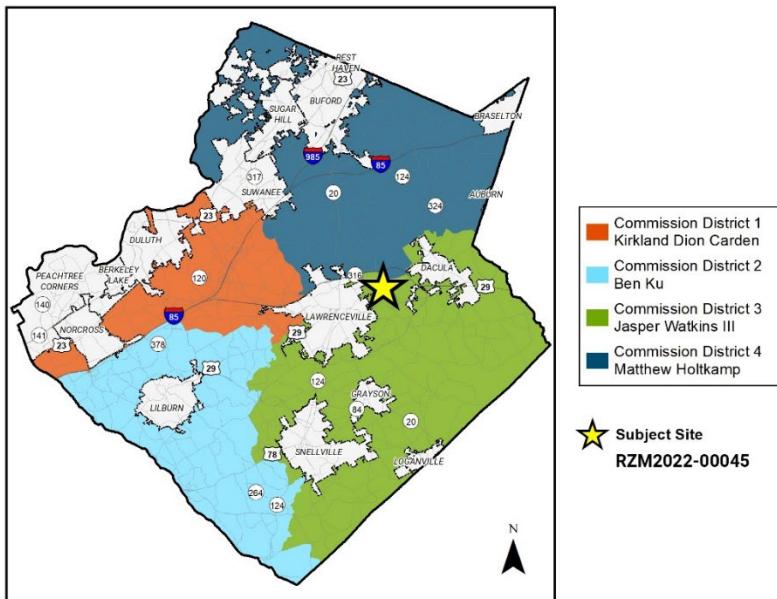




## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

<b>Case Number:</b>	<b>RZM2022-00045</b>
<b>Current Zoning:</b>	<b>R-75</b> (Single-Family Residence District)
<b>Request:</b>	Rezoning to <b>RM-13</b> (Multi-Family Residence District)
<b>Address:</b>	1085 Winder Highway
<b>Map Number:</b>	R5210 010
<b>Site Area:</b>	5.50
<b>Units:</b>	72
<b>Proposed Development:</b>	Apartments
<b>Commission District:</b>	District 3 – Commissioner Watkins
<b>Character Area:</b>	Community Node
<b>Staff Recommendation:</b>	<b>DENIAL</b>
<b>Planning Commission Recommendation:</b>	<b>DENIAL WITHOUT PREJUDICE</b>



Planning Commission Advertised Public Hearing Date: 11/1/2022 (Public Hearing Tabled to 12/5/2022)  
Board of Commissioners Advertised Public Hearing Date: 11/15/2022 (Public Hearing Tabled to 12/13/2022)  
Remanded to Planning Commission  
Planning Commissioner Readvertised Public Hearing Date: 6/6/2023  
Board of Commissioners Readvertised Date: 6/27/2023

**Applicant:** CKK Development  
270 North Clayton Street  
Lawrenceville, GA 30046

**Owner:** Kenneth Buffington  
1310 Water Shine Way  
Snellville, GA 30078

**Contact:** Andy Lunsford

**Phone:** 678.314.0466

## Zoning History

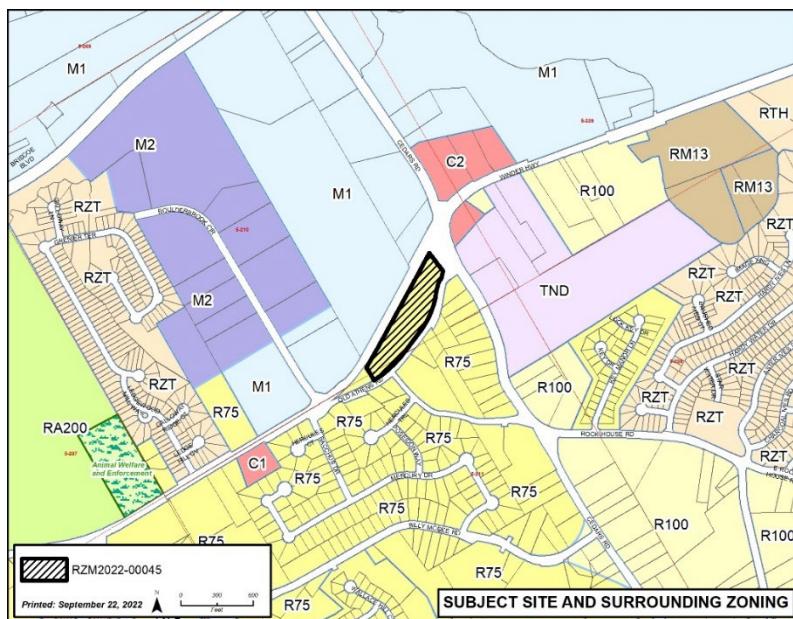
The subject property is zoned R-75 (Single-Family Residence District). No other zoning history is on record for this property.

## Existing Site Condition

The subject site is a 5.50-acre parcel located along Winder Highway at its intersection with Cedars Road. The site is bound on three sides by the rights of way of Winder Highway, Cedars Road, and Old Athens Road. The property is undeveloped and heavily wooded. The topography varies throughout the site. It generally slopes downward from Cedars Road to the southwestern portion of the site, where a stream is present. There are no sidewalks on any of the three road frontages. The nearest Gwinnett County Transit stop is 3.1 miles from the site.

## Surrounding Use and Zoning

The subject site is surrounded by single-family residential homes on large lots to the south across Old Athens Road. To the north, across Winder Highway are undeveloped light industrially zoned parcels. A small commercial node exists at the Winder Highway and Cedars Road intersection consisting of a memory care facility, convenience store with fuel pumps, and retail store. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Apartments	RM-13	13 units per acre
North	Undeveloped	M-1	N/A
East	Commercial	C-2	N/A
South	Single-Family Residential	R-75	1.75 units per acre
West	Undeveloped	R-75	N/A

## Project Summary

The applicant requests rezoning of a 5.50-acre property from R-75 to RM-13 for apartments, including:

- 72 apartment units within three, three-story buildings, yielding a net density of 13 units per acre.
- Exterior building materials such as brick, stone, and cementitious siding.
- An amenity area featuring a tot lot, pool, cabana, and pool house.
- 141 surface parking spaces located throughout the site.
- Access provided via two entrances. A limited access driveway along Winder Highway and a full access driveway along Old Athens Road.
- A total of 2.41 acres (43.8 percent) of open space located near the far eastern and western portions of the property.
- Required 5-foot-wide sidewalks along Winder Highway and Old Athens Road. Sidewalks are not indicated along Cedars Road but will be required during permitting.
- Required 10-foot-wide landscape strips along Winder Highway and Old Athens Road.
- A required 50-foot-wide zoning buffer adjacent to R-75 zoned property.
- No information about unit mix or minimum unit size was provided by the applicant.

## Zoning and Development Standards

The applicant is requesting a rezoning to RM-13, Multi-Family Residence District. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 50'	50'	YES
Front Yard Setback	Minimum 15'	15'	YES
Side Yard Setback	Minimum 10'	10'	YES
Rear Yard Setback	Minimum 30'	30'	YES
Landscape Strip	Minimum 10'	10'	YES
Density	Maximum 13 units per acre	13 units per acre	YES
Common Area	15 percent (0.83 acres)	43.8 percent (2.41 acres)	YES
Parking	Minimum 108 spaces Maximum 216 spaces	141 spaces	YES
Zoning Buffer	50' undisturbed adjacent to R-75	50'	YES
Minimum Heated Floor area	2-Bedroom: 800 square feet 3-Bedroom: 1000 square feet	Unknown	N/A

## **Internal and External Agency Review**

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

## **Staff Analysis**

**Rezoning Request Analysis:** According to the UDO, if a proposed amendment is for the rezoning of property 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 subject site is surrounded by single-family residential homes on large lots to the south across Old Athens Road. To the north, across Winder Highway are undeveloped light industrially zoned parcels. A small commercial node exists at the Winder Highway and Cedars Road intersection consisting of a memory care facility, convenience store with fuel pumps, and retail store. A standalone apartment development would not provide commercial and office uses for nearby residences and employees. Therefore, the proposed multi-family housing development is not suitable and compatible with the area.

**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 could be adversely impacted by the proposed development. The site's proximity to the airport, and recently approved residential developments makes it an ideal candidate for mixed-use development. Therefore, mixed-use development would be a better fit for the 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.

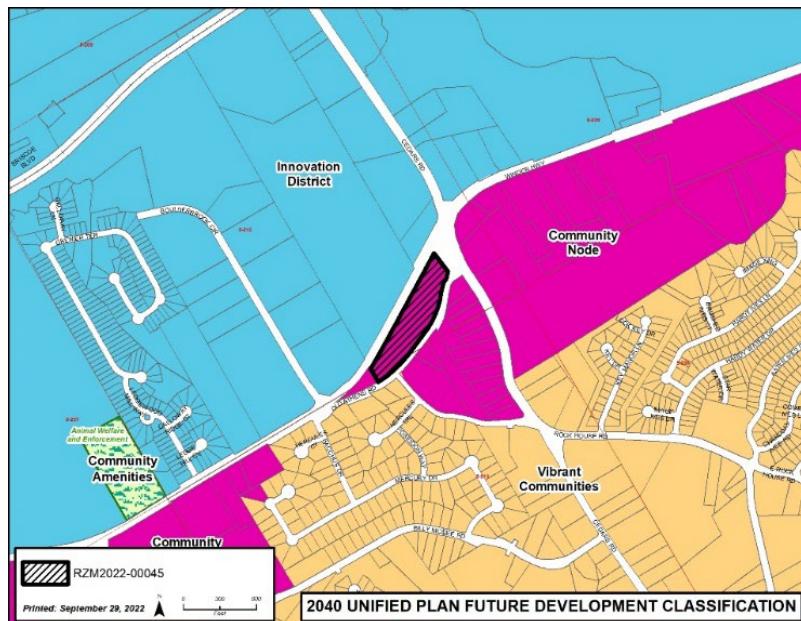
**D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

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

**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 and Future Development Map indicates the subject property is within the Community Node Character Area. This area is characterized by mixed-use developments incorporating commercial, office, live-work, and similar ground floor uses with high-density residential uses. This designation promotes mixed-use developments with ground floor non-residential uses that should be oriented toward the street with direct pedestrian access, outdoor patios, plazas, etc., to encourage pedestrian activity. However, the proposed development is not a mixed-use development. A mixed-use development compatible with the surrounding area would be more appropriate in this area. Single use of the property for apartments does not conform with the policy and intent of the Unified Plan and Future Development Map.

Prior to September 27, 2022, the site was located within the Emerging Suburban Character Area. Most Emerging Suburban areas are located on local, collector, or minor arterial roads rather than major arterials and corridors. As this character area develops, it is likely that new Neighborhood Nodes would be designated at key intersections. Multifamily residential development is not one of the potential development types recommended in the Emerging Suburban Character Area. Therefore, although the site plan was prepared prior to the change in character area, the proposed development does not meet the intent of the Emerging Suburban Character Area.



**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 site is located adjacent to the Innovation District Character Area. The Innovation District lies predominately along University Parkway (State Route 316) which has been designated as a Research and Development Corridor by the County. This corridor includes Georgia Gwinnett College, Gwinnett Technical College, Gwinnett Medical Center, and Gwinnett County Airport with Briscoe Field, which serves mainly private aviation and corporate jets. The site is also in a close

proximity to Rowen, a planned 2,000-acre research hub, which is anticipated to create a substantial number of jobs and provide housing. The proximity of these elements provides the opportunity for an enterprise-type relationship between the colleges, the medical center, and research and development companies. These elements should be supported by opportunities for uses with mixed-use developments. However, the proposed development is a single use multi-family residential development, which gives supporting grounds for disapproval of the proposed rezoning.

## **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 **DENIAL** of the rezoning request.

## **Staff Recommended Conditions**

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

Approval as **RM-13** (Multi-Family Residence District) for the development of a multi-family residential development, subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated September 13, 2022, Exhibit C: Building Elevations dated September 1, 2022, with revisions required by conditions of approval as reviewed and approved by the Department of Planning and Development.
2. Uses on the site shall be limited to multifamily dwellings with a maximum density of 13 units per acre and accessory uses and structures.
3. The minimum heated floor area per dwelling unit shall be a minimum 600 square feet for one-bedroom units, 800 square feet for two-bedroom units, and 1,000 square feet for three-bedroom units. Efficiency units shall be prohibited, and the complex shall be limited to a maximum of 10 percent of units as three bedrooms or larger.
4. Buildings shall comply with Category 3, Multifamily Residential Building of the Gwinnett County Architectural Standards. Building elevations shall be submitted for review and approval by the Department of Planning and Development prior to the issuance of a development permit.
5. To promote internal pedestrian connectivity between buildings and throughout the site, the applicant shall provide a pedestrian circulation plan for the site, subject to the review and approval of the Department of Planning and Development.
6. Natural vegetation shall remain on the property until the issuance of a development permit.
7. All grassed areas shall be sodded.
8. Stormwater BMP facilities shall be screened from view of adjoining properties and rights of way by decorative fencing and/or landscaping in compliance with the Gwinnett County Stormwater Management Manual.

9. Amenity areas shall consist of, at minimum, a common area including a swimming pool, clubhouse, and fitness center. The design and location of all common areas shall be subject to review and approval of the Department of Planning and Development.
10. The developer shall provide a left-turn lane into the development for the proposed entrance from Winder Highway.
11. The developer shall bring Olde Athens Road up to minimum Gwinnett County standards for a local street, along the entire Olde Athens Road frontage.

### **Planning Commission Recommendation**

Based on the staff's evaluation of the request, the 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 **DENIAL WITHOUT PREJUDICE** of the rezoning request.

**Exhibits:**

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

### **Exhibit A: Site Visit Photo**



**View from Cedars Road**



**View from Old Athens Road**



**View from Winder Highway**



**View from Winder Highway**

**Exhibit B: Site Plan**

**[attached]**

TOTAL AREA: 5.50 ACRES

LEGEND :	
POB	POINT OF BEGINNING
LL	LINE
R/W	RIGHT OF WAY
CTF	CRIMP TOP FOUND
OTF	OPEN TOP FOUND
REBAR SET	REBAR SET
R&M	REINFORCED METAL PIPE
RCP	REINFORCED CONCRETE PIPE
PP	POLYPROPYLENE PIPE
PVC	POLYVINYLCHLORIDE PIPE
SWCB	SINGLE WING CATCH BASIN
CI	CURB INLET
IN	INLET
OCS	OUTLET CONTROL SYSTEM
SD	SD
PS	PLADED END SECTION
HW	HEAD WALL
WT	WEIR
SSMH	SANITARY SEWER MANHOLE
CO	CLEAR CUT
DN	DUCT
-OHP	OVERHEAD POWER LINE
-OTL	OVERHEAD TELEPHONE LINE
-UTL	UNDERGROUND TELEPHONE LINE
EO	UTILITY POLE
-P	POWER LINE
PP	POWER POLE
L/P	LIGHT POLE
C/I/T	CABLE/INTERCIR/TELEPHONE
PI	PIPE
-W	WATER LINE
TV	TELEVISION
WV	WATER VALVE
VM	VALVE
SP	SPOT
BL	BUILDING LINE
EP	EDGE OF PAVEMENT
SP	SPOT
MP	MONITORING POINT
*	WETLAND
SL	STREET LIGHT

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

RECEIVED

9/13/2022

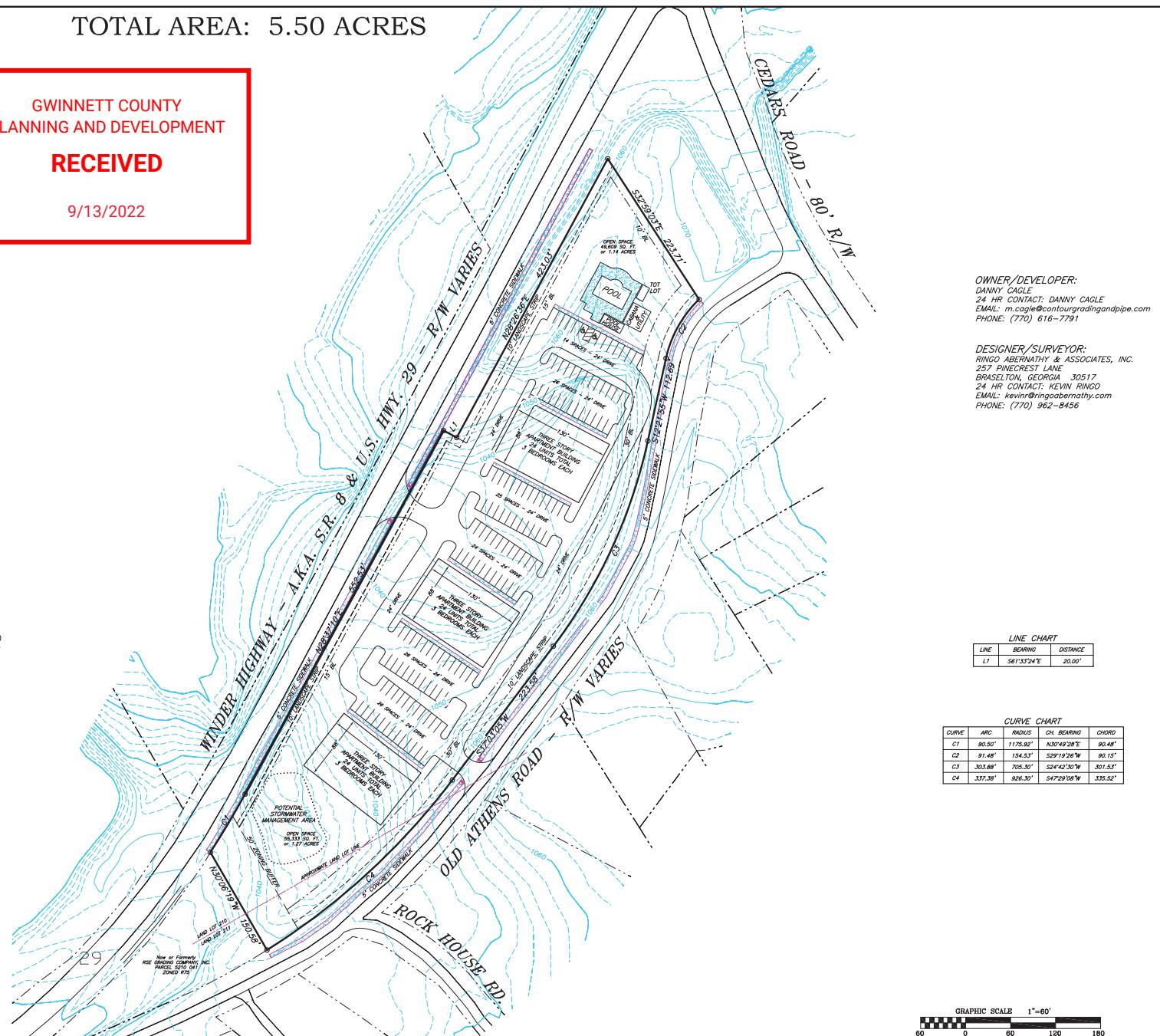
GENERAL NOTES:

- PROPERTY LOCATED AT 1086 WINDER HWY.
- TOTAL AREA OF PROPERTY: 5.50 ACRES
- EXISTING PROPERTY ZONING: R75
- PROPOSED PROPERTY ZONING: RM13
- PARCEL: 5210 010
- DEVELOPMENT NUMBER OF UNITS: 72
- MINIMUM LOT SIZE: 18,000 SQ. FT.
- GROSS DENSITY: 13.0 UNITS PER ACRE
- NET DENSITY: 13.0 UNITS PER ACRE
- MAXIMUM BUILDING HEIGHT: 50'
- SETBACKS: FRONT: 15' / SIDE: 10' / REAR: 30'
- ALL STREETS ARE TO BE PUBLIC STREETS.
- ALL GRASSED AREAS SHALL BE SODDED.
- WATER SERVICE TO BE PROVIDED BY GWINNETT COUNTY.
- SANITARY SEWER SERVICE TO BE PROVIDED BY GWINNETT COUNTY.
- ALL UTILITIES TO BE LOCATED UNDERGROUND.
- FIRM PANEL 13135C0075R, DATED 09/29/2006 INDICATES THAT THIS PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARD AREA.
- LOT LAYOUT SUBJECT TO CHANGE DURING DESIGN PHASE OF PROJECT.
- TOTAL AREA: 103,942 SQ. FT. or 2.41 ACRES
- COMMON AREA REQUIRED: 15.0% OF PROJECT (0.83 ACRES)
- COMMON AREA PROVIDED: 43.8% OF PROJECT (2.41 ACRES)
- PARKING REQUIREMENTS: 1.5 SPACE/UNIT MINIMUM = 108  
3.0 SPACE/UNIT MAXIMUM = 216
- TOTAL PARKING SPACES PROVIDED: 141  
PARKING REQUIREMENTS MET



KNOW WHAT'S BLOWN... CALL BEFORE YOU DIG  
IF YOU DIG GEORGIA... CALL FIRST

THE EXISTING UTILITIES SHOWN ON THIS PLAN WERE STAINED FROM VARIOUS UTILITY COMPANIES, VARIOUS GOVERNMENT AGENCIES, AND OTHER SOURCES. THE INFORMATION CONTAINED ON THIS PLAN IS NOT A SURVEY AND IS NOT TO THE COMPLETENESS OF THIS INFORMATION. THE SIZE, LOCATION, AND POSITION OF THESE UTILITIES ARE NOT KNOWN UNTIL EXCAVATION. PRIOR TO BEGINNING ANY EARTH MOVING ACTIVITIES, THE UTILITY PROTECTION SERVICE FOR THIS AREA MUST BE NOTIFIED.



OWNER/DEVELOPER:  
DANNY CAGLE  
24 HR CONTACT: DANNY CAGLE  
EMAIL: m.cagle@contourgradingandpipe.com  
PHONE: (770) 616-7791

DESIGNER/SURVEYOR:  
RINGO ABERNATHY & ASSOCIATES, INC.  
257 PINESCREST LANE  
BRASILTON, GEORGIA 30517  
24 HR CONTACT: KEVIN RINGO  
EMAIL: kevin@ringoabernathy.com  
PHONE: (770) 962-8456

LINE CHART		
LINE	BEARING	DISTANCE
L1	561°33'24"E	20.00'

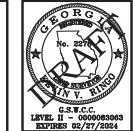
CURVE CHART				
CURVE	ARC	RADIUS	CH. BEARING	CHORD
C1	90.50'	1175.92'	N30°49'28"E	90.48'
C2	91.48'	154.53'	S29°19'26"W	90.15'
C3	303.89'	705.30'	S24°42'30"W	301.53'
C4	337.39'	926.30'	S47°29'08"W	335.52'

REZONING PLAN FOR:

DANNY CAGLE ET. AL.

REVISIONS	NO.	DATE

GRAPHIC SCALE 1"=60'  
60 0 60 120 180



G.S.W.C.

EXPIRES 02/27/2024

THIS SURVEY WAS PERFORMED IN THE STATE OF GEORGIA IN ACCORDANCE WITH THE TECHNICAL STANDARDS AND PRACTICE STANDARDS IN GEORGIA AS SET FORTH IN CHAPTER 101 OF THE GEORGIA CODE OF REGULATIONS. THE GEORGIA BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT (O.C.G.A. 51-4-47).

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**Exhibit C: Building Elevations**

**[attached]**

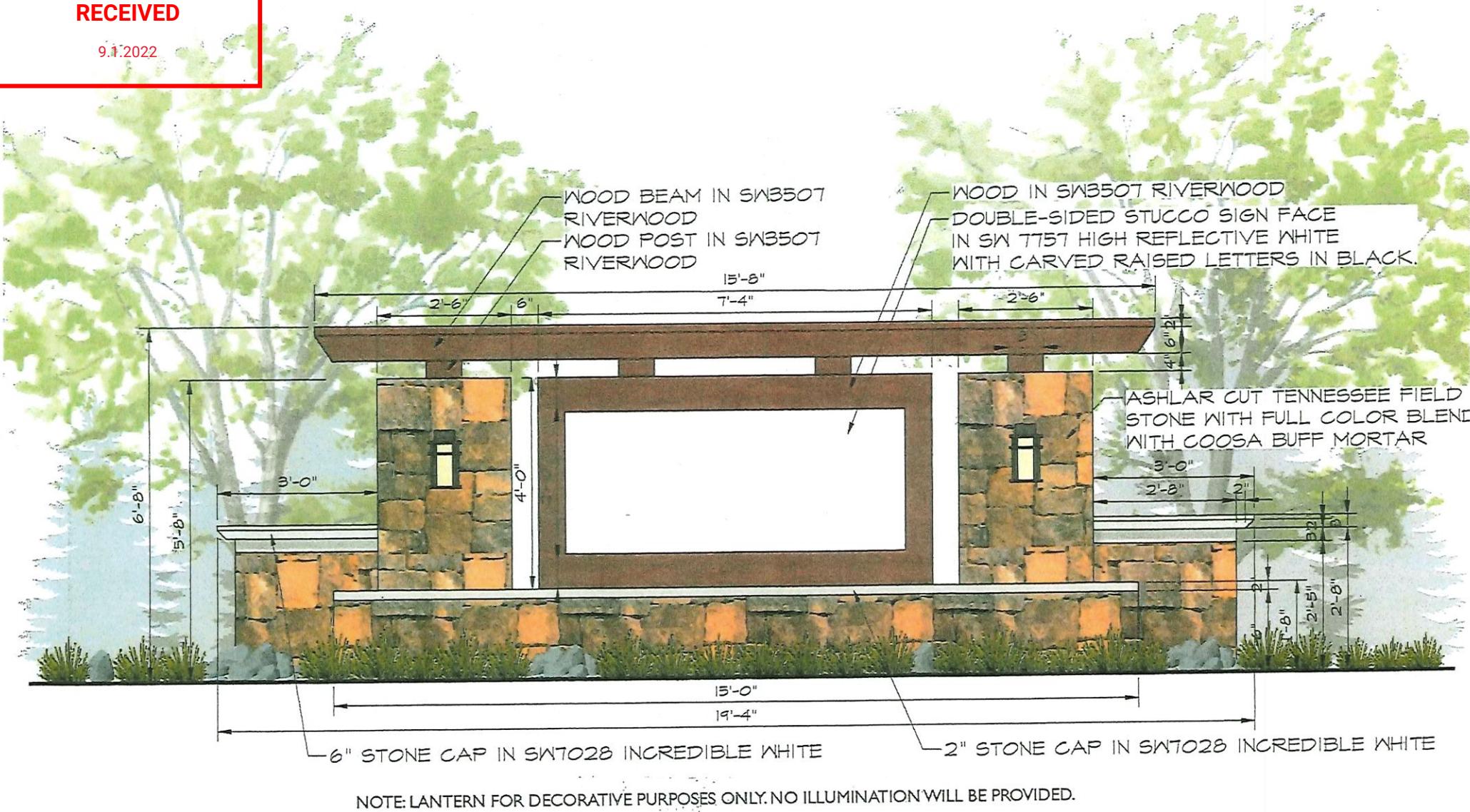
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**Exhibit D: Letter of Intent and Applicant's Response to Standards**

**[attached]**

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9.1.2022

# C.K.K. DEVELOPMENT SERVICES

270 NORTH CLAYTON ST.

LAWRENCEVILLE, GA 30046

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## Letter of Intent

To: Gwinnett County

From: CKK Development Services

Subject: Property located 1085 Winder Hwy, Lawrenceville Ga

### LETTER OF INTENT FOR REZONING APPLICATION

CKK Development Services submits this Letter of Intent and attached rezoning applications (the "Applications") in order to permit the development of a tract of land with a total area of approximately 5.5-acres (the "Tract") situated along Winder Hwy. The Tract is currently zoned R75 (Agriculture Residential District). The Applicant proposes to develop 72 two and three bedroom apartment units in three buildings.

The Applicant is requesting to rezone the Property to the RM13 (Multifamily Development District) zoning classification in order to develop the community with 72 units and approximately 43.8% or 2.41 acres of common space. The proposed infill development would include 3 attractive buildings that are compatible with land uses in the surrounding area. The proposed buildings would be constructed with attractive building materials such as brick, stone, and/or cementitious shake/siding. See Attached Elevations

The proposed development is compatible with surrounding land uses and would diversify available housing types in the area. The proposed development would also provide an appropriate transition of land uses moving north along Winder Hwy. The adjacent properties are zoned R-75 to the south, TND to the northeast and M1 to the northwest. RM13 is approximately .25 miles north of the subject. The Gross and Net Density is 13.0 units per acre.

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9.1.2022 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 1st day of September,  
2022.



J. Andrew Lunsford

CKK Development

[andy@ckkdev.com](mailto:andy@ckkdev.com)

678-314-0466

**RECEIVED**

9.1.2022

**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. Located on Winder Hwy, the property has RM13 zoning within a few hundred yards to the northeast.
- (B) No, approval of the proposed rezoning will not adversely affect the existing use or usability of any of the nearby properties. The proposed zoning classification is comparable with existing residential, commercial, and industrial land uses of adjacent and nearby property.
- (C) Due to the size, location, and layout of the subject property, the Applicant submits that the property does not have reasonable economic use as currently zoned.
- (D) No, the proposed zoning will not result in an excessive or burdensome use of the infrastructure system. The property has convenient access to 316.
- (E) Yes, approval of the proposed Rezoning Application would be in conformity with the policy and intent of Gwinnett County Land Use Plan.
- (F) The Applicant submits that the subject property's current R75 zoning classification and its proximity to major transportation corridors provide additional supporting ground for approval of the Application.

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

**[attached]**

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9.1.2022

**REZONING APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>CKK Development</u>	NAME: <u>Kenneth Buffington</u>
ADDRESS: <u>270 N Clayton St</u>	ADDRESS: <u>1310 Water Shine Way</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Snellville</u>
STATE: <u>GA</u> ZIP: <u>30046</u>	STATE: <u>GA</u> ZIP: <u>30078</u>
PHONE: <u>678 314 0466</u>	PHONE: <u>678 314 0466</u>
EMAIL: <u>andy @ ckkdev.com</u>	EMAIL: <u>andy @ ckkdev.com</u>
CONTACT PERSON: <u>Andy Lunsford</u>	PHONE: <u>678-314-0466</u>
CONTACT'S E-MAIL: <u>andy @ ckkdev.com</u>	
<b>APPLICANT IS THE:</b>	
<input type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER
PRESENT ZONING DISTRICT(S): <u>R75</u> REQUESTED ZONING DISTRICT: <u>RM13</u>	
PARCEL NUMBER(S): <u>R5 210 010</u> ACREAGE: _____	
ADDRESS OF PROPERTY: <u>1085 Winder Hwy</u>	
PROPOSED DEVELOPMENT: <u>72 unit Apartment Complex</u>	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>3 lots/72 units</u>	No. of Buildings/Lots: <u>3</u>
Dwelling Unit Size (Sq. Ft.): <u>Various</u>	Total Building Sq. Ft. <u>Various</u>
Gross Density: <u>13.0 per acre</u>	Density: <u>13.0</u>
Net Density: <u>13.0 per acre</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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**REZONING APPLICANT'S CERTIFICATION**

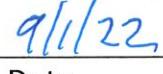
THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL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

  
Signature of Applicant

  
Date

  
Type or Print Name and Title

  
Signature of Notary Public

  
Date



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9.1.2022

**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.

*Kenneth M. Buffington*  
Signature of Property Owner

8/30/2022

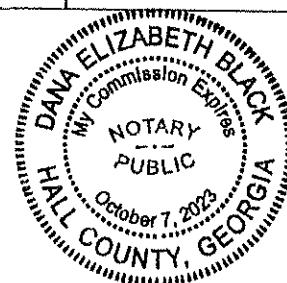
Date

KENNETH M. BUFFINGTON, PROPERTY OWNER  
Type or Print Name and Title

*[Signature]*  
Signature of Notary Public

8-31-22

Date



Notary Seal

RECEIVED

9.1.2022

### **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.

  
SIGNATURE OF APPLICANT

9/1/22  
DATE

  
Joshua (Duncan) Carly - Bres  
TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S  
ATTORNEY OR REPRESENTATIVE

DATE

TYPE OR PRINT NAME AND TITLE

  
SIGNATURE OF NOTARY PUBLIC

9/1/22  
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

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

9.1.2022

**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:**  
(Map Reference Number)

R5 - 210 - 010  
District      Land Lot      Parcel

Signature of Applicant

Date

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)

Darlyne Newell  
NAME  
09/01/2022  
DATE

TSA  
TITLE

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

**[attached]**



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

<b>TRC Meeting Date:</b> 10.7.2022				
Department/Agency Name: Transportation				
Reviewer Name: Brent Hodges				
Reviewer Title: Construction Manager 1				
Reviewer Email Address: <a href="mailto:Brent.Hodges@gwinnettcounty.com">Brent.Hodges@gwinnettcounty.com</a>				
Case Number: RZM2022-00045				
Case Address: 1085 Winder Highway				
<b>Comments:</b>		<input checked="" type="checkbox"/> X	<input type="checkbox"/> YES	<input type="checkbox"/> NO
1	Winder Highway is a major arterial. ADT = 11,100.			
2	3.1 miles to nearest transit facility (#2334968) Grayson Highway and Lawrenceville Square Plaza.			
3	Prior to the issuance of a Development Permit, a sight distance certification shall be provided for all proposed entrances.			
4				
5				
6				
7				
<b>Recommended Zoning Conditions:</b>		<input checked="" type="checkbox"/> X	<input type="checkbox"/> YES	<input type="checkbox"/> NO
1	The developer shall provide a left-turn lane into the development for the proposed entrance from Winder Highway.			
2	The developer shall bring Olde Athens Road up to minimum Gwinnett County standards for a local street, along the entire Olde Athens Road frontage.			
3				
4				
5				
6				
7				

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

Revised 7/26/2021

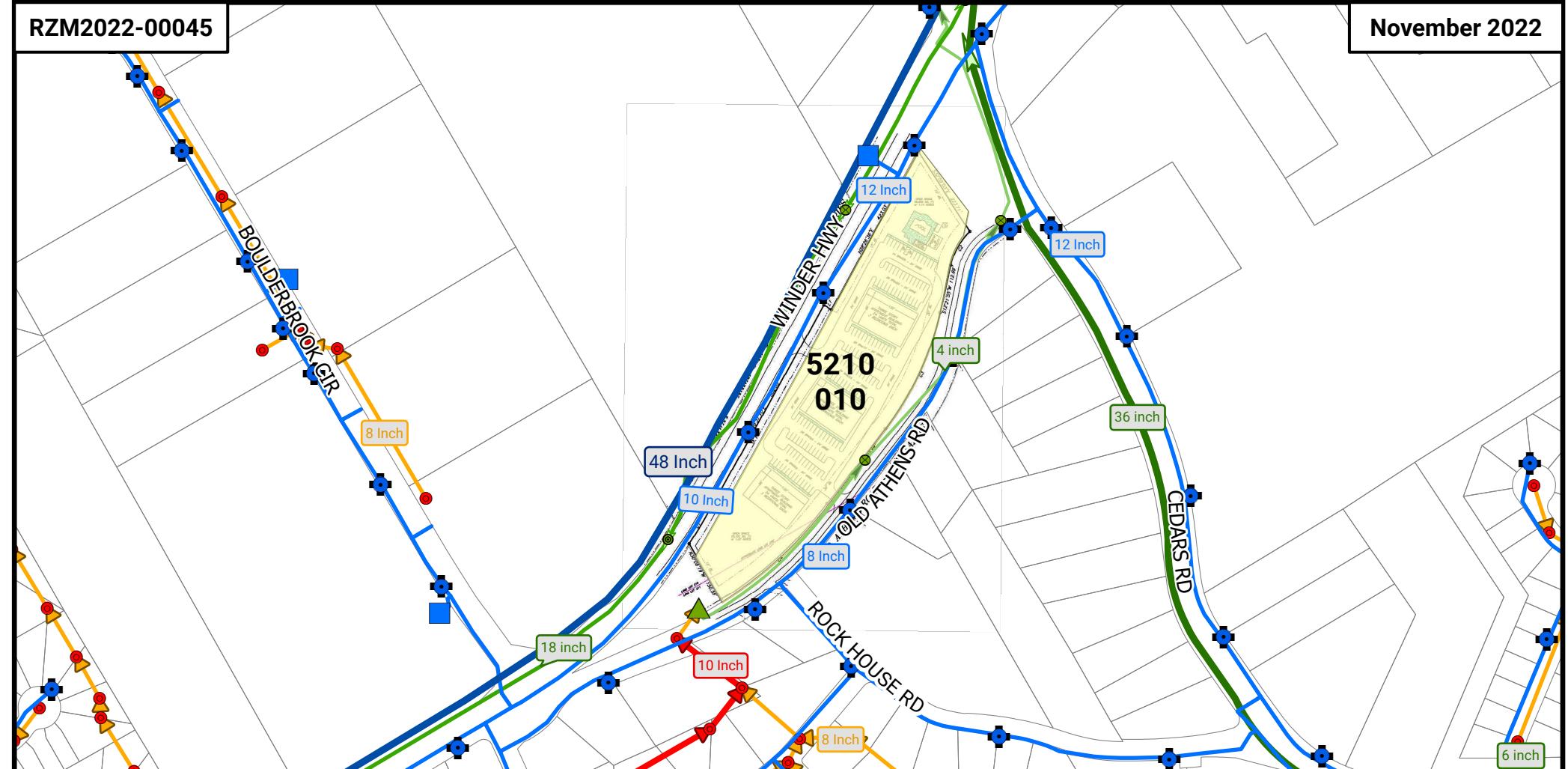


**Department of Planning and Development**  
**TECHNICAL REVIEW COMMITTEE**

<b>TRC Meeting Date:</b>		November Cases		
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:		RZM2022-00045		
Case Address:		1085 Winder Highway		
<b>Comments:</b>		<input checked="" type="checkbox"/> <b>YES</b>	<input type="checkbox"/> <b>NO</b>	
1	Water: The development may connect to an existing 12-inch water main located on the east right-of-way of Winder Highway.			
2	Sewer: A Sewer Capacity Certification is required for this development. Pending available capacity, the proposed development may connect to an existing sanitary sewer main located approximately 65 feet south in the right-of-way of Old Athens Road.			
3				
4				
5				
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

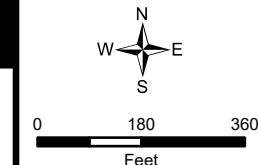
*Revised 7/26/2021*



## LEGEND

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

## 1085 Winder Highway R-75 to RM-13 Water & Sewer Utility Map



## LOCATION



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

**Sewer Comments:** A Sewer Capacity Certification is required for this development. Pending available capacity, the proposed development may connect to an existing sanitary sewer main located approximately 65 feet south in the right-of-way of Old Athens Road.

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

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

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

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

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

**Exhibit G: Maps**

**[attached]**



 RZM2022-00045

Printed: September 22, 2022



0 100 200  
Feet

