



P. O. Box 400
Dacula, GA 30019
(770) 962-0055 / Fax (770) 513-2187

APPLICATION

| |
|--|
| City Council |
| <input type="checkbox"/> Waivers |
| <input checked="" type="checkbox"/> Variance |

Staff Approval Only

Modifications

(Please Type or Print using BLACK INK)

| APPLICANT * | PROPERTY OWNER * |
|--|-------------------------------------|
| NAME <u>SW West Dacula LLC c/o LJA Engineering</u> | NAME <u>Hyun Park</u> |
| ADDRESS <u>4525 S. Lee Street</u> | ADDRESS <u>2748 Bonar Hall Path</u> |
| CITY <u>Buford</u> | CITY <u>Duluth</u> |
| STATE <u>GA</u> ZIP <u>30518</u> | STATE <u>GA</u> ZIP <u>30097</u> |
| PHONE <u>470.202.9321</u> FAX _____ | PHONE <u>470.202.9321</u> FAX _____ |

APPLICANT IS THE:

- OWNER'S AGENT
- PROPERTY OWNER

** Include any person having a property interest and/or a financial interest in any business entity having property interest (use additional sheets if necessary).*

CONTACT PERSON Tyler Lasser

COMPANY NAME LJA Engineering

ADDRESS 4525 S. Lee Street, Buford, GA 30518

PHONE 470.202.9321 FAX _____

PRESENT ZONING DISTRICT(S) C-2 LAND LOT(S) 302A DISTRICT(S) 5

ADDRESS OF PROPERTY 2484, 2474, 2524 Winder Hwy ACREAGE 1.86

Describe your request in detail and state justification/hardship: _____

Please see attached letter of intent

(Attach additional sheets if necessary)

HAS THE APPLICANT FILED ANY OTHER APPLICATIONS FOR THIS PROPERTY WITHIN THE PAST 12 MONTHS ? Yes No

If Yes, please describe: _____

(Attach additional sheets if necessary)

LETTER OF INTENT & LEGAL DESCRIPTION OF PROPERTY

*** PLEASE ATTACH A "LETTER OF INTENT" EXPLAINING REQUEST and TYPED "LEGAL DESCRIPTION" OF PROPERTY TO BE AFFECTED ***

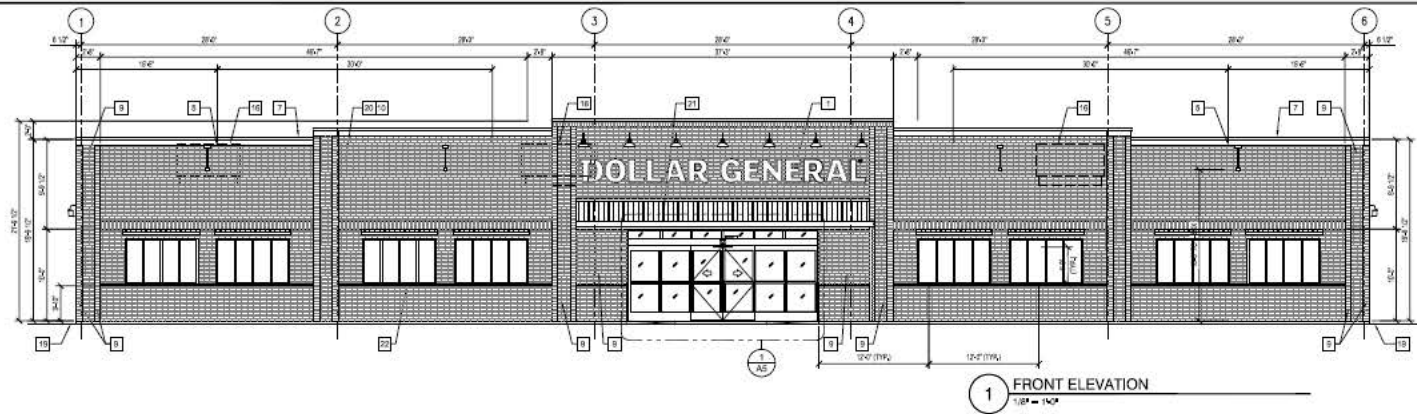
CASE NUMBER: _____

Applicant's Letter of Intent
Variance Request
Parcels 5302A094A, 5302A093 and 5302A091

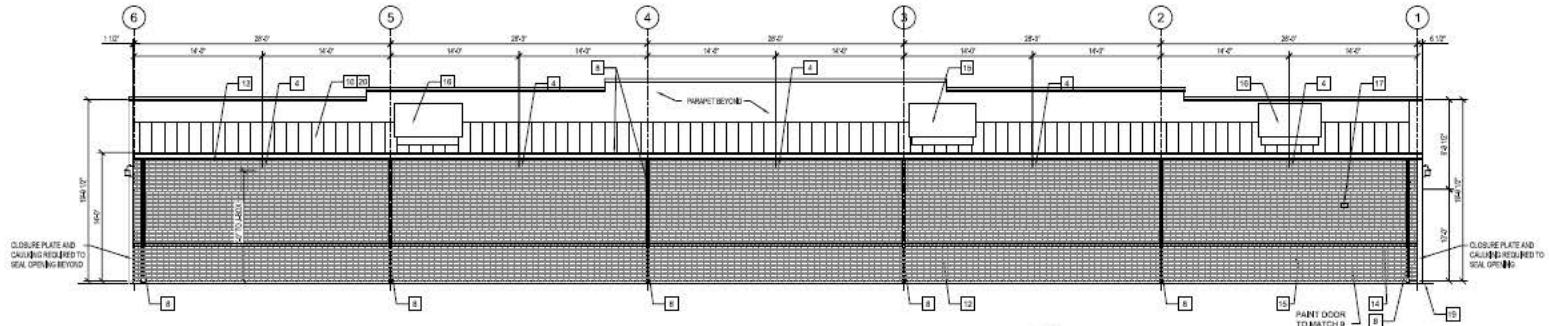
The Applicant, SW West Dacula LLC and LJA Engineering, along with Hyun Park, the landowner, request approval for a variance to reduce a rear setback pursuant to the development of a 10,640 sq. ft Dollar General retail store. The 1.86-acre site is located on the south side of Hwy 8 near its intersection with McMillan Road. The site abuts other commercial properties along Winder Highway. At the rear of the site, the property lines are shared with an R1200 zoned property with an existing single-family residence, and an approximately 70-foot wide strip of right-of-way. A 75-foot zoning buffer and supplemental 15-foot setback is required adjacent to the portion of the residential parcel.

As illustrated on the site plan, development opportunities are restricted due to site constraints, including the overall shape of the site, as well as the 30-foot wide utility easement along Winder Hwy due to DOT road work, which limits developable area. These are hardships that were not established at fault of the developer and would restrict development for any permitted use on the site. As proposed, a 75-foot buffer will be provided adjacent to the residential property for sufficient screening and separation. However, the Applicant requests to encroach into the additional 15-foot setback adjacent to the buffer and setback adjacent to the rear property line to allow for the proposed building and parking to sufficiently fit within the site. The proposed layout with the setback encroachment will allow for the most sufficient site access, and for the development to meet all other development standards, including parking and landscaping. It should be noted that only personal vehicles are permitted access via Stanley Road. All trucks, including delivery trucks, will access the site only from Winder Hwy. Other site improvements include underground stormwater detention, a deceleration lane for access via Winder Highway, and a 5-foot-wide sidewalk along Winder Highway for enhanced pedestrian connectivity. The proposed Dollar General building will consist primarily of brick with varying architectural accents, enhanced brick detailing and architectural details on all sides visible from public view. Mechanical units will be screened on all 4 sides with decorative parapets. All building lights will be full-cutoffs (shielded) to direct the light downward and not outward, and the parking lot lights will have "shoe-box" fixtures directing light downward. The store will operate between the hours of 8am and 10pm. Overall, Dollar General will enhance the corridor with high-quality design and will bring additional tax revenue to the City and County. Additionally, the store will offer consistent jobs to residents in the area. Please see attached exhibits for additional details pertaining to the design of the building and site.

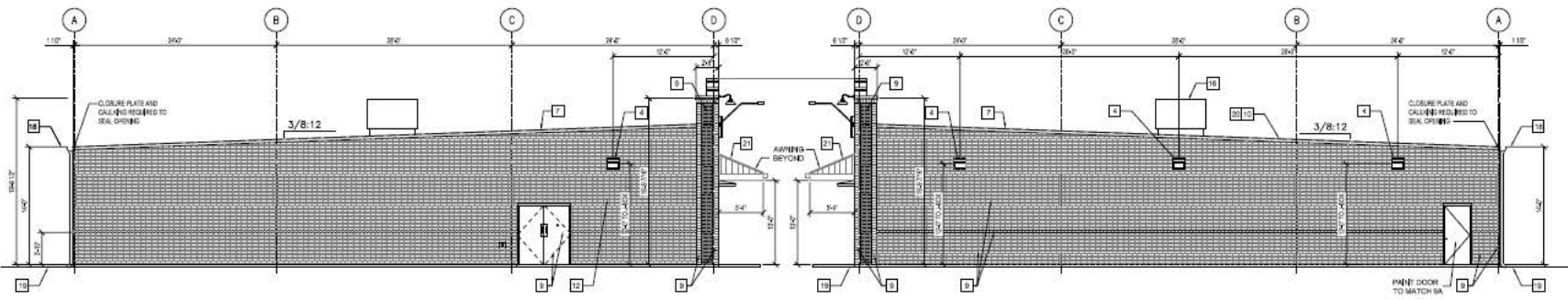
The Applicant looks forward to meeting with staff as well as the community to answer all questions or concerns and is excited to be able to bring high-quality development to the City of Dacula. Please see attached site plan and additional materials within the application package for further details.



1 FRONT ELEVATION
1/8" = 1'-0"



2 BACK ELEVATION
1/8" = 1'-0"



3 RIGHT ELEVATION
1/8" = 1'-0"



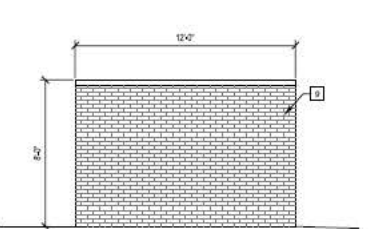
4 LEFT ELEVATION
1/8" = 1'-0"

ELEVATION KEYED NOTES

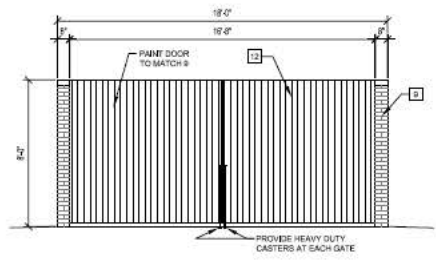
- 1 SIGN FURNISHED AND INSTALLED BY DOLLAR GENERAL CORP. WITH CIRCUIT AS NOTED ON ELECTRICAL PLAN SIGN TO BE CENTERED ON FRONT OF BUILDING. CONTRACTOR IS TO PROVIDE ADEQUATE BLOCKING AS REQUIRED BY SIGN MANUFACTURER TO SUPPORT SIGN WEIGHT OF UP TO 1,400 LBS. EXTERIOR CANOPY SIGN SHALL BE SUPPORTED BY THE FACE OF CANOPY. CONTRACTOR IS TO PROVIDE ADEQUATE STRUCTURE TO SUPPORT SIGN. COORDINATE THE PROPER SIGNAGE TO BE USED WITH DOLLAR GENERAL.
- 2 NOT USED.
- 3 NOT USED.
- 4 FULL CUT-OFFS WALL PACK 12"x4" A.F.F. TO TOP OF WALL PACK. REFER TO ELECTRICAL DRAWINGS FOR ADDITIONAL INFORMATION.
- 5 FLOOD LIGHT, REFER TO ELEC. DRAWINGS FOR ADDITIONAL INFO.
- 6 NOT USED.
- 7 TRIM - SEE EXTERIOR FINISH SCHEDULE FOR COLOR.
- 8 GUTTER AND DOWNSPOUT - SEE EXTERIOR FINISH SCHEDULE FOR COLOR.
- 9 QUEEN SIZE BRICK VENEER - GENERAL SHALE, CORTEZ 604023397 OR MARSHTON OR EQUAL WITH IVORY MORTAR
- 10 STANDING SEAM METAL ROOF, GALVALUME FINISH.
- 11 VINYL SHUTTERS COLOR BLACK
- 12 PRE-FINISHED METAL WALL PANELS FOR THE SIDE AND REAR OF THE BUILDING. PROVIDE TAMPER-RESISTANT FASTENERS FOR BOTTOM 8'-0".
- 13 VENT FOR BATHROOM EXHAUST, REFER TO M01 FOR ADDITIONAL INFORMATION.
- 14 DOOR BUZZER, REFER TO E01 FOR ADDITIONAL INFORMATION.
- 15 WALL HYDRANT, REFER TO P01 FOR ADDITIONAL INFORMATION.
- 16 HVAC UNITS MOUNTED ON ROOF, REFER TO MECHANICAL SHEET M1 FOR MORE INFORMATION.
- 17 OUTSIDE AIR TEMP. SENSOR MOUNTED OVER RECEIVING DOORS @ 9'-0" A.F.F.
- 18 MINIMUM SLOPE HEIGHT IS 1/4" A.F.F.
- 19 FINISHED GRADE AT EXTERIOR WALLS SHALL BE A MINIMUM OF 4" BELOW FINISHED FLOOR AT ALL NON PAVED AREAS.
- 20 IN NORTHERN CLIMATES, PROVIDE SNOW GUARDS ON ROOF PER LOCAL CODE.
- 21 METAL CANOPY BY PRE-ENGINEERED METAL BUILDING MANUFACTURER, (ONLY APPLICABLE TO C & D PROTOTYPES)
- 22 1/2" DIAMETER x 8" LONG STAINLESS STEEL EYE BOLTS (CLOSED) WITH 1" DIAMETER OPENINGS, DRILL AND EPOXY INTO BLOCK WALL. 4 BOLTS TO BE LOCATED AS SHOWN EACH SIDE OF ENTRY, TOTAL OF 8 BOLTS.

PRE-ENGINEERED METAL BUILDING NOTES

- METAL BUILDING NOTES:**
- THE PRE-MANUFACTURED METAL BUILDING STRUCTURE, CONCRETE FOUNDATION AND INTERIOR CONCRETE SLAB SHALL BE DESIGNED, FABRICATED, AND CONSTRUCTED IN ACCORDANCE WITH ALL APPLICABLE CODES, STANDARDS AND REGULATIONS. THE MOST STRINGENT REQUIREMENTS APPLY WHERE INCONSISTENCIES OCCUR BETWEEN THE APPLICABLE STANDARDS. IN THE ABSENCE OF OTHER CRITERIA, LOADINGS SHALL CONFORM TO THE 2008 EDITION OF THE INTERNATIONAL BUILDING CODE.
 - THE SCOPE OF THE PRE-MANUFACTURED METAL BUILDING STRUCTURE SHALL INCLUDE THE DESIGN, ENGINEERING, FABRICATION, DELIVERY, AND ERECTION OF THE COMPLETE STRUCTURAL STEEL, FRAMING AND EXTERIOR SKIN PACKAGE. THE METAL BUILDING MANUFACTURER SHALL BE CERTIFIED BY AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AISC) METAL BUILDING CERTIFICATION PROGRAM.
 - THE FRONT FASCIA SHALL HAVE (3) 12" PURLINS MOUNTED VERTICALLY SO THAT THE 12" FACE IS AGAINST THE BUILDING METAL SIDING. THESE PURLINS SHALL BE CENTERED OVER THE ENTRANCE AND SPACED 96" APART TO PROVIDE ADEQUATE SUPPORT FOR SIGNAGE WHICH MAY WEIGH UP TO 1,400 LBS.
- ROOF NOTES:**
- METAL ROOF MUST BE A STRUCTURAL STANDING SEAM METAL ROOF WITH MECHANICALLY ROLLED SEAMS, SEAMS TO BE A MINIMUM 1 1/2" HIGH, ALL FASTENERS TO BE CONCEALED.
 - ROOF PANELS TO BE A MINIMUM 24 GAUGE.
 - METAL ROOF SYSTEM TO BE EQUAL TO VP BUILDING SLR II ROOF.
 - CONDENSATE FROM HVAC UNITS TO BE PIPED TO GUTTERS.



6 DUMPSTER ENCLOSURE - SIDE ELEVATION
1/8" = 1'-0"



5 DUMPSTER ENCLOSURE - FRONT ELEVATION
1/8" = 1'-0"

| PRE-ENGINEERED METAL BUILDING VENDOR | VP BUILDINGS ATTN: DAVID ENGLISH (901) 749-6103 | STAR BUILDING SYSTEMS ATTN: JEFF HORN (866) 694-8699 | NUCOR BUILDING SYSTEMS ATTN: BOB BARRY (315) 622-4440 (281) 837-7991 | SIG BEE STEEL BUILDINGS, INC. ATTN: KEVIN BUSLER (800) 633-3378 | CHEIF BUILDINGS ATTN: ERN SULLIVAN (308) 385-4628 (308) 390-8199 | | | | | | | | | | | |
|---|---|--|---|---|---|--------|-------------|-----------|--|--------|-------------|-----------|--|--------|-------------|-----------|
| EXTERIOR FINISHES EXTERIOR FINISHES ARE TO MATCH OR BE EQUAL TO VP METAL BUILDING SYSTEMS FINISH SELECTION | COOL LEVITATION WHITE | COOL DARK BRONZE | COOL COTTON WHITE | GALVALUME | LEISTONE MEDIUM BRONZE KYNAR 500 | BRONZE | POLAR WHITE | GALVALUME | LEISTONE MEDIUM BRONZE KYNAR 500 | BRONZE | POLAR WHITE | GALVALUME | LEISTONE MEDIUM BRONZE KYNAR 500 | BRONZE | POLAR WHITE | GALVALUME |
| GUTTERS | | | | | | | | | | | | | | | | |
| DOWN SPOUTS | | | | | | | | | | | | | | | | |
| SIDE AND REAR METAL WALL PANELS & TRIM, RECEIVING & EMERGENCY EXIT DOORS (EXTERIOR OF DOORS TO BE PAINTED, REFER TO DOOR SCHEDULE) | | | | | | | | | | | | | | | | |
| ARCHITECTURAL BLOCK AT BUILDING FACADE SHOULD BE PRE-FINISHED OR PAINTED (2 COATS) COLOR WP MASONRY COATING AS44W60 SERIES) TO MATCH THE METAL WALL PANELS | | | | | | | | | | | | | | | | |
| FLAT METAL SOFFIT AT STOREFRONT VESTIBULE AREA | | | | | | | | | | | | | | | | |
| BUILDING PARAPET WALL AND CANOPY | | | | | | | | | | | | | | | | |
| STOREFRONT SYSTEM | | | | | | | | | | | | | | | | |
| STANDING SEAM METAL ROOF PANELS | | | | | | | | | | | | | | | | |
| LINER PANELS (INTERIOR SALES AND RECEIVING FLOOR) | | | | | | | | | | | | | | | | |

- NOTE:**
- REFER TO SHEET T-1 FOR ADDITIONAL INFORMATION ON RECOMMENDED NATIONAL ACCOUNT VENDORS.
 - NATIONAL ACCOUNT AND CONTACT INFORMATION SUBJECT TO CHANGE.

Robert E. Walker, IV
Architect
2229 FIRST AVE. SOUTH
SUITE 110
BIRMINGHAM, Alabama
35233
T-205.254.3212
F-205.254.3269

DG
DOLLAR GENERAL BUILDING
Prototype 10K+C DGP
DG West Dacula
2484 Winder Highway
Gwinnett Co., GA

CONSTRUCTION DOCUMENTS

PROJECT NO.: 8095.147
ISSUED: 01/23/2024

EXTERIOR ELEVATIONS ROOF PLAN

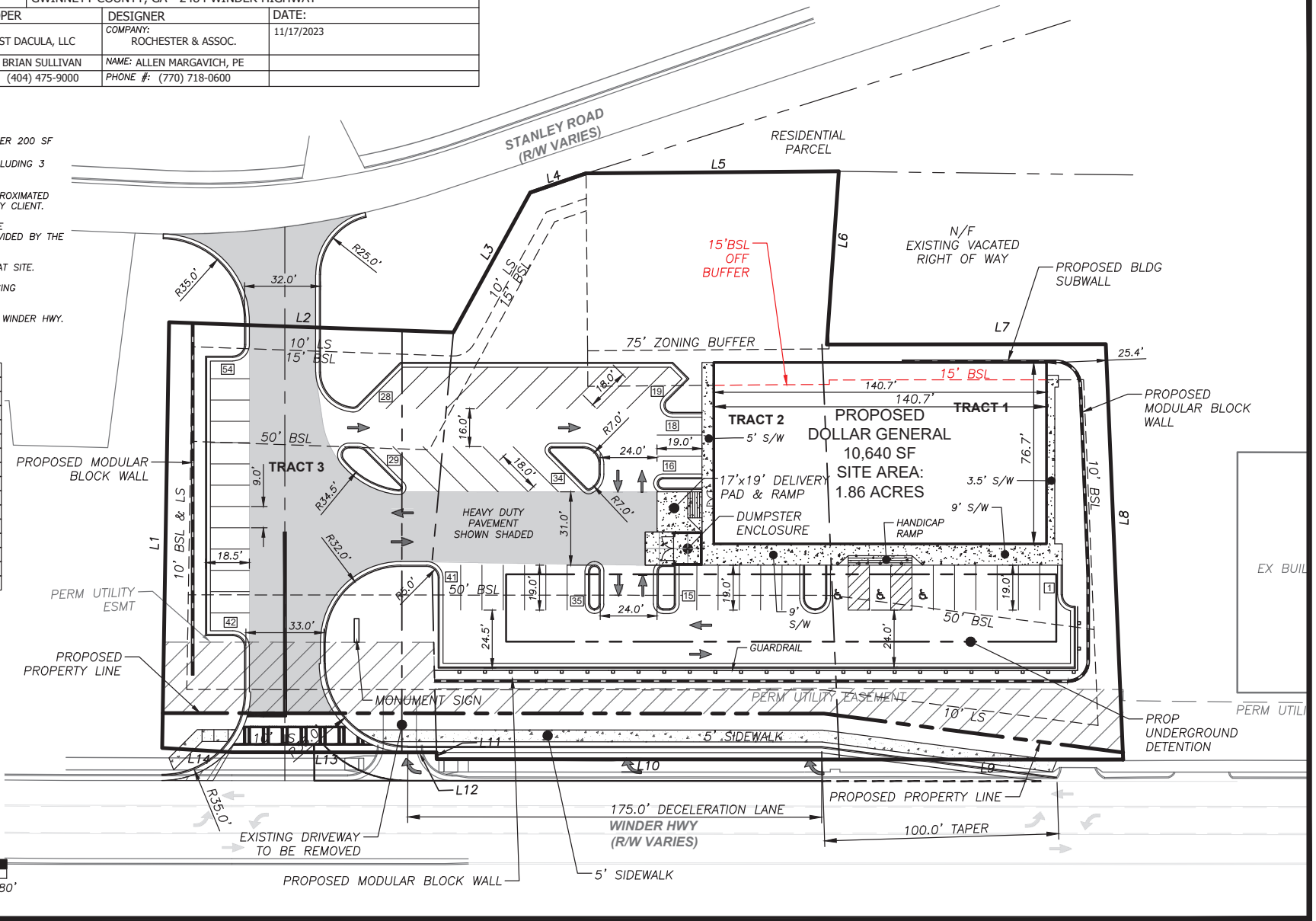
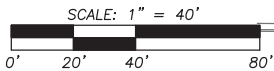
PRELIMINARY SITE PLAN

| | | | |
|--|---------------------------------|--------------------------------|------------|
| COUNTY, STATE - STREET: GWINNETT COUNTY, GA - 2484 WINDER HIGHWAY | | | |
| PROTOTYPE: 10,640 - C | DEVELOPER | DESIGNER | DATE: |
| BLDG/SALES SF: 10,640 GFA 8,513 SALES | COMPANY: SW WEST DACULA, LLC | COMPANY: ROCHESTER & ASSOC. | 11/17/2023 |
| ACREAGE: 1.86 | NAME: BRIAN SULLIVAN | NAME: ALLEN MARGAVICH, PE | |
| PARKING SPACES: 54 | PHONE #: (404) 475-9000 | PHONE #: (770) 718-0600 | |

NOTES:

- ZONING: EXISTING C2
- PARKING SPACES REQUIRED: (1 PER 200 SF OF GROSS FLOOR AREA) 53.2 (54)
PARKING SPACES PROVIDED: 54 (INCLUDING 3 HANDICAP SPACES)
- EXISTING FEATURES SHOWN ARE APPROXIMATED BASED ON INFORMATION PROVIDED BY CLIENT.
- BEARINGS & DISTANCES SHOWN ARE APPROXIMATED BASED ON INFO PROVIDED BY THE CLIENT.
- PUBLIC SANITARY SEWER AVAILABLE AT SITE.
- STORM SEWER WILL BE DETAINED USING UNDERGROUND DETENTION.
- WATER SERVICE IS AVAILABLE ALONG WINDER HWY.

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| L1 | S12°40'54"E | 179.96' |
| L2 | N76°11'35"W | 120.28' |
| L3 | S40°32'20"W | 67.40' |
| L4 | S82°49'47"W | 25.02' |
| L5 | N78°42'02"W | 106.81' |
| L6 | N15°43'12"E | 60.93' |
| L7 | N77°32'17"W | 124.37' |
| L8 | N11°44'15"E | 186.27' |
| L9 | S78°14'08"E | 120.02' |
| L10 | S78°12'31"E | 170.20' |
| L11 | S10°12'23"W | 2.91' |
| L12 | S78°11'50"E | 14.62' |
| L13 | S78°11'42"E | 71.91' |
| L14 | S74°43'00"E | 29.48' |



EX BUIL

PERM UTILI

APPLICANT CERTIFICATION

The undersigned is authorized to make this application and is aware that if an application is denied, no application or re-application affecting the same property shall be acted upon within twelve (12) months from the date of last action unless waived by the City.

Kit Hanpel _____ 12/5/23 _____
Signature of Applicant *Date*

Kit Hanpel - SW West Decatur LLC _____
Type or Print Name/Title

Sarah Jean Pedrillo _____ 12/5/23 _____
Notary Public *Date*
Exp 11/19/26



PROPERTY OWNER CERTIFICATION

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that if an application is denied, no application or re-application affecting the same land shall be acted upon within twelve (12) months from the date of last action unless waived by the City.

Signature of Applicant *Date*

Type or Print Name/Title

Notary Public *Date*

FOR ADMINISTRATIVE USE ONLY

DATE RECEIVED _____ RECEIVED BY _____ FEE _____ RECEIPT # _____

LAND LOT _____ DISTRICT _____ PARCEL # _____ HEARING DATE _____

FOR ADMINISTRATIVE USE ONLY

ACTION TAKEN _____

SIGNATURE _____ DATE _____

STIPULATIONS _____

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[Handwritten Signature]
Signature of Applicant

11-8-2023

Date

Hyun Park / Owner
Type or Print Name/Title

Heather Brookshire
Notary Public



11-8-23

Date

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[Handwritten Signature]
Signature of Applicant

11-8-2023

Date

Hyun Park / Owner
Type or Print Name/Title

Heather Brookshire
Notary Public



11-8-23

Date

FOR ADMINISTRATIVE USE ONLY

DATE RECEIVED _____ RECEIVED BY _____ FEE _____ RECEIPT # _____

LAND LOT _____ DISTRICT _____ PARCEL # _____ HEARING DATE _____

FOR ADMINISTRATIVE USE ONLY

ACTION TAKEN _____

SIGNATURE _____ DATE _____

STIPULATIONS _____



P. O. Box 400
 Dacula, GA 30019
 (770) 962-0055 / Fax (770) 513-2187

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to the Mayor and/or a member of the City Council.

Yes No

If the answer is *Yes*, please complete the following section:

| Name of Government Official | Contributions <i>(All which aggregate to \$250.00+)</i> | Contribution Date <i>(within last 2 years)</i> |
|-----------------------------|--|---|
| _____ | | |
| _____ | | |
| _____ | | |
| _____ | | |

Have you, within the two years immediately preceding the filing of this application, made gifts having in the aggregate a value of \$250.00 or more to the Mayor and/or a member of the City Council or a member of the Dacula Planning Commission or Zoning Board of Appeals.

Yes No

If the answer is *Yes*, please complete the following section:

| Name of Government Official | Description of Gifts <i>(Valued aggregate \$250.00+)</i> | Date Gift was Given <i>(within last 2 years)</i> |
|-----------------------------|---|---|
| _____ | | |
| _____ | | |
| _____ | | |
| _____ | | |

(Attach additional sheets if necessary to disclose or describe all contributions/gifts)

Adjoining Property Owner Information

2464 WINDER HWY

ALCS PROPERTIES LLC
1133 LAKEBEND DR
LAWRENCEVILLE GA 30045-9784

2514 WINDER HWY

TRUST OF DACULA FIRST BAP
PO BOX 151
DACULA GA 30019-0003

277 CHURCH ST

LE HANDERSON K
720 PAPER CREEK DR
LAWRENCEVILLE GA 30046-5331

ADJOINING PROPERTY OWNER(S)
RECORD NOTIFICATION

DATE: 12.8.23

TO: ALCS PROPERTIES LLC
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)

FROM: SW West Dacula LLC c/o LJA Engineering

RE: Proposed Variance Case # _____

Property Location: 5th District, Land Lot 302A Parcel 094A, 903, 092

LOCATION/ADDRESS 2484, 2474, 2524 Winder Hwy

You are hereby notified that an application for variance _____

_____ to _____ has been submitted to the City of

Dacula.

The proposed variance is contiguous to your property.

The CITY COUNCIL Public Hearing/Meeting will be held at the Dacula City Hall, 442 Harbins Rd., Dacula,

Georgia on _____ at _____ in the Council Chambers.
(date)

If you have any comments or concerns concerning this matter, please plan to attend the public hearings.

Thank you.

ADJOINING PROPERTY OWNER(S)
RECORD NOTIFICATION

DATE: 12.8.23

TO: TRUST OF DACULA FIRST BAP
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)

FROM: SW West Dacula LLC c/o LJA Engineering

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(Sent by First Class Mail and Certified Mail - Return Receipt Requested)

FROM: SW West Dacula LLC c/o LJA Engineering

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(date)

If you have any comments or concerns concerning this matter, please plan to attend the public hearings.

Thank you.

TRACT 1 LEGAL DESCRIPTION

All that tract or parcel of land lying and being Land Lot 302 of the 5th District of Gwinnett County, Georgia, plat recorded in Plat in Book 157, Page 270 Gwinnett County Georgia records, being shown as 0.484 acres on that certain Survey for Hyun Wu Park dated December 6, 2022, by SCI Development Services, John A. Steerman, Georgia Registered Land Surveyor No. 2576 and being the same property conveyed by deed recorded in Deed Book 49780, Page 658, aforesaid records and being more particularly described as follows:

BEGINNING at a $\frac{3}{4}$ " open top pipe found on the southern right-of-way line of Winder Highway (aka U.S. Hwy no. 29, Ga. Hwy no. 8), said point being 150.56 feet southeasterly from the right-of-way line of from McMillan Street; thence continuing along said right-of-way line and running $S78^{\circ}16'56''E$ a distance of 120.00 feet to a capped rebar set; thence leaving said right-of-way line and running $S09^{\circ}22'25''W$ a distance of 175.66 feet to a capped rebar set; running thence $N78^{\circ}16'56''W$ a distance of 120.00 feet to a capped rebar set; running thence $N09^{\circ}22'25''E$ a distance of 175.66 feet to a $\frac{3}{4}$ " open top pipe and the POINT OF BEGINNING.

Said tract contains 0.48 acres or 20,061 square feet.

TRACT 2 LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 302 of the 5th District of Gwinnett County, Georgia ,and being more particularly described as follows:

BEGINNING at a point on the right of way of State Route 8 aka Winder Highway; thence along said right of way South 78°12'31" East, a distance of 170.20 feet to a point; thence leaving said right of way South 10°12'23" West, a distance of 2.91 feet to a point; thence South 10°16'16" West, a distance of 38.73 feet to a point; thence South 10°32'07" West, a distance of 41.65 feet to a point; thence South 17°04'41" West, a distance of 97.59 feet to a point on the right of way of Stanley Road; thence along said right of way South 40°32'20" West, a distance of 67.40 feet to a point; thence South 82°49'47" West, a distance of 25.02 feet to a point; thence leaving said right of way North 78°42'02" West, a distance of 106.81 feet to a point; thence North 15°43'12" East, a distance of 60.93 feet to a point; thence North 77°32'17" West, a distance of 4.33 feet to a point; thence North 11°43'53" East, a distance of 187.73 feet to a point on the right of way of Winder Highway, being the POINT OF BEGINNING.

Said tract contains 0.92 acres or 40094.85 square feet.

TRACT 3 LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 302 of the 5th District of Gwinnett County, Georgia ,and being more particularly described as follows:

BEGINNING at a point on the right of way of State Route 8 aka Winder Highway; thence along said right of way South 78°11'42" East, a distance of 71.91 feet to a point; thence South 74°43'00" East, a distance of 29.48 feet to a point; thence leaving said right of way South 12°40'54" West, a distance of 179.96 feet to a point on the right of way of Stanley Road; thence along said right of way North 76°11'35" West, a distance of 98.52 feet to a point; thence leaving said right of way North 11°46'05" East, a distance of 178.29 feet to a point on the right of way of Winder Highway, being the POINT OF BEGINNING.

Said tract contains 0.41 acres or 17961.10 square feet.



DOLLAR GENERAL

Now Open!
DOLLAR GENERAL

Fresh Produce!

NOTICE OF LEGAL AND CONSTITUTIONAL OBJECTIONS

As agent for the owner of the property, SW West Dacula, LLC (the “Applicant”) on behalf of itself and the owners of the tracts of land at issue in this Variance Application, respectfully submit that the current zoning classification of and rules relative to the Subject Property owner’s right to use the Property established in the City of Dacula Code of Ordinances, to the extent they prohibit this use, are unconstitutional and constitute an arbitrary, irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia. Further, the failure to grant the requested variance would constitute a taking of private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The Applicant respectfully submits that the Zoning Board of Appeals’ failure to approve the requested variance would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Subject Property’s owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

A refusal to grant the variance in question would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to grant the variance in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A. § 36-66-1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

Opponents to this request lack standing, have failed to exhaust administrative remedies, and have waived their rights to appeal by failing to assert legal and constitutional objections.

**Economic and Community Infrastructure Facilities Impact
Worksheet**



**To be completed and submitted with applications for:
Annexation, Rezoning, Change of Conditions,
Special Use Permit, Special Exception, or Variance.**

Date Received: _____

Reviewed By: _____

Proposed Project Information

Name of Proposed Project: Dollar General - 2848 Winder Hwy
Developer/Applicant: SW West Dacula LLC c/o LJA Engineering
Telephone: 470.202.9321
Fax: _____
Email(s): tlasser@LJA.com

Economic Impacts

Estimated Value at Build-Out:

It is estimated to be approximately \$2,500,000.

Will the proposed project generate population and/or employment increases in the area?
If yes, what would be the major infrastructure and facilities improvement needed to support the increase?

Yes, the development will provide short term construction jobs, as well as long term positions

Due to the size of the development, no major infrastructure improvements will be necessary beyond the general design standards.

How many short-term and /or long-term jobs will the development generate?

The development will bring at least 20 short term jobs and 8-10 long term jobs to operate the store.

Estimated annual local tax revenues (i.e., property tax, sales tax) likely to be generated by the proposed development:

The dollar amount of tax revenue for the business after completion is unknown at this time. However, DG anticipates the business in this location to be successful, thus generating significant sales tax

Is the regional work force sufficient to fill the demand created by the proposed project?

Yes, Dacula and the surrounding area are highly populated and continues to grow. There is an increasing demand for full and part time positions like the ones DG offers.

Community Facilities & Infrastructure Impacts

Water Supply

Name of water supply provider for this site:

Water will be provided through the City of Buford

What is the estimated water supply demand to be generated by the project, measured in Gallons Per Day (GPD)?

200 - 300 GPD

Is sufficient water supply capacity available to serve the proposed project?

Yes, it has been confirmed that there is sufficient water capacity for the development.

If no, are there any current plans to expand existing water supply capacity?

N/A - expansion is not needed at this time for the proposed development.

If there are plans to expand the existing water supply capacity, briefly describe below:

N/A - expansion is not needed at this time for the proposed development.

If water line extension is required to serve this project, how much additional line (in feet) will be required?

N/A - expansion is not needed at this time for the proposed development.

Wastewater Disposal

What is the estimated sewage flow to be generated by the project, measured in Gallons Per Day (GPD)?

600 GPD

Name of wastewater treatment provider for this site:

Gwinnett County sewer is available on site

Is sufficient wastewater treatment capacity available to serve this proposed project?

Yes, it has been confirmed that there is sufficient sewer capacity for the development.

If no, are there any current plans to expand existing wastewater treatment capacity?

N/A - expansion is not needed at this time for the proposed development.

If there are plans to expand existing wastewater treatment capacity, briefly describe below:

N/A - expansion is not needed at this time for the proposed development.

If sewer line extension is required to serve this project, how much additional line (in feet) will be required?

N/A - expansion is not needed at this time for the proposed development.

Land Transportation

How much traffic volume is expected to be generated by the proposed development, in peak hour vehicle trips per day?

36 vehicles (AM), and 71 vehicles (PM)

List any traffic and/or road improvements being made and how they would affect the subject area.

Access from Stanley Road and Winder Hwy. Improvements such as deceleration lane will be provided along Winder Hwy. Truck access will be provided from Winder Hwy.

Solid Waste Disposal

How much solid waste is the project expected to generate annually (in tons)?

The amount is unknown at this time. However, retail uses of this scale tend to produce very little compared to other permitted commercial uses such as restaurants or convenience stores.

Is sufficient landfill capacity available to serve this proposed project?

Yes, landfill capacity has been confirmed.

If no, are there any current plans to expand existing landfill capacity?

N/A - expansion is not needed at this time for the proposed development.

If there are plans to expand existing landfill capacity, briefly describe below:

N/A - expansion is not needed at this time for the proposed development.

Will any hazardous waste be generated by the development? If yes, please explain below:

No hazardous waster will be generated by this development.

Stormwater Management

What percentage of the site is projected to be impervious surface once the proposed development has been constructed?

Approximately 56 percent of the site is impervious.

Is the site located in a water supply watershed?

The site is not in a water supply watershed

If yes, list the watershed(s) name(s) below:

The site is not in a water supply watershed

Describe any measures proposed (such as buffers, detention or retention ponds, and/or pervious parking areas) to mitigate the project's impacts on stormwater management:

Required zoning buffers will be provided, and underground detention will be provided for SW Management

Environmental Quality

Is the development located within or likely to affect any of the following:

1. Water supply watersheds?

No

2. Significant groundwater recharge areas?

No

3. Wetlands?

No

4. Protected river corridors?

No

5. Floodplains?

No

6. Historic resources?

No

7. Other environmentally sensitive resources?

No

If you answered yes to any question 1-7 above, describe how the identified resource(s) may be affected below:

N/A - None are likely to be impacted by the proposed development.

Other Facilities

What intergovernmental impacts would the proposed development generate for:

Schools?

The proposed development will not impact schools.

Libraries?

The proposed development will not impact libraries.

Fire, Police, or EMS

The proposed development will not impact the current state of emergency services. However, the site will have sufficient access for all emergency vehicles.

Other community services/resources (day care, health care, low income, non-English speaking, elderly, etc.)?

The proposed development will not impact the above resource directly, but will provide employment opportunities.

Additional Comments:

Site is currently zoned commercial, which permits the use as a Dollar General retail store.
