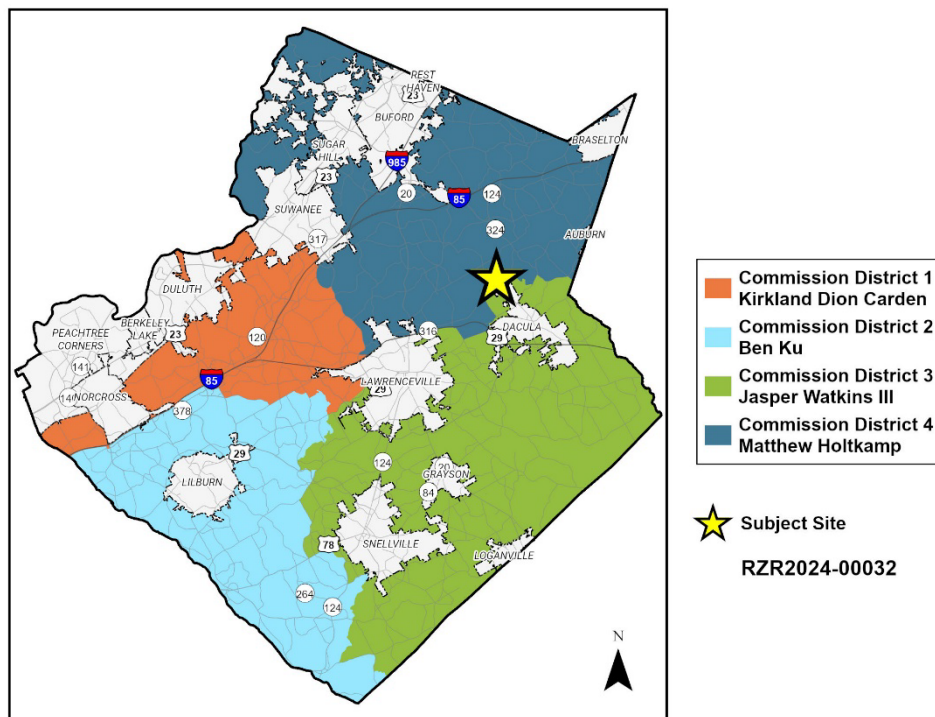


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: RZR2024-00032
Current Zoning: RA-200 (Agriculture-Residence District)
Request: Rezoning to R-60 (Single-Family Residence District)
Additional Requests: Variance and Waiver
Address: 2287 Rabbit Hill Circle
Map Number: R7018 002
Site Area: 23.13 acres
Units: 64
Proposed Development: Single-Family Detached Subdivision
Commission District: District 4 – Commissioner Holtkamp
Future Development Type: Neighborhood Traditional

Staff Recommendation: APPROVAL WITH CONDITIONS

**Planning Commission
Recommendation:** APPROVAL WITH CONDITIONS



Planning Commission Advertised Public Hearing Date: 7/8/2024 (Public Hearing Tabled to 8/6/2024)
Board of Commissioners Advertised Public Hearing Date: 7/23/2024 (Public Hearing Tabled to 8/27/2024)

Applicant: Inline Communities, LLC
c/o Mahaffey Pickens Tucker, LLP
1550 North Brown Road, Suite 125
Lawrenceville, GA 30043

Owners: Clyde H. Nichols
Carlton Roger Dills
3180 Old Peachtree Road
Dacula, GA 30019

Contact: Shane Lanham

Contact Phone: 770.232.0000

Zoning History

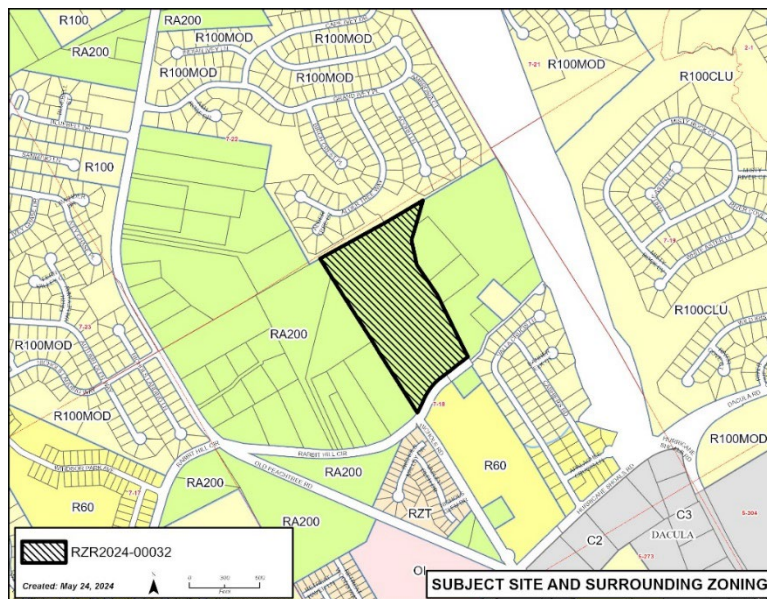
The subject site is zoned RA-200 (Agriculture-Residence District). No previous zoning cases are on file for this property.

Existing Site Condition

The subject property is a 23.13-acre parcel located along Rabbit Hill Circle, east of its intersection with Nichols Road. There is a single-family residence and accessory buildings on the site accessed by a driveway from Rabbit Hill Circle. The site is wooded with a stream running through the northern portion of the property. The front of the site is relatively flat while the terrain of the rear half of the site falls approximately 80 feet towards the stream. Rabbit Hill Circle is a dead-end street that is not designed to County standards and lacks a sidewalk on either side. The nearest Gwinnett County Transit stop is approximately 6.3 miles from the subject property.

Surrounding Use and Zoning

The site is surrounded by existing residential uses and undeveloped land. To the east and west along Rabbit Hill Circle are single-family residences on large lots, and undeveloped parcels. Farther to the east, is the rights-of-way for the future Sugarloaf Parkway extension. The site abuts Ivey Chase to the north, a single-family detached subdivision with a density of 2.27 units per acre. To the south across Rabbit Hill Circle is a parcel that was rezoned in 2023 for a single-family detached subdivision with a density of 3.59 units per acre. Nichols Glen, a subdivision with a density of 4.2 units per acre, is located to the southwest across Nichols Road. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Single-Family Residential	R-60	2.76 units per acre
North	Single-Family Residential	R-100 MOD	2.27 units per acre
East	Single-Family Residential Undeveloped	RA-200 RA-200	0.50 units per acre N/A
South	Single-Family Residential Single-Family Residential	R-60 RA-200	3.59 units per acre 1.00 units per acre
West	Single-Family Residential Undeveloped	RA-200 RA-200	0.20 units per acre N/A

Project Summary

The applicant requests a rezoning of a 23.13-acre parcel from RA-200 to R-60 for a single-family detached subdivision including:

- 64 single-family detached residences on lots ranging in size from 7,472 square feet to 13,401 square feet, yielding a density of 2.76 units per acre.
- Residences with a minimum heated floor area of 1,800 square feet with front-loaded, two-car garages.
- Exterior building materials of brick, stacked stone, fiber cement shake, and/or siding.
- A total of 3.35 acres of open space located in the front and rear of the development.
- A total of 1.54 acres of usable open space including a pocket park with benches along Rabbit Hill Circle, and a mulched trail and seating areas facing the stormwater facility in the rear.
- A 40-foot-wide street frontage setback with 10-foot-wide landscape strip along Rabbit Hill Circle.
- One full-access entrance along Rabbit Hill Circle.
- 27-foot-wide internal streets within 50-foot-wide rights-of-way.
- A five-foot-wide sidewalk along only the improved portion of Rabbit Hill Circle, and five-foot-wide sidewalks on both sides of the proposed internal streets.
- One stormwater management facility in the rear of the development.

Zoning and Development Standards

The applicant is requesting a rezoning to R-60 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?
Density	Maximum 4.0 units/acre	2.76 units/acre	YES
Lot Size	Minimum 7,200 square feet	Minimum 7,472 square feet	YES
Lot Width	Minimum 60'	>60 feet	YES
Lot Coverage	Maximum 60%	<60%	YES
Front Yard Setback	Minimum 15'	15' 10' (corner lots)	YES NO*
Rear Yard Setback	Minimum 20'	20'	YES
Side Yard Setback	Minimum 5'	5'	YES
Building Height	Maximum 35'	<35'	YES
Open Space	Minimum 10% or 2.31 acres	14.5% or 3.35 acres	YES

Usable Open Space	Minimum 5% or 1.16 acres	6.7% or 1.54 acres	YES
Street Frontage Setback	Minimum 40' 10' wide landscape strip	Minimum 40' 10' wide landscape strip	YES
Sidewalks	Along entire road frontage	Along partial road frontage	NO**

* The applicant is requesting a variance from the required front setback on corner lots.

** The applicant is requesting a waiver from the external sidewalk requirement.

Variance Request

In addition to the rezoning request, the applicant is seeking a variance from the following provision of Title II of the UDO:

1. Table 210-120 Dimensional Standards for Base Residential Zoning Districts

The minimum front setback for R-60 zoned lots is 15 feet.

The applicant is requesting a variance to allow a reduced front yard setback of 10 feet for corner lots, only for the yard located between the side façade of the home and the street. This variance would apply to three lots within the development (Lots 41, 42, and 53).

Waiver Request

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

1. Section 360-90.3 A. Sidewalk design and construction standards

A. Width. Sidewalks shall be at least 4 feet wide on new internal subdivision streets and at least 5 feet wide on abutting external streets.

The applicant is requesting to eliminate the required sidewalks along the Rabbit Hill Circle frontage to the east of the subdivision entrance.

Public Participation

The applicant held a community meeting for the development on May 30, 2024 at Rabbit Hill Park in Dacula. There were twelve community members in attendance, who raised questions and concerns regarding rental restrictions, utilities, sidewalks, and proposed home price points. The applicant responded to these concerns and is requesting a 5% maximum rental restriction on the community. The public participation plan and report are shown in Exhibit H.

Internal and External Agency Review

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

Staff Analysis

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

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

The surrounding area is entirely single-family detached residential, with older residences on large parcels along Rabbit Hill Circle and newer residences within subdivisions. The proposed single-family detached subdivision is suitable in view of the use and development of adjacent and nearby properties, as it creates a transition in density between the denser R-60 zoned future subdivision to the south and the less dense R-100 MOD zoned Ivey Chase subdivision to the north.

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

The proposed use is consistent with the character and development patterns of nearby existing and approved residential subdivisions. As such, no adverse impacts on the existing use or usability of adjacent or nearby property are anticipated.

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

The property has 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.

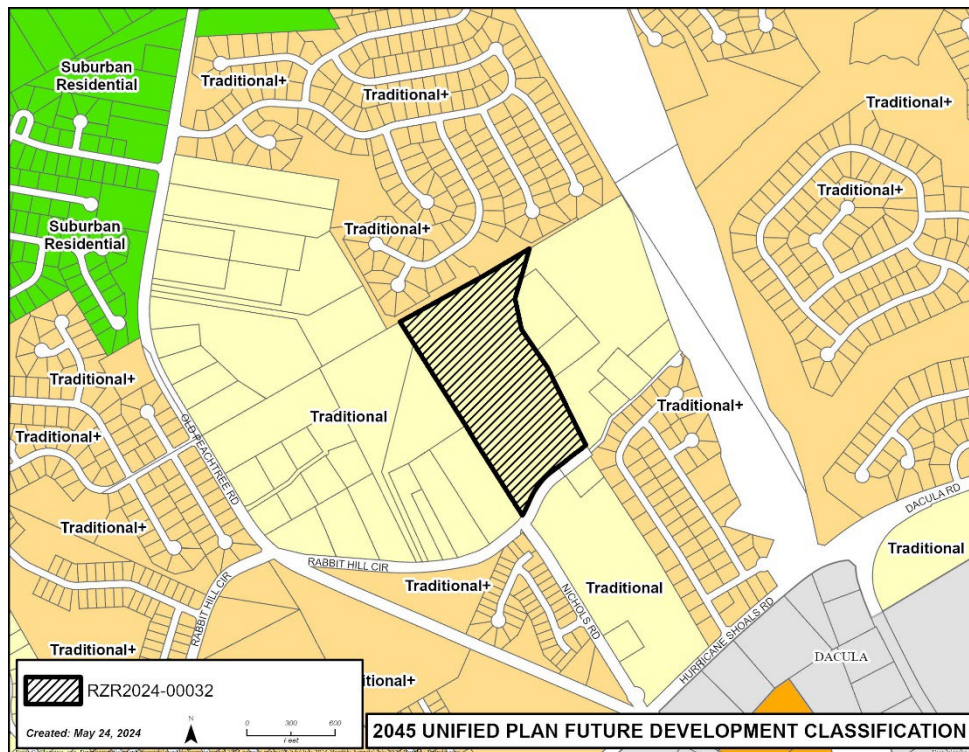
An increase in impacts on public facilities is anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. The traffic impact study submitted for the development estimated that the subdivision would generate 51 morning peak hour and 67 evening peak hour trips within a 24-hour period and have minimal impacts on traffic operations. The study recommended upgrading Rabbit Hill Circle to current standards between Nichols Road and the site entrance. An increased impact is anticipated on school enrollment. Agency review comments concerning any potential improvements related to this request are attached (Exhibit I).

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

The Unified Plan's Future Development Map indicates "Neighborhood Traditional" for the subject property, which envisions single-family residential development with a density of up to 1.7 units per acre in areas that lack sewer service. Since sewer is available to this site, the "Neighborhood Traditional+" future development type which allows a greater density and a mix

of housing types should apply instead. This development type encourages residences to be built with front porches, modest setbacks, and side or alley loaded garages to promote a pedestrian-friendly environment. Street and sidewalk connectivity are also encouraged as practicable.

The proposed rezoning is for R-60, a recommended zoning district in the "Neighborhood Traditional+" future development type. Although the proposed density is less than targeted for this development type, it is consistent with the surrounding area. The development has connected streets and sidewalks; however, homes would be entirely front-loaded with small front stoops. The proposed rezoning is in general 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.

Variance Request Analysis: The standards for granting variances are outlined in Section 270-90.7 of the UDO. Staff makes the following findings related to the variance request:

The applicant requests a variance to reduce the setback on three corner lots along one frontage from 15 feet to 10 feet. This reduction in the front setback is only for the portion of the residence that does not function as the front façade. The proposed lot sizes and density, including the reduced setback, are compatible with the nearby single-family residences and meet the intent of the UDO requirements for the R-60 zoning district.

Waiver Request Analysis: When considering waivers from Title III of the UDO, staff is required to review whether an undue hardship may result from strict compliance with the regulations and that approval would not adversely affect the general public welfare or nullify the intent of the Development Regulations. In addition, there must be a determination that there are unusual topographical or other exceptional conditions. Staff makes the following findings related to the waiver request:

The applicant requests a waiver to eliminate the required five-foot-wide sidewalk along the Rabbit Hill Circle frontage to the east of the proposed subdivision entrance. The portion of Rabbit Hill Circle beyond the entrance is not required to be improved as part of the development. However, should development occur on the properties to the east, Rabbit Hill Circle would have to be improved and an existing sidewalk to connect to that development would be warranted. Approval of the requested waiver would adversely affect the general public welfare and nullify the intent of the Development Regulations.

Staff Recommendation

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

In addition, staff recommends **APPROVAL** of the following variance request:

1. To allow a reduced front setback to ten feet on the street side of corner lots.

In addition, staff recommends **DENIAL** of the following waiver request:

1. To eliminate the required sidewalks along the Rabbit Hill Circle frontage.

Planning Commission Recommendation

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

In addition, the Planning Commission recommends **APPROVAL** of the following variance request:

1. To allow a reduced front setback to ten feet on the street side of corner lots.

In addition, the Planning Commission recommends **DENIAL** of the following waiver request:

1. To eliminate the required sidewalks along the Rabbit Hill Circle frontage.

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

Approval as R-60 (Single-Family Residence District) subject to the following conditions:

1. The development shall be limited to single-family detached dwellings and accessory uses and structures, not exceeding 64 units.
2. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan ~~dated received May 17, 2024~~ **as presented on August 6, 2024, at the Planning Commission Public Hearing**, and Exhibit C: Elevations dated received May 17, 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 of each dwelling shall be ~~1,800 square feet~~ **2,200 square feet for a one-story and 2,500 square feet for a two-story. Front and side facades of homes shall be constructed with a minimum of 50 percent brick or stone. The balance may be the same or of fiber cement shake, siding, and/or board and batten in accordance with the UDO's architectural design standards. Architectural design of homes shall be varied so that no two additional homes are provided with the same combination of elevation design, building materials, and color schemes.**
4. Usable open space shall be designed as active or passive recreational space and dispersed so that all lots are within ~~500~~ **600** feet of usable open space. Usable open space shall be located outside of stream buffers and impervious setbacks and shall be subject to the review and approval of the Department of Planning and Development.
5. ~~The entire property frontage of~~ Rabbit Hill Circle shall be upgraded to minimum standards ~~for of~~ **"local road" from the subject property's westerly property line to the development's entrance**, subject to the review and approval of the Gwinnett County Department of Transportation.
6. The intersection of Rabbit Hill Circle and Nichols Road shall be redesigned and constructed as a three-way stop-controlled intersection or realigned as a "T" intersection, subject to the review and approval of the Gwinnett County Department of Transportation.
7. A five-foot-wide sidewalk shall be provided along the entire Rabbit Hill Circle property frontage, subject to the review and approval of the Gwinnett County Department of Transportation.
8. Stormwater BMP facilities that are not designed as an amenity 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.
9. Natural vegetation shall remain on the property until the issuance of a development permit.
10. All grassed areas within lots and usable open space shall be sodded.

- 11. The development shall be governed by a mandatory membership homeownership. The covenants for said HOA shall include a provincial restricting the rental of homes to no more than 5 percent at any given time.**
- 12. In general accordance with Exhibit D: Landscape Screen Exhibit, provide a 10-foot-wide landscape strip and an 8-foot-tall privacy fence along the common property boundary line of the subject property and parcel R7018 013. Said landscape strip may be provided within residential lots.**
- 13. In general accordance with Exhibit E: Landscape Screen Exhibit, provide a 10-foot-wide landscape strip and an 8-foot-tall privacy fence along the common property boundary line of the subject property and parcel R7018 003, R7018 032, and R7018 009. Said landscape strip may be provided within residential lots.**
- 14. The developer shall coordinate with the Transportation Department to design traffic calming measures that exclude raised speed bumps, humps, or bumps.**

Exhibits:

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

Exhibit A: Site Visit Photos



View of interior of the site



View of existing residence on the site



View of Rabbit Hill Circle, subject site on left



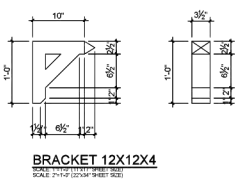
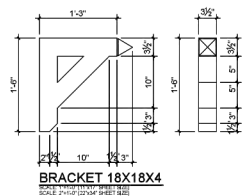
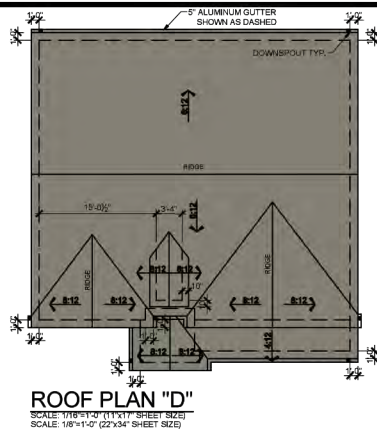
View of residence to the south across Rabbit Hill Circle

Exhibit B: Site Plan

[attached]

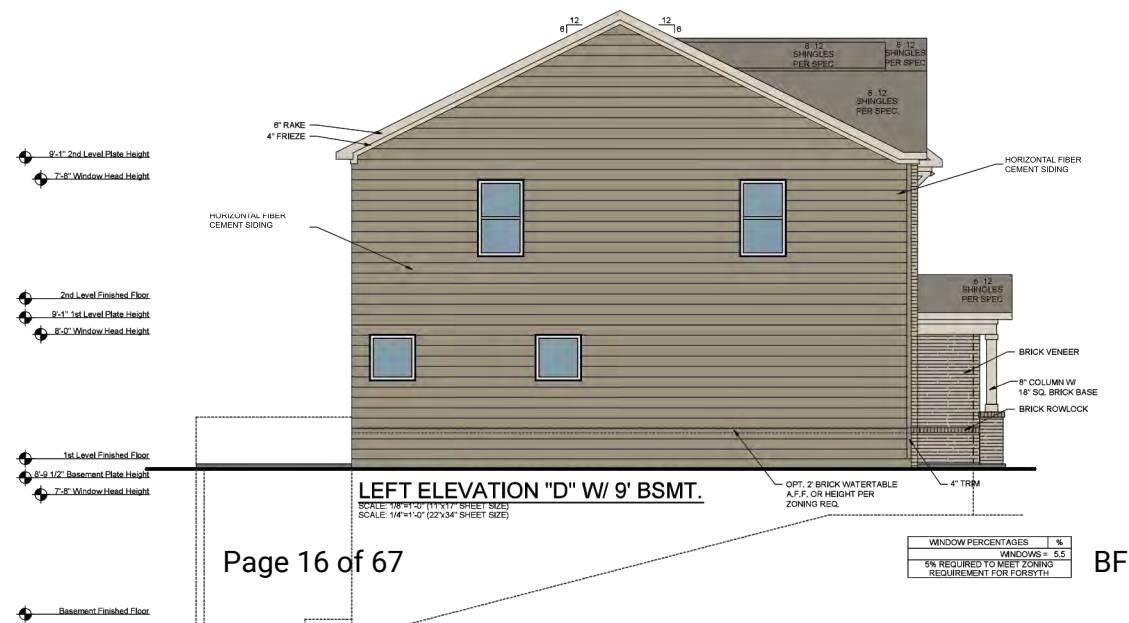
Exhibit C: Building Elevations

[attached]



WINDOW PERCENTAGES	%
WINDOWS = 20.1	
1% REQUIRED TO MEET ZONING REQUIREMENT FOR FORESTH.	

FACADE PERCENTAGES	
MATERIALS	%
BRICK	15.6
SHINGLES	19.0
SHAKE	4.1
BOARD & BATT	0.0
HARDY BOARD	0.0
STONE VENEER	0.0
BRICK VENEER	34.5
TOTAL	59.1
MASONRY % = 60	



WINDOW PERCENTAGES	%
WINDOWS = 5.5	
5% REQUIRED TO MEET ZONING REQUIREMENT FOR FORESTH.	

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Design by:
 Main Street Design & Company, LLC
 10000 Main Street, Suite 200
 Alpharetta, GA 30007
 404.487.1234
 C. Long, Owner

Revised Date:
 11/03/2023

Model: Kirkwood

4400 North Point Parkway
 Suite 295
 Alpharetta, Georgia 30022
 (770) 945-3600

taylor morrison
Homes Inspired by You

Plan Name: Kirkwood

Division: Atlanta

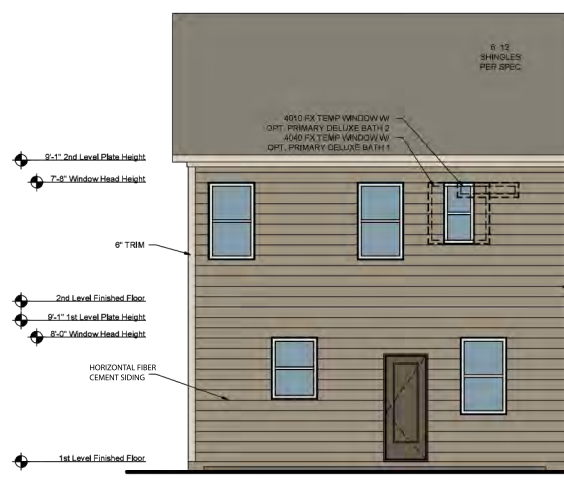
Municipality: County

Community:

Lot Number:

Scale:
 1"=1'-0" (11x17" SHEET SIZE)
 1/4"=1'-0" (22x34" SHEET SIZE)
 Unless Otherwise Noted

Sheet:
A-3.0D



**OPT. EXT. OUTDOOR LIVING
REAR ELEVATION**
SCALE: 1/4"=1'-0" (11"x17" SHEET SIZE)
SCALE: 1/4"=1'-0" (22"x34" SHEET SIZE)



REAR ELEVATION "D" W/ 9' BSMT.
SCALE: 1/8"=1'-0" (11"x17" SHEET SIZE)
SCALE: 1/4"=1'-0" (22"x34" SHEET SIZE)



RIGHT ELEVATION "D" W/ 9' BSMT.
SCALE: 1/8"=1'-0" (11"x17" SHEET SIZE)
SCALE: 1/4"=1'-0" (22"x34" SHEET SIZE)

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MAIN STREET

Design by:
John Street Design of Georgia, LLC
www.johnstreetdesign.com
1000 Peachtree Street, NE
Atlanta, GA 30309
404.525.1000

Revised Date:
09/22/2023

Model:
Essex

Drawing Title:
Elevations Rear & Right w/ 9' Bsmt.

Option Description:
Option Description

4400 North Point Parkway
Suite 295
Alpharetta, Georgia 30022
(770) 945-3600

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Plan Name:
Essex

Division:
Atlanta

Municipality:
County

Community:

Lot Number:

Scale:
1"=1'-0" (11"x17" SHEET SIZE)
2"=3'-0" (22"x34" SHEET SIZE)
Unless Otherwise Noted

Sheet:
A-3.1D

5.17.24

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WINDOW PERCENTAGES		%
MINIMUM	WINDOWS	6.7
5% REQUIREMENT	MINIMUM	6.7
REQUIREMENT	MINIMUM	6.7

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

[attached]



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

Julia A. Maxwell
Jeffrey R. Mahaffey
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 Inline Communities, LLC (the “Applicant”) requesting the rezoning of an approximately 23.13-acre tract of land (the “Property”) situated along Rabbit Hill Circle east of its intersection with Old Peachtree Road. The Property is located within the Traditional/Traditional+ Future Development Area of the Gwinnett County 2045 Unified Plan (the “2045 Plan”) and is currently zoned RA-200.

The Applicant submits the Application requesting to rezone the Property to the R-60 (Single-Family Residence District) zoning classification of the Gwinnett County Unified Development Ordinance (the “UDO”) in order to develop the Property as an attractive single-family detached residential community with a total of 66 homes. Homes would be constructed with attractive architectural design and building materials as depicted in the renderings submitted with the Application and which would meet or exceed the requirements of the UDO’s Architectural Design Standards for Detached Residential Buildings. All of the homes would include two-car

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

TELEPHONE 770 232 0000

FACSIMILE 678 518 6880

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garages and would have a minimum heated floor area of 1,800 square feet. The proposed development would be accessed by a single entrance on Rabbit Hill Circle.

The proposed development is compatible with surrounding land uses and zoning classifications and fits within the established pattern of development. The surrounding area is characterized primarily by single-family detached residential development including communities zoned RZT, R-60, R-75, and R-100 CLU. To the south across Rabbit Hill Circle are two existing subdivisions with compatible zoning classifications and an undeveloped tract which was recently rezoned to the R-60 zoning classification. The Nichols Glen subdivision is zoned RZT with minimum 50-foot wide lots. The Apalachee Station subdivision is zoned both R-75 and R-100 CLU with lots that range from approximately 75 feet wide to 100 feet wide. Further south across Old Peachtree Road is the Preserve at Peachtree Shoals, a 55+, age-restricted, independent living retirement community. Commercial development within the city limits of Dacula is located to the south across Old Peachtree Road and Hurricane Shoals Road which includes a Circle K convenience store with fuel pumps, the Dacula Cork and Bottle package store, and a self-storage facility with RV parking. To the southeast across Hurricane Shoals is additional land zoned for commercial uses within the city limits of Dacula. To the north of the Property is the Ivey Chase subdivision zoned R-100 Modified. Even though the UDO does not require a buffer between R-60 and R-100 Modified, required stream buffers will provide appropriate screening and separation from that development in the form of 50-foot wide stream buffers which are required along a stream which meanders through the Property roughly parallel to its northern boundary line. Since the required stream buffer is 50 feet wide and is required on both sides of the stream, the provided buffer will be a minimum of 100 feet wide and, in most places, that 100-foot wide buffer will be provided entirely on the Property.

Generally, land uses and zoning classifications in the surrounding area are more intense at the core of the Hurricane Shoals/Old Peachtree Road node and transition downward in intensity moving away from the intersection. The proposed development fits squarely within that established transitional pattern by providing single-family detached lots that are a minimum of 60 feet wide pursuant to the R-60 zoning classification. The Property is also located in close proximity to right-of-way for the future Sugarloaf Parkway extension which crosses Hurricane Shoals Road just west of its intersection with Dacula Road. The Applicant submits that this large swath of right-of-way and the future extension of Sugarloaf Parkway provide additional supporting grounds for approval of the proposed development.

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

The proposed development is also compatible with the 2045 Plan’s specific land use policies for the Property’s Future Development Area, which is “Traditional/Traditional+.” The main difference between the Traditional and Traditional+ Future Development Areas is the presence of sewer infrastructure. As set forth in the Sewer Capacity Certification submitted with

the Application, sewer is available to the Property and sufficient capacity exists in the system to

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serve the proposed development. Accordingly, the land use policies of the Traditional+ Future Development area are applicable to the Property. The 2045 Plan provides that R-60 is a recommended zoning classification for Traditional+. In fact, the 2045 Plan also lists the more intense zoning classifications of R-TH and TND as recommended. Traditional+ accommodates a variety of housing types including townhomes, quads/triplexes/duplexes, and single-family cottages—all of which would be provided on smaller lots and at higher densities than the single-family detached homes proposed by the Applicant.

In order to develop the Property as depicted on the site plan submitted with the application, the Applicant is requesting a variance to reduce the minimum required building setback for side yards of corner lots—specifically the side yard adjacent to the street. According to the UDO, corner lots are considered to have two front yards—one for each road frontage¹. As a result, the UDO would require a setback of 15 feet in the front yard of the home as well as a setback of 15 feet in the side yard of the home which is adjacent to the right-of-way. The Applicant is proposing to reduce the required setback in the side yard of corner lots adjacent to the street to 10 feet as depicted on the typical lot layout on the site plan submitted with the Application. Accordingly, the Applicant requests a variance from UDO §210-120 to reduce the “second” front yard setback of corner lots from 15 feet to 10 feet. Additionally, the Applicant requests a waiver from UDO §360-90.1 to remove the requirement to install a sidewalk and curb ramp along the right-of-way of Rabbit Hill Circle to the east of the proposed development’s entrance. Rabbit Hill Circle abuts the Property along its southeasterly boundary and is a dead-end, substandard street, providing access to only a

¹ The UDO defines “Yard, Front” as an “open, unoccupied space on the same lot with a principal building or use, extending the full width of the lot and located between the street easement or right-of-way and the front line of the building projected parallel to the street projected to the side lines of the lot. Corner lots shall be considered to have two front yards.” UDO §110-40.

handful of homes. No portion of Rabbit Hill Circle east of Nichols Road contains a sidewalk and, according to Gwinnett County GIS maps, the Rabbit Hill Circle right-of-way terminates approximately 915 feet to the east of the Property. Accordingly, approval of the requested waiver would not impair the walkability of the surrounding area.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the 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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REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

Pursuant to requirements of the Unified Development Ordinance, the Board of Commissioners find 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 the property and shall govern the exercise of the zoning power.

Please respond to the following standards in the space provided or use an attachment as necessary:

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

- (B) Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property:

- (C) Whether the property to be affected by a proposed rezoning has reasonable economic use as currently zoned:

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

- (E) Whether the proposed rezoning is in conformity with the policy and intent of the Land Use Plan:

- (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:

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

- (A) Yes, approval of the proposed Rezoning Application will permit a use that is suitable in view of the use and development of adjacent and nearby property. The proposed residential development is compatible with existing residential uses and will further diversify housing options in the surrounding area.
- (B) No, approval of the proposed 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 reasonable economic use as currently zoned.
- (D) No, approval of the proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems. The Property is located in close proximity to major transportation corridors including Old Peachtree Road, Hurricane Shoals Road, Dacula Road, and University Parkway (State Route 316). Water and sewer utilities are present in the area.
- (E) Yes, approval of the proposed rezoning is in conformity with the policy and intent of the Gwinnett County 2045 Unified Plan which encourages residential development. The subject property is located in the Traditional/Traditional+ Future Development Area. Based on the presence of sewer, the proposed development should be analyzed under the policies of the Traditional+ Future Development Area, which accommodates single-family detached housing and, specifically, the R-60 zoning classification.
- (F) The Applicant submits that the quality of the proposed homes, the character of surrounding development, and the future construction of the Sugarloaf Parkway extension provide additional supporting grounds for approval of the Application.

JUSTIFICATION FOR REZONING

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

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

The Property is presently suitable for development under the R-60 classification as requested by the Applicant, and is not economically suitable for development under the present RA-200 zoning classification of Gwinnett County. A denial of this Application would constitute an arbitrary and capricious act by the Gwinnett County Board of Commissioners without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Gwinnett County Board of Commissioners to rezone the Property to the R-60 classification with such conditions as agreed to by the Applicant, so as to permit the only feasible economic use of the Property, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated

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property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the subject Property to the R-60 classification, subject to conditions which are different from the conditions by which the Applicant may amend its application, to the extent such different conditions would have the effect of further restricting the Applicant's and the Owner's utilization of the subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove. Opponents to the request set forth in the Application, or in any amendments to the Application, have waived their rights to appeal any decision of the Gwinnett County Board of Commissioners because they lack standing, have failed to exhaust administrative remedies, and/or because they failed to assert any legal or constitutional objections.

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

This 2nd day of May, 2024.

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP

Shane M. Lanham

Shane M. Lanham
Attorneys for Applicant

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

Exhibit E: Application and Disclosure of Campaign Contributions

[attached]



Please complete this application to amend the official zoning map of Gwinnett County and attach a letter of intent explaining what is proposed.

Applicant Information	Property Owner Information
Name: _____	Name: _____
Address: _____	Address: _____
City: _____	City: _____
State: _____ Zip code: _____	State: _____ Zip code: _____
Phone: _____	Phone: _____
Email: _____	Email: _____
Contact person: _____ Phone: _____	
Contact's email: _____	
Applicant is the <input type="checkbox"/> Owner's agent <input type="checkbox"/> Property owner <input type="checkbox"/> Contract purchaser	
Present zoning district(s): _____ Requested zoning district: _____	
Parcel number(s): _____ Acreage: _____	
Address of property: _____	
Proposed development: _____	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units _____	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): _____	Total Building Sq. Ft. _____
Gross Density: _____	Density: _____
Net Density: _____	

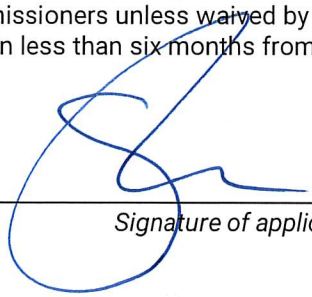
GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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RZR2024-00032

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

3/27/24

Date

Shane Lanham, attorney for Applicant

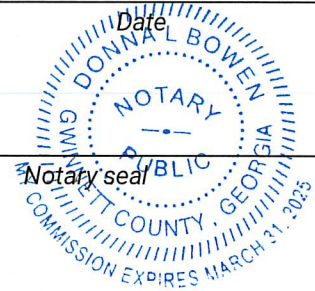
Type or print name and title



Signature of notary public

3/27/24

Date



GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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5.1.24 RZP2024-00032

REZONING APPLICATION 3 | 7

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

5/1/2024
Date

InLine Communities, LLC - Brian Ehram, Project Manager
Type or Print Name and Title


Signature of Notary Public

5/1/2024
Date



REZONING PROPERTY OWNER'S CERTIFICATION

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

Carlton R Dills 03-11-2024
Signature of Property Owner Date

Carlton R. Dills, Owner CARLTON R DILLS CO OWNER
Type or Print Name and Title

[Signature] 3/11/2024
Signature of Notary Public Date



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RZR2024-00032
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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 (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.

Clyde Nichols
Signature of Property Owner

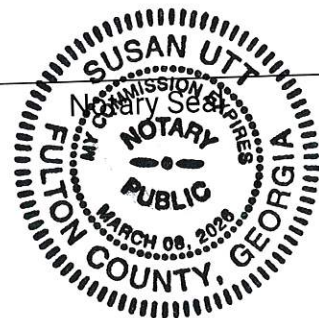
3/8/24
Date

Clyde Nichols, Owner
Type or Print Name and Title

Clyde Nichols Co Owner

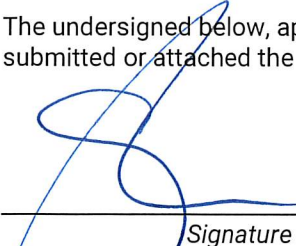
Susan Utt
Signature of Notary Public

3/8/2024
Date



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

3/27/24

Date

Shane Lanham, attorney for Applicant

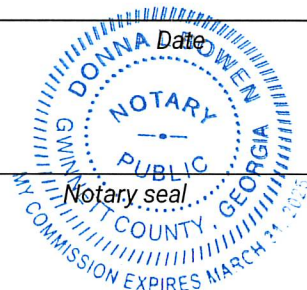
Type or print name and title



Signature of notary public

3/27/24

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 Mahaffey Pickens Tucker, LLP

Name

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

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

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

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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REZONING APPLICATION 5 | 7

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

MAHAFFEY PICKENS TUCKER, LLP

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

Lee Tucker, Attorney at Law, P.C.

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

Jeffrey Mahaffey, Attorney at Law, Individually

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


GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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RZR2024-00032
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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.

 5/1/2024 Brian Ehram, Project Manager
Signature of Applicant Date Type of Print Name and Title

Signature of Applicant's Attorney or Representative Date Type or Print Name and Title

 5/1/2024
Signature of Notary Public Date



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

☐ Yes ☒ No Brian Ehram (Your Name)

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

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

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

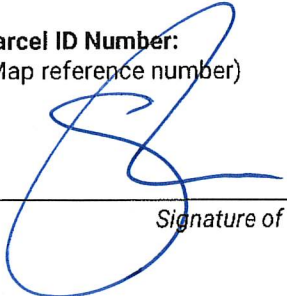


VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

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

Note: A separate verification form must be completed for each tax parcel included in the rezoning request.

Parcel ID Number: 7 018 002
(Map reference number) District Land lot Parcel

 3/27/24
Signature of applicant Date

Shane Lanham, attorney for Applicant 3/27/24
Type or print name and title Date

Please take this form to the Tax Commissioners office at the Gwinnett Justice and Administration Center, located at 75 Langley Drive in Lawrenceville, for their approval below.

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.

Jessilyn McDuffie TSA
Name Title

3/27/24
Date

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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RZR2024-00032
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REZONING APPLICATION 6 | 7

Exhibit F: DWR Sewer Capacity Certification Letter

[attached]



April 4, 2024

Brian Eshram
Inline Communities
1776 Peachtree St NW #2065
Atlanta, GA 30309

<input checked="" type="checkbox"/>	APPROVED
<input type="checkbox"/>	DENIED
<input type="checkbox"/>	CONDITIONALLY APPROVED
Sewer Capacity Request #C2024-070-04	
Expiration Date: 04/04/2025	
Tie-In Manhole FID: 205442	

RE: Sewer Availability for Proposed Development – 2287 Rabbit Hill Circle - North Parcel
Parcel ID 7018 002

Dear Mr. Eshram:

This letter supersedes the earlier Sewer Capacity Certification C2023-090-05 dated December 15, 2023 addressed to Matt Stokes of Chafin Communities.

Gwinnett County Department of Water Resources (GCDWR) has reviewed the impact of the proposed development consisting of 66 single-family homes on the above parcel 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 11.46 gpm discharging to the sewer tie-in manhole at Facility ID **205442**.

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

Tai Yi Su, PE
Division Director, Infrastructure Support
678.376.2104

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

Exhibit G: Traffic Impact Study

[attached]

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**TRAFFIC IMPACT STUDY
FOR
RESIDENTIAL DEVELOPMENT
AT RABBIT HILL CIRCLE AND TURKEY ROAD
GWINNETT COUNTY, GEORGIA**



Prepared for:

***InLine Communities, LLC
1776 Peachtree Street NW – Suite 260S
Atlanta, GA 30309***

Prepared By:



A&R Engineering Inc.

2160 Kingston Court, Suite O
Marietta, GA 30067
Tel: (770) 690-9255 Fax: (770) 690-9210
www.areng.com

April 19, 2024
A & R Project # 24-060

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5.2 Existing Traffic Operations

Existing 2024 traffic operations were analyzed at the study intersections in accordance with the HCM methodology. The results of the analyses are shown in Table 3.

TABLE 3 — EXISTING INTERSECTION OPERATIONS				
Intersection		Traffic Control	LOS (Delay)	
			AM Peak Hour	PM Peak Hour
1	<u>Rabbit Hill Circle / Nichols Road @ Turkey Road</u> -Eastbound Left -Southbound Approach	Stop Controlled on SB Approach	A (7.3) A (8.4)	A (7.2) A (8.7)
2	<u>Rabbit Hill Circle @ Old Peachtree Road</u> -Westbound Approach -Southbound Left	Stop Controlled on WB Approach	C (15.2) A (8.1)	C (19.1) A (8.2)
3	<u>Old Peachtree Road @ Hurricane Shoals Road</u> -Eastbound Approach -Westbound Approach -Northbound Approach -Southbound Approach	Signalized	<u>B (19.2)</u> C (33.4) D (35.5) A (9.5) B (10.9)	<u>C (25.2)</u> D (38.4) C (29.4) B (13.5) B (15.4)

The results of the existing traffic operations analysis indicate that the signalized intersection of Old Peachtree Road at Hurricane Shoals Road is operating at an overall level of service “C” or better in both the AM and PM peak hours, while the stop-controlled approaches at the unsignalized study intersections are operating at a level of service “C” or better with peak hour traffic.

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6.0 PROPOSED DEVELOPMENT

The proposed residential development will be located at 2287 Rabbit Hill Circle in Gwinnett County, Georgia. The development will consist of 66 single-family detached houses and proposes one full access driveway on Turkey Road.



A site plan is shown in Figure 5.

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6.1 Trip Generation

Trip generation estimates for the project were based on the rates and equations published in the 11th edition of the Institute of Transportation Engineers (ITE) Trip Generation report. This reference contains traffic volume count data collected at similar facilities nationwide. The trip generation was based on the ITE land use category 215 - *Single-Family Attached Housing*. The calculated total trip generation for the proposed development is shown in Table 4.

TABLE 4— TRIP GENERATION (PROPOSED SITE)								
Land Use	Size	AM Peak Hour			PM Peak Hour			24 Hour
		Enter	Exit	Total	Enter	Exit	Total	Two-Way
ITE 210 – Single-Family Detached Housing	66 Units	13	38	51	42	25	67	688

6.2 Trip Distribution

The trip distribution describes how traffic arrives and departs from the site. An overall trip distribution was developed for the site based on a review of the existing travel patterns in the area and the locations of major roadways and highways that will serve the development. The site-generated peak hour traffic volumes, shown in Table 4, were assigned to the study area intersections based on this distribution. The outer-leg distribution and AM and PM peak hour new traffic generated by the site are shown in Figure 6.

6.2.1 Adjacent Residential Development – Traffic Impact Study 23-062

There is a planned 67-house residential development to the south of the proposed site and Turkey Road (A traffic impact study was completed for it in June 2023). Because this project is estimated to be completed before 2028, its impact on the study area was considered in both the “No Build” and “Build” conditions analyses. The ITE site-generated traffic volumes for this development are shown in Table 5, and the AM and PM peak hour volumes passing through the study area are shown in Figure 7.

TABLE 5— TRIP GENERATION (ADJACENT SITE)								
Land Use	Size	AM Peak Hour			PM Peak Hour			24 Hour
		Enter	Exit	Total	Enter	Exit	Total	Two-Way
ITE 210 – Single-Family Detached Housing	67 Units	13	39	52	43	25	68	698

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7.4 Future Traffic Operations

The future “No-Build” and “Build” traffic operations were analyzed using the volumes in Figures 8 and 9, respectively. The results of the future traffic operations analysis are shown below in Table 6. Recommendations on traffic control and lane geometry are shown in Figure 10.

TABLE 6 — FUTURE INTERSECTION OPERATIONS					
Intersection		Future Condition: LOS (Delay)			
		NO-BUILD		BUILD-OUT	
		AM Peak	PM Peak	AM Peak	PM Peak
1	<u>Rabbit Hill Circle / Nichols Road @ Turkey Road</u>				
	-Eastbound Left	A (7.3)	A (7.3)	A (7.3)	A (7.3)
	-Southbound Approach	A (8.5)	A (9.0)	A (8.7)	A (8.5)
2	<u>Rabbit Hill Circle @ Old Peachtree Road</u>				
	-Westbound Approach	C (15.6)	C (18.2)	C (18.2)	C (21.3)
	-Southbound Left	A (8.2)	A (8.4)	A (8.3)	A (8.5)
3	<u>Old Peachtree Road @ Hurricane Shoals Road</u>	<u>B (19.7)</u>	<u>C (25.3)</u>	<u>B (19.7)</u>	<u>C (25.4)</u>
	-Eastbound Approach	C (32.5)	D (36.9)	C (32.5)	D (37.0)
	-Westbound Approach	D (34.6)	C (28.7)	D (34.3)	C (28.7)
	-Northbound Approach	B (10.6)	B (15.0)	B (10.8)	B (15.2)
	-Southbound Approach	B (12.0)	B (17.0)	B (12.2)	B (17.1)
4	<u>Turkey Road @ Site Driveway</u>				
	-Eastbound Approach	-	-	A (8.5)	A (8.4)
	-Northbound Left			A (7.2)	A (7.3)

The results of the future “No-Build” and “Build” conditions traffic analyses indicate that the signalized study intersection of Old Peachtree Road and Hurricane Shoals Road will be operating at an overall level of service “C” or better in both the AM and PM peak hours, while the stop-controlled approaches the unsignalized study intersections will continue to operate at a level of service “C” or better with peak hour traffic.

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8.0 CONCLUSIONS AND RECOMMENDATIONS

Traffic impacts were evaluated for the proposed residential development that will be located at 2287 Rabbit Hill Circle in Gwinnett County, Georgia. The development will consist of 66 single-family detached houses and proposes one full access driveway on Turkey Road.

Existing and future operations after completion of the project were analyzed at the intersections of:

- Rabbit Hill Circle / Nichols Road at Turkey Road
- Old Peachtree Road at Rabbit Hill Circle
- Hurricane Shoals Road at Old Peachtree Road
- Turkey Road at Site Driveway

The analysis included the evaluation of future operations for “No-Build” and “Build” conditions, with the differences between “No-Build” and “Build” accounting for the increase in traffic due to the proposed development. The results of the future “No-Build” and “Build” conditions traffic analyses indicate that the signalized study intersection of Old Peachtree Road and Hurricane Shoals Road will be operating at an overall level of service “C” or better in both the AM and PM peak hours, while the stop-controlled approaches the unsignalized study intersections will continue to operate at a level of service “C” or better with peak hour traffic. Based on the analysis, the proposed development will have minimal impact on traffic operations in the study network.

8.1 Recommendations for Site Access Configuration

The following access configuration is recommended for the proposed site driveway intersection:

- Site Driveway: Full Access Driveway on Turkey Road
 - One entering lane and one exiting lane
 - Stop-sign controlled on the driveway approach with Turkey Road remaining free flow
 - Widen/repave the length of Turkey Road from Rabbit Hill Road intersection up to the site driveway to comply with Gwinnett County standards (Turkey Road is a narrow 12-ft wide roadway, and it will need to be widened to accommodate any considerable increases in traffic)

Exhibit H: 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?**

The Applicant will send mailers to owners of property within 1,000 feet of the subject property. The Applicant will also reach out via phone and/or email to contacts it established during a previous rezoning in the area.

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

The PPM will be held at Rabbit Hill Park, which is located less than one mile from the subject property.

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.**

The PPM will be held on May 30 at 6:00 pm.

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

The Applicant will present an overview of the proposed development as well as an outline of Gwinnett County's rezoning process. After its presentation, the Applicant will open the floor for discussion with attendees



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?

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

APPLICANT:	Inline Communities, LLC. c/o Mahaffey Pickens Tucker, LLP
ZONING CASE NUMBER:	RZR2024-00032
PRESENT ZONING DISTRICT(S):	RA-200
REQUESTED ZONING DISTRICT(S):	R-60
PROPERTY:	2287 Rabbit Hill Circle
SIZE:	+/- 23.13
PROPOSED DEVELOPMENT:	Single-family detached residential community

The Applicant, Inline Communities, LLC, hereby amends its application to amend the official zoning map of Gwinnett County, Georgia heretofore filed with the Planning Division of Gwinnett County, Georgia by the addition of the attached Exhibit to the original application.

This 6th day of June, 2024.

MAHAFFEY PICKENS TUCKER, LLP

Shane M. Lanham

Shane M. Lanham
Attorneys for Applicant

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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RZR2024-00032
6.6.24



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

Author's Email:
slanham@mptlawfirm.com

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

*Of Counsel

VIA EMAIL

Gwinnett County Planning and Development Department

P&D-PlanningZoning@gwinnettcountry.com

Attn: Brian Ford

Brian.Ford@gwinnettcountry.com

Brian,

The Applicant held its public participation meeting on May 30. There was an encouraging amount of neighbor interest in the proposed development. The Applicant was able to have productive dialogue with the neighbors about their concerns and how the Applicant could work to tie in improvements to the development that will positively impact the entire community.

In response to the neighbors' concerns about rentals, the Applicant hereby incorporates a rental restriction of 5% into its rezoning application to reassure the neighbors that the homes will be owner occupied. The proposed development will also have a mandatory HOA, and the HOA documents will prohibit more than 5% of the homes being rented.

Please confirm receipt of this letter and its incorporation into the Applicant's application package. Please contact me if you wish to discuss further.

Sincerely,

MAHAFFEY PICKENS TUCKER, LLP

Shane M. Lanham

Shane M. Lanham

Attorneys for Applicant

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Exhibit I: Internal and External Agency Review Comments

[attached]



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:				06.05.2024			
Department/Agency Name:				Transportation			
Reviewer Name:				Brent Hodges			
Reviewer Title:				Construction Manager 2			
Reviewer Email Address:				Brent.Hodges@gwinnettcounty.com			
Case Number:				RZR2024-00032			
Case Address:				2287 Rabbit Hill Circle, Dacula, 30019			
Comments:				<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
1	Rabbit Hill Circle is a local street. No ADT on file.						
2	6.3 miles to the nearest Ride Gwinnett facility located at Collins Hill Road and Collins Industrial Way.						
3	Per section 360-90 of the UDO, the developer shall construct a 5' concrete sidewalk along the entire site frontage.						
4	Traffic Calming shall be provided for any internal street that exceeds 500' without a control point.						
5	Based on the traffic impact study submitted by the applicant; the results of the future 'build' and 'no-build' conditions indicate that the signalized intersection of Old Peachtree Road and Hurricane Shoals Road will continue to operate at a level of service (LOS) C in both the AM and PM peak hours.						
6	The submitted TIS also indicates that the stop-controlled intersections of Old Peachtree Road and Rabbit Hill Circle will continue to operate at a minimum LOS of C in the AM and PM peak hours.						
7							
Recommended Zoning Conditions:				<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
1	For the intersection of Rabbit Hill Circle / Nichols Road and Turkey Road; the developer shall make this either be a 3-way stop controlled intersection or realign as a "T" intersection.						
2	The developer shall upgrade Turkey Road to minimum standards for a Gwinnett County Department of Transportation local road, for the entire frontage of the site.						
3							
4							
5							
6							

Note: Attach additional pages, if needed

Revised 7/26/2021

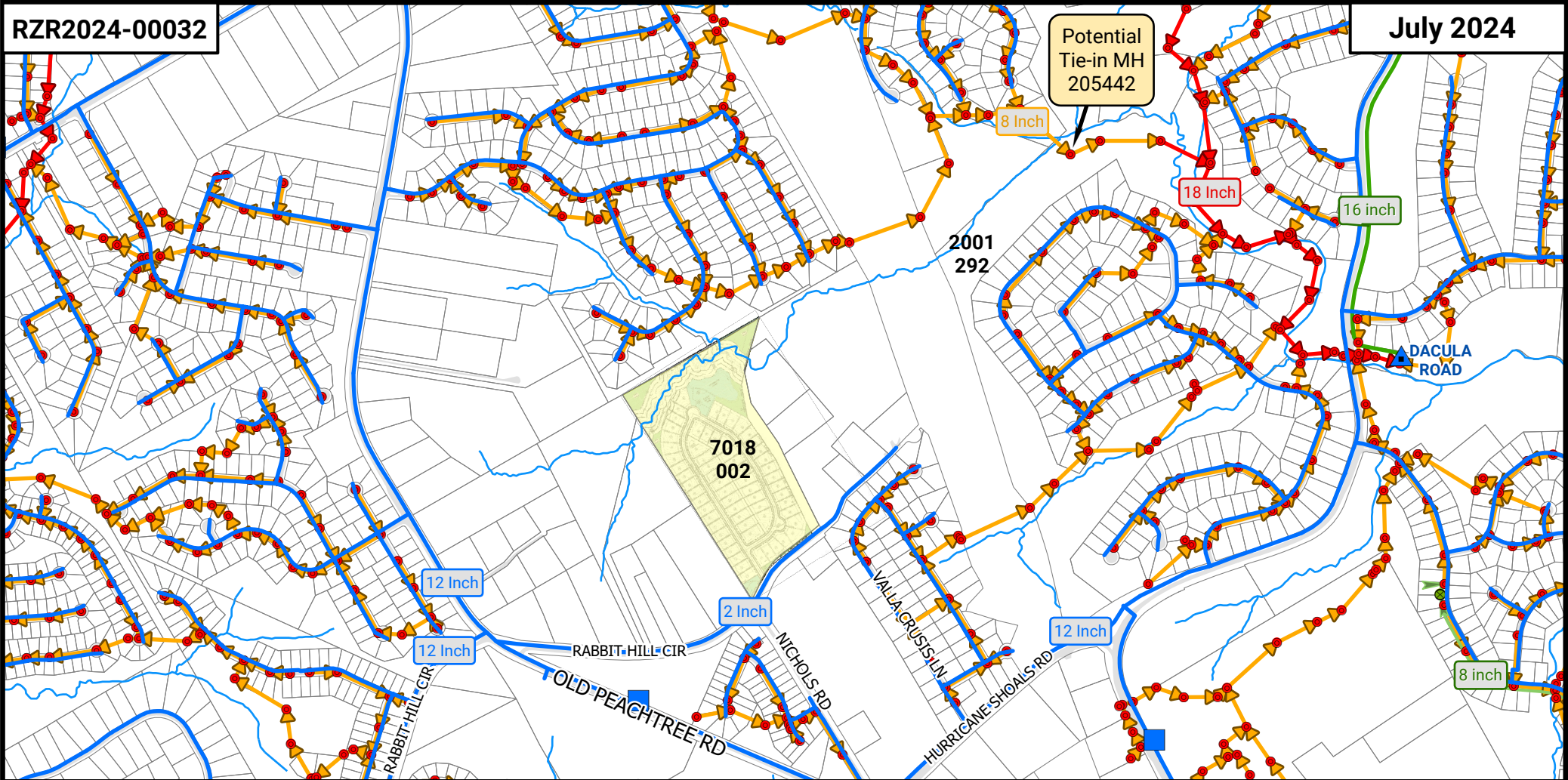


Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:				
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		Michael.pappas@gwinnettcountry.com		
Case Number:		RZR2024-00032		
Case Address:		2287 Rabbit Hill Circle		
Comments:		<input checked="" type="checkbox"/>	YES	<input type="checkbox"/> NO
1	Water: The proposed development shall coordinate with GCDWR on connections to the existing water main on Rabbit Hill Circle. Upsizing of 2,400 linear feet of the existing 2-inch water main on Rabbit Hill Circle may be required.			
2	Sewer: A Sewer Capacity Certification (C2024-070-04) has been approved for 66 residential units. The proposed development plans to connect to an existing 8-inch gravity sewer located on parcel 2001 292. Easements will be required.			
3				
4				
5				
6				
7				
Recommended Zoning Conditions:		<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

Master Vault

Regional Manhole

Sewer Collector

Sewer Interceptor

Sewer Force Main

2287 Rabbit Hill Cir
RA-200 to R-60

Water & Sewer
Utility Map

LOCATION

Water Comments: The proposed development shall coordinate with GCDWR on connections to the existing water main on Rabbit Hill Circle. Upsizing of 2,400 linear feet of the existing 2-inch water main on Rabbit Hill Circle may be required.

Sewer Comments: A Sewer Capacity Certification (C2024-070-04) has been approved for 66 residential units. The proposed development plans to connect to an existing 8-inch gravity sewer located on parcel 2001 292. Easements will be required.

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

Exhibit J: Maps

[attached]

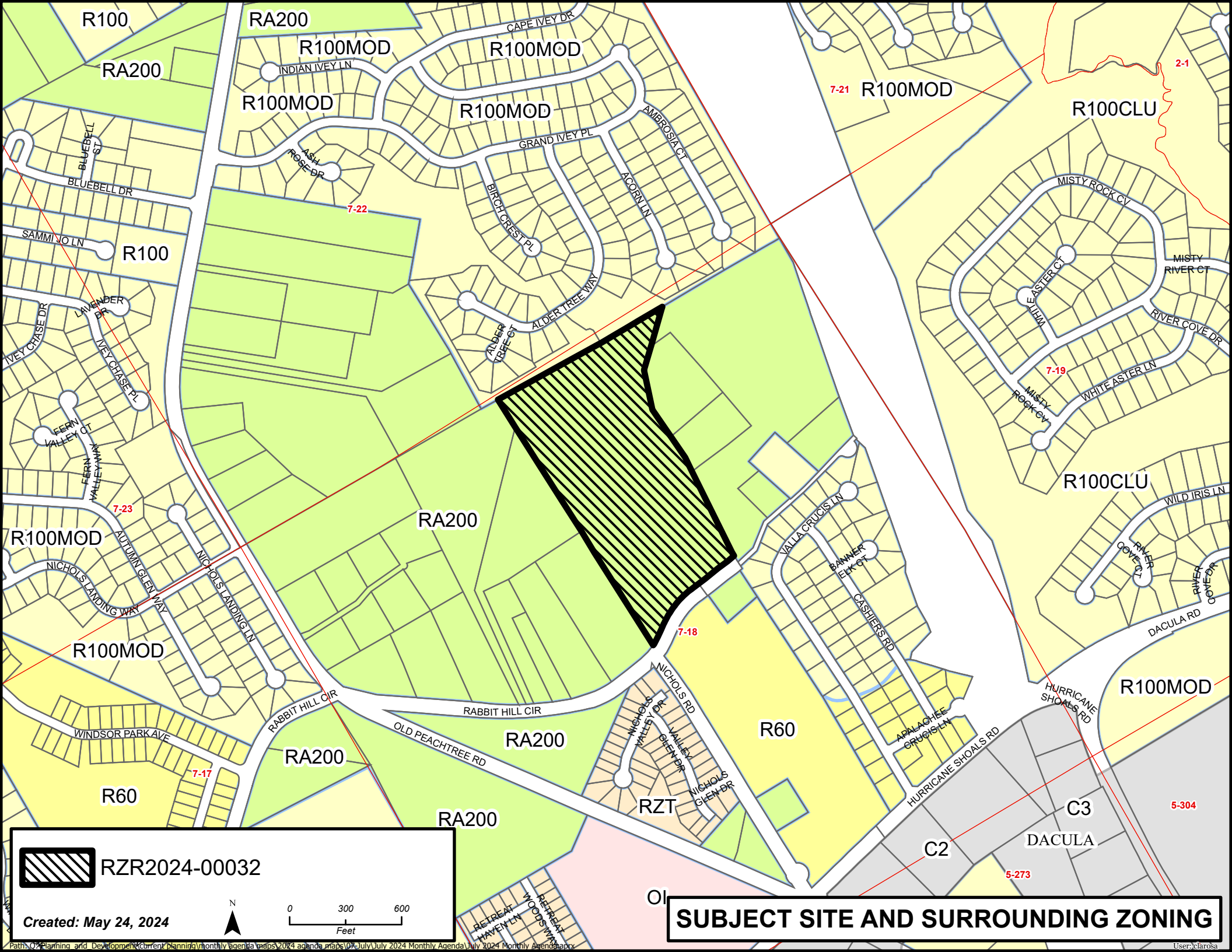


RZR2024-00032

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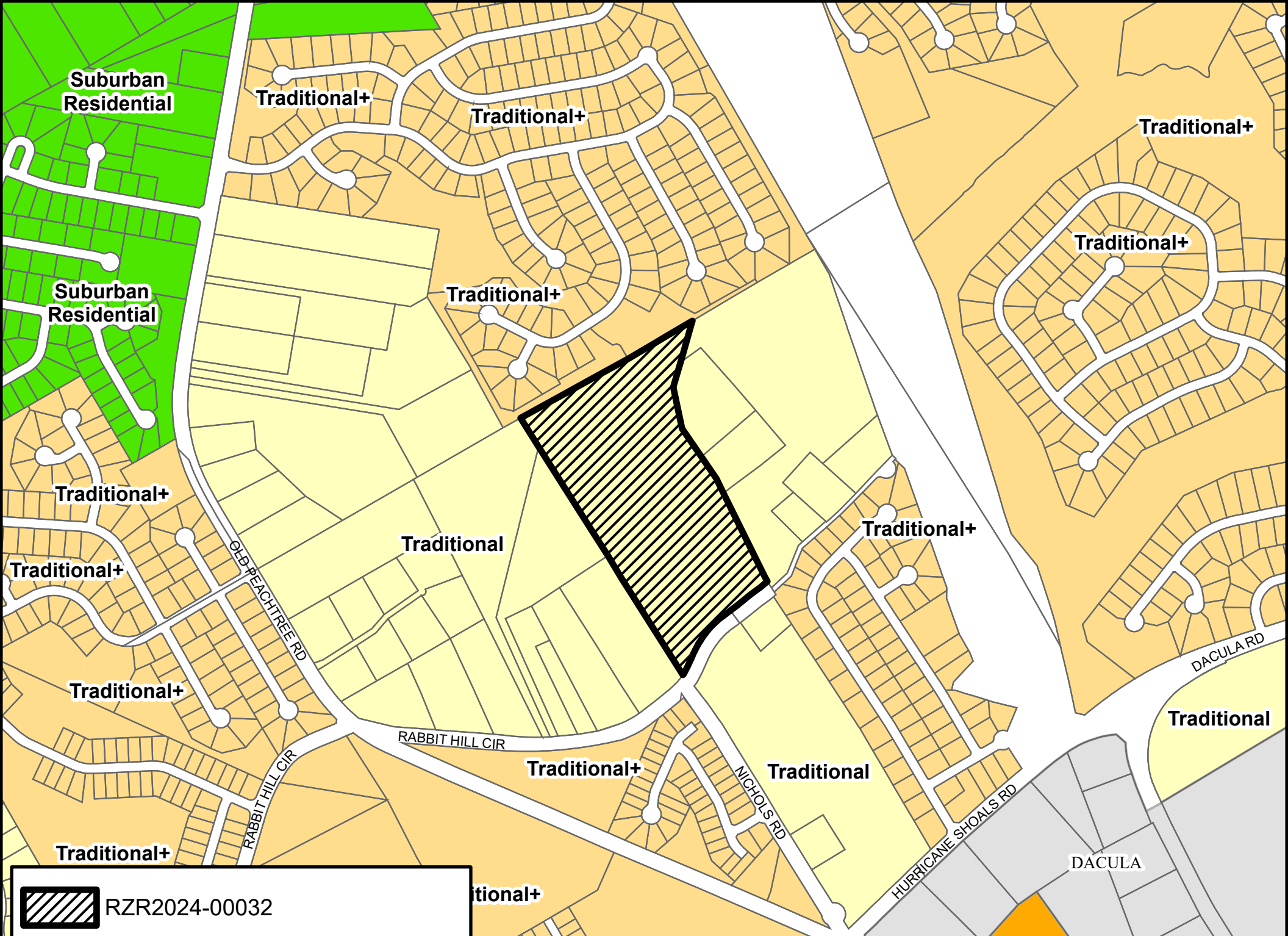


