

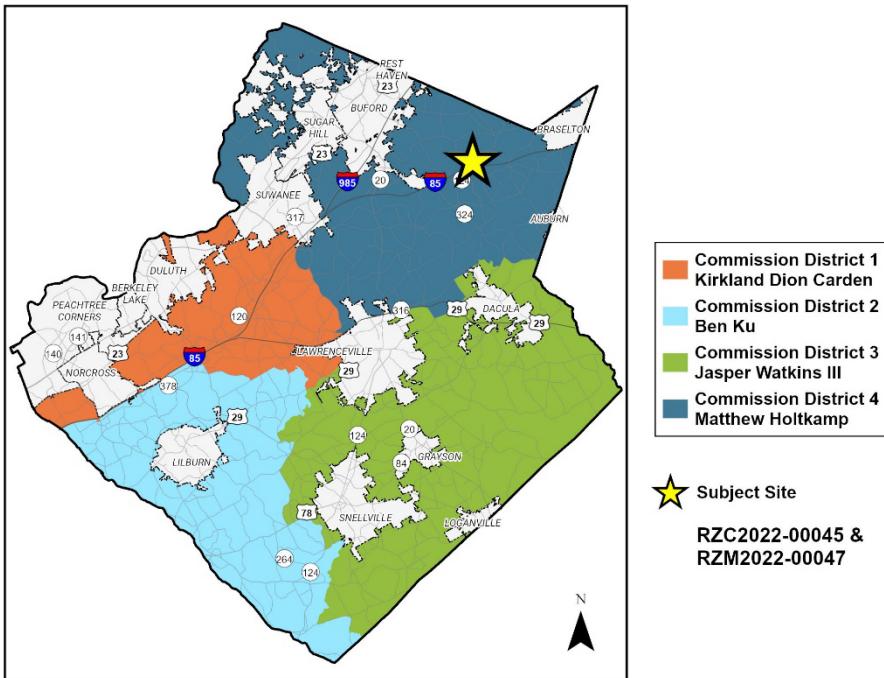


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Numbers:	RZC2022-00045
Current Zoning:	RA-200 (Agriculture Residence District) and C-2 (General Business District)
Overlay District:	Highway 124/324/Hamilton Mill Road Overlay District
Request:	Rezoning to MU-R (Regional Mixed Use)
Additional Requests:	Variances
Addresses:	2549 and 2555 Hamilton Mill Road, 3527 Sardis Church Road
Map Numbers:	R1001 019A, 256, and 368
Site Area:	5.0 acres
Units:	40
Proposed Development:	Mixed-Use Development
Commission District:	District 4 - Commissioner Holtkamp
Character Area:	Community Node
Staff Recommendation:	APPROVAL WITH CONDITIONS
Planning Commission Recommendation:	PUBLIC HEARING TABLED TO DECEMBER 5, 2023
Case Number:	RZM2022-00047
Current Zoning:	RA-200 (Agriculture Residence District) and C-2 (General Business District)
Overlay District:	Highway 124/324/Hamilton Mill Road Overlay District
Request:	Rezoning to RM-24 (Multifamily Residence District)
Additional Request:	Waiver
Addresses:	2549 Hamilton Mill Road, 3527 and 3951 Sardis Church Road, and the 2500 Block of Hamilton Mill Road
Map Numbers:	R1001 256, 368, 456 and R3002 146
Site Area:	34.36 acres
Units:	660
Proposed Development:	Apartments
Commission District:	District 4 - Commissioner Holtkamp
Character Area:	Community Node
Staff Recommendation:	APPROVAL WITH CONDITIONS
Planning Commission Recommendation:	PUBLIC HEARING TABLED TO DECEMBER 5, 2023

Planning Commission Advertised Public Hearing Date: 8/1/2023 (Public Hearing Tabled to 12/5/2023)

Board of Commissioners Advertised Public Hearing Date: 8/22/2023 (Public Hearing Tabled to 12/12/2023)



Applicant: Brand properties c/o Andersen, Tate & Carr, P.C.
1960 Satellite Boulevard, Suite 4000
Duluth, GA 30097

Owners: Jackson EMC
P.O. Box 38
Jefferson, GA 30549

Contact: Melody A. Glouton

Contact Phone: 770.822.0900

Zoning History

The subject site is zoned RA-200 (Agriculture-Residence District) and C-2 (General Business District). An areawide rezoning in 1975 rezoned a portion of parcel R1001 368 from M-1 (Light Industry District) to RA-200. In 1995, a special use permit was approved for a mobile home on parcel R1001 456, pursuant to SUP-95-043. The subject property is located within the Highway 124/324/Hamilton Mill Road Overlay District.

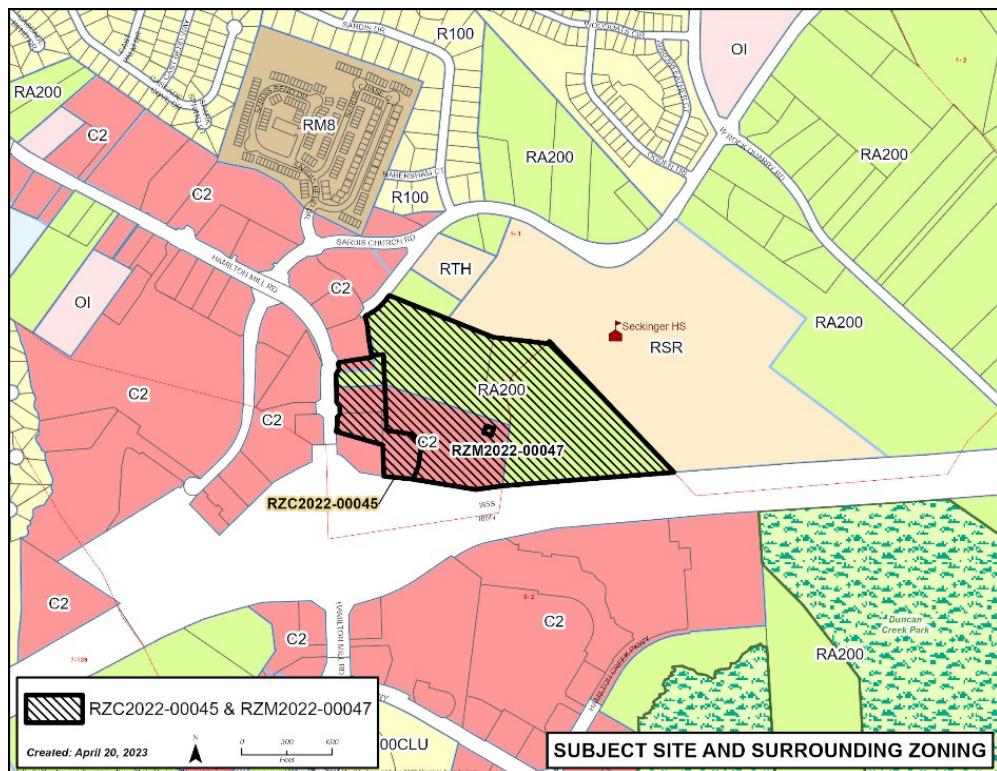
Existing Site Condition

The property is an assemblage of five parcels, located on the east side of Hamilton Mill Road, northeast of its intersection with Interstate 85. The property is undeveloped and heavily wooded. There is a telecommunication tower in the middle of the site, accessed through an easement from Hamilton Mill Road and a gravel road on Sardis Bend Drive. There are several easements along the property frontage on Hamilton Mill Road, including a slope, drainage, and sewer easement. The site also has two streams and their associated buffers, with the first stream located on the southwestern portion of the site and the second stream located across the eastern portion of the site. The topography varies throughout the property as both streams create a valley and the site slopes upward gradually from the stream and rises approximately 32 feet. Overhead powerlines and a sidewalk are located along the Hamilton Mill

Road property frontage but not along Sardis Bend Drive. The nearest Gwinnett County Transit stop is approximately 6.4 miles from the subject site.

Surrounding Use and Zoning

The site is located north of the intersection of Hamilton Mill Road and Interstate 85. There is a mix of residential and commercial properties in the surrounding area. North of the site on Sardis Church Road is an abandoned and dilapidated residential building. The property shares a boundary on the north and east with Sekinger High School, which was constructed in August 2022. Across Hamilton Mill Road to the west of the site is the Hamilton Mill Shopping Center, which includes a Walmart Supercenter, restaurants, coffee shops, and other retail businesses. Across Interstate 85 to the south, is the Hamilton Mill Village shopping center, which includes a grocery store, restaurants, Home Depot, a convenience store with fuel pumps, a pet store, and a bank. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Mixed-Use (RZC2022-00045) Apartments (RZM2022-00047)	MU-R RM-24	8 units per acre 22.49 units per acre
North	Residential Institutional	RA-200 RSR (Sekinger High School)	N/A N/A
East	Institutional	RSR (Sekinger High School)	N/A
South	Commercial	C-2	N/A
West	Commercial	C-2	N/A

Project Summary

The applicant requests the rezoning of a 39.36-acre assemblage of five parcels from RA-200 and C-2 to MU-R and RM-24 for a mixed-use development and apartments, respectively, including:

RZC2022-00045 (MU-R)

- A 5.0-acre parcel fronting Hamilton Mill Road proposed as MU-R within phase I of the development.
- A 2/3 split-story, mixed-use building consisting of a three-story section with 40 apartment units yielding a density of 8 units per acre and a two-story section with 6,000 square feet of ground floor retail space, per the site plan submitted with the rezoning application.
- A two-story standalone commercial building with 9,000 square feet of retail space.
- A total of 15,000 square feet of commercial space (51.72%) within the mixed-use development.
- Minimum heated floor area of 750 square feet for one-bedroom, 1,000 square feet for two-bedroom, and 1,200 square feet for three-bedroom units.
- A 10-foot-wide landscape strip along the Hamilton Mill Road frontage.
- A 10-foot-wide multi-use path along the Hamilton Mill Road frontage.
- A 5-foot-wide sidewalk along Sardis Bend Drive and 4-foot-wide internal sidewalks connecting to the external streets.
- Amenities include a decorative plaza with seating areas located around the perimeter of the commercial building.
- A total of 120 parking spaces, including 60 surface parking spaces for the apartments and 60 for commercial uses, located in front of the retail and apartment building along Hamilton Mill Road and to the south of the commercial building.
- A primary entrance from Sardis Bend Drive and two secondary entrances from Hamilton Mill Road and Sardis Bend Drive, respectively.
- Common area totaling 1.1 acres or 22% of the property.

RZM2022-00047 (RM-24)

- A total of 660 apartment units within thirteen 3/4 split-story buildings, yielding a density of 22.49 units per acre.
- The development is proposed as two phases, with 310 units constructed in each phase 1 and 350 units constructed in Phase 2.
- Minimum heated floor area of 600 square feet for one-bedroom, 800 square feet for two-bedroom, and 1,000 square feet for three-bedroom units.
- Amenities include an 8,000 square feet leasing center, a dog park, pool, courtyard, and centrally located park within phase 1 of the development and pocket parks, pool, clubhouse, courtyards, and a dog park in phase 2 of the development.
- Four stormwater management facilities located throughout the site, primarily along the southern boundary.
- A total of 1,050 surface parking spaces surrounding the apartment buildings, including electric vehicle charging stations.
- A 50-foot-wide zoning buffer and 20-foot-wide zoning buffer adjacent to the properties zoned RA-200 and R-SR, respectively.
- A dumpster enclosure located in phase 2 of the development near the northern boundary. It is unclear where the dumpster will be located in Phase I.
- Exterior building elevations consisting of masonry cladding, fiber cement siding, fiber cement accent panels, and vinyl doors and windows.
- A proposed bridge crossing of the existing stream on phase 2 of the development near the northern property line.

- Common area totaling 5.6 acres or 22% of the gross lot area.
- The existing telecommunication tower will remain within phase 2 of the development and is accessed by the private drive.

Zoning and Development Standards

The applicant is requesting a rezoning to MU-R, Regional Mixed Use District, and RM-24, Multifamily Residence District. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

MU-R (Regional Mixed Use District)

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 45'	<45'	YES
Front Yard Setback	Minimum 0'	>0'	YES
Side Yard Setback	Minimum 10'	>10'	YES
Rear Yard Setback	Minimum 25'	25'	YES
Parking (Multi-Family Residential)	Minimum 60 spaces Maximum 120 spaces	60 spaces	YES
Parking (Commercial)	Minimum 30 spaces Maximum 75 spaces	60 spaces	YES
Parking Location	Maximum 20% in the front	>20%	NO*
Landscape Strip	Minimum 10'	10'	YES
Density	Maximum 8 units per acre	8 units per acre	YES
Minimum Heated Floor Area	Minimum 750 square feet (One Bedroom) Minimum 1,000 square feet (Two Bedroom) Minimum 1,200 square feet (Three Bedroom)	750 square feet (One Bedroom) 1,000 square feet (Two Bedroom) 1,200 square feet (Three Bedroom)	YES
Common Area	Minimum 20% or 1.0 acres	22% or 1.1 acres	YES
Land Use Mixture	Minimum 20%	51.72%	YES
Project Area	Minimum 15 acres	5 acres	NO**

* No more than 20 percent of the required parking for a building shall be in parking lots located between the facade of the building and the street on which the building faces.

**The minimum required project area for the development in MU-R is 15 acres.

RM-24 (Multifamily Residence District)

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 65'	<65'	YES
Front Yard Setback	Minimum 15'	>15'	YES
Side Yard Setback	Minimum 15'	>15'	YES
Rear Yard Setback	Minimum 30'	>30'	YES
Parking (Multi-Family Residential)	Minimum 990 spaces Maximum 1,980 spaces	990 spaces	YES
Landscape Strip	Minimum 10'	10'	YES
Density	Maximum 24 units per acre	19.24 units per acre	YES

Minimum Heated Floor Area	Minimum 600 square feet (One Bedroom) Minimum 800 square feet (Two Bedroom) Minimum 1,000 square feet (Three Bedroom)	600 square feet (One Bedroom) 800 square feet (Two Bedroom) 1,000 square feet (Three Bedroom)	YES
Common Area	Minimum 20% or 5.0 acres	22% or 5.6 acres	YES
Zoning Buffer	Minimum 50' (RA-200) Minimum 20' (RSR)	50' (RA-200) 20' (RSR)	YES
Structure setback	Minimum 5'	0'	NO*

*The applicant is proposing parking spaces within the 5-foot structure setback for the 50-foot-wide zoning buffer adjacent to the RA-200 zoning district and the 20-foot-wide zoning buffer adjacent to the R-SR zoning district to the north.

In addition, the following standards apply to development in the Highway 124/324/Hamilton Mill Road Overlay District:

Standard	Meets Standard?
For developments exceeding 7,500 square feet, primary building facades and entrances shall be located no more than 70 feet from the public rights-of-way and shall be oriented toward the street and shall provide a sidewalk connecting the front entrance to a continuous sidewalk placed parallel to the street.	NO*

*The applicant will need to demonstrate compliance with this request during the permitting process.

Variance Requests

In addition to the rezoning request, the applicant is seeking variances from the following provisions of Title II of the UDO:

1. Section 210-225.8, Dimensional Standards

The minimum required project area for developments in MU-R zoning district is 15 acres.

The applicant requests to reduce the minimum required project area from 15 acres to 5 acres.

2. Section 210-225.5.A.2, Parking Management

In MU-R, no more than 20 percent of the required parking for a building shall be in parking lots located between the facade of the building and the street on which the building faces.

The applicant requests to allow more than 20% of the parking spaces in the front of the building along Hamilton Mill Road in the MUR zoning district.

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 610-20.4.B Structure Setback

All proposed improvements including, but not limited to, driveways, dumpsters, parking facilities, pavement, or retaining walls will be located a minimum of 5 feet from any buffer.

The applicant is proposing parking spaces within the 5-foot structure setback for the 50-foot-wide zoning buffer adjacent to the RA-200 zoning district and the 20-foot-wide zoning buffer adjacent to the R-SR zoning district to the north.

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 F). Standard site and infrastructure improvements will also be required related to transportation, stormwater, 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 270-20.5. After this evaluation, staff makes the following findings based on the standards from the UDO:

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

The location of the proposed mixed-use development is within a primarily non-residential area at an interstate interchange. Commercial uses surround the site, and Seckinger High School is located to the north and east of the property. Single-family attached and detached subdivisions are located further north of the development across Sardis Bend Drive. The proposed mixed-use development and apartments will add an alternative housing type to the area and support the existing nearby commercial space. The property is located along the Hamilton Mill Road corridor and Interstate 85, two major roads with high traffic volume. This makes it an ideal location for developing high-density mixed-use structures such as apartments and mixed-use development.

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

The proposed rezoning would not adversely affect the existing use or usability of adjacent or nearby property. The surrounding area is heavily commercial, and apartments would provide

additional patrons to the nearby businesses and any underperforming commercial properties in the area. With appropriate conditions, the subject site has the potential to provide an alternative housing option on an underdeveloped site with close proximity to Interstate 85.

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.

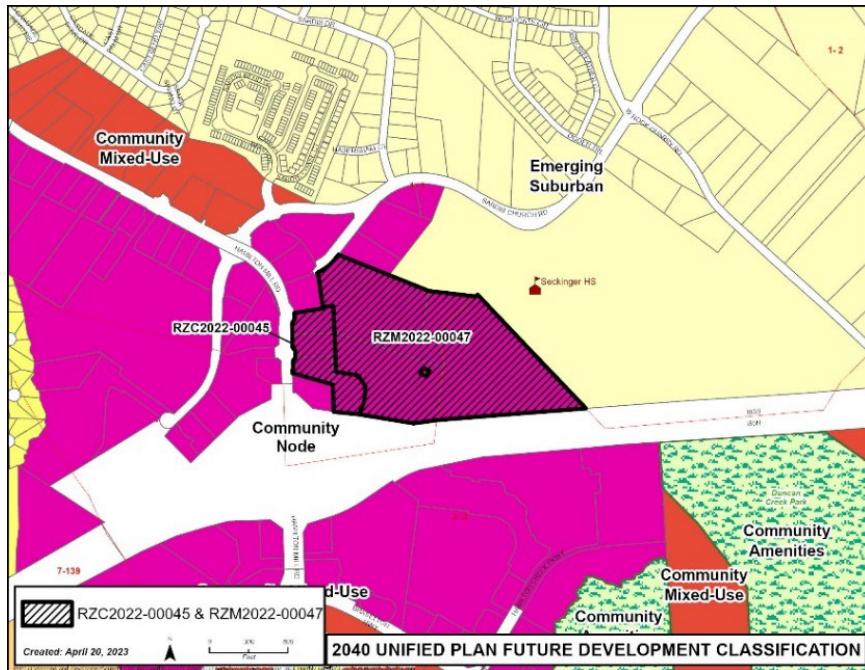
D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

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

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

The 2040 Unified Plan Future Development Map indicates that the subject property lies within the Community Node Character Area. The Character Area is intended for areas located at major intersections throughout the County. Future development and redevelopment should focus on making these nodes more pedestrian-oriented with vertically mixed-use buildings. This area is characterized by high-density mixed-use developments incorporating commercial, office, live-work, and similar ground floor uses with high-density residential uses. Ground floor non-residential uses should be oriented toward the street with direct pedestrian access, outdoor patios, plazas, etc., to encourage pedestrian activity. Where ground floor residential space is provided, these areas should include convertible space for future non-residential occupancy and/or walk-up residential units. These activity centers are intended to serve surrounding residential communities and people throughout the County by providing shopping, dining, and entertainment venues.

The development plan suggests constructing mixed-use buildings that are vertical in nature. Per the site plan submitted with the application, a mixed-use building will have a three-story section with 40 apartment units and a two-story section with 6,000 square feet of ground-floor retail space. Another retail building is also planned, which will have a decorative plaza area with seating that can be closed off for events. The character area recommends high-density mixed-use, making it a suitable location for a mixed-use development. With the proposed conditions of approval, the development would align with the 2040 Unified Plan and Future Development Map's policies and objectives.



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.

The proposed mixed-use development will provide commercial space while also providing apartments as an alternative residential type for the area. The general area on both sides of Interstate-85 is developed with intense commercial uses and a large public high school. The property's location near Hamilton Mill Road and Interstate 85, two major roads with high traffic volumes, makes it an ideal location for a development with high-density mixed-use structures, including apartments and retail space, which gives supporting grounds for the approval of the proposed rezoning.

Variance Requests Analysis: The standards for granting variances are outlined in Section 270-100.7 of the UDO. Staff makes the following findings related to the variance request:

The first variance request is to reduce the minimum required project area for the portion of the development in the MUR zoning district from 15 acres to 5 acres. The overall site area, including the RM-24 portion, is 39.26 acres. The 5-acre portion fronting Hamilton Mill Road is proposed for a mixed-use development that includes 15,000 square feet of retail space and 40 apartment units. This commercial use will also serve the rest of the 640 residential units in the overall development. The property has natural constraints, including streams and associated buffers with extreme topography, and limited road frontage. Non-residential uses would likely be unsuccessful in other portions of the site due to limited visibility from the street.

In the MU-R zoning district, no more than 20 percent of the required parking for a building shall be in parking lots located between the facade of the building and the street on which the building faces. Both buildings fronting Hamilton Mill Road exceed the maximum number of parking spaces allowed along the right-of-way. The proposed site layout is driven by the complex site features including topography and streams on the site. Having parking at this

proposed location will allow the buildings to be oriented towards the internal streets creating a pedestrian-friendly streetscape within the development. Therefore, the approval of these variances would not adversely affect the general public welfare or nullify the intent of the Zoning Regulations.

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 to eliminate the required 5-foot structure setback from the 50-foot-wide zoning buffer and the 20-foot-wide zoning buffer adjacent to the RA-200 and the R-SR zoning districts, respectively. Parking spaces are proposed within the structure setback along the northern boundary. Site constraints, including the existing streams and associated buffers, limit the buildable area. The applicant is proposing the minimum number of required parking spaces for the RM-24 portion of the development. In addition, the R-SR property is occupied by a school instead of residential use. As the required zoning buffer itself will be provided, approval of this waiver request would not adversely affect the general welfare of the public.

Staff Recommendation

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

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

1. To reduce the minimum project size of an MU-R development from 15 acres to 5 acres.
2. To allow more than 20% of parking to be located between the façade of the building and the street the building faces.

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

1. To allow parking spaces to encroach into the required 5-foot structure setback.

Staff Recommended Conditions

RZC2022-00045

Approval as MU-R (Regional Mixed-Use District) subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated July 12, 2023, and Exhibit C: Building Elevations dated received April 18, 2023, with revisions required by conditions of approval and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.
2. Buildings shall comply with Category 4, Multifamily Residential Buildings of the Gwinnett County Architectural Standards. Building elevations shall be submitted for review and approval by the Department of Planning and Development prior to the issuance of a development permit.

3. Primary building facades and entrances shall be located no more than 70 feet from the public rights-of-way.
4. All residential unit access shall be from internal corridors with mechanical ventilation. Breezeway and corridor natural ventilation openings in the exterior façade shall be prohibited.
5. Any trash compactor or dumpster enclosure shall be located a minimum of 200 feet from any residentially zoned lot.
6. Natural vegetation shall remain on the property until the issuance of a development permit.
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. A 12-foot-wide multi-use path shall be provided along the property frontage on Hamilton Mill Road as shown on the Gwinnett County Trails Master Plan.
9. The developer shall adhere to findings and recommendations from DRI 3812 Hamilton Mill, attachment C, section 1, and make any recommended improvements prior to the issuance of the first certificate of occupancy.
10. The development shall comply with all requirements of Highway 124/324/Hamilton Mill Road Overlay District.
11. A pedestrian circulation plan shall be approved by the Department of Planning and Development prior to the issuance of a development permit.

RZM2022-00047

Approval as RM-24 (Multi-Family Residence District) subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated July 12, 2023, and Exhibit C: Building Elevations dated received April 18, 2023, with revisions required by conditions of approval and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.
2. Buildings shall comply with Category 3, Multifamily Residential Building of the Gwinnett County Architectural Standards. Building elevations shall be submitted for review and approval by the Department of Planning and Development prior to the issuance of a development permit.
3. All residential unit access shall be internal corridors with mechanical ventilation. Breezeway and corridor natural ventilation openings in the exterior façade shall be prohibited.
4. Any trash compactor or dumpster enclosure shall be located a minimum of 200 feet from any residentially zoned lot.
5. Natural vegetation shall remain on the property until the issuance of a development permit.
6. 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.

7. A 12-foot-wide multi-use path shall be provided along the property frontage on Hamilton Mill Road as shown on the Gwinnett County Trails Master Plan.
8. The developer shall adhere to findings and recommendations from DRI 3812 Hamilton Mill, attachment C, section 1, and make any recommended improvements prior to the issuance of the first certificate of occupancy.
9. A pedestrian circulation plan shall be approved by the Department of Planning and Development prior to the issuance of a development permit.

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. Internal and External Agency Review Comments
- G. Georgia Regional Transportation Authority (GRTA) Notice of Decision
- H. Traffic Impact Study
- I. Maps

Exhibit A: Site Visit Photos



View of Northern Site from Sardis Bend Drive



View of Site from Hamilton Mill Road

Exhibit B: Site Plan

[attached]

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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7.12.2023



Exhibit C: Building Elevations

[attached]

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4/18/2023

MIXED USE BUILDING CONCEPT (BUILDING A)

ALL BUILDINGS WILL COMPLY WITH THE STANDARDS SET FORTH
IN THE GWINNETT COUNTY UDO, DESIGN CATEGORY 3



BRAND HAMILTON MILL
GWINNETT COUNTY, GA
OCTOBER 5, 2022

BRAND Properties
Real Estate Investment Group

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4/18/2023

2

TYPICAL 3 STORY SIDE OF RESIDENTIAL BLDG (BUILDINGS B-H, L)

ALL BUILDINGS WILL COMPLY WITH THE STANDARDS SET FORTH
IN THE GWINNETT COUNTY UDO, DESIGN CATEGORY 3



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TYPICAL 4 STORY SIDE OF RESIDENTIAL BLDG (BUILDINGS B-N)

ALL BUILDINGS WILL COMPLY WITH THE STANDARDS SET FORTH
IN THE GWINNETT COUNTY UDO, DESIGN CATEGORY 3



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ARCHITECTS

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GWINNETT COUNTY, GA
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RETAIL CONCEPT ELEVATION

ALL BUILDINGS WILL COMPLY WITH THE STANDARDS SET FORTH
IN THE GWINNETT COUNTY UDO, DESIGN CATEGORY 3

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1

MIXED USE BUILDING CONCEPT (BUILDING A)

ALL BUILDINGS WILL COMPLY WITH THE STANDARDS SET FORTH
IN THE GWINNETT COUNTY UDO, DESIGN CATEGORY 3



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GWINNETT COUNTY, GA
REVISED - APRIL 17, 2023

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4/18/2023

2

TYPICAL 3 STORY SIDE OF RESIDENTIAL BLDG (BUILDINGS B-H, L)

ALL BUILDINGS WILL COMPLY WITH THE STANDARDS SET FORTH
IN THE GWINNETT COUNTY UDO, DESIGN CATEGORY 3



BRAND HAMILTON MILL
GWINNETT COUNTY, GA
REVISED - APRIL 17, 2023



TYPICAL 4 STORY SIDE OF RESIDENTIAL BLDG (BUILDINGS B-N)

ALL BUILDINGS WILL COMPLY WITH THE STANDARDS SET FORTH
IN THE GWINNETT COUNTY UDO, DESIGN CATEGORY 3



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3 STORY/ 4 STORY SPLIT END ELEVATIONS (

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4/18/2023



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REVISED - APRIL 17, 2023



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4/18/2023
RETAIL CONCEPT ELEVATION

ALL BUILDINGS WILL COMPLY WITH THE STANDARDS SET FORTH
IN THE GWINNETT COUNTY UDO, DESIGN CATEGORY 3

MASONRY CLADDING
(MIN 70%)

STOREFRONT OPENINGS



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

[attached]

GWINNETT COUNTY
PLANNING AND DEVELOPMENT
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9.1.2022

ANDERSEN | TATE | CARR

September 1, 2022

COMBINED LETTER OF INTENT AND JUSTIFICATION FOR REZONING

**Rezoning Application
Gwinnett County, Georgia**

Applicant:
Brand Properties, LLC

Property:

Tax Parcel IDs R1001 368; R1001 256; and R1001 456; R1001 019A; R3002 146
±39.362 Acres of Land

Located at 3527 Sardis Church Road, 2549 and 2555 Hamilton Mill Road
Buford, Georgia 30519

From C-2 and RA-200 to MU-R AND RM-24

Submitted for Applicant by:
Melody A. Glouton, Esq.
ANDERSEN TATE & CARR, P.C.
One Sugarloaf Centre
1960 Satellite Blvd.
Suite 4000
Duluth, Georgia 30097
770.822.0900
mglouton@atclawfirm.com

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9.1.2022

I. INTRODUCTION

This Application for Rezoning is submitted for a 39.362-acre assemblage of land located at 3527 Sardis Church Road and 2549 Hamilton Mill Road, Buford (hereinafter the “Property”). The Property is an assemblage for five parcels, with frontage along Hamilton Mill Parkway, Sardis Church, and Interstate-85. The Property is shown on the survey prepared by Technical Survey Services, dated August 8, 2022, and filed with this Application. The Property that is the subject of this rezoning application is further identified below from the Gwinnett County GIS:



The Property is currently zoned C-2 (General Commercial) and RA-200 (Residential Agricultural) pursuant to the Gwinnett County Unified Development Ordinance (the “UDO”). The Applicant, Brand Properties, LLC (the “Applicant”) now seeks approval to rezone the 39.362 acres to MU-R (Regional Mixed Use) and RM-24 (Multifamily Residence District) in order to develop the Property as a mixed-use community, including commercial and multifamily residential uses. The rezoning of the Property will allow for a quality mixed-use development that will service the surrounding community and support the adjacent commercial developments.

This document is submitted as the Letter of Intent, Response to Standard Governing the Exercise of Zoning Power, and other materials required by the Gwinnett County UDO.

II. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

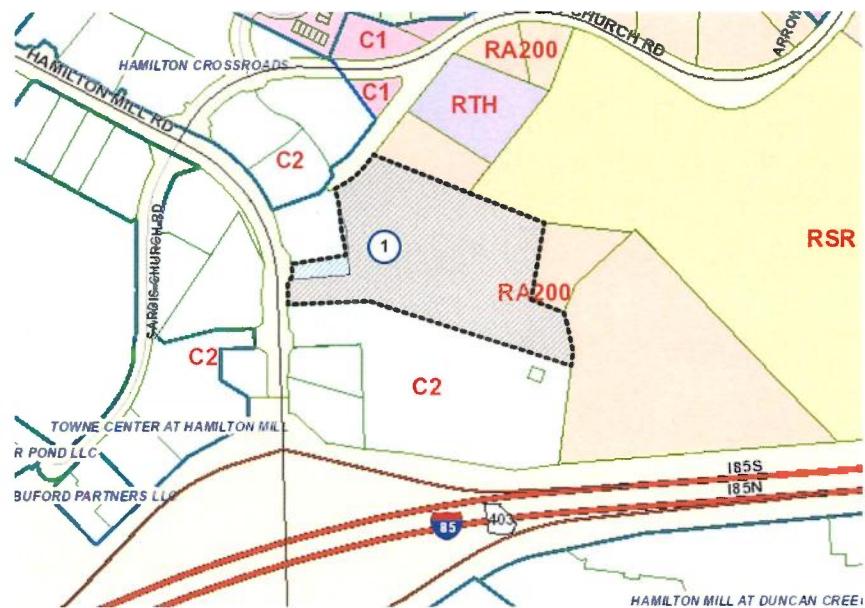
The Property is an assemblage of five parcels fronting Hamilton Mill Parkway, Sardis Church Road, and Interstate-85. The Property is undeveloped and heavily wooded located on the east side of Sardis Church Road, just north of its intersection with Hamilton Mill Road. The Property is immediately adjacent to the new Seckinger High School, with the majority of its border fronting Interstate-85.

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The Future Development Map of the Gwinnett County 2040 Unified Plan (the “2040 Plan”) classifies this Property as within the “Community Mixed-Use Character Area,” of the Gwinnett County Future Development Map.¹ The policies for this Character Area encourage a variety of land uses including mixed-residential developments, apartments, townhomes, and retail. The surrounding area is characterized by commercial uses, institutional uses and residential subdivisions. Specifically, the area includes a wide variety of relatively intense commercial and residential uses, including convenience stores, townhomes, senior/retirement housing, self-storage facilities, fast food establishments, and a Walmart supercenter.

The surrounding area consists of residential and commercially zoned properties, including the new Seckinger High School which opened in August 2022. There are two attached townhouse developments located is less than half a mile from the Property, one within walking distance. The 2040 Plan further provides that large scale mixed-use developments that include multi-family, retail, and office and are intended for activity nodes and connecting areas located along major corridors. As referenced above, the surrounding properties in this corridor are zoned or used for commercial purposes. Below are maps of the surrounding uses and the zoning classifications by parcel:



III. PROJECT SUMMARY

As shown on the conceptual site plan prepared by Studio Architects, dated August 31, 2022, and filed with this Application (hereinafter the “Site Plan”), the Applicant proposes to develop a mixed-use development that includes commercial and multifamily residential uses. The rezoning of the Property will activate a vacant site and allow for a quality commercial development that will service the surrounding community in accordance with the 2040 Plan.

¹ The Property is also adjacent to the “Vibrant Communities Character Area,” which is also supportive of mixed residential developments and apartments.

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The Applicant is proposing to rezone the Property from C-2 and RA-200 to MU-R and RM-24 zoning classification of the Gwinnett County in order to accommodate the development and construction of a community mixed-use development. Overall, the development would include approximately 10,000 square feet of ground floor retail and commercial space. The commercial development would include a decorative plaza area with seating. The remaining portion of the site is proposed as residential development to include 700 units of high-end, luxury apartments designed to attract millennials and young professionals. The apartments would be developed in two phases with the average unit size being 875 square feet. Access to the proposed development would be provided by multiple entrances with the main entry being at a proposed new traffic light via Sardis Bend Way. A secondary entry to the development would be provided by a driveway on Hamilton Mill Parkway and the third access would be via a driveway from Sardis Church Road.

For Phase I of the development, the majority of the proposed vertically-mixed buildings would be located internal to the Property and feature a central park. Phase II would include additional vertically-mixed buildings at the rear of the Property with a separate clubhouse and pool. Residents would have convenient access to major transportation corridors including Braselton Highway (State Route 124) and Interstate 85. Residents would also have convenient access to several nearby employment centers, commercial hubs, and entertainment districts. The proposed development would feature first-class amenities for the use and enjoyment of residents including two pools with resort-style patio decks with lounge space, grilling stations, fire pits, and other community gathering spaces. Community open space would also be provided within the development including two pocket parks and two dog parks.

The proposed development is also compatible with the 2040 Plan's general housing policy which addresses the continued need for housing supply and diversity of housing types within the County. According to the 2040 Plan, the vast majority of housing units are single-family detached homes which represent approximately 73% of all housing units. In contrast to the current supply, recent demand has skewed towards smaller housing units within walkable mixed-use areas such as the proposed mixed-use development.

In order to develop the Property for use as a mixed-use development as set forth in the Applications, the Applicant specifically requests the following waivers, modifications, variances and/or conditions of zoning, as applicable:

- Variance from Section 210-225.8 to allow the minimum project area to be less than 15 acres;
- Variance from Section 210-225.5(A)(2) to allow more than 20 percent of the required parking for the development to be in parking lots located between the facade of the building and the street on which the building faces;
- Variance from Section 610-20.1 (B) to allow for a 5-foot buffer reduction along the proposed MU-R and RS-R property line for location of parking in general accordance with the site plan.

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9.1.2022 • Variance from Section 210-225 which requires two or more major land use categories with no single land use category constituting less than 20% of the gross floor area to allow for the site to be developed in general accordance with the site plan.

IV. SITE IMPACT ANALYSIS

Pursuant to UDO § 270-20.6, entitled “Impact Analysis,” the Applicant submits its written impact analysis which shows that rezoning to MU-R and RM-24, satisfies UDO § 270-20.5, entitled “Standards Governing Exercise of the Zoning Power,” as follows:

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

Yes, approval of the proposed Rezoning will permit a use that are suitable in view of the use and development of adjacent and nearby property. The Property is located on Hamilton Mill Parkway and Sardis Church Road, with frontage on Interstate 85. The Property is also located within the Community Mixed-Use Character Area. The surrounding area is characterized by a mix of intense commercial, residential, and institutional uses. The proposed mixed-use development would complement this existing land use mix and provide much-needed residential critical mass.

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

Approval of the proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property. Rather the proposed development would complement surrounding land uses by providing additional housing options for current and future residents of Gwinnett County. Residents of the proposed community would have convenient access to employment centers, commercial hubs, and entertainment districts. Additionally, the proposed non-residential component of the proposed development would provide additional shopping and dining options for people who live and work in the surrounding area.

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

The Applicant submits that due to the size, location, layout, topography, and natural features of the Property, it does not have reasonable economic use as currently zoned.

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

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Approval of the proposed rezoning will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The property has convenient access to Hamilton Mill Parkway and Interstate 85. The property has access to water and sewer utilities on-site. However, any potential impacts would be mitigated with appropriate zoning conditions, site development requirements, and planning.

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

The proposed rezoning application is in conformity with the policy and intent of the Gwinnett County 2040 Unified Plan. The Property is located within the Community Mixed-Use Character Area of the 2040 Future Development Map. Encouraged land uses for the Community Mixed-Use Character Area include mixed use developments with retail, small-scale office, shopping plazas, and apartments. The proposed development would be compatible with and successfully co-exist with the surrounding uses.

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

The Applicant submits that the character of the surrounding development and the existing mix of uses in the area provide supporting reasons for approval of the rezoning. The Applicant submits that the Property's location, size, and dimensions, as well as its frontage along Interstate 85 provide further support for approval of the proposed rezoning application.

V. JUSTIFICATION FOR REZONING

The Applicant respectfully submits that "The Unified Development Ordinance of Gwinnett County, Georgia" (the "Ordinance"), as amended from time to time, to the extent that it classifies the Property in any zoning district that would preclude a mixed use development and a multifamily residence development is unconstitutional as a taking of property, a denial of equal protection, an arbitrary and capricious act, and an unlawful delegation of authority under the specific constitutional provisions later set forth herein. Any existing inconsistent zoning of the Property pursuant to the Ordinance deprives the Applicant and Property owner of any alternative reasonable use and development of the Property. Additionally, all other zoning classifications, including ones intervening between the existing classification and that requested herein, would deprive the Applicant and Property owner of any reasonable use and development of the Property. Further, any attempt by the Gwinnett County Board of Commissioners to impose greater restrictions upon the manner in which the Property will be developed than presently exist would be equally unlawful.

Accordingly, Applicant submits that the current zoning classification and any other zoning of the Property save for what has been requested as established in the Ordinance

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9.1.2022. constitute an arbitrary and unreasonable use of the zoning and police powers because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant and Property owner. All inconsistent zoning classifications between the existing zoning and the zoning requested hereunder would constitute an arbitrary and unreasonable use of the zoning and police powers because they bear or would bear no substantial relationship to the public health, safety, morality, or general welfare of the public and would substantially harm the Applicant and Property owner. Further, the existing inconsistent zoning classification constitutes, and all zoning and plan classifications intervening between the existing inconsistent zoning classification and that required to develop this Project would constitute, a taking of the owner's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States.

Further, the Applicant respectfully submits that failure to approve the requested rezoning change would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and Property owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

Finally, the Applicant respectfully submits that the Gwinnett County Board of Commissioners cannot lawfully impose more restrictive standards upon the development of the Property than presently exist, as to do so not only would constitute a taking of the Property as set forth above, but also would amount to an unlawful delegation of their authority, in response to neighborhood opposition, in violation of Article IX, Section IV, Paragraph II of the Georgia Constitution.

This Application meets favorably with the prescribed test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning and planning as an expression of the government's police power. See Guhl v. Holcomb Bridge Road Corp., 238 Ga. 322 (1977).

VI. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Application to Rezone from C-2 and RA-200 to MU-R and RM-24 be approved. The Applicant welcomes the opportunity to meet with the Gwinnett County Planning Department staff to answer any questions or to address any concerns relating to this Letter of Intent or supporting materials.

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9.1.2022 Respectfully submitted this 1st day of September, 2022.

ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.

Enclosures
MAG/dwb

Exhibit E: Application and Disclosure of Campaign Contributions

[attached]

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REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Brand Properties c/o Andersen Tate & Carr</u>	NAME: <u>Jackson EMC</u>
ADDRESS: <u>1960 Satellite Blvd Suite 4000</u>	ADDRESS: <u>P.O. Box 38</u>
CITY: <u>Duluth</u>	CITY: <u>Jefferson</u>
STATE: <u>GA</u> ZIP: <u>30097</u>	STATE: <u>GA</u> ZIP: <u>30549</u>
PHONE: <u>770-822-0900</u>	PHONE: _____
EMAIL: <u>mglouton@atclawfirm.com</u>	EMAIL: _____
CONTACT PERSON: <u>Melody A. Glouton</u> PHONE: <u>770-822-0900</u>	
CONTACT'S E-MAIL: <u>mglouton@atclawfirm.com</u>	
APPLICANT IS THE: <input type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICT(S): <u>C2 and RA200</u> REQUESTED ZONING DISTRICT: <u>RM24</u>	
PARCEL NUMBER(S): <u>R1001 256; R1001 456; R1001 019A R1001 368; R3002 146</u> ACREAGE: <u>34.298</u>	
ADDRESS OF PROPERTY: <u>3527 Sardis Church Road; 2549 Hamilton Mill Road and 2555 Hamilton Mill Road Buford, GA</u>	
PROPOSED DEVELOPMENT: <u>mixed use residential; commercial and retail development</u>	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>350 units</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>Per UDO</u>	Total Building Sq. Ft. _____
Gross Density: <u>10.18 upa</u>	Density: _____
Net Density: <u>12.16 upa</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

9.1.2022

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Brand Properties c/o Andersen Tate & Carr</u>	NAME: <u>Jackson EMC</u>
ADDRESS: <u>1960 Satellite Blvd Suite 4000</u>	ADDRESS: <u>P.O. Box 38</u>
CITY: <u>Duluth</u>	CITY: <u>Jefferson</u>
STATE: <u>GA</u> ZIP: <u>30097</u>	STATE: <u>GA</u> ZIP: <u>30549</u>
PHONE: <u>770-822-0900</u>	PHONE: _____
EMAIL: <u>mglouton@atclawfirm.com</u>	EMAIL: _____
CONTACT PERSON: <u>Melody A. Glouton</u>	PHONE: <u>770-822-0900</u>
CONTACT'S E-MAIL: <u>mglouton@atclawfirm.com</u>	_____
APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICT(S): <u>C2 and RA200</u> REQUESTED ZONING DISTRICT: <u>MU-R</u>	
PARCEL NUMBER(S): <u>R1001 256; R1001 456; R1001 019A R1001 368; R3002 146</u> ACREAGE: <u>5.0</u>	
ADDRESS OF PROPERTY: <u>3527 Sardis Church Road; 2549 Hamilton Mill Road and 2555 Hamilton Mill Road Buford, GA</u>	
PROPOSED DEVELOPMENT: <u>mixed use residential; commercial and retail development</u>	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>350 units</u>	No. of Buildings/Lots: <u>2 mixed use buildings</u>
Dwelling Unit Size (Sq. Ft.): <u>Varies per UDO</u>	Total Building Sq. Ft. <u>15,000 SF</u>
Gross Density: _____	Density: _____
Net Density: _____	_____

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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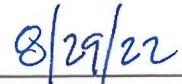
9.1.2022

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



Signature of Applicant



Date



Type or Print Name and Title



Signature of Notary Public



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9.1.2022

Gwinnett County Planning Division
Rezoning Application
Last Updated 10/2021

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.


Signature of Property Owner

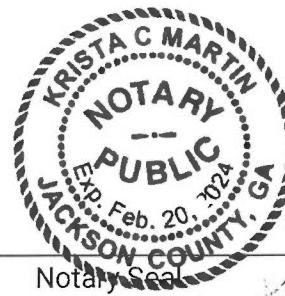
8/30/22
Date

E.A. JAKINS III
Type or Print Name and Title

PRESIDENT/CEO


Signature of Notary Public

8/30/22
Date



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9.1.2022

Gwinnett County Planning Division
Rezoning Application
Last Updated 10/2021

CONFLICT OF INTEREST CERTIFICATION FOR REZONING

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



SIGNATURE OF APPLICANT

8/29/22

DATE

JONATHON BARGE, AUTH REP

TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S
ATTORNEY OR REPRESENTATIVE

DATE

TYPE OR PRINT NAME AND TITLE

J. Michelle Cheek 8/29/22

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 or a member of the Gwinnett County Planning Commission?



YES



NO

Jonathan Barge

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)
J. WATKINS, DIST. III Comm	\$2,000	9/23/20
K. CHILDEEN, DIST. I Comm	\$2,800 & \$3,000	4/1/20 & 5/4/22
B. KW, DIST II, Comm.	\$2,800	12/1/21
N. LEE HENDRICKSON, CHAIR	\$2,500	11/1/20

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

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9.1.2022

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 OR PRINT NAME AND TITLE

Melody A. Gloton 8/31/22

Melody A. Gloton, Attorney

SIGNATURE OF APPLICANT'S

DATE

TYPE OR PRINT NAME AND TITLE

ATTORNEY OR REPRESENTATIVE

D. D. Gloton

8/31/22

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 or a member of the Gwinnett County Planning Commission?

YES

NO

Anderson Tate & Carr

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)
Nicole Love Hendrickson	\$1,000	09/30/2020
Kirkland Carden	\$2,800	11/16/2021
Commissioner Ben Ku	\$1,000	3/25/2022
Kirkland Carden Marlene Fosque	\$500 \$1,500	05/05/2022 06/08/2022

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

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9.1.2022

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 TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. 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 I.D. NUMBER: 1 - 001 - 019A
(Map Reference Number) District Land Lot Parcel

Melody A. Glouton
Signature of Applicant

9/1/2022
Date

Melody A. Glouton, 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, FOR THEIR APPROVAL BELOW.*****

TAX COMMISSIONERS USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

Darlene Newell
NAME
09/01/2022
DATE

TSA
TITLE

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9.1.2022

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 TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. 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 I.D. NUMBER: 3 - 002 - 146
(Map Reference Number) District Land Lot Parcel

Melody A. Gloton
Signature of Applicant

9/1/2022
Date

Melody A. Gloton, 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, for their approval below.

TAX COMMISSIONERS USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

Darlyne Nemeth
NAME

09/01/2022
DATE

TSA
TITLE

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9.1.2022

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 TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. 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 I.D. NUMBER: 1 - 001 - 456
(Map Reference Number) District Land Lot Parcel

Melody A. Gloton
Signature of Applicant

9/1/2022
Date

Melody A. Gloton, 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, for their approval below.

TAX COMMISSIONERS USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

Shalynne Newell
NAME
09/01/2022
DATE

TSA
TITLE

RECEIVED

9.1.2022

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 TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. 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 I.D. NUMBER: 1 - 001 - 256
(Map Reference Number) District Land Lot Parcel

Melody A. Gloton
Signature of Applicant

9/1/2022
Date

Melody A. Gloton, 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, for their approval below.

TAX COMMISSIONERS USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

Darlyne Powell
NAME
09/01/2022
DATE

TSA
TITLE

Exhibit F: Internal and External Agency Review Comments

[attached]



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:		05.03.2023	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		Brent.Hodges@gwinnettcounty.com	
Case Number:		RZC2022-00045 / RZM2022-00047	
Case Address:		3527 Sardis Church Road / 2549, 2555 Hamilton Mill Road	
Comments:		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
1	Hamilton Mill Road is a minor arterial. ADT = 32,314. Sardis Church Road is a major collector. ADT = 7,585.		
2	6.4 miles to the nearest transit facility (#2334754) Buford/SR 20 Park and Ride.		
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
1	The Developer shall adhere to the conditions and guidelines put forth in DRI 3812 – Brand Properties Hamilton Mill, subject to the review and approval of the Gwinnett County Department of Transportation.		
2	The applicant shall meet with Gwinnett County Department of Transportation staff to discuss Roadway and Transportation improvements related to the development.		
3			
4			
5			
6			
7			



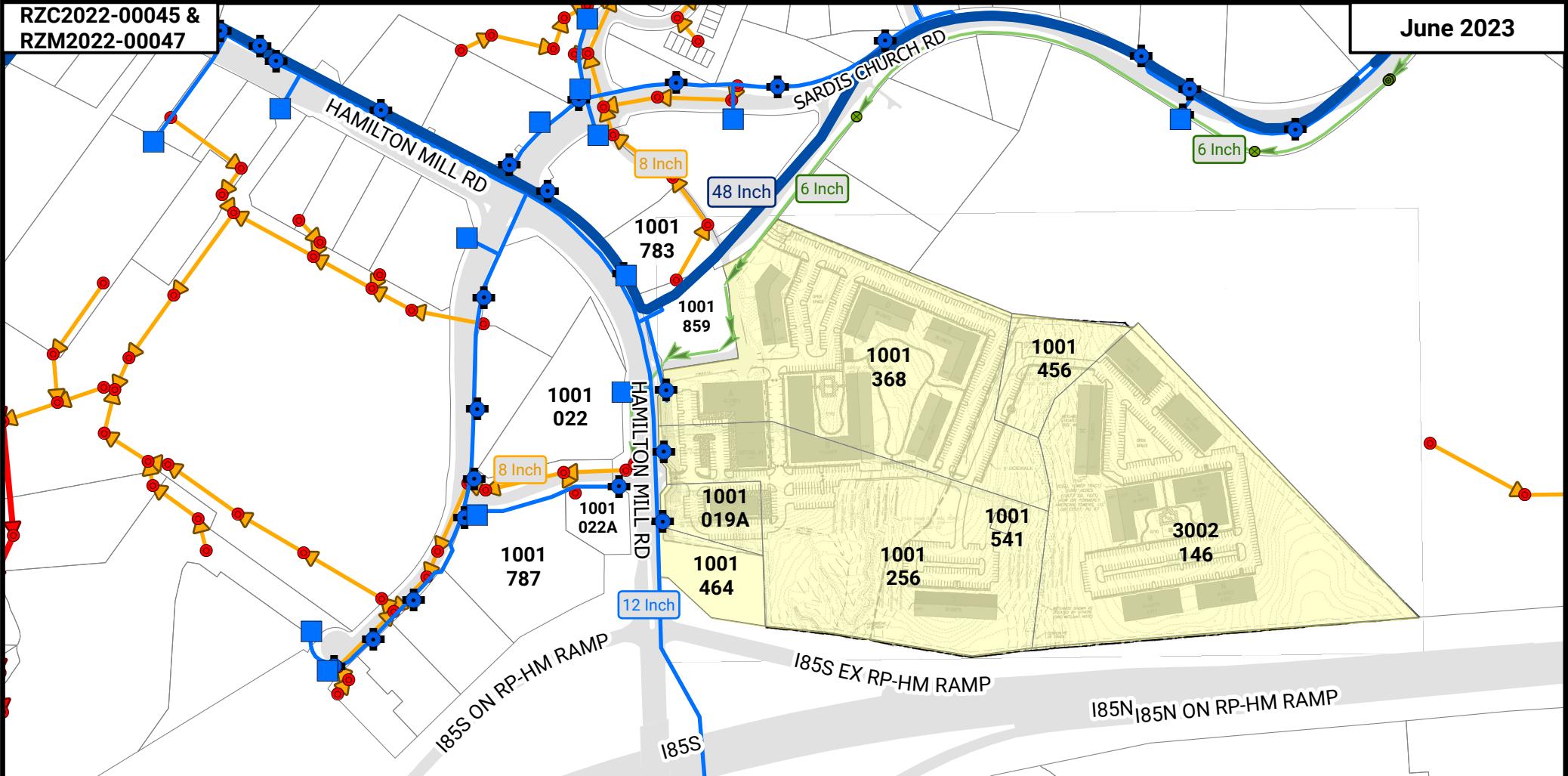
Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:					
Department/Agency Name: DOCS					
Reviewer Name: Glenn Boorman					
Reviewer Title: Division Director – Project Admin – Parks & Recreation					
Reviewer Email Address: glen.boorman@gwinnettcounty.com					
Case Number: RZC2022-00045 & RZM2022-00047					
Case Address: 3527 Sardis Church Road					
Comments:		<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
1					
2					
3					
4					
5					
6					
7					
Recommended Zoning Conditions:		<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
1	Dedicate at no cost to the County, all necessary right-of-way and easements for the future development of a trail as per Gwinnett County Trails Master Plan and the requirements of the Unified Development Ordinance Title 3, 900-110.UDO.				
2	Provide a 12 foot wide trail/side path along Hamilton Mill Road as per the Gwinnett County Trails Master Plan.				
3					
4					
5					
6					
7					



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:		RZC2022-00045 & RZM2022-00047			
Case Address:		2549 and 2555 Hamilton Mill Rd & 3527 Sardis Church Rd			
Comments:		<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
1	Water: The proposed development may connect to an existing 12-inch water main along the eastern right-of-way of Hamilton Mill Road.				
2	Sewer: A Sewer Capacity Certification is currently under review for this development.				
3					
4					
5					
6					
7					
Recommended Zoning Conditions:		<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
1					
2					
3					
4					
5					
6					
7					

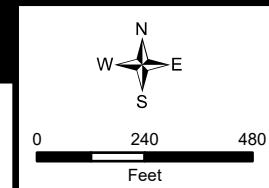


LEGEND

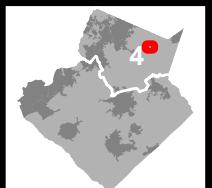
- Water Main
- Hydrant
- Master Vault
- Sewer Force Main
- Sewer Collector
- Manhole

2549 and 2555 Hamilton Mill Rd & 3527 Sardis Church Rd
C-2 & RA-200 to RM24 & MU-R

Water & Sewer Utility Map



LOCATION



Water Comments: The proposed development may connect to an existing 12-inch water main along the eastern right-of-way of Hamilton Mill Road.

Sewer Comments: A Sewer Capacity Certification is currently under review for this development.

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, June, 2023

												Proposed Zoning
	School	Forecast	2023-24 Capacity	+/- Cap.	Forecast	2024-25 Capacity	+/- Cap.	Forecast	2025-26 Capacity	+/- Cap.	Approximate Student Projections from Proposed Developments	
CIC2023-00012 (now a senior development)	Peachtree Ridge HS	3,319	3,050	269	3,263	3,050	213	3,246	3,050	196	0	
	Hull MS	1,320	1,750	-430	1,353	1,750	-397	1,399	1,750	-351	0	
	Mason ES	955	1,150	-195	960	1,150	-190	991	1,150	-159	0	
RZR2023-00012	Seckinger HS	2,004	2,800	-796	2,226	2,800	-574	2,330	2,800	-470	5	
	Jones MS	1,699	1,575	124	1,767	1,575	192	1,870	1,575	295	4	
	Patrick ES	923	1,025	-102	960	1,025	-65	989	1,025	-36	8	
RZC2022-00045 (Same property, Both cases combined)												
											(Both Phases Combined below)	
	Seckinger HS	2,004	2,800	-796	2,226	2,800	-574	2,330	2,800	-470	46	
RZM2022-00047	Jones MS	1,699	1,575	124	1,767	1,575	192	1,870	1,575	295	34	
	Ivy Creek ES	1,649	1,275	374	1,739	1,275	464	1,795	1,275	520	60	
	Dacula HS	2,550	2,550	0	2,641	2,550	91	2,755	2,550	205	17	
RZM2023-00012	Dacula MS	1,892	1,900	-8	1,959	1,900	59	2,042	1,900	142	14	
	Alcova ES	1,478	1,150	328	1,545	1,150	395	1,612	1,150	462	26	
	Peachtree Ridge HS	3,319	3,050	269	3,263	3,050	213	3,246	3,050	196	4	
RZM2023-00005	Northbrook MS	918	1,025	-107	948	1,025	-77	979	1,025	-46	4	
	Jackson ES	1,504	1,475	29	1,483	1,475	8	1,487	1,475	12	7	

Exhibit G: Georgia Regional Transportation Authority (GRTA) Notice of Decision

[attached]

To: Anna Roach, ARC
(via electronic mail) Bob Voyles, GRTA
Dick Anderson, GRTA
Kathryn Zickert, GRTA
Sharon Mason, GRTA
Sonny Deriso, GRTA

To: Gwinnett County
(via electronic mail and certified mail) Jonathon Barge

From: Jannine Miller, GRTA Executive Director

Copy: Donald Shockey, ARC
(via electronic mail) Reginald James, ARC
December Weir, ATL
Kim Wolfe, City of Buford
Hunter Hill, GEFA
Sushmita Arjyal, Gwinnett County
Lorraine Campagne, Gwinnett County
Maria Serban, Gwinnett County
Michelle Arnold, Gwinnett County
Jerry Oberholtzer, Gwinnett County
Lewis Cooksey, Gwinnett County
Brent Hodges, Gwinnett County
Michael D. (DOT) Johnson,
Gwinnett County
Catherine Long, Gwinnett County
Cyndi Sloan, Gwinnett County
Daniel Robinson, Gwinnett County
David Barber, Gwinnett County Schools

Naila Amer, A&R Engineering
Abdul Amer, A&R Engineering
Jonathon Barge, Brand Properties

Date: March 28, 2023

**Notice of Decision for
Request for Non-Expedited Review of
DRI 3812 Hamilton Mill Road Mixed-Use**

The purpose of this notice is to inform Jonathon Barge (the Applicant) and Gwinnett County (the Local Government), the Georgia Regional Transportation Authority (GRTA) Land Development Committee, the Georgia Department of Community Affairs (DCA), the Georgia Department of Transportation (GDOT), and the Atlanta Regional Commission (ARC) of GRTA's decision regarding Development of Regional Impact (DRI) 3812 Hamilton Mill Road Mixed-Use (the DRI Plan of Development). GRTA has completed a non-expedited Review for the DRI Plan of Development pursuant to Section 4.2.3 of the *GRTA DRI Review Procedures* and has determined that the DRI Plan of Development meets the GRTA review criteria set forth in Section 4.3. The DRI Plan of Development as proposed is **approved subject to conditions**, as provided in Attachment A and subject to the limitations placed on allowable modifications to the DRI Plan of Development, as described in Attachment B.

Subject to the conditions set forth in Attachment A and Attachment B, GRTA will approve the expenditure of state and/or federal funds for providing the Land Transportation Services and Access improvements listed in Section 2 of Attachment C. The need for said approval shall terminate and be of no further force and effect after ten (10) years from the date of this Notice of Decision, unless substantial construction of the proposed DRI has been commenced during this ten (year) period.

The notice of decision is based on a review of the applicant's DRI Review Package received by GRTA on February 2, 2023. The review package includes: the site development plan (Site Plan) dated January 19, 2022, titled "Brand Properties Hamilton Mill" prepared by Pond, the Transportation Study dated February 2, 2023, prepared by A&R Engineering received by GRTA on February 2, 2023, and the DCA Initial and Additional forms filed on September 9, 2022, and January 31, 2023.

Pursuant to Section 5 of the *GRTA DRI Review Procedures* the Applicant, the GRTA Land Development Committee and the local government have a right to appeal this decision within five (5) Business Days of the date on this letter by filing a Notice of Appeal with the GRTA Land Development Committee. A Notice of Appeal must specify the grounds for the appeal and present any argument or analysis in support of the appeal. For further information regarding the right to appeal, consult Section 5 of the *GRTA DRI Review Procedures*. If GRTA staff receives an appeal, you will receive another notice from GRTA and the Land Development Committee will schedule the appeal hearing according to the timeline established in Section 5.1.2 of the *GRTA DRI Review Procedures*.

DocuSigned by:


C2ABEB312926471...
Jannine Miller
Executive Director
Georgia Regional Transportation Authority

Attachment A – General Conditions

General Conditions of Approval to GRTA Notice of Decision:

Pedestrian, Bicycle and Transit Facilities

- Provide pedestrian connectivity between all buildings and uses.
- Provide pedestrian crosswalk across site driveways along Hamilton Mill Road.
- Coordinate with Gwinnett County and Gwinnett County schools on pedestrian connectivity that emphasizes student safety from site to Seckinger High School.
- Coordinate with Gwinnett County to implement the priority trail segment planned for the Hamilton Mill project frontage as specified in the Gwinnett County Trails Master Plan.

Roadway & Site Access Improvement Conditions to GRTA Notice of Decision:

Site Driveway 1: Full access driveway on Hamilton Mill Road via proposed connection to Sardis Bend Drive

- Construct one entering and one exiting lane on the westbound (driveway 1) approach at Sardis Bend Drive.
- Install a stop-sign controlled on the southbound Sardis Bend Drive approach with eastbound Sardis Bend Drive and the Site Driveway 1 remaining free flow.
- Construct a southbound left turn lane for entering traffic on Sardis Bend Drive.
- Provide adequate intersection sight distance certification.

Intersection 4: Hamilton Mill Road @ Right-in/right-out driveway between Sardis Bend Drive and I-85 Southbound Ramps towards Walmart store

- Work with Gwinnett County to install improvements to prohibit illegal left-turns from its development.

Intersection 5: Hamilton Mill Road @ Sardis Bend Drive

- Create a dedicated southbound left turn lane by restriping the existing two-way left turn lane on Hamilton Mill Road.
- Install a traffic signal that will be coordinated with the adjacent signals on Hamilton Mill Road at Sardis Church Road and I-85 Southbound Ramps if warranted and approved by Gwinnett County.

Site Driveway 2: Right-in/right-out driveway at the existing stub on Hamilton Mill Road across from the right-in/right-out driveway between Sardis Bend Drive and I-85 southbound ramps

- Construct one entering and one right turn exiting lane.
- Install a stop-sign controlled on the driveway approach with Hamilton Mill Road remaining free flow existing right turn Lane for entering traffic.
- Provide adequate intersection sight distance certification.

Site Driveway 3: Full access driveway on the roadway connecting Sardis Church Road and Sardis Bend Drive

- Construct one entering and one exiting lanes.
- Install a stop-sign controlled on the driveway approach with the connecting road remaining free flow.

- Provide a westbound Left Turn Lane for entering traffic on the connecting road.
- Provide adequate intersection sight distance certification.

Attachment B – Required Elements of the DRI Plan of Development

Conditions Related to Altering Site Plan after GRTA Notice of Decision:

The on-site development will be constructed materially (substantially) in accordance with the Site Plan. Changes to the Site Plan will not be considered material or substantial so long as the following conditions are included as part of any changes:

- All “Proposed Conditions of Approval to GRTA Notice of Decision” set forth in Attachment A are provided.

Attachment C – Required Improvements to Serve the DRI

As defined by the *GRTA DRI Review Procedures*, a “Required Improvement means a land transportation service or access improvement which is necessary in order to provide a safe and efficient level of service to residents, employees and visitors of a proposed DRI.”

The Required Improvements in the study network were identified in the Review Package as necessary to bring the level of service up to an applicable standard before the build-out of the proposed project. These requirements are identified in Sections 1 and 2 of this Attachment. Section 1 contains improvements that do not require GRTA approval at this time because they are to be constructed prior to the completion of the DRI Plan of Development. However, GRTA approval shall be required in the event state and/or federal funds are proposed at a later date to be used for any portion of the improvements described in Section 1. Section 2 contains improvements that require GRTA approval prior to the expenditure of state and/or federal funding. Subject to the conditions set forth in Attachment A and Attachment B, GRTA approves the expenditure of state/and or federal funding for the improvements contained in Section 2.

Section 1:

General Conditions of Approval to GRTA Notice of Decision:

Pedestrian, Bicycle and Transit Facilities

- Provide pedestrian connectivity between all buildings and uses.
- Provide pedestrian crosswalk across site driveways along Hamilton Mill Road.
- Coordinate with Gwinnett County and Gwinnett County schools on pedestrian connectivity that emphasizes student safety from site to Seckinger High School.
- Coordinate with Gwinnett County to implement the priority trail segment planned for the Hamilton Mill project frontage as specified in the Gwinnett County Trails Master Plan.

Roadway & Site Access Improvement Conditions to GRTA Notice of Decision:

Site Driveway 1: Full access driveway on Hamilton Mill Road via proposed connection to Sardis Bend Drive

- Construct one entering and one exiting lane on the westbound (driveway 1) approach at Sardis Bend Drive.
- Install a stop-sign controlled on the southbound Sardis Bend Drive approach with eastbound Sardis Bend Drive and the Site Driveway 1 remaining free flow.
- Construct a southbound left turn lane for entering traffic on Sardis Bend Drive.
- Provide adequate intersection sight distance certification.

Intersection 4: Hamilton Mill Road @ Right-in/right-out driveway between Sardis Bend Drive and I-85 Southbound Ramps towards Walmart store

- Work with Gwinnett County to install improvements to prohibit illegal left-turns from its development.

Intersection 5: Hamilton Mill Road @ Sardis Bend Drive

- Create a dedicated southbound left turn lane by restriping the existing two-way left turn lane on Hamilton Mill Road.
- Install a traffic signal that will be coordinated with the adjacent signals on Hamilton Mill Road at Sardis Church Road and I-85 Southbound Ramps if warranted and approved by Gwinnett County.

Site Driveway 2: Right-in/right-out driveway at the existing stub on Hamilton Mill Road across from the right-in/right-out driveway between Sardis Bend Drive and I-85 southbound ramps

- Construct one entering and one right turn exiting lane.
- Install a stop-sign controlled on the driveway approach with Hamilton Mill Road remaining free flow existing right turn Lane for entering traffic.
- Provide adequate intersection sight distance certification.

Site Driveway 3: Full access driveway on the roadway connecting Sardis Church Road and Sardis

Bend Drive

- Construct one entering and one exiting lanes.
- Install a stop-sign controlled on the driveway approach with the connecting road remaining free flow.
- Provide a westbound Left Turn Lane for entering traffic on the connecting road.
- Provide adequate intersection sight distance certification.

Section 2:

Roadway Improvement Conditions to GRTA Notice of Decision:

Intersection 2: Hamilton Mill Road @ I-85 Northbound Ramps

- Add a second left turn lane on I-85 Northbound Off-Ramp.

Exhibit H: Traffic Impact Study

[attached]

DEVELOPMENT OF REGIONAL IMPACT (DRI #3812)

TRAFFIC STUDY FOR HAMILTON MILL ROAD MIXED-USE DEVELOPMENT AT 3527 SARDIS CHURCH ROAD

GWINNETT COUNTY, GEORGIA



Prepared for:

**Brand Properties
3328 Peachtree Road NE
Suite 100
Atlanta, GA 30326**

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

February 02, 2023
Revised March 07, 2023
A & R Project # 22-115

EXECUTIVE SUMMARY

Traffic impacts were evaluated for the proposed Hamilton Mill Road mixed-use development located at 3527 Sardis Church Road, to the northeast of I-85 and Hamilton Mill Road in Gwinnett County, Georgia. The development will consist of:

- Multifamily Housing: 700 units
- Retail space: 17,000 sf

The development proposes one full access and one right-in/right-out driveway on Hamilton Mill Road as well as one full access driveway on the road connecting Sardis Church Road and Sardis Bend Drive.

Existing and future operations during the AM peak hour (7:00 AM – 9:00 AM) and PM peak hour (4:00 PM – 6:00 PM) before and after completion of the project were analyzed at the following intersections:

1. Hamilton Mill Road / Hamilton Mill Parkway @ SR 124 (Braselton Highway)
2. Hamilton Mill Road @ I-85 Northbound Ramps
3. Hamilton Mill Road @ I-85 Southbound Ramps
4. Hamilton Mill Road @ Right-in/right-out driveway between Sardis Bend Drive and I-85 Southbound Ramps towards Walmart store
5. Hamilton Mill Road @ Sardis Bend Drive
6. Hamilton Mill Road @ Sardis Church Road
7. Sardis Church Road @ Sardis Bend Drive
8. Sardis Church Road @ connecting road between Sardis Church Road and Sardis Bend Drive
9. Sardis Bend Drive @ connecting road between Sardis Church Road and Sardis Bend Drive

Due to the close proximity of Seckinger High School to the east of the development, the following intersection was analyzed for the school dismissal (2:00 PM – 3:00 PM) peak hour also:

8. Sardis Church Road @ connecting road between Sardis Church Road and Sardis Bend Drive

Traffic Operations Summary

Table E1 below provides a summary of traffic operations for the “No-Build” and “Build” conditions for the year 2026 with and without system improvements. Table E2 provides a summary of traffic operations for the “No-Build” and “Build” conditions for the year 2026 with and without site improvements. As per GRTA requirements, all approaches that do not meet the level-of-service (LOS) standard (considered failing) are highlighted in Table E1. Most of these approaches achieve the LOS standard after implementation of identified improvements. However, there are a few approaches where there are no feasible improvements for these approaches to meet the LOS standard. Table E-1 and E-2 also include the project’s total added trip and the respective percentage of overall total “Build” condition approach traffic volume for all failing LOS approaches after all improvements are completed.

TABLE E1 — FUTURE INTERSECTION OPERATIONS AT FAILING APPROACHES

Intersection		No-Build Condition: LOS (Delay)				Build Condition: LOS (Delay)				Site Volumes at Failing Approach Build with Improvements		Percent Site Trips of Total Approach Trips at Failing Approaches	
		No Improvements		System Improvements		No Improvements		System Improvements		AM Peak	PM Peak	AM Peak	PM Peak
		AM Peak	PM Peak	AM Peak	PM Peak	AM Peak	PM Peak	AM Peak	PM Peak	AM Peak	PM Peak	AM Peak	PM Peak
1	<u>Hamilton Mill Road / Hamilton Mill Parkway @ SR 124 (Braselton Hwy)</u> -Eastbound Approach -Westbound Approach -Northbound Approach -Southbound Approach	D (54.8) D (48.8)	D (51.7) E (60.7)	D (54.8) D (48.8)	D (51.7) E (60.7)	E (57.0) D (50.1)	E (59.7) E (62.2)	E (57.0) D (50.1)	E (59.9) E (62.2)	-	-	-	-
		D (41.8)	E (65.1)	D (41.8)	E (65.1)	D (44.1)	E (65.2)	D (44.1)	E (65.2)	-	-	-	-
		E (78.5) D (53.5)	F (87.1) D (37.6)	E (78.5) D (53.5)	F (87.1) D (37.6)	F (81.3) E (56.5)	F (89.6) D (51.9)	F (81.3) E (56.4)	F (89.6) D (52.2)	2	5	0.4%	1%
		D (53.5)	D (37.6)	D (53.5)	D (37.6)	E (56.5)	D (51.9)	E (56.4)	D (52.2)	-	-	-	-
2	<u>Hamilton Mill Road @ I-85 Northbound Ramps</u> -Eastbound Approach -Northbound Approach -Southbound Approach	C (24.9) E (73.6)	F (86.7) F (81.4)	B (19.0) E (68.2)	D (42.5) E (57.6)	C (27.2) E (74.2)	F (101.7) F (122.8)	C (23.4) E (67.2)	D (46.1) E (56.4)	35	86	4%	5%
		A (1.5)	F (122.0) E (59.9)	A (1.1)	C (32.1)	A (1.9)	F (133.8)	A (0.9)	C (33.9)	-	-	-	-
		D (39.9)		C (25.9)	D (44.4)	D (43.0)	E (64.8)	D (36.7)	D (51.3)	-	-	-	-

3	Hamilton Mill Road @ I-85 Southbound Ramps -Westbound Approach -Northbound Approach -Southbound Approach	C (24.2) E (71.5) C (20.1) B (16.4)	B (17.0) E (72.6) B (12.1) B (16.7)	C (24.2) E (71.5) C (20.1) B (16.4)	B (17.0) E (72.6) B (12.1) B (16.7)	C (25.9) E (71.5) B (19.3) C (25.9)	B (16.6) E (72.6) B (11.4) B (17.1)	C (26.4) E (71.5) B (20.0) C (25.9)	B (10.5) E (72.6) B (11.4) A (1.5)	9	23	2%	5%
4	Hamilton Mill Road @ Right-in/right-out driveway between Sardis Bend Drive and I-85 Southbound Ramps / Site Driveway 2 (RIRO) -Eastbound Approach -Westbound Approach	C (17.5) -	F (112.9) -	C (17.5) -	F (112.9) -	C (19.8) B (14.1)	F (146.5) C (19.7)	C (19.8) B (14.1)	F (146.5) C (19.7)	-	-	-	-
6	Hamilton Mill Road @ Sardis Church Road -Eastbound Approach -Westbound Approach -Northbound Approach -Southbound Approach	D (50.9) E (75.7) E (69.9) D (46.7) D (36.9)	D (53.2) E (74.8) E (71.9) D (40.1) D (46.0)	D (50.9) E (75.7) E (69.9) D (46.7) D (36.9)	D (53.2) E (74.8) E (71.9) D (40.1) D (46.0)	D (49.4) E (75.7) E (68.9) D (40.1) D (40.8)	D (54.4) F (86.4) E (66.1) D (38.7) D (40.8)	D (52.3) E (75.7) E (66.1) D (41.3) D (47.9)	E (61.0) F (86.4) E (66.1) E (61.4) D (40.8)	3	7	1%	1%
7	Sardis Church Road @ Sardis Bend Drive -Eastbound Left -Westbound Left -Northbound Approach -Southbound Approach	B (10.5) A (9.1) D (32.6) D (33.0)	A (9.5) B (10.4) F (*) F (95.0)	B (10.5) A (9.1) D (32.6) D (33.0)	A (9.5) B (10.4) F (*) F (95.0)	B (10.5) A (9.2) E (43.7) D (33.8)	A (9.5) B (10.6) F (*) F (103.2)	B (10.5) A (9.2) E (43.7) D (33.8)	A (9.5) B (10.6) F (*) F (103.2)	-	-	-	-

* Delay exceeds 300 seconds

TABLE E2 – FUTURE INTERSECTION OPERATIONS AT FAILING APPROACHES

TABLE E2 – FUTURE INTERSECTION OPERATIONS AT FAILING APPROACHES													
Intersection		No-Build Condition: LOS (Delay)				Build Condition: LOS (Delay)							
		NO IMPROVEMENTS		SYSTEM IMPROVEMENTS		NO IMPROVEMENTS		SITE IMPROVEMENTS		SITE VOLUMES AT FAILING APPROACH BUILD WITH IMPROVEMENTS		PERCENT SITE TRIPS OF TOTAL APPROACH TRIPS AT FAILING APPROACHES	
		AM Peak	PM Peak	AM Peak	PM Peak	AM Peak	PM Peak	AM Peak	PM Peak	AM Peak	PM Peak	AM Peak	PM Peak
5	<u>Hamilton Mill Road @ Sardis Bend Drive</u> -Westbound Approach -Northbound Approach -Southbound Left (Approach)	D (31.8)	E (44.0)	D (31.8)	E (44.0)	F (168.7)	F (*)	A (8.6) E (74.5)	A (3.7) E (78.7)	180	118	76%	68%
		-	-	-	-	-	-	A (0.5)	A (0.9)	-	-	-	-
		B (11.1)	C (15.0)	B (11.1)	C (15.0)	B (11.5)	C (16.4)	A (5.3)	A (0.7)	-	-	-	-

After accounting for the recommended system improvements listed in the Executive Summary and page 35, the following intersections will have LOS “E” or “F” for one or more approaches:

1. Hamilton Mill Road / Hamilton Mill Parkway @ SR 124 (Braselton Highway)
2. Hamilton Mill Road @ I-85 Northbound Ramps
3. Hamilton Mill Road @ I-85 Southbound Ramps
4. Hamilton Mill Road @ Right-in/right-out driveway between Sardis Bend Drive and I-85 Southbound Ramps towards Walmart store
5. Hamilton Mill Road @ Sardis Bend Drive
6. Hamilton Mill Road @ Sardis Church Road
7. Sardis Church Road @ Sardis Bend Drive

Intersections 1

- This intersection will operate at an overall level-of-service “E” in the “Build” condition, with some approaches that will operate at a level-of-service “E” or “F” in the “Build” condition even after optimizing the signal timing due to long cycle length of 150 sec that leads to longer delays. This signalized intersection already has left turn and right lanes. Therefore, no more improvements were recommended for that intersection.

Intersections 3 and 6

- Although these intersections will operate at an overall level-of-service “D” or better in the “Build” condition, some approaches will operate at a level-of-service “E” or “F” in the “Build” condition even after optimizing the signal timing due to long cycle length of 150 sec that leads to longer delays. These signalized intersections already have left turn and right lanes and are operating at an overall level-of-service “D” or better in the “Build” condition. Therefore, no more improvements were recommended at these intersections.

Intersection 2

- Hamilton Mill Road at I-85 Northbound Ramps will operate at a level-of-service “D” or “C” in the “Build” condition after the system improvement. The eastbound approach will operate at a level-of-service “E” in the “Build” condition due to long cycle length of 150 sec that leads to longer delays.

Intersections 4 and 7

- The approaches of these intersections will still operate at a level-of-service “E” or “F” in the “Build” condition. These intersections already have left turn and right lanes and do not warrant a signal in the “Build” condition. It is not unusual for stop controlled site streets to have elevated delays during peak periods. Therefore, no more improvements were recommended at these intersections.

Intersection 5

- Hamilton Mill Road at Sardis Bend Drive will operate at a level-of-service “A” in the “Build” condition after the installation of a traffic signal. However, the eastbound approach will operate at a level-of-service “E” due to long cycle length of 150 sec that leads to longer delays and the large volume of vehicle exiting the site.

The table E-3 below includes Synchro reported 95th percentile queue lengths for failing level-of-service approaches for the build condition with improvements that had site generated traffic. Queue length reports are included in the Appendix.

Intersection		Available Storage	Queue in feet	
			BUILD with Improvements	
			AM Peak	PM Peak
1	Hamilton Mill Road / Hamilton Mill Parkway @ SR 124 (Braselton Hwy)	225'	110	44
	-Northbound Left		-	507
	-Northbound Through		-	1
2	Hamilton Mill Road @ I-85 Northbound Ramps	480'	250	415
	-Eastbound Left		123	460
	-Eastbound Right			
3	Hamilton Mill Road @ I-85 Southbound Ramps	320'	147	115
	-Westbound Left		278	303
	-Westbound Right			
5	Hamilton Mill Road @ Sardis Bend Drive	(260')	276	202
	-Westbound Left		30	38
	-Westbound Right			
6	Hamilton Mill Road @ Sardis Church Road	185'	62	140
	-Eastbound Left		-	111
	-Eastbound Through			395
	-Eastbound Right		165'	8
	-Westbound Left		315'	330
	-Westbound Through		-	298
7	Sardis Church Road @ Sardis Bend Drive	225'	137	214
	-Northbound Left/Through		142	67
	-Northbound Right			

Although the approach level of service are failing for the approaches listed in Table E2, the queues do not extend beyond the available storage.

Recommended System Improvements

System improvements address deficiencies that are found within the existing road network for the “No-Build” conditions. These are recommended for the local municipality to use in planning future transportation projects. The following are system improvements that were identified from the “No-Build” condition analysis.

Intersection 2: Hamilton Mill Road @ I-85 Northbound Ramps

- Addition of a second left turn lane on I-85 Northbound Off-Ramp

Recommended Site Mitigation Improvements

Site mitigation improvements address deficiencies that are caused by site traffic and can be identified as related to the proposed development. The following site improvements were identified in addition to the system improvements discussed in the “Recommended System Improvements” section.

Intersection 5: Hamilton Mill Road @ Sardis Bend Drive

- Creation of a dedicated southbound left turn lane by restriping the existing two-way left turn lane on Hamilton Mill Road
- Installation of a traffic signal that will be coordinated with the adjacent signals on Hamilton Mill Road at Sardis Church Road and I-85 Southbound Ramps

Recommendation for Site Access Configuration

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

- Site Driveway 1: Full access driveway on Hamilton Mill Road via proposed connection to Sardis Bend Drive
 - One entering and one exiting lanes on the westbound (driveway 1) approach at Sardis Bend Drive
 - Stop-sign controlled on the southbound Sardis Bend Drive approach with eastbound Sardis Bend Drive and the Site Driveway 1 remaining free flow
 - Southbound Left Turn Lane for entering traffic on Sardis Bend Drive
- Site Driveway 2: Right-in/right-out driveway at the existing stub on Hamilton Mill Road across from the right-in/right-out driveway between Sardis Bend Drive and I-85 southbound ramps
 - One entering and one right turn exiting lanes
 - Stop-sign controlled on the driveway approach with Hamilton Mill Road remaining free flow
 - Existing Right Turn Lane for entering traffic

- Site Driveway 3: Full access driveway on the roadway connecting Sardis Church Road and Sardis Bend Drive
 - One entering and one exiting lanes
 - Stop-sign controlled on the driveway approach with the connecting road remaining free flow
 - Westbound Left Turn Lane for entering traffic on the connecting road

CONCLUSIONS AND RECOMMENDATIONS

Traffic impacts were evaluated for the proposed Hamilton Mill Road mixed-use development located at 3527 Sardis Church Road, to the northeast of I-85 and Hamilton Mill Road in Gwinnett County, Georgia. The development will consist of:

- Multifamily Housing: 700 units
- Retail space: 17,000 sf

The development proposes one full access and one right-in/right-out driveways on Hamilton Mill Road as well as one full access driveway on the road connecting Sardis Church Road and Sardis Bend Drive.

The AM and PM peak hours have been analyzed in this study. In addition to the site access points, this study includes the evaluation of traffic operations at the intersections of:

1. Hamilton Mill Road / Hamilton Mill Parkway @ SR 124 (Braselton Highway)
2. Hamilton Mill Road @ I-85 Northbound Ramps
3. Hamilton Mill Road @ I-85 Southbound Ramps
4. Hamilton Mill Road @ Right-in/right-out driveway between Sardis Bend Drive and I-85 Southbound Ramps towards Walmart store
5. Hamilton Mill Road @ Sardis Bend Drive
6. Hamilton Mill Road @ Sardis Church Road
7. Sardis Church Road @ Sardis Bend Drive
8. Sardis Church Road @ connecting road between Sardis Church Road and Sardis Bend Drive
9. Sardis Bend Drive @ connecting road between Sardis Church Road and Sardis Bend Drive

Due to the close proximity of Seckinger High School to the east of the development, the following intersection was analyzed for the school dismissal (2:00 PM – 3:00 PM) peak hour also:

8. Sardis Church Road @ connecting road between Sardis Church Road and Sardis Bend Drive

The analysis included the evaluation of Future operations for “No-Build” and “Build” conditions, both of which account for increases in annual growth of through traffic. The results of future traffic operations showed that the following intersections will not meet the LOS standard in the future conditions:

1. Hamilton Mill Road / Hamilton Mill Parkway @ SR 124 (Braselton Highway)
2. Hamilton Mill Road @ I-85 Northbound Ramps
4. Hamilton Mill Road @ Right-in/right-out driveway between Sardis Bend Drive and I-85 Southbound Ramps towards Walmart store
5. Hamilton Mill Road @ Sardis Bend Drive
6. Hamilton Mill Road @ Sardis Church Road
7. Sardis Church Road @ Sardis Bend Drive

At intersection 4 (Hamilton Mill Road @ Right-in/right-out driveway between Sardis Bend Drive and I-85 Southbound Ramps / Site Driveway 2), the existing eastbound approach will continue to operate at LOS "F" in the PM peak hour. It is not uncommon for stop-controlled side-streets on arterial roadways to experience delays during peak hours. Therefore, no improvements are recommended for the eastbound approach.

At intersection 7 (Sardis Church Road @ Sardis Bend Drive), the stop-controlled minor streets (Sardis Bend Drive) will operate at LOS "E" or "F" in the AM and/or PM peak hour. The intersection will not warrant a traffic signal.

A signal warrant analysis was performed at the Hamilton Mill Road and Sardis Bend Drive intersection. The results of the signal warrant analysis indicate that the future traffic volumes at the intersection of Hamilton Mill Road at Sardis Bend Drive are projected to meet the thresholds in MUTCD warrants 1, 2 and 3 after construction of the proposed development. After installation of a signal, the intersection of Hamilton Mill Road at Sardis Bend Drive will operate at an overall level-of-service "A" or better in the AM and PM peak hours.

Recommended System Improvements

System improvements address deficiencies that are found within the existing road network for the "No-Build" conditions. These are recommended for the local municipality to use in planning future transportation projects. The following are system improvements that were identified from the "No-Build" condition analysis.

Intersection 2: Hamilton Mill Road @ I-85 Northbound Ramps

- Addition of a second eastbound left turn lane on I-85 Northbound Off-Ramp

Recommended Site Mitigation Improvements

Site mitigation improvements address deficiencies that are caused by site traffic and can be identified as related to the proposed development. The following site improvements were identified in addition to the system improvements discussed in the "Recommended System Improvements" section.

Intersection 5: Hamilton Mill Road @ Sardis Bend Drive

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 - One entering and one exiting lanes
 - Stop-sign controlled on the driveway approach with the connecting road remaining free flow
 - Westbound Left Turn Lane for entering traffic on the connecting road

Exhibit I: Maps

[attached]



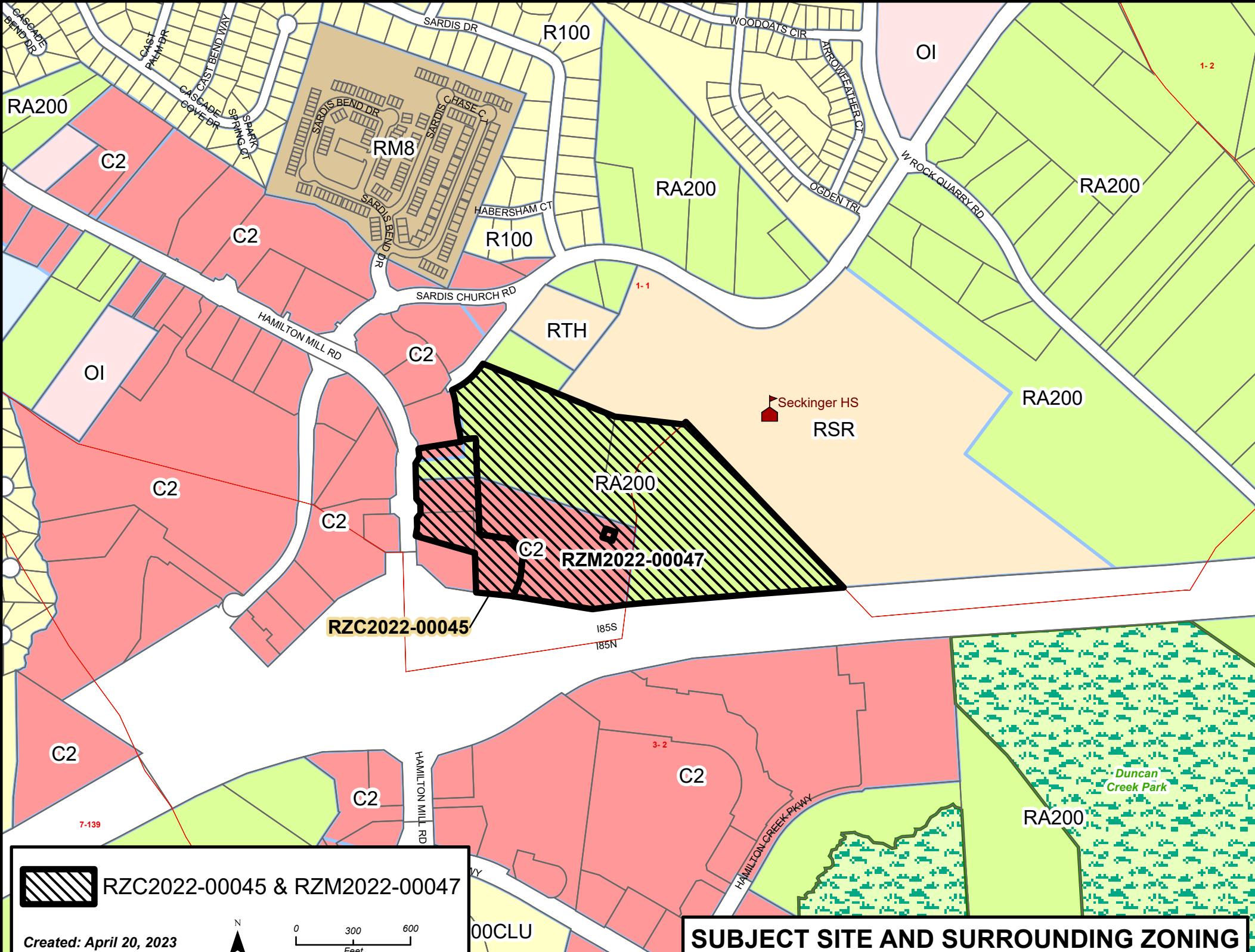
 RZC2022-00045 & RZM2022-00047



0
150
300
Feet

Created: April 20, 2023

Gwinnett County GIS



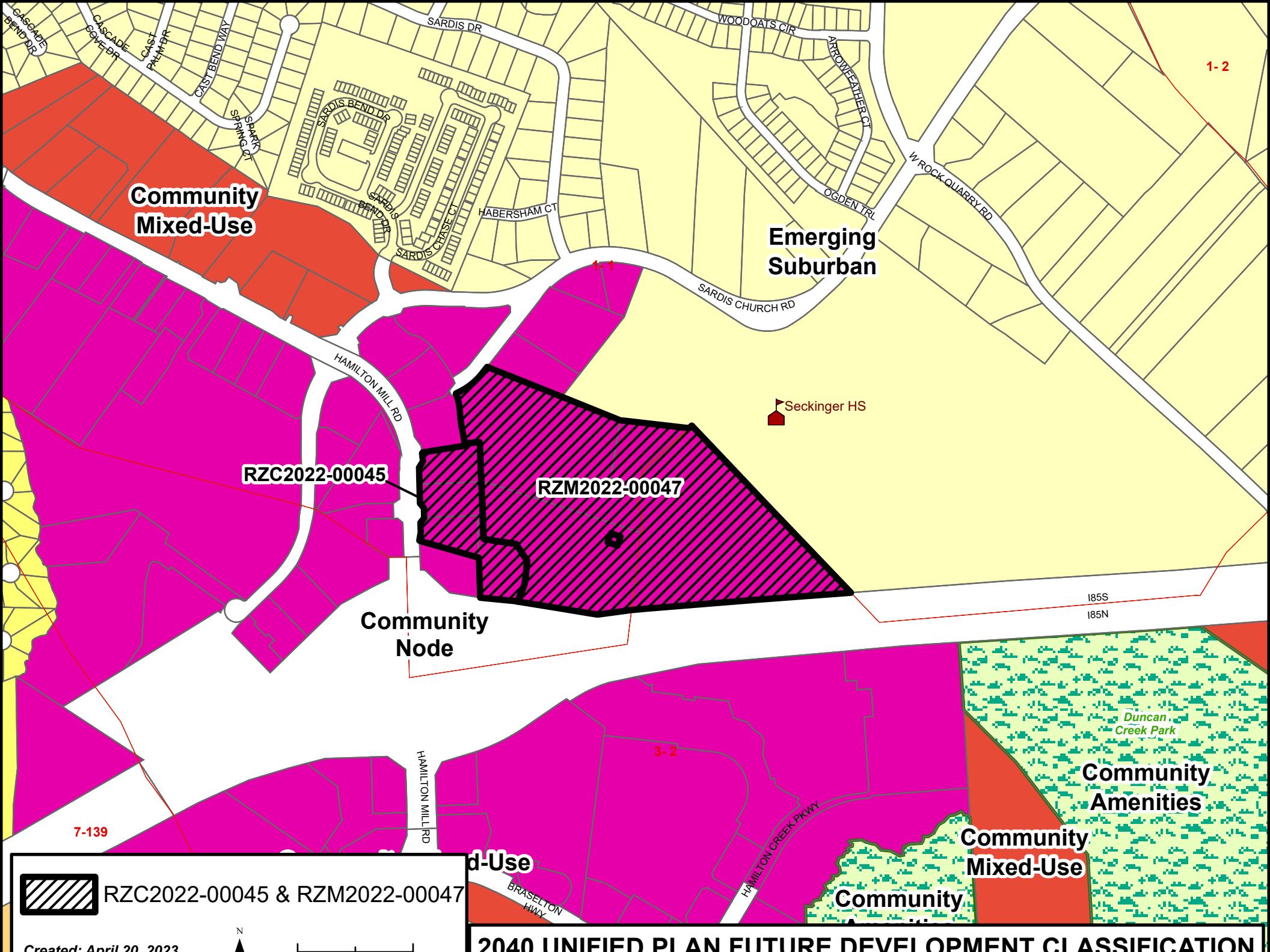
Created: April 20, 2023

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SUBJECT SITE AND SURROUNDING ZONING



RZC2022-00045 & RZM2022-00047

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2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION