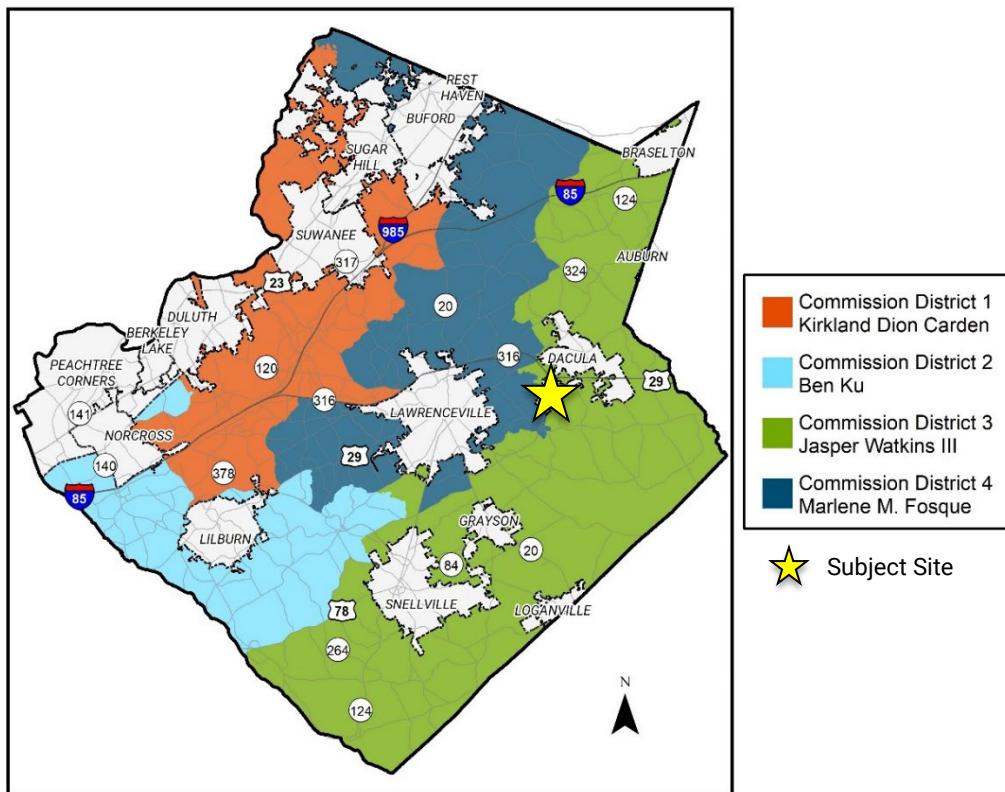




PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number:	RZR2022-00012
Current Zoning:	RA-200 (Agriculture-Residence District)
Request:	Rezoning to R-75 (Single-Family Residence District)
Address:	1563 Alcovy Road
Map Number:	R5245 008
Site Area:	10.57 acres
Units:	25
Proposed Development:	Single-Family Detached Subdivision
Commission District:	District 3 – Commissioner Watkins
Character Area:	Emerging Suburban
Staff Recommendation:	APPROVAL WITH CONDITIONS



Applicant: The Macallan Group
c/o Mahaffey Pickens Tucker, LLP
1550 North Brown Road, Suite 125
Lawrenceville, GA 30043

Owner: Mary Diane Wilkins
1583 Alcovy Road
Lawrenceville, GA 30045

Contact: Shane Lanham

Contact Phone: 770.232.0000

Zoning History

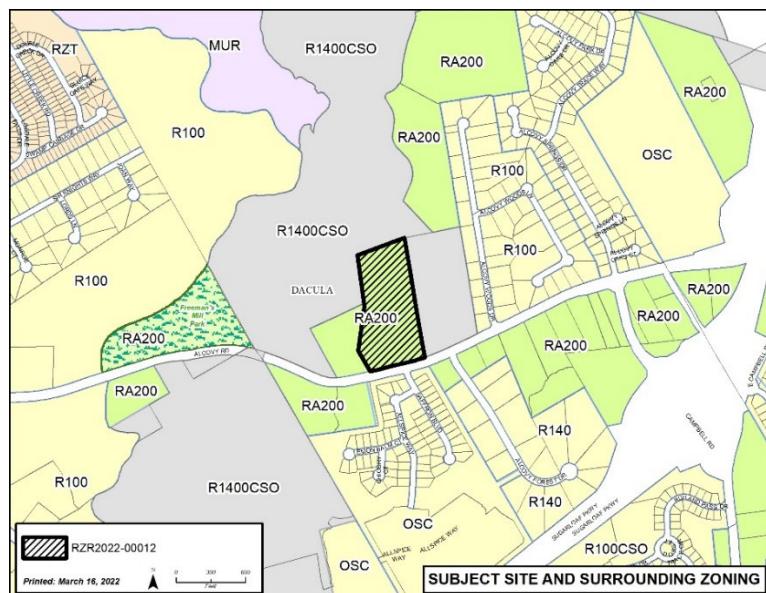
The subject property is zoned RA-200 (Agriculture-Residence District). No rezoning cases are on record for this property.

Existing Site Condition

The subject site is a 10.57-acre lot located along Alcovy Road west of its intersection with Campbell Road. The site is currently developed with a 784 square foot residence constructed in 1947 and a manufactured residence. The parcel is heavily vegetated and contains dirt and gravel driveway which connect the homes. The site generally slopes up from west to east by approximately 48 feet. Access to the site is via two gravel driveways located at either end of the property along Alcovy Road. Overhead utilities are present along the road frontage. Sidewalks are present along the opposite side of Alcovy Road. The nearest Gwinnett County Transit stop is approximately 5.4 miles from the subject site.

Surrounding Use and Zoning

The subject site is surrounded by single-family residential subdivisions and residences on large lots. Property within Dacula city limits surrounds the property to the north, west, and east. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Single-Family Residential	R-75	2.37 units per acre
North	Single-Family Residential	R1400 CSO (Dacula)	0.01 units per acre
East	Single-Family Residential	R1400 CSO (Dacula)	0.09 units per acre
South	Single-Family Residential	OSC	2.41 units per acre
West	Single-Family Residential	RA-200	0.23 units per acre

Project Summary

The applicant requests rezoning of a 10.57-acre property from RA-200 to R-75 for a single-family detached subdivision, including:

- 25 detached single-family residences with a minimum heated floor area of 2,000 square feet, yielding a net density of 2.37 units per acre.
- Front loaded double-car garages for all residences.
- Residences constructed of brick, stacked stone, cementitious siding, and board and batten.
- A full access entrance from Alcovy Road, with a left turn lane and deceleration lane.
- 27-foot-wide public internal streets with 5-foot-wide sidewalks on both sides.
- 1.04 acres of common area, representing 9.8% of the gross acreage, including three pocket parks and a dog run.
- One stormwater management facility at the northwestern corner of the site.
- A mail kiosk within the cul-de-sac at the rear of the development.
- Five-foot-wide sidewalks along Alcovy Road.

Zoning and Development Standards

The applicant is requesting a rezoning to R-75 (Single-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 35'	< 35'	YES
Front Yard Setback	Minimum 30'	30'	YES
Side Yard Setback	Minimum 10'	10'	YES
Rear Yard Setback	Minimum 30'	30'	YES
Off-Street Parking (Recreation Area)	Minimum 3 spaces Maximum 5 spaces	3 spaces	YES
Landscape Strip	30'	30'	YES
Heated Floor Area	Minimum 1,200 square feet	Minimum 2,000 square feet	YES
Zoning Buffer	0'	0'	YES
Density	Maximum 3 units per acre	2.37 units per acre	YES

Internal and External Agency Review

In addition to these Development Standards, the applicant must meet all other UDO requirements related to infrastructure improvements. 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 residences on large lots. While the proposed density is somewhat higher than some subdivisions in the area, it is similar in nature to the recently approved development located directly south of the subject site. The development is suitable given the surrounding area and recently approved 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. Adjacent properties are developed with single-family subdivisions and residences on large lots. The addition of a development of this nature would complement the surrounding neighborhoods.

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

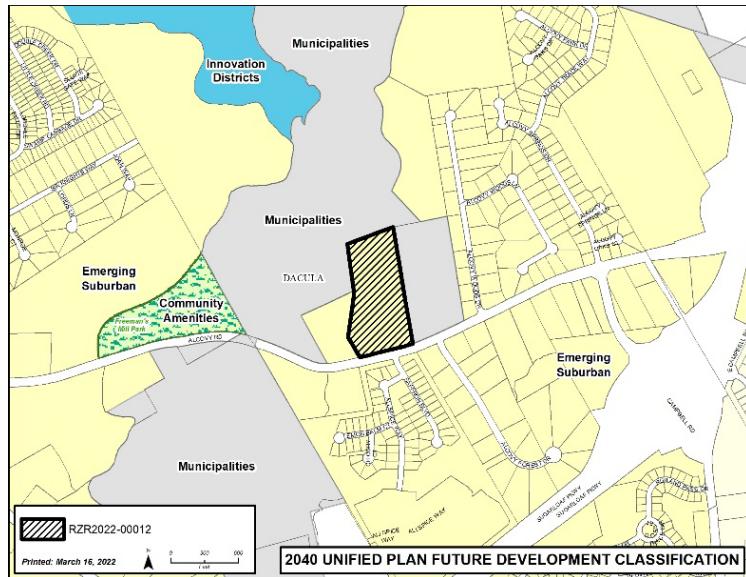
The property has a reasonable economic use as currently zoned.

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 Emerging Suburban Character Area. This designation indicates areas that are currently mainly residential but have not yet matured into established communities due to relatively large amounts of remaining, undeveloped land. A single-family detached subdivision, as proposed by the applicant, would be appropriate within this 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.

This section of Alcovy Road has experienced recent growth of new residential developments. Further single-family detached subdivisions are likely in this area. A subdivision by the same developer as the applicant was recently approved immediately south of the subject site. Project densities and the product type are anticipated to be similar in nature to this development. 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.

Staff Recommended Conditions

Approval as R-75 (Single-Family Residence District) for a single-family subdivision, subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received March 14, 2022 by the Department of Planning and Development, with revisions required by conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.
2. The property shall be limited to single-family detached dwellings and accessory uses and structures, not to exceed 25 lots.
3. The minimum heated floor area per dwelling unit shall be 2,000 square feet.

4. All detached residences shall adhere to the Architectural Design Standards for Category 3, Detached Residential Buildings.
5. All dwellings shall have a minimum two-car garage.
6. All road frontages and the subdivision entrance shall be landscaped by the developer and maintained by the mandatory homeowners association. The entrance shall include a decorative masonry entrance feature. A decorative fence shall be required along the Alcovy Road right-of-way. Landscape and entrance feature plans shall be subject to review and approval by the Department of Planning and Development.
7. A mandatory homeowners association shall be established and shall be responsible for maintenance of all common areas/facilities and street frontage landscaping.
8. Common area and amenities shall be provided in general accordance with the submitted rezoning exhibit. Design and location of all recreation areas shall be subject to the review and approval of the Department of Planning and Development.
9. No direct lot access shall be allowed to Alcovy Road.
10. Natural vegetation shall remain on the property until the issuance of a development permit.
11. All grassed areas shall be sodded.
12. 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.

Exhibits:

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

Exhibit A: Site Visit Photos



View from Alcovy Road of c. 1947 residence on property



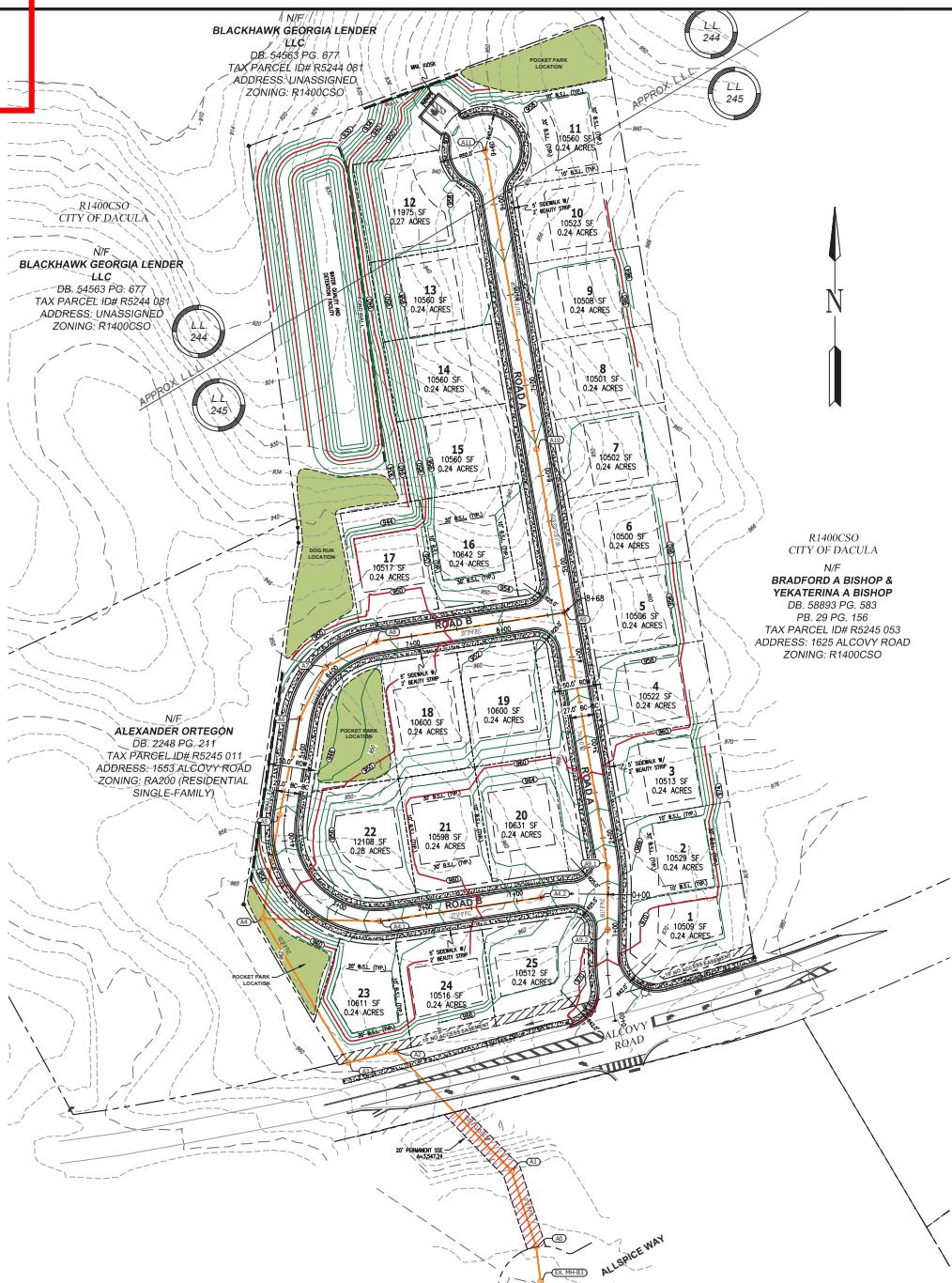
View from Alcovy Road of manufactured residence on property

Exhibit B: Site Plan

[attached]

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3/14/22



DEVELOPMENT SUMMARY

PROPERTY ADDRESS: 1563 ALCOVY ROAD
PIN: 5245 008

EXISTING ZONING=	RA200
PROPOSED ZONING =	R75
GROSS ACREAGE=	10.5724 ACRES
NET ACREAGE =	10.5724 ACRES
PROPOSED LOTS =	25

MAXIMUM DENSITY= 3.0 UPA
PROPOSED DENSITY: 25 UNITS / 10.5724 ACRE = 2.365 UPA
REQ'D COMMON SPACE= 6% X 10.5724 AC. = 0.634 AC.

(NOTE: COMMON AREAS ARE NOT REQUIRED FOR R-75 SINGLE FAMILY SUBDIVISIONS HAVING LESS THAN 50 ACRES IN GROSS LAND AREA).

PROPOSED
STREET WIDTH = 27' BOC-BOC
PROPOSED

MAY BUILDING HEIGHT = 35'

COMMON AREA= 1.04 (9.8%)
MIN. LOT SIZE= 10,500 S.F.

REVISIONS	DATE	DESCRIPTION
-----------	------	-------------

THE MACALLAN GROUP
1642 POWERS FERRY RD., UNIT 250, MARIETTA, GA 30067 404.603.8811

GREYDEN
N G I N E R I N G
12460 CRABAPPLE ROAD, STE 202-374
API HARBOR, GA 30064
Ph: 770-573-4801; FAX: 678-302-4362

**PRELIMINARY LAYOUT
FOR
VALCOVY ROAD SUBDIVISION
GWINNETT COUNTY, GEORGIA**

DATE	3/2/2023
JOB NO.	21-067
DRAWN	RAD
CHECKED	RAD
SCALE	AS NOTED
SHEET:	C30

Exhibit C: Building Elevations

[attached]



ELEVATION D



ELEVATION E



ELEVATION F



ELEVATION F



ELEVATION D



ELEVATION E



ELEVATION F



ELEVATION F



ELEVATION E



ELEVATION G



ELEVATION H



ELEVATION H



ELEVATION D



ELEVATION E



ELEVATION F



ELEVATION E

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

[attached]

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STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- A. 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 subject Property is located in close proximity to and is adjacent to land zoned for similar residential uses.
- B. Approval of the proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property. Rather the proposed development would complement surrounding residential land uses by providing additional housing options for current and future residents of Gwinnett County.
- C. The Applicant submits that due to its size, location, and layout, the subject property does not have a reasonable economic use as currently zoned.
- D. Approval of the proposed rezoning will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The property has convenient access to Sugarloaf Parkway and State Route 316 and has access to utilities.
- E. The proposed rezoning is in conformity with the policy and intent of the 2040 Plan. The subject Property is designated as within the Emerging Suburban Character Area on the 2040 Plan Future Development Map. Encouraged land uses for this character area specifically include single-family residential and mixed-residential developments as potential development types.
- F. The planned Sugarloaf Parkway extension and the subject Property's proximity to Freemans's Mill Park provide additional supporting grounds for approval of the Application.

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3/2/2022 5:56PM

Matthew P. Benson

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



Mahaffey Pickens Tucker, LLP

ATTORNEYS AT LAW

Samuel C. Kennon
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 OF THE MACALLAN GROUP

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Rezoning Application on behalf of the Applicant, The Macallan Group (the “Applicant”), for the purpose of requesting the rezoning of an approximately 10.57-acre tract of land (the “Property”) situated along the northerly side of Alcovy Road between its intersections with Campbell Road and Bramlett Shoals Road. The Property is located in close proximity to Rabbit Hill Park and is currently zoned RA-200.

The Applicant is requesting to rezone the Property to the R-75 zoning classification of Gwinnett County in order to develop a single-family residential community, including 25 detached residential homes. The proposed community will consist of homes at a size, quality and price point commensurate with or exceeding homes in surrounding communities. Generally, the architectural style and composition of the exterior of the homes would consist of brick, stone, and/or cementitious shake, siding, board and batten or combinations thereof. Homes in the proposed development would have a minimum heated floor area of 2,000 square feet. The proposed development would have a single entrance on Alcovy Road which would be landscaped with attractive monument signage.

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

Page 18 of 29

www.mptlawfirm.com

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3/2/2022 5:56PM The proposed development would provide attractive, high-quality housing that is compatible with surrounding land uses and is in conformance with the policies and intent of the Gwinnett County 2040 Comprehensive Plan (the “2040 Plan”). The surrounding area is characterized by a mix of residential uses including land zoned OSC, RZT, TND, R-100, and R-100 Modified. Additionally, a small lot single-family detached community zoned TRD in the City of Dacula is located along Alcovy Road just to the east across Sugarloaf Parkway.

Residents of the proposed community would have convenient access to major transportation corridors including Sugarloaf Parkway, University Parkway (State Route 316), and Winder Highway (US Route 29). The proposed community would include two pocket parks for the use and enjoyment of residents as well as a mail kiosk located to the rear of the site. In addition to the proposed internal sidewalk network and pocket parks, residents would have convenient access to Freeman’s Mill Park, which is located approximately 1,000 feet to the west of the Property along Alcovy Road. Freeman’s Mill Park would provide additional recreational amenities for residents including a playground and paved trails.

The proposed development is also compatible with the policy and intent of the Gwinnett County 2040 Unified Plan (the “2040 Plan”) which designates the Property as within the Emerging Suburban character area. The 2040 Plan anticipates residential development in this character area and provides that these areas “are expected to experience new development during the 20-year planning period contemplated by the [2040] Plan.” Moreover, the 2040 Plan specifically identifies “mixed residential developments” and “single-family residential” as potential development types.

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

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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~~3/3/2022 5:56PM~~ 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 2nd day of March, 2022.

MAHAFFEY PICKENS TUCKER, LLP

Shane M. Lanham

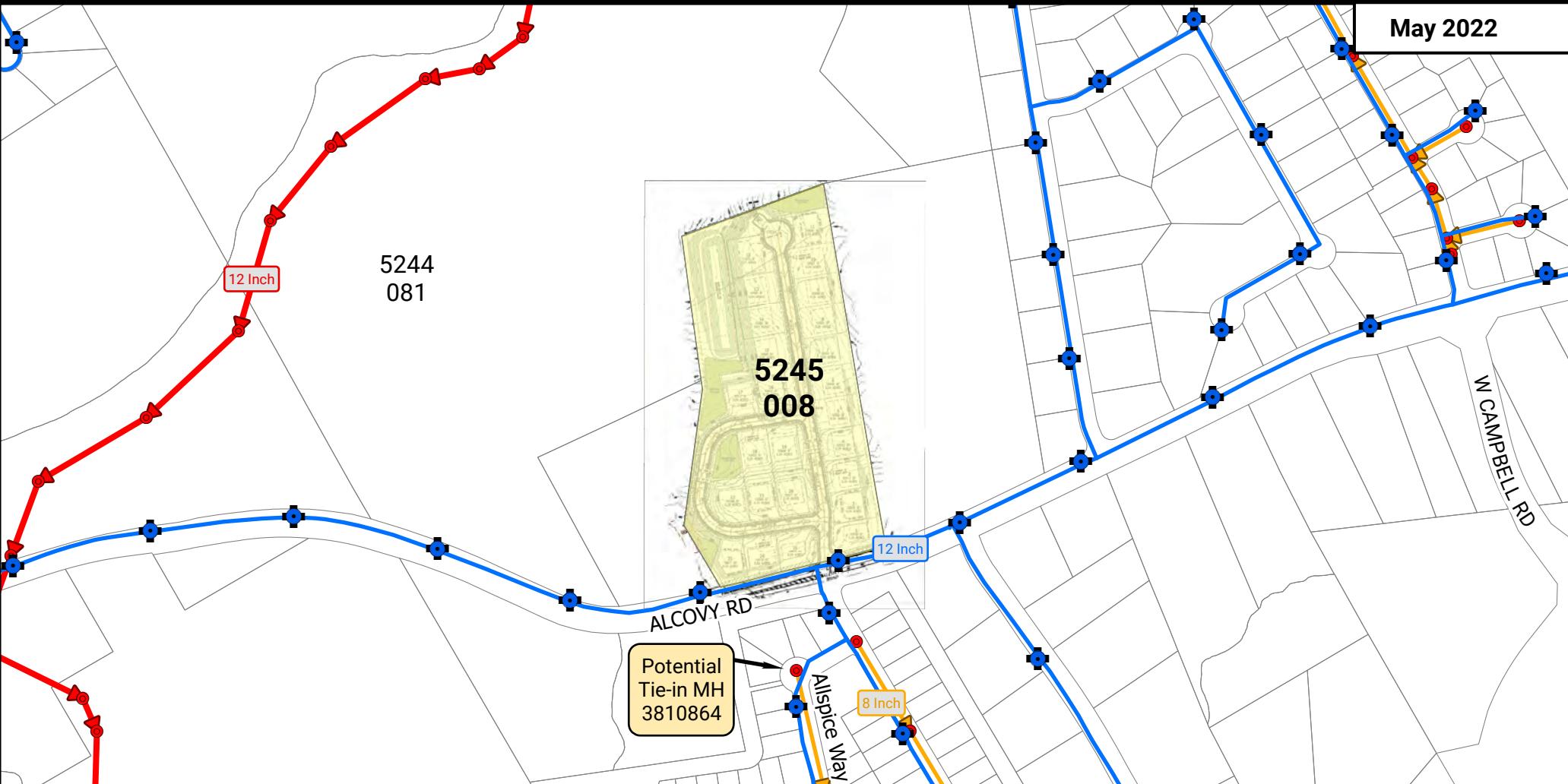
Shane M. Lanham
Attorneys for Applicant

Exhibit E: External Agency Review Comments

[attached]

TRC Meeting Date: 4.13.22		
Department/Agency Name: Transportation		
Reviewer Name: Brent Hodges		
Reviewer Title: Construction Manager 1		
Reviewer Email Address: Brent.Hodges@gwinnettcounty.com		
Case Number: RZR2022-00012		
Case Address: 1563 Alcovy Road		
Comments: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
1	Alcovy Road is a Major Collector. ADT = 3,680. 5.4 miles to nearest Transit facility #2334939 Grayson Highway & Associated Credit Union.	
2	Provide sight distance certification for ALL driveways/streets connecting to classified roads in accordance with sections 900-40.6 and 900-50.7 of the UDO.	
3	Standard 200' deceleration lane with 50' taper required with adequate right-of-way for an 11' shoulder required.	
4	A 5-foot wide concrete sidewalk shall be constructed along the entire frontage of the property per UDO 900-90.1.	
5	Traffic calming measures for new local streets are required to encourage 25MPH vehicle operating speeds. Max length of the roadway between speed control points is 500 feet.	
6		
7		
Recommended Zoning Conditions: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
1	Developer shall install a left-turn lane into the development to offset the existing left-turn lane into Saffron Boulevard.	
2		
3		
4		
5		
6		
7		

TRC Meeting Date:		April 13, 2022		
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		Michael.pappas@qwinnettcounty.com		
Case Number:		RZR2022-00012		
Case Address:		1563 Alcovy 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 north right-of-way of Alcovy Road.			
2	Sewer: A Sewer Capacity Certification is required to confirm capacity.			
3	Sewer: Development is proposing to connect to MH 3810864 approximately 300 feet south on Allspice Way.			
4				
5				
6				
7				
Recommended Zoning Conditions:		<input type="checkbox"/>	YES	<input checked="" type="checkbox"/> NO
1				
2				
3				
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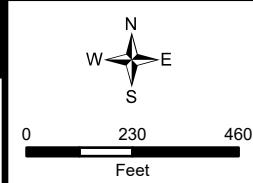
LEGEND

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

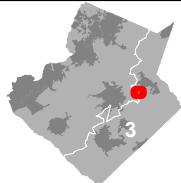
RZR2022-00012

RA-200 to R-75

Water & Sewer Utility Map



LOCATION



Water Comments: The development may connect to an existing 12-inch water main located on the north right-of-way of Alcovy Rd.

Sewer Comments: A Sewer Capacity Certification is required to confirm capacity. Development is proposing to connect to MH 3810864 approximately 300 feet south on Allspice Way.

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, May, 2022

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

Exhibit F: Maps

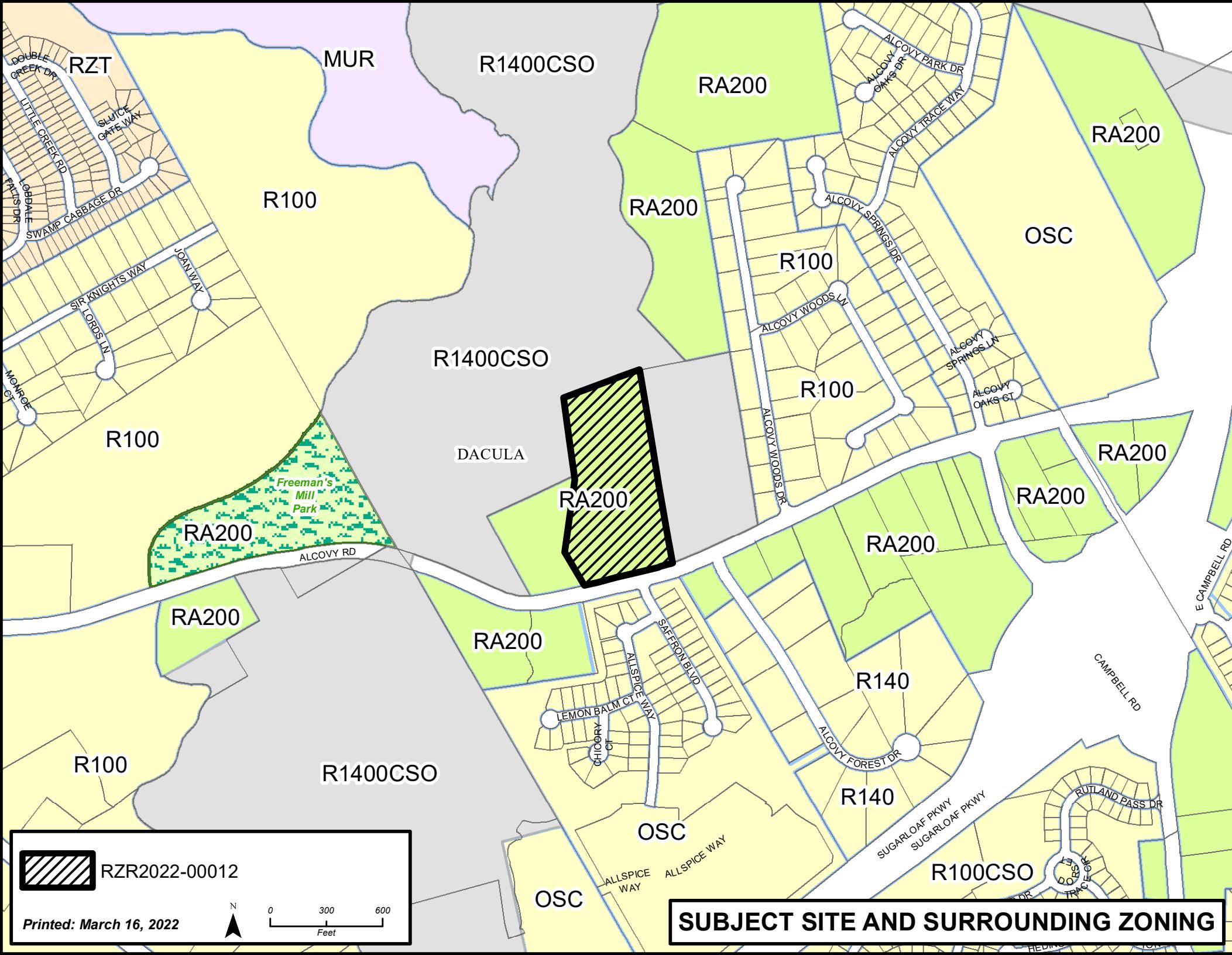
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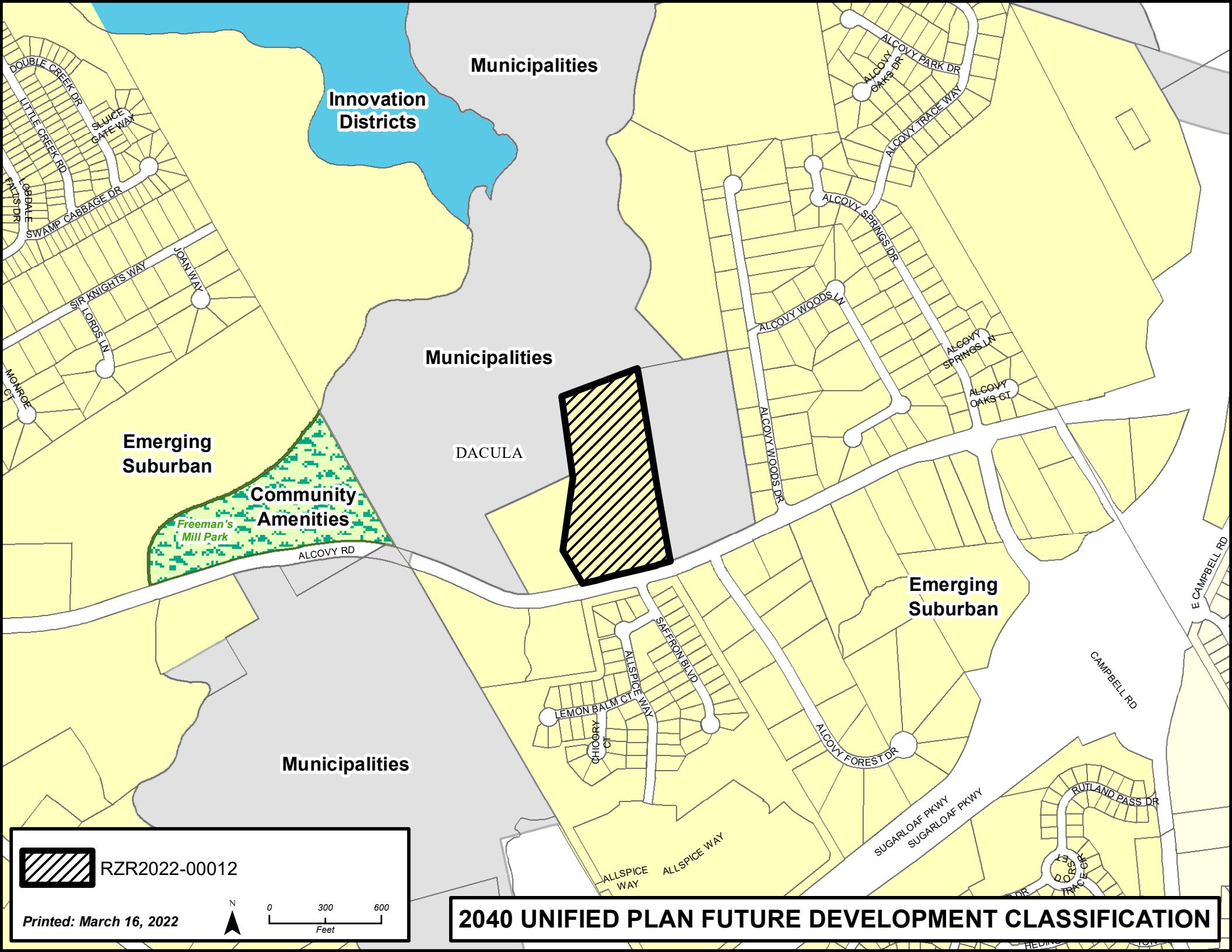
RZR2022-00012

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Printed: March 16, 2022

SUBJECT SITE AND SURROUNDING ZONING



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3/2/2022 5:56PM

Gwinnett County Planning Division
Rezoning Application
Last Updated 5/2021

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>The Macallan Group c/o Mahaffey Pickens Tucker, LLP</u>	NAME: <u>Mary Diane Wilkins</u>
ADDRESS: <u>1550 North Brown Road, Suite 125</u>	ADDRESS: <u>1583 Alcovy Road</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Lawrenceville</u>
STATE: <u>Georgia</u> ZIP: <u>30043</u>	STATE: <u>Georgia</u> ZIP: <u>30045</u>
PHONE: <u>770 232 0000</u>	PHONE: <u>770 232 0000</u>
CONTACT PERSON: <u>Shane Lanham</u>	PHONE: <u>770 232 0000</u>
CONTACT'S E-MAIL: <u>slanham@mptlawfirm.com</u>	
APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER
PRESENT ZONING DISTRICT(S): <u>RA-200</u> REQUESTED ZONING DISTRICT: <u>R-75</u>	
PARCEL NUMBER(S): <u>R5245 008</u>	ACREAGE: <u>+/- 10.57</u>
ADDRESS OF PROPERTY: <u>1563 Alcovy Road</u>	
PROPOSED DEVELOPMENT: <u>Single-family detached residential community</u>	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>25</u>	No. of Buildings/Lots: <u>NA</u>
Dwelling Unit Size (Sq. Ft.): <u>2,000+</u>	Total Building Sq. Ft. <u>NA</u>
Gross Density: <u>+/- 2.37 units per acre</u>	Density: <u>NA</u>
Net Density: <u>+/- 2.37 units per acre</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

