



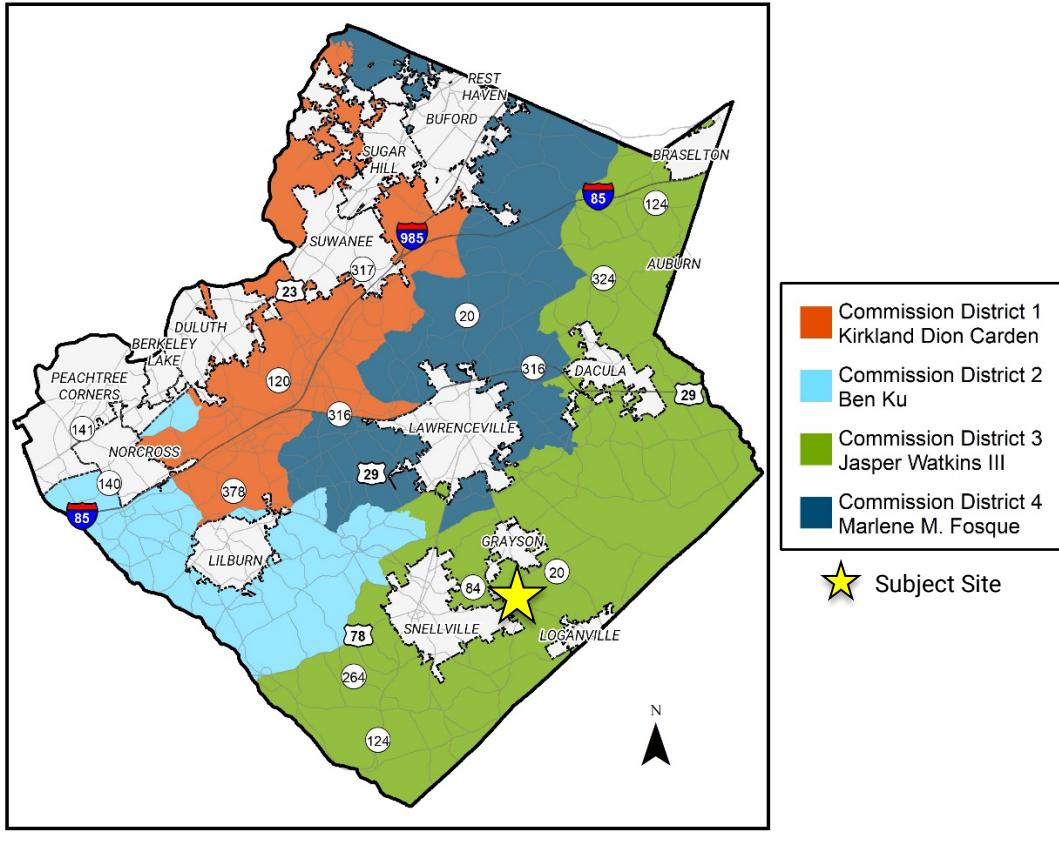
PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: RZM2022-00013
Current Zoning: R-100 (Single-Family Residence District)
Request: Rezoning to R-TH (Single-Family Residence Townhouse District)
Additional Request: Buffer Reduction Waiver
Addresses: 2864 and 2872 Rosebud Road
Map Numbers: R5124 017 and 021
Site Area: 6.18 acres
Units: 62
Proposed Development: Townhouses
Commission District: District 3 – Commissioner Watkins
Character Area: Community Mixed-Use

Staff Recommendation: APPROVAL WITH CONDITIONS

Case Number: CIC2022-00013
Current Zoning: R-TH (Single-Family Residence Townhouse District)
Request: Change In Conditions
Additional Request: Buffer Reduction Waiver
Address: 2882 Rosebud Road
Map Number: R5124 366
Site Area: 25.37 acres
Units 141
Proposed Development: Townhouses
Commission District: District 3 – Commissioner Watkins
Character Area: Community Mixed-Use

Staff Recommendation: APPROVAL WITH CONDITIONS



Location Map

Applicant: Rosebud 78 Land, LLC
14502 North Dale Mabry Highway
Suite 327
Tampa, FL 33618

Owners: Christ United Church of Gwinnett Inc.
PO BOX 2116
Loganville, GA 30052

Rosebud 78 Land, LLC
14502 North Dale Mabry Highway
Suite 327
Tampa, FL 33618

Contact: Holt Persinger

Contact Phone: 678.618.2037

Zoning History

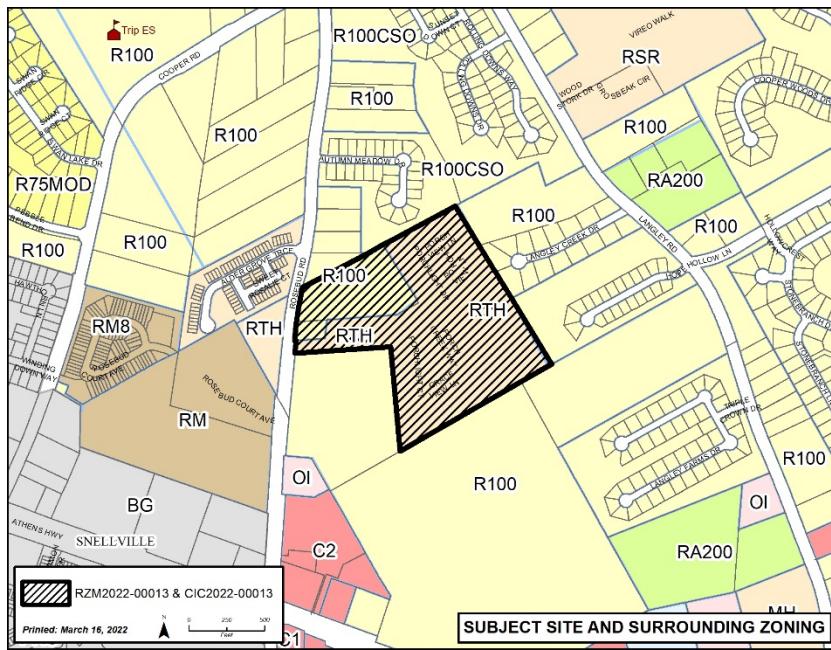
The subject site is zoned R-100 (Single-Family Residence District) and R-TH (Single-Family Residence Townhouse District). A 1973 areawide rezoning was approved from RA-200 (Agriculture-Residence District) to R-100. In 1999, rezoning case RZ-99-135 rezoned parcel R5124 366 from R-100 to R-60 (Single-Family Residence District). In 2002, a rezoning case and special use permit, RZR2002-00042 and SUP2002-00089, were approved on the property from R-60 to R-100 for a place of worship and day care facility. The facility now exists on a separate parcel from the subject property. In 2020, rezoning case RZM2020-00025 rezoned the property from R-100 to R-TH. A component of this request is a change in conditions from this approval.

Existing Site Condition

The subject site is a 31.55-acre assemblage of three parcels located along Rosebud Road, north of its intersection with Athens Highway. Each property is currently developed with a single-family residence, along with multiple accessory structures. Dense vegetation is present towards the rear of parcel R5124 366. A portion of parcel R5124 017 has been recently cleared and contains a partially constructed building. The property slopes generally down approximately 56 feet from Rosebud Road to the rear of the property. Georgia Power transmission easements are located along a portion of the eastern and southern property lines. A stream runs along the eastern property line. A sidewalk terminates at the southernmost point along the Rosebud Road frontage. The nearest Gwinnett County Transit stop is approximately 6.3 miles from the site.

Surrounding Use and Zoning

The subject site is surrounded single-family subdivisions to the north and east and townhouses to the west, across Rosebud Road. A place of worship and an undeveloped property is located to the south. Commercial developments are located further south at the intersection of Rosebud Road and Athens Highway. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Townhouses	R-100, R-TH	6.37 units per acre
North	Single-Family Residential	R-100CSO	2.56 units per acre
East	Single-Family Residential	R-100	2.14 units per acre
South	Place of Worship	R-100	N/A
West	Townhouses	R-TH	6.69 units per acre

Project Summary

The applicant requests rezoning of a 6.18-acre assemblage of two parcels from R-100 to R-TH and a change in conditions on a 25.37-acre property zoned R-TH for townhouses, including:

- A modification to a condition of a prior zoning approval in 2020 (RZM2020-00025), which reads as follows:
 - *"2.A. Provide a 50-foot undisturbed buffer around the perimeter of the site with a minimum 20-foot undisturbed buffer outside the power easement."*
 - The applicant proposes to amend condition 2.A. to reduce the required 50-foot undisturbed buffer to the following:
 - 0 foot buffer along the shared property line between the existing R-TH property (R5124 366) and parcels R5124 017 and 02.
 - 30 foot buffer along the northern property line adjacent to R5124 212.
 - 25 foot buffer along the shared property line between the existing R-TH property and parcel R5124 032.
- An additional 62 front loaded townhouses beyond the previously approved townhouse development. The additional townhouses brings the total number of units within the development to 201, yielding a net density of 6.37 units per acre.
- Townhouse units with a minimum of 1,800 square feet of heated floor area.
- A full access driveway on Rosebud Road and a secondary, limited access driveway onto Rosebud Road.
- 27-foot-wide internal public streets with four-foot sidewalks located on both sides.
- A five-foot wide sidewalk along the external road frontage connecting to existing sidewalk to the south of the property.
- A 30-foot wide undisturbed buffer along the northern property line, a 50-foot wide undisturbed buffer along the rear property line, a 20-foot wide undisturbed buffer adjacent to power easements, and a 25-foot wide undisturbed buffer adjacent to parcel R5124 032. A 50-foot wide landscape strip with a decorative fence is proposed along the road frontage.
- 6.15 acres of common space throughout the site, including a dog park, community greenspace, and pool area.
- A mail kiosk towards the rear of the property, adjacent to the proposed pool.
- A stormwater management facility located at the southeast corner of the property.
- 70 parking spaces, including 66 off-street spaces and 4 on-street parallel spaces.
- Facades finished with brick, shake, board and batten, and siding in neutral tones.

Zoning and Development Standards

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

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 35'	35'	YES
External Front Yard Setback	Minimum 10'	>10'	YES
External Side Yard Setback	Minimum 20'	>20'	YES
External Rear Yard Setback	Minimum 20'	>20'	YES
Guest Parking	Minimum 0.25 spaces per unit or 51 spaces	70 spaces	YES
Landscaped Setback	Minimum 10'	50'	YES
Heated Floor Area	Minimum 1,400 square feet	1,800 square feet	YES
Density	Maximum 10 units per acre	6.37 units per acre	YES
Open Space	Minimum 15% or 4.74 acres	19.4% or 6.15 acres	YES
Zoning Buffer	R-100 – 30' R-100 CS0 – 35'	25' 30'	NO NO

Waiver Request

In addition to the change in conditions request, the applicant is seeking waivers from the following provision of Title III of the UDO:

1. Section 610-20.5. Minimum Buffer Requirements:

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

A 35-foot zoning buffer is required between the R-TH zoned property and adjacent R-100 CS0 zoned properties.

A 30-foot zoning buffer is required between the R-TH zoned property and adjacent R-100 zoned properties.

Typically, an R-TH development adjacent to existing R-100 CSO and R-100 zoned properties would require a 35-foot and 30-foot buffer, respectively. However, the conditions of RZM2020-00025 required a buffer increase to 50 feet around the perimeter of parcel R5124 366. The applicant is proposing a reduction of this buffer to zero feet adjacent to parcels R5124 017 and 021, and to 30 feet along the northern property line. A buffer reduction from 35 feet to 30 feet is requested along the common property line with R5124 212. Lastly, a buffer reduction from 50 feet to 25 feet is requested along the common property line with R5124 032. The applicant is proposing no modification to the 20-foot wide buffer adjacent to the power easement.

Internal and External Agency Review

In addition to these Development Standards, the applicant must meet all other UDO requirements related to infrastructure improvements. Internal and external agency review comments are attached (Exhibit F). Standard site and infrastructure improvements will also be required related to transportation, stormwater, water, and sewer utilities. Recommended improvements not already required by the UDO have been added as staff recommended conditions.

Staff Analysis

Rezoning and Change in Conditions Request Analysis: According to the UDO, if a proposed amendment is for the rezoning of property and involves a change in zoning classification, or change in conditions, the Department shall evaluate the request and make a recommendation with respect to the standards governing exercise of zoning power as defined in Section 270-20.5. After this evaluation, staff makes the following findings based on the standards from the UDO:

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

The site is surrounded by single-family detached subdivisions, with townhouses and multi-family residential developments in the immediate area. This section of Rosebud Road has experienced significant growth in recent years, resulting in increased residential densities. The 25.37 acre parcel associated with the change in conditions request was previously approved for townhouses in 2020. The rezoning request intends to expand the previously approved townhouse development with an additional 62 units, bringing the total to 201 units. Given the surrounding growth of the area, the proposed rezoning and change in conditions would be suitable to adjacent and nearby properties.

B. Whether a proposed rezoning and change in conditions 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 impacted by the zoning change. While buffer reductions are proposed, several of these reductions are along internal property lines related to the expansion of the previously approved development. Additional landscaping along the road frontage of the development exceeds the required standard in the UDO. Buffer reductions along property lines shared with adjacent single-family detached subdivisions are minimal. Additionally, the requested external buffer reductions are adjacent to a detention pond and open space in the neighboring subdivision. Therefore, the proposed rezoning and change in conditions will not adversely affect the existing use or usability of adjacent or nearby property.

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

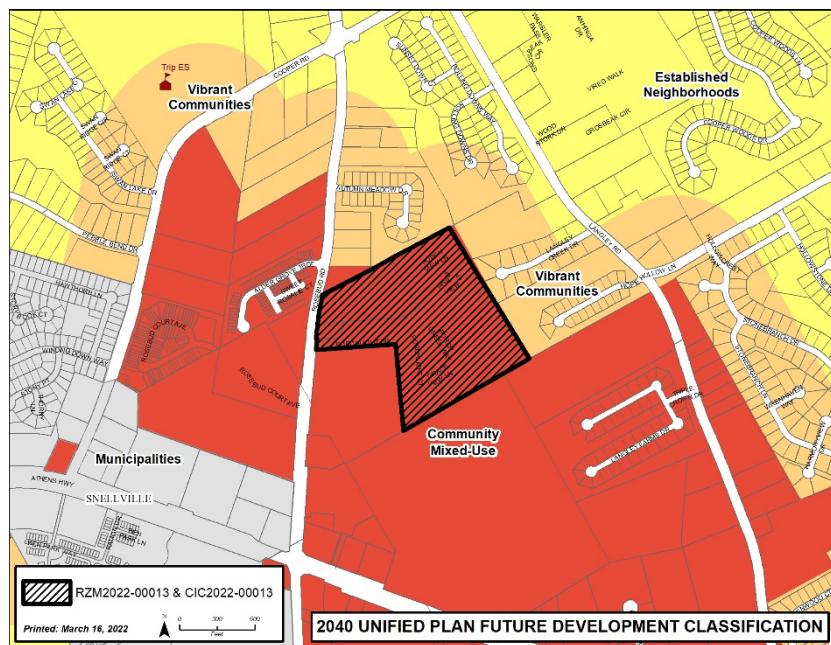
The property has a reasonable economic use as currently zoned.

D. Whether the proposed rezoning and change in conditions 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, 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 and change in conditions request is attached (Exhibit F).

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

The 2040 Unified Plan and Future Development Map indicates that the subject property lies within the Community Mixed Use Character Area. This Character Area is intended for activity nodes and connecting areas along major corridors. Future development and redevelopment should focus on making these corridors more pedestrian oriented with intensity focused in specific nodes. The expansion of a previously approved townhouse development, located within walking distance of a commercial node, will create a mixed-use environment consistent with the Character Area. The proposed scale of the rezoning appears to be consistent with nearby townhouse developments, including the previously approved rezoning associated with the change in conditions request. Therefore, the proposed project is in conformance with the policy and intent of the Unified Plan and Future Development Map.



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

The property is located along Rosebud Road near its intersection with Athens Highway. This area has experienced significant growth in recent years, with multiple previously approved townhouse developments of a similar density to that proposed. The subject site's density, along with its proximity to a commercial node, have the potential to create a pedestrian friendly mixed-use environment in keeping with the intent of the Character Area. The proposed rezoning and change in conditions would be appropriate given the development of the surrounding area.

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 external property lines adjacent to R-100 and R-100CSO zoned properties. The proposed reduction in buffers from 35 feet to 30 feet, and 30 feet to 25 feet, will still retain much of the intent of the 2020 rezoning request. Further, the requested external buffer reduction is adjacent to a detention area and open space in the neighboring subdivision. The townhouses will be located approximately 20 feet from the external buffers to the north. Reducing the buffers would not adversely affect the general public welfare, nor would it nullify the intent of the Development Regulations.

Staff Recommendation

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

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

1. To reduce the required 35-foot zoning buffer adjacent to the R-100 CSO Zoning District, between Parcel 5124 212 and Parcel 5124 017, to 30 feet.
2. To reduce the required 30-foot zoning buffer adjacent to the R-100 Zoning District, adjacent to Parcel R5124 032, to 25 feet.

Staff Recommended Conditions

Approval as R-TH (Single-Family Residence Townhouse District) for townhouses, subject to the following conditions:

NOTE: The conditions below are those from RZM2020-00025 with suggested changes in bold or strikethrough.

