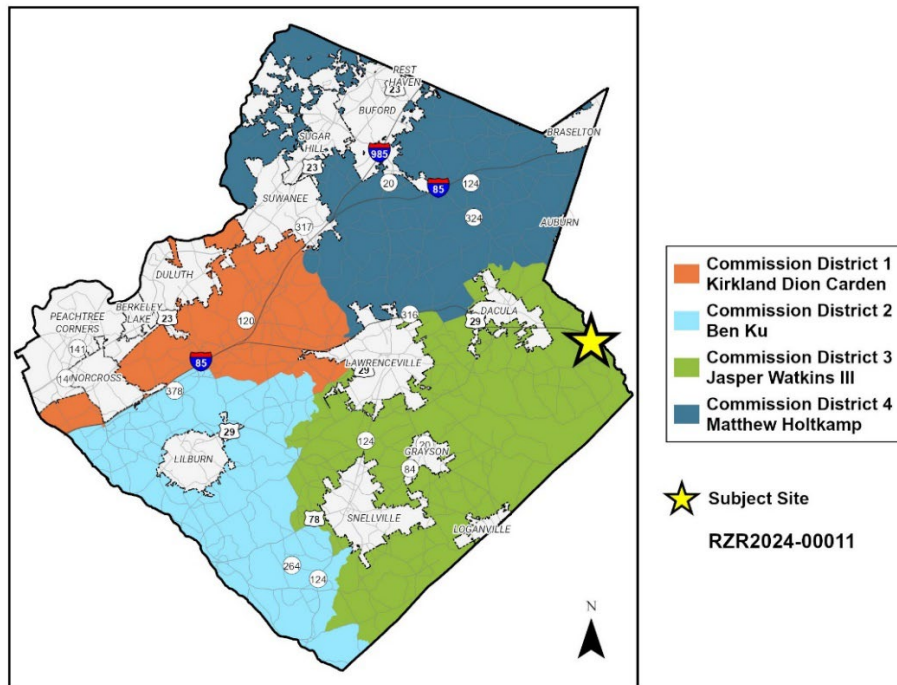


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: RZR2024-00011
Current Zoning: RA-200 (Agriculture-Residence District)
Request: Rezoning to **OSC** (Open Space Conservation District)
Additional Requests: Variances
Address: 1785 and 1825 Kilcrease Road; 1790 and 1700 Block of Whitley Road
Map Numbers: R5357 006, 009 and R5358 001, 002
Site Area: 51.81
Units: 106
Proposed Development: Single-Family Detached Subdivision
Commission District: District 3 – Commissioner Watkins
Character Area: Community Node

Staff Recommendation: **APPROVAL WITH CONDITIONS**

Planning Commission Recommendation: **PUBLIC HEARING TABLED TO APRIL 9, 2024 / ADMINISTRATIVELY HELD**



Planning Commission Advertised Public Hearing Date: 3/5/2024 (Public Hearing Tabled to 4/9/2024 / Administratively Held)

Board of Commissioners Advertised Public Hearing Date: 3/26/2024 (Public Hearing Tabled to 4/23/2024 / Administratively Held)

Applicant: The Revive Land Group
c/o Andersen Tate & Carr
1960 Satellite Boulevard, Suite 4000
Duluth, GA 30097

Owners: Melvin Randall McPherson
718 Patrick Mill Road
Winder, GA 30620

Ginny Cash
1790 Whitley Road
Dacula, GA 30019

Contact: Melody A. Glouton, Esq.

Contact Phone: 770.822.0900

Zoning History

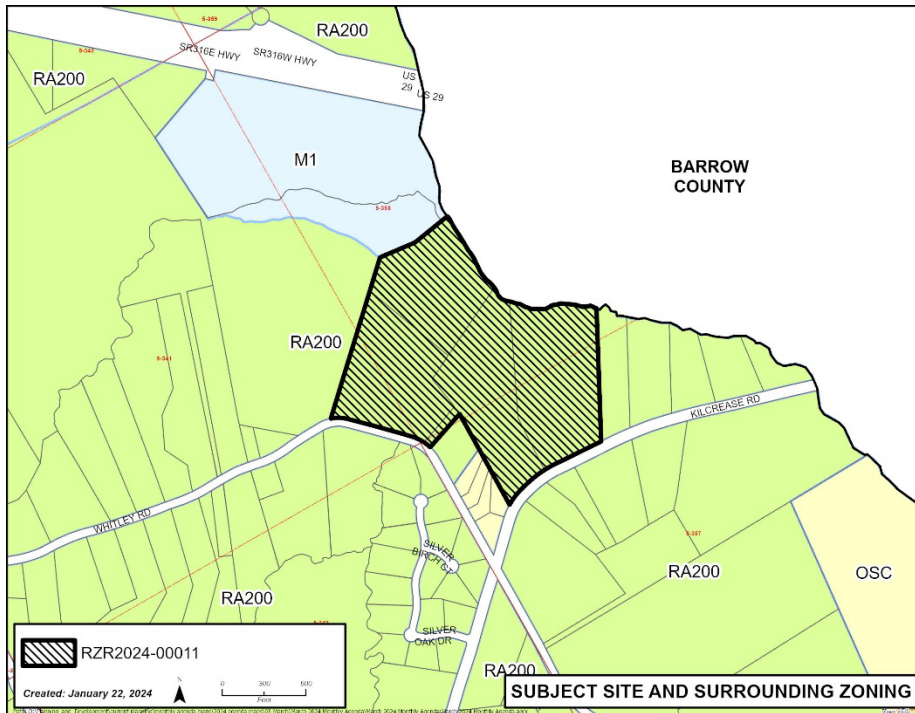
The four parcels comprising the subject property have been zoned RA-200 (Agriculture-Residence District) since 1970. There are no previous zoning requests on record for the property.

Existing Site Condition

The subject property is a 51.81-acre assemblage of four parcels located near the intersection of Kilcrease Road with Whitley Road. There are two single-family residences with accessory buildings on the property, which have frontage on both Whitley Road and Kilcrease Road. The Apalachee River runs along the northern property line and a stream bisects the property from Whitley Road to the northern property line. The 100-year floodplain extends into the site from the Apalachee River along the northern property line and western portion of the property. The majority of the site has been cleared and contains open pastures and fields, with mature hardwood trees in the western portion of the property and mixed hardwood and evergreen trees along the river and the stream. The terrain generally falls from the road frontages towards the river. Steep slopes exceeding 25 percent drop into the stream in the middle of the property and into the river along the northern property line. In addition, there are steep slopes in the southwestern portion of the property near Whitley Road. Kilcrease Road and Whitley Road are both two-lane roads without sidewalks on either side of the road. The nearest Gwinnett County Transit stop is approximately 10.6 miles from the subject property.

Surrounding Use and Zoning

The property is located in a rural residential area along the eastern edge of Gwinnett County. Most of the surrounding residential properties have several acres of land, except for a five-lot subdivision at the intersection of Kilcrease Road and Whitley Road and that has parcels with at least 0.6 acres. River Birch Landing, a single-family detached subdivision with at least one-acre lots is located to the south along Kilcrease Road. The southeastern corner of the land planned for Rowen borders the subject property to the west. The Barrow County line shares the northern property line, where light industrial development is located along University Parkway. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Single-Family Residential	OSC	2.05 units per acre
North	Light Industrial Undeveloped	Barrow County M-1	N/A
East	Single-Family Residential	RA-200	0.25 units per acre
South	Single-Family Residential	RA-200	0.42 units per acre
West	Undeveloped (Rowen) Single-Family Residential	RA-200 R-100	N/A 1.64 units per acre

Project Summary

The applicant requests rezoning of a 51.81-acre property from RA-200 to OSC for a single-family detached subdivision, including:

- 106 single-family detached lots grouped into two sections separated by a stream and with separate entrances.
- One section with access from Kilcrease Road containing 80 lots, three pocket parks, a mail kiosk and five on-street parking spaces.
- A second section with access from Whitley Road containing 26 lots, two pocket parks, a mail kiosk and six on-street parking spaces.
- Lot sizes ranging from 5,202 square feet to 8,447 square feet.
- A total of 21.24 acres of primary conservation space comprised of land along the Apalachee River, by the stream, and in floodplains in the northern and western portions of the property.
- A total of 10.42 acres of usable space comprised of five pocket parks, a County-maintained multi-use trail along the river, 4-foot-wide mulch trails along the perimeter of the lots, and three bio-retention ponds designed as amenities.
- Open space totaling 0.76 acres, located within strips along the southern and western property

lines.

- A 40-foot-wide setback with a 10-foot-wide landscape strip along both road frontages.
- A full-access entrance with a deceleration lane from both Kilcrease Road and Whitley Road.
- 24-foot-wide internal streets within a 46-foot-wide right-of-way.
- Stubs for inter-parcel connections to the east and west.
- Five-foot-wide sidewalks along Kilcrease Road and Whitley Road, and 4-foot-wide sidewalks on both sides of the proposed internal streets.
- Three stormwater management facilities located on either side of the stream.
- A 6-foot-tall block retaining wall on both sides of lots 46-49.
- Single-family residences with at least 2,000 square feet of heated floor area and exterior building materials of brick, stacked stone, fiber cement siding or shake.

Zoning and Development Standards

The applicant is requesting a rezoning to OSC for a single-family detached subdivision. Although this application was submitted prior to January 1, 2024, the applicant requested to submit under the amended Unified Development Ordinance (UDO). The following is a summary of applicable development standards from the UDO:

Standard	Required	Proposed	Meets Standard?
Minimum Project Size	10 acres	51.81 acres	YES
Lot Size	Minimum 5,000 square feet	>5,000 square feet	YES
Lot Width	Minimum 50'	≥50'	YES
Building Height	Maximum 35'	<35'	YES
Front Yard Setback	Minimum 10'	10'	YES
Side Yard Setback	Minimum 5'	5'	YES
Rear Yard Setback	Minimum 20'	20'	YES
Street Frontage Setback	Minimum 40' 10' wide landscape strip	40' 10' wide landscape strip	YES
Open Space	Minimum 40% (20.72 acres)	65.4% (33.89 acres)	YES
Usable Open Space	Minimum 50% of Open Space	50.3% (10.42 acres)	YES
Density	Maximum 2.5 units per acre	2.05 units per acre	YES

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 212-60.1.A Conservation Space Requirements

The following areas may not be disturbed, unless otherwise permitted by this UDO:

1. Land within the 100-year floodplain.

The applicant requests a variance to develop a street and lots on land within the 100-year floodplain.

2. Section 212-60.1.A Conservation Space Requirements

The following areas may not be disturbed, unless otherwise permitted by this UDO:

3. Slopes greater than 40 percent.

The applicant requests a variance to develop a street and lots on land with slopes greater than 40 percent.

Public Participation

Property owners within 1,000 feet of the subject property were mailed notices in January 2024 for the public participation meeting. The meeting was held at Ebenezer Baptist Church at 6:00 PM on February 15, 2024. Several concerns were raised, including traffic, home ownership, fencing/planting, and landscaping. The public participation report and sign-in sheets are attached (Exhibit J).

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 proposed OSC zoning would be suitable in view of the use and development of adjacent and nearby property. It would provide a suitable transition between the R-100-zoned single-family lots to the south and other adjacent RA-200 zoned residences on large lots. In the OSC zoning district, smaller lots are allowed in exchange for a significant amount of conservation space, which is proposed within this development.

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

The portion of the development accessed from Kilcrease Road meets the conservation space and dimensional requirements of the OSC zoning district. The development would permanently preserve environmentally sensitive features including a stream and floodplains adjacent to the Apalachee River. The access point from Whitley Road is at a location with a curve in one direction and a hill in the other direction, which may have adverse impacts to oncoming vehicles on Whitley Road. In addition, this portion of the development proposes substantial impacts to

the floodplain and steep slopes that are intended to remain undisturbed in the OSC zoning district. The proposed development, with the elimination of the 26 lots accessed by Whitley Road, 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.

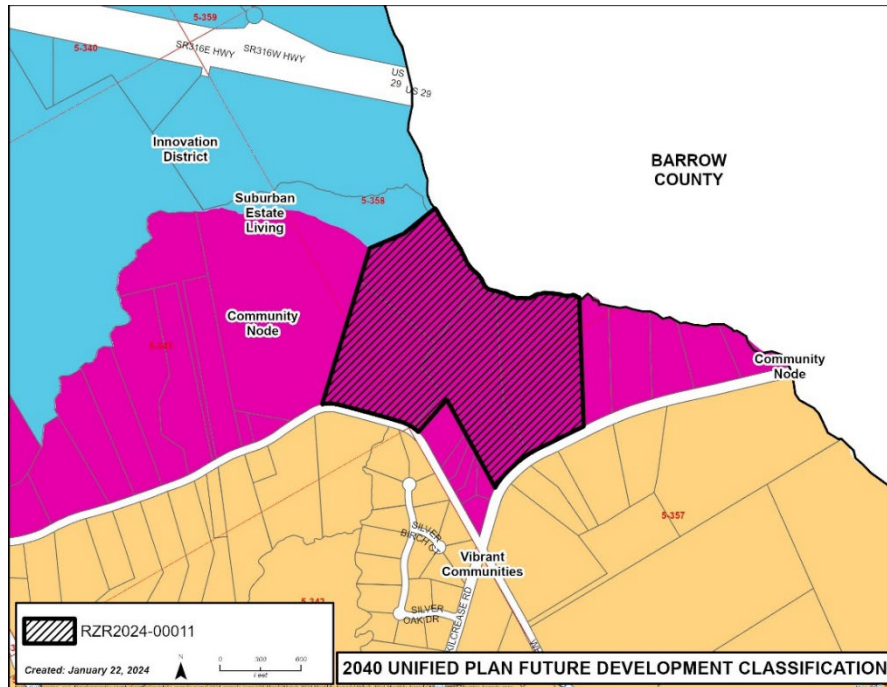
D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

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. The traffic impact study submitted for the development estimated that the subdivision would generate 1,138 two-way trips within a 24-hour period and have minimal impacts on traffic operations. To mitigate potential impacts, the study recommended right turn lanes into the access points of the subdivision. 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 future development map of the Unified Plan indicates that the subject property is located within the Community Node Character Area. This character area envisions high-density mixed-use developments incorporating commercial, office, and live-work at ground floor with residential uses on top, at major intersections throughout the County. The proposed rezoning is not in conformity with the policy and intent of the Unified Plan and Future Development Map, which anticipates a significantly greater density in this area to serve the planned Rowen development over the next 20 years.

However, the surrounding area is expected to remain rural and low density residential for the next several years while Rowen is developed. If approved with staff-recommended conditions, the proposal would be highly suitable for the property's unique environmental features and topography as well as the present rural, large-lot character of the surrounding 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.

There are no other conditions giving support for approval or disapproval of the proposal.

Variance Requests 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 requests:

The applicant requests a variance to develop a street and lots on land within the 100-year floodplain and on slopes greater than 40 percent. These requests nullify the explicit intent of the Open Space Conservation district to preserve and protect natural and environmental resources through the use of conservation space.

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 variances:

1. To develop a street and lots on land within the 100-year floodplain.
2. To develop a street and lots on land with slopes greater than 40 percent.

Staff Recommended Conditions

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

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received January 11, 2024, and Exhibit D: Building Elevations dated received December 28, 2023, and January 11, 2024, 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 development shall be limited to single-family detached dwellings and accessory uses and structures, not exceeding 80 units. No lots shall be located on the portion of the site located east of the stream.
3. The minimum heated floor area of each dwelling shall be 2,000 square feet.
4. Each dwelling shall have a minimum of a two-car garage.
5. Building lots shall not be located within any required stream buffers, accompanying impervious surface setback areas, floodplain, or conservation space.
6. The developer shall construct a full-access driveway with a deceleration lane on Kilcrease Road, subject to the review and approval of the Gwinnett Department of Transportation.
7. The developer shall construct a left-turn lane along Kilcrease Road into the site, subject to the review and approval of the Gwinnett Department of Transportation.
8. The developer shall construct a 5-foot-wide sidewalk along all external public road frontages.
9. Natural vegetation shall remain on the property until the issuance of a development permit.
10. All grassed areas within lots and usable open space shall be sodded.
11. 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.

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. Public Participation Plan and Report
- K. Maps

Exhibit A: Site Visit Photos



View of site interior from Kilcrease Road



View of site topography from Kilcrease Road



View of Kilcrease Road at proposed access point, subject on left



View of Kilcrease Road at proposed access point, subject on right



View of site topography from Whitley Road



View of stream bisecting the site from Whitley Road



View of Whitley Road at proposed access point, subject property on right



View of Whitley Road at proposed access point, subject property on left



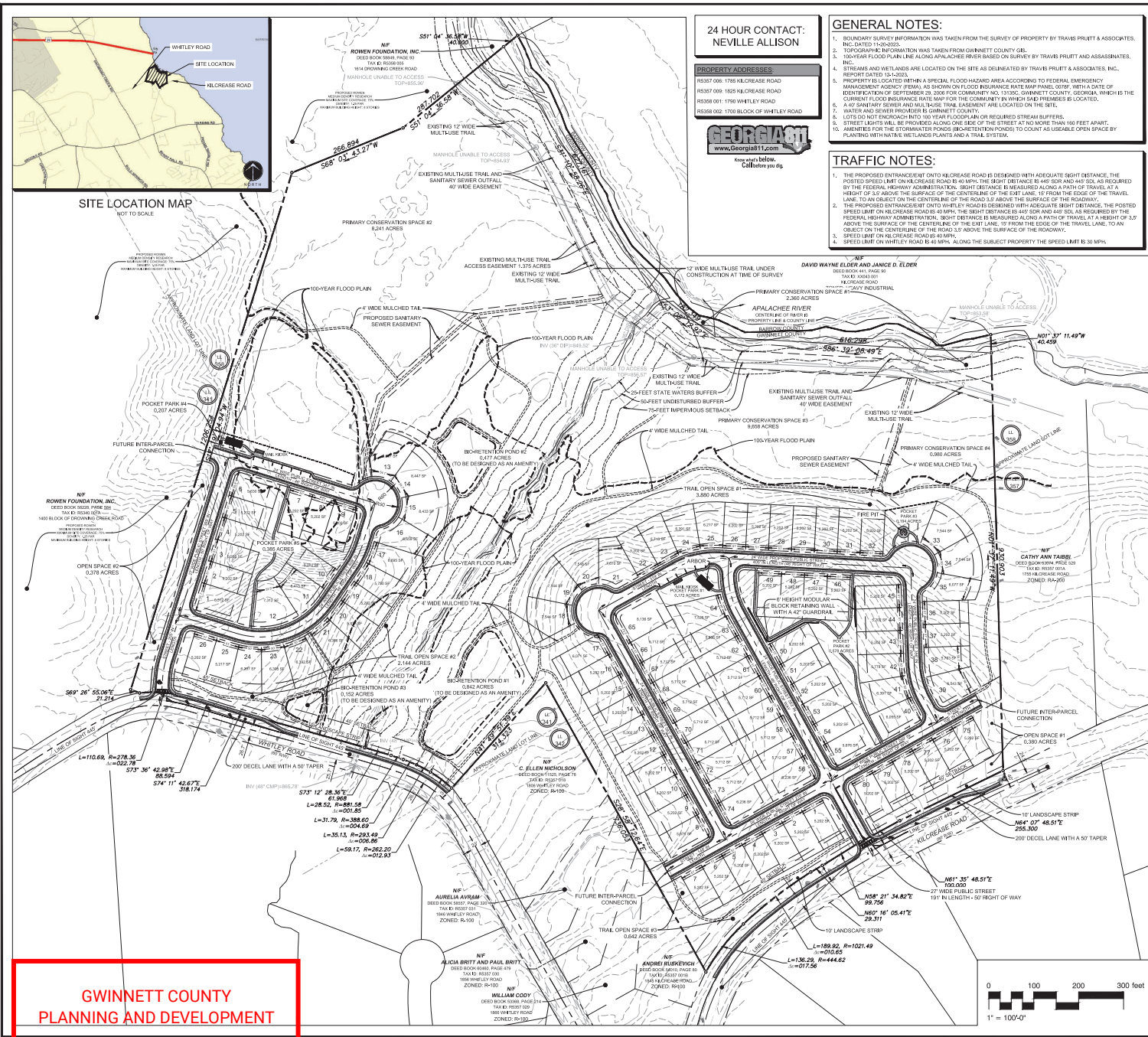
View of adjacent residences along Whitley Road, zoned R-100



View of residences in River Birch Landing, south of the subject property

Exhibit B: Site Plan

[attached]



24 HOUR CONTACT:
NEVILLE ALLISON

PROPERTY ADDRESSES:

RS537 006 1785 KILCREASE ROAD
 RS537 009 1850 KILCREASE ROAD
 RS208 011 1780 WHITLEY ROAD
 RS598 012 1702 BLOCK OF WHITLEY ROAD

www.Georgia911.com
 Call before you go

GENERAL NOTES:

1. BOUNDARY INFORMATION WAS TAKEN FROM THE SURVEY OF PROPERTY BY TRAVIS PRUITT & ASSOCIATES, INC. (DATED 11-2020).
2. TOPOGRAPHIC INFORMATION WAS TAKEN FROM GWINNETT COUNTY GIS.
3. 100-YEAR FLOOD PLAN LINE ALONG APALACHEE RIVER BASED ON SURVEY BY TRAVIS PRUITT AND ASSASSINATES.
4. STREAMS AND WETLANDS ARE LOCATED ON THE SITE AS DELINEATED BY TRAVIS PRUITT & ASSOCIATES, INC. REPORT DATED 04-2024.
5. PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AS SHOWN ON FLOOD INSURANCE RATE MAP PANEL 0306. WITH A DATE OF IDENTIFICATION OF SEPTEMBER 29, 2006 FOR COMMUNITY NO. 13130C, GWINNETT COUNTY, GEORGIA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS LOCATED.
6. A 4' X 2' SANITARY SEWER AND MULTISE TRAIL EASEMENT ARE LOCATED ON THE SITE.
7. WATER AND SEWER PROVISIONS BY GWINNETT COUNTY.
8. LOTS DO NOT ENOUGH INTO 100 YEAR FLOODPLAIN OR REQUIRED STREAM BUFFER.
9. STREET LIGHTS WILL BE PROVIDED ALONG ONE EDGE OF THE STREET AT NO MORE THAN 100 FEET APART.
10. AMENITIES FOR THE STORMWATER PONDS (BI-RETENTION PONDS) TO COUNT AS USABLE OPEN SPACE BY PLANTING WITH NATIVE WETLAND PLANTS AND A TRAIL SYSTEM.

TRAFFIC NOTES:

1. THE PROPOSED ENTRANCEMENT ONTO KILCREASE ROAD IS DESIGNED WITH ADEQUATE SIGHT DISTANCE. THE POSTED SPEED LIMIT ON KILCREASE ROAD IS 40 MPH. THE SIGHT DISTANCE IS 445' FOR 400 AND 447' FOR 400 AS REQUIRED BY THE FEDERAL HIGHWAY ADMINISTRATION. SIGHT DISTANCE IS MEASURED ALONG A PATH OF TRAVEL AT A HEIGHT OF 3.5' ABOVE THE SURFACE OF THE CENTERLINE OF THE EXIT LANE, 10' FROM THE EDGE OF THE TRAVEL LANE, TO AN OBJECT ON THE CENTERLINE OF THE ROAD 1/2 ABOVE THE SURFACE OF THE ROADWAY.
2. THE PROPOSED ENTRANCEMENT ONTO WHITLEY ROAD IS DESIGNED WITH ADEQUATE SIGHT DISTANCE. THE POSTED SPEED LIMIT ON KILCREASE ROAD IS 40 MPH. THE SIGHT DISTANCE IS 445' FOR 400 AND 447' AS REQUIRED BY THE FEDERAL HIGHWAY ADMINISTRATION. SIGHT DISTANCE IS MEASURED ALONG A PATH OF TRAVEL AT A HEIGHT OF 3.5' ABOVE THE SURFACE OF THE CENTERLINE OF THE EXIT LANE, 10' FROM THE EDGE OF THE TRAVEL LANE, TO AN OBJECT ON THE CENTERLINE OF THE ROAD 1/2 ABOVE THE SURFACE OF THE ROADWAY.
3. SPEED LIMIT ON KILCREASE ROAD IS 40 MPH.
4. SPEED LIMIT ON WHITLEY ROAD IS 40 MPH. ALONG THE SUBJECT PROPERTY THE SPEED LIMIT IS 30 MPH.

SITE DATA:

SITE AREA	51,811 ACRES
FLOOD HAZARD AREA	22,548 ACRES
SANITARY SEWER TRAIL EASEMENT AREA	1,375 ACRES WITHIN FLOODPLAIN AREA

ZONING:

EXISTING ZONING	R4200
PROPOSED ZONING	CS2
ZONING JURISDICTION	GWINNETT COUNTY
COVERLY DISTRICT	NONE

MINIMUM REQUIREMENTS:

MINIMUM PARCEL AREA	10 ACRES
MINIMUM LOT SIZE	5,000 SF
PROPOSED LOTS	108 LOTS
MAXIMUM DENSITY	2.5 UNITS PER ACRE
PROPOSED DENSITY	2.26 UNITS PER ACRE
MINIMUM LOT WIDTH	55 FEET
FRONTAGE LANDSCAPE SETBACK	30 FEET
FRONT SETBACK	10 FEET
SIDE SETBACK	5 FEET
REAR SETBACK	20 FEET
PROPOSED MH-WHELF FLOOR AREA	2,000 SF
MAXIMUM HEIGHT	35 FEET
MAXIMUM LOT COVERAGE	70%
MINIMUM OPEN SPACE	40% OR 20,724 ACRES
MINIMUM USABLE OPEN SPACE	50% OF MINIMUM OPEN SPACE OR 10,362 ACRES
PRIMARY CONSERVATION SPACE	21,239 ACRES
CONSERVATION AREA #1	2,300 ACRES
CONSERVATION AREA #2	8,241 ACRES
CONSERVATION AREA #3	9,928 ACRES
CONSERVATION AREA #4	10,630 ACRES (91.3% OF MINIMUM OPEN SPACE)
USABLE OPEN SPACE	
POCKET PARK #1	0.172 ACRES
POCKET PARK #2	0.219 ACRES
POCKET PARK #3	0.194 ACRES
POCKET PARK #4	0.207 ACRES
POCKET PARK #5	0.385 ACRES
TRAIL OPEN SPACE #1	3,081 ACRES
TRAIL OPEN SPACE #2	1,515 ACRES
TRAIL OPEN SPACE #3	0.842 ACRES
EXISTING MULTISE TRAIL EASEMENT	1,375 ACRES
BI-RETENTION POND #1	0.842 ACRES
BI-RETENTION POND #2	0.477 ACRES
BI-RETENTION POND #3	0.152 ACRES
OPEN SPACE #1	21,997 ACRES
CONSERVATION AREA #1	2,300 ACRES
CONSERVATION AREA #2	8,241 ACRES
CONSERVATION AREA #3	9,928 ACRES
CONSERVATION AREA #4	0.840 ACRES
OPEN SPACE #1	0.380 ACRES
OPEN SPACE #2	0.278 ACRES
TOTAL OPEN SPACE PROVIDED	65.4% OR 33,389 ACRES
MINIMUM PARKING REQUIRED PER LOT	2 PER DWELLING OR 212 SPACES
MAXIMUM PARKING REQUIRED PER LOT	4 PER DWELLING OR 424 SPACES
PROPOSED PARKING PER LOT	3.1 PER DWELLING UNIT OR 330 SPACES

SITE LOCATION MAP
NOT TO SCALE

**GWINNETT COUNTY
PLANNING AND DEVELOPMENT**

RECEIVED
RZR2024-00011
1.11.2024



THE REVIVE LAND GROUP
Part of Peachtree Group

SOURCE: ENTITLE: REVIVE

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

PROJECT:
SOMERSET AT APALACHEE

A MASTER PLANNED RESIDENTIAL DEVELOPMENT

229 KILCREASE ROAD
1556 WHITLEY ROAD
Dacula, Georgia, 30688

AND
1790 WHITLEY ROAD
Dacula, Georgia 30019

LAND LOT:
DISTRICT:
PARCEL NO.
COUNTY: GWINNETT COUNTY

SOURCE: ENTITLE: REVIVE

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

PROJECT NUMBER:
23016

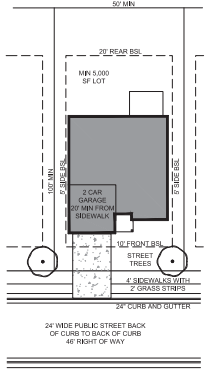


NORTH

JAN. 10, 2024

**REZONING
SITE PLAN**

Z-01



TYPICAL LOT LAYOUT

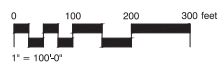
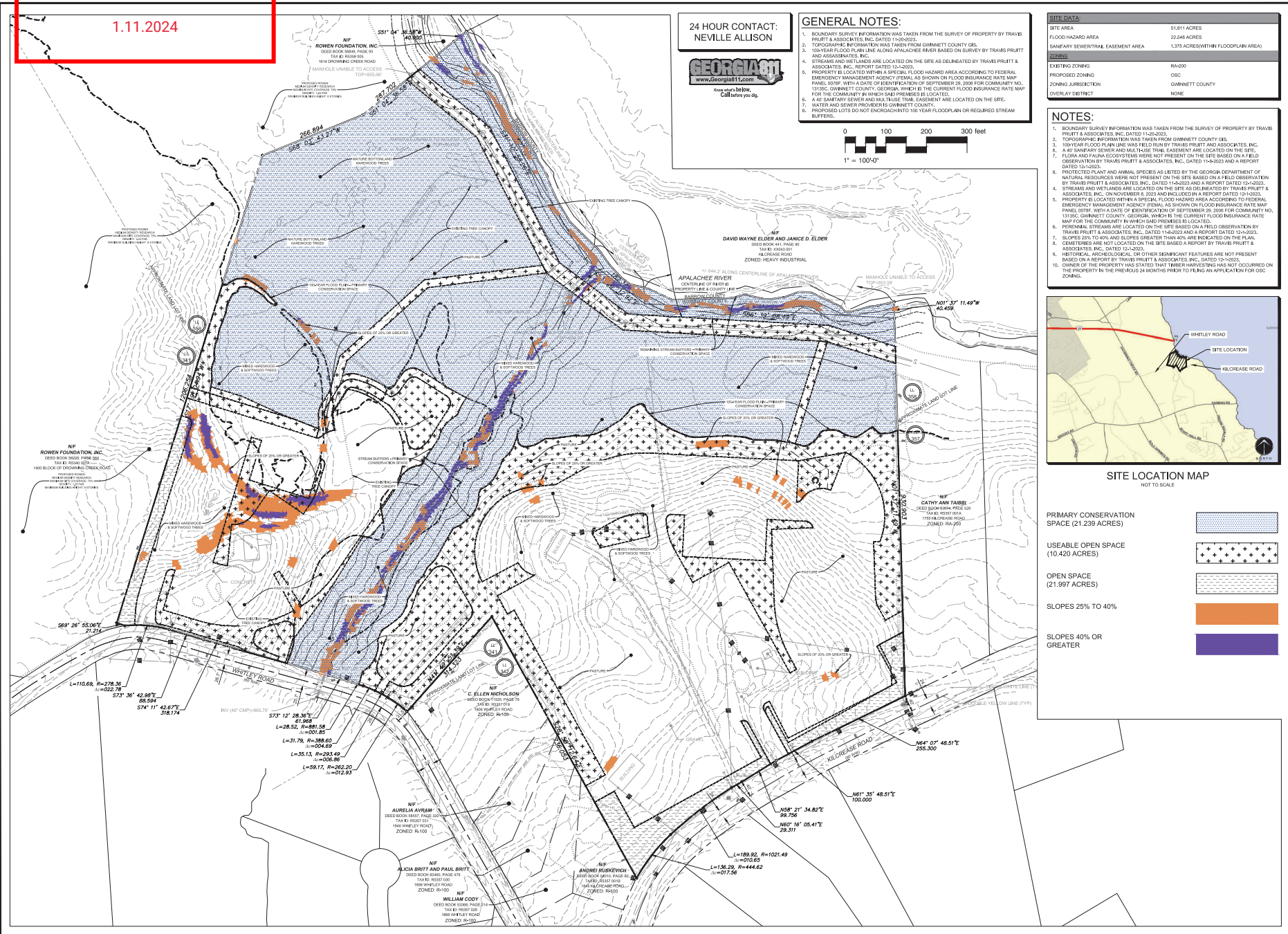


Exhibit C: Existing Features and Site Analysis Plan for OSC

[attached]

RECEIVED

1.11.2024

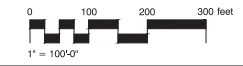


**24 HOUR CONTACT:
NEVILLE ALLISON**



GENERAL NOTES:

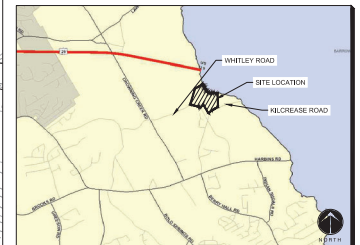
- BOUNDARY SURVEY INFORMATION WAS TAKEN FROM THE SURVEY OF PROPERTY BY TRAVIS PRUITT & ASSOCIATES, INC. DATED 1-10-2023.
- TOPOGRAPHIC INFORMATION WAS TAKEN FROM GWINNETT COUNTY GIS.
- 100-YEAR FLOOD PLAN LINE ALONG APALACHEE RIVER BASED ON SURVEY BY TRAVIS PRUITT & ASSOCIATES, INC.
- STREAMS AND WETLANDS ARE LOCATED ON THE SITE AS DELINEATED BY TRAVIS PRUITT & ASSOCIATES, INC. REPORT DATED 12-1-2022.
- PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AS SHOWN ON FLOOD INSURANCE RATE MAP PANEL 9071F WITH A DATE OF IDENTIFICATION OF SEPTEMBER 20, 2009 FOR COMMUNITY NO. 13133C, GWINNETT COUNTY, GEORGIA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS LOCATED.
- A 40' SANITARY SEWER AND MAINTENANCE TRAIL EASEMENT ARE LOCATED ON THE SITE.
- WATER AND SEWER PROVIDERS: GWINNETT COUNTY.
- PROPOSED LOTS DO NOT ENDOGRAPHS 100 YEAR FLOODPLAIN OR REQUIRED STREAM BUFFERS.



SITE DATA:	
SITE AREA	51,811 ACRES
FLOOD HAZARD AREA	22,546 ACRES
SANITARY SEWER/TRAIL EASEMENT AREA	1,374 ACRES (WITHIN FLOODPLAIN AREA)
ZONING	
EXISTING ZONING	R-2000
PROPOSED ZONING	OSG
ZONING JURISDICTION	GWINNETT COUNTY
OVERLAY DISTRICT	NONE

NOTES:

- BOUNDARY SURVEY INFORMATION WAS TAKEN FROM THE SURVEY OF PROPERTY BY TRAVIS PRUITT & ASSOCIATES, INC. DATED 1-10-2023.
- TOPOGRAPHIC INFORMATION WAS TAKEN FROM GWINNETT COUNTY GIS.
- 100-YEAR FLOOD PLAN LINE WAS FIELD RUN BY TRAVIS PRUITT & ASSOCIATES, INC.
- A 40' SANITARY SEWER AND MAINTENANCE TRAIL EASEMENT ARE LOCATED ON THE SITE.
- FLOTA AND PALMA ECOSYSTEMS WERE NOT PRESENT ON THE SITE BASED ON A FIELD OBSERVATION BY TRAVIS PRUITT & ASSOCIATES, INC. DATED 11-8-2023 AND A REPORT DATED 12-1-2023.
- PROTECTED PLANT AND ANIMAL SPECIES AS LISTED BY THE GEORGIA DEPARTMENT OF NATURAL RESOURCES WERE NOT PRESENT ON THE SITE BASED ON A FIELD OBSERVATION BY TRAVIS PRUITT & ASSOCIATES, INC. DATED 11-8-2023 AND A REPORT DATED 12-1-2023.
- STREAMS AND WETLANDS ARE LOCATED ON THE SITE AS DELINEATED BY TRAVIS PRUITT & ASSOCIATES, INC. ON NOVEMBER 8, 2023 AND INCLUDED IN A REPORT DATED 12-1-2023.
- PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AS SHOWN ON FLOOD INSURANCE RATE MAP PANEL 9071F WITH A DATE OF IDENTIFICATION OF SEPTEMBER 20, 2009 FOR COMMUNITY NO. 13133C, GWINNETT COUNTY, GEORGIA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS LOCATED.
- PERENNIAL STREAMS ARE LOCATED ON THE SITE BASED ON A FIELD OBSERVATION BY TRAVIS PRUITT & ASSOCIATES, INC. DATED 11-8-2023 AND A REPORT DATED 12-1-2023.
- SLOPES 25% TO 40% AND SLOPES GREATER THAN 40% ARE INDICATED ON THE PLAN. CEMETERIES ARE NOT LOCATED ON THE SITE BASED ON A REPORT BY TRAVIS PRUITT & ASSOCIATES, INC. DATED 12-1-2023.
- HISTORICAL AND GEOLOGICAL OR OTHER SIGNIFICANT FEATURES ARE NOT PRESENT BASED ON A REPORT BY TRAVIS PRUITT & ASSOCIATES, INC. DATED 12-1-2023.
- OWNER OF THE PROPERTY HAS STATED THAT THERE IS NO APPLICATION HAS NOT OCCURRED ON THE PROPERTY IN THE PREVIOUS 24 MONTHS PRIOR TO FILING AN APPLICATION FOR OSC ZONING.



SITE LOCATION MAP
NOT TO SCALE

PRIMARY CONSERVATION SPACE (21,239 ACRES)	HATCH	DATE
USEABLE OPEN SPACE (10,420 ACRES)	[Hatched pattern]	
OPEN SPACE (21,997 ACRES)	[Hatched pattern]	
SLOPES 25% TO 40%	[Orange color]	
SLOPES 40% OR GREATER	[Purple color]	



THE REVIVE LAND GROUP
Part of Peachtree Group

SOURCE: ENTITLE: REVIVE.

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

PROJECT:
SOMERSET AT APALACHEE

A MASTER PLANNED
RESIDENTIAL DEVELOPMENT

229 KILCREASE ROAD
1596 WHITLEY ROAD
Dacula, Georgia, 30080

AND

1790 WHITLEY ROAD
Dacula, Georgia 30019

LAND LOT:
DISTRICT:
PARCEL NO.
COUNTY: GWINNETT COUNTY



THE REVIVE LAND GROUP
Part of Peachtree Group

SOURCE: ENTITLE: REVIVE.

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

REVISION:

NO.	REVISION	DATE

PROJECT NUMBER:
23016



SEAL IS ONLY VALID IF COUNTEE SIGNED AND DATED AFTER AN OTHER SEAL OFFICER.



DATE:
JAN. 10, 2024

TITLE:
EXISTING FEATURES ANALYSIS PLAN

SHEET:
Z-02

Exhibit D: Building Elevations

[attached]

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RZR-2024-00011

12.28.2023



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RZR2024-00011

12.16.2023



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1RZR2024-00011



Home will be constructed in accordance with Architectural Design Standards Category 2



Home will be constructed in accordance with Architectural Design Standards Category 2

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12.28.2023 RZR2024-0001



Home will be constructed in accordance with Architectural Design Standards Category 2



Home will be constructed in accordance with Architectural Design Standards Category 2

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12.28.2023 RZR2024-0001

Hartwell Exterior Options



Home Exterior 21



Home Exterior 22



Home Exterior 23

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RZR2024-00011
12.28.2023

*Artist Renderings. Actual product, materials, colors and finishes may vary.

Hampton Exterior Options



Home Exterior 21



Home Exterior 22



Home Exterior 23

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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RZR2024-00011
12.28.2023

*Artist Renderings. Actual product, materials, colors and finishes may vary.

Mitchell Exterior Options



Home Exterior 21



Home Exterior 22



Home Exterior 23

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RZR2024-00011
12.28.2023

*Artist Renderings. Actual product, materials, colors and finishes may vary.

Pennington Exterior Options



Home Exterior 21



Home Exterior 22



Home Exterior 23

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RZR2024-00011
12.28.2023

*Artist Renderings. Actual product, materials, colors and finishes may vary.

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

[attached]

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January 11, 2024

REVISED LETTER OF INTENT FOR REZONING

**Rezoning Application
Gwinnett County, Georgia**

Applicant:

The Revive Land Group, LLC

Property/Tax Parcel IDs:

R5357 006 R5358 001
R5357 009 R5358 002

+/- 51.81 Acres of Land
Located at 1785 and 1825 Kilcrease Road
and
1790 Whitley Road and the 1700 Block of Whitley Road
From RA-200 to OSC

Submitted for Applicant by:

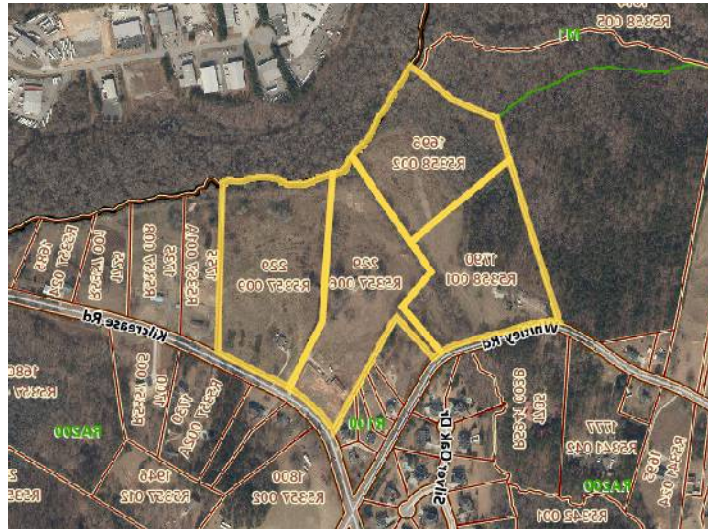
Melody A. Glouton, Esq.
ANDERSEN TATE & CARR, P.C.
One Sugarloaf Centre
1960 Satellite Blvd.
Suite 4000
Duluth, Georgia 30097
770.822.0900
mglouton@atclawfirm.com

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I. INTRODUCTION

This Application for Rezoning is submitted for a 51.81-acre assemblage of land located at the intersection of Kilcrease Road and Whitley Road (hereinafter the “Property”). The Property is an assemblage of four (4) tax parcels, with frontage along both Kilcrease and Whitley Roads. The Property is shown on the survey prepared by Travis Pruitt & Associates, Inc., dated November 20, 2023, and filed with this Application. The Property that is the subject of this Rezoning Application is further identified below from the Gwinnett County Tax Assessor’s Map:



The Property is currently zoned RA-200 (Agriculture-Residence District) pursuant to the Gwinnett County Unified Development Ordinance (the “UDO”). The Applicant, The Revive Land Group, LLC (the “Applicant”) now seeks approval to rezone the Property to OSC (Open Space Conservation District)¹ to develop a distinctive and attractive single-family detached subdivision with 106 lots. As such, the proposed development has been strategically designed to preserve and protect the natural and environmental resources on the Property while providing a safe, walkable community that includes value-added amenities such as open space, pocket parks, and walking trails.

This document is submitted as the Letter of Intent, Response to Standard Governing the Exercise of Zoning Power, and other materials required by the Gwinnett County UDO.

II. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

The Property consists of four (4) tax parcels and contains 51.81-acres. While there are both single-family homes and several accessory structures on the Property, the majority of the site is undeveloped. The Property is currently located within a semi-rural area that has a mix of undeveloped land and single-family residences on large lots. However, the

¹ The Applicant is requesting the rezoning application be reviewed pursuant to the 2024 Unified Development Ordinance as approved by the Gwinnett County Board of Commissioners on September 26, 2023, and becoming effective January 1, 2024.

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Property also shares a portion of the southern boundary with The Rowen Foundation, Inc. (“Rowen”), which is the 2,000 acres designated as Georgia’s \$16.9 Billion hub for environmental, agricultural, and medical innovation, including as many as 100,000 jobs. As shown on the survey, the site is bisected by a creek and separated from the Barrow County line by the Apalachee River. The following is a summary of the surrounding uses and zoning classifications:



The Future Development Map of the Gwinnett County 2040 Unified Plan (the “2040 Plan”) classifies this Property as within the “Community Node” Character Area. This area provides that future development and redevelopment should focus on making these nodes more pedestrian-oriented with vertically mixed-use buildings. This area is characterized by high-density mixed-use developments incorporating commercial, office, live-work, and similar ground floor uses with high-density residential uses. As referenced in the 2040 Plan, high-density mixed-use developments are anticipated to have 14-34 units per acre. As previously indicated, the Property is adjacent to the future development of Rowen and the area surrounding the Property is anticipated as Medium Density Research/Office, which anticipates 6-13 units per acre. As such, a single-family detached residential subdivision with 106 lots would be appropriate for this area. More importantly, the development would help achieve the housing goals of Gwinnett County and provide additional housing supply.²

III. PROJECT SUMMARY

As shown on the revised site plan dated January 10, 2024, and filed with this Application (the “Site Plan”), the Applicant proposes to develop the Property into a distinctive

² Pursuant to the Gwinnett County Comprehensive Housing Study, housing supply in Gwinnett County has dropped from approximately 8,000 housing units per year to 3,560 units per year. Based on the forecast model, Gwinnett County can expect to see annual demand for approximately 15,000 new housing units per year, on average, over the next 20 years.

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and attractive residential community. The Applicant is proposing to rezone 51.81 acres from RA-200 to OSC to accommodate the development of a single-family detached community with 106 units for a gross density of 2.0 units per acre. As indicated above, the site is surrounded by single-family residential properties and the proposed density and nature of this development is compatible with the future development map. The proposed development would provide attractive residences with a minimum of 2,000 square feet, which is comparable to the size of the surrounding residences. While market conditions can fluctuate, the Applicant anticipates the price range of the homes to range from \$450,000 to \$590,000. The architectural style of the homes would be constructed with front facades of brick or stacked stone and the balance of the homes being the same materials or fiber-cement siding or shake. For reference, the Applicant has included sample elevations with this Application.

Due to the topography of the site and existing stream buffers, the proposed development will have two separate entrances on Kilcrease and Whitley Roads, both maintained by the Homeowners Association. In keeping with the goal to preserve the natural resources of the Property, the development would include several features and amenities such as four-foot-wide mulched trails around the perimeter of the community, five (5) pocket parks, and fire pit area. The development will also receive the benefit of the Eastern Regional Infrastructure (“ERI”) Project, which includes new and upsized water mains, new gravity sewer, a regional sewer pump station, and five miles of new public greenway trails and trailheads. As shown on the Site Plan, the subdivision will include future connectivity to adjacent parcels which will further support the future development of the area. Finally, the development has been carefully designed to include planned open space around the entire perimeter of the site to provide significant buffering from the adjacent properties. In total, the development would provide for 62.6% or 32.43 acres of open space, which is 22% more than what the UDO requires.

For the development of the Property, the Applicant is requesting the following variances:

- (1) A variance from Section 212-60.1.A.3 from the requirement that steep slopes greater than 40% may not be disturbed. The Applicant is requesting relief on a total of 4,827 SF (0.111 acres) of existing slopes. This amounts to only thirteen (13) small identifiable locations out of the total 51 acre site. The specific areas range from as small as 12 SF to as large as 1,258 SF per location. However, none of these locations constitute the complete slope of the area, and are instead small declines within larger slope areas where the overall hill does not exceed 40%.
- (2) A variance from Section 212-60.1.A.1. from the requirement that area within the 100-year floodplain may not be disturbed. Pursuant to the UDO, the code allows for adjustment to the flood plain through the permitting process, which the Applicant will adhere to. The Applicant submits that based on the UDO, a variance may not be necessary. However, if Gwinnett County determines otherwise the Applicant is requesting relief in order to complete the flood plain adjustment process as outlined in Section 700 of the UDO. The Applicant will not be disturbing or building on any land within the new proposed and approved flood plain area.

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The requested variances are necessary to afford the Applicant relief so that the Property may be redeveloped in accordance with the intent of the site plan. Due to the topography of the Property, strict adherence to the requirements of the UDO is not possible in this matter. Further, granting the variances would not adversely affect the existing use or usability of adjacent property.

IV. SITE IMPACT ANALYSIS

Pursuant to UDO § 270-20.6, entitled “Impact Analysis,” the Applicant submits its written impact analysis which shows that rezoning to OSC, satisfies UDO § 270-20.5, entitled “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:

Yes, approval of the proposed Rezoning Application will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The Property has frontage along both Kilcrease and Whitley Roads with convenient access to State Route 316. The proposed residential development is compatible with the future development map and the anticipated Rowen development. The development will provide additional housing supply and further diversify housing options in the surrounding area.

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

No, the proposed Rezoning Application will not adversely affect the existing use or usability of any of the nearby properties. Rather the proposed development would complement existing residential uses.

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

The Applicant submits that due to the size, location, layout, topography, and natural features of the Subject Property, it does not have reasonable economic use as currently zoned. By way of further response, the Applicant submits the rezoning of the Property would redevelop the site into a more viable and compatible use with surrounding properties, as well as provide additional housing supply.

(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:

No, the proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems. The Property has convenient access to Kilcrease and Whitley Roads, as well as State Route 316. The proposed development would complement the

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nearby uses and coexist peacefully with The Rowen Foundation site. However, any potential impacts on public facilities such as traffic, utility demand, stormwater, and schools can be mitigated with appropriate zoning conditions and site development requirements.

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

The proposed rezoning application is in conformity with the policy and intent of the Gwinnett County 2040 Unified Plan. The subject property is located within the Community Node Character Area of the 2040 Future Development Map. Encouraged land uses for this Character Area include low-density residential at 3 to 7 units per acre.

(F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER THE APPROVAL OR DISAPPROVAL OF THE ZONING PROPOSAL:

The Applicant submits that the character of the surrounding properties and quality of the proposed homes provide supporting reasons for approval of the rezoning application. Anticipated growth in Gwinnett County, as well as the shortage in available housing, suggests a strong need for additional single-family housing.

V. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Application to Rezone the Property from RA-200 to OSC be approved. The Applicant welcomes the opportunity to meet with the Gwinnett County Planning Department staff to answer any questions or to address any concerns relating to this Letter of Intent or supporting materials.

Respectfully submitted this 11th day of January, 2024.

ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.

4861-3588-9563, v. 1

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: <u>The Revive Land Group c/o Andersen Tate & Carr</u>	NAME: <u>see attached</u>
ADDRESS: <u>1960 Satellite Blvd S-4000</u>	ADDRESS: _____
CITY: <u>Duluth</u>	CITY: _____
STATE: <u>GA</u> ZIP: <u>30097</u>	STATE: _____ ZIP: _____
PHONE: <u>770-822-0900</u>	PHONE: <u>678-223-8978</u>
EMAIL: <u>mglouton@atclawfirm.com</u>	EMAIL: <u>nallison@therevivelandgroup.com</u>

CONTACT PERSON: Melody A. Glouton PHONE: 770-822-0900

CONTACT'S E-MAIL: mglouton@atclawfirm.com

APPLICANT IS THE:

OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): RA200 REQUESTED ZONING DISTRICT: OSC

PARCEL NUMBER(S): R5357 006, R5357 009, R5358 002, R5358 001 ACREAGE: 51.811

ADDRESS OF PROPERTY: 1785 and 1825 Kilcrease Road, 1790 Whitley Road, and the 1700 Block of Whitley Road

PROPOSED DEVELOPMENT: single-family detached subdivision

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>106</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>Minimum 2,000 SF</u>	Total Building Sq. Ft. _____
Gross Density: <u>2.0 upa</u>	Density: _____
Net Density: <u>n/a per UDO</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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Property Owners

<u>Parcel</u>	<u>Address</u>	<u>Owner</u>
R5357 006	1785 Kilcrease Road Bethlehem, GA	Melvin Randall McPherson 718 Patrick Mill Road Winder, GA 30620
R5357 009	1825 Kilcrease Road Bethlehem, GA	Melvin Randall McPherson 718 Patrick Mill Road Winder, GA 30620
R5385 001	1790 Whitley Road Dacula, GA 30019	Ginny Cash 1790 Whitley Road Dacula, GA 30019
R5358 002	1700 Block of Whitley Road Dacula, GA 30019	Melvin Randall McPherson 718 Patrick Mill Road Winder, GA 30680

4865-5967-1960, v. 1

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12.28.2024

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.



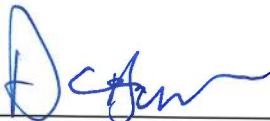
Signature of Applicant

12/27/2023

Date

Melody A. Glouton, Attorney for Applicant

Type or Print Name and Title



Signature of Notary Public

12/27/2023

Date



Notary Seal

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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.

Melvin Randall McPherson
Signature of Property Owner

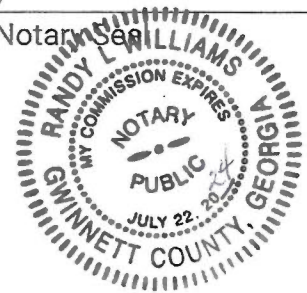
12/6/23
Date

MELVIN RANDALL MCPHERSON
Type or Print Name and Title

Randy Williams
Signature of Notary Public

12/6/2023
Date

Notary Seal



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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.

Sammy Cash
Signature of Property Owner

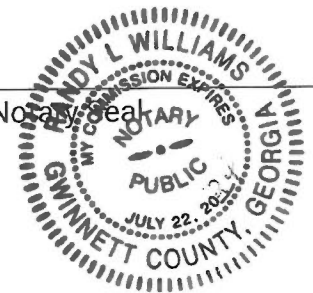
12/6/2023
Date

Gunny Cash
Type or Print Name and Title

Randy Williams
Signature of Notary Public

12/6/2023
Date

Notary Seal



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CONFLICT OF INTEREST CERTIFICATION FOR REZONING

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

_____ SIGNATURE OF APPLICANT	_____ DATE	_____ TYPE OR PRINT NAME AND TITLE
<i>Melody A. Glouton</i>	12/27/23	Melody A. Glouton, Attorney for Applicant
_____ SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE	_____ DATE	_____ TYPE OR PRINT NAME AND TITLE
<i>[Signature]</i>	12/27/23	
_____ SIGNATURE OF NOTARY PUBLIC	_____ DATE	



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

YES NO The Revive Land Group
YOUR NAME

If the answer is yes, please complete the following section:

NAME AND OFFICAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)

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

RECEIVED

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CONFLICT OF INTEREST CERTIFICATION FOR REZONING

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

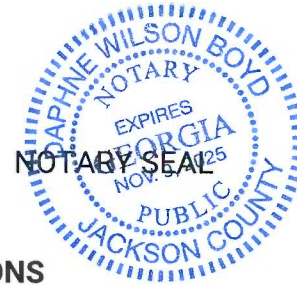
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

Melody A. Glouton 12/27/23 Melody A. Glouton, Attorney for Applicant

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

D. Carr 12/28/23

SIGNATURE OF NOTARY PUBLIC DATE



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

YES NO Andersen Tate & Carr

YOUR NAME

If the answer is yes, please complete the following section: See attached

NAME AND OFFICAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)

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

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Name and Official Position of Government Official	Contributions (list all which aggregate to \$250 or more)	Date Contribution Was Made (within last two years)
Nicole Love Hendrickson and/or Love4Gwinnett	\$1,500.00 \$1,000.00 \$800.00	03/03/2023 06/07/2023 10/05/2023
Kirkland Carden and/or Kirkland 4 Gwinnett, LLC	\$500.00 \$2,000.00	05/05/2022 07/17/2023
Ben Ku and/or Ku For You	\$1,000.00 \$1,500.00	03/25/2022 10/06/2022
Matthew Holtkamp and/or Matthew For Gwinnett	\$2,500.00	9/15/2023

4864-7245-2500, v. 1

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12.28.2024

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

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

PARCEL I.D. NUMBER: 5 - 357 - 006
(Map Reference Number) District Land Lot Parcel

Melody A. Glouton
Signature of Applicant

12/27/23
Date

Melody A. Glouton, Attorney for Applicant

Type or Print Name and Title

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

TAX COMMISSIONERS USE ONLY

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

Kathy Lyles
NAME

TSA
TITLE

12/27/23
DATE

Exhibit G: DWR Sewer Capacity Certification Letter

[attached]



December 1, 2023

Neville Allison
The Revive Land Group
3500 Lenox Rd. Suite 625
Atlanta, GA 30326

<input type="checkbox"/>	APPROVED
<input type="checkbox"/>	DENIED
<input checked="" type="checkbox"/>	CONDITIONALLY APPROVED
Sewer Capacity Request #C2023-279-12	
Expiration Date: 12/01/2024	
Tie-In Manhole FID: 4081000 (Under Construction)	

RE: Sewer Availability for Proposed Development – Somerset at Rowen
Parcel ID 5357 006, 5357 009, 5358 001, 5358 002

Dear Neville Allison:

Gwinnett County Department of Water Resources (GCDWR) has reviewed the impact of the proposed development consisting of 114 single-family homes and a 50-swimmer pool on the above parcels and determined:

Gwinnett County can provide sewer service for the proposed development only upon completion of the following conditions:

- Coordination with GCDWR on the timing of sewer connection and verification of tie-in locations after completion of the sewer infrastructure of Gwinnett County’s Eastern Regional Infrastructure project

This confirmation is based on your anticipated annual average daily flow of 20 gpm discharging to the sewer tie-in manhole at Facility ID 4081000, currently under construction.

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



Gwinnett

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GWINNETT COUNTY
DEPARTMENT OF WATER RESOURCES

684 Winder Highway | Lawrenceville, GA 30045-5012

678.376.6700

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

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

Sincerely,

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES

Tai Yi Su, PE
Division Director, Infrastructure Support
678.376.2104

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

Exhibit H: Traffic Impact Study

[attached]

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**TRAFFIC IMPACT STUDY
FOR
PROPOSED RESIDENTIAL DEVELOPMENT
ON KILCREASE ROAD AND WHITLEY ROAD
GWINNETT COUNTY, GEORGIA**



Prepared for:

***The Revive Land Group
3500 Lenox Road, Suite 625
Atlanta, GA 30326***

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

December 1, 2023
A & R Project # 23-204

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6.0 PROPOSED DEVELOPMENT

The proposed residential development will be located on Kilcrease Road and Whitley Road in Gwinnett County and will consist of 114 detached single-family houses.



The development proposes one full access driveway on Kilcrease Road and another full access driveway on Whitley Road.

A site plan is shown in Figure 4.

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6.1 Trip Generation

Trip generation estimates for the project were based on the rates and equations published in the 11th edition of the Institute of Transportation Engineers (ITE) Trip Generation report. This reference contains traffic volume count data collected at similar facilities nationwide. The trip generation was based on the ITE land use category 210 - *Single-Family Detached Housing*. The calculated total trip generation for the proposed development is shown in Table 4.

TABLE 4 – TRIP GENERATION								
Land Use	Size	AM Peak Hour			PM Peak Hour			24 Hour
		Enter	Exit	Total	Enter	Exit	Total	Two-Way
ITE 210 – Single-Family Detached Housing	114 Units	21	63	84	71	41	112	1,138

6.2 Trip Distribution

The trip distribution describes how traffic arrives and departs from the site. An overall trip distribution was developed for the site based on a review of the existing travel patterns in the area and the locations of major roadways and highways that will serve the development. The site-generated peak hour traffic volumes, shown in Table 4, were assigned to the study area intersections based on this distribution. The outer-leg distribution and AM and PM peak hour new traffic generated by the site is shown in Figure 5.

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8.0 CONCLUSIONS AND RECOMMENDATIONS

Traffic impacts were evaluated for the proposed residential development that will be located on Kilcrease Road and Whitley Road in Gwinnett County, Georgia. The proposed residential development will consist of 114 detached single-family houses.

The development proposes one full access driveway on Kilcrease Road and another full access driveway on Whitley Road.

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

- SR 316/US 29 (University Parkway) at Kilcrease Road
- Kilcrease Road at Barrow Industrial Parkway
- Kilcrease Road at Whitley Road
- Whitley Road at Drowning Creek Road
- Kilcrease Road at Site Driveway 1
- Whitley Road at Site Driveway 2

The results of the existing traffic operations analysis indicate that the signalized study intersection of University Parkway at Kilcrease Road is operating at an overall level of service “C” in both the AM and PM peak hours, while the stop-controlled approaches at the unsignalized study intersections are operating at a level of service “B” or better with peak hour traffic.

A right turn lane will be warranted at site driveway 1 per GDOT standards. Although a right turn lane is not warranted at site driveway 2, a right turn lane is still recommended here to provide safer turning movements for entering westbound site traffic. Left turn lanes will not be warranted at either site driveway per Gwinnett County Left Turn Lane Guidelines. Based on the projected site-generated traffic volumes and distribution, the proposed development will have minimal impact on traffic operations in the study network.

8.1 Recommendations for Site Access Configuration

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

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

Exhibit I: Internal and External Agency Review Comments

[attached]



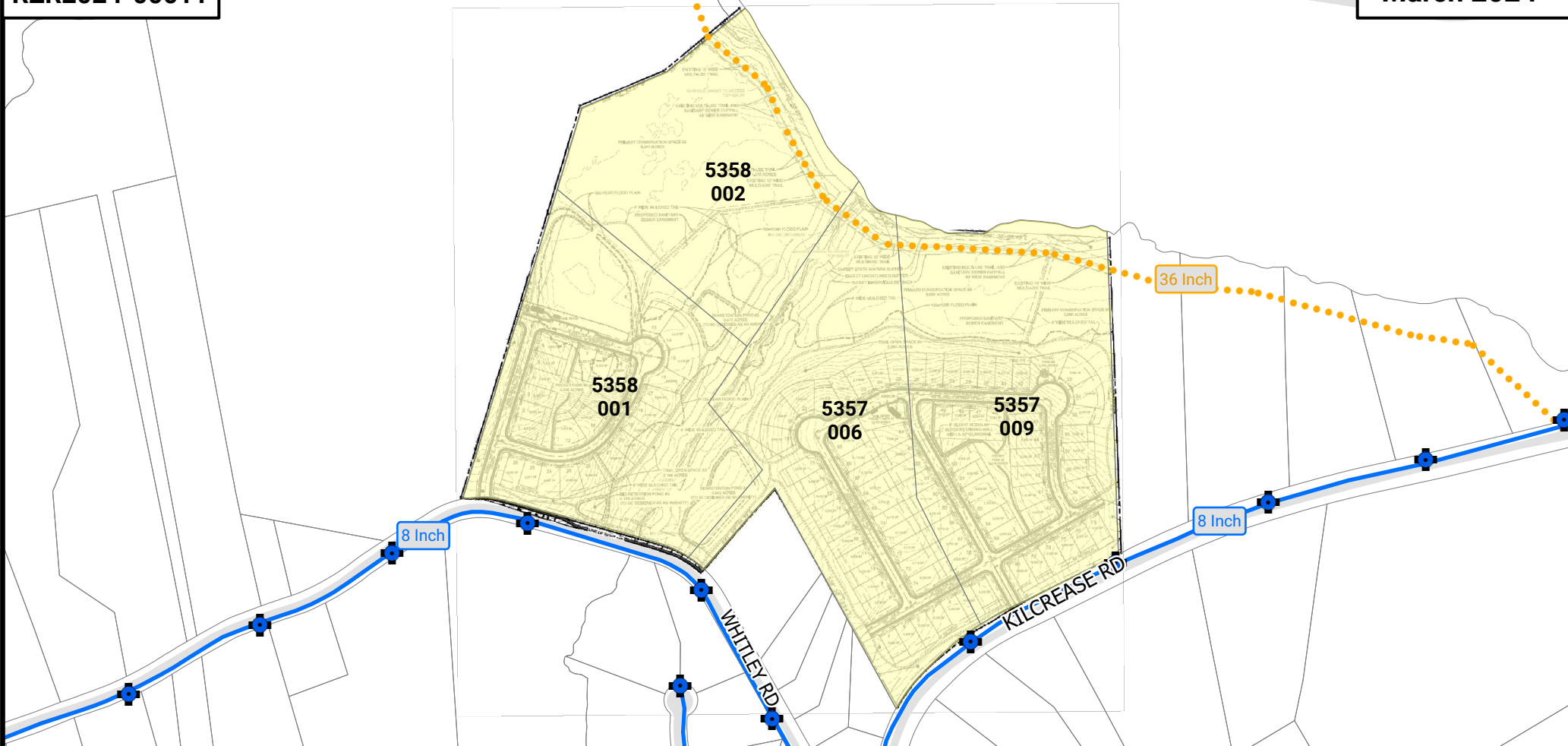
**Department of Planning and Development
TECHNICAL REVIEW COMMITTEE**

TRC Meeting Date:		02.01.2024	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		Brent.Hodges@gwinnettcounty.com	
Case Number:		RZR2024-00011	
Case Address:		1785 and 1825 Kilcrease Road, 1790 Whitley Road, Dacula, 30019	
Comments:		<input checked="" type="checkbox"/> X	<input type="checkbox"/> YES
		<input type="checkbox"/>	<input type="checkbox"/> NO
1	Kilcrease Road and Whitley Road are each local roads. The ADT for Kilcrease Road is 1,168. There is no ADT on file for Whitley Road.		
2	10.6 miles to the nearest transit facility (#2454819) located at Collins Hill Road and Collins Industrial Way.		
3	Per Section 360-90 of the UDO, the developer shall construct a 5' concrete sidewalk along the entire site frontage.		
4	Traffic Calming shall be provided along the internal streets.		
5	A right-turn deceleration lane shall be provided at each proposed site entrance.		
6			
7			
Recommended Zoning Conditions:		<input checked="" type="checkbox"/> X	<input type="checkbox"/> YES
		<input type="checkbox"/>	<input type="checkbox"/> NO
1	The developer shall construct a left-turn lane along Kilcrease Road into the site.		
2			
3			
4			
5			
6			
7			






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

TRC Meeting Date:				
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		Michael.pappas@gwinnettcounty.com		
Case Number:		RZR2024-00011		
Case Address:		1785 and 1825 Kilcrease Road, 1790 Whitley Road, and 1700 Block of Whitley Road		
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Water: The eastern portion of the proposed development may connect to an existing 8-inch water main on the northern right-of-way of Kilcrease Road. The western portion of the proposed development may connect to an existing 8-inch water main on the southern right-of-way of Whitley Road.			
2	Sewer: A Sewer Capacity Certification (C2023-279-12) has been conditionally approved for 114 single family homes, pending the completion of Gwinnett County's Eastern Regional Infrastructure project. The proposed development plans to connect to the newly constructed 36-inch gravity sewer on the subject site.			
3				
4				
5				
6				
7				
Recommended Zoning Conditions:		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1				
2				
3				
4				
5				
6				
7				



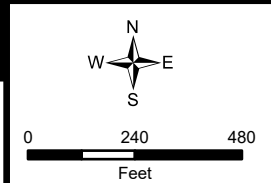
LEGEND

-  Water Main
-  Hydrant
-  Proposed Sewer Interceptor

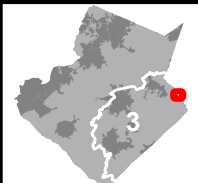
1700 Block of Whitley Rd

RA-200 to OSC

Water & Sewer Utility Map



LOCATION



Water Comments: The eastern portion of the proposed development may connect to an existing 8-inch water main on the northern right-of-way of Kilcrease Road. The western portion of the proposed development may connect to an existing 8-inch water main on the southern right-of-way of Whitley Road.

Sewer Comments: A Sewer Capacity Certification (C2023-279-12) has been conditionally approved for 114 single family homes, pending the completion of Gwinnett County's Eastern Regional Infrastructure project. The proposed development plans to connect to the newly constructed 36-inch gravity sewer on the subject site.

Water Availability: Water demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development. Current Gwinnett County Standards require a minimum of 12" pipe size for commercial developments and a minimum of 8" pipe size for residential developments. Additionally, connection to a minimum of 12" and 8" mains are required for commercial and residential developments, respectively. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

Sewer Availability: A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Water and Sewer Design and Construction Requirements: Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

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

Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County BOC, March, 2024

											Proposed Zoning
	School	2023-24			2024-25			2025-26			Approximate Student Projections from Proposed Developments
		Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	
RZM2024-00004	Peachtree Ridge HS	3,319	3,050	269	3,263	3,050	213	3,246	3,050	196	17
	Hull MS	1,320	1,750	-430	1,353	1,750	-397	1,399	1,750	-351	12
	Burnette ES	729	825	-96	736	825	-89	743	825	-82	22
RZR2024-00008	Mill Creek HS	2,685	2,800	-115	2,644	2,800	-156	2,697	2,800	-103	1
	Osborne MS	1,737	1,575	162	1,770	1,575	195	1,833	1,575	258	0
	Fort Daniel ES	715	925	-210	729	925	-196	740	925	-185	1
RZR2024-00010	Mill Creek HS	2,685	2,800	-115	2,644	2,800	-156	2,697	2,800	-103	53
	Osborne MS	1,737	1,575	162	1,770	1,575	195	1,833	1,575	258	40
	Duncan Creek ES	1,468	1,300	168	1,500	1,300	200	1,556	1,300	256	73
RZR2024-00011	Archer HS	3,202	2,575	627	3,250	2,575	675	3,283	2,575	708	33
	McConnell MS	2,111	1,775	336	2,153	1,775	378	2,196	1,775	421	26
	Harbins ES	1,443	1,225	218	1,486	1,225	261	1,531	1,225	306	47
RZM2024-00005	Mountain View HS	2,280	2,300	-20	2,303	2,300	3	2,326	2,300	26	9
	Twin Rivers MS	1,683	2,150	-467	1,733	2,150	-417	1,768	2,150	-382	6
	Freeman's Mill ES	1,074	925	149	1,095	925	170	1,112	925	187	12

Exhibit J: Public Participation Plan and Report

[attached]

Public Participation Plan

1. Who do you intend to contact in addition to property owners within 1,000 feet of the site, if any?

The Applicant will notify all property owners within 1,000 feet of the site as well as the District 3 Planning

Commissioners.

2. Where do you plan to host the Public Participation Meeting? Ensure that the meeting is held in person at a convenient location for interested parties.

The Applicant is currently researching potential locations close to the site such as a local school, public park, or

Church that will allow the Applicant to host a meeting. The Applicant has contacted Ebenezer Baptist Church,

located at 2570 Harbins Road, Dacula, GA, to inquire about a meeting space.

3. What date and time do you plan to host the Public Participation Meeting? Ensure that the meeting is held at a convenient time for interested parties, e.g. not during typical work hours on weekdays.

Depending on the availability of the venue, the Applicant will host the public participation meeting at 6:00 pm

on one the following dates: February 7, 8, 12, 13, or 15.

4. What is your method for providing opportunities for discussion with interested parties at the Public Participation Meeting?

The Applicant will conduct a brief presentation and overview of the proposed development and open up the

meeting to address any questions or concerns from community members. The Applicant will also follow-up with

any property owner that has additional questions following the public participation meeting.

Public Participation Report

- 1. List all groups that you notified of the requested application. Include a copy of the notification package and stamped Postal Service Form 3877 (attached) with itemized name and address of each addressee.**

All property owners within the notification zone were notified of the requested application. District 3 Planning

Commissioners were notified of the public participation meeting via a calendar invitation from Counsel for Applicant.

Commissioner Ben Archer attended the meeting.

- 2. Provide the date, time, and location of all meeting(s) that the applicant and/or representative attended to discuss an application with interested parties.**

The public participation meeting was held on February 15, 2024 at 6:00 pm at Ebenezer Baptist Church, 2570 Harbins Road,

Dacula, GA.

- 3. 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.**

Five (5) community members attended the public participation meeting. Attached is a copy of the sign-in

sheet.

- 4. What issues and concerns were expressed by attendees at the meeting(s)?**

Please see attached.

- 5. 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?**

Please see attached.

Melody A. Glouton
Email: mglouton@atclawfirm.com

Telephone: 770.822.0900
Direct Dial: 770.339.0475

EXHIBIT TO PUBLIC PARTICIPATION REPORT

CASE NUMBER: RZR2024-00011
APPLICANT NAME: The Revive Land Group
MEETING DATE: February 15, 2024 @ 6:00PM – Ebenezer Baptist Church
2570 Harbins Road, Dacula, GA

4. What issues and concerns were expressed by attendees at the meeting(s)?

- Will development be served by sewer? (yes, sewer)
- What is the lot size? (minimum lot size of 5,000SF)
- Will you develop in the floodplain? (no)
- Concerns with existing traffic on Kilcrease Road (discussion regarding existing speed; traffic; mitigation efforts in connection with Gwinnett County Department of Transportation)
- Will there be an HOA? (yes, mandatory HOA and professionally managed)
- How much parking is provided? (4 spaces per home to include 2 in the driveway and 2 in the garage)?
- Is there additional parking in the community? (yes, on-street parking provided)
- Will the homes be for sale or rent? (100% for sale/owner-occupied; Applicant will agree to a rental restriction as well)
- Are there any other properties being developed as OSC near the site? (yes, property at 2872 Harbins Road, Dacula)
- What are the proposed buffers? (discussed zoning classification and buffers as shown on site plan)
- Will the walking trails be open to the public? (no, the internal walking trails are for residents only but the trail does connect to Gwinnett County’s trail system)
- Will the development have sidewalks? (yes, internal sidewalks and external sidewalks along property frontage)
- Are there stormwater retention ponds on the property? (yes, 3 proposed bio-retention ponds are proposed on the site; Applicant will fully comply with Gwinnett Stormwater requirements)
- What is the anticipated timeline for development? (If approved, the Applicant anticipates 6-7 months to obtain the Land Disturbance Permit; break ground in late 2024; vertical construction would commence in approximately June 2025; two year for completion of build out)
- Discussion with specific property owners regarding fencing/plantings and landscaping

GWINNETT COUNTY
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RZR2024-00011

5. 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 Applicant is open to continuing discussions with any community members that have questions or concerns with the proposed development. At this time, the Applicant has not made any revisions to the site plan as submitted with the rezoning application.

4864-9299-6007, v. 1

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

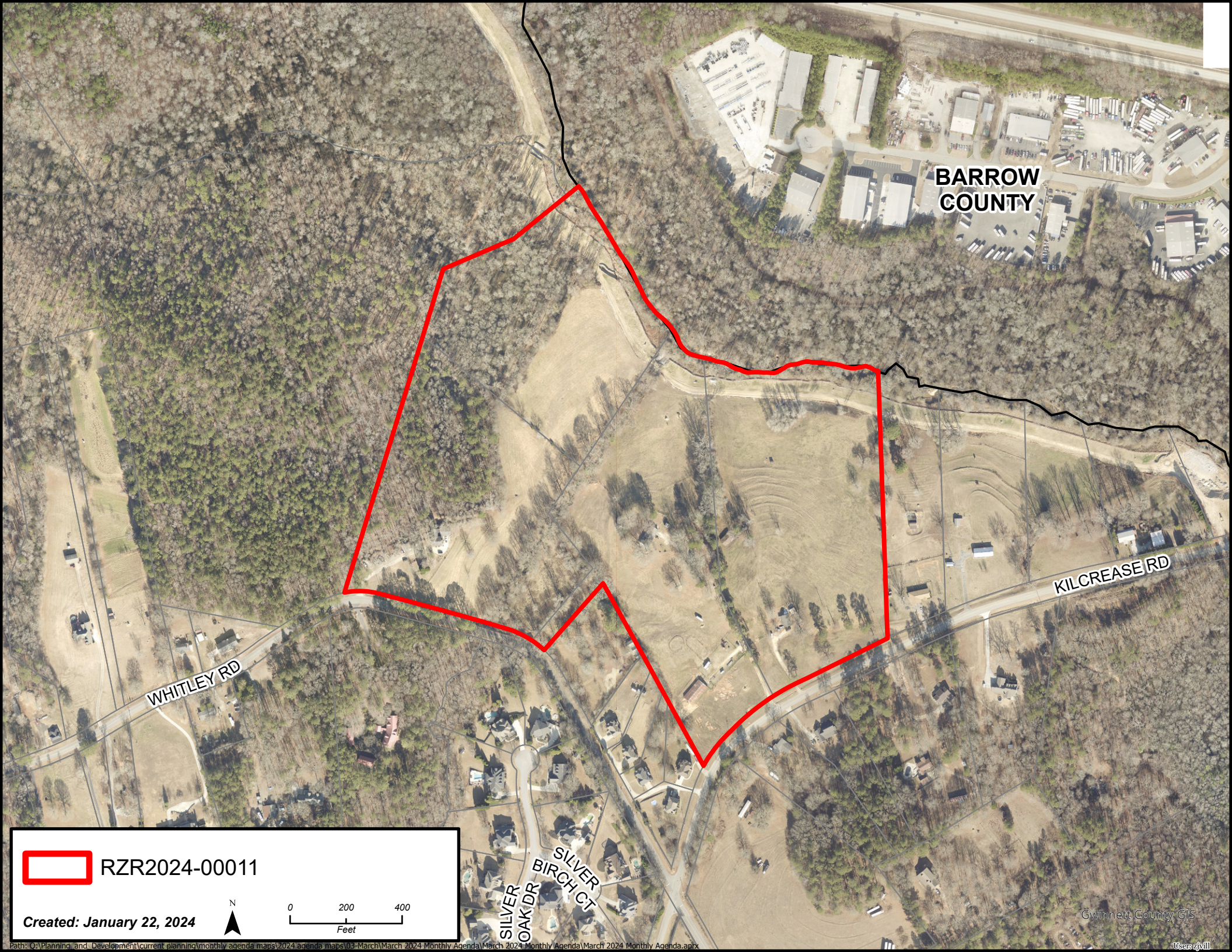
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2.13.2024
RZR2024-00011

Exhibit K: Maps

[attached]



**BARROW
COUNTY**

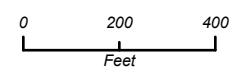
WHITLEY RD

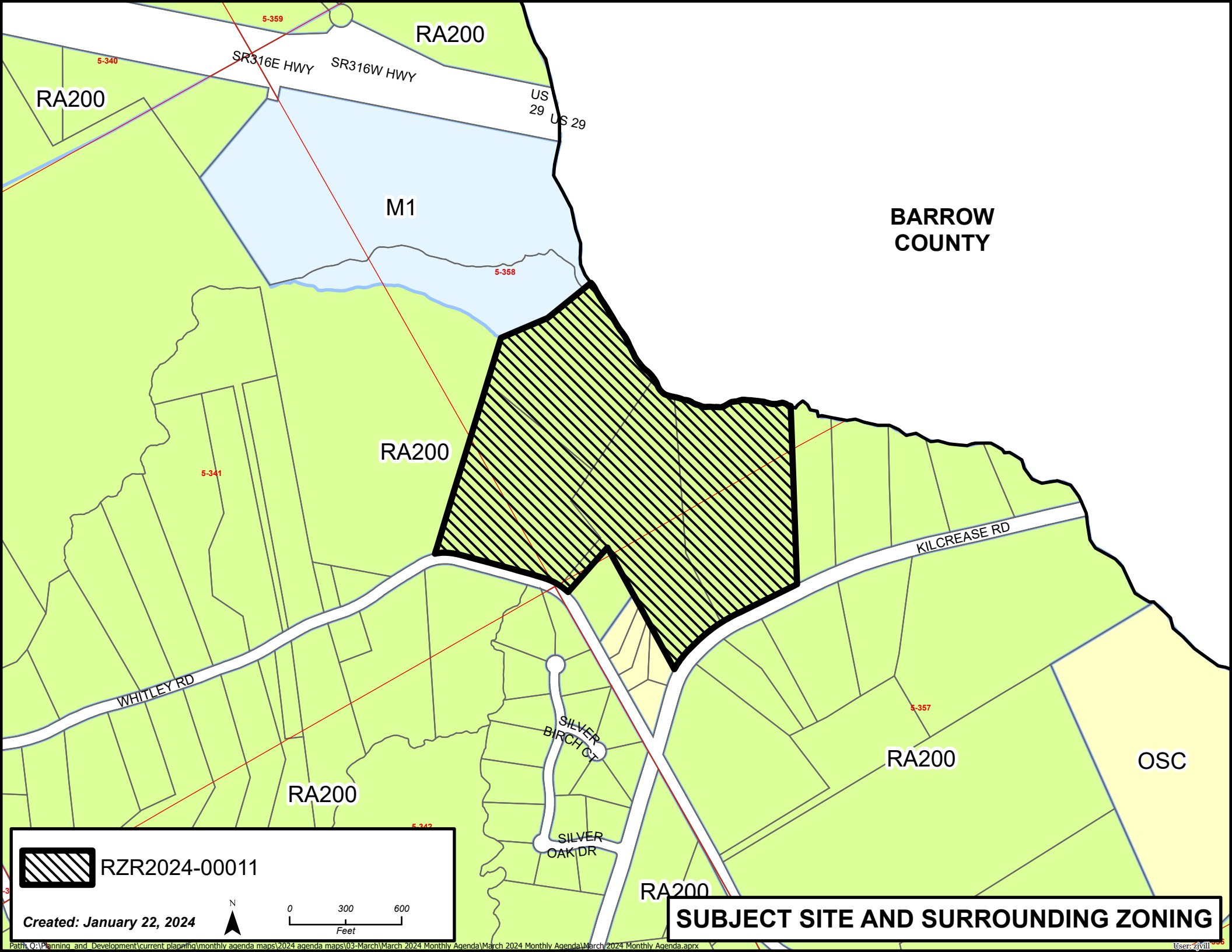
KILCREASE RD

SILVER
OAK DR
SILVER
BIRCH CT

 RZR2024-00011

Created: January 22, 2024





RA200

RA200

M1

BARROW
COUNTY

RA200

KILCREASE RD

OSC

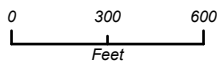
RA200

RA200

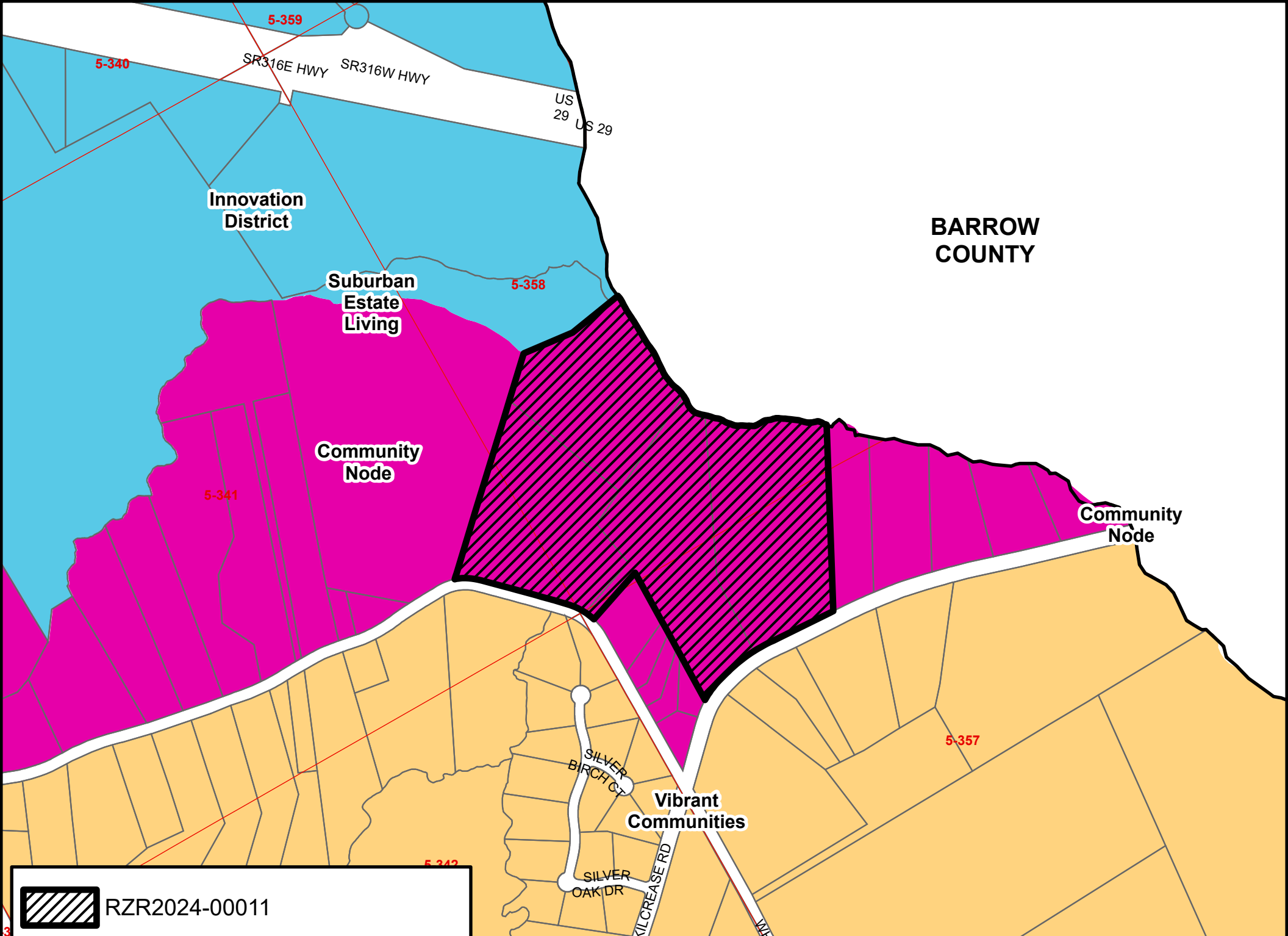
RA200

 RZR2024-00011

Created: January 22, 2024



SUBJECT SITE AND SURROUNDING ZONING



**BARROW
COUNTY**

**Innovation
District**

**Suburban
Estate
Living**

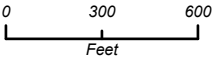
**Community
Node**

**Community
Node**

**Vibrant
Communities**

 **RZR2024-00011**

Created: January 22, 2024



2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION