

## REZONING APPLICATION

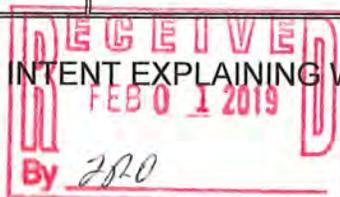
AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF GWINNETT COUNTY, GEORGIA

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Parkland Communities, Inc.</u> <u>c/o Alliance Engineering and Planning</u>	NAME: <u>MK Professional Services, LLC</u>
ADDRESS: <u>4480 Commerce Drive, Suite A</u>	ADDRESS: <u>6685 Peachtree Industrial Blvd.</u>
CITY: <u>Buford</u>	CITY: <u>Doraville</u>
STATE: <u>GA</u> ZIP: <u>30518</u>	STATE: <u>GA</u> ZIP: <u>30360</u>
PHONE: <u>770-614-6511</u>	PHONE: _____
CONTACT PERSON: <u>MITCH PEEVY</u> PHONE: <u>(770) 614-6511</u>	
EMAIL ADDRESS: <u>mitchpeevy@gmail.com</u>	

\*Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

<b>APPLICANT IS THE:</b>	
<input type="checkbox"/> OWNERS AGENT <input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICT (S): <u>C-2</u>	REQUESTED ZONING DISTRICT: <u>RM-13</u>
LAND DISTRICT (S): <u>7</u> LAND LOT: <u>073</u>	ACREAGE: <u>4.611</u>
ADDRESS OF PROPERTY: <u>1510 Duluth Highway</u>	
PROPOSED DEVELOPMENT: <u>Stacked Townhome Project</u>	
<b>RESIDENTIAL DEVELOPMENT:</b> NO. OF LOTS/DWELLING UNITS: <u>58</u> DWELLING UNIT SIZE (SQ. FT.): <u>1,800</u> GROSS DENSITY: <u>12.568</u> NET DENSITY: <u>12.80</u>	<b>NON-RESIDENTIAL DEVELOPMENT:</b> NO. OF BUILDINGS/UNITS: _____ TOTAL GROSS SQUARE FEET: _____ DENSITY: _____

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED



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**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

(And Land Lot 45)

All that tract or parcel of land lying and being in land lots 44 and 73 of the 7th District, Gwinnett County, Georgia, being more particularly described as follows: Beginning at the intersection of the land lot line that divides land lots 44 and 73 and the variable southern right of way of Georgia Highway 120 (being the proposed right of way shown on plans by McFarland-Dryer & Associates, Inc. and also being 70 00 feet from proposed centerline from plans by the Georgia Department of Transportation), that is the point of beginning; thence along said right of way 277.05 feet along a curve, said curve having a chord of south 71 degrees 56 minutes 41 seconds east 276.75 feet and a radius of 1707.02 feet to a point which is 70.00 feet from said centerline; thence leaving said right of way south 71 degrees 06 minutes 38 seconds west a distance of 577.51 feet to a point; thence north 18 degrees 53 minutes 22 seconds west a distance of 61.44 feet to a point; thence north 59 degrees 59 minutes 54 seconds west a distance of 380.00 feet to a point; thence north 30 degrees 06 minutes 39 seconds east a distance of 188 51 feet to a point; thence north 43 degrees 20 minutes 11 seconds east a distance of 42.62 feet to a point, thence north 30 degrees 06 minutes 43 seconds east a distance of 30.10 feet to a point; thence 89.67 feet along a curve to the left, said curve having a chord of north 72 degrees 55 minutes 31 seconds east 81.55 feet and a radius of 60.00 feet to a point on the above mentioned right of way which is 72.50 feet from said centerline; thence along said right of way south 60 degrees 08 minutes 50 seconds east a distance of 75.38 feet to a point which is 72.70 feet from said centerline; thence south 60 degrees 47 minutes 12 seconds east a distance of 14.24 feet to a point which is 72.60 feet from said centerline; thence south 60 degrees 47 minutes 12 seconds east a distance of 176 16 feet to a point which is 71.10 feet from said centerline; thence 74.13 feet along a curve to the left, said curve having a chord of south 62 degrees 30 minutes 03 seconds east 74 12 feet and a radius of 1233.43 feet to a point which is 70.00 feet from said centerline; thence 130.20 feet along a curve to the left, said curve having a chord of south 65 degrees 06 minutes 37 seconds east 130 16 feet and a radius of 1707.02 feet to a point, being the point of beginning. Said tract contains 4 66 acres, more or less

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PROPERTY ADDRESS:  
1510 DULUTH HWY  
LAWRENCEVILLE, GA 30043

PROPERTY OWNERS:  
PO R7073 357  
MK PROFESSIONAL SERVICES LLC

STORMWATER NOTE:  
STORMWATER WILL BE DIVERTED TO AN  
EXISTING MASTER STORMWATER  
MANAGEMENT AREA LOCATED WITHIN THE  
SWEETWATER TOWNHOMES DEVELOPMENT.

SEWER NOTE:  
SANITARY LINE TO CONNECT WITH EXISTING  
SEWER MANHOLE LOCATED WITHIN STONE  
PATH WAY PROXIMITY. SEWER PROVIDED BY  
GWINNETT COUNTY.

WATER NOTE:  
WATER PROVIDED BY GWINNETT COUNTY.  
AVAILABLE WITHIN STONE PATH WAY PROXIMITY.

FEMA NOTE:  
ACCORDING TO FIRM NUMBER 131550071H  
DATED 09/29/2006 FOR GWINNETT COUNTY  
GEORGIA, THE PROPERTY SHOWN DOES NOT  
LIE WITHIN A SPECIAL FLOOD HAZARD AREA.

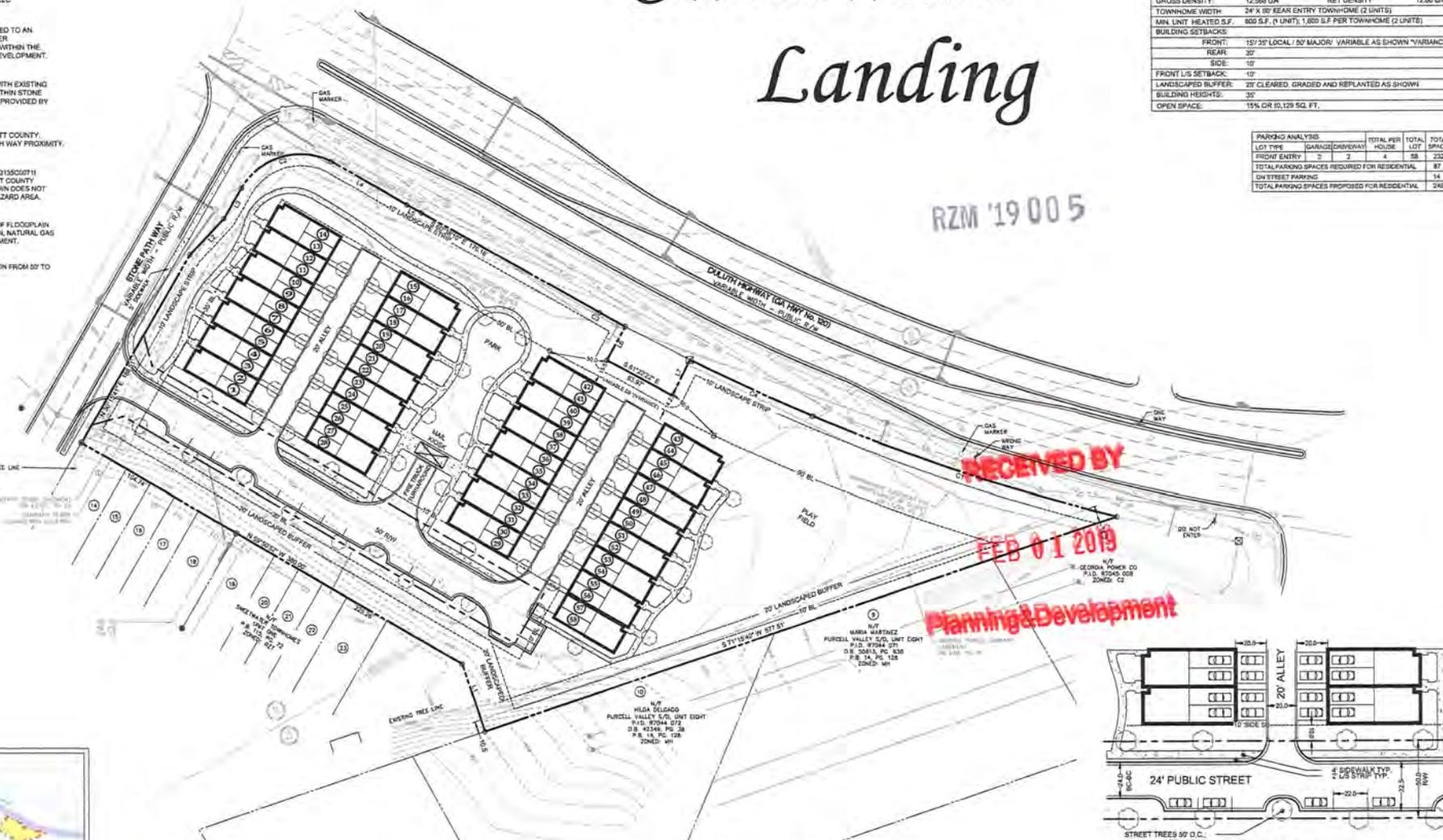
ACRAGE NOTE:  
NET ACRAGE EXCLUDES 50% OF FLOODPLAIN  
AND ELECTRICAL, TRANSMISSION, NATURAL GAS  
OR PETROLEUM PIPELINE EASEMENT.

VARIANCE:  
FRONT BUILDING LINE REDUCTION FROM 30' TO  
VARIABLE, AS SHOWN

# Sweetwater Landing

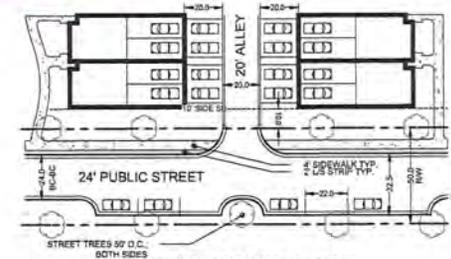
GROSS ACRES:	4.611 AC	NET ACRES:	4.529 AC
EXISTING ZONING:	GEORGIA POWERLINE EASEMENT = 7,194 SF		
PROPOSED ZONING:	RM-13		
TOTAL UNITS:	58 UNITS		
GROSS DENSITY:	12.568 U/A	NET DENSITY:	12.80 U/A
TOWNHOME WIDTH:	24' X 30' REAR ENTRY TOWNHOME (2 UNITS)		
MIN. UNIT HEATED S.F.:	800 S.F. (1 UNIT), 1,000 S.F. PER TOWNHOME (2 UNITS)		
BUILDING SETBACKS:			
FRONT:	15'/30' LOCAL / 30' MAJOR/ VARIABLE AS SHOWN VARIANCE		
REAR:	30'		
SIDE:	10'		
FRONT L/S SETBACK:	15'		
LANDSCAPED BUFFER:	20' CLEARED, GRADED AND REPLANTED AS SHOWN		
BUILDING HEIGHTS:	30'		
OPEN SPACE:	15% OR 67,129 SQ. FT.		

PARKING ANALYSIS	TOTAL PER HOUSE	TOTAL LOT	TOTAL SPACES
LOT TYPE	(GARAGE/DRIVEWAY)	4	58
FRONT ENTRY	2	2	232
TOTAL PARKING SPACES REQUIRED FOR RESIDENTIAL			87
ON STREET PARKING			14
TOTAL PARKING SPACES PROPOSED FOR RESIDENTIAL			248



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SURVEYING BY: ATWELL  
WWW.ATWELLGROUP.COM  
DAVID A. HARPER, GA. P.L.S. #3145  
770-423-0801

DATED JANUARY 30, 2019  
Scale: 1" = 40'  
NORTH

LINE	BEARING	LENGTH	GRADE	SLOPE	ANGLE	CURVE BEARING	CURVE LENGTH
01	S 27° 02'	1707.02	0.113%		S 71° 47' 38" E	226.79	
02	S 89° 00'	80.00	0.000%		S 73° 04' 33" E	87.30	
03	S 20° 00'	1333.43	1.100%		S 81° 17' 11" E	20.00	
04	S 118° 47'	1705.18	13.543%		S 80° 11' 20" E	118.43	

LINE	BEARING	DISTANCE
01	N 10° 42' 00" E	81.44
02	N 43° 22' 12" E	142.02
03	N 20° 12' 48" E	126.10
04	S 30° 04' 00" E	175.30
05	S 80° 04' 30" E	124.34
06	S 20° 48' 45" W	33.20
07	N 38° 48' 32" E	135.00

OWNER / APPLICANT  
**PARKLAND COMMUNITIES**  
PARKLAND COMMUNITIES, INC.  
jm@parklandco.com  
404.456.5562

**AEP ALLIANCE**  
ENGINEERING + PLANNING  
LANDSCAPE ARCHITECTURE  
CIVIL ENGINEERING + LAND PLANNING + LANDSCAPE ARCHITECTURE  
6845 Shiloh Road East #D3 | Alpharetta, GA 30005  
Phone 770.225.4730 | AepAll.COM

STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY, OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

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

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

THE APPLICANT BELIEVES THE PROPOSED USE IS SUITABLE.

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

THE PROPOSED USE WILL NOT ADVERSELY AFFECT THE USE OF THE SURROUNDING PROPERTIES.

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

THE APPLICANT BELIEVES THAT THE SUBJECT PROPERTY DOES NOT HAVE 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 STREET, TRANSPORTATION FACILITIES, UTILITIES OR SCHOOLS:

THE PROPOSED USE WILL NOT PRODUCE AN ADVERSE AFFECT ON THE EXISTING INFRASTRUCTURE.

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

YES, THE LAND USE PLAN STATES THE PROPERTY IS DESIGNATED AS EXISTING\EMERGING SURBUBAN.

(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:

SEE LETTER OF INTENT.

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Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the zoning request will constitute a taking of property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, and Article 1, Section 1, Paragraph 1, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

.....  
PLANNING DIVISION USE ONLY

CASE NUMBER \_\_\_\_\_

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## REZONING APPLICANT'S LETTER OF INTENT

The Applicant, Parkland Communities, Inc., requests a rezoning from C-2 to RM-13 on 4.611 acres and located at 1510 Duluth Highway. The proposal is to build 58 Townhomes on the property that will be priced from the low \$200's to the mid \$200's. The townhomes will be a maximum of 3 stories tall or 35 feet and will each be either a 2- or 3-bedroom unit. The Townhomes will range in size from a minimum of 1,500 square feet to a maximum of around 1,700 square feet of heated space. All the homes will be rear entry and have a single car garage with room for another vehicle on the driveway. There will also be 14 parking spaces along the main street in the community for when friends or family come over to visit. A 20-foot landscape buffer is planned along the area that abuts the Sweetwater Townhomes and the closest our units will be is about 100 feet from their rear yards. The building materials will be a mixture of brick, stone and concrete siding on the front façade with the remaining three sides the same or of concrete siding. The mandatory HOA will also maintain all the yards and common areas, plus the right to maintain exteriors of each townhome. This will keep the community well maintained and looking its best. This property was rezoned in 2006 to allow a gas station and convenience store on the corner adjacent to Purcell Road with a 20-foot buffer adjacent to the residential development abutting the property along the rear. This proposal will eliminate that commercial intrusion on the adjacent property with a complimentary use and maintain home values in the existing Sweetwater townhome community.

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**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.

X  \_\_\_\_\_ 12-26-18  
Signature of Property Owner Date

Ali Katoot, as Managing Member of MK Professional Services, LLC  
\_\_\_\_\_  
Type or Print Name and Title

 \_\_\_\_\_ 12/26/18  
Signature of Notary Public Date



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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.

X James D. Jacobi 12.22.2018  
Signature of Applicant Date

JAMES D. JACOBI  
Type or Print Name and Title

Tyler Marchman 12/22/18  
Signature of Notary Public Date  
Tyler Marchman  
Notary Public  
Forsyth County, Georgia  
My Commission Expires 10-22-21  
Notary Seal

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**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.

X James D. Jasko 12.22.2018 JAMES D. JASKO: President  
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE DATE TYPE OR PRINT NAME AND TITLE  
Tyler Marchman 12/22/18 Tyler Marchman  
 Notary Public  
 Forsyth County, Georgia  
 My Commission Expires 10-22-21  
 SIGNATURE OF NOTARY PUBLIC DATE NOTARY SEAL

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

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

YES  NO X James D. Jasko  
 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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**VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING**

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

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

**PARCEL I.D. NUMBER:** 7 - 073 - 357  
(Map Reference Number) District Land Lot Parcel

X James D. Jacobi 12.22.2018  
Signature of Applicant Date  
JAMES D. JACOBI President  
Type or Print Name and Title

**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)

Judith M. [Signature]  
NAME  
2/1/19  
DATE

Acting Senior Tax Serv. Assoc.  
TITLE

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