LEGAL DESCRIPTION

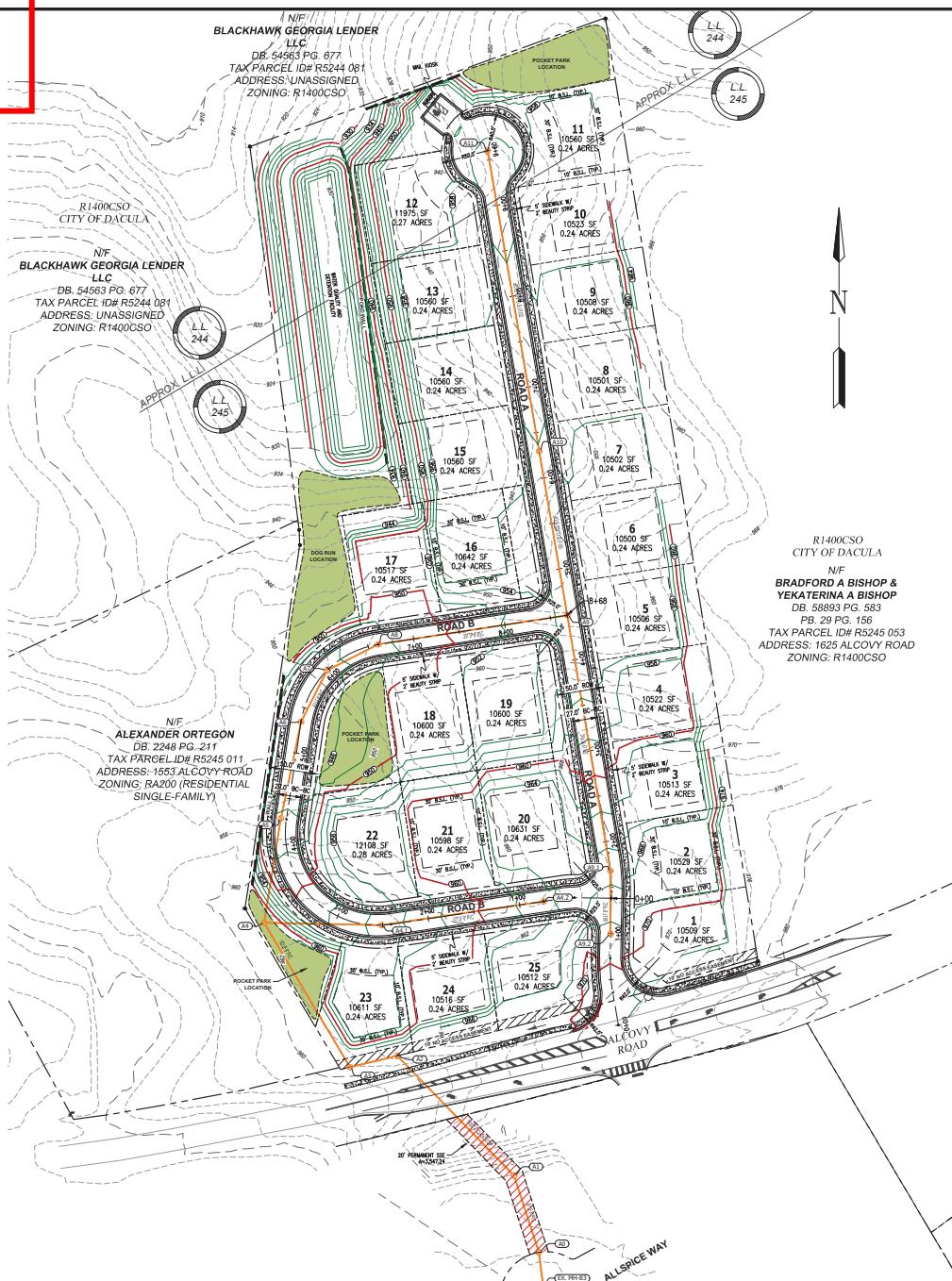
ALL THAT TRACT OR PARCEL OF LAND BEING IN LAND LOTS 244 AND 245 OF THE 5TH DISTRICT OF GWINNETT COUNTY GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE TRUE POINT OF BEGINNING, $\frac{1}{2}$ INCH REBAR FOUND ON THE NORTHERN RIGHT OF WAY OF ALCOVY ROAD, LEAVING SAID RIGHT OF WAY NORTH 30 DEGREES 42 MINUTES 20 SECONDS WEST, 203.55 FEET TO A $\frac{1}{2}$ INCH REBAR; THENCE NORTH 08 DEGREES 34 MINUTES 20 SECONDS EAST, 398.6 FEET TO A $\frac{3}{4}$ INCH OPEN TOP PIPE; THENCE NORTH 01 DEGREE 59 MINUTES 46 SECONDS WEST, 16.34 FEET TO A $\frac{1}{2}$ " OPEN TOP PIPE; THENCE NORTH 07 DEGREES 19 MINUTES 50 SECONDS WEST, 418.96 FEET TO A $\frac{3}{4}$ " OPEN TOP PIPE; THENCE NORTH 70 DEGREES 04 MINUTES 18 SECONDS EAST, 409.78 FEET TO A $\frac{1}{2}$ INCH REBAR; THENCE SOUTH 09 DEGREES 11 MINUTES 30 SECONDS EAST, 1,036.71 FEET TO A $\frac{3}{4}$ INCH OPEN TOP PIPE; THENCE ALONG THE NORTHERN RIGHT OF WAY OF ALCOVY ROAD ALONG A CURVE TO THE RIGHT 467.26 FEET WITH A RADIUS OF 14,792.00 FEET, SAID ARC BEING SUBTENDED BY A CHORD SOUTH 75 DEGREES 27 MINUTES 40 SECONDS WEST, 467.26 FEET TO A $\frac{1}{2}$ INCH REBAR, SAID REBAR BEING THE TRUE POINT OF BEGINNING.

SAID TRACT CONTAINS 10.5724 ACRES MORE OR LESS

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3/14/22



DEVELOPMENT SUMMARY

PROPERTY ADDRESS: 1563 ALCOVY ROAD
PIN: 5245 008

EXISTING ZONING=	RA200
PROPOSED ZONING =	R75
GROSS ACREAGE=	10.5724 ACRES
NET ACREAGE =	10.5724 ACRES
PROPOSED LOTS =	25

MAXIMUM DENSITY= 3.0 UPA
PROPOSED DENSITY: 25 UNITS / 10.5724 ACRE = 2.365 UPA
REQ'D COMMON SPACE= 6% X 10.5724 AC. = 0.634 AC.

(NOTE: COMMON AREAS ARE NOT REQUIRED FOR R-75 SINGLE FAMILY SUBDIVISIONS HAVING LESS THAN 50 ACRES IN GROSS LAND AREA).

PROPOSED
STREET WIDTH = 27' BOC-BOC
PROPOSED

MAX. BUILDING HEIGHT 35

COMMON AREA= 1.04 (9.8%)
MIN. LOT SIZE= 10,500 SF

**PRELIMINARY LAYOUT
FOR
VALCOY ROAD SUBDIVISION
GAITHER COUNTY, GEORGIA**

DATE	3/2/2021
JOB NO.	21-067
DRAWN	RAD
CHECKED	RAD
SCALE	AS NOTED
SHEET:	C300

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3/2/2022 5:56PM

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:

Please see attached

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

Please see attached

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

Please see attached

(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:

Please see attached

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

Please see attached

(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:

Please see attached

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3/2/2022 5:50 PM

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- A. 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 subject Property is located in close proximity to and is adjacent to land zoned for similar residential uses.
- B. Approval of the proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property. Rather the proposed development would complement surrounding residential land uses by providing additional housing options for current and future residents of Gwinnett County.
- C. The Applicant submits that due to its size, location, and layout, the subject property does not have a reasonable economic use as currently zoned.
- D. Approval of the proposed rezoning will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The property has convenient access to Sugarloaf Parkway and State Route 316 and has access to utilities.
- E. The proposed rezoning is in conformity with the policy and intent of the 2040 Plan. The subject Property is designated as within the Emerging Suburban Character Area on the 2040 Plan Future Development Map. Encouraged land uses for this character area specifically include single-family residential and mixed-residential developments as potential development types.
- F. The planned Sugarloaf Parkway extension and the subject Property's proximity to Freemans's Mill Park provide additional supporting grounds for approval of the Application.

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3/2/2022 5:56PM

Matthew P. Benson

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



Mahaffey Pickens Tucker, LLP

ATTORNEYS AT LAW

Samuel C. Kennon
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 OF THE MACALLAN GROUP

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Rezoning Application on behalf of the Applicant, The Macallan Group (the “Applicant”), for the purpose of requesting the rezoning of an approximately 10.57-acre tract of land (the “Property”) situated along the northerly side of Alcovy Road between its intersections with Campbell Road and Bramlett Shoals Road. The Property is located in close proximity to Rabbit Hill Park and is currently zoned RA-200.

The Applicant is requesting to rezone the Property to the R-75 zoning classification of Gwinnett County in order to develop a single-family residential community, including 25 detached residential homes. The proposed community will consist of homes at a size, quality and price point commensurate with or exceeding homes in surrounding communities. Generally, the architectural style and composition of the exterior of the homes would consist of brick, stone, and/or cementitious shake, siding, board and batten or combinations thereof. Homes in the proposed development would have a minimum heated floor area of 2,000 square feet. The proposed development would have a single entrance on Alcovy Road which would be landscaped with attractive monument signage.

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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3/2/2022 5:56PM The proposed development would provide attractive, high-quality housing that is compatible with surrounding land uses and is in conformance with the policies and intent of the Gwinnett County 2040 Comprehensive Plan (the “2040 Plan”). The surrounding area is characterized by a mix of residential uses including land zoned OSC, RZT, TND, R-100, and R-100 Modified. Additionally, a small lot single-family detached community zoned TRD in the City of Dacula is located along Alcovy Road just to the east across Sugarloaf Parkway.

Residents of the proposed community would have convenient access to major transportation corridors including Sugarloaf Parkway, University Parkway (State Route 316), and Winder Highway (US Route 29). The proposed community would include two pocket parks for the use and enjoyment of residents as well as a mail kiosk located to the rear of the site. In addition to the proposed internal sidewalk network and pocket parks, residents would have convenient access to Freeman’s Mill Park, which is located approximately 1,000 feet to the west of the Property along Alcovy Road. Freeman’s Mill Park would provide additional recreational amenities for residents including a playground and paved trails.

The proposed development is also compatible with the policy and intent of the Gwinnett County 2040 Unified Plan (the “2040 Plan”) which designates the Property as within the Emerging Suburban character area. The 2040 Plan anticipates residential development in this character area and provides that these areas “are expected to experience new development during the 20-year planning period contemplated by the [2040] Plan.” Moreover, the 2040 Plan specifically identifies “mixed residential developments” and “single-family residential” as potential development types.

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

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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~~3/3/2022 5:56PM~~ 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 2nd day of March, 2022.

MAHAFFEY PICKENS TUCKER, LLP

Shane M. Lanham

Shane M. Lanham
Attorneys for Applicant

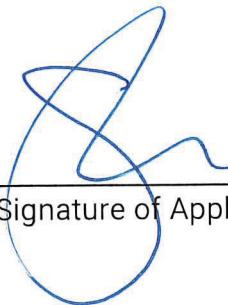
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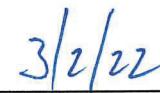
Gwinnett County Planning Division
Rezoning Application
Last Updated 5/2021

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.



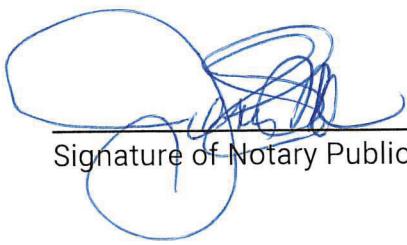
Signature of Applicant



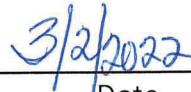
Date

Shane Lanham, attorney for the Applicant

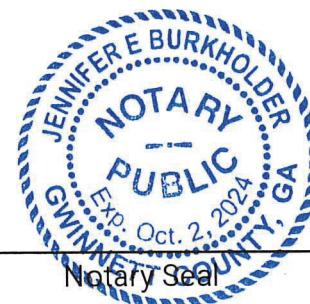
Type or Print Name and Title



Signature of Notary Public



Date



Notary Seal

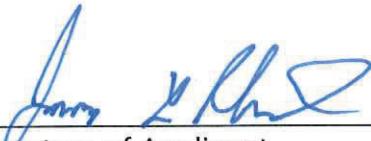
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Gwinnett County Planning Division
Rezoning Application
Last Updated 12/2015

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

2128122

Date

James L. Rhoden III, Manager

Type or Print Name and Title

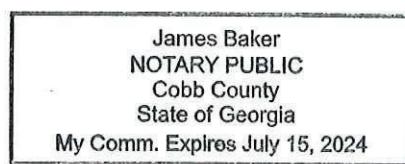


Signature of Notary Public

2128122

Date

Notary Seal



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Gwinnett County Planning Division
Rezoning Application
Last Updated 12/2015

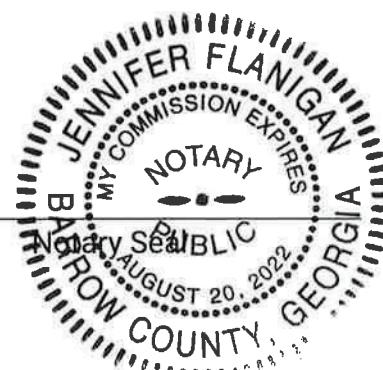
REZONING PROPERTY OWNER'S CERTIFICATION

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.

Mary Diane Wilkins 2/23/22
Signature of Property Owner Date

Mary Diane Wilkins
Type or Print Name and Title

Jennifer Flanigan 2/23/22
Signature of Notary Public Date



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3/2/2022 5:56PM

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



3/2/22

Shane Lanham, attorney for the Applicant

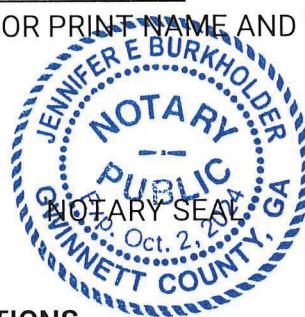
SIGNATURE OF APPLICANT'S
ATTORNEY OR REPRESENTATIVE

DATE

TYPE OR PRINT NAME AND TITLE



3/2/2022



SIGNATURE OF NOTARY PUBLIC

DATE

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

YES

NO

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.

RECEIVED

3/2/2022 5:56PM

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.

 2/28/22
SIGNATURE OF APPLICANT DATE

James L. Rhader III, Manager
TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S
ATTORNEY OR REPRESENTATIVE
 2/28/22
SIGNATURE OF NOTARY PUBLIC DATE

TYPE OR PRINT NAME AND TITLE
James Baker
NOTARY PUBLIC
Cobb County
State of Georgia
My Comm. Expires July 15, 2024
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



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.

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3/2/2022 5:56PM

Gwinnett County Planning Division
Rezoning Application
Last Updated 5/2021

Alceny

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 - 245 - 008
District Land Lot Parcel

Shane Lanham
Signature of Applicant

3/2/22
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)

Ante Flowers
NAME

3-2-22
DATE

Tax Services Assoc II
TITLE

Taxes are current



ELEVATION D



ELEVATION E



ELEVATION F



ELEVATION F



ELEVATION D



ELEVATION E



ELEVATION F



ELEVATION F



ELEVATION E



ELEVATION G



ELEVATION H



ELEVATION H



ELEVATION D



ELEVATION E



ELEVATION F



ELEVATION E