

Department of Planning and Development

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gwinnettcounty

**MUNICIPAL-GWINNETT COUNTY
PLANNING COMMISSION**

PUBLIC HEARING AGENDA

**GWINNETT JUSTICE AND ADMINISTRATION CENTER
2ND FLOOR-CONFERENCE ROOM A
MONDAY, JULY 9, 2018 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 770.822.8165.

- 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 5, 2018 MEETING)
- E. ANNOUNCEMENTS
- F. OLD BUSINESS

- | | |
|---------------------------|--|
| I. CASE NUMBER | :RZR2017-00011 |
| APPLICANT | :HOME SOUTH COMMUNITIES, LLC |
| CONTACT | :SHANE LANHAM |
| PHONE NUMBER | :770.232.0000 |
| ZONING CHANGE | :RA-200 TO OSC |
| LOCATION | :2400 BLOCK OF SUNNY HILL ROAD
:2500 BLOCK OF MORGAN ROAD |
| MAP NUMBER | :R7136 001 |
| ACREAGE | :86.15 ACRES |
| UNITS | :112 UNITS |
| PROPOSED DEVELOPMENT | :SINGLE-FAMILY SUBDIVISION |
| COMMISSION DISTRICT | :(4) HEARD |
| DEPARTMENT RECOMMENDATION | :APPROVAL WITH CONDITIONS |
| | |
| 2. CASE NUMBER | :RZM2018-00005 |
| APPLICANT | :TIANG, INC. |
| CONTACT | :ROBERT JACKSON WILSON |
| PHONE NUMBER | :770.962.9780 |
| ZONING CHANGE | :R-75 TO R-TH |
| LOCATION | :900 BLOCK OF OLD SNELLVILLE HIGHWAY |
| MAP NUMBERS | :R5086 001 & 001A |
| ACREAGE | :10.01 ACRES |
| UNITS | :80 UNITS |
| PROPOSED DEVELOPMENT | :TOWNHOUSES (BUFFER REDUCTION) |
| COMMISSION DISTRICT | :(3) HUNTER |
| DEPARTMENT RECOMMENDATION | :DENIAL |

3. CASE NUMBER :**RZM2018-00006**
APPLICANT :EDGE CITY PROPERTIES, INC.
CONTACT :SHANE LANHAM
PHONE NUMBER :770.232.0000
ZONING CHANGE :R-75 TO R-TH
LOCATION :1400 BLOCK OF FIVE FORKS TRICKUM ROAD
MAP NUMBERS :R5084 001 & 524
ACREAGE :12.39 ACRES
UNITS :79 UNITS
PROPOSED DEVELOPMENT :TOWNHOUSES (BUFFER REDUCTION)
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**DENIAL**

G. NEW BUSINESS

1. CASE NUMBER :**RZC2018-00011**
APPLICANT :JESSICA LANE
CONTACT :SHAUN R. ADAMS, ESQ.
PHONE NUMBER :770.822.0900
ZONING CHANGE :O-1 & NS TO C-1
LOCATION :1100 BLOCK OF OLD TUCKER ROAD
MAP NUMBERS :R6095 019 & 293
ACREAGE :1.70 ACRES
SQUARE FEET :3,255 SQUARE FEET
PROPOSED DEVELOPMENT :COFFEE SHOP/RESTAURANT (BUFFER REDUCTION)
COMMISSION DISTRICT :(2) HOWARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS AS O-1**

2. CASE NUMBER :**RZC2018-00012**
APPLICANT :CYPRESS TRUCK LINES, INC.
CONTACT :SHANE LANHAM
PHONE NUMBER :770.232.0000
ZONING CHANGE :C-2 TO M-1
LOCATION :3800 BLOCK OF BUFORD HIGHWAY
:3800 BLOCK OF MAY ROAD
MAP NUMBER :R6266 008
ACREAGE :1.69 ACRES
PROPOSED DEVELOPMENT :TRUCK STORAGE LOT
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION : **DENIAL**

3. CASE NUMBER :**SUP2018-00039**
APPLICANT :CYPRESS TRUCK LINES, INC.
CONTACT :SHANE LANHAM
PHONE NUMBER :770.232.0000
ZONING :M-1 (PROPOSED)
LOCATION :3800 BLOCK OF BUFORD HIGHWAY
:3800 BLOCK OF MAY ROAD
MAP NUMBER :R6266 008
ACREAGE :1.69 ACRES
PROPOSED DEVELOPMENT :TRUCK STORAGE LOT
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION : **DENIAL**

4. CASE NUMBER :**RZM2018-00007**
APPLICANT :JOURNEY CONSTRUCTION LLC
CONTACT :MITCH PEEVY
PHONE NUMBER :770.614.6511
ZONING CHANGE :O-I TO R-TH
LOCATION :2700 BLOCK OF COLLINS HILL ROAD
MAP NUMBERS :R7150 007 & 196
ACREAGE :3.94 ACRES
UNITS :29 UNITS
PROPOSED DEVELOPMENT :TOWNHOUSES
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
5. CASE NUMBER :**RZM2018-00008**
APPLICANT :COMFORT HOMES OF GEORGIA
CONTACT :JAMES IRVIN
PHONE NUMBER :404.379.1583
ZONING CHANGE :RA-200 TO R-TH
LOCATION :3200 BLOCK OF CROSS ROAD
MAP NUMBER :R7177 017
ACREAGE :6.13 ACRES
UNITS :32 UNITS
PROPOSED DEVELOPMENT :TOWNHOUSES (BUFFER REDUCTION)
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
6. CASE NUMBER :**RZM2018-00009**
APPLICANT :H.S. "CHIP" RANDALL
CONTACT :CHIP RANDALL
PHONE NUMBER :404.202.2029
ZONING CHANGE :R-TH & RM-13 TO RM-13
LOCATION :1300 BLOCK OF HERRINGTON ROAD
MAP NUMBERS :R7041 001 & 7042 005 & 038
ACREAGE :35.29 ACRES
UNITS :330 UNITS
PROPOSED DEVELOPMENT :APARTMENTS
COMMISSION DISTRICT :(4) HEARD
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
7. CASE NUMBER :**RZM2018-00010**
APPLICANT :BRAND PARTNERS, LP
CONTACT :SHANE LANHAM
PHONE NUMBER :770.232.0000
ZONING CHANGE :O-I TO RM-24
LOCATION :2300 BLOCK OF SEVER ROAD
MAP NUMBER :R7114 236
ACREAGE :9.96 ACRES
UNITS :230 UNITS
PROPOSED DEVELOPMENT :APARTMENTS
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**DENIAL**

8. CASE NUMBER :**RZM2018-00011**
APPLICANT :CASGWYN CONSTRUCTION, LLC
CONTACT :TRACEY MASON
PHONE NUMBER :770.963.6909
ZONING CHANGE :R-100 TO R-TH
LOCATION :1900 BLOCK OF PUCKETTS ROAD
MAP NUMBER :R6062 007
ACREAGE :4.47 ACRES
UNITS :35 UNITS
PROPOSED DEVELOPMENT :TOWNHOUSES (BUFFER REDUCTION)
COMMISSION DISTRICT :(2) HOWARD
DEPARTMENT RECOMMENDATION :**DENIAL**
9. CASE NUMBER :**RZR2018-00015 (ADMINISTRATIVELY HELD)**
10. CASE NUMBER :**RZR2018-00016 (ADMINISTRATIVELY HELD)**
11. CASE NUMBER :**RZR2018-00017**
APPLICANT :THE PROVIDENCE GROUP OF GEORGIA, LLC
CONTACT :WARREN JOLLY
PHONE NUMBER :678.218.1725
ZONING CHANGE :R-100 TO TND
LOCATION :3200 BLOCK OF SUWANEE CREEK ROAD
MAP NUMBERS :R7166 001, 043, 045 & 047
ACREAGE :49.73 ACRES
UNITS :272 UNITS
PROPOSED DEVELOPMENT :TRADITIONAL NEIGHBORHOOD
DEVELOPMENT(BUFFER REDUCTION)
COMMISSION DISTRICT :(1) BROOKS
DEPARTMENT RECOMMENDATION :**APPROVAL WITH CONDITIONS**
12. CASE NUMBER :**CIC2018-00010**
APPLICANT :CENTURY COMMUNITIES OF GEORGIA LLC
CONTACT :MITCH PEEVY
PHONE NUMBER :770.614.6511
ZONING :R-SR
LOCATION :2100 BLOCK OF RIDGEDALE DRIVE
:1700 BLOCK OF PINEHURST ROAD
MAP NUMBER :R5071 033
ACREAGE :17.55 ACRES
PROPOSED DEVELOPMENT :CHANGE IN CONDITIONS OF ZONING
COMMISSION DISTRICT :(3) HUNTER
DEPARTMENT RECOMMENDATION :**DENIAL**

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|---------------------------|--|
| 13. CASE NUMBER | : CIC2018-00011 |
| APPLICANT | :ARISTON GROUP, LLC |
| CONTACT | :SHANE LANHAM |
| PHONE NUMBER | :770.232.0000 |
| ZONING | :MU-R |
| LOCATION | :2600 BLOCK OF MALL OF GEORGIA BOULEVARD
:3100 BLOCK OF WOODWARD CROSSING BOULEVARD |
| MAP NUMBER | :R7177 047 |
| ACREAGE | :16.0 ACRES |
| PROPOSED DEVELOPMENT | :CHANGE IN CONDITIONS OF ZONING |
| COMMISSION DISTRICT | :(4) HEARD |
| DEPARTMENT RECOMMENDATION | : DENIAL |
| | |
| 14. CASE NUMBER | : SUP2018-00038 |
| APPLICANT | :JIM & CINDY LLOYD |
| CONTACT | :JIM LLOYD |
| PHONE NUMBER | :770.497.0949 |
| ZONING | :R-100 |
| LOCATION | :5700 BLOCK OF AUSTIN GARNER ROAD |
| MAP NUMBER | :R7337 016 |
| ACREAGE | :4.0 ACRES |
| SQUARE FEET | :2,400 SQUARE FEET |
| PROPOSED DEVELOPMENT | :ACCESSORY STRUCTURE GREATER THAN 1,000
SQUARE FEET |
| COMMISSION DISTRICT | :(1) BROOKS |
| DEPARTMENT RECOMMENDATION | : APPROVAL WITH CONDITIONS |
| | |
| 15. CASE NUMBER | : SUP2018-00040 |
| APPLICANT | :KYUNG SOOK KIM |
| CONTACT | :C.H. "ANDY" KIM |
| PHONE NUMBER | :770.780.1552 |
| ZONING | :C-2 |
| LOCATION | :4400 BLOCK OF SATELLITE BOULEVARD |
| MAP NUMBER | :R6210 044 |
| ACREAGE | :0.62 ACRE |
| PROPOSED DEVELOPMENT | :POOL OR BILLIARDS HALL |
| COMMISSION DISTRICT | :(1) BROOKS |
| DEPARTMENT RECOMMENDATION | : APPROVAL WITH CONDITIONS |

H. UNIFIED DEVELOPMENT ORDINANCE AMENDMENT

UDO2018-00001 - AN AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE OF GWINNETT COUNTY; APPENDIX SECTION 1.0, SUBSECTIONS 9.0.0 ARCHITECTURAL DESIGN STANDARDS COLOR AND FINISH CHART, 6.0.0 ARCHITECTURAL DESIGN STANDARDS FOR CATEGORY 3, AND 7.0.0 ARCHITECTURAL DESIGN STANDARDS FOR CATEGORY 4; TO PROVIDE NEW OR REVISED REQUIREMENTS FOR BUILDING MATERIALS, COLORS, AND ROOF DESIGN.

- I. AUDIENCE COMMENTS
- J. COMMITTEE REPORTS
- K. COMMENTS BY STAFF AND PLANNING COMMISSION

L. ADJOURNMENT

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

CASE NUMBER :RZR2017-00011
ZONING CHANGE :RA-200 TO OSC
LOCATION :2400 BLOCK OF SUNNY HILL ROAD
:2500 BLOCK OF MORGAN ROAD
MAP NUMBER :R7136 001
ACREAGE :86.15 ACRES
UNITS :112 UNITS
PROPOSED DEVELOPMENT :SINGLE-FAMILY SUBDIVISION
COMMISSION DISTRICT :(4) HEARD

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

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

CONTACT: SHANE LANHAM PHONE: 770.232.0000

OWNER: JOHN T. LAMB
2496 SUNNY HILL ROAD
BUFORD, GA 30519

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests rezoning of an 86.15-acre parcel from RA-200 (Agriculture-Residence District) to OSC (Open Space Conservation District), to construct a 112-lot single-family subdivision. The property is located on both sides of Sunny Hill Road, just south of its intersection with Morgan Road, and south of Interstate 85. The property is presently developed with an existing single-family residence, a few accessory structures, pastureland, wooded areas, ponds, and Little Ivy Creek that runs east to west across the southern portion of the property. The right-of-way of Sunny Hill Road separates the property into two portions, and a portion of the proposed Sugarloaf Parkway would bisect the property from north to south.

The subject site contains 30.75 acres of floodplain on the property. The proposed total 112-unit development would have a gross density of 1.3 units per acre and net density of 1.58 units per acre. The site plan shows that the smaller portion of the property east of Sunny Hill Road would have 20 lots accessed via one new roadway off Morgan Road at the north side of the property, with a stormwater management area, and 10.45 acres of primary and secondary open space. The western, larger portion of the property is proposed with 92 lots accessed via one

new roadway off Sunny Hill Road, with its own stormwater management area and a total of 42.48 acres of primary and secondary open space, exceeding the minimum requirement of 21.5 acres (25 percent of the property). Some proposed lots encroach into the required impervious setback and would require Variance approval for reduced setbacks.

According to the site plan, the minimum lot width for the development would be 60 feet, with a minimum lot area of 7,500 square feet, meeting the minimum requirements for the requested zoning classification. The applicant has proposed a minimum dwelling size of 2,250 square feet, and all units would include two-car garages. Submitted elevations indicate homes would be primarily brick, stone and shake on the front façade, with the remaining sides of each home being constructed with fiber-cement siding.

An OSC-zoned development requires a form of transition when located adjacent to agricultural or single-family residential uses. The Unified Development Ordinance (UDO) provides three options, and the applicant has chosen to provide a 50-foot conservation space strip adjacent to properties zoned R-100 and RA-200. The site plan reflects a 50-foot undisturbed stream buffer and 75-foot impervious setback along Little Ivy Creek located on the south side of the property. Also reflected on the submitted site plan is the required 50-foot street frontage buffer along the right-of-way of Sunny Hill Road/Morgan Road for both portions of the property.

ZONING HISTORY:

The property has been zoned RA-200 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 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 Section of the Unified Development Ordinance (Chapter 620) 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.

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).

Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a Development Permit Application.

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 Stormwater 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 stormwater 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 and floodplain areas. All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Sunny Hill Road is a Minor Collector and 30 feet of right-of-way is required from the centerline.

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

The project entrance shall align with opposing roads or driveways in accordance with the Gwinnett County Unified Development Ordinance.

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 must comply with Gwinnett County D.O.T. Criteria and Guidelines for left turn lanes.

Development is within the path of the future Gwinnett County roadway extension of Sugarloaf Parkway. Right-of-way for the future roadway project must be reserved before a development permit can be issued.

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 2 and 48-inch water main located on the northeast right-of-way of Sunny Hill Road and a 48-inch water main located on the southeast right-of-way of Morgan Road.

Due to the uncontrollable variables, the Department of Water Resources (DWR) 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 and 36-inch sanitary sewer main located on parcel R7136 007.

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.

DEPARTMENT ANALYSIS:

The property is located on both sides of Sunny Hill Road, south of its intersection with Morgan Road, and south of Interstate 85. The applicant requests rezoning from RA-200 (Agriculture-Residence District) to OSC (Open Space Conservation District) to construct a 112-lot single-family subdivision. The property is currently developed with a single-family residence, a few accessory structures, pastureland, wooded areas, ponds, and Little Ivy Creek that runs east to west across the southern portion of the property.

The 2030 Unified Plan Future Development Map indicates the property is located within an Existing/Emerging Suburban Character Area. Policies for this Character Area encourage single-family residential uses, and promote a variety of housing options. With conditions to ensure the quality of development and its compatibility with the surrounding area, an OSC subdivision at a density of 1.58 units per acre could be consistent with these policies and map designation.

Developments in the immediate area consist of single-family subdivisions and homes on large acreage tracts. To the west of the subject property are large acre residential properties zoned RA-200 and R-100. To the south, on the west side of Sunny Hill Road, is the Wynnfield Manor subdivision zoned R-100MOD (Modified Single-Family Development) and property zoned R-100. Located on the east side of Sunny Hill Road south of the subject property are undeveloped properties zoned RA-200 that are part the Mountain View High School complex. To the east of the subject property is the Mill Creek Plantation subdivision, which received rezoning approval to R-100 CSO (Conservation Subdivision Overlay District) in 2002 (RZR2002-00006). To the north are developed residential properties zoned RA-200, and some properties owned by the County and designated for the planned Sugarloaf Parkway extension. In light of continuing a development pattern of low-density, single-family subdivisions with preservation of natural amenities and open space, an OSC subdivision conditioned to protect the environmental features could be consistent with similar subdivisions and prior Board precedent in the area.

In conclusion, the proposed OSC development could be consistent with the policies of the 2030 Unified Plan and existing single-family residential development of the area. The OSC zoning district lends itself to preservation and protection of stream buffers and other sensitive areas, which may be appropriate for this tract. Therefore, the Planning Department recommends **APPROVAL WITH CONDITIONS**.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as OSC (Open Space Conservation Subdivision), 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 shall be 2,400 square feet.
 - C. Homes shall be constructed primarily of brick, stacked stone, or shake on three sides. The rear shall be the same or of fiber-cement siding or shake with a minimum 3-foot brick or stacked stone water table.
 - D. All homes shall have at least a double-car garage.
2. To satisfy the following site development considerations:
 - A. All primary conservation space shall remain undisturbed.
 - B. No part of any private lot shall contain stream buffers or setbacks.
 - C. Natural vegetation shall remain on the property until the issuance of a development permit.
 - D. The exterior street frontages and project entrance shall be landscaped by the developer and maintained by the Homeowner's Association. Entrance shall include a decorative masonry entrance feature. Landscape and entrance feature plans shall be subject to review and approval of the Director of Planning and Development.
 - E. A center pocket park or designated open space shall be added in the center of the residential development, and unpaved pedestrian connections to the primary and secondary conservation shall be provided throughout the development. Final layout shall be subject to the review and approval of the Director of Planning and Development.
 - F. No direct lot access shall be allowed to Sunny Hill road or Morgan Road.
 - G. All grassed areas on dwelling lots shall be sodded.
 - H. All utilities shall be placed underground.
3. To abide by the following requirements, dedications and improvements:
 - A. Developer shall reserve right-of-way for the future extension of Sugarloaf Parkway per the requirements of the Gwinnett Department of Transportation.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF THE ZONING

SUITABILITY OF USE

The request could be considered suitable at this location in light of existing R-100 MOD and R-100 CSO subdivision developments in the area, and the preservation of a substantial portion of the site as primary and secondary conservation space.

ADVERSE IMPACTS

With the recommended conditions, potential impacts should be minimized.

REASONABLE ECONOMIC USE AS ZONED

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

IMPACT ON PUBLIC FACILITIES

An increased impact on public facilities could be anticipated in the form of increased traffic, school enrollment, stormwater runoff and utility demand.

CONFORMITY WITH POLICIES

The request could be considered consistent with policies the 2030 Unified Plan, which encourage single-family residential uses, promoting a variety of housing options, with similar zoning and developments to the surrounding area.

CONDITIONS AFFECTING ZONING

The preservation of wooded areas, streams, and proposed pocket parks on the site lend supporting grounds for approval of OSC zoning for this 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 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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RZR 17011

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

- (A) The proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The proposed development is a single-family residential neighborhood that will conserve important natural areas.
- (B) The proposed rezoning will not adversely affect the existing use or usability of any of the nearby properties. The proposed development is compatible with surrounding development.
- (C) Due to the size, layout, location, and topography of the subject property, the Applicant submits that the subject property does not have reasonable economic use as currently zoned.
- (D) The proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems. The subject property is located off of Sunny Hill Road with access to utilities. Further, the relatively low development density will not overly burden infrastructure systems.
- (E) The proposed rezoning is in conformity with the policy and intent of the Land Use Plan.
- (F) Applicant submits that the single-family residential nature of the area as well as the proximity to Interstate 85 provide additional support of this Application.

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RZR '17011



Matthew P. Benson
 Gerald Davidson, Jr.*
 Brian T. Easley
 Kelly O. Faber
 Christopher D. Holbrook
 Frances H. Kim
 Shane M. Lanham

Austen T. Mabe
 Jeffrey R. Mahaffey
 David G. McGee
 Steven A. Pickens
 Andrew D. Stancil
 R. Lee Tucker, Jr.
 *Of Counsel

**LETTER OF INTENT FOR REZONING APPLICATION
 OF HOME SOUTH COMMUNITIES, LLC**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Rezoning Application (the “Application”) on behalf of Home South Communities, LLC (the “Applicant”) for the purpose of rezoning to the OSC zoning classification an approximately 86.15 acre tract of land (the “Property”) situated along Sunny Hill Road at its intersection with Morgan Road in northern Gwinnett County. The Property is currently zoned RA-200. The Property is located in very close proximity to Interstate 85 just west of Gravel Springs Road.

The Applicant proposes to develop a single-family residential community including 112 detached single-family homes. The proposed development would have a net density of approximately 1.58 units per acre, which below the maximum allowed density of 2.5 units per acre prescribed for the OSC zoning classification in the Gwinnett County Unified Development Ordinance (the “UDO”). The proposed development’s gross density is approximately 1.3 units per acre. The proposed single-family community would consist of homes at a size, quality, and price-point commensurate with or exceeding homes in the surrounding area. The proposed homes would include two-car garages and covered entrances as well as other attractive architectural elements. The facades of proposed homes would be constructed primarily of brick, stone, board and batten, and/or fiber-cement or shake siding. The homes in the proposed

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 FACSIMILE 678 518 6880
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development would contain a minimum of 2,250 square feet of heated floor area. Surrounding development and existing homes would not face major negative impacts as a result of the proposed development in part because of the substantial buffering required under the UDO in conjunction with extensive additional buffering preserved by the Applicant as conservation space. As depicted on the site plan, the adjacent property to the south would lie approximately 320 feet away from the nearest proposed lot. To the west the distance is even greater at over 530 feet. At a minimum, the UDO calls for a 50-foot buffer around the perimeter of the development.

In addition to being a quality development that is compatible with homes in the surrounding area, the proposed development will preserve important green space in a rapidly-growing area of Gwinnett County. Specifically, the proposed development would preserve nearly 55 acres of open space which is approximately 64 percent of the entire development. Further, as depicted on the site plan submitted with the Application, the proposed development would provide over 30 acres of Primary Open Space which is more than double the amount required by the UDO for the OSC zoning classification.

The subject property contains a mixture of existing pasture, hardwoods, pine, and creek bottoms including Little Ivy Creek which flows through the property from east to west before entering into Suwanee Creek and eventually the Chattahoochee River. The proposed development was designed so that homes would generally be concentrated in existing pasture areas limiting land disturbance across the site as a whole. Since the home sites are essentially pre-cleared, much of the existing hardwood and pine trees will remain on-site. The proposed development would enhance land, water, air, and tree resources by minimizing the area of land disturbance and would significantly contribute to the protection of the headwaters of the Chattahoochee River.

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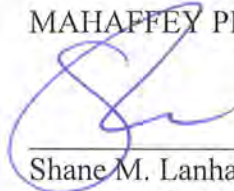
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The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the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

Respectfully submitted this 3rd day of May, 2017.

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham
Attorneys for Applicant

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RZR '17 011

Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, July 2017

Case #	Schools	Current Projections									Proposed Zoning
		2017-18			2018-19			2019-20			Approximate additional Student Projections from Proposed Developments
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZM2017-00006	Central Gwinnett HS	2131	2,300	-169	2174	2,300	-126	2217	2,300	-83	36
	Moore MS	974	1,350	-376	989	1,350	-361	1003	1,350	-347	26
	Winn Holt ES	1103	1,200	-97	1120	1,200	-80	1136	1,200	-64	51
RZM2017-00007	Brookwood HS	3558	2,575	983	3530	2,575	955	3494	2,575	919	25
	Crews MS	1387	1,150	237	1374	1,150	224	1360	1,150	210	18
	Brookwood ES	1288	1,250	38	1302	1,250	52	1315	1,250	65	35
RZM2017-00008	Brookwood HS	3558	2,575	983	3530	2,575	955	3494	2,575	919	15
	Crews MS	1387	1,150	237	1374	1,150	224	1360	1,150	210	8
	Brookwood ES	1288	1,250	38	1302	1,250	52	1315	1,250	65	16
RZR2017-00011	Mountain View HS	2531	2,300	231	2689	2,300	389	2729	2,300	429	36
	Twin Rivers MS	1950	2,150	-200	1979	2,150	-171	2009	2,150	-141	26
	Freeman's Mill ES	935	925	10	930	925	5	949	925	24	50

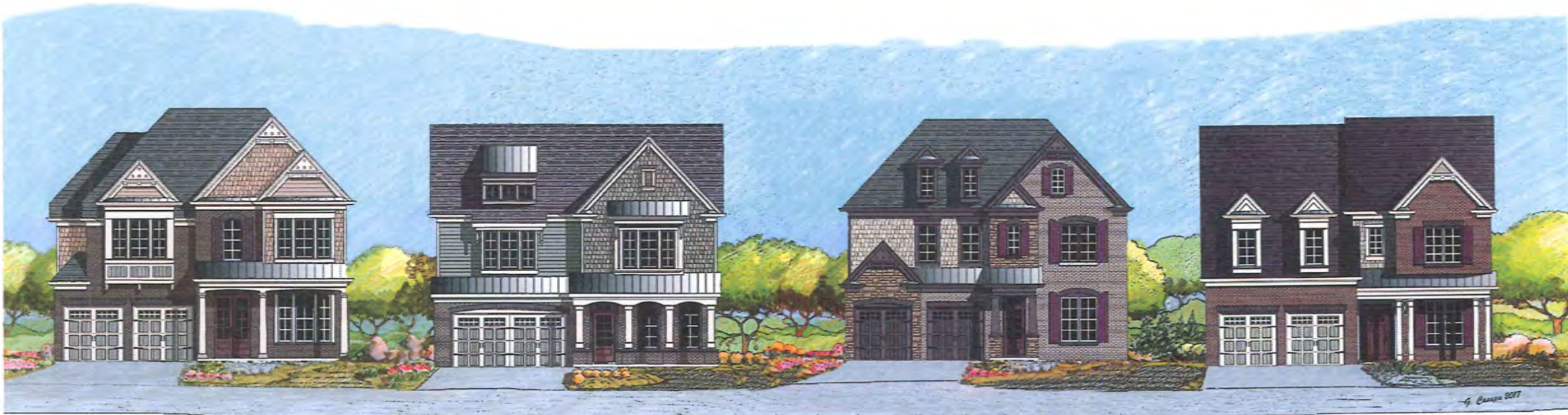
Current projections do not include new developments

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LEFT SIDE ELEVATION



REAR ELEVATION



RIGHT SIDE ELEVATION

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BUFORD

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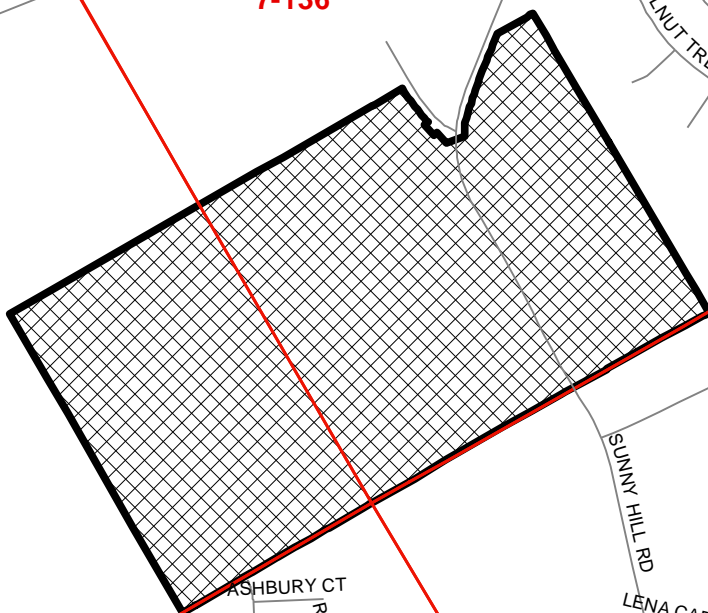
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Feet

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IVY STONE TRL

ROCK SPRINGS RD

MANOR OAK LN

ROCKSRAM DR

WATER CT
ROCKSRAM CT

ASHBURY CT

ROCKY WATERS TRL

SUNNY HILL RD

LENA CARTER WAY

SUNNY HILL RD

BROWN RD

185S

185N

FIELDVIEW DR

FIELDVIEW WAY

GRISTHAVEN DR

WALNUT TREE LN

GRISTHAVEN LN

SOUTHAVEN LN

WODFORD LN

MAPLE MILL DR

MORGAN RD

GRAVEL SPRINGS RD

KIRKSTONE DR

BANCROFT WAY

MCCAHILL CT

LENA CARTER RD

BRASELTON HWY

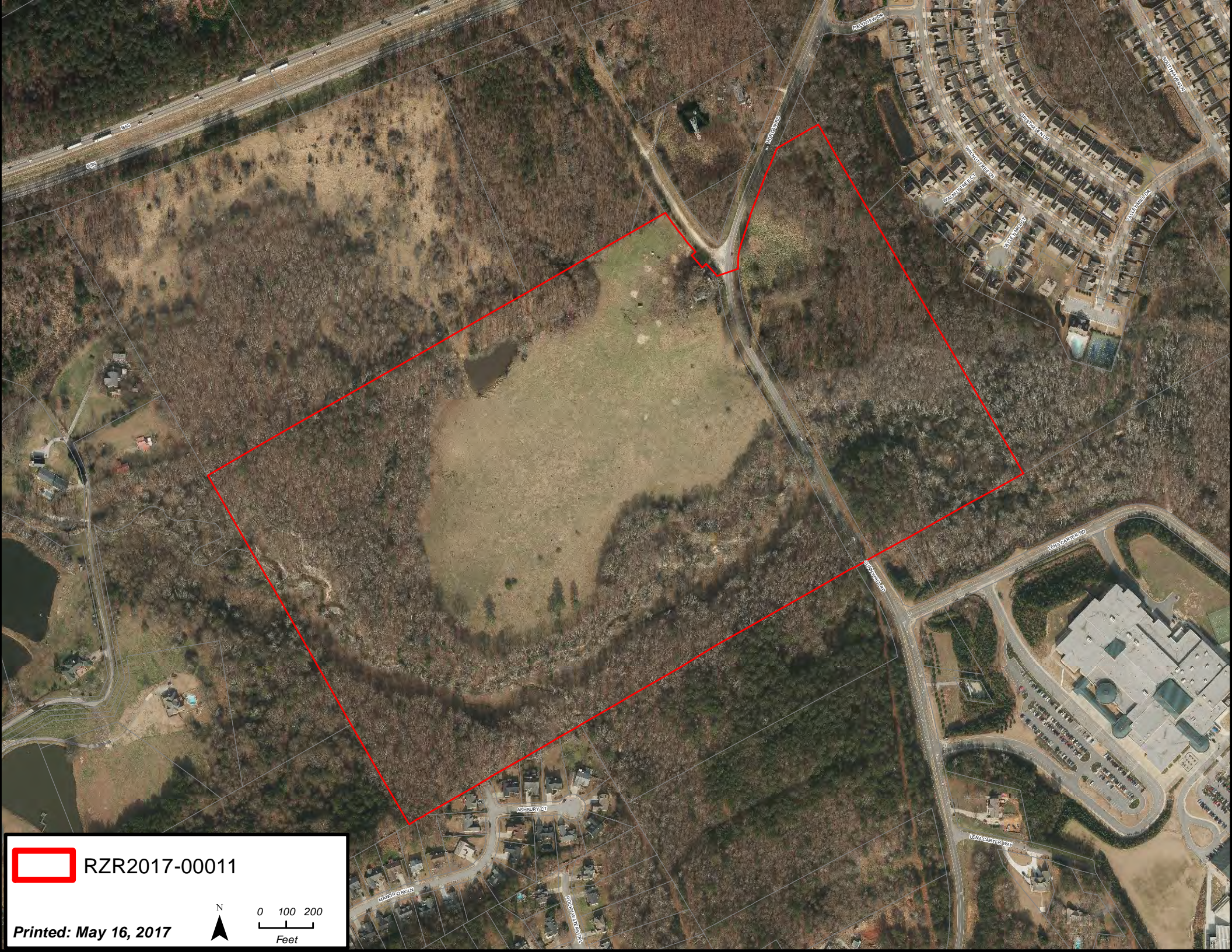


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Printed: May 16, 2017

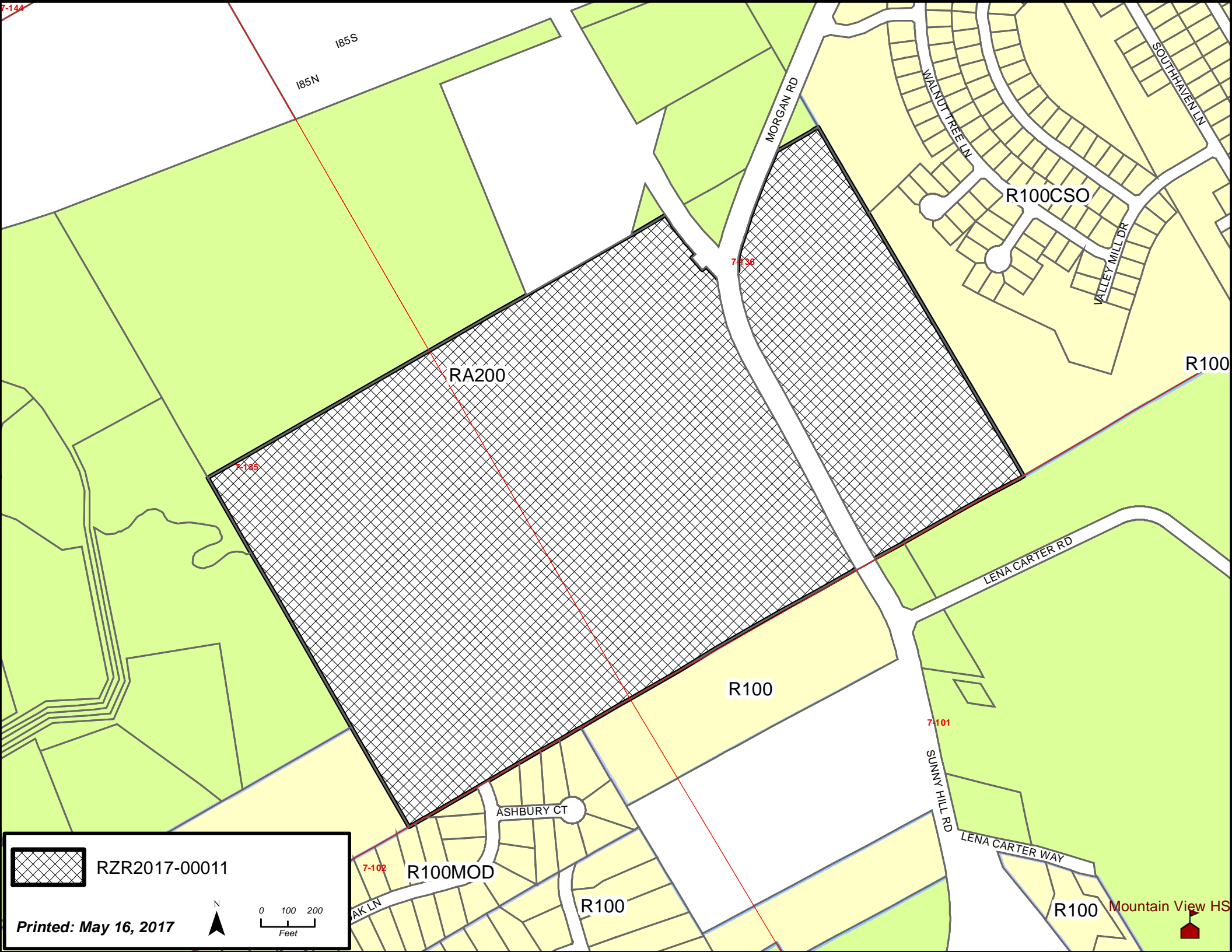


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Mountain View HS

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

CASE NUMBER	: RZM2018-00005
ZONING CHANGE	:R-75 TO R-TH
LOCATION	:900 BLOCK OF OLD SNELLVILLE HIGHWAY
MAP NUMBER	:R5086 001 & 001A
ACREAGE	:10.01 ACRES
UNITS	:80 UNITS
PROPOSED DEVELOPMENT	:TOWNHOUSES (BUFFER REDUCTION)
COMMISSION DISTRICT	:(3) HUNTER

FUTURE DEVELOPMENT MAP: **CORRIDOR MIXED-USE**

APPLICANT: TIANG, INC.
 4321 S. LEE STREET, SUITE 100
 BUFORD, GA 30518

CONTACT: ROBERT JACKSON WILSON PHONE: 770.962.9780

OWNER: MARGARET ANNE TANNER WEISS
 2063 CHRYSLER DRIVE, NE
 ATLANTA, GA 30345

 ROY LEE WELLS
 950 OLD SNELLVILLE HIGHWAY
 LAWRENCEVILLE, GA 30044

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The subject property contains 10.01 acres located on the east side of Old Snellville Highway, north of the intersection with Webb Gin House Road and west of Scenic Highway. The applicant seeks rezoning of two properties from R-75 (Single-Family Residence District) to R-TH (Single-Family Residence Townhouse District) for an 80-unit townhouse development. The smaller of the two parcels is currently developed with a single-family residence and accessory structures, and the larger property is vacant and heavily wooded, with an existing cemetery located towards the rear of the property.

The proposed 80-unit development would result in a net density of 7.99 units per acre, under the 8.0 units per acre allowed by the R-TH zoning district. The site plan indicates that the lots will measure between 24 and 26 feet in width, with unit sizes ranging between 1,000-square feet for two bedroom townhouses and 1,200 square feet for three bedroom townhouses, and measure a maximum 35 feet in height. Each unit would contain a two-car garage and a driveway for off-street parking. There is one entrance into the development proposed off of

Old Snellville Highway, and a mail kiosk located near the entrance with no additional off-street parking provided. The new roadway with sidewalks would circle through the development, with two stub-streets shown near the front and rear of the property along the northern property line.

Elevations and pictures submitted by the applicant indicate the front facades of the townhomes will consist of a mixture of stone or fiber cement shake and siding. There is one stormwater detention pond located at the rear of the property, and common areas throughout the development, but no additional amenities are provided. There is no documented floodplain for the property.

A 30-foot buffer is required for the adjacent R-75 properties surrounding the site. The site plan indicates a 40-foot building setback line from the property lines, but the rear yards of the townhouses are encroaching within this setback and a buffer reduction has been included with this request. The required 50-foot wide landscape buffer along the exterior street frontage is shown as a 30-foot wide buffer on the site plan, which also requires a buffer reduction.

ZONING HISTORY:

The property has been zoned R-75 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 County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

This site appears to be heavily wooded and may include specimen trees which are required by UDO Section 630-70 to be preserved. Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a development permit application.

Section 210-100.6B of the Unified Development Ordinance requires submittal of a concept plan for review and approval of the Development Division prior to submittal and acceptance of a development permit application.

Project access and required improvements along Old Snellville Highway will be subject to review and approval of Gwinnett County Department of Transportation

The 25-foot undisturbed buffer required adjacent to R-75 zoned properties appears to not be met. Access road and proposed detention pond appears to be within the 25-foot undisturbed buffer. The applicant must review the site plan and redesign it.

Section 610-20.4B of the Unified Development Ordinance requires an additional five-foot setback for all structures adjacent to the required buffer.

A 50-foot landscape setback shall be provided along Old Snellville Highway (UDO 210-100.6.15).

Buildings #7, #8 and #9 appears not to meet the minimum 20-foot setback. A minimum 20-foot grassed or landscaped strip shall be provided between all buildings.

The existing cemetery shall be bordered by a 25-foot grassed buffer strip and a minimum 4-foot in height wrought-iron fence or brick/stone wall around the entire perimeter (UDO 230-90).

The U.S Postal service requires a centralized mail delivery kiosk replacing individual mail boxes. Mail delivery kiosk must be located outside of right of way. Location and access must be approved by Gwinnett County Department of Transportation.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Old Snellville Highway is a Minor Collector and 30 feet of right of way is required from the centerline.

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

The developer shall be limited to one curb cut.

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

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

No direct lot access allowed on Old Snellville Highway, 10-foot no access easement required along Old Snellville Highway.

Five-foot sidewalk required along Old Snellville Highway and 4-foot interior sidewalk required on proposed road.

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 northwest right of way of Old Snellville Highway.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of eight-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located on parcel R5086 001.

The subject development is located within the Yellow River service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

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, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy

stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

- I. The applicant shall obtain a residential building permit for each townhouse and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

Note: Verify the finish materials on sides of the building.

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:

No comment.

DEPARTMENT ANALYSIS:

The subject property contains 10.01-acres located on the east side of Old Snellville Highway, north of the intersection with Webb Gin House Road and west of Scenic Highway. The applicant seeks rezoning of two properties from R-75 (Single-Family Residence District) to R-TH (Single-Family Residence Townhouse District) for an 80-unit townhouse development. The smaller of the two parcels is currently developed with a single-family residence and accessory structures, and the larger property is vacant and heavily wooded, with an existing cemetery located towards the rear of the property.

The 2030 Unified Plan Future Development Map indicates that the property lies along the western edge of a Corridor Mixed-Use Character Area. The intent of this character area is to encourage higher density residential and commercial development along major arterial roadways, such as Scenic Highway. It is also the policy of the 2030 Unified Plan to encourage infill development and transitional uses with densities that are compatible with the area. The site is solely accessed from Old Snellville Highway, which is a minor roadway that serves the adjacent single-family detached residential subdivisions to the west, as well as a local school and park. Given the proximity of single-family residential detached development, and that the proposed townhouse development is neither mixed-use nor accessible from Scenic Highway, the rezoning may not be consistent with the policies of the 2030 Unified Plan.

The surrounding area is characterized by single-family residential development along Old Snellville Highway, and community amenities, which falls within the R-75 zoning district. To the

west across Old Snellville Highway are single-family detached residential properties that are within the Flowers Crossing at the Mill subdivision.

To the north is property owned by Gwinnett County that is intended to become part of Alexander Park. Per discussions with Community Services, this portion of the park is to remain natural and undeveloped. If the subject property were to be developed, extra considerations for buffers and setbacks may be warranted to protect the natural state of the park due to the steep grade and inaccessible nature of this area.

To the east and south is Crews Middle School. Extra consideration should also be given for buffers and setbacks along this common property line. Beyond the school property is the Scenic Overlook subdivision, single-family detached residences within the R-ZT zoning district (Single-Family Residence Zero Lot Line/Townhouse District) approved in 2002 with a maximum density of five units per acre. Given the lower density residential subdivisions, no similar development in the area, and the presence of sensitive uses on adjoining properties, staff does not consider a request for townhouses at 7.99 units per acre as a compatible infill development.

The proposed rezoning may not be compatible with the policies of the 2030 Unified Plan for compatible infill development. Further, townhouse development may be inconsistent with what currently exists in the area, as the site does not have connectivity to the Scenic Highway corridor where townhouses are present. Therefore, staff recommends **DENIAL** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS
RZM2018-00005

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

Approval as R-TH (Single-Family Residence Townhouse District), subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Attached townhouse dwellings and accessory uses not to exceed a maximum of seven units per acre.
 - B. Townhouse buildings shall be constructed of brick and/or stacked stone on all four sides with minor treatments (i.e., gables, bay windows, chimneys) of fiber cement siding or shake. The use of vinyl siding is prohibited. 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 1,200 square feet.
 - D. All units shall have at least a two-car garage.
 - E. All units interior to the site, and a minimum of 50% of all units, shall be rear-entry. Alleys serving rear-entry units shall be a maximum of 16-feet wide with no curb or gutter.
 - F. The development shall include a clubhouse with pool, community trails, community green space, and a multi-use path as amenities. The detention pond(s) shall be designed as an amenity accessible to the residents of the development. All amenities shall be subject to the review and approval by the Director of Planning and Development.
 - G. A mandatory Homeowners Association shall be incorporated which provides for building and grounds maintenance, repair, insurance and working capital. The association must also include declarations and by-laws, including rules and regulations, which shall at minimum regulate and control the following:
 - i. Exterior home maintenance to include roofing and painting.
 - ii. All grounds and common area maintenance, including detention facilities.
 - iii. Fence/wall maintenance to include the requirement that any graffiti shall be repaired and repainted within 72 hours.

- H. A revised concept plan meeting all conditions shall be submitted for review and approval by the Director of Planning and Development prior to submittal of development plans.
2. To satisfy the following site development considerations:
- A. The development shall abide by all applicable standards of the Unified Development Ordinance, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
 - B. Along the northern property line adjacent to property owned by Gwinnett County, provide a 50-foot wide natural, undisturbed buffer with an additional 25-foot setback for detention ponds and retaining walls. A 30-foot wide natural, undisturbed buffer shall be provided adjacent to school property. Buffers shall be enhanced where sparsely vegetated.
 - C. Provide a 50-foot wide landscape strip along Old Snellville Highway. The Snellville Highway frontage shall include increased landscaping and a masonry entrance feature. The feature may be constructed as a solid brick or stacked stone wall, or as a wrought iron-style fence with brick or stacked stone columns. Landscaping, entrance features and fencing plans shall be subject to review and approval of the Director of Planning and Development.
 - D. All grassed areas shall be sodded.
 - E. All utilities shall be placed underground.
 - F. Natural vegetation shall remain on the property until the issuance of a development permit.
 - G. Any archeologically significant sites or cemetery on the property shall be identified, bordered by a 25-foot grassed buffer strip and a minimum 4-foot in height wrought-iron fence or brick/stone wall around the entire perimeter, and incorporated into permanent open space on the final plat. Location and design of protection measures shall be subject to review by the Director of Planning and Development and the Gwinnett Historical Society.
 - H. No structures shall be located with any recorded easements on the property.
3. To abide by the following requirements, dedications and improvements:
- A. Prior to the issuance of the first certificate of occupancy, the applicant shall install sidewalks along Old Snellville Highway. All design and construction will be subject to review and approval by the Director of Planning and Development and the Gwinnett County D.O.T.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

Proposed with a density of 7.99 units per acre and located away from the Scenic Highway corridor, the requested rezoning for a townhouse development may not be suitable at this location.

ADVERSE IMPACTS

Introduction of a townhouse development along Old Snellville Highway, which currently serves primarily single-family residential properties, may have an adverse impact on 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 2030 Unified Plan Future Development Map indicates the site is located in a Corridor Mixed-Use Character Area. As the property is located away from the Scenic Highway Corridor, which incorporates development that is consistent with the Corridor Mixed-Use Character area, the proposed townhouses are not consistent with policies regarding infill development and transitional development along Old Snellville Highway.

CONDITIONS AFFECTING ZONING

The subject property is bordered on all sides by community facilities such as Alexander Park and Crews Middle School. Extra considerations for buffers and setbacks may be warranted should the property be developed.

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; neighborhood residential is in keeping with surrounding school and park uses

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

No; the use will add value to neighboring properties by providing needed services in close proximity to similar residential auses.

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

No; the property has been vacant and unused for many years.

- (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 residential use will relieve burdens on streets, transportation facilities and complement nearby uses.

- (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:

The growing demand and need for residential dwellings in close proximity to residential and commercial uses warrant approval of the proposed rezoning.

ROBERT JACKSON WILSON, PC

ATTORNEY AT LAW

10 LUMPKIN STREET ■ LAWRENCEVILLE, GA 30046
770-962-9780

ROBERT JACKSON WILSON

jwilson@rjwpclaw.com

March 23, 2018

Ms. Charlotte Nash, Chairman, and
Members of the Board of Commissioners
Gwinnett County Justice and Administration Center
75 Langley Drive
Lawrenceville, GA 30045

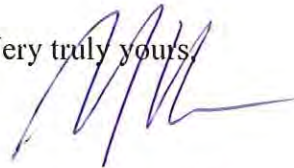
Re: Letter of Intent--995 Old Snellville Hwy (R5-086-001 and 001A)
Rezoning Application

Dear Chairman Nash and Members of the Board:

This firm represents the Applicant and Owners in the rezoning application for the above-referenced property. The Applicant proposes a townhome residential community (R-TH zoning). Parcel 5-098-001 has been largely vacant for many years. Mr. and Mrs. Ray Wells have lived on Parcel 5-085-001A for many years. Their age and circumstances have required that they sell the property to obtain proper care as they age. The proximity to the neighboring school site and recent additions to the County's adjoining park provide support for this development on the site. The cemetery in the back of the property will remain undisturbed. The property has access to Old Snellville Highway. The close proximity to residential subdivisions, the park and the school makes the site highly desirable for townhome residential use. For these reasons, we respectfully request that the application be approved. If you have any questions or need any additional information, please do not hesitate to contact me.

With best regards, I am

Very truly yours,



Robert Jackson Wilson

RJW/bka

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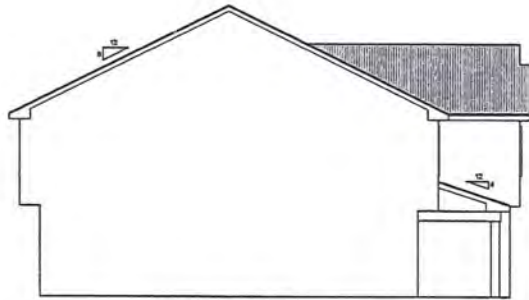
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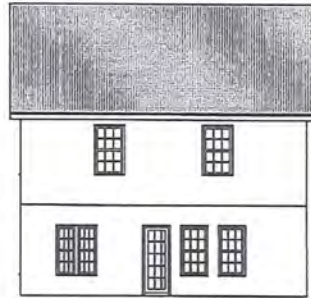
Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, June 2018

Case #	Schools	Current Projections									Proposed Zoning Approximate additional Student Projections from Proposed Developments
		2017-18			2018-19			2019-20			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZM2018-00005	Brookwood HS	3,558	2,575	983	3,530	2,575	955	3,494	2,575	919	16
	Crews MS	1,387	1,150	237	1,374	1,150	224	1,360	1,150	210	12
	Craig ES	1,016	1,250	-234	1,005	1,250	-245	994	1,250	-256	23
RZM2018-00006	Discovery HS	2,829	2,000	829	2,942	2,000	942	3,001	2,000	1,001	20
	Richards MS	2,184	1,575	609	2,228	1,575	653	2,272	1,575	697	14
	Cedar Hill ES	1,070	1,000	70	1,091	1,000	91	1,113	1,000	113	28
RZR2018-00012	Dacula HS	2,138	2,550	-412	2,202	2,550	-348	2,268	2,550	-282	42
	Dacula MS	1,636	1,900	-264	1,685	1,900	-215	1,736	1,900	-164	30
	Dacula ES	1,150	1,550	-400	1,162	1,550	-388	1,179	1,550	-371	58

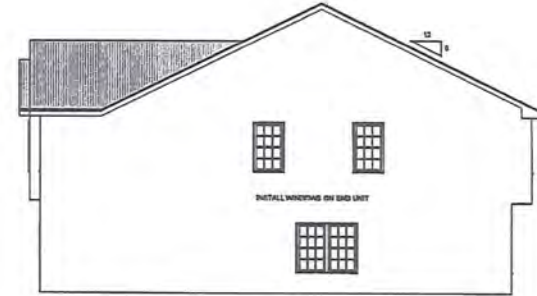
Current projections do not include new developments



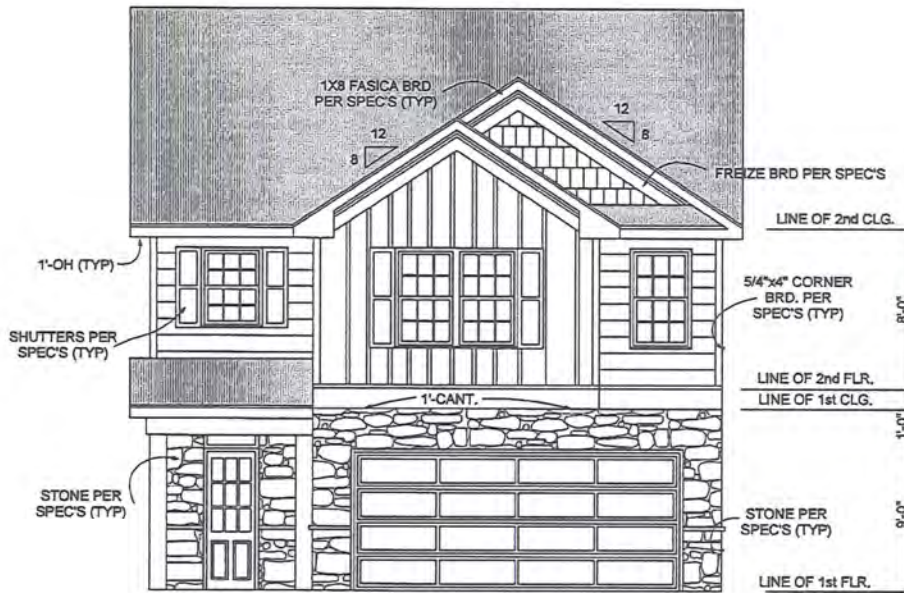
LEFT ELEVATION
1/8"——1"-0"



REAR ELEVATION
1/8"——1"-0"



RIGHT ELEVATION
1/8"——1"-0"

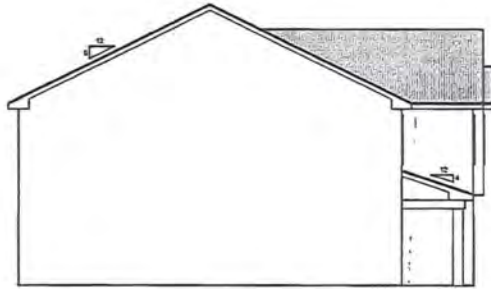


FRONT ELEVATION
1/4"——1"-0"

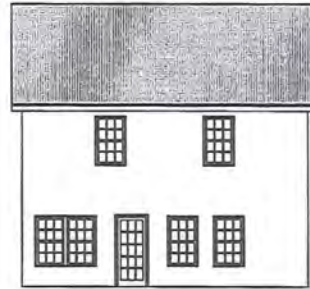
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MAR 27 2018
Planning & Development

RZM '18 005

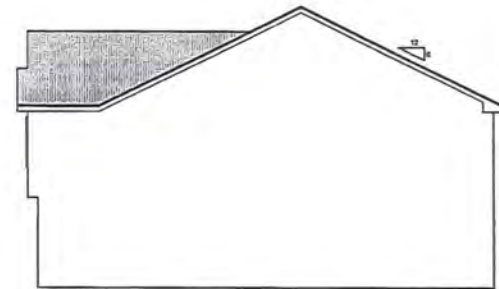
REV.	T&B LLC. REVISIONS
DATE	3-4-14
ALL PLANS HAVE BEEN COPYRIGHTED BY FRANK BATTLE HOME DESIGNS, INC.	
FRANK BATTLE HOME DESIGNS, INC. TEL: 781-454-4414 WWW.FRANKBATTLE.COM	
THE LANIER ELEVATIONS	
DWG. BY:	SAM/PWL
DATE:	2/28/07
SHEET:	1



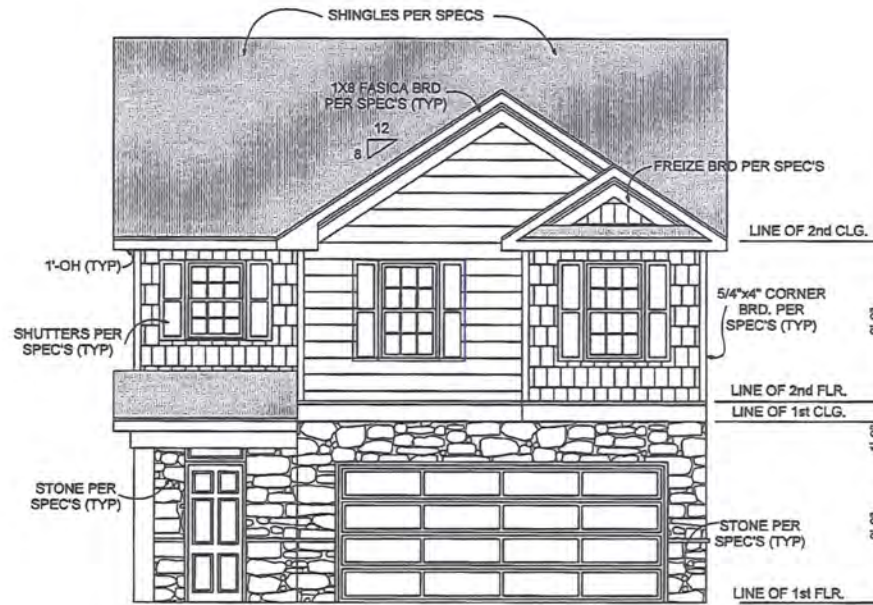
LEFT ELEVATION
1/8"——1"-0"



REAR ELEVATION
1/8"——1"-0"



RIGHT ELEVATION
1/8"——1"-0"



FRONT ELEVATION
1/4"——1"-0"

RECEIVED BY
MAR 27 2018
Planning & Development

RZM '18 00 5

REV.	T&B U.C. REVISIONS

DATE	3-4-14
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ALL PLANS HAVE BEEN
CHECKED BY
WE PLAN HOMES, LLC.



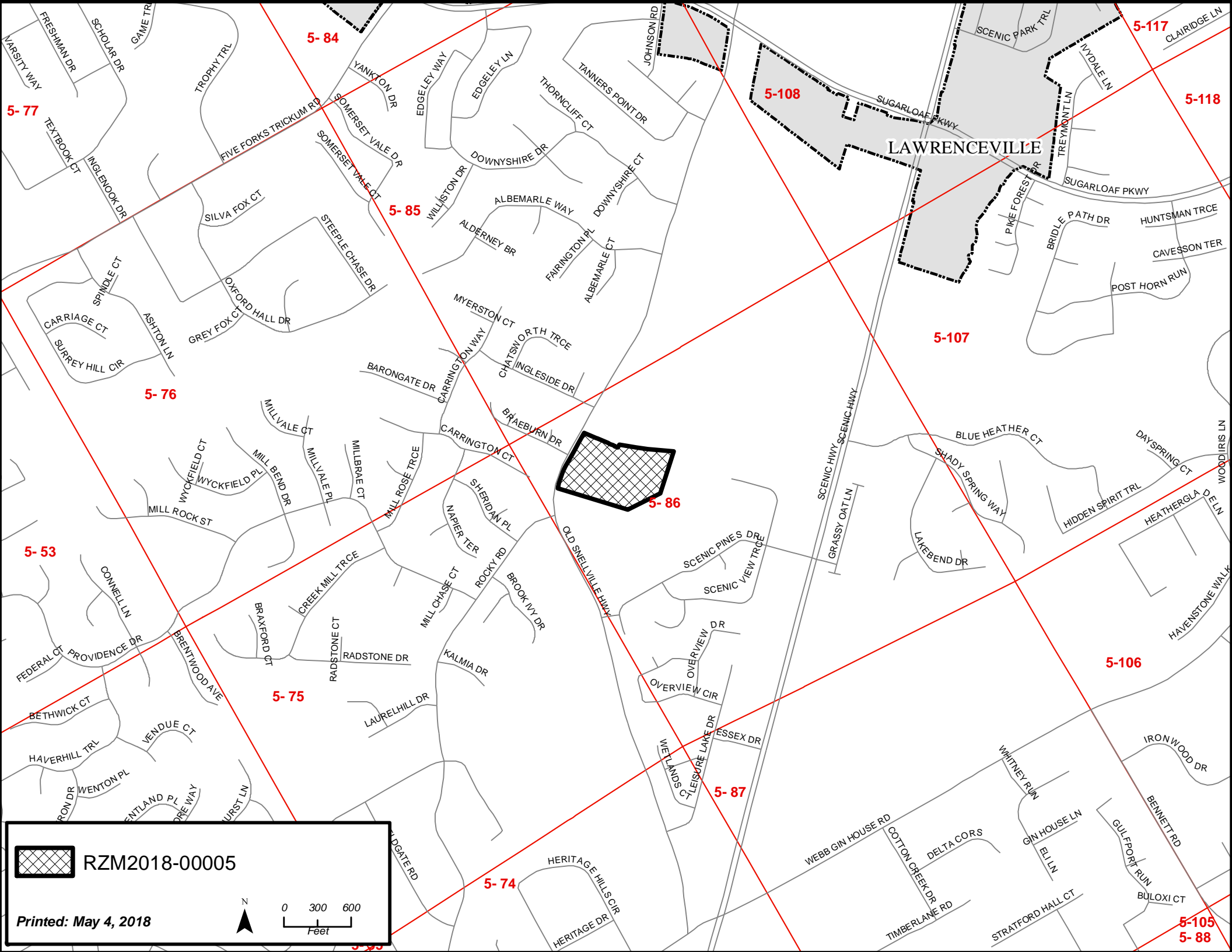
THE MORGAN
ELEVATIONS

DWG. BY:
SAM/PWL

DATE:
2/28/07

SHEET:
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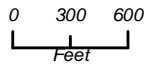


LAWRENCEVILLE



RZM2018-00005

Printed: May 4, 2018



5-105
5-88

LEGEND

- P/B POINT OF BEGINNING
- L/L LAND LOT LINE
- R/W RIGHT OF WAY
- N/F NOW OR FORMERLY
- C/F CORNER TOP FOUND
- R/F REAR FOUND
- O/F OPEN TOP FOUND
- R/S REAR SET
- CMP CORRUGATED METAL PIPE
- RCP REINFORCED CONCRETE PIPE
- D/P DUCTILE IRON PIPE
- PVC POLYVINYLCHLORIDE PIPE
- SWCB SINGLE WHIP CATCH BASIN
- DBS DOUBLE WHIP CATCH BASIN
- CI CURB INLET
- DI DROP INLET
- SI SANITARY SEWER MANHOLE
- CO CLEAN OUT
- OVH OVERHEAD POWER LINE
- OVTL OVERHEAD TELEPHONE LINE
- UT UNDERGROUND UTILITY LINE
- UGP UNDERGROUND POWER LINE
- SOV SOFT WIRE
- PP POWER POLE
- L/P LIGHT POLE
- C/I/T CABLE/INTERNET/TELEPHONE
- TH FIRE HYDRANT
- W WATER LINE
- MW WATER METER
- WV WATER VALVE
- BL BUILDING LINE
- CL CENTERLINE
- EP EDGE OF PAVEMENT

OWNER/DEVELOPER:
 TIANG, INC.
 4321 SOUTH LEE STREET
 SUITE 100
 BUFORD, GA. 30518
 24 HR CONTACT: TY ROBINSON
 PHONE: (770)932-1717
 Email: tbi@bellsouth.net

DESIGNER/ENGINEER:
 RINGO ABERNATHY & ASSOCIATES, INC.
 174 DACULA ROAD
 DACULA, GEORGIA 30019
 24 HR CONTACT: GUY ABERNATHY
 PHONE: (770)962-8456
 Email: guyo@ringoabernathy.com

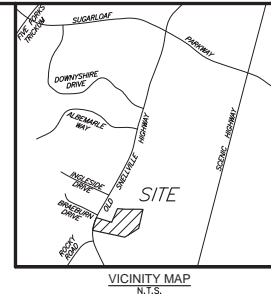
UNIT CHART

BLOCK	UNITS
A	54
B	26
TOTAL	80

TOTAL AREA = 10.011± ACRES
BOUNDARY SURVEY NOT BY THIS FIRM
THIS DRAWING IS NOT FOR RECORDING.
THIS DRAWING IS NOT FOR CONSTRUCTION.

GENERAL NOTES:

- TOTAL AREA OF PROPERTY: 10.011± ACRES
- EXISTING PROPERTY ZONING: R-7E
- PROPOSED PROPERTY ZONING: P-TH
- TOTAL NUMBER OF UNITS: 80
- GROSS DENSITY: 7.99 UNITS/ACRE
- NET DENSITY: 7.99 UNITS/ACRE
- MINIMUM BUILDING SIZE: 2 BEDROOM TOWNHOMES SHALL HAVE 1,000 SQUARE FEET OF HEATED FLOOR SPACE & 3 BEDROOM TOWNHOMES SHALL HAVE 1,200 SQUARE FEET OF HEATED FLOOR SPACE
- MINIMUM LOT SIZE: NO MINIMUM LOT SIZE PER GWINNETT UOD, SECTION 210-100
- SETBACKS: MINIMUM 20' UNLESS OTHERWISE SPECIFIED
- SETBACKS: MINIMUM 10' UNLESS OTHERWISE SPECIFIED
- SETBACKS: MINIMUM 5' UNLESS OTHERWISE SPECIFIED
- MAXIMUM BUILDING HEIGHT: 35 FEET
- ALL UTILITIES TO BE PROVIDED BY GWINNETT COUNTY
- SANITARY SEWER SERVICE TO BE PROVIDED BY GRAVITY FLOW
- ALL UTILITIES TO BE LOCATED UNDERGROUND
- ALL STREETS ARE TO BE PUBLIC STREETS
- THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN PER COMMUNITY PANEL NUMBER 1313502105W DATED 09/29/2006
- ON-SITE CEMETERY TO BE ADJACENT TO THE PROPOSED CONSTRUCTION
- THERE ARE NO SIGNIFICANT WILDLIFE HABITATS OR SCENIC VISTAS IDENTIFIED BY THE GEORGIA DEPARTMENT OF NATURAL RESOURCES
- OLD SNELLVILLE HIGHWAY SHALL HAVE A 30' ENHANCED LANDSCAPE STRIP
- EXISTING SANITARY SEWER SHALL BE RELIQUATED
- NO RECREATION AREA IS PROPOSED FOR THIS SITE
- EACH UNIT SHALL HAVE 3 OR MORE OFF-STREET PARKING SPACES
- NO COMMON AREA REQUIRED: 125,875 SQUARE FEET OR 2.89 ACRES OF COMMON AREA PROVIDED



THIS SURVEY WAS PREPARED IN CONFORMANCE WITH THE SURVEYING ACT OF 1967 AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE CONSTITUTION OF THE STATE OF GEORGIA.

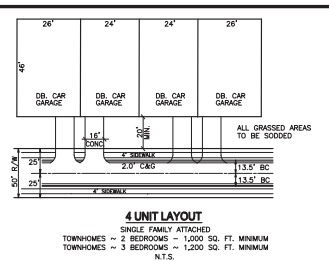
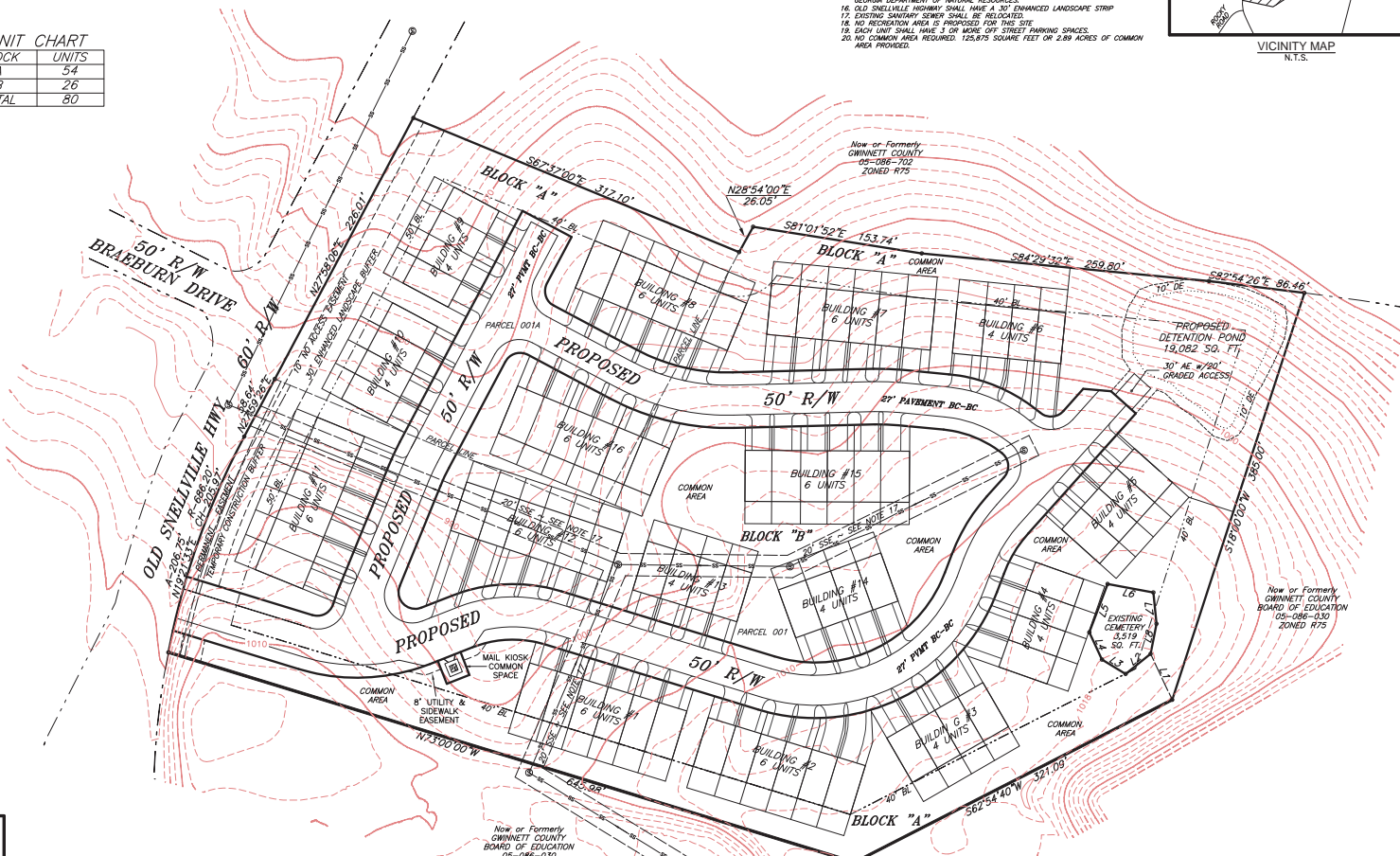


RINGO ABERNATHY & ASSOCIATES
 CONSULTANTS
 SURVEYORS
 PLANNERS
 174 DACULA ROAD - DACULA, GA. 30019
 Phone (770) 962-8456

REZONING PLAN FOR:

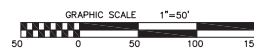
Old Snellville TownHomes

COUNTY:	GWINNETT
LAND LOT/DISTRICT:	86/5th
PARCEL:	001 & 001A
DATE:	05/03/18
SCALE:	1" = 50'
JOB NO.:	18008



THE EXISTING UTILITIES SHOWN ON THIS PLAN WERE OBTAINED FROM VARIOUS UTILITY COMPANIES. VERIFY EXISTENCE, DEPTHS AND ADEQUATE GRADING INFORMATION. THE SURVEYOR AND/OR ENGINEER HAVE NO CLAIM TO THE COMPLETENESS OF THIS INFORMATION. THE SIZE, LOCATION OR ADDITIONAL UTILITIES NOT IDENTIFIED HEREON ARE THE RESPONSIBILITY OF THE CLIENT. THE UTILITY PROTECTION SERVICE FOR THIS AREA MUST BE NOTIFIED.

RECEIVED
MAY 3, 2018
PLANNING & DEVELOPMENT
RZM2018-00005



CEMETERY

LINE	BEARING	DISTANCE
L1	N25°15'33"W	45.67'
L2	S51°14'19"W	28.81'
L3	N58°41'43"W	24.85'
L4	N24°53'50"W	27.00'
L5	N20°38'55"E	46.47'
L6	S79°37'29"E	41.91'
L7	S05°38'20"E	28.64'
L8	S11°08'26"W	27.61'

REVISIONS

NO.	DATE	DESCRIPTION

SHEET 1 OF 1



BRAEBURN CT

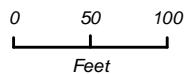
BRAEBURN DR

OLD SNELLVILLE HWY

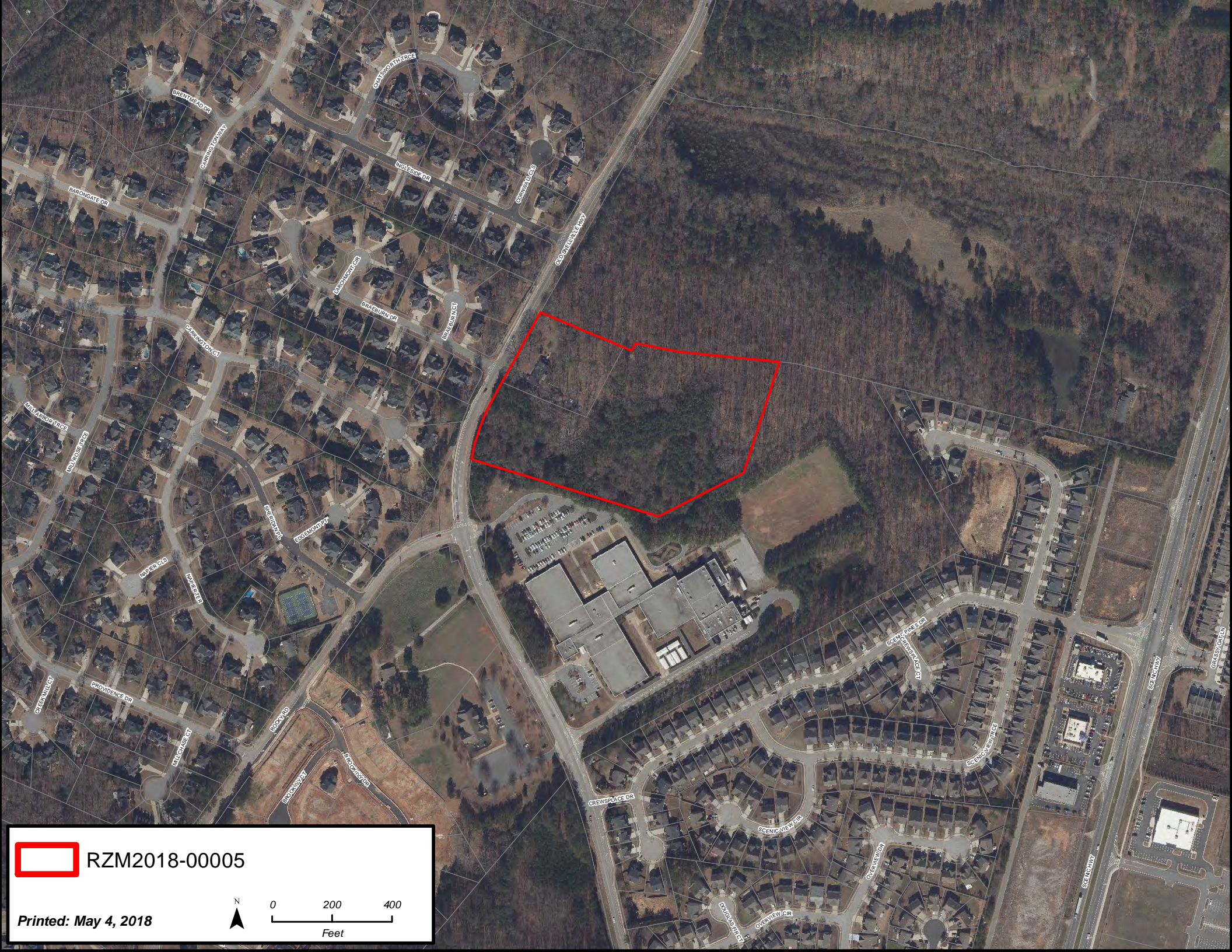
ROCKY RD



RZM2018-00005

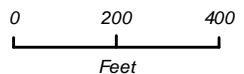


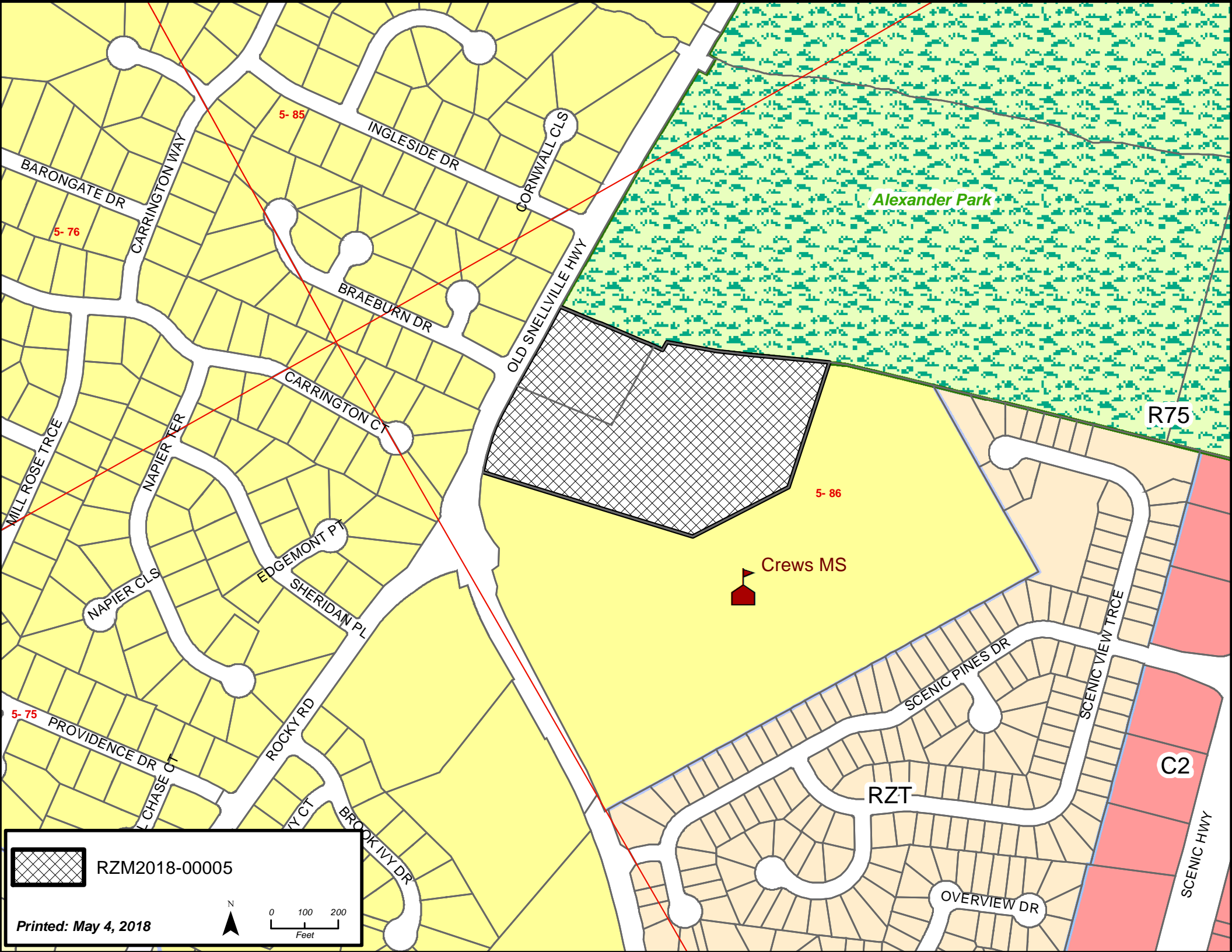
Printed: May 4, 2018



RZM2018-00005

Printed: May 4, 2018





Alexander Park

R75

Crews MS

5-86

5-85

5-76

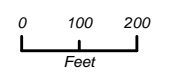
5-75

C2

RZT

RZM2018-00005

Printed: May 4, 2018



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

CASE NUMBER :**RZM2018-00006**
ZONING CHANGE :R-75 TO R-TH
LOCATION :1400 BLOCK OF FIVE FORKS TRICKUM ROAD
MAP NUMBERS :R5084 001 & 524
ACREAGE :12.39 ACRES
UNITS :79 UNITS
PROPOSED DEVELOPMENT :TOWNHOUSES (BUFFER REDUCTION)
COMMISSION DISTRICT :(4) HEARD

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

APPLICANT: EDGE CITY PROPERTIES, INC.
C/O MAHAFFEY PICKENS TUCKER, LLP
1550 NORTH BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACT: SHANE LANHAM PHONE: 770.232.0000

OWNER: RICHARD CRAIG
1585 FIVE FORKS TRICKUM ROAD
LAWRENCEVILLE, GA 30044

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant is requesting rezoning from R-75 (Single-Family Residence District) to R-TH (Single-Family Residence Townhouse District) for a 79-unit townhome development. The subject 12.39-acre property is located on the northwest side of Five Forks-Trickum Road southwest of its intersection with Sugarloaf Parkway. A single-family residence and cell tower are currently located on the site.

The proposed 79 units would result in a gross and net density of 6.38 units per acre as the property contains no flood hazard areas or major utility transmission easements. Access to the site is proposed from a single entrance driveway along Five Forks-Trickum Road. It is noted that the required 50-foot landscaped setback along Five Forks-Trickum Road is proposed to be reduced to 20-feet. Planned site amenities include a community green space with walking paths, a dog park and a centrally located mail kiosk.

The applicant states that the minimum heated floor area will be minimum of 1,800 square feet. All units would have a two-car garage. According to the letter of intent, front facades would consist of a mixture of brick, stone, wood, fiber cement siding, stucco and EIFS (Exterior

Insulation Finish System) accents. Submitted elevations (attached) indicate that the sides and rear of each building would be constructed of siding only.

The UDO requires a minimum 40-foot undisturbed buffer adjacent to R-140 zoned property and a 30-foot buffer with a 5-foot structure setback off the buffer adjacent to R-75 zoned property to the southwest; however, only a 40-foot building setback is noted on the site plan. These buffer areas would comprise all or a majority of the rear yards for those townhouse units. A stormwater detention pond is proposed to be located to the rear of the property. No stream buffer has been indicated on the site plan provided. A 50-foot stream buffer and 75-foot impervious surface setback will be required adjacent to the stream which is located at the rear of the site.

ZONING HISTORY:

The subject property has been zoned R-75 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 County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

This site appears to be heavily wooded and may include specimen trees which are required by UDO Section 630-70 to be preserved. Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a development permit application.

Section 210-100.6B of the Unified Development Ordinance requires submittal of a concept plan for review and approval of the Development Division prior to submittal and acceptance of a development permit application.

Project access and required improvements along Five Forks-Trickum Road will be subject to review and approval of Gwinnett County Department of Transportation

The 30 and 40 foot undisturbed buffers required adjacent to R-75 and R-140 zoned properties are not labeled on the plan. Side setback shall be revised to read 30-40-foot undisturbed buffer/side setback.

Section 610-20.4B of the Unified Development Ordinance requires an additional 5-foot setback for all structures adjacent to the required undisturbed buffer.

A 50 foot landscape setback shall be provided along Five Forks-Trickum Road (UDO 210-100.6.15).

The U.S. Postal service requires a centralized mail delivery kiosk replacing individual mail boxes. Mail delivery kiosk must be located outside of right of way. Location and access must be approved by Gwinnett County Department of Transportation.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance. The property appears to contain stream buffers. The proposed conceptual plan may require revision to show the appropriate stream buffers.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Five Forks Trickum 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.

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

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

The developer shall be limited to one curb cut.

The project entrance shall align with opposing roads or driveways in accordance with the Gwinnett County Unified Development Ordinance.

Dead end streets shall have a cul-de-sac turn around.

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 southeast right of way of Five Forks-Trickum Road.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of 8-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 16 feet south of parcel R5084 524 in the right of way of Five Forks-Trickum Road.

The subject development is located within the Yellow River service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

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, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

- I. The applicant shall obtain a residential building permit for each townhouse and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

Note: Verify the finish materials on sides of the building.

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.

DEPARTMENT ANALYSIS:

The subject 12.39-acre property is located on the northwest side of Five Forks-Trickum Road southwest of its intersection with Sugarloaf Parkway. The applicant is requesting rezoning from R-75 (Single-Family Residence District) to R-TH (Single-Family Residence Townhouse District) for a 79-unit townhome development. The property is predominately wooded and a single-family residence and cell tower are currently located on the site.

The 2030 Unified Plan Future Development Map indicates the property is located within an Existing/Emerging Suburban Character Area. Policies for this character area encourage residential development at densities less than 3.0 units per acre. The proposed townhome development with 6.38 units per acre may not be consistent with this policy and the proposed attached housing could be considered out of character with neighboring development along Five Forks-Trickum Road, which are lower density detached housing.

This segment of Five Forks-Trickum Road is characterized by homes on large lots and detached low-density single-family subdivisions, with commercial development at the intersection of Sugarloaf Parkway. East and North of the property is the Village Shoppes of Sugarloaf shopping center within the city limits of Lawrenceville. West of the site is the Deer Run subdivision zoned R-140 and a single residence zoned R-75. Directly across the street are the Flowers Crossing at the Lake and Somerset Place subdivisions, zoned R-75. The few higher density R-TH attached residential zonings in the area are located on, and accessed from, Sugarloaf Parkway. This project is proposed to be accessed from Five Forks-Trickum Road, and the proposed townhomes would be out of character with the development pattern along Five Forks-Trickum Road.

The introduction of a townhome development may not be compatible with the housing types and densities of the residential developments along this segment of Five Forks-Trickum Road, or the recommended densities per the policies of the 2030 Unified Plan. 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 R-TH for a townhouse development, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Attached townhouse dwellings and accessory uses not to exceed 79 units for a maximum density of 6.38 units per acre.
 - B. Townhouse buildings shall be constructed of brick and/or stacked stone on all four sides with minor treatments (i.e., gables, bay windows, chimneys) of fiber cement siding or shake. The use of vinyl siding is prohibited. 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 1,800 square feet.
 - D. All units shall have at least a double-car garage.
 - E. All units interior to the site, and a minimum of 50% of all units, shall rear-entry. Alleys serving rear-entry units shall be a maximum of 16-feet wide with no curb or gutter.
 - F. The development shall include a clubhouse with pool, community trails, community green space, and a multi-use path as amenities. The detention pond(s) shall be designed as an amenity accessible to the residents of the development. All amenities shall be subject to the review and approval by the Director of Planning and Development.
 - G. A mandatory Homeowner's 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:
 - i. Exterior home maintenance to include roofing and painting.
 - ii. All grounds and common area maintenance, including detention facilities.
 - iii. Fence/wall maintenance to include the requirement that any graffiti shall be repaired and repainted within 72 hours.

- H. A revised concept plan shall be submitted to the review and approval of the Director of Planning and Development that meets all the conditions listed herein.
2. To satisfy the following site development considerations:
- A. Provide a minimum 30-foot wide planted buffer adjacent to residentially-zoned properties. Supplemental buffer plantings shall be subject to review and approval by the Development Division. Townhouse buildings shall maintain an additional 15-foot setback from the established buffer line.
 - B. Provide a minimum 50-foot landscaped setback along the Five Forks-Trickum Road frontage. The frontage and project entrance shall be landscaped by the developer and maintained by the Homeowners Association. Entrance shall include a decorative masonry entrance feature. A solid brick wall or wrought iron fence with brick columns every 30 feet shall be provided for the entire length of the frontage along Five Forks-Trickum Road. Landscaping, entrance feature, and fencing plans shall be subject to review and approval of the Director of Planning and Development.
 - C. All grassed areas shall be sodded.
 - D. All utilities shall be placed underground.
 - E. Natural vegetation shall remain on the property until the issuance of a development permit.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING EXERCISE OF THE ZONING

SUITABILITY OF USE

The character along Five Forks-Trickum Road is predominately low density, single-family subdivisions zoned R-75 and R-100. The proposed R-TH zoning and density may not be compatible with the existing residential developments in the surrounding area.

ADVERSE IMPACTS

Potential adverse impacts on nearby residential properties could be anticipated due to the introduction of an incompatible density and housing type.

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, stormwater 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. Policies for this character area encourage residential development at densities less than 3.0 units per acre and neighborhood compatibility for new developments. The proposed attached townhome development with 6.38 units per acre may not be consistent with this policy.

CONDITIONS AFFECTING ZONING

The higher density attached residential developments in the area are accessed from Sugarloaf Parkway. This project is proposed to be accessed from Five Forks-Trickum Road, and the proposed townhomes would be out of character with the development pattern along Five Forks-Trickum Road.

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

- (A) Yes, the proposed Rezoning Application will permit a use that is suitable in view of the use and development of adjacent and nearby property. The Property is located on Five Forks Trickum Road just south of Sugarloaf Parkway. The Property is adjacent to land zoned for commercial and retail uses.
- (B) No, the proposed Rezoning Application will not adversely affect the existing use or usability of any of the nearby properties. The proposed zoning classification is compatible with existing commercial, retail, and office uses of adjacent property.
- (C) Due to the size, location, layout and dimensions of the subject property, the Applicant submits that the property does not have reasonable economic use as currently zoned.
- (D) No, the proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems. The Property has convenient access to Sugarloaf Parkway, Scenic Highway (State Route 124), and Ronald Reagan Parkway.
- (E) Yes, the proposed Rezoning Application is in conformity with the policy and intent of the Gwinnett County Land Use Plan.
- (F) The Applicant submits that the subject Property's location adjacent to existing commercial uses and its proximity to major transportation corridors provide additional support of the Application.

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Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Mary Grace Griffin
Christopher D. Holbrook
Nicholas N. Kemper

Shane M. Lanham
Austen T. Mabe
Jeffrey R. Mahaffey
David G. McGee
Steven A. Pickens
Andrew D. Stancil
R. Lee Tucker, Jr.
*Of Counsel

**LETTER OF INTENT FOR REZONING APPLICATION
OF EDGE CITY PROPERTIES, INC.**

Mahaffey Pickens Tucker, LLP (the “Applicant”) submits this Letter of Intent and attached Rezoning Application for the purpose of rezoning to the R-TH zoning classification an approximately 12.39 acre tract (the “Property”) situated along Five Forks Trickum Road just south of its intersection with Sugarloaf Parkway. The Property is currently zoned R-75.

The Applicant proposes to develop a single-family residential community, including 79 attached residential townhomes. The proposed development would have a net density of approximately 6.38 units per acre, which is below the maximum allowed density of 8.0 units per acre prescribed for the R-TH zoning classification in the Gwinnett County Unified Development Ordinance (the “UDO”). The proposed single-family community would consist of homes at a size, quality, and price-point commensurate with homes in the surrounding area. The proposed townhomes would include a minimum of 1,800 square feet and would be constructed with front facades of brick, stone, and/or fiber cement shake/siding as well as two-car garages, covered entrances, and attractive architectural elements as depicted on the building elevations submitted with the Application. Further, nine of the proposed homes located along the Property’s frontage on Five Forks Trickum are designed as rear-entry townhomes with front facades facing the roadway and garages located in the rear. This design would improve the visual appearance of

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Sugarloaf Office || 1550 North Brown Road, Suite 125, Lawrenceville, Georgia 30043

NorthPoint Office || 11175 Cicero Drive, Suite 100, Alpharetta, Georgia 30022

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APR 04 2018

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Five Forks Trickum Road and increase the walkability of the surrounding area. In order to accomplish this, the Applicant is proposing to provide a 20-foot front building setback from the right-of-way instead of the typically-required 50-foot front setback.

The proposed community would also include approximately 2.85 acres of common area which is 23% of the Property's area. The proposed common area is located in the center of the Property and includes a multi-use open green space, dog park, multi-use trail, and arbor with outdoor fireplace. The proposed common area would serve as a focal point and gathering place for residents which would foster a sense of place and community within the proposed development. A proposed homeowners' association would be responsible for all maintenance of lawns, open space, and the community entrance feature.

Residents would also have convenient pedestrian access to the adjacent Village Shoppes of Sugarloaf which includes a Publix supermarket as well as various other commercial, retail, and restaurant options. The shopping center is within the municipal boundaries of the City of Lawrenceville and bears the City's Highway Service Business (HSB) zoning classification. Additional office, commercial, and restaurant uses are located across Five Forks Trickum Road from the Property. The 2030 Unified Plan encourages infill development at densities and architectural character which are compatible with existing development. The proposed development is in line with the policies of the 2030 Unified Plan as it would provide an appropriate transitional use from these existing commercial uses located along Sugarloaf Parkway and Five Forks Trickum Road to single-family detached uses located further west.

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

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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.

Respectfully submitted this 4th day of April, 2018.

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham
Attorneys for Applicant

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Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, June 2018

Case #	Schools	Current Projections									Proposed Zoning	
		2017-18			2018-19			2019-20				Approximate additional Student Projections from Proposed Developments
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under		
RZM2018-00005	Brookwood HS	3,558	2,575	983	3,530	2,575	955	3,494	2,575	919	16	
	Crews MS	1,387	1,150	237	1,374	1,150	224	1,360	1,150	210	12	
	Craig ES	1,016	1,250	-234	1,005	1,250	-245	994	1,250	-256	23	
RZM2018-00006	Discovery HS	2,829	2,000	829	2,942	2,000	942	3,001	2,000	1,001	20	
	Richards MS	2,184	1,575	609	2,228	1,575	653	2,272	1,575	697	14	
	Cedar Hill ES	1,070	1,000	70	1,091	1,000	91	1,113	1,000	113	28	
RZR2018-00012	Dacula HS	2,138	2,550	-412	2,202	2,550	-348	2,268	2,550	-282	42	
	Dacula MS	1,636	1,900	-264	1,685	1,900	-215	1,736	1,900	-164	30	
	Dacula ES	1,150	1,550	-400	1,162	1,550	-388	1,179	1,550	-371	58	

Current projections do not include new developments



**24' Wide Town Home Series
Front Elevation**

05.31.16

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The drawings presented are illustrations of proposed and existing site conditions, and are subject to change based upon field design observations (i.e., applicable zoning, structural, and HAZ design requirements, etc.) and/or design changes. ©2018 gmdgroup.com



Left Elevation



Right Elevation



Rear Elevation

24' Wide Town Home Series

05.31.16

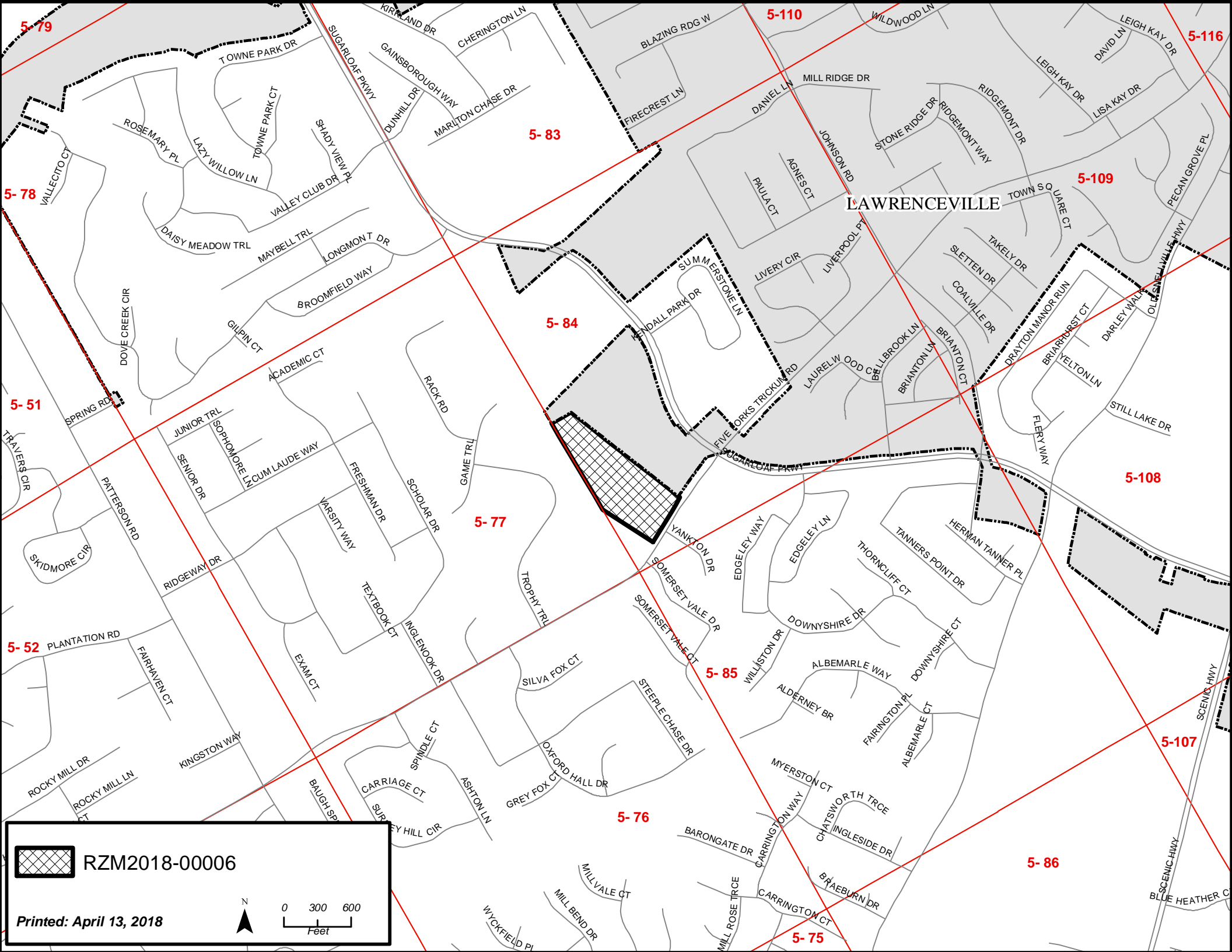


The drawings presented are illustrative of character and design intent only, and are subject to change based upon final design considerations (i.e. applicable codes, standards, and RFP design requirements), and other / fees plus charges, etc. ©2016 gmdhousinggroup of ga, inc.


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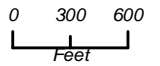
RZM '18 00 6 Planning & Development



LAWRENCEVILLE

 RZM2018-00006

Printed: April 13, 2018






SUGARLOAF PKWY
SUGARLOAF PKWY

TROPHY TRL

FIVE FORKS TRICKUM RD

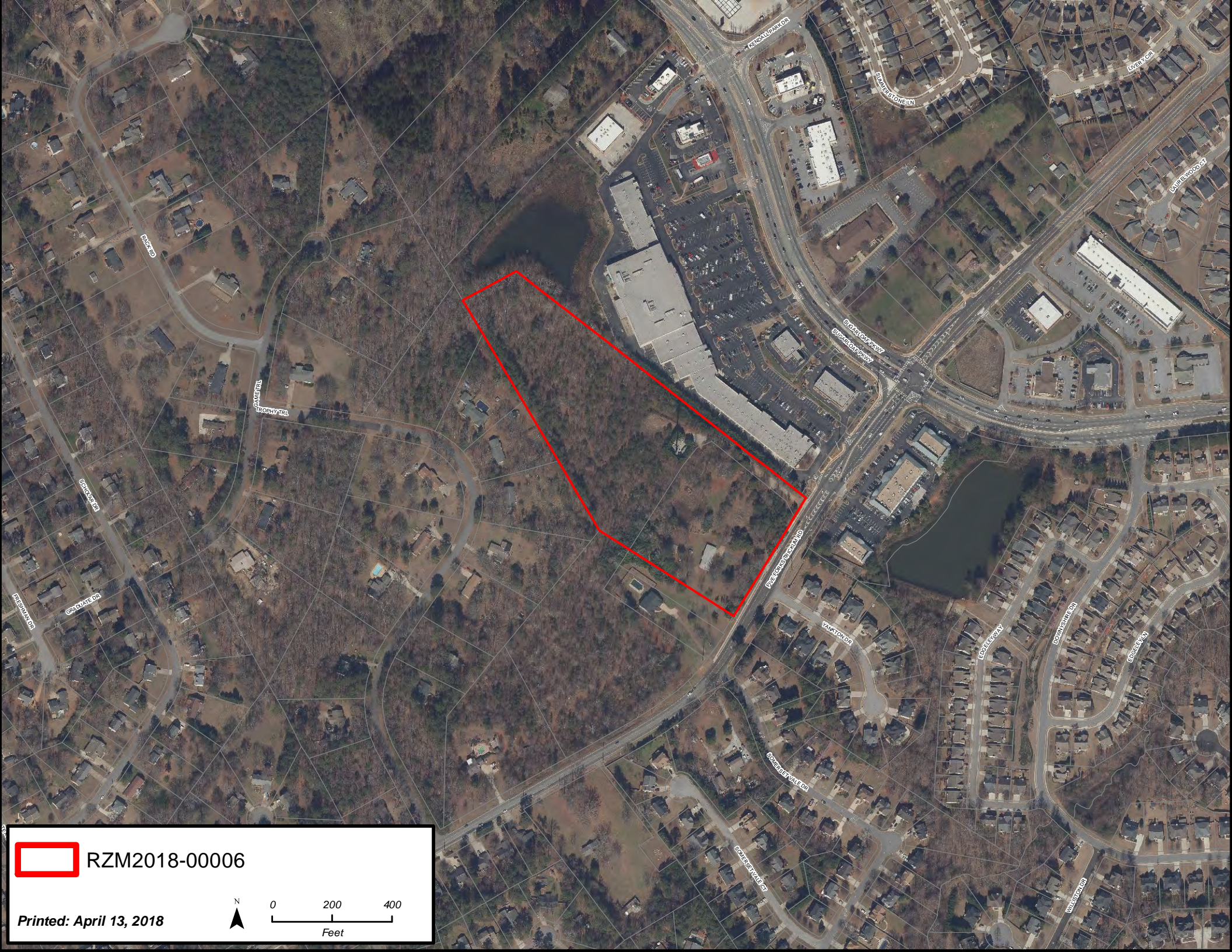
YANKTON DR

 RZM2018-00006

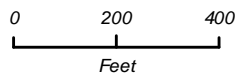


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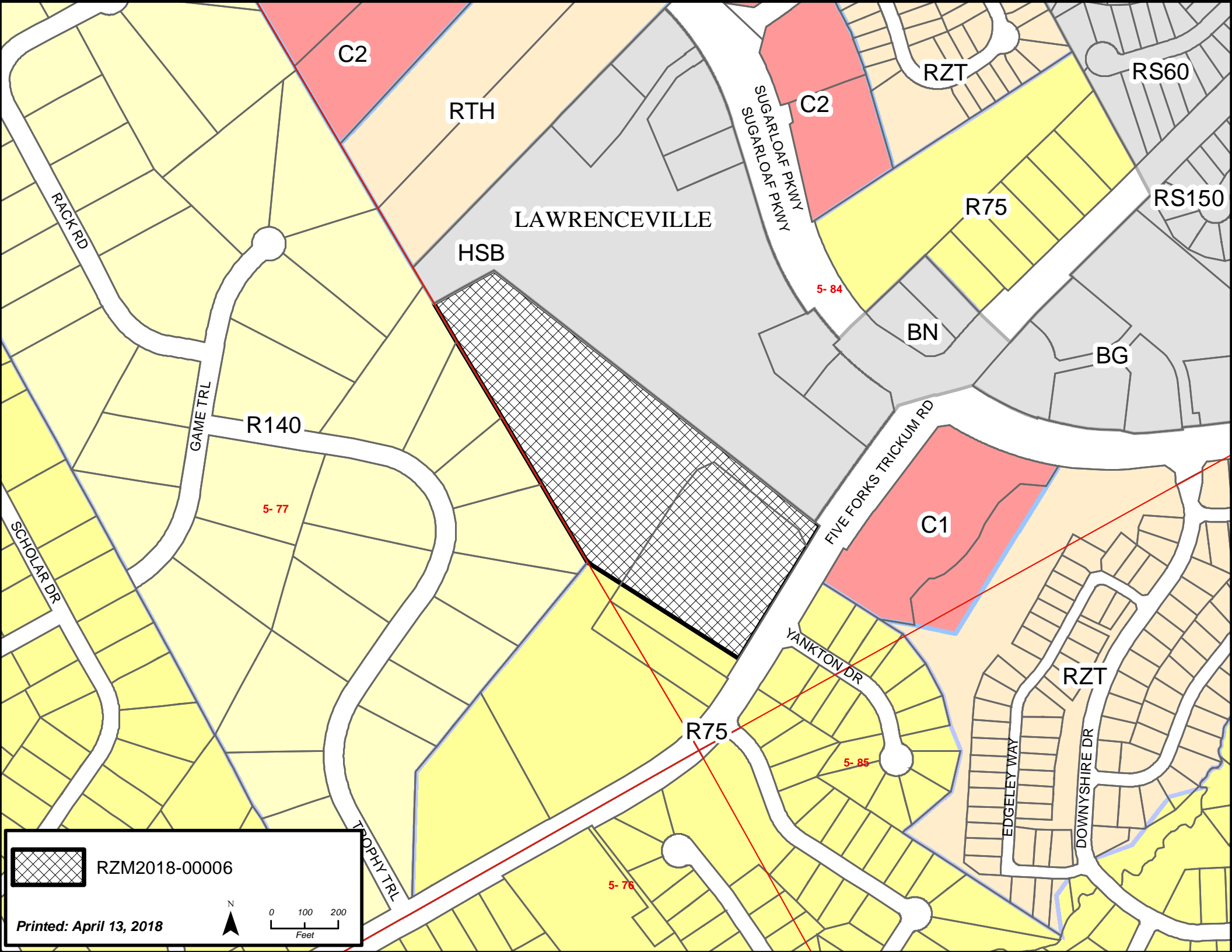
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RZM2018-00006



Printed: April 13, 2018



C2

RTH

RZT

RS60

C2

R75

RS150

LAWRENCEVILLE

HSB

5-84

BN

BG

R140

5-77

C1

FIVE FORKS TRICKUM RD

RACK RD

GAME TRL

SCHOLAR DR

TOPHY TRL

YANKTON DR

EDGELEY WAY

DOWNSHIRE DR

RZT

R75

5-85

5-76

 RZM2018-00006

Printed: April 13, 2018

 N

 0 100 200 Feet

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

CASE NUMBER :RZC2018-00011
ZONING CHANGE :O-I & NS TO C-I
LOCATION :1100 BLOCK OF OLD TUCKER ROAD
MAP NUMBERS :R6095 019 & 293
ACREAGE :1.70 ACRES
SQUARE FEET :3,255 SQUARE FEET
PROPOSED DEVELOPMENT :COFFEE SHOP/RESTAURANT (BUFFER REDUCTION)
COMMISSION DISTRICT :(2) HOWARD

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

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

CONTACT: SHAUN R. ADAMS, ESQ. PHONE: 770.822.0900

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

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS AS O-I**

PROJECT DATA:

The applicant requests rezoning from O-I (Office-Institutional District) and NS (Neighborhood Shopping District) to C-I (Neighborhood Business District) to allow the use of the property as a coffee shop and restaurant. The 1.70-acre site is located on the north side of Old Tucker Road, just west of its intersection with Rockbridge Road. The site is currently developed with a single-family home converted for non-residential use, a detached garage, associated parking and driveways.

The property contains the two aforementioned buildings, and no additional buildings or site improvements are proposed at this time. The applicant intends to convert the former residence for use as a coffee shop and restaurant. According to the submitted letter of intent, the restaurant would be limited service, offering small items such as sandwiches and salads. The buildings are currently clad in what appears to be wood siding materials and no major architectural enhancements are proposed. The property is accessed by two driveways onto Old Tucker Road. The submitted site plan shows eight striped parking spaces, sufficient for the coffee shop and restaurant use. There are currently no stormwater management facilities on

site, and none would be required unless the site is redeveloped or heavily modified in the future.

In the proposed C-I zoning district, a 50-foot buffer is required adjacent to residentially-zoned properties. The submitted site plan depicts numerous existing and/or proposed encroachments into the buffer area along the rear (northwest) property line, including a driveway, paved walkways, an outbuilding, a gazebo and an outdoor seating/gathering area. It is noted that a wood privacy fence is presently located along this property line, affording some screening for the neighboring property.

ZONING HISTORY:

In 1970, the subject property was zoned R-100 (Single-Family Residence District). In 1973, it was rezoned to O-I (Office-Institutional District) per an area wide rezoning. In 1985, it was rezoned to NS (Neighborhood Shopping District), pursuant to RZ-122-85. In 2014, the portion of the property containing the residence was rezoned to O-I, pursuant to RZC2014-00003. At the same time a companion Special Use Permit for adult daycare (SUP2014-00004) was denied without prejudice.

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 County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

This site appears to be heavily wooded and may include specimen trees which are required by Unified Development Ordinance Section 630-70 to be preserved. Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a Development Permit Application.

Project access and required improvements along Old Tucker Road will be subject to review and approval of Gwinnett County Department of Transportation.

Five-foot wide sidewalks are required along the entire frontage of Old Tucker Road (UDO 900-90.1).

A 10-foot wide landscape strip will be required along Old Tucker Road.

Section 610-20.4B of the Unified Development Ordinance requires an additional 5-foot setback for all structures adjacent to the required buffer.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Old Tucker Road 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 lane with appropriate taper and adequate right-of-way will be required.

The project entrance shall align with opposing roads or driveways in accordance with the Gwinnett County Unified Development Ordinance.

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.

A 5-foot sidewalk shall be installed along the property frontage of Old Tucker Road.

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 northwest right of way of Old Tucker Road.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of eight-inch pipe

size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 320 feet south of parcel R6095 019 on parcel R6078 041. Easement would be required to access sewer.

The subject development is located within the East Park Place service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

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, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

- I. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for any proposed interior or exterior modification (remodel) for review and approval by Building Plan Review.

2. Architectural design of any proposed exterior modification shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Design 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:

No comment.

DEPARTMENT ANALYSIS:

The 1.70-acre site is located on the north side of Old Tucker Road, just west of its intersection with Rockbridge Road. The site is currently developed with a former residence converted for commercial use, a detached garage, and associated parking and driveways. The applicant proposes to use the property as a coffee shop and restaurant.

The 2030 Unified Plan Future Development Map indicates that the property lies within an Existing/Emerging Suburban Character Area. This Character Area encourages neighborhood-serving retail at key nodes while protecting the character of existing neighborhoods. This property is located at the transition point between the commercial intersection at Five Forks-Trickum Road and Rockbridge Road and the outlying residential area. Low intensity, transitional office uses may be appropriate at this location; however, C-I commercial uses such as a restaurant may not. The Unified Plan stresses protecting existing residential areas throughout zoning actions and the proposed C-I zoning could negatively impact adjacent and nearby homes in the established residential area along Old Tucker Road. This location between existing single-family residences and a commercial node may not be appropriate for the increased intensity of C-I zoning, and such a zoning action may not be consistent with the 2030 Unified Plan's stated policies to protect the character of existing neighborhoods in rezoning actions.

The surrounding area is characterized by the commercial/retail node at the Rockbridge Road/Five Forks-Trickum Road intersection, and single-family residential uses and zoning extending beyond the intersection. As noted, the subject property is located on the northwestern edge of the commercial node anchored by a Kroger grocery store and several other commercial businesses surrounding the intersection of Five Forks-Trickum Road and Rockbridge Road. Adjacent to the north is property zoned R-75 (Single-Family Residence District). To the west are the Beechwood Estates and Trickum Heights subdivisions, zoned R-100 (Single-Family Residence District). Although there are commercial uses and zoning in the area, the subject property falls in a transitional area adjacent to single-family residential properties. In light of the abutting residential properties and transitional nature of the subject location, rezoning the property to a more intense C-I classification may be inappropriate.

Rezoning the property to a less intense, transitional O-I zoning may be more suitable between the intense commercial uses at the Rockbridge Road and Five Forks-Trickum Road intersection and the residential uses along Old Tucker Road. Extra care should be taken when properties such as this are located between dissimilar zoning districts. Therefore, a low intensity O-I office use may be more appropriate than the proposed C-I.

The requested commercial zoning of C-I may be inconsistent with the Gwinnett County 2030 Unified Plan Future Development Map recommendation for the Existing/Emerging Suburban Character Area, and may be too intense for this transitional area along Old Tucker Road. Therefore, the Department recommends **APPROVAL WITH CONDITIONS AS O-I** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as O-I (Office-Institutional District) subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Office, office-institutional and accessory uses and structures.
 - B. The exterior of the existing buildings shall be painted a neutral, non-white earth tone color. Any new buildings or major building renovation shall be of a brick, stacked stone and/or glass finish on all sides. Final building elevations shall be submitted for review and approval by the Director of Planning and Development. New buildings shall be residential in appearance, constructed with pitched roofs and shall include at least two of the following features:
 - Steep sections of roof with at least six-in-twelve pitch
 - Dormers
 - Cupolas
 - Spires
 - Gables
2. To abide by the following site development considerations:
 - A. Provide a 25-foot wide natural undisturbed buffer adjacent to residentially-zoned properties. Existing encroachments shall be allowed to remain and routine maintenance shall be permissible. The buffer shall be enhanced where sparsely vegetated. A wood privacy fence shall be maintained in good condition along the rear (northwestern) property line.
 - B. Ground signage shall be limited to one externally-illuminated monument-type sign, and shall be subject to review and approval by the Director of Planning and Development. Signage 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 sign cabinet shall be fully recessed and surrounded by the same materials. Ground signage shall not exceed six feet in height. Ground signage shall not be allowed along the western side of the Old Tucker Road frontage.
 - C. Wall signage shall not exceed the requirements of the Gwinnett County Sign Ordinance, and shall only utilize neutral (non-white earth tone) background colors for the sign cabinet. Wall signage shall not be internally-illuminated.
 - D. Window signage (signs displayed on the interior or exterior of the business storefront windows) shall be prohibited, except for open/closed signs or signs

- required by county, state or federal law. Flashing or blinking signs and exposed neon or LED signs shall be prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.
- E. Billboards or oversized signs shall be prohibited.
 - F. 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. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure.
 - H. Outdoor storage shall be prohibited.
 - I. 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.
 - 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 requested rezoning to C-1 and development of the proposed coffee shop at this location may be incompatible with the established residential uses along this segment of Old Tucker Road. This transitional location may be more suitable as a lower intensity office use rather than the proposed commercial zoning and activity.

ADVERSE IMPACTS

Adverse impacts on nearby residential properties in the form of increased intensity of use, traffic, noise, and light could be anticipated from this request.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

An increase in traffic along Old Tucker Road and additional utility demand could be anticipated as a result of this request.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates that the property lies within an Existing/Emerging Suburban Character Area. This area encourages neighborhood-serving retail at key nodes while protecting the character of existing neighborhoods. This property is located between the node and residential areas and therefore, only the lowest intensity nonresidential uses and zoning, such as O-1, may be appropriate.

CONDITIONS AFFECTING ZONING

There have been no recent changes in the immediate area which support the requested increase in zoning intensity to C-1. Additionally, it is important to protect the established residential area along Old Tucker Road from commercial encroachment.

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"

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RZC '18 011

EXHIBIT B - APPLICANT'S RESPONSE
REZONING APPLICATION FOR 1180 OLD TUCKER RD., STONE MOUNTAIN, GA

- 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 use is consistent with the nearby uses in the area. There will be little to no impact on adjacent and nearby property uses.

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

No. The proposed use would be completely contained within the existing property with appropriate buffers. There would be little to no impact on adjacent and nearby properties and the use would not adversely affect these properties.

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

No. The subject property is currently zoned O-I and NS which has caused the property to lie dormant due to use limitations that are incompatible with the demands of the market. The rezoning request to C-1 is compatible with the use demands of the market as well as existing uses and usability of the adjacent and nearby properties which are zoned similarly to the requested rezoning of C-1.

- 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 use will not cause any additional or excessive use of existing streets, transportation facilities or utilities. There will be no impact on the schools. This property is located in an area with public water and sewer availability, and access to major thoroughfares, highways and interstate.

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

Yes. This application is for a rezoning to C-1 is consistent with the 2030 Unified Plan which encourages neighborhood serving retail and commercial services within the Existing/Emerging Suburban Character Area.

- F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH

MAY 04 2018

RZC 18011

Planning & Development

GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE REZONING:

Yes. The proposed use is entirely appropriate in light of emerging needs for Gwinnett citizens and land uses in the surrounding area. The requested rezoning is necessary to enable the Applicant to operate at this location.

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RZC '18 011

ANDERSEN | TATE | CARR

Shaun R. Adams
Email: sadams@atclawfirm.com

Telephone: 770.822.0900
Direct Dial: 678.518.6855
Direct Fax: 770.236.9702

May 17, 2018

VIA HAND DELIVERY

Gwinnett County
Attn: Kathy Holland, Director of Planning and Development
446 West Crogan Street
Lawrenceville, Ga 30046-2440

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MAY 17 2018

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RZC '18 011

RE: REZONING APPLICATION AND LETTER OF INTENT FOR JESSICA LANE ("APPLICANT") AND PROPERTY LOCATED AT 1180 OLD TUCKER RD, STONE MOUNTAIN, GA 30087 ("PROPERTY")

Dear Director and Staff:

The Applicant, Jessica Lane (the "Applicant"), submits this request for a Rezoning from O-I and NS to C-1 for neighborhood serving business use on an approximately 1.697 acre tract of land (hereinafter "Property"), located at 1180 Old Tucker Road, Stone Mountain, Ga 30087 (hereinafter "Subject Property"), located on the north side of Old Tucker Road between Brady Drive and Beechwood Drive. The Rezoning application includes the following two parcels: R 6095-293 (currently zoned O-I) and R6095-019 (currently zoned NS). The Applicant is seeking a rezoning of parcel R6095-293 from O-I to C-1 and parcel R6095-019 from NS to C-1.

We are respectfully requesting a rezoning to allow for a locally owned coffee shop and café that is consistent with the neighborhood serving businesses permitted under a C-1 zoning district. The Applicant is committed to the property being used for neighborhood serving businesses and is willing to prohibit the following uses under a C-1 zoning: convenience stores with or without gas pumps and restaurants with a drive-thru. The site currently contains a one-story single-family structure, a detached two-story garage, associated parking and two access points onto Old Tucker Road.

The Applicant is requesting a rezoning from O-I and NS to C-1 for use as a locally owned coffee shop that would also serve small plate food items such as sandwiches and salads. The Applicant has previously attempted to market the Subject Property to those uses permitted under the current O-I zoning for the R6095-293 parcel, without yielding results. However, there have been multiple prospective tenants with uses permitted under a C-1 zoning that have

expressed interest in the Subject Property. Based on the activity in the market, the Applicant believes the Property does not have a reasonable economic use as currently zoned.

The proposed rezoning to C-1 is consistent with Gwinnett's 2030 Unified Plan which encourages neighborhood serving retail and commercial services in the Existing/Emerging Suburban Character Area. The Property is located in a commercial area that includes retail and office uses permitted under C-2, C-1, and O-I zonings. Prior to the Property's O-I zoning in 2014, it held a Neighborhood Shopping District (NS) zoning designation which has since been replaced in the Gwinnett UDO with C-1 for neighborhood serving businesses. While the R6095-019 parcel is currently zoned NS, the primary dwelling structure resides on the R6095-293 parcel, which is currently zoned O-I. The Property has access to a public water supply, public sanitary sewer, and convenient access to connector streets, major thoroughfares, and highways.

The Subject Property is an appropriate location for the proposed use, and would have little to no impact on the surrounding properties. The proposed use for the Subject Property is suitable for the location and consistent with the surrounding businesses along the Old Tucker and Rockbridge Road intersection.

The Applicant welcomes the opportunity to meet with the Gwinnett County Planning and Development Staff to answer any questions or address any concerns relating to this letter or the Rezoning Application. The Applicant respectfully requests your approval of the Application.

Respectfully Submitted,

ANDERSEN, TATE & CARR, P.C.



Shaun R. Adams

RZC '18 011

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MAY 17 2018

Planning & Development

CASE NUMBER RZC2014-00003
GCID 2014-0011

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>
Charlotte J. Nash, Chairman	<u>YES</u>
Jace Brooks, District 1	<u>YES</u>
Lynette Howard, District 2	<u>YES</u>
Tommy Hunter, District 3	<u>YES</u>
John Heard, District 4	<u>YES</u>

On motion of COMM. HOWARD, 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 NS to O-1 by JESSICA LANE for the proposed use of OFFICE-INSTITUTIONAL 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 FEBRUARY 25, 2014 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 25th day of FEBRUARY 2014, that the aforesaid application to amend the Official Zoning Map from NS to O-1 is hereby **APPROVED** with the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Professional office and accessory uses and structures.
 - B. Hours of operation shall be limited to between 6:00 a.m. and 8 p.m., Monday through Saturday.
 - C. Prior to business occupancy, the site and building shall be brought up to all applicable codes through the issuance of development and/or building permits.
2. To satisfy the following site development considerations:
 - A. Provide a 10-foot wide enhanced buffer adjacent to residentially-zoned properties. The buffer shall be enhanced where sparsely vegetated.
 - B. Provide a ten-foot wide landscaped strip adjacent to all rights-of-way.
 - C. Hours of dumpster pick-up shall be limited to between 7:00 a.m. and 7:00 p.m.
 - D. Ground and wall signage shall be externally illuminated, and overall ground sign height shall not exceed 6 feet.

- E. Exterior lighting shall be contained in cut-off type luminaries, and directed so as not to shine directly into adjacent roadways or nearby properties.
- F. Peddlers and/or parking lot sales shall be prohibited.
- G. No temporary banners, streamers or roping decorated with flags, tinsel, or other similar materials shall be displayed, hung, or strung on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
- H. Owner shall repair or repaint any graffiti or vandalism that occurs on the property within 72 hours.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 3/6/14

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



PLANNING AND ZONING BOOK 5 GWINNETT COUNTY BOARD OF COMMISSIONERS
A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

RZ-122-85

000550

WHEREAS, the Municipal-Gwinnett County Planning Commission has filed a formal recommendation to the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from O-1 to C-2 by MARIO SAMARITANO

1254 OLD TUCKER ROAD, STONE MOUNTAIN, GA. 30087

for the proposed use of BARBER SHOP

on a tract of land described by the attached legal description, and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been published in BUSINESS GWINNETT, the Official News Organ of Gwinnett County, and

WHEREAS, a Public Hearing was held in the Commission Meeting Room by the Gwinnett County Board of Commissioners on October 22, 1985 and objections were not filed.

THEREFORE, BE IT RESOLVED that the Gwinnett County Board of Commissioners do hereby APPROVE/STIPULATIONS the Amendment to the Official Zoning Map from O-1 to NS on the 22 day of October, 1985.

CONDITIONS:

SEE ATTACHMENT FOR STIPULATIONS

GWINNETT COUNTY BOARD OF COMMISSIONERS

Lillian Webb

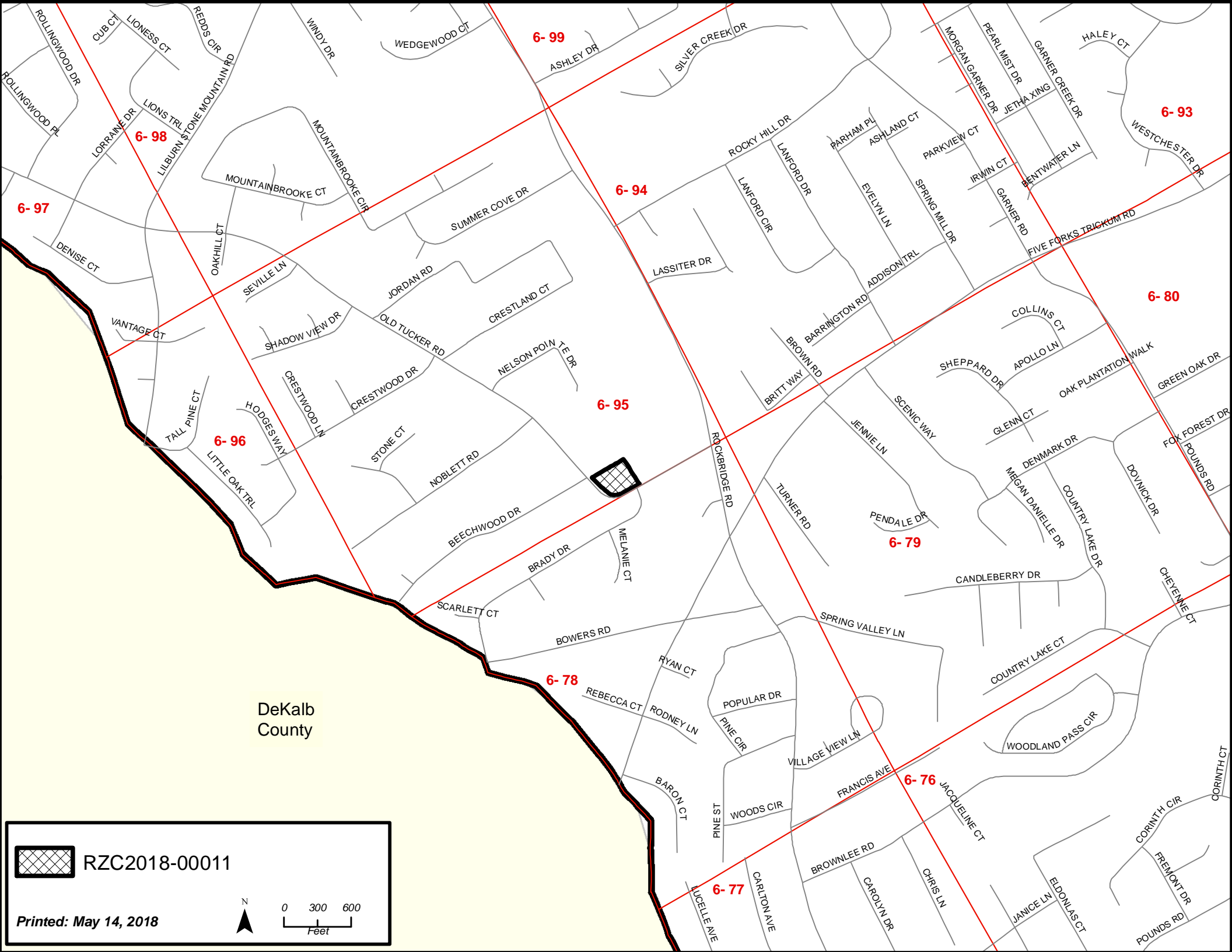
LILLIAN WEBB


PLANNING AND ZONING
BOOK 5

000551

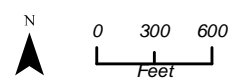
STIPULATIONS TO APPROVAL OF
RZ-122-85

1. That the land and building be restricted to the operation of the applicant's existing business, which is a barber shop, tanning salon and beauty salon, in the existing structure.
2. That the building's exterior shall remain residential in character.
3. That the building shall not be higher than one story.
4. That only one sign will be put on the property, maximum height of four feet, wooden, non-lit.
5. That parking be on Stovall side of the building to the rear of the front corner of the building, no parking in the front yard beyond that point at a plane along the line of the front on the house.
6. That ballard parking lighting be used if parking lighting is available, ground type.
7. That a paved entrance to parking and the building be put in to connect to Stovall Road.
8. That a 15-foot front buffer planted with shrubs or bermed to provide medium visibility.
9. That all trees left on the property from the residential area, except those that would be removed for parking purposes.

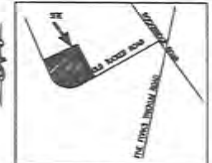
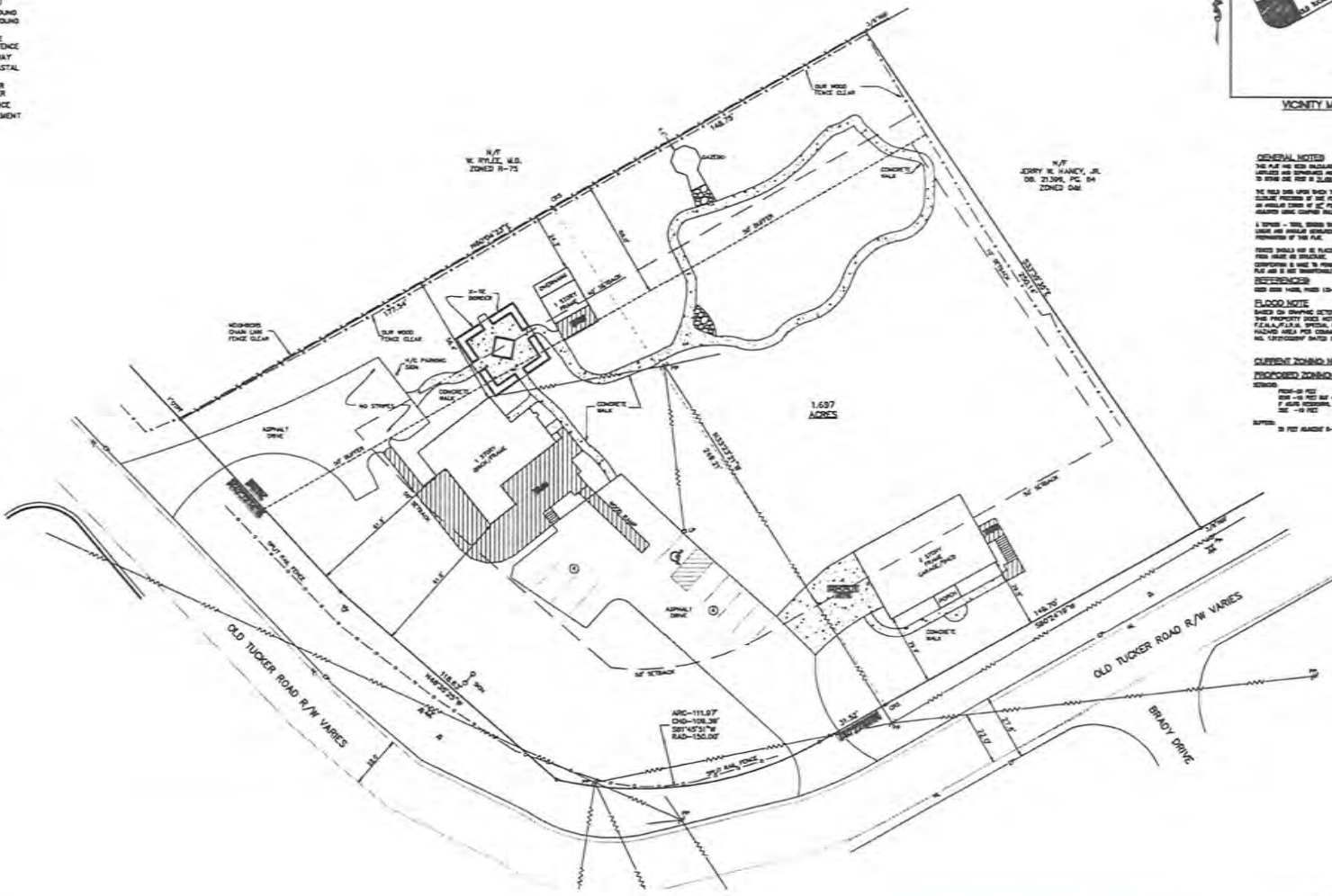


 RZC2018-00011

Printed: May 14, 2018



- LEGEND**
- RF# REBAR FOUND (1/2" REBAR)
 - CS# CAPPED ROBAR SET (1/2" REBAR)
 - CR# CAPPED ROBAR FOUND (1/2" REBAR)
 - ET# OPEN TOP FOUND
 - ET# OPEN TOP FOUND
 - LP# LIGHT POLE
 - BL# BUILDING LINE
 - CL# CHAIN LINK FENCE
 - R/W# RIGHT-OF-WAY
 - TR# PHONE PEDASTAL
 - CB# CABLE BOX
 - WM# WATER METER
 - TR# TRANSFORMER
 - (12.347) DEED DISTANCE
 - U.E. UTILITY EASEMENT



GENERAL NOTES
 THE PLAN HAS BEEN PREPARED FOR EXAMINE BY THE CITY AND COUNTY ENGINEER AND A FILING RECORD TO BE MADE IN THE CITY ENGINEER'S OFFICE.
 THE ROAD AND DRIVE SHOWN ON THIS PLAN IS BASED ON A SURVEY MADE BY THE ENGINEER AND IS SHOWN FOR AN APPROXIMATE LOCATION OF THE ROAD AND DRIVE AND DOES NOT GUARANTEE THE LOCATION OR WIDTH OF THE ROAD OR DRIVE.
 A SURVEY - THIS PLAN WAS MADE TO SHOW THE LOCATION AND WIDTH OF THE ROAD AND DRIVE AND DOES NOT GUARANTEE THE LOCATION OR WIDTH OF THE ROAD OR DRIVE.
 THESE NOTES ARE TO BE PLACED WITH THE ORIGINAL PLAN AND TO BE KEPT WITH THE ORIGINAL PLAN AND TO BE KEPT WITH THE ORIGINAL PLAN.
FLOOD NOTE
 BASED ON CURRENT INFORMATION, THIS PROPERTY DOES NOT LIE IN A FLOOD HAZARD ZONE. FOR MORE INFORMATION, CONTACT THE CITY ENGINEER'S OFFICE.
CURRENT ZONING IS
PROPOSED ZONING IS
 THIS PLAN IS NOT TO BE USED AS A BASIS FOR ANY OTHER PURPOSES.
 DATE: 11/15/17

THE ENGINEER ASSURES THAT THE PLAN IS ACCURATE AND COMPLETE AND THAT THE INFORMATION ON THE PLAN IS TRUE AND CORRECT AND THAT THE ENGINEER IS NOT PROVIDING ANY GUARANTEE OR WARRANTY FOR THE PLAN OR FOR THE INFORMATION ON THE PLAN.



RECEIVED BY

MAY 04 2018

Planning & Development

RZC '18 011

NO.	DATE	REVISIONS

SCI Development Services
 3400 KENNY COURT SUITE E - DALLAS, TEXAS 75218
 (772) 738-7888 FAX (772) 738-4823
 INFO@SCIENGINEERING.COM

JESSICA LANE
 LAND LOT B6 6th DISTRICT
 GWINNETT COUNTY, GEORGIA

REZONING EXHIBIT

R-1



BEECHWOOD DR

OLD TUCKER RD

BRADY DR



RZC2018-00011



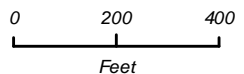
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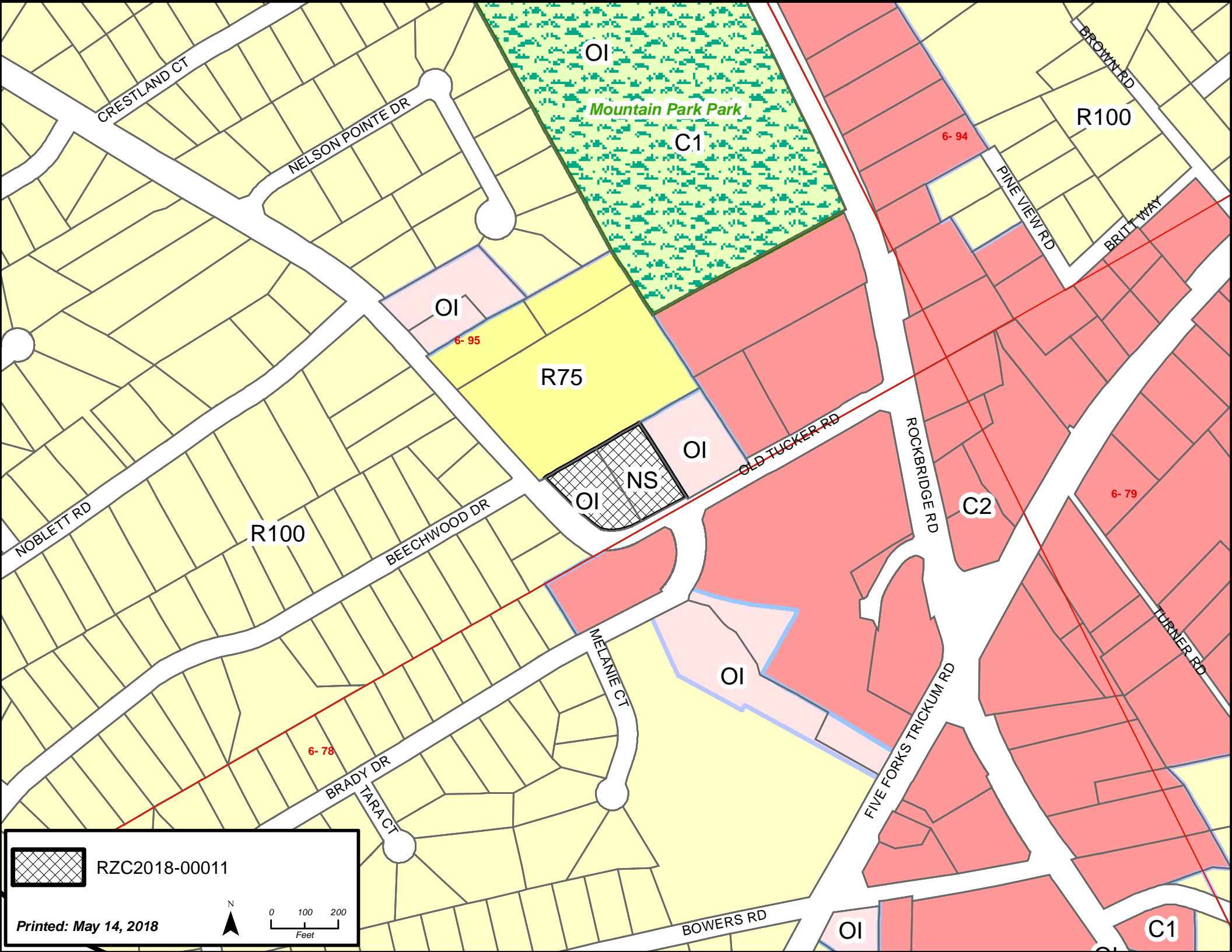
Printed: May 14, 2018



RZC2018-00011

Printed: May 14, 2018





OI

Mountain Park Park

C1

R100

6-94

OI

6-95

R75

OI

NS

OI

C2

6-79

R100

OI

6-78

 RZC2018-00011

Printed: May 14, 2018

 N



C1

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

CASE NUMBER :**RZC2018-00012**
ZONING CHANGE :C-2 TO M-1
LOCATION :3800 BLOCK OF BUFORD HIGHWAY
:3800 BLOCK OF MAY ROAD
MAP NUMBER :R6266 008
ACREAGE :1.69 ACRES
PROPOSED DEVELOPMENT :TRUCK STORAGE LOT
COMMISSION DISTRICT :(1) BROOKS

CASE NUMBER :**SUP2018-00039**
ZONING :M-1 (PROPOSED)
LOCATION :3800 BLOCK OF BUFORD HIGHWAY
:3800 BLOCK OF MAY ROAD
MAP NUMBER :R6266 008
ACREAGE :1.69 ACRES
PROPOSED DEVELOPMENT :TRUCK STORAGE LOT
COMMISSION DISTRICT :(1) BROOKS

FUTURE DEVELOPMENT MAP: **PREFERRED OFFICE**

APPLICANT: CYPRESS TRUCK LINES, INC.
C/O MAHAFFEY PICKENS TUCKER, LLP
1550 NORTH BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACT: SHANE LANHAM PHONE: 770.232.0000

OWNER: RALPH F. MCGEE
PO BOX 307
DULUTH, GA 30096

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant is requesting Rezoning of a 1.69-acre lot from C-2 (General Business District) to M-1 (Light Industry District) and a Special Use Permit to allow for a truck storage lot. The site is located on the southeast corner of the intersection of Buford Highway and May Road, west of Pleasant Hill Road. There is an existing residence and accessory structures on the property, two Georgia Power transmission line easements on the property, a railroad spur line bordering the west side of the property, with May Road to the west and to the south of the property. The City of Duluth surrounds the subject property, with exception of a single C-2 property located to the east that is also developed with a single-family structure.

The site plan indicates that the existing structures on the site are to be demolished to make way for 51 truck parking spaces on a gravel parking area. The site is proposed to have two access points: one off Buford Highway, and a second on May Road. No information was provided regarding fencing, gates at the entrances, or stormwater management for the property.

ZONING HISTORY:

The property has been zoned C-2 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 County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

Project access and required improvements along Buford Highway and May Road will be subject to review and approval of Georgia Department of Transportation and Gwinnett County Department of Transportation.

A 5-foot wide sidewalk is required along the entire frontage of May Road (UDO 900-90.1).

A 10-foot wide landscape strip will be required along Buford Highway and May Road.

A 25-foot in depth buffer shall be required along the adjacent property. The applicant must review the site plan to remove gravel parking area from the buffer.

Section 610-20.4B of the Unified Development Ordinance requires an additional 5-foot setback for all structures (parking lots, driveways, etc.) adjacent to required buffers.

A security fence or wall is required to enclose the entire lot. The security fence or wall shall meet the requirements of UDO Section 230.80.

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

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Buford Highway SR 13 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 and is a State Route and Georgia D.O.T. right of way requirements govern.

May Road is a Local Street and 30 feet of right of way is required from the centerline.

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

The project entrance shall align with opposing roads or driveways in accordance with the Gwinnett County Unified Development Ordinance.

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.

Coordinate with the Georgia D.O.T. regarding access on SR 13 Buford Highway.

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

Driveway size shall meet requirements for industrial site.

A 5-foot sidewalk shall be installed along the frontage of May Road.

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 southeast right of way of Buford Highway and a 36-inch water main located on the northwest right of way of Buford Highway.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of eight-inch pipe size for residential developments, including connections to existing mains. This department

makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 450 feet southwest of parcel R6266 008 on parcel R6267 068. Easement would be required to access sewer.

The subject development is located within the Beaver service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

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, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject site is a 1.69-acre parcel located on the south east corner of the Buford Highway and May Road intersection, west of Pleasant Hill Road. The property currently is developed with a single-family residence, accessory structures, and two easements for Georgia Power with power lines.

The 2030 Unified Plan Future Development Map indicates the property lies within a Preferred Office Character Area. Land uses such as professional office uses and mixed-use developments are encouraged for this Character Area. Uses that are discouraged include all forms of industrial and large free-standing commercial/retail. The proposed use of truck storage may not be strictly consistent with the 2030 Unified Plan, and may be better suited along Interstate 85 or Highway 316, which see a great amount of truck activity.

As previously noted, the City of Duluth almost entirely surrounds the subject property, with the exception of a single C-2 property located to the east that is also developed with a single-family residence. In reviewing the City of Duluth's Zoning Map for the area, it appears that the property to the south is zoned M-2 (Heavy Industrial District) and contains a building materials store and warehousing business. East of the only other unincorporated parcel is a vacant lot, and to the north across Buford Highway are developed properties, all of which are zoned HC-A (Highway Commercial-Auto District). The developed HC-A parcels on Buford Highway consist of an equipment rental agency, a vacated building, and a Vulcan Materials Company building materials industrial site. To the west, across May Road is property zoned PUD (Planning Unit Development District) that is developed with commercial and service businesses, such as a fireworks store, sit down and fast casual restaurants, a doctor's office, and a hair salon. In light of the mix of uses in the surrounding area, the proposed truck storage lot on a gravel parking surface may not be appropriate at a highly visible intersection. Further, the site is located almost three miles north of Interstate 85 and may increase truck traffic on Pleasant Hill Road and Buford Highway to access the site.

The truck storage lot proposed at the subject site may not be consistent with the 2030 Unified Plan policies which discourages industrial uses in the Preferred Office Character Area. Further, the proposed use may be better suited in an area closer to Interstate 85 and Highway 316, and away from visible intersections. Therefore, the Department of Planning and Development recommends **DENIAL** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS
RZC2018-00012

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

Approval as M-1 (Light Industry District) with a Special Use Permit for a truck storage lot, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Light industrial, office/warehouse and accessory uses.
2. To abide by the following site development considerations:
 - A. The development shall abide by all applicable standards of the Unified Development Ordinance, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
 - B. Exit and entrance design and location shall be subject to review and approval of the Gwinnett County Department of Transportation.
 - C. Any new buildings on the property shall be brick on all sides.
 - D. Dumpsters shall be screened by an opaque masonry wall with an opaque metal gate enclosure. Dumpster pickup shall be between the hours of 7:00 am and 7:00 pm.
 - E. Outdoor loudspeakers shall be prohibited.
 - F. Outdoor 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. Ground signage shall be limited to one monument-type sign, and shall be subject to review and approval by the Director of Planning and 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 sign cabinet shall be fully recessed and surrounded by the same materials. Ground sign shall not exceed 5-feet in height, and shall not be internally-illuminated.
 - H. 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.

- I. Peddlers and/or parking lot sales shall be prohibited.
 - J. Owner shall repair or repaint any graffiti or vandalism that occurs on the property within 72 hours.
3. To abide by the following requirements, dedications and improvements:
- A. Prior to the issuance of a Development Permit, a sight distance certification shall be provided.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS
SUP2018-00039

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

Approval of a Special Use Permit for a truck storage lot, subject to the following enumerated conditions:

1. Light industrial, office/warehouse and accessory uses, which may include a storage lot for trucks and trailers as a special use.
2. No more than 51 trucks may be parked on the site at any one time.
3. Hours of operation are limited between 7:00 am and 9:00 pm, seven days a week, with an employee on site during these hours to coordinate truck parking and monitor activity.
4. The site shall be paved with concrete or asphalt.
5. Provide a minimum 12-foot high, opaque fence around the periphery of the area to be utilized for all trucks and trailers.
6. A 25-foot wide buffer shall be provided around the perimeter of the property, exterior to the opaque fence. The setback area shall be landscaped with plantings that shall include a mix of deciduous and evergreen trees and shrubs. Trees and shrubs shall be grouped and arranged to create an effective and aesthetic visual screen. The final landscape plan shall be subject to review and approval by the Director of Planning and Development.
7. The parking and storage areas shall be maintained and kept tidy at all times, providing measures to minimize dust from the parking area. All runoff of fluids or any pollutants that may originate from stored trucks and trailers shall be mitigated on site, subject to the review and approval of the Director of Planning and Development
8. Comply with all conditions associated with RZC2018-00012.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The proposed truck storage lot may not be a suitable use for the subject site given its visible location along Buford Highway and substantial distance from the interstate highway system.

ADVERSE IMPACTS

Adverse impacts may be anticipated on adjacent and nearby properties through increased noise, traffic, dust and other impacts related to truck uses.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACT ON PUBLIC FACILITIES

An increase in traffic, utility demand, and stormwater run-off could be anticipated from development of the property as proposed.

CONFORMITY WITH POLICIES

The 2030 Unified Plan and Future Development Map recommend professional office uses and mixed-use developments within the Preferred Office Character Area. The proposed use of truck storage may not be strictly consistent with the 2030 Unified Plan, and may be better located interior to an industrial park or along a major corridor such as Interstate 85 or Highway 316, which see a great amount of truck activity.

CONDITIONS AFFECTING ZONING

The subject site is located in an area with close proximity to residential properties, and a mix of non-residential uses that may not be compatible with a large truck storage facility. The proposed use may be better suited closer to Interstate 85 and Highway 316.

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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June 04 2018

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

- (A) Yes, the proposed development will permit a use that is suitable in view of the use and development of adjacent and nearby property. The proposed development is adjacent to high-intensity commercial and industrial uses and is compatible with the character of surrounding development.
- (B) No, the proposed development will not adversely affect the existing use or usability of any of the nearby properties.
- (C) In light of the size, location, layout, topography, and nature features of the property and in conjunction with the nature of surrounding development, the Applicant submits that the subject Property does not have reasonable economic use as currently zoned.
- (D) No, the proposed development will not result in an excessive or burdensome use of the infrastructure systems. The Property is located on Buford Highway (US Route 23) with convenient access to Pleasant Hill Road and Interstate 85.
- (E) Yes, the proposed development is in conformity with the policy and intent of the Gwinnett County 2030 Unified Plan which encourages infill development that is compatible with surrounding uses.
- (F) The Applicant submits that the character of surrounding development and the proximity of the Property to major transportation corridors provide additional supporting grounds for approval of the proposed development.

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Matthew P. Benson
 Gerald Davidson, Jr.*
 Brian T. Easley
 Kelly O. Faber
 Mary Grace Griffin
 Christopher D. Holbrook
 Nicholas N. Kemper
 Shane M. Lanham

Austen T. Mabe
 Jeffrey R. Mahaffey
 David G. McGee
 Steven A. Pickens
 Thomas A. Simpson
 Andrew D. Stencil
 R. Lee Tucker, Jr.
 *Of Counsel

LETTER OF INTENT
FOR REZONING AND SPECIAL USE PERMIT APPLICATIONS OF
CYPRESS TRUCK LINES, INC.

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Rezoning and Special Use Permit Applications (the “Applications”) on behalf of Cypress Truck Lines, Inc. (the “Applicant”), related to an approximately 1.687-acre property situated along Buford Highway (U.S. Route 23) south of its intersection with Pleasant Hill Road (the “Property”). The Property is currently zoned C-2. The Property includes a single-family home and accessory structures. The Applicant is requesting to rezone the Property to the M-1 zoning classification with a special use permit for Truck Terminal in order to utilize the property for vehicle and trailer parking on a gravel-surface parking lot.

As depicted on the site plan submitted with the Applications, the property will have two entrances. One on Buford Highway and the other on May Road. The Applicant is proposing to utilize the property as a gravel parking lot to park trucks and trailers in connection with its hauling business. No loading or unloading of cargo will occur on the Property. Further, the Applicant is not planning to erect any additional structures on the Property aside from installing a gravel parking lot. However, the existing building could be preserved and utilized as office space.

The surrounding area is characterized by heavy commercial and industrial uses. Across Buford Highway there is an equipment rental business as well as a construction aggregates

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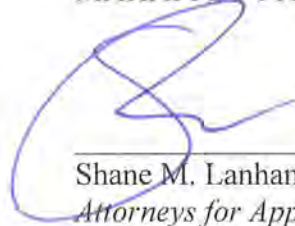
RZC '18 012

supplier with active rail spur and associated loading facilities. To the south across May Road is an additional construction materials supplier with rail spur and associated loading facilities as well as multiple warehouses buildings. The proposed use is compatible with the policy and intent of the 2030 Plan which encourages land uses that are compatible with surrounding development. The proposed gravel parking lot and truck and trailer parking is compatible with existing heavy commercial and industrial uses

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 Applications filed herewith. The Applicant respectfully requests your approval of the Applications.

Respectfully submitted this 4th day of May, 2018.

MAHAFFEY PICKENS TUCKER, LLP



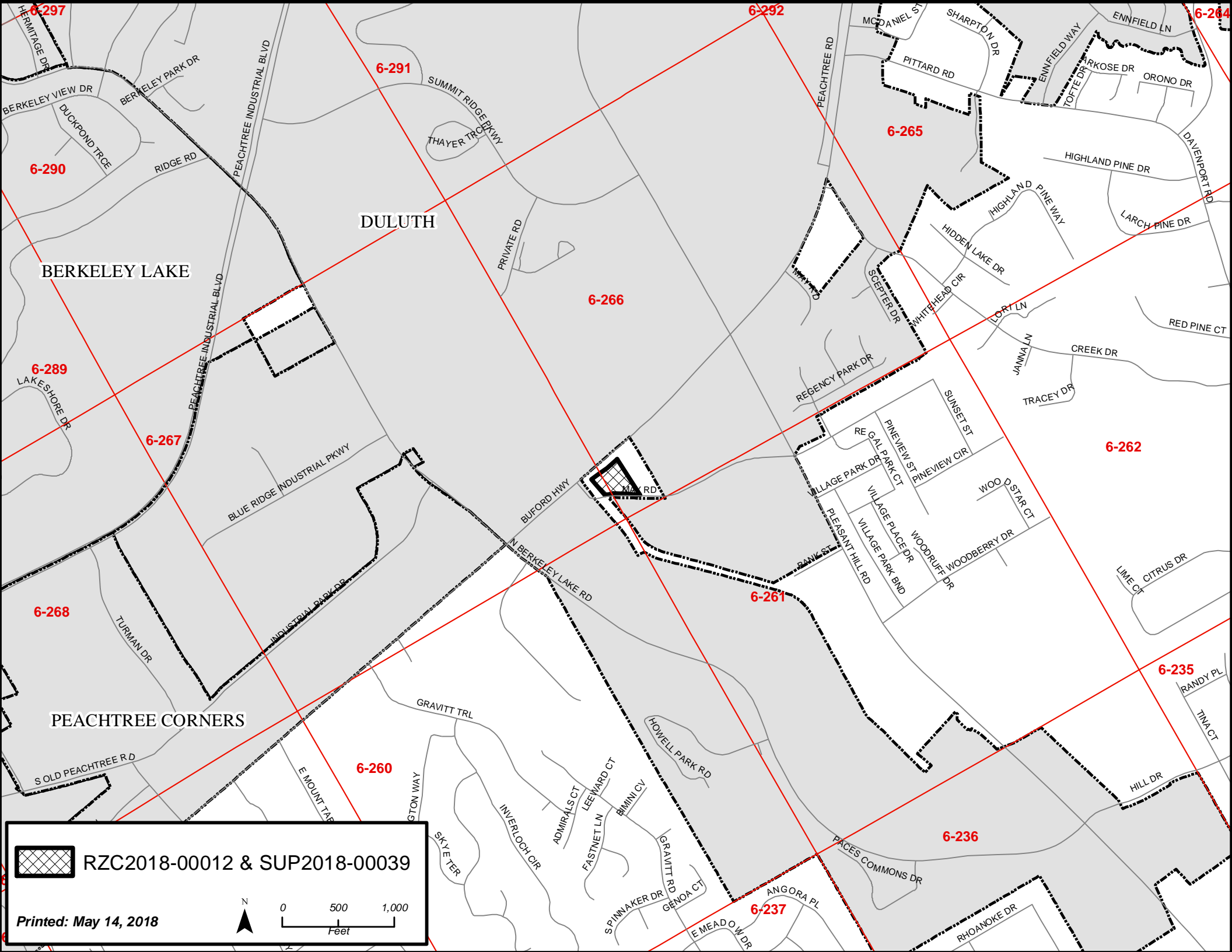
Shane M. Lanham
Attorneys for Applicant

RZC '18 012

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MAY 04 2018

Planning & Development



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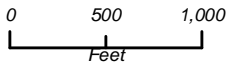
BERKELEY LAKE

PEACHTREE CORNERS



RZC2018-00012 & SUP2018-00039

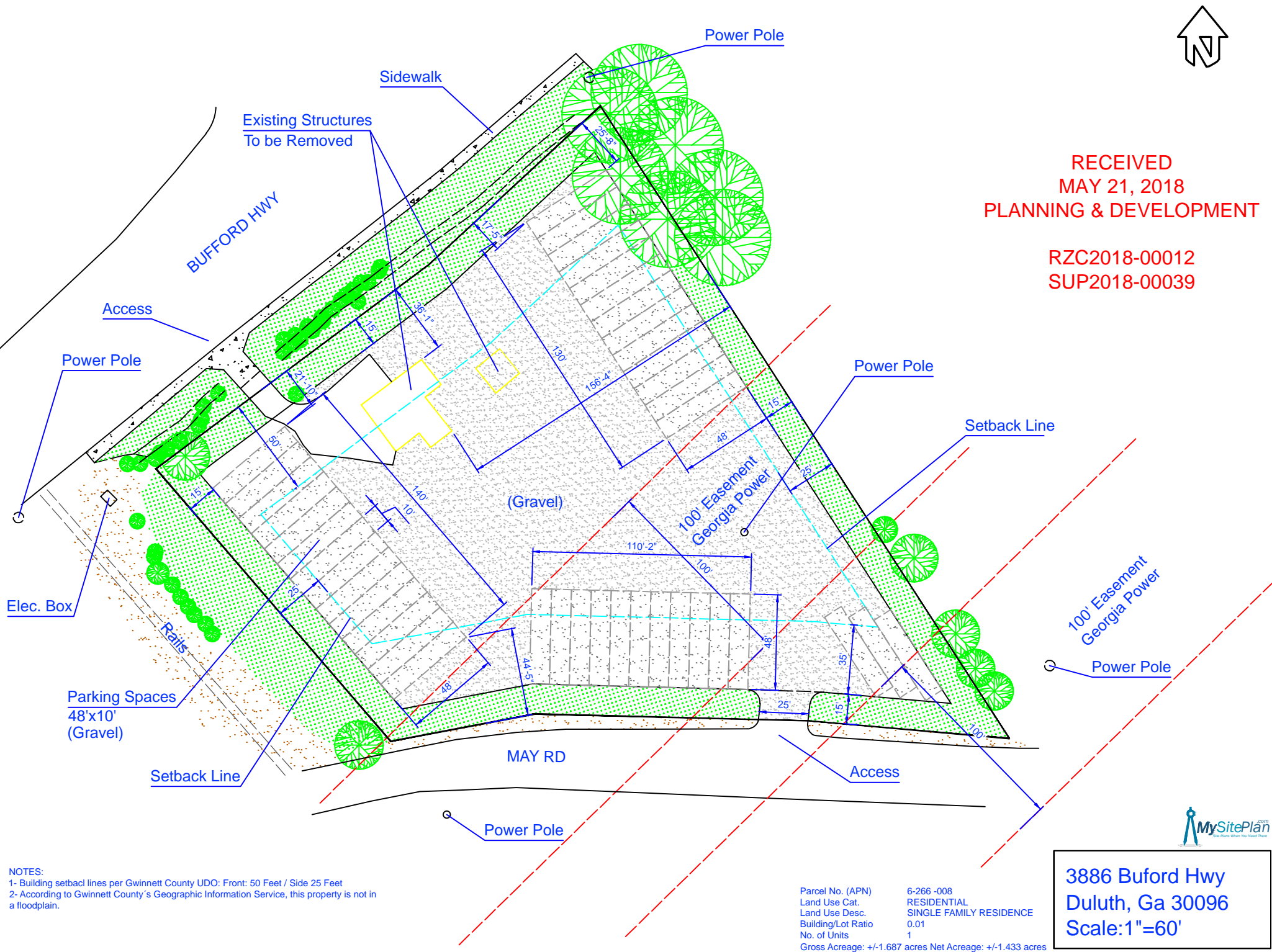
Printed: May 14, 2018





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MAY 21, 2018
PLANNING & DEVELOPMENT

RZC2018-00012
SUP2018-00039



NOTES:
 1- Building setback lines per Gwinnett County UDO: Front: 50 Feet / Side 25 Feet
 2- According to Gwinnett County's Geographic Information Service, this property is not in a floodplain.

Parcel No. (APN) 6-266 -008
 Land Use Cat. RESIDENTIAL
 Land Use Desc. SINGLE FAMILY RESIDENCE
 Building/Lot Ratio 0.01
 No. of Units 1
 Gross Acreage: +/-1.687 acres Net Acreage: +/-1.433 acres

3886 Buford Hwy
 Duluth, Ga 30096
 Scale: 1"=60'





BUFORD HWY

MAY RD



RZC2018-00012 & SUP2018-00039



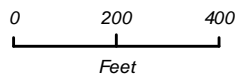
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Feet

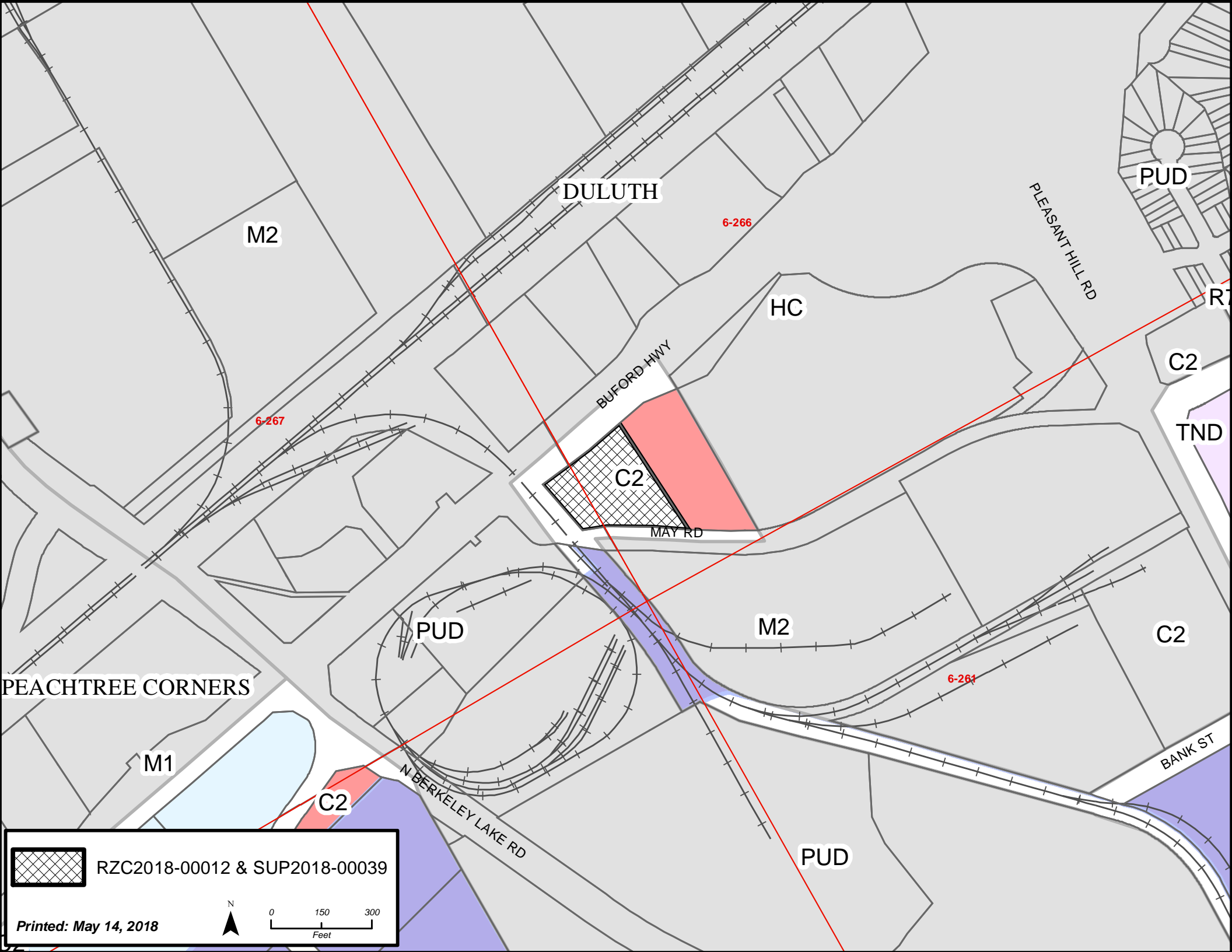
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RZC2018-00012 & SUP2018-00039

Printed: May 14, 2018





DULUTH

M2

6-266

PUD

PLEASANT HILL RD

HC

BUFORD HWY

C2

6-267

C2

MAY RD

TND

PUD

M2

C2

PEACHTREE CORNERS

6-261


M1

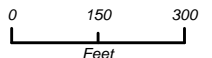
C2

N BERKELEY LAKE RD

BANK ST

PUD

 RZC2018-00012 & SUP2018-00039



Printed: May 14, 2018

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

CASE NUMBER :**RZM2018-00007**
ZONING CHANGE :O-I TO R-TH
LOCATION :2700 BLOCK OF COLLINS HILL ROAD
MAP NUMBERS :R7150 007 & 196
ACREAGE :3.94 ACRES
UNITS :29 UNITS
PROPOSED DEVELOPMENT :TOWNHOUSES
COMMISSION DISTRICT :(1) BROOKS

FUTURE DEVELOPMENT MAP: **PREFERRED OFFICE & EXISTING/EMERGING
SUBURBAN**

APPLICANT: JOURNEY CONSTRUCTION LLC
C/O ALLIANCE ENGINEERING & PLANNING
4480 COMMERCE DRIVE, SUITE A
BUFORD, GA 30518

CONTACT: MITCH PEEVY PHONE: 770.614.6511

OWNER: COLLINS HILL ASSOCIATES LLC
C/O ALLIANCE ENGINEERING & PLANNING
4480 COMMERCE DRIVE, SUITE A
BUFORD, GA 30518

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests rezoning of a 3.94-acre, two parcel tract from O-I (Office-Institutional District) to R-TH (Single-Family Residence Townhouse District) to allow for a 29-unit townhouse development. The two lots involved are located on the west side of Collins Hill Road, south of the intersection with Old Peachtree Road. The site is presently undeveloped, heavily wooded and contains a stream that crosses through the middle of the larger of the two lots.

The proposed 29-unit development would result in a density of 7.82 units per acre, under the 8.0 units per acre allowed by the R-TH zoning district. The proposed townhouses are intended to be an extension of the adjacent Collinswood Park townhouse development, which is zoned RM-10 (Multi-Family Residence District). Two new residential streets extending from Hallwood Lane on the south side and Bell Grove Lane on the west side of the property will be the only points of access onto the site, with no curb cuts proposed off Collins Hill Road. The site plan shows 11 lots on the north side and 18 lots on the south of the stream, with all lots outside of the required stream buffer and setbacks. There are also two detention ponds

proposed on either side of the stream to serve the new townhouses, with portions of each detention pond located on the adjoining Collinswood Park common area. There is no documented floodplain for the property.

Per the site plan, the proposed new townhouses will measure 26 feet in width, with a minimum 2,500 square feet in heated floor area and maximum height of 35 feet. Elevations submitted by the applicant indicate the front and side facades of the townhouses will consist of brick with accents of fiber cement siding, with the rear facades of fiber cement siding, which matches the materials of the existing townhouses in the adjoining development. Each unit will have a two-car garage with a driveway for off-street parking.

The site plan shows a 30-foot building setback line from the rear property line, which includes portions of the adjoining homeowners association common area that the developer intends to buy as part of the project. The required 50-foot wide landscape setback along the exterior street frontage is shown as a 30-foot wide setback with a berm and wall or fence on the site plan, which would require variance approval for a setback reduction.

ZONING HISTORY:

In 1970, the subject property was zoned R-100 (Single-Family Residence District). In 2003, a request to rezone the property to C-2 (General Business District) was denied (RZC-03-013). In 2005, a request to rezone the property to R-ZT (Single-Family Residence District) for a 24-unit townhouse community was submitted and Staff recommended approval. During the public hearing process, the rezoning request was amended to O-1 (Office-Institutional District) for an office condominium development, which was approved by the Board of Commissioners (RZM-05-015).

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 County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comments.

DEVELOPMENT REVIEW SECTION COMMENTS:

This site appears to be heavily wooded and may include specimen trees which are required by UDO Section 630-70 to be preserved. Section 320-20.2 of the Unified Development Ordinance

requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a development permit application.

Section 210-100.6B of the Unified Development Ordinance requires submittal of a concept plan for review and approval of the Development Division prior to submittal and acceptance of a development permit application.

A 50-foot landscape setback shall be provided along Collins Hill Road as per UDO 210-100.6.15.

A 5-foot wide sidewalk is required along the entire frontage of Collins Hill Road (UDO 900-90.1).

A 4-foot wide sidewalk is required adjacent to both sides of all interior streets.

The required 40-foot external yard setback requirement appears to not be met. The applicant must either review the site plan, or seek a variance from the Zoning Board of Appeals.

The U.S Postal service requires a centralized mail delivery kiosk replacing individual mail boxes. Mail delivery kiosk must be located outside of right of way. Location and access must be approved by Gwinnett County Department of Transportation.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

The property appears to contain stream buffers. The proposed conceptual plan may require revision to show the appropriate stream buffers.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Collins Hill Road is a Major Collector and 40 feet of right of way is required from the centerline.

Dead end streets shall provide a cul-de-sac turn around.

A 5-foot sidewalk shall be installed along the frontage of Collins Hill Road as per Gwinnett County Unified Development Ordinance requirements.

Donate adequate right of way for future 10-foot multiuse trail.

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 approximately 450 west of parcel R7150 196 in the west right of way of Blakely Drive. Cannot tie into existing private water on Bell Grove Lane or Hallwood Lane because parcels must be individually metered. There is also a 12-inch water main located on the northeast right of way of Collins Hill Road that this development could possibly connect to.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of eight-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located on parcel R7150 196.

The subject development is located within the Patterson service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

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, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The applicant requests rezoning of a 3.94-acre, two parcel tract from O-I (Office-Institutional District) to R-TH (Single-Family Residence Townhouse District) to allow for a 29-unit townhouse development. The two lots involved are located on the west side of Collins Hill Road, south of the intersection with Old Peachtree Road. The site is presently undeveloped, heavily wooded and contains a stream that crosses through the middle of the larger of the two lots.

The 2030 Unified Plan Future Development Map indicates that the northern lot is located within the Preferred Office Character Area, while the southern lot is located within the Existing/Emerging Suburban Character Area. It is the policy of the 2030 Unified Plan to encourage infill development and transitional uses with densities that are compatible with the area. The proposed rezoning is intended to effectively expand the existing townhouse development with a comparable density and architectural style. With conditions to ensure the proposed expansion blends with the existing development, the rezoning may be consistent with the policies of the 2030 Unified Plan.

The surrounding areas are characterized by single-family, multifamily, and commercial development. To the north are properties along Old Peachtree Road which are zoned C-1 (Neighborhood Business District) and consist of undeveloped lots as well as a property at the intersection built with a gas station and pizzeria. To the east across Collins Hill Road is the Old Peachtree Crossing subdivision, zoned R-60 (Single-Family Residence District), and two residentially developed properties zoned R-100 (Single-Family Residence District). To the south and west of the subject property is the Collinswood Park townhouse subdivision, zoned RM-10 (Multi-Family Residence District) and approved in 2002 with a density not to exceed eight units per acre. As the proposed new townhouses utilize access exclusively through the existing townhouse development with minimal changes visible from Collins Hill Road, and with the recommended conditions to ensure the buildings blend with the adjacent development, the proposed rezoning could be compatible with the surrounding area.

The proposed rezoning may be consistent with the policies of the 2030 Unified Plan for compatible infill development. Further, the townhouse development may be compatible with what currently exists in the area, as the site will become part of the adjoining townhouse

neighborhood and will not require separate access to Collins Hill Road. Therefore, the Department recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as R-TH (Single-Family Residence Townhouse District), subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Attached townhouse dwellings and accessory uses not to exceed a maximum of eight units per acre.
 - B. Townhouse buildings shall be constructed similar to the existing Collinswood Park townhouse subdivision and shall include brick and/or stacked stone on all four sides with minor treatments (i.e., gables, bay windows, chimneys) of fiber cement siding or shake. The use of vinyl siding is prohibited. 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 2,500 square feet.
 - D. All units shall have at least a two-car garage.
 - E. A mandatory Homeowners Association shall be incorporated which provides for building and grounds maintenance, repair, insurance and working capital. The association must also include declarations and by-laws, including rules and regulations, which shall at minimum regulate and control the following:
 - i. Exterior home maintenance to include roofing and painting.
 - ii. All grounds and common area maintenance, including detention facilities.
 - iii. Fence/wall maintenance to include the requirement that any graffiti shall be repaired and repainted within 72 hours.
 - F. A revised concept plan meeting all conditions shall be submitted for review and approval by the Director of Planning and Development prior to submittal of development plans.
2. To satisfy the following site development considerations:
 - A. The development shall abide by all applicable standards of the Unified Development Ordinance, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
 - B. Provide a 50-foot wide landscape strip along Collins Hill Road. The Collins Hills Road frontage shall include increased landscaping and sidewalks per Department of Transportation standards. Landscaping and sidewalk plans shall be subject to review and approval of the Director of Planning and Development.

- C. The development shall include community trails, community green space, and a multi-use path as amenities. The multiuse path shall connect both sides of the proposed development across the existing stream. A minimum of two direct pedestrian connections to the sidewalk network along Collins Hill Road shall be required. Final location and design of trails and amenities shall be subject to the review and approval by the Director of Planning and Development.
 - D. The detention pond(s) shall be designed as an amenity accessible to the residents of the development. Detention pond design shall be subject to the review and approval by the Director of Planning and Development.
 - E. All grassed areas shall be sodded.
 - F. All utilities shall be placed underground.
 - G. Natural vegetation shall remain on the property until the issuance of a development permit.
3. To abide by the following requirements, dedications and improvements:
- A. Donate adequate right of way for future 10-foot multiuse trail.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The proposed townhouse development is adjoining and is intended to become part of an existing townhouse development, and therefore the proposed rezoning could be suitable for this area.

ADVERSE IMPACTS

Proper conditions to ensure the new construction is complimentary to the existing townhouse development may mitigate any adverse impacts to nearby properties.

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 2030 Unified Plan Future Development Map indicates the site is located in both the Preferred Office and Existing/Emerging Suburban Character Areas. As the property is located adjacent to an existing townhouse development, the proposed new townhouses may be consistent with policies regarding compatible infill development and transitional development in these character areas.

CONDITIONS AFFECTING ZONING

The subject site is located adjacent to an existing townhouse development, and the proposed new townhouses are intended to blend in with as well as utilize existing residential streets for access. The proposal minimizes the need for access off Collins Hill Road, and the existing environmental features on the property that may be impacted by a different zoning district's development of the site.

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:

THE SUBJECT PROPERTY IS DESIGNATED AS PREFERRED OFFICE

(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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RZM '18 007

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Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the zoning request will constitute a taking of property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, and Article 1, Section 1, Paragraph 1, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

.....
PLANNING DIVISION USE ONLY

CASE NUMBER _____

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RZM '18 007

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REZONING APPLICANT'S LETTER OF INTENT

The Applicant, Journey Construction LLC, requests a rezoning from O & I to R-TH for the purpose of developing a 29 lot townhome subdivision. The Property is a total of 3.942 acres and there is just no demand for office property in the immediate area. There is however, demand in the area for townhomes and since the property abuts the Collinswood Park townhome development, it makes sense to connect the property to that development. The applicant has been meeting with the existing HOA for this property to become part of that development and has gotten positive feedback from the HOA board. The property has been for sale for over 12 years and there has never been an offer on the property for office use. This proposal will also eliminate 2 access points onto Collins Hill Road that could possibly cause traffic issues being so close to the intersection with Old Peachtree Road.

The site plan shows that there will be two access points to the existing streets in Collinswood Park and that there will be no access to Collins Hill Road. The minimum heated area for the dwellings will be 2,500 square feet with a maximum height for the proposed dwellings 35' or 3 stories to match the existing townhomes. The front façade and the sides of all dwellings will consist of brick with accents of fiber cement siding with the rear of the building consisting of fiber cement, again being exactly like the existing townhomes. The homes will feature a traditional architecture style and will all have a two car garage. The price range for the units will start around \$275,000. The existing townhomes were developed under the RM-10 requirements and to match that same look the applicant is requesting that the front setback be reduced from 50 feet to 15 feet and that the rear setback be reduced from 40 feet to 30 feet. This will allow the new townhomes to have the same look and feel as the existing townhomes

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RZM 18 007

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Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, July 2018

Case #	Schools	Current Projections									Proposed Zoning
		2017-18			2018-19			2019-20			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZM2018-00007	Collins Hill HS	3,075	2,625	450	3,044	2,625	419	3,008	2,625	383	9
	Creekland MS	2,174	2,100	74	2,135	2,100	35	2,113	2,100	13	7
	Rock Springs ES	875	1,325	-450	870	1,325	-455	878	1,325	-447	13
RZM2018-00008	Mountain View HS	2,531	2,300	231	2,689	2,300	389	2,729	2,300	429	9
	Twin Rivers MS	1,950	2,150	-200	1,979	2,150	-171	2,009	2,150	-141	6
	Patrick ES	770	1,025	-255	785	1,025	-240	809	1,025	-216	12
RZM2018-00009	Discovery HS	2,829	2,000	829	2,942	2,000	942	3,001	2,000	1,001	53
	Richards MS	2,184	1,575	609	2,228	1,575	653	2,272	1,575	697	38
	Baggett ES	1,218	1,125	93	1,242	1,125	117	1,267	1,125	142	74
RZM2018-00010	Peachtree Ridge HS	3,312	3,050	262	3,378	3,050	328	3,446	3,050	396	37
	Northbrook MS	1,033	1,025	8	1,059	1,025	34	1,085	1,025	60	26
	Jackson ES	1,549	1,475	74	1,588	1,475	113	1,627	1,475	152	52
RZM2018-00011	Mountain View HS	2,531	2,300	231	2,689	2,300	389	2,729	2,300	429	11
	Twin Rivers MS	1,950	2,150	-200	1,979	2,150	-171	2,009	2,150	-141	8
	Dyer ES	866	1,175	-309	883	1,175	-292	901	1,175	-274	16
RZR2018-00015	Dacula HS	2,138	2,550	-412	2,202	2,550	-348	2,268	2,550	-282	6
	Dacula MS	1,636	1,900	-264	1,685	1,900	-215	1,736	1,900	-164	5
	Dacula ES	1,150	1,550	-400	1,162	1,550	-388	1,179	1,550	-371	9
RZR2018-00017	Peachtree Ridge HS	3,312	3,050	262	3,378	3,050	328	3,446	3,050	396	87
	Hull MS	1,279	1,750	-471	1,298	1,750	-452	1,318	1,750	-432	62
	Parsons ES	737	700	37	722	700	22	729	700	29	122

Current projections do not include new developments

CASE NUMBER RZM-05-015

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>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. GREEN, 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 O-I
by COLLINS HILL ASSOCIATES, LLC. for the
proposed use of OFFICE 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 JULY 26, 2005 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 26TH day of JULY, 2005, that the aforesaid application to amend the Official Zoning Map from R-100 to O-I is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:

- A. Office, office-professional and accessory uses.
- B. Buildings shall be constructed primarily of brick or stone on all four sides.
- C. Buildings shall be designed with a residential appearance including a pitched roof with a minimum pitch of 4:12. Building elevations shall be submitted for review and approval of the Director of Planning and Development prior to the issuance of any permits.
- D. The Development shall consist of a combination of one and two story buildings, with the two story buildings not to exceed 50% of the total square footage.

- E. Buildings shall be of a similar style to the exhibits presented at the Planning Commission meeting on July 19, 2005.
- F. Development shall be actively marketed for office condominiums.

2. To satisfy the following site development considerations:

- A. Provide a 25-foot buffer adjacent to residentially zoned property. Buffer shall be enhanced in sparsely vegetated areas with two (2) staggered rows of evergreen trees planted 20-feet on center and a minimum of 8-feet tall at the time of installation. The evergreen trees shall consist of an even distribution of Wax Myrtles, Cryptomeria, Southern Magnolia and tree form Hollies.
- B. Provide a 5-foot wide landscape strip along all internal property lines.
- C. Provide a 10-foot wide landscape strip outside the dedicated right-of-way of Collins Hill Road.
- D. Natural vegetation shall remain on the property until the issuance of a Development permit.
- E. Number, design and location of driveways shall be subject to review and approval by the Gwinnett County Department of Transportation.
- F. Dumpsters shall be screened by 100% opaque brick wall with gate enclosure. Dumpster pickup shall be limited to between the hours of 7:00 AM and 7:00 PM.
- G. Ground signage shall be limited to a single monument-type sign, with masonry back at least 2-feet in height, not to exceed 5-feet in height.

H. 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 residential properties.


GWINNETT COUNTY BOARD OF COMMISSIONERS

By: 

Charles E. Bannister, Chairman

Date Signed: Aug 10, 2005

ATTEST:


County Clerk

COLLINSWOOD PARK



FRONT PERSPECTIVE

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RZM '18 007

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COLLINSWOOD PARK



REAR PERSPECTIVE

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MAY 09 2018

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COLLINSWOOD PARK



LEFT SIDE PERSPECTIVE



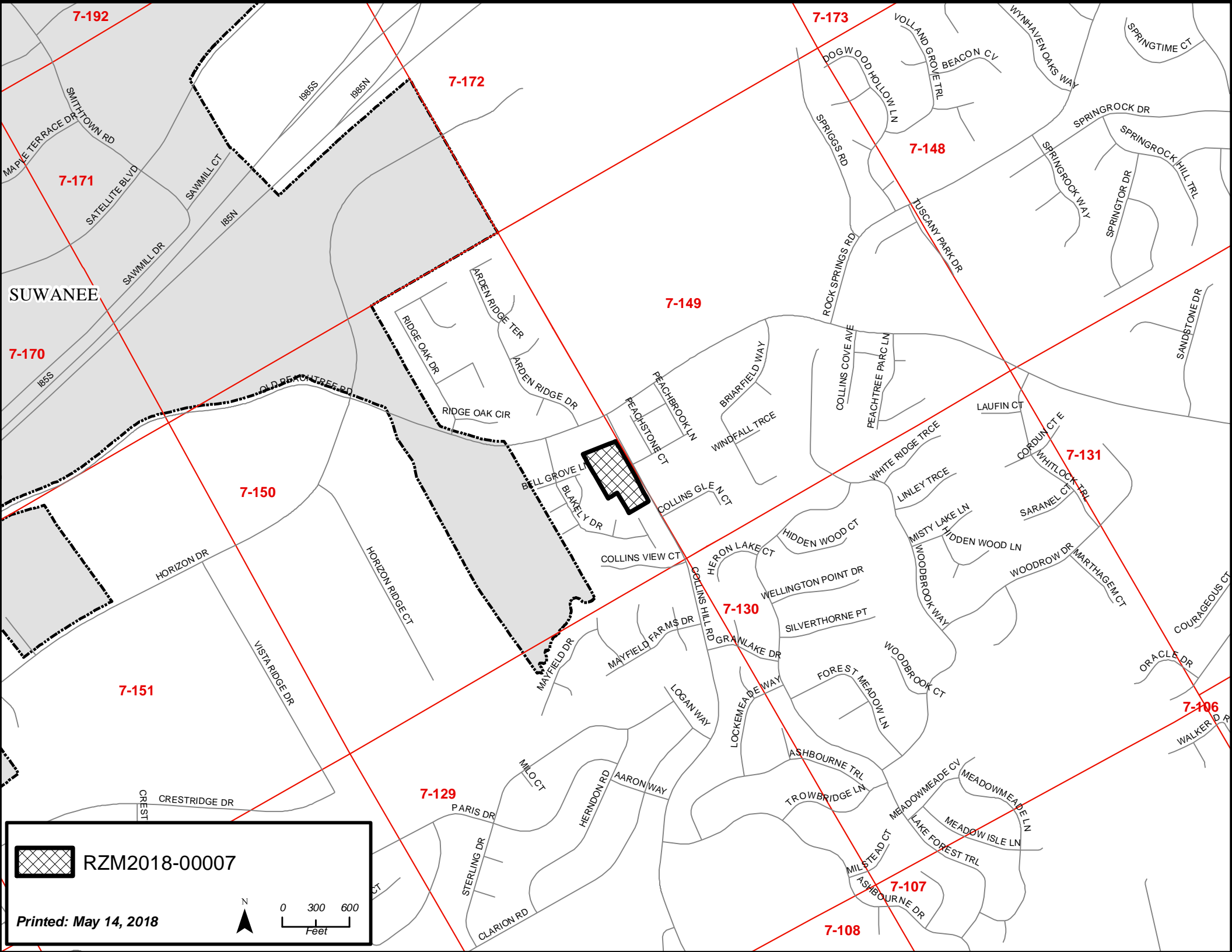
RIGHT SIDE PERSPECTIVE

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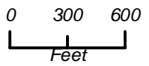
RZM '18 007

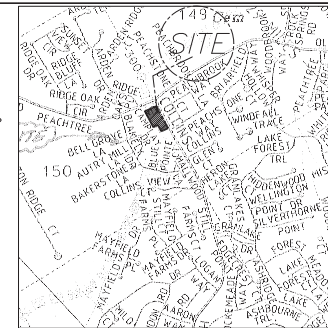
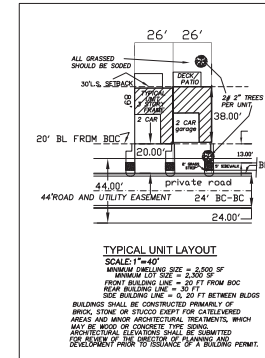
Planning & Development



RZM2018-00007

Printed: May 14, 2018



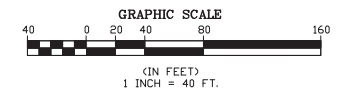


- NOTES:**
- A- PROPERTY ZONED: (O-I) RZM-05-015, PROP. ZONING : RTH WITH RM-13 SETBACKS
 - B- TOTAL NO. OF LOTS = 29 LOTS, AREA = 3.94 ACRES
 - BB- DENSITY = 29/3.94 = 7.36 U/AC
 - C- BUILD SETBACKS: PROPOSED RM-13 SETBACKS
 - 1- FRONT: 15 FT IN LIEU OF 50 FT
 - 2- REAR: 30 FT IN LIEU OF 40 FT
 - 3- SIDE: 10 FT.
 - CC- OPEN SPACE = 36,348 S.F.T.
 - D- MAX. HEIGHT OF BLDG = 35 FT.
 - E- REFERENCE: PLAT FOR COLLINGWOOD PARK AND OTHER COMPILED PLATS
 - F- MIN. DWELLING SIZE=2,500 S.F.T.
 - FF-MIN. LOT SIZE = 2,300 S.F.T.
 - G- WATER IS PROVIDED BY GWINNETT COUNTY WATER SYSTEM
 - H- WASTE WATER SERVICE IS PROVIDED BY GWINNETT COUNTY SEWER SYSTEM

- NOTES:**
- 1- THERE ARE STREAM BUFFERS ON THIS SITE.
 - 2- THERE IS NO FLOODPLAIN ON THIS PROPERTY FROM A WATER COURSE WITH DRAINAGE AREA EXCEEDING 100 ACRES OR FLOODPLAIN PER FIRM 13135C 0046 DATED SEP. 28, 2008
 - 3- THERE ARE NO WETLANDS BEING OBTAINED ON THIS SITE.
 - 4- RESIDENTIAL- GWINNETT COUNTY ASSUMES NO RESPONSIBILITY FOR OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT-OF-WAY, OR FOR THE EXTENSION OF CULVERTS BEYOND THE POINT SHOWN ON THE APPROVED RECORD SUBDIVISION PLAT.
 - 5- THE LOTS SHOWN HEREON MAY NOT BE RESUBDIVIDED EXCEPT THROUGH THE SUBDIVISION PROCESS OF THE GWINNETT COUNTY UNIFIED DEVELOPMENT ORDINANCE IN EFFECT AT THAT TIME.
 - 6- AN APPROVED RESIDENTIAL DRAINAGE PLAN (RDP) IS REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT ON THOSE LOTS LABELED "RDP" AN APPROVED HOLD AND RELEASE AFFIDAVIT IS REQUIRED ON THOSE LOTS LABELED "RDP" OR RESIDENTIAL DRAINAGE STUDY "RDS"
 - 7- GWINNETT COUNTY DOES NOT ENFORCE PROTECTIVE COVENANTS. IT IS THE RESPONSIBILITY OF THE HOMEOWNERS TO ENSURE COMPLIANCE WITH THE PROTECTIVE COVENANTS.
 - 8- UTILITIES SHALL BE LOCATED UNDERGROUND.

**RECEIVED BY
 PLANNING & DEVELOPMENT
 MAY 31, 2018**

RZM2018-0007



NO.	DATE	REVISIONS	BY	PROJECT NO.	DATE
04-28-18		FOR REZONING-FI			04-28-18
05/30/18		COUNTY COMMENTS			04-28-18
					04-28-18
					04-28-18
					04-28-18

PREPARED BY:
MANSUR ENGINEERING, INC.
 1810 PEACHTREE INDUSTRIAL BLVD.
 SUITE 140
 DULUTH, GEORGIA 30097
 Phone: (770) 476-7014 Facsimile: (770) 476- 7363

OWNER/DEVELOPER
JOURNEY CONSTRUCTION LLC
 P.O. BOX 1465
 DULUTH, GA, 30096
 404-557-3088

ZONING / CONCEPT PLAN
COLLINSWOOD PARK 2
 LAND LOT 150, 7th DISTRICT
 GWINNETT COUNTY, GEORGIA

SCALE	1" = 40'
SHEET NO.	1 OF 1
FILE NO.	





OLD PEACHTREE RD

PEACHTSTONE CT

PEACHTSTONE WAY

BELL GROVE LN


COLLINS HILL RD

BLAKELY DR

CAMPLAY DR

AUTRY MILL LN

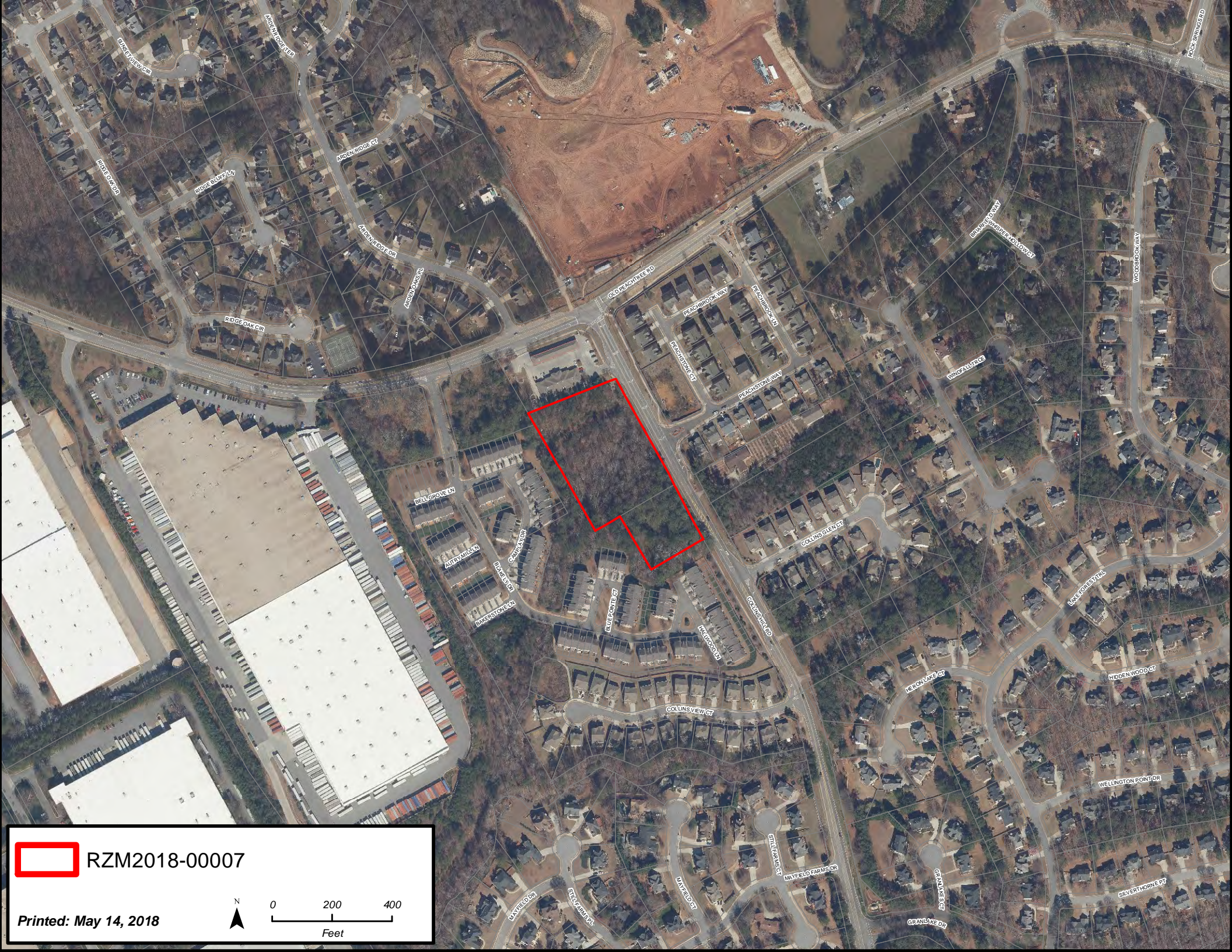
COLLINS GLEN CT

 RZM2018-00007

Printed: May 14, 2018

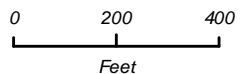


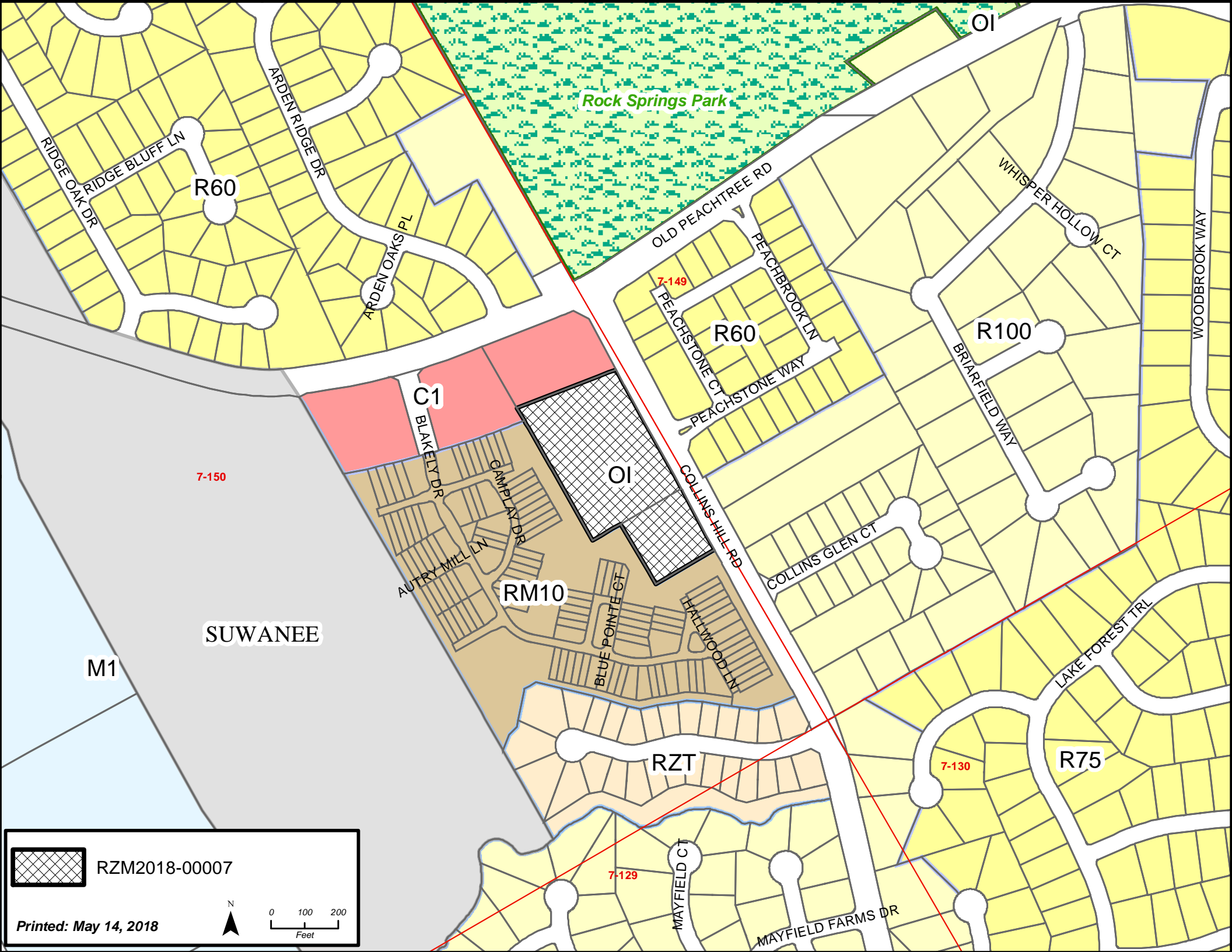
0 25 50
Feet



RZM2018-00007

Printed: May 14, 2018





Rock Springs Park

R60

R60

R100

C1

OI

RM10

SUWANEE

M1

RZT

R75

RZM2018-00007

Printed: May 14, 2018



0 100 200
Feet

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

CASE NUMBER :**RZM2018-00008**
ZONING CHANGE :RA-200 TO R-TH
LOCATION :3200 BLOCK OF CROSS ROAD
MAP NUMBER :R7177 017
ACREAGE :6.13 ACRES
UNITS :32 UNITS
PROPOSED DEVELOPMENT :TOWNHOUSES (BUFFER REDUCTION)
COMMISSION DISTRICT :(4) HEARD

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

APPLICANT: COMFORT HOMES OF GEORGIA
4149 EQUESTRIAN WAY
DUNWOODY, GA 30338

CONTACT: JAMES IRVIN PHONE: 404.379.1583

OWNER: CAROL PRICE
5215 PAMELA DRIVE
DOUGLASVILLE, GA 30135

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests rezoning of a 6.13-acre parcel from RA-200 (Agriculture-Residence District) to R-TH (Single-Family Residence Townhouse District) to construct a 32-unit townhouse development with a buffer reduction. The property is located on the south side of Cross Road, east of its intersection with Gravel Springs Road. The property is currently wooded and undeveloped and it is bordered to the north by a tributary of Ivy Creek and contains 1.123 acres of flood hazard area.

The proposed 32-unit townhouse development would result in a net density of 5.74 units per acre. The townhouses would be a minimum of 23-feet wide with a minimum of 1,500 to 2,300 square feet of heated floor area per unit. All units would be front-entry with two-car garages. Per elevations submitted, the proposed townhouses would be constructed with front façades primarily of brick, with sides and rear being cedar shake or fiber-cement siding. Access to the site is proposed from a single entrance on Cross Road. The required 50-foot landscaped/building setback along Cross Road is shown on the site plan. The applicant has requested to reduce the required 40-foot undisturbed buffer adjacent to RA-200 zoning to a 30-foot buffer to allow for decks to extend beyond the side setback. Two stormwater detention ponds are proposed towards the rear of the development; one of the detention

ponds is shown to encroach into the required 75-foot impervious surface stream setback. No active recreation amenities or usable common space is shown on the site plan.

ZONING HISTORY:

The subject property has been zoned RA-200 (Agriculture-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 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 County Department of Planning and Development. The applicant/developer shall obtain all required approvals from the Gwinnett County Department of Water Resources 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:

Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a development permit application.

Section 210-50.20 of the Unified Development Ordinance requires submittal of a concept plan for review and approval of the Development Division prior to submittal and acceptance of a development permit application.

The U.S Postal service requires a centralized mail delivery kiosk replacing individual mail boxes. Mail delivery kiosk must be located outside of right of way. Location and access must be approved by Gwinnett county Department of Transportation.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

The property appears to contain floodplain and stream buffers. The proposed conceptual plan may require revision to show the appropriate floodplain and stream buffers.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Cross Road is a Local Street and 30 feet of right of way is required from the centerline.

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

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

The developer shall be limited to one curb cut.

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

A 5-foot sidewalk shall be provided along the property frontage of Cross Road and tie to existing sidewalk.

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 8-inch water main located on the southeast right of way of Cross Road.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of 8-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 50 feet south of parcel R7177 017 on parcel R7178 132. Would need to obtain an easement to access sewer.

The subject development is located within the Ivy Creek service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new

pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

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, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject property is located on the south side of Cross Road east of its intersection with Gravel Springs Road. The property is currently wooded and undeveloped. The applicant is requesting to rezone from RA-200 to R-TH with a buffer reduction for a 32-unit townhouse development.

The 2030 Unified Plan Future Development Map indicates the property is located within an Existing/Emerging Suburban Character Area. Policies for this character area encourage residential in-fill development at densities and architectural character compatible with existing development. With conditions to create a quality development with open space, this could be compatible with the mix of single-family and attached residential developments in the area. The Cross Road and Gravel Spring Road areas are characterized by a diverse mix of housing including single-family detached homes, townhouses, and senior independent and assisted living,

therefore the development with additional 32 units in this area could be in line with the Unified Plan for infill development.

As stated, the surrounding area is characterized by a multitude of residential development and housing types. To the east is the Watermark townhouse subdivision zoned RM-10 (Multi-Family Residence District) with a density of about eight units per acre and a minimum dwelling size of 1,600 square feet. Across Cross Road to the north is the Cherokee Farms subdivision, zoned R-100 (Single-Family Residence District). To the west is a developed single-family residence zoned RA-200. The south side of property abuts commercial property located in the city of Buford along the Gravel Springs Road corridor. In the greater area there are additional townhouses and attached housing located on Gravel Springs Road and Cross Road zoned R-ZT (Single Family Residence Zero Lot Line/Townhouse District), RM-10 (Multi-Family Residence District) and R-TH (Single-Family Residence Townhouse District) with an average density of 7.41 units per acre. With conditions to ensure compatibility with existing developments and to protect the natural resources located on the property, the proposed townhouse development could be considered compatible infill.

Both the Unified Plan and the existing development in the area may support a townhouse development at this location. However, conditions should be placed on the property to ensure compatibility with surrounding developments and protection of natural resources. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

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

- I. To restrict the use of the property as follows:
 - A. Attached townhouse dwellings and accessory uses not to exceed 32 units.
 - B. The minimum heated floor area per unit shall be 1,600 square feet.
 - C. All dwellings shall have front and sides of brick or stone and the rear may be the same material or wood siding, wood shake, real cedar shake or fiber cement type siding with a three-foot brick or stacked stone watertable. The following building materials shall be prohibited: vinyl siding, stucco, and board and batten.
 - D. A mandatory Homeowners Association shall be established and shall be responsible for maintenance of all common areas/facilities, street frontage landscaping, and lawn and ornamental planting maintenance on individual lots.
 - E. All units shall have at least a double-car garage.
2. To satisfy the following site development considerations:
 - A. The development shall abide by all applicable standards of the Unified Development Ordinance, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
 - B. Development shall provide landscaped center median areas along the internal streets similar to the Watermark subdivision.
 - C. Provide a 30-foot buffer adjacent to all properties zoned RA-200.
 - D. Provide a 25-foot wide landscaped setback and decorative fence along all exterior street frontages. The fence may be constructed as a solid brick or stacked stone wall, or as a wrought iron-style fence with brick or stacked stone columns (maximum 30-feet on-center). The street frontage shall be maintained by the Homeowners Association.
 - E. Natural vegetation shall remain on the property until the issuance of a development permit.
 - F. All grassed areas on dwelling lots shall be sodded.
 - G. Underground utilities shall be provided throughout the development.

- H. Detention pond(s) shall be designed and constructed in a manner which creates a visual amenity within the development. Concrete walls shall be prohibited. Any fencing shall be decorative in nature only. Final stormwater detention pond plans shall be subject to the review and approval of the Director of Planning and Development.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

Given the different housing types existing along Cross Road, the proposed townhouse development could be a suitable use for this area.

ADVERSE IMPACTS

Proper conditions to ensure adequate buffering may help mitigate any adverse impacts to nearby residential properties.

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, stormwater 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 the Existing/Emerging Suburban Character Area. Policies for this character area encourage residential infill development at densities and architectural character compatible with existing development.

CONDITIONS AFFECTING ZONING

This property is enclosed by a stream, floodplain and residential zoning buffer on either side; extra consideration shall be given to creating usable common space in the middle of the development through landscaped median areas or central pocket parks.

Required Responses by Applicant in Rezoning Actions

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

The requested zoning will permit residential townhome use of the property, which is suitable in view of the location of the subject property, and the development of adjacent and nearby properties in the vicinity. The property is located in an area in which substantial residential development already has occurred and continues to occur. The proposed development is entirely consistent with such uses and the existing and emerging development pattern.

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

The rezoning is not expected to adversely affect the existing use or usability of adjacent or nearby properties. Nearby properties currently are both zoned and used for compatible purposes. Sufficient buffers will exist between the proposed development and other nearby uses to allow the use of the subject property as proposed without adversely affecting such nearby uses.

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

As a whole, the property to be affected by the rezoning proposal has reasonable economic use as a single residential structure. The zoning proposal for additional single family residential uses is appropriate given the location and adjacent development of parcel and surrounding parcels. The requested zoning will allow for additional economic use. The physical and regulatory constraints such as stream and impervious buffers, floodplain, and undisturbed buffers allow for little room for single-family subdivision use.

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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 zoning will result in minimal impact on water and sewer services, other utilities, streets, transportation facilities, public safety, and schools, is anticipated to be within the current existing capacities. The zoning request is for 27 townhome units.

E) Whether the proposed zoning is in conformity with the policy and intent of the Land Use Plan.

The Applicant's understanding is that the requested R-TH zoning proposal is entirely consistent with the policy and intent of the Land Use Plan. The 2030 Unified Plan Future Development Map indicates the property is located within the Existing/Emerging Suburban Character Area.

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

Conditions on the subject property and in the general vicinity make the requested rezoning appropriate. The subject property consists of a single family residential structure. The requested zoning will significantly improve an underutilized and aging property. Nearby residential development indicates the land use pattern in this area has changed such that conditions are appropriate for the proposed zoning. There are townhomes adjacent to the subject property and as previously mentioned, the physical and regulatory constraints leave very little room for single-family use and be economically viable.

RZM '18 00 8
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LETTER OF INTENT
REQUEST FOR REZONING & VARIANCE REQUEST
GWINNETT COUNTY, GEORGIA

RE: 6.14 acres located at 3251 Cross Road, Buford, GA, Parcel ID 7177 017

Through its engineer and as authorized by the property owner, Applicant, Comfort Homes of Georgia, LLC (the "Applicant") respectfully submits this Letter of Intent to the Gwinnett County Board of Commissioners in support of an application for map amendment from RA-200 to the R-TH zoning classification. This application respectfully seeks from Gwinnett County approvals required for rezoning to R-TH for the subject property.

The entire subject property consists of 6.14 acres and is located at 3251 Cross Road, Buford, GA in a residential use area of unincorporated Gwinnett County.

The parcel is planned and intended to be developed as a small townhome neighborhood consisting of 32 units. The unit sizes range from 1,500 sf – 2,300 sf. Site plan, descriptions for this parcel, and the appropriate authorization forms have been included in the application to allow for comprehensive review and approval of the proposed rezoning. The proposed rezoning is consistent with recent residential growth in the immediate vicinity.

The adjacent property to the north is currently used as townhomes or multi-family residential. Thus, the proposed type and intensity of land use is consistent with the adjacent property.

As shown on the Rezoning Plan submitted in support of this application, primary access to the development is proposed to be provided from Cross Road. One street is proposed for the development.

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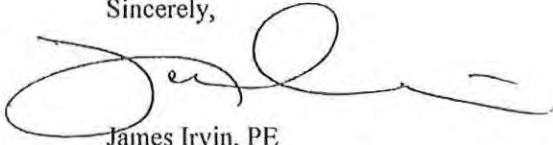
Foothills Land Design, LLC
164 Professional Drive
Baldwin, GA 30511

Ph: 706-778-0067
Fax: 706-778-0069
www.foothillsld.com

RZM '18 00 8

The Applicant also respectfully requests a variance from the required 40' buffer (Gwinnett County UDO Ch. 610), adjacent to RA-200 zoning, to 30' for the purpose of rear deck construction.

Sincerely,



James Irvin, PE
Engineer for Applicant
Foothills Land Design, LLC

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Planning & Development

RZM '18 00 8

Foothills Land Design, LLC
164 Professional Drive
Baldwin, GA 30511

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Fax: 706-778-0069
www.foothillsia.com

Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, July 2018

Case #	Schools	Current Projections									Proposed Zoning
		2017-18			2018-19			2019-20			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZM2018-00007	Collins Hill HS	3,075	2,625	450	3,044	2,625	419	3,008	2,625	383	Approximate additional Student Projections from Proposed Developments
	Creekland MS	2,174	2,100	74	2,135	2,100	35	2,113	2,100	13	
	Rock Springs ES	875	1,325	-450	870	1,325	-455	878	1,325	-447	
RZM2018-00008	Mountain View HS	2,531	2,300	231	2,689	2,300	389	2,729	2,300	429	9
	Twin Rivers MS	1,950	2,150	-200	1,979	2,150	-171	2,009	2,150	-141	6
	Patrick ES	770	1,025	-255	785	1,025	-240	809	1,025	-216	12
RZM2018-00009	Discovery HS	2,829	2,000	829	2,942	2,000	942	3,001	2,000	1,001	53
	Richards MS	2,184	1,575	609	2,228	1,575	653	2,272	1,575	697	38
	Baggett ES	1,218	1,125	93	1,242	1,125	117	1,267	1,125	142	74
RZM2018-00010	Peachtree Ridge HS	3,312	3,050	262	3,378	3,050	328	3,446	3,050	396	37
	Northbrook MS	1,033	1,025	8	1,059	1,025	34	1,085	1,025	60	26
	Jackson ES	1,549	1,475	74	1,588	1,475	113	1,627	1,475	152	52
RZM2018-00011	Mountain View HS	2,531	2,300	231	2,689	2,300	389	2,729	2,300	429	11
	Twin Rivers MS	1,950	2,150	-200	1,979	2,150	-171	2,009	2,150	-141	8
	Dyer ES	866	1,175	-309	883	1,175	-292	901	1,175	-274	16
RZR2018-00015	Dacula HS	2,138	2,550	-412	2,202	2,550	-348	2,268	2,550	-282	6
	Dacula MS	1,636	1,900	-264	1,685	1,900	-215	1,736	1,900	-164	5
	Dacula ES	1,150	1,550	-400	1,162	1,550	-388	1,179	1,550	-371	9
RZR2018-00017	Peachtree Ridge HS	3,312	3,050	262	3,378	3,050	328	3,446	3,050	396	87
	Hull MS	1,279	1,750	-471	1,298	1,750	-452	1,318	1,750	-432	62
	Parsons ES	737	700	37	722	700	22	729	700	29	122

Current projections do not include new developments

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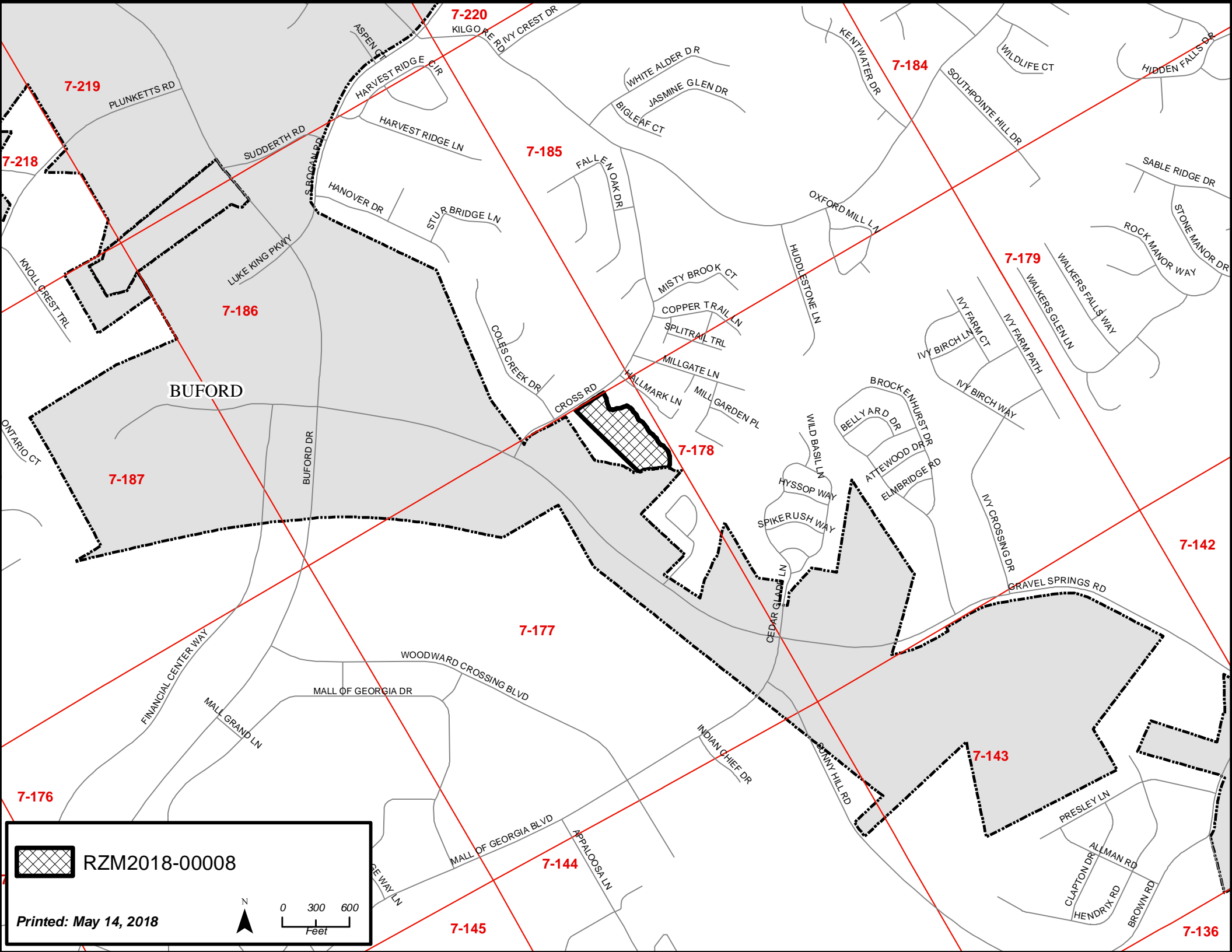
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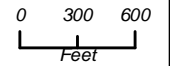
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RZM2018-00008

Printed: May 14, 2018



DATE	NO.	DESCRIPTION

DATE: MAY 4, 2016

SCALE: 1" = 40'

SHEET:
1.0



VICINITY MAP

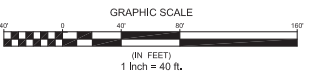
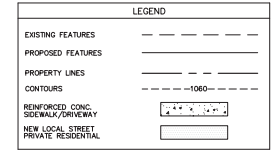
NOT TO SCALE
EXISTING ZONING
RA 200 AGRICULTURE-RESIDENCE DISTRICT

PROPOSED ZONING
R-TH RESIDENCE TOWNHOUSE DISTRICT

4.6-136 ACRES
PARCEL ID 7177017

GENERAL NOTES:

- OWNERS: CAROL PRICE, 5215 PAMELA DR., DOUGLASVILLE, GA 30135
- DEVELOPER: COMFORT HOMES OF GEORGIA, LLC, 4640 EOLISTRIAN WAY, DUNWOODY, GA 30338
- SITE IS LOCATED IN AT 3251 CROSS ROAD, LAND LOT 177, OF THE 7TH LAND DISTRICT, UNINCORPORATED GWINNETT COUNTY, GEORGIA, AND CONTAINS 6.136 ACRES. THE PROPERTY IS CURRENTLY ZONED RA200 AGRICULTURE RESIDENCE DISTRICT AND IS NOT SUBJECT TO ANY OVERLAY DISTRICTS.
- THE PROPOSED RE-ZONING IS FOR R-TH RESIDENCE TOWNHOUSE DISTRICT.
- PROPOSED USE IS A 32 TOWNHOME DEVELOPMENT.
- THIS PROPERTY LIES WITHIN A 100 YEAR FLOOD HAZARD AREA PER FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 13135C0026F, EFFECTIVE DATE 9/29/06.
- THE PROPERTY IS NOT LOCATED IN THE 2000' CHATTAHOOCHEE RIVER CORRIDOR.
- THE SITE IS LOCATED IN THE CHATTAHOOCHEE SEWER DRAINAGE BASIN AND THE SUWANEE MAJOR DRAINAGE BASIN.
- THE BOUNDARY AND TOPOGRAPHIC SURVEY WAS PREPARED BY GENUINE MAPPING AND DESIGN AND DATED 4-26-16.

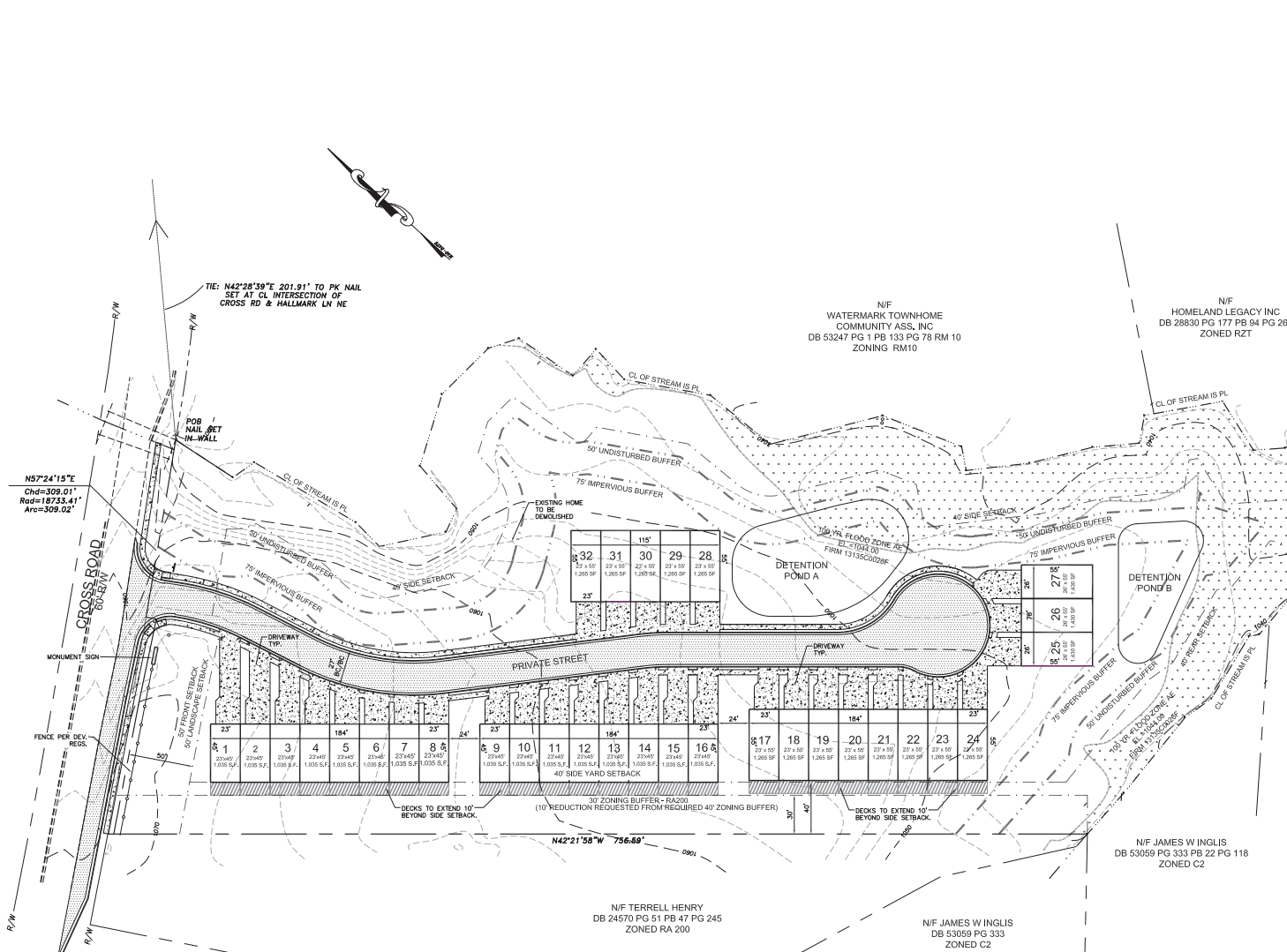


SUMMARY OF DEVELOPMENT STANDARDS R-TH RESIDENCE TOWNHOUSE DISTRICT	
STANDARD	PROPOSED
LOT AREA	6.136 AC.
AREA IN FLOOD HAZARD	1.123 AC.
AREA IN UTILITY EASMENT	0.50 AC.
*DENSITY	5.21 UNITS/AC.
*DENSITY NET	5.74 UNITS/AC.
PUBLIC ROAD FRONTAGE	329 FT.
MAX. BLDG HEIGHT	35 FT OR LESS
EXTERNAL FRONT YARD SETBACK	50 FT
EXTERNAL SIDE YARD SETBACK	40 FT
EXTERNAL REAR YARD SETBACK	40 FT
ZONING BUFFER RA 200	30 FT (10' REDUCTION)
COMMON AREA	0%

SUMMARY OF TOWNHOME DEVELOPMENT FOOTPRINT	
16 TOWNHOMES - 1,035 S.F. (23'x45') FOOTPRINT	
13 TOWNHOMES - 1,265 S.F. (23'x55') FOOTPRINT	
3 TOWNHOMES - 1,430 S.F. (26'x55') FOOTPRINT	
32 TOWNHOMES TOTALING 37,295 S.F. FOOTPRINT	

SUMMARY OF PARKING	
PROPOSED PARKING:	96
AUTOMOBILE (OFF-STREET)	
GARAGES AND PARKING SPACES IN FRONT OF UNIT.	
TOTAL PARKING REQUIRED:	96
3 SPACE FOR EVERY UNIT	
32 UNITS * 3 = 96 SPACES REQUIRED	

*DENSITY = 32 UNITS / 6.136 AC. = 5.21 UNITS/AC.
*DENSITY NET = 32 UNITS / (6.136 AC - 0.5 * 1.123 AC.)
*DENSITY NET = 5.74 UNITS/AC.



N/F WATERMARK TOWNHOME COMMUNITY ASS, INC
DB 53247 PG 1 PB 133 PG 78 RM 10
ZONING RM10

N/F HOMELAND LEGACY INC
DB 28830 PG 177 PG 94 PG 262
ZONED RZT

N/F GRAVEL SPRINGS I, LLC
DB 34061 PG 145
ZONED C2

N/F JAMES W INGLIS
DB 53059 PG 333 PB 22 PG 118
ZONED C2

N/F TERRELL HENRY
DB 24570 PG 51 PB 47 PG 245
ZONED RA 200

N/F JAMES W INGLIS
DB 53059 PG 333
ZONED C2

TIE: N42°28'39"E 201.91' TO PK NAIL SET AT CL INTERSECTION OF CROSS RD & HALLMARK LN NE

H57°24'15"E
Chd=308.01'
Rad=18733.41'
Arc=309.02'

POB NAIL SET IN-WALL

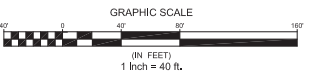
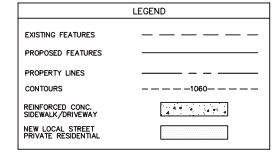
EXISTING HOME TO BE DEMOLISHED

DETENTION POND A

DETENTION POND B

LEGEND

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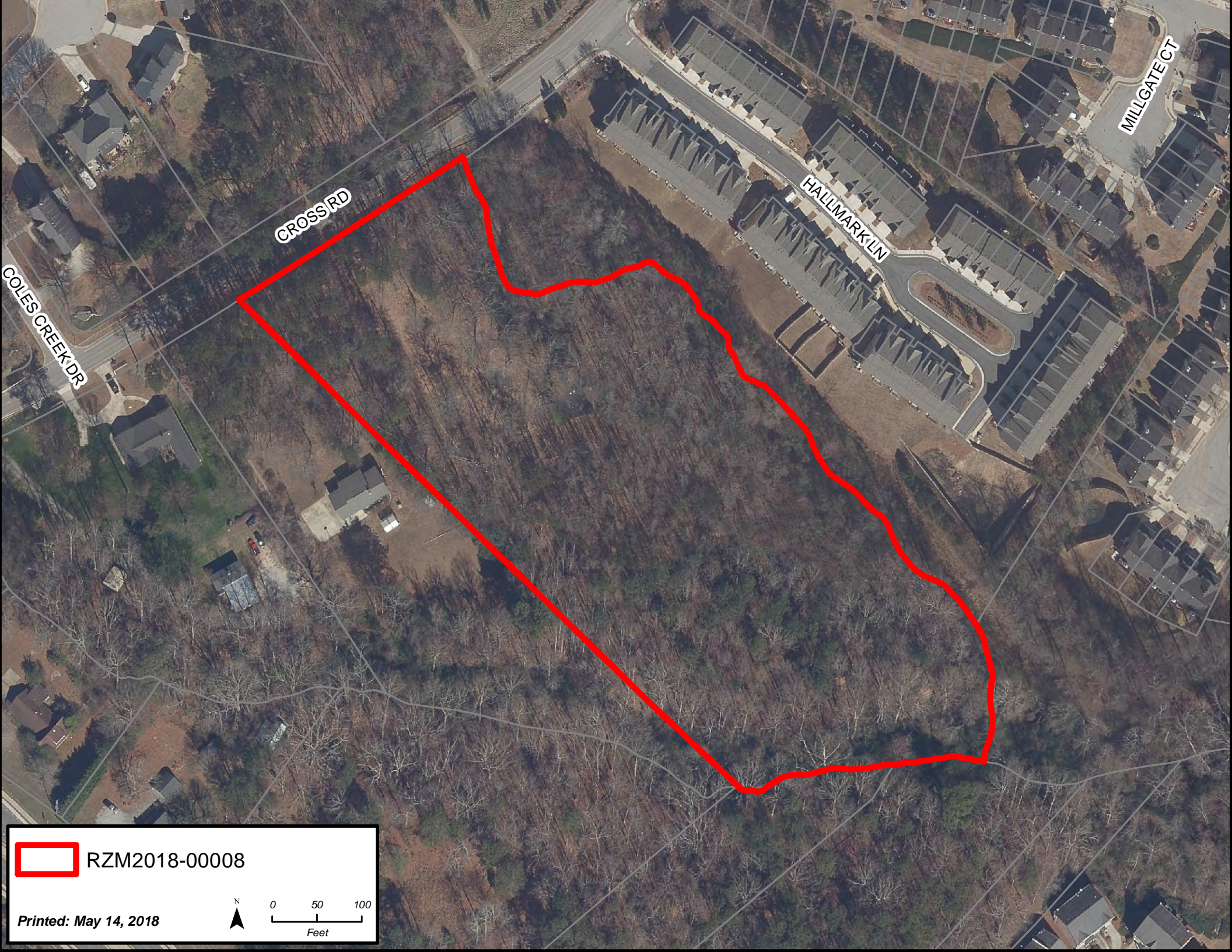


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CROSS RD

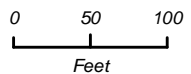
COLES CREEK DR

HALLMARK LN

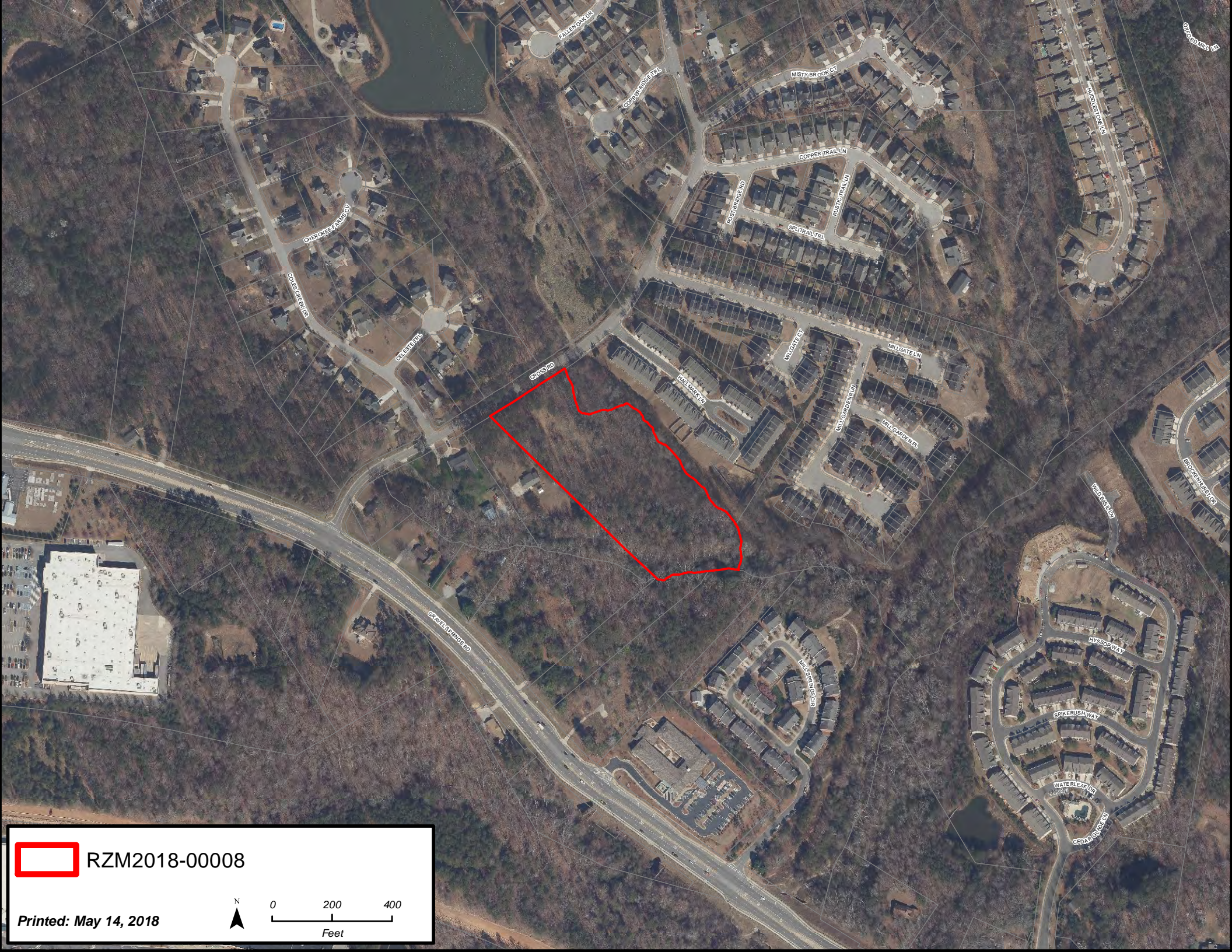
MILLGATE CT




RZM2018-00008

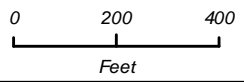


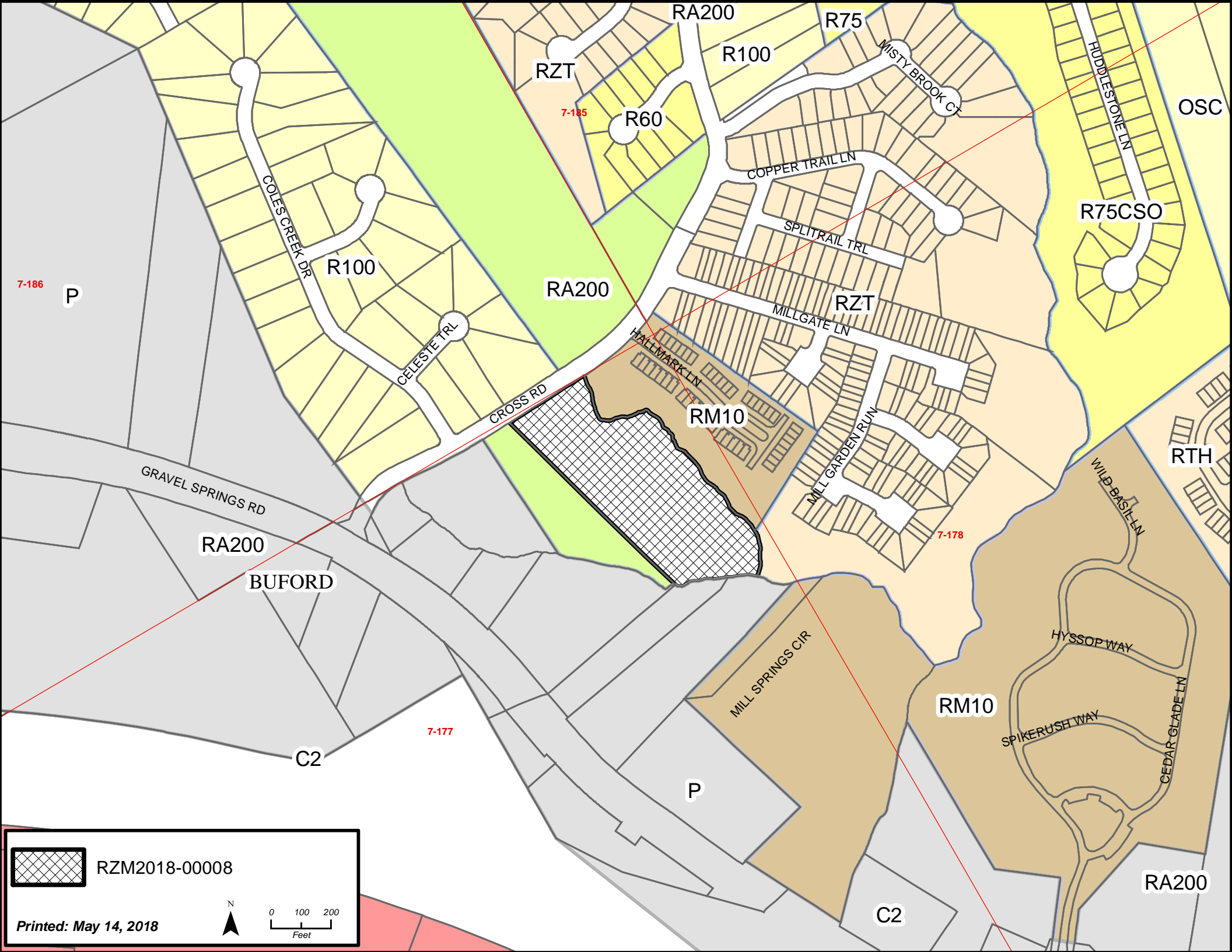
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Printed: May 14, 2018






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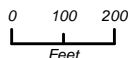
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7-177

 RZM2018-00008

Printed: May 14, 2018

 N



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

CASE NUMBER :**RZM2018-00009**
ZONING CHANGE :R-TH & RM-13 TO RM-13
LOCATION :1300 BLOCK OF HERRINGTON ROAD
MAP NUMBERS :R7041 001 & 7042 005 & 038
ACREAGE :35.29 ACRES
UNITS :330 UNITS
PROPOSED DEVELOPMENT :APARTMENTS
COMMISSION DISTRICT :(4) HEARD

FUTURE DEVELOPMENT MAP: **PREFERRED OFFICE & MIXED HOUSING TYPES**

APPLICANT: H.S. "CHIP" RANDALL
3055 ORCHARD RIDGE CIRCLE
DULUTH, GA 30096

CONTACT: CHIP RANDALL PHONE: 404.202.2029

OWNERS: DEWEY & NANCY LOGGINS
1379 HERRINGTON ROAD
LAWRENCEVILLE, GA 30044

MARK MCDANIEL
1399 HERRINGTON ROAD
LAWRENCEVILLE, GA 30044

HERRINGTON COMMONS LLC
5100 PEACHTREE INDUSTRIAL BLVD, STE 100
PEACHTREE CORNERS, GA 30071

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests to rezone a 35.29-acre, three parcel assemblage currently zoned R-TH (Single-Family Residence Townhouse District) and RM-13 (Multifamily Residence District) to entirely RM-13 to develop a 330 unit apartment complex. The subject property is located on the west side of Herrington Road, south of the intersection with Highway 316. Two of the three lots along Herrington Road are zoned R-TH and currently developed with single-family residences and accessory structures. The third larger and undeveloped parcel adjacent to the west is zoned RM-13 and heavily wooded, with existing streams and 18.90-acres of documented floodplain occupying the majority of the lot. This property also contains a portion of the future Sweetwater Creek Greenway route as part of the Gwinnett County Open Space and Greenway Master Plan.

The submitted site plan indicates eight, three-story apartment buildings with a total of 330 units, and a net density of 12.8 units per acre, less than the maximum 13 units per acre allowable in the RM-13. The site plan also shows proposed amenity areas including a club house, mail kiosk, pool, dog park, nature trails and common areas, but no stormwater detention facilities are identified. A double roadway entrance is proposed off Herrington Road, across from an existing double entrance to an apartment complex on the east side of Herrington Road. A total of 495 parking spaces are proposed throughout the development to comply with the 1.5 spaces per unit required per the Unified Development Ordinance.

ZONING HISTORY:

Both properties were zoned M-2 (Heavy Industry District) in 1970. The properties closest to Herrington Road were rezoned to RA-200 (Agriculture-Residence District) in 1974 pursuant to RZ-58-74. In 1975, the two properties were rezoned to M-1 (Light Industry District) as part of an area wide rezoning, and later rezoned in 1983 to R-100 (Single-Family Residence District) pursuant to RZ-83-065. In 2006, the properties were rezoned to R-TH (Single-Family Residence Townhouse District) for senior residential dwellings and accessory uses, pursuant to RZM-06-004. The large, vacant property to the rear was rezoned to RM-13 (Multifamily Residence District) in 1980 pursuant to RZ-80-172 as part of the apartment development to the south.

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 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 County Department of Planning and Development. The applicant/developer shall obtain all required approvals from the Gwinnett County Department of Water Resources 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 portion of the future Sweetwater Creek Greenway route identified as a Priority Trail in the Gwinnett County Open Space and Greenway Master Plan. Dedication of all necessary right of way/easements and construction of the greenway trail will be required in accordance with the Gwinnett County Open Space and Greenway Master Plan and the requirements of the Unified Development Ordinance.

DEVELOPMENT REVIEW SECTION COMMENTS:

This site appears to be heavily wooded and may include specimen trees which are required by UDO Section 630-70 to be preserved. Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a development permit application.

Project access and required improvements along Herrington Road will be subject to review and approval of Gwinnett County Department of Transportation.

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.

Five-foot wide sidewalks are required along all exterior roadways (Herrington Road) adjoining the project (UDO 900-90.1).

Four-foot wide sidewalks are required adjacent to both sides of all interior streets.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

The property appears to contain floodplain and stream buffers. The proposed conceptual plan may require revision to show the appropriate floodplain and stream buffers.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Herrington Road is a Major Collector and 40 feet of right of way is required from the centerline.

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

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

The developer shall be limited to one curb cut.

The project entrance shall align with opposing roads or driveways in accordance with the Gwinnett County Unified Development Ordinance.

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

Align standard proposed entrance/exit drive with entrance drive to Wesley Herrington Complex.

Provide Traffic Impact Study including all possible access points to Herrington Road.

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 southeast right of way of Herrington Road.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of eight-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8- and 12-inch sanitary sewer main located on parcel R7041 001 and a 36- and 42-inch interceptor sanitary sewer main located on parcel R7401 001.

The subject development is located within the Beaver Ruin service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

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, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

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, Design 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:

No comment.

DEPARTMENT ANALYSIS:

The applicant requests to rezone an existing R-TH (Single-Family Residence Townhouse District) and RM-13 (Multifamily Residence District) zoned three parcel assemblage totaling 35.29-acre to entirely RM-13 to develop a 330 unit apartment complex. The subject property is located on the west side of Herrington Road, south of the intersection with Highway 316.

The Gwinnett County 2030 Unified Plan Future Development Map indicates the property includes both the Preferred Office and the Mixed Housing Character Areas across the three subject parcels. While not strictly consistent with the policies of the Preferred Office Character Area, the proposed apartments may comply with the policies of the Mixed Housing Character area. This character area encourages medium density multifamily housing, including apartments. With conditions to incorporate additional amenities and high-quality development, the proposed rezoning may comply with the 2030 Unified Plan policy to encourage infill development that is compatible with surrounding uses.

The surrounding area is characterized by a mix of multifamily and industrial uses. To the north are properties zoned M-1 (Light Industry District) and M-2 (Heavy Industry District) pursuant to RZC2013-00001, which include a United State Postal Service complex, a truck terminal, and a large equipment rental business. Across Herrington Road to the east is The Crest at Sugarloaf, an apartment complex zoned RM-13 pursuant to REZ2000-00096, as well as property zoned R-TH (Single-Family Residence Townhouse District) currently containing a single-family residence, and the Buck's Crossing Townhomes subdivision, zoned RM-6 (Multi-Family Residence District) pursuant to RZM2004-00032. To the south is a property zoned M-1 and developed with an industrial facility. Along the western and southern border of the property is the Chelsea at Astor Place Apartment complex, zoned RM-13 pursuant to RZ-172-1980. Given the existing presence of apartments in the area, and the inclusion of conditions to protect existing site features, provide public amenities and assure high-quality development, the proposed apartments may be compatible with the surrounding area.

The proposed rezoning may be consistent with the policies of the 2030 Unified Plan for compatible infill development that provides a mix of housing options. Further, with incorporation of the recommended conditions, the apartments may be suitable development in an area where apartments already exist. Therefore, the Planning and Development Department recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

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

1. To restrict the use of the property to multifamily residential apartments and accessory uses and structures, not to exceed 330 total units.
2. To satisfy the following site development considerations:
 - A. The development shall abide by all applicable standards of the Unified Development Ordinance, unless otherwise specified in these conditions or through approval of a variance by the Zoning Board of Appeals.
 - B. 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.
 - C. Provide a 50-foot wide landscape strip along Herrington Road. The Herrington Road frontage shall include increased landscaping and a masonry entrance feature. The feature may be constructed as a solid brick or stacked stone wall, or as a wrought iron-style fence with brick or stacked stone columns. Landscaping, entrance features and fencing plans shall be subject to review and approval of the Director of Planning and Development.
 - D. Provide a 50-foot landscaped buffer along the M-1 and M-2 zoned properties to the north and south. The buffer shall be enhanced where sparsely vegetated and subject to the review and approval of the Director of Planning and Development.
 - E. Garages or structured parking shall be provided for a minimum of ten percent of the units.
 - F. Efficiency units shall be prohibited, and the complex shall be limited to a maximum of ten percent of units as three-bedrooms or larger.
 - G. The development shall be a gated community, with automated card access gates at all entrances/exits. The access gate system is required to be properly maintained and functional at all times, with any required repairs to be made within one week.
 - H. Submit a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a development permit application, subject to the review and approval by the Director of Planning and Development.

- I. Natural vegetation shall remain on the property prior to issuance of a Development Permit.
 - J. All disturbed grassed areas shall be sodded.
 - K. The detention pond shall be designed as an amenity accessible to the residents of the development to the review and approval by the Director of Planning and Development.
 - L. All utilities shall be placed underground.
 - M. Ground signage shall be limited to monument-type signs, and shall be subject to review and approval by the Director of Planning and Development. The signs shall include a minimum 2-foot high brick or stacked stone base, complementing the apartment buildings' architectural treatment. The masonry base shall extend at least the full width of the sign cabinets, and the sign cabinets shall be fully recessed and surrounded by the same materials. Ground signage shall not exceed 8-feet in height.
 - N. Dumpster/compactor locations shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure.
 - O. In the event of residential tenant eviction, any belongings of the tenant will be placed on an area of the subject property that is not visible from the street right of way of Herrington Road unless otherwise required by law.
 - P. 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 right of way.
 - Q. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
 - R. 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.
 - S. A revised concept plan meeting all conditions shall be submitted for review and approval by the Director of Planning and Development prior to submittal of development plans.
3. To abide by the following requirements, dedications and improvements:
- A. Dedicate at no cost to Gwinnett County all necessary right of way/easements and construct a portion of the Sweetwater Creek Greenway trail through the property in accordance with the Gwinnett County Open Space and Greenway Master Plan and the requirements of the Unified Development Ordinance. Right of way/easement width, location and construction details shall be subject to review and approval by the Department of Community Services and by the Director of Planning and Development.

- B. Prior to the issuance of the first certificate of occupancy, the applicant shall install sidewalks along Herrington Road. All design and construction will be subject to review and approval by the Director of Planning and Development and the Gwinnett County Department of Transportation.
- C. Prior to the issuance of a Development Permit, a sight distance certification shall be provided.
- D. Provide Traffic Impact Study including all possible access points to Herrington Road.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The subject site is located within an area developed with a mix of multifamily and industrial uses. Rezoning for a multifamily apartment development may be suitable in light of similar adjacent development.

ADVERSE IMPACTS

The inclusion of recommended conditions could mitigate any potential adverse impacts to neighboring developments.

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 2030 Unified Plan Future Development Map indicates the property is within both the Preferred Office and the Mixed Housing Character Areas. The requested zoning and development of an apartment complex with amenities may be consistent with the recommendations of the 2030 Unified Plan to encourage a mix of housing types and infill development that is compatible with surrounding uses.

CONDITIONS AFFECTING ZONING

The proposed development is located among other multifamily developments along Herrington Road. The site contains a portion of the future Sweetwater Creek Greenway route, providing connectivity opportunities to other destinations along the greenway.

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 adjacent property is M1, M2 and mulit-family. The proposed use is suitable.

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

No it will not adversely affect the nearby property, the proposed use is similar to the adjacent property

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

No, the land is currently being used for several single-family homes. The highest and best use for the land is multi-family.

- (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 existing infrastructure was built to accomodate this type of use.

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

Yes, the proposed use is in conformity with the land use plan. The area in and around I-85 at SR316 is in need of affordable residential housing.

- (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:

Yes, this development will complete the potential residential development in the area.

Dewey S. & Nancy M. Loggins

and

Mark R. McDaniel

1379 & 1399 Herrington Road, Lawrenceville, Ga.

May 3, 2018

Gwinnett County Department of Planning & Development
446 W. Crogan Street, Suite 250
Lawrenceville, Georgia 30046

RE: Rezoning Application – 11.23 Acres 1379 & 1399 Herrington Rd.
Seventy Land District of Gwinnett County and being in Land Lot 042 Parcels 005 & 038

To whom it may concern:

Please use this Letter of Intent to give details of the proposed use of the above referenced property. The proposed use for the property is a multi-family residential development. This tract will be combined with the adjacent 24.01 acre tract, said tract being located in the 7th Land District Land Lot 41 Parcel 001. The total combined acreage will be 35.30 acres. The proposed development will have 330 multi-family units for the combined tract. The combined tract is encumbered with the 100 year floodplain associated with Lee Daniel Creek along the western property line.

If you have any questions or need additional information please call H.S. 'Chip' Randall at 404-202-2029.

Sincerely,



H.S. Randall

RZM '18 009

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Planning & Development

Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, July 2018

Case #	Schools	Current Projections									Proposed Zoning Approximate additional Student Projections from Proposed Developments
		2017-18			2018-19			2019-20			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZM2018-00007	Collins Hill HS	3,075	2,625	450	3,044	2,625	419	3,008	2,625	383	9
	Creekland MS	2,174	2,100	74	2,135	2,100	35	2,113	2,100	13	7
	Rock Springs ES	875	1,325	-450	870	1,325	-455	878	1,325	-447	13
RZM2018-00008	Mountain View HS	2,531	2,300	231	2,689	2,300	389	2,729	2,300	429	9
	Twin Rivers MS	1,950	2,150	-200	1,979	2,150	-171	2,009	2,150	-141	6
	Patrick ES	770	1,025	-255	785	1,025	-240	809	1,025	-216	12
RZM2018-00009	Discovery HS	2,829	2,000	829	2,942	2,000	942	3,001	2,000	1,001	53
	Richards MS	2,184	1,575	609	2,228	1,575	653	2,272	1,575	697	38
	Baggett ES	1,218	1,125	93	1,242	1,125	117	1,267	1,125	142	74
RZM2018-00010	Peachtree Ridge HS	3,312	3,050	262	3,378	3,050	328	3,446	3,050	396	37
	Northbrook MS	1,033	1,025	8	1,059	1,025	34	1,085	1,025	60	26
	Jackson ES	1,549	1,475	74	1,588	1,475	113	1,627	1,475	152	52
RZM2018-00011	Mountain View HS	2,531	2,300	231	2,689	2,300	389	2,729	2,300	429	11
	Twin Rivers MS	1,950	2,150	-200	1,979	2,150	-171	2,009	2,150	-141	8
	Dyer ES	866	1,175	-309	883	1,175	-292	901	1,175	-274	16
RZR2018-00015	Dacula HS	2,138	2,550	-412	2,202	2,550	-348	2,268	2,550	-282	6
	Dacula MS	1,636	1,900	-264	1,685	1,900	-215	1,736	1,900	-164	5
	Dacula ES	1,150	1,550	-400	1,162	1,550	-388	1,179	1,550	-371	9
RZR2018-00017	Peachtree Ridge HS	3,312	3,050	262	3,378	3,050	328	3,446	3,050	396	87
	Hull MS	1,279	1,750	-471	1,298	1,750	-452	1,318	1,750	-432	62
	Parsons ES	737	700	37	722	700	22	729	700	29	122

Current projections do not include new developments

CASE NUMBER RZM-06-004
GCID 2006-0255

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

On motion of COMM. GREEN, 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 R-TH

by RASSO PROPERTIES for the proposed use of

VILLAS (ATTACHED) 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 FEBRUARY 28, 2006 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 28TH day of FEBRUARY, 2006, that the aforesaid application to amend the Official Zoning Map from R-100 to R-TH is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:

- A. Villa residential dwellings and accessory uses, which shall be intended and operated for occupancy by persons 55 years of age and older.
- B. Buildings shall be constructed primarily of brick or stacked stone with minor treatments (i.e. gables, bay windows, chimneys) of wood or fiber-cement type siding. Architectural elevations shall be submitted for review and approval of the Director of Planning and Development.
- C. The minimum heated floor area per dwelling unit shall be at least 1,600 square feet for 2 bedroom units and 1,800 square-feet for 3 bedroom units. Not more than 40 units may be 2 bedrooms.
- D. All units shall have double car garages.

- E. All units shall incorporate applicable accessibility standards known as "Easy Living Standards" which shall include the following:
- a. Easy access step free feature at one entrance to the home.
 - b. Easy passage feature, which shall include 32-inch wide doorways throughout the unit.
 - c. Easy use feature, which includes a main floor bedroom.
- F. A mandatory homeowners association shall be incorporated which provides for building and ground maintenance and repair, insurance and working capital. Said association shall publish and adhere to policies and procedures that demonstrate that the community is intended to provide housing for persons 55 and over including maintaining surveys or affidavits verifying compliance with 55 and older occupancy requirements set out in Section 3607, subparagraph B.2.C. of the Federal Fair Housing Act. Said association must also include declarations and bylaws including rules and regulations which shall at a minimum regulate and control the following:
- a. Restriction on homes being occupied with at least 80% of the occupied units occupied by at least one resident who is age 55 or older as defined by the Fair Housing Act Section 3607, subparagraph B.2.C.
 - b. Exterior items such as fences, lawn ornaments and restrictions on removal of landscaped areas and buffers.
 - c. Exterior fence maintenance shall include a requirement that any graffiti shall be repaired and/repainted within 72 hours.
 - d. Restrictions on single-family residential use only and leasing of units. No more than 10% of the total units may be leased by individual owners at any one time.
 - e. No outside storage, excluding firewood and lawn furnishings.
 - f. No playground equipment, swing sets or trampolines.

g. Maintenance of detention pond.

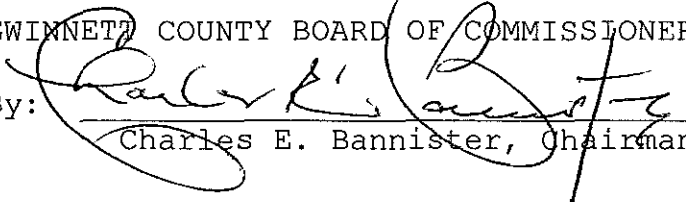
G. Building height shall be limited to a single-story.

2. To satisfy the following site development considerations:

- A. Provide a 50-foot wide landscaped setback along Herrington Road. The landscaped setback shall include a decorative fence/wall and entrance monument. The fence may be constructed as solid brick or stacked stone columns (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. All grassed areas shall be sodded.
- C. All utilities shall be placed underground.
- D. Natural vegetation shall remain on the property until the issuance of a development permit.
- E. Coordinate with DOT regarding safety alignment project on Herrington Road.
- F. Provide an amenity package to include, at minimum, a swimming pool and clubhouse designed for residents 55 and older. No playground shall be allowed.
- G. Side and rear setback shall be planted with an equal distribution of evergreen mixture of Cryptomeria and Southern Magnolia in two staggered rows spaced 12-feet on-center. The plant materials shall be a minimum of 6-feet tall at the time of installation. The setback may include the detention facility provided the visible exterior surface that is along Herrington Road is obscured with brick or stacked stone fencing.

- H. Provide an 8-foot high opaque noise barrier wall of Plywall or similar product with noise reduction ability of at minimum Plywall product specifications presented at the Planning Commission meeting on February 21, 2006, along all common property lines with CSE Trucking facility. Materials and design subject to review and approval of the Director of Planning and Development prior to the issuance of a Development Permit.
- I. Provide a 6-foot high wooden fence with brick or stone columns maximum 30-feet on center on the remaining sides of property with materials and design subject to the review and approval of the Director of Planning and Development prior to the issuance of a Development Permit.
- J. All wooden fencing shall be uniformly stained to provide continuity.
- K. At least one 4-inch caliper street tree, planted at a minimum every 35-feet on both sides of the street throughout the development shall be incorporated into the landscape plan. The 4-inch caliper trees shall be a mix of Nuttall Oaks, Willow Oaks, Red Maples, Sugar Maples, Chinese Pistache and Japanese Zelkova.
- L. A notice shall be added to purchaser's closing documents and plat that there are nearby industrial uses that may cause unpleasant noise, light and odors.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: 
Charles E. Bannister, Chairman

Date Signed: 3/13/06

ATTEST:


County Clerk/Deputy County



At a regular meeting of the Municipal-Gwinnett Planning and Zoning Commission held on November 20, 1980 at 9:00 A. M. in the Planning and Zoning Department, public hearing was held on the Zone Change Application for a re-zoning amendment to the Gwinnett County Zoning Resolution adopted June 2, 1970 and map as amended June 9, 1970 of Embry Development Co. from present Zone M-1 to RM-13. Proposed use is Apartment Complex.

SEE ATTACHED DESCRIPTION:

Opposition was _____ voiced or filed on said application. Motion was made by Dana McDowall and Duly seconded by D. H. Keever that the Municipal-Gwinnett Zoning and Planning Commission recommend to the Honorable Board of Gwinnett County Commissioners Approval of the application. Motion was unanimously carried.

Embry Development Co.
3648 Chamblee-Tucker Road
Suite E
Atlanta, GA 30341

Respectfully submitted,

Lewis Brinkley III

A RESOLUTION
COMMISSIONERS OF ROADS AND REVENUES
GWINNETT COUNTY, GEORGIA

WHEREAS, the Municipal-Gwinnett Planning and Zoning Commission has filed a formal recommendation with the Board of Gwinnett County Commissioners upon application of Embry Development Co. for rezoning amendment to rezone a tract of land from M-1 to RM-13 for the proposed use of Apartment Complex and

WHEREAS, Notice to the Public regarding said amendment to Zoning Map and Ordinance has been published in the Home Weekly the official news organ of Gwinnett County, and

WHEREAS, Public Hearing was held in the Office of the Board of County Commissioners on December 23, 1980 and objections were not filed.

THEREFORE, BE IT RESOLVED That the Board of County Commissioners do hereby APPROVE the rezoning from M-1 to RM-13. This is the 23rd day of December, 1980.

BOARD OF GWINNETT COUNTY COMMISSIONERS

Wayne H. Mason

Wayne H. Mason, Chairman



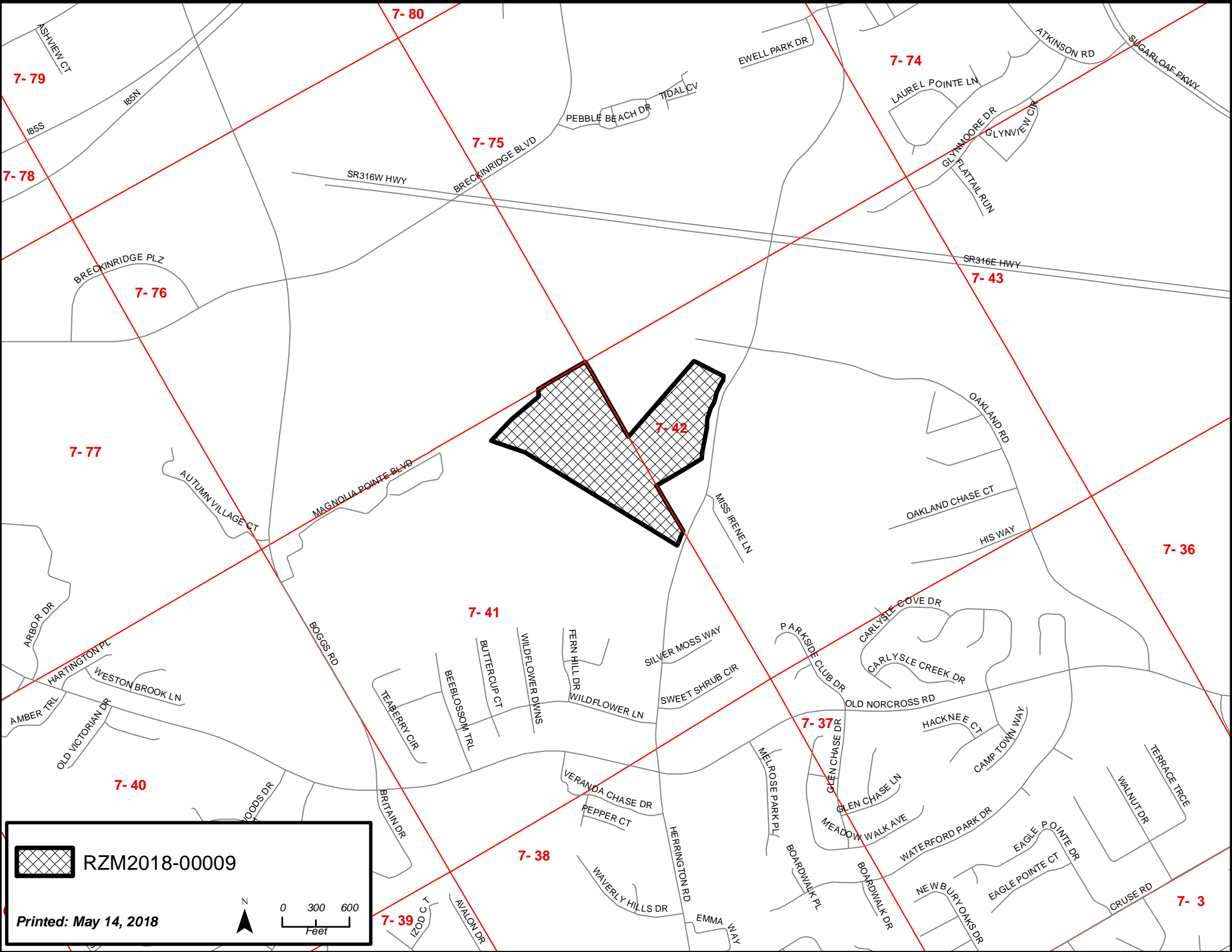
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TYPICAL ELEVATION

RZM '18 00 9

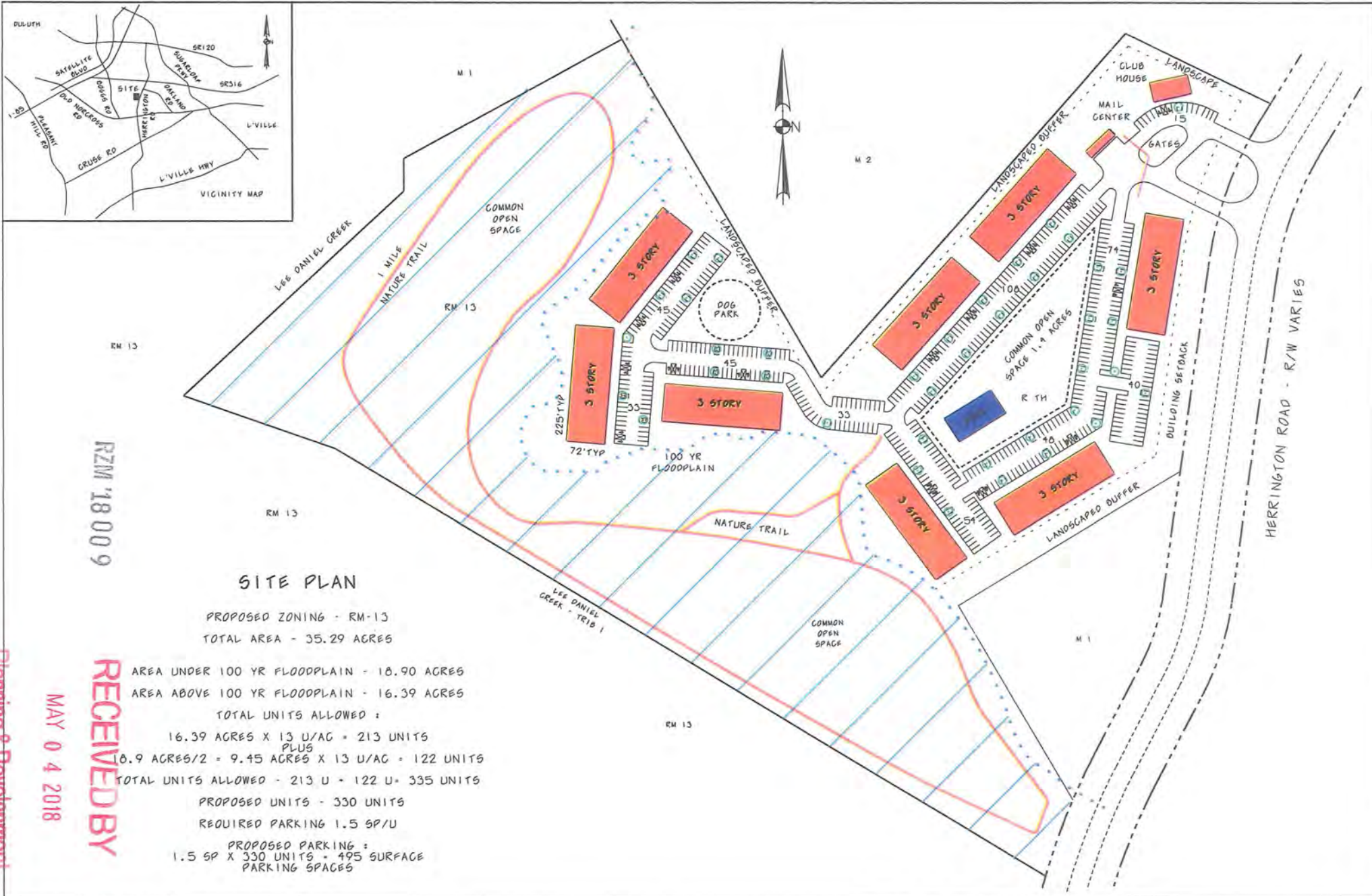
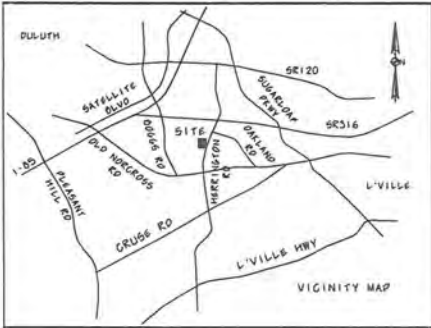


RZM2018-00009



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Printed: May 14, 2018



RZM 18009

SITE PLAN

PROPOSED ZONING - RM-13
 TOTAL AREA - 35.29 ACRES

AREA UNDER 100 YR FLOODPLAIN - 18.90 ACRES
 AREA ABOVE 100 YR FLOODPLAIN - 16.39 ACRES
 TOTAL UNITS ALLOWED :
 16.39 ACRES X 13 U/AC = 213 UNITS
 PLUS
 8.9 ACRES/2 = 9.45 ACRES X 13 U/AC = 122 UNITS
 TOTAL UNITS ALLOWED - 213 U + 122 U = 335 UNITS
 PROPOSED UNITS - 330 UNITS
 REQUIRED PARKING 1.5 SP/U
 PROPOSED PARKING :
 1.5 SP X 330 UNITS = 495 SURFACE
 PARKING SPACES

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RZM2018-00009



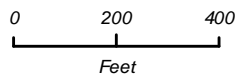
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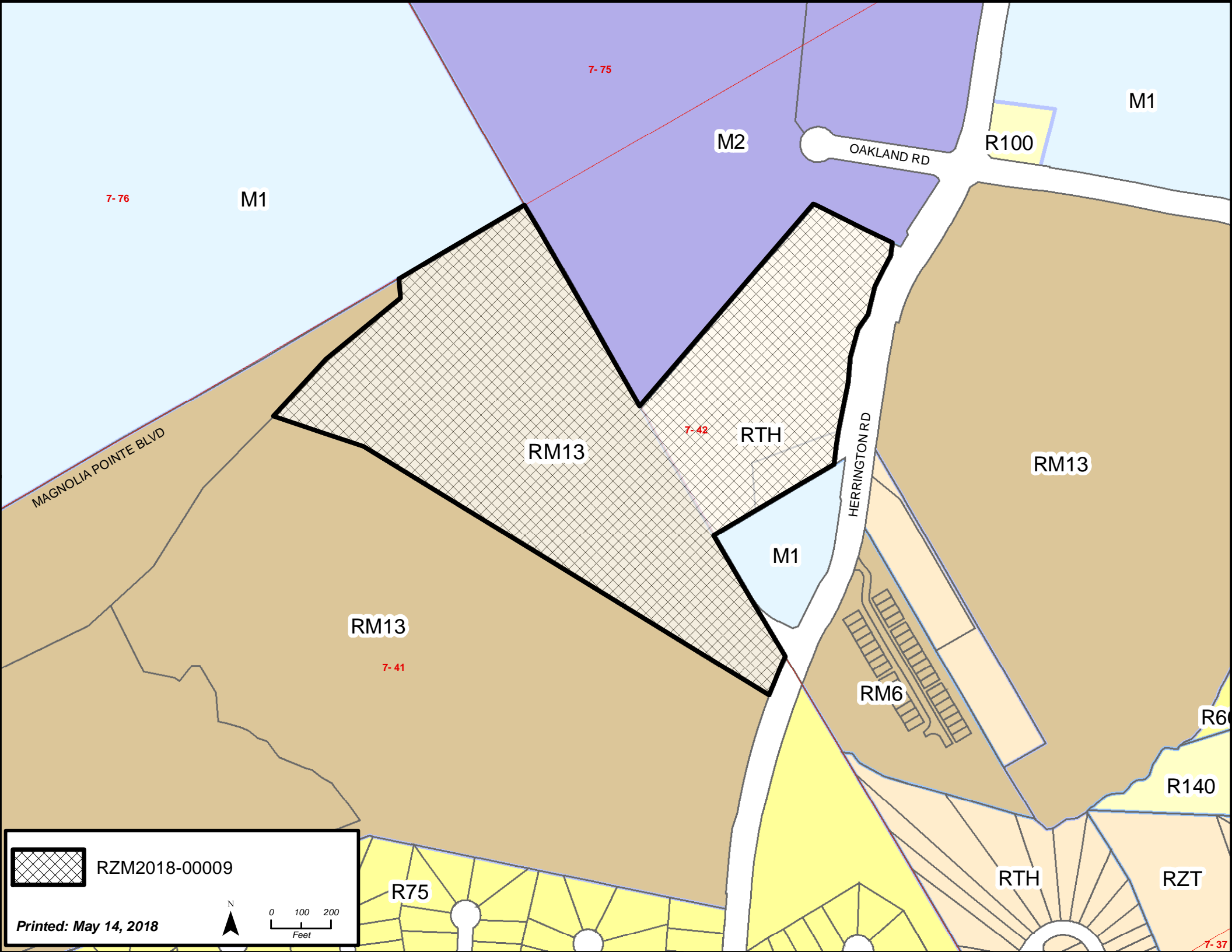
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 RZM2018-00009

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7-76

7-75

M2

M1

M1

R100

OAKLAND RD

MAGNOLIA POINTE BLVD

RM13

7-42

RTH

RM13

M1

HERRINGTON RD


RM13

7-41


RM6

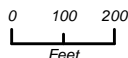
R6

R140

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 0 100 200 Feet

R75

RTH

RZT

7-37

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

CASE NUMBER	: RZM2018-00010
ZONING CHANGE	:O-I TO RM-24
LOCATION	:2300 BLOCK OF SEVER ROAD :INTERSTATE 85
MAP NUMBER	:R7114 236
ACREAGE	:9.96 ACRES
UNITS	:230 UNITS
PROPOSED DEVELOPMENT	:APARTMENTS
COMMISSION DISTRICT	:(1) BROOKS

FUTURE DEVELOPMENT MAP: **PREFERRED OFFICE**

APPLICANT: BRAND PARTNERS, LP
C/O MAHAFFEY PICKENS TUCKER, LLP
1550 NORTH BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACT: SHANE LANHAM PHONE: 770.232.0000

OWNER: M.D. HODGES ENTERPRISES, INC.
30 IVAN ALLEN JR. BOULEVARD NW, SUITE 900
ATLANTA, GA 30308

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant is requesting rezoning of a 9.96-acre parcel from O-I (Office-Institutional District) to RM-24 (Multifamily Residence District) for a 230 unit apartment development, with a density of 23.09 units per acre. The property is located on the west side of Sever Road, between Old Peachtree Road and North Brown Road, and bordered by Interstate 85 to the west. The site is presently undeveloped and heavily wooded, and is located within the Civic Center Overlay District.

The applicant requests 230 units to be located within five separate three to four-story apartment buildings, resulting in a density of 23.09 units per acre. Also proposed are three smaller buildings along the western side of the property to be constructed as garaged with two carriage units per building. Per the site plan, apartments will average 900 square feet per unit. The site plan further indicates amenities to include a leasing office, club room, fitness center, along with outdoor amenities of a pool, fire pits, central parks, and a mail kiosk. A total of 375 surface parking spaces are proposed, which is within the acceptable range of the Gwinnett County Unified Development Ordinance.

Access is proposed via two entrances off Sever Road utilizing existing driveways. Access will require easements across two properties located to the east and to the south of the subject property. Stormwater facilities are already established for the subject and adjoining property, as there is an established easement that extends from the property to the southwest, where there is an existing detention pond on its own tract of land.

ZONING HISTORY:

Originally zoned R-100 (Single-Family District) in 1970, the property was part of an area wide rezoning to O-I (Office-Institutional District) and C-2 (General Business District) in 1975. In 1982, a portion of the property zoned O-I was rezoned to M-I, pursuant to case RZ-145-82. In 1998, the property was rezoned entirely to O-I for a ten story hotel/motel use in conjunction with a larger multi-use development (RZ-98-008, SUP-98-005, & SUP-98-006).

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 County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

This site appears to be heavily wooded and may include specimen trees which are required by UDO Section 630-70 to be preserved. Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a development permit application.

Project access and required improvements along Sever Road will be subject to review and approval of Gwinnett County Department of Transportation

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Sever Road is a Major Collector and 40 feet of right of way is required from the centerline.

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

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

The developer shall be limited to one curb cut.

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

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

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 northeast right of way of Sever Road.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of eight-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 12 feet east of parcel R7114 236 on parcel R7123 056.

The subject development is located within the Patterson service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

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, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

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, Design 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:

No comment.

DEPARTMENT ANALYSIS:

The applicant is requesting rezoning of a 9.96-acre parcel from O-I (Office-Institutional District) to RM-24 (Multifamily Residence District) for a 230 unit apartment development, with a density of 23.09 units per acre. The property is located west of Sever Road, between Old Peachtree Road and North Brown Road, and bordered by Interstate 85 to the west. The site is presently undeveloped and heavily wooded, and is located within the Civic Center Overlay District.

The Gwinnett County 2030 Unified Plan Future Development Map indicates the property is located within the Preferred Office Character Area. This Character Area encourages professional offices and mixed-use development, stressing the protection of areas suitable for office development. The proposed high-density multifamily development may not be compatible with the policies of the 2030 Unified Plan. However, staff believes that the property's location may provide an opportunity for a mixed-use development that incorporates residential and office components.

The area is characterized by predominately office and institutional uses, as the property is surrounded on all sides by properties also zoned O-I. To the north is an office building that includes the University of Georgia Gwinnett Campus. To the east is the Lebanon Baptist Church, which was built in the 1940s and has a documented cemetery on the property. South of the property is an office complex that includes the corporate offices for Sage accounting software, information technology offices, and law offices. To east across Sever Road is the Villages at Huntcrest subdivision, which is zoned RM-10 (Multi-Family Residence District) and was developed with townhouse in 2005. The property is highly visible from Interstate 85 and was previously approved as part of an office and hotel complex development, setting precedent that a mixed-use development may be more appropriate for this location. Additionally, the property requires access to Sever Road through existing office developments, and the addition of multifamily residential traffic may have an undue burden on current developments and uses.

The proposed rezoning for multifamily development may not be compatible with the Preferred Office Character Area nor the policies of the 2030 Unified Plan for protection of office development. Further, the proposed development may not be compatible with the uses found in the area. 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 this petition.

Approval as RM-24 for an apartment complex, subject to the following enumerated conditions:

1. To restrict the use of the property to multifamily residential apartments and accessory uses and structures, not to exceed 230 total units.
2. To satisfy the following site development considerations:
 - A. The development shall abide by all applicable standards of the Unified Development Ordinance, unless otherwise specified in these conditions or through approval of a variance by the Zoning Board of Appeals.
 - B. Buildings shall be constructed as urban-style, flat-roofed buildings, 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.
 - C. Garages or structured parking shall be provided for a minimum of 10 percent of the units.
 - D. Efficiency units shall be prohibited, and the complex shall be limited to a maximum of 10 percent of units as three-bedrooms or larger.
 - E. Provide a 50-foot landscaped buffer adjacent to Lebanon Baptist Church to the east. The buffer shall be enhanced where sparsely vegetated and subject to the review and approval of the Director of Planning and Development.
 - F. The development shall be a gated community, with automated card access gates at all entrances/exits. The access gate system is required to be properly maintained and functional at all times, with any required repairs to be made within one week.
 - G. Natural vegetation shall remain on the property prior to issuance of a Development Permit.
 - H. All disturbed grassed areas shall be sodded.
 - I. All utilities shall be placed underground.
 - J. Ground signage shall be limited to internally-illuminated monument-type sign(s), and shall be subject to review and approval by the Director of Planning and Development.

The sign shall include a minimum 2-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 sign cabinet shall be fully recessed and surrounded by the same materials. Ground signage shall not exceed 8-feet in height.

- K. Dumpster/compactor locations shall be screened by a 100 percent opaque brick or stacked stone wall with an opaque metal gate enclosure.
 - L. In the event of residential tenant eviction, any belongings of the tenant will be placed on an area of the subject property that is not visible from the street right of way unless otherwise required by law.
 - M. 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.
 - N. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
 - O. 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.
3. To abide by the following requirements, dedications, and improvements:
- A. Standard deceleration lane with appropriate taper and adequate right of way will be required.
 - B. The developer shall be limited to one curb cut.
 - C. Prior to the issuance of a Development Permit, a sight distance certification shall be provided.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

A high-density apartment development may not be suitable at this location given that residential developments along Sever Road is limited to single-family subdivisions and townhouses, and prior precedent establishing the area as an office and hotel development.

ADVERSE IMPACTS

Given the office development surrounding the subject property, as well as impacts caused by a strictly high-density residential development, an apartment complex may not be an appropriate use at this location.

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 2030 Unified Plan Future Development Map indicates that the property is located within the Preferred Office Character Area. The Unified Plan encourages office uses and residential uses incorporated into mixed-use developments within this character area. The proposed apartment development may not be appropriate for this character area.

CONDITIONS AFFECTING ZONING

The property is located adjacent to Interstate 85 and adjacent to existing professional office buildings. Given the required access to Sever Road through existing office developments, the addition of multifamily residential traffic may have an undue burden on those current developments and uses.

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

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

- (A) Yes, approval of the proposed development will permit a use that is suitable in view of the use and development of adjacent and nearby property. The subject property is adjacent to two large-scale office developments and is in the vicinity of a wide-ranging mix of uses including commercial, industrial, residential and office uses and is consistent with the character of surrounding development.
- (B) No, approval of the proposed Rezoning Application will not adversely affect the existing use or usability of any of the nearby properties. Rather, the proposed development would complement existing commercial and employment centers.
- (C) In light of the size, location, layout, topography, and natural features of the property and in conjunction with the nature of surrounding development, the Applicant submits that the subject Property does not have reasonable economic use as currently zoned.
- (D) No, the proposed Rezoning Application will not result in an excessive or burdensome use of the infrastructure systems. The subject property has convenient access to Interstate 85 as well as Old Peachtree Road and Sugarloaf Parkway via North Brown Road.
- (E) Yes, the proposed Rezoning Application is in conformity with the policy and intent of the Gwinnett County 2030 Unified Plan. Mixed-use development is specifically encouraged in the Preferred Office Character Area and the proposed development would provide a high-end residential use mixed in with existing office and commercial uses.
- (F) The Applicant submits that the character of surrounding development, the existing mix of land uses in the area, and the fact that the subject property is adjacent to Interstate 85 provide additional supporting grounds for approval of the proposed rezoning.

11ZM 18010

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Matthew P. Benson
 Gerald Davidson, Jr.*
 Brian T. Easley
 Kelly O. Faber
 Mary Grace Griffin
 Christopher D. Holbrook
 Nicholas N. Kemper
 Shane M. Lanham

Austen T. Mabe
 Jeffrey R. Mahaffey
 David G. McGee
 Steven A. Pickens
 Thomas A. Simpson
 Andrew D. Stancil
 R. Lee Tucker, Jr.
 *Of Counsel

**LETTER OF INTENT FOR REZONING APPLICATION OF
 BRAND PARTNERS, LP**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached rezoning application (the “Application”) on behalf of Brand Partners, LP (the “Applicant”) for the purpose of requesting the rezoning of an approximately 9.96 acre tract of land located on the westerly side of Sever Road (the “Property”). The Property is bordered by existing large office developments on its southerly and easterly boundary lines and is adjacent to Interstate 85 to the west and the Interstate 85 northbound exit ramp to Old Peachtree Road on its northerly boundary line. Surrounding office and institutional uses include the Intellicenter building, Lebanon Baptist Church, and the Sage office building. The Property has direct access to Sever Road.

The Applicant is proposing to rezone the Property from O-I to the RM-24 zoning classification of the Gwinnett County Unified Development Ordinance (the “UDO”) in order to accommodate the development and construction of a multifamily residential community. The proposed community would provide approximately 230 units of upscale, luxury multifamily homes anchored by a centrally-located green space that will serve as a focal point and gathering place for residents. The proposed community would also provide various amenities for residents including fire pits, fitness center, pool, and outdoor patio space.

The proposed community is compatible with the policies set forth in the 2030 Unified Plan which acknowledges Interstate 85 as the central spine of Gwinnett County and encourages the development of a mix of uses along its path. Land development patterns along Interstate 85 north of University Parkway (State Route 316) are generally characterized by a dense mix of residential, employment, and commercial uses along the central corridor which transition into single-family residential uses moving to the east and west. The proposed development would complement this existing land-use mix by providing high-end multifamily residences in a walkable environment, though office and employment uses would still dominate the general character of the area.

The proposed community is designed to be integrated with adjacent office uses. Shared driveways on Sever Road would lead to an attractive, landscaped roundabout providing internal access to the development. Further, Policy A.5.1 provides that “[q]uality of life in Gwinnett can be enhanced by making it easier for people to walk through their neighborhoods to and from

Sugarloaf Office || 1550 North Brown Road, Suite 125, Lawrenceville, Georgia 30043

NorthPoint Office || 11175 Cicero Drive, Suite 100, Alpharetta, Georgia 30023

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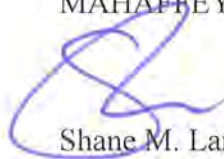
attractions such as local parks, schools, churches, or even neighborhood shopping.” Residents of the proposed community would have direct pedestrian access to adjacent office and institutional uses therefore improving the walkability of the Sever Road and North Brown Road corridors. Residents would also have convenient access to neighborhood shopping in the Shops at Huntercrest shopping center, located just over 1,000 feet to the north along Sever Road, which includes a Publix grocery store and assorted restaurants and retail uses. A wider range of regional shopping, commercial/retail, and entertainment uses are also available just south of the Property at Sugarloaf Mills.

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 Application filed herewith. The Applicant respectfully requests your approval of this Application.

This 4th day of May, 2018.

Respectfully Submitted,

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham

RZM '18 010

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Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, July 2018

Case #	Schools	Current Projections									Proposed Zoning
		2017-18			2018-19			2019-20			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZM2018-00007	Collins Hill HS	3,075	2,625	450	3,044	2,625	419	3,008	2,625	383	9
	Creekland MS	2,174	2,100	74	2,135	2,100	35	2,113	2,100	13	7
	Rock Springs ES	875	1,325	-450	870	1,325	-455	878	1,325	-447	13
RZM2018-00008	Mountain View HS	2,531	2,300	231	2,689	2,300	389	2,729	2,300	429	9
	Twin Rivers MS	1,950	2,150	-200	1,979	2,150	-171	2,009	2,150	-141	6
	Patrick ES	770	1,025	-255	785	1,025	-240	809	1,025	-216	12
RZM2018-00009	Discovery HS	2,829	2,000	829	2,942	2,000	942	3,001	2,000	1,001	53
	Richards MS	2,184	1,575	609	2,228	1,575	653	2,272	1,575	697	38
	Baggett ES	1,218	1,125	93	1,242	1,125	117	1,267	1,125	142	74
RZM2018-00010	Peachtree Ridge HS	3,312	3,050	262	3,378	3,050	328	3,446	3,050	396	37
	Northbrook MS	1,033	1,025	8	1,059	1,025	34	1,085	1,025	60	26
	Jackson ES	1,549	1,475	74	1,588	1,475	113	1,627	1,475	152	52
RZM2018-00011	Mountain View HS	2,531	2,300	231	2,689	2,300	389	2,729	2,300	429	11
	Twin Rivers MS	1,950	2,150	-200	1,979	2,150	-171	2,009	2,150	-141	8
	Dyer ES	866	1,175	-309	883	1,175	-292	901	1,175	-274	16
RZR2018-00015	Dacula HS	2,138	2,550	-412	2,202	2,550	-348	2,268	2,550	-282	6
	Dacula MS	1,636	1,900	-264	1,685	1,900	-215	1,736	1,900	-164	5
	Dacula ES	1,150	1,550	-400	1,162	1,550	-388	1,179	1,550	-371	9
RZR2018-00017	Peachtree Ridge HS	3,312	3,050	262	3,378	3,050	328	3,446	3,050	396	87
	Hull MS	1,279	1,750	-471	1,298	1,750	-452	1,318	1,750	-432	62
	Parsons ES	737	700	37	722	700	22	729	700	29	122

Current projections do not include new developments

CASE NUMBER RZ-98-008

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>
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

M-1, R-100 to O-I
by M. D. HODGES ENTERPRISES, INC. for the proposed use of
OFFICE PARK/HOTELS 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 MARCH 24, 1998, and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 24TH day of MARCH, 1998, that the aforesaid application to amend the Official Zoning Map from M-1, R-100 to O-I is hereby APPROVED as O-I with Special Use Permits for two hotels and building height increases subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Office and accessory uses which may include two hotels and buildings up to 10 stories in height. The gross square footage shall not exceed 1,035,000 square feet.
 - B. Hotel development shall be limited to no more than two hotels. The hotel(s) shall be a minimum of six stories and shall not contain any in-room, apartment type ovens or dishwashers; provided, however, that the hotel(s) may be less than six stories in height upon approval of the type of hotel and the proposed site plan by the Planning Commission. There shall be at least one office site between the southernmost boundary of Tract 2 and the first hotel site.

2. To satisfy the following site development considerations:
 - A. Provide a 25-foot wide natural buffer, undisturbed except for approved perpendicular access and utility crossings and replantings where sparsely vegetated, adjacent to residentially zoned property.
 - B. Provide a 25-foot wide natural buffer adjacent to the right-of-way of I-85. The buffer may be converted to a landscaped strip subject to submission to the Department of Planning and Development of an acceptable landscape design and enhancement plan.
 - C. Provide a 50-foot wide landscaped strip adjacent to the church property on Sever Road.
 - D. Buildings shall be finished with architectural treatments of glass, brick, stone, or stucco; or architectural pre-cast concrete, subject to the review and approval of the Director of Planning and Development.
 - E. All development under consideration (RZ-98-002 through RZ-98-012 and SUP-98-001 through SUP-98-008) shall conform to a unified development design plan to be incorporated into recorded covenants governing the overall development. This plan shall govern architectural design and exterior finish materials, signage and landscaping, and shall be submitted for review and approval of the Director of Planning and Development prior to the issuance of a development permit on any part of the project.
 - F. All ground signage shall be limited to monument-type design.
 - G. Natural vegetation shall remain on the property until the issuance of a development permit.
 - H. Provide ten-foot wide landscaped strips outside the dedicated rights-of-way of all road frontages.

- I. Provide five-foot wide landscaped strips adjacent to all internal property lines.
 - J. No billboards shall be permitted.
 - K. No outdoor storage shall be allowed.
 - L. Provide interparcel access throughout the development, and as required by the Development Division.
 - M. Dumpsters shall be screened by a fence or wall.
 - N. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property.
 - O. Provide landscaped islands throughout the parking areas. At a minimum, landscaped islands shall consist of a 100-square foot planted area per eighteen (18) spaces of double row parking with a 100-square foot planted area at the end of each row. These landscaped islands shall be a minimum of five feet in height at the time of planting.
 - P. Maintain and upgrade the existing lakes on the property as shown on the Master Plan of the Old Peachtree Road Tract East Side prepared by Hughes, Good, O'Leary & Ryan and dated October 2, 1997 (last revised January 9, 1998).
3. To abide by the following requirements, dedications and improvements:
- A. Dedicate, at no cost to Gwinnett County or the State of Georgia, the following:
 - 1. 40-Feet of right-of-way from centerline of Sever Road and 50-feet from centerline within 500 feet of an intersection; and
 - 2. 50-feet of right-of-way from centerline of Old Peachtree Road, North Brown Road, and 60-feet from centerline within 500 feet of an intersection.

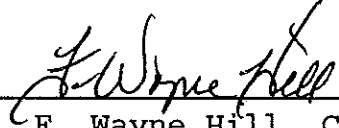
- B. Dedicate, at no cost to Gwinnett County, right-of-way and easements for the North Brown Road Extension, as per plans on file with Gwinnett County Department of Transportation. Right-of-way dedication shall include adequate right-of-way for a four lane divided median roadway with intersection turn lanes.
- C. Reserve right-of-way and easements for the proposed I-85 collector-distributor system, including the interchange reconfiguration at Old Peachtree Road and I-85 as per the proposed plans on file with the Georgia Department of Transportation.
- D. The number, location and design of all entrances/exits shall be subject to the review and approval of the Gwinnett County Department of Transportation.
- E. Contribute 100% of the cost of signalization at the following intersections: North Brown Road/Sever Road and North Brown Road Extension/Old Peachtree Road. Each intersection shall be limited to an amount not to exceed \$60,000. Contributions shall occur prior to issuance of a development permit on any tract abutting an affected intersection.
- F. Contribute 50% of the cost of intersection improvements at the intersection of Old Peachtree Road and Dean Road, to include a left-turn lane onto Old Peachtree Road and a right-turn lane onto Dean Road and signal upgrades as may be required by the Gwinnett DOT, in an amount not to exceed \$70,000. Contribution shall occur when development exceeds 700,000 square feet of office and/or commercial development (or any combination thereof), or 300 hotel rooms.
- G. When development exceeds 700,000 square feet of office or commercial development (or any combination thereof), or 300 hotel rooms; design, dedicate right-of-way and easements and construct intersection improvements at the North Brown Road/Sever Road intersection, to include left-turn lanes on all approaches.

- H. If Sever Road at Old Peachtree Road is limited to right-in/right-out operation due to the Georgia DOT's planned interchange reconfiguration at Old Peachtree Road and I-85, provide an additional left-turn lane at North Brown Road Extension and Old Peachtree Road. If Sever Road at Old Peachtree Road remains full access, make necessary intersection improvements which are to include left turn lanes on all approaches and contribute 50% of the cost of signal upgrades at this intersection as may be required by the Gwinnett DOT in an amount not to exceed \$20,000.
- I. At the time of issuance of a development permit, design and construct one additional lane on each side of existing North Brown Road from the project's southern boundary to its intersection with Sever Road.
- J. At the time of issuance of a development permit, design and construct an additional lane along property frontage on Old Peachtree Road between Sever Road and North Brown Road Extension.
- K. At the time of issuance of a development permit, provide, at a minimum, five-foot wide sidewalks per specifications of the Gwinnett County Development Regulations along both sides of North Brown Road, and Sever Road, and all internal roads, and along the property frontage of Old Peachtree Road. Adjacent to North Brown Road construct an 8-foot wide multi-use path on one side of the road.
- L. Provide a pedestrian and bicycle access plan, covering the entire project, for the review and approval of the Department of Planning and Development prior to the issuance of a development permit on the site.

CASE NUMBER RZ-98-008


- M. Design of the project shall incorporate designated bus/van drop-off and pick-up locations and electric recharging facilities for alternative-fueled vehicles. Final design and location of these facilities shall be subject to review and approval of the Planning and Development Department.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: 
F. Wayne Hill, Chairman

Date Signed: 4-20-98

ATTEST:


Deputy Clerk



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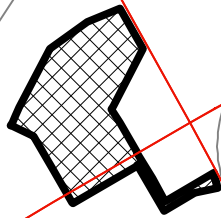
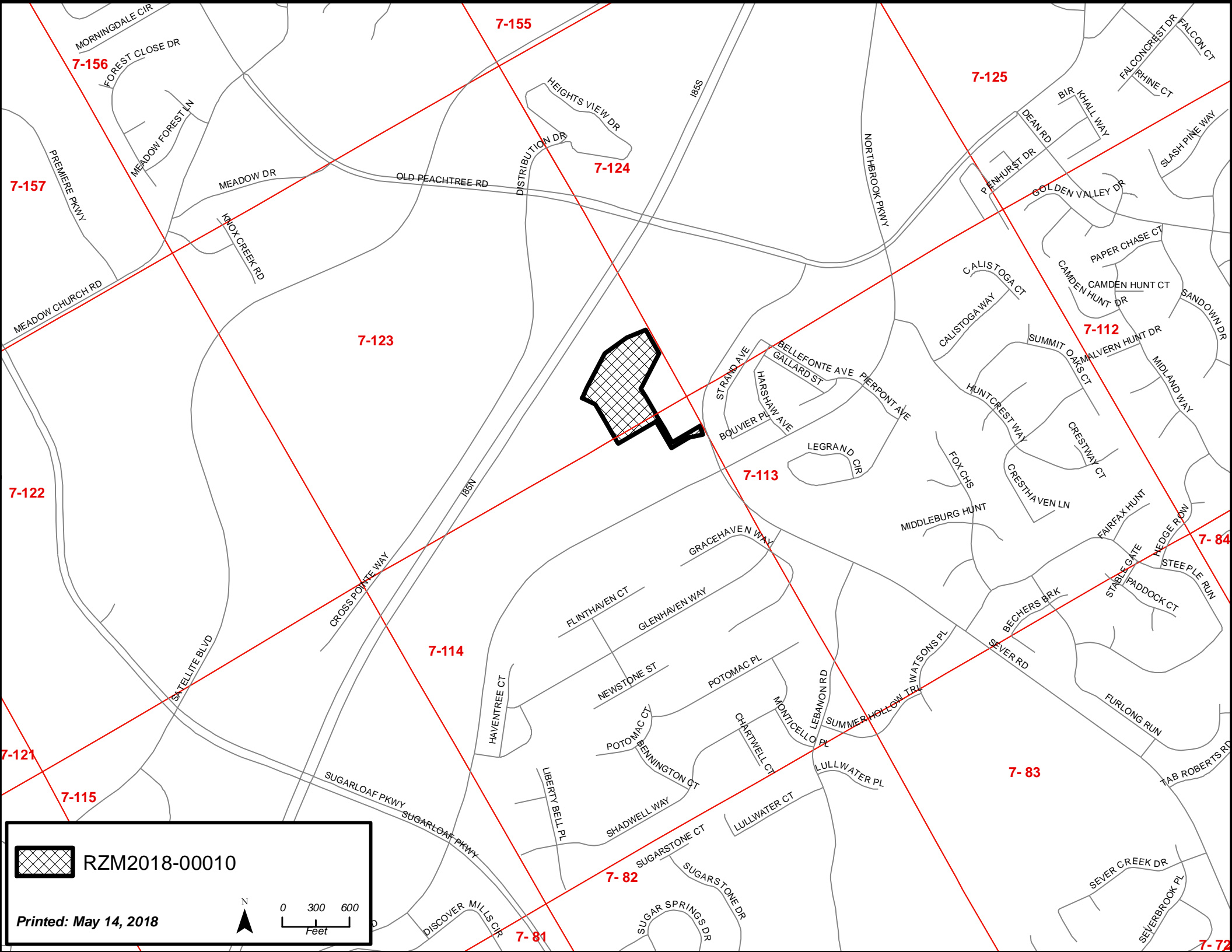
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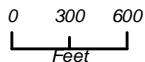


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Printed: May 14, 2018



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Overall Site Plan

Sever Road - Gwinnett County, GA



BRAND PROPERTIES | 3.26.2018

MAY 04 2018

NILES BOLTON ASSOCIATES

RZM '18 010

Planning & Development

Conceptual Site Plan

Sever Road - Gwinnett County, GA





I85S


I85N

SEVER RD

STRAND AVE

BOUVIER PL

N BROWN RD


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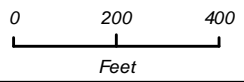
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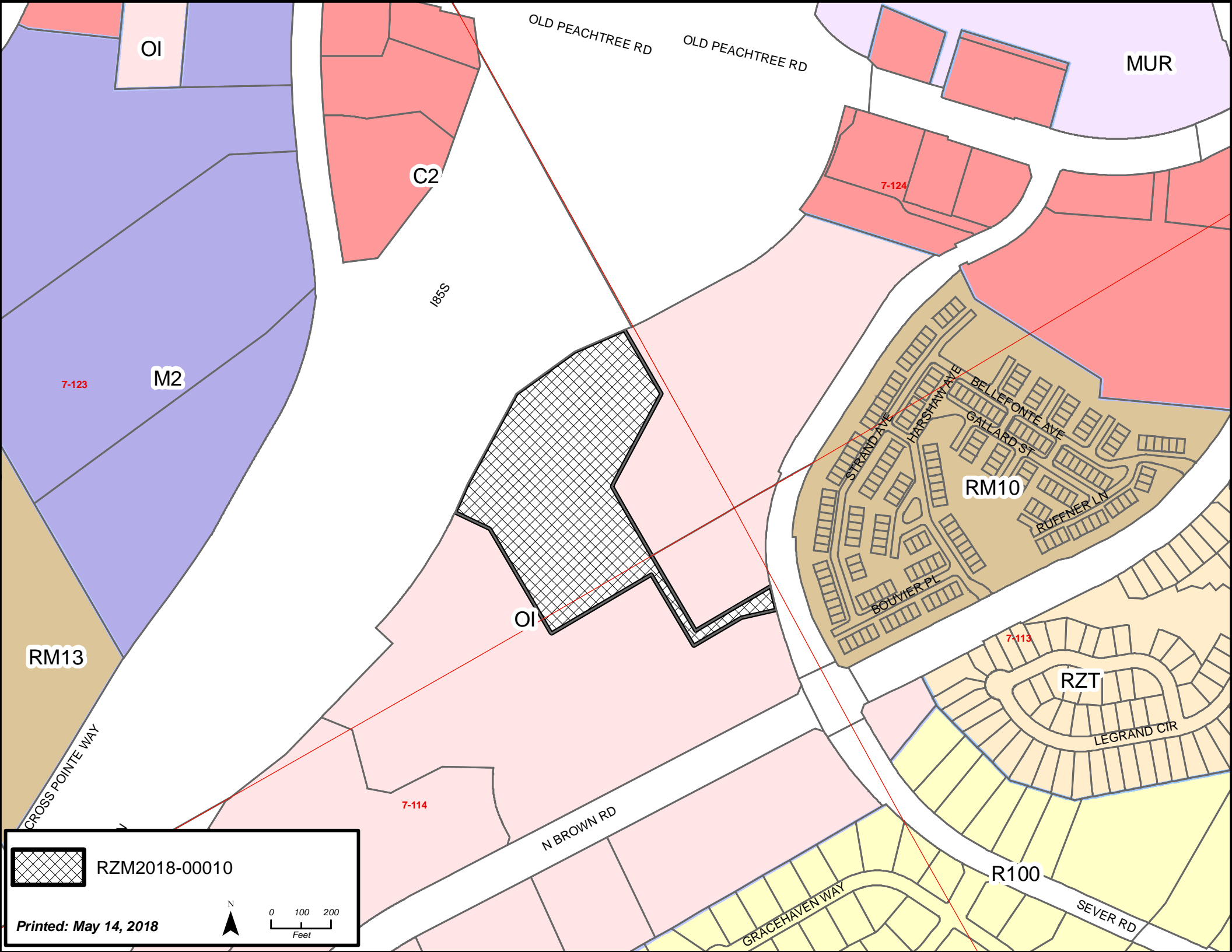
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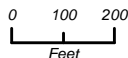




 RZM2018-00010

Printed: May 14, 2018

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 0 100 200 Feet

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

CASE NUMBER :RZM2018-00011
ZONING CHANGE :R-100 TO R-TH
LOCATION :1900 BLOCK OF PUCKETTS DRIVE
MAP NUMBER :R6062 007
ACREAGE :4.47 ACRES
UNITS :35 UNITS
PROPOSED DEVELOPMENT :TOWNHOUSES (BUFFER REDUCTION)
COMMISSION DISTRICT :(2) HOWARD

FUTURE DEVELOPMENT MAP: **CORRIDOR MIXED USE**

APPLICANT: CASGWYN CONSTRUCTION, LLC
295 S. CULVER STREET, SUITE D
LAWRENCEVILLE, GA 30046

CONTACT: TRACEY MASON PHONE: 770.963.6909

OWNER: REALESTATE REMARKETING, LLC
474 N. RIVER DRIVE
LILBURN, GA 30047

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant is requesting rezoning from R-100 (Single-Family Residence District) to R-TH (Single-Family Residence Townhouse District) for a 35-unit townhome development. The 4.47-acre property is located on the west side of Pucketts Drive north of its intersection with Stone Mountain Highway. A single-family residence is currently located on the site.

The proposed 35 units would result in a gross and net density of 7.83 units per acre, as the property contains no flood hazard areas or major utility transmission easements. Access to the site is proposed from a single entrance driveway along Pucketts Drive. The required 50-foot landscaped setback along Pucketts Drive has been shown on the site plan. No recreational amenities have been proposed as part of this application.

The minimum heated floor area is proposed to be 1,600 square feet. The elevations submitted show that each unit would have a two-car garage. According to the letter of intent, front facades would consist of a combination of brick, stone, wood, or fiber-cement siding with the sides and rear being constructed with fiber-cement siding only.

A 35-foot landscape buffer is shown along the southern and eastern property lines adjacent to property zoned R-100. The County requires buffers to be undisturbed; therefore, the grading

and replanting of this buffer would be considered a buffer reduction request. A stormwater detention pond is proposed to be located along the northeastern portion of the property.

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 County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a development permit application.

Section 210-50.20 of the Unified Development Ordinance requires submittal of a concept plan for review and approval of the Development Division prior to submittal and acceptance of a development permit application.

Project access and required improvements along Pucketts Drive will be subject to review and approval of Gwinnett County Department of Transportation.

Five-foot wide sidewalks are required along all exterior roadways (Pucketts Drive) adjoining the project (UDO 900-90.1).

Four-foot wide sidewalks are required adjacent to both sides of all interior streets.

Section 610-20.4B of the Unified Development Ordinance requires an additional 5-foot setback for all structures (parking lots, driveways, detention ponds, retaining walls, etc.) adjacent to required buffers.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Pucketts Road is a Local Street and 30 feet of right of way is required from the centerline.

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

The developer shall be limited to one curb cut.

The project entrance shall align with opposing roads or driveways in accordance with the Gwinnett County Unified Development Ordinance.

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

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

Dead end streets shall terminate in a cul-de-sac as per the Unified Development Ordinance.

A 5-foot sidewalk shall be installed along the frontage of Pucketts Road.

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 northeast right of way of Pucketts Drive.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of eight-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located on parcel R6062 007 property line.

The subject development is located within the Pole Bridge service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

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, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject 4.47-acre property is located on the west side of Pucketts Drive north of its intersection with Stone Mountain Highway. The applicant is requesting rezoning from R-100 (Single-Family Residence District) to R-TH (Single-Family Residence Townhouse District) for a 35-unit townhome development. The property is sparsely wooded and a single-family residence is located on the site.

The 2030 Unified Plan Future Development Map indicates the property is located within a Corridor Mixed-Use Character Area. Policies for this character area encourage a mixture of uses both horizontally and vertically. Although policies for this character area encourage higher density residential developments, those developments should be located along corridors and as part of mixed use and planned developments. Policies of Unified Plan recommend infill housing should be of like character with the existing area, however the proposed townhomes may not be compatible with the existing residential uses in the area.

This segment of Pucketts Drive is characterized by homes on large lots and detached low-density single-family residences, with commercial development along Stone Mountain Highway. North and west of the property is the Parker Court industrial park zoned M-1 (Light Industry District). This industrial park is accessed primarily from Stone Mountain Highway with minor access along Pucketts Drive and located within the Stone Mountain Highway commercial corridor. The remainder of the area is single-family residences zoned R-100, including the Mountain Villa and Parker Woods subdivisions. The few higher density RM (Multi-Family Residence District) and RMD (Multi-Family Residence District (Duplexes)) residential zonings in the area are located closer to the intersection with Stone Mountain Highway and developed as duplexes. This project located away from the Stone Mountain Highway corridor, would be out of character with the development pattern along this segment of Pucketts Drive.

The introduction of a townhome development may not be compatible with the housing types and densities of the residential developments along this segment of Pucketts Drive or the policies of the Unified Plan for this character area and as an infill use. 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 R-TH for a townhouse development, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Attached townhome dwellings and accessory uses not to exceed 35 units for a maximum density of 7.83 units per acre.
 - B. Townhome buildings shall be constructed of brick and/or stacked stone on all four sides with minor treatments (i.e., gables, bay windows, chimneys) of fiber-cement siding or shake. The use of vinyl siding is prohibited. 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 1,600 square feet.
 - D. All units shall have at least a double-car garage.
2. To satisfy the following site development considerations:
 - A. The site shall be developed in a manner that limits the number of stub streets to one and locates the townhomes adjacent to property lines and buffer areas in order to create a center common area within the development. Stormwater detention shall be located central to the development and designed in a manner to be utilized as an amenity for the development (i.e. bioretention) A revised concept plan shall be submitted to the review and approval of the Director of Planning and Development that meets all the conditions listed herein.
 - B. 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:
 - i. Exterior home maintenance to include roofing and painting.
 - ii. All grounds and common area maintenance, including detention facilities.
 - iii. Fence/wall maintenance to include the requirement that any graffiti shall be repaired and repainted within 72 hours.

- C. Provide a minimum 35-foot wide planted buffer adjacent to residentially-zoned properties. Supplemental buffer plantings shall be subject to review and approval by the Development Division. Townhome buildings shall maintain an additional 15-foot setback from the established buffer line.
- D. Provide a minimum 50-foot landscaped buffer along the Pucketts Drive frontage. The frontage and project entrance shall be landscaped by the developer and maintained by the Homeowners Association. Entrance shall include a decorative masonry entrance feature. A solid brick wall or wrought iron fence with brick columns every 30 feet shall be provided for the entire length of the frontage along Pucketts Drive. Landscaping, entrance feature, and fencing plans shall be subject to review and approval of the Director of Planning and Development.
- E. All grassed areas shall be sodded.
- F. All utilities shall be placed underground.
- G. Natural vegetation shall remain on the property until the issuance of a development permit.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The character along Pucketts Drive is predominately low density, single-family subdivisions zoned R-100. The proposed R-TH zoning and higher density attached housing may not be compatible with the existing residential developments in the surrounding area.

ADVERSE IMPACTS

Potential adverse impacts on nearby residential properties could be anticipated due to the introduction of an incompatible density and housing type.

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, stormwater 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 a Corridor Mixed-Use Character Area. Policies for this character area encourage a mixture of uses both horizontally and vertically. Although policies for this character area encourage higher density residential developments, the proposed attached housing could be considered out of character with the existing neighboring developments along Pucketts Drive, which are lower density detached housing. While this character area could support higher density residential developments these projects should be along corridors, not in established residential areas.

CONDITIONS AFFECTING ZONING

Even though industrial uses and housing are located along the Stone Mountain Highway corridor, the existence of those developments may not justify expanding higher density housing outside of the Stone Mountain Highway corridor. This location, separated from the major corridor, may not be suitable for higher density residential development.

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:

This townhome development serves as a transitional use between the industrial property to the north and to the west and the less dense residential property to the south.

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

This property currently contains a single family home and vacant land which the owner understands will be developed. We do not anticipate that this townhome neighborhood will adversely affect the industrial property to the north and west or the residential property to the south, as we have approached those homeowners who are not opposed to this development.

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

This property is not likely to be marketable as a single family residence given the surrounding property zoned light industrial.

- (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:

Although the proposed rezoning will not create a more intense use than a single family home, this area located so close to Highway 78 and its commercial nodes is equipped to handle this type of use.

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

It appears that this property is sandwiched in between Corridor Mixed Use and Community Mixed Use on the Land Use Plan, and as such, we submit that this property is appropriate for an R-TH zoning.

- (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:

We submit that development patterns in this area create an appropriate environment for an R-TH zoning at this location.

LETTER OF INTENT
FOR
REZONING APPLICATION OF
CASGWYN CONSTRUCTION, LLC

May 4, 2018

Gwinnett County Department of Planning and Development
One Justice Square
446 West Crogan Street
Lawrenceville, GA 30046

RE: Rezoning Application of Casgwyn Construction LLC; concerning
property located at 1949 Pucketts Road, SW; Gwinnett County, GA

Dear Planning Department:

I am writing to you on behalf of Casgwyn Construction, LLC ("Casgwyn") who is the Applicant in the above-referenced case. The Applicant is respectfully requesting your approval to rezone the subject property from its current R-100 (Single Family Residence District) zoning classification to R-TH (Single Family Townhouse Residence District) in order to construct townhomes at this location. This parcel contains approximately 4.47 acres, and we are proposing thirty-five (13) two-story townhomes, each containing a minimum of 1,600 heated s.f. The resulting gross and net density would be 7.83 units per acre. As you will see from the enclosed elevations, we are proposing architectural treatments for the fronts of the homes of brick, stacked stone, and hardiplank siding or hardiplank shingles with hardiplank siding on the remaining sides.

We submit that R-TH at this location serves as a transition between the industrial uses bounding this property to the north and west and the less intense residential use to the south. Further, we believe that an R-TH neighborhood is appropriate here in light of its proximity to Highway 78.

Please do not hesitate to contact me to answer any questions or provide additional information. We are also happy to meet with any of you at your convenience.

Thank you again for your time and attention to this matter.

Sincerely,

TRACEY D. MASON, LLC



By: Tracey D. Mason
Attorney for Applicant/Owner Casgwyn

RZM '18 011

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MAY 04 2018

cc: Casgwyn Construction LLC

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CHELSY-A

ALYSON-B

CHELSY-B

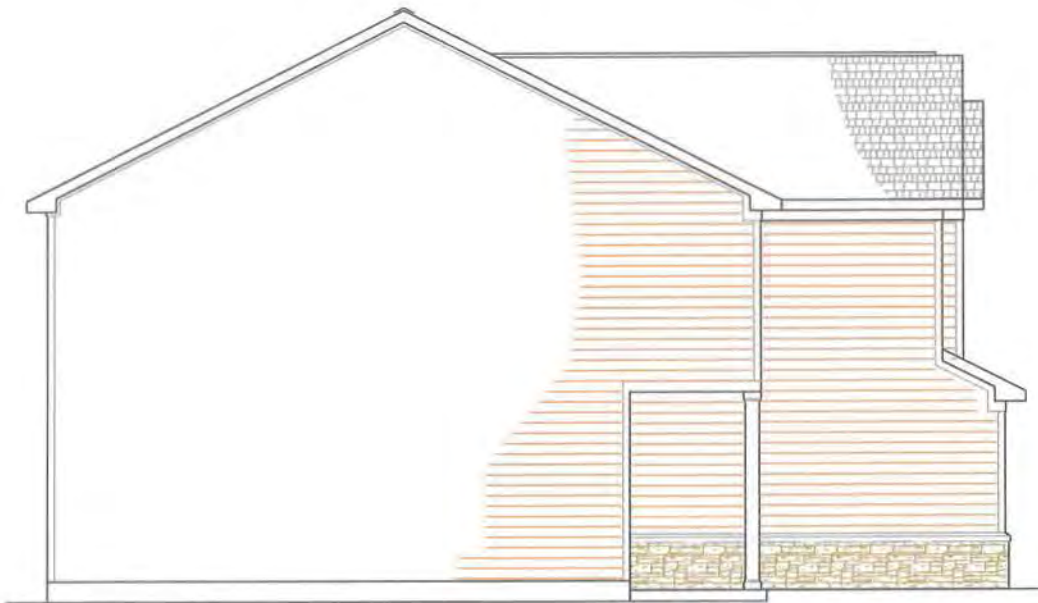
ALYSON-A

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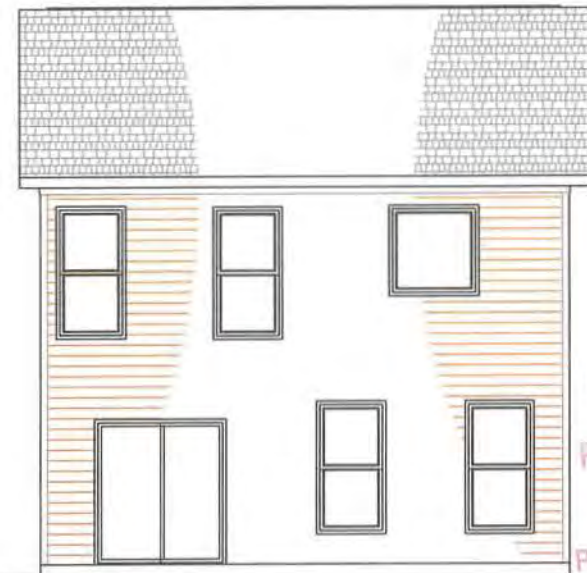
LEFT SIDE ELEVATION



FRONT ELEVATION



RIGHT SIDE ELEVATION



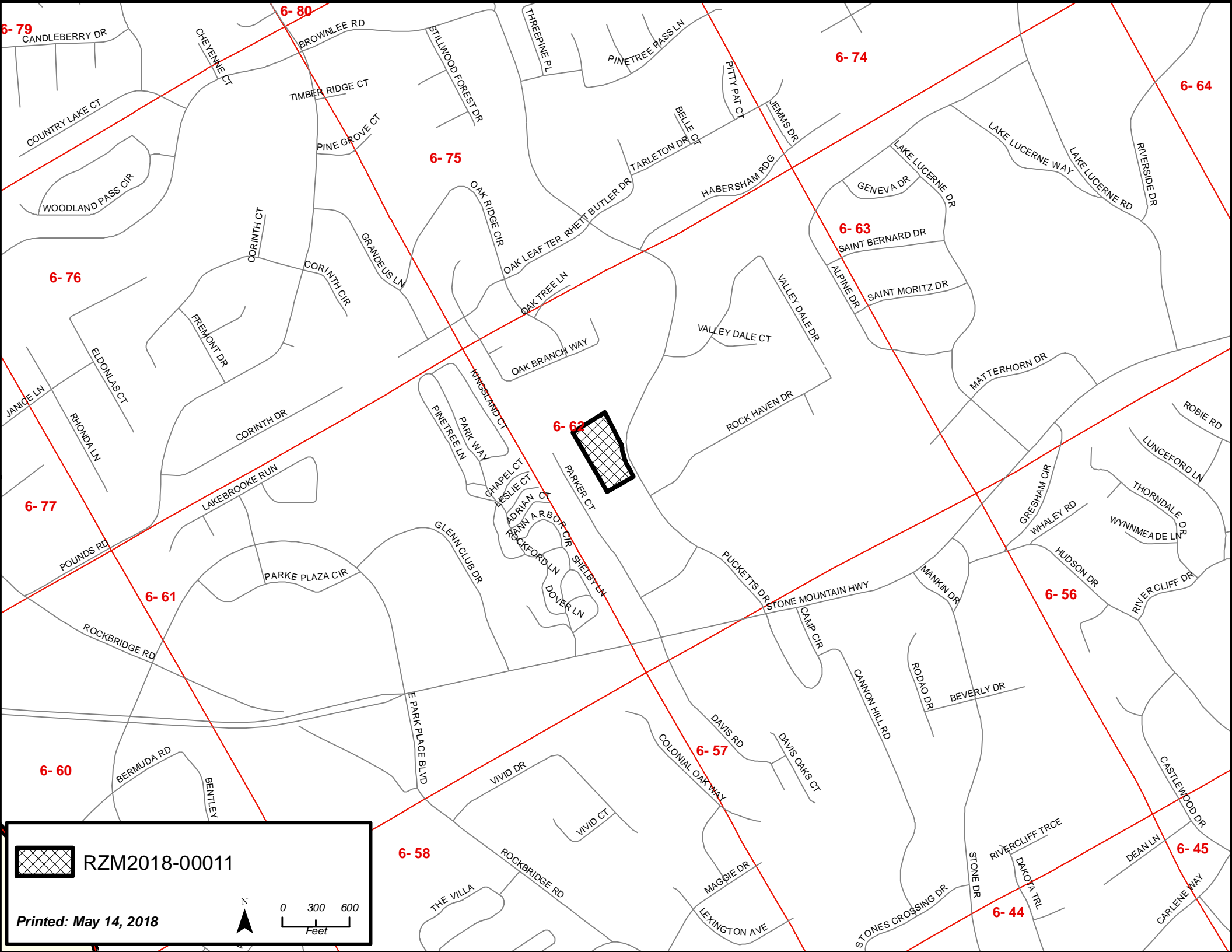
REAR ELEVATION

RZM 18011
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Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, July 2018

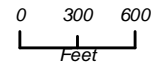
Case #	Schools	Current Projections									Proposed Zoning
		2017-18			2018-19			2019-20			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZM2018-00007	Collins Hill HS	3,075	2,625	450	3,044	2,625	419	3,008	2,625	383	Approximate additional Student Projections from Proposed Developments
	Creekland MS	2,174	2,100	74	2,135	2,100	35	2,113	2,100	13	
	Rock Springs ES	875	1,325	-450	870	1,325	-455	878	1,325	-447	
RZM2018-00008	Mountain View HS	2,531	2,300	231	2,689	2,300	389	2,729	2,300	429	9
	Twin Rivers MS	1,950	2,150	-200	1,979	2,150	-171	2,009	2,150	-141	6
	Patrick ES	770	1,025	-255	785	1,025	-240	809	1,025	-216	12
RZM2018-00009	Discovery HS	2,829	2,000	829	2,942	2,000	942	3,001	2,000	1,001	53
	Richards MS	2,184	1,575	609	2,228	1,575	653	2,272	1,575	697	38
	Baggett ES	1,218	1,125	93	1,242	1,125	117	1,267	1,125	142	74
RZM2018-00010	Peachtree Ridge HS	3,312	3,050	262	3,378	3,050	328	3,446	3,050	396	37
	Northbrook MS	1,033	1,025	8	1,059	1,025	34	1,085	1,025	60	26
	Jackson ES	1,549	1,475	74	1,588	1,475	113	1,627	1,475	152	52
RZM2018-00011	Mountain View HS	2,531	2,300	231	2,689	2,300	389	2,729	2,300	429	11
	Twin Rivers MS	1,950	2,150	-200	1,979	2,150	-171	2,009	2,150	-141	8
	Dyer ES	866	1,175	-309	883	1,175	-292	901	1,175	-274	16
RZR2018-00015	Dacula HS	2,138	2,550	-412	2,202	2,550	-348	2,268	2,550	-282	6
	Dacula MS	1,636	1,900	-264	1,685	1,900	-215	1,736	1,900	-164	5
	Dacula ES	1,150	1,550	-400	1,162	1,550	-388	1,179	1,550	-371	9
RZR2018-00017	Peachtree Ridge HS	3,312	3,050	262	3,378	3,050	328	3,446	3,050	396	87
	Hull MS	1,279	1,750	-471	1,298	1,750	-452	1,318	1,750	-432	62
	Parsons ES	737	700	37	722	700	22	729	700	29	122

Current projections do not include new developments



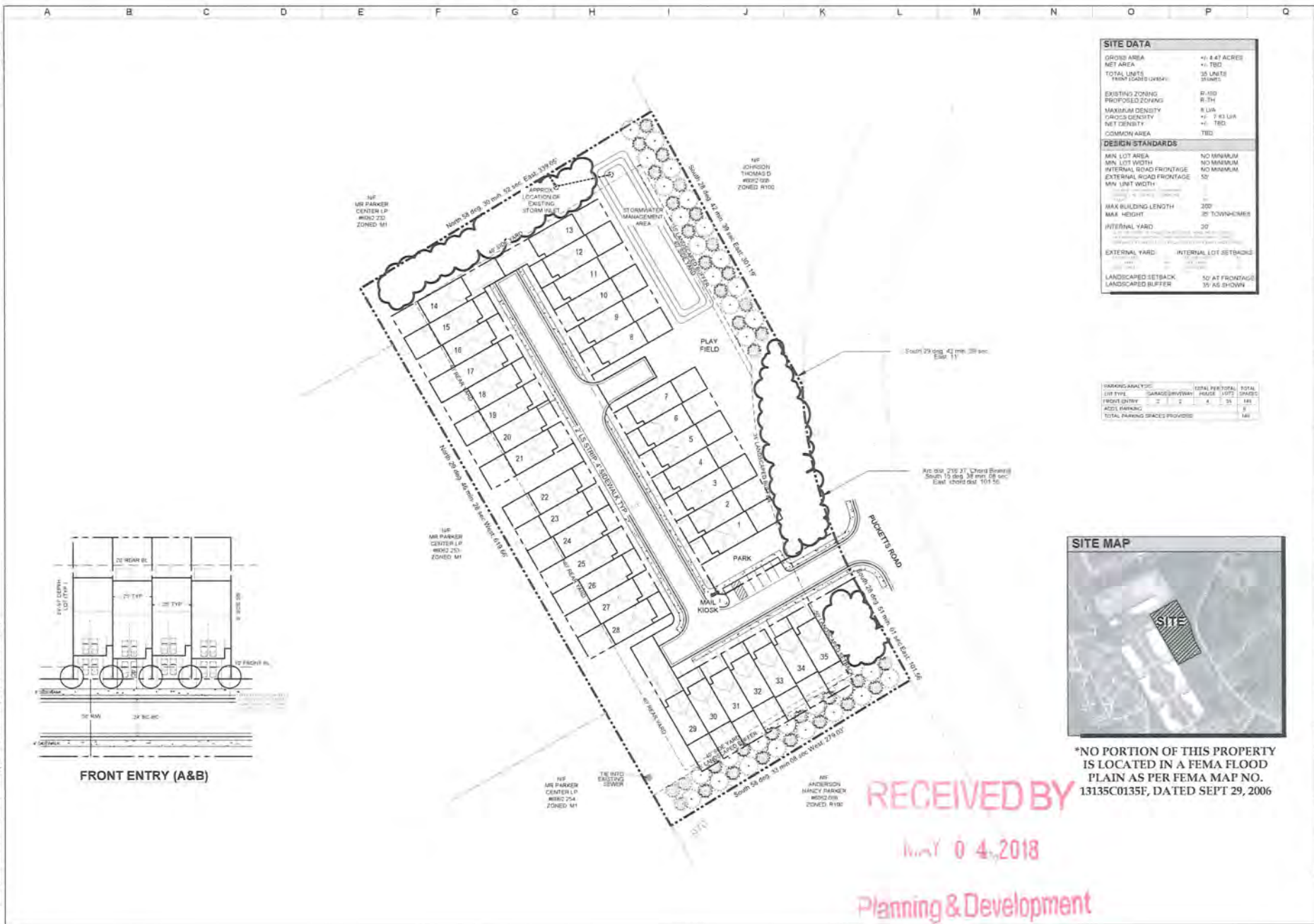
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Project Name: 18011 - 18011

Project Name: 18011 - 18011



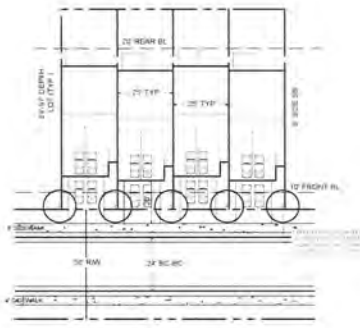
SITE DATA	
GROSS AREA	+/- 4.47 ACRES
NET AREA	+/- TBD
TOTAL UNITS	35 UNITS
FEET LOADS (UNITS)	3 UNITS
EXISTING ZONING	R-410
PROPOSED ZONING	R-TH
MAXIMUM DENSITY	8 LU/A
ZONING DENSITY	+/- 1.43 LU/A
NET DENSITY	+/- TBD
COMMON AREA	TBD
DESIGN STANDARDS	
MIN LOT AREA	NO MINIMUM
MIN LOT WIDTH	NO MINIMUM
INTERNAL ROAD FRONTAGE	NO MINIMUM
EXTERNAL ROAD FRONTAGE	50'
MIN UNIT WIDTH	50'
MAX BUILDING LENGTH	200'
MAX HEIGHT	35' TOWNHOMES
INTERNAL YARD	30'
EXTERNAL YARD	INTERNAL LOT SETBACKS
LANDSCAPED SETBACK	50' AT FRONTAGE
LANDSCAPED BUFFER	30' AS SHOWN

PARKING ANALYSIS			
LOT TYPE	GARAGE/DRIVEWAY	TOTAL PER TOTAL	TOTAL SPACES
FRONT DRIVE	2	2	33
ADJ. PARKING	2	2	141
TOTAL PARKING SPACES PROVIDED			174



*NO PORTION OF THIS PROPERTY IS LOCATED IN A FEMA FLOOD PLAIN AS PER FEMA MAP NO. 13135C0135F, DATED SEPT 29, 2006

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FRONT ENTRY (A&B)

ALLIANCE
 ENGINEERING-PLANNING
 LANDSCAPE ARCHITECTURE
 CIVIL ENGINEERING • LAND PLANNING • LANDSCAPE ARCHITECTURE
 4815 HIGH ROAD, SUITE 100
 SAN ANTONIO, TEXAS 78217
 WWW.ALIANCEPA.COM

Site Construction Plans for
 PUCKETT'S ROAD SW
 ADDRESS
 L.L. XXX - DISTRICT XX
 XXX COUNTY, XXXXX

Date: 1/16/19
 Drawn by: J. [Name]
 Checked by: TMM
 Project #: PL-18011

NORTH
 Scale: 1" = 40'
 40'

CONCEPT PLAN
 DATED 1-16-19

18011



LESLIE CT

PARKER CT

PUCKETTS DR

ROCK HAVEN DR



RZM2018-00011



0 50 100
Feet

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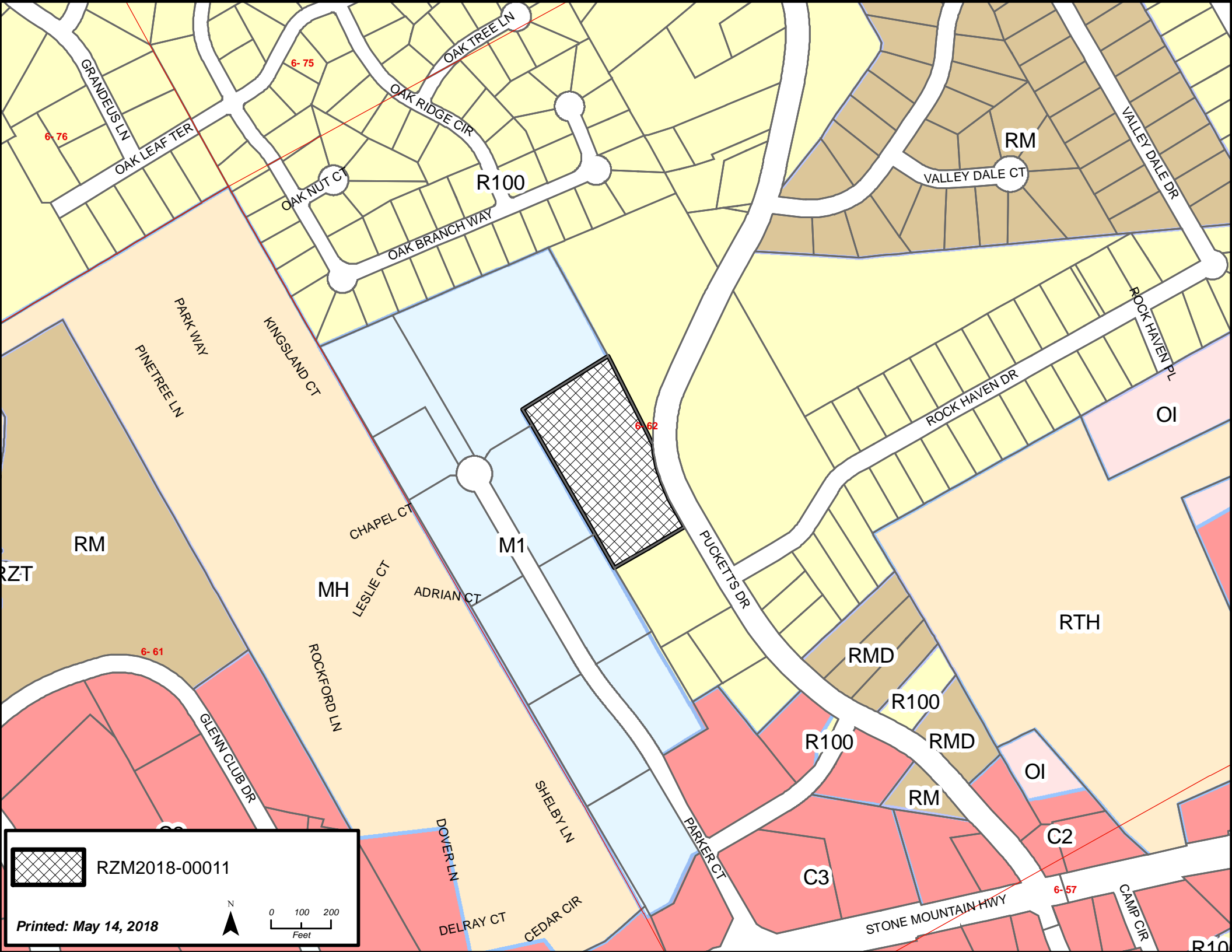


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Printed: May 14, 2018



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 0 100 200 Feet

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

CASE NUMBER :**RZR2018-00017**
ZONING CHANGE :R-100 TO TND
LOCATION :3200 BLOCK OF SUWANEE CREEK ROAD
MAP NUMBERS :R7166 001, 043, 045 & 047
ACREAGE :49.73 ACRES
UNITS :272 UNITS
PROPOSED DEVELOPMENT :TRADITIONAL NEIGHBORHOOD DEVELOPMENT
(BUFFER REDUCTION)
COMMISSION DISTRICT :(1) BROOKS

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

APPLICANT: THE PROVIDENCE GROUP OF GEORGIA, LLC
11340 LAKEFIELD DRIVE, SUITE 250
JOHNS CREEK, GA 30097

CONTACT: WARREN JOLLY PHONE: 678.218.1725

OWNERS: MYRON & LINDA BAYNES
3200 SUWANEE CREEK ROAD
SUWANEE, GA 30024-2056

BAYNES FAMILY, LLC
MYRON BAYNES, MANAGING MEMBER
3200 SUWANEE CREEK ROAD
SUWANEE, GA 30024-2056

YULING HAYTER
3282 SUWANEE CREEK ROAD
SUWANEE, GA 30024

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The Providence Group of Georgia, LLC, requests rezoning of a 49.73 acre, four-parcel assemblage from R-100 to TND (Traditional Neighborhood Development) for the construction of 97 single-family detached homes and 175 townhouses. The TND zoning district allows up to 15% of non-residential development, however, none is being proposed. The property contains 1.08 acres of floodplain resulting in a net acreage of 49.06 acres. The overall development of 272 residential homes will result in a net density of 5.54 units per acre.

The subject property is located on the west side of Suwanee Creek Road, north of its intersection with Wildwood Road and directly adjacent to Peachtree Ridge Park. One entrance is proposed along Suwanee Creek Road, to be aligned with Swan Mill Court and the Mill Creek subdivision. A direct pedestrian access into Peachtree Ridge Park is proposed from the internal street network to the sports field areas and multi-use trail within the park. The property is characterized as wooded and slopes downhill from Suwanee Creek Drive to Bennett Creek just west of the property. One existing single-family dwelling exists and will be demolished to facilitate development. An existing sewer easement runs along the northern edge of the property.

The developer proposes to build a mix of single-family detached homes and townhouses, with a mix of front entry and rear entry of each type of dwelling. The TND zoning district requires a mix of lot sizes comprising at least three of the four lot size categories provided in the Unified Development Ordinance for this zoning district. The development is proposed to contain 20 mid-size/large lots, 77 small lots, and 175 townhouses. The homes will be constructed of mostly masonry and stone materials on front facades with rear, sides, and accents of varying wood or siding materials. Home sizes will range from 1,800 to 4,000 square feet.

Recreational amenities appear to include a pool and clubhouse on the submitted site plan, and various amounts of open space and common areas are to be provided throughout the development, both within the interior and along the exterior of the property. Five pocket parks are proposed and total open space for the development would amount to 9.94 acres (20% of the overall development). The Unified Development Ordinance requires a 35 foot buffer where adjacent to R-100 and 40 feet adjacent to R-140 zoned property. The applicant requests to eliminate these requirements. There is an existing sewer easement along the side (north) property line that would separate private lots from the adjoining neighborhood. Stormwater management facilities are proposed in the rear (west) and side (north) areas of the property.

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 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 County Department of Planning and Development. The applicant/developer shall obtain all required approvals from the Gwinnett County Department of Water Resources 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:

This site appears to be heavily wooded and may include specimen trees which are required by UDO Section 630-70 to be preserved. Section 320-20.2 of the Unified Development Ordinance requires submittal of a Specimen Tree Concept Plan and Tree Survey prior to submittal and acceptance of a development permit application.

Section 210-80.20 of the Unified Development Ordinance requires submittal of a concept plan for review and approval of the Development Division prior to submittal and acceptance of a development permit application.

Project access and required improvements along Suwanee Creek Road will be subject to review and approval of Gwinnett County Department of Transportation

A 35 foot undisturbed buffer is required adjacent to R-100 zoned properties.

A 40 foot undisturbed buffer is required adjacent to R-140 zoned properties.

Section 610-20.4B of the Unified Development Ordinance requires an additional 5-foot setback for all structures adjacent to required buffers.

Five-foot wide sidewalks are required along all exterior roadways (Suwanee Creek Road) adjoining the project (UDO 900-90.1).

Four-foot wide sidewalks are required adjacent to both sides of all interior streets.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

The property appears to contain floodplain and stream buffers. The proposed conceptual plan may require revision to show the appropriate floodplain and stream buffers.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Suwanee Creek Road is a Local Street and 30 feet of right of way is required from the centerline.

A left run lane shall be provided at the project entrance.

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

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

The developer shall be limited to one curb cut.

The project entrance shall align with opposing roads or driveways in accordance with the Gwinnett County Unified Development Ordinance.

Prior to the issuance of a Development Permit, a sight distance certification shall be provided. Minimum separation from a driveway, public road, or side street shall be provided as specified in the Gwinnett County Unified Development Ordinance.

Prior to the issuance of a Development Permit, the applicant shall provide a traffic impact study.

Prior to the issuance of the first certificate of occupancy, the applicant shall make any improvements recommended by the traffic impact study, provided the improvements are approved by the D.O.T. All design and construction will be subject to D.O.T review and 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 8-inch water main located on the northeast right of way of Suwanee Creek Road.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of eight-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 16-inch sanitary sewer main located on parcel R7166 043 and R7166 001.

The subject development is located within the Suwanee Creek service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

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, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

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. Architectural design of the proposed building shall incorporate the requirements of the Gwinnett County Unified Development Ordinance, Architectural Design Standards, Design Category 2.
4. 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:

No comment.

DEPARTMENT ANALYSIS:

The Providence Group of Georgia, LLC, requests rezoning of a 49.73 acre, four-parcel assemblage, to TND (Traditional Neighborhood Development) for the construction of 97 single-family detached homes and 175 townhouses. The property contains 1.08 acres of floodplain resulting in a net acreage of 49.06 acres. The overall development of 272 residential homes will result in a net density of 5.54 units per acre.

The subject property lies within the Existing/Emerging Suburban Character Area on the 2030 Unified Plan's Future Development Map. This character area could support a residential development with a higher density than recommended by the plan if developed in conjunction with public open space and recreation areas. As proposed, the development would include multiple internal open spaces, passive and active recreation areas. Coupled with a direct pedestrian access to the adjacent Peachtree Ridge Park, the request to rezone to TND may be compatible with policies of the Unified Plan.

The purpose of the Traditional Neighborhood Development District is to create an innovative zoning classification that encourages a pattern of neighborhood development that will be distinguished from other residential zoning districts through a diversity of lot sizes, housing types and sizes to accommodate persons in various of stages of life in a pedestrian-oriented setting that is well integrated with the County's neighborhoods, parks, civic spaces, and supportive services. The Providence Group, LLC, has proposed a diverse mix of housing options that include 20 mid-size/large lots, 77 small lots, and 175 townhouses. The proposed plan places the larger lots along the periphery of the site adjacent to the road and established residential. Smaller lots and townhouses are located within the center or to the rear of the development. Pedestrian access to Peachtree Ridge Park provides the integration with community facilities as recommended by the Unified Development Ordinance. Overall, the development as proposed is in substantial conformity with the intent of the zoning district and could be used a model for future, similar developments.

The subject property is surrounded on all sides by land zoned and/or developed as residential or recreation areas. As mentioned, Peachtree Ridge Park is directly adjacent to the south of the subject property and comprises a majority of the southern border of the proposed development. One R-100 zoned property will remain between the park and the development on the eastern side directly adjacent to Suwanee Creek Road. To the east, across Suwanee Creek Road is the Mill Creek subdivision within the City of Suwanee, zoned R-100 (City of Suwanee) and developed with 42 homes. To the north, are two smaller tracts zoned R-100 in unincorporated Gwinnett County along with the Rising Farm subdivision within the City of Suwanee. This subdivision is zoned R-140 (City of Suwanee) and developed with 19 homes. To the west runs Bennett Creek and two parcels of undeveloped, R-100 zoned land. Further to the west beyond the creek are the Maple Ridge, Maple Rock, Walden Corners, and

Wickersham subdivisions, all zoned R-100 with access along South Scales Road and Old Peachtree Road. In view of the existing residential subdivisions of the area, the proposal to build the homes at higher standards coupled with direct access to the park may make the development compatible with the area's pattern of development.

The Providence Group, LLC, proposes to construct a residential development that could be considered consistent with the Unified Plan and the established residential character of the area. With conditions of zoning that ensure this consistency, and are in line with the intent of the TND zoning district, the Planning and Development Department recommends **APPROVAL WITH CONDITIONS.**

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval as TND (Traditional Neighborhood Development) for a single-family subdivision, subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Single-family attached and detached dwellings and accessory uses and structures, not to exceed 272 units with the following limitations:
 - i. No less than 10% of the total number of lots may be categorized as “mid-size lots” or larger per the TND standards within the Unified Development Ordinance.
 - ii. No more than 50% of the total number of lots may be categorized as “townhomes” per the TND standards within the Unified Development Ordinance.
 - iii. Non-residential development shall be prohibited.
 - B. The minimum heated floor area per dwelling shall be as follows:

i. Townhomes:	1,800 square feet
ii. Small Lot dwellings:	2,200 square feet
iii. Mid-size Lot and larger dwellings:	2,400 square feet
 - C. The development shall be in substantial conformance with the site plan prepared by Travis Pruitt & Associates, Inc. dated May 16, 2018 with changes necessary to meet conditions of zoning and development regulations. Final layout shall be subject to the review and approval of the Director of Planning and Development.
 - D. Homes shall be constructed with front facades of brick and/or stacked stone. The balance of the home may be the same, cedar plank or shake, fiber-cement siding or shake with a minimum three-foot brick or stacked stone water table.
 - E. All dwellings shall have a minimum two-car garage. A minimum 55% of the total lots shall be rear entry via alleys. Alleys shall be constructed with a maximum width of 14 feet with no curb or roll-back curb only. No utility easements shall be allowed within any alley. One access point from a public right-of-way or a private street to the alley shall be required for every eight homes served by the alley.
 - F. A minimum of one on-street, parallel parking space shall be provided for every rear-entry home. On-street parking shall be designed so as to provide landscaped islands between every four spaces and parking shall be offset on the other side of

the street so as to only allow parking on one side of the street at any given location.

2. To satisfy the following site development considerations:
 - A. No zoning buffers shall be required adjacent to any residentially-zoned property. Private lots and detention ponds shall be set back a minimum of 50 feet from the side (north) property line.
 - B. All utilities shall be placed underground.
 - C. A mandatory Homeowner's Association shall be established and shall be responsible for maintenance of all common areas/facilities and street frontage landscaping. The Suwanee Creek Road frontage shall be landscaped by the developer and maintained by the Homeowner's Association, and shall include decorative masonry entrance features. A decorative fence shall be required along the Suwanee Creek Road right-of-way. Landscaping plans, entrance features and fencing shall be subject to the review and approval of the Director of Planning and Development.
 - D. A recreation area consisting of a swimming pool and clubhouse shall be provided on the subject property. Five pocket parks shall be provided along the internal street network and evenly spaced throughout the development. Design and location of all recreational areas shall be subject to the review and approval of the Director of Planning and Development.
 - E. Detention pond(s) shall be fenced with a black vinyl-coated chain link or wooden opaque fence a minimum of four feet in height, and shall be fully screened from view of adjacent residences with a double staggered row of evergreens.
 - F. Natural vegetation shall remain on the property prior to the issuance of a Development Permit.
 - G. All grassed areas on dwelling lots shall be sodded.
 - H. Direct lot access to Suwanee Creek Road shall be prohibited.
3. To abide by the following requirements, dedications and improvements.
 - A. Prior to the issuance of a Development Permit, the applicant shall provide a traffic impact study for the project. The developer shall make any improvements recommended by the traffic impact study subject to the review and approval of the Director of the Gwinnett County Department of Transportation.
 - B. Provide all necessary easements and construct multiple trail connections to the existing trail network within Peachtree Ridge Park. Trails shall be paved surfaces and

a minimum of eight feet in width. Final location and trail surface materials are subject to the review and approval of the Director of Community Services. Trails may be gated at the property line with access restricted for residents only.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

If properly conditioned, a traditional neighborhood development could be suitable in light of surrounding residential and recreational uses.

ADVERSE IMPACTS

With the recommended conditions, minimal adverse impacts on surrounding properties could be anticipated.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACTS ON PUBLIC FACILITIES

Impacts in the form of increased utility demand, traffic, schools, and stormwater runoff could be anticipated from this request.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates that the site is located in an Existing/Emerging Character Area. If properly conditioned, a traditional neighborhood development could be consistent with the 2030 Unified Plan which encourages expanded connections to community resources.

CONDITIONS AFFECTING ZONING

The requested rezoning could be compatible with the surrounding single-family detached residential developments in the immediate area, and the pedestrian connectivity to Peachtree Ridge Park could be a valuable amenity to the development and offset the proposed density of the project.

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:

No, currently vacant. Substantial earthwork to make it viable for any other use.

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

No

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

No. The plan is for agriculture but the topography of the property eliminates this as a use.

- (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:

No

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Planning & Development

RZR 18017

Gwinnett County Planning & Development
Rezoning Application - Letter of Intent
Suwanee Creek Road Tract – The Providence Group

The intent of this rezoning request is to change the current R100 zoning for the 3 parcels to TND. This will allow for upscale residential townhomes and single-family homes ranging from 1800 SF to 4000 +/- SF, with timeless exteriors and modern interiors.

The site when assembled will consist of 49.732 acres providing a total of 272 residential units. The gross density as proposed will be 5.47 units per acre. The homes to be built will be predominantly 2 story with some 3 story townhomes. The homes will consist of 175 fee simple townhomes and 97 single family homes. Included in this gated community will be a neighborhood swimming pool, open green spaces and pocket parks, as well as community sidewalks and will provide access to the adjacent Peachtree Ridge Park as an additional amenity. With landscape maintenance provided by the homeowner association and the low maintenance construction, buyers will enjoy low maintenance homeownership.

The Providence Group of Georgia LLC has developed and built award winning communities in prime locations all over metro Atlanta. Developing several similar neighborhoods to this proposed, including, Aberly Township and Centennial in North Fulton, Three Bridges and Villages of Huntcrest in Gwinnett and Jamestown in South Forsyth. The Providence Group intends to provide a mixture of product with traditional design that offers diversity in buyer demographics with great amenities making this an exceptional opportunity at this location.

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Planning & Development

RZR '18 017

Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County, July 2018

Case #	Schools	Current Projections									Proposed Zoning Approximate additional Student Projections from Proposed Developments
		2017-18			2018-19			2019-20			
		Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	Forecast	Capacity	Over/Under	
RZM2018-00007	Collins Hill HS	3,075	2,625	450	3,044	2,625	419	3,008	2,625	383	9
	Creekland MS	2,174	2,100	74	2,135	2,100	35	2,113	2,100	13	7
	Rock Springs ES	875	1,325	-450	870	1,325	-455	878	1,325	-447	13
RZM2018-00008	Mountain View HS	2,531	2,300	231	2,689	2,300	389	2,729	2,300	429	9
	Twin Rivers MS	1,950	2,150	-200	1,979	2,150	-171	2,009	2,150	-141	6
	Patrick ES	770	1,025	-255	785	1,025	-240	809	1,025	-216	12
RZM2018-00009	Discovery HS	2,829	2,000	829	2,942	2,000	942	3,001	2,000	1,001	53
	Richards MS	2,184	1,575	609	2,228	1,575	653	2,272	1,575	697	38
	Baggett ES	1,218	1,125	93	1,242	1,125	117	1,267	1,125	142	74
RZM2018-00010	Peachtree Ridge HS	3,312	3,050	262	3,378	3,050	328	3,446	3,050	396	37
	Northbrook MS	1,033	1,025	8	1,059	1,025	34	1,085	1,025	60	26
	Jackson ES	1,549	1,475	74	1,588	1,475	113	1,627	1,475	152	52
RZM2018-00011	Mountain View HS	2,531	2,300	231	2,689	2,300	389	2,729	2,300	429	11
	Twin Rivers MS	1,950	2,150	-200	1,979	2,150	-171	2,009	2,150	-141	8
	Dyer ES	866	1,175	-309	883	1,175	-292	901	1,175	-274	16
RZR2018-00015	Dacula HS	2,138	2,550	-412	2,202	2,550	-348	2,268	2,550	-282	6
	Dacula MS	1,636	1,900	-264	1,685	1,900	-215	1,736	1,900	-164	5
	Dacula ES	1,150	1,550	-400	1,162	1,550	-388	1,179	1,550	-371	9
RZR2018-00017	Peachtree Ridge HS	3,312	3,050	262	3,378	3,050	328	3,446	3,050	396	87
	Hull MS	1,279	1,750	-471	1,298	1,750	-452	1,318	1,750	-432	62
	Parsons ES	737	700	37	722	700	22	729	700	29	122

Current projections do not include new developments

Suwanee Creek Tract – Gwinnett County

Single Family – Carriage Collection (50' front loaded lot)

Vintage Collection (40' alley loaded lot)



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Suwanee Creek Tract – Gwinnett County

Townhomes – 22' Alley Fed Courtyards

18' Alley Fed Three Story

27' Two Story Front Load

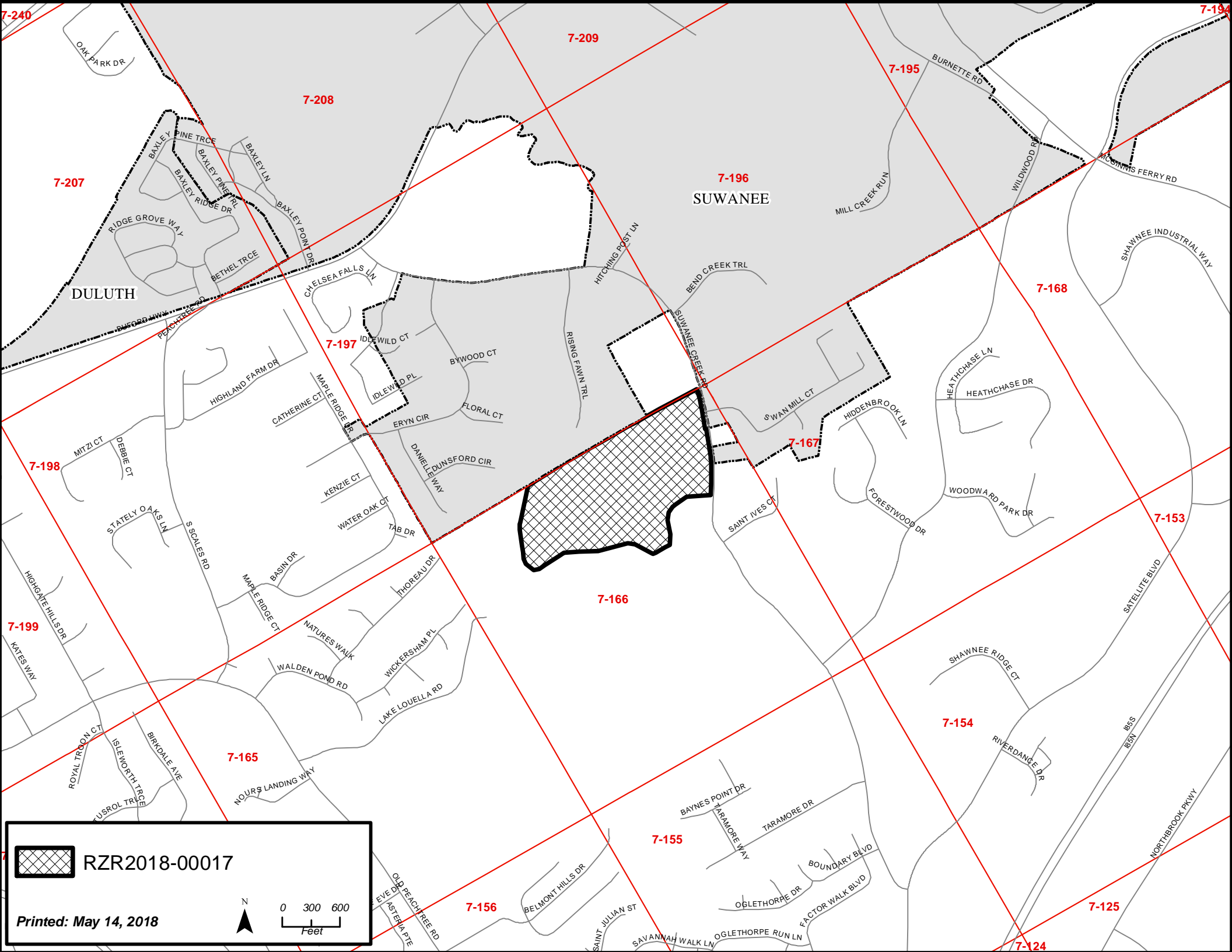


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RZR '18 017

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RZR2018-00017

Printed: May 14, 2018



0 300 600
Feet

LAND DESCRIPTION

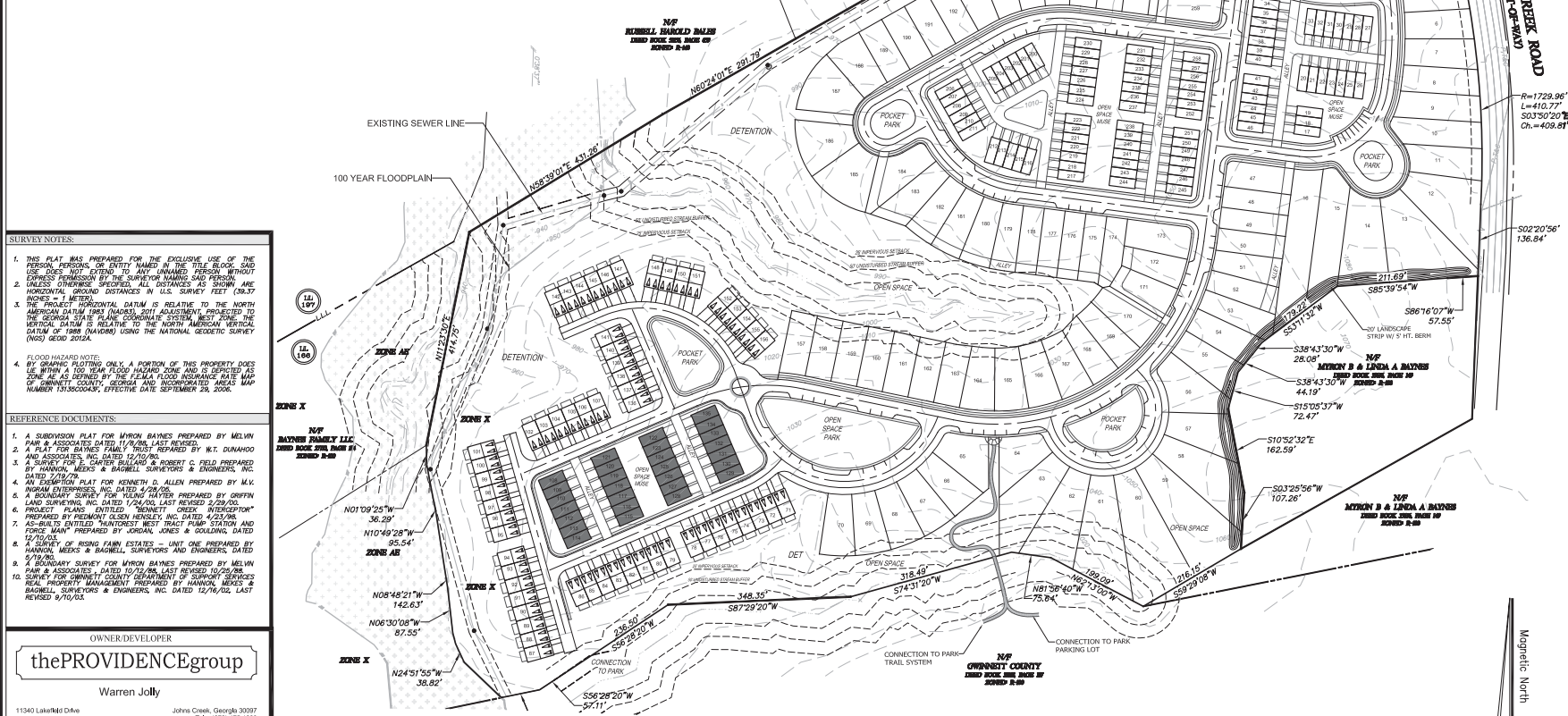
All that tract or parcel of land lying and being in Lot 166 of the 7th District, Gwinnett County, Georgia and being more particularly described as follows:

COMMENCING at a 1/2" not found at the corner common to Land Lots 166, 167, 196 & 197, THENCE running along the northwestern line of Lot 166 South 60 degrees 26 minutes 04 seconds East a distance of 803.11 feet to a point at the intersection of said northwestern line of Lot 166 and the westerly 800' line of Swanee Creek Road (80' R/W); said point being the TRUE POINT OF BEGINNING.

THENCE from said TRUE POINT OF BEGINNING and curving along said westerly 800' line of Swanee Creek Road the following courses and distances: along a curve to the right having a radius of 1981.69 feet and a length of 226.72 feet, said curve being a short bearing of South 13 degrees 52 minutes 57 seconds East and a chord distance of 287.27 feet to a point; THENCE South 10 degrees 36 minutes 36 seconds East a distance of 21.09 feet to a 1/2" not found; THENCE South 10 degrees 36 minutes 36 seconds East a distance of 116.27 feet to a 1/2" not found; THENCE along a curve to the left having a radius of 1595.22 feet and a length of 535.66 feet, said curve being a short bearing of South 10 degrees 48 minutes 26 seconds East and a chord distance of 213.35 feet to a point; THENCE along a curve to the right having a radius of 1225.66 feet and a length of 410.77 feet, said curve being a short bearing of South 03 degrees 03 minutes 20 seconds East and a chord distance of 409.81 feet to a 1/2" not found; THENCE South 02 degrees 02 minutes 06 seconds West a distance of 136.64 feet to a point; THENCE South 60 degrees 04 seconds West a distance of 52.55 feet to a point; THENCE South 60 degrees 04 seconds West a distance of 179.22 feet to a point; THENCE South 38 degrees 43 minutes 30 seconds West a distance of 26.04 feet to a point; THENCE South 38 degrees 43 minutes 30 seconds West a distance of 64.19 feet to a point; THENCE South 15 degrees 05 minutes 37 seconds West a distance of 72.47 feet to a point; THENCE South 10 degrees 52 minutes 57 seconds East a distance of 102.29 feet to a point; THENCE South 10 degrees 52 minutes 57 seconds West a distance of 107.25 feet to a 1/2" not found; THENCE South 53 degrees 29 minutes 08 seconds West a distance of 216.15 feet to a 1/2" not found; THENCE South 02 degrees 02 minutes 06 seconds West a distance of 180.09 feet to a 1/2" not found; THENCE North 81 degrees 06 minutes 40 seconds West a distance of 75.44 feet to a 1/2" not found; THENCE South 74 degrees 31 minutes 20 seconds West a distance of 315.49 feet to a point; THENCE South 87 degrees 21 minutes 28 seconds West a distance of 246.35 feet to a 1/2" not found; THENCE South 55 degrees 28 minutes 20 seconds West a distance of 236.20 feet to a point; THENCE South 78 degrees 25 minutes 10 seconds West a distance of 74.71 feet to a point; THENCE North 46 degrees 18 minutes 37 seconds West a distance of 65.05 feet to a point; THENCE North 28 degrees 51 minutes 55 seconds West a distance of 38.82 feet to a point; THENCE North 14 degrees 59 minutes 08 seconds West a distance of 21.02 feet to a point; THENCE North 08 degrees 20 minutes 08 seconds West a distance of 87.26 feet to a point; THENCE North 28 degrees 51 minutes 55 seconds West a distance of 21 seconds West a distance of 142.81 feet to a point; THENCE North 10 degrees 49 minutes 28 seconds West a distance of 64.64 feet to a point; THENCE North 01 degree 18 minutes 18 seconds West a distance of 32.20 feet to a point; THENCE North 11 degrees 23 minutes 30 seconds East a distance of 14.23 feet to a point; THENCE North 08 degrees 19 minutes 01 seconds East a distance of 431.26 feet to a point; THENCE North 08 degrees 24 minutes 01 seconds East a distance of 294.79 feet to a 1/2" not found; THENCE North 00 degrees 24 minutes 01 seconds East a distance of 85.06 feet to a 1/2" not found; THENCE North 00 degrees 24 minutes 01 seconds East a distance of 210.10 feet to a 1/2" not found; THENCE North 00 degrees 24 minutes 01 seconds East a distance of 724.48 feet to a point; said point being the TRUE POINT OF BEGINNING.

Said tract contains 43.653 acres.

RZR2018-00017
SUBMITTED TO
PLANNING DIVISION
MAY 23, 2018



SITE DATA:

TOTAL SITE AREA	43.65 ACRES
NET SITE AREA	48.57 ACRES
OPEN SPACE	0.94 (2.0%)
FLOODPLAIN (APPROXIMATE)	1.08 ACRES
ZONING:	
EXISTING ZONING	R-100
PROPOSED ZONING	GWINNETT COUNTY
DEVELOPMENT TYPE:	
TOTAL UNITS	272
18' REAR ENTRY TOWNS	69
20' REAR ENTRY TOWNS	28
27' FRONT ENTRY TOWNS	58
40' REAR ENTRY LOTS (4,000 SF)	42
50' FRONT ENTRY LOTS (5,500 SF)	35
50' FRONT ENTRY LOTS (LARGER THAN 7,500 SF)	20
TOTAL DENSITY	5.47 U/A
DEVELOPMENT STANDARDS:	
MAXIMUM BUILDING HEIGHT	35'
FRONT YARD	5 FEET
REAR YARD	10 FEET
SIDE YARD	5 FEET
MINIMUM BUILDING SEPARATION	10 FEET
MINIMUM LOT SIZE	NA
MINIMUM FRONTAGE	NA
MAXIMUM DENSITY	NA
BUFFERS:	
SIDE/REAR	NONE
FRONT	NONE
PARKING:	
REQUIRED	2 PER UNIT
GARAGE	427
DRIVEWAY	66
ON STREET PARKING	20
AMENITY AREA PARKING	20
TOTAL	605

- SURVEY NOTES:**
- THIS PLAN WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSONS WHOSE NAMES ARE SHOWN HEREON. IT DOES NOT EXTEND TO ANY UNNAMED PERSONS WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR. UNLESS OTHERWISE SPECIFIED, ALL DISTANCES AS SHOWN ARE HORIZONTAL OR GROUND DISTANCES IN U.S. SURVEY FEET (0.67 INCHES = 1 METER).
 - THE PROPOSED HORIZONTAL DATUM IS RELATIVE TO THE NORTH AMERICAN DATUM 1983 (NAD83). 2011 ADJUSTMENT, PROJECTED TO THE GEORGIA STATE PLANE COORDINATE SYSTEM (GCS) OF GWINNETT COUNTY, GEORGIA AND INCORPORATED AREAS MAP NUMBER 13150003SF, EFFECTIVE DATE SEPTEMBER 29, 2006.
 - FLOOD HAZARD NOTE: THIS PLAN SHOWS ONLY A PORTION OF THIS PROPERTY DOES LIE WITHIN A 100 YEAR FLOOD HAZARD ZONE AND IS DEPICTED AS ZONE X AS SHOWN BY THE FLOOD INSURANCE RATE MAP OF GWINNETT COUNTY, GEORGIA AND INCORPORATED AREAS MAP NUMBER 13150003SF, EFFECTIVE DATE SEPTEMBER 29, 2006.

- REFERENCE DOCUMENTS:**
- A SUBDIVISION PLAN FOR WYOM BAYNES PREPARED BY MELVIN PAIR & ASSOCIATES DATED 11/2/06, LAST REVISED 5/2/07.
 - A PLAN FOR BAYNES FARM TRACT PREPARED BY S.T. DONAHOO AND ASSOCIATES, INC. DATED 12/10/04.
 - A SURVEY FOR J. CANTER BELLARD & ROBERT C. FIELD PREPARED BY HANNOUL, MEYERS & BAGWELL SURVEYORS & ENGINEERS, INC. DATED 2/10/04.
 - AN EXEMPTION PLAN FOR KENNETH D. ALLEN PREPARED BY M.K. THOMPSON INC. DATED 4/20/05.
 - A BOUNDARY SURVEY FOR YOUNG HAYTER PREPARED BY GREEN LAND SURVEYING, INC. DATED 1/23/05, LAST REVISED 5/20/05.
 - PROJECT PLANS ENTITLED "BENNETT CHECK INTERCEPT" PREPARED BY PRESENT DESIGN SERVICES, INC. DATED 12/2/04.
 - AS-BUILTS ENTITLED "MONTGOMERY WEST TRACT PUMP STATION AND FORCE MAIN" PREPARED BY JORDAN, JONES & COLLINGS, DATED 12/10/04.
 - 12/10/04 OF BESSING FARM ESTATES - UNIT ONE PREPARED BY HANNOUL, MEYERS & BAGWELL SURVEYORS AND ENGINEERS, INC. DATED 5/19/06.
 - A BOUNDARY SURVEY FOR WYOM BAYNES PREPARED BY MELVIN PAIR & ASSOCIATES, DATED 11/2/06, LAST REVISED 5/2/07.
 - A PLAN FOR BAYNES FARM TRACT PREPARED BY S.T. DONAHOO AND ASSOCIATES, INC. DATED 12/10/04, LAST REVISED 5/2/07.

OWNER/DEVELOPER

thePROVIDENCEgroup

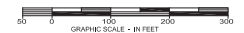
Warren Jolly

11340 Lakeview Drive
Bldg. B, Suite 200
Johns Creek, Georgia 30097
Tel: (770) 475-1800

4317 Park Drive, Suite 400
Norcross, Georgia 30093
Phone: (770) 416-7511
Fax: (770) 416-6759
www.travispruitt.com

Travis Pruitt & Associates, Inc.

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CONCEPT PLAN

SUWANEЕ CREEK TRACT

3200 Swanee Creek Road
Land Lot 166, 7th District
Gwinnett County, Georgia

DATE: 5/16/2018
SCALE: 1" = 100'
CN: 1705130P17
LBV:
JN:
FN:

For The Firm
Travis Pruitt & Associates, Inc.

1 of 1



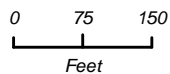
DUNSFORD CIR



RZR2018-00017



Printed: May 14, 2018





RISING FAWN TRL

SWANNEE CREEK RD

SWAN MILL CT

SAINT IVES CT




RZR2018-00017



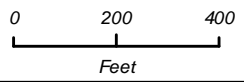
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Feet

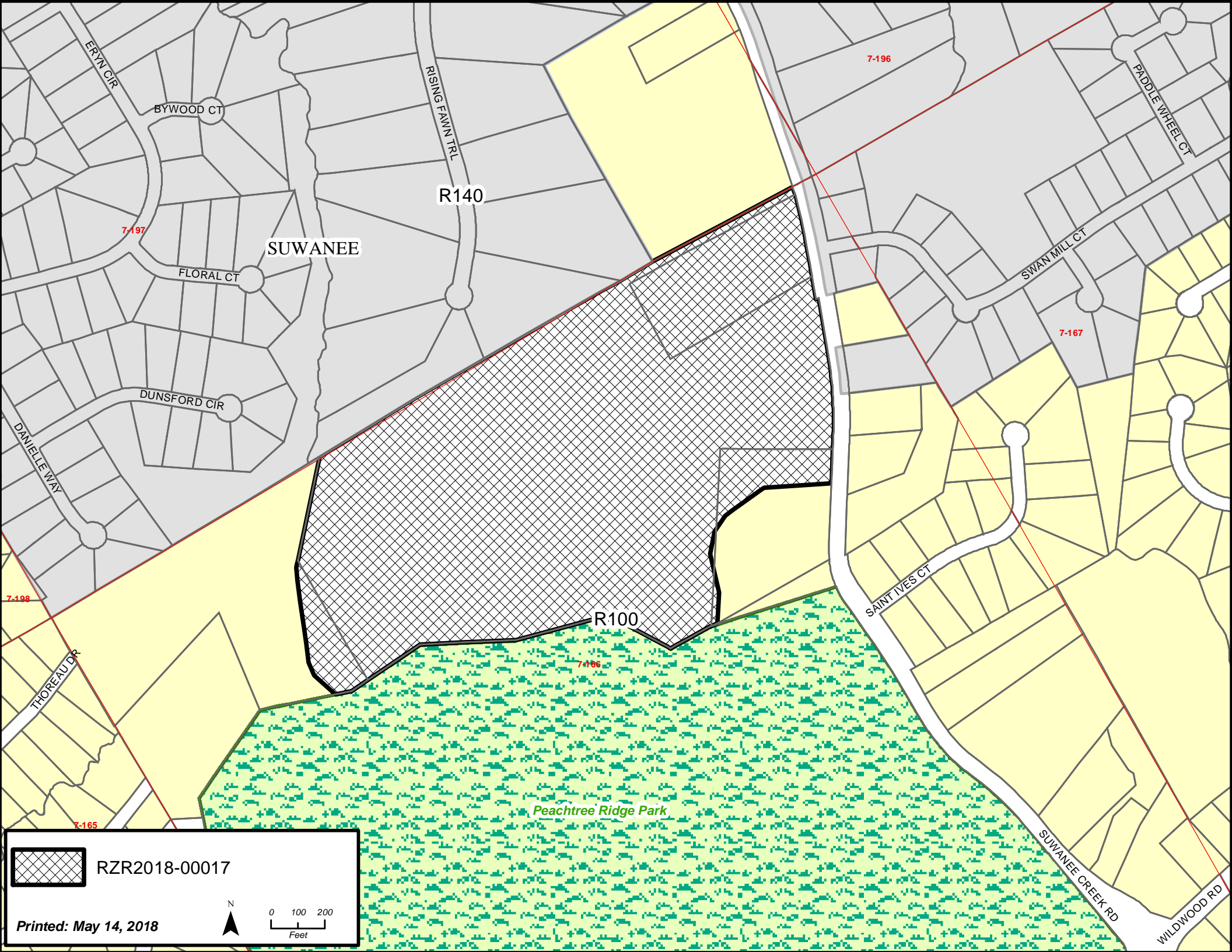
Printed: May 14, 2018



 RZR2018-00017

Printed: May 14, 2018





SUWANEE

R140

R100

Peachtree Ridge Park

7-196

7-197

7-167

7-198

7-166

7-165

 RZR2018-00017

Printed: May 14, 2018

 N



ERYN CIR

BYWOOD CT

RISING FAWN TRL

PADDLE WHEEL CT

FLORAL CT

SWAN MILL CT

DUNSFORD CIR

DANIELLE WAY

SAINT IVES CT

THOREAU DR

SUWANEE CREEK RD

WILDWOOD RD

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

CASE NUMBER :**CIC2018-00010**
ZONING :R-SR
LOCATION :2100 BLOCK OF RIDGEDALE DRIVE
:1700 BLOCK OF PINEHURST ROAD
MAP NUMBER :R5071 033
ACREAGE :17.55 ACRES
PROPOSAL :CHANGE IN CONDITIONS OF ZONING
COMMISSION DISTRICT :(3) HUNTER

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

APPLICANT: CENTURY COMMUNITIES OF GEORGIA LLC
C/O ALLIANCE ENGINEERING & PLANNING
4480 COMMERCE DRIVE, SUITE A
BUFORD, GA 30518

CONTACT: MITCH PEEVY PHONE: 770.614.6511

OWNER: CENTURY COMMUNITIES OF GEORGIA LLC
C/O ALLIANCE ENGINEERING & PLANNING
4480 COMMERCE DRIVE, SUITE A
BUFORD, GA 30518

DEPARTMENT RECOMMENDATION: **DENIAL**

CHANGE IN CONDITIONS SUMMARY:

The applicant requests a Change in Conditions on a 17.55-acre property which was approved for R-SR (Senior Oriented Residence District) zoning in February 2017, for a single family subdivision for residents 55 years old or older pursuant to (RZR2017-00002). The applicant applied for permits and construction began on April 10, 2018. To date, all that has been completed on the property is some site utility work. The applicant now seeks to modify conditions of zoning related to sizes and architectural treatments for the homes along with allowing a second story room option for the homes.

Condition I.C. currently read as follows:

I.C. The mimimum heated floor area per dwelling unit shall be 1,800 square feet.

The applicant requests the condition be revised to allow for a minimum house size of 1,700 square feet.

Condition I.D. reads as follows:

I.D. Homes shall be constructed with architectural treatments of primarily brick or stone on the front façade with minor treatments of fiber-cement siding materials. The sides and rear shall contain a minimum two-foot high water table of brick or stone. The balance of the sides and rear shall be of brick, stone, or fiber-cement siding. Final building elevations shall be subject to the review and approval of the Director of Planning and Development. shall be constructed with architectural

The applicant is requesting to remove the condition requiring the front facades of the homes to be primarily brick or stone treatments. The elevations submitted depict fiber-cement siding on some of the homes and brick or stone with fiber-cement siding on others. The applicant has indicated in their letter of intent a two-foot high water table of brick or stone would be provided.

The Unified Development Ordinance standards allow over the garage bonus rooms in the R-SR zoning district, but the applicant is requesting a more substantial second floor option including a restroom. To be used as a recreation area, craft room, study, office or a bedroom for visiting family or guests.

When this property was originally rezoned in 2017 it was under contract by a different developer. Property was then sold to Century Communities, who is the developer of the adjacent property, a senior housing development located within the City limits of Snellville. The requested changes reflect the developer's desire to have consistency between the two developments. Site work has begun, and no changes to the site plan are anticipated through this process.

ZONING HISTORY:

In 1970, the subject property was zoned RA-200 (Agriculture-Residence District). In 1973, the property was rezoned R-100 (Single-Family Residence District) per and areawide rezoning. In 2017, it was rezoned to R-SR (Senior Oriented Residence District), pursuant to RZR2017-00002.

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 County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

The property appears to contain stream buffers. The proposed conceptual plan may require revision to show the appropriate stream buffers.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

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

Pinehurst Road is a Major Collector and 40 feet of right-of-way is required from the centerline.

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 8-inch water main located on the southwest right of way of Ridgedale Drive and an 8-inch water main located on the northwest right of way of Pinehurst Road.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of eight-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 235 feet southeast of parcel R5071 033 in the right of way of Caroline Wind Court.

The subject development is located within the Lower Big Haynes service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

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, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject 17.55-acre property was approved for R-SR (Senior Oriented Residence District) zoning in February 2017 for 57 lots pursuant to RZR2017-00002. A Subdivision Development Permit for 57 lots (SDP2017-00051) has been issued. The site is graded and some utility work

has been completed but no homes have been constructed. The applicant now seeks to modify conditions of zoning related to architectural treatments and size for the homes.

The 2030 Unified Plan Future Development Map indicates the property lies within an Existing/Emerging Suburban Character Area. The Unified Plan encourages enhancing development aesthetics throughout the county; the request to reduce architectural standards for the proposed homes may be counter to these policies. Reducing the amount of masonry on the homes may result in homes that require more upkeep and maintenance and may not be appropriate for a development restricted to seniors.

The surrounding area is characterized by single-family residential uses. Properties along Ridgedale Drive and Pinehurst Road are developed with single homes on larger lots and subdivisions, both in the county and city limits of Snellville. The adjacent portion of the development located in the city limits of Snellville was approved in on August 28, 2017 for R-HOP(55)-SF (Single-Family Residential Housing for Older Persons District) with a variance to allow the front façade of the homes to be 70% brick or stone masonry and the sides and rear to be constructed with fiber-cement siding with a combination of hardi shake and board and batten siding. They were required to meet the minimum square footage by the city's ordinance which is 1600-square feet for 2 bedroom homes and 1800-square feet for 3 bedroom homes. There have been no other changes in this area to warrant changing home sizes or architectural standards. These conditions were placed on the property through the public hearing process with input from neighbors. Therefore, the proposed change in conditions for a reduction in development standards is inconsistent with the prior Board approval.

The applicant agreed to these conditions in February 2017 and other than the rezoning in Snellville, there have been no changes to warrant this request, which may be counter to the board's original intent when it was approved through a public input process with input from surrounding neighbors. Given these factors, the Department of Planning and Development recommends **DENIAL** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

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

RZR2017-00002

Additions in **bold**

Deletions in ~~striketrough~~

Approval as R-SR (Senior Oriented Residence District), 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, not to exceed 57 units. The project is to be deed restricted to ownership by residents that are 55 years old or older.
- B. The homeowner's association shall be responsible for maintenance of all common areas/facilities, street frontage landscaping, and lawn and ornamental planting maintenance on individual lots. The homeowner's association shall be responsible for exterior maintenance of individual residences to include, at a minimum, painting of the exteriors on a rotation not to exceed six years.
- C. The minimum heated floor area per dwelling unit shall be ~~1,800~~**1,700** square feet. **Second level rooms may be permitted, per the submitted house plans.**
- D. Homes shall be constructed with architectural treatments of primarily brick or stone on the front façade with minor treatments of fiber-cement siding materials. The sides and rear shall contain a minimum two-foot high water table of brick or stone. The balance of the sides and rear shall be of brick, stone, or fiber-cement siding. Final building elevations shall be subject to the review and approval of the Director of Planning and Development.
- E. All dwellings shall have a minimum two-car garage.
- F. The entrance feature shall be made of brick or stone with landscaping. The final design shall be approved by the Director of Planning and Development. A wrought iron-type fence, a minimum of six-foot high, shall be installed along the exterior road frontage with brick or stone columns 50 foot on center that will match the look of the entry feature. A double row of landscaping is to be installed along the interior of the fencing with a mixture of evergreen plants that are a minimum of four to six feet high at the time of planting.

2. To satisfy the following site development considerations:
 - A. All utilities shall be placed underground.
 - B. Detention pond(s) shall be fenced with a black vinyl-coated chain link fence a minimum of four feet in height, and shall be fully screened from view of adjacent residences with a double staggered row of evergreens. Final screening plans shall be subject to the review and approval of the Director of Planning and Development.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

Senior housing is a suitable use at this location, however the reduction of architectural standards may result in increased maintenance for the units, which may be counter to the Unified Development Ordinance's intent for senior housing.

ADVERSE IMPACTS

Adverse impacts in the form of decreased development aesthetics could be anticipated from this request. Adverse visual impacts to existing developments may result or could be anticipated.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACT ON PUBLIC FACILITIES

No additional impacts should result from this specific change in conditions request.

CONFORMITY WITH POLICIES

The 2030 Unified Plan Future Development Map indicates the property lies within an Existing/Emerging Character Area. The Unified Plan encourages enhancing development aesthetics throughout the county; the proposed request to reduce architectural standards for the proposed homes may be counter to these policies. The requested change in conditions to revise architectural treatments may not be appropriate in view of the previous Board actions, which were determined through the public hearing process with input from neighboring property owners and area residents. The purpose and intent for R-SR zoning district is to create a low maintenance project. By decreasing the architectural standards, maintenance required by homeowners may increase.

CONDITIONS AFFECTING ZONING

Although the City of Snellville rezoned the adjacent neighboring property in 2017 with zoning conditions allowing reduced architectural standards and smaller house sizes, there are no other changes in the area that would warrant changing architectural standards or home sizes.

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 WITHOUT THE CHANGE IN CONDITIONS.

(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, THE SUBJECT PROPERTY IS DESIGNATED 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 02 2018

CIC '18 010

Planning & Development

REZONING APPLICANT'S LETTER OF INTENT

The Applicant and Owner, Century Communities, requests a Change in Conditions of the existing R-SR, case number RZR2017-00002 for the purpose of making the project consistent with the conditions of the attached property located in the City of Snellville. The subject property is located at the intersections of Pinehurst and Ridgedale Roads and is being developed as Saddlebrook. When this property was being rezoned it was a stand-alone property under contract by another national builder group. Century Communities was working on the adjacent property for basically the same type of development, a senior housing project with detached homes. The original buyer for the Gwinnett property dropped the project and it made sense for Century Communities to purchase and add that property to their project in Snellville. This request is to match the two projects conditions as close as possible.

Conditions needing changes:

1.C. The city allows homes to be a minimum of 1,700 square feet and the applicant is requesting a change from 1,800 square feet to 1,700 square feet of heated space. The homes are expected to sell in the \$300's to the low \$400's.

1.D. This condition calls for the front façade to be 50% brick or stone and because of the amount of windows and doors it would mean that everything below the 1st floor roof line would be of that material. The appearance of the homes are planned to be more of a farm house\craftsman look which would not be possible and instead of the homes all looking alike we would be able to provide a greater variety of designs, which adds value. Some of the homes will have 50% or more brick or stone, just not all of them. The brick water table would still be required on the sides and rear.

Finally, the applicant requests that they be allowed to have a second story room option for the homes with a restroom. This area can be a recreation area, craft room, study, office or a bedroom for visiting family or guests. The condition for deed restricting the homes to persons 55 and older will not allow younger family members to be a permeant guest but will allow for multiple options for the use of the area and add value to the home.

The project will also be gated with private streets as required by the City of Snellville. Century Communities looks forward to working with the County and the City to make this a senior development that the new residents will be proud to call home.

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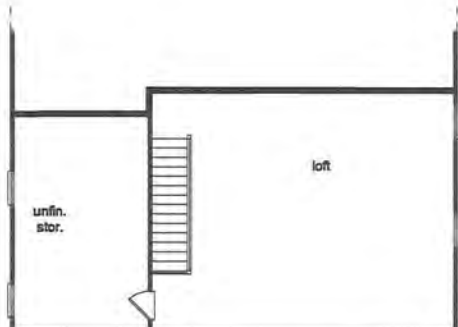
CIC '18 010

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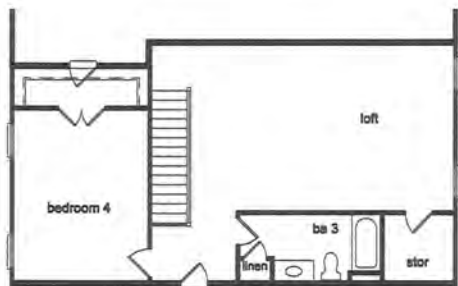


Sienna

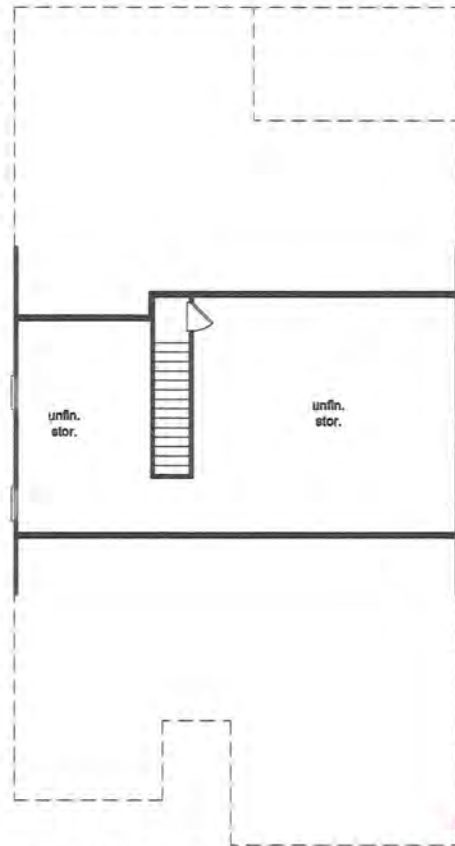
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Planning & Development
CIC '18 010



opt. second floor plan-2
 Conditioned = 548 sq.ft
 Unconditioned = 236 sq.ft.



opt. second floor SIENNA
 Conditioned = 788 sq.ft.



opt. second floor plan-1
 Unconditioned = 788 sq.ft.



stairs w/ opt. 2nd floor

AREA TABULATION 'A'	
FIRST FLOOR	2,068 SF
TOTAL CONDITIONED AREA	2,068 SF
GARAGE	420 SF
PORCH	38 SF
COVERED PORCH	183 SF
DPT. SCREENED PORCH	180 SF
DPT. MORNING	216 SF
DPT. COVERED PATIO (w/ MORNING)	183 SF
DPT. SCREENED PATIO (w/ MORNING)	183 SF



first floor plan

REVISION NUMBER	REFER TO COVER SHEET FOR DESCRIPTION

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PLAN NUMBER: 0000
 RELEASE DATE: 08.23.17

MODEL: SIENNA
 DRAWING TITLE: MARKETING FLOOR PLAN

SHEET NO. M-2

RECEIVED BY
 MAY 02 2018
 Planning & Development

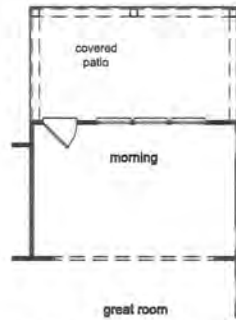
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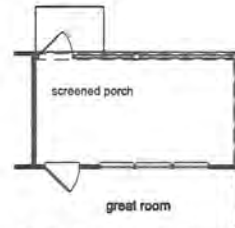
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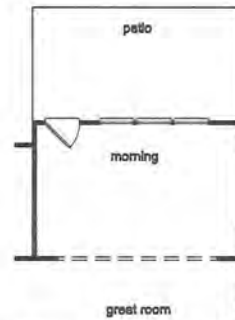
Opt. Morning Room w/ Screened Patio
1/8" = 1'-0"



Opt. Morning Room w/ Covered Patio
1/8" = 1'-0"



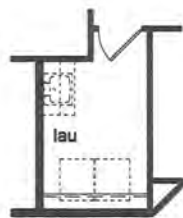
Opt. Screened Porch
1/8" = 1'-0"



Opt. Morning Room w/ Patio
1/8" = 1'-0"



opt. owner's ba 1
1/8" = 1'-0"



opt. laundry cabinet ilo linen
1/8" = 1'-0"



opt. ba 2 w/ shower
1/8" = 1'-0"



study ilo bed 2
1/8" = 1'-0"



opt. owner's ba 2
1/8" = 1'-0"

REVISION NUMBER	REFER TO COVER SHEET FOR DESCRIPTION

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PLAN NUMBER	0000
RELEASE DATE	08.23.17

MODEL	SIENNA
DRAWING TITLE	MARKETING FLOOR PLAN OPTIONS

SHEET NO.
M-3



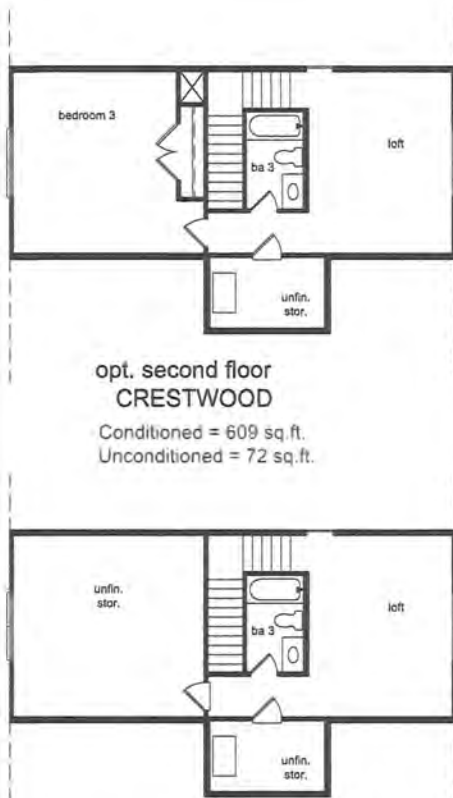
Crestwood

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MAY 02 2018

Planning & Development

CIC '18 010



opt. second floor
CRESTWOOD
Conditioned = 609 sq.ft.
Unconditioned = 72 sq.ft.

opt. second floor plan-3
Conditioned = 316 sq.ft.
Unconditioned = 365 sq.ft.



opt. second floor plan-1
Unconditioned = 681 sq.ft.



stairs w/ opt. 2nd floor



first floor plan

AREA TABULATION 'A'

FIRST FLOOR	1,823 SF
TOTAL CONDITIONED AREA	1,823 SF
GARAGE	527 SF
PORCH	44 SF
COVERED PORCH	136 SF
OPT SCREENED PORCH	136 SF
OPT MORNING	171 SF
OPT COVERED PATIO (w/ MORNING)	173 SF
OPT SCREENED PATIO (w/ MORNING)	173 SF

REVISION NUMBER	REFER TO COVER SHEET FOR DESCRIPTION

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PLAN NUMBER: 0000
RELEASE DATE: 08.23.17

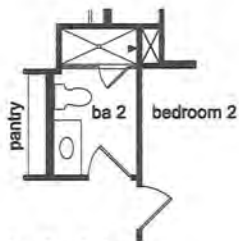
MODEL: CRESTWOOD
DRAWING TITLE: MARKETING FLOOR PLANS

SHEET NO: M-2

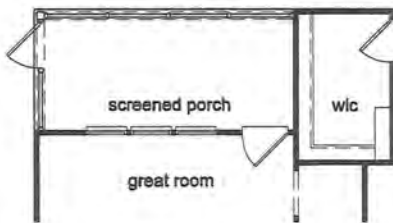
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Planning & Development
CIC '18 010

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MAY 02 2018
Planning & Development

CIC '18 010



opt. ba 2 w/ shower
1/8" = 1'-0"



opt. screened porch
1/8" = 1'-0"



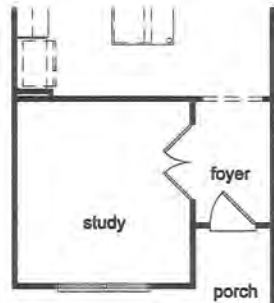
opt. morning w/ patio
1/8" = 1'-0"



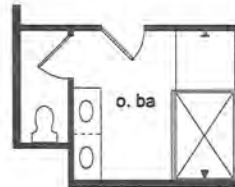
opt. morning w/ covered patio
1/8" = 1'-0"



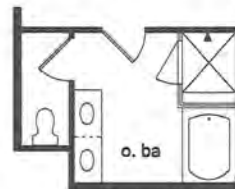
opt. morning w/ screened porch & grill patio
1/8" = 1'-0"



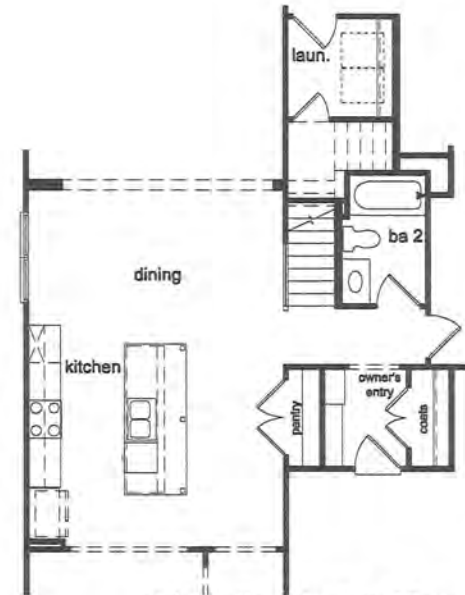
study ilo flex
1/8" = 1'-0"



opt. owner's ba 2
1/8" = 1'-0"



opt. owner's ba 3
1/8" = 1'-0"



stair location w/ opt. 2nd floor
1/8" = 1'-0"

REVISION NUMBER	REFER TO COVER SHEET FOR DESCRIPTION

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PLAN NUMBER: 0000
RELEASE DATE: 08.23.17

MODEL: CRESTWOOD
DRAWING TITLE: MARKETING FLOOR PLAN OPTIONS

SHEET NO: M-3

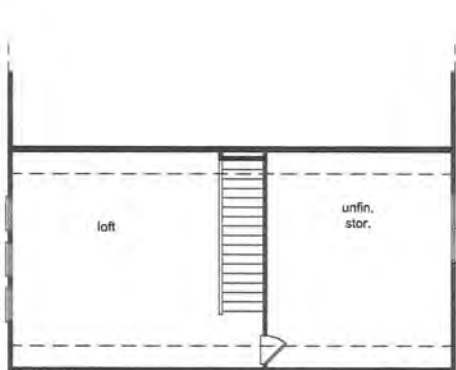


Ambrose

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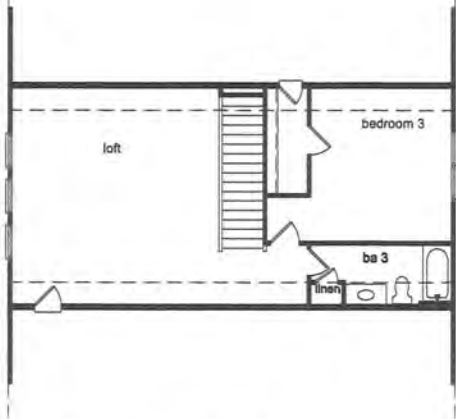
CIC '18 010

Ambrose floor plan cannot be offered at Saddlebrook (Gwinnett) unless loft option or morning option is included to meet min 1800 sf zoning requirement



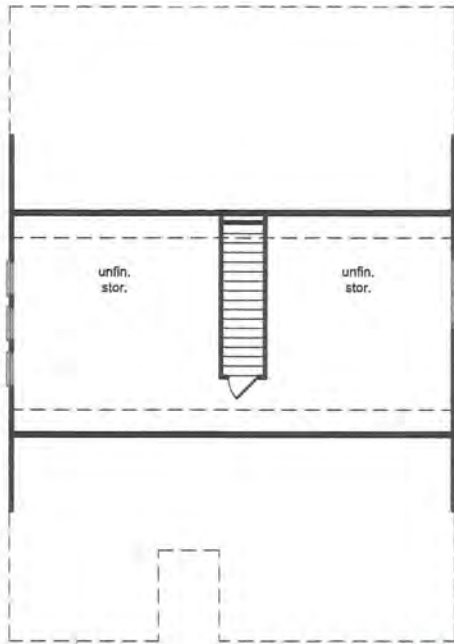
opt. second floor plan-2

Conditioned = 393 sq ft
Unconditioned = 334 sq ft

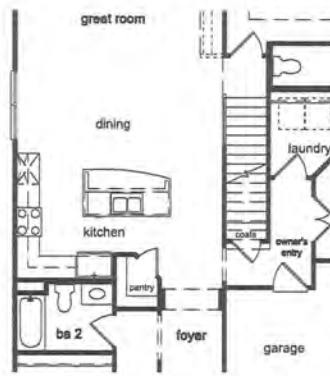


opt. second floor plan-3

Conditioned = 732 sq ft



opt. second floor plan-1



stairs w/ opt. 2nd floor

AREA TABULATION 'A'

FIRST FLOOR	1,704 SF
TOTAL CONDITIONED AREA	1,704 SF
GARAGE	437 SF
PORCH	43 SF
PATIO	167 SF
OPT. COVERED PORCH	167 SF
OPT. SCREENED PORCH	167 SF
OPT. MORNING	167 SF
OPT. COVERED PATIO (w/ MORNING)	167 SF
OPT. SCREENED PATIO (w/ MORNING)	167 SF



first floor plan

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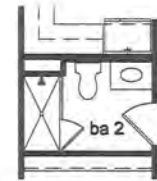
PLAN NUMBER: 0000
RELEASE DATE: 08.25.17

MODEL: AMBROSE
DRAWING TITLE: MARKETING FLOOR PLAN

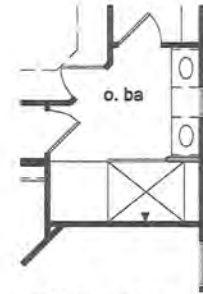
SHEET NO.: M-2

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MAY 02 2018
Planning & Development

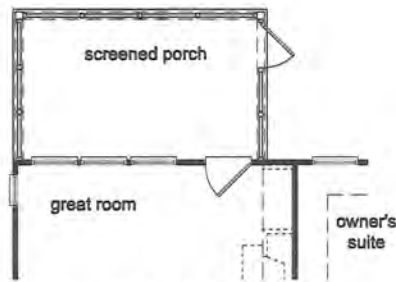
CIC '18 010



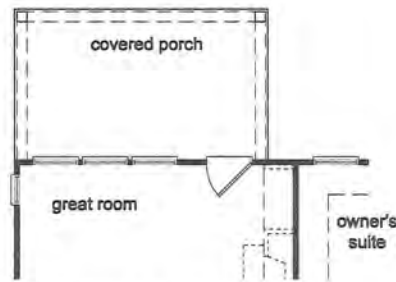
opt. ba 2 w/ shower
1/8" = 1'-0"



opt. owner's ba 2
1/8" = 1'-0"



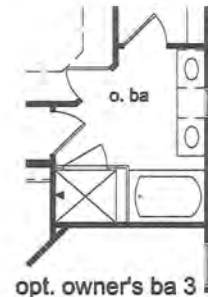
opt. screened porch
1/8" = 1'-0"



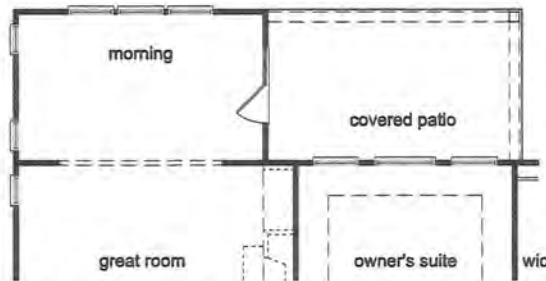
opt. covered porch
1/8" = 1'-0"



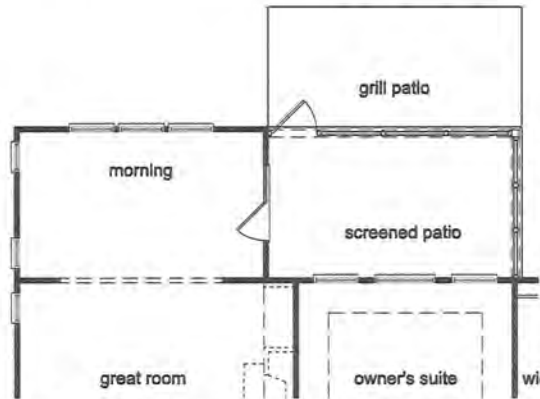
opt. morning w/ patio
1/8" = 1'-0"



opt. owner's ba 3
1/8" = 1'-0"



opt. morning w/ covered patio
1/8" = 1'-0"



opt. morning w/ screened porch & grill patio
1/8" = 1'-0"



stair location w/ opt. 2nd floor
1/8" = 1'-0"

REVISION NUMBER	REFER TO COVER SHEET FOR DESCRIPTION

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PLAN NUMBER: 0000	RELEASE DATE: 08.25.17
----------------------	---------------------------

MODEL:
AMBROSE
DRAWING TITLE:
MARKETING FLOOR PLAN

SHEET NO.
M-2

GWINNETT COUNTY
BOARD OF COMMISSIONERS
LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: Amendment to the Official Zoning Map of Gwinnett County

ADOPTION DATE: FEBRUARY 28, 2017

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

Name	Present	Vote
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Yes	Aye
Lynette Howard, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
John Heard, District 4	Yes	Aye

On motion of Commissioner COMM. HUNTER, which carried a 5-0 vote, the following Resolution to Amend the Official Zoning Map of Gwinnett County is hereby adopted:

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 R-SR by BRAD COOPER for the proposed use as a SENIOR ORIENTED 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 FEBRUARY 28, 2017 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, that the aforesaid application to amend the Official Zoning Map from R-100 to R-SR is hereby **APPROVED** with the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Single-family detached dwellings and accessory uses and structures, not to exceed 57 units. The project is to be deed restricted to ownership by residents that are 55 years old or older.
 - B. The homeowner's association shall be responsible for maintenance of all common areas/facilities, street frontage landscaping, and lawn and ornamental planting maintenance on individual lots. The homeowner's association shall be responsible for exterior maintenance of individual residences to include, at a minimum, painting of the exteriors on a rotation not to exceed six years.
 - C. The minimum heated floor area per dwelling unit shall be 1,800 square feet.
 - D. Homes shall be constructed with architectural treatments of primarily brick or stone on the front façade with minor treatments of fiber-cement siding materials. The sides and rear shall contain a minimum two-foot high water table of brick or stone. The balance of the sides and rear shall be of brick, stone, or fiber-cement siding. Final building elevations shall be subject to the review and approval of the Director of Planning and Development.
 - E. All dwellings shall have a minimum two-car garage.
 - F. The entrance feature shall be made of brick or stone with landscaping. The final design shall be approved by the Director of Planning and Development. A wrought iron-type fence, a minimum of six-foot high, shall be installed along the exterior road frontage with brick or stone columns 50 foot on center that will match the look of the entry feature. A double row of landscaping is to be installed along the interior of the fencing with a mixture of evergreen plants that are a minimum of four to six feet high at the time of planting.
2. To satisfy the following site development considerations:
 - A. All utilities shall be placed underground.
 - B. Detention pond(s) shall be fenced with a black vinyl-coated chain link fence a minimum of four feet in height, and shall be fully screened from view of adjacent residences with a

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double staggered row of evergreens. Final screening plans shall be subject to the review and approval of the Director of Planning and Development.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

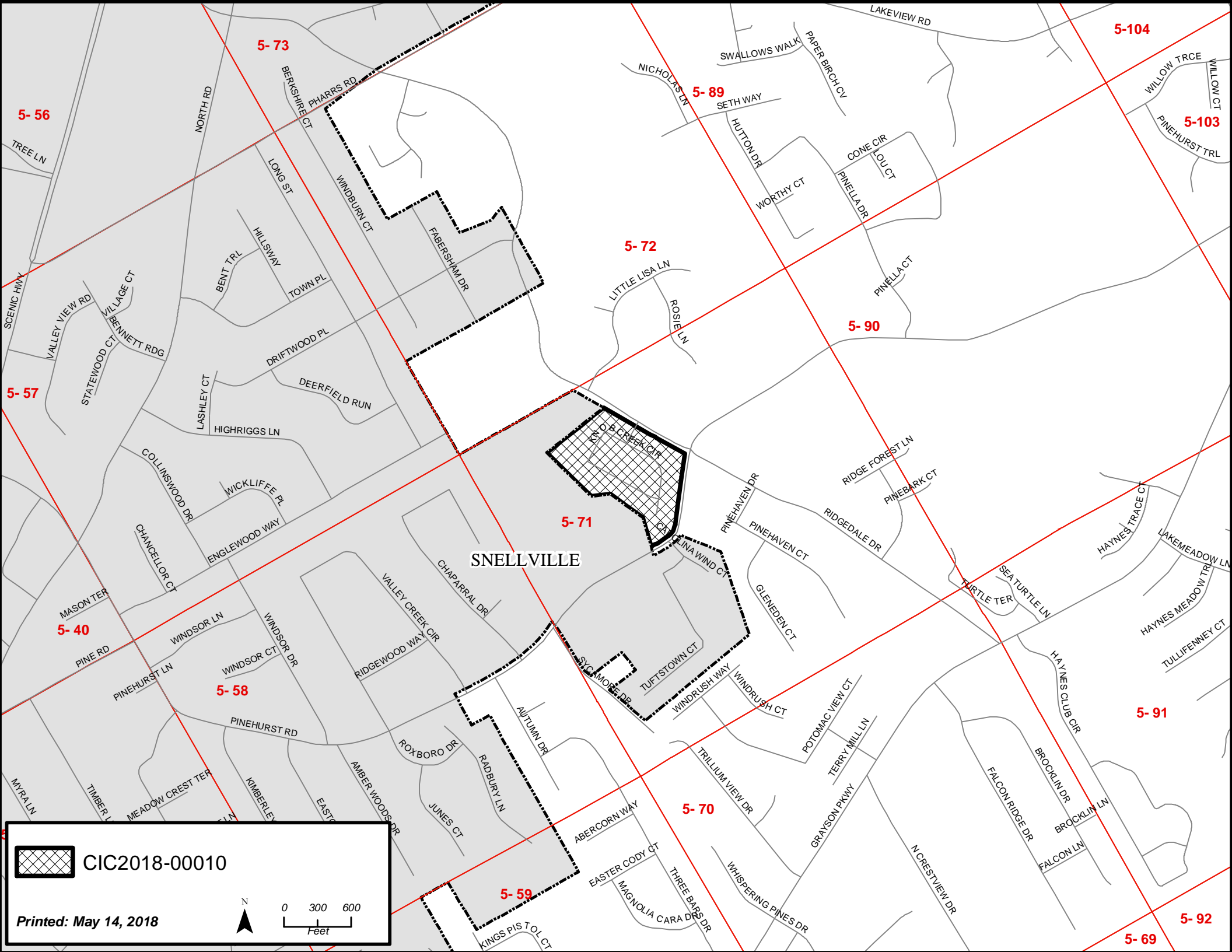
Date Signed: 3/21/17

ATTEST:

Liane Kemp
County Clerk/Deputy County Clerk



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CIC '18 010



5-56

5-73

5-89

5-104

5-103

5-72

5-90

5-57

5-71

SNELLVILLE

5-40

5-58


5-91

5-70

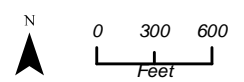
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5-69

 CIC2018-00010

Printed: May 14, 2018





Saddlebrook
(Gwinnett County)

Saddlebrook
(City of Snellville)

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BACKGATE DR

RIDGEDALE DR

KNOB CREEK CIR

PINEHURST DR

CAROLINA WIND CT



CIC2018-00010

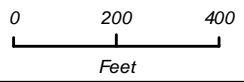


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Feet

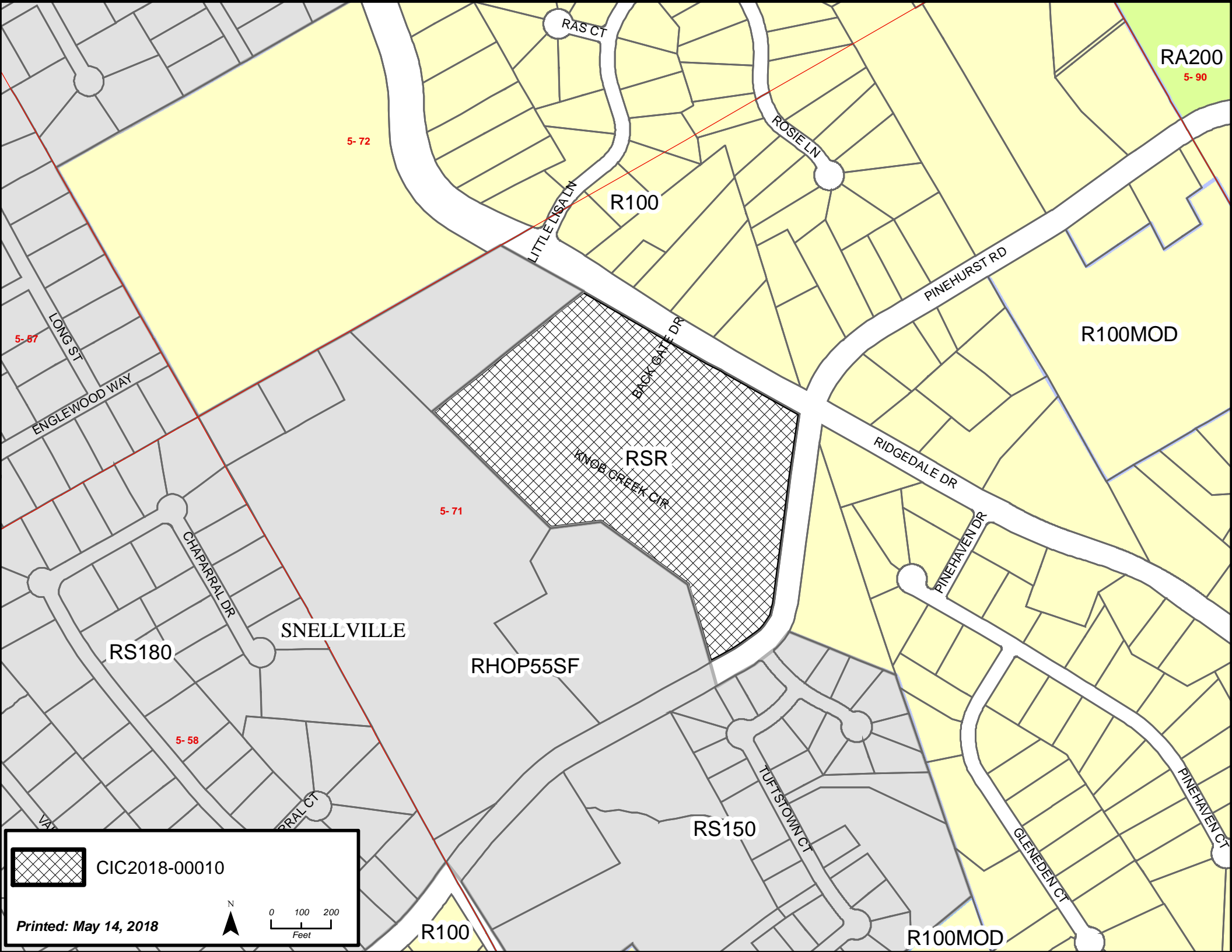
Printed: May 14, 2018



CIC2018-00010



Printed: May 14, 2018



RA200

5-90

R100

R100MOD

RSR

SNELLVILLE


RHOP55SF

RS180

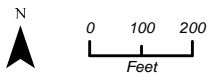
RS150

R100

R100MOD

 CIC2018-00010

Printed: May 14, 2018



5-87

5-72

5-71

5-58

RAS CT

LITTLE LISA LN

ROSIE LN

PINEHURST RD

RIDGEDALE DR

PINEHAVEN DR

GLENEDEN CT

TUFTSTOWN CT

BACK GATE DR

KNOB CREEK CIR

LONG ST

ENGLEWOOD WAY

CHAPARRAL DR

VIA

PRAL CT

PINEHAVEN CT

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

CASE NUMBER :CIC2018-00011
ZONING :MU-R
LOCATION :2600 BLOCK OF MALL OF GEORGIA BOULEVARD
:3100 BLOCK OF WOODWARD CROSSING BOULEVARD
MAP NUMBER :R7177 047
ACREAGE :16.0 ACRES
PROPOSAL :CHANGE IN CONDITIONS OF ZONING
COMMISSION DISTRICT :(4) HEARD

FUTURE DEVELOPMENT MAP: **REGIONAL MIXED-USE**

APPLICANT: ARISTON GROUP, LLC
C/O MAHAFFEY PICKENS TUCKER, LLP
1550 NORTH BROWN ROAD, SUITE 125
LAWRENCEVILLE, GA 30043

CONTACT: SHANE LANHAM PHONE: 770.232.0000

OWNER: ARISTON GROUP, LLC
1790 MALL OF GEORGIA BOULEVARD
BUFORD, GA 30519

DEPARTMENT RECOMMENDATION: **DENIAL**

PROJECT DATA:

The applicant is requesting a Change in Conditions of a 2016 rezoning case (RZC2016-00015) to amend conditions related to the use of the property, construction phasing and lowering the total number of multifamily units in the development. In 2016, the property was rezoned to MU-R (Regional Mixed-Use District) for a mixed-use development consisting of 541 multifamily units (apartments and condominiums), retail, office, entertainment uses and a hotel. Parking was to be provided in both surface lots and multiple parking decks. The 16.0-acre property is located on the corner of Mall of Georgia Boulevard and Woodward Crossing Boulevard. Ivy Creek forms the western property line, separating the property from the main mall site.

The applicant requests to amend the following conditions of case RZC2016-00015:

I.A. A mixed-retail, office, hotel and residential development in general accordance with the submitted site plan and architectural renderings. Final site and building design shall be subject to review and approval of the Director of Planning and Development.

The applicant proposes to modify Condition I.A. to remove the words “retail, office, hotel and residential,” to allow for a more broad interpretation of mixed-use in general accordance with the site plan submitted to the Department of Planning and Development on May 4, 2018.

I.C. Pursuant to UDO Pursuant to UDO §210-255.18, the applicant/developer shall submit a Phasing Plan for review and approval by the Director of the Planning and Development Department. Said Phasing Plan shall consist of four phase. In addition to retail/commercial uses on the ground floor, Phase I of the plan shall include not more than 336 multifamily units. Phase 4 may include office, commercial, retail and/or multifamily uses, but the number of multifamily units in Phase 4 shall not exceed 205. The total number of multifamily units in the entire development shall not exceed 541.

The applicant proposes to modify condition I.C. to eliminate the requirement for construction phasing and to lower the total number of multifamily units in the development from 541 to 285 for the overall development.

The proposed new development would consist of a mix of residential and commercial uses including a hotel, but without the previously proposed office, entertainment uses and parking garages. The new multifamily configuration includes two four-story buildings totaling 285 units. According to the site plan and letter of intent, the development would also include 100,000 square feet of commercial uses including a 4-story hotel with 110 rooms. The net residential density would be 18.48 units per acre, resulting from 1.16 acres that are within the 100-year floodplain. Access to the property is proposed through one entrance on Mall of Georgia Boulevard, and two entrances on Woodward Crossing Boulevard.

ZONING HISTORY:

The property was zoned RA-200 (Agriculture Residence District) in 1970. The property was rezoned to C-2 (General Business District) in 1997 as part of the Mall of Georgia rezoning actions (RZ-97-013 and SUP-97-014). A change in conditions for a building height increase was approved on the site in December 2007, pursuant to CIC-07-035. In 2013, a request to rezone the subject site to RM-13 (Multifamily Residence District) was denied without prejudice, pursuant to RZM2013-00004. In 2016, the property was rezoned to its current MU-R (Regional Mixed-Use District) zoning, pursuant to RZC2016-00015. A Development of Regional Impact (DRI) review was required for the 2016 rezoning to MU-R, as the proposal was beyond the scope of the original 1997 DRI review of the Mall of Georgia development.

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 County Department of Planning and Development. The applicant/developer shall obtain all required approvals from the Gwinnett County Department of Water Resources 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:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

The property appears to contain floodplain and stream buffers. The proposed conceptual plan may require revision to show the appropriate floodplain and stream buffers.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Mall of Georgia Boulevard is a Major Collector and 40 feet of right of way is required from the centerline.

Woodward Crossing Boulevard is a Major Collector and 40 feet of right of way is required from the centerline.

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 southeast right of way of Mall of Georgia Boulevard and a 12-inch water main located on the northeast right of way of Woodward Crossing Boulevard and a 78-inch water main located on parcel R7177 047.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of eight-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located on parcel R7177 047 and a 24-inch sanitary sewer main located approximately 150 feet west of parcel R7177 047 on parcel R7145 082 (an easement would be required).

The subject development is located within the Ivy Creek service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

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, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

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, Design 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 am to 5:00 pm.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject property is a 16-acre site located at the corner of Mall of Georgia Boulevard and Woodward Crossing Boulevard. Ivy Creek forms the western property line, separating the property from the main mall site. The property was graded years ago but has not been developed. The applicant seeks to amend conditions related to the use of the property and construction phasing, and substitute a new site plan lowering the commercial density and the total number of multifamily units in the development.

The 2030 Unified Plan Future Development Map indicates that the property lies within the Regional Mixed-Use Character Area. The change in conditions request to reduce the scope of a large scale mixed-use development could be inconsistent with the Character Area as well as with policies of the Unified Plan to promote major mixed-use developments, to promote densification in specific areas designated for mixed-use through rezoning actions, to improve the walkability of activity centers, and to provide more housing choices for residents. The proposed change eliminates parking garages, which are a key factor in the Mixed-Use Character Area to provide parking lots and garages that are accessible but not visually obvious. Therefore, the proposed change in conditions to the mixed-use complex may not be compatible with the

2030 Unified Plan policies and the increasingly intense commercial and multifamily activity surrounding the Mall of Georgia.

The surrounding area is anchored by the Mall of Georgia to the west with numerous commercial and office outparcels surrounding the mall. Two multifamily developments, the Reserve at Ivy Creek and Century Mill Creek, are located in close proximity to the subject site. These apartment complexes were rezoned RM-10 in 1997 (RZ-97-013) and 2001 (RZM-01-014), and are located to the southeast across Mall of Georgia Boulevard. The presence of existing commercial, office and multifamily buildings in the mall area provided supporting grounds for approval of the 2016 rezoning request. As available land immediately surrounding the mall becomes more scarce, the emerging development pattern should be for increasingly compact, high density mixed-use projects. Therefore, the changes proposed may not be in line with the intent of the MU-R (Regional Mixed-Use District) zoning district for innovative, high standards that can improve the viability of surrounding development and communities, or with the increasing density of commercial and residential development projected for the area.

The proposed Change in Conditions to reduce the scope of the mixed-use development and the combination of uses on the property, eliminate construction phasing requirements, and lower the total number of multifamily units in the development may not be appropriate in light of the previously approved rezoning, the evolving development pattern of the area, and a number of Unified Plan policies to promote more efficient use of land in mixed-use projects. Therefore, the Department recommends **DENIAL** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

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

RZC2016-00015

Additions in **bold**

Deletions in ~~strikethrough~~

Approval as MU-R (Mixed-Use Regional) subject to the following enumerated conditions:

I. To restrict the use of the property as follows:

- A. A mixed-use retail, office, hotel and residential development in general accordance with the architectural renderings and site plan prepared by Phillips Architects and Engineers dated September 2, 2016 and submitted at the September 27, 2016 Board of Commissioners meeting **received May 3, 2018**, with changes necessary to meet the conditions of zoning and development regulations.
- B. Development architecture shall meet the standards of Category 4 of the Architectural Standards of the Gwinnett County Unified Development code and shall be generally consistent with the renderings **received May 3, 2018** submitted at the September 27, 2016 Board of Commissioners meeting.
- C. Pursuant to UDO §210-255.18, the applicant/developer shall submit a Phasing Plan for review and approval by the Director of the Planning and Development Department. Said Phasing Plan shall consist of four phase. In addition to retail/commercial uses on the ground floor, Phase 1 of the plan shall include not more than 336 multifamily units. Phase 4 may include office, commercial, retail and/or multifamily uses, but the number of multifamily units in Phase 4 shall not exceed 205. The total number of multifamily units in the entire development shall not exceed 541.
- D. Multifamily units in the development shall be limited to one, two, and three-bedroom floor plans. No more than 8% of the total multifamily units shall be three-bedroom units.

2. To abide by the following site development considerations:

- A. Provide a minimum ten-foot wide landscaped strip adjacent to Woodward Crossing Boulevard and Mall of Georgia Boulevard.

- B. Ground signage shall be limited to monument type signs, and shall be subject to review and approval by the Director of Planning and Development. The signs 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 signs shall not exceed ten feet in height.
 - C. Window signage (signs displayed on the interior or exterior of the business storefront windows) shall be prohibited, except for open/closed signs or signs required by county, state or federal law. Flashing or blinking signs and exposed neon or LED signs shall be prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.
 - D. 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.
 - 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 properties or rights-of-way.
 - F. Peddlers and/or parking lot sales shall be prohibited.
 - G. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
 - H. Outdoor storage shall be prohibited.
 - I. Abide by all requirements of UDO Section 220-30 (Activity Center/Corridor Overlay District). This condition shall not preclude a variance application.
3. To abide by the following requirements, dedications and improvements:
- A. Abide by all applicable requirements of the DRI #2574 ARC and GRTA Notices of Decision.
 - B. Prior to the issuance of a Development Permit, the applicant shall provide a traffic impact study and a signal warrant study. If it is determined by the signal warrant study that a signal is warranted, and the signal is approved by the D.O.T., the applicant shall contact and pay for the signal design. The applicant shall also contract for the installation of the signal by a D.O.T. approved contractor. All design and construction will be subject to D.O.T. review and

approval. The signal will be installed and operational prior to the issuance of the first certificate of occupancy.

- C. Prior to the issuance of the first certificate of occupancy, the applicant shall make any improvements recommended by the traffic impact study, provided the improvements are approved by the D.O.T. All design and construction will be subject to D.O.T. review and approval.
- D. Subject to the approval of the Georgia Wildlife Federation, the applicant/developer shall construct a pedestrian bridge over Ivy Creek and a connection to the Ivy Creek Greenway prior to the approval of any certificates of occupancy for commercial, office or residential development

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The proposed change in conditions to reduce the scope of the mixed-use development may not be suitable at this location, as it is located within the Mall of Georgia major mixed-use activity center. It is anticipated that development around the mall should become increasingly more dense and compact as available land is utilized. The changes as proposed by the applicant would result in a less efficient use of scarce available land in the area than originally proposed.

ADVERSE IMPACTS

The reduction of project scope to the development proposed in 2016 would be expected to adversely impact adjacent or nearby properties with similar development potential. In view of the high visibility from Mall of Georgia Boulevard and the architectural standards established in the immediate area, appropriate conditions reinforcing Mall of Georgia Overlay architectural standards, landscape and signage conditions should be included.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACT ON PUBLIC FACILITIES

A relative decrease in traffic, storm water runoff, school-age children and utility demand would be expected from the reduced project size.

CONFORMITY WITH POLICIES

The proposed change in conditions to reduce the scope of the 2016 approved rezoning for a large-scale retail, office, hotel and multifamily mixed-use development may not be consistent with the zoning and development pattern established by the Board of Commissioners at the Mall of Georgia and with the 2030 Unified Plan Future Development Map designation of Regional Mixed-Use Corridor.

CONDITIONS AFFECTING ZONING

In light of the property's location at the Mall of Georgia activity node, accompanied with the scale of the proposed development and its anticipated traffic impacts, the recommended conditions received from the Gwinnett Department of Transportation, Atlanta Regional Commission and the Georgia Regional Transportation Authority should be included in any rezoning approval.

CHANGE IN CONDITIONS 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 CHANGE IN CONDITIONS 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 CHANGE IN CONDITIONS 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 CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

Please see attached

- (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:

- (E) WHETHER THE PROPOSED CHANGE IN CONDITIONS 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 CHANGE IN CONDITIONS:

Please see attached

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

- (A) Yes, approval of the proposed development will permit a use that is suitable in view of the use and development of adjacent and nearby property. The proposed development is adjacent to high-intensity commercial uses and is consistent with the character of surrounding development.
- (B) No, approval of the proposed development will not adversely affect the existing use or usability of any of the nearby properties.
- (C) In light of the size, location, layout, topography, and nature features of the property and in conjunction with the nature of surrounding development, the Applicant submits that the subject Property does not have reasonable economic use as currently zoned.
- (D) No, the proposed development will not result in an excessive or burdensome use of the infrastructure systems. The Property has convenient access to Gravel Springs Road and Buford Drive as well as Interstate 85 and Interstate 985.
- (E) Yes, the proposed development is in conformity with the policy and intent of the Gwinnett County 2030 Unified Plan. The subject Property is located within the Regional Mixed Use character area.
- (F) Applicant submits that the character of surrounding development and the Property's proximity to the Mall of Georgia provide additional supporting grounds for approval of the proposed development.

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Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Mary Grace Griffin
Christopher D. Holbrook
Nicholas N. Kemper
Shane M. Lanham

Austen T. Mabe
Jeffrey R. Mahaffey
David G. McGee
Steven A. Pickens
Thomas A. Simpson
Andrew D. Stancil
R. Lee Tucker, Jr.
*Of Counsel

**LETTER OF INTENT FOR
CHANGE IN CONDITIONS APPLICATION OF
ARISTON GROUP, LLC**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Change in Conditions application (the "Application") on behalf of Ariston Group, LLC (the "Applicant") for the purpose of requesting a change in conditions of zoning on an approximately 16.001 acre tract (the "Property") located on the northerly side of Mall of Georgia Boulevard at its intersection with Woodward Crossing Boulevard. The Property lies on the east side of Ivy Creek within the Mall of Georgia Overlay District. The surrounding area is characterized by a mix of land uses including offices, multi-family residential development and expansive retail and commercial uses at the Mall of Georgia.

The Property was rezoned to its current MU-R zoning classification by the Gwinnett County Board of Commissioners in September 2016 pursuant to case number RZC2016-00015. The Applicant is requesting to modify certain conditions of that zoning case in order to address changes in the site plan and overall square footages of the proposed mixed-use development. Specifically, the Applicant is requesting to modify Conditions 1(A) and 1(C) as follows:

Condition 1(A): To restrict the use of the property as follows: A mixed-use retail, office, hotel and residential development in general accordance with the architectural renderings and site plan prepared by Phillips Architects and Engineers dated September 2, 2016 and submitted **to the Gwinnett County Department of Planning and Development on May 4, 2018,** at the September 27, 2016 Board of Commissioners meeting, with changes necessary to meet the conditions of zoning and development regulations.

Condition 1(C): Pursuant to UDO §210-255.18, the applicant/developer shall submit a Phasing Plan for review and approval by the Director of the Planning and Development Department. Said Phasing Plan shall consist of four phase. In addition to retail/commercial uses on the ground floor, Phase 1 of the plan shall include not more than 336 multifamily units. Phase 4 may include office, commercial, retail and/or multifamily uses, but the number of multifamily units in Phase 4 shall not exceed 205. The total number of multifamily units in the entire development shall not exceed **285** 544.

While the proposed development is in line with the spirit and intent of the Gwinnett County 2030 Unified Plan (the "2030 Plan") and the 2016 rezoning, a Change in Conditions is

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required in order to develop the Property according to the site plan submitted with the Application. The proposed development will contain a mix of residential and commercial uses, including a hotel. Currently, the proposed development would provide 285 multi-family residential units and 100,000 square feet of commercial uses including a four-story hotel. The internal road/driveway network and general location of the proposed uses is substantially similar to the site plan approved pursuant to the 2016 rezoning. However, the proposed development no longer includes structured parking. The original site plan provided over 2,000 parking spaces in decks spread across the development and with the elimination of the structured parking, the development must accordingly be resized to provide a scale of uses that can be supported with traditional surface parking lots. Despite transitioning from a “structure” to “surface-parked” development, the current site plan maintains the original sense of place and energetic, urban environment of the original mixed-use proposal by providing on-site amenities and pushing the buildings up on the rights-of-way of Woodward Crossing Boulevard and Mall of Georgia Boulevard.

The proposed development would also provide pedestrian connectivity between internal uses as well as to off-site attractions and amenities such as the Mall of Georgia and Ivy Creek Greenway further enhancing the walkability of the area which is in line with the policies of the 2030 Plan. Specifically, Policy A.5.1 of the 2030 Plan provides that “[q]uality of life in Gwinnett can be enhanced by making it easier for people to walk through their neighborhoods to and from attractions such as local parks, schools, churches, or even neighborhood shopping.” Moreover, the 2030 Plan specifically encourages the development of mixed-use communities on the Property. Overall, the proposed development is compatible with surrounding land uses, is in line with the recommendations of the 2030 Future Development Map, and would further the stated policy goals of the 2030 Plan.

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 Applications filed herewith. The Applicant respectfully requests your approval of this Application.

This 2nd day of May, 2018.

Respectfully Submitted,

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham

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GWINNETT COUNTY
BOARD OF COMMISSIONERS
LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: Amendment to the Official Zoning Map of Gwinnett County

ADOPTION DATE: SEPTEMBER 27, 2016

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

Name	Present	Vote
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Absent	Absent
Lynette Howard, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
John Heard, District 4	Absent	Absent

On motion of Commissioner CHAIRMAN NASH, which carried a 3-0 vote, the following Resolution to Amend the Official Zoning Map of Gwinnett County is hereby adopted:

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 C-2 to MU-R by MAHAFFEY, PICKENS, TUCKER, LLP for the proposed as a REGIONAL MIXED-USE DEVELOPMENT 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 SEPTEMBER 27, 2016 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, that the aforesaid application to amend the Official Zoning Map from C-2 to MU-R is hereby **APPROVED** with the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. A mixed-retail, office, hotel and residential development in general accordance with the architectural renderings and site plan prepared by Phillips Architects and Engineers dated September 2, 2016 and submitted at the September 27, 2016 Board of Commissioners meeting, with changes necessary to meet the conditions of zoning and development regulations.
 - B. Development architecture shall meet the standards of Category 4 of the Architectural Standards of the Gwinnett County Unified Development code and shall be generally consistent with the renderings submitted at the September 27, 2016 Board of Commissioners meeting.
 - C. Pursuant to UDO §210-255.18, the applicant/developer shall submit a Phasing Plan for review and approval by the Director of the Planning and Development Department. Said Phasing Plan shall consist of four phase. In addition to retail/commercial uses on the ground floor, Phase 1 of the plan shall include not more than 336 multifamily units. Phase 4 may include office, commercial, retail and/or multifamily uses, but the number of multifamily units in Phase 4 shall not exceed 205. The total number of multifamily units in the entire development shall not exceed 541.
 - D. Multifamily units in the development shall be limited to one, two, and three-bedroom floor plans. No more than 8% of the total multifamily units shall be three-bedroom units.
2. To abide by the following site development considerations:
 - A. Provide a minimum ten-foot wide landscaped strip adjacent to Woodward Crossing Boulevard and Mall of Georgia Boulevard.
 - B. Ground signage shall be limited to monument type signs, and shall be subject to review and approval by the Director of Planning and Development. The signs 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 signs shall not exceed ten feet in height.
 - C. Window signage (signs displayed on the interior or exterior of the business storefront windows) shall be prohibited, except for open/closed signs or signs required by county, state or federal law. Flashing or blinking signs and exposed neon or LED signs shall be

prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.

- D. 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.
 - 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 properties or rights-of-way.
 - F. Peddlers and/or parking lot sales shall be prohibited.
 - G. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
 - H. Outdoor storage shall be prohibited.
 - I. Abide by all requirements of UDO Section 220-30 (Activity Center/Corridor Overlay District). This condition shall not preclude a variance application.
3. To abide by the following requirements, dedications and improvements:
- A. Abide by all applicable requirements of the DRI #2574 ARC and GRTA Notices of Decision.
 - B. Prior to the issuance of a Development Permit, the applicant shall provide a traffic impact study and a signal warrant study. If it is determined by the signal warrant study that a signal is warranted, and the signal is approved by the D.O.T., the applicant shall contact and pay for the signal design. The applicant shall also contract for the installation of the signal by a D.O.T. approved contractor. All design and construction will be subject to D.O.T. review and approval. The signal will be installed and operational prior to the issuance of the first certificate of occupancy.
 - C. Prior to the issuance of the first certificate of occupancy, the applicant shall make any improvements recommended by the traffic impact study, provided the improvements are approved by the D.O.T. All design and construction will be subject to D.O.T. review and approval.

- D. Subject to the approval of the Georgia Wildlife Federation, the applicant/developer shall construct a pedestrian bridge over Ivy Creek and a connection to the Ivy Creek Greenway prior to the approval of any certificates of occupancy for commercial, office or residential development

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 10/20/16

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk





Winters

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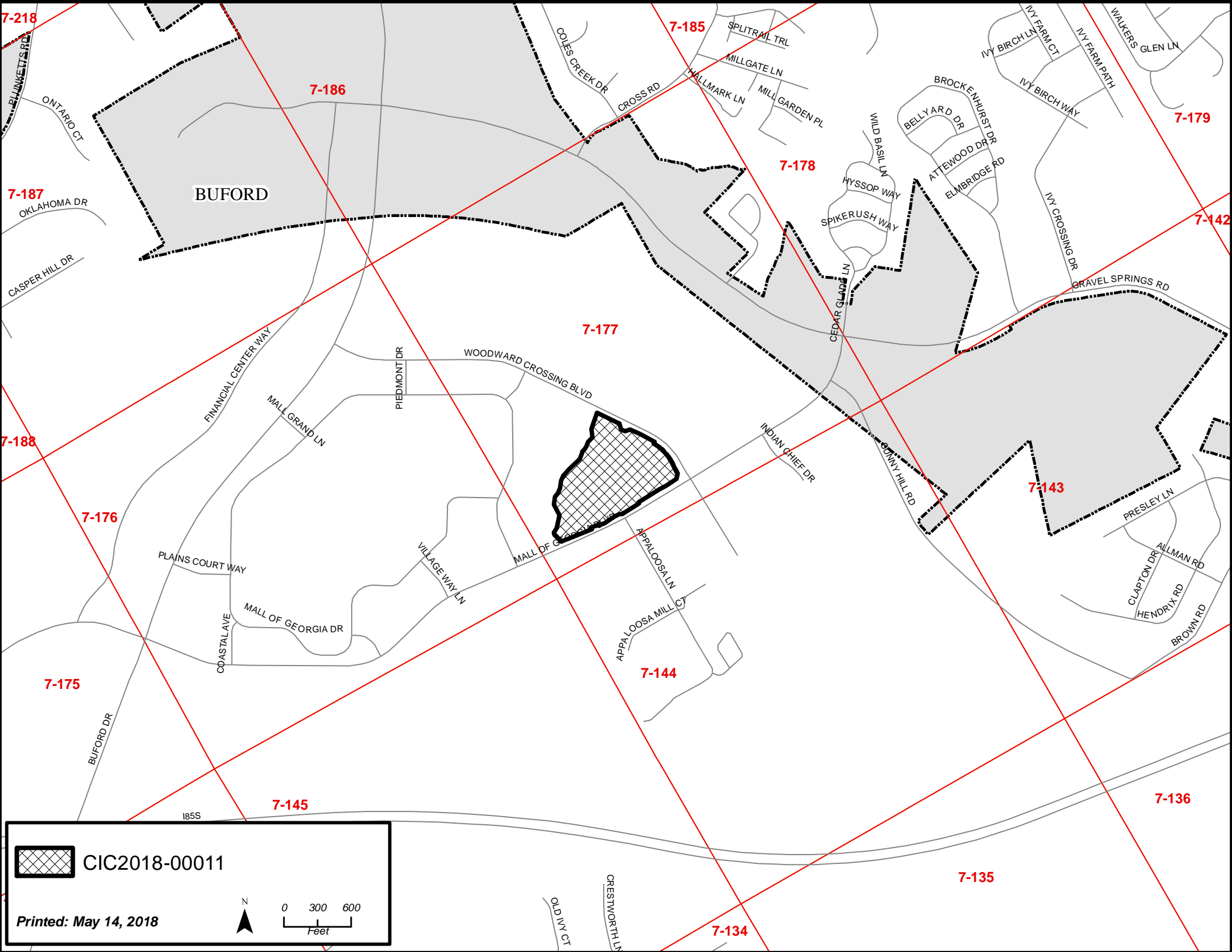
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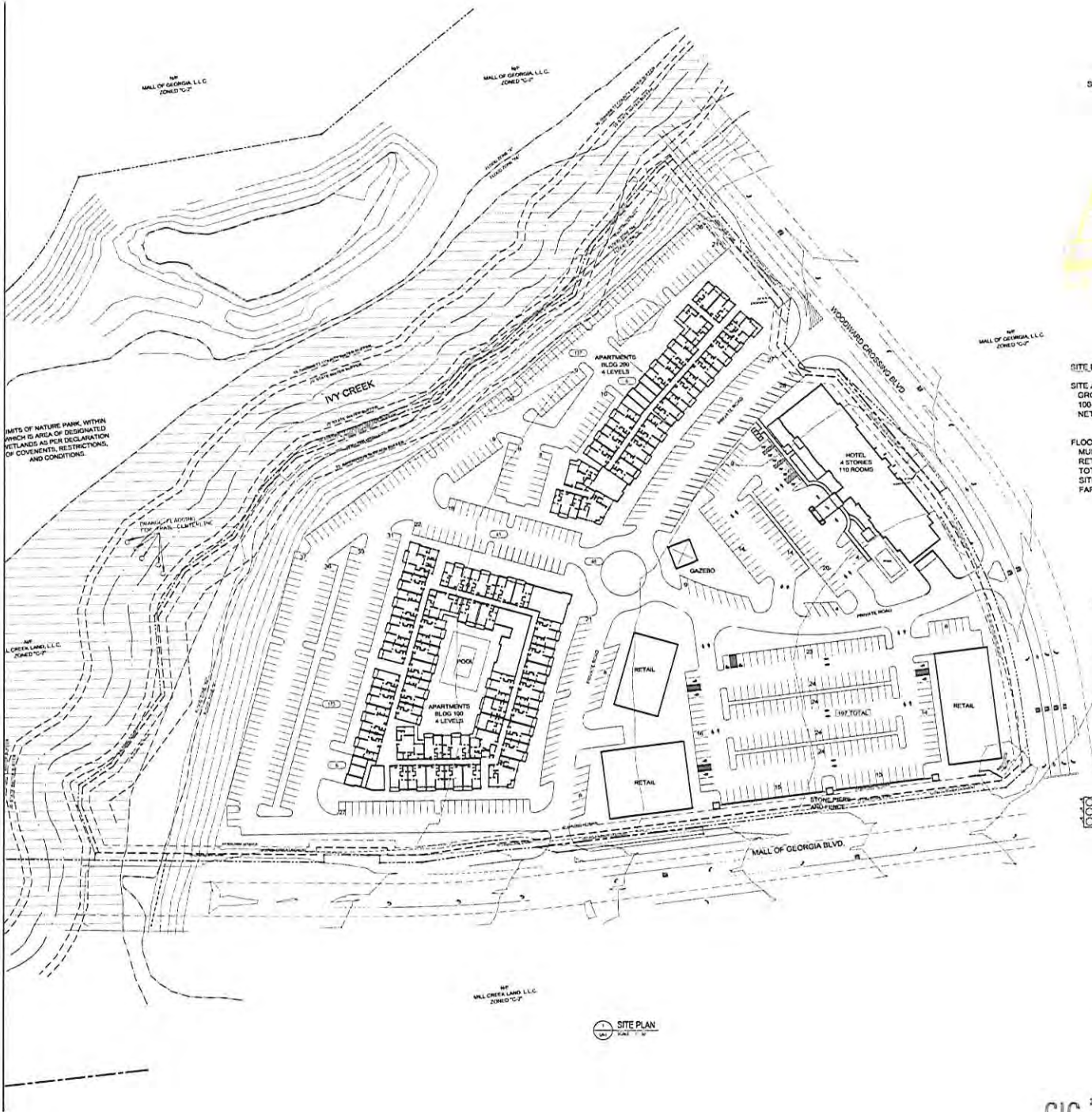
BUFORD

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Printed: May 14, 2018



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Feet



VICINITY MAP

SITE DATA

SITE AREA:	18.001 ACRES
GROSS ACREAGE:	1.18 ACRES
100-YEAR FLOODPLAIN:	15.42 (GROSS ACREAGE - (FLOODPLAIN2))
NET ACREAGE:	
FLOOR AREA RATIO (FAR):	
MULTIFAMILY:	270,000 SF
RETAIL/HOTEL:	100,000 SF
TOTAL BUILDING AREA:	270,000 SF
SITE AREA:	697,000.0 SQ FT
FAR:	0.53 (TOTAL BUILDING AREA / SITE AREA)



PHILLIPS

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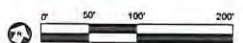
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CIC 18011

ARISTON MASTER PLAN
DUNWOODY COUNTY, GA



PHILLIPS JOB NUMBER _____
PHASE DATE _____
DRAWING PROVIDED BY _____
DRAWING TITLE _____

SITE PLAN

SHEET NUMBER _____

SP-1

PHILLIPS CONSULTING AND ARCHITECTURE
CORPORATION
ATLANTA, GEORGIA




MALL OF GEORGIA DR

WOODWARD CROSSING BLVD

MALL OF GEORGIA BLVD

APPALOOSA LN

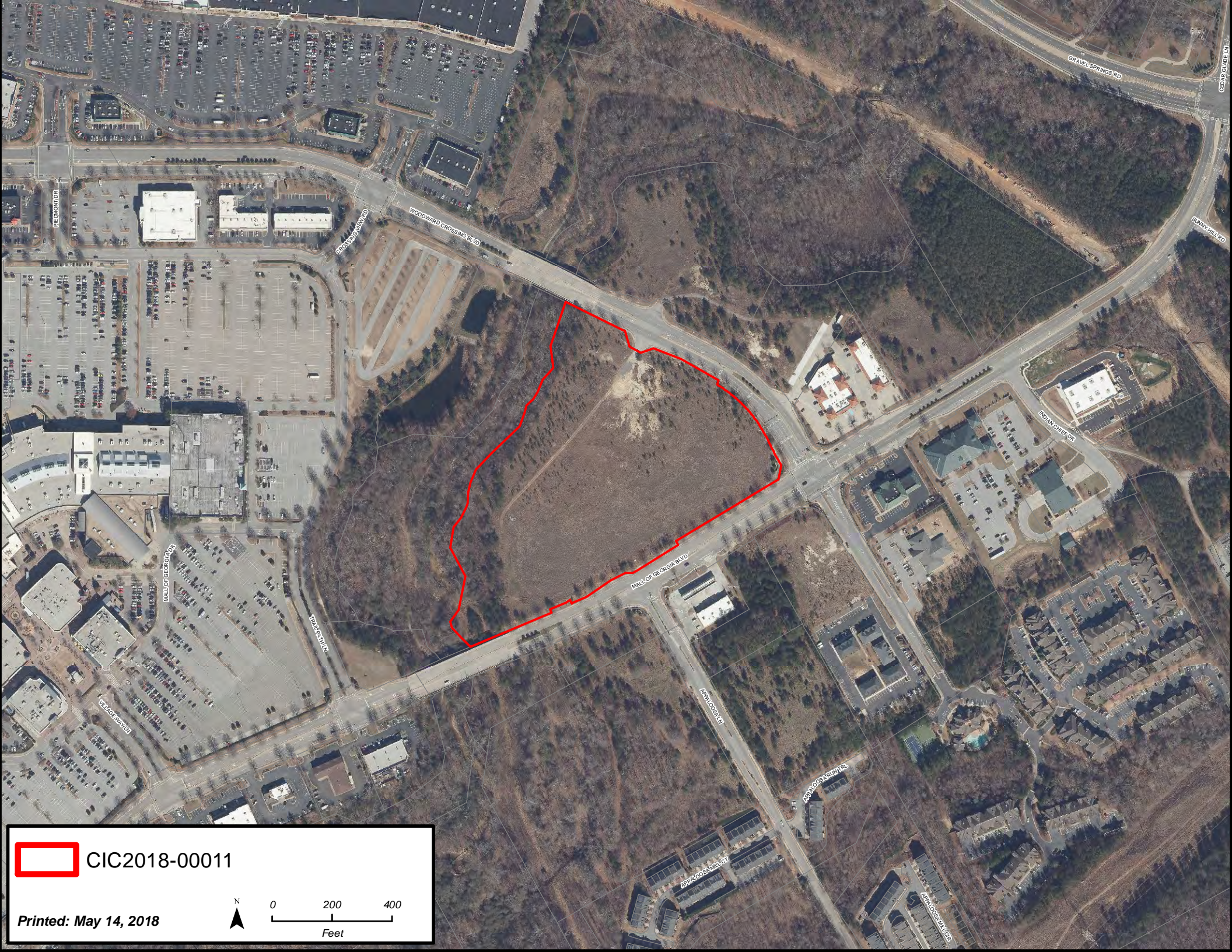
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PERDUE DR

CROSSING HWY

WOODWARD CROSSING BLVD

GRAVEL SPRINGS RD

CLAYVILLE RD

MALL OF GEORGIA BLVD

WALTON DR

MALL OF GEORGIA BLVD

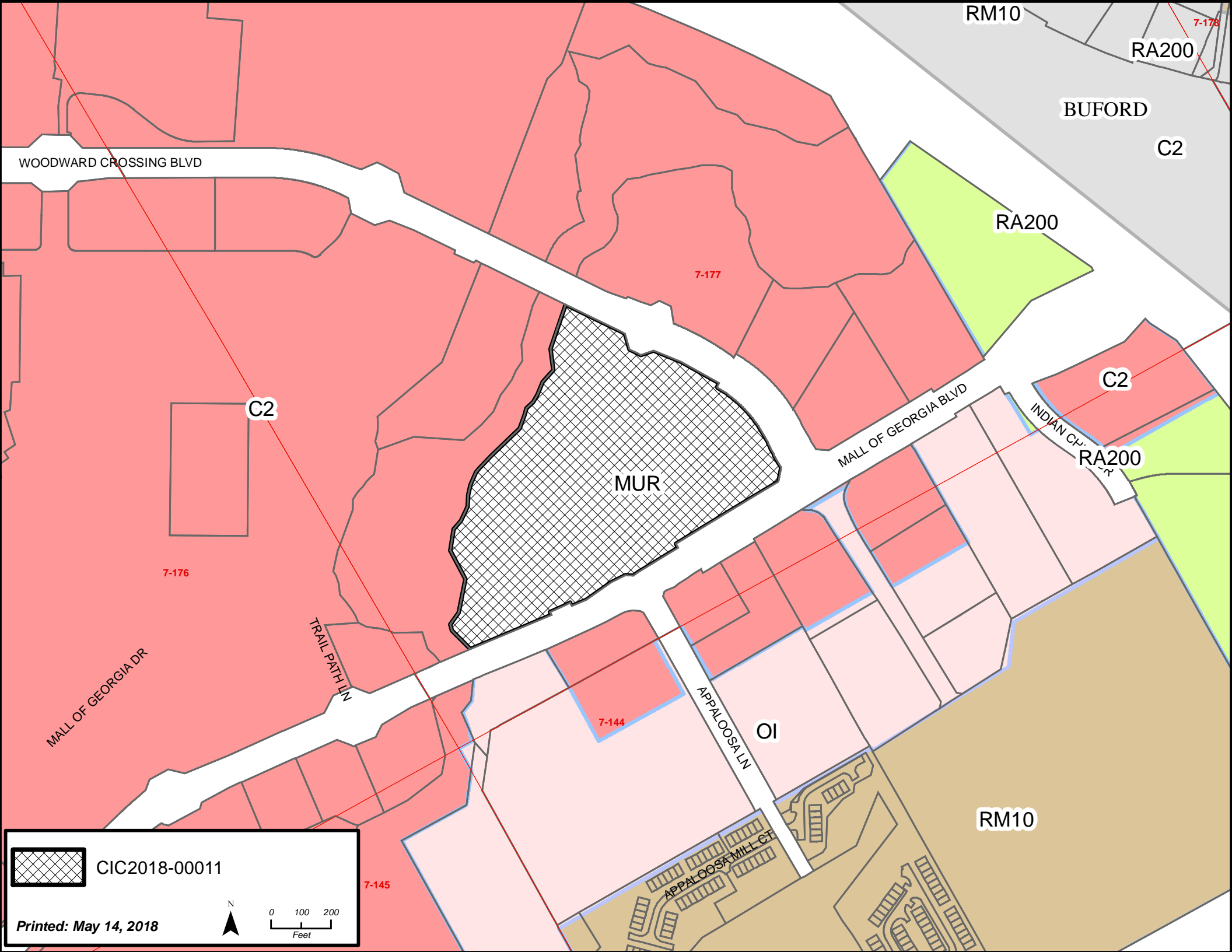
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WOODWARD CROSSING BLVD

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RA200

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C2

MUR

MALL OF GEORGIA BLVD

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INDIAN CHIEF DR

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MALL OF GEORGIA DR

TRAIL PATH LN

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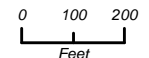
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Printed: May 14, 2018



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

CASE NUMBER	: SUP2018-00038
ZONING	:R-100
LOCATION	:5700 BLOCK OF AUSTIN GARNER ROAD
MAP NUMBER	:R7337 016
ACREAGE	:4.0 ACRES
SQUARE FEET	:2,400 SQUARE FEET
PROPOSED DEVELOPMENT	:ACCESSORY STRUCTURE GREATER THAN 1,000 SQUARE FEET
COMMISSION DISTRICT	:(1) BROOKS

FUTURE DEVELOPMENT MAP: **CHATTAHOOCHEE RIVER AREA**

APPLICANT: JIM & CINDY LLOYD
5759 AUSTIN GARNER ROAD
SUGAR HILL, GA 30518

CONTACT: JIM LLOYD PHONE: 770.497.0949

OWNERS: JIM & CINDY LLOYD
5759 AUSTIN GARNER ROAD
SUGAR HILL, GA 30518

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant is requesting a Special Use Permit to allow for a 2,400-square foot accessory structure on a 4-acre parcel zoned R-100 (Single-Family Residence District). The property currently contains a house that was built in 1986. The owner of the property is in the process of constructing a new home to replace the existing home and to add a detached garage. The applicant is proposing to build a 2,400-square foot detached accessory structure (garage) along the north side of the property to store his recreational vehicle and a car. The proposed accessory building exceeds the maximum allowable square footage per the Unified Development Ordinance, therefore a Special Use Permit is required. The property is located on the north side of Austin Garner Road, south of its intersection with Riverside Road.

According to elevations submitted, the proposed garage would be one story tall constructed to fit the owner's recreational vehicle. The interior ceiling height would be 16 feet, and the overall structure would be approximately 40 feet to the top of the cupola. The building would include a half-bath with storage above in a partially-finished attic space. Materials would be board and batten for the exterior walls, with metal roofing that will match the new residence under construction. Per the site plan, the applicant is proposing to build the accessory structure 20-feet from the north side property line. Access to the accessory structure will be off the concrete driveway that will be serving the new residence.

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 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 County Department of Planning and Development. The applicant/developer shall obtain all required approvals from the Gwinnett County Department of Water Resources 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:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater best management practices will be applicable upon development permit issuance.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Austin Garner Road is a Local Street and 30 feet of right of way is required from the centerline.

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 8-inch water main located on the southwest right of way of Austin Garner Road.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a minimum of 12-inch pipe size for commercial developments and a minimum of 8-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located approximately 150 feet north of parcel R7337 016 in the right of way of Arbor Green Circle. An easement would be required.

The subject development is located within the Level Creek service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

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, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

- I. The applicant shall obtain a residential building permit for the garage and achieve satisfactory field inspections for issuance of a Certificate of Completion.

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.

DEPARTMENT ANALYSIS:

The applicant is requesting a Special Use Permit to be able to build a 2,400-square foot accessory structure on a 4-acre parcel. The property is located on the north side of Austin Garner Road, south of its intersection with Riverside Road. The property is under construction for a new single-family home.

The 2030 Unified Plan Future Development Map indicates that the site is located within the Chattahoochee River Character Area. The Chattahoochee River Character Area encourages this area to remain predominantly residential with future development implemented in more environmentally sensitive ways. With conditions designed to minimize its visibility, the proposed accessory structure could be consistent with these policies.

The immediate area is characterized by residential developments with homes in established neighborhoods and individual large tracts. To the north is the Arbor Green subdivision, zoned R-ZT (Single Family Residence District) pursuant to case RZC2007-00031. To the east is a 7.2-acre single-family developed lot zoned R-100 (Single-Family Residence District). Across Austin Garner Road to the south and west are residentially developed and undeveloped properties on large lots zoned RA-200 (Agriculture-Residence District) and R-100. Due to the residential nature of this area an accessory structure for this use could be appropriate.

The requested Special Use Permit to build a 2,400-square foot accessory building could be suitable at this location, with conditions to match the residence to be consistent with the development in the property. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of a Special Use Permit for an accessory building greater than 1,000 square feet subject to the following enumerated conditions:

1. The accessory building may be no greater than 2,400 square feet in area, and shall be set back at least 20 feet from the side property line.
2. The building shall be finished with materials that match the primary structure which may include board and batten, wood siding, wood shake, or fiber cement type siding. Vinyl siding shall be prohibited.
3. The accessory building shall not be used for a commercial business or home occupation.
4. No provision for plumbing shall be provided to the building.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The accessory structure could be compatible with the surrounding area and match the new residence.

ADVERSE IMPACTS

With the recommended conditions, adverse impacts on surrounding properties could be reduced.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as zoned.

IMPACT ON PUBLIC FACILITIES

No additional impacts on public facilities are anticipated from an accessory structure.

CONFORMITY WITH POLICIES

The proposed accessory structure may be considered consistent with the recommendations of the 2030 Unified Plan to maintain design standards compatible with established patterns in the area.

CONDITIONS AFFECTING ZONING

The property is a large deep lot; the accessory structure and new home are proposed to be at least 200 feet from the road and would not be expected to adversely affect neighboring properties.

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:
ACCESSORY SRUCTURE WILL HAVE NO IMPACT TO USE AND DEVELOPMENT OF NEARBY PROPERTY
- (B) WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:
ACCESSORY STRUCTURE WILL HAVE NO IMPACT TO USE AND DEVELOPMENT OF NEARBY PROPERTY
- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED SPECIAL USE PERMIT HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:
ACCESSORY STRUCTURE IS REQUESTED - ECONOMIC USE IS NOT IMPACTED
- (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:
ACCESSORY STRUCTURE WILL HAVE NO IMPACT TO 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:
ACCESSORY STRUCTURE ON 4 ACRES OF LAND WILL HAVE NO IMPACT TO POLICY OR 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:
ACCESSORY STRUCTURE ON 4 ACRES OF PROPERTY FOR STORAGE WILL BE MORE PLEASING TO NEIGHBORING PROPERTY OWNERS THAN ALTERNATIVES

May 3, 2018

To: The Department of Planning and Development

Subject: Special Use Permit

I am applying for a special use permit for a two vehicle upscale 2400 square foot RV garage. The exterior of the garage will match the home which is currently being built. Please find attached drawings and specifications of the garage per your request.

Sincerely,



James C. Lloyd

5759 Austin Garner Rd.

Sugar Hill, GA 30518

(404)683-1549

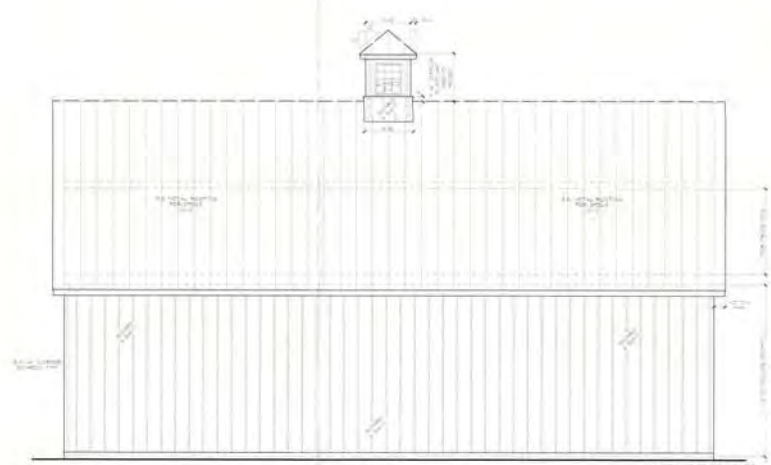
jllloyd@insurancehub.com

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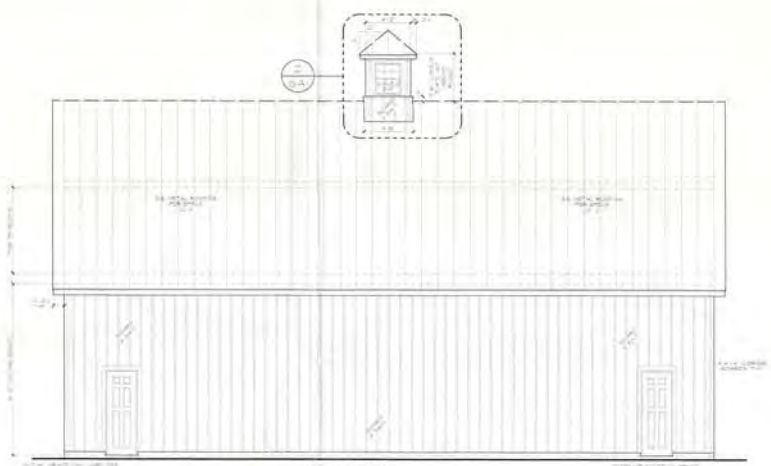
MAY 03 2018

Planning & Development

SUP '18 038



RV GARAGE
LEFT SIDE ELEVATION



RV GARAGE
RIGHT SIDE ELEVATION



RV GARAGE
FRONT ELEVATION

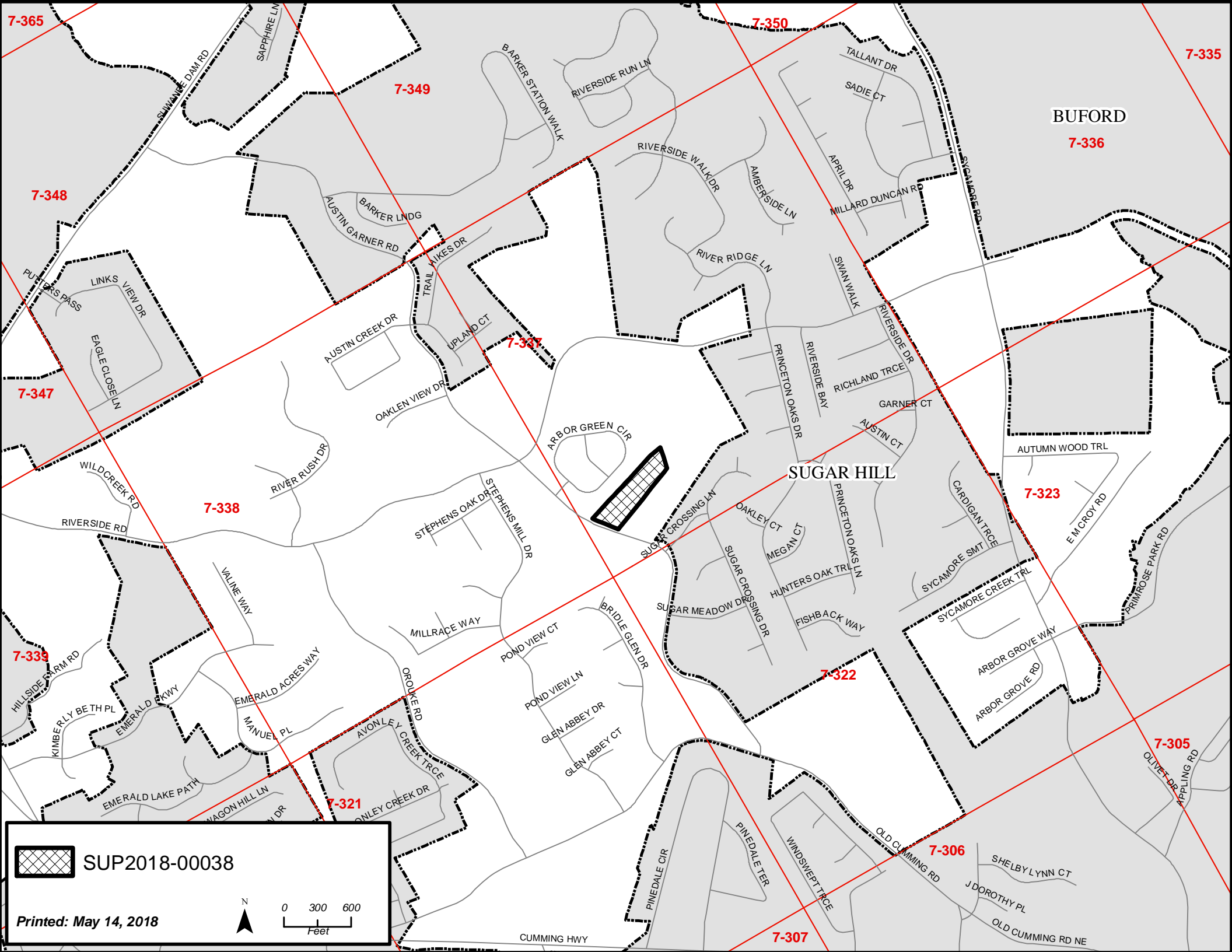


RV GARAGE
REAR ELEVATION

GENERAL NOTES

1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 2. FINISHES TO BE DETERMINED BY THE CLIENT.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL LOCAL CODES AND REGULATIONS.
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY BONDS.
 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REFERENCES.
 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REFERENCES.
 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REFERENCES.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REFERENCES.

RECEIVED BY
 JEW
 4/2/2018
 Agency Development
 800 140318



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BUFORD

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7-323

SUGAR HILL

7-339


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7-306

7-307

 SUP2018-00038

Printed: May 14, 2018



CUMMING HWY



GREEN ARBOR WAY

ARBOR GREEN DR

ARBOR GREEN CIR

AUSTIN GARNER RD

SUGAR CROSSING LN

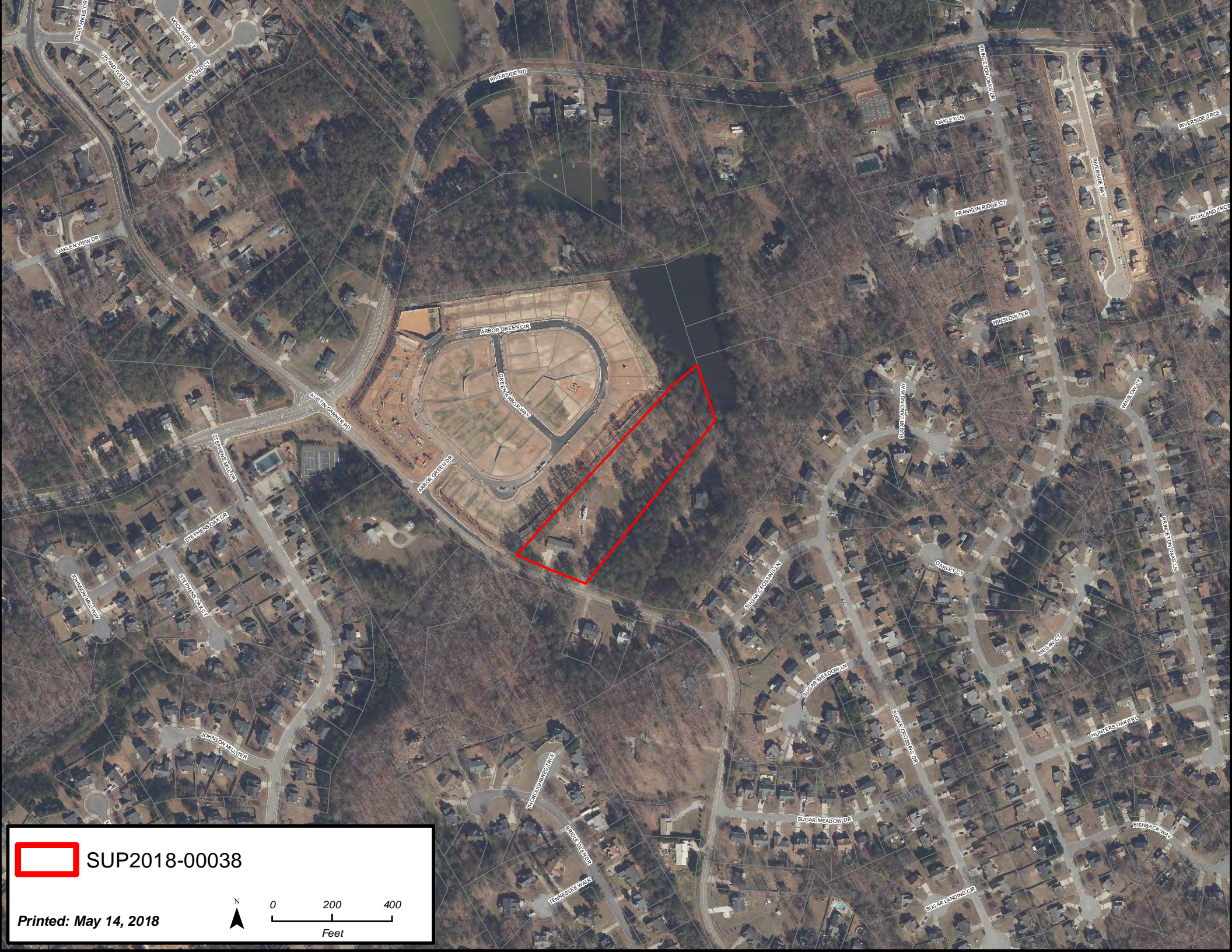


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Printed: May 14, 2018

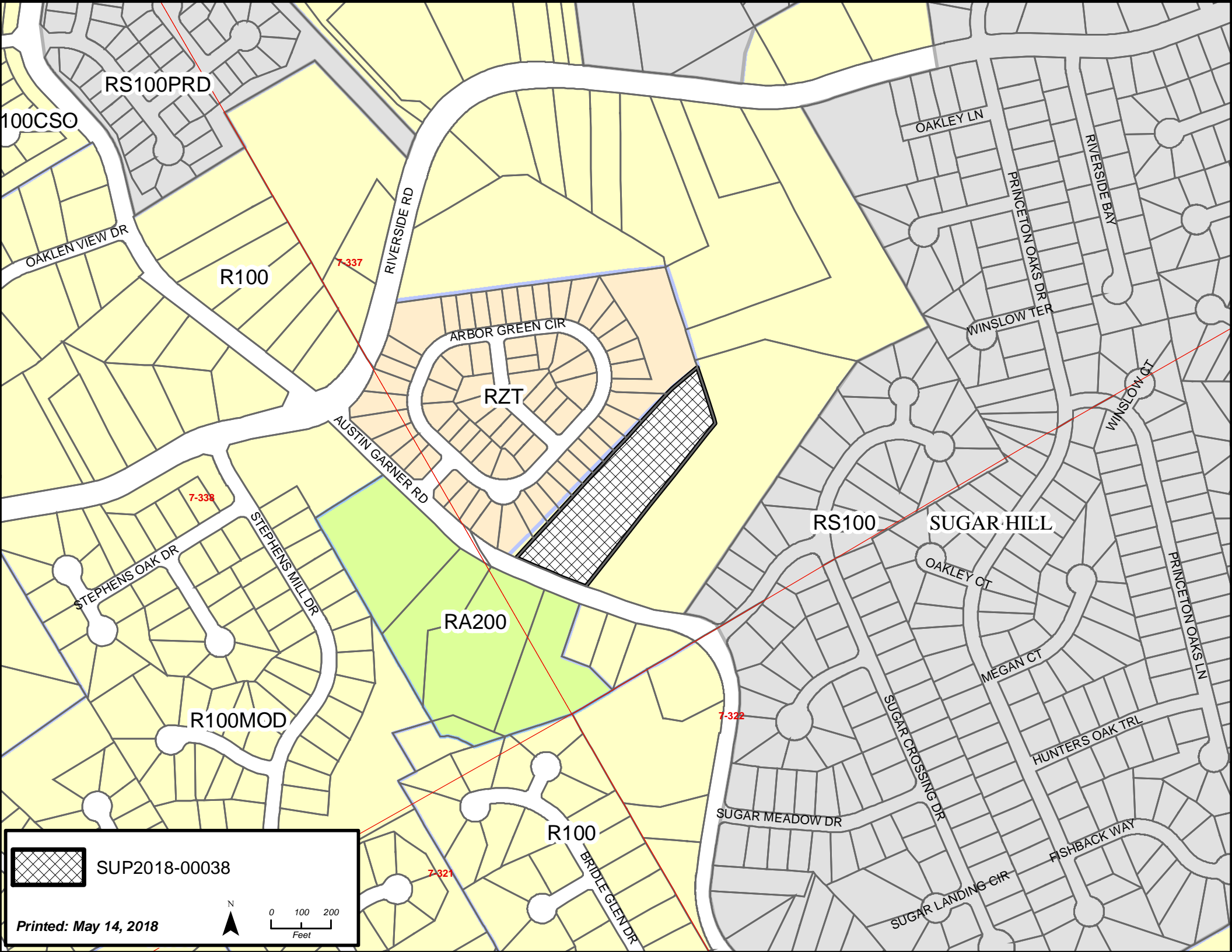


SUP2018-00038

Printed: May 14, 2018



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RS100PRD

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OAKLEN VIEW DR

R100

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RIVERSIDE RD

OAKLEY LN

PRINCETON OAKS DR

RIVERSIDE BAY

ARBOR GREEN CIR

RZT

WINSLOW TER

AUSTIN GARNER RD

7-338

RS100

SUGAR HILL

WINSLOW CT

STEPHENS OAK DR

STEPHENS MILL DR

RA200

OAKLEY CT

PRINCETON OAKS LN

R100MOD

MEGAN CT

SUGAR CROSSING DR

HUNTERS OAK TRL

SUGAR MEADOW DR

7-322

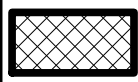
R100

BRIDE GLEN DR

SUGAR LANDING CIR

FISHBACK WAY

7-321



SUP2018-00038



0 100 200
Feet

Printed: May 14, 2018

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

CASE NUMBER :**SUP2018-00040**
ZONING :C-2
LOCATION :4400 BLOCK OF SATELLITE BOULEVARD
MAP NUMBER :R6210 044
ACREAGE :0.62 ACRE
PROPOSED DEVELOPMENT :POOL OR BILLIARDS HALL
COMMISSION DISTRICT :(1) BROOKS

FUTURE DEVELOPMENT MAP: **REGIONAL MIXED-USE**

APPLICANT: KYUNG SOOK KIM
4470 SATELLITE BOULEVARD, SUITE B100
DULUTH, GA 30096

CONTACT: C.H. "ANDY" KIM PHONE: 770.780.1552

OWNER: GARDENA JM, LLC
2551 FERNWOOD AVENUE
LYNWOOD, CA 90262

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests a Special Use Permit to allow eight pool tables within an existing business that is part of the Paragon at Satellite shopping center. The subject site is currently zoned C-2 (General Business District), and is located on the south side of Satellite Boulevard, north of its intersection with Beaver Ruin Road. The shopping center contains multiple buildings, a driving range at the rear of the subject building, large parking areas in front of the buildings, and multiple access points off Satellite Boulevard.

The applicant would like to add eight pool tables in an 1,800-square foot area within the existing 9,000 square foot tenant space (Suite B-100) the applicant owns. According to the letter of intent, the pool tables will be part of the owner's recreation facility that currently allows patrons to play table tennis and use the golf driving range. No additional construction or changes are needed to accommodate this use within the existing space. The facility is alcohol free, according to the applicant.

ZONING HISTORY:

The property has been zoned C-2 since 1970. A Special Use Permit for a golf driving range was approved in 2006 (SUP-06-047). A Buffer Reduction from 75 feet to zero feet along the southwestern property line was also approved in 2006 (BRD-06-002). In 2008, Special Use

Permits were approved for the property to allow a bowling alley onsite in conjunction with a Recreation Facility with Alcohol Sales (SUP-08-023) and a building height increase up to 75 feet in conjunction with a 6-story hotel (SUP-08-024).

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 County Department of Planning and Development.

OPEN SPACE AND GREENWAY MASTER PLAN:

No comment.

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

All stormwater 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.

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- and 48-inch water main located on the southeast right of way of Satellite Boulevard and a 16-inch water main located on the northwest right of way of Satellite Boulevard.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. Current Gwinnett County Standards require a

minimum of 12-inch pipe size for commercial developments and a minimum of eight-inch pipe size for residential developments, including connections to existing mains. This department makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main located on parcel R6210 044 property line.

The subject development is located within the Beaver Ruin service area. This does not guarantee there is sewer capacity to serve this development. Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development.

Demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

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, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Stormwater facilities must comply with the current Gwinnett County codes and ordinances.

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

Master water meters are only allowed under certain conditions to be approved by Gwinnett County. If there are multiple owners within one property, master meters will not be allowed. Individual water meters must be placed off of county-maintained water mains.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

- I. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for any proposed interior tenant space 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.

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:

No comment.

DEPARTMENT ANALYSIS:

The applicant requests a Special Use Permit to allow eight pool tables within an existing business that is part of the Paragon at Satellite shopping center. The subject site is currently zoned C-2 (General Business District), and is located on the south side of Satellite Boulevard, north of its intersection with Beaver Ruin Road. The shopping center contains multiple buildings, a driving range at the rear of the subject building, large parking areas in front of the buildings, and multiple access points off Satellite Boulevard.

The 2030 Unified Plan Future Development Map indicates the site is located within a Regional Mixed-Use Character Area. Considered the County's most intense mix of commercial, employment and residential development, this Character Area encourages free standing commercial and retail uses as minor components. As the proposed pool tables would be located within an existing building that already provides a similar use with recreational entertainment, the proposed use could be considered compatible with the 2030 Unified Plan.

The surrounding area is characterized by commercial and retail uses. The property to the east is zoned C-2 and developed with a convenience food market. To the south is property that is part of the shopping center, with the Menlo Creek Apartments complex further to the southeast and zoned RM-13 (Multifamily Residence District). To the west is the Paragon at Satellite shopping center, as well as the future Beaver Ruin Park site, owned by the Gwinnet County Parks system and zoned C-2. To the north across Satellite Boulevard is property zoned C-2 and developed as a self-storage and mini warehouse facility. Given the proposed use can be contained within the existing recreational facility and is compatible with the other uses found within the shopping center, the addition of eight pool tables may have a minimal adverse impact on the area.

The requested Special Use Permit could be consistent with the 2030 Unified Plan designation for this area, as well as previous Board actions for this property, and may have minimal impact on the surrounding properties. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of this request.

PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS

Approval of a Special use Permit for pool tables, subject to the following enumerated conditions:

1. Retail and service commercial and accessory uses, which may include a maximum of eight pool tables as a Special Use within the existing recreational facility.
2. The hours of operation shall be limited to 9:00 am to 10:00 pm, Monday through Saturday, and 11:00 am to 9:00 pm on Sunday.
3. Wall signage shall not exceed the requirements of the Gwinnett County Sign Ordinance, and shall only utilize neutrals (non-white earth tone) background colors for the sign cabinet.
4. Window signage (signs displayed on the interior or exterior of the business storefront windows) shall be prohibited, except for open/closed signs or signs required by county, state or federal law. Flashing or blinking signs and neon or LED signs shall be prohibited. Exposed or visible LED strips mounted on the building or around window frames shall be prohibited.
5. Peddlers and/or parking lot sales shall be prohibited.
6. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
7. 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.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The proposed Special Use Permit to allow for eight pool tables within an indoor recreational facility may be suitable at this location within a multi-tenant commercial retail center.

ADVERSE IMPACTS

With the recommended conditions, potential impacts on neighboring properties from this request could be minimized.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as currently zoned.

IMPACT ON PUBLIC FACILITIES

A negligible increase in traffic and utility demand could be anticipated from the request.

CONFORMITY WITH POLICIES

The request for pool tables within an indoor recreational facility could be compatible with the policies and intent of the 2030 Unified Plan and Future Development Map.

CONDITIONS AFFECTING ZONING

The subject property lies within a commercial segment of Satellite Boulevard, which is adequately separated from single-family residential areas. Contained to the interior of an existing recreational facility, the use could continue to be suitable to this commercial area.

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

- (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:

YES

- (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

- (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:

No

Letter of Intent

Re: Gwinnett County – Special Use Permit

J Top Golf LLC (4470 Satellite Blvd., Suite B-100, Duluth, Georgia 30096 / Parcel ID Number 6-210-044)

Date: May 4, 2018

Dear Gwinnett County,

I am writing this letter of intent to receive a Special Use Permit for J. Top Golf (dba: Paragon Golf Center) from Gwinnett County. I trust you will scrutinize my information presented regarding this Special Use Permit proposal.

Little over one year ago on February 15, 2017, I have opened over 9,000 square footage of J. Top Golf with Fitness and Recreational Sports Centers Business License from Gwinnett County at 4470 Satellite Blvd. I have invested more than \$500,000 for improvement of the property and interior of the building to provide one of top class recreation facility in Gwinnett.

After settling golf and table tennis program successfully, I would like to expand billiard sports program by adding total of 8 pool tables in unused open area of 1,800 square foot of the facility. There will be no major interior work need to be done or construction and it will be involving with only relocating the wall divider. Also, the facility is alcohol free.

Our goal of this pool table addition is to host Billiard Sport Tournament in Gwinnett and invite famous billiard champion, like Jeannette 'Black Widow' Lee and other famous champions around the world in the near future. With this in mind, we are putting the world class pool tables and investing over \$100,000 for all equipment and accessories.

For these reasons, please consider this request of Special Use Permit for billiard program at J. Top Golf facility.

Thanks for your consideration.

Sincerely,



Kyung Sook Kim
Owner

cc: C. H. 'Andy' Kim

SUP '18 040

RECEIVED BY

MAY 09 2018

Planning & Development

CASE NUMBER SUP-08-023
GCID 2008-0331

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>ABSTAINED</u>
Lorraine Green, District 1	<u>AYE</u>
Albert Nasuti, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. GREEN, which carried 4-0-1, the following resolution was adopted:

A RESOLUTION TO GRANT A SPECIAL USE PERMIT

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 for a Special Use Permit by CORNERSTONE INVESTMENTS, LLC for the proposed use of a RECREATION FACILITY (BOWLING ALLEY) WITH ALCOHOL SALES 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 Special Use Permit Application 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 MARCH 25, 2008 and objections were filed.


NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 25TH day of MARCH, 2008 that the aforesaid application for a Special Use Permit is hereby **APPROVED** subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Retail, service commercial and accessory uses which may include a bowling alley (with alcohol sales).
 - B. Buildings shall be finished with architectural treatments of brick, stucco, stone or glass, with minor treatments of metal or wood. Submit architectural elevations for review and approval by the Director prior to the issuance of a Building Permit.
 - C. Alcohol sales at bowling alley shall cease at 2:00 am.
 - D. No trucks shall be allowed to idle or run refrigeration units between 9:00 p.m. and 7:00 a.m. Semi-truck delivery service shall be limited to 9:00 a.m. to 7:00 p.m.
 - E. The following uses shall be prohibited: tattoo parlors, massage parlors (unless in conjunction with a full-service spa), adult entertainment, liquor stores, pawn shops, , automotive repair or sales, drive through food service except coffee shops, bakeries, or ice cream stores.

2. To satisfy the following site development considerations:
- A. Provide a 10-foot wide landscaped strip adjacent to Satellite Boulevard.
 - B. Ground signage shall be limited to monument-type signs with a brick, stone or stucco base of at least 2 feet in height.
 - C. Dumpsters shall be screened by an opaque brick, stone or stucco wall with gate enclosure. Dumpster pick-up shall be restricted to between 7:00 a.m. and 9:00 p.m.
 - D. Parking lot 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.
 - E. Peddlers or parking lot sales shall be prohibited.
 - F. No temporary banners, streamers or roping decorated with flags, tinsel, or other similar materials shall be displayed, hung, or strung on the site. Yard and/or bandit signs shall be prohibited.
 - G. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
 - H. Oversized signs shall be prohibited.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By:

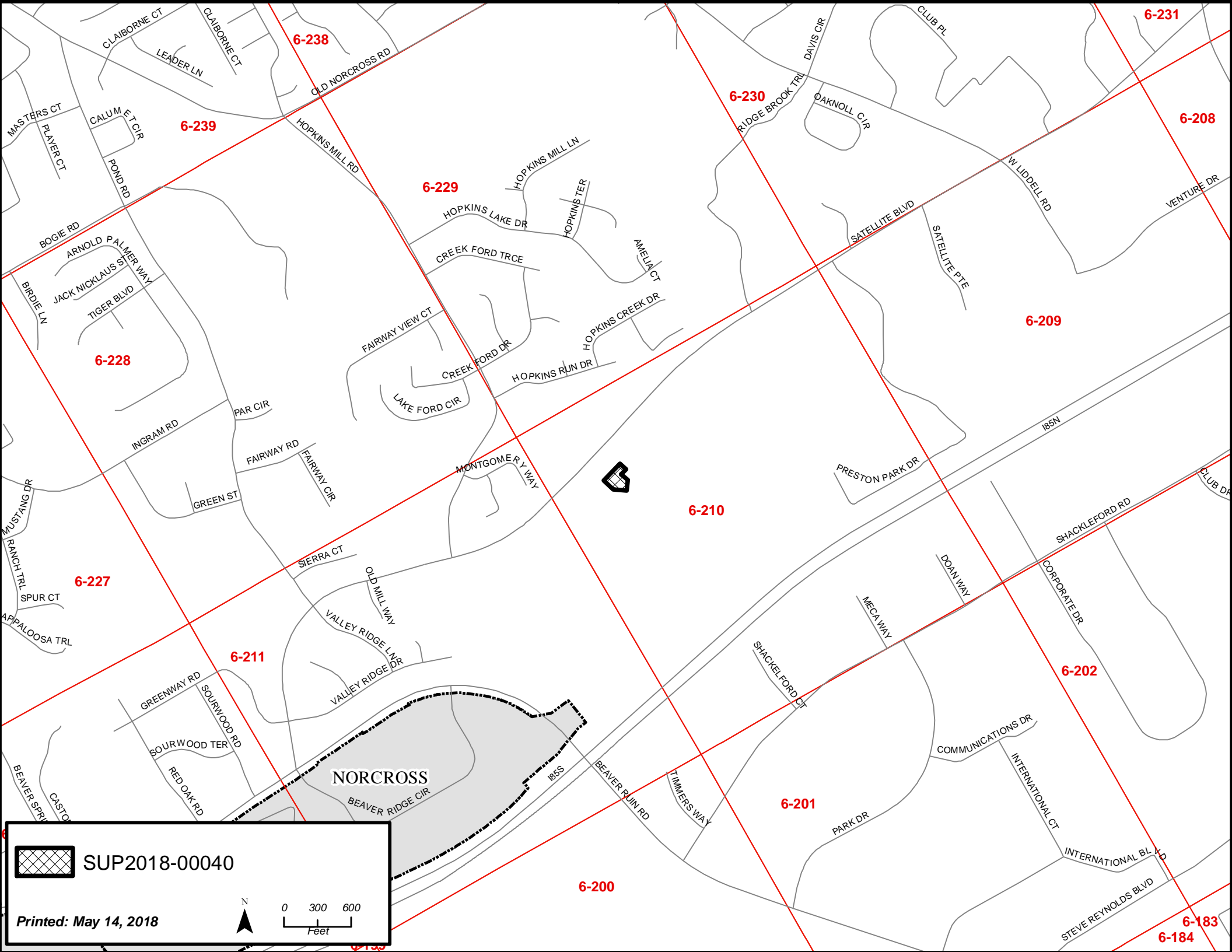

Charles E. Bannister, Chairman

Date Signed: 4/15/08

ATTEST:

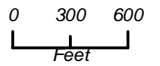

County Clerk/Deputy County Clerk

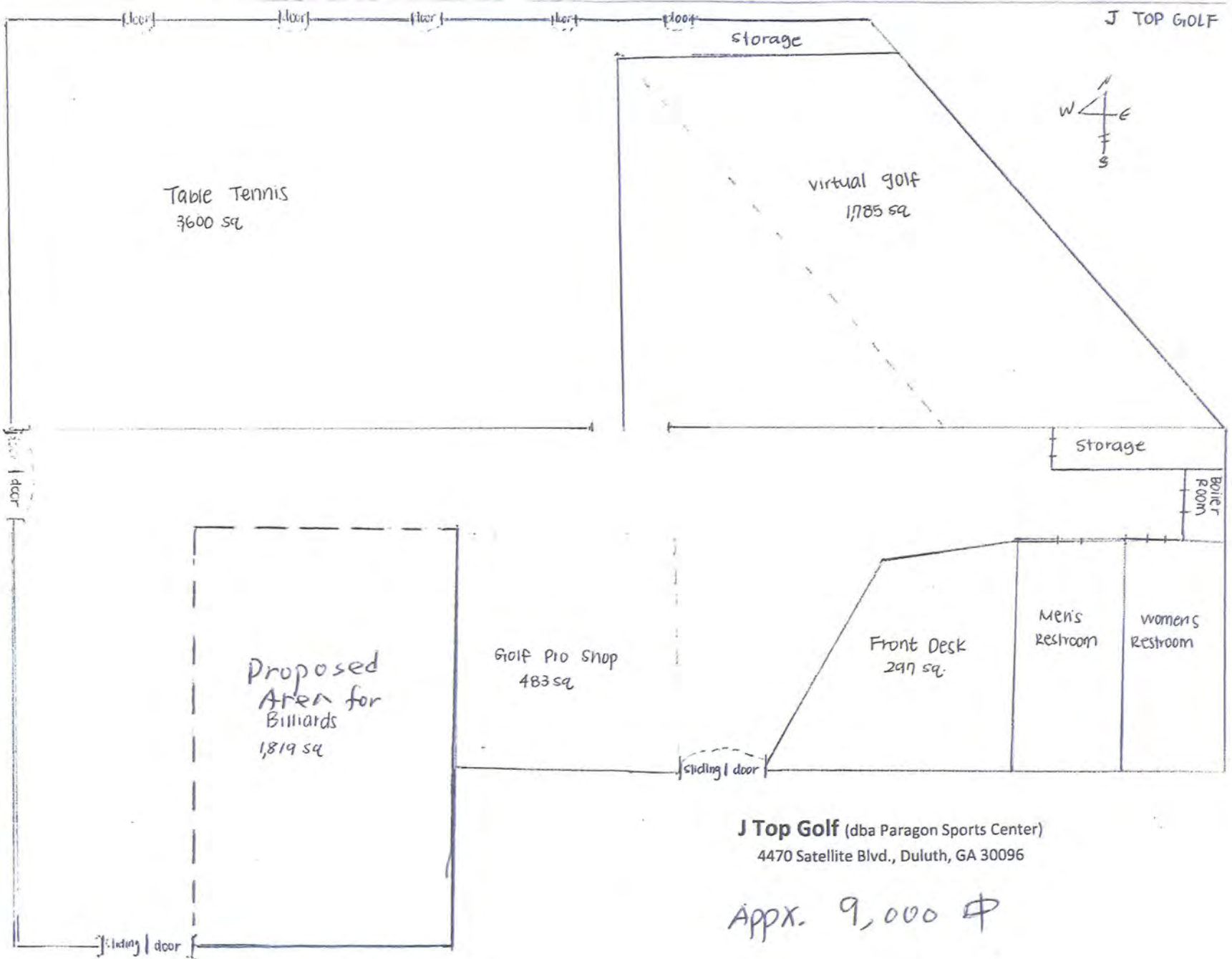




 SUP2018-00040

Printed: May 14, 2018





J Top Golf (dba Paragon Sports Center)
 4470 Satellite Blvd., Duluth, GA 30096

Appx. 9,000 Φ

SUP '18 040

RECEIVED BY

MAY 09 2018

Planning & Development

SATELLITE BLVD

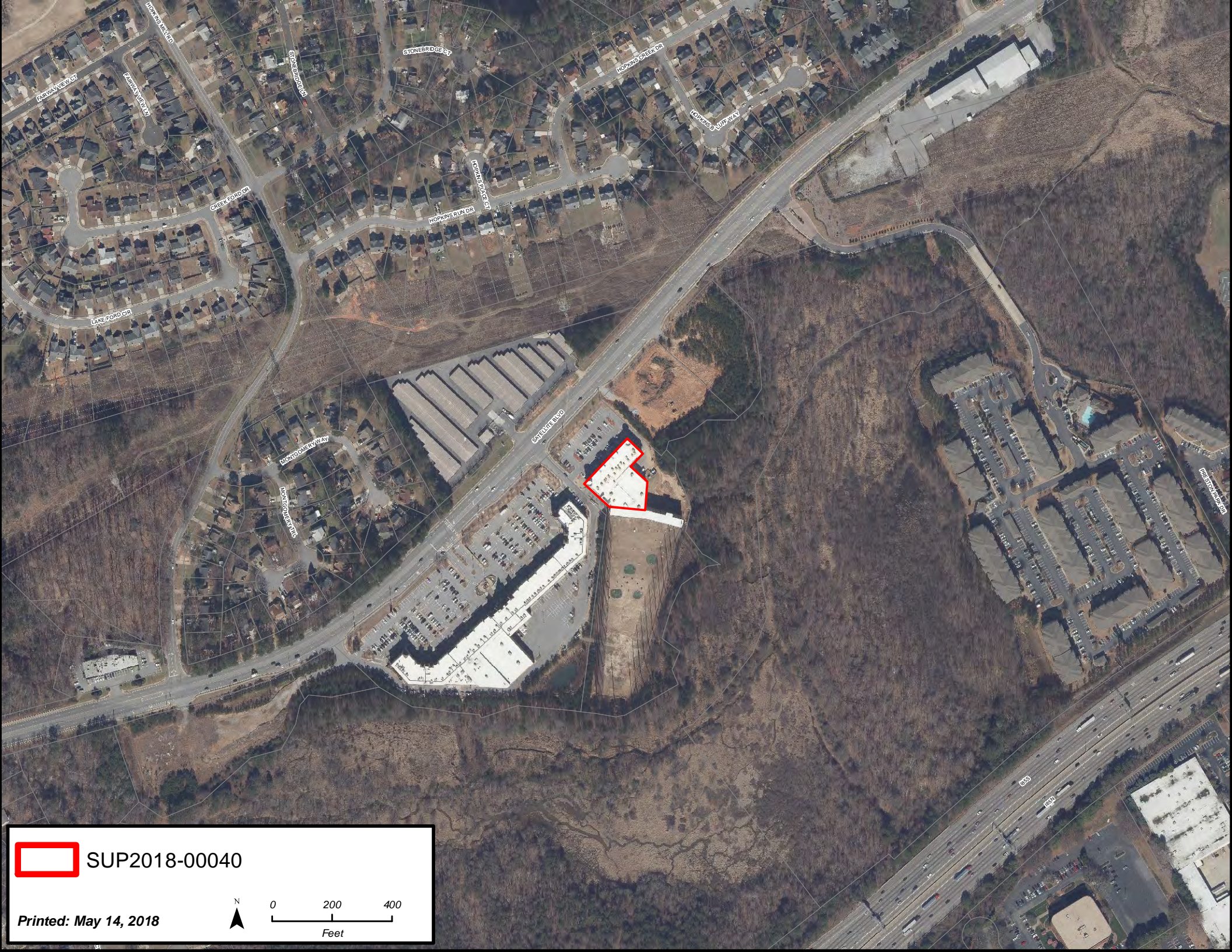



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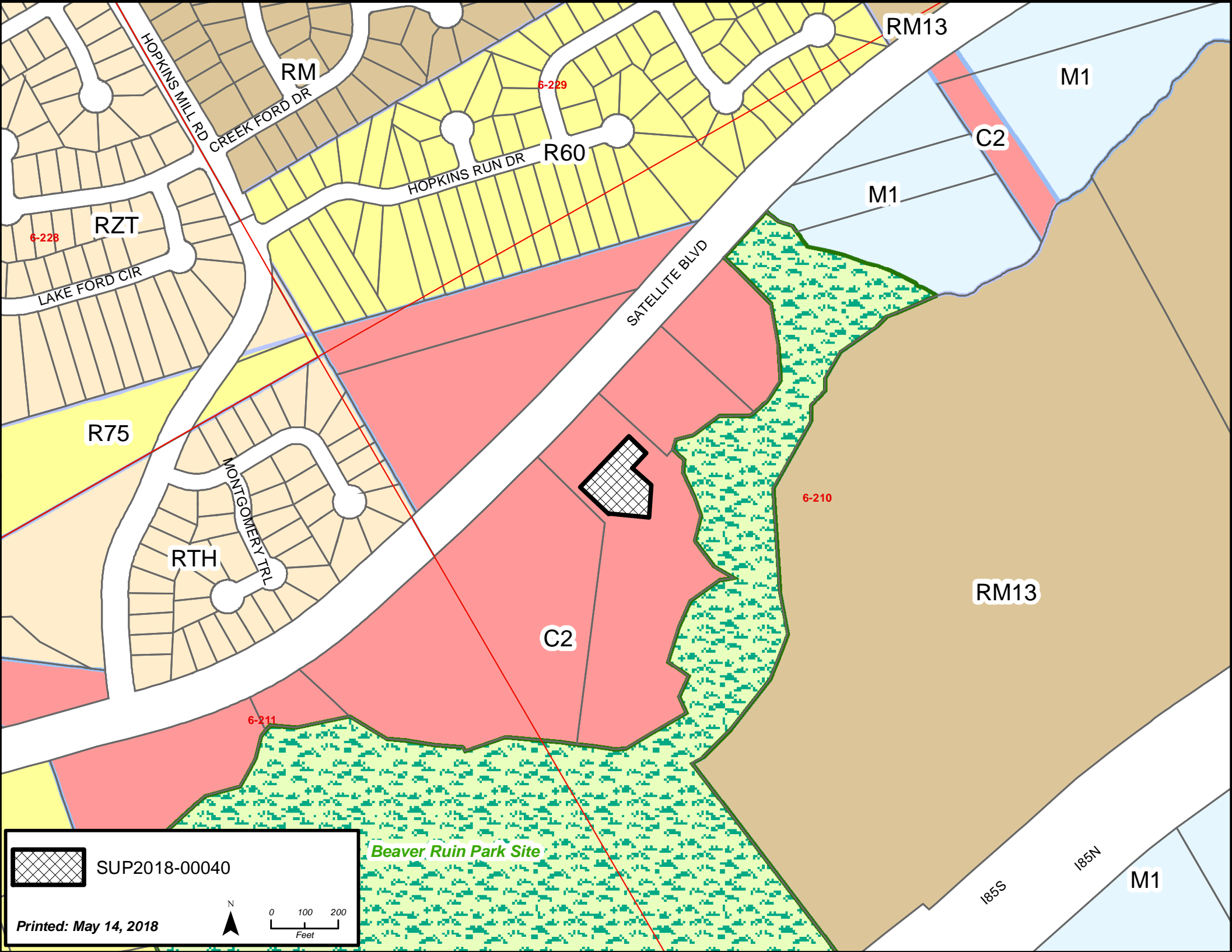


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Printed: May 14, 2018



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RM13

RM

M1

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R60

C2

6-228

RZT

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LAKE FORD CIR

SATELLITE BLVD

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MONTGOMERY TRL


RTH

6-210


RM13

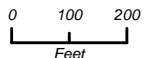
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Printed: May 14, 2018

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Beaver Ruin Park Site

185S

185N

M1

GWINNETT COUNTY
BOARD OF COMMISSIONERS
LAWRENCEVILLE, GEORGIA

ORDINANCE ENTITLED: Gwinnett County Unified Development Ordinance

READING AND ADOPTION: _____, 2018

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

Name	Present	Vote
Charlotte Nash, Chairman		
Jace Brooks, District 1		
Lynette Howard, District 2		
Tommy Hunter, District 3		
John Heard, District 4		

On motion of Commissioner _____, which carried _____, the Unified Development Ordinance of Gwinnett County, Appendix is hereby amended.

WHEREAS, the Unified Development Ordinance contains regulations governing zoning and land use, development and permitting, landscape requirements and architectural guidelines, as well as procedures for the administration and application of those regulations; and

WHEREAS, by careful review of the rules and requirements contained therein, it has become evident that certain Chapters and Sections of the Unified Development Ordinance could be logically amended; and

WHEREAS, the Gwinnett County Board of Commissioners desires that the Unified Development Ordinance provide appropriate and sound regulation of land use, zoning, development and permitting; and

WHEREAS, the Unified Development Ordinance was adopted by the Gwinnett County Board of Commissioners on February 25, 2014; and

WHEREAS, the Unified Development Ordinance provides that the text, tables and drawings thereof may be amended from time to time by the Board of Commissioners following submission of certain items to the Municipal-Gwinnett Planning Commission for review and recommendation; and

WHEREAS, the Board of Commissioners finds that the following amendment to the Unified Development Ordinance promotes the health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants of Gwinnett County;

NOW, THEREFORE, BE IT ORDAINED that the Unified Development Ordinance of Gwinnett County, Appendix is hereby amended as set forth in **Exhibit A** which is attached hereto.

BE IT FURTHER RESOLVED that all regulations or parts of the same in conflict with this Resolution are hereby rescinded to the extent of said conflict.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: _____
Charlotte J. Nash, Chairman

Date Signed: _____

ATTEST:

By: _____ (Seal)
Diane Kemp, County Clerk

APPROVED AS TO FORM:

By: _____
Melanie Wilson, Senior Assistant County Attorney

Exhibit A

That UDO Appendix Section 1.0, Subsection 9.0.0 Architectural Design Standards Color and Finish Chart be amended by deleting the existing Subsection in its entirety, and inserting in lieu thereof the following:

9.0.0 Architectural Design Standards Color and Finish Chart

Note: The Architectural Design Standards Color and Finish Chart shall apply to all Architectural Design Standards Categories.

Brick	Natural clay colors, or painted earth tone and neutral colors. Painted or Face coated brick with a porcelain enamel or ceramic finish shall be prohibited. Embossed synthetic panels or stucco or EIFS panels with simulated brick patterns shall be prohibited.
Stone	Natural colors.
Stucco/EIFS	Earth tone and neutral colors. White shall only be allowed for minor accent features.
Tilt-up Concrete	Earth tone and neutral colors of textured coating finish.
Pre-cast Concrete	Architectural concrete of earth tone and/or neutral color with exposed aggregate finish.
Metal Panels	Earth tone and neutral colors. Non-ribbed composite core with concealed fasteners.
Ceramic Accent Tile	Earth tone and neutral colors. Alternative colors may be utilized provided that the ceramic tile and other alternative color features do not exceed 10 percent of any single façade surface area.
Standing Seam Metal Roof	Colors shall be dark green, brick red, silver, black, and champagne-metallic beige, dark metallic bronze and aged copper.
Standing Seam Metal Awnings	Colors shall be dark green, brick red, silver, black, and champagne-metallic beige, dark metallic bronze and aged copper.
Fabric Awnings	Colors shall be dark green, brick red, gray, black, tan, beige, and brown. Alternative colors may be utilized provided that the awnings and other alternative color features do not exceed 10 percent of any single façade surface area.
Canopy Fascia Panels	Earth tone and neutral colors – colors shall be consistent with features/colors of the primary adjacent building.
Slate or Stone Shingles	Natural stone color.
Architectural Roof Tiles	Natural terra cotta or slate color.
Dimensional Shingles	Shingles with slate or natural stone color appearance.
Wood Shakes	Natural Finish.
Wood Siding & Fiber Cement Siding	Neutral colors for main field.

That UDO Appendix Section 1.0, Subsection 6.0.0 Architectural Design Standards for Category 3, 6.1.2 Roof and Parapet Design for Commercial and Non-Residential Buildings, is amended by deleting the existing Subsection 6.1.2 in its entirety, and inserting in lieu thereof the following:

6.1.2 Roof and Parapet Design

- A. Flat roof buildings shall incorporate articulated parapets or façade projections such as porticoes or towers every 50 linear feet on all sides of the building.
- B. Pitched roof buildings shall incorporate articulated features every 50 linear feet on the front elevation. Articulated features shall include roof eave height changes, towers, spires, cupolas, dormers, and/or gables. Roofing material shall be limited to standing seam metal, natural slate or stone shingles, traditional tile, or architectural dimensional shingles.
- C. ~~Buildings of less than 8,000 square feet of gross floor area shall be designed with fully pitched roofs with a minimum pitch of 4 in 12. Roof eave overhangs shall be a minimum of 1 foot. Green roof designs with live vegetative plantings which are visible from ground level views may be substituted for pitched roofs.~~
- D. Fully pitched roof buildings may have a flat roof well located in the central area of the roof, not to exceed 50 percent of the roof area, with a pitched roof similar to a mansard design on all sides of the building. The height of the partial (mansard design) pitched roof profile must be equal in ridge height to the design height of a fully pitched 4 in 12 roof for that building.
- E. All roof mounted equipment, such as mechanical units, vent hoods, communication devices, and/or other building system(s) equipment, shall be screened from view on all sides of the building. Roof screening height shall be equal to the height of the equipment. Roof screening design shall include parapets, secondary roof screening systems, and/or individual equipment screens. Buildings with non-parapet roof edges exceeding 50 linear feet shall incorporate secondary roof screening systems that enclose groups of equipment units rather than a “box” around individual units. Secondary screening systems and/or individual equipment screens shall be a material consistent with the finish materials of building facades. Alternative screen materials such as decorative ABS panels with a textured stucco pattern may be submitted for consideration.

That UDO Appendix Section 1.0, Subsection 7.0.0 Architectural Design Standards for Category 4, 7.1.2 Roof and Parapet Design for Commercial, Non-Residential, Mid-Rise Residential and High-Rise Residential Buildings, is amended by deleting the existing Subsection 7.1.2 in its entirety, and inserting in lieu thereof the following:

7.1.2 Roof and Parapet Design

- A. Flat roof buildings shall have parapets on all sides with interior roof drains. Flat roof buildings shall incorporate articulated parapets or façade projections such as porticoes or towers every 50 linear feet on all sides of the building. Articulated parapets shall be a minimum of 1 foot vertical offset. Green roof designs with live vegetative plantings which are visible from ground level views may be substituted for articulated parapets.
- B. Pitched roof buildings shall incorporate articulated features every 50 linear feet on the front elevation. Articulated features shall include roof eave height changes, towers, spires, cupolas, dormers, and/or gables. Roofing material shall be limited to standing seam metal, natural slate or stone shingles, traditional tile, or architectural dimensional shingles.
- C. ~~Buildings of less than 8,000 square feet of gross floor area shall be designed with fully pitched roofs with a minimum pitch of 4 in 12. Roof eave overhangs shall be a minimum of 1 foot. Green roof designs with live vegetative plantings which are visible from ground level views may be substituted for pitched roofs.~~

- D. Fully pitched roof buildings may have a flat roof well located in the central area of the roof, not to exceed 50 percent of the roof area, with a pitched roof similar to a mansard design on all sides of the building. The height of the partial (mansard design) pitched roof profile must be equal in ridge height to the design height of a fully pitched 4 in 12 roof for that building.
- E. All roof mounted equipment, such as mechanical units, vent hoods, communication devices, and/or other building system(s) equipment, shall be screened from view on all sides of the building. Roof screening height shall be equal to the height of the equipment. Roof screening design shall include parapets, secondary roof screening systems, and/or individual equipment screens. Secondary roof screening systems shall enclose groups of equipment units rather than a “box” around individual units. Secondary screening systems and/or individual equipment screens shall be a material and finish design consistent with the design and finish materials of building facades. Alternative screen materials such as decorative ABS panels with a textured stucco pattern may be submitted for consideration.

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