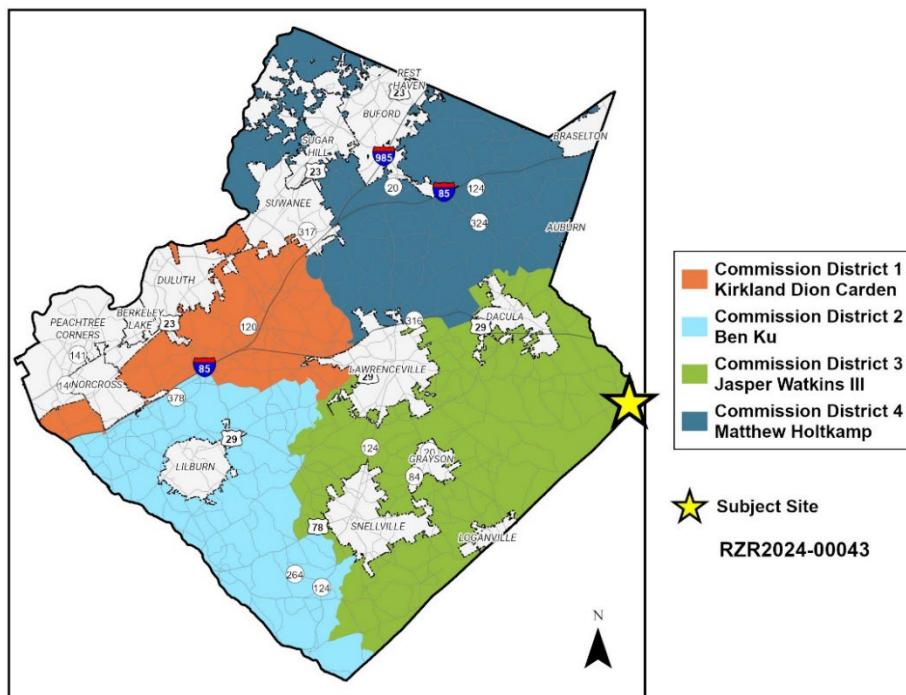




PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number:	RZR2024-00043
Current Zoning:	RA-200 (Agriculture-Residence District) and R-100 (Single-Family Residence District)
Request:	Rezoning to R-100 (Single-Family Residence District)
Additional Request:	Waiver
Address:	3100 Block of June Ivey Road, 3500 Block of and 3601 Indian Shoals Road
Map Numbers:	R5345 005, R5353 001, and R5354 016
Site Area:	143.93 acres
Units:	63
Proposed Development:	Single-Family Detached Subdivision
Commission District:	District 3 – Commissioner Carden
Future Development Type:	Rural
Staff Recommendation:	APPROVAL WITH CONDITIONS
Planning Commission Recommendation:	APPROVAL WITH CONDITIONS



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

Contact: Shane M. Lanham

Owners: Richard H. Brady
3551 Indian Shoals Road
Bethlehem, GA 30620

James M. Griner
5200 Dallas Highway
Powder Springs, GA 30127

Contact Phone: 770.232.0000

Zoning History

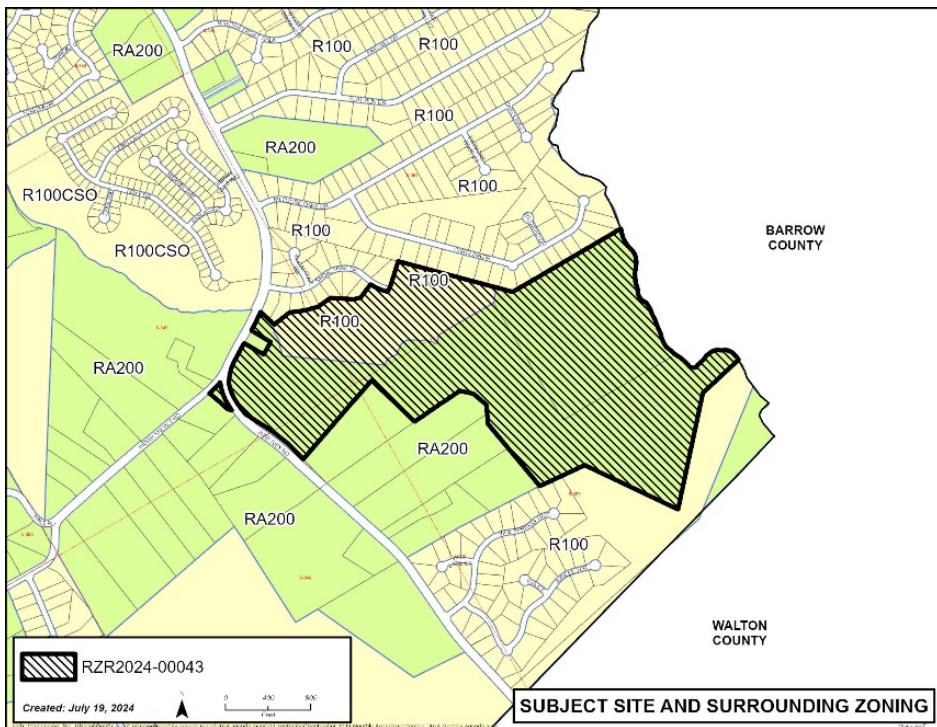
The subject property is zoned RA-200 (Agriculture-Residence District) and R-100 (Single-Family Residence District). In 1996, parcel R5354 016 was rezoned from RA-200 to R-100, pursuant to RZ-96-104.

Existing Site Condition

The subject property is an assemblage of 143.93 acres located along June Ivy Road and Indian Shoals Road, and a portion of the property is located at the dead end of Shoal Trail Drive. The site is undeveloped and heavily wooded. A 125-foot-wide Georgia Power Company easement bisects the property north to south. A stream runs through the middle of the property near the southern boundary, and the Apalachee River runs along the eastern property line. There is a floodplain surrounding both the stream and river. Throughout the property, the terrain slopes downwards toward the stream and river by approximately 50 to 90 feet. There are no sidewalks along June Ivy Road and Indian Shoals Road. The nearest Gwinnett County Transit stop is approximately 12.7 miles from the subject property.

Surrounding Use and Zoning

The site is surrounded by single-family residential with some large-lot agricultural residential. The Biltmore Woods and Indian Shoals subdivisions are located to the north. Across June Ivey Road and Indian Shoals Road to the west and immediately to the south are large-lot single-family residences. The Ivey Springs subdivision is also to the south. To the east, across the Apalachee River is Barrow County. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Single-Family Residential	R-100	0.47 units per acre 0.24 units per acre
North	Single-Family Residential Single-Family Residential	R-100 R-100	1.61 units per acre 1.20 units per acre
East	Barrow County	N/A	N/A
South	Single-Family Residential Single-Family Residential	RA-200 R-100	0.10 units per acre 0.78 units per acre
West	Single-Family Residential	RA-200	0.03 units per acre

Project Summary

The applicant requests rezoning of a 143.93-acre property from RA-200 and R-100 to R-100 for a single-family detached subdivision, including:

- 59 single-family detached residences on lots ranging from 20,421 square feet to 82,464 square feet, yielding a density of 0.47 units per acre, accessed from Shoal Trail Drive within the subdivision.
- Four single-family detached residences on lots ranging from 105,725 square feet to 293,041 square feet, yielding a density of 0.24 units per acre, accessed from Indian Shoals Road and June Ivey Road.
- Residences with a minimum heated floor area of 2,000 square feet with front-loaded, two-car garages.
- Exterior building materials including a mixture of brick, stone, shake/siding, and/or board and batten.
- 75.42 acres or 59.76% of the site as open space, located primarily within the floodplain or stream buffers.

- 6.60 acres or 5.23% of usable open space, including a dog park, grassed play areas, and walking trails with a connection to the future Apalachee River trail.
- Five stormwater management facilities dispersed throughout the development.
- Lots to be served by private septic systems.

Zoning and Development Standards

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

Standard	Required	Proposed	Meets Standard?
Lot Size	Minimum 15,000	>15,000	YES
Lot Width	Minimum 100'	≥100'	YES
Lot Coverage	Maximum 45%	<45%	YES
Front Yard Setback	Minimum 25'	25'	YES
Rear Yard Setback	Minimum 30'	30'	YES
Side Yard Setback	Minimum 10'	10'	YES
Building Height	Maximum 35'	<35'	YES
Open Space	Minimum 10% or 12.61 acres	59.76% or 75.42 acres	YES
Usable Open Space	Minimum 5% or 6.31 acres	5.23% or 6.60 acres	YES
One- and two-Family Dwellings Parking	Minimum 2 spaces per dwellings Maximum 4 spaces per dwellings	4 per dwelling	YES

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 360-20.2.C.1 Cul-de-sac Streets

Dead end streets designed to have one end permanently closed shall provide a cul-de-sac or other approved turnaround and may be no more than 600 feet in length.

The applicant is requesting a waiver to exceed the maximum length of a dead-end street by constructing a 953-foot-long cul-de-sac street A, and a 1,017-foot-long cul-de-sac street B.

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 H). 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.

Public Participation

The applicant held a community meeting for the development on July 30, 2024, at the Harbins Park Football Pavilion in Dacula. There were 16 community members in attendance, who raised concerns regarding failed perc tests by past developers, protection of wetlands, possible change of entrance, school capacity, traffic, size and price of homes, and the use of Shoal Trail Drive for the subdivision entrance. The applicant is looking into past tests, has submitted a traffic impact study, and explained this subdivision being phase 2 of the existing Indian Shoals subdivision.

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 primarily single-family residential with some large-lot agricultural residential across June Ivey Road and Indian Shoals Road. The proposal contains residences that would be of a compatible density and architectural style as those in surrounding subdivisions. The proposed four exemption lots would front both roads with lot sizes more consistent with the RA-200 zoned properties across the street. 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.

This development is phase 2 of the Indian Shoals development and will be accessed by the existing Shoals Trail Drive entrance. Four additional lots would front other large-lot single-family residences in the area, with the larger subdivision north of stream. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.

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

The property has a reasonable economic use as currently zoned.

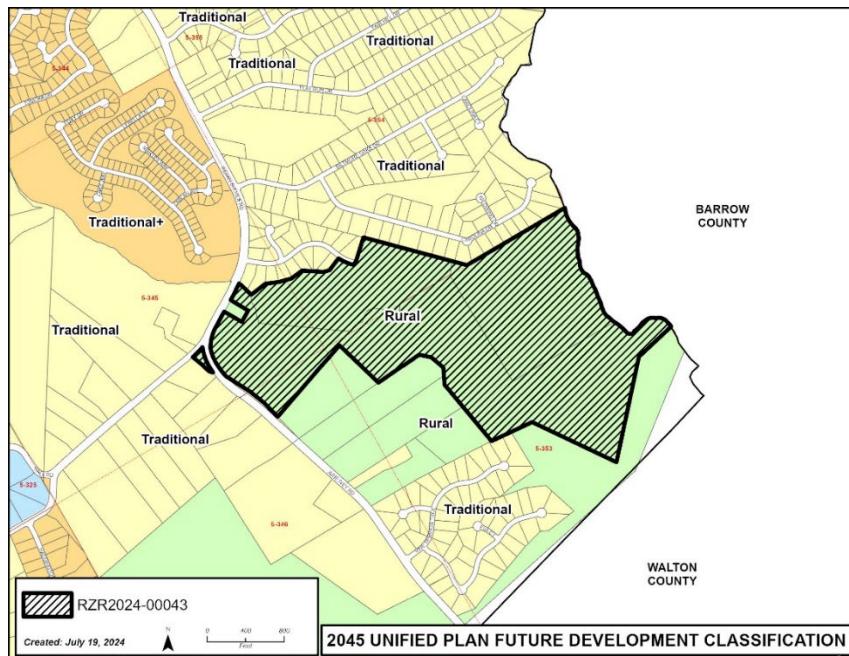
D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

An increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. The traffic impact study estimated that the proposal would generate 53 morning and 70 evening peak hour trips. The study concluded that no mitigation was recommended at any study intersection. An increased impact

is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning request are attached (Exhibit H).

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 "Rural" for the subject property. This future development type describes areas that have seen little development, are at least two miles from any commercial center or urban area, and likely require septic tanks for development. Single-family residential is a recommended use, and R-100 is a recommended zoning district. This proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map.



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 waiver:

1. To exceed the maximum length of a dead-end street by constructing a 953-foot-long cul-de-sac street A, and a 1,017-foot-long cul-de-sac street B.

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 waiver request:

1. To exceed the maximum length of a dead-end street by constructing a 953-foot-long cul-de-sac street A, and a 1,017-foot-long cul-de-sac street B.

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

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

1. The proposed development shall be limited to single-family detached dwellings and accessory uses and structures, not exceeding 63 units.
2. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan and Exhibit C: Elevations, dated received July 12, 2024, subject to the review and approval of the Department of Planning and Development.
3. The development shall include amenities and usable open space in general conformance with Exhibit B: Site Plan including, but not limited to, a dog park, walkways, and grassed play areas. The final open space and amenity plan shall be reviewed and approved by the Department of Planning and Development.
4. A 50-foot-wide trail easement shall be dedicated at no cost to Gwinnett County, in accordance with the Gwinnett County Open Space and Greenway Master Plan, prior to the issuance of final plat, subject to the review and approval of the Gwinnett County Department of Community Services.
5. A 40-foot-wide easement shall be dedicated at no cost to Gwinnett County, along the southern creek for future decommissioning of the Indian Shoals Landing Pump Station, prior to the issuance of final plat, subject to the review and approval of the Gwinnett County Department of

Water Resources.

6. The full length of Shoal Trail Drive shall be resurfaced by the applicant, subject to the review and approval of the Gwinnett County Department of Transportation.
7. 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.
8. Natural vegetation shall remain on the property until the issuance of a development permit.
9. All grassed areas within lots 1-59 shall be sodded.
10. **The development shall be limited to a maximum of 10 percent rental units. This restriction will be included in the covenants and will be managed by a mandatory homeowners association (HOA).**

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. Traffic Impact Study
- G. Public Participation Plan and Report
- H. Internal and External Agency Review Comments
- I. Maps

Exhibit A: Site Visit Photos



View of Shoal Trail Drive entrance to proposed subdivision



View of Indian Shoals subdivision



View of June Ivey Road frontage



View of Indian Shoals Road frontage

Exhibit B: Site Plan

[attached]

PROJECT BREAKDOWN:
 5354-016: 25.76 AC (ZONED R-100 WITH CONDITIONS)
 5345-001: 5.83 AC (ZONED RA-200 TO BE REZONED R-100)
 5345-001: 43.34 AC (ZONED RA-200 TO BE REZONED R-100)
 TOTAL: 143.93 AC

BUILDING SETBACKS: R-100:

FRONT: 25'
 SIDE: 10'
 REAR: 30'

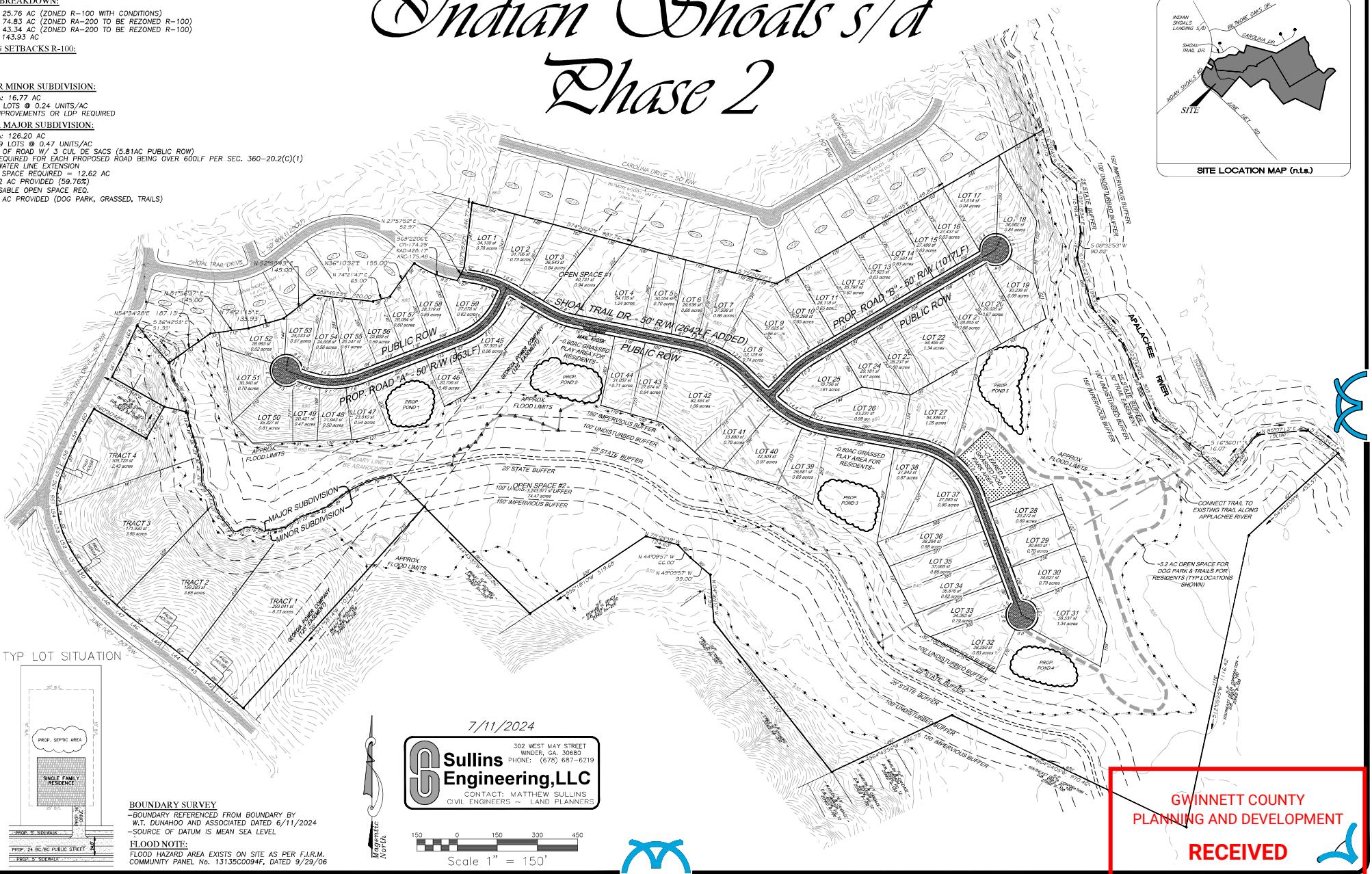
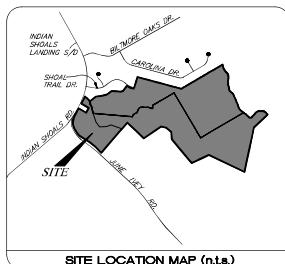
EXTERIOR MINOR SUBDIVISION:

TOTAL AREA: 16.77 AC
 DENSITY: 4 LOTS @ 0.24 UNITS/AC
 NO ROW IMPROVEMENTS OR LDP REQUIRED

INTERIOR MAJOR SUBDIVISION:

TOTAL AREA: 126.20 AC
 DENSITY: 59 LOTS @ 0.47 UNITS/AC
 ~4,611 LF OF ROAD W/ 3 CUL DE SACS (5.81AC PUBLIC ROW)
 ~WAIVER REQUIRED FOR EACH PROPOSED ROAD BEING OVER 600LF PER SEC. 360-20.2(C)(1)
 ~COUNTS AS 1 LOT FOR SETBACKS
 10% OPEN SPACE REQUIRED = 12.62 AC
 75.42 AC PROVIDED (59.76%)
 6.31 AC USABLE OPEN SPACE REQ.
 6.60 AC PROVIDED (DOG PARK, GRASSED, TRAILS)

Indian Shoals s/d Phase 2



7/11/2024
Sullins
Engineering, LLC
 302 WEST MAY STREET
 WINDER, GA 30680
 PHONE: (678) 687-6219
 CONTACT: MATTHEW SULLINS
 CIVIL ENGINEERS ~ LAND PLANNERS

150 0 150 300 450
 Scale 1" = 150'
 179' 40"

GWINNETT COUNTY
 PLANNING AND DEVELOPMENT

RECEIVED

7/12/2024
 MR

Exhibit C: Building Elevations

[attached]

Erica Home Plan



RECEIVED

7/12/2024

Aaron Home Plan



RECEIVED

7/12/2024

Logan Home Plan



RECEIVED

7/12/2024

Jayden Home Plan



Georgia Home Plan



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

[attached]

RECEIVED

7/12/2024

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

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

*Of Counsel

LETTER OF INTENT FOR REZONING APPLICATION

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached rezoning application (the “Application”) on behalf of Tapestry Home Builders, LLC, (the “Applicant”) requesting the rezoning of three tracts of land with a combined acreage of +/- 143.93 acres (the “Property”) located at 3601 Indian Shoals Road. The Property is located within the Rural Future Development Area of the Gwinnett County 2045 Unified Plan (the “2045 Plan”). Two parcels are zoned RA-200 and one parcel is zoned R-100 with conditions.

The Applicant submits the Application requesting to rezone the Property to the R-100 (Single Family Residence District) zoning classification of the Gwinnett County Unified Development Ordinance (the “UDO”) to develop the Property as an attractive detached, single-family residential community. The proposed development would consist of an exterior minor subdivision consisting of 4 single-family detached homes with a density of 0.24 units per acre and an interior major subdivision consisting of 59 single-family detached homes with a density of 0.47 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 a mix of brick, stone, shake/siding and/or board and batten as depicted in the building elevations submitted with the Application. Also, the

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

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

TELEPHONE 770 232 0000

FACSIMILE 678 518 6880
Page 21 of 53
www.mptlawfirm.com

RZR2024-00036

MR

RECEIVED

7/12/2024 proposed development will include approximately 6.60 acres of usable open space featuring a dog

park and walking trails. Further, the proposed development would utilize a septic system instead of existing Gwinnett County sewer capacity. The proposed development would be accessed by a single entrance off of Shoal Trail Drive.

The proposed development is compatible with surrounding land uses. The surrounding area is characterized primarily by residential development including communities zoned R-100, R-100 MOD and R-100 CSO. Additionally, the development will include Parcel Number R5354 016 which was rezoned from RA-200 to R-100 in 1996. The proposed development will fit squarely within the residential character of the area.

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

Additionally, the open space and conservation areas of the proposed development is in line with the spirit and intent of the 2045 Plan for the Rural Future Development Area. The 2045 Plan provides that R-100 is a recommended zoning classification for Rural Future Development Area. Further, the incorporation of 6.60 acres of usable open space for residents to enjoy enhances the proposed development’s adherence to the spirit and intent of the 2045 Plan. The proposed

RECEIVED

7/12/2024 residential development would continue the residential development pattern and provide high-quality, attractive homes which complement the land use mix.

In order to develop the Property as depicted on the site plan submitted with the Application, the Applicant is requesting a waiver to increase the maximum distance from the center of an intersection to the center of a cul-de-sac. The Applicant is proposing to increase the maximum distance from center of intersection to center of cul-de-sac from 600 feet to 953 linear feet for Proposed Road A and 1,017 linear feet for Proposed Road B. Accordingly, the Applicant requests a waiver from UDO § 360-20.2C.1. Approval of the requested waiver would not negatively effect the navigability of the proposed development but instead would enhance the future residents ease of traveling to and from their homes.

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 12th day of July, 2024.

MAHAFFEY PICKENS TUCKER, LLP

Julia A. Maxwell

Julia A. Maxwell
Attorneys for Applicant

RECEIVED

7/12/2024

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

- (A) Yes, approval of the Rezoning Application will permit a use that is suitable in view of the use and development of adjacent and nearby property. The proposed residential development is compatible with existing residential uses and will further diversify housing options in the surrounding areas.
- (B) No, approval of the Rezoning Application will not adversely affect the existing use or usability of any of the nearby properties. Rather, the proposed development will complement the housing mix of the surrounding area.
- (C) Due to the size, location, layout, and dimensions of the subject property, the Applicant submits that the Property does not have a reasonable economic use as currently zoned.
- (D) No, approval of the Rezoning Application will not result in an excessive or burdensome use of the surrounding infrastructure systems. The proposed development has direct access to Indian Shoals Road and is located in close proximity to Bold Springs Road, Harbins Road and State Highway 316. Additionally, water and sewer utilities are present in the immediate vicinity.
- (E) Yes, approval of the Rezoning Application is in conformity with the policy and intent of the Gwinnett County 2045 Unified Plan which encourages residential development and encourages the continued diversification of housing types in the County. Additionally, the requested zoning district is a recommended zoning district under the Gwinnett County 2045 Unified Plan.
- (F) The Applicant submits that the quality of proposed homes, the Property's access to water and sewer infrastructure, and the Property's proximity to regional transportation corridors provide additional supporting grounds for approval of the Application.

