



PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: RZC2023-00017
Current Zoning: R-75 (Single-Family Residence District)
Request: Rezoning to C-1 (Neighborhood Business District)
Additional Requests: Variance and Waiver
Address: 600 Block of Winder Highway
Map Number: R5207 015 (portion)
Site Area: 2.86 acres
Square Feet: 12,000
Proposed Development: Multi-tenant Commercial Building
Commission District: District 3 – Commissioner Watkins
Character Area: Community Node

Staff Recommendation: DENIAL

**Planning Commission
Recommendation:** DENIAL

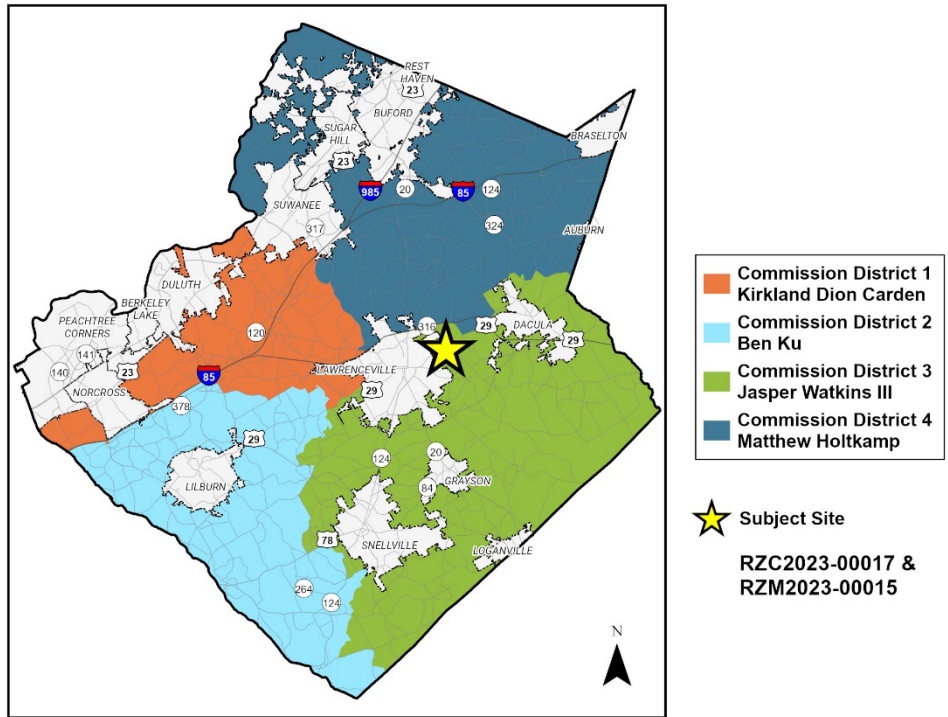
Case Number: RZM2023-00015
Current Zoning: R-75 (Single-Family Residence District)
Request: Rezoning to R-TH (Single-Family Residence Townhouse District)
Address: 600 Block of Winder Highway
Map Number: R5207 015 (portion)
Site Area: 3.02 acres
Units: 30
Proposed Development: Townhouses
Commission District: District 3 – Commissioner Watkins
Character Area: Community Node

Staff Recommendation: DENIAL

**Planning Commission
Recommendation:** DENIAL

**Planning Commission Advertised Public Hearing Date: 7/10/2023 (Public Hearing
Held/Recommendation Tabled to 9/5/2023)**

**Board of Commissioners Advertised Public Hearing Date: 7/25/2023 (Public Hearing Tabled to
10/24/2023)**



Applicant: Nabeel Group of Companies, Inc.
 c/o Mahaffey Pickens Tucker, LLP
 1550 North Brown Road, Suite 125
 Lawrenceville, GA 30043

Owners: Foun H. Tran
 Judy Y. Y. Cheng
 163 Timberlane Drive
 Americus, GA 31709

Contact: Gabrielle Schaller

Contact Phone: 770.232.0000

Zoning History

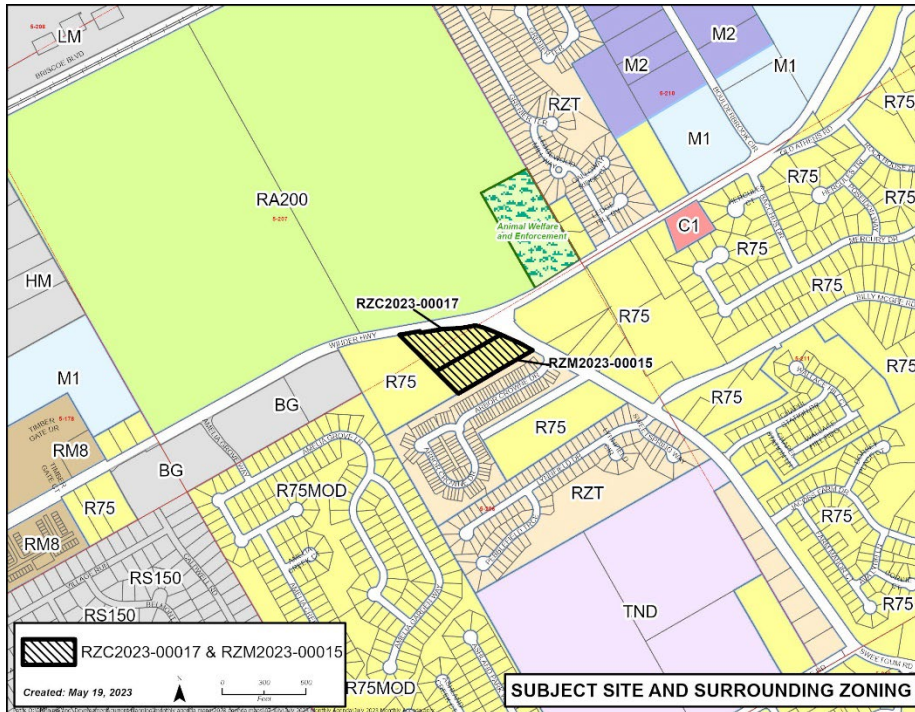
The subject property is zoned R-75 (Single-Family Residence District). There are no zoning cases on record for this property.

Existing Site Condition

The subject property is a 5.87-acre parcel located at the southwest quadrant of the intersection of Winder Highway with Sweetgum Road. The parcel is undeveloped, consisting primarily of a grassy field surrounded by a narrow band of trees along the northern, eastern, and southern property lines. The land gently slopes, rising approximately 20 feet from the western to eastern property lines. A 30-foot-wide Georgia Power easement runs along the property frontage on Winder Highway. There is a partial existing sidewalk and landscape strip along the Winder Highway frontage, and a sidewalk gap between the corner of the property and the townhouse development to the south. Winder Highway is a two-lane arterial with a right turn lane along the property frontage, and Sweetgum Road is a two-lane local street with a right turn lane into the adjacent townhouse development along a portion of the property frontage. The nearest Gwinnett County Transit stop is approximately 2.5 miles from the subject property.

Surrounding Use and Zoning

The subject property is located at the corner of a signalized intersection in an area transitioning from a rural to a suburban character. Gwinnett County Government facilities including the police training center and the animal welfare center are located across Winder Highway from the subject property. There are rural estate parcels zoned R-75 to the east across Sweetgum Road. An agricultural property abuts the site to the west. A townhouse subdivision zoned R-TH abuts the southern property line. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Commercial Townhouses	C-1 R-TH	N/A 9.93 units per acre
North	Government Facility	RA-200	N/A
East	Single-Family Residential	R-75	0.21 units per acre
South	Townhouses	R-TH	8.00 units per acre
West	Single-Family Residential	R-75	0.13 units per acre

Project Summary

The applicant requests rezoning of a 2.86-acre portion of property from R-75 to C-1 for a multi-tenant commercial building, and a 3.02-acre portion of property from R-75 to R-TH for a townhouse development, including:

- A 12,000 square foot, single-story commercial building along the Winder Highway property frontage, with eight 1,500 square foot tenant spaces.
- 57 surface parking spaces located behind and beside the building.
- A dumpster enclosure located at the western side of the parking lot that would serve the commercial building.
- A five-foot-wide sidewalk and 10-foot-wide landscape strip along Winder Highway and

Sweetgum Road.

- Right-in/right-out access from Winder Highway with a 116-foot deceleration lane into the commercial portion of the property.
- Right-in/right-out access from Sweetgum Road with a 41.7-foot deceleration lane into the residential portion of the property.
- A 50-foot-wide undisturbed buffer along the western property line abutting the R-75 zoned property.
- A 20-foot-wide graded and replanted buffer along the boundary (noted as proposed property line on the site plan) of the proposed C-2 zoned parcel where adjacent to the proposed R-TH zoned parcel.
- 30 front-loaded two-car garage townhouse dwellings within four two-story buildings, with a density of 9.93 units per acre.
- 3-bedroom, 2 ½ bath dwellings with approximately 2,000 square feet of living area.
- Extension of the existing sidewalk along Sweetgum Road and throughout the townhouse development.
- 26,038 total square feet of open space throughout the townhouse development.
- 12 guest parking spaces located throughout the townhouse development, to the east and west of the buildings.
- Two dumpsters located near the southwest property boundary intended to service the residential uses.
- Exterior materials on townhouses comprised of brick veneer and painted fiber cement siding and trim. Architectural elevations of the commercial building was not provided by the applicant.
- Underground water detention systems within both developments located in the driveway and parking lot of the commercial development and in the driveway of the townhouse development.
- Abandonment of a portion of the existing 30-foot-wide Georgia Power easement to be relocated to the property frontage of the commercial development along Winder Highway.

Zoning and Development Standards

RZC2023-00017

The applicant is requesting a rezoning to C-1 (Neighborhood Business District), for a multi-tenant commercial development. 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 15'	>15'	YES
Side Yard Setback	Minimum 10'	>10'	YES
Rear Yard Setback	Minimum 30'	>30'	YES
Parking (Retail)	Minimum 24 spaces Maximum 60 spaces	57 spaces	YES
Landscape Strip	Minimum 10'	10'	YES
Zoning Buffer	Minimum 50'	20'	NO*
Structure Setback	Minimum 5' from buffer	>5'	YES
Two-way Driveway Width	Maximum 24'	32'	NO**

*The applicant is proposing a 20' graded and replanted buffer along the proposed property line separating the C-2 and R-TH zoned properties.

**The applicant is proposing a 32' wide driveway to access Winder Highway.

RZM2023-00015

The applicant is requesting a rezoning to R-TH (Single-Family Residence Townhouse District), for townhomes. 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
External Front Yard Setback	Minimum 10'	>10'	YES
External Side Yard Setback	Minimum 20'	>20'	YES
External Rear Yard Setback	Minimum 20'	>20'	YES
Internal Setback	Minimum 20'	20'	YES
Parking (Townhouse)	Minimum 3 per dwelling Maximum 6 per dwelling	3 spaces	YES
Guest Parking	Minimum 8 spaces	12 spaces	YES
Landscape Strip	Minimum 10'	10'	YES
Density	Maximum 10 units per acre	9.93 units per acre	YES
Minimum Heated Floor Area (3 Bedroom Units)	Minimum 1,200 square feet	2,000 square feet	YES
Common Area	Minimum 15% or 19,733 square feet	19.8% or 26,038 square feet	YES

Variance Request

In addition to the rezoning request, the applicant is seeking a variance from the following provision of Title II of the UDO:

1. Section 240-70.1 Interior Driveways

C. Interior driveways, with or without parking, shall be minimum 10 feet wide for one-way traffic, and maximum 24 feet wide for two-way traffic.

The applicant requests a variance to construct a 32-foot-wide access driveway off Winder Highway to the commercial development, where maximum 24 feet wide is required.

Waiver Request

In addition to the rezoning request, the applicant is seeking a waiver from the following provision of Title III of the UDO:

1. Section 610-20.5. Minimum Buffer Requirements.

A. Required buffers shall be provided in conformity with Table 610.0 "Table of Minimum Buffer Requirements".

A 50-foot-wide undisturbed zoning buffer for C-1 adjacent to R-TH property.

The applicant requests a waiver to place a 20-foot-wide graded and replanted buffer along the proposed southern property line of the commercial development separating the C-1 property and the R-TH property.

Internal and External Agency Review

In addition to these Development Standards, the applicant must meet all other UDO requirements related to infrastructure improvements. Internal and External agency review comments are attached (Exhibit F). Standard site and infrastructure improvements will also be required related to stormwater, transportation, 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 rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The proposed rezoning would allow the development of a multi-tenant commercial building and townhomes within a developing residential area. Although the proposed uses may be appropriate for the existing residential scale and character of the area, the development should be developed as a more whole mixed-use development.

B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.

The size and location of the proposed development requires access drives that are closer to the intersection of Winder Highway and Sweetgum Road than optimal. As a result, there would be greater potential for vehicle conflicts near both the intersection and the entrance to the townhouse subdivision to the south. The current configuration of the site allows for patrons of the commercial development to cut through the townhouse development, resulting in potential traffic and pedestrian safety concerns for the residents.

While the commercial building is located adjacent to the street, all access is proposed from the rear of the building. It is unclear what the visual impacts of the building will be from the street.

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

The property as currently zoned has a reasonable economic use.

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

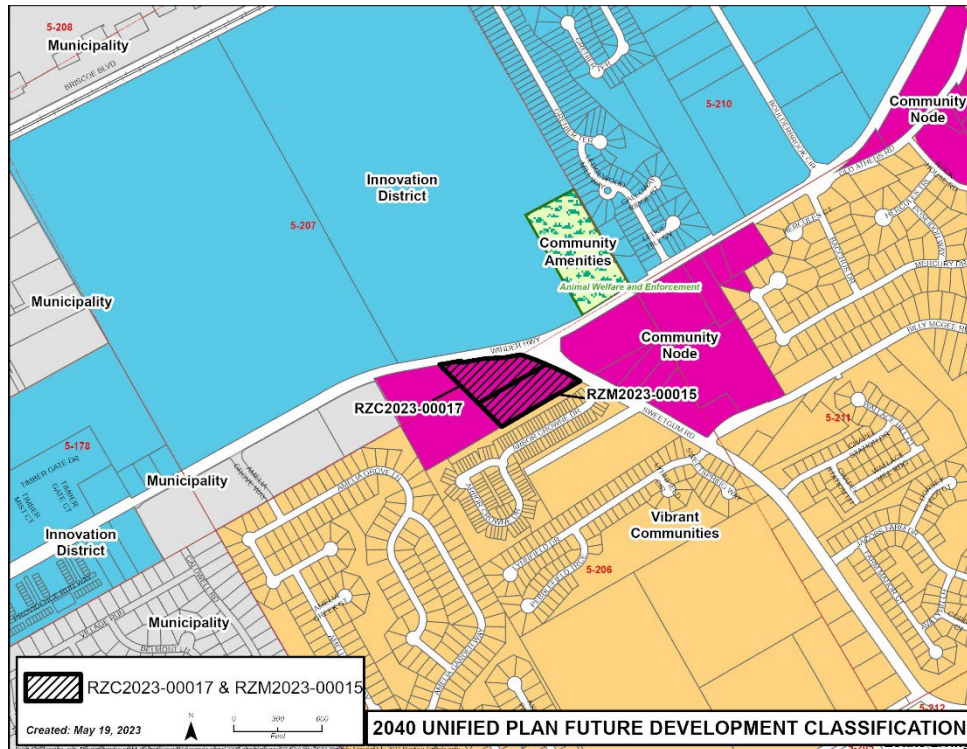
An increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. An increased impact is anticipated on school enrollment.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

E. Whether the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map; and

The subject property is located within the Community Node Character Area. The Community Node Character Area is intended for areas located at major intersections throughout the County. Future development and redevelopment should focus on making these nodes more pedestrian-oriented with vertically mixed-use buildings. This area is characterized by high-density mixed-use developments incorporating commercial, office, live-work, and similar ground floor uses with high-density residential uses. Ground floor non-residential uses should be oriented toward the street with direct pedestrian access, outdoor patios, plazas, etc., to encourage pedestrian activity. These activity centers are intended to serve surrounding residential communities and people throughout the County by providing shopping, dining, and entertainment venues.

The proposed rezoning is not consistent with the intent of the Community Node Character Area as it would not result in a pedestrian-oriented, mixed-use development. The proposed multi-tenant commercial center is not well integrated into the residential portion of the development and is not oriented toward the street. The limited size of the building would greatly restrict the ability of the development to provide shopping, dining, and entertainment options as intended within the Community Node. The proposed townhomes are front-loaded, which typically results in clusters of automobiles beside the sidewalk, instead of alley-loaded homes with front porches and landscaping to encourage walkability. Finally, there are no amenities to encourage pedestrian activity in either portion of the development.

The development, as proposed, does not conform with the policy and intent of the Unified Plan and Future Development Map.



F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning.

The townhouse portion of the site is more consistent with the existing, more rural context of the surrounding area than the future, more urban context of development that is intended in the Community Node Character Area. Considering future residential development in the surrounding area, the properties within this Community Node should be preserved for a larger, cohesive and coordinated development that serves as a gathering place and activity center for surrounding communities. Approval of the proposed small-scale development would be considered a missed opportunity for a greater future development within this Community Node.

Variance Request Analysis: When considering variances from Title II of the UDO, staff is required to review whether an undue hardship may result from strict compliance with the regulations and that approval would not adversely affect the general public welfare or nullify the intent of the Development Regulations. In addition, there must be a determination that there are unusual topographical or other exceptional conditions. Staff makes the following findings related to the variance request:

The applicant’s request to construct a 32-foot-wide access driveway to Winder Highway exceeds the maximum width for internal drives by eight feet. The excess width of the drive and curb cut would encourage drivers to enter the site more quickly without adequate time to recognize and yield to pedestrians crossing the driveway from the sidewalk. This may create a safety hazard to pedestrians in an area that is intended to be more pedestrian friendly. Approval of the requested variances may adversely affect the general public welfare.

Waiver Request Analysis: When considering waivers from Title III of the UDO, staff is required to review whether an undue hardship may result from strict compliance with the regulations and that approval

would not adversely affect the general public welfare or nullify the intent of the Development Regulations. In addition, there must be a determination that there are unusual topographical or other exceptional conditions. Staff makes the following findings related to the waiver request:

The applicant's request to reduce the required buffer between the proposed commercial center and townhouses by 30 feet would lessen the quality of life for future townhouse residents. A driveway and parking lot for the commercial building would be located within the area where an undisturbed natural buffer would be required. Residents of the townhouses may experience the adverse effects of light, noise, and vehicle exhaust as a result of the reduced buffer. Approval of the requested waiver would adversely affect the general public welfare and nullify the intent of the Development Regulations.

Staff Recommendation

Based on the staff's evaluation of the request and the standards governing the exercise of zoning power, the Department of Planning and Development recommends **DENIAL** of the rezoning request.

In addition, staff recommends **DENIAL** of the following variance request:

1. To construct a 32-foot-wide access driveway off Winder Highway where maximum 24 feet wide is required.

In addition, staff recommends **DENIAL** of the following waiver request:

1. To eliminate the 50-foot-wide zoning buffer on the C-1 property adjacent to the R-TH zoned property. To place a 20-foot-wide graded and replanted buffer along the proposed southern property line of the proposed C-1 property against the proposed R-TH property.

Staff Recommended Conditions

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

RZC2023-00017

Approval as C-1 (Neighborhood Business District) subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received May 17, 2023, with revisions required by conditions of approval and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.
2. The building shall comply with Category 3 of the Gwinnett County Architectural Design Standards. Final building elevations shall be submitted for review and approval by the Department of Planning and Development.
3. Outdoor loudspeakers shall be prohibited.
4. Natural vegetation shall remain on the property until the issuance of a development permit.

5. No temporary tents, temporary canopies, temporary banners, temporary streamers, or temporary roping decorated with flags, tinsel, or other similar materials shall be displayed, hung, or strung on the site, except within 60 days of the grand opening and during special events which shall occur no more than twice per calendar year and last no longer than seven day each.
6. All stormwater management facilities shall comply with UDO requirements.
7. The proposed commercial building shall include direct pedestrian connections from the sidewalk along Winder Highway. Entrances shall be accessible to the public during operating hours. The façade oriented towards Winder Highway shall be designed as a front façade, subject to the review and approval of the Department of Planning and Development.

RZM2023-00015

Approval as R-TH (Single-Family Residence Townhome District) for townhouses, subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received May 17, 2023 and Exhibit C: Elevations dated received May 10, 2023, with revisions required by conditions of approval and the Unified Development Ordinance, as reviewed and approved by the Department of Planning and Development.
2. The property shall be limited to single-family attached townhouses and accessory uses and structures, not to exceed 30 units.
3. All dwellings shall have a minimum two-car garage.
4. All building elevations shall comply with the Architectural Design Standards for Category 3.
5. A mandatory homeowners association shall be established and shall be responsible for maintenance of all common areas/facilities and street frontage landscaping.
6. Natural vegetation shall remain on the property until the issuance of a development permit.
7. All grassed areas shall be sodded.
8. All stormwater management facilities shall comply with UDO requirements.

Planning Commission Recommendation

Based on staff's evaluation of the request, information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **DENIAL** of the rezoning requests.

In addition, the Planning Commission recommends **DENIAL** of the following variance request:

1. To construct a 32-foot-wide access driveway off Winder Highway where maximum 24 feet wide is required.

In addition, the Planning Commission recommends **DENIAL** of the following waiver request:

1. To eliminate the 50-foot-wide zoning buffer on the C-1 property adjacent to the R-TH zoned property. To place a 20-foot-wide graded and replanted buffer along the proposed southern property line of the proposed C-1 property against the proposed R-TH property.

Exhibits:

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

Exhibit A: Site Visit Photos



View of interior of subject property



View of property frontage along Sweetgum Road



View of Sweetgum Road (subject on right)



View of Winder Highway (subject on right)

Exhibit B: Site Plan

[attached]

ZONING DATA TABLE:

CURRENT ZONING:	R75
PROPOSED ZONING:	C1
OVERLAY DISTRICT:	NA
PROPOSED USE ALLOWED IN ZONING:	YES
MINIMUM LOT AREA:	NA
MINIMUM LOT WIDTH:	NA
MINIMUM ROAD FRONTAGE:	NA
MAXIMUM BUILDING HEIGHT:	35'
MAXIMUM COVER:	NA
BUILDING SETBACKS:	
FRONT:	15'
SIDE:	10'
REAR:	30'
LANDSCAPE STRIPS ALONG ROW:	10'
OTHER:	50' ABUTTING RESIDENTIAL
BUFFERS:	
ZONING BUFFER:	
OTHER:	

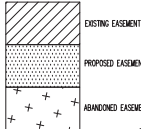
THE PROPERTY DOES NOT LIE IN A 100-YR FLOOD ZONE AS SHOWN ON FIRM COMMUNITY PANEL NO. 131532002E, DATED SEPTEMBER 28, 2006.

PARKING REQUIREMENTS:

COUNTY REQUIREMENT:	REQUIRED MAXIMUM	REQUIRED MINIMUM	TOTAL PARKING
RETAIL SPACE			
1 SPACE PER 500 SF (MIN) / 2 SPACES PER 200 SF (MAX)	(10,000 SF)	60	24
			57*
TOTAL			57*

* INCLUDES 3 ADA SPACES (3 REQUIRED)

POWER EASEMENT LEGEND:



LINE TABLE

LINE	BEARING	DISTANCE
L.1	S81°42'36"E	6.98'
L.2	N79°3'29"E	140.87'
L.3	S70°07'02"E	10.89'
L.4	N79°3'02"E	169.88'
L.5	N86°43'30"E	118.36'
L.6	N79°32'47"E	44.17'
L.7	N79°32'59"E	68.93'



UTILITY DISCLAIMER:

IN ADDITION TO SHOWING THE STRUCTURES TO BE BUILT UNDER THIS CONTRACT, THE DRAWINGS SHOW CERTAIN INFORMATION OBTAINED BY THE ENGINEER REGARDING THE PIPES, POLE LINES, CONDUITS, AND OTHER STRUCTURES WHICH EXIST ALONG THE LINE OF THE WORK, BOTH AT AND BELOW THE SURFACE OF THE GROUND. THE ENGINEER AND THE OWNER EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION GIVEN ON THE DRAWINGS WITH REGARD TO EXISTING STRUCTURES, AND THE CONTRACTOR WILL NOT BE ENTITLED TO ANY EXTRA COMPENSATION ON ACCOUNT OF ANY INACCURACY OR INCOMPLETENESS OF SUCH INFORMATION. SAID STRUCTURES BEING INDICATED ONLY FOR THE CONVENIENCE OF THE CONTRACTOR, WHO MUST VERIFY THE INFORMATION TO HIS OWN SATISFACTION. THE GIVING OF THIS INFORMATION UPON THE CONTRACT DRAWINGS WILL NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATION TO SUPPORT AND PROTECT ALL PIPES, CONDUITS, AND OTHER STRUCTURES. THE CONTRACTOR SHALL LOCATE ALL UNDERGROUND OBSTRUCTIONS PRIOR TO EXCAVATION, SO AS TO PREVENT ANY DAMAGE TO THESE SERVICES OR OTHER UTILITIES. ANY SUCH DAMAGES MUST BE REPAIRED WITHOUT DELAY AND THE COST OF SUCH REPAIRS MUST BE BORNE BY THE CONTRACTOR.

ZONING DATA TABLE:

CURRENT ZONING:	R75
PROPOSED ZONING:	C1
OVERLAY DISTRICT:	NA
PROPOSED USE ALLOWED IN ZONING:	YES
MINIMUM LOT AREA:	NA
MINIMUM LOT WIDTH:	NA
MINIMUM ROAD FRONTAGE:	NA
MAXIMUM BUILDING HEIGHT:	35'
MAXIMUM COVER:	NA
BUILDING SETBACKS:	
FRONT:	15'
SIDE:	20'
REAR:	20'
LANDSCAPE STRIPS ALONG ROW:	10'
OTHER:	
BUFFERS:	
ZONING BUFFER:	NA
OTHER:	

THIS PROPERTY DOES NOT LIE IN A 100-YR FLOOD ZONE AS SHOWN ON FIRM COMMUNITY PANEL NO. 131532002E, DATED SEPTEMBER 28, 2006.

PARKING REQUIREMENTS:

COUNTY REQUIREMENT:	REQUIRED MAXIMUM	REQUIRED MINIMUM	TOTAL PARKING
TOWNHOMES (30 UNITS)			
3 SPACES/UNIT (MINIMUM) / 4 SPACES/UNIT (MAX)	90	180	103
TOTAL	90	180	103*

* INCLUDES 0 ADA SPACES (3 REQUIRED)

NATURAL WATER NOTE
THERE ARE NO LAKES, PONDS, FLOODPLAIN, OR STATE WATERS ON THE SUBJECT PROPERTY.

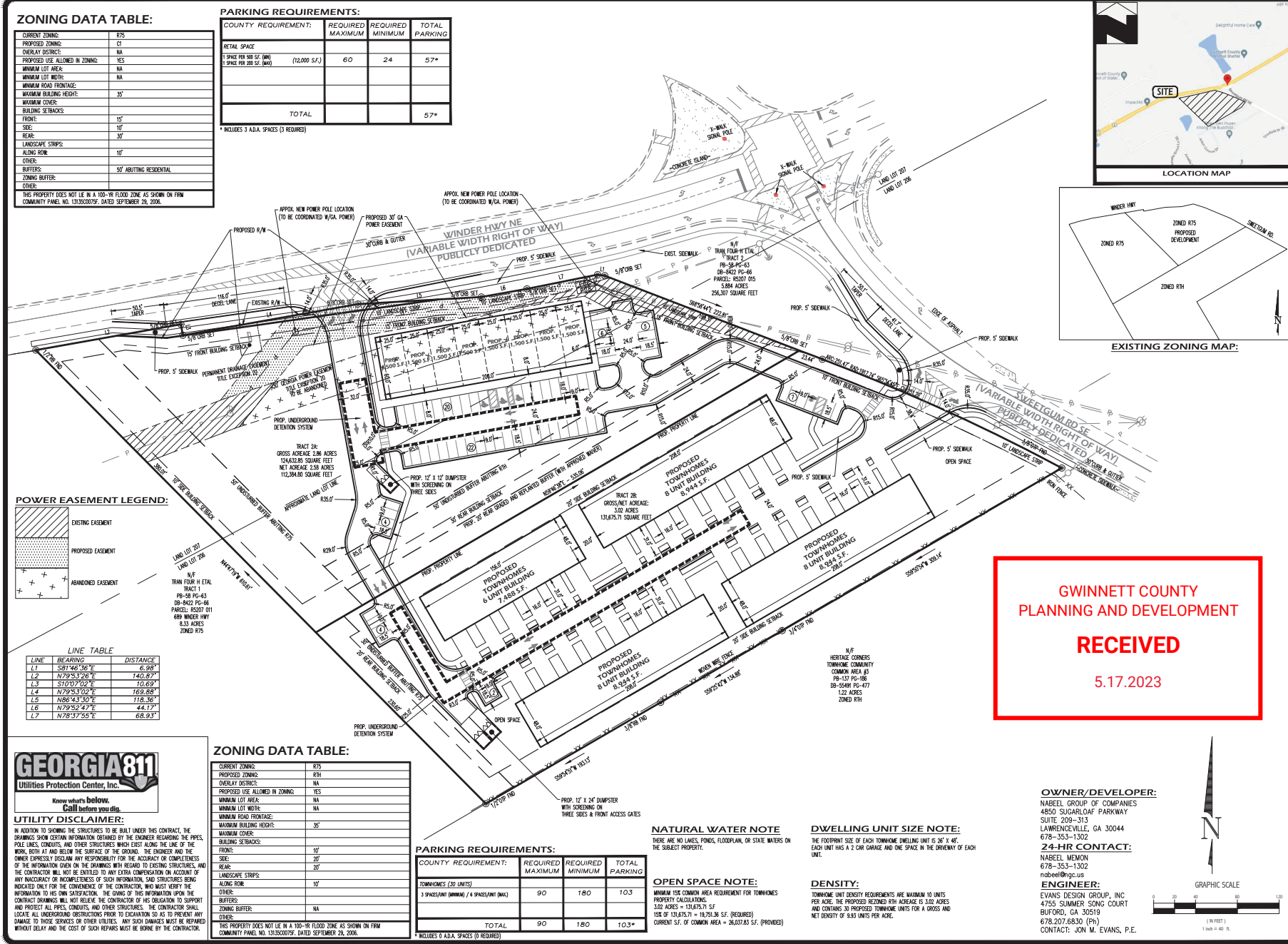
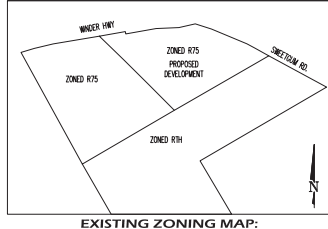
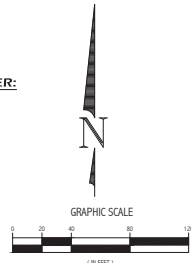
OPEN SPACE NOTE:
MINIMUM 15% COMMON AREA REQUIREMENT FOR TOWNHOMES PROPERTY CALCULATION:
3.02 ACRES = 131,675.71 SF
15% OF 131,675.71 = 19,751.36 SF. (REQUIRED)
CURRENT SF. OF COMMON AREA = 26,037.80 SF. (PROVIDED)

DWELLING UNIT SIZE NOTE:
THE FOOTPRINT SIZE OF EACH TOWNHOME DWELLING UNIT IS 26' X 46'. EACH UNIT HAS A 2 CAR GARAGE AND ONE SPACE IN THE DRIVEWAY OF EACH UNIT.

DENSITY:
TOWNHOME UNIT DENSITY REQUIREMENTS ARE MAXIMUM 10 UNITS PER ACRE. THE PROPOSED REQUIRED R1H INCREASE IS 3.02 ACRES AND CONTAINS 30 PROPOSED TOWNHOME UNITS FOR A GROSS AND NET DENSITY OF 9.93 UNITS PER ACRE.

**WINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
5.17.2023**

OWNER/DEVELOPER:
NABEL GROUP OF COMPANIES
4850 SUGARLOAF PARKWAY
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LAWRENCEVILLE, GA 30044
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24-HR CONTACT:
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nobel@ngc.us
ENGINEER:
EVANS DESIGN GROUP, INC
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BUFFORD, GA 30519
678.207.6830 (PH)
CONTACT: JON M. EVANS, P.E.



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Civil Engineering /
Site Planning /
Land Development Services
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(PH) 678.207.6830
jevans@evansdsg.com

P.C. BOYD & ASSOCIATES
NO. 8688
PROFESSIONAL
ENGINEERS
JON M. BOYD
CHIEF: LAYNE H. CROFT, # 10877

PROJECT NAME
WINDER HWY &
SWEETGUM
MIXED USE

**HWY 29 SOUTH
I.I. 206 5th DIST
GWINNETT
COUNTY, GA**

DATE:
03-03-23

DESIGN BY JME
DRAWN BY JME
CHECKED BY JME

Not Released For Construction
 Released For Construction

OWNER/DEVELOPER

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REVISIONS

NO.	DATE	DESCRIPTION

JOB NUMBER:
23-013

SHEET TITLE
SITE PLAN

C-4

Exhibit C: Building Elevations

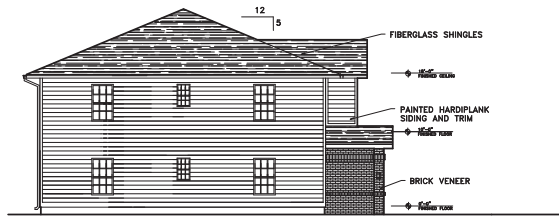
[attached]

RECEIVED

5.10.2023



FRONT ELEVATION
SCALE: 1/8"=1'-0"



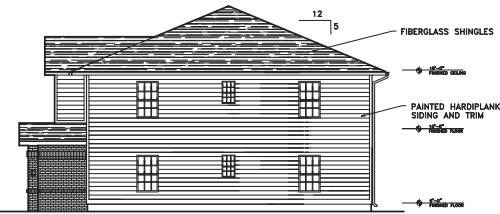
LEFT ELEVATION
SCALE: 1/8"=1'-0"

GWINNETT COUNTY
UNIFIED DEVELOPMENT ORDINANCE
ARCHITECTURAL DESIGN STANDARDS
ATTACHED RESIDENTIAL BUILDINGS: CATEGORY 3

A. THE FRONT FACADE SHALL HAVE A MINIMUM OF 50 PERCENT BRICK OR STONE FINISH ON EACH ELEVATION. THE BALANCE OF THE FACADE MAY BE FINISHED WITH STUCCO/EFS, WOOD SIDING, WOOD SHAKES, OR FIBER CEMENT TYPE SIDING. THE FRONT, SIDES, AND REAR FACADE SHALL INCORPORATE CHANGES IN BUILDING MATERIAL, TEXTURE, AND COLOR. THE FRONT FACADE SHALL INCLUDE AT LEAST TWO OF THE FOLLOWING ELEVATION FEATURES:
SHUTTERS
COVERED PORCHES
BAY WINDOWS
ROOF EAVE BRACKETS
CORNICE
ARCHITECTURAL ENTRANCE DOOR SURROUNDS

B. PORCHES AND DECKS SHALL INCORPORATE ARCHITECTURAL COLUMNS.

C. BUILDINGS SHALL BE DESIGNED WITH FULLY PITCHED ROOFS. MINIMUM PITCH SHALL BE 4 IN 12.



RIGHT ELEVATION
SCALE: 1/8"=1'-0"



BACK ELEVATION
SCALE: 1/8"=1'-0"



ISSUED FOR CONSTRUCTION

DRAFTER: JH
DESIGN CHECK: JH
SCALE: 1/8"=1'-0"
DATE: 5/10/2023

DATE	ISSUE/REVISION	No.



TOWNHOUSE ELEVATIONS
WINDER HIGHWAY NE
AND SWEET GUM ROAD
LAWRENCEVILLE GA 30045

A-1.1 OF

GWINNETT

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

[attached]

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5.17.2023



Matthew P. Benson
Catherine W. Davidson
Gerald Davidson, Jr.*
Rebecca B. Gober
Brian T. Easley
Christopher D. Holbrook
Shane M. Lanham

Jeffrey R. Mahaffey
Jessica R. Pickens
Steven A. Pickens
Gabrielle H. Schaller
Andrew D. Stancil
R. Lee Tucker, Jr.

*Of Counsel

**COMBINED LETTER OF INTENT FOR REZONING APPLICATIONS OF
NABEEL GROUP OF COMPANIES, INC.**

Mahaffey Pickens Tucker, LLP submits this Combined Letter of Intent and the attached rezoning application (the “Application”) on behalf of Nabeel Group of Companies, Inc. (the “Applicant”), relative to a proposed development on approximately 5.87 acres of land (the “Property”) located at the corner of Highway 29 South and Sweetgum Road. The Property is currently zoned R-75 and is located within the Community Node Character Area as set forth in the Gwinnett 2040 Unified Plan (the “2040 Plan”). The Applicant intends to subdivide the Property into two parcels and develop approximately 2.85 acres for retail use (the “Retail Property”), and the remaining 3.02 acres as a residential use (the “Townhome Property”). The Applicant requests that the County rezone the Retail Property to the C-1 classification, and the Townhome Property to the R-TH classification.

The property has road frontage on Highway 29 and currently sits undeveloped. The Applicant is proposing to develop the portion of the Property that fronts on Highway 29 into a retail use, and the back portion of the Property into a townhome community. The Retail Property will have 8 1,500 square-foot units with 60 parking spaces located behind the building. The Townhome Property will have four buildings consisting of 30 townhome units. Each unit will have 3 bedrooms, 2 full bathrooms, and one half bath. The townhome units will be approximately 2,000 square feet. Each unit will have a two-car garage, and space available to park a third car in the driveway. Both developments will have sidewalks running throughout the property to promote pedestrian activity, and the developments will be connected through a shared drive and sidewalk

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

path. The sidewalks within the proposed developments will connect with existing sidewalks on the exterior of the development to provide convenient and walkable access to neighboring residents.

The proposed development is compatible with surrounding uses. The surrounding area is characterized by dominantly residential uses on the South side of Highway 29 and a mix of uses such as the Gwinnett County Animal Shelter, Police Training Center and Department of Water Resources on the other side of Highway 29. There is a townhome development adjacent to the south side of the Property. Developing the Property with retail fronting Highway 29 and townhomes in the rear will provide a proper transition of land uses from the more intense uses down to residential. The retail use will promote pedestrian activity and provide employment opportunities to the surrounding residents. The townhome development will provide another housing option for nearby employment centers. Ultimately, the Applicant is proposing a mixed-use development that is designed to activate an underutilized property and create inviting community space for on-site residents as well as those living in surrounding areas.

The proposed development is in line with the policies of the 2040 Plan, which designates the Property as within the Community Node Character Area. Policies for this character area encourage the development of areas located along major intersections in ways that make those corridors more pedestrian-oriented. In fact, the 2040 Plan specifically encourages the creation of centers that combine residential and nonresidential uses to promote pedestrian activity. The 2040 Plan instructs that ground floor non-residential uses should be oriented toward the street with direct pedestrian access to encourage pedestrian activity — the proposed retail development will be oriented toward the street with sidewalk connection from the exterior of the Property and the proposed townhome development. The Applicant intends for the retail space to serve the surrounding residential community by providing shopping and dining. The proposed development promotes the spirit and intent of this policy by creating a mixed-use area comprised of connected commercial and residential uses.

In order to redevelop the Property as set forth on the submitted site plan and the Application, the Applicant also requests the following relief from the Unified Development Ordinance (the “UDO”):

- A buffer reduction waiver from UDO Table 610.1 to provide a 20-foot graded and replanted buffer with appropriate screening between the Retail Property and

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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Townhome Property in lieu of the 50-foot buffer requirement for C-1 property adjacent to R-TH property.

- A variance from UDO 240-70.1(c) to construct a 32-foot entry driveway off of Winder Highway to be able to accommodate larger vehicles that will need access to the Retail Property. The driveway will transition down to the required 24-foot width in the interior of the property.

The proposed development is compatible with existing land uses and zoning classifications of the surrounding area, is in line with the policy and intent of the 2040 Plan, and is an appropriate land use due to the Property's close proximity to a major transportation corridor. The Applicant welcomes the opportunity to meet with staff of the Gwinnett County Department of Planning and 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 the Application.

Respectfully submitted this 17th day of May, 2023.

MAHAFFEY PICKENS TUCKER, LLP

Gabrielle Schaller

Gabrielle H. Schaller
Attorneys for the Applicant

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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RZC2023-00017 and RZM2023-00015 Page 22 of 44

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4/26/2023 5:31PM

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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REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) The proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The proposed development is a townhome community that will provide walkability and connectivity to the adjacent proposed retail use.
- (B) The proposed rezoning will not adversely affect the existing use or usability of any of the nearby properties. The proposed development is compatible with surrounding residential uses and will provide diverse housing options to the nearby employment centers.
- (C) Due to the size, layout, location, and topography of the subject property, the Applicant submits that the subject property does not have reasonable economic use as currently zoned.
- (D) The proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems. The development is planned as 30 townhomes. As such, the relatively low development density will not overly burden infrastructure systems.
- (E) The proposed rezoning is in conformity with the policy and intent of the Land Use Plan. In fact, the Plan explicitly encourages mixed use developments oriented toward pedestrian activity. This proposed use along with the accompanying retail proposed use provides a mixed-use development oriented toward pedestrian activity.
- (F) Applicant submits that the residential nature of the area and the townhome community next door provide additional support of this Application.

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JUSTIFICATION FOR REZONING

The portions of the Gwinnett County Unified Development Ordinance (the “UDO”) 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 UDO 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 R-TH classification as requested by the Applicant, and is not economically suitable for development under the present R-75 zoning classification of Gwinnett County. A denial of this Application would constitute an arbitrary and capricious act by the Gwinnett County Board of Commissioners 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 of the United States.

A refusal by the Gwinnett County Board of Commissioners to rezone the Property to the R-TH classification 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

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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 R-TH classification, 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.

Opponents to the request set forth in the Application, or in any amendments to the Application, have waived their rights to appeal any decision of the Gwinnett County Board of Commissioners because they lack standing, have failed to exhaust administrative remedies, and/or because they failed to assert any legal or constitutional objections.

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 27th day of April, 2023.

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP

Gabrielle Schaller

Gabrielle H. Schaller
Attorneys for Applicant

1550 North Brown Road
Suite 125
Lawrenceville, Georgia 30043
(770) 232-0000

Exhibit E: Application and Disclosure of Campaign Contributions

[attached]

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5.10.2023

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
Nabeel Group of Companies, Inc., c/o NAME: <u>Mahaffey Pickens Tucker LLP</u> ADDRESS: <u>1550 North Brown Road, Suite 125</u> CITY: <u>Lawrenceville</u> STATE: <u>Georgia</u> ZIP: <u>30043</u> PHONE: <u>770 232 0000</u>	NAME: <u>Foun H. Tran and Judy Y. Y. Cheng</u> ADDRESS: <u>163 Timberlane Drive</u> CITY: <u>Americus</u> STATE: <u>Georgia</u> ZIP: <u>31709</u> PHONE: <u>229-320-4210</u>
CONTACT PERSON: <u>Gabrielle Schaller</u> PHONE: <u>770 232 0000</u> CONTACT'S E-MAIL: <u>gschaller@mptlawfirm.com</u>	

APPLICANT IS THE:

OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): R-75 REQUESTED ZONING DISTRICT: C-1
 PARCEL NUMBER(S): 5207 015 ACREAGE: 2.86
 ADDRESS OF PROPERTY: 600 Block of Winder Highway
 PROPOSED DEVELOPMENT: Multi-Tenant Commercial Building

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>N/A</u>	No. of Buildings/Lots: <u>1</u>
Dwelling Unit Size (Sq. Ft.): <u>N/A</u>	Total Building Sq. Ft. <u>12,000</u>
Gross Density: <u>N/A</u>	Density: <u>4,210.53 sf per acre</u>
Net Density: <u>N/A</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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5.10.2023

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Nabeel Group of Companies, Inc., c/o Mahaffey Pickens Tucker, LLP</u>	NAME: <u>Foun H. Tran and Judy Y. Y. Cheng</u>
ADDRESS: <u>1550 North Brown Road, Suite 125</u>	ADDRESS: <u>163 Timberlane Drive</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Americus</u>
STATE: <u>Georgia</u> ZIP: <u>30043</u>	STATE: <u>Georgia</u> ZIP: <u>31709</u>
PHONE: <u>770 232 0000</u>	PHONE: <u>229-320-4210</u>
CONTACT PERSON: <u>Gabrielle Schaller, attorney for tr</u> PHONE: <u>770 232 0000</u>	
CONTACT'S E-MAIL: <u>gschaller@mptlawfirm.com</u>	

APPLICANT IS THE:

OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): R-75 REQUESTED ZONING DISTRICT: R-TH

PARCEL NUMBER(S): 5207 015 ACREAGE: 3.02

ADDRESS OF PROPERTY: 600 Block of Winder Highway

PROPOSED DEVELOPMENT: Townhomes

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>30</u>	No. of Buildings/Lots: <u>N/A</u>
Dwelling Unit Size (Sq. Ft.): <u>1,248</u>	Total Building Sq. Ft. <u>N/A</u>
Gross Density: <u>9.93 units per acre</u>	Density: <u>N/A</u>
Net Density: <u>9.93 units per acre</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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4/26/2023 5:31PM

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

4/24/23

Date

Gabrielle Schaller, Attorney for Applicant

Type or Print Name and Title

Signature of Notary Public

4/24/2023

Date



Notary Seal

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Gwinnett County Planning Division
Rezoning Application
Last Updated 5/2021

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.

Judy y. y. Cheng _____
Signature of Property Owner Date

4/25 2023

Judy Y. Y. CHENG _____
Type or Print Name and Title Property owner

V. Murray _____
Signature of Notary Public Date

04/25/2023



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5.10.2023

Gwinnett County Planning Division
Rezoning Application
Last Updated 5/2021

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.

Fouh H Tran

5/5/23

Signature of Property Owner

Date

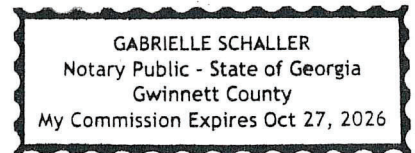
Fouh H Tran, Property Owner

Type or Print Name and Title

Gabrielle Schaller 5/5/23

Signature of Notary Public

Date



Notary Seal

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4/26/2023 5:31PM

Gwinnett County Planning Division
Rezoning Application
Last Updated 12/2015

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.

4-26-2023

Yabeel memon CEO

SIGNATURE OF APPLICANT

DATE

TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S
ATTORNEY OR REPRESENTATIVE

DATE

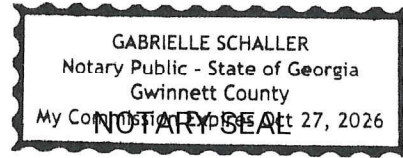
TYPE OR PRINT NAME AND TITLE

4/26/23

SIGNATURE OF NOTARY PUBLIC

DATE

exp: October 27, 2026



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

Yabeel memon

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)

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

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4/26/2023 5:31PM

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
Gabrielle Schaller 4/24/23 Gabrielle Schaller, Attorney for Applicant

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

Catherine W. Davidson 4/24/2023

SIGNATURE OF NOTARY PUBLIC DATE
Expires: 11/1/2026



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 Gabrielle Schaller, Attorney for Applicant
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)
Please see attached		

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

RECEIVED

4/26/2023 5:31PM

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: 5th - 207 - 015
(Map Reference Number) District Land Lot Parcel

Gabrielle Schaller 4/20/23
Signature of Applicant Date

Gabrielle Schaller, 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)

J M Schaller TSA
NAME TITLE
4/20/23
DATE

Exhibit F: Internal and External Agency Review Comments

[attached]



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

TRC Meeting Date:		06.14.2023	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		Brent.Hodges@gwinnettcounty.com	
Case Number:		RZC2023-00017 / RZM2023-00015	
Case Address:		600 Block of Winder Highway, Lawrenceville, 30045	
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	Winder Highway is a major arterial. ADT = 18,600.		
2	2.5 miles to the nearest transit facility (#2334968) Grayson Highway and Lawrenceville Square Plaza.		
3	After further internal discussion, the Winder Highway access point could be allowed as a full access. This would be dependent upon it also including a left-turn lane. The left-turn lane may be accommodated by shortening the existing left-turn lane into the Police Training Headquarters facility.		
4	A full 200-foot deceleration lane is required, per the UDO, for the Winder Highway access point.		
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		YES	NO
1			
2			
3			
4			
5			
6			

Note: Attach additional pages, if needed

Revised 7/26/2021

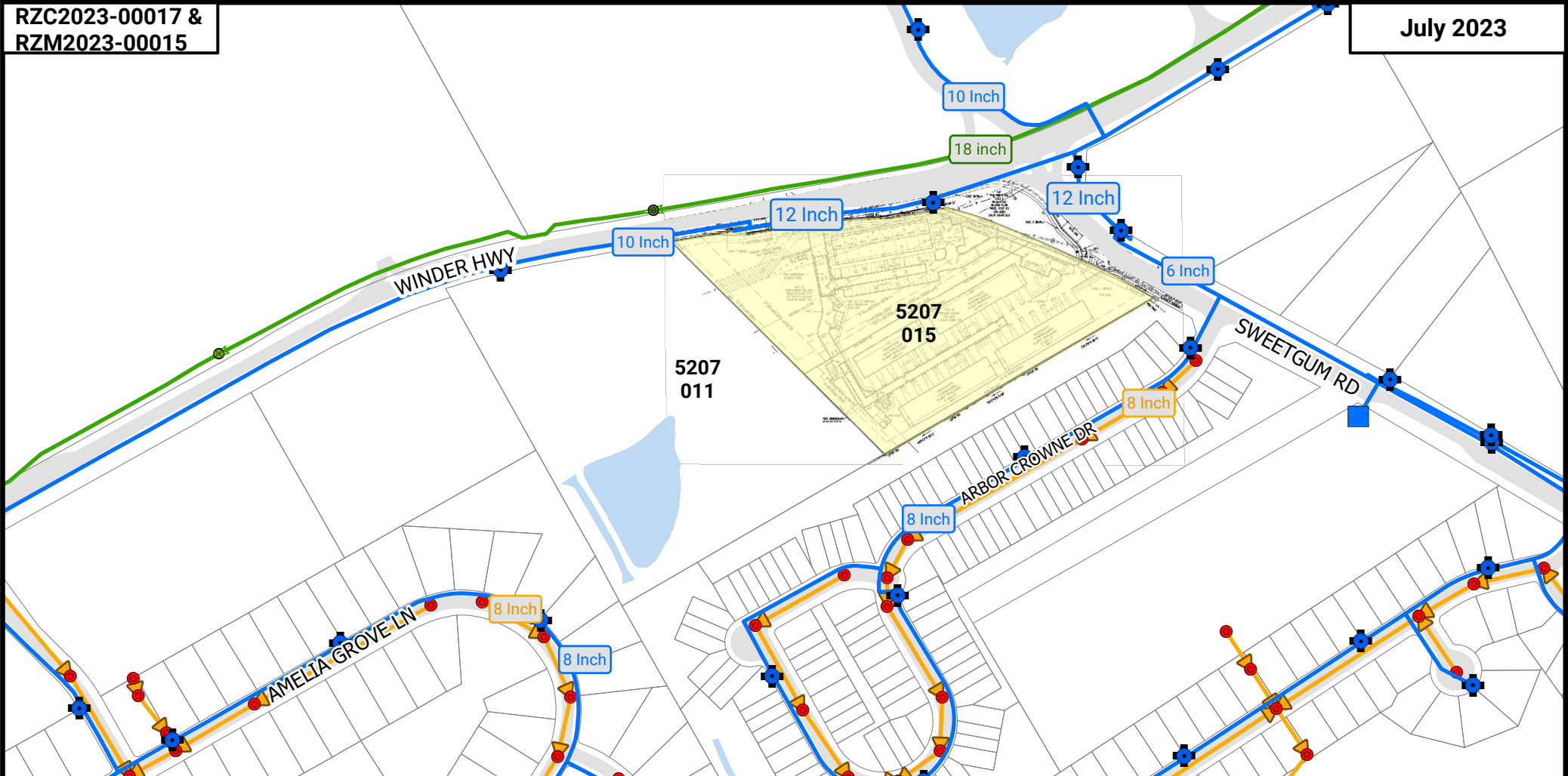


**Department of Planning and Development
TECHNICAL REVIEW COMMITTEE**

TRC Meeting Date:				
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		Michael.pappas@gwinnettcountry.com		
Case Number:		RZC2023-00017 & RZM2023-00015		
Case Address:		600 Block of Winder Highway		
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Water: The proposed development may connect to an existing 12-inch water main along the southern right-of-way of Winder Highway.			
2	Sewer: A Sewer Capacity Certification is required to confirm capacity. Pending available sewer capacity, the development may connect to an existing 8-inch sanitary sewer main located approximately 800 feet to the southwest on the right-of-way of Amelia Grove Lane. Offsite easements will be required. The proposed gravity sewer shall be designed to maintain adequate separation between the existing pond and dam on parcel 5207 011.			
3				
4				
5				
6				
7				
Recommended Zoning Conditions:		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1				
2				
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7				

Note: Attach additional pages, if needed

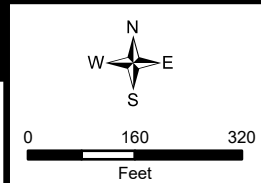
Revised 7/26/2021



LEGEND

	Water Main		Manhole		Pond/Lake
	Hydrant		Sewer Collector		Sewer Force Main
	Master Vault				

600 Block of Winder Highway
R-75 to C-1 and R-TH
Water & Sewer
Utility Map



Water Comments: The proposed development may connect to an existing 12-inch water main along the southern right-of-way of Winder Highway.

Sewer Comments: A Sewer Capacity Certification is required to confirm capacity. Pending available sewer capacity, the development may connect to an existing 8-inch sanitary sewer main located approximately 800 feet to the southwest on the right-of-way of Amelia Grove Lane. Offsite easements will be required. The proposed gravity sewer shall be designed to maintain adequate separation between the existing pond and dam on parcel 5207 011.

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.

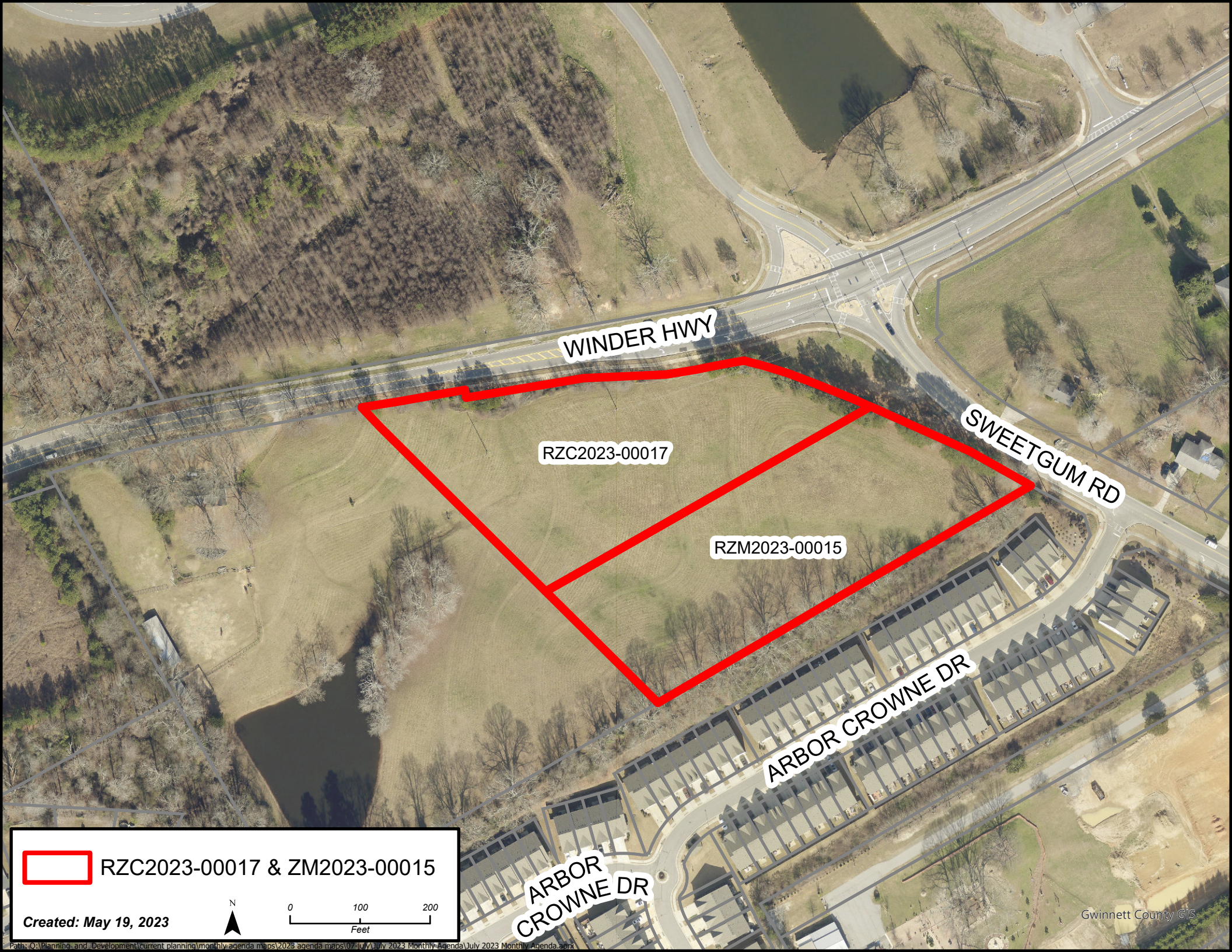
Private Road Developments: Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among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

Residential Rezoning Impact on Local Schools
 Prepared for Gwinnett County BOC, July, 2023

											Proposed Zoning
	School	2023-24			2024-25			2025-26			Approximate Student Projections from Proposed Developments
		Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	
RZM2023-00014	Parkview HS	3,258	2,900	358	3,307	2,900	407	3,330	2,900	430	28
RZM2023-00018 (combined)	Trickum MS	2,203	1,775	428	2,236	2,275	-39	2,258	2,275	-17	22
	Mountain Park ES	650	450	200	668	450	218	689	450	239	37
RZM2023-00015	Central Gwinnett HS	2,435	2,350	85	2,446	2,350	96	2,429	2,350	79	6
	Jordan MS	766	1,050	-284	781	1,050	-269	790	1,050	-260	4
	Jenkins ES	767	1,025	-258	782	1,025	-243	798	1,025	-227	8
RZM2023-00016	Brookwood HS	3,844	3,000	844	3,892	3,000	892	3,931	3,000	931	3
	Five Forks MS	1,264	1,150	114	1,251	1,150	101	1,264	1,150	114	2
	Head ES	771	600	171	780	600	180	788	600	188	5
RZM2023-00017	Dacula HS	2,550	2,550	0	2,641	2,550	91	2,755	2,550	205	10
	Dacula MS	1,892	1,900	-8	1,959	1,900	59	2,042	1,900	142	9
	Alcova ES	1,478	1,150	328	1,545	1,150	395	1,612	1,150	462	16
RZR2023-00011	Seckinger HS	2,004	2,800	-796	2,226	2,800	-574	2,330	2,800	-470	2
	Jones MS	1,699	1,575	124	1,767	1,575	192	1,870	1,575	295	2
	Patrick ES	923	1,025	-102	960	1,025	-65	989	1,025	-36	4

Exhibit G: Maps

[attached]



WINDER HWY


SWEETGUM RD

RZC2023-00017

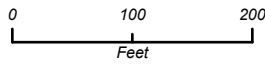
RZM2023-00015

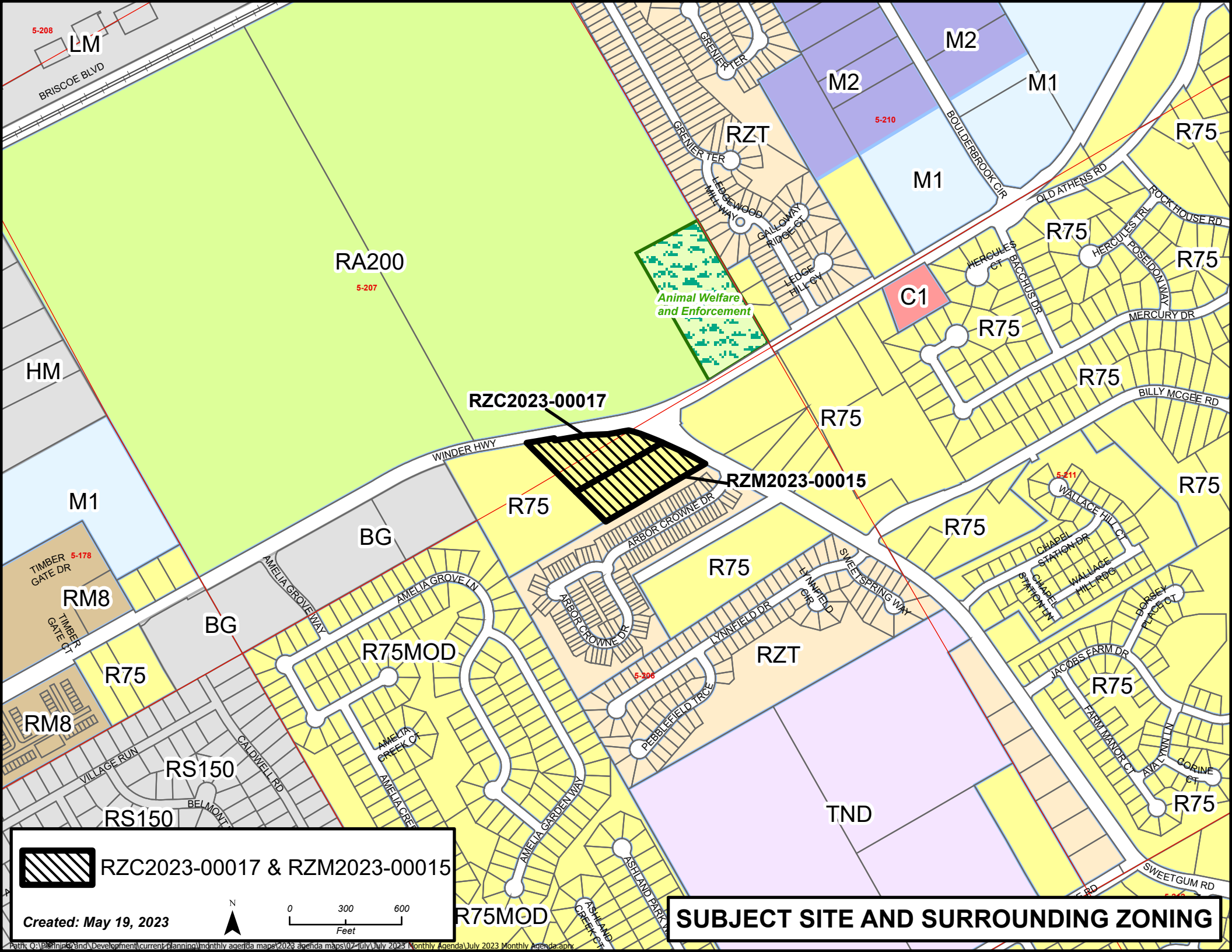
ARBOR CROWNE DR

ARBOR CROWNE DR

 RZC2023-00017 & ZM2023-00015

Created: May 19, 2023



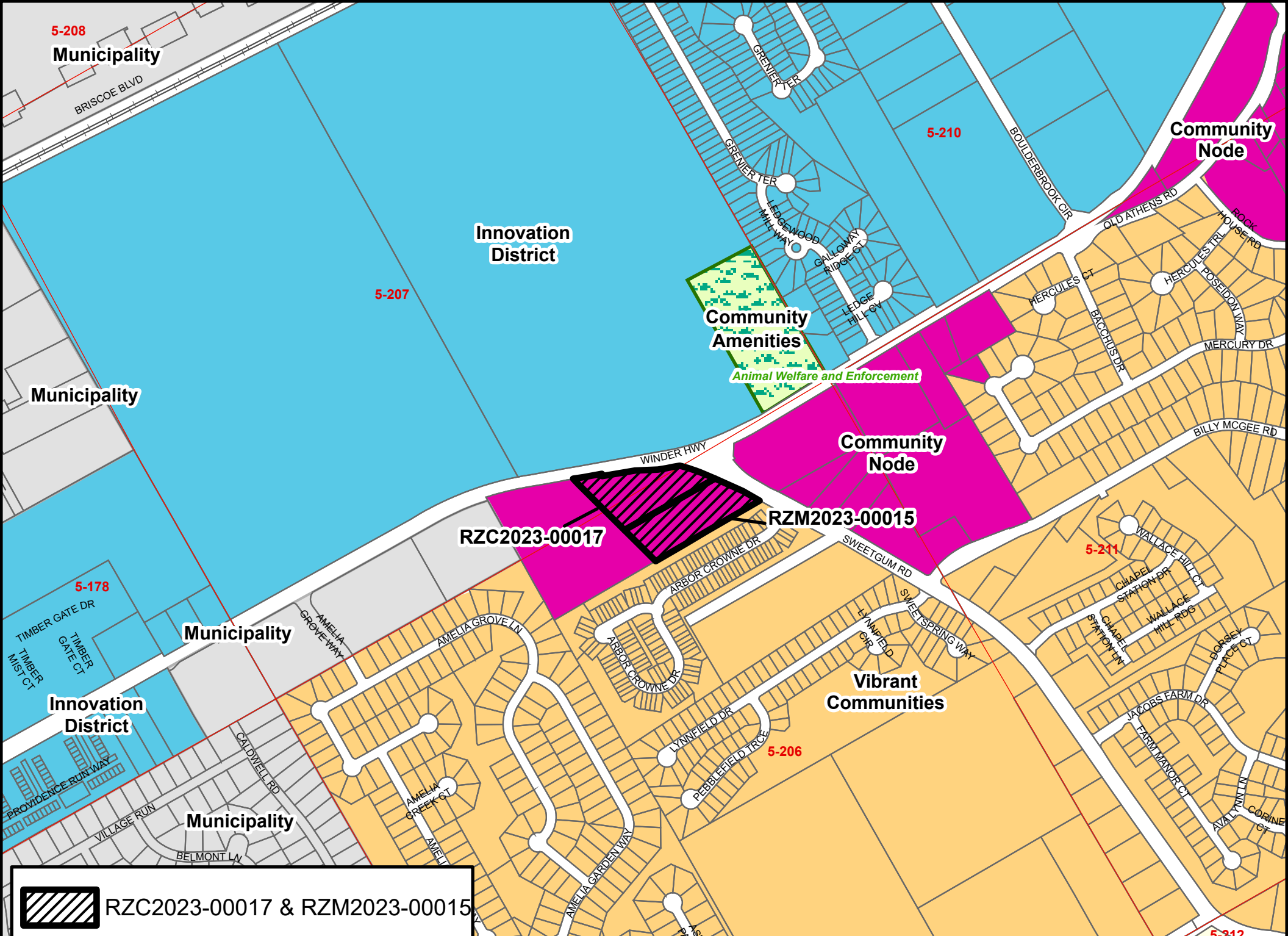


RZC2023-00017 & RZM2023-00015

Created: May 19, 2023

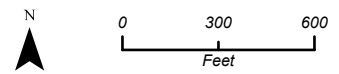


SUBJECT SITE AND SURROUNDING ZONING



 RZC2023-00017 & RZM2023-00015

Created: May 19, 2023



2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION