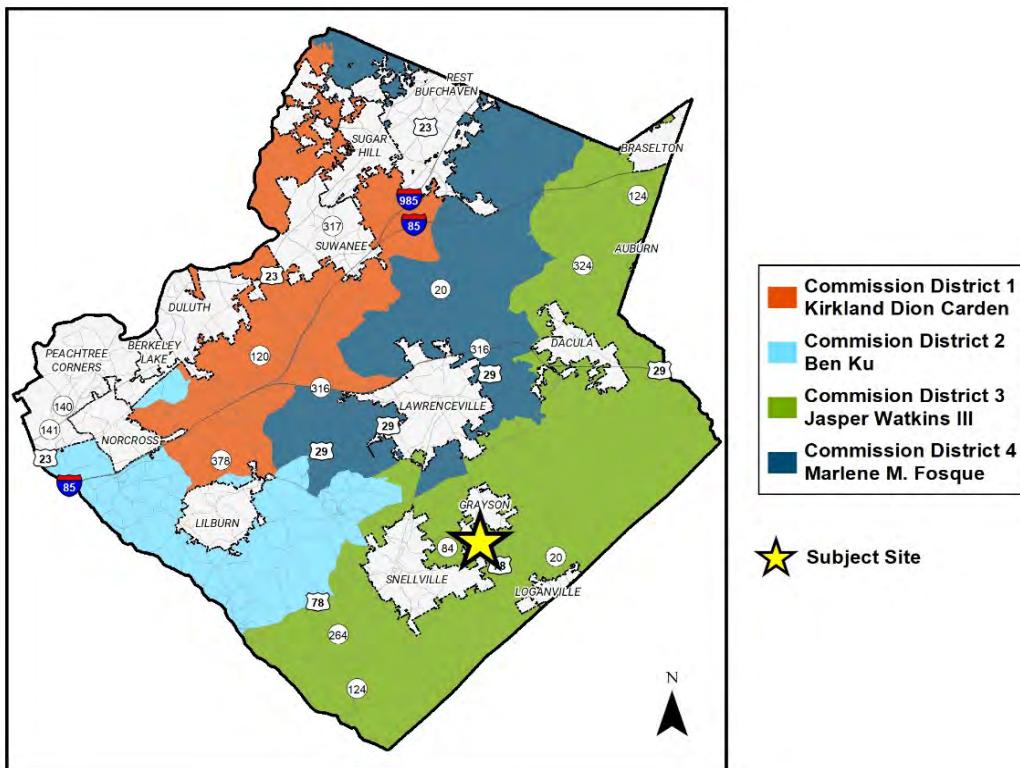




PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number:	RZM2022-00038
Current Zoning:	R-100 (Single-Family Residence District)
Request:	Rezoning to R-TH (Single-Family Residence Townhouse District)
Addresses:	912 Cooper Road
Map Numbers:	R5101 003
Site Area:	10.24 acres
Units:	62
Proposed Development:	Townhouses
Commission District:	District 3 – Commissioner Watkins
Character Area:	Community Mixed-Use
Staff Recommendation:	APPROVAL WITH CONDITIONS
Planning Commission Recommendation:	APPROVAL WITH CONDITIONS



Planning Commission Advertised Public Hearing Date: 9/7/2022 (Public Hearing Held/
Recommendation Tabled to 10/4/2022)

Board of Commissioners Advertised Public Hearing Date: 9/27/2022 (Public Hearing Tabled to
10/25/2022)

Applicant: Ridgeline Land Planning, Inc.
c/o Mahaffey Pickens Tucker, LLP
1550 North Brown Road, Suite 125
Lawrenceville, GA 30043

Owners: Charles Nathan Shirley, Jr. and
Gail S. Adams
3017 Sweetwater Trail
Monroe, GA 30656

Contact: Shane Lanham

Contact Phone: 770.232.0000

Zoning History

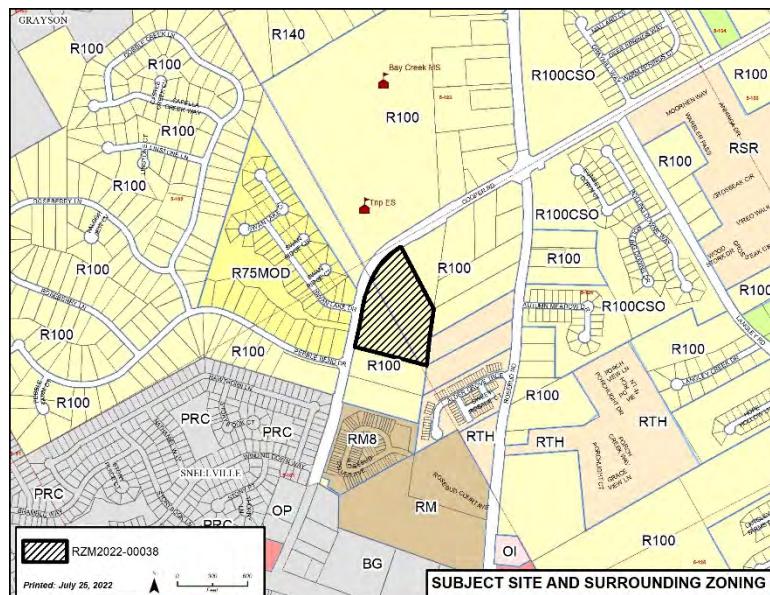
The subject site is zoned R-100 (Single-Family Residence District). A 1973 areawide rezoning amended the property's zoning from RA-200 (Agriculture-Residence District) to R-100. No other zoning requests are on record for this site.

Existing Site Condition

The subject site is a 10.24-acre parcel located along Cooper Road, southwest of its intersection with Rosebud Road. The property is currently developed with a 1,692 square-foot residence built in 1963, as well as several accessory garages and sheds. The property generally slopes down from the north to a stream near the southern property line, by approximately 40 feet. The parcel is heavily vegetated, with clearings around the existing residence and along the road frontage. Access to the site is provided by an existing paved driveway from Cooper Road. A stream and associated buffers run along the southern property line. Overhead utilities and sidewalks are present on the opposite side of Cooper Road. The nearest Gwinnett County Transit stop is approximately 6.3 miles from the site.

Surrounding Use and Zoning

The subject site is primarily surrounded by single-family subdivisions and townhouses. Residences on large lots and Trip Elementary School are located to the north of the subject site. A townhouse subdivision is under construction to the east. Multifamily developments and commercial uses are located to the south. Snellville city limits are located to the southwest. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Townhouses	R-TH	6.05 units per acre
North	Trip Elementary School Bay Creek Middle School	R-100	N/A
East	Townhouses Single-Family Residential	R-TH R-100	4.84 units per acre (proposed) 0.27 units per acre
South	Undeveloped	R-100	N/A
West	Single-Family Residential	R-75 MOD	2.22 units per acre

Project Summary

The applicant requests rezoning of a 10.24-acre parcel from R-100 to R-TH for townhouses, including:

- 62 front loaded townhouses, yielding a net density of 6.05 units per acre.
- Units with two car garages and a minimum heated floor area of 1,200 square feet.
- Brick facades on front and side elevations, and 2-foot-tall brick water tables on rear elevations.
- One full-access entrance and deceleration lane from Cooper Road.
- 27-foot-wide internal streets with five-foot-wide sidewalks located on both sides.
- A five-foot wide sidewalk along Cooper Road.
- A required 50-foot-wide stream buffer and 25-foot-wide impervious setback in the southwestern corner of the site.
- A 30-foot-wide landscaped setback along the road frontage, in excess of the required 10-foot-wide setback.
- 2.05 acres, or 20%, of common space including a central community park along Cooper Road.
- A mail kiosk located in the center of the site.
- A stormwater management facility located in the southern portion of the site, adjacent to the stream buffers.
- 16 on-street guest parking spaces, including nine spaces at the mail kiosk.
- A required 35-foot-wide zoning buffer adjacent to R-100 properties. A 35-foot-wide zoning buffer is also provided along the property line shared with an adjacent R-TH zoned development, which is not required.

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 186 spaces Maximum 372 spaces	248 spaces	YES

Guest Parking	Minimum 0.25 spaces per unit or 16 spaces	16 spaces	YES
Landscaped Setback	Minimum 10'	30'	YES
Heated Floor Area	Minimum 1,200 square feet	1,200 square feet	YES
Density	Maximum 10 units per acre	6.05 units per acre	YES
Open Space	Minimum 20% or 2.05 acres	20% or 2.05 acres	YES
Zoning Buffer	Minimum 35': R-100	35'	YES

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 and townhouse developments with multifamily developments also nearby. A townhouse development is located directly to the southeast of the subject site. The surrounding area has experienced considerable growth in recent years, with a majority of development occurring along Rosebud Road and nearby Athens Highway. Vacant parcels remain in the area and offer the opportunity for additional residential developments near a commercial node. The diverse housing typologies in the area will be supported by the addition of more townhouses. The development is suitable given the surrounding area and existing residential developments.

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

The existing use and usability of adjacent or nearby properties would not be adversely affected by the zoning change. 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 southeast and will serve to provide further diversity in housing options to the surrounding area.

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

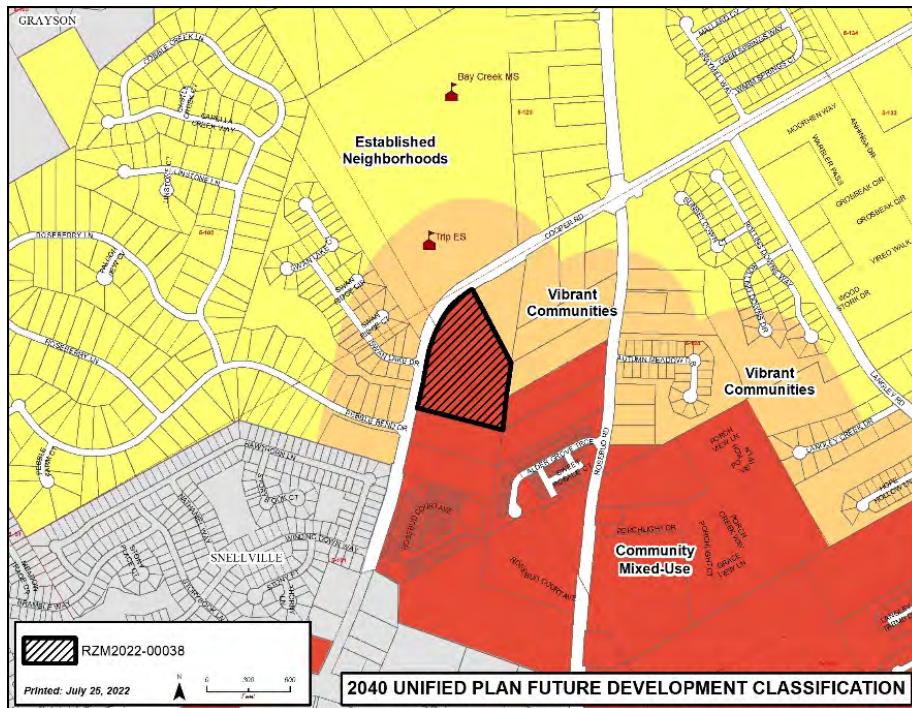
The property has a reasonable economic use as currently zoned.

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 Community Mixed-Use Character Area. The character area is intended for activity nodes and connecting areas located along major corridors and includes commercial and residential uses. Townhouses are listed as a potential development type within the Community Mixed-Use Character Area, making this use appropriate at this location. A townhouse development, as proposed by the applicant, would be in conformity 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.

The surrounding area has experienced growth in recent years. Nearby properties are developed with a variety of residential types, including single-family detached houses, townhouses, and apartments. A townhouse development, as proposed by the applicant, would further diversify the housing inventory in the area. Therefore, the proposed rezoning would be suitable based on existing and changing conditions.

Staff Recommendation

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

Planning Commission Recommendation

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

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

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 July 18, 2022, and Exhibit C: Building Elevations dated received July 6, 2022, with revisions required by conditions of approval and the Unified Development Ordinance, as reviewed and approved by the Department of Planning and Development.
2. Uses on the site shall be limited to single-family attached townhouses **a minimum of 1,800 square feet** and accessory uses, not to exceed 62 units.
3. All attached residences shall adhere to the Architectural Design Standards for Category 3, Attached Residential Buildings.
4. All dwellings shall have at least a double-car garage.
5. 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.
6. The road frontage and the subdivision entrance shall be landscaped by the developer and maintained by the homeowner's association. The entrance shall include a decorative masonry

entrance ~~feature~~ **monument**. Landscape and entrance feature plans shall be subject to review and approval by the Department of Planning and Development.

