

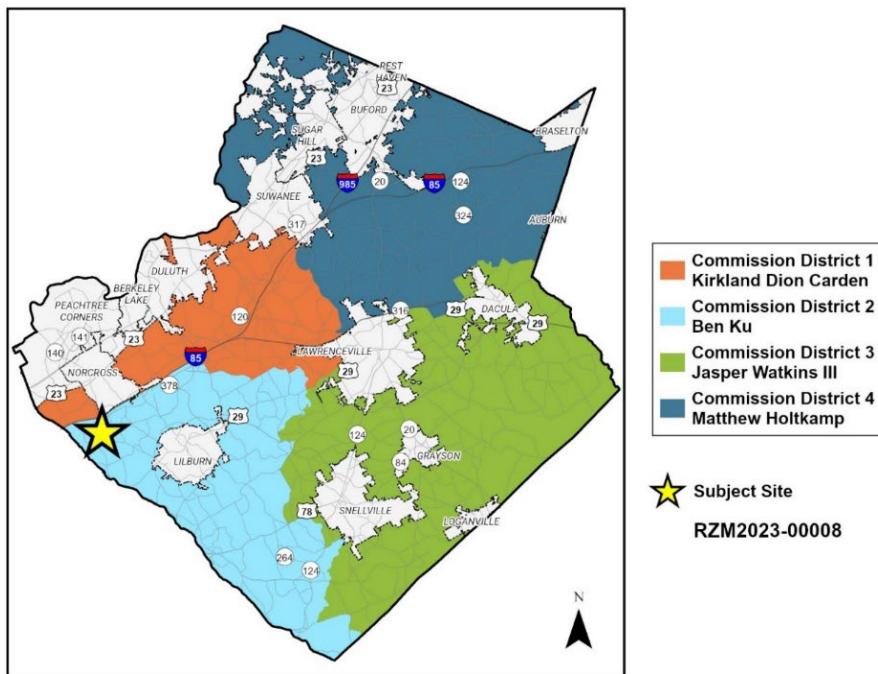


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: RZM2023-00008
Current Zoning: O-I (Office-Institutional District)
Overlay District: Gateway 85
Request: RM-13 (Multifamily Residence District)
Additional Request: Waiver
Address: 5320 Jimmy Carter Boulevard
Map Number: R6195 033
Site Area: 6.44 acres
Units: 72
Proposed Development: Apartments
Commission District: District 2 – Commissioner Ku
Character Area: Community Node

Staff Recommendation: APPROVAL WITH CONDITIONS

**Planning Commission
Recommendation:** APPROVAL WITH CONDITIONS



Planning Commission Advertised Public Hearing Date: 4/11/2023
Board of Commissioners Advertised Public Hearing Date: 4/25/2023

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

Owner: The Nett United Methodist Church
675 Pleasant Hill Road NW
Lilburn, GA 30047

Contact: Shane Lanham

Contact Phone: 770.232.0000

Zoning History

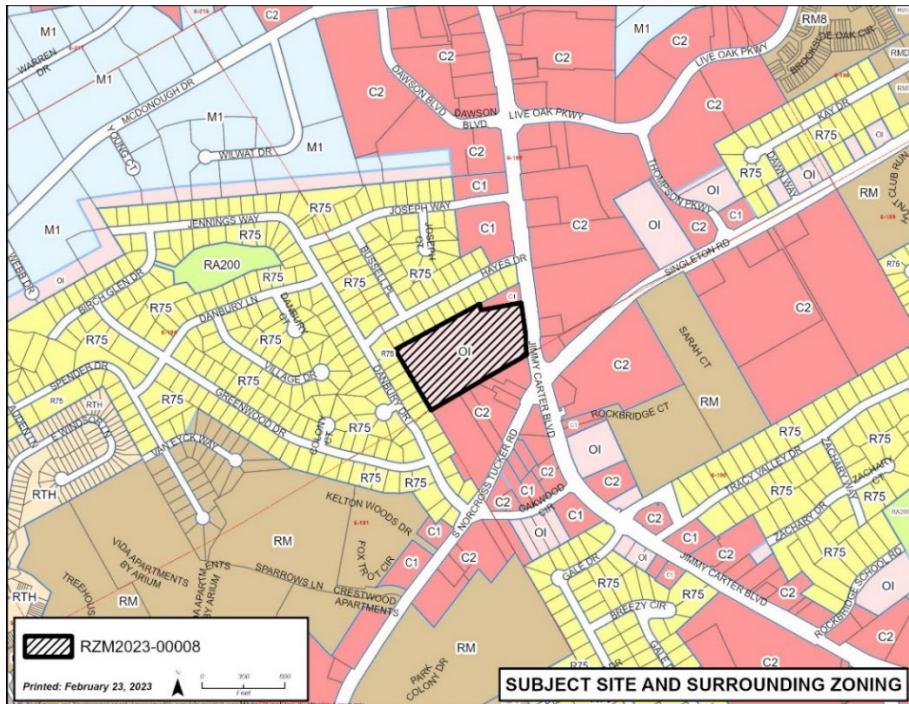
The subject property is zoned O-I (Office-Institutional District). In 1972, the property was rezoned from R-75 (Single-Family Residence District) to O-I as part of an areawide rezoning. The subject property is located within the Gateway 85 Overlay District.

Existing Site Condition

The subject site is a 6.44-acre portion of a 9.75-acre developed parcel located on the west side of Jimmy Carter Boulevard north of its intersection with Norcross Tucker Road, Interstate 85 is located approximately 0.5 miles to the north. The portion of the remaining 3.31-acre parcel contains a place of worship with a recreational field, parking lot, and accessory structures. The applicant is requesting to subdivide the property and rezone the rear 6.44-acre portion of the parcel containing the recreational field. A telecommunications tower is located near the southern property line of the subject property. Most of the rear portion of the site is flat and has been cleared for the recreation field. Areas along the side and rear property lines contain dense tree coverage. The parcel is accessed by a single driveway from Jimmy Carter Boulevard and an interparcel access driveway shared with a commercial property to the north. There is an existing sidewalk extending the length of the property frontage and overhead utilities along Jimmy Carter Boulevard. The nearest Gwinnett County Transit stop is approximately 500 feet from the subject site.

Surrounding Use and Zoning

The subject site is located within the intensely developed Jimmy Carter Boulevard corridor, which contains a mixture of uses. Danbury Village, a single-family detached subdivision, is located to the west of the subject property. Glenbrook Forest, also a single-family detached subdivision, is located to the north of the subject property. A multi-tenant commercial building constructed in 1985 is located to the north of the site. Across Jimmy Carter to the east is Gwinnett Horizons, a multi-tenant shopping center. The shopping center contains several businesses within the main building with additional commercial outparcels. Multi-tenant commercial buildings, a pharmacy, an automotive repair shop, and a self-storage facility are located south of the site. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Apartments	RM-13	11.1 units per acre
North	Single-Family Residential	R-75	2.3 units per acre
	Commercial	C-2	N/A
East	Commercial	C-2	N/A
South	Commercial	C-2	N/A
West	Single-Family Residential	R-75	2.3 units per acre

Project Summary

The applicant requests the rezoning of a 6.44-acre portion of a parcel from O-I to RM-13 for apartments, including:

- 72 units within two, 3-story garden-style apartment buildings yielding a net density of 11.1 units per acre.
- A shared driveway with the existing Nett United Methodist Church, with access to Jimmy Carter Boulevard. A security gate will be located on the shared driveway behind the church at the entrance to the apartments.
- Heated floor areas of 744 square feet for one-bedroom units (65% of units), 1,200 square feet for two-bedroom units (25% of units), and 1,400 square feet for two-bedroom two-bath units (12% units).
- A central amenity area including a 5,500 square foot clubhouse, covered pavilion, playground, and a community garden.
- A proposed 50-foot-wide landscaped zoning buffer located along the northern and western property lines.
- Two proposed stormwater ponds located at the northwestern and southwestern corners of the site.
- A total of 108 surface parking spaces located within the center of the site.
- A proposed dumpster located at the southwestern corner of the property south of the

clubhouse.

- An existing cell tower located towards the southern property line of the site. All proposed buildings are located outside of the tower's fall zone.
- An internal sidewalk network which connects to the existing sidewalk along Jimmy Carter Boulevard.
- Building Elevations were not provided by the applicant.

Zoning and Development Standards

The applicant is requesting rezoning to RM-13, Multifamily Residence District. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 50'	≤50'	YES
Front Yard Setback	Minimum 15'	15'	YES
Side Yard Setback	Minimum 10'	10'	YES
Rear Yard Setback	Minimum 30'	30'	YES
Heated Floor Area	1-bedroom Minimum 600 sf 2-bedroom Minimum 800 sf	1br -744 sf 2br - 970 sf	YES
Common Area	Minimum 15% (0.96 acres)	15% (0.97 acres)	YES
Density	Maximum 13 units per acre	11.1 units per acre	YES
Off-Street Parking	Minimum: 108 Maximum: 216	108	YES
Zoning Buffer	Minimum 50' Undisturbed	50' Landscaped	NO*
Buffer Structure Setback	Minimum 5'	5'	YES
Landscape Strip	Minimum 10'	10'	YES

*The applicant is requesting a buffer reduction waiver to allow grading in the required undisturbed buffer.

In addition, the proposed site plan does not comply with following standards within the Gateway 85 Overlay District:

Standard	Required	Proposed	Meets Standard?
Sidewalk and Sidewalk Landscape Strip	Minimum 2' Landscape Strip with an 8' Sidewalk	Sidewalk existing along ROW, width not provided. Landscape Strip not shown.	NO*
Pedestrian Access	Walkway with a minimum width of 5' and a landscape strip with a minimum width of 5' along both sides	Walkway and Landscape Strip shown, width not provided.	NO*
Streetlights	Streetlights shall be provided	Streetlights not shown	NO*

* Items not shown on the site plan must be included on site development plans prior to land development permit approval.

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 50-foot undisturbed zoning buffer adjacent to R-75 zoned property.

A 50-foot-wide undisturbed zoning buffer is required for RM-13 developments when adjacent to property zoned R-75. This undisturbed zoning buffer is required along the northern and western property lines. The applicant is proposing a graded and replanted 50-foot-wide landscaped buffer in lieu of the 50-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 E). 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 rezoning zoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The surrounding area consists of a mixture of uses including commercial, a place of worship, and single-family residential. The subject site intends to subdivide and develop a portion of the parcel used for a place of worship for an apartment development near a commercial node. Jimmy Carter Boulevard is one of the most intensely developed corridors in the County with high traffic counts and several large commercial and apartment developments. The proposed apartment development is a relatively small development with a density under what is permitted in the proposed zoning district making it suitable in view of the use and development of nearby properties. The site is also in close proximity to a transit strip.

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 with appropriate zoning conditions and zoning buffers. The relatively small scale of the proposed development allows it to meet the distance separation between it and the existing single-family homes. Maintaining existing vegetation and supplementing with additional planting to meet buffer standards would minimize impact on adjacent parcels.

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

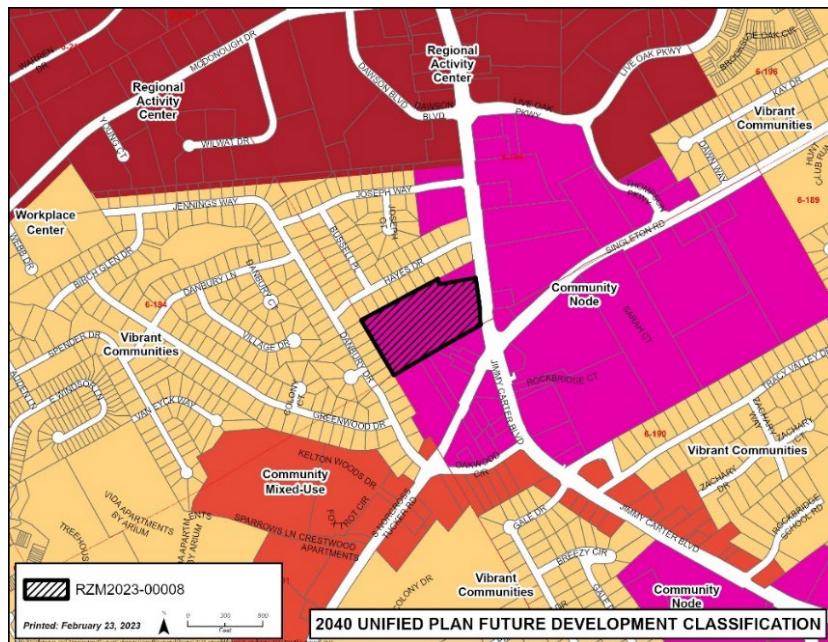
The property has a reasonable economic use as currently zoned.

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. The development would be an infill, redeveloped project in an area with existing infrastructure. Agency review comments concerning any potential improvements related to this request are attached (Exhibit E).

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 Community Node Character Area. This area is characterized by high-density mixed-use developments incorporating commercial, office, live-work, and similar ground floor uses with high-density residential uses located at major intersections. Future development and redevelopment should focus on making these nodes more pedestrian-oriented with vertically mixed-use buildings. The proposed apartment development seeks to add medium-density residential housing. The area surrounding the subject property is intensely developed with commercial and service uses. The residents of the proposed apartments could walk to a number of establishments in the nearby area to work, shop, or dine. The proposed development is more aligned with the vision and goals of the Unified 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.

The applicant proposes the rezoning of the property for apartments. The Board of Commissioners recently adopted an update to a Livable Center Initiative plan in the area. This adoption was to support those seeking tax credits for affordable housing. The subject property is adjacent to an intensely developed commercial node. The uses along the intersection of Jimmy Carter Boulevard and South Norcross Tucker Road are predominantly general commercial businesses and the site development would provide more pedestrian traffic within the node in proximity to transit. Development of an affordable housing community that minimizes impacts on adjacent neighborhoods would provide additional housing opportunities for Gwinnett residents.

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 requested buffer reductions are located along the northern and western property lines of the subject property. The applicant proposes to eliminate the undisturbed buffer and install a 50-foot-wide graded and replanted buffer. Redesigning the site to construct the building in the center of the site would require less grading and more separation from adjacent single-family lots. Therefore, the proposed elimination of the undisturbed zoning buffer would 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 **DENIAL** of the following waiver:

1. To allow a 50-foot-wide graded and replanted landscape buffer in lieu of the required 50-foot-wide undisturbed zoning buffer.

Planning Commission Recommendation

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

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

1. To allow a **hybrid** 50-foot-wide **buffer comprising a 25-foot-wide natural, undisturbed buffer and a 25-foot-wide** graded and replanted landscape buffer in lieu of the required 50-foot-wide undisturbed zoning buffer.

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

Approval as RM-13 (Multi-Family Residence District) for apartments, subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan, dated March 15, 2023, with revisions required by conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.
2. Development shall be limited to multifamily residential units and accessory uses and structures, not to exceed 72 units.
3. Buildings shall comply with Category 3, Multi-Family Residential Buildings of the Gwinnett County Architectural Standards. All corridors shall be enclosed **and may be naturally ventilated. and internally conditioned.**
4. Development amenities shall include, but not be limited to, a clubhouse, playground, **fitness center** **community garden**, and pavilion. Final amenity plan shall be reviewed and approved by the Department of Planning and Development.
5. Natural vegetation shall remain on the property until the issuance of a development permit.
6. All grassed areas shall be sodded.
7. Development shall be limited to a multifamily development eligible for the Georgia Department of Community Affairs Low Income Housing Tax Credit program.
8. ~~The development shall not be gated.~~

9. A minimum of 75-percent of units shall include usable balconies. All other units may include juliette style balconies.
10. ~~The site shall be redesigned to locate buildings adjacent to the central amenity area with parking areas located on the exterior of the site.~~
11. Indoor lockable bicycle storage shall be provided within each multifamily building.
12. All units shall be accessed from internal corridors which may be naturally-ventilated with mechanical ventilation. Breezeway and/or corridor natural ventilation vegetation openings in the exterior façade shall be provided with architectural treatments prohibited.
13. A minimum 6-foot-tall wooden or wood-style synthetic privacy fence shall be provided adjacent to any single-family detached parcels.
14. A minimum 6-foot-tall wooden or wood-style synthetic privacy fence shall be provided adjacent to Tract 1 along the eastern boundary of the site in general conformance with the fence exhibit presented at the April 11, 2023 Planning Commission public hearing (Exhibit G), and southern boundary where possible, subject to the review and approval of the Department of Planning and Development.
15. An interparcel access agreement shall be created and recorded with proposed Tract 1, subject to the review and approval of the Department Planning and Development.
16. The development shall be limited to no more than 10 percent of units that are three or more bedrooms.
17. The landscaped buffer shall be planted in accordance with Section 610-20.7, Supplemental Plantings, of the Unified Development Ordinance with the exception that all evergreen trees shall be a minimum of 8 feet in height at the time of planting.

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Letter of Intent and Applicant's Response to Standards
- D. Application and Disclosure of Campaign Contributions
- E. Internal and External Agency Review Comments
- F. Maps
- G. Fence Exhibit Presented at the April 11, 2023 Planning Commission Public Hearing

Exhibit A: Site Visit Photos



View of the site from Jimmy Carter Boulevard



View of the site between the Church and Recreational Fields (Development Site)



View of the Recreational Fields to be Developed for the Apartments

Exhibit B: Site Plan

[attached]

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3/15/2023

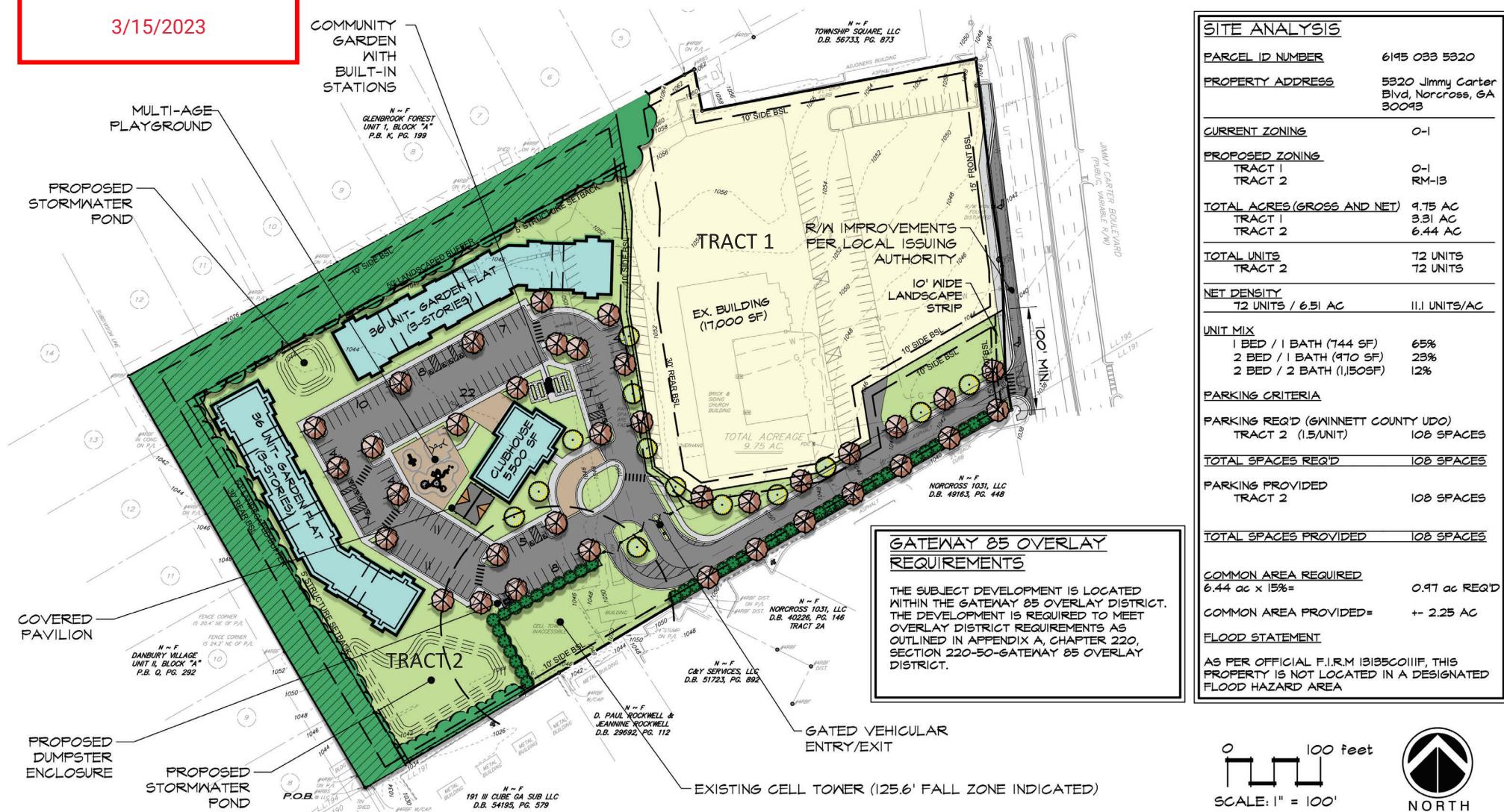


Exhibit C: Letter of Intent and Applicant's Response to Standards

[attached]

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1/26/2023



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

Jeffrey R. Mahaffey
Jessica R. Pickens
Steven A. Pickens
Gabrielle H. Schaller
Andrew D. Stancil
R. Lee Tucker, Jr.

*Of Counsel

LETTER OF INTENT FOR REZONING APPLICATION OF ONE STREET RESIDENTIAL, LLC

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and the attached rezoning application (the “Application”) on behalf of One Street Residential, LLC (the “Applicant”), relative to a proposed residential development on an approximately 6.51-acre tract of land (the “Property”) located along the westerly side of Jimmy Carter Boulevard and north of its intersection with South Norcross Tucker Road. The Property is currently zoned O-I and is located within the Community Node Character Area as set forth in the Gwinnett 2040 Unified Plan (the “2040 Plan”).

Currently, the Property is developed as a large church campus with an approximately 17,000 square foot main church building that is served by surface parking lots. The proposed redevelopment would repurpose the large area behind the church building for multifamily residential and community open space uses to create a vibrant, walkable, mixed-use campus that is focused around the existing church building, which would remain and serve as the community’s central hub. A total of 72 multifamily units are proposed in 2 buildings with a Clubhouse, community garden, playground, covered pavilion, and green space located towards the rear of the Property behind the existing church building. The Applicant is proposing a 50-foot landscape buffer around the rear and north side of the property. The single existing full-access driveway would be maintained in place to serve the campus. Residents of the proposed redevelopment would have convenient access to nearby commercial uses located at the intersection of Jimmy Carter Boulevard and South Norcross Tucker Road/Singleton Road to the east, as well as employment uses and education centers located to the north along Jimmy Carter Boulevard leading to Interstate

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

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16 of 39
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85. Residents would also have convenient access to several fitness and recreational facilities, such as Graves Park, located 1.6 miles from the Property.

The Applicant is proposing an attractive 50-foot landscape buffer curated to compliment the design of the proposed development and the surrounding uses. The Applicant anticipates required grading along the outer portion of the property. Any disturbed areas will be replanted in accordance with an approved landscape plan. The landscape buffer will provide ample screening for the adjacent neighborhood.

Ultimately, the Applicant is proposing a residential development that is designed to activate underutilized portions of the Property and create inviting community space for on-site residents as well as those living in surrounding areas. The Applicant's redevelopment furthers the church's mission by inviting the community into its campus and supports its efforts to serve a growing, increasingly diverse area of the County.

The proposed redevelopment is also in line with the policies of the 2040 Plan, which designates the Property as within the Community Node Character Area. Policies for this character area encourage the development and redevelopment of areas located along major intersections in ways that make those corridors more pedestrian-oriented. In fact, the 2040 Plan specifically encourages the creation of centers that combine residential and nonresidential uses to promote pedestrian activity. The proposed redevelopment promotes the spirit and intent of this policy by creating a mixed-use area comprised of connected institutional and residential uses.

In order to redevelop the Property as set forth on the submitted site plan and the Application, the Applicant also requests the following relief from the UDO:

- A variance from UDO § 220-50.7(A) to not provide interparcel connectivity with the neighboring commercial property to the south. The proposed development is connected to the adjacent church property. The connection to the church property will generate activity and walking traffic between the two parcels. The property to the south is located on the corner of the Jimmy Carter Boulevard and South Norcross Tucker Road intersection. Connecting to the property to the south will create a cut-through opportunity for vehicle traffic, which will result in an unsafe environment for pedestrians. Granting this variance will allow for a more appropriate and safe design.

The proposed development is compatible with existing land uses and zoning classifications of the surrounding area, is in line with the policy and intent of the 2040 Plan, and is an appropriate

land use due to the Property's close proximity to major transportation corridors including Jimmy Carter Boulevard and South Norcross Tucker Road. The Applicant welcomes the opportunity to meet with staff of the Gwinnett County Department of Planning and Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application filed herewith. The Applicant respectfully requests your approval of the Application.

Respectfully submitted this 26th day of January, 2023.

MAHAFFEY PICKENS TUCKER, LLP

Shane Lanham

Shane M. Lanham
Attorneys for the Applicant

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

- (A) The proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The proposed development is multi-family apartments that will provide walkability and connectivity to the neighboring church.
- (B) The proposed rezoning will not adversely affect the existing use or usability of any of the nearby properties. The proposed development is compatible with surrounding development. The residents of the proposed rezoning will provide critical mass for the nearby businesses and will enhance the neighboring church community.
- (C) Due to the size, layout, location, and topography of the subject property, the Applicant submits that the subject property does not have reasonable economic use as currently zoned.
- (D) The proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems. The development is planned as medium-density multi-family apartments. As such, the relatively low development density will not overly burden infrastructure systems.
- (E) The proposed rezoning is in conformity with the policy and intent of the Land Use Plan. In fact, the Plan explicitly encourages mixed use developments oriented toward pedestrian activity.
- (F) Applicant submits that the residential/mixed-use nature of the area provides additional support of this Application.

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Exhibit D: Application and Disclosure of Campaign Contributions

[attached]

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Gwinnett County Planning Division

Rezoning Application

Last Updated 5/2021

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: One Street Residential, LLC c/o Mahaffey Pickens Tucker, LLP	NAME: The Nett United Methodist Church,
ADDRESS: 1550 North Brown Road, Suite 125	ADDRESS: 675 Pleasant Hill Road NW
CITY: Lawrenceville	CITY: Lilburn
STATE: Georgia ZIP: 30043	STATE: Georgia ZIP: 30047
PHONE: 770 232 0000	PHONE: 770 232 0000
CONTACT PERSON: Shane Lanham PHONE: 770 232 0000	
CONTACT'S E-MAIL: slanham@mptlawfirm.com	
<p style="text-align: center;">APPLICANT IS THE:</p> <p><input type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER</p>	
PRESENT ZONING DISTRICT(S): O-I REQUESTED ZONING DISTRICT: RM-13	
PARCEL NUMBER(S): 6195 033 ACREAGE: +/- 6.51	
ADDRESS OF PROPERTY: 5320 Jimmy Carter Boulevard, Norcross, Georgia 30093	
PROPOSED DEVELOPMENT: Apartments	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units 72	No. of Buildings/Lots: N/A
Dwelling Unit Size (Sq. Ft.): Varies per UDO	Total Building Sq. Ft. N/A
Gross Density: 7.38 Units/Acre	Density: N/A
Net Density: 11.1 Units / Acre	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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1/26/2023

Gwinnett County Planning Division
Rezoning Application
Last Updated 5/2021

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.



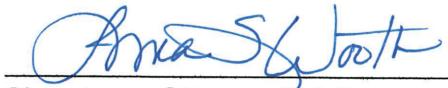
Signature of Applicant

01/06/2023

Date

Brendan Barr - Managing Partner

Type or Print Name and Title

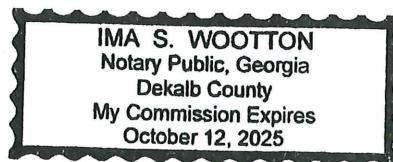


1/6/2023

Signature of Notary Public

Date

Notary Seal



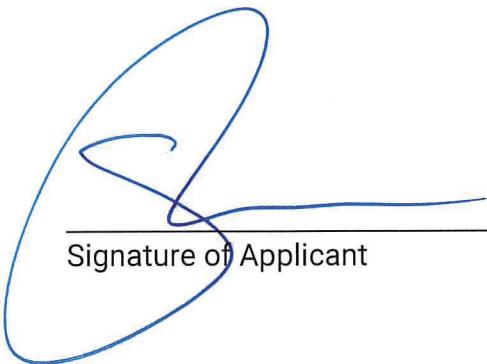
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1/26/2023

Gwinnett County Planning Division
Rezoning Application
Last Updated 5/2021

REZONING APPLICANT'S CERTIFICATION

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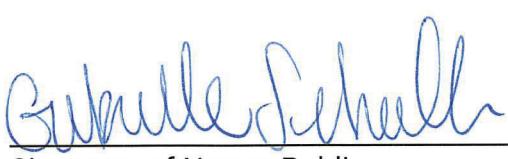


Signature of Applicant

1/15/23

Date

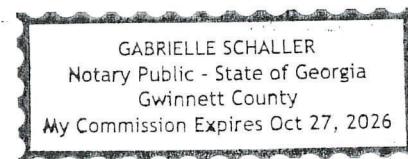
Shane Lanham, attorney for the Applicant
Type or Print Name and Title



Signature of Notary Public

1/15/23

Date



Notary Seal

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REZONING PROPERTY OWNER'S CERTIFICATION

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

William C. Carmichael

Signature of Property Owner

12/15/2022

Date

William C. CARMICHAEL II

Type or Print Name and Title

BOARD of DIRECTORS Chairperson
The Nott United Methodist Church, INC.



Signature of Notary Public

12-15-2022

Date



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Gwinnett County Planning Division
Rezoning Application
Last Updated 12/2015

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.



01/06/2023

Brendan Barr - Managing Partner

SIGNATURE OF APPLICANT

DATE

TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S
ATTORNEY OR REPRESENTATIVE

DATE

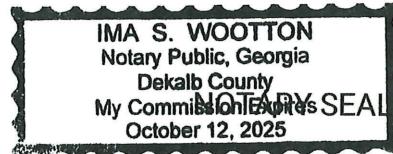
TYPE OR PRINT NAME AND TITLE



1/6/2023

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

Brendan Barr

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.

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Last Updated 5/2021

CONFLICT OF INTEREST CERTIFICATION FOR REZONING

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

SIGNATURE OF APPLICANT

DATE

TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S
ATTORNEY OR REPRESENTATIVE

DATE

Shane Lanham, attorney for the Applicant

SIGNATURE OF NOTARY PUBLIC

DATE

TYPE OR PRINT NAME AND TITLE

GABRIELLE SCHALLER
Notary Public - State of Georgia
Gwinnett County
My Commission Expires Oct 27, 2026

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

Please see attached

YOUR NAME

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

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

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

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

MAHAFFEY PICKENS TUCKER, LLP

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE
Kirkland Carden, Commissioner	\$2,800	11/18/2021
Ben Ku, Commissioner	\$1,500	10/03/2022

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

1/26/2023

RZM2023-00008

RECEIVED

1/26/2023

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: 6 - 195 - 033
(Map Reference Number) District Land Lot Parcel

Bonnie Shaffer

12/12/22

Signature of Applicant

Date

Bonnie Shaffer, Attorney for Applicant

Type or Print Name and Title

*****PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.*****

TAX COMMISSIONERS USE ONLY

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

Kathleen Lyles

NAME

TSA

TITLE

12/12/2022

DATE

Exhibit E: Internal and External Agency Review Comments

[attached]



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date: 03.08.2023			
Department/Agency Name: Transportation			
Reviewer Name: Brent Hodges			
Reviewer Title: Construction Manager 1			
Reviewer Email Address: Brent.Hodges@gwinnettcounty.com			
Case Number: RZM2023-00008			
Case Address: 5320 Jimmy Carter Boulevard, Norcross, 30093			
Comments:		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
1	Jimmy Carter Boulevard is a principal arterial. ADT = 51,469.		
2	500-feet to the nearest transit facility (#2371264) Jimmy Carter Boulevard and Dunkin' Donuts.		
3	Per UDO Section 900-30, a deceleration lane shall be constructed along Jimmy Carter Boulevard into the development.		
4	Per the Gateway 85 Overlay district requirements, an 8' concrete sidewalk shall be constructed along the property frontage of Jimmy Carter Boulevard.		
5	Per the UDO Table 900.1, with Jimmy Carter Boulevard being classified as a principal arterial within 500' of a signalized intersection, 75' of right-of-way from the centerline shall be provided.		
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/>	<input checked="" type="checkbox"/> YES
1			
2			
3			
4			
5			

Note: Attach additional pages, if needed

Revised 7/26/2021

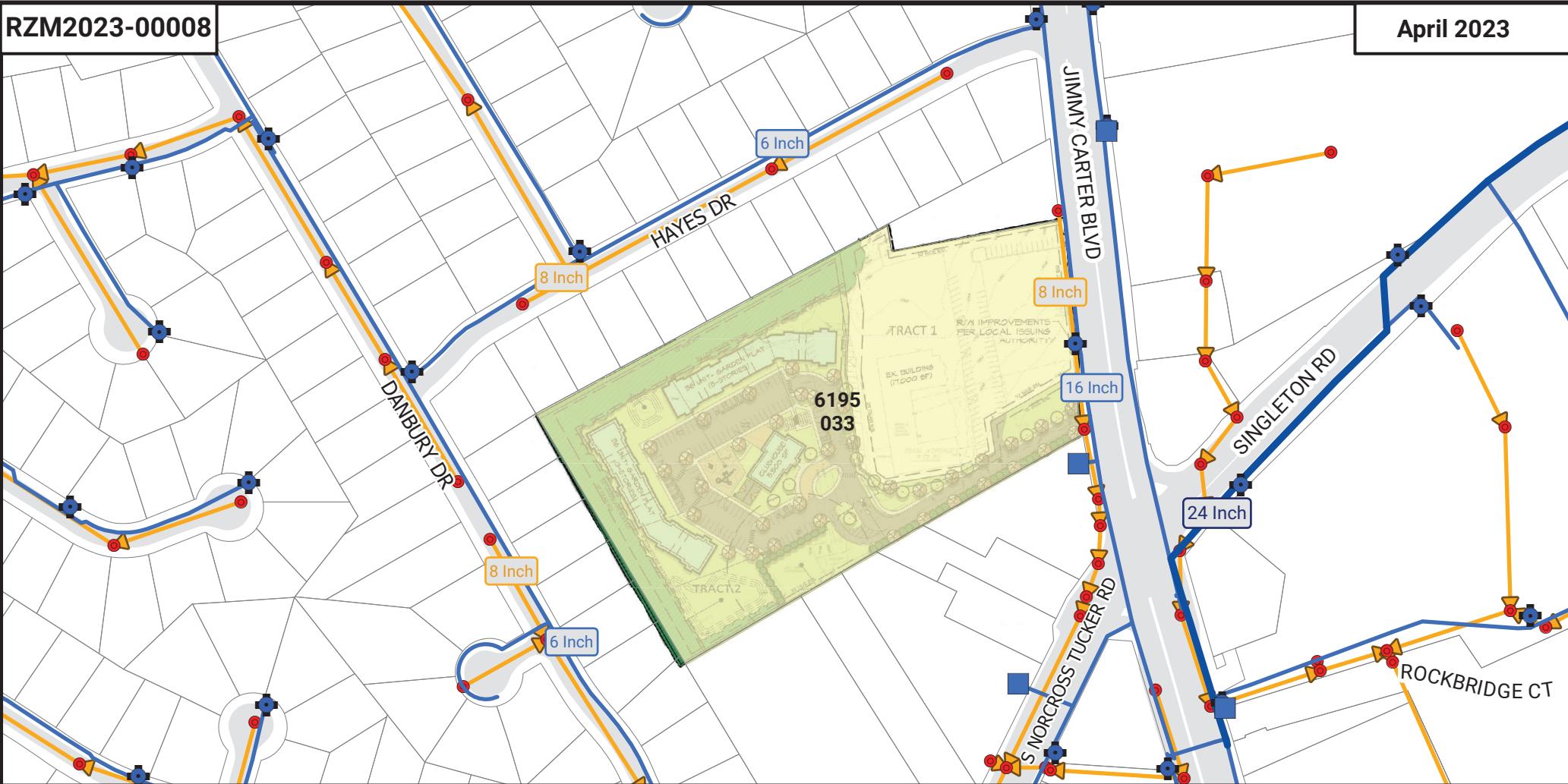


Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:				
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		Michael.pappas@gwinnettcounty.com		
Case Number:		RZM2023-00008		
Case Address:		5320 Jimmy Carter Blvd		
Comments:		<input checked="" type="checkbox"/> X	<input type="checkbox"/> YES	<input type="checkbox"/> NO
1	Water: The proposed development may connect to an existing 16-inch water main along the western right-of-way of Jimmy Carter Blvd.			
2	A Sewer Capacity Certification (C2023-41-03) has been approved for this development (superseded previous certification C2019-12-241). The development may connect to an existing 8-inch gravity sewer located on the west right-of-way of Jimmy Carter Blvd.			
3				
4				
5				
6				
7				
Recommended Zoning Conditions:		<input type="checkbox"/>	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> X NO
1				
2				
3				
4				
5				
6				
7				

Note: Attach additional pages, if needed

Revised 7/26/2021



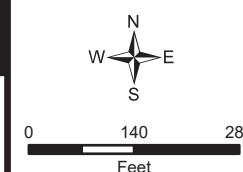
LEGEND

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

5320 Jimmy Carter Blvd

O-I to RM-13

Water & Sewer Utility Map



LOCATION



Water Comments: The proposed development may connect to an existing 16-inch water main along the western right-of-way of Jimmy Carter Blvd.

Sewer Comments: A Sewer Capacity Certification (C2023-41-03) has been approved for this development (superseded previous certification C2019-12-241). The development may connect to an existing 8-inch gravity sewer located on the west right-of-way of Jimmy Carter Blvd.

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, or upsize 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. See GZM2024-00008 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.

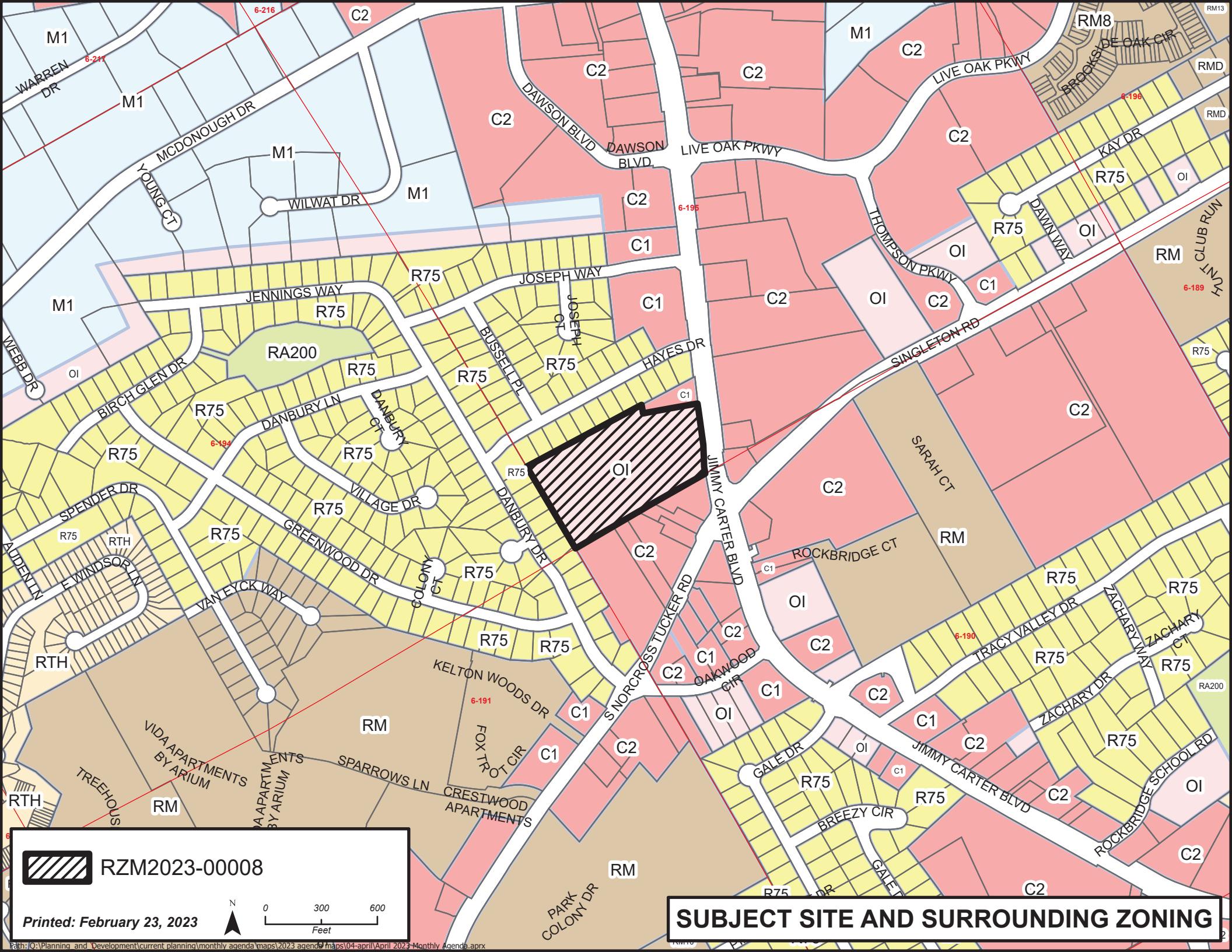
Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County BOC, April, 2023

											Proposed Zoning
	School	Forecast	2022-23 Capacity	+/- Cap.	Forecast	2023-24 Capacity	+/- Cap.	Forecast	2024-25 Capacity	+/- Cap.	Approximate Student Projections from Proposed Developments
RZM2023-00006	Seckinger HS	1,345	2,800	-1,455	1,810	2,800	-990	2,015	2,800	-785	17
	Jones MS	1,568	1,575	-7	1,599	1,575	24	1,623	1,575	48	14
	Patrick ES	896	1,025	-129	923	1,025	-102	951	1,025	-74	26
RZM2023-00008	Meadowcreek HS or	2,570	2,850	-280	2,634	2,850	-216	2,674	2,850	-176	10
	McClure Health Science HS	1,130	1,500	-370	1,141	1,500	-359	1,153	1,500	-347	
	Radloff MS	1,377	1,575	-198	1,391	1,575	-184	1,405	1,575	-170	7
	Graves ES	1,163	1,125	38	1,147	1,125	22	1,158	1,125	33	15
RZR2023-00009	Dacula HS	2,565	2,550	15	2,670	2,550	120	2,748	2,550	198	23
	Dacula MS	1,852	1,900	-48	1,906	1,900	6	1,962	1,900	62	18
	Mulberry ES	750	975	-225	773	975	-202	796	975	-179	34
RZR2023-00010	Mill Creek HS	2,915	2,800	115	2,633	2,800	-167	2,596	2,800	-204	2
	Osborne MS	1,658	1,575	83	1,646	1,575	71	1,671	1,575	96	1
	Duncan Creek ES	1,319	1,300	19	1,345	1,300	45	1,372	1,300	72	2

Exhibit F: Maps

[attached]





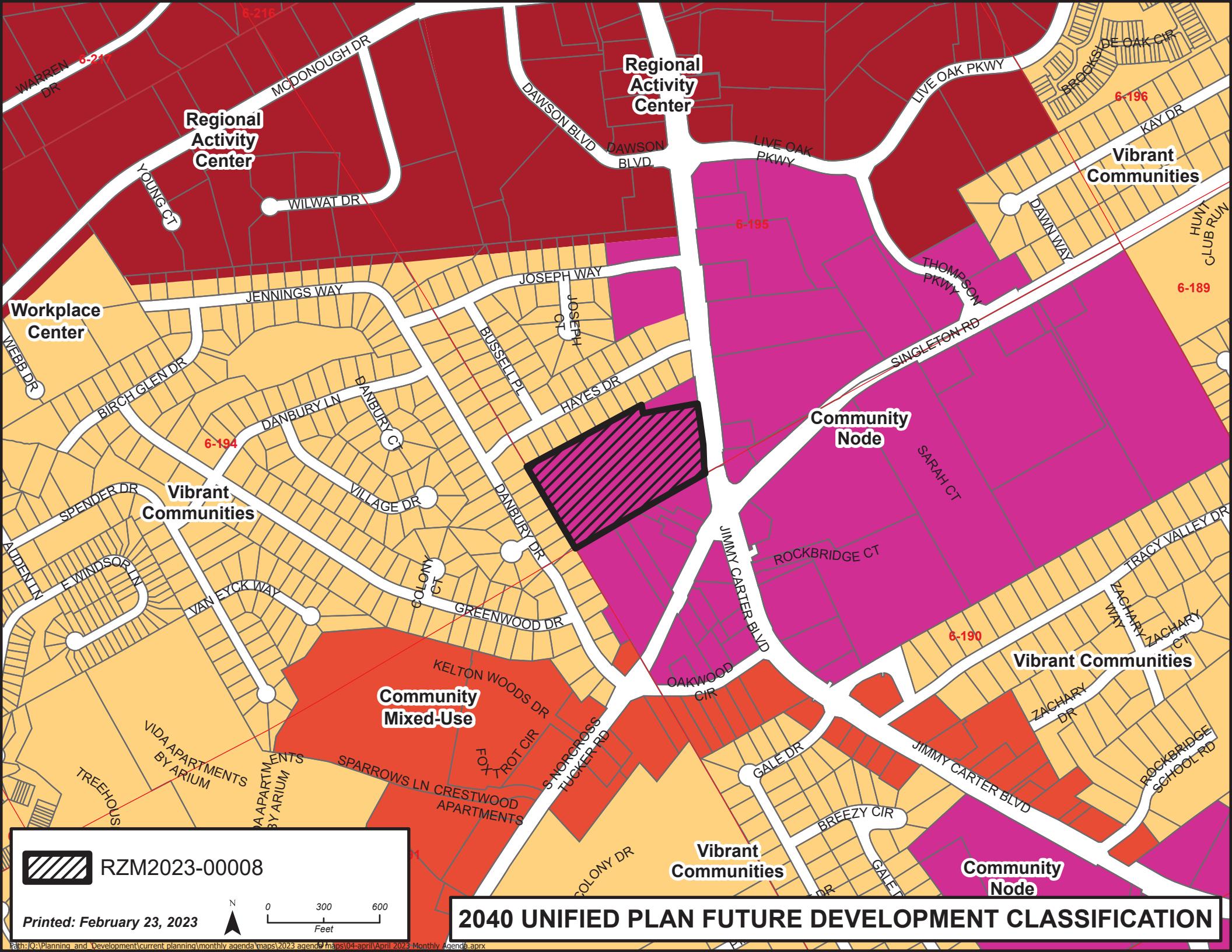


Exhibit G: Fence Exhibit Presented at the April 11, 2023 Planning Commission Public Hearing

[attached]

GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
4/11/2023

SITE ANALYSIS

PARCEL ID NUMBER 6195 033 5320
PROPERTY ADDRESS 5320 Jimmy Carter
Blvd, Norcross, GA
30093

CURRENT ZONING

PROPOSED ZONING

<u>TOTAL ACRES (GROSS AND NET)</u>	9.75 AC
TRACT 1	3.31 AC
TRACT 2	6.44 AC

<u>TOTAL UNITS</u>	72 UNITS
TRACT 2	72 UNITS

NET DENSITY
72 UNITS / 6.51 AC 11.1 UNITS/AC

UNIT MIX	
1 BED / 1 BATH (744 SF)	65%
2 BED / 1 BATH (910 SF)	23%
2 BED / 2 BATH (1,150SF)	12%

PARKING CRITERIA

PARKING REQ'D (GWINNETT COUNTY UDO)
TRACT 2 (1.5/UNIT) 108 SPACES

TOTAL SPACES REQ'D 108 SPACES

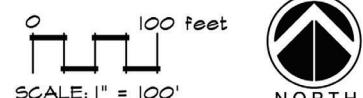
PARKING PROVIDED
TRACT 2 108 SPACES

TOTAL SPACES PROVIDED 108 SPACES

COMMON AREA REQUIRED
6.44 ac x 15% = 0.97 ac REQ'D

COMMON AREA PROVIDED = +/- 2.25 AC

FLOOD STATEMENT
AS PER OFFICIAL F.I.R.M 13135C0111F, THIS
PROPERTY IS NOT LOCATED IN A DESIGNATED



FOLEY DESIGN
www.foleydesign.com

REZONING SITE PLAN-CONCEPT I
ONESTREET RESIDENTIAL-JIMMY CARTER BLVD

5320 JIMMY CARTER BLVD
NORCROSS, GA 30093

RZM2023-00008

39 of 39

NT

01.19.22

REV. 03/15/23

104 INTERSTATE N. PKWY EAST SE