

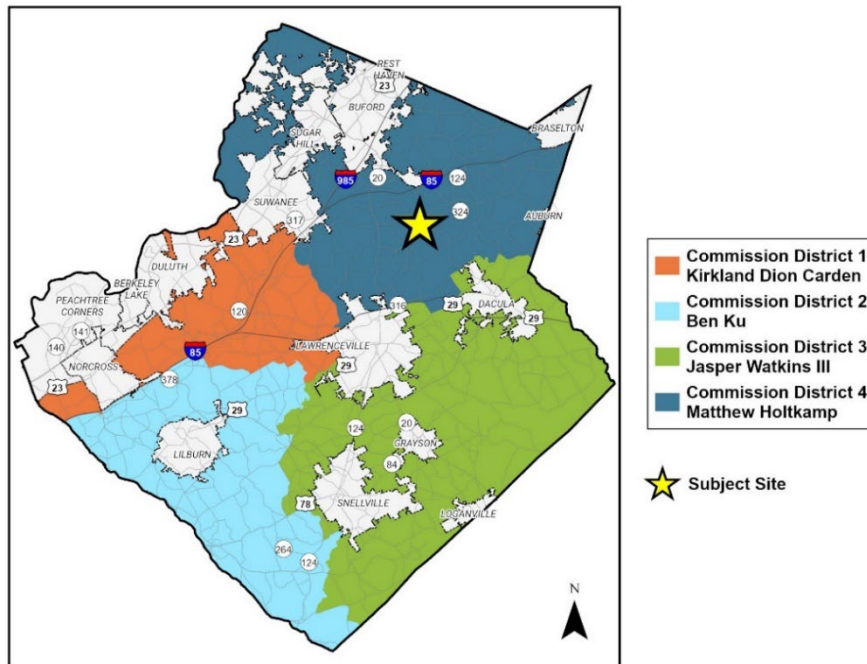


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: RZM2023-00001
Current Zoning: C-2 (General Business District)
Overlay District: Highway 124/324/Hamilton Mill Road
Request: Rezoning to R-TH (Single-Family Residence Townhouse District)
Additional Request: Waiver
Address: 1935 Old Peachtree Road
Map Number: R7094 152
Site Area: 1.57 acres
Units: 14
Proposed Development: Townhouses
Commission District: District 4 – Commissioner Holtkamp
Character Area: Vibrant Communities

Staff Recommendation: APPROVAL WITH CONDITIONS

Planning Commission Recommendation: DENIAL



Planning Commission Advertised Public Hearing Date: 1/4/2023 (Public Hearing Tabled to 2/7/2023)
Board of Commissioners Advertised Public Hearing Date: 1/24/2023 (Public Hearing Tabled to 2/28/2023)

Applicant: Espinosa Construction
6034 Atlanta Highway
Flowery Branch, GA 30542

Owner: A-G Carpentry, Inc
2760 Chamonix Drive
Cumming, GA 30041

Contact: Johnny Free

Contact Phone: 678.925.6904

Zoning History

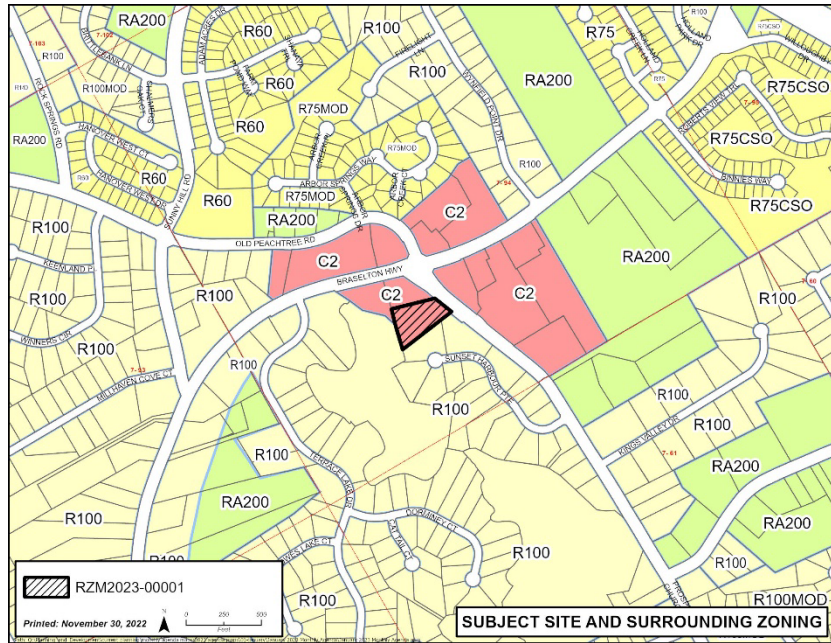
The subject property is zoned C-2 (General Business District). In 1988 the property was part of larger rezoning from RA-200 to R-100, for a single-family detached subdivision pursuant to REZ1988-00148. In 1990, the property was part of larger rezoning from R-100 to C-2, for a convenience store with fuel pumps, car wash, and retail uses pursuant to REZ1990-00023. The convenience store with fuel pumps, car wash, and one multi-tenant retail building was constructed on the adjacent parcel. The subject site remains undeveloped and is approximately in the area where a 23,750 square feet multi-tenant retail building was proposed. The property is within the Highway 124/324/Hamilton Mill Road Overlay District.

Existing Site Condition

The subject site is a 1.57-acre parcel located on Old Peachtree Road, south of its intersection with Braselton Highway. The site is wooded and undeveloped. The topography of the site gradually slopes down towards the south by approximately 12 feet. A pond is located on the adjacent property to the west which results in an undevelopable buffer area on the subject property along the western property line. The site is accessed from an inter-parcel driveway from the property located to the north. There are no sidewalks on Old Peachtree Road. Overhead powerlines are located along the road frontage. The nearest Gwinnett County Transit stop is approximately 5.3 miles from the subject site.

Surrounding Use and Zoning

The subject site is surrounded by residential and commercial uses. Commercial uses such as convenience stores with fuel pumps, multi-tenant commercial buildings, restaurants, and grocery store are located to the north and east. Single-family residences are located to the south and west of the subject property. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Townhouse	R-TH	8.92 units per acre
North	Commercial	C-2	N/A
East	Commercial	C-2	N/A
South	Single-Family Residential	R-100	1.08 units per acre
West	Single-Family Residential	R-100	1.08 units per acre

Project Summary

The applicant requests the rezoning of a 1.57-acre parcel from C-2 to R-TH for townhouses, including:

- 14 front-entry townhouses with a minimum heated floor area of 1,700 square feet, yielding a net density of 8.92 units per acre.
- Exterior building materials of brick, stone, or a mixture of both brick, and stone on the front and painted cement siding with architectural accents on the side and rear facades.
- A 24-foot-wide private street with four-foot-wide sidewalks on both sides.
- A five-foot-wide sidewalk along Old Peachtree Road extending the width of the development.
- 5 guest parking spaces located between the rear row of townhouses and common area.
- One stormwater management facility near the southwestern corner of the development.
- Common area totaling 0.63 acres.
- A reduced 15-foot-wide graded and replanted buffer adjacent to R-100 zoned property.
- A partial ten-foot-wide landscape strip along the property frontage.

Zoning and Development Standards

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

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 35'	< 35'	YES
External Front Yard Setback	Minimum 10'	>10'	YES
External Side Yard Setback	Minimum 20'	>20'	YES
External Rear Yard Setback	Minimum 20'	>20'	YES
Heated Floor Area	2-bedroom Minimum 1,000 sf 3-bedroom Minimum 1,200 sf 4-bedroom Minimum 1,400 sf	Minimum 1,700 square feet	YES
Buffer	Minimum 35'	0'	NO*
Common Area	Minimum 15% (0.24 acres)	40% (0.63 acres)	YES
Density	Maximum 10 units per acre	8.92 units per acre	YES

*The applicant is requesting a buffer reduction waiver.

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. Required buffers shall be provided in conformity [with] Table 610.0 “Table of Minimum Buffer Requirements”.

A 35-foot-wide undisturbed zoning buffer between the proposed R-TH and existing R-100 properties.

The applicant is requesting a waiver to reduce the required 35-foot-wide undisturbed buffer to 0 feet. The applicant is proposing a 15-foot-wide graded and replanted buffer in lieu of the required 35-foot-wide undisturbed buffer.

Internal and External Agency Review

In addition to these Development Standards, the applicant must meet all other UDO requirements related to infrastructure improvements. 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:

A. Whether a proposed zoning 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 residences within subdivisions and commercial uses. The proposed density and nature of this development would provide a transition between the commercial uses at the intersection and the low-density single-family residential uses to the south. The development is suitable given the surrounding area and recently approved developments.

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

The existing use and usability of adjacent or nearby properties would not be adversely affected by the zoning change. Adjacent properties to the west and south are developed with single-family subdivisions on cul-de-sac streets. The addition of townhouses would provide a transition from commercial uses at the intersection to low-density single-family uses. In addition, the townhouses would provide an additional housing type in an area of primarily single-family detached residences that could support the nearby commercial uses.

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

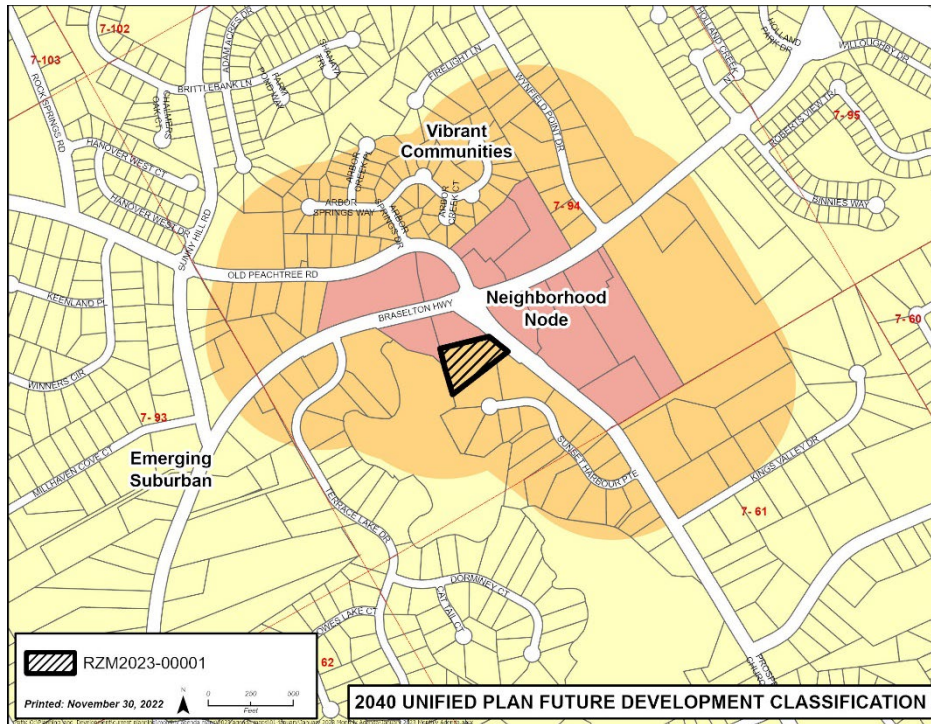
The property has a reasonable economic use as currently zoned.

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

An increase in impacts on public facilities is anticipated in the form of traffic, utility demand, and stormwater runoff, however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. An increased impact is anticipated on school enrollment. Agency review comments concerning any potential improvements related to this 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 and Future Development Map indicate the subject property lies within the Vibrant Communities Character Area. The Vibrant Communities Character Area is intended to serve as a transition between nodes and mixed-use activity centers and surrounding, established single-family residential areas, and is generally located away from the primary intersections where the various types of activity centers and nodes are located. Medium Density residential uses ranging from 8 to 13 units per acre are a recommended development type and would be an appropriate use along Old Peachtree Road. The R-TH zoning district is one of the recommended zoning districts for this character area. Therefore, the requested zoning conforms 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.

The proposed development is in the vicinity of residential subdivision communities on Old Peachtree Road and near commercial uses at the intersection of Old Peachtree Road and Braselton Highway. The site also has convenient access to major transportation corridors including Old Peachtree Road and Braselton Highway both of which are classified as minor arterial streets. The site is currently approved for retail uses and a required 50-foot-wide undisturbed buffer along the southern property line. The proposed development would provide a better transition than the approved retail uses which gives grounds for approval of the rezoning.

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 reduce the undisturbed zoning buffer adjacent to the R-100 zoned property to the south from 35 feet to 0'. The intent of the buffer regulations is to reduce potential impacts of higher-density developments next to lower-density residential properties. In this case, the applicant is proposing a 15-foot-wide graded and replanted buffer in lieu of a 35-foot-wide undisturbed buffer. Reducing setbacks adjacent to the commercial parcel would be preferable. In addition, the site plan reflects a 75-foot-wide buffer along the pond, where only a 25-foot-wide buffer is required. This change would allow the units to be located further from the adjacent single family detached homes. Removing the buffer completely and replacing it would impact neighboring properties. However, a smaller reduction in combination with dense

evergreen plantings and a wooden privacy fence would help alleviate any potential adverse effect on the neighboring properties. Reducing the buffer in this manner would not adversely affect the general public welfare or nullify the intent of the Development Regulations.

Staff Recommendation

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

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

1. To reduce the 35-foot-wide undisturbed buffer along the southern property line to 15 feet undisturbed buffer with an additional 10-foot-wide graded and planted buffer along the southern property line.

Staff Recommended Conditions

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

1. The final site plan shall be subject to the review and approval of the Department of Planning and Development.
2. The property shall be limited to single-family attached townhouses and accessory uses and structures, not to exceed 14 units.
3. The minimum heated floor area per dwelling unit shall be 1,700 square feet.
4. All dwellings shall have a minimum two-car garage.
5. A mandatory homeowners association shall be established and shall be responsible for maintenance of all common areas/facilities and street frontage landscaping.
6. Natural vegetation shall remain on the property until the issuance of a development permit.
7. All grassed areas shall be sodded.
8. An 8-foot-tall wooden privacy fence shall be installed along the northern and southern property lines.
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. Right-of-way to a minimum of 50' from the Old Peachtree Road centerline shall be dedicated to Gwinnett County, subject to review and approval of the Gwinnett County Department of Transportation.

11. The rear of units shall not be oriented toward the external street.
12. To accommodate a 15-foot-wide undisturbed buffer and additional 10-foot-wide graded and replanted buffer, the side yard setback may be reduced by up to 50 percent along the northern property line, subject to the review and approval of the Department of Planning and Development.
13. All residences shall adhere to the Architectural Design Standards for Category 3, Attached Residential Buildings of the Gwinnett County Architectural Standards and the sides of any units oriented toward Old Peachtree Road shall meet the requirements for front facades.

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 request.

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

1. To reduce the 35-foot-wide undisturbed buffer along the southern property line to 15 feet undisturbed buffer with an additional 10-foot-wide graded and planted buffer along the southern property line.

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 Old Peachtree Road



View of the site from Old Peachtree Road and Braselton Highway Intersection

Exhibit B: Site Plan

[attached]

11/15/2022



SITE DATA CHART

TAX PARCEL	7094 152
PROPERTY ADDRESS	1935 OLD PEACHTREE ROAD
GROSS ACREAGE	±1.57 ACRES
EXISTING ZONING	C-2
PROPOSED ZONING	R-TH (RESIDENTIAL TOWNHOUSE)
2040 UNIFIED PLAN	VIBRANT COMMUNITIES CHARACTER AREA
OVERLAY DISTRICT	GA HWY 124/324, HAMILTON MILL
PROPOSED TOWNHOUSE UNITS	14 UNITS W/ TWO CAR GARAGES
- PROPOSED UNIT STORIES	THREE (3) STORIES
- PROPOSED UNIT FOOTPRINT	22' wide X 40' deep
- PROPOSED UNIT HEATED SF	±1,700 SF
PROPOSED DENSITY	14 UNITS / 1.57 ACRES = ±8.92 UN/AC
COMMON AREA REQUIRED	15%
COMMON AREA PROVIDED	±40%
STORMWATER MANAGEMENT	ABOVE GROUND AND UNDERGROUND SYSTEMS
GUEST PARKING REQUIRED	1 SPACE PER 0.25 UNITS = 3.5 SP
GUEST PARKING PROVIDED	5 SPACES (0.357 SP / UNIT)
PROPOSED BUILDING HEIGHT	NOT TO EXCEED 35'

SANITARY SEWER

SANITARY SEWER
GRAVITY FLOW ON-SITE
- GWINNETT COUNTY DWR

RECREATION AREAS

NO RECREATION AREAS
PROVIDED ON SITE

VARIANCES

1. TO REDUCE THE REQUIRED 35' NATURAL RESIDENTIAL BUFFER ADJACENT TO R-100 PROPERTY TO A 15' RE-GRADED AND RE-PLANTED BUFFER. THE RE-GRADED AND RE-PLANTED BUFFER WILL CONSIST OF TWO (2) STAGGERED ROWS OF EVERGREEN TREES THAT ARE AT LEAST 8' TALL AT TIME OF PLANTING AND SPACED ON 15' CENTERS.

SETBACKS

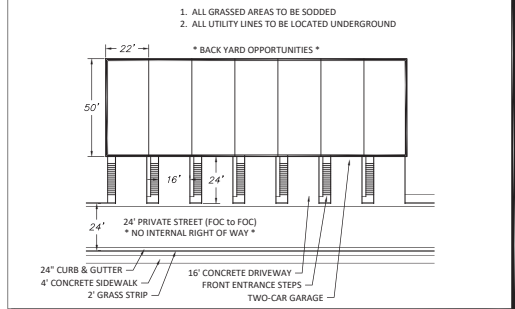
LANDSCAPE STRIP	10'
FRONTYARD	10'
SIDEYARD	20'
REARYARD	20'
LAKE EDGE	50'
- IMPERVIOUS SETBACK	+ 25'

**ZONING CHANGE
C-2 to R-TH**

SITE MAP



TYPICAL UNIT LAYOUT



PROPERTY CONTACTS

PROPERTY OWNER A-G CARPENTRY, INC 2760 CHAMONIX DRIVE CUMMING, GA 30041	LAND PLANNER FWJ3 VENTURES, LLC CONTACT: ERIC JOHANSEN PHONE: (678) 571-4843 CELL fwj3ventures@gmail.com
APPLICANT ESPINOSA CONSTRUCTION 6034 ATLANTA HIGHWAY FLOWERY BRANCH, GA 30542	PROJECT CONTACT JOHNNY FREE PHONE: (678) 925-6904 CELL johnny@jbfreilc.com



Exhibit C: Building Elevations

[attached]

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

[attached]

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Espinosa Construction
6034 Atlanta Highway
Flowery Branch, GA 30542

November 3, 2022

Chairman Nicole Love Hendrickson
Commissioner Kirkland Carden – District 1
Commissioner Ben Ku – District 2
Commissioner Jasper Watkins – District 3
Commissioner Marlene Fosque – District 4
Gwinnett Justice and Administration Center
75 Langley Drive
Lawrenceville, GA 30046

**Re: Letter of Intent for Rezoning Application
Old Peachtree Townhouses located at 1935 Old Peachtree Road (the “Project”)
Gwinnett County Tax Parcels: 7094 152 (the “Property”)**

Chairman and Commissioners,

Espinosa Construction is submitting this Rezoning Application to Gwinnett County, GA (the “County”) on behalf of itself (the “Applicant”), for a **change in zoning from C-2 to R-TH** on the Property. The Applicant is the **Contract Purchaser of the Property**. The Property was previously zoned to C-2 as part of a larger commercial zoning, but due to being located in a “second tier” location tucked behind a C-store, the prospects for commercial uses have non-extinct. The Property is approximately ±1.57 acres in overall size and is currently owned by A-G Carpentry, Inc.

The Applicant intends to develop the Property for the intended use of residential townhouses. The proposed fourteen (14) townhouses will be three story units with front entry two-car garages, step up from porches from the driveway, consistent with the elevations being submitted to the County for this project. The architecture will be primarily masonry front elevations consisting of brick, stone, or a mixture of both brick and stone. The side and rear elevations will consist primary of painted cement siding with architectural accents. All units will have a wooded rear porch or patio depending on the grading adjacent to the proposed townhouse units.

The proposed use of residential townhouses is a great transitional for the County in this area. The Property has been identified in the 2040 Unified Plan as a Vibrant Communities Character area which is intended to be a transitional land use between neighborhood nodes and commercial corridors. Adjacent to the north and east of the Property is established commercial nodes and to the south and west of the Property is single family residential homes. The proposed townhouses meet the intent of the 2040 Unified Plan for the Property. Additionally, the Property is located within the Georgia Highway 124/324 Hamilton Mill Overlay District which will require the developed property to provide more aesthetics for the buildings, common areas and landscaping all associated with the Property.

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The Applicant is requesting the County to consider one Variance for the Property. The proposed Variance is as follows.

- **Variance 1** – to reduce the 35’ residential landscape buffer adjacent to the R-100 zoned property to the south of the proposed development. The Applicant is asking the County to approve a 15’ re-graded and re-planted buffer for this area that will be planted by the Applicant with two staggered rows of 8’ tall evergreen trees at the time of planting and spaced on 15’ centers within each row.
- **Justification for the Variance:** The Property has rolling topography that will need to be graded in conjunction with the overall development of the residential community. The existing buffer is a mature buffer that will only serve the visual and acoustical buffering at heights above the proposed townhouse units. By permitting a reduction of the natural buffer, the Applicant will be permitted to properly grade the grade, waste topsoil in this area by creating a earthen berm effect and them install evergreen trees that will serve as both a visual and acoustical buffer from the ground up.

We believe that our proposed use as Residential Townhouses be an asset to the overall community surrounding Old Peachtree Road and 124/324 areas. The proposed development will improve property values, provide a stable and permanent use of the Property, continue with the progressive growth trends of the County, and will provide another housing option within the County for its residents and future residents to consider which aligns with the County’s comprehensive land plans. We respectfully request the approval of our proposal to change the zoning of the Property from C-2 to R-TH. Should you need any additional information please reach out to me via email at johnny@jbfreellc.com or by phone at (678) 925-6904.

Thank you for your consideration of this Application,

Johnny Free
Agent for the Applicant

cc: Espinosa Construction
 File

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

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS 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, the proposed townhouse development will be a residential land use that is suitable with the adjacent and nearby residentially zoned properties.
- (B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:
No, we do not believe the proposed residential rezoning of the Property will adversely affect the existing use or usability of the adjacent or nearby properties.
- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:
Yes, as currently zoned C-2 there is a reasonable economic use, however, not being located at the hard corner of the intersection creates challenges and 2nd tier type uses and users who would not be desired in the immediate and surrounding area.
- (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:
No, the proposed use would generate LESS traffic as residential than as commercial. Utilities are already present in the area and schools would hardly be affected by so few townhouses.
- (E) WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:
Yes, the Property is located within the Vibrant Communities Character Area which includes the uses as single family residential, townhouses and apartments.
- (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 use is a perfect transitional land use between the commercial corridor and the existing residential communities which directly abut the existing commercial land uses.

Exhibit E: Application and Campaign Contribution Disclosure

[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>Espinosa Construction</u>	NAME: <u>A-G Carpentry, Inc</u>
ADDRESS: <u>6034 Atlanta Highway</u>	ADDRESS: <u>2760 Chamonix Drive</u>
CITY: <u>Flowery Branch</u>	CITY: <u>Cumming</u>
STATE: <u>GA</u> ZIP: <u>30542</u>	STATE: <u>GA</u> ZIP: <u>30041</u>
PHONE: <u>(770) 231-7890</u>	PHONE: <u>(770) 616-8900</u>
EMAIL: <u>felix@ecsmgmt.com</u>	EMAIL: <u>info@ecsmgmt.com</u>
CONTACT PERSON: <u>Johnny Free</u> PHONE: <u>(678) 925-6904</u>	
CONTACT'S E-MAIL: <u>johnny@jbfreellc.com</u>	
APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICTS(S): <u>C-2</u> REQUESTED ZONING DISTRICT: <u>R-TH</u>	
PARCEL NUMBER(S): <u>7094 152</u> ACREAGE: <u>+/- 1.57 acres</u>	
ADDRESS OF PROPERTY: <u>1935 Old Peachtree Road, Lawrenceville, GA 30043</u>	
PROPOSED DEVELOPMENT: <u>Residential Townhouses</u>	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>14</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>+/- 1,700 SF</u>	Total Building Sq. Ft. _____
Gross Density: <u>14 / 1.57 = 8.92 un/ac</u>	Density: _____
Net Density: _____	

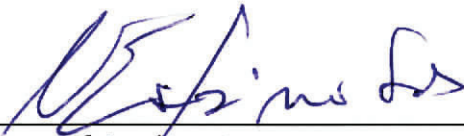
PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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REZONING APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 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.

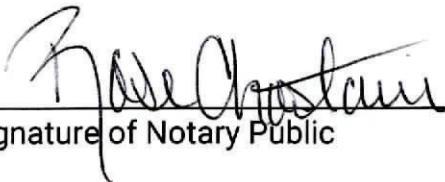


Signature of Applicant

Date

Felix Espinosa, President of Espinosa Construction

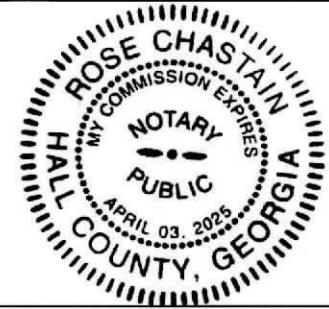
Type or Print Name and Title



Signature of Notary Public

11-2-22

Date



Notary Seal

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10/20/2022

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

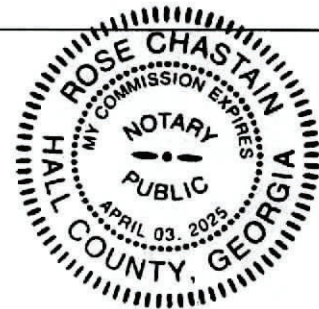
Date

Agustin Gutierrez, President of A-G Carpentry, Inc

Type or Print Name and Title

Signature of Notary Public

11/2/22
Date



Notary Seal

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CONFLICT OF INTEREST CERTIFICATION FOR REZONING

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

[Handwritten Signature]

Felix Espinosa, President

SIGNATURE OF APPLICANT

DATE

TYPE OR PRINT NAME AND TITLE

[Handwritten Signature]

Johnny Free, Agent

SIGNATURE OF APPLICANT'S
ATTORNEY OR REPRESENTATIVE

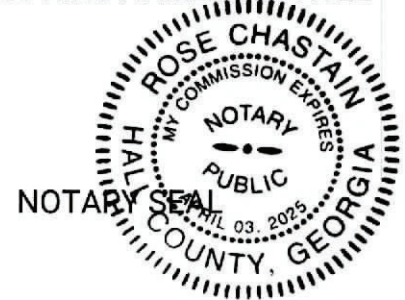
DATE

TYPE OR PRINT NAME AND TITLE

[Handwritten Signature] *[Handwritten Date]*

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

Victor Espinosa & Johnny Free

YOUR NAME

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

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

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

Exhibit F: Internal and External Agency Review Comments

[attached]



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:		12.14.2022	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		Brent.Hodges@gwinnettcounty.com	
Case Number:		RZM2023-00001	
Case Address:		1935 Old Peachtree Road, Lawrenceville, 30043	
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	Old Peachtree Road is a minor arterial. ADT = 9,508 (2017).		
2	5.3 miles to the nearest transit facility (#2454819) Collins Hill Road and Collins Industrial Way.		
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	Per classification of Old Peachtree Road as a minor arterial, located within 500' of a signalized intersection; the developer shall dedicate right-of-way to a minimum of 50' from the Old Peachtree Road centerline.		
2			
3			
4			
5			
6			
7			

Note: Attach additional pages, if needed

Revised 7/26/2021

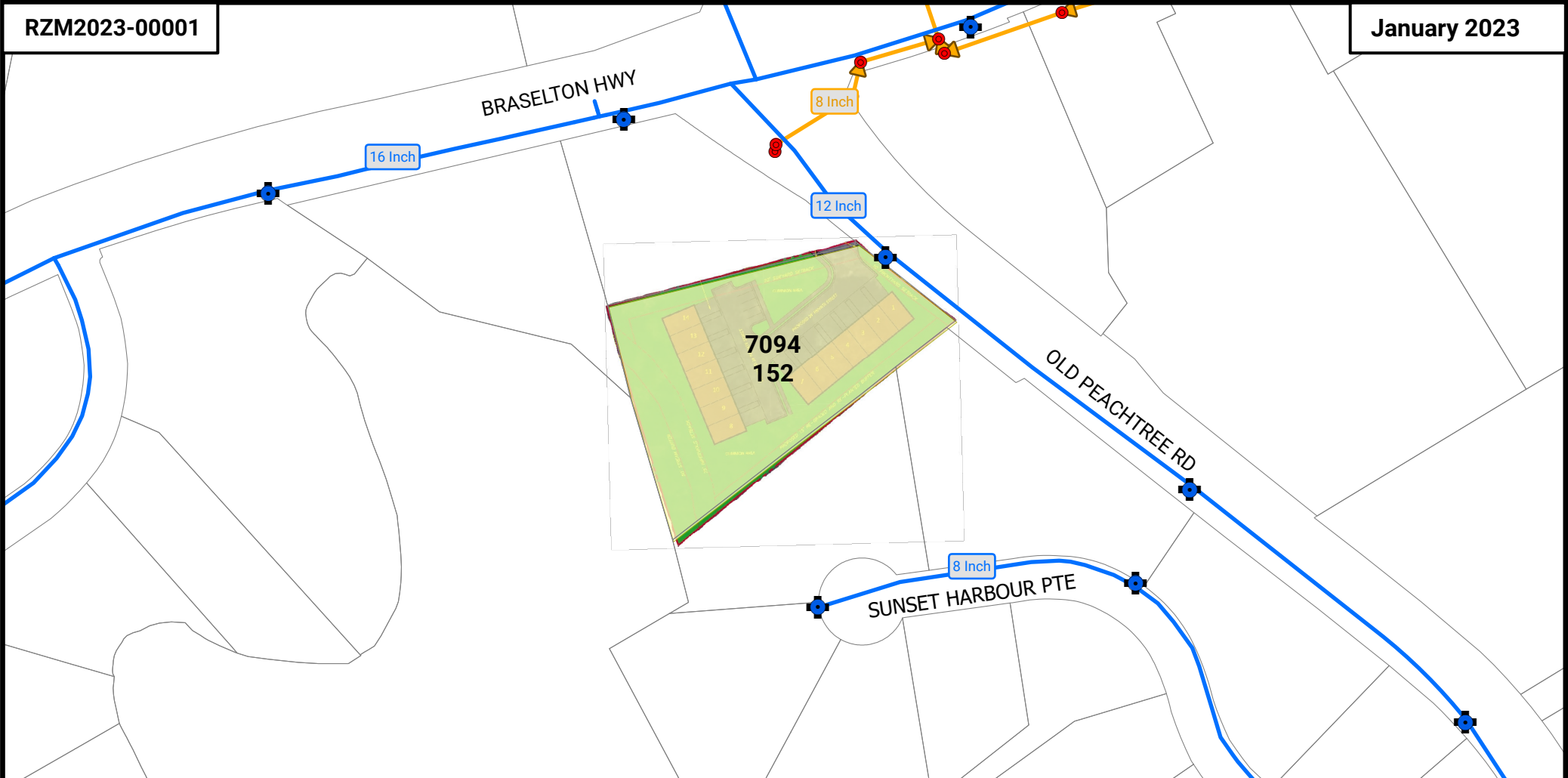


**Department of Planning and Development
TECHNICAL REVIEW COMMITTEE**

TRC Meeting Date:				
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		Michael.pappas@gwinnettcountry.com		
Case Number:		RZM2023-00001		
Case Address:		1935 Old Peachtree Road		
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Water: The developer may connect to an existing 12-inch water main along the western right-of-way of Old Peachtree Road.			
2	Sewer: A Sewer Capacity Certification is required for this development. Pending available capacity, the developer may connect to an existing 8-inch gravity sewer located approximately 150 ft north in the right-of-way near the intersection of Old Peachtree Road and Braselton Highway.			
3				
4				
5				
6				
7				
Recommended Zoning Conditions:		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1				
2				
3				
4				
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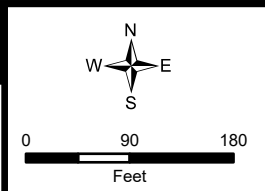
Note: Attach additional pages, if needed

Revised 7/26/2021



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

1935 Old Peachtree Road
C-2 to R-TH
Water & Sewer
Utility Map



Water Comments: The developer may connect to an existing 12-inch water main along the western right-of-way of Old Peachtree Road.

Sewer Comments: A Sewer Capacity Certification is required for this development. Pending available capacity, the developer may connect to an existing 8-inch gravity sewer located approximately 150 ft north in the right-of-way near the intersection of Old Peachtree Road and Braselton 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.



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

Residential Rezoning Impact on Local Schools
 Prepared for Gwinnett County BOC, **January, 2023**

											Proposed Zoning
	School	2022-23			2023-24			2024-25			Approximate Student Projections from Proposed Developments
		Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	
RZM2023-00001	Mountain View HS	2,370	2,300	70	2,285	2,300	-15	2,254	2,300	-46	3
	Twin Rivers MS	1,665	2,150	-485	1,715	2,150	-435	1,766	2,150	-384	2
	Freeman's Mill ES	1,029	925	104	1,018	925	93	1,028	925	103	3
RZR2023-00001	Archer HS	3,129	2,575	554	3,311	2,575	736	3,394	2,575	819	3
	McConnell MS	2,197	1,775	422	2,132	1,775	357	2,164	1,775	389	2
	Harbins ES	1,425	1,225	200	1,454	1,225	229	1,483	1,225	258	3

Exhibit F: Maps


[attached]

BRASELTON HWY

OLD PEACHTREE RD

SUNSET HARBOUR PTE

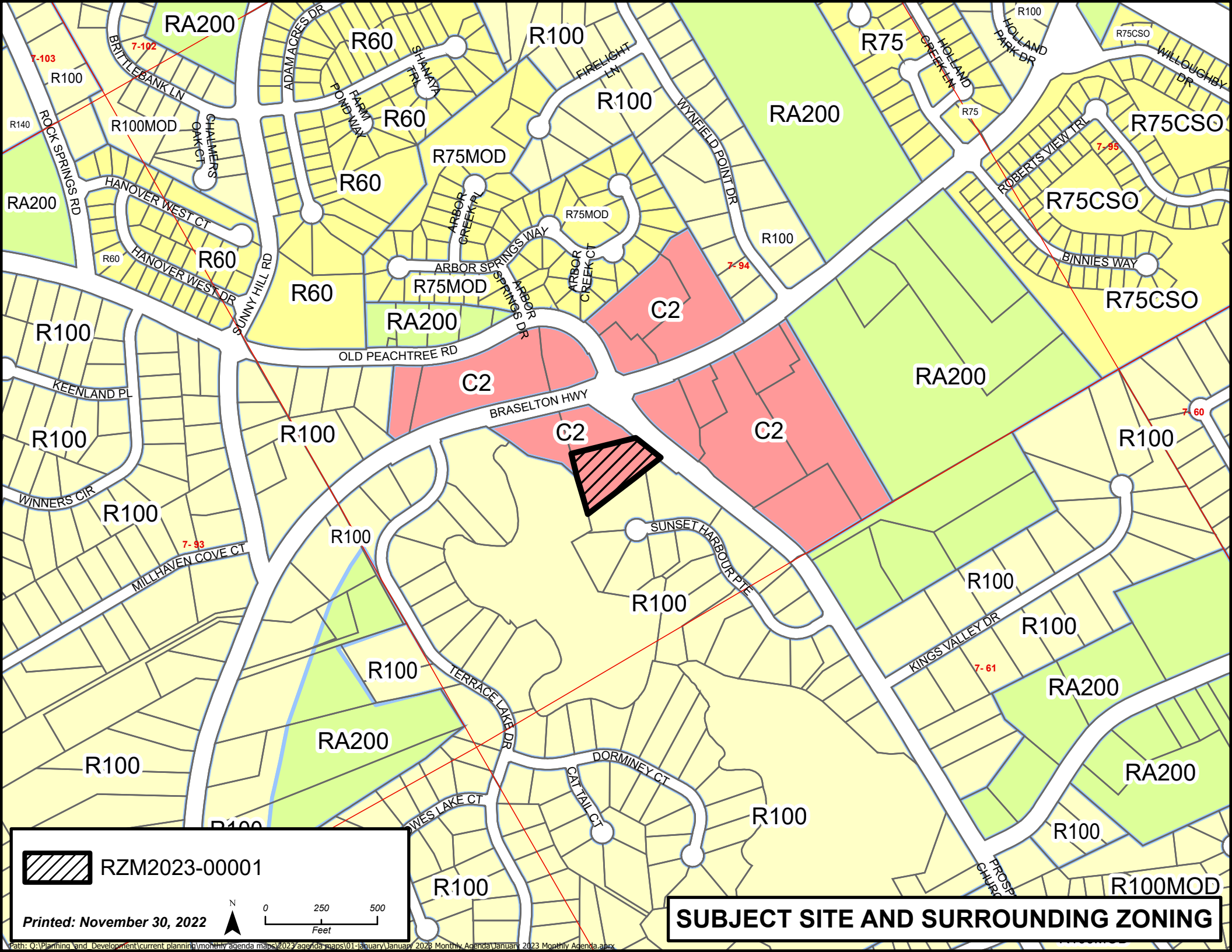



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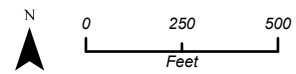


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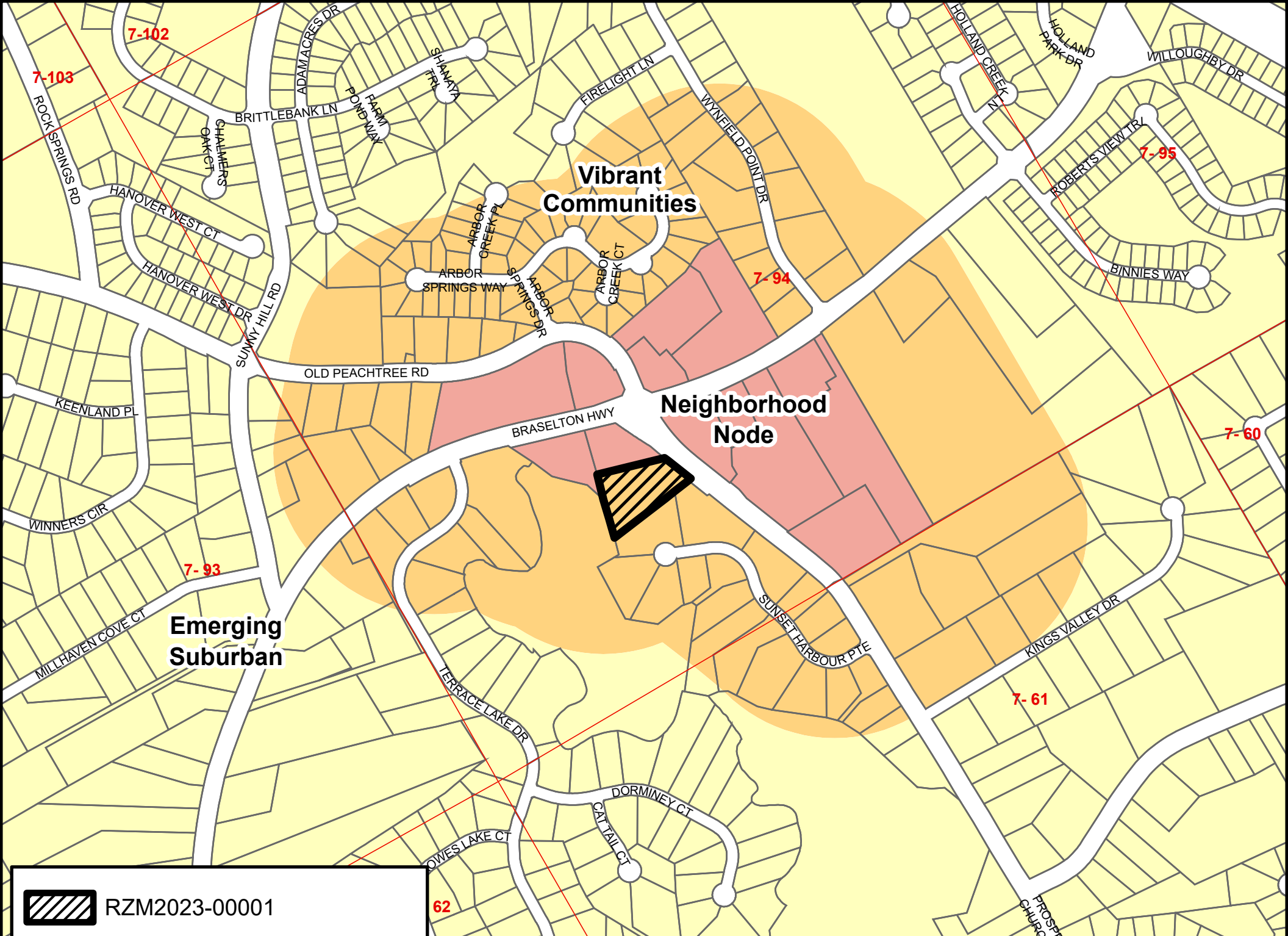



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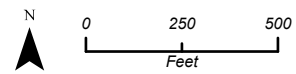


SUBJECT SITE AND SURROUNDING ZONING



 RZM2023-00001

Printed: November 30, 2022



2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION