

REZONING APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION*
NAME: <u>Mahaffey Pickens Tucker, LLP</u>	NAME: <u>Multiple--see attached</u>
ADDRESS: <u>1550 North Brown Road, Suite 125</u>	ADDRESS: _____
CITY: <u>Lawrenceville</u>	CITY: _____
STATE: <u>Georgia</u> ZIP: <u>30043</u>	STATE: _____ ZIP: _____
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:

OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

PRESENT ZONING DISTRICT(S): C-2 REQUESTED ZONING DISTRICT: HRR

LAND DISTRICT(S): 7 LAND LOT(S): 177 ACREAGE: _____

ADDRESS OF PROPERTY: Woodward Crossing Boulevard

PROPOSED DEVELOPMENT: Multifamily residential community

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units: <u>260</u>	No. of Buildings/Lots: <u>NA</u>
Dwelling Unit Size (Sq. Ft.): <u>varies</u>	Total Building Sq. Ft. _____
Gross Density: _____	Density: _____
Net Density: _____	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED
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Property Owners List

NAME	PARCEL #	ADDRESS
GUVEN ISA	R7177 055	1790 MALL OF GEORGIA BLVD, BUFORD, GA 30519- 8705
HKPK PROPERTIES LLC	R7177 069	10486 BENT TREE VW DULUTH GA 30097-4423

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ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING A PART OF LAND LOT 177 OF THE 7TH DISTRICT OF GWINNETT COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3/4 INCH REBAR FOUND AT THE COMMON CORNER OF LAND LOTS 144, 145, 176 AND 177; THENCE NORTH 43 DEGREES 08 MINUTES 34 SECONDS EAST FOR A DISTANCE OF 1609.10 FEET TO A 1/2 INCH REBAR SET IN THE SOUTHERLY RIGHT-OF-WAY LINE OF WOODWARD CROSSING BOULEVARD (HAVING A VARIABLE RIGHT-OF-WAY), SAID REBAR BEING THE POINT OF BEGINNING;

THENCE ALONG SAID RIGHT-OF-WAY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 776.20 FEET AND AN ARC LENGTH OF 265.52 FEET, BEING SUBTENDED BY A CHORD OF NORTH 48 DEGREES 29 MINUTES 36 SECONDS WEST FOR A DISTANCE OF 264.23 FEET TO A 1/2 INCH REBAR SET; THENCE LEAVING SAID RIGHT-OF-WAY NORTH 25 DEGREES 34 MINUTES 26 SECONDS EAST FOR A DISTANCE OF 281.20 FEET TO A 1/2 INCH REBAR SET; THENCE SOUTH 48 DEGREES 06 MINUTES 49 SECONDS EAST FOR A DISTANCE OF 35.24 FEET TO A 1/2 INCH REBAR SET; THENCE SOUTH 76 DEGREES 51 MINUTES 17 SECONDS EAST FOR A DISTANCE OF 36.60 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 85 DEGREES 28 MINUTES 01 SECOND EAST FOR A DISTANCE OF 120.36 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 62 DEGREES 52 MINUTES 36 SECONDS EAST FOR A DISTANCE OF 35.91 FEET TO A 1/2 INCH REBAR SET; THENCE SOUTH 31 DEGREES 58 MINUTES 07 SECONDS EAST FOR A DISTANCE OF 109.24 FEET TO A 1/2 INCH REBAR SET; THENCE SOUTH 30 DEGREES 35 MINUTES 31 SECONDS WEST FOR A DISTANCE OF 383.48 FEET TO THE POINT OF BEGINNING. SAID PROPERTY CONTAINS 2.1479 ACRES MORE OR LESS. SAID PROPERTY BEING SHOWN ON AND DESCRIBED ACCORDING TO THAT CERTAIN ALTA/ACSM SURVEY FOR TP SHOP, LLC, BANK OF NORTH GEORGIA AND STEWART TITLE GUARANTY COMPANY, PREPARED BY POST, BUCKLEY, SCHUH & JEMIGAN, INC., TIMOTHY J. SLATON, G.R.L.S. NO. 2405, DATED MARCH 20, 2003, WHICH SURVEY IS HEREBY MADE A PART OF THIS DESCRIPTION BY THIS REFERENCE. ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 177 OF THE 7TH DISTRICT OF GWINNETT COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3/4 INCH REBAR FOUND AT THE COMMON CORNER OF LAND LOTS 144, 145, 176, AND 177; THENCE NORTH 12 DEGREES 45 MINUTES 16 SECONDS EAST FOR A DISTANCE OF 1648.20 FEET TO A 1/2 INCH REBAR SET ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF WOODWARD CROSSING BOULEVARD (HAVING A VARIABLE RIGHT-OF-WAY), SAID REBAR BEING THE POINT OF BEGINNING; THENCE NORTH 15 DEGREES 02 MINUTES 28 SECONDS EAST LEAVING THE NORTHEASTERLY RIGHT-OF-WAY LINE OF WOODWARD CROSSING BOULEVARD FOR A DISTANCE OF 34.25 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 34 DEGREES 58 MINUTES 07 SECONDS EAST FOR A DISTANCE OF 22.23 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 53 DEGREES 18 MINUTES 12 SECONDS EAST FOR A DISTANCE OF 24.99 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 60 DEGREES 14 MINUTES 01 SECOND EAST FOR A DISTANCE OF 53.76 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 43 DEGREES 56 MINUTES 07 SECONDS EAST FOR A DISTANCE OF 38.43 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 27 DEGREES 16 MINUTES 47 SECONDS EAST FOR A DISTANCE OF 38.33 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 05 DEGREES 42 MINUTES 28 SECONDS EAST FOR A DISTANCE OF 41.25 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 23 DEGREES 45 MINUTES 51 SECONDS WEST FOR A DISTANCE OF 47.10 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 10 DEGREES 36 MINUTES 37 SECONDS WEST FOR A DISTANCE OF 28.56 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 42 DEGREES 58 MINUTES 53 SECONDS EAST FOR A DISTANCE OF 74.82 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 77 DEGREES 56 MINUTES 30 SECONDS EAST FOR A DISTANCE OF 68.15 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 77 DEGREES 41 MINUTES 07 SECONDS EAST FOR A DISTANCE OF 187.78 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 88 DEGREES 23 MINUTES 02 SECONDS EAST FOR A DISTANCE OF 67.48 FEET TO A 1/2 INCH REBAR SET; THENCE SOUTH 55 DEGREES 03 MINUTES 29 SECONDS EAST FOR A DISTANCE OF 38.40 FEET TO A 1/2 INCH REBAR SET; THENCE SOUTH 03 DEGREES