1. To restrict the use of the property as follows:
 - A. Single-family attached townhomes and accessory uses, not to exceed 141 units.
 - B. The minimum heated floor area per dwelling unit shall be 1,800 square feet.
 - C. All townhomes shall be designed with front façades of brick and/or stacked stone with minor accents of fiber-cement shake or siding. Remaining sides of the townhomes shall have sides and rears of the same or of fiber cement shake or siding with a three-foot high brick or stacked stone water table.
 - D. All dwellings shall have at least a double-car garage.
2. To satisfy the following site development considerations:
 - A. ~~Provide a 50-foot undisturbed buffer around the perimeter of site with a minimum 20-foot undisturbed buffer outside of the power easement. Provide a minimum 20-foot undisturbed buffer outside of the power easement.~~

- B. The Rosebud Road project entrance shall be landscaped by the developer and maintained by the Homeowners Association. Entrance shall include a decorative masonry entrance feature. Landscape and entrance feature plans shall be subject to review and approval by the Director of Planning and Development.
- C. Provide a pedestrian circulation plan. Final design and layout shall be subject to the review and approval by the Director of Planning and Development.
- D. Provide a 20-foot wide grassed or landscape strip between all buildings. Final layout shall be subject to the review and approval by the Director of Planning and Development.
- E. Natural vegetation shall remain on the property until the issuance of a development permit.
- F. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or right-of-way.
- G. All grassed areas shall be sodded.
- H. All utilities shall be placed underground.
- I. Detention pond(s) shall be fenced with a black vinyl-coated chain link fence a minimum of four feet in height and shall be fully screened from view of adjacent residences with a double staggered row of evergreens.
- J. In addition to the standard parking requirement, guest parking shall be provided at a rate of 0.25 spaces per dwelling unit and shall be located in a separate parking lot or in parallel parking spaces located outside of the travel lane of interior roads.
- K. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received March 15, 2022 with revisions required by conditions of approval and the Unified Development Ordinance, as reviewed and approved by the Director of Planning and Development.

Staff Recommended Conditions for RZM2022-00013

Approval as R-TH (Single-Family Residence Townhouse District) for townhouses, subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received March 15, 2022 with revisions required by conditions of approval and the Unified Development Ordinance, as reviewed and approved by the Director of Planning and Development.
2. Uses on the site shall be limited to single-family attached townhouses and accessory uses, not to exceed 62 units.
3. The minimum heated floor area per dwelling unit shall be 1,800 square feet.
4. All townhouses shall be in compliance with Architectural Design Category 3.

5. All dwellings shall have at least a double-car garage.
6. 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.
7. The road frontage and the subdivision entrances shall be landscaped by the developer and maintained by the homeowners association. The entrances shall include a decorative masonry entrance feature. Landscape and entrance feature plans shall be subject to review and approval by the Department of Planning and Development.
8. Natural vegetation shall remain on the property until the issuance of a development permit.
9. All grassed areas shall be sodded.
10. Stormwater BMP facilities shall be screened from view of adjoining properties and rights of way by landscaping and/or decorative fencing that is in compliance with the Gwinnett County Stormwater Management Manual, subject to review and approval by the Department of Planning and Development.
11. The development shall be limited to a single access along Rosebud Road. The access shall be the Porchlight Drive access that is shown on Exhibit B: Site Plan dated received March 15, 2022.
12. Prior to the issuance of a development permit, the developer shall conduct a traffic impact study and make any improvements recommended from the results of the study, provided such improvements are approved by the Gwinnett County DOT.
13. Interparcel access shall be maintained with the adjacent church property located on parcel R5124 032.

Exhibits:

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

Exhibit A: Site Visit Photos



View of development activity on previously approved rezoning request



View of Rosebud Road frontage



View of parcels to be rezoned along Rosebud Road

Exhibit B: Previously Approved Resolution

[attached]

GWINNETT COUNTY
BOARD OF COMMISSIONERS
LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: AMENDMENT TO THE OFFICIAL ZONING MAP

ADOPTION DATE: DECEMBER 15, 2020

At the regular meeting of the Gwinnett County Board of Commissioners held in the Gwinnett Justice and Administration Center, Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

	<u>Present</u>	<u>Vote</u>
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Yes	Aye
Ben Ku, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
Marlene Fosque, District 4	Yes	Aye

On motion of COMM. HUNTER, which carried 5-0, the following Resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from R-100 to R-TH by RIDGELINE LAND PLANNING, INC. for the proposed use of TOWNHOMES on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on DECEMBER 15, 2020 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, this the 15th day of DECEMBER 2020, that the aforesaid application to amend the Official Zoning Map from R-100 to R-TH is hereby **APPROVED** with the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Single-family attached townhomes and accessory uses, not to exceed 141 units.
 - B. The minimum heated floor area per dwelling unit shall be 1,800 square feet.
 - C. All townhomes shall be designed with front façades of brick and/or stacked stone with minor accents of fiber-cement shake or siding. Remaining sides of the townhomes shall have sides and rears of the same or of fiber cement shake or siding with a three-foot high brick or stacked stone water table.
 - D. All dwellings shall have at least a double-car garage.
2. To satisfy the following site development considerations:
 - A. Provide a 50-foot undisturbed buffer around the perimeter of site with a minimum 20-foot undisturbed buffer outside of the power easement.
 - B. The Rosebud Road project entrance shall be landscaped by the developer and maintained by the Homeowners Association. Entrance shall include a decorative masonry entrance feature. Landscape and entrance feature plans shall be subject to review and approval by the Director of Planning and Development.
 - C. Provide a pedestrian circulation plan. Final design and layout shall be subject to the review and approval by the Director of Planning and Development.
 - D. Provide a 20-foot wide grassed or landscape strip between all buildings. Final layout shall be subject to the review and approval by the Director of Planning and Development.
 - E. Natural vegetation shall remain on the property until the issuance of a development permit.

- F. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or right-of-way.
- G. All grassed areas shall be sodded.
- H. All utilities shall be placed underground.
- I. Detention pond(s) shall be fenced with a black vinyl-coated chain link fence a minimum of four feet in height and shall be fully screened from view of adjacent residences with a double staggered row of evergreens.
- J. In addition to the standard parking requirement, guest parking shall be provided at a rate of 0.25 spaces per dwelling unit and shall be located in a separate parking lot or in parallel parking spaces located outside of the travel lane of interior roads.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash

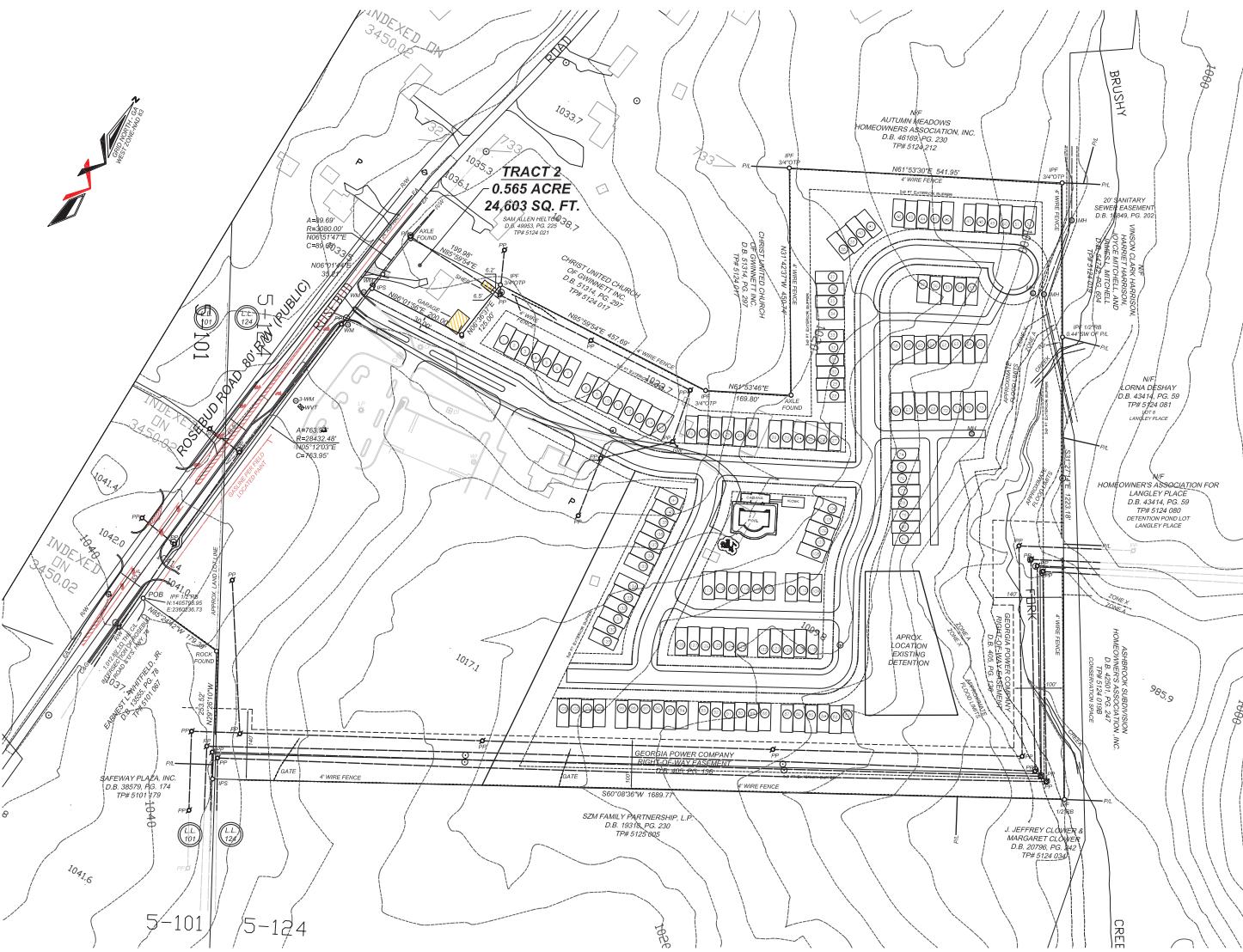
Charlotte J. Nash, Chairman

Date Signed: 12/15/20

ATTEST:

Dian Kemp
County Clerk/Deputy County Clerk





SUMMARY

PARCEL: 5124 032
CURRENT ZONING: R100
PROPOSED ZONING: R-TH
GROSS AREA: 25.368 ACRES
NET AREA: 21.585 ACRES

PROPOSED NO. LOTS: 141
GROSS DENSITY: 5.55 UPA
NET DENSITY: 6.53 UPA

UNIT SIZE: 24' >

SETBACKS:
FRONT: 20'
SIDE: 20' BUILDING SEPARATION
REAR: 50' EXTERIOR

TOPOGRAPHIC INFORMATION BASED ON GWINNETT COUNTY GIS
WATER AND SEWER TO BE PROVIDED BY GWINNETT COUNTY



THIS DRAWING IS THE
PROPERTY OF
RIDGELINE LAND PLANNING,
INC. (RLP) AND IS NOT TO BE
REPRODUCED IN WHOLE OR
IN PART WITHOUT WRITTEN
APPROVAL FROM RLP. IT IS
TO BE USED FOR THE
PROJECT AND SITE
SPECIFICALLY IDENTIFIED
HEREIN AND IS NOT TO BE
USED ON ANY OTHER
PROJECT. IT IS TO BE
RETURNED UPON REQUEST.

ROSEBUD ROAD TRACT



CONCEPT

CONCEPT PLAN SHEET TITLE

100

10/2020

C 4.0

Received by Planning & Development
10/15/2020
RZM2020-000025

GRAPHIC SCALE

100 0 50 100 200

(1 IN FEET)

1 inch = 100 ft

Exhibit C: Site Plan

[attached]

RECEIVED

3/15/22 7:33AM

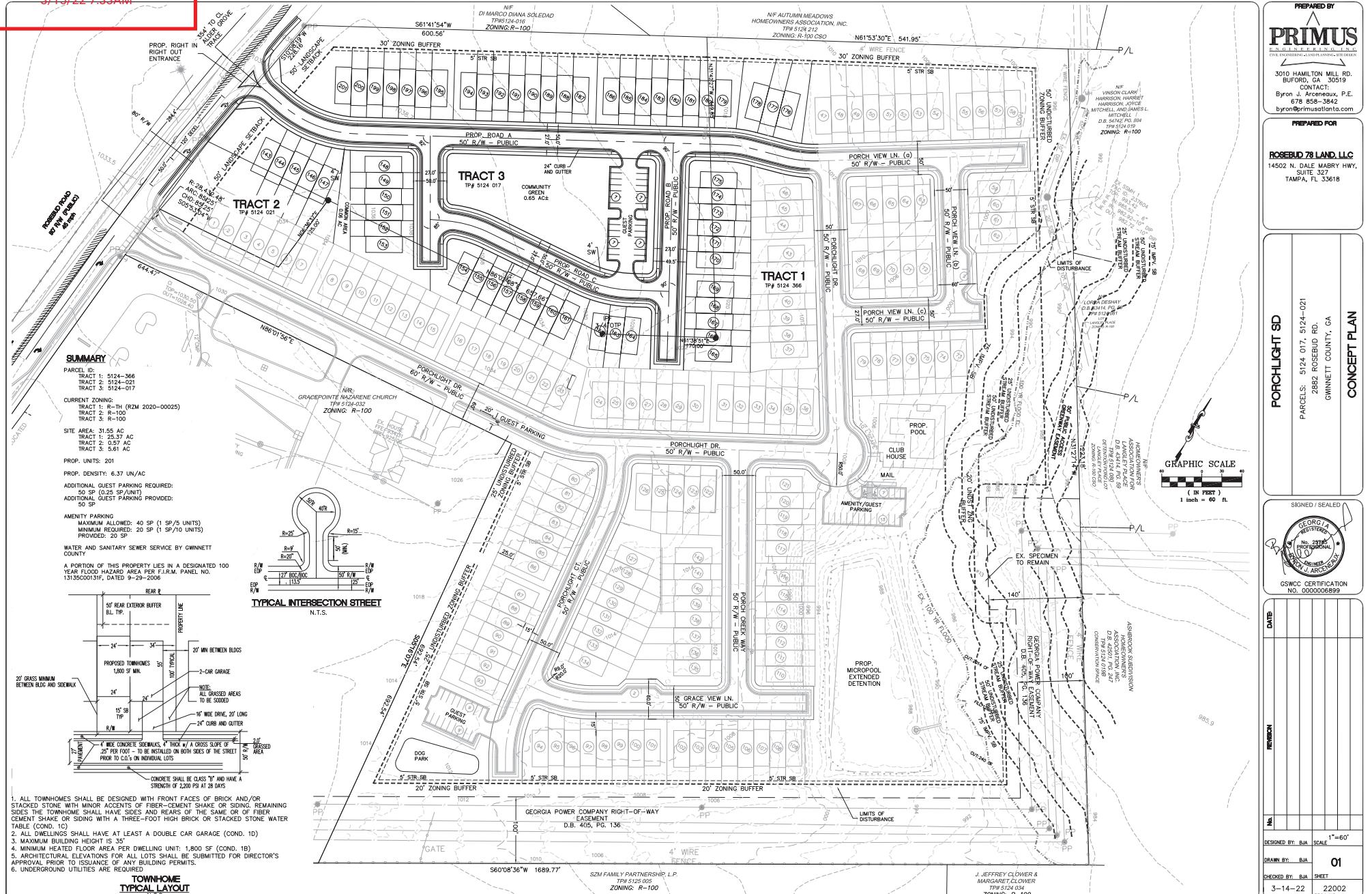


Exhibit D: Building Elevations

[attached]



GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

3/15/22 4:00PM



GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
3/15/22 4:00PM



GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

3/15/22 4:00PM



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

[attached]

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

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

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

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

The proposed use is Suitable for the area.

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

There will not be adverse affects.

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

The proposed use is the most appropriate use of the property.

- (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:

There will not be an excessive burden.

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

The proposed use is in compliance with the comprehensive 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:

This proposal seeks the same zoning as approved in RZM2020-00025

RECEIVED

3/15/22 7:33AM



Gwinnett County Planning and Development
446 W Crogan Street
Suite 150
Lawrenceville, GA 30046

March 15, 2022

RE: Rezoning request of 2872 and 2864 Rosebud Road, Loganville, GA 30052
Tax parcel: 5124 021 and 017, and CIC request to case # RZM2020-00025

To Whom It May Concern:

Ridgeline Land Planning, Inc. is requesting to rezone 6.18 acres located at 2872 and 2864 Rosebud Road from R-100 to R-TH. The proposed rezoning is to allow development of an additional 62 units in the Porchlight single family attached community. This proposal would be phase 2 of the approved Porchlight subdivision that is currently under construction. The proposed overall gross density is 6.37. The proposed overall net density is 7.23 units per acre. Exterior materials will be masonry with cementitious plank or board and batten siding with shake accents. Common areas consisting of approximately 6.15 acres of active and passive recreation areas will be provided throughout the community. The active portion of the common areas will include a clubhouse, pool, and a dog park. These areas will be connected by a trail system linking the community to the internal amenities and to external pedestrian pathways.

The applicant is also asking for a Change in Conditions to 2a from RZM2020-00025 to remove the zoning buffers between the common boundaries of phase 1 and 2. We are also requesting to reduce the zoning buffer to twenty-five feet along the common boundary with tax parcel 5124 032 (parent parcel). Also, for consistency we are proposing a 30-foot buffer along the northern property line adjacent to TP # 5124 016 and TP# 5124 212

The proposed community lies within one thousand feet of the intersection of Rosebud Road and Hwy 78. This intersection is the center of a Community Mixed-Use area identified in the 2040 Unified plan. The addition of residential units near the existing commercial developments at the intersection mentioned above will help to create the mixed-use character designated for the area. Having Brushy Fork Creek along the Eastern Boundary also provides opportunity to connect to Gwinnett's Greenway and Open Space Master Plan. We feel the proposed project will benefit the existing and future growth to this Mixed-Use node along the Hwy 78 corridor.

The applicant and stakeholders respectfully request approval of this application and welcome the opportunity to meet with Gwinnett County Planning and Development staff, Planning Commission, and Board of Commissioners to discuss any questions or concerns regarding the application.

Respectfully,

Ridgeline Land Planning, Inc.