7. Natural vegetation shall remain on the property until the issuance of a development permit.
8. All grassed areas shall be sodded.
9. 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.
10. 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 common areas and amenity areas shall be provided. The final layout and design of these features shall be subject to the review and approval of the Department of Planning and Development.
11. The existing center left-turn lane shall be restriped to reflect an appropriate left-turn into the development, subject to the review and approval of the Gwinnett County Department of Transportation.
12. **Subject to the review and approval of the Gwinnett County Department of Transportation the developer shall install a striped pedestrian crossing with flashing lights on Cooper Road.**
13. **At no given time shall no more than 10 percent of any homes or dwellings be rented.**

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

Exhibit A: Site Visit Photos



View of subject property



View across Cooper Road

Exhibit B: Site Plan

[attached]

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7.18.22



SUMMARY
PARCEL: 5101 003

CURRENT ZONING: R100
PROPOSED ZONING: R-TH
GROSS AREA: 10.242 ACRES
NET AREA: 10.242 ACRES

PROPOSED TOWNHOME UNITS: 62 UNITS

PROPOSED GROSS DENSITY:
6.05 UNITS PER ACRE

PROPOSED NET DENSITY:
6.05 UNITS PER ACRE

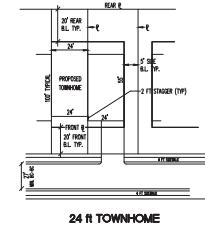
MINIMUM 20% (2.05 ACRES) COMMON AREA PROVIDED

PARKING:
124 SPACES PROVIDED BY 2 CAR GARAGE
PER DWELLING UNIT

124 SPACES PROVIDED BY DRIVEWAY SPACES
PER DWELLING UNIT

16 VISITOR PARKING SPACES PROVIDED.
(.25 SPACES PER DUELING UNIT)

COMMON AREA REQUIRED (6%): 0.615 ACRES
COMMON AREA REQUIRED(6.54%) 0.61 ACRES



24 ft TOWNHOME



DATE	NO. REVISION	REVISER PER D&O	COMMENTS
7/18/2022	1		DATED 7/15/2022
DESIGNED BY: HNP		SCALE: 1"=60'	
DRAWN BY: HNP		Z1	
CHECKED BY: HNP		SHEET	
DATE: 7/6/2022		JOB NO.:	

COOPER ROAD TRACT
912 COOPER ROAD
GRAYSON, GA 30017
GWINNETT COUNTY, GEORGIA

ZONING
PLAN

ZONING
PLAN

Exhibit C: Building Elevations

[attached]

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7.6.2022



COOPER ROAD TOWNHOMES

**(6-Unit Group)
Sample Elevations**

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

[attached]

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7.6.2022

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

- (A) Yes, approval of the proposed Rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property. The surrounding area is characterized by a mix of land uses including residential and institutional uses.
- (B) No, the proposed Rezoning Application will not adversely affect the existing use or usability of any of the nearby properties. Rather, the proposed development would complement the surrounding land use mix.
- (C) Due to the size, location, layout, and dimensions of the subject property, the Applicant submits that the Property does not have reasonable economic use as currently zoned.
- (D) No, the proposed Rezoning Application will not result in an excessive or burdensome use of the infrastructure systems. The Property is located on Cooper Road with access to utilities.
- (E) Yes, the proposed Rezoning Application is in conformity with the policy and intent of the Gwinnett County Land Use Plan which designates the Property as within the Community Mixed-Use Character Area. Policies of the 2040 Plan encourage a variety of land uses in this character area including townhomes.
- (F) The Applicant submits that the subject Property's location in close proximity to single-family attached and multifamily residential developments and its convenient access to Athens Highway (US Route 78) provide additional supporting grounds for approval of the application.

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7.6.2022



Matthew P. Benson
G. Tyler Boyd
Catherine W. Davidson
Gerald Davidson, Jr.*
Rebecca B. Gober
Brian T. Easley
Christopher D. Holbrook

Shane M. Lanham
Jeffrey R. Mahaffey
Jessica R. Pickens
Steven A. Pickens
Andrew D. Stancil
R. Lee Tucker, Jr.

*Of Counsel

LETTER OF INTENT FOR REZONING APPLICATION

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Rezoning Application on behalf of Ridgeline Land Planning, Inc. (the “Applicant”) for the purpose of rezoning to the R-TH zoning classification an approximately 10.24-acre tract of land (the “Property”) located along Cooper Road about a half mile north of Athens Highway (U.S. Route 78). The Property is currently zoned R-100 and is located within the Community Mixed-use Character Area according to the Gwinnett County 2040 Unified Plan Future Development Map.

The Applicant proposes to develop the Property for use as a single-family attached townhome community including a total of 62 homes at an overall density of 6.05 units per acre, which is well below the maximum density for R-TH of 10.0 units per acre. A single access point is proposed on Cooper Road which is aligned with Swan Lake Drive. The proposed community would include homes with attractive building materials including brick, stone, and/or fiber cement siding or shake which is compatible with the architectural style and building materials of homes in the surrounding area. The Property is adjacent to land zoned R-100 and R-TH with additional single-family attached and multifamily residential uses located just to the south which have access onto Rosebud Road. Cooper Road’s intersection with Athens Highway includes a variety of

Sugarloaf Office || 1550 North Brown Road, Suite 125, Lawrenceville, Georgia 30043

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

TELEPHONE 770 232 0000

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7.6.2022 commercial and residential uses including restaurants, shops, and townhomes. To the north across

Cooper Road are the Trip Elementary School and Bay Creek Middle School, which are relatively intense institutional/non-residential uses.

The proposed development is compatible with the policies of the Gwinnett County 2040 Unified Plan (the “2040 Plan”) which encourage the development of a mix of land uses and housing types within the Community Mixed-Use Character Area. While the 2040 Plan would accommodate a much more intense mix of land uses, such as commercial and multifamily residential uses, the Applicant respectfully submits that the Property’s location at the northern edge of the character as well as the nature of adjacent land uses support a less intense residential development with attached single-family homes.

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 set forth in this letter or in the Rezoning Application filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted this 7th day of July, 2022.

MAHAFFEY PICKENS TUCKER, LLP

Shane Lanham

Shane M. Lanham
Attorneys for Applicant

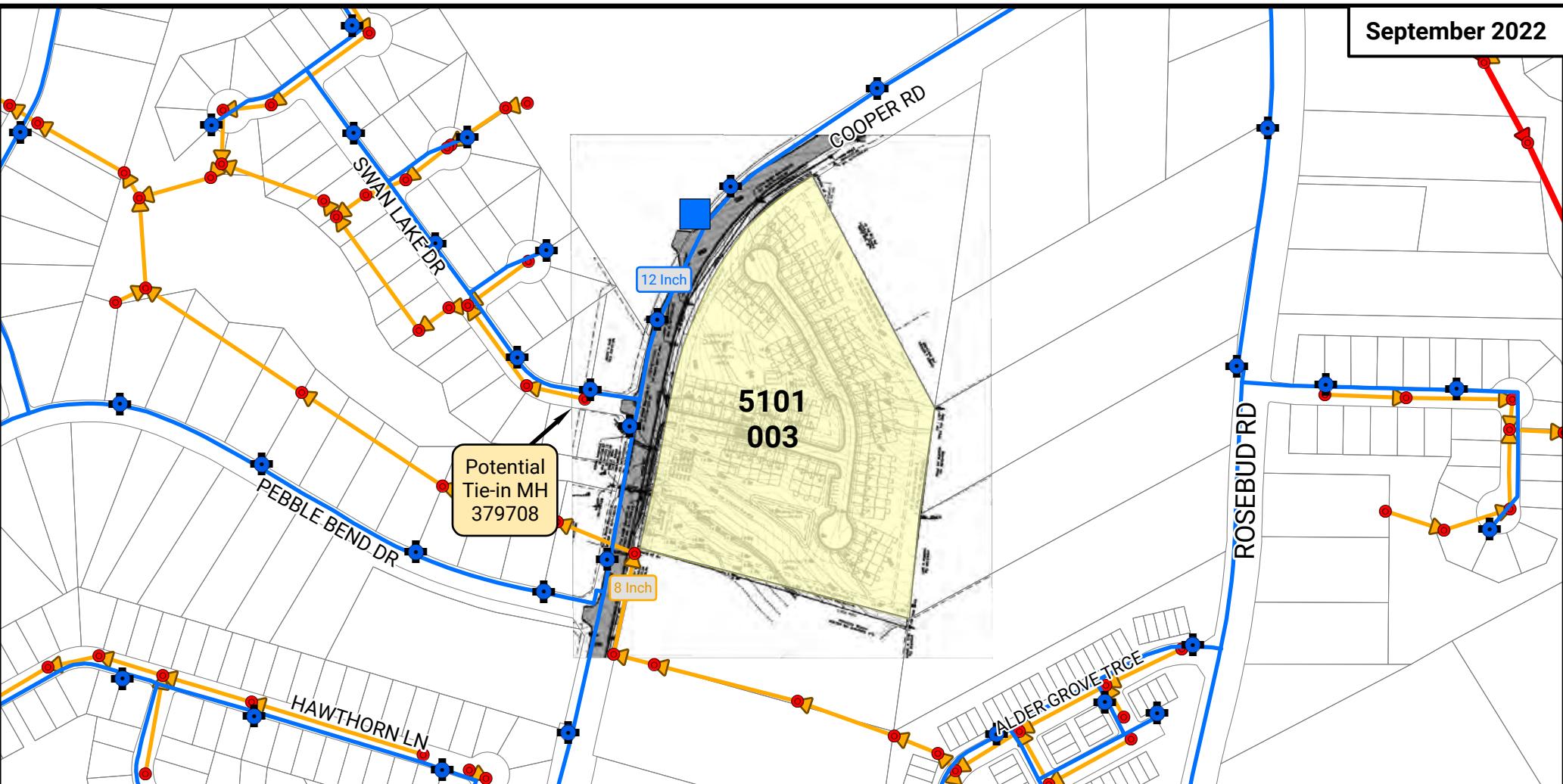
Exhibit E: Internal and External Agency Review Comments

[attached]

Residential Rezoning Impact on Local Schools Prepared for Gwinnett County BOC, September, 2022											Proposed Zoning
	School	Forecast	2022-23 Capacity	+/- Cap.	Forecast	2023-24 Capacity	+/- Cap.	Forecast	2024-25 Capacity	+/- Cap.	Approximate Student Projections from Proposed Developments
RZM2022-00041 (East)	Discovery HS	2,862	2,525	337	2,905	2,525	380	2,949	2,525	424	27
	Richards MS	2,052	2,200	-148	2,093	2,200	-107	2,124	2,200	-76	19
	Benfield ES	1,216	1,375	-159	1,204	1,375	-171	1,192	1,375	-183	35
RZM2022-00042 (West)	Discovery HS	2,862	2,525	337	2,905	2,525	380	2,949	2,525	424	37
	Richards MS	2,052	2,200	-148	2,093	2,200	-107	2,124	2,200	-76	28
	Baggett ES	1,062	1,125	-63	1,051	1,125	-74	1,040	1,125	-85	50
RZM2022-00036	Grayson HS	3,277	3,000	277	3,375	3,000	375	3,477	3,000	477	16
	Bay Creek MS	1,318	1,150	168	1,345	1,150	195	1,385	1,150	235	12
	Trip ES	1,241	1,200	41	1,266	1,200	66	1,291	1,200	91	22
RZM2022-00038	Grayson HS	3,277	3,000	277	3,375	3,000	375	3,477	3,000	477	12
	Bay Creek MS	1,318	1,150	168	1,345	1,150	195	1,385	1,150	235	9
	Trip ES	1,241	1,200	41	1,266	1,200	66	1,291	1,200	91	16
RZM2022-00039	Mill Creek HS	2,915	2,800	115	2,633	2,800	-167	2,596	2,800	-204	26
	Osborne MS	1,658	1,575	83	1,646	1,575	71	1,671	1,575	96	18
	Fort Daniel ES	727	925	-198	749	925	-176	764	925	-161	33
RZM2022-00040	Collins Hill HS	2,730	2,625	105	2,773	2,625	148	2,800	2,625	175	3
	Creekland MS	1,911	2,100	-189	1,892	2,100	-208	1,915	2,100	-185	2
	Rock Springs ES	792	1,325	-533	808	1,325	-517	824	1,325	-501	4

TRC Meeting Date:		8.17.22			
Department/Agency Name:		Transportation			
Reviewer Name:		Brent Hodges			
Reviewer Title:		Construction Manager 1			
Reviewer Email Address:		Brent.Hodges@gwinnettcounty.com			
Case Number:		RZM2022-00038			
Case Address:		912 Cooper Road			
Comments:		<input checked="" type="checkbox"/> X	YES	<input type="checkbox"/>	NO
1	Cooper Road is a major collector. ADT = 7,275.				
2	6.3 miles to nearest transit facility (#2454884) Grayson Highway and Veterans facility.				
3	Prior to the issuance of a Development Permit, a sight distance certification shall be provided.				
4	Standard deceleration lanes with appropriate taper and adequate right-of-way will be required.				
5	A 5' sidewalk will be required along the property frontage.				
6					
7					
Recommended Zoning Conditions:		<input checked="" type="checkbox"/> X	YES	<input type="checkbox"/>	NO
1	The Developer shall restripe the existing center left-turn lane to reflect an appropriate left-turn into the development.				
2					
3					
4					
5					
6					
7					

TRC Meeting Date:		8/17/2022		
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		Michael.pappas@gwinnettcounty.com		
Case Number:		RZM2022-00038		
Case Address:		912 Cooper Road		
Comments:		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
1	Water: The development may connect to an existing 12-inch water main located on the west right-of-way of Cooper Road.			
2	Sewer: A Sewer Capacity Certification is required to confirm capacity.			
3	Sewer: Pending available capacity, the proposed development may connect to an existing 8-inch sanitary sewer main located approximately 200 feet west in the right-of-way of Swan Lake Drive.			
4				
5				
6				
7				
Recommended Zoning Conditions:		<input type="checkbox"/>	YES	<input checked="" type="checkbox"/> NO
1				
2				
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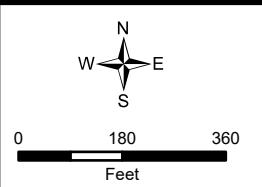
LEGEND



RZM2022-00038

R-100 to R-TH

LOCATION



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

Sewer Comments: A Sewer Capacity Certification is required to confirm capacity. Pending available capacity, the proposed development may connect to an existing 8-inch sanitary sewer main located approximately 200 feet west in the right-of-way of Swan Lake Drive.

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

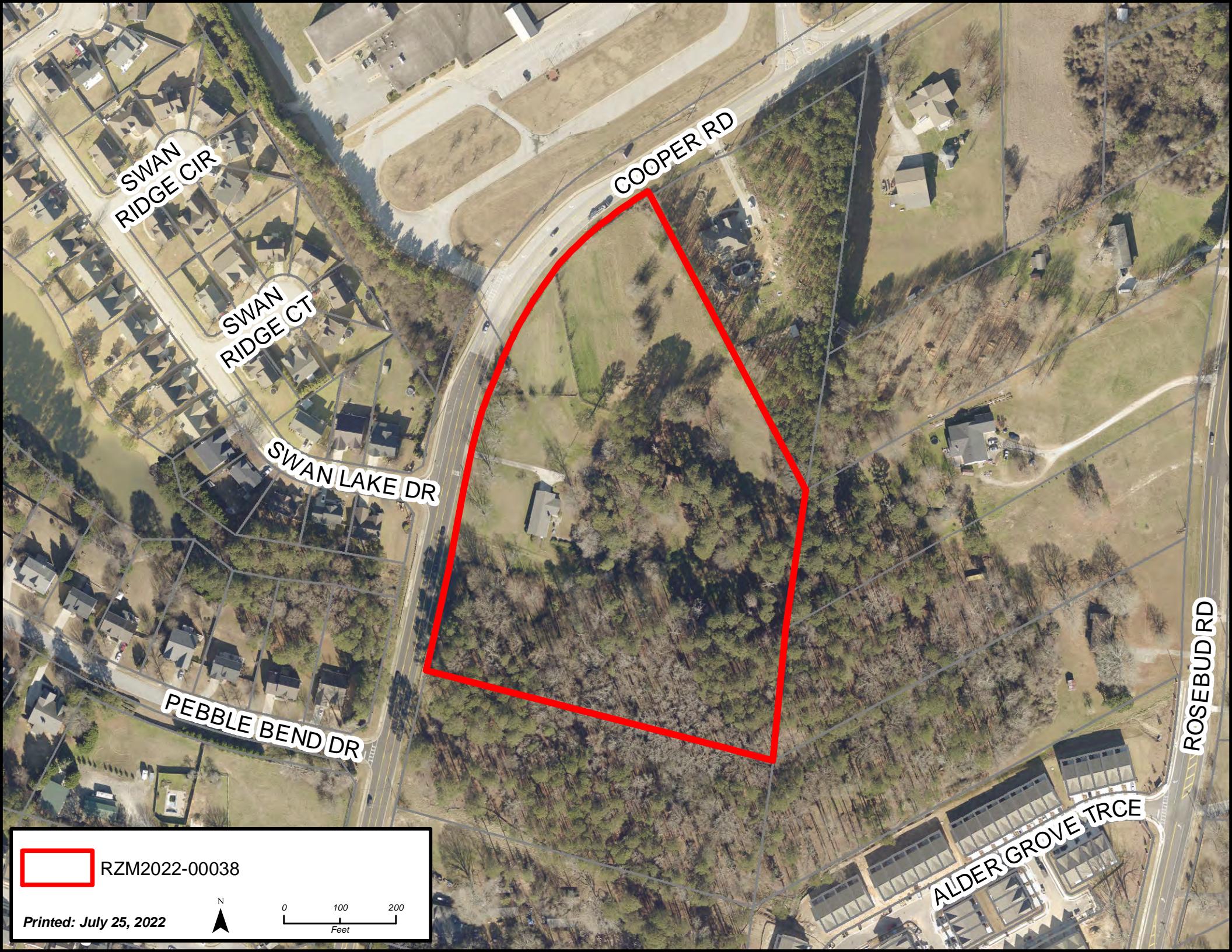
Sewer Availability: A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station,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

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

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

Exhibit F: Maps

[attached]

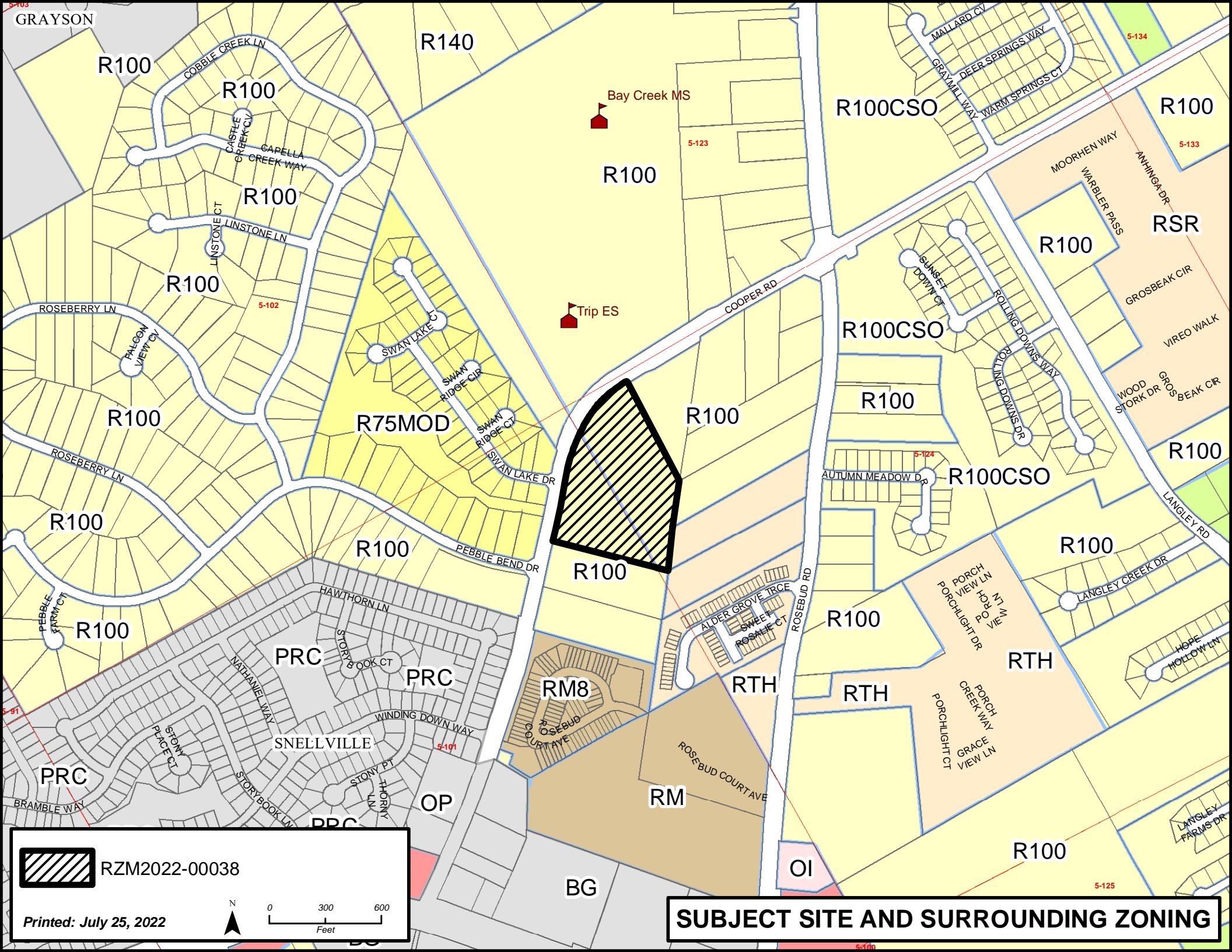


RZM2022-00038



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Printed: July 25, 2022



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7.6.2022

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*	
NAME: _____	NAME: _____	
ADDRESS: _____	ADDRESS: _____	
CITY: _____	CITY: _____	
STATE: _____ ZIP: _____	STATE: _____ ZIP: _____	
PHONE: _____	PHONE: _____	
CONTACT PERSON: _____	PHONE: _____	
CONTACT'S E-MAIL: _____		
APPLICANT IS THE:		
<input type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER	<input type="checkbox"/> CONTRACT PURCHASER
PRESENT ZONING DISTRICT(S): _____	REQUESTED ZONING DISTRICT: _____	
PARCEL NUMBER(S): _____	ACREAGE: _____	
ADDRESS OF PROPERTY: _____		
PROPOSED DEVELOPMENT: _____		

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

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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7.6.2022 ALL THAT TRACT OR PARCEL OF LAND, LYING AND BEING IN LAND LOTS 101 AND 124, 5TH DISTRICT, GWINNETT COUNTY, GEORGIA, CONTAINING 10.242 ACRES OF LAND, MORE OR LESS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTERLINE INTERSECTION OF PEBBLE BEND DRIVE AND COOPER ROAD; THENCE SOUTH 25 DEGREES 37 MINUTES 39 SECONDS WEST, 175.09 FEET TO AN IRON PIN ON THE EASTERN RIGHT-OF-WAY OF COOPER ROAD, BEING THE POINT OF BEGINNING; THENCE ALONG THE RIGHT-OF-WAY OF COOPER ROAD NORTH 11 DEGREES 47 MINUTES 02 SECONDS EAST, 247.75 FEET TO A POINT; THENCE NORTH 11 DEGREES 47 MINUTES 02 SECONDS EAST, 153.71 FEET TO A POINT; THENCE 568.95 FEET ALONG AN ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 708.00 FEET, A CHORD BEARING OF NORTH 34 DEGREES 46 MINUTES 47 SECONDS EAST, AND A CHORD DISTANCE OF 553.77 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 27 DEGREES 46 MINUTES 53 SECONDS EAST, 601.08 FEET TO A 1 1/2" OPEN TOP PIPE; THENCE SOUTH 07 DEGREES 41 MINUTES 27 SECONDS WEST, 249.43 FEET TO AN IRON PIN; THENCE SOUTH 07 DEGREES 41 MINUTES 27 SECONDS WEST, 249.80 FEET TO AN IRON BEAM; THENCE NORTH 73 DEGREES 42 MINUTES 12 SECONDS WEST, 636.80 FEET TO THE POINT OF BEGINNING.

SAID TRACTS OF LAND BEING LOTS NO. 9 (NINE), 10 (TEN), AND 11 (ELEVEN) OF THE ESCO SUBDIVISION AND GWINNETT COUNTY TAX PARCEL R5101-003 AND R5101-004.

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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:

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

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

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

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

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

- (A) Yes, approval of the proposed Rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property. The surrounding area is characterized by a mix of land uses including residential and institutional uses.
- (B) No, the proposed Rezoning Application will not adversely affect the existing use or usability of any of the nearby properties. Rather, the proposed development would complement the surrounding land use mix.
- (C) Due to the size, location, layout, and dimensions of the subject property, the Applicant submits that the Property does not have reasonable economic use as currently zoned.
- (D) No, the proposed Rezoning Application will not result in an excessive or burdensome use of the infrastructure systems. The Property is located on Cooper Road with access to utilities.
- (E) Yes, the proposed Rezoning Application is in conformity with the policy and intent of the Gwinnett County Land Use Plan which designates the Property as within the Community Mixed-Use Character Area. Policies of the 2040 Plan encourage a variety of land uses in this character area including townhomes.
- (F) The Applicant submits that the subject Property's location in close proximity to single-family attached and multifamily residential developments and its convenient access to Athens Highway (US Route 78) provide additional supporting grounds for approval of the application.

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7.6.2022



Matthew P. Benson
G. Tyler Boyd
Catherine W. Davidson
Gerald Davidson, Jr.*
Rebecca B. Gober
Brian T. Easley
Christopher D. Holbrook

Shane M. Lanham
Jeffrey R. Mahaffey
Jessica R. Pickens
Steven A. Pickens
Andrew D. Stancil
R. Lee Tucker, Jr.

*Of Counsel

LETTER OF INTENT FOR REZONING APPLICATION

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Rezoning Application on behalf of Ridgeline Land Planning, Inc. (the “Applicant”) for the purpose of rezoning to the R-TH zoning classification an approximately 10.24-acre tract of land (the “Property”) located along Cooper Road about a half mile north of Athens Highway (U.S. Route 78). The Property is currently zoned R-100 and is located within the Community Mixed-use Character Area according to the Gwinnett County 2040 Unified Plan Future Development Map.

The Applicant proposes to develop the Property for use as a single-family attached townhome community including a total of 62 homes at an overall density of 6.05 units per acre, which is well below the maximum density for R-TH of 10.0 units per acre. A single access point is proposed on Cooper Road which is aligned with Swan Lake Drive. The proposed community would include homes with attractive building materials including brick, stone, and/or fiber cement siding or shake which is compatible with the architectural style and building materials of homes in the surrounding area. The Property is adjacent to land zoned R-100 and R-TH with additional single-family attached and multifamily residential uses located just to the south which have access onto Rosebud Road. Cooper Road’s intersection with Athens Highway includes a variety of

Sugarloaf Office || 1550 North Brown Road, Suite 125, Lawrenceville, Georgia 30043

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

TELEPHONE 770 232 0000

FACSIMILE 678 518 6880

www.mptlawfirm.com

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7.6.2022 commercial and residential uses including restaurants, shops, and townhomes. To the north across

Cooper Road are the Trip Elementary School and Bay Creek Middle School, which are relatively intense institutional/non-residential uses.

The proposed development is compatible with the policies of the Gwinnett County 2040 Unified Plan (the “2040 Plan”) which encourage the development of a mix of land uses and housing types within the Community Mixed-Use Character Area. While the 2040 Plan would accommodate a much more intense mix of land uses, such as commercial and multifamily residential uses, the Applicant respectfully submits that the Property’s location at the northern edge of the character as well as the nature of adjacent land uses support a less intense residential development with attached single-family homes.

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 set forth in this letter or in the Rezoning Application filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted this 7th day of July, 2022.

MAHAFFEY PICKENS TUCKER, LLP

Shane Lanham

Shane M. Lanham
Attorneys for Applicant

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7.6.2022

Gwinnett County Planning Division
Rezoning Application
Last Updated 5/2021

REZONING APPLICANT'S CERTIFICATION

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



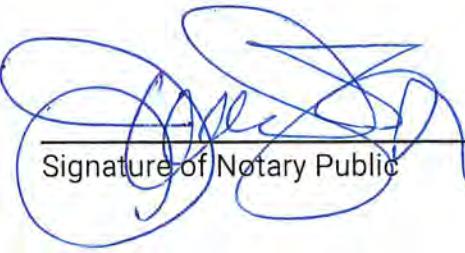
Signature of Applicant

7/6/22

Date

Shane Lanham, attorney for the Applicant

Type or Print Name and Title



Signature of Notary Public

7/6/22

Date



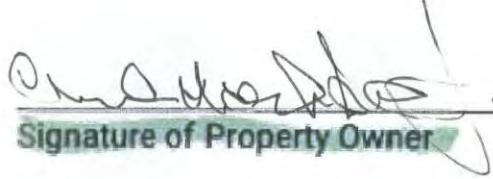
Notary Seal

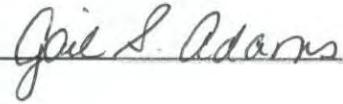
RECEIVED

7.6.2022

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.

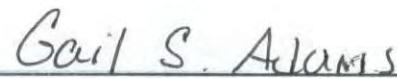

Signature of Property Owner


Gail S. Adams

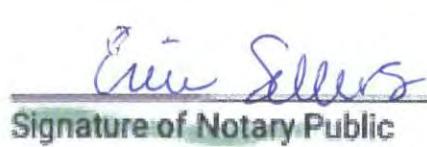
6/28/2022

Date


CHARLES ~~SHIRLEY~~ ^{MATTHEW} SHIRLEY JR
Type or Print Name and Title


Gail S. Adams

Type or Print Name and Title


Erin Sellers
Signature of Notary Public

06-28-2022

Date



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Gwinnett County Planning Division
Rezoning Application
Last Updated 5/2021

CONFLICT OF INTEREST CERTIFICATION FOR REZONING

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

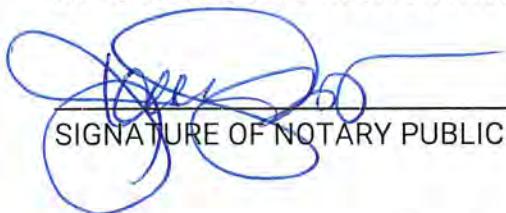
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE



7/6/22

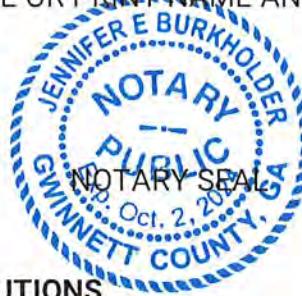
Shane Lanham, attorney for the Applicant

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



7/6/22

JENNIFER E BURKHOLDER



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

Mahaffey Pickens Tucker, LLP

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)
Kirkland Carden	\$2,800	

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

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Gwinnett County Planning Division
Rezoning Application
Last Updated 5/2021

Cooper
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:
(Map Reference Number)

5 - *101* - *003*
District Land Lot Parcel


Signature of Applicant

5/26/22
Date

Shane Lanham, attorney for the 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

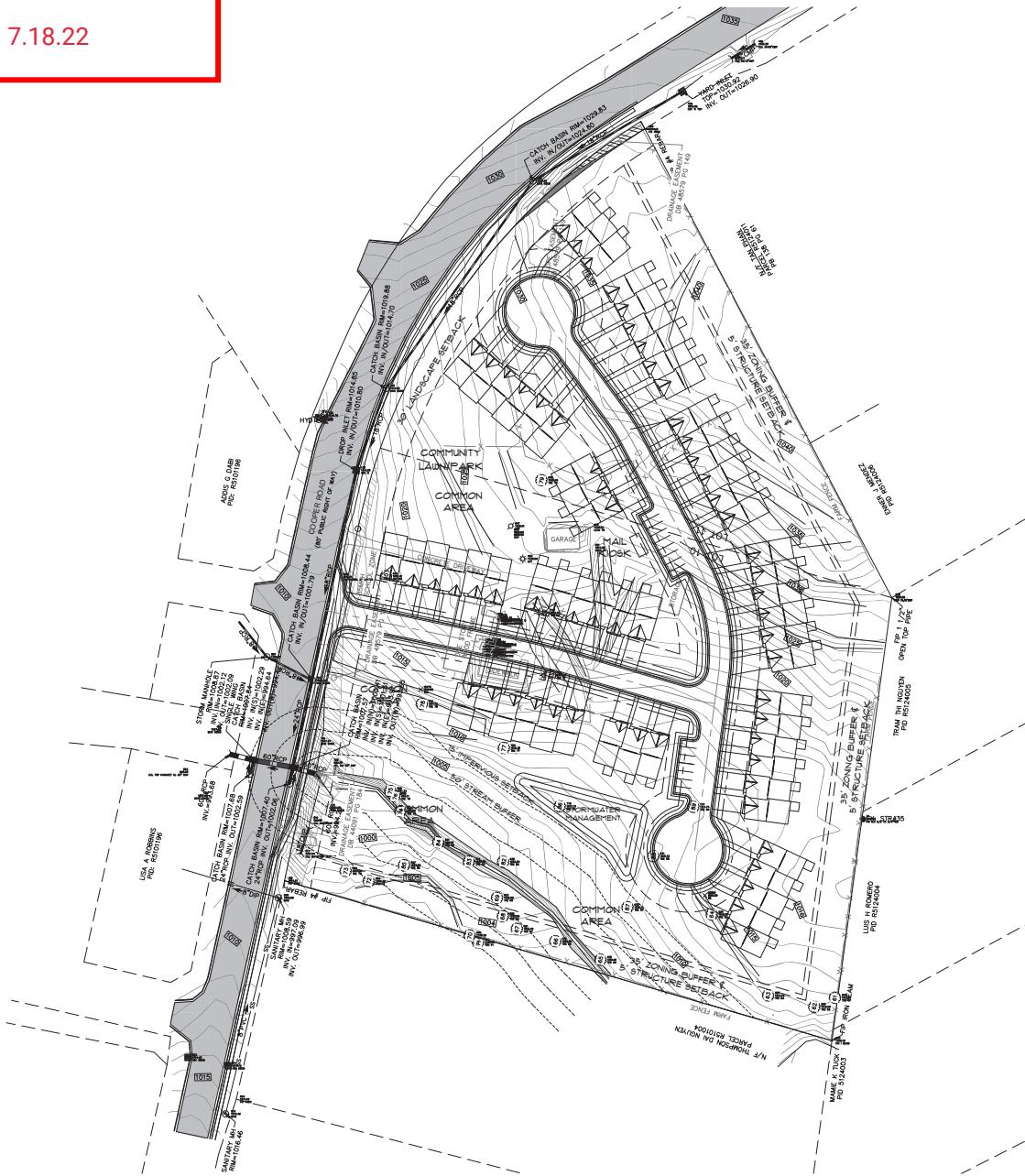
(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

Tonia H
NAME
5.26.2022
DATE

TSA
TITLE

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7.18.22



SUMMARY
PARCEL: 5101 003

CURRENT ZONING: R100
PROPOSED ZONING: R-TH
GROSS AREA: 10.242 ACRES
NET AREA: 10.242 ACRES

PROPOSED TOWNHOME UNITS: 62 UNITS

PROPOSED GROSS DENSITY:
6.05 UNITS PER ACRE

PROPOSED NET DENSITY:
6.05 UNITS PER ACRE

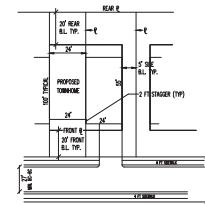
MINIMUM 20% (2.05 ACRES) COMMON AREA PROVIDED

PARKING:
124 SPACES PROVIDED BY 2 CAR GARAGE
PER DWELLING UNIT

124 SPACES PROVIDED BY DRIVEWAY SPACES
PER DWELLING UNIT

16 VISITOR PARKING SPACES PROVIDED.
(.25 SPACES PER DWELLING UNIT)

COMMON AREA REQUIRED (6%): 0.61 ACRES
COMMON AREA REQUIRED (6.54%): 0.61 ACRES



24 ft TOWNHOME



NOF



GSWCC CERTIFICATION
NO. 0000035391

PREPARED FOR

COOPER ROAD TRACT
912 COOPER ROAD
GRAYSON, GA 30017
GWINNETT COUNTY, GEORGIA



ZONING
PLAN

SHEET TITLE

DATE 7/18/2022	NO. 1	REVISION REVISED PER P&D DATED 7/15/2022
DESIGNED BY: HIP	SCALE: 1"=60'	
DRAWN BY: HIP	Z1	
SUPERED BY: HIP	SHEET	
JOB NO.:		

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7.6.2022



COOPER ROAD TOWNHOMES

**(6-Unit Group)
Sample Elevations**

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7.7.2022

