

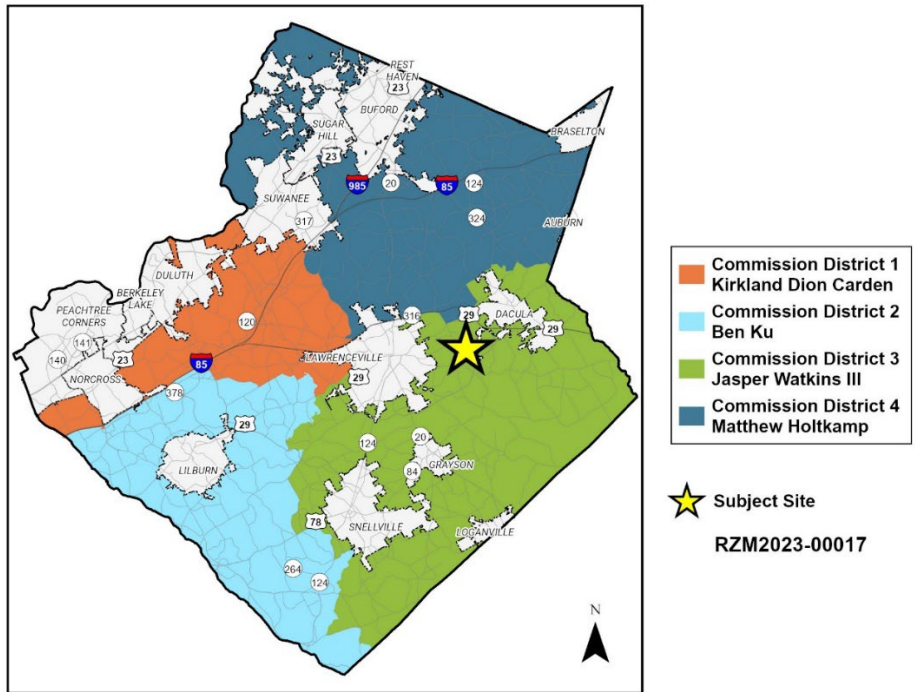


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: RZM2023-00017
Current Zoning: R-100 (Single-Family Residence District)
Request: Rezoning to R-TH (Single-Family Residence Townhouse District)
Address: 1402 Alcovy Road (portion)
Map Number: R5237 003
Site Area: 26.10 acres
Units: 58
Proposed Development: Single-Family Detached Subdivision
Commission District: District 3 – Commissioner Watkins
Character Area: Vibrant Communities

Staff Recommendation: DENIAL

Planning Commission Recommendation: APPROVAL AS R-75 WITH CONDITIONS



Planning Commission Advertised Public Hearing Date: 7/11/2023 (Public Hearing Held/Recommendation Tabled to 8/1/2023)
Board of Commissioners Advertised Public Hearing Date: 7/25/2023 (Public Hearing Tabled to 8/22/2023)

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

Owner: Grey Nimbus Partners, LLLP
604 Saddlebred Way
Canton, GA 30115

Contact: Shane Lanham

Contact Phone: 770.232.0000

Zoning History

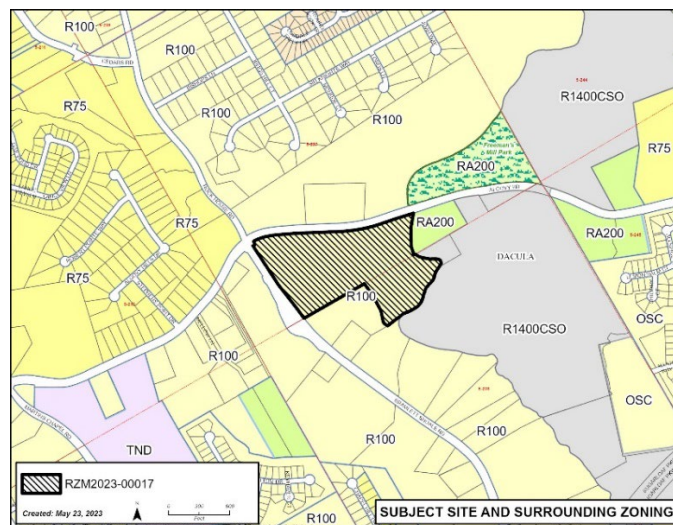
The subject properties are zoned R-100 (Single-Family Residence District). In 1975, as a part of a areawide rezoning, a large portion of the property was rezoned from RA-200 (Agriculture-Residence District) to R-100.

Existing Site Condition

The subject property is a 26.10-acre parcel located at the southeast corner of the Alcovy Road and Bramlett Shoals Road intersection. The parcel contains a 1,448 square foot single-family residence that was constructed in 1869 and accessory buildings. The site is accessed by an asphalt driveway from Alcovy Road. The entire site contains a dense, mature tree canopy. The property slopes downward approximately 158 feet from the highest point on the property near Alcovy Road to the lowest point along the Alcovy River. The Alcovy River makes up the eastern property line and a portion of the southern property line. The 100-year floodplain extends approximately 120-210 feet into the property along the banks of the Alcovy River, covering roughly 4.5 acres of the site. There are no sidewalks along Bramlett Shoals Road or Alcovy Road. Overhead powerlines are located along a portion of the Bramlett Shoals Road frontage. The nearest Gwinnett County Transit stop is approximately 4.5 miles from the subject site.

Surrounding Use and Zoning

The subject site is surrounded by single-family residences on large lots on all sides. Freeman’s Mill Park is located across Alcovy Road, just east of the subject parcel. A single-family detached subdivision is currently under construction on an adjacent parcel to the east. This subdivision is located within the City of Dacula city limits. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Single-Family Residential	R-TH	2.43 units per acre
North	Single-Family Residential	R-100	0.2 units per acre
East	Single-Family Residential	RA-200	0.17 units per acre
	Single-Family Residential	R-1400CSO (City of Dacula)	1.67 units per acre
South	Single-Family Residential	R-100	0.2 units per acre
West	Single-Family Residential	R-100	0.07 units per acre

Project Summary

The applicant requests the rezoning of a 26.10-acre parcel from R-100 to R-TH for a single-family detached subdivision, including:

- 58 front-entry, detached single-family residences featuring two-car garages yielding a net density of 2.43 units per acre.
- Typical lot sizes measuring 42'x110', or 4,620 square feet.
- Exterior building materials of brick, cementitious siding, board and batten, and shake on the front and side facades.
- Access to the subdivision from a single entrance along Alcovy Road.
- A 27-foot-wide public cul-de-sac street with five-foot-wide sidewalks on both sides of the street.
- Five-foot-wide sidewalks along the entire property frontages on Alcovy Road and Bramlett Shoals Road.
- A mail kiosk and 15 parking spaces located near the middle of the development.
- Several stormwater management facilities, including two bio-retention and two stormwater detention ponds located in the northeast corner of the site outside of the 100-year floodplain and to the south of the proposed mail kiosk and parking area.
- Common area throughout the site totaling 14.85 acres or 68% of the total site area.
- Several modular block retaining walls throughout the site including within the 75-foot-wide impervious setback, outside the 100-year floodplain, and within a portion of several lots in the northwest corner of the site.
- Adherence to the stream buffer and zoning buffer requirements.

Zoning and Development Standards

The applicant is requesting rezoning to R-TH, Single-Family Residence Townhouse District, for a single-family detached subdivision. 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 30'*	>30'	YES
External Side Yard Setback	Minimum 20'	>20'	YES
External Rear Yard Setback	Minimum 20'	>20'	YES
Heated Floor Area	2-bedroom Minimum 1,400 sf 3-bedroom Minimum 1,600 sf 4-bedroom Minimum 1,800 sf	Minimum 1,800 square feet	YES
Buffer	Minimum 35'	35'	YES

Standard	Required	Proposed	Meets Standard?
Common Area	Minimum 15% (3.24 acres)	68% (14.85 acres)	YES
Density	Maximum 8 units per acre	2.43 units per acre	YES
Guest Parking	Minimum 0.25 spaces per unit or 15 spaces	15 spaces	YES

*30' Minimum when rear of buildings face external public streets. A 30-foot-wide landscaped setback shall be provided along the exterior street frontage.

Internal and External Agency Review

In addition to these Development Standards, the applicant must meet all other UDO requirements related to infrastructure improvements. External agency review comments are attached (Exhibit F). Standard site and infrastructure improvements will also be required related to transportation, stormwater, water, and sewer utilities. Recommended improvements not already required by the UDO have been added as staff recommended conditions.

Staff Analysis

Rezoning Request Analysis: According to the UDO, if a proposed amendment is for the rezoning of property and involves a change in zoning classification the Department shall evaluate the request and make a recommendation with respect to the standards governing exercise of zoning power as defined in Section 270-20.5. After this evaluation, staff makes the following findings based on the standards from the UDO:

A. Whether a proposed zoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The site is surrounded by single-family residences on large lots. The proposed density and character of this development is dissimilar to adjacent properties. Nearby single-family residences within subdivisions contain larger lots than those proposed. Although single-family detached residences are proposed, the density and the size of the lots does not conform with the nearby existing neighborhoods. The development is not suitable given the surrounding area and recently approved developments.

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

The existing use and usability of adjacent or nearby properties would be adversely affected by the zoning change. Adjacent properties contain single-family residences on large lots. The addition of a development with higher density and smaller lots would be inconsistent with the surrounding neighborhoods and would set precedence for more dense development to be constructed in this portion of the County.

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

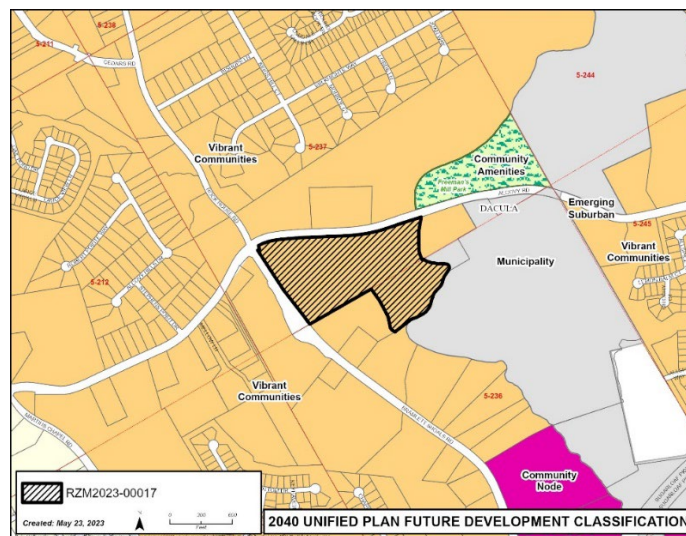
The property has a reasonable economic use as currently zoned.

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

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

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

The 2040 Unified Plan and Future Development Map indicates that the subject property lies within the Vibrant Communities Character Area. Dependent on the setting, zoning pattern, and intensity of development characterizing these various locations throughout the County, new development and redevelopment in Vibrant Communities may contain a mix of housing types, including small lot single-family housing, multifamily housing, townhomes, and senior housing. This area, while designated as Vibrant Communities, features single-family residences on large lots and single-family detached subdivisions with conventional residential zoning districts such as R-100 and R-75. Medium density residential developments are listed as a potential development type; however, the character and development pattern of this area calls for single-family residents on lots larger than what is proposed. Therefore, the development as currently designed, would not be appropriate within this character area at this location.



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.

A single-family detached subdivision is an appropriate use for this property; however, the current proposal indicates narrow homes on lots less than 50 feet wide. The proposed development simply does not align with the character and development pattern of the surrounding area. A conventional single-family zoning district, or OSC (Open Space Conservation District) would be more appropriate at this location considering the limited buildable area created by the Alcovy River and its associated buffers and floodplain.

Staff Recommendation

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

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 **APPROVAL AS R-75 WITH CONDITIONS** of the rezoning.

Planning Commission Recommended Conditions (includes Staff Recommended Conditions, as Amended)

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

- ~~1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received May 9, 2023, by the Department of Planning and Development, with revisions required by conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.~~
2. The property shall be limited to single-family detached dwellings and accessory uses and structures, ~~not to exceed 58 residences.~~
3. The minimum heated floor area per dwelling unit shall be 1,800 square feet.
4. All detached residences shall adhere to the Architectural Design Standards for Category 3, Detached Residential Buildings.
5. All dwellings shall have a minimum two-car garage.
6. A mandatory homeowners association shall be established and shall be responsible for maintenance of all common areas/facilities and street frontage landscaping.
7. Natural vegetation shall remain on the property until the issuance of a development permit.
8. All grassed areas shall be sodded.
9. Stormwater BMP facilities shall be screened from view of adjoining properties and rights of way by landscaping and/or decorative fencing that is in compliance with the Gwinnett County Stormwater Management Manual, subject to the review and approval by the Department of Planning and Development.
10. No portion of any lot shall be within the required stream buffers.
- ~~11. Required guest parking shall be distributed throughout the development. Location of parking spaces shall be subject to review and approval by the Department of Planning and Development.~~

12. Development shall include passive recreational amenities, paths, greenways or similar amenities subject to the review and approval of the Planning and Development Department.
13. **Provide additional plantings of evergreen screen trees, a minimum of 6-feet tall at the time of planting, in the rear yard of units fronting on Alcovy Road in general accordance with the Site Plan. Said plantings shall extend onto the Bramlett Shoals Road frontage, subject to the review and approval of the Department of Planning and Development.**
14. **Provide a 30-foot-wide undisturbed buffer along Bramlett Shoals Road.**
15. **The covenants for the mandatory homeowners association shall include a provision restricting the rental of homes to no more than 10 percent at any given time.**

Exhibits:

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

Exhibit A: Site Visit Photos



View of existing residence



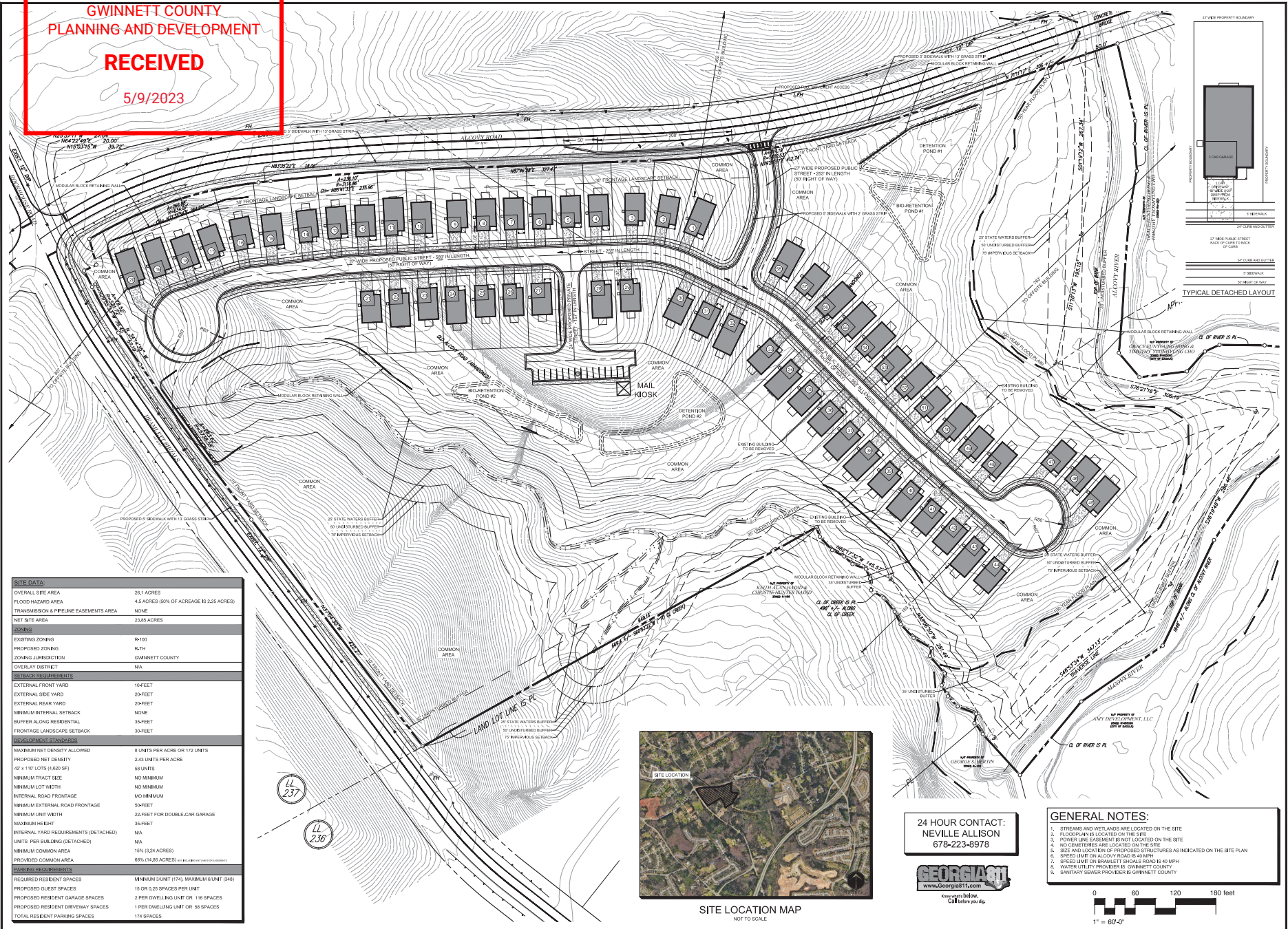
View of subject property from Alcovy Road

Exhibit B: Site Plan

[attached]

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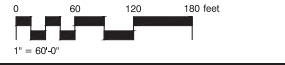


SITE DATA	
OVERALL SITE AREA	26.1 ACRES
FLOOD HAZARD AREA	4.5 ACRES (80% OF ACREAGE IS 2.25 ACRES)
TRANSMISSION & PIPELINE EASEMENTS AREA	NONE
NET SITE AREA	21.6 ACRES
EXISTING ZONING	R-100
PROPOSED ZONING	R-TH
ZONING JURISDICTION	WINNETT COUNTY
OVERLAY DISTRICT	N/A
SETBACKS/STANDARDS	
EXTERNAL FRONT YARD	10-FOOT
EXTERNAL SIDE YARD	25-FOOT
EXTERNAL REAR YARD	20-FOOT
MINIMUM INTERNAL SETBACK	NONE
BUFFER ALONG RESIDENTIAL	35-FOOT
FRONTAGE LANDSCAPE SETBACK	35-FOOT
DEVELOPMENT STANDARDS	
MINIMUM NET DENSITY ALLOWED	8 UNITS PER ACRE OR 172 UNITS
PROPOSED NET DENSITY	243 UNITS PER ACRE
42' x 110' LOTS (4,620 SF)	58 UNITS
MINIMUM TRACT SIZE	NO MINIMUM
MINIMUM LOT WIDTH	NO MINIMUM
INTERNAL ROAD FRONTAGE	NO MINIMUM
MINIMUM EXTERNAL ROAD FRONTAGE	50-FOOT
MINIMUM UNIT WIDTH	20-FOOT FOR DOUBLE-CAR GARAGE
MAXIMUM HEIGHT	35-FOOT
INTERNAL YARD REQUIREMENTS (DETACHED)	N/A
UNITS PER BUILDING (DETACHED)	N/A
MINIMUM COMMON AREA	15% (3.91 ACRES)
PROVIDED COMMON AREA	69% (18.25 ACRES)
PARKING REQUIREMENTS	
REQUIRED RESIDENT SPACES	MINIMUM 1 UNIT (174), MAXIMUM 6 UNIT (348)
PROPOSED GUEST SPACES	15 OR 0.25 SPACES PER UNIT
PROPOSED RESIDENT GARAGE SPACES	2 PER DWELLING UNIT OR 116 SPACES
PROPOSED RESIDENT DRIVEWAY SPACES	1 PER DWELLING UNIT OR 58 SPACES
TOTAL RESIDENT PARKING SPACES	174 SPACES

24 HOUR CONTACT:
NEVILLE ALLISON
678-223-8978



- GENERAL NOTES:**
1. STREAMS AND WETLANDS ARE LOCATED ON THE SITE
 2. FLOODPLAIN IS LOCATED ON THE SITE
 3. POWER LINE EASEMENTS NOT LOCATED ON THE SITE
 4. NO CELESTIAL BODIES ARE LOCATED ON THE SITE PLAN
 5. SIZE AND LOCATION OF PROPOSED STRUCTURES AS INDICATED ON THE SITE PLAN
 6. SPEED LIMIT ON ALCOVY ROAD IS 40 MPH
 7. SPEED LIMIT ON SHERWOOD DRIVE IS 40 MPH
 8. WATER UTILITY PROVIDER IS WINNETT COUNTY
 9. SANITARY SEWER PROVIDER IS WINNETT COUNTY



SITE LOCATION MAP
NOT TO SCALE

THE REVIVE LAND GROUP

SOURCE: ENTITLE, REVIVE.

ONE ALLIANCE CENTER
3500 LENOX ROAD
SUITE 625
ATLANTA, GEORGIA 30326
Q: (678) 223-8978
WWW.THEREVIVELANDGROUP.COM

PROJECT
SOMERSET AT ALCOVY

A MASTER PLANNED RESIDENTIAL DEVELOPMENT

ALCOVY ROAD AND
SHERWOOD DRIVE ROAD
LAWRENCEVILLE, GA 30045

WINNETT COUNTY
GEORGIA

CLIENT
THE REVIVE LAND GROUP

SOURCE: ENTITLE, REVIVE.

ONE ALLIANCE CENTER
3500 LENOX ROAD
SUITE 625
ATLANTA, GEORGIA 30326
Q: (678) 223-8978
WWW.THEREVIVELANDGROUP.COM

DATE
MAY 4, 2023

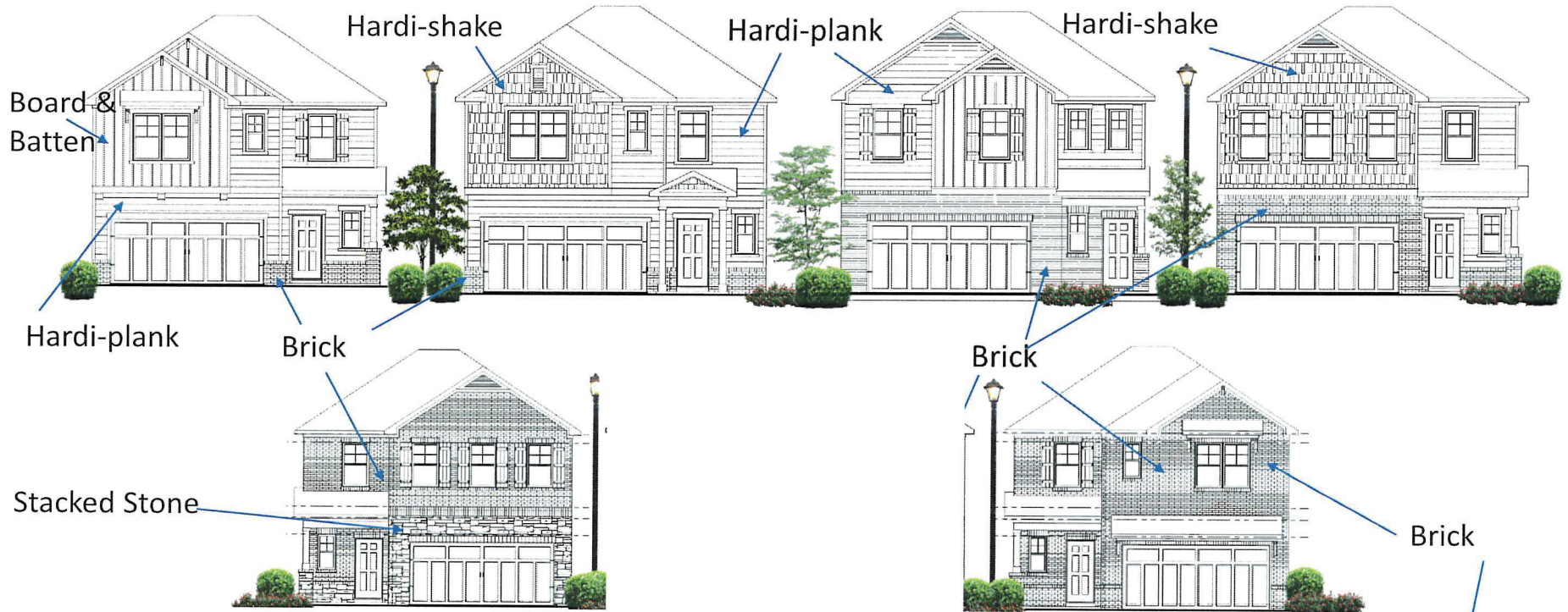
PROJECT
CONCEPTUAL SITE PLAN

SHEET
Z-001

Exhibit C: Building Elevations

[attached]

Building elevations provided to depict architectural style of proposed homes. Building materials are subject to the requirements of Architectural Design Standards - Category 3.



6.5.0 - Attached Residential Buildings

(Attached Residential Buildings include but are not limited to townhouses and villas.)

6.5.1 Exterior Wall Design

A. The front facades shall have a minimum of 50 percent brick or stone finish on each elevation. The balance of the façade may be finished with stucco/EIFS, wood siding, wood shakes, or fiber cement type siding. The front, sides, and rear facades shall incorporate changes in building material, texture, and color. The front façade design shall include at least two of the following elevation features:

- Shutters
- Covered porches
- Bay windows
- Roof eave brackets
- Cornice
- Architectural entrance door surround

B. Porches and decks shall incorporate architectural columns.

6.5.2 Roof Design

A. Buildings shall be designed with fully pitched roof. Minimum roof pitch shall be 4 in 12. Roof design shall incorporate features such as roof eave height changes, spires, cupolas, dormers, and/or gables. Roofing material shall be limited to standing seam metal, natural slate or stone shingles, traditional tile, or architectural dimensional shingles.



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

[attached]

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

Shane M. Lanham
Jeffrey R. Mahaffey
Steven A. Pickens
Andrew D. Stancil
R. Lee Tucker, Jr.

*Of Counsel

**LETTER OF INTENT FOR REZONING APPLICATION OF
THE REVIVE LAND GROUP, LLC**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Rezoning Application on behalf of The Revive Land Group, LLC (the “Applicant”) for the purpose of rezoning to the R-TH zoning classification an approximately 26.1-acre tract of land (the “Property”) located at the intersection of Alcovy Road and Bramlett Shoals Road. The Property is currently zoned R-100 and is located within the Vibrant Communities Character Area as depicted on the Gwinnett County 2040 Unified Plan (the “2040 Plan”) Future Development Map.

The Applicant proposes to develop the Property for use as a single-family detached residential community with a total of 58 homes. Access to the community would be provided via a single, full-access driveway on Alcovy Road with an eastbound deceleration lane. The proposed community would also provide large areas of common space for the use and enjoyment of residents which total nearly 15 acres or 68% of the Property’s total land area. One of the larger common areas includes a long frontage on the Alcovy River. This area could be amenitized with nature trails to complement the internal sidewalk network and additional sidewalks which would be constructed along Alcovy Road and Bramlett Shoals Road. All homes would include two-car garages would be constructed with attractive architectural design and building materials including brick, stone, and/or fiber cement siding. Residents of the proposed community would enjoy convenient vehicular access to major transportation corridors including Sugarloaf Parkway, University Parkway (State Route 316), and Winder Highway (State Route 8) providing regional connectivity to employment centers in the City of Lawrenceville and along University Parkway.

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

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Residents would also have convenient access to Freeman’s Mill Park which is located caddy corner from the Property across Alcovy Road and the Alcovy River.

The proposed development is compatible with the policies of the Gwinnett County 2040 Unified Plan (the “2040 Plan”) which designates the Property as within the Vibrant Communities Character Area. For this character area, the 2040 Plan encourages “Medium-Density Residential” as a potential development type. The Development Types Chart of the 2040 Plan defines “Medium-Density Residential” as “single-family attached housing, multifamily housing, and live-work units” at 8-13 units per acre and specifically recommends R-TH, TND, and RM-13 as appropriate zoning classifications. Accordingly, the proposed development is compatible with the policies and land use recommendations of the 2040 Plan.

The 2040 Plan provides that the Vibrant Communities Character Area “is intended to serve as a transition between nodes and mixed-use activity centers and surrounding, established single-family residential areas, and is generally located away from the primary intersections where the various types of activity centers and nodes are located.” This block of Vibrant Communities is located between a Community Node focused around the Sugarloaf Parkway interchange at Martins Chapel to the south and another Community Node located along Winder Highway to the north. Additionally, large areas of the Innovation District are located to the northwest along University Parkway, including the Progress Center, and to the northeast around the Sugarloaf Parkway interchange at University Parkway. The 2040 Plan also provides that “[d]ependent on the setting, zoning pattern, and intensity of development characterizing these various locations throughout the County, new development and redevelopment in Vibrant Communities may contain a mix of housing types, including small lot single-family housing, multifamily housing, townhomes, and senior housing.” In this case, the surrounding area contains many examples of smaller lot single-family housing encouraged by the 2040 Plan. For example, just 1,500 feet to the southwest is land zoned TND for smaller lot single-family detached homes at the intersection of Alcovy Road and Martins Chapel Road. Approximately 1,700 feet to the north is the Alcovy Falls neighborhood zoned RZT, which includes a mixture of single-family detached homes on smaller lots and attached townhomes. Less than a mile to the west and located in the same block of Vibrant Communities is land zoned TND and R-TH at the intersection of Sweetgum Road and Springlake Road. Accordingly, the proposed development is also compatible with the land uses and zoning classifications that are present in the surrounding area. While the 2040 Plan encourages a density

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range of 8-13 units per acre and the R-TH zoning classification allows a net density of up to 8 units per acre for detached homes, the proposed development has a much lower density at less than 2.5 units per acre. In this case, the proposed development represents a carefully designed community that is in line with the policies of the 2040 Plan, but also tempers those recommendations with the specific context of the surrounding area and provides even lower density than the 2040 Plan calls for and that R-TH would allow.

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

Respectfully submitted this 27th day of April, 2023.

MAHAFFEY PICKENS TUCKER, LLP

Shane Lanham

Shane M. Lanham
Attorneys for the Applicant

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

- (A) Yes, approval of the Application will permit a use that is suitable in view of the use and development of adjacent and nearby property. The surrounding area is primarily residential and includes a mix of housing types and lot sizes. Land zoned RZT, TND, and R-TH is located nearby and includes both attached townhomes and detached homes on smaller lots.
- (B) No, approval of the Application will not adversely affect the existing use or usability of any of the nearby properties. Rather, the proposed development would complement the surrounding land use mix. The proposed development is compatible with the policies of the 2040 Plan and the zoning classifications and density of surrounding development.
- (C) Due to the size, location, layout, and dimensions of the subject property, the Applicant submits that the Property does not have reasonable economic use as currently zoned.
- (D) No, the proposed Rezoning Application will not result in an excessive or burdensome use of the infrastructure systems. The Property is located at the intersection of Alcovy Road and Bramlett Shoals Road and has access to water and sewer utilities.
- (E) Yes, the proposed Rezoning Application is in conformity with the policy and intent of the 2040 Plan which designates the Property as within the Vibrant Communities Character Area. Policies of the 2040 Plan encourage "Medium-Density Residential" as a potential development type and specifically recommend R-TH as an appropriate zoning classification.
- (F) The Applicant submits that the subject Property's location in close proximity to major transportation corridors, similar zoning classifications, and community amenities, including Freeman's Mill Park provide additional supporting grounds for approval of the Application.

Exhibit E: Application and Campaign Contribution Disclosure

[attached]

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REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
The Revive Land Group, LLC c/o Mahaffey Pickens NAME: <u>Tucker, LLP</u>	NAME: <u>Grey Nimbus Partners, LLLP</u>
ADDRESS: <u>1550 North Brown Road, Suite 125</u>	ADDRESS: <u>604 Saddlebred Way</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Canton</u>
STATE: <u>Georgia</u> ZIP: <u>30043</u>	STATE: <u>Georgia</u> ZIP: <u>30115</u>
PHONE: <u>770 232 0000</u>	PHONE: <u>770 232 0000</u>
CONTACT PERSON: <u>Shane Lanham</u> PHONE: <u>770 232 0000</u>	
CONTACT'S E-MAIL: <u>slanham@mptlawfirm.com</u>	

APPLICANT IS THE:

OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): R-100 REQUESTED ZONING DISTRICT: R-TH

PARCEL NUMBER(S): R5237 003 (portion of) ACREAGE: +/- 26.1

ADDRESS OF PROPERTY: 1402 Alcovy Road (portion of R5237 003 on south side of Alcovy Road)

PROPOSED DEVELOPMENT: Single-family detached residential community

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>58</u>	No. of Buildings/Lots: <u>NA</u>
Dwelling Unit Size (Sq. Ft.): <u>varies per UDO</u>	Total Building Sq. Ft. <u>NA</u>
Gross Density: <u>+/- 2.22 units per acre</u>	Density: <u>NA</u>
Net Density: <u>+/- 2.43 units per acre</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 286 & 287, 5th District, Gwinnett County, Georgia and being more particularly described as follows:

Beginning at a point at the intersection of the southern line of Land Lot 287, 5th District, Gwinnett County, Georgia and the eastern right-of-way of Bramlett Shoals Road, said point being forty feet from the centerline of Bramlett Shoals Road, and running thence along the eastern right-of-way of Bramlett Shoals Road on a bearing of N 37⁰⁰4'30" W a distance of 422.27 feet to a point; running thence along the eastern right-of-way of Bramlett Shoals Road an arc distance of 283.62 feet, said arc being defined by a chord having a bearing of N 35⁰³9'33" W and a distance of 283.59 feet, to a point; running thence along the eastern right-of-way of Bramlett Shoals Road on a bearing of N 34⁰¹4'35" W a distance of 57.19 feet to a point; running thence along the eastern right-of-way of Bramlett Shoals Road an arc distance of 78.52 feet, said arc being defined by a chord having a bearing of N 29⁰⁵5'53" W and a distance of 78.45 feet, to a point; running thence along the eastern right-of-way of Bramlett Shoals Road on a bearing of N 25⁰³7'11" W a distance of 27.04 feet to a point; running thence along the eastern right-of-way of Bramlett Shoals Road on a bearing of N 64⁰²2'49" E a distance of 20.00 feet to a point; running thence along the eastern right-of-way of Bramlett Shoals Road on a bearing of N 15⁰⁰3'15" W a distance of 39.72 feet to a point at the intersection of the eastern right-of-way of Bramlett Shoals Road and the southern right-of-way of Alcovy Road; running thence along the southern right-of-way of Alcovy Road an arc distance of 266.88 feet, said arc being defined by a chord having a bearing of N 71⁰³1'54" E and a distance of 264.91 feet, to a point; running thence along the southern right-of-way of Alcovy Road on a bearing of N 83⁰³5'22" E a distance of 18.06 feet to a point; running thence along the southern right-of-way of Alcovy Road an arc distance of 236.10 feet, said arc being defined by a chord having a bearing of N 85⁰⁴1'33" E and a distance of 235.96 feet, to a point; running thence along the southern right-of-way of Alcovy Road on a bearing of N 87⁰⁴6'38" E a distance of 327.47 feet to a point; running thence along the southern right-of-way of Alcovy Road an arc distance of 414.19 feet, said arc being defined by a chord having a bearing of N 79⁰²8'57" E and a distance of 412.74 feet, to a point; running thence along the southern right-of-way of Alcovy Road on a bearing of N 71⁰¹1'17" E a distance of 306 feet plus or minus to a point at the intersection of the southern right-of-way of Alcovy Road and the centerline of Alcovy River; running thence along the centerline of Alcovy River in a southerly and southwesterly direction and following the meanderings thereof a distance of 1648 feet plus or minus to the intersection of the centerline of Alcovy River and the centerline of a small unnamed creek; running the in a northwesterly direction along the centerline of said creek and following the meanderings thereof a distance of 498 feet plus or minus to a point at the intersection of the centerline of said creek and the southern line of Land Lot 287, 5th District, Gwinnett County, Georgia; running thence along said land lot line on a bearing of S 60⁰⁵3'22" W a distance of 669.4 feet plus or minus to the Point of Beginning.

Said tract containing 26.1 acres plus or minus.

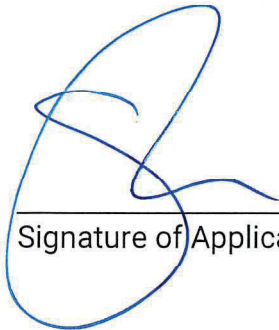
RECEIVED

4/27/2023 3:08PM

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

4/26/23

Date

Shane Lanham, attorney for the Applicant

Type or Print Name and Title



Signature of Notary Public

4/26/23

Date



RECEIVED

4/27/2023 3:08PM

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Signature of Applicant

4-25-23

Date

The Newre Land Group, LLC

By: Neville Allison, Managing Partner.

Type or Print Name and Title



Signature of Notary Public

04/25/23

Date

Notary Seal

RECEIVED


4/27/2023 3:08PM

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.

Terry Edward Thomason 4-26-2023
Signature of Property Owner Date

TERRY EDWARD THOMASON PARTNER + OWNER
Type or Print Name and Title

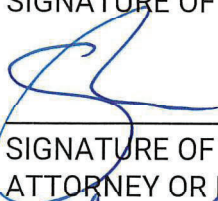
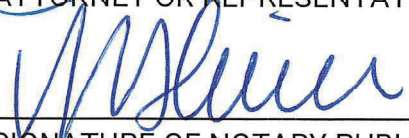
M. Betty 4/26/2023 
Signature of Notary Public Date Notary Seal

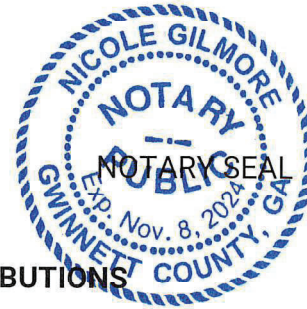
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4/27/2023 3:08PM

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
	4/26/23	Shane Lanham, attorney for the Applicant
SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE	DATE	TYPE OR PRINT NAME AND TITLE
	4/26/23	
SIGNATURE OF NOTARY PUBLIC	DATE	



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

YES NO Please see attached

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)
Please see attached		

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

RECEIVED

4/27/2023 3:08PM

**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>
Kirkland Carden, Commissioner	\$2,800	11/18/2021
Ben Ku, Commissioner	\$1,500	10/03/2022
Matt Holtkamp, Commissioner	\$1,000	04/13/2023

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4/27/2023 3:08PM

Gwinnett County Planning Division
Rezoning Application
Last Updated 12/2015

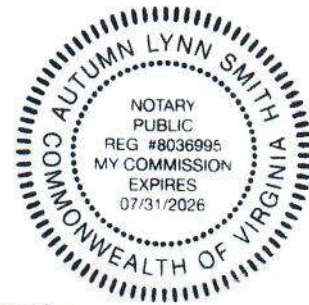
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The undersigned below, making application for a Rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

[Signature] 4-27-23 Neville Allison, Managing Partner
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

[Signature] _____ _____
SIGNATURE OF NOTARY PUBLIC DATE 4/27/2023 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 Neville Allison for The Beaver Land Group
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.

RECEIVED

4/27/2023 3:08PM

Gwinnett County Planning Division
Rezoning Application
Last Updated 5/2021

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: 5 - 237 - 003
(Map Reference Number) District Land Lot Parcel



Signature of Applicant

4/26/23

Date

Shane Lanham, attorney for the Applicant

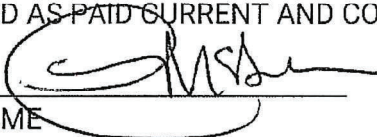
Type or Print Name and Title

*****PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.*****

TAX COMMISSIONERS USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

JESSILYN MCDUFFIE



TSA

NAME

TITLE

04/26/2023

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:		RZM2023-00017	
Case Address:		1402 Alcovy Road, Lawrenceville, 30045	
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	Alcovy Road is a major collector. ADT = 3,680.		
2	4.5 miles to the nearest transit facility (#2334968) Grayson Highway and Lawrenceville Square Plaza.		
3	Due to the slope grade of this portion of Alcovy Road, the developer shall locate the driveway where it is best suited for maximum sight distance as well as the construction of a full 200-foot right-turn deceleration lane.		
4	A 5' concrete sidewalk shall be installed along the entirety of the property frontage of Alcovy Road and Bramlett Shoals Road.		
5	Traffic Calming will be required for any interior street with a length of 500-feet or longer without a control point.		
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		YES	NO
1			
2			
3			
4			
5			
6			
7			

Note: Attach additional pages, if needed

Revised 7/26/2021

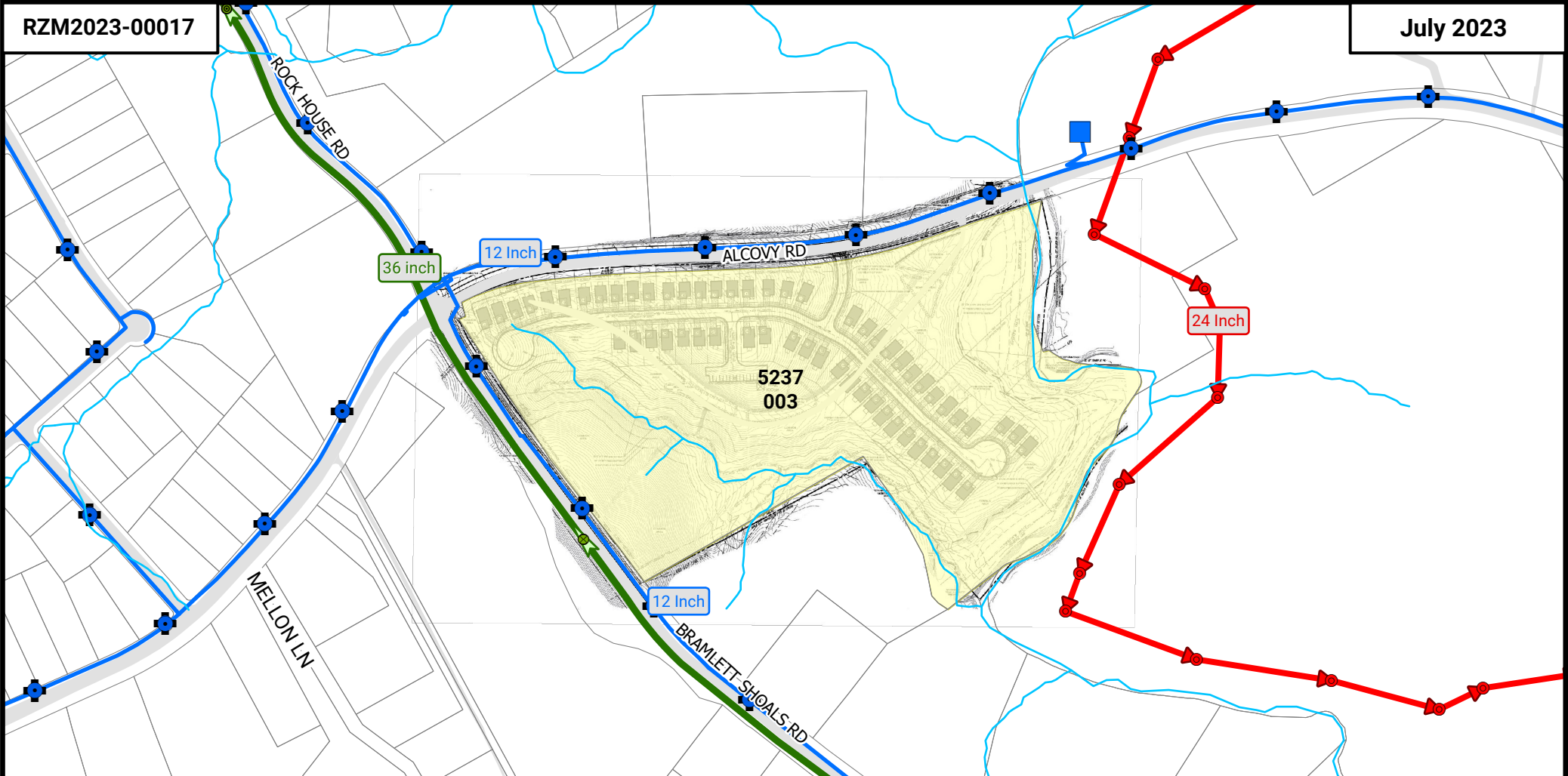


**Department of Planning and Development
TECHNICAL REVIEW COMMITTEE**

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:		RZM2023-00017		
Case Address:		1402 Alcovy Road		
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 in the north right-of-way of Alcovy Road. A jack-and-bore under Alcovy Road will be required.			
2	Sewer: A Sewer Capacity Certification is currently under review for this development. Pending available sewer capacity, the development may connect to an existing 24-inch gravity interceptor to the east of the site. A sewer aerial crossing and an easement will be required.			
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				

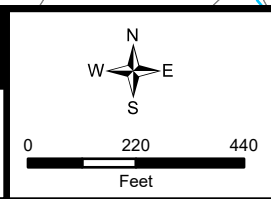
Note: Attach additional pages, if needed

Revised 7/26/2021



LEGEND		Water Main		Manhole
		Hydrant		Sewer Collector
		Master Vault		Sewer Interceptor
		Stream/River		Sewer Force Main

1402 Alcovy Rd
R-100 to R-TH
Water & Sewer
Utility Map



Water Comments: The proposed development may connect to an existing 12-inch water main in the north right-of-way of Alcovy Road. A jack-and-bore under Alcovy Road will be required.

Sewer Comments: A Sewer Capacity Certification is currently under review for this development. Pending available sewer capacity, the development may connect to an existing 24-inch gravity interceptor to the east of the site. A sewer aerial crossing and an easement will be required.

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.

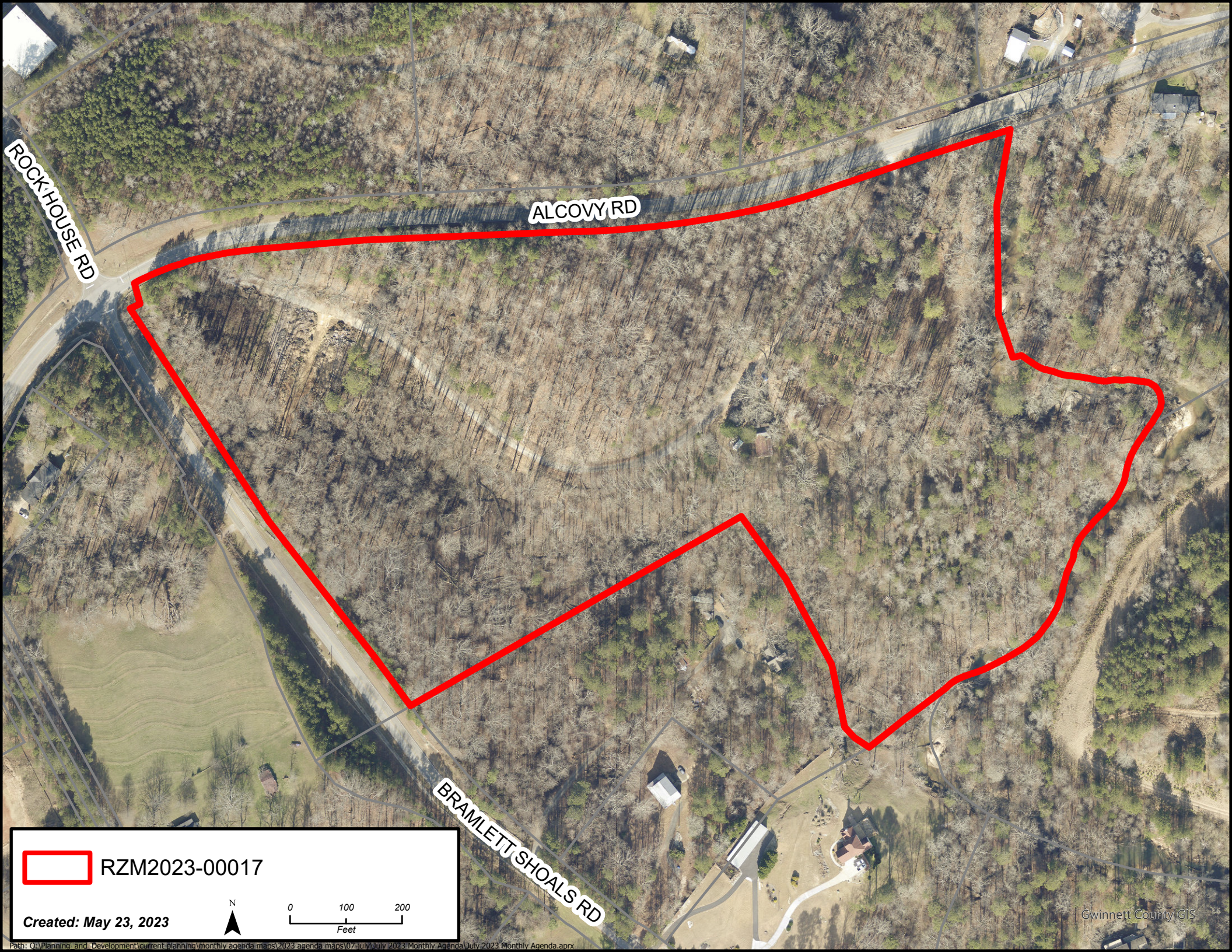
Private Road Developments: Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among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



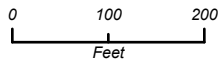
ROCKHOUSE RD

ALCOVY RD

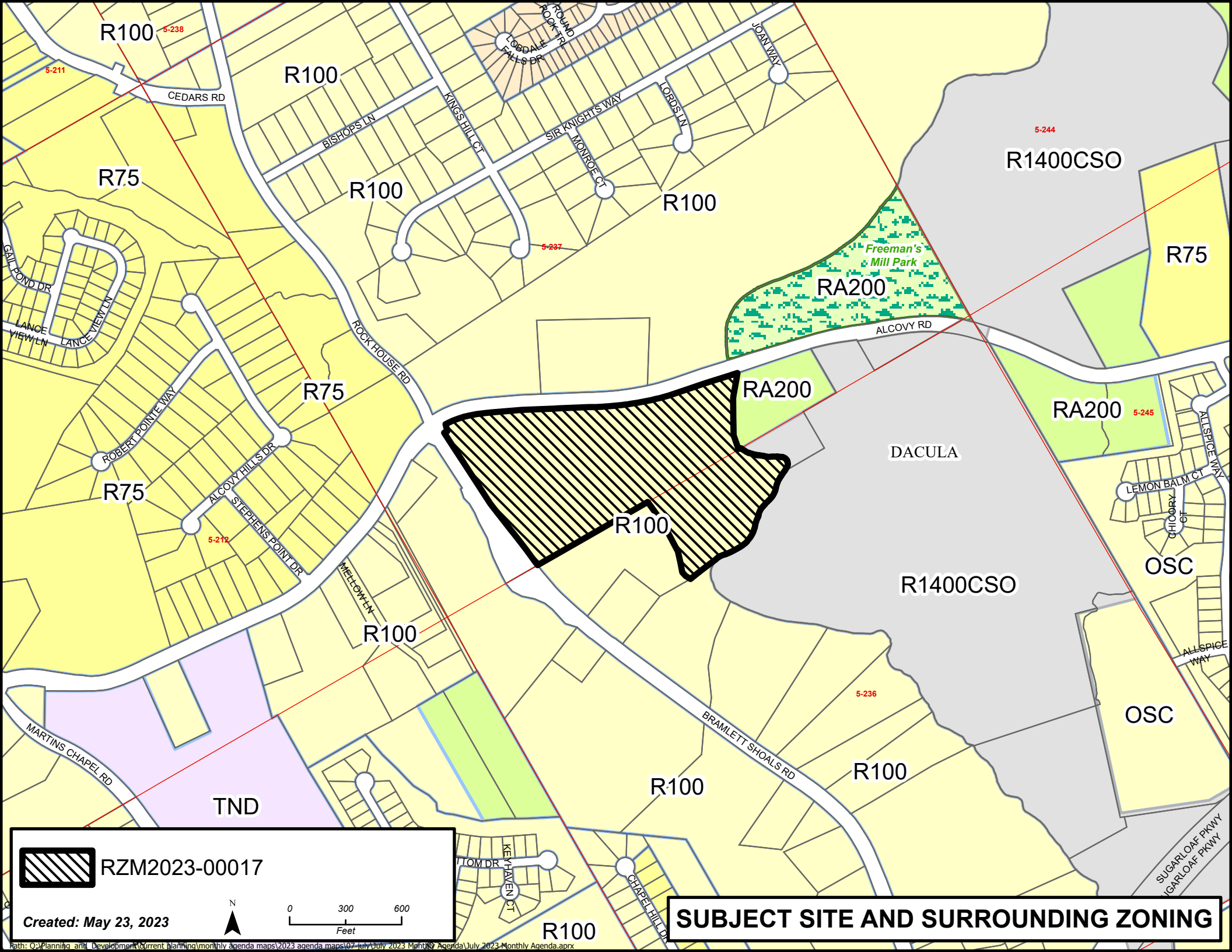
BRAMLETT SHOALS RD

 RZM2023-00017

Created: May 23, 2023

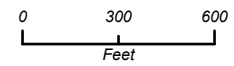


Gwinnett County GIS

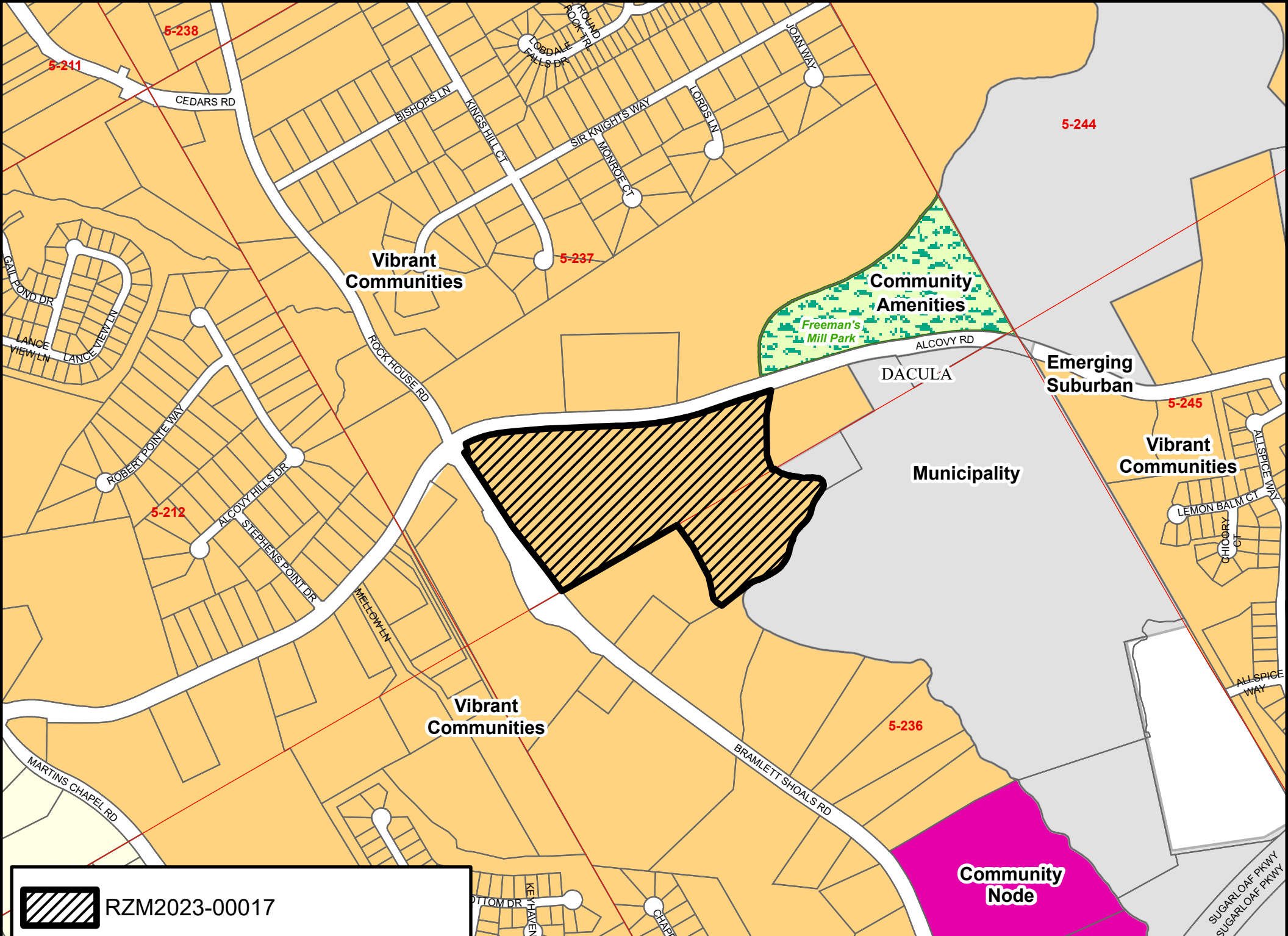



 RZM2023-00017

Created: May 23, 2023




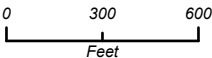
SUBJECT SITE AND SURROUNDING ZONING



 RZM2023-00017

Created: May 23, 2023

 N

 0 300 600 Feet

2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION