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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: <u>Shelton McNally Real Estate Partners, LLC</u> c/o Andersen, Tate & Carr, P.C.	NAME: <u>Ingles Markets, Inc.</u>
ADDRESS: <u>1960 Satellite Blvd., Suite 4000</u>	ADDRESS: <u>P.O. Box 460189</u>
CITY: <u>Duluth</u>	CITY: <u>Houston</u>
STATE: <u>GA</u> ZIP: <u>30097</u>	STATE: <u>TX</u> ZIP: <u>77056-8189</u>
PHONE: <u>770-822-0900</u>	PHONE: _____
CONTACT PERSON: <u>Melody A. 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 type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER
PRESENT ZONING DISTRICTS(S): <u>C2</u> REQUESTED ZONING DISTRICT: <u>R-TH</u>
PARCEL NUMBER(S): <u>R6040 158</u> ACREAGE: <u>19.31</u>
ADDRESS OF PROPERTY: <u>5100 Annistown Rd., Stone Mountain</u>
PROPOSED DEVELOPMENT: <u>Townhome / Retail</u>

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>150</u>	No. of Buildings/Lots: <u>1</u>
Dwelling Unit Size (Sq. Ft.): <u>per UDO</u>	Total Building Sq. Ft. <u>5,000 square feet</u>
Gross Density: <u>8.25/upa</u>	Density: _____
Net Density: <u>8.25/upa</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

December 15, 2021

LETTER OF INTENT AND JUSTIFICATION FOR REZONING

**Rezoning Application
Gwinnett County, Georgia**

Applicant:
Shelton McNally Real Estate Partners, LLC

Property:
Tax Parcel ID R6040 158
±19.31 Acres of Land
Located at 5100 Annistown Road
Stone Mountain, Georgia
From C-2 to R-TH

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

I. INTRODUCTION

This application for Rezoning is submitted for a 19.31-acre parcel of land located in Land Lot 40 of the 6th District of Gwinnett County, Georgia, Stone Mountain, and known as 5100 Annistown Road (hereinafter the “Property”). The Property is shown on the survey prepared by LeCraw Engineering dated September 17, 2021, and filed with this Application. The Property that is the subject of this rezoning application is owned by Ingles Markets, Inc., and is identified as shown below from the Gwinnett County GIS:



The Property is currently zoned C-2 (General Business District) pursuant to the Gwinnett County Unified Development Ordinance (the “UDO”). The parcel is occupied by Ingles Markets. The Applicant, Shelton McNally Real Estate Partners, LLC (the “Applicant”) now seeks approval to rezone the Property to R-TH (Single Family Residence Townhome District) to develop a distinctive and attractive residential townhome community with 150 units, with 5,000 square feet of commercial/retail space.¹

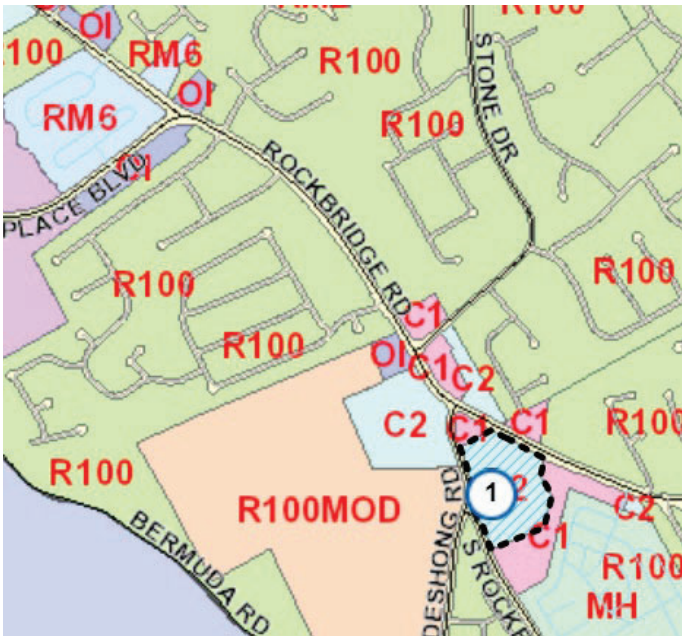
¹ The Applicant proposes to rezone 18.19 acres of the overall site to R-TH (Single Family Residence Townhome District) for the development of a townhome community. The remainder 1.12 acres would not require rezoning and will continue under its current zoning classification of C-2 (General Business District) for the proposed commercial use.

This document is submitted as the Letter of Intent, Response to Standards 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 corner parcel fronting both Annistown Road and North Deshong Road in Stone Mountain, Georgia. The Property is also known as the former Ingles Shopping Center. It is near residentially zoned properties, including R-100 (Single Family Residence) and MH (Manufactured Housing) to the North, East and South. On the West side of the Property, it is bounded by MOD (Modified Single-Family Development) and R-100 zoning. On the Northwest edge, the Property is adjacent to commercial uses zoned C-2 (General Business District). The adjacent and nearby parcels are improved with service and retail businesses, gas stations, fast food restaurants, grocery stores, and financial institutions.

The Future Development Map of the Gwinnett County 2040 Unified Plan (the “2040 Plan”) classifies this Property as within the “Established Neighborhoods Character Area,” of the Gwinnett County Future Development Map. The policies for this Character Area encourage a variety of land uses including single-family residential, conservation open space subdivisions, mixed residential developments, townhomes, and senior living. The surrounding area includes a wide variety of uses, including a day care facility, gas station, Gwinnett County Park, storage facility, Bruster’s ice cream, Dollar General, dental office, and a church in close proximity to the proposed site. Below is an aerial map of the surrounding area and uses:



As such, the proposed developments are 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 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 adjacent to commercial uses. There is currently a healthy supply of commercial uses surrounding the area and the proposed development would support those existing uses and provide additional housing options in the area. The proposed townhome buildings would include attractive architectural designs and building materials as set forth on the enclosed renderings preserving the aesthetics of the proposed development and enhancing the resident's experience.

III. PROJECT SUMMARY

As shown on the conceptual site plan by LeCraw Engineering dated December 2, 2021, and filed with this Application (hereinafter the "Site Plan"), the Applicant proposes to develop the Property into a distinctive and attractive residential townhome community.

The Applicant is proposing to rezone the Property from C-2 to R-TH in order to accommodate the development of a townhome community with approximately 150 units, including 5,000 square feet of commercial/retail space. The proposed development would provide attractive, high-end townhome residences with various amenities including, green space, courtyard areas, a dog park, clubhouse building with additional recreational options such as a pool, and outdoor patio space.

The pool and clubhouse amenity would also create an activity center and gathering place for residents to foster a sense of community. The proposed elevations of the townhome development are filed with this Application. The Applicant submits the townhome development will be compatible with the surrounding uses and will blend harmoniously into the area. The community would be accessed by two entrances; the main entrance onto Annistown Road and the residents entrance onto North Deshong Road.

The Applicant is requesting a buffer reduction between the proposed commercial development and the residential amenity area, which is divided by the private entrance access at Annistown Road. As shown on the Site Plan, the UDO requires a 75' undisturbed zoning buffer adjacent to R-TH property along the eastern boundary property line. The Applicant is requesting a reduction from 75' requirement in order to properly develop the site. The requested reduction is necessary to afford the Applicant relief so that the Property may be developed in accordance with the intent of the Site Plan. Due to the size, existing layout, and topography of the Property, strict adherence to the requirements of the UDO is not possible in this matter. Further, granting the reduction would not adversely affect the existing use or usability of adjacent property.

IV. SITE IMPACT ANALYSIS

Pursuant to UDO § 270-20.6, entitled "Impact Analysis," the Applicant submits its written impact analysis which shows that rezoning to R-TH, 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 are suitable in view of the use and development of adjacent and nearby properties. The Property is located at Annistown Road and North Deshong Road. The Property is adjacent to a Deshong Park, as well as in close proximity to commercial development.

(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.

(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. By way of further response, the Applicant submits the rezoning of the Property would redevelop the site into a more viable and compatible use with surrounding properties.

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

No, the proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems. The Property has convenient access to Annistown Road and N. Deshong Road. The proposed development would complement the existing commercial and nearby residential uses. More importantly, the development would provide the necessary residential critical mass to support the existing commercial uses.

(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 Established Neighborhoods Character Area of the 2040 Future Development Map. Encouraged land uses for this Character Area specifically include townhomes and corner/neighborhood

serving retail. 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 Annistown Road and North Deshong Road provide further support for approval of the proposed rezoning application.

V. JUSTIFICATION FOR REZONING

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

Accordingly, Applicant submits that the current zoning classification and any other zoning of the Property save for what has been requested as established in the Ordinance constitute an arbitrary and unreasonable use of the zoning and police powers because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant and Property owner. All inconsistent zoning classifications between the existing zoning and the zoning requested hereunder would constitute an arbitrary and unreasonable use of the zoning and police powers because they bear or would bear no substantial relationship to the public health, safety, morality, or general welfare of the public and would substantially harm the Applicant and Property owner. Further, the existing inconsistent zoning classification constitutes, and all zoning and plan classifications intervening between the existing inconsistent zoning classification and that required to develop this Project would constitute, a taking of the owner's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of

the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States.

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

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

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

VI. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Application to Rezone from C-2 to R-TH 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 December, 2021.

ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.

Enclosures
MAG/ag

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LEGAL DESCRIPTION

RETAIL TRACT

ALL THAT PARCEL OF LAND LYING IN LAND LOTS 39 & 40 OF THE 6TH DISTRICT OF GWINNETT COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE PURPORTED LAND LOT LINE COMMON TO LAND LOTS 40 & 43 OF SAID DISTRICT WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF DESHONG ROAD (VARIABLE RIGHT-OF-WAY); THENCE ALONG SAID PURPORTED LAND LOT LINE NORTH 60°50'43" EAST A DISTANCE OF 387.51 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF ANNISTOWN ROAD (VARIABLE RIGHT-OF-WAY); THENCE FOLLOWING ALONG SAID RIGHT-OF-WAY LINE SOUTH 62°04'24" EAST A DISTANCE OF 268.91 FEET TO A POINT, SAID POINT BEING THE **POINT OF BEGINNING**.

THENCE LEAVING SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF ANNISTOWN ROAD (VARIABLE WIDTH RIGHT-OF-WAY) THE FOLLOWING 4 COURSES AND DISTANCES: SOUTH 27°54'58" WEST A DISTANCE OF 214.99 FEET TO A POINT; THENCE NORTH 62°05'02 WEST A DISTANCE OF 175.14 FEET TO A POINT; THENCE NORTH 22°17'00" WEST A DISTANCE OF 76.62 FEET TO A POINT; THENCE NORTH 27°54'58" WEST A DISTANCE OF 165.99 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF ANNISTOWN ROAD (VARIABLE RIGHT-OF-WAY); THENCE FOLLOWING ALONG SAID-RIGHT-OF-WAY LINE NORTH 62°04'24" WEST A DISTANCE OF 234.00 FEET BACK TO THE **POINT OF BEGINNING**.

CONTAINING 48,870 SQUARE FEET OR 1.122 ACRE.

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**LEGAL DESCRIPTION
PARENT TRACT**

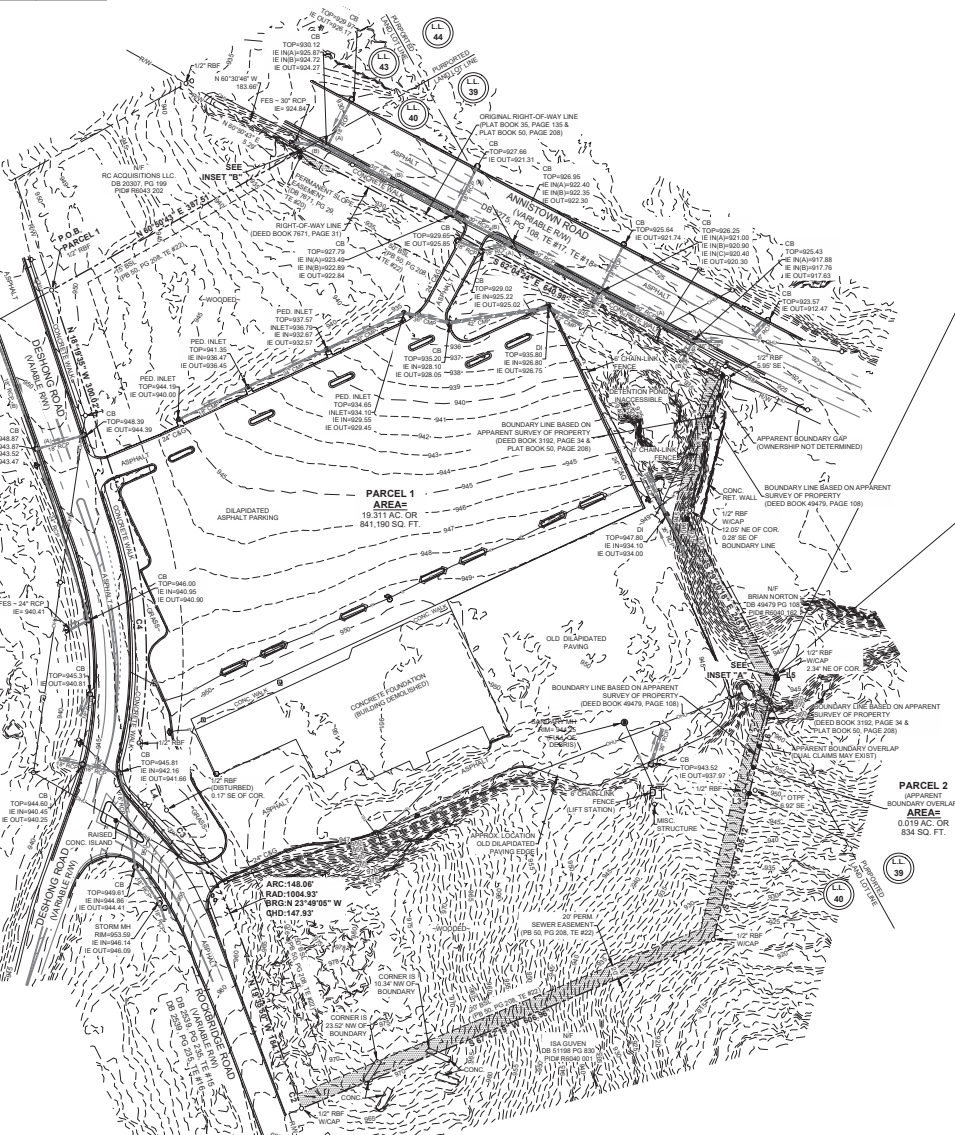
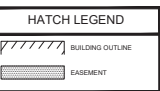
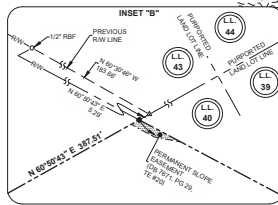
ALL THAT PARCEL OF LAND LYING IN LAND LOTS 39 & 40 OF THE 6TH DISTRICT OF GWINNETT COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2-INCH REBAR FOUND AT THE INTERSECTION OF THE PURPORTED LAND LOT LINE COMMON TO LAND LOTS 40 & 43 OF SAID DISTRICT WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF DESHONG ROAD (VARIABLE RIGHT-OF-WAY); THENCE ALONG SAID PURPORTED LAND LOT LINE NORTH 60°50'43" EAST A DISTANCE OF 387.51 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF ANNISTOWN ROAD (VARIABLE RIGHT-OF-WAY); THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 62°04'24" EAST A DISTANCE OF 34.91 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY LINE THE FOLLOWING 4 COURSES AND DISTANCES: SOUTH 27°54'58" WEST A DISTANCE OF 165.99 FEET TO A POINT; THENCE SOUTH 22°17'00" EAST A DISTANCE OF 76.62 FEET TO A POINT; THENCE SOUTH 62°05'02" EAST A DISTANCE OF 175.14 FEET TO A POINT; THENCE NORTH 27°54'58" EAST A DISTANCE OF 214.99 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF ANNISTOWN ROAD (VARIABLE RIGHT-OF-WAY); THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING 2 COURSES AND DISTANCES: SOUTH 62°04'24" EAST A DISTANCE OF 372.06 FEET TO A POINT AND FOLLOWING THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 11.47 FEET (SAID ARC HAVING A RADIUS OF 2924.79 FEET AND BEING SUBTENDED BY A CHORD OF SOUTH 62°11'08" EAST A DISTANCE OF 11.47 FEET) TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY THE FOLLOWING 6 COURSES AND DISTANCES: SOUTH 13°47'15" WEST A DISTANCE OF 200.91 FEET TO A POINT AND SOUTH 29°20'18" EAST A DISTANCE OF 245.97 FEET TO A POINT; THENCE SOUTH 15°25'49" WEST A DISTANCE OF 162.50 FEET TO A POINT; THENCE SOUTH 64°09'11" EAST A DISTANCE OF 7.66 FEET TO A POINT; THENCE SOUTH 13°45'43" WEST A DISTANCE OF 205.12 FEET TO A POINT AND SOUTH 67°42'19" WEST A DISTANCE OF 606.96 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF ROCKBRIDGE ROAD (VARIABLE RIGHT-OF-WAY); THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING 4 COURSES AND DISTANCES: FOLLOWING THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 37.48 FEET (SAID ARC HAVING A RADIUS OF 1859.86 FEET AND BEING SUBTENDED BY A CHORD OF NORTH 20°10'28" WEST A DISTANCE OF 37.48 FEET) TO A POINT, NORTH 19°35'50" WEST A DISTANCE OF 184.17 FEET TO A POINT, FOLLOWING THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 148.06 FEET (SAID ARC HAVING A RADIUS OF 1004.93 FEET AND BEING SUBTENDED BY A CHORD OF NORTH 23°49'05" WEST A DISTANCE OF 147.93 FEET) TO A POINT AND FOLLOWING THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 80.61 FEET (SAID ARC HAVING A RADIUS OF 220.00 FEET AND BEING SUBTENDED BY A CHORD OF NORTH 38°32'08" WEST A DISTANCE OF 80.16 FEET) TO A POINT AT THE SOUTHEASTERLY END OF THE MITERED RIGHT-OF-WAY LINE AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF ROCKBRIDGE ROAD (VARIABLE RIGHT-OF-WAY) WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF DESHONG ROAD (VARIABLE RIGHT-OF-WAY); THENCE ALONG SAID MITERED RIGHT-OF-WAY LINE NORTH 22°10'44" WEST A DISTANCE OF 98.80 FEET TO A POINT FOUND ON SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF DESHONG ROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING 2 COURSES AND DISTANCES: FOLLOWING THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 337.08 FEET (SAID ARC HAVING A RADIUS OF 686.52 FEET AND BEING SUBTENDED BY A CHORD OF NORTH 04°15'37" WEST A DISTANCE OF 333.70 FEET) TO A POINT AND NORTH 18°19'35" WEST A DISTANCE OF 300.02 FEET BACK TO THE **POINT OF BEGINNING**.

CONTAINING 792,320 SQUARE FEET OR 18.189 ACRES.

CURVE	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	1147.11'	2924.79'	S 52°11'08" E	1147.11'
C2	37.46' (R)	1569.86'	N 2°01'28" W	37.46'
C3	80.81'	220.09'	N 38°28'08" W	80.81'
C4	337.08'	686.52'	N 04°15'37" W	333.70'

LINE	BEARING	DISTANCE
L1	S 13°47'15" W	250.00'
L2	S 12°24'08" W	109.22'
L3	S 54°09'11" W	7.80'
L4	N 3°01'24" E	18.00'
L5	N 42°20'18" W	8.63'
L6	N 13°42'25" E	101.00'



PARCEL #	AREA	TAX ID #	OWNER	DEED REFERENCE	PLAT CLOSURE
PARCEL 1	19,311 AC. OR 841,190 SQ. FT.	A PORTION OF 8640 158	INGLES MARKETS, INCORPORATED	DB 3192, PG 34; DB 3071, PG 887; DB 5927, PG 235, PG 50, PG 208; LESS & EXCEPT DB 3275, PG 108; DB 3275, PG 108	1,323,371
PARCEL 2	0.015 AC. OR 834 SQ. FT.	A PORTION OF 8640 158	APPARENT BOUNDARY OVERLAP	APPARENT BOUNDARY OVERLAP	1,588,884



SYMBOL LEGEND	
● CORNER MONUMENT (SEE NOTE F)	☒ TRAFFIC CONTROL BOX
■ IRON PIN FOUND (TYPE NOTED)	☒ MAILBOX
■ CONSP. CONCRETE NW MONUMENT FOUND	☒ MONITORING WELL
▲ INTERSECTION POINT	☒ STREET SIGN
P.O.B. POINT OF BEGINNING	☒ BOLLARD
P.O.C. POINT OF COMMENCEMENT	☒ LANDSCAPE LIGHT
R/W RIGHT-OF-WAY	☒ AIR CONDITIONING UNIT
R/W REBAR FOUND	☒ PAINTED TRAFFIC ARROW
OTF OPEN TOP PIPE FOUND	☒ HANDICAPPED SPACE
CTF CRAMP TOP PIPE FOUND	☒ FURNISHED TREE
☒ SHOULD WING CATCH BASIN	☒ UNDERSTORY TREE
☒ DOUBLE WING CATCH BASIN	☒ DECIDUOUS TREE (HANDWOOD)
☒ FLARED END SECTION	☒ BENCHMARK
☒ DROP INLET	☒ TEST HOLE
☒ HEADWALL	☒ ACCESS EASEMENT
☒ CURB INLET	☒ SANITARY SEWER EASEMENT
☒ STORM MANHOLE	☒ SANITARY SEWER EASEMENT
☒ STORM JUNCTION BOX	☒ DE DRAINAGE EASEMENT
☒ PEDESTAL INLET	☒ CMP
☒ FIRE HYDRANT	☒ DUCTILE IRON PIPE
☒ WATER METER	☒ HDPE
☒ IRRIGATION CONTROL VALVE	☒ PVC
☒ FIRE DEPARTMENT CONNECTION	☒ RCP
☒ GAS VALVE	☒ VCP
☒ GAS METER	☒ BROKEN LINE (NOT TO SCALE)
☒ TELEPHONE BOX	☒ END NOT LOCATED
☒ TELEPHONE MANHOLE	☒ CURB INLET
☒ CABLE PEDESTAL	☒ CURB AND GUTTER
☒ GUY WIRE	☒ IE INVERT ELEVATION
☒ LIGHT POLE	☒ X 525.34 EXISTING SPOT ELEVATION
☒ POWER POLE	☒ BW
☒ POWER MANHOLE	☒ TW
☒ ELECTRIC METER	☒ FFE
☒ TRANSFORMER	☒ MEASURED DISTANCE
☒ SANITARY SEWER MANHOLE	☒ (RA) MEASURED ANGLE
☒ SANITARY SEWER GREASE TRAP	☒ (RM) RECORDING ANGLE
☒ CLEANOUT	☒ NOW OR FORMERLY
☒ TRAFFIC SIGNAL HAND HOLE	☒ BSL BUILDING SETBACK LINE
☒ TRAFFIC SIGNAL POLE	☒ TER TITLE DESCRIPTION NUMBER
☒ TRAFFIC SIGNAL POLE	☒ CAS
	☒ CLP CHAIN LINK FENCE

LINE LEGEND	
---	SITE BOUNDARY LINE
---	ADJACENT BOUNDARY LINE
---	INTERIOR BOUNDARY LINE
---	RIGHT-OF-WAY LINE
---	SETBACK LINE
---	EASEMENT LINE
---	OTCHOREE LINE
---	APPROX. FLOOD LIMITS
---	ROAD CENTERLINE
---	CURB & GUTTER
---	FENCE
---	STORM SEWER
---	CONTOURS
---	SANITARY SEWER
---	FORCEMAIN
---	GAS LINE
---	TELEVISION CABLE
---	UNKNOWN UTILITY LINE
---	TELEPHONE LINE
---	OVERHEAD UTILITY
---	UNDERGROUND POWER
---	GUARDRAIL
---	PAINT STRIPING
---	TREE LINE
---	CREEK BUFFER
---	CREEK BANK

SURVEYOR'S CERTIFICATION

I, the undersigned, being a duly licensed Professional Engineer and Land Surveyor, do hereby certify that the foregoing is a true and correct copy of the original survey as conducted by me or under my direct supervision and that the same conforms with the Georgia Board of Professional Engineers and Land Surveyors as set forth in G.S.A. SECTION 18-6-67.

DATE: 12/2/2021

AS SURVEYOR OR SURVEYOR NO. 2678

LEICRAW ENGINEERING, INC.

3475 COUNTY ROAD 100
DUBLIN, GA 31009
TEL: 770.414.0080
WWW.LEICRAWENGINEERING.COM

THIS DOCUMENT WAS PRODUCED ON A 34" X 36" SHEET USING ELECTRONIC MEDIA AND DIGITALLY SIGNED BY THE SURVEYOR. ANY CHANGES TO THIS DOCUMENT MUST BE MADE AT THE TIME AND DATE OF THE ORIGINAL SURVEY. ANY CHANGES TO THIS DOCUMENT MUST BE MADE AT THE TIME AND DATE OF THE ORIGINAL SURVEY. ANY CHANGES TO THIS DOCUMENT MUST BE MADE AT THE TIME AND DATE OF THE ORIGINAL SURVEY.

LEICRAW ENGINEERING

3475 COUNTY ROAD 100
DUBLIN, GA 31009
TEL: 770.414.0080
WWW.LEICRAWENGINEERING.COM

CLIENT
SHELTON MCNALLY
SUITE 1225
ATLANTA, GEORGIA 30309

PROJECT
ALTAIR'S LAND TITLE SURVEY
LOCATED IN LAND LOTS 38 & 40, 6TH DISTRICT, WINNETT COUNTY, GEORGIA

SURVEY TEAM:
DRAWN BY: AU
FIELD WORK BY: BES
REVIEWED BY: JAC

GEORGIA 811
www.Georgia811.com

GRAPHIC SCALE: 1"=80'

JOB #
298002

SHEET
2 of 2

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12/14/2021



SITE SUMMARY

SITE AREA	
R-TH AREA (GROSS):	18.19 ACRES (792,320 S.F.)
R-TH AREA (NET):	18.19 ACRES (792,320 S.F.)
R-TH DENSITY (GROSS):	8.25 UNITS/ACRE
R-TH DENSITY (NET):	8.25 UNITS/ACRE
R-TH COMMON AREA:	5.0 ACRES (27.5% OF R-TH LOT)
C-2 AREA	1.12 ACRES (48,870 S.F.)

BUILDING SETBACKS

FRONT (R-TH):	15'
SIDE (R-TH):	10'
REAR (R-TH):	30'
FRONT (C-2):	15'
SIDE (C-2):	10'
REAR (C-2):	30'

BUILDING SUMMARY

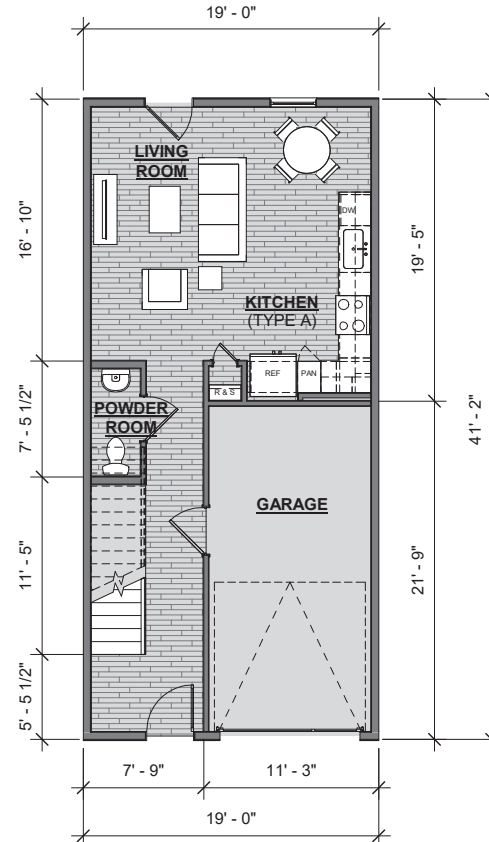
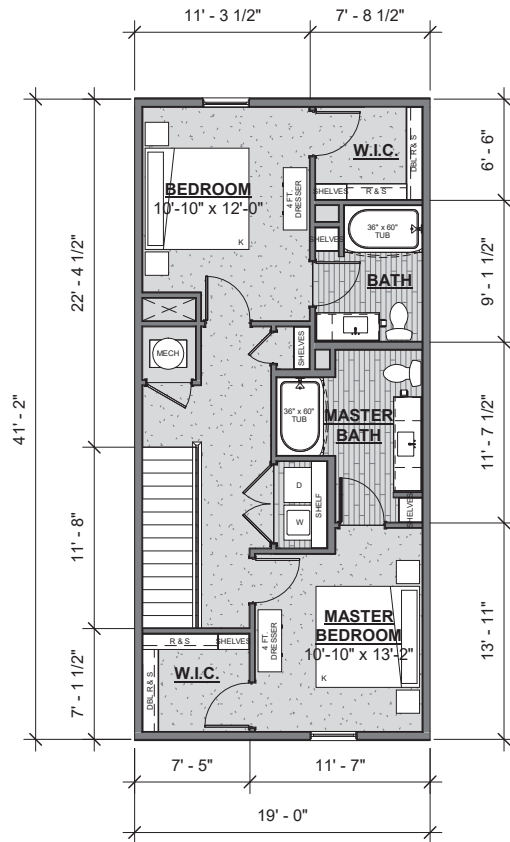
2 STORY TOWNHOMES:	150 UNITS (~1,442 S.F. EACH)
MULTIFAMILY CLUB / LEASING:	5,000 S.F.
RETAIL:	5,000 S.F.
MAINTENANCE / DOG WASH:	950 S.F.

PARKING SUMMARY

PARKING REQ. (TOWNHOMES)	3 SPACES / DWELLING (MIN.)
	6 SPACES / DWELLING (MAX.)
	450 - 500 SPACES
PARKING PROV. (TOWNHOMES)	500 SPACES
	(250 GARAGE + 250 DRIVEWAY)
PARKING REQ. (CLUB / LEASING)	1 SPACE / 100 S.F. (MIN.)
	1 SPACE / 150 S.F. (MAX.)
	17 - 34 SPACES
PARKING PROV. (CLUB / LEASING)	17 SPACES
PARKING REQ. (RETAIL)	1 SPACE / 100 S.F. (MIN.)
	1 SPACE / 200 S.F. (MAX.)
	10 - 25 SPACES
PARKING PROV. (RETAIL)	25 SPACES
PARKING REQ. (GUEST)	0.25 SPACE / UNIT
	36 SPACES
PARKING PROVIDED (GUEST)	38 SPACE / UNIT
STANDARD SIZE DIMENSIONS	9' x 18'
MIN. DRIVE WIDTH	22' - 24'

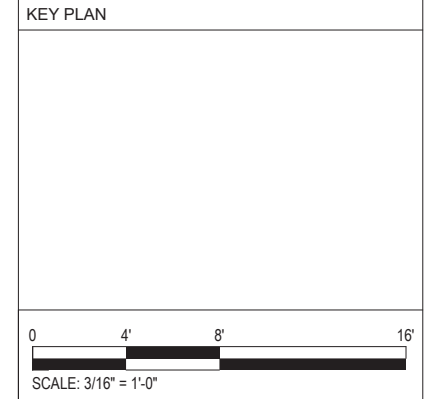
CONCEPT PLAN DISCLAIMER:

1. THE CONCEPT REPRESENTED HEREIN IDENTIFIES A SCHEMATIC DESIGN RESULTING FROM LAYOUT PREFERENCES IDENTIFIED BY THE CLIENT COUPLED WITH A PRELIMINARY REVIEW OF ZONING AND LAND DEVELOPMENT REQUIREMENTS. THE FEASIBILITY OF THIS PLAN IS LIMITED TO CONCEPTUAL DESIGN. THE CONCEPT IS NOT INTENDED TO BE A FINAL DESIGN. THE CONCEPT IS NOT GUARANTEED AND CAN ONLY BE ASSESSED AFTER FURTHER EXAMINATION OF THE PROJECT AND THE SITE. THE CONCEPT IS NOT A CONTRACT AND MAY BE SUBJECT TO CHANGE ALONG WITH PROCUREMENT OF APPROPRIATE JURISDICTIONAL APPROVALS.
2. THIS CONCEPT PLAN IS PREPARED FOR CONCEPTUAL PRESENTATION PURPOSES ONLY AND IS NOT INTENDED FOR UTILIZATION AS A CONSTRUCTION DOCUMENT. THE EXISTING CONDITIONS SHOWN HEREON ARE BASED UPON AVAILABLE INFORMATION THAT WAS OBTAINED AT THE TIME OF THE DESIGN. CONDITIONS AND MAY BE SUBJECT TO CHANGE UPON THE AVAILABILITY OF ADDITIONAL INFORMATION.
3. THIS CONCEPT PLAN WAS PREPARED WITHOUT BENEFIT OF A GEOTECHNICAL AND/OR ENVIRONMENTAL INVESTIGATION. JURISDICTIONAL DELINEATION OR ARBITRIST REPORT OF ANY UNDERGROUND UTILITY OR OBSTACLE, INCLUDING BUT NOT LIMITED TO UNDERGROUND UTILITIES AND/OR SPECIMEN TREES HAS NOT BEEN TAKEN INTO ACCOUNT.



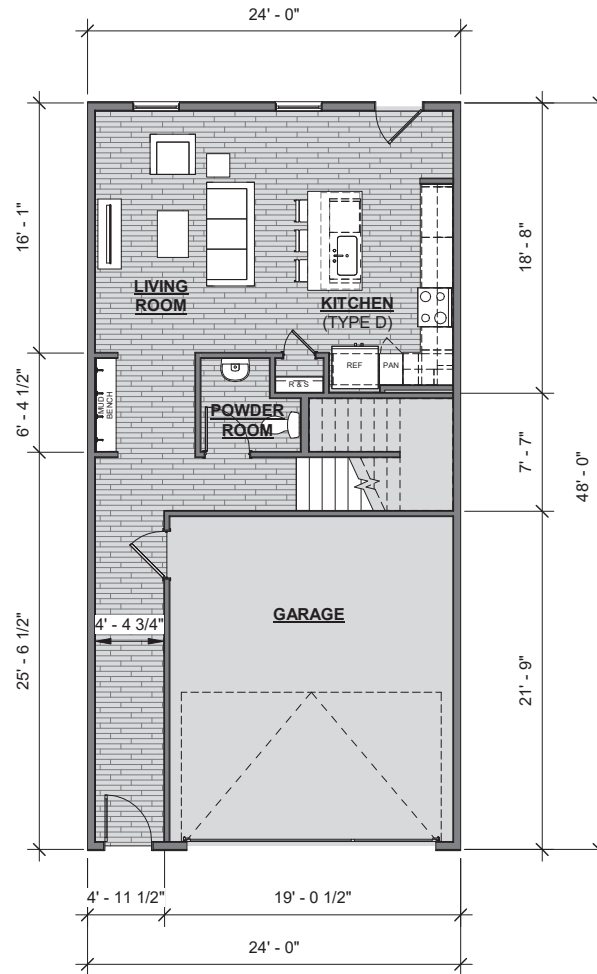
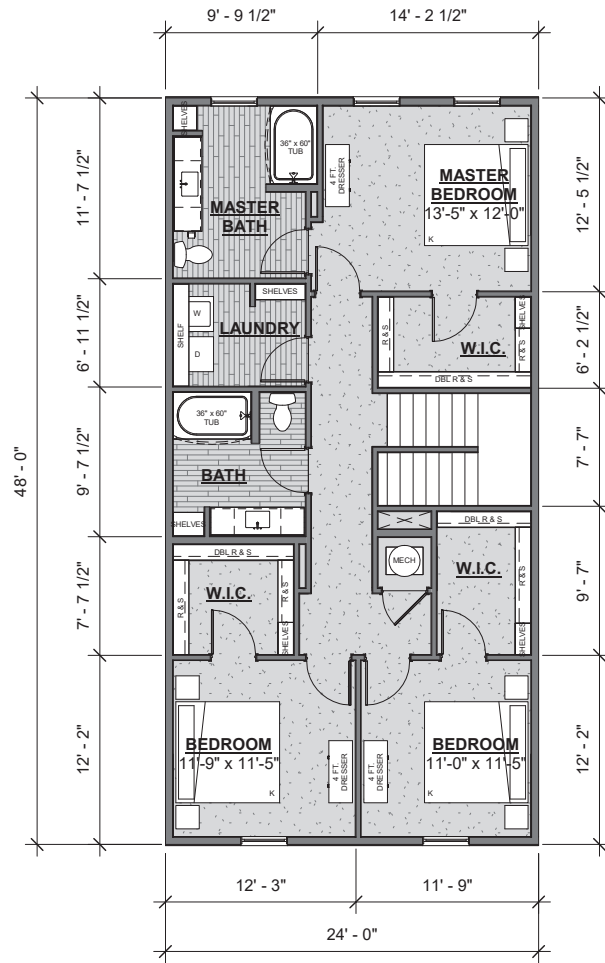
UNIT DATA	TH-B1
QUANTITY	
HEATED AREA	1289 SF
BALCONY/GARAGE AREA	235 SF
GROSS AREA	1524 SF

*SHOWN AT 1/8" SCALE



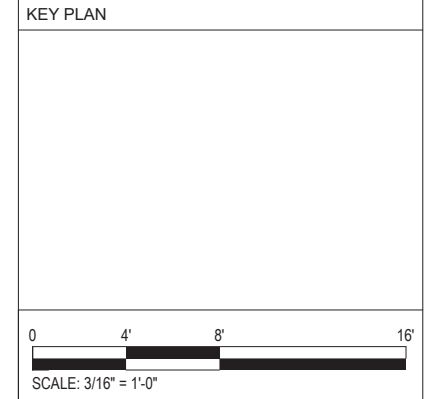
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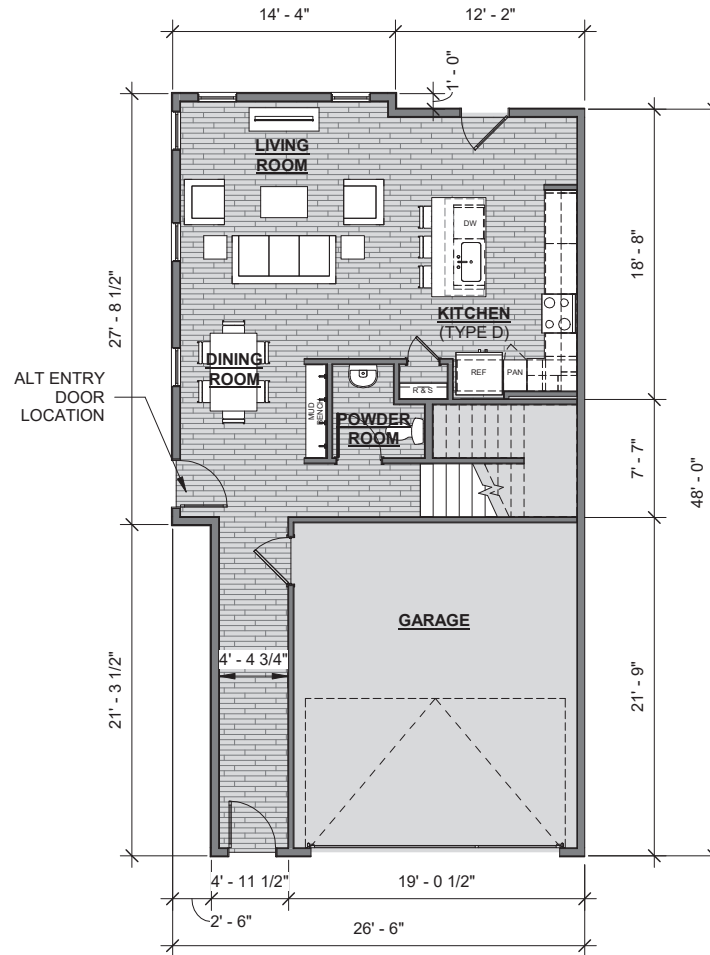
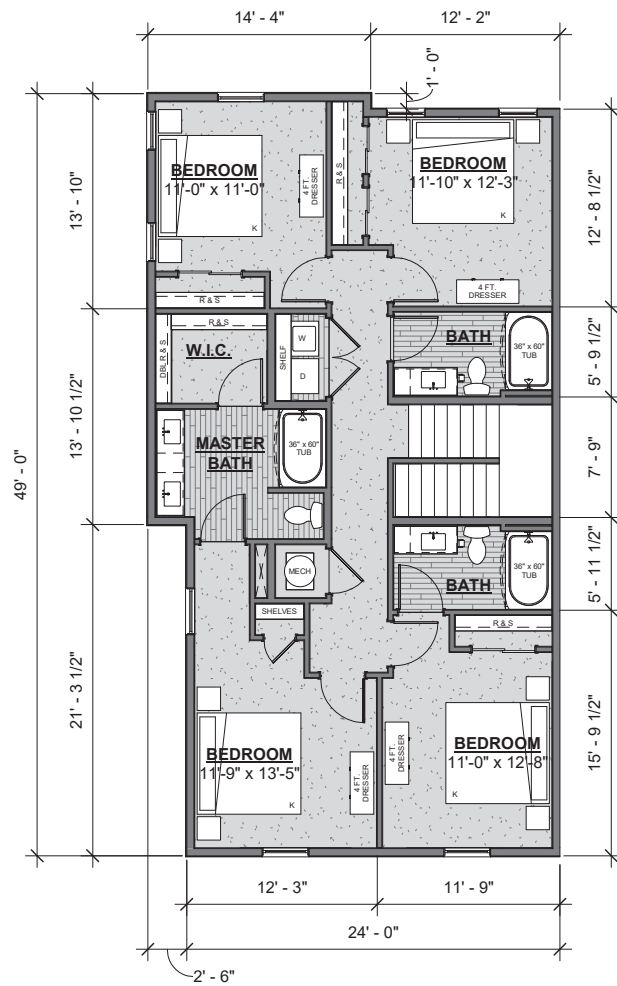
12/2/2021 3:51PM



UNIT DATA	TH-C1
QUANTITY	
HEATED AREA	1836 SF
BALCONY/GARAGE AREA	402 SF
GROSS AREA	2238 SF

*SHOWN AT 1/8" SCALE



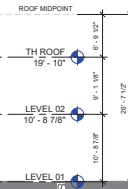




4 WEST ELEVATION
SCALE: 1/8" = 1'-0"



3 EAST ELEVATION
SCALE: 1/8" = 1'-0"



2 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



1 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

[illegible]

BYNAYIK DESIGN
5001 PEACHTREE DUNWOODY RD.

5901 PEACHTREE DUNWOODY RD.
BUILDING C, SUITE 250
ATLANTA, GA 30328
TELEPHONE: 678-506-8830
DYNAMIKDESIGN.COM

CONSULTANT:

SEAL:

PROJ. STREET
PROJ. SUITE 00000

7595 BAYMEADOWS WAY
JACKSONVILLE, FL 32256



SUMMIT
CONTRACTING GROUP

PROJECT NUMBER: SUM2020-01

SUMMIT PROTOTYPE



SUMMIT
CONTRACTING GROUP

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KEY PLAN

TITLE:

BUILDING
ELEVATIONS - TH
BLOCK

SHEET NUMBER:

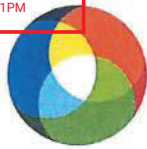
A4-02





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Gwinnett

WINNETT COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT

446 West Crogan Street, Suite 300 | Lawrenceville, GA 30046-2440

678.518.6000

GwinnettCounty.com

PRE-APPLICATION INFORMATION FORM

NOTE: Once the Pre-Application Meeting is complete, staff will provide the applicant with a signed copy of this form. This signed copy must be submitted with your official zoning/variance application.

Applicant Information:

Name: Melody A. Glouton, Esq.

Company: Andersen Tate & Carr

Mailing Address: 1960 Satellite Blvd., Suite 4000

City, State, Zip Code: Duluth, Georgia, 30097

Phone Number: 770-339-0475

Email Address: mglouton@atclawfirm.com

Project Summary:

Address of Project: 5100 Annistown Road, Stone Mountain, GA (Tax Parcel ID R6040 158)

Name of Project: Shelton McNally Real Estate Partners, LLC (Rockbridge Apartments)

Application Type (Rezoning, Change in Conditions, Special Use Permit, Buffer Reduction, Variance, Other):

Rezoning (C2 to RM-24); District 3; Established Neighborhoods Character Area

Total Project Acreage: 19.4 Total Square Footage: 845,229 sf Total Number of Lots/Units: 300

Detailed Description (Include Proposed Use(s) and Square Footage of Floor Area for each use):

Multifamily Residential Community; Proposed Density 15.4/upa

Pre-Application Information Form Submittal Checklist:

- ☒ Completed Pre-Application Information Form
- ☒ One PDF digital version of Concept Plan

For Internal Use Only:

Pre-Application Meeting Date: 8/12/21


Staff Printed Name: Gabriel Carreau

Signed: [Signature]

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

 12/14/21 Melody A. Glouton, Esq., Attorney for Applicant
 SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE
 ATTORNEY OR REPRESENTATIVE

 12-14-21
 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 Andersen, Tate & Carr, PC (Attorney for Applicant)
 YOUR NAME

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

NAME AND OFFICAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)
Nicole Love Hendrickson, Chairwoman	\$1,000	9/30/2020

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


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Rezoning Application
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REZONING APPLICANT'S CERTIFICATION

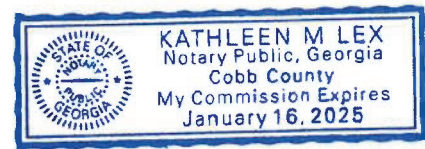
THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL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


Signature of Applicant

11/3/2021
Date

Connor McNally
Type or Print Name and Title

Authorized Representative




Signature of Notary Public

11-3-21
Date

Notary Seal

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Rezoning Application
Last Updated 5/2021

REZONING PROPERTY OWNER'S CERTIFICATION

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

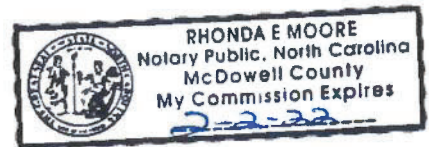
WR Jameson
Signature of Property Owner

11-03-2021
Date

W.IZ JAMESON, V.P. PEAK ESTATE
Type or Print Name and Title
INDEX MARKETS, INC.

Rhonda E Moore
Signature of Notary Public

11/3/21
Date



Notary Seal

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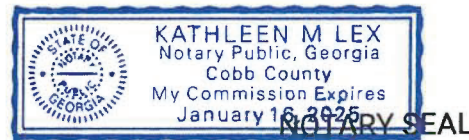
CONFLICT OF INTEREST CERTIFICATION FOR REZONING

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

Conor McMally 11/3/2021 Conor McMally Authorized Representative
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE
ATTORNEY OR REPRESENTATIVE

Kathleen M. Lex 11/3/21
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 Conor McMally
YOUR NAME

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

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

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

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Taxes are current

Gwinnett County Planning Division
Rezoning Application
Last Updated 5/2021

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: 06 - 040 - 158
(Map Reference Number) District Land Lot Parcel

Conor McMally 11/3/2021
Signature of Applicant Date
CONOR McMALLY Authorized Representative
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)

Ante Flowers Tax Services Assoc II
NAME TITLE
11-4-2021
DATE