



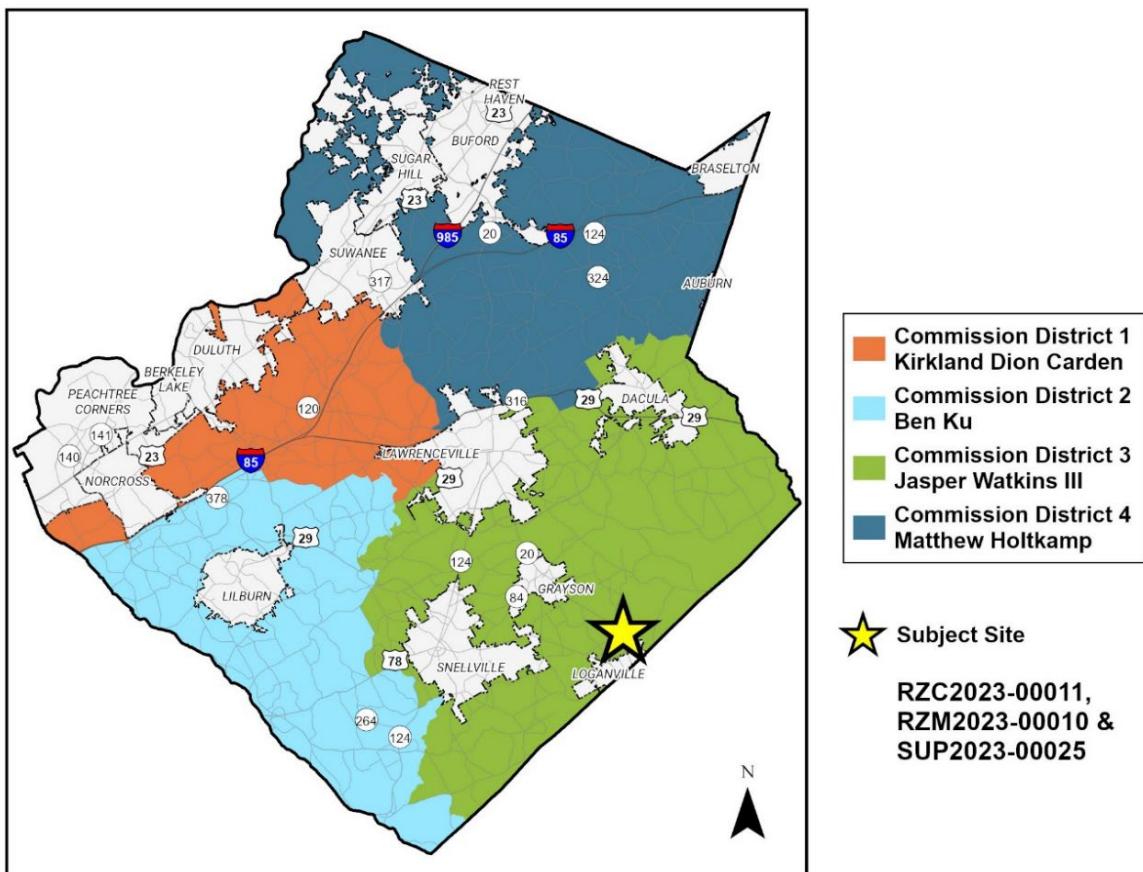
PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number:	RZC2023-00011
Current Zoning:	MH (Manufactured Housing)
Request:	Rezoning to C-2 (General Business District)
Overlay District:	Grayson/Highway 20 Corridor
Additional Requests:	Variances and Waiver
Address:	3650 Loganville Highway and 259 Willowwind Drive
Map Numbers:	R5162 005 and 058
Site Area:	1.22 acres
Square Feet:	4,583
Proposed Development:	Car Wash
Commission District:	District 3 – Commissioner Watkins
Character Area:	Emerging Suburban
Staff Recommendation:	DENIAL
Planning Commission Recommendation:	DENIAL
Case Number:	SUP2023-00025
Current Zoning:	MH (Manufactured Housing)
Request:	Special Use Permit
Overlay District:	Grayson/Highway 20 Corridor
Additional Requests:	Variances and Waiver
Address:	3650 Loganville Highway and 259 Willowwind Drive
Map Numbers:	R5162 005 and 058
Site Area:	1.22 acres
Square Feet:	4,583
Proposed Development:	Car Wash
Commission District:	District 3 – Commissioner Watkins
Character Area:	Emerging Suburban
Staff Recommendation:	DENIAL
Planning Commission Recommendation:	DENIAL

Case Number: RZM2023-00010
Current Zoning: MH (Manufactured Housing)
Request: Rezoning to R-TH (Single-Family Residence Townhouse District)
Overlay District: Grayson/Highway 20 Corridor
Additional Requests: Variance
Address: 3650 Loganville Highway and 259 Willowwind Drive
Map Numbers: R5162 005 and 058
Site Area: 7.53 acres
Units: 51
Proposed Development: Townhouses
Commission District: District 3 – Commissioner Watkins
Character Area: Emerging Suburban

Staff Recommendation: DENIAL

Planning Commission
Recommendation: DENIAL



Applicant: Stanton Porter
73 Church Street, P.O. Box 88
Winder, GA 30680

Owners: JDW Gwinnett, LLC
5671 Hog Mountain Road
Bogart, GA 30622

Contact: Stanton Porter

Contact Phone: 470.997.2010

Zoning History

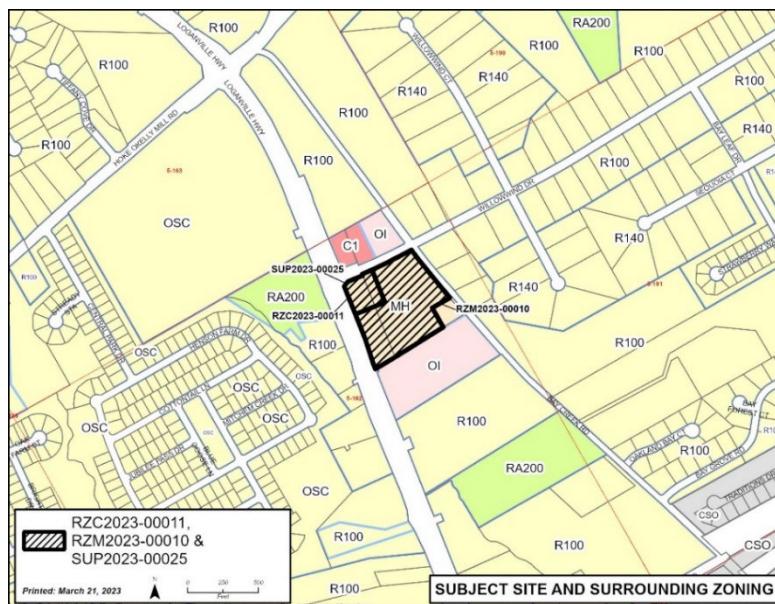
The subject property is zoned MH (Manufactured Housing District). As a part of an areawide rezoning in 1973, the property was rezoned from RA-200 (Agriculture Residence District) to MH.

Existing Site Condition

The subject site is an 8.75-acre assemblage of two parcels with three road frontages on Loganville Highway, Willowind Drive, and Bay Creek Road. The parcel is undeveloped with roughly a third of it densely covered with trees along the southern property boundary and a portion of the eastern property boundary. The rest of the site is cleared of trees and is unimproved as open pastureland. A curb cut without a driveway exists on the Loganville Highway frontage. The property slopes downward from the north to south by approximately 16 feet towards the intersection of Willowind Drive and Bay Creek Road. Of the three road frontages, overhead utilities are only present along the Bay Creek Road frontage, and sidewalks are only present along the Loganville Highway road frontage. The nearest Gwinnett County Transit stop is approximately 7.3 miles from the subject site.

Surrounding Use and Zoning

The subject site is surrounded by single-family residences on large lots, undeveloped parcels, and a place of worship. To the east, across Bay Creek Road, and west, across Loganville Highway, there are single family homes on large lots. To the north, across Willowind Drive, is a large undeveloped parcel, previously Washington Farms, a strawberry farm. To the south, is a Living Word Baptist Church. To the southeast, there is a telecommunications monopole. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Car Wash Townhouses	C-2 R-TH	N/A 6.77 units per acre
North	Undeveloped	C-1, O-I	N/A
East	Single Family Residential Telecommunications Monopole	R-100 C-2	0.87 units per acre N/A
South	Church	O-I	N/A
West	Single Family Residential Single Family Residential	R-100 RA-200	0.29 units per acre 0.18 units per acre

Project Summary

The applicant requests the rezoning of an 8.75-acre assemblage of two parcels including a request to rezone 1.22 acres from MH to C-2 with a special use permit for a carwash and to rezone 7.53 acres from MH to R-TH for a townhouse development including:

Townhouses

- 51 front-loaded, two-car-garage townhouse units yielding a net density of 6.77 units per acre.
- A minimum heated floor area of 2,100 square feet.
- Gated access to the townhouse development from Bay Creek Road.
- A 6-foot-tall black aluminum fence with masonry columns along the property frontages on Loganville Highway, Willowwind Drive, and Bay Creek Road.
- A 6-foot-tall wooden privacy fence along the rear southern property boundary.
- A centrally located community center with a mail kiosk and activity lawn.
- Common area throughout the site totaling 3.44 acres (45.6%) of the site.
- 16 on-street guest parking spaces located in three different areas throughout the site including five in front of the proposed community center.
- A 25-foot-wide front setback along the property frontage on Willowwind Drive and Bay Creek Road, a 35-foot-wide front setback along Loganville Highway, and a 25-foot-wide rear setback along the southern property boundary.
- A 25-foot-wide landscape buffer on the R-TH portion of the site, in lieu of 75-foot-wide undisturbed buffer that is required on the C-2 portion of the site.
- A master stormwater management facility located on the southwest corner of the townhouse development.
- 5-foot-wide sidewalks along the Willowwind Drive and Bay Creek Road frontages. There are existing sidewalks to remain along the Loganville Highway frontage.
- A 200-foot-long deceleration lane for access on Bay Creek Road.
- Exterior building materials consisting of brick and siding.

Carwash

- A 4,583 square-foot drive-through car wash building at the Loganville Highway Road and Willowwind Drive intersection frontage with 26 vacuum bays and four employee parking spaces to the west of the building.
- Access to the car wash from Willowwind Drive.
- The master stormwater management facility located on the southwest corner of the townhouse development is proposed for both the car wash and townhouse portions of the development.

However, if the facility is not adequate for the carwash and townhouse subdivision an underground detention system will be provided on the carwash site.

- A dumpster enclosure located to the west of the building near the entrance on Willowind Drive.
- No interparcel access provided between the proposed C-2 and R-TH tract, or between the proposed R-TH parcel and existing O-I zoned property to the south.
- A 120-foot-long deceleration lane for access on Willowind Drive.
- 5-foot-wide sidewalks throughout the residential development.
- 5-foot-wide sidewalks along the Willowind Drive frontage. There are existing sidewalks to remain along the Loganville Highway frontage.
- No architectural elevations for the carwash were provided with the application.

Zoning and Development Standards

The applicant is requesting a rezoning from MH, Manufactured Housing District to R-TH, Single-Family Residence Townhouse District, and C-2, General Business District. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

RZC2023-00011/SUP2023-00025

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 45'	<45'	YES
Front Yard Setback	Minimum 15'	>15'	YES
Side Yard Setback	Minimum 10'	>10'	YES
Rear Yard Setback	Minimum 30'	>30'	YES
Parking (Commercial)	Minimum 10 spaces Maximum 19 spaces 4 stacking space per line	30 spaces >4 stacking space per line	NO*
Landscape Strip	Minimum 10'	10'	YES
Zoning Buffer	Minimum 75'	0'	NO**
Interparcel Access	Between C-2 and R-TH	None	NO

* Applicant requests to exceed the maximum number of permitted parking spaces for the car wash by 11 spaces.

**Applicant requests to eliminate the required undisturbed zoning buffer.

In addition, the following standards apply to development in the Grayson Highway/ GA 20:

Standard	Meets Standard?
Freestanding buildings or shopping center developments containing 7,500 gross square feet of space or less shall provide no more than 20 percent of parking areas in the front of building(s) and be limited to no more than one double row of parking. No more than 20 percent of off-street parking areas may be located to the sides of the building(s), with the balance of parking located to the rear of the building(s).	NO*
Provide interparcel vehicle access points between all contiguous commercial, office, industrial or attached residential tracts.	NO**

*Applicant requests a variance to allow 97% of the parking spaces to be on the side of the building along Willowind Drive.

**Applicant requests to eliminate interparcel access requirements between the car wash and townhouse development as required in the overlay district.

RZM2023-00010

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 35'	<35'	YES
Front Yard Setback	Minimum 10'	25'	YES
Side Yard Setback	Minimum 20'	25'	YES
Rear Yard Setback	Minimum 20'	25'	YES
Parking	Minimum 153 spaces Maximum 306 spaces	204 spaces	YES
Guest Parking	Minimum 13 spaces	16 spaces	YES
Landscape Strip	Minimum 10'	10'	YES
Density	Maximum 10 units per acre	6.77 units per acre	YES
Minimum Heated Floor Area	Minimum 1,000 square feet (2-Bedroom) 1,200 square feet (3-Bedroom) 1,400 square feet (4-Bedroom)	2,100 square feet	YES
Common Area	Minimum 15% or 1.13 acres	45.6% or 3.44 acres	YES
Zoning Buffer	None	25'	N/A

In addition, the following standards apply to development in the Grayson/Highway GA 20 Corridor Overlay District:

Standard	Meets Standard?
Provide interparcel vehicle access points between all contiguous commercial, office, industrial or attached residential tracts.	NO*

*Applicant requests to eliminate interparcel access requirements between the townhouse development and the adjacent parcel to the south zoned O-I, and the adjacent parcel proposed as C-2 zoning to the northwest.

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 220-30.3.A.1, Design Requirements

Provide interparcel vehicle access points between all contiguous commercial, office, industrial or attached residential tracts.

The applicant requests a variance to eliminate interparcel access requirements between the townhouse development and the adjacent parcel to the south zoned O-I, and to eliminate the interparcel access requirements between the proposed car wash and townhouse development parcels.

2. Section 220-30.3.E.3, Design Requirements

No more than 20 percent of parking areas may be located in the front of building(s) and no more than 20 percent of off-street parking areas may be located to the sides of building(s), with the balance of parking located to the rear the building(s).

The applicant requests a variance to allow 97% of the parking spaces to be on the side of the building along Willowind Drive. The surface parking lot includes 26 parking spaces with vacuum stations and four employee parking spaces.

3. Section 240-10, Off-Street Parking Standards

The maximum parking allowed for a full-service car wash is 1 per 250 square feet.

The applicant requests a variance to increase the maximum number of permitted parking spaces from 19 to 30.

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 610-20.5. Minimum Buffer Requirements

A 75-foot-wide undisturbed zoning buffer required for C-2 zoned property adjacent to R-TH.

The applicant requests a waiver to eliminate the required 75-foot-wide undisturbed buffer to the proposed adjacent R-TH zoned property to the east and south of the site. A 25-foot wide landscaped buffer on the R-TH portion of the development is proposed in lieu of the undisturbed buffer on the proposed C-2 parcel along the property line.

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 stormwater, transportation, water, and sewer utilities. Recommended improvements not already required by the UDO have been added as staff recommended conditions.

Staff Analysis

Rezoning and Special Use Permit 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. For Special Use Permits, 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:

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

The site is surrounded by single-family detached residences on large lots, undeveloped parcels,

and a Place of Worship. While the proposed development does consist of single-family attached residential homes, the proposed zoning district is not suitable in view of the use and development of the adjacent properties. The proposed R-TH zoning district would introduce townhouses in an area in which the exclusive development pattern is single-family detached homes. In addition, this development will also allow a neighborhood that is considerably denser than the existing surrounding neighborhoods. Moreover, this application request proposes a high-impact commercial use in an area where there are no commercial uses currently existing. A car wash would not be the best use at this intersection, serving the community, as there are already eight car wash businesses within a three-mile radius of the subject site.

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

The existing use and usability of adjacent or nearby properties would be impacted by the zoning change. The proposed residential zoning would consist of townhouses and be considerably more dense than the adjacent and nearby properties surrounding the subject site. Similarly, rezoning the 1.22-acre portion of the site at the intersection of Willowwind Drive and Loganville Highway for a carwash would introduce an intense commercial use with significant vehicular traffic in a primarily residential area. The existing monopole telecommunication tower located on the adjoining parcel must maintain a minimum distance from residential structures. Locating townhouses too close to the shared property lines could create a noncompliant and potentially unsafe condition.

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

The property has a reasonable economic use as currently zoned.

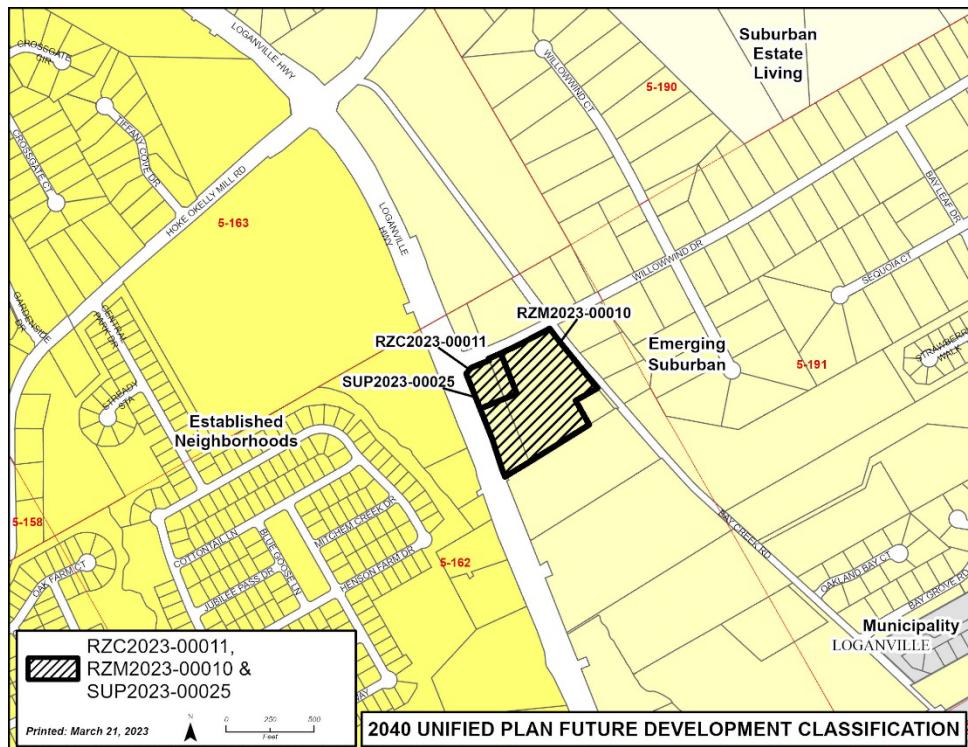
D. Whether the proposed rezoning and special use permit will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

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 and special use permit is in conformity with the policy and intent of the Unified Plan and Future Development Map; and

The 2040 Unified Plan Future Development Map indicates that the subject property lies within the Emerging Suburban Character Area. The Emerging Suburban Character Area designates areas that are currently mainly residential but have not yet matured into established communities due to relatively large amounts of remaining, undeveloped land. They are expected to experience new single-family detached residential development during the 20-year planning period contemplated by the Unified Plan.

A townhouse development with a car wash at the intersection of an arterial and a local road is not consistent with the Emerging Suburban Character Area. This character area recommends low-density residential and large-lot residential developments. Townhouses are attached single-family units on very small lots and is not considered a low-density development type. In addition, commercial uses are not intended in Emerging Suburban except at potential Neighborhood Nodes at key intersections. The intersection where the car wash is being proposed along Loganville Highway and Willowwind Drive is not considered a key intersection. The proposed townhouse development with a car wash is not in conformity with the policy and intent of the Unified Plan and Future Development Map.



F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning and special use permit.

The nearby areas are developed with residential subdivisions zoned R-100 and OSC or established single-family homes. It appears unlikely that this region will experience any significant changes in the near future. The proposed development would not be consistent with the existing and future zoning patterns intended for the area. In addition, in 2022 a nearby rezoning request to R-TH was denied and was approved as OSC by the Board of Commissioners. Moreover, there are already eight car wash businesses within a three-mile radius of the subject site. Another car wash would not be the best use for this intersection.

Variance Requests Analysis: When considering variances from Title II 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 variance requests:

The first request is to eliminate the interparcel access requirement between the proposed townhouse development and adjacent parcel to the south zoned O-I, and to eliminate the interparcel access requirement between the proposed car wash and townhouse development. A system of connected parcels along a major highway allows trips between parcels to be made without the need to access the highway. The requirement of interparcel access is an opportunity to improve corridor performance by reducing access points and curb cuts. The second request is to allow more than 20% of the parking on the side of the building along Willowwind Drive, while the third request is to increase the maximum number of permitted parking spaces for the car wash from 19 spaces to 30. Reducing the parking spaces and moving parking lots to the rear concentrates people and places along the street, creating an environment that is more accessible and safe for pedestrians and bicyclists. Therefore, the approval of these requests would conflict with the intent of the zoning district and unified development plan.

Waiver Request Analysis: When considering waivers from Title III of the UDO, the 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. The staff makes the following findings related to the waiver request:

The applicant requests to eliminate the undisturbed zoning buffer between the proposed C-2 zoned property and the proposed R-TH zoned property (i.e., the buffer between the proposed car wash and the proposed townhomes). The applicant proposes a 25-foot-wide replanted buffer with two rows of mixed evergreens at least 8 feet in height at the time of planting on the R-TH zoned property, adjacent to the C-2 zoning district. The intent of the buffer regulations is to reduce the potential impacts of higher-density developments next to lower-density residential properties. In this case, the adjacent parcel is proposed as townhouse development. The proposed 25-foot-wide landscape buffer will be insufficient to buffer the impacts such as traffic, noise, and light generated by the car wash. In addition, the buffer should be placed on the commercial property to ensure the buffer is maintained by the more intense use.

Staff Recommendation

Based on the staff's evaluation of the request and the standards governing the exercise of zoning power, the Department of Planning and Development recommends **DENIAL** of the rezoning requests and special use permit request.

In addition, staff recommends **DENIAL** of the following variances:

1. To eliminate interparcel access requirements between the townhouse development and adjacent parcel to the south zoned O-I, and to eliminate interparcel access requirements between the car wash and townhouse development.
2. To allow more than 20% of the parking spaces on the side of the building along Willowwind Drive.
3. To increase the number of parking spaces from 19 spaces to 30 spaces.

Staff recommends **DENIAL** of the following waiver:

1. To eliminate the required 75-foot-wide undisturbed buffer to the adjacent R-TH zoned property to the east and south of the site.

Staff Recommended Conditions

NOTE: The following conditions are provided as a guide should the Board of Commissioners choose to approve this petition.

RZC2023-00011

Approval of the request for C-2 (General Business District) for a car wash subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received March 7, 2023, by the Department of Planning and Development, with revisions required by conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.
2. All commercial buildings shall adhere to the Architectural Design Standards for Category 1, Commercial and Non-Residential Buildings.
3. No temporary tents, temporary canopies, temporary banners, temporary streamers, or temporary roping decorated with flags, tinsel, or other similar materials shall be displayed, hung, or strung on the site, except within 60 days of the grand opening and during special events which shall occur no more than twice per calendar year and last no longer than seven day each.
4. The hours of operation shall be limited from 6 AM to 10 PM.
5. Natural vegetation shall remain on the property until the issuance of a development permit.
6. All grassed areas shall be sodded.
7. The developer shall conduct an Intersection Control Evaluation (ICE) at the intersection of Loganville Highway (SR 20) and Willowwind Drive to consider an R-Cut.
8. The developer shall also include the intersection of Willowwind Drive and Bay Creek Road in the ICE study.
9. The developer shall make any improvements recommended by the ICE study, subject to the review and approval of the Georgia Department of Transportation (GDOT) and the Gwinnett County Department of Transportation (GCDOT).

SUP2023-00025

Approval of the request for a special use permit for a car wash, subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received March 7, 2023, by the Department of Planning and Development, with revisions

required by conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.

2. All commercial buildings shall adhere to the Architectural Design Standards for Category 1, Commercial and Non-Residential Buildings.
3. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or stung on site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sing-twirlers shall be prohibited.
4. The hours of operation shall be limited from 6 AM to 10 PM.
5. Natural vegetation shall remain on the property until the issuance of a development permit.
6. All grassed areas shall be sodded.
7. The developer shall conduct an Intersection Control Evaluation (ICE) at the intersection of Loganville Highway (SR 20) and Willowwind Drive to consider an R-Cut.
8. The developer shall also include the intersection of Willowwind Drive and Bay Creek Road in the ICE study.
9. The developer shall make any improvements recommended by the ICE study, subject to the review and approval of the Georgia Department of Transportation (GDOT) and the Gwinnett County Department of Transportation (GCDOT).

RZM2023-00010

Approval of the request for R-TH (Single-Family Residence Townhouse District) subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received March 7, 2023, by the Department of Planning and Development, with revisions required by conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.
2. The property shall be limited to single-family detached dwellings and accessory uses and structures, not to exceed 51 residences.
3. The minimum heated floor area per dwelling unit shall be 2,100 square feet.
4. All detached residences shall adhere to the Architectural Design Standards for Category 3, Detached Residential Buildings.
5. All dwellings shall have a minimum two-car garage.
6. A mandatory homeowners association shall be established and shall be responsible for maintenance of all common areas/facilities and street frontage landscaping.
7. Natural vegetation shall remain on the property until the issuance of a development permit.

8. All grassed areas shall be sodded.
9. Stormwater BMP facilities shall be screened from view of adjoining properties and rights of way by landscaping and/or decorative fencing that is in compliance with the Gwinnett County Stormwater Management Manual, subject to review and approval by the Department of Planning and Development.
10. The developer shall conduct an Intersection Control Evaluation (ICE) at the intersection of Loganville Highway (SR 20) and Willowwind Drive to consider an R-Cut.
11. The developer shall also include the intersection of Willowwind Drive and Bay Creek Road in the ICE study.
12. The developer shall make any improvements recommended by the ICE study, subject to the review and approval of the Georgia Department of Transportation (GDOT) and the Gwinnett County Department of Transportation (GCDOT).

Planning Commission Recommendation

Based on staff's evaluation of the request, information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **DENIAL** of the rezoning and special use permit requests:

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

1. To eliminate interparcel access requirements between the townhouse development and adjacent parcel to the south zoned O-I, and to eliminate interparcel access requirements between the car wash and townhouse development.
2. To allow more than 20% of the parking spaces on the side of the building along Willowind Drive.
3. To increase the number of parking spaces from 19 spaces to 30 spaces.

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

1. To eliminate the required 75-foot-wide undisturbed buffer to the adjacent R-TH zoned property to the east and south of the site.

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Building Elevations
- D. Letter of Intent and Applicant's Response to Standards
- E. Application and Campaign Contribution Disclosure
- F. Internal and External Agency Review Comments
- G. Maps

Exhibit A: Site Visit Photos



View of the site from Loganville Highway



View of the site from the intersection of Willowwind Drive and Bay Creek Road

Exhibit B: Site Plan

[attached]

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

5.9.2023

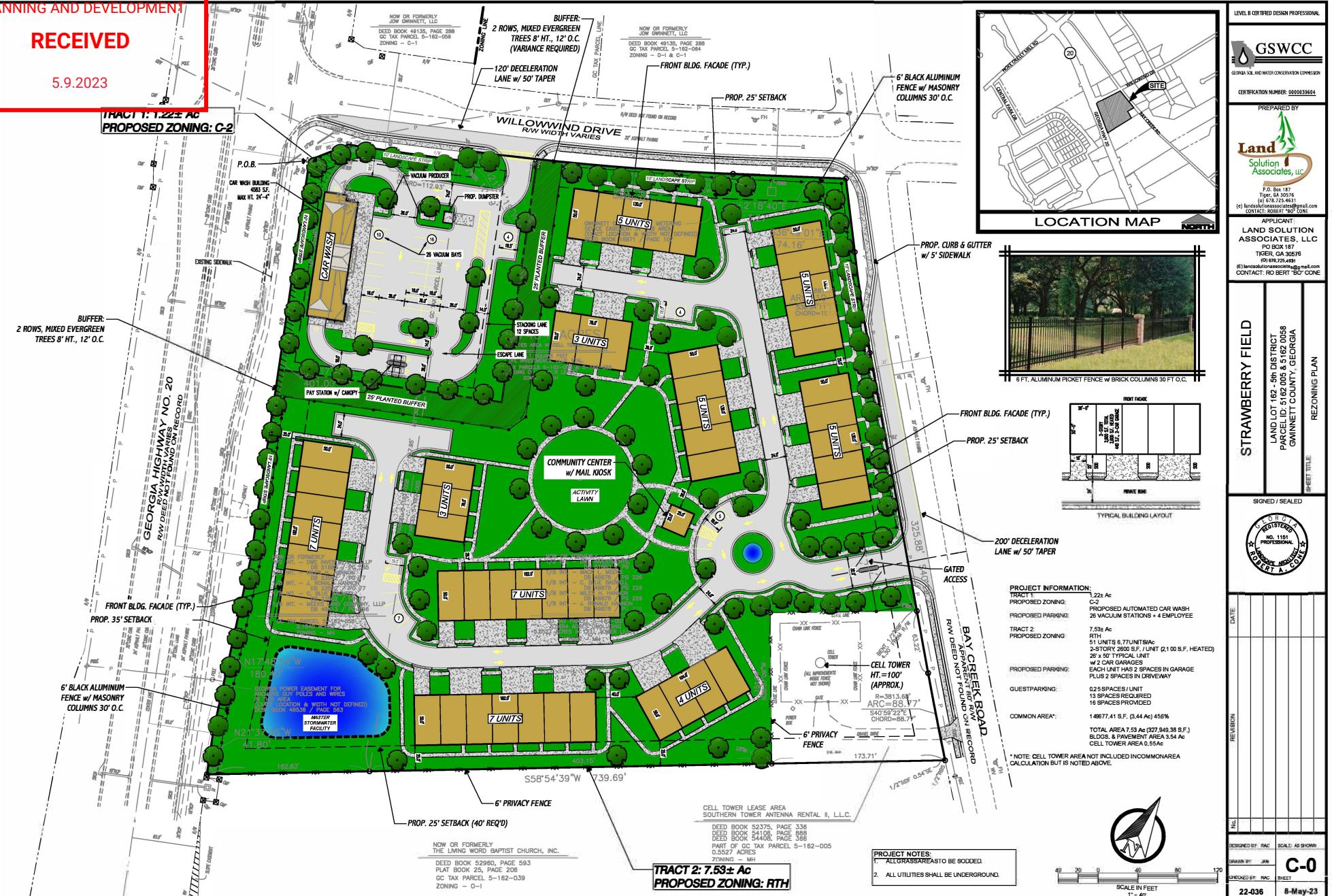


Exhibit C: Building Elevations

[attached]

RECEIVED

5.9.2023

DESIGN TODAY

2023-05-09 PMG 83
-U-1011274-A
F-14-1011274-000
H-1011274-000
V-1011274-000



PLAN NORTH



1 | PROPOSED TOWNHOUSES ELEVATION- 7 UNITS

SCALE: GRAPHIC

"STRAWBERRY
FIELD"
TOWNHOUSES



2 | PROPOSED TOWNHOUSES ELEVATION- 5 UNITS

SCALE: GRAPHIC

3 | PROPOSED TOWNHOUSES ELEVATION- 3 UNITS

SCALE: GRAPHIC

LAND LOT 162, 5TH
DISTRICT
GWINNETT COUNTY,
GA



4 | PROPOSED TOWNHOUSES ELEVATION- 4 UNITS

SCALE: GRAPHIC



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stated herein for reference only and normal
replication procedures are to be used in the issuance of
DESIGN TODAY 2000

DESIGN TITLE:
PROPOSED EXTERIOR
ELEVATIONS

DESIGN DATE:

SHOWN BY:

DT

STREET NUMBER:

A4.00

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

[attached]

STANTONPORTER

LAW

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

5.9.2023

Winder:
73 Church Street
P.O. Box 88
Winder, Georgia 30680
470.997.2010
stanton@stantonporter.com

Athens:
2005 South Milledge Avenue
Suite 101
Athens, Georgia 30606
(By Appointment Only)

May 9, 2023

Gwinnett County Board of Commissioners
The Gwinnett County Planning Commission

Re: Rezoning Application for 1.22 Acres, Willowwind Drive from MH to C-2 with special use and three variance requests.

Greetings:

This rezoning request concerns approximately 1.22 acre tract of land located off Willowwind Road. The applicant would like to develop a car wash on the subject property as shown in the attached site plan. The request is to rezone from MH to C-2 with special use to allow a car wash. The property will be on sewer from Gwinnett County and a sewer letter has been provided with application. Water connection has been addressed with Lorraine Campagne with Gwinnett County and is not an issue.

Regarding the factors that the County should consider, the following is provided:

1. The car wash building will be 4,583 square feet.

2. A variance is requested for relief from section 220.30.3 of overlay districts which requires interparcel connectivity. It does not serve the interests of the users of the proposed townhome development or the adjoining carwash to have these two developments connected.

3. A variance is requested for relief from the 75 foot buffer between the C-2 and R-H development to 0 feet as shown on the concept plan. As a condition of the rezone of the adjoining property the property owner will install a 25 foot planted buffer on the adjoining residential property. The 25 foot buffer will contain two rows of mixed evergreens trees at least eight feet tall at time of planting.

4. This proposed development is on a corner lot of GA 20 and Willowwind Road. Per the overlay requirements no more than 20% of parking may be in the front of the building. Because of the design of a drive through car wash and vacuum it is not possible to meet this requirement. A variance is requested to allow parking on the “front” of Willowwind drive as shown on the concept plan.

5. Stormwater detention shall be provided in the Master Detention Pond. If the area illustrated for the detention system is not adequate for the car wash, an underground detention system will be provided for the car wash on Tract 1.

RECEIVED

5.9.2023

6. This zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The adjacent and nearby properties are presently either residential or commercial. This property is well suited for a transitional development between the commercial and single-family residential area.

7. This zoning proposal would not adversely affect the existing use or usability of adjacent or nearby property.

8. This zoning proposal will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. Furthermore, fear of increased traffic is not a proper justification for the denial of this rezone.

9. This zoning proposal is in conformity with the policy and intent of the comprehensive land use plan. The area surrounding the subject property is already residential in character.

The denial of this proposed zoning, or the grant to a different zoning category, or the grant with unreasonable conditions, will result in substantial monetary damage to the owner. The subject property has been vacant for many years and cannot economically support the present value of the land as presently zoned. Furthermore, the denial of this request will violate the owner's rights of due process and equal protection, procedural and substantive, and violation of Article I, Section I, Paragraphs 1 and 2, and Article I, Section III, Paragraph 1 of the Georgia Constitution and the Fifth and Fourteenth Amendments to the United States Constitution. Denial of the rezoning will destroy owner's property rights without first paying just compensation. A denial of this application would constitute an arbitrary and capricious act by Gwinnett County without any rational basis therefor, constituting an abuse of discretion. A refusal to rezone the subject property so as to permit the only feasible economic use of the property would be unconstitutional and would discriminate in an arbitrary and capricious and unreasonable manner between the owner and owners' of similarly situated property. This application meets the prescribed test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning as an expression of the government's police power.

For the foregoing reasons, the applicant and owner respectfully request that this rezoning application be approved.

Sincerely,

STANTON PORTER LAW, LLC

By: _____

Stanton E. Porter

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3.7.2023

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

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

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

Yes this area is located within a transition zone from commercial to residential so this combination rezone is ideal.

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

The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.

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

The subject property 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:

The proposed rezoning will not result in a use which would cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

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

The proposed rezoning is in conformity with the policy and intent of the land use plan.

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

Townhome developments are more affordable for homeowners considering the rising prices and interest rates.

RECEIVED

STANTONPORTER LAW

3.7.2023

Winder:
73 Church Street
P.O. Box 88
Winder, Georgia 30680
470.997.2010
stanton@stantonporter.com

Athens:
2005 South Milledge Avenue
Suite 101
Athens, Georgia 30606
(By Appointment Only)

March 7, 2023

Gwinnett County Board of Commissioners
The Gwinnett County Planning Commission

Re: Rezoning Application for 7.53 Acres, Willowwind Drive from MH to R-TH
with two variance requests.

Greetings:

This rezoning request concerns approximately 7.53 acre tract of land located off Willowwind Road. The applicant would like to develop townhome residential subdivision on the subject property as shown in the attached site plan. The request is to rezone from MH to R-TH. The property will be on sewer from Gwinnett County and a sewer letter has been provided with application.

Regarding the factors that the County should consider, the following is provided:

1. Each of the townhomes will have a minimum of 2,160 heated square feet.
2. A variance is requested for relief from section 220.30.3 of overlay districts which requires interparcel connectivity. It does not serve the interests of the users of the proposed townhome development or the adjoining carwash to have these two developments connected.
3. The design on the provided concept plans meets fire code as all dead-end streets are less than 150 feet long and back hip and turn arounds are provided in connecting streets.
5. Trash service of the townhomes will be curbside.
6. This zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The adjacent and nearby properties are presently

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3.7.2023
either residential or commercial. This property is well suited for a transitional development between the commercial and single-family residential area.

7. This zoning proposal would not adversely affect the existing use or usability of adjacent or nearby property.

8. This zoning proposal will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. Furthermore, fear of increased traffic is not a proper justification for the denial of this rezone.

9. This zoning proposal is in conformity with the policy and intent of the comprehensive land use plan. The area surrounding the subject property is already residential in character.

The denial of this proposed zoning, or the grant to a different zoning category, or the grant with unreasonable conditions, will result in substantial monetary damage to the owner. The subject property has been vacant for many years and cannot economically support the present value of the land as presently zoned. Furthermore, the denial of this request will violate the owner's rights of due process and equal protection, procedural and substantive, and violation of Article I, Section I, Paragraphs 1 and 2, and Article I, Section III, Paragraph 1 of the Georgia Constitution and the Fifth and Fourteenth Amendments to the United States Constitution. Denial of the rezoning will destroy owner's property rights without first paying just compensation. A denial of this application would constitute an arbitrary and capricious act by Gwinnett County without any rational basis therefor, constituting an abuse of discretion. A refusal to rezone the subject property so as to permit the only feasible economic use of the property would be unconstitutional and would discriminate in an arbitrary and capricious and unreasonable manner between the owner and owners' of similarly situated property. This application meets the prescribed test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning as an expression of the government's police power.

For the foregoing reasons, the applicant and owner respectfully request that this rezoning application be approved.

Sincerely,

STANTON PORTER LAW, LLC

By: _____

Stanton E. Porter

RECEIVED

3.7.2023

Gwinnett County Planning Division
Rezoning Application
Last Updated 10/2021

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

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

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

Yes this area is located within a transition zone from commercial to residential so this combination rezone is ideal.

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

The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.

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

The subject property 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:

The proposed rezoning will not result in a use which would cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

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

The proposed rezoning is in conformity with the policy and intent of the land use plan.

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

Townhome developments are more affordable for homeowner considering the rising prices and interest rates.

Exhibit E: Application and Campaign Contribution Disclosure

[attached]

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3.7.2023

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

Gwinnett County Planning Division
Rezoning Application
Last Updated 10/2021

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Stanton Porter</u>	NAME: <u>JDW Gwinnett, LLC</u>
ADDRESS: <u>73 Church Street, P.O. Box 88</u>	ADDRESS: <u>5671 Hog Mountain Road</u>
CITY: <u>Winder</u>	CITY: <u>Bogart</u>
STATE: <u>Georgia</u> ZIP: <u>30680</u>	STATE: <u>Georgia</u> ZIP: <u>30622</u>
PHONE: <u>470-997-2010</u> <u>stanton@stantonporter.com</u> EMAIL: <u>meghan@stantonporter.com</u>	PHONE: _____
CONTACT PERSON: <u>Stanton Porter</u>	PHONE: <u>470-997-2010</u>
CONTACT'S E-MAIL: <u>stanton@stantonporter.com</u>	
APPLICANT IS THE:	
<input checked="" type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICT(S): <u>MH</u> REQUESTED ZONING DISTRICT: <u>R-TH</u>	
PARCEL NUMBER(S): <u>5162 005 and 5162 058</u> ACREAGE: <u>7.53</u>	
ADDRESS OF PROPERTY: <u>Willowwind Drive</u>	
PROPOSED DEVELOPMENT: <u>51 unit residential townhome development</u>	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>51</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>2160- heated</u>	Total Building Sq. Ft. _____
Gross Density: <u>6.77 units an acre</u>	Density: _____
Net Density: _____	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

3.7.2023

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

Gwinnett County Planning Division
Rezoning Application
Last Updated 10/2021

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: Stanton Porter	NAME: JDW Gwinnett, LLC
ADDRESS: 73 Church Street, P.O. Box 88	ADDRESS: 5671 Hog Mountain Road
CITY: Winder	CITY: Bogart
STATE: Georgia ZIP: 30680	STATE: Georgia ZIP: 30622
PHONE: 470-997-2010 stanton@stantonporter.com	PHONE: _____
EMAIL: meghan@stantonporter.com	EMAIL: _____
CONTACT PERSON: Stanton Porter	PHONE: 470-997-2010
CONTACT'S E-MAIL: stanton@stantonporter.com	
APPLICANT IS THE:	
<input checked="" type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICT(S): MH REQUESTED ZONING DISTRICT: C-2 with SU	
PARCEL NUMBER(S): 5162 005 and 5162 058 ACREAGE: 1.22	
ADDRESS OF PROPERTY: Willowwind Drive	
PROPOSED DEVELOPMENT: car wash	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units	No. of Buildings/Lots: 1
Dwelling Unit Size (Sq. Ft.):	Total Building Sq. Ft. 4,583
Gross Density:	Density: 1 unit per 1.22 acres
Net Density:	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

3.7.2023

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Stanton Porter</u>	NAME: <u>JDW Gwinnett, LLC</u>
ADDRESS: <u>73 Church Street, P.O. Box 88</u>	ADDRESS: <u>5671 Hog Mountain Road</u>
CITY: <u>Winder</u>	CITY: <u>Bogart</u>
STATE: <u>Georgia</u> ZIP: <u>30680</u>	STATE: <u>Georgia</u> ZIP: <u>30622</u>
PHONE: <u>470-997-2010</u>	PHONE: _____
EMAIL: <u>stanton@stantonporter.com</u>	EMAIL: _____
CONTACT PERSON: <u>Stanton Porter</u>	PHONE: <u>470-997-2010</u>
CONTACT'S E-MAIL: <u>stanton@stantonporter.com</u>	_____

*Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:
<input checked="" type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER
EXISTING/PROPOSED ZONING: <u>MH</u> BUILDING/LEASED SQUARE FEET: _____
PARCEL NUMBER(S): <u>5162 005 and 5162 058</u> ACREAGE: <u>7.53</u>
ADDRESS OF PROPERTY: <u>Willowwind Drive</u>
SPECIAL USE REQUESTED: <u>Car Wash</u>

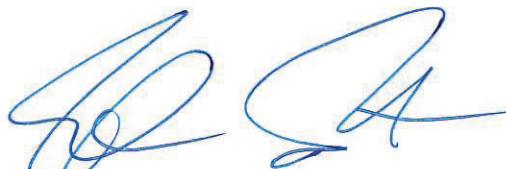
PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

3.7.2023

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

3/7/23

Date

JD W Gwinnett, LLC

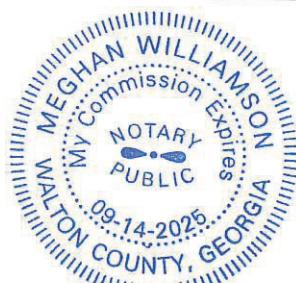
Type or Print Name and Title

Signature of Notary Public

3/7/23

Date

Notary Seal



RECEIVED

3.7.2023

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.

 3/7/23 TDW Gwinnett, LLC
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

 3/7/23 Starter Pihl
SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE DATE TYPE OR PRINT NAME AND TITLE

Meghan Williamson 3/7/23
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

TDW Gwinnett, LLC
YOUR NAME

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

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

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

RECEIVED

3.7.2023

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:
(Map Reference Number)

R - 5K2 - 005
District Land Lot Parcel

Signature of Applicant

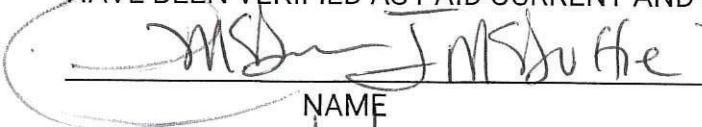
3/7/23
Date

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)


NAME


TITLE

3/7/23
DATE

RECEIVED

3.7.2023

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: R - 5162 - 058
(Map Reference Number) District Land Lot Parcel

Signature of Applicant

Date

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)

NAME

TITLE

DATE

RECEIVED

3.7.2023

Gwinnett County Planning Division
Special Use Permit Application
Last Updated 10/2021

SPECIAL USE PERMIT 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

3/7/23

Date

JB w Gwinnett, LLC

Type or Print Name and Title



Signature of Notary Public

3/7/23

Date

Notary Seal

RECEIVED

3.7.2023

SPECIAL USE PERMIT 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.



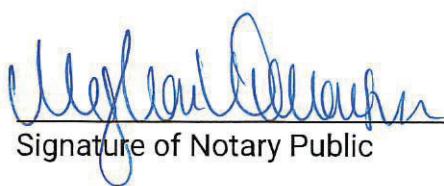
Signature of Property Owner

3/7/23

Date

JDW Gwinnett

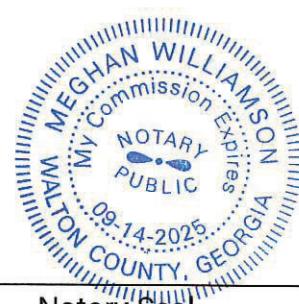
Type or Print Name and Title



Signature of Notary Public

3/7/23

Date



Notary Seal

RECEIVED

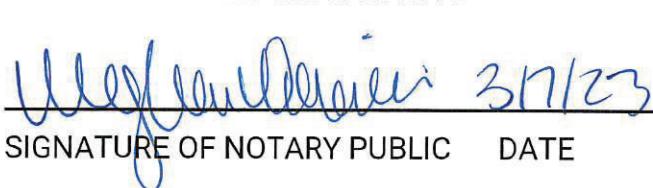
3.7.2023

CONFFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

The undersigned below, making application for a Special Use Permit, 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.

 3/7/23 JDW Gwinnett, LLC
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

 3/7/23 Stanton P. Williamson
SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE DATE TYPE OR PRINT NAME AND TITLE

 3/7/23 MEGHAN W. RAMSON
SIGNATURE OF NOTARY PUBLIC DATE NOTARY SEAL

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

YES NO JD W Gwinnett, LLC
YOUR NAME

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

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

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

RECEIVED

3.7.2023

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT

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 SPECIAL USE PERMIT REQUEST.

PARCEL I.D. NUMBER:
(Map Reference Number)

R - 5162 - 005
District Land Lot Parcel

Signature of Applicant

3/7/23
Date

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)

John J. Shaffer
NAME

TSA
TITLE

3/7/23
DATE

RECEIVED

3.7.2023

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT

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PARCEL I.D. NUMBER:
(Map Reference Number)

R - 5162 - 058
District Land Lot Parcel

Signature of Applicant

3/7/23
Date

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)

John J. McSorley
NAME
3/7/23
DATE

TSA
TITLE

Exhibit F: Internal and External Agency Review Comments

[attached]



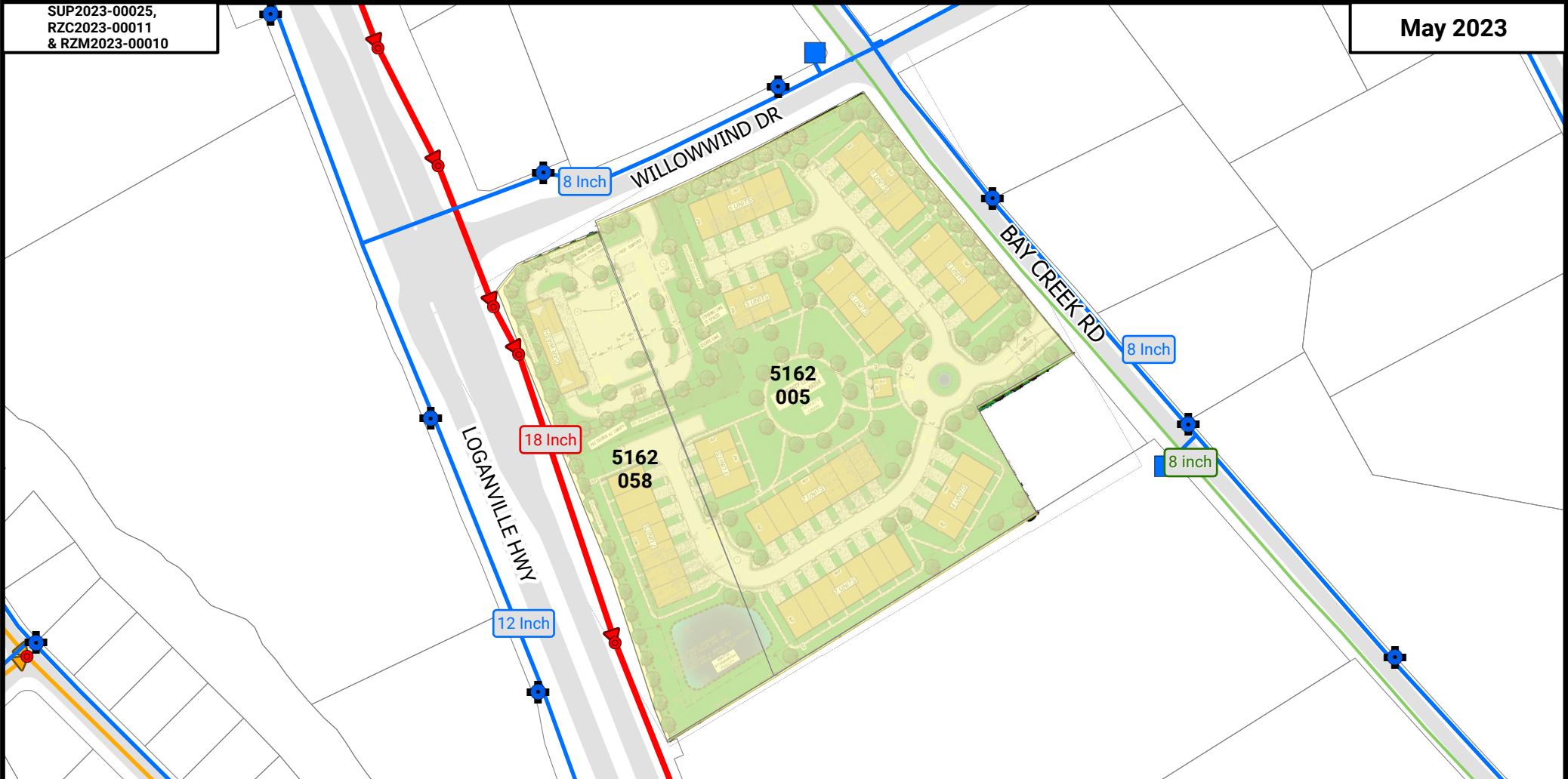
Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date: 04.05.2023		
Department/Agency Name: Transportation		
Reviewer Name: Brent Hodges		
Reviewer Title: Construction Manager 1		
Reviewer Email Address: Brent.Hodges@gwinnettcounty.com		
Case Number: SUP2023-00025 / RZC2023-00011 / RZM2023-00010		
Case Address: 3650 Loganville Highway / 259 Willowwind Drive, Loganville, 30052		
Comments:		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
1	Loganville Highway (SR 20) is a principal arterial. ADT = 21,100. Willowwind Drive and Bay Creek Road are each local roads, with No ADT on file for either.	
2	7.3 miles to the nearest transit facility (#2454884) Grayson Highway and VFW Post #5255.	
3		
4		
5		
6		
7		
Recommended Zoning Conditions:		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
1	The developer shall conduct an Intersection Control Evaluation (ICE) at the intersection of Loganville Highway (SR 20) and Willowwind Drive to consider an R-Cut.	
2	The developer shall also include the intersection of Willowwind Drive and Bay Creek Road in the ICE study.	
3	The developer shall make any improvements recommended by the ICE study, subject to the review and approval of the Georgia Department of Transportation (GDOT) and the Gwinnett County Department of Transportation (GCDOT).	
4		
5		
6		



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

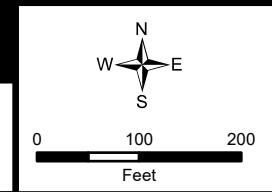
TRC Meeting Date:				
Department/Agency Name: DWR				
Reviewer Name: Mike Pappas				
Reviewer Title: GIS Planning Manager				
Reviewer Email Address: Michael.pappas@gwinnettcounty.com				
Case Number: SUP2023-00025, RZC2023-00011 & RZM2023-00010				
Case Address: 3650 Loganville Highway & 259 Willowwind Drive				
Comments:		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
1	Water: The proposed townhome units may connect to an existing 8-inch water main along the east right-of-way of Bay Creek Road. The proposed car wash development may connect to an existing 12-inch water main along the western right-of-way of Loganville Hwy. A variance may be submitted for the car wash to connect to the existing 8-inch water main on the northern right-of-way of Willowwind Drive.			
2	Sewer: A Sewer Capacity Certification (C2023-026-02) has been approved for this development of 51 townhomes and a car wash facility. The development may connect to an existing 18-inch gravity sewer located on the eastern right-of-way of Loganville Highway.			
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Recommended Zoning Conditions:		<input type="checkbox"/>	YES	<input checked="" type="checkbox"/> NO
1				
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LEGEND

▲ Flow Management	◆ Hydrant	▲ Sewer Force Main
▲ Pump Station	◆ City	▲ Effluent Outfall
◆ Regional	◆ Water Main	▲ Sewer Collector
● Manhole	◆ Reuse Main	◆ Sewer Interceptor

3650 Loganville Hwy & 259 Willowwind Dr MH to R-TH, C-2, SU Water & Sewer Utility Map



LOCATION



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Sewer Comments: A Sewer Capacity Certification (C2023-026-02) has been approved for this development of 51 townhomes and a car wash facility. The development may connect to an existing 18-inch gravity sewer located on the eastern right-of-way of Loganville Highway.

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, May, 2023

												Proposed Zoning
	School	Forecast	2022-23 Capacity	+/- Cap.	Forecast	2023-24 Capacity	+/- Cap.	Forecast	2024-25 Capacity	+/- Cap.	Approximate Student Projections from Proposed Developments	
RZM2023-00010	Archer HS	3,129	2,575	554	3,311	2,575	736	3,394	2,575	819	9	
	McConnell MS	2,197	1,775	422	2,132	1,775	357	2,164	1,775	389	7	
	Cooper ES	1,389	1,625	-236	1,410	1,625	-215	1,431	1,625	-194	14	
RZM2023-00011	Berkmar HS	3,034	2,925	109	3,140	2,925	215	3,234	2,925	309	1	
	Berkmar MS	1,135	1,100	35	1,122	1,100	22	1,097	1,100	-3	1	
	Hopkins ES	1,064	1,500	-436	1,047	1,500	-453	1,035	1,500	-465	1	
RZM2023-00009	Peachtree Ridge HS	3,262	3,050	212	3,295	3,050	245	3,271	3,050	221	11	
	Hull MS	1,258	1,750	-492	1,271	1,750	-479	1,290	1,750	-460	9	
	Burnette ES	744	825	-81	755	825	-70	766	825	-59	16	

Exhibit G: Maps

[attached]



