination of Signs:**

- (a) *No sign shall give off light that glares, blinds or has any other such adverse effect on traffic or adjacent properties. The light from an illuminated sign shall be established in such a way that adjacent properties and roadways are not adversely affected and that no direct light is cast upon adjacent properties and roadways....*
- (b) *No sign shall have blinking, flashing, or fluctuating lights or other illuminating devices that have a changing light intensity, brightness or color.*
- (e) *All neon decorative lighting, including strips of neon for decoration and signs that display numerals or words on the exterior of a building shall not be permitted...*

**Sec. 113-9. - Signs and sign devices prohibited.**

- (5) *Flashing, blinking, varying light intensity signs or animated signs, with the exception of signs used for... variable message board signs.*

In cases where existing businesses have applied for such similar window lighting, including rope lighting, they have been denied based on the property maintenance section of the building code (**Article III - Property Maintenance, Sec. 105-82. - Decorative features**):

*The use of LED rope lighting is not considered decorative in commercial applications and is prohibited when visible from the exterior of the building facing a roadway (whether installed inside or outside of the premises).*

Based upon the above considerations, **staff recommends APPROVAL** of the request with the following conditions:

1. The Special Use Permit shall apply to a car wash facility only.
2. The building shall be oriented so that the wash bay does not directly face US 29. Alternatively, an opaque screen a minimum 6' in height shall be provided along the front of the bay/tunnel and along the exit drive to the parking lot.

3. Signs and lighting shall comply with applicable codes, specifically prohibiting neon, LED, and rope lighting visible from the exterior of the building.
4. With self-serve business no detailing activities permitted beyond vacuum stations adjacent to the building.
5. Hours of operation shall be 7 am to 9 pm.
6. Access from US 29 shall be permitted through Georgia DOT.
7. Facility must be certified under DNR regulations 391-3-31-.02 or be prohibited from operating during periods of drought.

Required public notice resulted in no opposition. Lilburn Police and Public Works anticipate no adverse impacts. The Planning Commission met on Thursday, September 22 and recommended unanimous approval with the conditions enumerated above.

**Staff Recommendation:**

By unanimous vote, the Planning Commission recommended approval as submitted.

Therefore, Staff recommends a motion to approve Ordinance No. 2016-506 approving Special Use Permit 2016-03 with conditions.

**Department Head Approval:**

**Mayor's Signature Required:**

YES

NO

**List Attachments:**

1. Application
2. Staff Analysis
3. Planning Commission minutes
4. Adoption Ordinance



# City of Lilburn

in Gwinnett County

State of Georgia

**Ordinance**

**Number:**

**2016-506**

Date of Reading and Adoption: October 10, 2016

At the meeting of the Lilburn City Council held at 76 Main Street, Lilburn, Georgia.

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF LILBURN, GEORGIA, WITH  
RESPECT TO A ZONING UPDATE OF OFFICIAL ZONING MAP  
SPECIAL USE PERMIT-2016-03**

An ordinance to amend the Official Zoning Map of the City of Lilburn approving **Case Number SUP-2016-03 to allow Automobile Service (Car Wash Facility)** on property located at 5712 Lawrenceville Highway; District 6, Land Lot 137, Parcel 024; containing 2.16± acres.

**WHEREAS,** the Code of the City of Lilburn entitled the Lilburn Zoning Ordinance provides that the text/map thereof may be amended from time to time by ordinance of the City of Lilburn; and

**WHEREAS,** the Applicant, Lilburn Braden Development, LLC, has applied for a Special Use Permit; and

**WHEREAS,** the City of Lilburn Planning Commission met on Thursday, September 22, 2016, and recommended approval to the Mayor and City Council for action;

**NOW THEREFORE BE IT ORDAINED** that the Mayor and City Council of the City of Lilburn, Georgia hereby approves the Special Use Permit with the following conditions:

1. The Special Use Permit shall apply to a car wash facility only.
2. The building shall be oriented so that the wash bay does not directly face US 29. Alternatively, an opaque screen a minimum 6' in height shall be provided along the front of the bay/tunnel and along the exit drive to the parking lot.
3. Signs and lighting shall comply with applicable codes, specifically prohibiting neon, LED, and rope lighting visible from the exterior of the building.
4. With self-serve business no detailing activities permitted beyond vacuum stations adjacent to the building.
5. Hours of operation shall be 7 am to 9 pm.
6. Access from US 29 shall be permitted through Georgia DOT.
7. Facility must be certified under DNR regulations 391-3-31-.02 or be prohibited from operating during periods of drought.

**BE IT FURTHER ORDAINED** that this ordinance becomes effective upon its adoption.

**BE IT FURTHER ORDAINED** that all regulations or parts of regulations in conflict with this Ordinance are hereby rescinded to the extent of said conflict.

**SO ORDAINED** this the 10<sup>th</sup> day of October, 2016.

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Johnny D. Crist, Mayor  
City of Lilburn

ATTEST:

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Melissa L. Penate, City Clerk

**Members Present:** Chairman-Hugh Wilkerson, Joe Gennusa, Emil Powella  
**Members Absent:** - Vice Chairman-Michelle West, AJ Passman      **Quorum Present:** Yes.

**Staff Members Present:** Joellen Wilson – City Planner

**Work Session:** Yes.

- I. **Call to Order:** 7:32 PM by Hugh Wilkerson, Chairman.
- II. **Approval of Agenda:** Motion by Powella. Second by Gennusa. All for.
- III. **Approval of Minutes – May 26, 2016:** Motion by Powella. Second by Gennusa. All for.
- IV. **Old Business:** None
- V. **New Business:**  
SUP-2016-03. Application of Lilburn Braden Development, LLC for a Special Use Permit to allow automobile service (car wash facility) on approximately 2.16 acres of property zoned for commercial business (CB). The property is located at 5712 Lawrenceville Highway, being in District 6, Land Lot 137, Parcel 024.

Staff described the applicant's intent to subdivide the 4+ acre parcel per the site plan included in the application and use easternmost 2.1 ac for construction of a 3,200 square foot self-service express car wash facility. The facility is proposed with three stacking lanes and pay stations, one 100' wash tunnel, and 18-20 vacuum stations outside of the building. The use (car wash) is permitted in the CB District and within the U.S. 29 Overlay District subject to a Special Use Permit. Specific provisions of the zoning resolution under Section 704.-Car Wash apply, as well as the site and architectural design standards of the Overlay District.

Staff noted the proposed development concept plan meets most of the provisions of the zoning and US 29 Overlay requirements, but added the site infrastructure, building orientation and design are subject to additional review and approval. Two items for discussion were the building orientation (wash bay facing US 29) combined with lighting within the tunnel that would be visible due to the transparency of the building façade, and the lack of sanitary sewer. Staff recommended approval of the application with the following conditions:

1. The Special Use Permit shall apply to a car wash facility only.
2. The building shall be oriented so that the wash bay does not directly face US 29.  
Alternatively, an opaque screen a minimum 6' in height shall be provided along the front of the bay/tunnel and along the exit drive to the parking lot.
3. Building signs and lighting shall comply with applicable codes, specifically prohibiting neon, LED, and rope lighting visible from the exterior of the building.
4. With self-serve business no detailing activities permitted beyond vacuum stations adjacent to the building.
5. Hours of operation shall be 7 am to 9 pm.
6. Access from US 29 shall be permitted through Georgia DOT.
7. Facility must be certified under DNR regulations 391-3-31-.02 or be prohibited from operating during periods of drought.

Applicant presented a summary of business operations and answered a few questions from the Planning Commission members: Three stacking lanes merge into one with cues at the pay station, the basic wash lasts 2-3 minutes, up to five cars would be in the tunnel at one time, one employee is anticipated to be on-site, brightly colored canopies would be installed over vacuum stations for marketing/branding purposes, the lights are integrated into the foam wash mechanism and would not be visible from the street. He offered an alternative building orientation to parallel US 29 that would require a stream buffer variance. The applicant was agreeable to conditions but asked to clarify whether the prohibition of LED lighting would apply to exterior wall signs manufactured with interior LED devices, as is typical of most business signs/logos. Staff confirmed the exterior business signs would be permitted separately.

Motion by Powella to approve the SUP with conditions as presented by staff. Second by Gennusa. All voted for.

- VI. **Adjournment:** Gennusa motioned to adjourn. Seconded by Powella. All voted for. Meeting was adjourned at approximately 7:52 PM.

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Hugh Wilkerson



# Special Use Permit Application

**CASE NUMBER:** SUP-2016-03  
**Date Received:** 8/31/16

Please type or print using BLACK ink

|   |   |
|---|---|
| <b>Applicant:</b> LILBURN BRADEN DEVELOPMENT LLC      | <b>Property Owner:</b> LILBURN BRADEN DEVELOPMENT LLC |
| <b>Address:</b> 17 EXECUTIVE PARK DRIVE NE, SUITE 115 | <b>Address:</b> 17 EXECUTIVE PARK DRIVE NE, SUITE 115 |
| <b>City, State &amp; Zip:</b> ATLANTA, GA 30329-2222  | <b>City, State &amp; Zip:</b> ATLANTA, GA 30329-2222  |
| <b>Contact Person:</b> VIRAL PAREKH                   | <b>Owner Contact:</b> VIRAL PAREKH                    |
| <b>Business Phone:</b> 404-884-3834                   | <b>Business Phone:</b> 404-884-3834                   |
| <b>Email:</b> VKPAREKH@GMAIL.COM                      | <b>Email:</b> VKPAREKH@GMAIL.COM                      |
| <b>Cell Phone:</b> N/A                                | <b>Cell Phone:</b> N/A                                |

**APPLICANT IS THE**       Owner's Agent       Property Owner       Contract Purchaser

**ADDRESS OF PROPERTY:** 5712 LAWRENCEVILLE HIGHWAY, LILBURN, GA 30084

**LAND DISTRICT:** 6    **LAND LOT(S):** 137    **PARCEL(S):** 6137 024    **ACRE(S):** 2.16 AC

**CURRENT ZONING:** CB (COMMERCIAL BUSINESS)    **PROPOSED ZONING DISTRICT(S):** CB (COMMERCIAL BUSINESS)

**SPECIAL USE PERMIT REQUESTED:** DEVELOPMENT OF A NEW CARWASH FACILITY

Has Applicant filed or intend to file, any other variance, rezoning or waiver applications?  YES     NO.  
 If YES, please describe: SPECIAL USE PERMIT EXISTS FOR A LIQUOR STORE THAT WILL BE ADJACENT TO THE PROPOSED CONTACT.

