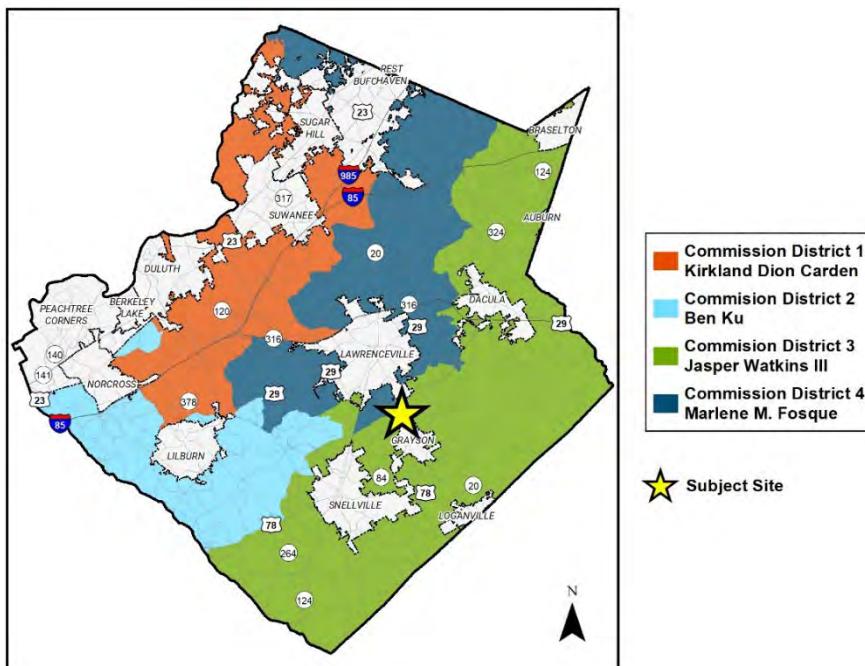




PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number:	RZC2022-00041
Current Zoning:	R-100 (Single-Family Residence District)
Request:	Rezoning to MU-C (Community Mixed-Use District)
Overlay District:	Grayson/Highway 20 Corridor Overlay District
Additional Requests:	Waiver and Variances
Address:	1400 Grayson Highway
Map Numbers:	R5138 121
Site Area:	10.66 acres
Units:	84
Square Feet:	6,126
Proposed Development:	Mixed-Use Development
Commission District:	District 3 – Commissioner Watkins
Character Area:	Vibrant Communities (Previously Community Mixed-Use)
Staff Recommendation:	APPROVAL WITH CONDITIONS
Planning Commission Recommendation:	APPROVAL WITH CONDITIONS



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

Owners: Cornerstone Baptist Church
1400 Grayson Highway
Lawrenceville, GA 30045

Contact: Melody Glouton, Esq.

Contact Phone: 770.822.0900

Zoning History

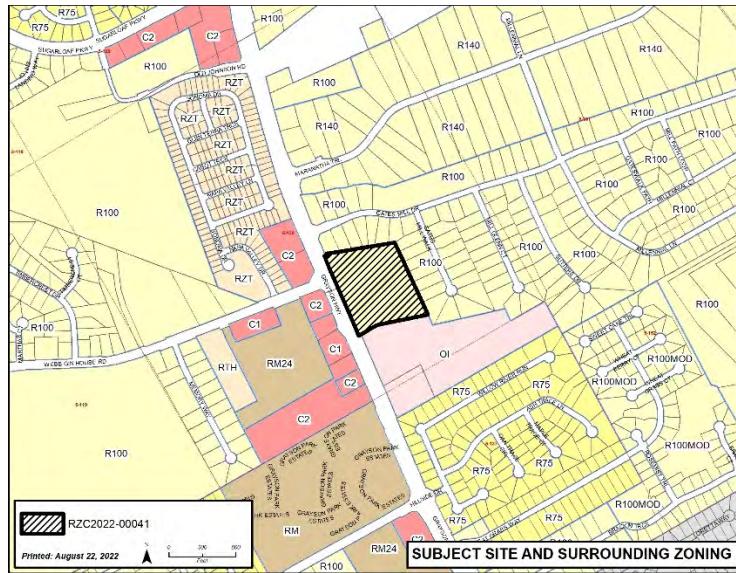
The subject property is zoned R-100 (Single-Family Residence District). In 1994, the applicant was granted special use permit approval to operate a private school on the subject property. In 2021, the applicant sought rezoning of the subject property from R-100 to RM-24 (Multifamily Residence District) to develop 246 apartments. This rezoning case, RZM2021-00030, was denied at the November 16, 2021, Board of Commissioners public hearing.

Existing Site Condition

The subject site is a 10.66-acre developed parcel located at 1400 Grayson Highway. One driveway access point exists along Grayson Highway into the subject property. Webb Gin House Road terminates at Grayson Highway and aligns with the existing driveway of the subject property. A one-story building exists within the center of the subject property and is used as a place of worship for Cornerstone Baptist Church. Paved surface parking exists to the side of the building and property frontage along Grayson Highway. The eastern portion of the subject property is undeveloped and mostly cleared, however, some areas of trees remain. The southern portion of the subject property is heavily wooded. The property is adjacent to existing residences to the north and east. Immediately to the south is an age-restricted apartment development. The property gradually rises 10 feet from the road frontage to the rear. No natural streams or ponds are present on the site. A sidewalk exists along Grayson Highway. The nearest Gwinnett County Transit stop is approximately two miles from the subject site.

Surrounding Use and Zoning

The subject site is bordered by the Gates Mill single-family subdivision to the north and east of the subject property. Grayson Ridge, an age-restricted apartment development, is located directly south of the subject property. Properties west of the subject site, at either side of the intersection of Grayson Highway and Webb Gin House Road, are convenience stores with fuel pumps. Additional retail in a multi-tenant building is located northwest of the subject site. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Mixed-Use Development	MU-C	7.54 units per acre
North	Single-Family Residential	R-100	1.29 lots per acre
East	Single-Family Residential	R-100	1.29 lots per acre
South	Apartments	O-I	13.8 units per acre
West	Commercial	C-1, C-2	N/A

Project Summary

The applicant requests rezoning of a 10.66-acre property from R-100 to MU-C to construct a mixed-use development, including:

- 84 townhouse units located to the side and rear of two commercial buildings, yielding a net density of 7.54 units per acre.
- Two, three, and four-bedroom townhouses ranging in size from 1,300 square feet to 1,800 square feet.
- Front loaded townhouses with one or two car garages.
- Architectural renderings of the townhouses depicting exterior materials consisting of brick and cementitious siding with shake accents. No architectural renderings were provided for the proposed commercial buildings.
- Sidewalks located along both sides of the internal public road.
- A mail kiosk with five on-street parking spaces and one additional on-street parking space along Street C.
- Two, single-story commercial buildings totaling 6,126 square feet with 24 associated surface parking spaces.
- A single entrance to the development utilizing the existing traffic signal at the Grayson Highway and Web Ginn House Road intersection.
- A 10-foot-wide landscape strip along the Grayson Highway frontage.
- A dumpster enclosure located at the northeast corner of the commercial area.
- Two underground stormwater management facilities, one located in the southwest corner of the site and the other in the parking lot of the smaller commercial building.
- A 25-foot-wide undisturbed buffer with an additional 25-foot-wide graded and replanted buffer

along the northern and eastern property lines.

Zoning and Development Standards

The applicant is requesting a rezoning from R-100 to MU-C, Community Mixed-Use District. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 60'	<60'	YES
Front Yard Setback	Minimum 20'	> 20'	YES
Side Yard Setback	Minimum 20'	>20'	YES
Rear Yard Setback	Minimum 25'-40'	>40'	YES
Parking (Commercial)	Minimum 16 spaces Maximum 28 spaces	24 spaces	YES
Parking (Residential)	Minimum 252 Maximum 480	252 spaces	YES
Landscape Strip	Minimum 10'	10'	YES
Density	Maximum 10 units per acre	7.54 units per acre	YES
Minimum Heated Floor Area	Minimum 1,000 square feet for 2-bedroom Minimum 1,200 square feet for three-bedroom	Minimum 1,300 square feet	YES
Common Area	Minimum 15%	15%	YES
Zoning Buffer	North and East: 50'	25'	NO*
Structure Setback	Minimum 5' from buffer	>5'	YES
Land Use Mixture	Minimum 20%	Commercial 6%	NO**

*The applicant is proposing a 25-foot-wide undisturbed buffer and a 25-foot-wide graded and replanted landscaped buffer in lieu of a 50-foot-wide undisturbed zoning buffer.

**The commercial portion of the development only constitutes 6% of the overall square footage of the development.

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

Standard	Meets Standard?
Sidewalks shall be constructed with an additional 2' x 8' concrete pad, located outside of the right-of-way, designed to accommodate existing or future pedestrian amenities such as benches, planters, and trash containers	NO
8-foot-wide sidewalk located on Principal Arterial, Major Arterial, Minor Arterial, Major Collector	NO*
Streetlights shall be provided.	NO

*The subject property is located adjacent to a planned Gwinnett County multi-use trail. Therefore, a 12-foot-wide multi-use path will be required.

The property is located within the Grayson/Highway 20 Corridor Overlay District. The Overlay District has additional requirements over and above the base zoning requirements. Items such as streetscape, lighting, pedestrian access, access management, and building design all have additional requirements. The table above lists items that are not addressed on the proposed site plan. The items listed above must be provided during development of the site, if approved.

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-100 zoned property.

A 50-foot-wide undisturbed zoning buffer is required adjacent to all property zoned R-100. This zoning buffer is required along the northern and eastern property lines. The applicant is proposing a 25-foot-wide undisturbed buffer and a 25-foot-wide graded and replanted landscaped buffer in lieu of the 50-foot-wide undisturbed buffer.

Variance Requests

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

1. Section 210-210 MU-C Community Mixed-Use District
 - A. Include at minimum two or more major land use categories chosen from the permitted uses listed in Section 230-100 provided that no single land use category shall constitute less than 20 percent of the development gross floor area.
2. Section 210-225.4 Access Easements and Inter-parcel Access
 - A.1. Inter-parcel driveway connection or provision of a future inter-parcel driveway stub shall be required between adjacent non-residential properties on arterials or major collectors designated on the Gwinnett County Long Range Road Classification Map.

The applicant is proposing the commercial portion of the development to constitute 6 percent of the overall square footage of the site rather than the required minimum of 20 percent. The applicant is also proposing that there be no inter-parcel connection to the age-restricted apartments on the adjacent property to the south.

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 E). 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 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 will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The proposed development is compatible with other uses in the surrounding area. An age-restricted apartment development is located directly to the south of the subject property. There are commercial properties located across Grayson Highway. A mixed-use development featuring townhouses can serve as a transition between the intense commercial and apartment properties and the existing single-family detached residences located to the north and east of the subject property.

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 impacted by the zoning change. The proposed development would provide an additional housing option along a main thoroughfare within close proximity to schools, retail, and service establishments. In addition, the proposed site plan provides a buffer which meets the minimum width between the existing single-family residences to the north and east.

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

The property as currently zoned has a reasonable economic use.

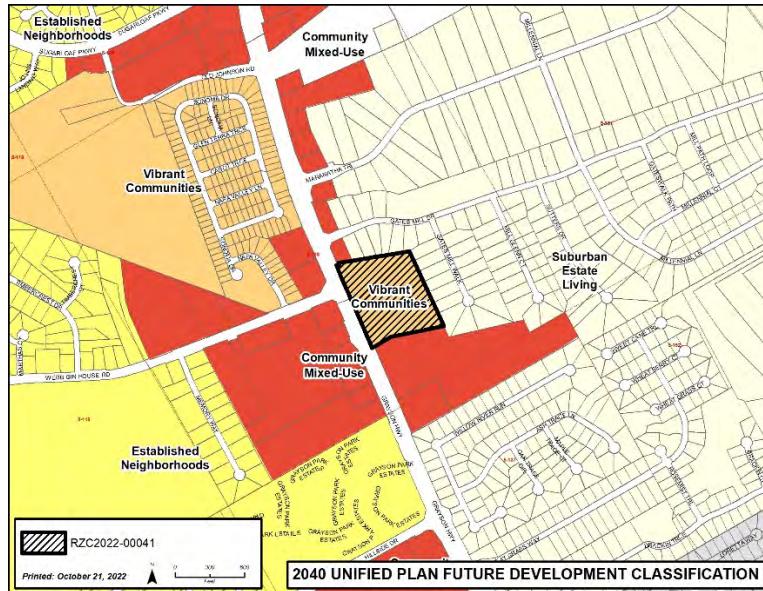
D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

An increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. An increased impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning request are attached (Exhibit E).

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

The 2040 Unified Plan and Future Development Map indicates the subject site is located in the Vibrant Communities Character Area. The Unified Plan encourages townhouses as well as corner/neighborhood serving non-residential developments.

Prior to September 27, 2022, the site was located within the Community Mixed-Use Character Area. This character area is intended for activity nodes and connecting areas located along major corridors. With conditions to ensure the project is consistent with the existing development pattern of the area and the future vision of making the corridor more pedestrian oriented, the proposed development is compatible with the policies of the 2040 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 nearby areas are primarily developed with single-family residences and commercial uses along the Grayson Highway corridor. The subject property is on a major thoroughfare and surrounded by other single-family, apartment, and commercial developments. Townhouses, as proposed, serve as an appropriate transition from these more intense uses to the existing, adjacent single-family subdivision.

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 eastern property lines of the subject property. The applicant proposes to reduce the undisturbed buffer to 25 feet and install a 25-foot-wide graded and replanted buffer in lieu of a 50-foot undisturbed zoning buffer. The applicant will not be reducing the overall width of the buffer but will be grading and replanting a portion of it. Therefore, the proposed modification and reduction of the undisturbed portion of the zoning buffer would not adversely affect the general public welfare or nullify the intent of the Development Regulations.

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 requested variance to allow only 6 percent of the square footage of the project to be commercial rather than the minimum 20 percent, is appropriate due to the close proximity of single-family residential. Allowing more townhouses and less commercial is appropriate given the existing development pattern of the area. The second variance proposes to not provide an inter-parcel connection to the apartments to the south of the subject property. The newly constructed age-restricted apartments are surrounded by a fence with a security gate at the entrance. Any inter-parcel connection would be behind the existing security gate making the connection infeasible. Approval of the requested variances 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 the exercise of zoning power, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the rezoning request.

In addition, the staff recommends **APPROVAL** of the following Waiver:

1. The required 50-foot-wide zoning buffer adjacent to R-100 zoned property shall be reduced to a 25-foot-wide undisturbed buffer and a 25-foot-wide graded and landscaped buffer.

Staff recommends **APPROVAL** of the following Variances:

1. To allow the commercial portion of the development to be 6% of the overall gross floor area.
2. To not require inter-parcel connection to the apartment property to the south of the subject property.

Planning Commission Recommendation

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

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

1. The required 50-foot-wide zoning buffer adjacent to R-100 zoned property shall be reduced to a 25-foot-wide undisturbed buffer and a 25-foot-wide graded and landscaped buffer.

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

1. To allow the commercial portion of the development to be 6% of the overall gross floor area.
2. To not require inter-parcel connection to the apartment property to the south of the subject property.

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

Approval as MU-C (Community Mixed-Use District), subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan presented at the November 2, 2022, Planning Commission public hearing, and Exhibit C: Building Elevations dated received September 2, 2022, with revisions required by conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.
2. Uses in the commercial buildings shall be limited to those uses allowed in C-1 (Neighborhood Business District) with the exception of Auto Brokers, Convenience Stores with Fuel Pumps, and Restaurants with drive-ins or drive-throughs, and no fireworks sales principal and/or ancillary use.
3. The minimum heated floor area per dwelling unit shall be 1,300 square feet for two-bedroom townhouses, 1,700 square feet for three-bedroom townhouses, and 1,800 square feet for four-bedroom townhouses.
4. Road frontage and the entrance shall be landscaped by the developer and maintained by the property management company. The entrance shall include a decorative masonry entrance feature. Landscape and entrance feature plans shall be subject to the review and approval of the Department of Planning and Development.
5. The A mandatory homeowners association shall be established and shall be responsible for maintenance of all common areas/facilities, street frontage landscaping, lawn, and ornamental planting maintenance, decks, roofs, painting of exteriors, and other property maintenance. The covenants for said homeowners association shall include a provision restricting the rental homes to no more than 10 percent at any given time.
6. The common area shall include at least one conveniently located public gathering area or activity center with related amenities and improvements in the form of a square, green, plaza, or similar approved element that is accessible by the general public from at least three points of entry by sidewalks. The location of this common area shall be subject to the review and approval of the Department of Planning and Development.
7. Natural vegetation shall remain on the property until the issuance of a development permit.
8. All grassed areas shall be sodded.
9. Provide at no cost to the County a 12' wide multi-use trail / side path within the right of way along Grayson Highway as identified in the Gwinnett County Trails Master Plan and required by the Unified Development Ordinance.
10. Per the UDO requirements for a principal arterial within 500' of a major signalized intersection, the developer shall donate right-of-way along the frontage of Grayson Highway/SR 20 to bring the right-of-way up to 75' from the centerline, for the full length of the property frontage.
11. The developer shall provide an eye-brow cul-de-sac between lots 17 and 18, based on the lot assignment from Exhibit B.
12. Off street parking and driveways shall not be located between any commercial building and Grayson Highway.

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Building Elevations
- D. Letter of Intent and Applicant's Response to Standards
- E. Internal and External Agency Review Comments
- F. Maps
- G. Site Plan presented at the November 2, 2022, Planning Commission public hearing
- H. Application and Disclosure of Campaign Contributions

Exhibit A: Site Visit Photos



Exhibit B: Site Plan

[attached]

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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PARKING ANALYSIS

COMMERCIAL (1 SPACE / 400 S.F. MIN; 1 SPACE / 225 S.F. MAX.)	
MIN.	MAX.
16	28
SINGLE FAMILY ATTACHED RESIDENTIAL (3 PER DWELLING MIN; 6 PER DWELLING MAX.)	
MIN.	MAX.
252	480
TOTAL COMM. SPACES PROVIDED:	
29 SPACES	
TOTAL RES. SPACES PROVIDED:	
252 SPACES	
TOTAL SPACES PROVIDED:	
281 SPACES	

SITE DATA

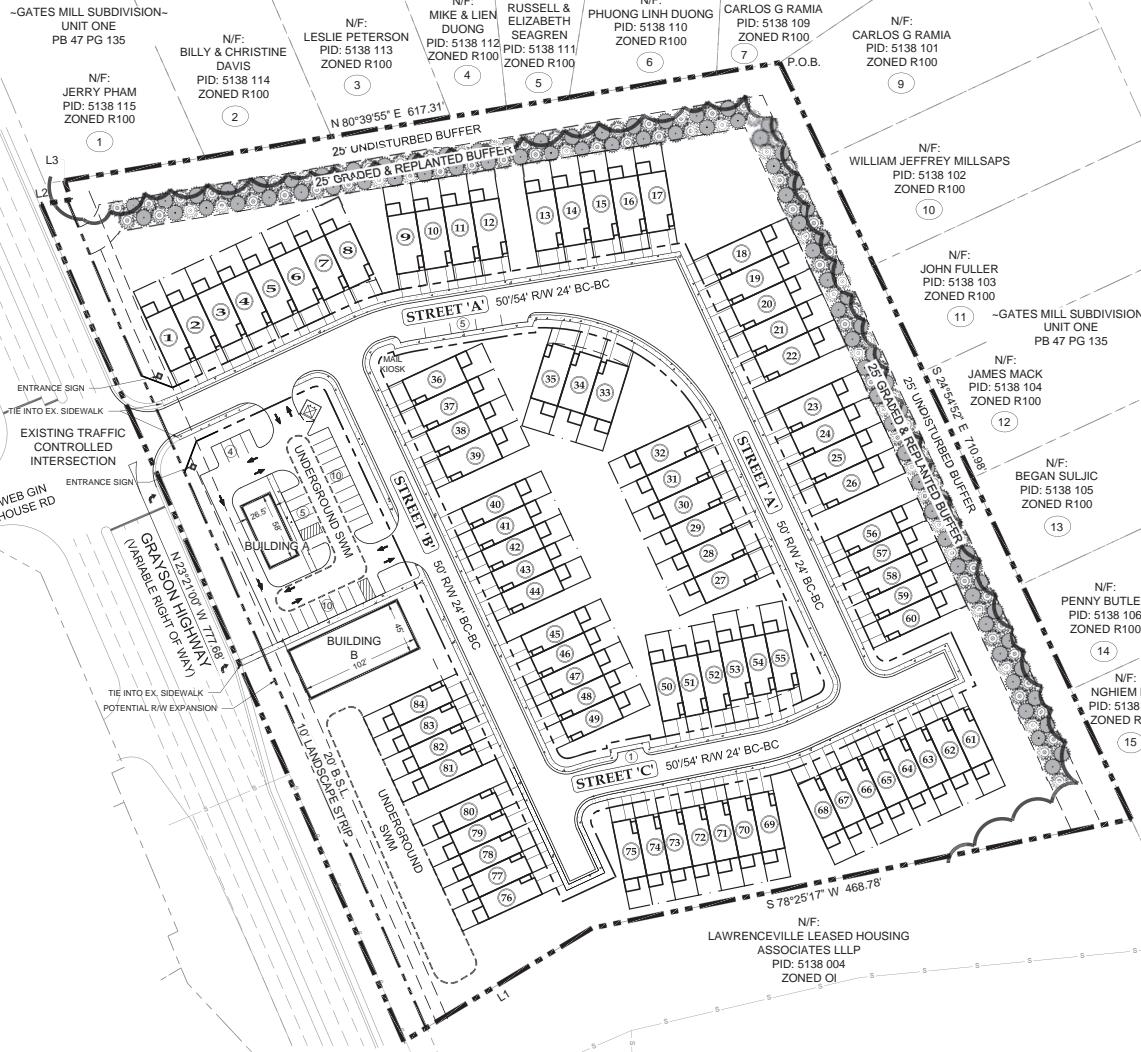
OVERALL DATA:
EXISTING ZONING: R-100
PROPOSED ZONING: MU-C
ZONING JURISDICTION: GWINNETT COUNTY, GEORGIA
GROSS ACRES: +/- 10.61 ACRES
NET ACRES: +/- 10.61 ACRES
MAX DENSITY: 7.54 UNITS / ACRE
GROSS DENSITY PROVIDED: 7.54 UNITS / ACRE
NET DENSITY PROVIDED: 7.54 UNITS / ACRE

LAND USES:
COMMERCIAL: 6,126 S.F. (6.5%)
BUILDING A: 1,536 S.F.
BUILDING B: 4,590 S.F.
RESIDENTIAL: 39,375 S.F. (93.5%)
20 TOWNHOMES: 45 UNITS (40-84)
24 WIDE TOWNHOMES: 39 UNITS (39)
TOTAL UNITS: 84 UNITS
MINIMUM HEATED FLOOR AREA:
2-BEDROOM: 1,300 SQ. FT.
3-BEDROOM: 1,750 SQ. FT.
4-BEDROOM: 1,800 SQ. FT.
MAX. HEIGHT PROVIDED: 60'
HEIGHT PROVIDED: 40'
MAX. F.A.R.: 1.0R 1000'
F.A.R. PROVIDED: 0.37 OR 37%
COMMERCIAL AREA REQUIRED: 15% OF NET ACRES (1.59 ACRES)
COMMON AREA PROVIDED: 15% OF NET ACRES (1.59 ACRES)
SETBACKS:
FRONT: 13'
SIDE: 0'
BETWEEN BUILDINGS: 20'
REAR: 25'
PERIMETER: 20'

BUFFERS:
ADJACENT TO R-100: 50' TOTAL AS SHOWN

* VARIANCE REQUESTED TO PROVIDE 25' FOR A GRADED AND REPLANTED BUFFER AS SHOWN

* VARIANCE REQUESTED TO REDUCE REQUIRED COMMERCIAL SPACE FROM 32% TO 6%



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SURVEYING BY:
ALLIANCE LAND SURVEYING
PHONE: 770.254.4730
CONTACT: DAVID ANDERSON

DEVELOPER
DR HORTON ATLANTA
EAST DIVISION

Zoning Plan for
GRAYSON HIGHWAY TRACT
1400 GRAYSON HIGHWAY
LAWRENCEVILLE, GA 30046
LAND LOT PARCEL # 5138 121
5th

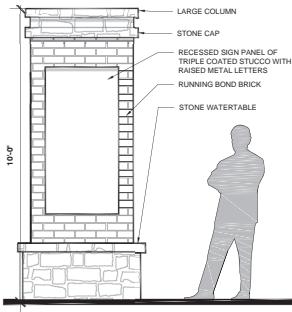
Orig. Issue 09.01.22
Designed by BW
Checked by BW
Project # 22195

NORTH
SCALE: 1" = 50'
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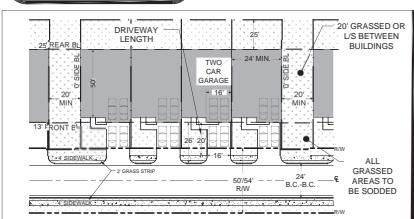
MU-C
ZONING
PLAN

9.1.22

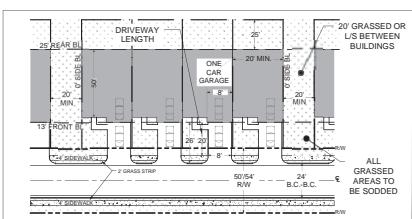
CONCEPTUAL SIGN



TYP. LOT LAYOUT



24' WIDE TOWNHOME LOT AND STREET: N.T.S.
(UNITS 1-39)



20' WIDE TOWNHOME LOT AND STREET: N.T.S.
(UNITS 40-84)

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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9/27/2022

INTRODUCTION

This Application for Rezoning is submitted for a 10.61-acre parcel of land located in Land Lot 138 of the 5th District of Gwinnett County, Georgia, Lawrenceville, and known as 1400 Grayson Highway (hereinafter the “Property”). The Property is a single tract of land located along Grayson Highway at the intersection of Webb Gin House Road. The Property is shown on the survey prepared by TerraMark Land Surveying, Inc, and filed with this Application. The Property that is the subject of this rezoning application is owned by Cornerstone Baptist Church of Stone Mountain, Inc. and the site will be developed by ContraVest Development Partners. The Property is further identified below from the Gwinnett County GIS:



The Property is currently zoned R-100 (Single Family Residence District) pursuant to the Gwinnett County Unified Development Ordinance (the “UDO”). The Applicant, Cornerstone Baptist Church of Stone Mountain, Inc., (the “Applicant”) now seeks approval to rezone the Property to MU-C (Community Mixed-Use District) in order to develop a distinctive and attractive mixed-use community that will be complimentary to the adjacent developments. This document is submitted as the Letter of Intent, Response to Standard Governing the Exercise of Zoning Power, and other materials required by the Gwinnett County UDO.

II. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

The Property is a square shaped parcel with frontage on Grayson Highway at the intersection of Webb Gin House Road in Lawrenceville, Georgia. The site has an existing church on the on property with the remainder of the site being undeveloped and wooded. The site maintains one driveway access point along Grayson Highway. Webb Gin House Road terminates at Grayson Highway and aligns with the existing driveway of the Property. Redevelopment of the site would include access to the Property from Webb Gin House Road and a right in/right out along Grayson Highway.

The Property is bordered by the Gates Mill subdivision to the north and east (R-100). To the South, the Property is adjacent to a large tract that was recently rezoned to O-I (Office-Institutional District) for use as an independent living retirement community. The properties to the west of the site include C-1 (Neighborhood Business District), C-2 (General Business District), RM-24 (Multifamily Residence District), and R-TH (Single-Family Residence Townhome District). The Property is close to the more intense commercially zoned parcels on Grayson Highway that are improved with service and retail businesses, gas stations, fast food restaurants, apartments, grocery stores, and financial institutions. Below is a map of the surrounding zoning classifications to the Property:

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9/2/2022



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



As such, the proposed development is in line with the encouraged land use and also with Theme 4 of the 2040 Plan, which is to “Provide More Housing Choices.” The proposed development would

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

provide residential in-fill development at a density and with architectural character that is compatible with the surrounding uses and zoning patterns. Accordingly, the proposed development satisfies the intent of the 2040 Plan, especially when considering the Property is near more intense commercial uses. Since the Property is located within the Community Mixed-Use Character Area, and is at a major intersection, a mixed-use development including both commercial and residential components would conform with the policies of the character area.

III. PROJECT SUMMARY

As shown on the conceptual site plan by Alliance Engineering, dated September 1, 2022, and filed with this Application (hereinafter the “Site Plan”), the Applicant proposes to develop the Property into a distinctive and attractive mixed-use community that will incorporate both commercial and residential components in the community. The Applicant is proposing to rezone the Property from R-100 to MU-C in order to accommodate the development of a mixed-use community, including commercial and residential uses. The commercial development would include two buildings, totaling 6,126 square feet, for retail/commercial use located at the intersection of Webb Gin House Road and Grayson Highway. The proposed residential development would include a total of 84 townhomes, ranging in size from 1,300 to 1,800 square feet for two, three, and four bedroom units. The commercial and residential area would be accessed via the existing traffic-controlled intersection at Webb Gin House. The Applicant has included attached preliminary renderings of the townhomes.

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

- Variance from Section 210-210.6 which requires two or more major land use categories with no single land use category constituting less than 20% of the gross floor area to allow for the site to be developed in general accordance with the site plan.
- Variance from Section 610-2.2(A) and Table 610.1 which requires a 50-foot undisturbed buffer adjacent to R-100 residentially zoned property to allow for the site to be developed in general accordance with the site plan with a 25' graded and replanted buffer and 25' undisturbed buffer.
- Variance from Section 220-30.3 which requires interparcel vehicle access points between all contiguous commercial, office, industrial or attached residential tracts so the site can be developed without interparcel connectivity to the adjacent senior living apartments to the South.

For the foregoing reasons, the Applicant respectfully requests that this Application to Rezone from R-100 to MU-C be approved. The Applicant welcomes the opportunity to meet with the Gwinnett County Planning Department staff to answer any questions or to address any concerns relating to this Letter of Intent or supporting materials.

Respectfully submitted this 18th day of October, 2022.

ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.

Enclosures

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9/2/2022

CORNERSTONE BAPTIST CHURCH OF STONE MOUNTAIN, INC.

Tax Parcel ID R5138 121

SITE IMPACT ANALYSIS

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

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

Yes, approval of the proposed Rezoning Application will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The Property is located on Grayson Highway at the intersection of Webb Gin House Road. The Property is near existing commercial, residential, and single-family development. The proposed development will provide a transitional use from the commercial used along Grayson Highway to the residential uses to the east.

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

No, the proposed Rezoning Application will not adversely affect the existing use or usability of any of the nearby properties. The proposed zoning classification is compatible with existing residential and commercial uses of adjacent property. Rather the proposed development would complement existing commercial and employment centers. There is new construction in the area for multi-story structures as well. As such, single-family residences near the site would likely not be impacted by the development.

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

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

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

No, the proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems. The Property has convenient access to Grayson Highway and Sugarloaf Parkway. The proposed development would complement the existing

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9/2/2022 commercial and nearby residential uses. More importantly, the development would provide additional commercial and residential housing options in the area.

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

The proposed rezoning application is in conformity with the policy and intent of the Gwinnett County 2040 Unified Plan. The subject property is located within the Community Mixed-Use Character Area of the 2040 Future Development Map. Encouraged land uses for this Character Area specifically include apartments, townhomes, and single-family homes. The proposed development would be compatible with and successfully co-exist with the surrounding uses.

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

The Applicant submits that the character of the surrounding development and the existing mix of uses in the area provide supporting reasons for approval of the rezoning application. Anticipated growth in Gwinnett County based on the 2040 Comprehensive Plan suggests a strong need for this type of housing. In addition, the Applicant submits that the subject Property's location, size, and dimensions, as well as its proximity to Grayson Highway, as well as Sugarloaf Parkway, provide further support for approval of the proposed rezoning application.

Exhibit E: Internal and External Agency Review Comments

[attached]



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date: 10.7.2022		
Department/Agency Name: Transportation		
Reviewer Name: Brent Hodges		
Reviewer Title: Construction Manager 1		
Reviewer Email Address: Brent.Hodges@gwinnettcounty.com		
Case Number: RZC2022-00041		
Case Address: 1400 Grayson Highway		
Comments: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
1	Grayson Highway/SR 20 is a principal arterial. ADT = 46,200.	
2	2.3 miles to nearest transit facility (#2454884) Grayson Highway and Veterans Organization (VFW #5255).	
3	The developer shall coordinate with the Georgia Department of Transportation (GDOT) regarding property access.	
4		
5		
6		
7		
Recommended Zoning Conditions: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
1	Per the UDO requirements for a principal arterial within 500' of a major signalized intersection, the developer shall donate right-of-way along the frontage of Grayson Highway/SR 20 to bring the right-of-way up to 75' from the centerline, for the full length of the property frontage.	
2	The developer shall provide an eye-brow cul-de-sac between lots 17 and 18, based on the lot assignment from the zoning plat dated 9.1.2022.	
3	Per Grayson Highway/SR 20 being shown as within the GC Trails Master Plan, the developer shall install a minimum 10' concrete trail along the property frontage.	
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:		November Cases			
Department/Agency Name:		DOCS			
Reviewer Name:		Glenn Boorman			
Reviewer Title:		Division Director – Project Admin – Parks & Recreation			
Reviewer Email Address:		glenn.boorman@gwinnettcounty.com			
Case Number:					
Case Address:		PID 5138 121, 1400 Grayson Highway, Lawrenceville			
Comments:		<input type="checkbox"/>	YES	X	NO
1					
2					
3					
4					
5					
6					
7					
Recommended Zoning Conditions:		<input type="checkbox"/>	YES	X	NO
1	Provide at no cost to the County a 12' wide multi-use trail / side path within the right of way along Grayson Highway as identified in the Gwinnett County Trails Master Plan and required by the Unified Development Ordinance.				
2					
3					
4					
5					
6					
7					

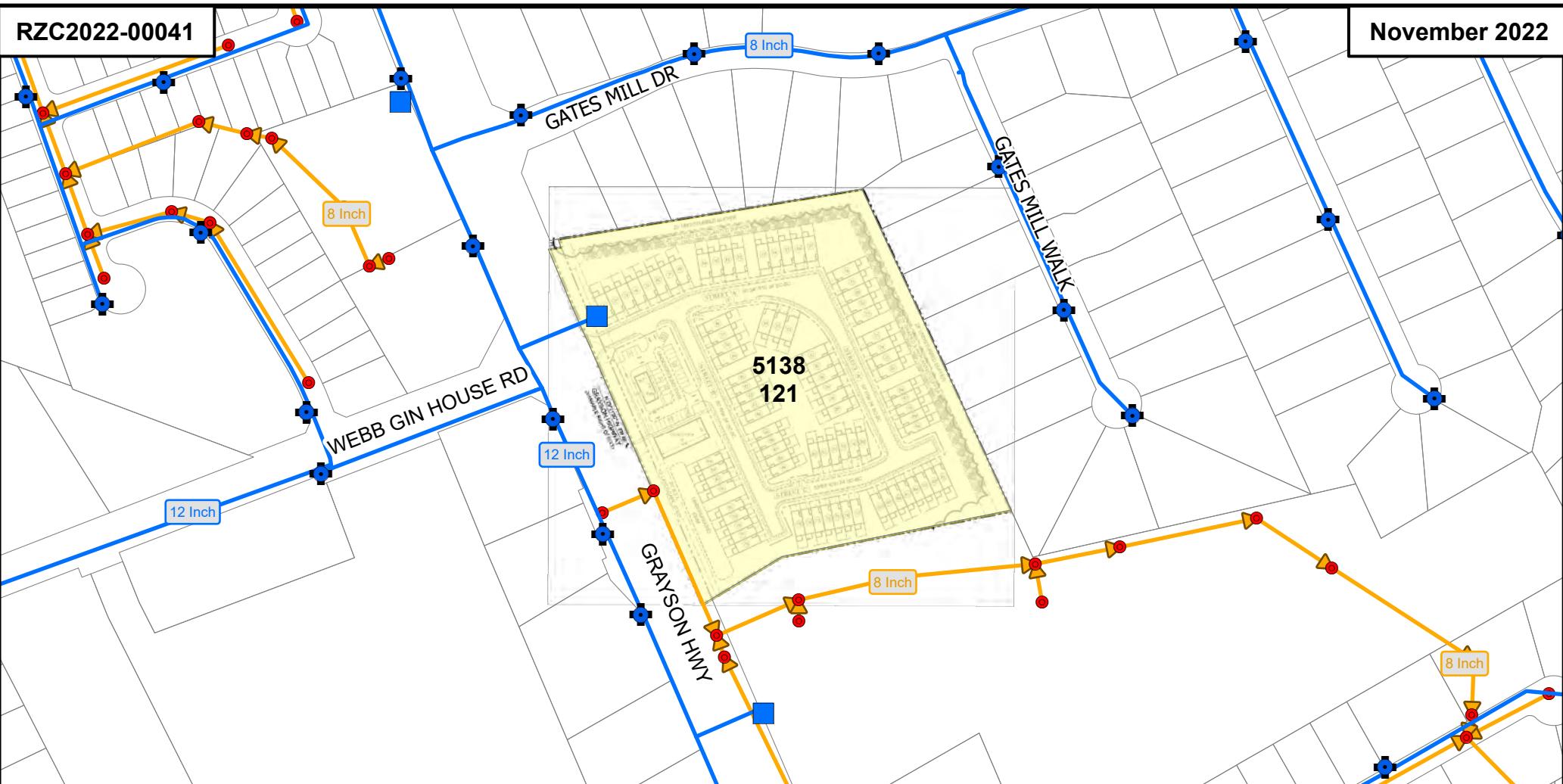


Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:		November Cases			
Department/Agency Name:		DWR			
Reviewer Name:		Mike Pappas			
Reviewer Title:		GIS Planning Manager			
Reviewer Email Address:		Michael.pappas@gwinnettcounty.com			
Case Number:		RZC2022-00041			
Case Address:		1400 Grayson Highway			
Comments:		<input checked="" type="checkbox"/> X	YES	<input type="checkbox"/>	NO
1	Water: The development may connect to an existing 12-inch water main located on the west right-of-way of Grayson Highway.				
2	Sewer: A Sewer Capacity Certification is required to confirm capacity. Pending available capacity, the proposed development may connect to an existing 8-inch sanitary sewer main located on the subject property.				
3					
4					
5					
6					
7					
Recommended Zoning Conditions:		<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

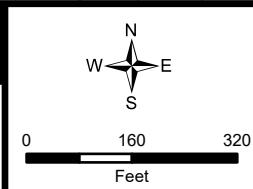


LEGEND

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

1400 Grayson Highway

R-100 to MU-C

Water & Sewer
Utility Map

LOCATION



Water Comments: The development may connect to an existing 12-inch water main located on the west right-of-way of Grayson Highway.

Sewer Comments: A Sewer Capacity Certification is required to confirm capacity. Pending available capacity, the proposed development may connect to an existing 8-inch sanitary sewer main located on the subject property.

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.

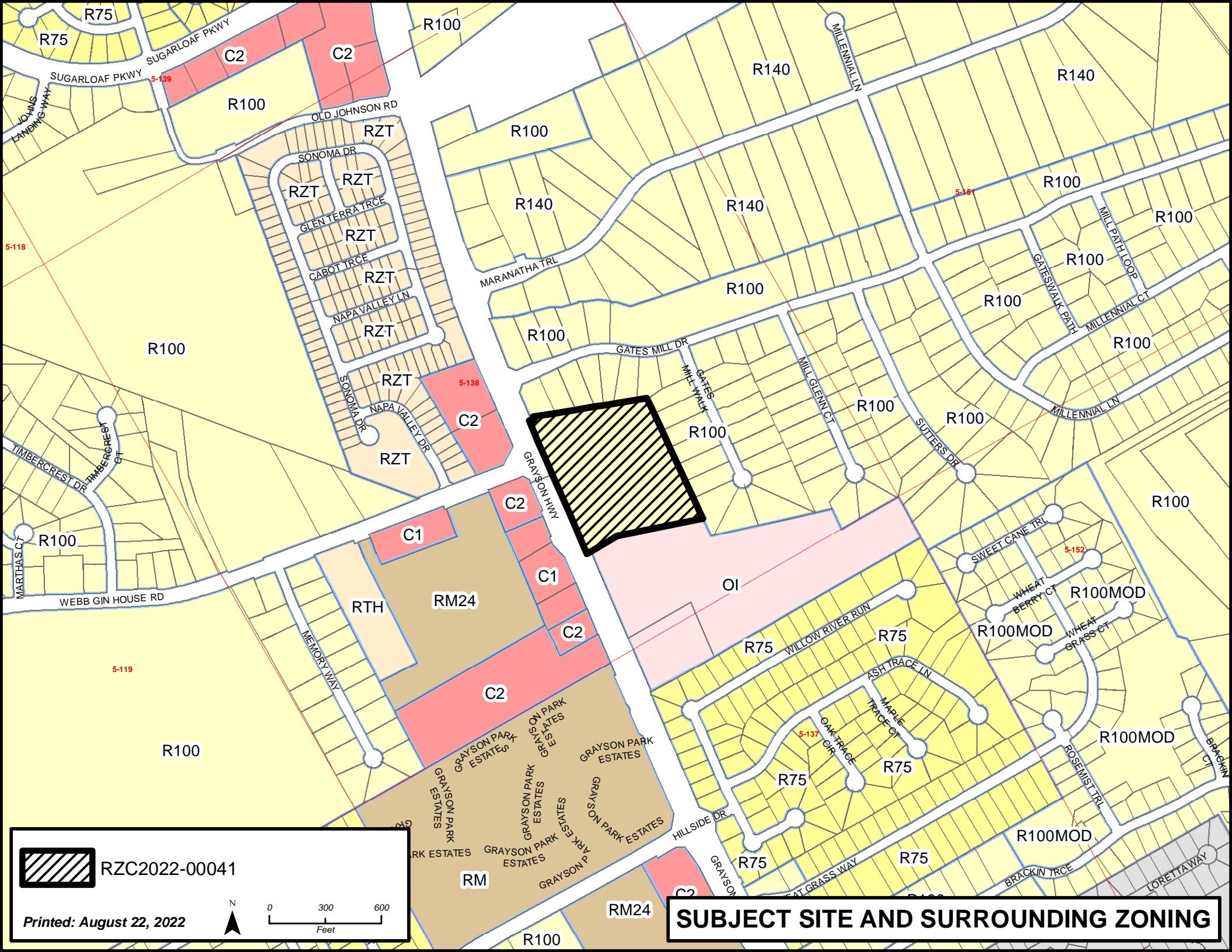
Private Road Developments: Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County BOC, November, 2022

											Proposed Zoning
	School	Forecast	2022-23 Capacity	+/- Cap.	Forecast	2023-24 Capacity	+/- Cap.	Forecast	2024-25 Capacity	+/- Cap.	Approximate Student Projections from Proposed Developments
CIC2022-00029 fka RZC2021-00021	Mountain View HS	2,370	2,300	70	2,285	2,300	-15	2,254	2,300	-46	32
	Twin Rivers MS	1,665	2,150	-485	1,715	2,150	-435	1,766	2,150	-384	23
	Woodward Mill ES	1,019	1,200	-181	1,060	1,200	-140	1,102	1,200	-98	42
RZR2022-00024	Shiloh HS	2,250	2,275	-25	2,330	2,275	55	2,365	2,275	90	2
	Shiloh MS	1,669	1,600	69	1,653	1,600	53	1,670	1,600	70	3
	Anderson-Livsey ES	628	975	-347	634	975	-341	642	975	-333	4
RZR2022-00015	Brookwood HS	3,920	3,000	920	3,893	3,000	893	3,841	3,000	841	5
	Five Forks MS	1,227	1,150	77	1,241	1,150	91	1,218	1,150	68	4
	Gwin Oaks ES	1,067	875	192	1,056	875	181	1,043	875	168	7
RZR2022-00033	Dacula HS	2,565	2,550	15	2,670	2,550	120	2,748	2,550	198	2
	Dacula MS	1,852	1,900	-48	1,906	1,900	6	1,962	1,900	62	1
	Mulberry ES	750	975	-225	773	975	-202	796	975	-179	2
RZR2022-00034	Dacula HS	2,565	2,550	15	2,670	2,550	120	2,748	2,550	198	9
	Dacula MS	1,852	1,900	-48	1,906	1,900	6	1,962	1,900	62	6
	Dacula ES	1,166	1,550	-384	1,190	1,550	-360	1,214	1,550	-336	13
RZR2022-00035	Seckinger HS	1,345	2,800	-1,455	1,810	2,800	-990	2,015	2,800	-785	14
	Jones MS	1,568	1,575	-7	1,599	1,575	24	1,623	1,575	48	11
	Ivy Creek ES	1,504	1,275	229	1,519	1,275	244	1,542	1,275	267	21
RZM2022-00045	Dacula HS	2,565	2,550	15	2,670	2,550	120	2,748	2,550	198	8
	Dacula MS	1,852	1,900	-48	1,906	1,900	6	1,962	1,900	62	6
	Alcova ES	1,423	1,150	273	1,451	1,150	301	1,495	1,150	345	11
RZR2022-00032	Peachtree Ridge HS	3,262	3,050	212	3,295	3,050	245	3,271	3,050	221	5
	Northbrook MS	882	1,025	-143	870	1,025	-155	879	1,025	-146	3
	Jackson ES	1,426	1,475	-49	1,440	1,475	-35	1,455	1,475	-20	6
RZC2022-00041	Grayson HS	3,277	3,000	277	3,375	3,000	375	3,477	3,000	477	16
	Couch MS	1,089	1,150	-61	1,055	1,150	-95	1,070	1,150	-80	12
	Starling ES	1,144	1,200	-56	1,167	1,200	-33	1,190	1,200	-10	22
RZM2022-00035 & RZC2022-00029	Grayson HS	3,277	3,000	277	3,375	3,000	375	3,477	3,000	477	65
	Bay Creek MS	1,318	1,150	168	1,345	1,150	195	1,385	1,150	235	48
	Trip ES	1,241	1,200	41	1,266	1,200	66	1,291	1,200	91	86

Exhibit F: Maps

[attached]

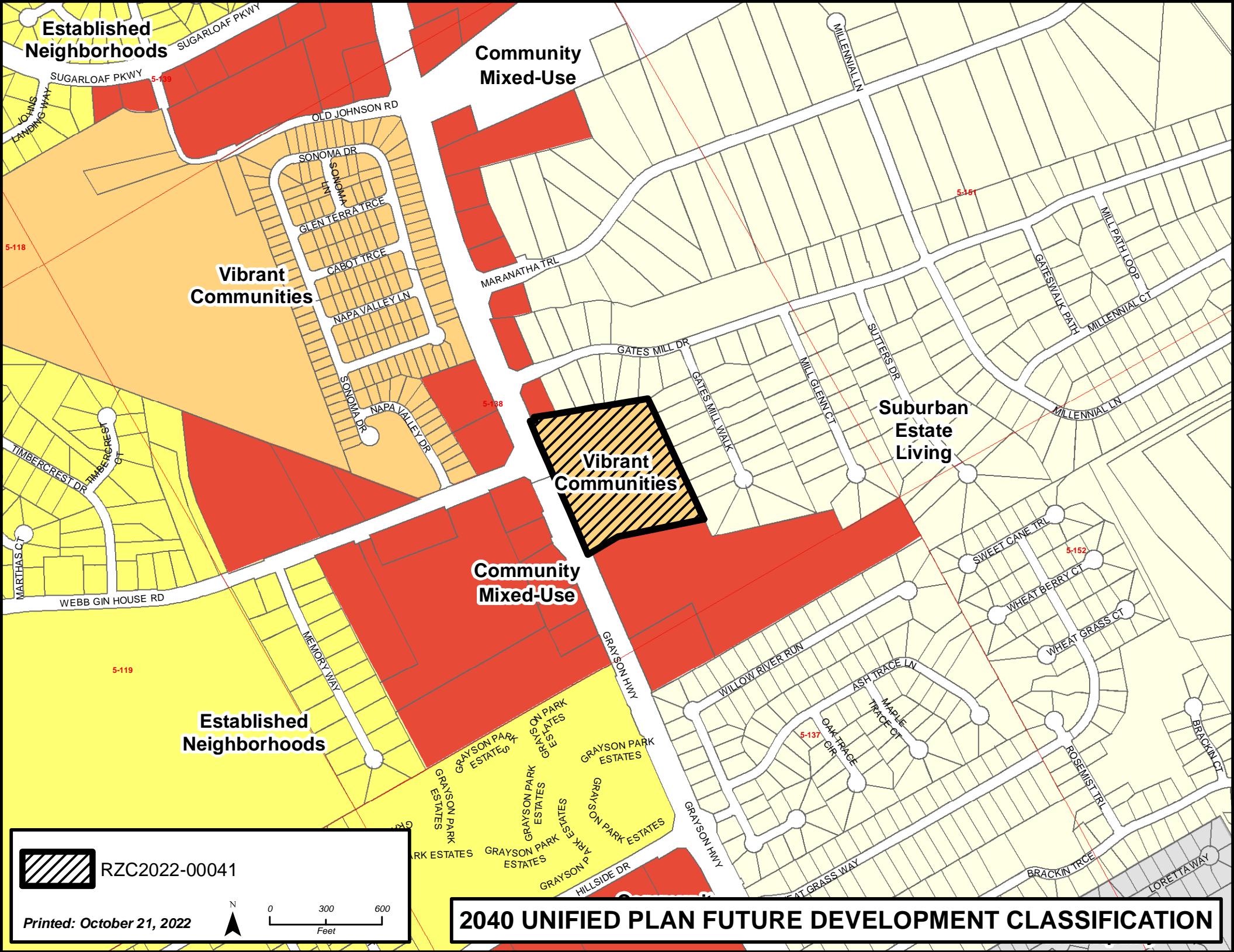


RZC2022-00041

Printed: August 22, 2022



SUBJECT SITE AND SURROUNDING ZONING





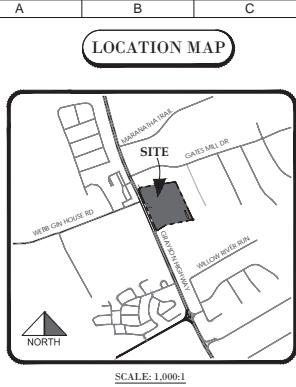
RZC2022-00041



0 80 160
Feet

Exhibit G: Site Plan presented at the November 2, 2022, Planning Commission public hearing

[attached]

**SITE DATA**

OVERALL DATA:
 EXISTING ZONING: R-100
 PROPOSED ZONING: M-100
 OVERLAY DISTRICT: GRAYSON H/WY 20 CORRIDOR
 ZONING JURISDICTION: GWINNETT COUNTY, GEORGIA
 GROSS ACRES: +/- 10.61 ACRES
 NET ACRES: +/- 10.61 ACRES
 MAX DENSITY: 10 DWELLING UNITS / ACRE
 GROSS DENSITY PROVIDED: 7.54 UNITS / ACRE
 NET DENSITY PROVIDED: 7.54 UNITS / ACRE

LAND USES:
 COMMERCIAL: 6,126 S.F. (6.5%)
 BUILDING A: 1,516 S.F.
 BUILDING B: 4,593 S.F.
 RESIDENTIAL: 87,075 S.F. (93.5%)
 20 TOWNHOMES
 24 INDEX TOWNHOMES
 TOTAL TOWNHOMES: 44 UNITS

MINIMUM HEATED FLOOR AREA:
 1-BEDROOM: 1,300 SQ. FT.
 2-BEDROOM: 1,700 SQ. FT.
 3-BEDROOM: 1,800 SQ. FT.

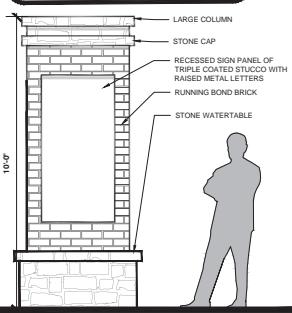
MAX HEIGHT PROVIDED: 60'
 MAX F.A.R.: 4.0'
 F.A.R. PROVIDED: 3.79'
 COMMON AREA REQUIRED: 15% OF NET ACRES (1.59 ACRES)
 COMMON AREA PROVIDED: 15% OF NET ACRES (1.59 ACRES)

MINIMUM SIDEWALKS:
 FRONT: 13'
 SIDE BETWEEN BUILDINGS: 0'
 REAR: 25'
 PERIMETER: 20'
 4' MIN. TO THE FRONT OF BUILDINGS (UDO 220-30.3 (3))

BUFFERS:
 ADJACENT TO 100': 50' TOTAL AS SHOWN
 * VARIANCE REQUESTED TO PROVIDE 25' FOR A GRADED AND REPLANTED BUFFER AS SHOWN
 * VARIANCE REQUESTED TO REDUCE REQUIRED COMMERCIAL SPACE FROM 20% TO 6%

PARKING ANALYSIS

COMMERCIAL (1 SPACE / 400 S.F. MIN; 1 SPACE / 225 S.F. MAX.)	
MIN.	MAX.
16	28
SINGLE FAMILY ATTACHED RESIDENTIAL (3 PER DWELLING MIN; 6 PER DWELLING MAX.)	
MIN.	MAX.
252	480
TOTAL COMM. SPACES PROVIDED: 35 SPACES	
TOTAL RES. SPACES PROVIDED: 252 SPACES	
TOTAL SPACES PROVIDED: 287 SPACES	

CONCEPTUAL SIGN**GENERAL NOTES**

PROPERTY ADDRESS:
 1400 GRAYSON HIGHWAY
 LAWRENCEVILLE, GEORGIA 30045

PROPERTY OWNERS:
 CORNERSTONE BAPTIST CHURCH OF STONE

SEWER NOTE:
 SEWER WILL BE A GRAVITY LINE AND TIE INTO EXISTING SEWER LOCATED SOUTH OF THE SITE.

SEWER PROVIDED BY GWINNETT COUNTY.

PARCEL ID, LAND LOT & DISTRICT:
 SITE (PID 5138 121) IS LOCATED IN LAND LOT 138 AND THE 5TH LAND DISTRICT.

DETENTION NOTE:
 STORM WATER WILL BE MANAGED ON SITE

FEMA NOTE:
 NO PORTION OF THIS PROPERTY IS LOCATED IN A FEMA FLOOD HAZARD AREA AS PER FEMA PANEL No. 1315CC0104F DATED 08/28/2006

PLAN NOTE:
 ALL UTILITIES ARE TO BE LOCATED UNDERGROUND

STREETLIGHT NOTE:
 DECORATIVE STREETLIGHTS SHALL BE PROVIDED PER UDO 220-30.3.B

PLAN NOTE:
 THIS PLAN IS CONCEPTUAL IN NATURE AND DOES NOT CONSTITUTE APPROVAL FOR CONSTRUCTION OR DEVELOPMENT. ADDITIONAL REGULATIONS SHALL APPLY PRIOR TO PERMIT ISSUANCE.

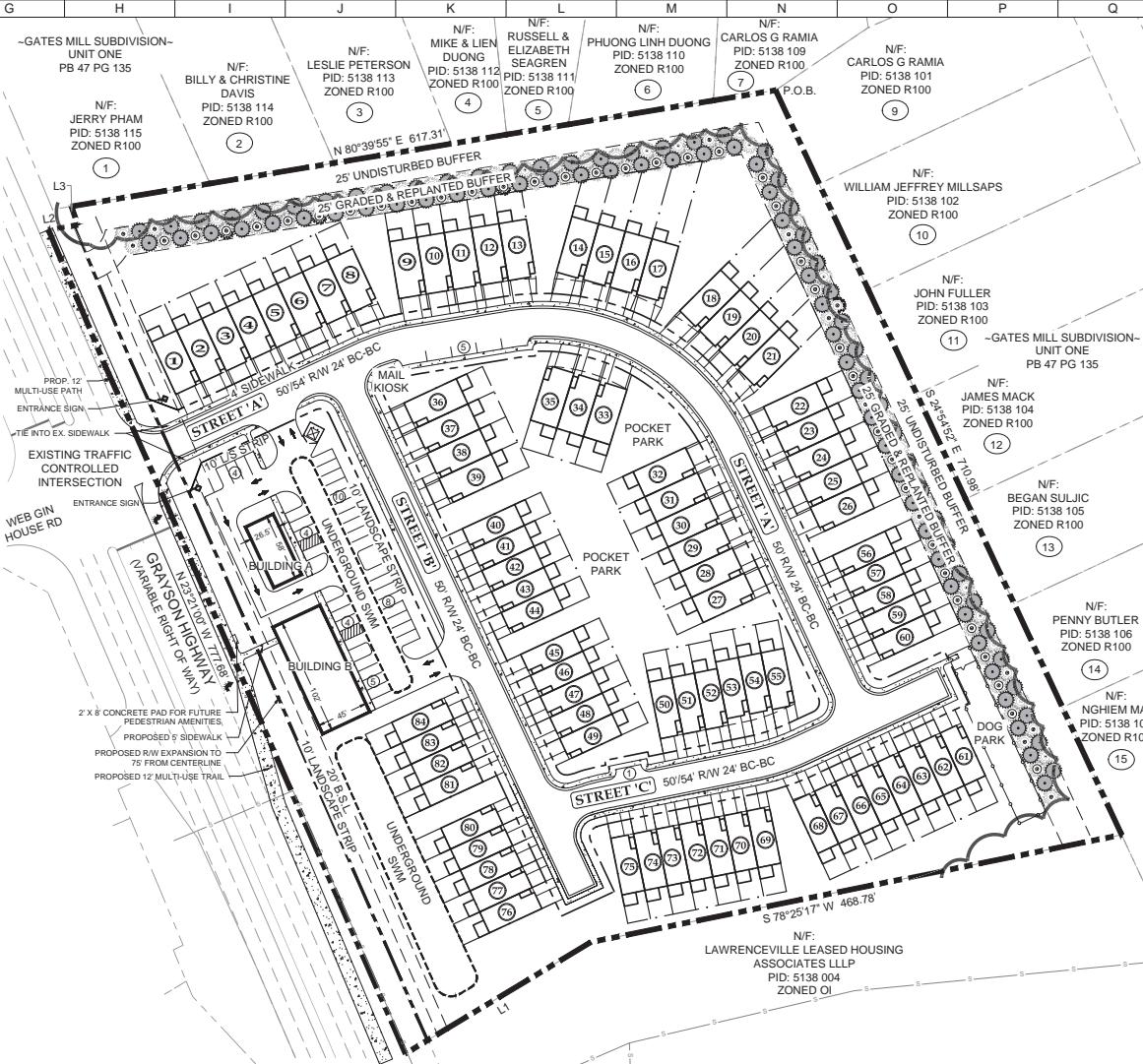
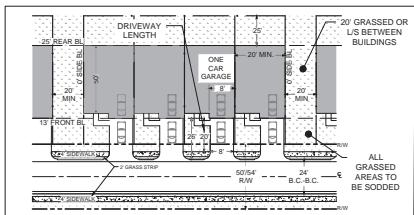
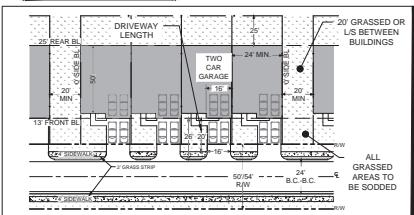
TYP. LOT LAYOUT

Exhibit H: Application and Disclosure of Campaign Contributions

[attached]

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Cornerstone Baptist Church c/o Andersen, Tate & Carr, P.C.</u>	NAME: <u>Cornerstone Baptist Church</u>
ADDRESS: <u>1960 Satellite Blvd. Suite 4000</u>	ADDRESS: <u>1400 Grayson Hwy</u>
CITY: <u>Duluth</u>	CITY: <u>Lawrenceville</u>
STATE: <u>GA</u> ZIP: <u>30097</u>	STATE: <u>GA</u> ZIP: <u>30045</u>
PHONE: <u>770-822-0900</u>	PHONE: <u>770-822-0900</u>
CONTACT PERSON: <u>Melody Glouton, Esq.</u> PHONE: <u>770-822-0900</u>	
CONTACT'S E-MAIL: <u>mglouton@atclawfirm.com</u>	
APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT <input checked="" type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICT(S): <u>R-100</u> REQUESTED ZONING DISTRICT: <u>MU-C</u>	
PARCEL NUMBER(S): <u>R5138 121</u> ACREAGE: <u>10.25</u>	
ADDRESS OF PROPERTY: <u>1400 Grayson Hwy, Lawrenceville, Georgia</u>	
PROPOSED DEVELOPMENT: <u>Mixed-use community</u>	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>98</u>	No. of Buildings/Lots: <u>2</u>
Dwelling Unit Size (Sq. Ft.): <u>1,350-2,000 SF</u>	Total Building Sq. Ft. <u>8,000 SF</u>
Gross Density: <u>9.56 units per acre</u>	Density: _____
Net Density: <u>9.56 units per acre</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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.

Nikkie Pick

Signature of Applicant

7/29/22

Date

Nikkie Pick - Secretary Cornerstone Baptist Church

Type or Print Name and Title

Michael E Spuhler

Signature of Notary Public

7/29/22

Date



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.

Nikkie Pick

Signature of Property Owner

7/29/22

Date

Nikkie Pick - Secretary Cornerstone Baptist Church

Type or Print Name and Title

Michael E Spuhler 7/29/22

Signature of Notary Public

Date

Notary Seal



CONFLICT OF INTEREST CERTIFICATION FOR REZONING

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

SIGNATURE OF APPLICANT

DATE

TYPE OR PRINT NAME AND TITLE

 8/4/22

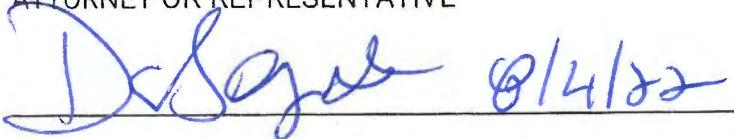
Melody A. Glouton

SIGNATURE OF APPLICANT'S

DATE

TYPE OR PRINT NAME AND TITLE

ATTORNEY OR REPRESENTATIVE

 8/4/22

SIGNATURE OF NOTARY PUBLIC

DATE



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

YES NO

Melody A. Glouton

YOUR NAME

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

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)
Nicole Love Hendrickson	\$1,000	09/30/2020
Kirkland Carden	\$2,800	11/16/2021
Ben Ku	\$1,000	03/25/2022

Kirkland Carden \$500 05/05/2022
Marlene Fosque \$1,500 06/08/2022

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

certification does not include 2022 taxes

GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
8/5/2022 10:48AM

Gwinnett County Planning Division
Rezoning Application
Last Updated 10/2021

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: 5th - 138 - 121
(Map Reference Number) District Land Lot Parcel

Melody A. Glouton
Signature of Applicant

08/04/2022

Date

Melody A. Glouton, Attorney for Applicant

Type or Print Name and Title

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

TAX COMMISSIONERS USE ONLY

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

Chris Nelson
NAME

Senior Tax Services Associate
TITLE

August 5, 2022
DATE

RECEIVED

9/2/2022

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: Cornerstone Baptist Church c/o Andersen, Tate & Carr, P.C.	NAME: Cornerstone Baptist Church
ADDRESS: 1960 Satellite Blvd. Suite 4000	ADDRESS: 1400 Grayson Hwy
CITY: Duluth	CITY: Lawrenceville
STATE: GA ZIP: 30097	STATE: GA ZIP: 30045
PHONE: 770-822-0900	PHONE: _____
CONTACT PERSON: Melody Glouton, Esq.	PHONE: 770-822-0900
CONTACT'S E-MAIL: mglouton@atclawfirm.com	
APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT	<input checked="" type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER
PRESENT ZONING DISTRICT(S): R-100 REQUESTED ZONING DISTRICT: MU-C	
PARCEL NUMBER(S): R5138 121 ACREAGE: 10.66	
ADDRESS OF PROPERTY: 1400 Grayson Hwy, Lawrenceville, Georgia	
PROPOSED DEVELOPMENT: Mixed-use community, including commercial and residential	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units 84	No. of Buildings/Lots: 2
Dwelling Unit Size (Sq. Ft.): 1,300-1,800 SF	Total Building Sq. Ft. 6,126 SF
Gross Density: 7.54 units per acre	Density: _____
Net Density: 7.54 units per acre	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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PARKING ANALYSIS

COMMERCIAL (1 SPACE / 400 S.F. MIN; 1 SPACE / 225 S.F. MAX.)	
MIN.	MAX.
16	28
SINGLE FAMILY ATTACHED RESIDENTIAL (3 PER DWELLING MIN; 6 PER DWELLING MAX.)	
MIN.	MAX.
252	480
TOTAL COMM. SPACES PROVIDED:	
29 SPACES	
TOTAL RES. SPACES PROVIDED:	
252 SPACES	
TOTAL SPACES PROVIDED:	
281 SPACES	

GENERAL NOTES

PROPERTY ADDRESS:	1400 GRAYSON HIGHWAY LAWRENCEVILLE, GEORGIA 30045
PROPERTY OWNERS:	CORNERSTONE BAPTIST CHURCH OF STONE
SEWER NOTE:	<ul style="list-style-type: none"> SEWER WILL BE A GRAVITY LINE AND TIE INTO EXISTING SEWER LOCATED SOUTH OF THE SITE. SEWER PROVIDED BY GWINNETT COUNTY.
PARCEL ID, LAND LOT & DISTRICT:	<ul style="list-style-type: none"> SITE (PID 5138 121) IS LOCATED IN LAND LOT 138 AND THE 5TH LAND DISTRICT.
DETENTION NOTE:	<ul style="list-style-type: none"> STORM WATER WILL BE MANAGED ON SITE
FEMA NOTE:	<ul style="list-style-type: none"> THE PORTION OF THIS PROPERTY IS LOCATED IN A FLOOD HAZARD AREA AS PER FEMA PANEL NO. 13135C0104F DATED 09/29/2006
PLAN NOTE:	<ul style="list-style-type: none"> THIS PLAN IS CONCEPTUAL IN NATURE AND DOES NOT CONSTITUTE APPROVAL FOR CONSTRUCTION OR DEVELOPMENT. ADDITIONAL REGULATIONS SHALL APPLY PRIOR TO PERMIT ISSUANCE.

SITE DATA

OVERALL DATA:
EXISTING ZONING: R-100
PROPOSED ZONING: MU-C
ZONING JURISDICTION: GWINNETT COUNTY, GEORGIA
GROSS ACRES: +/- 10.61 ACRES
NET ACRES: +/- 10.61 ACRES
MAX DENSITY: 7.54 UNITS / ACRE
GROSS DENSITY PROVIDED: 7.54 UNITS / ACRE
NET DENSITY PROVIDED: 7.54 UNITS / ACRE

LAND USES:
COMMERCIAL:
BUILDING A: 6,126 S.F. (6.5%)
BUILDING B: 1,536 S.F.
RESIDENTIAL:
20 TOWNHOMES: 4,590 S.F. (93.5%)
24 WIDE TOWNHOMES: 45 UNITS (40-84)
TOTAL UNITS: 39 UNITS (39)
MINIMUM HEATED FLOOR AREA:
2-BEDROOM: 1,300 SQ. FT.
3-BEDROOM: 1,730 SQ. FT.
4-BEDROOM: 1,800 SQ. FT.

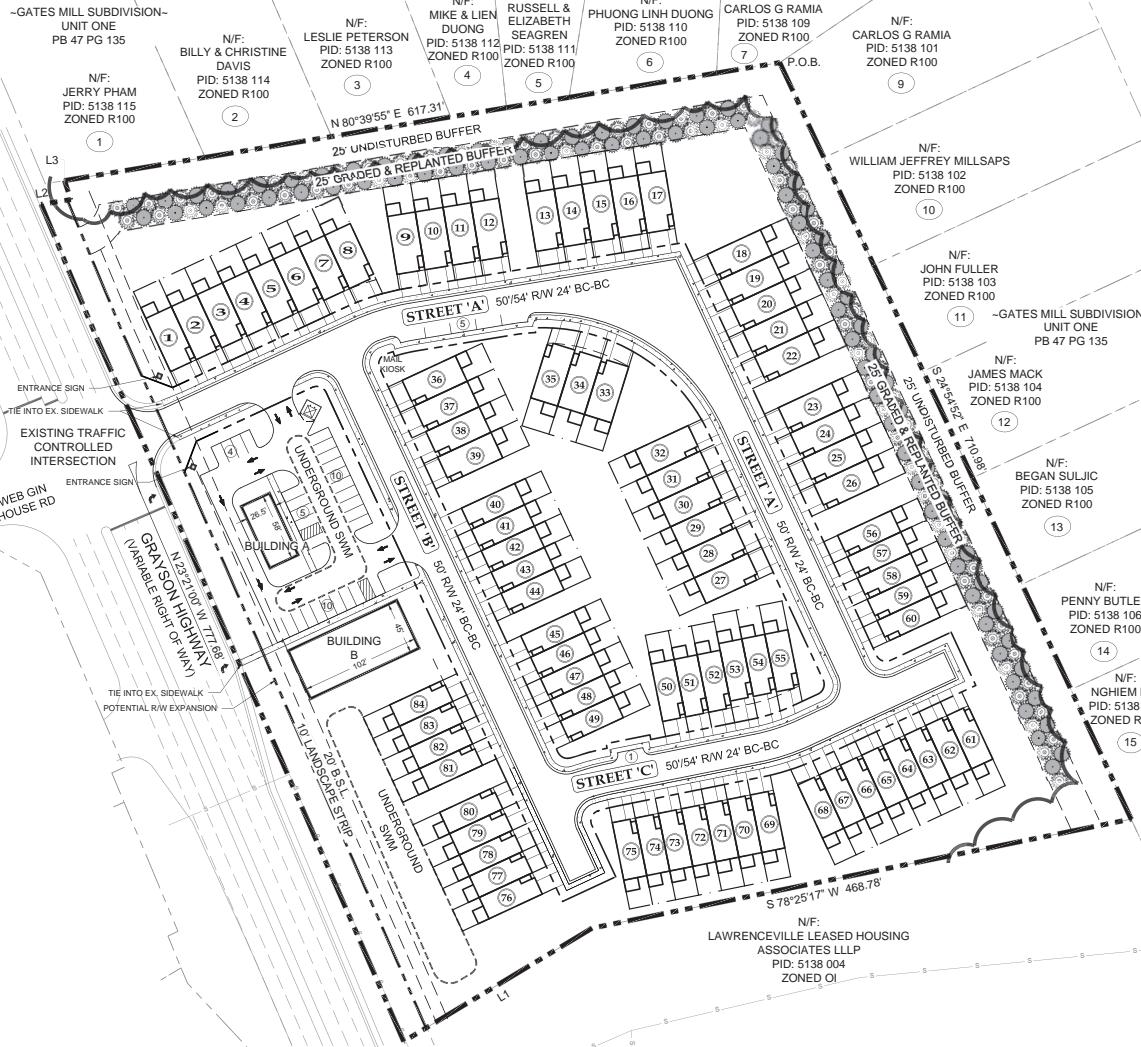
MAX. HEIGHT: 60'
HEIGHT PROVIDED: 40'
MAX. F.A.R.: 1.0R 1000
F.A.R. PROVIDED: 0.37 OR 37%
COMMON AREA REQUIRED: 15% OF NET ACRES (1.59 ACRES)
COMMON AREA PROVIDED: 15% OF NET ACRES (1.59 ACRES)

SETBACKS:
FRONT: 13'
SIDE: 0'
BETWEEN BUILDINGS: 20'
REAR: 25'
PERIMETER: 20'

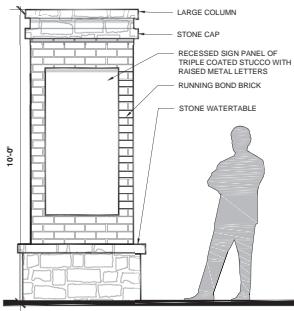
BUFFERS:
ADJACENT TO R-100: 50' TOTAL AS SHOWN

* VARIANCE REQUESTED TO PROVIDE 25' FOR A GRADED AND REPLANTED BUFFER AS SHOWN

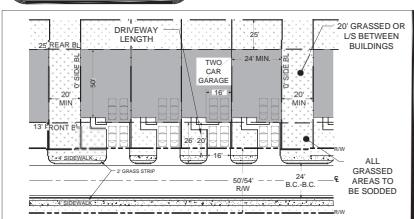
* VARIANCE REQUESTED TO REDUCE REQUIRED COMMERCIAL SPACE FROM 32% TO 6%



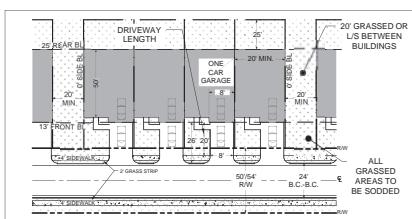
CONCEPTUAL SIGN



TYP. LOT LAYOUT



24' WIDE TOWNSHINE LOT AND STREET: N.T.S.
(UNITS 1-39)



20' WIDE TOWNSHINE LOT AND STREET: N.T.S.
(UNITS 40-84)

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FOR
CONSTRUCTION

SURVEYING BY:
ALLIANCE LAND SURVEYING
PHONE: 404.255.4730
CONTACT: DAVID ANDERSON
EMAIL: JRCOMBE@DRHORTON.COM
PHONE: 404.774.4884

DR HORTON ATLANTA
EAST DIVISION

Zoning Plan for
GRAYSON HIGHWAY TRACT
1400 GRAYSON HIGHWAY
LAWRENCEVILLE, GA 30045
LAND LOT: 1:38 - LAND DISTRICT: 5TH
LAND LOT PARCEL # 5138 121

Orig. Issue 09.01.22
Designed by BW
Checked by BW
Project # 22195

NORTH
SCALE: 1" = 50'
50'

MU-C
ZONING
PLAN

9.1.22

GWINNETT COUNTY PLANNING AND DEVELOPMENT

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RECEIVED		LINE TABLE
COURSE	BEARING	DISTANCE
L1	91°28'02.88" S 50°47' W	190.29'
L2	N 80°39'55" E	30.00'
L3	N 23°21'00" W	20.00'

GRAYSON HIGHWAY
(VARIABLE RIGHT-OF-WAY)

N 23°21'00" W 77°58'

**TRACT CONTAINS
464,361 Sq. Feet
10.660 Acres**

N/F
LAWRENCEVILLE LEASED
HOUSING ASSOCIATION
DB 57615 PG 126

NOTES

1. THE PURPOSE OF THIS PLAT IS FOR A REZONING EXHIBIT TO SHOW THE APPROXIMATE BOUNDARY LINES OF THIS PROPERTY. THIS PLAT IS NOT A TRUE SURVEY AND SHALL NOT BE USED AS ONE. THE BEARINGS AND DISTANCES SHOWN HEREON ARE APPROXIMATE AND ARE BASED ON A COMBINATION OF THE RECORDED DEED AND COUNTY GIS DATA.

~GATES MILL SUBDIVISION~
UNIT ONE
PB 47 PG 135

2

3

4

5

6

7

8

9

10

11

12

13

14

15

N 80°39'55" E 617.31'

TRACT CONTAINS
464,361 Sq. Feet
10.660 Acres

WAY

L1

S 24°54'52" E 710.98'

S 78°25'17" W 468.78'

N/F
LAWRENCEVILLE LEASED
HOUSING ASSOCIATION
DB 57615 PG 126

REZONING EXHIBIT FOR:
1400 GRAYSON HIGHWAY
LAND LOT: 138
5TH DISTRICT
GWINNETT COUNTY, GEORGIA
DRAWN BY: MCB
DATE: 09/1/2022
CHECKED BY: MCB

REVISIONS

REVISIONS

ALLIANCE
LAND SURVEYING

L.S.F. 1322
4525 SOUTH LEE STREET
BUFORD, GEORGIA 30518
678.828.9424  www.AEPAATL.COM

SHEET

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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A parcel of land lying in Land Lot 138 of the 5th district, Gwinnett County, Georgia and being more
particularly described as follows:

Begin at a point being the corner common to Lots 7 and 9 of Gates Mill Subdivision, Unit One as recorded in Plat Book 47, Page 135 Gwinnett County records, thence run south 24 degrees 54 minutes 52 seconds east for a distance of 710.98 feet to a point; thence run south 78 degrees 25 minutes 17 seconds west for a distance of 468.78 feet to a point; thence run south 58 degrees 50 minutes 47 seconds west for a distance of 190.29 feet to a point lying on the easterly right-of-way of Grayson Highway (variable right-of-way); thence run north 23 degrees 21 minutes 00 seconds west along said right-of-way for a distance of 777.68 feet to a point; thence run north 80 degrees 39 minutes 55 seconds east along said right-of-way for a distance of 30.00 feet to a point; thence run north 23 degrees 21 minutes 00 seconds west along said right-of-way for a distance of 20.00 feet to a point; thence leaving said right-of-way, run north 80 degrees 39 minutes 55 seconds east for a distance of 617.31 feet to the POINT OF BEGINNING.

Said parcel being 464,361 square feet, or 10.660 acres.

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9/2/2022

September 2, 2022

REVISED
LETTER OF INTENT AND JUSTIFICATION FOR REZONING

**Rezoning Application
Gwinnett County, Georgia**

Applicant:
Cornerstone Baptist Church of Stone Mountain, Inc.

Property:
Tax Parcel ID R5138 121
±10.61 Acres of Land
Located at 1400 Grayson Highway, Lawrenceville, Georgia 30045
From R-100 to MU-C

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

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9/27/2022

I. INTRODUCTION

This Application for Rezoning is submitted for a 10.61-acre parcel of land located in Land Lot 138 of the 5th District of Gwinnett County, Georgia, Lawrenceville, and known as 1400 Grayson Highway (hereinafter the “Property”). The Property is a single tract of land located along Grayson Highway at the intersection of Webb Gin House Road. The Property is shown on the survey prepared by TerraMark Land Surveying, Inc, and filed with this Application. The Property that is the subject of this rezoning application is owned by Cornerstone Baptist Church of Stone Mountain, Inc. and the site will be developed by ContraVest Development Partners. The Property is further identified below from the Gwinnett County GIS:



The Property is currently zoned R-100 (Single Family Residence District) pursuant to the Gwinnett County Unified Development Ordinance (the “UDO”). The Applicant, Cornerstone Baptist Church of Stone Mountain, Inc., (the “Applicant”) now seeks approval to rezone the Property to MU-C (Community Mixed-Use District) in order to develop a distinctive and attractive mixed-use community that will be complimentary to the adjacent developments. This document is submitted as the Letter of Intent, Response to Standard Governing the Exercise of Zoning Power, and other materials required by the Gwinnett County UDO.

II. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

The Property is a square shaped parcel with frontage on Grayson Highway at the intersection of Webb Gin House Road in Lawrenceville, Georgia. The site has an existing church on the property with the remainder of the site being undeveloped and wooded. The site maintains one driveway access point along Grayson Highway. Webb Gin House Road terminates at Grayson Highway and aligns with the existing driveway of the Property. Redevelopment of the site would include access to the Property from Webb Gin House Road and a right in/right out along Grayson Highway.

The Property is bordered by the Gates Mill subdivision to the north and east (R-100). To the South, the Property is adjacent to a large tract that was recently rezoned to O-I (Office-Institutional District) for use as an independent living retirement community. The properties to the west of the site include C-1 (Neighborhood Business District), C-2 (General Business District), RM-24 (Multifamily Residence District), and R-TH (Single-Family Residence Townhome District). The Property is close to the more intense commercially zoned parcels on Grayson Highway that are improved with service and retail businesses, gas stations, fast food restaurants, apartments, grocery stores, and financial institutions. Below is a map of the surrounding zoning classifications to the Property:

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



As such, the proposed development is in line with the encouraged land use and also with Theme 4 of the 2040 Plan, which is to “Provide More Housing Choices.” The proposed development would

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

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provide residential in-fill development at a density and with architectural character that is compatible with the surrounding uses and zoning patterns. Accordingly, the proposed development satisfies the intent of the 2040 Plan, especially when considering the Property is near more intense commercial uses. Since the Property is located within the Community Mixed-Use Character Area, and is at a major intersection, a mixed-use development including both commercial and residential components would conform with the policies of the character area.

III. PROJECT SUMMARY

As shown on the conceptual site plan by Alliance Engineering, dated September 1, 2022, and filed with this Application (hereinafter the “Site Plan”), the Applicant proposes to develop the Property into a distinctive and attractive mixed-use community that will incorporate both commercial and residential components in the community. The Applicant is proposing to rezone the Property from R-100 to MU-C in order to accommodate the development of a mixed-use community, including commercial and residential uses. The commercial development would include two buildings, totaling 6,126 square feet, for retail/commercial use located at the intersection of Webb Gin House Road and Grayson Highway. The proposed residential development would include a total of 84 townhomes, ranging in size from 1,300 to 1,800 square feet for two, three, and four bedroom units. The commercial and residential area would be accessed via the existing traffic-controlled intersection at Webb Gin House. The Applicant has included attached preliminary renderings of the townhomes.

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

- Variance from Section 210-210.6 which requires two or more major land use categories with no single land use category constituting less than 20% of the gross floor area to allow for the site to be developed in general accordance with the site plan.
- Variance from Section 610-2.2(A) and Table 610.1 which requires a 50-foot undisturbed buffer adjacent to R-100 residentially zoned property to allow for the site to be developed in general accordance with the site plan with a 25' graded and replanted buffer and 25' undisturbed buffer.

For the foregoing reasons, the Applicant respectfully requests that this Application to Rezone from R-100 to MU-C be approved. The Applicant welcomes the opportunity to meet with the Gwinnett County Planning Department staff to answer any questions or to address any concerns relating to this Letter of Intent or supporting materials.

Respectfully submitted this 2nd day of September, 2022.

ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.

Enclosures
MAG/dwb

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CORNERSTONE BAPTIST CHURCH OF STONE MOUNTAIN, INC.

Tax Parcel ID R5138 121

SITE IMPACT ANALYSIS

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

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

Yes, approval of the proposed Rezoning Application will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The Property is located on Grayson Highway at the intersection of Webb Gin House Road. The Property is near existing commercial, residential, and single-family development. The proposed development will provide a transitional use from the commercial used along Grayson Highway to the residential uses to the east.

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

No, the proposed Rezoning Application will not adversely affect the existing use or usability of any of the nearby properties. The proposed zoning classification is compatible with existing residential and commercial uses of adjacent property. Rather the proposed development would complement existing commercial and employment centers. There is new construction in the area for multi-story structures as well. As such, single-family residences near the site would likely not be impacted by the development.

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

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

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

No, the proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems. The Property has convenient access to Grayson Highway and Sugarloaf Parkway. The proposed development would complement the existing

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9/2/2022 commercial and nearby residential uses. More importantly, the development would provide additional commercial and residential housing options in the area.

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

The proposed rezoning application is in conformity with the policy and intent of the Gwinnett County 2040 Unified Plan. The subject property is located within the Community Mixed-Use Character Area of the 2040 Future Development Map. Encouraged land uses for this Character Area specifically include apartments, townhomes, and single-family homes. The proposed development would be compatible with and successfully co-exist with the surrounding uses.

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

The Applicant submits that the character of the surrounding development and the existing mix of uses in the area provide supporting reasons for approval of the rezoning application. Anticipated growth in Gwinnett County based on the 2040 Comprehensive Plan suggests a strong need for this type of housing. In addition, the Applicant submits that the subject Property's location, size, and dimensions, as well as its proximity to Grayson Highway, as well as Sugarloaf Parkway, provide further support for approval of the proposed rezoning application.

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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