

RECEIVED

9/20/2023

REZONING APPLICATION

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

APPLICANT INFORMATION		PROPERTY OWNER INFORMATION*	
NAME: <u>Chick-fil-A, Inc. by its Attorney</u> <u>David C. Kirk</u> ADDRESS: <u>Troutman Pepper Hamilton Sanders LLP</u> <u>600 Peachtree Street, NE, Suite 3000</u> CITY: <u>Atlanta</u> STATE: <u>Georgia</u> ZIP: <u>30308</u> PHONE: <u>404-885-3415</u> EMAIL: <u>david.kirk@troutman.com</u>		NAME: <u>Presbyterian Church of the Redeemer</u> ADDRESS: <u>3750 Zoar Church Road</u> CITY: <u>Snellville</u> STATE: <u>Georgia</u> ZIP: <u>30039</u> PHONE: <u>770-979-2467</u> EMAIL: <u>info@redeemerpc.com</u>	
CONTACT PERSON: <u>David C. Kirk</u> <u>(Attorney for Chick-fil-A)</u> CONTACT'S E-MAIL: <u>david.kirk@troutman.com</u>		PHONE: <u>404-885-3415</u>	
<p>APPLICANT IS THE:</p> <input checked="" type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER			
PRESENT ZONING DISTRICT(S): <u>O-I</u>		REQUESTED ZONING DISTRICT: <u>C-2</u>	
PARCEL NUMBER(S): <u>R6019 068</u>		ACREAGE: <u>2.548 acres</u>	
ADDRESS OF PROPERTY: <u>3750 Zoar Church Road</u>			
PROPOSED DEVELOPMENT: <u>5,400 SF Chick-fil-A Restaurant with Indoor & Outdoor Seating and Drive-Through</u>			

RESIDENTIAL DEVELOPMENT		NON-RESIDENTIAL DEVELOPMENT	
No. of Lots/Dwelling Units	<u>N/A</u>	No. of Buildings/Lots:	<u>1 Building & 1 Lot</u>
Dwelling Unit Size (Sq. Ft.):	<u>N/A</u>	Total Building Sq. Ft.	<u>5,400 SF +/-</u>
Gross Density:	<u>N/A</u>	Density:	<u>2,197 SF/Acre +/-</u>
Net Density:	<u>N/A</u>		

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
10/10/2023
troutman.com



David C. Kirk
david.kirk@troutman.com

September 28, 2023 (Revised October 10, 2023)

VIA ELECTRONIC SUBMITTAL

Mr. Marc Rosengart
Planner II
Gwinnett County Department of Planning & Development
446 West Crogan Street, Suite 300
Lawrenceville, Georgia 30046

**Re: REVISED LETTER OF INTENT – Rezoning Request for Property Located at
3750 Zoar Church Road (“Subject Property”)**

Dear Mr. Rosengart:

As authorized by Presbyterian Church of the Redeemer, Inc., the owner of the Subject Property (the “Owner”), and on behalf of Chick-fil-A, Inc. (“Chick-fil-A” or the “Applicant”) I am pleased to provide for review and consideration by Gwinnett County this Revised Letter of Intent in support of an application requesting rezoning of the approximately 2.567 acre Subject Property from its current zoning classification of O-I (Office-Institutional) to C-2 (General Commercial) to allow for the development of a Chick-fil-A restaurant on the Subject Property. In addition, this application seeks the approval of two concurrent variances:

1. A Variance from Section 220-30.3.E.3 of the Gwinnett County Unified Development Ordinance (the “UDO”) to allow for more than 20% of the parking associated with the new restaurant to be in the front or side of the building on the Subject Property, which is a corner lot; and
2. A Variance from Section 230-120.7 of the UDO to allow for an accessory structure (the proposed Order Point Canopy) to be placed in the front yard of this corner lot.

Finally, this application seeks the concurrent approval of a Waiver to reduce the 75-foot buffer required by Section 610-20.2.A of the UDO to 55 feet to accommodate the proposed restaurant development.

Included with this Letter of Intent are the following materials either required by Gwinnett County or included for the County’s reference and use.

- A Complete Rezoning Application Form, including all necessary certification forms executed by the Owner and Applicant;

- A Legal Description and Survey of the Subject Property¹;
- A Site Plan;
- Proposed Building Elevations and Details;
- Standards Governing the Exercise of the Zoning Power (within the body of the Letter); and
- Verification of Paid Property Taxes.

Summary of the Proposed Project

The Applicant seeks the rezoning of the Subject Property and other associated approvals to allow for the development of a new Chick-fil-A restaurant approximately 5,400 square feet in size. The new restaurant will include 62 indoor seats and 16 outdoor seats for dining, a two-lane drive-through, 71 associated off-street parking spaces for guests and team members, and extensive landscaping. Vehicular access will be provided to Centerville Highway (S.R. 124) through a new curb cut and from Zoar Church Road via an existing curb cut shared with the Owner. Chick-fil-A intends to lease the Subject Property from the Owner.

Rezoning - Analysis of Standards Governing the Exercise of the Zoning Power as set forth in Section 270-20.5 of the Unified Development Ordinance

A. Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The Applicant respectfully submits the proposed rezoning will permit a use (restaurant) that is suitable and consistent with the use and development of adjacent and nearby property. The Subject Property is situated in a Neighborhood Node Character Area and nearby development includes a variety of retail uses (Walmart, Advance Auto Parts, Aldi, and others) as well as restaurants (such as Wendy's, American Deli, and Waffle House), a post office, and small office uses. To the immediate east of the Subject Property is the Presbyterian Church of the Redeemer, the Owner of the Subject Property and Chick-fil-A's future landlord. To the immediate south is a residential development that will be separated from the proposed restaurant use by some existing vegetation as well as the proposed buffer, which Chick-fil-A intends to landscape to provide additional screening (it currently is mostly a grass field). The Owner intends to subdivide an existing 9.858-acre parcel to create the 2.567-acre Subject Property for the proposed Chick-fil-A. The remaining 7.291 acres will continue to be used by the Owner for church purposes. The proposed restaurant is a relatively small development with a density below that which is permitted in the requested C-2 zoning district and is, therefore, suitable in view of the use and development of nearby properties.

¹ Note: The Owner has submitted an application to subdivide the 2.567-acre Subject Property from a 9.858 tract (the "Parent Tract"), so legal descriptions for the Parent Tract, Subject Property (also "Tract 2") and remaining 7.291-acre tract ("Tract 1") are included, along with a Survey showing these parcels.

B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.

The Applicant respectfully states the existing use and useability of adjacent or nearby properties would not be adversely affected by the proposed rezoning or the development of the proposed Chick-fil-A restaurant. Much of the surrounding development along Centerville Highway (SR 124) is commercial in nature and includes a variety of retail, restaurant, and small office uses, both in small commercial centers and standing alone. The relatively small scale of the proposed restaurant, given the density permitted under the C-2 zoning district, will lessen any impact on adjacent residential property, as will the enhancement of the buffer between the proposed restaurant use and the residential property lines to the south.

C. Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned.

The current zoning of the Subject Property limits the economic use to which it may be put in that many categories of office development are currently disfavored by the market, difficult to finance, and lacking tenant interest. The Subject Property has been vacant and undeveloped for a considerable period under its current zoning.

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

Changing the current condition of the Subject Property from its current undeveloped state to an economically productive use will generate some impacts in the form of traffic and utility usage but such impacts are not anticipated to be excessive in light of the current capacity of such facilities. The proposed rezoning will not result in a use which will have any impact on schools.

E. Whether the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map.

The 2040 Unified Plan and Future Development Map adopted as part of the 2022 Plan Amendment indicate the Subject Property lies within the Neighborhood Node Character Area. The Applicant respectfully submits the proposed rezoning aligns with the policy and intent of the Neighborhood Node Character Area in that it contributes toward a smaller commercial/retail node and is intended to draw customers from the surrounding area. The intensity of the proposed use is low in comparison to the allowable height and density within the requested C-2 zoning district.

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.

For years, the Subject Property has been zoned O-I and vacant as part of the Presbyterian Church of the Redeemer campus. During this time, much of the surrounding property has developed into a mix of retail, restaurant, and similar uses. In fact, along over 7,000 feet of Centerville Highway, the Subject Property is one of only five parcels that does not have a commercial zoning classification. The proposed development of the Subject Property, as allowed under the requested rezoning, is a logical and reasonable step in the maturation of this Neighborhood Commercial Node.

Concurrent Variance Requests

In addition to the rezoning request, the Applicant is seeking two concurrent variances from the following provision of Title II of the UDO:

1. Section 220-30.3.E.3 – Design Requirements – Parking and Accessory Structures

Freestanding buildings or shopping center developments containing 7,500 gross square feet of space or less shall provide no more than 20 percent of parking areas in the front of building(s) and be limited to no more than one double row of parking. No more than 20 percent of off-street parking areas may be located to the sides of building(s), with the balance of parking located to the rear the building(s).

The Subject Property is an unusually shaped corner lot on which Chick-fil-A proposes to construct a 5,400 square foot restaurant building. Because the Subject Property is a corner lot, it is considered to have two “front” yards under the UDO - one on Centerville Highway (SR 124) and the other on Zoar Church Road. Thus, one “front” of the proposed restaurant building faces Centerville Highway.

As shown on the accompanying site plan, all parking is located to the rear of the building when considered from this direction and, if considered alone, would fully meet the UDO requirement. However, since the elevation of the building facing Zoar Church Road is also considered the “front” of the building, 35 of the proposed 71 parking spaces (approximately 50%) of the parking are considered to be located “in front of” the proposed restaurant building and all 71 spaces (100%) are considered to be located “to the side” of the proposed restaurant building when viewed from this direction. The Applicant thus seeks relief to allow the parking to remain in its proposed location.

Since the Subject Property is a uniquely-shaped corner lot, the Applicant respectfully submits that it would be impossible to place the parking anywhere in relation to the building and meet the requirements noted above. Instead, the Applicant has placed all the parking to the rear of the building when viewed from Centerville Highway (SR 124), which is the more traveled and thus more visible frontage, in order to reduce the visual impact of the parking and meet the spirit of the UDO, if not the letter. Accordingly, the Applicant respectfully requests approval of this concurrent variance request.

2. Section 230-120-7 – Accessory Building, Structure and Use Standards

All accessory buildings or structures shall be located in the rear yard unless explicitly stated otherwise in this section.

As noted above, the Subject Property is an unusually shaped corner lot on which Chick-fil-A proposes to construct a 5,400 square foot restaurant building in addition to the two-lane drive-through. The drive-through employs an “Order Point Canopy” as an accessory structure intended to provide protection from the elements for team members and for guests as they place their order. Because the Subject Property is a corner lot, it is considered to have two “front” yards under the UDO - one on Centerville Highway (SR 124) and the other on Zoar Church Road. Thus, there is no true “rear” yard on the Subject Property within which Chick-fil-A may locate this canopy in a manner that functions properly and is in strict accordance with the requirements of Section 230-120-7 of the UDO.

As shown on the accompanying site plan, the Order Point Canopy is located between the restaurant building and Zoar Church Road. When viewed from Zoar Church Road, the Order Point Canopy is located to the front of the building. The Applicant seeks relief to allow the Order Point Canopy to remain in its proposed location.

Since the Subject Property is a uniquely-shaped corner lot, the Applicant respectfully submits that it would be impossible to place the Order Point Canopy anywhere in relation to the building where it would provide the necessary function and strictly meet the requirements of the UDO noted above. Instead, the Applicant has placed the canopy in the logical location required to meet the functional requirements of the drive-through with the intention to best serve Chick-fil-A’s guests. Accordingly, the Applicant also respectfully requests approval of this concurrent variance request.

Concurrent Waiver Request

In addition to the rezoning request, the Applicant is seeking a waiver from the following provision of Title III of the UDO:

1. Section 610-20.2.A – Buffer Widths

Buffers shall meet the minimum width requirements for dissimilar districts as shown in Table 610.1 "Table of Minimum Buffer Requirements" as provided in Section 610-20.5, Minimum Buffer Requirements. [Table 610.1 indicates a minimum buffer width of 75 feet is required between new development on property zoned C-2 and existing adjacent development on property zoned R-100].

The Applicant respectfully requests the buffer on the south side of the proposed development be reduced from the required 75 feet to 55 feet to allow for the development of the proposed restaurant as shown on the site plan. Currently, the portion of the uniquely-shaped Subject Property to the south of the proposed restaurant location consists of a large, open, grassed field containing a power line serving the church (subject to an easement) and some mature vegetation south of the power line and adjacent to the residential property lines. While

the mature vegetation near the property lines provides a substantial buffering effect, Chick-fil-A intends to augment the landscaping in the proposed buffer area to provide additional screening and will do so as required by the UDO and any conditions of approval the Board of Commissioners may adopt. In addition, the proposed drive-through lanes are located on the opposite (north) side of the Subject Property and do not utilize external loudspeakers. Finally, site lighting for the proposed restaurant site will be directed inward toward the site and properly shielded to avoid any light spillover to adjacent properties. Thus, with these careful site design considerations, the Applicant respectfully submits there should be no interference with the use and enjoyment of the nearby residential properties.

As noted previously, the Subject Property is a corner lot in a largely commercial corridor, resulting in an exceptional condition affecting its development. The nearby residential development is the only residential use directly adjacent to the Centerville Highway (SR 124) corridor for a distance of well over a mile and thus creates an exceptional condition as well. The Applicant respectfully submits the strict compliance with the 75-foot buffer requirement would create an undue hardship for the development of the proposed restaurant. The Applicant further submits the approval of the modest reduction in the required buffer, together with appropriate landscaping, would not adversely affect the general public welfare or nullify the intent of the development regulations as it will provide significant more screening than currently exists under present conditions, consistent with the intent of the development regulations.

Summary and Conclusion

I believe this Revised Letter of Intent, together with the Rezoning application and supporting documents previously submitted, provide all the information required by Gwinnett County to review and evaluate this request for rezoning, together with the concurrent variances and concurrent waiver as described more fully above. If there are other materials or information you believe would be helpful to your review of this request, please do not hesitate to contact me. I look forward to our continued cooperative efforts on this important matter.

Yours very truly,



David C. Kirk
Attorney for Chick-fil-A

RECEIVED

9/28/2023

REZONING APPLICANT'S CERTIFICATION

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



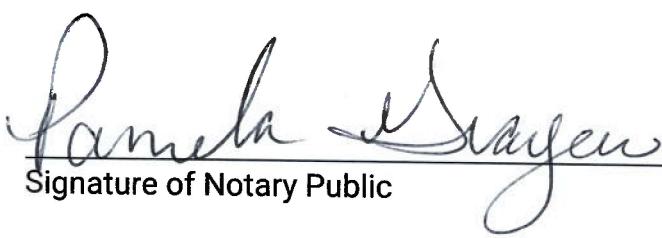
Signature of Applicant

9/19/2023

Date

David C. Kirk, Attorney for Chick-fil-A, Inc.

Type or Print Name and Title

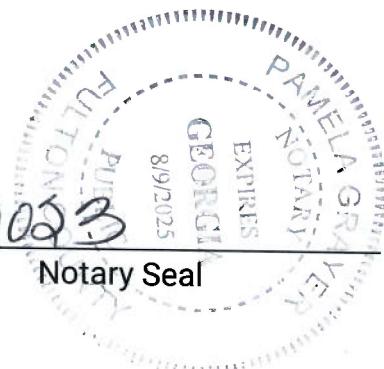


Signature of Notary Public

Date

9/19/2023

Notary Seal



RECEIVED

9/28/2023

REZONING PROPERTY OWNER'S CERTIFICATION

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

BCM/cheely
Signature of Property Owner

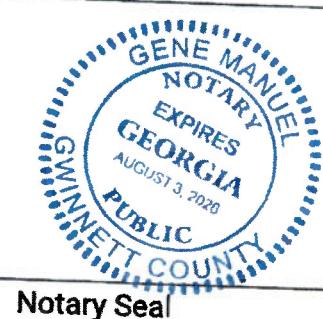
9/21/23
Date

Bobby C. McNeely
Type or Print Name and Title

President

Gene Manuel
Signature of Notary Public

9/21/23
Date



Notary Seal

RECEIVED

9/28/2023

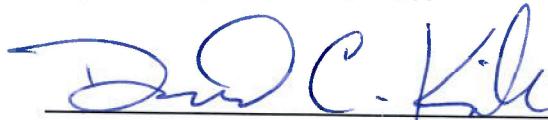
CONFLICT OF INTEREST CERTIFICATION FOR REZONING

The undersigned below, making application for a 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.

SIGNATURE OF APPLICANT

DATE

TYPE OR PRINT NAME AND TITLE

 9/19/2023

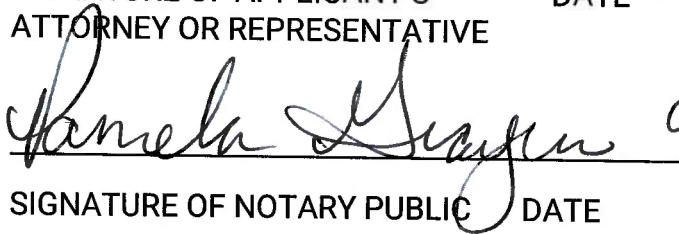
David C. Kirk, Attorney for Chick-fil-A, Inc.

SIGNATURE OF APPLICANT'S

DATE

TYPE OR PRINT NAME AND TITLE

ATTORNEY OR REPRESENTATIVE

 9/19/2023

PAMELA GRAYER
NOTARY
EXPIRES 8/19/2023
NOTARY SEAL
GEORGIA
FULTON COUNTY

SIGNATURE OF NOTARY PUBLIC

DATE

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 a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?

YES

NO

David C. Kirk

YOUR NAME

If the answer is yes, please complete the following section:

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)

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

RECEIVED

9/28/2023

CONFLICT OF INTEREST CERTIFICATION FOR REZONING

The undersigned below, making application for a 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.