SEE SUP-2015-04 FOR MORE INFORMATION.

**Please attach all REQUIRED documents. Refer to Rezoning, SUP and CIC Instructions for fees, deadlines and hearing schedule.**

- ✓ STANDARDS GOVERNING EXERCISE OF THE ZONING POWER (attached)
- ✓ CONFLICT OF INTEREST CERTIFICATION/DISCLOSURE OF CAMPAIGN CONTRIBUTIONS (attached)
- ✓ APPLICANT/PROPERTY OWNER NOTARIZED CERTIFICATIONS (attached)
- ✓ TYPED LEGAL DESCRIPTION OF PROPERTY - *parcel 024/subdivided*
- ✓ TYPED LETTER OF INTENT - *explain what is proposed*
- ✓ SITE PLAN/ BOUNDARY SURVEY - *1 full size (to scale) copy and 5 reductions (8.5" x 11") or electronic file*
- ✓ LIST OF ADJOINING PROPERTY OWNERS - *names and mailing addresses*

City of Lilburn Planning and Economic Development Department (770) 279-3710 - Fax (770) 921-9822  
 98 First Ave. - Lilburn, Georgia 30047 - [www.CityofLilburn.com](http://www.CityofLilburn.com)

**STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER**

Pursuant to Section 1702 of the 1985 Zoning Resolution, the Mayor and Council of the City of Lilburn find that the following standards are relevant in balancing interest in promoting the public health, safety, unrestricted use of property and shall govern the exercise of the zoning power.

- (A) Whether a proposed rezoning (or Special Use Permit) will permit a use that is suitable in view of the use and development of adjacent and nearby property:

The adjoining properties are commercially zoned and the subject property fronts on Hwy 29, a major commercial corridor

- (B) Whether a proposed rezoning (or Special Use Permit) will adversely affect the existing use or usability of adjacent or nearby property:

No, In fact the proposed SUP would help compliment and rejuvenate the nearby commercial corridor.

- (C) Whether the property to be affected by a proposed rezoning (or Special Use Permit) has a reasonable economic use as currently zoned:

The proposed SUP is a solid and favorable economic use

- (D) Whether the proposed rezoning (or Special Use Permit) will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

No, the SUP is located along Hwy 29 and its use would have no impact with the above.

- (E) Whether the proposed rezoning (or Special Use Permit) is in conformity with the policy and intent of the Land Use Plan:

Yes, the SUP is a consistent use along the Hwy 29 corridor.

- (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 (or Special Use Permit):

The properties adjacent to subject property are being developed to other complementary uses which the SUP will integrate with rather nicely.

**CHAPTER 67A**  
**CONFLICT OF INTEREST IN ZONING ACTIONS**

**SECTION 36-37A-1: DEFINITIONS**

**SECTION 36-37A-2: DISCLOSURE OF FINANCIAL INTERESTS**

**SECTION 36-37A-3: DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

**SECTION 36-37A-4: PENALTIES**

Effective Date: This Chapter became effective July 1, 1984.

Cross References: Codes of ethics and conflicts of interest, T. 45, Ch. 10.

Code Commission Notes: Ga. L. 1986, p. 1269, Sec. 1 and Ga. L. 1986, p. 1496, Sec. 1, both enacted as Chapter 85 of Title 36. The chapter enacted by Ga. L. 1986, p. 1269, Sec. 1 was redesignated as Chapter 67A of Title 36 pursuant to Sec. 26-9-3.

**SECTION 36-37A-1: DEFINITIONS**

As used in this chapter, the term:

- (1) "Applicant" means any individual or business entity applying for rezoning action.
- (2) "Business entity" means any corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust.
- (3) "Financial interest" means all direct ownership interests of the total assets or capital stock of a business entity where such ownership interest is 10 percent or more.
- (4) "Local government" means any County or municipality of this State.
- (5) "Local government official" means any member of the governing authority of a local government or any member of a planning or zoning commission.
- (6) "Member of the family" means the spouse, mother, father, brother, sister, son, or daughter of a local government official.
- (7) "Property interest" means the direct or indirect ownership of real property and includes any percentage of ownership less than total ownership.
- (8) "Real property" means any tract or parcel of land and, if developed, any buildings or structures located on the land.
- (9) "Rezoning action" means action by local government adopting an amendment to a zoning ordinance which has the effect of rezoning real property from one zoning classification to another. (Code 1981, Sec. 36-67A-1, enacted by Ga. L. 1986, p. 1269, Sec. 1.)

**SECTION 36-37A-2: DISCLOSURE OF FINANCIAL INTERESTS**

A local government official who:

- (1) Has a property interest in any real property affected by a rezoning action upon which that official is authorized to vote;
- (2) Has a financial interest in any business entity which has a property interest in any real property affected by a rezoning action upon which that official is authorized to vote; or
- (3) Has a member of the family having any interest described in paragraph (1) or (2) of this Code Section shall immediately disclose the nature and extent of such interest, in writing of the governing authority of the local government in which the local government official is a member. Such disclosures shall be a public record and available for public inspection at any time during normal working hours. (Code 1981, Section 36-67A-2, enacted by Ga. L. 1986, p. 1269, Sec. 1.)

**SECTION 36-37A-3: DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

(A) When any applicant for rezoning action has made within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more or made gifts having in the aggregate a value of \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the applicant and the attorney representing the applicant to file a disclosure report with the governing authority of the respective local government showing:

- (1) The name of the local government official to whom the campaign contribution or gift was made; and
  - (2) The dollar amount of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution; and
  - (3) An enumeration and description of each gift having a value of \$250.00 or more made by the applicant to the local government official during the two years immediately preceding the filing of the application for the zoning change.
- (B) The disclosure required by subsection (1) of this Code section shall be filed within ten days after the application for the rezoning action is first filed. (Code 1981, Section 36-67A-3, enacted by Ga. L. 1986, p. 1269, Sec. 1.)

**SECTION 36-37A-4: PENALTIES**

Any local government official knowingly failing to make a disclosure required by Code Section 36-85-2 shall be guilty of a misdemeanor. Any applicant for rezoning action knowingly failing to make any disclosures as required by Code Section 36-83-3 shall be guilty of a misdemeanor. (Code 1981, Section 36-67A-4, enacted by Ga. L. 1986, p. 1269, Sec. 1.)

**CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS**

The undersigned below, making application for rezoning, has complied with the Official Code of Georgia, Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

*Viral Parekh*  
 Signature of Applicant/Applicant's Attorney or Representative

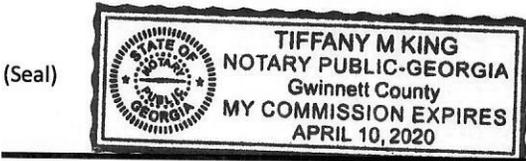
8/29/16  
 Date

VIRAL PAREKH  
 Type or Print Name

\_\_\_\_\_  
 Title

*Tiffany M. King*  
 Notary Public

8/29/16  
 Date



**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND/OR GIFTS**

Have you, within the two years immediately preceding the filing of this application, made campaign contributions or gifts of an aggregate value that is \$250.00 or more to the Mayor and Council Members or a member of the Lilburn Planning Commission?  YES  NO. If the answer is YES, please complete the following section:

| NAME OF OFFICIAL | CONTRIBUTION/GIFT | DESCRIPTION | DATE  |
|------------------|-------------------|-------------|-------|
| _____            | _____             | _____       | _____ |
| _____            | _____             | _____       | _____ |
| _____            | _____             | _____       | _____ |
| _____            | _____             | _____       | _____ |
| _____            | _____             | _____       | _____ |

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

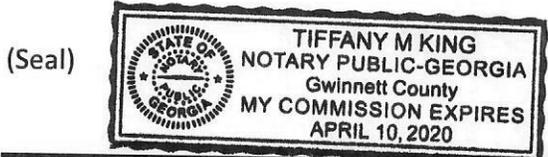
**APPLICANT CERTIFICATION**

The undersigned below is authorized to make this application and is aware that no application or reapplication affecting the same property shall be acted upon within twelve (12) months from the date of last action by the Mayor and Council, unless waived by the Mayor and Council. 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 Mayor and Council. Further, no application may be withdrawn once advertised and must receive final action by the Mayor and Council.

*Viraj Parekh* \_\_\_\_\_  
Signature of Applicant 8/29/16  
Date

VIRAJ PAREKH \_\_\_\_\_  
Type or Print Name Title

*Tiffany M. King* \_\_\_\_\_  
Notary Public 8-29-16  
Date



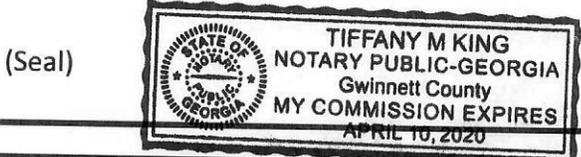
**PROPERTY OWNER CERTIFICATION**

The undersigned below, or as attached, is the record owner of the property considered in this application and is aware that if an application is denied by the Mayor and Council, no application or reapplication affecting the same land shall be acted upon within twelve (12) months from the date of last action by the Mayor and Council, unless waived by the Mayor and Council. 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 Mayor and Council. Further, no application may be withdrawn once advertised and must receive final action by the Mayor and Council.

*Viraj Parekh* \_\_\_\_\_  
Signature of Owner 8/29/16  
Date

VIRAJ PAREKH \_\_\_\_\_  
Type or Print Name Title

*Tiffany M. King* \_\_\_\_\_  
Notary Public 8/29/16  
Date



**ADMINISTRATIVE USE ONLY**

CASE NUMBER: SUP-2016-03      DATE COMPLETE: 8/31/2016      RECEIVED BY: [Signature]  
APPLICATION FEE: \$750.00      PAID BY/RECEIPT#: 00629868      HEARING DATES: PC 9/22      CC 10/10

# Lilburn Braden Development LLC

5605 Glenridge Drive, Suite 1090, Atlanta, GA 30342

Tel: (404) 884-3834 Fax: (404) 529-4666

August 29, 2016

To: City of Lilburn

Re: 5712 Lawrenceville Highway, Lilburn, GA 30084

The application for Special Use Permit is being submitted to request permission for the development and operations of a high-end 3,200 square foot carwash facility. See the attached site plan for more information.

Respectfully,



Viral Parekh

### Legal Description

ALL THAT TRACT OR PARCEL OF LAND lying in and being located in Land Lots 137, 138, 144 and 145 of the 6th district, Gwinnett County, Georgia, and being more particularly described as follows:

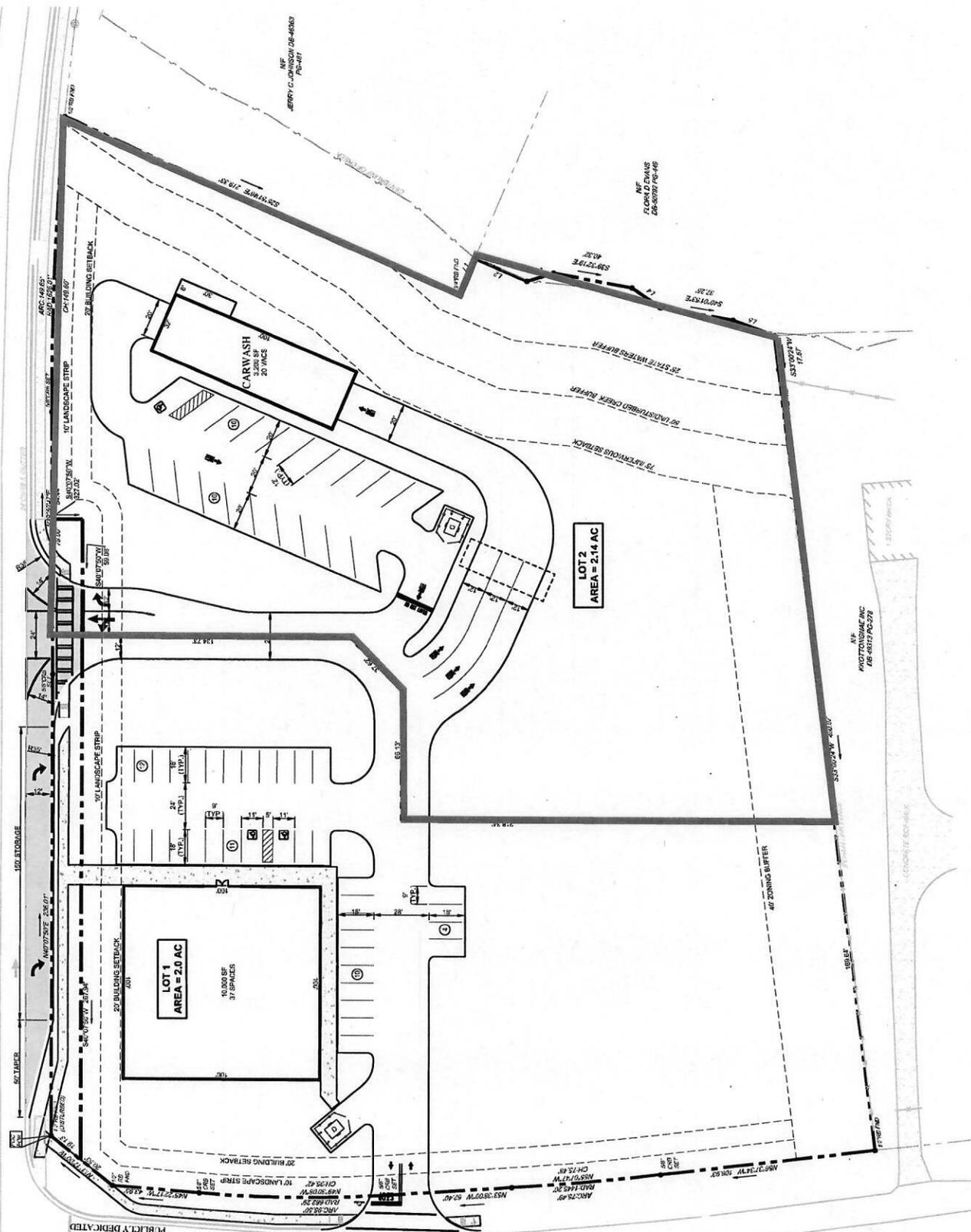
Commencing at a 1/2 inch rebar found at the mitered intersection of the southerly right of way of Lawrenceville Highway (also known as U.S. Highway 29 and State Route 8)(having a publicly dedicated 88 foot right of way), and the easterly right of way of Braden Drive (having a publicly dedicated 60 foot right of way); Thence leaving said right of way of Braden Drive and continuing along said right of way Lawrenceville Highway the following courses and distances: North 40 degrees 07 minutes 50 seconds East a distance of 236.01 feet to a 5/8 inch capped rebar set; North 39 degrees 50 minutes 47 seconds East a distance of 20.10 feet to a point, said point being the TRUE POINT OF BEGINNING.

Thence continuing along said right of way of Lawrenceville Highway North 39 degrees 50 minutes 47 seconds East a distance of 113.37 feet to a 5/8 inch capped rebar set; Along a curve to the right, said curve having a radius of 1626.01 feet, with an arc distance of 149.65 feet, with a chord bearing of North 42 degrees 28 minutes 59 seconds East and a chord length of 149.60 feet to a 1/2 inch rebar found; Thence leaving said right of way of Lawrenceville Highway South 25 degrees 51 minutes 46 seconds East a distance of 219.33 feet to a 3/4 inch rebar found; Thence North 60 degrees 24 minutes 02 seconds East a distance of 19.46 feet to a point; Thence South 27 degrees 06 minutes 13 seconds East a distance of 28.72 feet to a point; Thence South 66 degrees 30 minutes 48 seconds East a distance of 14.02 feet to a point; Thence South 39 degrees 32 minutes 19 seconds East a distance of 40.32 feet to a point; Thence South 14 degrees 49 minutes 36 seconds East a distance of 17.54 feet to a point; Thence South 40 degrees 01 minutes 53 seconds East a distance of 37.25 feet to a point; Thence South 29 degrees 23 minutes 17 seconds East a distance of 22.23 feet to a point; Thence South 33 degrees 00 minutes 24 seconds West a distance of 17.57 feet to a 1/2 inch rebar found; Thence South 33 degrees 00 minutes 24 seconds West a distance of 230.38 feet to a point; Thence North 49 degrees 52 minutes 22 seconds West a distance of 218.34 feet to a point; Thence North 40 degrees 07 minutes 50 seconds East a distance of 66.13 feet to a point; Thence North 04 degrees 52 minutes 10 seconds West a distance of 37.62 feet to a point; Thence North 49 degrees 52 minutes 22 seconds West a distance of 149.95 feet to a point on said right of way of Lawrenceville Highway, said point being the TRUE POINT OF BEGINNING.

Said tract of land contains 2.161 Acres (94,135.32 square feet).

LAWRENCEVILLE HIGHWAY  
(AKA U.S. HIGHWAY 29 & S.R. 8)  
40 MPH; 85' RIGHT OF WAY; PUBLICLY DEDICATED

BRADEN DRIVE  
60' RIGHT OF WAY;  
PUBLICLY DEDICATED



LOT 2  
AREA = 2.14 AC

LOT 1  
AREA = 2.0 AC

CARWASH  
2,000 SF  
20 SPACES

PROTONIC INC  
DB 48572 PG-278

NF  
FLOOR DRAIN  
28-0000 PG-46

NF  
JERRY C. ANDSON DB-4060

SPURVE  
32.35'

SPURVE  
41.32'

25 STATE WATERS BUFFER

20 LANDSCAPE STRIP

25 LANDSCAPE STRIP





**Small town. Big difference.**

**Staff Report & Recommendation  
Special Use Permit Case SUP-2016-03  
Date of Report: September 20, 2016  
Report by: Joellen Wilson, City Planner**

**Hearing Dates:**

|                            |                           |
|----------------------------|---------------------------|
| <b>Planning Commission</b> | <b>September 22, 2016</b> |
| <b>Mayor and Council</b>   | <b>October 10, 2016</b>   |

**GENERAL INFORMATION**

|                              |  |
|------------------------------|--|
| Applicant:                   | Lilburn Braden Development, LLC                                  |
| Owner:                       | Viral Parekh   |
| Size:                        | 2.16 acres   |
| Location:                    | 5712 Lawrenceville Highway, District 6, Land Lot 137, Parcel 024 |
| Existing Zoning:             | CB, Commercial Business  |
| Proposed Special Use Permit: | Automobile Service (Car Wash Facility)                           |

**EXISTING LAND USES & ZONING DISTRICTS**

|               |                       |                      |
|---------------|-----------------------|----------------------|
| To the East:  | Vacant                | CB                   |
|               | Vacant/Residential    | R1                   |
| To the West:  | Commercial            | CB                   |
| To the South: | Residential           | R-75 Gwinnett County |
| To the North: | Lawrenceville Highway |                      |

**ZONING HISTORY**

The subject 4.25 acre parcel was annexed and rezoned in 2009 (LRZ-05-09.) The subject parcel was granted an SUP in 2015 (SUP 2015-04) and the western half of the parcel is currently under construction for the approved package store. The parcel is proposed for subdivision and this SUP would apply to the eastern half (2.16 ac) of the property.

**APPLICANT'S INTENT**

The applicant intends to subdivide the 4+ acre parcel and construct a 3,200 square foot self-service car wash facility. The facility is proposed as a self-service express tunnel car wash with three pay stations and 18-20 vacuum stations outside of the building. See applicant's letter of intent and supplemental information for details.

**ANALYSIS OF SPECIAL USE PERMIT REQUEST**

The property is commercially zoned (CB) and is within the U.S. 29 Overlay District. The Special Use Permit is to allow automobile service as a car wash. The parcel is located at the intersection of Braden Drive and Lawrenceville Highway and is proposed for subdivision. Access to the property is proposed from Highway 29 and Braden Drive through interparcel connection. Traffic counts in 2009 were in excess of 33,000 vehicles per day.

Automobile service establishments, specifically car washes are permitted in the CB District and within the U.S. 29 Overlay District subject to a Special Use Permit and specific provisions of the zoning resolution (**Article 6 and Article 7, Section 704. Car Wash**) as follows:

**704-1. Minimum lot size.** *A minimum lot size of 20,000 square feet (.46 ac) shall be required for a car wash facility.*

**704-2. Orientation.** *When located within the U.S. 29 Overlay, buildings must be oriented so that wash bays do not directly face U.S. 29, or be screened as specified by the conditions of the special use permit.*

**704-3. Vehicle stacking.** *A minimum of five stacking spaces for queuing of cars shall be provided per car wash bay.*

**704-4. Required yard activity.** *Car wash facilities shall not conduct any drying, cleaning, polishing, dispensing of gasoline or other comparable operation within any landscape areas.*

**704-5. Exit drives.** *The establishment shall provide exit drives that are a minimum of 100 feet in length, measured from the vehicle exit of the car wash establishment to the pavement edge of the street.*

**704-6. Surface drainage.** *The surface and drainage treatment at the exit drive shall be designed so that no water accumulates on the surface or onto the public right-of-way or adjoining properties as a result of the car wash operations.*

**704-7. Water Recycling.** *A car wash facility shall provide for the recycling of wash water to the extent possible with technology and equipment available at the time of development. The facility location may be restricted by current applicable Environmental Health, Stormwater, and Sewer regulations.*

The proposed site plan indicates the intent to comply with most of the use provisions. The lot is adequate, there are more than five stacking spaces provided in three lanes, and exit drives are of sufficient length. Parking spaces are oriented to the side of the building with 18-20 free vacuum stations proposed. Buffers adjacent to residential uses to the east and southeast will be undisturbed and the concept plan respects stream buffers along the eastern property boundary. Stormwater management for the site will be reviewed prior to permitting by the Department of Planning & Development and any on-site septic system would require approval by the Gwinnett Department of Environmental Health. Finally, the developer intends to manage the car wash operations so that all wash water is recycled onsite.

Specific design criteria of the US Highway 29 Overlay are also applicable to this property, the purpose and intent of which is to provide a pleasing aesthetic/visual quality in landscaping, architecture and signage. Below are highlights from Section 501 of the Zoning Ordinance related to site and building standards of the U.S. 29 Overlay District:

- *Provide inter-parcel access.*
- *Provide pedestrian and bicycle access (5' sidewalks) along Lawrenceville Highway and designate pedestrian routes between the parking lots and the building.*
- *Provide decorative lighting consistent with the Lilburn Town Center Master Plan.*

- Provide landscaping throughout and to effectively screen the parking lot, screen dumpsters, and provide decorative, commercial-quality bicycle racks, benches, and trash receptacles where applicable.
- Architectural design of the building shall include massing and modulation changes, changes in height, horizontal plane, building projections/recessions, roof form and/or other architectural elements. Building materials shall be brick, stone, and glass with textured concrete masonry block, stucco, cement-fiber siding as accents, roof parapets shall be articulated to provide visual diversity, all mechanical, HVAC and like systems shall be screened.
- Signage shall meet the standards of the Lilburn Sign Ordinance.

Though most of these standards can be met with the proposed use, the site plan indicates the building is oriented so that the 100' wash tunnel faces U.S. 29 at a slight angle. In addition, the tunnel design includes transparent building material and operates with an interactive "neon light show". The building design warrants additional review under the sign ordinance and building code. According to the Lilburn sign ordinance, "Any neon in any shape, whether numbers, words or display of neon shall be considered a sign. Such neon shall not be permitted." The following additional statements are contained in the adopted sign ordinance.

**Sec. 113-14. - Illumination of Signs:**

- (a) No sign shall give off light that glares, blinds or has any other such adverse effect on traffic or adjacent properties. The light from an illuminated sign shall be established in such a way that adjacent properties and roadways are not adversely affected and that no direct light is cast upon adjacent properties and roadways. No illuminated sign shall be constructed or maintained within 75 feet of the property line of any single-family residential lot.
- (b) No sign shall have blinking, flashing, or fluctuating lights or other illuminating devices that have a changing light intensity, brightness or color.
- (e) All neon decorative lighting, including strips of neon for decoration and signs that display numerals or words on the exterior of a building shall not be permitted.... However, interior allowable window signs may have 50 percent of the allowable area of neon. Such interior neon signage will be limited to one elevation of the building only. Neon existing before May 12, 2003, may remain as a nonconforming use.

**Sec. 113-9. - Signs and sign devices prohibited.** *The following types of signs or advertising devices are prohibited in all zoning districts of the City of Lilburn.*

- (5) Flashing, blinking, varying light intensity signs or animated signs, with the exception of signs used for official government purposes and variable message board signs.

In cases where existing businesses have applied for such similar lighting, including rope lighting, the applications have been denied based on the property maintenance section of the building code (Ch. 105 – Buildings and Bldg Regs, Article III - Property Maintenance, Division 3 – based on Sec. 105-82. - Decorative features: The use of LED rope lighting is not considered decorative in commercial applications and is prohibited when visible from the exterior of the building facing a roadway (whether installed inside or outside of the premises).

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As part of the rezoning process, the Applicant, Planning Staff, Planning Commission, and the Mayor and City Council of the City of Lilburn are to analyze the application with respect to each of the matters enumerated in Section 1003-7. Criteria for amendments to official zoning map. The Mayor and Council find 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.

The Applicant's response is attached to this application. Staff's response is as follows:

**A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties:**

The proposed use will be suitable in view of the surrounding properties. The building materials, lighting and signage will be required to comply with applicable codes.

**B. Whether the zoning proposal would adversely affect the existing use or usability of adjacent or nearby property:**

The zoning proposal should not adversely affect the existing use of the surrounding properties.

**C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:**

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

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

The proposed use will not cause a burdensome impact on existing infrastructure; however, it has not been determined whether sewer is feasible or a septic system is approved for this use at this location.

**E. Whether the rezoning proposal is in conformity with the policy and intent of the Land Use Plan:**

The proposal conforms to 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 zoning proposal:**

High traffic counts, consistency with the Comprehensive Plan, and adherence to U.S. 29 Overlay District site and architectural standards all support approval.

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Based upon the above considerations, **Staff recommends APPROVAL** of the request with the following conditions:

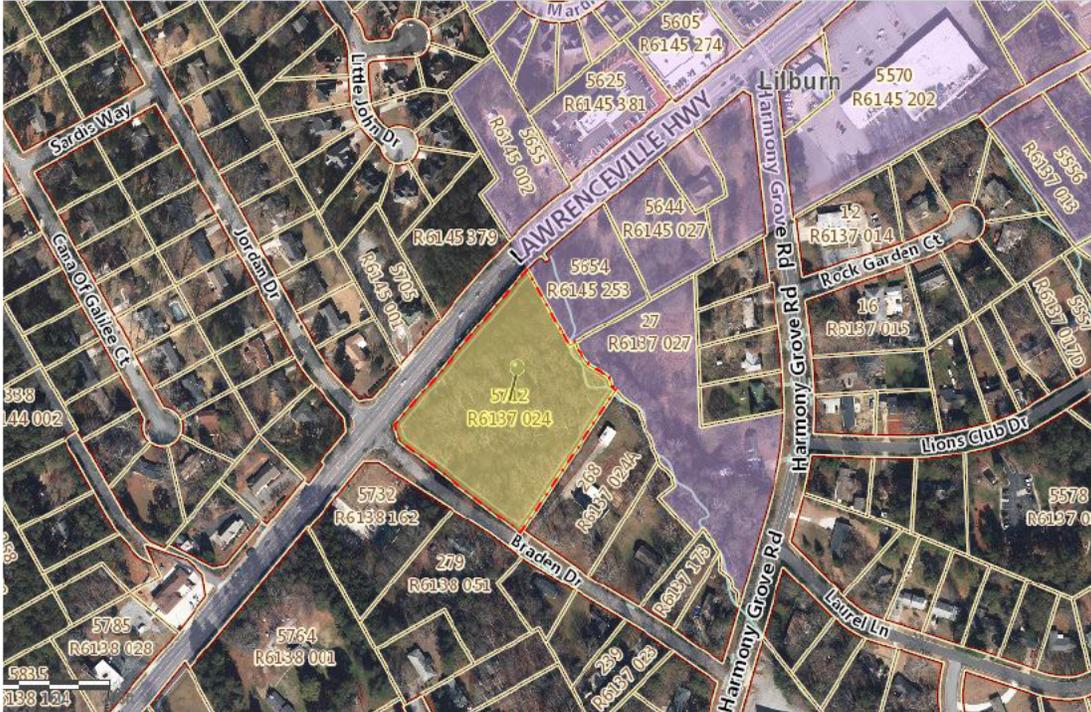
1. The Special Use Permit shall apply to a car wash facility only.
2. The building shall be oriented so that the wash bay does not directly face US 29. Alternatively, an opaque screen a minimum 6' in height shall be provided along the front of the bay/tunnel and along the exit drive to the parking lot.
3. Signs and lighting shall comply with applicable codes, specifically prohibiting neon, LED, and rope lighting visible from the exterior of the building.
4. With self-serve business no detailing activities permitted beyond vacuum stations adjacent to the building.
5. Hours of operation shall be 7 am to 9 pm.
6. Access from US 29 shall be permitted through Georgia DOT.
7. Facility must be certified under DNR regulations 391-3-31-.02 or be prohibited from operating during periods of drought.

**SUP-2016-03 – 5712 Lawrenceville Highway**

**Aerial Map of the Site**



**Parcel Map with Zoning**



**CITY OF LILBURN  
AGENDA ITEM 2**

|   |  |                              |              |
|---|--|------------------------------|--------------|
| <b>Date:</b>                                  | 10/4/16  | <b>To: Mayor and Council</b> | 10/5/16      |
| <b>From:</b>                                  | Bill Johnsa  | <b>Department:</b>           | City Manager |
| <b>Work Session/Reg. Mtg. Date Requested:</b> | 10/10/16   | <b>Presenter:</b>            | Bill Johnsa  |
| <b>Agenda Title:</b>                          | <b>Adoption – Countywide Emergency Operations Plan</b> |                              |              |
| <b>Audio/Visual Requirements:</b>             | n/a  | <b>Deadline Date:</b>        | n/a          |

|  |
|--|
| <b>Agenda Item (Background/History/Details):</b>   |
| Every four years the Countywide Emergency operations Plan must be reviewed and adopted by Elected Officials. After adoption, the plan is sent to GEMA and Homeland Security. Staff recommends adoption of Resolution number 2016-06. |

|  |
|--|
| <b>Staff Recommendations:</b>  |
| Staff recommends the following: <b>“Motion to adopt Resolution number 2016-06 adopting the countywide Emergency Operations Plan. Further, authorize Mayor to execute Resolution on behalf of the City of Lilburn”.</b> |

|                                  |                  |
|----------------------------------|------------------|
| <b>Department Head Approval:</b> | <b>B. Johnsa</b> |
|----------------------------------|------------------|

|  |                   |           |
|--|-------------------|-----------|
| <b>Mayor/Council Signature Required:</b> | <b><u>YES</u></b> | <b>NO</b> |
|--|-------------------|-----------|

|                              |
|------------------------------|
| <b>List Attachments:</b>     |
| <b>1. Resolution 2016-06</b> |

**Financial Information (For Financial Services Use Only)**

| <b>Budgeted Yes/No</b> | <b>Fund Name &amp; Code</b> | <b>Current Balance</b> | <b>Requested Allocation</b> | <b>City Manager's Initials</b> |
|------------------------|-----------------------------|------------------------|-----------------------------|--------------------------------|
| N/A                    |                             |                        |                             | <b>BJ</b>                      |
|                        |                             |                        |                             |                                |



# City of Lilburn

in Gwinnett County

State of Georgia

Resolution

Number:

**2016-06**

Date of Reading and Adoption: October 10<sup>th</sup>, 2016

At the meeting of the Lilburn City Council held at 76 Main Street, Lilburn, Georgia.

## **A RESOLUTION TO ADOPT THE REVISED EMERGENCY OPERATIONS PLAN FOR GWINNETT COUNTY AND ITS MUNICIPALITIES**

WHEREAS Gwinnett County and its municipalities may be subjected to emergencies and disasters of all types; and

WHEREAS Gwinnett County and its municipalities will continue to be prepared and to respond during emergencies and disasters to protect public peace, health and safety and to preserve lives and property of the people; and

WHEREAS Gwinnett County and its municipalities will plan and prepare in order to implement efficient emergency operations and to mitigate the effects of emergencies and disasters; and

WHEREAS Such planning and operations has been a coordinated effort of all local departments and agencies; and

Whereas Gwinnett County and its municipalities will coordinate emergency prevention, mitigation, preparedness, response and recovery activities through the Gwinnett County Office of Emergency Management and Homeland Security Agency; and

Whereas The Gwinnett County Office of Emergency Management has developed, in partnership with local governments and community agencies, a comprehensive Emergency Operations Plan in compliance with the requirements of the Georgia Emergency Management and Homeland Security Agency.

**NOW THEREFORE, BE IT RESOLVED** that the Gwinnett County Emergency Operations Plan of 2016 is hereby approved and adopted and shall serve as the basis to assist all local governments and citizens in time of emergency or disaster.

---

Johnny D. Crist, Mayor

ATTESTED TO BY:

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Melissa L. Penate, City Clerk

**CITY OF LILBURN  
AGENDA ITEM 3**

|   |   |                       |                          |
|---|---|-----------------------|--------------------------|
| <b>Date:</b>  | 10/10/2016  | <b>To:</b>            | <b>Mayor and Council</b> |
| <b>From:</b>  | Sheila McGaughey  | <b>Department:</b>    | Finance                  |
| <b>Work Session/Regular Meeting Date Requested:</b> | 10/10/2016  | <b>Presenter:</b>     | Angela Couch             |
| <b>Agenda Title:</b>                                | <b>Manihani Kamalpreet, owner of Branded Barrel 1, LLC has applied for package store license at 735 Pleasant Hill Road.</b> |                       |                          |
| <b>Audio/Visual Requirements:</b>                   | n/a   | <b>Deadline Date:</b> | n/a                      |

|   |
|---|
| <b>Agenda Item (Background/History/Details):</b>  |
| The Alcohol Review Board met on October 5 <sup>th</sup> and heard the new application. 735 Pleasant Hill Road is a new location that has never held an alcohol license and must be approved by council. |

|   |
|---|
| <b>Staff Recommendations:</b>                                   |
| <b>The recommendation of the ARB is to approve the license.</b> |

|                                  |  |
|----------------------------------|--|
| <b>Department Head Approval:</b> |  |
|----------------------------------|--|

|                                    |            |    |
|------------------------------------|------------|----|
| <b>Mayor's Signature Required:</b> | <b>YES</b> | no |
|------------------------------------|------------|----|

|                          |
|--------------------------|
| <b>List Attachments:</b> |
|                          |

**Financial Information (For Financial Services Use Only)**

| <b>Budgeted Yes/No</b> | <b>Fund Name &amp; Code</b> | <b>Current Balance</b> | <b>Requested Allocation</b> | <b>City Manager's Initials</b> |
|------------------------|-----------------------------|------------------------|-----------------------------|--------------------------------|
| n/a                    |                             |                        |                             |                                |



Vipram Manihani  
9-30-14 → Oct 5<sup>th</sup> @ 3:30  
@ 137

**CITY OF LILBURN**  
76 Main Street \* Lilburn, Georgia 30047 \* (770) 921-2210  
Alcohol License Department

1872.  
423-6711

**STATEMENT OF PERSONAL HISTORY**

TYPE OF LICENSE:       BEER AND/OR WINE       DISTILLED SPIRITS

INSTRUCTIONS: THIS STATEMENT MUST BE TYPED AND EXECUTED, UNDER OATH. EACH QUESTION MUST BE FULLY ANSWERED. IF SPACE PROVIDED IS NOT SUFFICIENT, ANSWER ON A SEPARATE SHEET AND INDICATE IN THE SPACE PROVIDED THAT A SEPARATE SHEET IS ATTACHED.

1. NAME: Manihani      Kamalpreet  
Last      First      Middle

RESIDENCE: [REDACTED]  
Street No.      Street Name  
[REDACTED]  
City      State      Zip      Phone Number

2.  Sole Owner       Partner:  General  Limited  Silent  
 Direct       Principal Stockholder (20% or more of stock)

3. TRADE NAME OF BUSINESS WHICH THIS STATEMENT IS FOR:  
The Cellar of Lilburn, LLC      Branded Barrel 1, LLC

LOCATION: 735 Pleasant Hill Rd.  
Street No.      Street Name  
Lilburn      GA      30047      404-884-3834  
City      State      Zip      Phone Number

4. STATE THE PERCENTAGE OF OWNERSHIP OR INTEREST, IF ANY, IN THIS BUSINESS:  
100%

5. STATE METHOD AND AMOUNT OF COMPENSATION, IF ANY, DIRECTLY OR INDIRECTLY:  
Directly

6. DATE OF BIRTH: [REDACTED]      PLACE OF BIRTH: India  
SOCIAL SECURITY [REDACTED]      SEX F      RACE Asian  
COLOR OF HAIR Black      COLOR OF EYES Black  
HEIGHT 5'6"      WEIGHT 150 lbs.

DRIVER'S LICENSE STATE GA      DRIVERS LICENSE # [REDACTED]

7.  U.S. CITIZEN       LEGAL ALIEN       OTHER, EXPLAIN

8.  SINGLE  MARRIED  WIDOWED  DIVORCED  SEPARATED

IF MARRIED OR SEPARATED, PLEASE COMPLETE BELOW REQUESTED INFORMATION ON SPOUSE:

FULL NAME OF SPOUSE: Vikram Manihani SOCIAL SEC. # [REDACTED]

MAIDEN NAME \_\_\_\_\_ PLACE OF BIRTH Haryana, India

DATE OF BIRTH [REDACTED] NAME AND ADDRESS OF SPOUSE'S \_\_\_\_\_

EMPLOYER: ~~S~~ Ginni Enterprise, LLC

9. STATE ANY OTHER NAMES WHICH YOU HAVE USED: MAIDEN NAME, NAMES BY FORMER MARRIAGES, FORMER NAMES CHANGED LEGALLY OR OTHERWISE, ALIASES, NICKNAMES, ETC. SPECIFY WHICH, SHOW DATES, ETC. \_\_\_\_\_

Kamalpreet

10. GIVE NAME AND ADDRESSES OF ALL CHILDREN AND STEPCHILDREN (regardless of age):

FULL NAME \_\_\_\_\_ ADDRESS \_\_\_\_\_ AGE \_\_\_\_\_ PLACE OF BIRTH \_\_\_\_\_



11. GIVE NAMES AND ADDRESSES OF ALL IMMEDIATE LIVING RELATIVES:

| NAME  | ADDRESS  | AGE       | PLACE OF BIRTH   |
|---|--|-----------|------------------|
| A. Father <u>Harminder Singh</u>            | <u>House no. 913 Ward no. 27 Sharma Colony, Haryana, India</u> | <u>59</u> | <u>India</u>     |
| B. Mother <u>Charanjeet</u>                 | <u>" " " "</u>   | <u>57</u> | <u>" India "</u> |
| C. Brother/Sister                           |  |           |                  |
| <u>Narinderpal Singh</u>                    | <u>" " " "</u>   | <u>35</u> | <u>" India "</u> |
| <u>Suminder Kaur</u>                        | <u>" " " "</u>   | <u>33</u> | <u>India</u>     |
| <u>Hardeep Singh</u>                        | <u>" " " "</u>   | <u>25</u> | <u>India</u>     |
| D. Father-in-Law <u>AJIT SINGH MANIHANI</u> |  |           |                  |
|   | <u>1240 Huda #2, Kaithal, Haryana, India</u>                   | <u>87</u> | <u>India</u>     |
| E. Mother-in-Law                            |  |           |                  |

12. EMPLOYMENT RECORD FOR THE PAST TEN YEARS (Give the most recent first):

| From<br>Month | To<br>Year | Month | Year | Occupation and<br>Description of<br>Duties Performed | Salaries<br>Received | Employers | Reason for<br>Leaving |
|---------------|------------|-------|------|--|----------------------|-----------|-----------------------|
|---------------|------------|-------|------|--|----------------------|-----------|-----------------------|

None

13. LIST IN REVERSE CHRONOLOGICAL ORDER ALL OF YOUR RESIDENCES FOR THE PAST 10 YEARS:

| Dates   |         | Street                      | City           | State    |
|---------|---------|-----------------------------|----------------|----------|
| From    | To      |                             |                |          |
| 3/2016  | Present | 4476 Lily Brook Ct.         | Powder Springs | GA 30127 |
| 11/2012 | 3/2016  | 1068 Merchants Dr. Apt. 317 | Dallas         | GA 30132 |
| 2006    | 10/2012 | 1160 Kenwal Rd. #G          | Concord        | CA 94521 |

14. DO YOU HAVE ANY FINANCIAL INTEREST, OR ARE YOU EMPLOYED IN ANY OTHER WHOLESALE OR RETAIL BUSINESS ENGAGED IN DISTILLING, BOTTLING, RECTIFYING OR SELLING ALCOHOLIC BEVERAGES? No

IF YES, GIVE NAMES AND LOCATIONS AND AMOUNT OF INTEREST IN EACH:

15. HAVE YOU EVER HAD ANY FINANCIAL INTEREST IN ANY ALCOHOLIC BEVERAGE BUSINESS WHICH WAS DENIED A LICENSE? No IF SO, GIVE DETAILS:

16. HAS ANY ALCOHOL BEVERAGE BUSINESS IN WHICH YOU HOLD, OR HAVE HELD, ANY FINANCIAL INTEREST OR ARE EMPLOYED, OR HAVE BEEN EMPLOYED, EVER BEEN CITED FOR ANY VIOLATION OF THE RULES AND REGULATIONS OF THE STATE REVENUE COMMISSIONER RELATING T THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES? No IF SO, GIVE DETAILS \_\_\_\_\_

17. IF DURING THE PAST TEN YEARS YOU HAVE BOUGHT AND SOLD ANY ALCOHOLIC BEVERAGE BUSINESS GIVE DETAILS (Date, License Number, Persons and Considerations Involved): No

18. HAVE YOU EVER BEEN DENIED BOND BY COMMERCIAL SECURITY COMPANY? No  
IF SO, GIVE DETAILS: \_\_\_\_\_

19. ARE YOU A REGISTERED VOTER? No  
IN WHAT STATE? \_\_\_\_\_ IN WHAT COUNTY? \_\_\_\_\_

20. HAVE YOU EVER BEEN ARRESTED, OR HELD BY FEDERAL, STATE OR OTHER LAW ENFORCEMENT AUTHORITIES, FOR ANY VIOLATION OF ANY FEDERAL LAW, STATE LAW, COUNTY OR MUNICIPAL LAW, REGULATION OR ORDINANCES? (Do not include traffic violations. All other charges must be included even if they were dismissed. Give reason charged or held, date, place where charged and disposition. If no arrest, write no arrest. After last arrest is listed, please write no other arrest.)

1. No arrest
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

21. HAVE YOU EVER HAD ANY LICENSE ISSUED UNDER THE REGULATORY POWERS OF GWINNETT COUNTY OF CITY OF LILBURN DENIED, SUSPENDED OR REVOKED WITHIN TWO (2) YEARS PRIOR TO THE FILING OF THE APPLICATION? No

IF SO, GIVE DETAILS: \_\_\_\_\_

22. LIST BELOW FOUR REFERENCES (PERSONAL AND BUSINESS). GIVE COMPLETE ADDRESS AND PHONE NUMBER INCLUDING AREA CODE. IF GIVING A BUSINESS REFERENCE, NAME A PERSON AT THAT LOCATION TO BE CONTACTED. DO NOT INCLUDE RELATIVES OR EMPLOYERS OR FELLOW EMPLOYEES OF PARTICULAR BUSINESS. ALSO INDICATE NUMBER OF YEARS REFERENCE YOU HAVE KNOWN REFERENCE.

1. Jaspal Banti 1181 Lexington Court, Bishop 30621  
706-506-7081

2. Jay Parekh 9295 Tailey Circle, Duluth, GA 30097  
404-512-4492

3. Parminder Singh 133 Oakland Way, Dallas, GA 30157  
678-670-4450

4. Shane Sharpe 425 Buford Hwy Ste 204, Suwanee, GA 30024  
678-765-8680

23. ATTACH PHOTOGRAPH (FRONT VIEW) TAKEN WITHIN THE PAST YEAR



**NOTE:** BEFORE SIGNING THIS STATEMENT, CHECK ALL ANSWERS AND EXPLANATIONS TO SEE THAT YOU HAVE ANSWERED ALL QUESTIONS FULLY AND CORRECTLY. THIS STATEMENT IS TO BE EXECUTED UNDER OATH AND SUBJECT TO THE PENALTIES OF FALSE SWEARING, AND IT INCLUDES ALL ATTACHED SHEETS SUBMITTED HERewith.

STATE OF GEORGIA,   GWINNETT   COUNTY

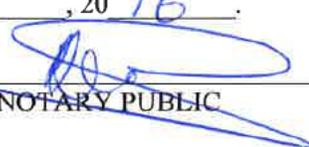
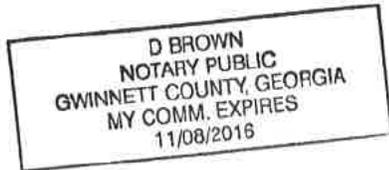
I,   KAMALPREET MANIHWANI  , DO SOLEMNLY SWEAR, SUBJECT TO THE PENALTIES OF FALSE SWEARING, THAT THE STATEMENTS AND ANSWERS MADE BY ME AS THE APPLICANT IN THE FOREGOING PERSONNEL STATEMENT ARE TRUE AND CORRECT.



\_\_\_\_\_  
APPLICANT'S SIGNATURE

I HEREBY CERTIFY THAT   KAMALPREET MANIHWANI   SIGNED HIS/HER NAME TO THE FOREGOING APPLICATION STATING TO ME THAT HE KNEW AND UNDERSTOOD ALL STATEMENTS AND ANSWERS MADE THEREIN, AND, UNDER OATH ACTUALLY ADMINISTERED BY ME, HAS SWORN THAT DAIS STATEMENTS AND ANSWERS ARE TRUE AND CORRECT.

THIS THE   9<sup>th</sup>   DAY OF   SEPTEMBER  , 20   16  .

  
\_\_\_\_\_  
NOTARY PUBLIC

(SEAL)



# CITY OF LILBURN

76 Main Street \* Lilburn, Georgia 30047 \* (770) 921-2210  
Alcohol License Department

## APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

BUSINESS NAME: ~~The Cellar of Lilburn, LLC~~ Branded Barrel 1, LLC

BUSINESS ADDRESS: 735 Pleasant Hill Road, Lilburn, GA

1. TYPE OF APPLICATION (Check One):  New  Renewal  Amendment

2. ADMINISTRATIVE AND INVESTIGATION FEES (does not apply to renewals)

\$250 – Packaged Beer and Wine Sales  \$500 – All Other Applications

3. TYPE OF BUSINESS (Check One):

Bona Fide Eating Establishment  Supermarket  Convenience Store  
 Indoor Comm. Recreational Estab.  Package Store  Hotel Minibar  
 Banquet/Event Hall  Other Retail Business \_\_\_\_\_

4. CHECK APPLICABLE LICENSE(S) APPLYING FOR:

### RETAIL PACKAGE:

- Beer (Includes Sunday Sales) - \$850  Wine (Includes Sunday Sales) - \$850
- Beer and Wine (Includes Sunday Sales) - \$1,700
- Distilled Spirits, Beer and Wine (Includes Sunday Sales) - \$6,000
- Hotel Minibar – Beer and Wine (Includes Sunday Sales) - \$320
- Hotel Minibar – Distilled Spirits, Beer and Wine (Includes Sunday Sales) - \$1,390

### RETAIL CONSUMPTION ON PREMISES:

- Beer (Includes Sunday Sales) - \$850  Wine (Includes Sunday Sales) - \$850
- Beer and Wine (Includes Sunday Sales) - \$1,700
- Beer, Wine & Distilled Spirits (Includes Sunday Sales) - \$7,200
- Banquet Hall – Beer (Includes Sunday Sales) - \$850
- Banquet Hall – Wine (Includes Sunday Sales) - \$850
- Banquet Hall – Beer & Wine (Includes Sunday Sales) - \$1,700
- Banquet Hall – Beer, Wine & Dist. Spirits (Includes Sunday Sales) - \$7,200

(NOTE: 3/4 of fee after April 1<sup>st</sup>, 1/2 of fee after July 1<sup>st</sup>, 1/4 of fee after October 1<sup>st</sup>)

VKparekh@gmail.com

5. BUSINESS:

- (a) FULL NAME: The Cellar of Lilburn, LLC Branded Barre 1, LLC
- (b) LOCATION: 735 Pleasant Hill Rd.  
 Street No. Street Name  
Lilburn GA 30047 404-884-3834  
 City State Zip Phone Number
- (c) MAILING ADDRESS (If Different): 4476 Lily Brook Court,  
Powder Springs, GA 30127
- (d) FEDERAL EMPLOYER IDENTIFICATION NUMBER: ~~81-0785499~~ [REDACTED]
- (e) STATE WITHHOLDING NUMBER: [REDACTED]
- (f) STATE SALES TAX NUMBER: [REDACTED]
- (g) OTHER CITY OF LILBURN OR GWINNETT COUNTY LICENSE (Specify type of license, issuer and number): N/A

6. OWNER:

- (a) FULL NAME: Kamalpreet Manihani [REDACTED]  
 Social Security # [REDACTED]
- (b) HOME ADDRESS: [REDACTED]  
 Street No. Street Name  
 [REDACTED]  
 City State Zip Phone Number
- (c) MAILING ADDRESS (If Different): N/A
- (d) OTHER CITY OF LILBURN OR GWINNETT COUNTY LICENSE (Specify type of license, issuer and number): N/A

7. REGISTERED AGENT (MUST BE A RESIDENT OF GWINNETT COUNTY):

- (a) FULL NAME: VIRAL PAREKH
- (b) LOCATION: [REDACTED]  
 Street No. Street Name  
 [REDACTED]  
 City State Zip Phone Number
- (c) MAILING ADDRESS: [REDACTED]  
 Street No. Street Name  
 [REDACTED]  
 City State Zip Phone Number
- (d) OTHER CITY OF LILBURN OR GWINNETT COUNTY LICENSE (Specify type of license, issuer and number): N/A

ARB  
 @ 9/30  
 @ 3:30  
 ARB @ 11/14  
 4:30PM



10. FINANCING

(a) BANK TO BE USED BY BUSINESS, INCLUDE BRANCH:

[REDACTED]

(b) STATE TOTAL AMOUNT OF CAPITAL THAT IS OR WILL BE INVESTED IN BUSINESS BY ANY PARTY OR PARTIES: [REDACTED]

(c) STATE TOTAL AMOUNT OF FUNDS INVESTED BY THE OWNER: [REDACTED]

(d) STATE TOTAL AMOUNT OF FUNDS INVESTED BY PARTY OR PARTIES OTHER THAN OWNER: [REDACTED]

(e) IF ANY CAPITAL IS BORROWED:

| NAME OF LENDER | DATE       | AMOUNT     | EFFECTIVE ANNUAL INTEREST RATE |
|----------------|------------|------------|--------------------------------|
| [REDACTED]     | [REDACTED] | [REDACTED] | [REDACTED]                     |

11. (a) HAS OWNER AND/OR INDIVIDUAL PARTNER, SHAREHOLDER, DIRECTOR, OR OFFICER ANY FINANCIAL INTEREST IN ANY MANUFACTURER OR WHOLESALER OF ALCOHOLIC BEVERAGE? No
- (b) HAS OWNER AND/OR INDIVIDUAL PARTNER, SHAREHOLDER, DIRECTOR, OR OFFICER RECEIVED ANY FINANCIAL AID OR ASSISTANCE FROM ANY MANUFACTURER OF ALCOHOLIC BEVERAGE? No
- (c) IF ANSWER IS "YES" TO EITHER OF THE IMMEDIATE FOREGOING, EXPLAIN:

12. SHOW HEREUNDER ANY AND ALL PERSONS, CORPORATION, PARTNERSHIPS, OR ASSOCIATIONS (OTHER THAN PERSONS STATED HEREIN AS OWNER(S), DIRECTORS, OR OFFICERS) WHO HAVE RECEIVED OR WILL RECEIVE, AS A RESULT OF YOUR OPERATION UNDER THE REQUESTED LICENSE, ANY FINANCIAL GAIN OR PAYMENT DERIVED FROM ANY INTEREST OR INCOME FROM THE OPERATION. (FINANCIAL GAIN OR PAYMENT SHALL INCLUDE PAYMENT OR GAIN FROM ANY INTEREST IN THE LAND, FIXTURES, BUILDING, STOCK, AND ANY OTHER ASSET OF THE PROPOSED OPERAION UNDER THE LICENSE). IN THE EVENT ANY CORPORATION IS LISTED AS RECEIVING AN INTEREST OR INCOME FROM THIS OPERATION, SHOW THE NAMES OF THE OFFICERS AND DIRECTORS OF SAID CORPORATION TOGETHER WITH THE NAMES OF THE PRINCIPAL STOCKHOLDERS.

Kamalpreet Manihani

**NOTE:** BEFORE SIGNING THIS STATEMENT, CHECK ALL ANSWERS AND EXPLANATIONS TO SEE THAT YOU HAVE ANSWERED ALL QUESTIONS FULLY AND CORRECTLY. THIS STATEMENT IS TO BE EXECUTED UNDER OATH AND SUBJECT TO THE PENALTIES OF FALSE SWEARING, AND IT INCLUDES ALL ATTACHED SHEETS SUBMITTED HEREWITH.

STATE OF GEORGIA,   GWINNETT   COUNTY

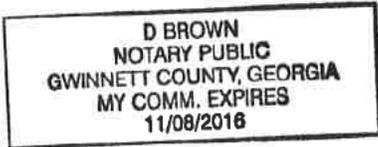
I,   KANALPREET MANIHWANI  , DO SOLEMNLY SWEAR, SUBJECT TO THE PENALTIES OF FALSE SWEARING, THAT THE STATEMENTS AND ANSWERS MADE BY ME AS THE APPLICANT IN THE FOREGOING PERSONNEL STATEMENT ARE TRUE AND CORRECT.

  Kanahani    
APPLICANT'S SIGNATURE

I HEREBY CERTIFY THAT   KANALPREET MANIHWANI   SIGNED HIS/HER NAME TO THE FOREGOING APPLICATION STATING TO ME THAT HE KNEW AND UNDERSTOOD ALL STATEMENTS AND ANSWERS MADE THEREIN, AND, UNDER OATH ACTUALLY ADMINISTERED BY ME, HAS SWORN THAT DAIS STATEMENTS AND ANSWERS ARE TRUE AND CORRECT.

THIS THE   9th   DAY OF   SEPTEMBER  , 20   16  .

  D Brown    
NOTARY PUBLIC



(SEAL)

**IMPORTANT:**

THIS APPLICATION WILL BE HEARD BY THE:

ALCOHOL REVIEW BOARD: \_\_\_\_\_  
Date Time

LILBURN CITY COUNCIL: \_\_\_\_\_  
Date Time

EITHER THE APPLICANT OR HIS REPRESENTATIVE MUST BE IN ATTENDANCE AT THIS MEETING.

SIGNED: \_\_\_\_\_

DATE: \_\_\_\_\_

REGISTERED AGENT FORM

The Cellar of Lilburn, LLC Branded Barrel 1, LLC  
Business Name

735 Pleasant Hill Rd. Lilburn, GA 30047  
Business Location

Lilburn, GA, 30047  
City/State/Zip Code

I, VIRAL PAREKH, do hereby consent to serve as the registered agent for the licensee, owners, officers, and/or directors and to perform all obligations of such agency under the provisions of the Ordinances of Lilburn, Georgia. (Every establishment holding an alcoholic beverage license in the City must have a registered agent and this person must be a resident of Gwinnett County, Georgia.

This the 9<sup>th</sup> day of SEPTEMBER, 20 16.

[Signature]  
Signature of Agent

[Redacted]  
Agent Social Security Number

VIRAL PAREKH  
Type or Print Name of Agent

[Redacted]  
Birthdate

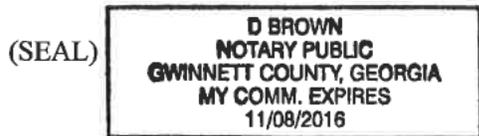
Agent Home Address: [Redacted]  
Street No. Street Address

[Redacted]  
City State Zip Phone Number

SWORN TO AND SUBSCRIBED BEFORE ME

THIS THE 9<sup>th</sup> DAY OF SEPTEMBER, 20 16.

[Signature]  
NOTARY PUBLIC



APPROVED:

\_\_\_\_\_  
Signature of Licensee

\_\_\_\_\_  
Owner

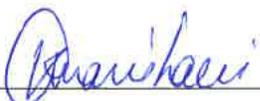
\_\_\_\_\_  
Officer or Director (Title)

STORE/RESTAURANT MANAGER

CONSENT FORM – FOR ALCOHOLIC BEVERAGE LICENSE APPLICATION

I, Kamalpreet Manihani, do hereby authorize the City of Lilburn to receive all records which may be in the files of any state or local criminal justice agency (including criminal history) concerning myself, whether the said records are of a public, private or confidential nature.

I further authorize release of this information under the Open Records Act, and certify that person(s) who may furnish such information concerning me shall not be held accountable for giving this information, and I do hereby release said person(s) from any and all liability which may be incurred as a result of furnishing such information. A photocopy of this release form will be valid as an original thereof, even though a photocopy does not contain an original writing of my signature.

Signature  Date 9/9/2016

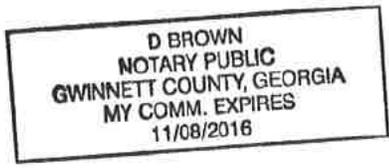
Printed Name Kamalpreet Manihani

Home Address 

Date of Birth  SS# 

Sex Female Race Asian (Indian)

Notary  Date 9/9/2016





City Hall (770) 921-2210 • Fax (770) 921-8942  
Police Department (770) 921-2211 • Fax (770) 923-6871  
Court Services (770) 921-2505 • Fax (770) 921-7723  
Planning (770) 279-3710 • Fax (770) 921-9822

**Private Employer Affidavit Pursuant to O.C.G.A. § 36-60-6(d)**

By executing this affidavit under oath in the presence of a Notary Public, and as an applicant for an Alcoholic Beverage License, a public benefit as referenced in O.C.G.A. § 36-60-6(d), from the City of Lilburn, Georgia, the undersigned applicant representing the private employer known as The Cellar of Lilburn, LLC (printed name of private employer) verifies one of the following with respect to my application for the above mentioned document:  
Branded Barrel 1, LLC

**1. Fill out this section between July 1, 2012, and June 30, 2013.**

- (a) \_\_\_\_\_ On January 1<sup>st</sup> of the below signed year the individual, firm or corporation employed one hundred (100) or more employees.
- (b) \_\_\_\_\_ On January 1<sup>st</sup> of the below signed year the individual, firm or corporation employed less than one hundred (100) employees.

If the employer selected 1(a) please fill out Section 3 below.

**2. Fill out this section on or after July 1, 2013.**

- (a) \_\_\_\_\_ On January 1<sup>st</sup> of the below signed year the individual, firm or corporation employed more than ten (10) employees.
- (b)  On January 1<sup>st</sup> of the below signed year the individual, firm, or corporation employed less than ten (10) employees.

If the employer selected 2(a) please fill out Section 3 below.

**3. The employer has registered with and utilizes the federal work authorization program in accordance with the applicable provisions and deadlines established in O.C.G.A. § 36-60-6(a). The undersigned private employer also attests that its federal work authorization user identification number and date of authorization are as listed below:**

\_\_\_\_\_  
Federal Work Authorization User Identification Number (E-VERIFY NUMBER)

\_\_\_\_\_  
Date of Authorization

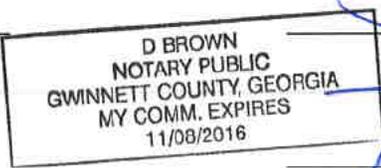
In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement of representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20, and face criminal penalties allowed by such statute.

Executed on the 9<sup>th</sup> date of SEPTEMBER, 2016 in NORCROSS (city), GA (state)

[Signature]  
Signature of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME ON  
THIS THE 9<sup>th</sup> DAY OF SEP, 2016

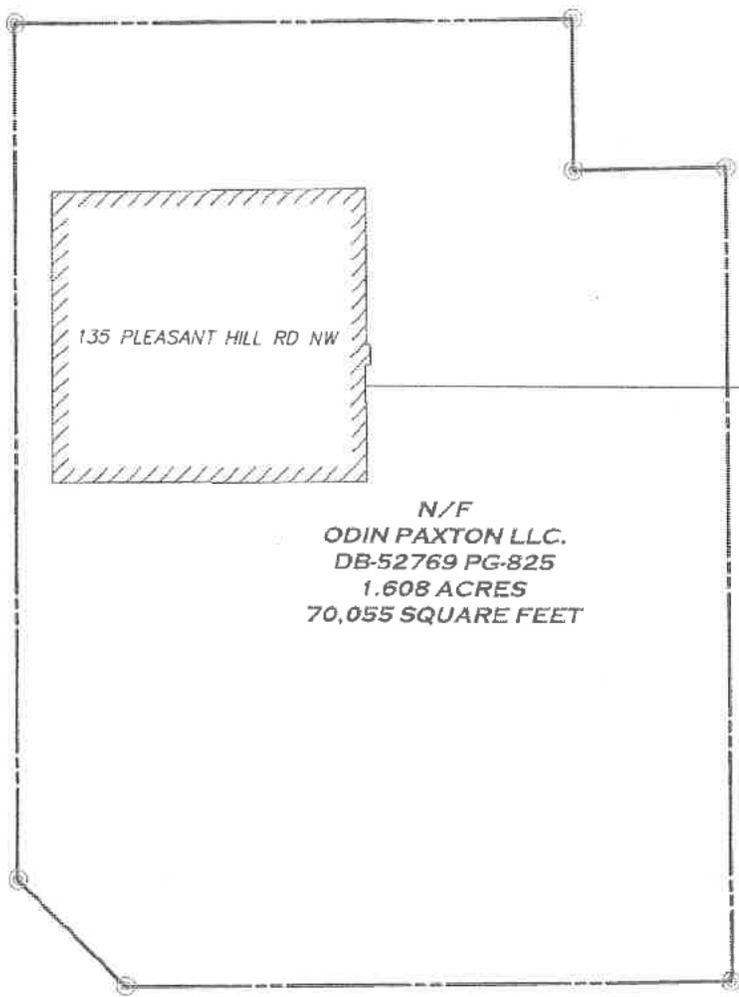
\_\_\_\_\_  
Printed Name of and Title of Authorized Officer or Agent



[Signature]  
NOTARY PUBLIC

My Commission Expires:  
NOV - 8 2016

PRIVATE DRIVE



135 PLEASANT HILL RD NW

N/F  
ODIN PAXTON LLC.  
DB-52769 PG-825  
1.608 ACRES  
70,055 SQUARE FEET

4,584 FEET TO SWEETWATER  
MIDDLE SCHOOL

1,139 FEET TO BERKMAR  
UNITED METHODIST CHURCH

PLEASANT HILL ROAD  
(AKA DULUTH ROAD)

ALL DISTANCES SHOWN HEREON MEASURED BY THE MOST DIRECT ROUTE OF TRAVEL ON THE GROUND IN THE FOLLOWING MANNER:  
(1) FROM THE FRONT DOOR OF THE STRUCTURE FROM WHICH BEVERAGE ALCOHOL IS SOLD OR OFFERED FOR SALE;  
(2) IN A STRAIGHT LINE TO THE NEAREST PUBLIC SIDEWALK, WALKWAY, STREET, ROAD OR HIGHWAY;  
(3) ALONG SUCH PUBLIC SIDEWALK, WALKWAY, STREET, ROAD OR HIGHWAY BY THE NEAREST ROUTE;  
(4) TO THE FRONT DOOR OF THE BUILDING, OR TO THE NEAREST PORTION OF THE GROUNDS, WHICHEVER IS APPLICABLE UNDER THE APPROPRIATE STATUTE OR CODE.

**SURVEYOR CERTIFICATION**

I CERTIFY THAT THIS PLAT IS A TRUE REPRESENTATION THAT IS BASED ON AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION. THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.



MITCHELL LOWERY GEORGIA RLS# 3109

**ALCOHOL SURVEY FOR:  
735 PLEASANT HILL RD**

|                          |                  |
|--------------------------|------------------|
| DATE: SEPTEMBER 21, 2016 | SCALE: 1"=60'    |
| STATE: GEORGIA           | COUNTY: GWINNETT |
| LAND LOT: 156            | DISTRICT: 17TH   |

LOWERY AND ASSOCIATES LAND SURVEYING, LLC  
317 GRASSDALE ROAD  
CARTERSVILLE, GA 30120  
770-334-8186

Members of the ARB the following documents relate to the application for alcohol sales at 735 Pleasant Hill Road. These documents show the location of a school within 600 feet of this location, they also show that the measurement supplied by the zoning department in reference to the SUP is incorrect.

### Document Descriptions

1. Copy of current Lilburn Ordinance stating requirements of a distance of 200 yards from any school grounds. Also states the manner in which the measurement shall be taken is "from the front door of the structure".
2. A signed and notarized affidavit from Berkmar United Methodist Church confirming that Global Purpose Academy uses the full church grounds for school activities.
3. A letter from Doug Stacks and an exhibit used for the measurement to school grounds. This was provided through an open records request for the SUP application for the location. This measurement has three major flaws: it is not a stamped survey, the measuring beginning point is not from the front door of the structure as required by City Ordinance, and the ending point is not at the beginning of the school grounds as also required by City Ordinance.
4. Site plan of the proposed location showing the front door of the location.
5. A measurement from the same site used by the Zoning department showing the proper measurement from the front door of the location to the school grounds. This shows the location within 200 yards of school grounds.

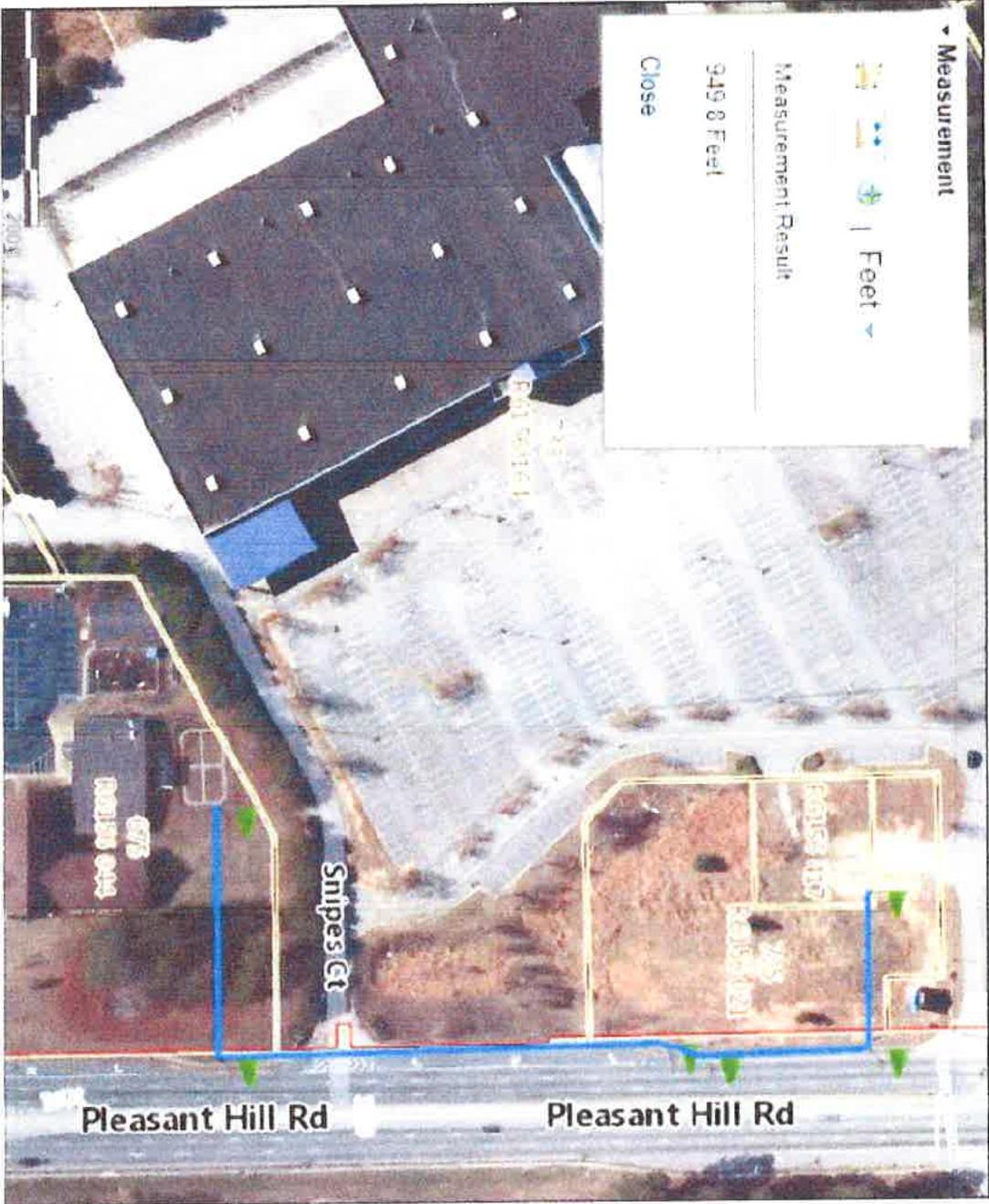
6. Copy of State of Georgia's distance requirements for alcohol sales. It also has a 200 yard minimum for school grounds. Georgia differs from the City of Lilburn in their measurement requirements. They measure in a straight line from the location to the school grounds.
  
7. A measurement following the State of Georgia's requirement's showing the location well within 200 yards of the school grounds.

①

## Sec. 6-64. - Distance requirements.

- (a) No person, knowingly and intentionally, may sell or offer to sell any alcoholic beverage in or within 100 yards of a church building or within 200 yards of any school grounds.
- (b) The school buildings referred to in this section shall apply only to state, county, city or church school buildings and to such buildings at such other schools in which are taught subjects commonly taught in the common school and colleges of this state, and does not include a pre-kindergarten program. The term "school building" includes only those structures in which instruction is offered.
- (c) The term "church building," as used herein, means the main structure used by any religious organization for purposes of worship.
- (d) For purposes of this section, *distance* shall be measured by the most direct route of travel on the ground and shall be measured in the following manner:
- (1) From the front door of the structure from which alcoholic beverages are sold or offered for sale;
  - (2) In a straight line to the nearest public sidewalk, walkway, street, road or highway;
  - (3) Along such public sidewalk, walkway, street, road or highway by the nearest route;
  - (4) To the front door of the church building, or to the nearest portion of the school grounds, whichever is applicable.
- (e) No location which is licensed to sell alcoholic beverages on the effective date of the ordinance codified in this chapter shall be denied continued operation under an existing license, or denied any renewal of such license, nor shall any new owner of said location be denied a new license based upon the measurements set forth in this section.
- (f) As to any location licensed in the future, if the distance requirements herein are met at the time of issuance of any license, the subsequent opening and operation of a church or school within the distance prohibited herein shall not prevent the continuance of an existing license or the renewal thereof or the issuance of a new license to any subsequent owner of such property. However, notwithstanding any other provisions of this section and chapter, said use shall not be reestablished after discontinuance of 12 months, unless it shall meet the requirements of subsection (a).
- (g) An applicant for a license to sell alcohol must submit written documentation from the city's director of planning and economic development or his/her designee that the applicant meets the distance requirements as set forth herein.

(Ord. No. 176-05, 2-13-2006; Ord. No. 453-13, 5-13-2013)







Measure

Distance Unit:

Feet

Area Unit:

Square Feet

Map Tab Coordinate System

Geometry<sup>1</sup>

Length 466.82 ft

- 
  - 
  - 
  - 
  - 
  - 
- Add to map

7

6156 417

6156 021  
128

6156 043