

Department of Planning and Development

446 West Crogan Street • Lawrenceville, GA 30046-2440
(tel) 678.518.6000
www.gwinnettcounty.com



gwinnettcounty

**MUNICIPAL-GWINNETT COUNTY
PLANNING COMMISSION**

PUBLIC HEARING AGENDA

**GWINNETT JUSTICE AND ADMINISTRATION CENTER
MONDAY, APRIL 9, 2018 AT 7:00 P.M.**

AS SET FORTH IN THE AMERICANS WITH DISABILITIES ACT OF 1992, THE GWINNETT COUNTY GOVERNMENT DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY AND WILL ASSIST CITIZENS WITH SPECIAL NEEDS GIVEN PROPER NOTICE (SEVEN WORKING DAYS). FOR INFORMATION, PLEASE CALL THE FACILITIES MANAGEMENT DIVISION AT 770.822.8165.

- A. CALL TO ORDER, INVOCATION, PLEDGE TO FLAG
- B. OPENING REMARKS BY CHAIRMAN AND RULES OF ORDER
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES (MARCH 6, 2018 MEETING)
- E. ANNOUNCEMENTS
- F. OLD BUSINESS

1. CASE NUMBER	:RZR2017-00026 (REMANDED BY THE BOC)
APPLICANT	:SMITHTON HOMES LLC
CONTACT	:BERNIE SMITH
PHONE NUMBER	:770.652.0044
ZONING CHANGE	:R-100 TO OSC
LOCATION	:2800 BLOCK OF CENTERVILLE ROSEBUD ROAD
MAP NUMBER	:R4301 001
ACREAGE	:25.78 ACRES
UNITS	:28 UNITS
PROPOSED DEVELOPMENT	:SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT	:(3) HUNTER
DEPARTMENT RECOMMENDATION	:DENIAL

2. CASE NUMBER	:RZR2017-00011
APPLICANT	:HOME SOUTH COMMUNITIES, LLC
CONTACT	:SHANE LANHAM
PHONE NUMBER	:770.232.0000
ZONING CHANGE	:RA-200 TO OSC
LOCATION	:2400 BLOCK OF SUNNY HILL ROAD :2500 BLOCK OF MORGAN ROAD
MAP NUMBER	:R7136 001
ACREAGE	:86.15 ACRES
UNITS	:112 UNITS
PROPOSED DEVELOPMENT	:SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT	:(4) HEARD
DEPARTMENT RECOMMENDATION	:APPROVAL WITH CONDITIONS

3. CASE NUMBER :**RZC2018-00001**
APPLICANT :ASC ACQUISITIONS, LLC
CONTACT :SHANE LANHAM
PHONE NUMBER :770.232.0000
ZONING CHANGE :R-100 TO O-1
LOCATION :1100-1200 BLOCKS OF WEBB GIN HOUSE ROAD
MAP NUMBERS :R5087 120 & R5106 003, 067 & 278
ACREAGE :56.12 ACRES
SQUARE FEET :614,182 SQUARE FEET
PROPOSED DEVELOPMENT :RETIREMENT COMMUNITY (INDEPENDENT LIVING & CONTINUING CARE) (BUFFER REDUCTION)

COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
4. CASE NUMBER :**SUP2018-00003**
APPLICANT :ASC ACQUISITIONS, LLC
CONTACT :SHANE LANHAM
PHONE NUMBER :770.232.0000
ZONING :O-1 (PROPOSED)
LOCATION :1100-1200 BLOCKS OF WEBB GIN HOUSE ROAD
MAP NUMBERS : R5087 120 & R5106 003, 067 & 278
ACREAGE :56.12 ACRES
SQUARE FEET :614,182 SQUARE FEET
PROPOSED DEVELOPMENT :RETIREMENT COMMUNITY (INDEPENDENT LIVING & CONTINUING CARE) (BUFFER REDUCTION)

COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
5. CASE NUMBER :**SUP2018-00004**
APPLICANT :ASC ACQUISITIONS, LLC
CONTACT :SHANE LANHAM
PHONE NUMBER :770.232.0000
ZONING :O-1 (PROPOSED)
LOCATION :1100-1200 BLOCKS OF WEBB GIN HOUSE ROAD
MAP NUMBERS :R5087 120 & R5106 003, 067 & 278
ACREAGE :56.12 ACRES
SQUARE FEET :614,182 SQUARE FEET
PROPOSED DEVELOPMENT :BUILDING HEIGHT INCREASE (BUFFER REDUCTION)
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
6. CASE NUMBER :**RZM2018-00002**
APPLICANT :PARKLAND COMMUNITIES, INC.
CONTACT :MITCH PEEVY
PHONE NUMBER :770.614.6511
ZONING CHANGE :R-75 & C-2 TO R-TH
LOCATION :4300 BLOCK OF BUFORD HIGHWAY
MAP NUMBERS :R6259 368, 377 & 041
ACREAGE :39.08 ACRES
UNITS :264 UNITS
PROPOSED DEVELOPMENT :TOWNHOUSES
COMMISSION DISTRICT :(2) HOWARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

7. CASE NUMBER :**CIC2018-00002 (PUBLIC HEARING HELD)**
APPLICANT :SONIAL PATEL
CONTACT :SHANE LANHAM
PHONE NUMBER :770.232.0000
ZONING :C-2
LOCATION :2300 BLOCK OF STEPHENS CENTER DRIVE
MAP NUMBER :R7080 078
ACREAGE :2.01 ACRES
PROPOSED DEVELOPMENT :CHANGE IN CONDITIONS OF ZONING
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
8. CASE NUMBER :**SUP2018-00018 (PUBLIC HEARING HELD)**
APPLICANT :SONIAL PATEL
CONTACT :SHANE LANHAM
PHONE NUMBER :770.232.0000
ZONING :C-2
LOCATION :2300 BLOCK OF STEPHENS CENTER DRIVE
MAP NUMBER :R7080 078
ACREAGE :2.01 ACRES
SQUARE FEET :73,086 SQUARE FEET
PROPOSED DEVELOPMENT :BUILDING HEIGHT INCREASE TO FIVE-STORIES OR
55-FEET
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
9. CASE NUMBER :**SUP2018-00009**
APPLICANT :DAVID M. JONES
CONTACT :DAVID M. JONES
PHONE NUMBER :770.317.7378
ZONING :R-100
LOCATION :1600 BLOCK OF RED FOX RUN
MAP NUMBER :R6070 074
ACREAGE :1.04 ACRES
PROPOSED DEVELOPMENT :BED AND BREAKFAST INN
COMMISSION DISTRICT :(2) HOWARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
- G. NEW BUSINESS
- I. CASE NUMBER :**RZM2018-00003**
APPLICANT :BRAND PARTNERS, LP
CONTACT :SHANE LANHAM
PHONE NUMBER :770.232.0000
ZONING CHANGE :M-1 TO RM-24
LOCATION :1600 BLOCK OF PEACHTREE INDUSTRIAL BOULEVARD
MAP NUMBER :R7207 085
ACREAGE :16.07 ACRES
UNITS :245 UNITS
PROPOSED DEVELOPMENT :APARTMENTS (BUFFER REDUCTION)
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

2. CASE NUMBER :**RZM2018-00004**
APPLICANT :MAHAFFEY PICKENS TUCKER, LLP
CONTACT :SHANE LANHAM
PHONE NUMBER :770.232.0000
ZONING CHANGE :R-100 & C-2 TO RM-24
LOCATION :500 BLOCK OF HILLSIDE DRIVE
:1700 BLOCK OF GRAYSON HIGHWAY
MAP NUMBERS :R5137 008 & 019
ACREAGE :12.9 ACRES
UNITS :280 UNITS
PROPOSED DEVELOPMENT :APARTMENTS (BUFFER REDUCTION)
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**DENIAL**
3. CASE NUMBER :**RZR2018-00006**
APPLICANT :SPARTAN INVESTORS I, LLC
CONTACT :SHANE LANHAM
PHONE NUMBER :770.232.0000
ZONING CHANGE :C-2 TO TND
LOCATION :4200 BLOCK OF BRASELTON HIGHWAY
MAP NUMBERS :R3003 135 & 674
ACREAGE :28.94 ACRES
UNITS :161 UNITS
PROPOSED DEVELOPMENT :TRADITIONAL NEIGHBORHOOD DEVELOPMENT
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
4. CASE NUMBER :**RZR2018-00007**
APPLICANT :MAHAFFEY PICKENS TUCKER, LLP
CONTACT :SHANE LANHAM
PHONE NUMBER :770.232.0000
ZONING CHANGE :RA-200 TO TND
LOCATION :1400 BLOCK OF DEE KENNEDY ROAD
:5100 BLOCK OF BRASELTON HIGHWAY
MAP NUMBERS :R3004 018, 061 & 062
ACREAGE :13.27 ACRES
UNITS :54 UNITS
PROPOSED DEVELOPMENT :TRADITIONAL NEIGHBORHOOD DEVELOPMENT
(BUFFER REDUCTION)
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**DENIAL**

5. CASE NUMBER :**CIC2018-00003**
APPLICANT :JOSE RAMOS
CONTACT :ALEJANDRO RAMOS
PHONE NUMBER :770.560.2149
ZONING :R-100
LOCATION :4800 BLOCK OF SPOUT SPRINGS ROAD
:2100 BLOCK OF OLD FLOWERY BRANCH ROAD
MAP NUMBER :R3007 187
ACREAGE :2.44 ACRES
PROPOSED DEVELOPMENT :CHANGE IN CONDITIONS OF ZONING
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**DENIAL**
6. CASE NUMBER :**CIC2018-00006**
APPLICANT :WHITE HORSE 70, LLC
CONTACT :HAROLD A. TRIP, JR.
PHONE NUMBER :404.285.3075
ZONING :R-75
LOCATION :2000 BLOCK OF BUFORD DAM ROAD
MAP NUMBER :R7334 005
ACREAGE :20.27 ACRES
PROPOSED DEVELOPMENT :CHANGE IN CONDITIONS OF ZONING
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**DENIAL**
7. CASE NUMBER :**CIC2018-00008**
APPLICANT :DR HORTON INC.
CONTACT :SHANE LANHAM
PHONE NUMBER :770.232.0000
ZONING :R-100 MOD
LOCATION :3300 BLOCK OF HALL ROAD
MAP NUMBER :R5345 001
ACREAGE :33.02 ACRES
PROPOSED DEVELOPMENT :CHANGE IN CONDITIONS OF ZONING
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**DENIAL**
8. CASE NUMBER :**SUP2018-00016**
APPLICANT :AKBER AND SHAH LLC
CONTACT :IMRAN ALI
PHONE NUMBER :678.858.0999
ZONING :C-1
LOCATION :2900 BLOCK OF OLD NORCROSS ROAD
MAP NUMBER :R7077 097
ACREAGE :1.5 ACRES
SQUARE FEET :9,000 SQUARE FEET
PROPOSED DEVELOPMENT :SPECIAL EVENTS FACILITY
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

9. CASE NUMBER	: SUP2018-00017
APPLICANT	:MOHAMED KUYATEH
CONTACT	:MOHAMED KUYATEH
PHONE NUMBER	:770.309.7669
ZONING	:O-I
LOCATION	:2800 BLOCK OF CENTERVILLE HIGHWAY
MAP NUMBER	:R6033 028
ACREAGE	:1.74 ACRES
SQUARE FEET	:4,256 SQUARE FEET
PROPOSED DEVELOPMENT	:PERSONAL CARE HOME (CONGREGATE)
COMMISSION DISTRICT	:(3) HUNTER
DEPARTMENT RECOMMENDATION	: APPROVAL WITH CONDITIONS

H. AUDIENCE COMMENTS

I. COMMITTEE REPORTS

J. COMMENTS BY STAFF AND PLANNING COMMISSION

K. ADJOURNMENT

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS**

CASE NUMBER :**RZR2017-00026**
ZONING CHANGE :R-100 TO OSC
LOCATION :2800 BLOCK OF CENTERVILLE ROSEBUD ROAD
MAP NUMBER :R4301 001
ACREAGE :25.78 ACRES
UNITS :28 UNITS
PROPOSED DEVELOPMENT :SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT :(3) HUNTER

FUTURE DEVELOPMENT MAP: **RURAL/ESTATE**

APPLICANT: SMITHTON HOMES LLC
4763 TOWNSHIP CHASE
MARIETTA, GA 30066

CONTACT: BERNIE SMITH PHONE: 770.652.0044

OWNERS: DEWEY J. BENTLEY, ET AL & JERRY W. BENTLEY
2801 CENTERVILLE ROSEBUD ROAD
SNELLVILLE, GA 30039

JEFFREY D. COOPER & KAREN ATHA COOPER
4530 HAYNES CIRCLE
SNELLVILLE, GA 30039

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant requests rezoning of a 25.78-acre parcel from R-100 (Single-Family Residence District) to OSC (Open Space Conservation District) for construction of a 28 lot single-family residential subdivision. The property is located on the northern side of Centerville Rosebud Road, at its intersection with Lee Road. The property is presently undeveloped and wooded. There is an existing stream that runs along the eastern property line along with 6.29-acres of 100-year flood hazard area.

The applicant is proposing a 28 lot OSC subdivision that will conserve 15.38-acres of the 25.78-acre tract (59.66%), most of which is within the stream buffer and flood plain. Due to the presence of flood plain, the net density would be 1.24 units per acre. Access is proposed by a single entrance road off Centerville Rosebud Road. A stormwater detention area is proposed between lots 27 & 28 and the flood hazard areas. The proposed site plan indicates that of the

15.38-acres preserved as open space, 7.20-acres will be designated primary as conservation area and 8.16-acres as secondary conservation area.

According to the site plan, the typical lot for the development would be 60 feet in width, 7,500 square feet in area and served by County sanitary sewer. The letter of intent states that the new residences will be a minimum 1,800 square feet in size, with two-car garages, covered entrances, and front facades of primarily brick, stone, board and batten, and/or fiber-cement or shake siding.

An OSC-zoned development requires a form of transition when located adjacent to agricultural or single-family residential uses. The Unified Development Ordinance (UDO) provides three options, and the applicant has chosen to provide a 50-foot conservation space strip adjacent to properties zoned R-100, which borders the property on all sides. The site plan reflects a 50-foot undisturbed stream buffer and 75-foot impervious setback along the existing stream, with all new development located outside of these areas. Also reflected on the submitted site plan is the required 50-foot street frontage buffer along the right-of-way of Centerville Rosebud Road.

ZONING HISTORY:

In 1970, the subject property was zoned RA-200 (Agriculture-Residence District). In 1973, per an area wide zoning the property was rezoned to R-100 (Single-Family Residence District).

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property contains areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development. The applicant/developer shall obtain all required approvals from the Gwinnett County Department of Water Resources and the U.S. Army Corps of Engineers for construction or land disturbance activities which may impact floodplain or wetland areas.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a development permit application.

The Existing Features Site Analysis Plan is a required component of the rezoning application (UDO Section 210-50.18.A).

Five feet wide sidewalks are required along the frontage of Centerville Rosebud Road (UDO 900-90.1).

Steep slopes greater than 40 percent shall be considered as primary Conservation Space.

Some of the lots (Lot 19, Lot 20, Lot 27) appears to have a very limited buildable area, may need to be combined with another lot.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance. The property appears to contain flood plain and stream buffers. The proposed conceptual plan may require revision to show the appropriate flood plain and stream buffers.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Centerville Rosebud Road is a Major Arterial and 50 feet of right-of-way is required from the centerline, with 60 feet required within 500 feet of a major intersection.

Entrances shall be provided to the site per current development regulations.

Standard deceleration lane with appropriate taper and adequate right-of-way will be required.

The developer shall be limited to one curb cut.

Prior to the issuance of a Development Permit, a sight distance certification shall be provided. Line of sight will be required to meet or exceed the minimum distance listed in the current Unified Development Ordinance Section 900-40.4 Table 900.2 for the posted speed limit on Centerville Rosebud Road.

Minimum separation from a driveway, public road, or side street shall be provided as specified in the Gwinnett County Unified Development Ordinance.

No onstreet parking.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of an eight and twelve-inch water main located on the southwest right-of-way of Centerville Rosebud Road and a two-inch water main located on the east right-of-way of Haynes Circle.

Due to the uncontrollable variables, the Department of Water Resources (DWR) makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. Demands imposed by the proposed development may require reinforcements or extensions of existing water mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department.

The available utility records show that the subject development is currently in the vicinity of a 54-inch sanitary sewer main located on parcel R4301 001.

The subject development is located within the Lower Big Haynes Creek service area. There are currently no connection restrictions within this service area. Treatment capacity within this area is presently available on a first come - first serve basis.

Demands imposed by the proposed development may require reinforcements or extensions of existing sewer mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department. Developer shall provide easements for future sewer connection to all locations designated by DWR during plan review.

As-built information for this department is dependent upon outside entities to provide record drawings for the utilities. Therefore, this department does not guarantee the accuracy of the information provided.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances. Proceeding design, construction, inspection, and final acceptance of the required utilities, service to these utilities would then become available under the applicable utility permit rate schedules.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The applicant seeks rezoning from R-100 to OSC in order to develop a 28-lot single-family residential subdivision. The property is located on the northern side of Centerville Rosebud Road, at its intersection with Lee Road. The property is presently undeveloped and covered in wooded areas with a stream that runs along the eastern property line.

The 2030 Unified Plan Future Development Map indicates the property is located within a Rural Estate Character Area. Policies for this Character Area encourage agriculture, estate residential, and public open space, parks, recreation and conservation and land use compatibility so that in-fill development is consistent with the character of existing development. Although the proposed conservation aspect may be consistent with the intent of the character area, the small lot sizes and lot widths proposed in this development may not be suitable in light of larger lot developments in the immediate vicinity. Furthermore, the compact nature of this development may not maintain the rural lifestyle character of the surrounding area as recommended by the Unified Plan.

The surrounding area is characterized predominately by homes on large lots with some subdivisions interspersed. Large lots border the property on all sides, zoned R-100 and RA-200. Matthews Park and Rutledge Estates subdivisions (zoned R-100) are the nearest subdivisions to the subject property and are located along Lee Road. This segment of Centerville Rosebud Road is rural in nature and with mostly single homes on large lots. Therefore, a rural residential development with estate-sized lots, rural streets, and a less dense development pattern may be more appropriate than the proposed OSC zoning.

In conclusion, the OSC development as proposed may not be consistent with the Rural Estate Character Area policies of the 2030 Unified Plan. Further, the proposed development could adversely impact the already established homes and larger lots along Centerville Rosebud Road through the introduction of smaller, incompatible lot sizes. Therefore, staff recommends **DENIAL** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Note: The following conditions are provided as a guide should the Board choose to approve the request.

Approval as OSC (Open Space Conservation District) for a Single-family Subdivision, subject to the following enumerated conditions:

I. To restrict the use of the property as follows:

- A. Single-family detached dwellings and accessory uses and structures.
- B. The minimum heated floor area per dwelling unit shall be 2,200 square feet for one story homes and 2,400 square feet for two story homes.
- C. Homes shall be constructed with three sides of brick and/or stacked stone. The balance of the home may be the same or of fiber-cement shake or siding with a three-foot brick or stone water table.
- D. All dwellings shall have at least a double-car garage.

2. To satisfy the following site development considerations:

- A. The development shall abide by all applicable standards of the Unified Development Ordinance, unless otherwise specified in these conditions or through approval of a variance by the Zoning Board of Appeals.
- B. The development shall provide a 50-foot open space conservation strip along the external property line as required by the Unified Development Ordinance and as shown on the site plan submitted to the department on October 12, 2017.
- C. The Centerville Rosebud Road street frontage shall be landscaped by the developer and maintained by the Homeowner's Association, and shall include a decorative masonry entrance feature. Landscape and entrance plans shall be subject to review and approval of the Director of Planning and Development.
- D. Provide trails throughout conservation space at the rear of the property. Trail materials and location subject to review and approval by the Director of Planning and Development.
- E. Direct lot access to Centerville Rosebud Road shall be prohibited.
- F. All grassed areas on dwelling lots shall be sodded.

- G. Provide underground utilities throughout the development.
- H. Natural vegetation shall remain on the property until the issuance of a subdivision development permit.
- I. Building lots shall not be located within the required stream buffer or impervious setback area.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The proposed OSC zoning may not be consistent with the large lot R-100 and RA-200 zoning pattern of the area.

ADVERSE IMPACTS

Adverse impacts on neighboring properties could be anticipated from the introduction of an incompatible zoning classification, lot dimension standards.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

An increase in traffic, utilities usage, stormwater runoff, and the number of school-aged children could be anticipated from this request.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates the property is located within the Rural Estate Character Area. Policies of the Unified Plan for this character area encourage agriculture, estate residential, and public open space, parks, recreation and conservation. Although the conservation portion is consistent with the character area the compact nature of the development may not be.

CONDITIONS AFFECTING ZONING

This segment of Centerville Rosebud Road is rural in nature and with mostly single homes on large lots. Therefore, a rural residential development with estate-sized lots, rural streets, and a less dense development pattern may be more appropriate than the proposed OSC zoning.

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes the proposed Single Family Detached Community will be consistent with the nearby adjacent residential developments.

- (B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

No the proposed Single Family Detached home community will not affect the adjacent and nearby communities.

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

No as zoned the property would not have an economic use due to the all the challenges with this parcel this is the best use for it.

- (D) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

No the proposed use will not have an adverse affect on the existing infrastructure.

- (E) WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Yes the OSC is intended for this type of property.

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED REZONING:

See Letter of Intent

RECEIVED BY

OCT 05 2017

Planning & Development

RZR 17026

Smithton Homes LLC

October 4, 2017

VIA HAND DELIVERY

Gwinnett County Board of Commissioners
c/o Jerry Oberholtzer
Planning Manager
446 West Crogan Street
Lawrenceville, Georgia 30045

RZR '17 026

RECEIVED BY

OCT 12 2017

Planning & Development

RE: 2841 Centerville Rosebud Road Rezoning Application
LETTER OF INTENT

Dear Mr. Oberholtzer and Planning Department,

Respectfully we submit this application to rezone approximately 25.78 acres (see attached survey) from its current zoning of R100 to OSC to allow for 28 quality professional and family targeted single family detached homes. We feel that the proposed community is ideally located in an influential part of Gwinnett County. The purpose and intent is to preserve and protect natural and environmental resources with value added conservation space.

We are proposing that twenty eight (28) residential homes at a net density of 1.237 units per acre, well below the maximum density of 2.5 units per acre threshold allowed for OSC with over 31% open space. The homes will be a minimum of 1800 sq.ft. and will be built with quality materials with alternating architectural elevations. The proposed homes will include a two car garages covered entrances with facades of brick, stone, board and batten, and/or fiber cement or shake siding. Surrounding development and existing homes would not face major negative impacts as a result of the proposed development in part because of the substantial buffering required under the UDO in conjunction with extensive additional buffering preserved on the west side by the Applicant as conservation space.

The proposed zoning and site plan is consistent with similarly developed, residential communities in the immediate area, many of which are zoned R100. As outlined in the 2030

Unified Plan and Future Development Map, the Subject Property and surrounding areas are designated as *Rural Estate Areas*, consistently found to be appropriate for OSC. Quality single family homes will help raise property values and support the schools and nearby commercial development.

The Subject property contains a mixture of hardwoods and pines and Haynes Creek. The engineer laid this out to provide the community with 31.7% open space so that we could preserve and protect the natural environmental resources and provide the opportunity for walking trails so the neighborhood could enjoy the protected area.

The proposed development was designed so that homes would be concentrated away from the creek limiting land disturbance across this area. The proposed development would enhance land, water, air and tree resources by minimizing the area of land disturbance and would significantly contribute to the protection of the surrounding creeks.

We respectfully request your approval of this request for Rezoning from R100 to OSC to permit this proposed residential community.

Respectfully submitted,

Bernie Smith,
Smithton Homes LLC

RZR '17 026

RECEIVED BY

OCT 12 2017

Planning & Development



Planning & Development
RZR 17 026



OCT 05 2017
Planning & Development
RZR 17 026



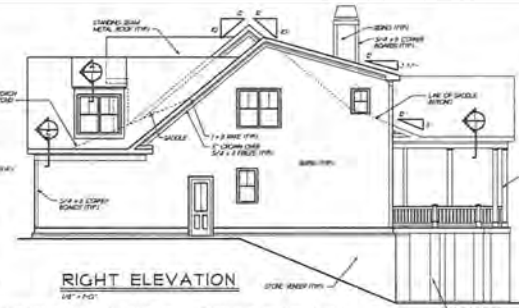
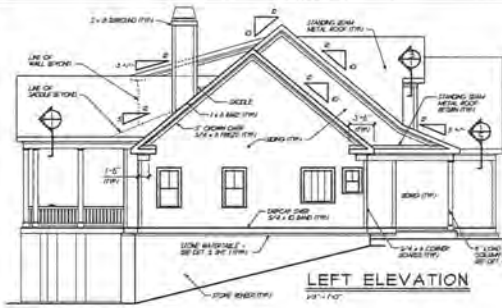
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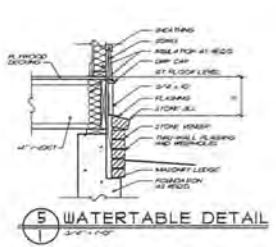
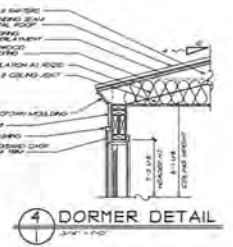
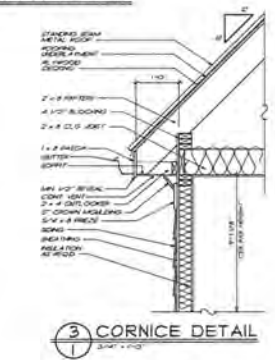
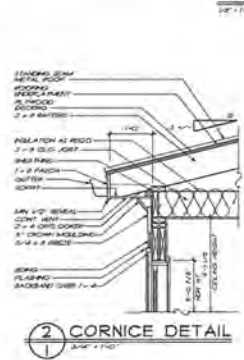
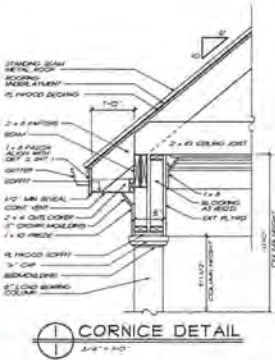
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RZR 17 026

REVISIONS	DATE	BY

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Unless otherwise specified, all roof slopes, pitches, and roof heights shall be as shown on these drawings. The user shall be responsible for obtaining all necessary permits and for complying with all applicable local, state, and federal codes and regulations. The user shall also be responsible for obtaining all necessary engineering and architectural services and for obtaining all necessary approvals from the appropriate authorities. The user shall also be responsible for obtaining all necessary materials and for obtaining all necessary labor. The user shall also be responsible for obtaining all necessary permits and for complying with all applicable local, state, and federal codes and regulations. The user shall also be responsible for obtaining all necessary engineering and architectural services and for obtaining all necessary approvals from the appropriate authorities. The user shall also be responsible for obtaining all necessary materials and for obtaining all necessary labor.



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WARRANTY AND LIABILITY
Frank Betz Associates, Inc. warrants that the drawings were prepared by a duly licensed architect or professional engineer and that the drawings conform to the applicable codes and regulations. Frank Betz Associates, Inc. does not warrant that the drawings are free of errors or omissions. Frank Betz Associates, Inc. does not warrant that the drawings are suitable for any use other than the use intended by the user. Frank Betz Associates, Inc. does not warrant that the drawings are suitable for any use other than the use intended by the user.



NOTE: ELEVATIONS REFLECT A BASEMENT FOUNDATION. IF ANOTHER FOUNDATION IS USED, BUILDER SHOULD DISREGARD FOUNDATION SHOWN.

NOTE: ATTIC VENTILATION PER LOCAL CODES AND REQUIREMENTS.

NOTE: WHEN TWO ROOFS INTERSECT WITH DIFFERENT ROOF PITCHES, BLOCK TOP OF STUD WALLS AS REQ'D TO LINE UP FASCIAS AT A MINIMUM OF 1'-0" OVERLAPS.

NOTE: RAFTERS ARE FITTED TO FIT TOP OF CEILING JOISTS. SEE DETAILS.

FRANK BETZ ASSOCIATES, INC. ASSUMES NO LIABILITY FOR ANY CHANGES OR MODIFICATIONS MADE TO THESE PLANS BY OTHERS.

Southern Living Design Collection

ELEVATIONS / DETAILS

THE ANSONBOROUGH

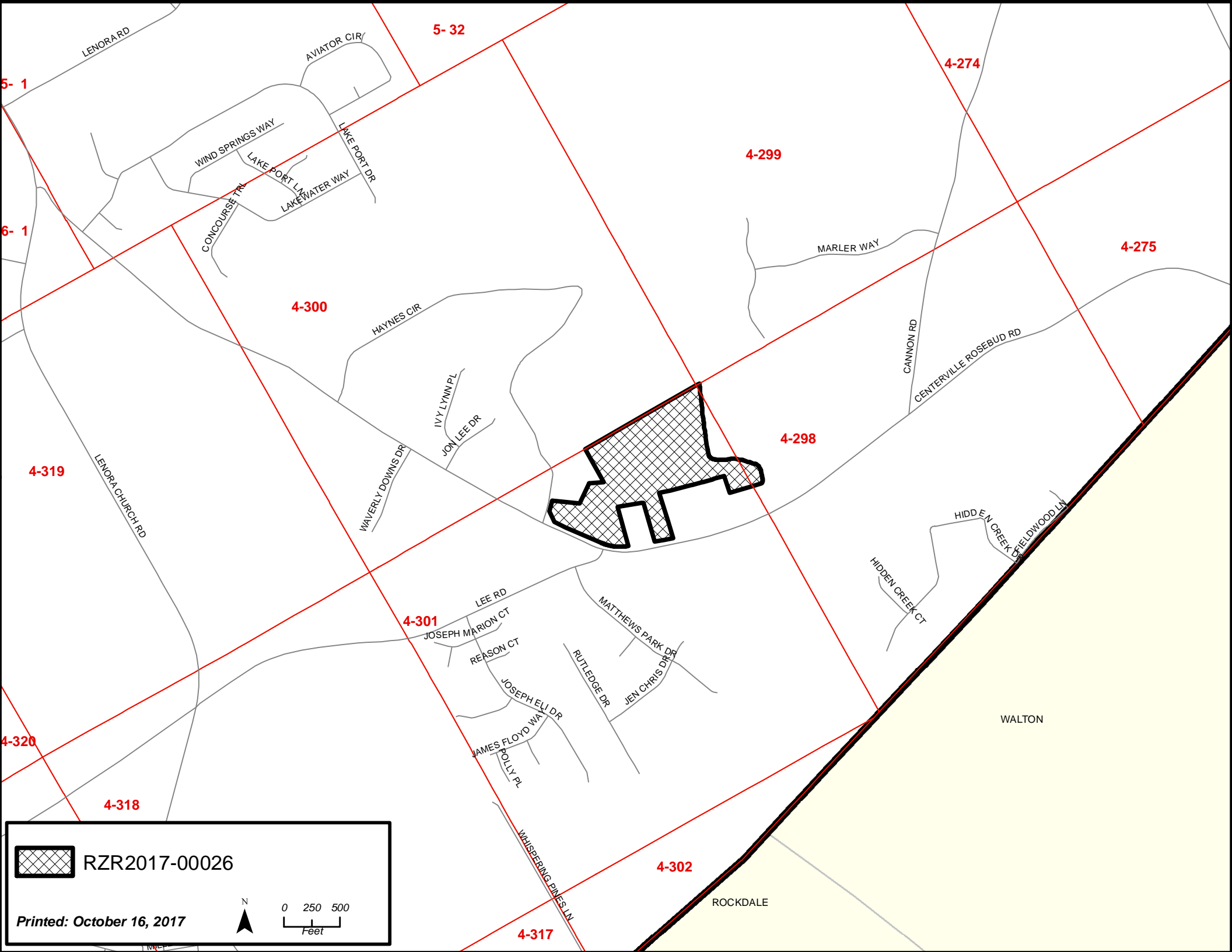
FRANK BETZ ASSOCIATES, INC.
DESIGNS OF CURATED ARCHITECTURE
2630 CHANCE HURST PARKWAY
SUITE 100
KENDALWICK, GEORGIA, 30144
770-531-6888 | 888-771-7530


BY: [Signature] DATE: [Date]
CHECKED: [Signature]
DWG NO: [Number]
SHEET [Number] OF [Total Sheets]

Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, December 2017

Case #	Schools	Current Projections									Proposed Zoning
		2017-18			2018-19			2019-20			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZR2017-00025	Mill Creek HS	3,647	2,800	847	3,605	2,800	805	3,649	2,800	849	Approximate additional Student Projections from Proposed Developments
	Jones MS	989	975	14	998	975	23	1,028	975	53	
	Ivy Creek ES	1,098	1,275	-177	1,131	1,275	-144	1,165	1,275	-110	
RZR2017-00026	South Gwinnett HS	2,499	2,750	-251	2,549	2,750	-201	2,600	2,750	-150	5
	Grace Snell MS	1,280	1,200	80	1,318	1,200	118	1,358	1,200	158	4
	Rosebud ES	1,072	1,200	-128	1,061	1,200	-139	1,077	1,200	-123	7
RZR2017-00027	Archer HS	2,740	2,575	165	2,845	2,575	270	2,954	2,575	379	9
	McConnell MS	1,963	1,775	188	2,051	1,775	276	2,133	1,775	358	6
	Lovin ES	903	975	-72	921	975	-54	939	975	-36	13
RZR2017-00029	Mountain View HS	2,531	2,300	231	2,689	2,300	389	2,729	2,300	429	26
	Twin Rivers MS	1,950	2,150	-200	1,979	2,150	-171	2,009	2,150	-141	18
	Freeman's Mill ES	935	925	10	930	925	5	949	925	24	36
RZR2017-00030	Mountain View HS	2,531	2,300	231	2,689	2,300	389	2,729	2,300	429	20
	Twin Rivers MS	1,950	2,150	-200	1,979	2,150	-171	2,009	2,150	-141	14
	Freeman's Mill ES	935	925	10	930	925	5	949	925	24	28

Current projections do not include new developments



 RZR2017-00026

Printed: October 16, 2017



0 250 500
Feet

GENERAL SITE NOTES:

PROPOSED USE: SINGLE FAMILY RESIDENTIAL
 CURRENT ZONING - R-100
 PROPOSED ZONING - OSC
 TOTAL AREA - 25.78 AC
 AREA WITHIN FLOODPLAIN - 6.29 AC
 25.78 AC - 3.14 AC (50% FLOOD PLAIN) = 22.635 AC
 NET DENSITY AREA - 22.635 AC

OSC ZONING REQUIREMENTS

MINIMUM LOT SIZE - 7,500 SF.
 MINIMUM LOT WIDTH - 60'
 MAXIMUM BLDG. HEIGHT - 35 FT
 MINIMUM DWELLINGS - 1,400 SF
 ALLOWABLE DENSITY - 2.5 UNITS PER ACRE (56.59/57 UNITS)
 MINIMUM OPEN SPACE 25%

PROPOSED SITE REQUIREMENTS

TOTAL RESIDENTIAL UNITS PROPOSED - 28
 PROPOSED NET DENSITY - 1.237 UNITS PER ACRE
 MINIMUM LOT SIZE - 7,500 SF.
 AVERAGE LOT SIZE - 12,976 SF.
 TOTAL OPEN SPACE - 15.38 AC (59.6%)
 OPEN SPACE DETAILS:
 PRIMARY - 7.20 AC (27.9%)
 SECONDARY - 8.16 AC (31.7%)

OPEN SPACE DISTURBANCE ESTIMATED:

PRIMARY OPEN SPACE - 10,000 SF (3%)
 SECONDARY OPEN SPACE - 11,300 (3%)

LOTS DO NOT ENDOURCH INTO 100 YEAR FLOOD PLAIN OR REQUIRED STATE STREAM BUFFERS

BUILDING SETBACK REQUIREMENTS:

FRONT - 24'
 REAR - 30'
 SIDE - 7.5'

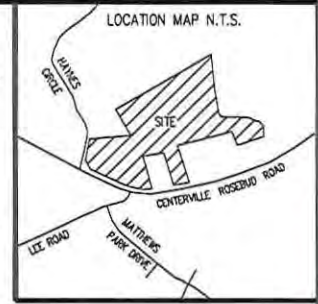
LOT	AREA	PERCENT	TYPE	STATUS	REMARKS
1	10,000	10.00	Primary	Open Space	
2	10,000	10.00	Primary	Open Space	
3	10,000	10.00	Primary	Open Space	
4	10,000	10.00	Primary	Open Space	
5	10,000	10.00	Primary	Open Space	
6	10,000	10.00	Primary	Open Space	
7	10,000	10.00	Primary	Open Space	
8	10,000	10.00	Primary	Open Space	
9	10,000	10.00	Primary	Open Space	
10	10,000	10.00	Primary	Open Space	
11	10,000	10.00	Primary	Open Space	
12	10,000	10.00	Primary	Open Space	
13	10,000	10.00	Primary	Open Space	
14	10,000	10.00	Primary	Open Space	
15	10,000	10.00	Primary	Open Space	
16	10,000	10.00	Primary	Open Space	
17	10,000	10.00	Primary	Open Space	
18	10,000	10.00	Primary	Open Space	
19	10,000	10.00	Primary	Open Space	
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22	10,000	10.00	Primary	Open Space	
23	10,000	10.00	Primary	Open Space	
24	10,000	10.00	Primary	Open Space	
25	10,000	10.00	Primary	Open Space	
26	10,000	10.00	Primary	Open Space	
27	10,000	10.00	Primary	Open Space	
28	10,000	10.00	Primary	Open Space	

APPLICANT:

SMITHTON HOMES, LLC
 4763 TOWNSHIP CHASE
 MARIETTA, GEORGIA 30066
 24 HR. CONTACT:
 BERNIE SMITH
 (770) 652-0044

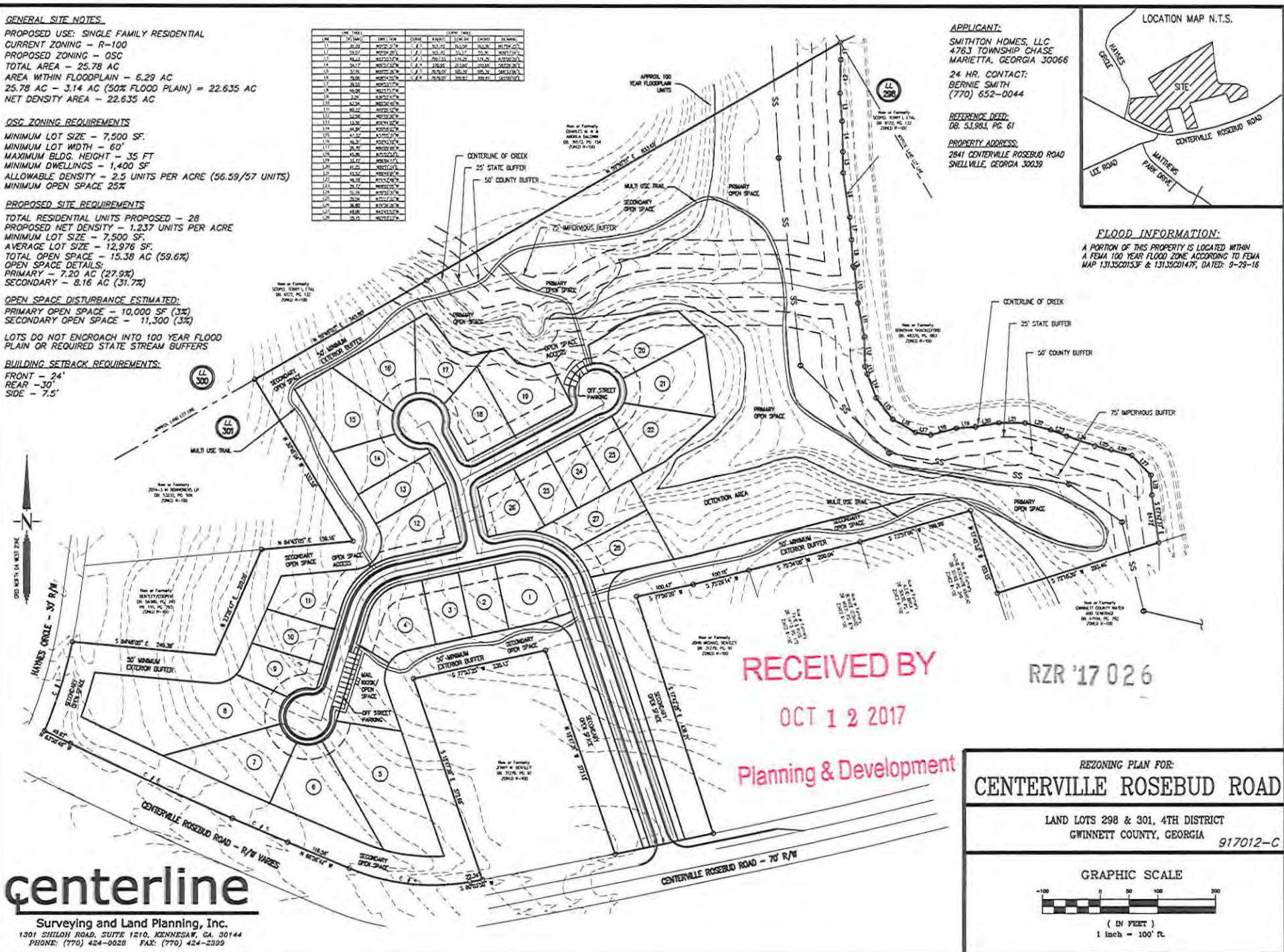
REFERENCE DEED:

DB: 51,981, PG. 61
 PROPERTY ADDRESS:
 2841 CENTERVILLE ROSEBUD ROAD
 SNELLVILLE, GEORGIA 30039



FLOOD INFORMATION:

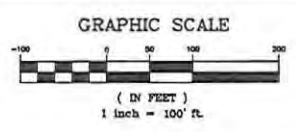
A PORTION OF THIS PROPERTY IS LOCATED WITHIN A FEMA 100 YEAR FLOOD ZONE ACCORDING TO FEMA MAP 131.35C0133F & 131.35C0147F, DATED: 9-29-16



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RZR '17 026

REZONING PLAN FOR:
CENTERVILLE ROSEBUD ROAD
 LAND LOTS 298 & 301, 4TH DISTRICT
 GWINNETT COUNTY, GEORGIA 917012-C



centerline
 Surveying and Land Planning, Inc.
 1301 SHILOH ROAD, SUITE 1210, KENNESAW, GA 30144
 PHONE: (770) 424-0028 FAX: (770) 424-2399

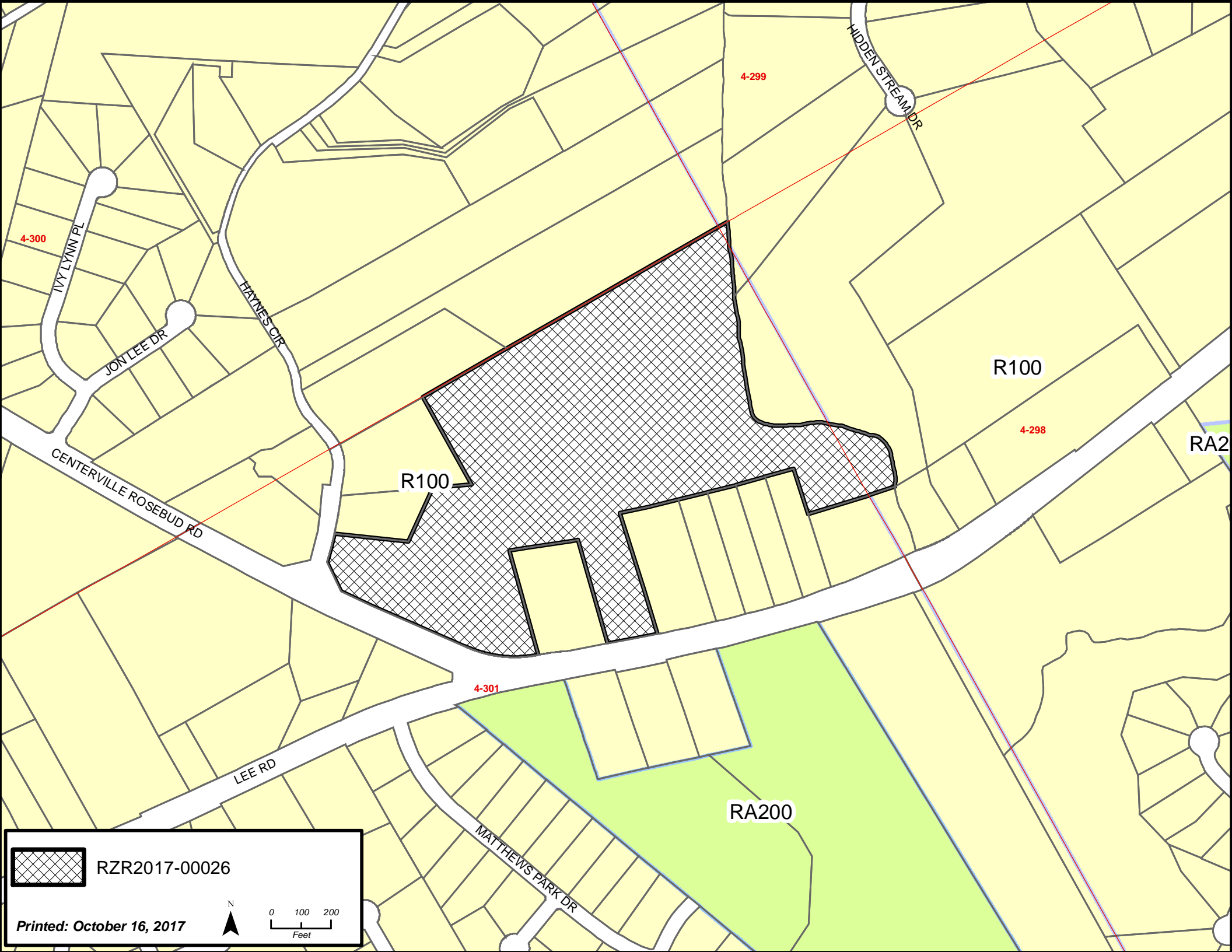


RZR2017-00026



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Printed: October 16, 2017



4-300

4-299

R100

4-298

RA2

R100

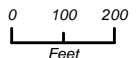
4-301

RA200



RZR2017-00026

Printed: October 16, 2017



**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS**

CASE NUMBER :RZR2017-00011
ZONING CHANGE :RA-200 TO OSC
LOCATION :2400 BLOCK OF SUNNY HILL ROAD
:2500 BLOCK OF MORGAN ROAD
MAP NUMBER :R7136 001
ACREAGE :86.15 ACRES
UNITS :112 UNITS
PROPOSED DEVELOPMENT :SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT :(4) HEARD

FUTURE DEVELOPMENT MAP: **EXISTING/EMERGING SUBURBAN**

APPLICANT: HOME SOUTH COMMUNITIES, LLC
C/O MAHAFFEY PICKENS TUCKER, LLP
1550 N. BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACT: SHANE LANHAM PHONE: 770.232.0000

OWNER: JOHN T. LAMB
2496 SUNNY HILL ROAD
BUFORD, GA 30519

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests rezoning of an 86.15-acre parcel from RA-200 (Agriculture-Residence District) to OSC (Open Space Conservation District), to construct a 112-lot single-family subdivision. The property is located on both sides of Sunny Hill Road, just south of its intersection with Morgan Road, and south of Interstate 85. The property is presently developed with an existing single-family residence, a few accessory structures, pastureland, wooded areas, ponds, and Little Ivy Creek that runs east to west across the southern portion of the property. The right-of-way of Sunny Hill Road separates the property into two portions, and a portion of the proposed Sugarloaf Parkway would bisect the property from north to south.

The subject site contains 30.75 acres of floodplain on the property. The proposed total 112-unit development would have a gross density of 1.3 units per acre and net density of 1.58 units per acre. The site plan shows that the smaller portion of the property east of Sunny Hill Road would have 20 lots accessed via one new roadway off Morgan Road at the north side of the property, with a stormwater management area, and 10.45 acres of primary and secondary open space. The western, larger portion of the property is proposed with 92 lots accessed via one

new roadway off Sunny Hill Road, with its own stormwater management area and a total of 42.48 acres of primary and secondary open space, exceeding the minimum requirement of 21.5 acres (25 percent of the property). Some proposed lots encroach into the required impervious setback and would require Variance approval for reduced setbacks.

According to the site plan, the minimum lot width for the development would be 60 feet, with a minimum lot area of 7,500 square feet, meeting the minimum requirements for the requested zoning classification. The applicant has proposed a minimum dwelling size of 2,250 square feet, and all units would include two-car garages. Submitted elevations indicate homes would be primarily brick, stone and shake on the front façade, with the remaining sides of each home being constructed with fiber-cement siding.

An OSC-zoned development requires a form of transition when located adjacent to agricultural or single-family residential uses. The Unified Development Ordinance (UDO) provides three options, and the applicant has chosen to provide a 50-foot conservation space strip adjacent to properties zoned R-100 and RA-200. The site plan reflects a 50-foot undisturbed stream buffer and 75-foot impervious setback along Little Ivy Creek located on the south side of the property. Also reflected on the submitted site plan is the required 50-foot street frontage buffer along the right-of-way of Sunny Hill Road/Morgan Road for both portions of the property.

ZONING HISTORY:

The property has been zoned RA-200 since 1970.

GROUNDWATER RECHARGE AREA:

The subject property is located within an identified Significant Groundwater Recharge Area. The Georgia Department of Community Affairs and Department of Natural Resources have mandated that Significant Groundwater Recharge Areas be identified and that minimum lot sizes for septic tanks be increased in these resource areas. Please contact Gwinnett County Environmental Health for septic system information and/or Gwinnett Department of Water Resources regarding availability of sanitary sewer for this site.

WETLANDS INVENTORY:

The subject property contains areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development. The applicant/developer shall obtain all required approvals from the Gwinnett Department of Public Utilities and the U.S. Army Corps of Engineers for construction or land disturbance activities which may impact floodplain or wetland areas.

OPEN SPACE AND GREENWAY MASTER PLAN:

No Comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Protection Section of the Unified Development Ordinance (Chapter 620) requires submittal and approval of a Tree Preservation and Replacement Plan prepared by a professional landscape architect prior to securing a Land Disturbance or Development permit.

Parking lots and interior driveways shall be designed in accordance with Chapter 240 of the Unified Development Ordinance.

Section 900-20.7 of the Unified Development Ordinance requires either direct alignment of public streets opposite each other, or have offsets as shown in Table 900.3.

Section 900-30 of the Unified Development Ordinance requires a 200-foot deceleration lane with a 50-foot taper at each project entrance that proposes access to a Minor Collection Street or Major Thoroughfare. Right-of-way dedication to accommodate the deceleration lane and an 11-foot shoulder is also required. Reduction in length of a deceleration lane requires approval of a Modification by the Development Division; elimination of a deceleration lane requires approval of a Waiver by the Board of Commissioners.

Section 900-90 of the Unified Development Ordinance requires construction of five-foot wide sidewalks along all exterior roadways adjoining the project, and four-foot wide sidewalks adjacent to both sides of all interior public streets (excluding cul-de-sac turnarounds).

Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a Development Permit Application.

The developer must submit a concept plan for review and approval of the Development Division prior to submittal and acceptance of a development permit application.

The developer must submit a preliminary plat (construction plans), including a grading plan, tree plan, and road/sewer profiles for review and approval of the Development Division prior to any construction.

Section 800-20 of the Unified Development Ordinance requires submittal of a Stormwater Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

Section 700-40.1A of the Unified Development Ordinance requires that the lowest floor, including the basement, of all residential building be constructed at an elevation of at least three feet above the 100-year floodplain.

Note that all recreation areas, open space and/or common areas (including stormwater detention facility lots) located within the development shall be controlled by a mandatory

Property Owner's Association (to include reported bylaws) with responsibility for maintenance, insurance, and taxes for open space areas.

The United States Postal Service may require a centralized mail delivery kiosk for this proposed development, replacing individual mail boxes. Mail delivery kiosk must be located outside of right-of-way access easement (if private street). Location and access must be approved by Gwinnett County D.O.T.

STORMWATER REVIEW SECTION COMMENTS:

The property appears to contain stream buffers and floodplain. The proposed conceptual plan may require revision to show the appropriate stream buffer and floodplain areas. All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Sunny Hill Road is a Minor Collector and 30 feet of right-of-way is required from the centerline.

Standard deceleration lane with appropriate taper and adequate right-of-way will be required.

The project entrance shall align with opposing roads or driveways in accordance with the Gwinnett County Unified Development Ordinance.

Prior to the issuance of a Development Permit, a sight distance certification shall be provided.

The number and locations of driveways are subject to Gwinnett County D.O.T. approval.

Minimum separation from a driveway, public road, or side street shall be provided as specified in the Gwinnett County Unified Development Ordinance.

Project must comply with Gwinnett County D.O.T. Criteria and Guidelines for left turn lanes.

Development is within the path of the future Gwinnett County roadway extension of Sugarloaf Parkway. Right-of-way for the future roadway project must be reserved before a development permit can be issued.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 2 and 48-inch water main located on the northeast right-of-way of Sunny Hill Road and a 48-inch water main located on the southeast right-of-way of Morgan Road.

Due to the uncontrollable variables, the Department of Water Resources (DWR) makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. Demands imposed by the proposed development may require reinforcements or extensions of existing water mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department.

The available utility records show that the subject development is currently in the vicinity of an 8 and 36-inch sanitary sewer main located on parcel R7136 007.

The subject development is located within the Ivy Creek service area. There are currently no connection restrictions within this service area. Treatment capacity within this area is presently available on a first come - first serve basis.

Demands imposed by the proposed development may require reinforcements or extensions of existing sewer mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department. Developer shall provide easements for future sewer connection to all locations designated by DWR during plan review.

As-built information for this department is dependent upon outside entities to provide record drawings for the utilities. Therefore, this department does not guarantee the accuracy of the information provided.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances. Proceeding design, construction, inspection, and final acceptance of the required utilities, service to these utilities would then become available under the applicable utility permit rate schedules.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The property is located on both sides of Sunny Hill Road, south of its intersection with Morgan Road, and south of Interstate 85. The applicant requests rezoning from RA-200 (Agriculture-Residence District) to OSC (Open Space Conservation District) to construct a 112-lot single-family subdivision. The property is currently developed with a single-family residence, a few accessory structures, pastureland, wooded areas, ponds, and Little Ivy Creek that runs east to west across the southern portion of the property.

The 2030 Unified Plan Future Development Map indicates the property is located within an Existing/Emerging Suburban Character Area. Policies for this Character Area encourage single-family residential uses, and promote a variety of housing options. With conditions to ensure the quality of development and its compatibility with the surrounding area, an OSC subdivision at a density of 1.58 units per acre could be consistent with these policies and map designation.

Developments in the immediate area consist of single-family subdivisions and homes on large acreage tracts. To the west of the subject property are large acre residential properties zoned RA-200 and R-100. To the south, on the west side of Sunny Hill Road, is the Wynnfield Manor subdivision zoned R-100MOD (Modified Single-Family Development) and property zoned R-100. Located on the east side of Sunny Hill Road south of the subject property are undeveloped properties zoned RA-200 that are part the Mountain View High School complex. To the east of the subject property is the Mill Creek Plantation subdivision, which received rezoning approval to R-100 CSO (Conservation Subdivision Overlay District) in 2002 (RZR2002-00006). To the north are developed residential properties zoned RA-200, and some properties owned by the County and designated for the planned Sugarloaf Parkway extension. In light of continuing a development pattern of low-density, single-family subdivisions with preservation of natural amenities and open space, an OSC subdivision conditioned to protect the environmental features could be consistent with similar subdivisions and prior Board precedent in the area.

In conclusion, the proposed OSC development could be consistent with the policies of the 2030 Unified Plan and existing single-family residential development of the area. The OSC zoning district lends itself to preservation and protection of stream buffers and other sensitive areas, which may be appropriate for this tract. Therefore, the Planning Department recommends **APPROVAL WITH CONDITIONS**.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as OSC (Open Space Conservation Subdivision), subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Single-family detached dwellings and accessory uses and structures.
 - B. The minimum heated floor area per dwelling shall be 2,400 square feet.
 - C. Homes shall be constructed primarily of brick, stacked stone, or shake on three sides. The rear shall be the same or of fiber-cement siding or shake with a minimum 3-foot brick or stacked stone water table.
 - D. All homes shall have at least a double-car garage.
2. To satisfy the following site development considerations:
 - A. All primary conservation space shall remain undisturbed.
 - B. No part of any private lot shall contain stream buffers or setbacks.
 - C. Natural vegetation shall remain on the property until the issuance of a development permit.
 - D. The exterior street frontages and project entrance shall be landscaped by the developer and maintained by the Homeowner's Association. Entrance shall include a decorative masonry entrance feature. Landscape and entrance feature plans shall be subject to review and approval of the Director of Planning and Development.
 - E. A center pocket park or designated open space shall be added in the center of the residential development, and unpaved pedestrian connections to the primary and secondary conservation shall be provided throughout the development. Final layout shall be subject to the review and approval of the Director of Planning and Development.
 - F. No direct lot access shall be allowed to Sunny Hill road or Morgan Road.
 - G. All grassed areas on dwelling lots shall be sodded.
 - H. All utilities shall be placed underground.
3. To abide by the following requirements, dedications and improvements:
 - A. Developer shall reserve right-of-way for the future extension of Sugarloaf Parkway per the requirements of the Gwinnett Department of Transportation.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF THE ZONING

SUITABILITY OF USE

The request could be considered suitable at this location in light of existing R-100 MOD and R-100 CSO subdivision developments in the area, and the preservation of a substantial portion of the site as primary and secondary conservation space.

ADVERSE IMPACTS

With the recommended conditions, potential impacts should be minimized.

REASONABLE ECONOMIC USE AS ZONED

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

IMPACT ON PUBLIC FACILITIES

An increased impact on public facilities could be anticipated in the form of increased traffic, school enrollment, stormwater runoff and utility demand.

CONFORMITY WITH POLICIES

The request could be considered consistent with policies the 2030 Unified Plan, which encourage single-family residential uses, promoting a variety of housing options, with similar zoning and developments to the surrounding area.

CONDITIONS AFFECTING ZONING

The preservation of wooded areas, streams, and proposed pocket parks on the site lend supporting grounds for approval of OSC zoning for this site.

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Please see attached

- (B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

Please see attached

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

Please see attached

- (D) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

Please see attached

- (E) WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Please see attached

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED REZONING:

Please see attached

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RZR 17011

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) The proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The proposed development is a single-family residential neighborhood that will conserve important natural areas.
- (B) The proposed rezoning will not adversely affect the existing use or usability of any of the nearby properties. The proposed development is compatible with surrounding development.
- (C) Due to the size, layout, location, and topography of the subject property, the Applicant submits that the subject property does not have reasonable economic use as currently zoned.
- (D) The proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems. The subject property is located off of Sunny Hill Road with access to utilities. Further, the relatively low development density will not overly burden infrastructure systems.
- (E) The proposed rezoning is in conformity with the policy and intent of the Land Use Plan.
- (F) Applicant submits that the single-family residential nature of the area as well as the proximity to Interstate 85 provide additional support of this Application.

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Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Christopher D. Holbrook
Frances H. Kim
Shane M. Lanham

Austen T. Mabe
Jeffrey R. Mahaffey
David G. McGee
Steven A. Pickens
Andrew D. Stancil
R. Lee Tucker, Jr.
*Of Counsel

**LETTER OF INTENT FOR REZONING APPLICATION
OF HOME SOUTH COMMUNITIES, LLC**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Rezoning Application (the “Application”) on behalf of Home South Communities, LLC (the “Applicant”) for the purpose of rezoning to the OSC zoning classification an approximately 86.15 acre tract of land (the “Property”) situated along Sunny Hill Road at its intersection with Morgan Road in northern Gwinnett County. The Property is currently zoned RA-200. The Property is located in very close proximity to Interstate 85 just west of Gravel Springs Road.

The Applicant proposes to develop a single-family residential community including 112 detached single-family homes. The proposed development would have a net density of approximately 1.58 units per acre, which below the maximum allowed density of 2.5 units per acre prescribed for the OSC zoning classification in the Gwinnett County Unified Development Ordinance (the “UDO”). The proposed development’s gross density is approximately 1.3 units per acre. The proposed single-family community would consist of homes at a size, quality, and price-point commensurate with or exceeding homes in the surrounding area. The proposed homes would include two-car garages and covered entrances as well as other attractive architectural elements. The facades of proposed homes would be constructed primarily of brick, stone, board and batten, and/or fiber-cement or shake siding. The homes in the proposed

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development would contain a minimum of 2,250 square feet of heated floor area. Surrounding development and existing homes would not face major negative impacts as a result of the proposed development in part because of the substantial buffering required under the UDO in conjunction with extensive additional buffering preserved by the Applicant as conservation space. As depicted on the site plan, the adjacent property to the south would lie approximately 320 feet away from the nearest proposed lot. To the west the distance is even greater at over 530 feet. At a minimum, the UDO calls for a 50-foot buffer around the perimeter of the development.

In addition to being a quality development that is compatible with homes in the surrounding area, the proposed development will preserve important green space in a rapidly-growing area of Gwinnett County. Specifically, the proposed development would preserve nearly 55 acres of open space which is approximately 64 percent of the entire development. Further, as depicted on the site plan submitted with the Application, the proposed development would provide over 30 acres of Primary Open Space which is more than double the amount required by the UDO for the OSC zoning classification.

The subject property contains a mixture of existing pasture, hardwoods, pine, and creek bottoms including Little Ivy Creek which flows through the property from east to west before entering into Suwanee Creek and eventually the Chattahoochee River. The proposed development was designed so that homes would generally be concentrated in existing pasture areas limiting land disturbance across the site as a whole. Since the home sites are essentially pre-cleared, much of the existing hardwood and pine trees will remain on-site. The proposed development would enhance land, water, air, and tree resources by minimizing the area of land disturbance and would significantly contribute to the protection of the headwaters of the Chattahoochee River.

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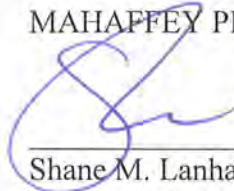
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The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Rezoning Application filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted this 3rd day of May, 2017.

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham
Attorneys for Applicant

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Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, July 2017

Case #	Schools	Current Projections									Proposed Zoning Approximate additional Student Projections from Proposed Developments
		2017-18			2018-19			2019-20			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZM2017-00006	Central Gwinnett HS	2131	2,300	-169	2174	2,300	-126	2217	2,300	-83	36
	Moore MS	974	1,350	-376	989	1,350	-361	1003	1,350	-347	26
	Winn Holt ES	1103	1,200	-97	1120	1,200	-80	1136	1,200	-64	51
RZM2017-00007	Brookwood HS	3558	2,575	983	3530	2,575	955	3494	2,575	919	25
	Crews MS	1387	1,150	237	1374	1,150	224	1360	1,150	210	18
	Brookwood ES	1288	1,250	38	1302	1,250	52	1315	1,250	65	35
RZM2017-00008	Brookwood HS	3558	2,575	983	3530	2,575	955	3494	2,575	919	15
	Crews MS	1387	1,150	237	1374	1,150	224	1360	1,150	210	8
	Brookwood ES	1288	1,250	38	1302	1,250	52	1315	1,250	65	16
RZR2017-00011	Mountain View HS	2531	2,300	231	2689	2,300	389	2729	2,300	429	36
	Twin Rivers MS	1950	2,150	-200	1979	2,150	-171	2009	2,150	-141	26
	Freeman's Mill ES	935	925	10	930	925	5	949	925	24	50

Current projections do not include new developments

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LEFT SIDE ELEVATION



REAR ELEVATION



RIGHT SIDE ELEVATION

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BUFORD

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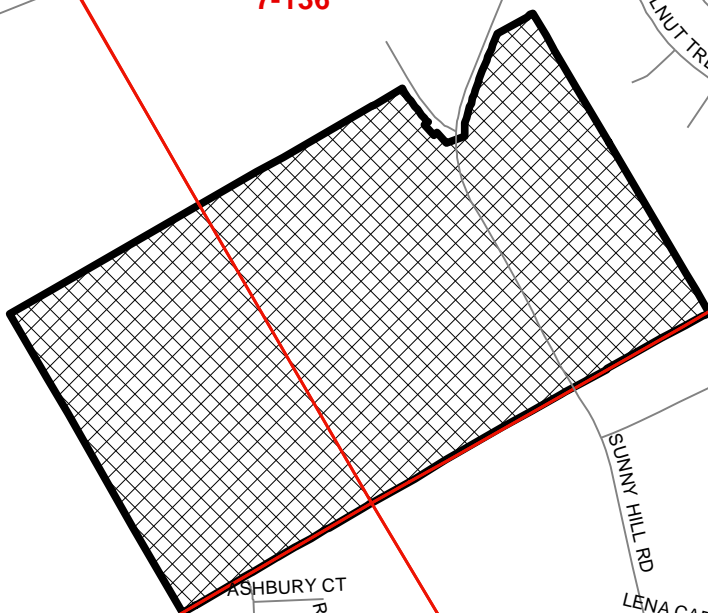
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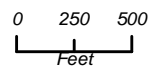
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 RZR2017-00011

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IVY STONE TRL

ROCK SPRINGS RD

MANOR OAK LN

ROCKSRAM DR

WATER CT
ROCKSRAM CT

ASHBURY CT

ROCKY WATERS TRL

SUNNY HILL RD

LENA CARTER WAY

SUNNY HILL RD

BROWN RD

185S

185N

FIELDVIEW DR

FIELDVIEW WAY

GRISTHAVEN DR

WALNUT TREE LN

GRISTHAVEN LN

SOUTHAVEN LN

WODFORD LN

MAPLE MILL DR

MORGAN RD

GRAVEL SPRINGS RD

KIRKSTONE DR

BANCROFT WAY

MCCAHILL CT

LENA CARTER RD

BRASELTON HWY

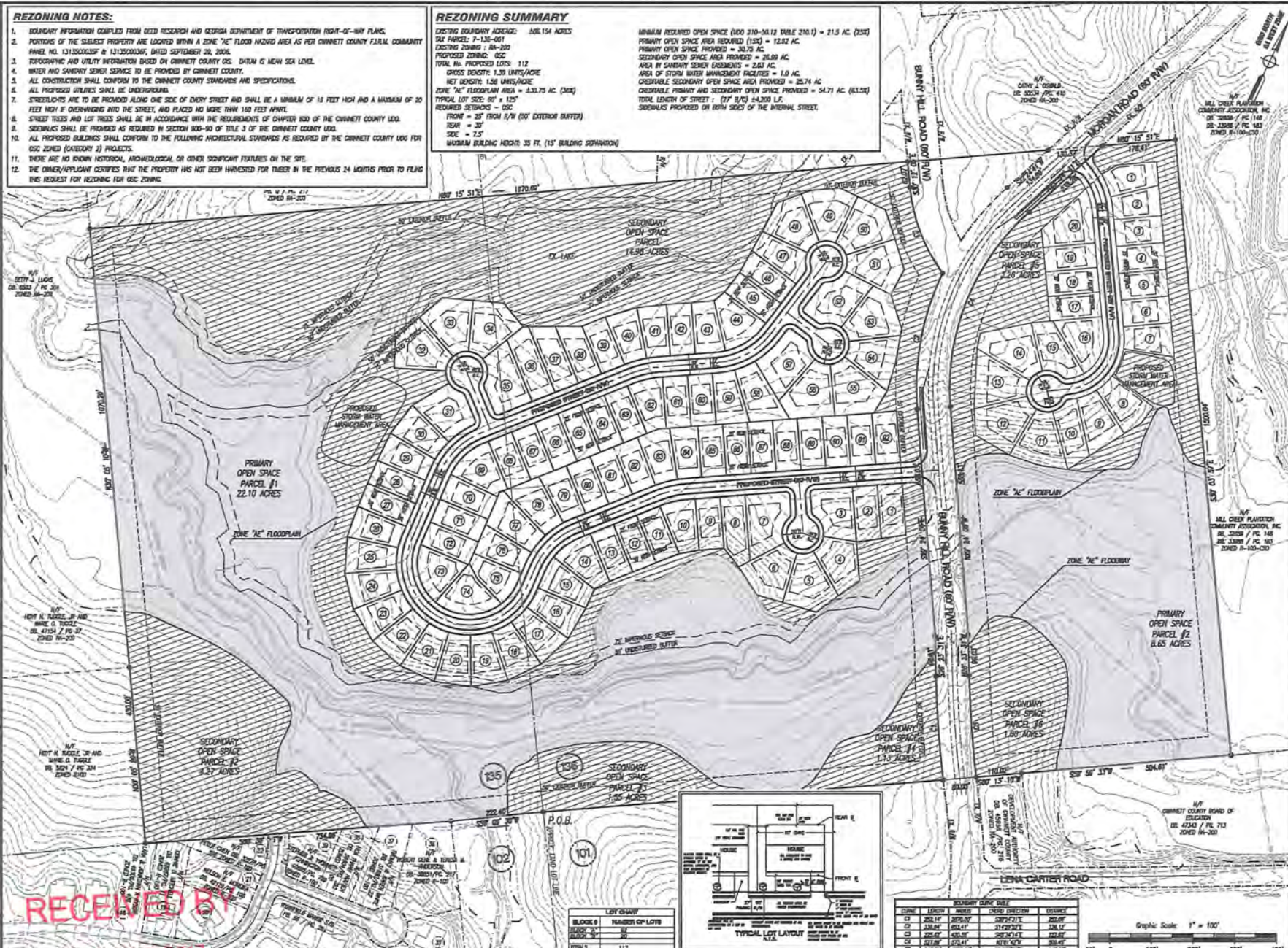
REZONING NOTES:

- BOUNDARY INFORMATION COMPILED FROM DEED RESEARCH AND GEORGIA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY PLANS.
- PORTIONS OF THE SUBJECT PROPERTY ARE LOCATED WITHIN A ZONE "A" FLOOD HAZARD AREA AS PER CHIMNEY COUNTY FIRM COMMUNITY PANEL NO. 131300003F & 131300003S, DATED SEPTEMBER 20, 2006.
- TOPOGRAPHIC AND UTILITY INFORMATION BASED ON CHIMNEY COUNTY COS. DATUM IS MEAN SEA LEVEL.
- WATER AND SANITARY SERVICE TO BE PROVIDED BY CHIMNEY COUNTY.
- ALL CONSTRUCTION SHALL CONFORM TO THE CHIMNEY COUNTY STANDARDS AND SPECIFICATIONS.
- ALL PROPOSED UTILITIES SHALL BE UNDERGROUND.
- STREETLIGHTS ARE TO BE PROVIDED ALONG ONE SIDE OF EVERY STREET AND SHALL BE A MINIMUM OF 18 FEET HIGH AND A MAXIMUM OF 20 FEET HIGH IF OVERHANGING INTO THE STREET, AND PLACED NO MORE THAN 180 FEET APART.
- STREET TREES AND LOT TREES SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF CHAPTER 100 OF THE CHIMNEY COUNTY UDC.
- SEWERLINES SHALL BE PROVIDED AS REQUIRED IN SECTION 1000-90 OF TITLE 3 OF THE CHIMNEY COUNTY UDC.
- ALL PROPOSED BUILDINGS SHALL CONFORM TO THE FOLLOWING ARCHITECTURAL STANDARDS AS REQUIRED BY THE CHIMNEY COUNTY UDC FOR COS ZONED (CATEGORY 2) PROJECTS.
- THERE ARE NO KNOWN HISTORICAL, ARCHAEOLOGICAL, OR OTHER SIGNIFICANT FEATURES ON THE SITE.
- THE OWNER/APPLICANT CERTIFIES THAT THE PROPERTY HAS NOT BEEN HARVESTED FOR TIMBER IN THE PREVIOUS 24 MONTHS PRIOR TO FILING THIS REQUEST FOR REZONING FOR COS ZONING.

REZONING SUMMARY

EXISTING BOUNDARY ACREAGE: 488.154 ACRES
 TAX PARCEL: 7-136-001
 EXISTING ZONING: RA-200
 PROPOSED ZONING: COS
 TOTAL NO. PROPOSED LOTS: 112
 GROSS DENSITY: 1.30 UNITS/ACRE
 NET DENSITY: 1.58 UNITS/ACRE
 ZONE "A" FLOORPLAN AREA = 3,383.75 AC. (202)
 TYPICAL LOT SIZE: 60' x 125'
 REQUIRED SETBACKS - COS
 FRONT = 25' FROM 1/4" (50' EXTERIOR BUFFER)
 SIDE = 30'
 SIDE = 7.5'
 MAXIMUM BUILDING HEIGHT: 33 FT. (15' BUILDING SEPARATION)

MINIMUM REQUIRED OPEN SPACE (UDG 210-50.12 TABLE 210.1) = 21.5 AC. (202)
 PRIMARY OPEN SPACE AREA REQUIRED (152) = 12.82 AC.
 PRIMARY OPEN SPACE PROVIDED = 30.75 AC.
 SECONDARY OPEN SPACE AREA PROVIDED = 26.00 AC.
 AREA OF SANITARY SEWER EASEMENTS = 2.03 AC.
 AREA OF STORM WATER MANAGEMENT FACILITIES = 1.0 AC.
 CREDIBLE PRIMARY AND SECONDARY OPEN SPACE PROVIDED = 25.74 AC.
 CREDIBLE PRIMARY AND SECONDARY OPEN SPACE PROVIDED = 54.71 AC. (63.03)
 TOTAL LENGTH OF STREET: 127 1/2' & 24,200 L.F.
 SIDEWALKS PROPOSED ON BOTH SIDES OF THE INTERNAL STREET.



dPe
 Development Planning
 & Engineering, Inc.
 5074 BRISTOL INDUSTRIAL WAY SUITE A
 BUFORD, GEORGIA 30518
 (770) 271-3358
 www.dpeinc.com

PREPARED FOR:
HOMESOUTH COMMUNITIES
 390 BROGDON ROAD
 SUWANEE, GA. 30024

PROJECT NAME:
JOHN T. LAMB TRACT

TASK:
CONCEPTUAL REZONING SITE PLAN

PROJECT INFORMATION:
 JOHN T. LAMB TRACT
 13-0117
 FEDERAL HIGHWAY
 SUWANEE HILLS ROAD
 PROJECT ADDRESS:
 136
 LAMB LANE TRACT
 TIR
 COUNTY: GWINNETT, GA. 30024
 COUNTY: GWINNETT

DATE: _____
 DRAWN BY: _____
 CHECKED BY: _____
 DATE: _____

1 of 1

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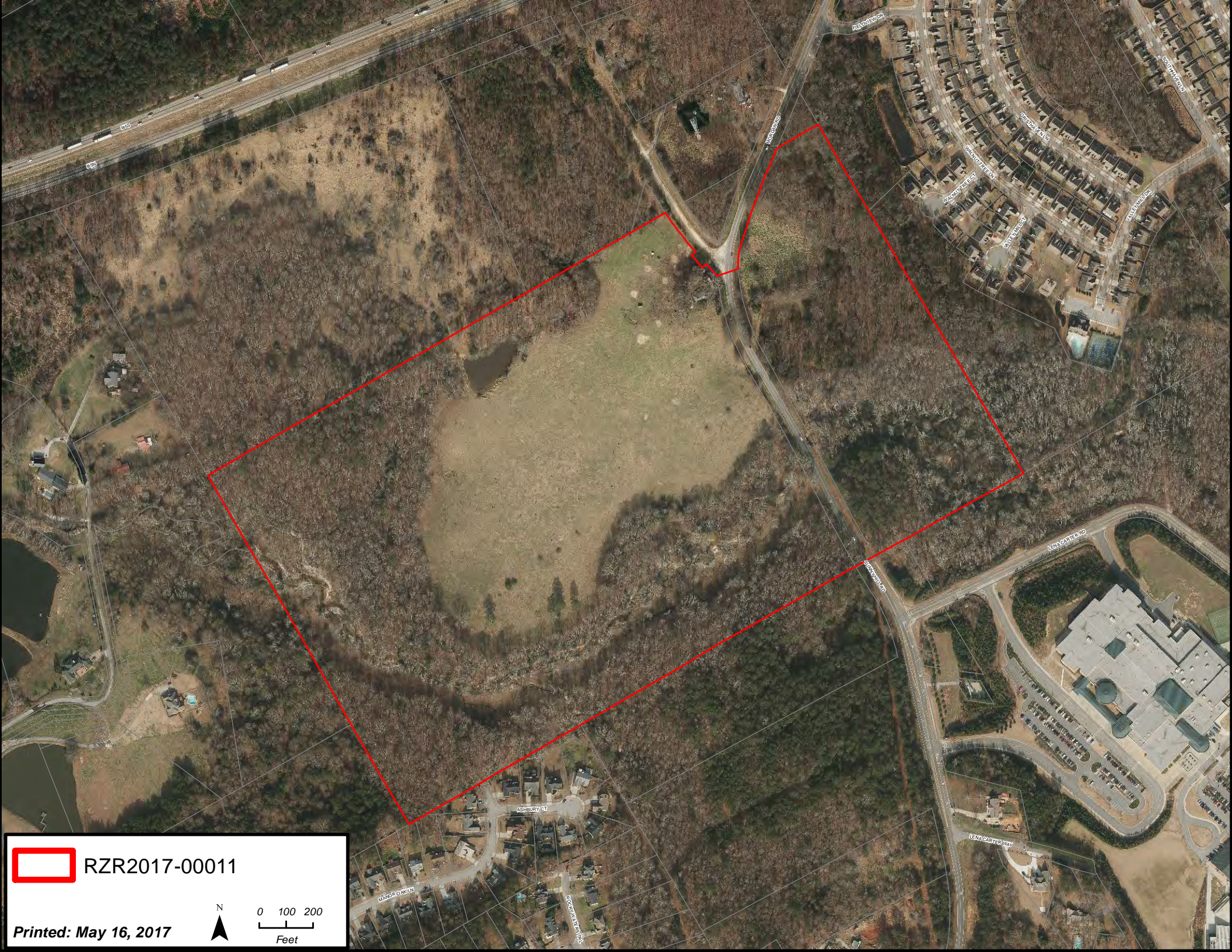


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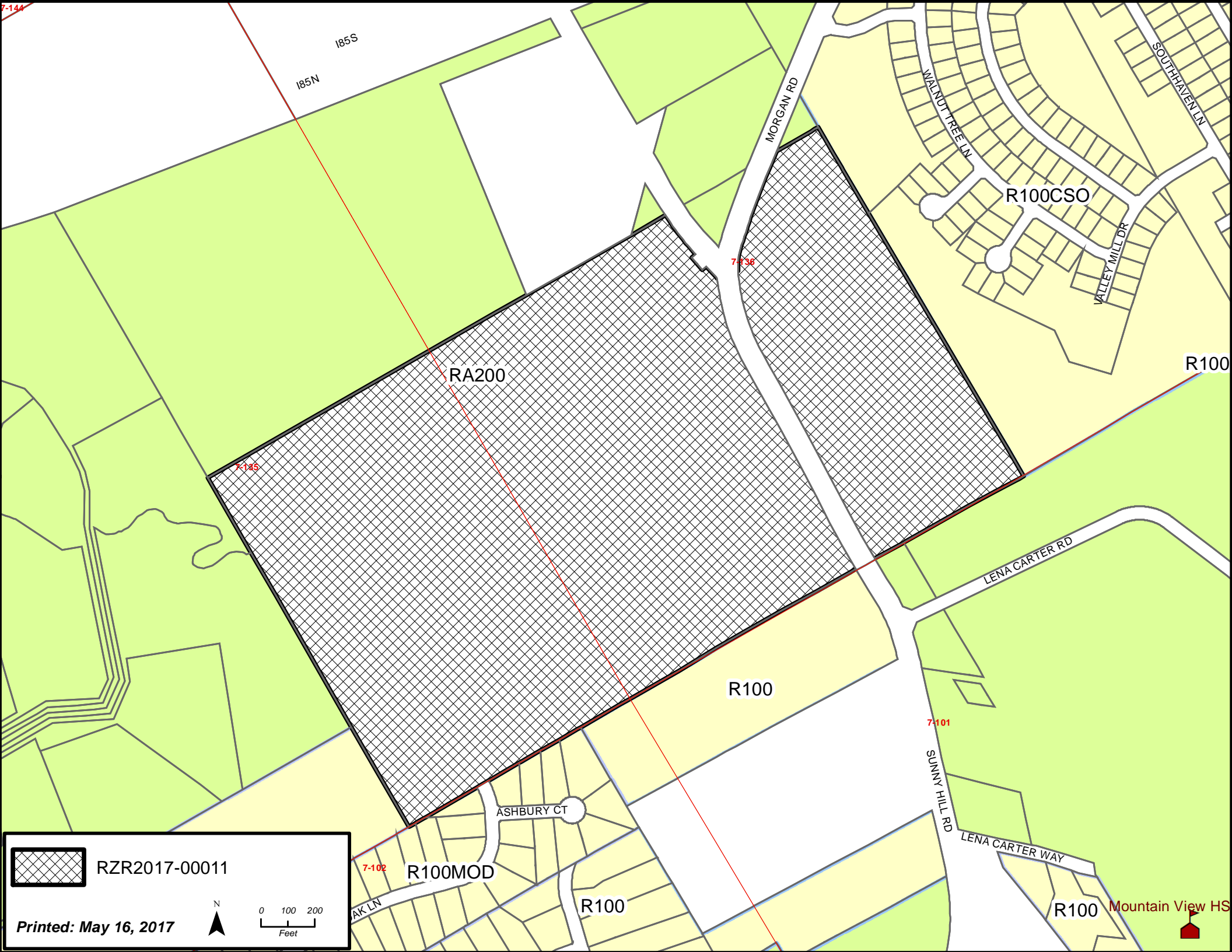


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185N
185S

MORGAN RD

WALNUT TREE LN

SOUTHAVEN LN

R100CSO

VALLEY MILL DR

R100

RA200

7-145

7-136

LENA CARTER RD

R100

7-101

SUNN HILL RD

LENA CARTER WAY

ASHBURY CT

7-102

R100MOD

R100

OAK LN

R100

Mountain View HS

 RZR2017-00011



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Feet

Printed: May 16, 2017

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING & SPECIAL USE PERMIT ANALYSIS**

CASE NUMBER :**RZC2018-00001**
ZONING CHANGE :R-100 TO O-I
LOCATION :1100-1200 BLOCKS OF WEBB GIN HOUSE ROAD
MAP NUMBERS :R5087 120 AND R5106 003, 067 & 278
ACREAGE :56.12 ACRES
SQUARE FEET :614,182 SQUARE FEET
PROPOSED DEVELOPMENT :RETIREMENT COMMUNITY (INDEPENDENT LIVING
AND CONTINUING CARE) (BUFFER REDUCTION)
COMMISSION DISTRICT :(4) HEARD

CASE NUMBER :**SUP2018-00003**
ZONING :O-I (PROPOSED)
LOCATION :1100-1200 BLOCKS OF WEBB GIN HOUSE ROAD
MAP NUMBERS :R5087 120 AND R5106 003, 067 & 278
ACREAGE :56.12 ACRES
SQUARE FEET :614,182 SQUARE FEET
PROPOSED DEVELOPMENT :RETIREMENT COMMUNITY (INDEPENDENT LIVING
AND CONTINUING CARE) (BUFFER REDUCTION)
COMMISSION DISTRICT :(4) HEARD

CASE NUMBER :**SUP2018-00004**
ZONING :O-I (PROPOSED)
LOCATION :1100-1200 BLOCKS OF WEBB GIN HOUSE ROAD
MAP NUMBERS :R5087 120 AND R5106 003, 067 & 278
ACREAGE :56.12 ACRES
SQUARE FEET :614,182 SQUARE FEET
PROPOSED DEVELOPMENT :BUILDING HEIGHT INCREASE (BUFFER REDUCTION)
COMMISSION DISTRICT :(4) HEARD

FUTURE DEVELOPMENT MAP :**EXISTING/EMERGING SUBURBAN**

APPLICANT: ASC ACQUISITIONS, LLC
1550 NORTH BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACT: SHANE LANHAM PHONE: 770.232.0000

OWNERS: JLC HOLDINGS, LLLP & VINNIE LUCILE CLARK
2301 LENORA ROAD
LOGANVILLE, GA 30052

RICHARD L. & JOYCE HARRISON
1141 WEBB GIN HOUSE ROAD
LAWRENCEVILLE, GA 30045

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The subject property contains 56.12 acres located on the north side of Webb Gin House Road east of Scenic Highway. Currently zoned R-100 (Single-Family Residence District), the applicant is requesting O-I (Office-Institutional District) zoning with two Special Use Permits in order to develop a 422-unit/bed senior living community with 48,000 square feet of office and commercial retail located along the Webb Gin House Road frontage. The site is an assemblage of four parcels currently developed as four single-family detached residences on primarily open pasture land. Two small streams are located within the northwest corner and the north central portions of the property.

Staff notes that this development requires review by the Atlanta Regional Commission (ARC) and the Georgia Regional Transportation Authority (GRTA) as a Development of Regional Impact (DRI) project. Information from that report will be included when completed.

The details of the proposed development as provided by the applicant are as follows:

RESIDENTIAL

- 140 independent living units (1,400 sq. ft. each)
- 128 duplexes (1,800 sq. ft. each)
- 55 assisted living units (730 sq. ft. each)
- 44 “concierge” living units (820 sq. ft. each)
- 31 “memory” care beds (total 20,075 sq. ft.)
- 24 “personal care” beds (total 14,300 sq. ft.)

Total residential: 422 units/beds (537,082 sq. ft.)

NON-RESIDENTIAL

- 30,000 square feet of retail/commercial
- 18,000 square feet of office
- 29,100 square feet of amenities and accessory uses

Total non-residential: 77,100 square feet

GRAND TOTAL: 614,182 square feet

In addition to the Special Use Permit (SUP) for the senior living community within an O-I zoning district, the applicant is also requesting an SUP to allow an increase in the 35-foot maximum height for five of the residential buildings. Two of the independent living buildings are proposed to be 54 feet in height, two are proposed to be 48 feet in height and the assisted

living facility is proposed to be 37 feet in height. Staff notes that the applicant is requesting 30,000 square feet of commercial retail uses along the Webb Gin House Road frontage to be available to both residents of the retirement facility and the general public. However, permitted commercial uses within the O-I zoning district are extremely limited and include only four specific uses: an automatic teller machine, an automobile brokerage, a data center and a parking garage or lot. All other commercial uses would require either a Special Use Permit or C-1 or C-2 zoning. Staff also notes that the applicant is also requesting a buffer reduction along the north, east and a portion of the west property lines from a 50-foot wide, natural undisturbed buffer to a 50-foot wide landscaped buffer. Three stormwater detention ponds are indicated on the site plan. Amenities for the proposed community include a large clubhouse in the center of the site, three tennis courts, two smaller clubhouses and a swimming pool.

Access to the site is proposed from three exit/entrances on Webb Gin House Road. The main access point will be aligned with Bennett Road on the south side of Webb Gin House Road. It is located approximately in the center of the project and will serve the commercial and office uses and the majority of the residential uses (294 units/beds), including the independent living villas, the “concierge” and assisted living units, the memory care facility and the “personal care” units. The other two exit/entrances are on either side of the subject site and will primarily serve the 128 duplexes. All of the uses, however, will be accessible from any access point with interconnections throughout the development. Although no connectivity to the adjacent shopping center is shown on the submitted site plan, staff recommends that a multi-use trail be provided in the northwest portion of the subject site.

ZONING HISTORY:

The 56.12-acre subject property was zoned R-100 in 1970. In 1981, the westernmost 30 acres of the property was rezoned to RT-200 (Temporary Mobile Home) for a mobile home as an accessory use pursuant to RZ-48-81. In 1982, a Moved In House (MIH) request was approved on five acres to allow a house to be relocated to that site pursuant to MIH-22-82. In 2016, the subject property was denied requests for TND zoning (Traditional Neighborhood Development District) and RM-24 zoning (Multifamily Residence District) pursuant to RZR2016-00011 and RZM2016-00003, respectively.

GROUNDWATER RECHARGE AREA:

The subject property is located within an identified Significant Groundwater Recharge Area. The Georgia Department of Community Affairs and the Georgia Department of Natural Resources have mandated that Significant Groundwater Recharge Areas be identified and that minimum lot sizes for septic tanks be increased in these resource areas. Please contact Gwinnett County Environmental Health for septic system information and/or Gwinnett County Department of Water Resources regarding availability of sanitary sewer for this site.

WETLANDS INVENTORY:

The subject property contains areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development. The applicant/developer shall obtain all required approvals from the Gwinnett County Department of Water Resources and the U.S. Army Corps of Engineers for construction or land disturbance activities which may impact floodplain or wetland areas.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a development permit application.

Five-foot wide sidewalks are required along the frontage of Webb Gin House Road (UDO 900-90.1).

Project access and required improvements along Webb Gin House Road will be subject to review and approval of Gwinnett County Department of Transportation.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance. The property appears to contain stream buffers. The proposed conceptual plan may require revision to show the appropriate stream buffers.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Webb Gin House Road is a Minor Arterial and 40 feet of right-of-way is required from the centerline, with 50 feet required within 500 feet of a major intersection.

Commercial entrances shall be provided to the site per current development regulations.

Standard deceleration lane with appropriate taper and adequate right-of-way will be required.

The western entrance shall align with Whitney Run Road.

All entrances on Webb Gin House Road shall have left turn lanes.

The project entrance shall align with opposing roads or driveways in accordance with the Gwinnett County Unified Development Ordinance.

Prior to the issuance of a Development Permit, a sight distance certification shall be provided.

Minimum separation from a driveway, public road, or side street shall be provided as specified in the Gwinnett County Unified Development Ordinance.

A five-foot wide sidewalk is required along the frontage to tie into the existing sidewalk on Webb Gin House Road.

The existing signal at Webb Gin House Road and Bennett Road will require modification with pedestrian upgrades.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a ten-inch water main located on the southeast right-of-way of Webb Gin House Road.

Due to the uncontrollable variables, the Department of Water Resources (DWR) makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. Demands imposed by the proposed development may require reinforcements or extensions of existing water mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department.

The available utility records show that the subject development is currently in the vicinity of an eight-inch sanitary sewer main located approximately 165 feet north of parcel R5106 278 in the right-of-way of Lakebend Drive and an eight-inch sanitary sewer main located approximately 185 feet east of parcel R5106 278 in the right-of-way of Heatherglade Lane.

The subject development is located within the Yellow River service area. There are currently no connection restrictions within this service area. Treatment capacity within this area is presently available on a first come - first serve basis.

Demands imposed by the proposed development may require reinforcements or extensions of existing sewer mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department. Developer shall provide easements for future sewer connection to all locations designated by DWR during plan review.

As-built information for this department is dependent upon outside entities to provide record drawings for the utilities. Therefore, this department does not guarantee the accuracy of the information provided.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances. Proceeding design, construction, inspection, and final acceptance of the required utilities, service to these utilities would then become available under the applicable utility permit rate schedules.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit civil site drawings to Building Plan Review for review and approval.
2. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for each building for review and approval by Building Plan Review.
3. Each building shall comply with the height and area limitations of Table 503 and the fire resistive and horizontal separation requirements of Tables 601 and 602 of the 2012 International Building Code with Georgia state amendments based on occupancy group classification, type of construction, and location of each building from property lines and other buildings.
4. Architectural design of the proposed building shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Design Category I.
5. Upon completion of plan review approvals, the applicant shall obtain a building permit for each building and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at 678.518.6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject property contains 56.12 acres located on the north side of Webb Gin House Road east of Scenic Highway. Currently zoned R-100 (Single-Family Residence District), the applicant is requesting O-I (Office-Institutional District) zoning with two Special Use Permits in order to develop a 422-unit/bed senior living community in addition to 48,000 square feet of office and commercial retail space.

The 2030 Unified Plan Future Development Map indicates that the site is located within an Existing and Emerging Suburban Character Area. The requested retirement community with office uses could be considered consistent with 2030 Unified Plan policies which encourage more housing opportunities for senior residents and providing a residential environment with lower maintenance responsibilities and smaller dwelling sizes. The requested rezoning could be appropriate for the residential character area as the proposed development is intended to provide an “age in place” type of community for seniors (55 years or older). The proposed retirement community with neighborhood-serving office development could be consistent with policies of the 2030 Unified Plan and with the previous approvals by the Board of Commissioners for retirement communities within the county.

The surrounding area is characterized primarily by single-family subdivisions to the north, east and south, and commercial uses along Scenic Highway to the west. Adjacent to the north is the Villas of Knollwood Lakes subdivision, zoned R-75 Modified pursuant to RZ-98-107 with a maximum density of 2.6 single-family detached units per acre. To the northeast is the Knollwood Lakes subdivision, zoned R-100 Modified pursuant to SUP-98-026, approved for a maximum density of 2.3 single-family detached units per acre. Adjacent to the east is the Arbors of Knollwood Lakes subdivision, zoned R-75 Modified pursuant to RZ-00-142. Maximum density of that subdivision is 2.62 single-family detached units per acre. On the south side of Webb Gin House Road are several R-100 subdivisions, Gin House Station and Graystone North, developed in the two to three single-family detached units per acre range. To the west is Sola Fide Evangelical Lutheran Church, zoned R-100. Further west is the Sunrise at Webb Gin Assisted Living facility, zoned C-2 pursuant to RZC2004-00048. North and west of the church located along Scenic Highway are a number of commercial retail uses oriented toward that corridor and the intersection with Webb Gin House Road. Staff is of the opinion that the proposed O-I zoning for a retirement community and neighborhood-serving office uses could be appropriate for the subject property given the existing single-family residential developments located on three sides of the subject property and the institutional use adjacent to the west.

Staff believes the proposed retirement community could provide an appropriate transitional use from the commercial development to the west along Scenic Highway toward the established single-family residential subdivisions to the east along Webb Gin House Road. Provided the attached recommended conditions are incorporated into the development, staff considers these petitions suitable for the subject property. Therefore, staff recommends **APPROVAL WITH CONDITIONS** of these requests.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS
RZC2018-00001

Approval of rezoning to O-I (Office-Institutional) for a retirement community, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Limited to development as a retirement community for occupancy by persons 55 years of age and older per SUP2018-00003 and related office and institutional uses. Final site design for the retirement community shall be subject to review and approval by the Director of Planning and Development.
 - B. The development shall be limited to a maximum of 422 residential units/beds.
 - C. No more than 48,000 square feet of office uses shall be allowed.
 - D. The height of the buildings shall be limited to no more than 54 feet for Independent Living Buildings C and D, 48 feet for Independent Living Buildings A and B and 37 feet for the Assisted Living Building, as indicated on the site plan submitted to the Department of Planning and Development on November 2, 2017.
 - E. Buildings shall be of a brick, stacked stone and/or glass finish on all sides. Final building elevations shall be submitted for review by the Director of Planning and Development.
 - F. All units shall incorporate applicable accessibility standards known as “Easy Living Standards” which shall include the following:
 - Easy access step free feature at each entrance to the home.
 - Easy passage feature, to include 32-inch wide doorways.
 - Easy use feature, all units shall be one level.
2. To satisfy the following site development considerations:
 - A. The development shall abide by all applicable standards of the Unified Development Ordinance, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
 - B. The required 50-foot wide natural undisturbed buffer adjacent to residential zoning may be permitted as a 50-foot wide landscaped buffer, subject to the review and approval of the Director of Planning and Development.
 - C. Natural vegetation shall remain on the property until the issuance of a development permit.

- D. Ground signage shall be limited to a monument-type sign(s), and shall be subject to review and approval by the Director of Planning and Development. The sign shall include a minimum two-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the sign cabinet shall be fully recessed and surrounded by the same materials. Ground signage shall not exceed eight-feet in height.
 - E. Wall signage shall not exceed the requirements of the Gwinnett County Sign Ordinance, and shall only utilize neutral (non-white earth tone) background colors for the sign cabinet.
 - F. Window signage (signs displayed on the interior or exterior of the business storefront windows) shall be prohibited, except for open/closed signs or signs required by county, state or federal law. Flashing or blinking signs and exposed neon or LED signs shall be prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.
 - G. Billboards or oversized signs shall be prohibited.
 - H. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
 - I. Dumpsters or trash compactors shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure. Hours of dumpster pick-up shall be limited to between 7:00 am and 7:00 pm.
 - J. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
 - K. Peddlers and/or parking lot sales shall be prohibited.
 - L. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
3. To abide by the following requirements, dedications and improvements:
- A. Abide by all applicable requirements of the DRI #2752 GRTA Notice of Decision.
 - B. The existing signal at Webb Gin House Road and Bennett Road shall be upgraded as required by the Gwinnett County Department of Transportation.
 - C. The western entrance shall align with Whitney Run Road.

- D. All entrances on Webb Gin House Road shall have left turn lanes.
- E. A multi-use trail shall be provided in the northwest portion of the subject property to the adjacent commercial property located in parcel R5087 115, subject to the review and approval of the Director of Planning and Development.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS
SUP2018-00003

Approval of a Special Use Permit for a Retirement Community subject to the following enumerated conditions:

1. To allow a Continuing Care and Independent Living retirement community as a Special Use.
2. Abide by all applicable conditions of RZC2018-00001 and SUP2018-00004.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS
SUP2018-00004

Approval of a Special Use Permit for an Increase in Building Height, subject to the following enumerated conditions:

1. The height of the buildings shall be limited to no more than 54 feet for Independent Living Buildings C and D, 48 feet for Independent Living Buildings A and B and 37 feet for the Assisted Living Building, as indicated on the site plan submitted to the Department of Planning and Development on November 2, 2017.
2. Abide by all applicable conditions of RZC2018-00001 and SUP2018-00003.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The proposed retirement community could be considered a suitable use of the subject site given the adjacent and nearby residential and institutional development in the area.

ADVERSE IMPACTS

If developed in conformance with the recommended conditions, staff is of the opinion that the proposed retirement community with an office and limited commercial component would not adversely affect adjacent and nearby properties.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

Some impact may be expected on utility demand, traffic and stormwater runoff.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates that the site is located in an Existing and Emerging Character Area. Staff is of the opinion that the proposed development may be consistent with 2030 Unified Plan policies for a variety of housing options for senior residents and compatibility with existing development, if developed with the attached recommended conditions.

CONDITIONS AFFECTING ZONING

Given the site's proximity to a major intersection (Scenic Highway and Webb Gin House Road), staff believes the requested rezoning for a senior retirement community with neighborhood-serving office uses, as recommended in the conditions, could provide an appropriate transitional use toward the established single-family residential subdivisions located to the east along Webb Gin House Road.

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Please see attached

- (B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

Please see attached

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

Please see attached

- (D) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

Please see attached

- (E) WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Please see attached

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED REZONING:

Please see attached

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REZONING & SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) Yes, the proposed development will permit a use that is suitable in view of the use and development of adjacent and nearby property. The property is adjacent to existing residential uses as well as institutional and commercial uses located along Scenic Highway (State Route 124).
- (B) No, the proposed development will not adversely affect the existing use or usability of any of the nearby properties.
- (C) In light of the size, location, layout, and character of surrounding uses, the Applicant submits that the property does not have reasonable economic use as currently zoned.
- (D) No, the proposed development will not result in an excessive or burdensome use of the infrastructure systems. The proposed use of a retirement community is a relatively low-intensity use which will generate fewer vehicle trips than other potential developments. The proposed subject Property has convenient access to Georgia Highway 124 and Grayson Highway.
- (E) Yes, the proposed development is in conformity with the policy and intent of the Gwinnett County 2030 Unified Plan.
- (F) The Applicant submits that the commercial/retail nature of adjoining properties provides additional support for the Applications.

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RZC 1200 1

Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Christopher D. Holbrook
Frances H. Kim
Shane M. Lanham

Austen T. Mabe
Jeffrey R. Mahaffey
David G. McGee
Steven A. Pickens
Andrew D. Stancil
R. Lee Tucker, Jr.
*Of Counsel

LETTER OF INTENT FOR REZONING AND SPECIAL USE PERMIT
APPLICATIONS OF ASC ACQUISITIONS, LLC

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached rezoning and special use permit applications (the “Applications”) on behalf of ASC Applications, LLC (the “Applicant”) for the purpose of requesting the rezoning of an approximately 56.12 acre tract of land (the “Property”) to the O-I zoning classification. The Applicant is requesting special use permits for the use of Retirement Community, Continuing Care and a building height increase. The Property is located on the northerly side of Webb Gin House Road approximately one half mile east of its intersection with Scenic Highway (a/k/a State Route 124). The Property is currently zoned R-100.

The Applicant is requesting approval of the Applications in order to develop the Property as a Retirement Community including a variety of residential options for residents as well as various amenities including pools, tennis courts, and an approximately 25,900 square foot Celebration Club facility. The proposed development would include independent living villas, concierge-style residences, assisted living, and memory care units providing a diversity of residents and levels of care. Residents would be able to age in place and transition within the proposed development based on their needs. For example, Independent Living Villas would be available for residents that live on their own, but desire a more cohesive community atmosphere and convenient access to various amenities. Additionally, assisted living and memory care units would be available for residents that require help with daily tasks.

The UDO encourages the type of development that is proposed by the Applicant. Specifically, the Gwinnett County 2030 Unified Plan specifically sets forth Policy A.4.4 to “Support Expanded Housing Options for Seniors.” The 2030 Plan provides that expanding housing options for seniors improves quality of life by increasing the ability of senior relatives of Gwinnett residents to move closer to their families. Moreover, the proposed community would increase the walkability of Webb Gin House Road and would expand the pedestrian connectivity of Webb Gin House Road to Scenic Highway and adjacent commercial and retail uses. Such

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RZC 1800 1

walkability would promote a healthier lifestyle for existing residents of the surrounding area as well as residents of the proposed development.

Residents and visitors would have convenient access to the Property via Webb Gin House Road and Scenic Highway. The Property is also located in close proximity to Grayson Highway to the east and Sugarloaf Parkway to the north. The proposed retirement community would also generate substantially fewer vehicle trips than a typical multi-family or mixed-use development and would also have essentially a net zero effect on school enrollment since residents are typically beyond the family formation stages of their lives.

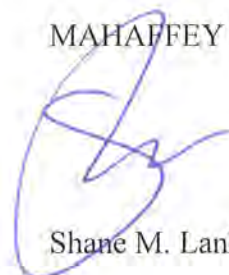
As depicted on the site plan submitted with the Application (the "Site Plan"), the Applicant is also requesting a buffer reduction along the Property's easterly, northerly, and a portion of the westerly boundary lines where adjacent to residentially-zoned properties. The UDO requires a 50-foot natural, undisturbed buffer and the Applicant is requesting a modification of that buffer to a 50-foot landscaped buffer. As a large portion of the Property is open pasture land, there is little to no buffering currently in place. Additionally, as depicted on the Site Plan, the Applicant is requesting the approval of a special use permit for a building height increase up to 54 feet to accommodate buildings within the proposed development's centrally-located Village area.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Applications filed herewith. The Applicant respectfully requests your approval of this Application.

This 1st day of November, 2017

Respectfully Submitted,

MAHAFFEY PICKENS TUCKER, LLP



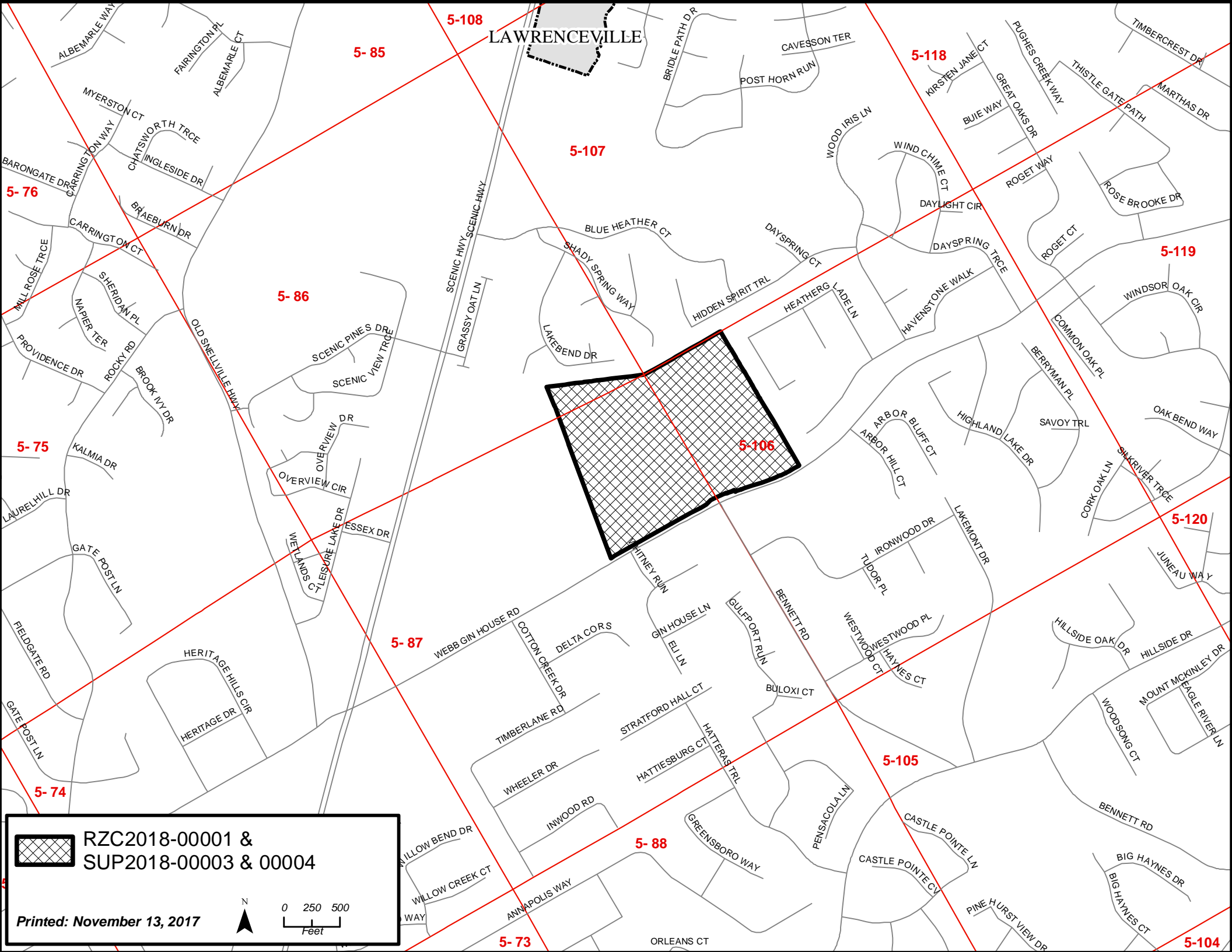
Shane M. Lanham

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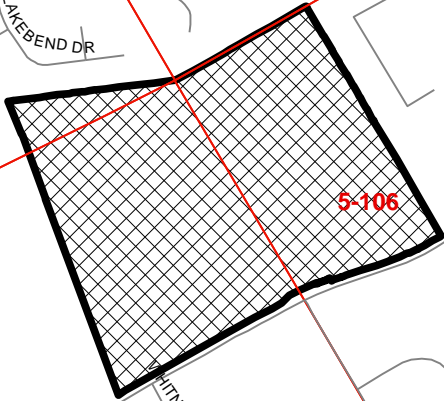
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RZC '18001



LAWRENCEVILLE



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 RZC2018-00001 &
SUP2018-00003 & 00004

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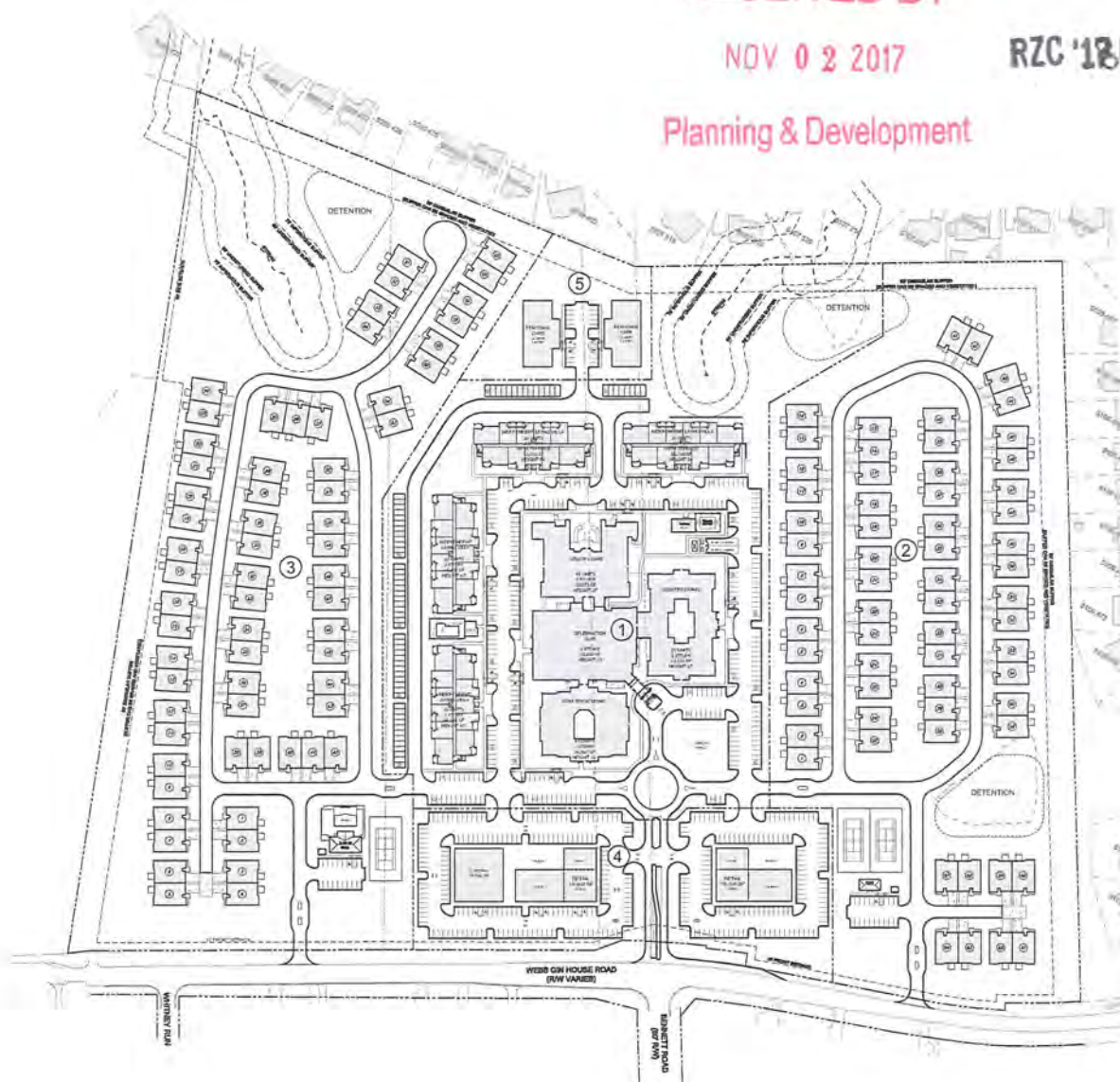
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CELEBRATION
SITE DATA

GROSS/NET ACREAGE 24.10 ACRES
CURRENT ZONING R-100
PROPOSED ZONING O-1
OVERLAY DISTRICT NONE

AREA 1 CELEBRATION VILLAGE
PARCEL AREA: 14.97 AC

PROPOSED RESIDENTIAL USE
140 INDEPENDENT LIVING VILLAS
48 CONCEPT LIVING APARTMENTS
55 ASSISTED LIVING APARTMENTS
31 MEMORY CARE APARTMENTS
270 TOTAL UNITS

PROPOSED NON-RESIDENTIAL USE
25,500 SQ FT CLUB FACILITY
1,100 SQ FT MAINTENANCE BUILDING

AREA 2 RESERVE EAST
PARCEL AREA: 14.97 AC
64 RESIDENTIAL UNITS

AREA 3 RESERVE WEST
PARCEL AREA: 18.99 AC
64 RESIDENTIAL UNITS

AREA 4 CELEBRATION RETAIL
PARCEL AREA: 4.80 AC
WEST RETAIL 15,000 SF
WEST OFFICE 18,000 SF
EAST RETAIL 15,000 SF

AREA 5 PERSONAL CARE
2 BUILDINGS WITH 12 UNITS EACH
24 TOTAL UNITS

SETBACKS:
FRONT YARD 15'
SIDE YARD 10'
REAR YARD 25'
TRANSITIONAL YARD 50' BUFFER (CAN BE GRADED AND VEGETATED)



paradigm
Engineering Services, Inc.
Shore Parkway, #300
Atlanta, GA 30328
404.487.5100
www.paradigmeng.com

Project No.:	F-1711
Design By:	MSD
Drawn By:	LFC
Checked By:	MSD
Date:	10/27/17
Scale:	1" = 30'

Date	Revision

**ACTIVE SENIOR
CONCEPTS**
10785 Snellville Road, Suite 2-3
Johns Creek, GA 30097

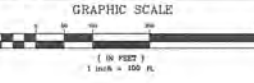
**OVERALL SITE PLAN
CELEBRATION SNELLVILLE**
LL 86, 87 & 106, 5TH DISTRICT
GWINNETT COUNTY, SNELLVILLE, GEORGIA

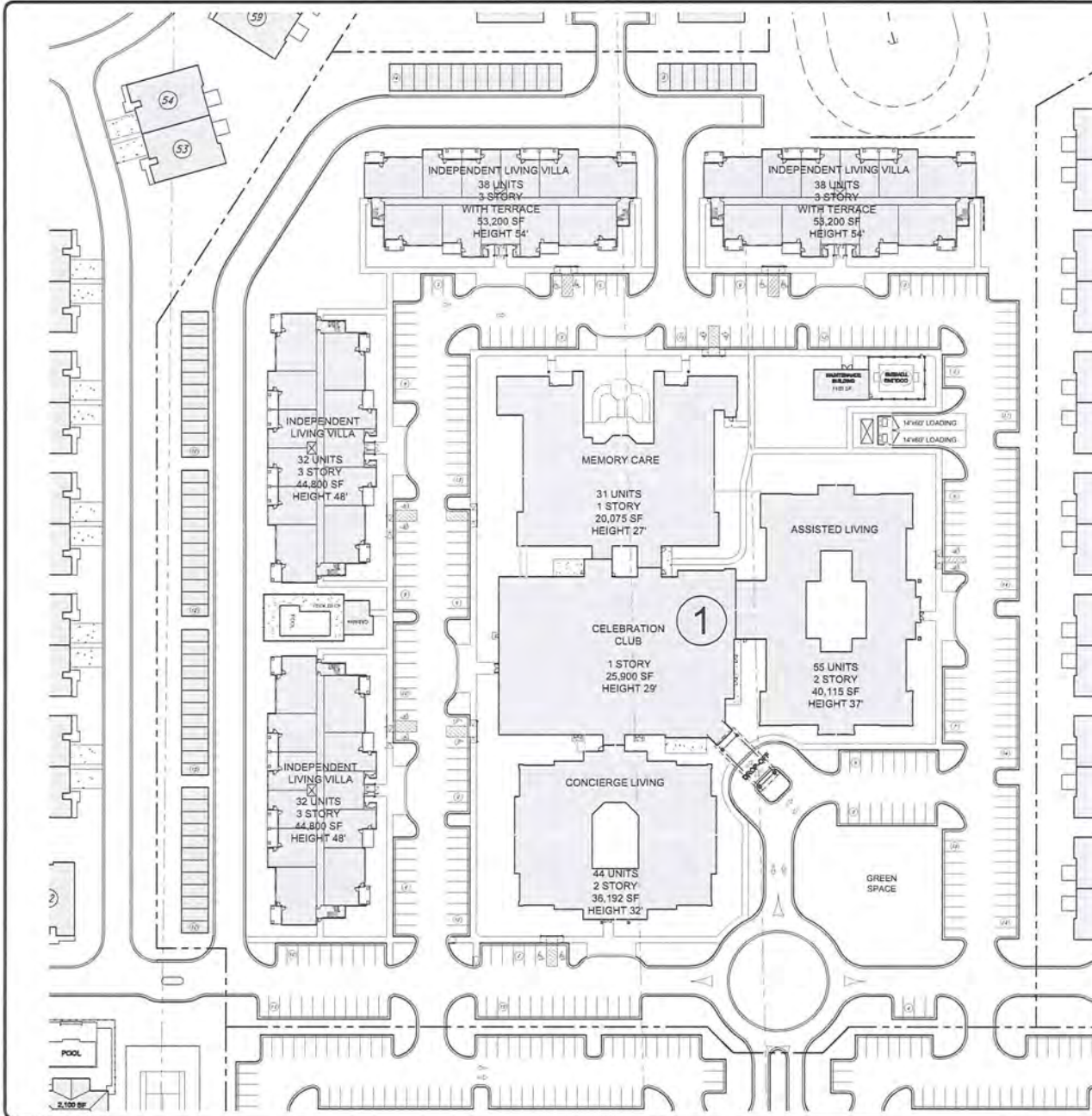
Drawing No. **C.2.0**



Know what's below
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CAUTION
THE UTILITIES SHOWN HEREON ARE FOR THE CONTRACTOR'S INFORMATION ONLY AND ARE NOT TO BE USED FOR ANY OTHER PURPOSE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES BEFORE ANY CONSTRUCTION WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND UTILITIES COMPANIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES ON THE SITE.





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GRAPHIC SCALE
 (IN FEET)
 1 inch = 40 ft.



paradigm
 Engineering Services, Inc.
 8000 Peachtree Dunwoody Rd.
 Atlanta, GA 30338
 404.272.2200

Project No. P-1712
 Design By: ABD
 Drawn By: LP
 Checked By: ABD
 Date: 10/27/17
 Scale: 1" = 40'


No.	Revision	Date

ACTIVE SENIOR
 CONCEPTS
 14500 Peachtree Dunwoody Rd.
 Suite 4-3
 Johns Creek, GA 30097

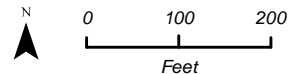
VILLAGE SITE PLAN
 CELEBRATION SNELLVILLE
 LL 06, 87 & 106, 5TH DISTRICT
 GWINNETT COUNTY, SNELLVILLE, GEORGIA

Drawing No.
C2.1



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SUP2018-00003 & 00004

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WEBB GIN HOUSE RD

BENNETT RD

WHITNEY RUN

EDLEN




 RZC2018-00001 &
SUP2018-00003 & 00004

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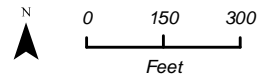
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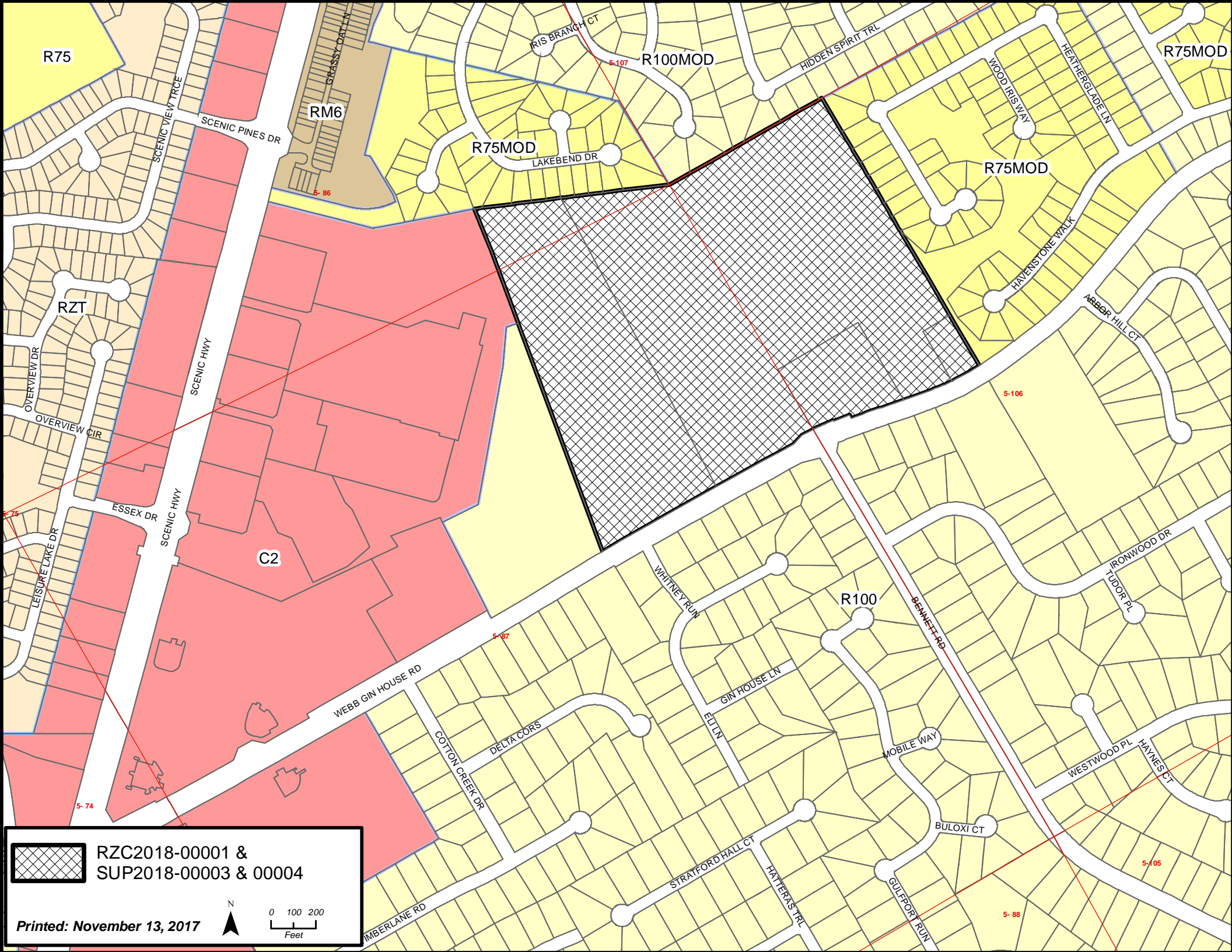
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SUP2018-00003 & 00004

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R75MOD

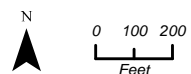
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SUP2018-00003 & 00004

Printed: November 13, 2017



**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS**

CASE NUMBER :**RZM2018-00002**
ZONING CHANGE :R-75 & C-2 TO R-TH
LOCATION :4300 BLOCK OF BUFORD HIGHWAY
MAP NUMBERS :R6259 368, 377 & 041
ACREAGE :39.08 ACRES
UNITS :264 UNITS
PROPOSED DEVELOPMENT :TOWNHOUSES
COMMISSION DISTRICT :(2) HOWARD

FUTURE DEVELOPMENT MAP: **PREFERRED OFFICE**

APPLICANT: PARKLAND COMMUNITIES, INC
C/O ALLIANCE ENGINEERING AND PLANNING
4480 COMMERCE DRIVE, SUITE A
BUFORD, GA 30518

CONTACT: MITCH PEEVY PHONE: 770.614.6511

OWNERS: JEFFERSON REAL ESTATE PROPERTIES LLC
HWS & LRMS REVOCABLE TRUST
4480 COMMERCE DRIVE, SUITE A
BUFORD, GA 30518

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The subject property contains 39.08 acres located on the south side of Buford Highway, east of its intersection with South Berkeley Lake Road and Simpson Circle. The cities of Peachtree Corners and Berkeley Lake are located on the north side of Buford Highway. The project consists of three separate parcels: the parcel closest to Buford Highway is zoned C-2 (General Business District) and the two rear parcels are zoned R-75 (Single-Family Residence District). The applicant seeks rezoning of the property to R-TH (Single-Family Residence Townhouse District) for a 264-unit townhome development. The site is currently vacant and overgrown with foliage, with the majority of the site located behind an existing used car lot on a separate parcel.

The proposed 264-unit development would result in a density of 6.93 units per acre, below the 8.0 units per acre allowed by the R-TH zoning district. The site plan indicates that the lots will measure 24 feet in width, with the units ranging between 1,500- and 2,000-square feet in size and a maximum of 35 feet in height. Each unit would contain a two-car garage, with 200 of the units having front entry garages, and 64 units having rear entry garages accessed via alleys. According to the letter of intent, the front facades of the townhomes will consist of a mixture

of brick, stone or fiber cement shake and lap siding, with the remainder of the home the same or fiber cement siding. The 64 units that have rear entry garages will be located at the back of the property, with the majority of the development served by one long street extending from a single point of access off Buford Highway. A total of seven separate stormwater management areas are shown on the site plan, all of which are adjacent to stream areas and are shown to encroach within the required impervious setback areas.

A 30-foot buffer is required adjacent to the R-75 subdivision to the east and south, and the site plan indicates a 30-foot wide landscaped buffer will be provided around the entire perimeter of the project. The required 50-foot wide landscape setback is also shown along the exterior street frontage. Due to the long, narrow shape of the property, several variances will be required for the proposed development including: a variance for reduced landscaped areas between units; a variance for encroachment into an impervious setback; and a variance for roadway lengths between intersections from 600 feet to 2,000 feet.

There are two dedicated easements crossing the property: a Georgia Power easement crossing near the front, and a Colonial Pipeline easement crossing near the rear. Portions of Shetley Creek cross through the middle of the property and extends from the rear property line. The submitted site plan shows the easements and streams, along with the required 50-foot buffers and 75-foot impervious setbacks, with some residential development encroaching within the impervious setbacks.

ZONING HISTORY:

The property has been zoned R-75 and C-2 since 1970. In 2003, a rezoning application for two of the subject parcels from R-75 and C-2 to RM-13 for a 340-unit apartment complex was denied without prejudice by the Board of Commissioners (RZM-03-055).

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property contains areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development. The applicant/developer shall obtain all required approvals from the Gwinnett County Department of Water Resources and the U.S. Army Corps of Engineers for construction or land disturbance activities which may impact floodplain or wetland areas.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a development permit application.

Section 210-50.18 of the Unified Development Ordinance requires submittal of a concept plan for review and approval of the Development Division prior to submittal and acceptance of a development permit application.

Project access and required improvements along Buford Highway will be subject to review and approval of Georgia Department of Transportation and Gwinnett County Department of Transportation.

A 50-foot wide landscape setback is required along Buford Highway (UDO Section 210-100.6.15).

Appears that the 75-foot impervious setback is encroached by buildings and driveways. The applicant must either revise the site plan or seek a variance (UDO Section 500-10.4A).

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance. The property appears to contain stream buffers. The proposed conceptual plan may require revision to show the appropriate stream buffers.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

SR 13 Buford Highway is a State Route and Georgia D.O.T. right-of-way requirements govern.

Commercial entrances shall be provided to the site per current development regulations.

Coordinate with the Georgia D.O.T. regarding access.

Prior to the issuance of a Development Permit, the applicant shall provide a traffic impact study.

Prior to the issuance of the first certificate of occupancy, the applicant shall make any improvements recommended by the traffic impact study, provided the improvements are approved by Georgia D.O.T and Gwinnett County D.O.T. All design and construction will be subject to review and approval of both agencies.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 16-inch water main located on the southeast right-of-way of Buford Highway.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of eight-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an eight-inch and 10-inch sanitary sewer main located on parcel R6259 041 and an eight-inch sanitary sewer located approximately 22 feet north of parcel R6259 368 in the right-of-way of Buford Highway.

The subject development is located within the Beaver Ruin service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

- I. The applicant shall obtain a residential building permit for each townhouse and achieve satisfactory field inspections for issuance of a Certificate of Completion.

For assistance, you may contact this office at 678.518.6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject property assemblage contains 39.08 acres located on the south side of Buford Highway, east of its intersection with South Berkeley Lake Road and Simpson Circle. The project consists of three separate parcels, with the parcel closest to Buford Highway zoned C-2 (General Business District) and the two rear parcels zoned R-75 (Single-Family Residence District). The applicant seeks rezoning to R-TH (Single-Family Residence Townhouse District) for a 264 unit townhome development. The site is currently vacant and overgrown with foliage.

The 2030 Unified Plan Future Development Map indicates that the property is located within the Preferred Office Character Area. While not strictly consistent with the policies of this area, the proposed townhomes development may provide an appropriate transition between the established non-residential and residential uses on adjacent lots. Overall policies of the 2030 Unified Plan also encourage infill development that is compatible with surrounding uses.

The surrounding area is characterized by commercial uses along the Buford Highway commercial corridor with low to medium density residential uses away from the corridor. To the east is the Woodbine Station residential subdivision, which is zoned R-75. To the south is the Covered Bridge residential subdivision, also zoned R-75. To the west of the rear portion of the property is the Norcross Bayshore Homes mobile home community, zoned MH (Manufactured Housing). Also to the west along Buford Highway is the Pull-A-Part used auto parts business on a parcel zoned both C-2 and R-75. The proposed townhome development could be considered an appropriate transitional use between the residential and non-residential uses of the surrounding areas. If developed with conditions that protect the single-family developments and protect the existing streams and environmental features of a property restricted by size and accessibility, the proposed townhouses may be compatible with existing development.

In conclusion, the townhouse development could be a compatible use if built with the proposed conditions of approval. Given that the subject site is located between a variety of different development and uses, the proposed townhouses could provide an alternative housing option to the area on a lot restricted by size, accessibility and natural features. Therefore, staff recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as R-TH (Single-Family Residence Townhouse District), subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. One- and two-story single-family attached townhouse dwellings and accessory uses not to exceed 264 units for a maximum density of 6.93 units per acre.
 - B. Townhouse buildings shall be constructed of brick and/or stacked stone on all four sides with minor treatments (i.e., gables, bay windows, chimneys) of fiber cement siding or shake. The use of vinyl siding is prohibited. Architectural elevations shall be submitted for review and approval by the Director of Planning and Development.
 - C. The minimum heated floor area per dwelling unit shall be 1,800 square feet.
 - D. All units shall have at least a two-car garage.
 - E. At least ten (10) townhouses shall install an elevator within the house to provide access to the second story and ten (10) townhouses shall have the master bedroom located on the ground level (first floor).
 - F. The development shall include a clubhouse, community trails, community green space, a multi-use path, pool, weight training room, and business centers as amenities.
 - G. A mandatory Homeowner's Association shall be incorporated which provides for building and grounds maintenance, repair, insurance and working capital. Said association must also include declarations and by-laws including rules and regulations which shall at minimum regulate and control the following:
 - i. Exterior home maintenance to include roofing and painting.
 - ii. All grounds and common area maintenance, including detention facilities.
 - iii. Fence/wall maintenance to include the requirement that any graffiti shall be repaired and repainted within 72 hours.
2. To satisfy the following site development considerations:
 - A. The development shall abide by all applicable standards of the Unified Development Ordinance, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.

- B. Provide a 30-foot wide natural undisturbed buffer around the perimeter of the property. The buffer shall be enhanced where sparsely vegetated.
 - C. Provide a 50-foot wide landscape strip along Buford Highway. The Buford Highway frontage shall include increased landscaping and a masonry entrance feature. The feature may be constructed as a solid brick or stacked stone wall, or as a wrought iron-style fence with brick or stacked stone columns. Landscaping, entrance features and fencing plans shall be subject to review and approval of the Director of Planning and Development.
 - D. All grassed areas shall be sodded.
 - E. All utilities shall be placed underground.
 - F. Natural vegetation shall remain on the property until the issuance of a development permit.
3. To abide by the following requirements, dedications and improvements:
- A. Prior to the issuance of a Development Permit, the applicant shall provide a traffic impact study per the requirements of the Gwinnett County D.O.T.
 - B. Prior to the issuance of the first certificate of occupancy, the applicant shall make any improvements recommended by the traffic impact study, provided the improvements are approved by Georgia D.O.T and Gwinnett County D.O.T. All design and construction will be subject to review and approval of both agencies.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

In light of the property's location between residential and non-residential developments, the proposed townhouse development could be a suitable use for this area.

ADVERSE IMPACTS

Proper conditions to ensure adequate buffering may help mitigate any adverse impacts to nearby residential properties.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

An increase in utility demand, traffic, stormwater runoff and the number of school-aged children could be anticipated from this request.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates the property is located within the Preferred Office Character Area. Although not strictly consistent with the character area, the townhomes development may provide an appropriate transition between established non-residential and residential uses on adjacent lots. Further, policies of the 2030 Unified Plan encourage infill development that is compatible with surrounding uses.

CONDITIONS AFFECTING ZONING

The proposed development is located on a long, narrow property with limited access to Buford Highway containing existing streams and is between an auto part business property, mobile home development, and single-family residential neighborhoods. Given the site location and constraints, townhouses may be an appropriate transitional use of the property.

STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY, OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

(A) WHETHER A PROPOSED REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

THE APPLICANT BELIEVES THE PROPOSED USE IS SUITABLE.

(B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

THE PROPOSED USE WILL NOT ADVERSELY AFFECT THE USE OF THE SURROUNDING PROPERTIES.

(C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

THE APPLICANT BELIEVES THAT THE SUBJECT PROPERTY DOES NOT HAVE A REASONABLE ECONOMIC USE AS CURRENTLY ZONED.

(D) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREET, TRANSPORTATION FACILITIES, UTILITIES OR SCHOOLS:

THE PROPOSED USE WILL NOT PRODUCE AN ADVERSE AFFECT ON THE EXISTING INFRASTRUCTURE.

(E) WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

THE LAND USE PLAN STATES THE PROPERTY IS DESIGNATED AS EXISTING/EMERGING SUBURBAN.

(F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED REZONING:

SEE LETTER OF INTENT.

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RZM '18 00 2

JAN 05 2018

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Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the zoning request will constitute a taking of property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, and Article 1, Section 1, Paragraph 1, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

.....
PLANNING DIVISION USE ONLY

CASE NUMBER _____

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REZONING APPLICANT'S LETTER OF INTENT

The Applicant, Parkland Communities Inc., requests a rezoning from C-2 and R-75 to R-TH for the purpose of developing a community featuring 264 townhomes. The Property has a total of 39.078 acres and is located on Buford Highway in the 6th district, land lots 238 and 259 in Gwinnett County. The proposed R-TH zoning provides a transitional zoning between the mobile home park and auto salvage yard along the southside of the subject property and R-75 zoning along the north side of the property.

The subject property has limited road frontage along Buford Highway which restricts this project to a single entrance since there is no other access point for the property. Therefore, the applicant is requesting a variance to allow the project to exceed 200 lots without another entrance since a second entrance is not feasible. Additionally, this property has a peculiar shape, multiple large utility easements and natural features that limited the design so the applicant is requesting to increase the maximum road length between intersections from 600 feet to 2,000 feet.

The townhomes will feature traditional architecture with either front or rear entry access to one or two car garages. The heated area will vary between 1,500 to 2,000 square feet with a maximum building height of 35 feet. The front façade of all townhomes will consist of a mixture of brick, stone, or fiber cement shake and lap siding with the remainder of the home the same or fiber cement siding. The price range for the units will vary from the \$220,000's to the mid \$250,000's range. The project is also proposed to have 64 rear entry townhomes with 32 of those townhomes fronting the Town Green instead of a street. This is a similar design concept featured at Suwanee Town Center and was well accepted by the buyers. The gross density is 6.75 units per acre and the applicant is proposing to provide 11.72 acres of common open space or 30% of the property. The mandatory HOA will also maintain all lawns, amenities, open space and the entrance feature.

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Planning & Development

Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, March 2018

Case #	Schools	Current Projections									Proposed Zoning
		2017-18			2018-19			2019-20			Approximate additional Student Projections from Proposed Developments
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZM2018-00002	Duluth HS	2,720	2,650	70	2,774	2,650	124	2,830	2,650	180	63
	Duluth MS	1,446	1,750	-304	1,468	1,750	-282	1,490	1,750	-260	45
	Chesney ES	1,194	1,025	169	1,206	1,025	181	1,218	1,025	193	89
RZR2018-00004	Archer HS	2,740	2,575	165	2,877	2,575	302	3,021	2,575	446	97
	McConnell MS	1,963	1,775	188	2,051	1,775	276	2,133	1,775	358	69
	Harbins ES	1,243	1,225	18	1,318	1,225	93	1,397	1,225	172	130
RZR2018-00005	South Gwinnett HS	2,499	2,750	-251	2,549	2,750	-201	2,600	2,750	-150	27
	Snellville MS	881	1,625	-744	894	1,625	-731	908	1,625	-717	20
	Norton ES	1,178	1,300	-122	1,195	1,300	-105	1,212	1,300	-88	38

Current projections do not include new developments



PLAN A

ELEVATIONS ARE ARTISTIC REPRESENTATIONS
AND MAY VARY FROM FINAL PRODUCT

PLAN B



FRONT ENTRY
TOWNHOMES

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Planning & Development

BERKELEY
TOWNSHIP

RZM '18 002

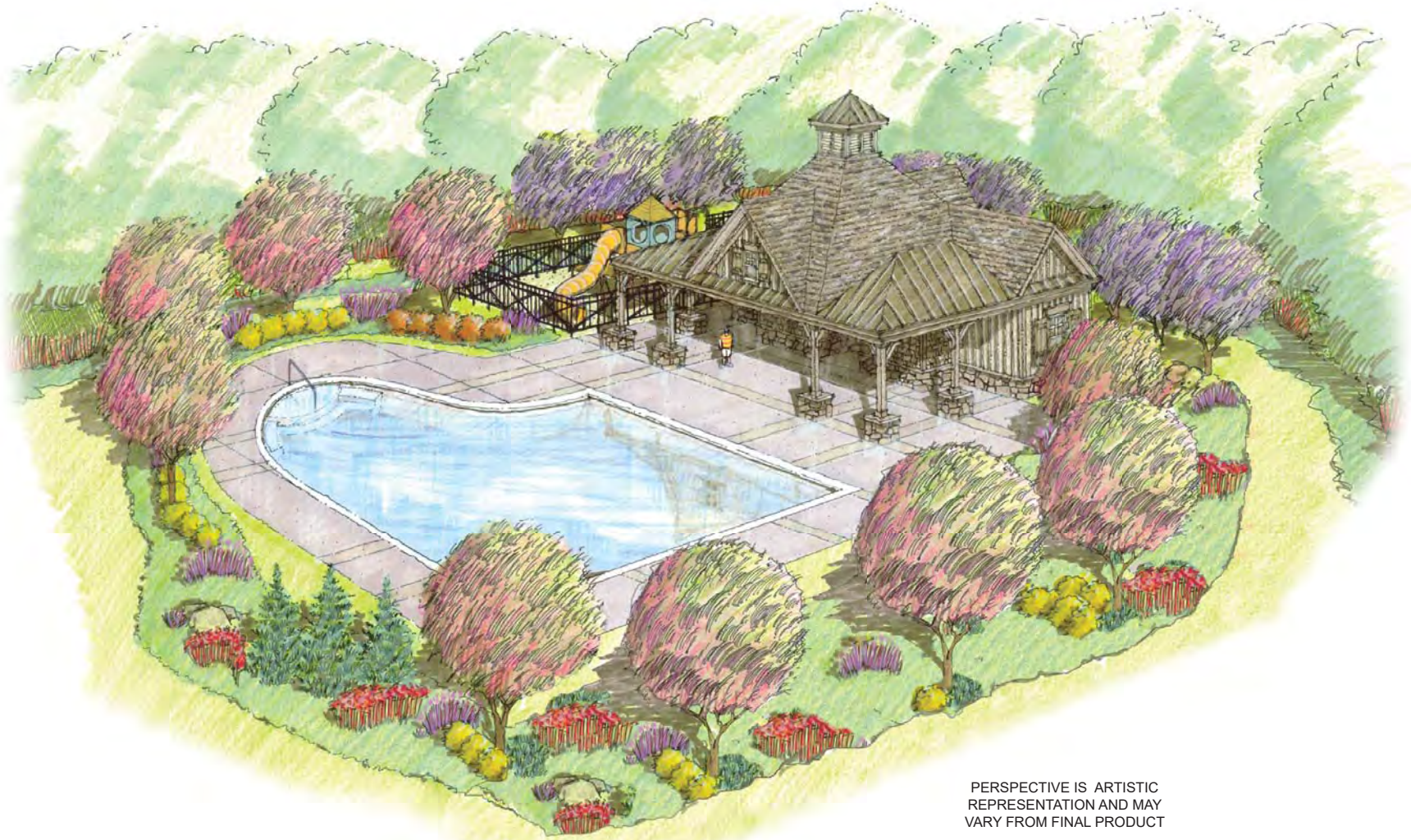


PLAN A



PLAN B

ELEVATIONS ARE ARTISTIC REPRESENTATIONS
AND MAY VARY FROM FINAL PRODUCT



PERSPECTIVE IS ARTISTIC
REPRESENTATION AND MAY
VARY FROM FINAL PRODUCT

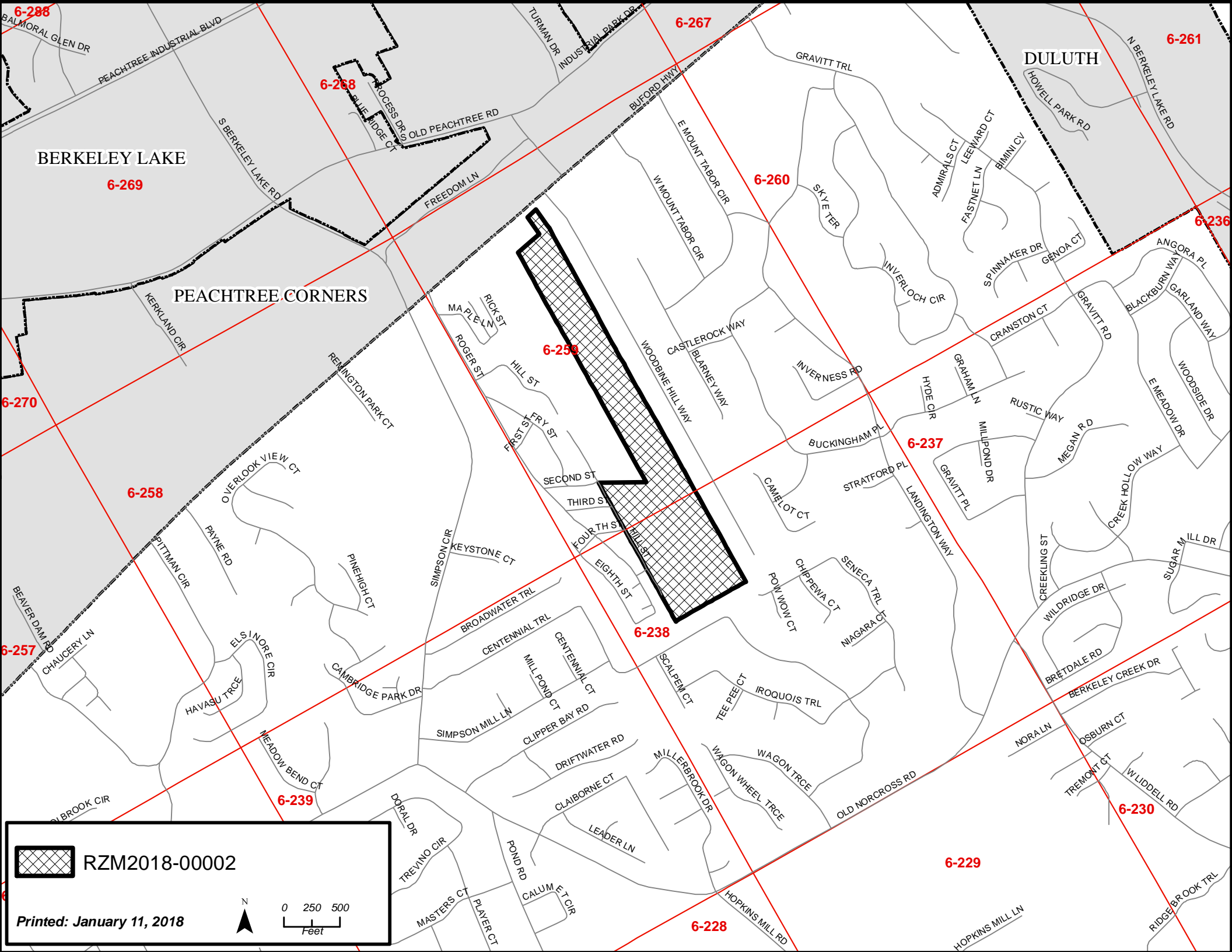

PARKLAND
COMMUNITIES

AMENITY
AREA

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BERKELEY
TOWNSHIP


RZM '18 002



BERKELEY LAKE

DULUTH

PEACHTREE CORNERS

 RZM2018-00002

Printed: January 11, 2018



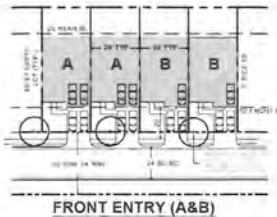
0 250 500
Feet



LAND LOT(S): 236-239 DISTRICT: 6TH
 COUNTY: GWINNETT COUNTY, GEORGIA
 DATE: DECEMBER 27, 2017
 NO PORTION OF THIS PROPERTY IS LOCATED IN
 A HUNDRED PLAIN AN PERIMETER MAP.
 THIS MAP WAS FILED ON 11/4, 2013

PROPERTY OWNERS:
 4259 277: JEFFERSON REAL ESTATE PROPERTIES LLC
 4259 245: 1995 REVOCABLE TRUST 1995
 REVOCABLE TRUST
 4259 248: 1995 REVOCABLE TRUST 1995
 REVOCABLE TRUST

- ZONING CONDITION REQUESTS**
- APPLICANT REQUESTS THE MAXIMUM HEIGHT TO BE 30 FEET AND A 10' SIDE YARD SETBACK BEING BYPASS BY AN ALLEY TO BE 5' AS APPLICABLE FROM 30' TO 15' 00'
 - APPLICANT REQUESTS THE 20' INTERNAL GRASSED OFF-ROAD DRIVEWAY SETBACK BEING BYPASS TO BE REDUCED FROM 20' TO 10' FOR REAR LOADED UNITS
 - APPLICANT REQUESTS A SINGLE ENTRANCE WITH THE PLAN CONTAINING 200+ LOTS



FRONT ENTRY (A&B)

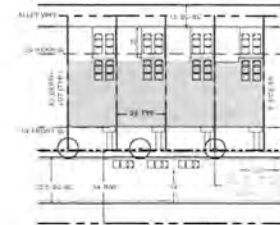
PARKLAND

PARKLAND COMMUNITIES, INC.
 jm@parklandco.com
 404.456.5562
 DEVELOPER / APPLICANT

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 JAN 05 2018

Planning & Development

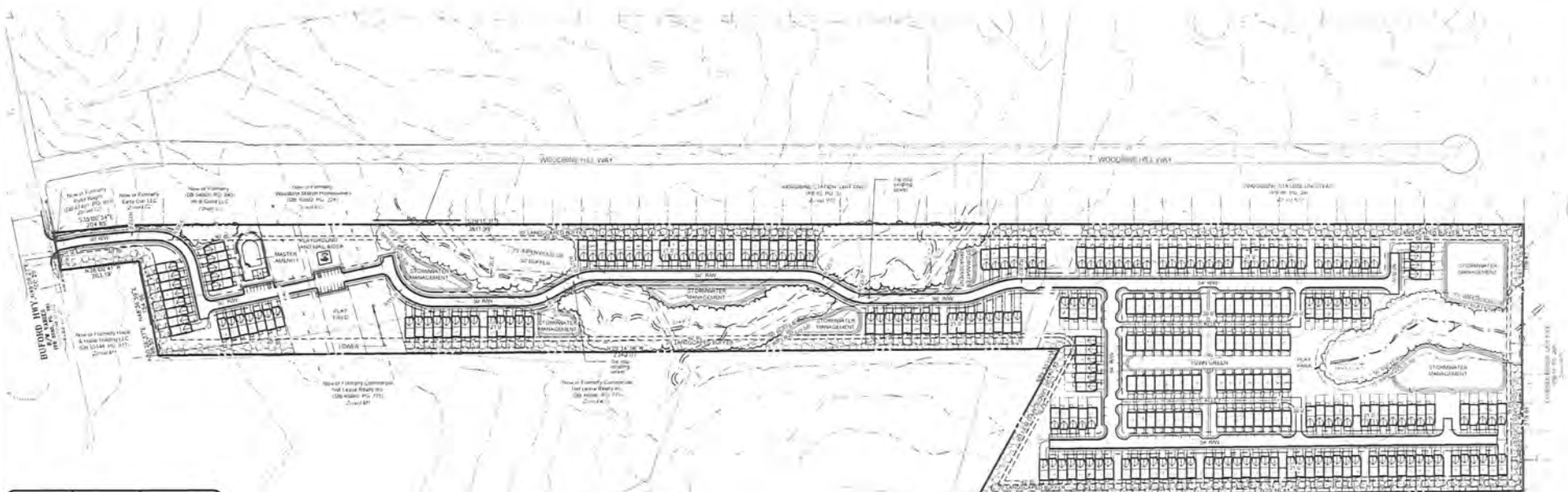
ZRM '18 00 2



REAR ENTRY

SITE DATA	
GRASSY AREA	47,332.00 ACRES
NET AREA	47,332.00 ACRES
TOTAL LOTS	154 UNITS
TOTAL UNITS PER ACRE	3.26 UNITS/ACRE
EXISTING ZONING	CU-10
PROPOSED ZONING	ZRM '18 00 2
MAXIMUM DENSITY	3.0 UNITS/ACRE
GRASSY DENSITY	46.15 UNITS/ACRE
NET DENSITY	46.15 UNITS/ACRE
COMBUSTIBLE AREA	3079.00 SQ. FT. (0.07 AC)
DESIGN STANDARDS	
MIN. LOT AREA	NO MINIMUM
MIN. LOT WIDTH	NO MINIMUM
EXTERNAL SIDE FRONTAGE	NO MINIMUM
EXTERNAL SIDE REAR FRONTAGE	50'
MIN. LOT WIDTH	NO MINIMUM
MAX. BUILDING HEIGHT	30' TOWARD FRONT
MAX. HEIGHT	30' TOWARD FRONT
INTERNAL YARD	20'
EXTERNAL YARD	INTERNAL LOT SETBACKS
LANDSCAPED SETBACK	50' AT FRONTAGE
LANDSCAPED BUFFER	50' AS SHOWN

PARKING ANALYSIS			
LOT TYPE	MINIMUM REQUIRED	TOTAL PROVIDED	DEFICIT
FRONT ENTRY (A&B)	2	2	0
REAR ENTRY	3	2	1
REAR ENTRY	2	2	0
TOTAL REQUIRED	7	6	1
TOTAL PROVIDED	6	6	0
TOTAL PARKING SPACES PROVIDED	6	6	0



Scale 1" = 120'
 NORTH
 ZONING PLAN
 SHEET Z1.0

SITE PLAN DATED 01/03/2018

HILL STREET
 (BY ADJACENT DRIVE FRONTAGE)



BUFORD HWY

WOODBINE HILL WAY

BLARNEY WAY

PINE ST

RICK ST

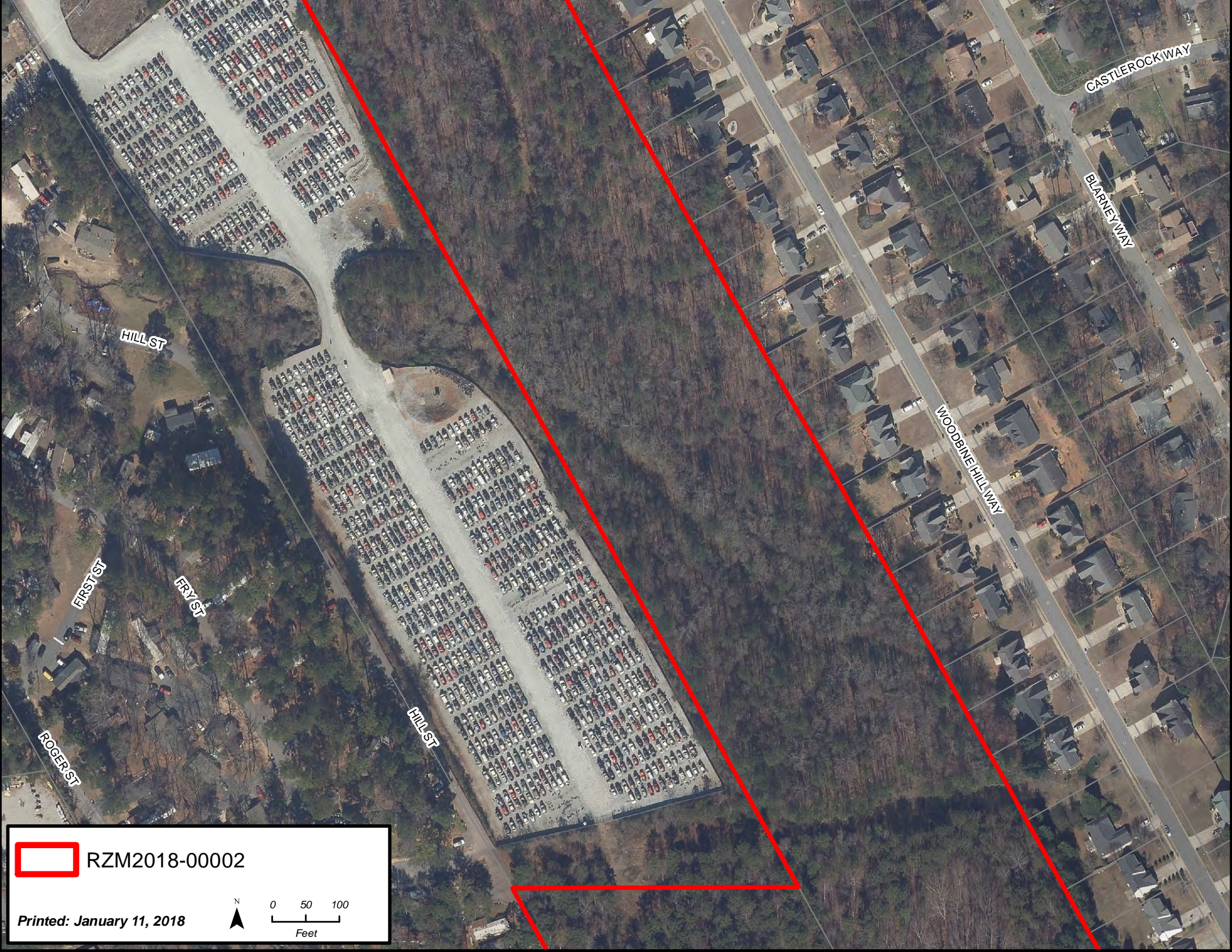


RZM2018-00002



0 50 100
Feet

Printed: January 11, 2018

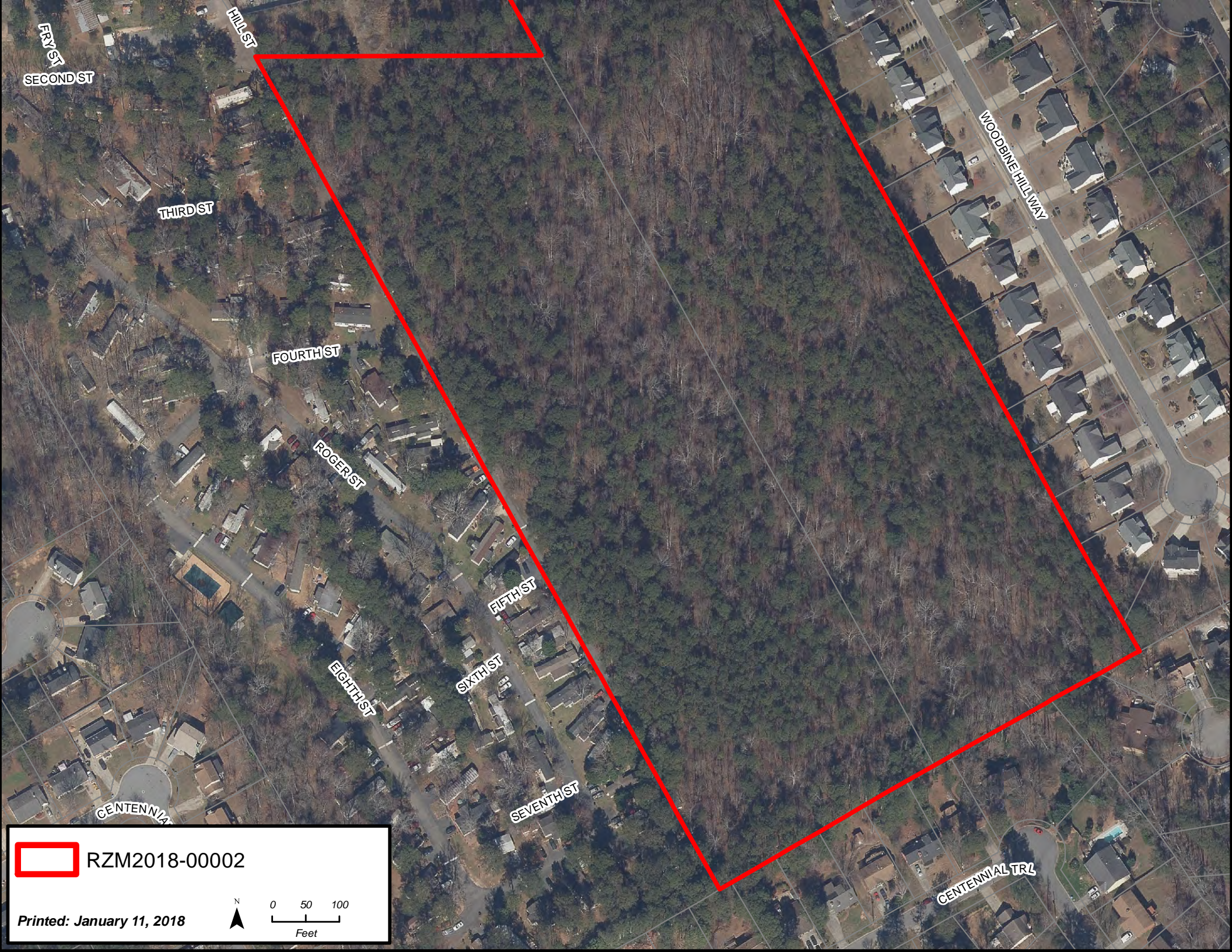


RZM2018-00002



0 50 100
Feet

Printed: January 11, 2018



HILL ST
SECOND ST

THIRD ST

FOURTH ST

ROGER ST

FIFTH ST


SIXTH ST

SEVENTH ST

MODINE HILL WAY

CENTENNIAL

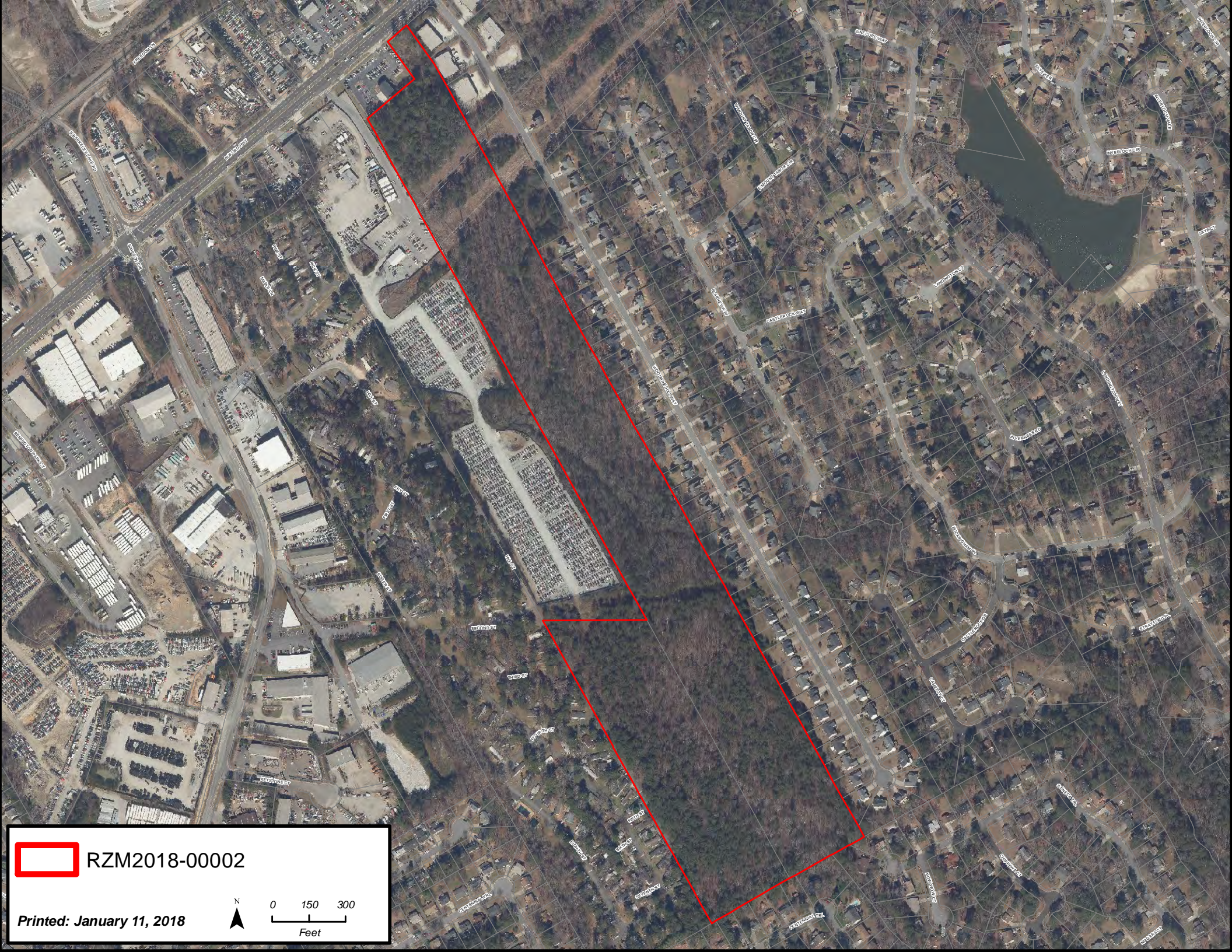
CENTENNIAL TRL

 RZM2018-00002



0 50 100
Feet

Printed: January 11, 2018

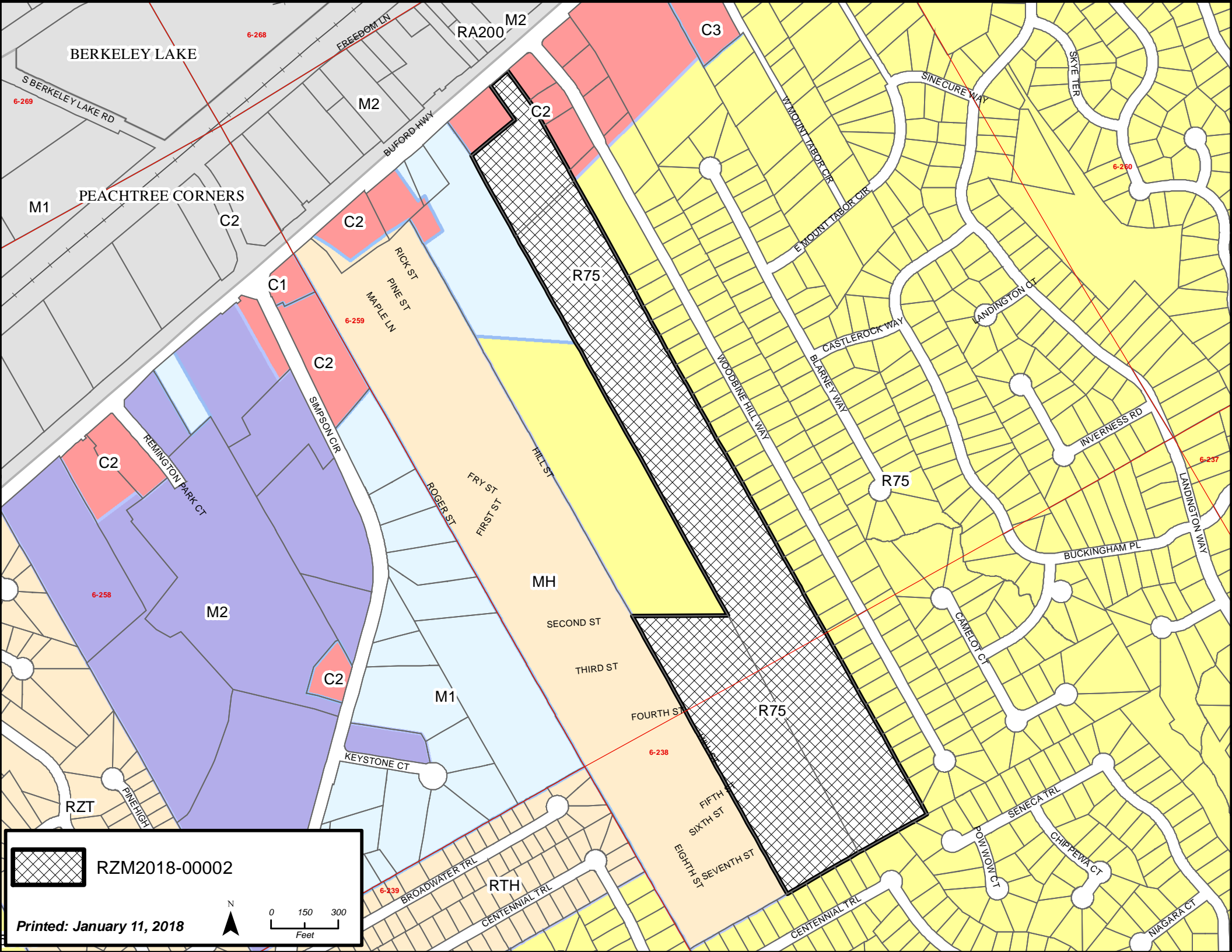


RZM2018-00002



0 150 300
Feet

Printed: January 11, 2018



 RZM2018-00002

Printed: January 11, 2018

 N

 0 150 300 Feet

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
CHANGE IN CONDITIONS ANALYSIS**

CASE NUMBER :**CIC2018-00002**
ZONING :C-2
LOCATION :2300 BLOCK OF STEPHENS CENTER DRIVE
MAP NUMBER :R7080 078
ACREAGE :2.01 ACRES
PROPOSAL :CHANGE IN CONDITIONS OF ZONING
COMMISSION DISTRICT :(1) BROOKS

CASE NUMBER :**SUP2018-00018**
ZONING :C-2
LOCATION :2300 BLOCK OF STEPHENS CENTER DRIVE
MAP NUMBER :R7080 078
ACREAGE :2.01 ACRES
SQUARE FEET :73,086 SQUARE FEET
PROPOSAL :BUILDING HEIGHT INCREASE TO FIVE-STORIES OR 55-FEET
COMMISSION DISTRICT :(1) BROOKS

FUTURE DEVELOPMENT MAP: REGIONAL MIXED-USE

APPLICANT: SONIAL PATEL
C/O MAHAFFEY PICKENS TUCKER, LLP
1550 NORTH BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACT: SHANE LANHAM PHONE: 770.232.0000

OWNER: DULUTH CAPITAL INVESTMENTS, LLC
2253 GRADY RIDGE TRAIL
DULUTH, GA 30097

DEPARTMENT RECOMMENDATION: APPROVAL WITH CONDITIONS

CHANGE IN CONDITIONS SUMMARY:

The applicant requests a change in conditions to modify two existing conditions on the C-2 zoned 2.01-acre site, zoned pursuant to CIC-06-023, SUP-06-091 and SUP-06-092. The applicant has also requested a Special Use Permit to exceed the maximum allowable height of 45-feet to a height of 55-feet for the construction of a hotel. The proposed 55-foot hotel exceeds the allowable building height in the C-2 zoning district and therefore requires a building height increase per Unified Development Ordinance 230-20.9. Located within the Stephens Business Park on the eastern side of Stephens Center Drive, in the southeast quadrant of the Duluth Highway and Satellite Boulevard intersection, the subject property previously cleared

and graded. A Special Use Permit was approved for a mini-warehouse facility with a maximum height of 55-feet in 2006; the site is within the Civic Center Overlay District.

In order to develop the site with a five-story hotel with an approximate height of 55-feet, the applicant seeks to revise condition 1.A. rezoning and Special Use Permit cases CIC-06-023, SUP-06-091 and SUP-06-092. The condition currently reads as follows:

1.A. Retail and service commercial, office and accessory uses, which may include a mini-warehouse facility with a maximum height of 55 feet as a Special Use.

The applicant also seeks to delete condition 2.B. related to site development considerations. It currently reads as follows:

2.B. The landscaping shall be in accordance with the plan dated July 17, 2006 and shall be in minimum accordance with Overlay and BLT conditions.

The applicant proposes to construct a five-story, 73,086-square foot hotel. The site plan displays 108 parking spaces, which is within the allowable number of spaces for this development. There is one proposed entrance to the property from Stephens Center Drive.

ZONING HISTORY:

In 1970, the subject property was zoned M-2. In 1988, the property was rezoned to C-2 (General Business District), pursuant to RZ-31-88. In 2006, a change in conditions application to allow an increase in allowable density was approved along with two Special Use Permits for a building height increase and mini-warehouse, pursuant to CIC-06-023, SUP-06-091 and SUP-06-092.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Stephens Center Drive is a Local Street and 30 feet of right-of-way is required from the centerline.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 12-inch water main located on the west right-of-way of Stephens Center Drive.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of eight-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an eight-inch sanitary sewer main located on parcel R7080 078.

The subject development is located within the Beaver Ruin service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit civil site drawings to Building Plan Review for review and approval.
2. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for each building for review and approval by Building Plan Review.
3. Each building shall comply with the height and area limitations of Table 503 and the fire resistive and horizontal separation requirements of Table 601 and 602 of the 2012 International Building Code with Georgia state amendments based on occupancy group classification, type of construction, and location of each building from property lines and other buildings.
4. Architectural design of the proposed building shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Design Category 3.
5. Upon completion of plan review approvals, the applicant shall obtain a building permit for each building and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at 678.518.6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The applicant requests a change in conditions to modify two existing conditions on the subject 2.01-acre site, zoned pursuant to CIC-06-023, SUP-06-091 and SUP-06-092 and a Special Use Permit for a building height increase to 55-feet. Located within the Stephens Business Park on the eastern side of Stephens Center Drive, in the southeast quadrant of the Duluth Highway and Satellite Boulevard intersection, the subject property has been previously cleared and graded. In 2006, Special Use Permits were approved for a mini-warehouse facility with a maximum height of 55-feet.

The Gwinnett County 2030 Unified Plan identifies the property as located within a Regional Mixed-Use Character Area. The Regional Mixed Use character areas are projected to develop with the most intense concentrations of commercial, employment and residential development. The requested hotel height increase could be compatible with the intensity of this character area and could be consistent with prior Board precedent on this property.

Stephens Center Drive is characterized by multi-story commercial developments, such as the La Quinta Inn & Suites and Suburban Extended Stay Hotel. To the north, is a single-story McDonald's and three-story Suburban Extended Stay Hotel. To the south, is a three-story La Quinta Inn & Suites and a single-story small commercial strip shopping center with restaurants and other commercial uses. Across Stephens Center Drive to the west, is another single-story small strip commercial/retail center and a single-story oil change facility. Across Satellite Boulevard are several two-story office buildings. Given that the hotels in the area are multi-story and since this hotel location is adjacent to Interstate 85, the proposal for a hotel at this location could be appropriate.

In conclusion, the proposed five-story hotel location between three-story hotels and fronting on Interstate 85 could be compatible with the surrounding area and consistent with the Boards prior approval of a 55-foot building on the property for a mini-warehouse facility. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of a Change in Conditions for a hotel with a height increase, subject to the following enumerated conditions:

Change in Conditions of CIC-06-023 with:

Additions in **Bold**

Deletions in ~~Strikethrough~~

- I. To restrict the use of the property as follows:
 - A. Retail and service commercial, office and accessory uses, which may include a ~~mini-warehouse facility~~ and **a hotel** with a maximum height of 55-feet by Special Use.
 - B. Outdoor storage and truck rental shall be prohibited.
 - C. **SUP-06-091 and SUP-06-092 shall terminate upon approval of this application.**

2. To satisfy the following site development considerations:
 - A. Provide a ten-foot wide landscape strip outside Stephens Center Drive.
 - B. Provide a 20-foot wide landscape strip along Interstate 85. Landscape plan shall be subject to review and approval by the Director of Planning and Development.**
 - C. The development shall abide by all applicable standards of the Unified Development Ordinance, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate. ~~The landscaping shall be in accordance with the plan dated July 17, 2006 and shall be in minimum accordance with Overlay and BLT conditions.~~**
 - D. Abide by all requirements of UDO Section 220-30 (Activity Center/Corridor Overlay District). This condition shall not preclude a variance application.**
 - E. Provide interparcel access as may be required by the Department of Planning and Development.

- F. Ground signage shall be limited to a monument-type sign(s), and shall be subject to review and approval by the Director of Planning and Development. The sign shall include a minimum two-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the sign cabinet shall be fully recessed and surrounded by the same materials. Ground signage shall not exceed eight feet in height.**
- G. Wall signage shall not exceed the requirements of the Gwinnett County Sign Ordinance, and shall only utilize neutral (non-white earth tone) background colors for the sign cabinet.**
- H. Window signage (signs displayed on the interior or exterior of the business storefront windows) shall be prohibited, except for open/closed signs or signs required by county, state or federal law.**
- I. Outdoor lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to reflect into adjacent properties or rights-of-way.**
- J. Flashing or blinking signs and exposed neon or LED signs shall be prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.**
- K. No billboards are permitted.
- ~~A. Ground signage shall be limited to monument-type ground signs with a brick base of at least 2 feet in height.~~
- L. Dumpsters shall be screened by a 100% opaque brick wall.
- M. Buildings shall be finished with architectural treatments of brick, stone, or stucco.
- ~~H. Submit a landscape and tree protection plan for approval of the Department of Planning and Development.~~
- N. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of a Special Use Permit for a building height increase, subject to the following enumerated conditions:

1. Approval of a building height increase to a maximum height of 55-feet for a hotel use only.
2. Abide by all applicable conditions of CIC2018-00002 or any subsequent zoning actions on the property.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The proposed change in conditions and Special Use Permit to allow a 55-height building may be suitable at this location in light of several multi-story hotels in the area.

ADVERSE IMPACTS

With appropriate conditions, adverse impacts could be minimized on neighboring properties.

REASONABLE ECONOMIC USE AS ZONED

The site has a reasonable economic use as currently zoned.

IMPACT ON PUBLIC FACILITIES

An increase in traffic, stormwater runoff and utility demand could be anticipated.

CONFORMITY WITH POLICIES

The Gwinnett County 2030 Unified Plan identifies the property as located within a Regional Mixed-Use Character Area. The Regional Mixed Use Character areas are projected to develop with the most intense concentrations of commercial, employment and residential development. The requested hotel height increase could be compatible with the projected use and intensity of this character area.

CONDITIONS AFFECTING ZONING

This proposed location along the Interstate 85 corridor could be an appropriate location for taller buildings in the county.

SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

See attached

- (B) WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

See attached

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED SPECIAL USE PERMIT HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

See attached

- (D) WHETHER THE PROPOSED SPECIAL USE PERMIT WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

See attached

- (E) WHETHER THE PROPOSED SPECIAL USE PERMIT IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

See attached

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED SPECIAL USE PERMIT:

See attached

APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) Yes, the proposed development will provide a use that is suitable in view of the use and development of adjacent and nearby property.
- (B) No, the proposed development will not adversely affect the existing use or usability of any of the nearby properties. Rather, the proposed development would complement existing commercial and employment centers.
- (C) In light of the size, location, layout, topography, and natural features of the property and in conjunction with the nature of surrounding development, the Applicant submits that the subject Property does not have reasonable economic use as currently zoned.
- (D) No, the proposed development will not result in an excessive or burdensome use of the infrastructure systems.
- (E) Yes, the proposed Rezoning Application is in conformity with the policy and intent of the Gwinnett County 2030 Unified Plan.
- (F) Applicant submits that the character of surrounding development and the fact that the subject property is adjacent to Interstate 85 provide additional supporting grounds for approval of the proposed development.



Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Mary Grace Griffin
Christopher D. Holbrook
Nicholas N. Kemper

Shane M. Lanham
Austen T. Mabe
Jeffrey R. Mahaffey
David G. McGee
Steven A. Pickens
Andrew D. Stancil
R. Lee Tucker, Jr.
*Of Counsel

**AMENDED LETTER OF INTENT FOR
CHANGE IN CONDITIONS AND SPECIAL USE PERMIT APPLICATION
OF SONIAL PATEL**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent on behalf of Sonial Patel and the Property Owner, Duluth Capital Investments, LLC (together the "Applicant"), for the purpose of requesting a change in conditions of zoning currently encumbering an approximately 2.01 acre tract of land (the "Property") adjacent to Interstate 85 with vehicular access located on Stephens Center Drive just south of its intersection with Duluth Highway (State Route 120). The Applicant is also requesting a Special Use Permit for a building height increase. The Applicant is proposing to develop the Property for use as a hotel.

The Property is currently vacant and zoned C-2 pursuant to CIC2006-00023 with special use permits for a building height increase pursuant to case number SUP2006-00091 (the "Building Height SUP") and a mini-warehouse/self-storage facility pursuant to case number SUP2006-00092 (the "Mini-Warehouse SUP") (together, the "Current Zoning"). The Property is adjacent to two other hotel uses to the north and south along Stephens Center Drive.

The Building Height SUP was approved by the Board of Commissioners in 2006 "for the proposed use of Building Height Increase to 55 feet" on the subject Property. Condition 1(A) of the Building Height SUP restricted the use of the Property to "retail and service commercial, office and accessory uses, which may include a mini-warehouse facility with a maximum height of 55 feet as a Special Use." The Current Zoning does not prohibit the use of the Property as a hotel. The proposed hotel use falls squarely within the "retail and service commercial" category which is specifically allowed in the text of Condition 1(A). In fact, Condition 1(A) of the Building Height SUP provides for retail and service commercial uses and then specifically expands the scope of the approval to include a mini-warehouse facility.

The Applicant is requesting to modify the language of Condition 1(A) of the Current Zoning to explicitly provide that the Building Height SUP is applicable to the proposed hotel. The Applicant is also requesting to delete Condition 2(B) of the Current Zoning which requires

Sugarloaf Office || 1550 North Brown Road, Suite 125, Lawrenceville, Georgia 30043

NorthPoint Office || 11175 Cicero Drive, Suite 100, Alpharetta, Georgia 30022

TELEPHONE 770 232 0000

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landscaping in accordance with a 2006 landscaping plan. The Applicant is proposing to provide landscaping on the site in accordance with the Gwinnett County Unified Development Ordinance and Civic Center Overlay District.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or the Variance Applications filed herewith. The Applicant respectfully requests your approval of these Applications.

This 8th day of February, 2018.

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP

A handwritten signature in blue ink, appearing to be 'S. Lanham', written in a cursive style.

Shane M. Lanham
Attorneys for the Applicant

CASE NUMBER CIC-06-023
GCID 2006-1066

BOARD OF COMMISSIONERS

WINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Charles Bannister, Chairman	<u>AYE</u>
Lorraine Green, District 1	<u>AYE</u>
Albert Nasuti, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>ABSENT</u>

On motion of COMM. GREEN, which carried 4-0, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from

C-2 to C-2 (CHANGE IN CONDITIONS)

by KEYSTONE DEVELOPMENT SERVICES, LLC. for the proposed use of INCREASE ALLOWABLE DENSITY on a tract of land described by the attached legal description, which

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is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and


WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on JULY 25, 2006 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 25TH day of JULY, 2006, that the aforesaid application to amend the Official Zoning Map from C-2 to C-2 (CHANGE IN CONDITIONS) is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Retail and service commercial, office and accessory uses, which may include a mini-warehouse facility with a maximum height of 55 feet as a Special Use.
 - B. Outdoor storage and truck rental shall be prohibited.
2. To satisfy the following site development considerations:
 - A. Provide a ten-foot wide landscape strip outside Stephens Center Drive.
 - B. The landscaping shall be in accordance with the plan dated July 17, 2006 and shall be in minimum accordance with Overlay and BLT conditions.
 - C. Provide interparcel access as may be required by the Department of Development.

- D. No billboards are permitted.
- E. Ground signage shall be limited to monument-type ground signs with a brick base of at least 2 feet in height.
- F. Dumpsters shall be screened by a 100% opaque brick wall.
- G. Buildings shall be finished with architectural treatments of brick, stone, or stucco.
- H. Submit a landscape and tree protection plan for approval of the Department of Planning and Development.
- I. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: 
Charles R. Bannister, Chairman

Date Signed: 8/11/06

ATTEST:


County Clerk/Deputy County Clerk



CASE NUMBER SUP-06-091
GCID 2006-1067

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Charles Bannister, Chairman	<u>AYE</u>
Lorraine Green, District 1	<u>AYE</u>
Albert Nasuti, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>ABSENT</u>

On motion of COMM. GREEN, which carried 4-0, the following resolution was adopted:

A RESOLUTION TO GRANT A SPECIAL USE PERMIT

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application for a Special Use Permit by KEYSTONE DEVELOPMENT SERVICES, LLC. for the proposed use of BUILDING HEIGHT INCREASE TO 55 FT. on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

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CIC '18 00 2

WHEREAS, notice to the public regarding said Special Use Permit Application has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on JULY 25, 2006 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 25TH day of JULY, 2006 that the aforesaid application for a Special Use Permit is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Retail and service commercial, office and accessory uses, which may include a mini-warehouse facility with a maximum height of 55 feet as a Special Use.
 - B. Outdoor storage and truck rental shall be prohibited.
2. To satisfy the following site development considerations:
 - A. Provide a ten-foot wide landscape strip outside Stephens Center Drive.
 - B. The landscaping shall be in accordance with the plan dated July 17, 2006 and shall be in minimum accordance with Overlay and BLT conditions.
 - C. Provide interparcel access as may be required by the Department of Development.
 - D. No billboards are permitted.

CASE NUMBER SUP-06-091
GCID 2006-1067

- E. Ground signage shall be limited to monument-type ground signs with a brick base of at least 2 feet in height.
- F. Dumpsters shall be screened by a 100% opaque brick wall.
- G. Buildings shall be finished with architectural treatments of brick, stone, or stucco.
- H. Submit a landscape and tree protection plan for approval of the Department of Planning and Development.
- I. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

WINNETT COUNTY BOARD OF COMMISSIONERS

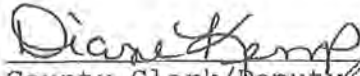
By:


Charles E. Bannister, Chairman

Date Signed:

8/11/06

ATTEST:


County Clerk/Deputy County Clerk



CASE NUMBER SUP-06-092
GCID 2006-1068

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Charles Bannister, Chairman	<u>AYE</u>
Lorraine Green, District 1	<u>AYE</u>
Albert Nasuti, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>ABSENT</u>

On motion of COMM. GREEN, which carried 4-0, the following resolution was adopted:

A RESOLUTION TO GRANT A SPECIAL USE PERMIT

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application for a Special Use Permit by KEYSTONE DEVELOPMENT SERVICES, LLC. for the proposed use of MINI-WAREHOUSE on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

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WHEREAS, notice to the public regarding said Special Use Permit Application has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on JULY 25, 2006 and objections were not filed.

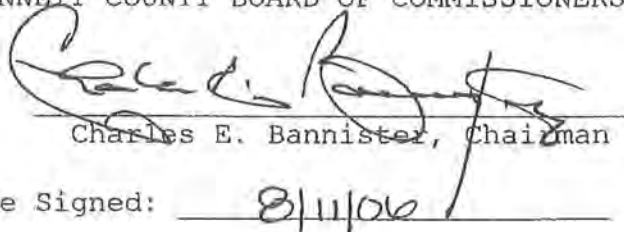
NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 25TH day of JULY, 2006 that the aforesaid application for a Special Use Permit is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Retail and service commercial, office and accessory uses, which may include a mini-warehouse facility with a maximum height of 55 feet as a Special Use.
 - B. Outdoor storage and truck rental shall be prohibited.
2. To satisfy the following site development considerations:
 - A. Provide a ten-foot wide landscape strip outside Stephens Center Drive.
 - B. The landscaping shall be in accordance with the plan dated July 17, 2006 and shall be in minimum accordance with Overlay and BLT conditions.
 - C. Provide interparcel access as may be required by the Department of Development.
 - D. No billboards are permitted.

- E. Ground signage shall be limited to monument-type ground signs with a brick base of at least 2 feet in height.
- F. Dumpsters shall be screened by a 100% opaque brick wall.
- G. Buildings shall be finished with architectural treatments of brick, stone, or stucco.
- H. Submit a landscape and tree protection plan for approval of the Department of Planning and Development.
- I. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

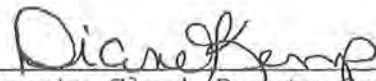
GWINNETT COUNTY BOARD OF COMMISSIONERS

By:

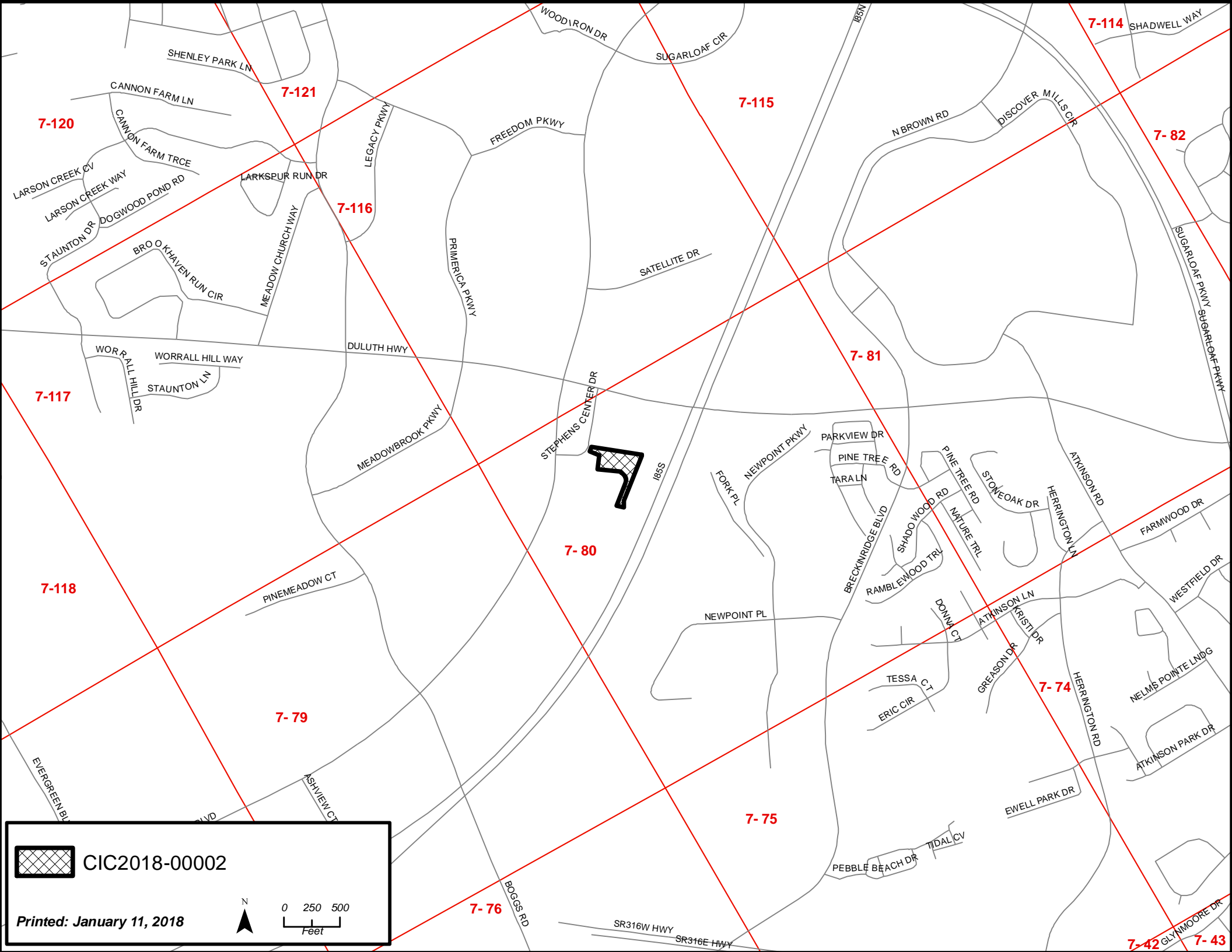

Charles E. Bannister, Chairman

Date Signed: 8/11/06

ATTEST:


County Clerk/Deputy County Clerk





CIC2018-00002

Printed: January 11, 2018



0 250 500
Feet

7-42 GLENMOORE DR 7-43

STEPHENS
CENTER DRIVE
(60' R/W PUBLICLY
DEDICATED)

SUBURBAN EXTENDED STAY HOTEL
2360 STEPHENS CENTER DR.
PARCEL: 7080 090

PROPOSED
5-STORY HOTEL
(BUILDING HEIGHT APPROXIMATELY 55')
PARCEL: 7080 078

LAQUINTA INN
2370 STEPHENS CENTER DR.
PARCEL: 7080 126

INTERSTATE 85

SHARED ACCESS TO PARKING AND UTILITY
ADJACENT BETWEEN PARCELS 7080 126 & 7080 078

EXISTING PROPERTY LINE

VEHICULAR ENTRANCE

VEHICULAR ENTRANCE

LANDSCAPE STRIP

CONCRETE DRIVEWAY/PAVEMENT

EXTEND ALTERNATIVE



PROJECT DATA

2360 STEPHENS CENTER DRIVE
DULUTH, GWINNETT COUNTY, GA

SITE DATA

TOTAL SITE AREA: 1.87 AC

BUILDING DATA

HOTEL FLOOR FLOOR: 11 FLOOR

PARKING DATA

HOTEL PARKING REQUIRED BY PROGRAM: 114 SPACES @ 1 FLOOR

HOTEL PARKING PROVIDED: 114 SPACES @ 1 FLOOR

LEGEND

EXISTING TRAFFIC SIGNAL	STANDARD DUTY ASPHALT PAVING
NUMBER OF PARKING SPACES	HEAVY DUTY ASPHALT PAVING
ACCESSIBLE PARKING SPACES	100' SP. GR. CATION ASPHALT PAVING
TRANSFORMER BOX OR PAD	CONCRETE PAVING

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Planning - [signature]



FORESITE
 ForeSite Group, Inc. | 1415 Peachtree St. NE
 31405 Decatur, GA | 770.588.1399
 Suite 100 | 770.588.1844
 Peachtree Corners, GA 30092

DEVELOPER
SHARPE CONTRACTORS
 435 BURGESS WAY NW
 SUITE 204
 DUNWOODY, GEORGIA 30341
 (404) 762-8470
 CONTACT: JAMES JAY

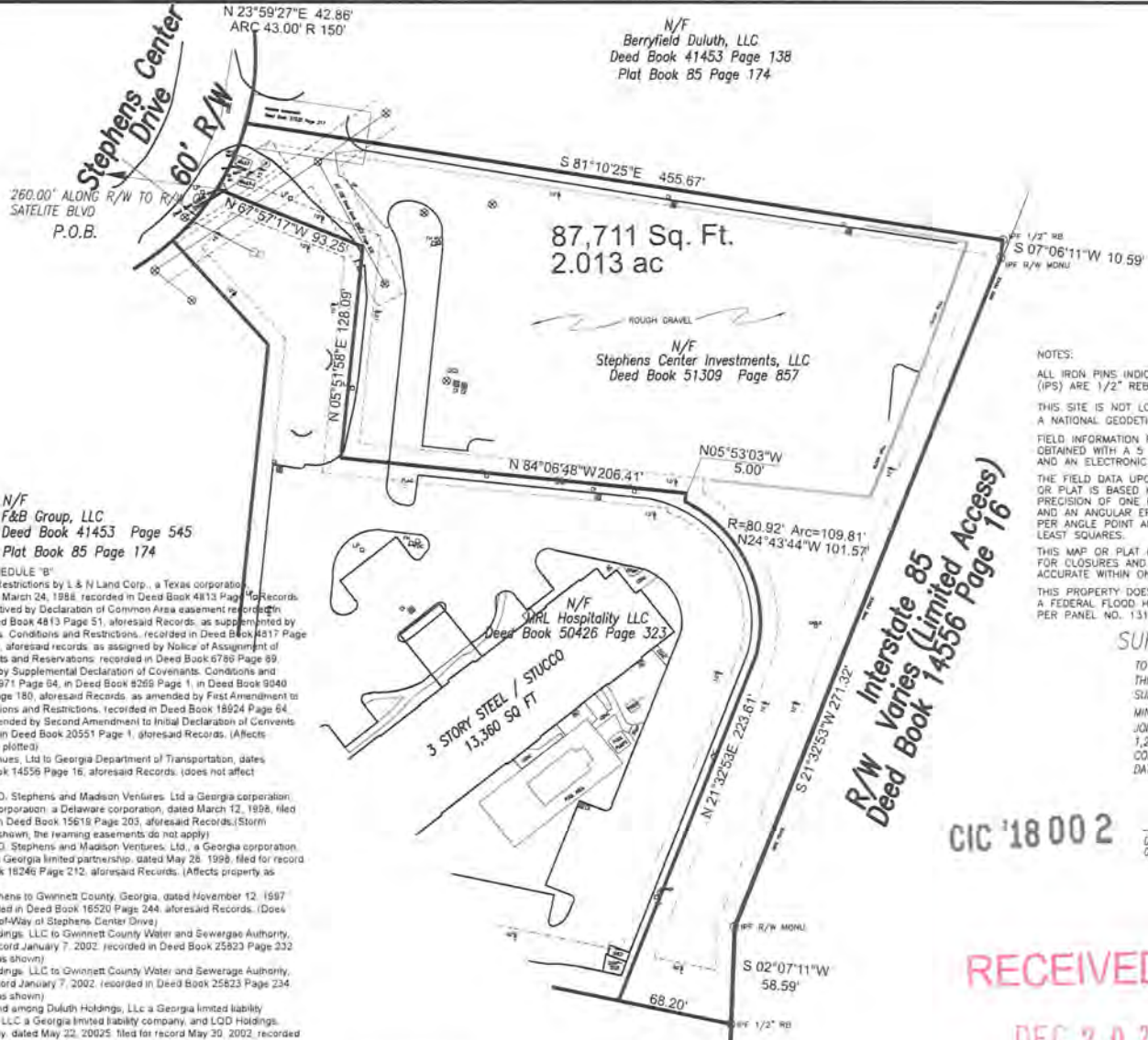
PROJECT
STAYBRIDGE SUITES
 2360 STEPHENS CENTER DRIVE
 DULUTH, GWINNETT COUNTY, GA

STATUS
DRAFT

REVISIONS	2011
BUILDING UPDATE	2011 12 12
SITE UPDATE	2011 12 20

PROJECT MANAGER	JAY
DESIGNED BY	JAY
JURISDICTION	GWINNETT COUNTY, GA
DATE	2011 12 20
SCALE	1" = 10'
TITLE	

CONCEPTUAL SITE PLAN
 SHEET NUMBER: SK-1
 COMMENTS: NOT RELEVANT FOR CONSTRUCTION
 JOB FILE NUMBER: 1036.001



N/F
Berryfield Duluth, LLC
Deed Book 41453 Page 138
Plat Book 85 Page 174

260.00' ALONG R/W TO R/W
SATELLITE BLVD
P.O.B.

87,711 Sq. Ft.
2.013 ac

N/F
Stephens Center Investments, LLC
Deed Book 51309 Page 857

N/F
F&B Group, LLC
Deed Book 41453 Page 545
Plat Book 85 Page 174

NOTES CORRESPONDING TO SCHEDULE "B"
Initial Declaration of Covenants and Restrictions by L & N Land Corp., a Texas corporation, dated March 18, 1988. Filed for record March 24, 1988. recorded in Deed Book 4813 Page 10. Records of Gwinnett County, Georgia, as affected by Declaration of Common Area easement recorded in Deed Book 4813 Page 46, and in Deed Book 4813 Page 51, aforesaid Records, as supplemented by Supplemental Declaration of Covenants, Conditions and Restrictions, recorded in Deed Book 4817 Page 25, and in Deed Book 5292 Page 314, aforesaid records, as assigned by Notice of Assignment of Declarant's Rights, Powers, Easements and Reservations recorded in Deed Book 6766 Page 69 aforesaid Records, as supplemented by Supplemental Declaration of Covenants, Conditions and Restrictions recorded in Deed Book 7971 Page 64, in Deed Book 8259 Page 1, in Deed Book 9040 Page 176, and in Deed Book 9040 Page 180, aforesaid Records, as amended by First Amendment to Initial Declaration of Covenants, Conditions and Restrictions, recorded in Deed Book 18624 Page 64, aforesaid Records, and as further amended by Second Amendment to Initial Declaration of Covenants, Conditions and Restrictions recorded in Deed Book 20551 Page 1, aforesaid Records, (Affects property, Blanket in nature, cannot be plotted)
Right-of-Way Deed from Madison Ventures, Ltd to Georgia Department of Transportation, dated August 1, 1997, recorded in Deed Book 14556 Page 16, aforesaid Records, (does not affect property establishes R/W of I-85)
Easement Agreement between John D. Stephens and Madison Ventures, Ltd a Georgia corporation, and Systems Capital Real Property Corporation a Delaware corporation, dated March 12, 1998, filed for record March 13, 1998, recorded in Deed Book 15619 Page 203, aforesaid Records, (Storm Sewer Easement affects Property as shown, the remaining easements do not apply)
Easement Agreement between John D. Stephens and Madison Ventures, Ltd, a Georgia corporation, and Southern Empire Builders, L.P., a Georgia limited partnership, dated May 28, 1998, filed for record June 22, 1998, recorded in Deed Book 16246 Page 212, aforesaid Records, (Affects property as shown)
Right-of-Way Deed from John D. Stephens to Gwinnett County, Georgia, dated November 12, 1987, filed for record August 6, 1988, recorded in Deed Book 16520 Page 244, aforesaid Records, (Does not affect property establishes Right-of-Way of Stephens Center Drive)
Easement from Stephens Center Holdings, LLC to Gwinnett County Water and Sewerage Authority, dated December 12, 2001, filed for record January 7, 2002, recorded in Deed Book 25823 Page 232 aforesaid Records, (Affects property as shown)
Easement from Stephens Center Holdings, LLC to Gwinnett County Water and Sewerage Authority, dated December 12, 2001, filed for record January 7, 2002, recorded in Deed Book 25823 Page 234 aforesaid Records, (Affects property as shown)
reciprocal Easement Agreement by and among Duluth Holdings, LLC a Georgia limited liability company, Stephens Center Holdings, LLC a Georgia limited liability company, and LOD Holdings, LLC a Georgia limited liability company, dated May 22, 2002, filed for record May 30, 2002, recorded in Deed Book 27532 Page 217, aforesaid Records, (Affects property as shown)
Attention is directed to the fact that the subject property abuts Interstate 85 which is a limited access way and the right of access is limited to those points designated by the Department of Transportation, (Affects property as shown)
All matters shown on the plats in Plat Book 85 Page 174 and Plat Book 92 Page 277 aforesaid Records, (Affect property as shown)
Easements contained in Conveyance from Sammie Powell to Gwinnett County, Georgia, dated February 8, 1938, filed for record March 25, 1938, recorded in Deed Book 63 Page 521, aforesaid Records, (Does not affect property)
Easement from L & N Land Corp., a Texas corporation to Georgia Power Company, dated September 12, 1986, filed for record September 16, 1986, recorded in Deed Book 3601 Page 111, aforesaid Records, (Affects property as shown)
Easement from John D. Stephens and Madison Ventures, Ltd to Georgia Power Company, dated August 1, 1997, recorded in Deed Book 14891 Page 169, aforesaid Records, (Affects easement) Does not affect property
Easement contained in Deed from Eugene A Yates, Jr. to Chemical Bank New York Trust Company, successor by merger to The New York Trust Company, as Trustee under the Will of Eugene Adams Yates, deceased, and Margaret Polk Yates to Gwinnett County, Georgia, dated June 4, 1965, filed for record June 20, 1965, recorded in Deed Book 236 Page 102, aforesaid records, (Does not affect property, additional Right-of-Way has been acquired)
Agreement for sewer Service between Gwinnett County, Georgia and M.M. Warren and William R. Patterson, dated April 1, 1974, filed for record August 19, 1974, recorded in Deed Book 86 Page 134 aforesaid Records, (not survey related)

LAND DESCRIPTION
ALL THAT TRACT or parcel of land lying and being in land lot 60 of the 7th land district, Gwinnett County, Georgia and being more particularly described as follows:
BEGINNING AT A POINT being 260.00' from the intersection of the right of way of Stephens Center Drive (R/W 60') and Satellite Boulevard; thence along Stephens Center Drive a curve to the left 43.00' having a 150.00' radius and chord of N23°59'27"E a distance of 42.86' to a point in the center of a driveway; thence S81°10'25"E a distance of 455.67' to a 1/2" rebar found on the R/W of Interstate 85 (R/W varies); thence along Interstate 85 S07°06'11"W a distance of 10.59' to a R/W Monument found; thence continue S21°32'53"W a distance of 271.32' to a R/W Monument found; thence continue S02°07'11"W a distance of 58.59' to a 1/2" rebar found; thence leaving said R/W N78°14'42"W a distance of 68.20' to a 1/2" rebar set; thence N21°32'53"E a distance of 62.61' to a 1/2" rebar set; thence along a curve to the left 109.81' having a radius of 60.92' and chord of N24°43'44"W and distance of 101.57' to a 1/2" rebar set; thence N05°53'03"W a distance of 5.00' to a 1/2" rebar set; thence N84°06'48"W a distance of 206.41' to a 1/2" rebar set; thence N05°51'58"E a distance of 128.09' to a 1/2" rebar set; thence S67°57'17"W a distance of 93.25' to a 1/2" rebar set on the R/W of Stephens Center Drive the point of BEGINNING.
This site contains 87,711 square feet or 2.013 acres including any and all easements.

COUNTY MAP (N/S)

LEGEND

- NOTES:
ALL IRON PINS INDICATED AS SET (IPS) ARE 1/2" REBAR RODS.
THIS SITE IS NOT LOCATED WITHIN 500 FEET OF A NATIONAL GEODETIC SURVEY MONUMENT.
FIELD INFORMATION FOR THIS SURVEY WAS OBTAINED WITH A 5 SECOND THEODOLITE AND AN ELECTRONIC DISTANCE METER.
THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 27,362 FEET AND AN ANGULAR ERROR OF 1 SECOND PER ANGLE POINT AND WAS ADJUSTED BY LEAST SQUARES.
THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURES AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 263,876 FEET.
THIS PROPERTY DOES NOT LIE WITHIN A FEDERAL FLOOD HAZARD AREA AS PER PANEL NO. 13135C00007F 9-29-06
- IRON PIN FOUND
REBAR
OPEN TOP
HEADWALL
JUNCTION BOX
DROP INLET
YARD INLET
CORRUGATED METAL PIPE
INVERT ELEVATION
DOUBLE WING CATCH BASIN
SANITARY SEWER MANHOLE
DRAINAGE EASEMENT
SANITARY SEWER EASEMENT
FIRE HYDRANT
WATER VALVE
POWER POLE
BUILDING SETBACK LINE

SURVEYOR'S CERTIFICATE:

TO DULUTH CAPITAL INVESTMENTS, LLC
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND SURVEY OF ON WHICH IT'S BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ATLA/ACSM LAND TITLE SURVEYS JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1,2,3,4,8,9,13,14,16,17,18 OF TABLE THEREOF. THE FIELD WORK WAS COMPLETED ON JANUARY 8, 2016.
DATE OF PLAT OR MAP: JANUARY 15, 2016

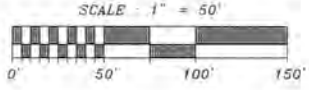


DANIEL F. CONROY RLS 2350
GEORGIA REGISTER LAND SURVEYOR

CIC '18 00 2

RECEIVED BY
DEC 20 2017

Planning & Development



SURVEY FOR:	
DULUTH CAPITAL INVESTMENT, LLC	
SURVEYING SERVICES BY:	
conroy & associates, P.C.	
LAND LOT:	SURVEYED: 1-6-16
DISTRICT:	DRAWN: 1-11-16 BY: DC
COUNTY: GWINNETT	SCALE: 1"=50'
2360 Stephens Center Drive	
Deed Book 51309 Page 857	
5885 Cumming Hwy #108-31 Sugar Hill, GA 30518 770.833.3301 conroyassoc@gmail.com	
AP190 2360	



SATELLITE BLVD

STEPHENS CENTER DR

I85S

I85N



CIC2018-00002



0 50 100
Feet

Printed: January 11, 2018

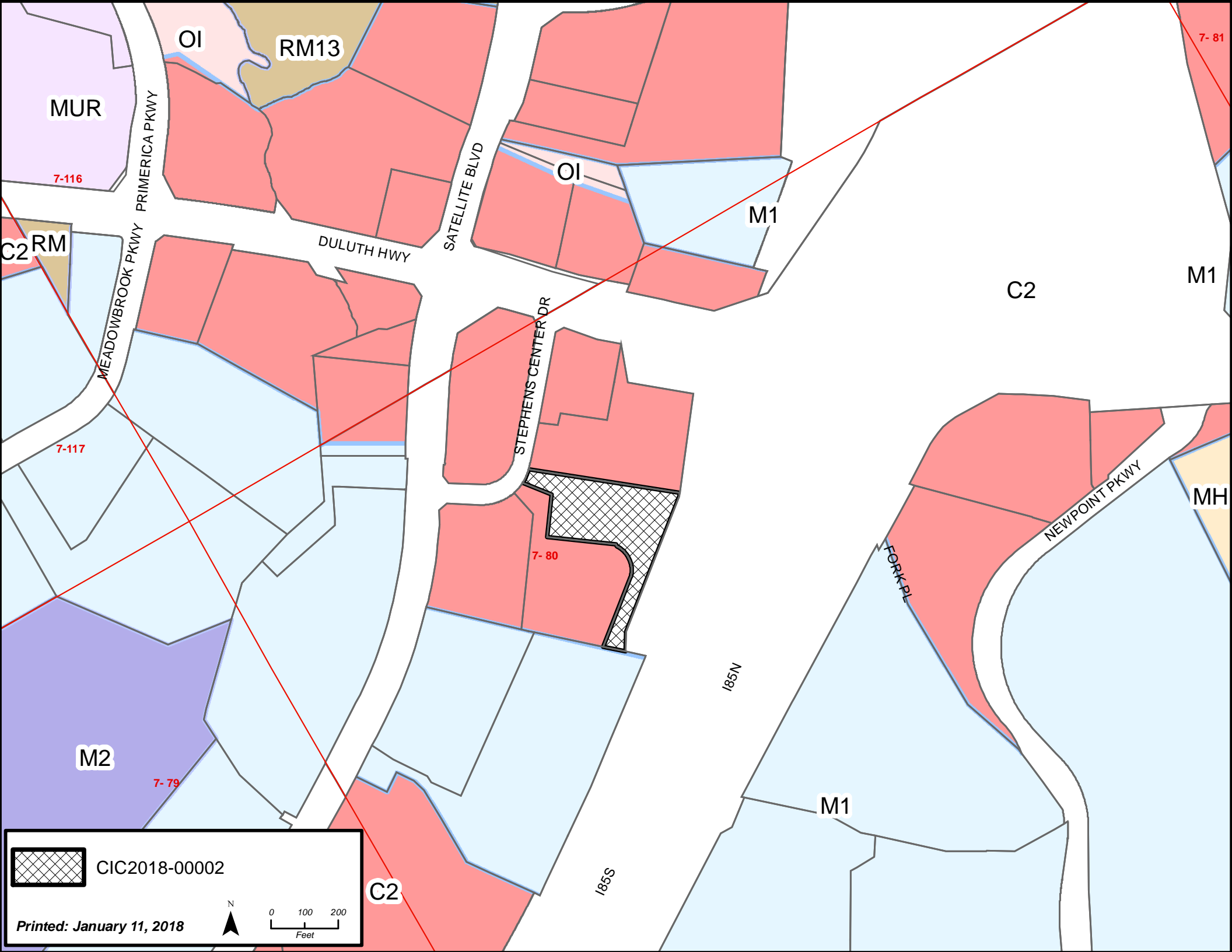


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Printed: January 11, 2018



0 150 300
Feet



MUR

7-116

OI

RM13

OI

M1

C2RM

7-117

C2

M1

STEPHENS CENTER DR

7-80

MH

M2

7-79

185N

FORK PL

NEWPOINT PKWY

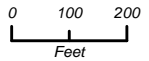
M1

185S

C2



CIC2018-00002



Printed: January 11, 2018

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
SPECIAL USE PERMIT ANALYSIS**

CASE NUMBER :**SUP2018-00009**
ZONING :R-100
LOCATION :1600 BLOCK OF RED FOX RUN
MAP NUMBER :R6070 074
ACREAGE :1.04 ACRES
PROPOSED DEVELOPMENT :BED AND BREAKFAST INN
COMMISSION DISTRICT :(2) HOWARD

FUTURE DEVELOPMENT MAP :**EXISTING/EMERGING SUBURBAN**

APPLICANT: DAVID M. JONES
1637 RED FOX RUN
LILBURN, GA 30047

CONTACT: DAVID JONES PHONE: 770.317.7378

OWNERS: DAVID & PEGGY JONES
1637 RED FOX RUN
LILBURN, GA 30047

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The subject 1.04-acre site is located on the south side of Red Fox Run in the Rivermist subdivision, which is located at Hewatt Road and Rivermist Drive. Currently zoned R-100 (Single-Family Residence District), the applicant is requesting a Special Use Permit in order to continue operating a bed and breakfast inn in their 3,300-square foot private residence. Known as “The Inn at Rivermist”, the activity has been ongoing since 2004. In November 2017, a Notice of Violation was issued by Code Enforcement pursuant to CEU2017-11164 for not obtaining the proper Special Use Permit for this activity.

In his letter of intent, the applicant states that he and his wife formed a non-profit organization in order to open their home periodically to ministers and missionaries, at no cost, for short periods of time. The applicant states that typically no more than one couple at a time stays in the home and that they can meet all the supplemental regulations for this use. There appears to be ample parking in the existing driveway.

ZONING HISTORY:

The subject property has been zoned R-100 since 1970.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Red Fox Run is a Local Residential Street and 25 feet of right-of-way is required from the centerline.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a six-inch water main located on the east right-of-way of Red Fox Run cul-de-sac and an eight inch water main located on the north right-of-way of Red Fox Run.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of eight-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point

within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an eight-inch sanitary sewer main located approximately 1,795 feet south of parcel R6070 074 in the right-of-way of Hewatt Road.

The subject development is located within the No Business Creek service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

Fire Plan Review requests in order to allow this single-family dwelling to remain a single-family dwelling, limit the number of outsiders to a maximum of three. However, if four or more individuals, but not more than 16 are provided for, then it is regulated as a Lodging and Rooming House and will be required to meet all of the regulations of Chapter 26 of the Life

Safety Code. In addition, the Gwinnett County Fire Prevention and Protection Ordinance section 46-40 (c) requires a fire sprinkler system to be installed in all Lodging and Rooming Houses with four or more residents.

For assistance, you may contact our office at (678) 518-6000, Monday through Friday, from the hours of 8:00 a.m. to 5:00 p.m.

DEPARTMENT ANALYSIS:

The subject 1.04-acre site is located on the south side of Red Fox Run in the Rivermist subdivision, which is located at Hewatt Road and Rivermist Drive. Currently zoned R-100 (Single-Family Residence District), the applicant is requesting a Special Use Permit in order to continue operating a bed and breakfast inn in their 3,300-square foot private residence. Known as “The Inn at Rivermist”, the activity has been ongoing since 2004.

The 2030 Unified Plan Future Development Map indicates that the site is located within the Existing/Emerging Suburban Character Area. Although not strictly consistent with the 2030 Unified Plan, the approval of a special use permit within the existing single-family home could be compatible with the surrounding development due to residential character of the activity. Staff believes this request may be appropriate due to the activity being extremely limited in nature, and should not adversely affect the residential nature of the subdivision, given that it has been taking place on the property since 2004. Therefore, staff is of the opinion that this special use permit could be in line with 2030 Unified Plan policies to maintain the residential character of an established single-family residential area.

The properties surrounding the subject property consist of single-family homes within subdivisions zoned R-100. The subject site is located in the Rivermist subdivision, zoned R-100 since 1970. To the east is the Vista Heights subdivision, also zoned R-100. Staff believes the approval of this special use permit at this specific location, with a very limited scope of operation and other conditions to prevent its expansion, should have no adverse effect on the surrounding residential development.

In conclusion, the requested special use permit within the existing residence could be consistent with policies of the 2030 Unified Plan, if approved with the attached recommended conditions. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of a Special Use Permit for a Bed and Breakfast Inn, subject to the following enumerated conditions:

1. Limited to a single-family residence including a bed and breakfast inn providing short-term rental stays.
2. The applicant shall procure a business license prior to new guests arriving on the property.
3. Exterior signage shall be prohibited.
4. No on-street parking shall be allowed by guests. Parking shall only be allowed on the driveway or other approved paved surface on the subject site.
5. No new additions, expansions or accessory structures shall be permitted on the property.
6. Provided the applicant has complied with all conditions and Unified Development Ordinances after a two year period, the use shall be allowed to continue without a sunset.
7. This Special Use Permit shall automatically terminate in the event that the property is sold, transferred or otherwise conveyed to any other party; or the business which operates the special use is sold, transferred, otherwise conveyed or discontinued. The owner shall also agree to notify the Director in writing upon the occurrence of any of these events.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The requested Special Use Permit for a bed and breakfast inn within the existing home could be considered suitable if approved with the attached recommended conditions which limit the scope of the activity.

ADVERSE IMPACTS

Any adverse impacts on nearby residential properties may be minimized by the recommended conditions to limit the number of guests, limit the length of stays, prohibit signage on the property and prohibit expansion of the existing home.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

It is anticipated there would be some additional impacts on public facilities beyond the demand created by the single-family residence.

CONFORMITY WITH POLICIES

The request could be considered compatible with policies of the 2030 Unified Plan if operated in compliance with the attached conditions, and in staff's opinion, would not set a precedent for future similar requests.

CONDITIONS AFFECTING ZONING

Limiting the length of stay, the number of guests, prohibiting signage and requiring renewal of the special use permit after two years are recommended conditions if this request is approved.

SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENT OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

YES

- (B) WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

NO, NOT AT ALL

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED SPECIAL USE PERMIT HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

YES

- (D) WHETHER THE PROPOSED SPECIAL USE PERMIT WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

NO

- (E) WHETHER THE PROPOSED SPECIAL USE PERMIT IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

YES

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED SPECIAL USE PERMIT:

NOT THAT I AM AWARE OF.

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DEC 14 2017

David and Peggy Jones
1647 Red Fox Run
Lilburn, GA 30047

December 14, 2017

Gwinnett County Department of Planning and Development
446 West Crogan Street, Suite 250
Lawrenceville, GA 30046

LETTER OF INTENT

Dear Sir or Madam,

We have lived for 34 years in the Rivermist subdivision of Lilburn, and are requesting a Special Use Permit to use our home to periodically host Christian ministers and missionaries as our guests for brief times of rest, refreshment and spiritual counseling.

I am a retired pastor, having started and served at Gwinnett Community Church in Lawrenceville for 21 years. Though retired from the Senior Pastor role, my wife and I knew we would never retire from ministry, and felt that we could best invest our remaining years by using our home, our gifts, and our lifetime of experience to encourage others in ministry, marriage and life.

Thus we formed a 501(c)3 nonprofit TeamMates In Ministry with the mission "To lavish the Love of God on the Servants of God so they could be refreshed to better fulfill the Call of God on their lives". Because we are regularly supported by the donations of a number of churches and individuals that recognize the vital need for such a ministry, we are able to serve freely, without charge to our guests..

Much to our surprise we were recently informed that we should have received a Special Use Permit to use our home in such a way, and thus we respectfully want to make this right by applying for this permit.

As further detail, please let me emphasize: We keep a beautiful yard. We have ample parking in our own driveway for the guests we have stay with us. Typically, we have one couple at a time visiting us. We have never had a complaint from our neighbors, nor is there excessive noise generated by ourselves or our guests. We do not inordinately use any neighborhood amenities due to our guests.

You may read any information about our ministry at Teammatesinministry.org. The website is designed to give couples a taste of the pampering we will provide for them if they come to our home.

Our desire would be to continue using our home as we have. Please allow us to do that. We will be glad to answer any questions you have. Thank you very much.

Sincerely,


David & Peggy Jones
TeamMates in Ministry
(770-972-8872)

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DEC 15 2017

SUP '18 009

Planning & Development

Bird, Loechl, Brittain & McCants

A LIMITED LIABILITY COMPANY †

ATTORNEYS AT LAW

1150 MONARCH PLAZA

3414 PEACHTREE ROAD, NORTHEAST

ATLANTA, GEORGIA 30326

(404) 264-9400

FACSIMILE: (404) 365-9731
E-MAIL: INFO@BIRDLAWFIRM.COM
WEB SITE: WWW.BIRDLAWFIRM.COM

* ALSO ADMITTED IN FLORIDA,
ALABAMA AND CALIFORNIA

** ALSO ADMITTED IN ILLINOIS

*** ALSO ADMITTED IN MISSISSIPPI

**** ALSO ADMITTED IN VIRGINIA

***** ALSO ADMITTED IN NEW YORK & NEBRASKA

***** (RETIRED 2013)

***** (1960-2007)

† OF COUNSEL

§ MEMBER OF TEWES LAW GROUP, LLC

‡ INCLUDING PROFESSIONAL CORPORATIONS

WENDELL R. BIRD*, P.C.
KEVIN J. LOECHL**
RICHARD L. BRITTAİN
JONATHAN T. McCANTS***

W. HUNTER HOLLIDAY†
MARK P. MILLER*****
G. WILLIAM THACKSTON, JR., P.C.†
TROY G. WOOLLEN, P.C.†*****

THOMAS O. KOTOUÇ†*****
RUSSELL P. REACH†*****
R. SCOTT TEWES†§

December 13, 2017

VIA HAND DELIVERY

Gwinnett County Planning Division

**RE: Special Use Permit Request for
TeamMates – c/o David & Peggy Jones
1637 Red Fox Run, Lilburn, GA**

Dear Sir or Madam:

We hope you are doing well.

We are submitting the attached Special Use Permit Application on behalf of TeamMates in Ministry, Inc., c/o David & Peggy Jones, 1637 Red Fox Run, Lilburn, GA. After review of the requirements for commercial and retail use by the Gwinnett County Unified Development Ordinance, we do not believe that any of the zoning ordinances discussed therein adequately address or anticipate the charitable activities of TeamMates, which provides free accommodations for ministers of the Gospel as a service to them. Nevertheless, we recognize that your division is charged to evaluate it under the “closest” classification, and given the limited options, we agree that “Bed and Breakfast Inn” appears to be the closest such option.

As a result, please note that in compliance with Section 230-130.3(F), TeamMates represents that:

1. The operator of the establishment resides on the site,
2. The lot area is not less than 20,000 square feet with a floor area within the dwelling unit of no less than 2,500 square feet.
3. No guest shall reside therein for a period in excess of 14 days.
4. The structure is compatible with the character of the neighborhood in terms of height, setbacks and bulk.
5. Guestrooms are not equipped with cooking facilities.
6. Food is only served on the premises only for overnight guests and employees of TeamMates.

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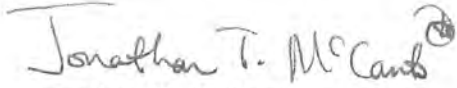
DEC 14 2017

SUP '18 009

Planning & Development

Please accept this filing for the Special Use Permit and do not hesitate to contact us should you have any questions or require further information.

Sincerely,

A handwritten signature in black ink that reads "Jonathan T. McCants". The signature is written in a cursive style with a small circular mark at the end of the last name.

Jonathan T. McCants

Bird, Loechl, Brittain & McCants, LLC

Attachments

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DEC 14 2017

Planning & Development

SUP '18 009

Did you know?

- 1600** pastors and Christian leaders leave the ministry every month
- 90%** feel inadequately trained to cope with the demands of ministry
- 80%** say ministry has had a negative effect on their marriage and family
- 40%** consider quitting every Monday morning

If this describes someone you know, there's good news

"David & Peggy have a unique, much-needed ministry, designed to allow you to relax, gain perspective, and be refreshed. Allow them to wait on you as you wait upon the Lord and He breathes new life into your own ministry."

Dennis Rainey
President of FamilyLife

TEAM
IN MINISTRY *Mates*
ISAIAH 40:31

www.teammatesinministry.org



TEAM
IN MINISTRY *Mates*
ISAIAH 40:31
1637 Red Fox Run, Lilburn, GA 30047

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DEC 14 2017

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*Come...
Wait Upon
The Lord*



The Inn at Rivermist

"They that wait upon the Lord shall renew their strength; they shall mount up with wings like eagles. They shall run and not be weary; they shall walk and not faint." Isaiah 40:31

TEAM
IN MINISTRY *Mates*
ISAIAH 40:31

1637 Red Fox Run, Lilburn, GA 30047
770-972-8872

www.teammatesinministry.org

TeamMates in Ministry

EXISTS

...to wait on ministers and missionaries so they can wait upon the Lord.

...to care for those who care for the souls of others.

...to let pastors be on the receiving end of ministry for a change.

After nearly 40 years of ministry, Dave and Peggy Jones know what it's like to need and receive refreshment and encouragement. That's why they are so eager to offer the same to other ministers, missionaries and Christian workers.

H.B. London Jr., head of Focus on the Family's Pastor Care department, recently wrote "...many hold on by their finger nails, hoping to find a hidden spring to refresh their weary spirits and scrambled thoughts!"

One of those "hidden springs" sprung up in the Atlanta area in 2004, as Gwinnett Community Church launched its Senior Pastor of 20 years, commissioning Dave and Peggy for this vital ministry of hospitality and encouragement.

TEAM IN MINISTRY Mates

ISAIAH 40:31

Teamed together to encourage others in ministry, marriage and life



"We can't wait to wait on others, while they wait upon the Lord."

DAVID AND PEGGY JONES

Founders and Directors of TeamMates in Ministry, Inc.

OUR MISSION

To lavish the Love of God on the Servants of God so they can be refreshed to better fulfill the Call of God on their lives.

READ WHAT RECENT GUESTS WROTE:

"We came a little worn out and a bit flat-lined. We are leaving refreshed, encouraged and recharged. The beauty...the care...and the kindness of God were all here to encourage our souls." —T&J

"Unbelievable weekend...If others that come to your door taste of even a bit of what we have experienced, they will be different as a result. What I sensed was a profound sense of the presence of God. This was a picture to me of what you will do in lives of countless ministers." —D&J

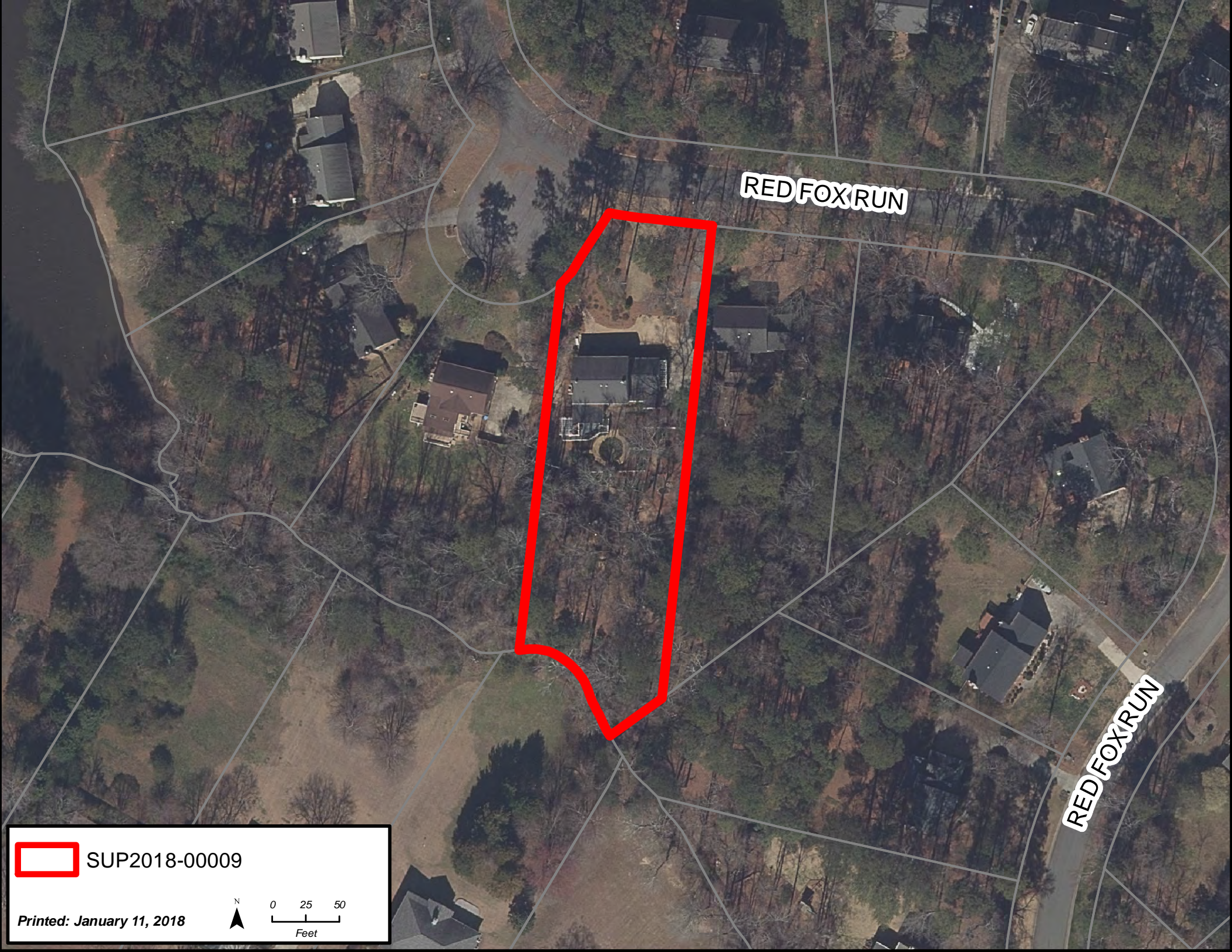


This Gift of a getaway... is just that, a Gift

from the heart of God, made possible through the kindness and generosity of individuals, companies, and churches that delight to honor and encourage those in ministry.

For more information, check out our website at www.teammatesinministry.org or contact us at 770-972-8872





RED FOX RUN

RED FOX RUN

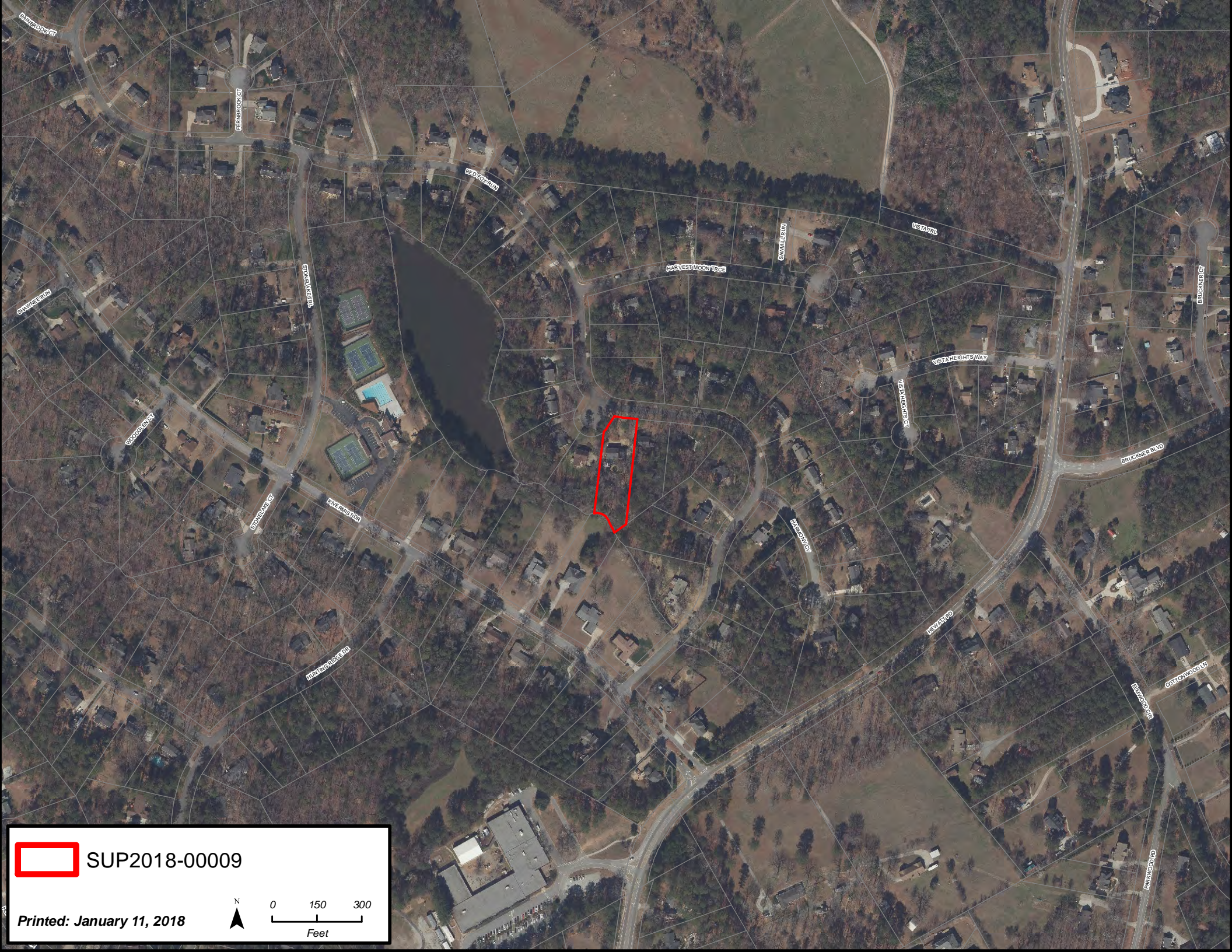


SUP2018-00009



0 25 50
Feet

Printed: January 11, 2018



SUP2018-00009



0 150 300
Feet

Printed: January 11, 2018

R100

6-84

RA200

FERNBROOK CT

STONELAKE TRL

VISTA TRL

HARVEST MOON TRCE

6-70

VISTA HEIGHTS WAY

HEWATT RD

BRUCKNER CT

WOODGLEN CT

RED FOX RUN

R100

BRUCKNER BLVD

STONELAKE CT

6-71

R100

RIVERMIST DR

HARMONY CN

ELMWOOD CIR

HUNTING RIDGE DR

COTTONWOOD LN

Head ES



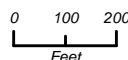
6-67

6-66

PARKWOOD RD



SUP2018-00009



Printed: January 11, 2018

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS**

CASE NUMBER :**RZM2018-00003**
ZONING CHANGE :M-1 TO RM-24
LOCATION :1600 BLOCK OF PEACHTREE INDUSTRIAL BOULEVARD
MAP NUMBER :R7207 085
ACREAGE :16.07 ACRES
UNITS :245 UNITS
PROPOSED DEVELOPMENT :APARTMENTS (BUFFER REDUCTION)
COMMISSION DISTRICT :(1) BROOKS

FUTURE DEVELOPMENT MAP: **EXISTING/EMERGING SUBURBAN**

APPLICANT: BRAND PARTNERS, LP
C/O MAHAFFEY PICKENS TUCKER, LLP
1550 NORTH BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACT: SHANE LANHAM PHONE: 770.232.0000

OWNER: PERIMETER GROUP CORPORATION
110 PEACHTREE INDUSTRIAL BOULEVARD
SUGAR HILL, GA 30518

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant is requesting to rezone a 16.07-acre parcel from M-1 (Light Industry District) to RM-24 (Multi-Family Residence District) to construct a 245 unit multi-family apartment complex. The applicant is also requesting a buffer reduction to permit a 50-foot landscaped buffer instead of the Unified Development Ordinance-required 50-foot natural, undisturbed buffer. The request is to allow the applicant to grade portions of the property along the northern side of the property line and replant that area to a buffer standard. The property is currently developed with a medical building in the front, and a building for a wholesale distributor on the back of the site. The subject property is located on the south side of Peachtree Industrial Boulevard, and southwest of its intersection with Station Center Boulevard.

The applicant requests 245 units at a net density of 23.58 units per acre, as the property contains a Georgia Power transmission line easement. Suwanee Creek forms the southern property line, which would require a 50-foot stream buffer and an additional 25-foot impervious setback; none of the proposed buildings would be within this buffer. The applicant proposes to use the existing driveway along Peachtree Industrial Boulevard. The development will consist of three residential buildings, a leasing office, a club room, a pool and a fitness

center. A total of 368 parking spaces are proposed, resulting in 1.5 spaces per dwelling unit which meets the Unified Development Ordinance parking requirements for multi-family residences.

ZONING HISTORY:

The property has been zoned M-I since 1970.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property contains areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development. The applicant/developer shall obtain all required approvals from the Gwinnett County Department of Water Resources and the U.S. Army Corps of Engineers for construction or land disturbance activities which may impact floodplain or wetland areas.

OPEN SPACE AND GREENWAY MASTER PLAN:

This property contains a portion of the future Lower Suwanee Greenway route as identified in the Gwinnett County Open Space and Greenway Master Plan. Dedication of all necessary right-of-way/easements and construction of the greenway trail will be required in accordance with the Gwinnett County Open Space and Greenway Master Plan and the requirements of the Unified Development Ordinance.

Dedicate at no cost to Gwinnett County all necessary right-of-way/easements and construct a portion of the Lower Suwanee Greenway trail through the property in accordance with the Gwinnett County Open Space and Greenway Master Plan and the requirements of the Unified Development Ordinance. Right-of-way/easement width, location and construction details shall be subject to review and approval by the Department of Community Services and the Department of Transportation.

DEVELOPMENT REVIEW SECTION COMMENTS:

Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a development permit application.

Project access and required improvements along Peachtree Industrial Boulevard will be subject to review and approval of Georgia Department of Transportation and Gwinnett County Department of Transportation.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance. The property appears to contain floodplain and stream buffers. The proposed conceptual plan may require revision to show the appropriate floodplain and stream buffers.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Peachtree Industrial Boulevard is a Principal Arterial and 60 feet of right-of-way is required from the centerline, with 75 feet required within 500 feet of a major intersection.

Commercial entrances shall be provided to the site per current development regulations.

Standard deceleration lane with appropriate taper and adequate right-of-way will be required.

The developer shall be limited to one curb cut.

The project entrance shall align with opposing roads or driveways in accordance with the Gwinnett County Unified Development Ordinance.

Prior to the issuance of a Development Permit, a sight distance certification shall be provided.

Minimum separation from a driveway, public road, or side street shall be provided as specified in the Gwinnett County Unified Development Ordinance.

A Traffic Impact Study including and Traffic Warrant Study will be required.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 16- and 48-inch water main located on the southeast right-of-way of Peachtree Industrial Boulevard.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of eight-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point

within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an eight-inch sanitary sewer main located on parcel R7207 085.

The subject development is located within the Suwanee Creek service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit civil site drawings to Building Plan Review for review and approval.
2. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for each building for review and approval by Building Plan Review.
3. Each building shall comply with the height and area limitations of Table 503 and the fire resistive and horizontal separation requirements of Table 601 and 602 of the 2012 International Building Code with Georgia state amendments based on occupancy group

classification, type of construction, and location of each building from property lines and other buildings.

4. Architectural design of the proposed building shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Design Category I.
5. Upon completion of plan review approvals, the applicant shall obtain a building permit for each building and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at 678.518.6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The applicant is requesting to rezone a 16.07-acre parcel from M-I (Light Industry District) to RM-24 (Multi-Family Residence District) to construct a 245 unit multi-family apartment complex. The applicant is also requesting a buffer reduction to permit a 50-foot landscaped buffer instead of the Unified Development Ordinance-required 50-foot natural, undisturbed buffer. The property is currently developed with a medical building in the front and a building for a wholesale distributor towards the back of the lot. The subject property is located on the south side of Peachtree Industrial Boulevard, and southwest of its intersection with Station Center Boulevard.

The Gwinnett County 2030 Unified Plan Future Development Map indicates this property is within the Corridor Mixed-Use Character Area. Policies for this character area encourage higher density residential zonings and developments between Regional Mixed-Use and Community Mixed-Use nodes. The requested RM-24 rezoning and construction of a multi-family residential complex at a density of 23.58 units per acre on 16.07 acres may be consistent with policies of this character area.

The immediate area consists of a mix of industrial, commercial, and single-family residential uses. To the north across the street on Peachtree Industrial Boulevard is the River Run subdivision zoned R100CLU (Single-Family Cluster Subdivision) and the subdivision Oak Park on the River zoned R75CLU. Adjacent to the east is a single-family subdivision the Landings at Suwanee Creek zoned R100CLU. Immediately to the south and west are two undeveloped properties zoned M-I. Further to the west across Peachtree Industrial Boulevard is the subdivision River Glen zoned R100CLU. Multi-family developments are found within the City of Suwanee and City of Duluth, including the Station Center development on the north east of

Peachtree Industrial Boulevard with a net density of 15.4 units per acre and the apartment development Heights at Sugarloaf on the south west side of Peachtree Industrial Boulevard with a net density of 28 units per acre. The proposed development of 23.58 units per acre could be considered consistent with multi-family residential development in the area.

In conclusion, the proposed multi-family development may be consistent with policies of the 2030 Unified Plan which supports higher density multi-family residential uses and would be compatible with surrounding uses including apartment complexes in the area. Therefore the Department recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as RM-24 for an Apartment Complex, subject to the following enumerated conditions:

1. To restrict the use of the property to multi-family residential apartments and accessory uses and structures, not to exceed 245 total units.
2. To satisfy the following site development considerations:
 - A. The development shall abide by all applicable standards of the Unified Development Ordinance, unless otherwise specified in these conditions or through approval of a variance by the Zoning Board of Appeals.
 - B. Buildings shall be constructed as urban-style, flat-roofed buildings, with internal corridors (no breezeways), with primary exterior treatments of brick or stacked stone on each elevation. The remainder of each elevation may be the same, or fiber-cement shake or siding. Building elevations shall be submitted for review and approval of the Director of Planning and Development prior to the issuance of a development permit.
 - C. Garages or structured parking shall be provided for a minimum of 10% of the units.
 - D. Efficiency units shall be prohibited, and the complex shall be limited to a maximum of 10% of units as three-bedrooms or larger.
 - E. Provide a 50-foot landscaped buffer adjacent to single-family residential zoning to the east. The buffer shall be enhanced where sparsely vegetated and subject to the review and approval of the Director of Planning and Development.
 - F. Provide a trail to connect to the future Lower Suwanee Greenway trail.
 - G. The proposed dog park and pavilion shall be placed on the southwest side of the property, away from the adjacent neighborhood.
 - H. The development shall be a gated community, with automated card access gates at all entrances/exits. The access gate system is required to be properly maintained and functional at all times, with any required repairs to be made within one week.
 - I. Natural vegetation shall remain on the property prior to issuance of a Development Permit.
 - J. All disturbed grassed areas shall be sodded.
 - K. All utilities shall be placed underground.

- L. Ground signage shall be limited to monument-type sign(s), and shall be subject to review and approval by the Director of Planning and Development. The sign shall include a minimum two-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the sign cabinet shall be fully recessed and surrounded by the same materials. Ground signage shall not exceed eight-feet in height.
 - M. Dumpster/compactor locations shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure.
 - N. In the event of residential tenant eviction, any belongings of the tenant will be placed on an area of the subject property that is not visible from the street right-of-way of Peachtree Industrial Boulevard unless otherwise required by law.
 - O. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
 - P. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
 - Q. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
3. To abide by the following requirements, dedications, and improvements:
- A. Dedicate at no cost to Gwinnett County all necessary right-of-way/easements and construct a portion of the Lower Suwanee Greenway trail through the property in accordance with the Gwinnett County Open Space and Greenway Master Plan and the requirements of the Unified Development Ordinance. Right-of-way/easement width, location and construction details shall be subject to review and approval by the Department of Community Services and the Department of Transportation.
 - B. A Traffic Impact Study including a Traffic Warrant Study will be required.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The subject site is located within an area developed with a mix of industrial, single-family and multi-family uses and zoning. Rezoning for a multi-family apartment complex may be suitable in light of adjacent development.

ADVERSE IMPACTS

Staff recommended conditions could mitigate any potential adverse impacts to neighboring developments.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

An increase in utility demand, traffic, stormwater runoff and the number of school-aged children could be anticipated from this request.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates the property is located within the Corridor Mixed-Use Character Area. The requested RM-24 zoning and development of an apartment complex with amenities may be consistent with the recommendations of the 2030 Unified Plan, which supports medium density multi-family residential uses within this Character Area.

CONDITIONS AFFECTING ZONING

The proposed development is located between similar multi-family developments in the City of Suwanee and City of Duluth. The site is adjacent to Suwanee Creek and would have direct access to the Lower Suwanee Greenway trail providing connectivity opportunities to other destinations along the greenway, as well as a healthy lifestyle for potential residents.

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Please see attached

- (B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

Please see attached

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

Please see attached

- (D) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

Please see attached

- (E) WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Please see attached

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED REZONING:

Please see attached

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REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) Yes, the proposed Rezoning Application will permit a use that is suitable in view of the use and development of adjacent and nearby property. The proposed development is located in close proximity to multiple mixed-use and multi-family developments and is compatible with the character of surrounding development.
- (B) No, the proposed Rezoning Application will not adversely affect the existing use or usability of any of the nearby properties. Rather, the proposed development would complement existing commercial, mixed-use, and residential development.
- (C) In light of the size, location, layout, topography, and natural features of the property, the Applicant submits that the subject Property does not have reasonable economic use as currently zoned.
- (D) No, the proposed Rezoning Application will not result in an excessive or burdensome use of the infrastructure systems. The Property sits on Peachtree Industrial Boulevard with convenient access to McGinnis Ferry Road, Sugarloaf Parkway and Interstate 85.
- (E) Yes, the proposed Rezoning Application is in conformity with the policy and intent of the Gwinnett County 2030 Unified Plan which specifically encourages multi-family residential developments in the Corridor Mixed-Use Character Area.
- (F) Applicant submits that the character of surrounding development and the Property's location on a major transportation corridor provide additional supporting grounds for approval of the proposed rezoning.

RZM '18 003

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Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Mary Grace Griffin
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Nicholas N. Kemper

Shane M. Lanham
Austen T. Mabe
Jeffrey R. Mahaffey
David G. McGee
Steven A. Pickens
Andrew D. Stancil
R. Lee Tucker, Jr.
*Of Counsel

**LETTER OF INTENT FOR REZONING APPLICATION OF
BRAND PARTNERS, LP**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached rezoning application (the "Application") on behalf of Brand Partners, LP (the "Applicant") for the purpose of requesting the rezoning of an approximately 16.068 acre tract located on the easterly side of Peachtree Industrial Boulevard between McGinnis Ferry Road and Sugarloaf Parkway (the "Property"). The Property is within close proximity to the existing mixed-use development at the intersection of Peachtree Industrial Boulevard and Sugarloaf Parkway and within walking distance of the mixed-use Suwanee Station development within the City limits of Suwanee.

The Property has been zoned M-1 for industrial uses, apparently, since 1970 when the County first adopted a zoning ordinance. The Applicant is proposing to rezone the Property from M-1 to the RM-24 zoning classification of the Gwinnett County Unified Development Ordinance (the "UDO") in order to accommodate the development and construction of a residential multi-family development spread across three buildings. The Applicant is also requesting a buffer reduction to permit a 50-foot Landscaped Buffer instead of the UDO-required 50-foot Natural, Undisturbed Buffer to allow the Applicant to grade a portion of the Property along the northerly property line and replant that area to a buffer standard.

The proposed residential development sits mainly on the westerly portion of the Property towards Peachtree Industrial Boulevard with the proposed buildings oriented towards the right-of-way creating an attractive streetscape. The proposed development would improve the aesthetics of Peachtree Industrial Boulevard with the attractive architecture of the proposed buildings and detailed landscaping along the roadway. The proposed development provides an excellent opportunity for high-quality in-fill development along an important transportation corridor in Gwinnett County. Residents would have convenient access to McGinnis Ferry, Sugarloaf Parkway, and Interstate 85.

In addition to being an attractive infill development, the proposed development is also consistent with the policy goals set forth in the 2030 Unified Plan. For example, Policy A.5.1 provides that "[q]uality of life in Gwinnett can be enhanced by making it easier for people to walk through their neighborhoods to and from attractions such as local parks, schools, churches, or even neighborhood shopping." The proposed development would enhance the walkability of

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Peachtree Industrial Boulevard and the surrounding area. The Suwanee Station mixed-use development, which contains residential uses as well as restaurants, shopping, and a grocery store, sits just over 1,000 feet north of the Property. Moreover, the Gwinnett County 2030 Unified Plan designates the Property as within a Corridor Mixed-Use Character Area which recommends a maximum residential density of 30 units per net acre. Specifically, the 2030 Plan specifically encourages multi-family developments “between nodes where the dominant use is residential.”

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Applications filed herewith. The Applicant respectfully requests your approval of this Application.

This 2nd day of February, 2018.

Respectfully Submitted,

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham

RZM '18 003

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Planning & Development

Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, April 2018

Case #	Schools	Current Projections									Proposed Zoning	
		2017-18			2018-19			2019-20				
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under		
RZM2018-00003	Peachtree Ridge HS	3,312	3,050	262	3,378	3,050	328	3,446	3,050	396	Approximate additional Student Projections from Proposed Developments	
	Hull MS	1,279	1,750	-471	1,298	1,750	-452	1,318	1,750	-432		39
	Burnette ES	696	825	-129	686	825	-139	697	825	-128		28
RZM2018-00004	Grayson HS	3,019	2,125	894	3,116	2,125	991	3,216	2,125	1,091	55	
	Couch MS	998	1,150	-152	1,013	1,150	-137	1,028	1,150	-122	45	
	Starling ES	956	1,200	-244	975	1,200	-225	995	1,200	-205	32	
RZR2018-00006	Mill Creek HS	3,647	2,800	847	3,605	2,800	805	3,649	2,800	849	63	
	Osborne MS	1,681	1,575	106	1,640	1,575	65	1,665	1,575	90	51	
	Duncan Creek ES	1,232	1,300	-68	1,257	1,300	-43	1,282	1,300	-18	37	
RZR2018-00007	Mill Creek HS	3,647	2,800	847	3,605	2,800	805	3,649	2,800	849	72	
	Osborne MS	1,681	1,575	106	1,640	1,575	65	1,665	1,575	90	17	
	Duncan Creek ES	1,232	1,300	-68	1,257	1,300	-43	1,282	1,300	-18	12	
CIC2018-00006	Lanier HS	1,811	1,900	-89	1,865	1,900	-35	1,921	1,900	21	24	
	Lanier MS	1,508	1,700	-192	1,523	1,700	-177	1,569	1,700	-131	14	
	White Oak ES	755	1,000	-245	770	1,000	-230	786	1,000	-214	10	

Current projections do not include new developments

Fulton County

SUWANEE

DULUTH

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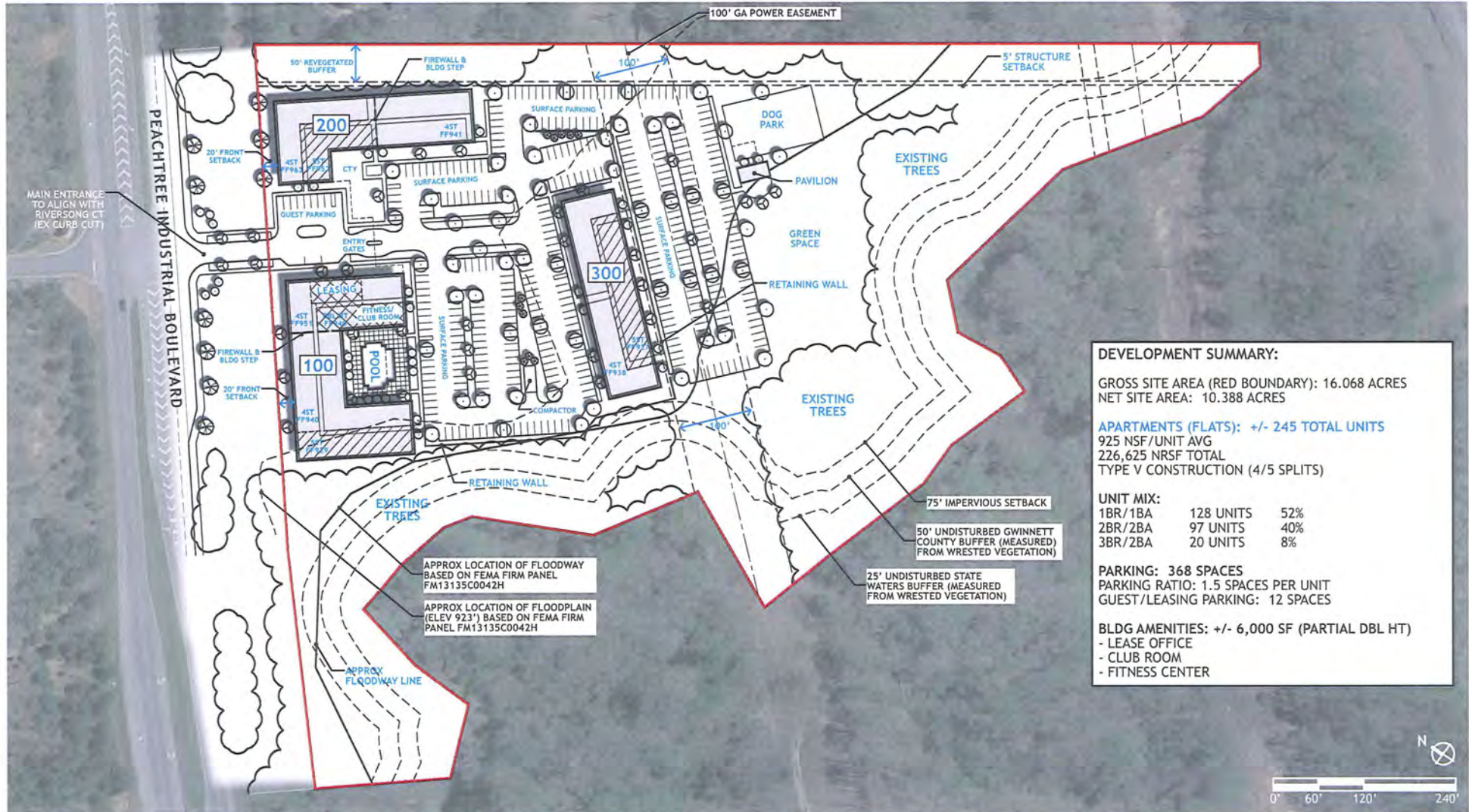
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Conceptual Site Plan

1630 Peachtree Industrial Blvd - Suwanee, GA



DEVELOPMENT SUMMARY:

GROSS SITE AREA (RED BOUNDARY): 16.068 ACRES
 NET SITE AREA: 10.388 ACRES

APARTMENTS (FLATS): +/- 245 TOTAL UNITS
 925 NSF/UNIT AVG
 226,625 NRSF TOTAL
 TYPE V CONSTRUCTION (4/5 SPLITS)

UNIT MIX:		
1BR/1BA	128 UNITS	52%
2BR/2BA	97 UNITS	40%
3BR/2BA	20 UNITS	8%

PARKING: 368 SPACES
 PARKING RATIO: 1.5 SPACES PER UNIT
 GUEST/LEASING PARKING: 12 SPACES

BLDG AMENITIES: +/- 6,000 SF (PARTIAL DBL HT)
 - LEASE OFFICE
 - CLUB ROOM
 - FITNESS CENTER



RZM2018-00003



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Printed: February 13, 2018



RIVER SONG DR


RIVERSONG CT

PEACHTREE INDUSTRIAL BLVD

PEACHTREE INDUSTRIAL BLVD

OAK PARK CT

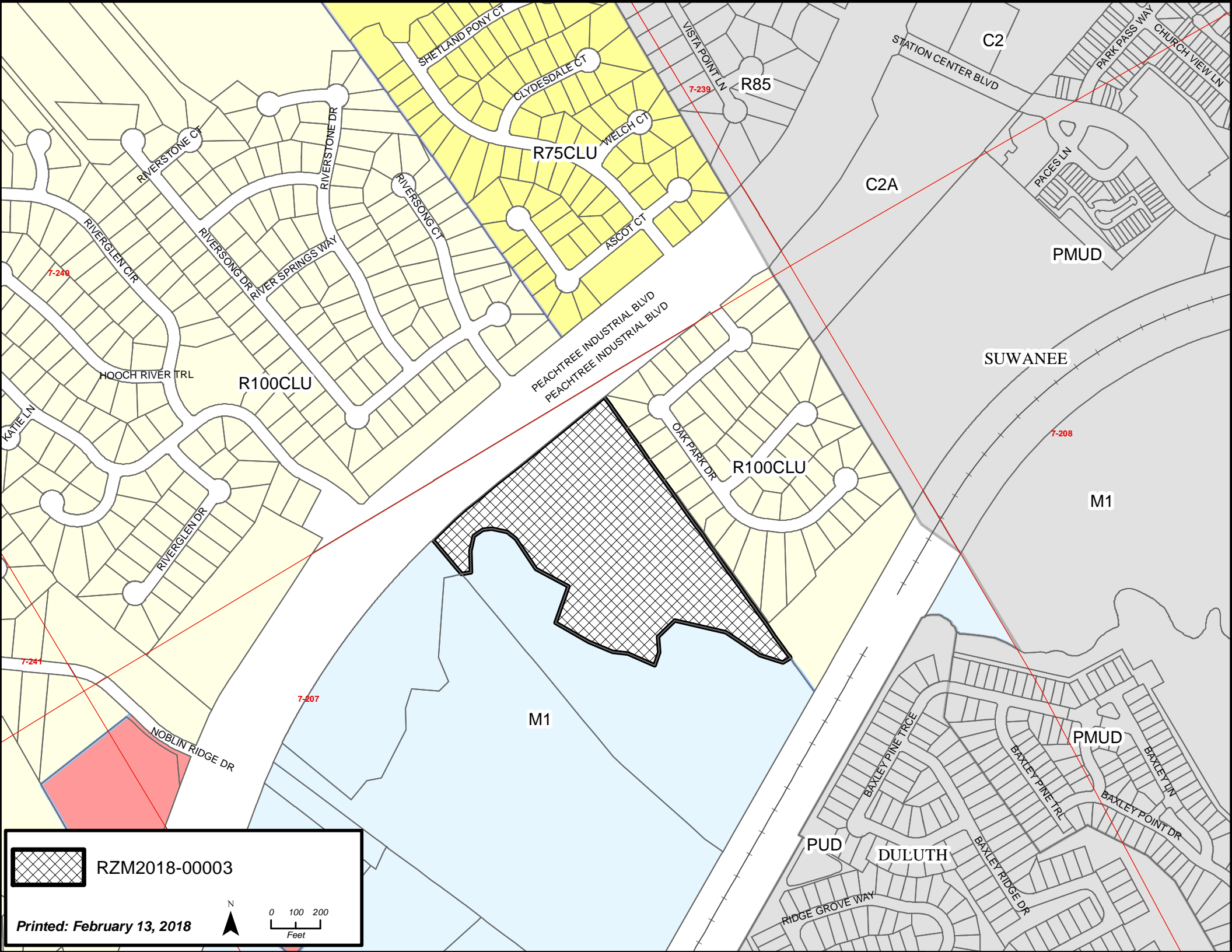
OAK PARK DR


 RZM2018-00003



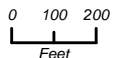
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 RZM2018-00003

Printed: February 13, 2018



**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS**

CASE NUMBER :**RZM2018-00004**
ZONING CHANGE :R-100 & C-2 TO RM-24
LOCATION :500 BLOCK OF HILLSIDE DRIVE
:1700 BLOCK OF GRAYSON HIGHWAY
MAP NUMBERS :R5137 008 & 019
ACREAGE :12.9 ACRES
UNITS :280 UNITS
PROPOSED DEVELOPMENT :APARTMENTS (BUFFER REDUCTIONS)
COMMISSION DISTRICT :(3) HUNTER

FUTURE DEVELOPMENT MAP :**CORRIDOR MIXED-USE**

APPLICANT: MAHAFFEY PICKENS TUCKER, LLP
1550 NORTH BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACT: SHANE LANHAM PHONE: 770.232.0000

OWNER: HILLSIDE 20 TRACT, LLC
1550 NORTH BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The subject 12.9-acre property is located at the intersection of Grayson Highway and Hillside Drive. Currently zoned R-100 (Single-Family Residence District) and C-2 (General Business District), the applicant requests RM-24 (Multifamily Residence District) in order to develop 280 apartment units on the subject site for a density of 21.71 units per acre (gross and net). The L-shaped property wraps around an approximate 3.3-acre outparcel, zoned C-2, located directly at the intersection of Grayson Highway and Hillside Drive. The subject site is currently vacant and heavily wooded.

The submitted site plan indicates six, three-story apartment buildings throughout the property, with an amenity area consisting of a pool, clubhouse and two parks toward the center of the site. A dog park is proposed in the southeast corner of the site. One access point is proposed on Grayson Highway and two access points are proposed on Hillside Drive. Staff notes that the property adjacent to the west is zoned R-100, as well as the property located within the city limits of Grayson, adjacent to the south. As such, 50-foot wide buffers would be required along those property lines. The site plan indicates 20-foot wide landscape strips; therefore, buffer reductions along the south and west property lines would be necessary. Adequate parking is

shown on the site plan and includes 12 garages. A stormwater detention facility is shown in the southwest corner of the site.

ZONING HISTORY:

In 1970, the entire site was zoned RA-200 (Agriculture-Residence District). Pursuant to REZ1973-00071, the property was part of a rezoning to R-100 for a single-family subdivision which was not developed. In 1997, approximately 11 acres at the intersection were rezoned to C-2 for a shopping center, which was also never constructed.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property contains areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development. The applicant/developer shall obtain all required approvals from the Gwinnett County Department of Water Resources and the U.S. Army Corps of Engineers for construction or land disturbance activities which may impact floodplain or wetland areas.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

This site appears to be heavily wooded and may include specimen trees which are required by UDO Section 630-70 to be preserved. Per Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a development permit application.

Project access and required improvements along Grayson Highway will be subject to review and approval of Georgia Department of Transportation and Gwinnett County Department of Transportation.

The 50-foot undisturbed buffer required adjacent to R-100 zoned properties appears to not be met. The applicant must review the site plan and redesign it.

Section 610-20.4B of the Unified Development Ordinance requires an additional five-foot setback for all structures adjacent to the required buffer.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Grayson Highway SR 20 is a Principal Arterial and 60 feet of right-of-way is required from the centerline, with 75 feet required within 500 feet of a major intersection and is a State Route and Georgia Department of Transportation (D.O.T.) right-of-way requirements govern.

Hillside Drive is a Major Collector and 40 feet of right-of-way is required from the centerline.

Standard deceleration lane with appropriate taper and adequate right-of-way will be required.

The project entrance shall align with opposing roads or driveways in accordance with the Gwinnett County Unified Development Ordinance.

Prior to the issuance of a Development Permit, a sight distance certification shall be provided.

The number and locations of driveways are subject to Gwinnett County Department of Transportation (D.O.T.) approval.

Coordinate with the Georgia D.O.T. regarding access.

Minimum separation from a driveway, public road, or side street shall be provided as specified in the Gwinnett County Unified Development Ordinance.

Project must comply with Gwinnett County D.O.T. Criteria and Guidelines for left turn lanes.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of an eight-inch water main located on the northwest right-of-way of Hillside Drive and a 12-inch water main located on the southwest right-of-way of Grayson Highway.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of eight-inch pipe

size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an eight-inch sanitary sewer main located approximately 73 feet north of parcel R5317 019 in the right-of-way of Hillside Drive and an eight-inch sanitary sewer main located approximately 589 feet south of parcel R5317 008 and on parcel R5317 230.

The subject development is located within the Lower Big Haynes service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

- I. The applicant shall submit civil site drawings to Building Plan Review for review and approval.

2. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for each building for review and approval by Building Plan Review.
3. Each building shall comply with the height and area limitations of Table 503 and the fire resistive and horizontal separation requirements of Table 601 and 602 of the 2012 International Building Code with Georgia state amendments based on occupancy group classification, type of construction, and location of each building from property lines and other buildings.
4. Architectural design of the proposed building shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Design Category 3.
5. Upon completion of plan review approvals, the applicant shall obtain a building permit for each building and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at 678.518.6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject 12.9-acre property is located at the intersection of Grayson Highway and Hillside Drive. Currently zoned R-100 (Single-Family Residence District) and C-2 (General Business District), the applicant requests RM-24 (Multifamily Residence District) in order to develop 280 apartment units on the subject site at a density of 21.71 units per acre. The L-shaped property is vacant and heavily wooded.

The 2030 Unified Plan Future Development Map indicates that the subject property is located within the Corridor Mixed-Use Character Area. While this Character Area can support multifamily residential development, overall policies of the 2030 Unified Plan require that new development be consistent and compatible with existing development in the area. The only existing multifamily in the area are the Grayson Park Estates apartments, located directly across Hillside Drive from the subject site. That property was rezoned pursuant to a 1973 areawide rezoning and is developed at a density of 12.08 units per acre, significantly lower than the proposed 21.71 units per acre. In addition, there are a number of established R-75 and R-100 single-family subdivisions to the west and to the east across Grayson Highway. Therefore, staff is of the opinion that this request is not consistent with the existing single-family development pattern in the area or with 2030 Unified Plan policies regarding appropriate infill development.

The surrounding area consists primarily of single-family subdivisions, several institutional uses and the multifamily project to the north. Adjacent to the subject site at the intersection of Grayson Highway and Hillside Drive is undeveloped property zoned C-2 pursuant to REZ1997-00142. To the east across Grayson Highway are the Willow Trace, Wheatfields and

Brackin Trace subdivisions, zoned R-75 and R-100 (REZ1996-00007 and RZR2002-00035). To the north and northeast of these subdivisions is the Gates Mill subdivision, also zoned R-100. Adjacent to the subject property to the south is the Gwinnett County Starling Elementary School, located within the city limits of Grayson and zoned R-100. To the west is the Lawrenceville Congregation of Jehovah's Witnesses, approved pursuant to SUP1990-00074 and also zoned R-100. To the north across Hillside Drive are the Grayson Park Estate apartments, zoned RM (Multifamily Residence District) pursuant to a 1973 areawide rezoning and developed at a density of 12.08 units per acre. Given the predominance of existing low-density single-family development in this area and the approval of RM zoning for the Grayson Park Estates apartments 45 years ago, staff does not view this request as compatible or consistent infill development for the subject property.

In conclusion, staff believes the request for a 280-unit apartment complex at a density of 21.71 units per acre is not appropriate as an infill development in light of surrounding single-family and lower multifamily development in the immediate area. Therefore, staff recommends that this request be **DENIED**.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

NOTE: The following conditions are provided as a guide should the Board of Commissioners choose to approve this petition.

Approval as RM-24 (Multifamily Residence District) for an Apartment Complex, subject to the following enumerated conditions:

1. To restrict the use of the property to multifamily residential apartments and accessory uses and structures, not to exceed 280 total units.
2. To satisfy the following site development considerations:
 - A. The development shall abide by all applicable standards of the Unified Development Ordinance, unless otherwise specified in these conditions or through approval of a variance by the Zoning Board of Appeals.
 - B. Buildings shall be constructed with internal corridors (no breezeways), with primary exterior treatments of brick or stacked stone on each elevation. The remainder of each elevation may be the same, or fiber-cement shake or siding. Building elevations shall be submitted for review and approval of the Director of Planning and Development prior to the issuance of a development permit.
 - C. Garages or structured parking shall be provided for a minimum of ten percent of the units.
 - D. Efficiency units shall be prohibited, and the complex shall be limited to a maximum of ten percent of units as three-bedrooms or larger.
 - E. The development shall be a gated community, with automated card access gates at all entrances/exits. The access gate system is required to be properly maintained and functional at all times, with any required repairs to be made within one week.
 - F. Submit a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a development permit application, subject to the review and approval by the Director of Planning and Development.
 - G. Natural vegetation shall remain on the property prior to issuance of a Development Permit.
 - H. Provide 20-foot wide natural undisturbed buffers adjacent to residentially-zoned properties. The buffers shall be enhanced where sparsely vegetated.

- I. All disturbed grassed areas shall be sodded.
 - J. All utilities shall be placed underground.
 - K. Ground signage shall be limited to monument-type signs, and shall be subject to review and approval by the Director of Planning and Development. The signs shall include a minimum two-foot high brick or stacked stone base, complementing the apartment buildings' architectural treatment. The masonry base shall extend at least the full width of the sign cabinets, and the sign cabinets shall be fully recessed and surrounded by the same materials. Ground signage shall not exceed eight feet in height.
 - L. Dumpster/compactor locations shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure.
 - M. In the event of residential tenant eviction, any belongings of the tenant will be placed on an area of the subject property that is not visible from the street right-of-way of Grayson Highway or Hillside Drive unless otherwise required by law.
 - N. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
 - O. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
 - P. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
3. To abide by the following requirements, dedications and improvements:
- A. The developer shall provide direct pedestrian access to the Starling Elementary School adjacent to the south, subject to the review and approval of the Director of Planning and Development.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF THE ZONING

SUITABILITY OF USE

A high-density apartment development for a density of 21.71 units per acre may not be suitable at this location given the lower-density, single-family and multifamily character of the immediate surrounding area.

ADVERSE IMPACTS

Given the residential development surrounding the subject property, staff is of the opinion that a high-density apartment development would not be a viable and sustainable use at this location.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

An increase in utility demand, traffic, stormwater runoff and the number of school-aged children could be anticipated from this request.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates the property is located within the Corridor Mixed-Use Character Area. While this Character Area can support multifamily residential development, overall policies of the 2030 Unified Plan require that new development be consistent and compatible with existing development in the area. In staff's opinion, the requested multifamily development may be incompatible with existing single-family and lower density multifamily residential developments in the area.

CONDITIONS AFFECTING ZONING

The existing and anticipated residential development of this area along this portion of Grayson Highway corridor, excluding the existing medium-density apartment development, does not support this request for a high-density apartment development at this location.

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Please see attached

- (B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

Please see attached

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

Please see attached

- (D) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

Please see attached

- (E) WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Please see attached

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED REZONING:

Please see attached

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) Yes, the proposed Rezoning Application will permit a use that is suitable in view of the use and development of adjacent and nearby property. The proposed development is adjacent to commercially-zoned property and is consistent with the character of surrounding development.
- (B) No, the proposed Rezoning Application will not adversely affect the existing use or usability of any of the nearby properties. Rather, the proposed development would complement existing commercial and residential uses.
- (C) In light of the size, location, layout, topography, and natural features of the property and in conjunction with the nature of surrounding development, the Applicant submits that the subject Property does not have reasonable economic use as currently zoned.
- (D) No, the proposed Rezoning Application will not result in an excessive or burdensome use of the infrastructure systems. The proposed development would have convenient access to Grayson Highway and Sugarloaf Parkway.
- (E) Yes, the proposed Rezoning Application is in conformity with the policy and intent of the Gwinnett County 2030 Unified Plan. Mixed-use developments including multi-family residential uses are specifically encouraged in the Corridor Mixed-Use Character area.
- (F) Applicant submits that the character of surrounding development, existing development patterns, and the fact that the subject property is adjacent to an existing multi-family residential development provide additional supporting grounds for approval of the proposed rezoning.

RZM '18 00 4

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Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Mary Grace Griffin
Christopher D. Holbrook
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Shane M. Lanham
Austen T. Mabe
Jeffrey R. Mahaffey
David G. McGee
Steven A. Pickens
Andrew D. Stancil
R. Lee Tucker, Jr.
*Of Counsel

**LETTER OF INTENT FOR REZONING APPLICATION OF
HILLSIDE 20 TRACT, LLC**

Mahaffey Pickens Tucker, LLP (the "Applicant") submits this Letter of Intent and attached rezoning application (the "Application") on behalf of the owner, Hillside 20 Tract, LLC for the purpose of rezoning an approximately 12.9 acre tract located on the westerly side of Grayson Highway (Georgia State Route 20) at its intersection with Hillside Drive (the "Property"). The Property is comprised of two tracts. One tract, a majority of the Property, is currently zoned C-2 pursuant to Gwinnett County rezoning case number REZ1997-00142 with a smaller portion zoned R-100 pursuant to case number REZ1973-00071 (the "Current Zoning").

The Applicant is proposing to rezone the Property from its Current Zoning to the RM-24 zoning classification of the Gwinnett County Unified Development Ordinance (the "UDO") in order to create a mixed-use area in line with the Gwinnett County 2030 Unified Plan by providing a combination of residential and commercial uses. The proposed development would provide an attractive multi-family community focused around a central amenity area with 280 units spread across six buildings. The central amenity area would contain a pool and patio as well as additional common space for residents to interact and recreate. The proposed development would also provide multiple pocket parks for the use and enjoyment of residents.

Currently, the entire westerly frontage of Grayson Highway moving southward from Webb Gin House Road is zoned for either commercial or multi-family residential uses. The Applicant is proposing to carve out the Property from a larger tract leaving a smaller piece of commercially-zoned property at the intersection of Grayson Highway and Hillside Drive. This corner piece would remain C-2 for future commercial development. The proposed residential community would naturally support this future commercial development and the two uses would function in harmony with one another.

The proposed development also provides an excellent opportunity for high-quality in-fill development along a major transportation corridor in an active area of the County. Grayson Highway is generally dominated by intense commercial uses and the proposed development would inject a multi-family residential component further diversifying the mix of land uses along the corridor. This land use and development pattern is specifically encouraged by the 2030 Plan in the Corridor Mixed-Use Character Area. Further, the proposed development is in line with

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Theme 4 of the 2030 Plan which is to “Provide More Housing Choice” and Section C.1 which specifically encourages “ultra-high and high density residential” land uses.

The proposed development would also provide a series of internal sidewalks and pedestrian amenities to activate proposed open space and provide meaningful connections among each of the residential buildings as well as adjacent commercially-zoned land. This overall site design and land planning is consistent with the policy goals set forth in the 2030 Unified Plan. For example, Policy A.5.1 provides that “[q]uality of life in Gwinnett can be enhanced by making it easier for people to walk through their neighborhoods to and from attractions such as local parks, schools, churches, or even neighborhood shopping.” The proposed development would enhance the walkability of Grayson Highway and residents would have convenient access to shopping and other commercial opportunities within the adjacent commercial property as well as the greater Grayson Highway Corridor.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Applications filed herewith. The Applicant respectfully requests your approval of this Application.

This 2nd day of February, 2017.

Respectfully Submitted,

MAHAFFEY PICKENS TUCKER, LLP


Shane M. Lanham

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Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, April 2018

Case #	Schools	Current Projections									Proposed Zoning	
		2017-18			2018-19			2019-20				
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under		
RZM2018-00003	Peachtree Ridge HS	3,312	3,050	262	3,378	3,050	328	3,446	3,050	396	Approximate additional Student Projections from Proposed Developments	
	Hull MS	1,279	1,750	-471	1,298	1,750	-452	1,318	1,750	-432		39
	Burnette ES	696	825	-129	686	825	-139	697	825	-128		28
RZM2018-00004	Grayson HS	3,019	2,125	894	3,116	2,125	991	3,216	2,125	1,091	55	
	Couch MS	998	1,150	-152	1,013	1,150	-137	1,028	1,150	-122	45	
	Starling ES	956	1,200	-244	975	1,200	-225	995	1,200	-205	32	
RZR2018-00006	Mill Creek HS	3,647	2,800	847	3,605	2,800	805	3,649	2,800	849	63	
	Osborne MS	1,681	1,575	106	1,640	1,575	65	1,665	1,575	90	51	
	Duncan Creek ES	1,232	1,300	-68	1,257	1,300	-43	1,282	1,300	-18	37	
RZR2018-00007	Mill Creek HS	3,647	2,800	847	3,605	2,800	805	3,649	2,800	849	72	
	Osborne MS	1,681	1,575	106	1,640	1,575	65	1,665	1,575	90	17	
	Duncan Creek ES	1,232	1,300	-68	1,257	1,300	-43	1,282	1,300	-18	12	
CIC2018-00006	Lanier HS	1,811	1,900	-89	1,865	1,900	-35	1,921	1,900	21	24	
	Lanier MS	1,508	1,700	-192	1,523	1,700	-177	1,569	1,700	-131	14	
	White Oak ES	755	1,000	-245	770	1,000	-230	786	1,000	-214	10	

Current projections do not include new developments

CASE NUMBER RZ-97-142

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Wayne Hill, Chairman	<u>NAY</u>
Tommy Hughes, District 1	<u>AYE</u>
Patti Muise, District 2	<u>AYE</u>
Judy Waters, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. WATERS, which carried 4-1, the following resolution was adopted

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from R-100 to C-2 by DOUG MCCURDY for the proposed use of SHOPPING CENTER on a tract of land described by the attached legal description, which

is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on NOVEMBER 25, 1997, and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 25TH day of NOVEMBER, 1997, that the aforesaid application to amend the Official Zoning Map from R-100 to C-2 is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Retail, service commercial, office and accessory uses.
2. To satisfy the following site development considerations:
 - A. Provide a 75-foot wide natural buffer, undisturbed except for approved perpendicular access and utility crossings and replantings where sparsely vegetated, adjacent to residentially-zoned property.

- B. Project shall be limited to no more than two exit/entrances adjacent to Georgia Highway 20 and one exit/entrance on Hillside Drive. Exit/entrance design and location shall be subject to the approval of the Gwinnett and/or Georgia Department of Transportation.
- C. All buildings shall have pitched roofs and be finished with treatments of glass and brick.
- D. No billboards are permitted.
- E. Dumpsters shall be screened by a fence or wall. Hours of dumpster pick-up shall be limited to between 7:00 a.m. and 9:00 p.m.
- F. Provide interparcel access throughout the development.
- G. Provide sidewalks within the dedicated rights-of-way of Highway 20 and Hillside Drive across the entire property frontage.
- H. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to reflect into adjacent and nearby residential properties.
- I. Provide landscaped islands throughout the parking areas. At a minimum, landscaped islands shall consist of a 75-square foot planted area per eighteen (18) spaces of double row parking with a 100-square foot planted area at the end of each row. These landscaped islands shall include at least one tree per island. Trees shall be a minimum of six feet in height at the time of planting. Submit landscape plans for review and approval by the Development Review Section.
- J. Natural vegetation shall remain on the property prior to the issuance of a development permit.

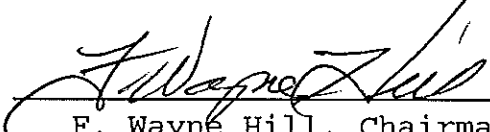
- K. Provide a 15-foot wide landscape strip outside the dedicated rights-of-way of Georgia Highway 20 and Hillside Drive. The landscape strip shall incorporate existing vegetation where possible. A landscaping plan shall be submitted for review and approval of the Planning & Development Department.
 - L. Provide a five-foot wide landscape strip adjacent to all internal property lines.
 - M. All building exteriors including outparcels shall be of the same brick color and design.
 - N. Deliveries shall be limited to between the hours of 8:00 a.m. and 8:00 p.m.
 - O. The outparcel site shall be limited to a single six-foot high monument-type ground sign which shall not exceed 48 square feet in size. Shopping center signage shall be limited to one ground sign which shall not exceed 96 square feet in size or ten feet in height. All monument signs to have brick base matching that of the buildings.
 - P. Outdoor motor equipment operation shall not be allowed between the hours of 8:00 p.m. and 8:00 a.m. (i.e. compressors on truck trailers, forklifts, idling of tractor trailers, etc.)
 - Q. Project shall be limited to no more than one outparcel.
 - R. No loudspeakers or outdoor storage shall be allowed.
3. To abide by the following requirements, dedications and improvements:
- A. Provide wet detention facilities, or approved alternative, meeting design standards for such facilities within the Big Haynes Creek Watershed. Design and maintenance plans for the wet detention facilities shall be subject to review and approval

CASE NUMBER RZ-97-142

of the Department of Planning and Development and
the Gwinnett Department of Transportation
Stormwater Management Unit.

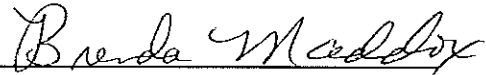
- B. Design stormwater detention facilities such that
they are not located within any required buffer.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: 
F. Wayne Hill, Chairman

Date Signed: Dec. 8, 1997

ATTEST:


Deputy Clerk

a regular meeting of the Municipal-Gwinnett Planning and Zoning Commission held on July 19, 1973 9:00 a.m. in the Planning and Zoning Department, public hearing was held on the Zone Change Application for a rezoning amendment to the Gwinnett County Zoning Resolution adopted June 2, 1970 and Map as amended June 9, 1970, of Vere B. Hitchcock from present Zone RA-200 to request change to R-100
Proposed use Single Family Subdivision

The following described tract.

6 Land Lot 137 & 120 of the 5th. District, Gwinnett County, Georgia, Ga. Hwy #20. & Hillside Dr

Opposition was not voiced or filed on said application. Or motion made by H. C. Peavy and duly seconded by Grady Holt that the Municipal-Gwinnett Zoning and Planning Commission recommend to the Honorable Board of Gwinnett County Commissioners approved of the Change Zone (approved or disapproved) Application. Motion was unanimously carried.

Vere B. Hitchcock
1534 S. Indian Cir.
Stone Mountain, Ga. 30083

Respectfully submitted,

M. C. Robbins

A RESOLUTION

Commissioners of Roads and Revenues
Gwinnett County, Georgia

WHEREAS, the Gwinnett Zoning and Planning Commission has filed a formal recommendation with the Board of Gwinnett County Commissioners, upon application of Vere B. Hitchcock for rezoning amendment to rezone tract of land from RA-200 to R-100 proposed use and, Single Family Subdivision

WHEREAS, Notice to the Public regarding said amendment to Zoning Map and Ordinance has been published in the News Herald, official news organ of Gwinnett County, for two consecutive weeks; and

WHEREAS, Public Hearing was held in the Office of the Board of County Commissioners on Tuesday, September 4, 19 73, and objections were not filed,

THEREFORE, BE IT RESOLVED, that the Board of County Commissioners do hereby adopt the rezoning from RA-200 to R-100 (adopt or disapprove)

This the 4th day of September, 19 73.

COMMISSIONERS OF ROADS AND REVENUE
GWINNETT COUNTY, GEORGIA

Bill Atkinson

CHA

V



HILLSIDE MULTIFAMILY

GRAYSON, GEORGIA
CONCEPTUAL ELEVATION • 02-02-2018

SCP2018-01

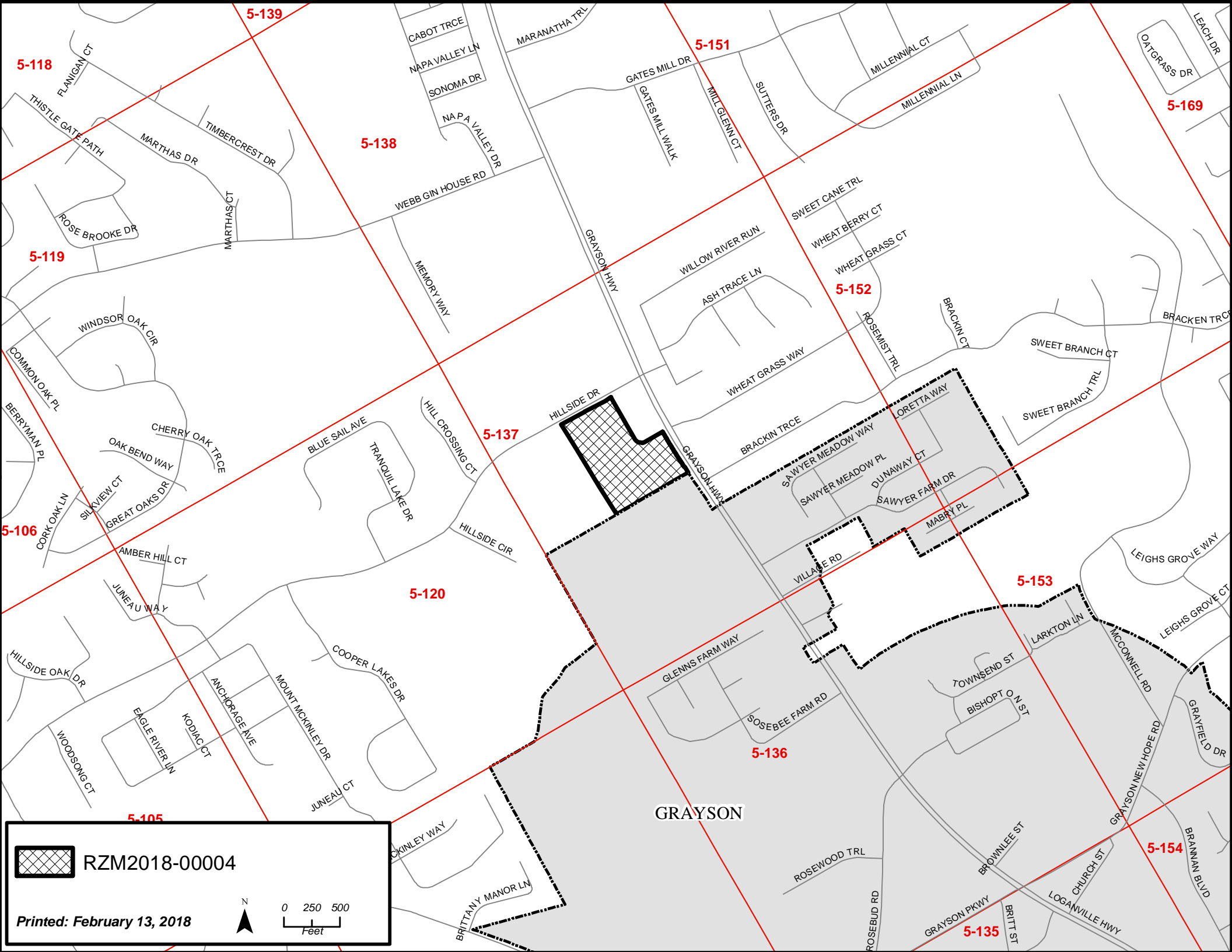
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RZM '18 00 4



RZM2018-00004

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SITE DATA	
SITE AREA	12.9 AC
CURRENT ZONING C-2	
PROPOSED ZONING RM-24	
(12.9 acres rezoned from C-2 to RM-24)	
BUILDING DATA	
6 APARTMENT BUILDINGS	
280 UNITS, AVERAGE 900 HEATED SF PER UNIT	
6,000SF CLUB AMENITIES AND LEASING	
TOTAL UNIT COUNT	280 UNITS
PARKING REQUIRED	
1.50 SPACE PER UNIT	420 SPACES
TOTAL PARKING REQUIRED	420 SPACES
PARKING PROVIDED	
SURFACE PARKING	408 SPACES
6 BAY GARAGE PARKING	12 SPACES
TOTAL PARKING PROVIDED	420 SPACES



LOCATION



SCP - Hillside 20 Tract Grayson, Georgia

LANDSCAPE
ARCHITECTURE,
DESIGN & PLANNING

12.904 ACRES
 SHEETS 30 TTT
 DRAWS N. MCCURDY
 DEED BOOK 20621 PAGE 255
 TAX PARCEL 9-137-008
 DEED BOOK 13135 PAGE 159
 TAX PARCEL 9-137-019



Zoning Plan

February 02, 2018



HILLSIDE DR

GRAYSON HWY
GRAYSON HWY

WHEAT GRASS WAY

BRACKIN TRCE



RZM2018-00004



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Feet

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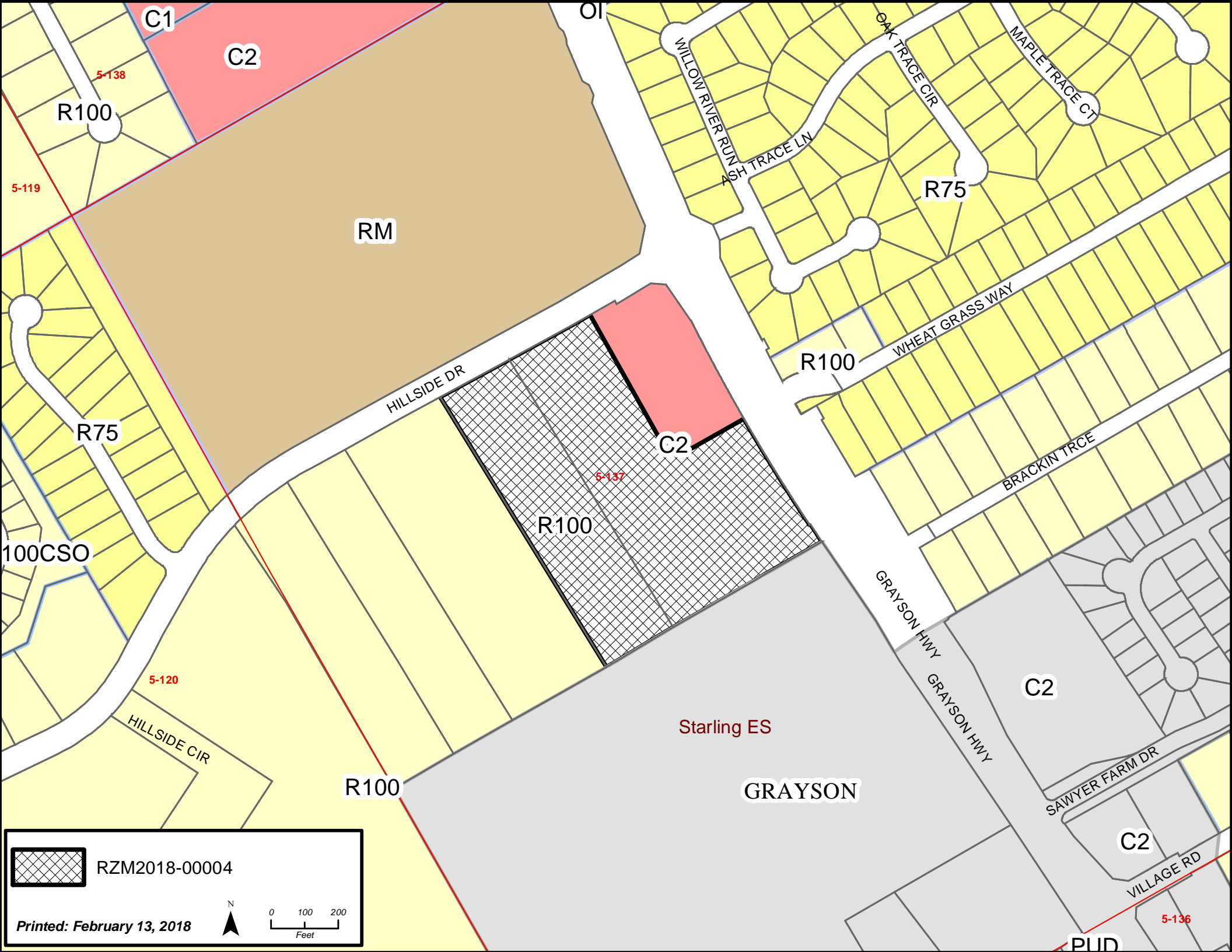


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**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS**

CASE NUMBER :**RZR2018-00006**
ZONING CHANGE :C-2 TO TND
LOCATION :4200 BLOCK OF BRASELTON HIGHWAY
MAP NUMBERS :R3003 135 & 674
ACREAGE :28.94 ACRES
UNITS :161 UNITS
PROPOSED DEVELOPMENT :TRADITIONAL NEIGHBORHOOD DEVELOPMENT
COMMISSION DISTRICT :(3) HUNTER

FUTURE DEVELOPMENT MAP: **EXISTING/EMERGING SUBURBAN**

APPLICANT: SPARTAN INVESTORS I, LLC
C/O MAHAFFEY PICKENS TUCKER, LLP
1550 NORTH BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACT: SHANE LANHAM PHONE: 770.232.0000

OWNERS: MARTHA J. STOVALL & HERITAGE LAND & DEVELOPMENT CO.
PO BOX 556
CLAYTON, GA 30525

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant seeks rezoning of an assemblage of property currently zoned C-2 (General Business District) to TND (Traditional Neighborhood Development) in order to develop 161 residential units. The subject site consists of 28.94 acres located on the north side of Braselton Highway east of its intersection with Mineral Springs Road, with frontage along Interstate 85. With the exception of three single family residences and accessory structures, the property is heavily wooded. A stream and pond is located within the eastern portion of the site.

The applicant proposes 112 townhomes and 49 single family detached lots for a total of 161 units. The proposed density is 5.55 units per acre. Of the 49 detached units, 33 units are proposed to be developed on small lots (5,000 to 7,499 square feet) and 16 units are proposed to be developed on mid-size lots (7,500 to 9,499 square feet). Minimum heated floor areas proposed are 1,600 square feet for the townhomes, 2,000 square feet for the small lots and 2,200 square feet for the mid-size lots. Front facades are intended to be a combination of brick stone, cedar or concrete shake/siding and/or board and batten. The sides and rear are depicted as having all concrete siding on the elevations provided. All units will have a two-car garage.

The site plan indicates a 50-foot wide buffer and 25-foot impervious setback along both sides of the stream. Staff notes the applicant has provided the required 40-foot wide buffers adjacent to RA-200 zoning. In addition, access to the subject site is proposed from a single entrance/exit on Braselton Highway. A proposed park is shown central to the development along with a proposed multi-use trail. Approximately 20% of the site (5.8 acres) is indicated as common area. Two stormwater detention ponds and a third wet detention facility are shown near the stream.

ZONING HISTORY:

In 1970, the subject property was zoned RA-200 (Agriculture Residence District). In 2006, the property was rezoned to C-2 (General Business District), pursuant to RZC-06-017. In 2016 an application to rezone the property to R-TH (Single-Family Residence Townhouse District) was denied, pursuant to RZM2016-00008.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property contains areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development. The applicant/developer shall obtain all required approvals from the Gwinnett County Department of Water Resources and the U.S. Army Corps of Engineers for construction or land disturbance activities which may impact floodplain or wetland areas.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

This site appears to be heavily wooded and may include specimen trees which are required by UDO Section 630-70 to be preserved. Per Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a development permit application.

Section 210-50.20 of the Unified Development Ordinance requires submittal of a concept plan for review and approval of the Development Division prior to submittal and acceptance of a development permit application.

Project access and required improvements along Braselton Highway will be subject to review and approval of Georgia Department of Transportation and Gwinnett County Department of Transportation.

Five feet wide sidewalks are required along the entire frontage of Braselton Highway (UDO 900-90.1).

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance. The property appears to contain stream buffers. The proposed conceptual plan may require revision to show the appropriate stream buffers.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Braselton Highway SR 124 is a Major Arterial and 50 feet of right-of-way is required from the centerline, with 60 feet required within 500 feet of a major intersection and is a State Route and Georgia D.O.T. right-of-way requirements govern.

A left turn lane shall be provided at the project entrance.

Commercial entrances shall be provided to the site per current development regulations.

Standard deceleration lane with appropriate taper and adequate right-of-way will be required.

The developer shall be limited to one curb cut.

The project entrance shall align with opposing roads or driveways in accordance with the Gwinnett County Unified Development Ordinance.

Prior to the issuance of a Development Permit, a sight distance certification shall be provided.

Coordinate with the Georgia D.O.T. regarding access.

Provide Traffic Impact Study for proposed development.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 10-inch water main located on the southeast right-of-way of Braselton Highway and an eight-inch water main located on the northwest right-of-way of Latvia Lane.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of eight-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of a eight-inch sanitary sewer main located on parcel R3003 674.

The subject development is located within the Mulberry service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall obtain a residential building permit for each residential unit and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.
2. Recommend that brick be required on end unit sides.

For assistance, you may contact this office at 678.518.6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The applicant seeks rezoning of an assemblage of property, currently zoned C-2, to TND in order to develop 161 single family detached and attached residential units. The subject site consists of 28.94 acres located on the north side of Braselton Highway, east of its intersection with Mineral Springs Road with frontage along Interstate 85.

The 2030 Unified Plan Future Development Map indicates the subject site is located in an Existing/Emerging Suburban Character Area. The TND development could be considered appropriate in this predominantly residential Character Area. Only single family residential and townhomes are being proposed, both of which are encouraged land uses at low to moderate densities in this Character Area. This project could be considered consistent with policies of this Character Area. Therefore, the proposed use could be more appropriate than the current C-2 zoning.

The surrounding area is characterized by residential and public/institutional uses. Two single family homes located west of the subject property are zoned RA-200. Adjacent to the south and across Braselton Highway are single family homes zoned RA-200. The intersection of Holman Road was zoned to C-2 in 2010 (RZC2010-00019) and in 2008 another tract of land also fronting Mineral Springs Road was rezoned to C-2 (RZC2008-00060) and has since been developed with a gas station and convenience store. Three single family homes zoned RA-200 and the Millcrest Manor subdivision, zoned R-ZT (RZR2006-00013), are located to the east. Further east along Braselton Highway is a daycare center and Mill Creek High School. Interstate 85 borders the site along the northern property line. Staff views the proposed TND project as appropriate for the subject site, provided that certain conditions are incorporated into the development, such as providing common space/pocket parks adjacent to townhomes and providing adequate separation between the proposed single family homes and Interstate 85.

In 2016, a request to rezone this same piece of property to R-TH for 230 townhomes was denied. Staff recommended denial of that request based on the proposed density being inconsistent with the policies of the 2030 Unified Plan and the established residential development pattern of the area and the fact that it could set a precedent for future higher

density requests. The current request for 161 units at a lower density including a mixture of townhomes and single family residential could be consistent with the Unified Plan and may be more appropriate than the previous request for 230 townhomes in R-TH zoning in 2016.

In conclusion, the proposed Traditional Neighborhood Development may be appropriate at this location if developed in accordance with staff recommended conditions. Staff is of the opinion that the proposed project is supported by 2030 Unified Plan policies to encourage compatible infill development, provide housing options for residents and be fitting with existing established residential lot sizes in the surrounding area. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of TND (Traditional Neighborhood Development District) zoning subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Single-family detached dwellings and townhomes and accessory structures with the following limitations:
 - i. No less than 10% of the total number of lots may be categorized as “mid-size lots” per the TND standards within the Unified Development Ordinance.
 - ii. No more than 50% of the total number of lots may be categorized as “townhomes” per the TND standards within the Unified Development Ordinance.
 - B. All single family detached homes and townhomes shall be constructed with front facades of brick and/or stacked stone; the rear and sides of each home may be the same or concrete siding. All homes, including the townhome end caps, shall have a minimum three-foot brick or stacked stone water table on all sides. On end units, sides of each home shall be constructed of brick and/or stacked stone. Final approval for building materials and elevations shall be subject to the approval of the Director of Planning and Development.
 - C. The minimum heated floor area per dwelling shall be as follows:

i. Townhomes:	1,600 square feet
ii. Small Lot dwellings:	2,000 square feet
iii. All other dwellings:	2,200 square feet
 - D. All dwellings shall have at least a double-car garage.
2. To satisfy the following site development considerations:
 - A. The development shall abide by all applicable standards of the Unified Development Ordinance, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
 - B. A mandatory Homeowner’s Association shall be established and shall be responsible for maintenance of all common areas/facilities and street frontage landscaping. The Braselton Highway frontage shall be landscaped and maintained by the Homeowner’s Association, and shall include decorative masonry entrance features. A decorative fence shall be required along the Braselton Highway right-of-way. Landscaping plans, entrance

features and fencing shall be subject to the review and approval of the Director of Planning and Development.

- B. The subdivision shall be designed to require homes to be constructed with garages adjacent to one another where feasible. Residential driveways for said homes shall meet with a minimum side yard setback with no more than a 10-foot grass separation between driveways centered on the common property line. A conceptual plan identifying those lots, and which complies with the requirement, shall be submitted for approval by the Director of Planning and Development prior to issuance of development permit.
 - C. Provide 35-foot wide natural undisturbed buffer adjacent to Interstate 85. Buffers shall be enhanced where sparsely vegetated, and may be graded and replanted per approval of the Director of Planning and Development.
 - D. Maintain a 60-foot building setback along Interstate 85 frontage. No lot (single family detached or townhome) shall directly border Interstate 85 without a roadway or buffer separating the two.
 - E. Unless located on the periphery of the subject site, all townhomes shall be accessed by rear alleys, subject to the review and approval of the Director of Planning and Development.
 - F. No direct lot access shall be allowed onto Braselton Highway.
 - G. Underground utilities shall be provided throughout the development.
 - H. Natural vegetation shall remain on the property prior to the issuance of a Development Permit.
 - I. All grassed areas shall be sodded.
 - J. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent residential properties or rights-of-way.
3. To abide by the following requirements, dedications and improvements:
- A. Provide traffic impact study for proposed development per Gwinnett County Department of Transportation standards.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The proposed Traditional Neighborhood Development may be appropriate at this location if developed in accordance with staff recommended conditions. Staff is of the opinion that this infill development could be compatible with residential, institutional and commercial uses in the area and would provide a variety of housing options for residents in this area within the county.

ADVERSE IMPACTS

Buffers and required minimum lot sizes as recommended by staff in the attached conditions could minimize potential adverse impacts from the proposed residential development.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

Impacts on public facilities from this request could include utility demand, stormwater runoff, and an increase in traffic and school-age children.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates the subject site is located in an Existing/Emerging Suburban Character Area. The TND development could be considered appropriate in this predominantly residential Character Area. Only single family residential and townhomes are being proposed, both of which are encouraged land uses at low to moderate densities in this Character Area. This project could be considered consistent with policies of this Character Area.

CONDITIONS AFFECTING ZONING

Staff views the proposed TND project as appropriate for the subject site, provided that certain conditions are incorporated into the development, such as providing common space/pocket parks adjacent to townhomes and providing adequate separation between the proposed single family homes and Interstate 85

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Please see attached

- (B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

Please see attached

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

Please see attached

- (D) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

Please see attached

- (E) WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Please see attached

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED REZONING:

Please see attached

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RZR '18 006

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) Yes, the proposed Rezoning Application will permit a use that is suitable in view of the use and development of adjacent and nearby property. The Property is adjacent to I-85 and is near land zoned C-2, O-I, and C-1.
- (B) No, the proposed Rezoning Application will not adversely affect the existing use or usability of any of the nearby properties.
- (C) Due to the size, location, layout and dimensions of the subject property, the Applicant submits that the property does not have reasonable economic use as currently zoned.
- (D) No, the proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems. The Property has convenient access to Interstate 85 as well as Spout Springs Road and Braselton Highway.
- (E) Yes, the proposed Rezoning Application is in conformity with the policy and intent of the Gwinnett County Land Use Plan. The Property is designated as within the Existing/Emerging Character Area which encourages residential infill development and single-family detached and townhouse developments, specifically.
- (F) The Applicant submits that the subject Property's proximity to Interstate 85 and current zoning of C-2 provide additional support of this Application.

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RZR '18 006



Matthew P. Benson
 Gerald Davidson, Jr.*
 Brian T. Easley
 Kelly O. Faber
 Mary Grace Griffin
 Christopher D. Holbrook
 Nicholas N. Kemper

Shane M. Lanham
 Austen T. Mabe
 Jeffrey R. Mahaffey
 David G. McGee
 Steven A. Pickens
 Andrew D. Stancil
 R. Lee Tucker, Jr.
 *Of Counsel

**LETTER OF INTENT FOR REZONING APPLICATION
 OF SPARTAN INVESTORS I, LLC**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Rezoning Application on behalf of Spartan Investors I, LLC (the “Applicant”) for the purpose of requesting a rezoning to the TND zoning classification of an approximately 28.938-acre tract (the “Property”) located adjacent to Interstate 85 with frontage on Braselton Highway (also known as Georgia Route 124) just east of Spout Springs Road. The Property is currently zoned C-2 pursuant to RZC2006-00017.

The Applicant proposes to develop a single-family residential community, consisting of 161 homes designed around a central “town green” style park area. In addition to the proposed central park area, residents would also have access to additional community recreational opportunities including multi-use trails, approximately 5.8 acres of open/common space, and an existing approximately 1.2 acre pond. The proposed development would provide a mix of housing options including two lot size options for single-family detached homes as well as two styles of attached townhomes. The proposed townhomes are located towards the interior of the development and along the Property’s frontage with Interstate 85. The single-family detached lots are located along the Property’s Braselton Highway frontage as well as the westerly and easterly property lines. The proposed development is compatible with the use and development

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of adjacent and nearby property and would provide an appropriate transition from Interstate 85 southward towards additional single-family residential uses.

The proposed community would consist of homes at a size, quality, and price-point commensurate with or exceeding homes in the surrounding area. The proposed townhomes would include double-car garages as well as attractive architectural elements which are compatible with the surrounding area. The front façades of the homes would be constructed primarily of brick, stone, cedar or cementitious shake/siding, and/or board and batten as depicted in the building elevations submitted with the Application. The proposed development includes traditional front-entry homes and townhouses, but would also provide a mix of rear-entry townhouses. A portion of the rear-entry homes would be located adjacent to the proposed central park creating a community atmosphere and sense of place specific to the proposed community.

The Gwinnett County 2030 Unified Plan (the “2030 Plan”) provides that “promoting a variety of housing options for Gwinnett County residents is one of the policy goals of the Unified Plan.” Moreover, the 2030 Plan encourages “single family detached and townhouse developments at low to moderate densities” and “residential in-fill development at densities and architectural character compatible with existing development.” The proposed development is compatible with the spirit and intent of the 2030 Plan especially when considering that the Property is adjacent to both Interstate 85 and Braselton Highway. Additionally, the Property is currently zoned C-2 which permits relatively intense commercial and retail uses. An approval of the Application would actually move the Property closer in line with the 2030 Plan by reducing the intensity of potential development while remaining consistent with its overall policies of providing a mix of housing options and encouraging infill development.

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Planning & Development

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Rezoning Application filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted this 1st day of February, 2018.

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham
Attorneys for Applicant

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RZR '18 00 6

CASE NUMBER RZC-06-017
GCID 2006-0572

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	VOTE
Charles Bannister, Chairman	<u>NAY</u>
Lorraine Green, District 1	<u>AYE</u>
Albert Nasuti, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. KENERLY, which carried 4-1, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from

RA-200 to C-2

by COOPERS POND HERITAGE, LLC. for the proposed

use of COMMERCIAL RETAIL USES (REDUCTION IN BUFFERS) on a

tract of land described by the attached legal description, which

is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on AUGUST 22, 2006 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 7th day of NOVEMBER, 2006, that the aforesaid application to amend the Official Zoning Map from RA-200 to C-2 is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:

- A. All uses and special uses permitted within the C-1 zoning district. All uses permitted within the C-2 zoning district, except for the following: animal hospitals or veterinary clinics; automotive car wash; automotive parts stores; billboards (as provided in Section 113.1); building, electrical or plumbing contractors; funeral homes or mausoleums; furniture rental establishment; equipment rental; hotels or motels; self service or coin operated laundries; liquor stores; mobile buildings; parking lots and garages (as a principal use); pest control businesses; pet shops or grooming establishments; lounges; and any temporary uses. No convenience store or gasoline pumps.

- B. Project shall be developed as a Forum/Avenues style development and shall include office elements as shown on the site plan submitted April 5, 2005. A Forum/Avenues style of development shall be defined as a retail development of shops and buildings similar in concept to "The Avenues at Webb Gin Corners" on Scenic Highway or "The Forum at Peachtree Parkway" on Peachtree Parkway. Final plans shall be subject to the review and approval of the Director of Planning and Development.
- C. Building(s) shall be finished with architectural treatments containing a mixture of brick, stone and glass. Stucco may be used as an accent material.

2. To satisfy the following site development considerations:

- A. Provide a 25-foot wide natural buffer, undisturbed except for perpendicular utility crossings and replantings where sparsely vegetated, and an additional 25-foot wide landscaped strip (50-foot total width) adjacent to the north property line abutting R-ZT.
- B. Provide a 25-foot wide landscaped buffer adjacent to the right-of-way of I-85.
- C. Provide five-foot wide landscaped strips adjacent to all internal property lines.

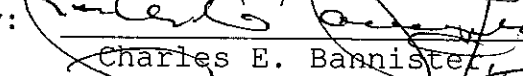
3. To abide by the following requirements, dedications and improvements:

- A. With the approval of the Georgia D.O.T. (GDOT) and prior to the issuance of the first Certificate of Occupancy (CO), acquire and/or donate all necessary right-of-way and easements, and design and install a traffic signal at the proposed main entrance to the site on Braselton Highway. All design and construction will be subject to review and approval of GDOT and/or Gwinnett D.O.T.

- B. With the approval of GDOT, and prior to the issuance of the first CO, acquire and/or donate all necessary right-of-way and easements and design and construct a center turn from Mineral Springs Road to the east property line. All design and construction will be subject to review and approval of GDOT and/or the Gwinnett D.O.T.

- C. With the approval of GDOT and prior to the issuance of the first CO, acquire all necessary right-of-way and easements and design an eastbound left turn lane on Braselton Highway at the intersection of Flowery Branch Road. All design and construction will be subject to review and approval of GDOT and/or the Gwinnett D.O.T.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: 
Charles E. Bannister, Chairman

Date Signed: 12/27/06

ATTEST:


County Clerk/Deputy County



Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, April 2018

Case #	Schools	Current Projections									Proposed Zoning
		2017-18			2018-19			2019-20			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZM2018-00003	Peachtree Ridge HS	3,312	3,050	262	3,378	3,050	328	3,446	3,050	396	Approximate additional Student Projections from Proposed Developments
	Hull MS	1,279	1,750	-471	1,298	1,750	-452	1,318	1,750	-432	
	Burnette ES	696	825	-129	686	825	-139	697	825	-128	
RZM2018-00004	Grayson HS	3,019	2,125	894	3,116	2,125	991	3,216	2,125	1,091	39
	Couch MS	998	1,150	-152	1,013	1,150	-137	1,028	1,150	-122	28
	Starling ES	956	1,200	-244	975	1,200	-225	995	1,200	-205	55
RZR2018-00006	Mill Creek HS	3,647	2,800	847	3,605	2,800	805	3,649	2,800	849	45
	Osborne MS	1,681	1,575	106	1,640	1,575	65	1,665	1,575	90	32
	Duncan Creek ES	1,232	1,300	-68	1,257	1,300	-43	1,282	1,300	-18	63
RZR2018-00007	Mill Creek HS	3,647	2,800	847	3,605	2,800	805	3,649	2,800	849	51
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	Duncan Creek ES	1,232	1,300	-68	1,257	1,300	-43	1,282	1,300	-18	72
CIC2018-00006	Lanier HS	1,811	1,900	-89	1,865	1,900	-35	1,921	1,900	21	17
	Lanier MS	1,508	1,700	-192	1,523	1,700	-177	1,569	1,700	-131	12
	White Oak ES	755	1,000	-245	770	1,000	-230	786	1,000	-214	24

Current projections do not include new developments



24' x 50' Front Entry Product Townhome - Elevation D



FRONT ELEVATIONS

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RZR '18006

FRONT ENTRY SIDES & REARS



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RZR '18 00 6



29'x 54' Rear Entry Product Townhomes



LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION



REAR ELEVATION

*29'x 54' Rear Entry Product Townhomes
Typical Side & Rear Elevations*



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LEFT SIDE ELEVATION



REAR ELEVATION



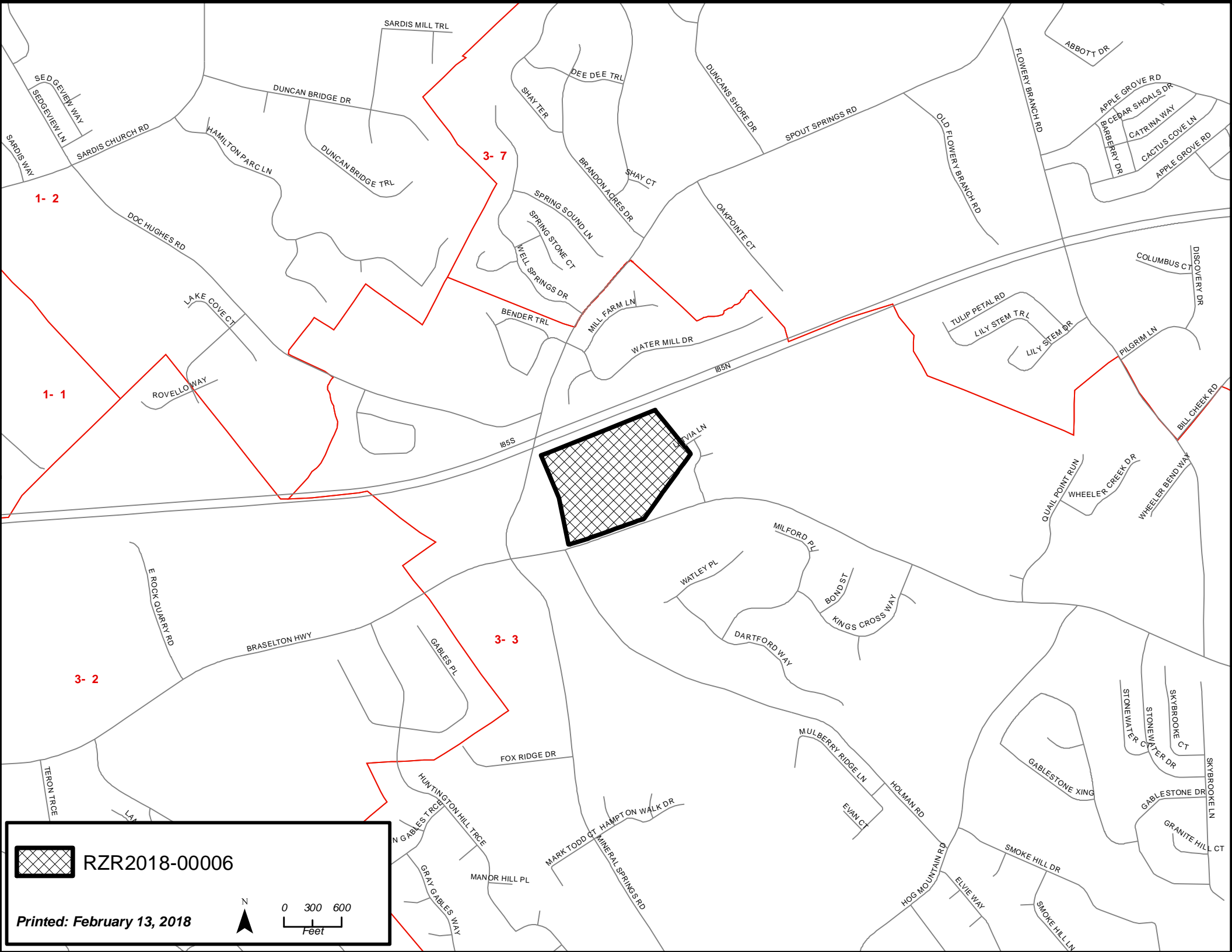
RIGHT SIDE ELEVATION


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RZR '18 00 6



 RZR2018-00006

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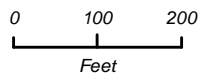


0 300 600
Feet



RZR2018-00006

Printed: February 13, 2018



HOLMAN RD

BRASELTON HWY

SPOUT SPRINGS RD

I85N

I85S

DOC HUGHES RD

HAYWATER CV


WATVIA LN

MILLCREST CT

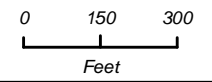
MILLCREST DR

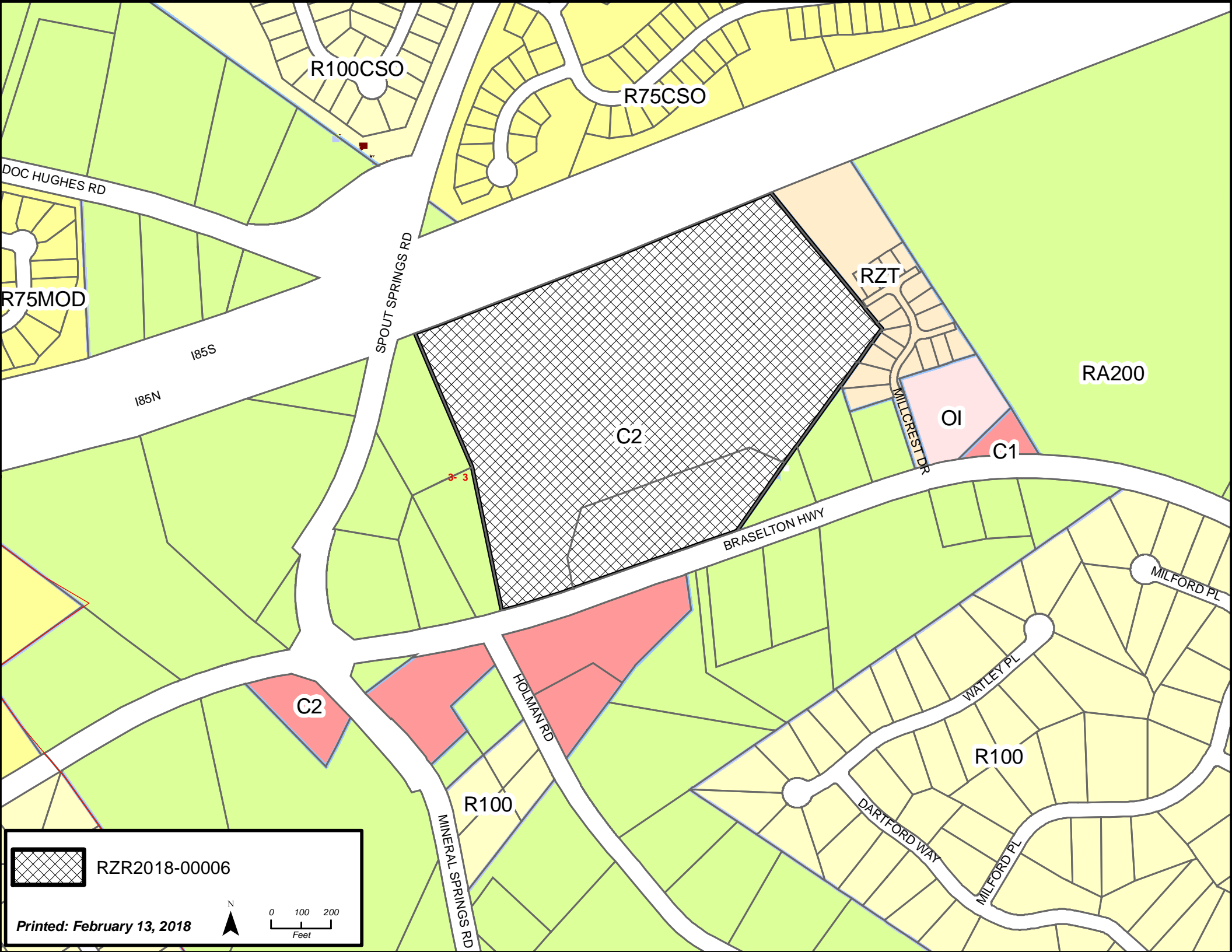
WATLEY PL



 RZR2018-00006

Printed: February 13, 2018





R100CSO

R75CSO

DOC HUGHES RD

R75MOD

I85S

I85N

SPOUT SPRINGS RD

RZT

RA200

C2

OI

C1

MILCREST DR

BRASELTON HWY

MILFORD PL

C2

HOLMAN RD

R100

R100

MINERAL SPRINGS RD

DARTFORD WAY

MILFORD PL

WATLEY PL

 RZR2018-00006

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 N

 0 100 200 Feet

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS**

CASE NUMBER :**RZR2018-00007**
ZONING CHANGE :RA-200 TO TND
LOCATION :1400 BLOCK OF DEE KENNEDY ROAD
:5100 BLOCK OF BRASELTON HIGHWAY
MAP NUMBERS :R3004 018, 061 & 062
ACREAGE :13.27 ACRES
UNITS :54 UNITS
PROPOSED DEVELOPMENT :TRADITIONAL NEIGHBORHOOD DEVELOPMENT
(BUFFER REDUCTION)
COMMISSION DISTRICT :(3) HUNTER

FUTURE DEVELOPMENT MAP: RURAL ESTATE AREA

APPLICANT: MAHAFFEY PICKENS TUCKER, LLP
1550 NORTH BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACT: SHANE LANHAM PHONE: 770.232.0000

OWNERS: LOUIS F. MCCANN & STEVEN ROBINSON
2 CYNTHIA ROAD
NEWARK, DE 19702

DEPARTMENT RECOMMENDATION: DENIAL

PROJECT DATA:

The subject property is a 13.27-acre, three parcel assemblage located off Dee Kennedy Road, south of Braselton Highway and just west of the County's border with Barrow County. The applicant requests rezoning from RA-200 (Agriculture-Residence District) to TND (Traditional Neighborhood Development District) in order to develop 54 residential lots at a density of 4.07 units per acre. One of the properties is currently developed with a single-family residence and accessory structure surrounded by wooded area on sloping topography, and the other two properties are a combination of open grassed area and woodlands.

The submitted site plan proposes a 54-lot residential subdivision, with no floodplain, resulting in a density of 4.07 units per acre, which is less than the maximum 8.0 units per acre allowed with TND zoning approval. The subdivision proposes a mix of three lot sizes: 43 "small" lots (5,000 to 7,499 square feet), eight "medium" lots (7,500 to 9,499 square feet), and three "large" lots (over 9,500 square feet). All of the lots are front entry single-family houses with two-car garages. As the majority of lots are less than 60 feet in width, the proposed subdivision will not meet the Unified Development Ordinance requirement to provide lot access from an alley.

According to the letter of intent, the front facades of the homes will be constructed primarily of brick, stone, cedar or cementitious shake/siding, and/or board and batten.

The site plan indicates two common areas, totaling 2.66 acres, which meets the minimum 20 percent required for TND. However, only the common area located at the end of the cul-de-sac street on the western side of the development, adjacent to Braselton Highway, is accessible from the new streets. The larger common area shown on the southern portion of the development adjacent to Dee Kennedy Road is shown on the site plan to be completely behind the new lots and no trails or pedestrian pathways are shown. A stormwater management area is shown in a separate area at the southeastern corner of the property.

There will be a single access point into the subdivision on Dee Kennedy Road. A 30-foot setback is provided along Dee Kennedy Road at the front of the proposed development. Per the Unified Development Ordinance, TND zoning standards require a 40-foot buffer adjacent to properties zoned RA-200 (Agriculture-Residence District) and a 30-foot buffer adjacent to R-100MOD (Modified Single-Family District) properties. The applicant is requesting a buffer reduction for the project, as only the 20-foot rear setback is shown on the proposed lots adjacent to the neighboring RA-200 and R-100MOD properties. No amenity areas are shown on the site plan.

ZONING HISTORY:

The property has been zoned RA-200 since 1970.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a development permit application.

Section 210-50.20 of the Unified Development Ordinance requires submittal of a concept plan for review and approval of the Development Division prior to submittal and acceptance of a development permit application.

Five-foot wide sidewalks are required along the entire frontage of Braselton Highway and Dee Kennedy Road (UDO 900-90.1).

Four-foot wide sidewalks are required along adjacent to both sides of all interior public streets (UDO 900-90.1).

Section 900-30 of the Unified Development Ordinance requires a 200-foot deceleration lane with a 50-foot taper at each project entrance that proposes access to a Minor Collection street or major Thoroughfare.

The U.S Postal service requires a centralized mail delivery kiosk replacing individual mail boxes. Mail delivery kiosk must be located outside of right-of-way. Location and access must be approved by Gwinnett County Department of Transportation.

A system of pedestrian pathways consisting of sidewalks or multiuse paths shall be provided linking each lot to at least one common area.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

SR 124 Braselton Highway is a State Route and Georgia D.O.T. right-of-way requirements govern.

Dee Kennedy Road is a Local Street and 30 feet of right-of-way is required from the centerline.

Commercial entrances shall be provided to the site per current development regulations.

The developer shall be limited to one curb cut.

Prior to the issuance of a Development Permit, a sight distance certification shall be provided.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of an eight-inch water main located on the southwest right-of-way of Dee Kennedy Road and a ten-inch water main located on the southeast right-of-way of Braselton Highway.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of eight-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an eight-inch sanitary sewer main located approximately 1967 feet southwest of parcel R3004 061 in the right-of-way of Torrington Drive.

The subject development is located within the Mulberry service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The applicant requests rezoning from RA-200 (Agriculture-Residence District) to TND (Traditional Neighborhood Development District) in order to develop a 54-unit residential subdivision at a density of 4.07 units per acre. The subject property is a 13.27-acre, three parcel assemblage located off Dee Kennedy Road, south of Braselton Highway and just west of the County's border with Barrow County. One of the subject properties is currently developed with a single-family residence and accessory structures surrounded by a wooded area on sloping topography, and the other two vacant properties are a combination of open grassed area and woodlands.

The 2030 Unified Plan Future Development Map indicates the property lies within the Rural Estate Character Area. Unified Plan policies for this Character Area encourage compatible infill development and new residential development under 3.0 units per acre. The proposed traditional neighborhood development at a residential density of 4.07 dwelling units per acre exceeds that recommendation. While the TND zoning district could be a viable zoning district for this character area, the intent of this district should provide lots sizes and housing options that reflect the surrounding areas, and balance the proposed density with open space and providing neighborhood amenities. As proposed, the minimal integration of common spaces into the development's layout, no inclusion of neighborhood amenities, and reduction of required buffers along the adjacent parcels may result in a proposed project that is incompatible with the policies of the 2030 Unified Plan.

The surrounding area is characterized by single-family detached developments. To the east, including properties located across Dee Kennedy Road, to the south, and to the north across Braselton Highway are all single-family developed properties zoned RA-200. To the west is property that received rezoning approval for R-100MOD in 2014 for a 125-lot single-family subdivision, with a net density of 2.29 units per acre and 10.91 acres of open space that is currently under construction. Northwest of the subject property, on the north side of Braselton Highway, is the Ashbury Park subdivision, which received R-100CSO (Conservation Subdivision Overlay District) zoning approval in 2005 for a 238-lot single-family conservation subdivision, with a density of 2.28 units per acre and 56.2 acres of conserved open space. The proposed TND subdivision includes 43 of the 54 (almost 80 percent) new lots that would be less than 7,500 square feet in size and the minimum amount of common space required, most

of which is not designed to be accessible to the rest of the subdivision. While the development meets minimal requirements to provide a mix of housing options, the compact design of the development and significantly more “small” lots provided compared to larger lots may not be compatible with the existing development in the area, nor comply the intent of the TND zoning district.

In conclusion, the proposed project may not be consistent with the lower-density development patterns of the area. In addition, the proposed design of the subdivision, disproportionate mix of housing types and lack of open space and neighborhood amenities may not comply with the policies of the 2030 Unified Plan nor the intent of the TND zoning district. Therefore, the Department of Planning and Development recommends **DENIAL** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Note: The following conditions are provided as a guide should the Board of Commissioners choose to approve this petition.

Approval as TND (Traditional Neighborhood Development District), subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Single-family detached dwellings and accessory structures. No housing type may comprise less than twenty (20) percent of the overall development or a minimum of three units, whichever is greater. All “small” lots, as defined by the Unified Development Ordinance shall be located to the interior of the development.
 - B. All homes shall be constructed with front facades of brick, stacked stone or shake. The balance of the home may be the same or of fiber-cement shake or siding. All of the homes shall have a minimum three-foot brick or stacked stone water table on all sides. Final approval for building materials, elevations and method of attachment shall be subject to the approval of the Director of Planning and Development.
 - C. All dwellings shall have at least a double-car garage.
2. To satisfy the following site development considerations:
 - A. The development shall abide by all applicable standards of the Unified Development Ordinance, unless otherwise specified in these conditions or through approval of a variance by the Zoning Board of Appeals.
 - B. A mandatory Homeowner’s Association shall be established and shall be responsible for maintenance of all common areas/facilities and street frontage landscaping. The Dee Kennedy Road and Braselton Highway frontages shall be landscaped and maintained by the Homeowner’s Association, and shall include decorative masonry entrance features. A decorative fence shall be required along the Dee Kennedy Road and Braselton Highway rights-of-way. Landscaping plans, entrance features and fencing shall be subject to the review and approval of the Director of Planning and Development.
 - C. All “small lots” shall be accessed by alleys. Alleys shall be designed per the following requirements:
 1. Minimum width: 10-feet
 2. Maximum width: 14-feet
 3. No curb and gutter shall be allowed.
 4. No utility easements shall be allowed.

5. One access point from a public right-of-way or a private street to the alley shall be required for every eight homes served by the alley.
- D. Provide minimum ten-foot wide landscaped strips adjacent to Dee Kennedy Road and Braselton Highway.
- E. No direct lot access shall be allowed to Dee Kennedy Road or Braselton Highway.
- F. Sidewalks are to be installed in front of all single-family homes, and shall connect to each other throughout the development. In addition, walking trails shall be provided, and shall also be provided internal to the proposed common space areas. The final sidewalk/trail plan shall be approved by the Director of Planning and Development to insure proper connectivity.
- G. Sidewalks shall be provided along Braselton Highway, and a pedestrian connection shall be provided from said sidewalk to the sidewalks along the interior streets of the development.
- H. Underground utilities shall be provided throughout the development.
- I. Natural vegetation shall remain on the property prior to the issuance of a Development Permit.
- J. All grassed areas on dwelling lots shall be sodded.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The request for a traditional neighborhood development may not be suitable at this location given the established larger lot and lower density single-family subdivisions in the immediate area.

ADVERSE IMPACTS

Some adverse impacts on surrounding properties could be anticipated from this request by setting a precedent for continued higher density single-family subdivisions.

REASONABLE ECONOMIC USE AS ZONED

The property may have a reasonable economic use as zoned.

IMPACTS ON PUBLIC FACILITIES

Increased impacts could be anticipated in the form of utility demand, traffic, school-age children and stormwater runoff.

CONFORMITY WITH POLICIES

While the Traditional Neighborhood Development zoning district could be a beneficial development option for the Rural/Estate Character area, the proposed project density of 4.07 units per acre is higher than what is recommended for the Rural Estate Character Area, and inconsistent with the policies of the 2030 Unified Plan to encourage open space and recreation areas.

CONDITIONS AFFECTING ZONING

The proposed TND project may be inappropriate at this location due to the compact design of the development, with the disproportionate mix of housing and minimal open space incompatible with the subdivisions and existing development in the area.

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Please see attached

- (B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

Please see attached

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

Please see attached

- (D) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

Please see attached

- (E) WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Please see attached

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED REZONING:

Please see attached

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REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) Yes, the proposed Rezoning Application will permit a use that is suitable in view of the use and development of adjacent and nearby property. The Property is adjacent to Braselton Highway (State Route 124) and is near land zoned C-2, R-100CSO, and M-1.
- (B) No, the proposed Rezoning Application will not adversely affect the existing use or usability of any of the nearby properties.
- (C) Due to the size, location, layout and dimensions of the subject property, the Applicant submits that the property does not have reasonable economic use as currently zoned.
- (D) No, the proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems. The Property has convenient access to Braselton Highway and Interstate 85 with access to utilities.
- (E) Yes, the proposed Rezoning Application is in conformity with the policy and intent of the Gwinnett County Land Use Plan. The Property is designated as within the Rural Estate Character Area which encourages residential development and specifically provides for non-estate residential development at roadway intersections or nodes.
- (F) The Applicant submits that the subject Property's proximity to Interstate 85 and land zoned C-2 provide additional support of this Application.

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Matthew P. Benson
 Gerald Davidson, Jr.*
 Brian T. Easley
 Kelly O. Faber
 Mary Grace Griffin
 Christopher D. Holbrook
 Nicholas N. Kemper

Shane M. Lanham
 Austen T. Mabe
 Jeffrey R. Mahaffey
 David G. McGee
 Steven A. Pickens
 Andrew D. Stancil
 R. Lee Tucker, Jr.
 *Of Counsel

**LETTER OF INTENT FOR REZONING APPLICATION
 OF MAHAFFEY PICKENS TUCKER, LLP**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Rezoning Application for the purpose of requesting a rezoning to the TND (Traditional Neighborhood Development) zoning classification of an approximately 13.27-acre tract (the "Property") located at the intersection of Braselton Highway (Georgia Route 124) and Dee Kennedy Road. The Property is currently zoned RA-200. The Applicant proposes to develop the Property for use as a single-family residential community, consisting of 54 homes with various lot sizes in accordance with the requirements of the TND zoning classification. The proposed development would also provide approximately 2.66 acres of common area which is 20.0% of the Property's total area. The Property is oddly shaped with frontage on both Braselton Highway and Dee Kennedy Road. The proposed community would consist of homes at a size, quality, and price-point commensurate with or exceeding homes in the surrounding area. The proposed homes would include two-car garages and attractive architectural elements which are compatible with the surrounding area. The front façades of the homes would be constructed primarily of brick, stone, cedar or cementitious shake/siding, and/or board and batten as depicted in the building elevations submitted with the Application.

The proposed development contains a single entrance on Dee Kennedy Road. Proposed common area for the use and enjoyment of residents is located on the northerly portion of the Property along Braselton Highway as well as on the southerly portion of the Property adjacent to

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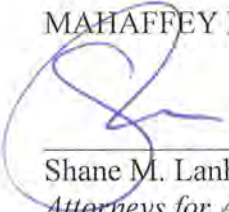
neighboring land zoned RA-200. The Applicant is also proposing to reduce or eliminate the required buffers adjacent to land zoned R-100 Modified and RA-200 as depicted on the site plan submitted with the Application. While the adjacent land to the north is currently zoned RA-200, the Gwinnett County Unified Plan encourages the development of “crossroads” commercial/retail uses at roadway intersections or nodes. The proposed lots in this area were designed with this potential future land use in mind and are sufficiently deep to provide appropriate buffering and screening for residents.

The Gwinnett County 2030 Unified Plan (the “2030 Plan”) provides that “promoting a variety of housing options for Gwinnett County residents is one of the policy goals of the Unified Plan.” The proposed development is compatible with the spirit and intent of the 2030 Plan. Additionally, the Property is located across Dee Kennedy Road from land currently zoned C-2 which permits relatively intense commercial and retail uses. An approval of the Application would be compatible with the spirit and intent of the 2030 Plan by providing a mix of housing options and encouraging infill development.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Rezoning Application filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted this 2nd day of February, 2018.

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham
Attorneys for Applicant

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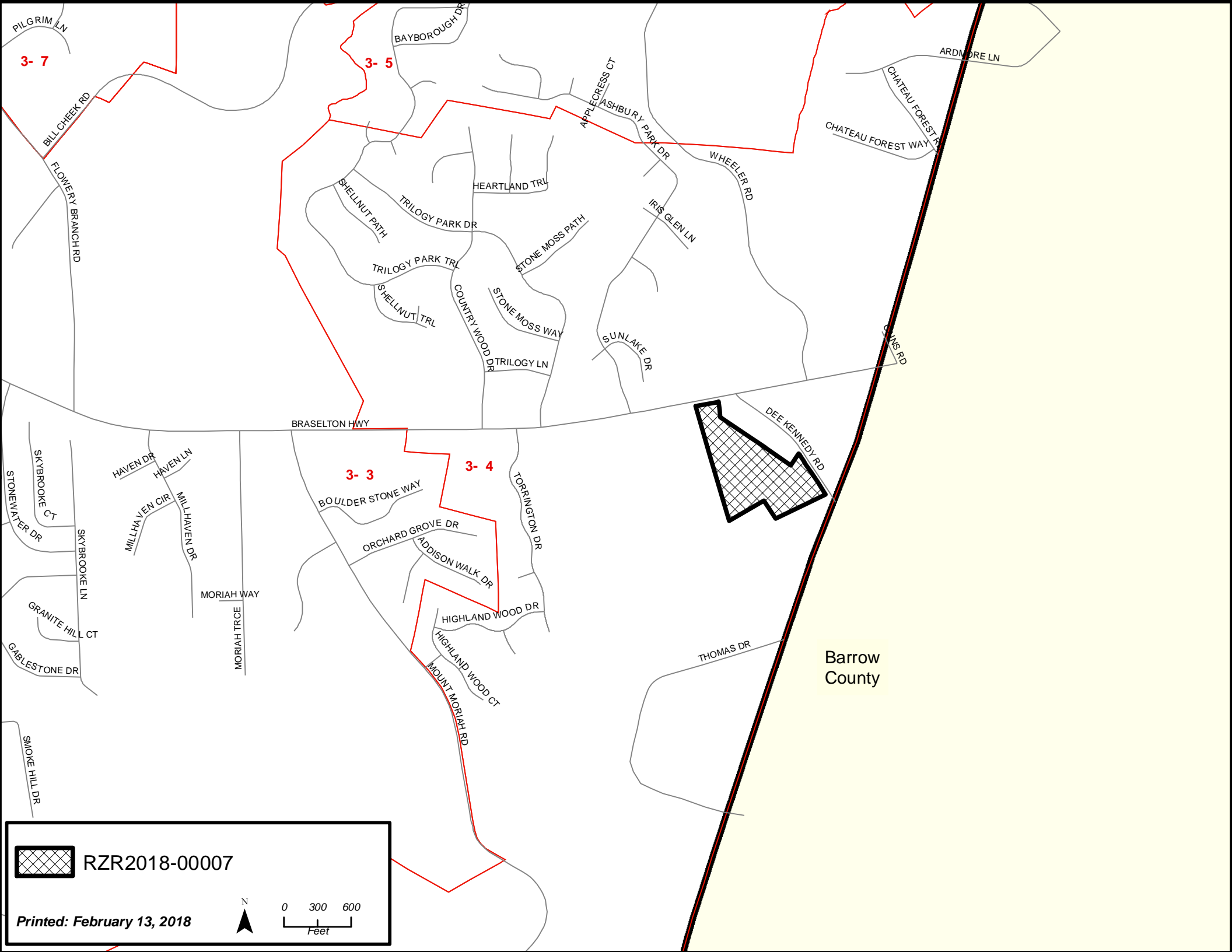
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	Duncan Creek ES	1,232	1,300	-68	1,257	1,300	-43	1,282	1,300	-18	37	
RZR2018-00007	Mill Creek HS	3,647	2,800	847	3,605	2,800	805	3,649	2,800	849	72	
	Osborne MS	1,681	1,575	106	1,640	1,575	65	1,665	1,575	90	17	
	Duncan Creek ES	1,232	1,300	-68	1,257	1,300	-43	1,282	1,300	-18	12	
CIC2018-00006	Lanier HS	1,811	1,900	-89	1,865	1,900	-35	1,921	1,900	21	24	
	Lanier MS	1,508	1,700	-192	1,523	1,700	-177	1,569	1,700	-131	14	
	White Oak ES	755	1,000	-245	770	1,000	-230	786	1,000	-214	10	

Current projections do not include new developments








3- 7

3- 5

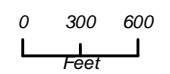
3- 3

3- 4

Barrow
County

 RZR2018-00007

Printed: February 13, 2018





- GENERAL NOTES**
- TOTAL ACREAGE = 13.27 ACRES.
 - NET ACREAGE = 13.27 ACRES.
 - NET DENSITY = 4.07 UNITS/ACRE
 - GROSS DENSITY = 4.07 UNITS/ACRE
 - COMMON AREA = 20.0% (2.66 ACRES)
 - EXISTING ZONING = RA-200
 - PROPOSED ZONING = TND
 - PROPOSED NO. OF LOTS = 54
 - MINIMUM LOT AREA (SMALL LOT) = 5,000-7,499
 - MINIMUM LOT AREA (MEDIUM LOT) = 7,500-9,499
 - MINIMUM LOT AREA (LARGE LOT) = 19,500
 - FRONT SETBACK = 15 FT.
 - REAR SETBACK = 30 FT.
 - SIDE SETBACK = 5 FT.
 - MAXIMUM BUILDING HEIGHT = 35 FT.
 - ZONING INFORMATION SHOWN HEREON PER GWINNETT COUNTY TAX RECORDS.
 - DEVELOPMENT TO BE SERVED BY GWINNETT COUNTY WATER AND SANITARY SEWER SERVICE.
 - NO FLOOD PLAIN ON THE PROPERTY.
 - BOUNDARY LINES SHOWN HEREON PER DEEDS AND RECORDS. ALL MATTERS OF RECORD AFFECTING THE PROPERTY MAY NOT BE SHOWN HEREON.

LOT CHART	
TYPE	LOTS
SMALL	43
MEDIUM	6
LARGE	3
TOTAL	54

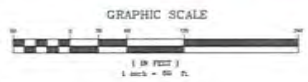
LOT NO	BLOCK	AREA	SIZE
1	A	8,953	Medium
2	A	5,292	Small
3	A	5,177	Small
4	A	5,448	Small
5	A	5,387	Small
6	A	5,251	Small
7	A	5,541	Small
8	A	5,231	Small
9	A	5,021	Small
10	A	5,210	Small
11	A	5,001	Small
12	A	5,200	Small
13	A	5,000	Small
14	A	5,200	Small
15	A	5,200	Small
16	A	5,200	Small
17	A	5,207	Small
18	A	5,454	Small
19	A	5,734	Small
20	A	5,729	Small
21	A	6,221	Small
22	A	5,323	Small
23	A	6,140	Small
24	A	5,548	Small
25	A	5,201	Small
26	A	5,289	Small
27	A	5,156	Small
28	A	6,229	Small
29	A	7,549	Medium
30	A	7,581	Medium
31	A	7,287	Medium
32	A	7,552	Medium
33	A	7,528	Medium
34	A	7,228	Medium
35	A	8,242	Small
36	A	7,839	Medium
37	A	5,292	Small
38	A	5,179	Small
39	A	5,435	Small
40	A	5,594	Small
41	B	5,251	Small
42	B	5,251	Small
43	B	5,252	Small
44	B	7,537	Medium
45	B	5,251	Small
46	B	5,251	Small
47	B	5,251	Small
48	B	5,251	Small
49	B	5,251	Small
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51	B	5,251	Small
52	B	5,251	Small
53	B	5,251	Small
54	B	5,251	Small

RZR '18007

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FEB 02 2018

Planning & Development



ENGINE: **200 BANK INC.**
 1000 W. BIRCHWOOD DR. SUITE 100
 ATLANTA, GA 30329
 TEL: 404.252.1100
 FAX: 404.252.1101
 WWW: 200BANK.COM

MYERS & CO.
 civil engineers
 770-277-0793
 4800 PERimeter Center
 P.O. BOX 834
 DUNWOODY, GA 30095

Project Description: **DEE KENNEDY ROAD TRACT**
 PARCELS 10000, 102, 10300, 103, & 10304-018
 GWINNETT COUNTY, GEORGIA

DATE: **1-15-18**
 JOB NO.: **17-36**
 SHEET TITLE: **REZONING PLAN**

Revisions

SHEET **1**



BRASELTON HWY

SUNLAKE DR

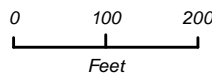
ASBURY PARK DR

DEE KENNEDY RD

Barrow
County



RZR2018-00007



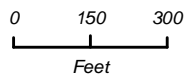
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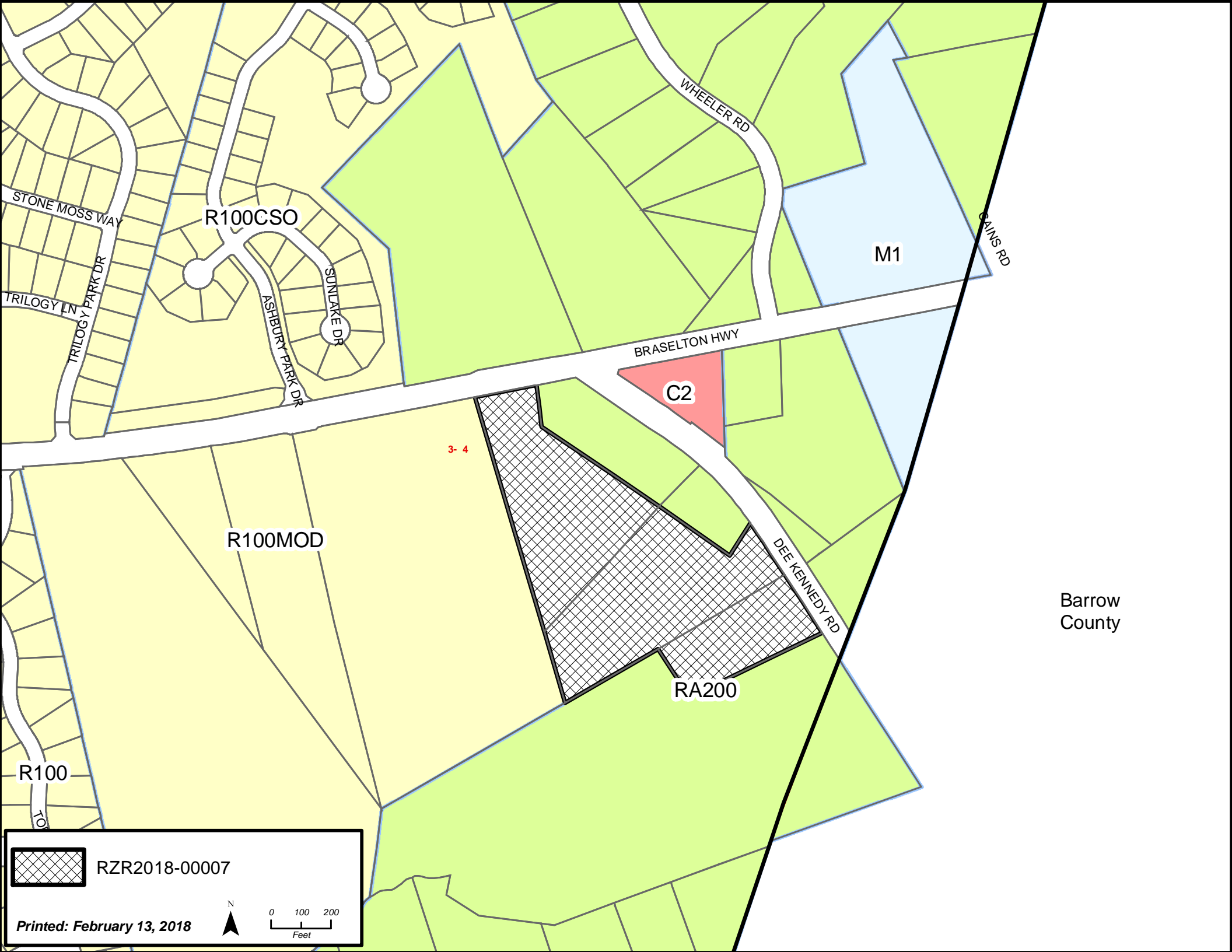
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County



RZR2018-00007



Printed: February 13, 2018



Barrow
County

R100CSO

M1

BRASELTON HWY

C2

3-4

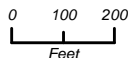
R100MOD

DEE KENNEDY RD

RA200

R100

 RZR2018-00007



Printed: February 13, 2018

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
CHANGE IN CONDITIONS ANALYSIS**

CASE NUMBER : **CIC2018-00003**
ZONING : R-100
LOCATION : 4800 BLOCK OF SPOUT SPRINGS ROAD
: 2100 BLOCK OF OLD FLOWERY BRANCH ROAD
MAP NUMBER : R3007 187
ACREAGE : 2.44 ACRES
PROPOSAL : CHANGE IN CONDITIONS OF ZONING
COMMISSION DISTRICT : (3) HUNTER

FUTURE DEVELOPMENT MAP: **EXISTING/EMERGING SUBURBAN**

APPLICANT: JOSE RAMOS
4181 LANTERN HILL DRIVE
DACULA, GA 30019

CONTACT: ALEJANDRO RAMOS PHONE: 770.560.2149

OWNER: JOSE RAMOS
4181 LANTERN HILL DRIVE
DACULA, GA 30019

DEPARTMENT RECOMMENDATION: **DENIAL**

CHANGE IN CONDITIONS SUMMARY:

The applicant requests a Change in Conditions on the subject 2.44-acre property which was approved for R-100 (Single Family Residence District) zoning in May 2017 for a single family subdivision pursuant to (RZR2017-00009). The applicant has filed an application for an exemption plat for 3 lots (XPL2017-00055), but development for this project has not begun and the property is still wooded and undeveloped. The applicant now seeks to modify a condition of zoning related to architectural treatments for the homes.

The project is proposed to include three home sites being accessed along Old Flowery Branch Road. Staff notes that when this case was originally approved in 2017, the applicant agreed to the three-sided brick requirement in condition I.C. at the Planning Commission meeting.

The existing condition currently reads as follows:

I.C. Homes shall be constructed with three sides of brick and/or stacked stone. The balance of the home may be the same or of fiber-cement shake or siding with a three-foot brick or stone water table.

The applicant requests through this process that the condition be revised to only have brick and/or stacked stone on one side with the balance of the home being the same or fiber-cement shake or siding.

ZONING HISTORY:

In 1970, the subject property was zoned RA-200 (Agriculture-Residence District). In 2017, it was rezoned to R-100, pursuant to RZR2017-00009.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Spout Springs Road is a Major Collector and 40 feet of right-of-way is required from the centerline.

Old Flowery Branch Road is a Local Street and 30 feet of right-of-way is required from the centerline.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a two-inch water main located on the northeast right-of-way of Old Flowery Branch Road and an eight inch water main located on the southeast right-of-way of Spout Springs Road.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of eight-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an eight-inch sanitary sewer main located approximately 1,473 feet southeast of parcel R3007 187 on parcel R3007 428 and an eight inch sanitary sewer main located approximately 1,901 feet south of parcel R3007 187.

The subject development is located within the Mulberry service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject 2.44-acre property was approved for R-100 (Single Family Residence District) zoning in May 2017 for 3 lots pursuant to RZR2017-00009. The applicant has filed an application for an exemption plat for 3 lots XPL2017-00055. The property has remained wooded and undeveloped since the previous request. The applicant now seeks to modify a condition of zoning related to architectural treatments for the homes.

The 2030 Unified Plan Future Development Map indicates the property lies within an Existing/Emerging Character Area. The Unified Plan encourages enhancing development aesthetics throughout the county; the proposed request to reduce architectural standards for the proposed homes may be counter to these policies. The requested change in conditions to revise architectural treatments may not be appropriate in view of the previous Board actions, which were determined through the public hearing process with input from neighboring property owners and area residents.

The surrounding area is characterized by agricultural and residentially zoned land. Properties along Old Flowery Branch Road and this segment of Spout Springs Road are developed with single homes on larger lots ranging from 1 acre to 20 acres. The addition of these three lots at an increased density from the other homes along Old Flowery Branch was approved by the Board with conditions in order to improve the transition between the existing homes and the new smaller lot subdivision proposed. There have been no changes in the area since the previous request to warrant approving this requested change. This condition was placed on the property through the public hearing process with input from neighbors in order to provide an aesthetically pleasing product in lieu of allowing an increased density of homes on this corner. Therefore, the proposed changes in conditions for a reduction in development standards are inconsistent with improving the development standards for this subdivision.

No significant changes have occurred since the prior approval to warrant revising this condition. Seeing as the applicant previously agreed with the architectural standards through the public hearing process with input from surrounding neighbors, staff could not support this request. Given these various factors, the Department recommends **DENIAL** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

NOTE: The following conditions are provided as a guide should the Board of Commissioners choose to approve this request.

RZR2017-00009

Additions in **bold**

Deletions in ~~striketrough~~

Approval as R-100 (Single Family Residence District), subject to the following enumerated conditions:

I. To restrict the use of the property as follows:

- A. Single-family detached dwellings and accessory uses and structures.
- B. The minimum heated floor area per dwelling unit shall be 3,200 square feet.
- C. Homes shall be constructed with ~~three~~ **front** sides of brick and/or stacked stone. The balance of the home may be the same or of fiber-cement shake or siding with a three-foot brick or stone water table.
- D. All dwellings shall have at least a double-car garage.

2. To satisfy the following site development considerations:

- A. No direct lot access from Spout Springs Road.
- B. All grassed areas on dwelling lots shall be sodded.
- C. Provide underground utilities throughout the development.
- D. A maximum of three lots shall be allowed.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

This condition was placed on the property through the public hearing process with input from neighbors in order to provide an aesthetically pleasing product in lieu of allowing an increased density of homes on this corner.

ADVERSE IMPACTS

Adverse impacts in the form of decreased development aesthetics could be anticipated from this request.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACT ON PUBLIC FACILITIES

Additional impacts would be anticipated from a project of this size in the form of school-aged children, traffic, stormwater run-off and utility demand.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates the property lies within an Existing/Emerging Character Area. The Unified Plan encourages enhancing development aesthetics throughout the county; the proposed request to reduce architectural standards for the proposed homes may be counter to these policies. The requested change in conditions to revise architectural treatments may not be appropriate in view of the previous Board actions, which were determined through the public hearing process with input from neighboring property owners and area residents.

CONDITIONS AFFECTING ZONING

There have been no changes in the area since the previous request to warrant approving this requested change.

CHANGE IN CONDITIONS APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

YES IT WILL BE SUITABLE

- (B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

MAKING THE HOME ONE SIDE BRICK WILL NOT ADVERSELY AFFECT THE EXISTING PROPERTY

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

IT WILL NOT AFFECT THE ECONOMIC TO THE SURROUNDING PROPERTY

- (D) WHETHER THE PROPOSED CHANGE IN CONDITIONS WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

IT WILL NOT CAUSE ANY BURDEN ON THE ABOVE CONCERNS

- (E) WHETHER THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

YES, IT IS

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED CHANGE IN CONDITIONS:

NO CHANGING

3
CIC '18 00 3

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Planning & Development

LETTER OF INTENT
FOR CHANGE IN CONDITIONS

January 4, 2018

Gwinnett County Department of Planning and Development

446 West Grogan Street

Lawrenceville Ga. 30046-2440

RE; Change in conditions

Letter of intent

This change in conditions application is to change the condition 1.C "Homes shall be constructed with three sides of brick and/or stacked stone" to Home shall be constructed with one side of brick and/or stacked stone, The balance of the home may be the same or fiber-cement shake or siding.

We see this request to be suitable to all neighbors. If you have any questions about this application please call Alejandro Ramos 770-560-2149.

Thanks

Jose Ramos

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JAN 15 2018

Planning & Development

CIC '18 003

GWINNETT COUNTY
BOARD OF COMMISSIONERS
LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: Amendment to the Official Zoning Map of Gwinnett County

ADOPTION DATE: MAY 23, 2017

At the regular meeting of the Gwinnett County Board of Commissioners held in the Gwinnett Justice and Administration Center, Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

Name	Present	Vote
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Yes	Aye
Lynette Howard, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
John Heard, District 4	Yes	Aye

On motion of COMM. HUNTER, which carried a 5-0 vote, the following Resolution to Amend the Official Zoning Map of Gwinnett County is hereby adopted:

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from RA-200 to R-100 by JOSE RAMOS for the proposed use as a SINGLE-FAMILY SUBDIVISION on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on MAY 23, 2017 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, that the aforesaid application to amend the Official Zoning Map from RA-200 to R-100 is hereby **APPROVED** with the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Single-family detached dwellings and accessory uses and structures.
 - B. The minimum heated floor area per dwelling unit shall be 3,200 square feet.
 - C. Homes shall be constructed with three sides of brick and/or stacked stone. The balance of the home may be the same or of fiber-cement shake or siding with a three-foot brick or stone water table.
 - D. All dwellings shall have at least a double-car garage.

2. To satisfy the following site development considerations:
 - A. No direct lot access from Spout Springs Road.
 - B. All grassed areas on dwelling lots shall be sodded.
 - C. Provide underground utilities throughout the development.
 - D. A maximum of three lots shall be allowed.

GWINNETT COUNTY BOARD OF COMMISSIONERS

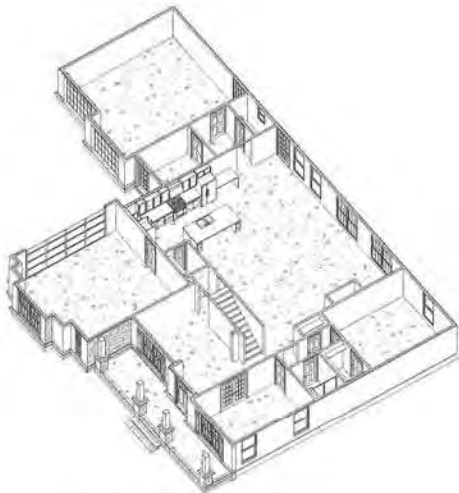
By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 4/20/17

ATTEST:

Diana Ken
County Clerk/Deputy County Clerk





3 FIRST FLOOR

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 Planning & Development

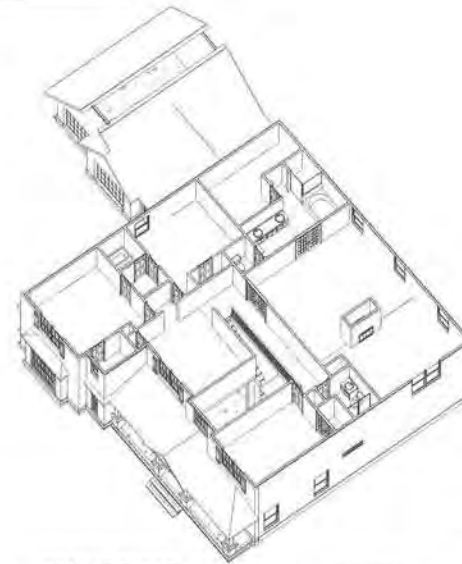
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1 ISOMETRIC VIEW FRONT



2 ISOMETRIC VIEW FRONT



4 SECOND FLOOR

OPT. PAPER SIZE:
 For 1/4" x 1/8" or 24" x 36" PAPER SIZE
 ENLARGE PRINTS TO 200%

Revision Number	Revision Description	Revision Date

AREA:

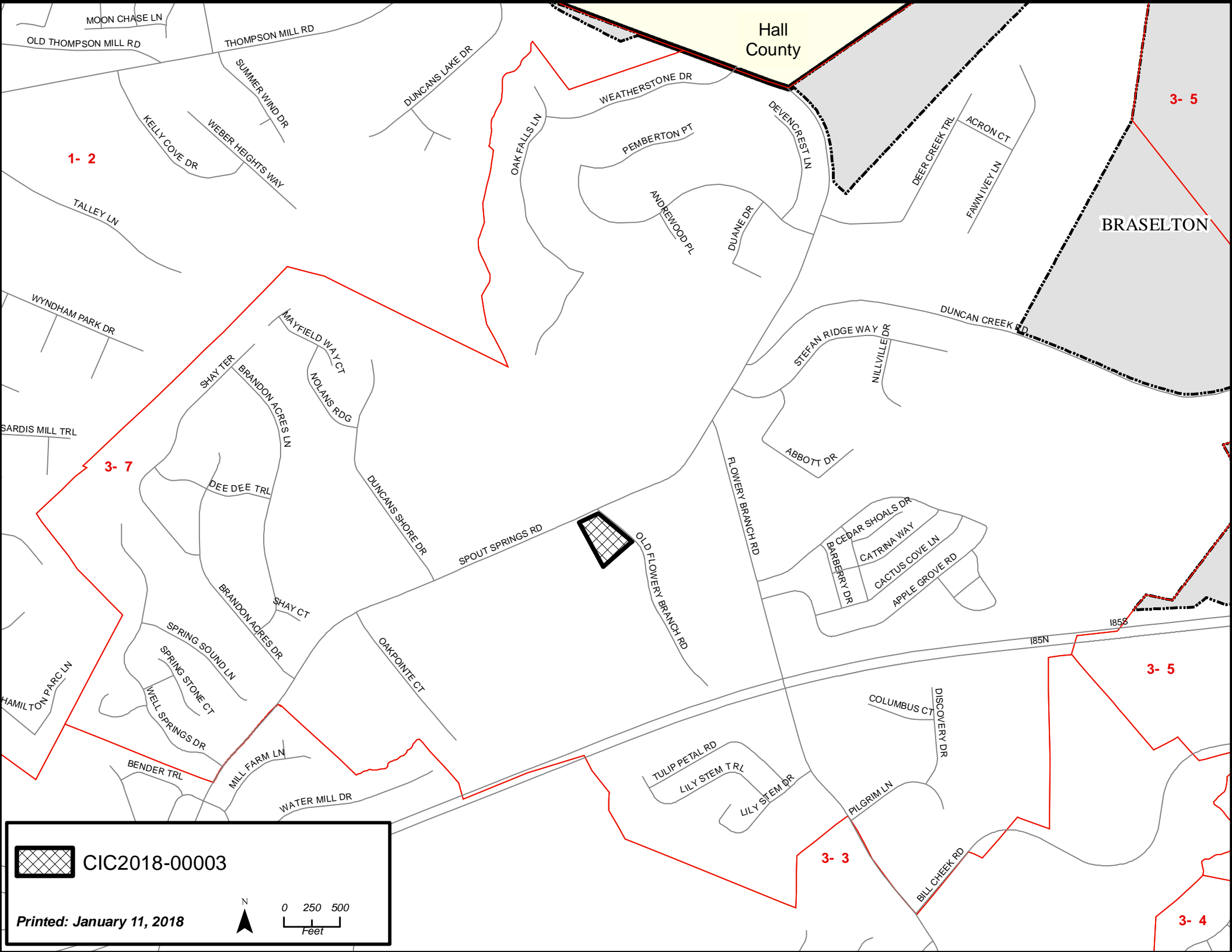
THE BRASELTON

DATE	147-17-036
ADDRESS	
LBM	EM
UNLESS OTHERWISE NOTED	
FOUNDATION	FOUNDAR
DESIGNED BY	
CHECKED BY	
ASSISTANT	7/13/12 PM

PROPERTY OF

© COPYRIGHT 2012

SHEET NUMBER
A1.0



Hall County

BRASELTON

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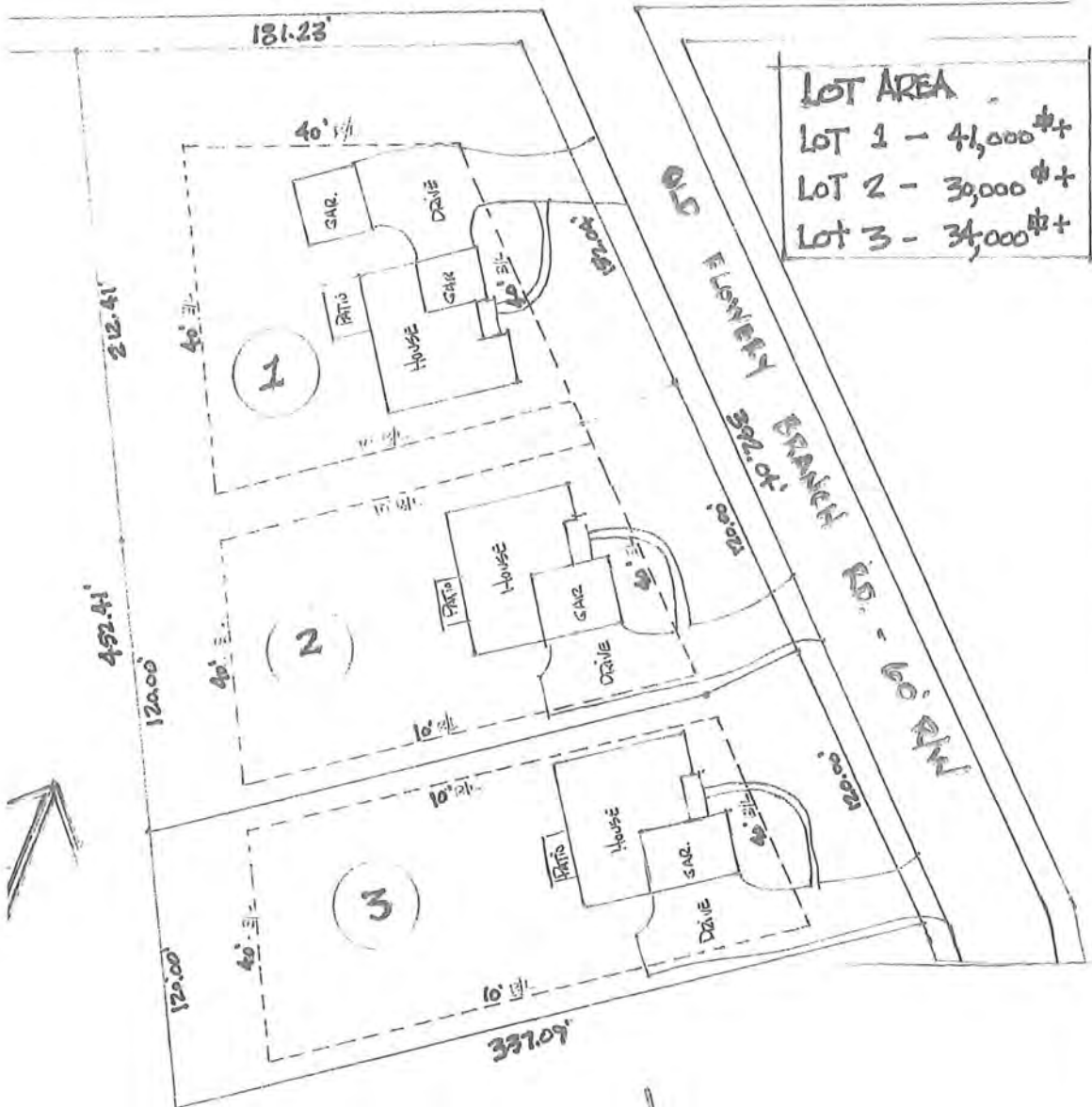
CIC2018-00003

Printed: January 11, 2018



0 250 500
Feet

SPOUT SPRINGS ROAD - 80' R/W



LOT AREA

- LOT 1 - 41,000 sq. ft.
- LOT 2 - 30,000 sq. ft.
- LOT 3 - 34,000 sq. ft.

SITE PLAN
SCALE: 1" = 50'

2.438 ACRES
3200 SQ. FT. HEATED AREA HOME (MINIMUM)

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JAN 05 2018

Planning & Development

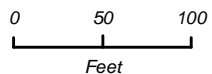
CIC '18 003

SPOUT SPRINGS RD

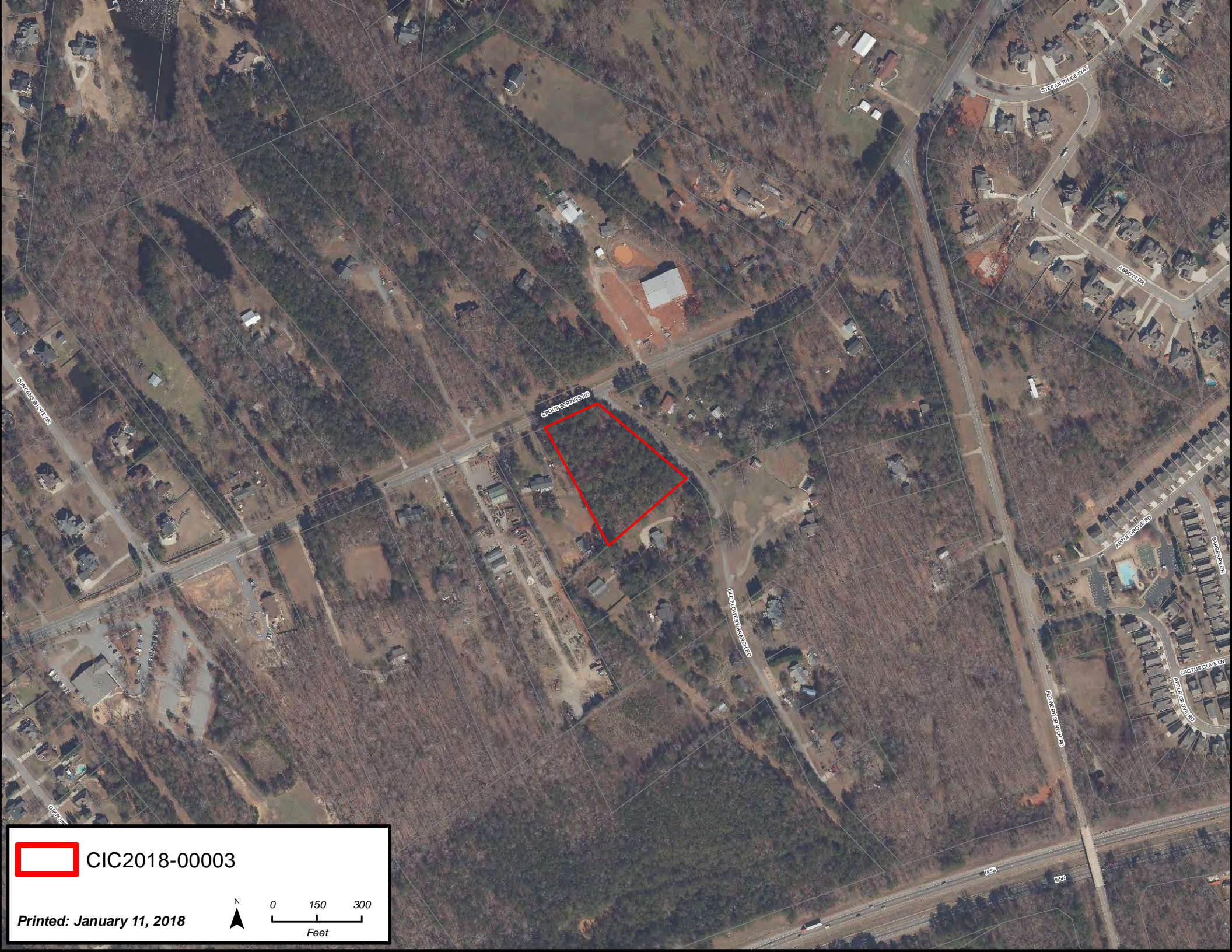
OLD FLOWERY BRANCH RD



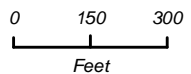
CIC2018-00003



Printed: January 11, 2018



CIC2018-00003



Printed: January 11, 2018



3-7 R100

SPOUT SPRINGS RD

RA200

R100

R140

R100

R140

R100

ABBOTT DR

FLOWERY BRANCH RD

RA200

RZT

APPLE GROVE RD

R75MOD

OLD FLOWERY BRANCH RD

M1


RMD

185S


185N

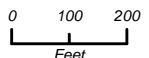
R75CSO

RA200

 CIC2018-00003

Printed: January 11, 2018

 N

 0 100 200 Feet

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
CHANGE IN CONDITIONS ANALYSIS**

CASE NUMBER :**CIC2018-00006**
ZONING :R-75
LOCATION :2000 BLOCK OF BUFORD DAM ROAD
MAP NUMBER :R7334 005
ACREAGE :20.27 ACRES
PROPOSAL :CHANGE IN CONDITIONS OF ZONING
COMMISSION DISTRICT :(4) HEARD

FUTURE DEVELOPMENT MAP: **EXISTING/EMERGING SUBURBAN**

APPLICANT: WHITE HORSE 70, LLC
4984 BU BOWMAN, SUITE 106
BUFORD, GA 30518

CONTACT: HAROLD A. TRIP, JR. PHONE: 404.285.3075

OWNER: WHITE HORSE 70, LLC
4984 BU BOWMAN, SUITE 106
BUFORD, GA 30518

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant requests a Change-in-Conditions of a previous rezoning approval to increase the number of approved lots by modifying two of the zoning conditions. The 20.27-acre parcel is located on the south side of Buford Dam Road, east of Jimmy Dodd Road. Currently zoned R-75 (Single-Family Residence District) pursuant to RZR2016-00026, the applicant now seeks to increase the number of lots currently allowed on the subject site from 38 to 44 lots. This request is based upon a determination letter from a wetlands specialist (Tallman Environmental) that states the streams shown on the 2016 plan should not be considered state waters. The proposed six additional lots would be located within areas previously indicated as open space dedicated for the streams and associated buffering.

The additional properties would increase the gross density of the development from 1.88 units per acre to 2.17 units per acre. Per the site plan submitted, two dedicated water easements would remain, but the elimination of the open space results in two additional lots on the east side and four lots on the west side of the new street. While the previous proposal dedicated 4.55-acres of open space in three separate areas, the proposed additional lots would decrease the amount of open space to 3.14-acres, which are shown to be located adjacent to the stormwater detention areas. There is a stream that runs along the western property line that will continue to be buffered.

According to the site plan and letter of intent, the minimum lot size would continue to be 10,500 square feet, with a 2,700 square foot minimum dwelling size for each detached residence. The applicant states that all other conditions will remain the same, which includes that all dwellings shall have at least a double-car garage and homes shall be constructed with front facades of brick and/or stacked stone. The sides and rear of the homes may be the same, cedar plank or fiber-cement siding with a minimum three-foot brick or stacked stone water table. The subdivision would continue to have a single entrance/exit onto Buford Dam Road, although the new residential road serving the subdivision would be changed to a straight roadway measuring over 1,500 feet in length with only one cul-de-sac break. The stormwater detention areas would remain in the same location as previously approved, one on the west side and one at the southern end of the property.

To address this change to the development, the applicant seeks to revise conditions I.B. and I.C. of zoning case **RZR2016-00026**. The conditions current read as follows:

I.B. The maximum number of lots shall be 38. No lots shall be allowed within the existing 60 foot water easement.

I.C. Only the access roadway shall be allowed to cross the existing water easement and within any stream buffers as shown on the site plan submitted at the December 7, 2016 Planning Commission meeting, subject to the review and approval of the Department of Water Resources.

ZONING HISTORY:

The entire site was zoned R-100 in 1970. In 2016, the subject property received approval for R-75 rezoning (RZR2016-00026).

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

Based on Gwinnett County staff inspection, state waters are not present on Parcel R7334 005. Gwinnett County concurs with the findings of the Tallman Environmental letter dated December 4, 2017.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Buford Dam Road is a Minor Arterial and 40 feet of right-of-way is required from the centerline, with 50 feet required within 500 feet of a major intersection.

Commercial entrances shall be provided to the site per current development regulations.

Standard deceleration lane with appropriate taper and adequate right-of-way will be required.

The developer shall be limited to one curb cut.

The project entrance shall align with opposing roads or driveways in accordance with the Gwinnett County Unified Development Ordinance.

Prior to the issuance of a Development Permit, a sight distance certification shall be provided.

Minimum separation from a driveway, public road, or side street shall be provided as specified in the Gwinnett County Unified Development Ordinance.

Project must comply with Gwinnett County D.O.T. Criteria and Guidelines for left turn lanes.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 12-inch water main located on the northeast right-of-way of Buford Dam Road and a 54-inch water main located on parcel R7334 005.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of eight-inch pipe size for residential developments, including connections to existing mains. This department

makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an eight-inch sanitary sewer main located approximately 156 feet south of parcel R7334 005 in the right-of-way of Dexters Mill Place.

The subject development is located within the Level Creek service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The applicant requests a Change-in-Conditions of a previous rezoning approval to increase the number of approved lots by modifying two of the zoning conditions. The 20.27-acre parcel is located on the south side of Buford Dam Road, east of Jimmy Dodd Road. Currently zoned R-75 (Single-Family Residence District) pursuant to RZR2016-00026, the applicant now seeks to increase the number of lots currently allowed on the subject site from 38 to 44 lots. This request is based upon a determination letter from a wetlands specialist (Tallman Environmental) that states the streams shown on the 2016 plan should not be considered state waters. The proposed six additional lots would be located within areas previously indicated as open space dedicated for the streams and associated buffering.

The 2030 Unified Plan Future Development Map indicates that the property is located within an Existing/Emerging Suburban Character Area. This Character Area encourages single-family subdivisions at low to moderate densities. This character area also encourages the use of public open space, parks (especially neighborhood parks), and recreation and conservation space. The project approved in 2016 was found to meet the intent of this character area, with the designated open space and preservation of natural features beneficial for the new subdivision and surrounding properties. Elimination of these features and an increase in density may not be consistent with the policies of the 2030 Unified Plan.

The surrounding area is characterized by single-family subdivisions and single-family dwellings on acreage tracts. To the south is the Little Mill Farm subdivision that is zoned R-100MOD (Modified Single-Family Development), pursuant to Special Use Permit approval (SUP-98-070). This 198-lot subdivision has a density of 2.18 units per acre, but provides at least 18.56 acres of dedicated open space that preserves the streams that run through the development. The properties to the west, north and east are within the city limits of Buford, but appear to consist of lots that are at least a half-acre in size. On the north side of Buford Dam Road east of the subject parcel are several neighborhoods that are zoned RL (Lakeside Residence District) and are developed with single-family residences on large acreage lots. The proposed increase in lots for the R-75 district may not be compatible with the development pattern of the area by increasing the density of a development that already has lot sizes that are smaller than adjoining properties. Further, as a result of increasing the density, this also decreases the amount of dedicated open space and natural features that similar density subdivisions were able to preserve.

In conclusion, the proposed Change-in-Conditions may not be consistent with the 2030 Unified Plan policies to encourage compatible infill development as well as open space and conservation areas. Further, the net density and amount of dedicated open space may be out of character with the development patterns of the area. Therefore, the Department of Planning and Development recommends **DENIAL** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Note: The following conditions are provided as a guide should the Board of Commissioners choose to approve this petition.

RZR2016-00026

Additions in **bold**

Deletions in ~~strikethrough~~

Approval as R-75 for a Single-Family Subdivision, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Single-family residential and accessory uses and structures.
 - B. The maximum number of lots shall be **44** ~~38~~. No lots shall be allowed within the existing 60 foot water easement.
 - C. Only the access roadway shall be allowed to cross the existing water easement and within any stream buffers as shown on the site plan submitted **to the Department of Planning and Development on January 9, 2018** ~~at the December 7, 2016 Planning Commission meeting~~, subject to the review and approval of the Department of Water Resources.
 - D. The minimum heated floor area per dwelling shall be 2,700 square feet.
 - E. Homes shall be constructed with front facades of brick and/or stacked stone. The rear of the homes may be the same, cedar plank or fiber-cement siding with a minimum three-foot brick or stacked stone water table.
 - F. All dwellings shall have at least a double-car garage.
2. To satisfy the following site development considerations:
 - A. Natural vegetation shall remain on the property until the issuance of a development permit.
 - B. No direct lot access shall be allowed to Buford Dam Road.
 - C. The Buford Dam Road frontage shall be landscaped and maintained by the Homeowner's Association, and shall include a landscaped entrance feature, a decorative wrought iron fence with brick columns spaced 30 feet on center and landscaping along the entire frontage. Landscaping, fencing and monument signage plans shall be subject to review and approval of the Director of Planning and Development.

- D. All grassed areas on dwelling lots shall be sodded.
- E. Underground utilities shall be provided throughout the development.
- F. The detention pond(s) shall be screened from all residential properties.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The request to modify existing zoning conditions to allow an increase in the number of residential lots, increasing the density of the development and decreasing the amount of dedicated open space, may not be suitable given its location within an area of both low density single-family residential development and large areas of preserved open space.

ADVERSE IMPACTS

Adverse impacts could be anticipated on adjacent properties from the proposed plan revision by setting a precedent for future higher density residential development in the area and decreased preservation of natural environmental features.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

Increased impacts could be anticipated in the form of traffic, utilities usage, stormwater runoff, and the number of school-aged children.

CONFORMITY WITH POLICIES

The requested Change-in-Conditions to revise or delete the zoning conditions may not be appropriate in view of the 2030 Unified Plan policies for the Existing/Emerging Suburban Character Area. The proposed increase in density and decrease in open space could be considered inconsistent with this character area, which encourages designated open space and the preservation of natural features which may be beneficial for the new subdivision and surrounding properties.

CONDITIONS AFFECTING ZONING

The location of the subject property within a well-established low density residential area that also dedicates large areas of open space and preservation of streams does not support the approval of this request.

CHANGE IN CONDITIONS APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

THE APPLICANT BELIEVES THE PURPOSED USE IS SUITABLE

- (B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

THE PUPOSED USE WILL NOT CHANGE NOR HAVE AN ADVERSE AFFECT

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

THE APPLICANT BELIEVES PROPERTY DOES NOT HAVE A FULL VALUE AS ZONED

- (D) WHETHER THE PROPOSED CHANGE IN CONDITIONS WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

THE PURPOSE CHANGE WILL NOT PRODUCE AN ADVERSE AFFECT

- (E) WHETHER THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

YES R-75 ALLOWS FOR 2.3 UNITS PER ACRE

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED CHANGE IN CONDITIONS:

SEE LETTER OF INTENT

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Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the change of conditions request will constitute a taking of property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, and Article P, Section 1, Paragraph 1, and Article 1, Section 3 Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

.....
PLANNING DIVISION USE ONLY

CASE NUMBER _____

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CHANGE OF CONDITIONS APPLICANT'S LETTER OF INTENT

The Applicant, White Horse 70, LLC., requests a change in conditions on 20.265 acres to develop a Single Family detached subdivision. To develop the site to its full and best use, the Applicant respectfully requests the number of approved developed lots be increased from 38 to 44 lots. The subject property is located at 2053 Buford Dam Road and is found in the 7th district, land lot 334 in Gwinnett County.

The reason for requesting the additional 6 lots is that, after the December 20, 2016 zoning hearing, it was determined that the site DID NOT have the two streams (creeks) that were shown on the original site plan (as submitted for the December hearing).

The site was evaluated by Tallman Environmental. Tallman determined that the two stream areas indicated on the original site plan were not Waters of the State. Their report was further reviewed by Land Development Engineering and the findings were confirmed. The Tallman letter is attached (with the full report available upon your request). The removal of the two misidentified streams allowed for an additional six lots to be located on the site.

The enclosed, updated site plan allows 44 units on the subject site. This site plan shows that the project will have one entrance onto Buford Dam Road. The minimum heated square footage for the dwellings will remain as zoned a minimum of 2,700 square feet for all homes with a maximum height of 35 feet. The price range for the homes will remain from the mid \$300s and up. All other conditions, as approved by the Board of Commissioners on December 20, 2016, will remain the same (see attached).

The two subdivisions along the sides of the property are in the City of Buford and are on septic tank lots. The subdivision to the rear, Little Mill Farms, is in the county and is connected to sanitary sewer and has lots the same size as the applicant is proposing.

The previously approved 38 lots had a density factor of 1.875 units per acre with the requested 44 lots only having a density factor of 2.17 units per acre. This is within the R-75 zoning allowance of 2.30 units per acre.

While there is no open space required, the applicant is providing 3.14 acres, or 16% of the property, as open space. This open space will be dedicated for use by and benefit of all residents and maintained by the mandatory Home Owners Association.

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CIC '18 006

Tallman Environmental

December 4, 2017

Kenneth Harwell
Land Development Engineering
2830 Amberly Hills Trail
Dacula, Georgia 30019
Phone 678-485-6286

Subject: 2053 Buford Dam Road (19.958 acres)
Buford, Gwinnett County, Georgia

Kenneth:

Tallman Environmental has completed a site reconnaissance to assess jurisdictional waters, including streams and wetlands, on the Buford Dam Road tract, located at 2830 Buford Dam Road in Buford, Gwinnett County, Georgia. The property consists of approximately 19.958 acres and is comprised of single-family residential structure and a storage building. The purpose of the site reconnaissance was to assess areas on the property that may require local/state buffers and that may also be regulated by the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act.

State Waters

The subject property was investigated for the presence of streams and other hydrologic features that might be considered state waters. Indicators used to identify jurisdictional streams included the following: wretched vegetation within the channel, sediment sorting, ordinary high water mark, evidence of recent persistent flow, and/or evidence of subsurface hydrology. Hydrologic features were also evaluated using the North Carolina, Division of Water Quality Methodology for Identification of Intermittent and Perennial Streams and Their Origins (Version 4.11, September 2010). At the time of the November 29, 2017 site reconnaissance, unnamed tributaries to Richland Creek were observed on the subject property. These features are depicted on the Delineation Map, which is included as an attachment to this letter.

Jurisdictional Waters of the U.S.

An assessment of wetlands and other jurisdictional waters of the U.S. was also conducted on the property at the time of the November 29, 2017 site reconnaissance. The subject property was assessed for the following parameters in accordance with guidelines for wetland delineation as presented in the 1987 manual and the regional supplement:

- 1) Prevalence of hydrophytic vegetation;
- 2) Hydric soils; and,
- 3) Permanent or periodic inundation or saturation.

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2095 Highway 211 NW 2F #116, Braselton, Georgia 30517
770.364.9715 connie@tallmans.net

(Buford Dam Road, page 2)

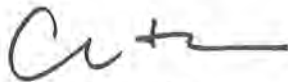
In order for an area to qualify as a wetland, it must satisfy all three of the above-referenced criteria. One area meeting the criteria was identified, flagged, and surveyed using submeter accuracy GPS. Routine Wetland Determination Data Forms were prepared to document the vegetation, hydrology, and soil conditions at the time of the reconnaissance.

It is the opinion of Tallman Environmental that the tributaries identified on the Delineation Map should be considered state waters. However, the wetland area has no discrete or discernable dominant channel, and should not be considered state waters based on the conditions observed at the time of the site visit. Please note that only the local issuing authority can make an official state waters designation.

The tributaries and wetlands on the subject property should be considered jurisdictional waters of the U.S. Pursuant to the Savannah District USACE Regional Conditions for Nationwide Permit 29, if any stream impacts are proposed, permitting with the USACE will be required. However, the current plan does not depict any impacts to waters of the U.S. Please feel free to contact me with questions or concerns. Thank you for the opportunity to work with you on this project.

Sincerely,

TALLMAN ENVIRONMENTAL



Connie Tallman
Wetlands Specialist

Attachments:
Vicinity Map
USGS Topographic Map
Delineation Map
Site Photographs
Wetland datasheets
Stream Forms
NRCS Soils Map
National Wetland Inventory Map
WETS data
Georgia Rainfall Data

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2095 Highway 211 NW 2F #116, Braselton, Georgia 30517
770.364.9715 connie@tallmans.net

Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, April 2018

Case #	Schools	Current Projections									Proposed Zoning	
		2017-18			2018-19			2019-20				
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under		
RZM2018-00003	Peachtree Ridge HS	3,312	3,050	262	3,378	3,050	328	3,446	3,050	396	Approximate additional Student Projections from Proposed Developments	
	Hull MS	1,279	1,750	-471	1,298	1,750	-452	1,318	1,750	-432		39
	Burnette ES	696	825	-129	686	825	-139	697	825	-128		28
RZM2018-00004	Grayson HS	3,019	2,125	894	3,116	2,125	991	3,216	2,125	1,091	55	
	Couch MS	998	1,150	-152	1,013	1,150	-137	1,028	1,150	-122	45	
	Starling ES	956	1,200	-244	975	1,200	-225	995	1,200	-205	32	
RZR2018-00006	Mill Creek HS	3,647	2,800	847	3,605	2,800	805	3,649	2,800	849	63	
	Osborne MS	1,681	1,575	106	1,640	1,575	65	1,665	1,575	90	51	
	Duncan Creek ES	1,232	1,300	-68	1,257	1,300	-43	1,282	1,300	-18	37	
RZR2018-00007	Mill Creek HS	3,647	2,800	847	3,605	2,800	805	3,649	2,800	849	72	
	Osborne MS	1,681	1,575	106	1,640	1,575	65	1,665	1,575	90	17	
	Duncan Creek ES	1,232	1,300	-68	1,257	1,300	-43	1,282	1,300	-18	12	
CIC2018-00006	Lanier HS	1,811	1,900	-89	1,865	1,900	-35	1,921	1,900	21	24	
	Lanier MS	1,508	1,700	-192	1,523	1,700	-177	1,569	1,700	-131	14	
	White Oak ES	755	1,000	-245	770	1,000	-230	786	1,000	-214	10	

Current projections do not include new developments

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GWINNETT COUNTY
BOARD OF COMMISSIONERS
LAWRENCEVILLE, GEORGIA

CIC 18 00 6

RESOLUTION ENTITLED: Amendment to the Official Zoning Map of Gwinnett County

ADOPTION DATE: DECEMBER 20, 2016

At the regular meeting of the Gwinnett County Board of Commissioners held in the Gwinnett Justice and Administration Center, Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

Name	Present	Vote
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Yes	Aye
Lynette Howard, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
John Heard, District 4	Yes	Aye

On motion of Commissioner COMM. HEARD, which carried a 5-0 vote, the following Resolution to Amend the Official Zoning Map of Gwinnett County is hereby adopted:

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from R-100 to R-75 by WHITE HORSE 70, LLC for the proposed use as a SINGLE-FAMILY SUBDIVISION on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on DECEMBER 20, 2016 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, that the aforesaid application to amend the Official Zoning Map from R-100 to R-75, is hereby **APPROVED** with the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Single-family residential and accessory uses and structures.
 - B. The maximum number of lots shall be 38. No lots shall be allowed within the existing 60 foot water easement.
 - C. Only the access roadway shall be allowed to cross the existing water easement and within any stream buffers as shown on the site plan submitted at the December 7, 2016 Planning Commission meeting, subject to the review and approval of the Department of Water Resources.
 - D. The minimum heated floor area per dwelling shall be 2,700 square feet.
 - E. Homes shall be constructed with front facades ~~and sides~~ of brick and/or stacked stone. The sides and rear of the homes may be the same, cedar plank or fiber-cement siding with a minimum three-foot brick or stacked stone water table.
 - F. All dwellings shall have at least a double-car garage.
2. To satisfy the following site development considerations:
 - A. Natural vegetation shall remain on the property until the issuance of a development permit.
 - B. No direct lot access shall be allowed to Buford Dam Road.
 - C. The Buford Dam Road frontage shall be landscaped and maintained by the Homeowner's Association, and shall include a landscaped entrance feature, a decorative wrought iron fence with brick columns spaced 30 feet on center and landscaping along the entire frontage. Landscaping, fencing and monument signage plans shall be subject to review and approval of the Director of Planning and Development.
 - D. All grassed areas on dwelling lots shall be sodded.
 - E. Underground utilities shall be provided throughout the development.

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F. The detention pond(s) shall be screened from all residential properties.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 1/5/17

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk

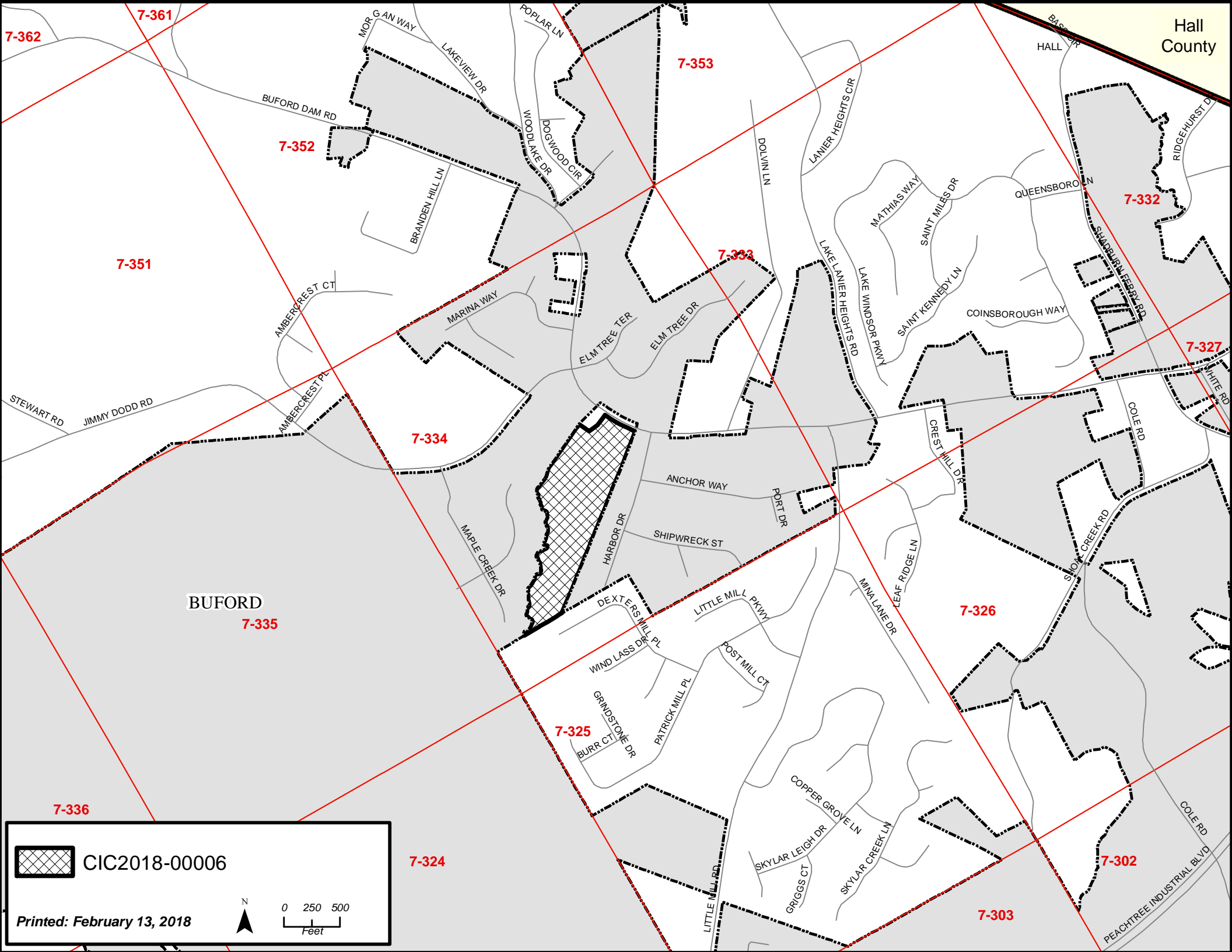



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 CIC2018-00006

Printed: February 13, 2018



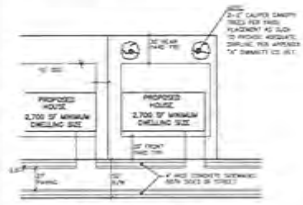
0 250 500
Feet

GENERAL NOTES

- TOTAL AREA: 22.50 ACRES
- TOTAL NUMBER OF LOTS: 44
- EXISTING DRIVE: R-75 SHOWS EXISTING UTILITIES.
- SETBACKS:
 - FRONT SETBACK - 44 FEET (22.50 ACRES) - 2,111 SQUARE FEET
 - REAR SETBACK - 44 FEET (22.50 ACRES) - 2,111 SQUARE FEET
 - LEFT SIDE SETBACK - 44 FEET (22.50 ACRES) - 2,111 SQUARE FEET
 - RIGHT SIDE SETBACK - 44 FEET (22.50 ACRES) - 2,111 SQUARE FEET
 - TOTAL SIDE SETBACK - 88 FEET
 - TOTAL SIDE SETBACK AREA - 1,960 SQUARE FEET
- 3000 SQUARE FEET - 4-70
 - FRONT - 30 FEET
 - REAR - 30 FEET
 - LEFT - 30 FEET
 - RIGHT - 30 FEET
 - MINIMUM LOT SIDE SETBACK - 30 FEET
 - MIN. WIDTH OF DRIVE BUILDING LINE - 70 FEET
 - MIN. SETBACK FROM DRIVE TO DRIVE - 100 FEET
- A PORTION OF THIS PHASE OF DEVELOPMENT IS LOCATED IN A DESIGNATED FLOODPLAIN ACCORDING TO FEMA FLOOD INSURANCE RATE (FIR) MAPS WHICH ARE ON FILE.
- CONVEYANCE OF THIS PHASE OF DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT AND IS THE RESPONSIBILITY OF THE HOMEOWNER TO OBTAIN NECESSARY PERMITS FROM THE LOCAL GOVERNMENT.
- ALL LOTS TO BE OPENED BY CONVEYANCE COUNTY SHOWN FROM SURVEY RECORDS.
- ALL CHECKS ARE TO BE MADE BY THE BUYER AND SIGNED BY A QUALIFIED PROFESSIONAL ENGINEER.

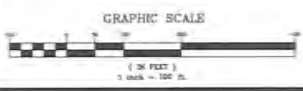
BLOCK & LOT CHART

BLOCK	NO. OF LOTS
A	44
TOTAL	44



R-75 TYPICAL LOT LAYOUT
NOT TO SCALE

- NOTES:**
- ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.
 - A MINIMUM OF 100 FEET SETBACK FROM DRIVE SHALL BE MAINTAINED AT ALL TIMES TO THE DEGREE OF ACCURACY.



LEGEND

- 1" = 100'
- 2" = 100'
- 3" = 100'
- 4" = 100'
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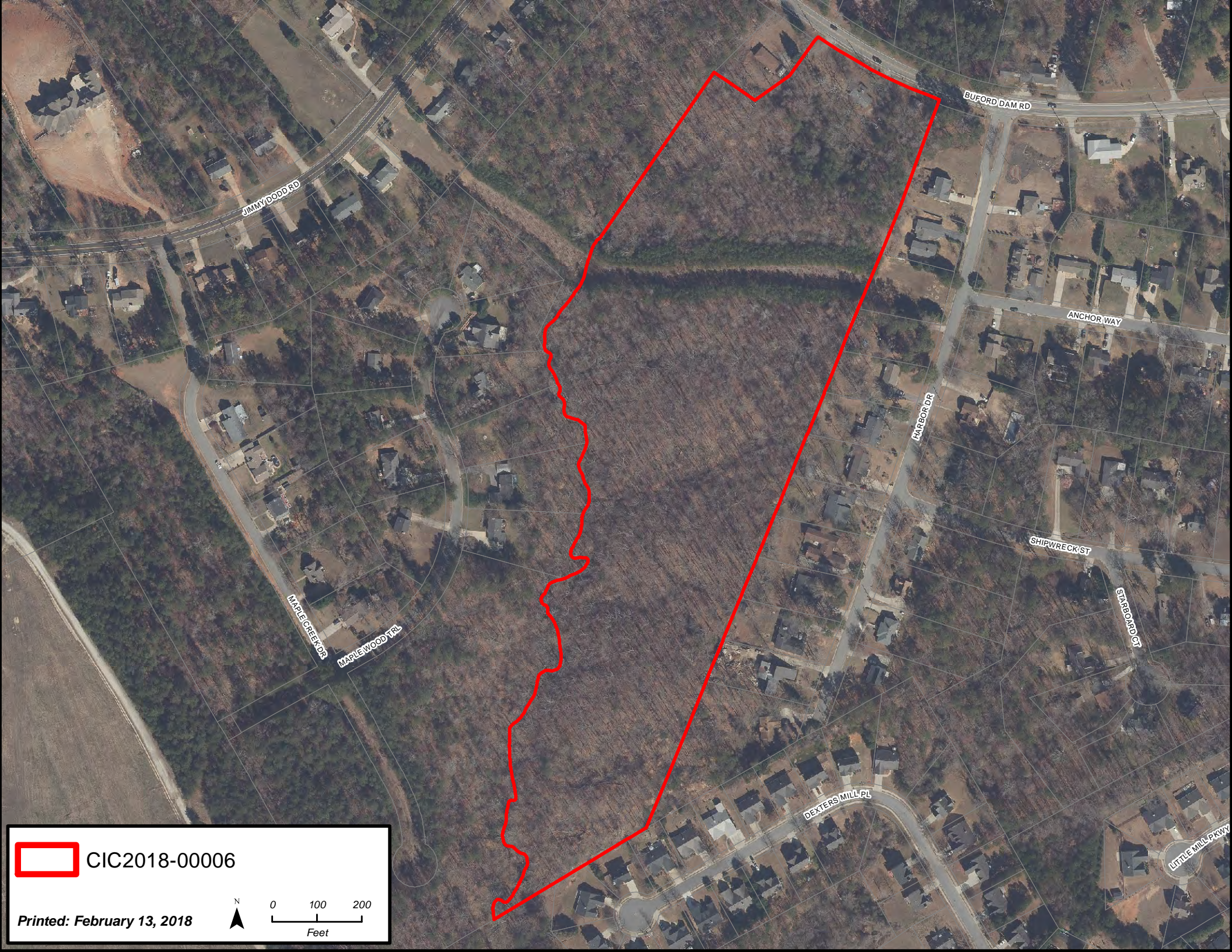
PROJECT NAME: BIRWOOD DAM HOLD TRACT
 LOCATED IN LAND DISTRICT OF GWINNETT COUNTY, GEORGIA
 CLIENT NAME:

LAND DEVELOPMENT ENGINEERING, INC.
 1000 AMHERST HILLS TRAIL, GWINNETT, GA 30040
 (770) 402-8888 FAXING 770-402-8888



STAMP
 RHH
 DRAWN BY
 12/16/17
 DATE
 16-011
 JOB NUMBER
 RECORDING EXHIBIT

SHEET TITLE
 1
 SHEET NUMBER



JIMMY DODD RD

BUFORD DAM RD

ANCHOR WAY

HARBOR DR

SHIPWRECK ST

STARBOARD CT

MAPLE CREEK DR

MAPLE WOOD TRL

DEXTERS MILL PL

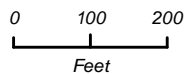
LITTLE MILL PKWY

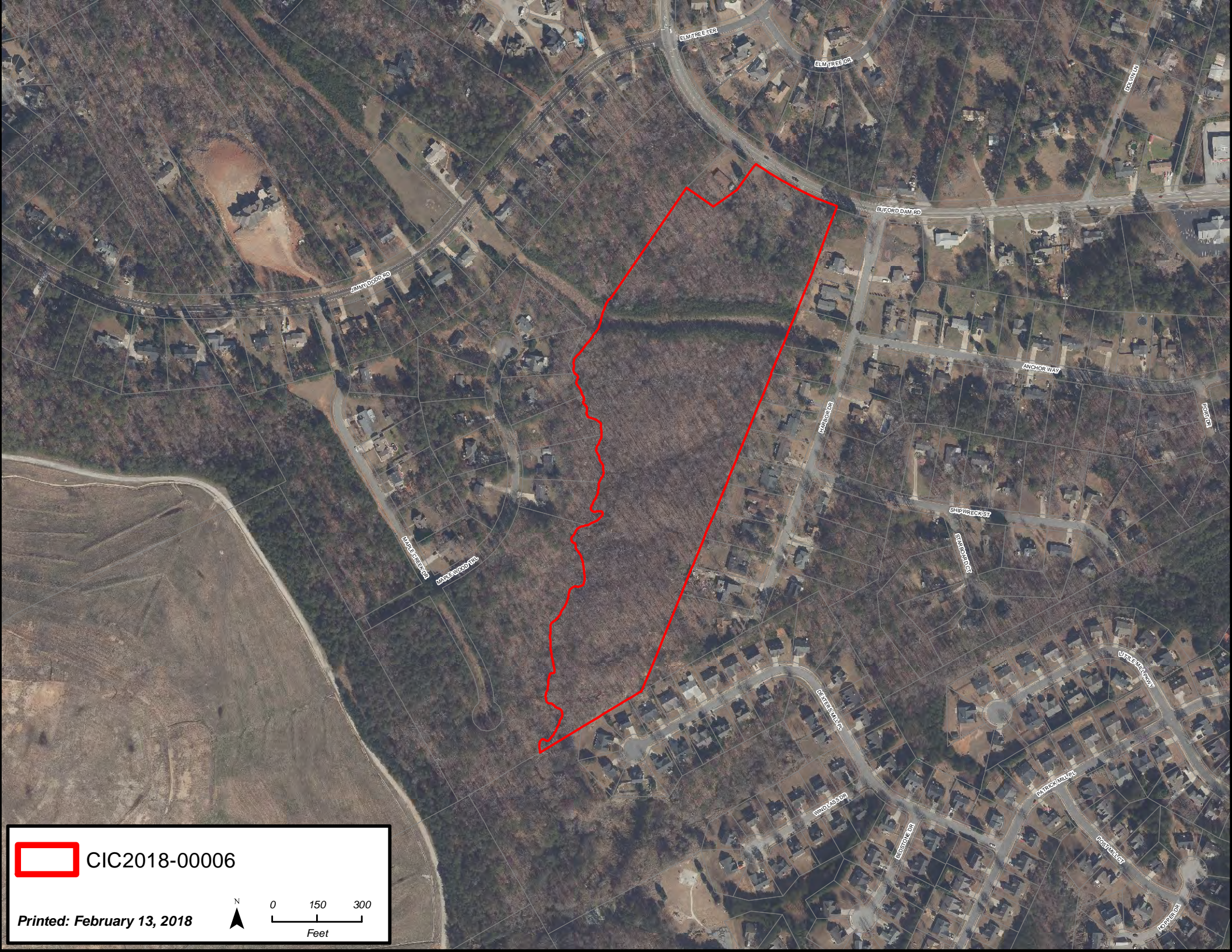


CIC2018-00006



Printed: February 13, 2018





ELMTREE TER

ELMTREE CR

DELMAY

BLUFORD DAM RD

JIMMY DODD RD

ANCHOR WAY

BARBORA DR

POPLAR

SHIPWRECK ST

ELMWOOD DR

MARCE GEEPER DR

MARLEWOOD DR

DEPERVILLE

WATERBURY CRY

WINDUSS DR

PATRICK MILL LN

BERTRAM DR

POSTHILL CT

POPLES LN



CIC2018-00006



0 150 300
Feet

Printed: February 13, 2018

R100MOD

7-352

MARINA WAY

R100

MARINA WAY

RA100

ELM TREE TER

ELM TREE DR

RL

DOLYN LN

7-333

C2

R100

JIMMY DODD RD

R100

R100

BUFORD DAM RD

P

OI

R100

HARBOR DR

7-314

ANCHOR WAY

R100CSO

R75

PORT DR

R100

7-316

MAPLE CREEK DR

SHIPWRECK ST

7-335

BUFORD

P

DEXTERS MILL PL

7-325

R100

R100MOD

LITTLE MILL PKWY

PATRICK MILL PL

POST MILL CT

HOPPER DR

LITTLE MILL RD



CIC2018-00006



0 100 200
Feet

Printed: February 13, 2018

7-324

R100MOD

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
CHANGE IN CONDITIONS ANALYSIS**

CASE NUMBER :**CIC2018-00008**
ZONING :R-100 MOD
LOCATION :3300 BLOCK OF HALL ROAD
MAP NUMBER :R5345 001
ACREAGE :33.02 ACRES
PROPOSAL :CHANGE IN CONDITIONS OF ZONING
COMMISSION DISTRICT :(3) HUNTER

FUTURE DEVELOPMENT MAP: RURAL ESTATE

APPLICANT: DR HORTON INC.
C/O MAHAFFEY PICKENS TUCKER, LLP
1550 NORTH BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACT: SHANE LANHAM PHONE: 770.232.0000

OWNER: JAMES M. GRINER
1090 HOLLAND ROAD
POWDER SPRINGS, GA 30127

DEPARTMENT RECOMMENDATION: DENIAL

PROJECT DATA:

The applicant requests a Change in Conditions of previously approved 2006 zoning cases RZR2006-00011 and SUP2006-00050 to amend conditions of zoning pertaining to 33.02 acres out of the original 33.33-acres development of the subject property. The subject property is located on the north side of Hall Road, west of its intersection with Indian Shoals Road. The property is undeveloped with some wooded areas. Sections of the western property line are adjacent to a stream. The 2006 zoning case was for a rezoning from RA-200 (Agriculture-Residence District) to R-100 MOD for a 76 unit modified single-family subdivision however, it was approved for 70 units.

Condition I.C of RZR2006-00011 requires the buildings to have four sides with specific materials.

I.C Homes shall be constructed primarily (four-sides) of brick, stacked stone or stucco. Minor treatments of fiber cement, cedar shake and wood are allowed. The balance of the home may be the same or of fiber-cement siding.

The applicant is requesting to replace this condition with the following wording:

I.C At a minimum, homes shall be constructed with front façades of primarily brick, stacked stone, fiber-cement siding and/or shake. No more than 25% fiber-cement shake or siding accents shall be allowed on the front façade. The balance of the home may be the same or fiber-cement siding and/or shake.

The site layout proposed is similar to the one submitted in 2006, with minor changes to meet the required conditions.

ZONING HISTORY:

The subject property was zoned RA-200 in 1970. In 2006 there was a rezoning from RA-200 to R-100MOD pursuant to RZR2006-00011 with a special use permit pursuant to SUP2006-00050.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property contains areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development. The applicant/developer shall obtain all required approvals from the Gwinnett County Department of Water Resources and the U.S. Army Corps of Engineers for construction or land disturbance activities which may impact floodplain or wetland areas.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Hall Road is a Local Street and 30 feet of right-of-way is required from the centerline.

Commercial entrances shall be provided to the site per current development regulations.

Standard deceleration lane with appropriate taper and adequate right-of-way will be required.

The developer shall be limited to one curb cut.

Prior to the issuance of a Development Permit, a sight distance certification shall be provided.

Minimum separation from a driveway, public road, or side street shall be provided as specified in the Gwinnett County Unified Development Ordinance.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of an eight-inch water main located on the northeast right-of-way of Hall Road and an eight-inch water main located on the northwest right-of-way of Indian Shoals Road.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of eight-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an eight-inch sanitary sewer main located approximately 225 feet north of parcel R5345 001 on parcel R5345 236.

The subject development is located within the Brooks Road service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide

easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject property is a 33.02-acre tract located on the north side of Hall Road, west of its intersection with Indian Shoals Road. The property is undeveloped with some wooded areas. Sections of the western property line are adjacent to a stream. The applicant is requesting a change in wording to one of the conditions pertaining to architectural requirements.

The Gwinnett County 2030 Unified Plan Future Development Map indicates this property is within a Rural Estate Character Area. This character area encourages preserving the rural lifestyle and heritage of Gwinnett county which includes to preserve the look and feel of this area. The property also lies within the Existing/Emerging Suburban Character Area which encourages architectural character compatible with existing development. The homes on Hall Road and Indian Shoals Road have multi-sided brick and/or stone façades. The zoning approval in 2006 would be a precedent by requiring four-sides brick development that would match the homes in the area. Therefore the lessening of architectural requirements may not be consistent with the original intent of the 2006 rezoning requirements.

The subject property is surrounded by rural and single-family residential uses. Immediately adjacent to the north, east, south, and west are single-family homes zoned RA-200. As previously stated, some of these homes were not built when the rezoning in 2006 was approved however; they were developed with multi-sides brick to maintain the rural look and feel of estate homes.

In conclusion, the request for a change in conditions to reduce architectural requirements may not be consistent with policies of the 2030 Unified Plan to preserve rural character in eastern Gwinnett County. Therefore, the Department of Planning and Development recommends **DENIAL** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

RZR2006-00011 & SUP2006-00050

Additions in **bold**

Deletions in ~~strikethrough~~

NOTE: The following conditions are provided as a guide should the Board of Commissioners choose to approve the petition.

Approval as R-100 Modified (Single-Family Residence District Modified), subject to the following enumerated conditions:

I. To restrict the use of the property as follows:

- A. Single-family subdivision, and accessory uses and structures with a maximum of 70 lots (2.1 units per acre).
- B. The minimum heated floor area per dwelling unit shall be 2,300 square feet for one-story homes and 2,600 square-feet for two-story homes.
- C. Homes on lots 61 through 70 as shown on the site plan received on February 2, 2018, shall be constructed primarily (four-sides) of brick, stacked stone or stucco. Minor treatments of fiber cement, cedar shakes and wood are allowed. The balance of the home may be the same or of fiber-cement siding. The remainder of homes at a minimum, shall be constructed with front facades of primarily brick, stacked stone, fiber-cement siding and/or shake. No more than 25% fiber-cement shake or siding accents shall be allowed on the front façade. The balance of the home may be the same or of fiber-cement siding.**
- D. Provide a minimum 200-foot building setback adjacent to Hall Road.
- E. A mandatory homeowners association shall be established.
- F. The mature oak at the entrance shall be preserved. Install orange tree save fencing at the drip line prior to land disturbance.

2. To satisfy the following site development considerations:

- A. Provide a landscaped buffer along Hall Road that includes plantings for screening and four rail wood horse fencing with stone or brick columns. Design subject to review of the Director of Planning and Development.

- B. Exits/entrances shall be in accordance with the Gwinnett County Development Regulations and subject to the approval of the Department of Transportation.
- C. Provide stub streets as may be required by the Department of Planning and Development.
- D. All utilities shall be placed underground.
- E. All grassed areas on dwelling lots shall be sodded.
- F. Natural vegetation shall remain on the property until the issuance of a subdivision development permit.
- G. Any detention pond visible from Hall Road shall be screened with a double staggered row of evergreen plantings.
- H. A 25-foot construction buffer shall be maintained along exterior property lines.
- I. Mass grading shall be prohibited on the wooded lots.

3. To abide by the following requirements, dedications, and improvements:

- A. A statement shall be placed on the final plat in order to notify future homeowners of the proposed subdivision that they are moving into a rural area customarily used for the raising of hogs, cows, chickens, horses, and other farm animals, and for crops, which may cause noises and odors typical of a rural area.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The subject site is surrounded by RA-200 zoned properties developed with a rural estate look and feel, including multi-sides brick. Changing the condition to allow for a development with reduced architectural requirements may not be suitable in light of adjacent development.

ADVERSE IMPACTS

Approval of this request may result in adverse visual impacts to the neighboring properties that have been developed with higher architectural standards.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as zoned.

IMPACT ON PUBLIC FACILITIES

This request will result in no additional impacts than expected from the original rezoning.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates the property is located within the Rural Estate, and Existing Emerging Suburban Character Areas. The requested change in conditions to reduce the four-side brick may not be consistent with the recommendations of the Unified Plan, which support preserving the rural lifestyle and heritage of Gwinnett County and architectural character compatible with existing development.

CONDITIONS AFFECTING ZONING

The original case was approved with conditions designed to protect surrounding properties and promote compatibility with nearby residences and developments, the proposed change in conditions may not be suitable at this location.

CHANGE IN CONDITIONS APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Please see attached

- (B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

Please see attached

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

Please see attached

- (D) WHETHER THE PROPOSED CHANGE IN CONDITIONS WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

- (E) WHETHER THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Please see attached

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED CHANGE IN CONDITIONS:

Please see attached

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CHANGE IN CONDITIONS APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) The subject property is surrounded by residential developments. The proposed development of a single family residential subdivision will permit a use that is suitable in view of the use and development of adjacent and nearby properties.
- (B) No. The proposed development will not adversely affect the existing use or usability of adjacent or nearby property. Rather, the proposed development would be compatible with the development on adjacent and nearby property.
- (C) No. In light of market conditions the property has no reasonable economic use as currently zoned. The Applicant's requested use as a single family residential development under the modified conditions will permit a more suitable and appropriate development.
- (D) The proposed development is located in an area with public water and sewer availability and convenient access to major roadways. It will not cause an excessive use of the infrastructure systems.
- (E) Yes. The proposed rezoning is in conformance with the Gwinnett County 2030 Unified Plan in that it provides for low-density single family residential development within the Rural Estate Character Area.
- (F) The zoning classifications and recent development of nearby properties give additional supporting grounds for the approval of the requested change in conditions.

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CIC '18 008

Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Mary Grace Griffin
Christopher D. Holbrook
Nicholas N. Kemper

Shane M. Lanham
Austen T. Mabe
Jeffrey R. Mahaffey
David G. McGee
Steven A. Pickens
Andrew D. Stancil
R. Lee Tucker, Jr.
*Of Counsel

LETTER OF INTENT FOR CHANGE IN CONDITIONS
APPLICATION OF DR HORTON INC.

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and the attached Change in Conditions Application (the “Application”) on behalf of DR Horton, Inc. (“the Applicant”) for the purpose of modifying an existing zoning on an approximately 33.32-acre tract of land located off of Indian Shoals Road on Hall Road just east of Bold Springs Road (the “Property”). The Property is currently zoned R-100 Modified pursuant to companion cases RZR2006-00011 and SUP2006-00050 (the “Current Zoning”). Condition 1(C) of the Current Zoning provides that:

“Homes shall be constructed primarily (four-sides) of brick, stacked stone, or stucco. Minor treatments of fiber cement, cedar shakes and wood are allowed. The balance of the home may be the same or of fiber-cement siding.”

The Applicant is requesting to modify this condition as follows:

“At a minimum, homes shall be constructed with front facades of primarily brick, stacked stone, fiber-cement siding and/or shake. No more than 25% fiber-cement shake or siding accents shall be allowed on the front façade. The balance of the home may be the same or fiber-cement siding and/or shake.”

Approval of the Application would allow the development of the subject Property in light of current market conditions and in a manner that is compatible with surrounding uses and developments. Although rezoned in 2006, the Property has remained undeveloped. The Applicant’s proposed condition language is similar other zoning conditions related to building

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materials that have been included in recent land use cases. The proposed development would include a single entrance off of Hall Road with a large area of open space along the westerly property line as well as another large area of open space towards the northerly portions of the Property.

The Applicant and its representatives welcome the opportunity to meet with the staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Change in Conditions Applications filed herewith. The Applicant respectfully requests your approval of these Applications.

Respectfully submitted this 2nd day of February, 2018.

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham
Attorneys for Applicant

CIC '18 008

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Planning & Development

CASE NUMBER RZR-06-011
GCID 2006-0433

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	VOTE
Charles Bannister, Chairman	<u>AYE</u>
Lorraine Green, District 1	<u>AYE</u>
Albert Nasuti, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. BEAUDREAU, which carried 5-0, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from

RA-200 to R-100 MODIFIED
by DUNEDIN WALK, LLC for the proposed use of
on a tract of land described by the attached legal description,
which

is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on APRIL 25, 2006 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 25TH day of APRIL, 2006, that the aforesaid application to amend the Official Zoning Map from RA-200 to R-100 MOD is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Single-family subdivision, and accessory uses and structures with a maximum of 70 lots (2.1 units per acre).
 - B. The minimum heated floor area per dwelling unit shall be 2,300 square feet for one-story homes and 2,600 square-feet for two-story homes.
 - C. Homes shall be constructed primarily (four-sides) of brick, stacked stone or stucco. Minor treatments of fiber cement, cedar shakes and wood are allowed. The balance of the home may be the same or of fiber-cement siding.
 - D. Provide a minimum 200-foot building setback adjacent to Hall Road.
 - E. A mandatory homeowners association shall be established.

- E. The mature oak at the entrance shall be preserved. Install orange tree save fencing at the drip line prior to land disturbance.
2. To satisfy the following site development considerations:
- A. Provide a landscaped buffer along Hall Road that includes plantings for screening and four rail wood horse fencing with stone or brick columns. Design subject to review of the Director of P&D.
 - B. Exits/entrances shall be in accordance with the Gwinnett County Development Regulations and subject to the approval of the Department of Transportation.
 - C. Provide stub streets as may be required by the Department of Planning and Development.
 - D. All utilities shall be placed underground.
 - E. All grassed areas on dwelling lots shall be sodded.
 - F. Natural vegetation shall remain on the property until the issuance of a subdivision development permit.
 - G. Any detention pond visible from Hall Road shall be screened with a double staggered row of evergreen plantings.
 - H. A 25-foot construction buffer shall be maintained along exterior property lines.
 - I. Mass grading shall be prohibited on the wooded lots.

3. To abide by the following requirements, dedications, and improvements:

- A. A statement shall be placed on the final plat in order to notify future homeowners of the proposed subdivision that they are moving into a rural area customarily used for the raising of hogs, cows, chickens, horses, and other farm animals, and for crops, which may cause noises and odors typical of a rural area.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: _____

Charles E. Bannister
Charles E. Bannister, Chairman

Date Signed: _____

5/12/06

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



CASE NUMBER SUP-06-050
GCID 2006-0434

BOARD OF COMMISSIONERS
GWINNETT COUNTY
LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Charles Bannister, Chairman	<u>AYE</u>
Lorraine Green, District 1	<u>AYE</u>
Albert Nasuti, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. BEAUDREAU, which carried 5-0, the following resolution was adopted:

A RESOLUTION TO GRANT A SPECIAL USE PERMIT

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application for a Special Use Permit by DUNEDIN WALK, LLC. for the proposed use of MODIFIED SINGLE-FAMILY SUBDIVISION on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Special Use Permit Application has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on APRIL 25, 2006 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 25TH day of APRIL, 2006 that the aforesaid application for a Special Use Permit is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:

- A. Single-family subdivision, and accessory uses and structures with a maximum of 70 lots (2.1 units per acre).
- B. The minimum heated floor area per dwelling unit shall be 2,300 square feet for one-story homes and 2,600 square-feet for two-story homes.
- C. Homes shall be constructed primarily (four-sides) of brick, stacked stone or stucco. Minor treatments of fiber cement, cedar shakes and wood are allowed. The balance of the home may be the same or of fiber-cement siding.
- D. Provide a minimum 200-foot building setback adjacent to Hall Road.
- E. A mandatory homeowners association shall be established.

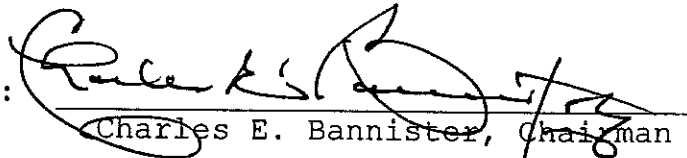
- F. The mature oak at the entrance shall be preserved. Install orange tree save fencing at the drip line prior to land disturbance.
2. To satisfy the following site development considerations:
- A. Provide a landscaped buffer along Hall Road that includes plantings for screening and four rail wood horse fencing with stone or brick columns. Design subject to review of the Director of P&D.
 - B. Exits/entrances shall be in accordance with the Gwinnett County Development Regulations and subject to the approval of the Department of Transportation.
 - C. Provide stub streets as may be required by the Department of Planning and Development.
 - D. All utilities shall be placed underground.
 - E. All grassed areas on dwelling lots shall be sodded.
 - F. Natural vegetation shall remain on the property until the issuance of a subdivision development permit.
 - G. Any detention pond visible from Hall Road shall be screened with a double staggered row of evergreen plantings.
 - H. A 25-foot construction buffer shall be maintained along exterior property lines.
 - I. Mass grading shall be prohibited on the wooded lots.

3. To abide by the following requirements, dedications, and improvements:

A. A statement shall be placed on the final plat in order to notify future homeowners of the proposed subdivision that they are moving into a rural area customarily used for the raising of hogs, cows, chickens, horses, and other farm animals, and for crops, which may cause noises and odors typical of a rural area.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By:


Charles E. Bannister, Chairman

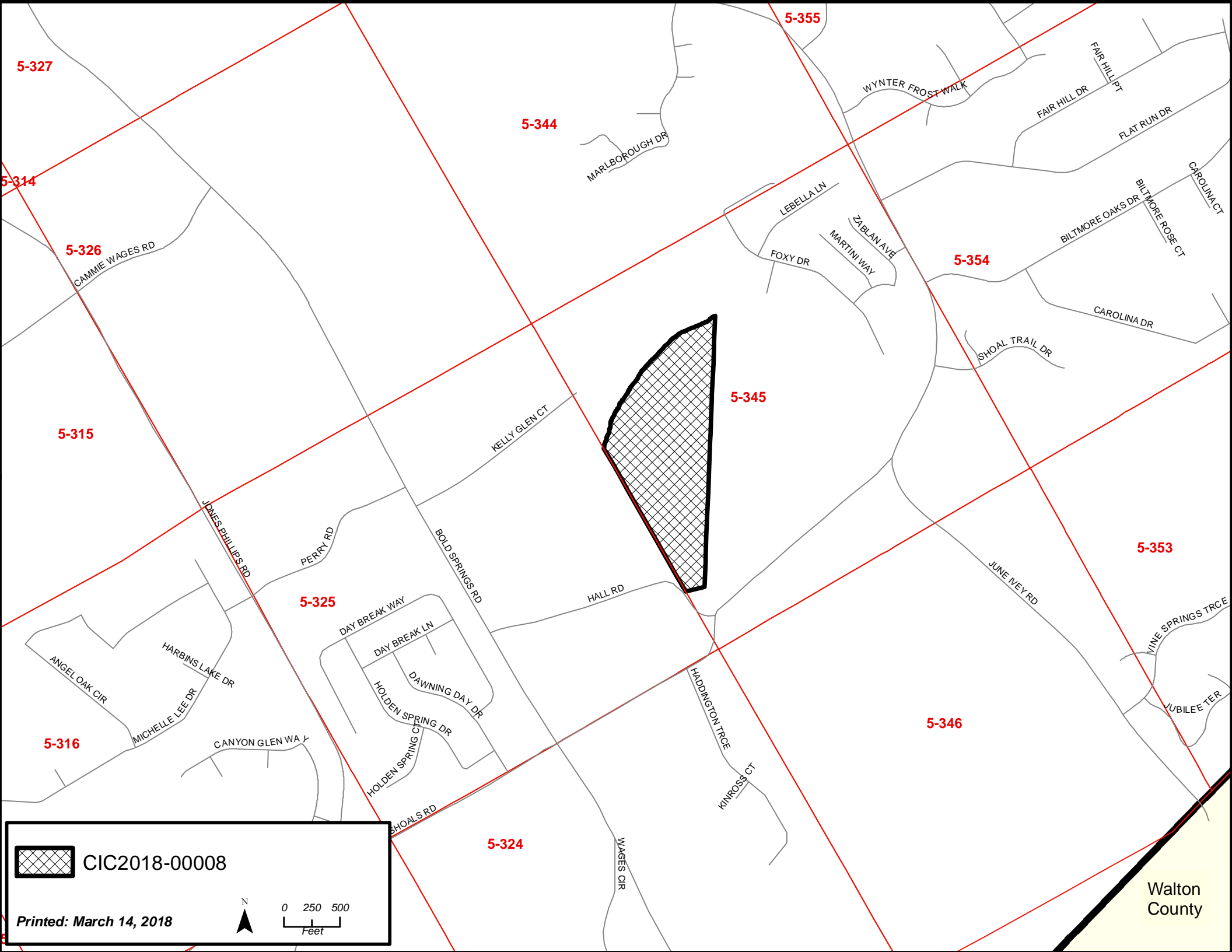
Date Signed:

5/12/06

ATTEST:


County Clerk/Deputy Clerk





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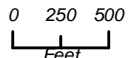
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 CIC2018-00008

Printed: March 14, 2018



Walton County

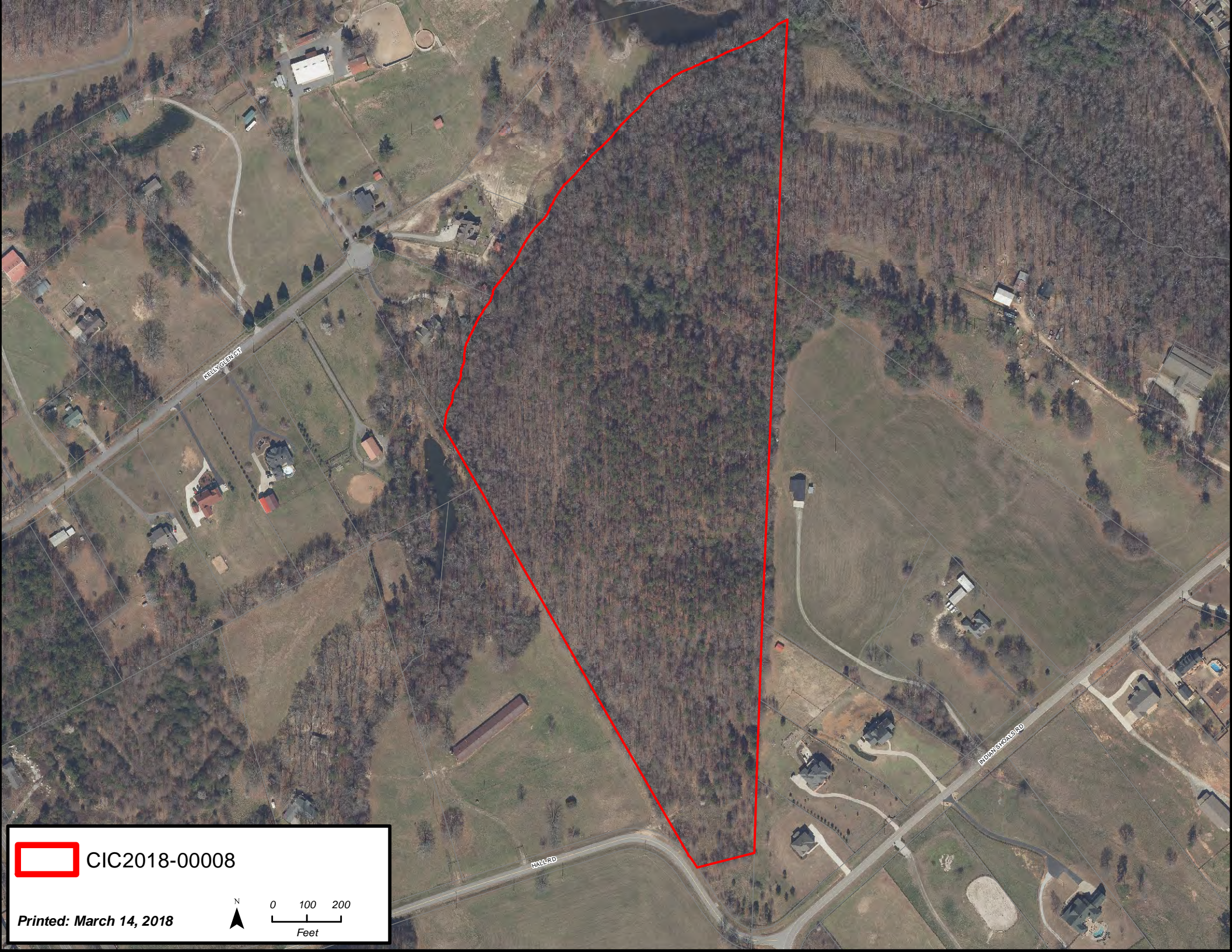


CIC2018-00008



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Feet

Printed: March 14, 2018



KELLEY GLEN CT

HALL RD

HALL RD

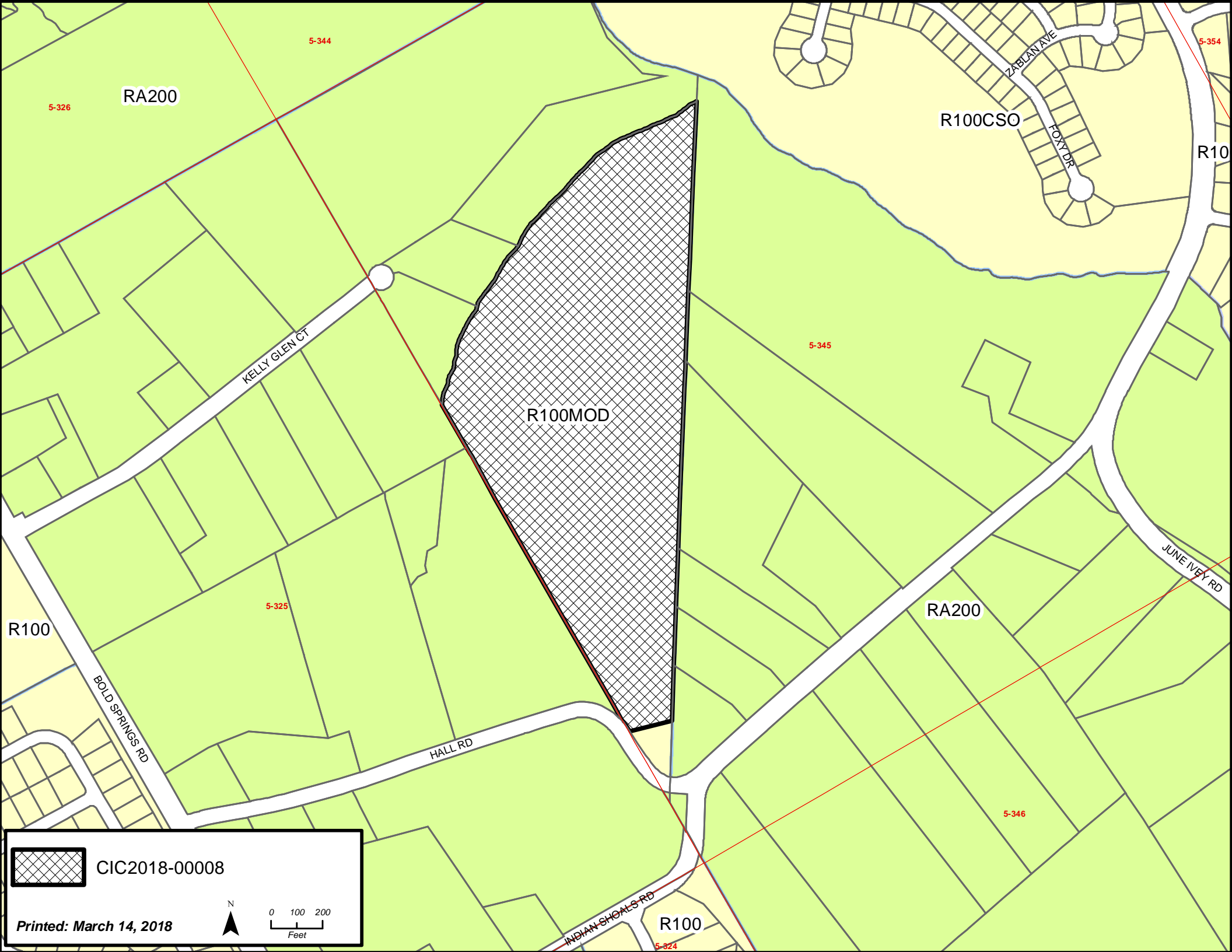


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Printed: March 14, 2018



R100MOD

RA200

R100CSO

R10

KELLY GLEN CT

ZABLUN AVE

FOY DR

JUNE IVY RD

BOLD SPRINGS RD

HALL RD

INDIAN SHOLES RD

5-326

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5-324

 CIC2018-00008

Printed: March 14, 2018

 N

 0 100 200 Feet

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
SPECIAL USE PERMIT ANALYSIS**

CASE NUMBER :**SUP2018-00016**
ZONING :C-1
LOCATION :2900 BLOCK OF OLD NORCROSS ROAD
MAP NUMBER :R7077 097
ACREAGE :1.5 ACRES
SQUARE FEET :9,000 SQUARE FEET
PROPOSED DEVELOPMENT :SPECIAL EVENTS FACILITY
COMMISSION DISTRICT :(1) BROOKS

FUTURE DEVELOPMENT MAP :**MIXED HOUSING TYPES**

APPLICANT: AKBER AND SHAH LLC
2930 OLD NORCROSS ROAD
DULUTH, GA 30096

CONTACT: IMRAN ALI PHONE: 678.858.0999

OWNER: MIN LEE
EN PROPERTY SOLUTIONS LLC
9895 COVENTRY LANE
ALPHARETTA, GA 30022

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests a Special Use Permit for a Special Events Facility on a 1.5-acre property zoned C-1 (Neighborhood Business District). The subject site is located on the southwest side of Old Norcross Road north of the Sweetwater Road intersection and is developed as a two-story strip retail center. This request is in response to a Notice of Violation issued by Code Enforcement in August 2017 for operating the facility since 2014 without a Special Use Permit and parking within a gravel area of the retail center. The applicant intends to continue utilizing 9,000 square feet of the existing 24,725-square foot retail center.

According to discussions with the applicant, the facility has a maximum capacity of 189 people. The events typically run from 5:00 p.m. to 1:00 a.m. or 2:00 a.m. several days a week for 10 to 12 days per month. Staff notes that the existing retail center contains 58 parking spaces with a small gravel parking area along the north property line. A separate Notice of Violation has been issued to the owner of the retail center pertaining to, among other things, gravel parking (CEU2018-02318). There is one direct access point to Old Norcross Road, plus interparcel access to the adjacent Sweetwater retail center to the south.

ZONING HISTORY:

In 1970, the property was zoned M-2 (Heavy Industry District). The property was rezoned to RM (Multifamily Residence District) by an areawide rezoning in 1975. In 1985, the property was rezoned to M-1 (Light Industry District), pursuant to REZ1985-00220. A change in zoning conditions to allow manufacturing uses was approved pursuant to REZ1990-00047. In 1994, the property was rezoned to C-1 for a shopping center with various special uses pursuant to REZ1994-00031 and SUP1994-00013. In 2006, a buffer reduction request was approved on the site to reduce a required 50-foot wide buffer to a 25-foot wide buffer adjacent to the Sweetwater Landing townhouse development (BRD2006-00004).

GROUNDWATER RECHARGE AREA:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett County Department of Planning and Development.

WETLANDS INVENTORY:

The subject property is not located within an identified Significant Groundwater Recharge Area.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Old Norcross Road is a Major Arterial and 50 feet of right-of-way is required from the centerline, with 60 feet required within 500 feet of a major intersection.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 12-inch water main located on the northeast right-of-way of Old Norcross Road.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of eight-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an eight-inch sanitary sewer main located on the property line of parcel R7077 097.

The subject development is located within the Beaver Ruin service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The applicant requests a Special Use Permit for a Special Events Facility on a 1.5-acre property zoned C-1 (Neighborhood Business District), located on the southwest side of Old Norcross Road north of the Sweetwater Road intersection. The applicant intends to utilize 9,000 square feet of the existing retail center as a special events facility.

The 2030 Unified Plan Future Development Map indicates the subject site lies within the Mixed Housing Types Character Area. Although this character area primarily encourages medium density single-family and townhouse development, it also encourages neighborhood-serving commercial uses. Staff is of the opinion that a special event facility at this location offers such a commercial use and could be consistent with the policies of the 2030 Unified Plan. However, staff recommends conditions, that may help mitigate the negative effects on both the subject property and the adjacent property are incorporated into the operation of the facility. Staff also recommends a condition requiring the owner to resubmit for a Special Use Permit in two years, offering staff a chance to ensure that any negative effects have been mitigated.

This portion of Old Norcross Road is characterized by high and medium density residential, commercial and industrial uses. Adjacent to the northwest is property zoned M-1 (REZ1990-00047) and developed as the Stephen Gould Corporation. To the east across Old Norcross Road is the Arbors at Breckenridge apartment complex, zoned RM-13 (REZ1985-00174 and REZ1994-00139). Adjacent to the south is the Sweetwater retail center, zoned and developed C-2 pursuant to RZC2008-00059. The Sweetwater Landing townhouses are located to the west of the subject property, zoned RM-10 pursuant to RZM2004-00033. Although the shopping center has been in existence for a number of years, if appropriate conditions are required, this use could be consistent with the intensity of development and the mix of uses in the area.

In conclusion, this request for a Special Use Permit for a Special Event Facility within the existing C-1 retail center could be compatible with the surrounding commercial and multifamily developments, if conditions to mitigate negative impacts on the subject site and adjacent properties are provided on the site. Therefore, staff recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of a Special Use Permit for a Special Events Facility, subject to the following enumerated conditions:

1. Limited to use as a Special Events Facility for a maximum of 189 persons as a special use.
2. No more than 9,000 square feet of heated floor area shall be allowed as the special events facility.
3. The hours of operation shall be limited to 9:00 a.m. to 12:00 a.m. midnight.
4. Obtain all necessary development and building permits, and bring the site and structure(s) up to all applicable zoning, development and building codes within 60 days of zoning approval.
5. Parking spaces shall be provided on a paved surface with lined parking spaces or within an approved porous paving system only. Parking on adjacent property shall be prohibited unless owner(s) of adjacent property(ies) provide express written consent and a copy is filed with the Department of Planning and Development. The owner shall post signage clearly stating that no event parking shall occur past the boundaries of the property. In the event that a vehicle belonging to a patron of the Special Event Facility must be towed, the owner of the Special Event Facility shall be responsible for the cost of the towing, based on receipts received from the adjacent or nearby property owner(s).
6. The existing gravel parking along the north property line shall be removed and replanted with a five-foot wide landscape strip, subject to the review and approval of the Director of Planning and Development, prior to any further special event activity on the site.
7. Ground signage shall be limited to one monument-type sign, and shall be subject to review and approval by the Director of Planning and Development. The sign shall include a minimum two-foot high brick or stacked stone base. The masonry base shall extend at least the full width of the sign cabinet, and the sign cabinet shall be fully recessed and surrounded by the same materials. The ground sign shall not exceed six feet in height.
8. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
9. Outdoor storage shall be prohibited.
10. The Special Use Permit shall be valid for a two-year period, at which time the use shall cease or the Special Use Permit must be renewed.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The proposed use could be suitable in view of the commercial character of the area, provided the attached recommended conditions are incorporated into the operation of the facility.

ADVERSE IMPACTS

With the recommended conditions, adverse impacts from the proposed special events use on adjacent and nearby properties could be reduced.

REASONABLE ECONOMIC USE AS ZONED

The subject property has a reasonable economic use as zoned.

IMPACT ON PUBLIC FACILITIES

An increase in impacts on public facilities in the form of traffic and utility demand could be expected from the proposed use.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates that the property lies within a Mixed Housing Types Character Area. Policies for this character area could support the requested activity if developed with staff's recommended conditions.

CONDITIONS AFFECTING ZONING

The commercial character of the immediate area lends supporting grounds for approval of this request. The proposed Special Use Permit for special events could offer a service to the community that is in keeping with the character of the surrounding area.

SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENT OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes, because we have been there for about 17 yrs with same kind of business
never had a problem

- (B) WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

No, because we have been there for about 17 yrs with same kind of
business and never had any sort of problem

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED SPECIAL USE PERMIT HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

No, property will not be affected by event hall facility
we've been running that business there for 17 yrs never had any problem

- (D) WHETHER THE PROPOSED SPECIAL USE PERMIT WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

No it will not affect ~~and~~ burden some of existing streets or
transportation facilities, utilities, or schools because we keep our
security guard there every party who controls parking + traffic and never had any problem

- (E) WHETHER THE PROPOSED SPECIAL USE PERMIT IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

yes it is

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED SPECIAL USE PERMIT:

No it will not.

RECEIVED BY

JAN 25 2018

SUP '18 016

Planning & Development

Dear Sir/Madam,

I started this location in May 2014 approximately 4 years ago.

When I took over From Mr Lee he was running the same type of business (special event place) for 2 years prior to me.

When I change ownership in 2014 with planning and development and started the process to obtain my Certificate of Occupancy and business license, I clearly mentioned in my application about the type of facility I'm starting. I was completely unaware that C1 zoning we can't start a special event facility. Fire Marshall, building department etc came over for final inspection and gave me a CO and no one informed me about it. In fact, my CO clearly says that this business is party and event hall and zoning is C1. Here I'm running this business for 4 years and I have many parties booked up in 2018 and 2019. I invested money in this place, I renovated 2 times in past 4 years, I've build up the business in this location. I've invested time and a lot of money in this location and 4 years later Gwinnett County Code Enforcement shows up and tells me that type of business I have cannot be here. I have to apply for special use permit. I've run this business with good faith and I've put a lot of hard work in it.

Please approve this request.

Thanks,
Imran Ali

RECEIVED BY

JAN 25 2018

Planning & Development

SUP '18 016

CASE NUMBER RZ-94-031

BOARD OF COMMISSIONERS
GWINNETT COUNTY
LAWRENCEVILLE, GEORGIA
RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Wayne Hill, Chairman	<u>AYE</u>
Tommy Hughes, District 1	<u>AYE</u>
Doug Williamson, District 2	<u>AYE</u>
Judy Waters, District 3	<u>AYE</u>
Renee Unterman, District 4	<u>AYE</u>

On motion of COMM. HUGHES, which carried 5-0, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from

M-1 to C-1

by MARVIN HEWATT ENTERPRISES, INC. for the proposed use of COMMERCIAL RETAIL USES/CONVENIENCE STORE WITH GAS PUMPS on a tract of land described by the attached legal description, which

CASE NUMBER 94-~~RZ-94~~-031

is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT POST-TRIBUNE, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on February 22, 1994, and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 22nd day of February, 1994, that the aforesaid application to amend the Official Zoning Map from M-1 to C-1 is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Retail and service commercial and accessory uses, which may include drug stores, electronic equipment sales (TV, VCR, stereo equipment), photocopying/reproduction services, record/video sales and rental stores, restaurants (no drive-through facilities), and travel agencies as special uses.
 - B. Density for the overall development shall not exceed a total of 30,000 square feet.
2. To satisfy the following site development considerations:
 - A. Provide a 10-foot wide landscaped strip outside the dedicated right-of-way of Old Norcross Road.
 - B. Provide a 10-foot wide landscaped strip outside the dedicated right-of-way of Sweetwater Road.
 - C. Provide a five-foot wide landscaped strip adjacent to the north and west property lines.

CASE NUMBER 94-~~RZ-98~~-031 208

- D. The number and location of exits/entrances adjacent to Old Norcross Road is subject to review and approval by the Gwinnett Department of Transportation.
- E. No billboards are permitted.
- F. No outdoor storage allowed.
- G. Provide sidewalks outside the dedicated right-of-way of Old Norcross Road and Sweetwater Road.
- H. Buildings shall be finished with architectural treatments of brick, stone, stucco or other masonry finish.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: *F. Wayne Hill*
F. Wayne Hill, Chairman

Date Signed: 3-10-94

ATTEST:

Barbara A. Bruce
Clerk

CASE NUMBER BRD-06-004
GCID 2006-1689

BOARD OF COMMISSIONERS
GWINNETT COUNTY
LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	VOTE
Charles Bannister, Chairman	<u>AYE</u>
Lorraine Green, District 1	<u>AYE</u>
Albert Nasuti, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. GREEN, which carried 5-0, the following resolution was adopted:

A RESOLUTION TO REDUCE THE BUFFER ON PROPERTY

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Reduce the Buffers on property from 50 FT. to 20 FT. by MIN LEE on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Buffer Reduction Application has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on NOVEMBER 28, 2006, and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 28TH day of NOVEMBER, 2006 that the aforesaid application for a Buffer Reduction is hereby APPROVED subject to the following enumerated conditions:

1. Provide a 25-foot wide graded and replanted buffer adjacent to the RM-10 development to the rear of the property. The buffer shall be planted with three staggered rows of evergreen trees. The evergreen trees shall include an equal distribution of Cryptomeria, Thuga Green Giant and Nellie R. Stevens Holly. The trees shall be 8 to 10 feet in height at the time of planting and spaced 15-feet on center.
2. Provide a 6-foot high wooden privacy fence immediately adjacent to the Sweetwater Landing Townhomes on the subject property. The buffer trees shall be installed interior to the fence.

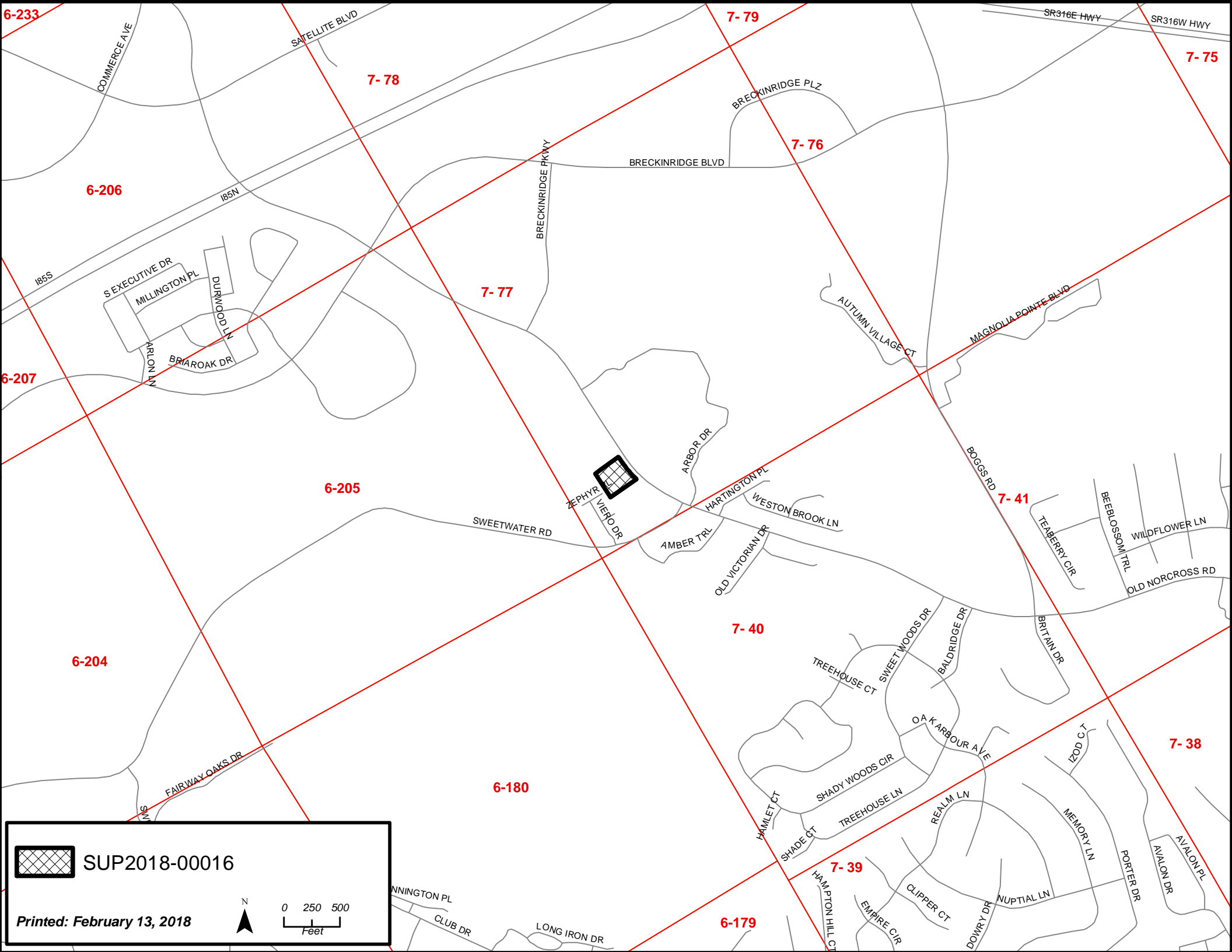
GWINNETT COUNTY BOARD OF COMMISSIONERS

By: 
Charles E. Bannister, Chairman
Signed: 12/27/06

ATTEST:


County Clerk





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SUP2018-00016

Printed: February 13, 2018



0 250 500
Feet

COMMERCE AVE

SATELLITE BLVD

BRECKINRIDGE PLZ

BRECKINRIDGE BLVD

SR316E HWY SR316W HWY

185S

185N

S EXECUTIVE DR

MILLINGTON PL

DURWOOD LN

ARLON LN

BRIAR OAK DR

BRECKINRIDGE PKWY

AUTUMN VILLAGE CT

MAGNOLIA POINTE BLVD

ARBOR DR

ZEPHYR VIERO DR

HARTINGTON PL

SWEETWATER RD

AMBER TRL

WESTON BROOK LN

OLD VICTORIAN DR

TEABERRY CIR

BEEBLOSSOM TRL

WILDFLOWER LN

OLD NORCROSS RD

BRITAIN DR

TREEHOUSE CT

SWEET WOODS DR

BALDRIDGE DR

OAK ARBOUR AVE

SHADY WOODS CIR

TREEHOUSE LN

REALM LN

MEMORY LN

HAMLET CT

SHADE CT

HAMPTON HILL CT

CLIPPER CT

NUPTIAL LN

IZOD CT

PORTER DR

AVOLON DR

AVALON PL

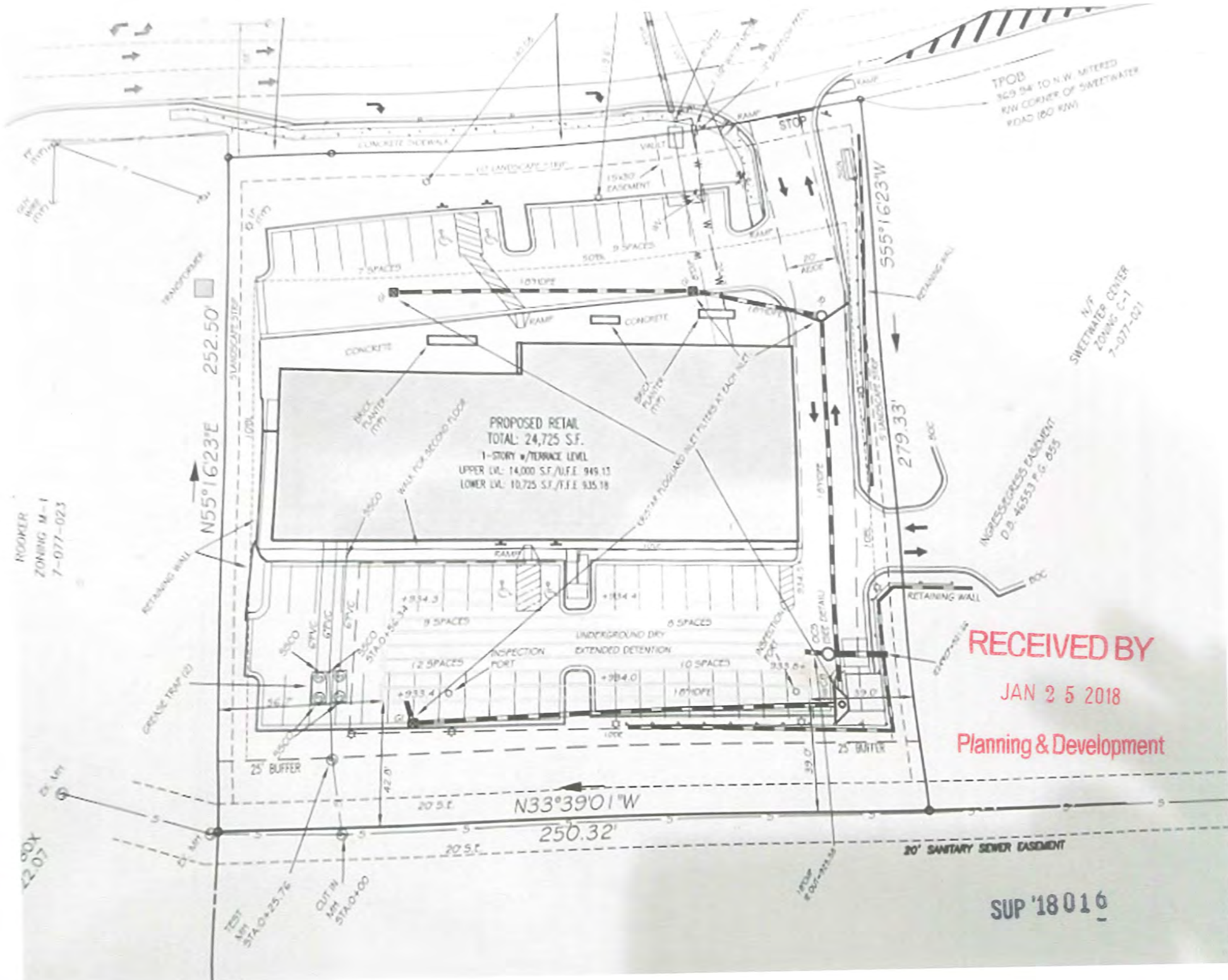
MILLINGTON PL

CLUB DR

LONG IRON DR

EMPIRE CIR

DOWRY DR



ROOKER
 ZONING M-1
 7-077-023

N/F
 SWEETWATER CENTER
 ZONING C-1
 7-077-021

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JAN 25 2018
Planning & Development

SUP '18 016



OLD NORCROSS RD

ZEPHYR PL



SUP2018-00016



0 25 50
Feet

Printed: February 13, 2018



ONE N WINDY HWY

GRANDVIEW DR

OLD FORGE RD

ACACIA

ZEPHYRUS DR

VERO CT

WARRINGTON PL

WESTON BROOK CT

WESTON BROOK LN

SWEETWATER RD

AMBER TRL

OLD VICTORIAN

OLD VICTORIAN CT

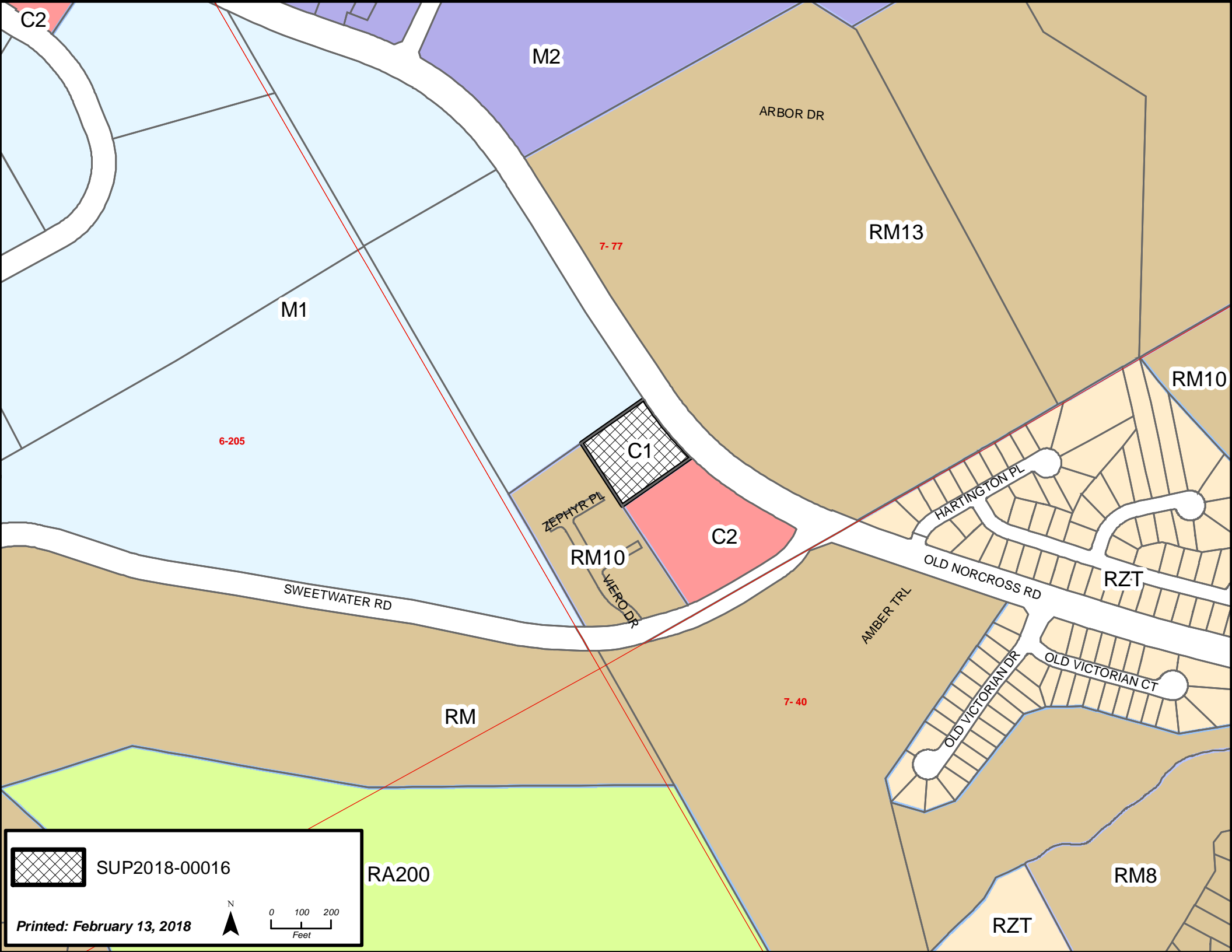


SUP2018-00016



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Feet

Printed: February 13, 2018



C2

M2

ARBOR DR

RM13

M1

RM10

6-205

7-77

C1

ZEPHYR PL

RM10

C2

WIER DR

SWEETWATER RD

HARTINGTON PL

RZT

OLD NORCROSS RD

AMBER TRL

RM

7-40

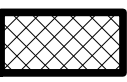
OLD VICTORIAN DR

OLD VICTORIAN CT

RA200

RM8

RZT



SUP2018-00016



0 100 200
Feet

Printed: February 13, 2018

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
SPECIAL USE PERMIT ANALYSIS**

CASE NUMBER :**SUP2018-00017**
ZONING :O-I
LOCATION :2800 BLOCK OF CENTERVILLE HIGHWAY
MAP NUMBER :R6033 028
ACREAGE :1.74 ACRES
SQUARE FEET :4,256 SQUARE FEET
PROPOSED DEVELOPMENT :PERSONAL CARE HOME (CONGREGATE)
COMMISSION DISTRICT :(3) HUNTER

FUTURE DEVELOPMENT MAP: **EXISTING/EMERGING SUBURBAN**

APPLICANT: MOHAMED KUYATEH
2865 CENTERVILLE HIGHWAY
SNELLVILLE, GA 30078

CONTACT: MOHAMED KUYATEH PHONE: 770.309.7669

OWNER: MOHAMED KUYATEH
2865 CENTERVILLE HIGHWAY
SNELLVILLE, GA 30078

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant seeks a Special Use Permit for a Congregate Personal Care Home on a 1.74-acre property zoned O-I (Office-Institutional District). The applicant is requesting the Special Use Permit in order to accommodate 10 residents. The property is located on the west side of Centerville Highway, north of its intersection with Parkwood Road. A single story existing residence is located on the property along with a tennis court to the rear of the property.

The occupant intends to use the existing 4,256-square foot residence. The applicant states the 10-residents would reside in 5-bedrooms with an additional bedroom for the owner/manager residing on the property. No modifications to the structure have been proposed. Access is provided by a single residential driveway onto Centerville Highway.

ZONING HISTORY:

In 1970, the subject property was zoned R-100 (Single Family Residence District). In 1973, the property was rezoned to O-I per an areawide rezoning.

GROUNDWATER RECHARGE AREA:

The subject property is located within an identified Significant Groundwater Recharge Area. The Georgia Department of Community Affairs and Department of Natural Resources have mandated that Significant Groundwater Recharge Areas be identified and that minimum lot sizes for septic tanks be increased in these resource areas. Please contact Gwinnett County Environmental Health for septic system information and/or Gwinnett Department of Water Resources regarding availability of sanitary sewer for this site.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

A ten foot wide landscape strip will be required along Centerville Highway.

Parking lots and interior driveways shall be designed in accordance with Chapter 240 of the Unified Development Ordinance.

Project access and required improvements along Centerville Highway will be subject to review and approval of Georgia Department of Transportation and Gwinnett County Department of Transportation.

The covered parking shed appears to be next to the property line. Accessory structures shall be located in the rear yard at least five-feet setback from property line.

A 50-foot undisturbed buffer shall be required adjacent to residentially zoned property.

All proposed improvements including but not limited to driveways, dumpsters, parking lots, pavement, or retaining walls shall be located a minimum of five feet from the required buffer.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Centerville Highway is a State Route and Georgia D.O.T. right-of-way requirements govern.

Coordinate with the Georgia D.O.T. regarding access.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 24-inch water main located on the west right-of-way of Centerville Highway.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of eight-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an eight-inch sanitary sewer main located approximately 156 feet north of parcel R6033 028 on parcel R6033 010.

The subject development is located within the Norris Lake service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

A Fire Sprinkler System is required to be installed per the Gwinnett County Fire Prevention and Protection Ordinance 2012 section 46-40b in Personal Care Homes with 4 or more residents. All plans and specifications for the required fire sprinkler system are to be submitted for review and approval and a Certificate of Occupancy is to be obtained prior to opening after the completed field inspections.

Depending on the level of care provided, this facility may fall under the jurisdiction of the State Fire Marshall.

For assistance, you may contact our office at (678) 518-6000, Monday through Friday, from the hours of 8:00 a.m. to 5:00 p.m.

DEPARTMENT ANALYSIS:

The applicant seeks a Special Use Permit for a Congregate Personal Care Home on a 1.74-acre property zoned O-I (Office-Institutional District). The applicant is requesting the Special Use Permit in order to accommodate 10 residents. The property is located on the west side of Centerville Highway, north of its intersection with Parkwood Road. A single story existing residence is located on the property along with a residential driveway and a tennis court to the rear of the property.

The 2030 Unified Plan Future Development Map indicates that the properties lie within an Existing/Emerging Suburban Character Area. The 2030 Unified Plan supports encouraging expanded housing opportunities for seniors. The Special Use Permit for a congregate personal care home could be consistent with these policies.

The surrounding area is primarily developed with office-institutional uses, single family residential, multi-family residential and retail uses at the intersection of Springdale Road. The property to the north is developed as a daycare center and a medical office, zoned O-I. Adjacent to the south and west are single family residences zoned R-100 (Single Family Residence District) in the Park Circle Estates subdivision. To the east, Across Centerville Highway is the Sovankiri Buddhist Temple, also zoned R-100 and the Open Fields Townhome Development, zoned RM-8 (Multi-Family Residence District). The proposed Congregate Personal Care Home could be compatible with the other existing uses and zoning pattern along this segment of Centerville Highway.

In conclusion, the requested Special Use Permit for a Congregate Personal Care Home may be consistent with the Unified Plan policies for encouraging expanded housing choices for seniors and the location could be compatible with the existing uses in the surrounding area. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of these requests.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of a Special Use Permit for Congregate Personal Care Home, subject to the following enumerated conditions:

1. Limited to a state-licensed Congregate Personal Care Home providing residence and care for up to a maximum of 10 individuals (clients) residing in the existing home.
2. All outdoor activities shall be supervised by an employee of the facility.
3. Exterior signage advertising the Congregate Personal Care Homes shall be prohibited.
4. Any new building(s) or building renovations shall be of a traditional residential style, compatible with the homes in the surrounding area. Architectural elevations, building materials and colors shall be subject to the review and approval of the Director of Planning and Development prior to the issuance of a building permit.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The proposed Congregate Personal Care Home could be compatible with the other existing institutional and commercial uses and zoning pattern along this segment of Centerville Highway.

ADVERSE IMPACTS

With appropriate conditions, adverse impacts on adjacent and nearby single family residential properties could be minimized.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

It is anticipated that there would be additional impacts on public facilities in the form of traffic and utility demand.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates that the properties lie within an Existing/Emerging Suburban Character Area. The 2030 Unified Plan supports encouraging expanded housing opportunities for seniors. The Special Use Permit for a congregate personal care home could be consistent with these policies.

CONDITIONS AFFECTING ZONING

The Congregate Personal Care Home's proposed location along a major corridor outside of a neighborhood could provide supporting grounds for the request.

SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENT OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

(A) WHETHER A PROPOSED SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

YES

(B) WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

NO

(C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED SPECIAL USE PERMIT HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

YES

(D) WHETHER THE PROPOSED SPECIAL USE PERMIT WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

NO

(E) WHETHER THE PROPOSED SPECIAL USE PERMIT IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

YES

(F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED SPECIAL USE PERMIT:

NONE

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Planning & Development

SUP '18 017

Anchor Personal Care Home
2865 Centerville Highway
Snellville, GA 30078

January 4, 2018

Gwinnett County
Dept. of Planning & Development
446 West Crogan St, Suite 250
Lawrenceville, GA 30046

Re: **Letter of Intent**

To Whom It May Concern:


Anchor Personal Care Home is submitting this letter of intent to apply for a Special Use Permit to establish and operate a congregate Personal Care Home Facility to accommodate ten (10) patients in five (5) bed rooms and one bed room for the owner/manager residing on the property. The facility will be located at 2865 Centerville Highway, Snellville, GA 30078.

The facility will provide the needs of the Elderly needing assistance with their essential daily living activities including assistance with eating, bathing, grooming, dressing, and supervision of medications. Qualified professional personnel will provide all services. The facility will work closely with family members to provide any external social or health care needs of clients.

The acreage of the facility is approximately 4,256 sq. ft. on a 1.77-acre lot. The facility is zoned as O & I use with 3 car garage a 2 car covered parking shed, 4 parking spots and 1 dwelling unit.

Mr. Mohamed Kuyateh, owner of Anchor Personal Care Home will be the point of contact to answer any questions or provide any documentation needed regarding this application. He can be reached at 770-309-7669 or by email at anchorpch@gmail.com

Sincerely,

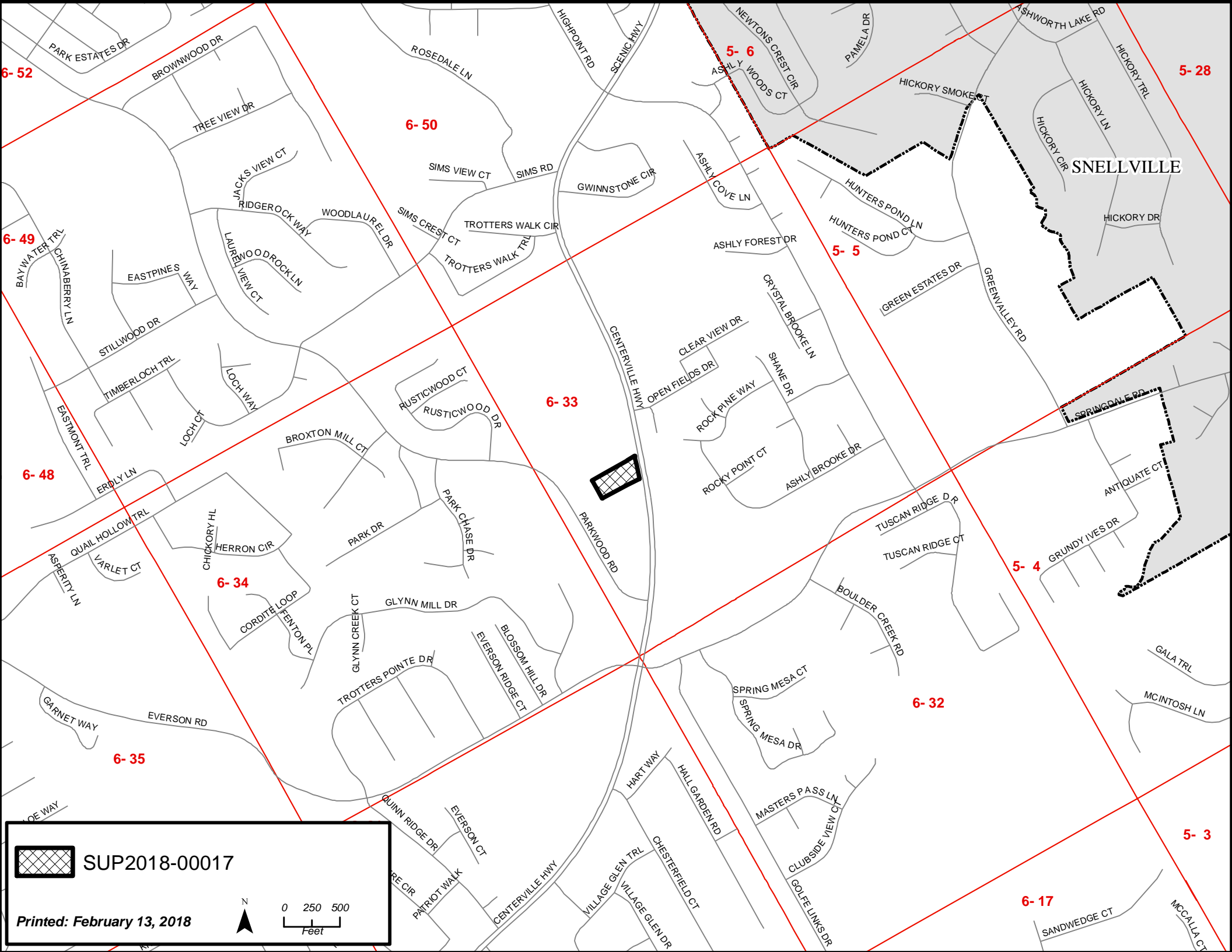

Mohamed Kuyateh
Owner

SUP '18 017

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JAN 31 2018

Planning & Development



SNELLVILLE



SUP2018-00017

Printed: February 13, 2018

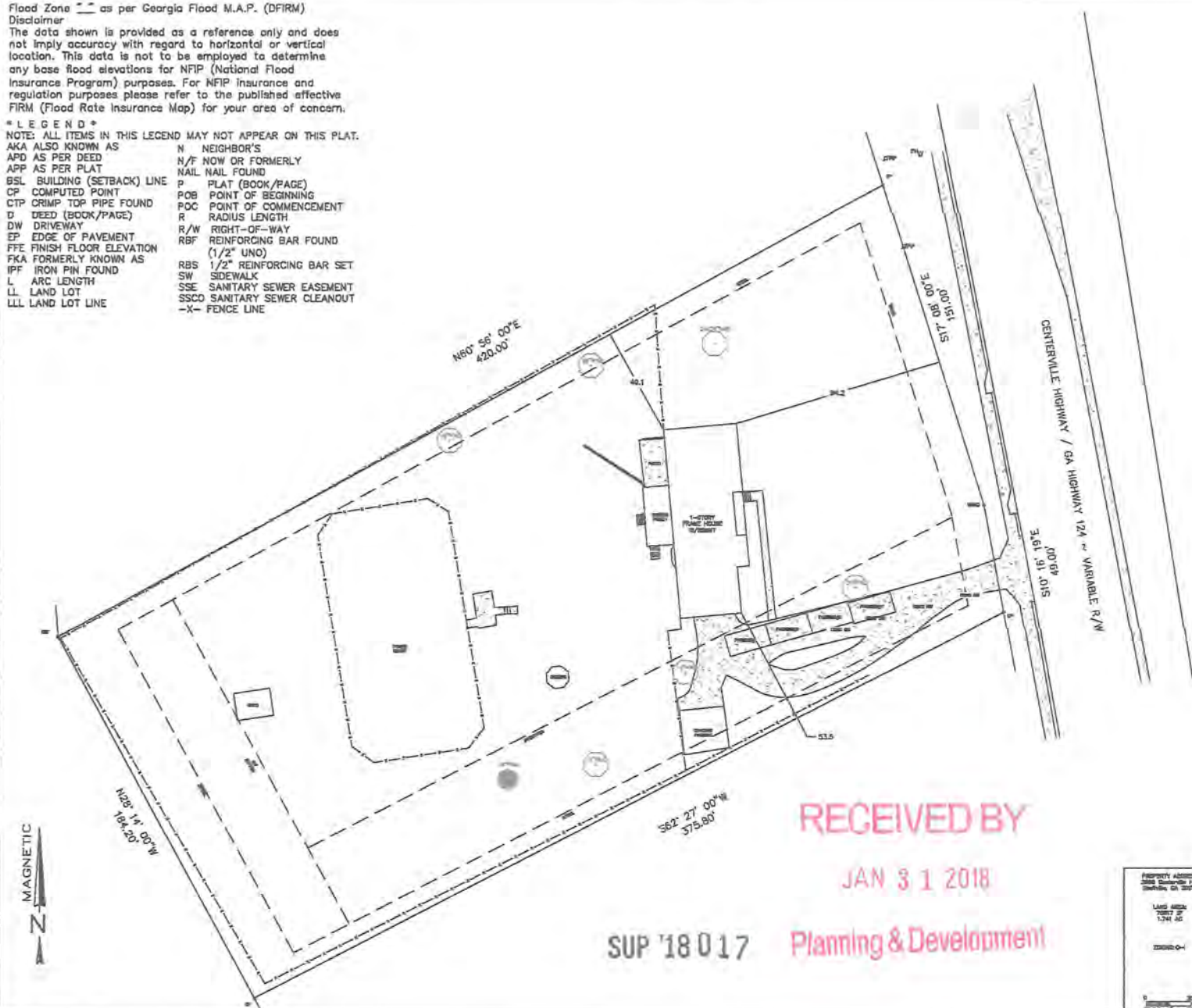


0 250 500
Feet

Flood Zone as per Georgia Flood M.A.P. (DFIRM)

Disclaimer
 The data shown is provided as a reference only and does not imply accuracy with regard to horizontal or vertical location. This data is not to be employed to determine any base flood elevations for NFIP (National Flood Insurance Program) purposes. For NFIP insurance and regulation purposes please refer to the published effective FIRM (Flood Rate Insurance Map) for your area of concern.

- * L E G E N D ***
 NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.
 AKA ALSO KNOWN AS N NEIGHBOR'S
 APD AS PER DEED N/F NOW OR FORMERLY
 APP AS PER PLAT NAIL NAIL FOUND
 BSL BUILDING (SETBACK) LINE P PLAT (BOOK/PAGE)
 CP COMPUTED POINT POB POINT OF BEGINNING
 CTP CRIMP TOP PIPE FOUND POC POINT OF COMMENCEMENT
 D DEED (BOOK/PAGE) R RADIUS LENGTH
 DW DRIVEWAY R/W RIGHT-OF-WAY
 EP EDGE OF PAVEMENT RBF REINFORCING BAR FOUND
 FFE FINISH FLOOR ELEVATION (1/2" UNO)
 FKA FORMERLY KNOWN AS RBS 1/2" REINFORCING BAR SET
 IFF IRON PIN FOUND SW SIDEWALK
 L ARC LENGTH SSE SANITARY SEWER EASEMENT
 LL LAND LOT SSCO SANITARY SEWER CLEANOUT
 LLL LAND LOT LINE -X- FENCE LINE



ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAY PUBLIC OR PRIVATE.
 NOTE: PROPERTY LINES SHOWN ON THIS MAP/PLAT REPRESENT PHYSICAL FIELD CONDITIONS BY EVIDENCE OF APPARENT POSSESSION (IRON PINS FOUND, OLD & ESTABLISHED FENCE LINES, OLD WALL LINES, SHRUB & HEDGE LINE, HOUSE LOCATIONS, ETC.) THEY MAY DIFFER AND BE IN CONTENTION FROM EVIDENCE FOUND AT THE APPLICABLE COUNTY COURTHOUSE. THEY MAY ALSO DIFFER FROM OTHER SURVEYOR OPINIONS AND/OR NEIGHBORS SURVEYS/PLATS. A FULL LAND TITLE REPORT OPINION ON ALL PROPERTIES, INCLUDING ADJACENT AND CONTIGUOUS PROPERTIES MAY BE NEEDED TO RESOLVE ALL POSSIBLE PROPERTY LINE DISPUTES OR DISCREPANCIES.
 THIS MAP/PLAT WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY. THIS MAP/PLAT IS SUBJECT TO REVISIONS AND UPDATE UPON RECEIPT OF SAID TITLE COMMITMENT.
 BUILDING LINES SHOWN HEREON DERIVED FROM VARIOUS ONLINE SOURCES. THEY MAY BE IN CONTENTION WITH OR DIFFER FROM INTERPRETATIONS OF GOVERNING AUTHORITIES.
 TREE SYMBOLS ARE NOT TO SCALE. TREE SYMBOLS REPRESENT POSITION OF TREE & ARE NOT THE CRITICAL ROOT ZONE (NOT DRIPLINE).
 PORTIONS OF THIS PLAN ARE SCHEMATIC IN NATURE AND HAVE NOT BEEN FIELD LOCATED BY CONVENTIONAL SURVEYING METHODS. NO RELIANCE UPON THE ACCURACIES OF THE SIZE, SHAPE NOR LOCATION OF THE PLANIMETRICS SHOWN HEREON SHALL BE AFORDED IN ANY MANNER.

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 JAN 31 2018
 Planning & Development


SUP '18 017

PROPERTY ADDRESS: 1234 Main St Atlanta, GA 30301	PLAT PREPARED FOR: MOHAMED KUYATEH	
LAND AREA: 1.21 AC	L&P: PLUGS: GWT: SMOKESTACK:	
LOCATED IN: GORDON	FIELD DATE: 1-28-2018	SURVEY SYSTEMS & ASSOC., INC. 807 LAW ST., SUITE 101, GORDON, GA 30207 TEL: 770-952-7388 • FAX: 770-952-7389
DRAWN BY:	DRAWN DATE: 1-28-2018	LICENSED PROFESSIONAL SURVEYOR NO. 12345
THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS OBTAINED BY A SURVEY OF 1 FOOT IN 25,000 FEET. AN ANGLE ERROR OF 15 SECONDS AND A DISTANCE ERROR OF 0.01 FEET PER 1,000 FEET. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 25,000 FEET. AN ELECTRONIC TOTAL STATION WAS USED IN THE MEASUREMENT OF THIS PLAT. NO DATA POINTS WERE OBTAINED FROM THIS PROPERTY.		
THIS SURVEY WAS PREPARED IN CONFORMANCE WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL SURVEYORS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 14-2-22.		



CENTERVILLE HWY
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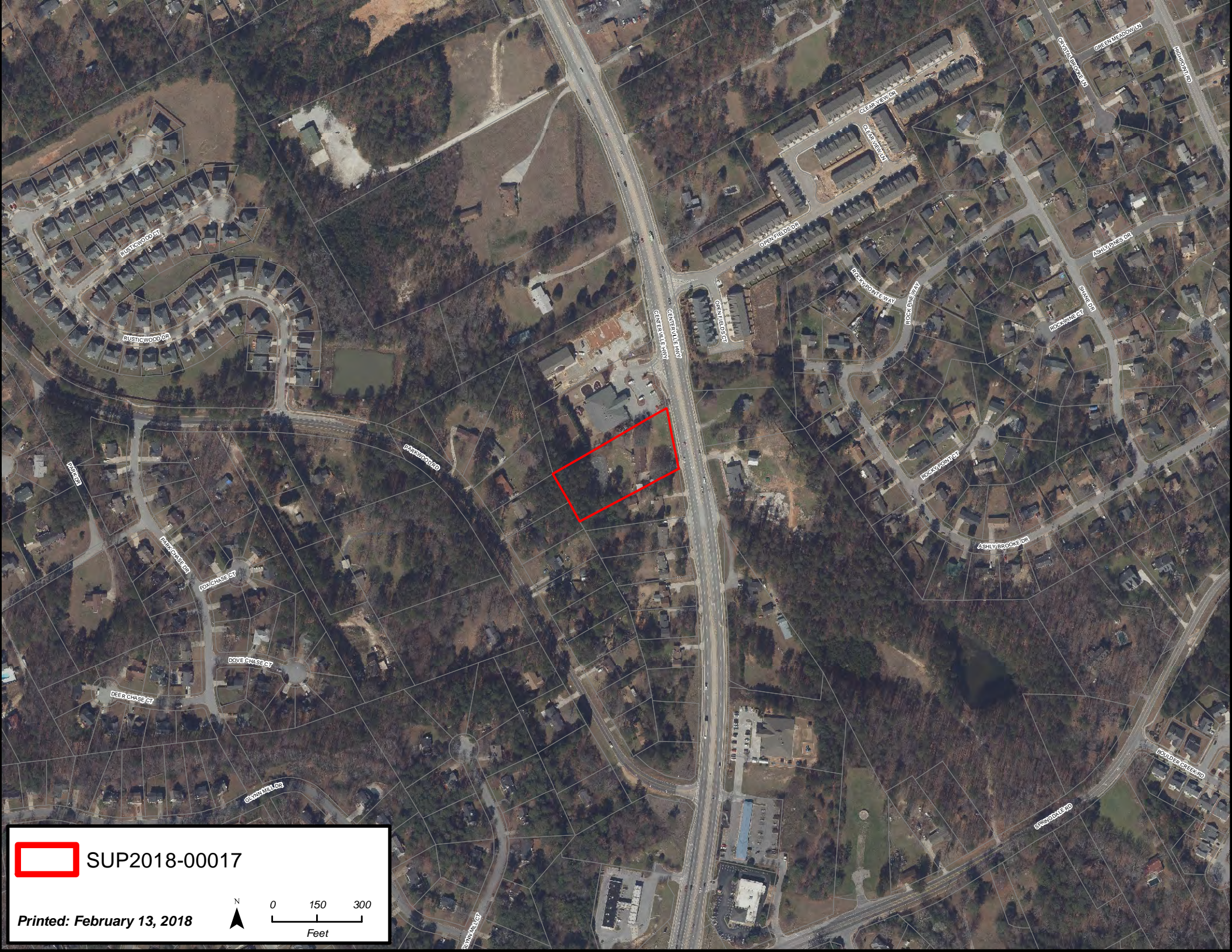
PARKW

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0 25 50
Feet

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SUP2018-00017



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Feet

Printed: February 13, 2018

RUSTWOOD DR

RUSTWOOD DR

PLUMER

PLUMER

ROV CHASE CT

DOVE CHASE CT

DEER CHASE CT

DEER CHASE CT

ROCKWOOD

CASTLEVIEW WAY

CASTLEVIEW CT

OPEN FIELDS DR

ROCKPOINTE WAY

ROCKPOINTE WAY

ROCKPOINTE CT

ASHLY BROOKS DR

GAUNE DR

ASHLY PINES DR

CHILDER GREEN DR

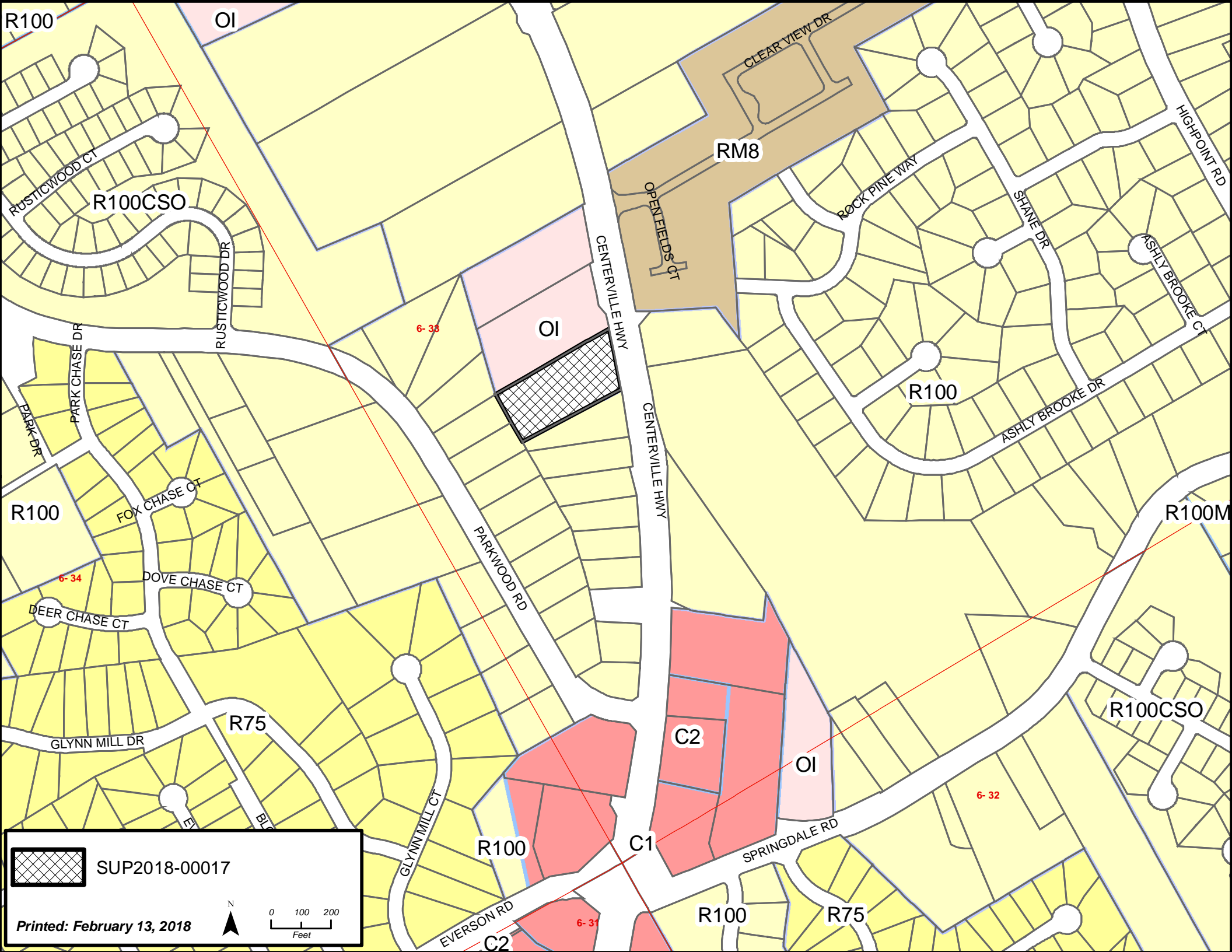
GREEN MEADOW LN

ROCKPOINTE DR

CHILDER GREEN DR

BRANDSCALE RD

DEER CHASE CT



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 N

 0 100 200 Feet