

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

### PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: RZM2024-00006

Current Zoning: R-100 (Single-Family Residence District)

**Request:** Rezoning to **R-TH** (Single-Family Townhouse District)

Overlay District: Highway 78 Corridor Overlay District

Additional Requests: Variances

**Addresses:** 2125, 2145, and 2155 Rockbridge Road **Map Numbers:** R6058 006, 006A, and 007 (portion)

**Site Area:** 10.79 **Units:** 97

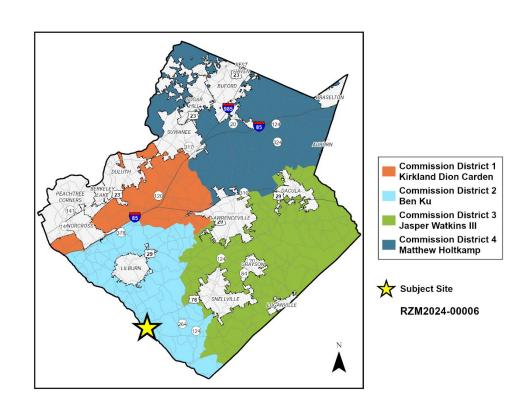
**Proposed Development:** Townhouses

**Commission District:** District 2 – Commissioner Ku **Character Area:** Regional Activity Center

Staff Recommendation: APPROVAL WITH CONDITIONS

**Planning Commission** 

Recommendation: APPROVAL WITH CONDITIONS



**Applicant:** Parkland Communities

c/o LJA Engineering 299 South Main Street Alpharetta, GA 30009 Owners: Oscar Medina

4115 Runnymede Drive SW

Lilburn, GA 30047

William C. Garner 2145 Rockbridge Road Stone Mountain, GA 30087

**New Jerusalem Dream Center Ministries** 

2125 Rockbridge Road Stone Mountain, GA 30087

Contact: Tyler Lasser Contact Phone: 470.202.9321

#### **Zoning History**

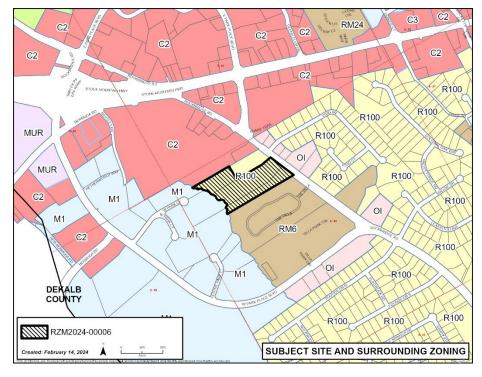
The subject property is zoned R-100 (Single-Family Residence District). In 1998, a request to rezone Parcel 6058 006 to O-I (Office-Institutional District) for a medical office was denied, pursuant to RZ-35-88. There are no additional zoning cases for the property. The subject property is located within the Highway 78 Corridor Overlay District.

#### **Existing Site Condition**

The site is a 10.79-acre assemblage of three parcels located along Rockbridge Road, south of its intersection with East Park Place Boulevard. The adjacent place of worship intends to subdivide and sell the rear half of its property, currently an outdoor recreation area, into the site. Two existing single-family residences and accessory buildings front Rockbridge Road; however, most of the site is wooded. A stream and associated buffers form the rear property line. The terrain gently falls from the street through most of the property and then drops more quickly into the stream along the rear property line. There are overhead power lines and a sidewalk along the Rockbridge Road frontage. The nearest Gwinnett County Transit stop is approximately 100 feet from the site.

#### **Surrounding Use and Zoning**

The site is located just south of a commercial node at the intersection of East Park Place Boulevard and Rockbridge Road. A place of worship, a child daycare, and the Stone Mountain Square shopping center are located to the north of the property along Rockbridge Road. The Villas at Stone Mountain, a condominium villa community, shares the southern property line with the site. Residences located directly across Rockbridge Road from the site have been converted into office uses. Flex industrial buildings with access from West Park Place Boulevard are located to the west across the stream from the site. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Townhouses	R-TH	8.99 units per acre
North	Commercial	C-2	N/A
	Place of Worship	R-100	
East	Office	O-I	N/A
South	Attached Residential Villas	LRR	5.83 units per acre
West	Light Industrial	M-1	N/A

#### **Project Summary**

The applicant requests rezoning of a 10.79-acre assemblage from R-100 to R-TH for townhouses, including:

- 78 front-entry and 19 rear-entry townhouses, yielding a density of 8.99 units per acre.
- Units with 3 bedrooms, 2 ½ baths, a single-car garage, and a minimum heated floor area of 1,300 square feet.
- Exterior building materials consisting of brick and fiber-cement siding.
- A swimming pool, clubhouse, and mail kiosk in the center of the development.
- 27-foot-wide public internal streets within 50-foot-wide rights-of-way.
- Right-of-way dedicated for future interparcel connections to the north and west.
- One full-access entrance from Rockbridge Road with a deceleration lane.
- Five-foot-wide sidewalks along Rockbridge Road, and 4-foot-wide sidewalks on both sides of the proposed internal streets.
- Open space totaling 2.25 acres dispersed throughout the development.
- 22 parallel on-street guest parking spaces along the primary street in the development.
- One stormwater management area for detention and runoff reduction at the rear of the site.
- A 40-foot-wide setback and 10-foot-wide landscape setback between Rockbridge Road and the side of the townhouse building containing units 1-7.
- Drainage easements between townhouse buildings, and access and utility easements on either

side of the stormwater management area.

#### **Zoning and Development Standards**

The applicant is requesting a rezoning to R-TH for townhouses. The application was received after January 1, 2024, and is subject to the amended Unified Development Ordinance (UDO). The following is a summary of applicable development standards from the UDO:

Standard	Required	Proposed	Meets Standard?
Project Area	Minimum 2 acres	10.78 acres	YES
External Road Frontage	Minimum 50'	212.85'	YES
Density	Maximum 10 units per acre	8.99 units per acre	YES
External Front Yard Setback	Minimum 10'	10'	YES
External Rear Yard Setback	Minimum 25'	25'	YES
External Side Yard Setback	Minimum 5'	5'	YES
Garage Door Setback	Minimum 18'	18'	YES
Building Height	Maximum 40'	<40'	YES
Open Space	Minimum 10% or 1.08 acres	21% or 2.25 acres	YES
Usable Open Space	Minimum 5% or 0.54 acres	6% or 0.63 acres	YES
Street Frontage Buffer/	Minimum 40' setback*	40'	YES
Landscape Strip	10' wide landscape strip	10'	
Zoning Buffer	Minimum 35'	0'	NO**
Parking (Townhouse)	Minimum 2 spaces per dwelling Maximum 3 spaces per dwelling	3 per dwelling	YES
Parking (Guest Parking)	25 spaces	22 shared spaces	NO***
Parking (Recreation Area)	Minimum 5 spaces Maximum 10 spaces	22 shared spaces	NO***

<sup>\*</sup> An additional 40' wide setback is required for the portion of the site where the sides of the townhouses are oriented toward the street.

The site is within the Highway 78 Corridor Overlay District. The proposed site plan demonstrates compliance with the requirements of the overlay district.

#### **Variance Requests**

In addition to the rezoning request, the applicant is seeking variances from the following provisions of Title II of the UDO:

1. Section 230-100.1 C. Minimum Buffer Requirements.

#### A 35-foot-wide undisturbed zoning buffer for R-TH adjacent to R-100 zoned property.

The applicant is requesting to eliminate the required 35-foot-wide undisturbed zoning buffers adjacent to R-100 zoned property along the northern and western property lines. The required 5-

<sup>\*\*</sup> The applicant is requesting a variance to eliminate the zoning buffer.

<sup>\*\*\*</sup> The applicant is requesting a variance to reduce and share the required minimum guest and recreation area parking.

foot-wide structure setback against the zoning buffer would also be eliminated because of this request.

2. Section 210-140.18 E. Dwelling, Townhouse

Additional guest parking shall be provided at a ratio of 0.25 spaces per dwelling unit. Guest parking may either be provided as on-street parallel parking or with separate off-street parking lots.

The applicant is requesting to reduce the required guest parking from 25 spaces to 22 spaces.

3. Section 240-20.1 Minimum Parking Space Requirements

Recreation Area, subdivision: Minimum 1 per 20 homes, maximum 1 per 10 homes.

The applicant is requesting to eliminate the five required recreation area parking spaces.

#### **Public Participation**

The applicant held a community meeting on February 5, 2024, at New Jerusalem Dream Center, next to the site. There were three community members in attendance. The primary concern was the environmental impact of the development on the site. The applicant had anticipated these concerns during initial site design and did not make any changes to the site plan as a result of the meeting. The public participation report is shown in Exhibit H.

#### **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 270-20.6. 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 property is surrounded by non-residential and attached residential land uses. There are no adjacent single-family detached residences. The location of the property is suitable for townhouses as a transition between non-residential and attached residential land uses. The proposed rezoning will 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 proposed townhouse development provides a strip of open space along the southern property line that limits the visual impact on the abutting Villas at Stone Mountain. In addition, developing additional residential units in the area will better support nearby underperforming commercial properties. The proposed rezoning would 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.

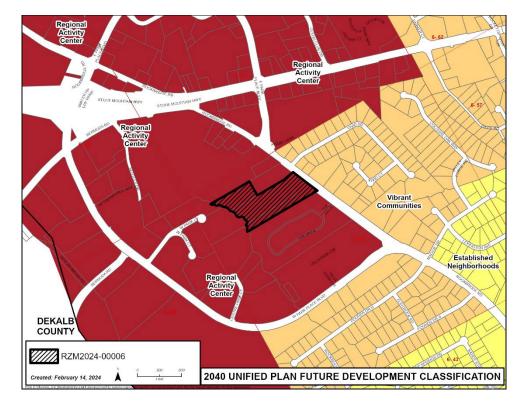
### D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

An increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. The traffic impact study submitted for the development estimated that the subdivision would generate 45 AM and 55 PM peak hour trips within a 24-hour period, an acceptable level of service for Rockbridge Road. To mitigate potential impacts, the study recommended a southbound right-turn deceleration lane into the development. An increased impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning 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 application was received prior to the adoption of the 2045 Unified Plan, and was analyzed based on the 2040 Unified Plan. The Future Development Map of the Unified Plan indicates the property is located within the Regional Activity Center Character Area, which is intended for areas that have intense commercial and office/employment activity, as well as high-density residential elements. To encourage a pedestrian and bicycle-friendly, walkable, live/work/play environment around these activity centers, developments should incorporate pedestrian-friendly and urban design standards. Specifically, residential development should encompass mid to high-rise mixed-use buildings.

Although the Regional Activity Center Character Area recommends high-density residential development within mid to high-rise mixed-use buildings, development of this scale would not be compatible with the single-story Villas at Stone Mountain. The proposed two-story townhomes are at a higher density than the surrounding area and would serve as a transition between the low-lying villas and the future mixed-use or multifamily development as intended by the character area.



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 proposed townhomes would be an infill development at a location within walking distance to retail, restaurants, and a daycare. The request would provide additional housing in a developed part of the County where land for housing is not readily available. Finally, the proposal would provide both front and alley-loaded townhouses with amenities that are not often found in a townhouse development.

<u>Variance Requests Analysis</u>: The standards for granting variances are outlined in Section 270-90.7 of the UDO. Staff makes the following findings related to the variance requests:

The applicant is requesting to eliminate the required 35-foot-wide undisturbed zoning buffers adjacent to R-100 zoned property along the northern and western property lines. Zoning buffers are intended to protect less intense development from more intense development. For this property, a place of worship, not residences, is within the abutting single-family residential zoning district. The intent of the buffer provision would not apply to the place of worship and is a reasonable request.

The applicant is requesting to provide 22 on-street parking spaces where a total of 30 parking spaces are required for townhouse guest parking and recreation area parking. The compactness of the site would reduce the need for driving, and thus parking, from residences and the centrally-located amenity area. In addition, each townhouse would provide three parking spaces where only two spaces are required. The third space at each townhouse would allow for guest parking, where necessary.

#### **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 **APPROVAL** of the following variances:

- 1. To eliminate the required 35-foot-wide undisturbed zoning buffers and the required 5-foot-wide structure setback adjacent to R-100 zoned property.
- 2. To reduce the required guest parking from 25 spaces to 22 spaces.
- 3. To eliminate the five required recreation area parking spaces.

#### **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 APPROVAL of the following variances:

- 1. To eliminate the required 35-foot-wide undisturbed zoning buffers and the required 5-foot-wide structure setback adjacent to R-100 zoned property.
- 2. To reduce the required guest parking from 25 spaces to 22 spaces.
- 3. To eliminate the five required recreation area parking spaces.

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

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

- 1. The development shall be limited to 97 townhouses with a minimum heated floor area of 1,300 square feet.
- 2. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received February 22, 2024, subject to the review and approval of the Department of Planning and Development. Rear-loaded townhouses shall be provided as shown on the Site Plan.
- 3. Open space and amenities shall be provided in general conformance with Exhibit B: Site Plan dated received February 22, 2024, subject to the review and approval of the Department of Planning and Development. Amenities shall include but not be limited to a pool and clubhouse.

- 4. Buildings shall be constructed in accordance with the Gwinnett County Architectural Design Standards for Attached Residential Buildings. Above these standards, unit number 1 as shown on site plan dated received February 22, 2024, shall have a side façade that has a minimum of 50 percent brick or stone finish.
- 5. A deceleration lane shall be provided along Rockbridge Road, as shown on Exhibit B: Site Plan dated received February 22, 2024, subject to the review and approval of the Gwinnett County Department of Transportation.
- 6. Traffic calming for internal street(s) that exceeds 500 feet in length without a control point shall be provided, subject to the review and approval of the Gwinnett County Department of Transportation.
- 7. 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.
- 8. Natural vegetation shall remain on the property until the issuance of a development permit.
- 9. All grassed areas within residential lots and usable open space shall be sodded.
- 10. A maximum of 30 percent of the units can be rental units and shall be incorporated into the Homeowners Association covenants and is the responsibility of this organization to ensure compliance.

#### **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. Public Participation Plan and Report
- I. Internal and External Agency Review Comments
- J. Maps
- K. Site Plan Presented at the May 7, 2024, Planning Commission Public Hearing

#### **Exhibit A: Site Visit Photos**



View of existing residence on the subject property



View of Rockbridge Road to the north, subject property on left



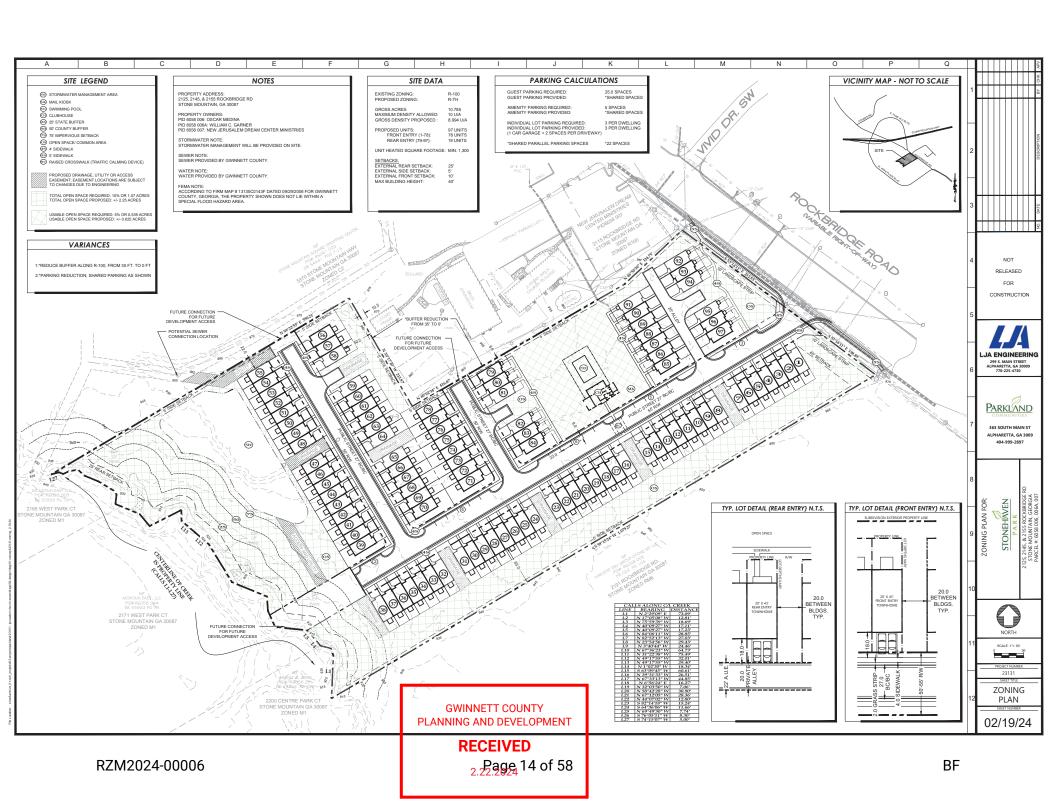
View of place of worship to the north



View of Villas at Stone Mountain to the south

#### **Exhibit B: Site Plan**

[attached]



### **Exhibit C: Building Elevations**

[attached]





















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



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Applicant's Letter of Intent Parkland Communities, Inc. Rezoning R-100 to R-TH

The Applicant, Parkland Communities, Inc., requests to rezone an assemblage of three parcels totaling 10.785 acres from R-100 to R-TH (Residence Townhouse District) to construct an attached townhouse community. The subject site is located on the west side of Rockbridge Road, situated between the Villas at Stone Mountain condominiums (zoned RM-6) and a large commercial node, including the Stone Mountain Square shopping center with a large variety of restaurants, retail, medical offices, and service uses (zoned C-2). Behind the site is the Mountain East Business Center office park (Zoned M-1), which is distanced due to wetlands and stream buffers at the back of the subject site. Two of the parcels within the assemblage contain a small single-family home, which will be removed with the proposed development. The northernmost parcel of the assemblage currently encompasses the New Jerusalem church/Christian academy campus, which will remain on site within the half of the parcel fronting Rockbridge Road. The back half of the church parcel will become part of the proposed development's site included in the 10.78 acres subject to the rezoning request. As proposed, the development will offer a total of 97 attached townhomes, amounting to a density of 8.994 units per acre. Of the 97 units, 78 units will have front-entry garages that will face the internal street. 19 of the units will feature rearentry garages, fronting a portion of the site's centrally located open space and amenity area or the Rockbridge Road frontage. Each townhouse will include three bedrooms and two and a half bathrooms with at least 1,300 square feet of heated floor area, with high-end interiors. As shown on the submitted elevations, each unit will be two stories and will have exterior materials consisting of a mixture of brick, and fiber cement siding. Each unit will also include outdoor spaces such as a covered front porch and patio space. For private parking, each unit will include a one-car garage, as well as a two-car driveway. Additional parking for guests will be provided as parallel spaces along the main interior street and adjacent to the amenity area. Additional site improvements will include but are not limited to the amenity area with a pool and clubhouse, 10-feet wide landscape strips adjacent to each external street, stubs for future inter-parcel connection, and sidewalks along internal street and Rockbridge Road frontage for safe and efficient pedestrian connectivity within the development and to the surrounding commercial node. As proposed, the rezoning and development meets the intent of the 2040 Unified Plan. The site is located within the Regional Activity Center character area, which encourages the incorporation of residential uses amongst commercial, retail, and office uses, to promote walkability in a live/work/play environment. Being so close to a major commercial node with an abundance of restaurants, retail and services, Parkland submits that this is a key opportunity for residential infill to contribute to a more walkable and livelier neighborhood. Ultimately, the intent is to offer a missing middle housing type, which is limited in the area, while maintaining an architectural standard that compliments that of the surrounding uses. Additionally, with the single family uses across Rockbridge Road and across W Park Place Boulevard, the proposed townhomes will act as a natural transition into the commercial node.

In addition to the rezoning, the Applicant requests two variances from the unified development ordinance. First, to waive the required buffer adjacent to the R-100 zoned property, which is owned by the church. This buffer reduction will not have a negative impact on the church site as the bulk of the townhomes closest to the shared property line will be nearest to the church's parking area and behind the gymnasium. Second, to reduce the shared-parking minimum throughout the site. This development is relatively small and includes safe sidewalks on both sides of the street, which allows for easy pedestrian access from any townhome to the amenity area. Therefore, additional parking beyond what is proposed is unnecessary.

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.



#### 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 townhomes is suitable in relation to the adjacent and nearby properties. The site abuts only one residential use, which is a duplex/condo community. The other adjacent uses include a large commercial strip, office park, and church. The townhomes will add to the variety of housing in the area, and will act as a quality, low-intensity, infill use that complements the surrounding condos and single-family uses. Further, this development will promote walkability as the area continues to attract new businesses and residents.

### (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. There are attached residential condos on one of the adjacent properties. The other adjacent uses include commercial, church, and industrial.

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

Due to the location of the property and the existing abundance of single-family detached and commercial uses in proximity, the applicant suggests that the subject property does not have a reasonable economic use as currently zoned. The applicant submits the rezoning would allow for a use more compatible with the demand and pattern of development in the area.

## (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 requested 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 ANDINTENT OF THE LAND USE PLAN:

The proposed development meets the intent of the 2040 Unified Plan. The subject property is located within the Regional Activity Center character area, which encourages walkable residential development. The proposed development is designed to be walkable and effortlessly connect to the area's abundance of commercial uses the area has to offer. Further, the use is a low intensity use that compliments the adjacent condos. Other uses that are encouraged in the character area could have a negative impact on the nearby uses.

## (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.

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Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the zoning request will constitute a taking of property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, and Article 1, Section 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]

#### **GWINNETT COUNTY** PLANNING AND DEVELOPMENT

#### **Gwinnett County Planning Division** Rezoning Application Last Updated 12/2023 **REZONING APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION	
Name: Parkland Communities c/o LJA Engineering	Name: Multiple (please see attached)	
Address: 299 S. Main Street	Address:	
City: Alpharetta	City:	
State: <u>GA</u> <u>ZIP</u> : <u>30009</u>	State:ZIP:	
Phone: 470.202.9321	Phone: 470.202.9321	
Email: tlasser@LJA.com	Email: tlasser@LJA.com	
Contact Person: Tyler Lasser	Phone: 470.202.9321	
Contact's Email: tlasser@LJA.com		
APPLICAN	T IS THE:	
Owner's Agent Property	Owner	
Current Zoning District(s): R-100 Requested Zoning District: R-TH		
Parcel Number(s): 6058 006, 006A, 007 (portion	on of) Acreage:10.785	
Property Address(es): 2125, 2145, & 2155 Rd	ockbridge Rd	
Proposed Development: Attached Townhome	<u>s</u>	
Variance(s): Buffer reduction, parking reduction	on Waiver(s):	
RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT	
No. of Dwelling Units: 97	No. of Buildings:	
Dwelling Unit Sq. Ft.: 1,300	Total Building Sq. Ft.:	
Density: 8.994	Floor Area Ratio:	
Floor Area Ratio (LRR, MRR, HRR):		
MIXED-USE DI	EVELOPMENT	
No. of Dwelling Units:	Owelling Unit Sq. Ft.:	
Total Non-Residential Sq. Ft.: Floor Area Ratio:		

3



2.6.2024

#### **PROPERTY OWNERS**

### 2125, 2145, & 2155 ROCKBRIDGE RD STONE MOUNTAIN, GA 30087

PID 6058 006: OSCAR MEDINA 4115 RUNNYMEDE DR SW LILBURN GA 30047-8426

PID 6058 006A:
WILLIAM C. GARNER
2145 ROCKBRIDGE RD
STONE MOUNTAIN GA 30087-3515

PID 6058 007: NEW JERUSALEM DREAM CENTER MINISTRIES 2125 ROCKBRIDGE RD STONE MOUNTAIN GA 30087-3515

### GWINNETT COUNTY PLANNING AND DEVELOPMENT

#### Gwinnett County Planning Division Rezoning Application Last Updated 12/2023

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#### STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

Pursuant to requirements of the United Development Ordinance, the Board of Commissioners finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

Please respond to the following standards in the space provided or use attachment as necessary:

(A)	development of adjacent and nearby property:		
	please see attached		
(B)	Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property:  please see attached		
(C)	Whether the property to be affected by a proposed rezoning has reasonable economic use as currently zoned:  please see attached		
(D)	Whether the proposed rezoning will result in a use which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools: please see attached		
(E)	Whether the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map:  please see attached		
(F)	Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning:  please see attached		

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Gwinnett County Planning Division Rezoning Application Last Updated 10/2021

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#### **REZONING APPLICANT'S CERTIFICATION**

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.

Signature of Applicant

1.5.7023

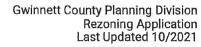
Date

Type or Print Name and Title

Signature of Notary Public

Date

Notery Seal"





#### 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

SENIOR PASTOR.

**EXPIRES** 

Type or Print Name and Title

Type of Fillit Name and Title

Signature of Notary Public

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Notary

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Gwinnett County Planning Division Rezoning Application Last Updated 10/2021

### REZONING PROPERTY OWNER'S CERTIFICATION

THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.

Signature of Property Owner

Date

OSCAR D. MEDINA

Type or Print Name and Title

Signature of Notary Public

Date

Votary Seal

Gwinnett County Planning Division Rezoning Application Last Updated 10/2021

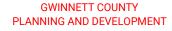
**RECEIVED** 

2.6.2024

#### **REZONING PROPERTY OWNER'S CERTIFICATION**

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William Christople Sa	in	1/5/2024
Signature of Property Owner	-	Date
William Christopher Type or Print Name and Title	Garner	Owner
Type or Print Name and Title		and descriptions to the
		HARVA MA MO
		STATE COMMISSION OF THE PARTY O
		EXPIRES
A		02/27/2027
	1/00/	
	1/5/19	ARY PULLOTH
	1010	COUNTY
Signature of Notary Public	′ Date	Notary Seal



2.6.2024

Gwinnett County Planning Division Rezoning Application Last Updated 10/2021

BF

#### **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.

quirea information on the for	ms provided.	
nos: 1.5.2023	JAMES D. JAcobi	Preside
DATE	TYPE OR PRINT NAME AND TITLE	
1.5.24	Tyler Lasser	
	TYPE OR PRINT NAME AND TITLE	MAYAMA
1/5/24	NOTARY SEAL NOTARY SEAL NOTARY SEAL	IRES
OSURE OF CAMPAIGN CONT	RIBUTIONS	444444444
egating \$250.00 or more to a softhe Gwinnett County-Plan YOUR JAME	member of the Board of ning Commission?	
CONTRIBUTIONS (List all which aggregate t \$250 or More)	DATE CONTRIBUTION  WAS MADE  (Within last two years)	
	DATE  1.5.24  DATE  1.5.24  DATE  SILIC DATE  DSURE OF CAMPAIGN CONT  Is immediately preceding the egating \$250.00 or more to a selection of the Gwinnett County Plant  YOUR MAME  CONTRIBUTIONS  (List all which aggregate to the contribution of the county Plant)	TYPE OR PRINT NAME AND TITLE  1.5.24  Tyler Lasser  TYPE OR PRINT NAME AND TITLE  TYPE OR PRINT NAME AND TITLE  OSURE OF CAMPAIGN CONTRIBUTIONS  To simmediately preceding the filing of this application, made egating \$250.00 or more to a member of the Board of the Gwinnett County Planning Commission?  YOUR JAME  TYPE OR PRINT NAME AND TITLE  TYPE OR TYPE OR TYPE  TYPE OR TYP

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

6

#### Gwinnett County Planning Division Rezoning Application Last Updated 12/2023

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2.6.2024

Parcel I.D. Number: \_\_\_\_\_\_(Map Reference Number)

#### **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 Gwinnett County Tax Commissioner. In no case shall an application or reapplication for rezoning be processed without such property verification.

A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.

T6058006Aere

Signature of Applicant	4206: 1.16.2024  Date						
Type or Print Name and Title	31						
PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE. THIS FORM MUST BE SIGNED BY A REPRESENTATIVE OF THE TAX COMMISSIONER'S OFFICE.							
TAX COMMISSION	ERS USE ONLY						
Payment of all property taxes billed to date for the paid current and confirmed by the signature below							
Jacqueleen Garcia	Tax Associate II						
Name	Title						
01/18/2024							
Date							

8



#### **RECEIVED**

2.6.2024

Gwinnett County Planning Division Rezoning Application Last Updated 12/2023

#### **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 Gwinnett County Tax Commissioner. In no case shall an application or reapplication for rezoning be processed without such property verification.

A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.

Parcel I.D. Number: 6058006  (Map Reference Number)  Signature of Applicant  JAMES D. JACO	1.16.2024 Date	
Type or Print Name and Title		
PLEASE TAKE THIS FORM TO THE TAX COMM JUSTICE AND ADMINISTRATION CENTER, 75 SIGNED BY A REPRESENTATIVE OF THE TAX CO	LANGLEY DRIVE. THIS FORM MUST BE	
TAX COMMISSIO	NERS USE ONLY	
Payment of all property taxes billed to date for the paid current and confirmed by the signature below		
Jacqueleen Garcia	Tax Associate II	
Name	Title	
01/18/2024		
Date		



#### **RECEIVED**

2.6.2024

Parcel I.D. Number: \_\_\_\_\_ (Map Reference Number) Gwinnett County Planning Division Rezoning Application Last Updated 12/2023

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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 Gwinnett County Tax Commissioner. In no case shall an application or reapplication for rezoning be processed without such property verification.

A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.

6058007

1.16.2024							
Date							
oB \							
PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE. THIS FORM MUST BE SIGNED BY A REPRESENTATIVE OF THE TAX COMMISSIONER'S OFFICE.							
NERS USE ONLY							
NERS USE ONLY ne above referenced parcel has been verified as w.							
ne above referenced parcel has been verified as							
ne above referenced parcel has been verified as w.							
ne above referenced parcel has been verified as w.  Tax Associate II							
ne above referenced parcel has been verified as w.  Tax Associate II							

8

# Exhibit F: 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

December 1, 2023

Jim Jacobi Parkland Communities 363 S Main Street Alpharetta, Ga. 30009

■ DENIED
CONDITIONALLY APPROVED
Sewer Capacity Request #C2023-269-12
Expiration Date: 12/01/2024
Tie-In Manhole FID: 569162

RE: Sewer Availability for Proposed Development – Jerusalem Church Assemblage Parcel ID 6058 007, 6058 006A, 6058 006

Dear Mr. Jacobi:

Gwinnett County Department of Water Resources (GCDWR) has reviewed the impact of the proposed development consisting of <u>108 townhomes</u> on the above parcels 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 18.75 gpm discharging to the sewer tie-in manhole at Facility ID 569162.

**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

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2.6.2024

RZM2024-00006 Page 41 of 58



### 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** 

Tai Yi Su, PE Division Director, Infrastructure Support 678.376.2104

Jai yi Su

C: Gwinnett County DWR – Lorraine Campagne, Section Manager; 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

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2.6.2024

## Exhibit G: Traffic Impact Study [attached]

#### **RECEIVED**

1.25.2024



## Jerusalem Church Development

**Traffic Impact Study** 

#### Prepared for:

Parkland Communities, Inc.

#### Prepared by:

KCI Technologies Inc. 2160 Satellite Boulevard, Suite 130 Duluth, GA 30097

#### www.kci.com

678.990.6200

January 2024





GWINNETT COUNTY
PLANNING AND DEVELOPMENT
January 2024
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1.25.2024

#### **Executive Summary**

The purpose of this study is to evaluate the potential traffic impacts of the proposed *Jerusalem Church* residential development. The site is located in Gwinnett County along the west side of Rockbridge Road, just south of the intersection of Sharp Trail. Based on the zoning plan (dated 12/13/2023), the +/-10.82-acre development proposes a total of 98 townhomes. The zoning plan (see Appendix B) for the development illustrates the site layout and the proposed driveway location.

Rockbridge Road is a four-lane roadway, with a center two-way left-turn lane, and a posted 40-mph speed limit in the area of the proposed development.

For the purposes of the traffic study, the analysis included the expected completion (build-out) of the development by year 2027. This study performed an analysis of existing traffic conditions and future traffic conditions. The future conditions analysis was performed for the year 2027 Build Conditions (with the Jerusalem Church residential development).

The Gwinnett County DOE traffic impact study guidelines, version 1 (June 30, 2023) was utilized. Based on the proposed development project trips, the traffic study scope included Level 2 elements. Based on correspondence with Gwinnett County staff, the traffic impact study network consisted of the one proposed site driveway location and two off-site signalized intersections including US 78/SR 10/Stone Mountain Highway at E Park Place Boulevard, and Rockbridge Road at W Park Place Boulevard. The two off-site intersections were only analyzed for the existing conditions (no development).

Based on existing conditions, US 78/SR 10/Stone Mountain Highway at E Park Place Boulevard is currently operating at an acceptable level of service (LOS D) during the AM peak hour and a low level of service (LOS E) during the PM peak hour. There is a Gwinnett County planned project at the intersection. Project M-1084-28 proposes an additional northbound left-turn lane along E Park Place Blvd. This improvement is anticipated to improve the level of service.

Rockbridge Road at W Park Place Boulevard is currently operating at an acceptable levels of service during the AM peak hour (LOS C) and PM peak hour (LOS D). In the future year 2027 Build Conditions (with the Jerusalem Church development traffic volumes), the results of the traffic analysis indicate the one site driveway, operating with side-street stop-control, is expected to operate acceptable levels of service during the AM and PM peak hours.

The traffic impact study identified the following geometric improvements needed to accommodate the proposed development. The traffic study included a review of the need for turn lanes at site driveway based on Gwinnett County criteria. Based on estimated traffic volumes in the year 2027 Build year conditions, and the Gwinnett County requirements, the following driveway geometric recommendations are provided:

- Rockbridge Road at Proposed Driveway #1
  - o Provide a full-movement driveway; driveway to be stop-control
  - o Provide one entry lane and one exit lane
  - o Provide a southbound right-turn deceleration lane along Rockbridge Road
  - Note: The existing two-way left-turn lane along Rockbridge Road provides the dedicated northbound left-turn deceleration lane at the driveway

# Exhibit H: Public Participation Report [attached]



### GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT

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

### **Public Participation Report**

	notification package and stamped Postal Service Form 3877 (attached) with itemized name and address of each addressee.
	All residents on list provided by Gwinnett County P&D and District 2 Planning Commissioners
•	Provide the date, time, and location of all meeting(s) that the applicant and/or representative attended to discuss an application with interested parties.
	2/20/24 at 6m, hosted at Jerusalem Church
	Provide the number of people who participated in the meeting(s). Include the sign-in sheet(s) with meeting date, time, location, and attendee names.
	3 people attended the meeting
	What issues and concerns were expressed by attendees at the meeting(s)?  Environmental impact as a result of development on the site
	What are the applicant's responses to the issues and concerns that were expressed at the meetings? What changes to the development will be made?
	What are the applicant's responses to the issues and concerns that were expressed at the meetings? What changes to the development will be made?  The proposed development had that in mind, and has provided more than the required open sp significantly larger setbacks than required, and reduction in parking to minimize impervious surf

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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2.RZM2024-00006

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



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

TRC	Meeting Date:	03.01.2024					
Department/Agency Name:		Transportation					
Reviewer Name:		Brent Hodges					
Reviewer Title:		Construction Manager 1					
Revie	ewer Email Address:	Brent.Hodges@gwinnettcounty.com					
Case	Number:	RZM2024-00006					
Case	Address:	2125, 2145, 2155 Rockbridge Road, Stone Mountain, 30087					
	Comments:	X YES NO					
1	Rockbridge Road is a minor arteria	al. ADT = 18,973.					
2	100' feet to the nearest transit fac Road and Vivid Drive.	ility located across Rockbridge Road at Rockbridge					
3	The developer shall provide traffic length without a control point.	calming for any internal street that exceeds 500' in					
4							
5							
6							
7							
	Recommended Zoning Conditions:	YES X NO					
1							
2							
3							
4							
5							
6							
7							
	•						

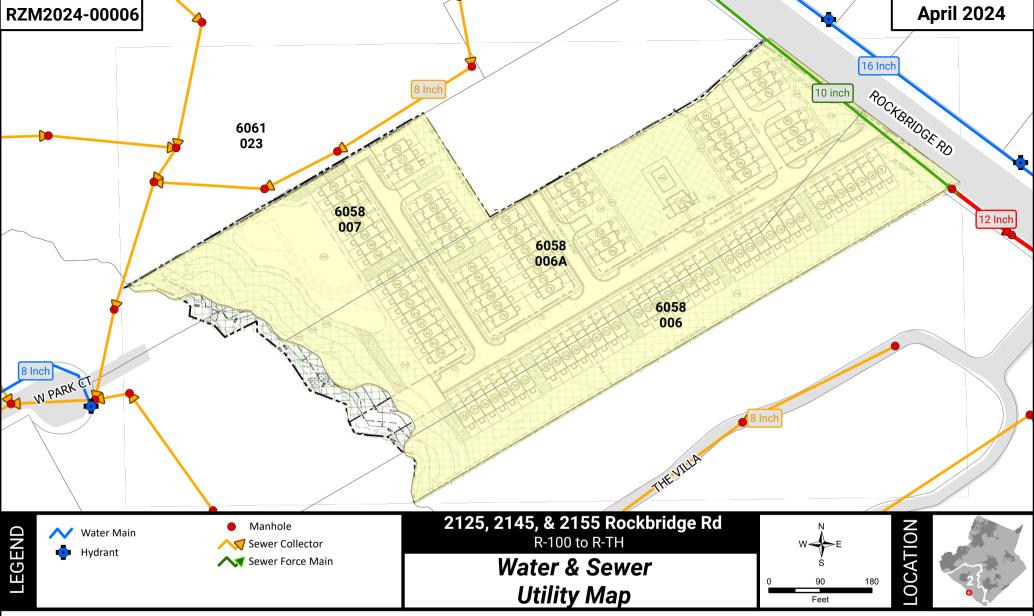
Note: Attach additional pages, if needed



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

	Meeting Date:						
Depa	partment/Agency Name: DWR						
Revie	wer Name:	Mike Pappas					
Revie	wer Title:	GIS Planning Manager					
Revie	wer Email Address:	Michael.pappas@gwinnettcounty.com					
Case	Number:	RZM2024-00006					
Case	Address:	2125, 2145, & 2155 Rockbridge Rd					
	Comments:	X YES NO					
1	of-way of Rockbridge Road. A jack-and-bore a sewer force main along Rockbridge Road must construction of deceleration lanes.	nect to an existing 16-inch water main along the northern right- across Rockbridge Road will be required. The existing 10-inch st be avoided during all phases of construction, including the					
2	proposed development plans to connect to a	3-269-12) has been approved for 108 townhomes. The n existing 8-inch gravity sewer located on parcel 6061 023. An structures shall not encroach into the sewer easements.					
3							
4							
5							
6							
7							
	Recommended Zoning Conditions:	YES X NO					
1							
2							
3							
4							
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7							

Note: Attach additional pages, if needed



**Water Comments:** The proposed development may connect to an existing 16-inch water main along the northern right-of-way of Rockbridge Road. A jack-and-bore across Rockbridge Road will be required. The existing 10-inch sewer force main along Rockbridge Road must be avoided during all phases of construction, including the construction of deceleration lanes.

Sewer Comments: A Sewer Capacity Certification (C2023-269-12) has been approved for 108 townhomes. The proposed development plans to connect to an existing 8-inch gravity sewer located on parcel 6061 023. An offsite easement will be required. Permanent structures shall not encroach into the sewer easements.

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 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.

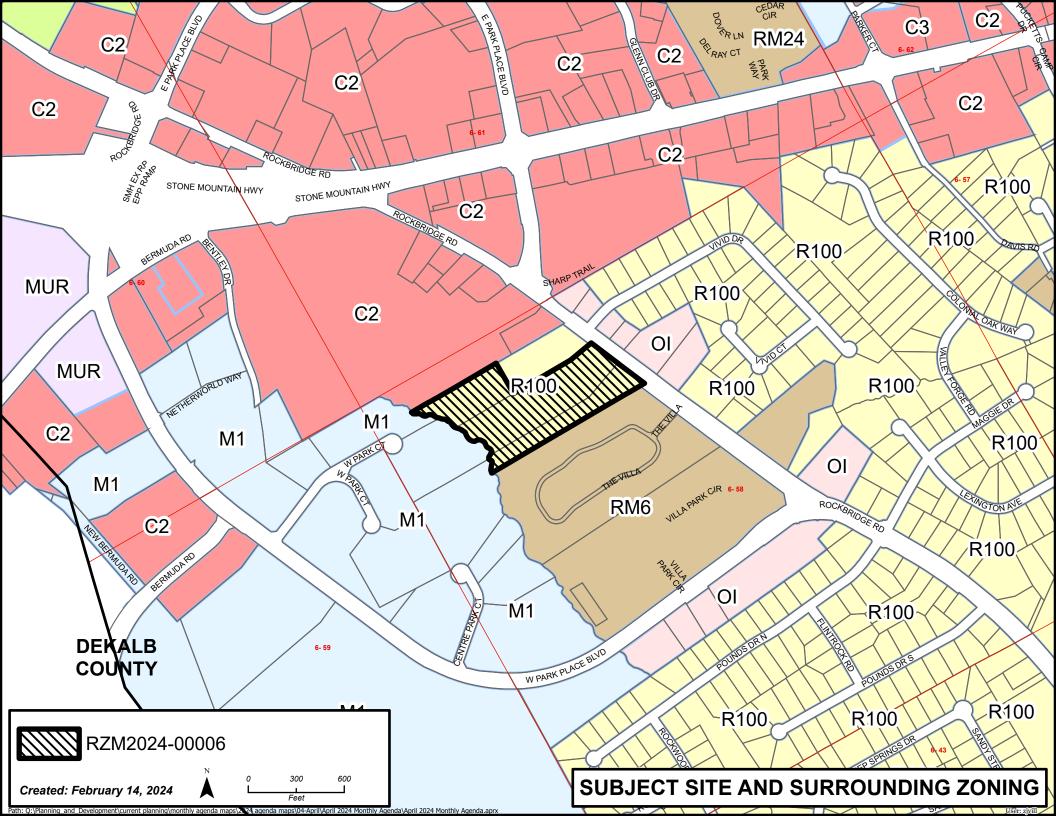
Private Road Developments: Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among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

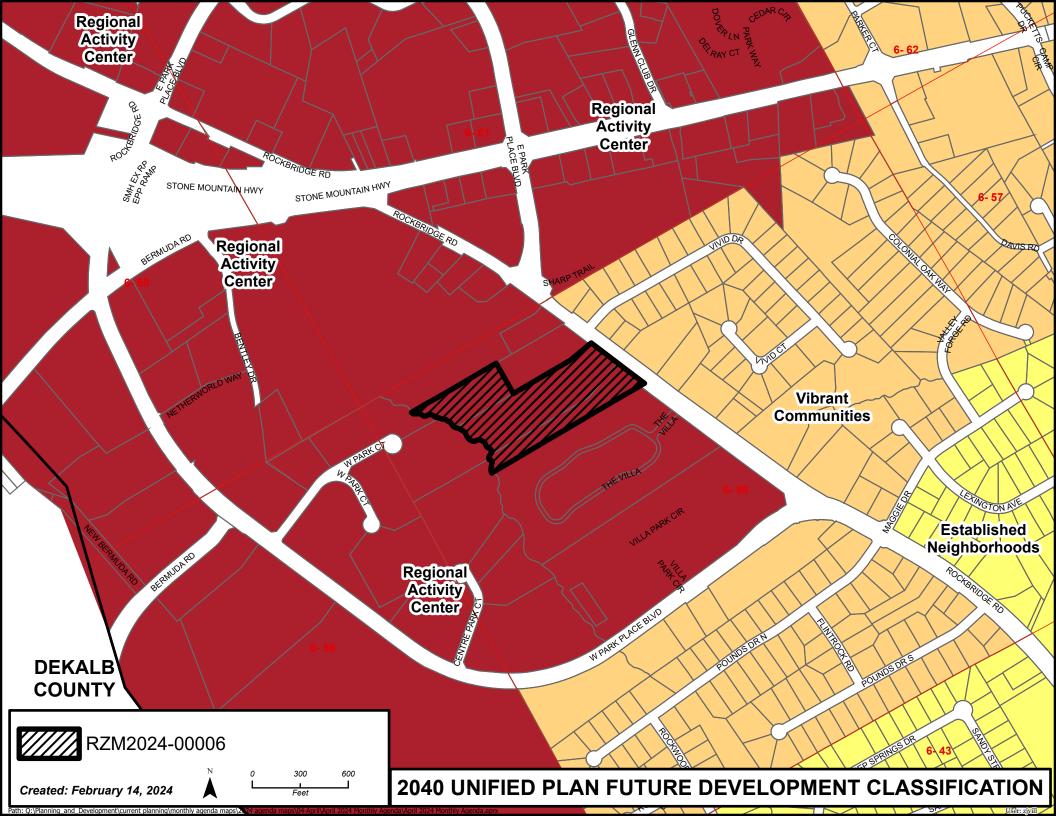
Residential Rezoning Impact on Local Schools Prepared for Gwinnett County BOC, April, 2024											
									Proposed Zoning		
			2023-24 2024-25				2025-26		Approximate Student Projections		
	School	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	from Proposed Developments
	Seckinger HS	2,004	2,800	-796	2,226	2,800	-574	2,330	2,800	-470	31
CIC2024-00009	Jones MS	1,699	1,575	124	1,767	1,575	192	1,870	1,575	295	25
	Harmony ES	602	700	-98	595	700	-105	588	700	-112	46
	Grayson HS	3,420	3,000	420	3,506	3,000	506	3,576	3,000	576	26
RZR2024-00012	Bay Creek MS	1,361	1,150	211	1,380	1,150	230	1,433	1,150	283	18
	Trip ES	1,386	1,200	186	1,422	1,200	222	1,460	1,200	260	32
	Shiloh HS	2,260	2,275	-15	2,294	2,275	19	2,328	2,275	53	20
RZM2024-00006	Shiloh MS	1,695	1,600	95	1,729	1,600	129	1,755	1,600	155	13
	Annistown ES	705	625	80	688	625	63	681	625	56	25
	Mill Creek HS	2,685	2,800	-115	2,644	2,800	-156	2,697	2,800	-103	2
RZR2024-00009	Osborne MS	1,737	1,575	162	1,770	1,575	195	1,833	1,575	258	1
	Puckett's Mill ES	770	1,200	-430	778	1,200	-422	786	1,200	-414	2

### Exhibit J: Maps

[attached]



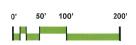




## Exhibit K: Site Plan Presented at the May 7, 2024, Planning Commission Public Hearing [attached]







STONEHAVEN P A R K



