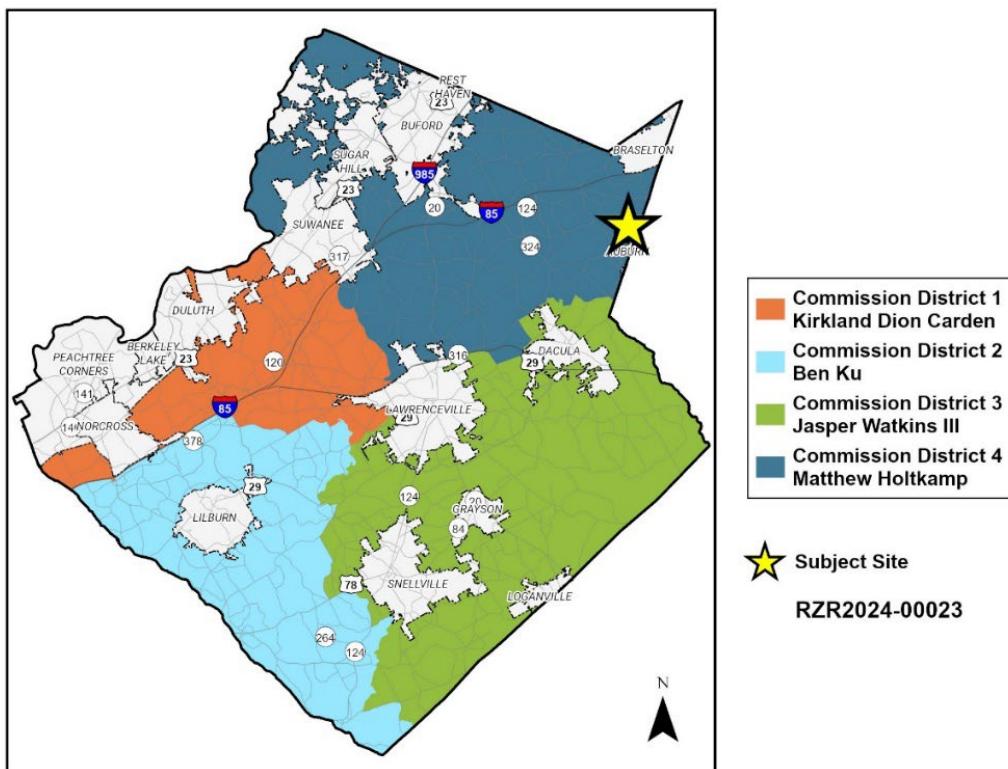




PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number:	RZR2024-00023
Current Zoning:	RA-200 (Agriculture-Residence District)
Request:	Rezoning to OSC (Open Space Conservation District)
Address:	4550 Clack Road
Map Number:	R2004 006
Site Area:	22.93 acres
Units:	47
Proposed Development:	Single-Family Detached Subdivision
Commission District:	District 4 – Commissioner Holtkamp
Future Development Type:	Rural
Staff Recommendation:	APPROVAL WITH CONDITIONS
Planning Commission Recommendation:	APPROVAL AS R-100 WITH CONDITIONS



Applicant: Northpointe Realty Investments, LLC **Owner:**
c/o Mahaffey Pickens Tucker, LLP
1550 North Brown Road, Suite 125
Lawrenceville, GA 30043

Northpointe Realty Investments, LLC
3276 Buford Drive Suite 104-102
Buford, GA 30519

Contact: Shane M. Lanham

Contact Phone: 770.232.0000

Zoning History

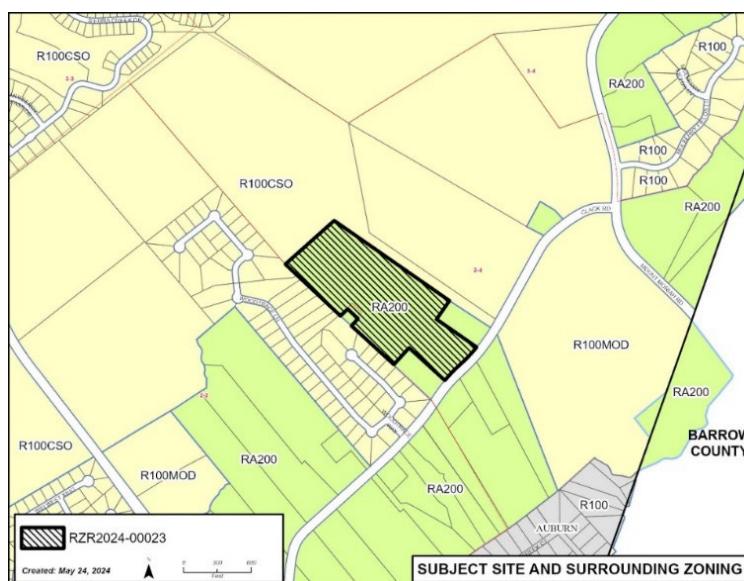
The subject property is zoned RA-200 (Agriculture-Residence District). No prior zoning cases are on record for this property.

Existing Site Condition

The subject property is a 22.93-acre parcel located along the north side of Clack Road, between its intersections with Mineral Springs Road and Mount Moriah Road. There is a metal shed structure on the property. The property is primarily grassed with woods along a stream that traverses the northern portion of the site. A wetland is located towards the rear of the site, east of the stream, and the site slopes down toward the stream. There are no sidewalks along Clack Road. The nearest Gwinnett County Transit stop is approximately 9.7 miles from the subject property.

Surrounding Use and Zoning

The subject property is located in a residential area that is transitioning from a rural to a suburban character. There is a single-family detached subdivision to the west and several large residential properties to the south. The property to the north and the east has entitlements from a 2005 rezoning of over 600-acres for a residential subdivision that spans across Clack Road and across Mineral Springs Road. A landlocked cemetery is located to the southwest, with an access easement that connects it through the subject property and an adjacent property to Clack Road. The following is a summary of surrounding zoning and uses:



Location	Land Use	Zoning	Density
Proposed	Single-Family Residential	OSC	2.05 units per acre
North	Undeveloped	R-100CSO	2.1 units per acre (RZR-05-058)
East	Undeveloped Single-Family Residential	R-100CSO RA-200	2.1 units per acre (RZR-05-058) 0.5 units per acre
South	Single-Family Residential	RA-200	0.22 units per acre
West	Single-Family Residential Single-Family Residential	R-100CSO RA-200	1.59 acres per unit 0.5 units per acre

Project Summary

The applicant requests rezoning of a 22.93-acre property from RA-200 to OSC for a single-family detached subdivision, including:

- 47 single-family detached residences on lots ranging from 6,748 square feet to 17,553 square feet, yielding a density of 2.05 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 consist of brick, stacked stone, fiber cement shake, cementitious siding, and board and batten.
- 10.53 acres, or 45.1% of total open space located around the perimeter of the development.
- 5.81 acres, or 25.3% of usable open space including walking trails, bird watching sanctuary, tranquility overlook, benches, and wellness stations.
- Conservation space comprised of streams and stream buffers and a wetland.
- A 40-foot-wide street frontage setback with 10-foot-wide landscape strip along Clack Road.
- One full-access entrance, deceleration lane and 5-foot-wide sidewalk along Clack Road.
- 27-foot-wide internal street within a 50-foot-wide right-of-way and 24-foot-wide internal streets within a 44-foot-wide right-of-way, along with 5-foot-wide sidewalks on both sides.
- One stormwater management facility located in the southwest corner of the site.
- A 25-foot-wide landscape buffer around the adjacent cemetery.
- A mail kiosk and three on-street parking spaces located adjacent to the cemetery.
- Dedication of an easement for the trail segment that is shown in the Countywide Trails Master Plan on the north side of the stream.

Zoning and Development Standards

The applicant is requesting a rezoning to OSC 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 5,000 square feet	>5,000 square feet	YES
Lot Width	Minimum 50'	50'	YES
Front Yard Setback	Minimum 10'	10'	YES
Side Yard Setback	Minimum 5'	5'	YES
Rear Yard Setback	Minimum 20'	20'	YES
Building Height	Maximum 35'	<35'	YES
Open Space	Minimum 10%	45.1%	YES

Usable Open Space	Minimum 5%	25.3%	YES
Max. Coverage (% of Lot)	Minimum 70%	>70%	YES
Street Front 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 19 community members in attendance, who raised questions regarding traffic, schools, and the size and price of homes. The public participation report is shown in Exhibit I.

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 J). 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 for rezoning of property involves a change in zoning classification, the Department shall evaluate 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 surrounding area is comprised of single-family residential subdivisions and residences on large lots. In addition, an approved subdivision which has not yet broken ground is located to the east and north. The proposal contains residences that would be of a compatible density and architectural style as those in surrounding subdivisions. 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 proposal would be compatible with surrounding residential uses in terms of density and architectural style. 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.

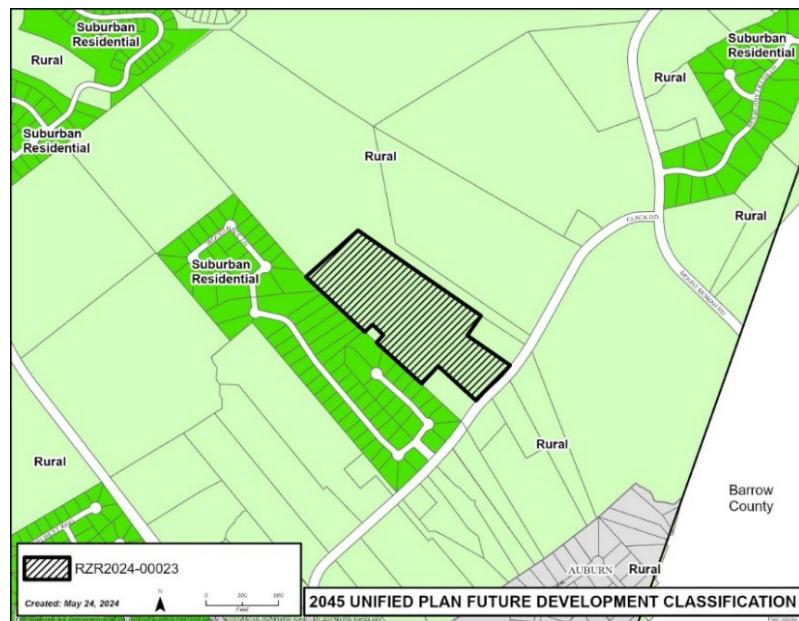
D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

An increase in impacts on public facilities is 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 proposed subdivision would generate 38 morning and 50 afternoon peak hour trips. The study did not recommend mitigation for this development. An increased impact is anticipated on school enrollment. Agency review comments concerning potential improvements related to this request are attached (Exhibit J).

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 low intensity, pastoral character where sewer service is not available. Single-family residences on large lots and agricultural estates are appropriate for this future development type.

Although the OSC zoning district is not recommended for "Rural", the proposed residential use is consistent with the existing and approved development in the surrounding area. In addition, the conservation subdivision would preserve environmentally sensitive site features. Therefore, 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 other conditions giving support for approval or disapproval of the proposal.

Staff Recommendation

Based on the staff's evaluation of the request and the standards governing 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 AS R-100 WITH CONDITIONS** of the rezoning request.

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

Approval as ~~OSC (Open Space Conservation District)~~ **R-100 (Single-Family Residence District)** for a single-family detached subdivision, subject to the following conditions:

1. The property shall be limited to single-family detached dwellings and accessory uses and structures, not exceeding ~~47~~ **44** units.
2. The proposed development shall be constructed in general conformance with ~~the Exhibit B : Site Plan dated received June 4, 2024 presented at the August 6, 2024, Planning Commission Public Hearing~~ and Exhibit C: Elevations, dated received May 3, 2024, by the Department of Planning and Development, with revisions required by conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.
3. The minimum heated floor area shall be ~~2,400~~ **3,000** square feet.
4. The development shall include amenities and open space in general conformance with ~~the Exhibit B: Site Plan presented at the August 6, 2024, Planning Commission Public Hearing~~ including, but not limited to, walking trails, bird watching sanctuary, tranquility overlook, pocket parks, benches, and wellness stations, subject to the review and approval of the Department of Planning and Development. **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. The usable open space shall be located outside of stream buffers and impervious setbacks.**
5. A deceleration lane and 5-foot-wide sidewalk shall be provided along Clack Road, subject to the review and approval of the Gwinnett County Department of Transportation.
6. Traffic calming shall be provided for internal streets exceeding 500 feet without a control point, subject to the review and approval of the Gwinnett County Department of Transportation.
7. A 50-foot-wide greenway easement along the western property line shall be provided at no cost to Gwinnett County, prior to the issuance of final plat, subject to the review and approval of the Department of Community Services.

8. Building lots shall not be located within any required stream buffers, accompanying impervious surface setback areas, floodplain or conservation space.
9. Stormwater BMP facilities 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 residential lots **and usable open space** shall be sodded.
- 12. A 25-foot landscape buffer shall be required around the adjacent cemetery. A mail kiosk and three on-street parking spaces located adjacent to the cemetery shall be provided. The applicant shall dedicate an easement for the trail segment that is shown in the County Wide Trails Master Plan, subject to the review and approval of Gwinnett County Planning and Development.**
- 13. If proposed lot lines encroach into the 50-foot stream buffer the applicant shall create an HOA maintained easement across those lots equal to the stream buffer. Additionally, the applicant shall construct a 4-foot-tall, 4-board horse fence or equivalent with wire backing and painted black. The fence shall be constructed with a minimum of 1-foot into the lot away from the 50-foot buffer and the fence shall be posted with signage stating, "no disturbance beyond this point." The signage shall be installed 50-foot on center and located on the top of the fence.**
- 14. The developer, applicant, or future owner shall coordinate with the Transportation Department to design traffic calming measures that exclude raised speed tables, humps, and bumps.**
- 15. A maximum of three cul-de-sacs shall be permitted within the development. Dead-end and hammerhead streets shall be prohibited.**

Exhibits:

- A. Site Visit Photos
- B. Site Plan, dated received June 4, 2024
- C. Existing Features and Site Analysis Plan
- D. Building Elevations
- E. Letter of Intent and Applicant's Response to Standards
- F. Application and Disclosure of Campaign Contributions
- G. DWR Sewer Capacity Certification Letter
- H. Traffic Impact Study
- I. Public Participation Plan and Report
- J. Internal and External Agency Review Comments
- K. Maps
- L. Site Plan Presented at the August 6, 2024, Planning Commission Public Hearing

Exhibit A: Site Visit Photos



View along the south lot line facing northwest



View of the grass pasture on the property facing northwest



View facing north along Clack Road



View facing south along Clack Road



View of Clack Cemetery



View of metal shed structure

Exhibit B: Site Plan, dated received June 4, 2024

[attached]

Exhibit C: Existing Features and Site Analysis Plan for OSC

[attached]

March 19, 2024

Tracie Shaw
Northpointe Realty Investments
LLC 3276 Buford Drive
Suite 104-102
Buford, Georgia 30519

Subject: Existing Features Site Analysis
4550 Clack Road (2004 006, 22.93 acres)
Auburn, Gwinnett County, Georgia

Tracie:

On March 11, 2024, Tallman Environmental completed a site reconnaissance to assess the subject property for existing features of natural, ecological, and cultural significance. The 22.93-acre subject property is located at 4550 Clack Road, northwest of Clack Road in Auburn, Gwinnett County, Georgia. The property is centered at latitude 34.049322° north and longitude -83.855510° west and is identified by Gwinnett County parcel number 2004 006. At the time of the site reconnaissance, the subject property was comprised of storage buildings, pastureland, and undeveloped forestland.

The subject property is located in the Piedmont Ecoregion of Georgia and includes an approximately seven-acre lawn vegetated with *Cynodon dactylon* and *Festuca arundinacea*. Remaining areas consist of Piedmont pine-oak woodlands (*Guide to the Natural Communities of Georgia*, 2013). Wooded areas were comprised of a mix of hardwood species (*Acer rubrum*, *Liriodendron tulipifera*, *Liquidambar styraciflua*, *Quercus nigra*) and pines (*Pinus taeda*).

Elevations on the subject property range from 880 feet to 1,020 feet and slopes to the northwest towards an unnamed tributary of the Little Mulberry River. No rock outcroppings were observed on the subject property.

A large portion of the subject property is mapped with prime farmland soils. However, because the subject property is located in an urban area (based on the 2020 Census Bureau *Urban Areas of the United States and Puerto Rico* map), it is exempt from the Farmland Protection Policy Act.

The subject property is located within the Upper Oconee watershed (Hydrologic Unit Code 03070101). It is mapped as Zone X (no special flood hazard areas) according to FEMA flood insurance rate maps (community panel 13135C 0039G, dated March 4, 2013).

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Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
AmC2	Appling sandy loam, 6 to 10 percent slopes, moderately eroded	0.3	1.3%
GeC2	Gwinnett clay loam, 6 to 10 percent slopes, eroded	13.2	57.3%
GgE2	Gwinnett loam, 10 to 25 percent slopes, eroded	1.6	7.1%
MCF	Musella cobbly loam, 15 to 45 percent slopes	3.7	16.0%
PfB2	Pacolet sandy loam, 2 to 6 percent slopes, moderately eroded	1.8	7.7%
PfC2	Pacolet sandy loam, 6 to 10 percent slopes, moderately eroded	0.1	0.5%
PgE2	Pacolet sandy clay loam, 15 to 25 percent slopes, moderately eroded	0.1	0.4%
ToA	Toccoa fine sandy loam, 0 to 4 percent slopes, frequently flooded	2.2	9.7%
Totals for Area of Interest		23.0	100.0%

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, mean 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 March 11, 2024 site reconnaissance, an unnamed, perennial tributary to the Little Mulberry River was observed flowing on the northwestern portion of the subject property.

A preliminary assessment of wetlands and other jurisdictional waters of the U.S. was also conducted on the property at the time of the site reconnaissance. No areas meeting the hydrology, vegetation, and soil criteria were identified at the time of the site reconnaissance. There were no wetlands depicted on the National Wetland Inventory map for the project area, with the exception of the tributaries to the Little Mulberry River.

An Information for Planning and Conservation (IPaC) report was obtained from the U.S. Fish and Wildlife Service (USFWS) and is included as an attachment to this letter. The purpose of the IPaC report is to identify species that may occur or could potentially occur on the subject property. *Amphianthus pusillus* (Little Amphianthus) and *Isoetes melanospora* (Black Spored Quillwort) are typically granite outcrop species. No granite outcroppings were observed on the subject property at the time of the March 11, 2024 fieldwork. No species resembling Little Amphianthus or Black Spored Quillwort were observed. *Danaus plexippus* (Monarch Butterfly) is a candidate species that relies on a milkweed host plant, which was not observed on the subject property at the time

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of the reconnaissance. *Perimyotis subflavus* (Tricolored Bat) is proposed to be listed as

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endangered by the USFWS. Based on conversations with USFWS biologists, the Tricolored Bat
occurs statewide in Georgia and uses forested landscapes during its active seasons of spring,
summer, and fall. They roost in leaf foliage and nearly all forested areas could be considered
suitable habitat. They can also be found in transportation structures, abandoned buildings, and
military bunkers. In the winter, Tricolored Bats hibernate in caves and mines where these
habitats are available, and culverts across most of Georgia. They also overwinter in bridges, but
use of bridges is expected to a lesser extent than use of culverts. In bottomland hardwood
forests, Tricolored Bats have been documented in tree hollows. In much of Georgia, winters are
mild enough that Tricolored Bats are likely active on the landscape to some extent year-round.

To avoid any potential impact, we suggest implementing seasonal tree clearing restrictions during
the non-volant (unable to fly) pup season (May 1 to July 31) as well as winter hibernation season
(December 1 to February 28) in most Georgia counties. At the writing of this report, the
Tricolored Bat has not been listed as endangered.

A critical habitat is a federally designated geographic area that contains features essential for the
conservation of a threatened or endangered species and that may require special management
and protection. Critical habitat may include an area that is not currently occupied by the species
but that will be needed for its recovery. The IPaC report did not identify critical habitats on the
subject property.

The subject property was also evaluated for migratory bird use. The IPaC report did not identify
species of migratory birds that occur within the region. The subject property did not appear to
serve as a breeding area for migratory birds at the time of the March 11, 2024 reconnaissance.
However, the subject property may require reevaluation for migratory birds if construction is
delayed.

A National Wildlife Refuge is a federally designated, protected area of the United States managed
by the United States Fish and Wildlife Service. The National Wildlife Refuge System is the system
of public lands and waters set aside to conserve America's fish, wildlife, and plants. Gwinnett
County tax assessor records indicate private ownership of the subject property.

The Georgia Department of Natural Resources' Wildlife Resources Division (WRD) maintains
records for rare species and communities in conservation databases. WRD tracks species and
natural communities that are protected at state and federal levels or not legally protected but
considered of special conservation concern by WRD biologists.

According to the Georgia Department of Natural Resources 2015 State Wildlife Action Plan:

Rarity ranks are used to characterize elements and to facilitate conservation
planning. These ranks are assigned after reviewing pertinent status information
at the state level and globally. Rarity ranks are based on a scale of 1 to 5; the
higher the number, the more secure that species is thought to be at the state (or
global) level. Therefore, an S1 species is considered very rare or imperiled in the
state, while an S5 species is considered common and secure. A species with a
rarity rank of G5 S1 is globally secure but occurs in very small numbers in the
state. Thus (sic) it is not of global conservation concern but may be considered a
priority for conservation within the state, depending on other factors. This

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ranking system helps to assure that conservation efforts are directed to those species needing the most help in order to maintain biological diversity in a state or region.

One animal species was identified in the conservation database:

Cyprinella xaenura, Altamaha Shiner

State Rank: S2S3 (imperiled because of rarity/rare or uncommon in state)

GA: Threatened

US: No Federal Protection

State Wildlife Action Plan: Yes

Element Occurrences: 75

Habitat: medium-sized to large streams in runs or pools over sand to gravel substrate

No suitable habitat was observed within the Little Mulberry River on the subject property. The proposed work will be conducted according to Gwinnett County requirements and all applicable BMPs to prevent sedimentation to downgradient waters.

Five plant species was identified in the conservation database:

Celastrus scandens, Bittersweet

State Rank: S2 (imperiled in state because of rarity)

GA: No State Protection

US: No Federal Protection

State Wildlife Action Plan: No

Element Occurrences: 5

Habitat: open, rocky areas in thickets and deciduous forests

Cypripedium parviflorum, Yellow Ladyslipper

State Rank: S3 (rare or uncommon in state)

GA: Rare

US: No Federal Protection

State Wildlife Action Plan: No

Element Occurrences: 84

Habitat: Montane cove forests; rich deciduous forests

Panax quinquefolius, American Ginseng

State Rank: S3 (rare or uncommon in state)

GA: No State Protection

US: No Federal Protection

State Wildlife Action Plan: Yes

Element Occurrences: 152

Habitat: mesic hardwood forests; cove hardwood forests

Schisandra glabra, Bay Star-vine

State Rank: S2 (imperiled in state because of rarity)

GA: Threatened

US: No Federal Protection

State Wildlife Action Plan: Yes

Element Occurrences: 72

Habitat: rich woods on stream terraces and lower slopes

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Veratrum woodii, Ozark Bunchflower
State Rank: S2 (imperiled in state because of rarity)
GA: Rare
US: No Federal Protection
State Wildlife Action Plan: Yes
Element Occurrences: 30
Habitat: mesic hardwood forests over basic soils

The subject property was reconnoitered for the presence of Bittersweet, Yellow Ladyslipper, American Ginseng, Bay Star-vine, and Ozark Bunchflower; no plants were observed at the time of the reconnaissance. Please refer to the attached photographs documenting conditions at the time of the site reconnaissance.

Tallman Environmental reviewed the Georgia Natural, Archaeological, and Historic Resource Geographic Information System (GNAHRGIS) database for records pertaining to surveyed historic structures listed on or eligible for listing on the National Register of Historic Places (NRHP). An Area of Potential Effect (APE) of 1/4 mile (1,320 feet) from the subject property was established for the purposes of this review. Based on review of the database records, no NRHP-listed structures were mapped on the subject property or within the APE. The Clack Family Cemetery (Resource 200928) is depicted adjacent to the subject property. A circa 1919 single-family residence (Resource 200927, 4474 Clack Road) is depicted on the subject property but is no longer standing. A circa 1944 single-family residence (Resource 200926, 4575 Clack Road) could not be located at the time of the reconnaissance. National Register eligibility has not been determined for any of these three resources. The viewshed surrounding the subject property consists of modern residential development. No artifacts or lithic scatters were observed on the subject property at the time of the reconnaissance; no subsurface investigation was conducted.

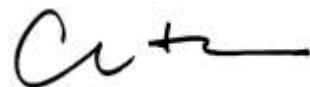
Please feel free to contact me if you have any questions or concerns. We thank you for the opportunity to coordinate with you on this project.

Sincerely,

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AJ Tallman
Project Manager

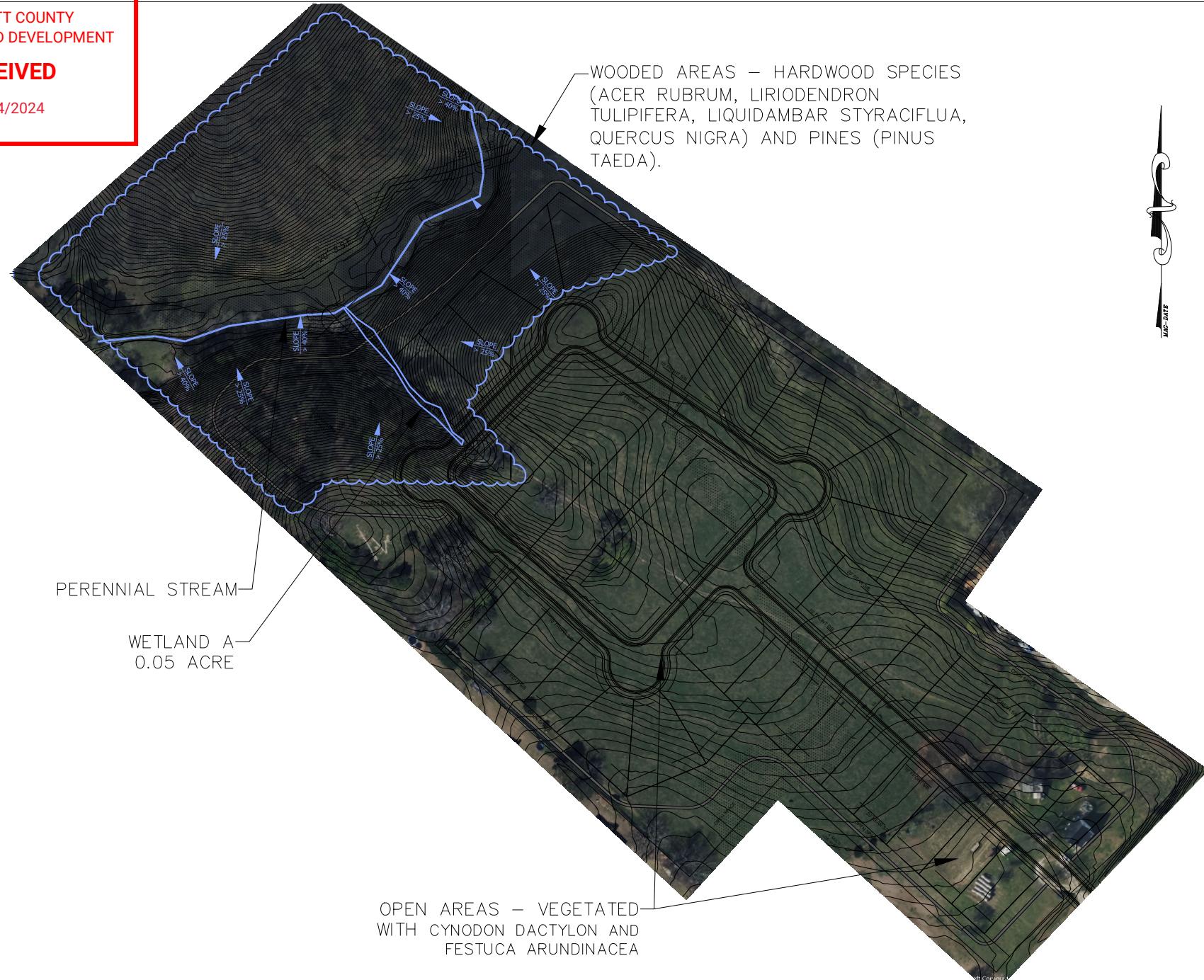


Connie Tallman
Biologist

Attachments:
Vicinity Map
Topographic Map
Soils Map
FEMA FIRM Map
National Wetland Inventory Map
Site Photographs
IPaC Trust Resource Report
Georgia Rare Natural Elements Listings
GNAHRGIS Database Map

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GRAPHIC SCALE – IN FEET
100' 0' 200'
1" = 200'
RZR2024-00023

4550 Clack Road
Existing Features Site Analysis Plan

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CHECKED BY	AIT
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SOURCE: Google Earth

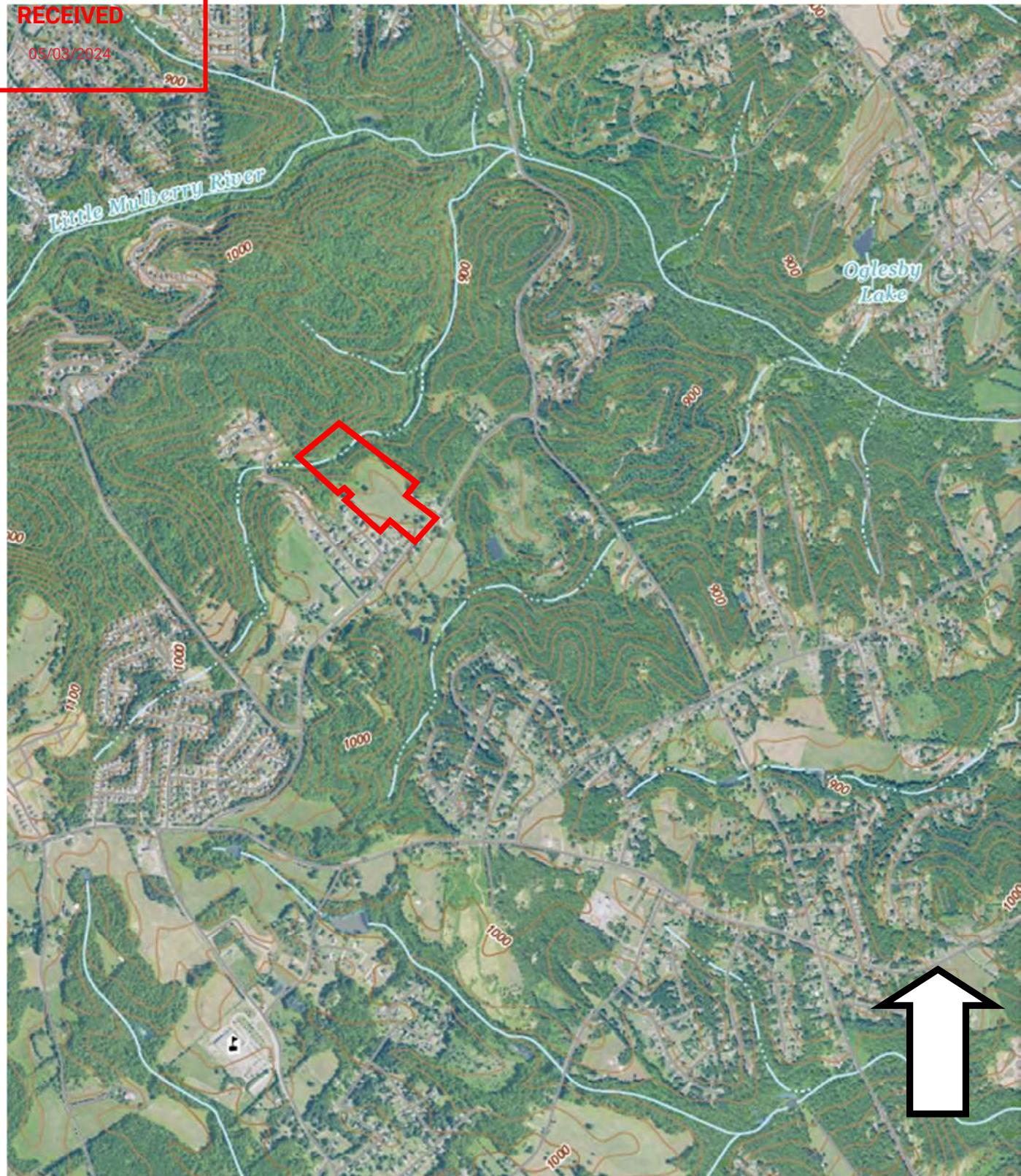
Figure 1
Scale: 1"=200'

Site Location Map
4550 Clack Road
Auburn, Gwinnett County, Georgia

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SOURCE: Auburn, Georgia 7.5-minute topographic quadrangle map (2020)

Figure 2
Scale: 1"=2,000'

Topographic Map
4550 Clack Road
Auburn, Gwinnett County, Georgia

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GWINNETT COUNTY PLANNING AND DEVELOPMENT

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Soil Map—Gwinnett County, Georgia



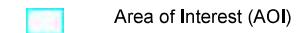
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Soil Map—Gwinnett County, Georgia

MAP LEGEND

Area of Interest (AOI)



Area of Interest (AOI)

Soils



Soil Map Unit Polygons



Soil Map Unit Lines



Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot

Spoil Area

Stony Spot

Very Stony Spot

Wet Spot

Other

Special Line Features

Water Features

Streams and Canals

Transportation

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

Background

Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Gwinnett County, Georgia

Survey Area Data: Version 14, Aug 30, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Mar 19, 2022—Apr 20, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

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Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
AmC2	Appling sandy loam, 6 to 10 percent slopes, moderately eroded	0.3	1.3%
GeC2	Gwinnett clay loam, 6 to 10 percent slopes, eroded	13.2	57.3%
GgE2	Gwinnett loam, 10 to 25 percent slopes, eroded	1.6	7.1%
MCF	Musella cobbly loam, 15 to 45 percent slopes	3.7	16.0%
PfB2	Pacolet sandy loam, 2 to 6 percent slopes, moderately eroded	1.8	7.7%
PfC2	Pacolet sandy loam, 6 to 10 percent slopes, moderately eroded	0.1	0.5%
PgE2	Pacolet sandy clay loam, 15 to 25 percent slopes, moderately eroded	0.1	0.4%
ToA	Toccoa fine sandy loam, 0 to 4 percent slopes, frequently flooded	2.2	9.7%
Totals for Area of Interest		23.0	100.0%



National Flood Hazard Layer FIRMette

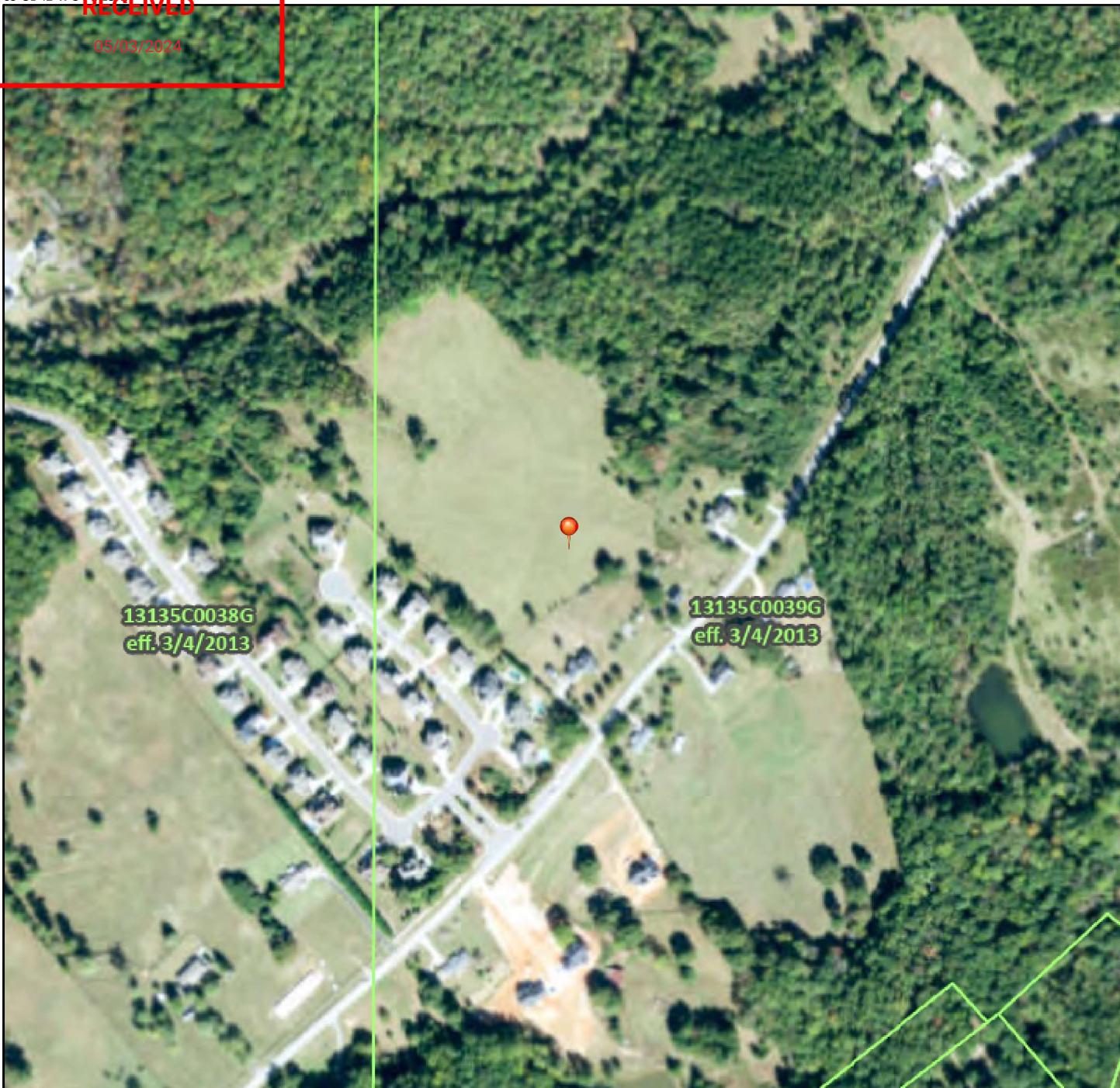
WINNETT COUNTY
PLANNING AND DEVELOPMENT



83°51'42"W 34°2'15"N

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Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

Without Base Flood Elevation (BFE) Zone A, V, A99
With BFE or Depth Zone AE, AO, AH, VE, AR

Regulatory Floodway

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X

Future Conditions 1% Annual Chance Flood Hazard Zone X

Area with Reduced Flood Risk due to Levee. See Notes, Zone X

Area with Flood Risk due to Levee Zone D

OTHER AREAS OF FLOOD HAZARD

NO SCREEN Area of Minimal Flood Hazard Zone X

Effective LOMRs

Area of Undetermined Flood Hazard Zone D

OTHER AREAS

Channel, Culvert, or Storm Sewer

Levee, Dike, or Floodwall

20.2 Cross Sections with 1% Annual Chance
17.5 Water Surface Elevation

8 - - - Coastal Transect

~~~~~ BEE ~~~~~ Base Flood Elevation Line (BFE)

Limit of Study

Jurisdiction Boundary

Coastal Transect Baseline

Profile Baseline

Hydrographic Feature

Digital Data Available

No Digital Data Available

Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/18/2024 at 12:49 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



GWINNETT COUNTY  
U.S. Fish and Wildlife Service  
PLANNING AND DEVELOPMENT

# National Wetlands Inventory

05/03/2024

## Wetlands



March 18, 2024

### Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland

RZR2024-00023

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Riverine

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This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

AR

National Wetlands Inventory (NWI)

This page was produced by the NWI mapper

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05/03/2024

## PHOTOGRAPHIC LOG

**Site Location:**

4550 Clack Road, Auburn, Gwinnett County, Georgia

|                       |                         |
|-----------------------|-------------------------|
| <b>Photo No.</b><br>1 | <b>Date:</b><br>3/11/24 |
|-----------------------|-------------------------|

**Direction Photo  
Taken:**

North

**Description:**

Structures at 4550 Clack Road



|                       |                         |
|-----------------------|-------------------------|
| <b>Photo No.</b><br>2 | <b>Date:</b><br>3/11/24 |
|-----------------------|-------------------------|

**Direction Photo  
Taken:**

Northwest

**Description:**

Field



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05/03/2024

## PHOTOGRAPHIC LOG

**Site Location:**

4550 Clack Road, Auburn, Gwinnett County, Georgia

|                       |                         |
|-----------------------|-------------------------|
| <b>Photo No.</b><br>3 | <b>Date:</b><br>3/11/24 |
|-----------------------|-------------------------|

**Direction Photo  
Taken:**

West

**Description:**

Wooded area along  
unnamed tributary to the  
Little Mulberry River



|                       |                         |
|-----------------------|-------------------------|
| <b>Photo No.</b><br>4 | <b>Date:</b><br>3/11/24 |
|-----------------------|-------------------------|

**Direction Photo  
Taken:**

Southwest

**Description:**

Existing sewer easement  
on the northwest portion  
of the site



# IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

## Location

Gwinnett County, Georgia



## Local office

Georgia Ecological Services Field Office

📞 (706) 460-7161

📠 (706) 613-6059

355 East Hancock Avenue

RZR2024-00023

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GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

Room 320

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05/03/2024

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# Endangered species

**This resource list is for informational purposes only and does not constitute an analysis of project level impacts.**

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement **can only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species<sup>1</sup> and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries)<sup>2</sup>.

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).

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05/01/2024  
International Oceanic and Atmospheric Administration within the Department of  
Commerce.

The following species are potentially affected by activities in this location:

## Mammals

| NAME                                                                                                                                                                                                                     | STATUS              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| Tricolored Bat <i>Perimyotis subflavus</i><br>Wherever found<br>No critical habitat has been designated for this species.<br><a href="https://ecos.fws.gov/ecp/species/10515">https://ecos.fws.gov/ecp/species/10515</a> | Proposed Endangered |

## Insects

| NAME                                                                                                                                                                                                                  | STATUS    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| Monarch Butterfly <i>Danaus plexippus</i><br>Wherever found<br>No critical habitat has been designated for this species.<br><a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a> | Candidate |

## Flowering Plants

| NAME                                                                                                                                                                                                                       | STATUS     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| Little Amphianthus <i>Amphianthus pusillus</i><br>Wherever found<br>No critical habitat has been designated for this species.<br><a href="https://ecos.fws.gov/ecp/species/6445">https://ecos.fws.gov/ecp/species/6445</a> | Threatened |

## Ferns and Allies

| NAME                                                                                                                                                                                                                          | STATUS     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| Black Spored Quillwort <i>Isoetes melanospora</i><br>Wherever found<br>No critical habitat has been designated for this species.<br><a href="https://ecos.fws.gov/ecp/species/6315">https://ecos.fws.gov/ecp/species/6315</a> | Endangered |

## Critical habitats

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POTENTIAL EFFECTS TO CRITICAL HABITATS

Potential effects to critical habitat(s) in this location must be analyzed along with the ~~endangered species~~ themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

## Bald & Golden Eagles

There are no documented cases of eagles being present at this location. However, if you believe eagles may be using your site, please reach out to the local Fish and Wildlife Service office.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds  
<https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds  
<https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC  
<https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle [Eagle Act](#) requirements may apply). To see a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#)

What does IPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?

RZR2024-00023

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The [05/02/2024](#) migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle [Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#)

#### What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the [Eagle Act](#) should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

## Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats<sup>3</sup> should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#)

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds  
<https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC  
<https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

The birds listed below are birds of particular concern either because they occur on the **UNRECEIVED** **Birds of Conservation Concern (BCC)** list or warrant special attention in your **PROJECT LOCATION**. To learn more about the levels of concern for birds on your list and how this list is generated, see the [FAQ](#)below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the **PROBABILITY OF PRESENCE SUMMARY** below to see when these birds are most likely to be present and breeding in your project area.

| NAME                                                                                                                                                                          | BREEDING SEASON         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| Chimney Swift <i>Chaetura pelagica</i><br>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.                                | Breeds Mar 15 to Aug 25 |
| Chuck-will's-widow <i>Antrostomus carolinensis</i><br>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA | Breeds May 10 to Jul 10 |
| Eastern Whip-poor-will <i>Antrostomus vociferus</i><br>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.                   | Breeds May 1 to Aug 20  |
| Prothonotary Warbler <i>Protonotaria citrea</i><br>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.                       | Breeds Apr 1 to Jul 31  |
| Red-headed Woodpecker <i>Melanerpes erythrocephalus</i><br>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.               | Breeds May 10 to Sep 10 |
| Rusty Blackbird <i>Euphagus carolinus</i><br>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA          | Breeds elsewhere        |

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This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.  
05/03/2024

Breeds May 10 to Aug 31

## Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)" specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence(

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

### Breeding Season (

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

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Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

**No Data (-)**

A week is marked as having no data if there were no survey events for that week.

**Survey Timeframe**

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure.

To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

05/03/2024

### What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle [Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

### What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in

offshore areas from certain types of development or activities (e.g. offshore energy development or  
fishing).

05/02/2024 Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

### What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

### Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

## National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

## Fish hatcheries

There are no fish hatcheries at this location.

## Wetlands in the National Wetlands Inventory (NWI)

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

RIVERINE

[R2UBH](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

**NOTE:** This initial screening does not replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

05/03/2024

### **RECEIVED** Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

### Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

### Data precautions

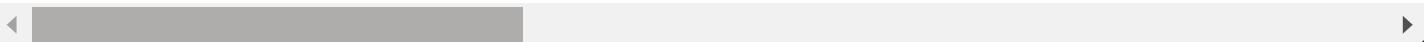
Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.



## All Rare Animals, Plants, Natural Plant Communities within Auburn, GA, SW Quarter Quad

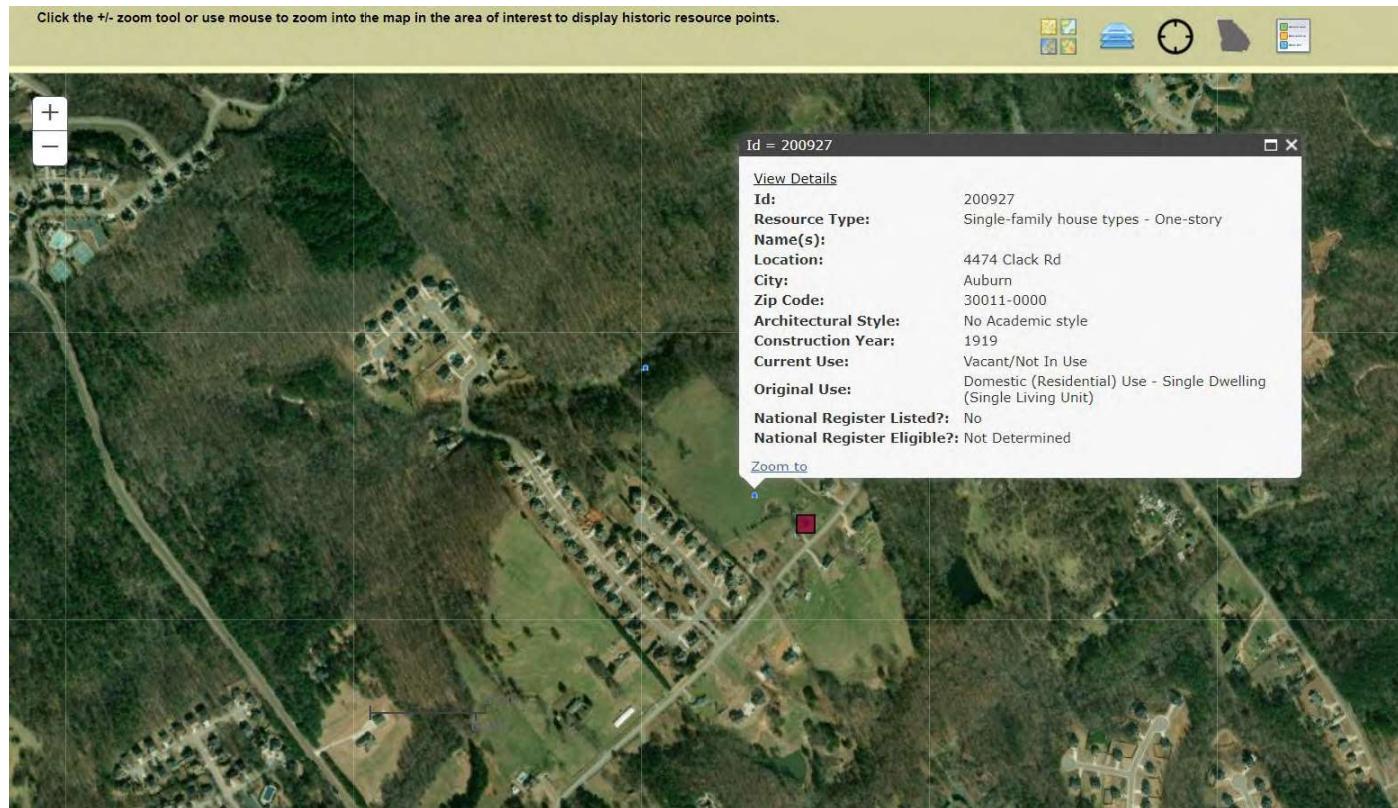
[CSV](#) [Excel](#) [Portfolio](#) [Less Columns](#) Rows filtered / total: 6 / 6 -- Records updated February 14, 2024

| Scientific Name                         | Common Name                        | GA Prot     | US Prot     | GRank      | Rnd GRank       | SRa    |
|-----------------------------------------|------------------------------------|-------------|-------------|------------|-----------------|--------|
| filter column...                        | filter column...                   | filter colu | filter colu | filter col | filter column.. | filter |
| <a href="#">Celastrus scandens</a>      | <a href="#">Bittersweet</a>        |             |             | G5         | G5              | S2?    |
| <a href="#">Cyprinella xaenura</a>      | <a href="#">Altamaha Shiner</a>    | T           |             | G3         | G3              | S2S3   |
| <a href="#">Cypripedium parviflorum</a> | <a href="#">Yellow Ladyslipper</a> | R           |             | G5         | G5              | S3     |
| <a href="#">Panax quinquefolius</a>     | <a href="#">American Ginseng</a>   |             |             | G3G4       | G3              | S3     |
| <a href="#">Schisandra glabra</a>       | <a href="#">Bay Star-vine</a>      | T           |             | G3         | G3              | S2     |
| <a href="#">Veratrum woodii</a>         | <a href="#">Ozark Bunchflower</a>  | R           |             | G5         | G5              | S2     |



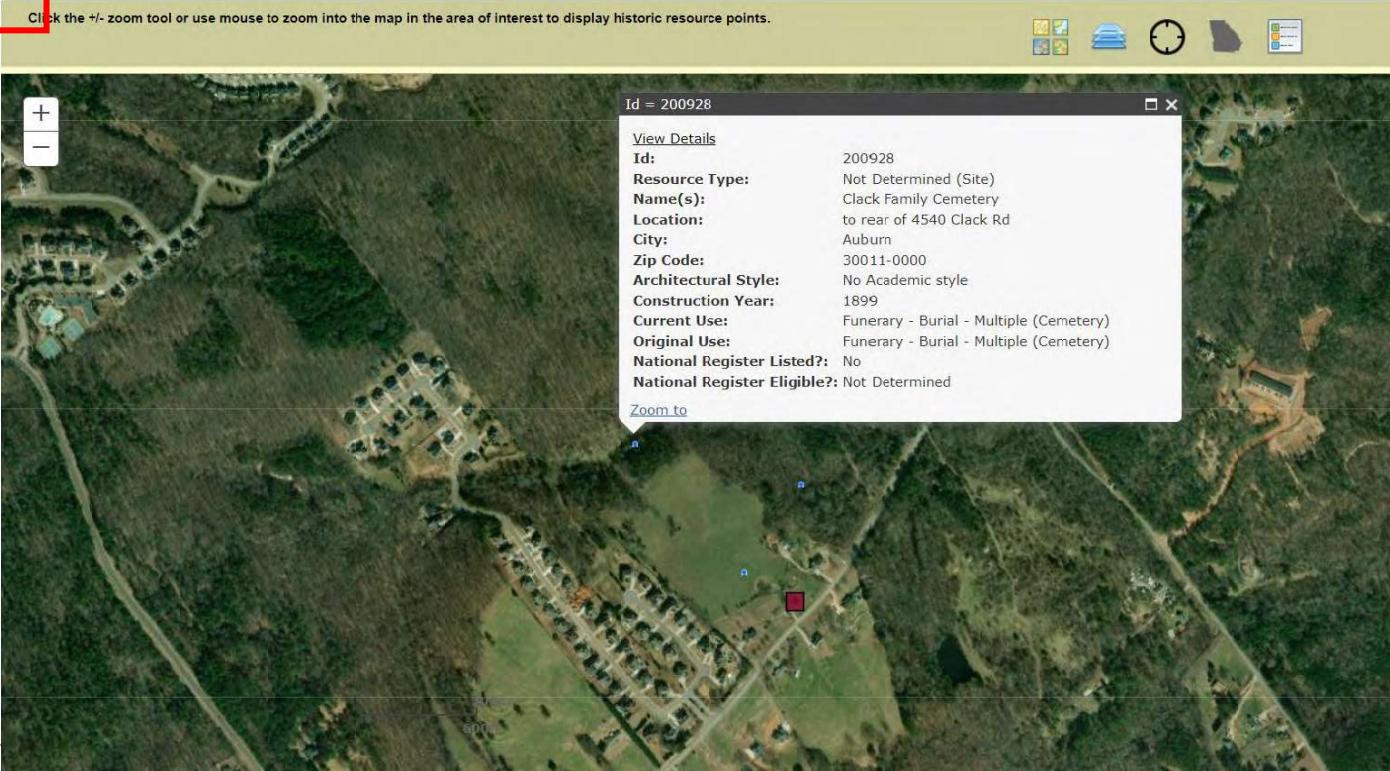
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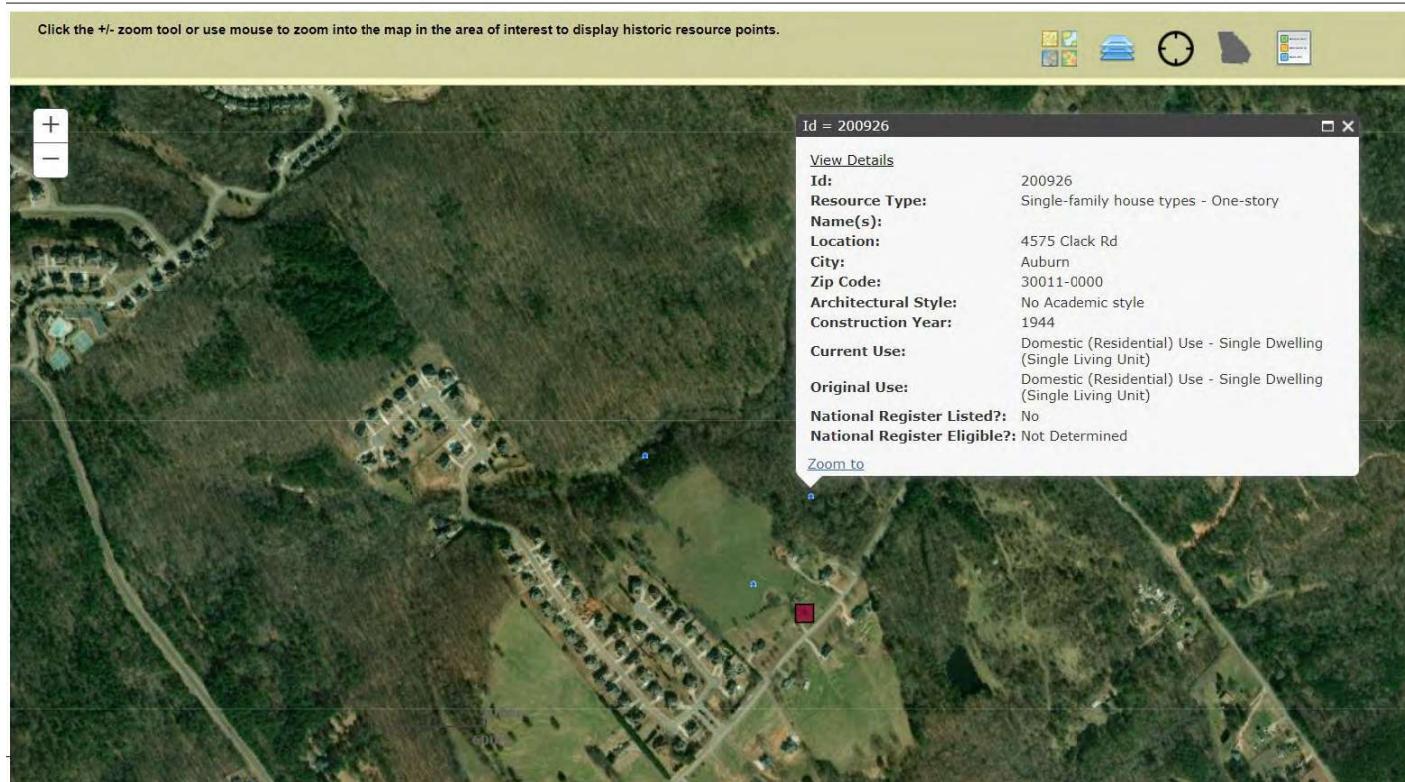
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**Exhibit D: Building Elevations**

**[attached]**

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EXAMPLE



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

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EXAMPLE



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

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EXAMPLE



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

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EXAMPLE



**RECEIVED**

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EXAMPLE



**RECEIVED**

05/03/2024

EXAMPLE



RECEIVED

05/03/2024

EXAMPLE



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

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

**[attached]**

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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 Northpointe Realty Investments, LLC, (the “Applicant”) requesting the rezoning of an approximately 22.93-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 OSC (Open Space Conservation 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 48 single-family detached homes at an overall density of 2.09 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 heated floor area of 2,200

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

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

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square feet for single-story homes and 2,400 square feet for two-story homes. 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.

Further, approximately 40% of the Property will be devoted as open space with a large portion provided at the rear of the development remaining untouched as usable green space for wildlife viewing, off-trail walking, and conservation. This large natural area will be located across the creek at the rear of the Property so as to prioritize the protection of the unique, natural resources found there. The proposed development would also include approximately 4.75 acres of the provided open space as “usable open space” as required by the UDO. These areas would be activated with nature trails, a tranquility overlook, and a bird watching sanctuary for the use and enjoyment of residents. The nature trails will also have wellness stations placed at varying intervals along the perimeter of the Property. Additionally, seating areas would be placed into the pocket parks and along the nature trails as places for residents to gather and enjoy nature.

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. 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

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and failing to accommodate new residents. A higher volume of housing development is needed to meet economic goals and countywide growth potential.” Green open space areas are included around the perimeter of the Property to provide appropriate screening and separation from adjacent single-family detached subdivisions and adjacent existing residential tracts. In order to develop the Property as depicted on the site plan submitted with the Application, the Applicant is seeking a limited grass strip reduction, to the extent relief is necessary, where adjacent to Parcel R2002 188, which is zoned RA-200 and contains a cemetery. In this limited area, the Applicant intends to provide the required 25-foot wide grass strip per UDO Section 230-90; however, to provide convenient access to the cemetery for families, a reduction in the grass strip along the northeastern side of the cemetery may be necessary. Such a reduction would provide adequate separation between the cemetery and the proposed development. Moreover, the area surrounding the cemetery is mostly cleared and does not contain mature vegetation. Accordingly, the proposed buffer would represent an improvement from current conditions.

Additionally, the proposed development is in line with the spirit and intent of the 2045 Plan for the Rural Future Development Area. While OSC is not a listed recommended zoning district for the Rural Future Development Area, the proposed development is closer to a blend of OSC and R-100. It provides the “best of both worlds” with the wider than required lot sizes, lower density, and still providing all of the open space requirements and conservation goals of OSC. Moreover, the 2045 Plan lists single-family residential, conservation, and parks/open space as appropriate uses for future development in the Rural Future Development Area. Further, the 2045 Plan describes Rural Future Development Area as using septic and being more than two miles from a village center. The subject Property has access to sewer and is approximately 1.3 miles from a Village Center Small located at the intersection of Mt. Moriah Road and Braselton Highway

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(HWY 124). Furthermore, the proposed development is in line with the Agricultural/Rural

Residence land use (which is a FAR based calculation between 0.0 and 0.2) because the proposed development has a FAR of 0.1. Therefore, a single-family residential development devoted to all of the aforementioned aspects would be a wonderful addition to the area. The proposed residential development would continue the residential development pattern and provide high-quality, attractive homes which complement the land use mix while preserving natural spaces for residents to commune with nature.

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 2nd day of May, 2024.

MAHAFFEY PICKENS TUCKER, LLP

*Shane M. Lanham*

Shane M. Lanham  
*Attorneys for Applicant*

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## **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 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.

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**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, encourages the continued diversification of housing types in the County, and encourages creation of open spaces for people to enjoy.
- (F) The Applicant submits that the quality of proposed homes, the large green space at the rear of the Property, 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.

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

**[attached]**

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06/04/2024

REZONING APPLICATION

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

| APPLICANT INFORMATION                                                                                                                                                                                                                                                                                             | PROPERTY OWNER INFORMATION                                                                                                                                                                                                                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Name: <u>Northpointe Realty Investments, LLC<br/>c/o Mahaffey Pickens Tucker, LLP</u></p> <p>Address: <u>1550 North Brown Road, STE 125</u></p> <p>City: <u>Lawrenceville</u></p> <p>State: <u>Georgia</u> ZIP: <u>30043</u></p> <p>Phone: <u>770-232-0000</u></p> <p>Email: <u>slanham@mptlawfirm.com</u></p> | <p>Name: <u>Northpointe Realty Investments</u></p> <p>Address: <u>3276 Buford Drive STE 104-102</u></p> <p>City: <u>Buford</u></p> <p>State: <u>Georgia</u> ZIP: <u>30519</u></p> <p>Phone: <u>770 232 0000</u></p> <p>Email: <u>slanham@mptlawfirm.com</u></p> |
| <p>Contact Person: <u>Shane M. Lanham</u></p> <p>Contact's Email: <u>slanham@mptlawfirm.com</u></p>                                                                                                                                                                                                               | <p>Phone: <u>770-232-0000</u></p>                                                                                                                                                                                                                               |
| <p><b>APPLICANT IS THE:</b></p>                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                 |
| <p><input type="checkbox"/> Owner's Agent</p>                                                                                                                                                                                                                                                                     | <p><input checked="" type="checkbox"/> Property Owner</p>                                                                                                                                                                                                       |
| <p>Contract Purchaser</p>                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                 |
| <p>Current Zoning District(s): <u>RA-200</u> Requested Zoning District: <u>OSC</u></p>                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                 |
| <p>Parcel Number(s): <u>R2004 006</u></p>                                                                                                                                                                                                                                                                         | <p>Acreage: <u>+/- 22.93</u></p>                                                                                                                                                                                                                                |
| <p>Property Address(es): <u>4550 Clack Road, Auburn, Georgia 30519</u></p>                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                 |
| <p>Proposed Development: <u>Single Family Detached Subdivision</u></p>                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                 |
| <p>Variance(s): <u>_____</u></p>                                                                                                                                                                                                                                                                                  | <p>Waiver(s): <u>_____</u></p>                                                                                                                                                                                                                                  |
| <p><b>RESIDENTIAL DEVELOPMENT</b></p>                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                 |
| <p>No. of Dwelling Units: <u>47</u></p>                                                                                                                                                                                                                                                                           | <p><b>NON-RESIDENTIAL DEVELOPMENT</b></p>                                                                                                                                                                                                                       |
| <p><u>2,200 sq ft for single-story</u></p>                                                                                                                                                                                                                                                                        | <p>No. of Buildings: <u>N/A</u></p>                                                                                                                                                                                                                             |
| <p>Dwelling Unit Sq. Ft.: <u>2,400 sq ft for two-story</u></p>                                                                                                                                                                                                                                                    | <p>Total Building Sq. Ft.: <u>N/A</u></p>                                                                                                                                                                                                                       |
| <p>Density: <u>+/-2.05</u></p>                                                                                                                                                                                                                                                                                    | <p>Floor Area Ratio: <u>N/A</u></p>                                                                                                                                                                                                                             |
| <p>Floor Area Ratio (LRR, MRR, HRR): <u>N/A</u></p>                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                 |
| <p><b>MIXED-USE DEVELOPMENT</b></p>                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                 |
| <p>No. of Dwelling Units: <u>N/A</u></p>                                                                                                                                                                                                                                                                          | <p>Dwelling Unit Sq. Ft.: <u>N/A</u></p>                                                                                                                                                                                                                        |
| <p>Total Non-Residential Sq. Ft.: <u>N/A</u></p>                                                                                                                                                                                                                                                                  | <p>Floor Area Ratio: <u>N/A</u></p>                                                                                                                                                                                                                             |

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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.



3/22/2024

Signature of applicant

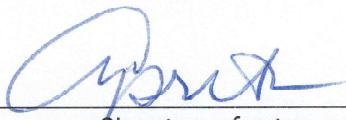
Date

Northpointe Realty Investments, LLC  
by: Gwinnett Development Corporation, Its Manager  
William A. Austin, President

3/22/2024

Type or print name and title

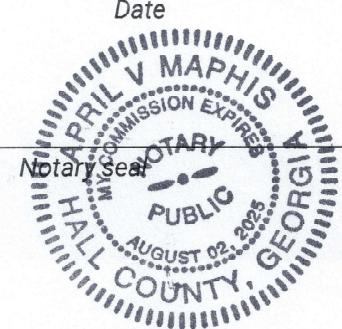
Date



3/22/2024

Signature of notary public

Date



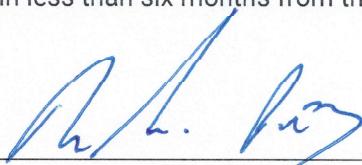
GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

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05/03/2024

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 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

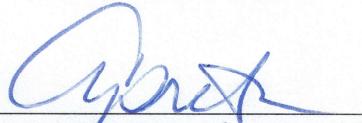
3/22/2024

Date

Northpoint Realty Investments, LLC  
by: Gwinnett Development Corporation, Its Manager  
William A. Austin, President

3/22/2024

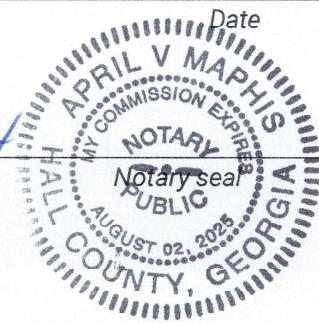
Type or print name and title



Signature of notary public

3/22/2024

Date



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## 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.

John H. Gray

*Signature of applicant*

3/22/2024

Date

Northpointe Realty Investments, LLC  
by: Gwinnett Development Corporation, Its Manager  
William A. Austin, President

3/22/2024

Type or print name and title

Date

*Aspinwall*

*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 Northpointe Realty Investments, LLC or William A. Austin

Name \_\_\_\_\_

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

| Name and Official Position of Government Official | Contributions<br>(List all which aggregate to \$250 or more) | Date Contribution Was Made<br>(Within last two years) |
|---------------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------|
|                                                   |                                                              |                                                       |
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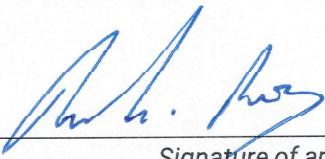
Attach additional sheets if necessary to disclose or describe all contributions.

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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

Northpointe Realty Investments, LLC  
by: Gwinnett Development Corporation, Its Manager  
William A. Austin, President

3/22/2024

Type or print name and title

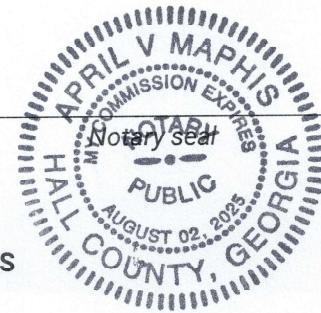
Date



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 Northpointe Realty Investments, LLC or William A. Austin

Name

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

| Name and Official Position of Government Official | Contributions<br>(List all which aggregate to \$250 or more) | Date Contribution Was Made<br>(Within last two years) |
|---------------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------|
|                                                   |                                                              |                                                       |
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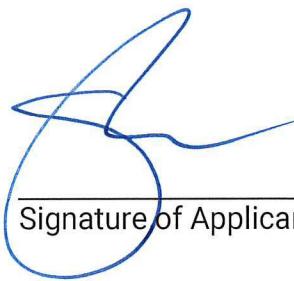
Attach additional sheets if necessary to disclose or describe all contributions.

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**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

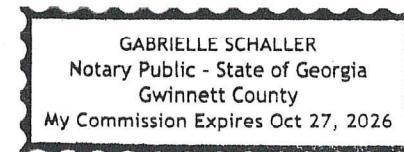
Type or Print Name and Title



Signature of Notary Public



Date



Notary Seal

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05/03/2024

**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

Signature of Applicant's  
Attorney or Representative

Date

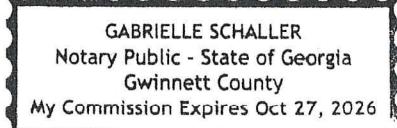
Shane M. Lanham, Attorney for Applicant

Type or Print Name and Title

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<br>(List all which aggregate to \$250 or More) | DATE CONTRIBUTION WAS MADE<br>(Within last two years) |
|---------------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------|
| Please see attached.                              |                                                              |                                                       |
|                                                   |                                                              |                                                       |
|                                                   |                                                              |                                                       |
|                                                   |                                                              |                                                       |
|                                                   |                                                              |                                                       |

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

RECEIVED

05/03/2024

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

**MAHAFFEY PICKENS TUCKER, LLP**

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

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

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

**RECEIVED**

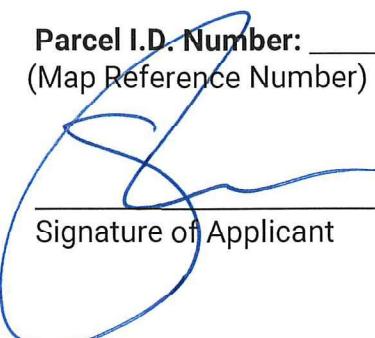
05/03/2024

**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: R2004 006  
(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.

Vickie Schobey  
Name  
3/27/2024

Date

TSA II  
Title

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

**[attached]**



November 30, 2023

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

APPROVED  
 DENIED  
 CONDITIONALLY APPROVED  
**Sewer Capacity Request #C2023-272-11**  
**Expiration Date: 11/30/2024**  
**Tie-In Manhole FID: 2345352**

RE: Sewer Availability for Proposed Development – 4550 Clack Road Property  
Parcel ID 2004 006

Dear Mr. Austin:

This letter supersedes the earlier Sewer Capacity Certification C2023-009-01 dated January 13, 2023.

Gwinnett County Department of Water Resources (GCDWR) has reviewed the impact of the proposed development consisting of 81 single-family homes 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 14.1 gpm discharging to the sewer tie-in manhole at Facility ID 2345352.

**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.

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

Sincerely,

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES

Lorraine Campagne, PE  
Section Manager, Development Support  
678.376.7058

C: Gwinnett County DWR – Tai Yi Su, Division Director; Raghu Vemuru, Engineer V; Mikala Weston, Engineer III  
Gwinnett County P&D – Charli Young, Planning Manager; Geniva Sylvain, Engineer I; Christina Dejarnette, Engineer I

**Exhibit H: Traffic Impact Study**

**[attached]**

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

05/03/2024

## Traffic Impact Study

4550 Clack Road Residential Subdivision  
Gwinnett County, Georgia

February 19, 2024  
revised March 21, 2024



in collaboration with



## Traffic Impact Study

4550 Clack Road Residential Subdivision  
Gwinnett County, Georgia

prepared for:

Northpointe Realty Investments, LLC

February 19, 2024  
revised March 21, 2024



in collaboration with



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## 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 4550 Clack Road, as shown in Figure 1. The project will consist of 48 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.

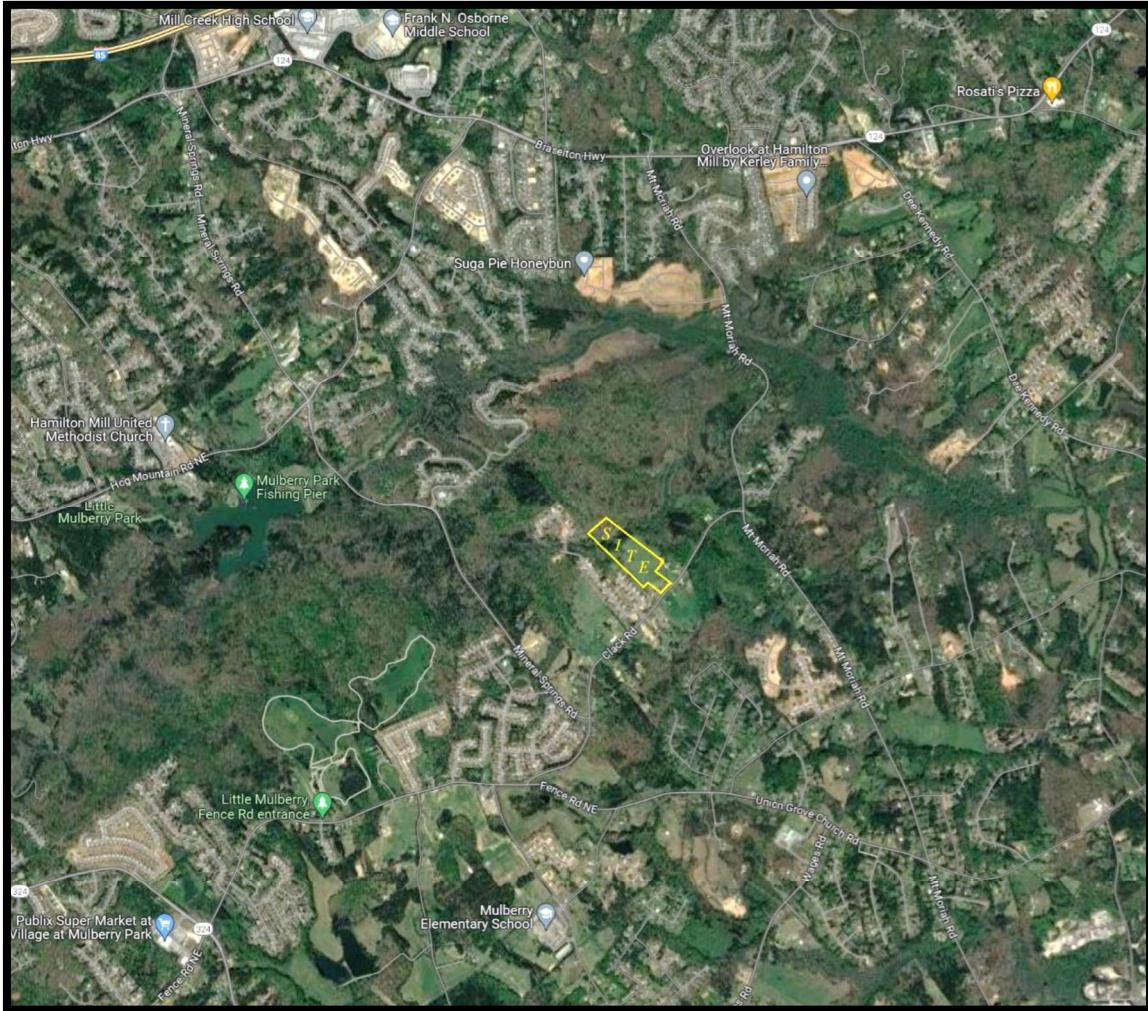


Figure 1 – Site Location Map

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 48 home subdivision is projected to generate 50 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.

**4550 Clack Road Subdivision, Gwinnett County**  
**Traffic Impact Study**



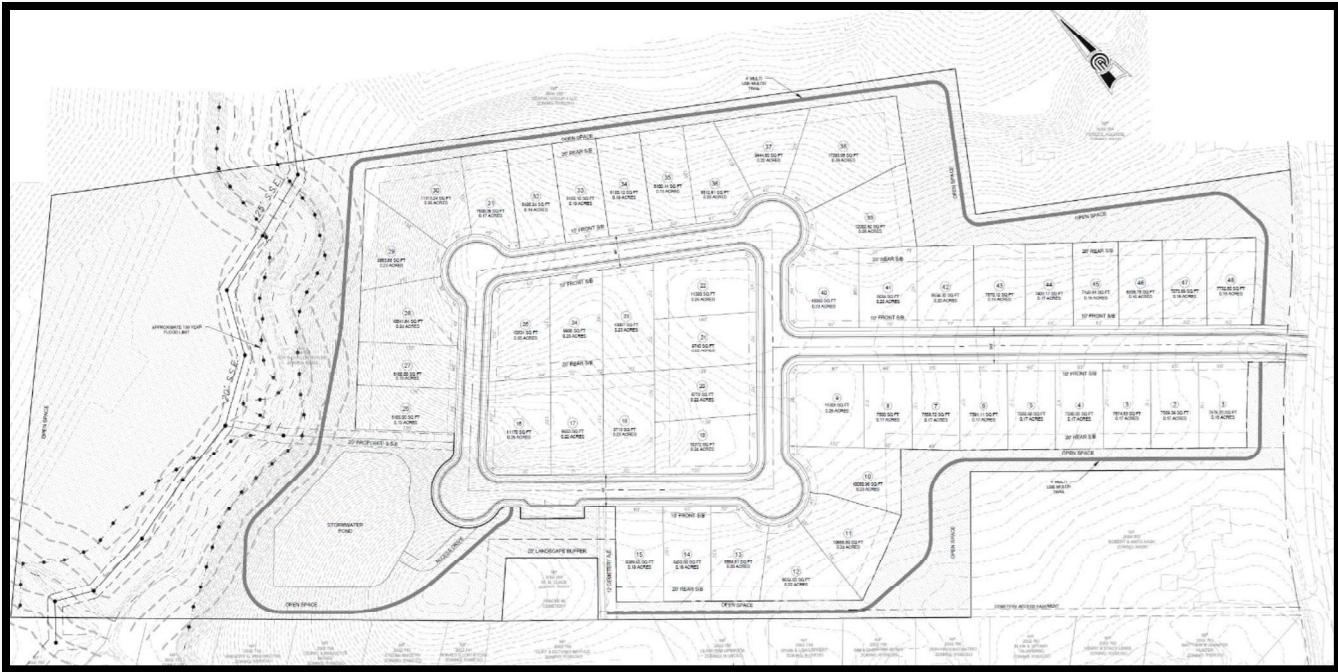


Figure 2 – Site Plan

## Existing and Proposed Land Use

The subject property is currently zoned RA200 – Agriculture Residence District. The proposed zoning is OSC – Open Space Conservation 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 4550 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      | 48 homes | 10             | 28  | 38    | 31             | 19  | 50    | 514     | 514   |

The proposed subdivision will generate 38 trips in the morning peak hour, 50 trips in the evening peak hour, and 514 two-way daily trips.

## Description of Existing Transportation Facilities

Clack Road is a two lane local road that begins at a side street stop sign controlled T-intersection at Mt Moriah Road, passes the subject site, intersects Mineral Springs Road, then terminates at a side street stop sign controlled T-intersection at Fence Road. The terrain is gently rolling and the posted speed limit is 35 mph. The road has a rural cross-section with no shoulder, curb-and-gutter, or sidewalk. The road serves primarily undeveloped land and access to residential subdivisions.

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. A count collected by the County on Clack Road between Mineral Springs Road and Fence Road in 2015 revealed a 24-hour volume of 3,136 vehicles, which is slightly higher than the County's 2022 count, suggesting a decreasing trend. However, the Georgia DOT AADT on Mt Moriah Road north of Clack Road (Count Station #135-0494) has experienced an annual average growth rate of 4.1% over the past five years.

## Pedestrian, Bicycle, and Transit Accessibility

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.

## Adjacent Access Spacing

The proposed access to the subdivision will be located one the west side of Clack Road approximately 750 feet north of an existing access to a subdivision. There are a few single family home driveways in the vicinity of the proposed subdivision access. The Gwinnett County Unified Development Ordinance (UDO) Table 900.3 provides the minimum separation requirements for driveways, public roads, and side streets. That table is reproduced below as Table 2.

For a road with a posted speed limit of 35 mph, the minimum driveway spacing is 244 feet. At approximately 750 feet, the access to the adjacent subdivision to the south is located sufficiently far from the proposed subdivision access.

**Table 2 – Gwinnett UDO Minimum Separation for Driveways, Public Roads, and Side Streets**

Table 900.3. Minimum Separation for Driveways, Public Roads, and Side Streets.

| Posted Speed<br>MPH | Minimum<br>Driveway Spacing |
|---------------------|-----------------------------|
| 25                  | 125                         |
| 30                  | 219                         |
| 35                  | 244                         |
| 40                  | 294                         |
| 45                  | 369                         |
| 50                  | 419                         |
| 55                  | 444                         |
| 60                  | 494                         |
| 65                  | 550                         |

Figure 3 presents an aerial photograph of the subject section of Clack Road with the location of the proposed subdivision access identified. The existing subdivision access to the south is visible, as are a few single home driveways.

**Figure 3 – Aerial Photograph of Adjacent Section of Clack Road**

4550 Clack Road Subdivision, Gwinnett County  
Traffic Impact Study



## Programmed Improvements

Programmed (scheduled and funded) and planned (anticipated) transportation infrastructure projects in the vicinity of the proposed development were researched. A long-term (2050) Georgia DOT project to widen Mt Moriah Road from two to four lanes from the Gwinnett County line to US 29 is planned. No other projects were identified that could affect traffic patterns, volumes, or capacity at the study intersections or project access by the buildout of the proposed development.

## Intersection Sight Distance

Intersection sight distance from the location of the proposed project access to the north is approximately 273 feet. To the south, the available intersection sight distance is approximately 805 feet. Table 900.2 Sight Distance from the Gwinnett County UDO is reproduced below as Table 3.

**Table 3 – Gwinnett UDO Sight Distance Standards**

Table 900.2. Sight Distance.

| SPEED, MPH | SIGHT DISTANCE (FEET) |         | 4 Lanes | 5 Lanes | SDL | SDR |
|------------|-----------------------|---------|---------|---------|-----|-----|
|            | 2 Lane                | 3 Lanes |         |         |     |     |
| 25         | 280                   | 280     | 295     | 280     | 310 | 295 |
| 30         | 335                   | 335     | 355     | 335     | 375 | 355 |
| 35         | 390                   | 390     | 415     | 390     | 440 | 415 |
| 40         | 445                   | 445     | 475     | 445     | 500 | 475 |
| 45         | 500                   | 500     | 530     | 500     | 565 | 530 |
| 50         | 555                   | 555     | 590     | 555     | 625 | 590 |
| 55         | 610                   | 610     | 650     | 610     | 690 | 650 |
| 60         | 665                   | 665     | 710     | 665     | 750 | 710 |
| 65         | 720                   | 720     | 765     | 720     | 815 | 765 |
|            |                       |         |         |         |     | 860 |

Table 3 reveals that the 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. The available sight distance to the south of approximately 805 feet satisfies this standard. However, the available sight distance to the north of 273 feet does not meet the minimum standard. The line of sight is obscured by a combination of the curvature of the road, vegetation, and the roadside grading. Removal of the vegetation and regrading is likely to increase the available sight distance, though it is uncertain if the 390 foot minimum is achievable. It is recommended that the project access be located and designed in order to maximize the available sight distance in each direction. If the minimum requirement cannot be satisfied, remedial measures may be appropriate such as advance warning signage, a reduced speed advisory sign, or other, to be installed on southbound Clack Road in advance of the access.

## Internal Site Circulation Review

The proposed internal site roadway plan is very basic and consists of a straight entry roadway feeding a single loop. The loop intersects the straight entry roadway approximately 520 feet within the site from the edge of the travel lane on Clack Road. The design of the street system is expected to function well. All entering vehicles are anticipated to flow into the site with no impediment. Substantial storage (520 feet of straight storage length to the first internal cross street) is provided within the site to accommodate exiting queues.

## Existing Traffic Volumes

Existing full turning movement peak hour traffic volume counts were collected at the following intersections in the vicinity of the site:

1. Mt Moriah Road at Clack Road
2. Clack Road at Mineral Springs Road
3. Fence Road at Clack Road

The locations of the traffic counts are presented in Figure 4.



Figure 4 – Traffic Volume Count Locations

The intersection counts were collected on Thursday, February 8, 2024 from 7:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:00 p.m. Area schools were in standard session on the day on which the counts were recorded. From the intersection turning movement count data, the highest four consecutive 15-minute interval volumes at each intersection, during each time period, were determined. These volumes make up the existing weekday a.m. and p.m. peak hour traffic volumes at each intersection and are shown in Figure 5. The raw count data is found in Appendix A.

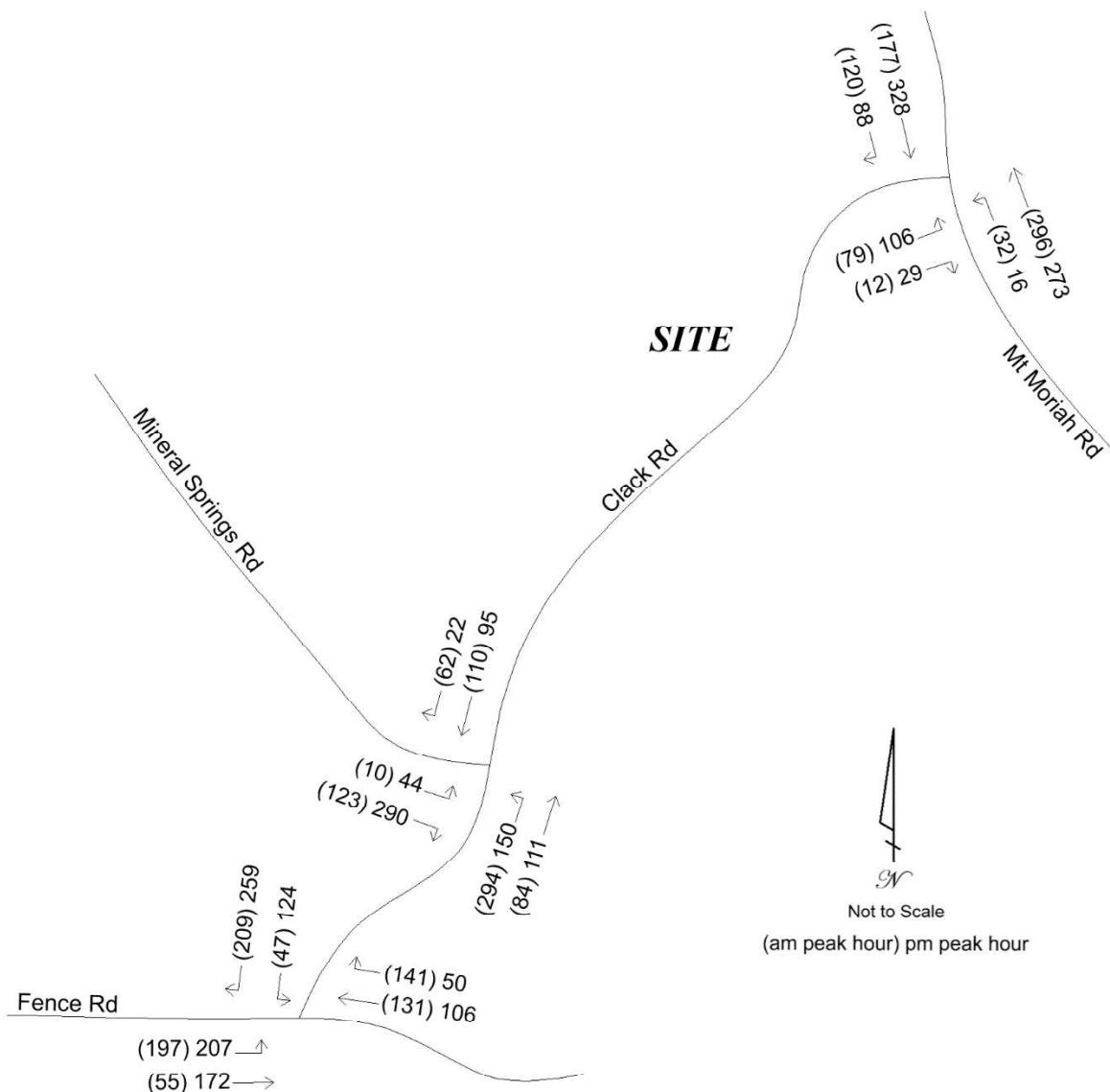


Figure 5 – Existing Weekday A.M. and P.M. Peak Hour Traffic Volumes

4550 Clack Road Subdivision, Gwinnett County  
Traffic Impact Study

## Existing Intersection Operations

Existing traffic operations were analyzed at the counted intersections using Synchro software, version 12, in accordance with the methodology presented in the Transportation Research Board's 2022 *Highway Capacity Manual 7<sup>th</sup> Edition (HCM 7)*. This methodology is presented in Appendix B. The analysis was based on the existing volumes, lanes, and control. The results of the analysis are shown in Table 4. Computer printouts containing detailed results of the existing analysis are located in Appendix C. Levels of service and delays are provided for each overall intersection and for each controlled approach or movement. Locations that operate unacceptably (LOS E or LOS F) are presented in bold type.

**Table 4 – Existing Intersection Operations**

| Intersection / Approach                                       | A.M. Peak Hour |               | P.M. Peak Hour |               |
|---------------------------------------------------------------|----------------|---------------|----------------|---------------|
|                                                               | LOS            | Delay (s/veh) | LOS            | Delay (s/veh) |
| 1. Mt Moriah Road at Clack Road (side street stop sign)       | A              | 2.6           | A              | 3.5           |
| northbound left turn                                          | A              | 8.0           | A              | 8.5           |
| eastbound approach                                            | C              | 16.7          | C              | 20.7          |
| 2. Clack Road at Mineral Springs Road (side street stop sign) | A              | 5.9           | A              | 7.5           |
| eastbound approach (Mineral Springs)                          | B              | 11.7          | B              | 13.3          |
| northbound left turn (from Clack)                             | A              | 8.6           | A              | 7.9           |
| 3. Fence Road at Clack Road (side street stop sign)           | A              | 7.4           | B              | 12.9          |
| southbound approach                                           | C              | 15.5          | D              | 26.4          |
| eastbound left turn                                           | A              | 8.4           | A              | 8.0           |

The existing analysis reveals acceptable operating conditions at all study intersections and controlled approaches or movements.

## Project Trip Distribution and Assignment

The trips that will be generated by the proposed subdivision were distributed and assigned to the roadway network. The trip distribution percentages indicate what proportion of the project's trips will travel to and from various directions. The trip distribution percentages for the subdivision were developed based on the locations and proximity of likely trip origins and destinations including regional employment centers, retail and offices in the area, nearby schools, other regional trip attractors, and the major routes of travel in the area. The new project trips, presented previously in this report in Table 1, were assigned to the roadway network based on the distribution percentages. The trip distribution percentages and the a.m. and p.m. peak hour trips expected to be generated by the proposed subdivision are shown in Figure 6.

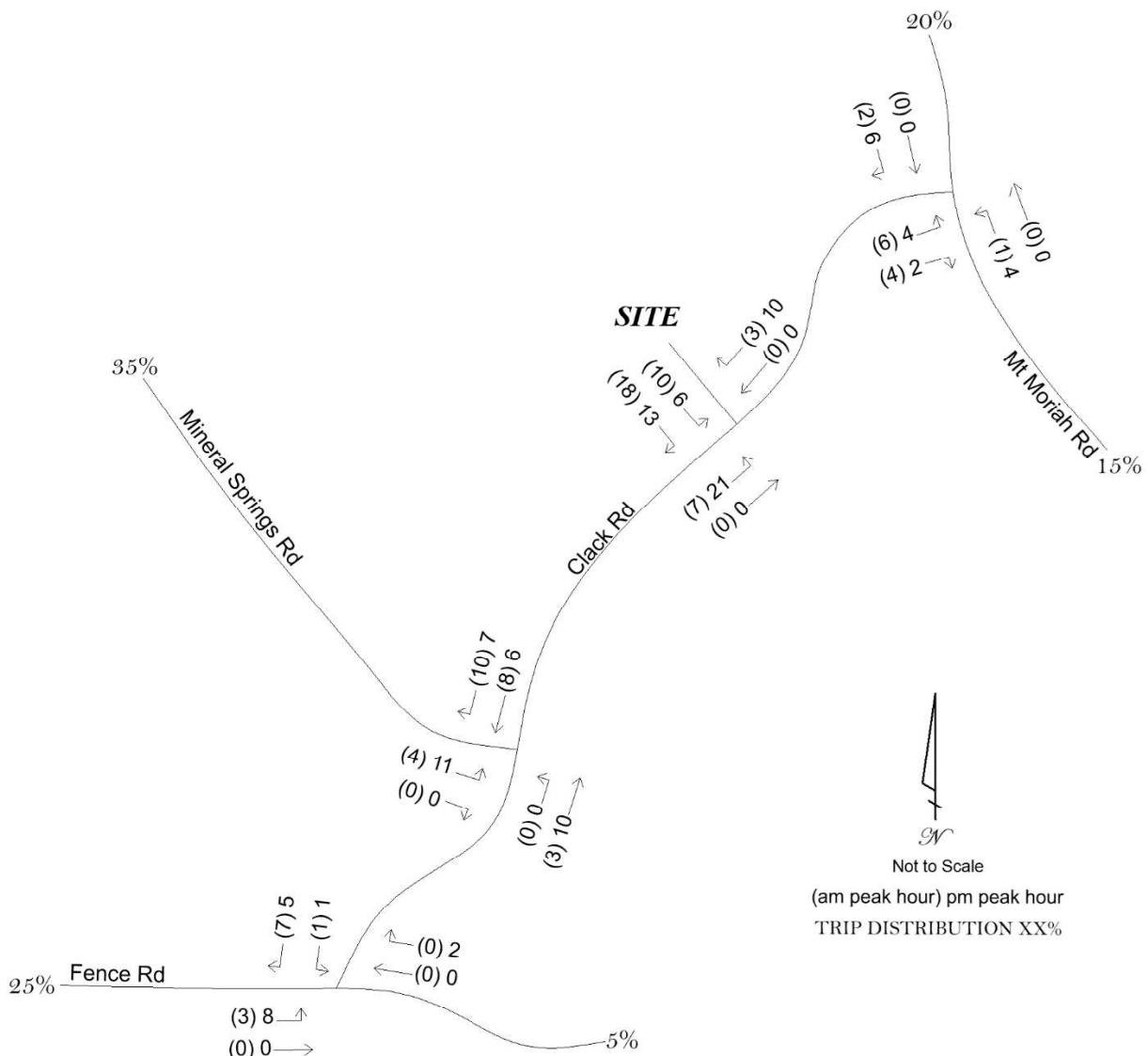


Figure 6 – Proposed Subdivision A.M. and P.M. Peak Hour Trips and Distribution Percentages

4550 Clack Road Subdivision, Gwinnett County  
Traffic Impact Study



## Auxiliary Lane Requirements at Project Access

The project access on Clack Road is under the jurisdiction of Gwinnett County. Therefore, in order to determine if a northbound left turn lane or a southbound right turn lane is required on Clack Road at the subdivision access, The requirements set forth in the Gwinnett County Unified Development Ordinance, Section 900-30. Project Access Improvements, were evaluated. The Code states:

900-30.1 Project access improvements for single-family detached, single-family attached, and duplex residential subdivisions.

- A. When property that abuts upon an existing or proposed County road is to be developed or redeveloped as a single-family detached, attached, or duplex subdivision and the County street will provide access to the property, project access improvements to the County road (deceleration lanes, turn lanes, etc.) shall be provided by the developer as required herein.
- B. A deceleration lane shall be required to be provided at each project driveway or subdivision street entrance that is provided street access to a Minor Collector Street or Major Thoroughfare. In the event a street has an existing or proposed median, and the developer desires to construct a median break to serve the subdivision, a left turn lane leading to the median break shall be required to be provided by the developer if approved by the Department of Transportation and shall meet the standards contained herein. [details regarding median breaks removed, not applicable]. Meeting the spacing criteria is not, in itself, an indication that median openings will be allowed.
- C. Deceleration lanes shall have a length of 200 feet, with an additional 50 foot taper length, a pavement width of 12 feet (exclusive of curb and gutter) and shall be provided with curb and gutter. Additional right-of-way to accommodate the deceleration lane and an 11 foot shoulder measured from back of curb shall be dedicated by the developer to Gwinnett County at no cost. Associated stormwater infrastructure as deemed necessary by the construction of the deceleration lane shall also be required.
- D. A left turn lane shall be provided into each project driveway or subdivision street that accesses a Minor Collector or Major Thoroughfare in accordance with the Department of Transportation's "Criteria and Guidelines for Left Turn Lanes."
- E. Other project access improvements may be required by the Department upon the recommendation of the Department of Transportation in order to ensure adequate site access, pedestrian access, convenience and safety to the motoring public.
- F. The developer shall be responsible for the relocation of public or private utilities and stormwater infrastructure, as may be occasioned by the required Project Access Improvements.

Clack Road is a local road and, therefore, according to the Code, no northbound left turn lane or southbound right turn lane is required on Clack Road at the proposed subdivision access.

## Conclusions and Recommendations

This study assesses the traffic impact of a proposed residential subdivision in Gwinnett County. The site is located at 4550 Clack Road. The project will consist of 48 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 50 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 38 trips in the morning peak hour, 50 trips in the evening peak hour, and 514 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 4370 and 4400 Clack Road. That project will add 37 trips in the morning peak hour, 49 trips in the evening peak hour, and 504 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.
5. Intersection sight distance from the location of the proposed project access to the north is approximately 273 feet. To the south, the available intersection sight distance is approximately 805 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. The line of sight to the north is obscured by a combination of the curvature of the road, vegetation, and the roadside grading. Removal of the vegetation and regrading is likely to increase the available sight distance, though it is uncertain if the 390 foot minimum is achievable. It is recommended that the project access be located and designed in order to maximize the available sight distance in each direction. If the minimum requirement cannot be satisfied, remedial measures may be appropriate such as advance warning signage, a reduced speed advisory sign, or other, to be installed on southbound Clack Road in advance of the access.

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.

**Exhibit I: Public Participation Plan and Report**

**[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 contacted 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.**

As this is a resubmission, the meeting was 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 6:00pm

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

The Applicant provided an introduction to the rezoning process and the proposed development then opened the floor up to the attendees for a question/answer session.



## 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.

---

---

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.

---

---

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.

---

---

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

---

---

---

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?

---

---

---

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

**[attached]**



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

|                                                                                                              |                                                                                                            |                                         |                                        |
|--------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|-----------------------------------------|----------------------------------------|
| <b>TRC Meeting Date:</b> 06.05.2024                                                                          |                                                                                                            |                                         |                                        |
| Department/Agency Name: Transportation                                                                       |                                                                                                            |                                         |                                        |
| Reviewer Name: Brent Hodges                                                                                  |                                                                                                            |                                         |                                        |
| Reviewer Title: Construction Manager 2                                                                       |                                                                                                            |                                         |                                        |
| Reviewer Email Address: <a href="mailto:Brent.Hodges@gwinnettcounty.com">Brent.Hodges@gwinnettcounty.com</a> |                                                                                                            |                                         |                                        |
| Case Number: RZR2024-00023                                                                                   |                                                                                                            |                                         |                                        |
| Case Address: 4550 Clack Road, Auburn, 30011                                                                 |                                                                                                            |                                         |                                        |
| <b>Comments:</b>                                                                                             |                                                                                                            | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |
| 1                                                                                                            | Clack Road is a minor collector. ADT = 1,475.                                                              |                                         |                                        |
| 2                                                                                                            | 9.7 miles to the nearest Ride Gwinnett facility located at 3505 Buford Drive (AutoNation Mall of Georgia). |                                         |                                        |
| 3                                                                                                            | A 5' concrete sidewalk shall be constructed along the entire site frontage of Clack Road.                  |                                         |                                        |
| 4                                                                                                            | Traffic Calming shall be provided for any internal street exceeding 500' without a control point.          |                                         |                                        |
| 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

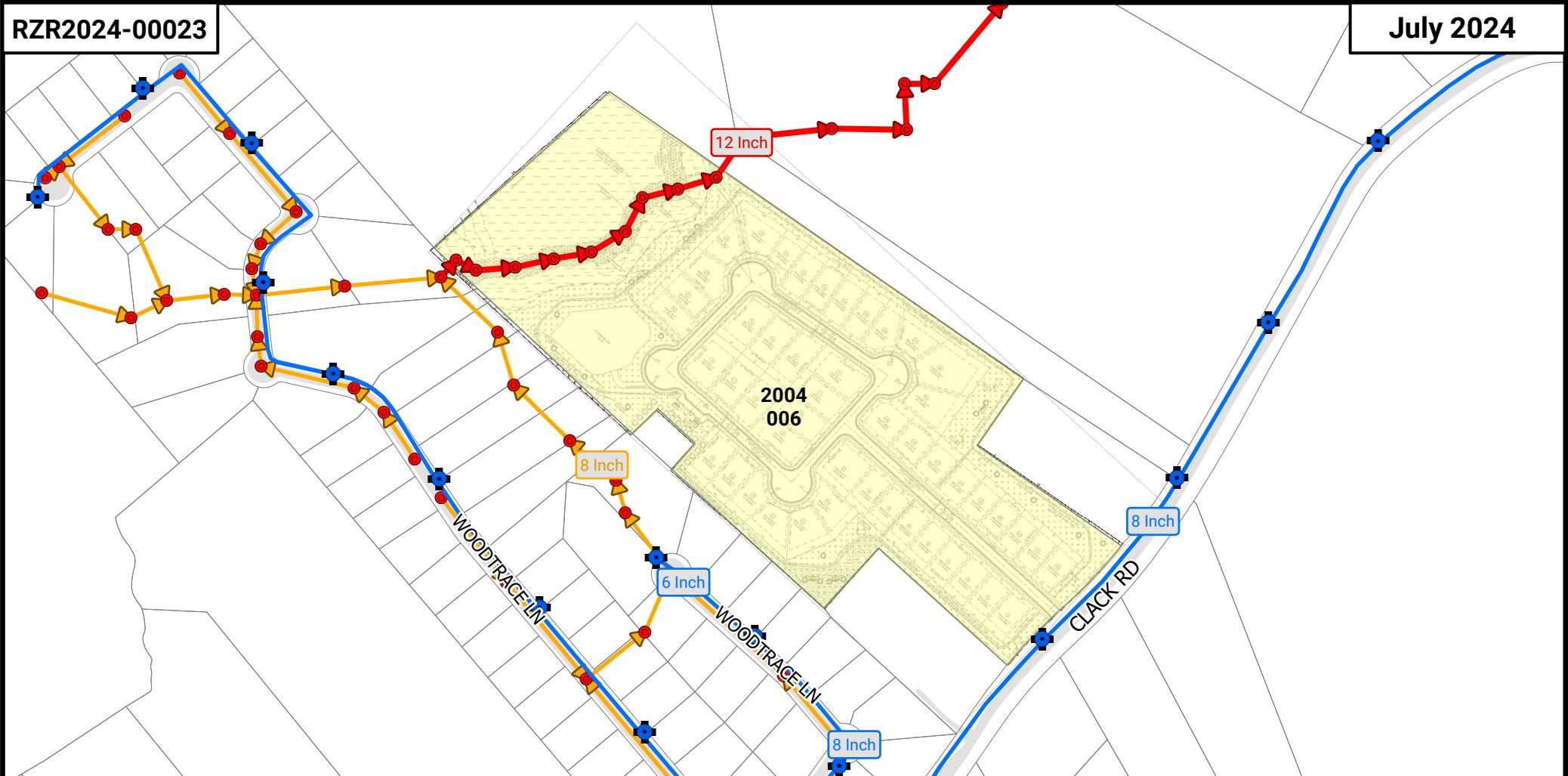


**Department of Planning and Development**  
**TECHNICAL REVIEW COMMITTEE**

|                                                                                                                  |                                                                                                                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <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: RZR2024-00023                                                                                       |                                                                                                                                                                                                                                                                  |
| Case Address: 4550 Clack Road                                                                                    |                                                                                                                                                                                                                                                                  |
| <b>Comments:</b>                                                                                                 |                                                                                                                                                                                                                                                                  |
|                                                                                                                  | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO                                                                                                                                                                                              |
| 1                                                                                                                | Water: The proposed development 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 (C2023-272-11) has been approved for 81 residential units and must be updated to reflect the new unit count. The proposed development plans to connect to an existing 12-inch gravity sewer located on the subject parcel. |
| 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*



## LEGEND

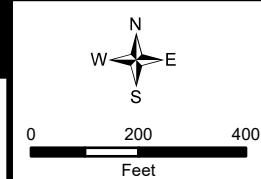
Water Main  
Hydrant

Manhole  
Sewer Collector  
Sewer Interceptor

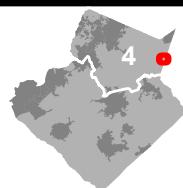
4550 Clack Rd

RA-200 to OSC

## Water & Sewer Utility Map



## LOCATION



**Water Comments:** The proposed development 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 (C2023-272-11) has been approved for 81 residential units and must be updated to reflect the new unit count. The proposed development plans to connect to an existing 12-inch gravity sewer located on the subject parcel.

**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 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.

**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<br>Prepared for Gwinnett County BOC, July, 2024 |                                           |              |          |          |          |              |          |          |          |              | Proposed Zoning |          |          |                                                            |
|----------------------------------------------------------------------------------------------|-------------------------------------------|--------------|----------|----------|----------|--------------|----------|----------|----------|--------------|-----------------|----------|----------|------------------------------------------------------------|
|                                                                                              | School                                    | 2024-25      | Forecast | Capacity | +/- Cap. | 2025-26      | Forecast | Capacity | +/- Cap. | 2026-27      | Forecast        | Capacity | +/- Cap. | Approximate Student Projections from Proposed Developments |
| RZM2024-00007                                                                                | <b>Archer High School</b>                 | <b>2,950</b> | 2,850    | 100      | 100      | <b>2,887</b> | 2,850    | 37       | 37       | <b>2,863</b> | 2,850           | 13       | 13       | 11                                                         |
|                                                                                              | McConnell Middle School                   | <b>2,096</b> | 1,775    | 321      | 321      | <b>2,121</b> | 1,775    | 346      | 346      | <b>2,185</b> | 1,775           | 410      | 410      | 8                                                          |
|                                                                                              | Cooper Elementary School                  | <b>1,511</b> | 1,625    | -114     | -114     | <b>1,527</b> | 1,625    | -98      | -98      | <b>1,543</b> | 1,625           | -82      | -82      | 15                                                         |
| RZM2024-00008                                                                                | <b>Grayson High School</b>                | <b>3,585</b> | 3,000    | 585      | 585      | <b>3,693</b> | 3,000    | 693      | 693      | <b>3,803</b> | 3,000           | 803      | 803      | 25                                                         |
|                                                                                              | Bay Creek Middle School                   | <b>1,449</b> | 1,150    | 299      | 299      | <b>1,485</b> | 1,150    | 335      | 335      | <b>1,537</b> | 1,150           | 387      | 387      | 19                                                         |
|                                                                                              | Trip Elementary School                    | <b>1,440</b> | 1,200    | 240      | 240      | <b>1,498</b> | 1,200    | 298      | 298      | <b>1,558</b> | 1,200           | 358      | 358      | 36                                                         |
| RZR2024-00023                                                                                | <b>Dacula High School</b>                 | <b>2,553</b> | 2,550    | 3        | 3        | <b>2,617</b> | 2,550    | 67       | 67       | <b>2,682</b> | 2,550           | 132      | 132      | 16                                                         |
|                                                                                              | Dacula Middle School                      | <b>1,855</b> | 1,900    | -45      | -45      | <b>1,901</b> | 1,900    | 1        | 1        | <b>1,949</b> | 1,900           | 49       | 49       | 11                                                         |
|                                                                                              | Mulberry Elementary School                | <b>790</b>   | 975      | -185     | -185     | <b>826</b>   | 975      | -149     | -149     | <b>871</b>   | 975             | -104     | -104     | 21                                                         |
| RZR2024-00030                                                                                | <b>Dacula High School</b>                 | <b>2,553</b> | 2,550    | 3        | 3        | <b>2,617</b> | 2,550    | 67       | 67       | <b>2,682</b> | 2,550           | 132      | 132      | 3                                                          |
|                                                                                              | Dacula Middle School                      | <b>1,855</b> | 1,900    | -45      | -45      | <b>1,901</b> | 1,900    | 1        | 1        | <b>1,949</b> | 1,900           | 49       | 49       | 1                                                          |
|                                                                                              | Alcova Elementary School                  | <b>1,501</b> | 1,150    | 351      | 351      | <b>1,554</b> | 1,150    | 404      | 404      | <b>1,608</b> | 1,150           | 458      | 458      | 3                                                          |
| RZR2024-00032                                                                                | <b>Mountain View High School</b>          | <b>2,226</b> | 2,300    | -74      | -74      | <b>2,209</b> | 2,300    | -91      | -91      | <b>2,253</b> | 2,300           | -47      | -47      | 21                                                         |
|                                                                                              | Twin Rivers Middle School                 | <b>1,683</b> | 2,150    | -467     | -467     | <b>1,700</b> | 2,150    | -450     | -450     | <b>1,734</b> | 2,150           | -416     | -416     | 15                                                         |
|                                                                                              | Dyer Elementary School                    | <b>929</b>   | 1,175    | -246     | -246     | <b>903</b>   | 1,175    | -272     | -272     | <b>894</b>   | 1,175           | -281     | -281     | 30                                                         |
| RZR2024-00033                                                                                | <b>Grayson High School</b>                | <b>3,585</b> | 3,000    | 585      | 585      | <b>3,693</b> | 3,000    | 693      | 693      | <b>3,803</b> | 3,000           | 803      | 803      | 57                                                         |
|                                                                                              | Couch Middle School                       | <b>1,139</b> | 1,150    | -11      | -11      | <b>1,167</b> | 1,150    | 17       | 17       | <b>1,197</b> | 1,150           | 47       | 47       | 45                                                         |
|                                                                                              | Starling Elementary School                | <b>1,322</b> | 1,200    | 122      | 122      | <b>1,348</b> | 1,200    | 148      | 148      | <b>1,375</b> | 1,200           | 175      | 175      | 80                                                         |
| RZR2024-00034                                                                                | <b>Seckinger High School</b>              | <b>2,326</b> | 2,800    | -474     | -474     | <b>2,452</b> | 2,800    | -348     | -348     | <b>2,550</b> | 2,800           | -250     | -250     | 1                                                          |
|                                                                                              | Jones Middle School                       | <b>1,820</b> | 1,575    | 245      | 245      | <b>1,893</b> | 1,575    | 318      | 318      | <b>1,969</b> | 1,575           | 394      | 394      | 1                                                          |
|                                                                                              | Ivy Creek Elementary School               | <b>1,583</b> | 1,275    | 308      | 308      | <b>1,614</b> | 1,275    | 339      | 339      | <b>1,646</b> | 1,275           | 371      | 371      | 1                                                          |
| RZR2024-00035                                                                                | <b>Meadowcreek High School or:</b>        | <b>2,521</b> | 2,850    | -329     | -329     | <b>2,470</b> | 2,850    | -380     | -380     | <b>2,433</b> | 2,850           | -417     | -417     | 43                                                         |
|                                                                                              | <b>McClure Health Science High School</b> | <b>1,180</b> | 1,500    | -320     | -320     | <b>1,190</b> | 1,500    | -310     | -310     | <b>1,200</b> | 1,500           | -300     | -300     |                                                            |
|                                                                                              | Lilburn Middle School                     | <b>1,588</b> | 2,000    | -412     | -412     | <b>1,556</b> | 2,000    | -444     | -444     | <b>1,542</b> | 2,000           | -458     | -458     | 33                                                         |
|                                                                                              | Nesbit Elementary School                  | <b>1,214</b> | 1,400    | -186     | -186     | <b>1,202</b> | 1,400    | -198     | -198     | <b>1,220</b> | 1,400           | -180     | -180     | 61                                                         |
| RZR2024-00036                                                                                | <b>Mill Creek High School</b>             | <b>2,721</b> | 2,800    | -79      | -79      | <b>2,694</b> | 2,800    | -106     | -106     | <b>2,735</b> | 2,800           | -65      | -65      | 45                                                         |
|                                                                                              | Osborne Middle School                     | <b>1,763</b> | 1,575    | 188      | 188      | <b>1,798</b> | 1,575    | 223      | 223      | <b>1,816</b> | 1,575           | 241      | 241      | 35                                                         |
|                                                                                              | Pucketts Mill Elementary School           | <b>746</b>   | 1,200    | -454     | -454     | <b>725</b>   | 1,200    | -475     | -475     | <b>708</b>   | 1,200           | -492     | -492     | 63                                                         |

**Exhibit K: Maps**

**[attached]**



RZR2024-00023

RZR2024-00023

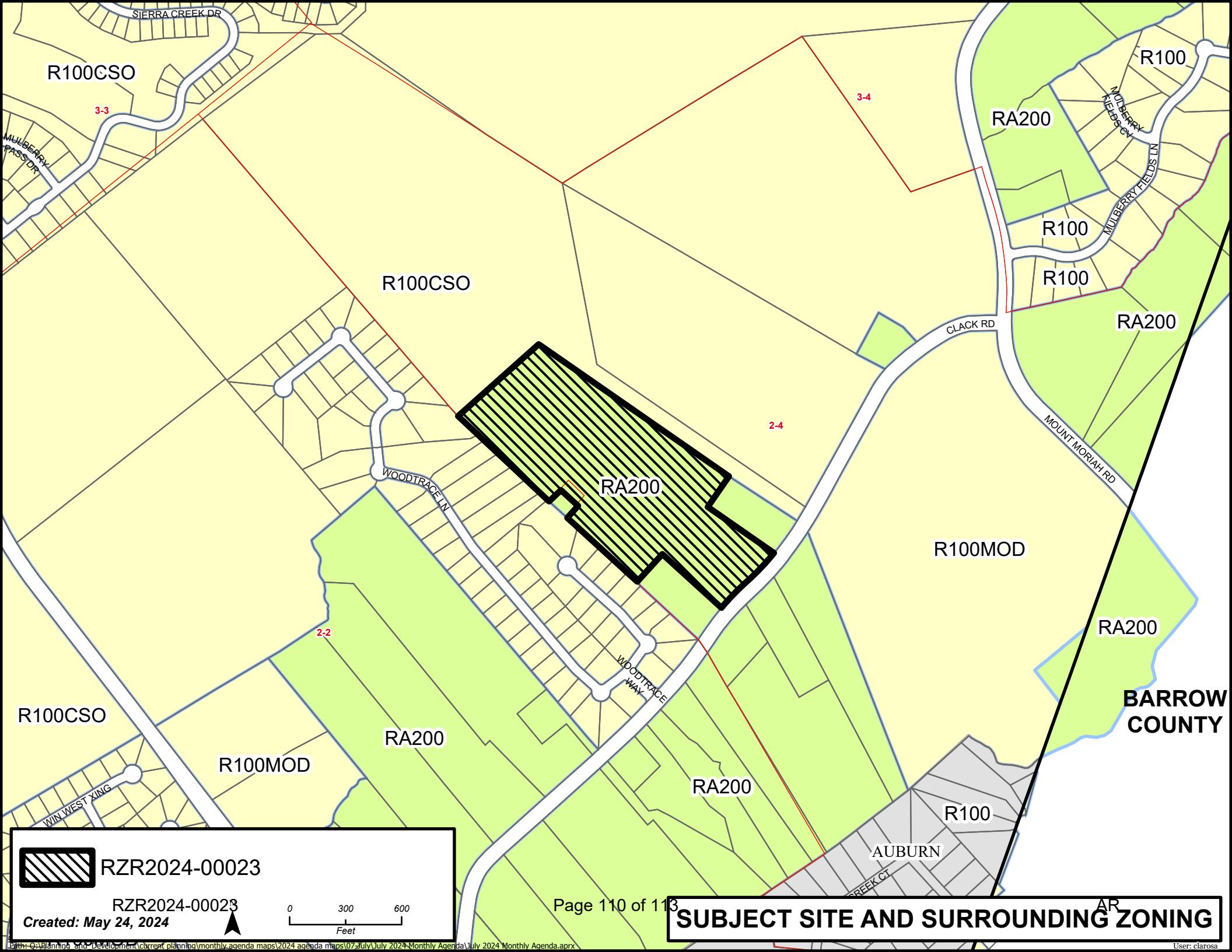
Created: May 24, 2024

0 120 240  
Feet

Page 109 of 113

AR  
Gwinnett County GIS

User: clarosa

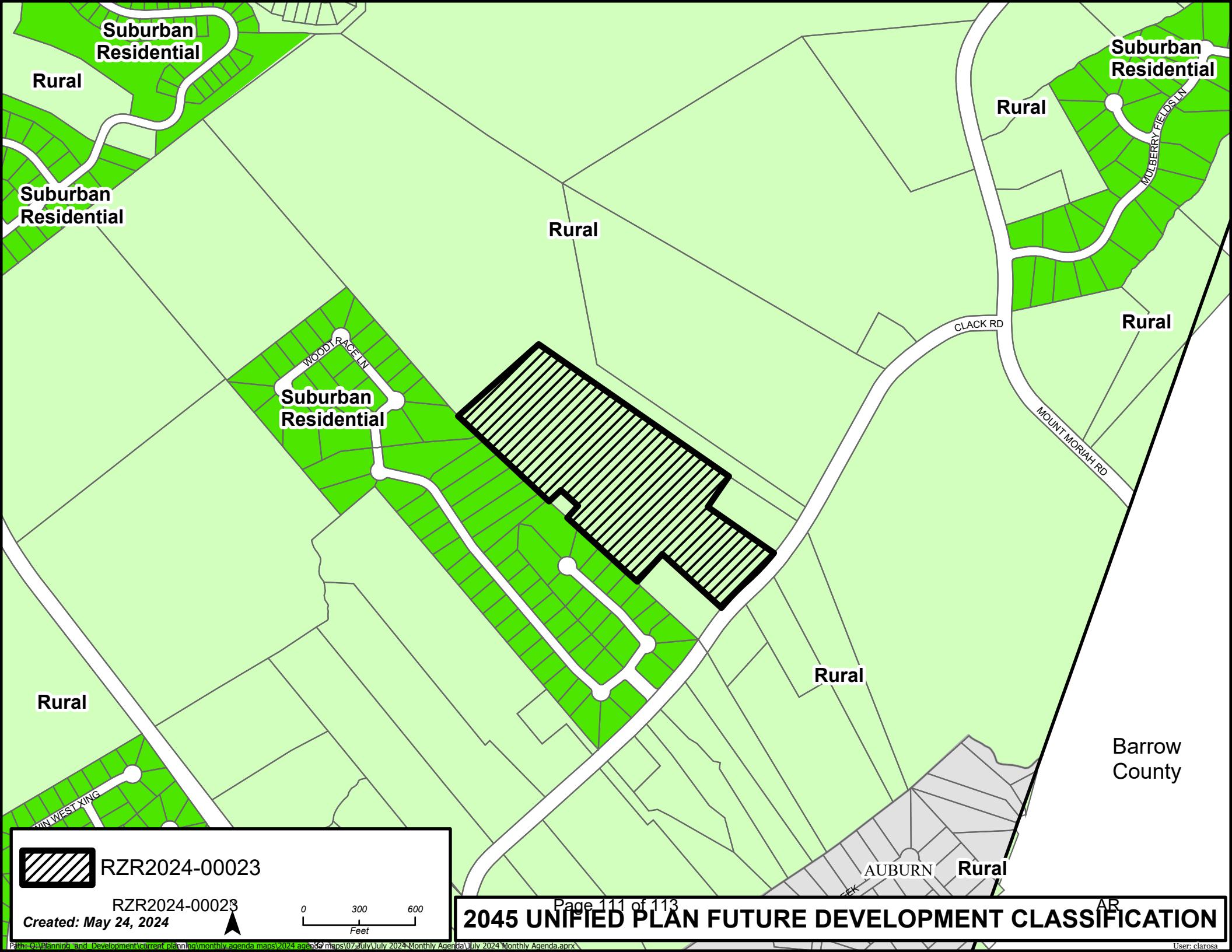


RZR2024-00023

RZR202  
Created: May 24, 2024

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### **3 SUBJECT SITE AND SURROUNDING ZONING**



RZR2024-00023

RZR2024

RZR2024-00023

A horizontal number line with arrows at both ends. The number 0 is at the left end, and the number 600 is at the right end. Between 0 and 600, there is a tick mark with a vertical line extending downwards from it. The word "Feet" is written in italics below the line, centered under the tick mark.

Page 111 of 113 AR 2045 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

**Exhibit L: Site Plan Presented at the August 6, 2024, Planning Commission Public Hearing**

**[attached]**

RECEIVED

08/06/2024