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Feet



SUBJECT SITE AND SURROUNDING ZONING

Created: May 24, 2024



 RZR2024-00032

Created: May 24, 2024

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Feet

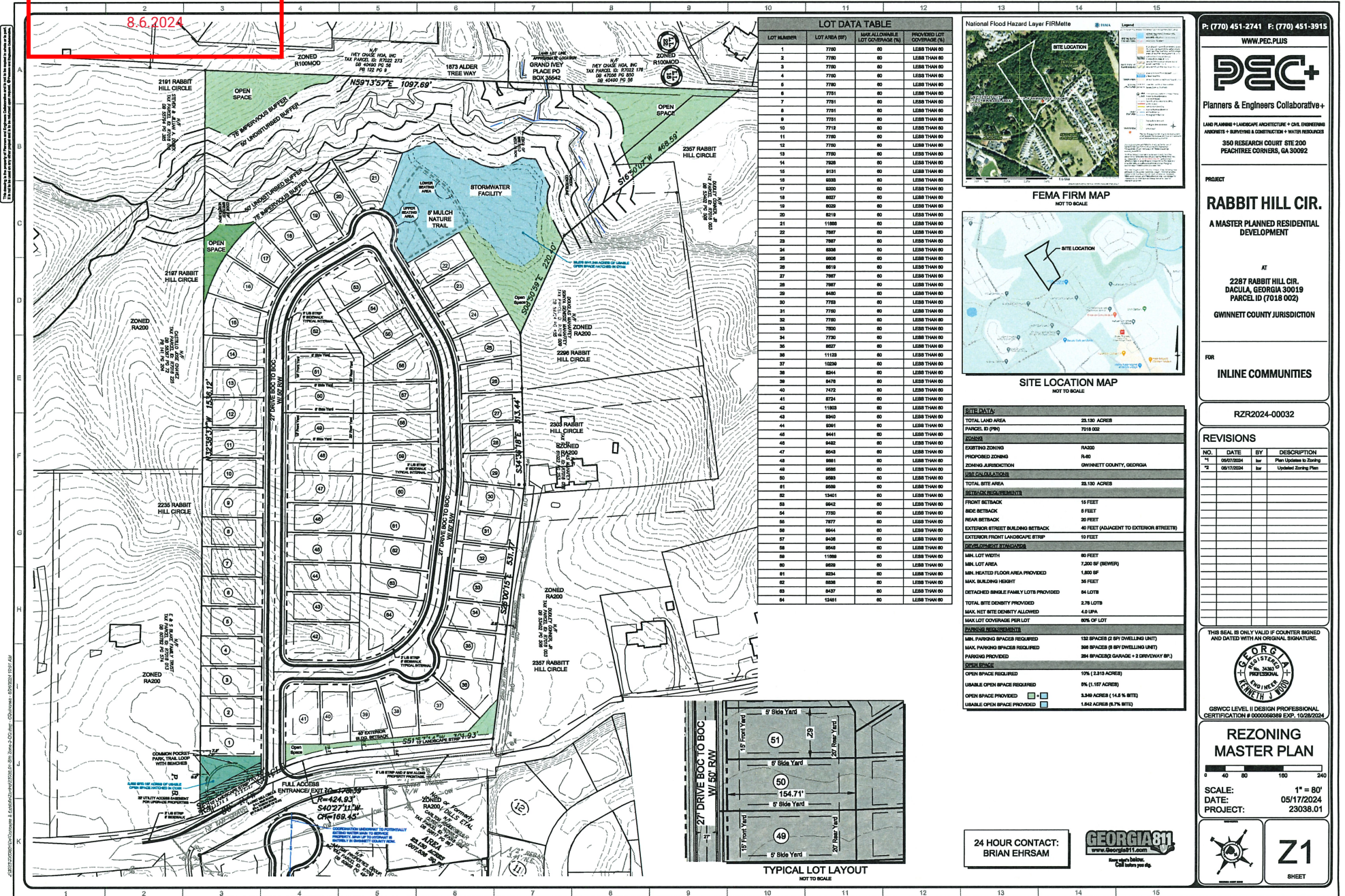
2045 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

Exhibit K: Documents Presented at the August 6, 2024, Planning Commission Public Hearing

[attached]

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8.6.2024



"Good Neighbor" Privacy Buffer – East



Thuja occidentalis 'Green Giant'
Green Giant Arborvitae



Magnolia grandiflora 'Little Gem'
Little Gem Magnolia



Juniperus virginiana 'Brodie'
Brodie Eastern Red Cedar



8' GOOD NEIGHBOR FENCE

PLANT SCHEDULE

SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	FORM	CUL	SPACING	SPACING
	JVR	25	JUNIPERUS VIRGINIANA 'BRODIE' / BRODIE EASTERN RED CEDAR	8' & 8'	2' CAL	6' & 8'	AS SHOWN
	MGL	20	MAGNOLIA GRANDIFLORA 'LITTLE GEM' / DWARF SOUTHERN MAGNOLIA	8' & 8'	2' CAL	6' & 8'	AS SHOWN
	TG	30	THUJA X 'GREEN GIANT' / GREEN GIANT ARBOVITAE	10' GAL			



GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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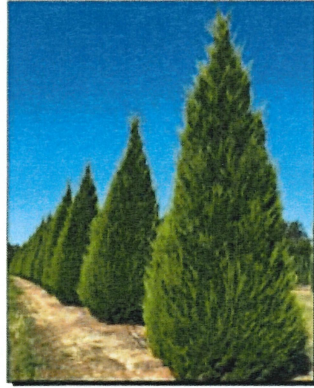
8.6.2024

INLINE
COMMUNITIES

"Good Neighbor" Privacy Buffer – West



Thuja occidentalis "Green Giant"
Green Giant Arborvitae



Juniperus virginiana "Brodie"
Brodie Eastern Red Cedar



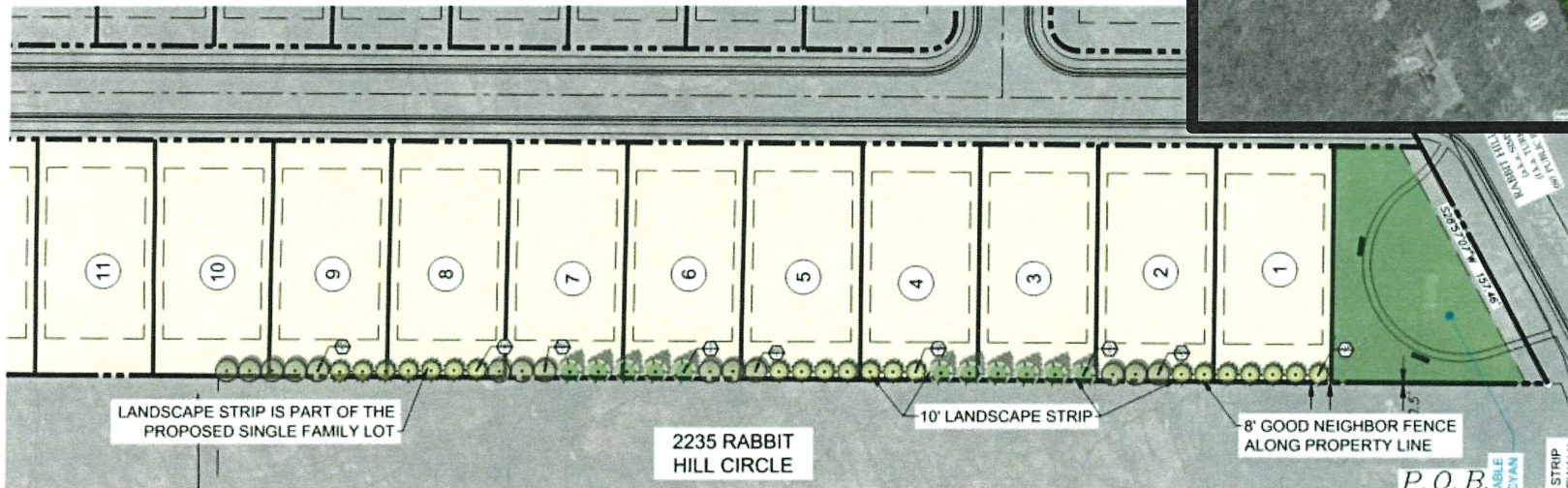
8' GOOD NEIGHBOR FENCE



Magnolia grandiflora "Little Gem"
Little Gem Magnolia

PLANT SCHEDULE LANDSCAPE BUFFER EAST

SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	DIA.	WIDE	SPACING
	JVB	21	JUNIPERUS VIRGINIANA 'BRODIE' / BRODIE EASTERN RED CEDAR	8' & 8'	2" CAL.	4' & 8'	AS SHOWN
	MOL	14	MAGNOLIA GRANDIFLORA 'LITTLE GEM' / DWARF SOUTHERN MAGNOLIA	8' & 8'	2" CAL.	4' & 8'	AS SHOWN
		11	THUJA X 'GREEN GIANT' / GREEN GIANT ARBORVITAE	13' DIA.			



GWINNETT COUNTY
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8.6.2024

INLINE
COMMUNITIES