Bobby McNeely 9/21/23 Bobby C McNeely President
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE
PROPERTY OWNER

SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE
ATTORNEY OR REPRESENTATIVE

Gene Manuel 9/21/23 NOTARY SEAL



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 a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?

YES NO

YOUR NAME

If the answer is yes, please complete the following section:

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)

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

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

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

***Note: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.**

PARCEL I.D. NUMBER: _____ - R6019 - 068
(Map Reference Number) District Land Lot Parcel

Dawn C. Kish

9/19/2023
Date

Signature of Applicant

David C. Kirk, Attorney for Chick-fil-A, Inc.

Type or Print Name and Title

*****PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 Langley Drive, FOR THEIR APPROVAL BELOW.*****

TAX COMMISSIONERS USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL
HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

JM Suffie Dr
NAME
9/27/23
DATE

IRMED BY THE SIGNATURE BELOW)

TSF

RECEIVED

9/28/2023

"PARENT TRACT" LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 19, 6TH DISTRICT, GWINNETT COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT AN IRON PIN SET (1/2" REBAR) AT THE NORTHERLY END OF A MITERED INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF ZOAR CHURCH ROAD (60' R/) WITH THE EASTERLY RIGHT-OF-WAY LINE OF CENTERVILLE HIGHWAY, GWINNETT COUNTY ROUTE 124 (100' R/W); THENCE LEAVING SAID INTERSECTION AND RUNNING ALONG SAID RIGHT-OF-WAY LINE OF ZOAR CHURCH ROAD NORTH 68 DEGREES 03 MINUTES 12 SECONDS EAST A DISTANCE OF 897.56 FEET TO AN IRON PIN SET (1/2" REBAR) ON THE NORTHERLY END OF A MITERED INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF ZOAR CHURCH ROAD WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF ZOAR ROAD (60' R/W); THENCE SOUTH 79 DEGREES 46 MINUTES 16 SECONDS EAST A DISTANCE OF 41.37 FEET TO AN IRON PIN SET (1/2" REBAR) ON THE SOUTHERLY END OF A MITERED INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF ZOAR CHURCH ROAD WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF ZOAR ROAD (60' R/W); THENCE ALONG SAID RIGHT-OF-WAY LINE OF ZOAR ROAD ALONG A CURVE TO THE LEFT A DISTANCE OF 350.90 FEET, HAVING A RADIUS OF 512.68 FEET, AND BEING SUBTENDED BY A CHORD BEARING OF SOUTH 67 DEGREES 50 MINUTES 08 SECONDS EAST, A DISTANCE OF 344.09 FEET TO AN IRON PIN FOUND (1-1/2" OPEN TOP PIPE); THENCE LEAVING SAID RIGHT-OF-WAY LINE SOUTH 60 DEGREES 31 MINUTES 39 SECONDS WEST A DISTANCE OF 1509.50 FEET TO AN IRON PIN SET (1/2" REBAR) ON THE EASTERLY RIGHT-OF-WAY LINE OF CENTERVILLE HIGHWAY; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES: NORTH 06 DEGREES 48 MINUTES 39 SECONDS EAST A DISTANCE OF 24.66 FEET TO A RIGHT-OF-WAY MONUMENT; THENCE NORTH 60 DEGREES 49 MINUTES 01 SECONDS EAST A DISTANCE OF 53.40 FEET TO A RIGHT-OF-WAY MONUMENT; THENCE NORTH 09 DEGREES 09 MINUTES 17 SECONDS EAST A DISTANCE OF 32.21 FEET TO AN IRON PIN SET (1/2" REBAR); THENCE NORTH 44 DEGREES 50 MINUTES 56 SECONDS WEST A DISTANCE OF 54.17 FEET TO A RIGHT-OF-WAY MONUMENT; THENCE ALONG A CURVE TO THE RIGHT A DISTANCE OF 271.69 FEET, HAVING A RADIUS OF 3759.20 FEET, AND BEING SUBTENDED BY A CHORD BEARING OF NORTH 10 DEGREES 33 MINUTES 20 SECONDS EAST, A DISTANCE OF 271.63 FEET TO A RIGHT-OF-WAY MONUMENT; THENCE NORTH 14 DEGREES 54 MINUTES 31 SECONDS EAST A DISTANCE OF 137.71 FEET TO AT AN IRON PIN SET (1/2" REBAR) AT THE SOUTHERLY END OF A MITERED INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF ZOAR CHURCH ROAD (60' R/) WITH THE EASTERLY RIGHT-OF-WAY LINE OF CENTERVILLE HIGHWAY; THENCE NORTH 41 DEGREES 11 MINUTES 52 SECONDS EAST A DISTANCE OF 31.29 FEET TO THE POINT OF BEGINNING

SAID TRACT OR PARCEL OF LAND CONTAINING (9.858 ACRES 429,417 SQUARE FEET),

SAID LEGAL DESCRIPTION BEING THE SAME PROPERTY AS CONTAINED WITHIN THE TITLE COMMITMENT BY CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NUMBER 7298-176, DATED MARCH 09, 2023

AND FURTHER BEING THE SAME AS DESCRIBED IN DEED BOOK 52407, PAGE 870, GWINNETT COUNTY RECORDS.

RECEIVED

9/28/2013 TRACT 1 - REMAINING CHURCH TRACT FOLLOWING SUBDIVISION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 19, 6TH DISTRICT, GWINNETT COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

TO FIND THE POINT OF BEGINNING, COMMENCE AT AN IRON PIN SET (1/2" REBAR) AT THE NORTHERLY END OF A MITERED INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF ZOAR CHURCH ROAD (60' R/) WITH THE EASTERNLY RIGHT-OF-WAY LINE OF CENTERVILLE HIGHWAY, GWINNETT COUNTY ROUTE 124 (100' R/W); THENCE LEAVING SAID INTERSECTION AND RUNNING ALONG SAID RIGHT-OF-WAY LINE OF ZOAR CHURCH ROAD NORTH 68 DEGREES 03 MINUTES 12 SECONDS EAST A DISTANCE OF 192.94 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING, FROM SAID POINT OF BEGINNING AS THUS ESTABLISHED; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE NORTH 68 DEGREES 03 MINUTES 12 SECONDS EAST A DISTANCE OF 704.62 FEET TO AN IRON PIN SET (1/2" REBAR) ON THE NORTHERLY END OF A MITERED INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF ZOAR CHURCH ROAD WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF ZOAR ROAD (60' R/W); THENCE SOUTH 79 DEGREES 46 MINUTES 16 SECONDS EAST A DISTANCE OF 41.37 FEET TO AN IRON PIN SET (1/2" REBAR) ON THE SOUTHERLY END OF A MITERED INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF ZOAR CHURCH ROAD WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF ZOAR ROAD (60' R/W); THENCE ALONG SAID RIGHT-OF-WAY LINE OF ZOAR ROAD ALONG A CURVE TO THE LEFT A DISTANCE OF 350.90 FEET, HAVING A RADIUS OF 512.68 FEET, AND BEING SUBTENDED BY A CHORD BEARING OF SOUTH 67 DEGREES 50 MINUTES 08 SECONDS EAST, A DISTANCE OF 344.09 FEET TO AN IRON PIN FOUND (1-1/2" OPEN TOP PIPE); THENCE LEAVING SAID RIGHT-OF-WAY LINE SOUTH 60 DEGREES 31 MINUTES 39 SECONDS WEST A DISTANCE OF 1168.33 FEET TO A POINT; THENCE NORTH 02 DEGREES 50 MINUTES 47 SECONDS WEST A DISTANCE OF 384.09 FEET TO A POINT; THENCE NORTH 68 DEGREES 59 MINUTES 55 SECONDS EAST A DISTANCE OF 45.89 FEET TO A POINT; THENCE NORTH 21 DEGREES 55 MINUTES 43 SECONDS WEST A DISTANCE OF 52.37 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING (7.291 ACRES 317,591 SQUARE FEET),

RECEIVED

9/28/2013 TRACT 2 - SUBJECT PROPERTY LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 19, 6TH DISTRICT, GWINNETT COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT AN IRON PIN SET (1/2" REBAR) AT THE NORTHERLY END OF A MITERED INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF ZOAR CHURCH ROAD (60' R/) WITH THE EASTERLY RIGHT-OF-WAY LINE OF CENTERVILLE HIGHWAY, GWINNETT COUNTY ROUTE 124 (100' R/W); THENCE LEAVING SAID INTERSECTION AND RUNNING ALONG SAID RIGHT-OF-WAY LINE OF ZOAR CHURCH ROAD NORTH 68 DEGREES 03 MINUTES 12 SECONDS EAST A DISTANCE OF 192.94 TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY LINE SOUTH 21 DEGREES 55 MINUTES 43 SECONDS EAST A DISTANCE OF 52.37 FEET TO A POINT; THENCE SOUTH 68 DEGREES 59 MINUTES 55 SECONDS WEST A DISTANCE OF 45.89 FEET TO A POINT; THENCE SOUTH 02 DEGREES 50 MINUTES 47 SECONDS EAST A DISTANCE OF 384.09 FEET TO A POINT; THENCE SOUTH 60 DEGREES 31 MINUTES 39 SECONDS WEST A DISTANCE OF 341.17 FEET TO AN IRON PIN SET (1/2" REBAR) ON THE EASTERLY RIGHT-OF-WAY LINE OF CENTERVILLE HIGHWAY; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES: NORTH 06 DEGREES 48 MINUTES 39 SECONDS EAST A DISTANCE OF 24.66 FEET TO A RIGHT-OF-WAY MONUMENT; THENCE NORTH 60 DEGREES 49 MINUTES 01 SECONDS EAST A DISTANCE OF 53.40 FEET TO A RIGHT-OF-WAY MONUMENT; THENCE NORTH 09 DEGREES 09 MINUTES 17 SECONDS EAST A DISTANCE OF 32.21 FEET TO AN IRON PIN SET (1/2" REBAR); THENCE NORTH 44 DEGREES 50 MINUTES 56 SECONDS WEST A DISTANCE OF 54.17 FEET TO A RIGHT-OF-WAY MONUMENT; THENCE ALONG A CURVE TO THE RIGHT A DISTANCE OF 271.69 FEET, HAVING A RADIUS OF 3759.20 FEET, AND BEING SUBTENDED BY A CHORD BEARING OF NORTH 10 DEGREES 33 MINUTES 20 SECONDS EAST, A DISTANCE OF 271.63 FEET TO A RIGHT-OF-WAY MONUMENT; THENCE NORTH 14 DEGREES 54 MINUTES 31 SECONDS EAST A DISTANCE OF 137.71 FEET TO AT AN IRON PIN SET (1/2" REBAR) AT THE SOUTHERLY END OF A MITERED INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF ZOAR CHURCH ROAD (60' R/) WITH THE EASTERLY RIGHT-OF-WAY LINE OF CENTERVILLE HIGHWAY; THENCE NORTH 41 DEGREES 11 MINUTES 52 SECONDS EAST A DISTANCE OF 31.29 FEET TO THE POINT OF BEGINNING

SAID TRACT OR PARCEL OF LAND CONTAINING (2.567 ACRES 111,826 SQUARE FEET),

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

9/28/2023



AS REQUIRED BY SECTION 10-6.6 OF O.G.A. SUCION 10-6.6, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY THE APPLICABLE LOCAL JURISDICTION FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES. NEITHER THE STATE OF GEORGIA, THE JURISDICTION, SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONSTRUED AS AN ENDORSEMENT OF THE GOVERNMENTAL RIGHT IN ANY PURCHASE OR PARCEL. FURTHERMORE, THE UNDESIGNED LAND SURVEY IS NOT A PLAT AND IS NOT A PLAT WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS AS SET FORTH IN THE NATIONAL SURVEYING STANDARDS FOR THE PRACTICE OF SURVEYING AS SET FORTH IN O.G.A. SECTION 15-6.5.



FOR THE FIRM
BOUNDARY ZONE, INC.
LS# 19839

Daniel F. Courtney PLS #250

09/12/2023
DATE

ADDITIONAL STORM LEGEND:
111 LEFT WING CATCH BASIN
112 DOUBLE WING CATCH BASIN
113 DOUBLE WING CATCH BASIN
114 FLARED END SECTION
115 DRAINAGE INLET
116 DRAINAGE INLET
117 JUNCTION BOX

LINK BEARING DISTANCE
L1 R00 45' 00" 24.660
L2 R00 09' 71" 3.211
L3 R00 09' 71" 3.211
L4 R00 04' 39" 5.617

VICINITY MAP
(NOT TO SCALE)

FLOOD STATEMENT

BY GRAPHIC PLOTTING ONLY, I HAVE EXAMINED THE INTERMEDIATE REGIONAL FLOOD PANEL CURRENTLY AVAILABLE AND FOUND THAT THE PROPERTY IN QUESTION IS LOCATED IN THE 100-YEAR FLOOD INSURANCE RATE MAP (FIRM) PANEL NUMBER 13130301-02, WHICH BEARS AS OF EFFECT THE DATE OF SEPTEMBER 28, 2006, GWINNETT COUNTY, GEORGIA.

GWINNETT COUNTY NOTE:
A SUBSTANTIAL BUILDING PERMIT SHELL BE OBTAINED PRIOR TO CONSTRUCTION FOR EACH SITE RETAINING WALL, WHICH EITHER EXCEEDS 4 FEET IN HEIGHT OR IS LOCATED IN A BACKFILL AREA. A SUBSTANTIAL BUILDING PERMIT SHELL BE OBTAINED FOR EACH DETENTION POND WALL (DAM) IN ACCORDANCE WITH GWINNETT COUNTY BUILDING CODE. A SUBSTANTIAL BUILDING PERMIT SHELL BE ISSUED BY GWINNETT COUNTY BUILDING CODE APPROVED SURVEYOR PRIOR TO CONSTRUCTION OR PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY UNUSABLE STRUCTURE ON THE SITE OR PRIOR TO APPROVAL OF THE PLAT AS APPROVABLE.

WETLAND CERTIFICATION:
THE FIRM, PROFESSIONAL, WHOSE SIGN APPEARS HEREON, CERTIFIES THE FOLLOWING: 1) THE NATIONAL WETLAND INVENTORY MAPS HAVE BEEN CONSULTED, AND 2) THE APPROPRIATE PLAN STATES IX-100'S (IX-100'S) CHECK BOXES ARE CHECKED FOR THE APPROPRIATE WETLANDS AS SHOWN ON THE NATIONAL WETLAND INVENTORY MAP. THE WETLANDS ARE INDICATED. THE LAND OWNER OR DEVELOPER HAS BEEN ADVISED THAT LAND TRIBUTARY OF PROTECTED WETLANDS SHALL NOT OCCUR UNLESS THE APPROPRIATE FEDERAL WETLANDS ALLEGATION SECTION 404 PERMIT HAS BEEN OBTAINED.

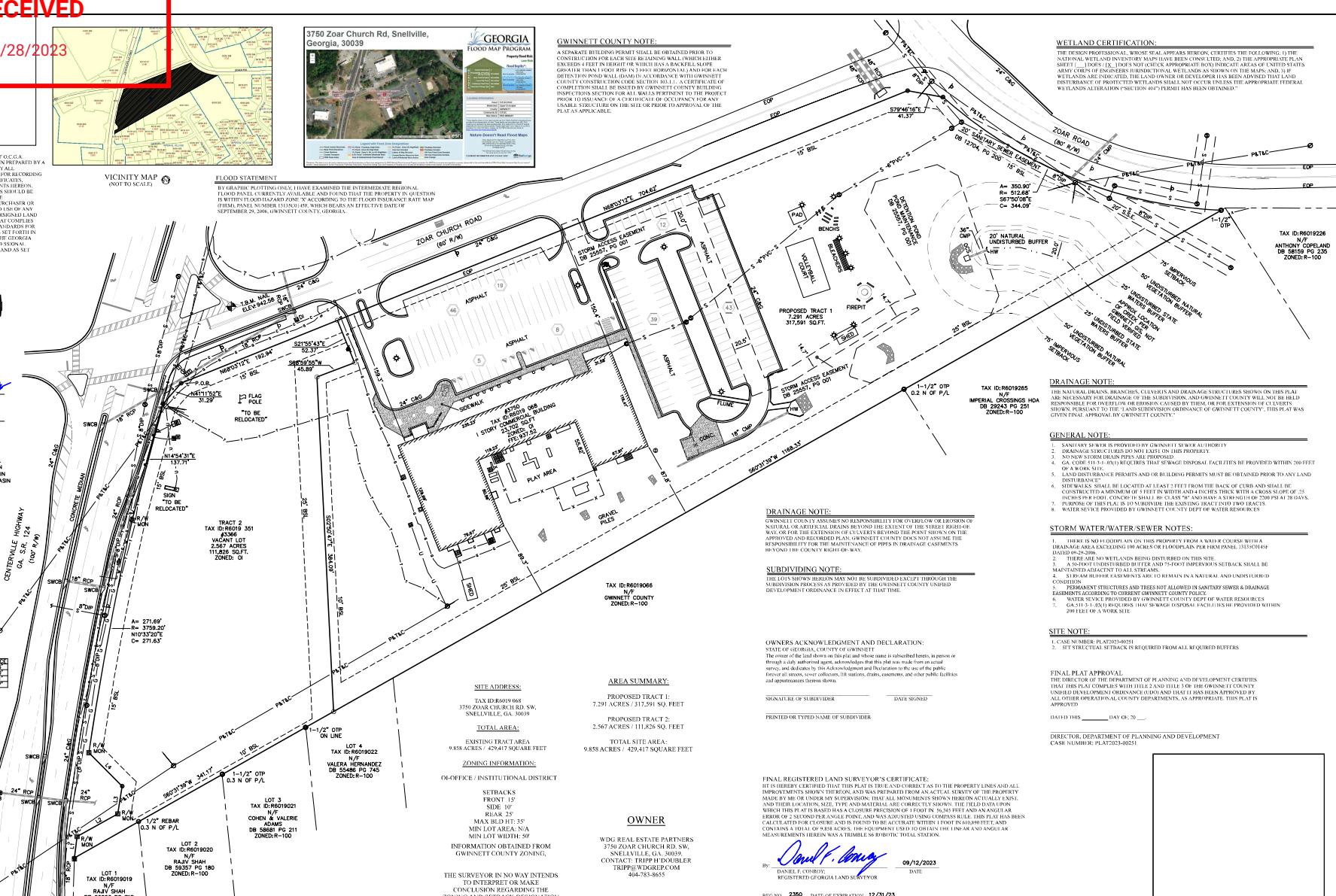
GRID NORTH
GA WEST NAD 83
DATUM NAVD 88
SCALE: 1" = 50'

DATE	REVISION

LOT DIVISION SURVEY
PREPARED FOR: WIGDRO ACQUISITION, LLC, A GEORGIA LIMITED LIABILITY COMPANY
3750 Zoar Church Rd, Snellville, GA 30039
LAND LOT 15, SNELLVILLE, GWINNETT COUNTY, GEORGIA - 09/12/2023

PROJECT
2555902
SHEET
1 OF 2

DATE



SITE NOTES:

GWINNETT COUNTY PLANNING AND DEVELOPMENT

10/10/2023



Know what's **below**.
Call before you dig.



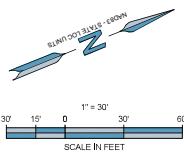
 **Chick-fil-A**
5200 BUFFINGTON ROAD
ATLANTA, GA 30349-2998

LEGEND	
	PROPERTY LINE
	PARKING COUNT
	TRAFFIC SIGN
	PAINTED TRAFFIC ARROWS

SITE DATA

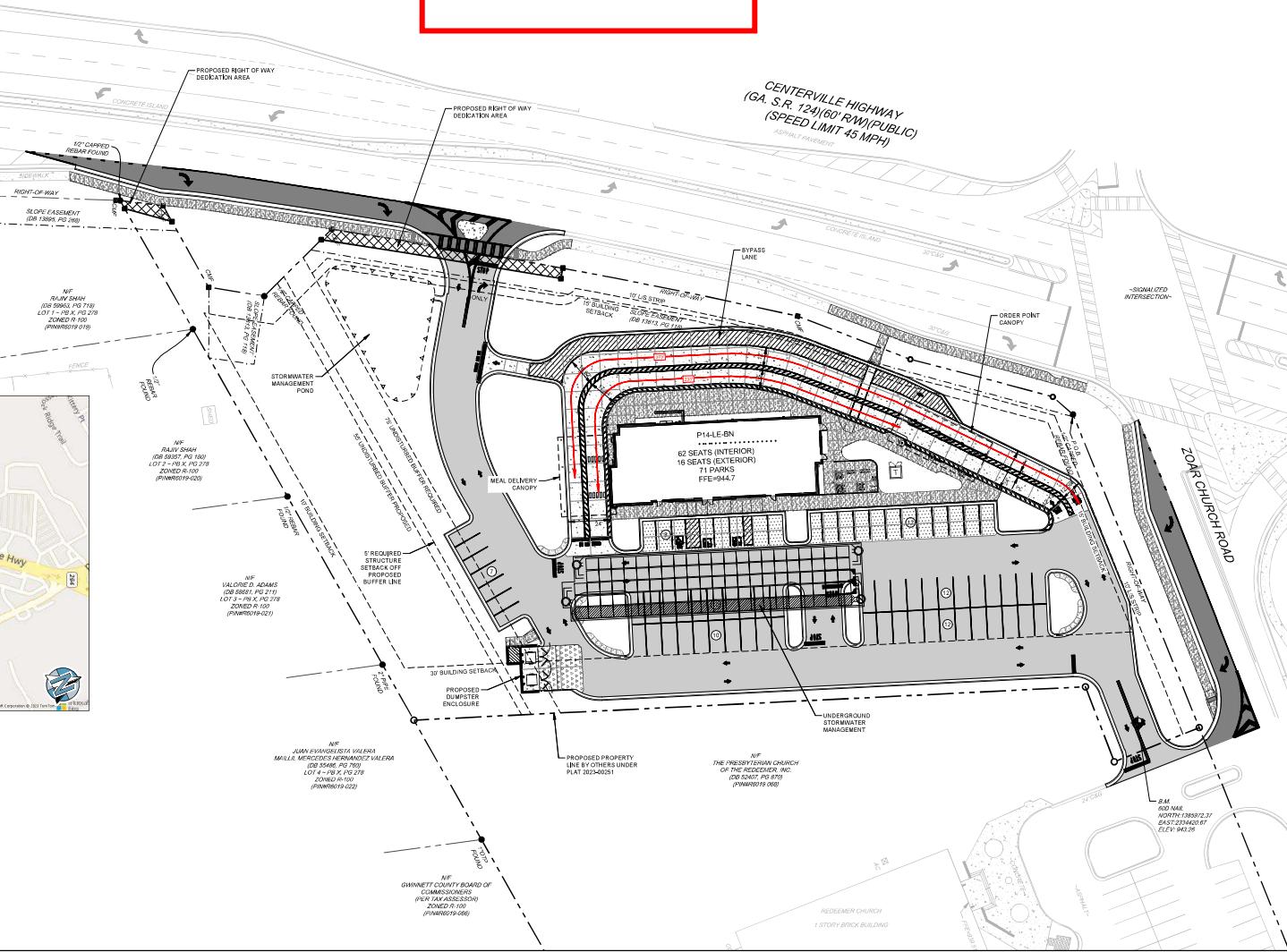


VICINITY MAP
NOT TO SCALE



SCALE IN FEET

1000



DEVELOPER:
CHICK-FIL-A, INC.
5200 BUFFINGTON ROAD
ATLANTA GA. 30346-2598
(404) 868-1145

ENGINEER:
FORESITE
group

PROJECT: CHICK-FIL-A
#05562

CENTERVILLE HWY & ZOAR CHURCH
ROAD

SNELLVILLE, GA 30039
PARCEL #B610-068

SEAL:	
REVISIONS	DATE
<hr/> <hr/>	

PROJECT MANAGER: MRS
DRAWING BY: JYP
JURISDICTION: GWINNETT COUNTY, GA
DATE: 2023/10/10
SCALE: 1" = 30'
TITLE:

REZONING PLAN
SHEET NUMBER: **1 OF 1**
COMMENTS: **NOT RELEASED FOR CONSTRUCTION**
JOB/FILE NUMBER: **397.030**

RECEIVED

9/28/2023



WEST ELEVATION (FACING CENTERVILLE HIGHWAY)

1/16" = 1'-0"



EAST ELEVATION (FACING INTERIOR SITE)

1/16" = 1'-0"



SOUTH ELEVATION

1/16" = 1'-0"



NORTH ELEVATION (FACING ZOAR CHURCH ROAD)

1/16" = 1'-0"

DESIGN OVERVIEW - EXTERIOR ELEVATIONS

05562, CENTERVILLE HWY & ZOAR CHURCH ROAD, 3750 ZOAR CHURCH ROAD, SNELLVILLE, GA 30339



RECEIVED

9/28/2023

(BR-A)

BRICK VENEER
COLOR: DARK BROWN
SIZE: MODULAR



(BR-B)

BRICK VENEER
COLOR: LIGHT BROWN
SIZE: MODULAR



(EC-1)

PREFINISHED METAL COPING
COLOR: MIDNIGHT BRONZE



(PT-113)

EXTERIOR PAINT
COLOR: DARK BRONZE
FINISH: SEMI-GLOSS



(ST-1)

STOREFRONT
COLOR: DARK BRONZE

EXTERIOR FINISHES



PERSPECTIVE VIEW - REFUSE ENCLOSURE



PERSPECTIVE VIEW - ORDER POINT CANOPY

DESIGN OVERVIEW - FINISHES, REFUSE, OP CANOPY

05562, CENTERVILLE HWY & ZOAR CHURCH ROAD, 3750 ZOAR CHURCH ROAD, SNELLVILLE, GA 30339



GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

10/10/2023

TRAFFIC IMPACT ANALYSIS FOR

Fast Food Restaurant on SR 124 at Zoar Church Road

Snellville, GA

JULY 14, 2023

PREPARED FOR:

Ms. Jenn Santelli
Chick-Fil-A, Inc.
5200 Buffington Road
Atlanta, GA 30349

PREPARED BY:

FORESITE
group

Foresite Group, LLC
3740 Davinci Court, Suite 100
Peachtree Corners, GA 30092

o | 770.368.1399

f | 770.368.1944

w | www.foresitegroup.net

RECEIVED

10/10/2023

1. Introduction

This report contains the results from a traffic impact analysis performed for a proposed fast-food restaurant located on SR 124 at Zoar Church Road in Snellville, Georgia. Due to the nature of the proposed development, construction will be completed in a single phase. Full build-out will consist of a 5,399-SF of fast-food restaurant with a drive-through window. The site has two-proposed access locations. The development has a new proposed limited access driveway on SR 124 (right-in right-out) and an existing driveway location that will share access with a church. The site is on the southeast corner of the intersection of SR 124 at Zoar Church Road.

The purpose of the traffic impact study is to identify the impacts to traffic associated with the planned fast-food restaurant development at the proposed site driveways and nearby signal located on SR 124 at Zoar Church Road. In addition to the proposed restaurant development, background traffic growth is being analyzed in the form of a background growth rate. Figure 1 shows the proposed site location in the vicinity of Gwinnett County, Georgia. The site location is shown on an aerial image in Figure 2. A copy of the proposed site plan is provided in Appendix A.

This report has been prepared for submittal to the Georgia Department of Transportation and Gwinnett County to evaluate the traffic conditions at the site. This report summarizes the data collected, proposed access points, projected traffic at the study intersections, analysis of traffic impacts including level of service (LOS), and conclusions from the analysis.

RECEIVED

10/10/2023

2. Existing and Proposed Development Description

The proposed site is located along the east side of SR 124, on the southeast corner of the intersection at Zoar Church Road at a previously undeveloped parcel. The subject site has one new proposed limited access driveway location on SR 124. The second access location is an existing driveway on Zoar Church Road that would share access with a church development.

The proposed development, at full build-out, will consist of a 5,399-SF fast-food restaurant with a drive-through window. A copy of the proposed site plan is attached in Appendix A.

RECEIVED

10/10/2023

6. Conclusions and Recommendations

The proposed site is located on the southeast corner of the intersection of SR 124 at Zoar Church Road on a previously undeveloped parcel. The subject site has one new proposed limited access driveway location on SR 124. The second access location is an existing driveway on Zoar Church Road that would share access with a church development. The proposed development, at full build-out, will consist of a 5,399-SF fast-food restaurant with a drive-through window.

The conclusions and recommendations separated by intersection are as follows:

SR 124/Centerville Hwy at Zoar Church Road

- This signalized intersection operates at an acceptable level of service in the build conditions.
- Because of the capacity of the signal operation, there are very minor impacts to the intersection delay and queuing because of this project.
- No mitigation is needed at this intersection.

Zoar Church Road at Driveway 1/Commercial Access (Existing)

- The stop-controlled all approaches continue to operate at LOS A or LOS B in both peak periods.
- The right turn lane at the driveway is warranted per GDOT volume requirements and recommended as part of this development.
- A left turn lane on Zoar Church Road is not warranted per GDOT volume requirements or Gwinnett County's guidelines for left turn lanes.

SR 124/Centerville Hwy at Driveway 2 (RIRO)

- The stop-controlled minor street WBR approach operates at LOS C in both the AM and PM peak periods with minor delay and queuing.
- A right turn lane is warranted per GDOT volume requirements.