

REZONING APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Corridor Development Inc.</u> <u>c/o Alliance Engineering and Planning</u>	NAME: <u>Shreeji Properties LLC</u>
ADDRESS: <u>6095 Atlanta Hwy., Suite 100</u>	ADDRESS: <u>3464 Howell Street</u>
CITY: <u>Flowery Branch</u>	CITY: <u>Duluth</u>
STATE: <u>GA</u> ZIP: <u>30542</u>	STATE: <u>GA</u> ZIP: <u>30096</u>
PHONE: <u>770-361-8444</u>	PHONE: <u>770-361-8444</u>
CONTACT PERSON: <u>MITCH PEEVY</u> PHONE: <u>(770) 361-8444</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).

APPLICANT IS THE:	
<u> </u> OWNERS AGENT	<u> </u> PROPERTY OWNER <u> X </u> CONTRACT PURCHASER
PRESENT ZONING DISTRICT (S): <u>RA-200</u>	REQUESTED ZONING DISTRICT: <u>TND w/Lot Size Variance and Graded/Replanted Buffer</u>
LAND DISTRICT (S): <u> 3 </u>	LAND LOT: <u>007</u> ACREAGE: <u>24.8</u>
ADDRESS OF PROPERTY: <u>2058 and 2098 Old Flowery Branch Road</u>	
PROPOSED DEVELOPMENT: <u>Traditional Neighborhood Development</u>	
RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: <u>121</u>	NO. OF BUILDINGS/UNITS: <u> </u>
DWELLING UNIT SIZE (SQ. FT.): <u>1,600</u>	TOTAL GROSS SQUARE FEET: <u> </u>
GROSS DENSITY: <u>4.87 units per ac</u>	DENSITY: <u> </u>
NET DENSITY: <u>4.87 units per ac</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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PROPERTY DESCRIPTION

All that tract or parcel of land lying and being in Duncan's G.M.D. No. 1749, Gwinnett County, Georgia, said tract being more particularly described as follows.

BEGINNING at a point marked by an iron pin set located on the southwesterly right of way line of Old Flowery Branch Road (60 foot right of way), said point being located 707.9 feet in a generally northwesterly direction along said right of way line of Old Flowery Branch Road from its intersection with the Westerly right of way line of Interstate Highway No. 85 (300 foot right of way), and leaving said right of way line, run thence South 28 degrees 41 minutes 16 seconds East a distance of 162.16 feet to a point, run thence South 26 degrees 12 minutes 58 seconds East a distance of 140.64 feet to a point, run thence along said right of way line of Old Flowery Branch Road an arc distance of 198.61 feet to a point, said arc having a radius of 640.00 feet and being subtended by a chord bearing and distance of South 35 degrees 06 minutes 23 seconds East a distance of 197.81 feet, run thence South 43 degrees 59 minutes 47 seconds East a distance of 212.51 feet to a point marked by an iron pin set, run thence along the right of way line of Interstate Highway No.85 South 69 degrees 56 minutes 04 seconds West a distance of 355.58 feet to a point, continuing along said right of way line run thence South 69 degrees 24 minutes 53 seconds West a distance of 575.23 feet to a point, continuing along said right of way line run thence South 69 degrees 01 minutes 08 seconds West a distance of 429.74 feet to a point, leaving said right of way line of Interstate Highway No.85 run thence North 35 degrees 19 minutes 25 seconds West a distance of 649.44 feet to a point, run thence North 53 degrees 52 minutes 08 seconds East a distance of 446.04 feet to a point, run thence North 54 degrees, 57 minutes 26 seconds East a distance of 314.11 feet to a point, run thence North 54 degrees, 38 minutes, 39 seconds East a distance of 614.39 feet to a point, run thence along the right of way line of Old Flowery Branch Road an arc distance of 138.89 feet to a point, said arc having a radius of 452.31 feet and being subtended by a chord bearing and distance of South 22 degrees 38 minutes 15 seconds East, continuing along said right of way line run thence South 28 degrees 34 minutes 43 seconds East a distance of 159.20 feet to a point, said point being the TRUE PLACE OR POINT OF BEGINNING.

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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 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 SUBJECT PROPERTY IS SHOWN AS EMERGING SUBURBAN

(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, Corridor Development, requests a rezoning from RA-200 to TND for the purpose of developing a residential project. The subject property is located at the dead end of Old Flowery Branch Road with frontage along I-85. The property is a total of 24.8 acres and the proposal is for a total of 121 units at a gross density of 4.87 homes per acre. The Developer has proposed a plan for this property that corresponds with the existing area and trends of today for properties fronting I-85.

The proposed development features 20% of the property or 4.96 acres to be used for common open space with an active recreation area that has a pool and cabana. Access to the property will be by a single entrance onto Old Flowery Branch Road. The request is to also allow the buffers to be graded and replanted. The applicant is also proposing to provide 31 on street parking spaces as well as each unit having a 2-car garage.

This residential project is proposed to consist of all detached homes with a minimum of 1,600 square feet of heated space. The front facades of the homes will be a mixture of fiber cement siding with a minimum 2-foot brick or stone water table. The sides and rear facades of the residential units will be the same or all concrete lap siding. The units will be built by Meritage Homes and are some of the most energy efficient homes on the market. The buildings will be two stories tall with a maximum height of thirty-five feet with the price points as follows:

1. The 48 Detached Bungalows are proposed instead of townhomes and will require a lot size variance to allow detached homes on lots less than 5,999 square feet and they will range from 1,700 to 2,600 square feet and start in the high \$200's and will be rear entry homes.
2. The 56 Small Lot types will all be front entry and range from 1,600 to 2,700 square feet and start in the high \$200's.
3. The 17 Medium and Large Lot types will all be front entry and will range from 1,600 to 2,800 square feet and start in the low \$300's.

While the property does mostly abut RA-200, 2 of those tracts are not being used for residential purposes as one is a large church and the other a large landscaping business. Finally, the property, along I-85, abuts a vacant M-1 property that is currently being used only for a billboard.

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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

3/17/2020

Date

Matthew Retter president

Type or Print Name and Title

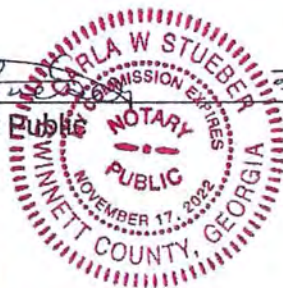


Signature of Notary Public

3-17-2020

Date

Notary Seal



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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

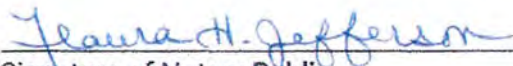
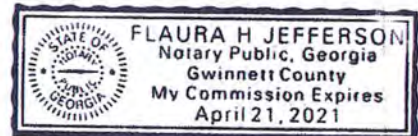
3/18/2020

Date

CHATUR CHHABHAYA

Type or Print Name and Title

PARTNER



Signature of Notary Public

3/18/2020

Date

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.

Matthew Retter 3/17/2020 Matthew Retter
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

Carla W. Stuber 3-17-2020
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

MATTHEW RETTER
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: R3 - 007 - 022
(Map Reference Number) District Land Lot Parcel

Matthew Better 3/17/2020
Signature of Applicant Date
Matthew Better
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)

Ingrid Espinal TSA II
NAME TITLE
3/17/2020
DATE

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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: R3 - 007 - 012
(Map Reference Number) District Land Lot Parcel

 3/17/2020
Signature of Applicant Date

 Matthew Retter
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)

 Ingrid Espinal TSA II
NAME TITLE

 03/17/2020
DATE

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Board and Batten

Fiber Cement
Siding

Brick/
Stone



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