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36 MINUTES 10 SECONDS EAST FOR A DISTANCE OF 70.88 FEET TO A 1/2 INCH REBAR SET; THENCE SOUTH 17 DEGREES 25 MINUTES 59 SECONDS EAST FOR A DISTANCE OF 43.62 FEET TO A 1/2 INCH REBAR SET; THENCE SOUTH 38 DEGREES 11 MINUTES 50 SECONDS EAST FOR A DISTANCE OF 60.51 FEET TO A 1/2 INCH REBAR SET; THENCE SOUTH 13 DEGREES 37 MINUTES 40 SECONDS EAST FOR A DISTANCE OF 41.59 FEET TO A 1/2 INCH REBAR SET; THENCE SOUTH 04 DEGREES 39 MINUTES 47 SECONDS WEST FOR A DISTANCE OF 29.23 FEET TO A 1/2 INCH REBAR SET; THENCE SOUTH 19 DEGREES 33 MINUTES 30 SECONDS EAST FOR A DISTANCE OF 85.17 FEET TO A 1/2 INCH REBAR SET; THENCE SOUTH 48 DEGREES 06 MINUTES 49 SECONDS EAST FOR A DISTANCE OF 76.06 FEET TO A 1/2 INCH REBAR SET; THENCE SOUTH 25 DEGREES 34 MINUTES 26 SECONDS WEST FOR A DISTANCE OF 281.20 FEET TO A 1/2 INCH REBAR SET ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF WOODWARD CROSSING BOULEVARD; THENCE ALONG THE NORTHEASTERLY RIGHT-OF-WAY OF WOODWARD CROSSING BOULEVARD THE FOLLOWING COURSES AND DISTANCES: THENCE SOUTH 31 DEGREES 42 MINUTES 25 SECONDS WEST FOR A DISTANCE OF 10.00 FEET TO A 1/2 INCH REBAR SET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 766.20 FEET AND AN ARC LENGTH OF 73.01 FEET, BEING SUBTENDED BY A CHORD OF NORTH 61 DEGREES 01 MINUTES 22 SECONDS WEST FOR A DISTANCE OF 72.98 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 63 DEGREES 45 MINUTES 09 SECONDS WEST FOR A DISTANCE OF 137.76 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 17 DEGREES 25 MINUTES 13 SECONDS WEST FOR A DISTANCE OF A 60.83 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 63 DEGREES 45 MINUTES 09 SECONDS WEST FOR A DISTANCE OF 41.00 FEET TO A 1/2 INCH REBAR SET; THENCE SOUTH 70 DEGREES 01 MINUTE 43 SECONDS WEST FOR A DISTANCE OF 33.24 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 69 DEGREES 27 MINUTES 47 SECONDS WEST FOR A DISTANCE OF 50.25 FEET TO A 1/2 INCH REBAR SET; THENCE SOUTH 26 DEGREES 14 MINUTES 51 SECONDS WEST FOR A DISTANCE OF 8 00 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 69 DEGREES 27 MINUTES 47 SECONDS WEST FOR A DISTANCE OF 70.35 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 63 DEGREES 45 MINUTES 08 SECONDS WEST FOR A DISTANCE OF 159.70 FEET TO THE POINT OF BEGINNING.

SAID PROPERTY BEING THE SAME PROPERTY AS SHOWN AS BLOCK "B", UNIT 2, LOT 2, CONTAINING 5.656 ACRES MORE OR LESS, PER FINAL PLAT FOR MALL OF GEORGIA, PREPARED BY POST, BUCKLEY, SCHUH & JERNIGAN, INC. DATED JULY 8, 1999, AND RECORDED IN PLAT BOOK 124, PAGES 49 TO 61, RECORDS OF THE CLERK OF THE SUPERIOR COURT, GWINNETT COUNTY, GEORGIA.

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CURVE 6	CURVE 7
R1 STA. 402+74.58 Δ=287.47° BE. R=716.20' T=156.26' L=206.11'	R1 STA. 402+95.67 Δ=231°10'56" BE. R=716.20' T=156.26' L=206.30'

FOR DEED BOOK 17617, PAGES 183-211

INTERFERENCE ACCESS EASEMENT

SIDEWALK EASEMENT

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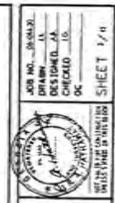
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7/28 '19 0 1 2

FILED & RECORDED
CLERK SUPERVISOR COURT
JANICE COOPER
DATE 8-17-19 TIME 9:45 AM
PLATNO 17-11-000-001
TOLUOKE, GA

FILED & RECORDED
CLERK SUPERVISOR COURT
JANICE COOPER
DATE 8-17-19 TIME 9:45 AM
PLATNO 17-11-000-001
TOLUOKE, GA



JOB NO. 18043	DATE 11/15/18
DRAWN BY J. B. BROWN	DATE 11/15/18
CHECKED BY J. B. BROWN	DATE 11/15/18
DATE 11/15/18	DATE 11/15/18

DATE 11/15/18	DATE 11/15/18
DATE 11/15/18	DATE 11/15/18
DATE 11/15/18	DATE 11/15/18

TASK

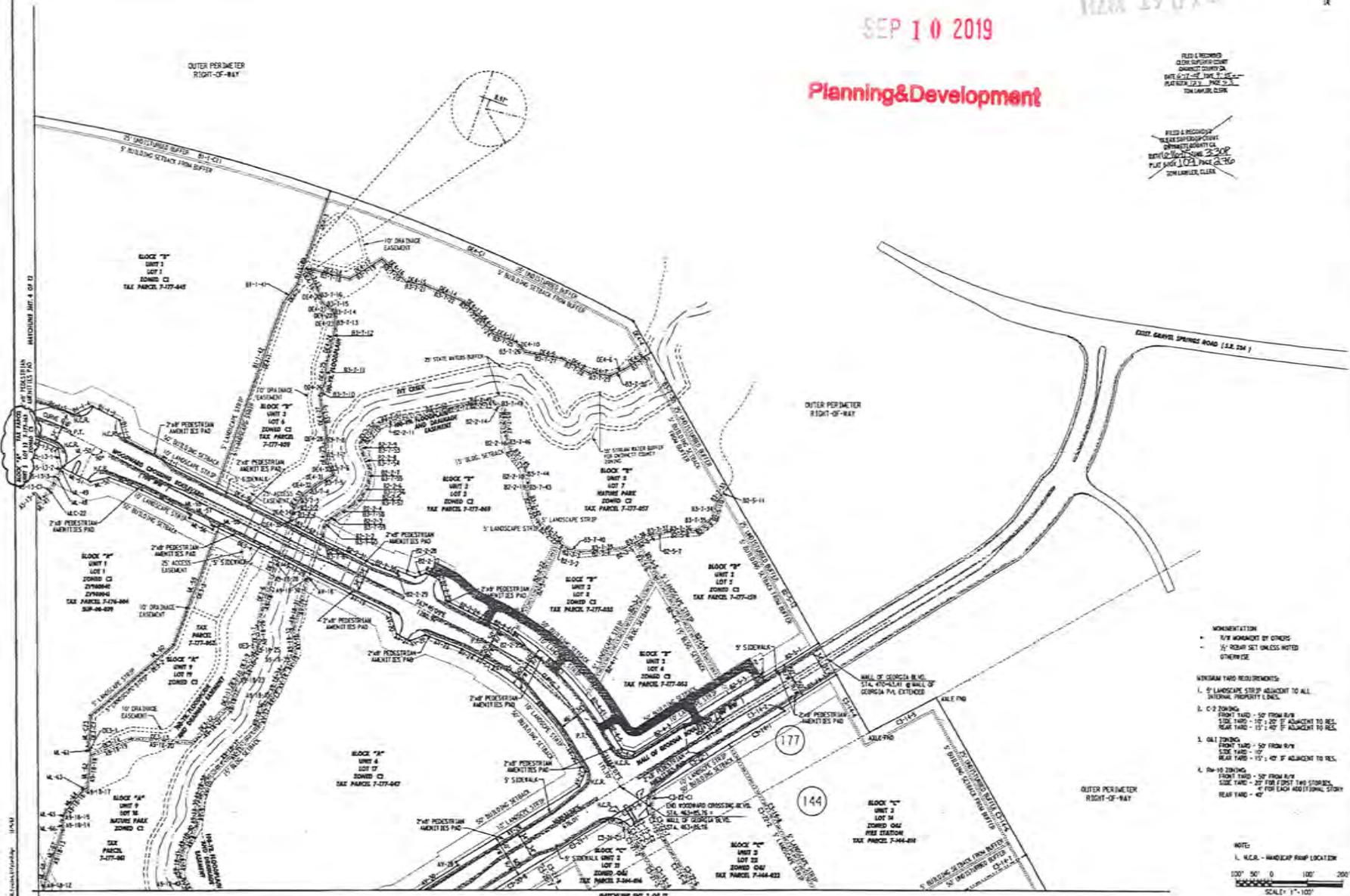
PROJECT

CLIENT

AMAL OF GEORGIA
COUNTY COMMISSION

AMAL OF GEORGIA, LLC
3111 BAYVIEW DRIVE
N. W. CORNER OF
STATE STREET & 10TH STREET
DUBLIN, GA 31008

CLIENT

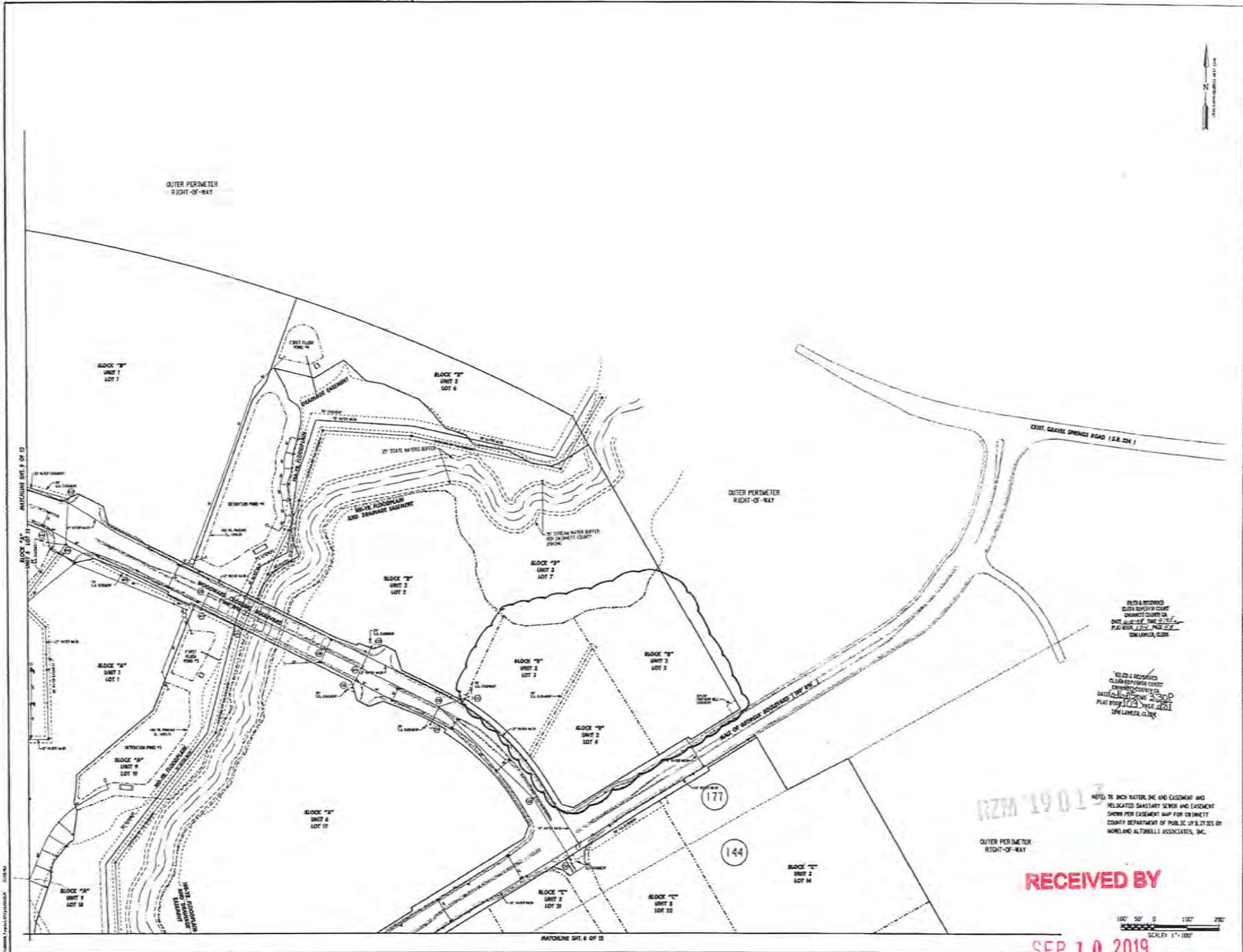


- NOTATION
- 1/8" WORKMAN BY OTHERS
 - 3/4" REAR SET UNLESS NOTED OTHERWISE
- MINIMUM TYPED REQUIREMENTS
- 5' LANDSCAPE STRIP ADJACENT TO ALL INTERNAL PROPERTY LINES.
 - C-2 ZONING:
FRONT YARD - 50' FROM R/W
SIDE YARD - 10'; 10' IF ADJACENT TO RES.
REAR YARD - 10'; 10' IF ADJACENT TO RES.
 - C-1 ZONING:
FRONT YARD - 50' FROM R/W
SIDE YARD - 10'; 10' IF ADJACENT TO RES.
REAR YARD - 10'
 - RM-10 ZONING:
FRONT YARD - 50' FROM R/W
SIDE YARD - 20' FOR FIRST TWO STORIES
REAR YARD - 40' FOR EACH ADDITIONAL STORY

NOTE:
1. N.C.R. - HANDCAP PUMP LOCATION

100' 50' 0 100' 200'

SCALE: 1"=100'



JOB NO. 19-013
 DRAWN BY: J. L. BROWN
 CHECKED BY: J. L. BROWN
 DATE: 08/14/19
 SHEET 14/19

1. 10' BUFFER FROM ALL EXISTING AND PROPOSED UTILITIES
 2. 10' BUFFER FROM ALL EXISTING AND PROPOSED STRUCTURES
 3. 10' BUFFER FROM ALL EXISTING AND PROPOSED DRIVEWAYS
 4. 10' BUFFER FROM ALL EXISTING AND PROPOSED FENCES
 5. 10' BUFFER FROM ALL EXISTING AND PROPOSED SIGNAGE
 6. 10' BUFFER FROM ALL EXISTING AND PROPOSED LIGHT FIXTURES
 7. 10' BUFFER FROM ALL EXISTING AND PROPOSED LANDSCAPE ELEMENTS
 8. 10' BUFFER FROM ALL EXISTING AND PROPOSED PAVEMENT EDGES
 9. 10' BUFFER FROM ALL EXISTING AND PROPOSED CURBS
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RZM 19013

NOTES TO ARCHITECT, ENGINEER AND EXISTENT AND
 RELOCATED SANITARY SEWER AND EXISTENT
 SHOW PER EXHIBIT MAP FOR DEWITT
 COUNTY DEPARTMENT OF PUBLIC UTILITIES BY
 MORRIS AND ALTBELLI ASSOCIATES, INC.

OUTER PERIMETER
RIGHT-OF-WAY

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100' 50' 0' 100' 200'
 SCALE: 1"=100'



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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CHANGE IN CONDITIONS APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) Yes, the proposed development will permit a use that is suitable in view of the use and development of adjacent and nearby property. The proposed development would provide multifamily housing options to this growing Regional Activity Center Character Area.
- (B) No, the proposed development will not adversely affect the existing use or usability of any of the nearby properties.
- (C) Due to the size, location, layout and dimensions of the property, the Applicant submits that the property does not have reasonable economic use as currently zoned.
- (D) No, the proposed development will not result in an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The proposed development would complement the existing commercial uses at the Mall of Georgia and surrounding area by providing necessary residential critical mass to support those uses.
- (E) Yes, the proposed development is in conformity with the policy and intent of the Gwinnett County 2040 Comprehensive Plan. The proposed development would encourage and enhance walkability and aesthetics of Woodward Crossing Boulevard with its attractive architecture and location.
- (F) The Applicant submits that the subject Property's location, size, and dimensions, as well as its close proximity to the Mall of Georgia and surrounding area supports grounds for approval of the proposed rezoning application.

