

Variances:
V-2022-002

**CITY OF SUWANEE
VARIANCE ANALYSIS**

CASE NUMBERS: V-2022-002

REQUESTS: STREAM BUFFER REDUCTION

APPLICABLE SECTIONS: SECTION 4.1 OF THE STREAM BUFFER PROTECTION ORDINANCE

SECTION 34-209 OF THE SOIL EROSION, SEDIMENTATION AND POLLUTION CONTROL ORDINANCE

LOCATION: SAWMILL DRIVE NEAR THE INTERSECTION WITH LAWRENCEVILLE-SUWANEE RD

DISTRICT/LAND LOT: 7-170-004

ZONING: M-1 (INDUSTRIAL)

APPLICANT: SAWMILL INDUSTRIAL PARTNERS LLC
19 WEST BROAD STREET
NEWNAN GA, 30263

OWNER: ADAM FREEMAN
91 WEST WIEUCA RD BLD A #2000
ATLANTA, GA 30342

CONTACT: LAURA BENZ
CONTACT PHONE: 404-437-7789

STAFF RECOMMENDATION: **APPROVAL WITH CONDITIONS**

ANALYSIS:

The applicant seeks a variance from Section 4.1 of the City of Suwanee Stream Buffer Protection Ordinance and Section 34-209 of the Soil Erosion, Sedimentation and Pollution Control Ordinance to allow for development and construction within a required 50-foot undisturbed stream buffer and 75 foot no impervious surface setback in association with an industrial project that includes 26.45 acres.

The applicant proposes to construct an approximately 327,000 square foot distribution facility. The subject property is located on Sawmill Drive just north of Lawrenceville-Suwanee Road. The development would include a driveway off Sawmill Road that would allow truck and car traffic to access the property. Parking is proposed to accommodate 104 tractor trailer trucks and 144 cars.

The applicant has obtained a parking variance (administrative) to reduce the number of parking spaces required. In order to meet stormwater detention requirements, a large detention/water quality pond is provided on the northwestern property line. The purpose of the pond is to control the volume and improve the quality of storm water leaving the property.

The 26.5-acre subject property is zoned M-1. In order to develop the proposed industrial building the applicant would need to regrade the significant steep slopes and disturb the two tributaries of Suwanee Creek that form a “Y” across the entire subject property. It is impossible to develop the property as proposed without eliminating the stream. The applicant proposes total elimination of 3,178 linear feet of perennial and intermittent streams, resulting in a buffer encroachment of 125,683 square feet.

The M-1 zoned property is located along Sawmill Drive adjacent to a vacant parcel, a pair of the hotels, and Suwanee package store to the west. Also sharing the western boundary of the property is the Suwanee Depot Retail site occupied by Office Depot, Burger King and PNC Bank fronting on Lawrenceville-Suwanee Road. Sawmill Drive and I-85 are located to the south of the property. A large warehouse/ distribution facility fronting on Satellite Blvd is located to the east of the property. To the north of the subject property is Walmart and the Suwanee Crossroads shopping center. Both are zoned C-2A and front onto Satellite Boulevard.

The Stream Buffer Protection Ordinance requires a 50-foot-wide undisturbed stream buffer (Section 4.1.1). The stream buffer is supplemented by an additional 25-foot-wide impervious setback (Section 4.1.2) that may be graded but cannot include any impervious ground cover. Examples of impervious cover include buildings, parking lots, and driveways. The Soil Erosion, Sedimentation, and Pollution Control Ordinance requires a 25-foot-wide stream buffer adjacent to all streams (Sec. 34-209), or state waters. This 25-foot stream buffer overlaps the first 25 feet of the 50-foot Stream Buffer Protection Ordinance buffer. In order to develop the property as proposed the applicant will need a variance from the 2 ordinances.

In 2014, the City was sued for denying a request to rezone the property from C-2A to RM-8 in order to allow for the development of an apartment complex. The City prevailed in the lawsuit so the property remained zoned C-2A. In 2021, the property was rezoned from C-2A to M-1 in order to allow for development of a distribution or office/warehouse facility. At the time, the applicant acknowledged that there would be significant environmental issues that would need to be addressed before the property could be developed with a large office/warehouse/distribution facility.

Over the course of the last 12 months, the applicant has pursued various environmental approvals from state and federal entities. The applicant has already received approval from the State of Georgia Environmental Protection Division (EPD) to impact 181,025 square feet of state stream buffer for the same tributaries. The applicant has received a 404 permit under the Clean Water Act from the US Army Corp of Engineers to pipe the streams present on the site, removing aquatic resources from the property. The approvals are subject to conditions and the approvals are included with your background materials. One condition of approval is the purchase 0.1 wetland credits and 28,602 stream credits. The purchase of these credits ensures the preservation of wetlands and streams in the area. The applicant confirms that these purchases have already taken place.

The Stream Buffer Protection Ordinance calls for an effort to minimize impacts to streams and requires some form of mitigation. In this case, the applicant mitigated the impacted buffer by

purchasing 28,602 stream credits in other areas of impacted unnamed tributaries and 0.1 wetlands credits. Based on the site conditions, the applicant is required to implement measures in accordance with Georgia Environmental Protection Division's Streambank and Stabilization Guidance. These measures will reduce pollutant and volume runoff reduction in accordance with the Georgia Stormwater Management Manual (Blue Book), as required under the 404 permit and State Stream Buffer Variance.

As noted earlier, the applicant received a variance from the State EPD (Environmental Protection Division of the Department of Natural Resources) in order to encroach on the 25-foot undisturbed state buffers, and they received a permit with the Army Corp of Engineers for permission to fill in this same section of stream. Along with these approvals the applicant also needs a variance from the City in order to develop the property as proposed.

In addition to mitigation efforts, the applicant will be required to meet stormwater design criteria and erosion control measures subject to the approval of the same regulators that granted the state stream buffer variance. The design of the stormwater system for the property will need to be designed by a professional engineer. This design will be subject to review by a professional engineer consulting on behalf of the City. The stormwater system will need to address water quality and the volume of water leaving the property. There are a number of protections built into the system to help ensure environmental impacts are minimized.

The applicant has obtained conditional approvals from state and federal agencies requiring certain mitigation, including, most notably, the purchase of wetland a stream credits. The applicant has obtained these credits as required. The subject property can not be developed as proposed without the approval of a variance from the City stream buffer variance. During the zoning of the property to M-1, the City and applicant were both aware that variances would be necessary in order to develop the property as anticipated. Development in this area of Georgia for this type of building is virtually impossible without obtaining a stream buffer variance. Provided the applicant complies with the requires of the state variance and 404 permit, approval of a variance would be appropriate.

In conclusion, the subject property is impacted severely by the stream and steep slopes across the project. The subject tributaries natural function of carrying runoff from the site to Suwanee Creek will no longer be necessary in this area with the proposed development. The site will be regraded and stormwater will be handled on-site by a detention facility; therefore, the proposed buffer reductions should not have a negative impact downstream. Staff recommends **APPROVAL WITH CONDITIONS** of V-2022-002.

Planning Department Recommendation:

The Planning Department recommends approval of a variance from Section 4.1 of the Stream Buffer Protection Ordinance and Section 34-209 of the Soil Erosion and Sedimentation Control Ordinance in order to allow for the stream to be filled and buffers eliminated subject to the following conditions:

- 1) Prior to issuance of a land disturbance permit on the property, demonstrate compliance with conditions of approval for U.S Army Corp of Engineers Permit number: SAS-2021-00467. The property owner may deviate from the requirements of the permit only as authorized by the U.S Army Corp of Engineers.
- 2) Prior to issuance of a land disturbance permit on the property, demonstrate compliance with the terms of approval by the Georgia Environmental Protection Division as indicated in letters from David Diaz and dated June 29, 2021 and September 13, 2021. Deviations from these terms may only occur with the approval of the EPD.
- 3) The stormwater system will be subject to the review and approval of the consulting City Engineer.

Standards for Consideration

Pursuant to Section 2009A of the City of Suwanee Zoning Ordinance, the City finds the following standards are relevant in considering all applications for a Variance.

A. Will approval of the variances unreasonably increase the congestion in public streets?

Approval of the requested stream buffer variance should not impact congestion on public streets.

B. Will approval increase the danger of fire or endanger public safety?

Approval of the variance would not increase the danger of fire or endanger public safety.

C. Will approval unreasonably diminish or impair established property values within the surrounding area?

Approval of the variances should not unreasonably diminish or impair property values within the surrounding area.

D. Will approval in any other aspect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City?

Provided the mitigation requirements are properly addressed, approval of the variance would not impair the public health, safety, comfort, morals or welfare of the inhabitants of the City.



Benz Law Group
Attorneys at Law

March 1, 2022

VIA Hand Delivery

Board of Appeals
City of Suwanee
330 Town Center Avenue
Suwanee, GA 30024

Re: Stream Buffer Variance Request
Sawmill Drive Partners, LLC

Dear Zoning Board of Appeals Members,

Enclosed is an application for a stream buffer variance for the Sawmill Drive Distribution Center and required payment in the amount of THREE HUNDRED Dollars (\$300.00) by check number 1382. As discussed within the attached documentation, the project necessitates the requested variance due to the existing 45% slopes coupled with the stream locations subdividing the site. All items set forth in within the stream buffer variance information form are enclosed with the exception of the full -size erosion control plan package which is being transmitted separately by the Georgia Soil Conservation Commission to the City in accordance with its review and approval process. Please note that as part of that package, there is a full-size site plan and the documentation contains the required certification of the design professional regarding the manner in which state waters are represented within the USCGS quad sheet within in the plans.

Narrative responses to the standard questions for variances are provided along with the necessary federal and state permits for the proposed development. The Applicant respectfully submits this application to the City of Suwanee for encroachment into the City of Suwanee prescribed buffers. Upon review, please let me know if you have any questions or feel any information was inadvertently omitted.

Sincerely,

Laura W. Benz
Authorized representative for Applicant

Enclosure

V-2022-002

**C. SUWANEE SOIL EROSION AND SEDIMENTATION CONTROL ORDINANCE
CITY OF SUWANEE ZONING BOARD OF APPEALS**

Please complete this application and submit with all necessary attachments as stated on the Stream Buffer Variance Information Form (please type or print)

APPLICANT INFORMATION

Name: _____
Company Name: Sawmill Industrial Partners, LLC c/o Benz Law Group
Address: 19 W. Broad Street
City: Newnan
State: GA
Phone: 404-493-7789

OWNER INFORMATION

Name: Adam Freeman
Company Name: Diversified Ltd.
Address: 91 W. Wieuca Rd, NE, Bldg A, Suite 2000
City: Atlanta
State: GA
Phone: 404-314-2398

CONTACT PERSON: Laura Benz

PHONE: 404-493-7789

ADDRESS OF PROPERTY 0 Sawmill Dr., Suwanee 30024 (34.034867/-84.047160)

LAND DISTRICT 7th LAND LOT 169/170 PARCEL R7170 004 ACRES 26.45

PROJECT NAME Sawmill Industrial PROJECT NAME _____

ZONING M-1

NAME OF STREAM(S) INVOLVED (if un-named, indicate the stream that this tributary flows into):
unnamed tributary of Suwanee Creek

EXTENT OF ENCROACHMENT INTO STREAM BUFFER (linear feet and area of buffer to be disturbed) 3,178 linear feet of stream and 125,683 sf (2.885 acres) of associated buffer

NEED FOR VARIANCE (see A. 1-8 and expound) #1: The topographical relief on the site contains slopes up to 45% prohibiting the construction of any structure without extensive grading. #8. The site contains two streams which form a "Y" on the site effectively prohibiting any substantive development without impact to the buffers.

***A STREAM BUFFER VARIANCE FROM A CONDITION OF ZONING CANNOT BE ACCEPTED.**

*****The property owner, applicant and /or a representative thereof shall be present at all meetings of the Zoning Board of Appeals, Planning Commission and/or Mayor and Council at which official action is requested on any stream buffer variance or application for amendment. The failure of the property owner, applicant and/or a representative to attend such meetings shall result in the denial of said variance or application for amendment.**

V. 2022.002

Variance Application

Page 2

APPLICANT CERTIFICATION

The undersigned below is authorized to make this application and is aware that an application or re-application for the same type of variance affecting the same land or any portion thereof shall not be acted upon within twelve (12) months from the date of last action by the Board of Appeals, unless waived by the Board of Appeals. An application or reapplication shall not be acted upon in less than (6) months from the date of the last action by the Board of Appeals.



Laura W. Benz 12/22/21
Signature of Applicant Date

Laura Benz, Attorney for Applicant

Typed or Printed Name and Title

[Signature] 12/22/2021
Signature of Notary Public Date

Notary Seal

PROPERTY OWNER CERTIFICATION

The undersigned below, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for the same type of Variance affecting the same land or any portion thereof shall not be acted upon within twelve (12) months from the date of last action by the Board of Appeals unless waived by the Board of Appeals. An application or reapplication shall not be acted upon in less than six (6) months from the date of the last action by the Board of Appeals.

Signature of Applicant Date

Adam Freeman

Typed or Printed Name and Title

Signature of Notary Public Date

Notary Seal

DEPARTMENT OF PLANNING AND DEVELOPMENT USE ONLY

Case Number V-2022-002
Date Rec'd _____
Amount Rec'd _____

Variance _____
Rec'd By _____
Receipt _____

Administrative _____
Hearing Date _____

ACTION TAKEN _____

SIGNATURE _____ DATE: _____

Stream Buffer Variance Application and Response to Standard Questions

and other materials required by City of Suwanee, Georgia
for the Variance request of
SAWMILL INDUSTRIAL PARTNERS, LLC
for +/- 26.4482 Acres of Land
Located at 0 Sawmill Drive, Suwanee, Georgia 30024
Land Lots 169 and 170, 7th District, City of Suwanee, Gwinnett County, Georgia

Submitted for the Applicant by:

Laura W. Benz, Esq.
Benz Law Group
19 W. Broad Street
Newnan, GA 30263
404.493.7789
Laura@LWBenz.com

I. INTRODUCTION

This variance request is to permit Sawmill Industrial Partners, LLC, (hereinafter the “Applicant”) to construct an approximately 327,250 square feet distribution facility. The Applicant has previously obtained rezoning from the City of Suwanee, a Clean Water Act Section 404 permit from the US Army Corps of Engineers and the Section 401 water quality certification and the 25’ state water buffer from the State of Georgia. The Applicant now seeks approval from the City of Suwanee for a variance from the 50’ stream buffer as required under Ordinance §34-209 for the impacts to 125,683 sf of Suwanee Stream Buffer. This narrative is provided in addition to supplemental documentation for consideration of the request.

II. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA.

The Property is a rectangular tract fronting Sawmill Drive and Interstate I-85. It is bounded on the Northeast by five large warehouse/distribution facilities, which maintain access via Satellite Blvd. To the southwest of the Property is Office Depot, Red Roof Inn, Super 8 Motel, Suwanee Package Store, Ulta Car Wash, Chevron, Suwanee Smoke Shop, and Burger King, all of which have access to Lawrenceville-Suwanee Road. The Property is undeveloped and heavily wooded. The adjacent parcels are zoned M-1, C-2A, and C-2 and improved with service businesses, convenience stores, gas stations, motels, fast food restaurants, and distribution facilities. The Applicant proposes to construct a 327,250 square foot (sf) industrial/warehouse facility on an approximately 27-acre site. The proposed development tract is located immediately west of Interstate 85, off Lawrenceville-Suwanee Road, exit 111, at latitude 34.034867 and longitude -84.047160, in Suwanee, Gwinnett County, Georgia as identified in Figure 1.

The Property lies within “Suwanee Gateway Character Area,” which includes the four quadrants of the I-85 interchange. The major goal of the redevelopment in this Character Area is economic development that increases and diversifies employment opportunities over time. Proximity of the I-85 interchange and other major roadways make this node a regional activity center that can accommodate uses with local and regional draw. The Property is located in an area where Light Industrial zoning has proven to be successful and higher intensity commercial uses are appropriate given the existing warehouse and industrial use.

III. PROJECT SUMMARY

As shown in the attached site plan prepared by Atlas Technical Consultants, LLC, the Applicant proposes to develop the Property with one, single-story 327,250-sf industrial warehouse/distribution facility, including approximately 120 trailer parking spots and 80 surface parking spots. One entrance is proposed onto Sawmill Drive. Stormwater management facilities have been designed in accordance with the City of Suwanee Soil Erosion and Sedimentation Control Ordinance as indicated by the plan approval by GSWCC as attached.

IV. BASIS OF VARIANCE REQUEST

Pursuant to Ordinance 34-209(c), the Applicant requests a variance on criterion 1 and 8. Under criterion 1 the property remains in its natural state without any disturbance. The topographical relief of the property ranges from 0% to 45%, having slopes classified as extremely steep.

Suwanee has adopted the Georgia Stream Buffer regulations as set forth in OCGA §12-7-1 et seq. As set forth in the ordinance, the Applicant is applying for a variance based on criterion one and eight, that the unusual topography of the property there is no opportunity for any development under any design configuration unless a buffer variance is granted and the unusual circumstances when strict adherence to the minimal buffer requirements in the law would create an unusual hardship. Regulations acknowledge that there are circumstances which require exemptions or consideration of strict compliance with regulatory requirements. The request for a variance from stream buffer satisfies the criteria for granting such under the Suwanee ordinance.

V. RESPONSE TO STANDARD QUESTIONS FOR STREAM BUFFER VARIANCE REQUEST

- 1. Describe the present condition of the buffer area. What kind of vegetation is present? Has the contour been altered by man's activities in the past? Are there buildings, parking lots, sewer lines, or other man-made structures present? Is it flat or hilly? What kinds of soils or rock are present?**

The project site is located in the Upper Chattahoochee River watershed (8-digit HUC 03130001) and is currently comprised of a forested area surrounded by commercial and industrial development. The unnamed tributary to Suwanee Creek flows northwest through the project site, and slopes on the site range from 0% to 45% and are considered steep in many areas. As proposed, the industrial development would include impacts to a total of 125,683 square feet of Suwanee/State stream buffer, associated with two points of impact which the Applicant has received approval from the State of Georgia for impacts to 181,058 sf of buffer, which is the first 25 ft of buffer underlying the 50' Suwanee buffer. Photos depicting the condition of the streams and associated buffers are attached.

Soils

The NRCS soil survey for Gwinnett County indicates eight soil types are present on the Property. The soils are mapped by the US Department of Agriculture, Natural Resource Conservation Service (NRCS) as follows: Appling sandy loam (AmC2), Bethlehem and Cecil (BCD), Cecil clay loam (CFC2), Chewacla silt loam (CfS), Madison sandy clay loam (MiC2), Madison sandy clay loam (MiD2), Madison sandy clay loam (MiF2), Rion and Bethlaham (RNC), Wedowee sandy loam (WrE2).

AmC2: Appling sandy loam, 6 to 10 percent slopes, moderately eroded

BCD: Bethlehem and Cecil soils, 6 to 15 percent slopes

CFC2: Cecil clay loam, 6 to 10 percent slopes, eroded

- CfS: Chewacla silt loam, 0 to 2 percent slopes, frequently flooded
MiC2: Madison sandy clay loam, 6 to 10 percent slopes, moderately eroded
MiD2: Madison sandy clay loam, 10 to 15 percent slopes, moderately eroded
MiF2: Madison sandy clay loam, 15 to 45 percent slopes, eroded
RNF: Rion and Bethlaham soils, 15 to 45 percent, slopes, stoney
WrE2: Wedowee sandy loam, 10 to 25 percent slopes, eroded

There are no impaired stream segments on Georgia's "305(b)/303(d) List Documents within 1 mile of the project site. The nearest listed segment is Brushy Creek, located approximately 1.8 miles northwest of the project site.

- 2. Describe the land disturbing activity proposed within the buffer area. Describe the proposed project in detail. How much land will be disturbed? For how long? What structures and paved or gravel areas will be built? What is the planned long-term use of the area?**

The Applicant proposes to impact a total of 3,178 linear feet of perennial and intermittent streams, resulting in a buffer encroachment of 125,683 square feet of Suwanee stream buffer. The proposed development will disturb 26.3 acres and have a final impervious area of 17.7 acres. The proposed use will be for the construction of a 327,250-sf distribution warehouse facility that is capable of providing cold storage and distribution within the Suwanee area to meet the increasing demands of ecommerce and the absence of available facilities. Construction is anticipated to be complete in 12 months. The structure and associated facilities will cause the streams to be permanently piped thereby eliminating the buffer.

- 3. Explain your need to encroach within the buffer. What would be the impact to the project if it were not allowed to be constructed within the buffer? How does the topography of the site affect the project? How wide a buffer will be left undisturbed?**

The need for the specific proposed impacts includes pad grading and fill slope, construction of a roadway to facilitate access and the construction of the facility along with associated parking. As shown within the supplemental documentation, all impacts to waters and associated buffers have been avoided and minimized to the extent practical, however the stream traversing the site coupled with the significant topographical relief results in avoidance of the buffer being impossible. The project is not feasible and cannot be constructed if the buffer variance is not granted. This project will result in the complete removal of buffer on the site.

- 4. What alternatives have been considered which would keep the project outside the buffer are? Briefly explain each alternative and why they could not meet your need(s). Describe other alternatives for using the property that would avoid encroachment within the buffer. Include scaling down or re-orienting the proposed use. Explain why each alternative allows no opportunity for any development under any design configuration unless a buffer variance is granted.**

An alternatives analysis examining other available sites and proposed impacts were completed for the Section 404 permit to avoid and minimize impacts to aquatic resources and associated buffers. The alternatives analysis is included herein. This site was selected as being the least environmentally damaging practicable alternative, resulting in the attached 404 permit for the impacts to associated wetlands and stream. Similarly, the proposed configuration was submitted as part of the rezoning package and approval unanimously as RZ-2021-001. Within the rezoning approval, the only condition was the prohibition of truck traffic exiting the site onto Sawmill Drive. There was no requirement to maintain the stream buffers.

5. What mitigation measures will be taken to offset this loss of stream buffer are? (Explain in detail). If your response to Item 5 indicates an impaired buffer function, explain in detail what mitigation measures you propose to offset the loss and how these measures will actually work. What width of undisturbed buffer would be maintained after the project is completed?

These impacts will result in a permanent loss of functions of the buffer; however, the Section 404 permit requires that prior to construction, the Applicant purchase commercial mitigation credits to mitigate for impacts to jurisdictional waters in the same areas, thereby mitigating the lost buffer function. The State stream buffer variance also required the incorporation of the mitigation credits and the Applicant has completed the purchase of 0.1 wetland and 28,602 stream credits.

In addition to the purchase of compensatory mitigation credits, the Applicant is implementing mitigation measures in accordance with Georgia Environmental Protection Division's Streambank & Shoreline Stabilization Guidance. Based upon Engineer's review of the infiltration rates and the site's inability to infiltrate less than 0.5" per hour, the site alternatively utilizes Water Quality requirements instead of Runoff Reduction requirements. The Applicant will treat a volume equal to the 1.2" of rainfall across the site's disturbed area based on the percentage impervious rather than the typical infiltration requirements. The water quality requirements are met within the extended detention ponds by providing a permanent pool sized to exceed 100% of the first 1.2" of rainfall within each drainage basin's disturbed area. Channel Protection requirements are met by installing a control orifice above the required water quality volume to provide a 24-hour drawdown of the runoff generated by the post-developed 1-year, 24-hour rainfall event over the onsite and offsite drainage areas to each pond. As designed, the post-developed discharge rates for all storm events (1 year through 100-year storms) are less than the pre-developed discharge rates in order to meet the requirements of the Georgia Stormwater Management Manual, for Overbank Flood Protection (the 25-year, 24-hour storm) and Extreme Flood Protection (100-year, 24-hour storm). The designed permanent pool in the detention pond exceeds the required volume.

These measures will reduce pollutants, improve stormwater management in accordance with the Georgia Stormwater Management Manual i.e., Blue Book, satisfying the mitigation requirements under the 404 permit and State Stream Buffer Variance while also meeting the requirements of pollutant and volume runoff reductions. The review tool included within the supplemental documentation illustrates the Applicant's proposal to remove the required post-development total suspended solids. The Applicant is unable to retain the first 1.0" given the

infiltration rate is less than 0.5” per hour, however alternatively meets the water quality volume standard as permitted by the GSMM to satisfy the criteria by implementing a micro pool extended detention wet pond that will treat 100% of the first 1.2” of rainfall.

Currently the water quality and temperature are influenced by the surrounding upstream and downstream areas. As discussed in the supplemental documentation the natural site conditions do not promote infiltration, therefore the site in its natural state passes much of the water in the condition received. Although primarily wooded, the adjacent development and site soil conditions result in minimal overall opportunity to improve water quality characteristics. The property currently is forested, and water enters the site through existing culverts that also serve roadway drainage. Upon construction of the proposed development, the project will meet the requirements set forth by the Georgia Stormwater Management Manual by removing 80% TSS and meeting additional water quality standards. Buffer functions of post-development total suspended solids and stormwater runoff reduction; water quality protection and aquatic/buffer habitat protection will be addressed as follows:

1. Post-Development Total Suspended Solids and/or Stormwater Runoff Reduction.

As shown within the review tool spreadsheet the Applicant will implement the Georgia Stormwater Management Manual to remove 80% TSS and treat the first 1.2” of rainfall within each drainage basin’s disturbed area through the implementation of an oversized stormwater pond.

2. Water Quality Protection

The Applicant will implement Best Management Practices to address post-construction pollutants through one large detention pond sized to exceed 100% of the requirement to treat the first 1.2” of rainfall. In addition, a control orifice will be installed to meet channel protection requirements and provide 24-hour drawdown of the runoff to assure no downstream impacts post-construction. The pond will remove pollutants associated with increased parking and traffic areas.

3. Aquatic/Buffer Habitat Protection

Post construction, the large pond will be maintained and serve as habitat for microscopic organisms and aquatic species, assist with flood volumes, and assure that water quality standards are met and downstream is not adversely impacted with a decrease in water quality or increase in water volume being discharged from the site. Piping of the stream through the proposed site will remove it from serving as habitat, however these functions will be served by the purchase of the compensatory mitigation credits associated with the Section 404 permit. Piping the stream will result in the water quality being discharged from the site in the same condition as it enters the site and the water generated on the site, having improved quality. The detention on the site will reduce the flood flows and improve the ability of the site to mitigate peak flows from the current natural condition. The proposal has addressed and mitigated potential post-construction impacts, meeting all criteria. The Applicant has minimized the impervious surface to the extent practical however the topographic relief of the site does not allow avoidance of extensive grading.

There will not be any undisturbed buffer upon completion of construction.

6. What will the long-term impacts of the project be on the buffer are? Explain the long-term impacts of the project. For example, installing an underground utility.

The Applicant has received a permit under the Clean Water Act from the US Army Corps of Engineers to pipe the streams present on the site, removing the aquatic resource from the property. Buffer functions will be addressed through additional development measures as set forth above, exceeding the development and GSMM guidelines to assure the site is discharging at or below pre-development levels and water quality is being maintained.

VI. JUSTIFICATION FOR ISSUANCE OF VARIANCE

The denial of the variance for the Property would be unconstitutional in that it would deprive the Applicant and the owner of their property rights without first paying fair, adequate and just compensation in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the United States and Georgia Constitution.

The denial of the variance for the Property would be unconstitutional, illegal, null and void, constituting a taking of the Applicant and owner's property in violation of the Just Compensation Clause of the U.S. Constitution; Article I, Section I, Paragraph I, and Section III, Paragraph I of the Georgia Constitution; and would discriminate between this Property and similarly situated properties in violation of the Equal Protection and Due Process Clauses of the US Constitution.

Any action resulting in denial of the variance request for the Property would constitute an arbitrary and capricious act by the Board of Zoning Appeals and/or Mayor and City Council without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Georgia Constitution, the Due Process Clause of the U.S. Constitution, and would destroy the Applicant and owner's property rights without first paying fair, adequate and just compensation for such rights in violation of the Georgia Constitution and the Due Process Clause and Equal Protection Clauses of the U.S. Constitution. Any denial of the request of zoning authorization different from the requested authorization on the Property would be unconstitutional.

This written notice is being provided to the Board of Zoning Appeals and the Mayor and City Council of Suwanee in accordance with O.C.G.A §36-33-5. If the variance request is denied, the Applicant and owner reserve the right to seek damages in the Superior Court demanding just and adequate compensation under Georgia law for the taking of its property, attorney's fees and other damages arising out of the unlawful deprivation of its property rights.

VII. CONCLUSION

The City of Suwanee has already approved the rezoning for the proposed project. The Applicant has also obtained the necessary permits from the USACE and GA EPD. The issuance

of a buffer variance for the development of the property satisfies the general purpose and intent of the Ordinance. The Applicant has mitigated for encroachment into the buffer through measures shown in the site development review tool and the purchase of compensatory mitigation credits. The topographical relief of this site coupled with the unique placement of the stream bisecting the parcel in several areas prohibits development without impacts to the aquatic resources and associated buffer. These factors distinguish it from other requests that may come before the Board of Zoning Appeals and City Council.

For the foregoing reasons, the Applicant respectfully requests that the Application for a stream buffer variance be approved. The Applicant welcomes the opportunity to meet to answer any questions or to address any concerns relating to this letter or supporting materials.

Respectfully submitted this 1st day of March, 2022.

BENZ LAW GROUP



Laura W. Benz, Esq.


Enclosures

N-2022-002



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community





Produced By:


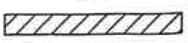


Contour Environmental LLC
 4462 Bretton Court NW, Suite 14
 Acworth, Georgia 30101

FIGURE 7: AQUATIC RESOURCE DELINEATION MAP
 Lawrenceville-Suwanee Road Tract
 Gwinnett County, Georgia
 For
 Benz Law Group
 CE20BEN:01
 January 5, 2021

LEGEND

-  Property Boundary
-  Perennial Stream
-  Intermittent Stream
-  Wetland


 240

 Feet

INTERMITTENT STREAM #1

WATER

WATER

WATER

WATER

WATER

WATER

WATER

WATER

WATER

WATER

WATER

INTERMITTENT STREAM #4

PERENNIAL STREAM #1

RESTORED VEGETATION (TYPE 1)

306,000 SF
441' x 68'
FFE 10/21/17

WATER DIVERS REPRESENT
STATE OF MICHIGAN
11300 WOODS BL 038 SF1

WATER VEGETATION (TYPE 1)

INTERMITTENT STREAM #2

BEGIN INTERMITTENT STREAM #2

EPHEMERAL STREAM

ANG 16 TALL

ESM'T TRACT 2

SAWMILL ROAD (R/W VARIES)

LAND LOT

LAND LOT

LAND LOT LINE

1. See map for details of the flow line and for a proposed flow line. The flow line is shown as a dashed line and the proposed flow line is shown as a solid line. The flow line is shown as a dashed line and the proposed flow line is shown as a solid line. The flow line is shown as a dashed line and the proposed flow line is shown as a solid line.

6/16/2021

DATE: 6/16/2021
DRAWN BY: [Signature]
CHECKED BY: [Signature]

NO.	DATE	DESCRIPTION
1	6/16/2021	ISSUED FOR PERMIT
2	6/16/2021	REVISED PER COMMENTS
3	6/16/2021	REVISED PER COMMENTS
4	6/16/2021	REVISED PER COMMENTS
5	6/16/2021	REVISED PER COMMENTS
6	6/16/2021	REVISED PER COMMENTS
7	6/16/2021	REVISED PER COMMENTS
8	6/16/2021	REVISED PER COMMENTS
9	6/16/2021	REVISED PER COMMENTS
10	6/16/2021	REVISED PER COMMENTS

ATLAS
Technical Consulting, LLC

DATE: 6/16/2021
DRAWN BY: [Signature]
CHECKED BY: [Signature]

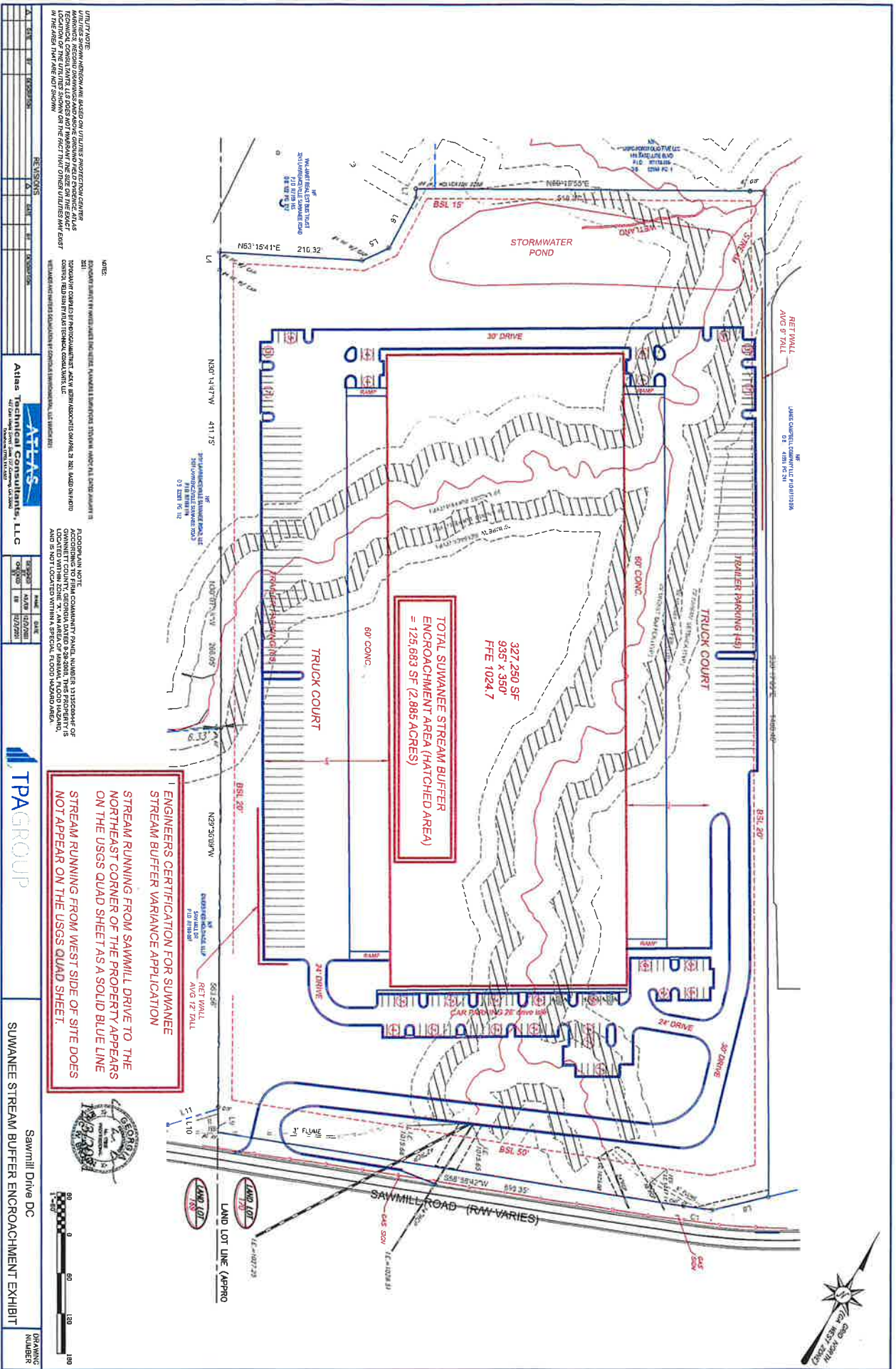
TPAGROUP

Sawmill Drive DC
STREAM BUFFER IMPACTS

DRAWING NUMBER
C-81

N-2022-002





UNITS NOTE:
 UNITS ARE SHOWN BASED ON US CUSTOMARY UNITS. ALL DIMENSIONS ARE IN FEET AND INCHES. DIMENSIONS ARE SHOWN TO THE CENTERLINE UNLESS OTHERWISE NOTED. DIMENSIONS ARE SHOWN TO THE CENTERLINE UNLESS OTHERWISE NOTED. DIMENSIONS ARE SHOWN TO THE CENTERLINE UNLESS OTHERWISE NOTED.

NOTES:
 1. EXISTING STREAM CHANNELS ARE SHOWN IN RED. PROPOSED CHANNELS ARE SHOWN IN BLUE. ALL CHANNELS ARE TO BE MAINTAINED AT ALL TIMES.
 2. ALL CHANNELS ARE TO BE MAINTAINED AT ALL TIMES.
 3. ALL CHANNELS ARE TO BE MAINTAINED AT ALL TIMES.

ADDITIONAL NOTE:
 THIS PLAN IS A PRELIMINARY PLAN. THE OWNER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE OWNER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

ENGINEERS CERTIFICATION FOR SWANNEE STREAM BUFFER VARIANCE APPLICATION:
 STREAM RUNNING FROM SAWMILL DRIVE TO THE NORTHEAST CORNER OF THE PROPERTY APPEARS ON THE USGS QUAD SHEET AS A SOLID BLUE LINE STREAM RUNNING FROM WEST SIDE OF SITE DOES NOT APPEAR ON THE USGS QUAD SHEET.

DATE	DESCRIPTION	BY	CHKD
11/10/22	REVISED	JM	JK
10/10/22	ISSUED FOR PERMITTING	JM	JK
09/10/22	ISSUED FOR PERMITTING	JM	JK
08/10/22	ISSUED FOR PERMITTING	JM	JK
07/10/22	ISSUED FOR PERMITTING	JM	JK
06/10/22	ISSUED FOR PERMITTING	JM	JK
05/10/22	ISSUED FOR PERMITTING	JM	JK
04/10/22	ISSUED FOR PERMITTING	JM	JK
03/10/22	ISSUED FOR PERMITTING	JM	JK
02/10/22	ISSUED FOR PERMITTING	JM	JK
01/10/22	ISSUED FOR PERMITTING	JM	JK

ATLAS Technical Consultants, LLC
 4200 Peachtree Dunwoody Road, Suite 100
 Atlanta, GA 30340
 (404) 487-1100
 www.atlas-technical.com

TPA GROUP
 Sawmill Drive DC
 SWANNEE STREAM BUFFER ENCROACHMENT EXHIBIT

Y-2022-002

SITE PLAN



Location Map
V-2022-002

Legend



Subject Property

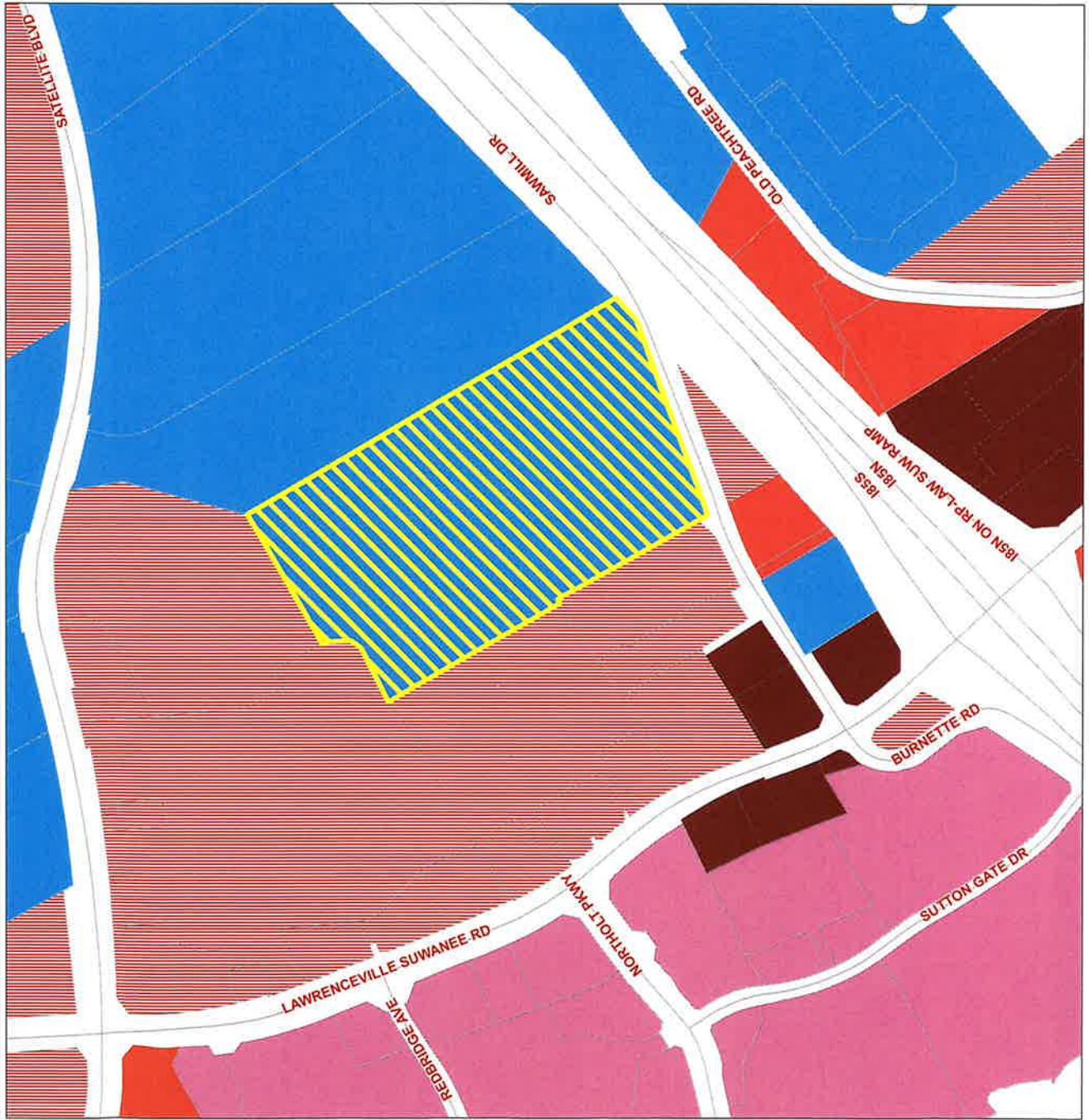




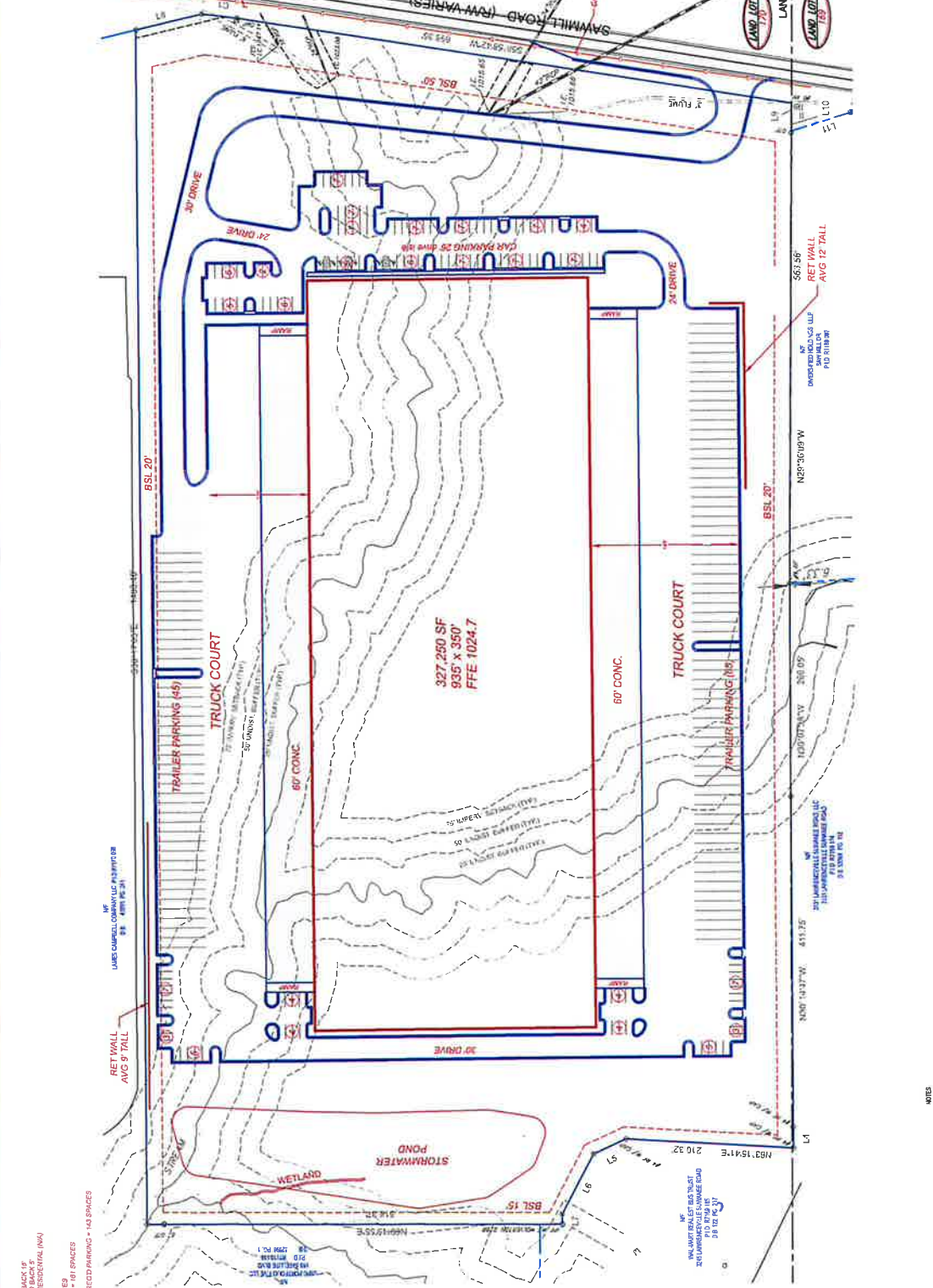
Zoning Map V-2022-002

Legend

ZONING	Subject Property
C-1	[Yellow diagonal lines]
C-2	[Red diagonal lines]
C-2A	[Red horizontal lines]
C-3	[Dark red diagonal lines]
GCA	[Green diagonal lines]
IRD	[Orange diagonal lines]
M-1	[Blue diagonal lines]
OI	[Grey diagonal lines]
OTCD	[Light pink diagonal lines]
PMUD	[Pink diagonal lines]
R-100	[Yellow diagonal lines]
R-140	[Light green diagonal lines]
R-75	[Yellow diagonal lines]
R-85	[Olive diagonal lines]
RM6	[Brown diagonal lines]
RM8	[Dark brown diagonal lines]
Old Town Overlay District	[Grey diagonal lines]
City Limits	[Black dashed line]



Variances:
V-2022-002
supplemental information



S1E LOCATED IN CITY OF SUWANEE, GA
 BUILDING SETBACKS FROM 20' SIDE 20' BACK OF
 TRANSITIONAL BUFFER BY ADJACENT TO RESIDENTIAL (VA)
 REQUIRED MINIMUM PARKING
 5000 SF OFFICE = 3 SPACES @ 16' SPACES
 WITH 20% ADMIN VARIANCE REDUCTION REQUIRED PARKING = 143 SPACES
 PARKING PROVIDED: 143 SPACES

NOTES
 1. ALL DIMENSIONS ARE BASED ON THE SURVEY PROVIDED.
 2. ALL DIMENSIONS ARE BASED ON THE SURVEY PROVIDED.
 3. ALL DIMENSIONS ARE BASED ON THE SURVEY PROVIDED.
 4. ALL DIMENSIONS ARE BASED ON THE SURVEY PROVIDED.
 5. ALL DIMENSIONS ARE BASED ON THE SURVEY PROVIDED.

FLOODPLAIN NOTE:
 CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE
 FLOODPLAIN REGULATIONS OF THE STATE OF GEORGIA.
 THE PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA.
 THE FLOODPLAIN REGULATIONS SHALL BE OBTAINED FROM THE
 LOCAL GOVERNMENT.

NO.	DATE	BY	DESCRIPTION
1	01/27/22	JL	ISSUED FOR PERMITS
2	02/01/22	JL	REVISED PER COMMENTS
3	02/01/22	JL	REVISED PER COMMENTS
4	02/01/22	JL	REVISED PER COMMENTS
5	02/01/22	JL	REVISED PER COMMENTS

ATLAS
 Atlas Technical Consultants, LLC
 1000 Peachtree Street, NE
 Atlanta, GA 30309
 (404) 525-1100
 www.atlasconsultants.com

TPA GROUP
 1000 Peachtree Street, NE
 Atlanta, GA 30309
 (404) 525-1100
 www.tpa.com

Sawmill Drive DC
 CONCEPT SITE PLAN

DRAWING NUMBER

V-2022-002



PLAN REVIEW #:
SDC4

EROSION SEDIMENT & POLLUTION CONTROL PLAN REVIEW
Gwinnett County SOIL AND WATER CONSERVATION DISTRICT

<u>2/18/2022</u> DATE ON PLANS	<u>Suwanee</u> LIA	<u>2/22/2022</u> DATE RECEIVED
<u>103.40</u> TOTAL PROJECT ACRES		<u>26.30</u> TOTAL DISTURBED ACRES
<u>Sawmill Dr. Distribution Center</u> NAME OF PROJECT	<u>Sawmill Dr. Suwanee (Gwinnett)</u> ADDRESS (INCLUDING COUNTY)	
Lat: <u>34.03285</u> Long: <u>-84.04701</u> SPECIFIC INFORMATION ON PROJECT (GPS Location)		
<u>Eric W. Brown</u> DESIGN PROFESSIONAL	<u>18452 - 10/6/24</u> LEVEL II CERTIFICATION/EXPIRATION DATE	<u>AmC2, BcD, Cfc2, Cfs, MiC2, MiD2, MiF2, RNF, WrE2</u> SOIL SERIES
<u>Sawmill Drive Partners, LLC.</u> APPLICANT	<u>1776 Peachtree St. NW Atlanta, GA</u> ADDRESS	<u>770-436-3400</u> PHONE NUMBER

REPORT OF TECHNICAL REVIEW

X The Erosion Sediment and Pollution Control Plan for the above named project or activity meets the requirements of the Erosion and Sediment Control Ordinance or Rules and Regulations Governing Land-Disturbing Activities in Suwanee under the provisions of the Erosion and Sedimentation Act of 1975, as amended.

 The Erosion Sediment and Pollution Control Plan for the above named project or activity does not meet the requirements in Suwanee through failure to include the following listed at the bottom of the page.

> Any questions, comments, or concerns regarding this plan review should be addressed to:

Technical review by: Stuart Suttle
Level II Certification #/Expiration Date: 76937 - 12/18/23
Organization: GSWCC
Date: 02/24/22

The technical review as accomplished and reported above was done at the request of and is concurred by the Gwinnett County Soil and Water Conservation District.

DISTRICT SUPERVISOR

DATE

Comments:

V-2022-002

EROSION & SEDIMENT CONTROL PLANS

SAWMILL DRIVE DISTRIBUTION CENTER

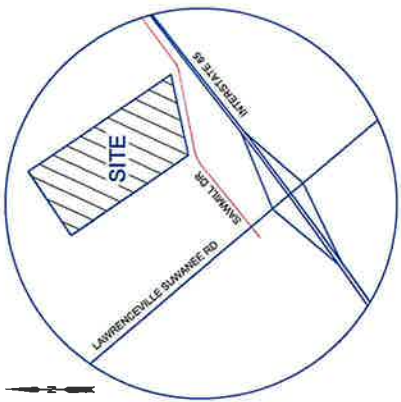
PARCEL NUMBER 7170 004
 SAWMILL DRIVE
 SUWANEE GA

LANDLOT 170, GWINNETT COUNTY, GA

OWNER
 SAWMILL DRIVE INDUSTRIAL PARTNERS, LLC
 1776 PEACHTREE ST., SUITE 100
 ATLANTA, GA 30309

DEVELOPER
 SAWMILL DRIVE INDUSTRIAL PARTNERS, LLC
 1776 PEACHTREE ST., SUITE 100
 ATLANTA, GA 30309

24 HOUR CONTACT
 REES WAITE 770-436-3400



VICINITY MAP
NTS

SHEET INFORMATION: SHEET # 1
 LANDLOT 170, GWINNETT COUNTY, GA
 PARCEL NUMBER 7170 004
 DISTRICT 170, GWINNETT COUNTY, GA
 APPROXIMATE AREA = 17.4 ACRES
 RECORDING NUMBER FOR THIS PROJECT: **RECORDING TO COMMENCE CONSTRUCTION**
 DATE: 02/21/2022

DESIGNER:
 ATLAS TECHNICAL CONSULTANTS, LLC
 407 EAST MAPLE STREET, SUITE 107, CUMMING, GA 30040
 PHONE: 770-436-3400
 FAX: 770-436-3401
 WWW.ATLASCOUNTY.COM

CONTRACTOR:
 SAWMILL DRIVE INDUSTRIAL PARTNERS, LLC
 1776 PEACHTREE STREET, SUITE 100, ATLANTA, GA 30309
 PHONE: 770-436-3400
 FAX: 770-436-3401
 WWW.SAWMILLDRIVE.COM

DATE: 02/21/2022

PROJECT: SAWMILL DRIVE INDUSTRIAL PARTNERS, LLC
 1776 PEACHTREE STREET, SUITE 100, ATLANTA, GA 30309
 PROJECT DOES NOT CONTAIN 100 YEAR FLOODPLAIN INFORMATION

NOTES:
 1. THIS PLAN IS THE PROPERTY OF ATLAS TECHNICAL CONSULTANTS, LLC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ATLAS TECHNICAL CONSULTANTS, LLC.
 2. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
 3. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
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 10. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

CONSTRUCTION EXIT LOCATION
 LAT: 34.03285
 LONG: -84.04701

INDEX

C-0	COVER SHEET - EROSION & SEDIMENT CONTROL
C-1	EXISTING CONDITIONS
C-2	NOTES & CHECKLIST
C-3	INITIAL PHASE PLAN
C-4	GRADING PHASE PLAN
C-5	FINAL PHASE PLAN
C-6	DETAILS
C-7	NOTES
C-8	PREDEVELOPED DRAINAGE MAP
C-9	POSTDEVELOPED DRAINAGE MAP
C-10	FUND OUTLET CONTROL STRUCTURE



Know what's
 Below
 Call before you dig



Prepared By
ATLAS
 Atlas Technical Consultants, LLC
 407 East Maple Street, Suite 107, Cumming, GA 30040
 Telephone: (770) 781-5507

DATE	02/21/2022
REVISION	
1	REVISION
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49	REVISION
50	REVISION

V-2022-002

PROJECT DESCRIPTION
 THE PROJECT CONSISTS OF CLEARING AND GRADING WOODS HILL, WEST OF THE INTERSECTION OF THE
 PRIMARY PERMITS:
 SAWMILL DRIVE INDUSTRIAL PARTNERS, LLC
 275 West 100th Street, NY
 ALBANY, NY 12208
 PHONE: 774-644-3400
 24 HOUR CONTACT: Remy Yank: 404-538-1229

DATE OF EES PLAN PREP: 03/02/2022
REQUESTED BY: DESCRIPTION

PROJECT DISTURBED AREA = 263.3 ACRES
DRAINAGE AREA TO POND = 1034 ACRES
EXISTING DISTURBED AREA = 1034 ACRES
EXISTING DISTURBED AREA = 1034 ACRES
EXISTING DISTURBED AREA = 1034 ACRES

RECORDS MAINTAINED FOR THIS PROJECT: NECESSARY TO MAINTAIN CHECK

THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES AND PRACTICES PRIOR TO LAND-DISTURBING ACTIVITIES.

EROSION AND SEDIMENT CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE CONTROL, ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.

ADDITIONAL EROSION CONTROL MEASURES TO BE USED AS REQUIRED BY THE CONSTRUCTION ENGINEER.

2. DISTURBED AREAS LEFT OPEN FOR 7 DAYS AND NOT TO BE COVERED SHALL BE STABILIZED WITH MULCH, TURFGRASS, OR OTHER APPROPRIATE VEGETATION TO PREVENT EROSION AND SEDIMENTATION. MULCH SHALL BE APPLIED TO ALL AREAS TO BE STABILIZED TO PREVENT EROSION AND SEDIMENTATION. MULCH SHALL BE APPLIED TO ALL AREAS TO BE STABILIZED TO PREVENT EROSION AND SEDIMENTATION. MULCH SHALL BE APPLIED TO ALL AREAS TO BE STABILIZED TO PREVENT EROSION AND SEDIMENTATION.

4. LAND DISTURBANCE CONTROL (LDC) SHALL BE INSTALLED ON ALL AREAS TO BE STABILIZED WITH MULCH, TURFGRASS, OR OTHER APPROPRIATE VEGETATION TO PREVENT EROSION AND SEDIMENTATION. LDC SHALL BE INSTALLED ON ALL AREAS TO BE STABILIZED WITH MULCH, TURFGRASS, OR OTHER APPROPRIATE VEGETATION TO PREVENT EROSION AND SEDIMENTATION.

5. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED PRIOR TO ANY SIGNIFICANT RAIN.

6. EROSION CONTROL MEASURES SHALL BE CHECKED AFTER EACH STORM EVENT. LDC SHALL BE MAINTAINED OR REPAIRED AS NECESSARY TO PREVENT EROSION AND SEDIMENTATION. LDC SHALL BE MAINTAINED OR REPAIRED AS NECESSARY TO PREVENT EROSION AND SEDIMENTATION.

7. EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED PRIOR TO ANY SIGNIFICANT RAIN.

8. EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED PRIOR TO ANY SIGNIFICANT RAIN.

9. EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED PRIOR TO ANY SIGNIFICANT RAIN.

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11. EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED PRIOR TO ANY SIGNIFICANT RAIN.

12. EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED PRIOR TO ANY SIGNIFICANT RAIN.

13. EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED PRIOR TO ANY SIGNIFICANT RAIN.

14. EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED PRIOR TO ANY SIGNIFICANT RAIN.

CONSTRUCTION SCHEDULE - 2022-2023



NO LAND DISTURBANCE POINT (LDP) WILL BE ISSUED WITHOUT THE SUBMITTAL OF A WRITING OF INTENT (WOI).

THE EROSION PROFESSIONAL AND PREPARED THE EROSION PLAN TO BE USED TO PREVENT EROSION AND SEDIMENTATION. THE EROSION PROFESSIONAL AND PREPARED THE EROSION PLAN TO BE USED TO PREVENT EROSION AND SEDIMENTATION.

NON-COAST ACTIVITIES SHALL NOT BE CONDUCTED UNTIL THE 30 DAY LDC IS FULLY IMPLEMENTED. NON-COAST ACTIVITIES SHALL NOT BE CONDUCTED UNTIL THE 30 DAY LDC IS FULLY IMPLEMENTED.

STORM DRAINAGE SHALL BE MAINTAINED AND REPAIRED PRIOR TO ANY SIGNIFICANT RAIN. STORM DRAINAGE SHALL BE MAINTAINED AND REPAIRED PRIOR TO ANY SIGNIFICANT RAIN.

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SOILS LEGEND

Map Unit Symbol	Map Unit Name
AmC2	Appling sandy loam, 6 to 10 percent slopes, moderately eroded
B0D	Bainbridge and Cecil soils, 6 to 15 percent slopes
C0C2	Cecil clay loam, 6 to 10 percent slopes, eroded
C0S	Chewach silt loam, 0 to 2 percent slopes, frequently flooded
M0C2	Nadison sandy clay loam, 6 to 10 percent slopes, moderately eroded
M0D2	Nadison sandy clay loam, 10 to 15 percent slopes, moderately eroded
M0F2	Nadison sandy clay loam, 15 to 45 percent slopes, eroded
RNF	Rains and Reddick loams, 15 to 45 percent slopes, stony
W0C2	Wadsworth sandy loam, 10 to 25 percent slopes, eroded

1. ADDITIONAL EROSION CONTROL MEASURES TO BE USED AS REQUIRED BY THE CONSTRUCTION ENGINEER.

2. DISTURBED AREAS LEFT OPEN FOR 7 DAYS AND NOT TO BE COVERED SHALL BE STABILIZED WITH MULCH, TURFGRASS, OR OTHER APPROPRIATE VEGETATION TO PREVENT EROSION AND SEDIMENTATION. MULCH SHALL BE APPLIED TO ALL AREAS TO BE STABILIZED TO PREVENT EROSION AND SEDIMENTATION. MULCH SHALL BE APPLIED TO ALL AREAS TO BE STABILIZED TO PREVENT EROSION AND SEDIMENTATION.

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9. EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED PRIOR TO ANY SIGNIFICANT RAIN.

REVISIONS

NO.	DATE	DESCRIPTION	BY	DATE
1	03/02/2022	ISSUED FOR PERMIT	REMY YANK	03/02/2022

PROJECT NAME: SAWMILL DRIVE INDUSTRIAL PARTNERS, LLC

CITY/COUNTY: ALBANY, NY

DATE OF THIS SHEET: 03/02/2022

DESIGNED BY: REMY YANK

CHECKED BY: REMY YANK

DATE OF THIS SHEET: 03/02/2022

PROJECT NAME: SAWMILL DRIVE INDUSTRIAL PARTNERS, LLC

CITY/COUNTY: ALBANY, NY

PROFESSIONAL ENGINEER

REMY YANK

03/02/2022

ALBANY, NY

REMY YANK

03/02/2022

ALBANY, NY

REMY YANK

03/02/2022

ALBANY, NY

SCALE



DATE

03/02/2022

REMY YANK

03/02/2022

ALBANY, NY

REMY YANK

03/02/2022

ALBANY, NY

DRAWING NUMBER

C-02

NOTES AND CHECKLIST-EROSION & SEDIMENT CONTROL

SAWMILL DRIVE INDUSTRIAL PARTNERS, LLC

REVISIONS

DATE

03/02/2022

REMY YANK

03/02/2022

ALBANY, NY

PROJECT NAME

SAWMILL DRIVE INDUSTRIAL PARTNERS, LLC

CITY/COUNTY

ALBANY, NY

DATE OF THIS SHEET

03/02/2022

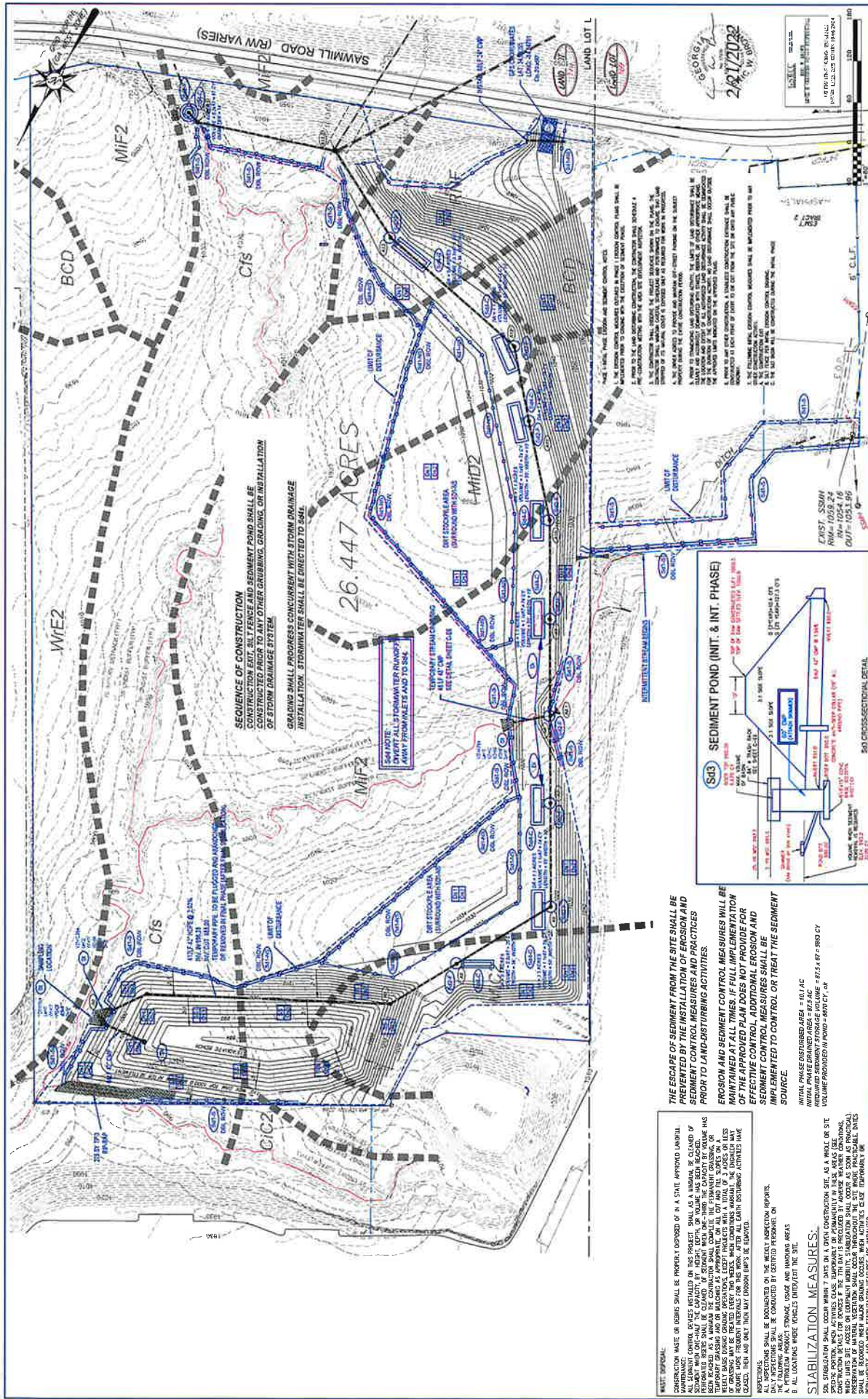
DESIGNED BY

REMY YANK

03/02/2022

ALBANY, NY

200-2202-V



SEQUENCE OF CONSTRUCTION
 CONSTRUCTION EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND SHALL BE REMOVED ONLY AFTER THE CONSTRUCTION IS COMPLETE AND THE SITE IS RESTORED TO ORIGINAL OR BETTER CONDITION.

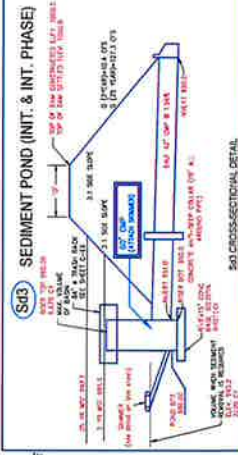
26.447 ACRES

SAWYER DRAINAGE DITCH
 DIVERT ALL DRAINAGE AWAY FROM PLOTS AND TO S&S.

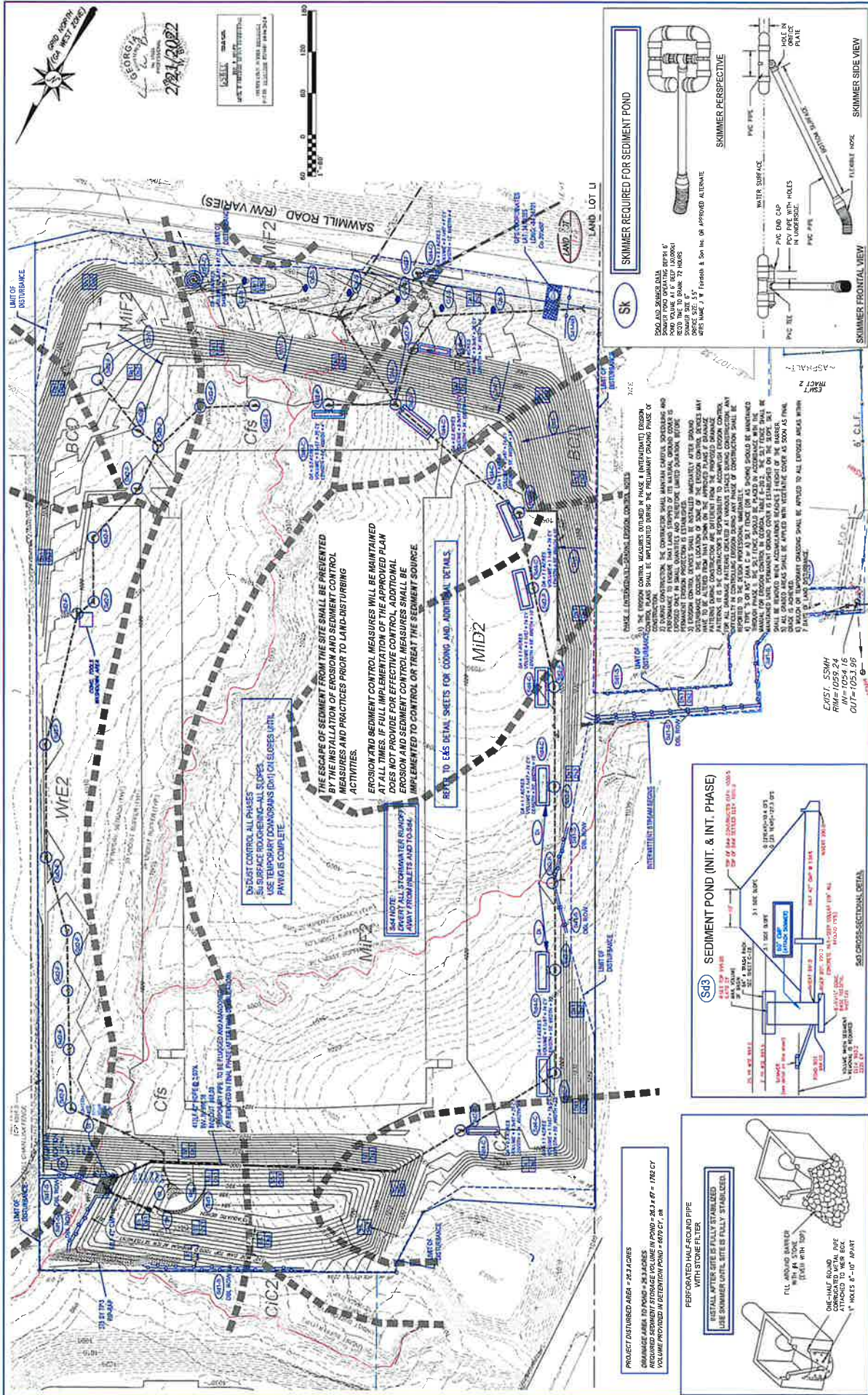
THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES AND PRACTICES PRIOR TO LAND-DISTURBING ACTIVITIES.
EROSION AND SEDIMENT CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE CONTROL, ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.

INITIAL PHASE DISTURBED AREA = 60.1 AC
 RECALCULATED SEDIMENT STORAGE VOL. (LIME) = 675.1 FT³ @ 90% CY
 VOLUME PROVIDED BY POND = 6470 CY

STABILIZATION MEASURES:
 SOIL STABILIZATION SHALL OCCUR WITHIN 7 DAYS OF A OPEN CONSTRUCTION SITE, AS A WHOLE OR SITE SPECIFIC. STABILIZATION SHALL OCCUR AS SOON AS PRACTICAL. CONSTRUCTION SHALL BE STOPPED IMMEDIATELY IN THE EVENT OF A RAINFALL EVENT. STABILIZATION SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND SHALL BE REMOVED ONLY AFTER THE CONSTRUCTION IS COMPLETE AND THE SITE IS RESTORED TO ORIGINAL OR BETTER CONDITION.



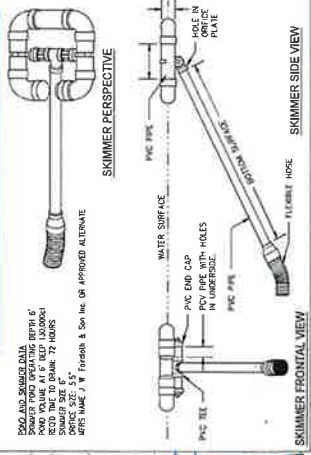
V-2022-002



DATE: 2/24/2022
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]

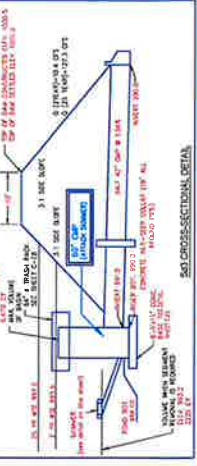
SCALE: 1" = 40'
 0 40 80 120 160
 FEET

SKIMMER REQUIRED FOR SEDIMENT POND

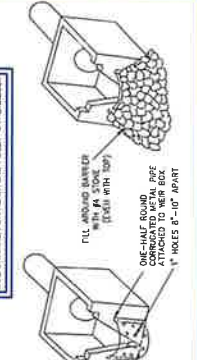


POSSIBLE TO BE USED IN A POND WITH A DEPTH OF 18\"/>

SEDIMENT POND (INIT. & INT. PHASE)



PERFORATED HALF-ROUND PIPE WITH STONE FILTER



THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES AND PRACTICES PRIOR TO LAND-DISTURBING ACTIVITIES.

EROSION AND SEDIMENT CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE CONTROL, ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.

REF. TO E&S DETAIL SHEETS FOR COUING AND ANTIWIND DETAILS.

SEE NOTE: ALL CONCRETE WATER BARRIERS SHALL BE AWAY FROM PAVED AREAS AND TOSSAL.

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Sawmill Drive DC
 INTERMEDIATE PHASE E&S PLAN

SAWMILL DRIVE INDUSTRIAL PARTNERS, LLC

Atlas Technical Consultants, LLC
 417 East Main Street, Suite 100, Tallahassee, FL 32301
 TEL: 904.209.1111 FAX: 904.209.1112

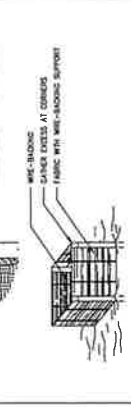
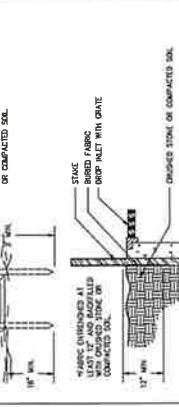
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3	02/24/2022	ISSUED FOR PERMITS	[Signature]	[Signature]
4	02/24/2022	ISSUED FOR PERMITS	[Signature]	[Signature]
5	02/24/2022	ISSUED FOR PERMITS	[Signature]	[Signature]
6	02/24/2022	ISSUED FOR PERMITS	[Signature]	[Signature]
7	02/24/2022	ISSUED FOR PERMITS	[Signature]	[Signature]
8	02/24/2022	ISSUED FOR PERMITS	[Signature]	[Signature]
9	02/24/2022	ISSUED FOR PERMITS	[Signature]	[Signature]
10	02/24/2022	ISSUED FOR PERMITS	[Signature]	[Signature]

PROJECT DISTURBED AREA = 24.3 ACRES
 DEMAND FOR POND = 94,340 GALLONS
 REQUIRED SEDIMENT STORAGE VOLUME IN POND = 24.3 x 47 = 1162 CY
 VOLUME PROVIDED IN DETENTION POND = 487 CY, OK

V-202-002

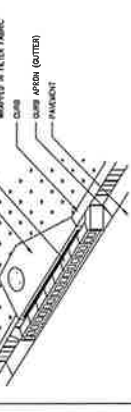
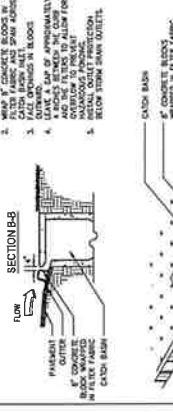
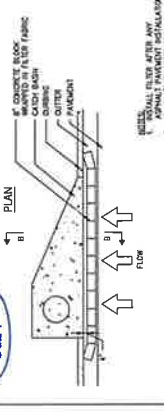
FABRIC AND SUPPORTING FRAME FOR INLET PROTECTION

Su-F



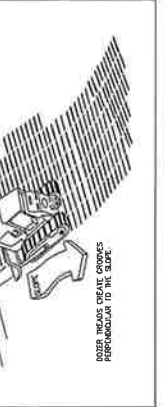
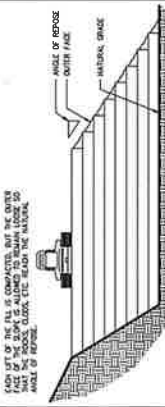
CURB INLET FILTER "PIGS IN BLANKET"

Su-P



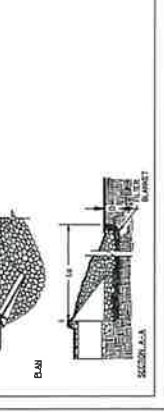
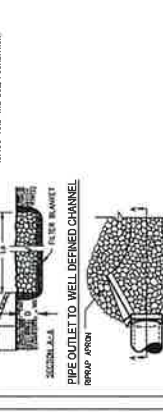
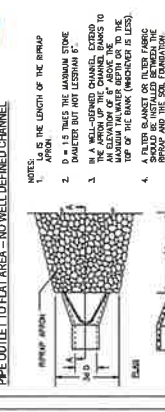
FILL SLOPE TREATMENT

Su



RIPPRAP OUTLET PROTECTION

Si



SEEDING SCHEDULE: Ds2Ds3

1. All disturbed areas shall receive grassing. Ripraped erosion grassing in kind as indicated on the plans using proper application. All other areas shall receive grassing using one of the following seed schedules:

Planting Date	Rate (Lbs/Acre)	Mixture
March thru June	60	40
SERICEA LESPEDEZA (SCARIFIED)	10	10
BERMUDA GRASS (MULLED)	50	40
FESCUE		
June thru September	60	40
SERICEA LESPEDEZA (SCARIFIED)	25	25
BERMUDA GRASS (MULLED)	10	10
FESCUE	50	40
September thru March	75	75
SERICEA LESPEDEZA (UNSCARIFIED)	50	40
FESCUE	25	25
RYE	50	50

2. Prior to seed application turf soil as follows:
 a. Two (2) Tons application/line/acre
 1500 lbs 6-12 inch/acre

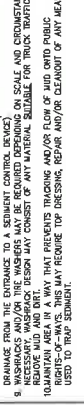
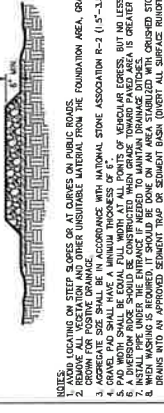
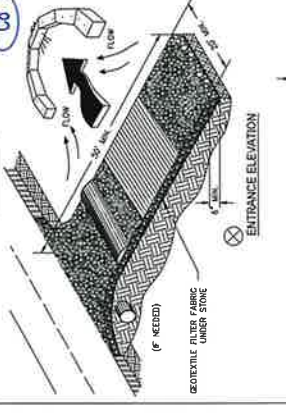
Thoroughly incorporate the above amendments into the first two or three inches of soil. After seeding, firm the seeds into the top 1/4" of soil. Mutch immediately after seeding with rubber shoes, rakes, or weed matting. Straw or hay shall be applied at a rate of 100 lbs/1000 S.F. Hay or straw will be incorporated with an address. Water as needed to establish seedlings.

NOTE:
 Plants to specify, incorporate commercial culture according to manufacturer's instructions.

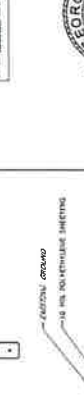
Material	Quantity
WATER	1.00
WOOD	1.00
WASTE	1.00
CHIPS	1.00
SAWDUST	1.00
BARK	1.00

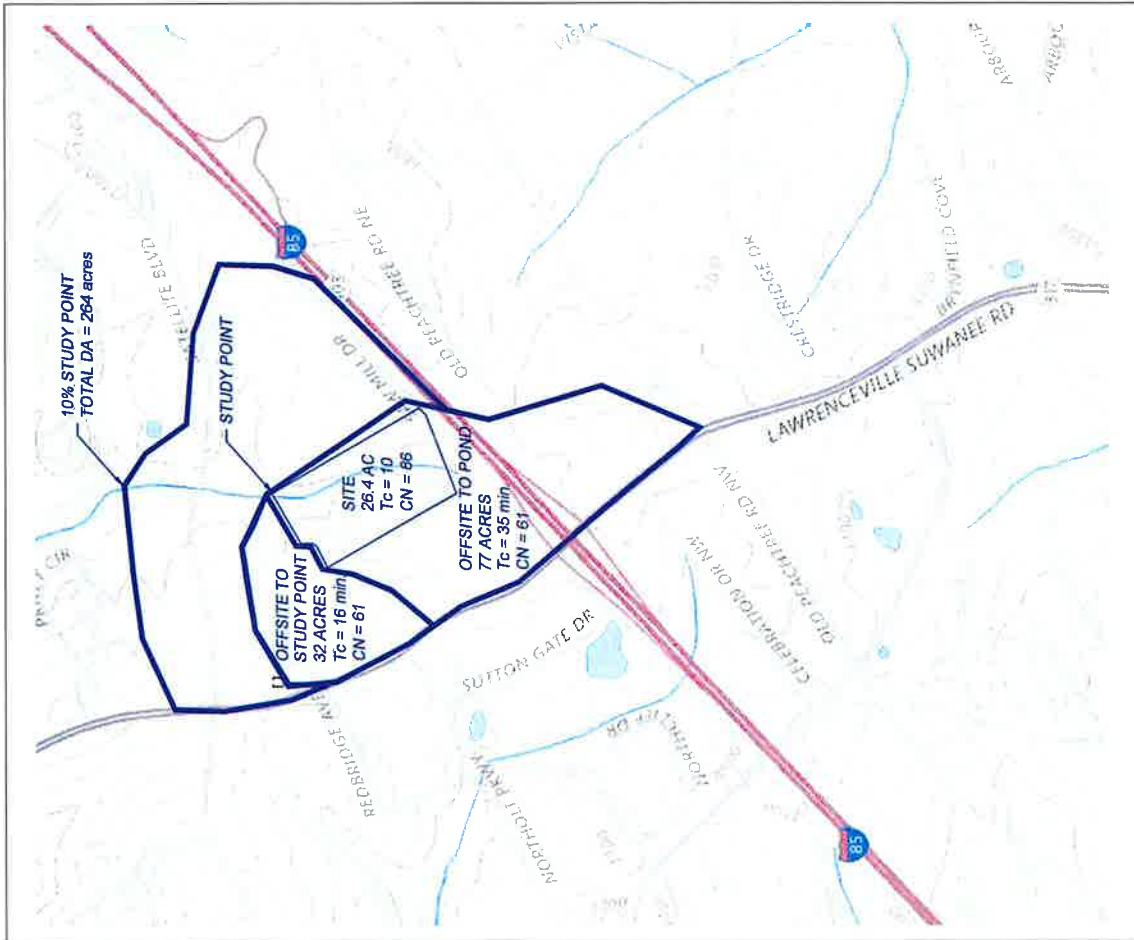
CRUSHED STONE CONSTRUCTION EXIT

Co



NOTES:
 1. LOCATING ON STEEP SLOPES OR AT CORNERS ON PUBLIC GRADES.
 2. REMOVE ALL VEGETATION AND OTHER UNSURFACED MATERIAL FROM THE FOUNDATION AREA, GRADE, AND EXPOSED SURFACE.
 3. CONCRETE SHALL BE IN ACCORDANCE WITH NATIONAL STONE ASSOCIATION R-2 (1.5"-3.75" STONE).
 4. GRAVEL PAD SHALL HAVE A MINIMUM THICKNESS OF 6".
 5. 6" LEAKAGE SLOPES, BUT NOT LESS THAN 2%.
 6. A 10' WIDE STRIP OF CRUSHED STONE SHALL BE CONSTRUCTED WITHIN GRADE TOWARD PAVED AREA IS GREATER THAN 2%.
 7. INSTALL PIPE UNDER THE ENTRANCE IF NEEDED TO MAINTAIN DRAINAGE DITCHES.
 8. DRAINAGE FROM THE DITCHES TO A SEPARATE COLLECTION POINT SHALL BE MAINTAINED.
 9. DRAINAGE FROM THE DITCHES TO A SEPARATE COLLECTION POINT SHALL BE MAINTAINED.
 10. NECESSARY WASHBOX REVISIONS MAY BE REQUIRED ON SCALE AND DIMENSIONS.
 11. MAINTAIN AREA IN A WAY THAT PREVENTS TRACKING AND/OR FLOW OF MUD ONTO PUBLIC RIGHTS-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANSING OF ANY MEASURES USED TO STOP EROSION.





REVISIONS

NO.	DATE	BY	DESCRIPTION

DATE: 12/7/2022
 TIME: 10:00 AM

PROJECT: SAWMILL DRIVE INDUSTRIAL PARTNERS, LLC

CLIENT: Sawmill Drive DC

PROJECT: POST-DEVELOPED DRAINAGE MAP

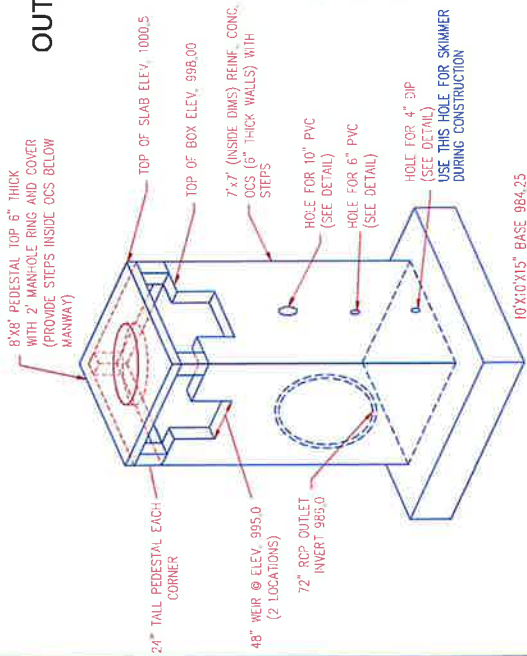
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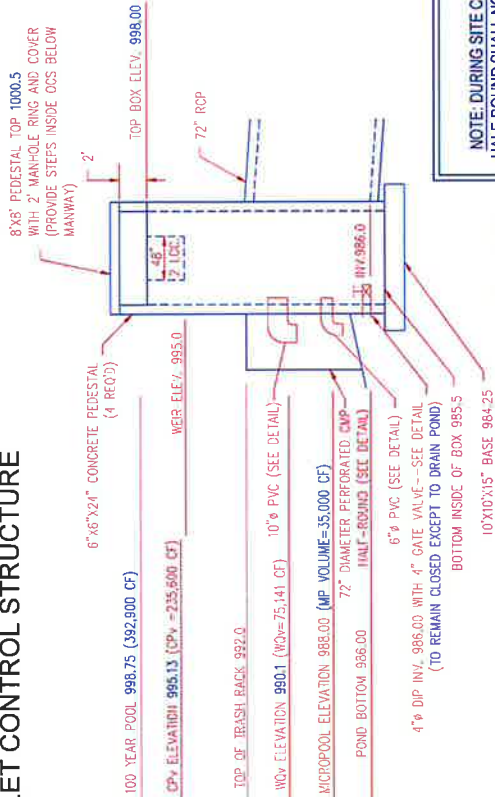
STATE OF GEORGIA
 SURVEYING
 2022

V-2022-002

OUTLET CONTROL STRUCTURE

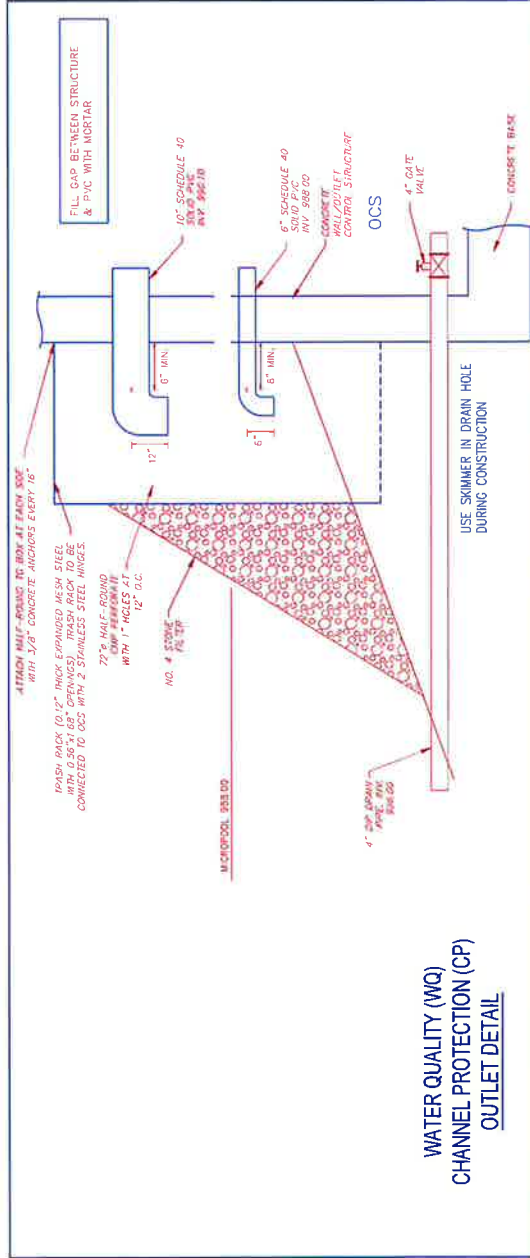


ISOMETRIC VIEW
N.T.S.



SIDE VIEW
N.T.S.

NOTE: DURING SITE CONSTRUCTION (UNTIL SITE IS STABILIZED), PERFORATED HALF-ROUND SHALL NOT BE INSTALLED—USE SKIMMER. REFER TO EROSION AND SEDIMENT CONTROL PLANS FOR REQUIREMENTS.



**WATER QUALITY (WQ)
CHANNEL PROTECTION (CP)
OUTLET DETAIL**



EMERGENCY SPILLWAY CROSS SECTION
N.T.S.



NO.	DATE	BY	DESCRIPTION

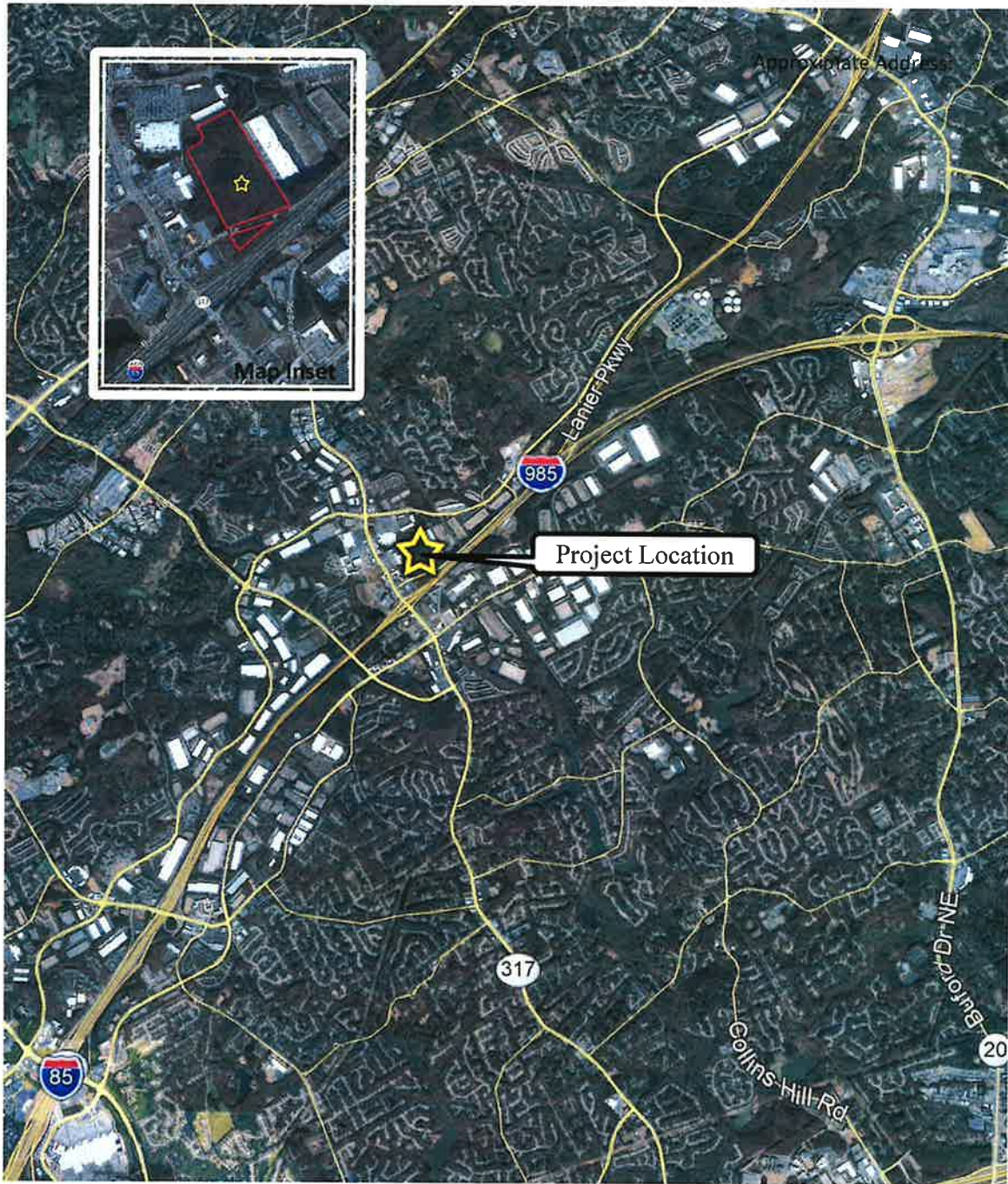
<p>Atlas Technical Consultants, LLC 1111 Peachtree Street, N.E. Atlanta, GA 30309</p>	<table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	NO.	DATE	BY	DESCRIPTION				
NO.	DATE	BY	DESCRIPTION						

SAWMILL DRIVE INDUSTRIAL PARTNERS, LLC

Sawmill Drive DC
POND OUTLET CONTROL STRUCTURE

DRAWING NUMBER
C8

V-2022-002



STUDY TYPE: INDIVIDUAL PERMIT EVALUATION

DATE: 5-27-2021

REVIEWED BY: LWB

CREATED BY: KMF

STREAM BUFFER VARIANCE

FIGURE 1: PROJECT LOCATION

APPLICANT: Sawmill Industrial Partners, LLC
Gwinnett County, Georgia



Benz
Environmental
Consulting, LLC

Y-2022-002



STUDY TYPE: INDIVIDUAL PERMIT EVALUATION

DATE: 5-27-2021

REVIEWED BY: LWB

CREATED BY: KMF

STREAM BUFFER VARIANCE

FIGURE 2: USFWS NATIONAL WETLANDS SURVEY MAP

APPLICANT: Sawmill Industrial Partners, LLC
Gwinnett County, Georgia



Benz
Environmental
Consulting, LLC

Y-2022-002



STUDY TYPE: INDIVIDUAL PERMIT EVALUATION

DATE: 5-27-2021

REVIEWED BY: LWB

CREATED BY: KMF

STREAM BUFFER VARIANCE

FIGURE 3: USGS QUADRANGLE MAP

APPLICANT: Sawmill Industrial Partners, LLC
Gwinnett County, Georgia



Benz
Environmental
Consulting, LLC

V-2022-002



STUDY TYPE: INDIVIDUAL PERMIT EVALUATION

DATE: 5-27-2021

REVIEWED BY: LWB

CREATED BY: KMF

STREAM BUFFER VARIANCE

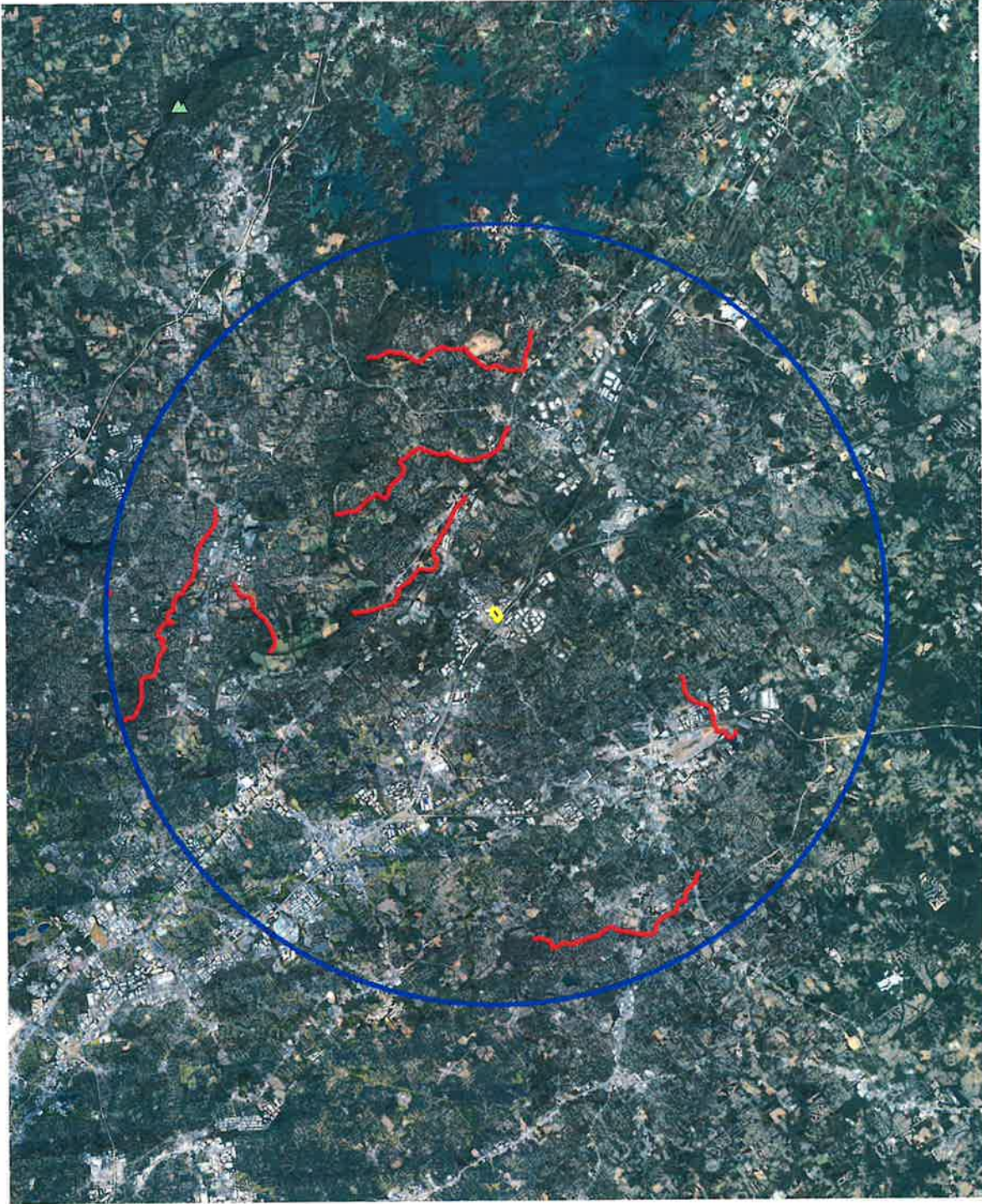
FIGURE 4: USGS SOIL SURVEY MAP

APPLICANT: Sawmill Industrial Partners, LLC
Gwinnett County, Georgia



Benz
Environmental
Consulting, LLC

V-2022-002



STUDY TYPE: INDIVIDUAL PERMIT EVALUATION

DATE: 5-27-2021

REVIEWED BY: LWB

CREATED BY: KMF

STREAM BUFFER VARIANCE

FIGURE 5: 10 MILE RADIUS WITH 303D LIST STREAMS

APPLICANT: Sawmill Industrial Partners, LLC
Gwinnett County, Georgia



Benz
Environmental
Consulting, LLC

V-2022-002



STUDY TYPE: INDIVIDUAL PERMIT EVALUATION

DATE: 5-27-2021

REVIEWED BY: LWB

CREATED BY: KMF

INDIVIDUAL PERMIT REQUEST

FIGURE 6: FEMA FLOODPLAN MAP

APPLICANT: Sawmill Industrial Partners, LLC
Gwinnett County, Georgia




Benz
Environmental
Consulting, LLC

V-2022-002



Produced By:





Contour Environmental LLC
 4462 Bretton Court NW, Suite 14
 Acworth, Georgia 30101

**FIGURE 7: AQUATIC RESOURCE
 DELINEATION MAP**
 Lawrenceville-Suwanee Road Tract
 Gwinnett County, Georgia
 For
 Benz Law Group
 CE20BEN:01
 January 5, 2021

LEGEND

- Property Boundary
- Perennial Stream
- Intermittent Stream
- Wetland

240

 Feet

N


Y-2022-002

Approvals

Suwanee Zoning Approval
Suwanee Letter of State Waters
US Army Corps of Engineers Section 404 CWA Permit
State of Georgia 401 Water Quality Certification
State of Georgia 25' Stream Buffer Variance

V-2022-002

City of Suwanee
Official Zoning Map Amendment
Resolution/Ordinance

Case Number: RZ-2021-001 .

At the regular meeting of the Suwanee City Council held at Suwanee City Hall, 330 Town Center Avenue, Suwanee, Georgia on a motion by Councilmember Pettiford , and seconded by Mayor Pro Tempore Miller , which carried by a vote of 6-0 , the following Resolution/Ordinance was adopted:

A Resolution/Ordinance to Amend the Official Zoning Map of the City of Suwanee

WHEREAS, an applicant has petitioned the City of Suwanee to amend the City's Official Zoning Map from C-2A (Special Commercial District) to M-1 (Light Industry District) , for the proposed use of a distribution facility , on property described on the attached legal description, which is incorporated herein by reference; and

WHEREAS, notice to the public regarding said Amendment has been duly published in the Gwinnett Daily Post, the Official Legal Organ of the City of Suwanee; and

WHEREAS, the City of Suwanee's Planning Commission reviewed the petition and filed a report with the City Council; and

WHEREAS, a duly advertised public hearing was held before the Suwanee City Council on March 23, 2021 ;

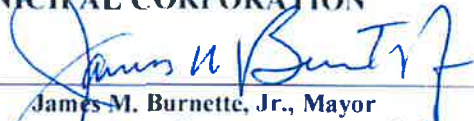
NOW THEREFORE, be it ordained and resolved and it is hereby resolved by the Mayor and Council of the City of Suwanee this the 23rd day of March , 2021 that the aforesaid application to amend the Official Zoning Map from C-2A (Special Commercial District) to M-1 (Light Industry District) is hereby **APPROVED WITH CONDITIONS**.

1. Tractor-trailer trucks (18-wheelers, semis, etc.) shall not be permitted to turn right when exiting the property onto Sawmill Drive. Any driver violating such provision shall be subject to prosecution with fines and penalties enumerated in the City's Code of Ordinances. Violations shall be subject to enforcement by the city of Suwanee Police department. Signage making drivers aware of this requirement shall be provided as directed by the City prior to issuance of a Certificate of Occupancy for the any structure on the property.

V-2022-002

APPROVED AND ADOPTED THIS 23 DAY OF March, 2021.

SUWANEЕ CITY COUNCIL, A GEORGIA MUNICIPAL CORPORATION

BY: 
James M. Burnette, Jr., Mayor

BY: 
Linnea Miller, Mayor Pro Tempore

BY: 
Pete Charpentier, Councilmember

BY: 
Heather Hall, Councilmember

BY: 
Beth Hilscher, Councilmember

BY: 
Larry Pettiford, Councilmember

ATTESTED TO BY:


ROBYN O'DONNELL, CITY CLERK

APPROVED AS TO FORM:


GREGORY D. JAY, CITY ATTORNEY
CHANDLER, BRITT & JAY, LLC



June 22, 2021

Laura Benz
Benz Environmental Consulting, LLC
19 W Broadway Street
Newnan, GA 30263

Subject: Saw Mill Drive DC Stream Buffer Impacts

Ms. Laura Benz:

The City of Suwanee has reviewed the parcels indicated in the attached exhibit, labelled "Sawmill Drive DC Stream Buffer Impacts", and agree with the areas labelled as perennial stream or intermittent stream and noted as areas state stream buffer impact.

In addition to the required State Stream Buffer variance, variances from the locally adopted Soil Erosion and Sedimentation Control Ordinance and Stream Buffer Protection Ordinance will as be required.

Feel free to reach out with any additional questions.

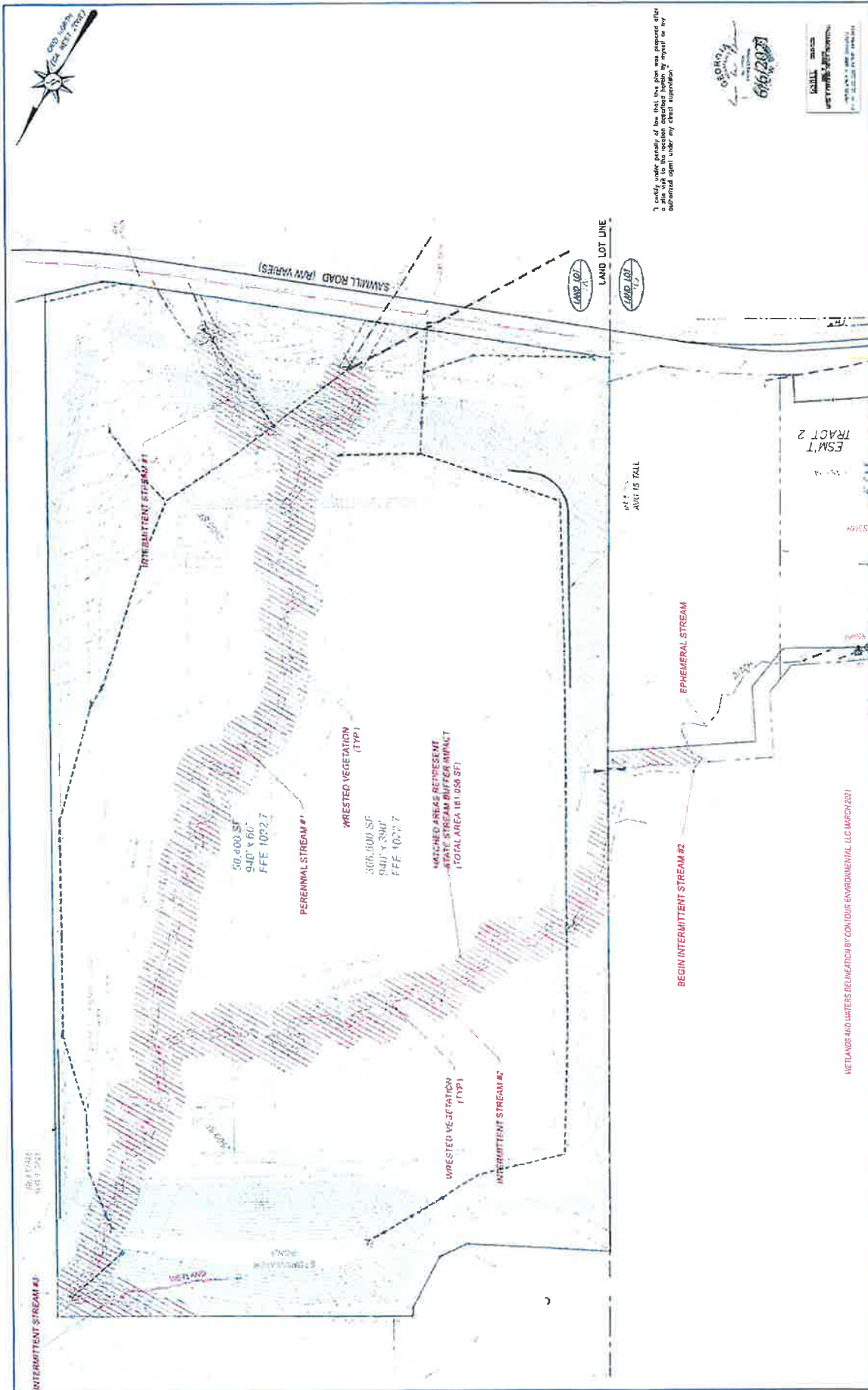
Sincerely,

A handwritten signature in blue ink, appearing to be "JC" or similar initials, written over a blue circular stamp or watermark.

Josh Campbell
Planning and Inspections Director

Y-2022-002





I hereby certify that the data on this plan were obtained from a reliable source and that the same are true and correct to the best of my knowledge and belief.



DATE: 6/16/22
 PROJECT: STREAM BUFFER IMPACTS
 DRAWING NO: C-B1

		Sawmill Drive DC STREAM BUFFER IMPACTS	
		Abae Technical Consultants, LLC	
NETLANDS AND WATERS DELINEATION BY CONTOUR ENVIRONMENTAL LLC (ARCH 2021)		DATE: 6/16/22 TIME: 10:00 AM SCALE: AS SHOWN	
DRAWING NUMBER: C-B1		SHEET NO. 1 OF 1	

V-2022-002

DEPARTMENT OF THE ARMY PERMIT

PERMITTEE: Sawmill Industrial Partners, LLC

PERMIT NUMBER: SAS-2021-00467

ISSUING OFFICE:

Savannah District, Regulatory Division
U.S. Army Corps of Engineers
4751 Best Road, Suite 140
College Park, Georgia 30337-5600

NOTE: The term "you" and its derivatives used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate District or Division office of the U.S. Army Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

PROJECT DESCRIPTION: The project involves the proposed construction of a 423,000 square foot distribution facility to include approximately 120 trailer parking spots, 80 surface parking spots, and other necessary supportive infrastructure including stormwater management facilities. Proposed project construction would result in the loss of 0.016 acre of wetland, 1,404 linear feet of intermittent stream, and 1,774 linear feet of perennial stream.

PROJECT LOCATION: The proposed project site is an approximately 27-acre site located west of Interstate 85, north-northeast of the Lawrenceville-Suwanee Road exit 111, within the City of Suwanee, Gwinnett County, Georgia (centered at approximately latitude 34.034867, longitude -84.047160).

1. PERMIT CONDITIONS:

a. General Conditions.

(1) The time limit for completing the work authorized by this Individual Permit ends on **October 5, 2026**. If you find that you need more time to complete the authorized activity, you must submit a request for your permit extension at least one month prior to the above date.

(2) You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this

V-2022-002

requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

(3) If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

(4) If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

(5) If a conditioned Water Quality Certification has been issued for your project, you must comply with conditions specified in the certification as Special Conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

(6) You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

(7) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States because of any such removal or alteration.

b. Special Conditions

1. Unless specifically authorized by this permit, no construction, discharge of fill material, excavation, mechanized land clearing, tree or other vegetation removal, stockpiling of fill material or other work/activity shall occur in waters of the United States.

2. If you or your contractors discover any federally listed threatened or endangered species and/or their habitat while accomplishing the activities authorized by this permit, you must immediately STOP work and notify the U.S. Army Corps of Engineers within 24 hours. The U.S. Army Corps of Engineers will contact the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service to determine if the

species and/or habitat warrant further consultation.

3. Prior to the commencement of any permitted work in aquatic resources, the permittee shall purchase 0.1 grandfathered wetland credits from the Soque River Mitigation Bank and 28,602 grandfathered stream credits from the Blue Creek Mitigation Bank and submit documentation of this credit purchases to the U.S. Army Corps of Engineers. The credit purchase documentation must reference the Corps file number assigned to the permitted project. If all or a portion of the required credits are not available from the proposed approved compensatory mitigation banks, the permittee shall obtain written approval from the Corps prior to purchasing credits from an alternate mitigation bank(s).

4. This permit does not authorize the interference with any existing or proposed Federal Project and the permittee shall not be entitled to compensation for damage or injury to the structures or work authorized herein, which may be caused by or result from existing or future operations undertaken by the United States in the public interest.

5. A copy of this permit, including the approved drawings and plans; special conditions; and any amendments shall be maintained at the work site whenever work is being performed. The permittee(s) shall assure that all contractors, subcontractors, and other personnel performing the permitted work are fully aware of the permit's terms and conditions.

6. The permittee shall notify the issuing office, in writing (email is acceptable), at least 10 business days in advance of their intent to commence work in waters of the United States for the permitted activity. The permittee shall also notify this office, in writing, 30 days after this project is completed using the enclosed Certification of Compliance Form. Post-construction photographs must be attached and returned with the compliance certification form.

7. All proposed work will be performed in accordance with the following plans:

a. "Erosion & Sediment Control Plans, Sawmill Drive Distribution Center", composed of a cover sheet (Drawing Number CO) and eleven additional sheets as follows: Sawmill Drive DC Existing Conditions (C1); Sawmill Drive DC Notes and Checklist -- Erosion & Sediment Control (C-E0); Sawmill Drive DC Initial Phase E&S Plan (C-E1); Sawmill Drive DC Intermediate Phase E&S Plan (C-E2); Sawmill Drive DC Final Phase E&S Plan (C-E3); Sawmill Drive DC Erosion and Sediment Control Details (C-E4); Sawmill Drive DC Erosion and Sediment Control Details (C-E5); Sawmill Drive DC NPDES Notes (C-E6); Sawmill Drive DC Predeveloped Drainage Map (C-E7); Sawmill Drive DC Post-developed Drainage Map (C-E8); and Sawmill Drive DC Pond Outlet Control Structure (C-E9), as prepared by Georgia Registered Professional Engineer Eric W. Brown of Atlas Technical Consultants, LLC for the TPA Group, and dated June 7, 2021; and

b. "Sawmill Drive DC Grading and Drainage Plan", as prepared by Georgia Registered Professional Engineer Eric W. Brown of Atlas Technical Consultants, LLC for the TPA Group, and dated September 17, 2021.

8. The permittee shall ensure that culverts installed in perennial streams, including replacement culverts, are constructed in accordance with the following conditions:

a. The width of the base flow culvert shall be approximately equal to the average width of the stream channel immediately above and below the culvert installation site. Culverts shall not permanently widen or constrict the channel or reduce or increase stream depth. Multi-pipe culverts may not be used to pass base flows. Culverts shall be sized to maintain the existing bank-full cross-sectional area, and to accommodate bank-full stream flows.

b. The upstream and downstream invert of culverts (except bottomless culverts) shall be buried/embedded to a depth of twenty percent of the culvert height to allow natural substrate to colonize the structures bottom and encourage fish movement.

c. Culvert slope shall be consistent with average slope of the stream in the immediate vicinity of the culvert installation site but shall not exceed 4 percent.

d. Culverts shall be sized to adequately accommodate anticipated storm events. Where floodplain is adjacent to the stream, an equalizer culvert(s) shall be installed at floodplain elevation to accommodate flood events exceeding bankfull. Sufficient equalizer culverts shall be installed to accommodate normal floodplain sheet flow. Culverts shall be installed in a manner that does not cause flooding of adjacent uplands, with the exception of floodplains, or the disruption of hydrology in aquatic areas located up and downstream of the culvert.

e. Unless specifically stated in this permit, installation of undersized culverts to attain storm water management or wastewater treatment is not authorized.

2. FURTHER INFORMATION:

a. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 United States Code (U.S.C.) § 403) and Section 404 of the Clean Water Act (33 U.S.C. § 1344).

b. Limits of this Authorization.

(1) This permit does not obviate the need to obtain other federal, state, or local authorizations required by law.

(2) This permit does not grant any property rights or exclusive privileges.

(3) This permit does not authorize any injury to the property or rights of others.

(4) This permit does not authorize interference with any existing or proposed federal projects.

c. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

(1) Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

(2) Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

(3) Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

(4) Design or construction deficiencies associated with the permitted work.

(5) Damage claims associated with any future modification, suspension, or revocation of this permit.

d. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

e. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require reevaluation include, but are not limited to, the following:

(1) You fail to comply with the terms and conditions of this permit.

(2) The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

(3) Significant new information surfaces which this office did not consider in reaching the original public interest decision. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 Code of Federal Regulations (C.F.R.) § 325.7, or enforcement procedures such as those contained in 33 C.F.R. § 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order, which requires you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate.

(4) You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 C.F.R. § 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

f. Extensions. General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the U.S. Army Corps of Engineers will normally consider a request for an extension of time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.




(PERMITTEE)

10-11-21

(DATE)

This permit becomes effective when the federal official, designated to act for the Secretary of the Army, has signed below.



Issued for and in behalf of:
JOSEPH R. GEARY, PhD, PE
COL, EN
Commanding

21OCT2021

(DATE)



ENVIRONMENTAL PROTECTION DIVISION

Richard E. Dunn, Director

EPD Director's Office
2 Martin Luther King, Jr. Drive
Suite 1456, East Tower
Atlanta, Georgia 30334
404-656-4713

Mr. David Diaz
Sawmill Industrial Partners, LLC
1776 Peachtree Street, NW, Suite 100
Atlanta, Georgia 30309,

Jun 29, 2021

Re: Water Quality Certification
Joint Public Notice SAS-2021-00467
Sawmill Industrial Warehouse
Upper Chattahoochee River Basin
Gwinnett County

Dear Mr. Diaz:

In accordance with Section 401 of the Federal Clean Water Act, 33 U.S.C. § 1341, the State of Georgia has evaluated the Sawmill Industrial Warehouse project submitted by Sawmill Industrial Partners, LLC, an applicant for a federal permit or license related to proposed activity in, on, or adjacent to the waters of the State of Georgia.

The State has examined the information regarding the Sawmill Industrial Warehouse project provided to it by Benz Environmental Consulting, LLC. In accordance with that information, the State of Georgia issues this Section 401 certification to Sawmill Industrial Partners, LLC. This Section 401 water quality certification is subject to the following terms and conditions:

1. To assure compliance with State water quality standards, the applicant shall conduct all activities in a manner that will assure water quality adequate or necessary to protect and maintain designated uses. 33 U.S.C. § 1313(a)-(d); O.C.G.A. § 12-5-23(c)(2),(6),(9),(15); Ga. Comp. R. and Regs. 391-3-6-.03(2)(i), (ii).
 - a. To prevent or avoid degradation of water quality downstream, the applicant shall install Best Management Practices (BMPs) that have been approved for in-water use to the extent practical and feasible, to minimize total suspended solids (TSS) and sedimentation for any work conducted within a state water or within the delineated boundaries of wetlands. 33 U.S.C. § 1313(a)-(d); O.C.G.A. § 12-5-23(c)(2), (6), (9), (15); O.C.G.A. § 12-5-29(a); O.C.G.A. §§ 12-7-6 to 7; Ga. Comp. R. and Regs. 391-3-6-.03(5).
 - b. In order to prevent or avoid violations of state water quality standards, the applicant must ensure that any fill placed in state waters must be clean fill that is free of solid waste, toxic, or hazardous contaminants. 33 U.S.C. §§ 1311; 1313(a)-(d); O.C.G.A. § 12-5-23(c)(2), (6), (9), (15); O.C.G.A. § 12-5-29(a); Ga. Comp. R. and Regs. 391-3-6-.03(5), (6), (11), (14)-(16).

V-2022-002

2. To prevent sedimentation of state waters, the applicant shall ensure that it obtains coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction for discharges comprised of storm water associated with construction activity and any required land disturbing activity permits intended to prevent soil erosion, sedimentation, and deposition into waters of the state. 33 U.S.C. § 1342(p); O.C.G.A. § 12-5-30; O.C.G.A. §§ 12-7-6 to 7; Ga. Comp. R. and Regs. 391-3-6-.06; Ga. Comp. R. and Regs. 391-3-6-.16.
3. Modifications to this Project may require an amendment to these conditions. Accordingly, the applicant must notify the Georgia Environmental Protection Division of any modifications to the proposed activity including, but not limited to, modifications to the construction or operation of any facility, or any new, updated, or modified applications for federal permits or licenses for the Project. 33 U.S.C. §§ 1311-1313; O.C.G.A. § 12-5-23(c)(2),(6),(9),(15); Ga. Comp. R. and Regs. 391-3-6-.03.

The Georgia Environmental Protection Division may invalidate or revoke this certification for failure to comply with any of these terms or conditions. This certification does not waive any other permit or other legal requirement applicable to this project or relieve the applicant of any obligation or responsibility for complying with the provisions of any other federal, state, or local laws, ordinances, or regulations.

It is your responsibility to submit this certification to the appropriate federal agency. If you have any questions regarding this certification, please contact Stephen Wiedl at Stephen.Wiedl@dnr.ga.gov/404-651-8459.

Sincerely,



Richard E. Dunn, Director
Environmental Protection Division

cc: Mr. Adam White, Corps
Mr. Eric Somerville, EPA
Mr. Donald Imm, USFWS
Ms. Laura Benz, Benz Environmental Consulting, LLC

V-2022-002



Richard E. Dunn, Director

EPD Director's Office

2 Martin Luther King, Jr. Drive
Suite 1456, East Tower
Atlanta, Georgia 30334
404-656-4713

Sep 13, 2021

Mr. David Diaz
Sawmill Industrial Partners, LLC
(TPAGROUP)
1776 Peachtree Road NW, Suite 100
Atlanta, GA 30309

RE: Request for Variance under the Provisions of O.C.G.A. 12-7-6(b)(15)
Sawmill Industrial Partners, LLC – Industrial Warehouse Facility
(Sawmill Drive, Suwanee, GA 30024)
Suwanee, Gwinnett County

Dear Mr. Diaz:

The Georgia Environmental Protection Division's Watershed Protection Branch has reviewed your stream buffer variance application for the subject project. The review was conducted to consider the potential impacts of the proposed project's encroachment on State waters within the context of the Georgia Erosion and Sedimentation Act. This review, and the variance granted herein, is limited to only the request(s) in the stream buffer variance application for permission to conduct land-disturbing activities within 25-foot areas located immediately adjacent to the banks of State waters where vegetation has been wrested by normal stream flow or wave action. To the extent there is a request in the buffer variance application to conduct land-disturbing activities within 25-foot areas located immediately adjacent to State waters where there is no vegetation that has been wrested by normal stream flow or wave action, such request has not been considered, and is not included as a part of the variance granted herein.

Pursuant to DNR Rule 391-3-7-.05(2)(h), authorization is hereby granted to encroach within the 25-foot buffer adjacent to State waters as delineated in the revised application dated July 25, 2021. ***However, this authorization is contingent upon receipt of a mitigation plan for this project approved by the United States Army Corps of Engineers (USACE) to be implemented as a condition of a current permit under Section 404 of the Clean Water Act.*** Buffer impacts authorized by this variance must be completed within five years of the date of this approval letter. If the approved buffer impacts cannot be completed prior to the expiration date, a time extension must be requested in writing at least 90 calendar days prior to the expiration date with justifiable cause demonstrated.

Authorization for the above referenced project is subject to the following conditions:

- 1) All graded slopes 3:1 or greater must be hydroseeded and covered with Georgia DOT approved wood fiber matting or coconut fiber matting. If not hydroseeded, Georgia DOT approved matting that has been incorporated with seed and fertilizer must be used. All slopes must be properly protected until a permanent vegetative stand is established;
- 2) The amount of land cleared during construction must be kept to a minimum;

X-2022-002


Mr. David Diaz
Sawmill Industrial Partners, LLC
Page 2

- 3) All disturbed areas must be seeded, fertilized and mulched as soon as the final grade is achieved. Also, these disturbed areas must be protected until permanent vegetation is established;
- 4) A double row of Georgia DOT type "C" silt fence or an approved high performance silt fence must be installed between the land disturbing activities and State waters where appropriate;
- 5) Buffer variance conditions must be incorporated into any Land Disturbing Activity Permit issued by the City of Suwanee for this project;
- 6) This project must be conducted in strict adherence to the approved erosion and sedimentation control plan and any Land Disturbing Activity Permit issued by the City of Suwanee;
- 7) The post-construction stormwater management system (including a micropool extended detention (ED) pond) must be maintained to ensure pollutant removal efficiencies for water quality protection; and
- 8) Sawmill Industrial Partners, LLC must submit documentation to EPD by return receipt certified mail or similar service that the USACE has approved a permit under Section 404 of the Clean Water Act with a mitigation plan for impacting waters of the United States at least 14 days prior to any land disturbance on site.

The granting of this approval does not relieve you of any obligation or responsibility for complying with the provisions of any other law or regulations of any federal, local or additional State authority, nor does it obligate any of the aforementioned to permit this project if they do not concur with its concept of development/control. As a delegated "Issuing Authority," the City of Suwanee is expected to ensure that the stream buffer variance requirements are met for this project and is empowered to be more restrictive in this regard.

If you have questions concerning this letter, please contact Frank M. Carubba, Erosion and Sedimentation Control Unit, NonPoint Source Program, at (470) 524-2597.

Sincerely,



Richard E. Dunn
Director

RED:fmc

cc: Laura W. Benz, Benz Environmental Consulting, LLC
Jimmy Burnette, Mayor, City of Suwanee
Josh Campbell, City of Suwanee, Planning Services, Inspections and Zoning
Jim Hakala, Wildlife Resources Division, Region 1 Fisheries Management
Ben Ruzowicz, Georgia Soil and Water Conservation Commission
Mick Smith, EPD Mountain District – Atlanta
Stephen Wiedl, EPD Watershed Protection Branch, Water Supply Program

File: BV-067-21-10

X-2022-002

Georgia Stormwater Management Manual Stormwater Quality Site Development Review Tool Version 2.2

General Information

Name of Developer:	TPA Group, LLC
Development Name:	Sawmill Drive DC
Site Location / Address:	Sawmill Drive
	Suwanee, GA
Development Type:	Light Industry
Date Submitted:	6/7/2021
Permit Number:	Rees Waite
Developer Contact:	770-436-3400
Phone Number:	Atlas Technical Consultants, LLC
Name of Engineer(s):	Owner
Maintenance Responsibility:	

Site Summary

Total Pre-Development Area (ac): 26.40
 Total Post-Development Area (ac): 26.40
 Total Treated Area (ac): 26.40
 Total Untreated Area (ac): 0.00

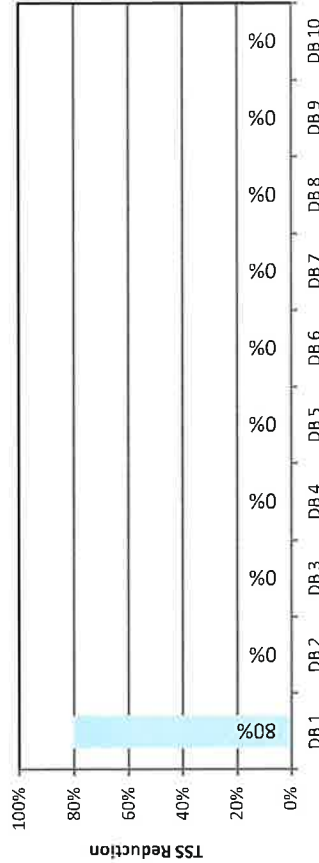
	I (ac)	P (ac)	CA (ac)
Basin 1	17.90	8.50	0.00
DB 1	0.00	0.00	0.00
DB 2	0.00	0.00	0.00
DB 3	0.00	0.00	0.00
DB 4	0.00	0.00	0.00
DB 5	0.00	0.00	0.00
DB 6	0.00	0.00	0.00
DB 7	0.00	0.00	0.00
DB 8	0.00	0.00	0.00
DB 9	0.00	0.00	0.00
DB 10	0.00	0.00	0.00
TOTAL	17.90	8.50	0.00

I = Impervious Area, P = Pervious Area, CA = Conservation Area

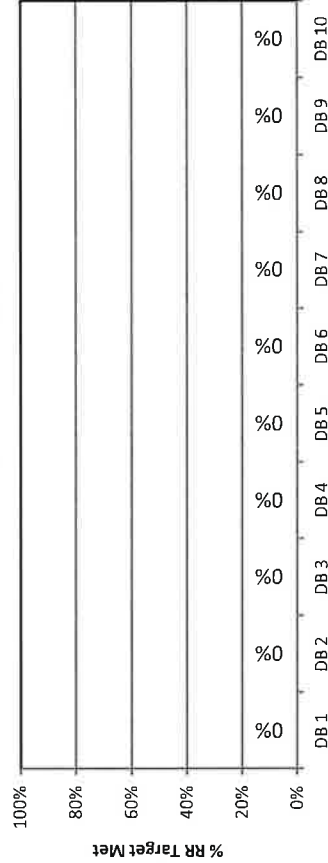
Target Runoff Reduction Volume Achieved? N/A
Target TSS Removal Achieved? Yes

Total Target Runoff Reduction Volume (cf) 0
 Runoff Reduction Volume Achieved (cf) 0
 Total Target Water Quality Volume (cf) 75,925
 % TSS Removal Achieved 80%

Total Suspended Solids (TSS) Removal



Runoff Reduction (RR)



Official Use Only

Conditions of Approval:

Tracking #: _____
 Reviewed By: _____
 Date Approved: _____

X-2022-002

Georgia Stormwater Management Manual Stormwater Quality Site Development Review Tool, v2.2

Development Name: Sawmill Drive DC
Drainage Basin Name: Basin 1

data input cells
calculation cells
constant values

Site Data

Indicate Pre-Development Land Cover and Runoff Curve Numbers in the Site's Disturbed Area

Cover Type	HSG-A (acres)	CN	HSG-B (acres)	CN	HSG-C (acres)	CN	HSG-D (acres)	CN	Total	% Cover
Woods - Good Condition	30	55	26.40	70	77				26.40	100%
Woods - Fair Condition	36	76							0.00	0%
Select a land cover type	0	0							0.00	0%
Select a land cover type	0	0							0.00	0%
Select a land cover type	0	0							0.00	0%
Local Jurisdiction Input									0.00	0%
Other									0.00	0%
Total	0.00		26.40				0.00		26.40	100%

*HSG = hydrologic soil group

Potential Max Soil Retention, S_{pot} (in)

Impervious (ac)	0.00
Weighted CN	55
	6.18

Indicate Post-Development Land Cover and Runoff Curve Numbers in the Site's Disturbed Area

Cover Type	HSG-A (acres)	CN	HSG-B (acres)	CN	HSG-C (acres)	CN	HSG-D (acres)	CN	Total	% Cover
Impervious	98	98	17.90	98	98	98	98	98	17.90	68%
Open space - Good condition (grass cover > 75%)	39	61	8.10	61	74	80	8.10	80	8.10	31%
Woods - Good Condition	30	55	0.40	55	70	77	0.40	77	0.40	2%
Select a land cover type	0	0							0.00	0%
Select a land cover type	0	0							0.00	0%
Local Jurisdiction Input									0.00	0%
Other									0.00	0%
Total	0.00		26.40				0.00		26.40	100%

Potential Max Soil Retention, S_{pot} (in)

Impervious (ac)	17.90
Rv	0.66
Weighted CN	69
	1.53

Conservation Area Credits

Scenario 1: Natural Conservation Area *See the GSMM Volume 2, Section 2.3.3.3 for more information.

Check the box if a portion of the post-developed area is protected by a conservation easement or equivalent form of protection.

Area (ac) of development protected by a conservation easement or equivalent form of protection.

Note: The green cell will unlock if the Scenario 1 box above is checked

Scenario 3: Soil Restoration *See the GSMM Volume 2, Section 4.23 for more information.

Check the box if a portion of the post-developed area employs soil restoration and is protected by a conservation easement or equivalent form of protection.

Area (ac) of development with restored soils and protected by a conservation easement or equivalent form of protection.

Note: The green cell will unlock if the Scenario 3 box above is checked

Scenario 2: Site Reforestation/Revegetation *See the GSMM Volume 2, Section 4.22 for more information.

Check the box if a portion of the post-developed area employs site reforestation/revegetation and is protected by a conservation easement or equivalent form of protection.

Area (ac) of development reforested/revegetated and protected by a conservation easement or equivalent form of protection.

Note: The green cell will unlock if the Scenario 2 box above is checked

Scenario 4: Site Reforestation/Revegetation & Soil Restoration *See the GSMM Volume 2, Section 4.22 and 4.23 for more information.

Check the box if the same portion of the post-developed area employs site reforestation/revegetation and soil restoration and is protected by a conservation easement or equivalent form of protection.

Area (ac) with restored soils in a reforested & revegetated area and protected by a conservation easement or equivalent form of protection.

Note: The green cell will unlock if the Scenario 4 box above is checked

Total Conservation Area Credit (acres) 0.00

Georgia Stormwater Management Manual Stormwater Quality Site Development Review Tool, v2.2

Development Name: Sawmill Drive DC
Drainage Basin Name: Basin 1

data input cells
calculation cells
constant values

Water Quality Goals

Target Runoff Reduction Storm (in) Total Site Area for Water Quality Volume (acres)
 Target Runoff Reduction Volume (cf) Target Water Quality Volume (cf)

Select BMPs for Runoff Reduction and Water Quality

BMP	Area Draining to Each BMP			Storage Volume Provided by BMP (cf)	RR Conveyance Volume Provided by BMP (cf)	Down-stream BMP	Runoff Reduction Calculations				WQ Calculations				
	On-site Pervious Area (acres)	On-site Impervious Area (acres)	Offsite Area (acres)				RR Volume from Direct Drainage (cf)	RR Volume from Upstream Practices (cf)	Total RR Volume Received by BMP (cf)	Runoff Reduction %	RR Achieved (cf)	Remaining RR Volume (cf)	WQ, from Direct Drainage (cf)	Effective TSS Removal %	
BMP 1 Stormwater Pond	8.50	17.90	77.00	394,000				0	0	0	0%	0	0	75,925	80%
BMP 2 Select a BMP...								0	0	0	N/A	0	0	0	N/A
BMP 3 Select a BMP...								0	0	0	N/A	0	0	0	N/A
BMP 4 Select a BMP...								0	0	0	N/A	0	0	0	N/A
BMP 5 Select a BMP...								0	0	0	N/A	0	0	0	N/A
BMP 6 Select a BMP...								0	0	0	N/A	0	0	0	N/A
BMP 7 Select a BMP...								0	0	0	N/A	0	0	0	N/A
BMP 8 Select a BMP...								0	0	0	N/A	0	0	0	N/A
BMP 9 Select a BMP...								0	0	0	N/A	0	0	0	N/A
BMP 10 Select a BMP...								0	0	0	N/A	0	0	0	N/A
TOTAL	8.50	17.90	77.00					0	0	0	0%	0	0	75,925	
UNTREATED AREA (acres)	0.00	0.00	0.00												

Target Runoff Reduction Volume (cf)	0
Target Achieved?	N/A
Remaining Runoff Reduction Volume (cf)	0

Target Water Quality Volume (cf)	75,925
% TSS Removal Achieved	80%
Target Achieved?	Yes!
Remaining TSS Removal %	0%

Y-2022-002

Attachment "B"

Market & Alternatives Analysis

Alternatives & Market Analysis for

Section 404 Application

Sawmill Industrial

I. Category of Facility: Industrial Development – Warehouse/Distribution Center

Warehouse/distribution centers have increasing importance in the manufacturing and wholesale trade/distribution process. Manufacturer's focus on reducing costs, increasing customer satisfaction and optimizing supply chain to resources/suppliers/customers/distribution facilities results in adjustment of the functions each provide to save costs. In response to increasing e-commerce business, heightened during the ongoing COVID-19 pandemic, distribution operations are now computerized, automated and equipped with state-of-the-art material handling equipment and information systems. This adds total logistics management, inventory control and tracking, packaging, labeling and bar coding, procurement and vendor management as well as customer service functions such as returns, repair, rework and promotional assembly. These adjustments have led to the need for additional logistical operations and e-commerce fulfillment centers. According to the Council of Logistics Management (CLM), logistics involves the inbound, outbound, internal and external movement of goods, services and related information. Activities provided by logistics operations include customer service, transportation, purchasing, warehousing, materials handling, strategic planning, inventory control and forecasting. Warehouse/distribution/logistic center facilities vary in size, depending on type of operations, functions and geographic region served. A typical warehouse facility has 30-foot plus ceiling clearances and numerous truck doors to accommodate higher-stacked pallets and rapid movement of goods, as well as cross-docking, which allows goods to enter in one door and exit another with minimal delay. As shown in Figure 1 below, logistic facilities exceeding 500,000 square feet ("sf") serving the Metro Atlanta area are primarily on the South side of Atlanta or further north of the metropolitan area. This leaves a need for smaller facilities within a closer proximity to the center of the Metro Atlanta, specifically within the northeastern submarket I-85 corridor. The development of the project purpose is predicated on the market data provided in Section II below.



Figure 1: Georgia Logistics Industry Map

II. Metro Atlanta Market:

Georgia has been ranked 1st for the eighth year in a row by Site Selection’s annual ranking of state business climates, based upon actual project success and high favorability as indicated by site selectors.¹ More businesses are locating in the Metro Atlanta area due to accessibility to highways, rails, port access at Savannah, the inland ports, the frequency of flights at Hartsfield-Jackson Atlanta International Airport, abundance of workers at relatively low wages and overall cost of living. Over recent years, Metro Atlanta has grown into a leading global logistics hub and center for supply chain management.² The facility must be of larger size to allow adequate space for the drive in or through pallet racks, flow racks and implementation of technology to utilize robot and drones within facility operations. E-commerce has driven a more than doubling of the average footprint of warehouses built in the U.S. since the early 2000s, with the largest expansions coming in metro areas with the big populations that online sellers covet and the ample land that developers need.³ Atlanta leads the nation in the largest gains in average warehouse size.

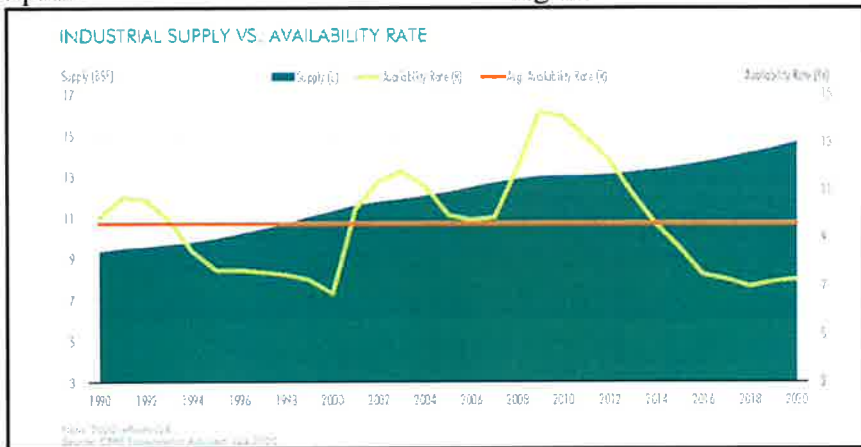
¹ “Certainty and Predictability Are the Winning States’ Hallmarks”, Site Selection Magazine, November, 2020 <https://siterelection.com/issues/2020/nov/2020-business-climate-rankings-cover.cfm>

² “Warehousing and Logistics: A catalyst for growth in Georgia”, Georgia Power Community & Economic Development, December 2014.

³ “Average Size of Newly Built U.S. Warehouses Swells Due to E-Commerce”, <https://www.cbre.us/about/media-center/average-size-of-newly-built-us-warehouses-swells-due-to-ecommerce>

The wholesale trade infrastructure suitable for warehouse distribution allows products to be delivered to major consumer markets throughout the world. According to CoStar, a nationally ranked commercial real estate information company, Atlanta is the sixth largest warehouse distribution market but is the second most affordable. Georgia's competitive tax rates, business incentives and dedication to businesses maintaining operations have been highlighted during the COVID pandemic, further increasing the number of businesses desiring to establish operations within the state. The metro Atlanta area is continuing to experience a robust population growth, predicted to reach 8.6 million by 2050 due to the lower cost of living and doing business than other metropolitan areas. It also boasts a lower unemployment rate than the national average.

The industrial real estate market has been boosted by a pandemic-induced 37% national increase in ecommerce sales. In 2020 there was 19.1 million square feet of new industrial inventory delivered, 5.6 million square feet which became available in the fourth quarter, allowing the metro area to keep pace with increased demand. In 2020, there was 42.3 million square feet of industrial real estate leases signed with an additional known 100 industrial tenants

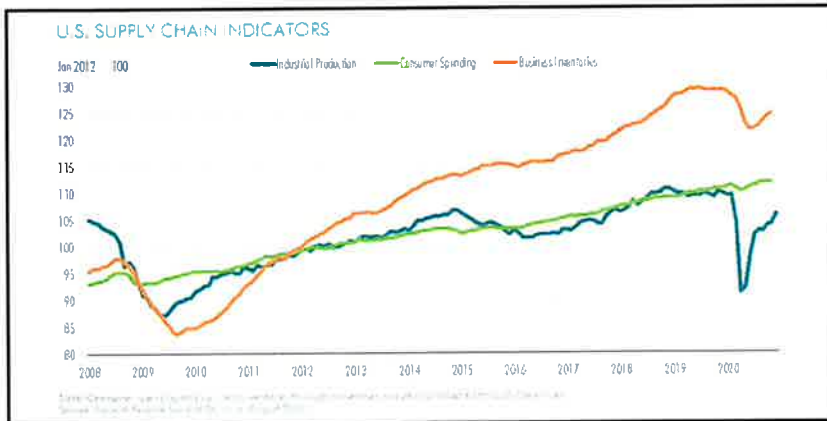


surveying the Atlanta market for spaces greater than 100,000 square feet. In 2020, tenants needing 250,000 or more sf of local industrial space occupied more than 22 million sf, doubling the previous year's volume, resulting in increasing rents and low vacancy.

Figure 2: Supply and Availability of Industrial Space

Vacancy rose dramatically in the first quarter of 2020 and held through the second quarter due to the initial COVID pandemic before rebounding sharply in the third quarter of 2020. By the fourth quarter of 2020, vacancy was at its lowest level since Q4 of 2018⁴ and Q4 2020 had the highest quarterly net absorption. Rental rates increased their largest increase ever, up 27.9% to \$6.45 from \$5.04. The current demand is projected to continue as more companies are seeking these industrial facilities. COVID pandemic increased e-commerce's share of total retail sales, thereby driving demand for industrial space. Industrial demand in 2021 is expected to increase with e-commerce and the need for safety to stock to counter potential supply chain disruptions is further fueling strong demand. These factors are expected to increase rents and keep vacancy rates near record lows despite a large amount of new development coming online. The availability rate was below the historic average because of strong demand for first-generation space creating robust preleasing for newly completed facilities. Business inventories remain

⁴ Lee & Associates Commercial Real Estate Services, Industrial Market Report Q4 2020



below pre-COVID levels but will continue to rise in the coming months to avoid supply disruptions (Figure 3).

Figure 3: Supply Chain Indicators

Q4 of 2020 was the strongest quarter on record for net absorption and the 43rd consecutive quarter of positive demand (Figure 4 below).

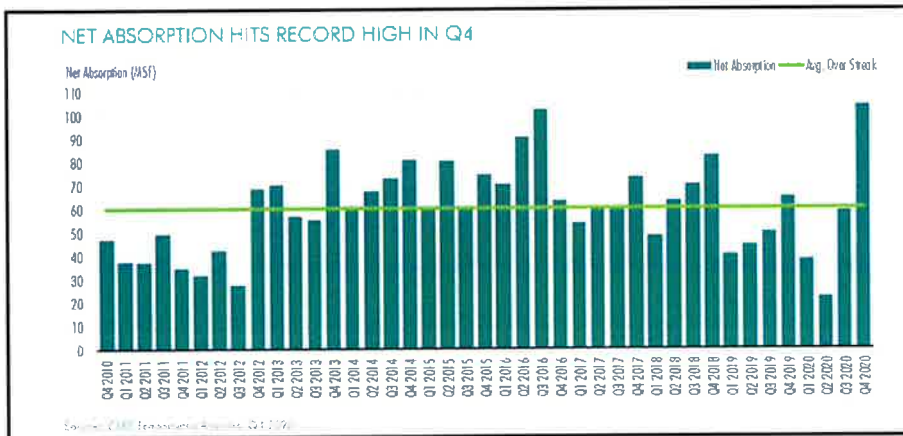


Figure 4: Net Absorption

Distribution centers are considered as the foundation for supply network because a single location will have a huge stock of multiple products and may support the growing demand in adjacent markets. Facilities larger than 200,000 square feet have the capacity to operate as both direct to customer as well as a distribution system. Facility objective is to provide a quick turnover between the time of receiving and shipping and increasing efficiency in the operations, making the delivery. Distribution centers also break down bulk shipments in smaller shipments to cater to the majority of the customers, saving costs. When examining market factors and demand, the Applicant sought the Suwanee area due to the demographics of the area, increasing traffic patterns in the metro-area and ease of ability to serve the adjacent areas. Suwanee has sustained increased e-commerce usage and has an average household income of \$107,115 compared to the State average of \$82,406. Its unemployment is 3.4% versus 5.7% and its population has increased by over 41% over the past decade.

The number of large available development sites has significantly decreased, and the average available space is now approximately 20,000 square feet, resulting in a deficiency of the larger spaces to meet the market demand. The continued push towards “end of the line distribution and storage” in close proximity to the end user has been expanding. While larger

warehouse distribution centers are typically in excess of 500,000 square feet, there currently exists a need for 300,000 to 500,000 sf facilities.

The availability of warehouse facilities over 100,000 sf has become increasingly scarce in the southern portion of the northeast submarket.⁵ Increasing warehouse space across all submarkets has been recognized as inevitable given that increases in e-commerce have resulted in retailers requiring additional space to meet customer expectations and logistical requirements coupled with the shuttering of retail establishments during the pandemic.

The distribution/logistics facility is to serve the market area and provide the degree of necessary market penetration while obtaining low transportation costs and maximum customer access. A minimum of 25 contiguous acres is required to meet the demand for a 423,000 square foot facility with adequate parking for 100 employees, as well as truck parking and logistics requirements.

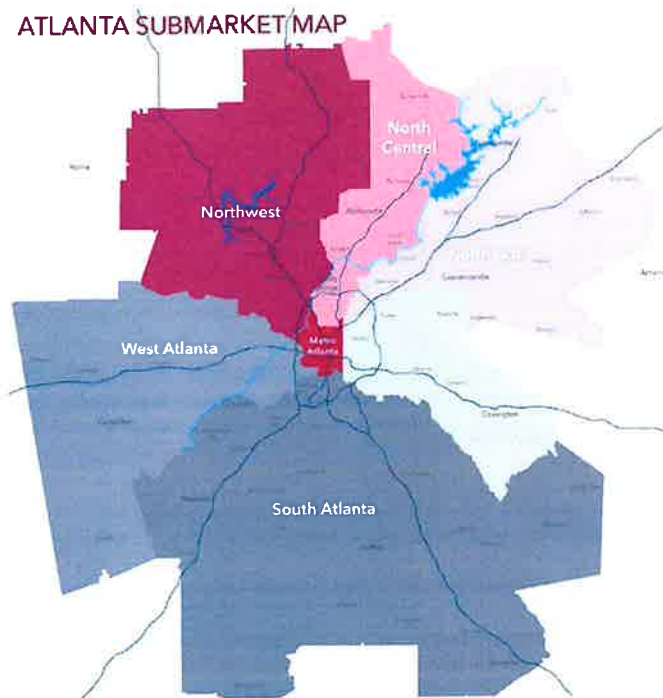
- A. Location Criteria: Site location selection is based on market trends, proximity to existing and new customers, access to suppliers and vendors, transportation services and cost, telecom infrastructure, labor availability and cost, building and site acquisition and cost, and regulatory factors such as inventory valuation.
 1. Utilities: Availability of electricity, natural gas, water, sewer/wastewater
 2. Transportation: Interstate, highway and truck access are critical for the delivery of raw and input materials and the distribution of products. To minimize disturbance to areas and costs, the property should be located within 1 mile of a roadway interchange. Access routes must be designated for travel by 53' trucks. Travel to the highway should avoid congested commercial, retail or residential routes to the extent practical. Major highway visibility is required.
 3. Site Development Barriers and issues: Environmentally sensitive sites or those with ecological, archeological, historical or cultural resources that significantly limit use or require continued monitoring should be avoided. The property must be of adequate shape to allow the construction of an industrial/distribution facility along with the associated parking and truck logistic operations.
 4. Site Ownership: Own the property on which the site is constructed. In acquisition, it is preferential if the property is held by one landowner, or if not possible, a limited number of landowners without known property transfer objections or legal impediments that would adversely affect transfer.
 5. Surrounding Land Use Issues: Due to high volume truck traffic and potential continuous, round-the-clock operations, surrounding land uses must allow for the 24-hour operation of facilities without noise level restrictions on heavy truck engines.

⁵ LoopNet Sale trends, www.LoopNet.com

III. Submarket

The Atlanta market has the following submarkets: Northwest, North Central, Northeast, Stone Mountain, Metro Atlanta, South Atlanta, and West Atlanta as shown in Figure 2.

Figure 2: Metro Atlanta Submarkets



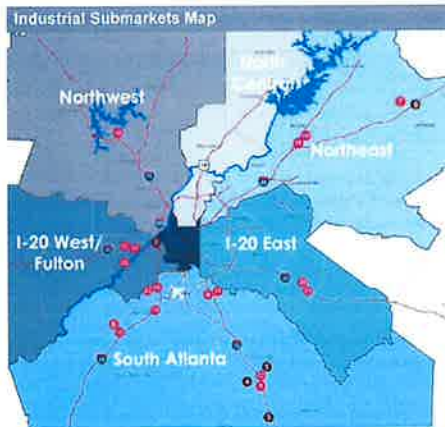
The larger Metro Atlanta market data and the location criteria were examined in detail to further refine the project scope. The South Atlanta and Northeast Atlanta submarkets continue to post the lowest vacancy rates as well as the highest absorption rates of new industrial space in the past five years. The growth along the I-85 corridor is further supported by the Georgia Department of Economic Development's statement that the I-85 corridor is one of the fastest-growing regions for economic growth in the country. The shift in submarket is partially due to Atlanta's ideal location from the "last mile" standpoint, referring to the final stage of delivery from distribution center to customer that accounts for a major portion of the shipping costs. The largest number of construction projects outstanding have been placed in the last several years within the South Atlanta submarket, leaving an unmet demand along the I85 corridor within the Northeast submarket. Based on market analysis, the Applicant required access to the Suwanee



market located within the northeast industrial submarket. Currently there are no warehouse industrial facilities available within the northeast submarket along I-85 in excess of 200,000 square feet. There are three available industrial properties within and adjacent to Suwanee, according to available real estate listings, however they are not of sufficient size ranging from 11,735 to 30,738 sf; magnitudes less than the required sizing for the proposed operations. Current review of real estate listings indicates no available buildings ranging in size between 200,000 and 500,000 sf in Gwinnett County. The overall market and submarket data from the past several years clearly demonstrate the need for the project.

This past and continued projected growth results in a desirable market to the Applicant to establish a distribution center that can serve the current and future population. As stated above, there are no existing structures available for lease or sale within the size range of 200,000 to 500,000 square feet.

In identifying additional alternatives and selecting the preferred alternative, the Applicant required the property be owned rather than leased (to better define costs given the volatility of the market), have adequate utilities, be zoned or eligible for rezoning and considered



environmental impacts. To fully explore the available sites for consideration, the Applicant expanded the acreage component to consider larger tracts in excess of what is needed for the specific project. The Applicant also contacted additional realtors to determine the availability of other properties, however given the density of development within the area, there are limited alternatives. As seen to the left, there are no industrial projects under construction just north of the perimeter, demonstrating the need and difficulty with identifying and securing the necessary sites.

IV. Alternatives

One of the main obstacles in identifying sites is the availability of the property. The Applicant examined the I-85 corridor within Suwanee and was able to identify sites for consideration of meeting its stated project purpose. Along the I-85 corridor within Suwanee, the availability of at least 20-acres with easy highway access and visibility was the primary limiting factor. The Applicant had pledged to consider larger sites within its analysis, however, was unable to find

any that were available or not currently utilized and occupied. Similarly, the Applicant searched for available sites in adjacent areas such as Sugar Hill and also explored properties that were not currently marketed, however only two sites were available for consideration and are discussed below.

Proximity to Interstate 85: To avoid population centers and residential areas, the project site must be located no more than two miles from Interstate 85 access. It is highly preferable if the site has visibility from I-85.

Property Size: The Applicant needs to construct a 423,000 square foot industrial facility along with adequate parking for at least 100 employees. In order to do so, the project site must be at least 20 acres in size.

Impacts: Potential impacts to aquatic resources was assessed by desktop review of the NWI and additional topographic information.

Zoning: To meet the Applicant's need and purpose, the project site must be zoned for industrial use or be eligible for rezoning to industrial / commercial use.

Utilities: In order to support an industrial facility, utilities, including electricity, water, and sewer, must be available.

1. **No action Alternative.** This alternative would not result in any impacts to aquatic resources through the construction of new facilities and would rely on existing available facilities meeting the need. As discussed above, there are no available structures of adequate size to meet the need within the entire County let alone the service area of Suwannee, therefore not meeting the project purpose. The shift to additional e-commerce has resulted in all available facilities being occupied with additional demands and market factors support the continued pursuit of additional opportunities.

2. **Sawmill Alternative.** This site is currently under contract, pending approval for its use as promulgated herein.



Proximity to Interstate 85: The property is adjacent to the I-85 and SR 317 interchange off Sawmill Drive. The property has visibility to I-85 due its adjacent positioning with no real buffer to the interstate and is approximately 0.24 miles by way of Sawmill Drive from SR 317.

Property Size: The Property is 27 acres and of suitable size for the proposed development. Given the adjacent industrial and commercial uses, there will not be additional buffer or setback requirements. The parcel is also an appropriate configuration for the proposed project.

Impacts: Based upon the desktop review of available databases, including NWI, this alternative would impact approximately 1,390' linear feet of stream and no impacts to wetlands.

Zoning: The property is zoned industrial/commercial.

Utilities: Water, sewer, gas and electric are available onsite.

3. **Sutton Alternative.** The tract is 26 acres was advertised for sale before being placed under contract. This contract has not been consummated and therefore the site was analyzed for consideration.

Proximity to Interstate 85: The site has adequate visibility from I-85 and is approximately 0.5 miles from the I-85 interchange at exit 111 by route of SR 317 to Northolt Parkway and then Sutton Drive.

Property Size: The property is of adequate size for the required building, however has two existing stormwater ponds for adjacent development. There is sufficient property

adjacent to the I-85 corridor which would allow for the construction of the facility, and provide adequate highway visibility.

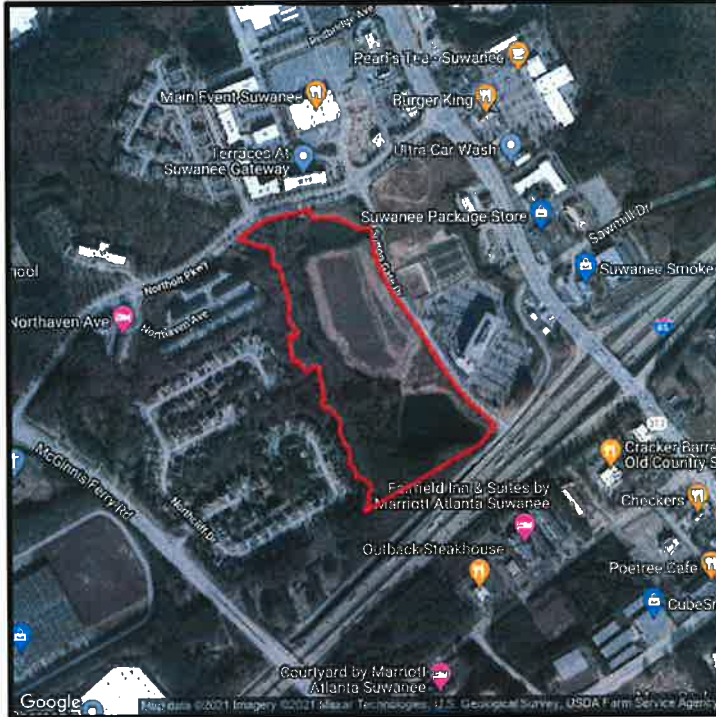


Figure 4 (above): Sutton Alternative

Impacts: Construction of the facility would result in approximately 5.86 acres of open water and 1,220 linear feet of stream impacts associated with the development of the site. This site has been previously disturbed.

Zoning: The property is currently zoned office and institutional and would need to be rezoned. There would be obstacles given the adjacent uses of office and residential.

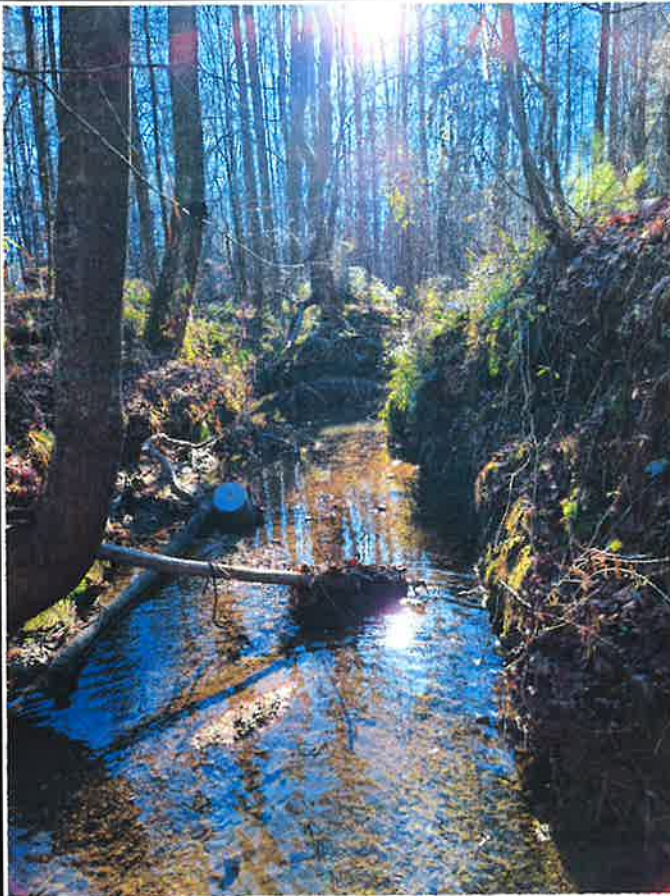
Utilities: The property currently has water, sewer, gas and electric available.

4. Conclusion

The market data clearly demonstrates the need for the project as shown by the absence of available facilities as proposed. The available positioning of these facilities are predominantly within the Airport/South submarket, and the availability and cost of land is along the I-85 corridor. The submarket for logistics is supported by the logistics support facilities located within the refined project purpose scope. The information provided demonstrates that the scope is properly sized and after additional efforts to identify alternatives, show that other available sites do not have the necessary features required for the proposed facility and/or would result in additional impacts to waters of the US. Therefore, the proposed project site remains the least environmentally damaging practicable alternative capable of satisfying the project purpose.

APPENDIX E:
SITE PHOTOGRAPHS

V-2022-002



PHOTOGRAPH 1

Perennial Stream 1, facing south.



PHOTOGRAPH 2

Perennial Stream 1, facing south.



V-2022-002



PHOTOGRAPH 3

Wetland 1, facing west.

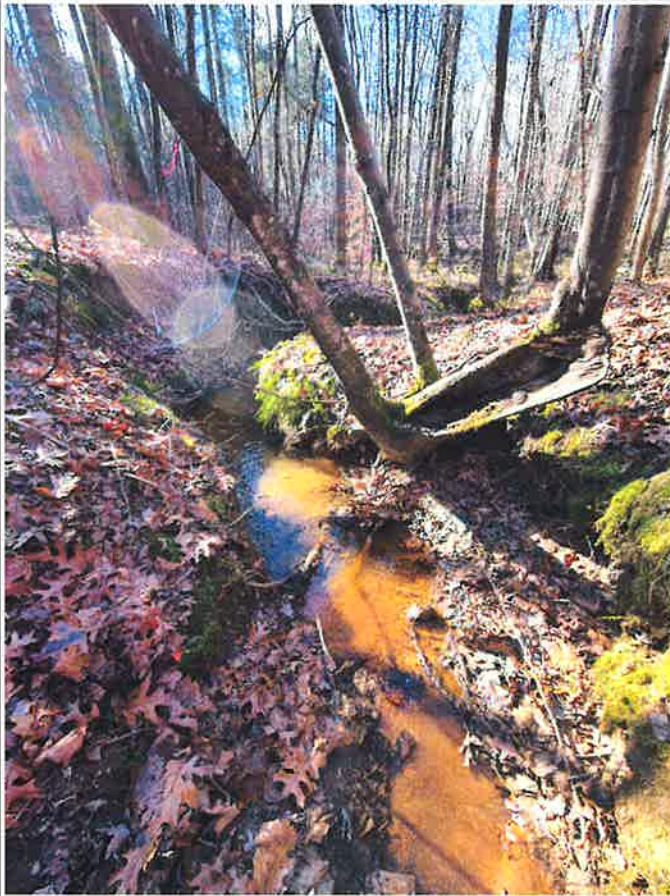


PHOTOGRAPH 4

Wetland 2, facing north.



V-2022-002



PHOTOGRAPH 5

Intermittent Stream 1, facing west.



PHOTOGRAPH 6

Intermittent Stream 2, facing northeast.



Y-2022-002



PHOTOGRAPH 7

Intermittent Stream 2, facing northeast.



PHOTOGRAPH 8

Intermittent Stream 3, facing west.



V-2022-002



PHOTOGRAPH 7

Wetland 3, facing southwest.



PHOTOGRAPH 8

Wetland 4, facing northeast.



V-2022-002