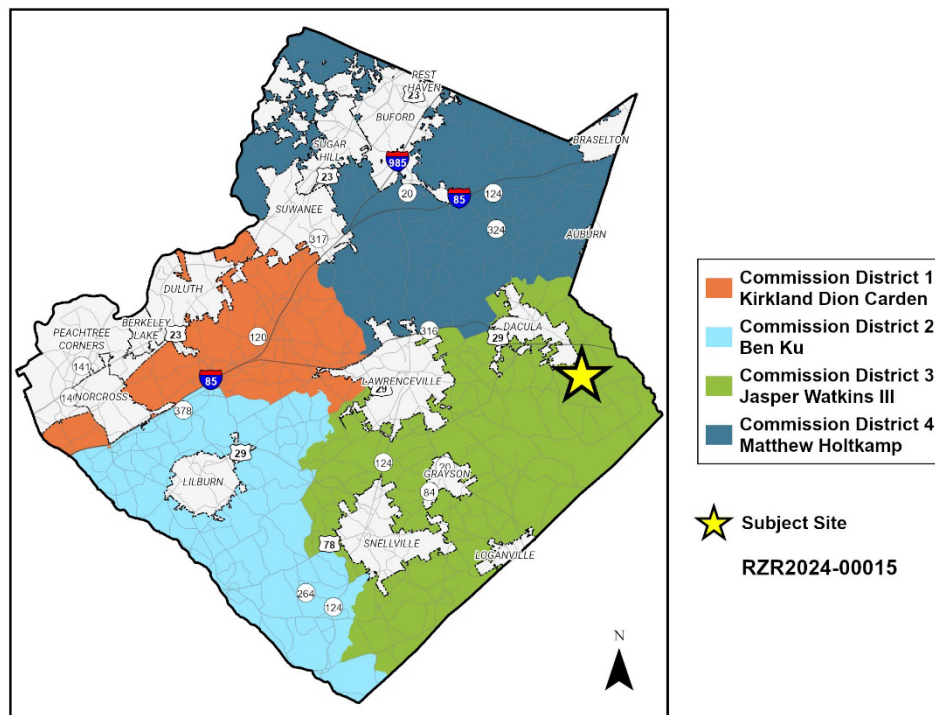


## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

**Case Number:** RZR2024-00015  
**Current Zoning:** RA-200 (Agriculture-Residence District)  
**Request:** Rezoning to R-100 (Single-Family Residence District)  
**Additional Request:** Waiver  
**Address:** 1652 Harbins Road  
**Map Number:** R5312 008  
**Site Area:** 44.09 acres  
**Units:** 38  
**Proposed Development:** Single-Family Detached Subdivision  
**Commission District:** District 3 – Commissioner Watkins  
**Future Development Type:** Neighborhood Traditional

**Staff Recommendation:** APPROVAL WITH CONDITIONS

**Planning Commission Recommendation:** APPROVAL WITH CONDITIONS



**Applicant:** Lowe Engineers, LLC  
990 Hammond Drive, Suite 900  
Atlanta, GA 30328

**Owners:** Nakoda Bherav & Co., LLC  
2020 Ocean Avenue  
Ronkonkoma, NY 11779

**Contact:** Bill Aguilar, P.E.

**Contact Phone:** 470.328.3870

## Zoning History

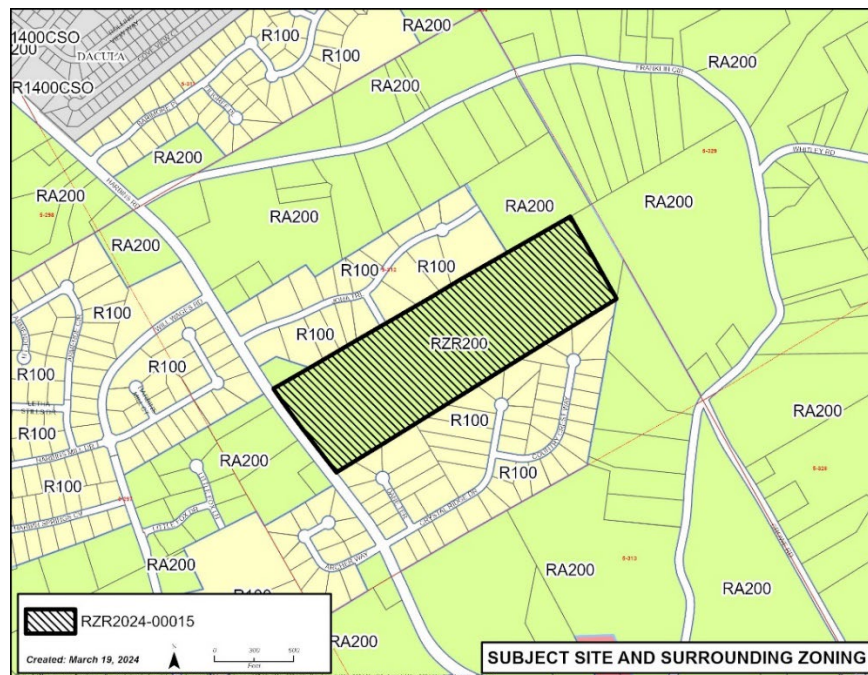
The subject property is zoned RA-200 (Agriculture-Residence District). There are no prior zoning requests on record for this property.

## Existing Site Condition

The subject property is a 44.09-acre parcel located along Harbins Road, south of its intersection with Will Wages Road. There is a single-family residence and accessory buildings on the site accessed by a driveway from Harbins Road. There is a stream in the southeast corner of the property and two stream-fed ponds and wetlands in the center of the property. The terrain gradually falls approximately 50 feet from Harbins Road to the northeast corner of the property. There are overhead utility lines, but no sidewalks along the property's road frontage. The nearest Gwinnett County transit stop is approximately 9.2 miles from the subject property.

## Surrounding Use and Zoning

The site is located in a predominantly residential area along Harbins Road, south of the City of Dacula. The corridor includes both rural residences on large land tracts and single-family detached subdivisions. The Wilshyre Estates and Crystal Ridge Estates subdivisions are located just to the north and south of the property, respectively. Residences on large lots with single-family residential subdivisions on either side are located to the west, directly across Harbins Road. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Single-Family Residential	R-100	0.86 units per acre
North	Single-Family Residential	R-100 RA-200	0.74 units per acre 0.09 units per acre
East	Single-Family Residential	RA-200	0.03 units per acre
South	Single-Family Residential	R-100	1.07 units per acre
West	Single-Family Residential	RA-200	0.25 units per acre

## Project Summary

The applicant requests rezoning of a 44.09-acre property from RA-200 to R-100 for a single-family detached subdivision, including:

- 38 single-family detached residences on lots ranging in size from 0.59 acres to 1.02 acres, yielding a density of 0.86 units per acre.
- Residences with a minimum heated floor area of 4,000 square feet and front-loaded, two-car garages.
- Exterior building materials of brick and fiber cement siding.
- Lots to be served by private septic systems with septic fields.
- A total of 15.57 acres of open space located in the front and center of the development.
- A total of 2.34 acres of usable open space including community gardens in the front and southern side of the subdivision, and a dog park in the rear of the subdivision between the pond and lots 25-29.
- A 40-foot-wide street frontage setback with 10-foot-wide landscape strip along Harbins Road.
- One full-access entrance with a deceleration lane along Harbins Road.
- 27-foot-wide internal streets within 50-foot-wide rights-of-way.
- Five-foot-wide sidewalks along Harbins Road, and four-foot-wide sidewalks on both sides of the proposed internal streets, connecting to the community gardens and dog park.
- Four stormwater management facilities in the center of the development, including the existing pond, and three smaller detention ponds around the large pond.
- A mail kiosk with eleven on-street parallel parking spaces adjacent to the community garden at the center edge of the site.

## Zoning and Development Standards

The applicant is requesting a rezoning to R-100, for a single-family detached subdivision. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Lot Size	Minimum 15,000 square feet	>25,500 square feet	YES
Lot Width	Minimum 100'	≥100'	YES
Lot Coverage	Maximum 45%	<45%	YES
Front Yard Setback	Minimum 25'	25'	YES
Rear Yard Setback	Minimum 30'	30'	YES
Side Yard Setback	Minimum 10'	10'	YES
Building Height	Maximum 35'	35'	YES
Open Space	Minimum 10% or 4.41 acres	35.3% or 15.57 acres	YES

Usable Open Space	Minimum 5% or 1.62 acres	5.3% or 2.34 acres	YES
Street Frontage Setback	Minimum 40' 10' wide landscape strip	Minimum 40' 10' wide landscape strip	YES
Cul-de-sac Length	Maximum 600'	2,750'	NO*

\*The applicant has requested a waiver to exceed the maximum length of a dead-end street.

## Waiver Request

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

1. Section 360-20.2 C. Cul-de-sac Streets:

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

The applicant is requesting a waiver to allow a proposed road to exceed the maximum length of a dead-end street by constructing an approximately 2,750-foot-long cul-de-sac street.

## Public Participation

The applicant held a community meeting for the development on April 9, 2024 at Archer High School in Lawrenceville. There were 11 community members in attendance, who raised questions regarding traffic, stormwater management, trees, and the lack of a fence along the southern property line. The applicant responded to these concerns but did not make any changes to the site plan as a result of the public meeting. The public participation report is shown in Exhibit G.

## Internal and External Agency Review

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

## Staff Analysis

**Rezoning Request Analysis:** According to the UDO, if a proposed amendment is for the rezoning of property and involves a change in zoning classification, the Department shall evaluate the request and make a recommendation with respect to the standards governing exercise of zoning power as defined in Section 270-20.6. 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 proposed rezoning for a single-family detached subdivision would have a similar density to both the Wilshyre Estates and Crystal Ridge Estates subdivisions on either side of the subject property. Similar subdivisions are also located across Harbins Road from the subject property.



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 rezoning would allow for a single-family subdivision with a similar density to, and homes at least as large as, those in the adjacent subdivisions. In addition, there is open space abutting much of the external property lines, creating a natural buffer between the proposed and existing subdivisions. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.

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

The property has a reasonable economic use as currently zoned.

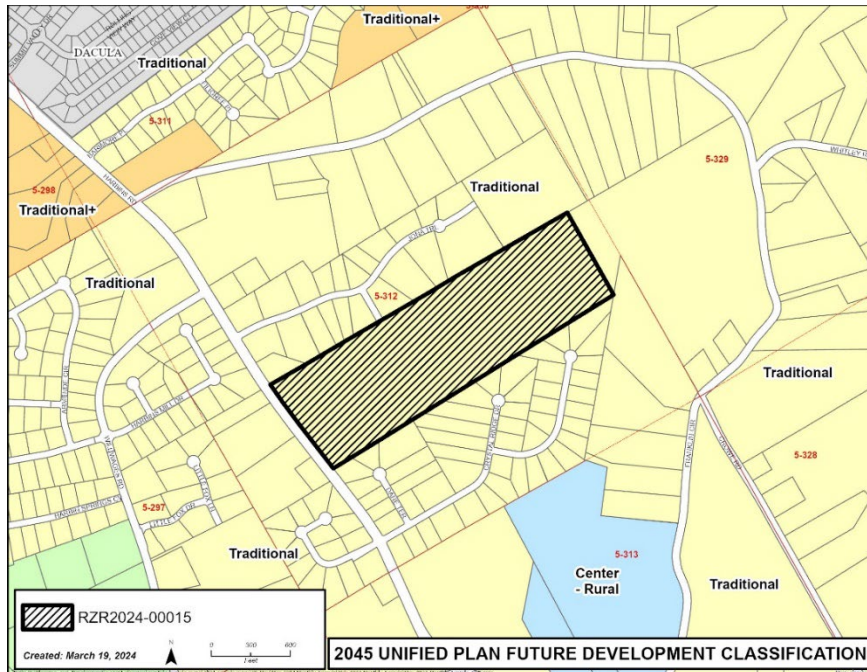
**D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

An increase in impacts on public facilities 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. An increased impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning request are attached (Exhibit H).

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

The Unified Plan's Future Development Map Indicates "Neighborhood Traditional" for the subject property, which envisions single-family residential development with a density of up to 1.7 units per acre in areas that lack sewer service. This development type encourages residences to be built with front porches, modest setbacks, and side or alley loaded garages to promote a pedestrian friendly environment. Street and sidewalk connectivity are also encouraged as practicable.

The proposed rezoning is for R-100, a recommended zoning district in the " Neighborhood Traditional" future development type. The subdivision would have a density of 0.86 units per acre, well within the recommended density range for the future development type. The dead-end streets within the adjacent neighborhoods and streams and ponds on the site limit its potential for street connectivity or alley-loaded garages. The proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map.



**F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning.**

There are no additional conditions to give supporting grounds for either approval or disapproval of the proposed rezoning.

**Waiver Request Analysis:** When considering waivers from Title III of the UDO, staff is required to review whether an undue hardship may result from strict compliance with the regulations and that approval would not adversely affect the general public welfare or nullify the intent of the Development Regulations. In addition, there must be a determination that there are unusual topographical or other exceptional conditions. Staff makes the following findings related to the waiver request:

The applicant is requesting a waiver to allow a proposed road to exceed the maximum length of a dead-end street by constructing an approximately 2,750-foot-long cul-de-sac street. The potential street connectivity of the site is constrained by the shape of the parcel and its environmental features. In addition, existing subdivisions on either side of the site do not provide opportunity for street connectivity. Approval of the requested waiver would not adversely affect the general public welfare or nullify the intent of the Development Regulations.

**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 waiver:

1. To allow a proposed road to exceed the maximum length of a dead-end street of 600 feet.

## Planning Commission Recommendation

Based on staff's evaluation of the request, information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of the rezoning request.

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

1. To allow a proposed road to exceed the maximum length of a dead-end street of 600 feet.

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

Approval as R-100 (Single-Family Residence District) for a single-family detached subdivision subject to the following conditions:

1. The development shall be limited to single-family detached dwellings and accessory uses and structures, not exceeding 38 units.
2. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received March 8, 2024, subject to the review and approval of the Department of Planning and Development.
3. Exterior building materials shall be of brick, stacked stone, fiber cement shake, siding, and board and batten, subject to the review and approval of the Department of Planning and Development.
4. The minimum heated floor area of each dwelling shall be 3,000 square feet.
5. A deceleration lane at a minimum of 200 feet, with a taper at minimum of 50 feet shall be provided along Harbins Road, subject to the review and approval of the Gwinnett County Department of Transportation.
6. A sight distance certification from the Gwinnett County Department of Transportation shall be required for the proposed access into the site.
7. Traffic calming for any 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.
8. Stormwater BMP facilities, excluding the existing pond, shall be screened from view of adjoining properties and rights-of-way by landscaping and/or decorative fencing that is in compliance with the Gwinnett County Stormwater Management Manual, subject to review and approval by the Department of Planning and Development.
9. 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. No more than 10 percent of the homes shall be rented at any given time and shall be monitored by the Homeowners Association.**
- 12. Evergreen and Leyland Cypress trees and a six- to eight-foot-tall wooden privacy fence shall be installed adjacent to parcel 5312 041.**

**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. Traffic Impact Study
- G. Public Participation Report
- H. Internal and External Agency Review Comments
- I. Maps
- J. Site Plan Presented at the June 4, 2024, Planning Commission Public Hearing



## Exhibit A: Site Visit Photos



View of existing site conditions

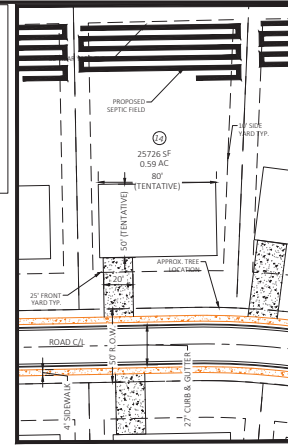


View of Harbins Road, subject property on left

**Exhibit B: Site Plan**

**[attached]**





SITE DATA SUMMARY	
ADDRESS	1071 HARBING ROAD, DUNCAN, BC V9Z 0G1
TOTAL PROPERTY AREA:	40.00 AC (1,920,730 S.F.)
DISTURBED AREA:	30.05 AC (1,308,930 S.F.)
IMPERVIOUS AREA:	9.49 AC (413,384 S.F.)
OPEN SPACE:	9.51 AC (416,749 S.F.)
OPEN SPACE REQUIRED:	10% OF TOTAL AREA (192,070 S.F.)
OPEN SPACE PROVIDED:	35% OF TOTAL AREA (678,110 S.F.)
USABLE OPEN SPACE:	50% OF REQUIRED OPEN SPACE
USABLE OPEN SPACE PROVIDED:	51% OF REQUIRED OPEN SPACE (102,054 S.F.)
ZONING CLASSIFICATION	
EXISTING ZONING:	RA-200
PROPOSED ZONING:	R-100
ADJACENT ZONING:	RA-200 & RA-100
JURISDICTION:	GWINNETT COUNTY
FUTURE LAND USE:	TRADITIONAL
BUILDING SUMMARY	
PROPOSED DENSITY:	0.86 UNITS/LOT
BUILDING HEIGHT LIMIT:	35'-0"
PROPOSED BUILDING HEIGHT:	28'-0"
FRONT SETBACK:	25'-0"
SIDE SETBACK:	25'-0"
REAR SETBACK:	30'-0"
MIN. LOT WIDTH:	100'-0"
MIN. LOT AREA:	25,500 S.F. (WITH SEPTIC)
MAX. COVERAGE:	45% OF LOT
PROPOSED COVERAGE:	35% OF LOT
PROPOSED MINIMUM S.F. FOR BROWNSSES:	4,000 S.F.
TOTAL LOT COUNT:	38



## GENERAL SITE NOTES

ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.

2. ALL INTERIOR CURB RADI TO BE  $\geq$  UNLESS OTHERWISE NOTED.

3. PARKING LOT AND DRIVE STRIPPS SHALL BE IN ACCORDANCE WITH GOVT MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES LATEST EDITION.

4. ACCESS TO PARKING, SIGNAGE, WARNING STRIPS AND STRIPPS SHALL BE IN ACCORDANCE WITH CURRENT ADA STANDARDS FOR ACCESSIBLE DESIGN.

5. ALL LAND DISTURBANCE TO BE STABILIZED WITH VEGETATION UPON COMPLETION OF DEMOLITION.

6. ALL TREES SHALL HAVE PROPER PROTECTION DURING CONSTRUCTION UNLESS APPROVED PLANS SPECIFY OTHERWISE.

7. TOPOGRAPHIC SURVEY BY MITCHELL SURVEYING & CONSULTING, DATE 1/30/2023.

8. FLOODPLAIN IS NOT PRESENT ON SITE AS DETECTED BY FEMA PANEL NUMBER 131350020F & 131350030F, DATED 01/29/2006.

9. OWNER IS RESPONSIBLE FOR OBTAINING ANY NECESSARY AGREEMENTS FROM ADJACENT PROPERTY OWNERS IN ORDER TO PERFORM THE REQUIRED OFFSET WORK, INCLUDING STORMWATER TREATMENT CONSTRUCTION, SIDEWALK, CURB AND ASPHALT PAVEMENT AND TREE GRADING.

10. TREES SHALL BE MAINTAINED AT ALL TIMES DURING CONSTRUCTION OF THIS PROJECT. ALL BARRENCES AND SONS SHALL BE FURNISHED AND USED BY THE CONTRACTOR IN ACCORDANCE WITH LOCAL/STATE AND CURRENT SPECIFICATIONS.

11. CONTRACTOR IS RESPONSIBLE FOR PLACING AND MAINTAINING CONSTRUCTION FENCE, SIGN, TO WARN AND KEEP PEOPLE OFF TO THE SIDE OF THE PROJECT.

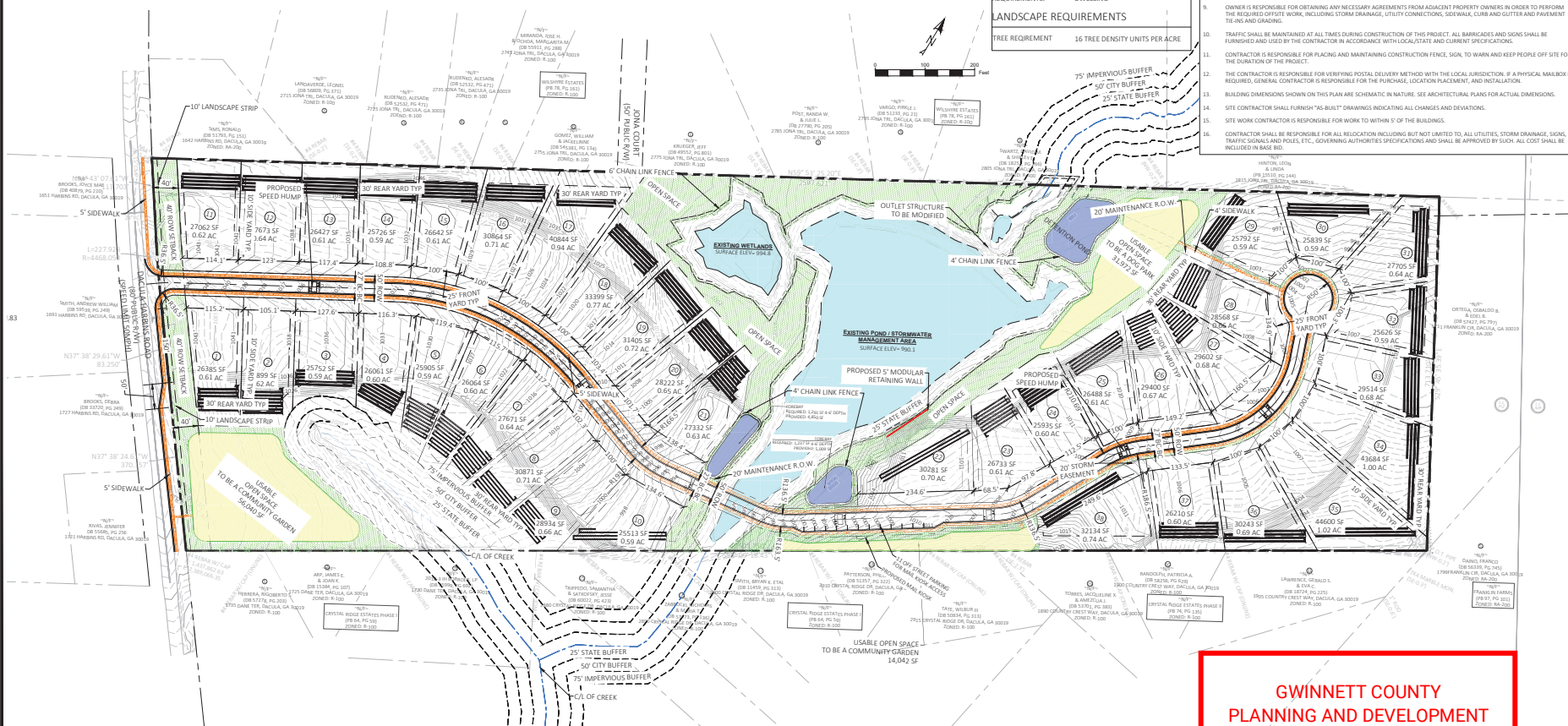
12. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING POST HOLE LOCATION METHOD WITH THE LOCAL JURISDICTION, IF A PHYSICAL MAILBOX REQUIRED, GENERAL CONTRACTOR IS RESPONSIBLE FOR THE FURNISH, LOCATION PLACEMENT, AND INSTALLATION.

13. BUILDING DIMENSIONS SHOWN ON THIS PLAN ARE SCHEMATIC IN NATURE. SEE ARCHITECTURAL PLANS FOR ACTUAL DIMENSIONS.

14. SITE CONTRACTOR SHALL FURNISH "AS-BUILT" DRAWINGS INDICATING ALL CHANGES AND DEVIATIONS.

15. SITE WORK CONTRACTOR IS RESPONSIBLE FOR WORK TO WITHIN 5' OF THE BUILDINGS.

16. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATION INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNALS, TRAFFIC SIGNALS AND POLES, ETC. DURING CONSTRUCTION. ANY RELOCATION AND SHALL BE APPROVED BY CITY. ALL COSTS SHALL BE PAID BY THE CONTRACTOR.



GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

3.8.2024

BF

## **Exhibit C: Building Elevations**

**[attached]**



**Color Elevations and façade materials:**



Front View





Side View





Rear View

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

**[attached]**



**March 7, 2024**

**COMBINED LETTER OF INTENT AND JUSTIFICATION FOR REZONING**

**REZONING APPLICATION  
GWINNETT COUNTY, GA**

**APPLICANT:**

Nakoda Bherav & Co., LLC

**PROPERTY:**

Tax Parcel IDs R5312 008  
±44.09 Acres of Land

**ADDRESS:**

1652 Harbins Rd, Dacula, GA 30019

**ZONING:**

From RA-200 and R-100

**SUBMITTED FOR APPLICANT BY:**

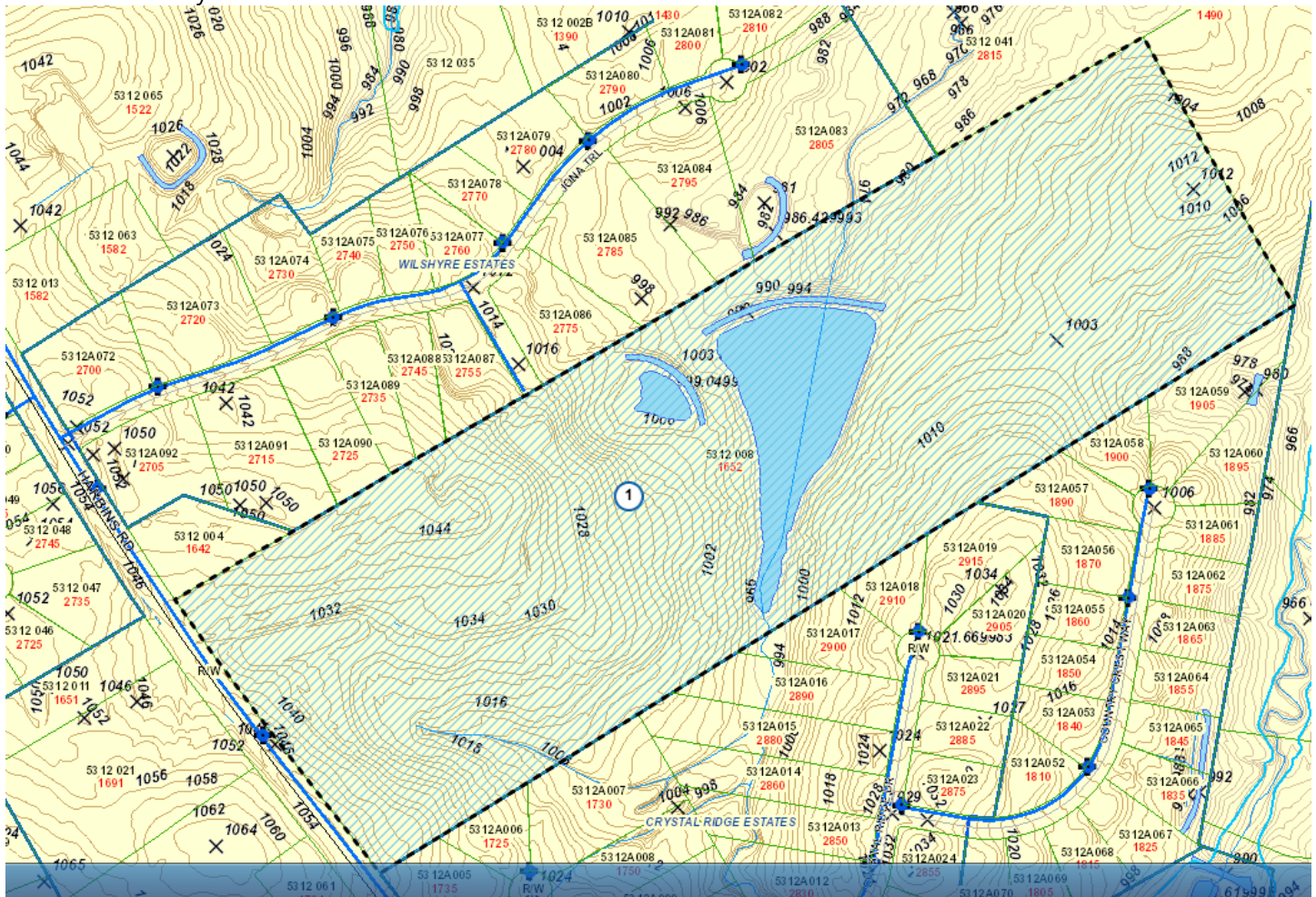
Bill Aguilar, PE  
Lowe Engineers  
990 Hammond Drive  
Suite 900  
Atlanta, GA 30328  
[Bill.aguilar@loweengineers.com](mailto:Bill.aguilar@loweengineers.com)



Honorable Board of Commissioners,

On behalf of our client, Nakoda Bherav & Co., LLC (the "Applicant"), please accept this Letter of Intent to request the rezoning for  $\pm 44.09$  Acres assemblage of land located at 1652 Harbins Road, Dacula, GA 30019 (hereinafter the "Subject Property") from RA-200 to R-100. The Subject property is one parcel with frontage along Harbins Road. The Subject property is shown on the surveys prepared by Mitchell Surveying & Consulting, LLC dated March 3, 2023 which is filed with this application.

The Subject property that is the subject of this rezoning application is further identified below from the Gwinnett County GIS



The Subject property is currently zoned RA-200 (Residential Agricultural) pursuant to the Gwinnett County Unified Development Ordinance (the "UDO"). The Applicant, Nakoda Bherav & Co, LLC, now seeks approval to rezone the  $\pm 44.09$  acres to R-100 in order to develop the property as a Single-Family Residence District and support the adjacent commercial developments.

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.



**PROPERTY DESCRIPTION AND SURROUNDING AREA:**

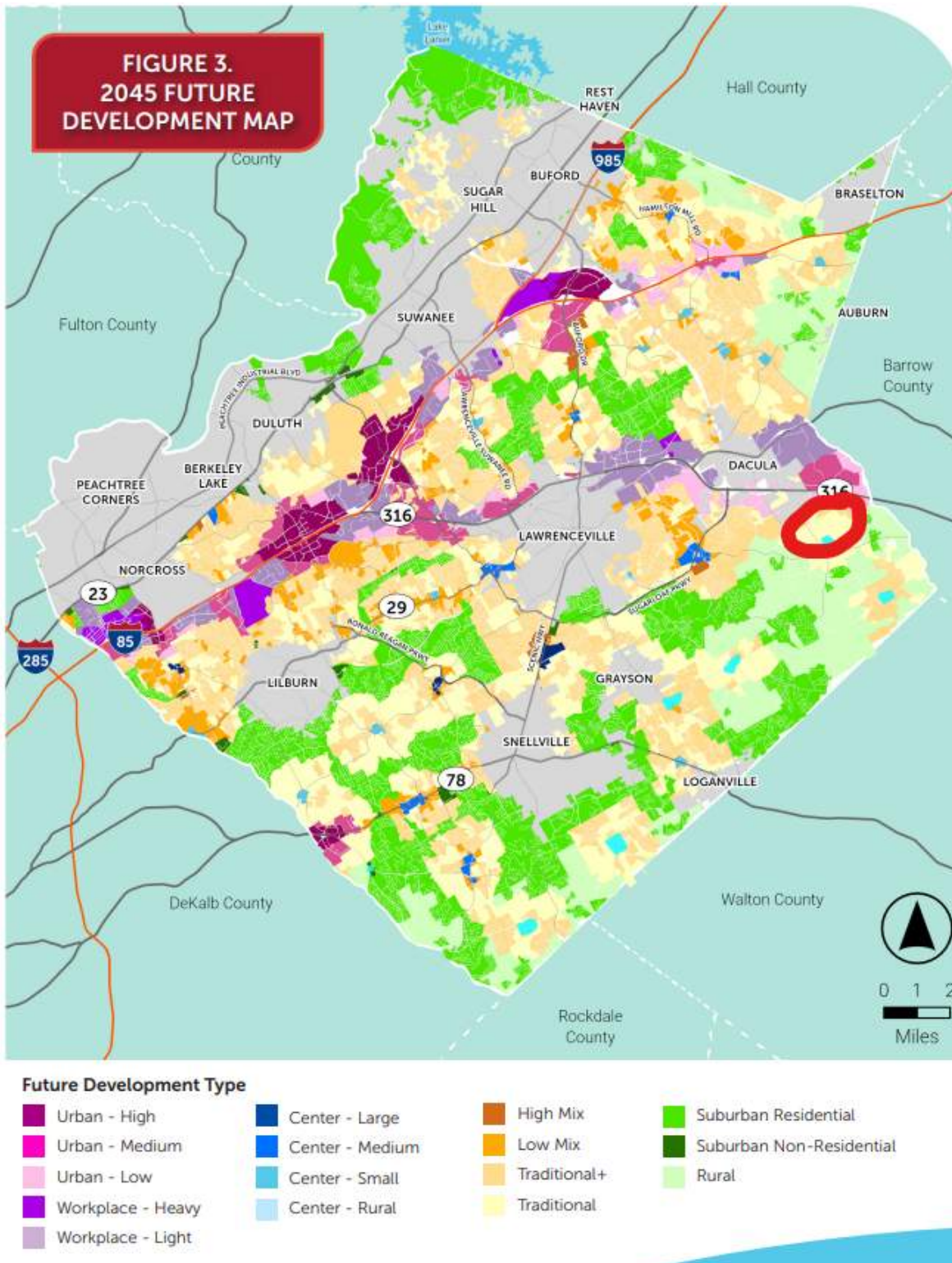
The property is one parcel fronting Harbins Road. The property currently serves as a residential farm. Harbins Elementary School is a quarter mile south of the Subject property.

The Future Development Map of the Gwinnett County 2045 Unified Plan (the "2045 Plan") classifies this Property as within the "Traditional Character Area," of the Gwinnett County Future Development Map. The policies for this Character Area encourage a land uses including low to medium density residential subdivisions (3-13 units per acre).

The surrounding area is characterized by residential subdivisions. Specifically, the area includes a mostly residential uses with a little commercial, including convenience stores, an elementary school, a Dollar General Store, and Fire Station.

The surrounding area consists of residential and commercially zoned properties, including the Harbins Elementary School, Dollar General Store across the street, the Crystal Ridge Estates north of the site along Harbins Road.

The 2045 Plan further provides that the Traditional Character Area areas do not have access to sewer but are within close proximity to a Village Center or Urban Corridor, with allowances for gentle density through Accessory Dwelling Units. As referenced above, the surrounding properties in this corridor are zoned or used for residential purposes. On the following page is a map of the surrounding uses and the zoning classifications by parcel:



**PROJECT SUMMARY:**

As shown on the conceptual site plan prepared by Lowe Engineers, dated February 22, 2024, and filed with this Application (hereinafter the "Rezoning Plan"), the Applicant proposes to develop a single-family residential subdivision development that includes amenities. The rezoning of the Property will activate a vacant site and area allow for a quality central community development that will service the surrounding community in accordance with the 2045 Plan.

The Applicant is proposing to rezone the Subject Property from RA-200 to R-100 zoning classification of the Gwinnett County to accommodate the development and construction of a single-family residential subdivision development. Overall, the development would include thirty-eight (38) lots on septic with space for a future pool, a new driveway entrance, deceleration lane, road, sidewalks, landscaping, subsurface utilities for service, and taking the existing farm pond and converting it to a stormwater management facility. The development will also include approximately  $\pm 4000$  SF homes on each lot,  $\pm 704,129$  SF all in accordance with R-100 zoning and with the Gwinnett 2045 Unified Plan.

Access to the proposed development would be provided by a driveway entrance off Harbins Rd. Residents would have convenient access to major transportation corridors. including University Parkway (State Route 29) and Sugarloaf Parkway. The proposed development would feature amenities for the use and enjoyment of residents including a dog park, and community garden spaces. A total of 53% of the required open space (102,054 S.F.) has been designed as usable open space which includes a dog park and community garden.

**Waiver Request:**

Potential second access to the site is unavailable, and due to the shape of the property and the entrance of a pond, only one road is to exceed the maximum length of 600 feet for a dead-end street. The proposed street length is approximately 2,750 ft. Pursuant to UDO § 360-20.2 C, waiver would be required for the road. Granting the waiver would not impair or injure other property or improvements in the neighborhood.

**IMPACT ANALYSIS:**

Pursuant to UDO § 270-20.6, entitled "Impact Analysis," the Applicant submits its written impact analysis which shows that rezoning to R-100, 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 will permit a use that are suitable in view of the use and development of adjacent and nearby property. The Property is located on 1652 Harbins Road. The Property is also located within the Traditional Character Area. The surrounding area is characterized by a mix of

commercial, residential, and institutional uses. The proposed residential development would complement this existing land use mix and provide much-needed entertainment and community gathering space.

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

Approval of the proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property. Rather the proposed development would complement surrounding land uses by

providing new living opportunities to current and future residents of Gwinnett County. Residents of the proposed community would have convenient access commercial hubs, and entertainment. Additionally, the existing adjacent non-residential properties of the proposed development would provide additional shopping and dining options for people who live and work in the surrounding area.

**(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 Property, it does not have 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:**

Approval of the proposed rezoning will result in a use which will cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. We have been informed by the County this development will trigger the need for a deceleration lane to assist with the anticipated traffic demand. The property has access to water utilities on-site. However, any potential impacts would be mitigated with appropriate zoning conditions, site development requirements, and planning.

**(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 2045 Unified Plan. The Property is located within the Traditional Character Area of the 2045 Future Development Map. Encouraged land uses for the Traditional Area include residential developments with low to medium densities. The proposed development would be compatible with and successfully co-exist with the surrounding uses.

**(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 development and the existing dominant singular residential use in the area provide supporting reasons for approval of the rezoning.

The Applicant submits that the Property's location, size, and dimensions, as well as its frontage along Harbins Road provide further support for approval of the proposed rezoning application.

### **JUSTIFICATION FOR REZONING:**

The Applicant respectfully submits that "The Unified Development Ordinance of Gwinnett County, Georgia" (the "Ordinance"), as amended from time to time, to the extent that it classifies the Property in any zoning district that would preclude a residential development is unconstitutional as a taking of property, a denial of equal protection, an arbitrary and capricious act, and an unlawful delegation of authority under the specific constitutional provisions later set forth herein. Any existing inconsistent zoning of the Property pursuant to the Ordinance deprives the Applicant and Property owner of any alternative reasonable use and development of the Property. Additionally, all other zoning classifications, including ones intervening between the existing classification and that requested herein, would deprive the Applicant and Property owner of any reasonable use and development of the Subject Property. Further, any attempt by the Gwinnett County Board of Commissioners to impose greater restrictions upon the manner in which the Property will be developed than presently exist would be equally unlawful.

Accordingly, Applicant submits that the current zoning classification and any other zoning of the Property save for what has been requested as established in the Ordinance constitute an arbitrary and unreasonable use of the zoning and police powers because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant and Property owner. All inconsistent zoning classifications between the existing zoning and the zoning requested hereunder would constitute an arbitrary and unreasonable use of the zoning and police powers because they bear or would bear no substantial relationship to the public health, safety, morality, or general welfare of the public and would substantially harm the Applicant and Property owner.

Further, the existing inconsistent zoning classification constitutes, and all zoning and plan classifications intervening between the existing inconsistent zoning classification and that required to develop this Project would constitute, a taking of the owner's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States.

Further, the Applicant respectfully submits that failure to approve the requested rezoning change would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and Property owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

Finally, the Applicant respectfully submits that the Gwinnett County Board of Commissioners cannot lawfully impose more restrictive standards upon the development of the Property than presently exist, as to do so



not only would constitute a taking of the Property as set forth above, but also would amount to an unlawful delegation of their authority, in response to neighborhood opposition, in violation of Article IX, Section IV, Paragraph II of the Georgia Constitution.

This Application meets favorably with the prescribed test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning and planning as an expression of the government's police power. See *Guhl v. Holcomb Bridge Road Corn.* 238 Ga. 322 (1977).

## **CONCLUSION:**

For the foregoing reasons, the Applicant respectfully requests that this Application to Rezone from RA-200 to R-100 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.

If you have any questions or require any additional information regarding this request, please do not hesitate to contact us.

Respectfully submitted this 5<sup>th</sup> day of March 2024.

Sincerely,



### **Lowe Engineers, LLC**

Bill Aguilar, P.E.

Civil Engineering Department Manager

Phone: 770.857.8400

Email: [bill.aguilar@loweengineers.com](mailto:bill.aguilar@loweengineers.com)

### **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) Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property:  
Yes. The proposed zoning meets the desired use stated in the Gwinnett 2045 Unified Plan. See attached Letter of Intent and Justification for Rezoning
- (B) Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property:  
No .The proposed rezoning shall have no adverse effect of the usability of the adjacent properties. See attached Letter of Intent and Justification for Rezoning
- (C) Whether the property to be affected by a proposed rezoning has reasonable economic use as currently zoned:  
Yes. The adjacent property shall remain useful as intended in the Gwinnett Unified Plan. See attached Letter of Intent and Justification for Rezoning
- (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:  
Yes. The proposed rezoning will increase demand to the area. Traffic improvements are proposed with the project. See attached Letter of Intent and Justification for Rezoning
- (E) Whether the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map:  
Yes. The proposed zoning meets the desired use stated in the Gwinnett 2045 Unified Plan and County Ordinance. See attached Letter of Intent and Justification for Rezoning
- (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:  
Not to our knowledge. See attached Letter of Intent and Justification for Rezoning

**Exhibit E: Application and Disclosure of Campaign Contributions**

**[attached]**

**REZONING APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
Name: <u>Lowe Engineers, LLC</u>	Name: <u>Nakoda Bherav &amp; Co.,LLC</u>
Address: <u>990 Hammond Dr, Suite 900</u>	Address: <u>2020 Ocean Avenue</u>
City: <u>Atlanta</u>	City: <u>Ronkonkoma</u>
State: <u>Georgia</u> ZIP: <u>30328</u>	State: <u>New York</u> ZIP: <u>11779</u>
Phone: <u>470.328.3870</u>	Phone: <u>631.889.4819</u>
Email: <u>bill.aguilar@loweengineers.com</u>	Email: <u>sungoldatl@gmail.com</u>
Contact Person: <u>Bill Aguilar, P.E.</u> Phone: <u>470.328.3870</u>	
Contact's Email: <u>bill.aguilar@loweengineers.com</u>	
<b>APPLICANT IS THE:</b>	
<input checked="" type="checkbox"/> Owner's Agent <input type="checkbox"/> Property Owner <input type="checkbox"/> Contract Purchaser	
Current Zoning District(s): <u>RA-200</u> Requested Zoning District: <u>R-100</u>	
Parcel Number(s): <u>R5312 008</u> Acreage: <u>44.09</u>	
Property Address(es): <u>1652 Harbins Road, Dacula, GA 30019</u>	
Proposed Development: <u>Single-Family Residential Subdivision</u>	
Variance(s): _____ Waiver(s): <small>Roadway length +600LF, Title 3 Section 360-20.2 C</small> _____	
<b>RESIDENTIAL DEVELOPMENT</b>	<b>NON-RESIDENTIAL DEVELOPMENT</b>
No. of Dwelling Units: <u>38</u>	No. of Buildings: _____
Dwelling Unit Sq. Ft.: <u>4,000</u>	Total Building Sq. Ft.: _____
Density: <u>0.86</u>	Floor Area Ratio: _____
Floor Area Ratio (LRR, MRR, HRR): _____	
<b>MIXED-USE DEVELOPMENT</b>	
No. of Dwelling Units: _____ Dwelling Unit Sq. Ft.: _____	
Total Non-Residential Sq. Ft.: _____ Floor Area Ratio: _____	

**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 six (6) months from the date of last action by the Board of Commissioners.



Signature of Applicant

2/22/2024

Date

Bill Aguilar, P.E., Dept. Manager

Type or Print Name and Title



Signature of Notary Public

2/22/24

Date



**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 six (6) months from the date of last action by the Board of Commissioners.

2/22/2024  
\_\_\_\_\_  
Signature of Property OwnerDate

Arun Jain, Property Owner  
\_\_\_\_\_  
Type or Print Name and Title

2/22/24  
\_\_\_\_\_  
Signature of Notary PublicDateNotary Seal





**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: 5312 008  
(Map Reference Number)



02/22/2024

Signature of Applicant

Date

Bill Aguilar, P.E.

Owner's Authorized Agent

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. THIS FORM MUST BE SIGNED BY A REPRESENTATIVE OF THE TAX COMMISSIONER'S OFFICE.**

**TAX COMMISSIONERS USE ONLY**

Payment of all property taxes billed to date for the above referenced parcel has been verified as paid current and confirmed by the signature below.

T. Finley  
Name

TSA

Title

2-22-2024  
Date



## **Exhibit F: Traffic Impact Study**

**[attached]**



WINNETT COUNTY  
PLANNING AND DEVELOPMENT

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2.27.2024

# Harbins Road TIS Report

February 27, 2024

**Prepared For:**

Nakoda Bherav & Co. LLC  
2020 Ocean Avenue  
Ronkonkoma, NY 11779  
(470)633-1121

**Prepared By:**

Lowe Engineers  
990 Hammond Drive, Suite 900  
Atlanta, GA 30328  
(770)857-8401

Figure 2: Aerial Map



### 1.1 Site Summary

The proposed development is a 38 single-family residential development located on the eastern side of Harbins Rd just north of Crystal Ridge Dr. The proposed development will primarily access the external roadway network through one full access driveway on Harbins Rd. The development was analyzed for a build-out year of 2026. The site plan can be found in Appendix A.

## 4 Build Conditions

### 4.1 Trip Generation

The primary purpose of the development is single-family residential. For analysis, the development was classified and analyzed as Single-Family Detached Housing. A trip generation for the proposed development was created using the Institute of Traffic Engineers (ITE) Trip Generation Manual 11<sup>th</sup> Edition, 2021. The trip generation including equations used can be found below in Table 3.

**Table 3: Trip Generation**

Land Use Information	Reduction %	Project Trips			Equation Used <sup>1</sup>	In / Out Distribution	
		Total	Inbound	Outbound			
210- Single-Family Detached Housing						38	1000 S.F.
Daily		414	207	207	$\text{Ln(T)} = 0.92\text{Ln(X)}+2.68$	50% / 50%	
AM Peak Hour		31	8	23	$\text{Ln(T)} = 0.91\text{Ln(X)}+0.12$	25% / 75%	
PM Peak Hour		40	25	15	$\text{Ln(T)} = 0.94\text{Ln(X)}+0.27$	63% / 37%	

The proposed development is anticipated to generate 414 vehicle trips (207 inbound, 207 outbound) with 31 AM peak hour vehicle trips (8 inbound, 23 outbound), and 40 PM peak hour trips (25 inbound, 15 outbound).

### 4.2 Trip Distribution

The trip distribution for the proposed development was based primarily on existing traffic patterns and surrounding developments. The trip distribution is shown graphically in Figure 6. Project Trips are shown in Figure 7.

### 4.3 Build Traffic Volumes

Build traffic volumes include existing volumes and project trips that will be generated by the proposed development. Total build year traffic volumes are shown graphically in Figure 8 and build lane geometry is shown in Figure 9.

### 4.4 Turn Lane Warrant Analysis

A turn lane warrant analysis for the proposed residential driveway accessing the external roadway network was performed. GDOT *Regulations for Driveway and Encroachment Control* guidelines were used for analysis. Tables 4-6 and 4-7a of the GDOT *Regulations for Driveway and Encroachment Control* can be found in Appendix E. The GDOT turn-lane warrants analyze the need for a turn lane by factoring the daily amount of turning vehicles and speed limit with the Average Annual Daily Traffic (AADT) volumes.

Location	# of Lanes	Speed Limit (mph)	Daily Volume	AADT Category	Turning Vehicles Needed	Daily Turning Vehicles	Met?
Left Turn	2	50	10,043	> 6000	175	135	No
Right Turn	2	50	10,043	> 6000	75	72	No

According to GDOT turn-lane recommendations, left-turn and right-turn lanes were **Not Warranted** for the proposed site driveway.



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2.27.2024

## 5 Recommendations and Conclusions

The proposed development is a single-family detached residential development located in Dacula, GA. The site is located on the eastern side of Harbins Rd. The proposed development will access the external roadway network via one full access driveway on Harbins Rd, just north of Crystal Ridge Dr.

The proposed development is anticipated to have a minor impact on the surrounding roadways. A summary of the results is as follows:

### Harbins Rd at Site Driveway

- The proposed side street stop-controlled intersection operates at LOS B or better during the AM and PM peak hours.
  - Minimal delay and queuing are present on each approach during build conditions.
- A right turn lane is **Not Warranted** by GDOT warrants in build conditions.
- A left turn lane is also **Not Warranted** by GDOT warrants in build conditions.

## **Exhibit G: Public Participation 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?

We are only planning to contact property owners within 1,000 ft of our site.

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.

Public hearing will be held at the nearest High school from the property.

The location is 'Archer High School, 2266 New Hope Rd, Lawrenceville, GA 30045'.

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.

The meeting will be held on April 9th, 6:00 p.m. to 9:00 p.m.

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

We will prepare a presentation for the rezoning proposal, followed by a public participation meeting to discuss the plan with interested parties. Our contact information will also be available at the 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.

See attached Form 3877

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.

April 9, 2024, 6pm-9pm

Bill Aguilar and Jeffrey Chiu from Lowe Engineers represented the Owner.

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.

11 people attended, 7 signed in

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

See attached meeting minutes

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?

See attached meeting minutes



## MEETING MINUTES

Date: April 9, 2024

From: Jeffrey Chiu, JD, P.E., F.ASCE

RE: 1652 Harbins Rd.

Subject: Meeting minutes

### Issues and Concerns expressed by attendees at the meeting

- They want part of a fence on part of the south end to be replaced
- There are animals on site and are concerned that building a fence will have them on their properties. The animals they are concerned about are:
  - 2-4 families of coyotes
  - Bears, raccoons, squirrels, lots of deer
  - Mosquitoes – need to control and are afraid the standing water will result in more of them.
  - 305-315 in front of anything cut off animals will end up in his yard to the west.
- The attendees would like to know what utilities would be provided to the site.
  - Neighbors in the Crystal Ridge Subdivision are on septic
  - Sewage is only available to Brooks Road.
- Attendees upstream were concerned about stormwater detention flooding upstream and the final level of the water
- Attendees wanted to know who would maintain the greenspace on the development.
- Attendees had concern with the traffic issues
  - They wanted to know the methodology behind the traffic counts and when the traffic counts were taken and over what duration.
  - They wanted to know why a turn lane was not proposed on Harbins
- Trees are big and tall on south end. Some are dead. The attendees want to know what will happen with those trees
- An attendee was concerned that the neighborhood is built to “Support adjacent commercial developments.” He does not want commercial development in the area.
- The attendees are concerned about construction of townhomes, apartments, or other low cost housing.
  - They wanted to know the sizes of the homes to be built
  - Timeline for construction

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

RECEIVED

RZR2024-00015  
4.17.2024

990 Hammond Drive, Suite 900, Atlanta, Georgia 30328  
Phone: 770.857.8400 | Fax: 770.857.8401 | [loweengineers.com](http://loweengineers.com)

### Applicant response to issues and concerns

- If a fence is required, it will be added to the south side. However, there is a decent buffer between the properties and structures are not allowed to be built in the buffer. Moreover, the buffer will have vegetation to help visually separate the properties
- Barriers will not be constructed as to keep out animals on site
- No townhomes or apartments to be constructed. Only houses will be constructed with better finishes, probably resulting in property values over \$400K, based on nearby townhomes going up nearby.
  - Because of the current state of plans, it is not know how soon the development will be completed.
- The development will be on septic because the County has not expanded sewer services to the area at this time. It is unknown about how other utilities will be provided at this stage but it is assumed that utilities will be comparable to adjacent subdivisions. The County does have plans for large sewer projects in the area. Additionally, the larger lots required for septic field placement should result in higher value and less density desired by the attendees.
- The homeowner association for this development will be responsible for landscaping and greenspace and maintenance of the pond
- The Traffic Impact Statement shows that the traffic counts were conducted Thursday, February 15, 2024 over a 24 hour period. This is sufficient data to input into the various computer programs and manual guidelines required for traffic analysis. The date of the study was performed while school was in session. The attendees stated that the study was performed after a nearby Publix was opened that causes additional traffic I the area.
  - Based on the traffic counts and projections, it was determined by the traffic engineer that a left turn was not needed for traffic into the development.
- Trees will be replaced if necessary and dead trees will be removed. A tree survey will need to be a part of the design submittal and will identify trees that can be eliminated or need to be preserved.
- The developer will not know the impact of other developments on the area or on this development since the County has a number of developments in process. Whether or not commercial developments will be in the area are beyond this development's control.
- A hydrology study and mitigation is required for the design submittal. This study must show that post development and predevelopment flows are equal and post development flows have some treatment in accordance with the law. The level of the water flow Water level concern because lake level would rise
  - Hydrology study existing conditions analysis

**Exhibit H: Internal and External Agency Review Comments**

**[attached]**



Department of Planning and Development  
TECHNICAL REVIEW COMMITTEE

<b>TRC Meeting Date:</b>		03.28.2024	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		<a href="mailto:Brent.Hodges@gwinnettcountry.com">Brent.Hodges@gwinnettcountry.com</a>	
Case Number:		RZR2024-00015	
Case Address:		1652 Harbins Road, Dacula, 30019	
<b>Comments:</b>		<input checked="" type="checkbox"/> <b>X</b>	<input type="checkbox"/> <b>YES</b>
		<input type="checkbox"/>	<input type="checkbox"/> <b>NO</b>
1	Harbins Road is a major collector. ADT 10,280.		
2	The nearest transit facility (#2454819) is located 9.2 miles away at Collins Hill Road and Collins Industrial Way.		
3	The Traffic Impact Study conducted by Lowe Engineers does not propose any improvements along Harbins Road and indicates that it would not warrant a left or right turn lane into the site.		
4	A 200' right-turn deceleration lane, with a 50' taper, from Harbins Road into the site shall be required per the Unified Development Ordinance (UDO).		
5	A sight distance certification shall be required for the proposed site driveway.		
6	A 5' concrete sidewalk shall be required along the entire site frontage of Harbins Road.		
7	The proposed development is anticipated to generate (414) vehicle trips (207 inbound / 207 outbound) with (31) AM peak hour vehicle trips (8 inbound / 23 outbound), and (40) PM peak hour trips (25 inbound / 15 outbound).		
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/>	<input checked="" type="checkbox"/> <b>X</b>
		<input type="checkbox"/> <b>YES</b>	<input type="checkbox"/> <b>NO</b>
1			
2			
3			
4			
5			
6			
7			

**Note:** Attach additional pages, if needed

Revised 7/26/2021



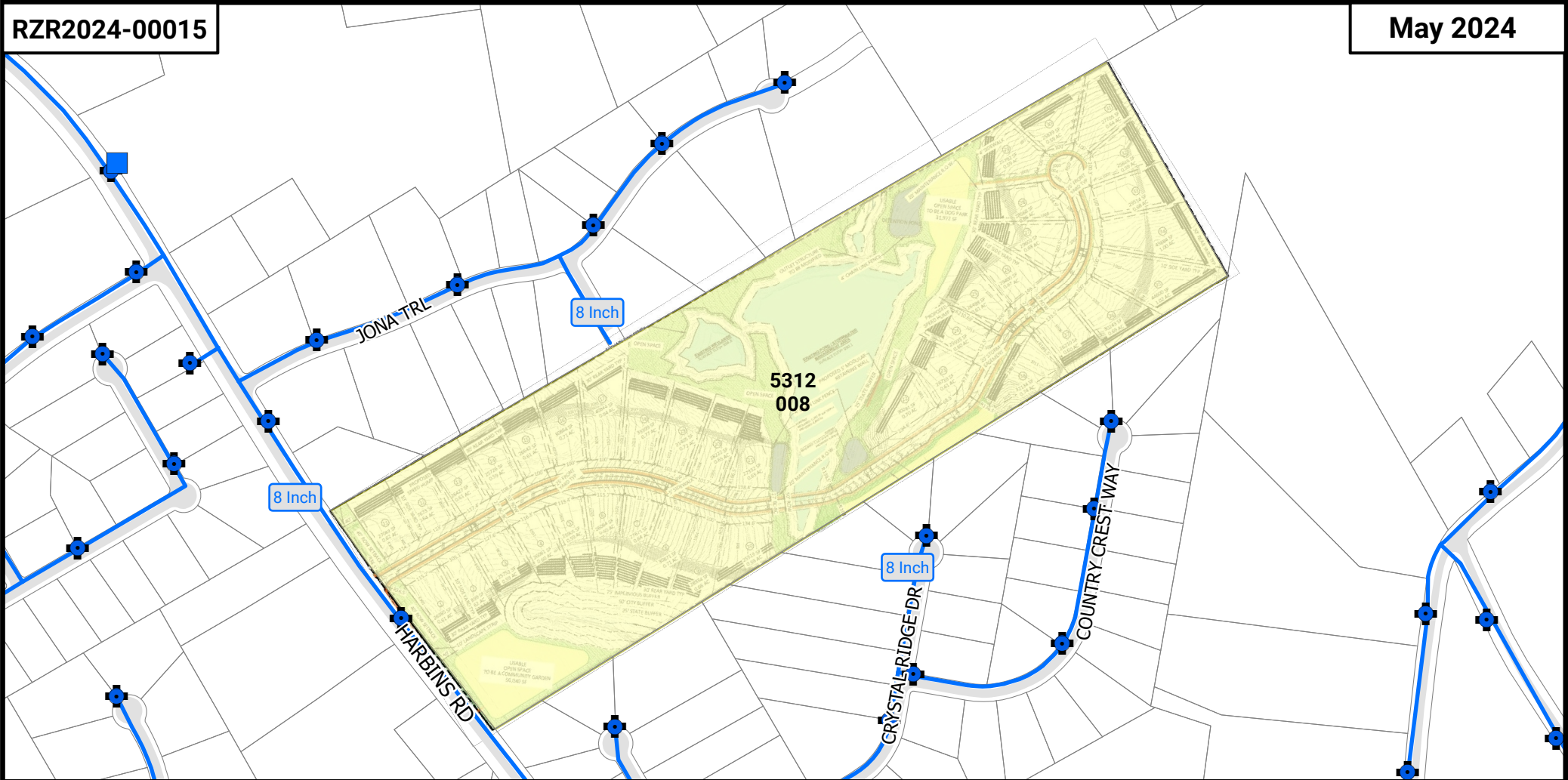
Department of Planning and Development  
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:			
Department/Agency Name:		DWR	
Reviewer Name:		Mike Pappas	
Reviewer Title:		GIS Planning Manager	
Reviewer Email Address:		<a href="mailto:Michael.pappas@gwinnettcountry.com">Michael.pappas@gwinnettcountry.com</a>	
Case Number:		RZR2024-00015	
Case Address:		1652 Harbins Road	
Comments:		<input checked="" type="checkbox"/> X	<input type="checkbox"/> YES <input type="checkbox"/> NO
1	Water: The proposed development may connect to the existing 8-inch water main along the eastern right-of-way of Harbins Road.		
2	Sewer: The proposed development plans to be on septic systems pending approval from the GNR Public Health.		
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> X <input type="checkbox"/> NO
1			
2			
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6			
7			

**Note:** Attach additional pages, if needed

*Revised 7/26/2021*






LEGEND

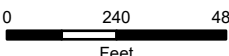
 Water Main

 Hydrant

1652 Harbins Rd  
RA-200 to R-100

Water & Sewer  
Utility Map

  
N  
W E  
S

  
0 240 480  
Feet

LOCATION



**Water Comments:** The proposed development may connect to the existing 8-inch water main along the eastern right-of-way of Harbins Road.

**Sewer Comments:** The proposed development plans to be on septic systems pending approval from the GNR Public Health.

RZR2024-00015

Page 46 of 53

BF

**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											Proposed Zoning
Prepared for Gwinnett County BOC, May, 2024											
	School	2023-24			2024-25			2025-26			Approximate Student Projections from Proposed Developments
		Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	
RZR2024-00019	<b>Meadowcreek HS</b>	2,727	2,850	-123	2,740	2,850	-110	2,705	2,850	-145	1
	<b>Radloff MS</b>	1,282	1,575	-293	1,288	1,575	-287	1,270	1,575	-305	1
	Ferguson ES	822	975	-153	830	975	-145	838	975	-137	1
RZM2024-00009	<b>Discovery HS</b>	2,763	2,525	238	2,750	2,525	225	2,740	2,525	215	6
	<b>Richards MS</b>	2,005	2,200	-195	2,025	2,200	-175	2,055	2,200	-145	4
	Alford ES	866	1,025	-159	883	1,025	-142	897	1,025	-128	7
RZR2024-00015	<b>Archer HS</b>	3,202	2,575	627	3,250	2,575	675	3,283	2,575	708	10
	<b>McConnell MS</b>	2,111	1,775	336	2,153	1,775	378	2,196	1,775	421	7
	Harbins ES	1,443	1,225	218	1,486	1,225	261	1,531	1,225	306	13
RZR2024-00009 (#'s provided on April 2024 case report)											

## **Exhibit I: Maps**

**[attached]**





FRANKLIN CIR

HARBINS RD

WILL WAGES RD

JONATRL

HARBINS MILL DR

LITTLE FOX LN

DANE TER

CRYSTAL RIDGE DR

COUNTRY CREST WAY

FRANKLIN CIR

CROWDER RD



RZR2024-00015

Created: March 19, 2024



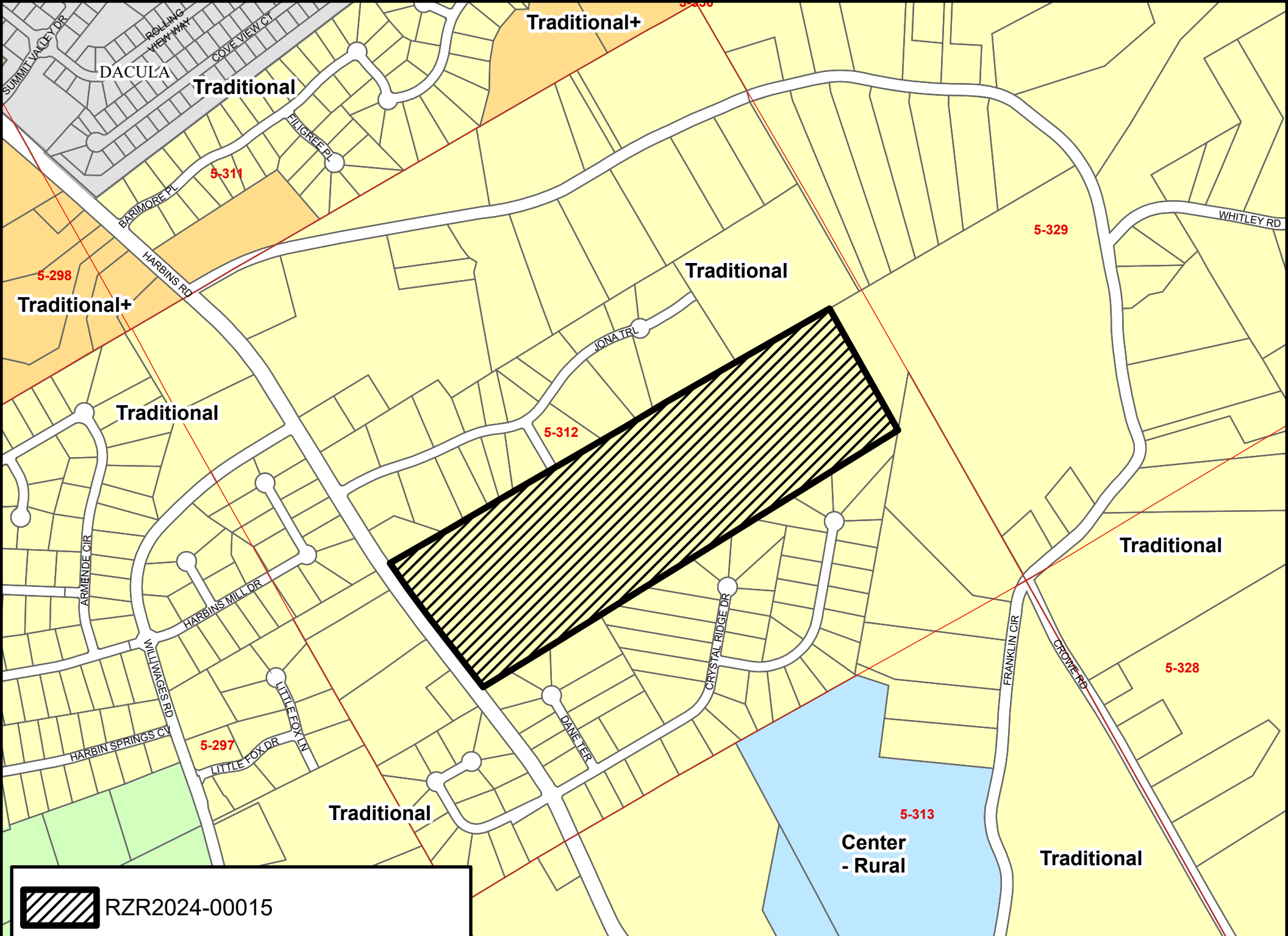
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Gwinnett County GIS










RZR2024-00015

Created: March 19, 2024




# 2045 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

**Exhibit J: Site Plan Presented at the June 4, 2024, Planning Commission Public Hearing**

**[attached]**

