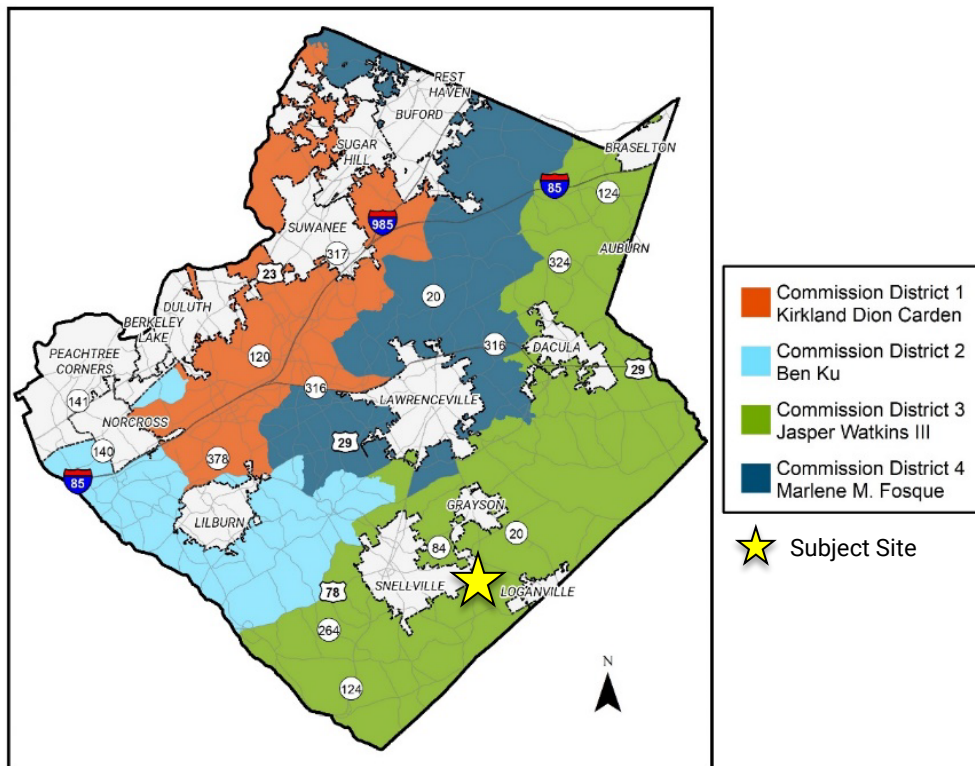




PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: RZM2022-00010
Current Zoning: O-I (Office-Institutional District)
Request: Rezoning to R-TH (Single-Family Residence Townhouse District)
Additional Request: Buffer Reduction Waiver
Address: 3132 Rosebud Road
Map Number: R5100 014
Site Area: 4.27 acres
Units: 34
Proposed Development: Townhouses
Commission District: District 3 – Commissioner Watkins
Character Area: Community Mixed-Use

Staff Recommendation: DENIAL



Location Map

Planning Commission Advertised Public Hearing Date: 4/13/2022
Board of Commissioners Advertised Public Hearing Date: 4/26/2022

Applicant: Crogan Street LLC
778 Natchez Valley Trace
Grayson, GA 30017

Owner: Marta A. Sosa
1225 Mobile Way
Grayson, GA 30017

Contact: William Nash

Contact Phone: 678.206.7887

Zoning History

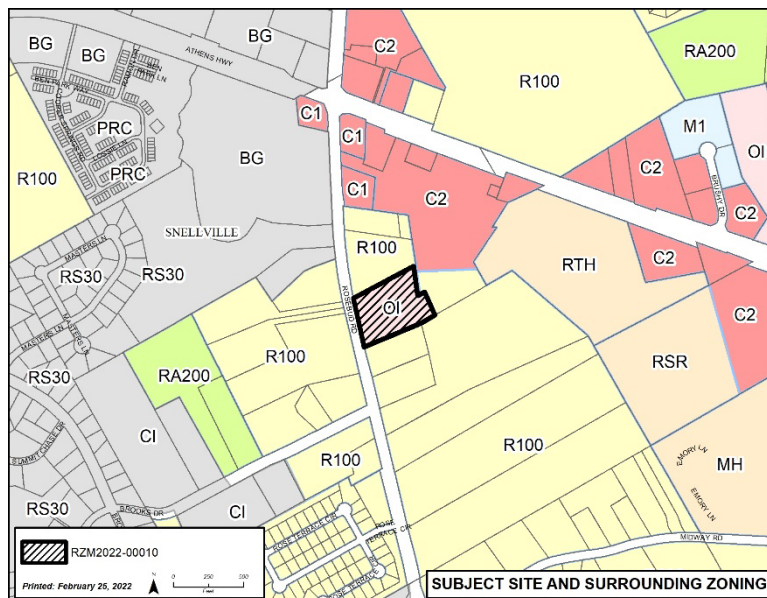
The subject property is zoned O-I (Office-Institutional District). A 1973 areawide rezoning was approved from RA-200 (Agriculture-Residence District) to R-100 (Single-Family Residence District). A 2000 rezoning case, RZ-00-103, rezoned the property from R-100 to O-I for an office park.

Existing Site Condition

The subject site is a 4.27-acre vacant lot located along Rosebud Road south of its intersection with US 78/Athens Highway. Evidence of a demolished single-family residence is on the property, with a dilapidated driveway, foundation, and pool. The site has been largely cleared with some remaining dense vegetation at the southwest corner of the property, with the remainder of the site becoming overgrown. The site slopes generally up approximately 8 feet from Rosebud Road to the east. Overhead utilities are present along the road frontage. Sidewalks are not present along this section of Rosebud Road. The nearest Gwinnett County Transit stop is approximately 6.9 miles from the site.

Surrounding Use and Zoning

The subject site is surrounded by single-family subdivisions and residences on large lots to the west, south, and north. A grocery store and neighborhood serving commercial uses are located further north. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Townhouses	R-TH	7.97 units per acre
North	Single-Family Residence	R-100	0.33 units per acre
East	Undeveloped Commercial	R-100 C-2	N/A
South	Single-Family Residence	R-100	0.51 units per acre
West	Single-Family Residence	R-100	0.12 units per acre

Project Summary

The applicant requests rezoning of a 4.27-acre property zoned O-I to R-TH for townhouses, including:

- 34 attached townhouse units with a minimum heated floor area of 1,200 square feet, yielding a net density of 7.97 units per acre.
- Front loaded double-car garage townhouses.
- A full access driveway on Rosebud Road.
- Internal streets with four-foot sidewalks on both sides and cul-de-sac turnarounds.
- A five-foot wide sidewalk along the external road frontage.
- A 20-foot undisturbed buffer with privacy fences along the north and south property lines. A 30-foot landscape strip with a decorative fence is proposed along the road frontage. No buffer is proposed along the rear property line adjacent to R-100 zoned properties.
- 0.86 acres of common space throughout the site.
- A stormwater management facility located at the north corner of the property.
- 9 off-street guest parking spaces.
- Facades finished with brick, shake, board and batten, and siding in earth tones.

Zoning and Development Standards

The applicant is requesting a rezoning to R-TH (Single-Family Residence Townhouse District). The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 35'	<35'	YES
External Front Yard Setback	Minimum 30'	>30'	YES
External Side Yard Setback	Minimum 20'	>20'	YES
External Rear Yard Setback	Minimum 20'	>20'	YES
Guest Parking	0.25 per dwelling unit or Minimum 9 spaces	9 spaces	YES
Landscaped Setback	Minimum 10'	30'	YES
Heated Floor Area	Minimum 1,200 square feet	Minimum 1,200 square feet	YES
Density	Maximum 10 units per acre	7.97 units per acre	YES
Open Space	Minimum 15% or 0.64 acres	20% or 0.86 acres	YES
Zoning Buffer	35'	North and South – 20' East – 0'	NO

Waiver Request

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

1. Section 610-20.5. Minimum Buffer Requirements:
 - A. Required buffers shall be provided in conformity [with] Table 610.0 "Table of Minimum Buffer Requirements".

A 35-foot undisturbed zoning buffer is required between the R-100 zoned property and the proposed R-TH zoned property.

R-100 zoned properties are adjacent to the proposed R-TH zoned property. Therefore, a 35-foot undisturbed buffer is required along the shared property lines. The applicant is proposing a 20-foot buffer along the northern and southern property lines, and no buffer along the eastern property line.

Internal and External Agency Review

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

Staff Analysis

Rezoning Request Analysis: According to the UDO, if a proposed amendment is for the rezoning of property and involves a change in zoning classification the Department shall evaluate the request and make a recommendation with respect to the standards governing exercise of zoning power as defined in Section 270-20.5. After this evaluation, staff makes the following findings based on the standards from the UDO:

- A. Whether a proposed zoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

The site is surrounded by residential uses to the west, south, and north. Commercially zoned properties are located further north. Surrounding residential uses consist primarily of single-family detached subdivisions and residences on large lots. The introduction of a townhouse development along this portion of Rosebud Road, with a density substantially higher than surrounding areas, is not suitable and will negatively impact adjacent residences. A recently approved townhouse development is nearby, but has access directly onto Athens Highway.

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

The existing use and usability of adjacent or nearby properties would be adversely impacted by the zoning change. The subject property is currently proposed with a density of 7.97 units per acre. Adjacent residential properties are under one unit per acre in density.

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

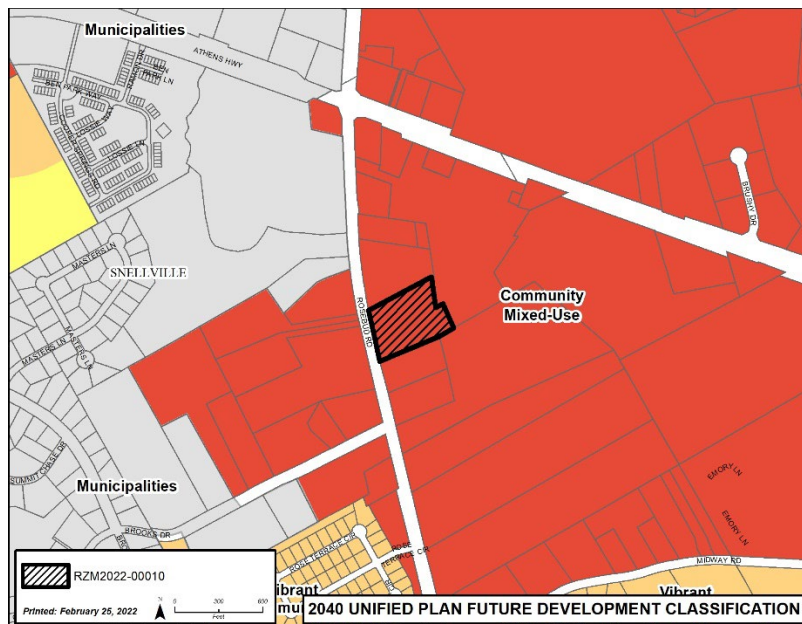
The property has a reasonable economic use as currently zoned.

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

An increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. An increased impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning request are attached (Exhibit E).

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

The 2040 Unified Plan Future Development Map indicates that the subject property lies within the Community Mixed Use Character Area. This Character Area is intended for activity nodes and connecting areas along major corridors. Future development and redevelopment should focus on making these corridors more pedestrian oriented with intensity focused in specific nodes. While townhouses are an encouraged use within the Character Area, many of the existing residential developments in the area do not reflect this. The area consists primarily of single-family detached subdivisions and residences on large lots. Townhouse developments that are nearby have access directly onto Athens Highway, a heavily commercialized corridor. The expansion of this commercial corridor along Rosebud Road would be incompatible with neighboring residences.



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 properties surrounding the subject site are developed with single-family residences on large lots and a commercial retail center. To the west, south, and east are residentially zoned properties. A number of recent developments, both residential and commercial, have occurred along Rosebud Road and north of Athens Highway. The scale of the development is substantially more dense compared to surrounding subdivisions and is inappropriate in this location.

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

The requested buffer reduction is located along property lines adjacent to R-100 zoned properties. The buffer reduction is required in order for the proposed development to be constructed as proposed. Reducing the buffer would adversely affect the general public welfare and would nullify the intent of the UDO.

Staff Recommendation

Based on the staff's evaluation of the request and the standards governing exercise of zoning power, the Department of Planning and Development recommends **DENIAL** of the rezoning request.

In addition, staff recommends **DENIAL** of the following Waiver request:

1. To reduce the required 35-foot zoning buffer adjacent to the R-100 Zoning District to 20 feet along the northern and southern property lines, and zero feet along the eastern property line.

Staff Recommended Conditions

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

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

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received February 15, 2022, by the Department of Planning and Development, with revisions required by conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.
2. Uses shall be limited to single-family attached townhouses and accessory uses, not to exceed 34 units.
3. The minimum heated floor area per dwelling unit shall be 1,200 square feet.

4. All townhouses shall be in compliance with Appendix 1, Section 6.5: Architectural Design Standards for Category 3, Attached Residential Buildings.
5. A mandatory homeowners association shall be established, or a property management company if the property is developed as a rental community, and shall be responsible for maintenance of all common areas/facilities, street frontage landscaping, lawn, and ornamental planting maintenance on individual lots, attached decks, townhouse roofs, painting of townhouse exteriors, and other property maintenance.
6. The road frontage and the subdivision entrances shall be landscaped by the developer and maintained by the homeowners association or property management company. The entrance shall include a decorative masonry entrance feature. Landscape and entrance feature plans shall be subject to review and approval by the Department of Planning and Development.
7. Natural vegetation shall remain on the property until the issuance of a development permit.
8. All grassed areas shall be sodded.
9. Stormwater BMP facilities shall be screened from view of adjoining properties and rights of way by landscaping and/or decorative fencing that is in compliance with the Gwinnett County Stormwater Management Manual, subject to review and approval by the Director of Planning and Development.
10. If operated as a rental community, an onsite property management office shall be located within one of the townhouse units with regularly scheduled business hours for the convenience of the residents.
11. If operated as a rental community, individual townhouse parcels may not be sold to separate owners.
12. If operated as a rental community, the property owner shall submit a code compliance certificate and inspection report for 25% of the units each year per the requirement as established by the Planning and Development Department.
13. If operated as a rental community, short-term rentals shall be prohibited.
14. Developer shall install a left turn lane as shown on the submitted site plan, subject to the review and approval of the Gwinnett Department of Transportation.

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Building Elevations
- D. Letter of Intent and Applicant's Response to Standards
- E. External Agency Review Comments
- F. Maps

Exhibit A: Site Visit Photos



View from Rosebud Road and existing dilapidated driveway



View of Rosebud Road frontage

Exhibit B: Site Plan

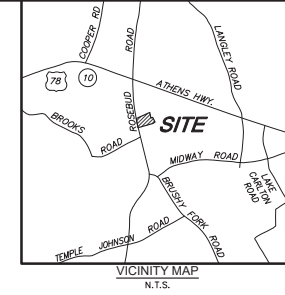
[attached]

TOTAL AREA: 4.265 ACRES

LEGEND - RECEIVED

- POB POINT OF BEGINNING
- L/L LINE OF LOT
- R/W RIGHT OF WAY
- NOI/NOI PROPERTY
- OTF OPEN TOP FOUND
- SESM FOUND
- OTF OPEN TOP FOUND
- RES RESURFACING
- CMP CORRUGATED METAL PIPE
- RCP REINFORCED CONCRETE PIPE
- DIP DUCTILE IRON PIPE
- SMH SANITARY MANHOLE
- CO CLEAN OUT
- INV INVERT
- OPV OVERHEAD POWER LINE
- OTL OVERHEAD TELEPHONE LINE
- UT UNDERGROUND TELEPHONE LINE
- EO ELECTRIC OUTLET
- UP UNDERGROUND POWER LINE
- GW GUIDE WIRE
- FP POWER POLE
- LP LIGHT POLE
- C/IT CABLE/INTERNET/TELEPHONE
- FH FIRE HYDRANT
- WL WATER LINE
- WM WATER METER
- WM WATER METER
- VM VALVE MARKER
- SM SON POST
- BL BUILDING LINE
- EP EDGE OF PAVEMENT
- CP CURB POINT
- MP MONITORING POINT
- W WETLANDS
- S STREET LIGHT

- THIS DRAWING IS NOT FOR RECORDING.
- THIS DRAWING IS NOT FOR CONSTRUCTION.

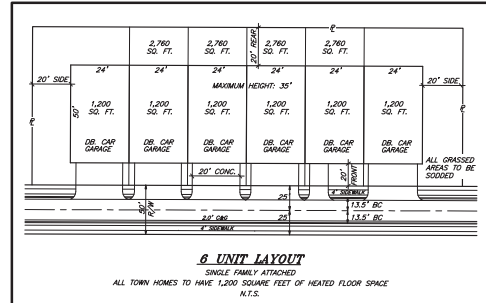
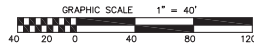
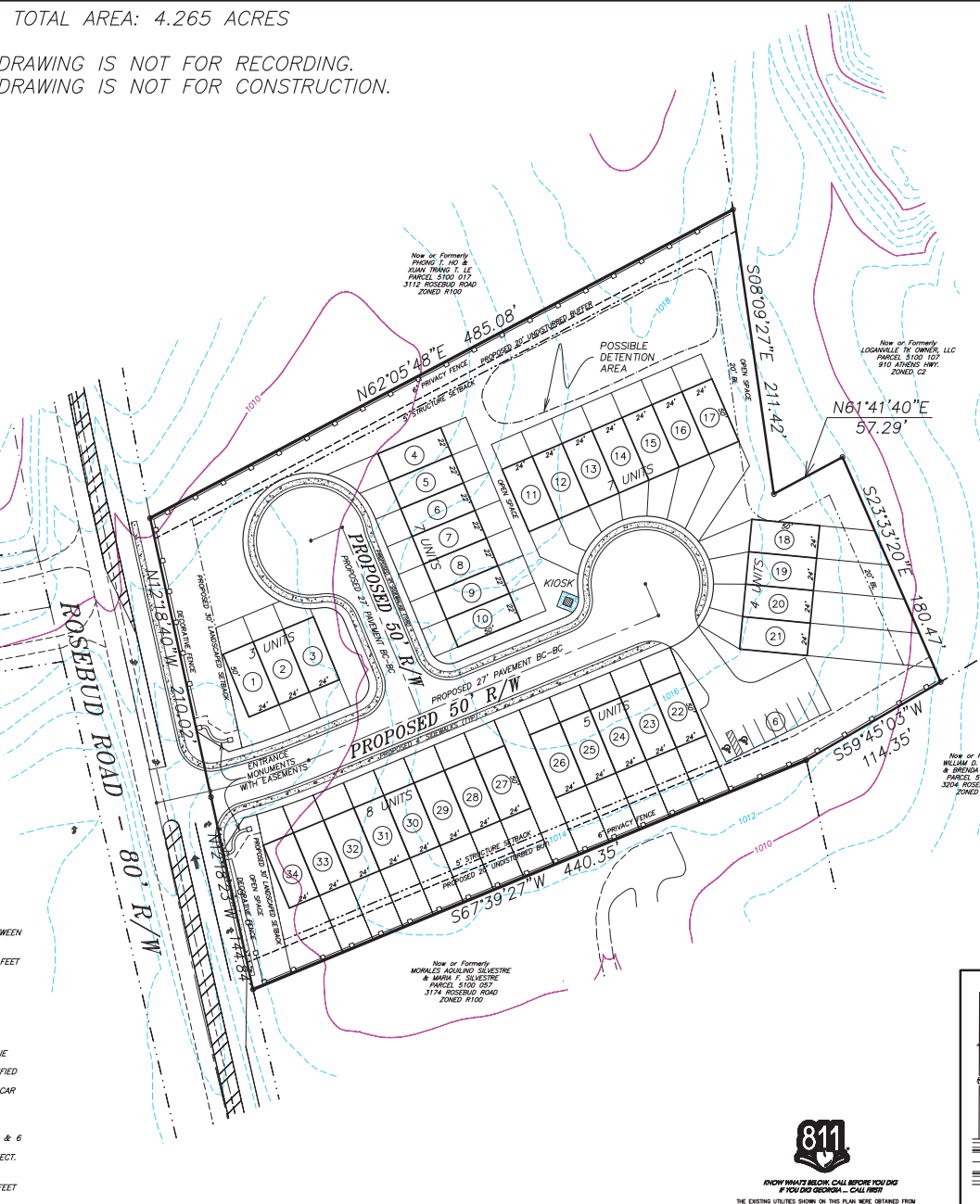


CONSULTANTS
BUSINESS
PLANNERS
**RINGO
ABERNATHY
& ASSOCIATES**
174 DACULA ROAD - DACULA, GA. 30019
Phone (770) 962-8456

COUNTY: GWINNETT
LAND LOT(S)/DISTRICT: 100/09H
PARCEL(S): 014
DATE: 12/14/2021
SCALE: 1" = 40'
JOB NO.: 21129

REZONING PLAN FOR:
WILLIAM NASH
3132 ROSEBUD ROAD

- GENERAL NOTES:
1. PROPERTY IS LOCATED AT 3132 ROSEBUD ROAD.
 2. TOTAL AREA OF PROPERTY: 4.265 ACRES
 3. EXISTING PROPERTY ZONING: O4H
PROPOSED PROPERTY ZONING: R-TH
 4. PROPERTY PARCEL: 5100 014
 5. TOTAL NUMBER OF UNITS: 37
 6. GROSS DENSITY: 8.68 UNITS PER ACRE
NET DENSITY: 8.68 UNITS PER ACRE
 7. MINIMUM LOT SIZE: NONE
 8. MINIMUM LOT WIDTH: NONE
 9. MAXIMUM BUILDING HEIGHT: 35'
 10. INTERNAL SETBACKS: NONE; A 20' GRASSED OR LANDSCAPED STRIP BETWEEN ALL BUILDINGS AND INTERIOR DRIVEWAYS/STREETS TO BE PROVIDED.
 11. EXTERNAL SETBACKS: FRONT: 10' / SIDE: 20' / REAR: 20'
 12. MINIMUM DWELLING SIZE: ALL TOWN HOMES WILL HAVE 1,200 SQUARE FEET OF HEATED FLOOR SPACE.
 13. MINIMUM STREET FRONTAGE: NONE
 14. MINIMUM EXTERNAL ROAD FRONTAGE: 50'
 15. MINIMUM UNIT WIDTH: NONE
 16. ALL STREETS ARE TO BE PUBLIC STREETS.
 17. ALL GRASSED AREAS SHALL BE SOODED.
 18. WATER SERVICE TO BE PROVIDED BY GWINNETT COUNTY.
 19. SANITARY SEWER SERVICE TO BE PROVIDED BY GWINNETT COUNTY.
 20. ALL UTILITIES TO BE LOCATED UNDERGROUND.
 21. FIRM PANEL 13135C0131F INDICATES THAT THIS PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARD ZONE.
 22. THERE ARE NO SIGNIFICANT WILDLIFE HABITATS OR SCENIC VISTAS IDENTIFIED BY THE GEORGIA DEPARTMENT OF NATURAL RESOURCES.
 23. EACH UNIT SHALL HAVE 3 OR MORE OFF STREET PARKING SPACES. (2 CAR GARAGE AND 1 SPACE IN DRIVEWAY)
 24. ALL TOWN HOMES SHALL HAVE, AT A MINIMUM, A 2 CAR GARAGE.
 25. PARKING SPACES REQUIRED: 108 - 34 x 3 = 102 + 34 x 0.25 = 6.
TOTAL OF 108 REQUIRED PARKING SPACES.
 26. TOTAL PARKING SPACES PROVIDED: 108 - 102 SPACES IN TOWNHOMES & 6 SPACES IN THE PARKING LOT (INCLUDES 2 HANDICAP SPACES)
 27. OPEN SPACE REQUIRED: 0.64 ACRES (15% OF 4.265 ACRES)
 28. DEVELOPER IS REQUESTING FOR THE 35' BUFFER BE REDUCED TO 20 FEET DUE TO THE CONSTRAINTS OF THE PROPERTY.



811
KNOW WHAT'S BELOW. CALL BEFORE YOU DIG.
811.FOR.MORE.ORG - CALL 800

THE EXISTING UTILITIES SHOWN ON THIS PLAN WERE OBTAINED FROM UNDERGROUND UTILITY LOCATIONS (U/L) RECORDS. THESE RECORDS ARE NOT GUARANTEED TO BE COMPLETELY ACCURATE. THE SUPERIOR AND/OR ENGINEER SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION, DEPTH, AND TYPE OF UTILITIES PRIOR TO ANY CONSTRUCTION ACTIVITIES. THE UTILITY PROTECTION SERVICE FOR THIS AREA MUST BE NOTIFIED.

REVISIONS	NO.	DATE

SHEET
1
OF 1

Exhibit C: Building Elevations

[attached]

RECEIVED

2/15/2022



RECEIVED

2/15/2022



RECEIVED

2/15/2022




JUSTICE
Virtual Design 2016

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

[attached]

RECEIVED

2/15/2022

174 DACULA ROAD.
DACULA, GA 30019
(770) 962-8456

RINGO /ABERNATHY & ASSOCIATES

December 15, 2021

County of Gwinnett
446 W Crogan St #150
Lawrenceville, GA 30046

RE: Rezoning Request –
3132 Rosebud Road
Applicant: William Nash
Parcel: 5-100-014

To Whom it May Concern.

Our Client, Mr. Nash, is seeking to rezone his property from OI to R-TH.

Property Info:

The subject property is 4.265 acres zoned OI, located on the southern side of Rosebud Road, in Gwinnett County, Georgia. The property is surrounded mostly R-100, and mixed-use zoning, and one parcel in close proximity receiving a C2 zoning.

Project Info

The Applicant, Mr. Nash, is interested in rezoning the property to R-TH in order to provide residential dwellings to the subject property instead of the current zoning for Office and Institutional. The intent for this property is to divide for single family residential. It is the hope the applicant receives all necessary sewer easements and variances for the zoning. Note the lots will meet the size and width requirements for the R-TH zoning.

Official Request:

The request is to rezone parcel 5-100-014 from OI to R-TH.

Reason / Justification for the Requests:

The majority of the surrounding property is currently zoned R-100 and mixed use. The property size is 4.265 acres and located in a fast-growing area located near other parcels of higher density as well as current and future mixed-use developments

Propositions

On the attached site plan, we have a proposed a six-foot privacy fence surrounding the property as well as 20' landscape buffers on the side. On the site plan you will also see a 30' landscape setback, as well as a proposed decorative fence. We would also like to propose a 0' buffer along the rear of the subject property.

Thank you for consideration to allow Mr. Nash to rezone the property to R-TH.

Kevin Ringo
Ringo Abernathy & Associates
-- on behalf of client William Nash

RECEIVED

2/15/2022

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:

We think a R-TH zoning will help transition adjacent residential to nearby and adjacent commercial.

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

No, we do not think a R-TH will adversely affect the current use of adjacent or nearby properties.

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

No, we do not think the current zoning of OI has reasonable economic use for its location.

- (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, we do not think 34 residential dwellings will cause a burdensome to nearby public facilities or Rosebud Rd due to its close proximity to Highway 78.

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

Yes, our proposed rezoning falls in line with the gwinnett county 2040 unified future land use map with the community mixed use classification.

- (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:

Disapproval of the proposed rezoning would result in the property not being economically feasible in the future.

Exhibit E: External Agency Review Comments

[attached]



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

TRC Meeting Date:		3/16/2022		
Department/Agency Name:		Transportation		
Reviewer Name:		Brent Hodges		
Reviewer Title:		Construction Manager 1		
Reviewer Email Address:		Brent.Hodges@gwinnettcountry.com		
Case Number:		RZM2022-00010		
Case Address:		3132 Rosebud Road		
Comments:		<input checked="" type="checkbox"/>	YES	<input type="checkbox"/> NO
1	Rosebud Road is a Minor Arterial. ADT = 14,127. Nearest Transit Facility is 6.9 miles away at #2335042 Johnson Road and Landing Plaza Ob.			
2	Provide sight distance certification for ALL driveways/streets connecting to classified roads in accordance with sections 900-40.6 and 900-50.7 of the UDO.			
3	Standard 200' deceleration lane with 50' taper required for all proposed entrances with adequate right-of-way for an 11' shoulder required.			
4	Sidewalks shall be constructed in all new development or redevelopment along all abutting or internal streets, existing or new, private or public, per UDO Section 900-90.1.			
5	Relocate Mail kiosk to parking area in cul-de-sac.			
6				
7				
Recommended Zoning Conditions:		<input checked="" type="checkbox"/>	YES	<input type="checkbox"/> NO
1	Developer shall install left turn lane as shown on the submitted site plan.			
2				
3				
4				
5				
6				
7				

Note: Attach additional pages, if needed

Revised 7/26/2021

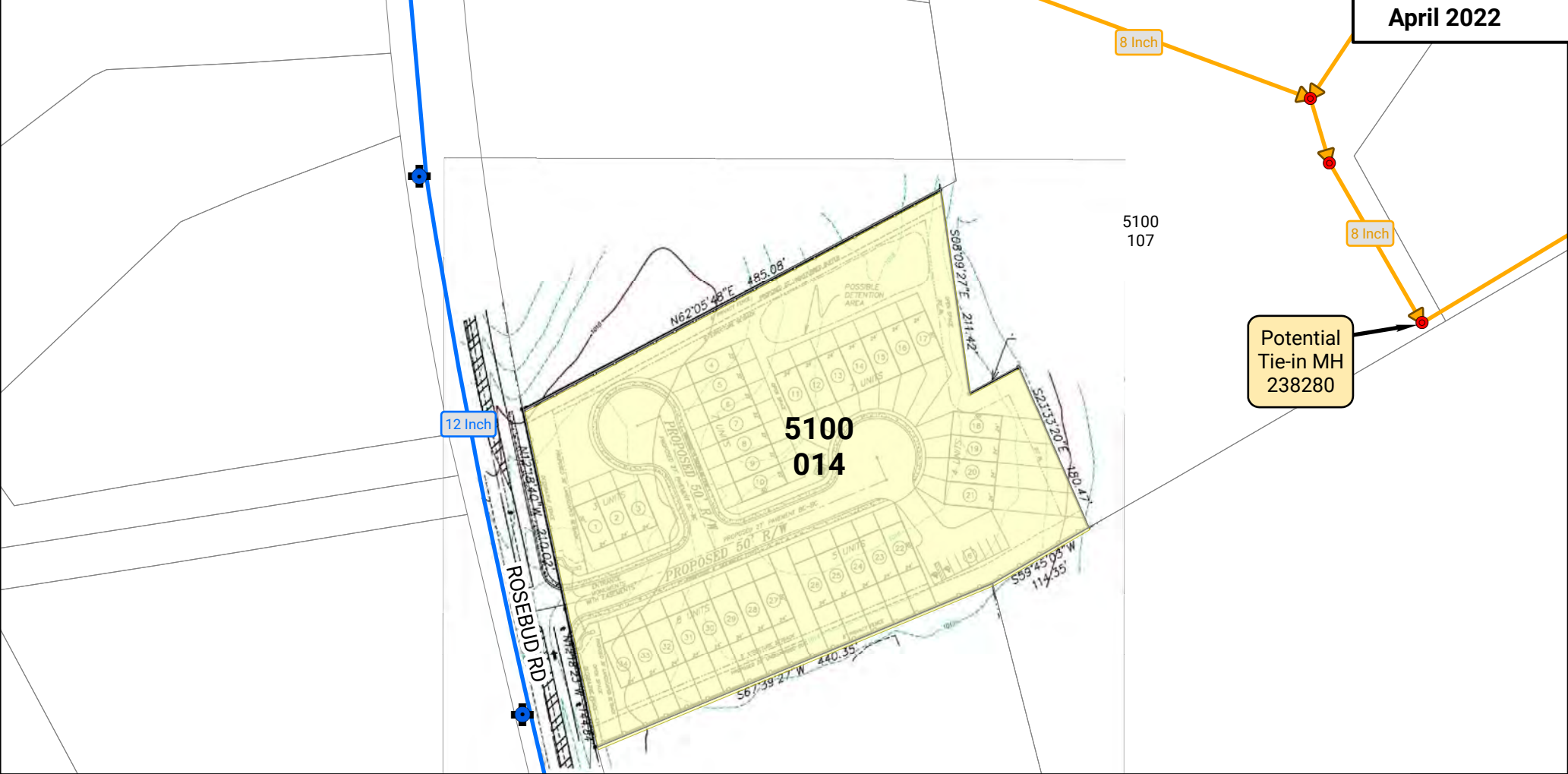


**Department of Planning and Development
TECHNICAL REVIEW COMMITTEE**

TRC Meeting Date:		3/16/2022	
Department/Agency Name:		DWR	
Reviewer Name:		Mike Pappas	
Reviewer Title:		GIS Planning Manager	
Reviewer Email Address:		Michael.pappas@gwinnettcounty.com	
Case Number:		RZM2022-00010	
Case Address:		3132 Rosebud Road	
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	WATER: The development may connect to an existing 12-inch water main located on the west right-of-way of Rosebud Rd.		
2	SEWER: A Sewer Capacity Certification is required to confirm capacity.		
3	SEWER: Pending available sewer capacity, the development may connect to an existing 8-inch sanitary sewer main located approximately 400 feet northeast on parcel 5100 107.		
4	SEWER: An easement will be required to access this sewer.		
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		YES	NO
1			
2			
3			
4			
5			
6			
7			

Note: Attach additional pages, if needed

Revised 7/26/2021

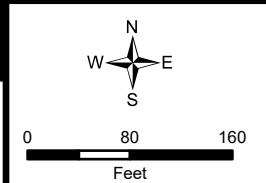


	Flow Management		Hydrant		Sewer Force Main
	Pump Station		City		Effluent Outfall
	Regional		Water Main		Sewer Collector
	Manhole		Reuse Main		Sewer Interceptor

RZM2022-00010

O-I to R-TH

Water & Sewer Utility Map



Water Comments: The development may connect to an existing 12-inch water main located on the west right-of-way of Rosebud Rd.

Sewer Comments: A Sewer Capacity Certification is required to confirm capacity. Pending available sewer capacity, the development may connect to an existing 8-inch sanitary sewer main located approximately 400 feet north east on parcel 5100 107. An easement will be required to access this sewer.

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

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

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

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

Residential Rezoning Impact on Local Schools
 Prepared for Gwinnett County BOC, April, 2022

											Proposed Zoning
	School	2021-22			2022-23			2023-24			Approximate Student Projections from Proposed Developments
		Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	
RZM2022-00007	Mountain View HS	2,801	2,300	501	2,555	2,300	255	2,432	2,300	132	19
	Twin Rivers MS	2,076	2,150	-74	1,688	2,150	-462	1,739	2,150	-411	16
	Woodward Mill ES	974	1,200	-226	1,013	1,200	-187	1,053	1,200	-147	29
RZR2022-00006	Mountain View HS	2,801	2,300	501	2,555	2,300	255	2,432	2,300	132	39
	Twin Rivers MS	2,076	2,150	-74	1,688	2,150	-462	1,739	2,150	-411	33
	Woodward Mill ES	974	1,200	-226	1,013	1,200	-187	1,053	1,200	-147	59
RZM2022-00008*	Mountain View HS/Seckinger HS*	2,801	2,300	501	1,100	2,800	-1,700	1,550	2,800	-1,250	20
	Twin Rivers MS/Jones MS*	2,076	2,150	-74	1,526	1,575	-49	1,572	1,575	-3	17
	Patrick ES	791	1,025	-234	831	1,025	-194	872	1,025	-153	30
RZM2022-00010	South Gwinnett HS	2,636	2,750	-114	2,689	2,750	-61	2,742	2,750	-8	5
	Grace Snell MS	1,207	1,200	7	1,213	1,200	13	1,237	1,200	37	4
	Magill ES	1,110	1,525	-415	1,121	1,525	-404	1,143	1,525	-382	8
RZM2022-00011	Grayson HS	3,150	3,000	150	3,245	3,000	245	3,342	3,000	342	6
	Bay Creek MS	1,282	1,150	132	1,320	1,150	170	1,360	1,150	210	5
	Trip ES	1,238	1,200	38	1,263	1,200	63	1,301	1,200	101	8
RZM2022-00012	Discovery HS	2,785	2,525	260	2,813	2,525	288	2,841	2,525	316	8
	Richards MS	2,135	2,200	-65	2,156	2,200	-44	2,178	2,200	-22	7
	Cedar Hill ES	910	1,000	-90	919	1,000	-81	928	1,000	-72	12

*Seckinger HS Cluster Opening 2022-2023 School Year

Exhibit F: Maps

[attached]



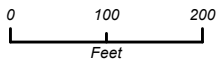
ROSEBUD RD

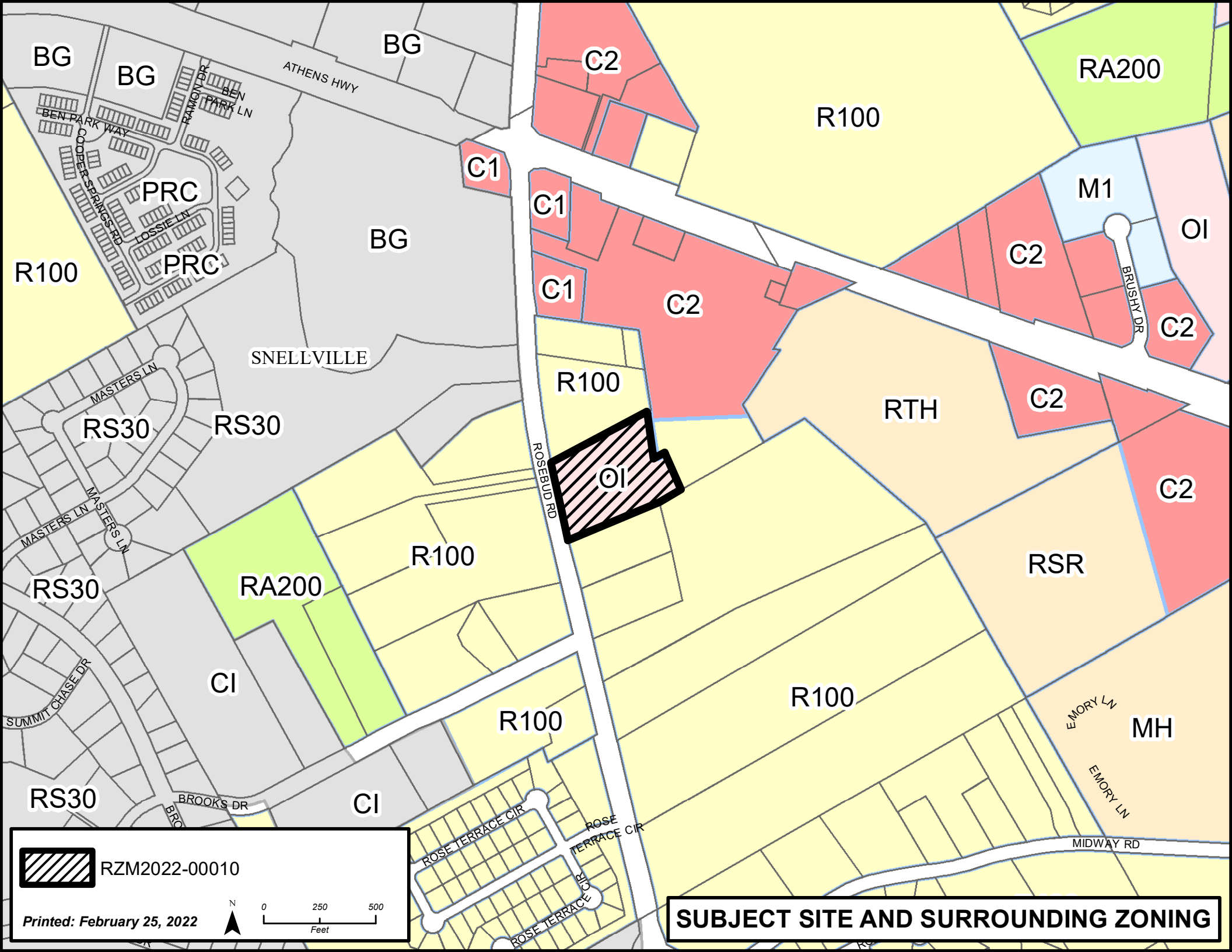
BROOKS DR



RZM2022-00010

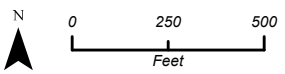
Printed: February 25, 2022





RZM2022-00010

Printed: February 25, 2022



SUBJECT SITE AND SURROUNDING ZONING

Municipalities

ATHENS HWY

BEN PARK LN
BEN PARK LN

BEN PARK WAY

COOPER SPRINGS RD

LOSSIE WAY

LOSSIE LN

SNELLVILLE

MASTERS LN

MASTERS LN
MASTERS LN

Municipalities

BROOKS DR

ROSE TERRACE CIR

ROSE TERRACE CIR

Vibrant

mu

Vibrant

EMORY LN

EMORY LN

MIDWAY RD

BRUSHY DR

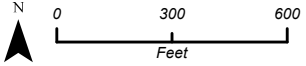
ROSEBUD RD

**Community
Mixed-Use**



RZM2022-00010

Printed: February 25, 2022



2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

RECEIVED

2/15/2022

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Crogan Street LLC</u>	NAME: <u>Marta A, Sosa</u>
ADDRESS: <u>778 Natchez Valley Trace</u>	ADDRESS: <u>1225 Mobile Way</u>
CITY: <u>Grayson</u>	CITY: <u>Grayson</u>
STATE: <u>GA</u> ZIP: <u>30017</u>	STATE: <u>GA</u> ZIP: <u>30017</u>
PHONE: <u>678-206-7887</u>	PHONE: <u>770-401-0902</u>
EMAIL: <u>Nashwill26@gmail.com</u>	EMAIL: <u>Fredsosa07@gmail.com</u>
CONTACT PERSON: <u>William Nash</u> PHONE: <u>678-206-7887</u>	
CONTACT'S E-MAIL: <u>Nashwill26@gmail.com</u>	
APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICTS(S): <u>OI</u> REQUESTED ZONING DISTRICT: <u>R-TH</u>	
PARCEL NUMBER(S): <u>R5100-014</u> ACREAGE: <u>4.265</u>	
ADDRESS OF PROPERTY: <u>3132 Rosebud Road</u>	
PROPOSED DEVELOPMENT: <u>Single Family Residential</u>	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>34</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>1200</u>	Total Building Sq. Ft. _____
Gross Density: <u>7.97 Units Per Acre</u>	Density: _____
Net Density: <u>7.97 Units Per Acre</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

2/15/2022

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:

We think a R-TH zoning will help transition adjacent residential to nearby and adjacent commercial.

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

No, we do not think a R-TH will adversely affect the current use of adjacent or nearby properties.

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

No, we do not think the current zoning of OI has reasonable economic use for its location.

- (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, we do not think 34 residential dwellings will cause a burdensome to nearby public facilities or Rosebud Rd due to its close proximity to Highway 78.

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

Yes, our proposed rezoning falls in line with the gwinnett county 2040 unified future land use map with the community mixed use classification.

- (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:

Disapproval of the proposed rezoning would result in the property not being economically feasible in the future.

RECEIVED

2/15/2022

REZONING APPLICANT'S CERTIFICATION

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

William Nash

William Nash

12/15/21

Signature of Applicant

Date

William Nash, CTOgan Street LLC Member

Type or Print Name and Title

Mireya N. Bugarin

Signature of Notary Public

12/15/21

Date



RECEIVED

2/15/2022

REZONING PROPERTY OWNER'S CERTIFICATION

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

Marta A. Sosa, Fredith A. Sosa

Signature of Property Owner

9-10-21

Date

Marta A. Sosa, Fredith A. Sosa

Type or Print Name and Title

L Alvarez

Signature of Notary Public

9/10/2021

Date



RECEIVED

2/15/2022

CONFLICT OF INTEREST CERTIFICATION FOR REZONING

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

William Nash
William Nash 12-15-21 William Nash Crogen Street LLC Member

SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

William Nash
William Nash 12-15-21 William Nash Crogen Street LLC Member

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

Mireya N. Bugarin 12/15/21

SIGNATURE OF NOTARY PUBLIC DATE



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

YES NO William Nash
YOUR NAME

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

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

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

RECEIVED

2/15/2022

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

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

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

PARCEL I.D. NUMBER: 5 - 100 - 014
(Map Reference Number) District Land Lot Parcel

William Nash 12/15/21
Signature of Applicant Date

William Nash, Cragen Street LLC Member
Type or Print Name and Title

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

TAX COMMISSIONERS USE ONLY

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

Temia Harmon TSA
NAME TITLE
12.15.2021
DATE

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

2/15/2022



JUSTICE
virtual design 2016

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

2/15/2022



GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

2/15/2022



RECEIVED

2/15/2022

174 DACULA ROAD.
DACULA, GA 30019
(770) 962-8456

RINGO /ABERNATHY & ASSOCIATES

December 15, 2021

County of Gwinnett
446 W Crogan St #150
Lawrenceville, GA 30046

RE: Rezoning Request –
3132 Rosebud Road
Applicant: William Nash
Parcel: 5-100-014

To Whom it May Concern;

Our Client, Mr. Nash, is seeking to rezone his property from OI to R-TH.

Property Info:

The subject property is 4.265 acres zoned OI, located on the southern side of Rosebud Road, in Gwinnett County, Georgia. The property is surrounded mostly R-100, and mixed-use zoning, and one parcel in close proximity receiving a C2 zoning.

Project Info

The Applicant, Mr. Nash, is interested in rezoning the property to R-TH in order to provide residential dwellings to the subject property instead of the current zoning for Office and Institutional. The intent for this property is to divide for single family residential. It is the hope the applicant receives all necessary sewer easements and variances for the zoning. Note the lots will meet the size and width requirements for the R-TH zoning.

Official Request:

The request is to rezone parcel 5-100-014 from OI to R-TH.

Reason / Justification for the Requests:

The majority of the surrounding property is currently zoned R-100 and mixed use. The property size is 4.265 acres and located in a fast growing area located near other parcels of higher density as well as current and future mixed use developments

Propositions

On the attached site plan we have a proposed a six-foot privacy fence surrounding the property as well as 20' landscape buffers on the side. On the site plan you will also see a 25' landscape setback, as well as a proposed decorative fence.

Thank you for consideration to allow Mr. Nash to rezone the property to R-TH.

Kevin Ringo
Ringo Abernathy & Associates
-- on behalf of client William Nash

RECEIVED

2/15/2022

L E G A L D E S C R I P T I O N

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 100 OF THE 5TH LAND DISTRICT OF GWINNETT COUNTY, GEORGIA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT A POINT ON THE SOUTHWESTERLY RIGHT OF WAY OF U.S. HWY. 78 THENCE PROCEEDING IN A SOUTHERLY DIRECTION ALONG THE 80' RIGHT OF WAY OF ROSEBUD ROAD A DISTANCE OF 1378 FT. TO A 1/2" REBAR, SAID POINT BEING THE TRUE POINT OF BEGINNING.

THENCE North 62 degrees 04 minutes 37 seconds East for a distance of 485.15 feet TO A 1/2" REBAR FOUND;
THENCE South 08 degrees 11 minutes 50 seconds East for a distance of 211.53 feet TO A 1/2" REBAR FOUND;
THENCE North 61 degrees 33 minutes 09 seconds East for a distance of 57.22 feet TO A 1/2" REBAR FOUND;
THENCE South 23 degrees 34 minutes 51 seconds East for a distance of 180.46 feet TO A 1/2" REBAR SET;
THENCE South 59 degrees 43 minutes 35 seconds West for a distance of 114.42 feet TO A 1/2" REBAR FOUND;
THENCE South 67 degrees 28 minutes 30 seconds West for a distance of 440.35 feet TO A 1/2" REBAR FOUND;
THENCE North 12 degrees 19 minutes 30 seconds West for a distance of 144.84 feet TO A POINT;
THENCE North 12 degrees 19 minutes 41 seconds West for a distance of 210.04 feet TO A 1/2" REBAR FOUND, SAID POINT BEING THE TRUE POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 4.265 acres.