Exhibit E: Application and Disclosure of Campaign Contributions

[attached]

RECEIVED

7/12/2024

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
Name: <u>Tapestry Home Builders, LLC c/o Mahaffey Pickens Tucker, LLP</u> Address: <u>1550 N. Brown Road, Ste. 125</u> City: <u>Lawrenceville</u> State: <u>Georgia</u> ZIP: <u>30043</u> Phone: <u>770-232-0000</u> Email: <u>slanham@mptlawfirm.com</u>	Name: <u>Please see attached.</u> Address: _____ City: _____ State: _____ ZIP: _____ Phone: _____ Email: _____
Contact Person: <u>Shane M. Lanham</u> Phone: <u>770-232-0000</u> Contact's Email: <u>slanham@mptlawfirm.com</u>	
APPLICANT IS THE: <input type="checkbox"/> Owner's Agent <input type="checkbox"/> Property Owner <input checked="" type="checkbox"/> Contract Purchaser	
Current Zoning District(s): <u>RA-200</u> Requested Zoning District: <u>R-100</u>	
Parcel Number(s): <u>R5354 016, R5345 005, and R5345 001</u> Acreage: <u>+/- 143.93 acres</u>	
Property Address(es): <u>3601 Indian Shoals Road</u>	
Proposed Development: <u>Single Family Detached Subdivision</u>	
Variance(s): <u>N/A</u>	Waiver(s): <u>Secton 360-20.2C.1</u>
RESIDENTIAL DEVELOPMENT Minor Subdivision: 4 No. of Dwelling Units: <u>Major Subdivision: 59</u> Dwelling Unit Sq. Ft.: <u>2,000 square feet</u> Minor Subdivision: 0.24 Density: <u>Major Subdivision: 0.47</u> Floor Area Ratio (LRR, MRR, HRR): <u>N/A</u>	NON-RESIDENTIAL DEVELOPMENT No. of Buildings: <u>N/A</u> Total Building Sq. Ft.: <u>N/A</u> Floor Area Ratio: <u>N/A</u>
MIXED-USE DEVELOPMENT	
No. of Dwelling Units: <u>N/A</u>	Dwelling Unit Sq. Ft.: <u>N/A</u>
Total Non-Residential Sq. Ft.: <u>N/A</u>	Floor Area Ratio: <u>N/A</u>

RECEIVED

7/12/2024

PROPERTY OWNERS

Parcel #: R5345 005

Richard H. Brady
3551 Indian Shoals Road SE
Bethlehem, Georgia 30620

Parcel #: R5345 001

James M. Griner
5200 Dallas Highway
Suite 200
Powder Springs, Georgia 30127

RECEIVED

7/12/2024

REZONING PROPERTY OWNER'S CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within six (6) months from the date of last action by the Board of Commissioners.

GCIP SIX, LLC



Signature of Property Owner

6/26/24

Date

GCIP SIX, LLC

DAVID BOWEN, MANAGER

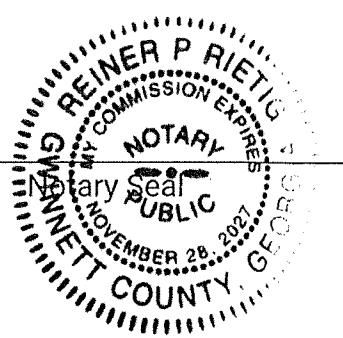
Type or Print Name and Title



Signature of Notary Public

6/26/24

Date



RECEIVED

7/12/2024

REZONING PROPERTY OWNER'S CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within six (6) months from the date of last action by the Board of Commissioners.

Holly Gullaff

Signature of Property Owner

6/24/2024

Date

*Personal Representative of
the estate of Richard Brady*

Holly Gullaff

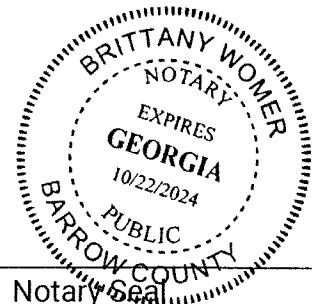
Type or Print Name and Title

Brittany M

Signature of Notary Public

6-24-24

Date



RECEIVED

7/12/2024

REZONING APPLICANT'S CERTIFICATION

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

Scott Whitehead

Signature of Applicant

6/27/24

Date

Scott Whitehead

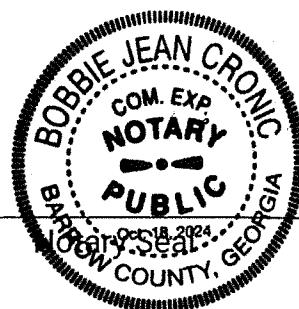
Type or Print Name and Title

Bobbie Jean Cronic

Signature of Notary Public

6/27/24

Date

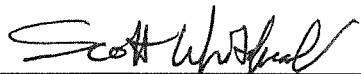


RECEIVED

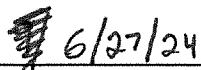
7/12/2024

CONFFLICT OF INTEREST CERTIFICATION FOR REZONING

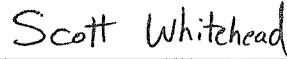
The undersigned below, making application for a rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.



Signature of Applicant



Date

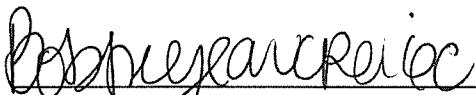


Type of Print Name and Title

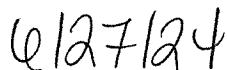
Signature of Applicant's
Attorney or Representative

Date

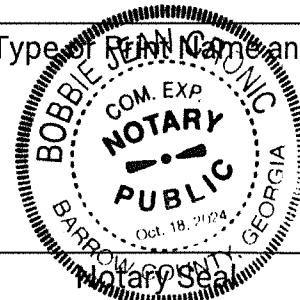
Type of Print Name and Title



Signature of Notary Public



Date



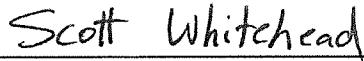
DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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



(Your Name)

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

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

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

RECEIVED

7/12/2024

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: R5354 01 6
(Map Reference Number)

Julia A. Maxwell
Signature of Applicant

6/14/2024

Date

Julia Maxwell, 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.

D. M. Suffa
Name
6/14/24
Date

TSA
Title

RECEIVED

7/12/2024

REZONING APPLICANT'S CERTIFICATION

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

Julia A. Maxwell
Signature of Applicant

June 27, 2024

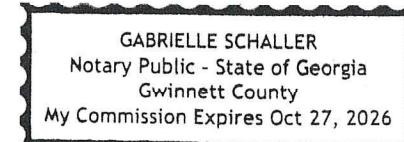
Date

Julia A. Maxwell, Attorney for Applicant

Type or Print Name and Title

Gabrielle Schaller
Signature of Notary Public

6/27/2024
Date



Notary Seal

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.

Date

Type of Print Name and Title

Signature of Applicant's

June 27, 2024

Julia A. Maxwell, Attorney for Applicant

Signature of Applicant's
Attorney or Representative

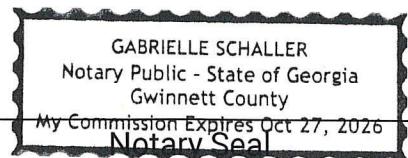
Date

Type or Print Name and Title


Signature of Notary Public

6/27/2024

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 Mahaffey Pickens Tucker, LLP (Your Name)

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

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

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

Exhibit F: Traffic Impact Study

[attached]

RECEIVED

7/12/2024

Level 2 Traffic Impact Study

Indian Shoals Residential Subdivision
Gwinnett County, Georgia

prepared for:

RES-GA 2, LLC

May 28, 2024



in collaboration with



RECEIVED

1

7/12/2024

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 the eastern end of Indian Shoals Road, as shown in Figure 1. The project will consist of 69 detached single family homes and vehicular access will be provided by a connection to the eastern end of Shoal Trail Drive, which has a T-Intersection at Indian Shoals Road. Figure 2 presents the site plan for the project.

