

446 West Crogan Street, Suite 300 | Lawrenceville, GA 30046-2440 678.518.6000 GwinnettCounty.com

PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: RZR2023-00025

Current Zoning: RA-200 (Agriculture-Residence District)

Request: Rezoning to **OSC** (Open Space Conservation District)

Additional Request: Variance

Address: 4780 Bill Cheek Road and 4900 Block of Bill Cheek Road

Map Numbers: R3003 016B and R3007 016

Site Area: 44.95 acres

Lots: 83

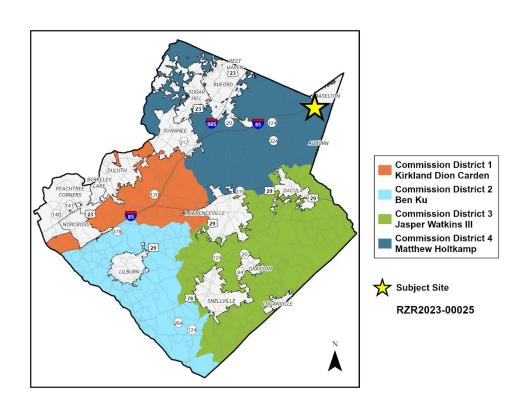
Proposed Development: Single-Family Detached Subdivision **Commission District:** District 4 – Commissioner Holtkamp

Character Area: Emerging Suburban

Staff Recommendation: APPROVAL WITH CONDITIONS

Planning Commission

Recommendation: APPROVAL WITH CONDITIONS



Applicant: Beazer Homes **Owners:** Zakas Family Partnership I, L.P.

2002 Summit Boulevard NE, 15th Floor 365 Peachtree Battle Avenue NW

Atlanta, GA 30319 Atlanta, GA 30305

George A. Petrakopoulos et al

4710 Lou Ivy Road

Peachtree Corners, GA 30096

Contact: Hayley Todd **Contact Phone:** 757.508.6593

Zoning History

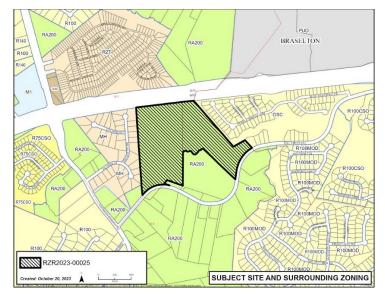
The subject property has been zoned RA-200 (Agriculture-Residence District) since 1970. The Board of Commissioners denied a request to rezone parcel R3007 016 to C-2 for commercial or office uses in 1984, pursuant to RZ-114-84.

Existing Site Condition

The subject property is an assemblage of two parcels totaling 44.95 acres located along Bill Cheek Road, east of its intersection with Flowery Branch Road. The western parcel contains a 1,120 square foot single family residence, constructed in 1952, while the eastern parcel is undeveloped. The parcels are wooded and have a rolling terrain which drops 40 to 50 feet into a creek that runs eastward through the floodplain area of the property. The property fronts two segments of Bill Cheek Road, a two-lane road without sidewalks along the road frontage. The nearest Gwinnett County Transit stop is approximately 10.3 miles from the subject property.

Surrounding Use and Zoning

The subject property is located within a residential area. Pilgrim Acres, a residential subdivision of mobile homes, abuts the subject property to the west. Wheeler Creek, an open space conservation subdivision currently under development, borders the subject property to the east. An agricultural property with pastures and livestock is located between the frontages of the subject property on Bill Cheek Road. Single-family residences on large lots are located to the south of the property across Bill Cheek Road. Interstate 85 is located to the north of the property. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Single-Family Detached Subdivision	OSC	1.88 units per acre
North	Interstate 85	N/A	N/A
East	Single-Family Residential	OSC	2.30 units per acre
South	Single-Family Residential	RA-200	0.07 units per acre
West	Single-Family Residential	MH	1.50 units per acre

Project Summary

The applicant requests the rezoning of a 44.95-acre assemblage of two parcels from RA-200 to OSC for a single-family detached subdivision, including:

- 83 detached single-family residences, yielding a density of 1.88 units per acre.
- Residences with a minimum heated floor area of 1,400 square feet and two-car, front-loaded garages.
- Pocket parks providing amenities such as a firepit, outdoor seating areas, a pavilion and grilling area, and a dock on the existing pond.
- A 4-foot-wide mulch walking path along the creek and along the edge of the existing pond.
- Conservation space comprising 19.65 acres, or 43.7% of the site, with 17.52 acres as primary conservation space.
- A 50-foot-wide street frontage buffer and 50-foot-wide conservation strip surrounding the site.
- Two stormwater management areas, one located in the center of the development, and the other located in the southeast corner near Bill Cheek Road.
- A mail kiosk in the front of the development served by four on-street parallel parking spaces.
- Two full access points onto Bill Cheek Road, each with a right turn deceleration lane.
- Sidewalks along the Bill Cheek Road frontages.
- 27-foot-wide public internal streets within a 50-foot-wide right of way with four-foot-wide sidewalks on both sides of the street.
- Residential building facades of brick, siding, and board and batten.

Zoning and Development Standards

The applicant is requesting rezoning to OSC (Open Space Conservation District). The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets
			Standard?
Lot Size	Minimum 7,500 square feet	>7,500 square feet	YES
Lot Width	Minimum 60'	>60'	YES
Building Height	Maximum 35'	<35'	YES
Front Yard Setback	Minimum 25'	25'	YES
Side Yard Setback	Minimum 7.5'	7.5'	YES
Rear Yard Setback	Minimum 30'	30'	YES
Street Frontage	Minimum 50'	50'	YES
Buffer			
Conservation Space	Minimum 25% or 11.24 acres	43.7% or 19.65 acres	YES
Primary Conservation	Minimum 15% or 1.69 acres	89.2% or 17.52 acres	YES
Space			
Heated Floor Area	Minimum 1,400 square feet	Minimum 1,400 square feet	YES
Conservation Strip	50'	50'	YES
Density	Maximum 2.5 units per acre	1.88 units per acre	YES

Variance Request

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

- 1. Section 210-50.14 Streets
 - A. The street network shall form a connected pattern (grid system), with a minimum of cul-de-sacs which shall be approved by the Director only in cases of topographical hardship.

The applicant is requesting a variance to allow a cul-de-sac in the front of the development.

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 I). 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 area surrounding the subject property includes an open space conversation subdivision, residences on large lots, and R-100 zoned residential subdivisions. A rezoning to create an open space conversation subdivision 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 proposed open space conversation subdivision meets the dimensional requirements for the OSC zoning district, including required conservation strips and buffers. In addition, the development has two full-access entrances that allow vehicular traffic to be dispersed along Bill Cheek Road, resulting in reduced potential traffic impacts. 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.

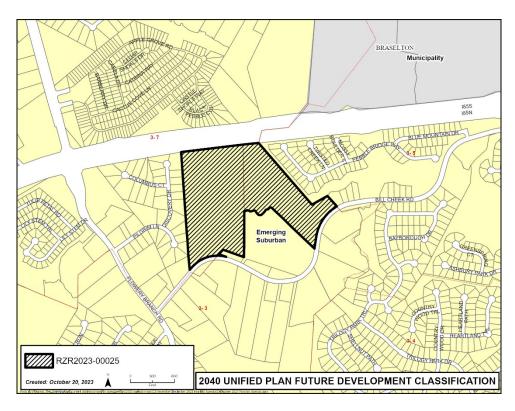
D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

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 I).

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

The subject property is located within the Emerging Suburban Character Area of the 2040 Unified Plan Future Development Map. The Emerging Suburban Character Area designates areas that are currently mainly residential but have not yet matured into established communities due to relatively large amounts of remaining, undeveloped land. They are expected to experience new single-family detached residential development during the 20-year planning period contemplated by the Unified Plan. These areas generally rely on nearby activity centers and nodes to provide goods and services.

The proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map. The proposed development offers smaller lot sizes in exchange for a significant amount of open space, resulting in an overall low-density residential development as the character area intends.



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 subject property is in an area between semi-rural and suburban residential development types, and the proposed development would provide an appropriate transition. In addition, the property contains stream and pond features that are best protected within an open space conservation subdivision. Finally, the proposed subdivision would provide low-maintenance residences on small lots with greater access to parks and open space than a conventional residential subdivision.

Variance Request Analysis: The standards for granting variances are outlined in Section 270-100.7 of the UDO. Staff makes the following findings related to the variance request:

The applicant is requesting a variance to allow a cul-de-sac in the front of the development to serve two additional lots. There is not a topographical hardship that necessitates this cul-de-sac, and an alternative street design could be utilized to serve a similar purpose. This area could likely be designed to allow for the same, or one less lot without a cul-de-sac.

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 variance:

1. To allow a cul-de-sac.

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 request.

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

To allow a cul-de-sac.

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

Approval as OSC (Open Space Conservation District) for a single-family subdivision, subject to the following conditions:

- The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received October 17, 2023, and Exhibit D: Building Elevations dated received October 10, 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 83 lots. The minimum heated floor area shall be 1,400 square feet.
- 3. All detached residences shall adhere to the Architectural Design Standards for Category 3, Detached Residential Buildings.
- 4. All dwellings shall have a minimum of two-car garage.
- 5. A mandatory homeowners association shall be established and shall be responsible for maintenance of all common areas/facilities and street frontage landscaping.
- 6. Natural vegetation shall remain on the property until the issuance of a development permit.
- 7. All grassed areas within lots shall be sodded.

- 8. 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 review and approval by the Department of Planning and Development.
- 9. Building lots shall not be located within any required stream buffers and accompanying impervious surface setback areas.
- 10. The developer shall construct a right-turn deceleration lane at each site entrance.
- 11. A 50-foot landscaped strip shall be installed along Bill Cheek Road per the Gwinnett County UDO.
- 12. There shall be a 6' solid opaque fence along a portion of the property line with the northeastern side of property and parcel # 3003 016A on 4950 Bill Cheek Road as also shown on attached exhibit.
- 13. A sanitary sewer stub for future development shall be placed on parcel # 3003 016A / 4950 Bill Cheek Road as shown in the attached exhibit.
- 14. There shall be a maximum of 10% of homes that can be rented at any time.
- 15. There shall be a mandatory HOA established.
- 16. The minimum size of the homes shall be 2,200 heated square feet.
- 17. The northern access to Bill Cheek Road as shown on the zoning plan shall be limited to right in and right out access.
- 18. The side and rear of the homes shall have a 2' brick or stone water table.
- 19. No vinyl siding or stucco is allowed on the exterior of the homes.
- 20. Exterior sidewalks on Bill Cheek Road shall only extend from within the community to existing sidewalks already present on Bill Cheek Rd. Currently the only external sidewalk to be connected is the sidewalk in front of the westernmost lot fronting Bill Cheek Road in the Wheeler Creek Subdivision.
- 21. Amenities to include such things as: dog park, trails, pocket parks with seating areas, gazebo, lakeside feature.
- 22. Traffic calming to be added.
- 23. Work with DOT to improve safety at the northern entrance.

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Existing Features and Site Analysis Plan for OSC
- D. Building Elevations
- E. Letter of Intent and Applicant's Response to Standards
- F. Application and Disclosure of Campaign Contributions
- G. DWR Sewer Capacity Certification Letter
- H. Traffic Impact Study
- I. Internal and External Agency Review Comments
- J. Maps
- K. Documents Presented at the December 5, 2023 Planning Commission Public Hearing

Exhibit A: Site Visit Photos



View of eastern portion of Bill Cheek Road frontage



View of western portion of Bill Cheek Road frontage



View of Bill Cheek Road at eastern frontage, subject property on left



View of Bill Cheek Road at western frontage, subject property on left

Exhibit B: Site Plan

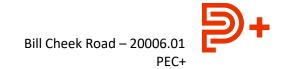
[attached]

PLANNING AND DEVELOPMENT **RECEIVED** 10.17.2023 P: (770) 451-2741 F: (770) 451-391 National Flood Hazard Laver FIRMette EN84'35'32"E lanners & Engineers Collaborative 224.36 AND PLANNING + LANDSCAPE ARCHITECTURE + CIVIL ENGINEERIN ARG = 204.54R=11309.16 N83'23'50"[635.02 350 RESEARCH COURT STE 200 PEACHTREE CORNERS, GA 30092 FEMA FIRM MAP **BILL CHEEK RD.** A MASTER PLANNED RESIDENTIAL S40'02'13"E 1102.76 DEVELOPMENT 4780 BILL CHEEK ROAD AUBURN, GEORGIA 30011 GWINNETT COUNTY JURISDICTION BEAZER HOMES SITE LOCATION MAP NO4'06'33"W 1617.63 MUNICIPALITY PROJECT # 187.49 REVISIONS PROPOSED ZONING S56°40'32 ZONING JURISDICTION GWNNETT COUNTY GEORGIA USE CALCULATIONS FLOOD HAZARD/ ELECTRICAL TRANS ESMT. 1.55 ACRES X TOTAL FLOOD HAZARD/ELECTRIC ESMT AREA ARC=69.26 R=628.81 MAX, NET SITE DENSITY ALLOWED 2.5 UNITS PER ACRE SINGLE FAMILY DETACHED 62'x125' LOTS (TYP) 543'33'50"W CH=89.23' NET SITE DENSITY PROVIDED 1.88 UPA GROSS SITE DENSITY PROVIDE 40.24 ARC=330.76 R=584(18) 524118'30"W CH=326.36' -S01°03'05"E 87.60' OVERALL MINOR ERONTMAJOR SIDE SETRACI 25 FFFT SIDE SETBACK TRACT 44.95 REAR SETBACK 30 FEET 50 FEET LANDSCAPE STRIP 50 FEET (ABUTTING ROAD FRONTAG 541.65 N45*55'18"V WAX, BUILDING HER 35 FEET THIS SEAL IS ONLY VALID IF COUNTER SIGNED AND DATED WITH AN ORIGINAL SIGNATURE. 42.88 MIN LOT WIDTH MIN HEATED FLOOR ARE 1,400 SQ F1 MAX BUILDING HEIGHT 35 FEET S08'09'05"W 1.69 ACRES (15% OF TOTAL CONSERVATION SPACE) 17.52 ACRES (89.2% OF CONSERVATION SPACE) GSWCC LEVEL II DESIGN PROFESSIONAL CERTIFICATION # 0000059389 EXP. 10/28/202 ZONING =540°21′31″W 96.09′ MASTER PLAN 249 SPACES (3 SP/ DWELLING UNIT) 498 SPACES (6 SP/DWELLING UNIT) MAX, PARKING SPACES REQUIRED PRIMARY CONSERVATION AREA SCALE: 1" = 100' R=454.41 DATE: 09/19/2023 S65'03'50"W CH=385.92 PROJECT: 20006.01 46.18 SECONDARY CONSERVATION AREA 24 HOUR CONTACT: SCOTT BUTLER

GWINNETT COUNTY

Exhibit C: Existing Features and Site Analysis Plan for OSC [attached]





GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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10.10.2023

September 27, 2023

Scott Butler Beazer Homes 2002 Summit Blvd NE 15th Floor Atlanta, Ga, 30319

Re: Assemblage Site @ Bill Cheek Road

Environmental Site Analysis Gwinnett County, Georgia

Planners and Engineers Collaborative, Inc. Project No. 20006.01

Dear Mr. Butler,

A site analysis was conducted by representatives from Planners and Engineers Collaborative, Inc. (PEC+) on September 27th, 2023 using online resources, to identify potential environmental concerns present onsite. The evaluation includes a preliminary investigation of previously surveyed aquatic resources using third party sources, online databases, and government resources. This report summarizes the findings and future permitting considerations.

Site Description

The project site is located on tax parcels 3003 016B and 3007 016. These parcels are located near the City of Auburn, Ga (Gwinnett County) and is located just south of I-85 in a predominantly residential area. There is a large pond located in the center of the site with surrounding stream and wetland areas. The total acreage of the property is approximately 46 acres.

Watershed Data

The subject property is located within the Duncan Creek - Mulberry River Watershed, Hydrologic Unit Code (HUC) 030701010202. The nearest named tributary is Wheeler Creek which is located approximately 1/2 mile south of the target site. It is listed on the 2022 Georgia EPD integrated 305(b)/303(d) list with a "Not Supporting" assessment due to Fecal Coliform.(Source: epd.georgia.gov).

Aquatic Resources

PEC+ utilized the U.S. Fish and Wildlife Service's National Wetlands Inventory to identify potential, streams, wetlands, and open waters on the site. GIS and 3rd Party Survey Data were also used for locations and site plan creation. Additional data collection will be necessary to obtain the submittal evidence required by the EPD and the USACE.

The following table shows the aquatic resources listed by USFWS

FEATURE	TYPE	CLASSIFICATION	CODE	AREA (ac.)
Pond 1	Freshwater Pond	Palustrine	PUSCh	0.24
Stream 1	Wetland	Palustrine	PFO1A	5.63
Stream 2	Stream	Riverine	R4SBC	0.61
Stream 3	Stream	Riverine	R4SBC	0.48

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Threatened and Endangered Species

One "Candidate" species was listed by the US FWS IPaC as potentially occurring within the project location, the Monarch Butterfly(*Danaus plexippus*). Candidate Conservation Status, outlined under the Endangered Species Act(ESA), states that Candidate species "...receive no statutory protection..." and as such no additional conservation efforts are required. Endangered species may require further investigation to establish presence/absence, though, none were observed at the time of survey.

Permitting Considerations

<u>USACE Permitting:</u> A nationwide permit (NWP) 29 would be required for impacts to streams and wetlands associated with a residential development. This permit authorizes impacts to Waters of the U.S. up to 0.5-acres. A pre-construction notification (PCN) would be required for any impacts to jurisdictional streams and wetlands. A compensatory mitigation plan is required for all impacts that are equal to or greater than 0.1 acre of wetlands and 0.01 acres of jurisdictional streams while stream disturbance is limited to 0.05 acres per project.

<u>EPD Stream Buffer Variance</u>: Per the requirements of O.C.G.A. § 12-7-6(15), there is an established a 25-foot buffer along the banks of all state waters, as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action. Encroachments within this buffer may require a variance from EPD. Road crossings are exempt from a variance, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream.

<u>LIA Stream Buffer Variance</u>: The Gwinnett County is the local issuing authority for the project area and maintains an additional 50-foot undisturbed vegetative buffer for all intermittent and perennial streams as measured outwardly from and perpendicular to the 25-foot State EPD Stream Buffer. An additional 25-foot setback is must also be maintained, perpendicular to the undisturbed buffer, measured horizontally, in which all impervious cover is prohibited and earthwork shall be minimized. (UDO Chapter 500-10.4.A.1.a).

Should you have any questions, please feel free to contact me at 770.451.2741 or bmurphy@pec.plus

Sincerely,

Billy Murphy, ISA, TRAQ

Planners and Engineers Collaborative

Talle to lang 2

350 Research Court, Peachtree Corners, GA 30092

Main Office: 770-451-2741 | Direct Line: 678-684-6202 | Fax: 770-451-3915

U.S. Fish and Wildlife Service National Wetlands Inventory

20006.01 - Bill Cheek Road



September 27, 2023

Wetlands

Estuarine and Marine Deepwater

Estuarine and Marine Wetland RZR2023-00025

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Lake

Other

Freshwater Pond

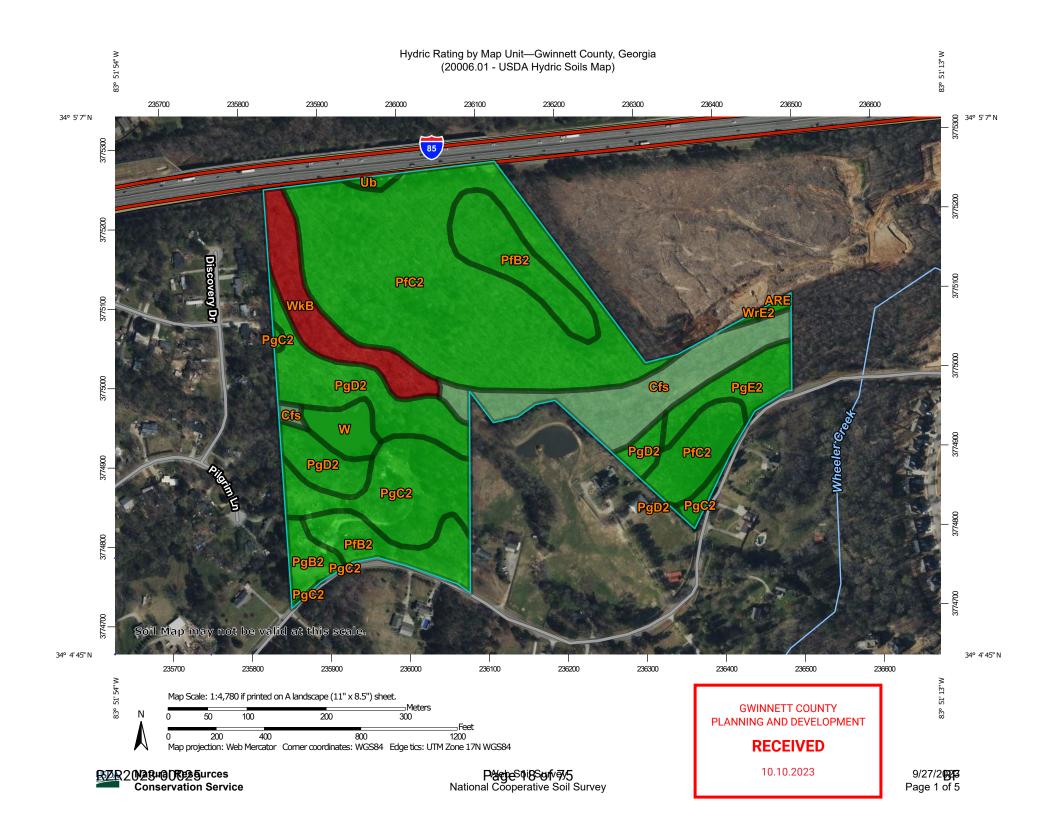
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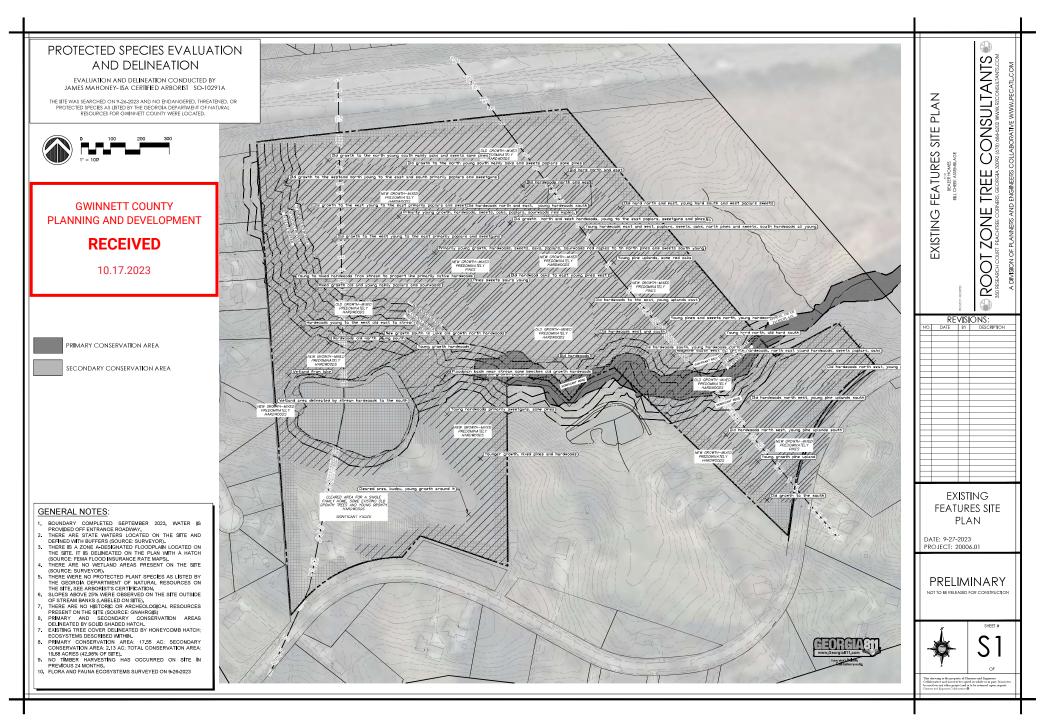
Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

PLANNING AND DEVELOPMENT

BF National Wellands inventory (NWI) This page was produced by the NWI mapper





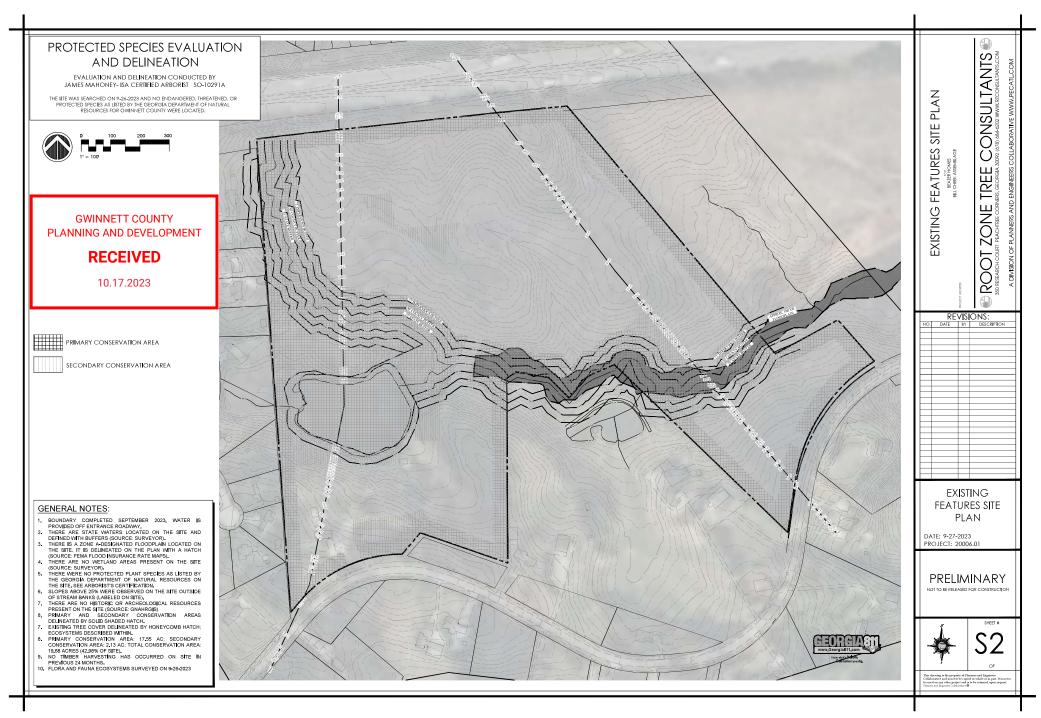


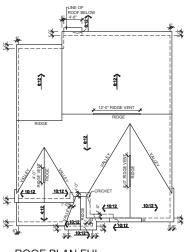
Exhibit D: Building Elevations

[attached]



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ROOF PLAN FHL

MAIN ROOF FHL

ATTIC VENT CALCULATION

TOTAL SD, FT. OF ROOF AREA: 1694 SD, FT.
REGULEVEN THE TREE AREA: 180 N. PER LINEAL FOOT
SOFFIT VENT NET PREE AREA: 95 OIN, PER LINEAL FOOT

(1694 SD FT x 1/300), 144/2 / 2 - 406 SD, IN.

(1694 SD FT x 1/300), 144/2 / 2 - 406 SD, IN.

(1694 SD FT x 1/300), 144/2 / 2 - 2 REQUIRED

406 / 9 N N A OF SOFFIT VENT - 45 REQUIRED

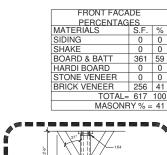
PORCH ROOF FHL

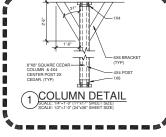
ATTIC VENT CALCULATION

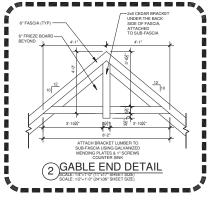
TOTAL SQ. FT. OF ROOF AREA: 125 SQ. FT. RIDGE VENT NET FREE AREA: 18 SQ. IN. PER LINEAL FOOT SOFFIT VENT NET FREE AREA: 9 SQ. IN. PER LINEAL FOOT

((125 SQ FT x 1/150) x 144) /2 = 60 SQ. IN.

ACTUAL RIDGE VENT PROVIDED: 0

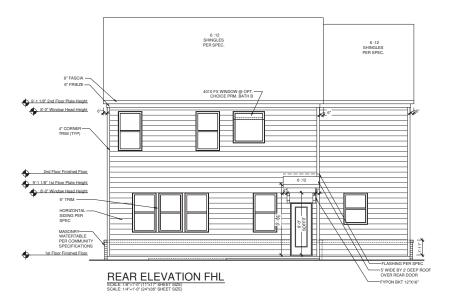






REAR FACADE			
	PERCENTAGES		
MATERIALS	S.F.	%	
SIDING	620	100	
SHAKE	0	0	
BOARD & BATT	0	0	
HARDI BOARD	0	0	
STONE VENEER	0	0	
BRICK VENEER	0	0	
TOTAL= 620 100			
MASONRY % = 0			





GWINNETT COUNTY
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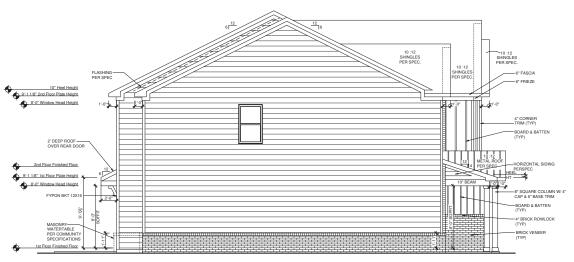
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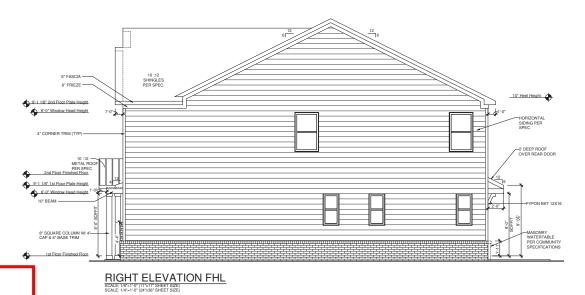
REV. DATE

06-22-23



LEFT FACADE			
PERCENTAG	ES		
MATERIALS	S.F.	%	
SIDING	947	83	
SHAKE	0	0	
BOARD & BATT	59	5	
HARDI BOARD	0	0	
STONE VENEER	0	0	
BRICK VENEER	135	12	
TOTAL= 1141 100			
MASONRY % = 12			

LEFT ELEVATION FHL SCALE: 18*-1*0" (11*317* SHEET SIZE) SCALE: 1/4*-1*0" (24*x36* SHEET SIZE)



ES_	
0 =	
S.F.	%
990	89
0	0
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122	11
1112	100
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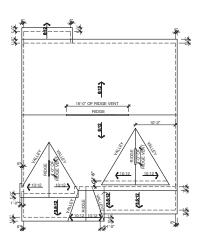
RZR2023300025

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REV. DATE 06-22-23 Elevation







MAIN ROOF FHL ATTIC VENT CALCULATION TOTAL SO FT. OF ROOF AREA 1488 SQ. FT. RIDGE VENT NET REER AREA 189. SQ. FT. RIDGE VENT NET REER AREA 189. SQ. N. 101468 SD FT. x 1000, x140 /2 - 302 SQ. N. 1022 18 NR AO FRIDDE VENT - 30 LF. 3022 18 NR AO FRIDDE VENT - 30 LF. ACTULA RIDGE VENT PROVIDED: 32 ACTULA RIDGE VENT PROVIDED: 32 ACTULA SIDGET VENT ROUGHED: 32 NOTE: NOTE: NOTE: NOTE: ATTULA SIDGET VENT ROUGHED: 1000 ACTULA SOFTET VENT ROUGHED: 32 ACTULA SIDGET VENT

ATTIC VENT CALCULATION
OTAL SQ. FT. OF ROOF AREA: 248 SQ. FT.
DGE VENT NET FREE AREA: 18 SQ. IN. PER LINEAL FOOT
OFFIT VENT NET FREE AREA: 9 SQ. IN. PER LINEAL FOOT

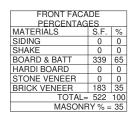
((248 SQ FT x 1/150) x 144) = 238 SQ. IN. 238 / 9 NFA OF SOFFIT VENT = 28 L.F. ACTUAL RIDGE VENT PROVIDED: 0'

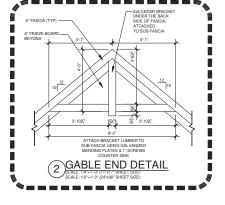
NOTE: 1 TO 300 IS ALLOWED, PROVIDED THAT BETWEEN 50% AND 80% OF REQUIRED VENTING IS LOCATED AT LEAST 3 FEET ABOVE THE EAVE.

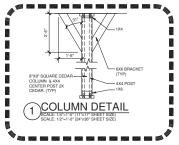
GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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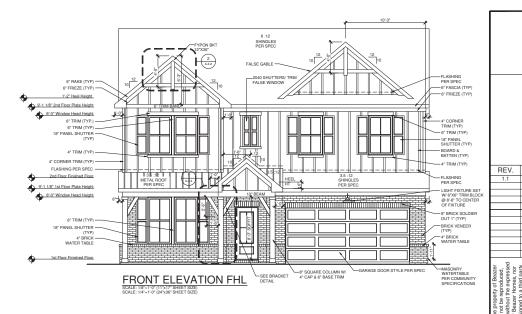
RZR2023300025







REAR FACADE		
PERCENTAGES		
MATERIALS	S.F.	%
SIDING	596	100
SHAKE	0	0
BOARD & BATT	0	0
HARDI BOARD	0	0
STONE VENEER	0	0
BRICK VENEER	0	0
TOTAL= 596 100		
MASONRY % = 0		



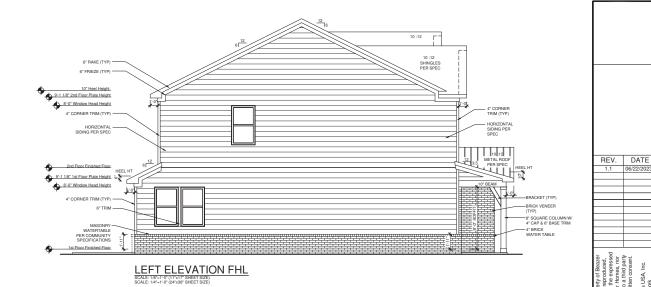




DATE

Page 26 of 75

BF



RIGHT FACA	DE	
PERCENTAG		
MATERIALS	S.F.	%
SIDING	912	89
SHAKE	0	0
BOARD & BATT	0	0
HARDI BOARD	0	0
STONE VENEER	0	0
BRICK VENEER	112	11
TOTAL= 1024 100		
MASONRY % = 11		

LEFT FACADE PERCENTAGES
MATERIALS S.F.

BRICK VENEER 150 15 TOTAL= 999 100

SIDING SHAKE BOARD & BATT

HARDI BOARD

STONE VENEER

849 85 0 0

0 0

0

MASONRY % = 15

0

GWINNETT COUNTY PLANNING AND DEVELOPMENT

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RZR2023300025

Page 27 of 75

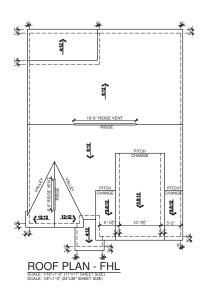
BF

HILLSIDE

Elevation Plans Side Elevations FHL /642

A-3.3







ATTIC VENT CALCULATION

TOTAL SQ. FT. OF ROOF AREA: 1826 SQ. FT.
RIDGE VENT NET FREE AREA: 18 SQ. IN. PER LINEAL FOOT
SOFFIT VENT NET FREE AREA: 9 SQ. IN. PER LINEAL FOOT

((1826 SQ FT x 1/300) x 144) /2 = 438 SQ. IN. 438 / 18 NFA OF RIDGE VENT = 24' REQUIRED 438 / 9 NFA OF SOFFIT VENT = 48' REQUIRED

LANAI ROOF FHL

ATTIC VENT CALCULATION TOTAL SQ. FT. OF ROOF AREA: 144 SQ. FT. RIDGE VENT NET FREE AREA: 18 SQ. IN. PER LINEAL FOOT SOFFIT VENT NET FREE AREA: 9 SQ. IN. PER LINEAL FOOT

((144 SQ FT x 1/150) x 144) /2 = 69 SQ. IN.

ACTUAL RIDGE VENT PROVIDED: 0' ACTUAL SOFFIT VENT PROVIDED: 18'

PORCH ROOF FHL

ATTIC VENT CALCULATION

TOTAL SQ. FT. OF ROOF AREA: 47 SQ. FT. RIDGE VENT NET FREE AREA: 18 SQ. IN. PER LINEAL FOOT SOFFIT VENT NET FREE AREA: 9 SQ. IN. PER LINEAL FOOT

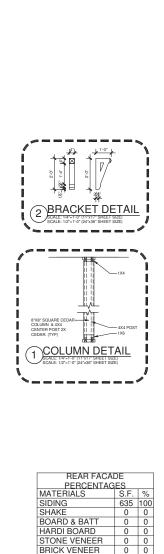
((47 SQ FT x 1/150) x 144) /2 = 23 SQ. IN.

ACTUAL SOFFIT VENT PROVIDED: 8'

GWINNETT COUNTY PLANNING AND DEVELOPMENT

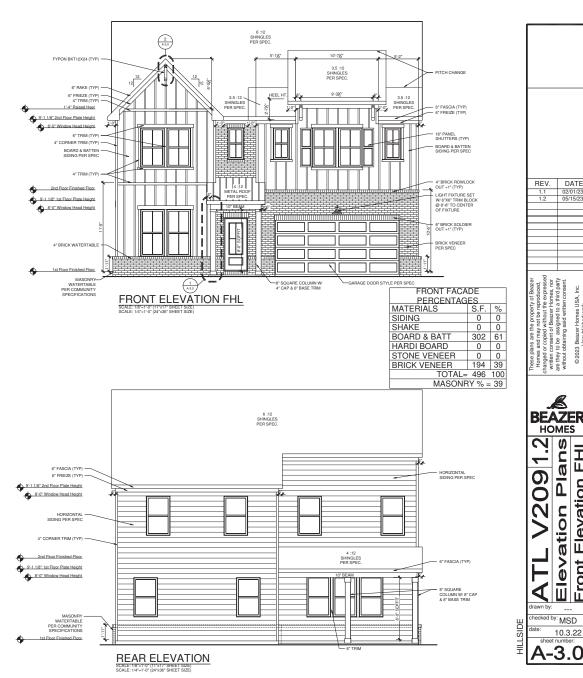
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TOTAL= 635 100

MASONRY % = 0



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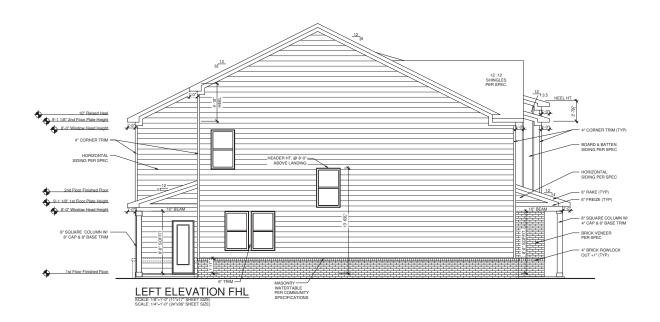
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HOMES

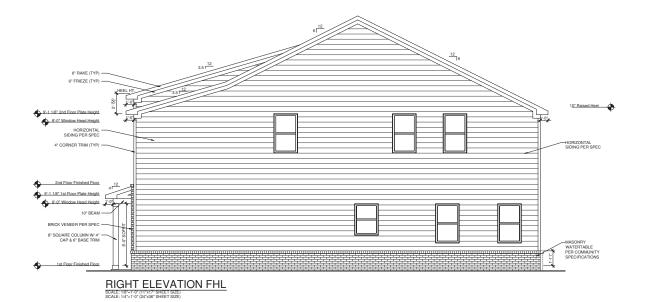
Elevation Front Elevati

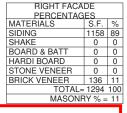
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Page 29 of 75 BF



)E	
ES	
S.F.	%
1091	87
0	0
30	2
0	0
0	0
139	11
1260	100
ΥΥ % =	11
	1091 0 30 0





GWINNETT COUNTY PLANNING AND DEVELOPMENT

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RZR2023300025

Page 30 of 75

REV.

BEAZER HOMES

091.2 Plans

checked by: MSD

iate: 10.3.22 sheet number: **A-3.1**

HILLSIDE

BF

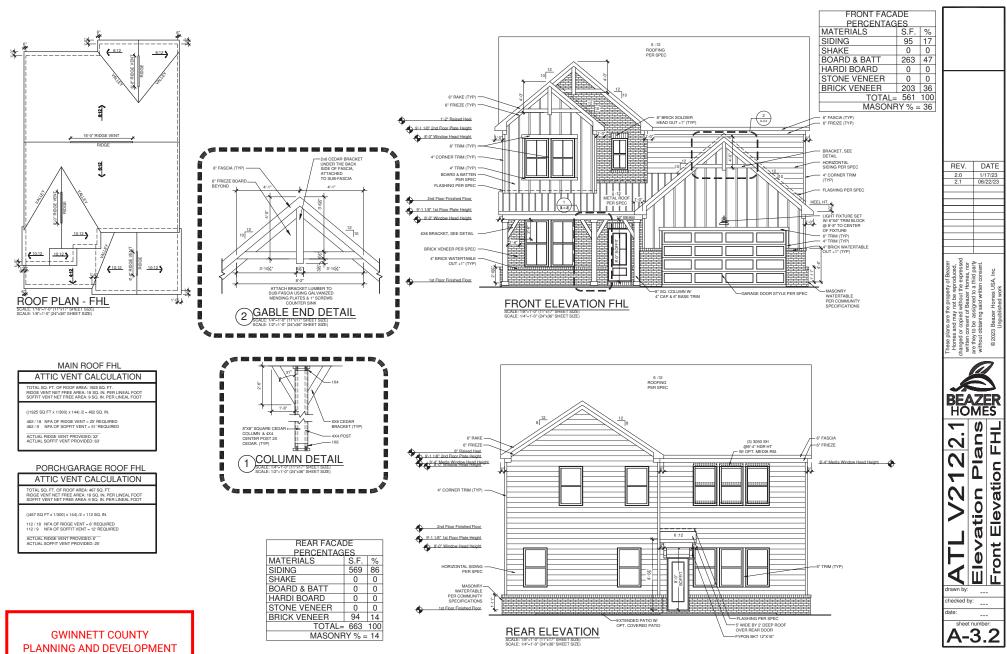
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Elevation Plans Side Elevations FHL

DATE



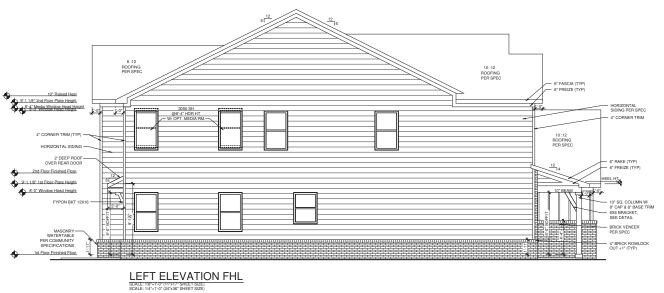
Page 31 of 75

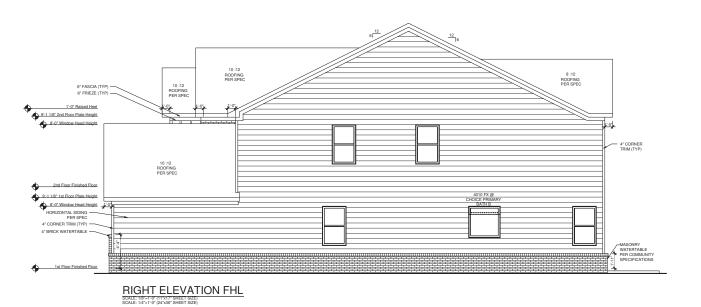


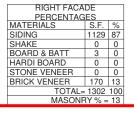
Plot Date: 22-06-2023 15:46:04; By: Chi19S

RZR2023;00025

LEFT FACADE		
PERCENTAG		
MATERIALS	S.F.	%
SIDING	1145	84
SHAKE	0	0
BOARD & BATT	34	2
HARDI BOARD	0	0
STONE VENEER	0	0
BRICK VENEER	183	13
TOTAL= 1362 100		
MASONRY % = 13		





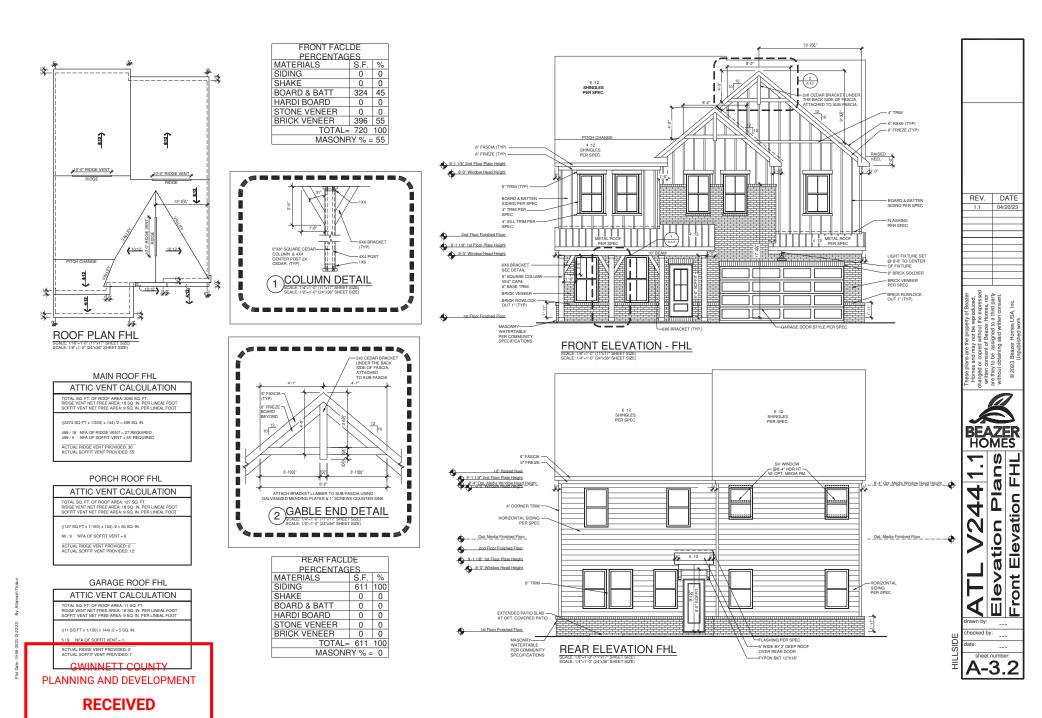


GWINNETT COUNTY
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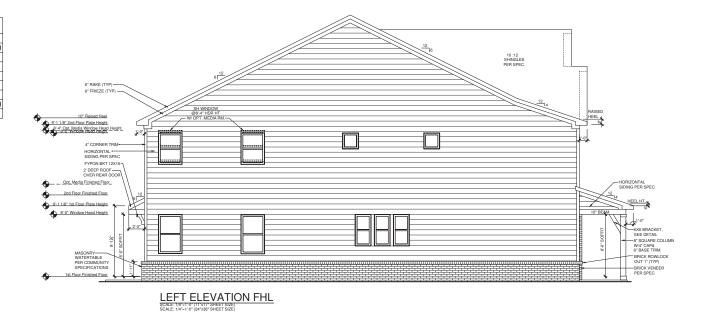




Page 35 of 75

10.10.2023

LEFT FACLDE			
PERCENTAGES			
MATERIALS	S.F.	%	
SIDING	1400	100	
SHAKE	0	0	
BOARD & BATT	0	0	
HARDI BOARD	0	0	
STONE VENEER	0	0	
BRICK VENEER	0	0	
TOTAL= 1400 100			
MASONRY % = 0			



REV. DATE

Elevation Plans Side Elevations FHL

sheet number:
A-3.3

44

HILLSIDE

DIQUITEROL	DE			
RIGHT FACLDE				
PERCENTAGES				
MATERIALS	S.F.	%		
SIDING	1345	97		
SHAKE	0	0		
BOARD & BATT	16	1		
HARDI BOARD	0	0		
STONE VENEER	0	0		
BRICK VENEER	30	2		
TOTAL= 1391 100				
MASONRY % = 2				



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Page 36 of 75

Exhibit E: Letter of Intent and Applicant's Response to Standards [attached]



10/10/2023

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GWINNETT COUNTY

10.17.2023

Re: Letter of Intent – OSC Rezoning

Bill Cheek Road Assemblage PEC+ Project No. 20006.01

Dear Community Development Officials,

This application seeks to rezone the approximately 45-acre site known as the Bill Cheek Assemblage (the "Subject Property," PIDs 3007 016 and 3007 016B) from RA200 to OSC. The change would allow for the development of a new, 83-unit, single-family detached development. Additionally, the applicant is requesting a concurrent variance to the Gwinnett County UDO Section 210-50.14 A to permit a cul-de-sac

Site, Site History and Proposal

The Subject Property is located along Bill Cheek Road near the northeastern intersection of Flowery Branch Road in northeastern Gwinnett County. The site is bordered by I-85 to the north, the Wheeler Creek subdivision to the east, Pilgrim Acres subdivision to the west, and Bill Cheek Road to the south. The site is made up of two parcels that total approximately 45-acres. A stream runs through both parcels (bisecting 3007 016 and along the property line of 3007 016B). There is also an existing pond on parcel 3007 016 that will remain.

Of the 45-acres, approximately 44 acres are not in a floodplain or easement area. The proposed 83-unit single family subdivision has a gross site density of 1.85 units per acre and a net site density of 1.88 units per acre, of the permitted 2.5 units per acre in the OSC district. The minimum lot size would be 7,500 square feet, with a minimum heated floor area of 1,400 square feet for each home. The site would have 20.58 acres of primary and secondary conservation space (approximately 43% of the total site area). Elevations are included with this submittal.

Rationale for Request

This area is part of the "emerging suburban" character area per the Gwinnett County Comprehensive Plan. As such, the proposed OSC zoning is compatible with the underlying designation and is therefore aligned with the comprehensive plan. Per the Gwinnett County Unified Development Ordinance, the purpose and intent of the OSC zoning district is to encourage the protection and preservation of natural resources while providing safe, walkable neighborhoods and communities. Land disturbance and impervious surfaces should be minimized to enhance air, water, land, and tree resources. Contiguous conservation spaces should be protected in developed areas of the County as well. The proposal meets the purpose and intent of the district per the Gwinnett County UDO.

While only 25% of the overall site area is required to be set aside for conservation space, the proposed development is earmarking nearly half of the site area for such uses. Additionally, large buffer areas along all property lines will remain natural and undisturbed for conservation area.

The immediate area is characterized by different types of single family development, including townhomes, detached homes, and trailer homes. The proposed development would fit into the character of the existing context and would present a high quality addition to the overall area.

Project No. 20006.01 9/28/2023 GWINNETT COUNTY
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Concurrent Variances Requested

The applicant is also requesting a concurrent variance to Section 210-50.14 A to permit a cul-de-sac in the development. The site has an odd shape and steep slopes, particularly along the streams and near the existing pond that will remain. In order to create the safest, most efficient layout possible, a cul-de-sac is necessary for access to lots 4, 5, and 6.

Constitutional Objections

The portions of the Code of Ordinances and Zoning Ordinance for Gwinnett County (the "Zoning Ordinance") which classifies or conditions the Property into any more or less intensive zoning classification and/or zoning conditions other than as requested by the Applicant and property owner are unconstitutional, in that they would destroy the Applicant's and property owner's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Zoning Ordinance which presently restricts the Property's use to the present zoning classification, uses, regulations, requirements, and conditions is unconstitutional, illegal, null and void, and constitutes a taking of the Applicant's and the property owner's property rights in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983, and in violation of the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States by denying economic and viable use of the Property while not substantially advancing legitimate state interests.

The Property is presently suitable for OSC as proposed in the requested rezoning, as amended by the Applicant, and is not economically suitable for uses restricted under its present zoning and development classification, conditions, regulations, and restrictions due to its location, shape, size, surrounding development, and other factors. A denial of the requested rezoning and related variances would constitute an arbitrary and capricious act by Gwinnett County and the Board of Commissioners without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment. A refusal by Gwinnett County and the Board of Commissioners to approve this requested rezoning, with only such additional conditions as agreed to by the Applicant and/or owner, so as to permit the only feasible economic use of the Property, would be unconstitutional between the Applicant, owner, and similarly situated property owners, in violation of Article I, Section I, Paragraph II of the Constitution of the State by discriminating of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment.

Conclusion

The applicant and owner respectfully request that the Gwinnett County Board of Commissioners, Planning Commission and Planning Staff approve and support the Applicant's rezoning request to allow for the development of a new, single-family detached conservation subdivision. The developer and their representatives welcome the opportunity to meet with all interested parties and representatives.

GWINNETT COUNTY
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Sincerely,

Hayley Todd

Zoning Manager, Planners and Engineers Collaborative, Inc.



GWINNETT COUNTY
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9/28/2023

Re: Zoning Analysis – OSC Rezoning

Bill Cheek Road Assemblage PEC+ Project No. 20006.01

Dear Community Development officials,

Please see below the responses to the Standards Governing the Exercise of the Zoning Power:

The following standards and factors are found to be relevant to the exercise of the county's zoning powers and shall govern the review of all proposed amendments to the official zoning map:

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

The proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The proposal includes 83 single-family homes, which is a use compatible with the surrounding uses, including single family homes, townhomes, and mobile homes. Therefore, the proposed change would allow for 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 zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. Most of the nearby properties are already developed. The proposed use includes significant natural buffers around the exterior of the property, and will protect adjacent parcels from negative externalities associated with development and land disturbance. The proposed new use would be in harmony with the use and usability of existing properties.

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

The proposal does not have a reasonable use as zoned. Due to the location and size of this parcel, in addition to the existing hydrological features, the subject property does not have a reasonable use under the RA200 designation. This site cannot be feasibly be used as farmland, and the best and highest use of it would be a subdivision similar to others in the area. This proposal, however, would ensure that the natural area on the site remains intact to the extent possible, while still maintaining a reasonable economic use.

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

The proposed rezoning will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The proposed project will attract a variety of buyers, and will not overwhelm existing utilities or facilities in any one particular way. Additionally, the emerging suburban character area is designated as those areas of the county which can support new areas of growth due to the presence of existing utilities and capacity.

E. Whether the proposed rezoning is in conformity with the policy and intent of the land use plan:

The proposed rezoning is in conformity with the policy and intent of the comprehensive plan. This area is part of the "emerging suburban" character area per the Gwinnett County Comprehensive Plan. As such, the proposed OSC zoning is compatible with the underlying designation and is therefore aligned with the comprehensive plan. Per the Gwinnett County Unified Development Ordinance, the purpose and intent of the OSC zoning district is to encourage the protection and preservation of natural resources while providing safe, walkable neighborhoods and communities. Land disturbance and impervious surfaces should be minimized to enhance air, water, land, and tree

resources. Contiguous conservation spaces should be protected in developed areas of the County as well. The proposal meets the purpose and intent of the district per the Gwinnett County UDO.

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 site area has never been used for agriculture, and it can almost be guaranteed that it will not be used for agriculture moving toward the mid-21st century. The County has tremendous pressures for growth, and this development is suitable in ensuring the goals of the comprehensive plan are met by steering that growth toward quality with an emphasis on good design.

The applicant and owner respectfully request that the Gwinnett County Board of Commissioners, Planning Commission and Planning Staff approve and support the Applicant's request to rezone the subject property from RA200 to OSC for the purposes of creating a new, high-quality, single-family detached development. The developer and their representatives welcome the opportunity to meet with all interested parties and representatives.

Sincerely,

Hayley Todd

Zoning Manager, Planners and Engineers Collaborative, Inc.

GWINNETT COUNTY
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Exhibit F: Application and Disclosure of Campaign Contributions [attached]

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REZONING APPLICATION

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

APPLICANT INFORMATION	. PROPERTY OWNER INFORMATION*						
NAME:_BEAZER HOMES	NAME: MULTIPLE, SEE ATTACHMENT						
ADDRESS: 2002 SUMMIT BLVD NE, 15TH FL	ADDRESS:						
CITY: ATLANTA	CITY:						
STATE: GA ZIP: 30319	STATE:ZIP:						
PHONE: 678-436-2111	PHONE:						
EMAIL:	EMAIL:						
CONTACT PERSON: HAYLEY TODD (PEC+)	PHONE: <u>757-508-6593</u>						
CONTACT'S E-MAIL: HTODD@PEC.PLUS							
APPLICANT IS THE: OWNER'S AGENT PROPERTY OWNER X CONTRACT PURCHASER PRESENT ZONING DISTRICTS(S): RA200 REQUESTED ZONING DISTRICT: OSC PARCEL NUMBER(S): 3003 016B and 3007 016 ACREAGE: 44.95 ac 4900 Block of Bill Cheek Road and ADDRESS OF PROPERTY: 4780 Bill Cheek Road, Auburn GA 30011 PROPOSED DEVELOPMENT: A new, 83-lot conservation subdivision							
RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT						
No. of Lots/Dwelling Units 83	No. of Buildings/Lots:						
Dwelling Unit Size (Sq. Ft.): min. 1400 sf	Total Building Sq. Ft.						
Gross Density: 1.85 UPA	Density:						
Net Density: 1.88 UPA							

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

GWINNETT COUNTY
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PROPERTY DATA

OWNER ADDRESS

PER GIS

R3003 016

27.63 BILL CHEEK ROAD

ZAKAS FAMILY PARTNERSHIP I LP

365 PEACHTREE BATTLE AVE NW ATLANTA GA 30305-4064

R3003 016B

17.95 BILL CHEEK ROAD

PETRAKOPOULOS GEORGE A ETAL

4710 LOU IVY RD PEACHTREE CORNERS GA 30096-2918

OWNER

TOTAL 45.58

PID

ACRES PER SURVEY: 44.95

DEEDED ACRES ADDRESS

Date

GWINNETT COUNTY PLANNING AND DEVELOPMENT

RECEIVED

9.28.2023

Signature of Applicant

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.

ON BEHALF OF BEAZER HOMES S_{Co}	H Butles -	VP Land	Acquisition
Type or Print Name and Title		WINNER OF THE PROPERTY OF THE	RAUCA ALE
JA Run	9-26-2023	AND COUNT	TYNING
Signature of Notary Public	Date	Notary Se	eal

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

9.28.2023

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.

Signature of Property Owner Date

ON BEHALF OF ZAKAS FAMILY PARTNERSHIP I LP (PID #3007 016)

Type or Print Name and Title

Signature of Notary Public

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Gwinnett County Planning Division Rezoning Application Last Updated 7/2023

GWINNETT COUNTY
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9.28.2023

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.

Signature of Property Owner

9-27-2023

Date

GEORGE PETRAKOPOULOS

ON BEHALF OF PETRAKOPOULOS GEORGE A ETAL (PID #3003 016B)

Type or Print Name and Title

ature of Notary Public

Date

Motany Spal

GWINNETT COUNTY PLANNING AND DEVELOPMENT

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9.28.2023

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, <u>Conflict of Interest in Zoning Actions</u>, and has submitted or attached the required information on the forms provided.

ADA -	9/24/23	ON BEHALF OF BEAZER HOMES					
SIGNATURE OF APPLICANT	DATE	TYPE OR PRINT NAME AND TITL					
SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTA		TYPE OR PRINT NAME AND TITLE					
Alv Ru	9-26-2023	NOTAD A TO THE TOTAL					
SIGNATURE OF NOTARY PUB	ELIC DATE	NOTARY 20 STATE OF THE PROPERTY OF THE PROPERT					
DISCLO	SURE OF CAMPAIGN CON	TRIBUTIONS					
Have you, within the two year campaign contributions aggree Commissioners or a member	egating \$250.00 or more to	e filing of this application, made a member of the Board of nning Commission?					
Tyes No							
******	YOUR NAME						
If the answer is yes, please co	omplete the following section	on:					
NAME AND OFFICAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)					

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



Gwinnett County Planning Division Rezoning Application Last Updated 7/2023

9.28.2023

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: 3 - 007	016 <u></u>
(Map Reference Number) District Land L	•
SAA STATE OF THE SAME OF THE S	9/24/2023
Signature of Applicant	Date
ON BEHALF OF BEAZER HOMES	We at the second second
Type or Print Name and Title	River to the second of the first stage
BELOW.***	the transfer of the
	ennes a santo la comencia de la come
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	OR THE ABOVE REFERENCED PARCEL
TAX COMMISSIONERS USI (PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FO	OR THE ABOVE REFERENCED PARCEL
TAX COMMISSIONERS USI (PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FO	OR THE ABOVE REFERENCED PARCEL
(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRME HAVE S NAME	DR THE ABOVE REFERENCED PARCEL D BY THE SIGNATURE BELOW) TSA TITLE
(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRME KASHY Lyles	DR THE ABOVE REFERENCED PARCEL D BY THE SIGNATURE BELOW) TSA TITLE

Gwinnett County Planning Division Rezoning Application Last Updated 7/2023

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9.28.2023

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: 3 (Map Reference Number) District	- 003 - 016B et Land Lot Parcel
AdM	9/26/2023
Signature of Applicant	Date :
ON BEHALF OF BEAZER HOMES Scot	+ Butler - UP Land Acquisition
Type or Print Name and Title	
BELOW.*** TAX CON	MMISSIONERS USE ONLY
(PAYMENT OF ALL PROPERTY TAXES B HAVE BEEN VERIFIED AS PAID CURREN	ILLED TO DATE FOR THE ABOVE REFERENCED PARCEL T AND CONFIRMED BY THE SIGNATURE BELOW)
Kathanales	TSA.
NAME	TITLE
9/27/2023	2023 Taxes DUE 1011512023
DATE	

Exhibit G: DWR Sewer Capacity Certification Letter [attached]



GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES

684 Winder Highway | Lawrenceville, GA 30045-5012 678.376.6700 www.gwinnettcounty.com | www.gwinnetth2o.com

October 2, 2023

Scott Butler Beazer Homes 2002 Summit Blvd NE, 15th Floor. Atlanta, GA 30319

■ DENIED
CONDITIONALLY APPROVED
Sewer Capacity Request #C2023-228-10
Expiration Date: 10/02/2024
Tie-In Manhole FID: 4378262

RE: Sewer Availability for Proposed Development – Bill Cheek Road

Parcel ID 3007 016, 3003 016B

Dear Mr. Butler:

Gwinnett County Department of Water Resources (GCDWR) has reviewed the impact of the proposed development consisting of <u>83 single-family homes</u> 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 annual average daily flow of <u>14.4 gpm</u> discharging to the sewer tie-in manhole at Facility ID 4378262.

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.

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED



GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES

684 Winder Highway | Lawrenceville, GA 30045-5012 678.376.6700 www.gwinnettcounty.com | www.gwinnetth2o.com

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

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

Exhibit H: Traffic Impact Study [attached]



TRAFFIC IMPACT STUDY FOR PROPOSED RESIDENTIAL DEVELOPMENT ON BILL CHEEK ROAD

GWINNETT COUNTY, GEORGIA



Prepared for:

Planners & Engineers Collaborative, Inc. 350 Research Court, Peachtree Corners, GA 30092

Prepared By:

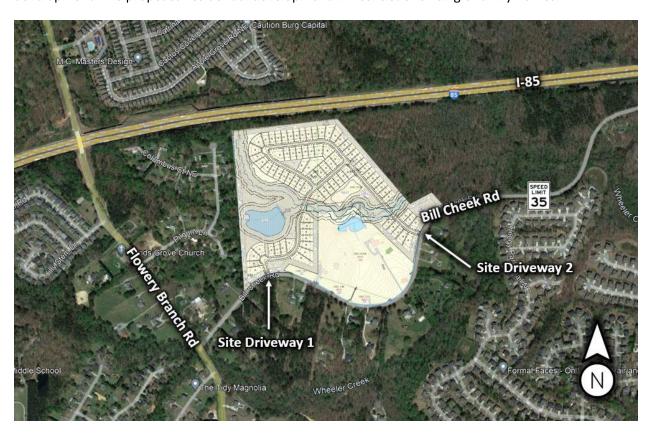


A&R Engineering Inc.

2160 Kingston Court, Suite O Marietta, GA 30067 Tel: (770) 690-9255 Fax: (770) 690-9210 www.areng.com

> September 27, 2023 A & R Project # 23-158

The purpose of this study is to determine the traffic impact from the proposed residential development that will be located at 4780 Bill Cheek Road in Gwinnett County, Georgia. The traffic analysis includes evaluation of the current operations and future conditions with the traffic generated by the development. The proposed residential development will consist of 82 single-family homes.



The development proposes two full access driveways on Bill Cheek Road.

The AM and PM peak hours have been analyzed in this study. This study includes the evaluation of traffic operations at the intersections of:

- Flowery Branch Road at Spout Springs Road
- Flowery Branch Road at Bill Cheek Road
- SR 124 (Braselton Highway) at Flowery Branch Road
- SR 124 (Braselton Highway) at Wheeler Road

Recommendations to improve traffic operations have been identified as appropriate and are discussed in detail in the following sections of the report. The location of the development and the surrounding roadway network are shown in Figure 1.

10.10.2023 **7.0** CONCLUSIONS AND RECOMMENDATIONS

Traffic impacts were evaluated for the proposed residential development that will be located at 4780 Bill Cheek Road in Gwinnett County, Georgia. The proposed development will consist of 82 single-family homes and proposes two full access driveways on Bill Cheek Road.

Existing and future operations after completion of the project were analyzed at the intersections of:

- 1. Flowery Branch Road at Spout Springs Road
- 2. Flowery Branch Road at Bill Cheek Road
- 3. SR 124 (Braselton Highway) at Flowery Branch Road
- 4. SR 124 (Braselton Highway) at Wheeler Road
- 5. Bill Cheek Road at Site Driveway 1 (West)
- 6. Bill Cheek Road at Site Driveway 2 (East)

The results of the future "No-Build" and "Build" conditions traffic analysis indicate that the signalized study intersections will continue to operate at an overall level of service "E" or better in the AM and PM peak hours, while the stop-controlled approaches at the unsignalized study intersections will continue to operate at a level of service "C" or better with peak hour traffic.

Due to the existing delays at intersection 1 (Flowery Branch Road at Spout Springs Road), it is recommended that certain system improvements be applied to better aid the flow of traffic, especially during peak hours. Due to the heavy northbound-right turning movements from Flower Branch Road, it is recommended that the short existing right turn lane be extended to have a minimum storage length of 100 ft. Additionally, a westbound left turn lane on Spout Springs Road is recommended to accommodate the heavy left-tuning traffic volumes at that approach. The source of the heavy westbound delays during peak hours currently comes from the lack of a left turn lane, even though this approach has protected-permissive phasing which works better when a dedicated left turn lane is present. Once a left turn lane is added, the westbound approach is projected to operate at a level of service "A". The intersection will perform at a level of service "B" or better during peak hours if the recommended system improvements are applied. It must be noted that these system improvements are recommended to fix existing problems. The impact from the site traffic at this intersection will be minimal.



7.1 Recommendations for Site Access Configuration

The following access configuration is recommended for the proposed site driveway intersections:

- Site Driveway 1: Full Access Driveway on Bill Cheek Road
 - One entering lane and one exiting lane
 - o Stop-sign controlled on the driveway approach with Bill Cheek Road remaining free flow
 - A right turn lane for entering traffic
 - o Provide/confirm adequate sight distance per AASHTO standards
- Site Driveway 2: Full Access Driveway on Bill Cheek Road
 - One entering lane and one exiting lane
 - o Stop-sign controlled on the driveway approach with Bill Cheek Road remaining free flow
 - A right turn lane for entering traffic
 - Provide/confirm adequate sight distance per AASHTO standards

7.2 Recommended System Improvements

The following system improvements are recommended at the intersection of Flowery Branch Road at Spout Springs Road:

- o A westbound left turn lane on Spout Springs Road
- The protected-permissive phasing at the westbound-left approach should be retained after the left turn lane is added
- The existing northbound right turn lane on Flowery Branch Road should have its storage length extended to a minimum of 100 ft
- o The extended northbound right turn lane should be channelized with a raised island

Exhibit I: Internal and External Agency Review Comments [attached]



Department of Planning and Development TECHNICAL REVIEW COMMITTEE

TRC I	Meeting Date:	11.08.23
Depa	rtment/Agency Name:	Transportation
Revie	wer Name:	Brent Hodges
Revie	wer Title:	Construction Manager 1
Revie	wer Email Address:	Brent.Hodges@gwinnettcounty.com
Case	Number:	RZR2023-00025
Case	Address:	4780 Bill Cheek Road, Auburn, 30011
	Comments:	X YES NO
1	Bill Cheek Road is a local road. ADT is	s not listed.
2	10.3 miles to the nearest transit facilit	ty (#2334754) Buford/SR 20 Park and Ride.
3	Any internal street that exceeds 500' i	n length shall include traffic calming.
4		
5		
6		
7		
	Recommended Zoning Conditions:	X YES NO
1	The developer shall construct a right-t	urn deceleration lane at each site entrance.
2		
3		
4		
5		
6		
7		

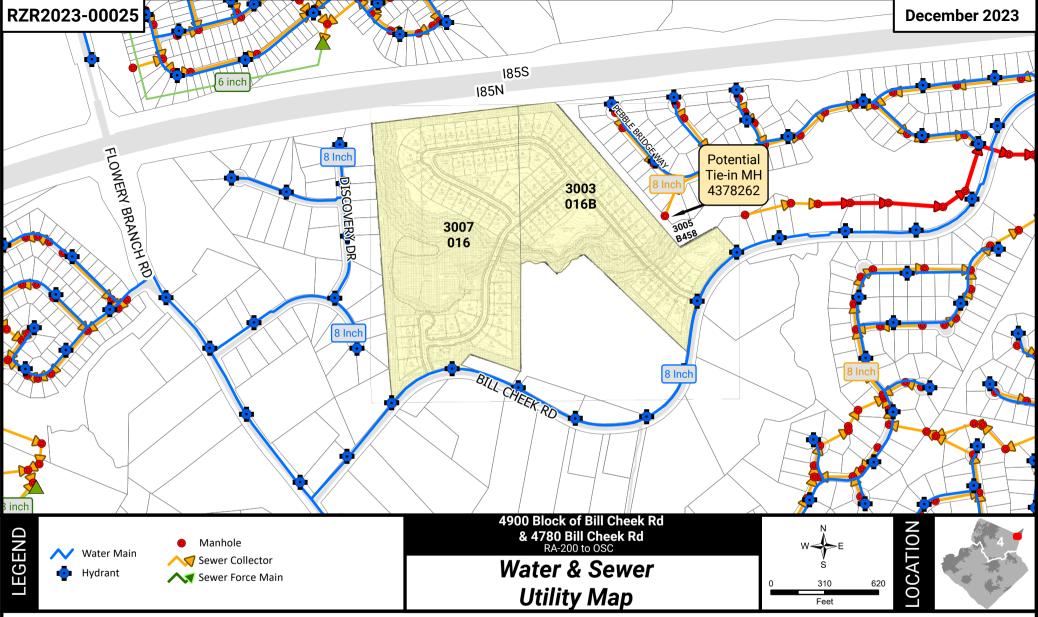
Note: Attach additional pages, if needed



Department of Planning and Development TECHNICAL REVIEW COMMITTEE

TRC	Meeting Date:				
Depa	rtment/Agency Name:	DWR			
Revie	viewer Name: Mike Pappas				
Revie	wer Title:	GIS Planning Manager			
Revie	wer Email Address:	Michael.pappas@gwinnettcounty.com			
Case	Number:	RZR2023-00025			
Case	Address:	4900 Block of Bill Cheek Rd & 4780 Bill Cheek Rd			
	Comments:	X YES NO			
1	Water: The proposed development may connor of-way of Bill Cheek Road. A connection at bo	ect to an existing 8-inch water main along the northern right- oth proposed entrances is required.			
2	units. The proposed development plans to co	8-228-10) has been approved for 83 single-family residential nnect to an 8-inch gravity sewer located on the west side of reek Subdivision development indicate an easement exists for			
3					
4					
5					
6					
7					
	Recommended Zoning Conditions:	YES X NO			
1					
2					
3					
4					
5					
6					
7					

Note: Attach additional pages, if needed



Water Comments: The proposed development may connect to an existing 8-inch water main along the northern right-of-way of Bill Cheek Road. A connection at both proposed entrances is required.

Sewer Comments: A Sewer Capacity Certification (C2023-228-10) has been approved for 83 single-family residential units. The proposed development plans to connect to an 8-inch gravity sewer located on the west side of parcel 3005B458. As-builts for the Wheeler Creek Subdivision development indicate an easement exists for tie-in to manhole FID 4378262.

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. It is the responsibility of the developments 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 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 developments 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.

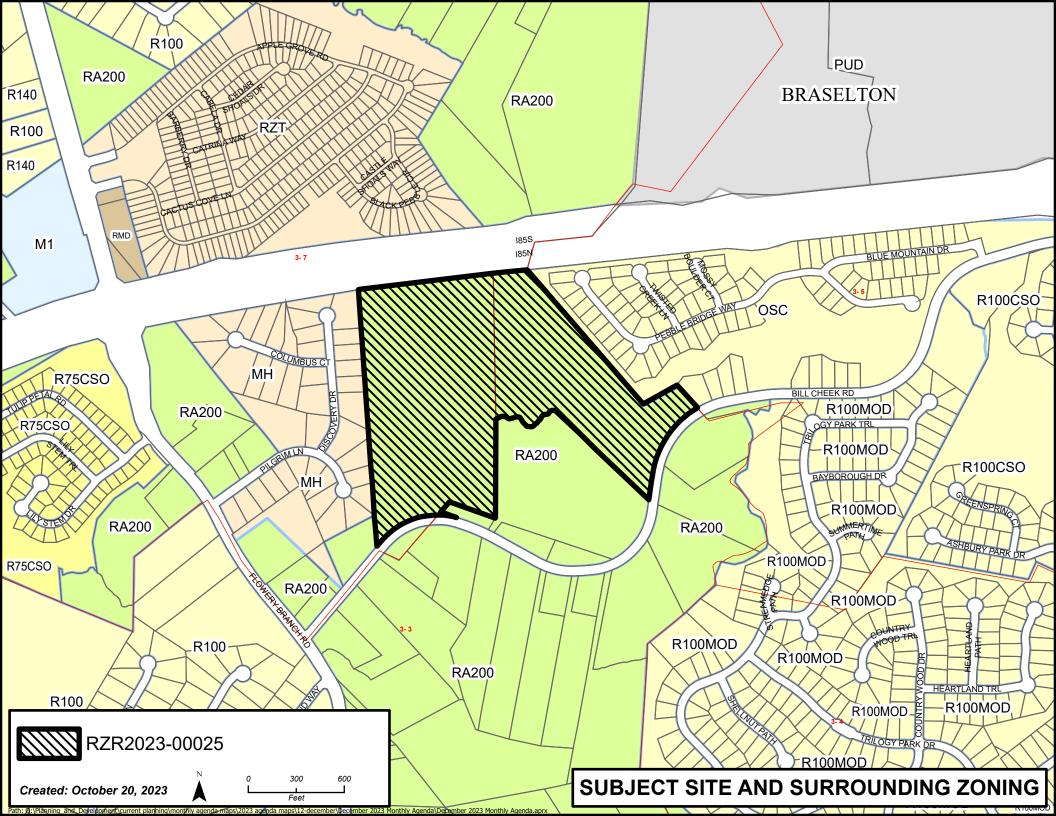
Residential Rezoning Impact on Local Schools Prepared for Gwinnett County BOC, December, 2023

											Proposed Zoning
		2023-24			2024-25			2025-26			Approximate Student Projections
	School	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	from Proposed Developments
	Grayson HS	3,420	3,000	420	3,506	3,000	506	3,576	3,000	576	35
RZR2023-00003	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
	Archer HS	3,202	2,575	627	3,250	2,575	675	3,283	2,575	708	6
RZR2023-00024	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
	Mill Creek HS	2,685	2,800	-115	2,644	2,800	-156	2,697	2,800	-103	26
RZR2023-00025	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	Snellville MS	881	1,625	-744	864	1,625	-761	857	1,625	-768	11
(combined)	Norton ES	944	1,300	-356	953	1,300	-347	968	1,300	-332	21
	Lanier HS	1,903	1,900	3	1,920	1,900	20	1,938	1,900	38	17
RZM2023-00023	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 J: Maps

[attached]





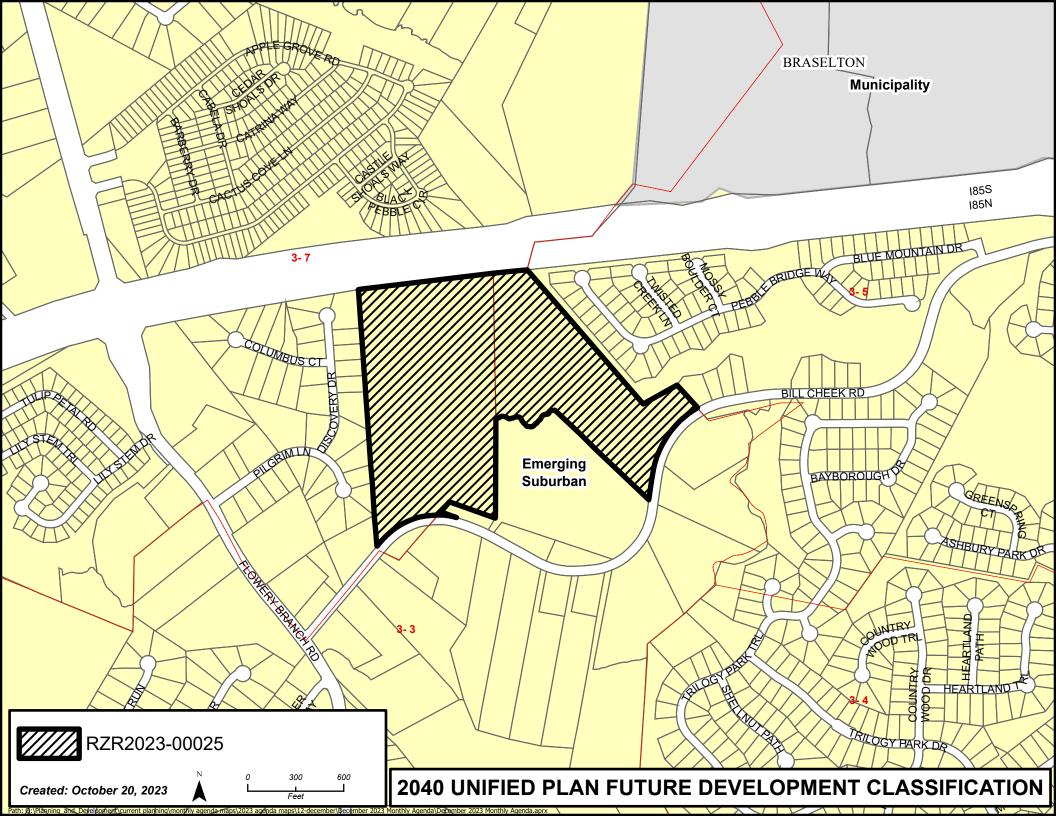


Exhibit K: Documents Presented at the December 5, 2023 Planning Commission Public Hearing

[attached]



12/4/2023

Gwinnett County Planning and Zoning 446 West Crogan Street Lawrenceville, GA 30046

Re: Proposed Zoning to OSC-OPEN SPACE CONSERVATION DISTRICT

Bill Cheek Road Rezoning (44.95 Acres)

PEC+ Project No. 20006.01

Please see below the additional proposed conditions of zoning:

- 1. A 50-foot landscaped strip shall be installed along Bill Cheek Road per the Gwinnett County UDO.
- 2. There shall be a 6' solid opaque fence along a portion of the property line with the northeastern side of property and parcel # 3003 016A on 4950 Bill Cheek Road as also shown on attached exhibit.
- 3. A sanitary sewer stub for future development shall be placed on parcel # 3003 016A / 4950 Bill Cheek Road as shown in the attached exhibit.
- 4. There shall be a maximum of 10% of homes that can be rented at any time.
- 5. There shall be a mandatory HOA established.
- 6. The minimum size of the homes shall be 2,200 heated square feet for two story homes. The minimum size of single story ranch homes would be 1,900 sf.
- 7. The northern access to Bill Cheek Road as shown on the zoning plan shall be limited to right in and right-out access.
- 8. The side and rear of the homes shall have a 2' brick or stone water table.
- 9. No vinyl siding or stucco is allowed on the exterior of the homes.
- 10. Exterior sidewalks on Bill Cheek Road shall only extend from within the community to existing sidewalks already present on Bill Cheek Rd. Currently the only external sidewalk to be connected is the sidewalk in front of the westernmost lot fronting Bill Cheek Road in the Wheeler Creek Subdivision.
- 11. Amenities to include such things as: dog park, trails, pocket parks with seating areas, gazebo, lakeside feature.

Sincerely,

Planners and Engineers Collaborative, Inc.

Kenneth J. Wood, P.E., LEED AP

President