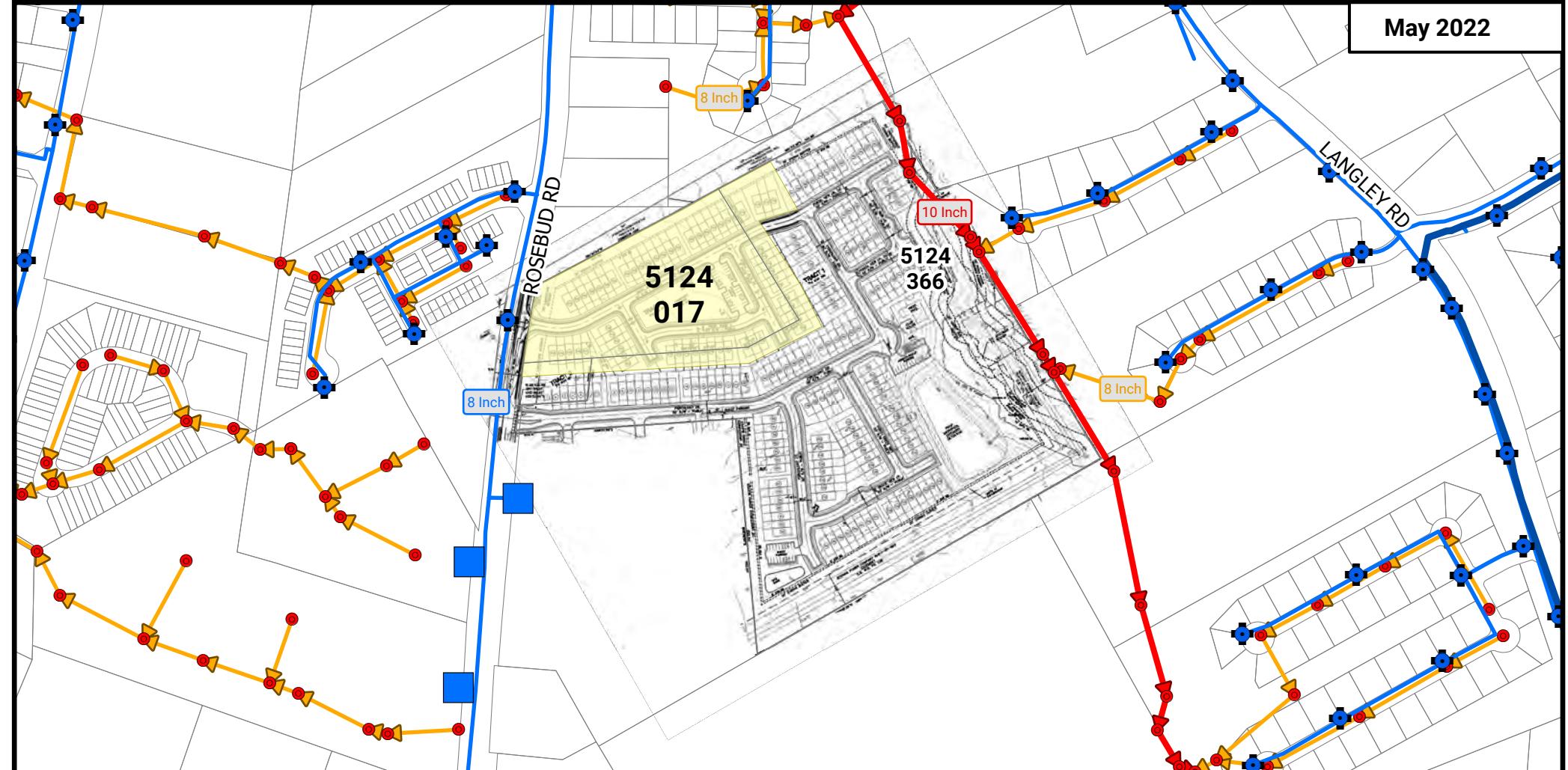

Holt Pennington, RLA

Exhibit F: Internal and External Agency Review Comments

[attached]

TRC Meeting Date:	4.13.22				
Department/Agency Name:	Transportation				
Reviewer Name:	Brent Hodges				
Reviewer Title:	Construction Manager 1				
Reviewer Email Address:	Brent.Hodges@gwinnettcounty.com				
Case Number:	RZM2022-00013 and CIC2022-00013				
Case Address:	2882 Rosebud Road				
Comments:		<input checked="" type="checkbox"/> X	YES	<input type="checkbox"/>	NO
1	Rosebud Road is a Minor Arterial. ADT = 9,705. 6.3 miles to nearest Transit facility #2335042 Johnson Road & Sugarloaf Landing Plaza.				
2					
3					
4					
5					
6					
7					
Recommended Zoning Conditions:		<input checked="" type="checkbox"/> X	YES	<input type="checkbox"/>	NO
1	Development shall be limited to a single access along Rosebud Road. The access shall be the Porchlight Drive access that is shown on the zoning site plan submitted on 3.15.22.				
2	Prior to the issuance of a Development permit, the developer shall conduct a traffic impact study and make any improvements recommended from the results of the study, provided such improvements are approved by Gwinnett County Department of Transportation (GCDOT).				
3	Maintain interparcel access with adjacent Church property.				
4					
5					
6					

TRC Meeting Date:		April 13, 2022		
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		Michael.pappas@qwinnettcounty.com		
Case Number:		RZM2022-00013 & CIC2022-00013		
Case Address:		2864 and 2872 Rosebud Road		
Comments:		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
1	Water: The development may connect to an existing 8-inch water main located on the west right-of-way of Rosebud Road.			
2	Sewer: Sewer Capacity Certification C2022-03-066 is approved for the overall development, totaling 201 lots (142.16 peak gpm).			
3	Sewer: There is an available 10-inch sanitary sewer main located approximately 450 feet east on parcel 5124 366.			
4				
5				
6				
7				
Recommended Zoning Conditions:		<input type="checkbox"/>	YES	<input checked="" type="checkbox"/> NO
1				
2				
3				
4				
5				
6				
7				



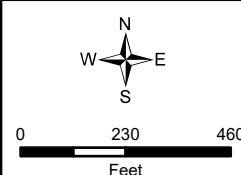
LEGEND

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

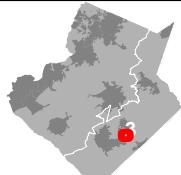
RZM2022-00013 & CIC2022-00013

R-100 to R-TH

Water & Sewer Utility Map



LOCATION



Water Comments: The development may connect to an existing 8-inch water main located on the west right-of-way of Rosebud Rd.

Sewer Comments: Sewer Capacity Certification C2022-03-066 is approved for the overall development, totaling 201 lots (142.16 peak gpm). There is an available 10-inch sanitary sewer main located approximately 450 feet east on parcel 5124 366.

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.

RZM2022-00013 & CIC2022-00013

Water and Sewer Design and Construction Requirements: Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

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

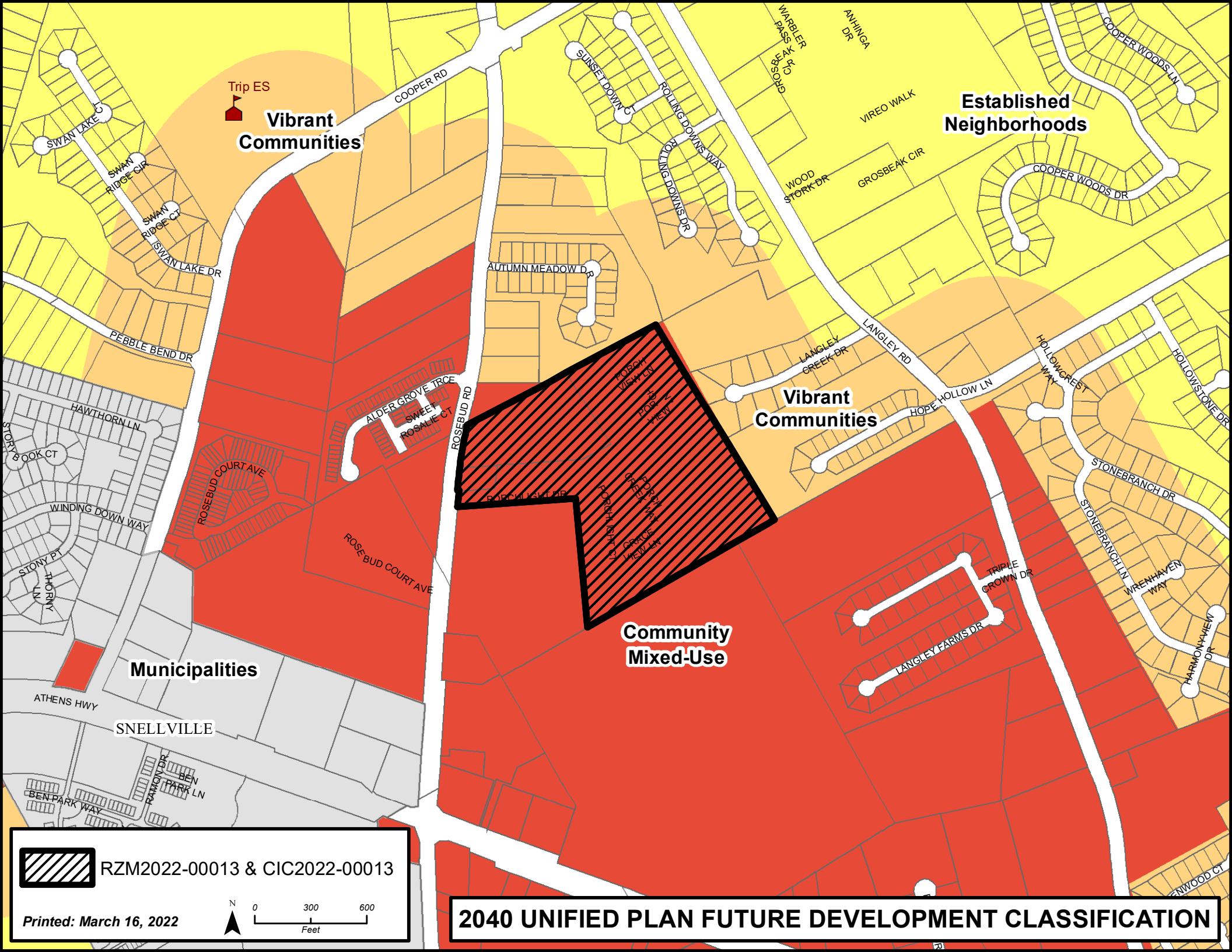
Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County BOC, May, 2022

											Proposed Zoning
	School	Forecast	2021-22 Capacity	+/- Cap.	Forecast	2022-23 Capacity	+/- Cap.	Forecast	2023-24 Capacity	+/- Cap.	Approximate Student Projections from Proposed Developments
CIC2022-00014	Peachtree Ridge HS	3,348	3,050	298	3,398	3,050	348	3,449	3,050	399	4
	Northbrook MS	934	1,025	-91	953	1,025	-72	972	1,025	-53	4
	Jackson ES	1,475	1,475	0	1,490	1,475	15	1,505	1,475	30	7
RZM2022-00013	Grayson HS	3,150	3,000	150	3,245	3,000	245	3,342	3,000	342	9
	Bay Creek MS	1,282	1,150	132	1,320	1,150	170	1,360	1,150	210	8
	Trip ES	1,238	1,200	38	1,263	1,200	63	1,301	1,200	101	14
CIC2022-00013	Grayson HS	3,150	3,000	150	3,245	3,000	245	3,342	3,000	342	20
	Bay Creek MS	1,282	1,150	132	1,320	1,150	170	1,360	1,150	210	18
	Trip ES	1,238	1,200	38	1,263	1,200	63	1,301	1,200	101	32
RZM2022-00015	Peachtree Ridge HS	3,348	3,050	298	3,398	3,050	348	3,449	3,050	399	13
	Hull MS	1,342	1,750	-408	1,355	1,750	-395	1,383	1,750	-367	12
	Mason ES	976	1,150	-174	1,005	1,150	-145	1,025	1,150	-125	20
RZM2022-00016	Lanier HS	1,942	1,900	42	2,000	1,900	100	2,060	1,900	160	20
	Lanier MS	1,430	1,700	-270	1,473	1,700	-227	1,517	1,700	-183	17
	Sugar Hill ES	1,119	1,075	44	1,153	1,075	78	1,187	1,075	112	31
RZM2022-00017	Discovery HS	2,785	2,525	260	2,813	2,525	288	2,841	2,525	316	7
	Richards MS	2,135	2,200	-65	2,156	2,200	-44	2,178	2,200	-22	6
	Baggett ES	970	1,125	-155	980	1,125	-145	989	1,125	-136	10
RZR2022-00012	Dacula HS	2,479	2,550	-71	2,553	2,550	3	2,630	2,550	80	7
	Dacula MS	1,786	1,900	-114	1,822	1,900	-78	1,858	1,900	-42	6
	Alcova ES	1,419	1,150	269	1,447	1,150	297	1,491	1,150	341	10
RZR2022-00013	Peachtree Ridge HS	3,348	3,050	298	3,398	3,050	348	3,449	3,050	399	1
	Hull MS	1,342	1,750	-408	1,355	1,750	-395	1,383	1,750	-367	1
	Parsons ES	805	700	105	829	700	129	854	700	154	1

Exhibit G: Maps

[attached]





RZM2022-00013 & CIC2022-00013

Printed: March 16, 2022



A horizontal number line with tick marks at 300 and 600. The tick mark between 300 and 600 is labeled '1'. The label 'Feet' is written below the line.

2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

3/3/22 3:00PM

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: Rosebud 78 Land, LLC	NAME: CHRIST UNITED CHURCH OF GWINNETT INC
ADDRESS: 14502 N. Dale Mabry Hwy, ste 327	ADDRESS: PO BOX 2116
CITY: Tampa	CITY: Loganville
STATE: FL ZIP: 33618	STATE: GA ZIP: 30052
PHONE: 407-269-7316	PHONE: 407-269-7316
EMAIL: rgarcia@landeavor.com	EMAIL: rgarcia@landeavor.com
CONTACT PERSON: Holt Persinger	PHONE: 678-618-2037
CONTACT'S E-MAIL: holt@ridgelineplanning.com	
APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER
PRESENT ZONING DISTRICT(S): R-100	REQUESTED ZONING DISTRICT: R-TH
PARCEL NUMBER(S): 5124 017	ACREAGE: 5.61 (6.18 total)
ADDRESS OF PROPERTY: 2864 Rosebud Road, Loganville, GA 30052	
PROPOSED DEVELOPMENT: expansion/phase 2 of RZM 2020-00025	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units 62	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): totals next page	Total Building Sq. Ft. _____
Gross Density: 9.98 ave all 6.36	Density: _____
Net Density: 9.98 overall 7.23	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

TRACT 2

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: Rosebud 78 Land, LLC	NAME: Rosebud 78 Land, LLC
ADDRESS: 14502 N. Dale Mabry Hwy, ste 327	ADDRESS: 14502 N. Dale Mabry Hwy, ste 327
CITY: Tampa	CITY: Tampa
STATE: FL ZIP: 33618	STATE: FL ZIP: 33618
PHONE: 407-269-7316	PHONE: 407-269-7316
EMAIL: rgarcia@landeavor.com	EMAIL: rgarcia@landeavor.com
CONTACT PERSON: Holt Persinger	PHONE: 678-618-2037
CONTACT'S E-MAIL: holt@ridgelineplanning.com	
<p>APPLICANT IS THE:</p> <p><input type="checkbox"/> OWNER'S AGENT <input checked="" type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER</p>	
PRESENT ZONING DISTRICT(S): R-100 REQUESTED ZONING DISTRICT: R-TH	
PARCEL NUMBER(S): 5124 021	ACREAGE: .57
ADDRESS OF PROPERTY: 2872 Rosebud Road, Loganville, GA 30052	
PROPOSED DEVELOPMENT: expansion/phase 2 of RZM 2020-00025	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>totals next page</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>totals next page</u>	Total Building Sq. Ft. _____
Gross Density: <u>totals next page</u>	Density: _____
Net Density: <u>totals next page</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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

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

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

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

The proposed use is Suitable for the area.

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

There will not be adverse affects.

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

The proposed use is the most appropriate use of the property.

- (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:

There will not be an excessive burden.

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

The proposed use is in compliance with the comprehensive 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:

This proposal seeks the same zoning as approved in RZM2020-00025

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

3/15/22 7:33AM



Gwinnett County Planning and Development
446 W Crogan Street
Suite 150
Lawrenceville, GA 30046

March 15, 2022

RE: Rezoning request of 2872 and 2864 Rosebud Road, Loganville, GA 30052
Tax parcel: 5124 021 and 017, and CIC request to case # RZM2020-00025

To Whom It May Concern:

Ridgeline Land Planning, Inc. is requesting to rezone 6.18 acres located at 2872 and 2864 Rosebud Road from R-100 to R-TH. The proposed rezoning is to allow development of an additional 62 units in the Porchlight single family attached community. This proposal would be phase 2 of the approved Porchlight subdivision that is currently under construction. The proposed overall gross density is 6.37. The proposed overall net density is 7.23 units per acre. Exterior materials will be masonry with cementitious plank or board and batten siding with shake accents. Common areas consisting of approximately 6.15 acres of active and passive recreation areas will be provided throughout the community. The active portion of the common areas will include a clubhouse, pool, and a dog park. These areas will be connected by a trail system linking the community to the internal amenities and to external pedestrian pathways.

The applicant is also asking for a Change in Conditions to 2a from RZM2020-00025 to remove the zoning buffers between the common boundaries of phase 1 and 2. We are also requesting to reduce the zoning buffer to twenty-five feet along the common boundary with tax parcel 5124 032 (parent parcel). Also, for consistency we are proposing a 30-foot buffer along the northern property line adjacent to TP # 5124 016 and TP# 5124 212

The proposed community lies within one thousand feet of the intersection of Rosebud Road and Hwy 78. This intersection is the center of a Community Mixed-Use area identified in the 2040 Unified plan. The addition of residential units near the existing commercial developments at the intersection mentioned above will help to create the mixed-use character designated for the area. Having Brushy Fork Creek along the Eastern Boundary also provides opportunity to connect to Gwinnett's Greenway and Open Space Master Plan. We feel the proposed project will benefit the existing and future growth to this Mixed-Use node along the Hwy 78 corridor.

The applicant and stakeholders respectfully request approval of this application and welcome the opportunity to meet with Gwinnett County Planning and Development staff, Planning Commission, and Board of Commissioners to discuss any questions or concerns regarding the application.

Respectfully,

Ridgeline Land Planning, Inc.


Holt Pennington, RLA

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.



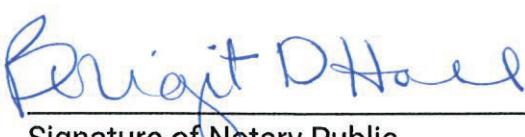
Signature of Applicant

3/3/2022

Date

Holt Persinger - agent for owner/contract purchaser

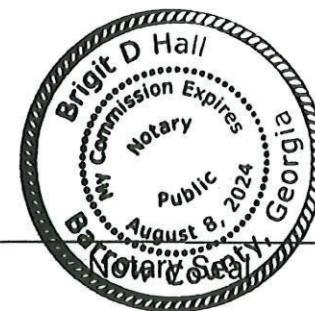
Type or Print Name and Title



Signature of Notary Public

3/3/2022

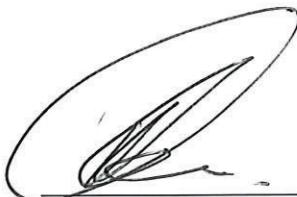
Date



TRACT 3

REZONING PROPERTY OWNER'S CERTIFICATION

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



Signature of Property Owner

2/28/2022

Date

Daren Phillips Geo.

Type or Print Name and Title



Signature of Notary Public

2/28/2022

Date



Notary Seal

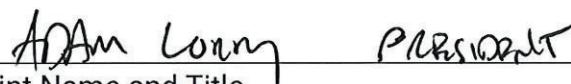
TRACT 2

REZONING PROPERTY OWNER'S CERTIFICATION

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


Signature of Property Owner


Date


Type or Print Name and Title




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.

PLA 3/2/22 Adam Lorry, Pres/Chair
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

M 3/2/2022 HGT PAR SINGH
SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE
ATTORNEY OR REPRESENTATIVE

Brigit D Hall 3/2/2022
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 HGT PAR SINGH
YOUR NAME

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

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

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

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: _____ 5 _____ - 124 _____ - 017 _____
(Map Reference Number) District Land Lot Parcel


Signature of Applicant _____ Date _____
Holt Persinger - agent
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 _____
March 3, 2022
DATE _____

Senior Tax Services Associate
TITLE _____

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: 5 - 124 - 021
(Map Reference Number) District Land Lot Parcel

Signature of Applicant


Holt Persinger - agent


3/2/2022

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

March 3, 2022

DATE

Senior Tax Services Associate

TITLE

RECEIVED

3/15/22 4:00PM

Gwinnett County Planning Division
Change in Conditions Application
Last Updated 10/2021

CHANGE IN CONDITIONS APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Rosebud 78 Land, LLC</u>	NAME: <u>Rosebud 78 Land, LLC</u>
ADDRESS: <u>14502 N. Dale Mabry Hwy, ste 327</u>	ADDRESS: <u>14502 N. Dale Mabry Hwy, ste 327</u>
CITY: <u>Tampa</u>	CITY: <u>Tampa</u>
STATE: <u>FL</u> ZIP: <u>33618</u>	STATE: <u>FL</u> ZIP: <u>33618</u>
PHONE: <u>407-269-7316</u>	PHONE: <u>407-269-7316</u>
EMAIL: <u>rgarcia@landeavor.com</u>	EMAIL: <u>rgarcia@landeavor.com</u>
CONTACT PERSON: <u>Holt Persinger</u>	PHONE: <u>678-618-2037</u>
CONTACT'S E-MAIL: <u>holt@ridgelineplanning.com</u>	

APPLICANT IS THE:		
<input checked="" type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER	<input type="checkbox"/> CONTRACT PURCHASER
ZONING DISTRICT(S): <u>R-TH</u>	PRIOR ZONING CASE: <u>RZM2020-00025</u>	
PARCEL NUMBER(S): <u>5124 366</u>	ACREAGE: <u>25.37</u>	
ADDRESS OF PROPERTY: <u>2882 Rosebud Road</u>		
PROPOSED CHANGE IN CONDITIONS: <u>Revise condition 2a per letter of intent</u>		

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: <u>141</u>	NO. OF BUILDINGS/LOTS: _____
DWELLING UNIT SIZE (Sq. Ft.): <u>1,800</u>	TOTAL GROSS SQUARE FEET: _____
GROSS DENSITY: <u>5.55 upa</u>	DENSITY: _____
NET DENSITY: <u>6.53 upa</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

3/15/22 4:00PM

Gwinnett County Planning Division
Change in Conditions Application
Last Updated 10/2021

CHANGE IN CONDITIONS APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

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

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

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

yes

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

There will be no adverse affects

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

no need to buffer same use

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

no burden will be created

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

yes

- (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 CHANGE IN CONDITIONS:

adding parcels to previously approves case supports the request

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Gwinnett County Planning Division
Change in Conditions Application
Last Updated 10/2021

CHANGE IN CONDITIONS APPLICANT'S CERTIFICATION

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

Signature of Applicant

3/15/2022

Date

Adam Lorry, Manager

Type or Print Name and Title

Monica Krivchukka

3/15/2022

Signature of Notary Public

Date



Notary Seal

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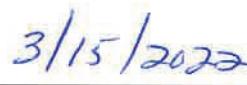
3/15/22 4:00PM

Gwinnett County Planning Division
Change in Conditions Application
Last Updated 5/2021

CHANGE IN CONDITIONS PROPERTY OWNER'S CERTIFICATION

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


Signature of Property Owner


Date


Adam Lorry, Manager
Type or Print Name and Title


Signature of Notary Public


Date

Notary Seal



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3/15/22 4:00PM

Gwinnett County Planning Division
Change in Conditions Application
Last Updated 5/2021

CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS

The undersigned below, making application for a change in conditions, 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

3/15/2022
Date

Adam Lorry, Manager
Type of Print Name and Title

Signature of Applicant's
Attorney or Representative

Date

Type or Print Name and Title


Signature of Notary Public

3/15/2022
Date



Notary Seal

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

YES

NO

Adam Lorry

Your Name

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

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

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

WILL bill in Aug. 2022

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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3/15/22 4:00PM

Gwinnett County Planning Division
Change in Conditions Application
Last Updated 5/2021

VERIFICATION OF CURRENT PAID PROPERTY TAXES
FOR CHANGE IN CONDITIONS

THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

* **NOTE:** A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.

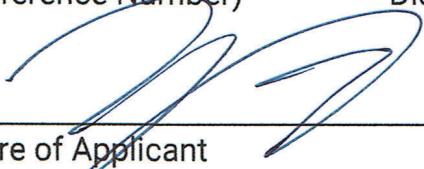
PARCEL I.D. NUMBER:
(Map Reference Number)

5 - 124 - 366

District

Land Lot

Parcel


Signature of Applicant

3/15/2022

Date

Holt Persinger - applicants agent

Type or Print Name and Title

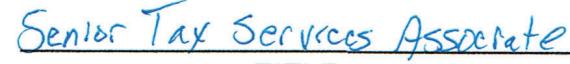
PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.

TAX COMMISSIONERS USE ONLY

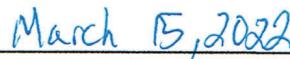
(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)


Chris Nelson

NAME


Senior Tax Services Associate

TITLE


March 15, 2022

DATE

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3/15/22 4:00PM

SURVEYED DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 124, 5th District, Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at a nail set on the cornering intersection of Rosebud Road and Autumn Meadow Drive; thence South 05°41'37" West, a distance of 1093.06' to an axle found on the easterly right-of-way of Rosebud Road (R/W Varies) and the True Point of Beginning.

Thence leaving said right-of-way thence North 85°59'54" East a distance of 199.98' to a 3/4" open top pipe found; thence South 06°36'37" West a distance of 125.00' to a 1/2" rebar set; thence South 86°01'56" West a distance of 200.00' to a 1/2" rebar found on the easterly right-of-way of Rosebud Road (R/W Varies); thence along said right-of-way North 06°01'44" East a distance of 35.21' to a point; thence along a curve turning to the right with an arc length of 89.69' with a radius of 3000.00' with a chord bearing of South 05°51'47" West with a chord length of 89.68' to the True Point of Beginning.

Said tract contains 0.565 acre or 24,603 square feet.

**THE LANDS SURVEYED, SHOWN AND DESCRIBED HEREON ARE THE SAME LANDS AS
DESCRIBED IN THE TITLE COMMITMENT PROVIDED BY OLD REPUBLIC NATIONAL TITLE
INSURANCE COMPANY, COMMITMENT NO. A213133T, DATED AUGUST 25, 2021.**

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3/15/22 4:00PM

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 124, 5th District, Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at a point on the centerline intersection of Rosebud Road and U.S. Highway 78 thence in a northerly direction 1,012.69 feet to a 1/2" rebar found on the easterly right-of-way of Rosebud Road (80' R/W); thence along said right-of-way and along a curve to the Right for an arc distance of 678.72 feet, said curve having a chord bearing of North 05°06'53" East and a chord distance of 678.70 feet and a radius of 28,432.48 feet to a point and the **True Point of Beginning**.

Thence along said right-of-way and along a curve to the Right for an arc distance of 85.26 feet, said curve having a chord bearing of North 05°53'04" East and a chord distance of 85.26 feet and a radius of 28,432.48 feet to an iron pin set; thence leaving said right-of-way North 86°01'56" East, a distance of 200.00 feet to a point; thence North 06°36'37" East, a distance of 125.00 feet to a 3/4" open top pipe found; thence North 85°59'54" East, a distance of 457.69 feet to a 3/4" open top pipe found; thence North 61°53'46" East, a distance of 169.80 feet to an axle found; thence North 31°42'37" West, a distance of 450.74 feet to a 3/4" open top pipe found; thence North 61°53'30" East, a distance of 541.95 feet to a 3/4" open top pipe found; thence South 31°27'14" East, a distance of 1223.18 feet to a 1/2" rebar found; thence South 60°08'36" West, a distance of 1155.19 feet to a point, thence North 05°16'07" West, a distance of 692.53 feet to a point; thence South 86°01'56" West, a distance of 644.48 feet to the **True Point of Beginning**.

Said tract contains 25.368 acres or 1,105,038 square feet.

RECEIVED BY

JUL 02 2020

Planning&Development

RZM '20 025

Legal Description

All that tract or parcel of land lying and being in Land Lot 124, 5th District, 2nd Section of Gwinnett County, Georgia, containing 5.61 acres, according to a Boundary Survey prepared for Landeavor, by BGE, Jason S. Morrow, G.P.L.S. No. 3455, and being more particularly described according to said survey as follows:

Commencing at a nail found on the centerline intersection of Rosebud Road & Autumn Meadow Drive Thence, S 04° 33' 53" E for a distance of 866.14 feet to a 1" rebar found on the easterly right of way of Grayson-Rosebud Road, said rebar being the TRUE POINT OF BEGINNING;

Thence leaving said right of way, N 63° 15' 36" E for a distance of 223.00 feet to a ½" rebar set; Thence, N 60° 23' 26" E for a distance of 261.76 feet to an axle ; Thence, N 61° 38' 50" E for a distance of 115.89 feet to a 1½" iron pipe; Thence, S 31° 40' 22" E for a distance of 450.74 feet to a ½" rebar set; Thence, S 61° 57' 07" W for a distance of 169.78 feet to a 1 ½" iron pipe; Thence, S 86° 02' 08" W, a distance of 657.66 feet to an axle in the eastern right of way of Grayson-Rosebud Road; Thence, N 10° 14' 20" E for a distance of 227.80 feet to a 1" rebar found, said rebar being the TRUE POINT OF BEGINNING.

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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3/03/2022 3:00PM



GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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3/15/22 4:00PM



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3/15/22 4:00PM



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3/15/22 4:00PM





SURVEYOR CERTIFICATION (GEORGIA)

This plat is a retrace of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A Section 15-6-67

Jason S. Marrow
Georgia Professional
Land Surveyor #3455

FOR RECORDING PURPOSES ONLY
GENERAL NOTES

EQUIPMENT USED TO OBTAIN THESE MEASUREMENTS WAS A TRIMBLE S9 ROBOTIC TOTAL STATION, TRIMBLE R 12 GPS RECEIVER, AND TRIMBLE TSC7 DATA COLLECTOR.

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITIES NAMED HEREON. NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HERON IS TO BE EXTENDED TO ANY PERSON OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA BASED ON THE FLOOD INSURANCE RATE MAP FOR THIS AREA. THE MAP NUMBER THIS AREA IS 13135C0131F AND THE DATE OF SAID MAP IS SEPTEMBER 29, 2006. THIS DETERMINATION WAS MADE BY GRAPHICALLY DETERMINING THE POSITION OF THIS SITE ON SAID FIRM MAPS UNLESS OTHERWISE NOTED.

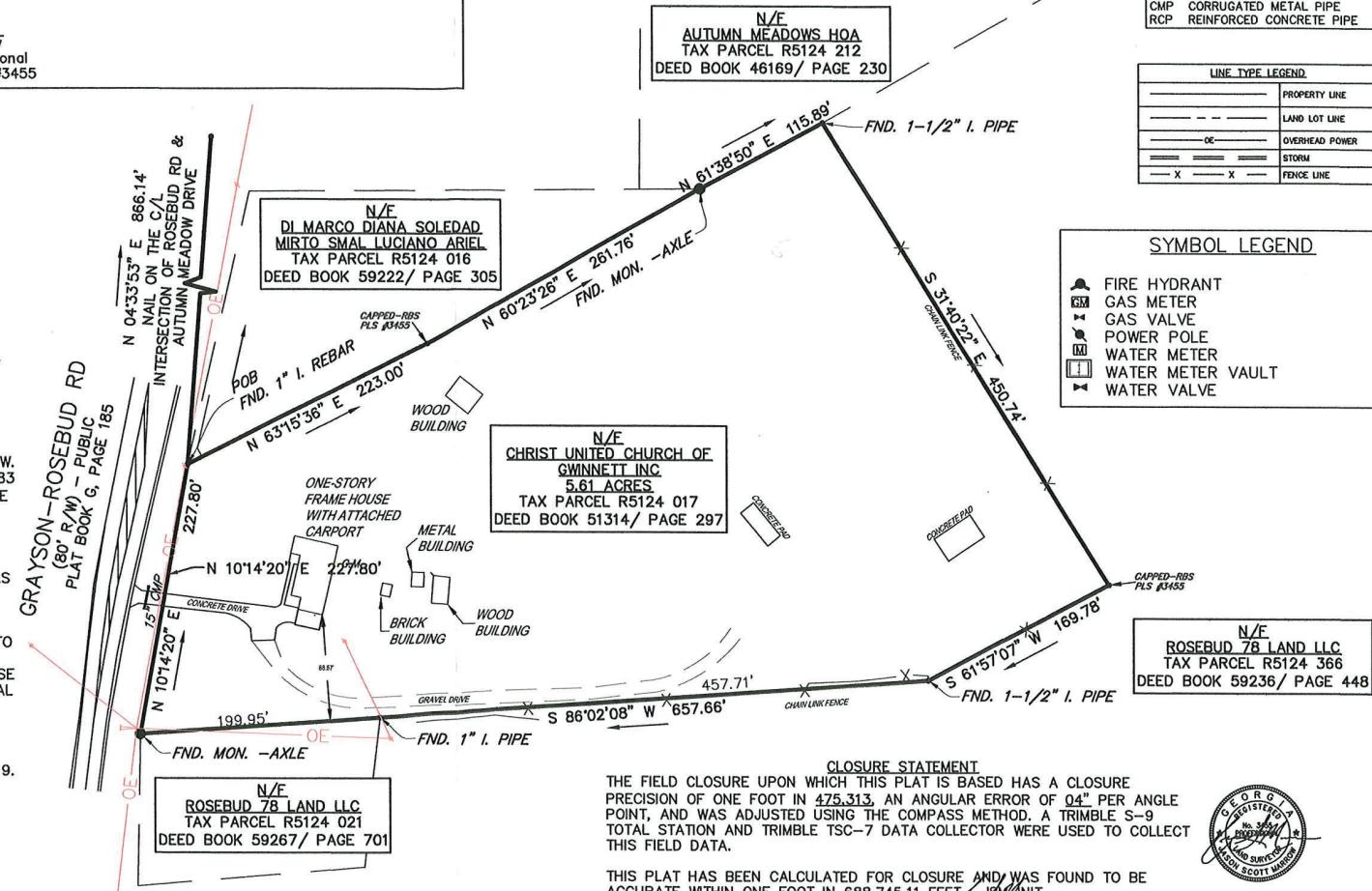
THE DATUM FOR THIS SITE WAS ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEMS, AND BASED ON POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK DEVELOPED BY TRIMBLE VRS NOW. THE HORIZONTAL REFERENCE FRAME IS NORTH AMERICAN DATUM OF 1983 (2011)-STATE PLANE COORDINATE SYSTEM OF GEORGIA-WEST ZONE. THE VERTICAL REFERENCE FRAME IS NORTH AMERICAN VERTICAL DATUM OF 1988. ANY DIRECTIONS OR DIMENSIONS SHOWN ARE A RECTANGULAR, GROUND LEVEL PROJECTION OF THE STATE PLANE COORDINATE SYSTEM.

THE SITE IS ZONED "R 100" (RESIDENTIAL SINGLE-FAMILY RESIDENCE) AS SHOWN IN GWINNETT COUNTY ZONING RECORDS.

ACCESS STATEMENT:
AT THE DATE OF THIS SURVEY, THE SUBJECT PROPERTY HAD ACCESS TO AND FROM A DULY DEDICATED PUBLIC RIGHT-OF-WAY, ROSEBUD ROAD. THE SURVEYOR MAKES NO CERTIFICATION AS TO WHETHER OR NOT THESE ACCESS POINTS HAVE BEEN APPROVED OR PERMITTED BY JURISDICTIONAL AUTHORITIES.

SURVEY REFERENCES

1: FINAL PLAT FOR FIRST CHURCH OF THE NAZARENE, ATLANTA, INC. & LAUDERDALE PROPERTIES, RECORDED IN PLAT BOOK 153, PAGE 9.



DATE: 2/24/22

0 100' 200' 300'

SCALE: 1" = 100'

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3/15/22 7:33AM