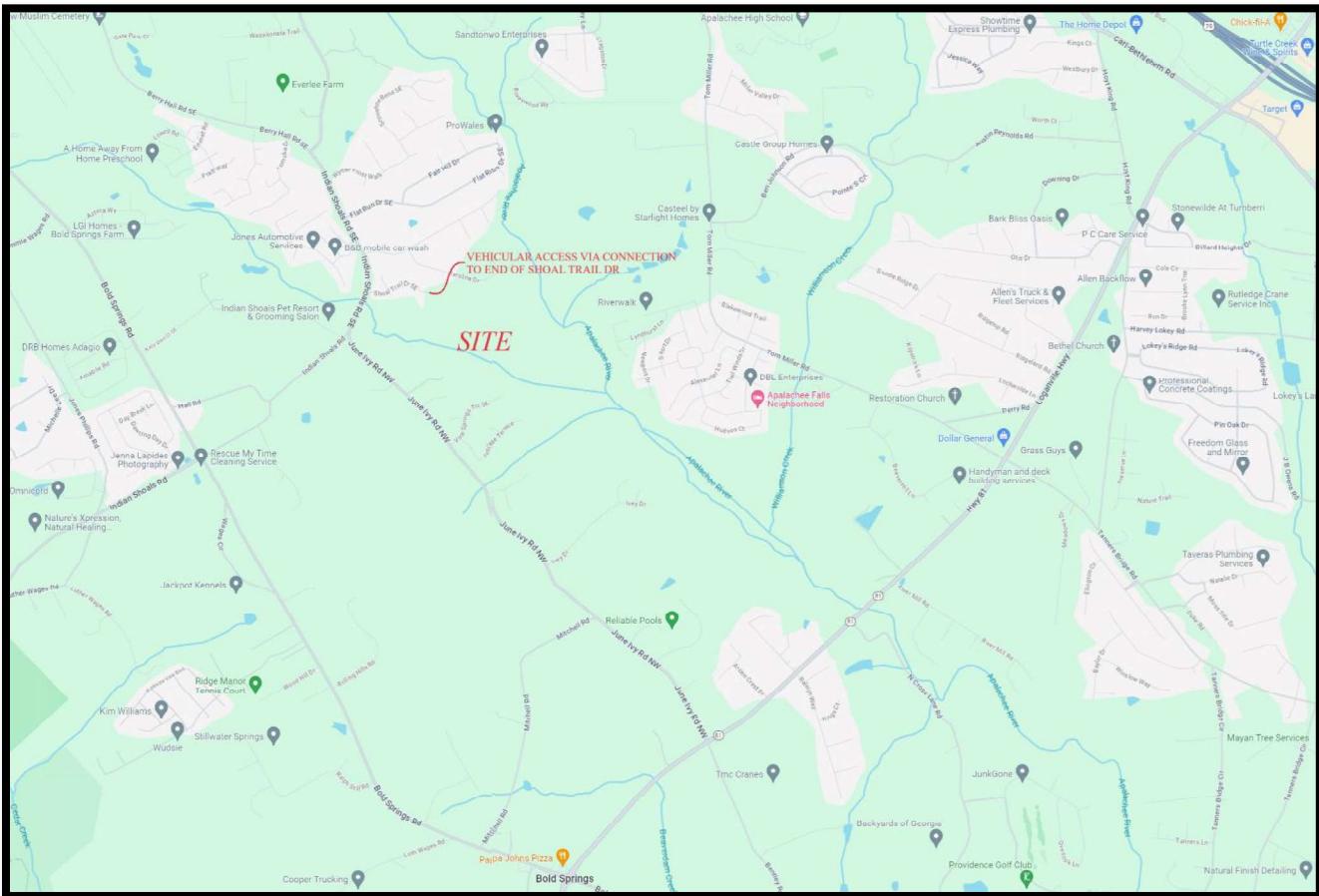


Figure 1 – Site Location Map

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*, 11th Edition (the current edition), the proposed 69 home subdivision is projected to generate 70 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 (required for projects that will generate 21 to 249 peak hour 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.

Indian Shoals Subdivision, Gwinnett County
Level 2 Traffic Impact Study


SEI
ENGINEERING, INC.
ACAMPORA TRAFFIC

7/12/2024

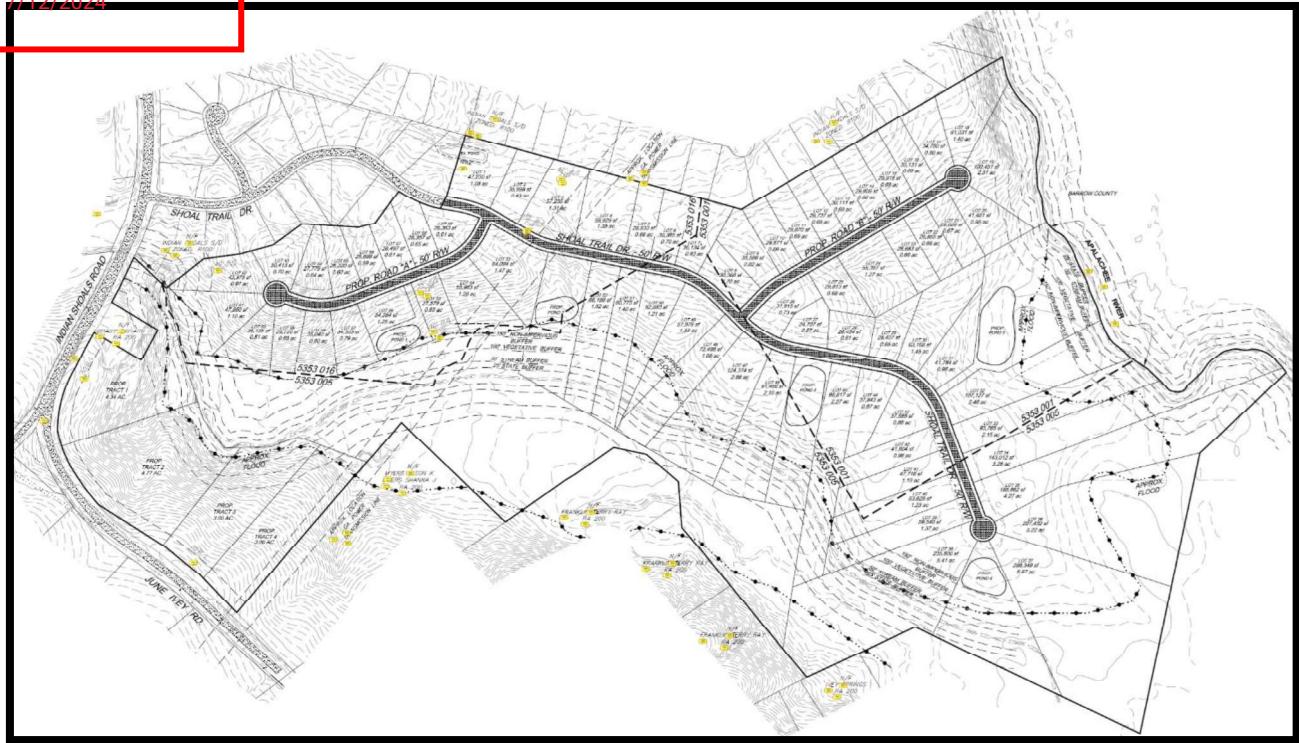


Figure 2 – Site Plan

Existing and Proposed Land Use

The subject property is currently zoned R-100 – Single Family Residence District and RA-200 – Agriculture Residence District. The proposed zoning is R-100 – Single Family Residence District.

Trip Generation Estimate

The volume of traffic that will be generated by the subdivision was calculated using the equations in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th 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 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
Single Family Detached Housing	210	69 homes	13	40	53	44	26	70	718

The proposed subdivision will generate 53 trips in the morning peak hour, 70 trips in the evening peak hour, and 718 two-way daily trips.

Indian Shoals Subdivision, Gwinnett County Level 2 Traffic Impact Study



RECEIVED

7/12/2024 already satisfied. It does not appear that the existing right turn lane meets the 200 foot length requirement. However, the bridge over the creek to the south of Shoal Trail Drive appears to preclude extending the right turn lane any further without widening the bridge. The existing turn lane is expected to be of sufficient length to accommodate the project's moderate right turn volumes and it is advised that the widening of the bridge to extend the right turn lane appears unnecessary.

In order to determine the need for a southbound left turn lane, the standards for providing those lanes were reviewed in Gwinnett County DOT's *Criteria and Guidelines for Left Turn Lanes*. Table 1 in that standard, which provides the criteria for left turn lanes for residential developments, is reproduced below as Table 5.

Table 5 – Gwinnett County's Left Turn Lane Criteria for Residential Developments

Gwinnett County – Residential Developments *
Left Turn Lane Criteria

TABLE I

Posted Speed Limit (mph)	2 Lane Routes -----ADT-----		More Than 2 Lanes on Main Road -----ADT-----	
	<6000	>=6000	<10,000	>=10,000
30 to 35	120 Lots	75 Lots	160 Lots	120 Lots
40 to 50	100 Lots	65 Lots	130 Lots	100 Lots
>= 55	75 lots	55 Lots	100 Lots	75 Lots

* Zoning Districts R-XX(X)

For a two lane road with a posted speed limit of 40 mph and an ADT less than 6,000 (1,140 vpd in 2022), the number of lots above which a left turn lane is required is 100 lots. The proposed subdivision consists of 69 lots and the existing number of homes currently served by Shoal Trail Drive is 24 homes. Therefore, the total number of homes that will be served along Shoal Trail Drive and its feeding cul-de-sacs is 93 homes. This is below the 100 lot threshold and, therefore, a southbound left turn lane is not required on Indian Shoals Road at Shoal Trail Drive. Given the low volumes on Indian Shoals Road and the clear lines of sight in both directions on Indian Shoals Drive to and from Shoal Trail Drive, this study agrees with the conclusion that no left turn lane is necessary.

Conclusions and Recommendations

This study assesses the traffic impact of a proposed residential subdivision in Gwinnett County. The site is located at the eastern end of Indian Shoals Road. The project will consist of 69 detached single family homes and vehicular access will be provided by a connection to the eastern end of Shoal Trail Drive, which has a T-Intersection at Indian Shoals 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 70 trip peak hour project trip generation, Gwinnett County requires a Level 2 Traffic Study. The following are the findings and recommendations of this study:

RECEIVED

7/12/2024

1. The proposed subdivision will generate 53 trips in the morning peak hour, 70 trips in the evening peak hour, and 718 two-way daily trips.
2. The Georgia DOT recorded and AADT volume of 1,140 vpd with 18% trucks on Indian Shoals Road at Shoal Trail Drive in 2022.
3. There are no sidewalks on Indian Shoals Road or June Ivey Road, but there are sidewalks along both sides of Shoal Trail Drive which terminate at Indian Shoals Road. 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 the existing sidewalks along Shoal Trail Drive.
4. The available intersection sight distance from the location of the proposed project access (intersection of Indian Shoals Road at Shoal Trail Drive) to the north is approximately 620 feet. To the south, the available intersection sight distance is approximately 850 feet. The minimum required intersection sight distance at the project access on two-lane Indian Shoals Road, with a posted speed limit of 40 mph, is 445 feet to the left and to the right. The available sight distance in each direction satisfies this standard.
5. For a road with a posted speed limit of 40 mph, the minimum driveway spacing is 294 feet. At approximately 773 feet to the north and approximately 600 feet and 914 feet to the south, Shoal Trail Drive is located sufficiently far from the nearest adjacent intersections and one single family house driveway.
6. The existing analysis reveals acceptable operating conditions at most study intersections and controlled approaches or movements, with some failing locations. The text provides a discussion of the few failing locations and the potential for future mitigation. However, no mitigation was recommended at any study intersection.
7. The County UDO requires a northbound exclusive right turn lane on Indian Shoals Road at the project access (Shoal Trail Drive). This lane is already provided. A bridge located a short distance to the south on Indian Trail Road from the project access precludes extending the right turn lane and this study advises that the current lane is expected to be sufficient.
8. The analysis determined that a southbound exclusive left turn lane is not required on Indian Shoals Road at the project access (Shoal Trail Drive).
9. The current lanes and control on Shoal Trail Drive at Indian Shoals Road are appropriate. This consists of one entering lane and one exiting lane, with the exiting approach controlled by side street stop sign and accompanying stop bar.
10. The project civil/site engineer should comply with all applicable design standards at the project access and all internal roadways, including sight distances, driveway spacing, turn lane storage and taper lengths (when required and feasible), turn radii, driveway widths, islands, angles with the adjacent roadways, and grades.

Exhibit G: 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 surrounding property owners, the Applicant will contact the Board of Commissioners and Planning Commission members.

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

The meeting will be held at the Harbins Park Trail Side Pavillion.

- 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 meeting will be held at 6:00pm on Tuesday, July 30th, 2024.

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

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



Public Participation Report

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

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

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

The meeting was held at the Harbins Park Football Pavilion on July 30, 2024 at 6:00pm.

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.

Sixteen people attended the meeting and signed in. The sign-in sheet is attached.

4. What issues and concerns were expressed by attendees at the meeting(s)? Attendees' concerns included: failed perc tests by past developers, protection of wetlands and stream/river, requested the entrance be moved to a creek crossing off of June Ivey Road, school capacity, traffic congestion, size and price range of the proposed homes, and use of Shoal Trail Drive for the entrance to the proposed development. Attendees also expressed that they were told the subject property was not able to be developed when they bought their homes.

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

The Applicant and Applicant Team are looking into past perc test results and the parameters for which the tests were run. A creek crossing off of June Ivey Road is not feasible due to the change in elevation between the road and the property. A traffic study was submitted with the application that indicated the proposed development would not overwhelm the existing roads. Gwinnett County Schools will review the application and has the opportunity to provide comments. The proposed development is a phase 2 of the existing Indian Shoals neighborhood and use of its entrance makes sense.

Exhibit H: Internal and External Agency Review Comments

[attached]



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:					
Department/Agency Name:		DOCS			
Reviewer Name:		Glenn Boorman			
Reviewer Title:		Division Director – Project Admin – Parks & Recreation			
Reviewer Email Address:		glenn.boorman@gwinnettcounty.com			
Case Number:					
Case Address:		3601 Indian Shoals Road			
Comments:		<input checked="" type="checkbox"/> X	YES	<input checked="" type="checkbox"/> X	NO
1					
2					
3					
4					
5					
6					
7					
Recommended Zoning Conditions:		<input checked="" type="checkbox"/> X	YES	<input type="checkbox"/>	NO
1	Provisions must be made to satisfy the requirement to dedicate at no cost to Gwinnett County 50' easement for the trail through the property in accordance with the Gwinnett County Open Space and Greenway Master Plan and the requirements of the UDO.				
2					
3					
4					
5					
6					
7					

Note: Attach additional pages, if needed

Revised 7/26/2021



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date: 08.02.2024		
Department/Agency Name: Transportation		
Reviewer Name: Brent Hodges		
Reviewer Title: Construction Manager 2		
Reviewer Email Address: Brent.Hodges@gwinnettcounty.com		
Case Number: RZR2024-00043		
Case Address: 3601 Indian Shoals Road, Bethlehem, 30620		
Comments: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
1	Indian Shoals Road (this portion) is a local road. The Average Daily Traffic volume (ADT) = 960.	
2	12.7 miles to the nearest transit facility located at Collins Hill Road and Collins Industrial Way.	
3	The developer shall provide traffic calming along any internal street that exceeds 500' without a control point.	
4	The developer shall provide a sight distance certification for all driveways that directly connect to Indian Shoals Road.	
5	The developer shall provide a right-of-way miter at the internal/southern corner of the Indian Shoals Road and June Ivey Road intersection.	
6		
7		
Recommended Zoning Conditions: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
1	When the internal streets are being paved with the final topping of asphalt, the full length of Shoal Trail Drive shall be resurfaced by the developer.	
2		
3		
4		
5		
6		
7		

Note: Attach additional pages, if needed

Revised 7/26/2021

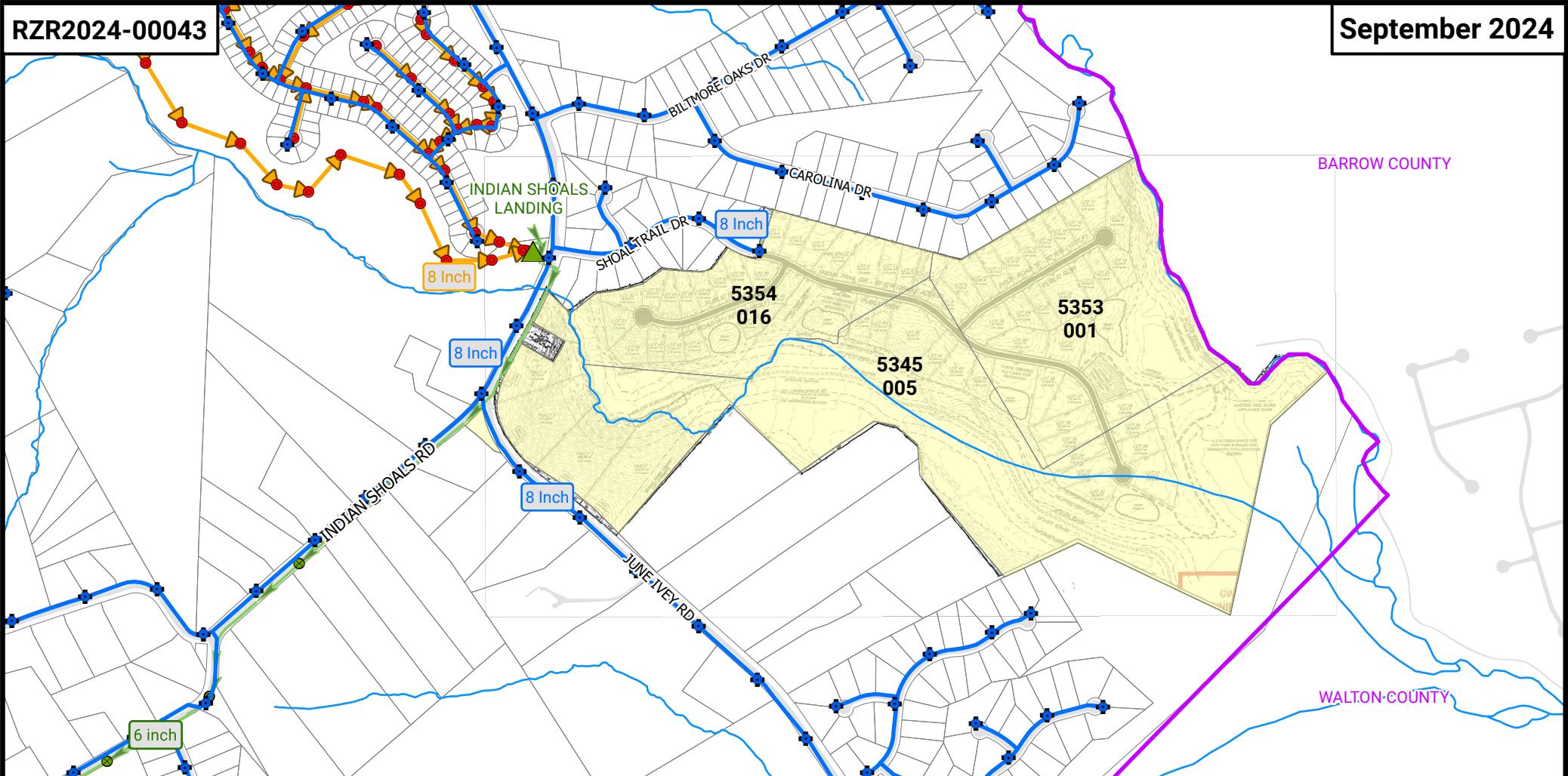


Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:	
Department/Agency Name: DWR	
Reviewer Name: Mike Pappas	
Reviewer Title: GIS Planning Manager	
Reviewer Email Address: Michael.pappas@gwinnettcounty.com	
Case Number: RZR2024-00043	
Case Address: 3601 Indian Shoals Road	
Comments:	
	<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 Indian Shoals Road. A jack-and-bore will be required.
2	Sewer: The proposed development plans to be on septic systems pending approval from the GNR Public Health. GCDWR requests a 40-foot permanent easement along the unnamed creek for the future decommissioning of the Indian Shoals Landing Pump Station.
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

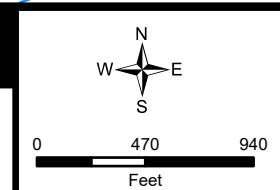
Revised 7/26/2021



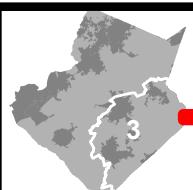
LEGEND

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

3601 Indian Shoals Rd
RA-200 to R-100
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 Indian Shoals Road. A jack-and-bore will be required.

Sewer Comments: The proposed development plans to be on septic systems pending approval from the GNR Public Health. GCDWR requests a 40 foot permanent easement along the unnamed creek for the future decommissioning of the Indian Shoals Landing Pump Station.

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.

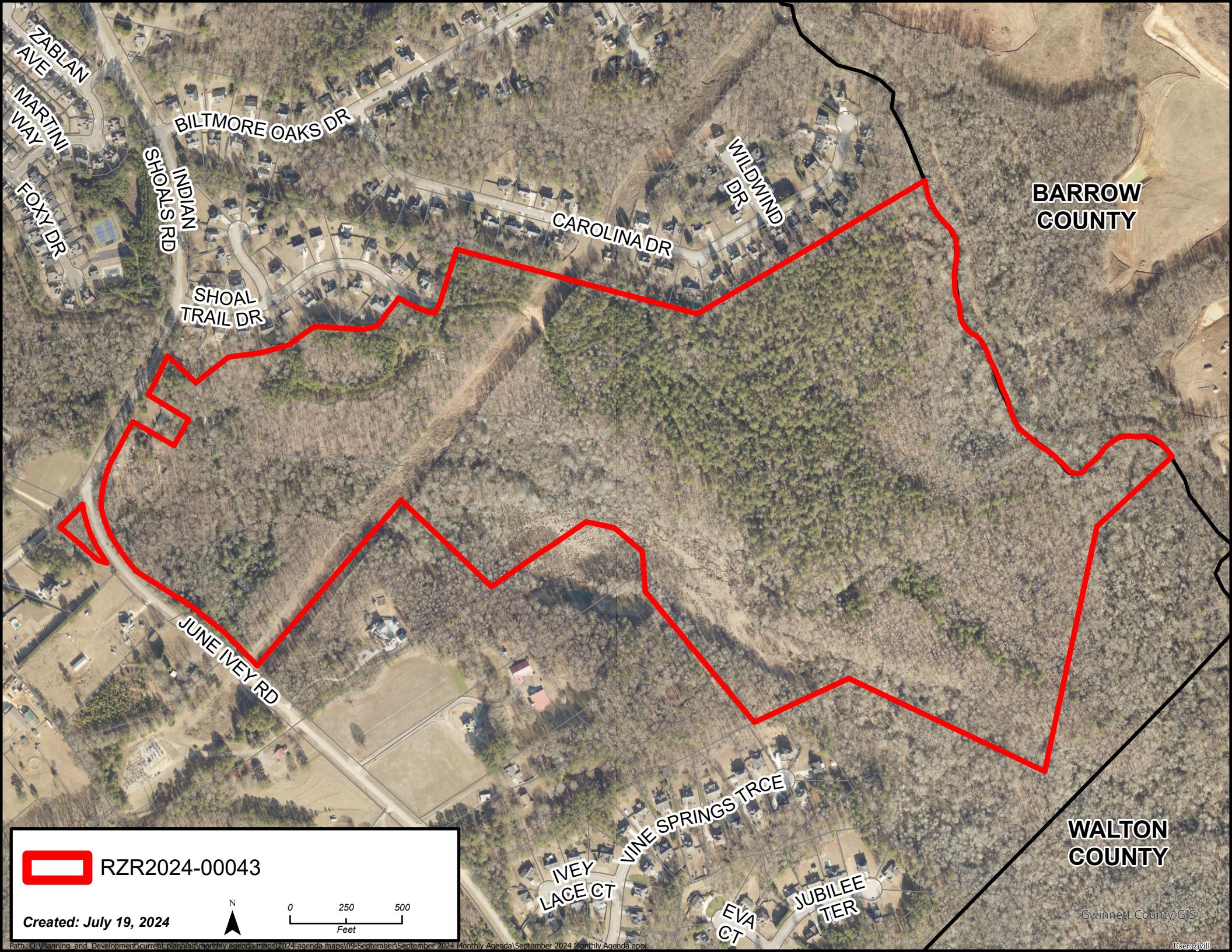
Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County BOC, September, 2024

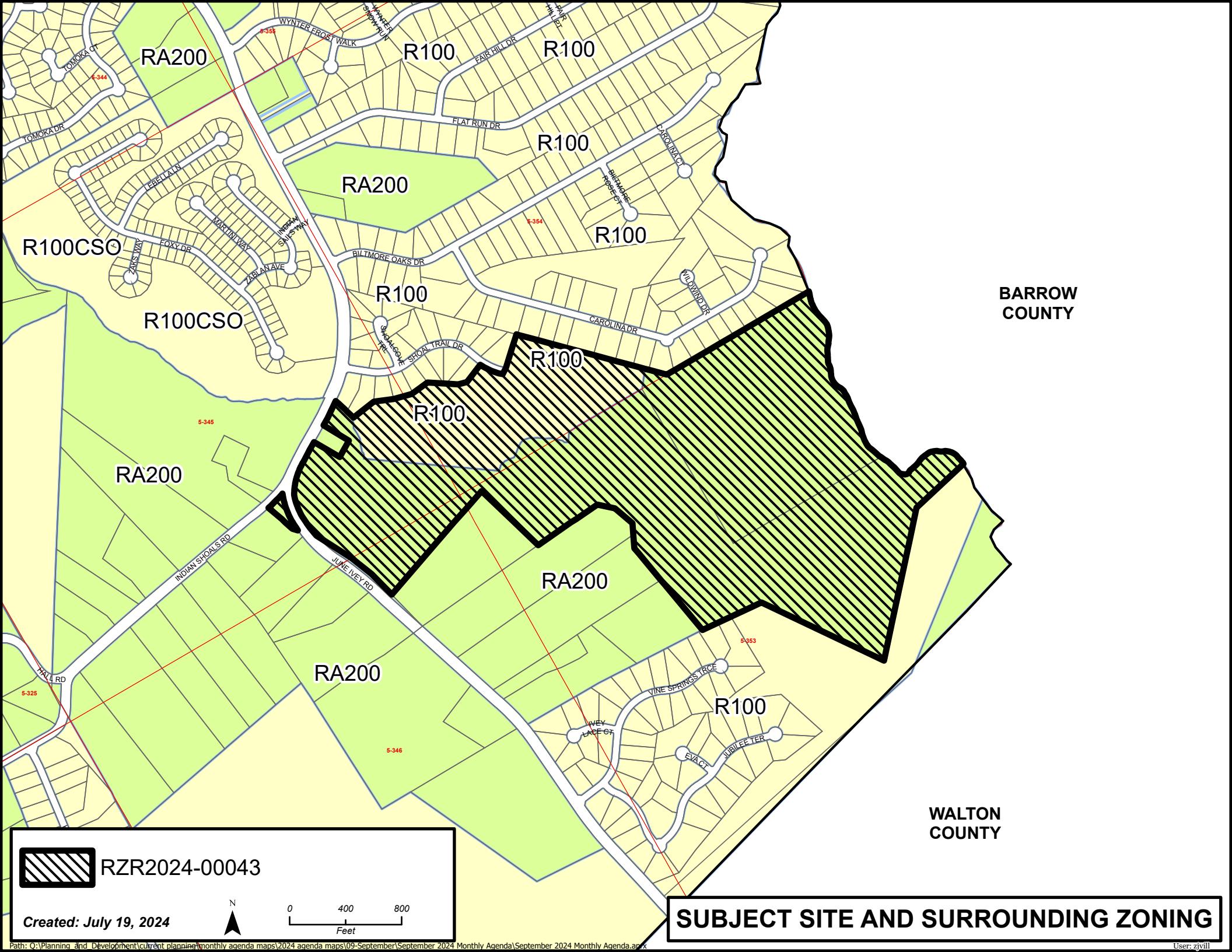
Proposed Zoning

	School	2024-25 Forecast	Capacity	+/- Cap.	2025-26 Forecast	Capacity	+/- Cap.	2026-27 Forecast	Capacity	+/- Cap.	Approximate Student Projections from Proposed Developments
CIC2024-00024	Mill Creek High School	2,721	2,800	-79	2,694	2,800	-106	2,735	2,800	-65	2
	Osborne Middle School	1,763	1,575	188	1,798	1,575	223	1,816	1,575	241	1
	Duncan Creek Elementary School	1,652	1,300	352	1,718	1,300	418	1,778	1,300	478	3
RZR2024-00041	Grayson High School	3,585	3,000	585	3,693	3,000	693	3,803	3,000	803	4
	Bay Creek Middle School	1,449	1,150	299	1,485	1,150	335	1,537	1,150	387	3
	Trip Elementary School	1,440	1,200	240	1,498	1,200	298	1,558	1,200	358	5
RZR2024-00042	Grayson High School	3,585	3,000	585	3,693	3,000	693	3,803	3,000	803	89
	Bay Creek Middle School	1,449	1,150	299	1,485	1,150	335	1,537	1,150	387	67
	Grayson Elementary School	1,107	950	157	1,118	950	168	1,152	950	202	122
RZR2024-00043	Archer High School	2,950	2,850	100	2,887	2,850	37	2,863	2,850	13	20
	McConnell Middle School	2,096	1,775	321	2,121	1,775	346	2,185	1,775	410	15
	Harbins Elementary School	1,329	1,225	104	1,357	1,225	132	1,384	1,225	159	28
RZR2024-00044	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

Exhibit I: Maps

[attached]





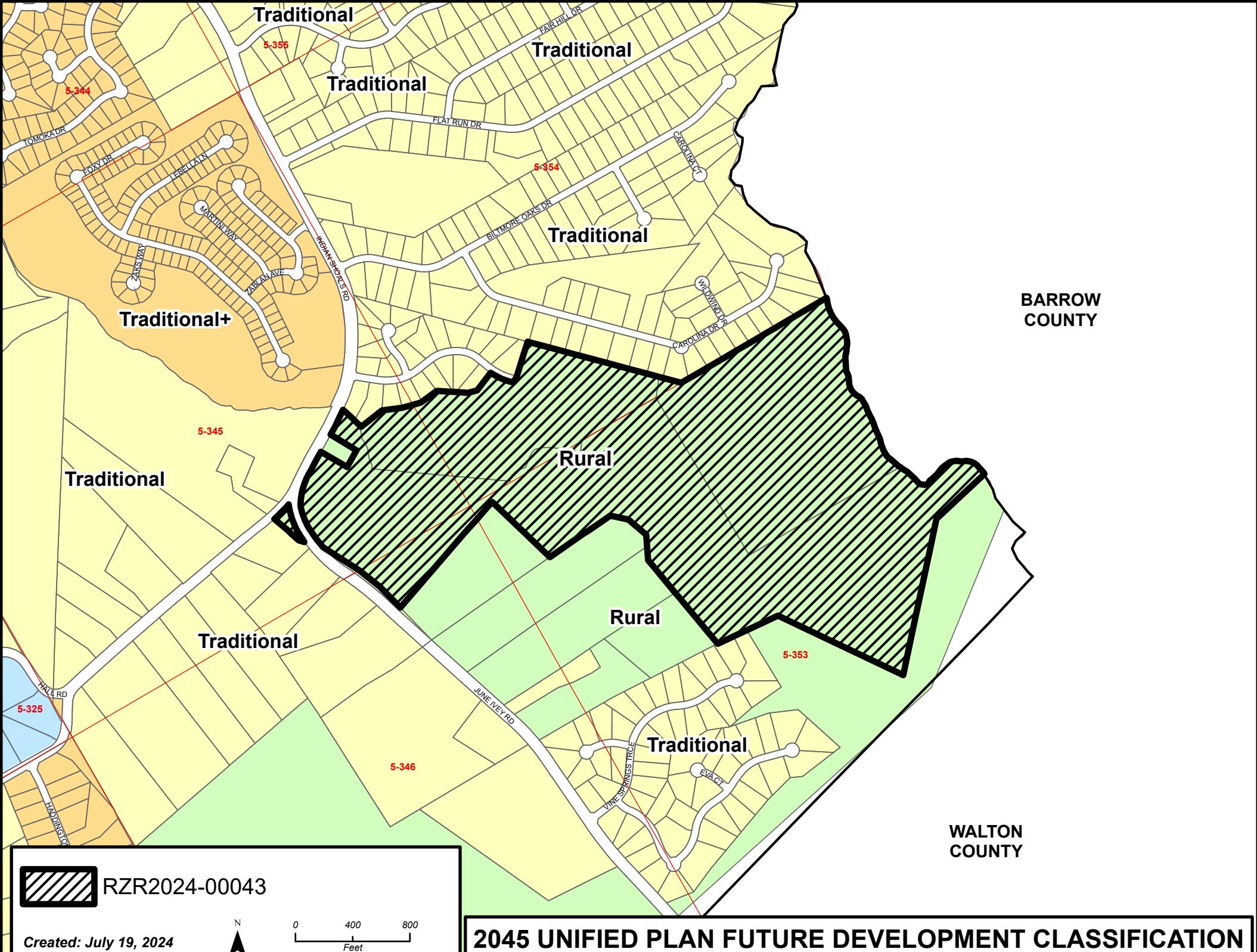
R7R2024-00043

N

A horizontal number line representing a distance of 800 feet. The line starts at 0 and ends at 800. The number 400 is marked on the line. Below the line, the word "Feet" is written.

Created: July 19, 2024

SUBJECT SITE AND SURROUNDING ZONING



RZR2024-00043

Created: July 19, 2024



A horizontal number line starting at 0 and ending at 800. There are tick marks at 0, 400, and 800. The segment between 0 and 400 is divided into two equal parts by the tick mark at 400.

2045 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION