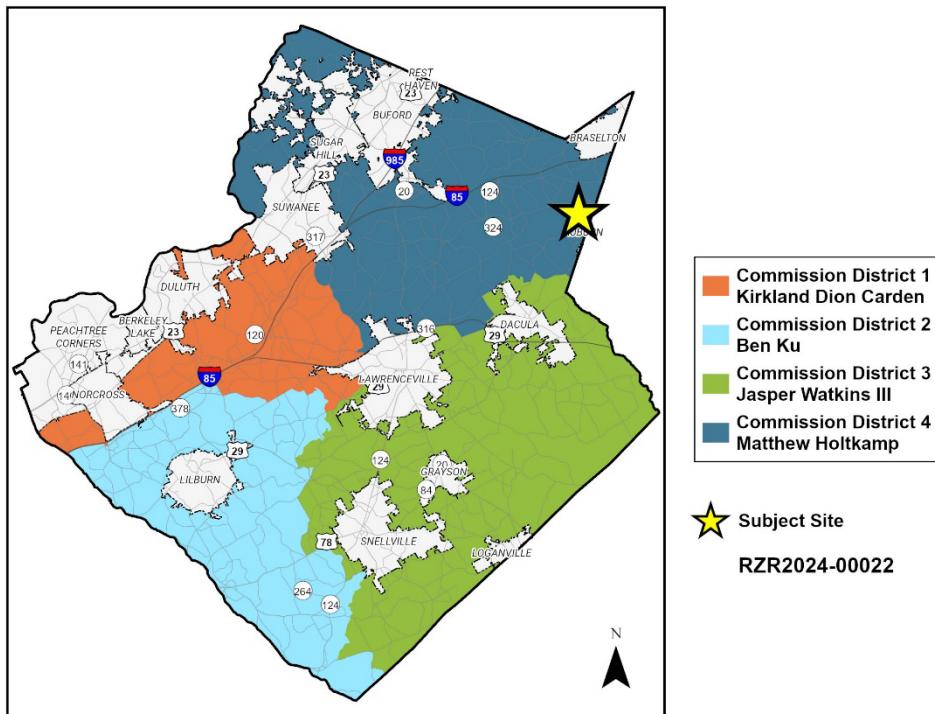




## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

<b>Case Number:</b>	<b>RZR2024-00022</b>
<b>Current Zoning:</b>	<b>RA-200 (Agriculture-Residence District)</b>
<b>Request:</b>	<b>Rezoning to R-100 (Single-Family Residence District)</b>
<b>Address:</b>	<b>4370 and 4400 Clack Road</b>
<b>Map Numbers:</b>	<b>R2002 052 and 140</b>
<b>Site Area:</b>	<b>28.67 acres</b>
<b>Units:</b>	<b>47</b>
<b>Proposed Development:</b>	<b>Single-Family Detached Subdivision</b>
<b>Commission District:</b>	<b>District 4 – Commissioner Holtkamp</b>
<b>Future Development Type:</b>	<b>Rural</b>
<b>Staff Recommendation:</b>	<b>APPROVAL WITH CONDITIONS</b>
<b>Planning Commission Recommendation:</b>	<b>APPROVAL WITH CONDITIONS</b>



Planning Commission Advertised Public Hearing Date: 6/4/2024 (Public Hearing Tabled to 7/8/2024)  
Board of Commissioners Advertised Public Hearing Date: 6/25/2024 (Public Hearing Tabled to 7/23/2024)

**Applicant:** RES-GA 2, LLC  
c/o Mahaffey Pickens Tucker, LLP  
1550 North Brown Road, Suite 125  
Lawrenceville, GA 30043

**Owners:** RES-GA 2, LLC  
3276 Buford Drive, Suite 104-102  
Buford, GA 30519

**Contact:** Shane Lanham

**Contact Phone:** 770.232.0000

## **Zoning History**

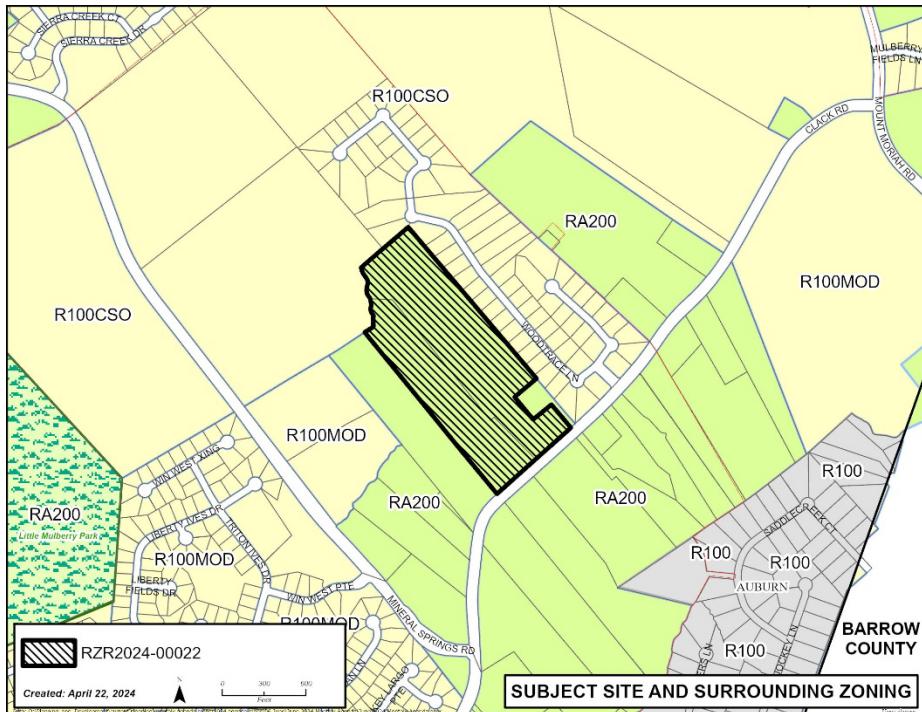
The subject property is zoned RA-200 (Agriculture-Residence District). There are no prior zoning requests on record for this property.

## **Existing Site Condition**

The subject property is a 28.67-acre assemblage of two parcels located along Clack Road, north of its intersection with Mineral Springs Road. There is a single-family residence with accessory buildings on the site accessed by a driveway from Clack Road. A stream with associated buffers and impervious setback runs along the rear property line. Pastures make up the front and center of the property, while the rear portion is wooded. The terrain is rolling, dropping approximately 20 feet from the street to the center of the property and then rising 40 feet towards the rear of the property. The land in the rear of the property quickly drops nearly 100 feet to the stream. A ditch runs along Clack Road, but there is no sidewalk. The nearest Gwinnett County Transit stop is approximately 9.7 miles from the subject property.

## **Surrounding Use and Zoning**

The site is located in an entirely residential area along Clack Road between Mineral Springs Road and Mount Moriah Road. The corridor includes both rural residences on large land tracts and single-family detached subdivisions. The Woodbury Place subdivision abuts the northern and eastern property lines. To the north is a large undeveloped parcel which has been previously approved for a large single-family subdivision. Residences on large lots exist to the east, west, and south across Clack Road. The City of Auburn and Barrow County boundary lines are located less than a half mile to the east. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Single-Family Residential	R-100	1.64 units per acre
North	Single-Family Residential	R-100 CSO	1.59 units per acre
	Undeveloped	R-100 CSO	N/A
East	Single-Family Residential	R-100 CSO	1.59 units per acre
	Single-Family Residential	RA-200	0.84 units per acre
South	Single-Family Residential	RA-200	0.08 units per acre
West	Single-Family Residential	RA-200	0.10 units per acre

## Project Summary

The applicant requests rezoning of a 28.67-acre assemblage from RA-200 to R-100 for a single-family detached subdivision, including:

- 47 single-family detached residences on lots ranging in size from 15,004 square feet to 41,359 square feet, yielding a density of 1.64 units per acre.
- Residences with a minimum heated floor area of 2,200 square feet (one-story homes) and 2,400 square feet (two-story homes) and front-loaded, two-car garages.
- Exterior building materials of brick, stone, shake, siding, and board and batten.
- A total of 3.25 acres of open space located in the western side and rear of the development.
- A total of 1.65 acres of usable open space including a 5-foot-wide compacted aggregate base trail along the western side of the property and a pocket park at the rear of the property within the stream buffers and no impervious setback.
- Three lots located to the rear of the property include stream buffers and the impervious setback.
- A 40-foot-wide street frontage setback with 10-foot-wide landscape strip along Clack Road.
- One full-access entrance along Clack Road.
- 27-foot-wide internal streets within 50-foot-wide rights-of-way.
- Five-foot-wide sidewalks along Clack Road, and four-foot-wide sidewalks on both sides of the

proposed internal streets.

- Two stormwater management facilities on the western side of the development.
- A mail kiosk within the open space area at the edge of the cul-de-sac of Proposed Road E.

## Zoning and Development Standards

The applicant is requesting a rezoning to R-100 (Single-Family Residence District), for a single-family detached subdivision. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Lot Size	Minimum 15,000 square feet	>15,000 square feet	YES
Lot Width	Minimum 100'	≥100'	YES
Lot Coverage	Maximum 45%	<45%	YES
Front Yard Setback	Minimum 25'	25'	YES
Rear Yard Setback	Minimum 30'	30'	YES
Side Yard Setback	Minimum 10'	10'	YES
Building Height	Maximum 35'	35'	YES
Open Space	Minimum 10% or 2.87 acres	11.3% or 3.25 acres	YES
Usable Open Space	Minimum 5% or 1.44 acres	5.8% or 1.65 acres	YES
Street Frontage Setback	Minimum 40' 10' wide landscape strip	Minimum 40' 10' wide landscape strip	YES

## Public Participation

The applicant held a community meeting for the development on April 30, 2024, at the Little Mulberry Park pavilion in Auburn. There were more than 19 community members in attendance, some of whom did not sign-in, who raised questions regarding traffic, schools, and the size and price of homes. The applicant responded to these concerns but did not make any changes to the site plan as a result of the public meeting. The public participation report is shown in Exhibit H.

## Internal and External Agency Review

In addition to these Development Standards, the applicant must meet all other UDO requirements related to infrastructure improvements. Internal and External agency review comments are attached (Exhibit I). Standard site and infrastructure improvements will also be required related to stormwater, transportation, water, and sewer utilities. Recommended improvements not already required by the UDO have been added as staff recommended conditions.

## Staff Analysis

**Rezoning Request Analysis:** According to the UDO, if a proposed amendment is for the rezoning of property and involves a change in zoning classification, the Department shall evaluate the request and make a recommendation with respect to the standards governing exercise of zoning power as defined in Section 270-20.6. After this evaluation, staff makes the following findings based on the standards from the UDO:

**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 proposed rezoning would allow for a subdivision with a comparable density to that of the Woodbury Place subdivision to the east and the approved subdivision to the north which has not yet broken ground. The size and architectural materials of the homes are also similar to the approved subdivision, which must have a minimum heated floor area of 2,400 square feet and a mix of façade materials. The proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.

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

The proposed rezoning would allow for a single-family detached subdivision that is compatible with the adjacent existing and approved subdivisions. Staff recommended conditions regarding the placement of usable open space would address potential impacts to the stream resulting from the proposed site layout. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.

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

The property has 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 streets, transportation facilities, utilities, or schools.**

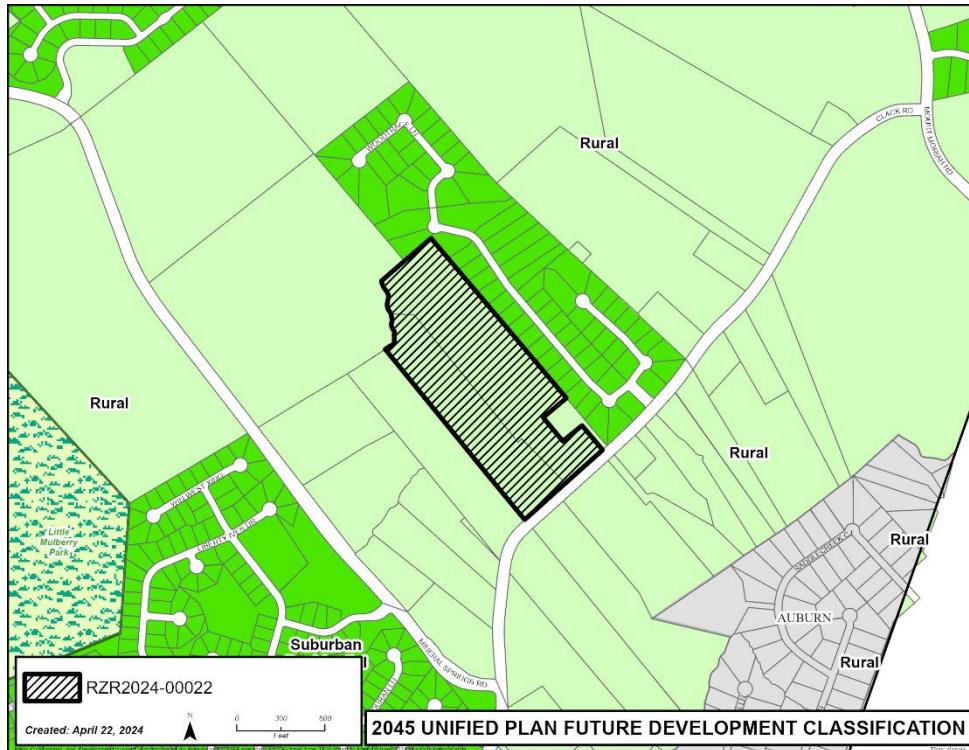
An increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. The traffic impact study submitted for the development estimated that the subdivision would generate 37 morning and 49 afternoon peak hour trips within a 24-hour period. The study did not recommend mitigation for this development. An increased impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning request are attached (Exhibit I).

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

The Unified Plan's Future Development Map identifies "Rural" for the subject property, which envisions a very low intensity, pastoral character where sewer service is not available. Single-family residences on large lots and agricultural estates are appropriate for this type. Dead-end streets and cul-de-sacs are to be avoided to promote connectivity, though sidewalks are not required.

The proposed rezoning to R-100 is a recommended zoning district in the "Rural" future development type, and a single-family residential subdivision is an appropriate land use for the "Rural" future development type. Although sewer availability to the site allows for greater density, the proposed density and lot sizes are similar to those in the surrounding existing and approved subdivisions. The staff recommended condition to limit the number of cul-de-sacs

would bring the plan into greater conformity with the Unified Plan. The proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map.



**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.**

There are no additional conditions to give supporting grounds for either approval or disapproval of the proposed rezoning.

### Staff Recommendation

Based on the staff's evaluation of the request and the standards governing the exercise of zoning power, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the rezoning request.

### Planning Commission Recommendation

Based on staff's evaluation of the request, information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of the rezoning request.

## **Planning Commission Recommended Conditions (includes Staff Recommended Conditions, as Amended)**

Approval as R-100 (Single-Family Residence District) for a single-family detached subdivision subject to the following conditions:

1. The final site plan shall be subject to the review and approval of the Department of Planning and Development.
2. The development shall be limited to single-family detached dwellings and accessory uses and structures, not exceeding 47 units.
3. Exterior building materials shall be of brick, stacked stone, fiber cement shake, siding, and/or board and batten, subject to the review and approval of the Department of Planning and Development.
4. The minimum heated floor area of each dwelling shall be ~~2,400~~ **3,000** square feet.
5. ~~There shall be~~ **A maximum of three dead-end streets cul-de-sacs shall be permitted** within the development. **Dead-end and hammerhead streets shall be prohibited.**
6. Usable open space shall be designed as active or passive recreational space and dispersed so that all lots are within 500 feet of usable open space, excluding trails. Usable open space shall be located outside of stream buffers and impervious setbacks and shall be subject to the review and approval of the Department of Planning and Development.
7. A deceleration lane shall be provided into the site from Clack Road, subject to the review and approval of the Gwinnett County Department of Transportation.
8. Traffic calming for any internal street(s) that exceeds 500 feet in length without a control point shall be provided, subject to the review and approval of the Gwinnett County Department of Transportation.
9. Stormwater BMP facilities, excluding the existing pond, shall be screened from view of adjoining properties and rights-of-way by landscaping and/or decorative fencing that is in compliance with the Gwinnett County Stormwater Management Manual, subject to review and approval by the Department of Planning and Development.
10. Natural vegetation shall remain on the property until the issuance of a development permit.
11. All grassed areas within lots and usable open space shall be sodded.
12. **An HOA is to be in the neighborhood with 10 percent rental restrictions.**
13. **The entrance of Clack Road shall be landscaped and include a masonry entrance monument with a decorative equestrian style fence with masonry columns placed 100 feet on center.**
14. **Provide a 6-foot-tall vinyl-coated chain link fence and a row of evergreen screen trees along the common property's boundary with the subject property and parcel R2002 057, the Wallis**

**property, from the right-of-way of Clack Road to the point where said common property's boundary line intersects the southerly 50-foot stream buffer line as an unnamed tributary of Little Mulberry Park.**

15. **Provide a row of evergreen screen trees adjacent to parcel R2002 162, the Holmes property, along the Holmes property southeasterly boundary line where adjacent to the northwesterly border line of lot 2 (+/-167 feet) and along the Holmes property southwesterly boundary line which runs more or less parallel to proposed Road A.**

**Exhibits:**

- A. Site Visit Photos
- B. Site Plan
- C. Building Elevations
- D. Letter of Intent and Applicant's Response to Standards
- E. Application and Disclosure of Campaign Contributions
- F. DWR Sewer Capacity Certification Letter
- G. Traffic Impact Study
- H. Public Participation Plan and Report
- I. Internal and External Agency Review Comments
- J. Maps
- K. Site Plan Presented at the July 8, 2024, Planning Commission Public Hearing

## Exhibit A: Site Visit Photos



View of existing home on the property



View of existing accessory building on the property



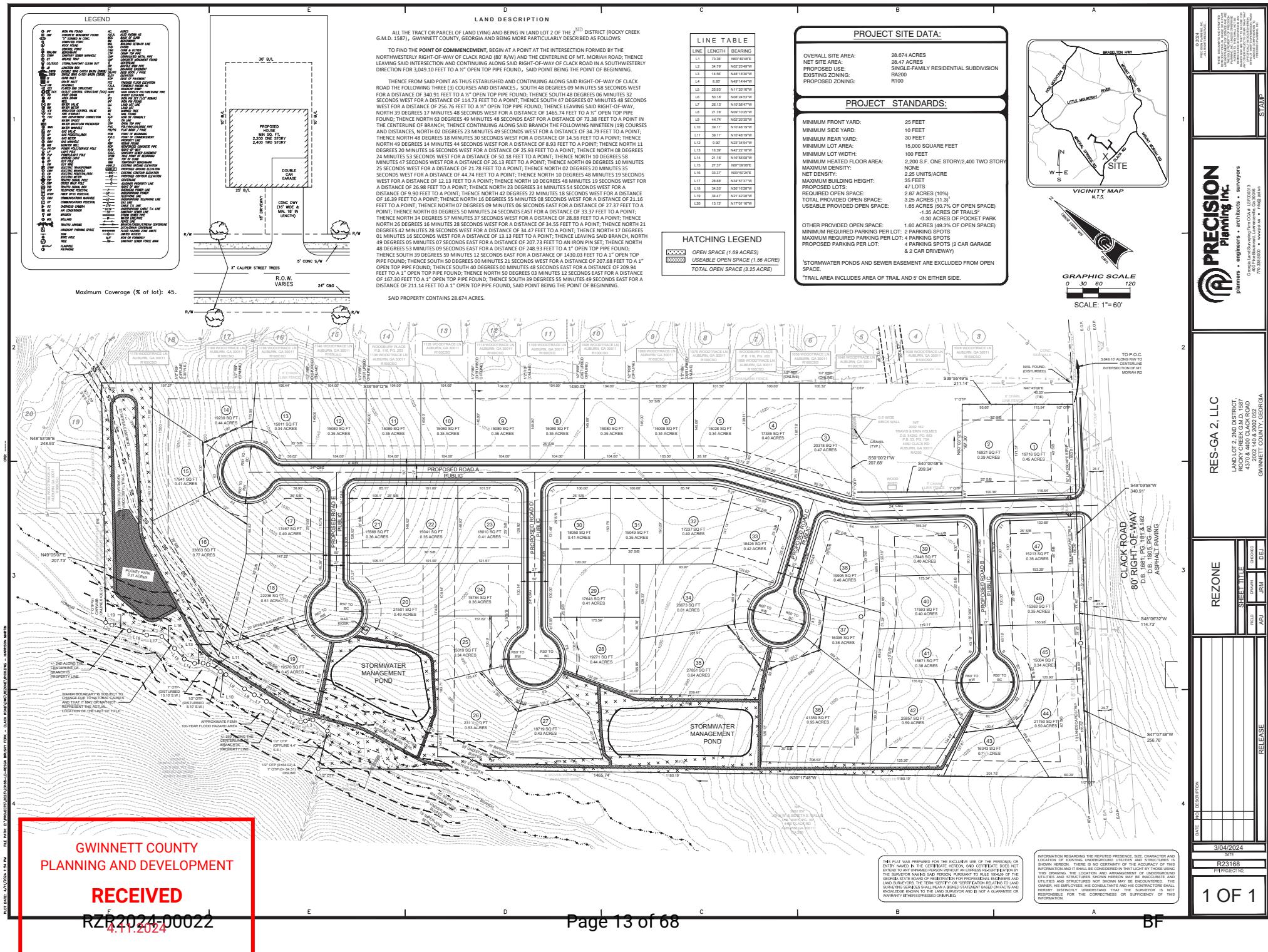
View of Clack Road, subject property on left



View of homes in the abutting Woodbury Place subdivision

**Exhibit B: Site Plan**

**[attached]**



**Exhibit C: Building Elevations**

**[attached]**

**RECEIVED**

3.28.2024

**EXAMPLE**



**EXAMPLE**  
Approx Height = 27'  
Materials: Brick and/or Stone w/ Fiber Cement Siding

**RECEIVED**

3.28.2024

EXAMPLE



**RECEIVED**

3.28.2024

EXAMPLE



**RECEIVED**

3.28.2024

EXAMPLE



**RECEIVED**

3.28.2024

EXAMPLE



**RECEIVED**

3.28.2024

EXAMPLE



**RECEIVED**

3.28.2024

EXAMPLE



**RECEIVED**

3.28.2024

EXAMPLE



RECEIVED

3.28.2024

EXAMPLE



Approx Height = 27'  
Materials = Brick and/or Stone w/ Fiber Cement Siding

**RECEIVED**

3.28.2024

EXAMPLE



**RECEIVED**

3.28.2024

EXAMPLE



**RECEIVED**

3.28.2024

EXAMPLE



**Exhibit D: Letter of Intent and Applicant's Response to Standards**

**[attached]**

**RECEIVED**

4.11.2024

Matthew P. Benson  
Catherine W. Davidson  
Gerald Davidson, Jr.\*  
Brian T. Easley  
Rebecca B. Gober  
Christopher D. Holbrook  
Jessica P. Kelly  
Shane M. Lanham

Jeffrey R. Mahaffey  
Julia A. Maxwell  
Steven A. Pickens  
Jack M. Ryan  
Gabrielle H. Schaller  
S. Tess Shaheen  
Andrew D. Stancil  
R. Lee Tucker, Jr.

\*Of Counsel

## **LETTER OF INTENT FOR REZONING APPLICATION**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached rezoning application (the “Application”) on behalf of RES-GA 2, LLC, (the “Applicant”) requesting the rezoning of an approximately 28.674-acre tract of land (the “Property”) situated along the northwesterly side of Clack Road between its intersections with Mt Moriah Road and Mineral Springs Road. The Property is located within the Rural Character Area of the Gwinnett County 2045 Unified Plan (the “2045 Plan”) and is currently zoned RA-200.

The Applicant submits the Application requesting to rezone the Property to the R-100 (Single Family Residence District) zoning classification of the Gwinnett County Unified Development Ordinance (the “UDO”) to develop the Property as an attractive detached, single-family residential community. The proposed development would include 47 single-family detached homes at an overall density of 1.64 units per acre. Homes in the proposed community would be compatible with homes in the surrounding area and attractive architectural elements which would meet or exceed the requirements of the UDO’s Architectural Design Standards for Detached Residential Buildings. Building façades of the proposed homes would include brick, stone, shake/siding, and/or board and batten as depicted in the building elevations submitted with the Application. All of the homes would include two-car garages and would have a minimum

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

FACSIMILE 678 518 6880

Page 28 of 68

[www.mptlawfirm.com](http://www.mptlawfirm.com)

heated floor area of 2,200 square feet for single-story homes and 2,400 square feet for two-story homes. Also, the proposed development will include approximately 3.25 acres of open space including 1.65 acres of usable open space with nature trails and other amenities for residents to enjoy. The provided open space exceeds the UDO's requirements for both open space and usable open space areas. Further, sewer and water utilities are both available in the immediate vicinity and have sufficient capacity to support the proposed development. The proposed development would be accessed by a single entrance on Clack Road.

The proposed development is compatible with surrounding land uses and is in line with the policies of the Gwinnett County 2045 Unified Plan (the “2045 Plan”). The surrounding area is characterized primarily by residential development including communities zoned R-100 Modified, R-100 CSO, and OSC. In fact, the proposed development’s lot widths are bigger than currently zoned parcels in the vicinity. For example, pursuant to RZR2005-00058, the large parcel to the north was rezoned to R-100 CSO with special zoning conditions providing for lot widths of 64 feet. The proposed development will have lot widths of 100 feet.

The proposed development is also in line with the policies of the 2045 Plan which broadly promotes residential development and encourages a variety of housing types. Chapter 4: Housing of the 2045 Plan provides abundant data and statistics that reflect a housing shortage in Gwinnett County. In the Needs & Opportunities section of Chapter 4, the 2045 Plan identifies a need of “More Housing Development” and provides that the “housing shortage inhibits population growth, business attraction, and other economic development by raising housing prices and failing to accommodate new residents. A higher volume of housing development is needed to meet economic goals and countywide growth potential.”

**GWINNETT COUNTY  
PLANNING AND DEVELOPMENT**

**RECEIVED**

RZR2024-00022

4.11.2024

Additionally, the open space and conservation areas of the proposed development is in line with the spirit and intent of the 2045 Plan for the Rural Future Development Area. The 2045 Plan provides that R-100 is a recommended zoning classification for Rural Future Development Area. Further, the incorporation of 3.25 acres of open space for residents to enjoy enhances the proposed development's adherence to the spirit and intent of the 2045 Plan. The proposed residential development would continue the residential development pattern and provide high-quality, attractive homes which complement the land use mix.

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 these Applications.

Respectfully submitted this 11th day of April, 2024.

MAHAFFEY PICKENS TUCKER, LLP

*Shane M. Lanham*

Shane M. Lanham  
Attorneys for Applicant

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

RECEIVED

4.1 RZR 2024-00022

**AMENDMENT TO AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF**  
**GWINNETT COUNTY, GEORGIA**

APPLICANT: RES-GA 2, LLC c/o Mahaffey Pickens Tucker, LLP

ZONING CASE NUMBER: RZR2024-00022

PRESENT ZONING DISTRICT: RA-200

REQUESTED ZONING DISTRICT: R-100

PROPERTY: 4370 &4400 Clack Road, Auburn, Georgia 30519

SIZE: +/- 28.64

DISTRICT & L.L.: 2nd; 200

PROPOSED DEVELOPMENT: Detached Single Family Residential

The Applicant, RES-GA 2, LLC, hereby amends its application to amend the official zoning map of Gwinnett County, Georgia heretofore filed with the Gwinnett County Planning and Zoning Department by the addition of the attached Exhibit to the original application.

This 9th day of May, 2024.

MAHAFFEY PICKENS TUCKER, LLP

*Shane Lanham*

Shane M. Lanham  
*Attorneys for Applicant*

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

5.9.24 RZR2024-00022

## **JUSTIFICATION FOR REZONING**

The portions of the Gwinnett County Unified Development Ordinance (the “UDO”) which classify or may classify the property which is the subject of this Application (the “Property”) into any less intensive zoning classification other than as requested by the Applicant, are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the UDO as applied to the subject Property, which restricts its use to the present zoning classification, is unconstitutional, illegal, null and void, constituting a taking of the Applicant's and the Owner's 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, Article I, Section I, Paragraph I, and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

The Property is presently suitable for development under the R-100 classification as requested by the Applicant, and is not economically suitable for development under the present RA-200 zoning classification of Gwinnett County. A denial of this Application would constitute an arbitrary and capricious act by the Gwinnett County Board of Commissioners without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Gwinnett County Board of Commissioners to rezone the Property to the R-100 classification with such conditions as agreed to by the Applicant, so as to permit the only feasible economic use of the Property, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

5.9.24 RZR2024-00022

property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the subject Property to the R-100 classification, subject to conditions which are different from the conditions by which the Applicant may amend its application, to the extent such different conditions would have the effect of further restricting the Applicant's and the Owner's utilization of the subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

Opponents to the request set forth in the Application, or in any amendments to the Application, have waived their rights to appeal any decision of the Gwinnett County Board of Commissioners because they lack standing, have failed to exhaust administrative remedies, and/or because they failed to assert any legal or constitutional objections.

Accordingly, the Applicant respectfully requests that the rezoning application submitted by the Applicant relative to the Property be granted and that the Property be rezoned to the zoning classification as shown on the respective application.

This 9th day of May, 2024.

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP

*Shane Lanham*

Shane M. Lanham  
*Attorneys for Applicant*

1550 North Brown Road  
Suite 125  
Lawrenceville, Georgia 30043  
(770) 232-0000

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

RECEIVED

5.9.24 RZR2024-00022

## **STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER**

Pursuant to requirements of the United 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 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 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 Unified Plan and Future Development Map:

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.

---

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT  
**RECEIVED**  
RZR2024-00022  
3.28.2024

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

- (A) Yes, approval of the Rezoning Application will permit a use that is suitable in view of the use and development of adjacent and nearby property. The proposed residential development is compatible with existing residential uses and will further diversify housing options in the surrounding areas.
- (B) No, approval of the Rezoning Application will not adversely affect the existing use or usability of any of the nearby properties. Rather, the proposed development will complement the housing mix of the surrounding area.
- (C) Due to the size, location, layout, and dimensions of the subject property, the Applicant submits that the Property does not have a reasonable economic use as currently zoned.
- (D) No, approval of the Rezoning Application will not result in an excessive or burdensome use of the surrounding infrastructure systems. The proposed development has direct access to Clack Road and is located in close proximity to Braselton Highway. Additionally, water and sewer utilities are present in the immediate vicinity.
- (E) Yes, approval of the Rezoning Application is in conformity with the policy and intent of the Gwinnett County 2045 Unified Plan which encourages residential development and encourages the continued diversification of housing types in the County. Additionally, the requested zoning district is a recommended zoning district under the Gwinnett County 2045 Unified Plan.
- (F) The Applicant submits that the quality of proposed homes, the Property's access to water and sewer infrastructure, and the Property's proximity to regional transportation corridors provide additional supporting grounds for approval of the Application.

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

RZR2024-00022

3.28.2024

**Exhibit E: Application and Disclosure of Campaign Contributions**

**[attached]**

RECEIVED

REZONING APPLICATION

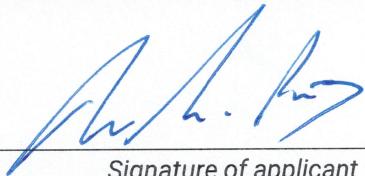
4.11.2024

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

APPLICANT INFORMATION		PROPERTY OWNER INFORMATION	
Name: RES-GA 2 LLC c/o Mahaffey Pickens Tucker, LLP		Name: RES-GA 2, LLC	
Address: 1550 North Brown Road, STE 125		Address: 3276 Buford Drive STE 104-102	
City: Lawrenceville		City: Buford	
State: Georgia ZIP: 30043		State: Georgia ZIP: 30519	
Phone: 770-232-0000		Phone: _____	
Email: slanham@mptlawfirm.com		Email: _____	
Contact Person: Shane M. Lanham		Phone: 770-232-0000	
Contact's Email: slanham@mptlawfirm.com			
<b>APPLICANT IS THE:</b>			
<input type="checkbox"/> Owner's Agent <input checked="" type="checkbox"/> Property Owner      Contract Purchaser			
Current Zoning District(s): RA-200 Requested Zoning District: R-100			
Parcel Number(s): R2002 140 & R2002 052 Acreage: +/- 28.64			
Property Address(es): 4370 & 4400 Clack Road, Auburn, Georgia 30519			
Proposed Development: Single Family Detached Subdivision			
Variance(s): _____		Waiver(s): _____	
<b>RESIDENTIAL DEVELOPMENT</b>		<b>NON-RESIDENTIAL DEVELOPMENT</b>	
No. of Dwelling Units: 47 2,200 sq ft for single-story		No. of Buildings: N/A	
Dwelling Unit Sq. Ft.: 2,400 sq ft for two-story		Total Building Sq. Ft.: N/A	
Density: 1.64 units/acre		Floor Area Ratio: N/A	
Floor Area Ratio (LRR, MRR, HRR): _____			
<b>MIXED-USE DEVELOPMENT</b>			
No. of Dwelling Units: N/A		Dwelling Unit Sq. Ft.: N/A	
Total Non-Residential Sq. Ft.: N/A		Floor Area Ratio: N/A	

## REZONING APPLICANT'S CERTIFICATION

The undersigned below is authorized to make this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within 12 months from the date of last action by the Board of Commissioners unless waived by the Board of Commissioners. In no case shall an application or reapplication be acted upon in less than six months from the date of last action by the Board of Commissioners.



Signature of applicant

3/22/2024

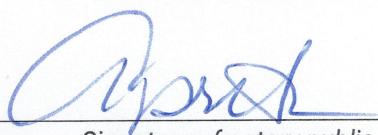
Date

RES-GA 2, LLC  
by: Gwinnett Development Corporation, Its Manager  
William A. Austin, President

3/22/2024

Type or print name and title

Date



Signature of notary public

3/22/2024

Date



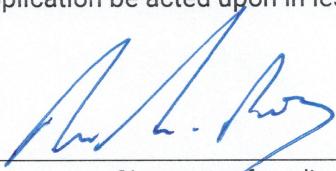
GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

RECEIVED

RZP2024-00022  
3.28.2024

## REZONING PROPERTY OWNER'S CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within 12 months from the date of last action by the Board of Commissioners unless waived by the Board of Commissioners. In no case shall an application or reapplication be acted upon in less than six months from the date of last action by the Board of Commissioners.



Signature of applicant

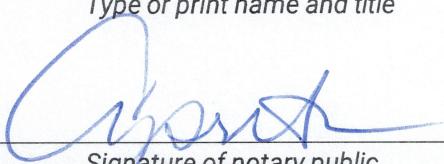
3/22/2024

Date

RES-GA 2, LLC  
by: Gwinnett Development Corporation, Its Manager  
William A. Austin, President

3/22/2024

Type or print name and title

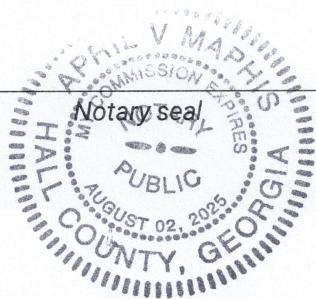


Signature of notary public

3/22/2024

Date

Notary seal



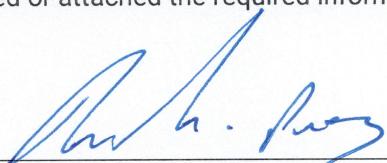
GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

RECEIVED

RZP2024-00022  
3.28.2024

## CONFLICT OF INTEREST CERTIFICATION FOR REZONING

The undersigned below, applying for a rezoning, has complied with the Official Code of Georgia Section 36-67A-1 and has submitted or attached the required information on the forms provided.



Signature of applicant

3/22/2024

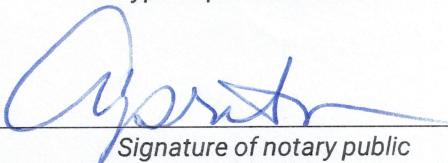
Date

RES-GA 2, LLC  
by: Gwinnett Development Corporation, Its Manager  
William A. Austin, President

3/22/2024

Type or print name and title

Date



Signature of notary public

3/22/2024

Date



### DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250 or more to a member of the Gwinnett County Board of Commissioners or a member of the Gwinnett County Planning Commission?

Yes

No RES-GA 2, LLC or William A. Austin

Name

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

Name and Official Position of Government Official	Contributions (List all which aggregate to \$250 or more)	Date Contribution Was Made (Within last two years)

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

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

RECEIVED

RZP2024-00022  
3.28.2024

**REZONING APPLICANT'S CERTIFICATION**

The undersigned below is authorized to make this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within six (6) months from the date of last action by the Board of Commissioners.



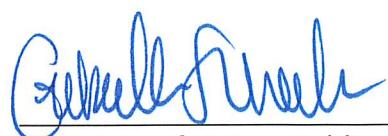
Signature of Applicant



Date

Shane M. Lanham, Attorney for Applicant

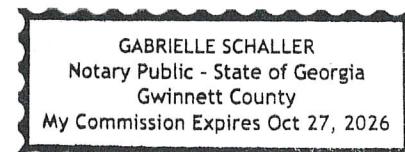
Type or Print Name and Title



Signature of Notary Public



Date



Notary Seal

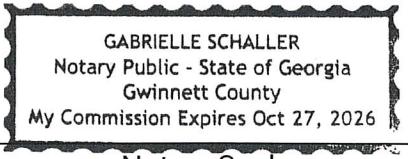
GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

RZR2024-00022  
3.28.2024

**CONFLICT OF INTEREST CERTIFICATION FOR REZONING**

The undersigned below, making application for a rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

Signature of Applicant	Date	Type of Print Name and Title
	3/28/24	Shane M. Lanham, Attorney for Applicant
Signature of Applicant's Attorney or Representative	Date	Type or Print Name and Title
	3/28/24	 GABRIELLE SCHALLER Notary Public - State of Georgia Gwinnett County My Commission Expires Oct 27, 2026
Signature of Notary Public	Date	Notary Seal

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Board of Commissioners?

Yes       No      Mahaffey Pickens Tucker, LLP      (Your Name)

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

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

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

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

RECEIVED

RZR2024-00022  
3.28.2024

**CONFLICT OF INTEREST CERTIFICATION FOR REZONING/CHANGE IN  
CONDITIONS AND SPECIAL USE PERMIT APPLICATIONS**

**MAHAFFEY PICKENS TUCKER, LLP**

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE
Ben Ku, Commissioner	\$1,500	10/03/2022
Matt Holtkamp, Commissioner	\$1,000	04/13/2023
Nicole Love Hendrickson, Chairwoman	\$2,500	08/11/2023
Matt Holtkamp, Commissioner	\$3,300	09/18/2023
Kirkland Carden, Commissioner	\$3,300	09/27/2023

**Lee Tucker, Attorney at Law, P.C.**

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE
Kirkland Carden, Commissioner	\$2,000	10/25/2023

**Jeffrey Mahaffey, Attorney at Law, Individually**

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE
Nicole Love Hendrickson, Chairwoman	\$1,000	08/14/2023

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

RZR2024-00022

3.28.2024

Updated 10/25/2023

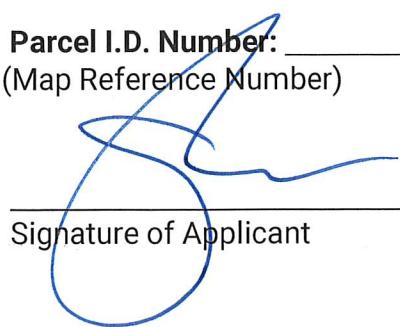
BF

**VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING**

The undersigned below is authorized to make this application. The undersigned certifies that all Gwinnett County property taxes billed to date for the parcel listed below have been paid in full to the Gwinnett County Tax Commissioner. In no case shall an application or reapplication for rezoning be processed without such property verification.

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

Parcel I.D. Number: R2002 140  
(Map Reference Number)



3/26/2024

Signature of Applicant

Date

Shane M. Lanham, Attorney for Applicant  
Type or Print Name and Title

**PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 Langley Drive. THIS FORM MUST BE SIGNED BY A REPRESENTATIVE OF THE TAX COMMISSIONER'S OFFICE.**

**TAX COMMISSIONERS USE ONLY**

Payment of all property taxes billed to date for the above referenced parcel has been verified as paid current and confirmed by the signature below.

Vickie Schobey  
Name

TSA II

Title

3/27/2024

Date

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

RZR2024-00022  
3.28.2024

**VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING**

The undersigned below is authorized to make this application. The undersigned certifies that all Gwinnett County property taxes billed to date for the parcel listed below have been paid in full to the Gwinnett County Tax Commissioner. In no case shall an application or reapplication for rezoning be processed without such property verification.

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

Parcel I.D. Number: R2002 052  
(Map Reference Number)

Signature of Applicant

3/26/2024

Date

Shane M. Lanham, Attorney for Applicant

Type or Print Name and Title

**PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 Langley Drive. THIS FORM MUST BE SIGNED BY A REPRESENTATIVE OF THE TAX COMMISSIONER'S OFFICE.**

**TAX COMMISSIONERS USE ONLY**

Payment of all property taxes billed to date for the above referenced parcel has been verified as paid current and confirmed by the signature below.

Vivie Schobey

Name

3/21/2024

Date

TSA II

Title

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

RZR2024-00022  
3.28.2024

**Exhibit F: DWR Sewer Capacity Certification Letter**

**[attached]**



December 4, 2023

Bill Austin  
Northpointe Communities, LLC  
3276 Buford Dr, Suite 104-102  
Buford, GA 30519

<input checked="" type="checkbox"/>	<b>APPROVED</b>
<input type="checkbox"/>	<b>DENIED</b>
<input type="checkbox"/>	<b>CONDITIONALLY APPROVED</b>
<b>Sewer Capacity Request #C2023-288-12</b>	
<b>Expiration Date: 12/04/2024</b>	
<b>Tie-In Manhole FID: 2279393</b>	

RE: Sewer Availability for Proposed Development – Clack Road Property  
Parcel ID 2002 052, 2002 140

Dear Mr. Austin:

Gwinnett County Department of Water Resources (GCDWR) has reviewed the impact of the proposed development consisting of 51 single-family residences on the above parcel(s) and determined:

Gwinnett County has adequate sewer capacity to serve the proposed development.

This confirmation is based on your anticipated annual average daily flow of 8.9 gpm discharging to the sewer tie-in manhole at Facility ID 2279393.

**Capacity Allocation:** Sewer capacities are allocated only upon the issuance of a Development Permit, by Gwinnett County Planning & Development and after all applicable conditions established in this Sewer Capacity Certification, if any, are met.

**Certification Expiration:** The Sewer Capacity Certification is valid for 12 months from the date of this letter. If rezoning is approved, GCDWR will issue a revised Sewer Capacity Certification based on the approved units, as needed. The capacity request can be renewed for an additional 12 months. If a Development Permit has not been obtained by the expiration date above the developer may apply for renewal by providing evidence of active rezoning, plan review, or permitting efforts.

Once the Sewer Capacity Certification expires, the capacity is no longer allocated, and a new Sewer Capacity Certification request must be submitted for re-evaluation with no guarantee of available capacity. The evaluation will be based on the updated conditions of the sewer system.

**Certification Invalidation:** This certification is not valid if there are proposed changes to your development that could impact downstream sewer capacity (e.g. land use density, sewer tie-in manhole, parcel changes, and/or rezoning). In this case the development must resubmit for a new Sewer Capacity Request with updated information prior to the expiration of the previous one.

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

RECEIVED

RZR2024-00022  
3.28.2024



# Gwinnett

GWINNETT COUNTY  
DEPARTMENT OF WATER RESOURCES

684 Winder Highway | Lawrenceville, GA 30045-5012

678.376.6700

[www.gwinnettcounty.com](http://www.gwinnettcounty.com) | [www.gwinnetth2o.com](http://www.gwinnetth2o.com)

---

Please contact us at 678-376-7026 if you have any questions.

Sincerely,

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES

Tai Yi Su, PE  
Division Director, Infrastructure Support  
678.376.2104

C: Gwinnett County DWR – Lorraine Campagne, Section Manager; Raghu Vemuru, Engineer V; Mikala Weston, Engineer III  
Gwinnett County P&D – Charli Young, Planning Manager; Geniva Sylvain, Engineer I; Christina Dejarnette, Engineer I

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

RECEIVED

RZR2024-00022  
3.28.2024

**Exhibit G: Traffic Impact Study**

**[attached]**

**RECEIVED**

3.28.2024

## Traffic Impact Study

4370 and 4400 Clack Road Residential Subdivision  
Gwinnett County, Georgia

prepared for:

RES-GA 2, LLC

March 7, 2024  
revised March 21, 2024



in collaboration with



## Introduction, Project Location, and Project Description

This study assesses the traffic impact of a proposed residential subdivision in Gwinnett County, Georgia. The site is located at 4370 and 4400 Clack Road, as shown in Figure 1. The project will consist of 47 detached single family homes and will be served by one full-movement access on the west side of Clack Road. Figure 2 presents the site plan for the project.



Figure 1 – Site Location Map

This traffic impact study was prepared for the proposed development according to the standards set forth in Gwinnett County's *Traffic Impact Study Guidelines* dated June 30, 2023. Based on peak hour trip projections made using the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 11<sup>th</sup> Edition (the current edition), the proposed 47 home subdivision is projected to generate 49 p.m. (the higher of the a.m./p.m.) peak hour trips. Based on those trips, Gwinnett County requires a Level 2 Traffic Study (21 to 249 trips). This traffic impact study includes the tasks for a Level 2 Study, as set forth in the County's Guidelines, Table 1: Traffic Impact Study Scope.

4370 and 4400 Clack Road Subdivision, Gwinnett County  
Traffic Impact Study

RZR2024-00022

Page 51 of 68

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT  
RECEIVED

3.28.2024

SEI  
ENGINEERING, INC.  
ACAMPORA TRAFFIC

BF

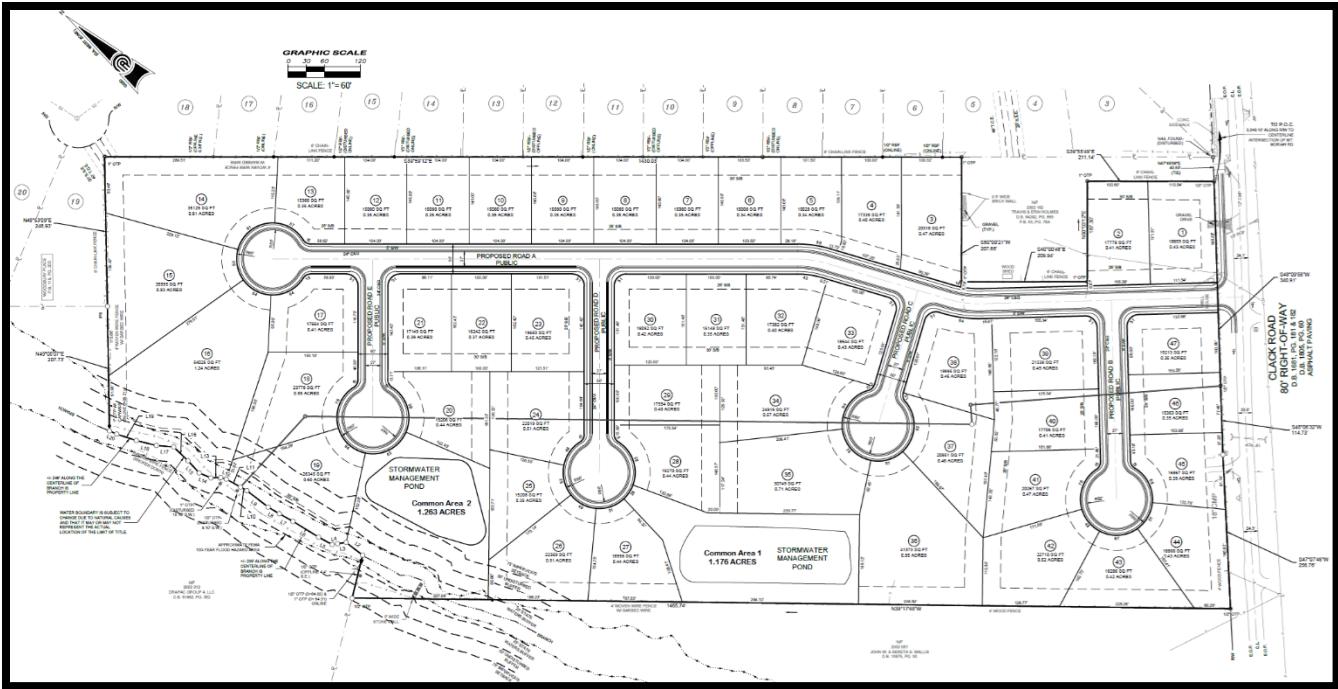


Figure 2 – Site Plan

### Existing and Proposed Land Use

The subject property is currently zoned RA200 – Agriculture Residence District. The proposed zoning is R-100 – Single Family Residence District.

### Trip Generation Estimate

The volume of traffic that will be generated by the subdivision was calculated using the equations in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11<sup>th</sup> Edition* (the current edition). ITE Land Use 210 – Single Family Detached Housing was chosen as representative of the project. The trip generation is summarized in Table 1.

Table 1 – Proposed 4370 and 4400 Clack Road Subdivision Trip Generation

Land Use	ITE Code	Size	A.M. Peak Hour			P.M. Peak Hour			24 Hour	
			In	Out	2-Way	In	Out	2-Way	2-Way	2-Way
Single Family Detached Housing	210	47 homes	9	28	37	31	18	49	504	504

The proposed subdivision will generate 37 trips in the morning peak hour, 49 trips in the evening peak hour, and 504 two-way daily trips.

4370 and 4400 Clack Road Subdivision, Gwinnett County  
Traffic Impact Study

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

RECEIVED

3.28.2024

SEI  
ENGINEERING, INC.  
ACAMPORA TRAFFIC

## Conclusions and Recommendations

This study assesses the traffic impact of a proposed residential subdivision in Gwinnett County. The site is located at 4370 and 4400 Clack Road. The project will consist of 47 detached single family homes and will be served by one access on the west side of Clack Road.

This traffic impact study was prepared for the proposed development according to the standards set forth in Gwinnett County's *Traffic Impact Study Guidelines* dated June 30, 2023. Based on the projected 49 trip peak hour project trip generation, Gwinnett County requires a Level 2 Traffic Study. The following are the findings and recommendations of this study:

1. The proposed subdivision will generate 37 trips in the morning peak hour, 49 trips in the evening peak hour, and 504 two-way daily trips.
2. Gwinnett County recorded a 24-hour traffic volume count on Clack Road in December 2022 of 1,475 vehicles between Mt Moriah Road and Mineral Springs Road and 3,086 vehicles between Mineral Springs Road and Fence Road. A 24-hour bi-directional count was collected on Clack Road between Mt Moriah Road and Mineral Springs Road for this traffic study on Thursday, February 8, 2024. The count revealed a northbound volume of 1,510 vehicles, a southbound volume of 1,577 vehicles, for a two-way volume of 3,087 vehicles.
3. This traffic impact study was prepared concurrently with a traffic impact study for another proposed subdivision at 4550 Clack Road. That project will add 38 trips in the morning peak hour, 50 trips in the evening peak hour, and 514 two-way daily trips.
4. There are no sidewalks on Clack Road with the exception of a small section that was installed on the west side of the road along the frontage of a residential subdivision. There are no dedicated bicycle lanes along area roadways. There is no regularly scheduled mass transit service in the walkable area. The proposed subdivision site plan includes sidewalks along both sides of all internal streets. The sidewalks will connect to Clack Road and sidewalk will be added along the project frontage on Clack Road.
5. Intersection sight distance from the location of the proposed project access to the north is approximately 775 feet. To the south, the available intersection sight distance is approximately 770 feet. The County's minimum required intersection sight distance at the project access on two-lane Clack Road, with a posted speed limit of 35 mph, is 390 feet to the left and to the right. Therefore, the available lines of sight satisfy the County's standard in both directions.
6. The existing analysis reveals acceptable operating conditions at all study intersections and controlled approaches or movements. No mitigation is recommended at any study intersection.

7. The County UDO does not require southbound exclusive right turn lane or a northbound exclusive left turn lane on Clack Road to serve the subdivision access.
8. The project access should be built with one entering lane and one exiting lane. The exiting approach should be controlled by side street stop sign and accompanying stop bar.
9. The project civil/site engineer should comply with all applicable design standards at the project access and along all internal roadways, including sight distances, driveway spacing, turn lane storage and taper lengths (when required), turn radii, driveway widths, islands, angles with the adjacent roadways, and grades.

4370 and 4400 Clack Road Subdivision, Gwinnett County  
Traffic Impact Study

RZR2024-00022

Page 54 of 68



BF

**Exhibit I: Internal and External Agency Review Comments**

**[attached]**



## Public Participation Plan

- 1. Who do you intend to contact in addition to property owners within 1,000 feet of the site, if any?**

In addition to the surrounding property owners, the Applicant will contact the Board of Commissioners and Planning Commission members.

- 2. Where do you plan to host the Public Participation Meeting? Ensure that the meeting is held in person at a convenient location for interested parties.**

The meeting will be held at the Little Mulberry Park Pavilion.

- 3. What date and time do you plan to host the Public Participation Meeting? Ensure that the meeting is held at a convenient time for interested parties, e.g. not during typical work hours on weekdays.**

April 30th, 2024 at 7:00pm

- 4. What is your method for providing opportunities for discussion with interested parties at the Public Participation Meeting?**

The Applicant team will provide an introduction to the project and then open the meeting for discussion and/or question-and-answer session.



RECEIVED

5.2.2024

## Public Participation Report

- 1. List all groups that you notified of the requested application. Include a copy of the notification package and stamped Postal Service Form 3877 (attached) with itemized name and address of each addressee.**

Notification packet attached. Notices were mailed to owners of property within 1,000 feet as well as members of the Board of Commissioners and Planning Commission.

- 2. Provide the date, time, and location of all meeting(s) that the applicant and/or representative attended to discuss an application with interested parties.**

The meeting was held at the Little Mulberry Park Pavilion on April 30, 2024 from 6:00 to 8:00 pm.

- 3. Provide the number of people who participated in the meeting(s). Include the sign-in sheet(s) with meeting date, time, location, and attendee names.**

Sign-in sheet attached. 19 people signed the sign-in sheet. More attendees came and went and not all signed the sign-in sheet.

- 4. What issues and concerns were expressed by attendees at the meeting(s)?**

Among others, schools, traffic, price points of homes, OSC v. R-100, size of proposed homes, etc. There were multiple objections to the walking trail being installed near Woodbury.

- 5. What are the applicant's responses to the issues and concerns that were expressed at the meetings? What changes to the development will be made?**

The Applicant submitted a traffic study which indicated that the proposed development would not overwhelm the existing road network. Gwinnett County Schools will review the application and has the opportunity to make comments. Price points would be competitive with existing homes in the area (both Sierra Creek and Woodbury Place). R-100 and OSC allow similar densities, but OSC allows smaller lots and requires more open space. Homes are proposed to be a minimum of 2,200 sf for one-story and 2,400 sf for two-story. The Applicant is open to removing the walking trail near Woodbury.

**Exhibit I: Internal and External Agency Review Comments**

**[attached]**



**Department of Planning and Development**  
**TECHNICAL REVIEW COMMITTEE**

<b>TRC Meeting Date:</b>		05.03.2024	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		<a href="mailto:Brent.Hodges@gwinnettcounty.com">Brent.Hodges@gwinnettcounty.com</a>	
Case Number:		RZR2024-00022	
Case Address:		4370, 4400 Clack Road, Auburn, 30011	
<b>Comments:</b>		<input checked="" type="checkbox"/> <b>YES</b>	<input type="checkbox"/> <b>NO</b>
1	Clack Road is a minor collector. ADT = 1,475.		
2	9.7 miles to the nearest transit facility located at Old Peachtree Road and Publix (SR 20-Buford Drive) (Route 50).		
3	A 5' concrete sidewalk shall be constructed along the entire Clack Road frontage.		
4	A right-turn deceleration lane shall be provided along Clack Road into the site.		
5	Traffic Calming shall be required for any street that exceeds 500' without a control point.		
6	Per the submitted traffic impact study, the proposed subdivision will generate 37 trips in the morning peak hour, 49 trips in the evening peak hour, and 504 two-way daily trips.		
7	The existing analysis reveals acceptable operating conditions at all study intersections and controlled approaches or movements. No mitigation is recommended at any study intersection.		
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/> <b>YES</b>	<input checked="" type="checkbox"/> <b>NO</b>
1			
2			
3			
4			
5			
6			
7			

**Note:** Attach additional pages, if needed

*Revised 7/26/2021*

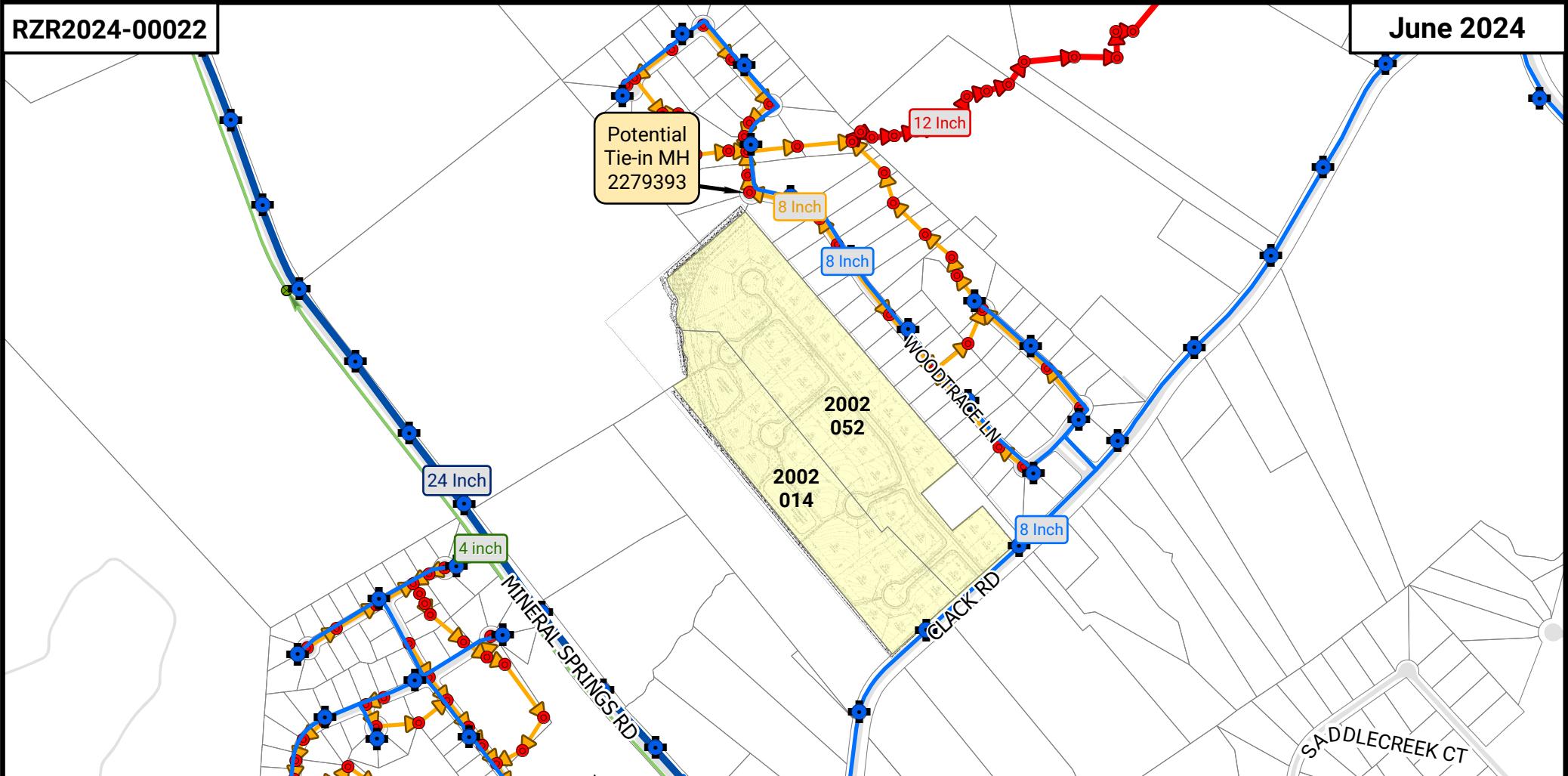


**Department of Planning and Development**  
**TECHNICAL REVIEW COMMITTEE**

<b>TRC Meeting Date:</b>	
Department/Agency Name: DWR	
Reviewer Name: Mike Pappas	
Reviewer Title: GIS Planning Manager	
Reviewer Email Address: <a href="mailto:Michael.pappas@gwinnettcounty.com">Michael.pappas@gwinnettcounty.com</a>	
Case Number: RZR2024-00022	
Case Address: 4370 & 4400 Clack Road	
<b>Comments:</b>	
	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
1	Water: The proposed redevelopment may connect to an existing 8-inch water main located on the northern right-of-way of Clack Road.
2	Sewer: A Sewer Capacity Certification (C2023-288-12) has been approved for 51 single family units. The proposed development plans to connect to an existing 8-inch gravity sewer on Woodtrace Lane. Final Plats for the Woodbury Place development indicate an easement exists for tie-in to manhole FID 2279393.
3	
4	
5	
6	
7	
<b>Recommended Zoning Conditions:</b>	
	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
1	
2	
3	
4	
5	
6	
7	

**Note:** Attach additional pages, if needed

*Revised 7/26/2021*



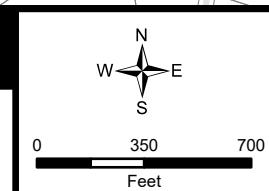
## 4370 & 4400 Clack Rd

RA-200 to R-100

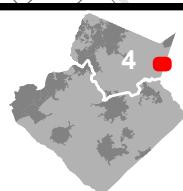
# Water & Sewer Utility Map

## LEGEND

- Water Main
- Hydrant
- Manhole
- Sewer Collector
- Sewer Force Main



## LOCATION



**Water Comments:** The proposed redevelopment may connect to an existing 8-inch water main located on the northern right-of-way of Clack Road.

**Sewer Comments:** A Sewer Capacity Certification (C2023-288-12) has been approved for 51 single family units. The proposed development plans to connect to an existing 8-inch gravity sewer on Woodtrace Lane. Final Plats for the Woodbury Place development indicate an easement exists for tie-in to manhole FID 2279393.

**Water Availability:** Water 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. Current Gwinnett County Standards require a minimum of 12" pipe size for commercial developments and a minimum of 8" pipe size for residential developments. Additionally, connection to a minimum of 12" and 8" mains are required for commercial and residential developments, respectively. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

**Sewer Availability:** A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer 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. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

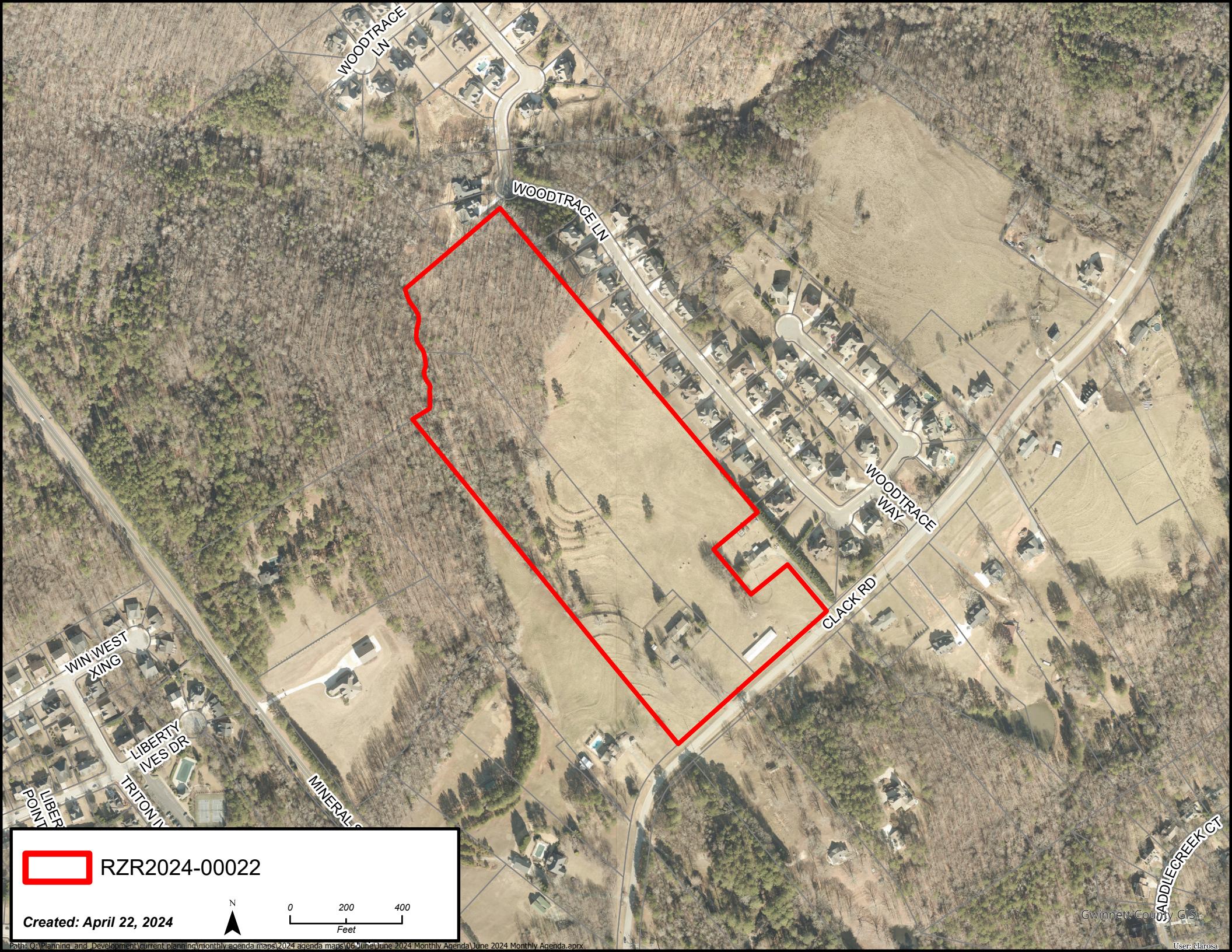
**Water and Sewer Design and Construction Requirements:** Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, 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.

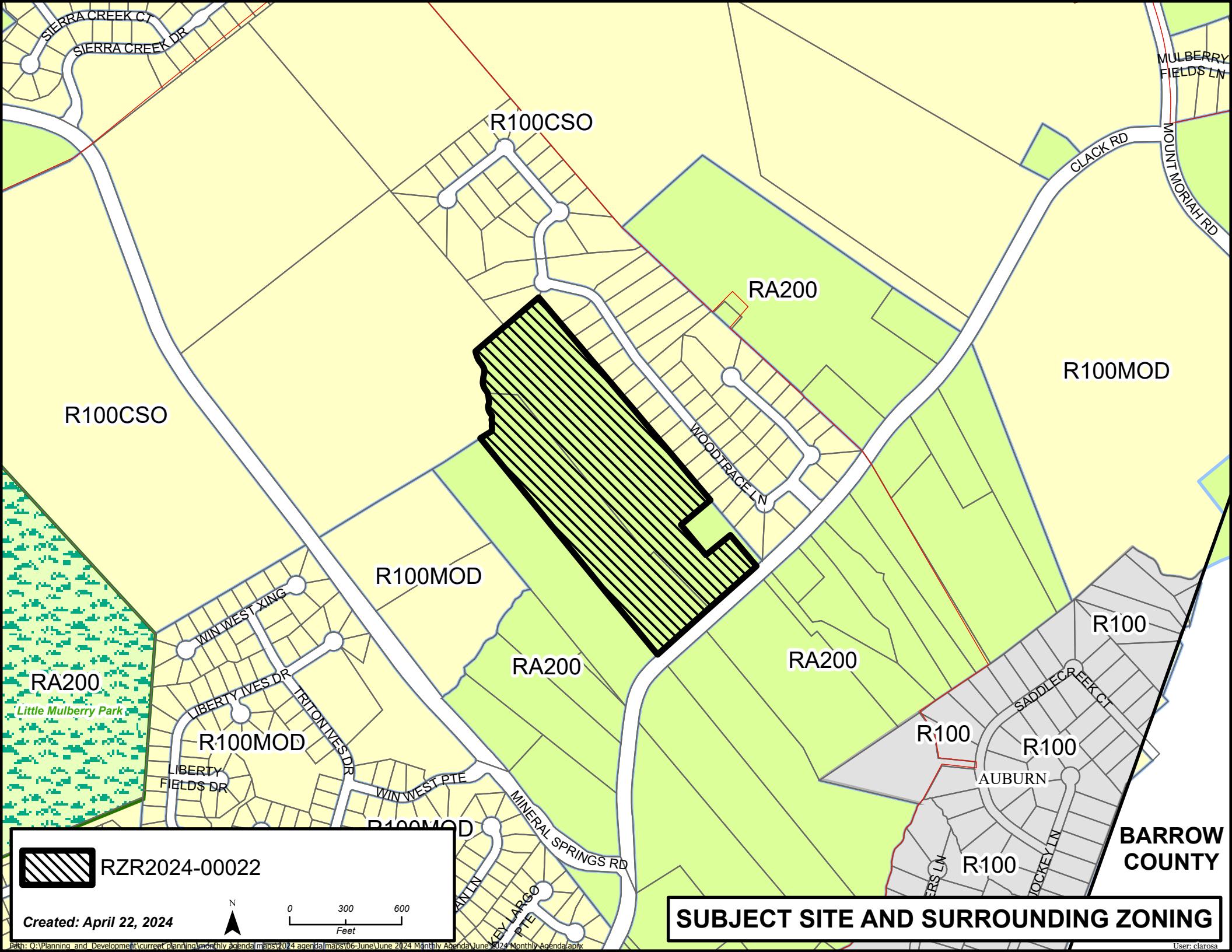
**Private Road Developments:** Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among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

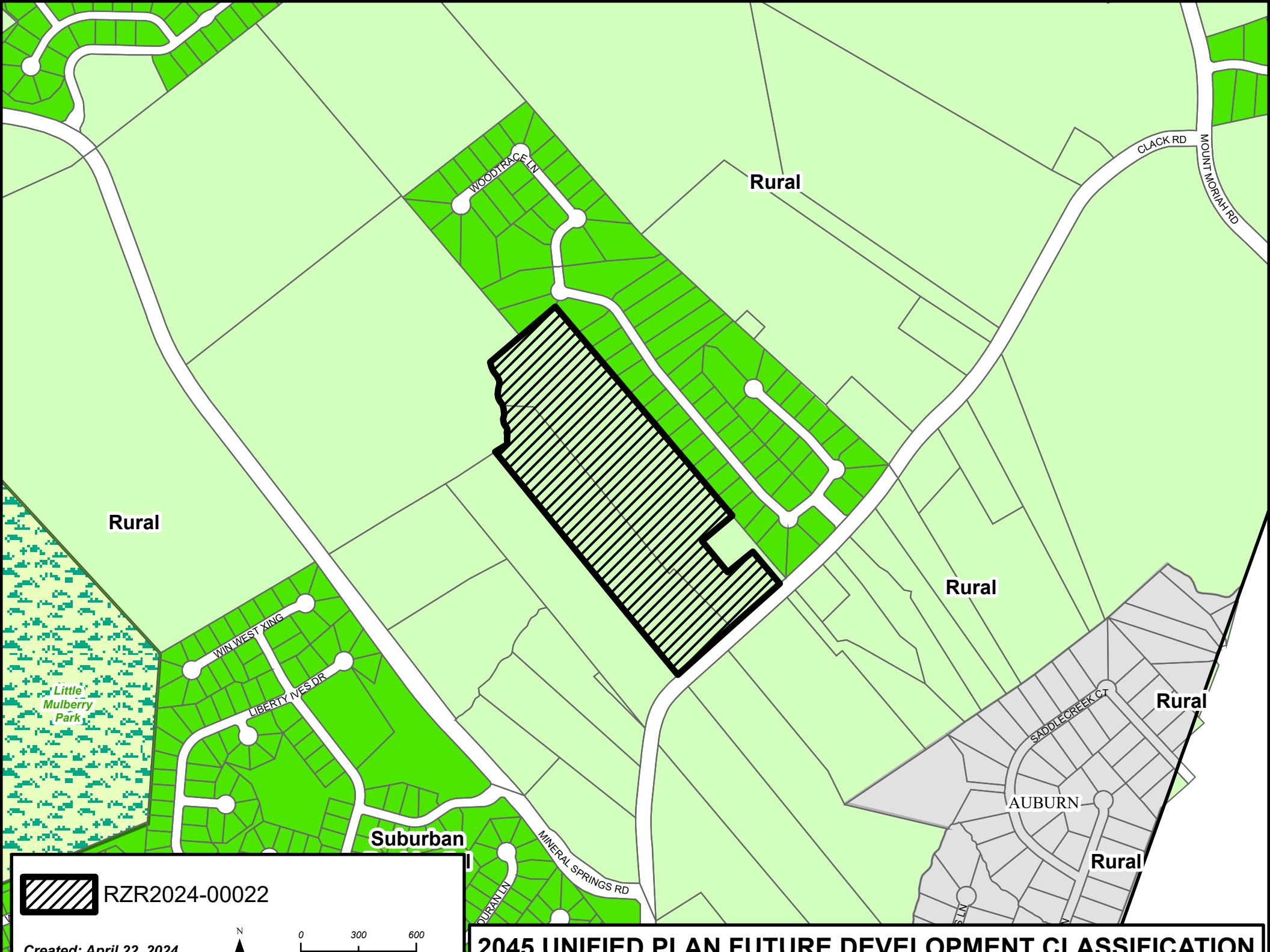
Residential Rezoning Impact on Local Schools Prepared for Gwinnett County BOC, June, 2024												Proposed Zoning
		School	Forecast	2023-24 Capacity	+/- Cap.	Forecast	2024-25 Capacity	+/- Cap.	Forecast	2025-26 Capacity	+/- Cap.	Approximate Student Projections from Proposed Developments
RZR2024-00022		<b>Dacula HS</b>	2,550	2,550	0	2,641	2,550	91	2,755	2,550	205	14
		<b>Dacula MS</b>	1,892	1,900	-8	1,959	1,900	59	2,042	1,900	142	10
		Mulberry ES	745	975	-230	785	975	-190	854	975	-121	23
RZR2024-00025		<b>Mountain View HS</b>	2,280	2,300	-20	2,303	2,300	3	2,326	2,300	26	1
		<b>Twin Rivers MS</b>	1,683	2,150	-467	1,733	2,150	-417	1,768	2,150	-382	1
		Freeman's Mill ES	1,074	925	149	1,095	925	170	1,112	925	187	1

**Exhibit J: Maps**

**[attached]**







RZR2024-00022

N

A number line starting at 0 and ending at 600, with a tick mark at 300 labeled '300' and a label 'Feet' below the line.

## 2045 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

**Exhibit K: Site Plan Presented at the July 8, 2024, Planning Commission Public Hearing**

**[attached]**

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT  
**RECEIVED**

RZR2024-00022  
7.8.2024