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Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Christopher D. Holbrook
Nicholas N. Kemper
Shane M. Lanham
Austen T. Mabe

Jeffrey R. Mahaffey
Steven A. Pickens
Catherine V. Schutz
Thomas A. Simpson
Andrew D. Stancil
R. Lee Tucker, Jr.

*Of Counsel

LETTER OF INTENT FOR REZONING APPLICATION

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached rezoning application (the "Application") for the purpose of requesting the rezoning of an approximately 7.80 acre tract of land located on the northeasterly side of Woodward Crossing Boulevard near its intersection with Mall of Georgia Boulevard (the "Property"). The Property is bordered by an existing commercial development on its southeasterly boundary line and is adjacent to land owned by the Georgia Wildlife Federation which contains a segment of the Ivy Creek Greenway. Across Woodward Crossing Boulevard to the southwest is the Ariston development zoned MU-R. The Property is currently zoned C-2 pursuant to REZ1997-00013.

The Applicant is proposing to rezone the Property from C-2 to the HRR zoning classification of the Gwinnett County Unified Development Ordinance (the "UDO") in order to accommodate the development and construction of a multifamily residential community. The proposed community would provide approximately 260 units of upscale, luxury multifamily homes. The proposed development would provide an internal, centrally-located amenity area including a fitness center for use of residents, but it is also uniquely positioned to provide several additional benefits for residents. Specifically, future residents of the proposed community would enjoy quick and convenient pedestrian access to adjacent commercial development at the corner of Mall of Georgia Boulevard and Woodward Crossing Boulevard as well as across the street at the Ariston mixed-use development which is currently under development. Residents would also be able to take advantage of additional outdoor recreation opportunities on the Ivy Creek Greenway which wraps around the site before meandering down towards Buford Drive and the Gwinnett Environmental and Heritage Center.

The proposed community is compatible with the policies set forth in the 2040 Unified Plan which designate the Property as within the Regional Activity Center Character Area. Policies for this character area encourage a mix of land uses and higher residential densities. The proposed development would complement the existing commercial uses at the Mall of Georgia and surrounding area by providing necessary residential critical mass to support those uses. There is currently a healthy supply of commercial uses surrounding the mall and the proposed development would support those existing uses and further diversify the mix of uses in the area. The proposed development would also enhance the walkability and aesthetics of Woodward

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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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Crossing Boulevard with its attractive architecture and the location of the buildings pushed up onto the right-of-way.

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 Application filed herewith. The Applicant respectfully requests your approval of this Application.

This 5th day of September, 2019

Respectfully Submitted,

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham

RZM 19013

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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

9/5/19

Date

Shane Lanham, Attorney for the Applicant

Type or Print Name and Title

Signature of Notary Public

09/05/19

Date



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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.



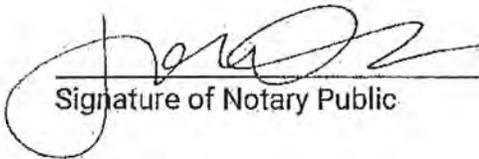
Signature of Property Owner

9/3/2019

Date

Peter Kim / Owner

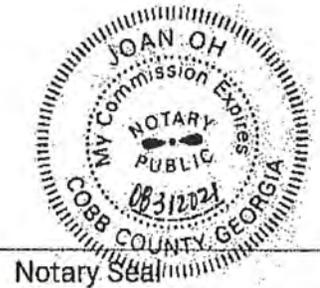
Type or Print Name and Title



Signature of Notary Public

9/3/2019

Date



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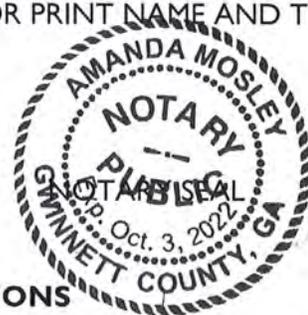
CONFLICT OF INTEREST CERTIFICATION FOR REZONING

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.

SIGNATURE OF APPLICANT	DATE	TYPE OR PRINT NAME AND TITLE
<i>Sh</i>	9/5/19	Shane M. Lanham, Attorney for Applicant

SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE	DATE	TYPE OR PRINT NAME AND TITLE
<i>Amanda Mosley</i>	09/05/19	

SIGNATURE OF NOTARY PUBLIC	DATE
<i>Amanda Mosley</i>	09/05/19



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 OFFICAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)
See attached		

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

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**CONFLICT OF INTEREST CERTIFICATION FOR REZONING/CHANGE IN
CONDITIONS AND SPECIAL USE PERMIT APPLICATIONS**

MAHAFFEY PICKENS TUCKER, LLP

<u>NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL</u>	<u>CONTRIBUTIONS</u>	<u>DATE</u>
None		

JEFF MAHAFFEY

<u>NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL</u>	<u>CONTRIBUTIONS</u>	<u>DATE</u>
Clint Dixon	\$1500	06/26/2019

LEE TUCKER

<u>NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL</u>	<u>CONTRIBUTIONS</u>	<u>DATE</u>
Clint Dixon	\$1000	06/26/2019

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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 - 177 - 069
(Map Reference Number) District Land Lot Parcel

 09/05/19
Signature of Applicant Date

Shane Lanham, Attorney for the Applicant
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)

Ingrid Espinal TSA #
NAME TITLE

9/5/19
DATE

RZTA 19013

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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 - 177 - 055
(Map Reference Number) District Land Lot Parcel

 09/05/19
Signature of Applicant Date

Shane Lanham, Attorney for the Applicant

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)

Ingrid Espinal TSA #
NAME TITLE
9/5/19
DATE

17211 19013

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JUSTIFICATION FOR REZONING APPLICATION

The portions of the Gwinnett 2040 Unified Plan (the "Plan") which classify or may classify the property which is the subject of this Application (the "Property") into any less intensive zoning classification other than as requested by the Applicant, are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Resolution as applied to the subject Property, which restricts its use to the present zoning classification, is unconstitutional, illegal, null and void, constituting a taking of the Applicant's and the owner's 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, Article I, Section I, Paragraph I, and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

The Property is presently suitable for development under the requested zoning classifications with the conditions as requested by the Applicant, and is not economically suitable for development under the present conditions and zoning classifications of Gwinnett County. A denial of this Application would constitute an arbitrary and capricious act by the Mayor and City Council without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution

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of the United States.

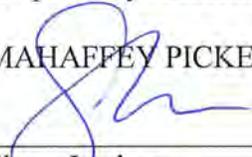
A refusal by the Mayor and City Council to rezone the Property to the requested zoning classifications with such conditions as agreed to by the Applicant, so as to permit the only feasible economic use of the Property, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the subject Property to the requested classifications, subject to conditions which are different from the conditions by which the Applicant may amend its application, to the extent such different conditions would have the effect of further restricting the Applicant's and the owner's utilization of the subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

Accordingly, the Applicant respectfully requests that the rezoning application submitted by the Applicant relative to the Property be granted and that the Property be rezoned to the zoning classification as shown on the respective application.

This 6th day of September, 2019

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP



Shane Lanham
Attorney

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ICZM 19015

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1 ELEVATION - BUILDING 200 SOUTH
 A3.02 1/16" = 1'-0"



2 ELEVATION - BUILDING 200 EAST
 A3.02 1/16" = 1'-0"



3 ELEVATION - BUILDING 200 WEST
 A3.02 1/16" = 1'-0"



ELEVATION KEYNOTES

- 1 BRICK COLOR #1
- 2 BRICK COLOR #2
- 3 FIBER CEMENT COLOR #1
- 4 FIBER CEMENT COLOR #2
- 5 FIBER CEMENT COLOR #3
- 6 BANDING AT PODIUM
- 7 ALUMINUM WINDOW
- 8 ALUMINUM PATIO DOOR
- 9 PATIO RAILING
- 10 PRECAST CONCRETE
- 11 ALUMINUM STOREFRONT



PROJECT # : 61900058
 DRAWN BY : Author
 CHECKED BY : Checker

NILES BOLTON ASSOCIATES



3060 Peachtree Rd. N.W.
 Suite 600
 Atlanta, GA 30305
 T 404 365 7600
 www.nilesbolton.com

No.	Description	Date

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TPA MOG VILLAGE
 LAND LOT 177
 WOODWARD CROSSINGS BOULEVARD
 BUFORD, GEORGIA 30519
 TPA RESIDENTIAL

SHEET TITLE:
ELEVATIONS - EXTERIOR - BUILDING 200

SHEET NUMBER:
A3.02

09-06-19

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WZM 19013

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1 PERSPECTIVE MAIN ENTRY
A3.04 1/16" = 1'-0"



2 PERSPECTIVE VIEW FROM SOUTHEAST
A3.04 1/16" = 1'-0"



ELEVATION KEYNOTES

- 1 BRICK COLOR #1
- 2 BRICK COLOR #2
- 3 FIBER CEMENT COLOR #1
- 4 FIBER CEMENT COLOR #2
- 5 FIBER CEMENT COLOR #3
- 6 BANDING AT PODIUM
- 7 ALUMINUM WINDOW
- 8 ALUMINUM STOREFRONT
- 9 PRECAST CONCRETE
- 10 PRECAST CONCRETE
- 11 ALUMINUM STOREFRONT



PROJECT #: 61900058
DRAWN BY: Author
CHECKED BY: Checker

NILES BOLTON ASSOCIATES



3060 Peachtree Rd. N.W.
Suite 600
Atlanta, GA 30305
T 404 365 7600
www.nilesbolton.com

No.	Description	Date

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TPA MOG VILLAGE
LAND LOT 177
WOODWARD CROSSINGS BOULEVARD
BUFORD, GEORGIA 30519
TPA RESIDENTIAL

SHEET TITLE:

PERSPECTIVES - EXTERIOR

SHEET NUMBER:

A3.04

09-06-19

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TECHNICAL MEMORANDUM

To: Tyler Gaines
TPA Residential Group, LLC

From: Daniel B. Dobry, Jr., P.E., PTOE, AICP
Aimee Turner, P.E., PTOE

Date: September 4, 2019

Re: **Woodward Crossing Development - Traffic Study Pre-Review**
Gwinnett County, Georgia

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TPA Residential Group, LLC is actively completing the rezoning process for a parcel abutting Woodward Crossing Boulevard northwest of Mall of Georgia Boulevard. The proposed development would be high rise residential with a single access point onto Woodward Crossing Boulevard.

Site Map

The site location of the proposed development in relation to the area wide roadway network is shown on Figure 1.

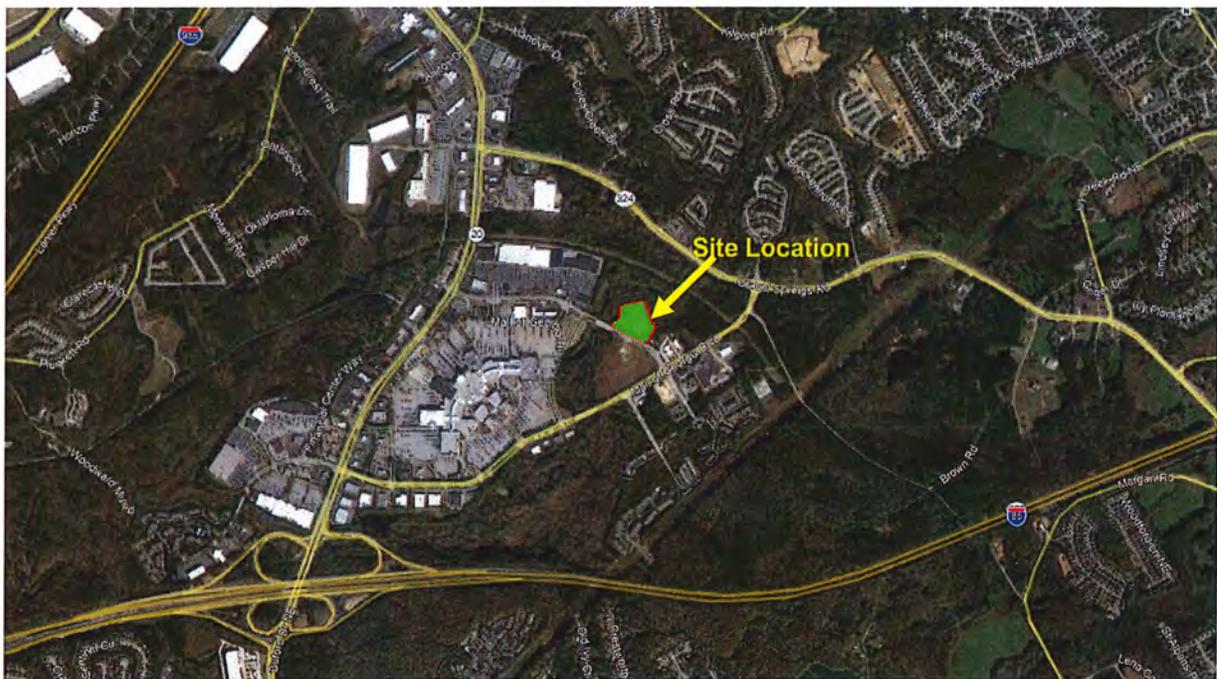
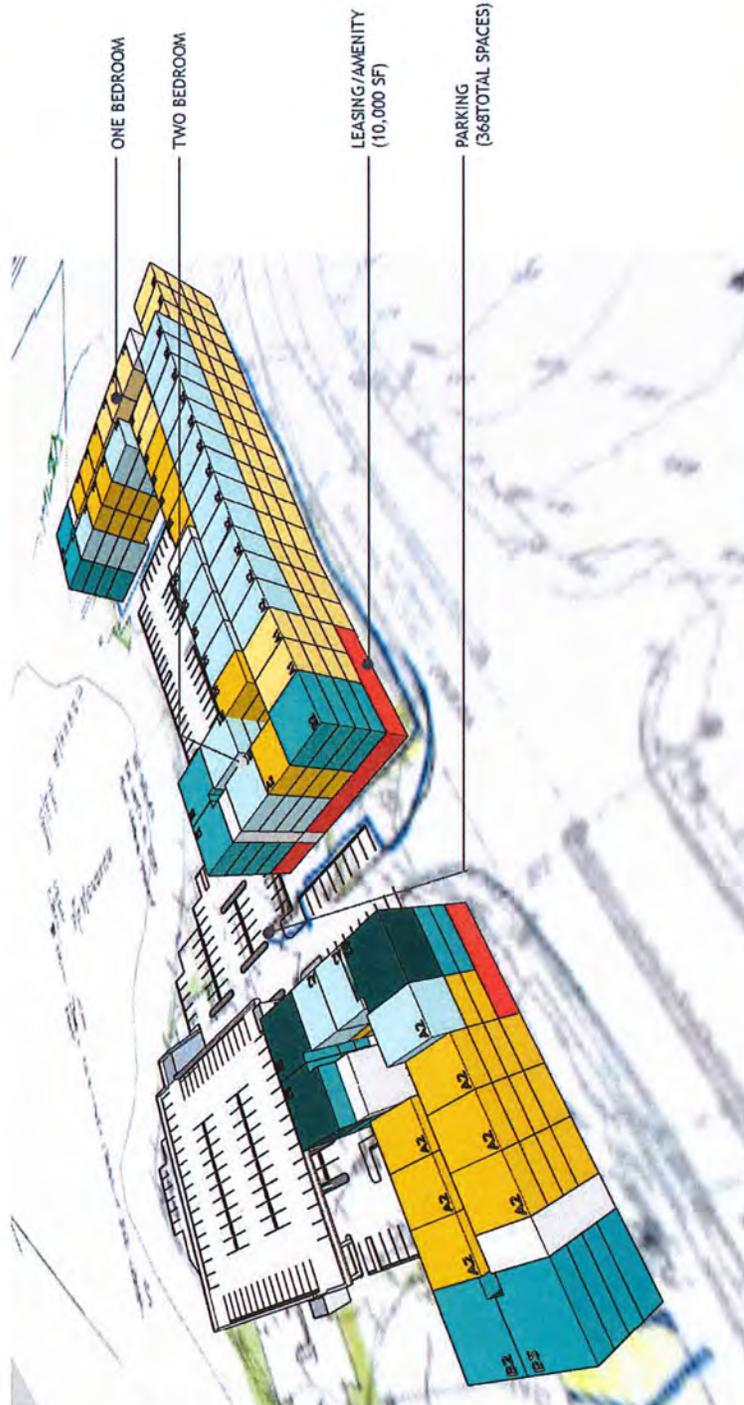


Figure 1: Site Location Relative to Adjacent Roadway Network

Site Plan

The conceptual plan for this proposed high rise residential development is shown on Figure 2.

Massing Study
 Mall of Georgia Site - Buford, Georgia



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TPA RESIDENTIAL GROUP | 08.05.2019

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Figure 2: Massing Study Conceptual Plan

Annual Growth Rate

To project the existing traffic volumes to the build out year of the residential development, 2021, two sources of data were analyzed. The first source was the GDOT TADA™ online mapping tool. A growth rate was determined using a linear regression analysis of reported historical traffic count data at count stations on the surrounding roadway network. The second source is outputs from the ARC's regional travel demand model. The traffic volume projections for 2015, 2020, 2030, and 2040 were reviewed and an annual growth rate (AGR) was approximated from 2015 to 2040. Volumes for roadway links were evaluated. The initial analysis of these two sources resulted in the calculation of an annual growth rate of 1.5%.

Regional Planned and Programmed Improvements

Gwinnett County DOT was contacted to assist in identifying projects that are planned within the vicinity of the proposed development. The identified projects are listed below:

- New Interchange: SR 324/Gravel Springs Road at I-85 Interchange
- Sugarloaf Parkway Extension (Short and Mid-term Phase)
- I-85 Express Lane Extension

At the request of Gwinnett DOT, design and traffic patterns reported for the aforementioned projects were incorporated into evaluation of operations at impacted intersections.

Pending Developments in Area

- **The Exchange at Gwinnett (DRI #2834)**
The proposed development is a mixed use development located to the east of SR 20/Buford Drive between I 85 and Laurel Crossing Pkwy. Proposed land uses will include a multi-family housing, senior adult housing, retail, a hotel, restaurants, a fitness club, gas station, and a golf driving range.
- **Home2 Suite by Hilton – Mall of Georgia**
To be located on the southwest corner of Mall of Georgia Boulevard and Woodward Crossing Boulevard, and will include 95 suite hotel rooms
- **Ariston Mixed-use Development**
The proposed mixed-use development will consist of 325 apartment units, a 110 room hotel, and 36,300 square feet of retail and will be located at west of Mall of Georgia Boulevard and Woodward Crossing Boulevard intersection.

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Trip Generation

The Institute of Transportation Engineers Trip Generation 10th edition was used to estimate the daily two-way as well as morning and evening peak hour trips to be generated by the proposed residential development. The Land Use Code and the trip generation rates for each was used in the calculation and the estimate of the number of new trips is shown in Table 1.

Table 1: Trip Generation

Description	LUC	Quantity	Daily	AM Peak			PM Peak		
			Two-way	Enter	Exit	Total	Enter	Exit	Total
High Rise Residential	222	250 D.U.	1,197	20	63	83	57	37	94

Trip Distribution

The distribution of development's new trips was determined based on locations of major roadways and highways that will serve the development; anticipated travel patterns; and surrounding land uses. Figure 3 shows the region wide trip distribution of the development's generated trips.

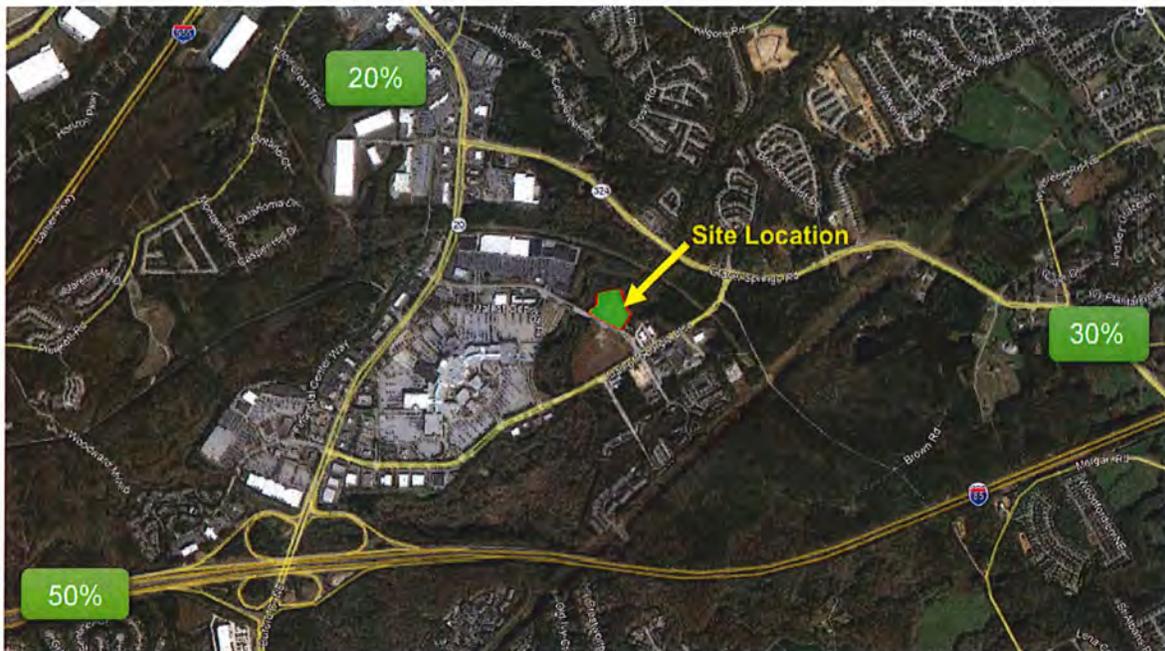


Figure 3: Regional Trip Distribution

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Proposed Study Intersections

The following intersections were deemed pertinent to the traffic impact analysis were identified to be included in the analysis:

1. SR 20/Buford Drive at Mall of Georgia Boulevard
2. Mall of Georgia Boulevard at Woodward Crossing Boulevard
3. Mall of Georgia Boulevard at SR 324/Gravel Springs Road
4. SR 20/Buford Drive at Woodward Crossing Boulevard
5. Site Driveway at Woodward Crossing Boulevard

A map of all of the intersections included in the study area network is shown in Figure 4.



Figure 4: Study Intersections

Additional Considerations

If there are roadway improvements or other major developments in the area that will impact traffic operations at the proposed study intersections and were not listed above, those will be included in the full traffic impact study at Gwinnett DOT's request.

Previous Counts

The traffic impact study completed for the adjacent Ariston Mixed-use development was finalized in July 2019. The traffic counts at the study intersections were collect in January 2019. For the proposed study intersections that are identical to those evaluated in the Ariston study, it is being requested that the traffic counts collected in January 2019 for this Project as well.

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