

446 West Crogan Street, Suite 300 | Lawrenceville, GA 30046-2440 678.518.6000 GwinnettCounty.com

PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: RZR2024-00023

Current Zoning: RA-200 (Agriculture-Residence District)

Request: Rezoning to **OSC** (Open Space Conservation District)

Address: 4550 Clack Road

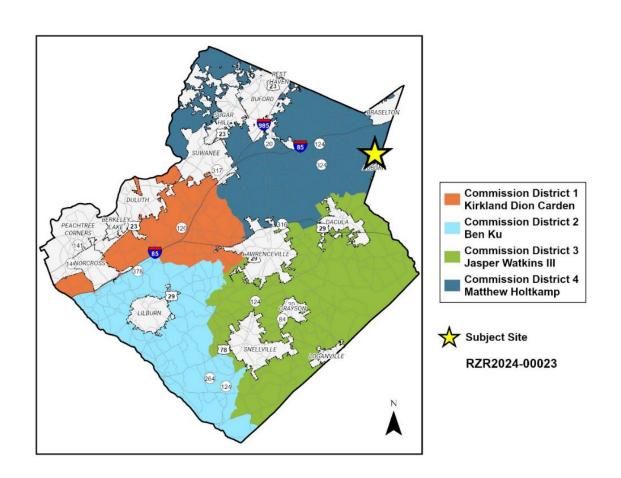
Map Number:R2004 006Site Area:22.93 acres

Units: 47

Proposed Development: Single-Family Detached Subdivision **Commission District:** District 4 – Commissioner Holtkamp

Future Development Type: Rural

Staff Recommendation: APPROVAL WITH CONDITIONS



Applicant: Northpointe Realty Investments, LLC **Owner:**

c/o Mahaffey Pickens Tucker, LLP

1550 North Brown Road, Suite 125

Lawrenceville, GA 30043

Northpointe Realty Investments, LLC

3276 Buford Drive Suite 104-102

Buford, GA 30519

Contact: Shane M. Lanham Contact Phone: 770.232.0000

Zoning History

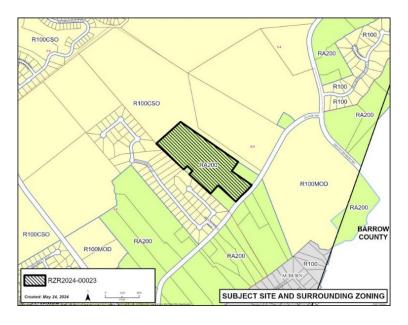
The subject property is zoned RA-200 (Agriculture-Residence District). No prior zoning cases are on record for this property.

Existing Site Condition

The subject property is a 22.93-acre parcel located along the north side of Clack Road, between its intersections with Mineral Springs Road and Mount Moriah Road. There is a metal shed structure on the property. The property is primarily grassed with woods along a stream that traverses the northern portion of the site. A wetland is located towards the rear of the site, east of the stream, and the site slopes down toward the stream. There are no sidewalks along Clack Road. The nearest Gwinnett County Transit stop is approximately 9.7 miles from the subject property.

Surrounding Use and Zoning

The subject property is located in a residential area that is transitioning from a rural to a suburban character. There is a single-family detached subdivision to the west and several large residential properties to the south. The property to the north and the east has entitlements from a 2005 rezoning of over 600-acres for a residential subdivision that spans across Clack Road and across Mineral Springs Road. A landlocked cemetery is located to the southwest, with an access easement that connects it through the subject property and an adjacent property to Clack Road. The following is a summary of surrounding zoning and uses:



Location	Land Use	Zoning	Density
Proposed	Single-Family Residential	OSC	2.05 units per acre
North	Undeveloped	R-100CSO	2.1 units per acre (RZR-05-058)
East	Undeveloped	R-100CSO	2.1 units per acre (RZR-05-058)
EdSt	Single-Family Residential	RA-200	0.5 units per acre
South	Single-Family Residential	RA-200	0.22 units per acre
West	Single-Family Residential	R-100CSO	1.59 acres per unit
West	Single-Family Residential	RA-200	0.5 units per acre

Project Summary

The applicant requests rezoning of a 22.93-acre property from RA-200 to OSC for a single-family detached subdivision, including:

- 47 single-family detached residences on lots ranging from 6,748 square feet to 17,553 square feet, yielding a density of 2.05 units per acre.
- Residences with a minimum heated floor area of 2,200 square feet (one-story homes) and 2,400
- square feet (two-story homes) and front-loaded, two-car garages.
- Exterior building materials consist of brick, stacked stone, fiber cement shake, cementitious siding, and board and batten.
- 10.53 acres, or 45.1% of total open space located around the perimeter of the development.
- 5.81 acres, or 25.3% of usable open space including walking trails, bird watching sanctuary, tranquility overlook, benches, and wellness stations.
- Conservation space comprised of streams and stream buffers and a wetland.
- A 40-foot-wide street frontage setback with 10-foot-wide landscape strip along Clack Road.
- One full-access entrance, deceleration lane and 5-foot-wide sidewalk along Clack Road.
- 27-foot-wide internal street within a 50-foot-wide right-of-way and 24-foot-wide internal streets within a 44-foot-wide right-of-way, along with 5-foot-wide sidewalks on both sides.
- One stormwater management facility located in the southwest corner of the site.
- A 25-foot-wide landscape buffer around the adjacent cemetery.
- A mail kiosk and three on-street parking spaces located adjacent to the cemetery.
- Dedication of an easement for the trail segment that is shown in the Countywide Trails Master Plan on the north side of the stream.

Zoning and Development Standards

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

Standard	Required	Proposed	Meets
			Standard?
Lot Size	Minimum 5,000 square feet	>5,000 square feet	YES
Lot Width	Minimum 50'	50'	YES
Front Yard Setback	Minimum 10'	10'	YES
Side Yard Setback	Minimum 5'	5′	YES
Rear Yard Setback	Minimum 20'	20'	YES
Building Height	Maximum 35'	<35′	YES
Open Space	Minimum 10%	45.1%	YES

Usable Open Space	Minimum 5%	25.3%	YES	
Max. Coverage (% of Lot)	Minimum 70%	>70%	YES	
Street Front Setback	Minimum 40'	Minimum 40'	YES	
Street Front Setback	10' wide landscape strip	10' wide landscape strip	TES	

Public Participation

The applicant held a community meeting for the development on April 30, 2024, at the Little Mulberry Park pavilion in Auburn. There were 19 community members in attendance, who raised questions regarding traffic, schools, and the size and price of homes. The public participation report is shown in Exhibit I.

Internal and External Agency Review

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

Staff Analysis

Rezoning Request Analysis: According to the UDO, if a proposed amendment for rezoning of property involves a change in zoning classification, the Department shall evaluate and make a recommendation with respect to the standards governing exercise of zoning power as defined in Section 270-20.6. After this evaluation, staff makes the following findings based on the standards from the UDO:

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

The surrounding area is comprised of single-family residential subdivisions and residences on large lots. In addition, an approved subdivision which has not yet broken ground is located to the east and north. The proposal contains residences that would be of a compatible density and architectural style as those in surrounding subdivisions. The proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.

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

The proposal would be compatible with surrounding residential uses in terms of density and architectural style. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.

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

The property has a reasonable economic use as currently zoned.

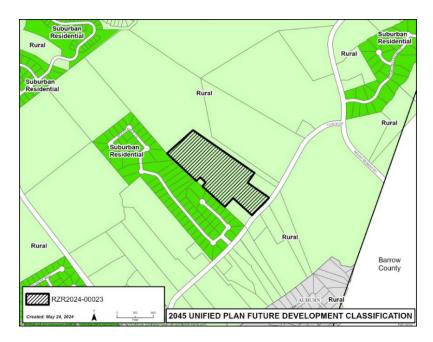
D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

An increase in impacts on public facilities is anticipated in the form of traffic, utility demand, and stormwater runoff. However, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. The traffic impact study submitted for the development estimated that the proposed subdivision would generate 38 morning and 50 afternoon peak hour trips. The study did not recommend mitigation for this development. An increased impact is anticipated on school enrollment. Agency review comments concerning potential improvements related to this request are attached (Exhibit J).

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

The Unified Plan's Future Development Map identifies "Rural" for the subject property, which envisions a low intensity, pastoral character where sewer service is not available. Single-family residences on large lots and agricultural estates are appropriate for this future development type.

Although the OSC zoning district is not recommended for "Rural", the proposed residential use is consistent with the existing and approved development in the surrounding area. In addition, the conservation subdivision would preserve environmentally sensitive site features. Therefore, the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map.



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

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

Staff Recommendation

Based on the staff's evaluation of the request and the standards governing the exercise of zoning power, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the rezoning request, subject to the following conditions:

- 1. The property shall be limited to single-family detached dwellings and accessory uses and structures, not exceeding 47 units.
- 2. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received June 4, 2024, and Exhibit C: Elevations, dated received May 3, 2024, by the Department of Planning and Development, with revisions required by conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.
- 3. The minimum heated floor area shall be 2,400 square feet.
- 4. The development shall include amenities and open space in general conformance with Exhibit B: Site Plan including, but not limited to, walking trails, bird watching sanctuary, tranquility overlook, pocket parks, benches, and wellness stations, subject to the review and approval of the Department of Planning and Development.
- 5. A deceleration lane and 5-foot-wide sidewalk shall be provided along Clack Road, subject to the review and approval of the Gwinnett County Department of Transportation.
- 6. Traffic calming shall be provided for internal streets exceeding 500 feet without a control point, subject to the review and approval of the Gwinnett County Department of Transportation.
- 7. A 50-foot-wide greenway easement along the western property line shall be provided at no cost to Gwinnett County, prior to the issuance of final plat, subject to the review and approval of the Department of Community Services.
- 8. Building lots shall not be located within any required stream buffers, accompanying impervious surface setback areas, floodplain or conservation space.
- Stormwater BMP facilities shall be screened from view of adjoining properties and rights-of-way by landscaping and/or decorative fencing that is in compliance with the Gwinnett County Stormwater Management Manual, subject to review and approval by the Department of Planning and Development.
- 10. Natural vegetation shall remain on the property until the issuance of a development permit.
- 11. All grassed areas within residential lots shall be sodded.

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Existing Features and Site Analysis Plan
- D. Building Elevations
- E. Letter of Intent and Applicant's Response to Standards
- F. Application and Disclosure of Campaign Contributions
- G. DWR Sewer Capacity Certification Letter
- H. Traffic Impact Study
- I. Public Participation Plan and Report
- J. Internal and External Agency Review Comments
- K. Maps

Exhibit B: Site Plan

[attached]

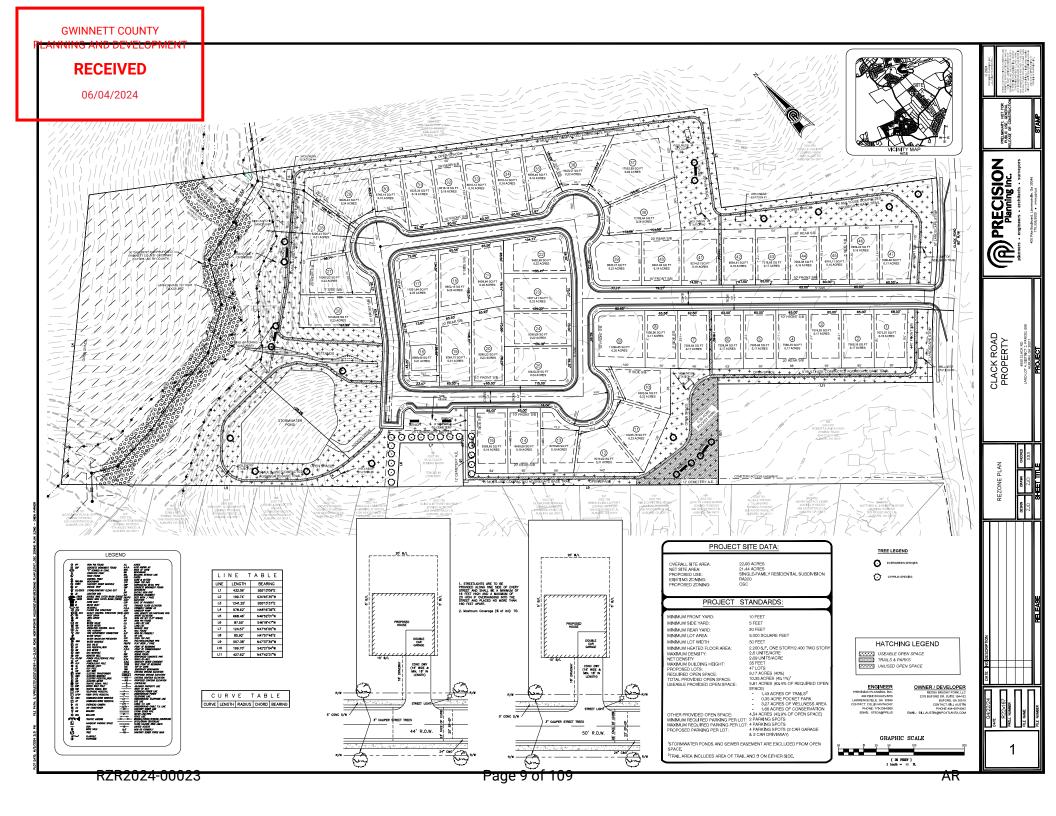


Exhibit A: Site Visit Photos



View along the south lot line facing northwest



View of the grass pasture on the property facing northwest



View facing north along Clack Road



View facing south along Clack Road



View of Clack Cemetery



View of metal shed structure

Exhibit C: Existing Features and Site Analysis Plan [attached]

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05/03/2024

Tallman Environmental

March 19, 2024

Tracie Shaw Northpointe Realty Investments LLC 3276 Buford Drive Suite 104-102 Buford, Georgia 30519

Subject: Existing Features Site Analysis

4550 Clack Road (2004 006, 22.93 acres)

Auburn, Gwinnett County, Georgia

Tracie:

On March 11, 2024, Tallman Environmental completed a site reconnaissance to assess the subject property for existing features of natural, ecological, and cultural significance. The 22.93-acre subject property is located at 4550 Clack Road, northwest of Clack Road in Auburn, Gwinnett County, Georgia. The property is centered at latitude 34.049322° north and longitude -83.855510° west and is identified by Gwinnett County parcel number 2004 006. At the time of the site reconnaissance, the subject property was comprised of storage buildings, pastureland, and undeveloped forestland.

The subject property is located in the Piedmont Ecoregion of Georgia and includes an approximately seven-acre lawn vegetated with *Cynodon dactylon* and *Festuca arundinacea*. Remaining areas consist of Piedmont pine-oak woodlands (*Guide to the Natural Communities of Georgia*, 2013). Wooded areas were comprised of a mix of hardwood species (*Acer rubrum, Liriodendron tulipifera, Liquidambar styraciflua, Quercus nigra*) and pines (*Pinus taeda*).

Elevations on the subject property range from 880 feet to 1,020 feet and slopes to the northwest towards an unnamed tributary of the Little Mulberry River. No rock outcroppings were observed on the subject property.

A large portion of the subject property is mapped with prime farmland soils. However, because the subject property is located in an urban area (based on the 2020 Census Bureau *Urban Areas of the United States and Puerto Rico* map), it is exempt from the Farmland Protection Policy Act.

The subject property is located within the Upper Oconee watershed (Hydrologic Unit Code 03070101). It is mapped as Zone X (no special flood hazard areas) according to FEMA flood insurance rate maps (community panel 13135C 0039G, dated March 4, 2013).

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05/03/2024 (4550 Clack Road, Page 2)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
AmC2	Appling sandy loam, 6 to 10 percent slopes, moderately eroded	0.3	1.3%
GeC2	Gwinnett clay loam, 6 to 10 percent slopes, eroded	13.2	57.3%
GgE2	Gwinnett loam, 10 to 25 percent slopes, eroded	1.6	7.1%
MCF	Musella cobbly loam, 15 to 45 percent slopes	3.7	16.0%
PfB2	Pacolet sandy loam, 2 to 6 percent slopes, moderately eroded	1.8	7.7%
PfC2	Pacolet sandy loam, 6 to 10 percent slopes, moderately eroded	0.1	0.5%
PgE2	Pacolet sandy clay loam, 15 to 25 percent slopes, moderately eroded	0.1	0.4%
ToA	Toccoa fine sandy loam, 0 to 4 percent slopes, frequently flooded	2.2	9.7%
Totals for Area of Interest		23.0	100.0%

The subject property was investigated for the presence of streams and other hydrologic features that might be considered state waters. Indicators used to identify jurisdictional streams included the following: wrested vegetation within the channel, sediment sorting, mean high water mark, evidence of recent persistent flow, and/or evidence of subsurface hydrology. Hydrologic features were also evaluated using the North Carolina, Division of Water Quality Methodology for Identification of Intermittent and Perennial Streams and Their Origins (Version 4.11, September 2010). At the time of the March 11, 2024 site reconnaissance, an unnamed, perennial tributary to the Little Mulberry River was observed flowing on the northwestern portion of the subject property.

A preliminary assessment of wetlands and other jurisdictional waters of the U.S. was also conducted on the property at the time of the site reconnaissance. No areas meeting the hydrology, vegetation, and soil criteria were identified at the time of the site reconnaissance. There were no wetlands depicted on the National Wetland Inventory map for the project area, with the exception of the tributaries to the Little Mulberry River.

An Information for Planning and Conservation (IPaC) report was obtained from the U.S. Fish and Wildlife Service (USFWS) and is included as an attachment to this letter. The purpose of the IPaC report is to identify species that may occur or could potentially occur on the subject property. *Amphianthus pusillis* (Little Amphianthus) and *Isoetes melanospora* (Black Spored Quillwort) are typically granite outcrop species. No granite outcroppings were observed on the subject property at the time of the March 11, 2024 fieldwork. No species resembling Little Amphianthus or Black Spored Quillwort were observed. *Danaus plexippus* (Monarch Butterfly) is a candidate species that relies on a milkweed host plant, which was not observed on the subject property at the time

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05/03/2024 (4550 Clack Road, Page 3)

of the reconnaissance. Perimyotis subflavus (Tricolored Bat) is proposed to be listed as

2095 Highway 211 NW 2F #116, Braselton, Georgia 30517 endangered by the USFWS. Based on conversations with USFWS biologists, the Tricolored Bat occurs statewide in Georgia and uses forested landscapes during its active seasons of spring, summer, and fall. They roost in leaf foliage and nearly all forested areas could be considered suitable habitat. They can also be found in transportation structures, abandoned buildings, and military bunkers. In the winter, Tricolored Bats hibernate in caves and mines where these habitats are available, and culverts across most of Georgia. They also overwinter in bridges, but use of bridges is expected to a lesser extent than use of culverts. In bottomland hardwood forests, Tricolored Bats have been documented in tree hollows. In much of Georgia, winters are mild enough that Tricolored Bats are likely active on the landscape to some extent year-round.

To avoid any potential impact, we suggest implementing seasonal tree clearing restrictions during the non-volant (unable to fly) pup season (May 1 to July 31) as well as winter hibernation season (December 1 to February 28) in most Georgia counties. At the writing of this report, the Tricolored Bat has not been listed as endangered.

A critical habitat is a federally designated geographic area that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection. Critical habitat may include an area that is not currently occupied by the species but that will be needed for its recovery. The IPaC report did not identify critical habitats on the subject property.

The subject property was also evaluated for migratory bird use. The IPaC report did not identify species of migratory birds that occur within the region. The subject property did not appear to serve as a breeding area for migratory birds at the time of the March 11, 2024 reconnaissance, However, the subject property may require reevaluation for migratory birds if construction is delayed.

A National Wildlife Refuge is a federally designated, protected area of the United States managed by the United States Fish and Wildlife Service. The National Wildlife Refuge System is the system of public lands and waters set aside to conserve America's fish, wildlife, and plants, Gwinnett County tax assessor records indicate private ownership of the subject property.

The Georgia Department of Natural Resources' Wildlife Resources Division (WRD) maintains records for rare species and communities in conservation databases. WRD tracks species and natural communities that are protected at state and federal levels or not legally protected but considered of special conservation concern by WRD biologists.

According to the Georgia Department of Natural Resources 2015 State Wildlife Action Plan:

Rarity ranks are used to characterize elements and to facilitate conservation planning. These ranks are assigned after reviewing pertinent status information at the state level and globally. Rarity ranks are based on a scale of 1 to 5; the higher the number, the more secure that species is thought to be at the state (or global) level. Therefore, an S1 species is considered very rare or imperiled in the state, while an S5 species is considered common and secure. A species with a rarity rank of G5 S1 is globally secure but occurs in very small numbers in the state. Thus (sic) it is not of global conservation concern but may be considered a priority for conservation within the state, depending on other factors. This

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05/03/2024 (4550 Clack Road, Page 4)

ranking system helps to assure that conservation efforts are directed to those species needing the most help in order to maintain biological diversity in a state or region.

One animal species was identified in the conservation database:

Cyprinella xaenura, Altamaha Shiner

State Rank: S2S3 (imperiled because of rarity/rare or uncommon in state)

GA: Threatened

US: No Federal Protection State Wildlife Action Plan: Yes Element Occurrences: 75

Habitat: medium-sized to large streams in runs or pools over sand to gravel substrate

No suitable habitat was observed within the Little Mulberry River on the subject property. The proposed work will be conducted according to Gwinnett County requirements and all applicable BMPs to prevent sedimentation to downgradient waters.

Five plant species was identified in the conservation database:

Celastrus scandens, Bittersweet

State Rank: S2 (imperiled in state because of rarity)

GA: No State Protection US: No Federal Protection State Wildlife Action Plan: No Element Occurrences: 5

Habitat: open, rocky areas in thickets and deciduous forests

Cypripedium parviflorum, Yellow Ladyslipper State Rank: S3 (rare or uncommon in state)

GA: Rare

US: No Federal Protection State Wildlife Action Plan: No Element Occurrences: 84

Habitat: Montane cove forests; rich deciduous forests

Panax quinquefolius, American Ginseng State Rank: S3 (rare or uncommon in state)

GA: No State Protection US: No Federal Protection State Wildlife Action Plan: Yes Element Occurrences: 152

Habitat: mesic hardwood forests; cove hardwood forests

Schisandra glabra, Bay Star-vine

State Rank: S2 (imperiled in state because of rarity)

GA: Threatened

US: No Federal Protection State Wildlife Action Plan: Yes Element Occurrences: 72

Habitat: rich woods on stream terraces and lower slopes

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05/03/2024 (4550 Clack Road, Page 5)

Veratrum woodii, Ozark Bunchflower

State Rank: S2 (imperiled in state because of rarity)

GA: Rare

US: No Federal Protection State Wildlife Action Plan: Yes Element Occurrences: 30

Habitat: mesic hardwood forests over basic soils

The subject property was reconnoitered for the presence of Bittersweet, Yellow Ladyslipper, American Ginseng, Bay Star-vine, and Ozark Bunchflower; no plants were observed at the time of the reconnaissance. Please refer to the attached photographs documenting conditions at the time of the site reconnaissance.

Tallman Environmental reviewed the Georgia Natural, Archaeological, and Historic Resource Geographic Information System (GNAHRGIS) database for records pertaining to surveyed historic structures listed on or eligible for listing on the National Register of Historic Places (NRHP). An Area of Potential Effect (APE) of ¼ mile (1,320 feet) from the subject property was established for the purposes of this review. Based on review of the database records, no NRHP-listed structures were mapped on the subject property or within the APE. The Clack Family Cemetery (Resource 200928) is depicted adjacent to the subject property. A circa 1919 single-family residence (Resource 200927, 4474 Clack Road) is depicted on the subject property but is no longer standing. A circa 1944 single-family residence (Resource 200926, 4575 Clack Road) could not be located at the time of the reconnaissance. National Register eligibility has not been determined for any of these three resources. The viewshed surrounding the subject property consists of modern residential development. No artifacts or lithic scatters were observed on the subject property at the time of the reconnaissance; no subsurface investigation was conducted.

Please feel free to contact me if you have any questions or concerns. We thank you for the opportunity to coordinate with you on this project.

Sincerely,

TALLMAN ENVIRONMENTAL

AJ Tallman Project Manager Connie Tallman Biologist

Attachments:
Vicinity Map
Topographic Map
Soils Map
FEMA FIRM Map
National Wetland Inventory Map
Site Photographs
IPaC Trust Resource Report
Georgia Rare Natural Elements Listings
GNAHRGIS Database Map

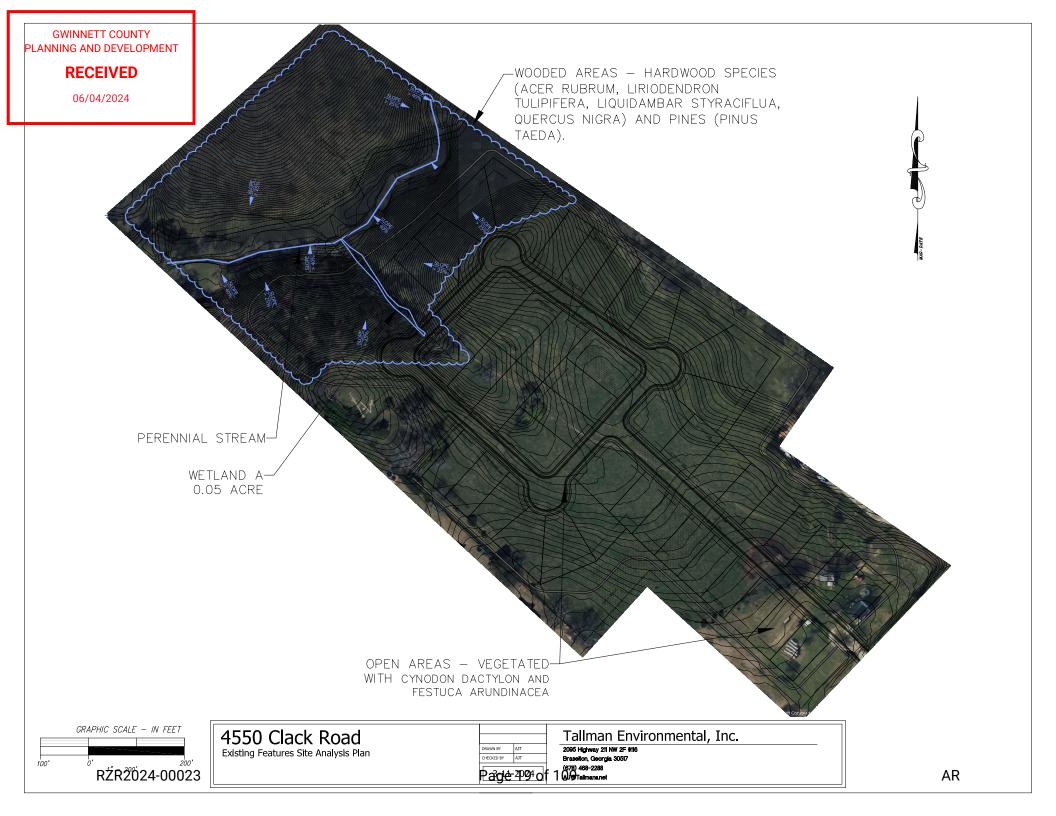




Figure 1 Scale: 1"=200' Site Location Map 4550 Clack Road Auburn, Gwinnett County, Georgia Tallman Environmental, Inc. 2095 Highway 211 NW 2F #116 Braselton, Georgia 30517 aj@tallmans.net 678.468.2288

RZR2024-00023 Page 20 of 109 AR

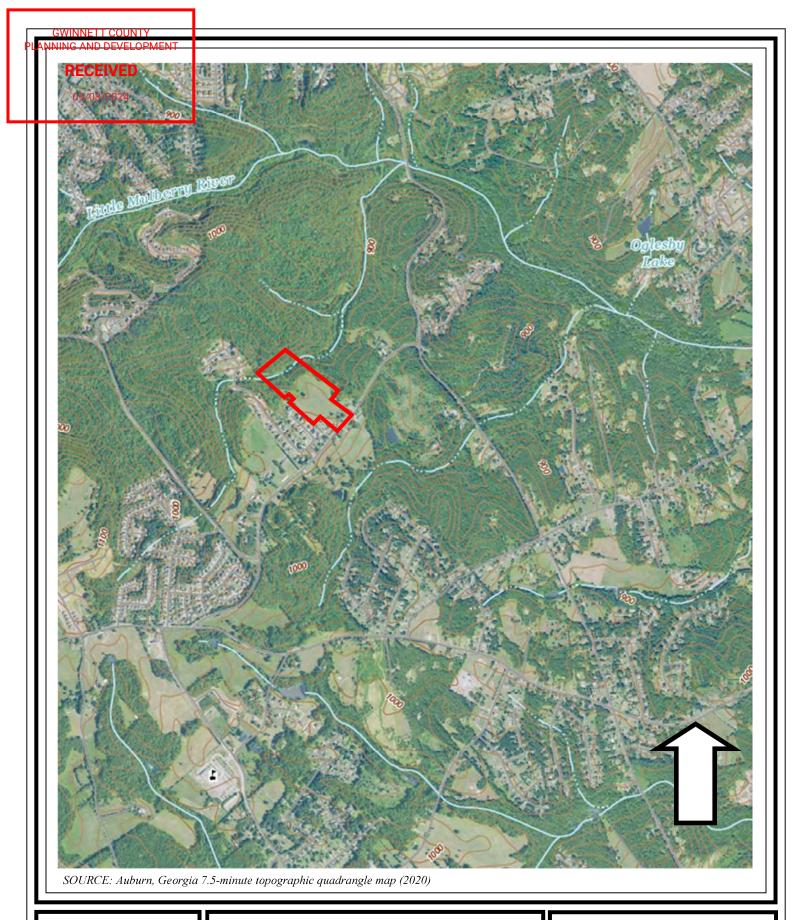
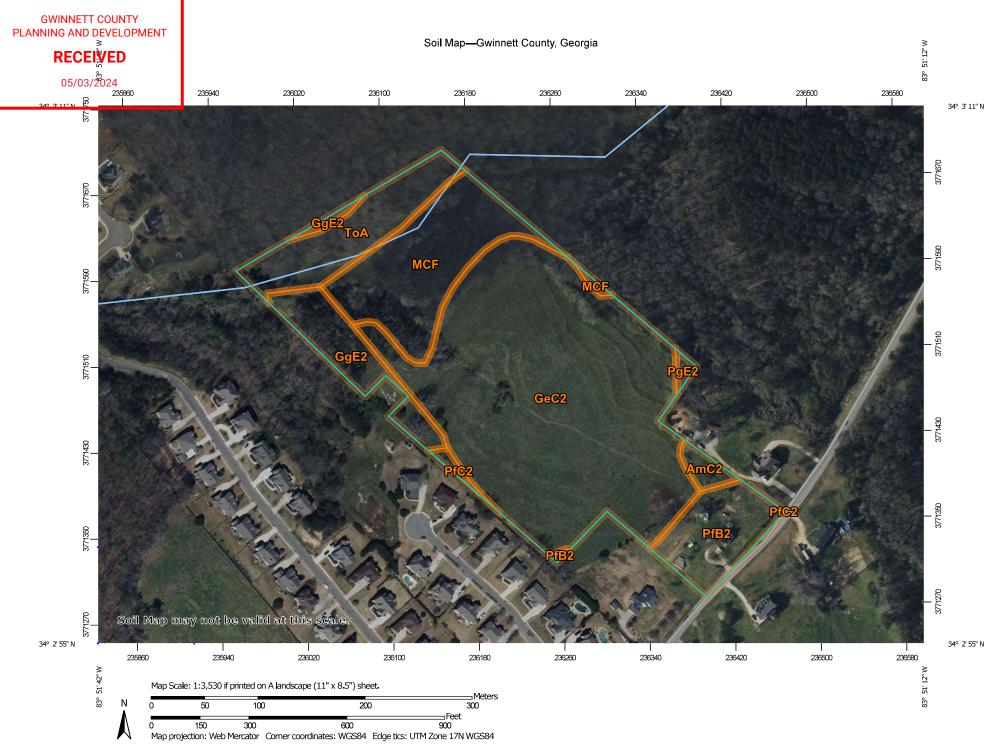


Figure 2 Scale: 1"=2,000' Topographic Map 4550 Clack Road Auburn, Gwinnett County, Georgia Tallman Environmental, Inc. 2095 Highway 211 NW, 2F #116 Braselton, Georgia 30517 aj@tallmans.net 678.468.2288

RZR2024-00023 Page 21 of 109 AR



GWINNETT COUNTY PLANNING AND DEVELOPMENT

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MAP LEGEND

Area of Interest (AOI) Spoil Area Area of Interest (AOI) â Stony Spot Soils 8 Very Stony Spot Soil Map Unit Polygons Wet Spot Soil Map Unit Lines Other Δ Soil Map Unit Points Special Line Features Special Point Features Water Features **Blowout** (0) Streams and Canals Borrow Pit \boxtimes Transportation Clay Spot Rails

+++

Interstate Highways

Aerial Photography

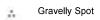
US Routes

Major Roads

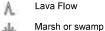
Local Roads

Background

0	Closed Depression
V	Gravel Pit









Miscellaneous Water

Perennial Water

Rock Outcrop

Saline Spot Sandy Spot

Severely Eroded Spot -

Sinkhole ٥

Slide or Slip

Sodic Spot

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15.800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Gwinnett County, Georgia Survey Area Data: Version 14, Aug 30, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Mar 19, 2022—Apr 20, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

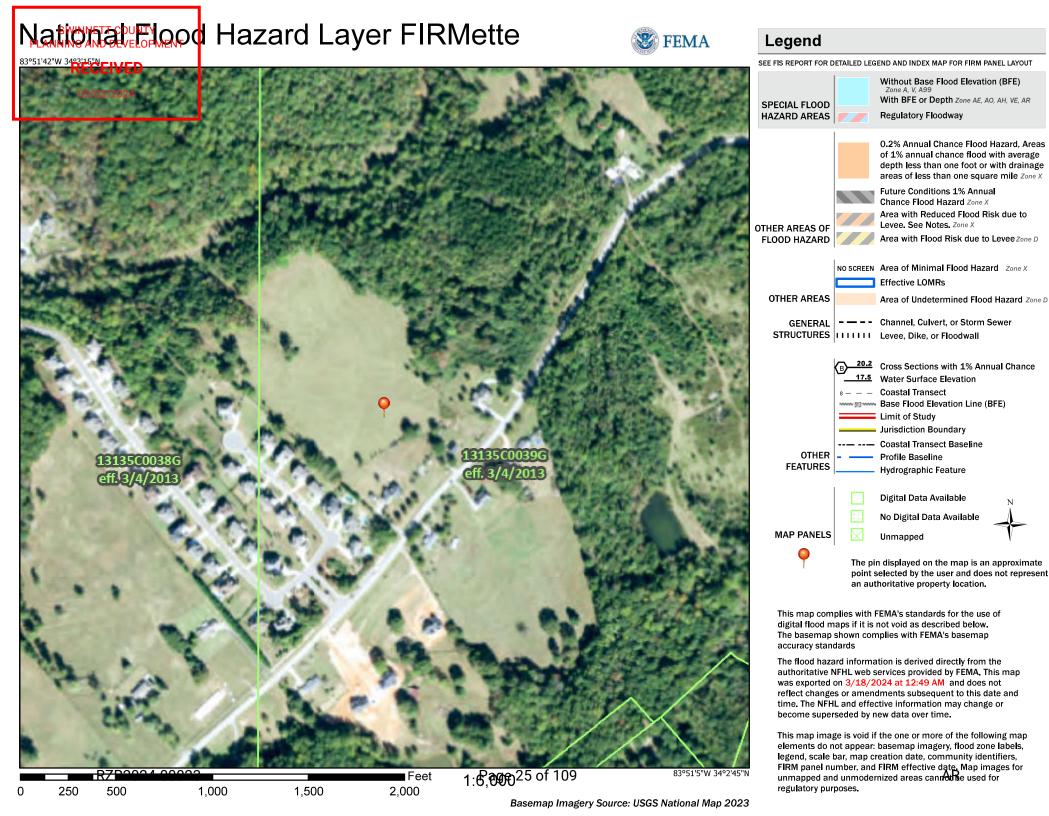


05/03/2024

Map Unit Legend

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PfC2	Pacolet sandy loam, 6 to 10 percent slopes, moderately eroded	0.1	0.5%
PgE2	Pacolet sandy clay loam, 15 to 25 percent slopes, moderately eroded	0.1	0.4%
ToA	Toccoa fine sandy loam, 0 to 4 percent slopes, frequently flooded	2.2	9.7%
Totals for Area of Interest		23.0	100.0%

RZR2024-00023



PLANNING AND DE PELOPMENT AND WILDING NATIONAL WETLAND NATIONAL WETLAND NATIONAL WETLAND INVENTORY

Wetlands



March 18, 2024

Wetlands

Estuarine and Marine Deepwater

Estuarine and Marine Wetland RZR2024-00023

Freshwater Emergent Wetland

Freshwater Pond

Lake

Other

Freshwater Forested/Shrub Wetland

___ C

Page 26 of 109

Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

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PHOTOGRAPHIC LOG

Site Location:

4550 Clack Road, Auburn, Gwinnett County, Georgia

Photo No.

Date: 3/11/24

Direction Photo

Taken:

North

Description:

Structures at 4550 Clack Road



Photo No.

Date: 3/11/24

Direction Photo

Taken:

Northwest

Description:

Field



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PHOTOGRAPHIC LOG

Site Location:

4550 Clack Road, Auburn, Gwinnett County, Georgia

Photo No.

Date: 3/11/24

Direction Photo Taken:

West

Description:

Wooded area along unnamed tributary to the Little Mulberry River



Photo No.

Date: 3/11/24

Direction Photo Taken:

Southwest

Description:

Existing sewer easement on the northwest portion of the site





lPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to astrust resources) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Gwinnett County, Georgia



Local office

Georgia Ecological Services Field Office

\((706) 460-7161

(706) 613-6059

355 East Hancock Avenue RZR2024-00023







This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can**only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

- 1. Draw the project location and click CONTINUE.
- 2. Click DEFINE PROJECT.
- 3. Log in (if directed to do so).
- 4. Provide a name and description for your project.
- 5. Click REQUEST SPECIES LIST.

Listed species and their critical habitats are managed by the <u>Ecological Services Program</u> of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact<u>NOAA Fisheries</u> for<u>species under their jurisdiction</u>.

1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the isting status page for more information. IPaC only shows species that are regulated by USFWS (see FAQ).

GWINNETT COUNTY Commerce.

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The following speces are potentially affected by activities in this location:

Mammals

NAME **STATUS**

Tricolored Bat Perimyotis subflavus

Proposed Endangered

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/10515

Insects

NAME

Monarch Butterfly Danaus plexippus

Candidate

Wherever found

No critical habitat has been designated for this species

https://ecos.fws.gov/ecp/species/9743

Flowering Plants

NAME **STATUS**

Little Amphianthus Amphianthus pusillus

Threatened

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/6445

Ferns and Allies

NAME STATUS

Black Spored Quillwort Isoetes melanospora

Endangered

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/6315



Potential²effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

There are no documented cases of eagles being present at this location. However, if you believe eagles may be using your site, please reach out to the local Fish and Wildlife Service office.

Additional information can be found using the following links:

- Eagle Managementhttps://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds
 https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide conservation measures for birds
 https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC
 https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the vian Knowledge Network (AKN) The AKN data is based on a growing collection of urvey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle Eagle Act requirements may apply). To see a list of all birds potentially present in your project area, please visit the Rapid Avian Information Locator (RAIL) Tool

What does IPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?

Page 33 of 109

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GWINNETT COUNTY

PLANTING Migratory PBIFNTRe source List is comprised of USFW<u>Sirds of Conservation Concern (BCC)</u> and other special attention in your project location.

The Migratory bird list generated for your project is derived from data provided by the vian Knowledge Network (AKN). The AKN data is based on a growing collection of urvey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle Lagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the <u>Rapid Avian Information Locator</u> (RAIL) Tool

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the <u>Eagle Act</u> should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Adtand the Bald and Golden Eagle Protection Act.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitat³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "Supplemental Information on Migratory Birds and Eagles"

- 1. The Migratory Birds Treaty Act of 1918.
- 2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds
 https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide conservation measures for birdsttps://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC
 https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

GWINNETT COUNTY

PLANTING DIVISION DE LOW are birds of particular concern either because they occur on the USEOSIVEDS of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQbelow. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Chimney Swift Chaetura pelagica This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 15 to Aug 25
Chuck-will"s-widow Antrostomus carolinensis This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds May 10 to Jul 10
Eastern Whip-poor-will Antrostomus vociferus This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Aug 20
Prothonotary Warbler Protonotaria citrea This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 1 to Jul 31
Red-headed Woodpecker Melanerpes erythrocephalus This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10
Rusty Blackbird Euphagus carolinus This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere

RZR2024-00023 Page 35 of 109 AR

GWINNETT COUNTY
PLANNING AND DEVELOPMENT
Wood Thrush Hylocichla mustelina
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This is a Bird of Conservation Concern (BCC) throughout its

05/93/984n the continental USA and Alaska.

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental Information on Migratory Birds and Eagles" specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence(■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

- 1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
- 2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
- 3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season ()

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

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Verece VEROCK lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

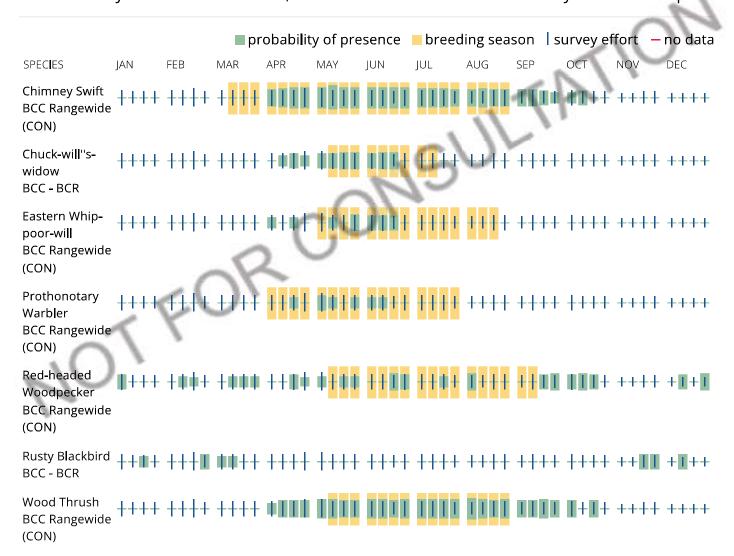
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (-)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. Page 37 of 109

GWINNETT COUNTY

PLANT ው See When ው May are most likely to occur and be breeding in your project area, view the Probability of Preceptation many. Additional measures or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFW<u>Sirds of Conservation Concern (BCC)</u> and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by thevian Knowledge Network (AKN). The AKN data is based on a growing collection of urvey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle Lagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the <u>Rapid Avian Information Locator</u> (<u>RAIL</u>) <u>Too</u>l

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the <u>Avian Knowledge Network (AKN)</u> This data is derived from a growing collection o<u>furvey</u>, <u>banding</u>, and <u>citizen science datasets</u>.

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the ALL Tool and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

- 1. "BCC Rangewide" birds are <u>Birds of Conservation Concern</u> (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
- 2. "BCC BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
- 3. "Non-BCC Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Fagle Act requirements (for eagles) or (for non-eagles) potential susceptibilities in RZR2024-00023

Althoughus important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the occurrence and occurrence and abundance on the Atlantic Coast, please visit the occurrence and occurrence and abundance of both individual bird species and groups of the occurrence and abundance of both individual bird species and groups of the occurrence and abundance of both individual bird species and groups of the occurrence and abundance occurrence and abundance of the Atlantic Coast, please visit the occurrence and abundance and abundance and abundance and abundance and abundance and abundance

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the <u>Diving Bird Study</u> and the <u>nanotag studies</u> or contact <u>Caleb Spiege</u> or <u>Pam Loring</u>.

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need tobtain a permit to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

RZR2024-00023 Page 39 of 109 AR



National Wildlife Refuge lands

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to <u>NWI wetlands</u> and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

RIVERINE

R2UBH

A full description for each wetland code can be found at the <u>National Wetlands Inventory</u> website

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w প্রাক্রেমিনিটিং cur. Additional information on the NWI data is provided below.

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Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.







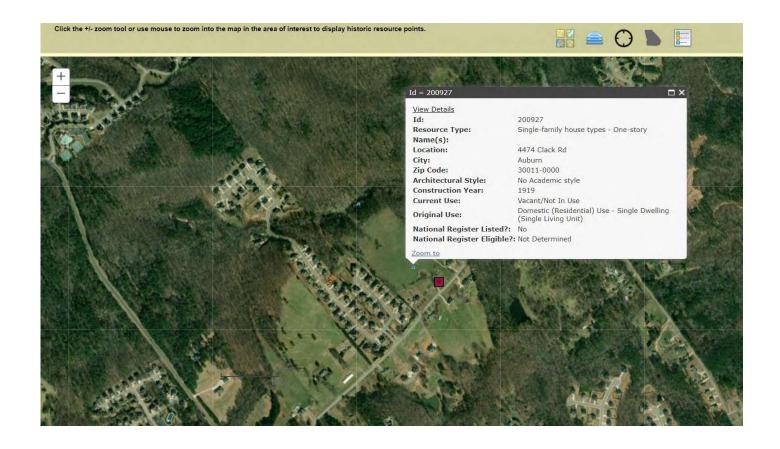


All Rare Anirhals, Plants, Natural Plant Communities within Auburn, GA, SW Quarter Quad

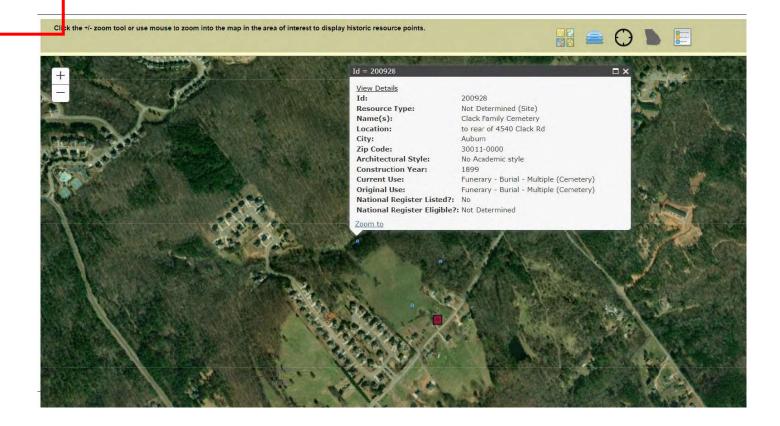
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Scientific Name	Common Name 🔺	GA Prot 🔺	US Prot ▲	GRank 🔺	Rnd GRank 🔺	SRai
filter column	filter column	filter colu	filter colu	filter col	filter column	filter
Celastrus scandens	<u>Bittersweet</u>			G5	G5	S2?
Cyprinella xaenura	Altamaha Shiner	Т		G3	G3	S2S3
Cypripedium parviflorum	Yellow Ladyslipper	R		G5	G5	S3
Panax quinquefolius	American Ginseng			G3G4	G3	S3
Schisandra glabra	Bay Star-vine	Т		G3	G3	S2
<u>Veratrum woodii</u>	Ozark Bunchflower	R		G5	G5	S2

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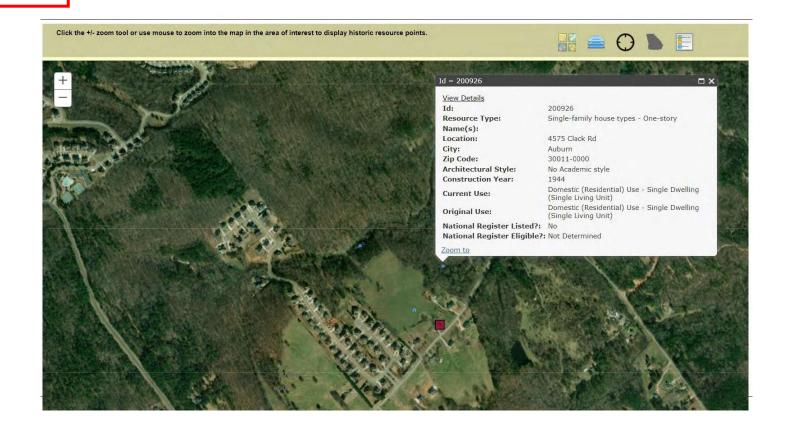


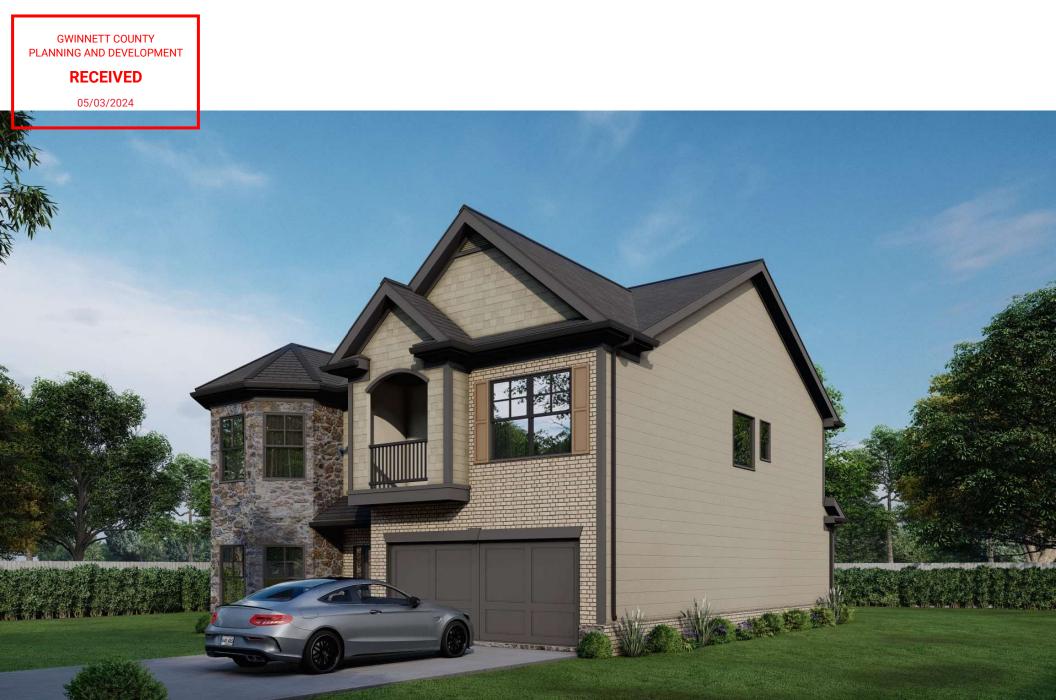
Exhibit D: Building Elevations

[attached]

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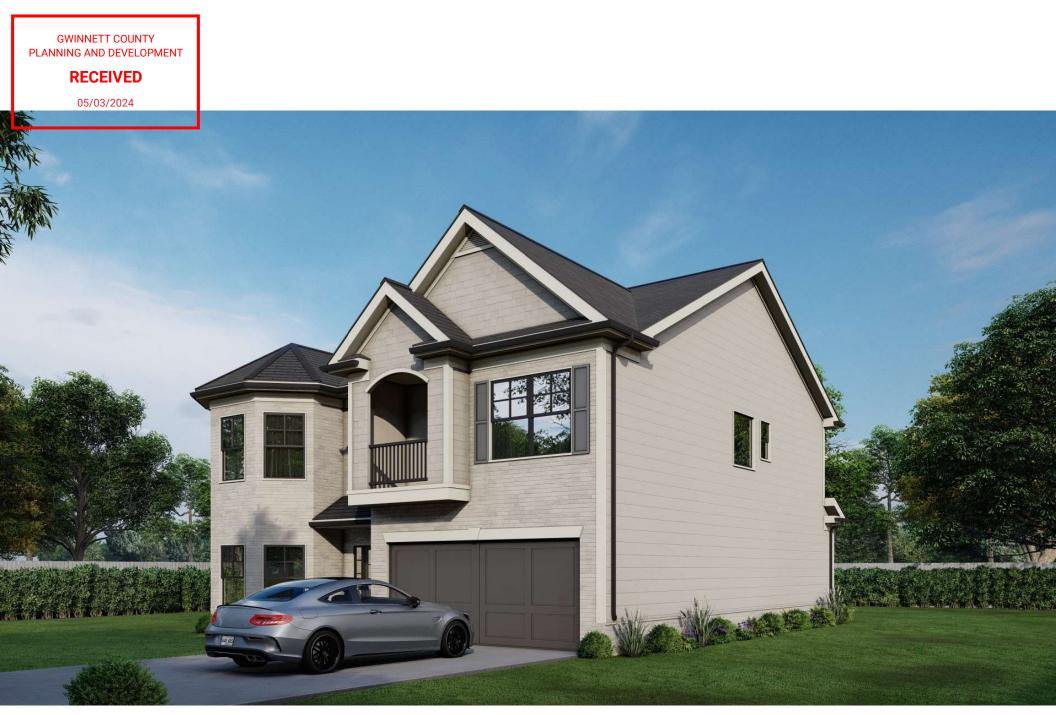




Exhibit E: Letter of Intent and Applicant's Response to Standards [attached]

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Matthew P. Benson Catherine W. Davidson Gerald Davidson, Jr.* Brian T. Easley Rebecca B. Gober Christopher D. Holbrook Jessica P. Kelly

Shane M. Lanham



Jeffrey R. Mahaffey Julia A. Maxwell Steven A. Pickens Jack M. Ryan Gabrielle H. Schaller S. Tess Shaheen Andrew D. Stancil R. Lee Tucker, Jr.

*Of Counsel

LETTER OF INTENT FOR REZONING APPLICATION

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached rezoning application (the "Application") on behalf of Northpointe Realty Investments, LLC, (the "Applicant") requesting the rezoning of an approximately 22.93-acre tract of land (the "Property") situated along the northwesterly side of Clack Road between its intersections with Mt Moriah Road and Mineral Springs Road. The Property is located within the Rural Character Area of the Gwinnett County 2045 Unified Plan (the "2045 Plan") and is currently zoned RA-200.

The Applicant submits the Application requesting to rezone the Property to the OSC (Open Space Conservation District) zoning classification of the Gwinnett County Unified Development Ordinance (the "UDO") to develop the Property as an attractive detached, single-family residential community. The proposed development would include 48 single-family detached homes at an overall density of 2.09 units per acre. Homes in the proposed community would be compatible with homes in the surrounding area and attractive architectural elements which would meet or exceed the requirements of the UDO's Architectural Design Standards for Detached Residential Buildings. Building façades of the proposed homes would include brick, stone, shake/siding, and/or board and batten as depicted in the building elevations submitted with the Application. All of the homes would include two-car garages and would have a minimum heated floor area of 2,200

Sugarloaf Office | | 1550 North Brown Road, Suite 125, Lawrenceville, Georgia 30043 NorthPoint Office | | 11175 Cicero Drive, Suite 100, Alpharetta, Georgia 30022 TELEPHONE 770 232 0000

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water utilities are both available in the immediate vicinity and have sufficient capacity to support the proposed development. The proposed development would be accessed by a single entrance on Clack Road.

square feet for single-story homes and 2,400 square feet for two-story homes. Further, sewer and

Further, approximately 40% of the Property will be devoted as open space with a large portion provided at the rear of the development remaining untouched as usable green space for wildlife viewing, off-trail walking, and conservation. This large natural area will be located across the creek at the rear of the Property so as to prioritize the protection of the unique, natural resources found there. The proposed development would also include approximately 4.75 acres of the provided open space as "usable open space" as required by the UDO. These areas would be activated with nature trails, a tranquility overlook, and a bird watching sanctuary for the use and enjoyment of residents. The nature trails will also have wellness stations placed at varying intervals along the perimeter of the Property. Additionally, seating areas would be placed into the pocket parks and along the nature trails as places for residents to gather and enjoy nature.

The proposed development is compatible with surrounding land uses and is in line with the policies of the Gwinnett County 2045 Unified Plan (the "2045 Plan"). The surrounding area is characterized primarily by residential development including communities zoned R-100 Modified, R-100 CSO, and OSC. The proposed development is also in line with the policies of the 2045 Plan which broadly promotes residential development and encourages a variety of housing types. Chapter 4: Housing of the 2045 Plan provides abundant data and statistics that reflect a housing shortage in Gwinnett County. In the Needs & Opportunities section of Chapter 4, the 2045 Plan identifies a need of "More Housing Development" and provides that the "housing shortage inhibits population growth, business attraction, and other economic development by raising housing prices

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and failing to ad commodate new residents. A higher volume of housing development is needed to meet economic goals and countywide growth potential." Green open space areas are included around the perimeter of the Property to provide appropriate screening and separation from adjacent single-family detached subdivisions and adjacent existing residential tracts. In order to develop the Property as depicted on the site plan submitted with the Application, the Applicant is seeking a limited grass strip reduction, to the extent relief is necessary, where adjacent to Parcel R2002 188, which is zoned RA-200 and contains a cemetery. In this limited area, the Applicant intends to provide the required 25-foot wide grass strip per UDO Section 230-90; however, to provide convenient access to the cemetery for families, a reduction in the grass strip along the northeastern side of the cemetery may be necessary. Such a reduction would provide adequate separation between the cemetery and the proposed development. Moreover, the area surrounding the cemetery is mostly cleared and does not contain mature vegetation. Accordingly, the proposed buffer would represent an improvement from current conditions.

Additionally, the proposed development is in line with the spirit and intent of the 2045 Plan for the Rural Future Development Area. While OSC is not a listed recommended zoning district for the Rural Future Development Area, the proposed development is closer to a blend of OSC and R-100. It provides the "best of both worlds" with the wider than required lot sizes, lower density, and still providing all of the open space requirements and conservation goals of OSC. Moreover, the 2045 Plan lists single-family residential, conservation, and parks/open space as appropriate uses for future development in the Rural Future Development Area. Further, the 2045 Plan describes Rural Future Development Area as using septic and being more than two miles from a village center. The subject Property has access to sewer and is approximately 1.3 miles from a Village Center Small located at the intersection of Mt. Moriah Road and Braselton Highway

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(HWY 124). Furthermore, the proposed development is in line with the Agricultural/Rural

Residence land use (which is a FAR based calculation between 0.0 and 0.2) because the proposed

development has a FAR of 0.1. Therefore, a single-family residential development devoted to all

of the aforementioned aspects would be a wonderful addition to the area. The proposed residential

development would continue the residential development pattern and provide high-quality,

attractive homes which complement the land use mix while preserving natural spaces for residents

to commune with nature.

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 these Applications.

Respectfully submitted this 2nd day of May, 2024.

MAHAFFEY PICKENS TUCKER, LLP

<u> Shane M. Lanham</u>

Shane M. Lanham *Attorneys for Applicant*



05/03/2024

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

- (A) Yes, approval of the Rezoning Application will permit a use that is suitable in view of the use and development of adjacent and nearby property. The proposed residential development is compatible with existing residential uses and will further diversify housing options in the surrounding areas.
- (B) No, approval of the Rezoning Application will not adversely affect the existing use or usability of any of the nearby properties. Rather, the proposed development will complement the housing mix of the surrounding area.
- (C) Due to the size, location, layout, and dimensions of the subject property, the Applicant submits that the Property does not have a reasonable economic use as currently zoned.
- (D) No, approval of the Rezoning Application will not result in an excessive or burdensome use of the surrounding infrastructure systems. The proposed development has direct access to Clack Road and is located in close proximity to Braselton Highway. Additionally, water and sewer utilities are present in the immediate vicinity.
- (E) Yes, approval of the Rezoning Application is in conformity with the policy and intent of the Gwinnett County 2045 Unified Plan which encourages residential development, encourages the continued diversification of housing types in the County, and encourages creation of open spaces for people to enjoy.
- (F) The Applicant submits that the quality of proposed homes, the large green space at the rear of the Property, the Property's access to water and sewer infrastructure, and the Property's proximity to regional transportation corridors provide additional supporting grounds for approval of the Application.

Exhibit F: Application and Disclosure of Campaign Contributions [attached]

Gwinnett County Planning Division Rezoning Application Last Updated 12/2023

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06/04/2024

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION					
Northpointe Realty Investments, LLC Name: _c/o Mahaffey Pickens Tucker, LLP	Name: Northpointe Realty Investments					
Address: 1550 North Brown Road, STE 125	Address: 3276 Buford Drive STE 104-102					
City: Lawrenceville	City: Buford					
State: Georgia ZIP: 30043	State: Georgia ZIP: 30519					
Phone: <u>770-232-0000</u>	Phone: 770 232 0000					
Email: slanham@mptlawfirm.com	Email: slanham@mptlawfirm.com					
Contact Person: Shane M. Lanham Phone: 770-232-0000						
Contact's Email: slanham@mptlawfirm.com						
APPLICANT IS THE:						
Owner's Agent Property Owner Contract Purchaser						
Current Zoning District(s): RA-200 Requested Zoning District: OSC						
Parcel Number(s): R2004 006	Acreage: <u>+/- 22.93</u>					
Property Address(es): 4550 Clack Road, Auburn, Georgia 30519						
Proposed Development: Single Family Detached Subdivision						
Variance(s):	Waiver(s):					
RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT					
No. of Dwelling Units: 47	No. of Buildings: N/A					
2,200 sq ft for single-story Dwelling Unit Sq. Ft.: 2,400 sq ft for two-story	Total Building Sq. Ft.: N/A					
Density: +/-2.05	Floor Area Ratio: N/A					
Floor Area Ratio (LRR, MRR, HRR): N/A						
MIXED-USE DEVELOPMENT						
No. of Dwelling Units: N/A Dwelling Unit Sq. Ft.: N/A						
Total Non-Residential Sq. Ft.: N/A Floor Area Ratio: N/A						

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REZONING PROPERTY OWNER'S CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within 12 months from the date of last action by the Board of Commissioners unless waived by the Board of Commissioners. In no case shall an application or reapplication be acted upon in less than six months from the date of last action by the Board of Commissioners.

Signature of applicant

Northpointe Realty Investments, LLC
by: Gwinnett Development Corporation, Its Manager
William A. Austin, President

Type or print name and title

Date

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05/03/2024

REZONING APPLICANT'S CERTIFICATION

The undersigned below is authorized to make this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within 12 months from the date of last action by the Board of Commissioners unless waived by the Board of Commissioners. In no case shall an application or reapplication be acted upon in less than six months from the date of last action by the Board of Commissioners.

Signature of applicant

3/22/2024

Date

Northpoint Realty Investments, LLC

by: Gwinnett Development Corporation, Its Manager

William A. Austin, President

3/22/2024

Type or print name and title

Signature of notary public

Date

RZR2024-00023 Page 72 of 109 AR

GWINNETT COUNTY PLANNING AND DEVELOPMENT

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05/03/2024

CONFLICT OF INTEREST CERTIFICATION FOR REZONING

The undersigned below, applying for a rezoning, has complied with the Official Code of Georgia Section 36-67A-1 and has submitted or attached the required information on the forms provided.

Mala. hos		3/22/2024
Signature of applicant		Date
Northpointe Realty Investments, LLC by: Gwinnett Development Corporation, It William A. Austin, President	s Manager	3/22/2024
Type or print name and title		Date
Corst	3/22/200	V MAD
Si <mark>g</mark> nature of notary public	SCLOSURE OF CAMPAIGN CONTRIBU	TIONS TOURT OF THE PROPERTY OF
Have you, within the two years immedia aggregating \$250 or more to a member County Planning Commission?	tely preceding the filing of this applicate of the Gwinnett County Board of Comr	tion, made campaign contributions missioners or a member of the Gwinnett
☐ Yes ☐ XNo Northpointe Re	alty Invesments, LLC or William A. Aust	in
1165	Name	
If the answer is yes, please complete the	following section:	
Name and Official Position of	Contributions (List all which aggregate	Date Contribution Was Made

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

GWINNETT COUNTY PLANNING AND DEVELOPMENT

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05/03/2024

CONFLICT OF INTEREST CERTIFICATION FOR REZONING

The undersigned below, applying for a rezoning, has complied with the Official Code of Georgia Section 36-67A-1 and has submitted or attached the required information on the forms provided.

111		
March. This		3/22/2024
Signature of applicant		Date
Northpointe Realty Investments, LLC by: Gwinnett Development Corporation, In William A. Austin, President	ts Manager	3/22/2024
Type or print name and title		Date
Chara the and the	2/22/2014	REPRESENTATION ELECTION
Si <mark>g</mark> nature of notary public	Date SCLOSURE OF CAMPAIGN CONTRIBUTI	ONS ONTY SEAT TO A SOURCE OF THE SEAT OF T
Have you, within the two years immedia aggregating \$250 or more to a member County Planning Commission?	tely preceding the filing of this application of the Gwinnett County Board of Commi	on, made campaign contributions ssioners or a member of the Gwinnett
☐ Yes ☐ Northpointe Re	ealty Invesments, LLC or William A. Austin Name	
	ivanie	
If the answer is yes, please complete the	following section:	
Name and Official Position of Government Official	Contributions (List all which aggregate	Date Contribution Was Made (Within last two years)

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



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05/03/2024

Gwinnett County Planning Division Rezoning Application Last Updated 12/2023

REZONING APPLICANT'S CERTIFICATION

The undersigned below is authorized to make this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within six (6) months from the date of last action by the Board of Commissioners.

Signature of Applicant

Date

Shane M. Lanham, Attorney for Applicant

Type or Print Name and Title

Signature of Notary Public

Notary Seal

AR

GABRIELLE SCHALLER Notary Public - State of Georgia **Gwinnett County** My Commission Expires Oct 27, 2026

Gwinnett County Planning Division Rezoning Application Last Updated 12/2023

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, <u>Conflict of Interest in Zoning Actions</u>, and has submitted or attached the required information on the forms provided.

Signature of Applicant	Date	Type of Print Name and Title
	3/28/24	Shane M. Lanham, Attorney for Applicant
Signature of Applicant's	Date	Type or Print Name and Title
Attorney or Representative		· ·
Fehall Well	3/28724	GABRIELLE SCHALLER Notary Public - State of Georgia Gwinnett County My Commission Expires Oct 27, 2026
Signature of Notary Public	Date	Notary Seal
campaign contributions agr Commissioners?	gregating \$250.00 or more to Mahaffey Pickens Tucke	o a member of the Board of er, LLP (Your Name)
res I no		(Tour Name)
If the answer is yes, please co	emplete 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)
Please see attached.		
Attach additional sho	eets if necessary to disclose or c	lescribe all contributions.

7



CONFLICT OF INTEREST CERTIFICATION FOR REZONING/CHANGE IN CONDITIONS AND SPECIAL USE PERMIT APPLICATIONS

MAHAFFEY PICK	ENS TUCKER, LLP	
NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE
Ben Ku, Commissioner	\$1,500	10/03/2022
Matt Holtkamp, Commissioner	\$1,000	04/13/2023
Nicole Love Hendrickson, Chairwoman	\$2,500	08/11/2023
Matt Holtkamp, Commissioner	\$3,300	09/18/2023
Kirkland Carden, Commissioner	\$3,300	09/27/2023
Lee Tucker, Atto	orney at Law, P.C.	
NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE
Kirkland Carden, Commissioner	\$2,000	10/25/2023
Jeffrey Mahaffey, Atto	rney at Law, Individually	
NAME AND OFFICIAL POSITION		
OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE
Nicole Love Hendrickson, Chairwoman	\$1,000	08/14/2023



Gwinnett County Planning Division Rezoning Application Last Updated 12/2023

05/03/2024

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

The undersigned below is authorized to make this application. The undersigned certifies that all Gwinnett County property taxes billed to date for the parcel listed below have been paid in full to the Gwinnett County Tax Commissioner. In no case shall an application or reapplication for rezoning be processed without such property verification.

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

Parcel I.D. Number: R2004 006 (Map Reference Number)	_
	3/26/2024
Signature of Applicant	Date
Shane M. Lanham, Attorney for Applicant	
Type or Print Name and Title	
PLEASE TAKE THIS FORM TO THE TAX COMM JUSTICE AND ADMINISTRATION CENTER, 75 SIGNED BY A REPRESENTATIVE OF THE TAX CO	LANGLEY DRIVE. THIS FORM MUST BE
TAX COMMISSIO	NERS USE ONLY
Payment of all property taxes billed to date for the paid current and confirmed by the signature below Scholy Name 3 27 2024 Date	

8

Exhibit G: DWR Sewer Capacity Certification Letter [attached]



GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES

684 Winder Highway | Lawrenceville, GA 30045-5012 678.376.6700 www.gwinnettcounty.com | www.gwinnetth2o.com

November 30, 2023

Bill Austin Northpoint Communities, LLC 3276 Buford Dr, Suite 104-102 Buford, GA 30519

APPROVED
DENIED
CONDITIONALLY APPROVED
Sewer Capacity Request # C2023-272-11
Expiration Date: 11/30/2024
Tie-In Manhole FID: 2345352

RE: Sewer Availability for Proposed Development – 4550 Clack Road Property

Parcel ID 2004 006

Dear Mr. Austin:

This letter supersedes the earlier Sewer Capacity Certification C2023-009-01 dated January 13, 2023.

Gwinnett County Department of Water Resources (GCDWR) has reviewed the impact of the proposed development consisting of <u>81 single-family homes</u> on the above parcel(s) and determined:

Gwinnett County has adequate sewer capacity to serve the proposed development.

This confirmation is based on your anticipated annual average daily flow of <u>14.1 gpm</u> discharging to the sewer tie-in manhole at Facility ID 2345352.

Capacity Allocation: Sewer capacities are allocated only upon the issuance of a Development Permit, by Gwinnett County Planning & Development and after all applicable conditions established in this Sewer Capacity Certification, if any, are met.

Certification Expiration: The Sewer Capacity Certification is valid for 12 months from the date of this letter. If rezoning is approved, GCDWR will issue a revised Sewer Capacity Certification based on the approved units, as needed. The capacity request can be renewed for an additional 12 months. If a Development Permit has not been obtained by the expiration date above the developer may apply for renewal by providing evidence of active rezoning, plan review, or permitting efforts.

Once the Sewer Capacity Certification expires, the capacity is no longer allocated, and a new Sewer Capacity Certification request must be submitted for re-evaluation with no guarantee of available capacity. The evaluation will be based on the updated conditions of the sewer system.

Certification Invalidation: This certification is not valid if there are proposed changes to your development that could impact downstream sewer capacity (e.g. land use density, sewer tie-in manhole, parcel changes, and/or rezoning). In this case the development must resubmit for a



GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES

684 Winder Highway | Lawrenceville, GA 30045-5012 678.376.6700 www.gwinnettcounty.com | www.gwinnetth2o.com

new Sewer Capacity Request with updated information prior to the expiration of the previous one.

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

Sincerely,

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES

Lorraine Campagne, PE

Section Manager, Development Support

678.376.7058

C: Gwinnett County DWR – Tai Yi Su, Division Director; Raghu Vemuru, Engineer V; Mikala Weston, Engineer III Gwinnett County P&D – Charli Young, Planning Manager; Geniva Sylvain, Engineer I; Christina Dejarnette, Engineer I

Exhibit H: Traffic Impact Study [attached]



05/03/2024

Traffic Impact Study

4550 Clack Road Residential Subdivision Gwinnett County, Georgia

> February 19, 2024 revised March 21, 2024



in collaboration with



Traffic Impact Study

4550 Clack Road Residential Subdivision Gwinnett County, Georgia

prepared for:

Northpointe Realty Investments, LLC

February 19, 2024 revised March 21, 2024



2470 Sandy Plains Road, Suite C Marietta, Georgia 30066 (770) 321-3936 info@sei.site



in collaboration with



ACAMPORA TRAFFIC

858 Myrtle Street, NE Atlanta, Georgia 30308 (678) 637-1763 e-mail: acamporatraffic@comcast.net

Contents

INTRODUCTION, PROJECT LOCATION, AND PROJECT DESCRIPTION	1
EXISTING AND PROPOSED LAND USE	2
TRIP GENERATION ESTIMATE	2
DESCRIPTION OF EXISTING TRANSPORTATION FACILITIES	3
PEDESTRIAN, BICYCLE, AND TRANSIT ACCESSIBILITY	3
ADJACENT ACCESS SPACING	3
PROGRAMMED IMPROVEMENTS	5
INTERSECTION SIGHT DISTANCE	5
INTERNAL SITE CIRCULATION REVIEW	5
EXISTING TRAFFIC VOLUMES	6
EXISTING INTERSECTION OPERATIONS	8
PROJECT TRIP DISTRIBUTION AND ASSIGNMENT	g
AUXILIARY LANE REQUIREMENTS AT PROJECT ACCESS	10
CONCLUSIONS AND RECOMMENDATIONS	11
APPENDIX	
Tables	
Table 1 – Proposed 4550 Clack Road Subdivision Trip Generation	2
Table 2 – Gwinnett UDO Minimum Separation for Driveways, Public Roads, and Side Streets	4
Table 3 – Gwinnett UDO Sight Distance Standards	
Table 4 – Existing Intersection Operations	8
Figures	
Figure 1 – Site Location Map	
Figure 2 – Site Plan	
FIGURE 3 – AERIAL PHOTOGRAPH OF ADJACENT SECTION OF CLACK ROAD	
FIGURE 4 – TRAFFIC VOLUME COUNT LOCATIONS	
FIGURE 5 – EXISTING WEEKDAY A.M. AND P.M. PEAK HOUR TRAFFIC VOLUMES	
FIGURE D - PROPOSED SUBDIVISION A IVEAND PIVE PEAK HOUR TRIPS AND DISTRIBUTION PERCENTAGES	U

4550 Clack Road Subdivision, Gwinnett County Traffic Impact Study



Introduction, Project Location, and Project Description

This study assesses the traffic impact of a proposed residential subdivision in Gwinnett County, Georgia. The site is located at 4550 Clack Road, as shown in Figure 1. The project will consist of 48 detached single family homes and will be served by one full-movement access on the west side of Clack Road. Figure 2 presents the site plan for the project.



Figure 1 – Site Location Map

This traffic impact study was prepared for the proposed development according to the standards set forth in Gwinnett County's *Traffic Impact Study Guidelines* dated June 30, 2023. Based on peak hour trip projections made using the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 11th Edition (the current edition), the proposed 48 home subdivision is projected to generate 50 p.m. (the higher of the a.m./p.m.) peak hour trips. Based on those trips, Gwinnett County requires a Level 2 Traffic Study (21 to 249 trips). This traffic impact study includes the tasks for a Level 2 Study, as set forth in the County's Guidelines, Table 1: Traffic Impact Study Scope.

4550 Clack Road Subdivision, Gwinnett County Traffic Impact Study





Figure 2 – Site Plan

Existing and Proposed Land Use

The subject property is currently zoned RA200 – Agriculture Residence District. The proposed zoning is OSC – Open Space Conservation District.

Trip Generation Estimate

The volume of traffic that will be generated by the subdivision was calculated using the equations in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition* (the current edition). ITE Land Use 210 – Single Family Detached Housing was chosen as representative of the project. The trip generation is summarized in Table 1.

Table 1 – Proposed 4550 Clack Road Subdivision Trip Generation

Land Hea	ITE	ITE Size		A.M. Peak Hour			P.M. Peak Hour		
Land Use	Code	Size	In	Out	2-Way	In	Out	2-Way	2-Way
Single Family Detached Housing	210	48 homes	10	28	38	31	19	50	514

The proposed subdivision will generate 38 trips in the morning peak hour, 50 trips in the evening peak hour, and 514 two-way daily trips.

4550 Clack Road Subdivision, Gwinnett County Traffic Impact Study



Description of Existing Transportation Facilities

Clack Road is a two lane local road that begins at a side street stop sign controlled T-intersection at Mt Moriah Road, passes the subject site, intersects Mineral Springs Road, then terminates at a side street stop sign controlled T-intersection at Fence Road. The terrain is gently rolling and the posted speed limit is 35 mph. The road has a rural cross-section with no shoulder, curb-and-gutter, or sidewalk. The road serves primarily undeveloped land and access to residential subdivisions.

Gwinnett County recorded a 24-hour traffic volume count on Clack Road in December 2022 of 1,475 vehicles between Mt Moriah Road and Mineral Springs Road and 3,086 vehicles between Mineral Springs Road and Fence Road. A 24-hour bi-directional count was collected on Clack Road between Mt Moriah Road and Mineral Springs Road for this traffic study on Thursday, February 8, 2024. The count revealed a northbound volume of 1,510 vehicles, a southbound volume of 1,577 vehicles, for a two-way volume of 3,087 vehicles. A count collected by the County on Clack Road between Mineral Springs Road and Fence Road in 2015 revealed a 24-hour volume of 3,136 vehicles, which is slightly higher than the County's 2022 count, suggesting a decreasing trend. However, the Georgia DOT AADT on Mt Moriah Road north of Clack Road (Count Station #135-0494) has experienced an annual average growth rate of 4.1% over the past five years.

Pedestrian, Bicycle, and Transit Accessibility

There are no sidewalks on Clack Road with the exception of a small section that was installed on the west side of the road along the frontage of a residential subdivision. There are no dedicated bicycle lanes along area roadways. There is no regularly scheduled mass transit service in the walkable area. The proposed subdivision site plan includes sidewalks along both sides of all internal streets. The sidewalks will connect to Clack Road.

Adjacent Access Spacing

The proposed access to the subdivision will be located one the west side of Clack Road approximately 750 feet north of an existing access to a subdivision. There are a few single family home driveways in the vicinity of the proposed subdivision access. The Gwinnett County Unified Development Ordinance (UDO) Table 900.3 provides the minimum separation requirements for driveways, public roads, and side streets. That table is reproduced below as Table 2.

For a road with a posted speed limit of 35 mph, the minimum driveway spacing is 244 feet. At approximately 750 feet, the access to the adjacent subdivision to the south is located sufficiently far from the proposed subdivision access.



Table 2 – Gwinnett UDO Minimum Separation for Driveways, Public Roads, and Side Streets

Table 900.3. Minimum Separation for Driveways, Public Roads, and Side Streets.

Posted Speed	Minimum
MPH	Driveway Spacing
25	125
30	219
35	244
40	294
45	369
50	419
55	444
60	494
65	550

Figure 3 presents an aerial photograph of the subject section of Clack Road with the location of the proposed subdivision access identified. The existing subdivision access to the south is visible, as are a few single home driveways.



Figure 3 – Aerial Photograph of Adjacent Section of Clack Road

4550 Clack Road Subdivision, Gwinnett County Traffic Impact Study



Programmed Improvements

Programmed (scheduled and funded) and planned (anticipated) transportation infrastructure projects in the vicinity of the proposed development were researched. A long-term (2050) Georgia DOT project to widen Mt Moriah Road from two to four lanes from the Gwinnett County line to US 29 is planned. No other projects were identified that could affect traffic patterns, volumes, or capacity at the study intersections or project access by the buildout of the proposed development.

Intersection Sight Distance

Intersection sight distance from the location of the proposed project access to the north is approximately 273 feet. To the south, the available intersection sight distance is approximately 805 feet. Table 900.2 Sight Distance from the Gwinnett County UDO is reproduced below as Table 3.

Table 900.2. Sight Distance. SPEED, MPH SDL=SDR SDI SDL SDR SDR SDI SDR

Table 3 – Gwinnett UDO Sight Distance Standards

Table 3 reveals that the minimum required intersection sight distance at the project access on two-lane Clack Road, with a posted speed limit of 35 mph, is 390 feet to the left and to the right. The available sight distance to the south of approximately 805 feet satisfies this standard. However, the available sight distance to the north of 273 feet does not meet the minimum standard. The line of sight is obscured by a combination of the curvature of the road, vegetation, and the roadside grading. Removal of the vegetation and regrading is likely to increase the available sight distance, though it is uncertain if the 390 foot minimum is achievable. It is recommended that the project access be located and designed in order to maximize the available sight distance in each direction. If the minimum requirement cannot be satisfied, remedial measures may be appropriate such as advance warning signage, a reduced speed advisory sign, or other, to be installed on southbound Clack Road in advance of the access.

Internal Site Circulation Review

The proposed internal site roadway plan is very basic and consists of a straight entry roadway feeding a single loop. The loop intersects the straight entry roadway approximately 520 feet within the site from the edge of the travel lane on Clack Road. The design of the street system is expected to function well. All entering vehicles are anticipated to flow into the site with no impediment. Substantial storage (520 feet of straight storage length to the first internal cross street) is provided within the site to accommodate exiting queues.

4550 Clack Road Subdivision, Gwinnett County Traffic Impact Study



Existing Traffic Volumes

Existing full turning movement peak hour traffic volume counts were collected at the following intersections in the vicinity of the site:

- 1. Mt Moriah Road at Clack Road
- 2. Clack Road at Mineral Springs Road
- 3. Fence Road at Clack Road

The locations of the traffic counts are presented in Figure 4.



Figure 4 – Traffic Volume Count Locations

The intersection counts were collected on Thursday, February 8, 2024 from 7:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:00 p.m. Area schools were in standard session on the day on which the counts were recorded. From the intersection turning movement count data, the highest four consecutive 15-minute interval volumes at each intersection, during each time period, were determined. These volumes make up the existing weekday a.m. and p.m. peak hour traffic volumes at each intersection and are shown in Figure 5. The raw count data is found in Appendix A.

4550 Clack Road Subdivision, Gwinnett County Traffic Impact Study



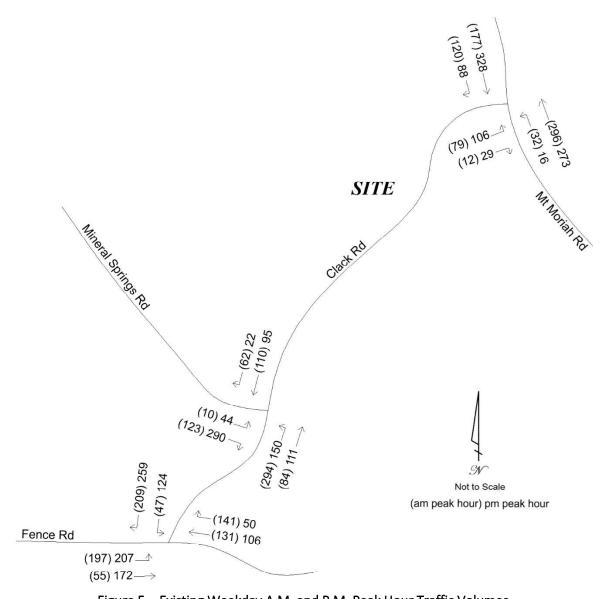


Figure 5 – Existing Weekday A.M. and P.M. Peak Hour Traffic Volumes

Existing Intersection Operations

Existing traffic operations were analyzed at the counted intersections using Synchro software, version 12, in accordance with the methodology presented in the Transportation Research Board's 2022 *Highway Capacity Manual* 7th Edition (*HCM* 7). This methodology is presented in Appendix B. The analysis was based on the existing volumes, lanes, and control. The results of the analysis are shown in Table 4. Computer printouts containing detailed results of the existing analysis are located in Appendix C. Levels of service and delays are provided for each overall intersection and for each controlled approach or movement. Locations that operate unacceptably (LOS E or LOS F) are presented in bold type.

Table 4 – Existing Intersection Operations

Intersection / Approach		ak Hour	P.M. Peak Hour		
		Delay (s/veh)	LOS	Delay (s/veh)	
1. Mt Moriah Road at Clack Road (side street stop sign)	А	2.6	А	3.5	
northbound left turn	А	8.0	А	8.5	
eastbound approach	С	16.7	С	20.7	
2. Clack Road at Mineral Springs Road (side street stop sign)	А	5.9	А	7.5	
eastbound approach (Mineral Springs)	В	11.7	В	13.3	
northbound left turn (from Clack)	А	8.6	А	7.9	
3. Fence Road at Clack Road (side street stop sign)	А	7.4	В	12.9	
southbound approach	С	15.5	D	26.4	
eastbound left turn	А	8.4	А	8.0	

The existing analysis reveals acceptable operating conditions at all study intersections and controlled approaches or movements.



Project Trip Distribution and Assignment

The trips that will be generated by the proposed subdivision were distributed and assigned to the roadway network. The trip distribution percentages indicate what proportion of the project's trips will travel to and from various directions. The trip distribution percentages for the subdivision were developed based on the locations and proximity of likely trip origins and destinations including regional employment centers, retail and offices in the area, nearby schools, other regional trip attractors, and the major routes of travel in the area. The new project trips, presented previously in this report in Table 1, were assigned to the roadway network based on the distribution percentages. The trip distribution percentages and the a.m. and p.m. peak hour trips expected to be generated by the proposed subdivision are shown in Figure 6.

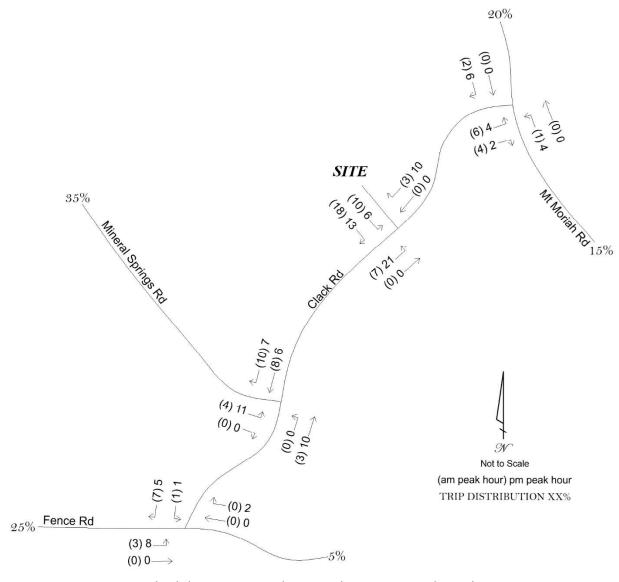


Figure 6 – Proposed Subdivision A.M. and P.M. Peak Hour Trips and Distribution Percentages

4550 Clack Road Subdivision, Gwinnett County Traffic Impact Study



Auxiliary Lane Requirements at Project Access

The project access on Clack Road is under the jurisdiction of Gwinnett County. Therefore, in order to determine if a northbound left turn lane or a southbound right turn lane is required on Clack Road at the subdivision access, The requirements set forth in the Gwinnett County Unified Development Ordinance, Section 900-30. Project Access Improvements, were evaluated. The Code states:

900-30.1 Project access improvements for single-family detached, single-family attached, and duplex residential subdivisions.

- A. When property that abuts upon an existing or proposed County road is to be developed or redeveloped as a single-family detached, attached, or duplex subdivision and the County street will provide access to the property, project access improvements to the County road (deceleration lanes, turn lanes, etc.) shall be provided by the developer as required herein.
- B. A deceleration lane shall be required to be provided at each project driveway or subdivision street entrance that is provided street access to a Minor Collector Street or Major Thoroughfare. In the event a street has an existing or proposed median, and the developer desires to construct a median break to serve the subdivision, a left turn lane leading to the median break shall be required to be provided by the developer if approved by the Department of Transportation and shall meet the standards contained herein. [details regarding median breaks removed, not applicable]. Meeting the spacing criteria is not, in itself, an indication that median openings will be allowed.
- C. Deceleration lanes shall have a length of 200 feet, with an additional 50 foot taper length, a pavement width of 12 feet (exclusive of curb and gutter) and shall be provided with curb and gutter. Additional right-of-way to accommodate the deceleration lane and an 11 foot shoulder measured from back of curb shall be dedicated by the developer to Gwinnett County at no cost. Associated stormwater infrastructure as deemed necessary by the construction of the deceleration lane shall also be required.
- D. A left turn lane shall be provided into each project driveway or subdivision street that accesses a Minor Collector or Major Thoroughfare in accordance with the Department of Transportation's "Criteria and Guidelines for Left Turn Lanes."
- E. Other project access improvements may be required by the Department upon the recommendation of the Department of Transportation in order to ensure adequate site access, pedestrian access, convenience and safety to the motoring public.
- F. The developer shall be responsible for the relocation of public or private utilities and stormwater infrastructure, as may be occasioned by the required Project Access Improvements.

Clack Road is a local road and, therefore, according to the Code, no northbound left turn lane or southbound right turn lane is required on Clack Road at the proposed subdivision access.

4550 Clack Road Subdivision, Gwinnett County Traffic Impact Study



Conclusions and Recommendations

This study assesses the traffic impact of a proposed residential subdivision in Gwinnett County. The site is located at 4550 Clack Road. The project will consist of 48 detached single family homes and will be served by one access on the west side of Clack Road.

This traffic impact study was prepared for the proposed development according to the standards set forth in Gwinnett County's *Traffic Impact Study Guidelines* dated June 30, 2023. Based on the projected 50 trip peak hour project trip generation, Gwinnett County requires a Level 2 Traffic Study. The following are the findings and recommendations of this study:

- 1. The proposed subdivision will generate 38 trips in the morning peak hour, 50 trips in the evening peak hour, and 514 two-way daily trips.
- 2. Gwinnett County recorded a 24-hour traffic volume count on Clack Road in December 2022 of 1,475 vehicles between Mt Moriah Road and Mineral Springs Road and 3,086 vehicles between Mineral Springs Road and Fence Road. A 24-hour bi-directional count was collected on Clack Road between Mt Moriah Road and Mineral Springs Road for this traffic study on Thursday, February 8, 2024. The count revealed a northbound volume of 1,510 vehicles, a southbound volume of 1,577 vehicles, for a two-way volume of 3,087 vehicles.
- 3. This traffic impact study was prepared concurrently with a traffic impact study for another proposed subdivision at 4370 and 4400 Clack Road. That project will add 37 trips in the morning peak hour, 49 trips in the evening peak hour, and 504 two-way daily trips.
- 4. There are no sidewalks on Clack Road with the exception of a small section that was installed on the west side of the road along the frontage of a residential subdivision. There are no dedicated bicycle lanes along area roadways. There is no regularly scheduled mass transit service in the walkable area. The proposed subdivision site plan includes sidewalks along both sides of all internal streets. The sidewalks will connect to Clack Road.
- 5. Intersection sight distance from the location of the proposed project access to the north is approximately 273 feet. To the south, the available intersection sight distance is approximately 805 feet. The County's minimum required intersection sight distance at the project access on two lane Clack Road, with a posted speed limit of 35 mph, is 390 feet to the left and to the right. The line of sight to the north is obscured by a combination of the curvature of the road, vegetation, and the roadside grading. Removal of the vegetation and regrading is likely to increase the available sight distance, though it is uncertain if the 390 foot minimum is achievable. It is recommended that the project access be located and designed in order to maximize the available sight distance in each direction. If the minimum requirement cannot be satisfied, remedial measures may be appropriate such as advance warning signage, a reduced speed advisory sign, or other, to be installed on southbound Clack Road in advance of the access.

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- 6. The existing analysis reveals acceptable operating conditions at all study intersections and controlled approaches or movements. No mitigation is recommended at any study intersection.
- 7. The County UDO does not require southbound exclusive right turn lane or a northbound exclusive left turn lane on Clack Road to serve the subdivision access.
- 8. The project access should be built with one entering lane and one exiting lane. The exiting approach should be controlled by side street stop sign and accompanying stop bar.
- 9. The project civil/site engineer should comply with all applicable design standards at the project access and along all internal roadways, including sight distances, driveway spacing, turn lane storage and taper lengths (when required), turn radii, driveway widths, islands, angles with the adjacent roadways, and grades.

Exhibit I: Public Participation Plan and Report [attached]



GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT

446 West Crogan Street, Suite 300 | Lawrenceville, GA 30046-2440 678.518.6000 GwinnettCounty.com

Public Participation Plan

	Who do you intend to contact in addition to property owners within 1,000 feet of the site, if any?					
	In addition to the surrounding property owners, the Applicant contacted the Board of					
	Comissioners and Planning Commission members.					
2.	Where do you plan to host the Public Participation Meeting? Ensure that the meeting is held in person at a convenient location for interested parties.					
	As this is a resubmission, the meeting was held at the Little Mulberry Park Pavilion.					
3.	- Wile and a transport of the control of the late of the Death of Death of the Albert of Control of the Late of the Control of					
3.	What date and time do you plan to host the Public Participation Meeting? Ensure that					
3.	What date and time do you plan to host the Public Participation Meeting? Ensure that the meeting is held at a convenient time for interested parties, e.g. not during typical work hours on weekdays. April 30th, 2024 at 6:00pm					
3.	the meeting is held at a convenient time for interested parties, e.g. not during typical work hours on weekdays.					
	the meeting is held at a convenient time for interested parties, e.g. not during typical work hours on weekdays.					
	the meeting is held at a convenient time for interested parties, e.g. not during typical work hours on weekdays. April 30th, 2024 at 6:00pm What is your method for providing opportunities for discussion with interested parties					



GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT

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Public Participation Report

1.	List all groups that you notified of the requested application. Include a copy of the notification package and stamped Postal Service Form 3877 (attached) with itemized name and address of each addressee.
2.	Provide the date, time, and location of all meeting(s) that the applicant and/or representative attended to discuss an application with interested parties.
3.	Provide the number of people who participated in the meeting(s). Include the sign-in sheet(s) with meeting date, time, location, and attendee names.
4.	What issues and concerns were expressed by attendees at the meeting(s)?
5.	What are the applicant's responses to the issues and concerns that were expressed at the meetings? What changes to the development will be made?

Exhibit J: Internal and External Agency Review Comments [attached]



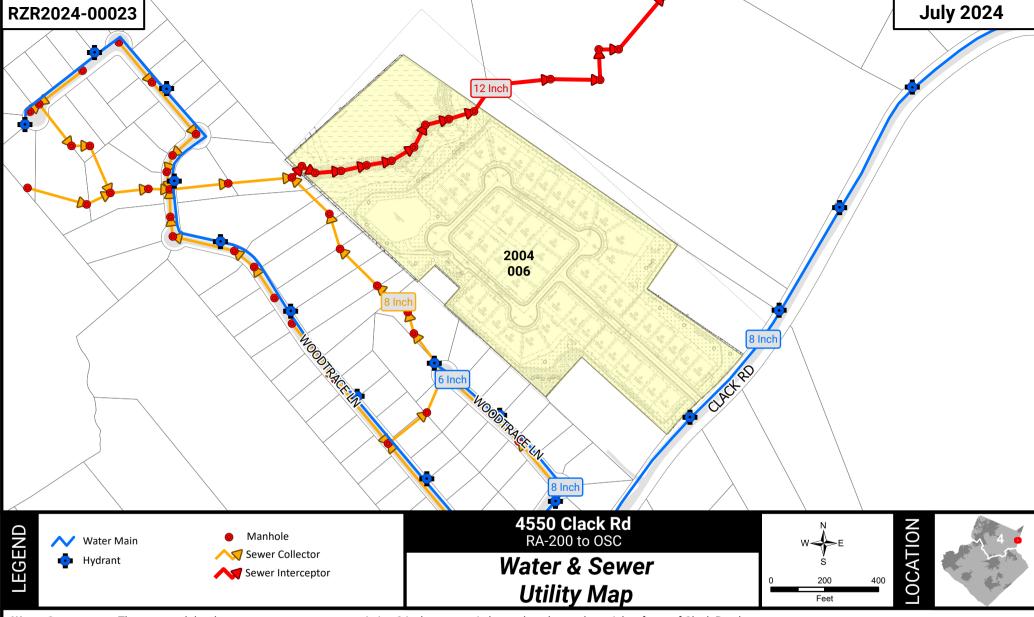
Department of Planning and Development TECHNICAL REVIEW COMMITTEE

TRC	Meeting Date:	06.05.2024								
Department/Agency Name:		Transportation								
Reviewer Name:		Brent Hodges								
Reviewer Title:		Construction Manager 2								
Reviewer Email Address:		Brent.Hodges@gwinnettcounty.com								
Case Number:		RZR2024-00023								
Case	Address:	4550 Clack Road, Auburn, 30011								
	Comments:	X YES NO								
1	Clack Road is a minor collector. ADT	= 1,475.								
	9.7 miles to the nearest Ride Gwinnett facility located at 3505 Buford Drive (AutoNation Mall of Georgia).									
3	A 5' concrete sidewalk shall be constructed along the entire site frontage of Clack Road.									
	Traffic Calming shall be provided for any internal street exceeding 500' without a control point.									
5										
6										
7										
	Recommended Zoning Conditions:	YES X NO								
1		<u> </u>								
2										
3										
4										
5										
6										
7										



Gwinnett Department of Planning and Development TECHNICAL REVIEW COMMITTEE

	Meeting Date:								
Department/Agency Name:		DWR							
Reviewer Name:		Mike Pappas							
Reviewer Title:		GIS Planning Manager							
Reviewer Email Address:		Michael.pappas@gwinnettcounty.com							
Case	Number:	RZR2024-00023							
Case	Address:	4550 Clack Road							
	Comments:	X YES NO							
1	Water: The proposed development may conr right-of-way of Clack Road.	nect to an existing 8-inch water main located on the northern							
2	Sewer: A Sewer Capacity Certification (C2023-272-11) has been approved for 81 residential units and must be updated to reflect the new unit count. The proposed development plans to connect to an existing 12-inch gravity sewer located on the subject parcel.								
3									
4									
5									
6									
7									
	Recommended Zoning Conditions:	YES X NO							
1		<u> </u>							
2									
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4									
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7									



Water Comments: The proposed development may connect to an existing 8-inch water main located on the northern right-of-way of Clack Road.

Sewer Comments: A Sewer Capacity Certification (C2023-272-11) has been approved for 81 residential units and must be updated to reflect the new unit count. The proposed development plans to connect to an existing 12-inch gravity sewer located on the subject parcel.

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. Additionally, connection to a minimum of 12" and 8" mains are required for commercial and residential developments, respectively. It is the responsibility of the development of the developments.

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 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.

	Residentia Prepared f	Ū	•								
											Proposed Zoning
		2024-25		2025-26			2026-27			Approximate Student Projections	
	School	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	from Proposed Developments
	Archer High School	2,950	2,850	100	2,887	2,850	37	2,863	2,850	13	11
RZM2024-00007	McConnell Middle School	2,096	1,775	321	2,121	1,775	346	2,185	1,775	410	
	Cooper Elementary School	1,511	1,625	-114	1,527	1,625	-98	1,543	1,625	-82	15
	Grayson High School	3,585	3,000	585	3,693	3,000	693	3,803	3,000	803	25
RZM2024-00008	Bay Creek Middle School	1,449	1,150	299	1,485	1,150	335	1,537	1,150	387	19
	Trip Elementary School	1,440	1,200	240	1,498	1,200	298	1,558	1,200	358	36
	Dacula High School	2,553	2,550	3	2,617	2,550	67	2,682	2,550	132	16
RZR2024-00023	Dacula Middle School	1,855	1,900	-45	1,901	1,900	1	1,949	1,900	49	11
	Mulberry Elementary School	790	975	-185	826	975	-149	871	975	-104	21
	Dacula High School	2,553	2,550	3	2,617	2,550	67	2,682	2,550	132	3
RZR2024-00030	Dacula Middle School	1,855	1,900	-45	1,901	1,900	1	1,949	1,900	49	1
	Alcova Elementary School	1,501	1,150	351	1,554	1,150	404	1,608	1,150	458	3
	Mountain View High School	2,226	2,300	-74	2,209	2,300	-91	2,253	2,300	-47	21
RZR2024-00032	Twin Rivers Middle School	1,683	2,150	-467	1,700	2,150	-450	1,734	2,150	-416	15
	Dyer Elementary School	929	1,175	-246	903	1,175	-272	894	1,175	-281	30
	Grayson High School	3,585	3,000	585	3,693	3,000	693	3,803	3,000	803	57
RZR2024-00033	Couch Middle School	1,139	1,150	-11	1,167	1,150	17	1,197	1,150	47	45
	Starling Elementary School	1,322	1,200	122	1,348	1,200	148	1,375	1,200	175	80
	Seckinger High School	2,326	2,800	-474	2,452	2,800	-348	2,550	2,800	-250	1
RZR2024-00034	Jones Middle School	1,820	1,575	245	1,893	1,575	318	1,969	1,575	394	1
	Ivy Creek Elementary School	1,583	1,275	308	1,614	1,275	339	1,646	1,275	371	1
	Meadowcreek High School or:	2,521	2,850	-329	2,470	2,850	-380	2,433	2,850	-417	43
RZR2024-00035	McClure Health Science High School	1,180	1,500	-320	1,190	1,500	-310	1,200	1,500	-300	40
	Lilburn Middle School	1,588	2,000	-412	1,556	2,000	-444	1,542	2,000	-458	33
	Nesbit Elementary School	1,214	1,400	-186	1,202	1,400	-198	1,220	1,400	-180	61
	Mill Creek High School	2,721	2,800	-79	2,694	2,800	-106	2,735	2,800	-65	45
RZR2024-00036	Osborne Middle School	1,763	1,575	188	1,798	1,575	223	1,816	1,575	241	35
	Pucketts Mill Elementary School	746	1,200	-454	725	1,200	-475	708	1,200	-492	63

Exhibit K: Maps

[attached]



