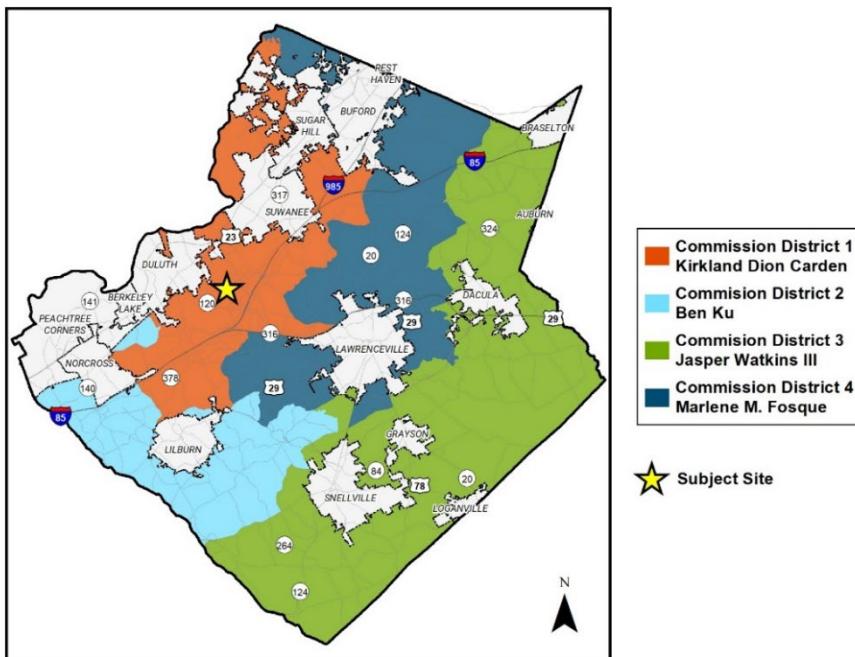




## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

<b>Case Number:</b>	<b>RZM2022-00032</b>
<b>Current Zoning:</b>	<b>R-100</b> (Single-Family Residence District) <b>M-1</b> (Light Industry District)
<b>Request:</b>	Rezoning to <b>R-TH</b> (Single-Family Residence Townhouse District)
<b>Additional Request:</b>	Buffer Reduction Waiver
<b>Addresses:</b>	2514 Meadow Church Road
<b>Map Numbers:</b>	R7121 003A
<b>Site Area:</b>	6.01 acres
<b>Units:</b>	40
<b>Proposed Development:</b>	Townhouses
<b>Commission District:</b>	District 1 – Commissioner Carden
<b>Character Area:</b>	Established Neighborhoods and Vibrant Communities
<b>Staff Recommendation:</b>	<b>DENIAL</b>
<b>Planning Commission Recommendation:</b>	<b>DENIAL</b>



Planning Commission Advertised Public Hearing Date: 10/4/2022 (Public Hearing Tabled to 11/1/2022)

Board of Commissioners Advertised Public Hearing Date: 10/25/2022 (Public Hearing Tabled to 11/15/2022)

**Applicant:** Aziz Haji  
c/o Reginald A. Hudspeth, LLC  
1325 Satellite Boulevard, Suite 101  
Suwanee, GA 30024

**Owner:** Aziz Haji  
2340 Sugarloaf Club Drive  
Duluth, GA 30097

**Contact:** Joe Wilburn

**Contact Phone:** 770.864.1403

## Zoning History

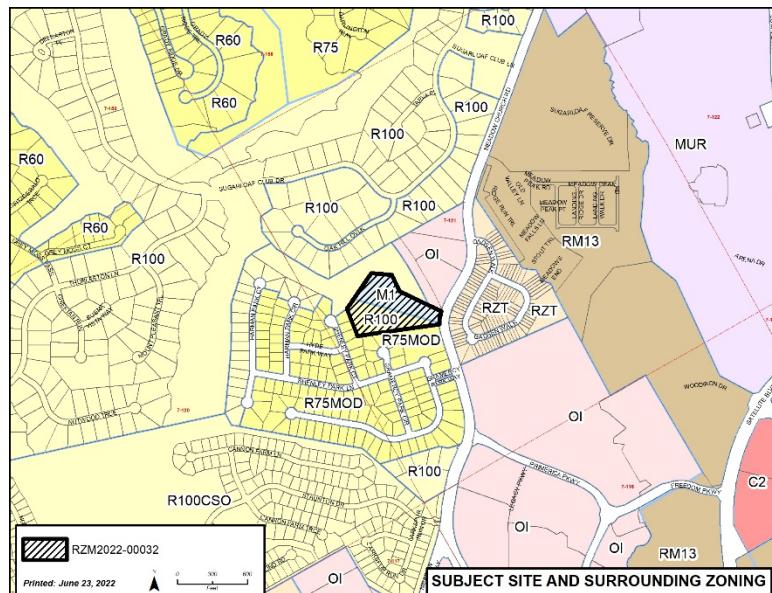
The subject site is zoned R-100 (Single-Family Residence District) and M-1 (Light Industry District). No prior zoning requests are on record for this site.

## Existing Site Condition

The subject site is a 6.01-acre parcel located along Meadow Church Road, approximately halfway between its intersections at Sugarloaf Parkway and Duluth Highway. The property is currently developed with a 1,846 square-foot residence built in 1962. The property slopes generally down to a stream along the northern property line from the south by approximately 44 feet. The parcel is heavily vegetated, with clearings around the existing residence and along the existing driveway. Access to the site is provided by an existing gravel driveway onto Meadow Church Road. A stream and associated buffers run along the northern property line. Overhead utilities are located along both sides of Meadow Church Road. Sidewalks are present on both sides of Meadow Church Road, except for the subject site's road frontage. The nearest Gwinnett County Transit stop is approximately 0.7 miles from the site.

## Surrounding Use and Zoning

The subject site is surrounded by single-family subdivisions, townhouses, and professional office uses. A townhouse development is located directly across Meadow Church Road to the east, as well as additional multifamily developments to the northeast. To the southeast is the Primerica office park. Single-family detached residences are located to the north, west, and south. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Townhouses	R-TH	6.66 units per acre
North	Undeveloped Single-Family Residential	O-I R-100 MOD	N/A 2.01 units per acre
East	Townhouses	RZT	6.94 units per acre
South	Single-Family Residential	R-75 MOD	2.65 units per acre
West	Single-Family Residential Single-Family Residential	R-100 MOD R-75 MOD	2.01 units per acre 2.65 units per acre

## Project Summary

The applicant requests the rezoning of a 6.01-acre parcel from R-100 and M-1 to R-TH for townhouses, including:

- 40 front-loaded townhouses yielding a net density of 6.66 units per acre.
- One and two-car garages for all units ranging between 2,750 square feet and 3,500 square feet of heated floor area.
- One full access driveway on Meadow Church Road with a deceleration lane.
- 24-foot-wide internal private streets with five-foot wide sidewalks located on both sides.
- A five-foot wide sidewalk along the Meadow Church Road frontage and on both sides of internal streets throughout the site.
- A 75-foot-wide stream buffer along the rear of the site.
- A 10-foot-wide landscape strip along the road frontage.
- 1.35 acres, or 22.5%, of common space throughout the development, including a 0.98-acre central community greenspace.
- A nature trail throughout the development and within the stream buffer.
- A mail kiosk located towards the front of the site
- A stormwater management facility located to the north, adjacent to the stream. The proposed management facility encroaches into the impervious setback, but not the 50-foot-wide undisturbed buffer.
- 10 on-street guest parking spaces, including eight on either side of the community green and two at the mail kiosk.
- Facades finished with board and batten and siding in white with neutral accents.
- A 25-foot-wide zoning buffer adjacent to R-75 MOD properties and a 30-foot-wide zoning buffer adjacent to R-100 MOD properties, with a buffer reduction of 60 square feet to accommodate unit 40.

## Zoning and Development Standards

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

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 35'	35'	YES
External Front Yard Setback	Minimum 10'	>10'	YES
External Side Yard Setback	Minimum 20'	>20'	YES
External Rear Yard Setback	Minimum 20'	>20'	YES
Off-Street Parking (Residential)	Minimum 120 spaces Maximum 240 spaces	120 spaces	YES
Guest Parking	Minimum 0.25 spaces per unit or 10 spaces	10 spaces	YES
Landscaped Setback	Minimum 10'	10'	YES
Heated Floor Area	Minimum 1,400 square feet	>2,750 square feet	YES
Density	Maximum 10 units per acre	6.66 units per acre	YES
Open Space	Minimum 15% or 0.90 acres	22.5% or 1.35 acres	YES

## **Waiver Request**

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

1. Section 610-20.5. Minimum Buffer Requirements:
  - A. Required buffers shall be provided in conformity [with] Table 610.0 "Table of Minimum Buffer Requirements".

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

The applicant is requesting a reduction to the 30-foot-wide zoning buffer along the northern property line to accommodate the encroachment of approximately 60 square feet of impervious surface related to unit 40 of the development. All other areas of the buffer are proposed to comply with the UDO.

## **Internal and External Agency Review**

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

## **Staff Analysis**

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

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

The site is surrounded by single-family residential subdivisions, multifamily residential, townhouses, and professional office developments. The immediate surrounding area has experienced minimal growth in recent years, with a majority of denser development occurring farther northeast at the Gas South District and farther south along Duluth Highway. Recent townhouse developments on Meadow Church Road are located on the east side of the road, while single-family detached residences have been developed to the west. The proposed development would be almost three times denser than the adjacent neighborhoods, making it unsuitable in relation to nearby and adjacent property.

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

The existing use and usability of adjacent or nearby properties would be adversely affected by the zoning change. Nearby properties are developed with single-family subdivisions, townhouse developments, and multi-family residential developments. A townhouse development such as the one proposed is similar in nature to existing townhouse developments to the east, which is generally denser than the west side of Meadow Church Road.

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

The property has a reasonable economic use as currently zoned.

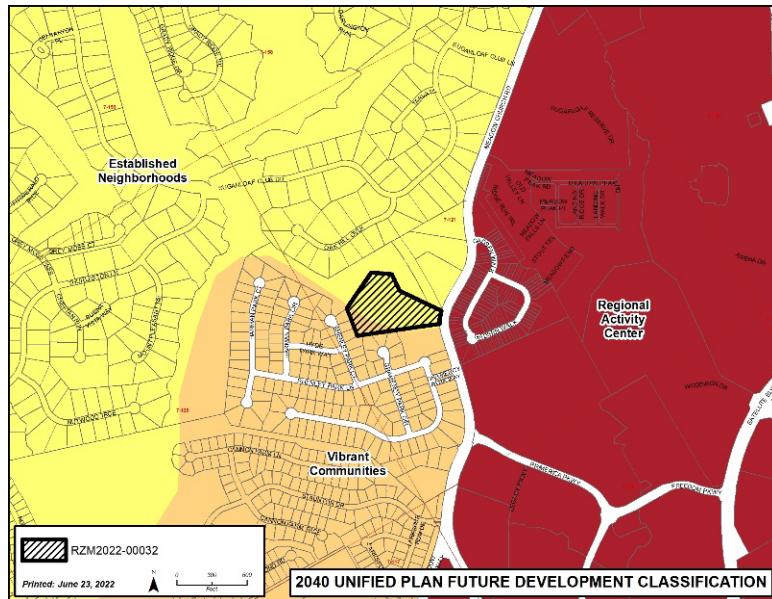
**D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

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

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

The 2040 Unified Plan Future Development Map indicates that the subject property lies within the Established Neighborhoods and Vibrant Communities Character Areas. This designation is intended for well-established neighborhoods and single-family residential areas that are unlikely to undergo any significant changes in the next 20 years. The Vibrant Communities Character Area only covers a small portion of the site. While there are townhouses and apartments located nearby, they are within the Regional Activity Center Character Area and are located closer to the Gas South District. This Character Area is intended for dense residential and commercial developments. Meadow Church Road is essentially the dividing line between Regional Activity Center and Established Neighborhoods Character Areas. This dividing line should be adhered to with single-family detached homes to the west and denser residential developments to the east. A townhouse development, as proposed by the applicant, would not

be appropriate at this location.



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

The surrounding area has experienced minimal residential growth, outside of single-family detached residential development, in recent years. Few vacant parcels remain on the west side of Meadow Church Road. The remaining sites are more appropriate for single-family detached homes to complement the existing single-family detached subdivisions that line Meadow Church Road on the west side. Therefore, the proposed rezoning would not be suitable based on existing and changing conditions.

**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 northern property line is adjacent to R-100 MOD zoned properties. The applicant is requesting the encroachment of approximately 60 square feet of impervious surface related to unit 40 of the development. There does not appear to be a hardship justifying this request and the development could be developed in such a way where no waiver is needed.

### **Staff Recommendation**

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

Staff recommends **DENIAL** of the following Waiver request:

1. To reduce the required 30-foot zoning buffer adjacent to the R-100 MOD Zoning District to allow for the 60-square foot encroachment of Unit 40.

## **Staff Recommended Conditions**

NOTE: The following conditions are provided as a guide should the Board of Commissioners choose to approve this petition.

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 June 14, 2022, by the Department of Planning and Development, 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 40 units.
3. The minimum heated floor area per dwelling unit shall be 1,400 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 homeowner's 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. Amenities shall be constructed within the development and may include such items as trails, gazebos, benches, fire pits, etc. Off-street unpaved trails and pedestrian connections to the conservation areas and amenity areas shall be provided throughout the development. The final layout and design of these features shall be subject to the review and approval of the Department of Planning and Development.

## **Planning Commission Recommendation**

Based on the staff's evaluation of the request and the standards governing the exercise of zoning power, the Planning Commission recommends **DENIAL** of the rezoning request.

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

1. To reduce the required 30-foot zoning buffer adjacent to the R-100 MOD Zoning District to allow for the 60-square foot encroachment of Unit 40.

**Exhibits:**

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

## Exhibit A: Site Visit Photos



**View of Meadow Church Road and adjacent subdivision to the south**



**View of existing residence**

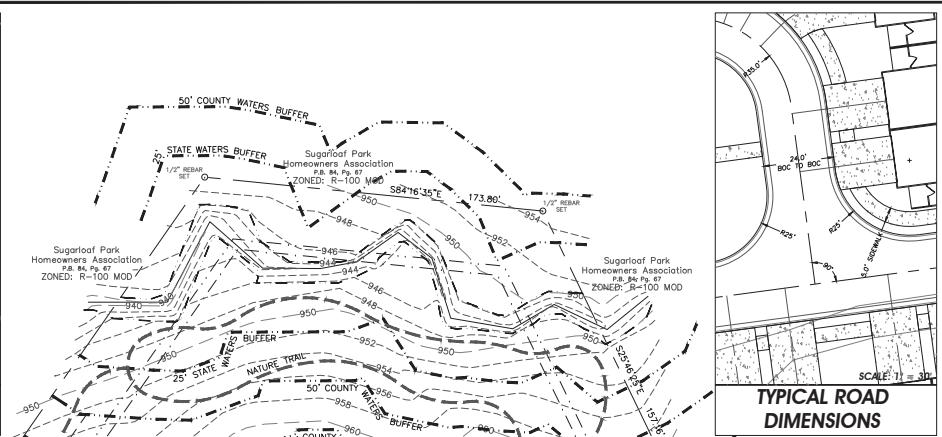
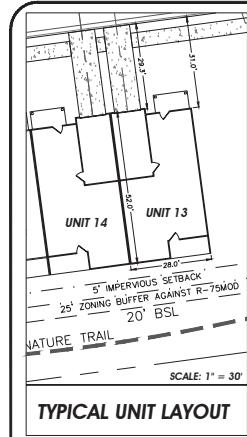


**View of Meadow Church Road facing north**

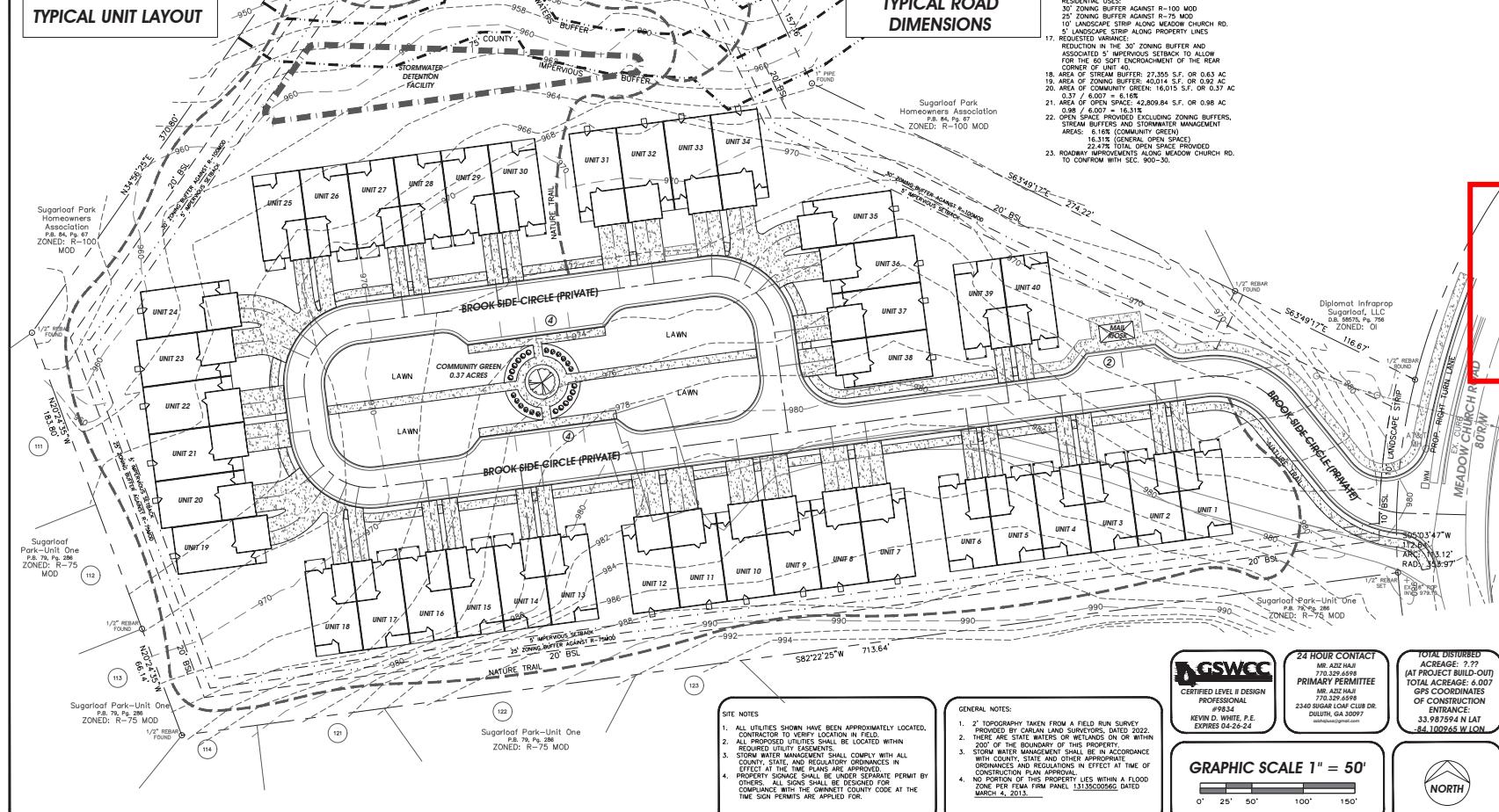
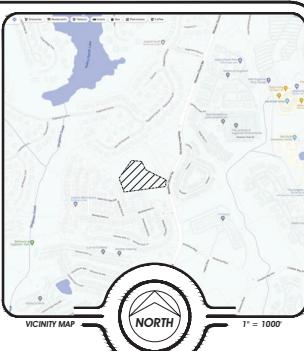
2022/06/28 14:31:48

**Exhibit B: Site Plan**

**[attached]**



1. EXISTING ZONING: R-100 AND M1  
PROPOSED ZONING: R-TH  
2. PLANS PREPARED BY: RED ROCK DESIGN  
P.O. BOX 50  
33400-30666  
PROJECT CONTACT: DAVID ELDER 678.227.4545  
3. MR. AZIZ HABIB  
4. PROPERTY LOCATION: THE PROPERTY IS LOCATED AT:  
2514 MEADOW CHURCH RD.  
DULUTH, GA 30097  
4. PROPERTY PARCEL: 7121 MEADOW CHURCH RD.  
5. TAX PARCEL: 7121 MEADOW CHURCH RD.  
6. THIS PLAN IS BASED ON A BOUNDARY AND  
TOPOGRAPHIC SURVEY BY CARLAN LAND  
SERVICES, INC. DATED 05/10/2022.  
7. EXISTING USE: RESIDENTIAL  
8. PROPOSED USE: TOWNHOME DEVELOPMENT WITH PRIVATE  
ROADS  
9. UTILITIES:  
• PUBLIC WATER  
• SEWER: PUBLIC SEWER  
• GAS  
• CABLE: AT&T  
• TELEPHONE: AT&T  
10. POWER: GEORGIA POWER  
11. GARDENING: CANS THAT ARE MAINTAINED BY PRIVATE  
CONTRACTOR.  
12. MINIMUM SETBACKS PER GC CODE:  
FRONT: 10'  
REAR: 20'  
13. THE LOT IS 4.007 ACRES  
14. MAXIMUM BUILDING HEIGHT: 3 STORIES OR 35'  
15. MAXIMUM BUILDING COVERAGE: 30%  
16. MAXIMUM SIDEWALL SETBACK: 20'  
17. ADDITIONAL BUFFERS REQUIRED AGAINST  
NON-ADJACENT PROPERTIES:  
20' ZONING BUFFER AGAINST R-100 MOD  
25' ZONING BUFFER AGAINST R-75 MOD  
10' ZONING BUFFER AGAINST R-100 MOD  
5' LANDSCAPE STRIP ALONG PROPERTY LINES  
18. MINIMUM SIDEWALL SETBACK: 10'  
REDUCTION IN THE 30' ZONING BUFFER AND  
ASSOCIATED 5' IMPERVIOUS SETBACK TO ALLOW  
FOR THE 10' SIDEWALL SETBACK TO BE LOCATED  
NEAR CORNER OF UNIT 40.  
19. MAXIMUM SIDEWALL SETBACK: 27.355' S.F. OR 0.63 AC  
20. AREA OF ZONING BUFFER: 40,014 S.F. OR 0.92 AC  
21. AREA OF COMMUNITY GREEN: 16,015 S.F. OR 0.37 AC  
22. AREA OF OPEN SPACE: 42,809.84 S.F. OR 0.98 AC  
23. OPEN SPACE PROVIDED EXCLUDING ZONING BUFFERS,  
SITES, AND OTHER MANAGEMENT  
AREAS: 6.16% (COMMUNITY GREEN)  
16.31% (GENERAL OPEN SPACE)  
24. OPEN SPACE PROVIDED EXCLUDING ZONING BUFFERS,  
SITES, AND OTHER MANAGEMENT  
AREAS: 6.16% (COMMUNITY GREEN)  
16.31% (GENERAL OPEN SPACE)  
25. ROADWAY IMPROVEMENTS ALONG MEADOW CHURCH RD.  
TO CONFORM WITH SEC. 900-30.



## SUGARLOAF TOWNHOMES

2514 MEADOW CHURCH RD.  
DULUTH, GA 30097  
GWINNETT COUNTY, GA  
6.007 ACRES  
TAX PARCEL #: 7121 003A

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT  
DIVISION

RECEIVED

6/14/22

ANY CHANGES OR ALTERATIONS MADE TO THESE  
CONSTRUCTION DRAWINGS WITHOUT THE WRITTEN  
APPROVAL OF THE PLANNING AND DEVELOPMENT  
DIVISION WILL VOID THE PLANS, SEAL  
AND APPROVAL AND ANY LIABILITY ASSOCIATED WITH  
THE PROJECT WILL REST WITH THE OWNER.



DATE  
05/25/22

REZONE  
PLAN

SHEET  
1 OF 1



CERTIFIED LEVEL II DESIGN  
PROFESSIONAL  
REV. 10/10/2014  
#9834  
KEVIN R. WHITE, P.E.  
EXPIRES 04-22-24

24 HOUR CONTACT  
MR. AZIZ HABIB  
770.329.6598  
PRIMARIA PERMITTEE  
MR. AZIZ HABIB  
770.329.6598  
2340 MEADOW CHURCH RD.  
DULUTH, GA 30097  
duluth@azizhabib.com

TOTAL DISTURBED  
ACREAGE: 2.77  
(AT PROJECT BUILD-OUT)  
TOTAL ACREAGE: 6.007  
GPZ: 6.007  
DATES OF CONSTRUCTION  
ENTRANCE:  
33° 98' 75" N LAT  
84° 10' 92" W LONG

GRAPHIC SCALE 1" = 50'  
0' 25' 50' 100' 150'



**Exhibit C: Building Elevations**

**[attached]**

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

6.14.22



2514 Meadow Church Rd, Duluth, GA 30097

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

**[attached]**

**RECEIVED**

6.14.22

**REGINALD A. HUDSPETH, LLC**

ATTORNEYS AT LAW  
1325 SATELLITE BLVD  
BLDG 100, SUITE 101  
SUWANEE, GEORGIA 30024  
(770) 925-1400  
TELECOPIER (770) 925-8190  
[www.rhudspeth.com](http://www.rhudspeth.com)

**REGINALD A. HUDSPETH**

**JOSEPH G. WILBURN**

June 14, 2022

Gwinnett County  
Board of Commissioners  
446 West Crogan St Lawrenceville, Georgia 30046  
Attn: Director of Planning and Development

Re: Letter of Intent on behalf of Aziz Haji, with respect to land having an address of 2514 Meadow Church Rd, Duluth GA 30097; Gwinnett assessor Parcel No. R7121-003A ("Subject Property")

Greetings:

I am submitting this Letter of Intent on behalf of my client, Aziz Haji, (the "Property Owner") and the attached Rezoning Application for the purpose of rezoning for the purpose of rezoning the Subject Property from its current zoning of R-100 and M-1 to R-TH. The rezoning will facilitate the planned construction of residential townhomes with private roads to be located at the Subject Property. The Subject Property is a 6.007 +/- .

The Property currently includes a single family residence built circa 1962 and is otherwise undeveloped and under-utilized. Although approximately one half of the property is currently zoned M-1, this area is unsuitable for Light Industrial uses.

Applicant believes that a better use of the property, and one that is harmonious with the neighborhood, is that of high-end townhomes, which will necessitate the aforementioned rezoning. Currently, the subdivision across Meadow Church Road from the Subject Property is "Charleston Row S/D", which is zoned RZT. It is comprised of approximately 120 townhome units. Adjoining the Property to the north and west is passive open space of Sugarloaf Park Subdivision. Adjoining the property to the south and west are single family residential lots and community amenities of Sugarloaf Park.

With this application, we are requesting a reduction in the 30-foot zoning buffer and associated impervious setback to allow for the approximate 60 Sq Ft encroachment of the rear corner of proposed Unit 40 over such areas.

**RECEIVED**

June 6 14, 2022

Page 2

Along the southern and western property lines the Subject Property adjoins a Subdivision and residential lots zoned R-75. The site Plan provides for a 25-foot zoning buffer along the property lines. Within that area, we propose to include a nature trail and will leave the area otherwise undisturbed. The roadways within the development will be private and in the center of the development will be a 0.37 acre landscaped community green, which will provide communal space for residents to gather for social events.

At the northern end of the property is a stream where there will be a 25 foot State Waters Buffer and a 50 foot County Waters Buffer. Except for the Nature Trail in this area, this area will remain undisturbed and will be passive community open space.

The Subject Property is in or adjacent to an area of Gwinnett County that according to the 2040 UDO is designated as "Vibrant Communities." A townhome project in a Vibrant Communities area is a use that the UDO promotes. This project will provide needed housing in this area.. The subject property is located in close proximity to the Regional Activity Center at I-85 and Sugarloaf. Over the last 10 years the commercial development around the Regional Activity Center has increased greatly, including the development of a Primerica Campus nearby. It is likely that persons living in this townhome development will be working and shopping nearby. It is the Owner's intention that the developed townhomes will be sold to owner/occupants as fee simple properties.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters in this Letter of Intent or in its Rezoning Application.

The Applicant respectfully requests your approval of this Application.

Respectfully submitted,

*Joseph G. Wilburn*

Joseph G. Wilburn, Esq.

Enclosures

RECEIVED

6/2/2022

Gwinnett County Planning Division  
Rezoning Application  
Last Updated 10/2021

## 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 rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property. The subdivision across Meadow Church Road from the Subject Property, Charleston Row, is a townhouse development. The lots in the adjacent subdivision are single family residences.

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

The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby properties. The proposed use will be in harmony with the surrounding residential properties and will provide a buffer between less intensive use single family residences and nearby properties with higher intensive uses.

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

The Subject Property does not have reasonable economic use as currently zoned. The Subject Property is currently zoned R-100 and M-1, Light Industrial. M-1 zoning is inconsistent with the area, and M-1 uses would not be feasible, given the residential character of the surrounding properties.

**(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:**

**RECEIVED**

6/2/2022

According to the 2022 Gwinnett County Traffic Counts Report, daily estimated Traffic on Meadow Church Road in this area is between 11,718 (est) and 12,253 (est). This development of 40 to 44 townhomes will have no significant impact on the volume of traffic in this area. The number of students enrolled in the local schools, including Peachtree Ridge High School, has been steady over the last 5 years, any additional students from this townhome developments will not have a significant impact on enrollment numbers. Nearby utility access, including water and sewer is available, and this development should not increase utility use significantly.

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

Yes. The proposed rezoning is in conformity with the policy and intent of the land use plan. According to the 2040 UDO the subject property lies either within or adjacent to Vibrant Communities Character, which includes a mix of housing types, including townhomes.

**(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:**

There are other existing or changing conditions affecting the use and development of the property which give supporting grounds for approval of the proposed rezoning. The subject property is located in close proximity to the Regional Activity Center at I-85 and Sugarloaf. Over the last 10 years the commercial development around the Regional Activity Center has increased greatly including the development of a Primerica Campus nearby, this townhome development will provide housing to persons, who may likely be working and shopping nearby.

**Exhibit E: Internal and External Agency Review Comments**

**[attached]**



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

<b>TRC Meeting Date:</b> 7.13.22		
<b>Department/Agency Name:</b> Transportation		
<b>Reviewer Name:</b> Brent Hodges		
<b>Reviewer Title:</b> Construction Manager 1		
<b>Reviewer Email Address:</b> <a href="mailto:Brent.Hodges@gwinnettcounty.com">Brent.Hodges@gwinnettcounty.com</a>		
<b>Case Number:</b> RZM2022-00032		
<b>Case Address:</b> 2514 Meadow Church Road		
<b>Comments:</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
1	Meadow Church Road is a major collector. ADT = 11,718.	
2	0.7 miles to nearest transit facility (#2335384) Boggs Road and St. Andrews Church.	
3	Prior to the issuance of a Development Permit, a sight distance certification shall be provided.	
4	Standard deceleration lane with appropriate taper and adequate right-of-way shall be required.	
5	A minimum 5' sidewalk shall be required along the entire property frontage.	
6		
7		
<b>Recommended Zoning Conditions:</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
1		
2		
3		
4		
5		
6		
7		

**Note:** Attach additional pages, if needed

*Revised 7/26/2021*

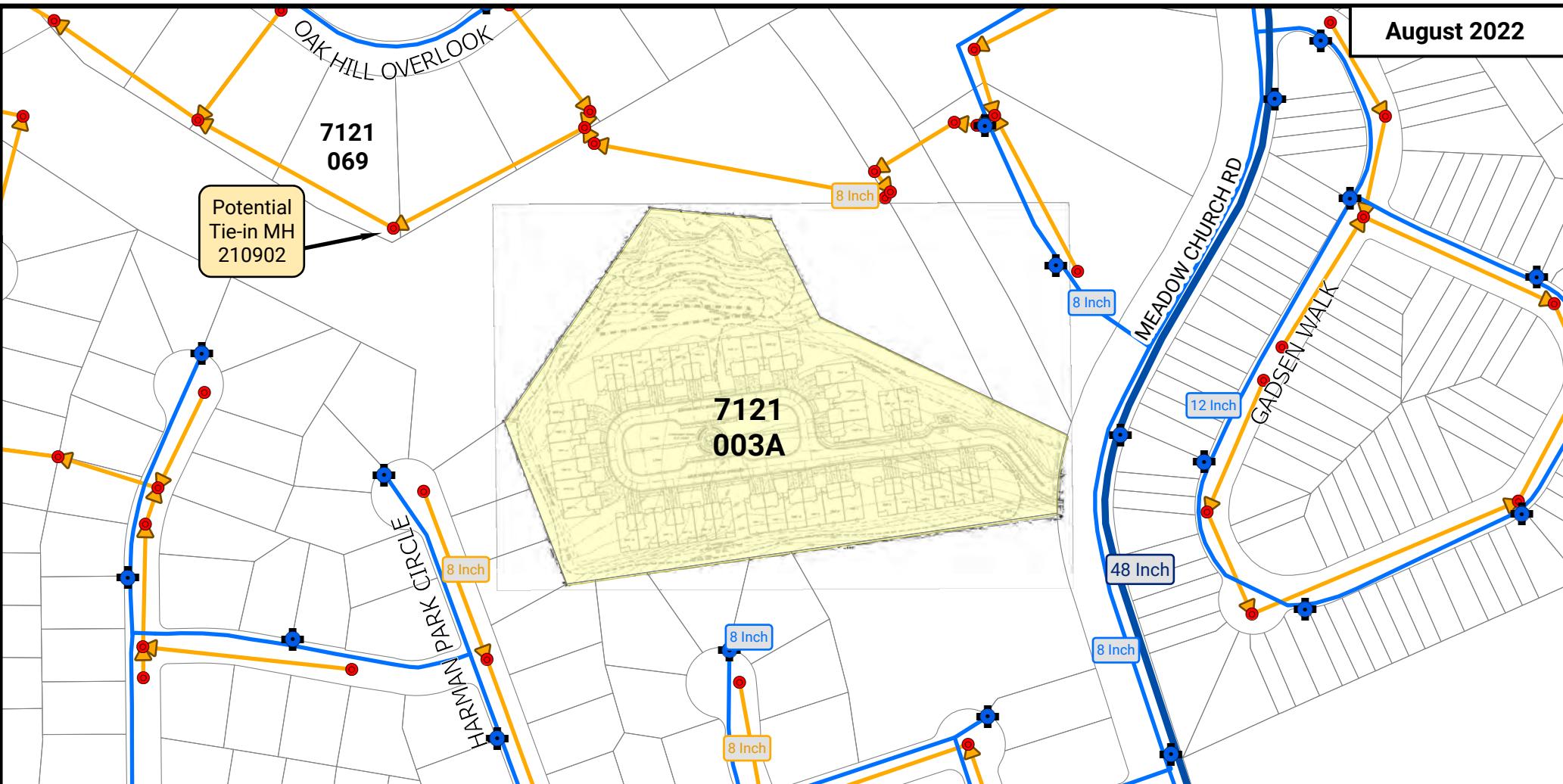


**Department of Planning and Development**  
**TECHNICAL REVIEW COMMITTEE**

<b>TRC Meeting Date:</b>		7/13/2022			
Department/Agency Name:		DWR			
Reviewer Name:		Mike Pappas			
Reviewer Title:		GIS Planning Manager			
Reviewer Email Address:		<a href="mailto:Michael.pappas@gwinnettcounty.com">Michael.pappas@gwinnettcounty.com</a>			
Case Number:		RZM2022-00032			
Case Address:		2514 Meadow Church Road			
<b>Comments:</b>		<input checked="" type="checkbox"/>	<b>YES</b>	<input type="checkbox"/>	<b>NO</b>
1	Water: The development may connect to an 8-inch water main located on the east right-of-way of Meadow Church Road.				
2	Water: The 48-inch water main located on the east right-of-way Meadow Church Road must be avoided during all phases of construction.				
3	Sewer: A Sewer Capacity Certification is required to confirm capacity.				
4	Sewer: Pending available sewer capacity, proposed development may connect to an existing 8-inch sanitary sewer main located approximately 325 feet west on parcel 7121 069.				
5	Sewer: An easement will be required to access this sewer.				
6					
7					
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/>	<b>YES</b>	<input checked="" type="checkbox"/>	<b>NO</b>
1					
2					
3					
4					
5					
6					
7					

**Note:** Attach additional pages, if needed

*Revised 7/26/2021*



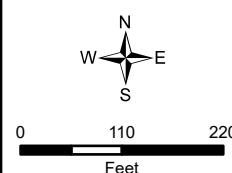
## LEGEND

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

RZM2022-00032

R-100 &amp; M-1 to R-TH

## Water & Sewer Utility Map



## LOCATION



**Water Comments:** The development may connect to a 8-inch water main located on the east right-of-way of Meadow Church Road. The 48-inch water main located on the east right-of-way Meadow Church Road must be avoided during all phases of construction.

**Sewer Comments:** A Sewer Capacity Certification is required to confirm capacity. Pending available sewer capacity, proposed development may connect to an existing 8-inch sanitary sewer main located approximately 325 feet west on parcel 7121 069. An easement will be required to access this sewer. An aerial sewer crossing variance may be required.

**Water Availability:** Water demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development. Current Gwinnett County Standards require a minimum of 12" pipe size for commercial developments and a minimum of 8" pipe size for residential developments. Additionally, connection to a minimum of 12" and 8" mains are required for commercial and residential developments, respectively. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

**Sewer Availability:** A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

**Water and Sewer Design and Construction Requirements:** Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards 2410.04, effective on April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance by the appropriate utility, service would then become available under the applicable utility permit rate schedules.

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



# Department of Planning and Development

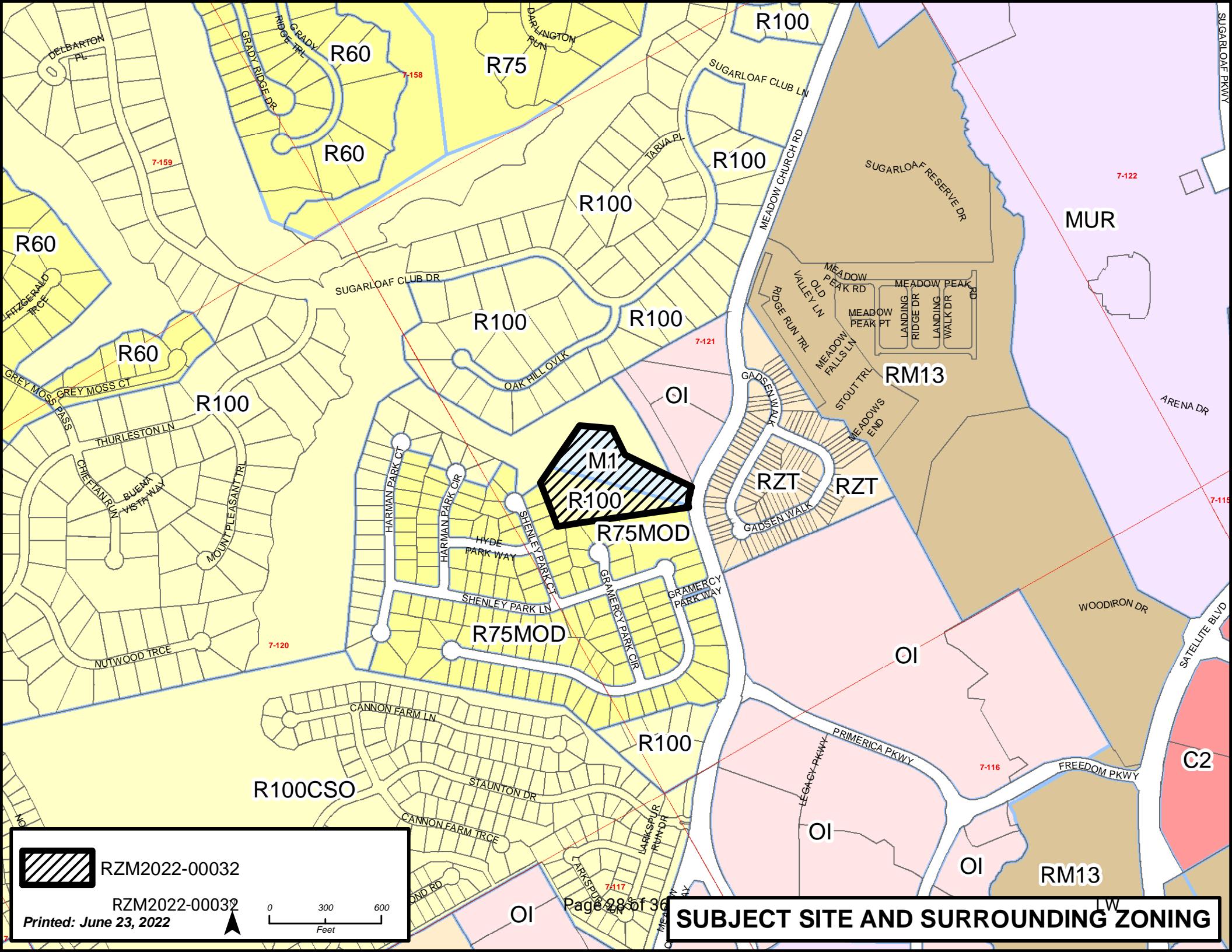
## TECHNICAL REVIEW COMMITTEE

Residential Rezoning Impact on Local Schools Prepared for Gwinnett County BOC, <b>October, 2022</b>												Proposed Zoning
	School	Forecast	2022-23 Capacity	+/- Cap.	Forecast	2023-24 Capacity	+/- Cap.	Forecast	2024-25 Capacity	+/- Cap.	Approximate Student Projections from Proposed Developments	
RZR2022-00030	<b>Archer HS</b>	3,129	2,575	554	3,311	2,575	736	3,394	2,575	819	30	
	<b>McConnell MS</b>	2,197	1,775	422	2,132	1,775	357	2,164	1,775	389	22	
	Cooper ES	1,389	1,625	-236	1,410	1,625	-215	1,431	1,625	-194	39	
RZM2022-00044	<b>Peachtree Ridge HS</b>	3,262	3,050	212	3,295	3,050	245	3,271	3,050	221	5	
	<b>Northbrook MS</b>	882	1,025	-143	870	1,025	-155	879	1,025	-146	4	
	Jackson ES	1,426	1,475	-49	1,440	1,475	-35	1,455	1,475	-20	6	
RZM2022-00032	<b>Peachtree Ridge HS</b>	3,262	3,050	212	3,295	3,050	245	3,271	3,050	221	6	
	<b>Hull MS</b>	1,258	1,750	-492	1,271	1,750	-479	1,290	1,750	-460	5	
	Mason ES	937	1,150	-213	924	1,150	-226	912	1,150	-238	9	

**Exhibit F: Maps**

**[attached]**





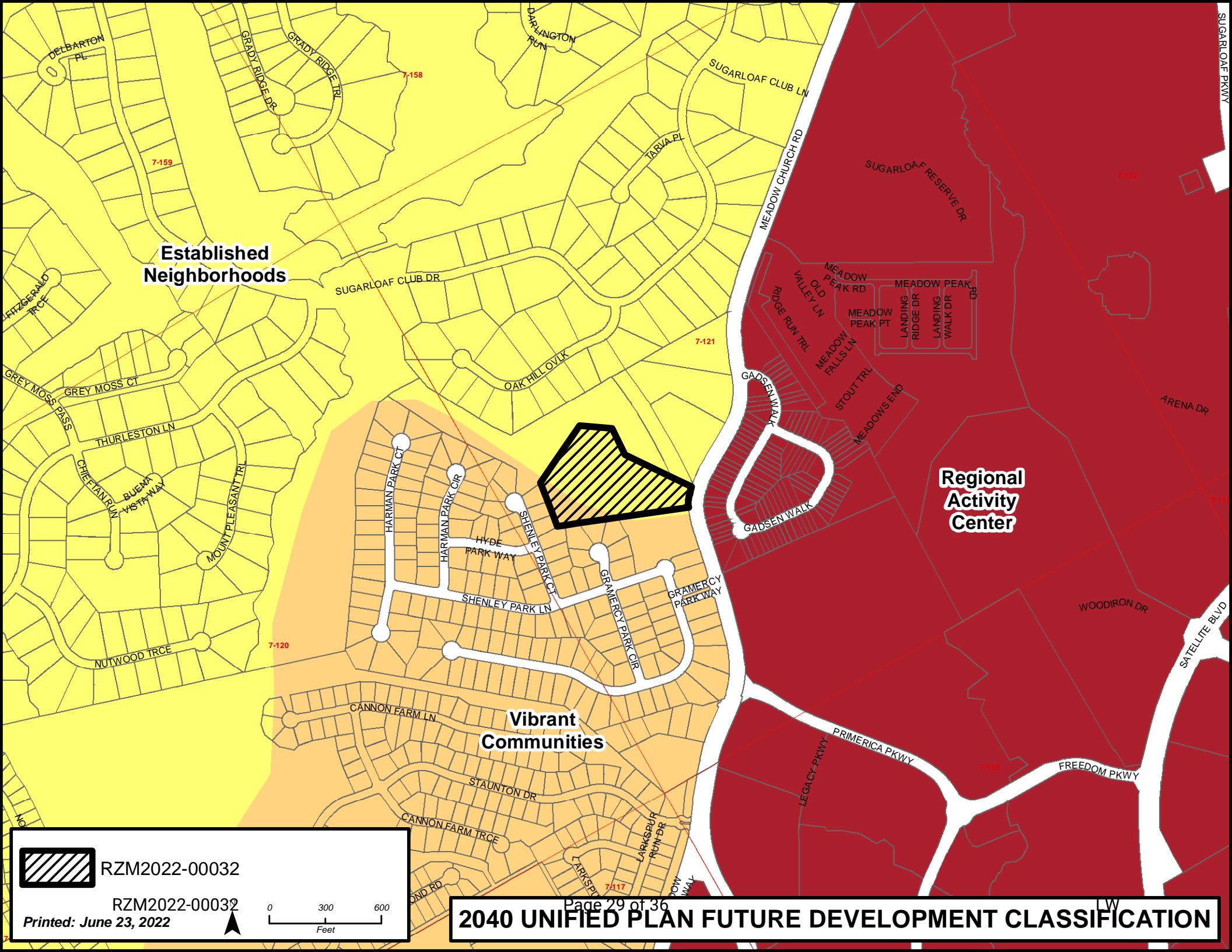
 RZM2022-00032

RZM202  
Printed: June 23, 2022

RZM202

Page 28 of 36

## **SUBJECT SITE AND SURROUNDING ZONING**



**Exhibit G: Application and Disclosure of Campaign Contributions**

**[attached]**

RECEIVED

6.14.22

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*	
NAME: Aziz Haji i/o Reginald A. Hudspeth, LLC	NAME: Aziz Haji	
ADDRESS: 1325 Satellite Blvd, Bldg 100, Ste 101	ADDRESS: 2340 Sugarloaf Club Dr.	
CITY: Suwanee	CITY: Duluth	
STATE: GA ZIP: 30024	STATE: GA ZIP: 30097	
PHONE: 770-864-1403	PHONE: 770-329-6598	
EMAIL: joe@rhudspeth.com	EMAIL: aziz@amynmotors.com	
CONTACT PERSON: Joe Wilburn	PHONE: 770-864-1403	
CONTACT'S E-MAIL: joe@rhudspeth.com		
<b>APPLICANT IS THE:</b>		
<input type="checkbox"/> OWNER'S AGENT	<input checked="" type="checkbox"/> PROPERTY OWNER	<input type="checkbox"/> CONTRACT PURCHASER
M1 &		
PRESENT ZONING DISTRICTS(S): R-100 REQUESTED ZONING DISTRICT: R-TH		
PARCEL NUMBER(S): R7121-003A ACREAGE: 6.007 (approx)		
ADDRESS OF PROPERTY: 2514 Meadow Church Rd, Duluth GA 30097		
PROPOSED DEVELOPMENT: Residential Townhomes with Private Roads		

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units 40 Lots	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): 2,750 to 3,500 sq.ft.	Total Building Sq. Ft. _____
Gross Density: 6.659 units/acre	Density: _____
Net Density: 6.659 units/acre	

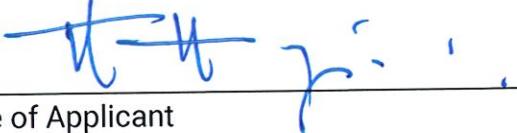
**PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED**

**RECEIVED**

6/2/2022

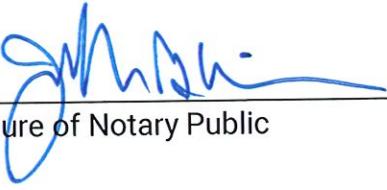
**REZONING APPLICANT'S CERTIFICATION**

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.

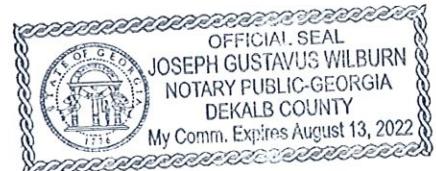
  
Signature of Applicant

06/02/2022  
Date

Aziz Haji, Owner/Applicant  
Type or Print Name and Title

  
Signature of Notary Public

6/2/2022  
Date



Notary Seal

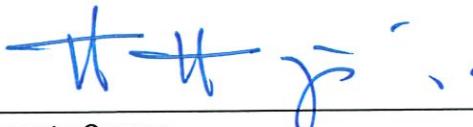
**RECEIVED**

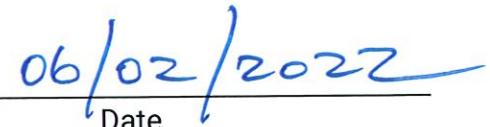
6/2/2022

Gwinnett County Planning Division  
Rezoning Application  
Last Updated 10/2021

**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.

  
Signature of Property Owner

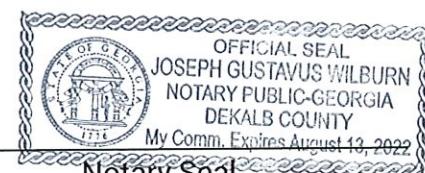
  
Date

Aziz Haji, Owner/Applicant

Type or Print Name and Title

  
Signature of Notary Public

  
Date

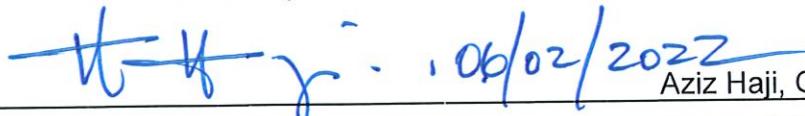


RECEIVED

6/2/2022

**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.

 06/02/2022

Aziz Haji, Owner/Applicant

SIGNATURE OF APPLICANT

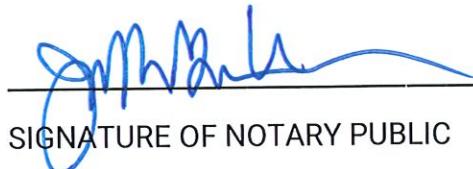
DATE

TYPE OR PRINT NAME AND TITLE

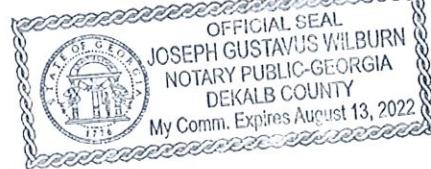
SIGNATURE OF APPLICANT'S  
ATTORNEY OR REPRESENTATIVE

DATE

TYPE OR PRINT NAME AND TITLE

 SIGNATURE OF NOTARY PUBLIC

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

Aziz Haji

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.

RECEIVED

6/2/2022

**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
	6/2/2022	Joseph G. Wilburn, Attorney
SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE	DATE	TYPE OR PRINT NAME AND TITLE
	6/2/2022	
SIGNATURE OF NOTARY PUBLIC	DATE	



**DISCLOSURE OF CAMPAIGN CONTRIBUTION**

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 \_\_\_\_\_  
Joseph G. Wilburn, Esq.  
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.

**RECEIVED**

6/2/2022

**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:** 7 - 121 - 003A  
(Map Reference Number)      District      Land Lot      Parcel

 Signature of Applicant

06/02/2022 Date

Aziz Haji, Owner/Applicant

Type or Print Name and Title

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

**TAX COMMISSIONERS USE ONLY**

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

Tomia Charman

NAME

TSA

TITLE

6.2.2022

DATE

RECEIVED

6.14.22

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*	
NAME: <u>Aziz Haji i/o Reginald A. Hudspeth, LLC</u>	NAME: <u>Aziz Haji</u>	
ADDRESS: <u>1325 Satellite Blvd, Bldg 100, Ste 101</u>	ADDRESS: <u>2340 Sugarloaf Club Dr.</u>	
CITY: <u>Suwanee</u>	CITY: <u>Duluth</u>	
STATE: <u>GA</u> ZIP: <u>30024</u>	STATE: <u>GA</u> ZIP: <u>30097</u>	
PHONE: <u>770-864-1403</u>	PHONE: <u>770-329-6598</u>	
EMAIL: <u>joe@rhudspeth.com</u>	EMAIL: <u>aziz@amynmotors.com</u>	
CONTACT PERSON: <u>Joe Wilburn</u>	PHONE: <u>770-864-1403</u>	
CONTACT'S E-MAIL: <u>joe@rhudspeth.com</u>		
<b>APPLICANT IS THE:</b>		
<input type="checkbox"/> OWNER'S AGENT	<input checked="" type="checkbox"/> PROPERTY OWNER	<input type="checkbox"/> CONTRACT PURCHASER
M1 &		
PRESENT ZONING DISTRICTS(S): <u>R-100</u> REQUESTED ZONING DISTRICT: <u>R-TH</u>		
PARCEL NUMBER(S): <u>R7121-003A</u> ACREAGE: <u>6.007 (approx)</u>		
ADDRESS OF PROPERTY: <u>2514 Meadow Church Rd, Duluth GA 30097</u>		
PROPOSED DEVELOPMENT: <u>Residential Townhomes with Private Roads</u>		

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>40 Lots</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>2,750 to 3,500 sq.ft.</u>	Total Building Sq. Ft. _____
Gross Density: <u>6.659 units/acre</u>	Density: _____
Net Density: <u>6.659 units/acre</u>	

**PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED**

**RECEIVED**

6.14.22

**Legal Description**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 121 OF THE 7<sup>TH</sup> LAND DISTRICT OF GWINNETT COUNTY, GEORGIA, CONTAINING 6.007 ACRES, MORE OR LESS, ACCORDING TO A BOUNDARY AND TOPOGRAPHIC SURVEY FOR AZIZ HAJI, DATED MARCH 16, 2022, BY CARLAN LAND SURVEYORS, AND DESCRIBED MORE PARTICULARLY, ACCORDING TO SAID SURVEY, AS FOLLOWS:

BEGINNING AT THE WESTERLY RIGHT-OF-WAY of MEADOW CHURCH ROAD, A 80-FOOT RIGHT OF WAY AT A POINT WHERE THE NORTHERLY PROPERTY LINE OF SUGARLOAF PARK HOMEOWNERS ASSOCIATION INTERSECTS THE AFORESAID RIGHT OF WAY, WHICH POINT IS MARKED BY A ½ REBAR SET, THENCE LEAVE SAID RIGHT OF WAY AND RUN SOUTH 82 DEGREES 22 MINUTES 25 SECONDS WEST, A DISTANCE OF 713.64 FEET TO A ½ INCH REBAR FOUND; THENCE RUN NORTH 20 DEGREES 24 MINUTES 35 SECONDS WEST, A DISTANCE OF 183.80 FEET TO A ½ INCH REBAR FOUND; THENCE RUN NORTH 34 DEGREES 56 MINUTES 25 SECONDS EAST, A DISTANCE OF 370.80 FEET TO ½ INCH REBAR SET; THENCE RUN SOUTH 84 DEGREES 16 MINUTES 35 SECONDS EAST, A DISTANCE OF 173.80 FEET TO A ½ INCH REBAR SET; THENCE RUN SOUTH 25 DEGREES 46 MINUTES 25 SECONDS EAST, A DISTANCE OF 151.16 FEET to a 1 INCH PIPE FOUND; THENCE RUN SOUTH 63 DEGREES 49 MINUTES 17 SECONDS EAST, A DISTANCE OF 390.89 FEET TO A POINT MARKED BY A ½ INCH REBAR FOUND, WHICH POINT IS ON THE WESTERLY RIGHT-OF-WAY OF MEADOW CHURCH ROAD; THENCE RUN ALONG THE WESTERLY RIGHT-OF-WAY OF MEADOW CHURCH ROAD, ALONG AN ARC OF A CURVE TO THE RIGHT, WHICH CURVE HAS A RADIUS OF 353.97 FEET AND IS SUBTENDED BY A CHORD HAVING A CHORD LENGTH OF 112.64 FEET AND A CHORD BEARING OF SOUTH 5 DEGREES 3 MINUTES 47 SECONDS WEST, AN ARC LENGTH OF 113.12 FEET TO A POINT, BEING THE TRUE POINT OF BEGINNING.

SAID IMPROVED PROPERTY HAVING A STREET ADDRESS OF 2514 MEADOW CHURCH ROAD, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING IN SAID COUNTY.

RECEIVED

6/2/2022

Gwinnett County Planning Division  
Rezoning Application  
Last Updated 10/2021

## 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 rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property. The subdivision across Meadow Church Road from the Subject Property, Charleston Row, is a townhouse development. The lots in the adjacent subdivision are single family residences.

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

The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby properties. The proposed use will be in harmony with the surrounding residential properties and will provide a buffer between less intensive use single family residences and nearby properties with higher intensive uses.

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

The Subject Property does not have reasonable economic use as currently zoned. The Subject Property is currently zoned R-100 and M-1, Light Industrial. M-1 zoning is inconsistent with the area, and M-1 uses would not be feasible, given the residential character of the surrounding properties.

**(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:**

**RECEIVED**

6/2/2022  
According to the 2022 Gwinnett County Traffic Counts Report, daily estimated Traffic on Meadow Church Road in this area is between 11,718 (est) and 12,253 (est). This development of 40 to 44 townhomes will have no significant impact on the volume of traffic in this area. The number of students enrolled in the local schools, including Peachtree Ridge High School, has been steady over the last 5 years, any additional students from this townhome developments will not have a significant impact on enrollment numbers. Nearby utility access, including water and sewer is available, and this development should not increase utility use significantly.

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

Yes. The proposed rezoning is in conformity with the policy and intent of the land use plan. According to the 2040 UDO the subject property lies either within or adjacent to Vibrant Communities Character, which includes a mix of housing types, including townhomes.

**(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:**

There are other existing or changing conditions affecting the use and development of the property which give supporting grounds for approval of the proposed rezoning. The subject property is located in close proximity to the Regional Activity Center at I-85 and Sugarloaf. Over the last 10 years the commercial development around the Regional Activity Center has increased greatly including the development of a Primerica Campus nearby, this townhome development will provide housing to persons, who may likely be working and shopping nearby.

**RECEIVED**

6.14.22

**REGINALD A. HUDSPETH, LLC**

ATTORNEYS AT LAW  
1325 SATELLITE BLVD  
BLDG 100, SUITE 101  
SUWANEE, GEORGIA 30024  
(770) 925-1400  
TELECOPIER (770) 925-8190  
[www.rhudspeth.com](http://www.rhudspeth.com)

**REGINALD A. HUDSPETH**

**JOSEPH G. WILBURN**

June 14, 2022

Gwinnett County  
Board of Commissioners  
446 West Crogan St Lawrenceville, Georgia 30046  
Attn: Director of Planning and Development

Re: Letter of Intent on behalf of Aziz Haji, with respect to land having an address of 2514 Meadow Church Rd, Duluth GA 30097; Gwinnett assessor Parcel No. R7121-003A ("Subject Property")

Greetings:

I am submitting this Letter of Intent on behalf of my client, Aziz Haji, (the "Property Owner") and the attached Rezoning Application for the purpose of rezoning for the purpose of rezoning the Subject Property from its current zoning of R-100 and M-1 to R-TH. The rezoning will facilitate the planned construction of residential townhomes with private roads to be located at the Subject Property. The Subject Property is a 6.007 +/- .

The Property currently includes a single family residence built circa 1962 and is otherwise undeveloped and under-utilized. Although approximately one half of the property is currently zoned M-1, this area is unsuitable for Light Industrial uses.

Applicant believes that a better use of the property, and one that is harmonious with the neighborhood, is that of high-end townhomes, which will necessitate the aforementioned rezoning. Currently, the subdivision across Meadow Church Road from the Subject Property is "Charleston Row S/D", which is zoned RZT. It is comprised of approximately 120 townhome units. Adjoining the Property to the north and west is passive open space of Sugarloaf Park Subdivision. Adjoining the property to the south and west are single family residential lots and community amenities of Sugarloaf Park.

With this application, we are requesting a reduction in the 30-foot zoning buffer and associated impervious setback to allow for the approximate 60 Sq Ft encroachment of the rear corner of proposed Unit 40 over such areas.

**RECEIVED**

June 6 14, 2022

Page 2

Along the southern and western property lines the Subject Property adjoins a Subdivision and residential lots zoned R-75. The site Plan provides for a 25-foot zoning buffer along the property lines. Within that area, we propose to include a nature trail and will leave the area otherwise undisturbed. The roadways within the development will be private and in the center of the development will be a 0.37 acre landscaped community green, which will provide communal space for residents to gather for social events.

At the northern end of the property is a stream where there will be a 25 foot State Waters Buffer and a 50 foot County Waters Buffer. Except for the Nature Trail in this area, this area will remain undisturbed and will be passive community open space.

The Subject Property is in or adjacent to an area of Gwinnett County that according to the 2040 UDO is designated as "Vibrant Communities." A townhome project in a Vibrant Communities area is a use that the UDO promotes. This project will provide needed housing in this area.. The subject property is located in close proximity to the Regional Activity Center at I-85 and Sugarloaf. Over the last 10 years the commercial development around the Regional Activity Center has increased greatly, including the development of a Primerica Campus nearby. It is likely that persons living in this townhome development will be working and shopping nearby. It is the Owner's intention that the developed townhomes will be sold to owner/occupants as fee simple properties.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters in this Letter of Intent or in its Rezoning Application.

The Applicant respectfully requests your approval of this Application.

Respectfully submitted,

*Joseph G. Wilburn*

Joseph G. Wilburn, Esq.

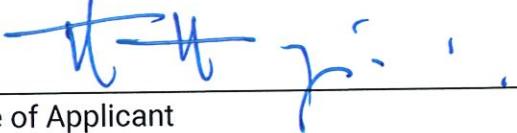
Enclosures

**RECEIVED**

6/2/2022

**REZONING APPLICANT'S CERTIFICATION**

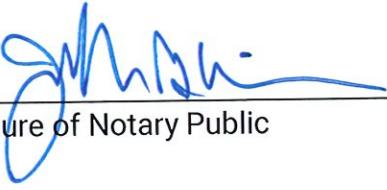
THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL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

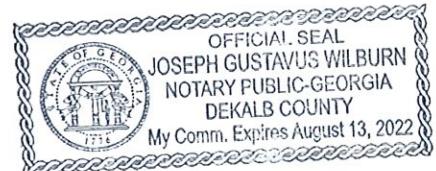
06/02/2022  
Date

Aziz Haji, Owner/Applicant

Type or Print Name and Title

  
Signature of Notary Public

6/2/2022  
Date



Notary Seal

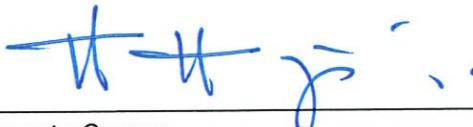
**RECEIVED**

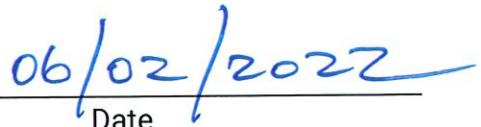
6/2/2022

Gwinnett County Planning Division  
Rezoning Application  
Last Updated 10/2021

**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.

  
Signature of Property Owner

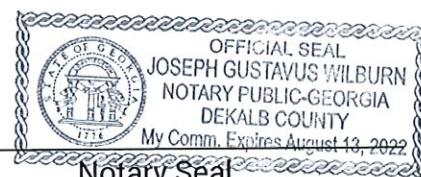
  
Date

Aziz Haji, Owner/Applicant

Type or Print Name and Title

  
Signature of Notary Public

  
Date

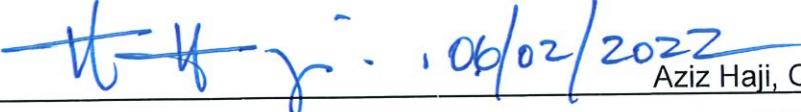


RECEIVED

6/2/2022

**CONFFLICT 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.

 06/02/2022

Aziz Haji, Owner/Applicant

SIGNATURE OF APPLICANT

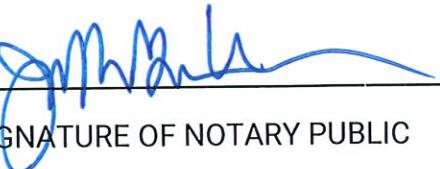
DATE

TYPE OR PRINT NAME AND TITLE

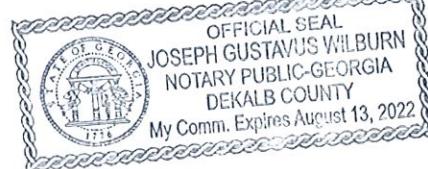
SIGNATURE OF APPLICANT'S  
ATTORNEY OR REPRESENTATIVE

DATE

TYPE OR PRINT NAME AND TITLE

 SIGNATURE OF NOTARY PUBLIC

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

Aziz Haji

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.

**RECEIVED**

6/2/2022

**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
	6/2/2022	Joseph G. Wilburn, Attorney
SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE	DATE	TYPE OR PRINT NAME AND TITLE
	6/2/2022	
SIGNATURE OF NOTARY PUBLIC	DATE	

**DISCLOSURE OF CAMPAIGN CONTRIBUTION**

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 \_\_\_\_\_  
Joseph G. Wilburn, Esq.  
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.

**RECEIVED**

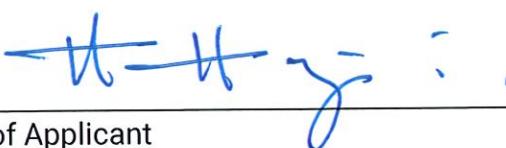
6/2/2022

**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:** 7 - 121 - 003A  
(Map Reference Number)      District      Land Lot      Parcel

      Date

06/02/2022

Aziz Haji, Owner/Applicant

Type or Print Name and Title

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

**TAX COMMISSIONERS USE ONLY**

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

Tomia Sharmon

NAME

TSA

TITLE

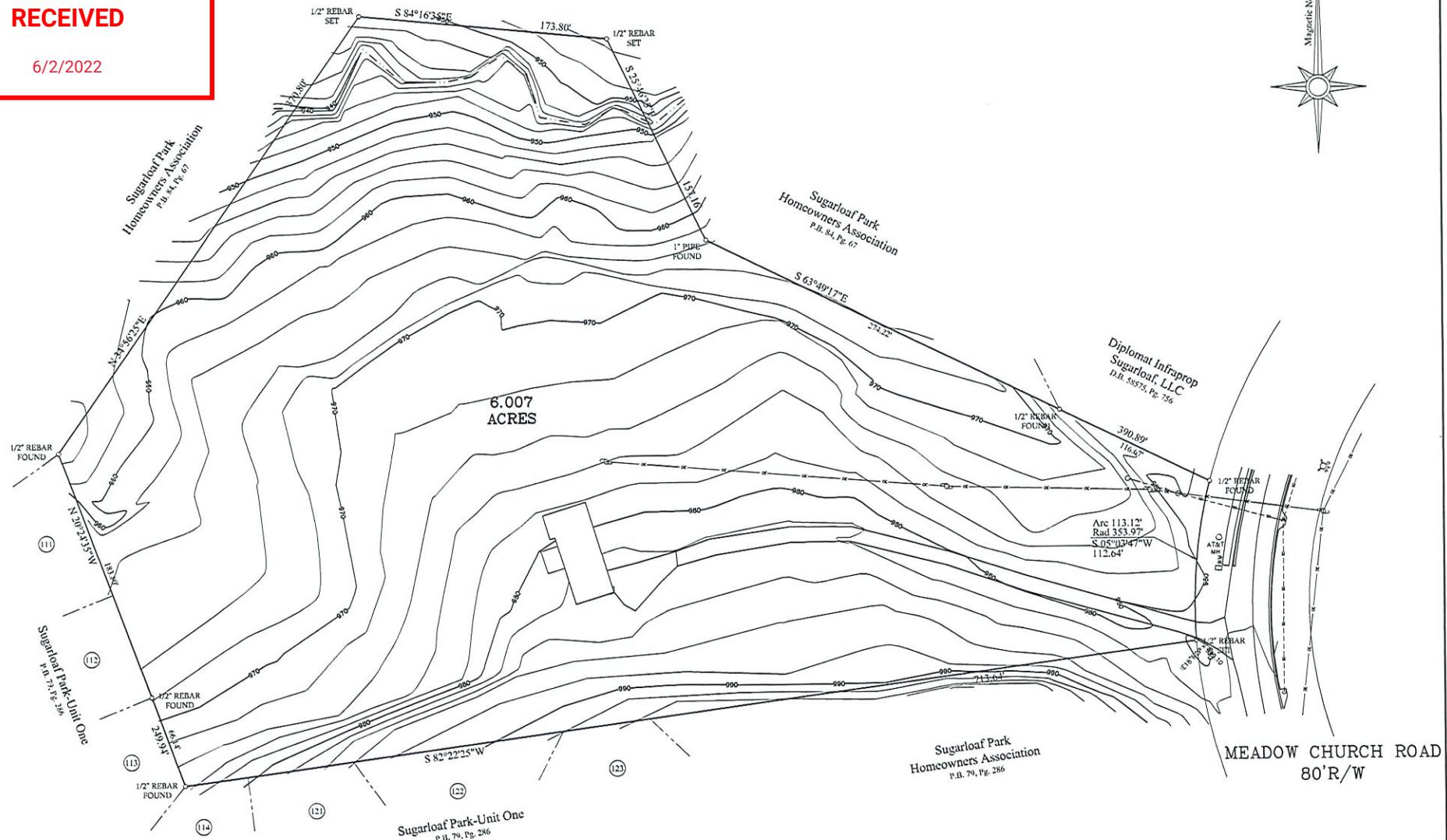
6.2.2022

DATE

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT  
**RFCFIVED**

6/2/2022

Sugarloaf Park  
Homeowners Association  
P.B. 84, Pg. 67



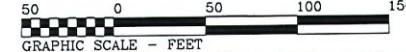
BOUNDARY & TOPOGRAPHIC SURVEY  
FOR

AZIZ HAJI

LOCATED WITHIN  
Land Lot 121, 7th District

Land Lot 121, 7th District  
Gwinnett County, Georgia  
Scale: 1" = 50' March 16, 2022

1. The field data upon which this plat is based has a closure precision of one foot in 26,037 foot and an angular error of .02° per angle point and was adjusted using the Compass Rule.
2. This plat has been calculated for closure and is found to be accurate within one foot in .407,169 feet.
3. The field equipment used in this survey was a Leica TS12+P Robotic Total Station.
4. The Field Work was completed 3/16/22.



**CARLAN**  
LAND SURVEYORS  
970 SOUTH BROAD STREET  
COMMERCE, GA 30529  
(706)336-5959



JOB NO. 22-061 P.B. B-802



Conceptual Building Elevations

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

6.14.22



2514 Meadow Church Rd, Duluth, GA 30097

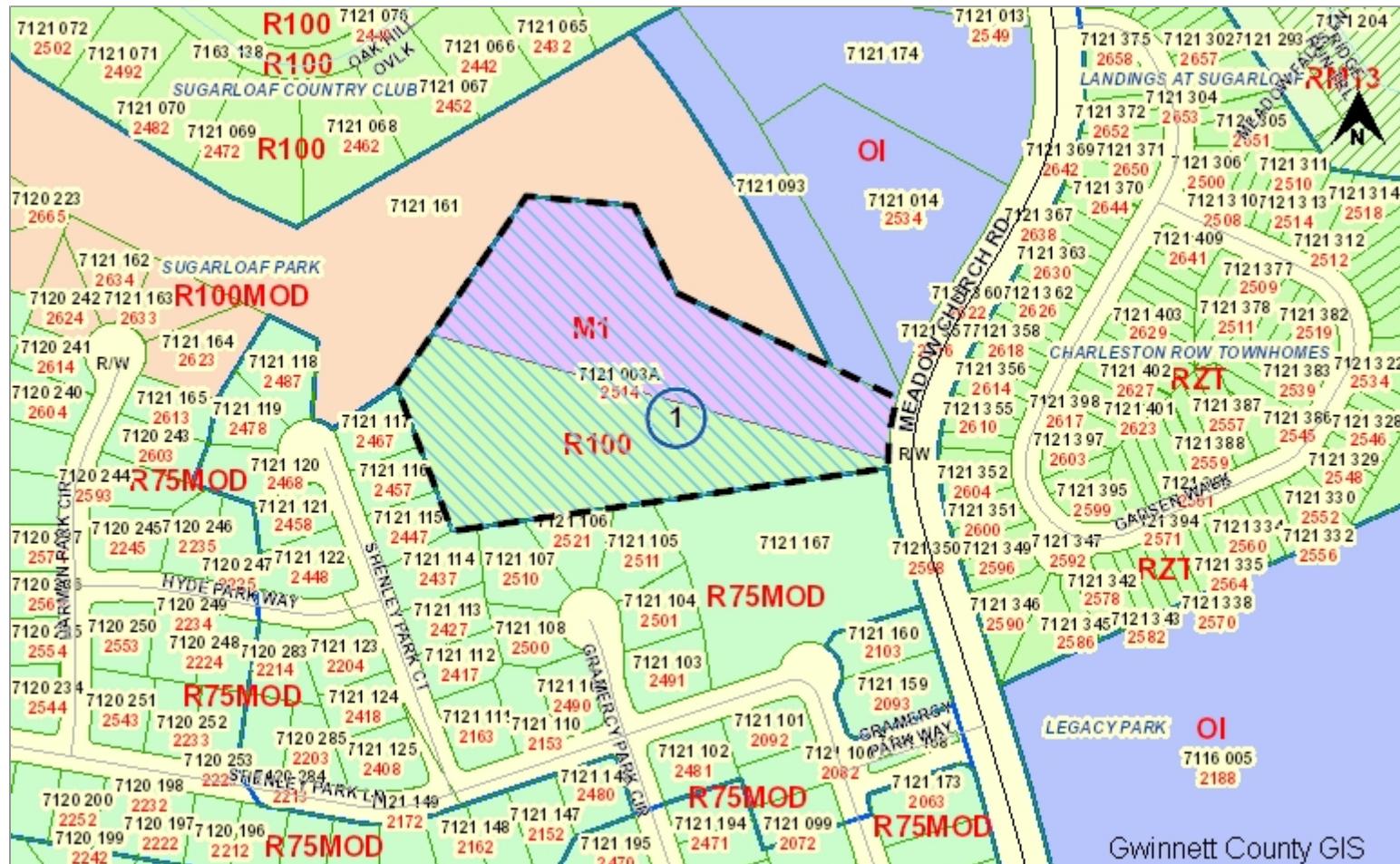
2514 MEADOW CHURCH RD

APN R7121-003A

## GWINNETT COUNTY PLANNING AND DEVELOPMENT

RECEIVED

6.6.2022



Map Printed On 2022-06-04 13:10

## COMMENTS Currently Zoned R100 and M1