

**PLANNING AND DEVELOPMENT DEPARTMENT
CASE REPORT**

Case Number: RZM2023-00021
Current Zoning: R-75 (Single-Family Residence District)
Request: Rezoning to R-TH (Single-Family Residence Townhouse District)
Additional Requests: Waivers
Address: 2400 Block of Highpoint Road
Map Number: R6050 142 (portion)
Site Area: 8.24 acres
Units: 69
Proposed Development: Townhouses and Single-Family Detached Subdivision
Commission District: District 3 – Commissioner Watkins III
Character Area: Established Neighborhoods

Staff Recommendation: APPROVAL WITH CONDITIONS

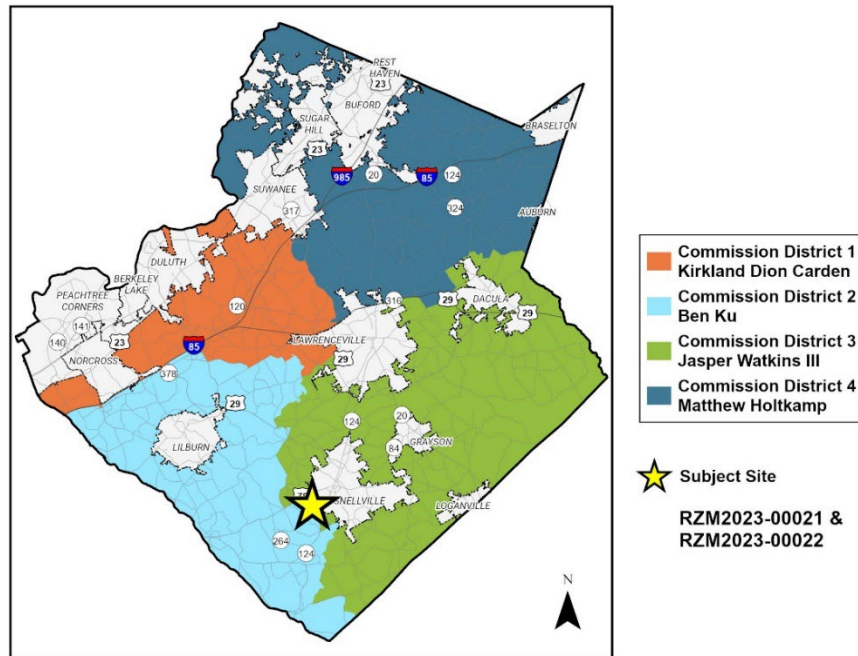
**Planning Commission
Recommendation:** APPROVAL WITH CONDITIONS

Case Number: RZM2023-00022
Current Zoning: R-75 (Single-Family Residence District)
Request: Rezoning to R-TH (Single-Family Residence Townhouse District)
Additional Request: Waiver
Address: 2400 Block of Highpoint Road
Map Number: R6050 142 (portion)
Site Area: 3.87 acres
Units: 6
Proposed Development: Single-Family Detached Subdivision
Commission District: District 2 – Commissioner Ku
Character Area: Established Neighborhoods

Staff Recommendation: APPROVAL WITH CONDITIONS

**Planning Commission
Recommendation:** APPROVAL WITH CONDITIONS

**Planning Commission Advertised Public Hearing Date: 12/5/2023 (Public Hearing Held 1/2/2024/
Recommendation Tabled to 2/6/2024)**
**Board of Commissioners Advertised Public Hearing Date: 12/12/2023 (Public Hearing Tabled to
2/27/2024)**



Applicant: Richardson Housing Group
 c/o Alliance Engineering and Planning
 4525 South Lee Street
 Buford, GA 30518

Owners: Monaco Investments LLC
 6722 Broad Street
 Douglasville, GA 30134

Contact: Tyler Lasser

Contact Phone: 770.225.4730 ext. 819

Zoning History

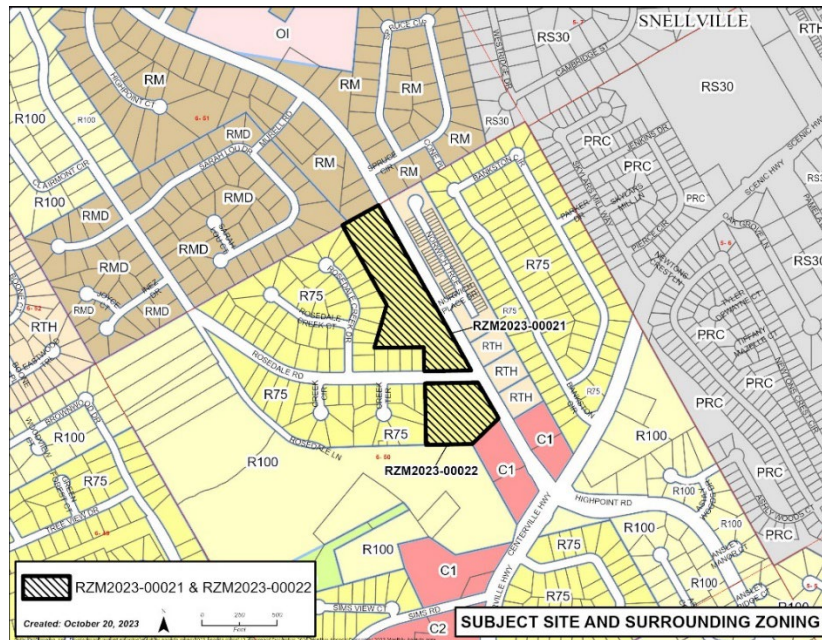
The subject property is zoned R-75 (Single-Family Residence District). This property and the land for the adjacent Rosedale Creek subdivision were rezoned from R-100 (Single-Family Residence District) to R-75 in 1986, pursuant to RZ-67-86. In 1989, a request to rezone the northern portion of the property to M-1 (Light Industry District) for an office/warehouse development was denied, pursuant to RZ-37-89.

Existing Site Condition

The subject property is a 12.11-acre parcel located at the intersection of Highpoint Road and Rosedale Road. The property is separated by Rosedale Road, with 3.87 acres comprising the southern portion and 8.24 acres comprising the northern portion of the property. The site is completely wooded and does not have any streams or wetlands. The terrain of the southern portion drops approximately 20 feet from the intersection of Highpoint Road and Rosedale Road to the rear of the property. The terrain of the northern portion drops approximately 50 feet from the northeast corner to the southwest corner of the property. Most of the property frontage is along Highpoint Road, a two-lane minor collector road. Both portions of the site also front Rosedale Road which is the entrance road to the Rosedale Creek single-family residential subdivision. There are no sidewalks on any of the frontages of either portion of the property. The nearest Gwinnett County Transit stop is approximately 2.2 miles from the subject property.

Surrounding Use and Zoning

The subject property is located in a residential area just north of a gas station and small retail center at the corner of Highpoint Road and Scenic Highway. The property is on both sides of Rosedale Road at the entrance to Rosedale Creek, a single-family detached subdivision developed in the late 1980s that is zoned R-75. A townhouse development is under construction at the intersection of Rosedale Road and Highpoint Road across from the subject property. Norwich Place, a townhouse subdivision, is located across Highpoint Road from the northern parcel where townhouses are being proposed. There is undeveloped land north of the subject property fronting Highpoint Road. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Townhouses and Single-Family Residential	R-TH	6.19 units per acre
North	Undeveloped	RM	1.56 units per acre
East	Townhouses Undeveloped	R-TH R-TH	7.96 units per acre 8.95 units per acre (approved)
South	Commercial Single-Family Residential	C-1 R-100	N/A 0.32 units per acre
West	Single-Family Residential	R-75	2.03 units per acre

Project Summary

The applicant requests rezoning of a 12.11-acre property from R-75 to R-TH for townhouses and single-family detached residential, including:

- 75 total dwelling units comprised of 65 townhomes and 10 single-family detached homes, yielding a density of 6.19 units per acre.
- 33 front-entry townhouses, 32 rear-entry townhouses, and four rear-entry single-family detached homes all with two-car garages on the northern property.

- Six rear-entry single-family detached homes facing Rosedale Road on the southern portion.
- A minimum heated floor area of 1,800 square feet for townhouses and a minimum heated floor area of 2,000 square feet for single-family detached homes.
- A 50-foot-wide easement and a 27-foot-wide internal cul-de-sac private street on the northern portion.
- A 20-foot-wide private alley and associated easement with four parallel guest parking spaces on the southern portion.
- Five-foot-wide sidewalks along Highpoint Road, Rosedale Road, and both sides of the proposed internal street.
- A 10-foot-wide landscape strip where the townhouses front Highpoint Road.
- A 15-foot-wide undisturbed buffer and a 15-foot-wide graded and replanted buffer against all external property lines adjacent to residentially zoned properties.
- A guest parking lot with 15 spaces and a mail kiosk in the front of the townhouse development.
- A stormwater management feature on each of the two portions of the development.
- Gated access to the townhouses and single-family detached homes on the northern portion, with open access to the southern portion with six single-family detached homes.
- Exterior building materials constructed primarily of brick and fiber-cement siding on the front facades and fiber-cement siding with a brick water table on the side and rear facades.

Zoning and Development Standards

The applicant is requesting a rezoning to R-TH (Single-Family Residence Townhouse District), for townhouses and single-family detached residences. 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
Building Separation	Minimum 20'	20'	YES
Parking for Townhouses	Minimum 3 per dwelling Maximum 6 per dwelling	4 spaces	YES
Parking for Single-Family Residential	Minimum 2 per dwelling Maximum 6 per dwelling	4 spaces	YES
Guest Parking	Minimum 19 spaces	19 spaces	YES
Density	Maximum 10 units per acre	6.19 units per acre	YES
Minimum Heated Floor Area for Townhouses	Minimum 1,400 square feet	Minimum 1,800 square feet	YES
Minimum Heated Floor Area for Single-Family Residential	Minimum 1,800 square feet	Minimum 2,000 square feet	YES
Common Area	Minimum 15% or 1.82 acres	44% or 5.36 acres	YES
Buffer width against R-75	Minimum 30 feet undisturbed	15 feet undisturbed 15 feet replanted	NO*
Cul-de-sac Length	Maximum 650 feet	>650 feet	NO**

* The applicant has requested a waiver to the buffer width requirements.

** The applicant has requested a variance to the maximum cul-de-sac length.

Waiver Requests

In addition to the rezoning request, the applicant is seeking waivers from the following provisions 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 30-foot-wide undisturbed zoning buffer for R-TH adjacent to R-75 property.

The applicant is requesting a waiver to reduce the 30-foot-wide undisturbed zoning buffer to a 15-foot-wide undisturbed buffer with an additional 15-foot-wide graded and replanted buffer adjacent to R-75 zoned properties along the northern and western property lines.

2. Section 900-20.2 C. Cul-de-sac Streets:

Dead end streets designed to have one end permanently closed shall provide a cul-de-sac turnaround and may be no more than 600 feet in length.

The applicant is requesting a waiver to allow a proposed road to exceed the maximum length of a dead-end street by constructing an approximately 1,100-foot-long cul-de-sac street.

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 H). 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 development would provide single-family detached residences and townhouses adjacent to existing single-family residences and townhouses across the street. The layout of the site is sensitive to the context of the existing Rosedale Creek single-family residential subdivision and the Norwich Place townhouses. The proposed rezoning would permit a use that is suitable in view of the use and development of adjacent and nearby property.

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

The rezoning, as proposed, would create significant new vehicle trips on Rosedale Road, a neighborhood street. Staff recommends a condition to require connection of the townhouse portion of the development to Highpoint Road to disperse vehicle trips and reduce traffic impacts on Rosedale Road. With this condition, the proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.

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

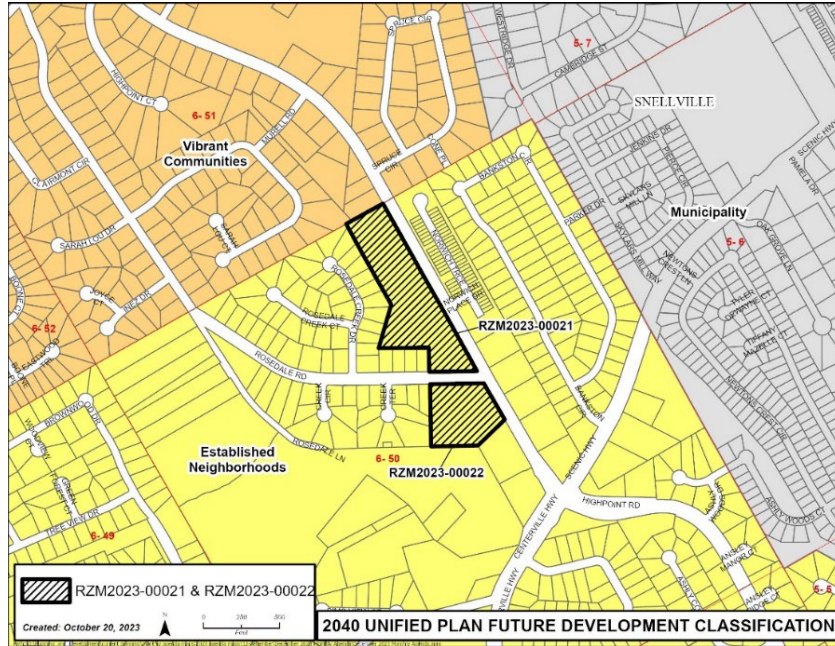
The property has a reasonable economic use as currently zoned.

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.

Impacts on public facilities are anticipated in the form of traffic, utility demand, and stormwater runoff, but would be mitigated with appropriate conditions and site development requirements. An increase in school enrollment is expected. Agency review comments related to any potential improvements concerning this rezoning request are attached (Exhibit H).

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

The Future Development Map of the Unified Plan indicates the property is located within the Established Neighborhoods Character Area, which designates well-established neighborhoods and single-family residential areas where changes in land use are not anticipated in the next 20 years, nor encouraged. Any new development, including residential infill, should be consistent in scale, architecture, and use with surrounding properties. The subject property is located adjacent to an established single-family detached residential neighborhood and across Highpoint Road from townhouse subdivisions that are both completed and under construction. The proposed development is compatible with the existing uses in the area and would be consistent with nearby development. Therefore, the proposed rezoning is in conformity 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.

Approval of the proposed development would provide a mix of front-loaded and alley-loaded residences in an established area with proximity to Centreville Highway. The proposed development is thoughtfully designed and sensitive to the surrounding single-family and townhouse subdivisions.

Waiver Requests 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 requests:

The applicant is requesting a waiver to reduce the 30-foot-wide undisturbed zoning buffer to 15-foot wide and provide an additional 15-foot-wide graded and replanted buffer adjacent to R-75 zoned properties along the northern and western property lines abutting the Rosedale Creek subdivision. The request is not limited to a specific portion of the buffer where the development may require grading but would allow for unnecessary grading and replanting against existing single-family detached homes where mature trees already exist.

The applicant is requesting a waiver to allow a proposed road to exceed the maximum length of a dead-end street of 600 feet. A second connection of the townhouse portion of the development to Highpoint Road would eliminate the need for the requested waiver and disperse traffic between two access points, thereby reducing traffic impacts on the Rosedale Creek subdivision. There are no conflicting intersections across Highpoint Road to discourage connectivity. Approval of these waivers could adversely affect the welfare of residents of the adjacent Rosedale Creek subdivision through increased traffic and visual impacts.

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 **APPROVAL WITH CONDITIONS** of the rezoning request.

In addition, staff recommends **DENIAL** of the following waivers:

1. To reduce the required undisturbed buffer against R-75 zoned property from 30-feet-wide to 15-feet-wide.
2. To allow a proposed road to exceed the maximum length of a dead-end street of 600 feet.

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 WITH CONDITIONS** of the rezoning requests.

In addition, the Planning Commission recommends **APPROVAL** of the following waiver requests:

1. To reduce the required undisturbed buffer against R-75 zoned property from 30-feet-wide to 15-feet-wide.
2. To allow a proposed road to exceed the maximum length of a dead-end street of 600 feet.

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

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

1. The proposed development shall be constructed in general conformance with ~~Exhibit B: Site Plan dated received October 10, 2023~~ **the site plan submitted at the February 6, 2024 Planning Commission meeting**, and Exhibit C: Elevations dated received October 12, 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 single-family detached residential and accessory uses and structures~~, not to exceed **75 70 units with a minimum of 1,800 square feet**.
- ~~3. All lots along Rosedale Road shall be limited to single-family detached dwellings with front facades oriented towards Rosedale Road.~~
3. A mandatory homeowners association shall be established and shall be responsible for maintenance of all common areas/facilities and street frontage landscaping.

4. All dwellings shall have a minimum two-car garage.
5. The buildings shall comply with Category 3 of the Gwinnett County Architectural Standards.
- ~~6. The developer shall connect the proposed street in the townhouse portion of the development to Highpoint Road.~~
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.
9. The developer shall construct a ~~deceleration lane along Rosedale Road into the site located to the north of Rosedale Road~~ **northbound left turn lane and a southbound right turn lane on Highpoint Road onto Rosedale Road.**
- 10. Subject to the review and approval of the Gwinnett County Department of Transportation, the developer shall provide improvements to the intersection of Highpoint Road and Rosedale Road to allow eastbound right and left turn movements from Rosedale Road onto Highpoint Road.**
- 11. The developer shall provide a 6-foot-high wood privacy fence along the western property line as shown on the site plan submitted at the February 6, 2024 Planning Commission meeting.**
- 12. No more than 15 percent of the units in the development may be rented.**
- 13. A reduced buffer of 15-foot undisturbed and 15-foot graded and replanted shall only be allowed against R-75 zoned property in the locations indicated in the site plan submitted at the February 6, 2024 Planning Commission meeting. The remainder of the buffer against the R-75 zoned property shall remain 30 feet undisturbed.**

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. DWR Sewer Capacity Certification Letter
- G. Traffic Impact Study
- H. Internal and External Agency Review Comments
- I. Maps
- J. Documents Presented at February 6, 2024 Planning Commission Public Hearing

Exhibit A: Site Visit Photos



View of wooded site along Rosedale Road



View of southern parcel frontage along Highpoint Road



View of northern parcel frontage along Highpoint Road



View of both parcel frontages along Rosedale Road



View of Highpoint Road, subject property on left



View of Norwich Place townhouses across Highpoint Road



View of townhouse development across Highpoint Road



View of homes along Rosedale Road within Rosedale Creek subdivision

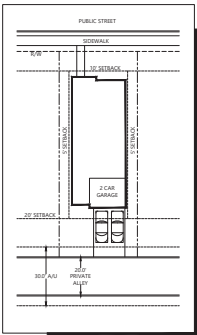
Exhibit B: Site Plan

[attached]

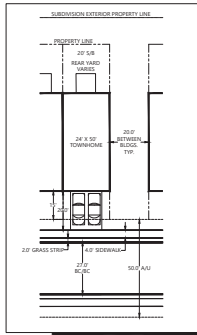
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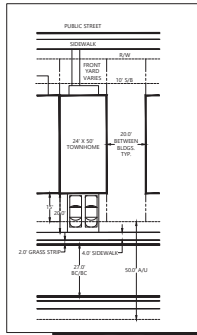
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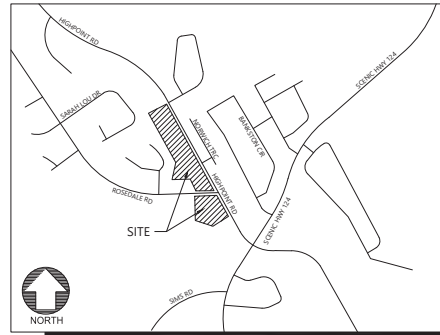
TYPICAL REAR ENTRY DETACHED



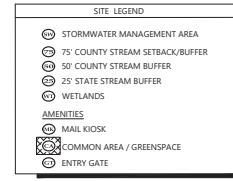
TYPICAL FRONT ENTRY TOWNHOME



TYPICAL REAR ENTRY TOWNHOME

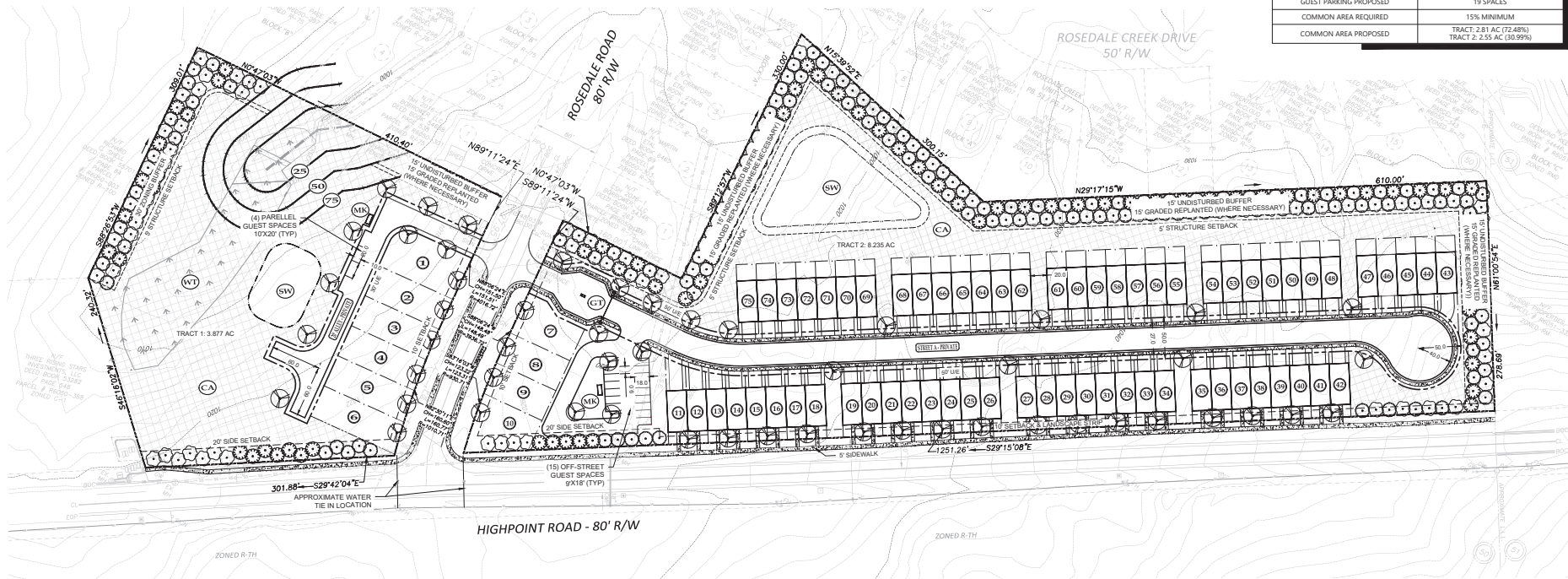


VICINITY MAP (NTS)



- NOTES:
1. WATER AND SANITARY SEWER SERVICE BY GWINNETT COUNTY.
 2. NO PORTION OF THIS PROPERTY LIES IN A DESIGNATED 100 YEAR FLOOD HAZARD AREA PER F.I.R.M. PANEL NO. 13135C01377, DATED 9-29-2006.
- VARIANCE NOTE:
1. REQUESTING VARIANCE TO EXCEED 600' CUL-DE-SAC LENGTH. PROPOSED CUL-DE-SAC LENGTH: 975'00"
 2. BUFFER REDUCTION AS SHOWN. 15' UNDISTURBED & 15' GRADED/REPLANTED.

SITE DATA	
TOTAL GROSS AREA	+/- 12.112 AC
TOTAL LOTS	75
24' X 50' TOWNHOMES	LOTS 43-75 (FRONT ENTRY) LOTS 11-42 (REAR ENTRY)
40' WIDE SINGLE-FAMILY DETACHED LOTS	LOTS 1 - 10 (REAR ENTRY)
EXISTING ZONING	R7S
PROPOSED ZONING	R-TH
MAX DENSITY	10 U/A
PROPOSED DENSITY	+/- 6.19 U/A
OPEN SPACE	> 15%
DESIGN STANDARDS	
PROPOSED LOT WIDTH	24 FT. (TOWNHOMES) 40 FT. (SINGLE FAMILY DETACHED)
MINIMUM DWELLING UNIT AREA	1,800 SF (SINGLE-FAMILY DETACHED) 2,000 SF (TOWNHOMES)
PROPOSED LOT AREA	3,000 SF (SINGLE-FAMILY DETACHED) 1,800 SF (TOWNHOMES)
MINIMUM EXTERNAL ROAD FRONTAGE FOR OVERALL DEVELOPMENT	50 FT.
MAX HEIGHT	35 FT.
INTERNAL SETBACK	SINGLE FAMILY DETACHED: FRONT: 10 FT. SIDE: 5 FT. REAR: 20 FT.
EXTERNAL SETBACKS	FRONT: 10 FT. SIDE: 20 FT. REAR: 20 FT.
PARKING REQUIRED	3 PER DWELLING
PARKING PROVIDED	4 PER DWELLING (2 CAR GARAGE + 2 CAR DRIVEWAY)
GUEST PARKING REQUIRED	19 SPACES (7.5 X 12.5)
GUEST PARKING PROPOSED	19 SPACES
COMMON AREA REQUIRED	15% MINIMUM
COMMON AREA PROPOSED	TRACT 2: 2.81 AC (72.48%) TRACT 2: 2.55 AC (30.99%)

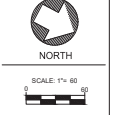


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NOT RELEASED FOR CONSTRUCTION

SITE CONCEPT PLAN FOR HIGHPOINT- ROSEDALE TRACT 2234 ROSEDALE RD., SNELLYVILLE, GA 30078 PARCEL # 6050-042

Orig. Issue 10.10.2023
Designed by XXX
Checked by XXX
Project # 22209



ZONING PLAN C-100

GWINNETT COUNTY PLANNING AND DEVELOPMENT
RECEIVED
10.10.2023

Exhibit C: Building Elevations

[attached]

RECEIVED

10.12.2023



Elevations shall comply with category 3 architectural design standards (Appendix 6.5.0)

RECEIVED

10.12.2023



RECEIVED

10.12.2023



Elevations shall comply with category 3 architectural design standards (Appendix 6.6.0)

RECEIVED

10.12.2023



Elevations shall comply with category 3 architectural design standards (Appendix A.6)

RECEIVED

10.12.2023



RECEIVED

10.12.2023



Elevations shall comply with Category 3 architectural design standards (Appendix 6.5.0)

RECEIVED

10.12.2023



Elevations shall comply with category 3 architectural design standards (Appendix 6.5.0)

RECEIVED

10.12.2023



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

[attached]

**Applicant's Letter of Intent
Rich-West Properties, LLC
2234 Rosedale Road, Gwinnett County
R-75 to R-TH**

The Applicant, Richardson Housing Group, requests to rezone the approximately 12.11-acre site from R-75 to R-TH (Single-Family Residence Townhouse District) to develop a residential community that includes attached townhomes and detached homes. The site is located on the west side of Highpoint Road, between Stone Mountain Highway and Scenic Highway. The parcel is split into two parts that are separated by Rosedale Road. The site is surrounded by a variety of land uses including single-family homes to the west, quadraplexes to the north, a commercial strip to the south, and attached townhomes to the east across Highpoint Road.

As proposed, the development will include a total of 65 attached townhomes and 10 single-family detached homes, equating to a density of 6.19 units per acre. Of the 65 townhomes, 32 will have a rear-entry garage, and will front Highpoint Road, across from the Northwich townhouse community. 33 of the townhomes will have front-entry garages and will face the internal private street. To be consistent with the existing detached homes along Rosedale Road within the Rosedale Creek subdivision, all proposed detached homes will be positioned around Rosedale Road, providing a gradual transition from the proposed townhomes. Each of the 10 homes will have a frontage on Rosedale Road, with rear-entry garage access from the internal street. The townhomes will start at 1,800 square feet in size and the detached homes will start at 2,000 square feet in size. Each unit, including detached dwellings and townhomes, will feature a two-car garage and 2-car driveway. In addition to the garage and driveway spaces, a 15-space parking overflow parking area will be provided in the townhome portion of the development. The parking lot, all townhomes, and four of the detached homes will be gate-accessed. Other site improvements will include but are not limited to sidewalks internal to the development and along the Rosedale and Highpoint Road frontage, and 30-foot buffers (15 feet undisturbed) adjacent to other residentially zoned properties. As shown on the submitted elevations, the exterior of the homes will comprise of a mixture of materials including brick, and a variety of fiber cement siding. The site is located within the Established Neighborhoods character area of the Gwinnett County 2040 Unified Plan, which specifies single-family residential, and townhomes as encouraged uses. Given that there is a mixture of single-family residential and townhomes in the area, and the proposed single-family residential and townhomes are consistent in scale and architecture with those surrounding uses, the proposed development meets the intent of the character area. In addition to the rezoning request, the Applicant requests the following variances:

- (Section 900-20.2.C) To allow the cul-de-sac street to exceed 600 feet in length, as shown on the submitted site plan.
- (Section 610-20.3) To grade and replant up to 15 feet within the 30-foot zoning buffer.

The Applicant looks forward to meeting with staff and the community to answer all questions or concerns and is excited to be able to provide exceptional housing in a highly desirable section of Gwinnett County.

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10.10.2023

Standards Governing the Exercise of the Zoning Power

To further demonstrate that the proposed rezoning and land use is consistent with the intent of the UDO and 2040 Unified Plan, the applicant submits its response to the Standards Governing Exercise of the Zoning Power as follows:

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

Rezoning the subject site to R-TH for the purpose of constructing attached townhomes, and detached homes is suitable in relation to the adjacent and nearby properties. There are existing single-family homes along Rosedale Road, and there are existing attached townhomes directly across Highpoint Road.

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

The proposed rezoning will not adversely affect the use of the surrounding properties. The subject property will remain residential and consistent with the uses in proximity.

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

Due to site constraints, including the wetlands, multiple road frontages and irregular lot shape, usability of the site is very limited. The applicant submits that the property does not have a reasonable economic use as currently zoned.

(D) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

The rezoning will not result in excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

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

The proposed development meets the intent of the 2040 Unified Plan. The subject property is located within the Established Neighborhoods character area, which encourages single-family residential development and townhomes, if consistent in scale, architecture, and use with surrounding properties. With the townhomes across the street and single-family homes on Rosedale Road, in addition to the proposed architecture, the development will be consistent with the surrounding properties.

(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 pattern of residential infill development in the area and the proposed development's compatibility with the land use of the adjacent properties are among reasons for the approval of the proposed rezoning.

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



Exhibit E: Application and Disclosure of Campaign Contributions

[attached]

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10.12.2023

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: Richardson Housing Group, c/o Alliance Engineering and Planning ADDRESS: 4525 S. Lee Street CITY: Buford STATE: GA ZIP: 30518 PHONE: 770.225.4730 ext.819 EMAIL: tlasser@allianceco.com	NAME: MONACO INVESTMENTS LLC ADDRESS: 6722 BROAD ST CITY: DOUGLASVILLE STATE: GA ZIP: 30134-4529 PHONE: 770.225.4730 ext.819 EMAIL: tlasser@allianceco.com
CONTACT PERSON: Tyler Lasser PHONE: 770.225.4730 ext.819 CONTACT'S E-MAIL: tlasser@allianceco.com	
APPLICANT IS THE: <input type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICTS(S): R-75 REQUESTED ZONING DISTRICT: R-TH PARCEL NUMBER(S): 6050 142 ACREAGE: 8.235 ADDRESS OF PROPERTY: 2400 Block of Highpoint Road PROPOSED DEVELOPMENT: Townhomes and Single-Family Detached Dwellings	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units 69	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): 1,800	Total Building Sq. Ft. _____
Gross Density: 8.37.	Density: _____
Net Density: 8.37	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

10.12.2023

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: Richardson Housing Group, c/o Alliance Engineering and Planning ADDRESS: 4525 S. Lee Street CITY: Buford STATE: GA ZIP: 30518 PHONE: 770.225.4730 ext.819 EMAIL: tlasser@allianceco.com	NAME: MONACO INVESTMENTS LLC ADDRESS: 6722 BROAD ST CITY: DOUGLASVILLE STATE: GA ZIP: 30134-4529 PHONE: 770.225.4730 ext.819 EMAIL: tlasser@allianceco.com
CONTACT PERSON: Tyler Lasser PHONE: 770.225.4730 ext.819 CONTACT'S E-MAIL: tlasser@allianceco.com	
APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICTS(S): R-75 REQUESTED ZONING DISTRICT: R-TH PARCEL NUMBER(S): 6050 142 ACREAGE: 3.87 ADDRESS OF PROPERTY: 2400 Block of Highpoint Road PROPOSED DEVELOPMENT: Single-Family Detached Dwellings	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>6</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>2,000</u>	Total Building Sq. Ft. _____
Gross Density: <u>1.55</u>	Density: _____
Net Density: <u>1.55</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

10.10.2023

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

7/21/23

Date

MARK RICHARDSON - MANAGER

Type or Print Name and Title



Signature of Notary Public

7-21-23

Date

Notary Seal



RECEIVED

10.10.2023

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.

S Kent Owings 9/8/2023
Signature of Property Owner Date

S Kent Owings - Manager
Type or Print Name and Title

Jacqueline A. Corry 9/8/2023
Signature of Notary Public Date Notary Seal

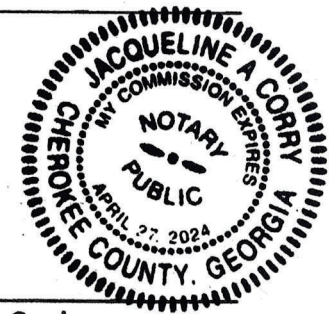


Exhibit F: DWR Sewer Capacity Certification Letter

[attached]



September 22, 2023

Mark Richardson
Rich-West Properties, LLC
290 Constitution Blvd.
Lawrenceville, GA 30046

<input checked="" type="checkbox"/>	APPROVED
<input type="checkbox"/>	DENIED
<input type="checkbox"/>	CONDITIONALLY APPROVED
Sewer Capacity Request #C2023-153-07	
Expiration Date: 09/22/2024	
Tie-In Manhole FID: 239580, 239687	

RE: Sewer Availability for Proposed Development – Rosedale Road Tract
Parcel ID 6050 142

Dear Mr. Richardson:

This letter supersedes the earlier Sewer Capacity Certification C2021-09-246 dated September 7, 2021 addressed to Matt Stokes.

Gwinnett County Department of Water Resources (GCDWR) has reviewed the impact of the proposed development consisting of 80 single-family residences on the above parcel(s) and determined:

Gwinnett County has adequate sewer capacity to serve the proposed development.

This confirmation is based on your anticipated total annual average daily flow of 13.9 gpm, with 12.3 gpm discharging to the sewer tie-in manhole at Facility ID 239580 and 1.6 gpm to the sewer tie-in manhole at Facility ID 239687.

Capacity Allocation: Sewer capacities are allocated only upon the issuance of a Development Permit, by Gwinnett County Planning & Development and after all applicable conditions established in this Sewer Capacity Certification, if any, are met.

Certification Expiration: The Sewer Capacity Certification is valid for 12 months from the date of this letter. If rezoning is approved, GCDWR will issue a revised Sewer Capacity Certification based on the approved units, as needed. The capacity request can be renewed for an additional 12 months. If a Development Permit has not been obtained by the expiration date above the developer may apply for renewal by providing evidence of active rezoning, plan review, or permitting efforts.

Once the Sewer Capacity Certification expires, the capacity is no longer allocated, and a new Sewer Capacity Certification request must be submitted for re-evaluation with no guarantee of available capacity. The evaluation will be based on the updated conditions of the sewer system.

Certification Invalidation: This certification is not valid if there are proposed changes to your development that could impact downstream sewer capacity (e.g. land use density, sewer tie-in





manhole, parcel changes, and/or rezoning). In this case the development must resubmit for a new Sewer Capacity Request with updated information prior to the expiration of the previous one.

Please contact us at 678-376-7026 if you have any questions.

Sincerely,

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES

Lorraine Campagne, PE
Section Manager, Development Support
678.376.7058

C: Gwinnett County DWR – Tai Yi Su, Division Director; Raghu Vemuru, Engineer V; Mikala Weston, Engineer III
Gwinnett County P&D – Charli Young, Planning Manager; Geniva Sylvain, Engineer I; Christina Dejarnette, Engineer I

Exhibit G: Traffic Impact Study

[attached]

ROCKFERN ROW DEVELOPMENT TRAFFIC IMPACT STUDY

September 27, 2023

LJA Project No. 3847-2301

LJA Engineering, Inc. 

4525 S. Lee Street

Buford, GA 30518

Phone: 770.225.4730

www.ljaengineering.com

TBPE Firm F-3186

WINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

BF
9.27.2023

EXECUTIVE SUMMARY

This report presents the summary of findings for the Traffic Impact Study (TIS) prepared by LJA Engineering, Inc. (LJA) for the proposed Rockfern Row development in Snellville, GA.

This development will consist of 75 single-family homes. The objective of this study is to analyze the impacts of the traffic generated by the proposed development on the performance of the surrounding roadway network and to determine if mitigation measures to address any resulting deficiencies are recommended.

The study area for this TIS includes the street network located within a mile from the proposed development's access points and includes the following intersections:

1. GA-124 (Scenic Highway S) at Highpoint Road
2. Highpoint Road at Rosedale Road

For this study, the AM and PM peak hours were analyzed for each of the following scenarios:

1. Existing conditions (2023)

Peak hour traffic and 24-hour link data were collected on August 24, 2023.

All analyses in this study were completed using standard traffic engineering practices based on the methodology outlined in the *Highway Capacity Manual - 6th Edition* (HCM6). Level of Service analyses for intersections were completed using Synchro 11 traffic analysis software.

The overall proposed development is expected to add 774 daily vehicle trips with 57 vehicle trips (15 in 42 out) during the AM peak hour period and 76 vehicle trips (48 in 28 out) during the PM peak hour period, which requires a Level 2 TIS per Gwinnett County requirements. Development-related traffic volumes were distributed to the surrounding roadway network according to the existing travel patterns within the study area.

The following is a list of improvements recommended based on existing conditions and volumes:

- Re-evaluate signal timing at GA-124 and Highpoint Road

Exhibit H: Internal and External Agency Review Comments

[attached]



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

TRC Meeting Date:		11.08.23	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		Brent.Hodges@gwinnettcounty.com	
Case Number:		RZM2023-00021 / RZM2023-00022	
Case Address:		2400 Highpoint Road, Snellville, 30039	
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	Highpoint Road is a major collector. ADT = 6,289. Rosedale Road is a local road. ADT not listed.		
2	2.2 miles to the nearest transit facility located at Wisteria Drive and East Main Street (SR 10).		
3	The developer shall provide a 25' right-of-way miter at the NW and SW corner (both site corners) of Highpoint Road and Rosedale Road.		
4			
5			
6			
7			
Recommended Zoning Conditions:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	The developer shall construct a deceleration lane along Rosedale Road into the site located to the north of Rosedale Road.		
2			
3			
4			
5			
6			
7			

Note: Attach additional pages, if needed

Revised 7/26/2021

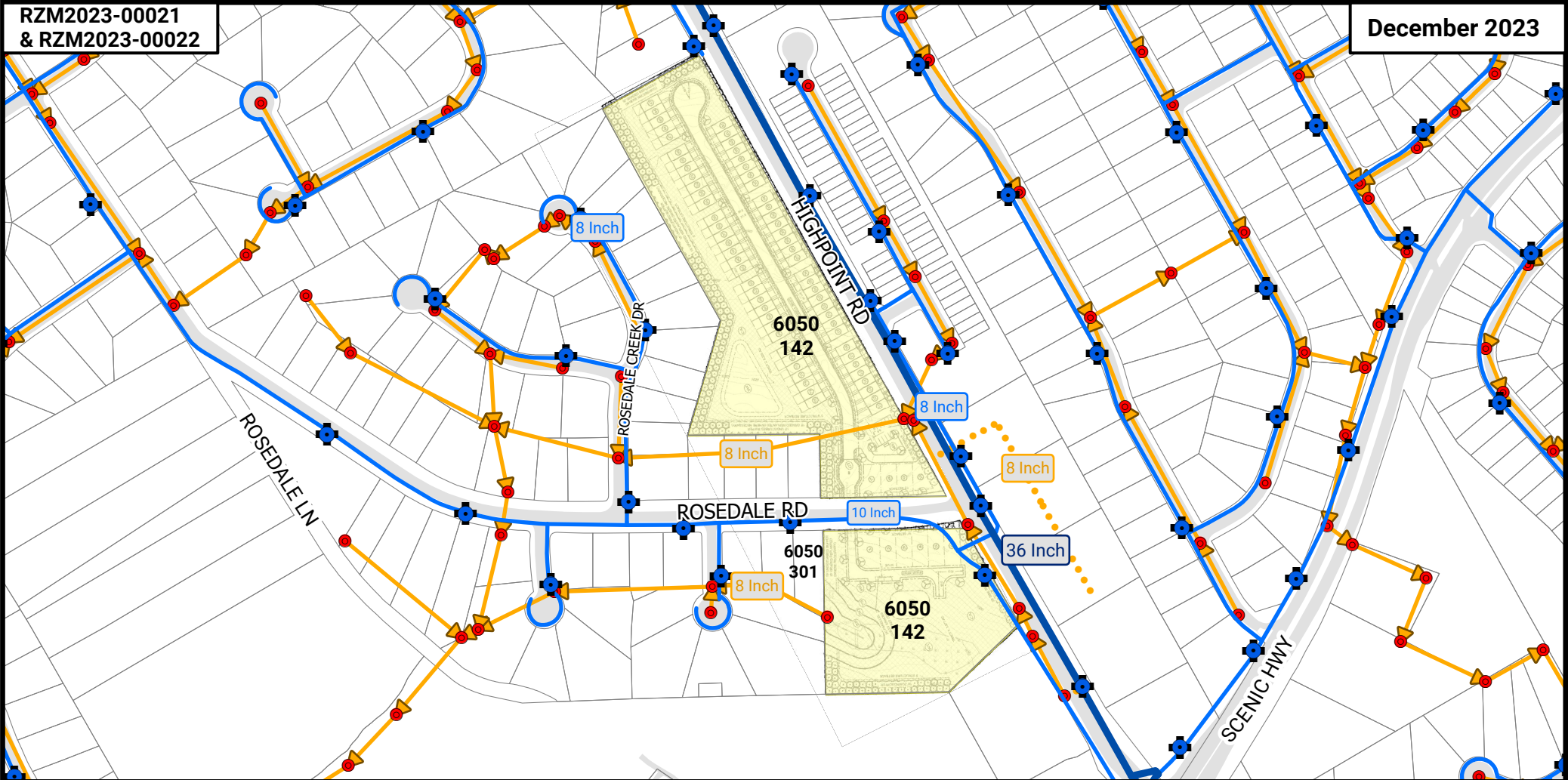


**Department of Planning and Development
TECHNICAL REVIEW COMMITTEE**

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:		RZM2023-00021 & RZM2023-00022		
Case Address:		2400 Block of Highpoint Rd		
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Water: The proposed development may connect to the existing 8-inch water main south of the intersection of Rosedale Road and Highpoint Road. The existing 10-inch asbestos cement pipe (ACP) water main on Rosedale Road across the frontage of the property shall not be tapped.			
2	Sewer: A Sewer Capacity Certification (C2023-153-07) has been approved for 75 townhomes and single-family residential units. The proposed development plans to connect the northern portion of the development to the existing 8-inch gravity sewer crossing the subject site north of Rosedale Road; and the southern portion of the development to the existing 8-inch gravity sewer at the western boundary with parcel 6050 301.			
3				
4				
5				
6				
7				
Recommended Zoning Conditions:		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1				
2				
3				
4				
5				
6				
7				

Note: Attach additional pages, if needed

Revised 7/26/2021



LEGEND

- Water Main
- Manhole
- Hydrant
- Sewer Collector
- Proposed Sewer Collector

2400 Block of Highpoint Rd
R-75 to R-TH

Water & Sewer Utility Map

N
W —+— E
S

0 200 400
Feet

LOCATION

Water Comments: The proposed development may connect to the existing 8-inch water main south of the intersection of Rosedale Road and Highpoint Road. The existing 10-inch asbestos cement pipe (ACP) water main on Rosedale Road across the frontage of the property shall not be tapped.

Sewer Comments: A Sewer Capacity Certification (C2023-153-07) has been approved for 75 townhomes and single-family residential units. The proposed development plans to connect the northern portion of the development to the existing 8-inch gravity sewer crossing the subject site north of Rosedale Road; and the southern portion of the development to the existing 8-inch gravity sewer at the western boundary with parcel 6050 301.

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.

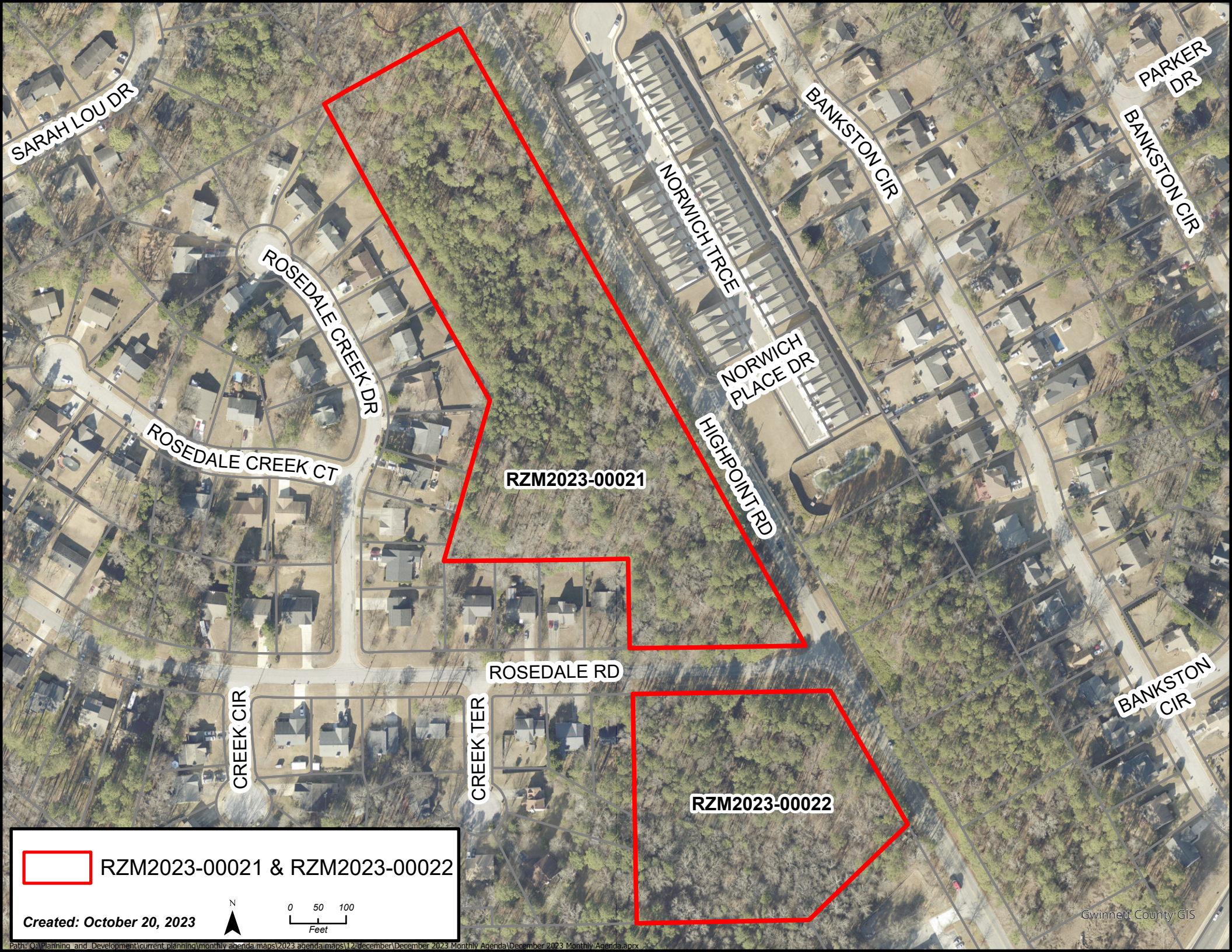
Private Road Developments: Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among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


Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County BOC, December, 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.	
RZR2023-00003	Grayson HS	3,420	3,000	420	3,506	3,000	506	3,576	3,000	576	35
	Bay Creek MS	1,361	1,150	211	1,380	1,150	230	1,433	1,150	283	26
	Grayson ES	1,049	950	99	1,070	950	120	1,091	950	141	45
RZR2023-00024	Archer HS	3,202	2,575	627	3,250	2,575	675	3,283	2,575	708	6
	McConnell MS	2,111	1,775	336	2,153	1,775	378	2,196	1,775	421	4
	Harbins ES	1,443	1,225	218	1,486	1,225	261	1,531	1,225	306	9
RZR2023-00025	Mill Creek HS	2,685	2,800	-115	2,644	2,800	-156	2,697	2,800	-103	26
	Osborne MS	1,737	1,575	162	1,770	1,575	195	1,833	1,575	258	21
	Duncan Creek ES	1,468	1,300	168	1,500	1,300	200	1,556	1,300	256	36
RZM2023-00021	South Gwinnett HS	2,651	2,750	-99	2,704	2,750	-46	2,758	2,750	8	16
RZM2023-00022 (combined)	Snellville MS	881	1,625	-744	864	1,625	-761	857	1,625	-768	11
	Norton ES	944	1,300	-356	953	1,300	-347	968	1,300	-332	21
RZM2023-00023	Lanier HS	1,903	1,900	3	1,920	1,900	20	1,938	1,900	38	17
	Lanier MS	1,334	1,700	-366	1,361	1,700	-339	1,388	1,700	-312	14
	Sugar Hill ES	1,126	1,075	51	1,149	1,075	74	1,171	1,075	96	26

Exhibit I: Maps

[attached]



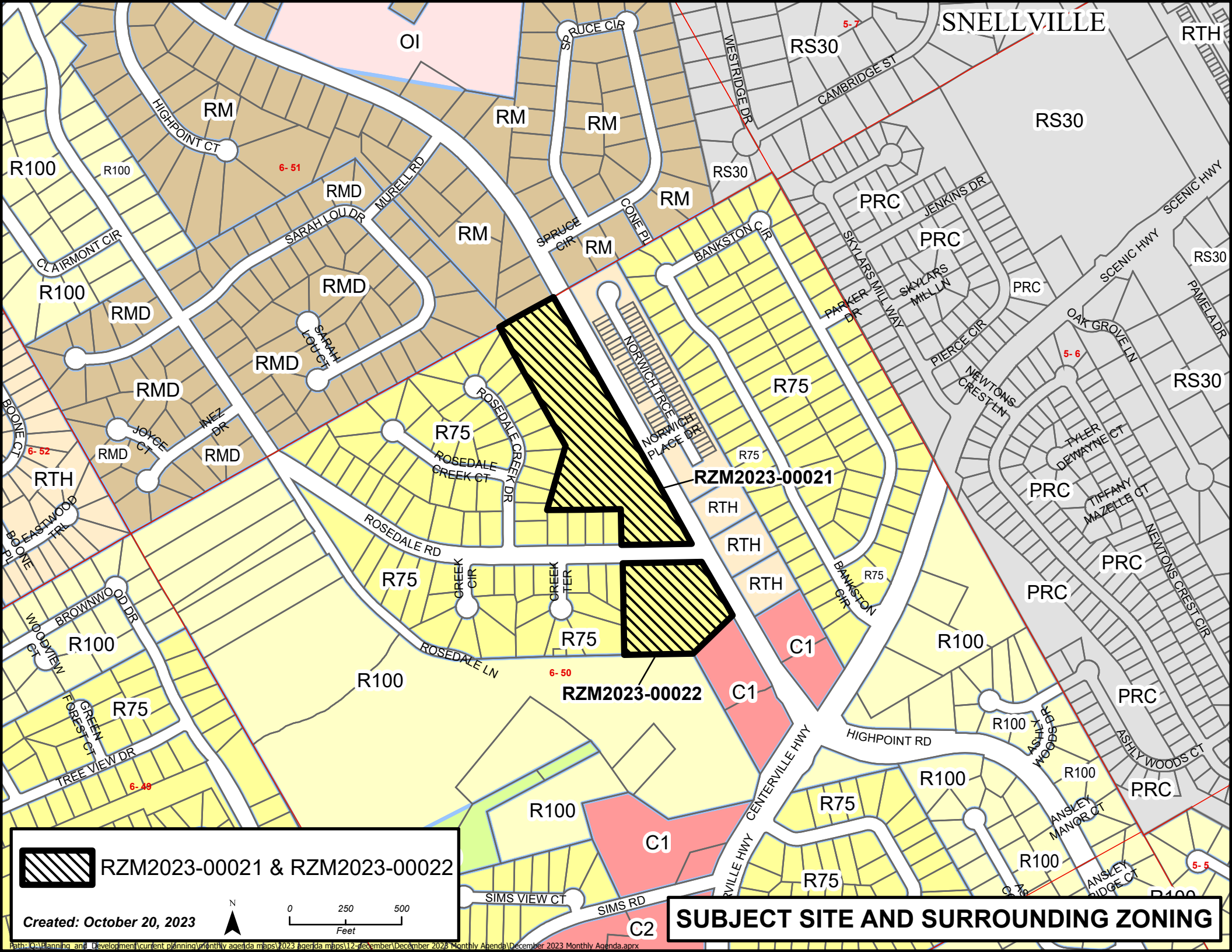
 RZM2023-00021 & RZM2023-00022

Created: October 20, 2023



0 50 100
Feet

Gwinnett County GIS




SNELLVILLE

RM
RMD
R75
R100
RTH

RM
RMD
R75
RTH
C1
C2

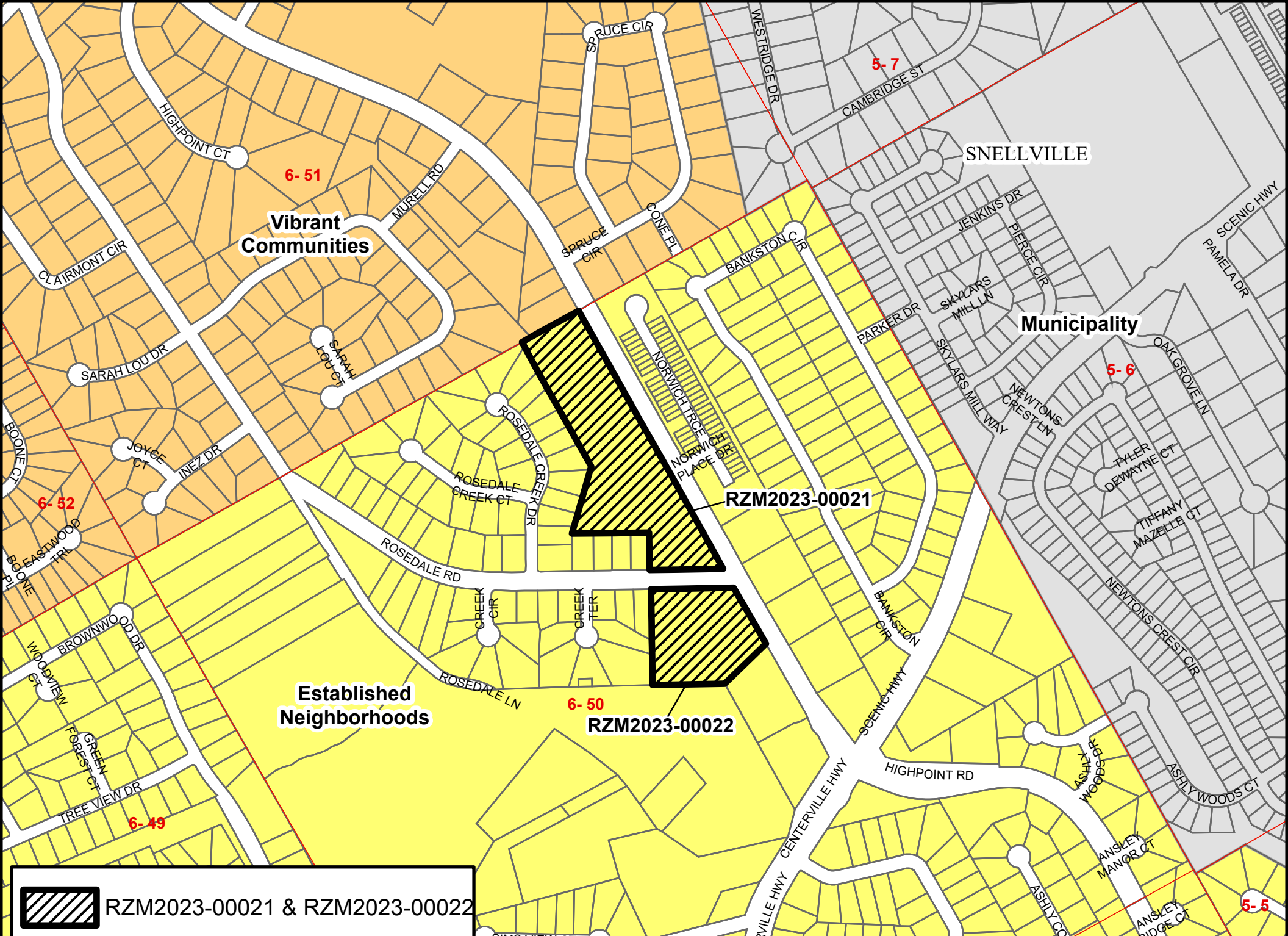
RS30
PRC
R100
RTH

 RZM2023-00021 & RZM2023-00022

Created: October 20, 2023

0 250 500 Feet

SUBJECT SITE AND SURROUNDING ZONING



**Vibrant
Communities**

**Established
Neighborhoods**

SNELLVILLE

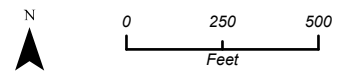
Municipality

RZM2023-00021

RZM2023-00022

 RZM2023-00021 & RZM2023-00022

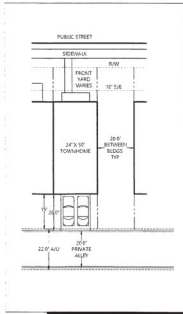
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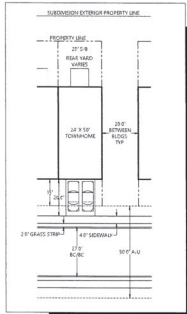
2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

**Exhibit J: Documents Presented at February 6, 2024
Planning Commission Public Hearing**

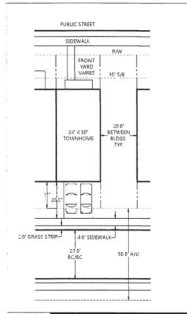
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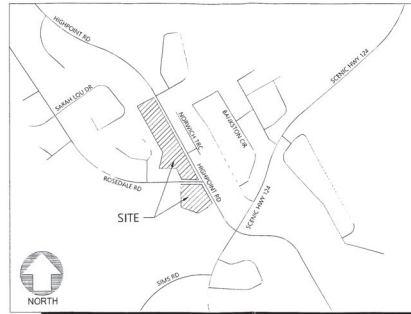
TYPICAL REAR ENTRY TOWNHOME



TYPICAL FRONT ENTRY TOWNHOME



TYPICAL REAR ENTRY TOWNHOME



VICINITY MAP (NTS)

SITE LEGEND

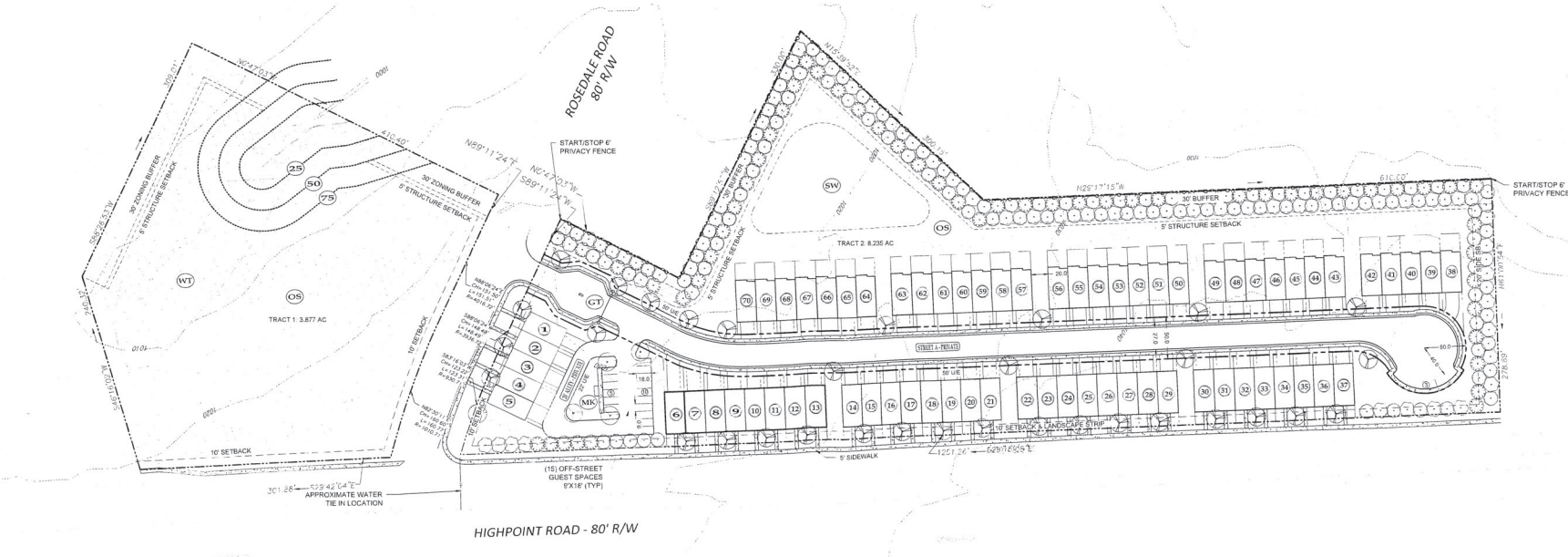
- (S) STORMWATER MANAGEMENT AREA
- (75) 75' COUNTY STREAM SETBACK/BUFFER
- (50) 50' COUNTY STREAM BUFFER
- (25) 25' STATE STREAM BUFFER
- (W) WETLANDS
- (A) AMENITIES
- (M) MAIL KIOSK
- (O) OPEN SPACE / COMMON AREA
- (E) ENTRY GATE

- NOTES:**
- WATER AND SANITARY SEWER SERVICE BY GWINNETT COUNTY.
 - NO PORTION OF THIS PROPERTY LIES IN A DESIGNATED 100 YEAR FLOOD HAZARD AREA PER F.E.M.M. PANEL NO. 131350D137, DATED 9-29-2006.

- VARIANCE NOTE:**
- REQUESTING VARIANCE TO EXCEED 600' CUL-DE-SAC LENGTH. PROPOSED CUL-DE-SAC LENGTH: 515.00'
 - "BUFFER REDUCTION AS SHOWN IN SHADED AREA, 15' UNDISTURBED & 15' GRADED/REPLANTED.

SHADED AREA TO BE GRADED AND REPLANTED

SITE DATA	
TOTAL GROSS AREA	+/- 12.112 AC
TOTAL LOTS	70
24' X 50' TOWNHOMES	LOTS 38-70 (FRONT ENTRY) LOTS 1-37 (REAR ENTRY)
EXISTING ZONING	R7S
PROPOSED ZONING	R-TH
MAX DENSITY	10 U/A
PROPOSED DENSITY	+/- 5.78 U/A
DESIGN STANDARDS	
PROPOSED LOT WIDTH	24 FT.
MINIMUM DWELLING UNIT AREA	2,000 SF
PROPOSED LOT AREA	1,800 SF
MINIMUM EXTERNAL ROAD FRONTAGE FOR OVERALL DEVELOPMENT	50 FT.
MAX HEIGHT	35 FT.
EXTERNAL SETBACKS	FRONT: 10 FT. SIDE: 20 FT. REAR: 20 FT.
PARKING REQUIRED	3 PER DWELLING
PARKING PROVIDED	4 PER DWELLING (2 CAR GARAGE + 2 CAR DRIVEWAY)
GUEST PARKING REQUIRED	17.5 SPACES (7.0 X 0.25)
GUEST PARKING PROPOSED	18 SPACES
OPEN SPACE REQUIRED	10% MINIMUM
OPEN SPACE PROPOSED	TRACT 1: 3.877 AC (100%) TRACT 2: 2.55 AC (80.9%)



2/03/24 ZONING PLAN

NOT RELEASED FOR CONSTRUCTION

LJA ENGINEERING
288 S MAIN STREET
ALPHARETTA, GA 30009
770-225-4730

SITE CONCEPT PLAN FOR HIGHPOINT-ROSEDALE TRACT

2234 ROSEDALE RD, DUNWOODY, GA 30078
LL 50 - DISTRICT 8TH
PARCEL # 6050-142

NORTH

SCALE 1" = 60'

PROJECT NUMBER
22209

SHEET TITLE
ZONING PLAN

SHEET NUMBER
C-100

**GWINNETT COUNTY
PLANNING AND DEVELOPMENT**

RECEIVED

 2.6.2024
 RZM2023-00021 and RZM2023-00022