

Department of Planning and Development

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gwinnettcountry

**MUNICIPAL-GWINNETT COUNTY
PLANNING COMMISSION**

PUBLIC HEARING AGENDA

**GWINNETT JUSTICE AND ADMINISTRATION CENTER
TUESDAY, JULY 7, 2015 AT 7:00 P.M.**

AS SET FORTH IN THE AMERICANS WITH DISABILITIES ACT OF 1992, THE GWINNETT COUNTY GOVERNMENT DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY AND WILL ASSIST CITIZENS WITH SPECIAL NEEDS GIVEN PROPER NOTICE (SEVEN WORKING DAYS). FOR INFORMATION, PLEASE CALL THE FACILITIES MANAGEMENT DIVISION AT 770.822.8015.

- A. CALL TO ORDER, INVOCATION, PLEDGE TO FLAG
- B. OPENING REMARKS BY CHAIRMAN AND RULES OF ORDER
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES (JUNE 2, 2015 MEETING)
- E. ANNOUNCEMENTS
- F. OLD BUSINESS

- I. CASE NUMBER :**RZM2015-00002**
- APPLICANT :BRAND PROPERTIES, LLC
- CONTACT :LEE TUCKER
- PHONE NUMBER :770.232.0000
- ZONING CHANGE :MUR TO RM-24
- LOCATION :2700 BLOCK OF SATELLITE BOULEVARD
- MAP NUMBERS :R7078 037 & R7118 002
- ACREAGE :44.69 ACRES
- UNITS :290 UNITS
- PROPOSED DEVELOPMENT :APARTMENTS
- COMMISSION DISTRICT :(1) BROOKS
- DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS AS RM-13**

2. CASE NUMBER :**RZR2015-00010**
APPLICANT :GDP HOLDINGS, LLC.
CONTACT :JEFFREY MAHAFFEY
PHONE NUMBER :770.232.0000
ZONING CHANGE :R-100 TO R-60
LOCATION :5200-5300 BLOCKS OF BROWNLEE ROAD
MAP NUMBER :R6076 001
ACREAGE :24.17 ACRES
UNITS :79 UNITS
PROPOSED DEVELOPMENT :SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT :(2) HOWARD
DEPARTMENT RECOMMENDATION :**DENIAL**
3. CASE NUMBER :**RZR2015-00011**
APPLICANT :GDP HOLDINGS, LLC.
CONTACT :JEFFREY MAHAFFEY
PHONE NUMBER :770.232.0000
ZONING CHANGE :R-100 TO R-60
LOCATION :5100-5300 BLOCKS OF BROWNLEE ROAD
:1500-1600 BLOCKS OF POUNDS ROAD
MAP NUMBERS :R6076 001, 312, 313, 314, 318 & 320
ACREAGE :33.86 ACRES
UNITS :30 UNITS
PROPOSED DEVELOPMENT :SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT :(2) HOWARD
DEPARTMENT RECOMMENDATION :**DENIAL**
4. CASE NUMBER :**CIC2015-00008**
APPLICANT :MAHAFFEY, PICKENS, TUCKER, LLP
CONTACT :JEFFREY MAHAFFEY
PHONE NUMBER :770.232.0000
ZONING :R-ZT
LOCATION :2900 BLOCK OF GRAVEL SPRINGS ROAD
MAP NUMBERS :R7143 004 & 005
ACREAGE :48 ACRES
UNITS :178 UNITS
PROPOSAL :CHANGE IN CONDITIONS OF ZONING
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

5. CASE NUMBER :**RZR2015-00007**
APPLICANT :MAHAFFEY, PICKENS, TUCKER, LLP
CONTACT :JEFFREY MAHAFFEY
PHONE NUMBER :770.232.0000
ZONING CHANGE :RA-200 & R-TH TO R-60
LOCATION :2900 BLOCK OF GRAVEL SPRINGS ROAD
MAP NUMBERS :R7143 004 & 005
ACREAGE :19 ACRES
UNITS :40 UNITS
PROPOSED DEVELOPMENT :SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
6. CASE NUMBER :**CIC2015-00010**
APPLICANT :JOHN HOWARD
CONTACT :MARIAN ADEIMY
PHONE NUMBER :678.518.6855
ZONING :C-2
LOCATION :1500 BLOCK OF BUFORD DRIVE
MAP NUMBERS :R7065 142 & 143
ACREAGE :3.30 ACRES
PROPOSAL :CHANGE IN CONDITIONS TO ALLOW A
CONTRACTOR'S OFFICE (REDUCTION IN BUFFERS)
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**DENIAL**
7. CASE NUMBER :**SUP2015-00017**
APPLICANT :JOHN HOWARD
CONTACT :MARIAN ADEIMY
PHONE NUMBER :678.518.6855
ZONING :C-2
LOCATION :1500 BLOCK OF BUFORD DRIVE
MAP NUMBERS :R7065 142 & 143
ACREAGE :3.30 ACRES
PROPOSAL :LANDSCAPE CONTRACTOR (OUTDOOR STORAGE)
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**DENIAL**

8. CASE NUMBER :**SUP2015-00014**
APPLICANT :INGRID SINGH
PHONE NUMBER :973.280.8121
ZONING :R-100
LOCATION :3300 BLOCK OF LENORA CHURCH ROAD
:3300 BLOCK OF ANDREA LEE COURT
MAP NUMBER :R5003 001C
ACREAGE :1.77 ACRES
SQUARE FEET :1,438 SQUARE FEET
PROPOSED DEVELOPMENT :FAMILY PERSONAL CARE HOME
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**DENIAL**

9. CASE NUMBER :**BRD2015-00003 (Public Hearing Held 6-2-15)**
APPLICANT :MORDERCAI YOUNG LEE
CONTACT :SUNG H. CHUNG
PHONE NUMBER :770.891.0023
ZONING :RA-200
LOCATION :1600 BLOCK OF OLD FOUNTAIN ROAD
MAP NUMBER :R7055 011
ACREAGE :6.64 ACRES
PROPOSED DEVELOPMENT :BUFFER REDUCTION FROM 20 FEET TO 11 FEET
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

G. NEW BUSINESS

I. CASE NUMBER :**RZC2015-00014**
APPLICANT :XIU PING XI
CONTACT :EDWIN MARGER
PHONE NUMBER :706.253.3060
ZONING CHANGE :C-2 & M-1 TO C-2
LOCATION :1600 BLOCK OF BEAVER RUIN ROAD
MAP NUMBERS :R6201 008A & 108
ACREAGE :1.87 ACRES
SQUARE FEET :21,000 SQUARE FEET
PROPOSED DEVELOPMENT :AUTOMOBILE SALES & SERVICE
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**DENIAL**

2. CASE NUMBER :**SUP2015-00019**
APPLICANT :XIU PING XI
CONTACT :EDWIN MARGER
PHONE NUMBER :706.253.3060
ZONING CHANGE :C-2 (PROPOSED)
LOCATION :1600 BLOCK OF BEAVER RUIN ROAD
MAP NUMBERS :R6201 008A & 108
ACREAGE :1.87 ACRES
SQUARE FEET :21,000 SQUARE FEET
PROPOSED DEVELOPMENT :AUTOMOBILE SALES & SERVICE
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**DENIAL**
3. CASE NUMBER :**SUP2015-00020**
APPLICANT :XIU PING XI
CONTACT :EDWIN MARGER
PHONE NUMBER :706.253.3060
ZONING CHANGE :C-2 (PROPOSED)
LOCATION :1600 BLOCK OF BEAVER RUIN ROAD
MAP NUMBERS :R6201 008A & 108
ACREAGE :1.87 ACRES
SQUARE FEET :21,000 SQUARE FEET
PROPOSED DEVELOPMENT :AUTOMOBILE BODY REPAIR
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**DENIAL**
4. CASE NUMBER :**RZM2015-00004**
APPLICANT :LYNWOOD DEVELOPMENT GROUP
CONTACTS :MARIAN ADEIMY
PHONE NUMBER : 678-518-6855
ZONING CHANGE :C-2 TO RM-24
LOCATION :1900 BLOCK OF ATKINSON ROAD
MAP NUMBER :R7081 014
ACREAGE :0.99 ACRE
UNITS :20 UNITS
PROPOSED DEVELOPMENT :APARTMENTS
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

5. CASE NUMBER :**RZM2015-00005**
APPLICANT :PTL, LLC
CONTACTS :ANDREW PERRY
PHONE NUMBER :404.987.1224
ZONING CHANGE :RM TO R-TH
LOCATION :2400 BLOCK OF WHITEHEAD PLACE DRIVE
MAP NUMBERS :R7126 002 & 496
ACREAGE :2.52 ACRES
UNITS :16 UNITS
PROPOSED DEVELOPMENT :TOWNHOMES
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
6. CASE NUMBER :**RZR2015-00012**
APPLICANT :CKK, LLC
CONTACT :DUNCAN CORLEY
PHONE NUMBER :770.962.8456
ZONING CHANGE :R-100 TO R-60
LOCATION :1500 BLOCK OF OAK ROAD
MAP NUMBERS :R5009 006, 179 & 184
ACREAGE :21.3 ACRES
UNITS :68 UNITS
PROPOSED DEVELOPMENT :SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**DENIAL**
7. CASE NUMBER :**SUP2015-00023**
APPLICANT :CKK, LLC
CONTACT :DUNCAN CORLEY
PHONE NUMBER :770.962.8456
ZONING :R-100
LOCATION :1500 BLOCK OF OAK ROAD
MAP NUMBER :R5009 179
ACREAGE :2.91 ACRES
PROPOSED DEVELOPMENT :CHURCH (REDUCTION IN BUFFERS)
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

8. CASE NUMBER :**RZR2015-00013**
APPLICANT :JEH HOMES
CONTACT :MITCH PEEVY
PHONE NUMBER :770.614.6511
ZONING CHANGE :R-75 TO TND
LOCATION :2800-2900 BLOCKS OF PLEASANT HILL ROAD
:3700 BLOCK OF WOODBERRY DRIVE
:2800-2900 BLOCKS OF PINEVIEW STREET
:3600-3700 BLOCKS OF SUNSET STREET
:2800 BLOCK OF WOODSTAR COURT
:2800 BLOCK OF WOODRUFF DRIVE
MAP NUMBERS :R6261 001, 001A, 001B, 006, 008, 012, 037, 039, 040,
R6261A023, 024, 025A, 026, 030, 034, 038, 042, 066, 078,
084 & 086
ACREAGE :24.40 ACRES
UNITS :57 SINGLE-FAMILY DETACHED HOMES
:82 TOWNHOMES
SQUARE FEET :20,000 SQUARE FEET (RETAIL)
PROPOSED DEVELOPMENT :TRADITIONAL NEIGHBORHOOD DEVELOPMENT
(REDUCTION IN BUFFERS)
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
9. CASE NUMBER :**RZR2015-00014**
APPLICANT :DEVELOPMENT PLANNING & ENGINEERING
CONTACT :MITCH PEEVY
PHONE NUMBER :770.614.6511
ZONING CHANGE :R-100 TO R-75
LOCATION :5700-5800 BLOCKS OF SUWANEE DAM ROAD
MAP NUMBERS :R7340 008, 015 & 050
ACREAGE :19.38 ACRES
UNITS :31 UNITS
PROPOSED DEVELOPMENT :SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
10. CASE NUMBER :**CIC2015-00012**
APPLICANT :TERRANCE MILLER
CONTACT :MARIAN ADEIMY
PHONE NUMBER :678-518-6855
ZONING :C-2
LOCATION :5000 BLOCK OF JIMMY CARTER BOULEVARD
:6000 ROCKBRIDGE SCHOOL ROAD
MAP NUMBER :R6190 172
ACREAGE :0.69 ACRE
SQUARE FEET :2,114 SQUARE FEET
PROPOSAL :CHANGE IN CONDITIONS TO ALLOW
AUTOMOBILE SALES
COMMISSION DISTRICT :(2) HOWARD
DEPARTMENT RECOMMENDATION :**DENIAL**

11. CASE NUMBER :**SUP2015-00018**
APPLICANT :TERRANCE MILLER
CONTACT :MARIAN ADEIMY
PHONE NUMBER :678-518-6855
ZONING :C-2
LOCATION :5000 BLOCK OF JIMMY CARTER BOULEVARD
:6000 ROCKBRIDGE SCHOOL ROAD
MAP NUMBER :R6190 172
ACREAGE :0.69 ACRE
SQUARE FEET :2,114 SQUARE FEET
PROPOSAL :AUTOMOBILE SALES
COMMISSION DISTRICT :(2) HOWARD
DEPARTMENT RECOMMENDATION :**DENIAL**
12. CASE NUMBER :**CIC2015-00013 (ADMINISTRATIVELY WITHDRAWN)**
13. CASE NUMBER :**CIC2015-00014**
APPLICANT :QUIKTRIP CORPORATION
CONTACT :LEE TUCKER OR SHANE LANHAM
PHONE NUMBER :770.232.0000
ZONING :C-2
LOCATION :1000 BLOCK OF OLD PEACHTREE ROAD
MAP NUMBER :R7124 021
ACREAGE :2.06 ACRES
SQUARE FEET :5,858 SQUARE FEET
PROPOSAL :CHANGE IN CONDITIONS TO REMOVE INTERNAL
LANDSCAPE STRIP REQUIREMENT
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
14. CASE NUMBER :**BRD2015-00004**
APPLICANT :LYNWOOD DEVELOPMENT GROUP
CONTACT :MARIAN ADEIMY
PHONE NUMBER :678-518-6855
ZONING :C-2
LOCATION :1800 BLOCK OF DULUTH HIGHWAY
:5100 BLOCK OF SUGARLOAF PARKWAY
MAP NUMBERS :R7081 004A, 136 & 151
ACREAGE :5.39 ACRES
PROPOSED DEVELOPMENT :BUFFER REDUCTION FROM 50 FEET TO 0 FEET
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**

H. AMENDMENT TO THE SIGN ORDINANCE

SOA2015-00001 - AN AMENDMENT TO THE GWINNETT COUNTY SIGN ORDINANCE, CONCERNING SECTION 86-101 DEFINITIONS, AND 86-115 OVERSIZED SIGNS, AND ADDING OR AMENDING REGULATIONS PERTAINING TO ELECTRONIC OVERSIZED SIGNS.

I. ALTERNATE ARCHITECTURAL DESIGN

NEXTRAN ATLANTA, 1735 BRECKINRIDGE PLAZA, PARCEL 7076 019, ZONED M-2 - PLANNING COMMISSION REVIEW OF ALTERNATE BUILDING ELEVATIONS FROM ARCHITECTURAL DESIGN STANDARDS COLOR AND FINISH (UDO APPENDIX SECTION I, SECTION 9.0.0 THROUGH AUTHORIZATION BY UDO APPENDIX SECTION I, SECTION 3.0.0 DIRECTOR'S REVIEW)

J. AUDIENCE COMMENTS

K. COMMITTEE REPORTS

L. COMMENTS BY STAFF AND PLANNING COMMISSION

M. ADJOURNMENT

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS**

CASE NUMBER :**RZM2015-00002**
ZONING CHANGE :MUR TO RM-24
LOCATION :2700 BLOCK OF SATELLITE BOULEVARD
MAP NUMBERS :R7078 037 & R7118 002
ACREAGE :44.69 ACRES
UNITS :290 UNITS
PROPOSED DEVELOPMENT :APARTMENTS
COMMISSION DISTRICT :(1) BROOKS

FUTURE DEVELOPMENT MAP: **REGIONAL MIXED USE**

APPLICANT: BRAND PROPERTIES, LLC
C/O MAHAFFEY, PICKENS, TUCKER, LLP
1550 N. BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACT: LEE TUCKER OR WES TURNER PHONE: 770.232.0000

OWNER: SINGLETON CREEK, INC.
C/O MAHAFFEY, PICKENS, TUCKER, LLP
1550 N. BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS AS RM-13**

PROJECT DATA:

The applicant requests rezoning of a 44.69-acre parcel from MUR (Mixed-Use Redevelopment Overlay District) to RM-24 (Multifamily Residence District) to develop a 290-unit apartment complex. The site is located on the northwest side of Satellite Boulevard between Evergreen Boulevard and Boggs Road, and is a portion of an approximate 85-acre site approved in 2007 for a mixed-use development including a golf course/driving range, multi-family residential, commercial and office uses. The western portion of the site is currently developed the Georgia Trail Golf Course, a 9-hole public course, and includes an existing clubhouse and restaurant near Satellite Boulevard.

According to the site plan, the property is comprised of 28.6 acres of floodplain associated with Singleton Creek along the west property line. A petroleum pipeline easement bisects the property. The site plan proposes a multi-family community of apartment buildings comprising 290 units for a net density of 9.54 units per acre. Eight of the ten buildings are proposed to be 3-stories in height and two buildings are proposed to be loft apartment buildings. In addition, the site plan indicates an amenity area consisting of a clubhouse and pool. A 2,500-square foot leasing office is proposed at the site's sole driveway access on Satellite Boulevard. A total of

482 parking spaces are indicated on the site plan, which meets the required parking standard. Detailed architectural information was not submitted for the proposed buildings; however, the average square footage for the units is proposed to be 970 square feet.

ZONING HISTORY:

In 1970, the property was zoned M-1 (Light Industry District) and R-75 (Single Family Residence District). In 1975, the entire property was rezoned M-1 pursuant to an areawide zoning action. In 2004, the subject property was rezoned to RA-200 (Agriculture-Residence District) pursuant to RZR-04-004 for a golf course, driving range and accessory uses. The Georgia Trail Golf Course was subsequently constructed on the site. In 2007, the golf course was combined with property to the east for a total of approximately 85 acres and rezoned MUR (Mixed-Use Redevelopment Overlay District) pursuant to MUR-07-002. At that time, the Board of Commissioners approved a mixed-use development for 450 residential units, 1.67 million square feet of commercial and office uses, and the existing golf course/driving range.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property contains areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development. The applicant/developer shall obtain all required approvals from the Gwinnett Department of Public Utilities and the U.S. Army Corps of Engineers for construction or land disturbance activities which may impact floodplain or wetland areas.

OPEN SPACE AND GREENWAY MASTER PLAN:

This property contains a future greenway route as identified in the Gwinnett County Open Space and Greenway Master Plan. Dedicate at no cost to Gwinnett County, all necessary right-of-way/easements for the construction of a greenway trail.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Protection requires submittal and approval of a Tree Preservation and Replacement Plan prepared by a professional landscape architect prior to securing a Land Disturbance or Development permit.

Section 610-20.3 of the Unified Development Ordinance requires screening of dumpsters and loading/unloading facilities.

Parking lots and interior driveways shall be designed in accordance with Chapter 240 of the Unified Development Ordinance.

Parking spaces shall be provided at a ratio of:

1.5 spaces per dwelling at a minimum

3 spaces per dwelling at a maximum

Section 900-30 of the Unified Development Ordinance requires a 200-foot deceleration lane with a 50-foot taper at each project entrance that proposes access to a Minor Collection Street or Major Thoroughfare. Right-of-way dedication to accommodate the deceleration lane and an 11-foot shoulder is also required. Reduction in length of a deceleration lane requires approval of a Modification by the Development Division; elimination of a deceleration lane requires approval of a Waiver by the Board of Commissioners.

Section 900-90 of the Unified Development Ordinance requires construction of five-foot wide sidewalks along all exterior roadways adjoining the project, and four-foot wide sidewalks adjacent to both sides of all interior public streets (excluding cul-de-sac turnarounds).

A minimum of 50-foot building setback is required from the right-of-way of Satellite Boulevard.

The developer must submit detailed site development plans, including a landscape and tree preservation/replacement plan, for review and approval of the Development Division prior to any construction.

Section 800-20 of the Unified Development Ordinance requires submittal of a Storm Water Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

Section 700-40.1A of the Unified Development Ordinance requires that the lowest floor, including the basement, of all residential building be constructed at an elevation of at least three feet above the 100-year floodplain.

STORMWATER REVIEW SECTION COMMENTS:

The property appears to contain stream buffers and floodplain. The proposed conceptual plan may require revision to show the appropriate stream buffer areas (measured from the top of bank on all streams) and floodplain areas. All storm water best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Satellite Boulevard is a Major Arterial and 50 feet of right-of-way is required from the centerline, with 60 feet required within 500 feet of a major intersection.

Standard deceleration lane with appropriate taper and adequate right-of-way will be required.

Prior to the issuance of a Development Permit, a sight distance certification shall be provided.

The number and locations of driveways are subject to Gwinnett County D.O.T. approval.

Minimum separation from a street intersection from a driveway, public road, or side street shall be provided as specified in the Gwinnett County Unified Development Ordinance.

Project must comply with Gwinnett County D.O.T. Criteria and Guidelines for Left Turn Lanes.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

Contact GCEHD concerning the swimming pool permitting process.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 16-inch water main located on the northern right-of-way of Satellite Boulevard.

Due to the uncontrollable variables, the Department of Water Resources makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. Demands imposed by the proposed development may require reinforcements or extensions of existing water mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located on parcels 7078 037 and 7118 002, and a 24-inch sanitary sewer main located approximately 40 feet west of the property.

The subject development is located within the Beaver Ruin service area. There are currently no connection restrictions within this service area. Treatment capacity within this area is presently available on a first come - first serve basis.

Demands imposed by the proposed development may require reinforcements or extensions of existing sewer mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department. Developer shall provide easements for future sewer connection to all locations designated by DWR during plan review.

As-built information for this department is dependent upon outside entities to provide record drawings for the utilities. Therefore this department does not guarantee the accuracy of the information provided.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances. Proceeding design, construction, inspection, and final acceptance of the required utilities, service to these utilities would then become available under the applicable utility permit rate schedules.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit civil site drawings to Building Plan Review for review and approval.
2. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for each building for review and approval by Building Plan Review.
3. Each building shall comply with the height and area limitations of Table 503 and the fire resistive and horizontal separation requirements of Table 601 and 602 of the 2012 International Building Code with Georgia state amendments based on occupancy group classification, type of construction, and location of each building from property lines and other buildings.
4. Architectural design of the proposed building shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Category 3.
5. Upon completion of plan review approvals, the applicant shall obtain a building permit for each building and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at (678) 518-6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

Fire Plan Review has no objections to the above rezoning requests, under the following conditions:

1. Applicant submits civil drawings to Fire Plan Review for review and approval.
2. Applicant submits architectural drawings to Fire Plan Review for review and approval.
3. Upon completion of plan review approvals, applicant successfully achieves a satisfactory Fire field inspection, for issuance of a Certificate of Occupancy - Business Operation.

For assistance, you may contact this office at (678) 518-6000, Monday through Friday, from the hours of 8:00 a.m. to 5:00 p.m.

DEPARTMENT ANALYSIS:

The subject property is a 44.69-acre site located on the northwest side of Satellite Boulevard between Evergreen Boulevard and Boggs Road. The site is currently developed with the Georgia Trail Golf Course, including an existing restaurant/clubhouse near Satellite Boulevard.

The 2030 Unified Plan Future Development Map identifies the site as being located within the Regional Mixed Use Character Area. High and medium density residential components are encouraged within this Character Area; therefore, this proposal is considered consistent with the recommended land use.

This segment of Satellite Boulevard is characterized by a mix of professional office, business park, commercial, institutional and multifamily land uses. Adjacent to the east is the Pinebrook Business Park, zoned M-1. An office complex, which represents the balance of the 2007 MUR zoning approval, is located in the northwest quadrant of the Satellite Road/Boggs Road intersection. The three remaining quadrants are zoned C-2 and developed for general commercial uses including a convenience store, a small shopping center and an automobile dealership. Across Satellite Boulevard is the Children's at Satellite Boulevard medical center, zoned M-1. Adjacent to the west of the subject property is the Northmont Business Park, zoned M-2 (Heavy Industry District) and developed as an office/warehouse complex. Further west of the site is the Merritt at Sugarloaf apartment complex, zoned RM-10. The subject property's location along Satellite Boulevard, which is developed with numerous multifamily projects, suggests that the request for multifamily zoning is suitable for the site.

In conclusion, the proposed multifamily apartment complex may be consistent with the recommendation of the Unified Plan, which supports multifamily residential development for the Character Area. It is noted, however, that the proposed apartment complex is planned to contain no more than 10 units per acre, and therefore the RM-13 zoning district may be more suitable than the requested RM-24. Given that the proposed development would not utilize the density afforded by RM-24, the Department recommends **APPROVAL WITH CONDITIONS AS RM-13.**

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as RM-13 (Multifamily Residence District) for an apartment development, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. No more than 290 multifamily residential dwellings and accessory uses and structures.
 - B. The development shall be a gated community.
 - C. Buildings shall be constructed as urban-style, flat-roofed buildings with primary exterior treatments of brick or stacked stone on each elevation. The remainder of each elevation may be the same, or fiber-cement shake or siding. Building elevations shall be submitted for review and approval of the Director of Planning and Development prior to the issuance of building permits.
2. To satisfy the following site development considerations:
 - A. Provide a 50-foot wide landscaped setback along Satellite Boulevard. The landscaped setback shall include a decorative fence or wall and entrance monument(s). Landscaping, fence/wall and entrance monument design shall be subject to review and approval of the Director of Planning and Development prior to the issuance of a development permit.
 - B. Ground signage shall be limited to monument type sign(s), and shall be subject to review and approval by the Director of Planning & Development. The sign shall include a minimum two-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the cabinet shall be fully surrounded by the same materials. Ground sign(s) shall not exceed 8 feet in height.
 - C. Dumpsters/trash compactors shall be screened by a 100% opaque brick or stone wall.
 - D. No temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
 - E. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

3. Abide by the following requirements, dedications and improvements:
 - A. As directed by the Gwinnett County Department of Transportation, and at no cost to Gwinnett County: design, dedicate and construct the improvements identified and recommended by the submitted Traffic Impact Study.
 - B. Dedicate at no cost to Gwinnett County, all necessary right-of-way and easements for the construction of a greenway trail through the property in accordance with the Gwinnett County Open Space and Greenway Master Plan. Right-of-way/easement width and location shall be subject to review and approval by the Department of Community Services.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The subject site is located within an area developed with a mix of industrial, commercial, office, institutional and multifamily uses. Development of an apartment complex may be suitable given the presence of other similar apartment complexes along the Satellite Boulevard corridor.

ADVERSE IMPACTS

If developed in accordance with the recommended conditions, the proposed multifamily development is not expected to have an adverse impact in this area along Satellite Boulevard.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

An increase in utility demand, traffic, stormwater runoff and the number of school-aged children could be anticipated from this request.

CONFORMITY WITH POLICIES

The proposed apartment complex may be consistent with the recommendations of the 2030 Unified Plan, which supports high density multifamily residential at appropriate locations.

CONDITIONS AFFECTING ZONING

The approved MUR zoning on the subject property, which includes a multifamily component, sets a precedent for approval of this request. However, the development as requested can be accommodated by an approval for RM-13 zoning.

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED 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 AN 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:

Please see attached.

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

Please see attached.

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

Please see attached.

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

Please see attached.

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

Please see attached.

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

Please see attached.

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STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) Yes, the proposed Rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property. The subject property is surrounded by commercial, office institutional and residentially-zoned properties within the Gwinnett Place Mall region. The proposed Rezoning is compatible with the zonings and uses currently in effect or contemplated for adjacent and nearby properties.
- (B) No, the proposed Rezoning will not adversely affect the existing use or usability of adjacent or nearby property but, to the contrary, will be compatible and consistent with such uses as currently exist or as are contemplated in the future.
- (C) No. In light of market conditions and the realities of the surrounding property uses, it would be nearly impossible to use and develop the property in accordance with its current MUO zoning.
- (D) No, the proposed Rezoning will not result in a use which will or could cause an excessive or burdensome use of the existing streets, transportation facilities, utilities or schools. The proposed Rezoning and use will have no effect upon schools other than to generate revenue in the form of ad valorem taxes for the Gwinnett County Public School System. The transportation network in this area has been improved greatly and is capable of handling any traffic to be generated by the development of this property under the proposed Rezoning.
- (E) Yes. The proposed Rezoning is in conformity with the intent of the Land Use Plan in that it provides multifamily residential in the midst of a regional mixed-use corridor in the Gwinnett Place Mall region. Also, the subject tract is adequately served by transportation thoroughfares providing appropriate ingress and egress to and from the property.
- (F) Yes, the existing zonings of adjacent and nearby properties and the fact that the subject tract is surrounded by ample infrastructure, and is located in close proximity to a major thoroughfare give additional supporting grounds for the approval of the requested rezoning. Additionally, the property has no reasonable economic use under its current zoning thereby giving additional support for the approval of this Application.

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3328 Peachtree Road, NE
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Atlanta, GA 30326
(770) 963.9223 (770) 995.8906 fax
BrandProperties.net

LETTER OF INTENT FOR REZONING
APPLICATION OF BRAND PROPERTIES, LLC

The Applicant, Brand Properties, LLC, submits this Rezoning Application for the purpose of rezoning an approximate 45 acre tract (hereinafter, the "Property") located at 3090 Satellite Boulevard, Duluth, Georgia 30096 to the RM-24 zoning classification. The Property is currently zoned MUO.

In its current state, the use and development of the Property as MUO is not economically feasible and is not the highest and best use. As stated in the Rezoning Application, the Applicant intends to develop the Property as a multi-family residential community.

The Applicant respectfully submits that the proposed development will conform to the Gwinnett County 2030 Unified Plan (the "Comprehensive Plan"). The Property is located within a Regional Mixed-Use Character Area, which, pursuant to the Comprehensive Plan, encourages ultra high and high density residential developments. Additionally, the proposed apartment community would be compatible with the intense commercial/retail and office activity surrounding Gwinnett Place Mall, while furthering the policies of the Comprehensive Plan by providing living accommodations in the Gwinnett Place Mall regional center.

The Applicant submits that the proposed rezoning would not impose any additional burdens on the transportation network. Moreover, the Property is served by a Major Collector street in Satellite Boulevard. The Applicant further submits that the operation of the Property as a multi-family residential development under the guidelines of Gwinnett County is appropriate for the subject tract, is consistent with the surrounding property and will afford the owner the opportunity to increase the number of allowed uses on site so as to provide a needed amenity for the surrounding area. The proposed development would ensure

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refined, affordable housing, while attracting new residents, and increasing the tax base without overburdening County schools and infrastructure. Rezoning of the property from the MUO zoning classification to multi-family residential would protect and promote the quality of life of the surrounding community while allowing the Property to be developed to its highest and best use.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Rezoning Application filed herewith. The Applicant respectfully requests your approval of this Application.

This 2nd day of January, 2015
~~December, 2014.~~

Respectfully submitted,

Brand Properties, LLC



Justin Abernathy
Vice President of Development

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**TRAFFIC IMPACT STUDY
FOR
RESIDENTIAL DEVELOPMENT – SATELLITE BLVD
GWINNETT COUNTY, GEORGIA**

Prepared for:

***Brand Properties
3475 Piedmont Road, Suite 900
Atlanta, GA 30305***

Prepared By:



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January 27, 2015

A & R Project # 15-004

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INTRODUCTION

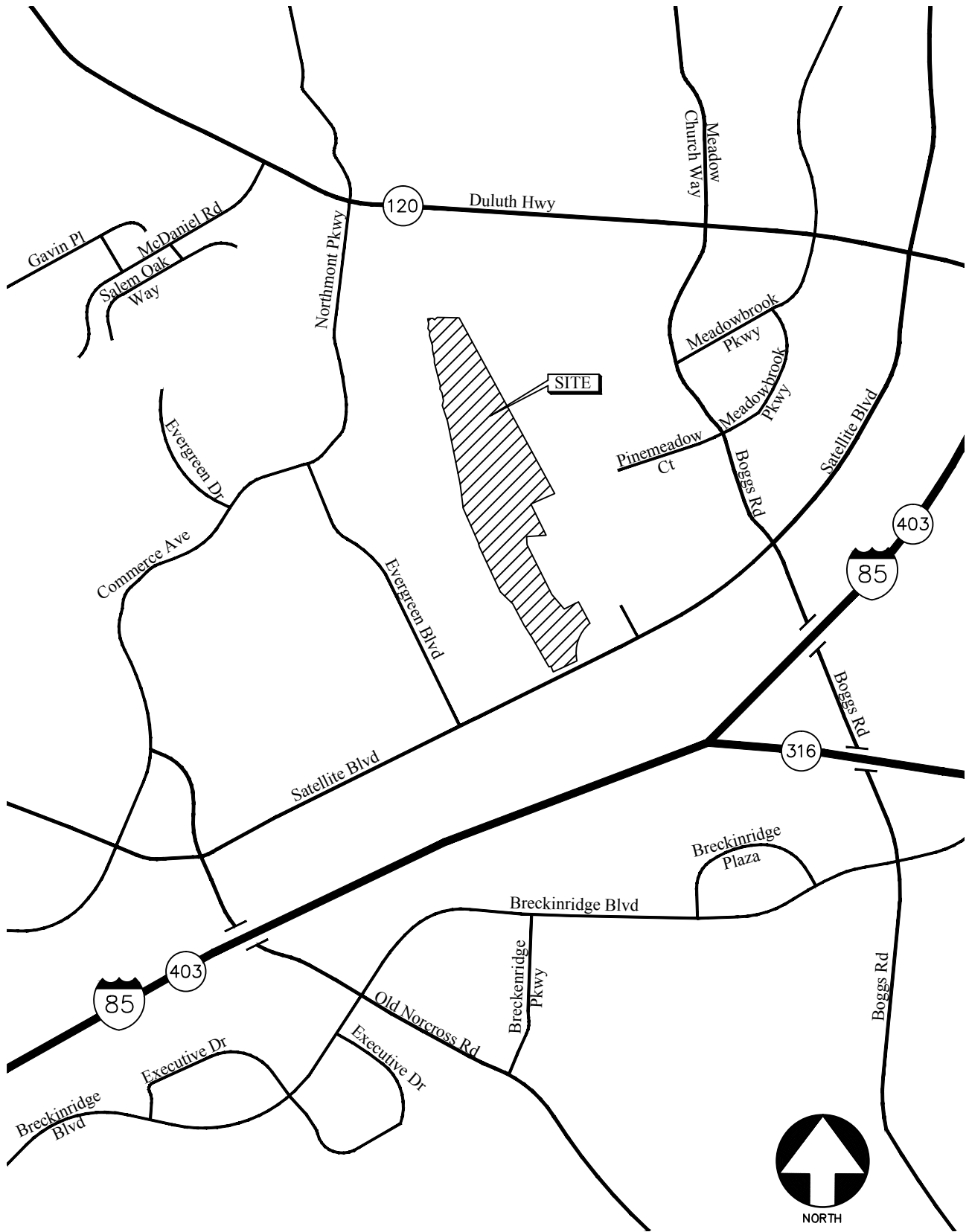
The purpose of this study is to determine the traffic impact that will result from the proposed residential development located to the north of Satellite Boulevard between Evergreen Boulevard and Boggs Road in Gwinnett County, Georgia. The traffic analysis evaluates the current operations compared to the future conditions with the traffic generated by the development. The proposed development will consist of 290 apartment units and proposes a full-access driveway on Satellite Boulevard.



The AM and PM peak hours have been analyzed in this study. In addition to the site access point, this study includes the evaluation of traffic operations at the intersections of:

- Satellite Boulevard @ Boggs Road
- Satellite Boulevard @ Existing Georgia Trail at Sugarloaf Driveway
- Satellite Boulevard @ Evergreen Boulevard

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



LOCATION MAP

FIGURE 1

A&R Engineering Inc.

EXISTING FACILITIES / CONDITIONS

Roadway Facilities

The following is a brief description of each of the roadway facilities located in proximity to the site:

Satellite Boulevard

Satellite Boulevard is an east-west, four-lane roadway with a posted speed limit of 45 mph and two-way turn lane in the vicinity of the site. GDOT traffic counts (Station ID 1350581) indicate that the daily traffic volume on Satellite Boulevard is 34,860 vehicles per day west of Evergreen Boulevard. GDOT classifies Satellite Boulevard as a major collector roadway.

Boggs Road

Boggs Road is a north-south, four-lane roadway with a speed limit of 45 mph in the vicinity of the site. GDOT traffic counts (Station ID 1350527) indicate that the daily traffic volume on Boggs Road is 11,110 vehicles per day north of Satellite Boulevard. GDOT classifies Boggs Road as a minor arterial roadway.

Evergreen Boulevard

Evergreen Boulevard is a north-south, two-lane roadway with a posted speed limit of 35 mph and two-way left turn lane in the vicinity of the site.

STUDY METHODOLOGY

In this study, the methodology used for evaluating traffic operations at each of the subject intersections is based on the criteria set forth in the Transportation Research Board's Highway Capacity Manual, 2000 edition (HCM 2000). Synchro software, which utilizes the HCM 2000 methodology, was used for the analysis. The following is a description of the methodology employed for the analysis of unsignalized and signalized intersections.

Unsignalized Intersections

For unsignalized intersections at which the side street or minor street is controlled by a stop sign, the criteria for evaluating traffic operations are the level-of-service (LOS) for the turning movements at the intersection and the level-of-service for the overall intersection. Level-of-service is based on the average controlled delay incurred at the intersection. Controlled delay for unsignalized intersections includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. Several factors affect the controlled delay for unsignalized intersections, such as the availability and distribution of gaps in the conflicting traffic stream, critical gaps, and follow-up time for a vehicle in the queue.

Level-of-service is assigned a letter designation from "A" through "F". Level-of-service "A" indicates excellent operations with little delay to motorists, while level-of-service "F" exists when there are insufficient gaps of acceptable size to allow vehicles on the side street to cross safely, resulting in extremely long total delays and long queues. The level-of-service criteria for two-way stop-controlled and all-way stop-controlled (unsignalized) intersections are given in Table 1.

TABLE 1 — LEVEL-OF-SERVICE CRITERIA FOR UNSIGNALIZED INTERSECTIONS	
Level-of-service	Average Delay (sec)
A	≤ 10
B	> 10 and ≤ 15
C	> 15 and ≤ 25
D	> 25 and ≤ 35
E	> 35 and ≤ 50
F	> 50

Source: 2000 Highway Capacity Manual

Signalized Intersections

For signalized intersections, it is necessary to evaluate both capacity and level-of-service in order to evaluate the overall operation of the intersection. The capacity analysis of an intersection is performed by comparing the volume of traffic using the various lane groups at the intersection to the capacity of those lane groups. This results in a volume/capacity (v/c) ratio for each lane group. A v/c ratio greater than 1.0 indicates that the volume of traffic has exceeded the capacity available, resulting in a temporary excess of demand. Although the capacity of the entire intersection is not defined, a composite v/c ratio for the sum of the critical lane groups within the intersection is computed. This composite v/c ratio is an indication of the overall intersection sufficiency.

Level-of-service for a signalized intersection is defined in terms of average controlled delay per vehicle, which is composed of initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. The level-of-service criteria for signalized intersections, based on average controlled delay, are shown in Table 2. Level-of-service “A” indicates operations with very low controlled delay, while level-of-service “F” describes operations with extremely high average controlled delay. Level-of-service “E” is typically considered to be the limit of acceptable delay, and level-of-service “F” is considered unacceptable by most drivers.

TABLE 2 – LEVEL-OF-SERVICE CRITERIA FOR SIGNALIZED INTERSECTIONS	
Level-of-service	Average Control Delay (sec)
A	≤ 10
B	> 10 and ≤ 20
C	> 20 and ≤ 35
D	> 35 and ≤ 55
E	> 55 and ≤ 80
F	> 80

Source: 2000 Highway Capacity Manual

EXISTING TRAFFIC ANALYSIS

Existing traffic counts and intersection geometric data were obtained at the study intersections of:

- Satellite Boulevard @ Boggs Road
- Satellite Boulevard @ Existing Georgia Trail at Sugarloaf Driveway
- Satellite Boulevard @ Evergreen Boulevard

Turning movement counts were collected on Wednesday, January 14, 2015. All turning movement counts were recorded during the AM and PM peak hours between 6:00 a.m. to 9:00 a.m. and 4:00 p.m. to 7:00 p.m., respectively. The four consecutive 15-minute interval volumes that summed to produce the highest volume at the intersections were then determined. These volumes make up the peak hour traffic volumes for the intersections counted and are shown in Figure 2.

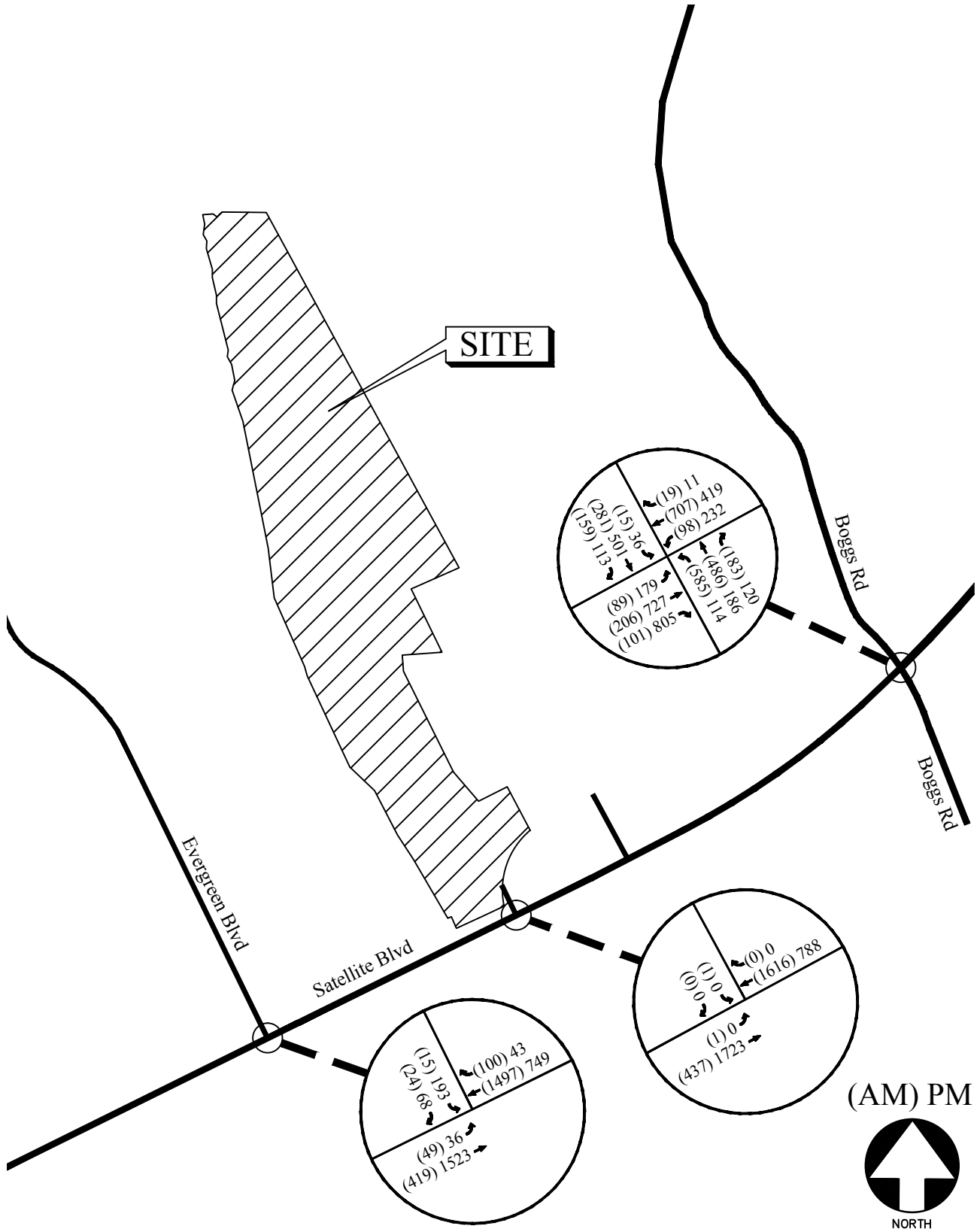
Existing Traffic Operations

Existing traffic operations were analyzed at the study intersections in accordance with the HCM methodology. Timing for the signalized intersections was analyzed with a 120-second cycle length and optimized splits. The existing traffic control and lane geometry for the intersections are shown in Figure 3.

TABLE 3 – EXISTING INTERSECTION OPERATIONS					
Intersection	Traffic Control	AM Peak Hour		PM Peak Hour	
		LOS (Delay)	v/c ratio*	LOS (Delay)	v/c ratio*
Satellite Blvd @ Boggs Rd	Signalized	D (42.4)	0.75	D (47.6)	0.87
-Eastbound Approach		C (28.6)	-	D (40.5)	-
-Westbound Approach		D (37.2)	-	C (24.9)	-
-Northbound Approach		D (44.4)	-	D (53.8)	-
-Southbound Approach		E (59.0)	-	F (83.1)	-
Satellite Blvd @ Georgia Trail Drwy	Stop				
-Eastbound Left	Controlled on Southbound	B (15.0)	-	A (0.0)	-
-Southbound Approach		D (34.5)	-	A (0.0)	-
Satellite Blvd @ Evergreen Blvd	Signalized	B (14.4)	0.72	B (15.5)	0.77
-Eastbound Approach		A (4.0)	-	B (14.2)	-
-Westbound Approach		B (17.6)	-	B (13.0)	-
-Southbound Approach		C (28.1)	-	C (27.0)	-

* v/c ratio is not calculated for unsignalized intersections

The results of the existing traffic operations analysis indicate that the study intersections are operating at an overall acceptable level-of-service ("D" or better by local standards) during the AM and PM peak hours. The southbound approach to the intersection of Satellite Boulevards at Boggs Road is operating at level-of-service "E" in the morning peak period and level-of-service "F" in the evening peak period. This area is further addressed in the Future Traffic Operations section of the report.







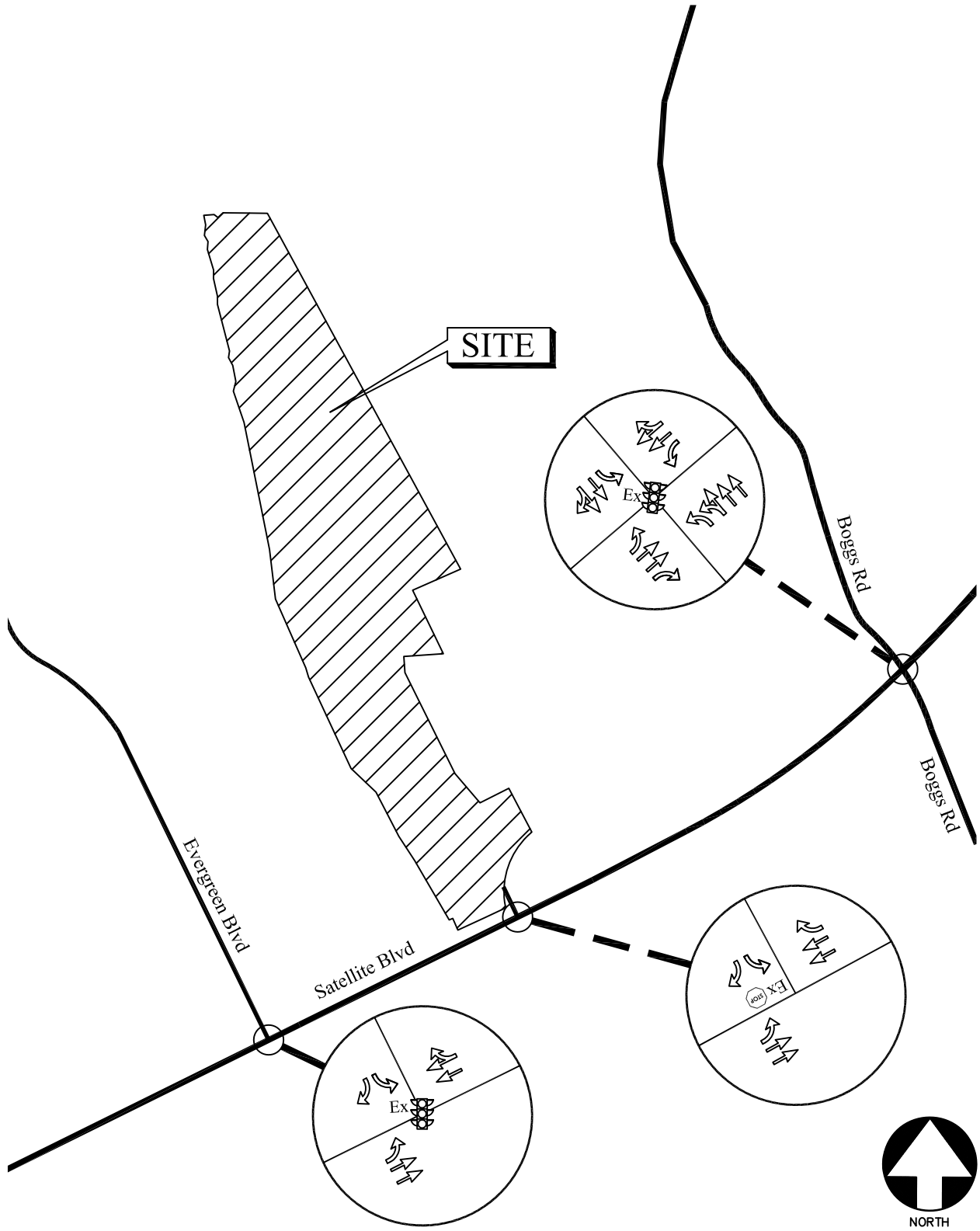
EXISTING WEEKDAY PEAK HOUR VOLUMES

FIGURE 2

A&R Engineering Inc.

LEGEND

- Ex   Existing Signed Approach
-  Existing Lane Geometry
- Ex  Existing Traffic Signal



EXISTING TRAFFIC CONTROL AND LANE GEOMETRY

FIGURE 3
A&R Engineering Inc.

PROPOSED DEVELOPMENT

The proposed residential development will be located to the north of Satellite Boulevard between Evergreen Boulevard and Boggs Road in Gwinnett County, Georgia. The proposed development will consist of 290 apartment units and proposes a full-access driveway on Satellite Boulevard. A site plan is shown in Figure 4.

Trip Generation

Trip generation estimates for the project were based on the rates and equations published in the 9th 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 following ITE Land Uses: 220 – *Apartment*. The calculated total trip generation for the proposed development is shown in Table 4.

Land Use	Size	AM Peak Hour			PM Peak Hour			24-Hour
		Enter	Exit	Total	Enter	Exit	Total	Two-way
ITE 220 – Apartment	290 Units	29	117	146	115	62	177	1,881

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 are shown in Figure 5.

Conceptual Site Plan

Georgia Trail Site - Gwinnett County, GA



OVERALL DEVELOPMENT SUMMARY

GROSS SITE AREA: 44.86 ACRES
 GROSS DENSITY: 6.64 UNITS/ACRE (298 UNITS/44.86 ACRES)
 NET SITE AREA: 30.56 ACRES
 NET DENSITY: 9.75 UNITS/ACRE (298 UNITS/30.56 ACRES)

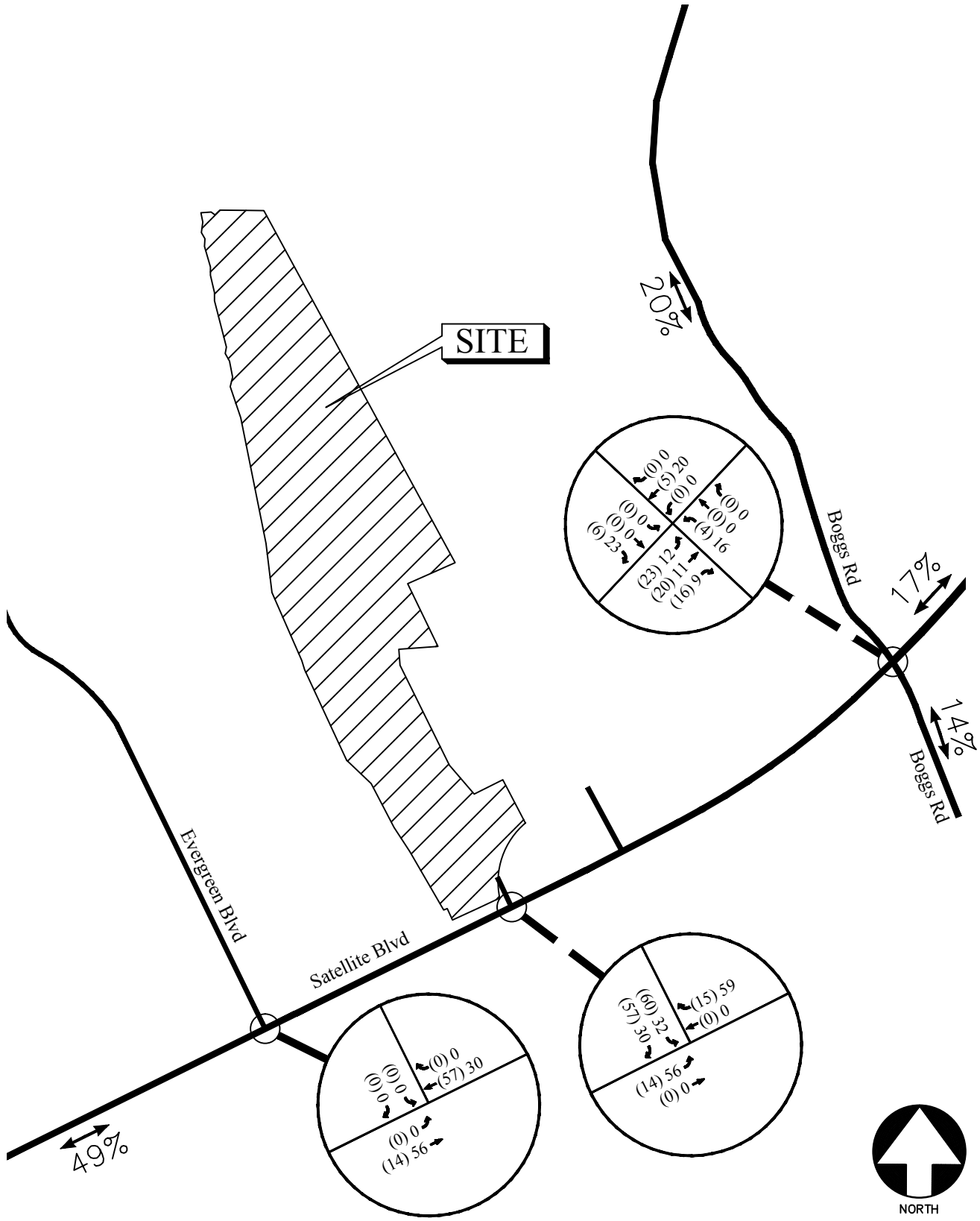
BUILDING 100 (3): 42 UNITS (3 FLAT)
 BUILDING 200 (1): 42 UNITS (3 FLAT)
 BUILDING 300 (2): 36 UNITS (3 FLAT)
 BUILDING 400 (2): 24 UNITS (3 FLAT)
 BUILDING 500 (2): 24 UNITS (3 FLAT)
TOTAL UNITS: 220 UNITS / 976 AVG SF

RESIDENTIAL PARKING 446 SPACES
 1.54 SPACES PER UNIT AVG

TOWNHOME (2): 4 UNITS (2 STORY)
TOTAL UNITS: 8 UNITS / 1,600 AVG SF

RESIDENTIAL PARKING: 36 SPACES
 4.5 SPACES PER UNIT AVG

2,500 SF LEASING OFFICE
 5,000 SF AMENITIES



OUTER LEG TRIP DISTRIBUTION AND SITE-GENERATED
PEAK HOUR VOLUMES

FIGURE 5
A&R Engineering Inc.

FUTURE TRAFFIC ANALYSIS

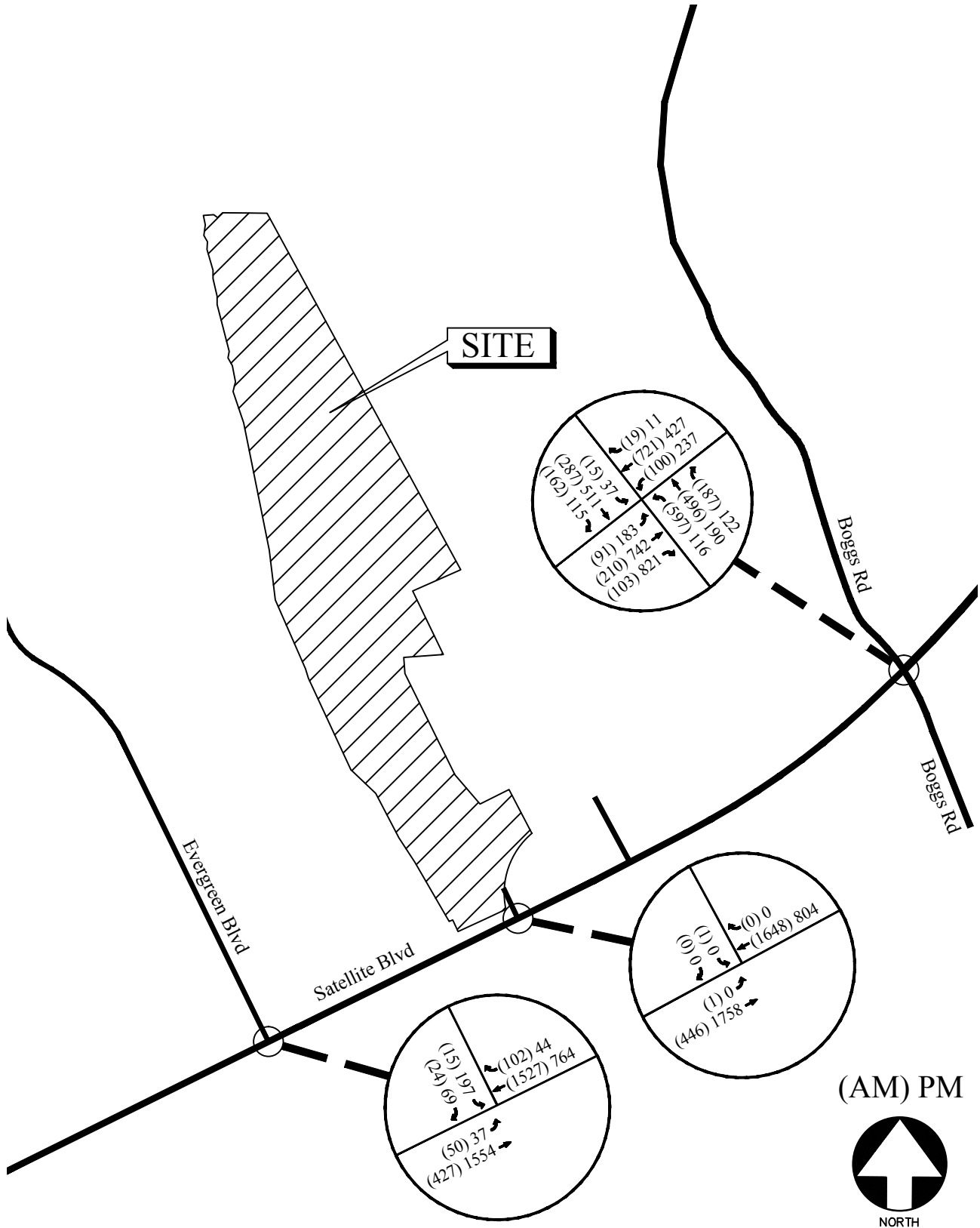
The future traffic operations are analyzed for the “Build” and “No-Build” conditions. This provides a basis of reference for determining both the contribution of the site to overall traffic conditions and the additional improvements needed to provide sufficient site access and capacity for passing traffic. Note that survey and construction drawings would be needed to verify the feasibility and extent of additional right-of-way required for any recommended improvements. The results of the analysis are shown in Tables 5 and 6.

Background Traffic Description

The “No-Build” (or background conditions) provide an assessment of how traffic will operate in the study horizon year without the study site being developed as proposed, with projected increases in through traffic volumes due to normal annual growth. Improvements that are identified as system improvements address deficiencies that are found within the road network for the “No-Build” conditions, without the addition of traffic from the proposed development. The Future “No-Build” volumes consist of the existing traffic volumes (Figure 2) plus increases for annual growth of through traffic and added traffic from other nearby planned developments.

Annual Traffic Growth

In order to evaluate future traffic operations in this area, a projection of normal traffic growth was applied to the existing volumes. The Georgia Department of Transportation recorded average daily traffic volumes at several locations in the vicinity of the site. Reviewing the growth over the last several years revealed no consistent positive growth of through traffic; therefore, a growth rate of 1% was used in the analysis. This growth factor was applied to the existing traffic volumes between collector and arterial roadways in order to estimate the future year traffic volumes prior to the addition of site-generated traffic. The resulting Future “No-Build” volumes on the roadway are shown in Figure 6.



FUTURE (NO BUILD) WEEKDAY PEAK HOUR VOLUMES

FIGURE 6

A&R Engineering Inc.

Site Access Configuration

The following access configuration was utilized when modeling the proposed site driveway intersections:

- Site Driveway @ Satellite Boulevard
 - The access point will provide full-access to Satellite Boulevard from the proposed site with one lane for entering traffic and a dedicated left turn lane and dedicated right turn lane for exiting traffic.
 - Entering left turning movements will be made from the existing two-way left turn lane on Satellite Boulevard.
 - Entering right turn movements will be made from the existing westbound dedicated right turn lane on Satellite Boulevard.

Future Traffic Operations

The “Build” or development conditions include the estimated background traffic from the “No-Build” conditions plus the added traffic from the proposed development. Improvements that are identified as mitigation improvements address deficiencies that are caused by site traffic and can be identified as related to the proposed development. In order to evaluate future traffic operations in this area, the additional traffic volumes from the site (Figure 5) were added to base traffic volumes (Figure 6) to calculate the future traffic volumes after the construction of the development. These total future traffic volumes (Figure 7) were used to evaluate the “Build” condition, which includes the projected site traffic. The results of the “No-Build” and “Build” operations analyses with the assumed site access configuration are shown in Tables 5 and 6.

TABLE 5 – FUTURE INTERSECTION OPERATIONS

Intersection	No-Build		Build	
	AM Peak	PM Peak	AM Peak	PM Peak
Satellite Blvd @ Boggs Rd	D (42.7)	D (50.5)	D (44.6)	D (54.5)
-Eastbound Approach	C (29.4)	D (43.7)	C (28.8)	D (45.7)
-Westbound Approach	D (36.7)	C (26.3)	D (37.5)	C (27.7)
-Northbound Approach	D (44.9)	D (54.0)	D (46.4)	D (54.8)
-Southbound Approach	E (60.0)	F (88.4)	E (69.2)	F (101.0)
Satellite Blvd @ Georgia Trail Drwy				
-Eastbound Left	C (15.3)	A (0.0)	C (17.3)	B (12.1)
-Southbound Approach	E (35.9)	A (0.0)	F (450.8)	D (34.2)
Satellite Blvd @ Evergreen Blvd	B (13.5)	B (16.5)	B (13.7)	B (16.9)
-Eastbound Approach	A (3.9)	B (15.2)	A (4.0)	B (15.8)
-Westbound Approach	B (16.2)	B (14.2)	B (16.5)	B (14.1)
-Southbound Approach	C (30.4)	C (27.4)	C (31.9)	C (29.2)

TABLE 6 – FUTURE INTERSECTION 95TH PERCENTILE QUEUES

Intersection	Available Storage	No-Build		Build	
		AM Peak	PM Peak	AM Peak	PM Peak
Satellite Blvd @ Boggs Rd					
-Eastbound Left	175'	85	119	99	128
-Eastbound Through	-	102	304	106	310
-Eastbound Right	550'	43	798	44	815
-Westbound Left	175'	96	215	92	220
-Westbound Through/Right	-	371	180	374	192
-Northbound Left	250'	437	139	471	146
-Northbound Left/Through	-	382	139	389	147
-Northbound Right	300'	50	46	50	46
-Southbound Left	100'	32	54	33	54
-Southbound Through/Right	-	231	436	260	462
Satellite Blvd @ Georgia Trail Drwy					
-Eastbound Left	100'	1	0	15	33
-Eastbound Through	-	0	0	0	0
-Westbound Through	-	0	0	0	0
-Westbound Right	150'	0	0	0	0
-Southbound Left	50'	3	0	504	78
-Southbound Right	-	0	0	20	5
Satellite Blvd @ Evergreen Blvd					
-Eastbound Left	175'	10	24	10	23
-Eastbound Through	-	37	577	38	603
-Westbound Through/Right	-	501	261	534	268
-Southbound Left	-	25	194	26	197
-Southbound Right	-	17	20	17	20

System Recommendations and Improvements

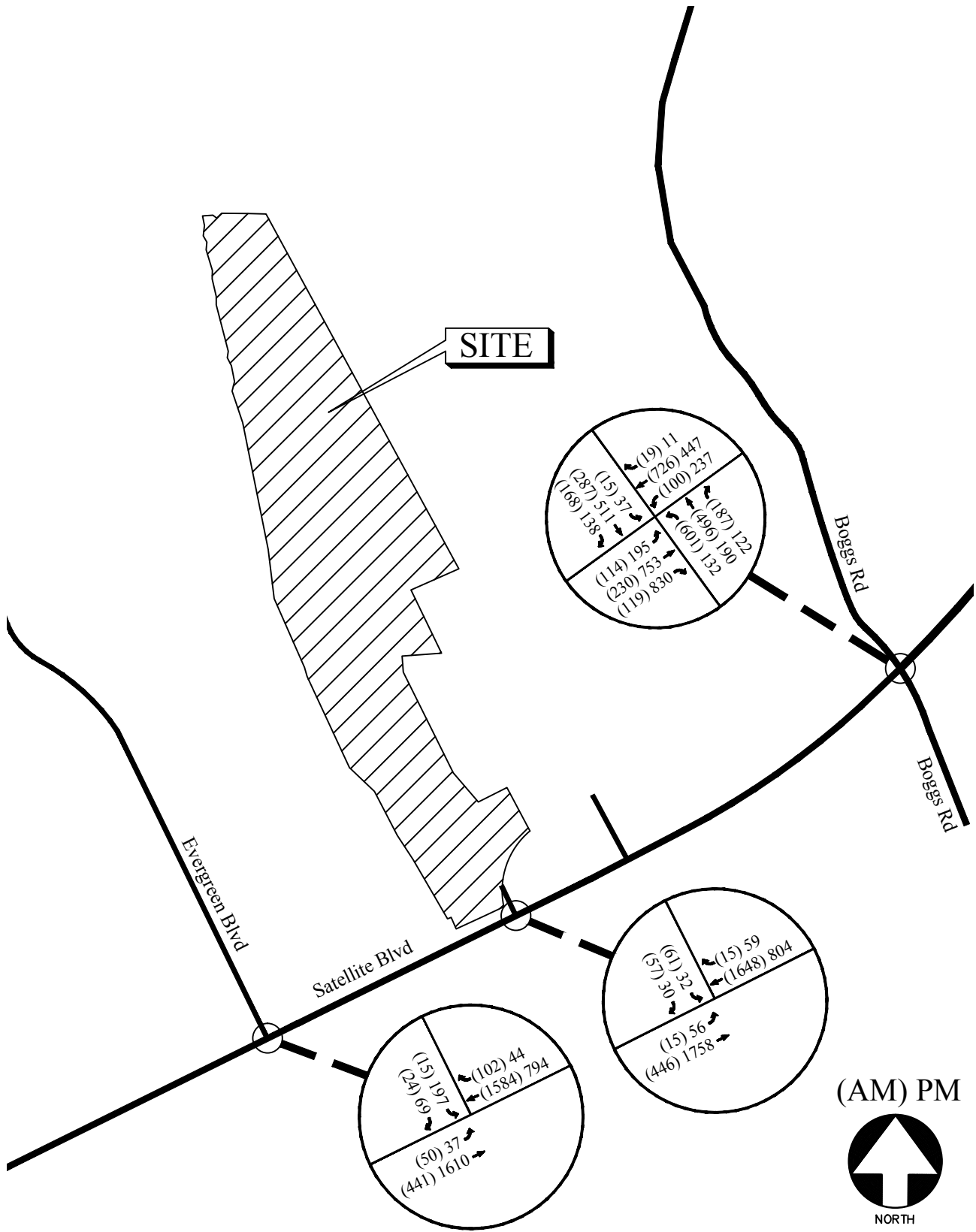
Improvements that are identified as system improvements address deficiencies that are found on the study network for the "No-Build" conditions, without the addition of traffic from the proposed development.

The GA Trail Driveway (Site Driveway #1) approach to Satellite Boulevard will begin to operate at a level-of-service "E" in the AM peak hour of the "No-Build" conditions, which is below the local level-of-service standard ("D" or better). It should be noted that the driveway was only found to have one entering and exiting movement during the AM peak hour and was not utilized in the PM peak hour. Intersection improvements cannot be identified to significantly improve level-of-service on this approach as delays are caused by limited gaps in through traffic on the arterial roadway (Satellite Boulevard).

Site Mitigation Improvements

After the addition of site traffic for the proposed development, the site driveway will experience added delays and queuing equivalent to a level-of-service "F" during the AM peak hour. As in the "No-Build" conditions, the increased delays are caused by limited gaps in through traffic on Satellite Boulevard. The site access has adequate left and right turn lanes for entering site traffic. No improvements can be identified to reduce exiting delays except for installation of a traffic signal; however, a preliminary analysis of the MUTCD thresholds indicates that site will not have enough exiting traffic throughout the day to warrant construction of a signal.

Recommendations on traffic control and lane geometry are shown graphically in Figure 8.









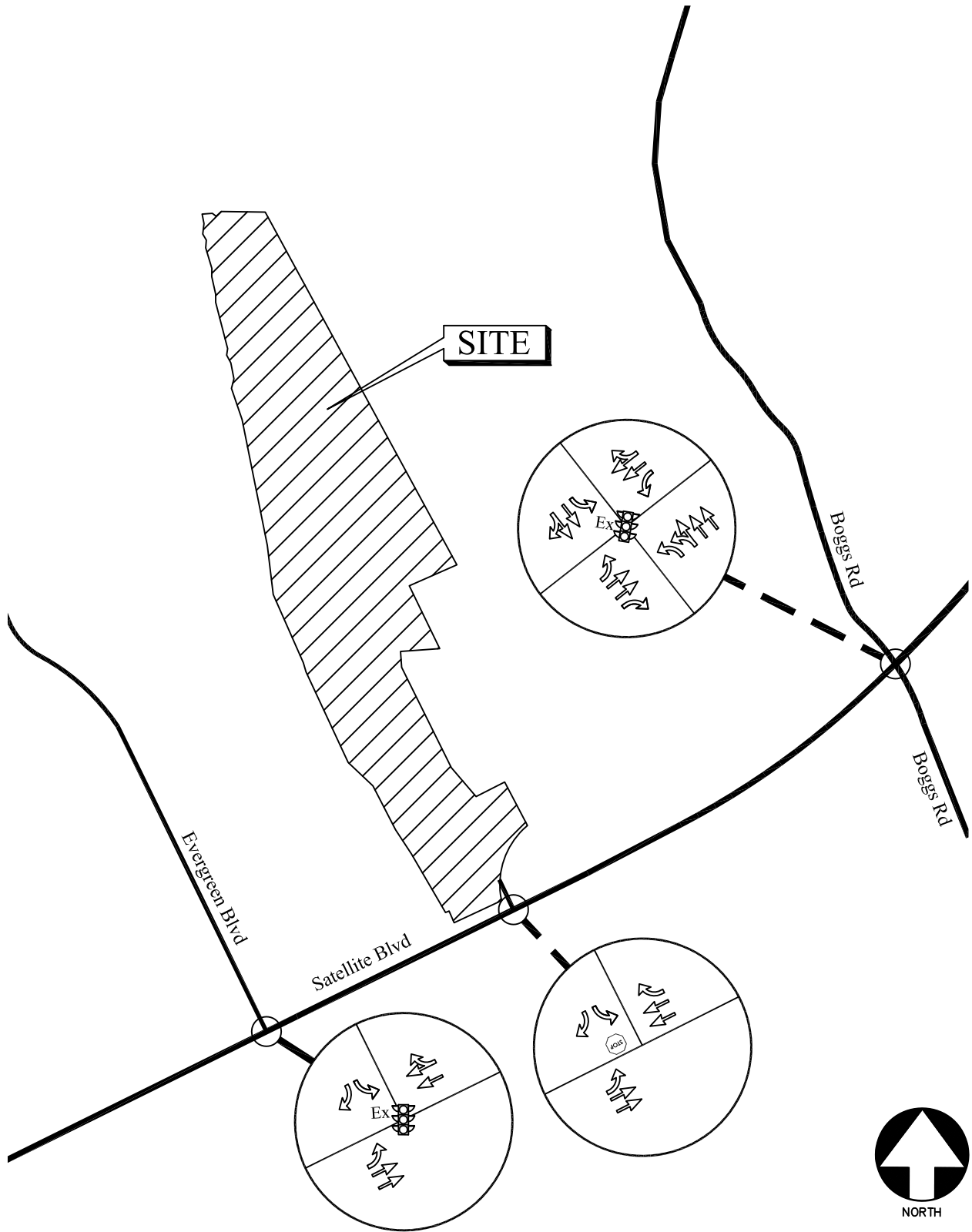
FUTURE (BUILD) WEEKDAY PEAK HOUR VOLUMES

FIGURE 7

A&R Engineering Inc.

LEGEND

- Ex  Existing Signed Approach  Proposed Signed Approach
-  Existing Lane Geometry  Proposed Lane Geometry
- Ex  Existing Traffic Signal  Proposed Traffic Signal



FUTURE TRAFFIC CONTROL AND LANE GEOMETRY

**FIGURE 8
A&R Engineering Inc.**

CONCLUSIONS AND RECOMMENDATIONS

Traffic impacts were evaluated for the added traffic from a proposed residential development located to the north of Satellite Boulevard between Evergreen Boulevard and Boggs Road in Gwinnett County, Georgia. The traffic analysis evaluated the current operations compared to the future conditions with the traffic generated by the development. The proposed development will consist of 290 apartment units and proposes a full-access driveway on Satellite Boulevard. The results of the analysis are listed below:

System Recommendations and Improvements

Improvements that are identified as system improvements address deficiencies that are found on the study network for the "No-Build" conditions, without the addition of traffic from the proposed development.

The GA Trail Driveway (Site Driveway #1) approach to Satellite Boulevard will begin to operate at a level-of-service "E" in the AM peak hour of the "No-Build" conditions, which is below the local level-of-service standard ("D" or better). It should be noted that the driveway was only found to have one entering and exiting movement during the AM peak hour and was not utilized in the PM peak hour. Intersection improvements cannot be identified to significantly improve level-of-service on this approach as delays are caused by limited gaps in through traffic on the arterial roadway (Satellite Boulevard).

Site Access Configuration

The following access configuration was utilized when modeling the proposed site driveway intersections:

- Site Driveway @ Satellite Boulevard
 - The access point will provide full-access to Satellite Boulevard from the proposed site with one lane for entering traffic and a dedicated left turn lane and dedicated right turn lane for exiting traffic.
 - Entering left turning movements will be made from the existing two-way left turn lane on Satellite Boulevard.
 - Entering right turn movements will be made from the existing westbound dedicated right turn lane on Satellite Boulevard.

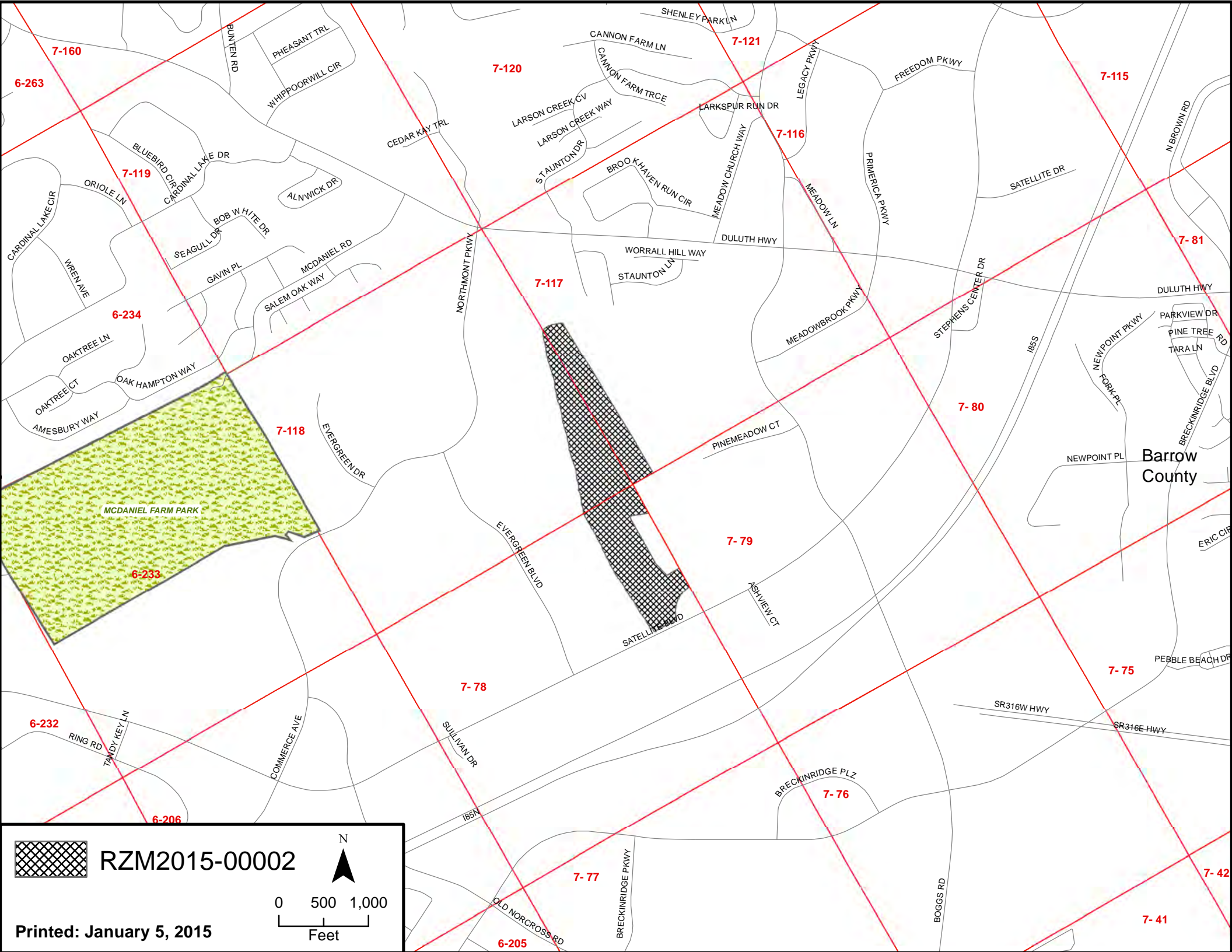
Site Mitigation Improvements

After the addition of site traffic for the proposed development, the site driveway will experience added delays and queuing equivalent to a level-of-service "F" during the AM peak hour. As in the "No-Build" conditions, the increased delays are caused by limited gaps in through traffic on Satellite Boulevard. The site access has adequate left and right turn lanes for entering site traffic. No improvements can be identified to reduce exiting delays except for installation of a traffic signal; however, a preliminary analysis of the MUTCD thresholds indicates that site will not have enough exiting traffic throughout the day to warrant construction of a signal.

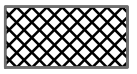
Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, March 2015

Case #	Schools	Current Projections									Proposed Zoning Approximate additional Student Projections from Proposed Developments
		2014-15			2015-16			2016-17			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZM2015-00001	Peachtree Ridge HS	3214	2,650	564	3262	2,650	612	3295	2,650	645	45
	Northbrook MS	910	1,025	-115	895	1,025	-130	887	1,025	-138	34
	Jackson ES	1578	1,450	128	1563	1,450	113	1550	1,450	100	70
RZM2015-00002	Peachtree Ridge HS	3214	2,650	564	3262	2,650	612	3295	2,650	645	34
	Hull MS	1409	1,750	-341	1430	1,750	-320	1422	1,750	-328	26
	Mason ES	961	1,150	-189	945	1,150	-205	954	1,150	-196	54
RZR2015-00005	Mill Creek HS	3727	2,800	927	3783	2,800	983	3840	2,800	1,040	9
	Osborne MS	1632	1,575	57	1608	1,575	33	1595	1,575	20	7
	Puckett's Mill ES	978	1,200	-222	944	1,200	-256	923	1,200	-277	14

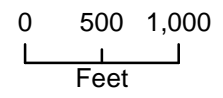
Current projections do not include new developments



Barrow County



RZM2015-00002



Printed: January 5, 2015

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Conceptual Site Plan

Georgia Trail Site - Gwinnett County, GA



Line Table			Line Table		
Line #	Length	Direction	Line #	Length	Direction
L1	40.01'	S26°18'21"E	L26	132.63'	N18°37'08"W
L2	100.00'	S63°46'00"W	L27	44.71'	N06°12'11"E
L3	40.00'	N26°11'00"W	L28	75.69'	N14°24'08"W
L4	15.83'	S63°46'00"W	L29	50.96'	N26°57'01"W
L5	125.13'	N32°14'54"W	L30	24.86'	N14°57'00"E
L6	69.88'	N34°02'23"W	L31	39.26'	N12°41'07"W
L7	109.14'	N34°58'00"W	L32	58.67'	N17°16'44"W
L8	71.07'	N29°21'37"W	L33	82.10'	N18°19'47"W
L9	105.36'	N39°08'18"W	L34	59.88'	N19°59'27"W
L10	53.63'	N21°01'57"W	L35	34.06'	N06°06'28"E
L11	78.64'	N31°09'42"W	L36	28.89'	N13°51'27"W
L12	87.74'	N35°36'04"W	L37	50.39'	N22°12'09"W
L13	116.64'	N23°25'12"W	L38	56.89'	N06°25'52"W
L14	73.94'	N40°01'42"W	L39	100.78'	N16°21'04"W
L15	86.13'	N25°20'56"W	L40	39.21'	N04°18'48"W
L16	100.88'	N26°51'38"W	L41	33.43'	N30°47'42"W
L17	51.85'	N25°05'58"W	L42	50.33'	N03°35'59"E
L18	77.92'	N29°19'18"W	L43	43.54'	N14°31'17"W
L19	99.67'	N29°46'18"W	L44	25.17'	N66°45'23"E
L20	64.37'	N29°31'59"W	L45	24.66'	S86°07'02"E
L21	189.85'	N20°36'44"W	L46	25.08'	S62°28'05"E
L22	200.78'	N15°09'29"W	L47	32.51'	N45°58'49"E
L23	238.22'	N09°09'00"W	L48	116.15'	N87°45'00"E
L24	340.04'	N13°19'43"W	L49	53.12'	N86°35'12"E
L25	319.28'	N15°54'27"W			

OVERALL DEVELOPMENT SUMMARY

GROSS SITE AREA: **44.86 ACRES**
 GROSS DENSITY: **6.46 UNITS/ACRE** (290 UNITS/44.86 ACRES)

NET SITE AREA: **30.56 ACRES**
 (44.86 ACRES - (28.6 ACRES OF FLOODPLAIN X 0.5))
 NET DENSITY: **9.49 UNITS/ACRE** (290 UNITS/30.56 ACRES)

BUILDING 100 (3): 42 UNITS (3 FLAT)
 BUILDING 200 (1): 42 UNITS (3 FLAT)
 BUILDING 300 (2): 36 UNITS (3 FLAT)
 BUILDING 400 (2): 21 UNITS (3 FLAT)
 BUILDING 500 (2): 4 UNITS (2 LOFT)
TOTAL UNITS: 290 UNITS / 970 AVG SF

RESIDENTIAL PARKING 446 SPACES
 1.58 SPACES PER UNIT AVG

RESIDENTIAL PARKING: 36 SPACES
 4.5 SPACES PER UNIT AVG

2,500 SF LEASING OFFICE
 5,000 SF AMENITIES



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NEWELL BLVD

NORTHMONT PKWY

PINEMEADOW CT

FOREST BLVD

FOREST BLVD

SATELLITE BLVD

6520 PKWY

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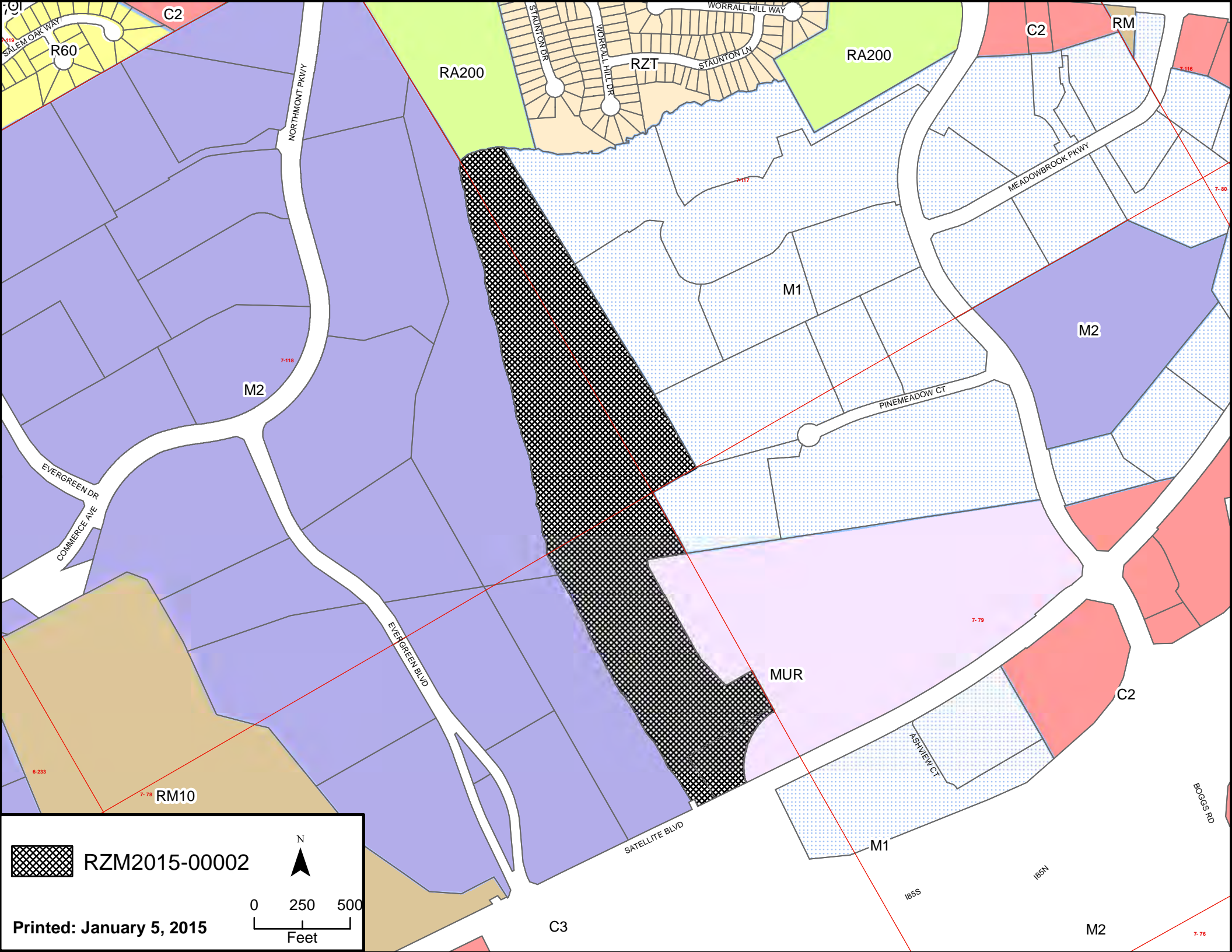



RZM2015-00002



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**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS**

CASE NUMBER :**RZR2015-00010**
ZONING CHANGE :R-100 TO R-60
LOCATION :5200-5300 BLOCKS OF BROWNLEE ROAD
MAP NUMBER :R6076 001
ACREAGE :24.17 ACRES
UNITS :79 UNITS
PROPOSED DEVELOPMENT :SINGLE-FAMILY DETACHED SUBDIVISION
COMMISSION DISTRICT :(2) HOWARD

CASE NUMBER :**RZR2015-00011**
ZONING CHANGE :R-100 TO R-60
LOCATION :5100-5300 BLOCKS OF BROWNLEE ROAD
:1500-1600 BLOCKS OF POUNDS ROAD
MAP NUMBERS :R6076 001, 312, 313, 314, 318, & 320
ACREAGE :33.86 ACRES
UNITS :30 UNITS
PROPOSED DEVELOPMENT :SINGLE-FAMILY DETACHED SUBDIVISION
COMMISSION DISTRICT :(2) HOWARD

FUTURE DEVELOPMENT MAP: **EXISTING/EMERGING SUBURBAN**

APPLICANT: GDP HOLDINGS, LLC
C/O MAHAFFEY, PICKENS, TUCKER, LLP
1550 N. BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACT: JEFFREY MAHAFFEY PHONE: 770.232.0000

OWNERS: MARGARET LAVON FREEMAN, ETAL
C/O MAHAFFEY, PICKENS, TUCKER, LLP
1550 N. BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant has submitted two requests on approximately 58 acres for rezoning from R-100 (Single Family Residence District) to R-60 (Single Family Residence District). The sites are on the north and south sides of Brownlee Road extending west from its intersection with Pounds Road. A total of 109 single-family homes are proposed, along with 15.1 acres of common area.

RZR2015-00010 contains 24.17 acres on the north side of Brownlee Road. The applicant has requested rezoning from R-100 to R-60 for 79 single-family lots, resulting in a net density of 3.27 units per acre. This tract is currently undeveloped and wooded.

RZR2015-00011 contains 33.86 acres on the south side of Brownlee Road. The applicant has requested rezoning from R-100 to R-60 for 30 single-family lots, resulting in a net density of 0.89 units per acre. Approximately 15.1 acres are proposed to be common area near the Brownlee Road/Pounds Road intersection, of which 6.7 acres are occupied by an existing lake. A recreation amenity with a swimming pool and parking is proposed on the subject property. This tract is currently developed with 6 single family homes, one of which would remain on the site.

The minimum lot width for R-60 is 60 feet, and the minimum lot area is 7,200 square feet. Access to the lots on the north side of Brownlee Road would be provided through one street connection onto Brownlee Road. Of the 19 proposed lots on the south side of Brownlee Road, 8 lots (plus the amenity area) would be developed on a cul-de-sac, while the other 11 lots would gain direct access from Brownlee Road.

The homes are proposed to contain a minimum of 2,400 square of heated floor area. The front facades of the dwelling units would have architectural treatments of primarily brick, stacked stone, cedar shake or some combination thereof, with the balance being the same or hardiplank siding.

ZONING HISTORY:

The subject properties have been zoned R-100 since 1970.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property contains areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development. The applicant/developer shall obtain all required approvals from the Gwinnett Department of Public Utilities and the U.S. Army Corps of Engineers for construction or land disturbance activities which may impact floodplain or wetland areas.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Protection (Chapter 620 of the Unified Development Ordinance) require a no-access easement along the line of double frontage lots abutting a major thoroughfare for residential developments.

The Buffer, Landscape and Tree Protection requires submittal and approval of a Tree Preservation and Replacement Plan prepared by a professional landscape architect prior to securing a Land Disturbance or Development permit.

Parking lots and interior driveways for the recreation area shall be designed in accordance with Chapter 240 of the Unified Development Ordinance.

All open space areas/common areas shall meet the minimum road frontage and lot width requirements for a lot within the subdivision.

Section 900-40.7A of the Unified Development Regulations requires proposed driveways to be located at least 100 feet from the centerline of the driveway to the nearest right-of-way line (extended).

Section 900-30 of the Unified Development Ordinance requires a 200-foot deceleration lane with a 50-foot taper at each project entrance that proposes access to a Minor Collection Street or Major Thoroughfare. Right-of-way dedication to accommodate the deceleration lane and an 11-foot shoulder is also required. Reduction in length of a deceleration lane requires approval of a Modification by the Development Division; elimination of a deceleration lane requires approval of a Waiver by the Board of Commissioners.

Section 900-90 of the Unified Development Ordinance requires construction of five-foot wide sidewalks along all exterior roadways adjoining the project, and four-foot wide sidewalks adjacent to both sides of all interior public streets (excluding cul-de-sac turnarounds).

A minimum of 50-foot building setback is required from the right-of-way of Brownlee Road.

The developer must submit a preliminary plat (construction plans), including a grading plan, tree plan, and road/sewer profiles for review and approval of the Development Division prior to any construction.

Section 800-20 of the Unified Development Ordinance requires submittal of a Storm Water Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

Section 700-40.1A of the Unified Development Ordinance requires that the lowest floor, including the basement, of all residential building be constructed at an elevation of at least three feet above the 100-year floodplain.

Note that all recreation areas, open space and/or common areas (including storm water detention facility lots) located within the development shall be controlled by a mandatory Property Owner's

Association (to include reported bylaws) with responsibility for maintenance, insurance, and taxes for open space areas.

The United States Postal Service may require a centralized mail delivery kiosk for this proposed development, replacing individual mail boxes. Mail delivery kiosk must be located outside of right-of-way access easement (if private street). Location and access must be approved by Gwinnett County D.O.T.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Pounds Road and Brownlee Road are Minor Collectors and 30 feet of right-of-way is required from the centerline.

Standard deceleration lanes with appropriate taper and adequate right-of-way will be required.

Prior to the issuance of a Development Permit, a sight distance certification shall be provided.

The number and locations of driveways are subject to Gwinnett County D. O. T. approval.

Minimum separation from a driveway, public road, or side street shall be provided as specified in the Gwinnett County Unified Development Ordinance.

The project is to comply with the Gwinnett County Criteria and Guidelines for left turn lanes.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

Contact GCEHD concerning the swimming pool permitting process.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject developments are currently in the vicinity of an 8-inch water main located on the southern right-of-way of Brownlee Road. RZC2015-00011 is also currently in the vicinity of a 6-inch water main located on the eastern right-of-way of Pounds Road.

Due to the uncontrollable variables, the Department of Water Resources makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. Demands imposed by the proposed development may require reinforcements or extensions of existing water mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department.

The available utility records show that the subject developments are currently in the vicinity of an 8-inch sanitary sewer main located approximately 230 feet north of the property for RZR2015-00011, and an 8-inch sanitary sewer main located approximately 200 feet north of the property, in the right-of-way of Country Lake Court, for RZR2015-00010.

The subject developments are located within the East Park Place service area. There are currently no connection restrictions within this service area. Treatment capacity within this area is presently available on a first come - first serve basis.

Demands imposed by the proposed development may require reinforcements or extensions of existing sewer mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department. Developer shall provide easements for future sewer connection to all locations designated by DWR during plan review.

As-built information for this department is dependent upon outside entities to provide record drawings for the utilities. Therefore this department does not guarantee the accuracy of the information provided.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances. Proceeding design, construction, inspection, and final acceptance of the required utilities, service to these utilities would then become available under the applicable utility permit rate schedules.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject property located on the north side of Brownlee Road (RZR2015-00010) is undeveloped and wooded. The southern tract (RZR2015-00011) is partially wooded and contains 6 single family homes, one of which is to remain. A 6.7-acre lake is located on the south side of Brownlee Road.

The 2030 Unified Plan Future Development Map indicates the property is located within an Existing/Emerging Suburban Character Area. This Character Area encourages single-family subdivisions at low to moderate densities, and recommends that new developments be consistent with the character of existing abutting development. Surrounding homes and subdivisions are exclusively single-family detached dwellings on lots of typically one-third to one-half acre or greater, with lot widths of 100 feet or more. As proposed by the applicant, the R-60 development may not be consistent with the Unified Plan.

The surrounding area is characterized by single-family subdivisions and single-family dwellings in R-100 zoning. To the north are the Evergreen Lakes and Brownlee Corners subdivisions, zoned R-100. To the east are the Stillwood Forest and Fox Forest subdivisions, zoned R-100, and the Mountain Park Elementary School, zoned O-I (Office-Institutional District). Abutting the subject site to the south and west are the Corinth Hills, Mountain Forest and Mountain Park subdivisions, zoned R-100. The one exception to the R-100 zoning pattern of the area is the Village at Parkview subdivision, zoned R-100 CSO (Conservation Subdivision Overlay District). This subdivision is accessed from Rockbridge Road, which is in close proximity to the Mountain Park commercial node at Five Forks-Trickum Road, and is not considered by staff to be comparable to the subject tracts. The proposed R-60 district may not be consistent with the zoning pattern of the area which consists almost entirely of long established R-100 homes and subdivision developments.

In conclusion, the proposed R-60 zoning and commensurate lot sizes may not be consistent with the zoning or development pattern in the area, or with recommendations of the Unified Plan. The requests may represent an incompatible zoning encroachment into an established residential area which has remained primarily R-100. As such, an R-100 or R-75 subdivision could be more appropriate given the existing R-100 zoning and subdivisions in the area. Therefore, the Department of Planning and Development recommends **DENIAL** of these requests.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Note: The following are provided as a guide, should the Board choose to approve the requests.

Approval as R-75 for a Single Family Subdivision, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Single-family residential and accessory uses and structures. A revised layout meeting the requirements of the R-75 zoning district shall be submitted for review and approval by the Director of Planning and Development prior to the issuance of any permits.
 - B. Homes shall be constructed primarily of brick or stacked stone on three sides. The balance shall be the same or fiber-cement siding or shake with a minimum 2-foot masonry water table.
 - C. The minimum heated floor area per dwelling shall be 2,400 square feet.
 - D. All homes shall have at least a double-car garage.
2. To satisfy the following site development considerations:
 - A. Natural vegetation shall remain on the property until issuance of a Development Permit.
 - B. Provide a 25-foot wide construction buffer adjacent to all external property lines.
 - C. The Brownlee Road frontages shall include a landscaped entrance feature at the new subdivision streets. Landscape and signage plans shall be subject to review and approval of the Director of Planning and Development.
 - D. The existing lake on the south side of Brownlee Road shall be preserved as a common area amenity for the subdivision.
 - E. All grassed areas on dwelling lots shall be sodded.
 - F. Underground utilities shall be provided throughout the development.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF THE ZONING

SUITABILITY OF USE

In light of the zoning and low-density residential developments in the area, an R-60 rezoning may not be suitable at this location. An R-100 or R-75 subdivision could be more appropriate given the existing R-100 zoning and subdivisions in the area.

ADVERSE IMPACTS

Potential adverse impacts on nearby residential properties could be anticipated from an incompatible zoning and density of development.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

An increase in traffic, utilities usage, storm water runoff and the number of school-aged children would be anticipated from this request.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates the property is located within an Existing/Emerging Suburban Character Area and could support the approval of a single-family subdivision. However, the requested R-60 zoning may be out of character with existing R-100 developments in the area. An R-100 or R-75 subdivision could be more suitable and consistent with policies of the Unified Plan and surrounding subdivisions.

CONDITIONS AFFECTING ZONING

The surrounding area is a long-established residential community, almost exclusively zoned R-100. In the Department's opinion, the property assemblage is not properly situated for the lot sizes and density being proposed. The R-60 zoning district would be better utilized in a transitional or infill setting, rather than in such a uniformly R-100 zoned area.

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, 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 AN 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:

Please see attached.

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

Please see attached.

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

Please see attached.

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

Please see attached.

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

Please see attached.

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

Please see attached.

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REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) The subject property is surrounded by residential developments. The proposed zoning of a single family residential subdivision will permit a use that is suitable in view of the use and development of adjacent and nearby properties.
- (B) No. The rezoning will not adversely affect the existing use or usability of adjacent or nearby property. Rather, the proposed rezoning and development would be consistent with the adjacent and nearby property and provide an enhancement to the area.
- (C) No. In light of market conditions the property has no reasonable economic use as zoned for R-100. The Applicant's requested use as a single family residential development under the R-60 zoning classification will permit a more suitable and appropriate development allowing for the "highest and best use" for the property.
- (D) The proposed development is located in an area with public water and sewer availability and convenient access to major roadways. It will not cause an excessive use of the local fire department, police protection, or solid waste collection/disposal services provided by the County. Further, the rezoning will not cause excessive use of existing streets, transportation facilities, utilities, or schools.
- (E) Yes. The proposed rezoning is in conformance with the Gwinnett County 2030 Unified Plan in that it provides single family residences within an Existing/Emerging Suburban Character Area.
- (F) Yes, the existing zonings of adjacent and nearby properties give additional supporting grounds for the approval of the requested rezoning. Additionally, the property has no reasonable economic use under its current zoning thereby giving additional support for the approval of this Application.

RZR '15 0 1 0

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Planning & Development



Matthew P. Benson
Alissa L. Cummo
Kelly O. Faber
J. David Gussio
Amanda F. Henningsen
Christopher D. Holbrook
Gerald Davidson, Jr.*
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Joshua P. Johnson
Jeffrey R. Mahaffey
Steven A. Pickens
Andrew D. Stancil
Kenneth W. Stroud
R. Lee Tucker, Jr.
Wesley C. Turner
*of Counsel

AMENDED LETTER OF INTENT FOR REZONING
APPLICATION OF GDP HOLDINGS, LLC

Mahaffey Pickens Tucker, LLP, submits this Rezoning Application on behalf of the Applicant, GDP Holdings, LLC, for the purpose of rezoning to the R-60 (Single Family Residence District) zoning classification an approximate 58 acre tract located near the intersection of Brownlee Road and Pounds Road in Gwinnett County, Georgia (hereafter, the "Property").

The Property, which is currently undeveloped, is zoned R-100. The Applicant has requested to rezone the Property to the R-60 zoning classification in order to develop the Property into a single-family residential subdivision mixed with R-60 and R-100 sized lots. Out of the approximate 58 acres, 15 acres will consist of open space. The Property also features a large lake, not only providing a rare amenity, but also enhancing the quality of open space.

In this case, the R-60 classification will merely be a name as the Property will be developed closer to the standards of an R-75 and R-100 zoning classification. However, as described below, the R-60 zoning classification is needed in order to achieve the Applicant's vision for the Property. The net/gross density of the development will be approximately 1.88 units per acre as the Applicant plans on constructing 109 home sites,

87 of which will consist of at least 68 foot lots and 22 of which will consist of at least 100 foot lots. However, if the Applicant drained the lake and developed the entire 58 acres into lots, the net density would be approximately 2.1 units per acre, which would be sufficient for the R-100 zoning classification. Instead, the Applicant seeks to preserve the lake and provide ample open space. Again, R-60 is merely a name.

A simple review of an adjacent neighborhood, Evergreen Lakes, shows 5 units platted for comparison:

1. Evergreen Lakes Unit One, Plat Book 55, page 171, 39 lots on 19.4632 acres; 2.0004 units per acre; minimum house size 1,400 square feet.
2. Evergreen Lakes Unit Two, Plat Book 56, page 240, 56 lots on 33.0031 acres; 1.70 units per acre; minimum house size 2,000 for a one-story and 2,400 for a two-story (This Unit contains Recreation Area and Lake).
3. Evergreen Lakes Unit Three, Plat Book 57, page 258, 26 lots on 12,534 acres; 2.07 units per acre; minimum house size 2,000 for a one-story and 2,400 for a two-story.
4. Evergreen Lakes Unit Four, Plat Book 59, page 111, 20 lots on 9.6548 acres; 2.07 units per acre; minimum house size 2,000 for a one-story and 2,400 for a two-story.
5. Evergreen Lakes Unit Five, Plat Book 56, page 240, 18 lots on 10.3915 acres; 1.73 units per acres; minimum house size 2,000 for a one-story and 2,400 for a two-story (This Unit has some lake area).

As mentioned above, the Applicant's request is 1.88 units per acre. The density for all five units of Evergreen Lakes combined is 1.869 units per acre (159 lots on 85.0466 acres). Essentially, the net density of proposed development is almost identical to the combined density of Evergreen Lakes.

Therefore, in this particular case, the R-60 zoning classification does not mean "higher density," does not mean more homes per acre, does not mean a high impact on schools, and does not mean a decrease in value to adjacent neighborhoods. R-60 in this case means providing high-end homes on lots that vary in size from 60 feet to over 100 feet in width and providing significant open space and amenities that only high-end neighborhoods can achieve. As for quality, all homes will be constructed with front facades of primarily brick, stacked stone, cedar shake or some combination thereof, with the balance being the same or hardiplank siding. All homes shall be at a minimum of 2,400 square feet.


The Applicant respectfully submits that the proposed use would be the best possible development of the Property and would further provide the community with a much needed benefit. As evident from facts and figures presented above, the use and development of the Property as R-100 only is not the highest and best use of the Property. The operation of the Property as a mixed R-100 and R-60 single family residential subdivision under the guidelines of Gwinnett County is appropriate for the subject tract, is consistent with the Existing/Emerging Suburban Area under the Gwinnett County 2030 Unified Plan, and is consistent with the surrounding properties.

The Applicant welcomes the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application filed herewith. The Applicant respectfully requests your approval of this Application.

This 11th day of March, 2015.

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP



Wesley C. Turner
Attorney for Applicant



Custom Design Finishes

- Not everyone needs a library. You may choose a fifth bedroom & full bath in lieu of a library, giving you more sleeping space for guests or your family.
- Dramatically customize your home's exterior with elegant elevation options like varying roof pitches, porch layouts, window placement and materials used.
- One of the best rooms in your home doesn't have to be in your home at all. An outdoor living space can make the outdoors as cozy and inviting as the indoors.
- A curved wall of windows brings the outside in with a gorgeous view of the surrounding settings.
- Accessorize your family room with walled cabinets for storage and functionality in keeping your home organized.
- A large, open floor plan creates a connected space and inviting feel between your kitchen and family room.

RZR '15 0 1 0



Custom Design Finishes

- Need more private space? A fifth bedroom & full bath give you or your guests an area all on its own.
- A keeping room lets guests and family be part of the kitchen experience while providing a little extra comfort and space.
- Gain more utility and clothing room with a stacked third car garage with extended bedroom and closet space above it.
- A side entry garage offers easy access for cars and storage.

RZR 15 0 1 0



Custom Design Finishes

- Need more living room? A keeping room lets guests and family be part of the kitchen experience.
- A coffered ceiling brings depth and a touch of elegance to a room, as well as helping to diminish sound when guests gather.
- Gain more utility and clothing room with a stacked third car garage with extended bedroom and closet space above it.
- A mudroom keeps the family coming in while the shoes and messes stay out.
- Need more private space? A study room gives you an area all your own.
- A large walk in-his and hers master closet keeps his clothes organized and her vision of a dream closet intact.

RZR '15 0 1 0



Custom Design Finishes

- Need more living room? A sunroom gives you a naturally lit exterior room that brings the beauty of the outside in.
- Coffered ceilings can bring depth and a touch of elegance to a room, as well as help diminish sound when guests gather.
- Gain more utility and clothing room with a stacked third car garage with extended bedroom and closet space above it.
- A fifth bedroom gives you or your guests an area all their own.
- A master on the main allows you to make your easily accessible master suite your perfect little getaway.
- A flex room lets you make the best use of a functional space for all family members.
- A mudroom keeps the family coming in while the shoes and messes stay out.
- The large, open floor plan creates an inviting layout for your family to always feel connected.

RZR 15 0 1 0



Custom Design Finishes

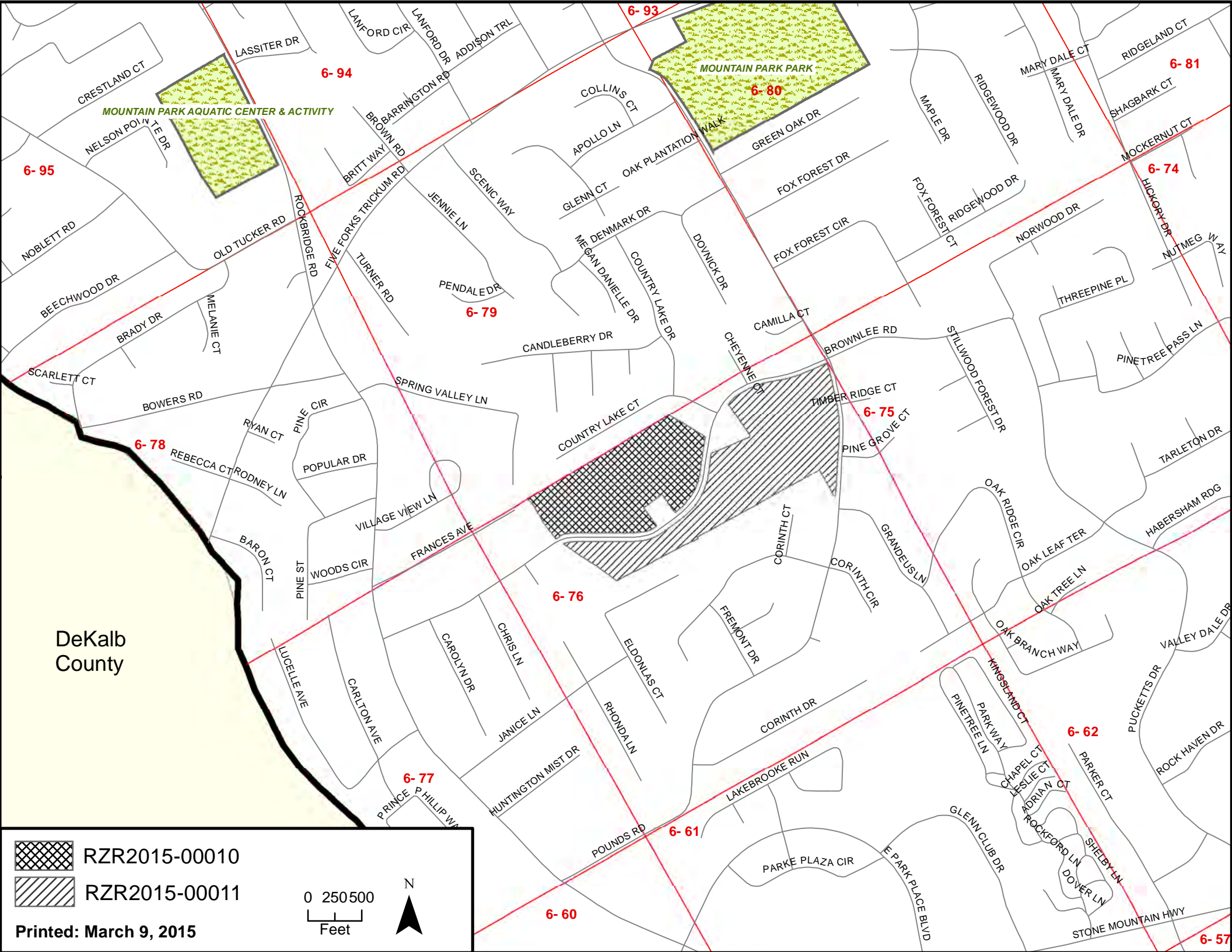
- A cozy keeping room lets guests and family be part of the kitchen experience while providing a relaxing retreat space as well.
- Coffered ceilings bring depth and a touch of elegance to a room.
- Want more private space? An office or extra bedroom gives you or your guests an area all on its own.
- Gain more utility and clothing room with a stacked third car garage with extended bedroom and closet space above it.
- A large, open floor plan creates an connected and convenient layout between your kitchen and family room.
- Make room for fun. A media room or bonus room gives you more recreational space for games, tv or an additional play area for the kids.

RZR 15 0 1 0



Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, May 2015 Agenda

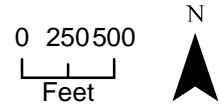
Case #	Schools	Current Projections									Proposed Zoning Approximate additional Student Projections from Proposed Developments
		2014-15			2015-16			2016-17			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZR2015-00008	Mill Creek HS	3885	2,800	1,085	4025	2,800	1,225	4000	2,800	1,200	1
	Jones MS	1402	975	427	1430	975	455	1459	975	484	1
	Patrick ES	851	1,025	-174	862	1,025	-163	872	1,025	-153	2
RZR2015-00009	Peachtree Ridge HS	3213	2,650	563	3197	2,650	547	3181	3,025	156	7
	Hull MS	1352	1,750	-398	1345	1,750	-405	1339	1,750	-411	5
	Parsons ES	844	700	144	858	700	158	872	700	172	10
RZR2015-00010	Parkview HS	2964	2,500	464	3014	2,500	514	3066	2,500	566	14
	Trickum MS	2038	1,750	288	2069	1,750	319	2100	1,750	350	11
	Mountain Park ES	582	450	132	588	450	138	594	450	144	22
RZR2015-00011	Parkview HS	2964	2,500	464	3014	2,500	514	3066	2,500	566	5
	Trickum MS	2038	1,750	288	2069	1,750	319	2100	1,750	350	4
	Mountain Park ES	582	450	132	588	450	138	594	450	144	8

Current projections do not include new developments



DeKalb County

-  RZR2015-00010
-  RZR2015-00011



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RZR 15 0 1 0

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PRELIMINARY
NOT TO BE RELEASED FOR CONSTRUCTION

Project Title
FREEMAN LAKES

Project Location
Address: BROWNLEE AND POUNDS RD
City, State Zip: LEBURN
Land Lot:
District-Section:
County: GWINNETT

Project No. 14-028-SFD
Drawn By: MMCS
Checked By: CSMB
Initial Issue Date: 02-02-2015

Sheet Title
SITE PLAN

Sheet Number
1 OF 1

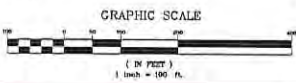
TOTAL ACREAGE = 58.0 AC
EXISTING ZONING = R-100
PROPOSED ZONING = R-60

COMMON AREA REQUIRED = 3.54 AC
COMMON AREA PROVIDED = 15.1 AC

NUMBER OF LOTS = 109 LOTS
MAXIMUM DENSITY = 4.0 UNITS/AC
DENSITY PROPOSED = 1.87 UNITS/AC

MINIMUM LOT = 7,200 SF
MINIMUM LOT PROPOSED = 8,100 SF
MINIMUM LOT WIDTH = 60'
LOT WIDTH PROPOSED = 68'
FRONT SETBACK = 25'
SIDE SETBACK = 7.5'
REAR SETBACK = 30'
(22 LOTS DESIGNED TO R-100 CRITERIA)

ALL LOTS TO BE SERVED BY SANITARY SEWER UPON REPLACING EXISTING PUMP STATION AND DAY CARE CENTER (REQUIRES SPECIAL USE PERMIT).



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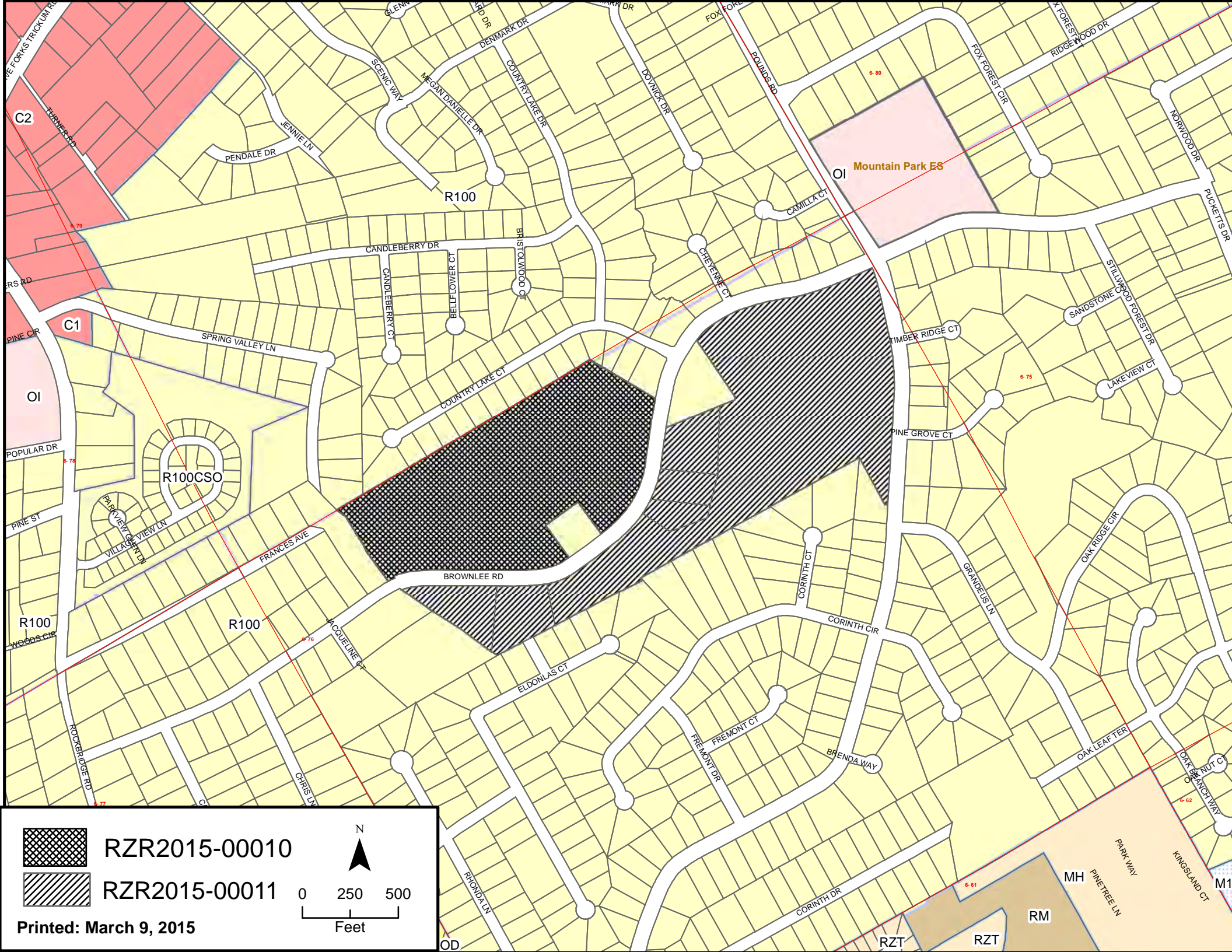
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Feet

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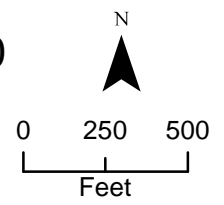
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Printed: March 9, 2015



OI Mountain Park E8

R100CSO

BRENDA WAY

MH

RM

RZT

RZT

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**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
CHANGE IN CONDITIONS AND REZONING ANALYSIS**

CASE NUMBER :**CIC2015-00008**
ZONING :R-ZT
LOCATION :2900 BLOCK OF GRAVEL SPRINGS ROAD
MAP NUMBERS :R7143 004 & 005
ACREAGE :48 ACRES
UNITS :178 UNITS
PROPOSAL :CHANGE IN CONDITIONS OF ZONING
COMMISSION DISTRICT :(4) HEARD

CASE NUMBER :**RZR2015-00007**
ZONING CHANGE :RA-200 & R-TH TO R-60
LOCATION :2900 BLOCK OF GRAVEL SPRINGS ROAD
MAP NUMBERS :R7143 004 & 005
ACREAGE :19 ACRES
UNITS :40 UNITS
PROPOSED DEVELOPMENT :SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT :(4) HEARD

FUTURE DEVELOPMENT MAP: **EXISTING/EMERGING SUBURBAN**

APPLICANT: MAHAFFEY, PICKENS, TUCKER, LLP
1550 NORTH BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACTS: JEFFREY MAHAFFEY PHONE: 770.232.0000

OWNERS: WENDELL BLOUNT, DEBORA B. HOLMAN, DONNA BLOUNT ALLEN
& LULA NELL RICHARDSON
C/O MAHAFFEY, PICKENS, TUCKER, LLP
1550 NORTH BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

CHANGE IN CONDITIONS AND REZONING SUMMARY:

The applicant requests a change in conditions of zoning for a previously approved R-ZT tract. Additionally, they have requested to rezone 19 adjacent acres from RA-200 and R-TH to R-60 for inclusion in their subdivision development. The subject properties contain a total of approximately 67 acres on the north side of Gravel Springs Road, east of Mall of Georgia Boulevard. The overall development would total 218 single family lots at a density of 3.25 units per acre. Most of the property is undeveloped pasture and woodlands with several small

streams. A single-family residence and several accessory buildings are located near the Gravel Springs Road frontage.

The following is a summary of each case:

CIC2015-00008: The applicant requests a Change in Conditions on property zoned R-ZT (Single Family Residence District) pursuant to RZR-06-056. Seven zoning conditions are proposed to be revised or removed in order to develop 178 lots. The site was originally a part of the Villages at Ivy Creek mixed-use project. According to the applicant, the Villages is no longer a viable project, and instead they are seeking approval to construct a free-standing development combined with the property to the south (RZR2015-00007) which would provide access for the development.

Seven conditions of RZR-06-056 are proposed to be revised or removed. Each is briefly described below.

Condition I.C. governs the style and exterior treatment of the homes, and currently reads as follows:

I.C: Homes shall be craftsman style on the front façade. Seventy-five percent (75%) of the homes shall be constructed with side and rear elevations of brick and/or stacked stone on four sides. Minor treatments (i.e. chimneys, roof gables, bay windows, dormers, etc.) may be of the same or of stucco, shake shingle, wood or fiber cement type siding. The remaining twenty-five percent (25%) of homes shall have side and rear elevations of same or of fiber cement type siding, with brick or stacked stone water table. Elevations must be submitted and approved by the Director of Planning and Development to insure keeping with the spirit intended.

The applicant proposes to amend condition I.C. to allow all homes to be constructed with front facades of primarily brick or stacked stone, with the remaining three sides being fiber cement siding.

Condition 2.A. requires a 50 foot buffer along the property line adjacent to the Hedgerows subdivision, and reads as follows:

2.A: Provide a fifty foot (50') wide buffer along the common property line with the Hedgerows Subdivision. Buffer shall be undisturbed except for additional landscaping only where sparsely vegetated, said additional landscaping to consist of a mixture of an undulating berm designed to blend with the natural landscape and two staggered rows of Thuga Green Giants planted 6 feet on center.

Although not specified in the Letter of Intent, the site plan proposes a reduction of the buffer from 50 feet to 40 feet along that property line. The 40-foot buffer would also extend along all other exterior property lines, except the Gravel Springs Road frontage.

Condition 2.C. governs interparcel access to the adjacent Villages at Ivy Creek properties and currently reads as follows:

2.C: Provide interparcel access with adjoining Villages at Ivy Creek properties.

The applicant proposes to remove this condition as the Villages project is no longer a viable project.

Condition 3.A. concerns the construction and alignment of a new road in the Villages project, and currently reads as follows:

3.A: Prior to the issuance of the first building permit donate and/or acquire all necessary right-of-way and easements and design and construct the New Road Alignment (Continuation of Ivy Creek Road) as directed by the Gwinnett County DOT and to agree to cooperate with the Gwinnett DOT regarding improvements to existing Ivy Creek Road between the new alignment and Camp Branch.

The applicant requests this condition be removed as the proposed road alignment was not located on the subject property, and due to the Villages project no longer being developed.

Condition 3.B. governs the acquisition of right-of-way and installation of a traffic signal, and currently reads as follows:

3.B: If approved, and when directed by the Gwinnett DOT and/or the Georgia DOT, acquire all necessary rights-of-way and easements and design and install a traffic signal at the intersection of State Road 324 and the New Road Alignment.

The applicant requests this condition be removed as the proposed traffic signal was not located on the subject property, and due to the Villages project no longer being developed.

Condition 3.C. requires the construction of additional lanes on Ivy Creek Road and Ivy Church Road, and currently reads as follows:

3.C Prior to the issuance of the 300th residential building permit, for the entire development, with Gwinnett DOT acquiring all necessary right-of-way, design and construct the following improvements at the intersection of Ivy Creek Road and Camp Branch Road:

1. Construct an eastbound right-turn lane on Ivy Creek Road.
2. Construct a southbound right-turn lane along Ivy Church Road.

The applicant requests this condition be removed as the subject tract does not abut these roadways, and due to the Villages project no longer being developed.

Condition 3.F. pertains to the recreation area amenity area for the overall Villages at Ivy Creek project, and currently reads as follows:

3.F: The overall Villages at Ivy Creek development shall have an amenities area containing, at minimum 3,500 square foot, heated closed structured 4-sided club house constructed to be aesthetically compatible with homes in the subdivision, a children's playground, 6 tennis courts, wading pool and a competition sized swimming pool. The amenities area shall be constructed once 25 percent of the total number of homes in the subdivision has been sold to residents.

The applicant proposes that this condition be revised so that the applicant's development is no longer tied to a central amenity area for the Villages, but is developed with its own amenity containing, a junior Olympic size pool, playground, cabana, bath house and mail kiosk.

RZR2015-00007: The applicant seeks rezoning of an additional 19 acres from RA-200 (Agriculture Residence District) and R-TH (Single Family Residence Townhouse District) to R-60 adjacent to the south of CIC2015-00008. This area would provide access for the new development onto Gravel Springs Road. The R-60 portion of the development would include 40 single-family lots, with a minimum area of 7,200 square feet and a proposed minimum dwelling size of 2,400 square feet. A creek runs along the northeast property line which requires a 50-foot stream buffer within a 75-foot impervious surface setback.

The 2030 Unified Plan Future Development Map identifies the project as being located within the Existing/Emerging Suburban Character Area. Low and medium density residential subdivisions are encouraged within this Character Area; therefore, this proposal is considered consistent with the recommended land use.

The area surrounding the subject site is zoned and developed primarily for single family residential subdivisions. Adjacent to the east is the Hedgerows subdivision, zoned R-100 Modified pursuant to RZ-99-160, which includes a condition for minimum house sizes of 2,400 square feet and 2,700 square feet for one and two-story homes, respectively. To the southeast are four (4) undeveloped properties originally a part of The Villages at Ivy Creek project. Adjacent to the southeast property line is a Villages tract zoned R-75 (Single Family Residence District), also required to develop homes of minimum 2,400 square feet and 2,700 square feet for one and two-story homes, respectively, pursuant to RZR-06-055. To the northeast is undeveloped Villages property zoned R-100 Modified pursuant to RZR-06-057 & SUP-06-072, with identical single-family home sizes. A 29-acre Villages tract is zoned R-TH pursuant to RZM-06-013 for a maximum density of 6 attached units per acre and minimum 1,800 square foot townhomes. The final 20-acre Villages tract is zoned C-2 (General Business District) at the corner of Gravel Springs Road and Ivy Creek Road pursuant to RZC-06-055. Adjacent to the west is The Townes of Avondale, a townhome development zoned R-TH pursuant to RZM-05-034 for a maximum density of 6 units per acre and minimum 1,600 square foot units. Further west are the Mill Creek Estates, a multi-family development zoned RM-10 pursuant to CIC-04-008, also conditioned to minimum 1,600 square foot units. Property directly across Gravel Springs Road is located in the city of Buford, primarily undeveloped except for the Gravel Springs Dental office. Given the variety of residential zoning districts and densities in the area,

the proposed R-ZT/R-60 subdivision could be suitable. Although the Department can support some of the minor R-ZT condition changes proposed by the applicant, a number of the conditions were established with substantial input from the neighboring community are not supported for changes by the Department. The attached conditions outline the Department's recommendation regarding each itemized condition change.

As it is no longer proposed to be developed with the mixed-use Villages at Ivy Creek project, staff generally supports these requests for changes in conditions and rezoning for a free-standing 218-lot single-family subdivision. If approved as recommended by staff, the proposed subdivision could be consistent with the Unified Plan and with previous Board action on the majority of the subject site. Therefore, staff recommends **APPROVAL WITH CONDITIONS** of these requests.

ZONING HISTORY:

CIC2015-00008: The property was zoned RA-200 in 1970. Also originally a part of Villages at Ivy Creek project, the 48-acre tract was rezoned to R-ZT (Single Family Residence District) pursuant to RZR-06-056 a single-family subdivision.

RZR2015-00007: The property was zoned RA-200 in 1970. The subject property was originally a part of the planned 194-acre Villages at Ivy Creek project approved in 2007. Most of the 19-acre tract was rezoned to R-TH pursuant to RZM-06-010 for attached townhomes at a density of 6 units per acre, while the remainder of the site remained RA-200.

GROUNDWATER RECHARGE AREA:

The subject properties are not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject properties do not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Protection (Chapter 620 of the Unified Development Ordinance) require a no-access easement along the line of double frontage lots abutting a major thoroughfare for residential developments.

The Buffer, Landscape and Tree Protection requires submittal and approval of a Tree Preservation and Replacement Plan prepared by a professional landscape architect prior to securing a Land Disturbance or Development permit.

Section 900-30 of the Unified Development Ordinance requires a 200-foot deceleration lane with a 50-foot taper at each project entrance that proposes access to a Minor Collection Street or Major Thoroughfare. Right-of-way dedication to accommodate the deceleration lane and an 11-foot shoulder is also required. Reduction in length of a deceleration lane requires approval of a Modification by the Development Division; elimination of a deceleration lane requires approval of a Waiver by the Board of Commissioners.

Section 900-90 of the Unified Development Ordinance requires construction of five-foot wide sidewalks along all exterior roadways adjoining the project, and four-foot wide sidewalks adjacent to both sides of all interior public streets (excluding cul-de-sac turnarounds).

A minimum of 50-foot building setback is required from the right-of-way of Gravel Springs Road.

The developer must submit a preliminary plat (construction plans), including a grading plan, tree plan, and road/sewer profiles for review and approval of the Development Division prior to any construction.

The developer must obtain a Land Disturbance or Development Permit from the Development Division prior to any construction.

Section 800-20 of the Unified Development Ordinance requires submittal of a Storm Water Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

Section 700-40.1A of the Unified Development Ordinance requires that the lowest floor, including the basement, of all residential building be constructed at an elevation of at least three feet above the 100-year floodplain.

Note that all recreation areas, open space and/or common areas (including storm water detention facility lots) located within the development shall be controlled by a mandatory Property Owner's Association (to include reported bylaws) with responsibility for maintenance, insurance, and taxes for open space areas.

The United States Postal Service may require a centralized mail delivery kiosk for this proposed development, replacing individual mail boxes. Mail delivery kiosk must be located outside of right-of-way access easement (if private street). Location and access must be approved by Gwinnett County D.O.T.

STORMWATER REVIEW SECTION COMMENTS:

The property appears to contain stream buffers and floodplain. The proposed conceptual plan may require revision to show the appropriate stream buffer areas (measured from the top of bank on all streams) and floodplain areas. All storm water best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Gravel Springs Road is a State Route and Georgia D.O.T. right-of-way requirements govern.

Coordinate with the Georgia D.O.T. regarding access.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

Contact GCEHD concerning the swimming pool permitting process.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 16-inch water main located on the southern right-of-way of Gravel Springs Road.

Due to the uncontrollable variables, the Department of Water Resources makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. Demands imposed by the proposed development may require reinforcements or extensions of existing water mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located on the property.

The subject development is located within the Ivy Creek service area. There are currently no connection restrictions within this service area. Treatment capacity within this area is presently available on a first come - first serve basis.

Demands imposed by the proposed development may require reinforcements or extensions of existing sewer mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department. Developer shall provide easements for future sewer connection to all locations designated by DWR during plan review.

As-built information for this department is dependent upon outside entities to provide record drawings for the utilities. Therefore this department does not guarantee the accuracy of the information provided.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances. Proceeding design, construction, inspection, and final acceptance of the required utilities, service to these utilities would then become available under the applicable utility permit rate schedules.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Additions in **bold**

Deletions in ~~strikethrough~~

Approval as R-ZT (CIC2015-00008) for the northern tract, and R-60 (RZR2015-00007) for the southern tract, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Single family detached dwellings and accessory uses and structures.
 - B. The minimum heated floor area per dwelling unit shall be 2,200 square feet for single story homes and 2,400 square feet for two-story homes.
 - C. Homes shall be craftsman style on the front façade. Seventy-five percent (75%) of the homes shall be constructed with side and rear elevations of brick and/or stacked stone on four sides. Minor treatments (i.e. chimneys, roof gables, bay windows, dormers, etc.) may be of the same or of stucco, shake shingle, wood or fiber cement type siding. The remaining twenty-five percent (25%) of homes shall have side and rear elevations of same or of fiber cement type siding, with brick or stacked stone water table. Elevations must be submitted and approved by the Director of Planning and Development to insure keeping with the spirit intended.
 - D. All dwellings shall have double-car garages.
2. To satisfy the following site development considerations:
 - A. Provide a fifty foot (50') wide buffer along the common property line with the Hedgerows Subdivision. Buffer shall be undisturbed except for additional landscaping only where sparsely vegetated, said additional landscaping to consist of a mixture of an undulating berm designed to blend with the natural landscape and two staggered rows of Thuga Green Giants planted 6 feet on-center.
 - B. Natural vegetation shall remain on the property until the issuance of a development permit.
 - C. ~~Provide interparcel access with adjoining Villages at Ivy Creek properties.~~
 - D. All grassed areas shall be sodded.
 - E. Provide underground utilities throughout the development.
 - F. Final architectural landscaping and site plans shall be subject to review and approval of the Director of Planning and Development.

- G. **All grassed areas on dwelling lots shall be sodded.** All other disturbed land shall be sodded, hydraseeded and strawed or mulched.
3. To abide by the following requirements, dedications, and improvements:
- A. ~~Prior to the issuance of the first building permit donate and/or acquire all necessary right-of-way and easements and design and construct the New Road Alignment (Continuation of Ivy Creek Road) as directed by the Gwinnett County DOT and to agree to cooperate with the Gwinnett DOT regarding improvements to existing Ivy Creek Road between the new alignment and Camp Branch.~~
 - B. ~~If approved, and when directed by the Gwinnett DOT and/or the Georgia DOT, acquire all necessary right-of-way and easements and design and install a traffic signal at the intersection of State Road 324 and the New Road Alignment.~~
 - C. ~~Prior to the issuance of the 300th residential building permit, for the entire development, with Gwinnett DOT acquiring all necessary right-of-way, design and construct the following improvements at the intersection of Ivy Creek Road and Camp Branch Road:

 - 1. ~~Construct an eastbound right turn lane on Ivy Creek Road.~~
 - 2. ~~Construct a southbound right turn lane along Ivy Church Road.~~~~
 - D. If required, dedicate at no cost to Gwinnett County all necessary right-of-way and easements for the future construction of a greenway path/trail through the property in accordance with the Gwinnett County Open Space and Greenway Master Plan. Right-of-way/easement width and location shall be subject to review and approval of the Gwinnett Department of Community Services. All dedications will be located outside of the designated stream bank setbacks.
 - E. All residences shall be bound by a declaration of covenants, easements and restrictions which is recorded in the real estate records of Gwinnett County and which will automatically make each homeowner a member of the mandatory homeowners association (which shall be incorporated as a Georgia not-for-profit corporation). The homeowners association shall own, control and maintain all amenity areas, clubhouse open space and/or common areas located within the development and shall assess and collect compulsory annual, monthly or quarterly dues in an amount sufficient to provide for the ongoing maintenance, insurance, taxes, etc. of all landscaping, entranceways and common areas. Said homeowners association shall have lien rights in the event that compulsory dues are not paid.
 - F. ~~The overall Villages at Ivy Creek development shall have an amenities area containing, at minimum 3,500 square foot, heated closed structured 4-sided club house constructed to be aesthetically compatible with homes in the subdivision, a children's playground, 6 tennis courts, wading pool and a competition sized swimming pool. The amenities area shall be constructed once 25 percent of the total number of homes in the subdivision has been sold to residents.~~ **The subdivision shall include an amenity area**

containing at a minimum, a junior Olympic size pool, playground, cabana/bath house and mail kiosk, aesthetically compatible with homes in the subdivision. The amenities shall be constructed once 25 percent of the homes in the subdivision have been sold to residents.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF THE ZONING

SUITABILITY OF USE

In light of existing residential developments in the area, the proposed subdivision could be considered consistent with the surrounding developments in the immediate vicinity.

ADVERSE IMPACTS

With the recommended conditions, adverse impacts on adjacent or nearby properties could be reduced.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

An increase in traffic, utilities usage, storm water runoff, and the number of school-aged children could be anticipated from this request.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates the property is located within an Existing/Emerging Suburban Character Area. The proposed subdivision could be considered consistent with the Unified Plan and with previous Board rezoning approvals in the area if approved with staff's recommended conditions.

CONDITIONS AFFECTING ZONING

As the Villages at Ivy Creek development is no longer to be developed as originally planned, the proposed subdivision could be consistent with residential developments in the immediate area. However, certain zoning conditions were established through the public hearing process to ensure the compatibility of uses in the area. Therefore, staff recommends that most of these conditions continue to be required for the new subdivision.

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED 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 AN 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:

See Attached

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

See Attached

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

See Attached

- (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:

See Attached

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

See Attached

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

See Attached

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CIC '15 008

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) The subject property is surrounded by residential developments. The proposed zoning of a single family residential subdivision will permit a use that is suitable in view of the use and development of adjacent and nearby properties.
- (B) No. The rezoning will not adversely affect the existing use or usability of adjacent or nearby property. Rather, the proposed rezoning and development would be consistent with the adjacent and nearby property and provide an enhancement to the area.
- (C) No. In light of market conditions the property has no reasonable economic use as zoned for R-TH and/or RA-200. The Applicant's requested use as a single family residential development under the R-60 zoning classification will permit a more suitable and appropriate development allowing for the "highest and best use" for the property.
- (D) The proposed development is located in an area with public water and sewer availability and convenient access to major roadways. It will not cause an excessive use of the local fire department, police protection, or solid waste collection/disposal services provided by the County. Further, the rezoning will not cause excessive use of existing streets, transportation facilities, utilities, or schools.
- (E) Yes. The proposed rezoning is in conformance with the Gwinnett County 2030 Unified Plan in that it provides single family residences within an Existing/Emerging Suburban Character Area.
- (F) Yes, the existing zonings of adjacent and nearby properties give additional supporting grounds for the approval of the requested rezoning. Additionally, the property has no reasonable economic use under its current zoning thereby giving additional support for the approval of this Application.

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CHANGE IN CONDITIONS APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- A. Yes, the proposed change in condition will permit a use that is substantially the same as the use and development of adjacent and nearby properties.
- B. No, the proposed change will not adversely affect the existing use/usability of adjacent or nearby properties.
- C. The Property in question does have reasonable economic use as currently zoned. This application does not seek to change the way the Property is currently zoned, but merely seeks to alter certain conditions in light of the number of homes that will be located in the single-family subdivision.
- D. No, the proposed change will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- E. Yes, the proposed change is in conformity with the policy and intent of the land use policy. The Property is developed as a single-family R-100 Modified subdivision, and nothing in this application seeks to change that classification.
- F. Yes, the number of residential homes that will be located in the subdivision and the zoning conditions of other subdivisions in the area surrounding the Property give support for the approval of the proposed change in conditions.

NEGATIVE

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Planning Department

CIC 15-09



Matthew P. Benson
Alissa L. Cummo
Kelly O. Faber
Amanda F. Henningsen
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Joshua P. Johnson
Jeffrey R. Mahaffey
Steven A. Pickens
Andrew D. Stancil
Kenneth W. Stroud
R. Lee Tucker, Jr.
Wesley C. Turner
*of Counsel

LETTER OF INTENT FOR REZONING
APPLICATION OF MAHAFFEY PICKENS TUCKER, LLP

Mahaffey Pickens Tucker, LLP, submits this Rezoning Application for the purpose of rezoning to the R-60 (Single Family Residence District) zoning classification a 19.359 acre tract located near the intersection of Gravel Springs Road and Ivy Church Road in Gwinnett County, Georgia (hereafter, the "Property").

The Property, which is currently undeveloped, is zoned R-TH and RA-200 and was formerly a portion of a larger residential development that never left the planning stages called The Villages at Ivy Creek. The Applicant has requested to rezone the Property to the R-60 zoning classification in order to develop a 67.609 acre single-family subdivision consisting of a total of 238 lots with varying lot and home sizes. The Property subject to this Rezoning Application makes up 19.359 acres of the planned 67.609 acre subdivision. The homes on the subject Property will be constructed with front facades of primarily brick or stacked stone with the balance being the same or fiber-cement siding. All homes on the subject Property shall be a minimum of 2,400 square feet.

The Applicant respectfully submits that the proposed use would be the best possible development of the Property and would further provide the community with a much needed benefit. The use and development of the Property as R-TH and RA-200 is not economically feasible and is not the highest and best use of the Property. The operation of the Property as an R-60 single family residential subdivision under the guidelines of Gwinnett County is appropriate for the subject tract, is consistent with the Existing/Emerging Suburban Area under the Gwinnett County 2030 Unified Plan, and is consistent with the surrounding properties.

The Applicant welcomes the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in

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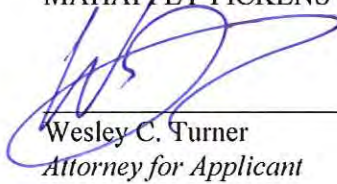
Planning & Development

this letter or in the Application filed herewith. The Applicant respectfully requests your approval of this Application.

This 6 day of February, 2015.

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP



Wesley C. Turner
Attorney for Applicant

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*of Counsel

**LETTER OF INTENT FOR CHANGE IN CONDITIONS
APPLICATION OF MAHAFFEY PICKENS TUCKER, LLP**

Mahaffey Pickens Tucker, LLP submits this Change in Conditions Application on behalf of, LLC (“the Applicant”) for the purpose of changing a condition of zoning for an approximate 48.25 acre tract located near the intersection of Gravel Springs Road and Ivy Church Road (the “Property”). The Property is currently zoned R-ZT.

Prior to the Great Recession, the Property was to be a part of a large scale neighborhood development called The Villages at Ivy Creek. On February 14, 2007, RZR-06-056 (the “Resolution”) was approved by the Board of Commissioners of Gwinnett County, setting out certain conditions of zoning for the development of the Property. Now, the Property will represent 48.25 acres of a 67.609 acre single-family subdivision consisting of a total of 238 lots with varying lot and home sizes. The Property subject to this change in conditions request will consist of 189 lots with homes having a minimum heated floor area of 2,200 square feet, all being on 45 foot lots. Other than the following requests, the Applicant will abide by the remaining conditions as proposed in the Resolution.

The Applicant seeks to change the following conditions of zoning:

- Condition 1C of the Resolution currently reads as follows:

“Homes shall be craftsman style on the front façade. Seventy-five percent (75%) of the homes shall be constructed with side and rear elevations of brick and/or stacked stone on four sides. Minor treatments (i.e. chimneys, roof gables, bay windows, dormers, etc.) may be of the same or of stucco, shake shingle, wood or fiber cement type siding. The remaining twenty-five percent (25%) of homes shall have side and rear elevations of same or of fiber cement type siding, with brick or stacked stone water table. Elevations must be submitted and approved by the Director of Planning and Development to insure keeping with the spirit intended.”

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- The Applicant respectfully requests that Condition 1C be modified to read as follows:

“Homes shall be constructed with front facades of primarily brick or stacked stone. The balance of the homes may be the same, or of fiber-cement or shake shingle.”
- Condition 2C currently reads as follows:

“Provide interparcel access with adjoining Villages at Ivy Creek properties.”
- Due to the Villages at Ivy Creek not being developed as proposed in 2006, the Applicant respectfully requests that Condition 2C be REMOVED.
- Condition 3A currently reads as follows:

“Prior to the issuance of the first building permit, donate and/or acquire all necessary right-of-way and easements and design and construct the New Road Alignment (Continuation of Ivy Creek Road) as directed by the Gwinnett County DOT and to agree to cooperate with the Gwinnett County DOT regarding improvements to existing Ivy Creek Road between the new alignment and Camp Branch.”
- No longer having the ability to accomplish Condition 3A, the Applicant respectfully requests that Condition 3A be REMOVED.
- Condition 3B currently reads as follows:

“If approved, and when directed by the Gwinnett DOT and/or the Georgia DOT, acquire all necessary right-of-way and easements and design and install a traffic signal at the intersection of State Road 324 and the New Road Alignment.”
- No longer having the ability to accomplish Condition 3B, the Applicant respectfully requests that Condition 3B be REMOVED.
- Condition 3C currently reads as follows:

“Prior to the issuance of the 300th residential building permit, for the entire development, with Gwinnett DOT acquiring all necessary right-of-way, design and construct the following improvements at the intersection of Ivy Creek Road and Camp Branch Road:

 1. Construct an eastbound right-turn lane on Ivy Creek Road.
 2. Construct a southbound right-turn lane along Ivy Church Road.”
- Due to the Villages at Ivy Creek not being developed as proposed in 2006, the Applicant respectfully requests that Condition 3C be REMOVED.
- Condition 3F currently reads as follows:

“The overall Villages at Ivy Creek Development shall have an amenities area containing, at minimum 3,500 square foot, heated closed structured 4-sided club house constructed to be aesthetically compatible with homes in the subdivision, a children’s playground, 6 tennis courts, wading pool and a competition sized swimming pool. The amenities area

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shall be constructed once 25 percent of the total number of homes in the subdivision has been sold to residents.”

- Due to the Villages at Ivy Creek not being developed as proposed in 2006 and the proposed development being significantly smaller, the Applicant respectfully requests that Condition 3F be amended as follows:

“The Subdivision shall have an amenities area containing, at minimum junior olympic size pool, kids playground, cabana, bath house, and mail kiosk, aesthetically compatible with homes in the subdivision. The amenities shall be constructed once 25 percent of the total number of homes in the subdivision has been sold to residents.”

The Applicant and its representatives welcome the opportunity to meet with the staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matter set forth in this letter or in the Change in Conditions Application filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted this 6 day of February, 2015.

MAHAFFEY PICKENS TUCKER, LLP



Wesley C. Turner
Attorneys for Applicant

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CASE NUMBER RZR-06-056
GCID 2006-1493

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Charles Bannister, Chairman	<u>AYE</u>
Lorraine Green, District 1	<u>AYE</u>
Albert Nasuti, District 2	<u>ABSENT</u>
Michael Beaudreau, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. KENERLY, which carried 4-0, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP.

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from RA-200 to R-ZT by RUBY FOREST, INC. for the proposed use of SINGLE-FAMILY SUBDIVISION on a tract of land described by the attached legal description, which

is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on JANUARY 23, 2007 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 23RD day of JANUARY 2007, that the aforesaid application to amend the Official Zoning Map from RA-200 to R-ZT is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Single family dwellings and accessory uses and structures.
 - B. The minimum dwelling size shall be 2,200 square feet for one-story homes and 2,400 square feet for two-story homes.

- C. Homes shall be craftsman style on the front façade. Seventy-five percent (75%) of the homes shall be constructed with side and rear elevations of brick and/or stacked stone on four sides. Minor treatments (i.e. chimneys, roof gables, bay windows, dormers, etc.) may be of the same or of stucco, shake shingle, wood or fiber cement type siding. The remaining twenty-five percent (25%) of homes shall have side and rear elevations of same or of fiber cement type siding, with brick or stacked stone water table. Elevations must be submitted and approved by the Director of Planning and Development to insure keeping with the spirit intended.
 - D. All dwellings shall have double-car garages.
2. To satisfy the following site development considerations:
- A. Provide a fifth foot (50') wide buffer along the property common line with the Hedgerows Subdivision. Buffer shall be undisturbed except for additional landscaping only where sparsely vegetated, said additional landscaping to consist of a mixture of an undulating berm designed to blend with the natural landscape and two staggered rows of Thuga Green Giants planted 6 feet on center.
 - B. Natural vegetation shall remain on the property until the issuance of a development permit.
 - C. Provide interparcel access with adjoining Villages at Ivy Creek properties.
 - D. All grassed areas shall be sodded.
 - E. All utilities shall be placed underground.
 - F. Final architectural landscaping and site plans shall be subject to review and approval of the Director of Planning and Development.
 - G. All disturbed land shall be sodded, hydraseeded and strawed or mulched.

3. To abide by the following requirements, dedications and improvements as follows:
 - A. Prior to the issuance of the first building permit donate and/or acquire all necessary right-of-way and easements and design and construct the New Road Alignment (Continuation of Ivy Creek Road) as directed by the Gwinnett County DOT and to agree to cooperate with the Gwinnett DOT regarding improvements to existing Ivy Creek Road between the new alignment and Camp Branch.
 - B. If approved, and when directed by the Gwinnett DOT and/or the Georgia DOT, acquire all necessary right-of-way and easements and design and install a traffic signal at the intersection of State Road 324 and the New Road Alignment.
 - C. Prior to the issuance of the 300th residential building permit, for the entire development, with Gwinnett DOT acquiring all necessary right-of-way, design and construct the following improvements at the intersection of Ivy Creek Road and Camp Branch Road:
 1. Construct an eastbound right-turn lane on Ivy Creek Road.
 2. Construct a southbound right-turn lane along Ivy Church Road.

- D. If required, dedicate at no cost to Gwinnett County all necessary right-of-way and easements for the future construction of a greenway path/trail through the property in accordance with the Gwinnett County Open Space and Greenway Master Plan. Right-of-way/easement width and location shall be subject to review and approval of the Gwinnett Department of Community Services. All dedications will be located outside of the designated stream bank setbacks.
- E. All residences shall be bound by a declaration of covenants, easements, and restrictions which is recorded in the real estate records of Gwinnett County and which will automatically make each homeowner a member of the mandatory homeowners' association (which shall be incorporated as a Georgia not-for-profit corporation). The homeowners' association shall own, control and maintain all amenity areas, clubhouse, open space and/or common areas located within the development and shall assess and collect compulsory annual monthly or quarterly dues in an amount sufficient to provide for the ongoing maintenance, insurances, taxes, etc. of all landscaping, entranceways, and common areas. Said homeowners' association shall have lien rights in the event that compulsory dues are not paid.

F. The overall Villages at Ivy Creek development shall have an amenities area containing, at minimum 3,500 square foot, heated closed structured 4-sided club house constructed to be aesthetically compatible with homes in the subdivision, a children's playground, 6 tennis courts, wadding pool and a competition sized swimming pool. The amenities area shall be constructed once 25 percent of the total number of homes in the subdivision have been sold to residents

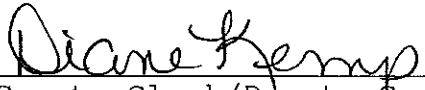
GWINNETT COUNTY BOARD OF COMMISSIONERS

By: 

Charles E. Bannister, Chairman

Date Signed: 2/14/07

ATTEST:

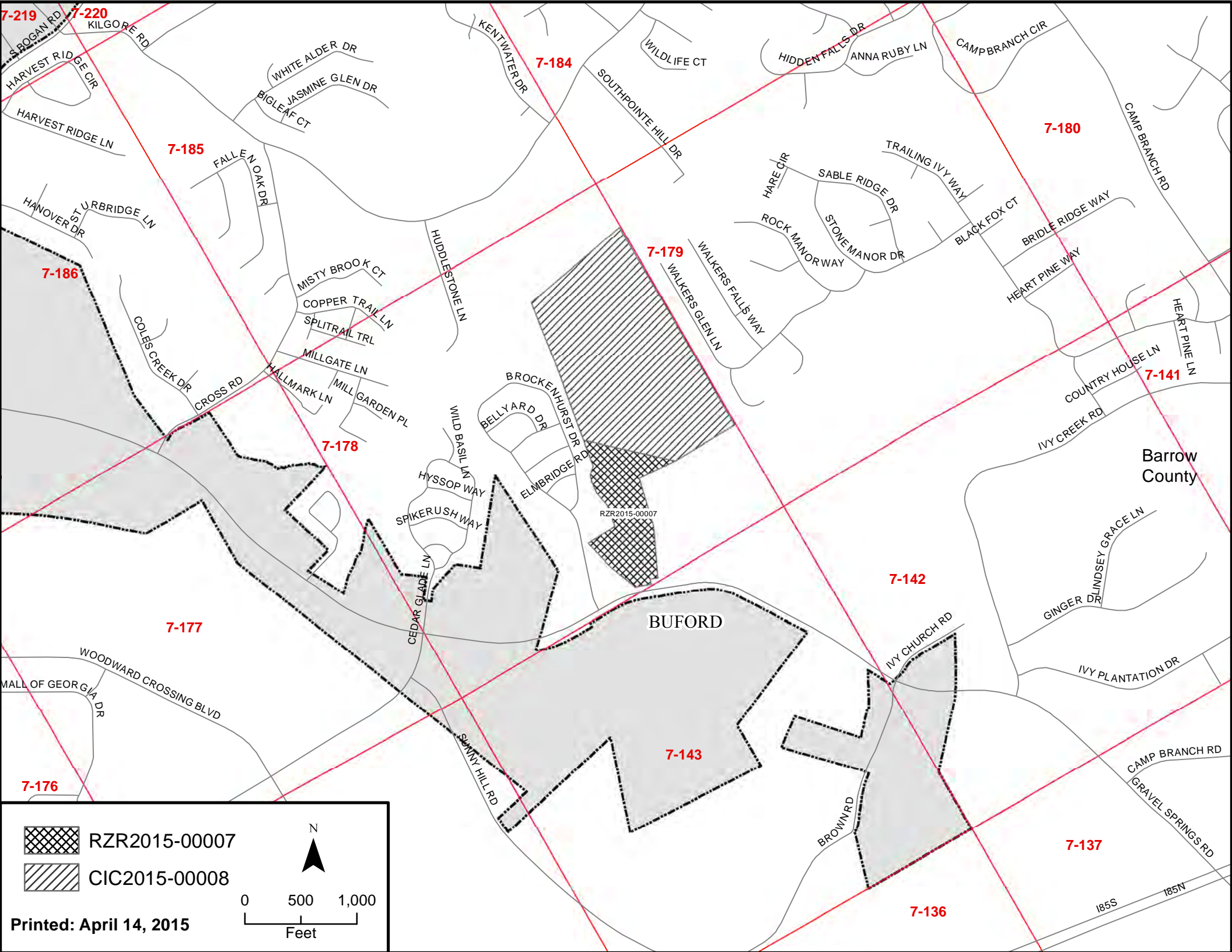

County Clerk/Deputy County Clerk





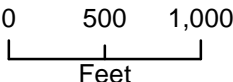
**Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County**

Case #	Schools	Current Projections									Proposed Zoning
		2014-15			2015-16			2016-17			Approximate additional Student Projections from Proposed Developments
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZR2015-00007	Mill Creek HS	3885	2,800	1,085	4025	2,800	1,225	4000	2,800	1,200	7
	Jones MS	1402	975	427	1430	975	455	1459	975	484	5
	Patrick ES	851	1,025	-174	862	1,025	-163	872	1,025	-153	11
CIC2015-00008	Mill Creek HS	3885	2,800	1,085	4025	2,800	1,225	4000	2,800	1,200	28
	Jones MS	1402	975	427	1430	975	455	1459	975	484	22
	Patrick ES	851	1,025	-174	862	1,025	-163	872	1,025	-153	44

Current projections do not include new developments



-  RZR2015-00007
-  CIC2015-00008



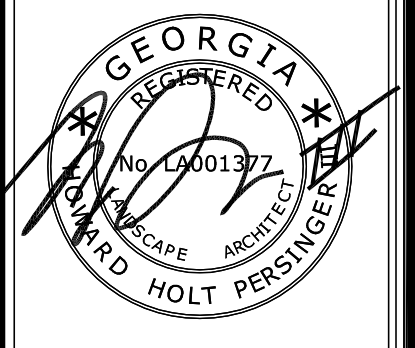
Printed: April 14, 2015

Barrow County

BUFORD

RZR2015-00007

Map labels include road names: S. BOGAN RD, KILGORE RD, HARVEST RIDGE CIR, HARVEST RIDGE LN, HANOVER DR, WESTURBRIDGE LN, COLES CREEK DR, CROSS RD, HALLMARK LN, MILLGATE LN, MILL GARDEN PL, WILD BASIL LN, HYSSOP WAY, SPIKERUSH WAY, CEDAR GLADE LN, WOODWARD CROSSING BLVD, MALL OF GEORGIA DR, S. BROWN RD, GRAYEL SPRINGS RD, 185S, 185N, KENTWATER DR, WHITE ALDER DR, WILDLIFE CT, SOUTHPOINTE HILL DR, HIDDEN FALLS DR, ANNA RUBY LN, CAMP BRANCH CIR, HARVEST RIDGE LN, HARVEST RIDGE LN, HULLSTONE LN, BROCKENHURST DR, BELLY YARD DR, ELMBRIDGE RD, WALKERS GLEN LN, WALKERS FALLS WAY, HARE CIR, SABLE RIDGE DR, TRAILING IVY WAY, BLACK FOX CT, BRIDLE RIDGE WAY, HEART PINE WAY, HEART PINE LN, COUNTRY HOUSE LN, IVY CREEK RD, GINGER DR, LINDSEY GRACE LN, IVY PLANTATION DR, CAMP BRANCH RD, GRAYEL SPRINGS RD, 185S, 185N, WALKERS GLEN LN, WALKERS FALLS WAY, HARE CIR, SABLE RIDGE DR, TRAILING IVY WAY, BLACK FOX CT, BRIDLE RIDGE WAY, HEART PINE WAY, COUNTRY HOUSE LN, IVY CREEK RD, GINGER DR, LINDSEY GRACE LN, IVY PLANTATION DR, CAMP BRANCH RD, GRAYEL SPRINGS RD, 185S, 185N.



THIS DRAWING IS THE PROPERTY OF RIDGELINE LAND PLANNING, INC. (RLP) AND IS NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN APPROVAL FROM RLP. IT IS TO BE USED FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN AND IS NOT TO BE USED ON ANY OTHER PROJECT. IT IS TO BE RETURNED UPON REQUEST.

HWY 324 TRACT

RIDGELINE
LAND PLANNING, INC.
533 ROSEWOOD CIRCLE WINDER, GA 30680
HOLT@RIDGELINELANDPLANNING.COM

ZONING PLAN
SHEET TITLE

DATE	NO	DESCRIPTION
04/05/15		

DATE: 04/05/15
JOB NUMBER: C-2

SUMMARY

PARCELS: 1143 004 & 1143 005
CURRENT ZONING: RA200, R-TH, & R-ZT
PROPOSED ZONING: R-60, & R-ZT (CHANGE OF CONDITIONS)
TOTAL AREA: 67.61 ACRES
TRACT 3 (RA200 TO R-60): 6.038 ACRES
TRACT 2 (R-TH TO R-60): 13.321 ACRES
TRACT 3 (R-ZT, CHANGE OF CONDITIONS): 48.251 ACRES

PROPOSED R-60 LOTS: 40
PROPOSED R-ZT LOTS: 178
TOTAL PROPOSED LOTS: 218

PROPOSED R-60 GROSS DENSITY: 2.531 UFA
PROPOSED R-60 NET DENSITY: 2.531 UFA

PROPOSED R-ZT GROSS DENSITY: 3.917 UFA
PROPOSED R-ZT NET DENSITY: 3.93 UFA

R-60 MAX ALLOWED DENSITY: 4 UN/AC
MIN. LOT WIDTH: 60'
MINIMUM LOT AREA: 7,200 SQFT

R-ZT MAX ALLOWED DENSITY: 6 UN/AC
MIN. LOT WIDTH: 45'
MINIMUM LOT AREA: 4,000 SQFT

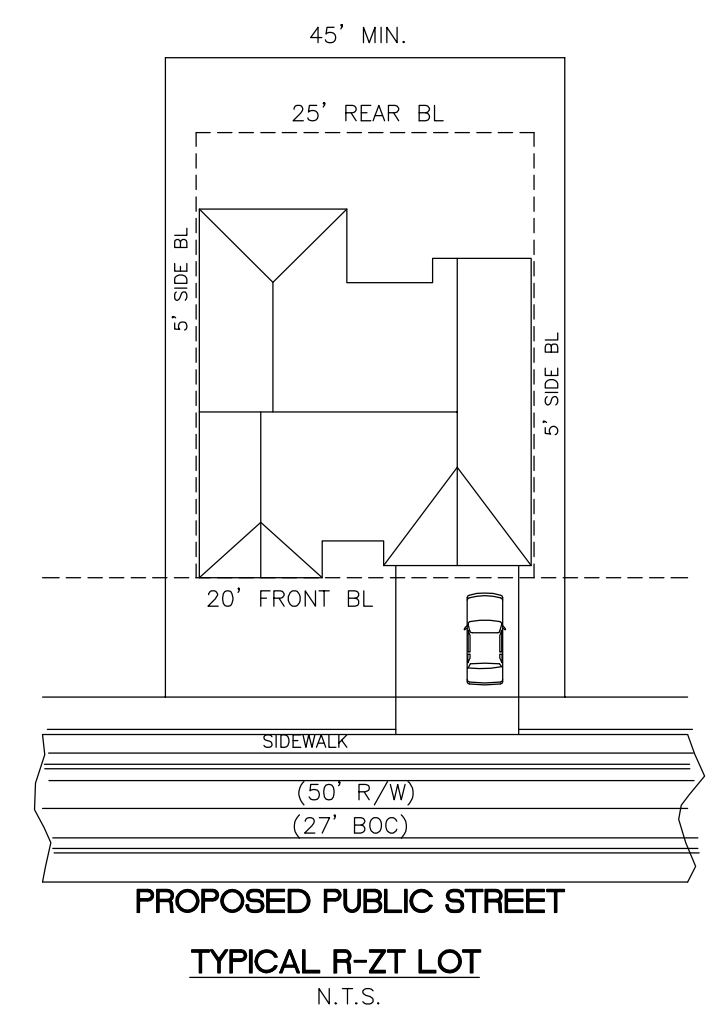
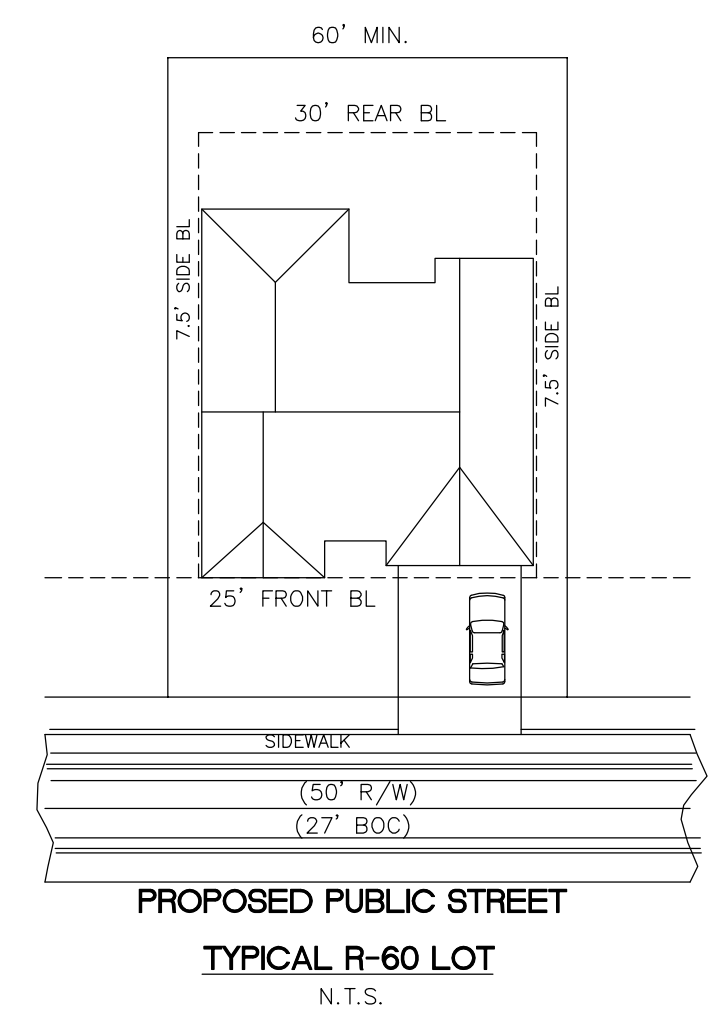
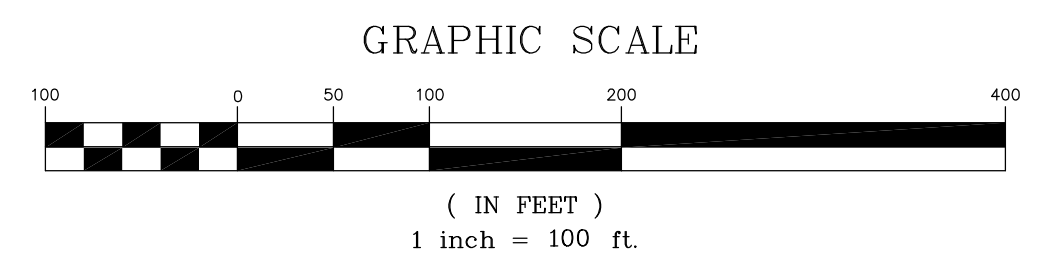
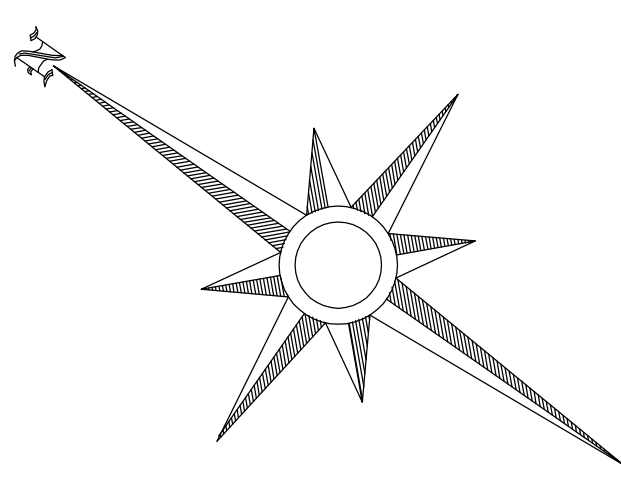
R-60 PROPOSED OPEN SPACE: 1.162 AC (6%)
REQUIRED OPEN SPACE: 1.162 AC (6%)

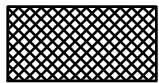
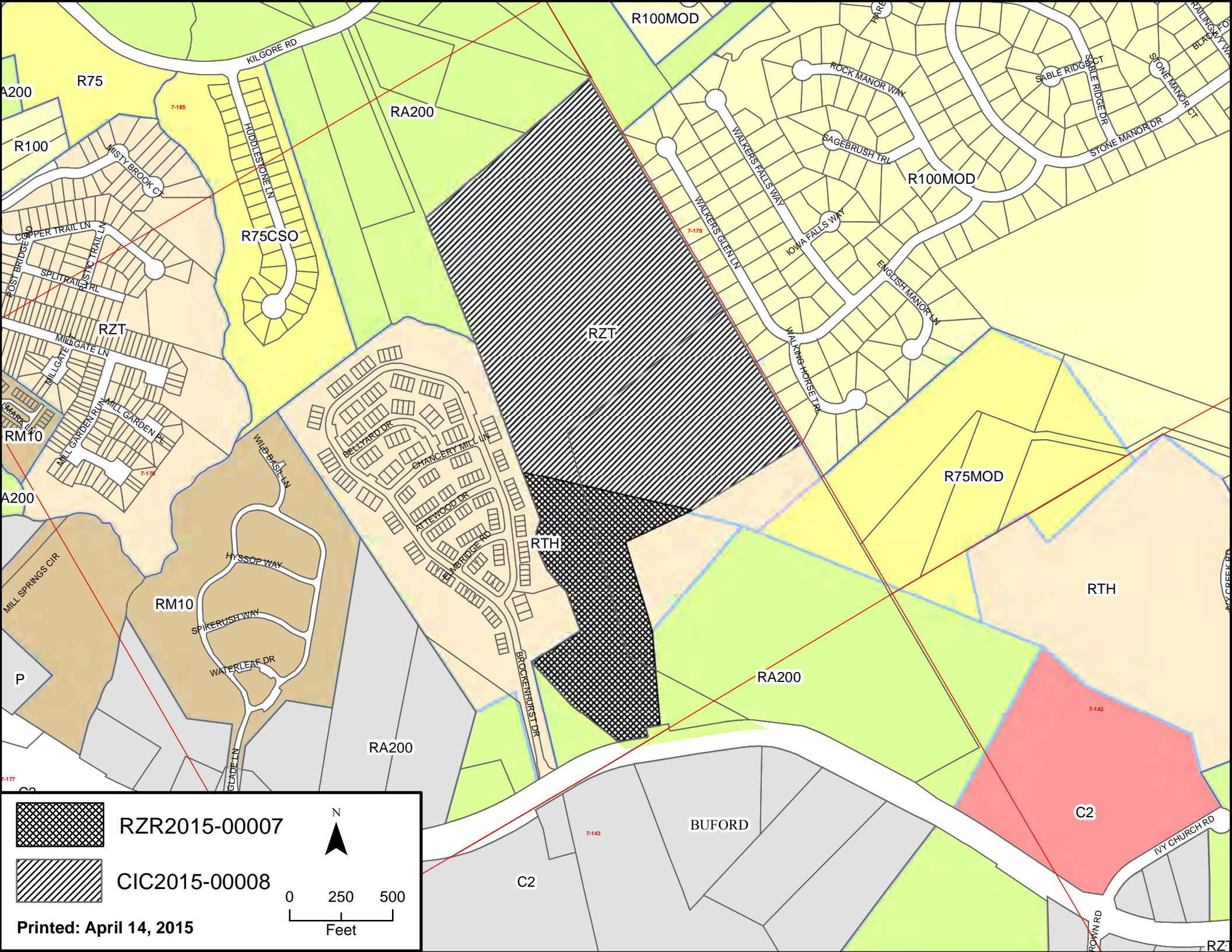
R-60 SETBACKS:
FRONT: MIN. 25'
SIDE: MIN. 15'
REAR: MIN. 30'

R-ZT SETBACKS:
FRONT: MIN. 20'
SIDE: MIN. 5'
REAR: MIN. 25'

WATER TO BE PROVIDED BY GWINNETT COUNTY
SEWER TO BE PROVIDED BY GWINNETT COUNTY

A PORTION OF THIS PROPERTY IS LOCATED WITHIN A FLOOD HAZARD AREA AS PER FIRM FLOOD INSURANCE RATE MAP OF GWINNETT COUNTY, GEORGIA COMMUNITY PANEL NO. 130322 0026 F EFFECTIVE DATE: SEPTEMBER 29, 2006

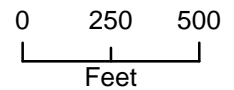




RZR2015-00007



CIC2015-00008



Printed: April 14, 2015

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
CHANGE IN CONDITIONS AND SPECIAL USE PERMIT ANALYSIS**

CASE NUMBER :**CIC2015-00010**
ZONING :C-2
LOCATION :1500 BLOCK OF BUFORD DRIVE
MAP NUMBERS :R7065 142 & 143
ACREAGE :3.30 ACRES
PROPOSAL :CHANGE IN CONDITIONS TO ALLOW A CONTRACTOR'S
OFFICE (REDUCTION IN BUFFERS)
COMMISSION DISTRICT :(4) HEARD

CASE NUMBER :**SUP2015-00017**
ZONING :C-2
LOCATION :1500 BLOCK OF BUFORD DRIVE
MAP NUMBERS :R7065 142 & 143
ACREAGE :3.30 ACRES
PROPOSAL :LANDSCAPE CONTRACTOR (OUTDOOR STORAGE)
COMMISSION DISTRICT :(4) HEARD

FUTURE DEVELOPMENT MAP: **EXISTING/EMERGING SUBURBAN**

APPLICANT: JOHN HOWARD
C/O ANDERSEN, TATE & CARR, P.C.
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GA 30097

CONTACT: MARIAN ADEIMY PHONE: 678.518.6855

OWNER: JOHN HOWARD
C/O ANDERSEN, TATE & CARR, P.C.
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GA 30097

DEPARTMENT RECOMMENDATION: **DENIAL**

CHANGE IN CONDITIONS / SPECIAL USE PERMIT SUMMARY:

The applicant requests a Change in Conditions of a 1995 rezoning case (RZ-95-026) to remove two conditions which pertain to new construction, along with a Special Use Permit to allow the continuation of a landscape contracting business with outdoor storage on the site. The subject property is 3.3-acres in size and is located on the east side of Buford Drive, north of the Russell Road/Ridge Road intersection. It is also located within the Mall of Georgia Overlay District and would therefore have to abide by the rules and regulations of that Overlay District.

Presently zoned C-2 (General Business District) pursuant to RZ-95-026, the property is currently developed with the landscaping business in an existing residential structure. In February 2015, an inspection was made of the property after a complaint was received and a Notice of Violation was issued for a non-permitted use in a C-2 zoning district (CEU2015-00546). Subsequently, the applicant filed the Change in Conditions and Special Use Permit applications. A Compliance Inspections Report (CIR) has also been filed by the applicant pursuant to CIR2015-00006 to determine needed improvements to bring the residential structure up to code as an office use.

The site is primarily open and graveled, and used for outdoor storage of equipment, vehicles, trailers and landscape materials. The existing house and a second storage building are situated toward the rear of the property. A single driveway, shared with neighboring businesses, provides access to Buford Drive. Staff notes that the submitted site plan indicates an existing parking area located approximately 40 feet into the required 75 foot wide buffer.

The approved conditions of rezoning case RZ-95-026 include two conditions which the applicant would like to remove in their entirety: Condition I.E. and Condition I.F.

Condition I.E. currently states: Buildings shall be finished with architectural treatments of brick, stone, stucco or other masonry finish.

The applicant is proposing to eliminate the existing condition I.E. in its entirety.

Condition I.F. currently states: Provide a sidewalk adjacent to Georgia Highway 20 across the entire property frontage as per the Development Regulations.

The applicant is proposing to eliminate the existing condition I.F. in its entirety.

The 2030 Unified Plan Future Development Map indicates the property is located within an Existing/Emerging Suburban Character Area, which supports commercial retail uses at appropriate major intersections. However, the Unified Plan stresses protecting the character of existing neighborhoods in rezoning actions. The business has occupied the site without proper County approvals or permits, and does not meet required site or building improvements. The landscape contracting business, with outdoor storage, may be inconsistent with the policies of the Unified Plan to protect existing single-family residences and professional office buildings on neighboring properties.

Adjacent to the subject property are existing professional office uses located along this portion of Buford Drive, with residential developments located adjacent to the east (rear). Adjacent to the north is a 2-story dental office, and adjacent to the south is a medical office. Several single family subdivisions are located in the area including Highland Oaks adjacent to the east, Sacketts Point located to the north and east, and Ridgewood and Creekland Estates located to the south and southwest. The proposed contractor's office could be considered inconsistent with adjacent and nearby residential and professional office development. The use was not approved

by the Board prior to their occupancy, and the noise, dust and activity commonly associated with such a use may not be suitable at this location.

In conclusion, the requested Special Use Permit and Change in Conditions for a landscape contractor's business could be considered inconsistent with the Unified Plan and the development standards of other commercial uses in the area. Therefore, the Department recommends **DENIAL** of this request.

ZONING HISTORY:

The subject property was zoned R-100 (Single Family Residence District) in 1970. In 1995, the site was rezoned to C-2 (General Business District) pursuant to RZ-95-026.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Protection (Chapter 620 of the Unified Development Ordinance) requires a ten-foot wide landscape strip adjacent to all street rights-of-way for non-residential developments.

The Buffer, Landscape and Tree Protection requires submittal and approval of a Tree Preservation and Replacement Plan prepared by a professional landscape architect prior to securing a Land Disturbance or Development permit.

Section 610-20.3 of the Unified Development Ordinance requires screening of dumpsters and loading/unloading facilities.

Parking lots and interior driveways shall be designed in accordance with Chapter 240 of the Unified Development Ordinance.

Parking spaces shall be provided at a ratio of:

- One space per 500 square feet at a minimum.

- One space per 200 square feet at a maximum.

Section 900-30 of the Unified Development Ordinance requires a 200-foot deceleration lane with a 50-foot taper at each project entrance that proposes access to a Minor Collection Street or Major Thoroughfare. Right-of-way dedication to accommodate the deceleration lane and an 11-foot

shoulder is also required. Reduction in length of a deceleration lane requires approval of a Modification by the Development Division; elimination of a deceleration lane requires approval of a Waiver by the Board of Commissioners.

Section 900-90 of the Unified Development Ordinance requires construction of five-foot wide sidewalks along all exterior roadways adjoining the project, and four-foot wide sidewalks adjacent to both sides of all interior public streets (excluding cul-de-sac turnarounds).

Section 610-20.4B of the Unified Development Ordinance requires an additional five-foot setback for all structures (parking lots, driveways, detention ponds, retaining walls, etc.) adjacent to required buffers.

The developer must submit detailed site development plans, including a landscape and tree preservation/replacement plan, for review and approval of the Development Division prior to any construction.

The developer must obtain a Land Disturbance or Development Permit from the Development Division prior to any construction.

Section 800-20 of the Unified Development Ordinance requires submittal of a Storm Water Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

This project lies within an Activity Center/Corridor Overlay District, and is subject to all requirements set forth in Chapter 220 of the Unified Development Ordinance.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

No comment.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 6-inch water main located on the eastern right-of-way of Buford Drive, and a 12-inch water main located on the western right-of-way of Buford Drive.

Due to the uncontrollable variables, the Department of Water Resources makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. Demands imposed by the proposed development may require reinforcements or extensions of

existing water mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located on the property.

The subject development is located within the Patterson service area. There are currently no connection restrictions within this service area. Treatment capacity within this area is presently available on a first come - first serve basis.

Demands imposed by the proposed development may require reinforcements or extensions of existing sewer mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department. Developer shall provide easements for future sewer connection to all locations designated by DWR during plan review.

As-built information for this department is dependent upon outside entities to provide record drawings for the utilities. Therefore this department does not guarantee the accuracy of the information provided.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances. Proceeding design, construction, inspection, and final acceptance of the required utilities, service to these utilities would then become available under the applicable utility permit rate schedules.

BUILDING CONSTRUCTION COMMENT SECTION:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for any proposed interior or exterior modification. Upon completion of plan review approvals, the applicant shall obtain a building permit for any required renovation work and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.
2. Architectural design of any proposed exterior modification shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Category 3.
3. Upon completion of plan review approvals, the applicant shall obtain a building permit and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at (678) 518-6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

Fire Plan Review has no objections to the above rezoning requests, under the following conditions:

1. Applicant submits civil drawings to Fire Plan Review for review and approval.
2. Applicant submits architectural drawings to Fire Plan Review for review and approval.
3. Upon completion of plan review approvals, applicant successfully achieves a satisfactory Fire field inspection, for issuance of a Certificate of Occupancy - Business Operation.

For assistance, you may contact this office at (678) 518-6000, Monday through Friday, from the hours of 8:00 a.m. to 5:00 p.m.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

NOTE: The following conditions are provided as a guide should the Board of Commissioners chose to approve this petition.

RZ-95-026 with:

Additions in **bold**

Deletions in ~~striketrough~~

Approval as C-2 (Change-in-Conditions) **with a Special Use Permit** for a Landscape Contractor's Office with outdoor storage, subject to the following enumerated conditions:

- I. To **restrict the use and** satisfy the following site development considerations:
 - A. **Retail, service commercial, office and accessory uses, which may include a landscape contractor's office with outdoor storage as a special use.**
 - B. **Obtain all necessary development and building permits, and bring the site and structure(s) up to all applicable zoning, development and building codes within 180 days of zoning approval.**
 - C. **Abide by all requirements of UDO Section 220-30 (Activity Center/Corridor Overlay District). This condition shall not preclude a variance application(s).**
 - D. Provide interparcel access as required by the Development Division.
 - E. Dumpsters shall be screened by a fence or wall at least eight feet in height.
 - F. Garbage pickup will be limited to between the hours of 8:00 a.m. and 6:00 p.m.
 - G. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to reflect into adjacent residential properties.
 - H. **Any new** buildings shall be finished with architectural treatments of brick **or** stone; stucco ~~or other masonry finish~~ **may only be used as an accent material.**
 - I. Provide a sidewalk adjacent to Georgia Highway 20 across the entire property frontage as per the Development Regulations.
 - J. Curb cuts will be subject to the approval and location by the Gwinnett Department of Transportation.

- K. Provide a 10-foot wide landscaped strip outside of the existing right-of-way.
 - L. Provide a minimum of a 10-foot side yard setback.
 - M. Submit a landscaping plan for review and approval by the Director of Planning and Development.
 - N. Provide a minimum 75-foot wide natural undisturbed buffer along the east (rear) property line adjacent to residentially-zoned properties, with replanting where sparsely vegetated to provide an effective visual screen.**
 - O. Ground signage shall be limited to monument type sign(s), and shall be subject to review and approval by the Director of Planning & Development. The sign shall include a minimum two-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the cabinet shall be fully surrounded by the same materials. Ground sign(s) shall not exceed 8 feet in height.**
 - P. Billboards or oversized signs shall be prohibited.**
 - Q. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.**
 - R. Peddlers and/or parking lot sales shall be prohibited.**
 - S. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.**
2. To abide by the following requirements, dedications and improvements:
- A. Design required on-site storm water detention facilities such that they are not located within any required buffers.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The subject tract is part of an established professional office area along Buford Drive. A change in the conditions could be considered incompatible with adjacent and nearby land uses.

ADVERSE IMPACTS

Approval of the requested Change in Conditions and Special Use Permit could have adverse impacts on existing residential developments and could be considered inconsistent with the adjacent professional office uses.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

Minimal changes in public facility impacts would be anticipated from the proposed change in conditions.

CONFORMITY WITH POLICIES

The business was started without proper Board approval, development or building permits. Additionally, the request may not be consistent with the action taken by the Board in the prior rezoning request, and is not considered consistent with policies of the Unified Plan for protecting surrounding uses.

CONDITIONS AFFECTING ZONING

The proposed requests may not be appropriate for the subject property and could diminish the development standards put in place to preserve the integrity of the surrounding area. If approved, the Department has included recommended conditions for replanting the buffer adjacent to single family residences.

CHANGE IN CONDITIONS APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, 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 AN ATTACHMENT AS NECESSARY:

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

See Exhibit "B"

- (B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

See Exhibit "B"

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

See Exhibit "B"

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

See Exhibit "B"

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

See Exhibit "B"

- (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 CHANGE IN CONDITIONS:

See Exhibit "B"

CIC'15 010

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Planning & Development

Exhibit "B" - APPLICANT'S RESPONSE - 1571 HWY. 20 (OLD BUFORD DRIVE)

- A) WHETHER A PROPOSED SPECIAL USE PERMIT AND CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes. The property has contained the existing landscaping and storage uses for over ten years, and the proposed uses and change in conditions will have little to no impact on adjacent and nearby residential property uses.

- B) WHETHER THE PROPOSED SPECIAL USE PERMIT AND CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USEABILITY OF ADJACENT OR NEARBY PROPERTY:

No. The proposed uses will not adversely affect the existing use or useability of adjacent or nearby property. The proposed outside storage would include a small, limited area located at the rear of the property, to be screened by the existing landscaping and buffers. The buffer can be enhanced, where necessary, to screen the property and continued, limited storage use. The requested uses are consistent with the commercial uses nearby.

- C) WHETHER THE PROPERTY TO BE AFFECTED BY THE SPECIAL USE PERMIT AND CHANGE IN CONDITIONS HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

No. The property has been used for the existing landscaping and similar uses for over ten years, and a more intense commercial use may not be favored.

- D) WHETHER THE PROPOSED SPECIAL USE PERMIT AND CHANGE IN CONDITIONS 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 property has been zoned and used as a landscaping contractor's office with outside storage for over ten years, and that continued use would not cause any excessive or burdensome use of existing streets, transportation facilities or utilities. There would be no impact on the schools.

- E) WHETHER THE PROPOSED SPECIAL USE PERMIT AND CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Yes. The proposed use is consistent with the Gwinnett 2030 Unified Plan guidelines for this mixed-use area and given the adjacent and nearby commercial node and zoning.

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- 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 PROPOSED SPECIAL USE PERMIT.

Yes. The proposed use is entirely appropriate in light of existing development patterns and land uses in the surrounding area.

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LETTER OF INTENT
APPLICATION FOR SPECIAL USE PERMIT AND CHANGE IN CONDITIONS
FOR OUTSIDE STORAGE OF MATERIALS
1571 HWY. 20, LAWRENCEVILLE, GEORGIA 30043

The property owner and applicant, John Howard, and the tenant, Brickman Group d/b/a Brickman Landscaping Group (collectively, the "Applicant") submit this request for a Special Use Permit and for the continued outside storage of the existing landscaping equipment or materials on the property located at 1571 Hwy. 20, Lawrenceville, Georgia 30043, in unincorporated Gwinnett County.

The subject property includes approximately 3.3 acres. The property has retained its C-2 zoning and has been part of and consistent with the adjacent the commercial node zoned and in existence since the early 1990's, zoned shortly after the adjacent residential development. The subject property is currently zoned C-2, General Business District, which permits landscaping and building contractors, hardware stores, equipment rental, office/showroom facilities, and home building supply showrooms and sales centers.

The Applicant is a respected and long-time landscaping contractor in Gwinnett County. They serve both commercial and residential property owners, and have successfully operated from this location since 2003, for over twelve years. Their business information can be viewed at <http://brickman.com/>. Brickman employs and provides jobs to a large number of Gwinnett County residents.

Recently, the County put the Brickman Group on notice of the need for a Special Use Permit to allow for the limited, outdoor storage and parking of certain landscaping equipment. As it currently exists, the Property and storage is screened from the road and neighboring property owners. The existing buffers and setbacks would remain. Any intrusion into the existing buffer or setback will be promptly corrected and those areas will be maintained and enhanced where needed or required.

The property is located on a major highway with similar commercial and business uses. The Applicant was not aware of any complaints or issues with that ongoing use of the property, and the Applicant and tenant have had a long-term, successful relationship. The Brickman Group's continued use of the Property for their landscaping business is necessary as a continued use on the Property, and without it, the property owners will have no economic use and will lose their long-time tenant.

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The attached Site Plan reflects the existing building and the business location on the subject property. The Applicant also proposes changes to certain conditions which were previously placed on the subject property based on anticipated development and no longer applicable given the location and use of the subject property.

Specifically, the Applicant seeks to change and remove Conditions 1(E) and 1(F) found under RZ-95-026. The Applicant has not constructed and does not seek to construct new buildings for the long-term existing landscaping business, and continues to use the former residential home for office-space only. All landscaping work is done off-site. The property is located below grade and on an access drive adjacent to Hwy. 20, shared with a Post Office and medical office. The subject property is used to landscaping employee access and business parking and storage, and no sidewalks are needed along this major corridor.

The previous conditions on this property further support the existing use which is less intense than the commercial use and development (including multiple buildings) as previously approved. Except for the existing office and general equipment maintenance, almost all of the landscaping work takes place off-site.

Because the subject property is adjacent to a significant concentration of commercial property, located off of a major highway, and is near a commercial intersection, and the proposed special use would be entirely consistent with the current zoning and development patterns, the 2030 Unified Plan, and Board of Commissioners' precedent for this and surrounding property.

CONCLUSION

The subject property is an appropriate location for the existing landscaping business and limited parking and outdoor storage, having operated at this location for over ten years. The requested uses would have little to no impact on any surrounding properties and the buffer conditions and existing natural areas will remain adjacent to all residential property.

The Applicant and its representatives welcome the opportunity to meet with the staff of the Gwinnett County Department of Planning and Development, Planning Commissioners, and the Board of Commissioners to answer any questions or to address any concerns. Applicant respectfully requests your approval of its Application for Special Use Permit and Application for Change in Conditions.

This 3rd day of April, 2015.

Respectfully submitted,

ANDERSEN, TATE & CARR, P.C.



Marian C. Adeimy

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JUSTIFICATION FOR ZONING REQUEST(S) / CONSTITUTIONAL OBJECTIONS

The portions of the Gwinnett County Zoning Ordinances and Unified Development Ordinance (collectively, the "UDO") and/or zoning conditions which presently restrict the property which is the subject of this Application (the "Property") to its current zoning and permitted uses are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the UDO and/or zoning conditions which presently restrict the property to its current zoning and permitted uses is unconstitutional, illegal, null and void, constituting a taking of the Applicant's and the Owner's property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.


The Property is presently suitable for the proposed uses and conditions, as requested by the Applicant, and is not economically suitable for development with only the currently permitted uses. A denial of this Application would constitute an arbitrary and capricious act by the Gwinnett County Board of Commissioners without any rational basis therefore and contrary to other recent Board of Commissioners actions, constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Gwinnett County Board of Commissioners to allow the requested use(s) and condition(s), so as to permit the only feasible economic use of the Property, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any approval of a use or condition for the Subject Property or rezoning to some other classification, subject to conditions which are different from the conditions by which the Applicant may amend its application, to the extent such different conditions would have the effect of further restricting the Applicant's and Owner's utilization of the subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

Accordingly, the Applicant respectfully requests that the Application(s) submitted by the Applicant relative to the Property, as amended, be approved.

This 3rd day of April, 2015.

ANDERSEN, TATE & CARR, P.C.



Marian C. Adeimy
Attorney for Applicant

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Planning & Development

CASE NUMBER RZ-95-026

BOARD OF COMMISSIONERS
GWINNETT COUNTY
LAWRENCEVILLE, GEORGIA
RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	VOTE
Wayne Hill, Chairman	<u>AYE</u>
Tommy Hughes, District 1	<u>AYE</u>
Patti Muise, District 2	<u>AYE</u>
Judy Waters, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. HUGHES, which carried 5-0, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from

R-100 to C-2

by JEAN COPPAGE for the proposed use of

COMMERCIAL USES on a

tract of land described by the attached legal description, which

CASE NUMBER RZ-95-026

is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT POST-TRIBUNE, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on February 28, 1995, and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 28th day of February, 1995, that the aforesaid application to amend the Official Zoning Map from R-100 to C-2 is hereby APPROVED subject to the following enumerated conditions:

1. To satisfy the following site development considerations:
 - A. Provide interparcel access as required by the Development Division.
 - B. Dumpsters shall be screened by a fence or wall at least eight feet in height.
 - C. Garbage pickup will be limited to between the hours of 8:00 a.m. and 6:00 p.m.
 - D. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to reflect into adjacent residential properties.
 - E. Buildings shall be finished with architectural treatments of brick, stone, stucco or other masonry finish.
 - F. Provide a sidewalk adjacent to Georgia Highway 20 across the entire property frontage as per the Development Regulations.
 - G. Curb cuts will be subject to the approval and location by the Gwinnett County Department of Transportation.

CASE NUMBER RZ-95-026

- H. Provide a 10-foot wide landscaped strip outside of the existing right-of-way.
 - I. Provide a minimum of a 10-foot side yard setback.
 - J. Submit a landscaping plan for review and approval by the Director of Planning and Development.
2. To abide by the following requirements, dedications and improvements:
- A. Design required on-site storm water detention facilities such that they are not located within any required buffers.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: *F. Wayne Hill*
F. Wayne Hill, Chairman

Date Signed: 3-10-95

ATTEST:

Barbara G. Bruce
Clerk



COMPLIANCE INSPECTION REPORT

CASE NUMBER:	CIR2015-00006
RECEIVED DATE:	4/14/2015
APPLICATION NAME:	JOHN HOWARD
APPLICATION ADDRESS:	1571 BUFORD DRIVE, LAWRENCEVILLE, GA 30043
APPLICANT:	John Howard - C/O Andersen, Tate & Carr, P.C. 1960 Satellite Boulevard, Suite 4000 Duluth, GA 30096-0065
REQUEST TYPE:	Existing Building Compliance Report
NFPA OCCUPANCY:	
CURRENT OCCUPANCY USE:	R-3 (IBC) Residential
PROPOSED OCCUPANCY USE:	B (IBC) Business
DEVELOPMENT TYPE:	Commercial Zoning C1,C2,C3
CONSTRUCTION TYPE:	(IBC) TYPE VB UNSPRINKLERED

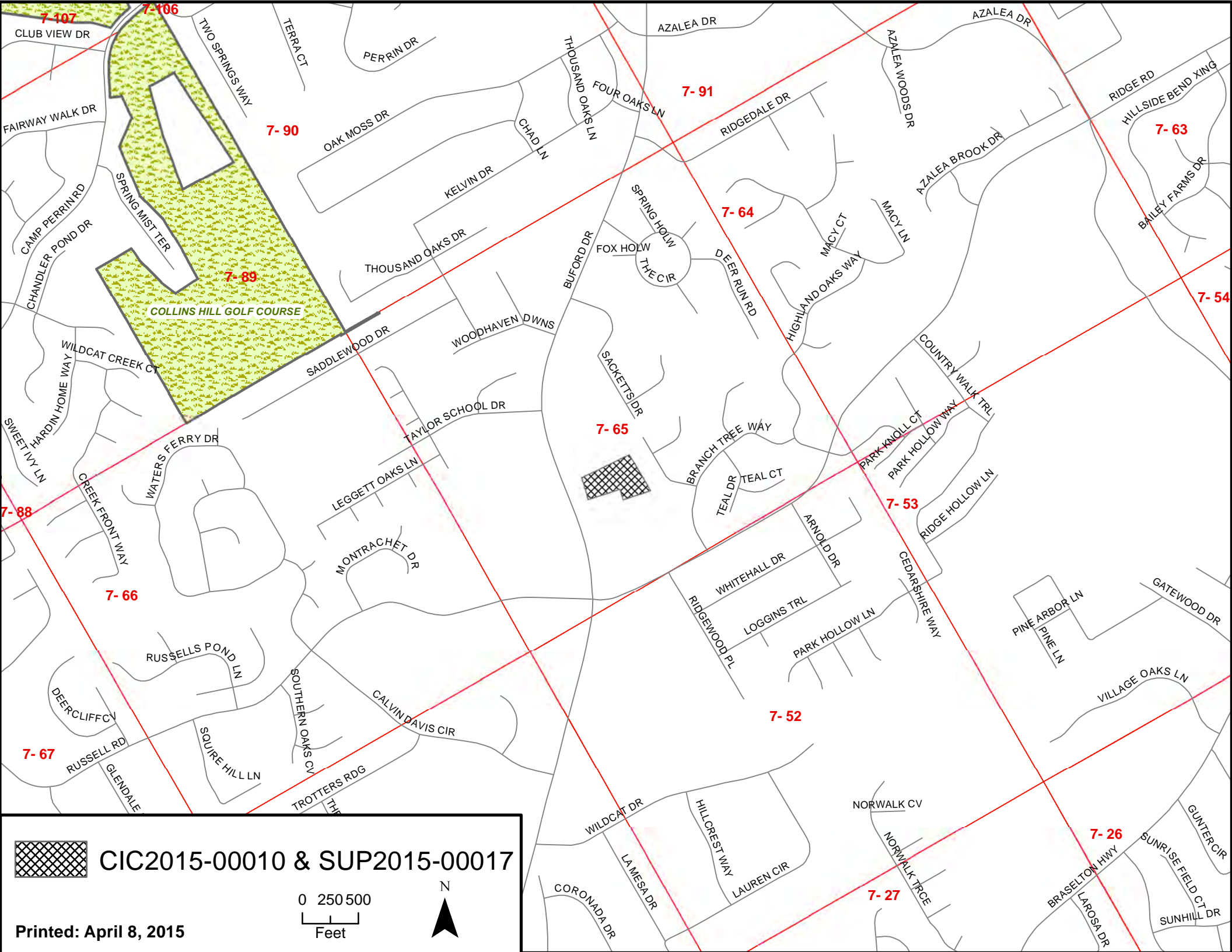
The following is the code compliance inspection report for the proposed occupancy and use. If you have any questions, please contact Building Plan Review at 678.518.6000. Construction drawings must be submitted to Building Plan Review and Fire Plan Review for code compliance review and authorization of a building permit before any construction work or repair work is performed.


	ITEM	COMMENT	INSPECTOR	STATUS
Electrical Code Compliance				
4/14/2015	The electrical system for the proposed occupancy is suitable for intended use.	2008 NEC ranch house on tall crawlspace. a 200 amp 3 wire electrical service with main breaker inside and a 60 amp sub feed panel also service line going across drive to house not 18 feet. also has irrigation in front of house with extension cord coming out from crawlspace. require plans, permit and all required inspection.	Johnny Lyons	Fail
4/14/2015	Ground fault circuit interrupter (GFCI) in bathroom, kitchen, and outside receptacles.	NEC 210.8	Johnny Lyons	Fail
4/14/2015	Grounding type receptacles.	NEC 406	Johnny Lyons	Fail
4/14/2015	Required location for receptacles.	NEC 210	Johnny Lyons	Fail
4/14/2015	Grounding to metal water pipe, building steel, ground rods.	NEC 250-3	Johnny Lyons	Fail
4/14/2015	Location of service disconnect.	NEC 230.70 service disconnect inside panel in hall	Johnny Lyons	Fail
4/14/2015	Junction boxes - Correct size for box volume.	NEC 314.16 open boxes and wire under house	Johnny Lyons	Fail
4/14/2015	Physical condition of conductors.	NEC 310	Johnny Lyons	Fail
4/14/2015	Proper equipment grounding conductor size.	NEC 250.122	Johnny Lyons	Fail
4/14/2015	Disconnects for appliances and HVAC equipment -Required locations and accessible.	NEC 422.30 NEC 440.11 both panel and sub feed need screws on cover and blanks install with open breaker spaces	Johnny Lyons	Fail
4/14/2015	Required location for lights and switches.	NEC 210	Johnny Lyons	Pass

	ITEM	COMMENT	INSPECTOR	STATUS
Electrical Code Compliance				
4/14/2015	Working clearance in front of equipment.	NEC 110.26	Johnny Lyons	Pass
4/14/2015	Service equipment - Illumination of service and/or panels.	NEC 110.26(d)	Johnny Lyons	Pass
4/14/2015	Service equipment - Fault current rating.	NEC 110.9	Johnny Lyons	Pass
4/14/2015	Service equipment - Load calculation.	NEC 220	Johnny Lyons	Pass
4/14/2015	Occupant to have access to service equipment.	NEC 230.72(c)	Johnny Lyons	Pass
4/14/2015	Approved covers on junction boxes and accessible.	NEC 314	Johnny Lyons	Pass
4/14/2015	Conductors - Correct size for overcurrent device.	NEC 310	Johnny Lyons	Pass
4/14/2015	Sub-Panels - Location of panels	NEC 110.26	Johnny Lyons	Pass
Fire Compliance				
4/14/2015	Exterior: Accessible Parking	No Accessible Parking or Surfaces.	Charles Anderson	Fail
4/14/2015	Exterior: Ramp/Landings	No Accessible Ramps or Landings.	Charles Anderson	Fail
4/14/2015	Exterior: Address/Suite Marking	An Address shall be visible from the roadway.	Charles Anderson	Fail
4/14/2015	Fire Protection Equipment: Exit Signs	All Exit Signs shall operate on Emergency Battery Power. Change batteries or bulbs as required.	Charles Anderson	Fail
4/14/2015	Fire Protection Equipment: Emergency Lights	All Emergency Lightng shall operate on Emergency Battery Power. Change batteries or bulbs as required.	Charles Anderson	Fail
4/14/2015	Fire Protection Equipment: Fire Extinguisher	All Fire Extinguishers shall be serviced and tagged ANNUALLY by a Licensed Extinguisher Service Company.	Charles Anderson	Fail
4/14/2015	Miscellaneous: Elect. Panels/Rooms	All Electrical Circuits shall meet the requirements of the National Electrical Code.	Charles Anderson	Fail
4/14/2015	Miscellaneous: Wiring & Extension Cords	Extension cords cannot be used as permanent power. Additional electric circuits will be required to provide electrical power miscellaneous office equipment.	Charles Anderson	Fail
4/14/2015	Miscellaneous: Mechanical Rooms	No combustible materials shall be stored, adjacent to Natural Gas Fired Equipment.	Charles Anderson	Fail
4/14/2015	Miscellaneous	This building was wood frame constructed in the 1960's and presently being used as a Commercial Business. There are no Exterior or Interior ADA Features.	Charles Anderson	Fail
Mechanical Code Compliance				
4/14/2015	The mechanical system for the proposed occupancy is suitable for intended use.	ranch house with 2 heating cooling systems under house does not meet the 13 ser or 80 plus enrgy code requirements. as well as other issues will require plans, permit and all required inspection.	Johnny Lyons	Fail
4/14/2015	Ducts and duct sytems - Joints, seams, and connections.		Johnny Lyons	Fail
4/14/2015	Duct insulation.	return duct work not insulated	Johnny Lyons	Fail
4/14/2015	Ducts and duct sytems - complies with Georgia State Energy Code.		Johnny Lyons	Fail
4/14/2015	Equipment - Accessibility.	will need a light and re optcel for service of the furnaces	Johnny Lyons	Fail
4/14/2015	Complies with Georgia State Energy Code		Johnny Lyons	Fail

	ITEM	COMMENT	INSPECTOR	STATUS
Mechanical Code Compliance				
4/14/2015	Fresh air system - allowable material.	no out door air for either system	Johnny Lyons	Fail
4/14/2015	Fresh air system - Location on intakes.		Johnny Lyons	Fail
4/14/2015	Fresh air system - ASHRAE air systems.		Johnny Lyons	Fail
4/14/2015	Separation ventilation system for incompatible material - Corrosive vapors.		Johnny Lyons	Fail
4/14/2015	Exhaust systems - Bath fan vents and termination.		Johnny Lyons	Fail
4/14/2015	Chimneys and vents systems - Allowable materials.	vent system exterior of building has not be aloud for 15 years	Johnny Lyons	Fail
4/14/2015	Chimneys and vents systems - Capacity.		Johnny Lyons	Fail
4/14/2015	Chimneys and vents systems - Location.		Johnny Lyons	Fail
4/14/2015	Chimneys and vents systems - Clearance.		Johnny Lyons	Fail
4/14/2015	Chimneys and vents systems - Fire stops.		Johnny Lyons	Fail
4/14/2015	Chimneys and vents systems - Termination.		Johnny Lyons	Fail
4/14/2015	Fuel gas piping - Allowable material.	install sediment traps	Johnny Lyons	Fail
4/14/2015	Refrigeration system - Joints and refrigerant containing part in plenum.	not R4 insulation as required	Johnny Lyons	Fail
4/14/2015	Refrigeration system - Piping insulation.	condnsate drain system goings down hill the uphill will never drain to outside	Johnny Lyons	Fail
4/14/2015	Ducts and duct sytems - Allowable materials.		Johnny Lyons	Pass
4/14/2015	Duct support.		Johnny Lyons	Pass
4/14/2015	Combustion and ventilation air - Allowable material.		Johnny Lyons	Pass
4/14/2015	Combustion and ventilation air - Capacity for space.		Johnny Lyons	Pass
4/14/2015	Combustion and ventilation air - Termination.		Johnny Lyons	Pass
4/14/2015	Equipment - Location.		Johnny Lyons	Pass
4/14/2015	Equipment - Clearance.		Johnny Lyons	Pass
4/14/2015	Separation ventilation system for incompatible material - Noxious gases.		Johnny Lyons	Pass
4/14/2015	Separation ventilation system for incompatible material - Other.		Johnny Lyons	Pass
4/14/2015	Fuel gas piping - Location.		Johnny Lyons	Pass
4/14/2015	Fuel gas piping - Joints.		Johnny Lyons	Pass
4/14/2015	Fuel gas piping - Support.		Johnny Lyons	Pass
4/14/2015	Fuel gas piping - Shut-off valves and approved locations.		Johnny Lyons	Pass
4/14/2015	Fuel gas piping - Concealed gas line.		Johnny Lyons	Pass
4/14/2015	Fuel gas piping - Air test.		Johnny Lyons	Pass
4/14/2015	Fuel gas piping - Auxiliary drain pans.		Johnny Lyons	Pass
Plumbing Code Compliance				
4/14/2015	The plumbing system for the proposed occupancy is suitable for intended use.	ranch house with 40 gal gas fired water heater in closet of kicthen does have combustion air several miner repairs. require plans, permit and all required inspection.	Johnny Lyons	Fail
4/14/2015	This occupancy requires drinking fountains to be installed.	IPC 403.1	Johnny Lyons	Fail

	ITEM	COMMENT	INSPECTOR	STATUS
Plumbing Code Compliance				
4/14/2015	Provide separate toilet rooms for male and female.	IPC 403.2	Johnny Lyons	Fail
4/14/2015	Change all water closets to elongated with open front seats.	IPC 420.2	Johnny Lyons	Fail
4/14/2015	Install double check valve assembly and certify device.	IPC 608.1	Johnny Lyons	Fail
4/14/2015	Install pressure reducing valve in main water service.	IPC 604.8	Johnny Lyons	Fail
4/14/2015	Install vacuum brakers on all hose bibbs.	IPC 608.11	Johnny Lyons	Fail
4/14/2015	Water heaters - Provide combustion air from outside.	IPC 504.5-504.6	Johnny Lyons	Pass
4/14/2015	Water heaters - Provide 3/4 T&P relief line using approved pipe.	IPC 502.4	Johnny Lyons	Pass
4/14/2015	Water heaters - Repair or replace vent with approved vent pipe.		Johnny Lyons	Pass
4/14/2015	Water heaters - install thermal expansion device.	IPC 607.3	Johnny Lyons	Pass
4/14/2015	Install privacy partitions for water closets and urinals.	IPC 310.4	Johnny Lyons	Pass
4/14/2015	Replace/repair water distribution pipe to comply with 2006 IPC.	IPC 601.1	Johnny Lyons	Pass
4/14/2015	Replace/repair drain waste vent system to comply with 2006 IPC.	IPC 701.1	Johnny Lyons	Pass
Structural Code Compliance				
4/14/2015	S15: Wood grades, spans, floor joist, ceiling and rafters, and Light Frame Construction.	IBC 2308 (Need engineer review of floor system and deck for compliance with commercial loads)	Todd Herget	Fail
4/14/2015	S13: Insualtion in attic.	IECC 502 unable to inspect no ladder,	Todd Herget	Fail
4/14/2015	S3: Insualtion in crawlspace.	IECC 502 none	Todd Herget	Fail
4/14/2015	S10: Attic Access.	IBC 1209.2 no large enough	Todd Herget	Fail
4/14/2015	S5: Decks, guardrails.	IBC 1013; IBC 1607.8 need Engineer review and repairs	Todd Herget	Fail
4/14/2015	S1: Additional Data / Plans.	GCCC 103.2.2 Floor plan for records	Todd Herget	Fail
4/14/2015	S2: Wood Connections and Fasteners.	IBC 2304.9 deck is showing signs of age, need Engineer review and letter, repairs	Todd Herget	Fail
4/14/2015	S20: Insulation, flamespread.	IBC 720	Todd Herget	Pass
4/14/2015	S8: Attic Ventilation.	IBC 1203	Todd Herget	Pass
4/14/2015	S7: Crawlspace ventilation.	IBC 1203	Todd Herget	Pass
4/14/2015	S4: Ground clearance.	IBC 2304.11	Todd Herget	Pass
4/14/2015	S16: Vents.	IBC 1203	Todd Herget	Pass
4/14/2015	S17: Tempered glass for doors and windows.	IBC 2406	Todd Herget	Pass
4/14/2015	S19: Minimum ceiling heights.	IBC 1208.2	Todd Herget	Pass



 CIC2015-00010 & SUP2015-00017

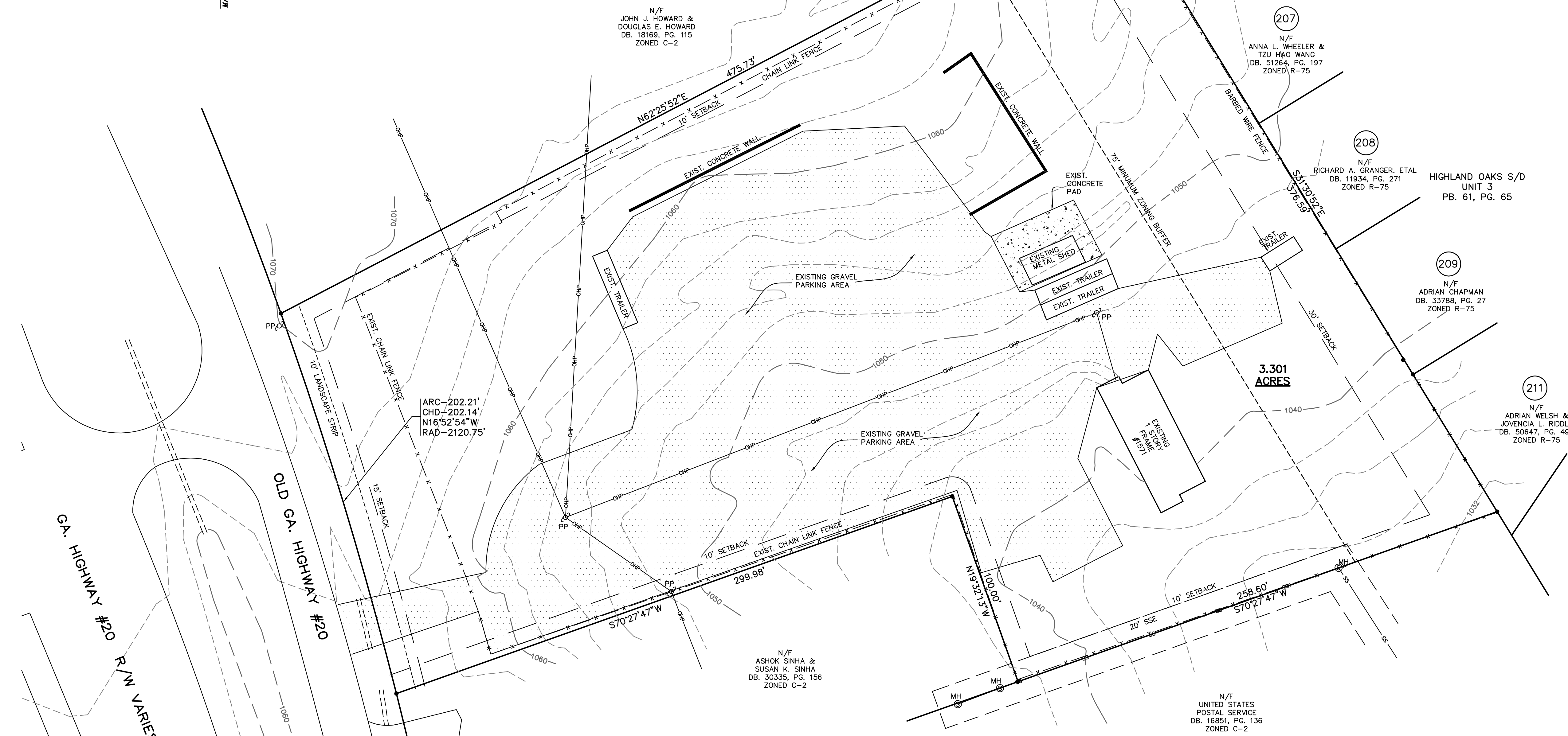
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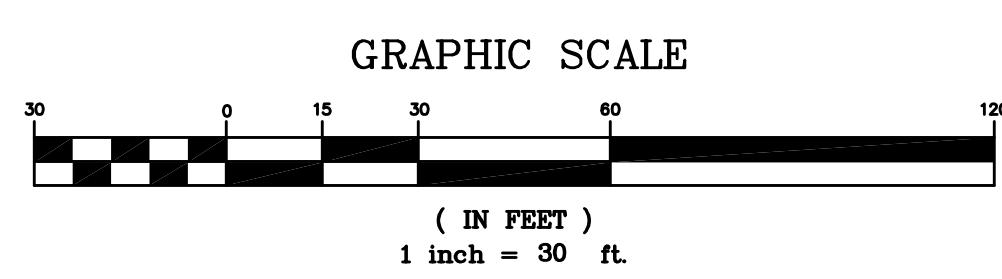
Printed: April 8, 2015

- LEGEND**
- RBF REBAR FOUND (1/2" REBAR)
 - CRS CAPPED REBAR SET (1/2" REBAR)
 - OTF OPEN TOP FOUND CRIMP TOP FOUND
 - JUNCTION BOX
 - LAND LOT LINE
 - LIGHT POLE
 - MANHOLE
 - PROPERTY LINE
 - BL BUILDING LINE
 - C.L.F CHAIN LINK FENCE
 - C/O SEWER CLEAN OUT
 - DE DRAINAGE EASEMENT
 - DROP INLET
 - RBF REBAR FOUND
 - R/W RIGHT-OF-WAY
 - SE SANITARY SEWER EASEMENT
 - CRZ CRITICAL ROOT ZONE

- UE UTILITY EASEMENT
- FIRE HYDRANT
- SINGLE WING CATCHBASIN
- DOUBLE WING CATCHBASIN
- WATER VALVE
- GAS VALVE
- HEADWALL

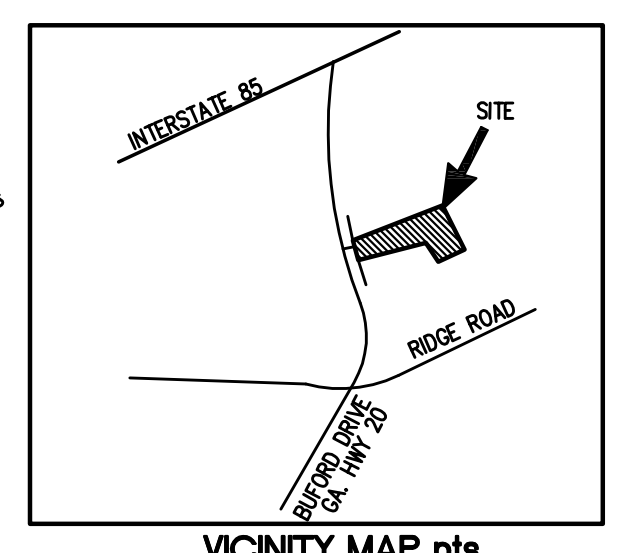


PROPOSED SITE PLAN



THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A PROFESSIONAL TITLE REPORT. EASEMENTS OR OTHER ENCUMBRANCES MAY EXIST ON PUBLIC RECORD BUT NOT BE SHOWN HEREON.

SCI DEVELOPMENT SERVICES WILL NOT TAKE RESPONSIBILITY FOR THE DISCOVERY OF ANY UNDERGROUND UTILITIES WHICH CANNOT BE SEEN DURING A REASONABLE FIELD SURVEY OF THIS SITE. IT IS THE RESPONSIBILITY OF THE DEVELOPER TO FURNISH DOCUMENTATION (AS-BUILTS, DEEDS ETC.) REFERRING TO THE EXISTENCE OF ANY SUCH UTILITIES PRIOR TO THE COMMISSION OF THE FIELD SURVEY.



GENERAL NOTES
 SURVEY PERFORMED BY GRESHAM PLANNING & DEVELOPMENT, INC., DATED 2/17/99 FOR JOHN HOWARD. ALL SURVEY INFORMATION WAS TAKEN FROM THIS SURVEY, AND HAS NOT BEEN VERIFIED BY SCI DEVELOPMENT SERVICES.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE BY LATITUDES AND DEPARTURES AND IS FOUND ACCURATE TO WITHIN ONE FOOT IN 289,546 FEET.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 15,000± FEET AND AN ANGULAR ERROR OF 0.4" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.

A TOPCON - TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

OWNER/APPLICANT
 JOHN HOWARD
 1960 SATELLITE BLVD
 SUITE 4000
 DULUTH, GA. 30397

CONTACT
 JOHN HOWARD
 770-822-0900

EXISTING ZONING C-2
 MIN. LOT AREA: NONE
 MIN. LOT FRONTAGE: NONE

SETBACKS:
 FRONT - 15 FEET
 REAR - 30 FEET
 SIDE - 10 FEET

FLOOD NOTE:
 BASED ON GRAPHIC DETERMINATION, THIS PROPERTY DOES NOT LIE IN A F.E.M.A./F.I.R.M. SPECIAL FLOOD HAZARD AREA PER COMMUNITY PANEL NO. 13135C0060F DATED SEPTEMBER 29, 2006

REZONING CASE NO. RZ-95-026
 APPROVED FEBRUARY 28, 1995 WITH THE FOLLOWING CONDITIONS:

1. TO SATISFY THE FOLLOWING SITE DEVELOPMENT CONSIDERATIONS.
 - A. PROVIDE INTERPARCEL ACCESS AS REQUIRED BY THE DEVELOPMENT DIVISION.
 - B. DUMPSTERS SHALL BE SCREENED BY A FENCE OR WALL AT LEAST EIGHT FEET IN HEIGHT.
 - C. GARBAGE PICKUP WILL BE LIMITED TO BETWEEN THE HOURS OF 5:00 a.m. AND 6:00 p.m.
 - D. LIGHTING SHALL BE CONTAINED IN CUT-OFF TYLE LUMINARIES AND SHALL NOT BE DIRECTED IN TOWARD THE PROPERTY SO AS NOT TO REFLECT INTO ADJACENT RESIDENTIAL PROPERTIES.
 - E. BUILDINGS SHALL BE FINISHED WITH ARCHITECTURAL TREATMENTS OF BRICK, STONEM STUCCO OR OTHER MASONRY FINISH.
 - F. PROVIDE A SIDEWALK ADJACENT TO GEORGIA HIGHWAY 20 ACROSS THE ENTIRE FRONTAGE AS PER THE DEVELOPMENT REGULATIONS.
 - G. CURB CUTS WILL BE SUBJECT TO THE APPROVAL AND LOCATION BY THE GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION.
 - H. PROVIDE A 10-FOOT WIDE LANDSCAPED STRIP OUTSIDE OF THE EXISTING RIGHT-OF-WAY.
 - I. PROVIDE A MINIMUM OF A 10-FOOT SIDE YARD SETBACK.
 - J. SUBMIT A LANDSCAPING PLAN FOR REVIEW AND APPROVAL BY THE DIRECTOR OF PLANNING AND DEVELOPMENT.
2. TO ABIDE BY THE FOLLOWING REQUIREMENTS, DEDICATIONS AND IMPROVEMENTS.
 - A. DESIGN REQUIRED ON-SITE STORM WATER DETENTION FACILITIES SUCH THAT THEY ARE NOT LOCATED WITHIN ANY REQUIRED BUFFERS.

PARCEL ID: 7065 143



IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

REVISIONS	1.	2.	3.	4.	5.

SCI Development Services
 ENGINEERS - SURVEYORS - PLANNERS
 2020 WESTSIDE COURT - SUITE E - SNELLVILLE, GEORGIA 30078
 (770) 736-7666 FAX (770) 736-4623
 MAIL@SURVEYCONCEPTS.NET

JOHN HOWARD
 7th DISTRICT
 GWINNETT COUNTY, GEORGIA

LAND LOT 65

GA. HIGHWAY #20 R/W VARIES

DATE	DRAWN	CHECKED
3/30/15	DCP	JAS

SCALE 1"=30'

SHEET TITLE
 #1571
 GA HWY 20

PROJECT NUMBER
 52028

S-1

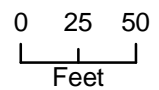


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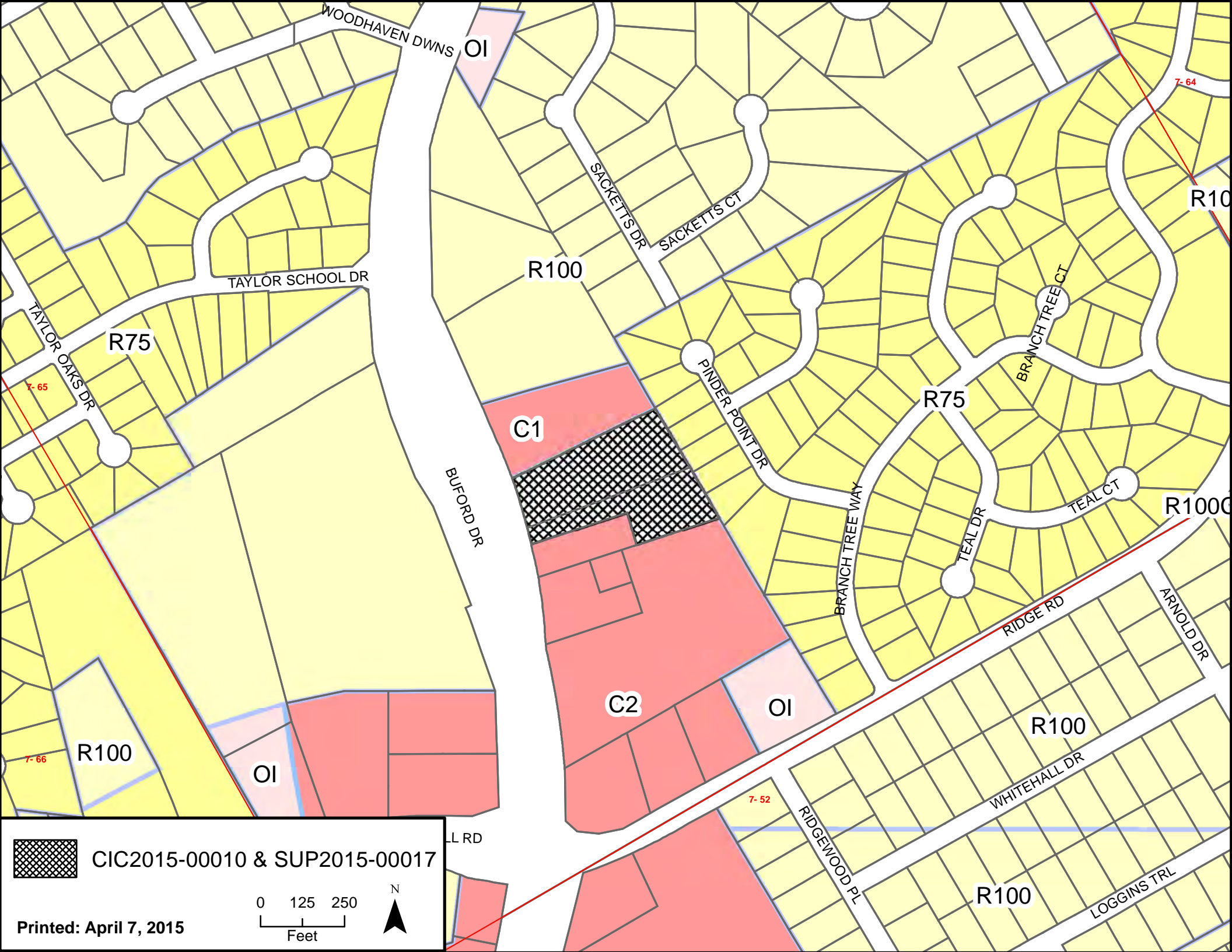
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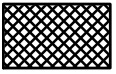


CIC2015-00010 & SUP2015-00017



Printed: April 8, 2015



 CIC2015-00010 & SUP2015-00017

Printed: April 7, 2015

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N

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
SPECIAL USE PERMIT ANALYSIS**

CASE NUMBER :**SUP2015-00014**
ZONING :R-100
LOCATION :3300 BLOCK OF LENORA CHURCH ROAD
:3300 BLOCK OF ANDREA LEE COURT
MAP NUMBER :R5003 001C
ACREAGE :1.77 ACRES
SQUARE FEET :1,438 SQUARE FEET
PROPOSED DEVELOPMENT :FAMILY PERSONAL CARE HOME
COMMISSION DISTRICT :(3) HUNTER

FUTURE DEVELOPMENT MAP: **EXISTING/EMERGING SUBURBAN**

APPLICANT: INGRID SINGH
3316 LENORA CHURCH ROAD
SNELLVILLE, GA 30039

CONTACT: INGRID SINGH PHONE: 973.280.8121

OWNER: DWIGHT SINGH
3316 LENORA CHURCH ROAD
SNELLVILLE, GA 30039

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant requests a Special Use Permit on a 1.77-acre property, zoned R-100 (Single Family Residence District), to allow a family personal care home. The subject property is located at the entrance to the Tradd Square subdivision, on the northeast corner of the intersection of Lenora Church Road and Andrea Lee Court.

The site is developed with a 1,438 square foot one-story single-family dwelling and accessory structures. Access is provided by a single driveway extending from Andrea Lee Court.

The existing single-family dwelling would be utilized for the personal care home, which would be occupied by four residents needing assistance with daily activities.

ZONING HISTORY:

The subject property has been zoned R-100 (Single Family Residence District) since 1970.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams, and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish, and Wildlife service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

No comment.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 24-inch water main located on the western right-of-way of Lenora Church Road.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 125 feet north of the property.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall obtain a building code compliance inspection of the existing building by the Building Construction Section of Department of Planning and Development and shall comply with inspection results.
2. The applicant shall submit plans which clearly indicate any new construction as proposed by the applicant and as required by compliance inspection report for review and approval by Building Plan Review.

3. Upon completion of plan review approvals, the applicant shall obtain a building permit for any required renovation work and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at (678) 518-6000 Monday through Friday from the hours of 8:00 am to 5:00 pm

GWINNETT COUNTY FIRE SERVICES COMMENTS:

Fire Plan Review has no objections to the above rezoning requests, under the following conditions:

1. Applicant submits civil drawings to Fire Plan Review for review and approval.
2. Applicant submits architectural drawings to Fire Plan Review for review and approval.
3. Upon completion of plan review approvals, applicant successfully achieves a satisfactory Fire field inspection, for issuance of a Certificate of Occupancy - Business Operation.

For assistance, you may contact this office at (678) 518-6000, Monday through Friday, from the hours of 8:00 a.m. to 5:00 p.m.

DEPARTMENT ANALYSIS:

The subject property is located at the entrance to the Tradd Square subdivision, at the northeast corner of the intersection of Lenora Church Road and Andrea Lee Court. The site is developed with a one-story single family dwelling, accessory structures and driveway.

The 2030 Unified Plan Future Development Map indicates the site is located within an Existing/Emerging Suburban Character Area. Although the property is located along a collector street, its location at the entrance to a subdivision with access to the local subdivision street may make this an inappropriate site. The request may not be consistent with the policies of the Unified Plan which encourage compatibility of adjacent uses; therefore, a location outside of a single-family subdivision could be a more desirable setting for such a use.

The surrounding area is uniformly residential, being developed with single-family homes on large lots and subdivisions within the R-100, R-100 CSO zoning districts. Located to the north, within the city limits of Snellville, is the Rose Lake subdivision zoned RS-150. Also, located across Lenora Church Road is the Crabapple Pointe subdivision zoned R-100 CSO. The request for a family personal care home may not be consistent with adjacent and nearby single-family residences, as the subject tract is located at the entrance of the R-100 zoned Tradd Square subdivision, and shares access on Andrea Lee Court with homes in that neighborhood. Additionally, the property is open, with little or no screening from neighboring residences in the subdivision. Given these factors, the Department considers the use unsuitable at this location. Approval of the request could create an unnecessary encroachment upon the

neighboring properties and establish a negative precedent for similar requests throughout the County.

In conclusion, the requested Special Use Permit may not be in conformity with certain policies of the Unified Plan or compatible with closely situated residences in the immediate area. Therefore, the Department of Planning and Development recommends **DENIAL** of the request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

NOTE: The following conditions are provided as a guide should the Board of Commissioners choose to approve the request.

Approval of a Special Use Permit for a Family Personal Care Home, subject to the following enumerated conditions:

1. Limited to a state-licensed Family Personal Care Home providing residence and care for up to a maximum of four elderly individuals (clients) residing in the home.
2. Exterior signage advertising the Family Personal Care Home shall be prohibited.
3. Any new building(s) or building renovations shall be of a traditional residential style, compatible with the homes in the surrounding area. Architectural elevations, building materials and colors shall be subject to review and approval of the Director of Planning and Development prior to the issuance of a building permit.
4. Provide fencing and/or evergreen plantings along the side and rear property lines to screen the property from view of neighboring residences. Screening design and materials shall be subject to review and approval of the Director of Planning and Development.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The proposed rezoning may not be suitable in light of the property's proximity to neighboring single-family residences.

ADVERSE IMPACTS

The proposed use may have impacts on adjacent and nearby residential properties from a potential increase in activity on the site not consistent with a typical single-family residence. The project's access onto Andrea Lee Court and lack of natural screening could further impact the neighboring properties.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

It is anticipated that there would be additional impacts on public facilities in the form of traffic and utility demand.

CONFORMITY WITH POLICIES

The requested Special Use Permit may not be consistent with policies of the 2030 Unified Plan suggesting such uses be compatible with the character of the residential area.

CONDITIONS AFFECTING ZONING

The property is situated at the entrance of the Tradd Square subdivision, and activities related to the proposed use would be visible from nearby homes including those located in Rose Lake subdivision. Approval of the request could create an encroachment upon these neighbors and set a precedent for future requests throughout the county.

SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENT OF THE UNIFIED 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 AN ATTACHMENT AS NECESSARY:

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

Yes, the home will be used as a primary residence and a personal care home. It will be suitable with other homes in the area.

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

Using the home as a personal care home will not affect the existing use or suitability of adjacent or nearby properties.

The home will maintain its residential appearance.

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

Yes, the property has reasonable economic use as currently zoned.

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

The home will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

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

The intent is to create a Family Personal Care Home in my primary residence. This conforms with the policy and intent of the land use plan.

- (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 SPECIAL USE PERMIT:

There are no existing or changing conditions that affects the use of the property which provide support to disapprove the proposed special use permit.

RECEIVED BY

MAR 24 2015

Planning & Development

SUP '15 014

Date: March 23, 2015

Re: Request of Special Use Permit for Personal Care Home in a Residential Home

Address: 3316 Lenora Church Road, Snellville, Georgia 30039

Property Owners: Ingrid & Dwight Singh

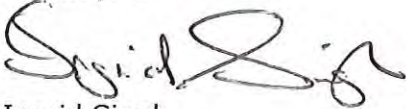
To Whom It May Concern

I am requesting a Special Use Permit so that I can facilitate a Personal Care Home in my primary residence located at the address above. If permitted, the home would house up to 4 residents with my husband and I residing on the property.

The home currently has 4 bedrooms, 2 bathrooms, kitchen, dining, living room and sunroom and sits on 1.7703 acres of land (LL3, 5th District, Tract A - 77,116.4 sq ft. PARC 20). The home is a one-story frame and approximately 1438 square feet. There is a 2-car carport and 2 additional parking spaces on the property. There is a storing shed and a detached garage on the property. No change in buffers is being requested.

There will be no changes to the exterior of the home. It will maintain its residential appearance. Please let me know if additional information is needed.

Thank you

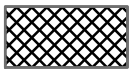
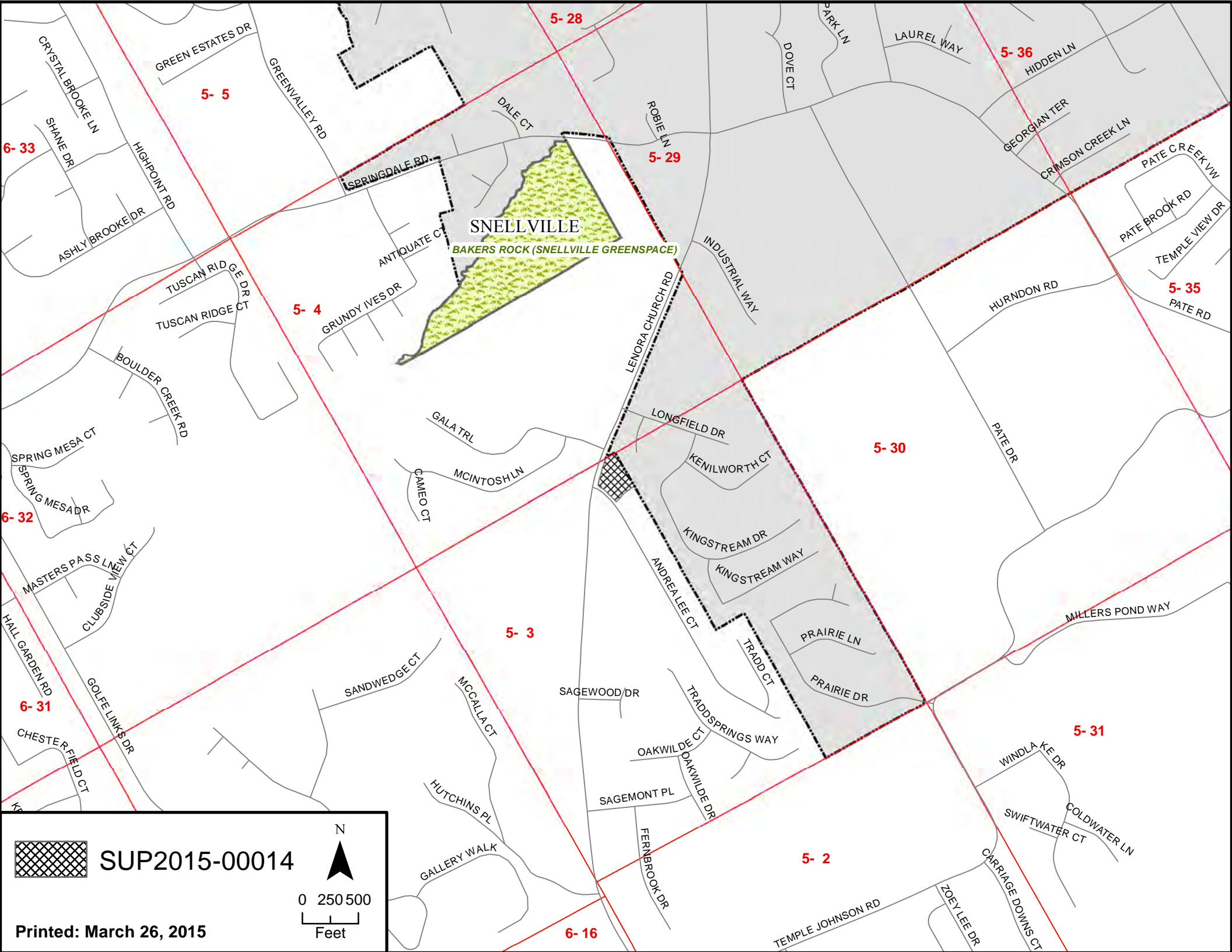


Ingrid Singh
973-280-8121

RECEIVED BY

MAR 24 2015

Planning & Development



SUP2015-00014



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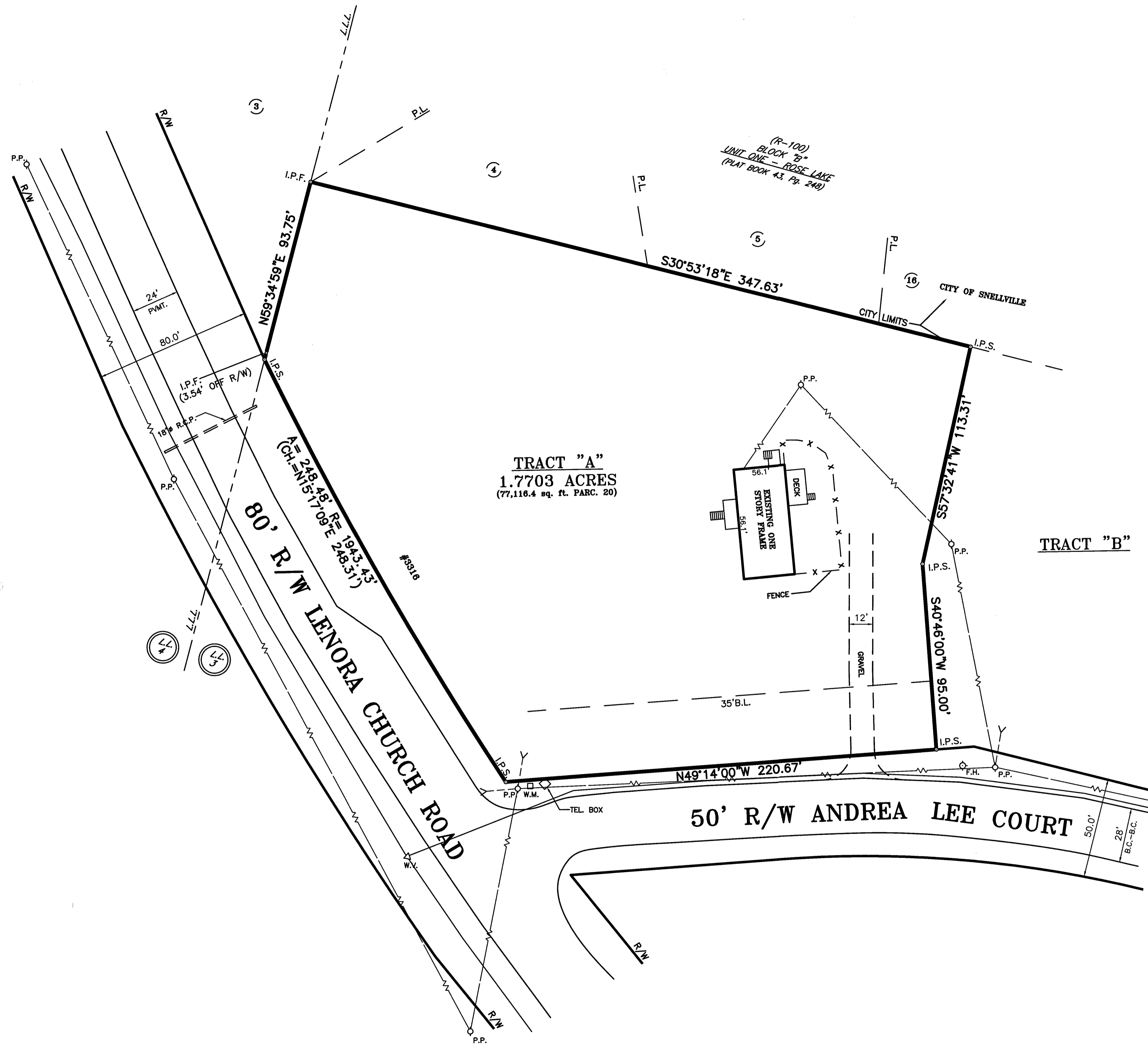
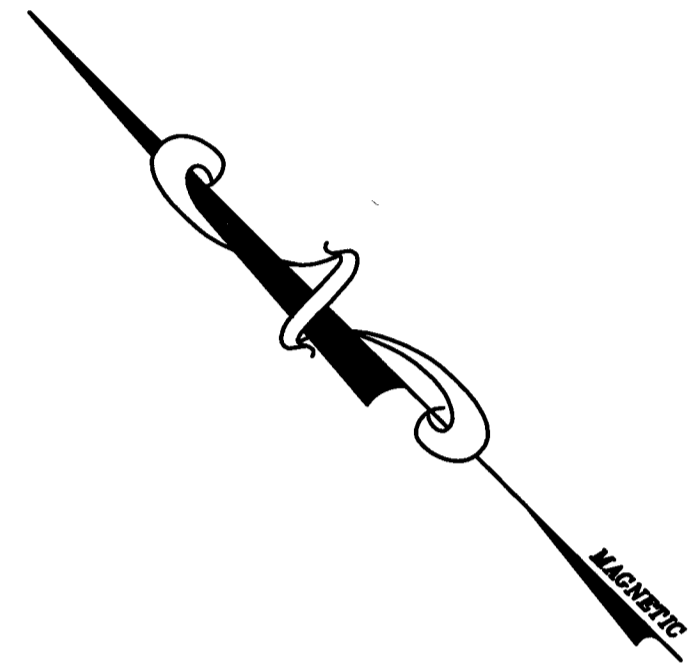
Printed: March 26, 2015

THE FIELD DATA FROM WHICH THIS PLAT IS BASED WAS COMPLETED ON JUNE 1, 2000 AND HAS A CLOSURE PRECISION OF ONE FOOT IN 292,330 FEET AND AN ANGULAR ERROR OF 02.1" PER ANGLE POINT. DATA WAS ADJUSTED USING THE COMPASS RULE.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT IN 290,672 FEET TRACT I

EQUIPMENT USED TO OBTAIN FIELD DATA: TOPCON & A STEEL TAPE.

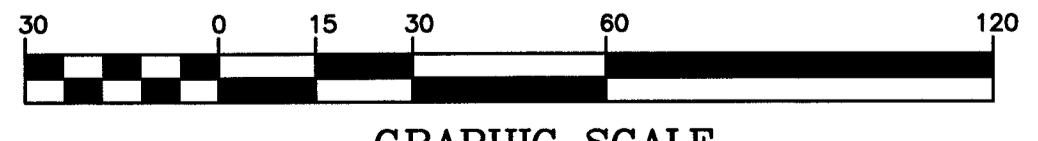
THIS PROPERTY DOES NOT LIE WITHIN A F.I.R.M. FLOOD HAZARD AREA AS PER GWINNETT COUNTY COMMUNITY PANEL No. 130322-0285C (DATED MAY 4, 1992)



GRAPHIC LEGEND

- C.B. = CATCH BASIN
- D.I. = DRAINAGE ESMT.
- J.B. = JUNCTION BOX
- H.W. = HEADWALL
- TEL. M.H. = TELEPHONE MANHOLE
- F.H. = FIRE HYDRANT
- WATER METER = WATER METER
- S.S. M.H. = SEWER MANHOLE
- UTIL. POLE = UTILITY POLE
- WATER VALVE = WATER VALVE

- I.P.F. = IRON PIN FOUND
- I.P.S. = IRON PIN SET
- P.L. = PROPERTY LINE
- C.L. = CENTER LINE
- B.L. = BUILDING LINE
- LL.L. = LAND LOT LINE
- R/W = RIGHT OF WAY
- F.H. = FIRE HYDRANT
- C.B. = CATCH BASIN
- H.W. = HEADWALL
- D.I. = DRAINAGE ESMT.
- D.E. = DRAINAGE ESMT.
- S.E. = SEWER ESMT.
- C.E. = CONSTRUCTION ESMT.



TRACT "A"-EXEMPTION PLAT FOR: M.D.H. BUILDERS; DATED 6-05-2000; RECORDED G-12-2000 IN PLAT BOOK 85, PAGE 70.

**SURVEY FOR
JIMMY FRANKLIN**

TOTAL AREA: 1.7703 ACRES

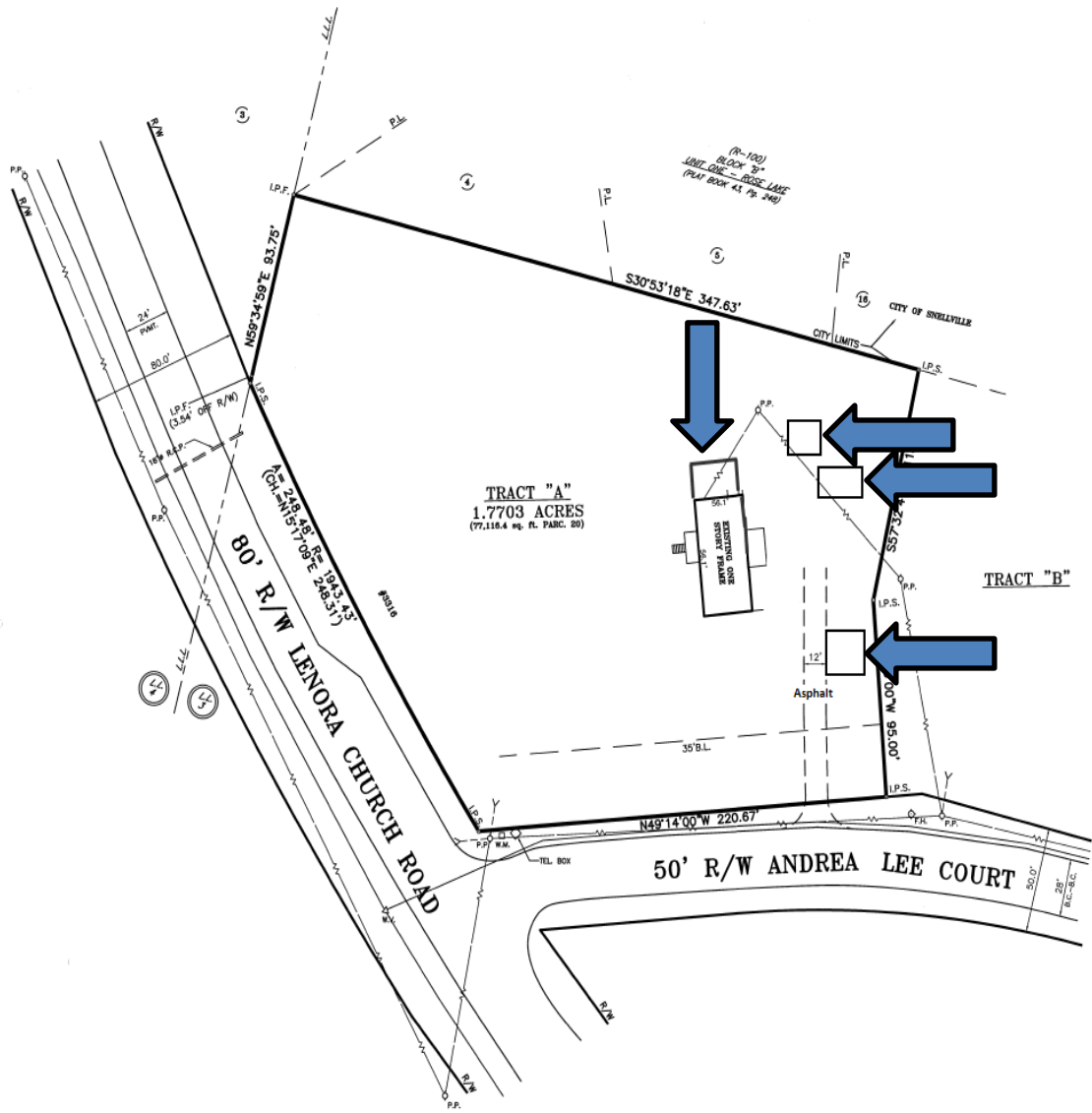
LAND LOT(S) 3 OF THE 5TH DISTRICT
GWINNETT COUNTY, GEORGIA
DATE: 8-17-2000
SCALE: 1"=30'



1505 HWY. 29 SOUTH - LAWRENCEVILLE, GA. 30044
PHONE:(770)963-8520 FAX:(770)963-3984

LAND SURVEYORS
CIVIL ENGINEERS
LANDSCAPE ARCHITECTS

No.	REVISIONS	DATE






SNELLVILLE

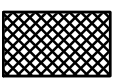
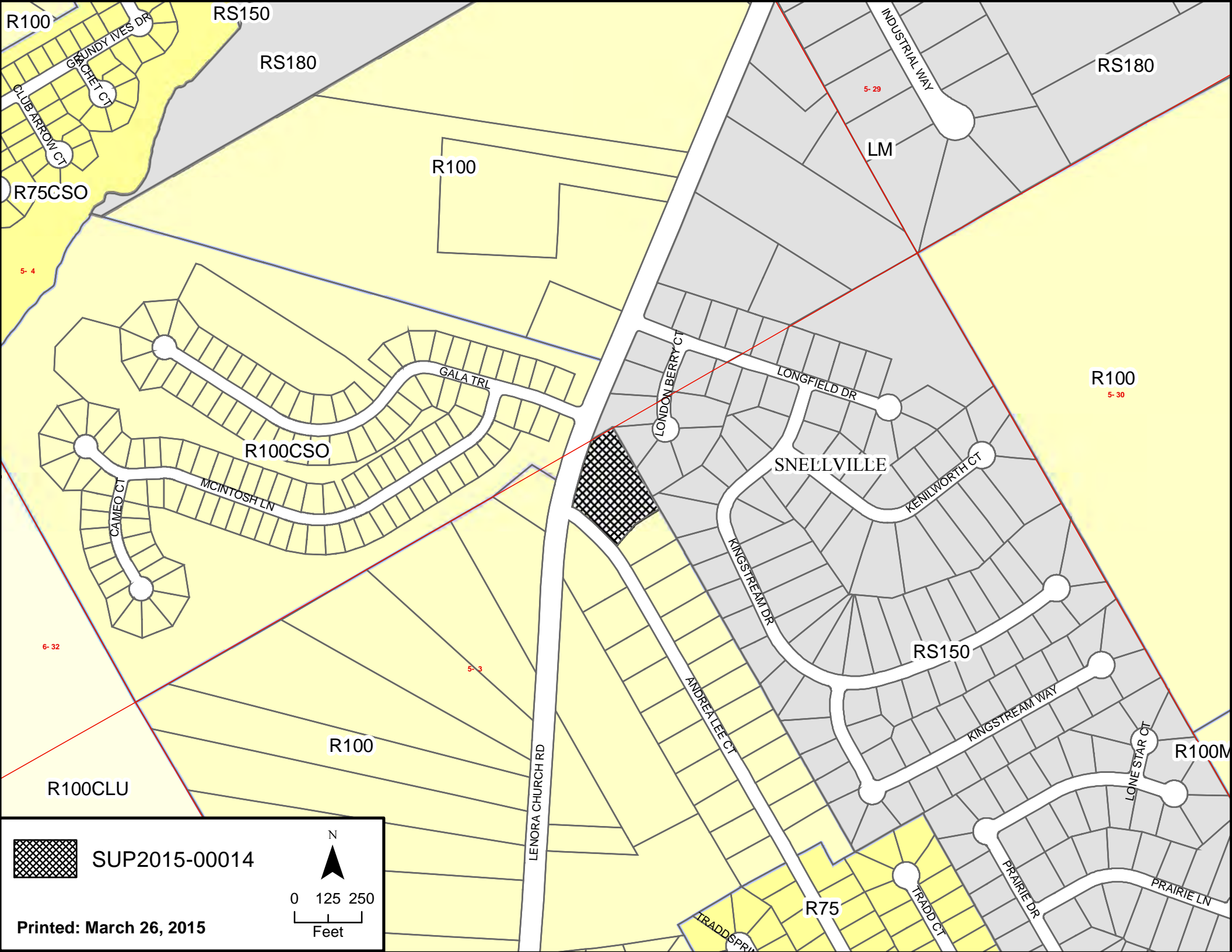
LENORA CHURCH RD

ANDREA LEE CT

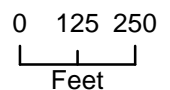
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Printed: March 26, 2015



SUP2015-00014



Printed: March 26, 2015

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
BUFFER REDUCTION ANALYSIS**

CASE NUMBER :**BRD2015-00003**
ZONING :RA-200
LOCATION :1600 BLOCK OF OLD FOUNTAIN ROAD
MAP NUMBER :R7055 011
ACREAGE :6.64 ACRES
REQUEST :BUFFER REDUCTION FROM 20 FEET TO 11 FEET
COMMISSION DISTRICT :(4) HEARD

FUTURE DEVELOPMENT MAP: **EXISTING / EMERGING SUBURBAN**

APPLICANT: MORDERCAI YOUNG LEE
1601 OLD FOUNTAIN ROAD
LAWRENCEVILLE, GA 30043

CONTACT: SUNG H. CHUNG, PE PHONE: 770.891.0023

OWNER: GRACE HAESUK LEE
1601 OLD FOUNTAIN ROAD
LAWRENCEVILLE, GA 30043

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

BUFFER REDUCTION SUMMARY:

The applicant requests to reduce the required buffer on a 6.64-acre place of worship, zoned RA-200 (Agriculture-Residence District), from 20-feet to 11-feet adjacent to residentially-zoned properties. The site is located on the northwest side of Old Fountain Road, between its intersections with Prospect Road and Silverwood Court. The subject property contains two main buildings used for religious purposes, along with several small accessory buildings and sheds.

Section 230-130.3 of the UDO requires a minimum 20-foot buffer be maintained along the exterior property lines. The applicant intends to renovate and enlarge one of the outbuildings which is situated within the buffer along the eastern (side) property line. The building is located approximately 11 feet from the property line. Additionally, an existing gravel driveway is located in the buffer area. This Buffer Reduction application would bring both of these improvements into conformance with zoning buffer requirements.

The subject property is bounded by single-family homes on RA-200 zoned estate lots on all sides. To the west and north are homes on acreage lots off of Old Fountain Road and Prospect Road. To the east are homes on acreage lots in the Silverwood subdivision. The Department notes that the subject property is secluded, with substantial wooded areas between it and all of the surrounding homes. The nearest home is approximately 300 feet from the subject building,

across a densely wooded area. As such, a reduction in the buffer width for a minor building renovation and the existing driveway could be considered suitable.

In conclusion, the proposed reduction in buffer width could be considered suitable given the generous separation and dense vegetation which separate the neighboring properties. If the reduction is taken only in the affected area, with the balance of the 20-foot buffer still maintained, the request could be supported. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of this request.

ZONING HISTORY:

The property has been zoned RA-200 since 1970.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

No comment.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

No comment.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall obtain a building code compliance inspection of the existing building by the Building Construction Section of Department of Planning and Development and shall comply with inspection results.
2. The applicant shall submit civil site drawings to Building Plan Review for review and approval.
3. The applicant shall submit plans which clearly indicate any new construction as proposed by the applicant and as required by compliance inspection report for review and approval by Building Plan Review.
4. Upon completion of plan review approvals, the applicant shall obtain a building permit for any required renovation work and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at (678) 518-6000 Monday through Friday from the hours of 8:00 am to 5:00 pm

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

PLANNING AND DEVELOPMENT
RECOMMENDED CONDITIONS

Approval of a Buffer Reduction, subject to the following enumerated conditions:

1. While used as a Place of Worship, provide the full required buffers around the perimeter of the site. The buffer may be reduced to 10 feet along the eastern property line from the Old Fountain Road right-of-way to the existing wooden building (approximately 430 feet) to accommodate the existing gravel drive and renovation of the wooden building.
2. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
3. No tents, banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
4. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.



6062 Buford Hwy Suite 205-D Norcross GA 30071
tel: 770-891-0023 fax: 678-261-0921 email: sung@n-gineers.com

May 19, 2014

Gwinnett County Planning & Development
75 Langley Drive
Lawrenceville, Georgia 30046

Letter of Intent

Re: Application for Buffer Reduction

**Buffer Reduction
1601 Old Fountain Road Lawrenceville GA 30043**

To whom it may concern,

We are seeking Buffer Reduction for a religious praying center for the following items.

- Paved Path to Entrance
- Gravel Driveway
- A Storage Shed

The aforementioned items encroach 20' buffer from the property line. The items are existing and the owner of the property would like the items to be approved by Gwinnett County, Department of Planning and Development. Please review the application and the supplemental sheets.

Should you have any question please feel free to contact us.

Sincerely,

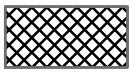
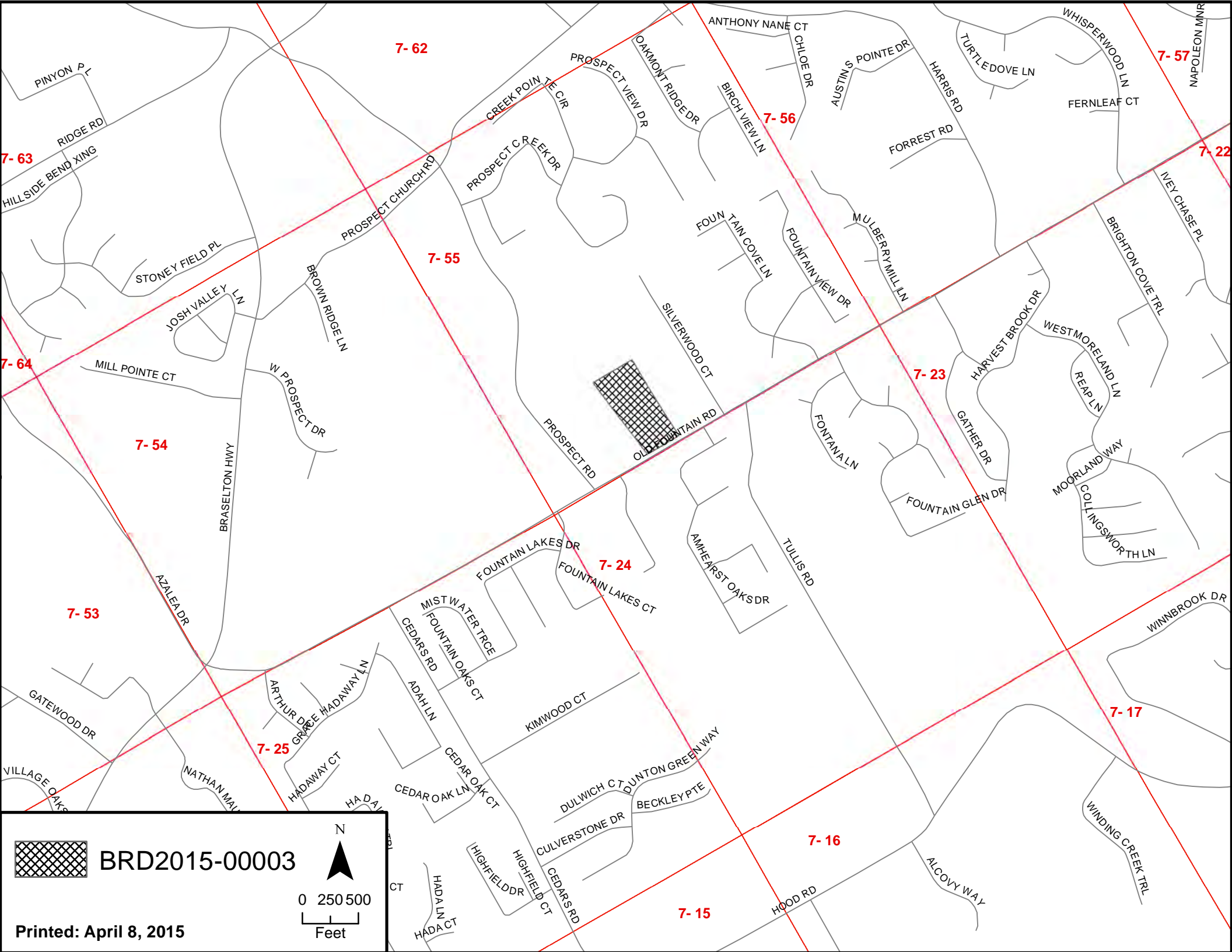
Sung H. Chung, PE
N-Gineers, LLC
6062 Buford Hwy Suite 205-D
Norcross, GA 30071
Ph: 770-891-0023

BRD '15 003

RECEIVED BY

APR 03 2015

Planning & Development



BRD2015-00003



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Printed: April 8, 2015

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81.00' Contour	---
82.00' Contour	---
83.00' Contour	---
84.00' Contour	---
85.00' Contour	---
86.00' Contour	---
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89.00' Contour	---
90.00' Contour	---
91.00' Contour	---
92.00' Contour	---
93.00' Contour	---
94.00' Contour	---
95.00' Contour	---
96.00' Contour	---
97.00' Contour	---
98.00' Contour	---
99.00' Contour	---
100.00' Contour	---

BRD '15 003

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APR 03 2015

Planning & Development

PROPERTY INFORMATION
 TAX PARCEL # 7-055-011
 SITE AREA = 6.644 ACRES
 SITE ADDRESS = 1601 OLD FOUNTAIN ROAD
 LAWRENCEVILLE, GA 30043
 ZONED RA-200

REFERENCES

- 1.) DATUMS DEED RECORDED IN DEED BOOK 46407, PAGE 253, GWINNETT COUNTY RECORDS.
- 2.) SURVEY FOR PLANNING & DESIGN, PREPARED BY HAYES, SMITH & ASSOCIATES, ENGINEERS & SURVEYORS, DATED JUNE 12, 1976, LAST REVISED JULY 20, 1979.
- 3.) FINAL PLAN FOR SILVERWOOD SUBDIVISION, PREPARED BY HAYES, SMITH & ASSOCIATES, ENGINEERS & SURVEYORS, DATED NOVEMBER 22, 1984, RECORDED IN PLAT BOOK 32, PAGE 24 AFORESAID RECORDS.

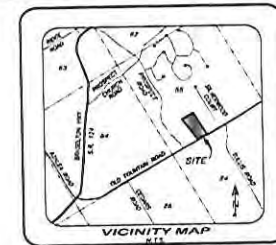
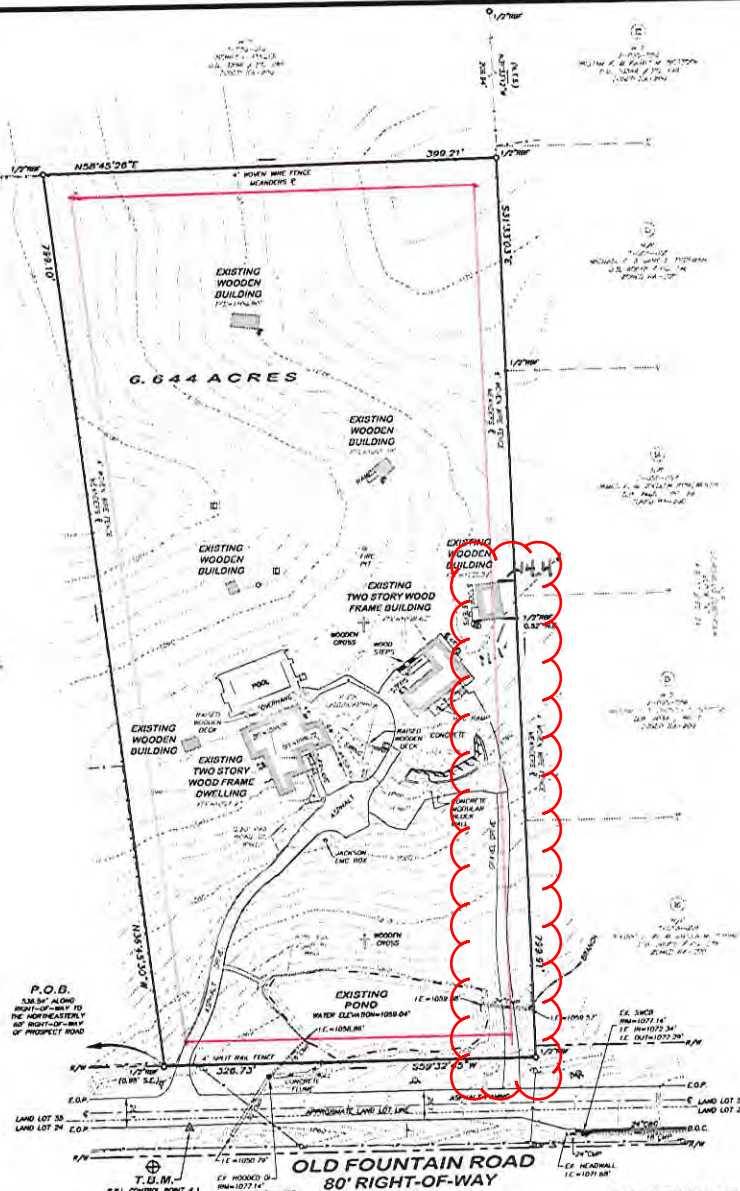
FLOOD STATEMENT

NO PORTION OF THE SUBJECT PROPERTY IS WITHIN A 100 YEAR FLOOD HAZARD AREA PER FIRM PANEL 130322 0800 C, DATED MAY 4, 1982.

INFORMATION REGARDING THE REQUIRED PRECISION, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS UNKNOWN. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE LOCATED THERE. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY SOLEMNLY AND EXPLICITLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SATISFACTION OF THIS INFORMATION.

CLOSURE

A BOUNDARY-BY-REFERENTIAL TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS SHOWN IN THE PREPARATION OF THIS PLAN. THE FIELD DATA UPON WHICH THIS MAP OR PLAN IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 40,000 FEET AND AN ANGULAR PRECISION OF 0.05" PER ANGULAR POINT, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS MAP OR PLAN HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE, WITHIN ONE FOOT IN 40,000 FEET AND CONTAINS 8,899 ACRES.



- NOTES**
- 1.) CONTOUR INTERVAL SHOWN HEREON IS TWO (2) FEET.
 - 2.) ELEVATIONS BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 (N.A.V.D. 88).
 - 3.) THE TITLE RESEARCH PERFORMED IN THE PREPARATION OF THIS SURVEY IS LIMITED TO THE INFORMATION NECESSARY TO RETRACE THE BOUNDARY LINES OF THE SUBJECT PROPERTY AND THE ADJACENTS. THIS SURVEY DOES NOT CONSTITUTE A TITLE EXAMINATION. MATTERS OF RECORD WHICH AFFECT THE SUBJECT PROPERTY MAY NOT BE SHOWN HEREON.

CERTIFICATION

IN MY OPINION, THIS PLAN IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN ACCORDANCE WITH THE STATUTES AND REGULATIONS OF THE STATE OF GEORGIA.

Yung D. Lee
 MEMBER SURVEYING AND MAPPING SOCIETY OF GEORGIA

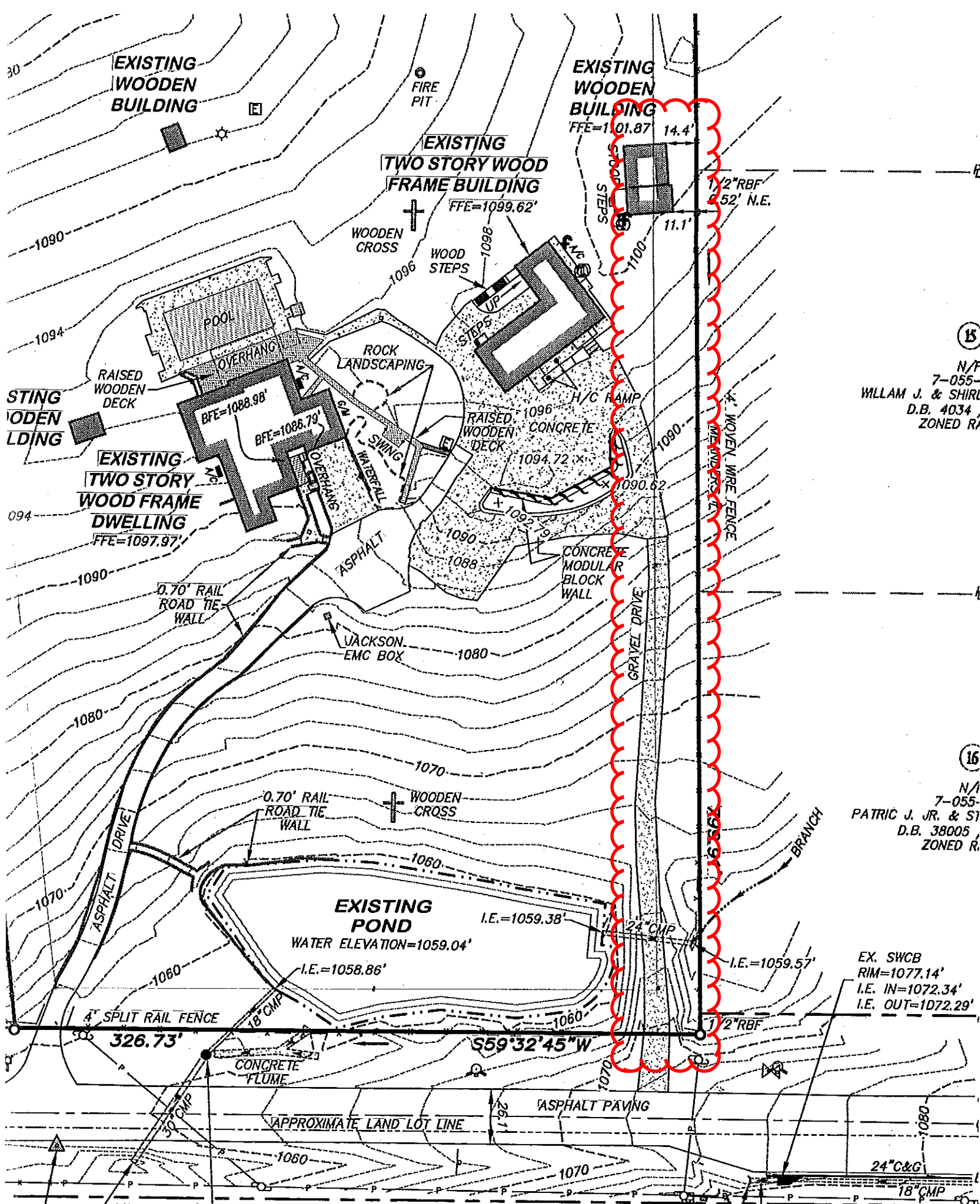
THIS PLAN WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON HEREON OR HERIN NAMED IN THE CERTIFICATE HEREON AND CERTIFICATE DOES NOT EXTEND TO ANY OTHER PERSON WITHOUT HIS EXPRESS RECONFESSION BY THE SURVEYOR MAKING SAID PLAN.

PRECISION Planning, Inc.
 ENGINEERS, ARCHITECTS & SURVEYORS
 400 Elm Boulevard
 Lawrenceville, GA 30046-2810
 (770) 837-1999 Fax

YUNG D. LEE
 LICENSED PROFESSIONAL SURVEYOR
 LICENSE NO. 14500, ISSUED 05/05 OF THE STATE OF GEORGIA
 LICENSED IN THE COUNTY OF GWINNETT, GEORGIA
 SCALE 1"=50'

BOUNDARY	TOPOGRAPHIC	DATE	8/16/08
SURVEY	MAPS	BY	Y.D.L.
FOR:	NO. 130322 0800 C	DATE	8/16/08
SHEET TITLE	NO. 130322 0800 C	DATE	8/16/08
FIELD	NO. 130322 0800 C	DATE	8/16/08
CHECK	NO. 130322 0800 C	DATE	8/16/08
REVISION	NO. 130322 0800 C	DATE	8/16/08
BY	NO. 130322 0800 C	DATE	8/16/08
DATE	NO. 130322 0800 C	DATE	8/16/08

1 OF 1



EXISTING
WOODEN
BUILDING

EXISTING
WOODEN
BUILDING
FFE=101.87

EXISTING
TWO STORY WOOD
FRAME BUILDING
FFE=1099.62'

EXISTING
TWO STORY
WOOD FRAME
DWELLING
FFE=1097.97'

EXISTING
POND
WATER ELEVATION=1059.04'

**OLD FOUNTAIN ROAD
80' RIGHT-OF-WAY**

(B)
N/F
7-055-
WILLAM J. & SHIRL
D.B. 4034,
ZONED R

(16)
N/A
7-055-
PATRIC J. JR. & S1
D.B. 38005,
ZONED R

EX. SWCB
RIM=1077.14'
I.E. IN=1072.34'
I.E. OUT=1072.29'

EX. HOODED DI
RIM=1077.14'
I.E. IN=UNOBTAINABLE

EX. HEADWALL
I.E.=1071.68'

M.
POINT # 1

I.E.=1050.79'

24" CMP

24" C&G

18" CMP

ASPHALT PAVING

APPROXIMATE LAND LOT LINE

326.73'

S59°32'45"W

1 1/2" RBF

I.E.=1059.57'

I.E.=1058.86'

I.E.=1059.38'

24" CMP

BRANCH

GRAVEL DRIVE

ASPHALT DRIVE

0.70' RAIL
ROAD TIE
WALL

0.70' RAIL
ROAD TIE
WALL

JACKSON
EMC BOX

ASPHALT

CONCRETE
MODULAR
BLOCK WALL

1088

1090

1092.19

1094.72

1096

1098

1099

1099.62'

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1096

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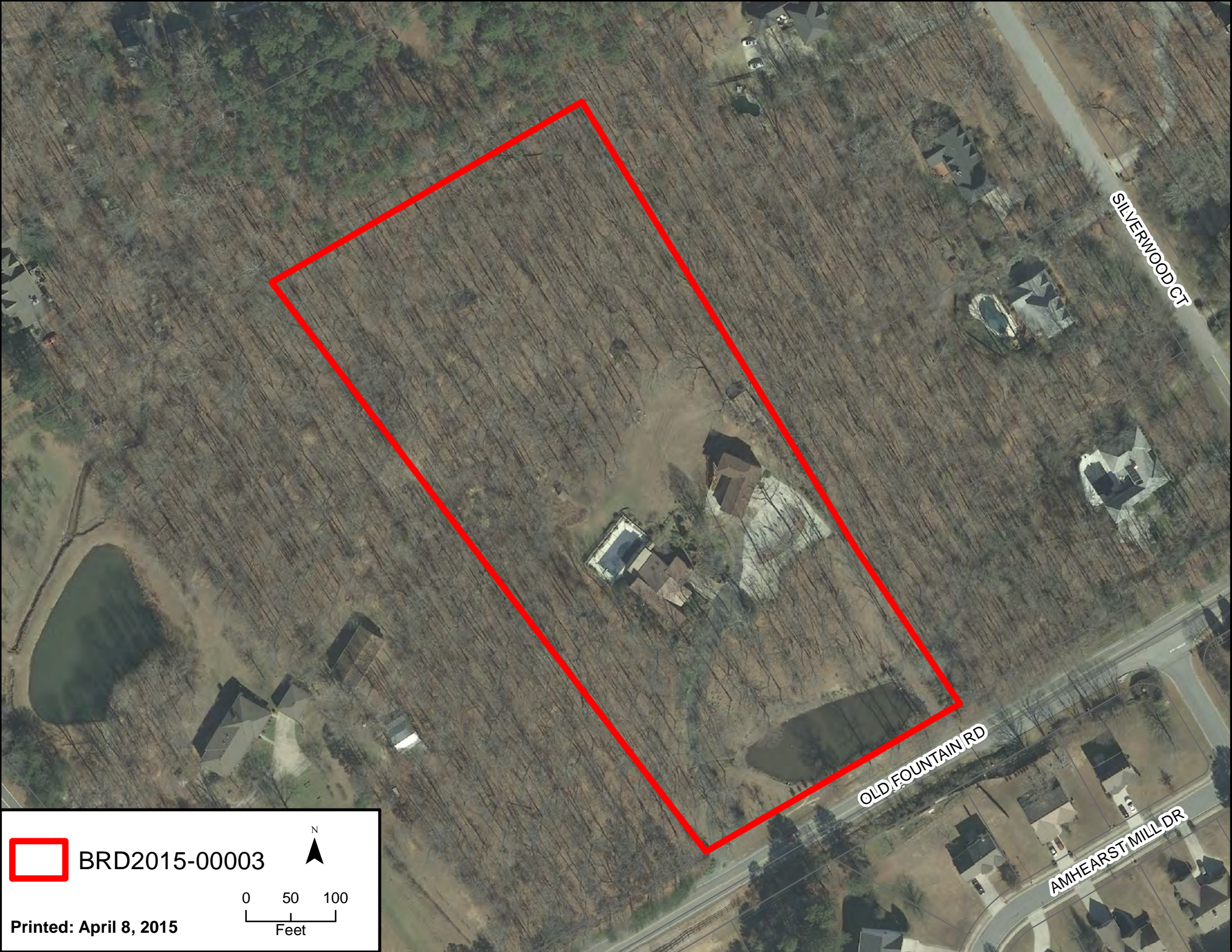
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SILVERWOOD CT


OLD FOUNTAIN RD

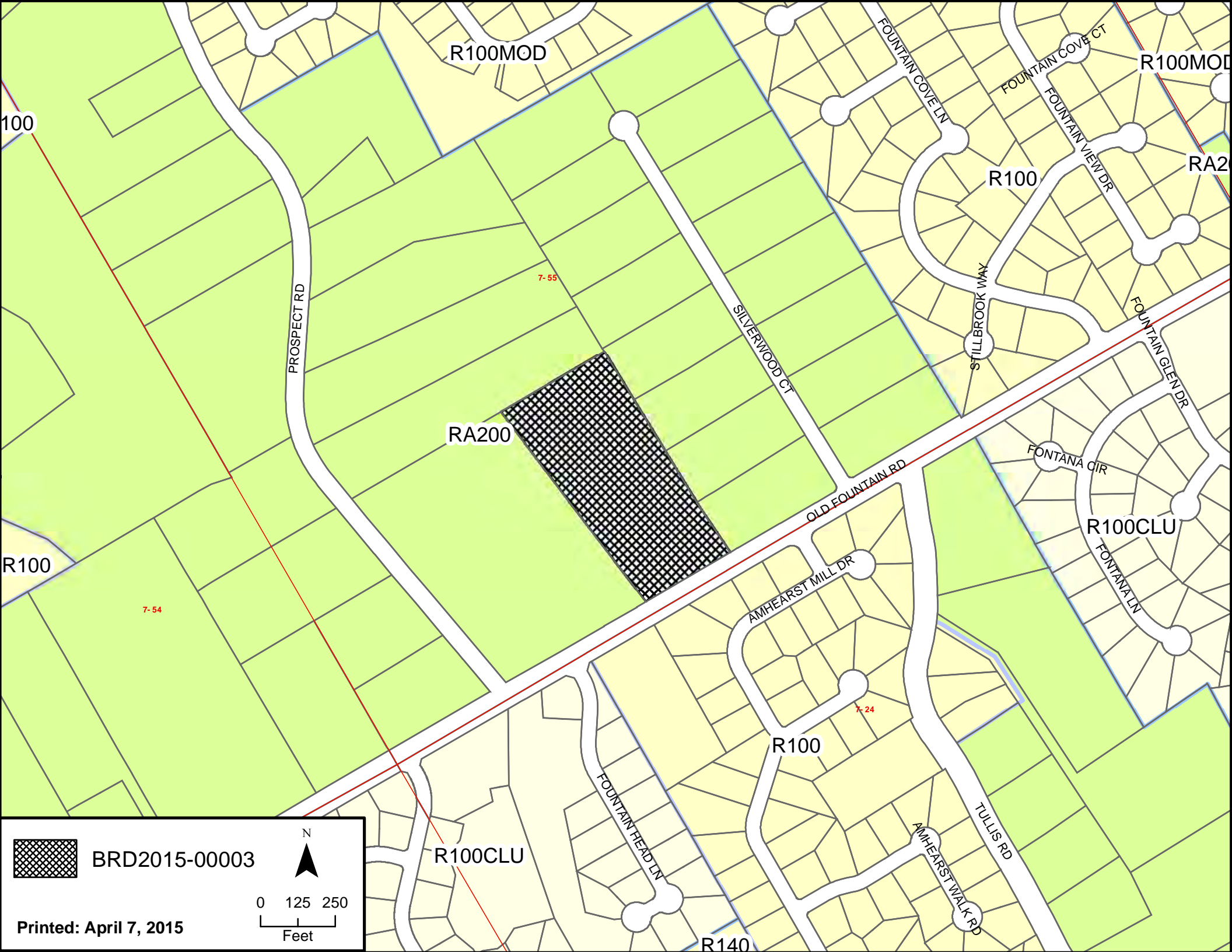
AMHEARST MILL DR

 BRD2015-00003

0 50 100
Feet

Printed: April 8, 2015





 BRD2015-00003



0 125 250
Feet

Printed: April 7, 2015

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING AND SPECIAL USE PERMITS ANALYSIS**

CASE NUMBER :**RZC2015-00014**
ZONING CHANGE :C-2 & M-1 TO C-2
LOCATION :1600 BLOCK OF BEAVER RUIN ROAD
MAP NUMBERS :R6201 008A & 108
ACREAGE :1.87 ACRES
SQUARE FEET :21,000 SQUARE FEET
PROPOSED DEVELOPMENT :AUTOMOBILE SALES & SERVICE
COMMISSION DISTRICT :(1) BROOKS

CASE NUMBER :**SUP2015-00019**
ZONING :C-2 (PROPOSED)
LOCATION :1600 BLOCK OF BEAVER RUIN ROAD
MAP NUMBERS :R6201 008A & 108
ACREAGE :1.87 ACRES
SQUARE FEET :21,000 SQUARE FEET
PROPOSED DEVELOPMENT :AUTOMOBILE SALES & SERVICE
COMMISSION DISTRICT :(1) BROOKS

CASE NUMBER :**SUP2015-00020**
ZONING :C-2 (PROPOSED)
LOCATION :1600 BLOCK OF BEAVER RUIN ROAD
MAP NUMBERS :R6201 008A & 108
ACREAGE :1.87 ACRES
SQUARE FEET :21,000 SQUARE FEET
PROPOSED DEVELOPMENT :AUTOMOBILE BODY REPAIR
COMMISSION DISTRICT :(1) BROOKS

FUTURE DEVELOPMENT MAP: **PREFERRED OFFICE**

APPLICANT: XIU PING XI
1635 BEAVER RUIN ROAD
NORCROSS, GA 30093

CONTACT: EDWIN MARGER PHONE: 706.253.3060

OWNER: JDM, INC.
1635 BEAVER RUIN ROAD
NORCROSS, GA 30093

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant requests rezoning of a 1.87-acre parcel from C-2 (General Business District) and M-1 (Light Industry District) to C-2 (General Business District) along with two Special Use Permits, to allow automobile sales, service, and body repair. The property is located on the southwest side of Beaver Ruin Road, just northwest of its intersection with Steve Reynolds Boulevard.

The site was originally developed as a mini-warehouse storage facility (SUP-06-079), and contains two brick and stone buildings, with a total of eighteen storage units, associated parking and driveways. The rear parking area and storage units are situated behind a gated security fence. Access is provided through a single driveway onto Beaver Ruin Road. The existing self-storage units and parking lot are currently being used to service and repair various types of vehicles, which not only includes cars and light trucks, but large box-trucks and semi-tractors as well. The various types of vehicles scattered throughout the site have led to a disorderly appearance, and may also include vehicle parts salvage operations. Staff notes that automobile salvage operations are not permissible in the existing or proposed zoning districts.

The auto related uses began on the site without proper County approvals or permits. The requested rezoning and Special Use Permits are the result of a Code Enforcement Unit investigation (CEU2015-01628). The applicant seeks approval of these zoning requests in order to bring the site into compliance with the Unified Development Ordinance.

ZONING HISTORY:

In 1970, the property was zoned R-75. It was rezoned to M-1 in 1972 through an areawide rezoning action. The majority of the site was rezoned from M-1 to C-2 in 1984, pursuant to RZ-38-84. A Special Use Permit, SUP-06-079, was granted in 2006 for a mini-warehouse storage facility.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams, and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish, and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

OPEN SPACE AND GREENWAY MATER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Beaver Ruin Road is a State Route and Georgia D.O.T. right-of-way requirements govern.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 16-inch water main located on the northeastern right-of-way of Beaver Ruin Road.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 481 feet north of the property.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for any proposed interior tenant space modifications or exterior modifications for review and approval by Building Plan Review.
2. Upon completion of plan review approvals, the applicant shall obtain a building permit for any proposed modification/renovation work and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.
3. The applicant shall submit structural details for fences exceeding 8 feet in height and achieve satisfactory field inspections for a Certificate of Occupancy.

For assistance, you may contact this office at (678) 518-6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

Fire Plan Review has no objections to the above rezoning requests, under the following conditions:

1. Applicant submits civil drawings to Fire Plan Review for review and approval.
2. Applicant submits architectural drawings to Fire Plan Review for review and approval.
3. Upon completion of plan review approvals, applicant successfully achieves a satisfactory Fire field inspection, for issuance of a Certificate of Occupancy - Business Operation.

For assistance, you may contact this office at (678) 518-6000, Monday through Friday, from the hours of 8:00 a.m. to 5:00 p.m.

DEPARTMENT ANALYSIS:

The site is a 1.87-acre property located on the southwest side of Beaver Ruin Road, just northwest of Steve Reynolds Boulevard. The property is developed with two brick and stone mini-warehouse buildings, associated driveway and parking area.

The 2030 Unified Plan Future Development Map indicates that the property lies within a Preferred Office Character Area. The current zoning on the site was established through the public hearing process and would be considered consistent with the surrounding area. However, allowing the facility to continue to operate in its present manner would continue to pose adverse impacts on the surrounding area and could be considered to be a direct contradiction with the recommendations of the Unified Plan.

The surrounding area is developed primarily with office/warehouse uses, with a few commercial/retail uses located along Beaver Ruin Road. The property adjacent to the south and west is associated with the Vulcan Materials quarry, which is zoned M-2 (Heavy Industry District). Immediately to the northwest is a C-2 zoned property, presently operating as a Coastal Mart convenience store. To the north and east, across Beaver Ruin Road, are M-1 zoned properties used for various warehousing, light industrial and office related uses. In 2006, a request was approved by the Board allowing the site to be developed as a mini-warehouse facility. The property owner began leasing self-storage spaces for use by auto repair tenants rather than for their intended use. It now appears that nearly every storage unit now contains such a business. The site was not constructed with the current uses in mind, contains inadequate room for vehicle parking and turn around, and the storage spaces do not meet code for auto repair. The current use was not approved by the Board, and the noise, debris and disheveled appearance associated with the current use may not be suitable to the building and grounds.

In conclusion, the proposed rezoning and requested Special Use Permits for automobile body repair, sales and service may not be consistent with the Unified Plan, or compatible with adjacent zoning and use. The building and parking areas were not designed for this type of use, resulting in a congested, unsightly and potentially dangerous situation. Additionally, approval of the requests may set a precedent for similar requests in the future. Therefore, the Department of Planning and Development recommends **DENIAL**.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

NOTE: The following conditions are provided as a guide should the Board of Commissioners choose to approve the petition.

Approval as C-2 with Special Use Permits for automobile sales, service and body repair, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Commercial, retail, office and accessory uses, which may include automobile sales, service and body repair as special uses.
 - B. Semi-tractor sales, repair and service shall be prohibited.
 - C. The site and building shall be brought up to code for the applicable uses within 180 days of zoning approval.
2. To abide by the following site development considerations:
 - A. Outdoor storage of equipment, inoperable vehicles, parts, tires and other materials shall be prohibited.
 - B. Outdoor display of merchandise, tires or other materials shall be prohibited.
 - C. Outdoor repair of vehicles shall be prohibited.
 - D. Billboards or oversized signs shall be prohibited.
 - E. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure.
 - F. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
 - G. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
 - H. Peddlers and/or parking lot sales shall be prohibited.
 - I. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The manner in which this business is operating gives the property a cluttered appearance and may not be appropriate at this location. The building and grounds were not designed and built for these uses and have resulted in the degraded appearance and code violations.

ADVERSE IMPACTS

Adverse impacts from an auto sales and repair businesses, including noise, parking of inoperable vehicles and site congestion, could be expected.

REASONABLE ECONOMIC USE AS ZONED

The subject property has a reasonable economic use as currently zoned.

IMPACT ON PUBLIC FACILITIES

It is anticipated that there would be few additional impacts on public facilities from the request.

CONFORMITY WITH POLICIES

The requested Special Use Permits and proposed automobile sales, service and repair may not be consistent with policies of the Unified Plan. The proposed automobile repair business, and its associated site congestion, may not be consistent with policies to enhance development quality and the efforts to improve the appearance and viability of commercial properties along the Beaver Ruin Road.

CONDITIONS AFFECTING ZONING

The requested Special Use Permits for automobile sales/service/repair may not be suitable on this property in light of the limited area within the existing building for repair of vehicles combined with the lack of area for storage of vehicles awaiting repair.

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED 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 AN 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.

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

NO.

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

YES; HOWEVER, WITH THE LOCATION OF THE PROPERTY, THE PROPERTY'S ECONOMIC USE IS LIMITED AND THEREFORE REZONING AND A SPECIAL PERMIT IS REQUESTED. (SEE SPECIAL PERMIT APPLICATION AND LETTER OF INTENT)

- (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.

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

YES.

- (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:

NONE KNOWN TO APPLICANT.

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APR 24 2015

Planning & Development

RZC '15 014



LAW OFFICES
OF
EDWIN MARGER, LLC
44 NORTH MAIN STREET
JASPER, GEORGIA 30143
(706) 253-3060 • FAX (706) 692-2180
WEBSITE: www.edmarger.com

EDWIN MARGER **

April 23, 2015

CORTNEY M. STUART ***

Gwinnett County Department
of Planning and Development
446 West Crogan Street, Suite 250
Lawrenceville, Georgia 30046

RE: LETTER OF INTENT for 1635 Beaver Ruin Road

To Whom It May Concern:

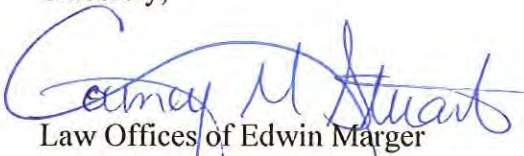
The property at 1635 Beaver Ruin Road, Norcross, GA 30093, consist of a large parking lot, a large building with approximately eighteen bays, a smaller building, and undeveloped land. Parcel 6-201-108 is approximately .2 acres and is currently undeveloped. Parcel 6-201-008A is approximately 1.67 acres and consists of the two buildings and parking lot referenced above.

The intent of JDM, Inc. is to take convert a portion of the larger building into Automobile Sales and Related Services for the sell and resell of vehicles, to use the other portion of the structure for auto body repair and painting, to use the smaller building for automobile sales and related services and auto body repair and painting, to use the .2 acres of undeveloped land for a potential drive way as well as parking in conjunction with the the existing parking lot for customer parking as well as for parking of the vehicles for sale and repair/painting.

To accomplish this, JDM, Inc. is requesting a rezoning of the .2 acre parcel and a special use permit for auto sales and related services as well as auto body repair and painting.

Please feel free to contact me with any questions you may have.

Sincerely,


Law Offices of Edwin Marger
Cortney M. Stuart, Esq.
Attorney for Applicant

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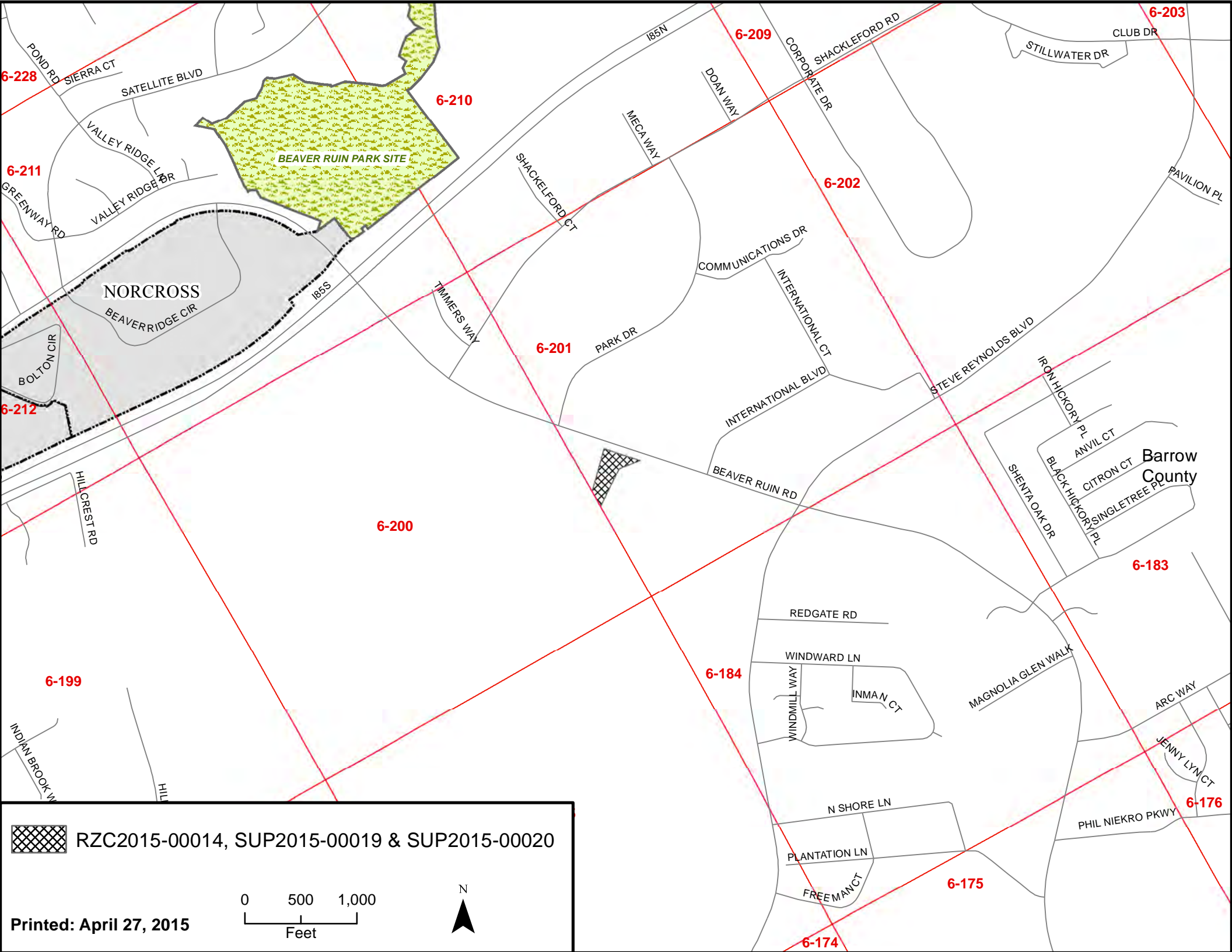
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APR 24 2015

Planning & Development



PRIVATE
PARKING




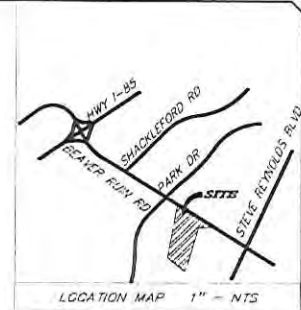
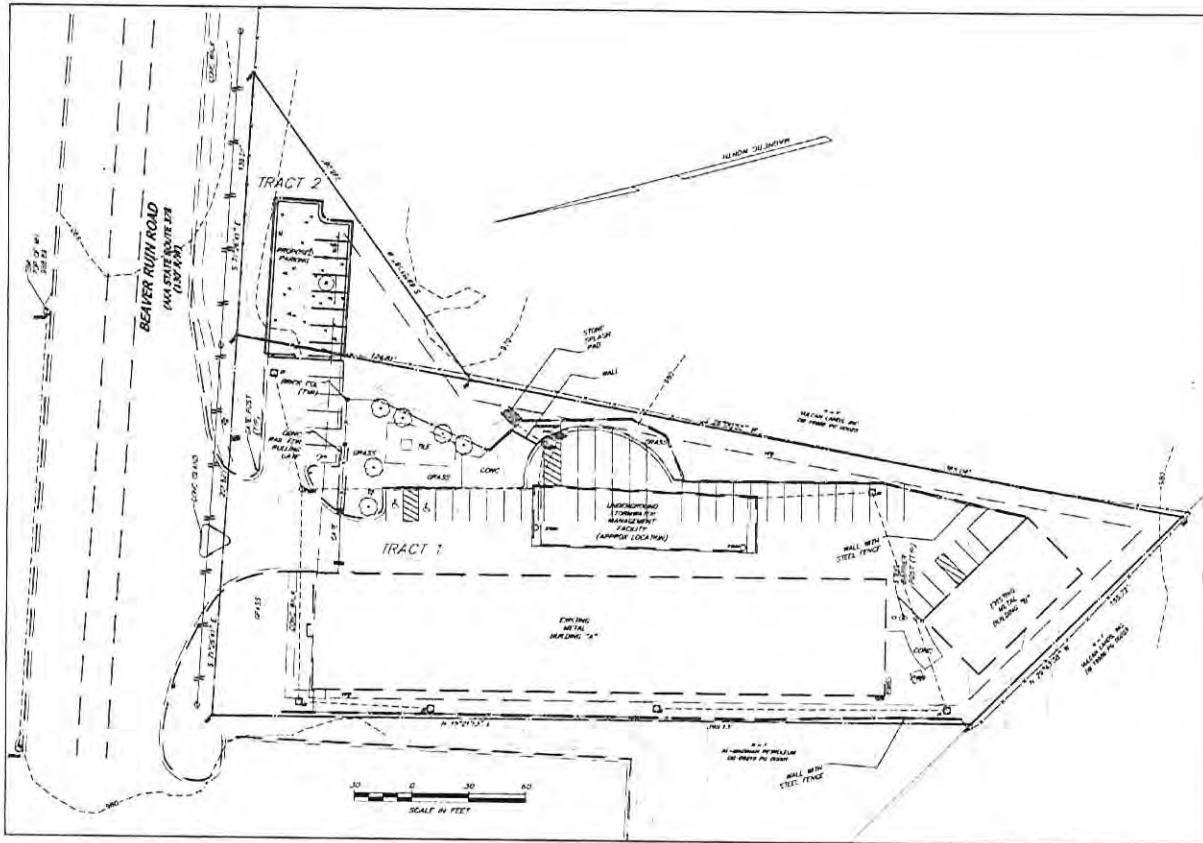
 RZC2015-00014, SUP2015-00019 & SUP2015-00020

Printed: April 27, 2015

0 500 1,000
Feet

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THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, CLAIMS, ENCUMBRANCES, SUBSEQUENT CONDITIONS, OR OTHER MATTERS OF TITLE WHICH ARE NOT SHOWN, NOT RECORDED, OR NOT DEVELOPED IN THE TITLE COMMITMENT PROVIDED BY THE OWNER, THE PURCHASER, OR ANY AGENTS THEREOF.

THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD PLAIN AND IS AN OPEN SPACE, ACCORDING TO FEMA (F.L.A.) CONVEYANCE NUMBER 2-1-10121 - MAP NUMBER 2-1-10121000000 - DATED 05/11/2010.

THIS PLAN IS FOR THE EXCLUSIVE USE OF THE OWNER'S CLIENTS OR THE AGENT OF THE SURVEY AND NOT TO BE REPRODUCED OR USED BY OTHER PARTIES.

THIS PLAN IS PREPARED UNDER A FIELD SURVEY USING A TYPICAL SURVEYING INSTRUMENT AND ALL CURVED DISTANCES ARE BY LINEAR MEASUREMENT OF THE SURVEY. ANGULAR MEASUREMENTS ARE BY POINT. THE PROPERTY WAS RECORDED UNDER THE COMPLETE PLAT NUMBER OF THIS PLAT. MATTERS OF TITLE ARE THEREBY.

TRACT 1: 72,624 SQ. FT. (1.67 AC)
PARCEL ID: 6201 008A

TRACT 2: 8,607 SQ. FT. (0.20 AC)
PARCEL ID: 6201 108

TOTAL AREA: 81,233 AC (1.87 AC)

LEGEND	
⊙ P.P. - POWER POLE	⊙ C.B. - CATCH BASIN
⊙ L.P. - LIGHT POLE	— R.C.P. - REINFORCED CONCRETE PIPE
⊙ F.H. - FIRE HYDRANT	— C.M.P. - CORRUGATED METAL PIPE
⊙ S.W. - SANITARY WATER MANHOLE	— F.F.E. - FINISHED FLOOR ELEVATION
⊙ W.W. - WATER METER	⊙ W.W. - WATER METER
⊙ G.M. - GAS METER	⊙ TELEPHONE MANHOLE
⊙ R.F. - REINFORCING BAR #1	— U.E.L. - UNDERGROUND ELECTRICAL LINE
⊙ R.F. - REINFORCING BAR FOUND	— O.P.L. - OVERHEAD POWER LINES
⊙ C.P. - CONCRETE PIPE FOUND	⊙ H.B. - HOLE BALL
⊙ O.T.P. - OPEN TOP PIPE FOUND	⊙ P.W. - POWER POLE
⊙ R.W.M. - RIGHT-OF-WAY MONUMENT	— W.L. - WATER LINE
— TYPE OF FENCE	— T.L. - UNDERGROUND TELEPHONE LINE
⊙ J.R. - JUNCTION BOX	— G.L. - GAS LINE
⊙ U. - DROP INLET 2 YARD INLET	

RECORDED BY
APR 24 2015

DATE OF SURVEY: 04.15.2015

DATE	REVISIONS
04.20.2015	

SCALE : 1"=30'
DRAWN BY : JMK
CHECKED BY : COA
PROJECT #: 15117

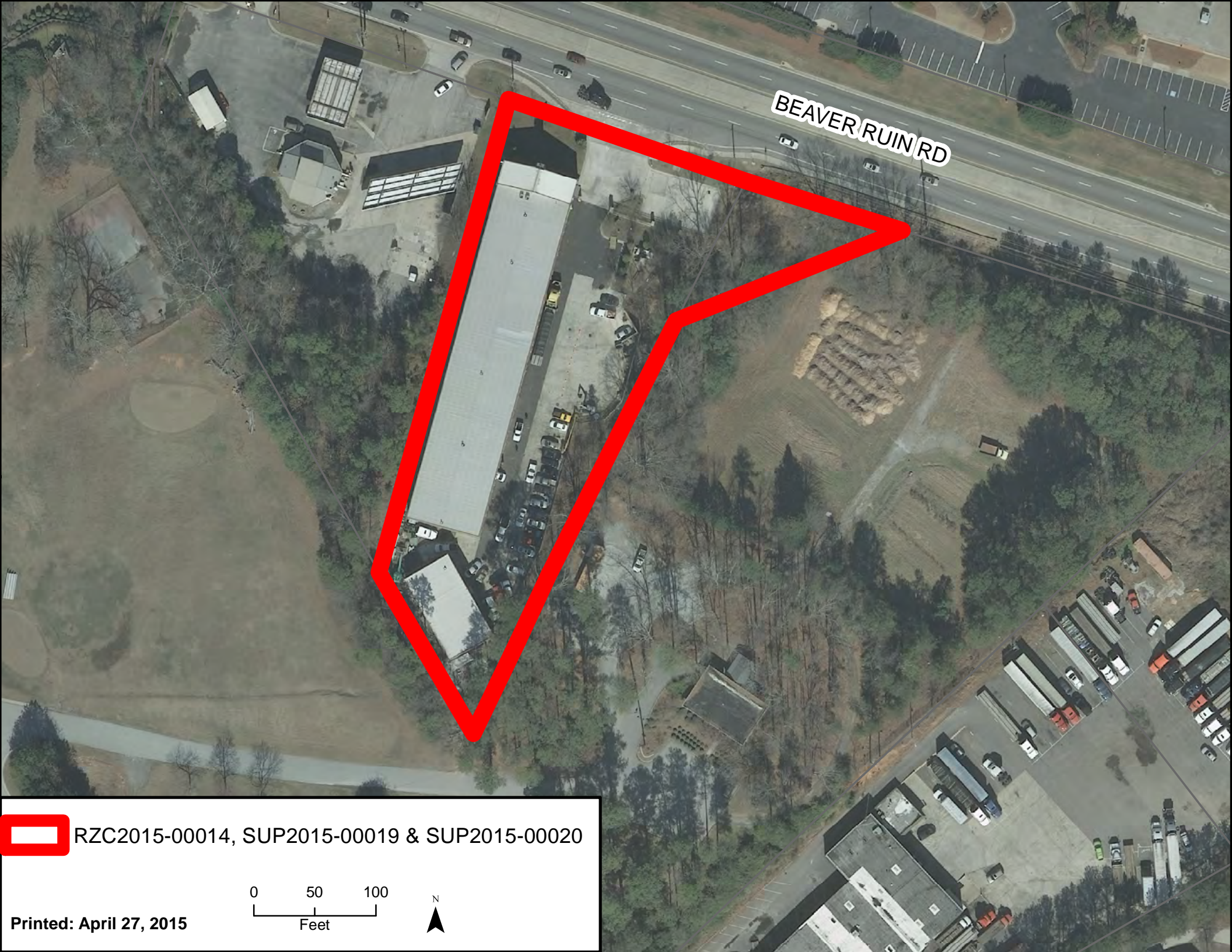
LAND ENGINEERING & SURVEYING, INC.
2040 Meyers Drive
Lawrenceville, Georgia 30045
Phone: (404) 396-0192
land_engineering@yahoo.com

BOUNDARY AND TOPOGRAPHIC SURVEY FOR
JDM, INC.

1635 BEAVER RUIN ROAD
NORCROSS, GA 30093
LOCATED IN L.L. 201
6th DISTRICT,
GWINNETT COUNTY, GA.

Planning & Development

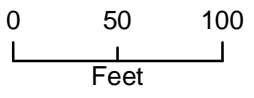
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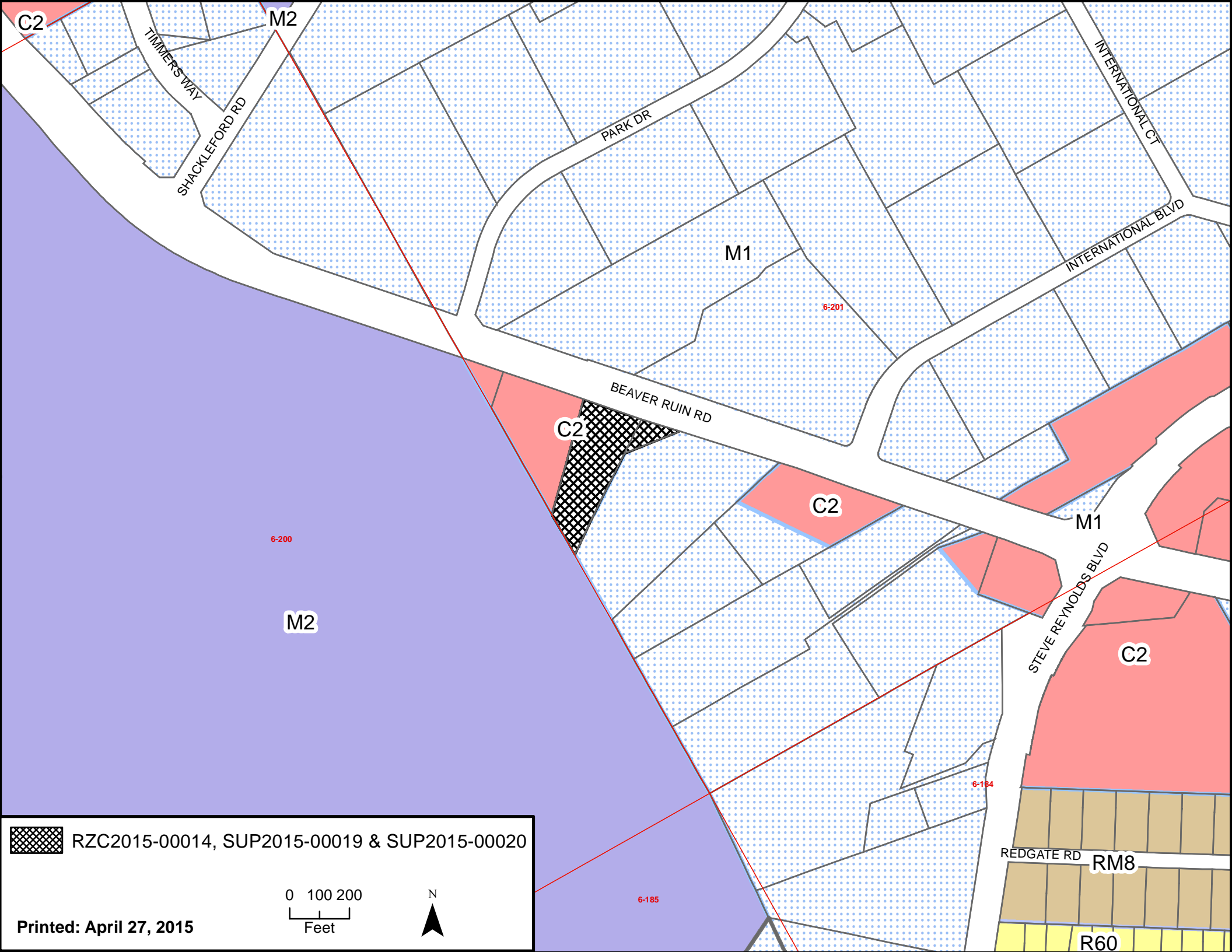
BEAVER RUN RD



RZC2015-00014, SUP2015-00019 & SUP2015-00020



Printed: April 27, 2015



C2

M2

TIMMERS WAY

SHACKLEFORD RD

PARK DR

INTERNATIONAL CT

INTERNATIONAL BLVD

M1

6-201

BEAVER RUIN RD

C2

C2

M1

STEVE REYNOLDS BLVD

C2

6-200

M2


6-184

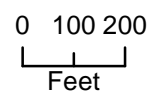
6-185

REDGATE RD

RM8

R60

 RZC2015-00014, SUP2015-00019 & SUP2015-00020



Printed: April 27, 2015

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS**

CASE NUMBER :**RZM2015-00004**
ZONING CHANGE :C-2 TO RM-24
LOCATION :1900 BLOCK OF ATKINSON ROAD
MAP NUMBER :R7081 014
ACREAGE :0.99 ACRE
UNITS :20 UNITS
PROPOSED DEVELOPMENT :APARTMENTS
COMMISSION DISTRICT :(1) BROOKS

FUTURE DEVELOPMENT MAP: **REGIONAL MIXED USE**

APPLICANT: LYNWOOD DEVELOPMENT GROUP
C/O ANDERSEN, TATE & CARR, P.C.
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GA 30097

CONTACT: MARIAN ADEIMY PHONE: 678.518.6855

OWNER: LARRY JOHNSON
P. O. BOX 208
DACULA, GA 30019

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests rezoning of a 0.99-acre parcel from C-2 (General Business District) to RM-24 (Multifamily Residence District) in order to combine this parcel with the planned adjacent apartment complex, recently approved for RM-24 zoning pursuant to RZM2015-00001. The site is located on the east side of Atkinson Road, at the entrance to Sugarloaf Mills Mall. The property is currently developed as the Suburban Tire Store. It is also noted that the site is located within the Civic Center Overlay District and is therefore subject to those requirements.

The submitted site plan proposes a 20 unit apartment building on the subject tract. When combined with the adjacent apartment development, the overall project would total 394 units at a density of 21.8 units per acre. An access point from Atkinson Road is proposed on this site, with interparcel access to the adjacent RM-24 property. In addition, the site plan indicates an amenity area consisting of a clubhouse, pool, gym and leasing office near the overall site's proposed entrance on Sugarloaf Mills Circle (private). The majority of the apartments are proposed to be one and two-bedroom units; however, the minimum square footage of the units was not provided by the applicant. The site plan indicates 32 parking spaces, which

meets the required parking standards. Detailed architectural information was not submitted for the proposed apartment buildings.

ZONING HISTORY:

In 1970, the property was zoned R-100 (Single Family Residence District). In 1975, a portion of the subject property was rezoned to C-2, pursuant to an areawide zoning action along the Atkinson Road frontage. In 1998, the property was part of a 197-acre assemblage rezoned to C-2 pursuant to RZ-98-166, and now developed as the Sugarloaf Mills mall.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Protection requires submittal and approval of a Tree Preservation and Replacement Plan prepared by a professional landscape architect prior to securing a Land Disturbance or Development permit.

Section 610-20.3 of the Unified Development Ordinance requires screening of dumpsters and loading/unloading facilities.

Parking lots and interior driveways shall be designed in accordance with Chapter 240 of the Unified Development Ordinance.

Parking spaces shall be provided at a ratio of:

- 1.5 per dwelling at a minimum for multi-family.
- 3 per dwelling at a maximum for multi-family,

Section 900-40.7A of the Unified Development Regulations requires proposed driveways to be located at least 100 feet from the centerline of the driveway to the nearest right-of-way line (extended).

Section 900-30 of the Unified Development Ordinance requires a 200-foot deceleration lane with a 50-foot taper at each project entrance that proposes access to a Minor Collection Street or Major

Thoroughfare. Right-of-way dedication to accommodate the deceleration lane and an 11-foot shoulder is also required. Reduction in length of a deceleration lane requires approval of a Modification by the Development Division; elimination of a deceleration lane requires approval of a Waiver by the Board of Commissioners.

Section 900-90 of the Unified Development Ordinance requires construction of five-foot wide sidewalks along all exterior roadways adjoining the project, and four-foot wide sidewalks adjacent to both sides of all interior public streets (excluding cul-de-sac turnarounds).

A minimum of 50-foot building setback is required from the right-of-way of Atkinson Road.

Section 800-20 of the Unified Development Ordinance requires submittal of a Storm Water Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

This project lies within an Activity Center/Corridor Overlay District, and is subject to all requirements set forth in Chapter 220 of the Unified Development Ordinance.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Atkinson Road is a Local Street and a minimum of 30 feet of right-of-way is required from the centerline. State Route and Georgia D.O.T. right-of-way requirements govern.

Commercial Entrances shall be provided to the site per current development regulations.

Prior to the issuance of a Development Permit, a sight distance certification shall be provided.

The number and locations of driveways are subject to Gwinnett County D.O.T. approval.

Minimum separation from a driveway, public road, or side street shall be provided as specified in the Gwinnett County Unified Development Ordinance.

Project shall comply with the Gwinnett County Criteria and Guidelines for left turn lanes.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 12-inch water main located on the northeastern right-of-way of Atkinson Road.

Due to the uncontrollable variables, the Department of Water Resources makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. Demands imposed by the proposed development may require reinforcements or extensions of existing water mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 419 feet east of the property.

The subject development is located within the Beaver Ruin service area. There are currently no connection restrictions within this service area. Treatment capacity within this area is presently available on a first come - first serve basis.

Demands imposed by the proposed development may require reinforcements or extensions of existing sewer mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department. Developer shall provide easements for future sewer connection to all locations designated by DWR during plan review.

As-built information for this department is dependent upon outside entities to provide record drawings for the utilities. Therefore this department does not guarantee the accuracy of the information provided.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances. Proceeding design, construction, inspection, and final acceptance of the required utilities, service to these utilities would then become available under the applicable utility permit rate schedules.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit civil site drawings to Building Plan Review for review and approval.
2. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for each building for review and approval by Building Plan Review.
3. Each building shall comply with the height and area limitations of Table 503 and the fire resistive and horizontal separation requirements of Table 601 and 602 of the 2012 International Building Code with Georgia state amendments based on occupancy group

classification, type of construction, and location of each building from property lines and other buildings.

4. Architectural design of the proposed building shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Category 3.
5. Upon completion of plan review approvals, the applicant shall obtain a building permit for each building and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at (678) 518-6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

Fire Plan Review has no objections to the above rezoning requests, under the following conditions:

1. Applicant submits civil drawings to Fire Plan Review for review and approval.
2. Applicant submits architectural drawings to Fire Plan Review for review and approval.
3. Upon completion of plan review approvals, applicant successfully achieves a satisfactory Fire field inspection, for issuance of a Certificate of Occupancy - Business Operation.

For assistance, you may contact this office at (678) 518-6000, Monday through Friday, from the hours of 8:00 a.m. to 5:00 p.m.

DEPARTMENT ANALYSIS:

The applicant seeks rezoning of a 0.99-acre parcel from C-2 (General Business District) to RM-24 (Multifamily Residence District) in order to combine this parcel with the adjacent apartment complex zoning recently approved for RM-24 pursuant to RZM2015-00001. Currently developed as the Suburban Tire Store, the submitted site plan proposes 20 apartment units on the site to be assembled with the adjacent 17 acres for a total of 394 units at a density of 21.8 units per acre. An access point from Atkinson Road is proposed on this site, with interparcel access to the adjacent property.

The 2030 Unified Plan Future Development Map identifies the site as being located within the Regional Mixed Use Character Area. High and medium density attached residential developments are encouraged within this Character Area; therefore, this proposal could be considered consistent with the recommended land use. As the requested addition to the adjacent proposed apartment complex would also provide vehicular and pedestrian access to the Sugarloaf Mills Mall, the proposal could also be consistent with recommendations of the Unified Plan encouraging walkable, mixed-use integration in this intensely developed activity node.

This segment of Duluth Highway is characterized by a mix of commercial and multifamily land uses. Adjacent to the east is the aforementioned RM-24 district. To the north of the subject property is the Sugarloaf Mills Mall, rezoned to C-2 for 1.45 million square feet of commercial and office uses including 18 outparcels. To the south along Duluth Highway is a 5-acre site developed as an insurance office. At the Duluth Highway/Sugarloaf Parkway intersection is a CVS pharmacy, with the three remaining quadrants of the intersection being zoned C-2 but remaining undeveloped. To south of the subject site across Duluth Highway are shopping centers and numerous commercial outparcels. To the northwest of the subject site across Interstate 85 are a number of existing multifamily developments zoned RM-13 (RZ-99-001, RZ-97-099 and RZ-94-158). The subject property's location adjacent to the Sugarloaf Mills Mall, in conjunction with the precedent for multifamily developments adjacent to the site and at the Duluth Highway and Sugarloaf Parkway interchanges along I-85, support this request for multi-family zoning.

In conclusion, the proposed addition to the approved adjacent apartment complex is consistent with the recommendations of the Unified Plan, which supports high density residential development for the Character Area, and with recent Board approval for high density residential development. The rezoning is also be compatible with the development pattern of the area which includes large scale retail developments and several apartment complexes centered around the Interstate-85/Duluth Highway interchange. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS**.

PLANNING AND DEVELOPMENT
DEPARTMENT RECOMMENDED CONDITIONS

Approval as RM-24 for a multi-family apartment development, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. No more than 20 multi-family residential dwellings and accessory uses and structures, to be developed as part of the adjacent multi-family property zoned RM-24 pursuant to RZM2015-00001.
 - B. The development shall be a gated community.
 - C. Buildings shall be constructed with internal corridors (no breezeways), with primary exterior treatments of brick or stacked stone on each elevation. The remainder of each elevation may be the same, or fiber-cement shake or siding. Building elevations shall be submitted for review and approval of the Director of Planning and Development prior to the issuance of a development permit.
 - D. Abide by the applicable requirements of the Civic Center Overlay District as found in Chapter 220 of the Unified Development Ordinance. This shall not preclude a variance application.
 - E. Garages shall be provided for a minimum of 10% of the units (combined with RZM2015-00001).
 - F. The site shall be limited to a maximum of 10% three-bedroom units.
 - G. Playgrounds and play-yards shall be prohibited.
2. To satisfy the following site development considerations:
 - A. Provide a 25-foot wide landscaped setback along Atkinson Road. The landscaped setback shall include a decorative fence or wall and entrance monument(s). Landscaping, fence/wall and entrance monument design shall be subject to review and approval of the Director of Planning and Development prior to the issuance of a development permit.
 - B. Ground signage shall be limited to monument type sign(s), and shall be subject to review and approval by the Director of Planning & Development. The sign shall include a minimum two-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the cabinet shall be fully surrounded by the same materials.
 - C. Dumpsters/trash compactors shall be screened by a 100% opaque brick or stone wall.

- D. No temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
 - E. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
 - F. Provide secure pedestrian access gate(s) from the property to the Sugarloaf Mills mall property.
 - G. All units shall have solid-surface counter tops, and tile or hardwood entry, kitchen and bathroom floors.
 - H. Gutters shall blend with the architectural style of the buildings.
 - I. The residential buildings shall include a water-table with a change in materials below the water-table to be masonry or stone.
 - J. Asphalt roof shingles shall be architectural grade with a dimensional textured surface, and shall be algae resistant.
3. Abide by the following requirements, dedications and improvements:
- A. As directed by the Gwinnett County Department of Transportation, and at no cost to Gwinnett County: design, dedicate and construct the improvements identified and recommended by the submitted Traffic Impact Study as part of zoning case RZM2015-00001.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The subject site is located within an area developed with a mix of commercial and multifamily uses and zoning. Rezoning for an addition to the adjacent apartment complex may be suitable given the intensity of development in the area and the presence of similar apartment complexes in the immediate vicinity.

ADVERSE IMPACTS

If developed in accordance with the recommended conditions, the proposed multifamily development is not expected to have an adverse impact on neighboring properties in the area.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

An increase in utility demand, traffic, stormwater runoff and the number of school-aged children could be anticipated from this request.

CONFORMITY WITH POLICIES

The proposed addition to the adjacent apartment complex may be consistent with the recommendations of the 2030 Unified Plan, which supports high density multifamily residential uses within the Regional Mixed-Use Character Area.

CONDITIONS AFFECTING ZONING

The subject property's location adjacent to the Sugarloaf Mills Mall, and the adjacent multifamily zoning, support the request.

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED 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 AN 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:

See Exhibit "B"

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

See Exhibit "B"

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

See Exhibit "B"

- (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:

See Exhibit "B"

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

See Exhibit "B"

- (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:

See Exhibit "B"

EXHIBIT "B"
APPLICANT LYNWOOD DEVELOPMENT GROUP'S
RESPONSES IN SUPPORT OF REZONING

- A) WHETHER THE ZONING PROPOSAL WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes. The subject property is located at the fully signalized intersection adjacent to Sugarloaf Mills mall and is zoned for more intense commercial uses than the one proposed. The subject property is the only remaining corner at this intersection not already zoned and developed for commercial or high-density residential use because of its long-term, family ownership and current zoning. As reflected in 2030 Comprehensive Plan for Gwinnett County, Sugarloaf Parkway corridor is intended for Regional Mixed-Use and Mixed Housing Types. The intent of that 2030 land use goals are met by the proposed development. The development of this site for multi-family use is consistent with and completes the adjacent master residential community known as Sugarloaf Commons and rezoned in Case No. RZM2015-00001.

- B) WHETHER THE ZONING PROPOSAL WILL ADVERSELY AFFECT THE EXISTING USE OR USEABILITY OF ADJACENT OR NEARBY PROPERTY:

No. This rezoning request proposes uses that are absolutely compatible with the character of the mixed-use and commercial/residential/office corridor within which the property is located. Nearby properties already feature multi-family, retail and commercial uses, and those specific uses has proved to be entirely suitable to the other land uses in the vicinity of the subject property. Therefore, this request proposes a use that is ideally suited to and consistent with the zoning, use and development of adjacent and nearby property.

The Planned Mixed-Use Development zoning allows for consistent development with zoning flexibility to encourage a collection of uses like the one proposed. As evidenced by nearby zoning decisions, it was anticipated that this part of Sugarloaf Parkway would have a mix of uses, to include multi-family units. The proposed uses are entirely consistent with the uses of adjacent and nearby properties and will not adversely affect those properties.

- C) WHETHER THE PROPERTY TO BE AFFECTED BY THE ZONING PROPOSAL HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

No. The Property is located within a well-established major mixed-use and commercial corridor with a comprehensive land use plan for those continued uses. Development as a large-scale commercial development would make the use and development of this property under its current zoning impossible. It would be

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difficult to imagine over 17 acres of additional retail or commercial uses where adjacent to the Sugarloaf Mills mall and surrounding commercial uses.

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

No. This property is located in an area with public water and sewer availability, and direct access to two major thoroughfares, highways and interstate. The development is expected to be a mix of professionals and millennials, in furtherance of the Comprehensive Plan, with little to no impact on schools. This rezoning and change in conditions will not cause excessive use of existing streets, transportation facilities or utilities, selected and developed specifically for the proposed use.

- E) WHETHER THE ZONING PROPOSAL IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Yes. 2030 Comprehensive Plan identifies the subject property as an appropriate location for mixed residential uses and will positively impact the largely commercial area as well as the adjacent mall. The development of this site for multi-family use is consistent with and completes the adjacent master residential community known as Sugarloaf Commons and rezoned in Case No. RZN2015-00001.

- 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.

Yes. The rezoning and addition of the subject property will remove an aging, inconsistent use. Like the rezoning of the adjacent property, for the same continued residential development as RM-24, there is no more appropriate location for the proposed multi-family development than the subject Property.

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April 30, 2015

Via Hand-Delivery

Gwinnett County Planning Department
Attn: Jeffrey West, Planning Director
446 W. Crogan Street, Suite 150
Lawrenceville, Georgia 30046

Re: LETTER OF INTENT IN SUPPORT OF REZONING APPLICATION FOR LYNWOOD DEVELOPMENT GROUP

The Applicant Lynwood Development Group, LLC (the "Applicant"), submits this Application for Rezoning for the property located at the corner of Sugarloaf Parkway and Duluth Highway, known as 1931 Atkinson Road, Lawrenceville, Georgia (the "Property" and hereinafter also referred to as "Sugarloaf Commons - Parcel B").

I. Rezoning Application:

In rezoning case number RZM2015-00001, the three tracts adjacent to the subject property, located at the corner of Sugarloaf Parkway and Atkinson Road, were rezoned from C-2 to RM-24, to allow for a quality, apartment development made up primarily of one and two bedrooms, to serve millennials and seniors in the area. The original zoning helped to complete the master development around Sugarloaf Mills Mall, to provide a walkable, high-end residential community.

The additional one acre that is the subject of this application currently serves as a tire store that has been there for many years, and as the area has transitioned, is inconsistent with the surrounding uses. The Applicant seeks to assemble this additional parcel in order to complete the collective +/- 19 acre site and to serve the nearby and adjacent retail uses, including Sugarloaf Mills mall.

Like the adjacent development, zonings at near the Highway 316 interchange, Satellite Boulevard and Old Peachtree Road have resulted in similar quality multi-family developments. The Applicant proposes an additional 20 units. Like the adjacent tract and consistent with those zoning conditions, the development will include a majority one and two-bedroom units in order to serve professionals and businesses in the Sugarloaf area.

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RZM '15 004

The Applicant proposes quality building materials and building design, subject to all applicable ordinances and overlays, as conditioned. The Applicant has researched and proposes quality architectural treatments and elevations that match the high-end nature of this development. Elevations will be submitted that support that design.

As reflected in 2030 Comprehensive Plan for Gwinnett County, Sugarloaf Parkway corridor is intended for Regional Mixed-Use and Mixed Housing Types. The intent of that 2030 land use goals are met by the proposed development. The requested rezoning and change in conditions propose a multi-family use that is absolutely compatible with the character of the mixed-use corridor within which this Property is located. Nearby properties have similarly been zoned for and feature mixed-use, high density residential, multi-family, self-storage, retail and commercial uses. Those specific uses have proven to be entirely suitable to the other land uses in the vicinity of the subject Property, demonstrating the suitability of the uses proposed by this Rezoning Application.

The Applicant respectfully requests that the Board of Commissioners, Planning Commission, and staff recommend approval of and approve the Applicant's rezoning request, to allow the property owner and Applicant to remove an inconsistent use from the area and to complete the adjacent, quality multi-family development.

II. Constitutional and Statutory Justifications

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

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

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Lynwood Development Group
Sugarloaf Commons – Parcel B
Letter of Intent
April 30, 2015

The Property is presently suitable for development subject only to the approval of the requested rezoning hereby requested by the Applicant, and is not economically suitable for development under its present zoning and development classification, conditions, regulations, and restrictions due to its location, shape, size, surrounding development, and other factors. A denial of any of the requested variances would constitute an arbitrary and capricious act by Gwinnett County and the Board of Commissioners without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Gwinnett County Board of Commissioners to approve the Applicant's and property owner's requested rezoning, with only such conditions as agreed to by the Applicant, so as to permit the only feasible economic use of the Property, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution.

Any rezoning subjecting the Property to conditions which are different from the requested conditions by which the Applicant may amend its application, to the extent such different conditions would have the effect of further restricting the Applicant's and the Owner's utilization of the subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions as set forth hereinabove.

III. Conclusion

Approval of the requested rezoning will result in a complete, high-end residential community for seniors, professionals and millennials seeking to live and work in Gwinnett County. The Applicant and its representatives welcome the opportunity to meet with the Board of Commissioners, Planning Commission and the Planning and Development staff to answer any questions.

Sincerely,



Marian C. Adeimy
Attorney for Applicant

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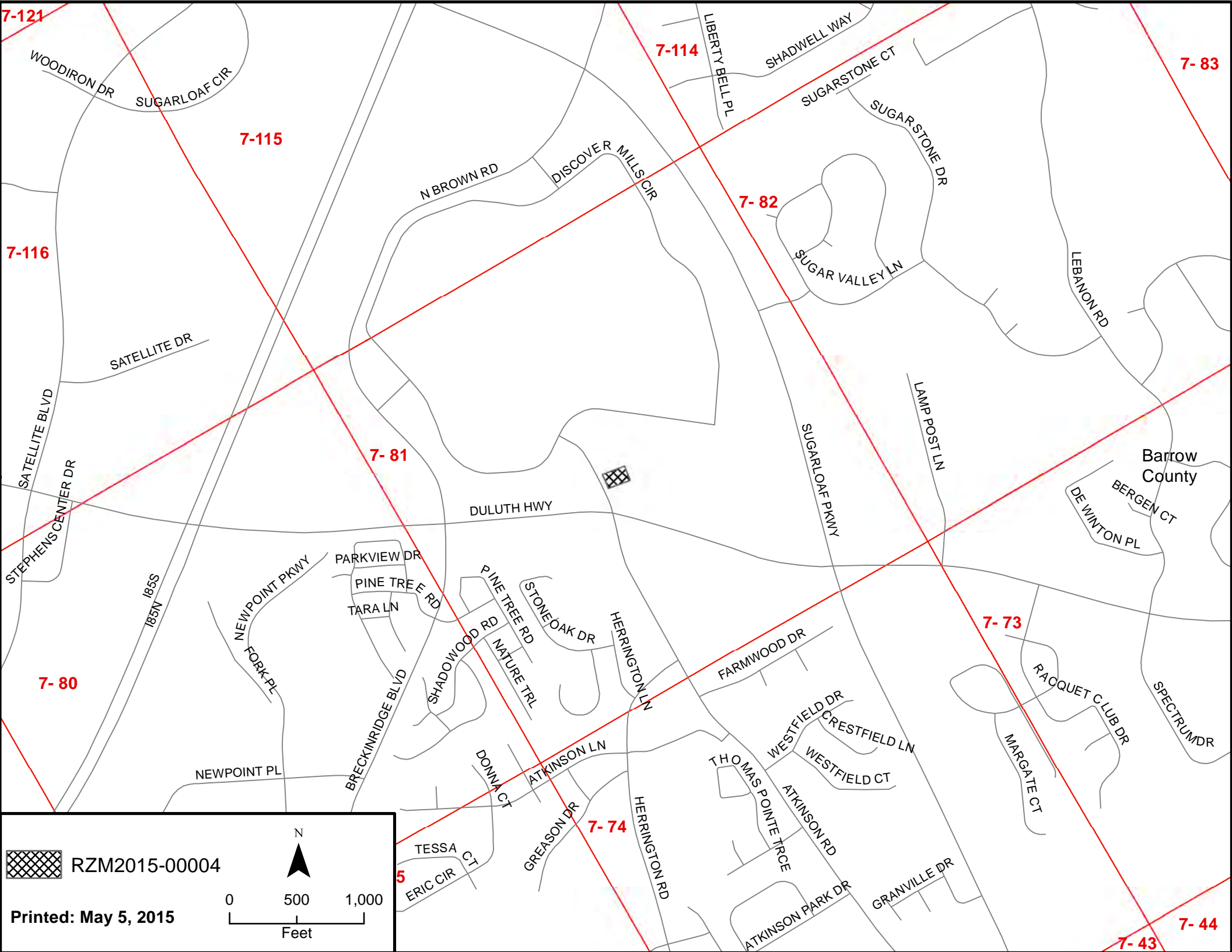
MAY 1 2015


Planning & Development

Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, July 2015 Zoning Agenda

Case #	Schools	Current Projections									Proposed Zoning Approximate additional Student Projections from Proposed Developments
		2015-16			2016-17			2017-18			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZM2015-00004	Peachtree Ridge HS	3213	2,650	563	3197	2,650	547	3181	3,025	156	2
	Northbrook MS	977	1,025	-48	988	1,025	-37	999	1,025	-26	2
	Jackson ES	1643	1,450	193	1676	1,450	226	1709	1,450	259	4
RZM2015-00005	Collins Hill HS	3193	2,625	568	3161	2,625	536	3129	2,625	504	2
	Creekland MS	2221	2,100	121	2214	2,100	114	2208	2,100	108	1
	Walnut Grove ES	928	1,200	-272	933	1,200	-267	937	1,200	-263	3
RZR2015-00012	Brookwood HS	3407	2,575	832	3391	2,575	816	3375	2,575	800	12
	Crews MS	1267	1,150	117	1256	1,150	106	1245	1,150	95	9
	Brookwood ES	1111	1,250	-139	1122	1,250	-128	1133	1,250	-117	19
RZR2015-00013	Duluth HS	2734	2,650	84	2775	2,650	125	2817	2,650	167	15
	Duluth MS	2013	1,750	263	2073	1,750	323	2136	1,750	386	8
	Harris ES	858	750	108	867	750	117	875	750	125	10
RZR2015-00014	North Gwinnett HS	2837	2,625	212	2888	2,625	263	2940	2,625	315	9
	North Gwinnett MS	2186	1,775	411	2208	2,125	83	2230	2,125	105	4
	Riverside ES	987	1,150	-163	978	1,150	-172	969	1,150	-181	6

Current projections do not include new developments



 RZM2015-00004

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ATKINSON RD



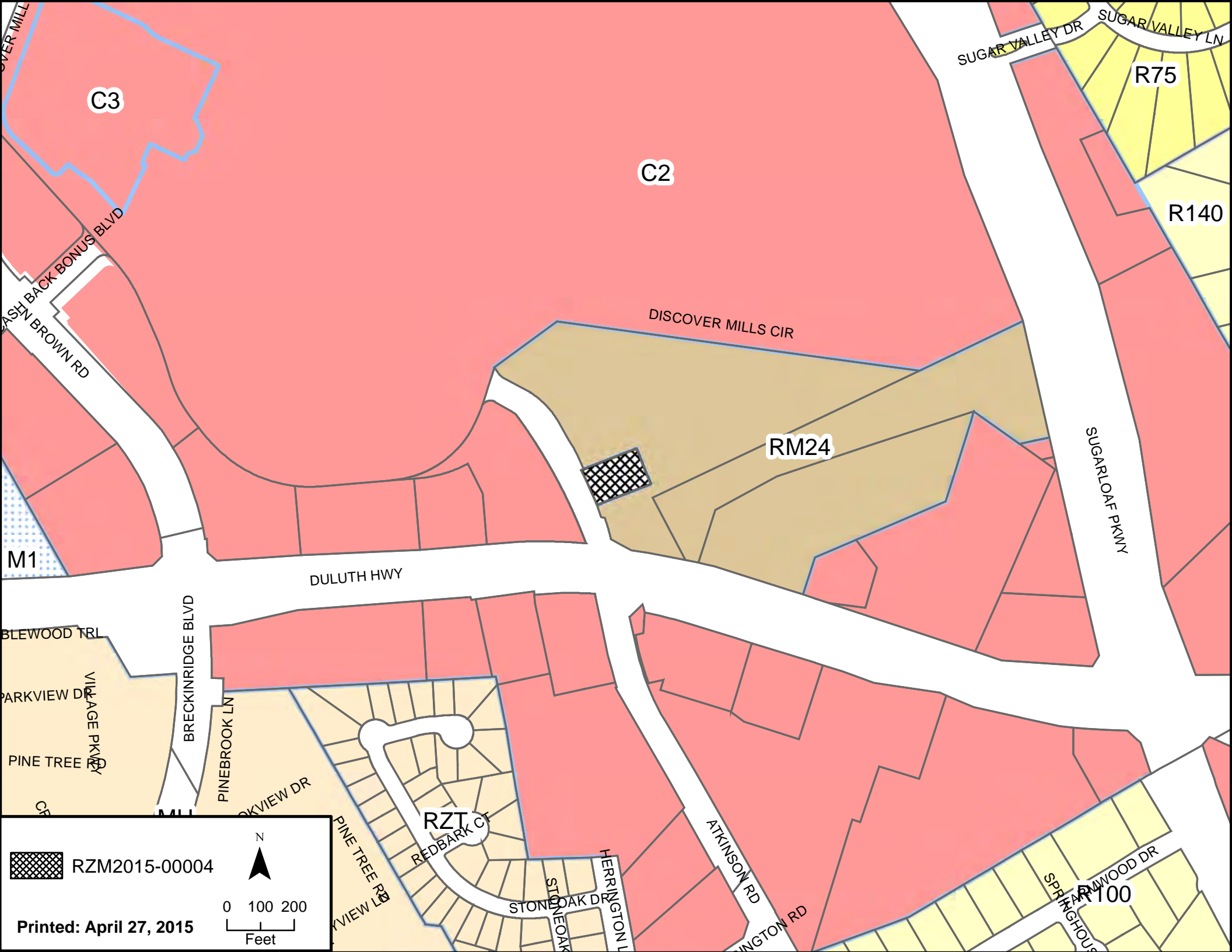
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C3

C2

R75

R140

RM24

M1

RZT

R100



RZM2015-00004



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Feet

Printed: April 27, 2015

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS**

CASE NUMBER :**RZM2015-00005**
ZONING CHANGE :RM TO R-TH
LOCATION :2400 BLOCK OF WHITEHEAD PLACE DRIVE
MAP NUMBERS :R7126 002 & 496
ACREAGE :2.52 ACRES
UNITS :16 UNITS
PROPOSED DEVELOPMENT :TOWNHOMES
COMMISSION DISTRICT :(1) BROOKS

FUTURE DEVELOPMENT MAP: **EXISTING/EMERGING SUBURBAN**

APPLICANT: PTL, LLC
P. O. BOX 720314
ATLANTA, GA 30358

CONTACT: ANDREW PERRY PHONE: 404.987.1224

OWNER: CMC HOMES, LLC
P. O. BOX 720314
ATLANTA, GA 30358

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests rezoning of a 2.52-acre parcel assemblage from RM (Multi Family Residence District) to R-TH (Single Family Residence Townhouse District) to construct a 16-unit attached townhouse development. The property is located on the north side of Whitehead Place Drive, just southeast of its intersection with Welford Road.

The development would consist of 16 townhomes on 2.52-acres, which results in a gross and net density of 6.35 units per acre, as the property does not contain floodplain. The submitted architectural elevations reflect townhouse buildings with a combination of brick, cedar shake and fiber-cement siding on the fronts, with siding and a brick water table on the remaining three sides of each building. The proposed townhomes would be approximately 2,100 square feet each, with a front-entry two-car garage.

The standard setbacks for R-TH zoning are 50 feet adjacent to Whitehead Place Road and 40 feet adjacent to all other property lines. The site plan does not meet the required internal or external setbacks or landscaping requirements for the R-TH district. To accommodate the requested 16 units, the site plan shows the setbacks reduced to 40-feet along Whitehead Place Road. The required side and rear setbacks of 40 feet are proposed to be reduced to 20 feet, also serving as a transitional planted buffer, with an additional 5-foot buffer setback depicted

adjacent to the side and rear property lines. In order to meet the standards for the R-TH district, the site plan would need to be revised to satisfy the requirements of the UDO. To develop the property as proposed, several Variances would be required for exterior or interior yard requirements, and landscaping.

ZONING HISTORY:

In 1970, the property was zoned R-100. The property was rezoned to RM through a 1975 area-wide rezoning.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Protection (Chapter 620 of the Unified Development Ordinance) require a no-access easement along the line of double frontage lots abutting a major thoroughfare for residential developments.

The Buffer, Landscape and Tree Protection requires submittal and approval of a Tree Preservation and Replacement Plan prepared by a professional landscape architect prior to securing a Land Disturbance or Development permit.

Section 610-20.3 of the Unified Development Ordinance requires screening of dumpsters and loading/unloading facilities.

Parking lots and interior driveways shall be designed in accordance with Chapter 240 of the Unified Development Ordinance.

Parking spaces shall be provided at a ratio of:

Three spaces per dwelling at a minimum (Townhomes).

Six spaces per dwelling at a maximum (Townhomes).

Section 900-30 of the Unified Development Ordinance requires a 200-foot deceleration lane with a 50-foot taper at each project entrance that proposes access to a Minor Collection Street or Major

Thoroughfare. Right-of-way dedication to accommodate the deceleration lane and an 11-foot shoulder is also required. Reduction in length of a deceleration lane requires approval of a Modification by the Development Division; elimination of a deceleration lane requires approval of a Waiver by the Board of Commissioners.

Section 900-90 of the Unified Development Ordinance requires construction of five-foot wide sidewalks along all exterior roadways adjoining the project, and four-foot wide sidewalks adjacent to both sides of all interior public streets (excluding cul-de-sac turnarounds).

A minimum of 50-foot building setback is required from the right-of-way of Whitehead Place Drive.

The required side and rear setback of 40 feet appears to not be met. The applicant must either revise the site plan, or seek a Variance from the Zoning Board of Appeals.

The developer must submit a concept plan for review and approval of the Development Division prior to submittal and acceptance of a development permit application.

The developer must submit a preliminary plat (construction plans), including a grading plan, tree plan, and road/sewer profiles for review and approval of the Development Division prior to any construction.

Section 800-20 of the Unified Development Ordinance requires submittal of a Storm Water Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

Note that all recreation areas, open space and/or common areas (including storm water detention facility lots) located within the development shall be controlled by a mandatory Property Owner's Association (to include reported bylaws) with responsibility for maintenance, insurance, and taxes for open space areas.

The United States Postal Service may require a centralized mail delivery kiosk for this proposed development, replacing individual mail boxes. Mail delivery kiosk must be located outside of right-of-way access easement (if private street). Location and access must be approved by Gwinnett County D.O.T.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Whitehead Place Drive is a Major Collector and 40 feet of right-of-way is required from the centerline.

Commercial Entrances shall be provided to the site per current development regulations.

Standard deceleration lanes with appropriate taper and adequate right-of-way will be required.

Prior to the issuance of a Development Permit, a sight distance certification shall be provided.

The number and locations of driveways are subject to Gwinnett County D.O.T. approval.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 12-inch water main located on the southwestern right-of-way of Whitehead Place Drive.

Due to the uncontrollable variables, the Department of Water Resources makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. Demands imposed by the proposed development may require reinforcements or extensions of existing water mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 147 feet east of the property in the right-of-way of Compton Place.

The subject development is located within the Lawrenceville/Suwanee Estates service area. There are currently no connection restrictions within this service area. Treatment capacity within this area is presently available on a first come - first serve basis.

Demands imposed by the proposed development may require reinforcements or extensions of existing sewer mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department. Developer shall provide easements for future sewer connection to all locations designated by DWR during plan review.

As-built information for this department is dependent upon outside entities to provide record drawings for the utilities. Therefore this department does not guarantee the accuracy of the information provided.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances. Proceeding design, construction, inspection, and final acceptance of the required utilities, service to these utilities would then become available under the applicable utility permit rate schedules.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

Fire Plan Review has no objections to the above rezoning requests, under the following conditions:

1. Applicant submits civil drawings to Fire Plan Review for review and approval.
2. Applicant submits architectural drawings to Fire Plan Review for review and approval.
3. Upon completion of plan review approvals, applicant successfully achieves a satisfactory Fire field inspection, for issuance of a Certificate of Occupancy - Business Operation.

For assistance, you may contact this office at (678) 518-6000, Monday through Friday, from the hours of 8:00 a.m. to 5:00 p.m.

DEPARTMENT ANALYSIS:

The subject property consists of two parcels totaling 2.52 acres, being located on the north side of Whitehead Place Drive, just southeast of its intersection with Welford Road. The site is presently wooded and undeveloped.

The 2030 Unified Plan Future Development Map indicates that the property lies within an Existing/Emerging Suburban Character Area. The property has been zoned RM since 1975, and could be developed to a much higher density multifamily than being proposed. The Unified Plan encourages townhouse developments at low to moderate densities. With appropriate conditions, an R-TH zoning and development could be suitable for the property as a more compatible down-zoning adjacent to single-family detached residences.

The surrounding area along Whitehead Place Drive is characterized by low and medium residential uses, both detached and attached. The property immediately adjacent to the subject property is the R-ZT zoned Berkshire Manor subdivision, developed as a medium density single-family detached subdivision. Further to the east, along Whitehead Place Drive, is the RM zoned Village at White Bluff townhouse development, consisting of 48 dwelling units on approximately 4.67 acres or approximately 10-units per acre. To the south, across Whitehead Place Drive, is the R-100 zoned Park Place Forest North subdivision. Further to west, are the RM zoned Falconcrest North, developed as a single-family subdivision and the Savannah Square subdivisions developed as a residential duplex community. The diversity of residential zoning classifications in the immediate area, which includes both single-family homes and attached townhouses, lends support to the requested rezoning.

In conclusion, the requested rezoning represents a reduction in allowable density given the existing RM zoning, and could be compatible with the zoning and development pattern of the area. By reducing the intensity of zoning for this tract, the request could be considered consistent with policies of the Unified Plan which encourage compatibility of uses within a given area. Therefore, the Department recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as R-TH for a townhome development, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Townhomes and accessory uses and structures.
 - B. Dwellings shall be constructed of four sides brick, with minor treatments of stacked stone or fiber-cement siding/shake. Architectural elevations shall be submitted for review and approval by the Director of Planning and Development.
 - C. The minimum heated floor area per dwelling unit shall be 2,000 square feet.
 - D. All dwellings shall have a double-car garage.
 - E. A mandatory homeowners association shall be incorporated which provides for building and grounds maintenance, repair, insurance and working capital. Said association must also include declarations and by laws including rules and regulations which shall at minimum regulate and control the following:
 1. Exterior home maintenance to include roofing and painting.
 2. All grounds and common area maintenance, including the detention facilities.
 3. Exterior fence maintenance to include the requirement that any graffiti shall be repaired and repainted within 72 hours.
 4. Restrictions on single-family residential use only of units. No more than 10% of the total units may be leased by individual owners at any time.
2. To satisfy the following site development considerations:
 - A. Provide a 40-foot landscaped strip along Whitehead Place Drive, which shall include a decorative fence or wall and entrance monument. The fence may be constructed as solid brick wall, or as a wrought iron-style fence with brick columns (max. 30-feet-on-center). Landscaping, fence/wall and entrance monument design shall be subject to review and approval of the Director of Planning and Development prior to the issuance of a Development Permit.
 - B. Provide a 25-foot wide natural, undisturbed buffer, supplemented with a solid opaque wood fence a minimum of 6-feet in height, adjacent to the Berkshire Manor subdivision. The buffer shall be enhanced where sparsely vegetated to provide an effective visual

screen. The Homeowner's Association shall ensure that buffer vegetation is not removed by individual unit owners.

- C. Natural vegetation shall remain on the property until issuance of a Development Permit.
- D. Direct unit access shall not be allowed to Whitehead Place Drive.
- E. All grassed areas within the development shall be sodded.
- F. All utilities shall be placed underground.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

The request could be suitable in view of the other townhouse and medium density single-family residential developments located in the area immediately surrounding the subject property.

ADVERSE IMPACTS

With appropriate conditions to ensure compatibility with the landscape and architectural design of the surrounding developments, potential adverse impacts from this request could be reduced.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as zoned.

IMPACTS ON PUBLIC FACILITIES

An increase in utility demand, traffic, stormwater runoff, and school-aged children could be anticipated from this request.

CONFORMITY WITH POLICIES

The 2030 Unified Plan encourages compatibility of use and development in residential areas. The proposed R-TH homes and density represent a more compatible use than would be allowed by the current RM zoning.

CONDITIONS AFFECTING ZONING

The small size and shallow depth of the property have resulted in a site plan which does not meet several requirements of the R-TH zoning district. Although R-TH zoning could be suitable for the site, staff recommends limiting the density to 5 units per acre to allow these requirements to be met and reduce congestion on the site.

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED 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 AN 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:

Please see the attached SGEZP Exhibit for answers to A-F

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

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS 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:

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

- (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:

RECEIVED BY

MAY 1 2015

Planning & Development

RZM '15 005

2435-2445 Whitehead Place Drive

Rezoning Plan for PTL, LLC

(Standards Governing Exercise of the Zoning Powers)

April 28th, 2015

We respectfully submit this zoning application, with property defined by the legal description in this application, to the zoning classification of R-TH from its present zoning of RM-13.

- A) The neighboring properties are primarily R-60 and R-75, with the exception of several RM-13 properties that exist to the east and directly south. This property is currently zoned RM-13. This zoning is comparable to other properties within 1 mile. Our proposed use will be less intense and a slightly better transition point between the medium density and RM properties than as currently zoned.
- B) We feel the existing zoning of the property matches the medium to high-density neighborhoods that line Whitehead Place Drive. We do not necessarily feel as currently zoned it adversely affects existing neighborhoods because there is a mix of housing types and neighborhoods. Our proposed zoning should further enhance the neighborhood versus the RM-13 because of our development requirements, our lower density, our higher standards for architectural treatments and our higher square footage offerings.
- C) There is demand for rental units in the area. Although the vacancy rates of rental homes built as town home properties are greater than complexes offering amenity packages in the area, there are immediate examples of RM projects that have rental prices and absorption rates making for rent housing a viable use of the property. We are offering as an alternative a property that will better serve the neighborhood. The homes will have higher aesthetic standards and the site will be subject to enhanced landscaping and development regulations. This will positively influence the values of neighboring properties.
- D) The proposed use will provide less of a burden on the County infrastructure, schools and buses than the existing zoning.
- E) The future land use of the property indicates existing/emerging suburban. We feel 6 homes per acre fits the transitional appearance of this stretch of roadway and 1 mile radius of the subject property. This land use recommendation discourages against multifamily and encourages single-family housing.
- F) We feel the existing zoning allows for a slightly higher lot count and similar site plan. We are asking to change the type of ownership, increase lot sizes, reduce the density and will volunteer more architectural conditions than are tied to the property under its current use.

Andrew Perry
PTL, LLC

RZM '15 005

RECEIVED BY

MAY 1 2015

Planning & Development

2435-2445 Whitehead Place Drive

Rezoning Plan for PTL, LLC

(Letter of Intent)

April 28th, 2015

We respectfully submit this zoning application for property defined by the legal description in this application, to the zoning classification of R-TH from its present zoning of RM-13.

This site was originally approved for development in 2007 and named Villages at Suwanee. As presently zoned and approved, the site would accommodate 17 for rent town homes.

Our proposal is to build 16 for sale town homes. The site is +/- 2.518 acres and provides a slightly lower density of 6.35 units per acre. We will adhere to the original approved plans by buffering adjacent residential properties and providing a front landscape setback along Whitehead Place Drive. We are asking for conditions shown on the attached site plan to reduce the front exterior setbacks from 50' to 40', the side exterior setbacks from 40' to 20', the rear exterior setbacks from 40' to 20' and for a 10' landscape strip along Whitehead Place Drive. We are asking also for permission to build a 2 unit building versus the minimum requirement of 3 units per building. We will not have homes located within 50' of the ROW along Whitehead Place Drive.

R-TH requires 1,200 SF of heated floor area. We will be providing at least 2,100 SF. Every home will have a 2-car garage, maintaining a balance of brick, cement siding, shake, architectural shingles and decorative trim. Our driveway lengths will be no less than 24' from back of curb and we will provide visitor parking within our property. Each home will allow parking for now fewer than 4 cars.

As required by the UDO we will provide sidewalks along the frontage of Whitehead Place Drive. We will also replant the buffer areas as required. Gwinnett County Water Resources serve the property for water and sanitary sewer. All power, phone and cable services to the community will be buried underground.

We are proposing to add attractive elevations and streetscape to a site that has been left partially developed. Our intended use, changing from rental to home ownership, offering enhanced architectural conditions, will also be subject to stricter development guidelines than the plan that is approved and waiting to be built out. With this proposed zoning change, the neighborhood will be enhanced by the benefits that come along with an active HOA and 16 additional stakeholders in that neighborhood.

Thank you for your time.

Sincerely,

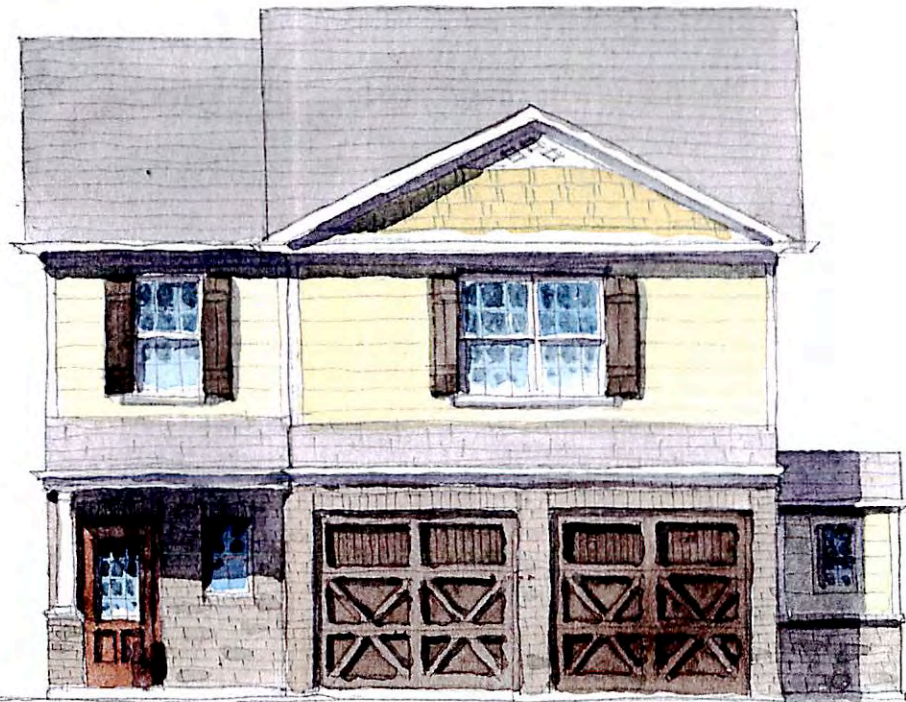
Andrew Perry
PTL, LLC

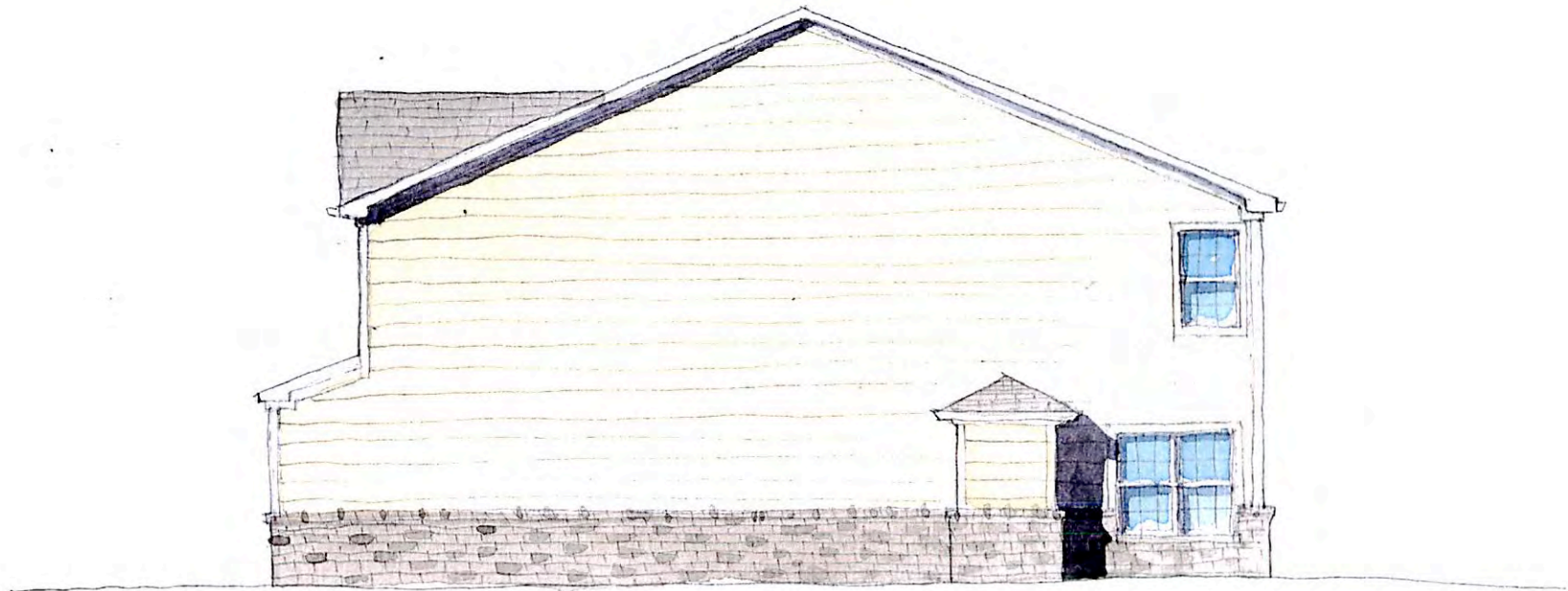
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Planning & Development



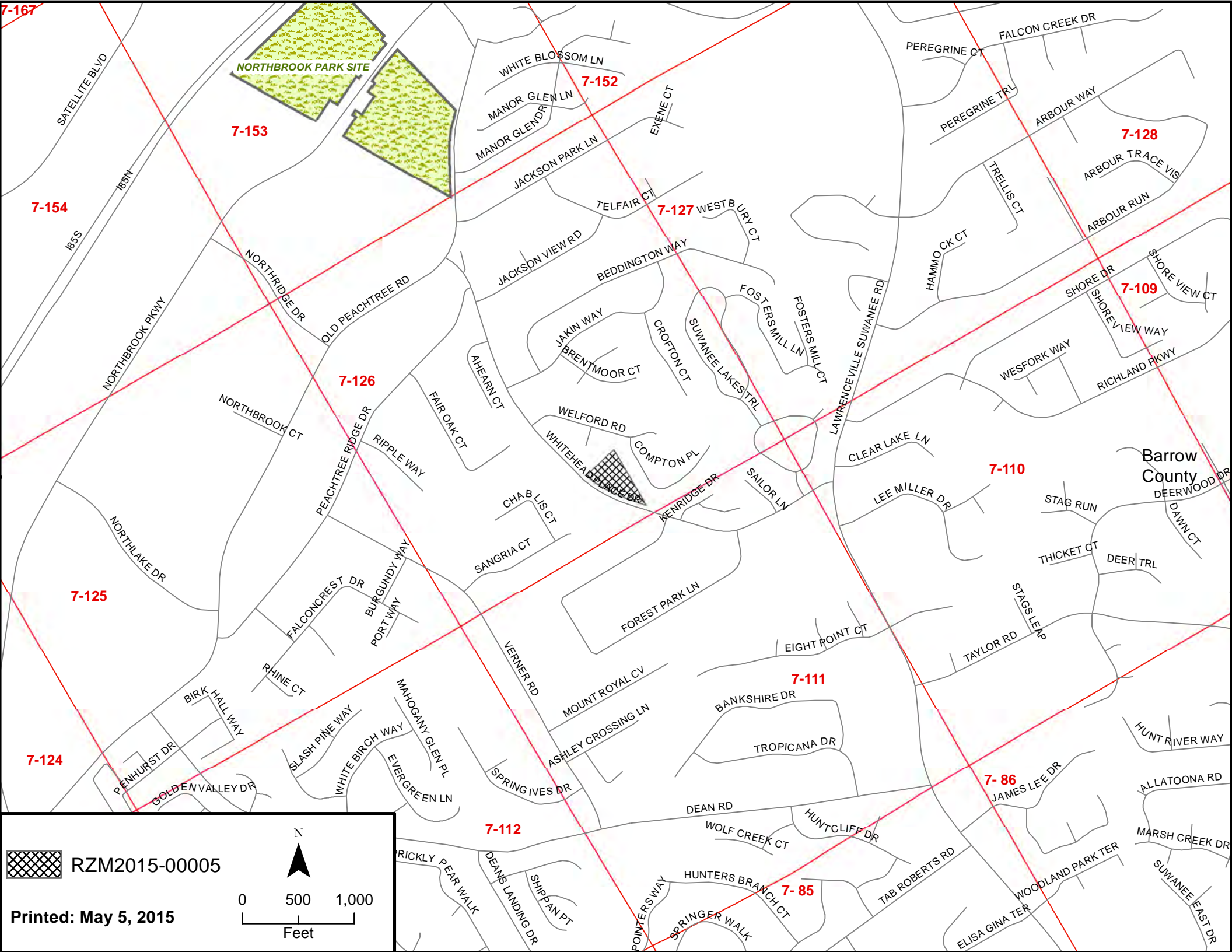




Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, July 2015 Zoning Agenda

Case #	Schools	Current Projections									Proposed Zoning Approximate additional Student Projections from Proposed Developments
		2015-16			2016-17			2017-18			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZM2015-00004	Peachtree Ridge HS	3213	2,650	563	3197	2,650	547	3181	3,025	156	2
	Northbrook MS	977	1,025	-48	988	1,025	-37	999	1,025	-26	2
	Jackson ES	1643	1,450	193	1676	1,450	226	1709	1,450	259	4
RZM2015-00005	Collins Hill HS	3193	2,625	568	3161	2,625	536	3129	2,625	504	2
	Creekland MS	2221	2,100	121	2214	2,100	114	2208	2,100	108	1
	Walnut Grove ES	928	1,200	-272	933	1,200	-267	937	1,200	-263	3
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	North Gwinnett MS	2186	1,775	411	2208	2,125	83	2230	2,125	105	4
	Riverside ES	987	1,150	-163	978	1,150	-172	969	1,150	-181	6

Current projections do not include new developments



NORTHBROOK PARK SITE

7-153

7-152

7-128

7-154

7-127

7-109

7-126

7-110

Barrow County

7-125

7-111

7-124

7-112

7-86

7-85



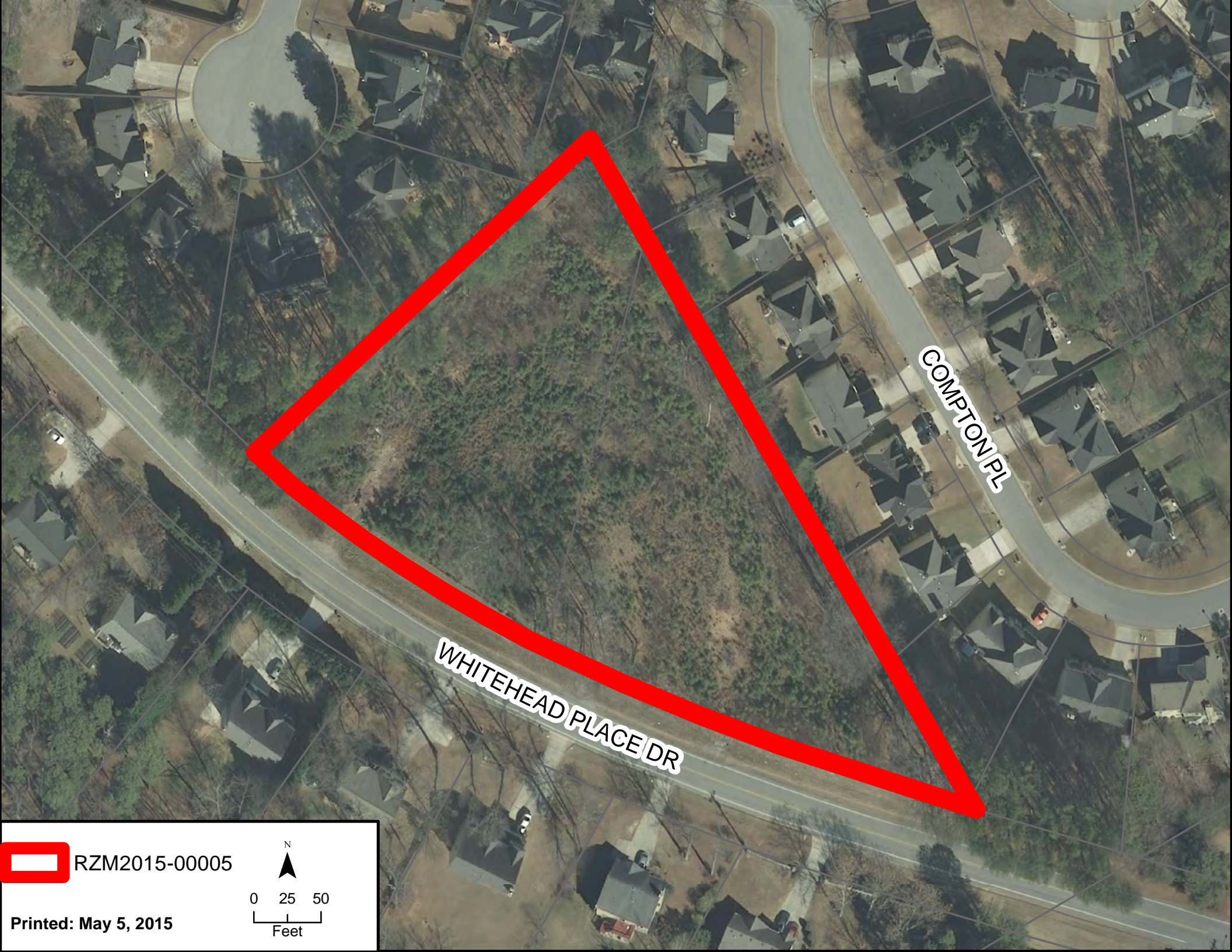
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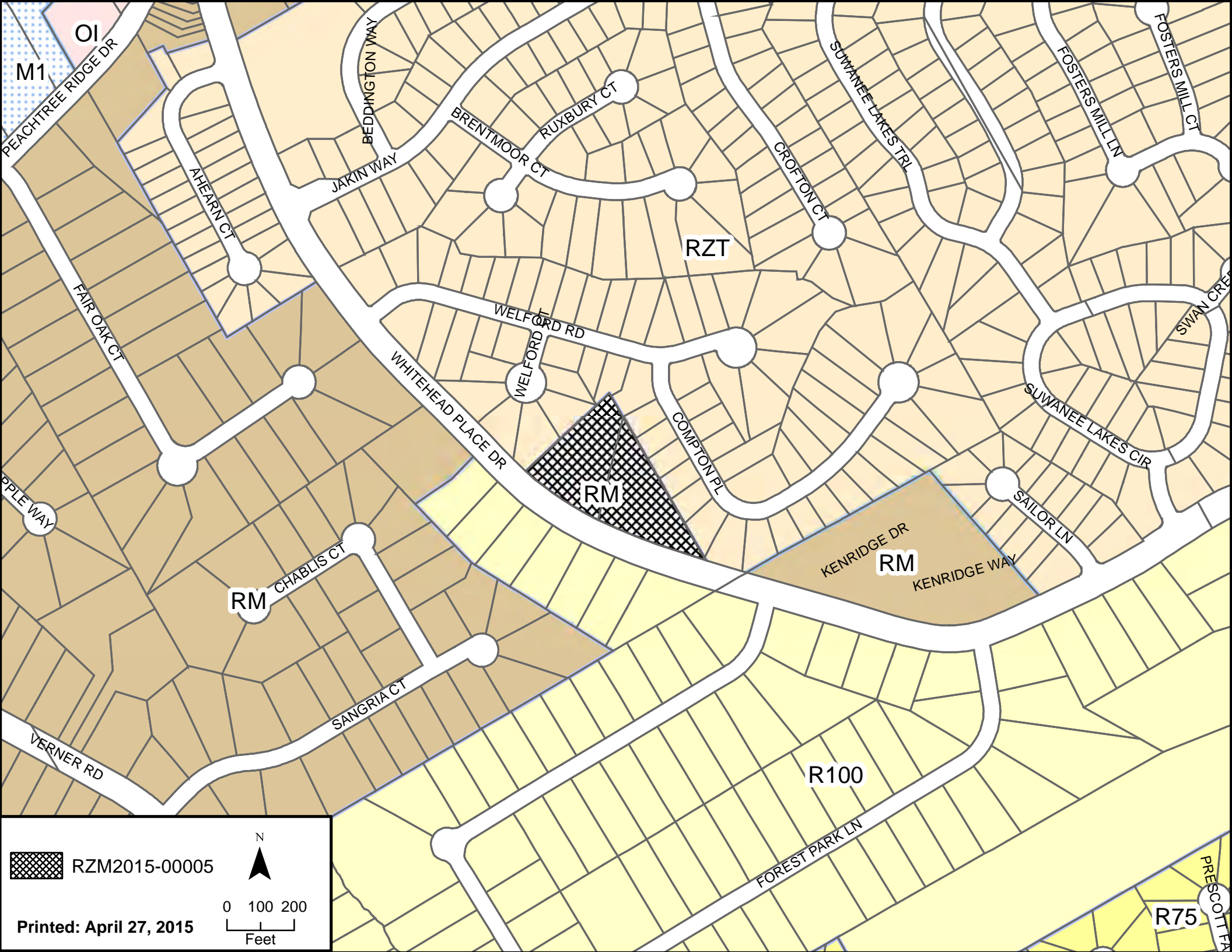


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RM

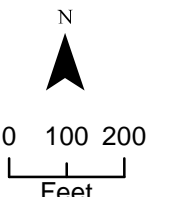
RM

RM

R100

R75

 RZM2015-00005



Printed: April 27, 2015

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS**

CASE NUMBER :**RZR2015-00012**
ZONING CHANGE :R-100 TO R-60
LOCATION :1500 BLOCK OF OAK ROAD
MAP NUMBERS :R5009 006, 179 & 184
ACREAGE :21.3 ACRES
UNITS :68 UNITS
PROPOSED DEVELOPMENT :SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT :(3) HUNTER

FUTURE DEVELOPMENT MAP: **EXISTING/EMERGING SUBURBAN**

APPLICANT: CKK, LLC
174 DACULA ROAD
DACULA, GA 30019

CONTACT: DUNCAN CORLEY PHONE: 770.962.8456

OWNERS: BROOKWOOD PRESBYTERIAN CHURCH
1551 OAK ROAD
SNELLVILLE, GA 30078

JANIS HAZELRIGS HANSON
1567 OAK ROAD
SNELLVILLE, GA 30078

STEVEN & SHERYL WALDROP
1587 OAK ROAD
SNELLVILLE, GA 30078

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant requests the rezoning of a 21.3-acre parcel assemblage from R-100 (Single-family Residence District) to R-60 (Single-family Residence District), to construct a single-family subdivision. The subject property is located on the southwest side of Oak Road, just east of Highpoint Road. The property presently contains a single-family residence, and the remainder of the property is wooded.

The submitted site plan shows 68 lots on 21.3-acres, resulting in a gross and net density of 3.2 units per acre. The R-60 zoning district requires a minimum lot width of 60 feet, and a minimum lot area of 7,200 square feet. The development would be accessed by a single

entrance/exit onto Oak Road. A common area is shown at the rear of the property, which would also contain the storm water detention area.

The letter of intent proposes a minimum dwelling size of 1,800 square feet for single-story homes and 2,000 square feet for two-story homes. Each home would include a double-car garage. No indication was provided regarding the exterior treatments of the homes.

ZONING HISTORY:

The subject property has been zoned R-100 since 1970.

GROUNDWATER RECHARGE AREA:

The subject property is located within an identified Significant Groundwater Recharge Area. The development would be served by sanitary sewer, resulting in minimal impact.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Protection (Chapter 620 of the Unified Development Ordinance) require a no-access easement along the line of double frontage lots abutting a major thoroughfare for residential developments.

The Buffer, Landscape and Tree Protection requires submittal and approval of a Tree Preservation and Replacement Plan prepared by a professional landscape architect prior to securing a Land Disturbance or Development permit.

All open space areas/common areas shall meet the minimum road frontage and lot width requirements for a lot within the subdivision.

Section 900-20.7 of the Unified Development Ordinance requires either direct alignment of public streets opposite each other, or have offsets as shown in Table 900.3.

Section 900-30 of the Unified Development Ordinance requires a 200-foot deceleration lane with a 50-foot taper at each project entrance that proposes access to a Minor Collection Street or Major Thoroughfare. Right-of-way dedication to accommodate the deceleration lane and an 11-foot shoulder is also required. Reduction in length of a deceleration lane requires approval of a

Modification by the Development Division; elimination of a deceleration lane requires approval of a Waiver by the Board of Commissioners.

Section 900-90 of the Unified Development Ordinance requires construction of five-foot wide sidewalks along all exterior roadways adjoining the project, and four-foot wide sidewalks adjacent to both sides of all interior public streets (excluding cul-de-sac turnarounds).

A minimum of 40-foot building setback is required from the right-of-way of Oak Road. The setback may be reduced to 30 feet if a berm, landscaping, fence or wall is provided adjacent to the exterior street.

The developer must submit a preliminary plat (construction plans), including a grading plan, tree plan, and road/sewer profiles for review and approval of the Development Division prior to any construction.

Section 800-20 of the Unified Development Ordinance requires submittal of a Storm Water Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

Section 700-40.1A of the Unified Development Ordinance requires that the lowest floor, including the basement, of all residential building be constructed at an elevation of at least three feet above the 100-year floodplain.

Note that all recreation areas, open space and/or common areas (including storm water detention facility lots) located within the development shall be controlled by a mandatory Property Owner's Association (to include reported bylaws) with responsibility for maintenance, insurance, and taxes for open space areas.

The United States Postal Service may require a centralized mail delivery kiosk for this proposed development, replacing individual mail boxes. Mail delivery kiosk must be located outside of right-of-way access easement (if private street). Location and access must be approved by Gwinnett County D.O.T.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Oak Road is a Major Arterial and 50 feet of right-of-way is required from the centerline, with 60 feet required within 500 feet of a major intersection.

Standard deceleration lanes with appropriate taper and adequate right-of-way will be required.

Prior to the issuance of a Development Permit, a sight distance certification shall be provided.

The number and locations of driveways are subject to Gwinnett County D.O.T. approval.

Minimum separation from a driveway, public road, or side street shall be provided as specified in the Gwinnett County Unified Development Ordinance.

The applicant shall provide a left turn on Oak Road at the project entrance.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 10-inch water main located on the southwestern right-of-way of Oak Road.

Due to the uncontrollable variables, the Department of Water Resources makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. Demands imposed by the proposed development may require reinforcements or extensions of existing water mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 562 feet east of the property on the right-of-way of Meadow Oak Drive.

The subject development is located within the Brookwood Plantation service area. There are currently no connection restrictions within this service area. Treatment capacity within this area is presently available on a first come - first serve basis.

Demands imposed by the proposed development may require reinforcements or extensions of existing sewer mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department. Developer shall provide easements for future sewer connection to all locations designated by DWR during plan review.

As-built information for this department is dependent upon outside entities to provide record drawings for the utilities. Therefore this department does not guarantee the accuracy of the information provided.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances. Proceeding design, construction, inspection, and final acceptance of the required utilities, service to these utilities would then become available under the applicable utility permit rate schedules.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject property is located on the southeast side of Oak Road, just east of Highpoint Road. The site currently contains a single-family home and associated accessory structures, which would be removed. The balance of the property is heavily wooded.

The 2030 Unified Plan Future Development Map indicates the property is located within an Existing/Emerging Suburban Character Area. This Character Area encourages single-family subdivisions at low to moderate densities, and recommends that new developments be consistent with the character of existing abutting development. Surrounding homes and subdivisions are exclusively single-family detached dwellings on lots of typically one-third to one-half acre or greater, with lot widths of 100 feet or more. As proposed by the applicant, the R-60 development may not be consistent with policies and recommendations the Unified Plan.

The surrounding area is characterized by low-density single-family subdivisions and single-family dwellings on large lots, in R-100 zoning. To the north are the Abbey Oak Manor, Brookwood Farms and Meadow Oaks Place subdivisions, zoned R-100 and St. Matthews Episcopal Church, zoned R-100. To the east are the Brookwood Meadows and Norton Estates subdivisions, zoned R-100. Abutting the subject site to the south and west are the Norton Estates and Chimney Hills subdivisions, zoned R-100. The proposed R-60 district may not be consistent with the zoning pattern of the area which consists almost entirely of long established R-100 homes and subdivision developments.

In conclusion, the proposed R-60 zoning and commensurate lot sizes may not be consistent with the zoning or development pattern in the area, or with recommendations of the Unified Plan. The request could result in an incompatible zoning encroachment into an established residential area which has remained primarily R-100. Therefore, the Department of Planning and Development recommends **DENIAL** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Note: The following conditions are provided should the Board of Commissioners choose to approve the petition.

Approval as R-75 for a Single-family Subdivision, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Single-family residential and accessory uses and structures.
 - B. The minimum heated floor area per dwelling shall be 2,400 square feet.
 - C. Homes shall be constructed primarily of brick or stacked stone on three sides. The balance shall be the same or fiber-cement siding or shake with a minimum 3-foot masonry water table.
 - D. All dwellings shall have at least a double-car garage.
2. To satisfy the following site development considerations:
 - A. Natural vegetation shall remain on the property until the issuance of a development permit.
 - B. No direct lot access allowed to Oak Road.
 - C. The Oak Road frontage shall be landscaped and maintained by the Homeowner's Association, and shall include a landscaped entrance feature, a decorative fence and landscaping along the entire frontage. Landscaping, fencing and monument signage plans shall be subject to review and approval of the Director of Planning and Development.
 - D. All grassed areas on dwelling lots shall be sodded.
 - E. Underground utilities shall be provided throughout the development.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF THE ZONING

SUITABILITY OF USE

In light of the uniform R-100 zoning and low-density residential development of the area, an R-60 rezoning may not be suitable at this location.

ADVERSE IMPACTS

Potential adverse impacts on nearby residential properties could be anticipated from an incompatible zoning and density of development.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

An increase in traffic, utilities usage, storm water runoff, and the number of school-aged children could be anticipated from this request.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates the property is located within an Existing/Emerging Suburban Character Area and could support the approval of a single-family subdivision. However, there is no zoning precedent for the requested R-60 district, which may be out of character with existing R-100 developments in the area.

CONDITIONS AFFECTING ZONING

The surrounding area is a long-established residential community, almost exclusively zoned R-100. In the Department's opinion, the property assemblage is not properly situated for the lot sizes and density being proposed. The R-60 zoning district would be better utilized in a transitional or infill setting, rather than in such a uniformly R-100 zoned area.

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED 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 AN 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 property is surrounded by churches and residential neighborhoods.

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

No, most of the property near the proposed rezoning is developed and the proposed zoning will in no way harm existing properties near by.

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

No, the property is not developable 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:

No, the proposed rezoning is a small residential neighborhood that should not impact existing road infrastructure or schools

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

Yes, the rezoning requested is in conformity with other properties in the area. It is a residential / O & I area

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

The proposed subdivision would support the demand for nice housing in this desirable area of Gwinnett County.

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MAY 1 2015

Planning & Development

.....
RINGO/ABERNATHY & ASSOCIATES

30 April, 2015

Gwinnett County Planning and Development Department
75 Langley Drive
Lawrenceville, GA 30045

Attn: Geoff West

RE: Rezoning Request –
Oak and Highpoint Rd
Client: CKK Development
Parcel: 5-009-179; 5-009-006; 5-009-184

To Whom it May Concern;

Our Client, CKK Development (Duncan Corley), is seeking to rezone the site on the south side Oak Rd and the east side of Highpoint Rd in the county. The current zoning is RA-100 and they are seeking R-60 zoning.

Property Info:

The tract being rezoned is made up of three adjacent parcels as referenced above. One of the parcels will be subdivided from an existing Presbyterian Church. The total land on which we are seeking rezoning is 20.74 ac. As a reference, the address to the center parcel is 1567 Oak Road. The clients intend to develop a R-60 single family subdivision.

Official Request:

The request is to rezone to R-60 from R-100. .

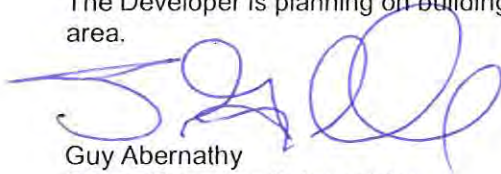
Reason / Justification for the Requests:

The shape of the property combined with the distance to the SS outfall make it necessary to design to R-60 lot sizes.

Per the County Zoning Land Use Map, R-60 is a suitable zoning for this area. There is precedent for this type zoning within the immediate area, with R-60, R-75 Mod, R100-CSO , MUR, RS 150 and RS 180 within a few thousand feet of the property.

Stipulations:

The Developer is planning on building min 1800 sq ft single story, and 2000 sq ft 2 story heated floor area.



Guy Abernathy
Ringo Abernathy & Associates
(770-231-9013)

--- on behalf of CKK Development ---

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MAY 1 2015

RZR'15 012

Planning & Development

Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, July 2015 Zoning Agenda

Case #	Schools	Current Projections									Proposed Zoning Approximate additional Student Projections from Proposed Developments
		2015-16			2016-17			2017-18			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZM2015-00004	Peachtree Ridge HS	3213	2,650	563	3197	2,650	547	3181	3,025	156	2
	Northbrook MS	977	1,025	-48	988	1,025	-37	999	1,025	-26	2
	Jackson ES	1643	1,450	193	1676	1,450	226	1709	1,450	259	4
RZM2015-00005	Collins Hill HS	3193	2,625	568	3161	2,625	536	3129	2,625	504	2
	Creekland MS	2221	2,100	121	2214	2,100	114	2208	2,100	108	1
	Walnut Grove ES	928	1,200	-272	933	1,200	-267	937	1,200	-263	3
RZR2015-00012	Brookwood HS	3407	2,575	832	3391	2,575	816	3375	2,575	800	12
	Crews MS	1267	1,150	117	1256	1,150	106	1245	1,150	95	9
	Brookwood ES	1111	1,250	-139	1122	1,250	-128	1133	1,250	-117	19
RZR2015-00013	Duluth HS	2734	2,650	84	2775	2,650	125	2817	2,650	167	15
	Duluth MS	2013	1,750	263	2073	1,750	323	2136	1,750	386	8
	Harris ES	858	750	108	867	750	117	875	750	125	10
RZR2015-00014	North Gwinnett HS	2837	2,625	212	2888	2,625	263	2940	2,625	315	9
	North Gwinnett MS	2186	1,775	411	2208	2,125	83	2230	2,125	105	4
	Riverside ES	987	1,150	-163	978	1,150	-172	969	1,150	-181	6

Current projections do not include new developments



OAK RD

BURNING OAK WAY

NORTON STATES CIR

MOS DR

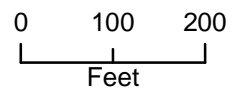
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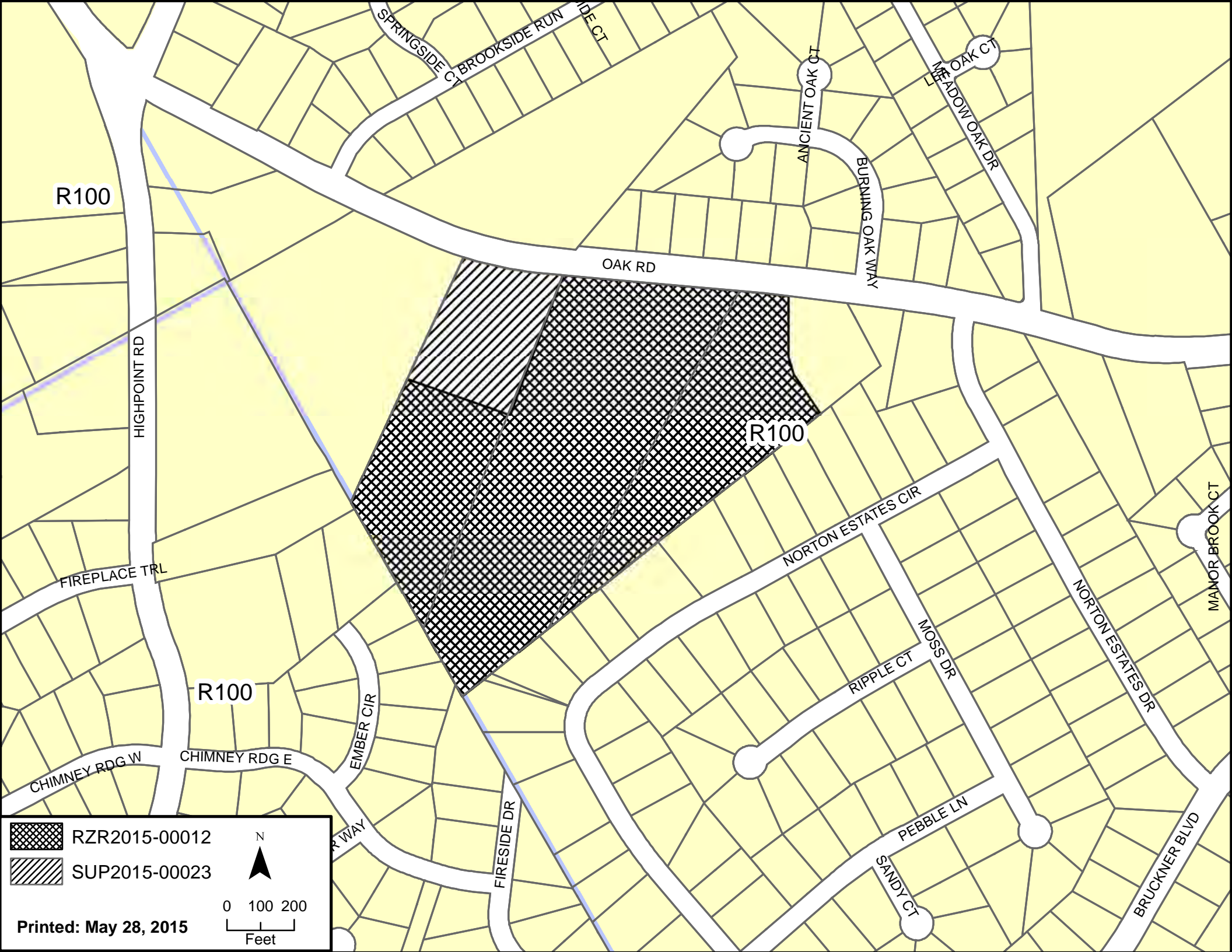
RZR2015-00012



SUP2015-00023



Printed: May 28, 2015





R100

OAK RD

R100

R100

 RZR2015-00012

 SUP2015-00023

Printed: May 28, 2015

N

0 100 200
Feet

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
SPECIAL USE PERMIT ANALYSIS**

CASE NUMBER :**SUP2015-00023**
ZONING :R-100
LOCATION :1500 BLOCK OF OAK ROAD
MAP NUMBER :R5009 179
ACREAGE :2.91 ACRES
PROPOSED DEVELOPMENT :CHURCH (REDUCTION IN BUFFERS)
COMMISSION DISTRICT :(3) HUNTER

FUTURE DEVELOPMENT MAP: **EXISTING/EMERGING SUBURBAN**

APPLICANT: CKK, LLC
174 DACULA ROAD
DACULA, GA 30019

CONTACT: DUNCAN CORLEY PHONE: 770.962.8456

OWNER: BROOKWOOD PRESBYTERIAN CHURCH
1551 OAK ROAD
SNELLVILLE, GA 30078

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests a Special Use Permit on 2.91 acres, for the continuation of a church as a conforming use under the Unified Development Ordinance. The property is the site of the existing Brookwood Presbyterian Church, located at 1551 Oak Road. The church intends to sell a portion of its current 6.9-acre parcel for inclusion in a neighboring subdivision development (companion case RZR2015-00012). The sale of the rear of the church's property would leave a remaining balance of 2.91 acres, which requires a Special Use Permit as the minimum acreage for a church in R-100 zoning is normally 5.0 acres.

No changes to the church building or grounds are proposed as part of this application. The submitted site plan shows the existing church, accessory structures, driveways and parking areas. Access is via a single entrance/exit onto Oak Road. The required 20-foot zoning buffer is not depicted on the site plan, and it is noted that a shed and the parking areas encroach upon the buffer areas.

ZONING HISTORY:

The subject property has been zoned R-100 since 1970.

GROUNDWATER RECHARGE AREA:

The subject property is located within an identified Significant Groundwater Recharge Area. The Georgia Department of Community Affairs and Department of Natural Resources have mandated that Significant Groundwater Recharge Areas be identified and that minimum lot sizes for septic tanks be increased in these resource areas. Please contact Gwinnett County Environmental Health for septic system information and/or Gwinnett Department of Water Resources regarding availability of sanitary sewer for this site.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Oak Road is a Major Arterial and 50 feet of right-of-way is required from the centerline, with 60 feet required within 500 feet of a major intersection.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

Contact GCEHD regarding the septic system and parcel size requirements.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 10-inch water main located on the southwestern right-of-way of Oak Road.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 562 feet east of the property on the right-of-way of Meadow Oak Drive.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject property is located on the southeast side of Oak Road, just east of Highpoint Road. The site currently contains the existing church and its accessory uses and structures. The rear of the property is wooded.

The 2030 Unified Plan Future Development Map indicates the property is located within an Existing/Emerging Suburban Character Area. The existing church is considered consistent with the Character Area designation. The church has existed as a permitted use at this location on seven acres since 1992. The requested Special Use Permit will allow the church to remain in conformance with zoning requirements after their sale of four of those acres.

The surrounding area is characterized by single-family subdivisions and single-family dwellings in R-100 zoning. To the south and east is property which is the subject of companion case RZR2015-00012, a rezoning request for an R-60 subdivision. To the north are the Abbey Oak Manor, Brookwood Farms and Meadow Oaks Place subdivisions, zoned R-100 and St. Matthews Episcopal Church, zoned R-100. To the west is a vacant acreage tract. The church has co-existed with neighboring properties and residences since 1992, and is considered appropriate on the reduced tract of land. The proposed Special Use Permit would allow the church to remain in conformance with zoning requirements.

In conclusion, the requested Special Use Permit for a church is considered consistent with the zoning and development pattern of the area, and with recommendations of the Unified Plan. The request will allow the church to remain consistent with zoning requirements after the sale of part of their property. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of these requests.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of a Special Use Permit for a church, subject to the following enumerated conditions:

1. A church and accessory uses, not including a daycare facility or private school unless approved by additional Special Use Permit(s).
2. Provide buffers per the Unified Development Ordinance, undisturbed except for existing encroachments.
3. Lighted outdoor recreation facilities shall be prohibited.
4. Outdoor loudspeakers shall be prohibited.
5. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar materials shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard or bandit signs shall be prohibited.
6. Peddlers or parking lot sales shall be prohibited.
7. Owner shall repair or repaint any graffiti or vandalism that occurs on the property within 72 hours.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF THE ZONING

SUITABILITY OF USE

The requested Special Use Permit allowing the church to sell a portion of their property, while remaining in conformance with the Unified Development Ordinance could be suitable. The church has been at this location for many years, and has coexisted with its residential neighbors.

ADVERSE IMPACTS

With the recommended conditions, potential impacts on nearby properties could be minimized.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACT ON PUBLIC FACILITIES

No changes in impacts on public facilities are anticipated.

CONFORMITY WITH POLICIES

Churches are considered to be suitable, conforming components within the Existing/Emerging Suburban Character Area. The requested Special Use Permit could also be consistent with the Board's approval of similar requests to locate churches within residential areas on less than 5 acres.

CONDITIONS AFFECTING ZONING

The rear of the site has remained largely unused over the years, and is planned to be sold by the church. The resulting smaller parcel size roughly represents the portion of their property which the church customarily uses, and is considered to be adequate for its continued use.

SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENT OF THE UNIFIED 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 AN ATTACHMENT AS NECESSARY:

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

Yes. It is an existing church with another church across the rd.

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

No

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

Use of the property will remain the same. Only reducing acreage that is not being used.

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

No

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

Yes. Original church building was built in 1951.

- (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 SPECIAL USE PERMIT:

Yes. The church has been in use for many years and the sale of acreage off the back of the property will not affect it.

RECEIVED BY

MAY 28 2015

SUP '15 023

May 28, 2015

To: Gwinnett County Planning Dept.
One Justice Square
446 West Crogan St. Suite 150
Lawrenceville, GA 30046
RE: LOI for SUP request 1551 Oak Rd.

This Letter of Intent is to request a special use permit (SUP) for an existing Presbyterian Church located at 1551 Oak Rd, Snellville 30078. The Church sits on a 6.92 acre parcel located in the 5th District, Land Lot 009, Parcel 179 of Gwinnett County Georgia.

The Church desires to sale 4 acres of their existing property located to the rear of the facility not in use, for a proposed residential development currently applying for rezoning. The Church would be left with a 2.92 acre parcel. The applicant request that Church be granted a special use permit to continue operating on the same site. The sale of the 4 acres would put the facility slightly under the required acreage to operate without an SUP under the existing zoning.

The original Church building was constructed on the site in 1951 and has been in operation ever since. They have added a few buildings over the years but are at a point where no future expansion is planned. Another house of worship sits directly across Oak Rd. and one more three parcels to the west. There will be no new impact as the Church would continue to operate in the same manner it has been for many years.

The applicant respectfully request approval of this special use permit request.

CKK Development Services, LLC



Duncan Corley
President

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MAY 29 2015

Planning & Development

SUP '15 023

TOTAL AREA: 6.92 ACRES

LEGEND :

- POB POINT OF BEGINNING
- LLL LAND LOT LINE
- R/W RIGHT OF WAY
- W/F NOW OR FORMERLY
- C/P CRIMP TOP FOUND
- RBF REBAR FOUND
- OTF OPEN TOP FOUND
- RBS REBAR SET
- CMP CORRUGATED METAL PIPE
- RCP REINFORCED CONCRETE PIPE
- DIP DUCTILE IRON PIPE
- PVC POLYVINYLCHLORIDE PIPE
- SWCB SINGLE WING CATCH BASIN
- DWCB DOUBLE WING CATCH BASIN
- CI CURB INLET
- DI DROP INLET
- OCS OUTLET CONTROL SYSTEM
- JB JUNCTION BOX
- FES FLARED END SECTION
- HW HEAD WALL
- WI WIER INLET
- SSMH SANITARY SEWER MANHOLE
- CO CLEAN OUT
- INV INVERT
- OP OVERHEAD POWER LINE
- EO ELECTRIC OUTLET
- U Utility POLE
- UP UNDERGROUND POWER LINE
- GW GUIDE WIRE
- PP POWER POLE
- L/P LIGHT POLE
- FH FIRE HYDRANT
- W WATER LINE
- WM WATER METER
- WV WATER VALVE
- VM VALVE MARKER
- SI SIGN POST
- BL BUILDING LINE
- CL CENTERLINE
- EP EDGE OF PAVEMENT
- Sp SAMPLING POINT
- Mp MONITORING POINT
- WETLANDS

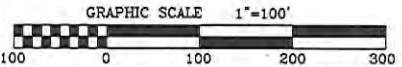


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MAY 28 2015
Planning & Development

REFERENCE MATERIAL:
PLAT OF SURVEY FOR SNELLVILLE COVENANT CHURCH PREPARED BY NORTH METRO PLANNING, INC. DATED JUNE 9, 1985.
PLANIMETRIC FEATURES LOCATED BY RINGO ABERNATHY AND ASSOCIATES DATED 05/22/15.

SURVEY NOTATION:
THIS SURVEY WAS RUN USING A TOPCON 212 TOTAL STATION EDM UNIT. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 171,672 FEET AND AN ANGULAR ERROR OF 01" PER ANGLE POINT AND WAS ADJUSTED USING LEAST SQUARES RULE.
THIS PLAT HAS BEEN CALCULATED FOR PRECISION AND HAS BEEN FOUND TO BE ACCURATE WITHIN ONE FOOT IN 271,189 FEET.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 130-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.



SUP '15 023



NO.	DATE	REVISION

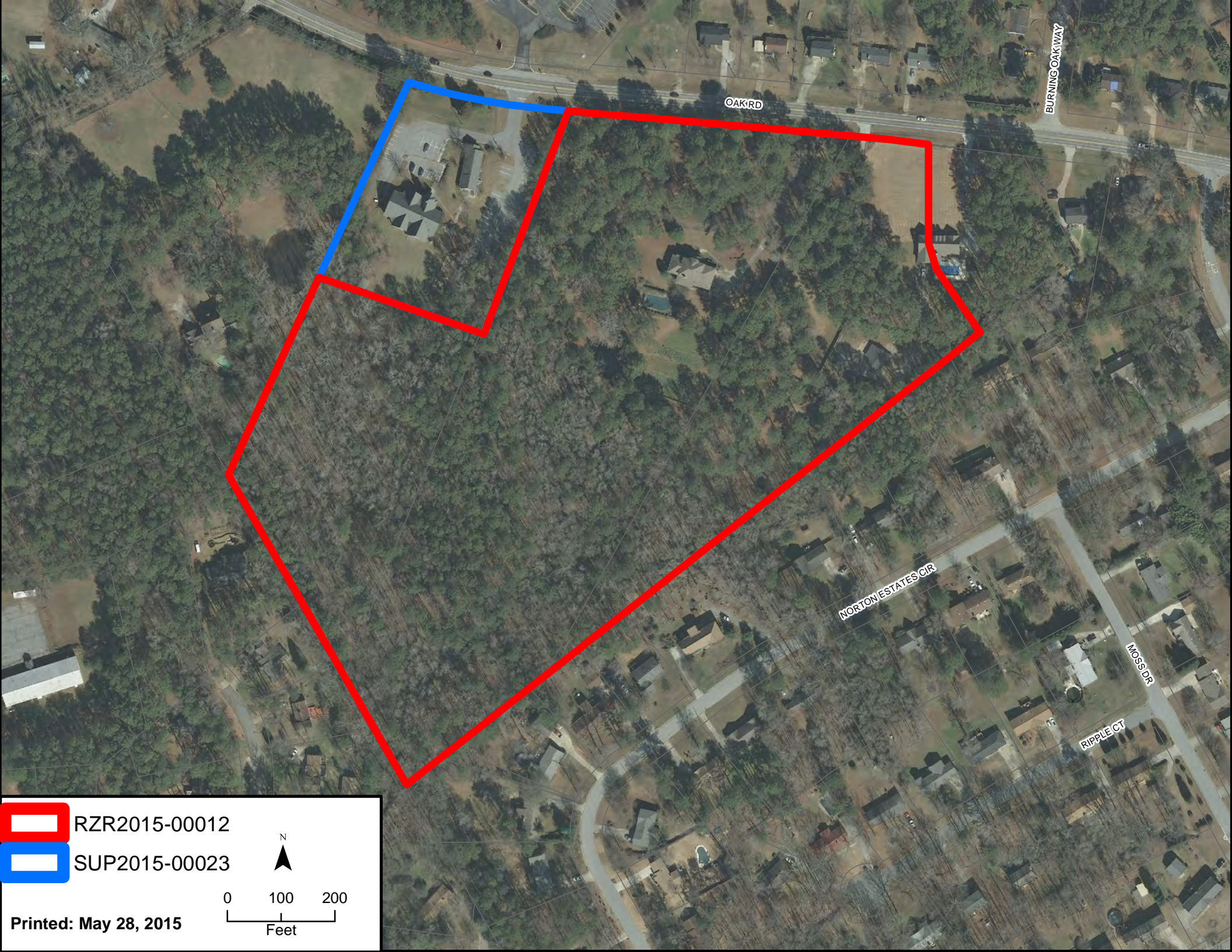
COUNTY:	GWINNETT
DISTRICT:	5TH
LAND LOT:	9
DATE:	05/22/15
SCALE:	1"=100'
JOB NO.	15026

SPECIAL USE PERMIT FOR:
**BROOKWOOD
PRESBYTERIAN CHURCH**



**RINGO
ABERNATHY
& ASSOCIATES**
174 DACULA ROAD - DACULA, GA. 30019
Phone (770) 962-6456 - Fax (770) 277-3981

CONSULTANTS
SURVEYORS
ENGINEERS
PLANNERS



OAK RD

BURNING OAK WAY

NORTON ESTATES CIR

MOS DR

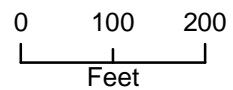
RIPPLE CT



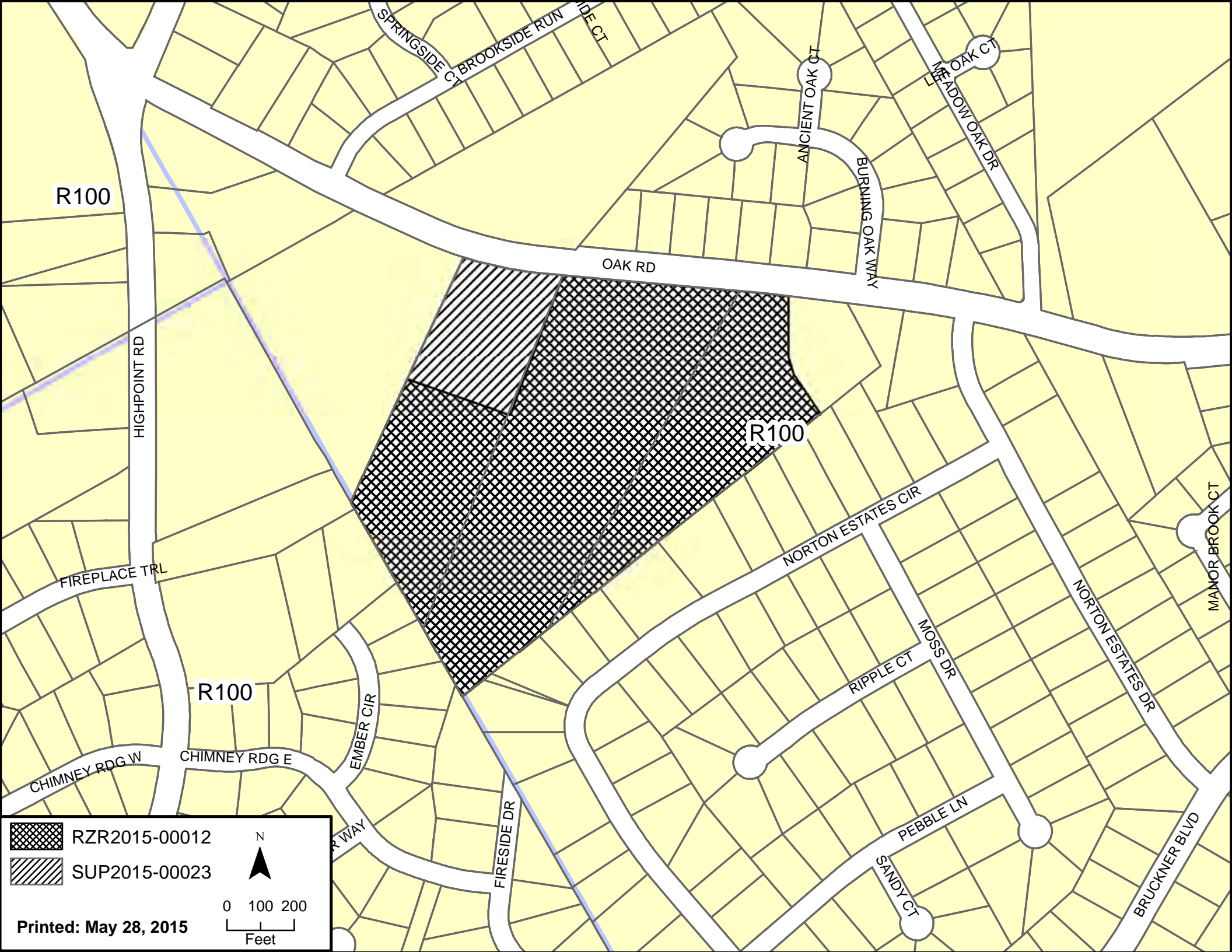
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Printed: May 28, 2015





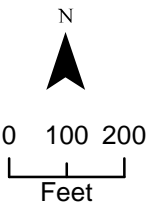
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OAK RD

R100

R100

-  RZR2015-00012
-  SUP2015-00023



Printed: May 28, 2015

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS**

CASE NUMBER :**RZR2015-00013**
ZONING CHANGE :R-75 TO TND
LOCATION :2800-2900 BLOCK OF PLEASANT HILL ROAD
:3700 BLOCK OF WOODBERRY DRIVE
:2800-2900 BLOCK OF PINEVIEW STREET
:3600-3700 BLOCK OF SUNSET STREET
:2800 BLOCK OF WOODRUFF DRIVE
MAP NUMBERS :R6261 001, 001A, 001B, 006, 008, 012, 037, 039, 040,
R6261A023, 024, 025A, 026, 030, 034, 038, 042, 066,
078, 084, 086
ACREAGE :24.40 ACRES
UNITS :57 SINGLE-FAMILY DETACHED HOMES
:82 TOWNHOMES
SQUARE FEET :20,000 SQUARE FEET (RETAIL)
PROPOSED DEVELOPMENT :TRADITIONAL NEIGHBORHOOD DEVELOPMENT
(REDUCTION IN BUFFERS)
COMMISSION DISTRICT :(1) BROOKS
FUTURE DEVELOPMENT MAP :**EXISTING/EMERGING SUBURBAN**

APPLICANT: JEH HOMES
C/O MILL CREEK CONSULTING
4480 COMMERCE DRIVE, SUITE A
BUFORD, GA 30518

CONTACT: MITCH PEEVY PHONE: 770.614.6511

OWNER: DAVENPORT CAPITAL, LLC
1735 BUFORD HIGHWAY, SUITE 215-191
CUMMING, GA 30041

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests rezoning to TND (Traditional Neighborhood Development) on a 24.40-acre assemblage of 19 parcels, mostly comprised of developed single-family lots within the Woodberry Acres and Everett Bagwell single-family subdivisions. The property is currently zoned R-75 (Single Family Residence District) and is located on the east side of Pleasant Hill Road, between Sunset Street and Woodberry Drive. The subject property also adjoins Pineview Street along the rear. The TND development would include both attached and detached residences, along with a small commercial/retail center.

The residential component is to consist of 57 single-family detached lots and 82 townhomes for a total of 139 units. The resulting gross density is 5.7 units per acre. In general, the attached townhomes would be situated toward the Pleasant Hill Road frontage, with the detached homes being at the rear of the site. Staff notes that a 30 foot buffer is required along all property lines adjacent to R-75 zoning. The site plan indicates a number of areas where that buffer is not being provided. Units are proposed to range in size from 1,555 to 3,362 square feet of floor area and be a maximum of 35 feet in height.

The retail component comprises approximately 9% of the property (2.18 acres) located at the corner of Pleasant Hill road and Sunset Street. The commercial site would include two buildings, totaling 20,000 square feet of space.

Access to the site is proposed from four entrance points: one right-in, right-out driveway on Pleasant Hill Road, one exit/entrance on Woodbury Drive and two exits/entrances on Sunset Street. Sidewalks are planned along both sides of the streets within the development. According to the applicant's letter of intent and site plan, the proposed development includes 21% of the property (approximately 5 acres) to be used for common open space. A small creek in the rear of the property would be preserved as undisturbed green space.

ZONING HISTORY:

The property has been zoned R-75 (Single Family Residence District) since 1970. Two parcels of the tract were the subject of rezoning requests to C-1 and C-2 (General Business District) pursuant to RZC-05-016 and RZC-05-041 respectively. These requests were denied in 2005. In 2008, a request to rezone to MUO (Mixed Use Overlay District) for commercial, office, hotel, condominiums and townhomes was denied pursuant to MUO-08-002.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

OPEN SPACE AND GREENWAY MATER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Protection (Chapter 620 of the Unified Development Ordinance) require a no-access easement along the line of double frontage lots abutting a major thoroughfare for residential developments.

The Buffer, Landscape and Tree Protection requires submittal and approval of a Tree Preservation and Replacement Plan prepared by a professional landscape architect prior to securing a Land Disturbance or Development permit.

Section 610-20.3 of the Unified Development Ordinance requires screening of dumpsters and loading/unloading facilities.

Parking lots and interior driveways shall be designed in accordance with Chapter 240 of the Unified Development Ordinance.

All open space areas/common areas shall meet the minimum road frontage and lot width requirements for a lot within the subdivision.

Section 900-40.7A of the Unified Development Regulations requires proposed driveways to be located at least 100 feet from the centerline of the driveway to the nearest right-of-way line (extended).

Section 900-30 of the Unified Development Ordinance requires a 200-foot deceleration lane with a 50-foot taper at each project entrance that proposes access to a Minor Collection Street or Major Thoroughfare. Right-of-way dedication to accommodate the deceleration lane and an 11-foot shoulder is also required. Reduction in length of a deceleration lane requires approval of a Modification by the Development Division; elimination of a deceleration lane requires approval of a Waiver by the Board of Commissioners.

Section 900-90 of the Unified Development Ordinance requires construction of five-foot wide sidewalks along all exterior roadways adjoining the project, and four-foot wide sidewalks adjacent to both sides of all interior public streets (excluding cul-de-sac turnarounds).

A minimum 50-foot building setback is required from the right-of-way of Pleasant Hill Road, Sunset Street and Pineview Street.

The developer must submit a concept plan for review and approval of the Development Division prior to submittal and acceptance of a development permit application.

The developer must submit a preliminary plat (construction plans), including a grading plan, tree plan, and road/sewer profiles for review and approval of the Development Division prior to any construction.

Section 800-20 of the Unified Development Ordinance requires submittal of a Storm Water Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

Section 700-40.1A of the Unified Development Ordinance requires that the lowest floor, including the basement, of all residential building be constructed at an elevation of at least three feet above the 100-year floodplain.

Note that all recreation areas, open space and/or common areas (including storm water detention facility lots) located within the development shall be controlled by a mandatory Property Owner's Association (to include reported bylaws) with responsibility for maintenance, insurance, and taxes for open space areas.

The United States Postal Service may require a centralized mail delivery kiosk for this proposed development, replacing individual mail boxes. Mail delivery kiosk must be located outside of right-of-way access easement (if private street). Location and access must be approved by Gwinnett County D.O.T.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Pleasant Hill Road is a Principal Arterial and 60 feet of right-of-way is required from the centerline, with 75 feet required within 500 feet of a major intersection.

Woodberry Drive, Pineview Street, Sunset Street, Woodstar Court and Woodruff Drive are Local Residential Streets and 25 feet of right-of-way is required from the centerline.

Prior to the issuance of a Development Permit, a sight distance certification shall be provided.

The number and locations of driveways are subject to the Gwinnett County D.O.T. approval.

The applicant shall provide right turn lanes on Pleasant Hill Road at the intersections of Pleasant Hill Road with Woodberry Drive, Sunset Street and at the project entrance.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 16-inch water main located on the southwestern right-of-way of Pleasant Hill Road, a 6-inch water main located on the southeastern and southwestern right-of-way of Sunset Street, a 6-inch water main located on the northeastern right-of-way of Pineview Street, a 6-inch water main located on the southeastern right-of-way of Pineview Circle, a 6-inch water main located on the southwestern right-of-way of Woodstar Court, an 8-inch water main located on the northwestern right-of-way of Woodberry Drive, a 6-inch water main located on the southwestern right-of-way of Woodruff Drive, and an 8-inch water main located on the northeastern right-of-way of Woodlark Lane .

Due to the uncontrollable variables, the Department of Water Resources makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. Demands imposed by the proposed development may require reinforcements or extensions of existing water mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 200 feet south of the property.

The subject development is located within the Beaver Ruin service area. There are currently no connection restrictions within this service area. Treatment capacity within this area is presently available on a first come - first serve basis.

Demands imposed by the proposed development may require reinforcements or extensions of existing sewer mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department. Developer shall provide easements for future sewer connection to all locations designated by DWR during plan review.

As-built information for this department is dependent upon outside entities to provide record drawings for the utilities. Therefore this department does not guarantee the accuracy of the information provided.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances. Proceeding design, construction, inspection, and final acceptance of the required utilities, service to these utilities would then become available under the applicable utility permit rate schedules.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

Fire Plan Review has no objections to the above rezoning requests, under the following conditions:

1. Applicant submits civil drawings to Fire Plan Review for review and approval.
2. Applicant submits architectural drawings to Fire Plan Review for review and approval.
3. Upon completion of plan review approvals, applicant successfully achieves a satisfactory Fire field inspection, for issuance of a Certificate of Occupancy - Business Operation.

For assistance, you may contact this office at (678) 518-6000, Monday through Friday, from the hours of 8:00 a.m. to 5:00 p.m.

DEPARTMENT ANALYSIS:

The 24.40-acre parcel assemblage is located on the east side of Pleasant Hill Road, between Sunset Street and Woodberry Drive. The site includes single-family homes of the Woodberry Acres and Everett Bagwell single-family subdivisions. Much of the property is wooded and the numerous existing homes appear to be vacant and boarded up.

The Gwinnett County 2030 Unified Plan identifies this as an Existing/Emerging Suburban character area. The TND zoning district is appropriate in the predominantly residential Character Areas, and is considered consistent with the 2030 Unified Plan in light of the diverse mix of land uses in the area and the orientation of the project to a developed corridor. With the incorporation of staff's recommended conditions for larger unit sizes, the Traditional Neighborhood Development could be suitable at this location.

Pleasant Hill Road is a heavily developed corridor characterized by a mixture of commercial, industrial, residential and public land uses. To the north of the property are the Pleasant Hill Animal Hospital and a townhouse development located in the City of Duluth. Adjoining the property to the east and north are portions of the single family Woodberry Acres and Everett Bagwell subdivisions that would remain as residential. Staff notes that as proposed, smaller lot single family residential units could provide some transition to these existing single family uses. To the south is Shorty Howell Park and across from the park's entrance is a Wal-Mart Super Center. Near the North Berkeley Lake/Pleasant Hill Road intersection is an Aldi Food Store, a commercial strip center, and a car dealership. To the west adjacent to Pleasant Hill Road are industrial/office uses including a Dixie Plywood lumber facility, Formetco Metals, and other industrial buildings. Located in the City of Duluth along North Berkeley Lake Road are apartment complexes, townhomes and several commercial buildings approved as a large mixed-use development. Based on the diverse mixture of existing and nearby land uses, the proposed TND project could be compatible with the surrounding area.

The purpose of the TND zoning district, as stated in the Gwinnett County Unified Development Ordinance, is to promote new mixed-use development in a manner that integrates commercial and/or office with residential land uses, promote pedestrian accessibility among uses, reduce automobile trips, provide a livable environment for project residents and enhance the value and aesthetics of the surrounding community. Existing nearby transit stops could assist in providing infrastructure to achieve goals of the proposed TND zoning district. The site is in relatively close proximity to the large-scale, intensely developed Gwinnett Place regional shopping/office major activity center as well. With appropriate conditions, the proposed development could meet the purpose of the district by providing a mix of office, retail and residential uses that reduces automobile trips and encourages pedestrian accessibility among the uses.

In conclusion, the proposed Traditional Neighborhood Development could be compatible with the surrounding area if developed in accordance with the recommended conditions for lower density and larger unit sizes. Therefore, the Department recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval for TND (Traditional Neighborhood Development District) subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Single-family detached dwellings, townhomes and commercial/office uses and structures
 - B. The development shall be in general accordance with the submitted site plan, with changes necessary to meet conditions of zoning and UDO requirements.
 - C. Homes shall be constructed with front and side façades of brick, stacked stone and shake. The rear of each home may be the same or of fiber-cement shake or siding.
 - D. The minimum heated floor area per dwelling shall be 2,400 square feet for single-family detached homes and 1,800 square feet for townhomes.
 - E. All dwellings shall have at least a double-car garage.
 - F. No more than 20,000 square feet of retail, service-commercial, office and accessory uses. The following uses shall be prohibited:
 - adult bookstores or entertainment
 - automotive parts stores
 - contractors offices
 - emissions inspection stations
 - equipment rental
 - extended stay hotels or motels
 - recovered materials processing facilities
 - smoke shops/novelty stores
 - tattoo parlors
 - taxidermists
 - yard trimmings composting facilities
 - G. Commercial buildings shall be finished with architectural treatments of glass, brick and/or stacked stone on all sides (stucco may only be used as an accent material). Final building elevations shall be submitted for review by the Director of Planning and Development.

2. To satisfy the following site development considerations:
 - A. External road frontages and entrances to residential areas shall be landscaped, and shall be maintained by the Homeowner's Association. Entrances shall include decorative masonry entrance features. Landscape and signage plans shall be subject to review and approval of the Director of Planning and Development.
 - B. Provide a 20-foot wide natural undisturbed buffer adjacent to all residentially-zoned property. Buffers shall be enhanced where sparsely vegetated.
 - C. Provide a ten-foot wide landscaped strip adjacent to all rights-of-way.
 - D. Underground utilities shall be provided throughout the development.
 - E. Natural vegetation shall remain on the property prior to the issuance of a Development Permit.
 - F. All grassed areas on dwelling lots shall be sodded.
 - G. Billboards or oversized signs shall be prohibited.
 - H. Commercial outdoor storage shall be prohibited.
 - I. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure. Hours of dumpster pick-up shall be limited to between 7:00 am and 7:00 pm.
 - J. Commercial outdoor loudspeakers shall be prohibited.
 - K. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
 - L. No commercial tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
 - M. Peddlers and/or parking lot sales shall be prohibited.
 - N. The property owners shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

3. To abide by the following requirements, dedications and improvements:
 - A. The applicant shall provide right turn lanes on Pleasant Hill Road at the intersections of Pleasant Hill Road with Woodberry Drive, Sunset Street and at the project entrance.
 - B. Street design, right-of-way/pavement width, and utility location shall be subject to review and approval of the Gwinnett D.O.T. and Department of Planning and Development.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

With the recommended conditions, the request could be suitable in view of the existing intense activity developed along the Pleasant Hill Road corridor.

ADVERSE IMPACTS

Landscape and architectural standards of the TND district could minimize any potential adverse impacts from redevelopment of the existing residential subdivision.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

Impacts on public facilities from this request could include utility demand, storm water runoff, and an increase in traffic and school-age children.

CONFORMITY WITH POLICIES

The request could be considered consistent with the policies of the 2030 Unified Plan and the intended purpose of the TND District if developed with staff's recommended conditions.

CONDITIONS AFFECTING ZONING

The property's location on Pleasant Hill Road, a heavily traveled mixed-use corridor near the Gwinnett Place major activity center, gives supporting grounds for approval with conditions of the requested TND proposal.

STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, 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 AN 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:

THE APPLICANT BELIEVES THE PROPOSED USE IS SUITABLE.

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

THE PROPOSED USE WILL NOT ADVERSELY AFFECT THE USE OF THE SURROUNDING PROPERTIES.

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

THE APPLICANT BELIEVES THAT THE SUBJECT PROPERTY DOES NOT HAVE A REASONABLE ECONOMIC USE AS CURRENTLY ZONED.

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

THE PROPOSED USE WILL NOT PRODUCE AN ADVERSE AFFECT ON THE EXISTING INFRASTRUCTURE.

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

YES AS THE PROPERTY IS SHOWN AS EXISTING/EMERGING SUBURBAN.

(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:

SEE LETTER OF INTENT.

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MAY 1 2015

RZR '15 013

Planning & Development

REZONING APPLICANT'S LETTER OF INTENT

The Applicant, JEH Homes, requests a rezoning from R-75 to TND for the purpose of developing a retail and residential mixed use project. The subject property is located at the intersections of Pleasant Hill Road, Sunset Street and Woodberry Drive. The property is an assemblage of 19 parcels containing a total of 24.40 acres and currently zoned as residential use in Gwinnett County dating back to the 1950s, 1960s and 1970s. Since then, the widening of Pleasant Hill Road and growth within the surrounding area have caused property's current use and value as a detached subdivision to become outdated. The Developer has proposed a plan for this property that corresponds with the existing area and trends of today.

The proposed development features 21.8% of the property to be used for common open space. This is achieved by preserving a small creek at the rear of the property as undisturbed green space, thirteen pocket parks and an active recreation area with a cabana and a pool within the community. Access to the property will be by four entrance points, one right-in right-out onto Pleasant Hill and one onto Woodbury Drive and two to Sunset Street pursuant to approval from the Department of Transportation. There is already a sidewalk along Pleasant Hill road and sidewalks are planned along both sides of the street in the entire community.

The retail will encompass 2.18 acres of the project or 9% of the property with a total of 20,000 square feet of space. The main shopping arear of the retail component will be general commercial with restaurants. The building materials for the retail will be brick, stucco and glass with accents of a concrete siding material.

The residential component is proposed to consist of 57 detached homes and 82 townhomes varying is size from 1,555 to 3,362 square feet of heated space. The front, sides and rear facades of the residential units will feature brick, stone, shake siding or of a concrete lap siding. The units will have granite countertops, stainless steel appliances, 9 foot ceilings and many additional upgrades available. The buildings will be two stories tall with a maximum height of thirty five feet with the price points as follows:

1. Lot type "A" will range from 2,420 to 3,262 square feet and start in the \$320's.
2. Lot type "B" will range from 1,842 to 2,327 square feet and start in the \$280's.
3. Lot type "C" will range from 1,555 to 1,866 square feet and start in the \$220's.
4. Lot type "D" will range from 1,555 to 1,866 square feet and start in the \$240's.

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MAY 1 2015

RZR '15 013

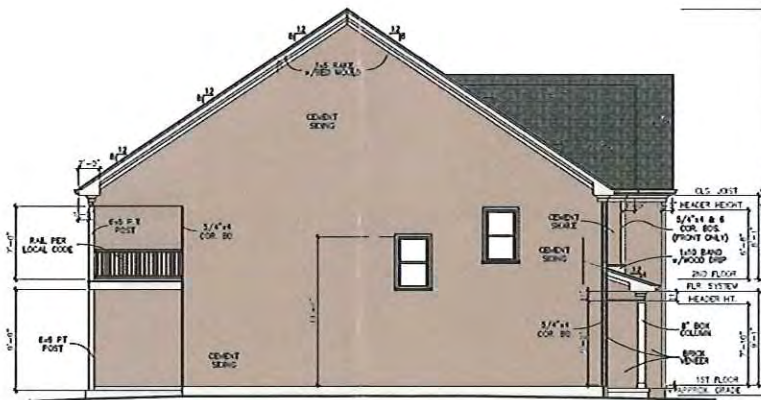
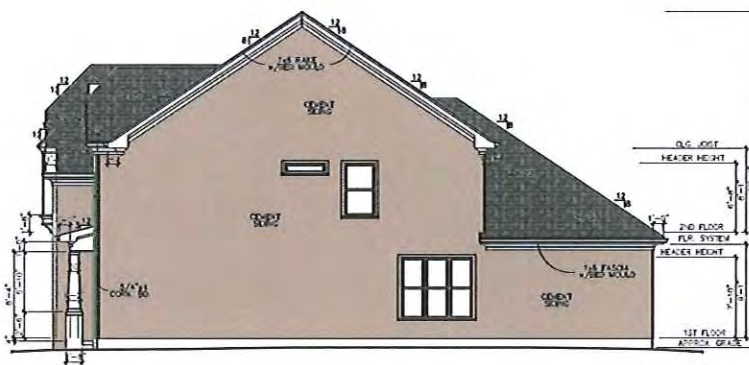
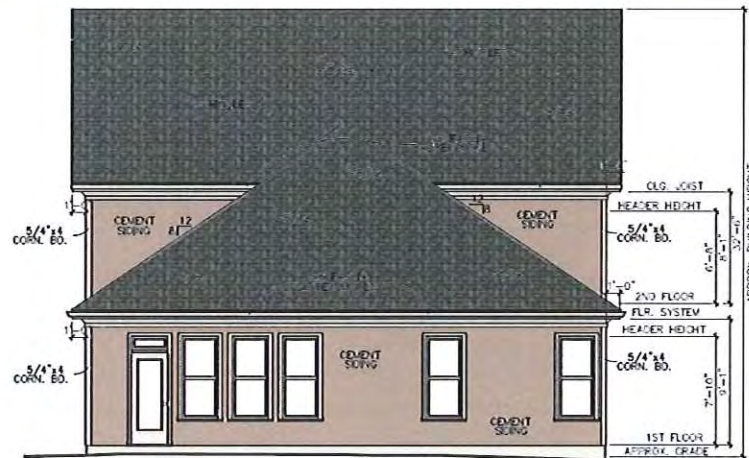
Planning & Development



JFH
Homes

Representative Building Elevations

PLEASANT HILL DEVELOPMENT

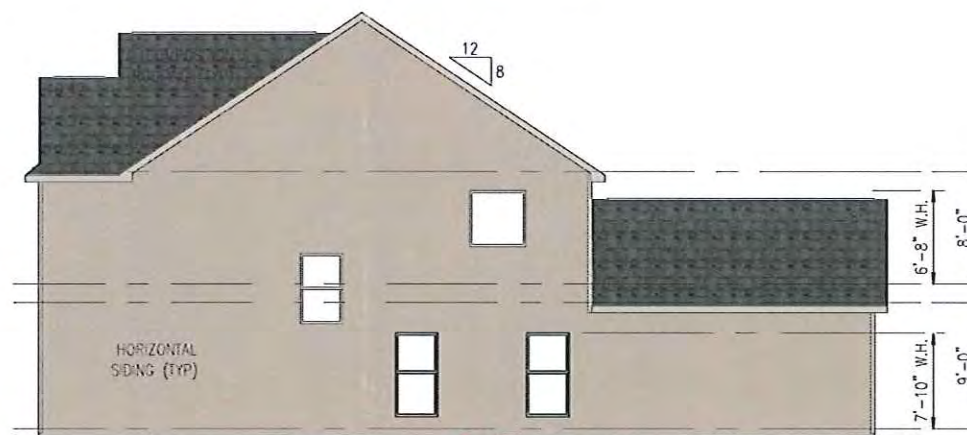
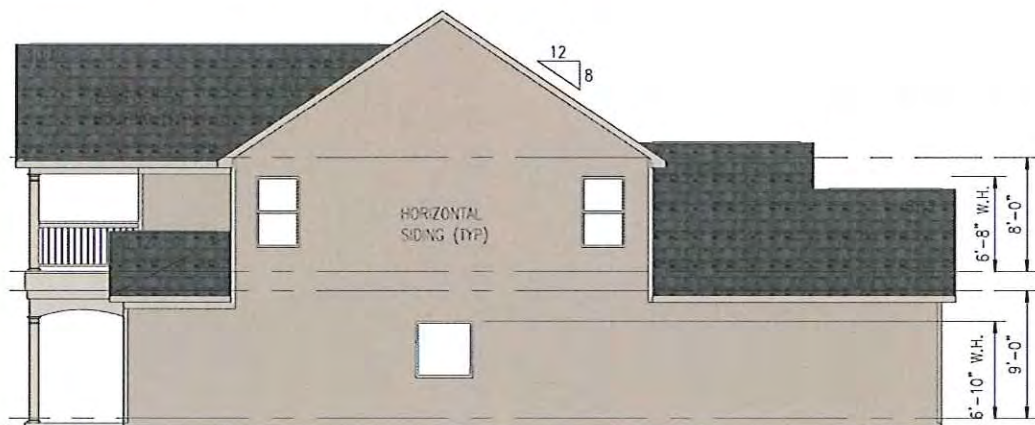
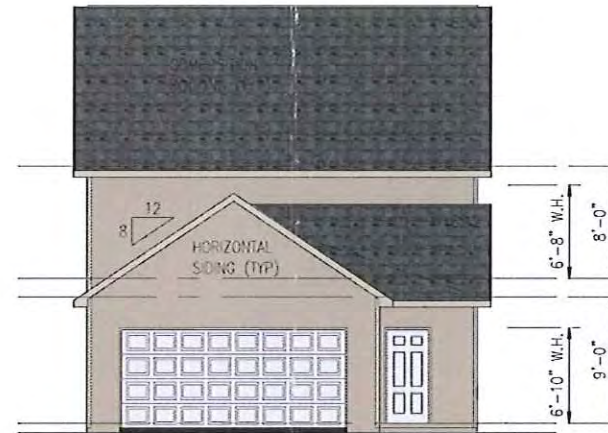


Elevations are artists representation
and may vary from final product

Lot Type 'A'
Representative Architecture - 50ft Lot



PLEASANT HILL DEVELOPMENT

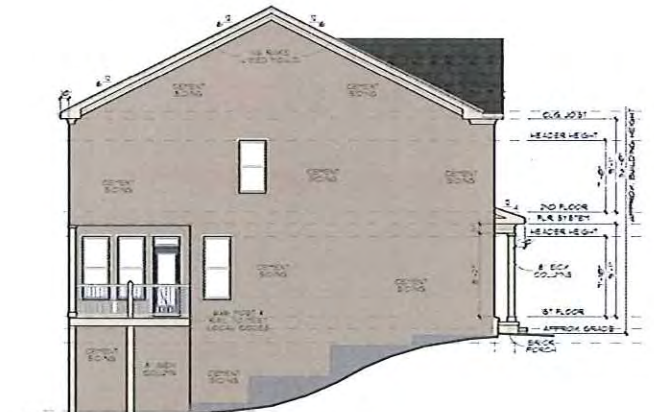
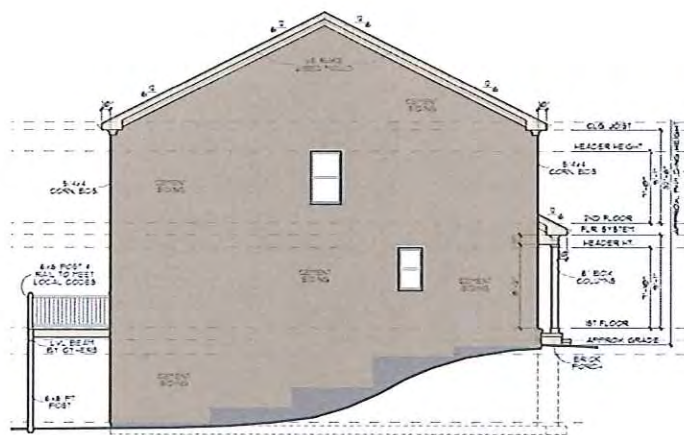
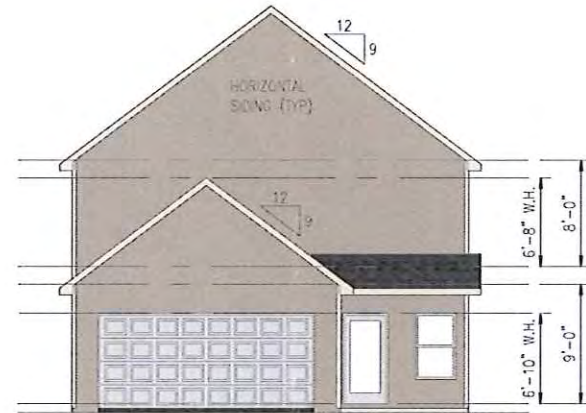
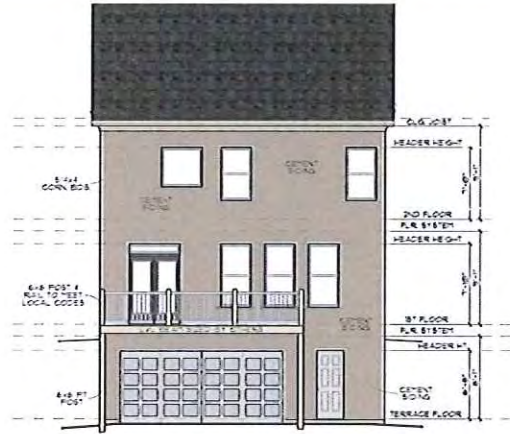


Elevation are artist representation
and may vary from final product

Lot Type 'B'
Representative Architecture - 40ft Lot



PLEASANT HILL DEVELOPMENT

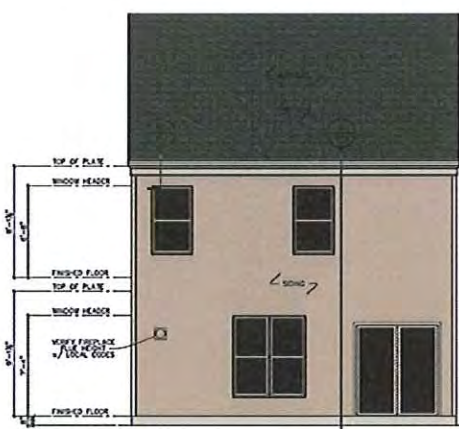
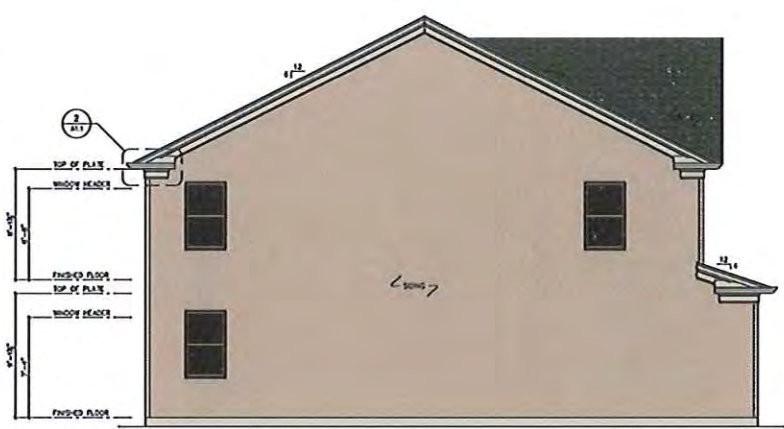
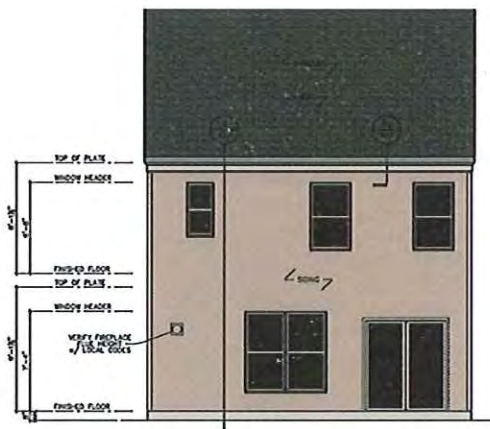


Elevations are artists representation and may vary from final product.

Lot Type 'B'
Representative Architecture - 40ft Lot



PLEASANT HILL DEVELOPMENT

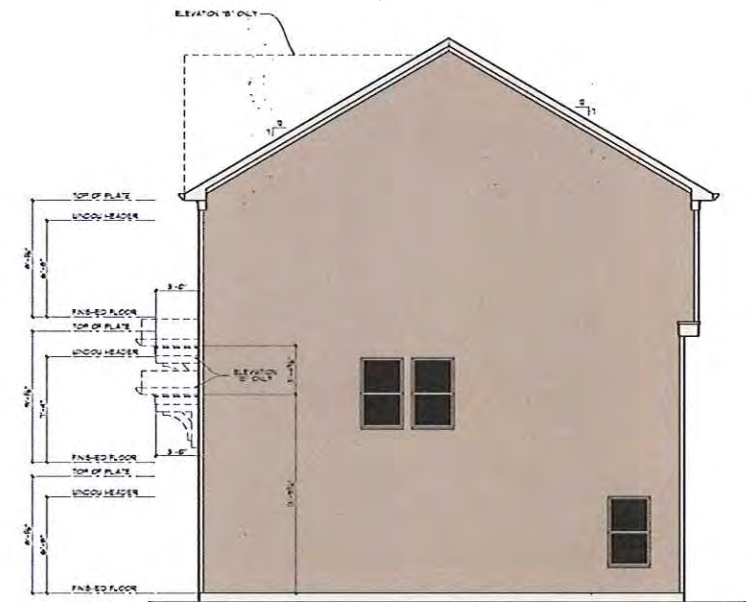
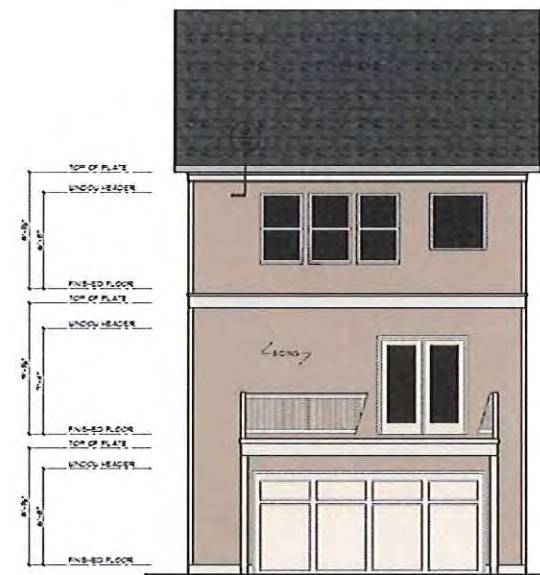
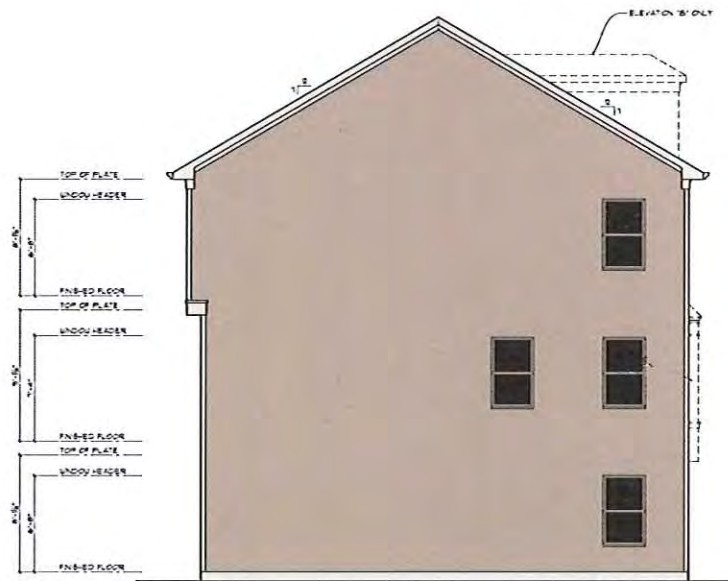
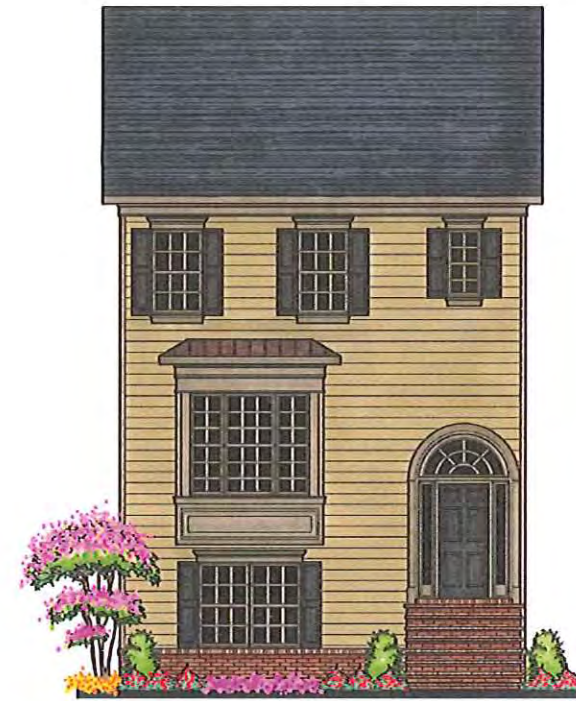
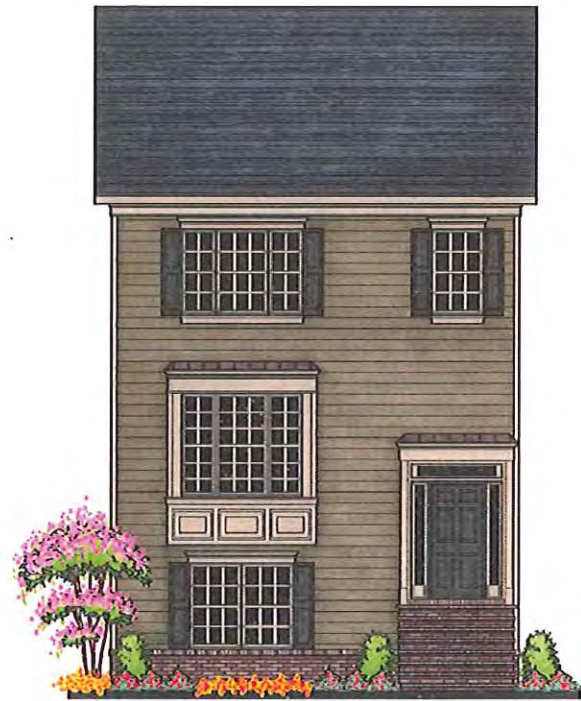


Elevations are artists representation and may vary from final product.



Lot Type 'C' - Front Entry
Representative Architecture

PLEASANT HILL DEVELOPMENT



The Middleton /
The Norfolk

Elevations are artists representation
and may vary from final product

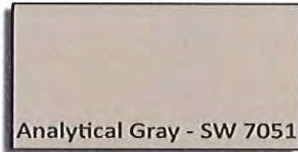
The Laramie /
The Victoria

Lot Type 'D' - Rear Entry
Representative Architecture



PLEASANT HILL DEVELOPMENT

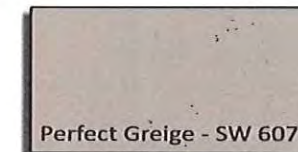
Siding



Analytical Gray - SW 7051

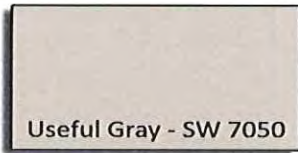


Stone Lion - SW 7507

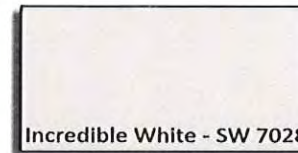


Perfect Greige - SW 6073

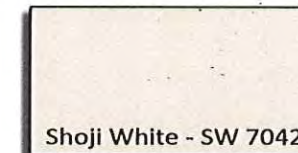
Trim



Useful Gray - SW 7050



Incredible White - SW 7028



Shoji White - SW 7042

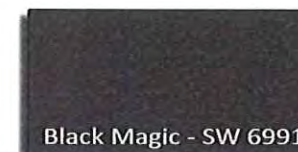
Door/Shutter



Enduring Bronze - SW 7055

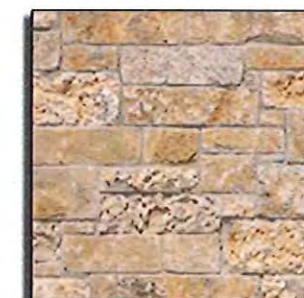
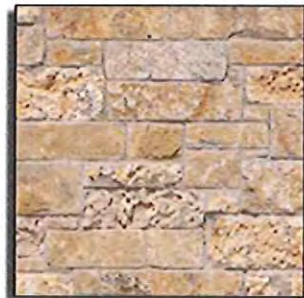


Tricon Black - SW 6258

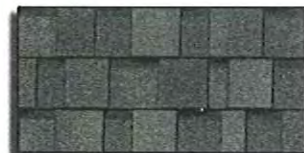


Black Magic - SW 6991

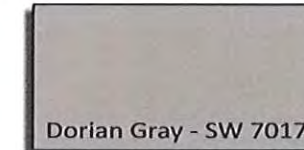
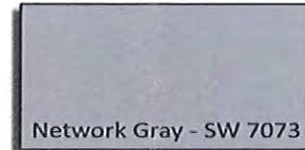
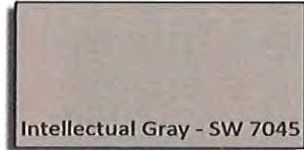
Brick



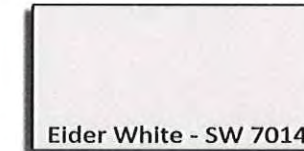
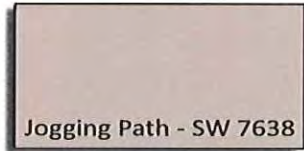
Roof



Siding



Trim



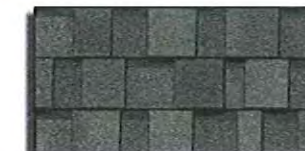
Door/Shutter



Brick

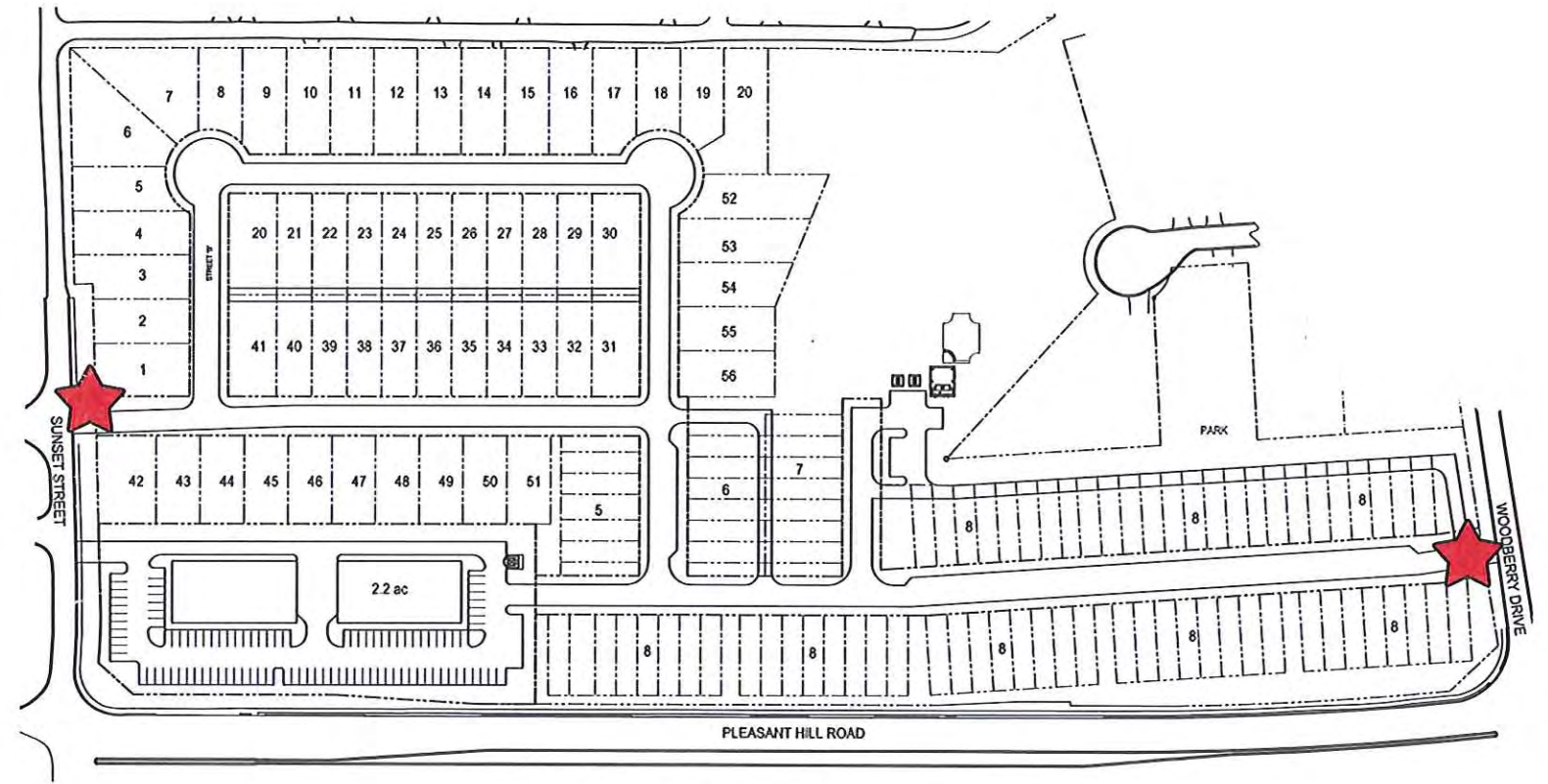


Roof

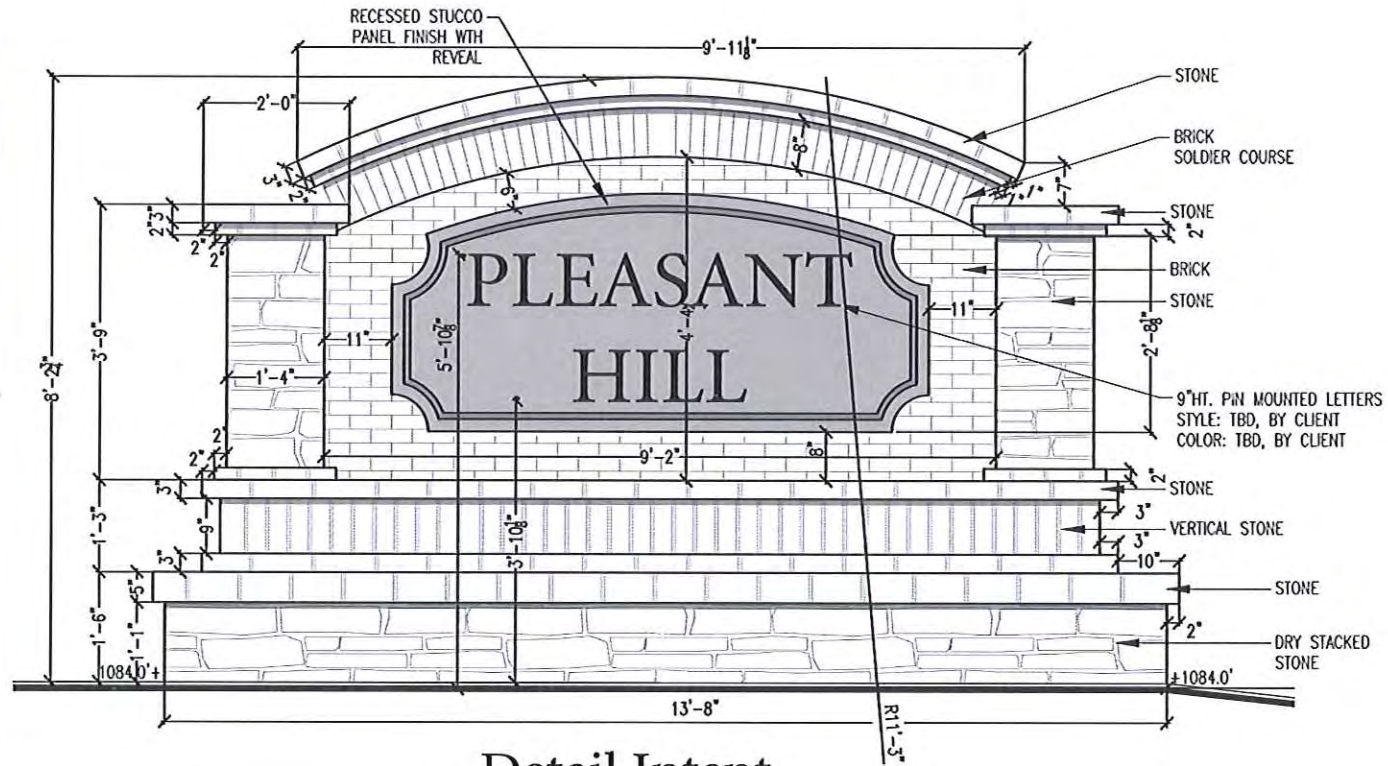




Design Intent

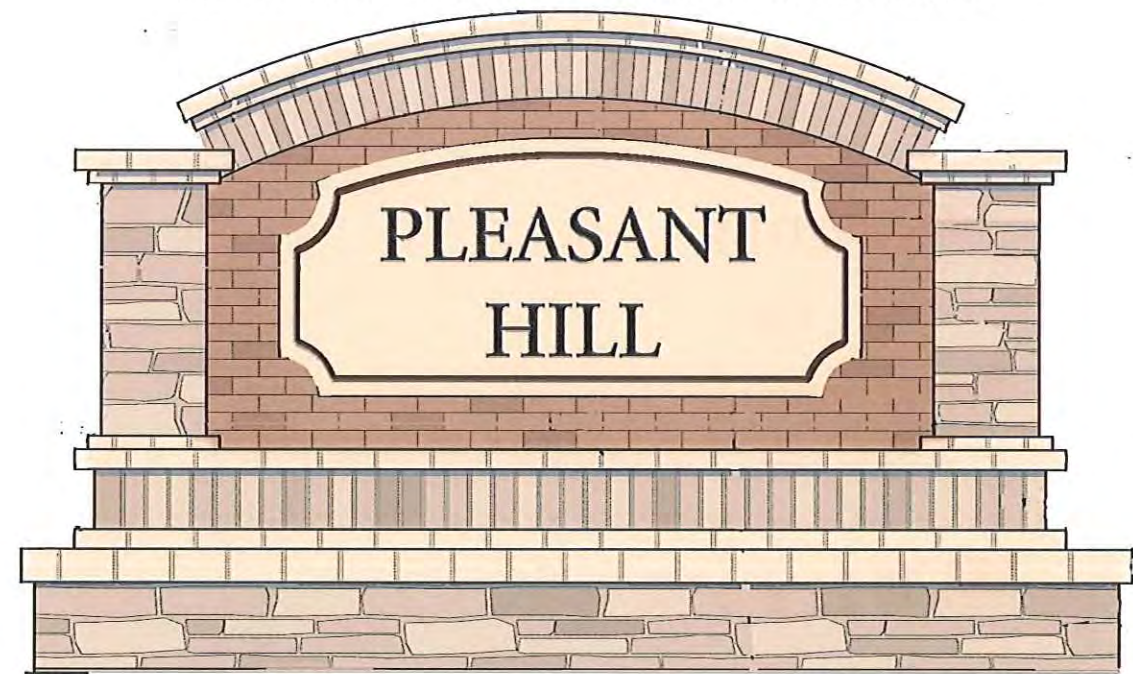


Sign Location

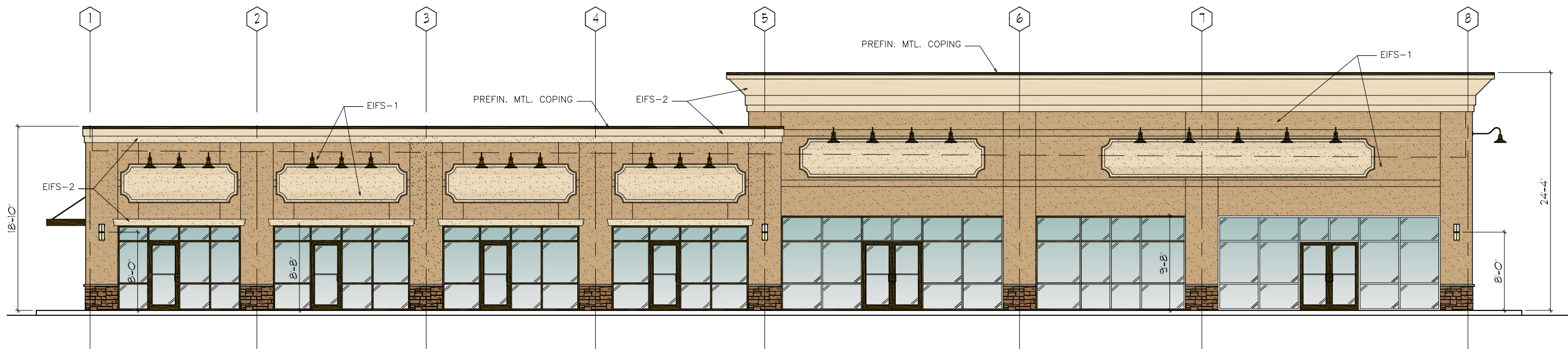


Detail Intent

Official name of subdivision to be determined



Representative Elevation



Shops at Pleasant Hill Road and Sunset Street

Front Elevation facing Pleasant Hill Road



Scale: 3/32" = 1'-0"

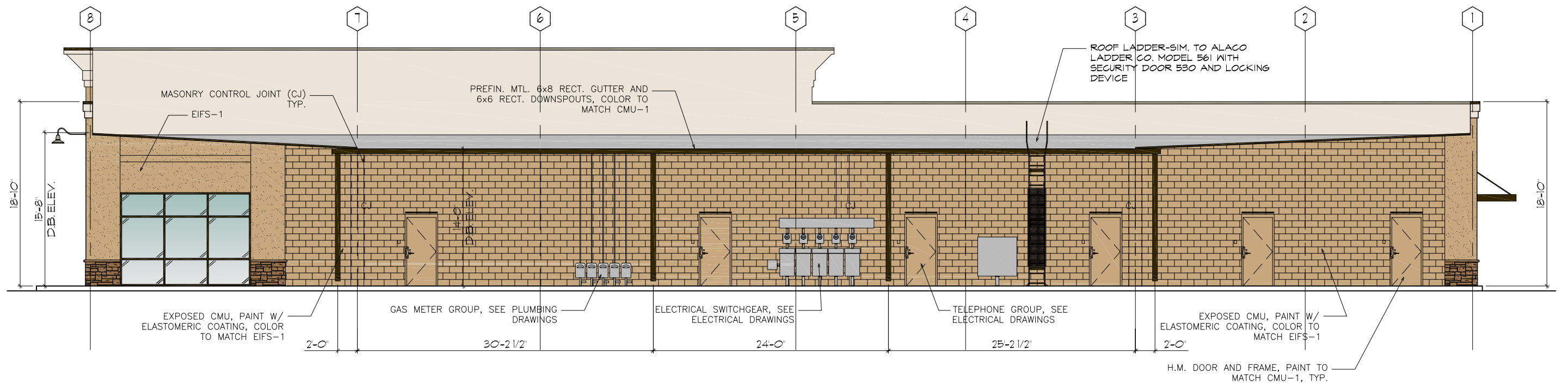


Shops at Pleasant Hill Road and Sunset Street

Side Elevations



Scale: 3/32" = 1'-0"



Shops at Pleasant Hill Road and Sunset Street

Rear Elevation

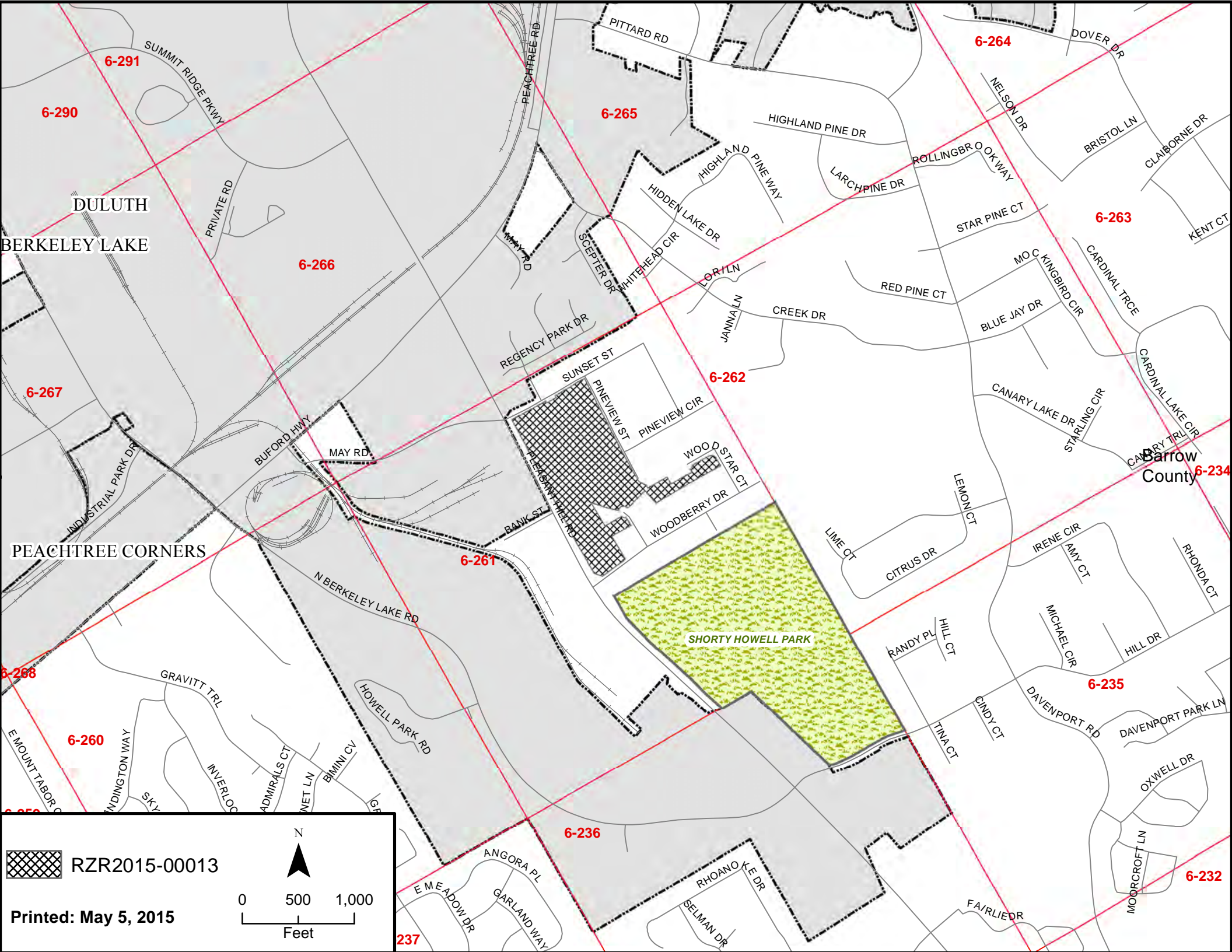


Scale: 3/32" = 1'-0"

Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, July 2015 Zoning Agenda

Case #	Schools	Current Projections									Proposed Zoning Approximate additional Student Projections from Proposed Developments
		2015-16			2016-17			2017-18			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZM2015-00004	Peachtree Ridge HS	3213	2,650	563	3197	2,650	547	3181	3,025	156	2
	Northbrook MS	977	1,025	-48	988	1,025	-37	999	1,025	-26	2
	Jackson ES	1643	1,450	193	1676	1,450	226	1709	1,450	259	4
RZM2015-00005	Collins Hill HS	3193	2,625	568	3161	2,625	536	3129	2,625	504	2
	Creekland MS	2221	2,100	121	2214	2,100	114	2208	2,100	108	1
	Walnut Grove ES	928	1,200	-272	933	1,200	-267	937	1,200	-263	3
RZR2015-00012	Brookwood HS	3407	2,575	832	3391	2,575	816	3375	2,575	800	12
	Crews MS	1267	1,150	117	1256	1,150	106	1245	1,150	95	9
	Brookwood ES	1111	1,250	-139	1122	1,250	-128	1133	1,250	-117	19
RZR2015-00013	Duluth HS	2734	2,650	84	2775	2,650	125	2817	2,650	167	15
	Duluth MS	2013	1,750	263	2073	1,750	323	2136	1,750	386	8
	Harris ES	858	750	108	867	750	117	875	750	125	10
RZR2015-00014	North Gwinnett HS	2837	2,625	212	2888	2,625	263	2940	2,625	315	9
	North Gwinnett MS	2186	1,775	411	2208	2,125	83	2230	2,125	105	4
	Riverside ES	987	1,150	-163	978	1,150	-172	969	1,150	-181	6

Current projections do not include new developments



6-291

6-290

DULUTH

BERKELEY LAKE

6-266

6-267

6-265

6-262

6-263

6-261

6-234

Barrow County

PEACHTREE CORNERS

SHORTY HOWELL PARK


6-235

6-260

6-232

6-236

6-237

 RZR2015-00013

Printed: May 5, 2015

0 500 1,000
Feet

N



VICINITY MAP
(NOT TO SCALE)

SITE DATA

TOTAL PROPERTY: 24.43 AC
 EXISTING ZONING: R75 (EXISTING SUBDIVISION PROPERTY WITH UNDEVELOPED ZONING) IND
 BUILDING HEIGHTS: RESIDENTIAL - 2 & 3 STORIES / 30' FT MAX
 EXISTING UTILITIES: 10' FRONT WITH MAX 15' TO GARAGE

REQUIRED PROVISIONS

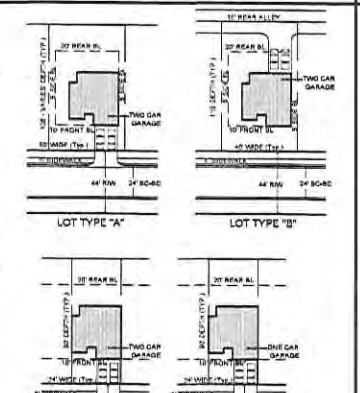
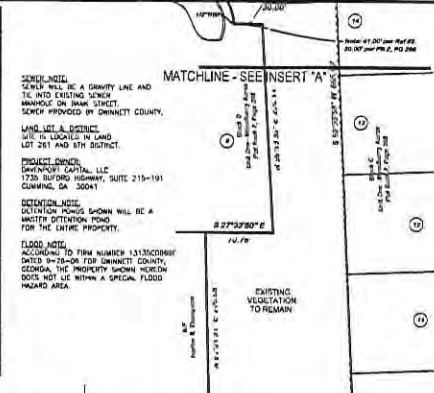
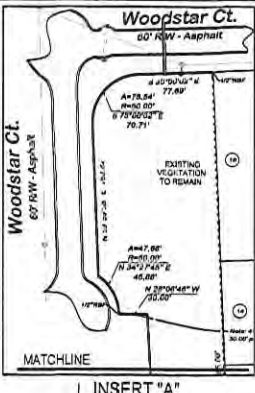
MINIMUM FRONT SETBACK: 25 FT
 MINIMUM SIDE SETBACK: 5 FT
 MINIMUM REAR SETBACK: 10 FT
 MINIMUM LOT WIDTH: 30 FT
 MINIMUM LOT AREA: 10,000 SQ FT
 MINIMUM LOT DEPTH: 100 FT
 MINIMUM LOT AREA: 10,000 SQ FT
 MINIMUM LOT DEPTH: 100 FT

CONFORMANCE

OUT PARCEL: LAND USE: R15
 MAXIMUM LOT AREA: 10,000 SQ FT
 MAXIMUM LOT DEPTH: 100 FT
 MAXIMUM LOT WIDTH: 100 FT

COMMENTS

1. ALL UTILITIES SHALL BE 10' FROM THE PROPERTY LINE.
 2. ALL UTILITIES SHALL BE 10' FROM THE PROPERTY LINE.
 3. ALL UTILITIES SHALL BE 10' FROM THE PROPERTY LINE.
 4. ALL UTILITIES SHALL BE 10' FROM THE PROPERTY LINE.



ALL ENGINEERING AND PLANS INDICATED OR REPRESENTED BY THE DRAWING ARE OWNED BY AND THE PROPERTY OF RKS GREEN CONSULTING GROUP AND SHALL BE USED ONLY FOR THE PROJECT AND DEVELOPMENT FOR USE ON AND IN CONNECTION WITH THE PROJECT. NONE OF THE IDEAS, DESIGN OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON FROM OR IN CONNECTION WITH THE PROJECT WITHOUT THE WRITTEN PERMISSION OF RKS GREEN.

NO.	DATE	REVISIONS / SUBMISSIONS
1	4/30/15	SUBMIT TO COUNTY

RKS
RKS Green Consulting Group
 architects • landscape engineering • land planning
 landscape architecture • land surveying

110 GAWWARTAN DRIVE - SUITE 103
 CLUMMING, GA 30040
 PH: 770.854.0874
 FAX: 770.854.0875
 WWW.RKSGREEN.COM

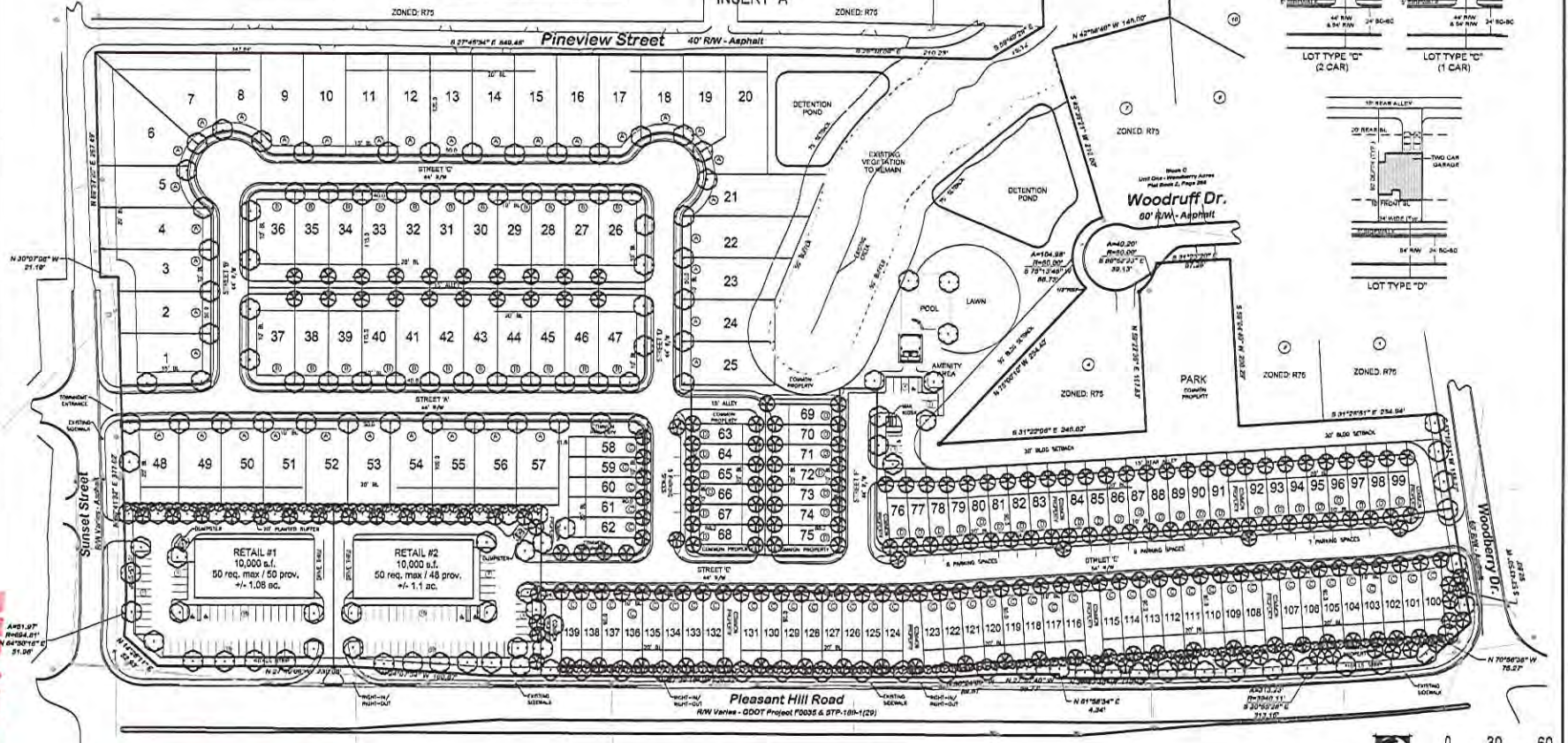
CLIENT
JEH HOMES
 6845 SHILOH ROAD EAST
 #D-3
 ALPHARETTA, GA 30005

PROJECT NO: 1014.125
PLEASANT HILL DEVELOPMENT
 OWENNETT COUNTY, GA

SCALE: 1"=30'-0"
 DATE: 4/30/2015
 DRAWN BY: TML
 CHECKED BY: TML

CONCEPTUAL MASTER PLAN

SHEET L101

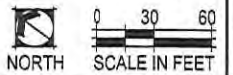


RZR 15013

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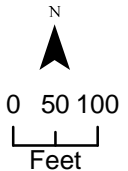
Planning & Development





DULUTH

 RZR2015-00013



Printed: May 5, 2015

REGAL PARK CT
SUNSET ST

PLEASANT HILL RD
MAY RD

BANK ST

PINEVIEW ST

SUNSET ST

PINEVIEW CIR

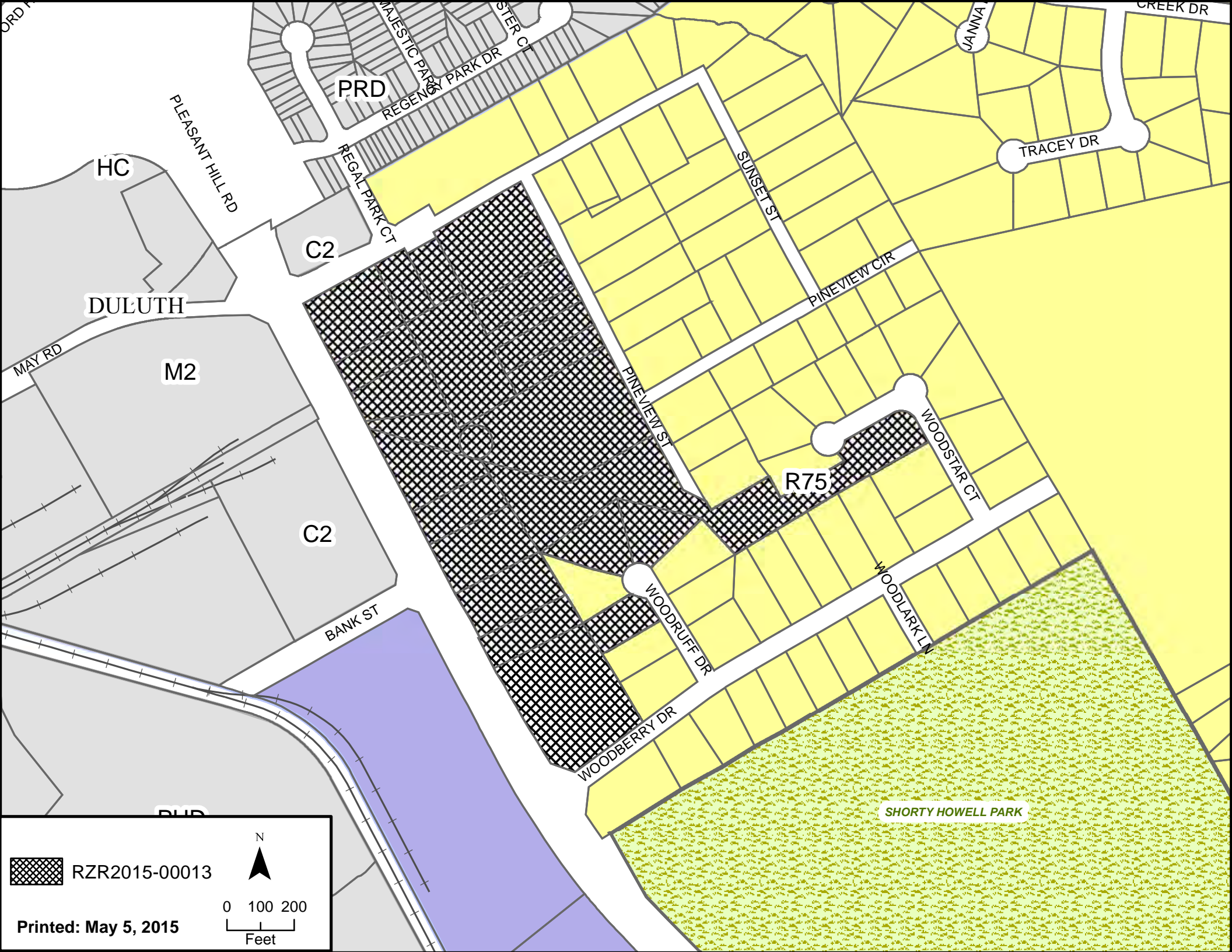
WOODSTAR CT

WOODRUFF DR

WOODBERRY DR

WOODLARK LN

SHORTY HOWELL PARK



PRD

HC

C2

DULUTH


M2

C2

R75

RUD

SHORTY HOWELL PARK

 RZR2015-00013



0 100 200
Feet

Printed: May 5, 2015

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS**

CASE NUMBER :**RZR2015-00014**
ZONING CHANGE :R-100 TO R-75
LOCATION :5700-5800 BLOCK OF SUWANEE DAM ROAD
MAP NUMBERS :R7340 008, 015, 050
ACREAGE :19.38 ACRES
UNITS :31 UNITS
PROPOSED DEVELOPMENT :SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT :(1) BROOKS

FUTURE DEVELOPMENT MAP: **CHATTAHOOCHEE RIVER AREA**

APPLICANT: DEVELOPMENT PLANNING & ENGINEERING
5074 BRISTOL INDUSTRIAL WAY, SUITE A
BUFORD, GA 30518

CONTACT: MITCH PEEVY PHONE: 770.614.6511

OWNERS: CATHY PETTY
5825 SUWANEE DAM ROAD
BUFORD, GA 30518

JIMMY BARRETT
5781 SUWANEE DAM ROAD
BUFORD, GA 30518

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant is requesting to rezone a 19.38-acre parcel assemblage from R-100 (Single Family Residence District) to R-75 (Single Family Residence District), for the development of a single-family detached subdivision. The subject property is located along the east side of Suwanee Dam Road across from its intersection with Kendrix Ridge Drive. The site is mostly pasture land with some wooded areas, a single-family dwelling, accessory structures, a natural gas line easement, a pond and a stream which meanders along a portion of the eastern property line.

The gross area of the subject site is 19.38-acres, with a net area of 18.23-acres, as the property is bisected by an Atlanta Gas & Light easement, consisting of approximately 2.30 acres, and net density requirements exclude 50 percent of the land area located within a gas line easement. The net density for the 31-unit development would be 1.65 units per acre, well below the maximum density for R-75 of 3 units per acre. Although not required, the applicant has chosen to provide 5.6 acres or 29 percent of the total gross land area as common area. (Recreation or

common areas are not required for R-75 subdivisions having less than 50 acres in gross land area).

The R-75 zoning district requires a minimum lot width of 75-feet, and a minimum lot area of 10,500 square feet. The applicant in this case has proposed a minimum lot area of 10,875 square feet. Typical setbacks are 30-feet for the front yard, 30-feet for rear yards and 10-feet for the side yards. The submitted application materials indicate the homes would be a minimum of 1,800 square feet. Two detention ponds are planned to be located along the southern portion of the site. Access for the development would be provided by a single street connecting to Suwanee Dam Road, just south of its intersection with Kendrix Ridge Drive.

ZONING HISTORY:

The property has been zoned R-100 since 1970.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams, and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish, and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Protection (Chapter 620 of the Unified Development Ordinance) require a no-access easement along the line of double frontage lots abutting a major thoroughfare for residential developments.

The Buffer, Landscape and Tree Protection requires submittal and approval of a Tree Preservation and Replacement Plan prepared by a professional landscape architect prior to securing a Land Disturbance or Development permit.

All open space areas/common areas shall meet the minimum road frontage and lot width requirements for a lot within the subdivision.

Section 900-90 of the Unified Development Ordinance requires construction of five-foot wide sidewalks along all exterior roadways adjoining the project, and four-foot wide sidewalks adjacent to both sides of all interior public streets (excluding cul-de-sac turnarounds).

The developer must submit a concept plan for review and approval of the Development Division prior to submittal and acceptance of a development permit application.

The developer must submit a preliminary plat (construction plans), including a grading plan, tree plan, and road/sewer profiles for review and approval of the Development Division prior to any construction.

Section 800-20 of the Unified Development Ordinance requires submittal of a Storm Water Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

Section 700-40.1A of the Unified Development Ordinance requires that the lowest floor, including the basement, of all residential building be constructed at an elevation of at least three feet above the 100-year floodplain.

Note that all recreation areas, open space and/or common areas (including storm water detention facility lots) located within the development shall be controlled by a mandatory Property Owner's Association (to include reported bylaws) with responsibility for maintenance, insurance, and taxes for open space areas.

The United States Postal Service may require a centralized mail delivery kiosk for this proposed development, replacing individual mail boxes. Mail delivery kiosk must be located outside of right-of-way access easement (if private street). Location and access must be approved by Gwinnett County D.O.T.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Suwanee Dam Road is a Minor Arterial and 40 feet of right-of-way is required from the centerline, with 50 feet required within 500 feet of a major intersection.

Standard deceleration lanes with appropriate taper and adequate right-of-way will be required.

Prior to the issuance of a Development Permit, a sight distance certification shall be provided.

The number and locations of driveways are subject to Gwinnett County D.O.T. approval.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of an 12-inch water main located on the southeastern right-of-way of Suwanee Dam Road.

Due to the uncontrollable variables, the Department of Water Resources makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. Demands imposed by the proposed development may require reinforcements or extensions of existing water mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 267 feet north east of the property on the right-of-way of Kendrix Ridge Drive.

The subject development is located within the Level Creek service area. There are currently no connection restrictions within this service area. Treatment capacity within this area is presently available on a first come - first serve basis.

Demands imposed by the proposed development may require reinforcements or extensions of existing sewer mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department. Developer shall provide easements for future sewer connection to all locations designated by DWR during plan review.

As-built information for this department is dependent upon outside entities to provide record drawings for the utilities. Therefore this department does not guarantee the accuracy of the information provided.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances. Proceeding design, construction, inspection, and final acceptance of the required utilities, service to these utilities would then become available under the applicable utility permit rate schedules.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject property contains a total of 19.38 acres and is located on the east side of Suwanee Dam Road at its intersection with Kendrix Ridge Drive. The site consists of a single-family residence, accessory structures, pasture land, wooded areas, ponds, streams and a gas line easement bisecting the property.

The 2030 Unified Plan Future Development Map indicates the site is located within the Chattahoochee River Area Character Area. This Character Area encourages single-family subdivisions at low densities, and the proposed subdivision could be considered consistent with policies of the Unified Plan for this Character Area.

The surrounding area is primarily characterized by single-family dwellings located on large lots zoned R-100, with single-family subdivisions in R-100 and R-75 zoning being dispersed throughout the immediate area. To the north, south, east and west are homes on large lots zoned R-100. Adjacent to south is the R-75 Modified Lenox Park single-family subdivision (REZ1997-00080 & SUP1997-00076). Along Suwanee Dam Road in either direction are single-family subdivisions with comparable zoning located within the city limits of Sugar Hill, including: Kendrix Ridge, Bellagio Estates, Wild Timber and Summergrove subdivisions. With conditions that ensure home sizes and architectural standards typical for the area, the proposed single family subdivision could be compatible with surrounding homes and developments.

In conclusion, the rezoning, properly conditioned, could be consistent with the development pattern in the area and the recommendations of the Unified Plan. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS**.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as R-75 for a single-family subdivision subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Single-family dwellings and accessory uses and structures.
 - B. The minimum heated floor area per dwelling unit shall be 2,000 square feet for one-story dwellings and 2,200 square feet for two-story.
 - C. Homes shall be constructed primarily of brick or stacked stone on three sides. The balance of the home may be the same, or of fiber-cement siding with a minimum 3-foot brick water table.
 - D. All dwellings shall have at least a double car garage.
2. To satisfy the following site development considerations:
 - A. The Suwanee Dam Road frontage shall be landscaped, and shall be maintained by the Homeowner's Association. The frontage shall also include a masonry entrance feature, a decorative fence along the entire frontage. Landscaping, fencing and monument signage plans shall be subject to review and approval of the Director of Planning and Development.
 - B. Direct lot access to Suwanee Dam Road shall be prohibited.
 - C. Natural vegetation shall remain on the property prior to the issuance of a Development Permit.
 - D. All grassed areas on dwelling lots shall be sodded.
 - E. Provide underground utilities throughout the development.
3. To abide by the following requirements, dedications and improvements:
 - A. As required by Gwinnett DOT, provide a left turn on Suwanee Dam Road at the project entrance.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF ZONING

SUITABILITY OF USE

With appropriate conditions, the proposed R-75 zoning could be suitable in view of the existing R-75 Modified zoning and other single-family subdivisions with similar zoning and density located with the city limits of Sugar Hill. The proposed residential development could be compatible with adjacent and nearby subdivisions.

ADVERSE IMPACTS

With the recommended conditions, the request would not be expected to adversely impact uses on adjacent or nearby properties.

REASONABLE ECONOMIC USE AS ZONED

The subject property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

An increase in traffic, utilities usage, storm water runoff, and the number of school-aged children could be anticipated from this request.

CONFORMITY WITH POLICIES

The request could be consistent with the Unified Plan as the property is located within the Chattahoochee River Area Character Area, which supports single-family low density subdivision developments.

CONDITIONS AFFECTING ZONING

The requested R-75 zoning classification could be consistent with surrounding residential developments in the immediate area. As proposed, the development would have a net density of 1.65 units per acre, lower than the maximum allowable density of 3 units per acre. Additionally, although not required the applicant intends provide 5.6 acres of common area, lending some additional support for the request.

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED 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 AN 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 of R75 will permit a use that is suitable in view and use and development of nearby and adjacent property.

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

No, the proposed zoning is in keeping with the use and usability of adjacent and nearby property.

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

The current zoning of R100 does not provide a reasonable economic use as currently zoned.

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

The proposed 31 lots would not cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

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

Yes, the proposed zoning of R75 is in conformity with the policy and intent of the Land Use Plan.

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

The difficult topography and existing constraints of the stream and lake make a development of R75 and more economically feasible development option that will be an asset to the surrounding community.

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3

RZR '15 014

Planning & Development



Development Planning & Engineering, Inc.

April 29, 2015

Gwinnett County Planning & Development
446 West Crogan Street
Suite 250
Lawrenceville, Georgia 30046

To whom it may concern:

Please let this correspondence serve as our Letter of Intent to rezone to the properties located at 5825 and 5781 Suwanee Dam Road. The corresponding parcel numbers are 7-340-050, 3-340-008 and 7-340-015 for a total of 19.38 acres. The property is currently zoned R-100 and we are seeking an R-75 zoning classification.

As shown on the proposed site plan, a total of 31 lots and 5.6 acres of open space are shown. The minimum lot size required by R-75 is 10,500 square feet and the smallest lot shown on the rezoning exhibit is 10,875. Front setbacks of 30 feet, rear setbacks of 30 feet and side setbacks of 10 feet are proposed as per the R75 zoning requirements. The minimum lot width at the front building line is 75 feet. Also provided is at least 6 percent of open space for the project. The proposed homes in the community will exceed the minimum square footage requirement as specified by the Unified Development Ordinance of Gwinnett County (UDO).

We appreciate your consideration of this rezoning request.

Sincerely,

Tonya Woods
Development Planning & Engineering

RZR '15 014

RECEIVED BY

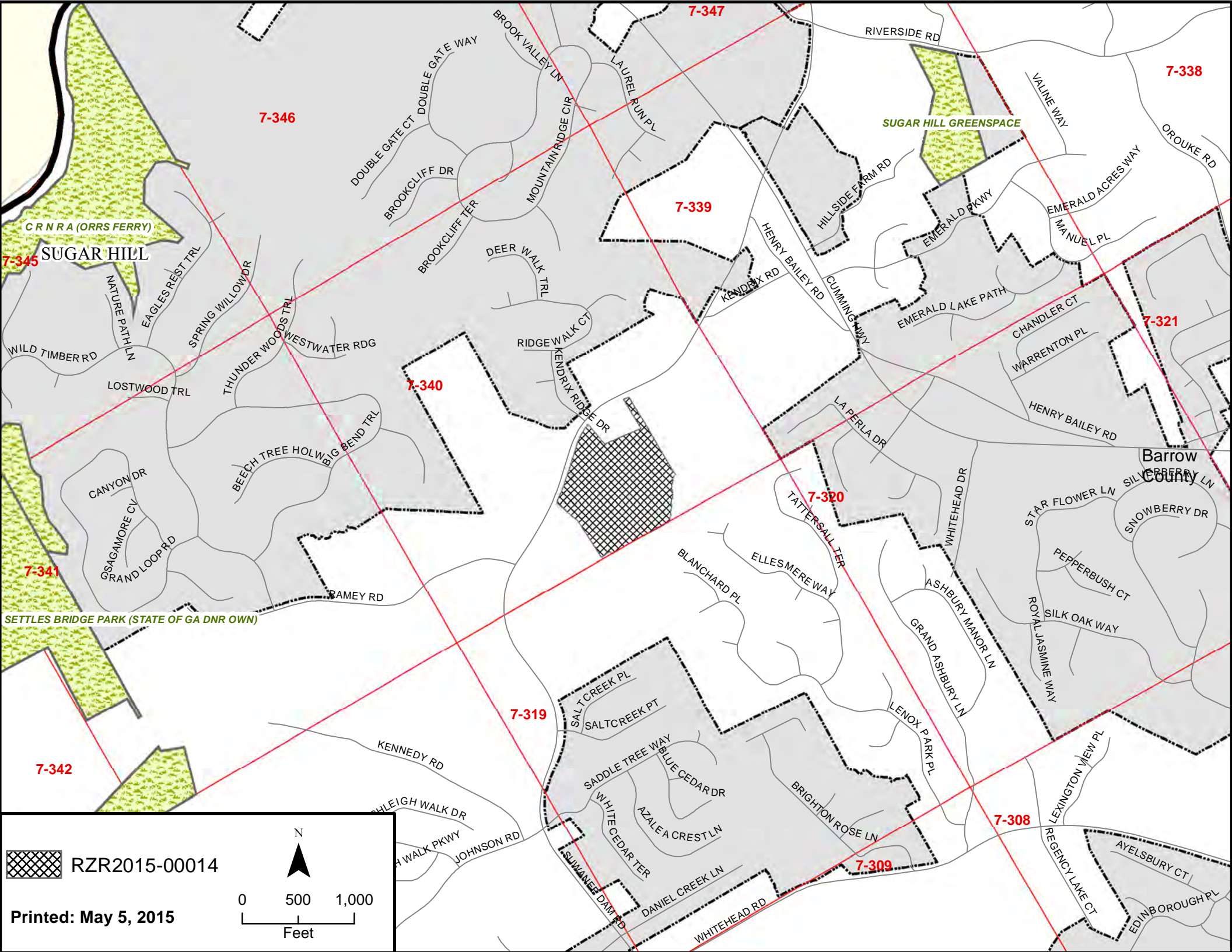
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Planning & Development

Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, July 2015 Zoning Agenda

Case #	Schools	Current Projections									Proposed Zoning Approximate additional Student Projections from Proposed Developments
		2015-16			2016-17			2017-18			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZM2015-00004	Peachtree Ridge HS	3213	2,650	563	3197	2,650	547	3181	3,025	156	2
	Northbrook MS	977	1,025	-48	988	1,025	-37	999	1,025	-26	2
	Jackson ES	1643	1,450	193	1676	1,450	226	1709	1,450	259	4
RZM2015-00005	Collins Hill HS	3193	2,625	568	3161	2,625	536	3129	2,625	504	2
	Creekland MS	2221	2,100	121	2214	2,100	114	2208	2,100	108	1
	Walnut Grove ES	928	1,200	-272	933	1,200	-267	937	1,200	-263	3
RZR2015-00012	Brookwood HS	3407	2,575	832	3391	2,575	816	3375	2,575	800	12
	Crews MS	1267	1,150	117	1256	1,150	106	1245	1,150	95	9
	Brookwood ES	1111	1,250	-139	1122	1,250	-128	1133	1,250	-117	19
RZR2015-00013	Duluth HS	2734	2,650	84	2775	2,650	125	2817	2,650	167	15
	Duluth MS	2013	1,750	263	2073	1,750	323	2136	1,750	386	8
	Harris ES	858	750	108	867	750	117	875	750	125	10
RZR2015-00014	North Gwinnett HS	2837	2,625	212	2888	2,625	263	2940	2,625	315	9
	North Gwinnett MS	2186	1,775	411	2208	2,125	83	2230	2,125	105	4
	Riverside ES	987	1,150	-163	978	1,150	-172	969	1,150	-181	6

Current projections do not include new developments




CRNRA (ORRS FERRY)

SUGAR HILL

SUGAR HILL GREENSPACE

SETTLES BRIDGE PARK (STATE OF GA DNR OWN)

Barrow
County

 RZR2015-00014



0 500 1,000
Feet

Printed: May 5, 2015

RZR '15 014

LEGEND

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SUGAR HILL



RZR2015-00014



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Printed: May 5, 2015

RS150

SUGAR HILL

RS100PRD

MILL CROSSING CT

KENDRIX RIDGE DR

RIDGE WALK CT

SUWANEE DAM RD

BG

DAZALEA CV

PUD

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TATTERSALL TER

TATTERSALL CT

HARTHORN PARK PL

R75MOD


ELLESMERE CT

ELLESMERE WAY

BLANCHARD PL

LENOX PARK PL


RAMEY RD

 RZR2015-00014

Printed: May 5, 2015

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**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
CHANGE IN CONDITIONS AND SPECIAL USE PERMIT ANALYSIS**

CASE NUMBER :**CIC2015-00012**
ZONING :C-2
LOCATION :5000 BLOCK OF JIMMY CARTER BOULEVARD
:6000 BLOCK OF ROCKBRIDGE SCHOOL ROAD
MAP NUMBER :R6190 172
ACREAGE :0.69 ACRE
SQUARE FEET :2,114 SQUARE FEET
PROPOSAL :CHANGE IN CONDITIONS TO ALLOW AUTOMOBILE SALES
COMMISSION DISTRICT :(2) HOWARD

CASE NUMBER :**SUP2015-00018**
ZONING :C-2
LOCATION :5000 BLOCK OF JIMMY CARTER BOULEVARD
:6000 BLOCK OF ROCKBRIDGE SCHOOL ROAD
MAP NUMBER :R6190 172
ACREAGE :0.69 ACRE
SQUARE FEET :2,114 SQUARE FEET
PROPOSAL :AUTOMOBILE SALES
COMMISSION DISTRICT :(2) HOWARD

FUTURE DEVELOPMENT MAP: **EXISTING/EMERGING SUBURBAN**

APPLICANT: TERRANCE MILLER
C/O ANDERSEN, TATE & CARR, P.C.
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GA 30097

CONTACT: MARIAN ADEIMY PHONE: 678.518.6855

OWNER: JEKA PROPERTY INVESTMENTS, LLC
3060 BOLES FARM LANE
DULUTH, GA 30096

DEPARTMENT RECOMMENDATION: **DENIAL**

CHANGE IN CONDITIONS / SPECIAL USE PERMIT SUMMARY:

The applicant requests a Change in Conditions of two prior zoning cases (SUP2014-00030 and CIC2014-00006), along with a Special Use Permit, to allow the addition of automobile sales on the site. The subject property is 0.69-acre in size and is located on the northern corner of the intersection of Jimmy Carter Boulevard and Rockbridge School Road. Presently zoned C-2 (General Business District), the property is developed with a one-story, 2,114-square foot metal building approved for automobile repair and minor body work/scratch and dent repair.

The approved conditions of CIC2014-00006 and SUP2014-00030 include two conditions which the applicant would like to remove in their entirety: Condition I.E. and Condition I.F.

Condition I.E. currently states: Automobiles awaiting repair or kept overnight shall be stored indoors or parked at the rear of the building.

The applicant is proposing to eliminate condition I.E. in its entirety to allow automobile sales inventory parking in the front and/or sides of the building.

The applicant is also proposing to eliminate condition I.F. in its entirety to allow automobile sales on the site.

Condition I.F. currently states: Sales of vehicles shall be prohibited on the site. The outdoor storage of parts, tires, debris, wrecked or inoperable vehicles shall be prohibited.

The 2030 Unified Plan Future Development Map indicates the property is located within an Existing/Emerging Suburban Character Area, which supports commercial uses at appropriate major intersections. However, the Unified Plan stresses protecting the character of existing neighborhoods in rezoning actions. The proposed automobile sales may be inconsistent with the policies of the Unified Plan to protect existing single-family residences on neighboring properties. In addition, a request to rezone the property to C-2 with a SUP to allow automobile sales and service (RZ-1-89 & SUP-1-89) was denied by the Board of Commissioners on this site in the past.

The area surrounding the subject property is characterized by commercial/retail uses fronting Jimmy Carter Boulevard, with established residential areas located beyond the corridor. Uses along the corridor include multi-tenant commercial/retail centers, restaurants and offices. Numerous similar auto service and repair uses are also located in the immediate area (Firestone, O'Reilly Auto Parts and Precision Tune among others). The currently approved use of the site for auto repair is considered consistent with the development pattern for this segment of the Jimmy Carter Boulevard corridor. However, the subject site appears to be ill-suited for automobile sales given its small size of less than one acre. The site plan indicates parking along all 4 property lines in order to accommodate the automobile sales. In the Department's opinion, the site is of an inadequate size for the addition of auto sales to the already approved service and repair activities. Such an approval may result in an overly congested and unsightly appearance.

In conclusion, the requested Change in Conditions and Special Use Permit could be considered inconsistent with the Unified Plan and the development standards of other commercial uses in the area, as well as inconsistent with the Board of Commissioner's previous denial for automobile sales on the subject property. The addition of this use on the property could result in congestion and clutter which negatively affect its appearance. Therefore, the Department recommends **DENIAL** of this request.

ZONING HISTORY:

In 1970, the subject property was zoned R-75 (Single Family Residence District). Later that year, the subject property was rezoned to C-1 (Neighborhood Business District) to allow a service station, pursuant to RZ-4-70. A request to rezone the subject property from C-1 to C-2 (General Business District) for an automobile sales and service facility (RZ-1-89 & SUP-1-89) were denied. The property was rezoned to C-2 in 1990, pursuant to RZ-44-90 and SUP-23-90, and limited to an auto glass replacement business. Previous requests to amend the existing condition and to allow an automobile service/tire store with outdoor storage, pursuant to CIC2013-00001 and SUP2013-00004 and SUP2013-00005, were denied in March of 2013. In 2014, the property was approved for automobile service and minor dent and scratch repair, pursuant to CIC2014-00006 and SUP2014-00030.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Commercial entrances shall be provided to the site per current development regulations.

Standard deceleration lanes with appropriate taper and adequate right-of-way will be required.

Prior to the issuance of a Development Permit, a sight distance certification shall be provided.

The number and locations of driveways are subject to Gwinnett County D.O.T. approval.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 12-inch water main located on the northern right-of-way of Jimmy Carter Boulevard, and a 12-inch water main located on the western right-of-way of Rockbridge School Road.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located on the northern right-of-way of Jimmy Carter Boulevard.

The subject development is located within the Yellow River service area. There are currently no connection restrictions within this service area. Treatment capacity within this area is presently available on a first come - first serve basis.

BUILDING CONSTRUCTION COMMENT SECTION:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for any proposed interior or exterior modification. Upon completion of plan review approvals, the applicant shall obtain a building permit for any required renovation work and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.
2. Architectural design of any proposed exterior modification shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Category I.
3. Upon completion of plan review approvals, the applicant shall obtain a building permit and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

For assistance, you may contact this office at (678) 518-6000 Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

Fire Plan Review has no objections to the above rezoning requests, under the following conditions:

1. Applicant submits civil drawings to Fire Plan Review for review and approval.
2. Applicant submits architectural drawings to Fire Plan Review for review and approval.
3. Upon completion of plan review approvals, applicant successfully achieves a satisfactory Fire field inspection, for issuance of a Certificate of Occupancy - Business Operation.

For assistance, you may contact this office at (678) 518-6000, Monday through Friday, from the hours of 8:00 a.m. to 5:00 p.m.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

NOTE: The following conditions are provided as a guide should the Board of Commissioners choose to approve these petitions.

Additions in **bold**

Deletions in ~~strikethrough~~

Approval as C-2 with Special Use Permits for automobile service, minor dent and scratch repair, **and automobile sales**, subject to the following enumerated conditions:

I. To restrict the use of the property as follows:

- A. Retail and service commercial and accessory uses, which may include automobile service, ~~and~~ minor dent and scratch repair **and automobile sales** as special uses. General body repair shall be prohibited. The following uses shall be prohibited:
- adult bookstores or entertainment
 - automotive parts stores
 - contractors offices
 - emissions inspection stations
 - equipment rental
 - extended stay hotels or motels
 - recovered materials processing facilities
 - smoke shops/novelty stores
 - tattoo parlors
 - taxidermists
 - yard trimmings composting facilities
- B. Obtain all necessary development and buildings permits, and bring the site and structure up to all applicable zoning, development and building codes prior to business occupancy.
- C. Hours of operation shall be limited to between 6:00 a.m. and 9:00 p.m.
- D. Any new construction or exterior building renovation shall be finished with architectural treatments of glass, brick and/or stacked stone on three sides (stucco may only be used as an accent material). Final exterior colors and/or building elevations shall be submitted for review and approval by the Director of Planning and Development.
- E. Automobiles awaiting repair or kept overnight shall be stored indoors or parked at the rear of the building. **This restriction shall not apply to automobiles being displayed for sale.**

- F. ~~Sales of vehicles shall be prohibited on the site.~~ The outdoor storage of parts, tires, debris, wrecked or inoperable vehicles shall be prohibited.
2. To satisfy the following site development considerations:
- A. Provide a 20-foot, landscaped buffer adjacent to the northerly (rear) property line. This buffer shall include additional landscaping material to provide an effective visual screen of adjacent residential property.
 - B. Provide ten-foot wide landscaped strip outside the right-of-way of Rockbridge School Road.
 - C. No more than one exit/entrance on Jimmy Carter Boulevard.
 - D. No exit/entrance on Rockbridge School Road.
 - E. No billboards are permitted.
 - F. Maintain a six-foot high, 100 percent opaque fence adjacent to the northeasterly (rear) property line.
 - G. Dumpster shall be screened by a fence or wall.
 - H. Lighting shall be directed in toward the property so as not to reflect into adjacent residential properties.
 - I. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign walkers or sign twirlers shall be prohibited.
 - J. Peddlers and/or parking lot sales shall be prohibited.
 - K. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The proposed automobile sales use may not be suitable in view of nearby and adjoining residential uses. The property is also considered to be too small in area to comfortably accommodate all of the uses being proposed.

ADVERSE IMPACTS

Adverse impacts, such as increased site congestion, degraded appearance, traffic, light and noise, could be anticipated on the adjacent residential properties from the proposed use.

REASONABLE ECONOMIC USE AS ZONED

The subject property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

An increased impact on public facilities in the form of traffic and site access issues could be anticipated from the proposed use.

CONFORMITY WITH POLICIES

The proposed use may be inconsistent with policies of the 2030 Unified Plan for the Existing/Emerging Suburban Character Area, which promotes protecting the character of existing neighborhoods. Additionally, the Board has denied a request for automobile sales on the subject property in the past.

CONDITIONS AFFECTING ZONING

There are no existing or changing conditions affecting the use or development of the property which would give supporting grounds for the applicant's request. The conditions of the area are largely the same as those which existed when the past automobile sales request was denied.

CHANGE IN CONDITIONS APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, 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 AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:
See Exhibit "B"

- (B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:
See Exhibit "B"

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:
See Exhibit "B"

- (D) WHETHER THE PROPOSED CHANGE IN CONDITIONS WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:
See Exhibit "B"

- (E) WHETHER THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:
See Exhibit "B"

- (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 CHANGE IN CONDITIONS:
See Exhibit "B"

CIC'15 012

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Planning & Development

Exhibit "B" - APPLICANT'S RESPONSE
5055 JIMMY CARTER BOULEVARD

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

Yes. The property has been occupied and surrounded by similar auto uses, and the proposed uses and change in conditions will have little to no impact on adjacent and nearby residential property uses.

- B) WHETHER THE PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USEABILITY OF ADJACENT OR NEARBY PROPERTY:

No. The proposed uses will not adversely affect the existing use or useability of adjacent or nearby property. The business will make use of the existing building and property and will have not impact on adjacent properties. The requested uses are consistent with the commercial uses nearby.

- C) WHETHER THE PROPERTY TO BE AFFECTED BY THE SPECIAL USE PERMIT HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

No. The property has previously been used for similar auto uses, and the proposed use will create an active business at a property that has more recently been vacant and located near more intense uses.

- D) WHETHER THE PROPOSED SPECIAL USE PERMIT 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 continued auto-related use would not cause any excessive or burdensome use of existing streets, transportation facilities or utilities. There would be no impact on the schools.

- E) WHETHER THE PROPOSED SPECIAL USE PERMIT IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Yes. The proposed use is consistent with the Gwinnett 2030 Unified Plan guidelines for this commercial area and given the adjacent and nearby commercial uses and zoning.

- 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 PROPOSED SPECIAL USE PERMIT.

Yes. The proposed use is entirely appropriate in light of existing development patterns and land uses in the surrounding area.

ANDERSEN, TATE & CARR, P.C.
ONE SUGARLOAF CENTRE
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GEORGIA 30097
(770) 822-0900
FACSIMILE: (770) 236-9702
www.atclawfirm.com

MARIAN C. ADEIMY
Direct: (678) 518-6855

E-mail: madeimy@atclawfirm.com

LETTER OF INTENT
5055 Jimmy Carter Blvd., Norcross, GA 30093
APPLICATION FOR SPECIAL USE PERMIT AND CHANGE IN CONDITIONS
FOR AUTOMOBILE SALES

The property owner, JEKA Property Investments, and applicant, Terrance Miller (the "Applicant"), hereby submit this request and application for a Special Use Permit and Change in Conditions for automobile sales and repair uses on the property located at 5055 Jimmy Carter Blvd., Norcross, Georgia 30093, located in unincorporated Gwinnett County.

The subject property includes approximately .69 acres and contains one 2,000 square foot building in which the automobile sales and repair uses have historically and will continue to take place. The property has retained its C-2 zoning and has been part of and consistent with the adjacent the Jimmy Carter commercial node in existence since the 1970's.

The existing building has been used for similar auto repair uses and the proposed auto sales business will be operated by an experienced auto dealer with other locations in the Atlanta area. The property is in need of redevelopment and business activity. The auto sales and repair uses will allow for a quality tenant to maintain and operate on what has been a vacant property for the last few years. The property is located on a major highway with similar commercial and business uses.

The existing buffers and conditions adjacent to neighboring properties would remain and the business would occupy the existing building. In addition to a Special Use Permit for the proposed auto sales use, the Applicant has filed a supplemental application for Change in Conditions seeking to change the existing conditions.

Specifically, Condition 1(A) of CIC2014-00006 and SUP2014-00030 would be revised to allow for auto sales as an additional use. Condition 1(E) is requested to be revised to allow the parking of vehicles for sale at the front of the property. Condition 1(F) would be revised or deleted to allow for the sale of vehicles on this site. The Applicant plans to meet all other prior zoning conditions, subject to the requests herein, as amended.

Because the subject property is adjacent to a significant concentration of commercial property, located off of a major highway, and is near a commercial intersection, and the proposed special use would be entirely consistent with the current zoning and development patterns, the 2030 Unified Plan, and Board of Commissioners' precedent for this and surrounding property.

In addition to these requests, the Applicant and Property Owner has submitted a supplement letter requesting that the Board of Commissioners and Gwinnett County waive the twelve month submittal timeline to allow for these applications to be filed. The previous zoning applications for this property were approved by the Board of Commissioners almost 9 months ago, in July of 2014. The Applicant and Property Owner believe that waiver is supported due to the long-term vacancy and much-needed renovation and occupancy of the subject property.

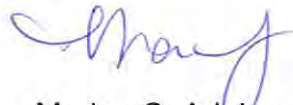
CONCLUSION

The subject property is an appropriate location for the proposed auto sales and the previously-approved repair uses. Applicant and its representatives welcome the opportunity to meet with the staff of the Gwinnett County Department of Planning and Development, Planning Commissioners, and the Board of Commissioners to answer any questions or to address any concerns. Applicant respectfully requests your approval of its Application for Special Use Permit and Application for Change in Conditions.

This 3rd day of April, 2015.

Respectfully submitted,

ANDERSEN, TATE & CARR, P.C.



Marian C. Adejimy
Attorney for the Applicant

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CIC '15 012

JUSTIFICATION FOR ZONING REQUEST(S) / CONSTITUTIONAL OBJECTIONS

The portions of the Gwinnett County Zoning Ordinances and Unified Development Ordinance (collectively, the "UDO") and/or zoning conditions which presently restrict the property which is the subject of this Application (the "Property") to its current zoning and permitted uses are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the UDO and/or zoning conditions which presently restrict the property to its current zoning and permitted uses is unconstitutional, illegal, null and void, constituting a taking of the Applicant's and the Owner's property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

The Property is presently suitable for the proposed uses and conditions, as requested by the Applicant, and is not economically suitable for development with only the currently permitted uses. A denial of this Application would constitute an arbitrary and capricious act by the Gwinnett County Board of Commissioners without any rational basis therefore and contrary to other recent Board of Commissioners actions, constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Gwinnett County Board of Commissioners to allow the requested use(s) and condition(s), so as to permit the only feasible economic use of the Property, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any approval of a use or condition for the Subject Property or rezoning to some other classification, subject to conditions which are different from the conditions by which the Applicant may amend its application, to the extent such different conditions would have the effect of further restricting the Applicant's and Owner's utilization of the subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

Accordingly, the Applicant respectfully requests that the Application(s) submitted by the Applicant relative to the Property, as amended, be approved.

This 3rd day of April, 2015.

ANDERSEN, TATE & CARR, P.C.



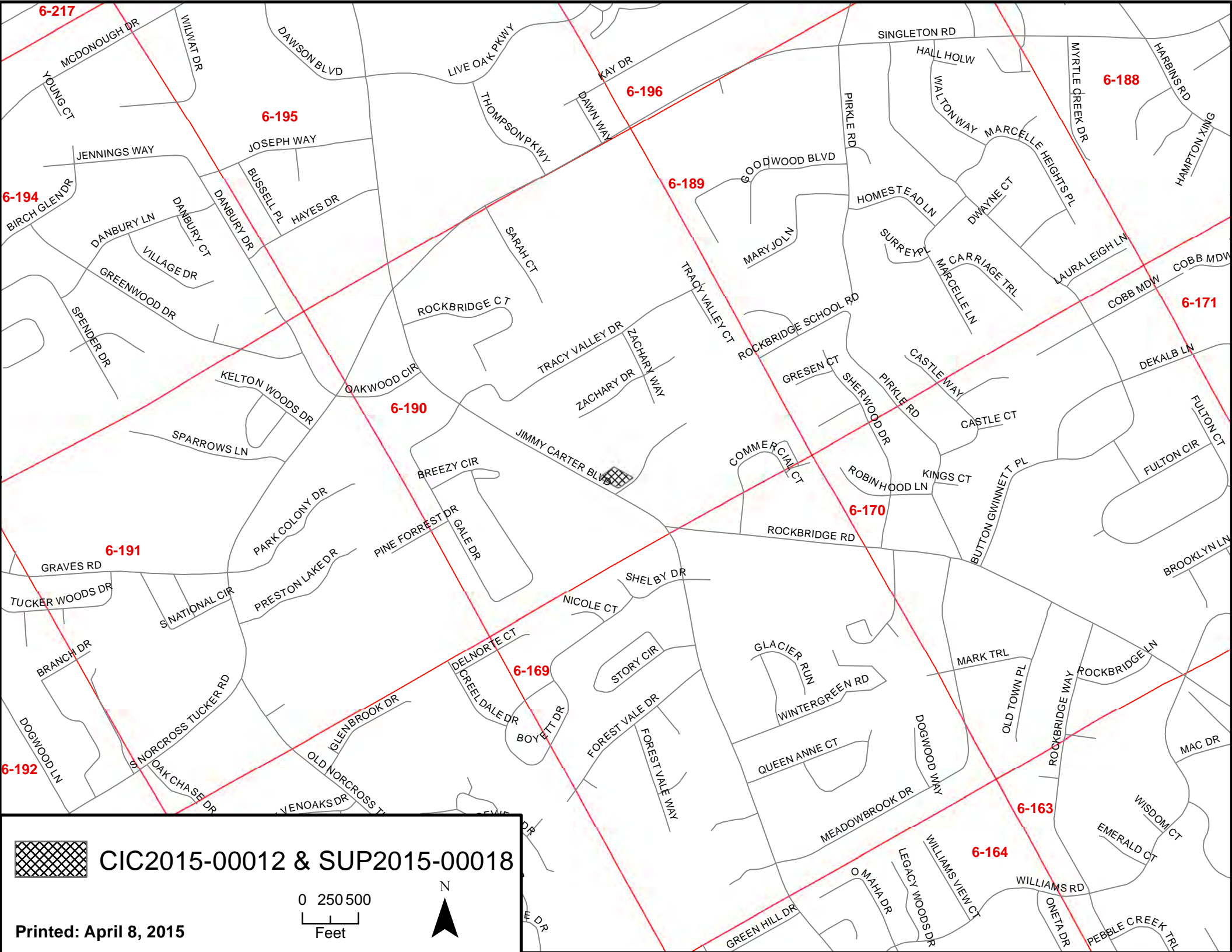
Marian C. Adeimy
Attorney for Applicant

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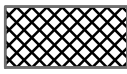
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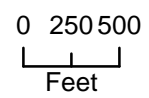
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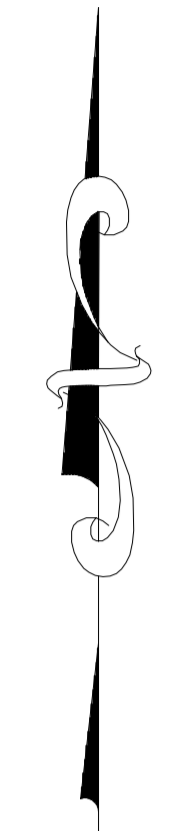


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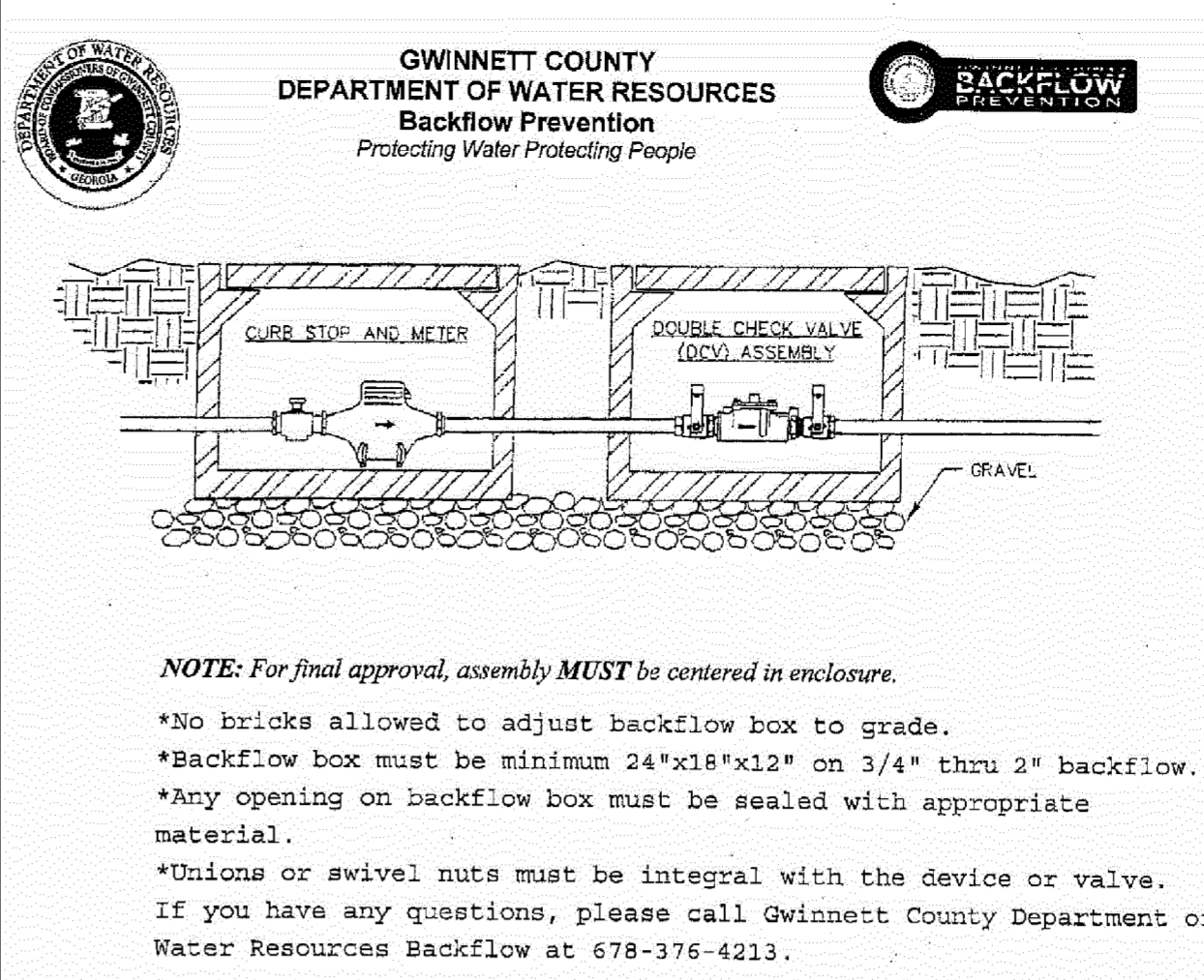
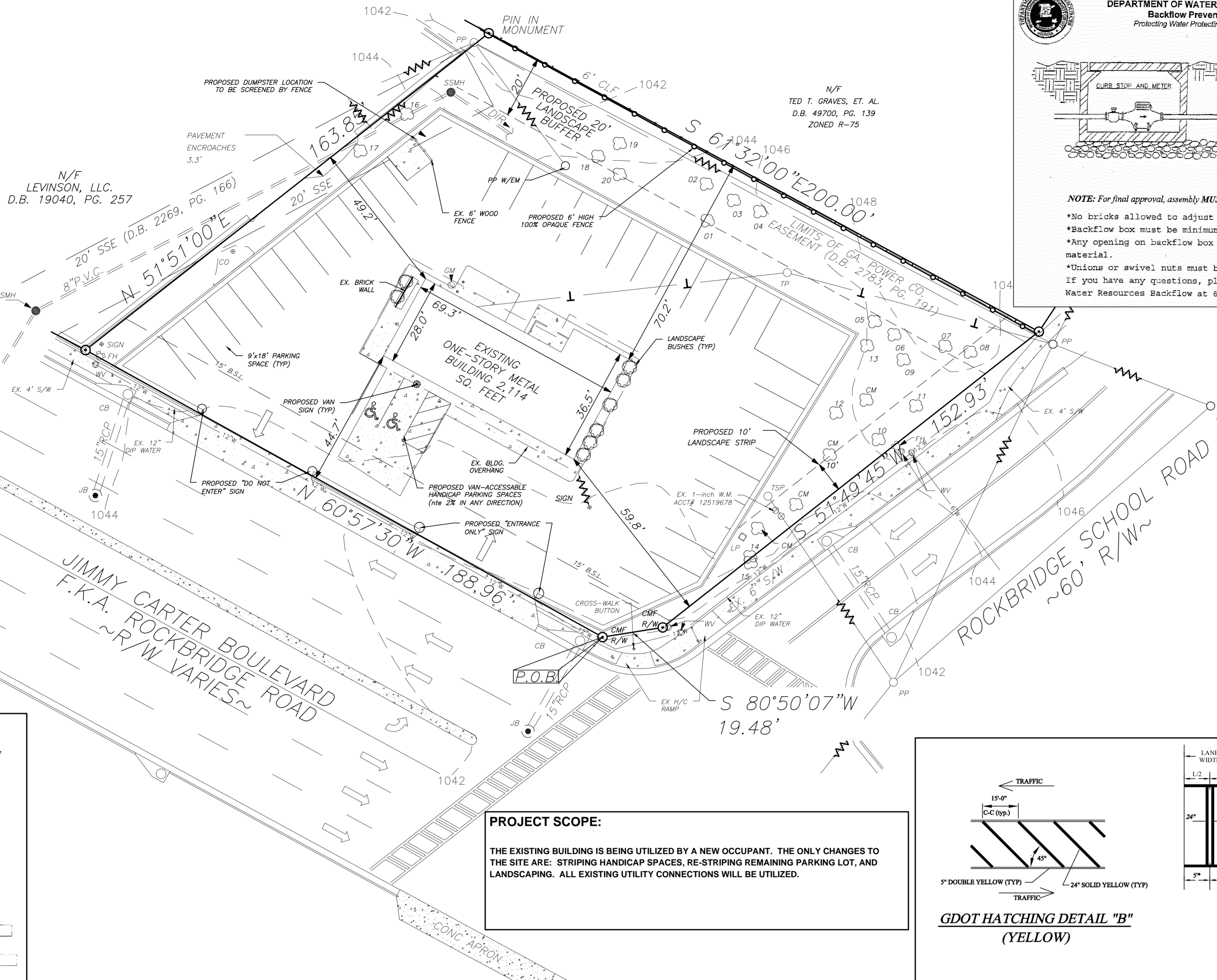


Printed: April 8, 2015

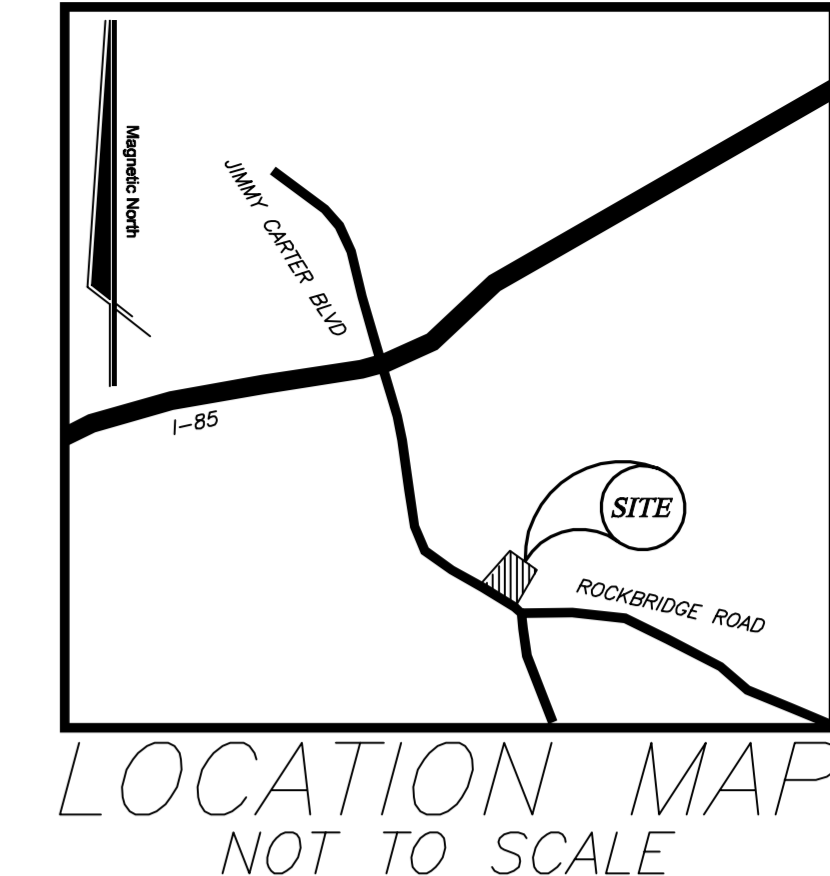
30,222 SQ. FT.
0.693 ACRES



MAGNETIC



NOTE: For final approval, assembly **MUST** be centered in enclosure.
 *No bricks allowed to adjust backflow box to grade.
 *Backflow box must be minimum 24"x18"x12" on 3/4" thru 2" backflow material.
 *Any opening on backflow box must be sealed with appropriate material.
 *Unions or swivel nuts must be integral with the device or valve.
 If you have any questions, please call Gwinnett County Department of Water Resources Backflow at 678-376-4213.

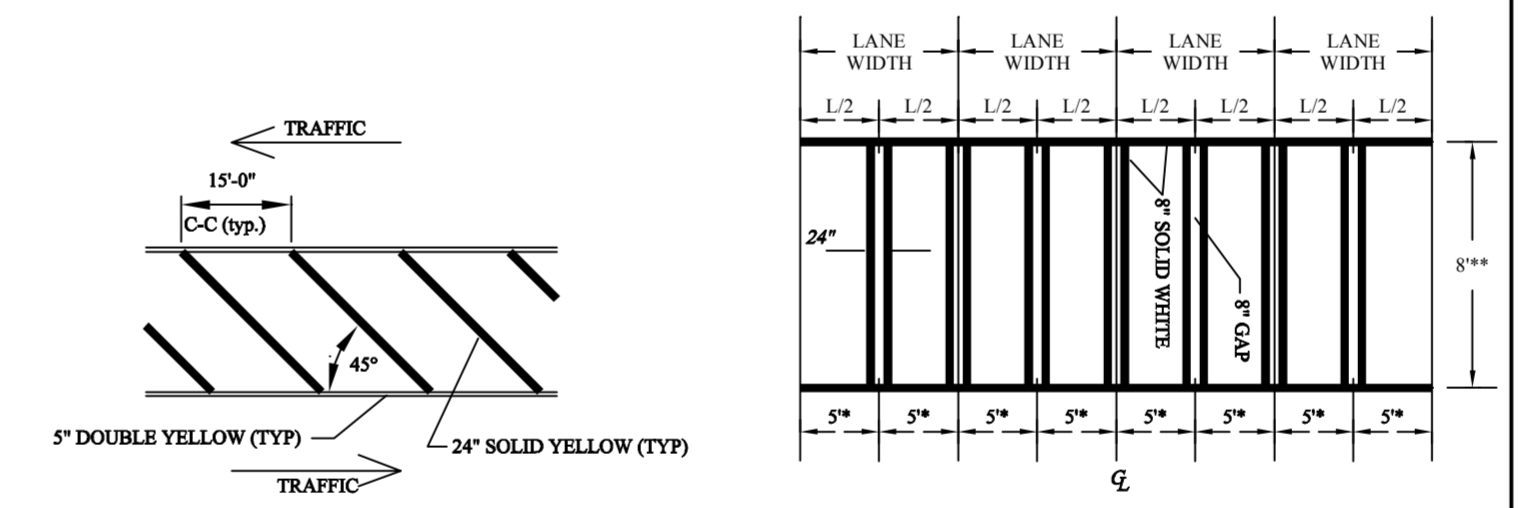


PROJECT NOTES:
 Owner: Vivian Phung, 5055 Jimmy Carter Blvd, Norcross, GA
 Developer: Vivian Phung, 5055 Jimmy Carter Blvd, Norcross, GA
 CONTACT: Vivian Phung, 404-421-2728
 ENGINEER: Woodruff & Associates, 3301 Stewart Lake Road, Monroe, CA 30655
 CONTACT: Amanda K. Woodruff, 404-530-9218
 E-MAIL ADDRESS: amanda@woodruffai.com

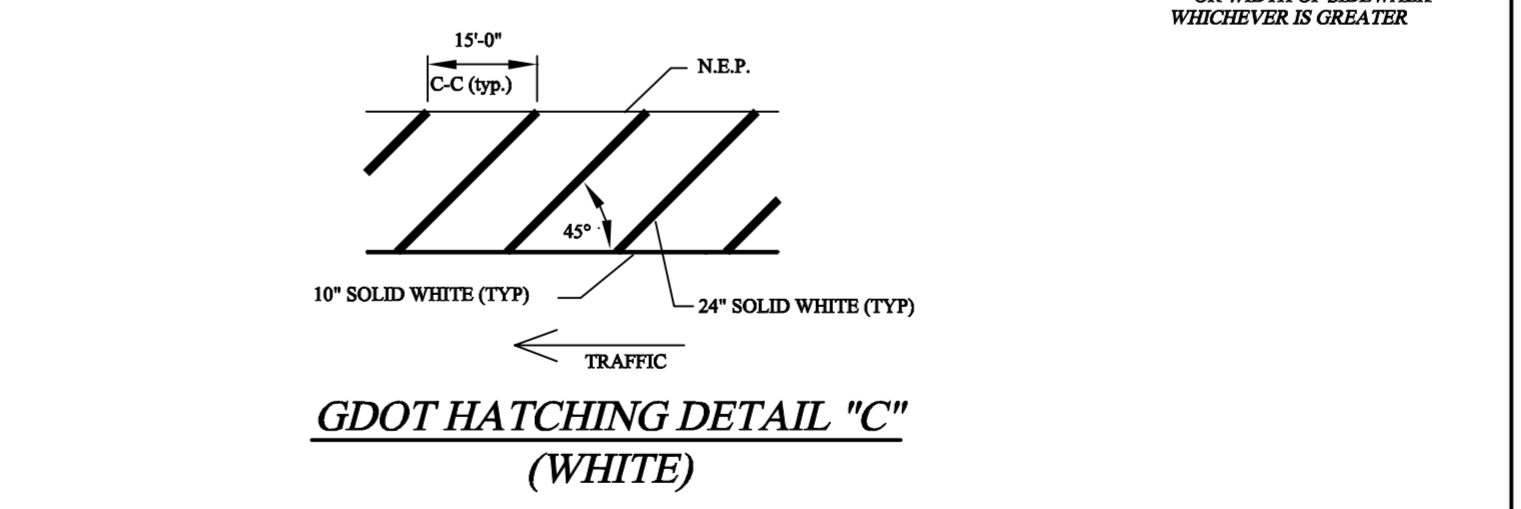
- Property located in L.L. 190, 6th Dist, Gwinnett Co. Parcel 172
- Zoning: C-2
- Building Setbacks:
 Front: 15'
 Side: 10' (20' abutting residential)
 Rear: 15' (10' abutting residential)
- Existing Bldg use is Commercial.
- Existing building height: 18'
- Total tract contains 0.693 acres/disturbed area = 0 acres ± including R-O-W.
- Boundary information obtained from survey by Adam & Lee Land Surveying dated October 16, 2014.
- Topographical information obtained from Adam & Lee Land Surveying dated October 16, 2014.
- Vertical datum for topography is based on sea level (GA DOT 69-067-201).
- Contour interval is 2 feet feet.
- Utilities:
 Water - Gwinnett County
 Sanitary Sewer - Gwinnett County
- The location of underground utilities shown is approximate based on surface field evidence and information supplied by utility agencies. The survey makes no certification as to the completeness of the locations shown hereon. Appropriate utility companies should be contacted for verification of locations prior to any construction activity.
- The contractor shall verify the invert elevations of all existing storm and sanitary sewer structures prior to commencement of storm and sanitary sewer construction.
- Contractor shall notify the engineer and owner/developer of any information found in the field that is different from what is shown on these design plans.
- There no drive-up window(s) to be installed.
- No billboards are permitted.
- There is 1 dumpster(s) associated with this project.
- There are no new overhead doors on this project.
- No outside storage proposed, this includes supplies equipment, vehicles, products, etc.
- All new utility lines shall be located underground.
- A separate building permit shall be obtained for all retaining walls greater than 4'-ft in height and all retaining walls m used as a dam prior to construction of the walls.
- Parking lots shall be maintained in good condition, free of potholes, weeds, dust, trash, and debris.
- Approval of these plans does not constitute approval by Gwinnett County of any land disturbing activities within wetland areas. It is the responsibility of the property owner to contact the appropriate regulatory agency for approval of any wetland disturbance.
- It is the responsibility of the property owner to maintain any detention facility constructed on their property and to ensure the facility is free of obstruction, silt, and debris.
- Notify Gwinnett County Inspections 24 Hours prior to beginning of every phase of construction. 678-518-6000.
- No Certificate of Occupancy will be issued until all site improvements have been completed.
- High intensity lighting facilities shall be so arranged that the source of any light is concealed from public view and from adjacent residential property and does not interfere with traffic.
- signs, location, number and size are not approved under this building permit.
- All construction to comply with Gwinnett County Standards.
- All buffers and tree save areas shall be clearly identified by protective tree fencing prior to commencement of any land disturbance.

SITE VISIT CERTIFICATION:
 I certify under penalty of law that this plan was prepared after a site visit to the locations described herein by myself or my authorized agent, under my direct supervision.
 Amanda K. Woodruff, P.E. _____ Date _____
 Ga. Reg. #36372

PROJECT SCOPE:
 THE EXISTING BUILDING IS BEING UTILIZED BY A NEW OCCUPANT. THE ONLY CHANGES TO THE SITE ARE: STRIPING HANDICAP SPACES, RE-STRIPING REMAINING PARKING LOT, AND LANDSCAPING. ALL EXISTING UTILITY CONNECTIONS WILL BE UTILIZED.



GDOT HATCHING DETAIL "B" (YELLOW)
CROSSWALK DETAIL



GDOT HATCHING DETAIL "C" (WHITE)
PAVEMENT MARKINGS

Gwinnett County Department of Water Resources Fire Flow Test

LOCATION: 5055 Jimmy Carter Blvd

DATE: 2/2/2016 MAP REFERENCE: 817 G-7

LANDLOT: 196 DISTRICT: 8th SYSTEM: _____

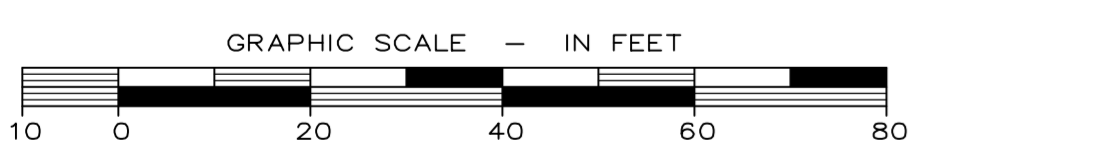
STATIC: 100 RESIDUAL: 90 TESTFLOW: 1405 FLOW@20: 4316

MAIN SIZE: 12" NOTES: Flowed FH at 12:30pm

S/R: 2nd Hydrant NW of Rockbridge School Rd on Jimmy Carter Bl HYDRANT FID1: 38530

F: 1st Hydrant NW of Rockbridge School Rd on Jimmy Carter Bl HYDRANT FID2: 38579

OBSERVER: PJM Crew



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 (770) 623-4344
 (METRO ATLANTA ONLY)
 UTILITIES PROTECTION CENTER
 IT'S THE LAW

CERTIFICATE OF DEVELOPMENT PLANS APPROVAL: 2014

All requirements of the Gwinnett County Unified Development Ordinance (UDO) relative to the preparation and submission of a development permit application having been fulfilled, and said application and all supporting plans and data having been reviewed and approved by all affected County Departments as required under their respective and applicable regulations, approval of this site plan is hereby granted and all other development plans associated with this project shall be subject to all further provisions of said UDO.

THIS CERTIFICATE EXPIRES TWELVE MONTHS FROM THE DATE OF APPROVAL UNLESS A DEVELOPMENT PERMIT IS ISSUED.

Director: _____ Date: _____
 Department of Planning and Development

24-HOUR EMERGENCY CONTACT:
 Vivian Phung
 PH: 404-421-2728

COMMERCIAL DEVELOPMENT PERMIT DATA			
GENERAL			
Development Type:	COMMERCIAL		
Zoning:	C-2		
RELATED CASES			
Case Number:	SUP2014-00030	Case:	---
Approval Date:	7/22/2014	Approval Date:	---
Case Number:	CDC2014-00006	Case:	---
Approval Date:	7/22/2014	Approval Date:	---
PROJECT DATA			
Total Area (acres):	0.693 AC		
Limits of Disturbed Area (acres):	0.23 AC		
PARKING DATA			
Existing Spaces:	32	Required Parking Spaces (min.):	EXISTING
Proposed Spaces:	2	Required Parking Spaces (max.):	34
Total Spaces:	34	Pavement Surface Type:	Asphalt
BUILDING DATA			
Building ID	Existing Floor Area (SF)	New Floor Area (SF)	Total Floor Area (SF)
1	2114	0	2114
Number of Existing Buildings	Number of New Buildings	Number of Stories	Density (#/ac)
1	0	1	NA
TREES			
Non-Buffer Trees Preserved:			
Non-Buffer Trees Replaced:			
Landscape Open Space (R):			
BUFFER			
Type:	---	Width:	---
Type:	---	Width:	---
Type:	---	Width:	---
Buffer Trees Planted:	---	Sanitary Service Type:	Sewer

REV: DATE: DESCRIPTION: ADDRESS: COUNTY: COMMENTS:

WOODRUFF & ASSOCIATES
 3301 Stewart Lake Road, Monroe, CA 30655
 Phone: 404-530-9218 / Fax: 404-530-9219

Land Lot 190, 6th District, Gwinnett County, GA

OVERALL SITE PLAN FOR
 AUTO APPEARANCE PRO
 5055 JIMMY CARTER BOULEVARD

GEORGIA REGISTERED PROFESSIONAL ENGINEER
 AMANDA KATHLEEN WOODRUFF
 No. PE36372
 LEVEL II CERT. #: 28524

SITE PLAN
 January 20, 2015
 Scale: 1"=20'
 Job: 2015-VPD-01
 Issue: B.0
 Sheet 1 of 2

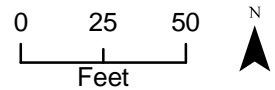


JIMMY CARTER BLVD

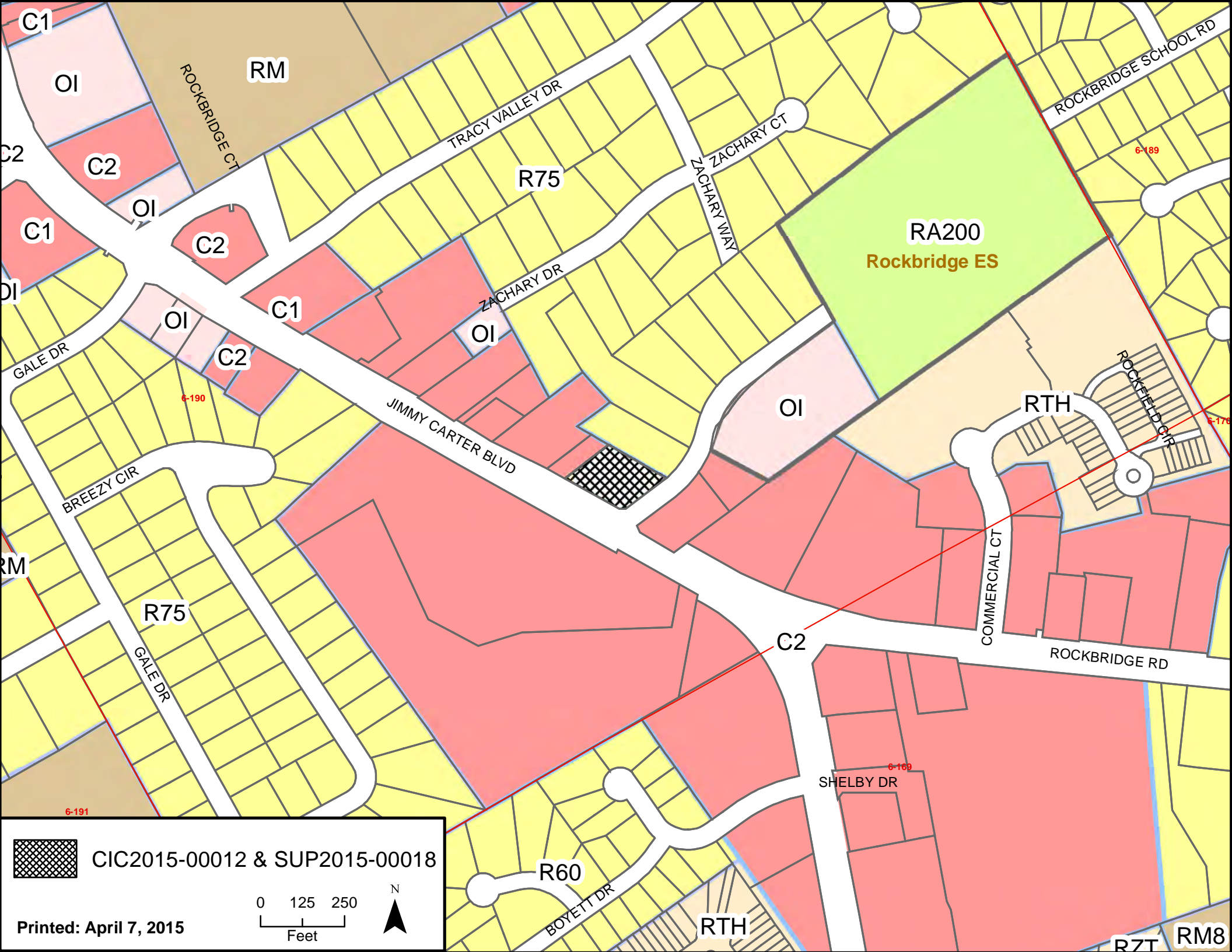
ROCKBRIDGE SCHOOL RD



CIC2015-00012 & SUP2015-00018

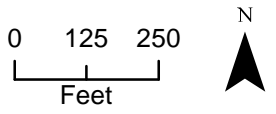


Printed: April 8, 2015



 CIC2015-00012 & SUP2015-00018

Printed: April 7, 2015



R7T RM8

CIC2015-00013

HAS BEEN ADMINISTRATIVELY WITHDRAWN

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
CHANGE IN CONDITIONS ANALYSIS**

CASE NUMBER : **CIC2015-00014**
ZONING : C-2
LOCATION : 1000 BLOCK OF OLD PEACHTREE ROAD
MAP NUMBER : R7124 021
ACREAGE : 2.06 ACRES
SQUARE FEET : 5,858 SQUARE FEET
PROPOSAL : CHANGE IN CONDITIONS TO REMOVE INTERNAL
LANDSCAPE STRIP REQUIREMENT
COMMISSION DISTRICT : (1) BROOKS

FUTURE DEVELOPMENT MAP: **PREFERRED OFFICE**

APPLICANT: QUIKTRIP CORPORATION
C/O MAHAFFEY, PICKENS, TUCKER, LLP
1550 NORTH BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACT: LEE TUCKER OR SHANE LANHAM PHONE: 770.232.0000

OWNER: QUIKTRIP CORPORATION
952 OLD PEACHTREE ROAD, N.W.
BUILDING 100
LAWRENCEVILLE, GA 30043

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

CHANGE IN CONDITIONS SUMMARY:

The applicant requests a Change in Conditions of a prior C-2 rezoning case (RZC-03-030) to remove the required 5-foot required landscape strip along internal property lines. The subject property is 2.06 acres in size, and developed with a QuikTrip convenience store. The site is located on the north side of Old Peachtree Road, just west of its intersection with Northbrook Parkway. It is noted that the site is located within the Civic Center Overlay District, and would be subject to those requirements.

The applicant is proposing to renovate the site with a new 5,858 square foot convenience store building, revised parking lot layout and the addition of a driveway along the rear of the property adjacent to the undeveloped commercial tract to the north. Access to the property would be provided by interparcel access through the neighboring bank and an existing driveway on the adjacent commercial undeveloped tract to the west. The applicant's letter of intent indicates that QuikTrip is requesting the condition to be removed to allow a driveway along the rear property line, to encourage the free flow of traffic in and around the store.

Condition 2.B. of RZC-03-030 currently reads as follows:

2.B. Provide a five-foot wide landscape strips adjacent to all interior property lines.

The applicant requests that condition 2.B. be deleted in its entirety.

The 2030 Unified Plan Future Development Map indicates the property lies within a Preferred Office Character Area. Policies for this character area support certain freestanding retail establishments. The Board previously granted a similar request for reducing the width of the landscape strip on this property (RZC-03-030), suggesting that the subject request could be considered consistent with Board precedent for this property.

The surrounding area consists of commercial/retail, office and public-institutional uses along the Old Peachtree Road corridor, with single-family residential uses in the outlying areas. Immediately adjacent to the north and west of the subject property is commercially zoned property graded for development. It is noted that the internal landscaped strip between the undeveloped commercial tract and subject property has been installed on both sides of the property line (10-foot total width) and would be removed if the subject CIC request is granted. To the east of the property is a bank and across Old Peachtree Road are commercial shopping centers zoned C-2. It is anticipated that the removal of the five foot landscape strip would have minimal impacts on the surrounding commercial uses, and would be adequately compensated by tree density requirements elsewhere on the property, along with required landscaping on the neighboring site when it is developed.

In conclusion, the proposed change in condition to delete the landscape strip requirement along the rear of the property may be consistent with Board precedent on the property where landscape strip reductions were approved in the past. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS**.

ZONING HISTORY:

In 1970, the subject property was zoned R-100 (Single Family Residence District). In 1975, the property was rezoned to RM (Multi-Family Residence District) and C-2, per an areawide rezoning. In 1990, a portion of the property was rezoned to C-2, pursuant to RZ-43-90 and a Special Use Permit for a building height increase was approved in 1990, pursuant to SUP-90-019. In 2003, a Change in Conditions request to reduce the landscape strip from 10-feet to 5-feet along Old Peachtree Road was approved pursuant to RZC-03-030.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

No comment.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 24-inch water main located on the southwestern right-of-way of Old Peachtree Road.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located on the property.

BUILDING CONSTRUCTION COMMENT SECTION:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

RZC-03-030 with:
Additions in **bold**
Deletions in strikethrough

Approval as C-2 (Change-in-Conditions), subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Retail and service commercial and accessory uses.
 - B. Limit the height of the building(s) to no more than three stories.
 - C. Buildings shall be finished with architectural treatments of glass and/or brick, stone or stucco.
 - D. **The development shall abide by all applicable Activity Center Overlay requirements, including landscaping and tree density provisions.**
2. To satisfy the following site development considerations:
 - A. Provide a ten-foot wide landscape strip outside the new dedicated rights-of-way of Old Peachtree Road. Landscape strip may be reduced to 5-feet at right-of-way offset along Old Peachtree Road per site plan received January 2, 2003.
 - B. ~~Provide a five-foot wide landscape strip adjacent to all internal property lines.~~
 - B. **All new ground signage shall be limited to monument type sign(s), and shall be subject to review and approval by the Director of Planning & Development. The sign shall include a minimum two-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the cabinet shall be fully surrounded by the same materials. Ground sign(s) shall not exceed 10 feet in height.**
 - C. Provide inter-parcel access as may be required by the Department of Planning and Development.
 - D. Oversized signs shall be prohibited.
 - E. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent roadways or nearby residential property.

- F. ~~No banners, temporary signs, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. All signs are prohibited from adjacent right-of-way.~~ **No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.**
- G. **Peddlers and/or parking lot sales shall be prohibited.**
- H. **The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.**

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The proposed change in conditions is considered suitable, given the use of surrounding properties, several of which do not share this condition.

ADVERSE IMPACTS

No significant adverse impacts would be anticipated from this request.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

Additional impervious surface and paved parking on the property could be expected to create additional impacts on public facilities in the form of stormwater runoff.

CONFORMITY WITH POLICIES

The request could be consistent with prior Board policy for the subject property as established in the previous rezoning (RZC-03-030), which also reduced required landscape strip requirements.

CONDITIONS AFFECTING ZONING

The removal of the five foot landscape strip would have minimal impacts on the surrounding commercial uses. The required tree density elsewhere on the site should adequately compensate for removal of the landscaped strip along the rear.

CHANGE IN CONDITIONS APPLICANT'S RESPONSE
Standards Governing the Exercise of the Zoning Power

The proposed change in conditions for subject property will permit a use that is suitable in view of the use and development of adjacent and nearby property. The property is an existing QuikTrip facility and the elimination of the 5' landscaping strip along interior property lines will not negatively affect the development of adjacent or nearby property.

The proposed change in conditions will not adversely affect the existing use or usability of adjacent or nearby property.

In light of the competitive nature of Applicant's industry, and the need to maintain a clean, safe, architecturally attractive storefront, the property has no reasonable economic use unless redeveloped as proposed.

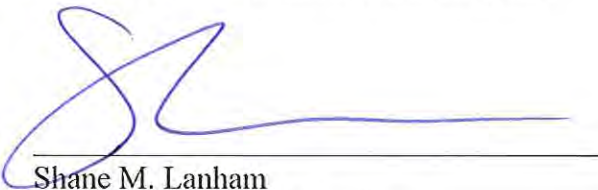
The proposed use of subject property is the same as the existing use. The redevelopment of the subject property as a new "Generation 3" QuikTrip facility will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

The proposed change in conditions is in conformity with the policy and intent of the land use plan. The proposed change in conditions will allow the continued use of the property as a QuikTrip facility.

As the surrounding area continues to develop to serve a growing population, QuikTrip's proposed change in conditions will allow redevelopment of the subject property, and the enhancement of public health and general welfare.

Respectfully Submitted,

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham

Attorneys for the Applicant

CIC '15 014

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Planning & Development

**LETTER OF INTENT FOR CHANGE IN CONDITIONS APPLICATION OF
QUIKTRIP CORPORATION**

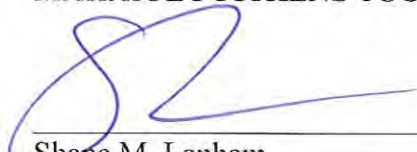
The property which is the subject of this Application is currently zoned C-2 as a part of Case Number RZC-03-030 approved by Resolution of the Board of Commissioners of Gwinnett County, Georgia on July 30, 2003 (the "Resolution"), and is located at 1055 Old Peachtree Road, Lawrenceville, Georgia 30043 (the "Property"). The Resolution contained certain conditions governing the continued development of the Property. Applicant is now in the process of developing the Property and files this Application requesting the elimination of one of the conditions of zoning so that the Applicant may further develop the Property according to the attached Site Plan.

Condition 2B of the Resolution currently requires the Applicant to "[p]rovide a five-foot wide landscape strip adjacent to all internal property lines." Applicant respectfully requests that Condition 2B be eliminated. Allowing a driveway along the rear property line will encourage the free flow of traffic in and around the store, and will provide a safer environment for patrons of QuikTrip and surrounding properties.

The Applicant and its representatives welcome the opportunity to meet with the staff of the Gwinnett County Department of Planning and Development to answer any questions or to address any concerns. Applicant respectfully requests your approval of this Application.

This 30th day of April, 2015

Respectfully submitted,
MAHAFFEY PICKENS TUCKER, LLP



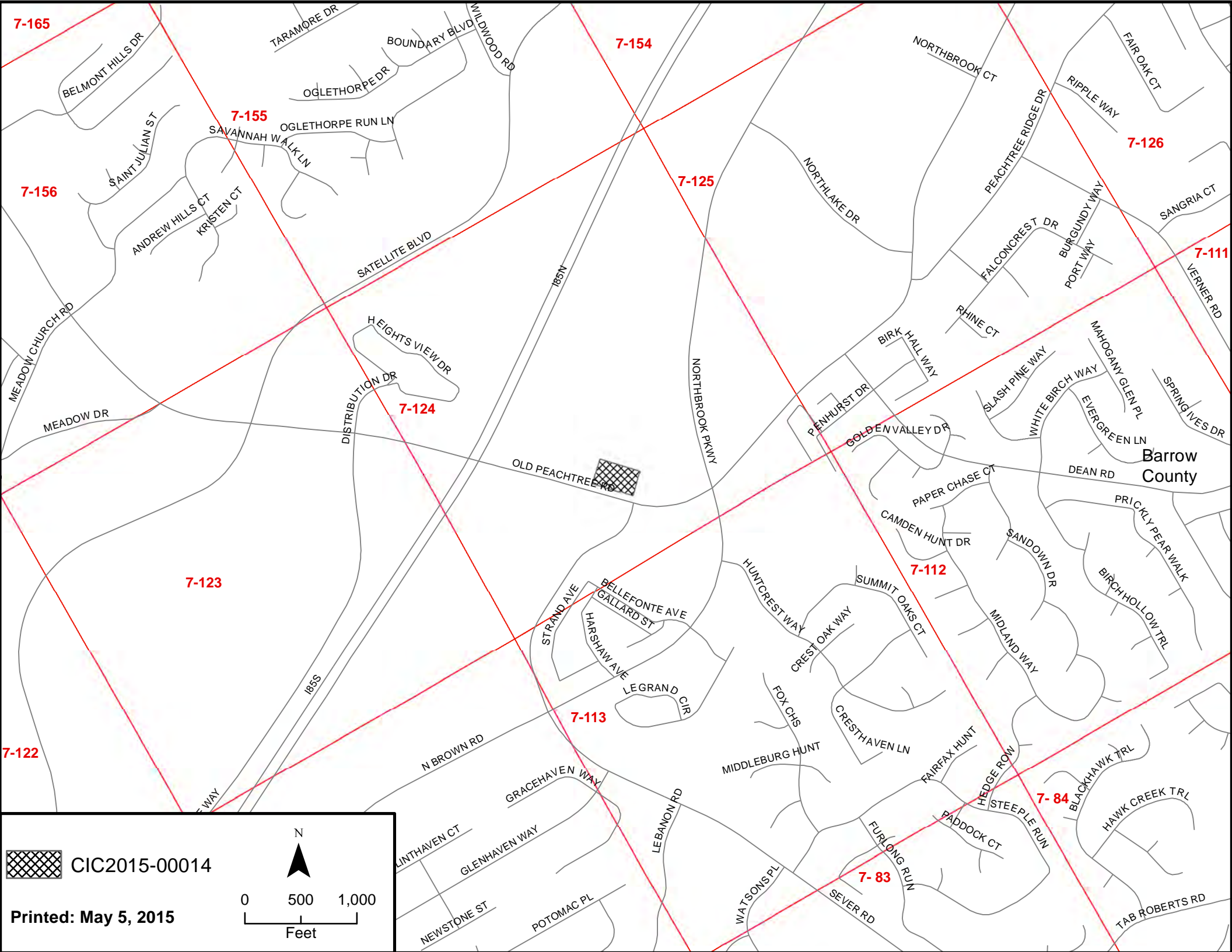
Shane M. Lanham
Attorneys for the Applicant

CIC '15 014

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Barrow County

 CIC2015-00014

Printed: May 5, 2015

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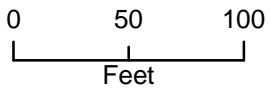


OLD PEACHTREE RD

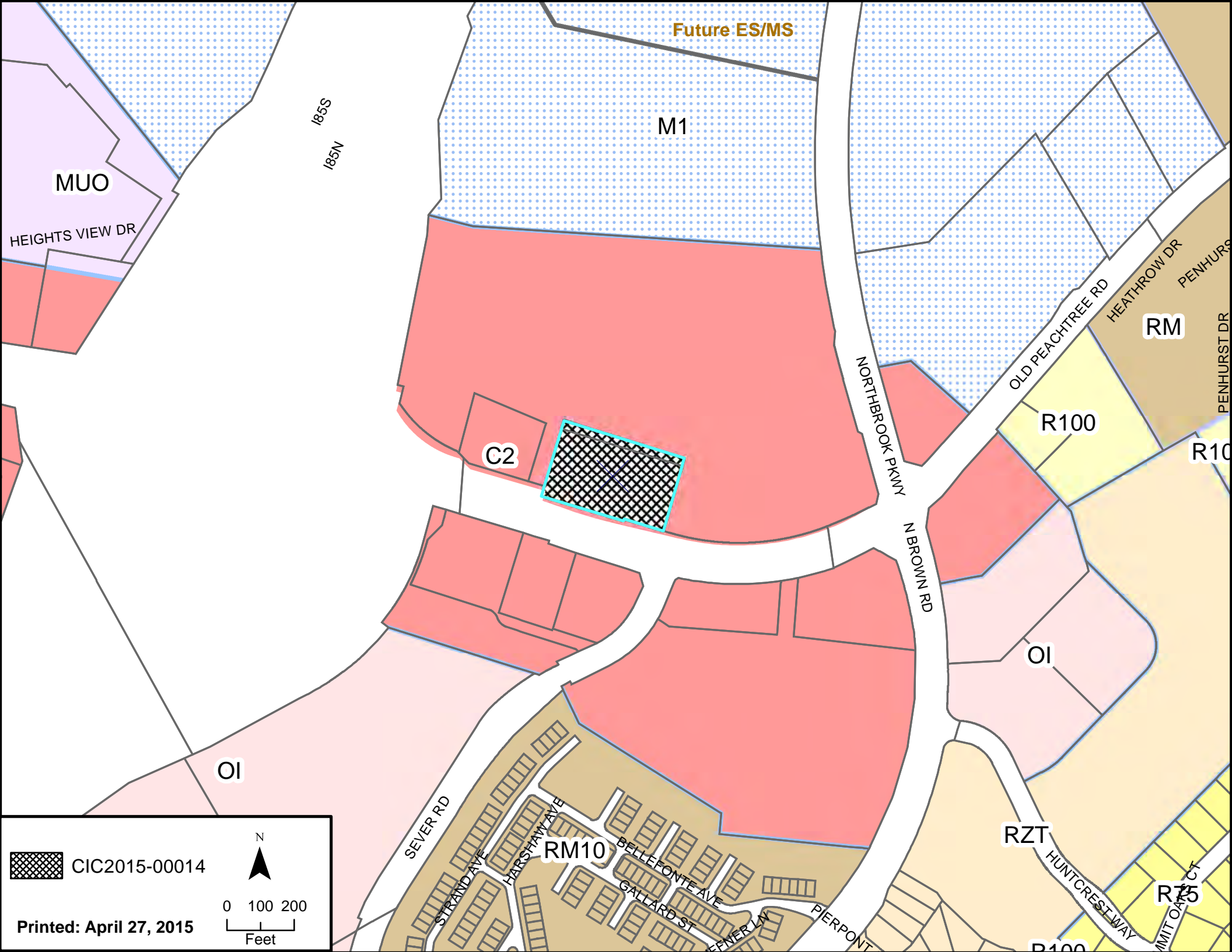
SEVER RD



CIC2015-00014



Printed: May 5, 2015



Future ES/MS

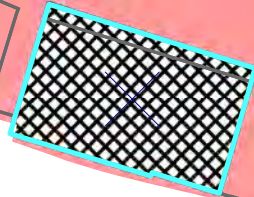
M1

MUO

HEIGHTS VIEW DR

185S
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C2



RM

R100

R100

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R75

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 CIC2015-00014



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Feet

Printed: April 27, 2015

SEVER RD
STRAND AVE

HARSHAW AVE

BELLEFONTE AVE
GALLARD ST

FENNER LN

PIERPONT

NORTHBROOK PKWY
N BROWN RD

HUNTCREST WAY

MITOAK CT

HEATHROW DR

PENHURST DR

MITOAK CT

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
BUFFER REDUCTION ANALYSIS**

CASE NUMBER :**BRD2015-00004**
ZONING :C-2
LOCATION :1800 BLOCK OF DULUTH HIGHWAY
:5100 BLOCK OF SUGARLOAF PARKWAY
MAP NUMBERS :R7081 004A, 136 & 151
ACREAGE :5.39 ACRES
REQUEST :BUFFER REDUCTION FROM 50 FEET TO 0 FEET
COMMISSION DISTRICT :(1) BROOKS

FUTURE DEVELOPMENT MAP: **EXISTING/EMERGING SUBURBAN**

APPLICANT: LYNWOOD DEVELOPMENT GROUP
C/O ANDERSEN, TATE & CARR, P.C.
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GA 30097

CONTACT: MARIAN ADEIMY PHONE: 678.518.6855

OWNER: T&B, LLC
4321 SOUTH LEE STREET, SUITE 100
BUFORD, GA 30518

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

BUFFER REDUCTION SUMMARY:

The applicant requests to reduce the required buffer on a 5.39-acre parcel assemblage, zoned C-2 (General Business District), where the property adjoins a recently approved multi-family residential zoning district. The property is located on the north side of Duluth Highway, just west of its intersection with Sugarloaf Parkway. The site is presently undeveloped and wooded, and there are no immediate plans for development on this tract of land.

In March 2015, the adjacent property to the northwest was rezoned from C-2 to RM-24 for an apartment complex. This zoning change results in a new buffer requirement on the subject commercial site, as it now abuts residential zoning. The required buffer width for C-2 where adjoining RM-24 zoning is 50 feet, and the applicant is requesting relief from the buffer requirement. As indicated in the letter of intent, the buffer would be eliminated, and the adjacent residential developer has agreed to provide a 15-foot landscape strip on their side of the common property line in lieu of the 50-foot buffer on the C-2 tract. Additionally, the 15-foot landscaped strip was made a rezoning condition on the the adjacent RM-24 tract (RZM2015-00001 Condition 2.A.).

The surrounding area is primarily a retail shopping district, extending along Duluth Highway from just beyond Sugarloaf Parkway to Interstate 85 and beyond to Meadow Church Way.

Immediately to the west of the subject site, is property recently zoned RM-24 (RZM2015-00001), Sugarloaf Mills Mall and a CVS pharmacy. Given the long-standing C-2 zoning of the site, and the development patten of the area, staff could support reducing the buffer in this instance.

Given the predominant commercial zoning and development of the area and the agreements among the affected property owners, the requested buffer reduction could be considered suitable provided that some landscaped transition is provided between the two properties. This was further reinforced by the Board's action requiring a landscaped strip on the neighboring RM-24 property. Therefore, the Department recommends **APPROVAL WITH CONDITIONS** of this request.

ZONING HISTORY:

In 1970, the subject property was zoned R-100. In 1977, the property was rezoned to RA-200 (Agriculture-Residence District), pursuant to RZ-77-046. In 1998, the property was part of the initial Sugarloaf Mills rezoning application for C-2 (RZ-166-98 and SUP-98-123), but was omitted from the final approval. In 2004, the property was rezoned to C-2, pursuant to RZC-04-080.

GROUNDWATER RECHARGE AREA:

The subject property is not located within an identified Significant Groundwater Recharge Area.

WETLANDS INVENTORY:

The subject property does not contain areas, streams and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Protection (Chapter 620 of the Unified Development Ordinance) require a no-access easement along the line of double frontage lots abutting a major thoroughfare for residential developments.

The Buffer, Landscape and Tree Protection requires submittal and approval of a Tree Preservation and Replacement Plan prepared by a professional landscape architect prior to securing a Land Disturbance or Development permit.

Parking lots and interior driveways shall be designed in accordance with Chapter 240 of the Unified Development Ordinance.

All open space areas/common areas shall meet the minimum road frontage and lot width requirements for a lot within the subdivision.

Section 900-20.7 of the Unified Development Ordinance requires either direct alignment of public streets opposite each other, or have offsets as shown in Table 900.3.

Section 900-30 of the Unified Development Ordinance requires a 200-foot deceleration lane with a 50-foot taper at each project entrance that proposes access to a Minor Collection Street or Major Thoroughfare. Right-of-way dedication to accommodate the deceleration lane and an 11-foot shoulder is also required. Reduction in length of a deceleration lane requires approval of a Modification by the Development Division; elimination of a deceleration lane requires approval of a Waiver by the Board of Commissioners.

Project access and required improvements along State routes or U.S. Highways (i.e., number and design of driveways, deceleration lanes, median breaks, etc.) will be subject to review and approval of the Georgia Department of Transportation. (Section 900-90.3F of the Unified Development Ordinance).

Section 900-90 of the Unified Development Ordinance requires construction of five-foot wide sidewalks along all exterior roadways adjoining the project, and four-foot wide sidewalks adjacent to both sides of all interior public streets (excluding cul-de-sac turnarounds).

Section 610-20.4B of the Unified Development Ordinance requires an additional five-foot setback for all structures (parking lots, driveways, detention ponds, retaining walls, etc.) adjacent to required buffers.

The developer must submit a preliminary plat (construction plans), including a grading plan, tree plan, and road/sewer profiles for review and approval of the Development Division prior to any construction.

Section 800-20 of the Unified Development Ordinance requires submittal of a Storm Water Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

Section 700-40.1A of the Unified Development Ordinance requires that the lowest floor, including the basement, of all residential building be constructed at an elevation of at least three feet above the 100-year floodplain.

Note that all recreation areas, open space and/or common areas (including storm water detention facility lots) located within the development shall be controlled by a mandatory Property Owner's Association (to include reported bylaws) with responsibility for maintenance, insurance, and taxes for open space areas.

The United States Postal Service may require a centralized mail delivery kiosk for this proposed development, replacing individual mail boxes. Mail delivery kiosk must be located outside of right-of-way access easement (if private street). Location and access must be approved by Gwinnett County D.O.T.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

No comment.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of a 24-inch water main located on the northeastern right-of-way of Duluth Highway.

The available utility records show that the subject development is currently in the vicinity of a 16-inch sanitary sewer main located on the property.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

FIRE SERVICES SECTION COMMENTS:

No comment.

PLANNING AND DEVELOPMENT
RECOMMENDED CONDITIONS

Approval of a buffer reduction, subject to the following enumerated conditions:

1. In lieu of a buffer, provide a 10-foot wide landscaped strip adjacent to all residentially-zoned properties.
2. Final landscape plan shall be subject to review and approval by the Director of Planning and Development.
3. Natural vegetation shall remain on the property prior to the issuance of a development permit.
4. Ground signage shall be limited to monument type sign(s), and shall be subject to review and approval by the Director of Planning & Development. The sign shall include a minimum two-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the cabinet shall be fully surrounded by the same materials.
5. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure. Hours of dumpster pick-up shall be limited to between 7:00 am and 7:00 pm.
6. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
7. Peddlers and/or parking lot sales shall be prohibited.
8. No tents, banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
9. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

ANDERSEN | TATE | CARR

ANDERSEN, TATE & CARR, P.C.
ONE SUGARLOAF CENTRE
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GEORGIA 30097
(770) 822-0900
FACSIMILE (770) 822-9680
www.atclawfirm.com

Marian C. Adeimy
Direct Phone: (678) 518-6855
Direct Fax: (770) 236-9702

Email: madeimy@atclawfirm.com

April 30, 2015

Via Hand-Delivery

Gwinnett County Planning Department
Attn: Jeffrey West, Planning Director
446 W. Crogan Street, Suite 150
Lawrenceville, Georgia 30046

Re: LETTER OF INTENT IN SUPPORT OF T&B'S APPLICATION FOR BUFFER REDUCTION FOR 1855 DULUTH HIGHWAY, LAWRENCEVILLE, GA

The Applicant T&B, LLC (the "Applicant") and the adjacent developer, Lynwood Development Group, LLC, submit this Application to reduce the buffer where required on the T&B property, located at 1855 Duluth Highway, Lawrenceville, Georgia, from 50 feet to 0 feet.

In March of 2015, the adjacent property was rezoned from C-2 to RM-24 (RZM2015-00001); however, the T&B property remained C-2, as the collective property was zoned for many years. Because the adjacent property was rezoned to residential, the Unified Development Ordinance ("UDO") Section 6.10 then required a 50 ft. buffer on the T&B property due to its shared property line with the now "less-intense" commercial use.

In fact, the multi-family property is located uphill and between the T&B property and the adjacent Sugarloaf Mills Mall, and due to the existing elevations, does not benefit from, nor does it require a buffer on the T&B property. Moreover, the residential property was rezoned with the intent to benefit from its accessibility to those nearby commercial uses.

In addition, the residential developer, Lynwood Development, is in agreement with and supports this request for buffer reduction from 50 ft. to 0 ft. In fact, in the prior rezoning, RZM2015-0001, Lynwood agreed to provide for a 15 ft. landscape strip on the Lynwood side of the property line in order to replace and provide some landscaping and delineation between properties, instead of an ineffective buffer. The prior zoning conditions related to the two properties and the approved multi-family rezoning site plan are submitted herewith.

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BRD '15 004

In light of the property owners' agreement, related zoning condition, and property characteristics, the Applicant respectfully requests that the Board of Commissioners, Planning Commission, and staff recommend approval of and approve the Applicant's request for buffer reduction, to allow for quality, symbiotic development on both sides of the property line.

II. Constitutional and Statutory Justifications

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

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

The Property is presently suitable for development subject only to the approval of the buffer reduction hereby requested by the Applicant, and is not economically suitable for development under its present zoning and development classification, conditions, regulations, and restrictions due to its location, shape, size, surrounding development, and other factors. A denial of any of the requested buffer reduction would constitute an arbitrary and capricious act by Gwinnett County and the Board of Commissioners without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Gwinnett County Board of Commissioners to approve the Applicant's and property owner's requested buffer reduction, with only such additional conditions as agreed to by the Applicant, so as to permit the only feasible economic use of the Property, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in

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T&B Buffer Reduction
Letter of Intent
April 30, 2015

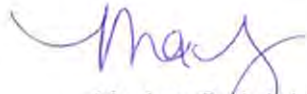
violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution.

Any restrictions subjecting the Property to conditions which are different from the requested buffer reduction by which the Applicant may amend its application, to the extent such different conditions would have the effect of further restricting the Applicant's and the Owner's utilization of the subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning or conditioning the Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions as set forth hereinabove.

III. Conclusion

The Applicant and its representatives welcome the opportunity to meet with the Board of Commissioners, Planning Commission and the Planning and Development staff to answer any questions.

Sincerely,



Marian C. Adeimy
Attorney for Applicant

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Planning & Development

BRD '15 004

CASE NUMBER RZC-04-080

BOARD OF COMMISSIONERS

WINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	VOTE
Wayne Hill, Chairman	<u>AYE</u>
Marcia Neaton, District 1	<u>AYE</u>
Albert Nasuti, District 2	<u>AYE</u>
John Dunn, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. NEATON, which carried 5-0, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from

R-100 to C-2

by WALTER K. HUFF, LLC. for the

proposed use of COMMERCIAL RETAIL USES on a

tract of land described by the attached legal description, which

is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on OCTOBER 26, 2004 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 2nd day of NOVEMBER, 2004, that the aforesaid application to amend the Official Zoning Map from R-100 to C-2 is hereby APPROVED.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By:

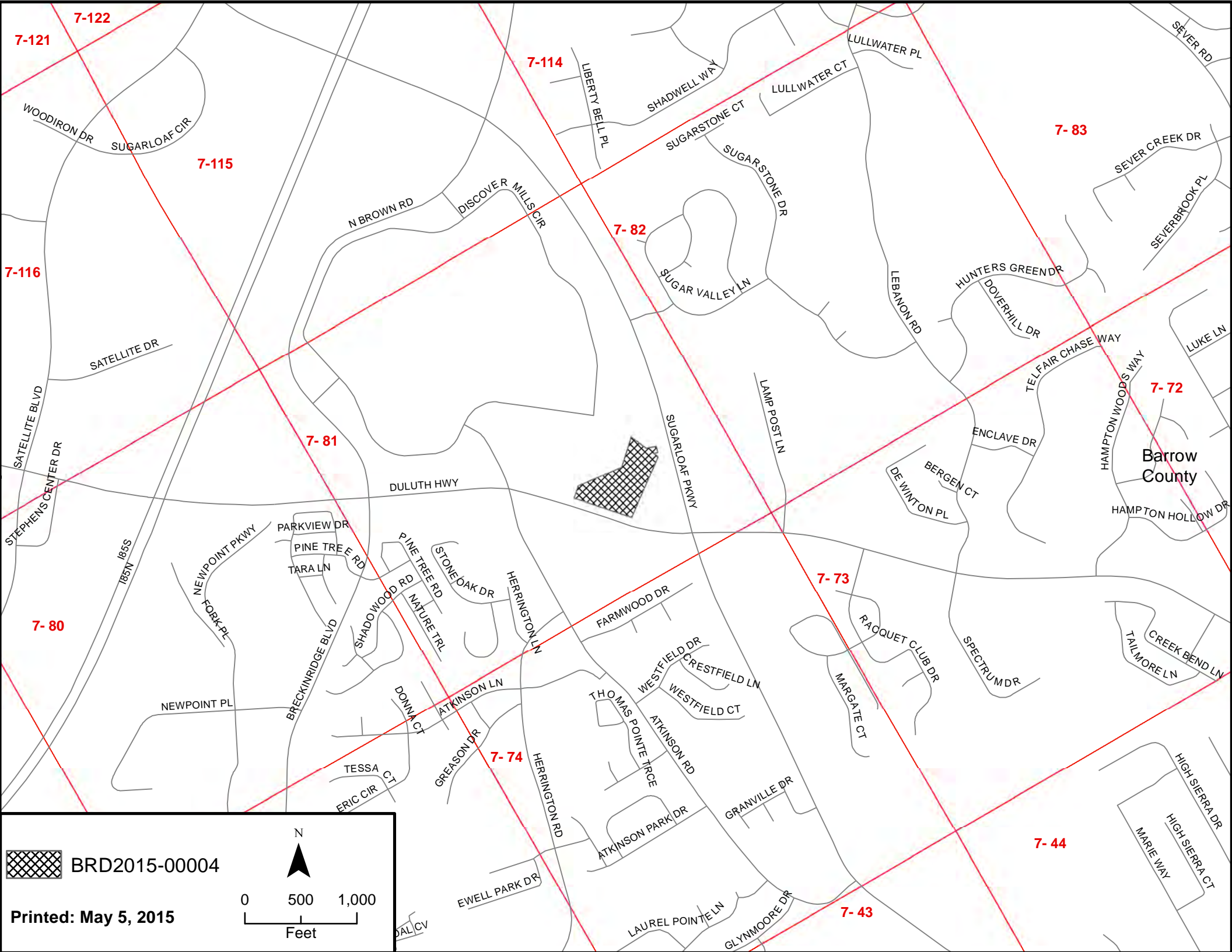
F. Wayne Hill
F. Wayne Hill, Chairman


Date Signed:

Dec. 15, 2004

ATTEST:

Brenda Maddox
County Clerk



 BRD2015-00004

Printed: May 5, 2015

0 500 1,000
Feet

N

BRD '15 004

RECEIVED BY

MAY 1 2015

Planning & Development

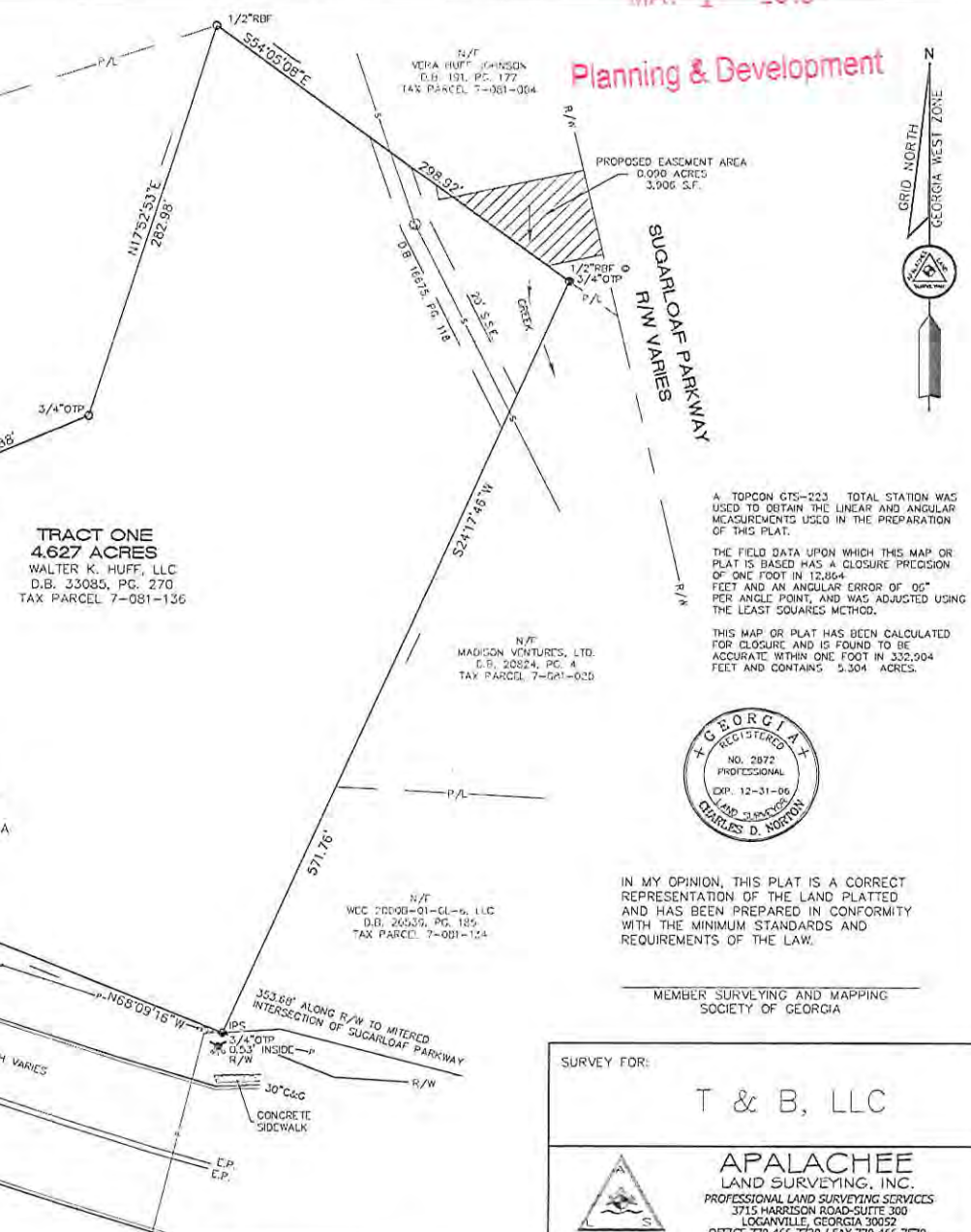


LEGEND

M/L	BUILDING LINE
C/L	CENTERLINE
CUP	CURB & GUTTER
CC	CONCRETE MONUMENT FOUND
CM	CORRUGATED METAL PIPE
CIP	CONCRETE PIPE
J	JUNCTION
W	WATER
G	GAS
E	ELECTRIC
P	POWER
T	TELEPHONE
U	UNDERGROUND
F	FLOOD
...	...

REFERENCES:
 -SURVEY FOR WALTER K. HUFF, TRUST, PREPARED BY HANNON, MEEKS, AND BAGWELL, DATED 10/18/01.
 -ALTA/ACSM LAND TITLE SURVEY FOR SUGARLOAF MILLS LIMITED PARTNERSHIP, THE MILLS CORPORATION, DESIGNER BANK, AG, NEW YORK AND GRAND CAYMAN BRANCHES, AND CHICAGO TITLE INSURANCE COMPANY, PREPARED BY HANNON, MEEKS, AND BAGWELL, INC., DATED 05/13/98, LAST REVISED 12/12/00.
 -DEED REFERENCES AS NOTED HEREON.

NOTES:
 1) NO PORTION OF THE SUBJECT PROPERTY LIES WITHIN A DESIGNATED FLOOD HAZARD AREA PER GWINNETT COUNTY F.I.R.M. PANEL NO. 130322 180C, DATED MAY 4, 1992. PROPERTY IS LOCATED IN A ZONE 'X'.
 2) NO TITLE EXAMINATION PROVIDED TO THE SURVEYOR AT THE TIME OF THIS SURVEY, MATTERS OF RECORD THAT AFFECT THE SUBJECT PROPERTY MAY NOT BE SHOWN HEREON.



A TOPCON GTS-223 TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 12,864 FEET AND AN ANGULAR ERROR OF 00" PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 332,904 FEET AND CONTAINS 5.304 ACRES.



IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

MEMBER SURVEYING AND MAPPING SOCIETY OF GEORGIA

GEORGIA S.R. 120
 A.K.A. DULUTH HIGHWAY
 R/W VARIES
 PROJECT NO. STP-109-1 (15)
 D.B. 14203, PG. 109

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNKNOWN PERSON WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

INFORMATION REGARDING THE REPORTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE DISCOVERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY DISTINGUISHLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.




SURVEY FOR:		T & B, LLC	
DATE: 05/12/06		LAND LOT: B1	DISTRICT: 7TH
COUNTY: GWINNETT	SCALE: 1"=60'	Sheet No.	
DRAWN BY: CON	CHECKED BY: DJN		
JOB NUMBER: 06-023	DATE OF FIELD WORK: 05/10/06		

NO.	DATE:	REVISION:



SUGARLOAF PKWY

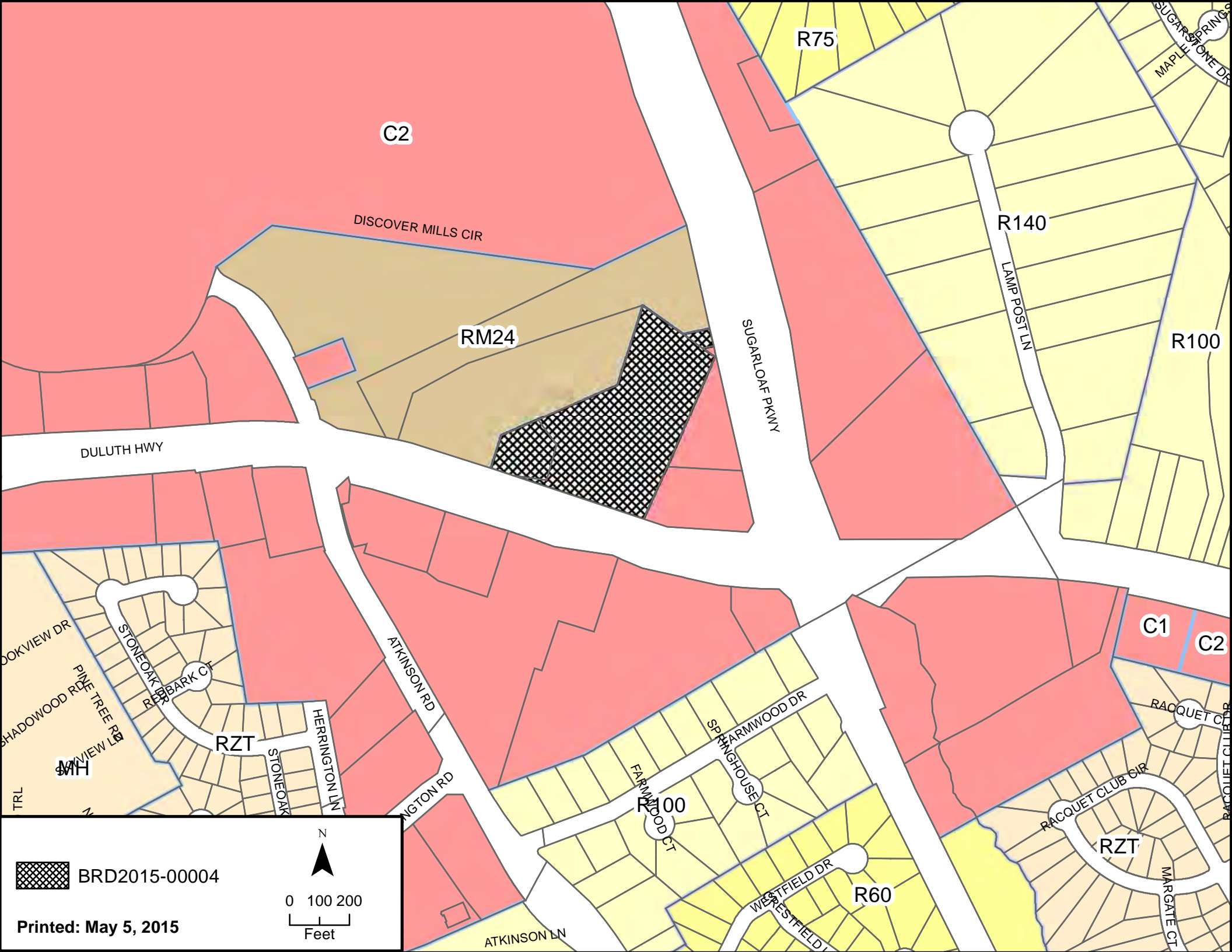
DULUTH HWY

 BRD2015-00004

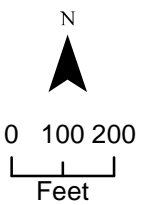
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Printed: May 5, 2015

SOA2015-00001

AMENDMENT TO

GWINNETT COUNTY SIGN ORDINANCE

Section 86-101. Definitions.

Activity Center/Corridor Overlay District: Areas defined in Section 220-230 of the Gwinnett County Unified Ordinance including but not limited to the following unincorporated areas shown on:

1. Mall of Georgia Overlay District Map
2. Civic Center Overlay District Map
3. U.S. Highway 78 Corridor Overlay District Map
4. Grayson/Highway 20 Corridor Overlay District Map
5. Centerville/Highway 124 Overlay District Map
6. Highway 124/324/Hamilton Mill Road Overlay District Map
7. Any Activity Center/Corridor Overlay Districts approved by the Gwinnett County Board of Commissioners after the adoption of this Ordinance

Electronic Oversized Sign: An electronic ground sign which exceeds 30 feet in sign height and/or 300 square feet of surface sign area and whose message may be changed at intervals by computer controller, microprocessor controller or by remote control. The message is displayed through the use of LED, LCD, plasma or other similar type panels or screens.

Non-Commercial Message: Copy that does not contain a commercial message and specifically included in the definition of non-commercial message is copy whereby the public is to be informed regarding a political event or candidate or issue.

Non-Conforming Sign: Any sign lawfully existing on the effective date of this ordinance, or amendment thereto, that renders such sign non-conforming because it does not conform to all the standards and regulations of the adopted or amended ordinance.

Oversized Sign: A ground sign which exceeds 30 feet in sign height and/or 300 square feet of sign surface area.

Parkway: A divided or undivided classified roadway, including, but not limited to:

1. University Parkway (Ga. Hwy. 316)
2. Peachtree Parkway (Ga. Hwy. 141)
3. Grayson Parkway (Ga. Hwy. 84)
4. Ronald Reagan Parkway
5. Sugarloaf Parkway
6. Hamilton Mill Parkway
7. Riverside Parkway
8. Northbrook Parkway
9. Lakes Parkway

Section 86-115. Oversized Signs.

- (a) Effective the date of adoption of the ordinance from which this section is derived, oversized signs are prohibited.
- (b) Oversized signs legally existing on such date may be continued, even though such signs do not conform to this section. Such non-conforming signs shall not be expanded, relocated or replaced by another non-conforming sign, except that the substitution of interchangeable poster panels, painted boards or demountable material on non-conforming signs shall be allowed.
- (c) No such non-conforming sign shall continue after the discontinuance of the non-conforming use for a period of six months.
- (d) Unless a specific exception is stated in this section, no oversized sign shall be located on or within 100 feet of a lot used for a place of worship, school, park, cemetery or any lot zoned for residential use.
- (e) Notwithstanding any other provision of this section, no oversized signs shall be erected if any part of the sign or sign structure is visible from the main traveled way of Sugarloaf Parkway, Ronald Reagan Parkway, and Hamilton Mill Parkway within unincorporated areas of the county. This subsection shall also apply to any other road declared historic, scenic or natural after the adoption date of the ordinance from which this section is derived.
- (f) No oversized sign shall be allowed in an Activity Center/Corridor Overlay District.

Section 86-115A. Reduction in number of oversized signs.

- (a) *Purpose:* The Board of Commissioners finds that all oversized signs lawfully erected prior to the adoption of section 86-115 in unincorporated Gwinnett County are legal non-conforming uses. Consistent with the provisions of section 86-107 concerning non-conforming signs, it is the desire of Gwinnett County that such non-conforming uses be permitted to continue, but that they be reduced over time. The Board of Commissioners further finds that the development of electronic oversized signs provides a valuable opportunity to enhance the utilization of existing signage within Gwinnett County. Such electronic oversized signs must be properly regulated to ensure they do not constitute a traffic hazard or otherwise negatively impact the aesthetics of Gwinnett County. Therefore, the Board of Commissioners finds that the modification of a limited number of existing legal non-conforming oversized signs to electronic oversized signs, in exchange for a reduction in the overall number of non-conforming oversized signs, constitutes a benefit to Gwinnett County in regard to traffic safety and aesthetics.
- (b) *Exchange ratio and permitting:*
 - (1) Oversized Signs Not Located Within 500 feet of a Residence:

- (A) Notwithstanding any other provision of this ordinance, any existing legal non-conforming oversized sign face(s) or panel(s) existing on the date of adoption of this ordinance amendment and not located within 500 feet of a residence may be modified to an electronic oversized sign face(s) or panel(s). The applicant shall remove from within unincorporated Gwinnett County at least three other legal non-conforming oversized sign face(s) or panel(s) of equal or greater square footage to that sign being converted to an electronic sign. For the purposes of this subparagraph, in order to obtain credit for removal of only one side of two-sided sign, the entire sign structure must be removed during the exchange process. An existing legal non-conforming oversized sign face or panel modified to an electronic oversized sign face or panel pursuant to this subsection shall not be located within the distance of another oversized electronic sign as set forth in paragraph (f)(4) of this section.
- (2) Any legal non-conforming oversized sign face(s) or panel(s) existing on the date of adoption of this ordinance amendment that is located within 500 feet from a residence may be modified to an electronic sign face(s) or panel(s), in accordance with the provisions set forth in section (b)(1) of this section subject to:
- (A) Approval by the Board of Commissioners as a special use permit pursuant to the provisions set forth in the Gwinnett County Unified Development Ordinance, including but not limited to all applicable postings, certified mailings to residents within 500 feet and public hearing requirements. When determining the appropriateness of modifying an existing legal non-conforming oversized sign to an electronic oversized sign if located within 500 feet of a residence, the Board of Commissioners will consider factors including but not limited to whether or not the electronic sign face will be visible from the residence(s) that is within 500 feet; whether or not electronic sign faces visible from the residence(s) are properly buffered and screened from lighting cast from the sign; and whether or not there are other existing or changing conditions that would give supporting grounds for either approval or disapproval of the requested modification.
- (c) *Determination criteria:* In determining the exchange ratios set forth in section (b):
- (1) Multiple sign panels may be combined to satisfy the necessary sign face or panel removals. For purposes of this subparagraph, in order to obtain credit for removal of only one side of a two-sided panel, the entire sign structure must be removed;
 - (2) Two sign faces or panels not less than 300 square feet shall equal one sign face or panel of 672 square feet in size;
 - (3) For purposes of the installation of an electronic sign face or panel 672 square feet in size, the applicant may remove six sign panels not less than 300 square feet in size to comply with the removal requirements;

(4) When signs are removed containing more faces or panels than necessary for a pending or current request to install an electronic sign face or panel, the applicant shall be entitled to utilize such extra sign face(s) or panel(s) toward future upgrade requests for not more than 24 months from removal.

(d) *Eligibility criteria:* In order to be eligible for exchange credit, the entire above-ground sign structure upon which the sign faces/panels to be exchanged are located must be removed. The applicant will not be issued a building permit to upgrade the designated sign to an electronic oversized sign until such time as the oversized signs designated in the application to be removed are actually removed, and the applicant otherwise shows compliance with the provisions of this section relating to electronic oversized signs.

(e) *Construction:* The final permit shall provide that except for the replacement of the sign face(s) with the electronic sign panel, and any associated structural improvements or reconstruction required by current building codes for such signs, the designated sign shall not be moved to another portion of the property, increased in size or height, or otherwise modified in a manner which increases the non-conformity of the structure unless a variance is first obtained to permit such modification.

(f) *Regulation:* In addition to the provisions of this ordinance, each oversized electronic sign shall conform to the following:

- (1) Each individual static message must be displayed for not less than ten seconds.
- (2) Oversized electronic signs may not operate at brightness levels of more than 0.30 footcandles (under measurement conditions) above ambient light levels as measured at the following distances:

ELEC SIGN SQ	FEET DISTANCE
< 100 sq. ft.	100'
101 sq. ft. – 300 sq. ft.	150'
≥ 349 sq. ft.	250'

(3) Upon request of the Director, the owner of said oversized electronic signs shall arrange for a certification of the light intensity showing compliance by an independent contractor and provide said certification to the Director.

- (4) No oversized electronic sign shall be located within 5,000 feet of another oversized electronic sign on the same side of the road (measured along the edge of right of way).
 - (5) Where located on a state-controlled route, each oversized electronic sign must comply with all Georgia Department of Transportation rules and regulations applicable to electronic changeable message signs when not in conflict with this chapter. The stricter of the rules and regulations apply.
- (g) *Public service:* Owners of oversized electronic signs are encouraged to coordinate with the local authorities to display, when appropriate, emergency information important to the traveling public, including but not limited to Amber Alerts or emergency management information.

ALTERNATE ARCHITECTURAL DESIGN REVIEW



Copyright (c) 2015 Praxis3, LLC
All reports, plans, specifications, contract files, field data, notes and other documents and instruments prepared by Praxis3 shall remain the property of Praxis3. It is to be retained upon request. Scales as noted are valid on the original drawing which are 3" = 1'.

Rev	Date	Comments
	02/16/15	Permit and Bid

OWNER	Nextran Corporation 1050 SE 6th Street Lake Butler, FL 32054
ARCHITECT	Praxis3, L.L.C. 1776 Peachtree Street NW Suite 400 South Atlanta, GA 30309 404-875-4500 404-876-8884 fax Craig James, AIA, Principal GA License #7156 Brian Shepherdson, Project Manager shep@praxis3.com 678-904-7437 direct
CIVIL ENGINEER	Eberly & Associates, Inc. 1852 Century Place, Suite 202 Atlanta, GA 30345 770-452-7849 770-452-0086 fax www.eberly.net Brian Brumfield, P.E. GA License #028663 Wesley Reed, Project Manager wreed@eberly.net
STRUCTURAL ENGINEER	Nannis and Associates, Inc. 505 East Main Street Buford, GA 30518-2503 770-614-6114 770-614-4414 fax Walid A. Nannis, PE GA License #PE006570 mark@nannis.com
MEP ENGINEER	MEHA Engineering, Inc. 2837 Peterson Place Norcross, GA 30071 770-441-0019 770-447-6918 fax David Lu, PE GA License #18109 dlu@mehaeng.com



FOR REFERENCE ONLY

Nextran Atlanta - Unincorporated Gwinnett County, GA

Applicable Codes
Gwinnett County Construction Code, 1991 Version thru June 1995 Amendments
International Building Code, 2012 Edition, with 2014 Georgia State Amendments
International Mechanical Code, 2012 Edition, with 2014 Georgia State Amendments
International Plumbing Code, 2012 Edition, with 2014 Georgia State Amendments
International Fuel Gas Code, 2012 Edition, with 2014 Georgia State Amendments
NFPA National Electrical Code, 2011 Edition
International Energy Conservation Code, 2009 Edition, with 2011, 2012 Georgia State Amendments
International Fire Code, 2012 Edition, with Georgia State Modifications

Construction Type	Type II B (sprinklered)
Req'd fire resistance	see Tables 601, 602
Structural frame	-
Exterior Nonbearing Walls	-
Exterior Bearing walls	-
Infl. Bearing Walls, partitions	-
Floors & Roof/Ceilings (incl. beams & joists)	-
Roofs & Roof/Cg (incl. beams & joists)	-
Min. roof slope = 1/4" per foot	-
Class "C" roof assembly req'd	-
Occupancy Type - see Chapters 3 and 4	B S.1 A.3
allowable height - no increases (actual)	3 story 2 story 2 story
allowable area per floor - no increases	23,000 17,500 9,500 see Table 503
Area Increases from 506.2 (forage increase)	17,250 13,125 7,125 30' min. of open space
Area Increases from 506.3 (sprinkler increase)	46,000 35,000 19,000
Allowable area per floor (with increases)	86,250 65,625 35,625

Note: This building is proposed to be NON-SEPARATED, MIXED USE CLASSIFICATION. Table 506.4, dictates that 9-1 occupancy does not need to be separated from B occupancy, however, we propose a 1-hour separation for the compressed natural gas service shop, per NFPA 52.

Note: This proposed design includes fire sprinklers and fire alarm systems to be designed and permitted separately by contractor to meet a performance specification to be issued by the Architect.

Calculated Area	B	S.1
First Floor		
Sales/Admin (incl. adjacent canopies)	19,220	39,454
Service	19,220	39,454
subtotals - first floor	19,220	39,454
allowable	86,250	65,625
		0.81 <1.0 (complies)

Calculated Area	B	S.1
Second Floor		
Sales/Admin	5,434	2,811
Service	5,434	2,811
subtotals - second floor	5,434	2,811
allowable	86,250	65,625
		0.11 <1.0 (complies)

Occupant Load and Means of Egress Capacity (sprinklered)

Minimum cor width=44", minimum door width=32"	300	250	see 1016.2
Max. Travel Distance	100	100	see 1014.3
Max. Common Path of Travel	50	50	see 1016.4

Occupant Load Calculations

Floor	SF	Use	Occ/SF	Occ
First Floor				
Sales/Admin	19,220	Business	100	192
Service	39,454	Industrial	300	132
	57,674			314
				Total Occupants - First Floor

Second Floor	SF	Use	Occ/SF	Occ
Sales/Admin	5,434	Business	100	54
Service	2,811	Industrial	300	9
	8,245			64
				Total Occupants - Second Floor

Egress Width Required	Occ	Width Factor	Width Req'd	Width Actual
	377	0.15	56	542 (complies)

SHEET NAME	QUANTITY	PERMIT & BID SET
G001 Cover, Project Directory	1	O
G002 General Information	1	O
G004 Code Review	1	O
G005 Energy Code Info	1	O
ME-N1 Mech and Lighting Energy Report	1	O
C0.0 Cover Sheet & General Notes	1	O
C1.0 Site Survey	1	O
C2.0 Demolition Plan	1	O
C3.0 Layout & Staking Plan	1	O
C4.0 Grading Plan	1	O
C5.0 Utility Plan	1	O
C6.0 Utility Profiles	1	O
C7.0 Construction Details	1	O
C7.1 Construction Details	1	O
C7.2 Construction Details	1	O
C7.3 Construction Details	1	O
C7.4 Construction Details	1	O
CE1.0 ES&PC Notes	1	O
CE1.1 ES&PC Notes	1	O
CE2.0 Initial ES & PC Plan	1	O
CE2.1 Intermediate ES & PC Plan	1	O
CE2.2 Final ES & PC Plan	1	O
CE3.0 ES&PC Details	1	O
CE3.1 ES&PC Details	1	O
CE3.2 ES&PC Details	1	O
CE3.3 ES&PC Details	1	O
CE3.4 ES&PC Details	1	O
CE3.5 ES&PC Details	1	O
ES-L1 Lighting Photometric	1	O
ES-L2 Lighting Fixture Pole Cut Sheets	1	O
TP1.0 Tree Protection and Removal Plan	1	O
TP2.0 Tree Replacement Plan	1	O
A100 Site Plan	1	O
A200 Floor Plans	1	O
A201a Floor Plan - Sales	1	O
A201b Floor Plans - Service Shop	1	O
A202 Floor Plans - 2nd Floor	1	O
A221 Roof Plan	1	O
A241a Finish Plan - Sales	1	O
A241b Finish Plan - Service Shop	1	O
A242 Finish Plan - 2nd Floor	1	O
A243 Loading Bay Detail	1	O
A251 Furniture Plan	1	O
A301a Reflected Ceiling Plan - Sales	1	O
A301b Reflected Ceiling Plan - Service Shop	1	O
A302 Reflected Ceiling Plan - 2nd Floor	1	O
A400 Exterior Elevations	1	O
A401 Exterior Elevations	1	O
A402 Exterior Elevations	1	O
A410 Axonometrics	1	O
A411 Perspectives	1	O
A451 UL Ratings	1	O
A500 Finish & Material Schedule	1	O
A510 Door Schedule & Info	1	O
A520 Frame Elevations	1	O
A521 Frame Elevations	1	O
A550 Partition Types	1	O
A601 Wall Sections EW	1	O
A602 Wall Sections EW	1	O
A603 Wall Sections EW	1	O
A604 Wall Sections EW	1	O
A651 Wall Sections NS	1	O
A652 Wall Sections NS	1	O
A653 Wall Sections NS	1	O
A654 Wall Sections NS	1	O
A655 Wall Sections NS	1	O
A680 MCM Details	1	O
A681 T&D Details	1	O
A682 Misc Details	1	O
A701 Stair Plans, Sections, & Details	1	O
A702 Stair - Elev Plans & Sections	1	O
A703 Stair Plans & Sections	1	O
A810 Enlarged Toilet Plans	1	O
A811 Enlarged Toilet Plans	1	O
A880 Plan Details	1	O
A900 Millwork Elevations	1	O
A910 Millwork Details	1	O
S100 Special Inspections	1	O
S101 General Notes	1	O
S102 Schedules	1	O
S103 Load Path	1	O
S200 Axonometric Views	1	O
S201a Foundation Plan - Showroom	1	O
S201b Foundation Plan - Service Shop	1	O
S202 Framing Plan - 2nd Level	1	O
S203a Roof Plan - Showroom	1	O
S203b Roof Plan - Service Shop	1	O
S204 Tower Roof & Sections	1	O
S301 Masonry Wall Schedule & Typical Details	1	O
S302 Masonry Wall Elevations	1	O
S303 Masonry Wall Elevations and Typ. Details	1	O
S304 Panel Details	1	O
S305 Panel Elevations	1	O

SHEET NAME	QUANTITY	PERMIT & BID SET
S306 Panel Elevations	1	O
S307 Panel Elevations	1	O
S401 Sections	1	O
S402 Sections	1	O
S403 Sections	1	O
S404 Sections	1	O
S405 Sections	1	O
S406 Sections	1	O
S407 Sections	1	O
S501 Typical Details	1	O
S502 Typical Details	1	O
S503 Typical Details	1	O
S504 Typical Details	1	O
S505 Typical Details	1	O
M001 Mech Smbls, Lgnd, Notes, Equip Sched	1	O
M002 Mechanical Details	1	O
M211 First Floor Sales - Mechanical	1	O
M212 First Floor Service - Mechanical	1	O
M221 Second Floor - Mechanical	1	O
M231 Roof Plan - Mechanical	1	O
P001 Plumbing Smbls, Lgnds, Notes, Sched	1	O
P002 Plumbing Risers	1	O
P211 Sales Plan - Plumbing Wastes	1	O
P212 Shop Plans - Plumbing Wastes	1	O
P221 Upper Level - Plumbing Wastes	1	O
P231 Sales Roof - Plumbing	1	O
P232 Shop Roof - Plumbing	1	O
P311 Sales Plans - Plumbing Supplies	1	O
P312 Shop Plans - Plumbing Supplies	1	O
P321 Upper Level - Plumbing Supplies	1	O
E001 Electrical Smbls, Lgnd, Notes, Sched	1	O
E002 Electrical Service Panel Schedule and Riser	1	O
E003 Equip Connection, Electrical Panel Sched	1	O
E004 Electrical Lighting Schedule and Details	1	O
E101 Electrical Site Plan	1	O
E102 Electrical Photometric Site Plan	1	O
E103 Electrical Photometric Details	1	O
E211 Sales Plans - Electrical Power & Systems	1	O
E212 Shop Plans - Electrical Power & Systems	1	O
E221 Upper Level - Electrical Power & Systems	1	O
E231 Sales Roof - Electrical	1	O
E232 Shop Roof - Electrical	1	O
E311 Showroom and Parts Lighting	1	O
E312 Shop Lighting	1	O
E321 Upper Level Lighting	1	O

NOTES:

Special Inspection reports and final report in accordance with Section 1704.2.4 shall be submitted to the building official prior to the time that phase of work is approved for occupancy.

The Designer of Record shall submit an affidavit letter to the Gwinnett County Building Inspector that the constructed building elevation, design, materials, and colors comply with the County approved elevations.

Plans for fire-protection sprinkler piping including complete seismic support details shall be reviewed and approved by the Gwinnett County Fire Marshal's Office prior to installation for compliance with ASCE/SEI 7-10 Sections 13.3.1.1, 13.3.2, and NFPA 13.

The maximum weight of the vehicles allowed on the floor slab or elevated floor structure shall be stated on durable signs and conspicuously posted by the owner in the applicable area(s) of the building.

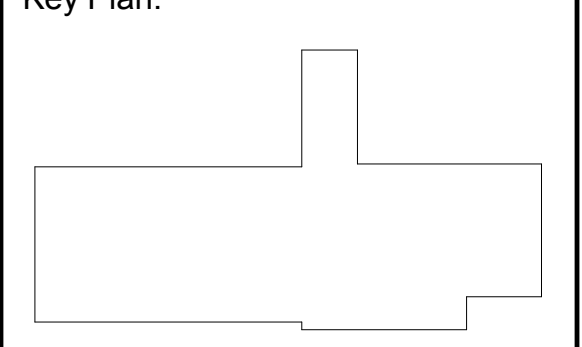
Client:
Nextran Corporation

1050 SE 6th Street
Lake Butler, FL 32054

Project:
Nextran Atlanta

1735 Breckinridge Plaza
Duluth, GA 30096

Project Number: 14033



Sheet Title:
Cover, Project Directory

Sheet Number:
G001

RELEASED FOR CONSTRUCTION AND PERMIT

Nextran Atlanta

Gwinnett County, GA

Permit & Bid Set 02/16/2015