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 11th – The last Food Truck Tuesday (5 pm to 8 pm @City Park)
- October 18th – Ribbon Cutting Ceremony for City Hall/Library (4 pm to 5 pm @Lilburn City Hall/Library)
- October 21st – Moonlight Movie & Pokémon GO Night (6 pm to 9 pm @City Park)
- October 29th – Open House for City Hall/Library (11 am to 12 pm @Lilburn City Hall/Library)
- November 6th – 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 from 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 5th 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

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

Agenda Item (Background/History/Details):

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 from 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 10th day of October, 2016.

Johnny D. Crist, Mayor
City of Lilburn

ATTEST:

Melissa L. Penate, City Clerk

9/23/16	**PC Meeting**	City Hall Auditorium

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.

_____

Hugh Wilkerson

DRAFT

Special Use Permit Application

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

Please type or print using BLACK ink

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

APPLICANT IS THE ◯ Owner's Agent (X) 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? (X) 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*

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 rejuvinate 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 complimentary 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 — 8/29/16

Signature of Applicant/Applicant's Attorney or Representative — Date

VIRAL PAREKH

Type or Print Name — Title

Tiffany M. King — 8/29/16

Notary Public — Date

(Seal) TIFFANY M KING NOTARY PUBLIC-GEORGIA Gwinnett County MY COMMISSION EXPIRES APRIL 10, 2020

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.

Viral Parekh
Signature of Applicant

8/29/16
Date

VIRAL PAREKH
Type or Print Name

Title

Tiffany M. King
Notary Public

8-29-16
Date

(Seal)

TIFFANY M KING
NOTARY PUBLIC-GEORGIA
Gwinnett County
MY COMMISSION EXPIRES
APRIL 10, 2020

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.

Viral Parekh
Signature of Owner

8/29/16
Date

VIRAL PAREKH
Type or Print Name

Title

Tiffany M. King
Notary Public

8/29/16
Date

(Seal)

TIFFANY M KING
NOTARY PUBLIC-GEORGIA
Gwinnett County
MY COMMISSION EXPIRES
APRIL 10, 2020

ADMINISTRATIVE USE ONLY

CASE NUMBER: SUP- 2016-03 DATE COMPLETE: 8/31/2016 RECEIVED BY: [illegible]

APPLICATION FEE: $750.00 PAID BY/RECEIPT#: 00129818 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

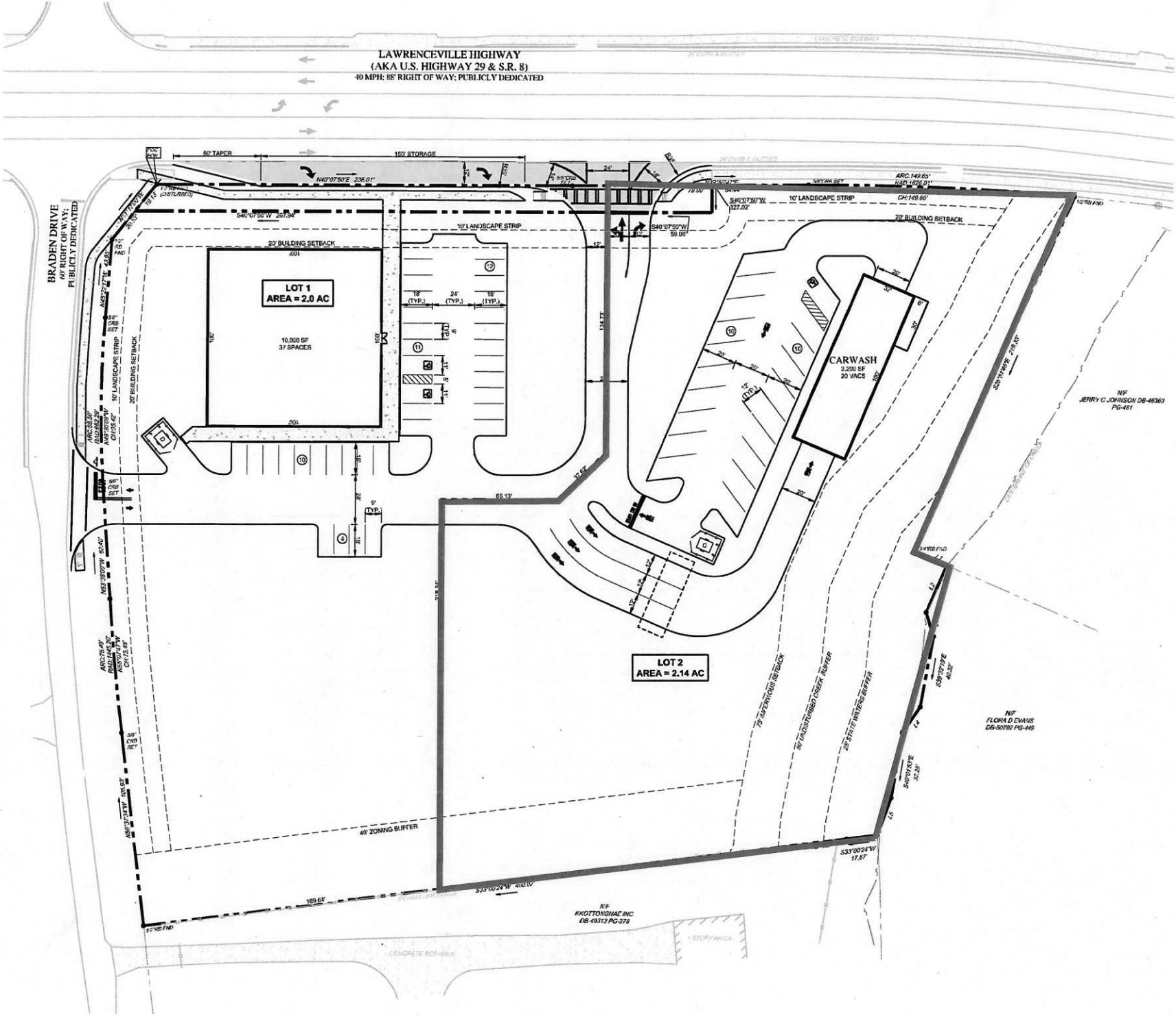
Legal Description

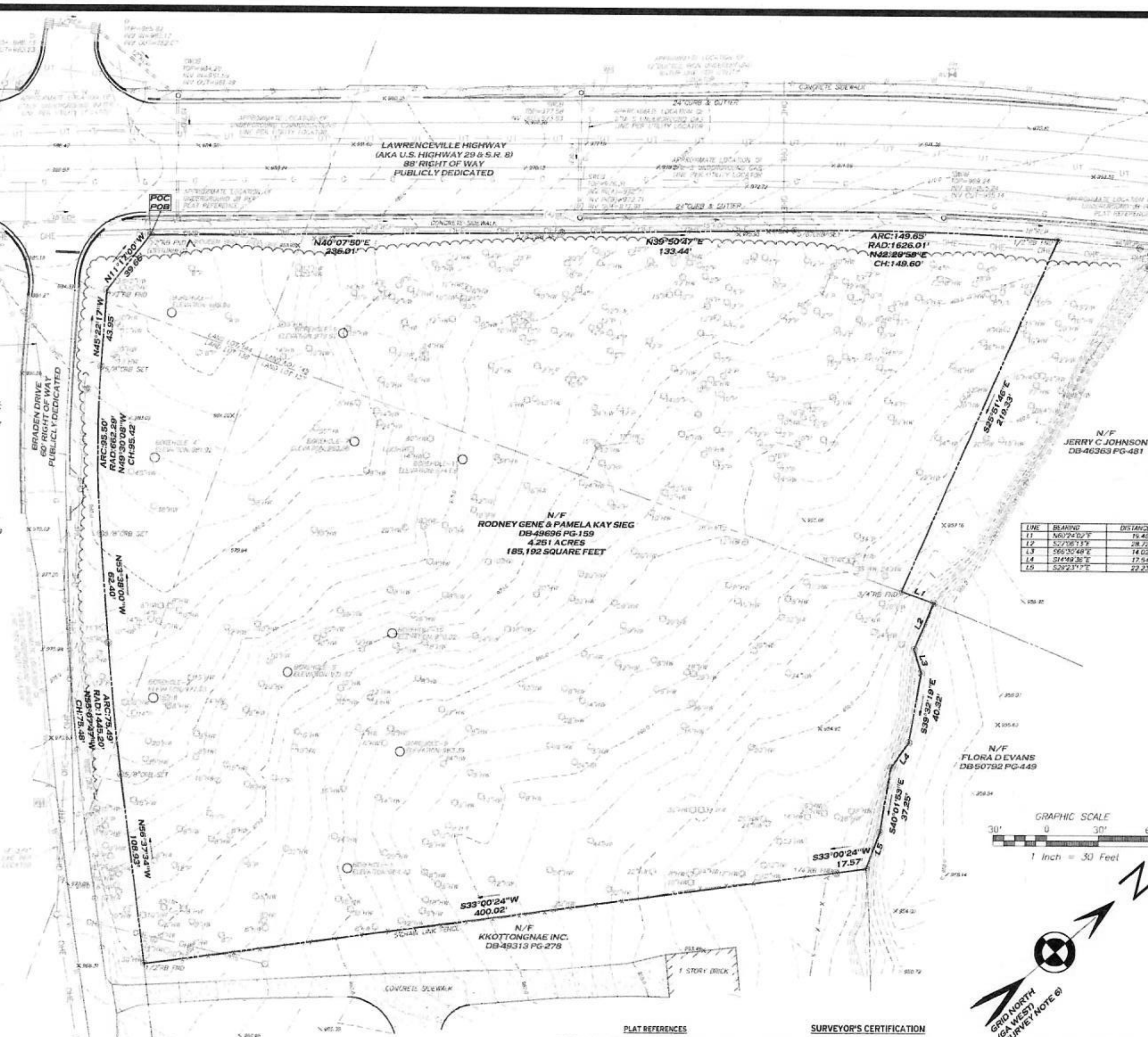
ALL THAT TRACT OR PARCEL OF LAND lying in and being located in Land Lots 137, 138, 144 and 145 of the 6th district, Gwinnett County, Georgia, and being more particularly described as follows:

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; 88' RIGHT OF WAY; PUBLICLY DEDICATED
BRADEN DRIVE
60' RIGHT OF WAY;
PUBLICLY DEDICATED
50' TAPER
150' STORAGE
N40°07'50"E 236.01'
S40°07'50"W 267.94'
10' LANDSCAPE STRIP
20' BUILDING SETBACK
LOT 1
AREA = 2.0 AC
10,000 SF
37 SPACES
18' (TYP.)
24' (TYP.)
18' (TYP.)
CARWASH
3,200 SF
20 VACS
LOT 2
AREA = 2.14 AC
40' ZONING BUFFER
75' IMPERVIOUS SETBACK
50' UNDISTURBED CREEK BUFFER
25' STATE WATERS BUFFER
N/F
JERRY C JOHNSON DB-46363
PG-481
N/F
FLORA D EVANS
DB-50792 PG-449
N/F
KKOTTONGNAE INC.
DB-49313 PG-278
S33°00'24"W 17.57'
S40°07'50"W 59.08'
S40°07'50"W 327.02'
ARC:149.65'
RAD:1626.01'
CH:149.60'
66.13'
169.64'
134.73'
CONCRETE SIDEWALK
1 STORY BRICK



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), SAID POINT BEING THE TRUE POINT OF BEGINNING.

THENCE LEAVING SAID MITERED INTERSECTION AND CONTINUING ALONG 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, THENCE NORTH 39 DEGREES 50 MINUTES 47 SECONDS EAST A DISTANCE OF 133.44 FEET TO A 5/8 INCH CAPPED REBAR SET, THENCE 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 1/4 INCH REBAR FOUND; THENCE SOUTH 33 DEGREES 00 MINUTES 24 SECONDS WEST A DISTANCE OF 400.02 FEET TO A 1/2 INCH REBAR FOUND ON SAID EASTERLY RIGHT OF WAY OF BRADEN DRIVE; THENCE CONTINUING ALONG SAID RIGHT OF WAY THE FOLLOWING COURSES AND DISTANCES NORTH 56 DEGREES 37 MINUTES 34 SECONDS WEST A DISTANCE OF 108.93 FEET TO A 5/8 INCH CAPPED REBAR SET, THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1445.20 FEET, WITH AN ARC DISTANCE OF 75.49 FEET, WITH A CHORD BEARING OF NORTH 55 DEGREES 07 MINUTES 47 SECONDS WEST AND A CHORD LENGTH OF 75.48 FEET TO A POINT, THENCE NORTH 53 DEGREES 38 MINUTES 00 SECONDS WEST A DISTANCE OF 62.40 FEET TO A 5/8 INCH CAPPED REBAR SET, THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 662.29 FEET, WITH AN ARC DISTANCE OF 95.50 FEET, WITH A CHORD BEARING OF NORTH 49 DEGREES 30 MINUTES 08 SECONDS WEST AND A CHORD LENGTH OF 95.42 FEET TO A 5/8 INCH CAPPED REBAR SET, THENCE NORTH 45 DEGREES 22 MINUTES 17 SECONDS WEST A DISTANCE OF 43.95 FEET TO A 1/2 INCH REBAR FOUND AT SAID MITERED INTERSECTION OF LAWRENCEVILLE HIGHWAY AND BRADEN DRIVE; THENCE LEAVING SAID RIGHT OF WAY OF BRADEN DRIVE NORTH 11 DEGREES 17 MINUTES 00 SECONDS WEST A DISTANCE OF 39.66 FEET TO A 1/2 INCH REBAR FOUND, SAID REBAR BEING THE TRUE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 4.251 ACRES (185,192 SQUARE FEET).

TITLE EXCEPTIONS

FIRST AMERICAN TITLE INSURANCE COMPANY
COMMITMENT NO. 2-33047(R)
EFFECTIVE DATE OF COMMITMENT: JULY 28, 2015 AT 5:00 P.M.

PART II, SCHEDULE B

3. SPECIAL EXCEPTIONS:

(G) EASEMENT FROM R. C. ARENDELL TO GEORGIA POWER COMPANY, DATED DECEMBER 17, 1946, RECORDED DECEMBER 30, 1946, RECORDED IN DEED BOOK 83, PAGE 338, RECORDS OF GWINNETT COUNTY, GEORGIA.
SAID DOCUMENT DESCRIBES AN EASEMENT FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF ELECTRIC AND COMMUNICATION LINES. ALSO INCLUDES THE RIGHT OF ENTRY TO ACCESS SAID LINES AND THE RIGHT TO CLEAR ANY OBSTRUCTIONS THAT MIGHT INTERFERE WITH SAID LINES. SAID EASEMENT AND RIGHTS DO AFFECT THE SUBJECT PROPERTY AND ARE BLANKET IN NATURE; UNABLE TO PLOT.

(H) RIGHT OF WAY DEED FROM MISS JESSIE CRUCE TO DEPARTMENT OF TRANSPORTATION, DATED MARCH 27, 1982, FILED FOR RECORD APRIL 1, 1982 AT 9:40 A.M., RECORDED IN DEED BOOK 2358, PAGE 1, AFORESAID RECORDS.
SAID DOCUMENT DESCRIBES A CONVEYANCE OF PROPERTY FOR THE RIGHT OF WAY OF LAWRENCEVILLE HIGHWAY. ALSO INCLUDES A TEMPORARY CONSTRUCTION EASEMENT. SAID CONVEYANCE DOES NOT AFFECT THE SUBJECT PROPERTY. SAID EASEMENT EXPIRED DUE TO THE COMPLETION OF CONSTRUCTION.

(I) RIGHT OF WAY DEED FROM MILDRED C. MARTIN TO DEPARTMENT OF TRANSPORTATION, DATED APRIL 28, 1982, FILED FOR RECORD MARCH 6, 1982 AT 12:07 P.M., RECORDED IN DEED BOOK 2382, PAGE 140, AFORESAID RECORDS.
SAID DOCUMENT DESCRIBES A CONVEYANCE OF PROPERTY FOR THE RIGHT OF WAY OF LAWRENCEVILLE HIGHWAY. ALSO INCLUDES A TEMPORARY CONSTRUCTION EASEMENT. SAID CONVEYANCE DOES NOT AFFECT THE SUBJECT PROPERTY. SAID EASEMENT EXPIRED DUE TO THE COMPLETION OF CONSTRUCTION.

(J) RIGHT OF WAY DEED FROM MILDRED C. MARTIN TO DEPARTMENT OF TRANSPORTATION, DATED MARCH 3, 1983, FILED FOR RECORD MARCH 10, 1983 AT 9:00 A.M., RECORDED IN DEED BOOK 2518, PAGE 198, AFORESAID RECORDS.
SAID DOCUMENT DESCRIBES A CONVEYANCE OF PROPERTY FOR THE RIGHT OF WAY OF LAWRENCEVILLE HIGHWAY. ALSO INCLUDES A TEMPORARY CONSTRUCTION EASEMENT. SAID CONVEYANCE DOES NOT AFFECT THE SUBJECT PROPERTY. SAID EASEMENT EXPIRED DUE TO THE COMPLETION OF CONSTRUCTION.

(K) RIGHT OF WAY DEED FROM MILDRED C. MARTIN TO DEPARTMENT OF TRANSPORTATION, DATED MARCH 3, 1983, FILED FOR RECORD MARCH 10, 1983 AT 9:00 A.M., RECORDED IN DEED BOOK 2518, PAGE 201, AFORESAID RECORDS.
SAID DOCUMENT DESCRIBES A CONVEYANCE OF PROPERTY FOR THE RIGHT OF WAY OF LAWRENCEVILLE HIGHWAY. ALSO INCLUDES A TEMPORARY CONSTRUCTION EASEMENT. SAID CONVEYANCE DOES NOT AFFECT THE SUBJECT PROPERTY. SAID EASEMENT EXPIRED DUE TO THE COMPLETION OF CONSTRUCTION.

(L) ALL THOSE MATTERS AS DISCLOSED BY THAT CERTAIN PLAT RECORDED IN PLAT BOOK 12, PAGE 201, AFORESAID RECORDS.
SAID PLAT CONTAINS NO MATTERS THAT AFFECT THE SUBJECT PROPERTY.

PLAT REFERENCES

1) BOUNDARY & TOPOGRAPHIC SURVEY OF 5712 LAWRENCEVILLE HIGHWAY PREPARED BY P.J. KRIEGER ENGINEERS & SURVEYORS, INC. FOR RODNEY G. SIEG AND DATED JULY 29, 2009.

2) DEPARTMENT OF TRANSPORTATION CONSTRUCTION PLAN FOR THE WIDENING OF STATE ROUTE 8 FROM JIMMY CARTER BOULEVARD TO OLD US 29 IN LILBURN, DATED SEPTEMBER 23, 1982.

3) DEPARTMENT OF TRANSPORTATION PROPOSED RIGHT OF WAY FOR LAWRENCEVILLE HIGHWAY PROPOSED WIDENING FROM JIMMY CARTER BOULEVARD TO LILBURN U.S. 29, S.R. 8, DATED JANUARY 15 1981.

SURVEYOR'S CERTIFICATION

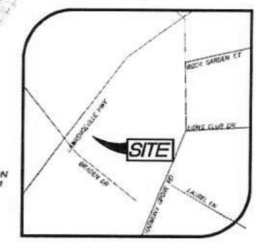
TO CRONOS DEVELOPMENT, LLC AND FIRST AMERICAN TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-5, 6(B), 7(A), 7(B1), 8-10, 11(B), 13, 14, 16-19 AND 21 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON AUGUST 19, 2015

GEORGIA REGISTERED No. 3109 REGISTERED LAND SURVEYOR MITCHELL LOWERY

MITCHELL LOWERY GEORGIA RLS# 3109
DATE OF PLAT OR MAP: 8/31/15

LINE	BEARING	DISTANCE
L1	N60°24'02"E	19.46'
L2	S27°06'13"E	28.72'
L3	S66°30'48"E	14.02'
L4	S14°49'36"E	17.54'
L5	S29°23'17"E	22.23'



VICINITY MAP

SURVEY NOTES

1) PROPERTY SHOWN HEREON WAS SURVEYED AUGUST 19, 2015.

2) THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE IF 1' IN 37,147' WITH AN ANGULAR ERROR OF 2.19 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.

3) A TOPCON GPT-3005LW TOTAL STATION, TOPCON HIPER LITE+ GPS RECEIVER, AND CARLSON SURVEYOR+ DATA COLLECTOR WERE USED FOR FIELD SURVEY MEASUREMENTS.

4) THIS PLAT HAS A MAP CLOSURE OF 1' IN 529,146'.

5) SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION X BY THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT, ON FLOOD INSURANCE RATE MAP NO. 13135C0112F, WITH A DATE OF IDENTIFICATION OF SEPTEMBER 29, 2006, FOR COMMUNITY NUMBER 130100, IN GWINNETT COUNTY, STATE OF GEORGIA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.

6) CONTROL AND BEARING BASIS FOR THIS SURVEY WERE ESTABLISHED USING A TOPCON HIPER LITE+ GPS RECEIVER UTILIZING OPUS-S FOR POST PROCESSING. THE RELATIVE POSITIONAL ACCURACY, AS CALCULATED ACCORDING TO THE FEDERAL GEOGRAPHIC DATA COMMITTEE PART 3: NATIONAL STANDARD FOR SPATIAL DATA ACCURACY, IS .04 FEET HORIZONTAL AND .07 FEET VERTICAL AT THE 95% CONFIDENCE LEVEL.

7) UTILITIES SHOWN PER MARKINGS PLACED BY UTILISURVEY, L.L.C. UTILITIES OTHER THAN THOSE SHOWN HEREON MAY EXIST. LOWERY & ASSOCIATES MAKES NO GUARANTEE AS TO THE EXISTENCE OR NON-EXISTENCE OF SAID UTILITIES.

8) NO OBSERVED EVIDENCE OF CEMETERIES, GRAVESITES, AND/OR BURIAL GROUNDS AT TIME OF SURVEY.

9) PROPERTY SHOWN HEREON LIES WITHIN THE RECORD DESCRIPTION AS STATED IN GENERAL WARRANTY DEED RECORDED IN DEED BOOK 49696, PAGE 159, GWINNETT COUNTY RECORDS.

10) THIS DESCRIBES THE SAME PROPERTY AS DESCRIBED IN FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO.2-33047, DATED JULY 28, 2015, AT 5:00PM.

11) NO ENCROACHMENTS OTHER THAN THOSE SHOWN HEREON WERE OBSERVABLE AT TIME OF SURVEY.

12) AT THE TIME OF THE SURVEY, THERE WAS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.

13) AT THE TIME OF THE SURVEY THERE WERE NO PROPOSED CHANGES IN STREET RIGHT OF WAY LINES OR OBSERVABLE EVIDENCE OF STREET OR SIDEWALK REPAIRS.

14) AT THE TIME OF THE SURVEY, THERE WAS NO OBSERVABLE EVIDENCE OF THE SITE BEING USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.

ZONING

ZONING FOR THIS PROPERTY IS CURRENTLY CLASSIFIED AS "CB" (COMMERCIAL BUSINESS). SETBACKS AND RESTRICTIONS ARE AS FOLLOWS:

FRONT YARD: 20 FEET
SIDE YARD: 10 FEET
20 FEET IF ABUTTING R-1 OR R-2 ZONING DISTRICTS.
REAR YARD: 15 FEET
40 FEET IF ABUTTING R-1 OR R02 ZONING DISTRICTS

ZONING AND SETBACK INFORMATION PER THE CITY OF LILBURN PLANNING AND ZONING DEPARTMENT. ALL INFORMATION STATED SHOULD BE VERIFIED PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

LEGEND

PROPERTY LINE
BUILDING SETBACK LINE
BUILDING SETBACK LINE
INDEX CONTOUR
MINOR CONTOUR
SPOT ELEVATION
WATER LINE
OVERHEAD UTILITY LINE
GAS LINE
UNDERGROUND ELECTRIC LINE
FENCE LINE
STORM DRAIN PIPE
WATER VALVE
WATER METER
FIRE HYDRANT
POWER METER
DROP INLET
SINGLE-WING CATCH BASIN
DOUBLE-WING CATCH BASIN
JUNCTION BOX
REBAR
CAPPED REBAR
FOUND
OPEN TOP PIPE
LIGHT POLE
TREE

LOWERY & ASSOCIATES
LAND SURVEYING, LLC
1575 HIGHWAY 411, SUITE 104
CARTERSVILLE, GA 30121
770-334-8186
WWW.LOWERYLANDSURVEYS.COM
INFO@LOWERYLANDSURVEYS.COM
GEORGIA C.O.A.: LSF-00102

PREPARED FOR:
CRONOS DEVELOPMENT, LLC.
FIRST AMERICAN TITLE INSURANCE COMPANY

ALTA/ACSM LAND TITLE SURVEY OF:
5712 LAWRENCEVILLE HIGHWAY

STATE:GEORGIA | COUNTY: GWINNETT
LAND LOT: 137,138,144, & 145 | DISTRICT: 6TH

REVISIONS
DATE: | DESCRIPTION

Lowery & Associates
LAND SURVEYING, LLC

DATE: AUGUST 31, 2015
JOB #: 150990
SCALE: 1"=30'
DRAWN BY: J. BAGLEY

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:

Planning Commission	**September 22, 2016**
Mayor and Council	**October 10, 2016**

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 was 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 from 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).

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.

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

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

Agenda Item (Background/History/Details):
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 Recommendations:
Staff recommends the following: **"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".**

Department Head Approval:	**B. Johnsa**

Mayor/Council Signature Required:	**YES**	**NO**

List Attachments:
1. Resolution 2016-06

Financial Information (For Financial Services Use Only)

Budgeted Yes/No	**Fund Name & Code**	**Current Balance**	**Requested Allocation**	**City Manager's Initials**
N/A				BJ

City of Lilburn

in Gwinnett County

State of Georgia

Resolution Number:

2016-06

Date of Reading and Adoption: October 10th, 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:

_____
Melissa L. Penate, City Clerk

CITY OF LILBURN
AGENDA ITEM 3

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

Agenda Item (Background/History/Details):
The Alcohol Review Board met on October 5th 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 Recommendations:
The recommendation of the ARB is to approve the license.

Department Head Approval:	

Mayor's Signature Required:	**YES**	no

List Attachments:

Financial Information (For Financial Services Use Only)

Budgeted Yes/No	Fund Name & Code	Current Balance	Requested Allocation	City Manager's Initials
n/a				

Vikram Manihani
9-30-16 → Oct 5th @3:30
@1:37

1822.
423-6711

CITY OF LILBURN

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

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 (Last) Kamalpreet (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 (Street No.) Pleasant Hill Rd. (Street Name)

Lilburn (City) GA (State) 30047 (Zip) 404-884-3834 (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: 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):

[redacted]

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

NAME	ADDRESS	AGE	PLACE OF BIRTH
A. Father Harminder Singh	House no. 913 Ward no. 27 Sharma Colony, Haryana, India 135001	59	India
B. Mother Charanjeet [redacted]	" "	57	" India "
C. Brother/Sister			
Narinderpal Singh	" "	35	" India "
Suminder Kaur	" "	33	India
Hardeep Singh	" "	25	India
D. Father-in-Law AJIT SINGH MANIHANI	1240 Huda #2, Kaithal, Haryana, India 132027	87	India
E. Mother-in-Law			

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

From Month	From Year	To Month	To Year	Occupation and Description of Duties Performed	Salaries Received	Employers	Reason for Leaving
None							

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

Dates From	Dates To	Street	City	State
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 Ste204, 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 MANIHANI, 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. MANIHANI SIGNED HIS/HER NAME TO THE FOREGOING APPLICATIION 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.

NOTARY PUBLIC

D BROWN
NOTARY PUBLIC
GWINNETT COUNTY, GEORGIA
MY COMM. EXPIRES
11/08/2016

(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: ¾ of fee after April 1st, ½ of fee after July 1st, ¼ of fee after October 1st)

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 #

(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 @ 11/07 10/14 4:30PM

8. TYPE OF OWNERSHIP:

( ) Sole Ownership

( ) Partnership

( ) Private Held Corporation

( ) Public Held Corporation Subject to S.E.C. Regulations

(✓) Limited Liability Company

( ) Other _____

9. FOR PARTNERSHIP ONLY:

(a) STATE DATE THE PARTNERSHIP WAS FORMED: N/A

(b) ATTACH PARTNERSHIP AGREEMENT

(c) LIST PARTNERS:

NAME	SOCIAL SECURITY NUMBER	G-GENERAL L-LIMITED S-SILENT	INTEREST INVESTMENT $	PARTICIPATION %
N/A				

FOR CORPORATION ONLY:

(a) DATE OF INCORPORATION: N/A

(b) PLACE OF INCORPORATION: N/A

(c) STATE PARENT CORPORATION, IF APPLICABLE: N/A

(d) NUMBER OF SHARES OF CAPIAL STOCK AUTHORIZED: N/A

(e) NUMBER OF SHARES OF OUTSTANDING STOCK: N/A

(f) IS THE CORPORATION OWNED BY A PARENT CORPORATION OR HELD BY A HOLDING COMPANY? N/A IF YES, EXPLAIN: _____

(g) FOR CORPORATIONS OTHER THAN PUBLIC HELD CORPORATION SUBJECT TO S.E.C. REGULATIONS – LIST OFFICERS, DIRECTORS, AND PRINCIPAL SHAREHOLDERS WITH 20% OR MORE OF THE STOCK:

NAME	SOCIAL SECURITY NUMBER	POSITION	INTEREST %
N/A			

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]			

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 OPERTAION UNDER THE LICENSE). IN THE EVENT ANY CORPORATION IS LISTED AS RECEIVEING 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, KAMALPREET MANIHANI, 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 MANIHANI SIGNED HIS/HER NAME TO THE FOREGOING APPLICATIION 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, 2016.

NOTARY PUBLIC

(SEAL)

D BROWN
NOTARY PUBLIC
GWINNETT COUNTY, GEORGIA
MY COMM. EXPIRES
11/08/2016

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 9th day of ~~FEBRUARY~~ SEPTEMBER, 20 16.

Viral Parekh
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 9th DAY OF SEPTEMBER, 20 16.

NOTARY PUBLIC

(SEAL)

D BROWN
NOTARY PUBLIC
GWINNETT COUNTY, GEORGIA
MY COMM. EXPIRES
11/08/2016

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 Manihani Date 9/9/2016

Printed Name Kamalpreet Manihani

Home Address [redacted]

Date of Birt [redacted] SS# [redacted]

Sex Female Race Asian (Indian)

Notary 9/9/2016 Date

D BROWN
NOTARY PUBLIC
GWINNETT COUNTY, GEORGIA
MY COMM. EXPIRES
11/08/2016

Lilburn
GEORGIA
Small town. Big difference.

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~~ Branded Barrel 1, LLC *(printed name of private employer) verifies one of the following with respect to my application for the above mentioned document:*

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

(a) _____ On January 1st of the below signed year the individual, firm or corporation employed one hundred (100) or more employees.

(b) _____ On January 1st 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 1st of the below signed year the individual, firm or corporation employed more than ten (10) employees.

(b) ✓ On January 1st 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 statue.

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

[signature]
Signature of Authorized Officer or Agent

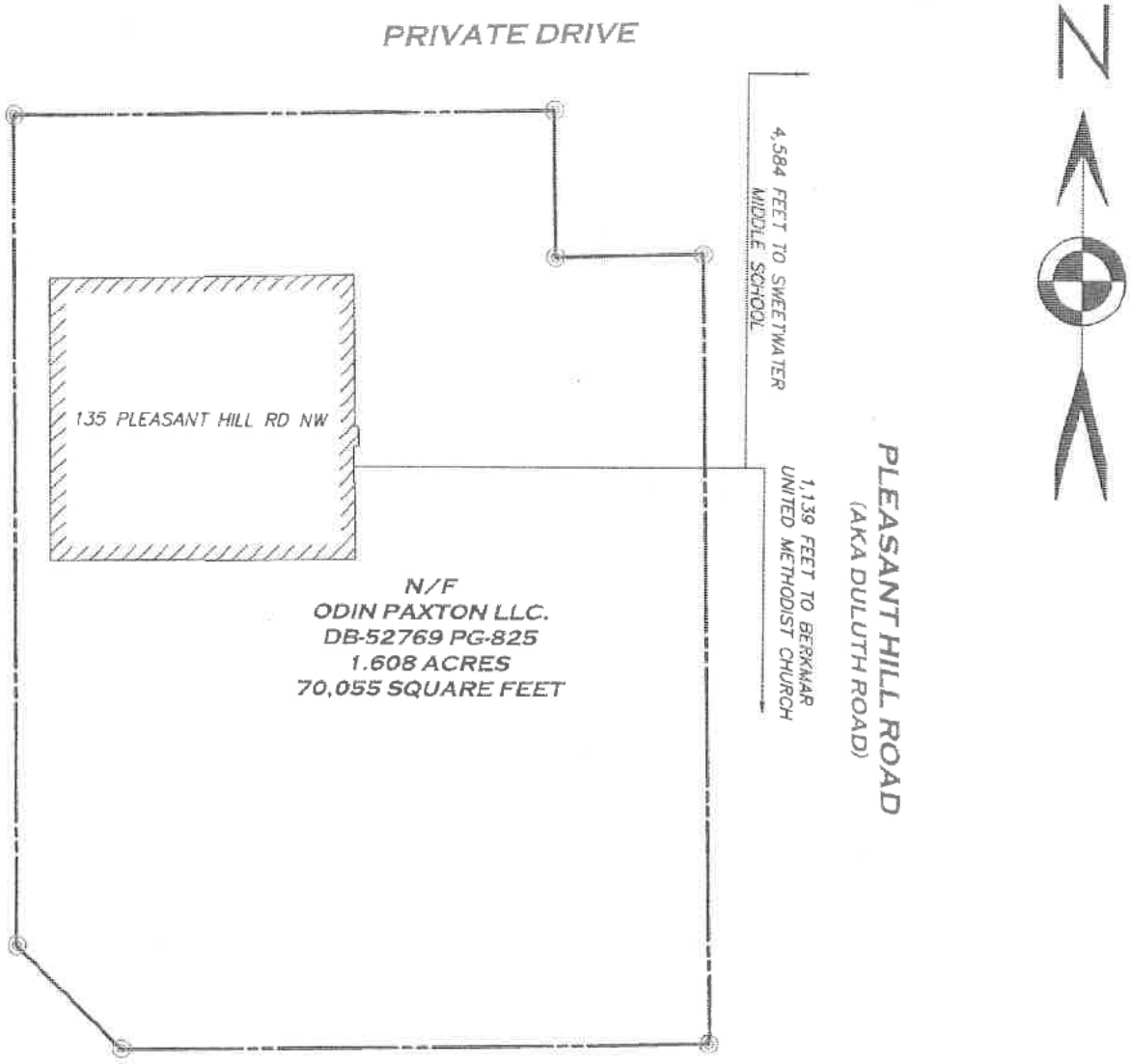
SUBSCRIBED AND SWORN BEFORE ME ON THIS THE 9th DAY OF SEPT, 2016

[signature]
NOTARY PUBLIC

_____
Printed Name of and Title of Authorized Officer or Agent

D BROWN
NOTARY PUBLIC
GWINNETT COUNTY, GEORGIA
MY COMM. EXPIRES
11/08/2016

My Commission Expires:
NOV. 8, 2016



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.

GEORGIA REGISTERED No. 3109 REGISTERED LAND SURVEYOR MITCHELL LOWERY

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)

General Affidavit

I hereby confirm pursuant to Appendix A of the Lease from Berkmar United Methodist Church to Global Purpose Academy that the Academy has and will continue to have full use of the Church's grounds for the intended use of playgrounds and school activities.

Lyn Powell

Lyn Powell, Pastor

Berkmar United Methodist Church

State of Georgia

County of Gwinnett

Subscribed and sworn before me this 4 day of October 2016.

[SEAL] NOTARY PUBLIC

MARGARET TUTTON
MY COMMISSION EXPIRES
NOTARY
PUBLIC
MARCH 6, 2018
GWINNETT COUNTY, GA

Name Margaret Tutton

My Commission Expires March 6, 2018

O.C.G.A. 3-3-21 (2010)
3-3-21. Sales of alcoholic beverages near churches, school buildings, or other sites

(a) (1) No person knowingly and intentionally may sell or offer to sell:

(A) Any distilled spirits in or within 100 yards of any church building or within 200 yards of any school building, educational building, school grounds, or college campus;

(B) Any wine or malt beverages within 100 yards of any school building, school grounds, or college campus. This subparagraph shall not apply at any location for which a license has been issued prior to July 1, 1981, nor to the renewal of such license. Nor shall this subparagraph apply at any location for which a new license is applied for if the sale of wine and beer was lawful at such location at any time during the 12 months immediately preceding such application;

(C) Any distilled spirits, wine, or malt beverages within 100 yards of an alcoholic treatment center owned and operated by this state or any county or municipal government therein. This paragraph shall not apply to any business having a license in effect on July 1, 1981.

(2) As used in this subsection, the term "school building" or "educational building" 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 schools and colleges of this state and which are public schools or private schools as defined in subsection (b) of Code Section 20-2-690.

(b) Nothing contained in this Code section shall prohibit the licensing of the sale or distribution of alcoholic beverages by:

(1) Hotels of 50 rooms or more which have been in continuous operation for a period of at least five years preceding July 1, 1981;

(2) Bona fide private clubs, owning their own homes, subject to licensing under Chapter 7 of this title; and

(3) Licensees for the retail sale of alcoholic beverages for consumption on the premises only who shall be subject to regulation as to distances from churches, schools, and colleges by counties and municipalities.

(c) For purposes of this Code section, distances shall be measured by the most direct route of travel on the ground.

(d) (1) In counties having a population of not less than 175,000 nor more than 195,000, according to the United States decennial census of 1970 or any future such census, the distances provided in subparagraph (a)(1)(A) of this Code section for separation of

3

September 20, 2016

To: Kaleigh Frederick, Licensing and Revenue Manager
Subject: The Cellar – Pleasant Hill Road distance requirements

Pursuant to the Lilburn Code of Ordinances Chapter 6, Article III, Sec. 6-64. - Distance requirements, the proposed location of The Cellar Package Store is in excess of the 200 yard minimum. Please see the attached exhibit from the Gwinnett County Tax Assessor's GIS.

Please feel free to contact me should you have any questions.

Best regards,

Doug Stacks, Jr.
Director, Planning & Economic Development
770-921-2784

(3)

Measurement
Feet
Measurement Result
949.8 Feet
Close
Pleasant Hill Rd
Pleasant Hill Rd
Snipes Ct
675
765

4

GENERAL NOTES:

1) ALL PROPOSED DIMENSIONS USED TO SHOW THE GEOMETRIC LAYOUT OF THE PROPOSED PARKING LOT AREA SHOWN AT THE FACE OF CURB. ALL PROPOSED DIMENSIONS USED TO SHOW THE GEOMETRIC LAYOUT OF THE PROPOSED BUILDING LOCATION ARE SHOWN AT THE OUTSIDE FACE OF THE BUILDING CORNERS. ALL CURB RADIUSES ARE SHOWN AT THE FACE OF CURB.

2) CONTRACTOR SHALL NOTIFY OWNER OF ANY DISCREPANCIES BETWEEN THE EXISTING CONDITIONS IN THE FIELD AND THE SURVEY SHOWN ON THE PLANS BEFORE PROCEEDING WITH ANY NEW CONSTRUCTION.

3) CONTRACTOR IS RESPONSIBLE FOR CORRECT HORIZONTAL AND VERTICAL ALIGNMENT OF ALL TIES BETWEEN PROPOSED AND EXISTING PAVEMENTS, CURBS AND GUTTER, SIDEWALKS, WALLS AND UTILITIES.

4) THE DESIGN, PERMITTING AND INSTALLATION OF THE DECORATIVE BLOCK RETAINING WALL IS THE RESPONSIBILITY OF THE PROJECT GENERAL CONTRACTOR.

SITE NOTES:

1) TRACT IS ZONED: GB (COMMERCIAL BUSINESS)

2) SEE ARCHITECTURAL PLANS FOR BUILDING FLOOR PLAN DIMENSIONS, DOOR LOCATIONS, SITE LIGHTING PLAN AND OTHER ARCHITECTURAL DETAILS.

3) NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL SITE IMPROVEMENTS HAVE BEEN COMPLETED ON THE SITE.

4) HIGH INTENSITY LIGHTING FIXTURES SHALL BE SO ARRANGED THAT THE SOURCE OF ANY LIGHT IS CONCEALED FROM THE PUBLIC VIEW AND DOES NOT INTERFERE WITH TRAFFIC. SEE PHOTOMETRIC PLAN IN HIGH PLANS.

5) ALL SUPERS, TREE SAVE AREAS AND UNDISTURBED AREAS SHALL BE CLEARLY CERTIFIED BY PLACING ORANGE FENCING PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE.

6) NO OUTSIDE STORAGE IS PROPOSED. THIS INCLUDES SUPPLIES, VEHICLE, EQUIPMENT, PRODUCTS, ETC.

7) SIGNS (LOCATION, NUMBER, AND SIZE) ARE NOT APPROVED UNDER THIS DEVELOPMENT PERMIT. A SEPARATE PERMIT IS REQUIRED FOR ON-SITE SIGNAGE.

8) ALL CONSTRUCTION RELATED DEBRIS DURING THE CONSTRUCTION PHASE OF THE PROJECT ARE THE RESPONSIBILITY OF THE OWNER. HOWEVER A CONTRACTOR/DEVELOPER MAY BE REPRESENTED WITH AGENT AUTHORIZATION.

9) CONSTRUCTION TRAILERS ARE TO BE PERMITTED THROUGH THE ZONING DIVISION OF COMMUNITY DEVELOPMENT.

10) ALL EROSION, SEDIMENT CONTROL AND TREE PROTECTION REMEDIES SHALL BE INSTALLED PRIOR TO ANY GRADING.

11) BERMUDA CUT OR FILL SLOPES ONLY

12) THE CITY OF LILBURN ACCEPTS NO RESPONSIBILITY FOR THE AMERICANS WITH DISABILITIES ACT (ADA). DO NOT FOR NOTIFICATION REQUIREMENT. THE OWNER/DEVELOPER IS SOLELY RESPONSIBLE FOR COMPLIANCE PER ADA ACT.

13) ARCHITECT: JACK JOHNSON, P.E., (770) 934-6234

14) CONTRACTOR SHALL COORDINATE WITH THE GWINNETT JURISDICTION, WATER AND SEWER JURISDICTION AND DEPARTMENT OF TRANSPORTATION INSPECTORS REGARDING ALL CERTIFICATE OF OCCUPANCY REQUIREMENTS AND COORDINATE WITH THE ENGINEER APPROXIMATELY 4 WEEKS PRIOR TO ANTICIPATED CERTIFICATE OF OCCUPANCY DATE REGARDING ANY ITEMS REQUIRING APPROVAL OR CERTIFICATIONS BY THE ENGINEER.

GWINNETT COUNTY NOTES:

1) BURNED CONSTRUCTION AND PER PERMANENT ACCESS ROADWAYS CONSTRUCTED OF AN ALL WEATHER SURFACE CAPABLE OF SUPPORTING 75,000 POUNDS GROSS WEIGHT SHALL BE PROVIDED PER INTERNATIONAL FIRE CODE, CHAPTER 5, SECTION 503.2.3, 2006 EDITION

2) GROUND FLOOR AND BUSINESS ALONG ACCESSIBLE ROUTES ARE WALKS, RAMPS, STAIRS, AND OVER RAMPS SHALL BE STABLE, FIRM, SLIP RESISTANT. AND SHALL COMPLY WITH 2010 ADA STANDARD SECT.

LEGEND

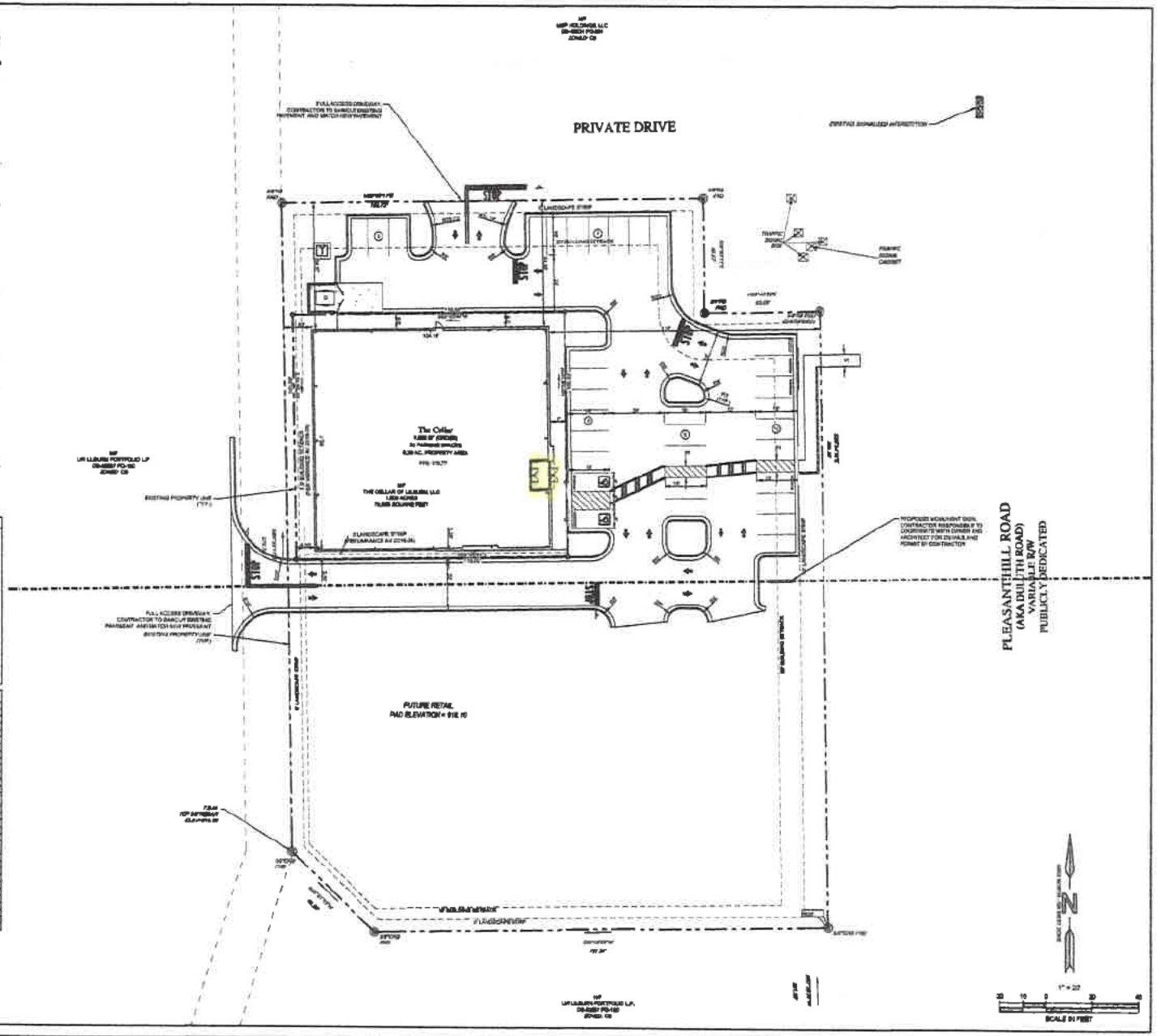
- HEAVY DUTY ASPHALT PAVING
- HEAVY DUTY ASPHALT PAVING
- CONCRETE SIDEWALK PAVING
- HEAVY DUTY CONCRETE PAVING
- PROPERTY LINE
- PARKING COUNT
- TRAFFIC SIGN
- PAINTED TRAFFIC ARROWS
- TRAFFIC FLOW LANE DESIGNATION

SITE DATA

ZONING		GB (COMMERCIAL BUSINESS)
PROPOSED LAND USE DESIGNATION		GB (COMMERCIAL BUSINESS)
PARCEL IDENTIFICATION NUMBER		R5058 027
GROSS SITE AREA		1.426 AC
EXISTING RETAIL SITE AREA		1.203 AC
THE CELLAR SITE AREA		1.426 AC
SIDEWALK AREA		0.4 AC
PERVIOUS SURFACE AREA		0.248 AC
IMPERVIOUS SURFACE AREA		0.710 AC
LANDSCAPE BUFFER -	FRONT	10 FT
	FRONT (PRIVATE DRIVE)	5 FT
	SIDE (1 FOR EXCLUSIVE USE VARIANCE AV 2016-04)	5 FT
	REAR	5 FT
BUILDING SETBACK -	FRONT	30 FT
	FRONT (PRIVATE DRIVE)	5 FT
	SIDE	10 FT
	REAR	10 FT
	REAR (AFTER VARIANCE AV 2016-04)	1.5 FT
THE CELLAR BUILDING FLOOR AREA		8,000 SF
THE CELLAR BUILDING HEIGHT		22 FT - 2 STORIES
PARKING SPACE REQUIRED -	MINIMUM	7 SPACES / 1,000 SF
	MAXIMUM	9 SPACES / 1,000 SF
THE CELLAR PARKING REQUIRED -	MINIMUM	56 SPACES
	MAXIMUM	72 SPACES
TOTAL PARKING PROVIDED		56 SPACES
ACCESSIBLE PARKING REQUIRED		3 SPACES
ACCESSIBLE PARKING PROVIDED		4 SPACES

* PARKING PROVIDED MEETS MINIMUM REQUIRED PER VARIANCE AV 2016-04.

GEORGIA811



ENGINEER

FORESITE

Foresite Group, Inc.
3165 Peachtree Pkwy.
Suite 240
Norcross, GA 30092

t | 770.368.1399
f | 770.368.1944
w | www.fg-inc.net

DEVELOPER:

PERMANENT DEVELOPMENT AND INVESTMENT LLC
P.O. BOX 42284
ATLANTA, GA 30342

CONTACT: JEFF PARSEN (404) 512-4402

PROJECT

THE CELLAR

PACKAGE STORE

PLEASANT HILL ROAD

735 (A) PLEASANT HILL ROAD
LILBURN, GA 30047
PARCEL #: R5058 027, L.L. 158, DIST. 6

SEAL

REVISIONS	DATE
WATER COMMENTS	2016-05-18
JURISDICTION COMMENTS	2016-05-18
WATER & SEWER COMMENTS	2016-05-18
CITY COMMENTS	2016-05-23
CITY COMMENTS	2016-06-10

PROJECT MANAGER	JJU
DRAWING BY	JMI
JURISDICTION	LILBURN, GA
DATE	2016-04-08
SCALE	1" = 20'
TITLE:	

OVERALL SITE & PAVING PLAN

SHEET NUMBER:

C-1

COMMENTS:

JOBFILE NUMBER: 829.016

geographic information services

5

Searches Metadata

Tools

Measure

Distance Unit: Feet

Area Unit: Square Feet

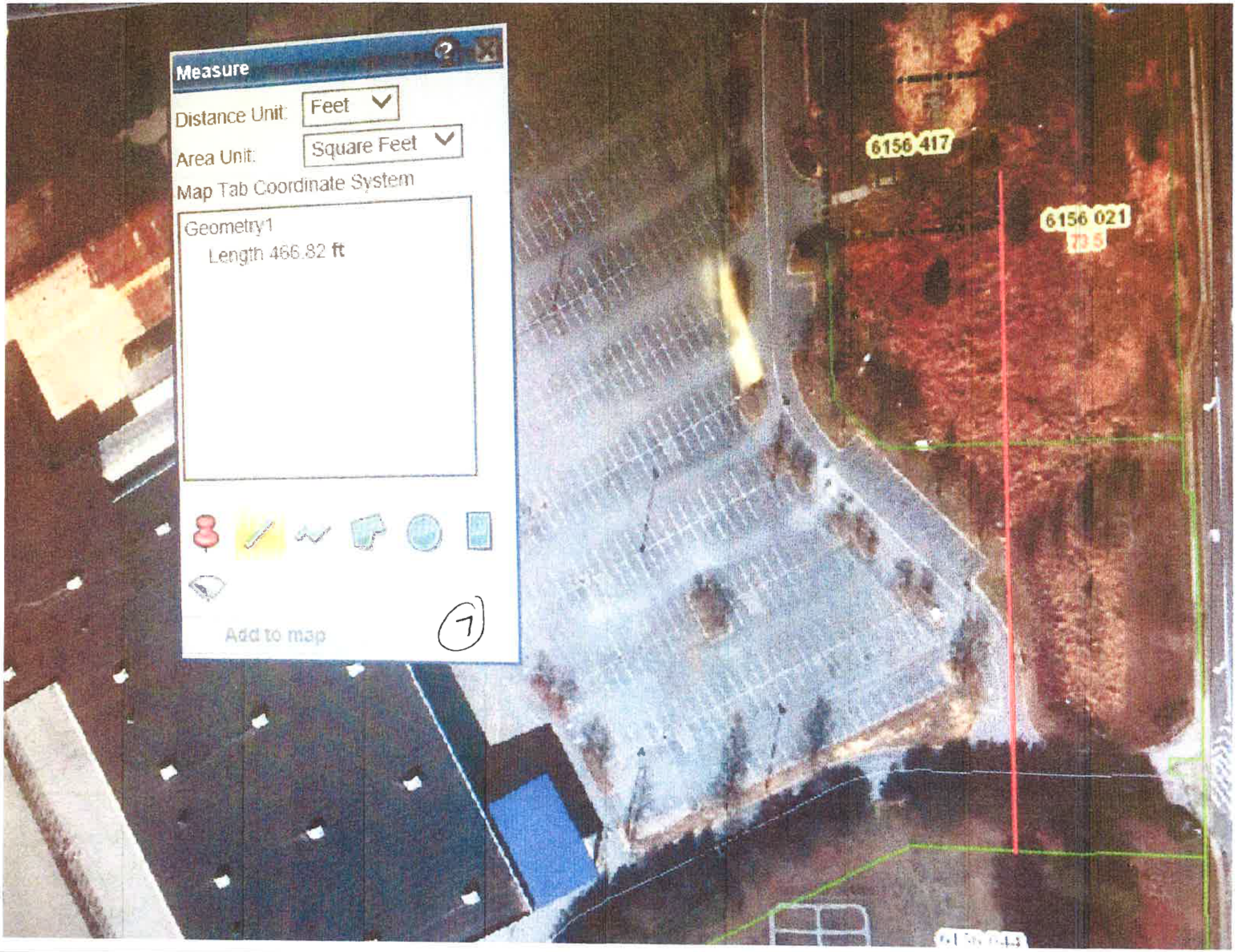
Map Tab Coordinate System

Geometry1

Total 594.38 ft

Last segment 327.96 ft

Add to map


Measure
Distance Unit: Feet
Area Unit: Square Feet
Map Tab Coordinate System
Geometry1
Length 466.82 ft
Add to map
7
6156 417
6156 021
73.5